

OFFICIALS

Joe Stear, Mayor
Richard Cardoza, Council President
Briana Buban-Vonder Haar, Council Member
Pat Jones, Council Member
Greg McPherson, Council Member



CITY OF KUNA

Kuna City Hall Council Chamber, 751 W 4th Street, Kuna, Idaho

Board of Correction Meeting City Council Meeting AGENDAS Tuesday, March 7, 2017

5:30 P.M. ANNUAL BOARD OF CORRECTION MEETING

1. *Call to Order and Roll Call*

2. *Introduction:*

A. Introductory memo from Michael Borzick

3. *Tax Deed List*

A. General remarks, questions, or comments. The delinquent property is: None in 2017

4. *Water Supply Balance*

A. General remarks, questions, or comments.

5. *Scheduled Protestants*

A. Dave Splzett

Mr. Szplett is requesting a review of his 2017 KMID assessment. A portion of his property has the Mora Waste ditch situated thereon. He would like a reduction in his assessment for the portion of his property that he claims is not irrigated.

6. *Un-Scheduled Protestants*

A. Continue Board of Correction

7. *Adjournment:*

6:00 P.M. REGULAR CITY COUNCIL

1. ***Call to Order and Roll Call***
2. ***Invocation:*** Scott Piper, First Baptist Church
3. ***Pledge of Allegiance:*** Mayor Stear
4. ***Consent Agenda:***

All items listed under the Consent Agenda are considered to be routine and are acted on with one motion by the City Council. There will be no separate discussion on these items unless the Mayor, Council Member, or City Staff requests an item to be removed from the Consent Agenda for discussion. Items removed from the Consent Agenda will be placed on the Regular Agenda under Business or as instructed by the City Council.

- A. City Council Meeting Minutes:
 1. Regular City Council Minutes, February 21, 2017
- B. Accounts Payable Dated March 2, 2017 in the Amount of \$334,990.73
- C. Findings of Fact and Conclusions of Law
 1. Consideration to approve Findings of Fact and Conclusions of Law for Case No.15-05-S (Subdivision)
- D. Notification of Agreements Signed by Gordon Law, City Engineer

5. ***Community Reports or Requests:***

6. ***Public Hearings:*** (6:00 p.m. or as soon thereafter as matters may be heard.)

- A. *Planning & Zoning staff requests this item be tabled to the March 21st, 2017 City Council hearing.*

Consideration to table Public Hearing on 16-09-AN (Annexation) – Trevor Kesner, Planner II

Applicant/Owner, Michael Robinson is requesting Council approval to annex an approximately 1.0-acre parcel into Kuna city limits. The subject parcel is located at 1420 W. Hubbard Road, Kuna 83634.

- B. Public Hearing and consideration to approve 16-03-CPM (Comprehensive Plan Map Amend) and 16-10-AN (Annexation) Ashton Estates Subdivision – Troy Behunin, Planner III

Applicant, SDN, LLC, requests approval to amend the Comprehensive Plan (Comp Plan) Map, from Medium Density Residential to Mixed-Use General over approximately 50.6 acres. The site is contiguous to Kuna City limits and the applicant requests approval to annex the same parcel into Kuna City with the following zones; C-1 (Neighborhood Commercial), R-6 (Medium Density Residential) and R-20 (High Density Residential). The subject site is located on the south east corner (SEC) of Meridian and Deer Flat Roads.

7. Business Items:

- A.** Proclamation for March 2017 as the 15th Annual March for Meals Month. – Mayor Stear
- B.** The Economic Development Committee requests up to \$9,000.00 for a hotel feasibility study. – Mayor Stear
- C.** Discussion and decision on reallocation of Indian Creek funds. – Bobby Withrow, Parks Director
- D.** *Continued from the February 21, 2017 Kuna City Council Meeting*
Consideration to approve Kuna Splash Pad Location with Price Breakdown – Bobby Withrow, Parks Director
- E.** Consideration to approve Resolution No. R22-2017 – Approving the Transportation Priority List – Wendy Howell, Planning & Zoning Director

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE PROJECT PRIORITY LIST TITLED “CITY OF KUNA IDAHO’S TRANSPORTATION PRIORITY REQUESTS- 2017” AS THE OFFICIAL TRANSPORTATION PROJECT PRIORITY LIST FOR THE CITY OF KUNA, IDAHO FOR THE ADA COUNTY HIGHWAY DISTRICT; AUTHORIZING THE CITY CLERK TO TRANSMIT THE DOCUMENT TO ACHD; AND HEREBY REPEALING ALL PREVIOUS TRANSPORTATION PROJECT PRIORITY LISTS.

- F.** Consideration to approve Resolution No. R23-2017 - Approving Award of Bid to Cougar Construction Excavation for the 2017 PI Project – Gordon Law, City Engineer

RESOLUTION AWARDING BID FOR THE 2017 PRESSURE IRRIGATION PROJECT TO COUGAR CONSTRUCTION EXCAVATION IN THE AMOUNT OF \$349,232.20; DIRECTING EXPENDITURE OF FUNDS FROM THE WATER AND IRRIGATION FUNDS FOR SAID PROJECT; AND AUTHORIZING THE MAYOR, CITY CLERK, AND CITY ENGINEER TO EXECUTE CONTRACT DOCUMENTS WITH SAID BIDDER.

8. Ordinances:

9. *Mayor/Council Discussion Items:*

A. Discussion of use of the City Hall Parking Lot.

B. Discussion of the possible implementation of Special Events fees.

10. *Announcements:*

11. *Executive Session:*

12. *Adjournment:*



CITY OF KUNA
P.O. BOX 13
KUNA, ID 83634
www.kuna.ID.gov

MICHAEL L. BORZICK, GISP
GIS MANAGER

Telephone (208) 287-1726
Email: mborzick@kunaID.gov

MEMORANDUM

TO: Mayor Stear and Members of City Council

FROM: Mike Borzick
GIS Manager

RE: Board of Correction
Purpose & Agenda

DATE: March 7, 2017

As required in Idaho State Code, this Board of Correction has been or will be noticed in the Kuna-Melba News on February 15 and February 22, 2017. It is held as a requirement outlined in Idaho State Code 50-1807.

Purpose of Board of Correction

Inasmuch as the Board of Correction meets and acts infrequently, it may be useful to review the legislation defining the purpose of the Board. The following is taken from Idaho State Code 50-1811 and 50-1812 in describing the duties of the Board of Correction:

*50-1811. Board of correction -- Changes in assessment books. At the time of the meeting specified in the notice required by section [50-1807](#), **the mayor and council of such city are hereby constituted a board of correction** and for that purpose shall meet and continue in session from day to day as long as may be necessary not to exceed three (3) days, exclusive of holidays and **make such changes in the said assessment book as may be necessary to make it conform to the facts**, and such assessments levied for the maintenance, operation, extension and enlargement of the works may be reviewed by the mayor and council of the city during said time upon the request of any person interested, and within five (5) days after the mayor and council, shall have adjourned as a board of correction, the city clerk shall complete the assessment books as the same may have been adjusted and/or corrected by the mayor and council sitting as a board of correction and shall certify to the same and deliver said books to the city treasurer who shall collect the assessments in the manner herein provided.*

*50-1812. Correction of irregularities upon giving notice -- Omissions. If the levy of any assessment or assessments for **any year** as provided by this section, upon any or all the lands, lots, pieces or parcels*

*of real estate within the boundaries of such irrigation system, shall be **discovered to be irregular and void because of any irregularity**, informality or error in the assessment books or for any other reason, the said **mayor and council of the city may meet and correct such errors** upon five (5) days prior notice published in the official newspaper, as provided in sections [50-1801](#) through [50-1835](#), Idaho Code,] and at such meeting correct any error or mistake that may have been found to exist which makes such assessment roll invalid, provided, that no invalidity of such assessment roll may be claimed on account of the omission of the name or the incorrect naming of the owner of any lots, pieces or parcels of real estate so assessed or the omission of lands, lots, pieces or parcels of real estate through error or inadvertence from the assessment roll, but that such omitted lot, piece or parcel of land shall be assessed by the city clerk.*

It is the presumption of staff that Council established in October 2016 the assessment criteria to be relied upon by staff to prepare the 2017 assessment roll. The purpose of the Board of Correction is to correct assessments where errors have been made, making the assessment roll conform to the facts, and adjusting assessments consistent with the criteria adopted in October. This might make the scope of issues to be considered by the Board, somewhat limited.

However, the very next code section (50-1812) introduces a process whereby the Mayor and Council, upon 5 days published notice, may consider any irregularities, informalities or errors, in any assessment(s), from any year, and may correct them. The Board of Correction certainly meets the noticing criteria of 50-1812, involves the same people, and staff assumes that the Board of Correction can act in any manner permitted by 50-1812.

As a matter of practical application, staff would prefer that the Board not make substantive changes in assessment philosophy at this late date in the assessment cycle. Where possible, staff would hope that significant changes would be addressed in October of the subsequent assessment cycle.

Notwithstanding Staff's preferences, the latitude of the Board of Correction in making corrections is very broad, and is perhaps limited only in the general statutory requirement that a "uniform method of assessment" (50-1805A) is preserved.

Financial Adjustments

For the information of Council, this year's budget includes an allowance of \$2,000 for adjustments and corrections which the Board of Correction may make in this year's assessment roll without exceeding the prescribed budget. Adjustments exceeding this amount would have to be offset by reductions in other line items or by draws from fund balance.

Delinquent Assessments

The agenda for this year includes an item listing a property which is delinquent in the payment of assessments from the 2012 irrigation season. Such property, if not redeemed, is subject to seizure through a tax deed to satisfy the assessment. General notice of the pending action has been published in the Kuna-Melba News and individual notice has been mailed to the property.

Pending Irrigation Shutoff

This year's, and every year's, assessments are due and payable April 1st. The state code directs that no irrigation water is to be delivered to a property until its assessment is paid. To comply with this

requirement, the City had been performing a “back-yard” irrigation shutoff after April 1st and before the first irrigation water is delivered.

Because of threats to personnel performing the shutoff, the City has elected to allow irrigation payments to be made in installments and to not perform a back-yard shutoff if the installments are kept current. Further, the payment of installments is enforced through the potable water shutoff (in conjunction with the shutoff for sewer, water and garbage collection) – which does not require a back-yard entry.

Agenda for Board of Correction

The following items are proposed for consideration or decision:

1. Tax Deed List (See Attachment) – Provided for information purposes to allow questions or comments. The delinquent property is: None in 2017
2. Water Supply Balance – For the information of the Board, the following Table shows the quantity of water provided to the pressure irrigation system and the usage, non-usage and wastage of canal water in 2016. Wastage is computed as the difference between canal water delivered to a pump station and the amount actually pumped. Water “not used” is the difference between available canal water allotment (including carryover) and the amount the City requested to be delivered.

	<u>2015</u>	<u>2016</u>
CANAL WATER PUMPED	1,147 MG*	1,332 MG
POTABLE WATER USED	96 MG	2.4 MG
CANAL WATER DELIVERED	1,079 MG*	1,339 MG
CANAL WATER WASTED	+68 MG*	6.8 MG

*Canal water was over delivered to both Chaparosa and Crimson Pump stations by BPBC

5,700 Connections (2016)
0.72 acre-feet/connection (2016)

2. Scheduled Protestants
 - a. Dave Splzett
3. Un-scheduled Protestants
 - a. Continue Board of Correction

Sincerely,

Michael L Borzick

Michael L Borzick
GIS Manager



Memo from the Office of the City Attorney

To: City Council
From: Richard T. Roats
Re: Board of Corrections

The City Council is assembled as the board of correction pursuant to Idaho Code §50-1811 that provides in part-

[T]he mayor and council of such city are hereby constituted a board of correction and for that purpose shall meet and . . . make such changes in the said assessment book as may be necessary to make it conform to the facts, and such assessments levied for the maintenance, operation, extension and enlargement of the works may be reviewed by the mayor and council of the city during said time upon the request of any person interested[.]

Mr. David Szplett has requested review of his 2017 irrigation assessment by the board of correction based upon his assertion that a portion of his lot (covered by an easement) should be exempt from the assessment as he does not water it because it contains the waste ditch (Mora Wasteway).

Attached for council's review are the following documents:

- 1) City of Kuna, Idaho Resolution No. R72-2016A.
- 2) Color aerial photographs (2) of Mr. Szplett's property.
- 3) Color photograph of waste ditch.
- 4) Letter dated October 26, 2015 from Mr. Szplett requesting review of his irrigation assessment. (Idaho Code provides for a hearing date in March under the facts of Mr. Szplett's case).
- 5) Copy of board of correction agenda and minutes from March 15, 2016.
- 6) Letter dated August 5, 2016 from Mr. Szplett- (Note Mr. Szplett did not request a review in 2016, his 2015 review was tabled, see No. , below).
- 7) Letter dated August 17, 2016 from city attorney Richard T. Roats to Mr. Szplett explaining the March 15, 2015 review hearing and noticing. Although Mr. Law did not receive a request from review the matter was added to the board of correction agenda and notice was given as required by Idaho Law.
- 8) Emails dated August 22, 2016 regarding Kuna City Code 7-8-3.
- 9) Email with letter dated August 25, 2016 from Mr. Szplett requesting an appeal hearing of his irrigation fees. Note: Mr. Szplett cites incorrect state codes inapplicable to the city's irrigation system.
- 10) Email dated August 29, 2016 from Mr. Szplett suggesting that two mayors would fix it for him and stating that one even gave him cash.

- 10) Email dated August 29, 2016 from Mr. Szplett suggesting that two mayors would fix it for him and stating that one even gave him cash.
- 11) Email dated September 11, 2016 from Mr. Szplett declining the city's request for a meeting, and characterizing it as a "secret" meeting.
- 12) Letter dated September 15, 2016 from Mr. Szplett regarding status of his review.
- 13) Letter dated September 27, 2016 from city attorney Richard T. Roats explaining applicable law, and reminding Mr. Szplett of this hearing date.
- 14) Email dated November 6, 2016 from Mr. Szplett requesting review of his irrigation assessment.
- 15) Email dated November 27, 2016 from Mr. Szplett requesting confirmation of this irrigation appeal.
- 16) Letter dated November 30, 2016 from Mr. Szplett stating his grounds for review.
- 17) Letter dated November 30, 2016 from city attorney Richard T. Roats acknowledging receipt of his requests and reminding him of his hearing date
- 18) Email dated December 4, 2016 from Mr. Szplett indicating that he has received the city's responses, and that he now works for the Idaho Attorney General.
- 19) Copy of March 17, 2015 board of correction minutes.
- 20) Decision of board of correction dated March 31, 2009 re: Mr. Szplett.

According to Mr. Szplett, the basis for his review is:

- 1) Seven thousand sq. feet of his lot is the Mora Wasteway.
- 2) A previous mayor already gave him a refund.
- 3) The residential lot size is only .46 acre.
- 4) The city can resell the water at a higher fee.
- 5) The irrigation district will have to pay a lot more for the land if they want an easement.
- 6) I am wasting a lot of water.

I will address each item individually.

- 1) The city does not dispute the fact that a portion of Mr. Szplett's lot is covered by an easement for the Mora Wasteway that is 6,748 sq. feet.
- 2) Upon receiving this serious allegation, I spoke with Mr. Nelson. Mr. Nelson stated that he took Mr. Szplett to lunch and paid the tab. He also stated that he did not give Mr. Szplett cash, as Mr. Szplett reported.
- 3) The city does not dispute the fact that Mr. Szplett's lot is 26,050 sq. feet, or approximately .46 acre.
- 4) The city can not resell the water at a higher fee.
- 5) The city is not in the position to negotiate a purchase and sale price for the property.
- 6) I would agree. I viewed the property last summer during the middle part of the day, I walked from the street down to the waste ditch. I did not observe any water being used on waste ditch. However, Mr. Szplett's lawn was saturated with water. I would conclude that whatever water Mr. Szplett was not using on the waste ditch, he was using on the lawn.

Idaho Code §50-1806 requires that the city assess and apportion the cost of its irrigation system against the water users or landowners according to the length of time each user may use the water.

Pursuant to Resolution No. R72-2016A, the city has established a uniform methodology of allocating assessments as follows:

The city has fixed costs regardless of the amount of water used.

Each lot is assessed an Assessment Expense of \$4.00.

Each lot is assessed a Base Assessment of \$53.25/acre, however the minimum assessment is \$41.00.

Each lot is assessed an Operations Assessment of \$54.50/account for up to 10,000 sq. feet, and \$2.15/1,000 sq. feet for the portion of property exceeding 10,000 sq. feet.

Mr. Szplett's 2017 assessment is \$134.10.

If the Council accepts Mr. Szplett's request, it will result in a reduction of his assessment in the amount of approximately \$14.51.

However, the big picture that must be considered before Council grants Mr. Szplett's request, as it will result in the Council indirectly (or directly) requiring that the city completely revise its' irrigation assessment methodology in order to comply with state law and apply the new method uniformly to all account users. A point not understood by Mr. Szplett.

To implement this new methodology, the city would have to contact each property owner (5,444 receive irrigation water from the Kuna Municipal Irrigation District) and have them calculate that portion of their property that is not irrigated, such as the house, the driveway, the three-car garage, the patio or deck, the non-irrigated play area, etc. The city would then have to calculate the amount of their property that receives irrigation water, and the city would have to establish a system to verify the area provided by the property owner, or hire staff to inspect for compliance. In addition, this verification process may need to take place each year. Assuming that the recalculation results in an overall decrease in the land that is irrigated, and because the city's payments to the underlying irrigation districts would not change, the city would be forced to raise the assessment for each lot to cover the decrease- it's an inverse relationship. In addition, the city's administrative expenses would greatly increase, perhaps far beyond any savings a few property owners may realize at first.

There is a solution. The city would propose that for Mr. Szplett and all others who would like to remove a portion of their property from the irrigation assessment rolls. The property owner would have to do a survey and record as lot split if they don't reside in a subdivision. The owner would then transfer the water right from the newly created parcel to the city's irrigation district. The city would then reduce the property owner's

assessment by the amount of reduction of property. The owner would retain the property, but would be unable to irrigate it, and would be subject to penalties if they do so irrigate.

Respectfully,

A handwritten signature in black ink, appearing to read 'Richard T. Roats', with a stylized, sweeping flourish extending to the right.

Richard T. Roats
City Attorney

**City of Kuna, Idaho
2017 Irrigation Assessment Resolution**

Kuna Municipal Irrigation District Assessments and Fees

RESOLUTION NO. R72-2016A

AMENDED RESOLUTION OF THE COUNCIL OF THE CITY OF KUNA, IDAHO SETTING FORTH FEES, ASSESSMENTS AND POLICIES FOR THE KUNA MUNICIPAL IRRIGATION DISTRICT FOR SAID CITY; RECEIVING AND ACCEPTING THE ASSESSMENT BOOK FOR THE 2017 IRRIGATION SEASON; RECEIVING AND ACCEPTING THE ESTIMATE OF EXPENSES FOR THE 2017 IRRIGATION SEASON; SETTING THE TIME AND PLACE FOR THE MEETING OF THE BOARD OF CORRECTION FOR 2017 ASSESSMENTS; SETTING FEES FOR CONNECTING TO SAID IRRIGATION SYSTEM; SETTING AMENDED UNIFORM METHOD OF ALLOCATING ASSESSMENTS FOR THE 2017 IRRIGATION SEASON; ESTABLISHING BILLING POLICIES; SETTING CUSTOMER SERVICE CHARGES; SETTING SYSTEM POLICIES; REPEALING EXISTING FEES AND POLICIES AS PREVIOUSLY SET BY RESOLUTION, AND SETTING AN EFFECTIVE DATE.

WHEREAS, the City of Kuna, Idaho has established a Municipal Irrigation System, with all the powers and authorities necessary to operate, maintain, replace and/or extend said System; and

WHEREAS, Section 7-8-5 of the Kuna City Code authorizes the City of Kuna, Idaho to charge hook-up fees set forth in a rate schedule adopted by the City Council as a condition for connection to the Municipal Irrigation System; and

WHEREAS, Section 7-8-12 of the Kuna City Code authorizes the City to charge fines and costs for unauthorized connection to the Municipal Irrigation System; and

WHEREAS, Section 7-8-7 of the Kuna City Code authorizes the City Council to establish annual irrigation assessments pursuant to Idaho law:

I. ASSESSMENT ROLL

NOW THEREFORE BE IT RESOLVED, that pursuant to Idaho Code 50-1807, an assessment book for the Kuna Municipal Irrigation District was filed in the office of City Clerk on October 17, 2016, and by this action, Mayor and Council of said City duly receive, make corrections and accept the same.

II. ESTIMATE OF EXPENSES

BE IT FURTHER RESOLVED the estimated expenses or the necessary funds for the expenses of maintaining, operating, improving, extending and enlarging said City's irrigation

system for the 2017 irrigation season, and which shall be allocated in proportion to the benefits received to the properties in said assessment book, are as follows:

Estimated Power Costs	\$ 106,000
BK Irrigation Water Rental (1,638 Ac)	\$ 93,800
NY Irrigation Water Rental (251 Ac)	\$ 20,200
NM Irrigation Water Rental (0 Ac)	\$ -
Wages and Benefits	\$158,000
Other Operational Costs	\$118,000
Equipment Costs	\$ 60,000
System Improvements	\$ -
Interest and Retirement of Debt	\$ -
Unpaid and Delinquent Assessments	\$ 3,700
Adjustments by Council	\$ 2,000
Potable Water Cost (50.8 8 MG)	\$ 4,000
Redemptions - Credit	(\$ 3,400)
Connections After Assessment – Credit	(\$ 4,000)
TOTAL ESTIMATED EXPENSES	\$558,300

By this action, Mayor and Council duly receive and accept the same.

III. BOARD OF CORRECTION

BE IT FURTHER RESOLVED the Board of Correction to hear protests to aforesaid assessments, and as deemed appropriate, to correct the same, shall meet March 7, 2017 at 5:30 P.M. at the Kuna City Hall, 751 West 4th Street, Kuna, Idaho, and continue as long thereafter as may be necessary to conduct the business of the Board. The Board of Correction shall receive protests as to issues of fact in setting assessments, shall correct assessments to conform to the facts and shall conclude the process by confirming the corrected assessment roll. A protestant unable to attend the meeting of the Board may submit a protest in writing any time up to 3:00 P.M. March 7, 2017.

IV. IRRIGATION CONNECTION FEES

BE IT FURTHER RESOLVED, that the charge(s) for connecting to the City Irrigation System shall be determined as follows:

A) **Irrigation Main Fees:** Each residential property to be connected to a System pressurized irrigation main shall be assessed a one-time connection fee for reimbursement of the

capital cost of providing pressurized irrigation trunk mains to serve the property. The amount of said fee shall be a minimum six hundred and twenty dollars (\$620.00) for each lot or parcel up to ten thousand (10,000) square feet in total area plus eight and nine tenths cents (\$0.089) per square foot for area exceeding ten thousand square feet.

Each commercial property to be connected to a System pressurized irrigation main shall be assessed a one-time connection fee for reimbursement of the capital cost of providing pressurized irrigation trunk mains to serve the property. The amount of said fee shall be a minimum six hundred and twenty dollars (\$620.00) for each lot or parcel up to seven thousand (7,000) square feet in total landscaped area plus eight and nine tenths cents (\$0.089) per square foot for landscaped area exceeding seven thousand square feet.

B) Irrigation Supply Fee: Each residential property to be connected to a System pressurized irrigation pump station shall be assessed a one-time connection fee for reimbursement of the capital cost of providing pressurized irrigation pump stations to serve the property. The amount of said fee shall be a minimum nine hundred dollars (\$900.00) for each lot or parcel up to ten thousand square feet in total area plus twelve and nine tenths cents (\$0.129) per square foot for area exceeding ten thousand square feet.

Each commercial property to be connected to a System pressurized irrigation main shall be assessed a one-time connection fee for reimbursement of the capital cost of providing pressurized irrigation pump stations to serve the property. The amount of said fee shall be a minimum nine hundred dollars (\$900.00) for each lot or parcel up to seven thousand (7,000) square feet in total landscaped area plus twelve and nine tenths cents (\$0.129) per square foot for landscaped area exceeding seven thousand square feet.

C) Irrigation Service Fees: Each irrigation service provided at the expense of the City shall be assessed charges for completing services and connections in accordance with the following schedule:

1"	Service	\$ 218/ea
1 1/2"	Service	\$ 272/ea
2"	Service	\$ 326/ea
3" & larger	Service	Time & Material
1/2 Street Asphalt Patch		See Resolution R70-2016
Full Street Asphalt Patch		See Resolution R70-2016

D) **Previous Connections:** In instances where an improvement on a property has previously been connected to the pressurized irrigation system and complied with the connection fee(s) in force at the time of connection, the above fees do not apply. If, however, the connection involves an increase in demand on the system, then the connection is subject to these fees for the amount of the increase only.

E) **Conversion To Pressure Irrigation:** In instances where a parcel was annexed into the corporate limits of the City of Kuna prior to January 1, 1998, was not annexed and connected into the pressurized system of the Kuna Municipal Irrigation District, and subsequently desires to connect to the pressurized system, the applicable connection fees are 50% of the full amount chargeable per paragraphs A through C above. After January 1, 2018, the connection fees shall return to the full amount chargeable per paragraphs A through C above.

F) **Conversion From Gravity Irrigation:** It is hereby declared to be the policy of the City of Kuna that it is in the general public's interest to convert from gravity irrigation to pressure irrigation where pressure irrigation service is available and that said conversion is mandatory in the following circumstances:

1. The number of properties served by a delivery ditch, and using the same, falls below a number which can be efficiently served. It shall be presumed that every delivery ditch requires five miner's inches of lost carrying water to operate and that each property is entitled to one miner's inch of delivered water. A delivery ditch shall be considered "not efficient" if the carrying water equals or exceeds the delivered water.
2. The delivery ditch has a history of two or more instances of unintended flooding of nearby properties.
3. Drainage facilities are missing or inadequate to protect the gravity served properties.

In instances where mandatory conversion is ordered by the City, the fifty percent reduction in connection fees and amortization shall be applied as outlined in Paragraph IV.E above and IV.I below.

G) **Capital Improvements Fund:** All funds collected from connection fees (Irrigation Main, Irrigation Supply) may be used only for initial construction, late-comer reimbursements according to adopted policies or replacement of Irrigation System Facilities.

H) **Potable Water Irrigation (Special Cases):** Properties which have

constructed pressure irrigation facilities, which are intended to be connected in the future to the City's pressurized irrigation system, but which have not yet completed the connection, and which currently receive their irrigation supply from the potable system, shall be billed as a potable water account and assessed an assessment expense and a base assessment but not assessed as an operations assessment. At such time as the connection to the pressurized irrigation system is completed, the property shall be converted to an assessed irrigation account.

I) **Financing Arrangements:** Property owners desiring to connect under terms of Paragraph IV.E and IV.F are permitted to execute a note for the applicable connection fees up to the full amount for said fees amortized over twelve years at four percent (4%) interest and payable monthly on the utility bill. The Mayor is authorized to execute the note on behalf of the City and revenues (with interest collected) are to be credited to the same accounts to which the fees would have been credited if not amortized. Only connection fees are approved for amortization.

J) **Alternate Day Sprinkling:** Irrigation from the Kuna municipal pressurized irrigation system may be scheduled to occur on alternate days by order of the city or its agent. If an order is instituted, homes with a street address ending with an odd number shall irrigate on odd numbered days and homes with a street address with an even number shall irrigate on even numbered days.

K) **Wanton Wasting:** Wanton wasting of irrigation water or use of irrigation water in a manner to cause damage or nuisance to adjoining properties is prohibited. The city or its agent may disconnect any service which wastes, causes damage to adjacent property or creates a nuisance through its use of irrigation water from the city system.

V. IRRIGATION ASSESSMENTS

BE IT FURTHER RESOLVED the City hereby establishes a uniform method of allocating assessments, determined as follows:

A. **Pressurized Irrigation Service** - Each parcel or lot receiving pressurized irrigation service shall receive an annual assessment, consisting of the sum of three components, ASSESSMENT EXPENSE, BASE ASSESSMENT, and OPERATIONS ASSESSMENT. Each component is computed as defined below:

1. **Assessment Expense** - All accounts shall be assessed four dollars (\$4.00) per account to defray the cost of preparing, mailing and collecting the assessment.

2. **Base Assessment** - Each parcel or lot shall be assessed at the rate of fifty-

three dollars and twenty-five cents (\$53.25) per acre, but with a minimum assessment per account of forty-one dollars and no cents (\$41.00). This component of the total assessment is largely to defray the cost of water rental charged by the underlying irrigation districts, with any amounts remaining to contribute to capital replacement and maintenance costs.

3. Operations Assessment - Any **residential** properties with pressure irrigation service shall be assessed annually fifty-four dollars and fifty cents (\$54.50) per account for a property up to ten thousand (10,000) square feet in total area. The added assessment for accounts larger than ten thousand (10,000) square feet shall be two dollars and fifteen cents (\$2.15) per thousand (1,000) square feet for the portion of the property exceeding ten thousand (10,000) square feet in area.

Any commercial property with pressure irrigation service shall be assessed annually fifty-four dollars and fifty cents (\$54.50) per account for a property up to seven thousand (7,000) square feet in total landscaped area. The added assessment for accounts larger than seven thousand (7,000) square feet shall be two dollars and fifteen cents (\$2.15) per thousand (1,000) square feet for the portion of the property exceeding seven thousand (7,000) square feet in landscaped area.

4. Capital Reimbursement Assessment – Any property with pressure irrigation service, which has not paid connection fees as a precedent condition for connection, shall pay annually a capital reimbursement fee of 1 percent (1%) for the 2017 irrigation season, 2 percent (2%) for 2018, 3 percent (3%) for 2019 and 4 percent (4%) for the 2020 irrigation season and thereafter, of the amount of the connection fees. This assessment is particularly applicable to landscaped common lots and is in addition to the annual Assessment Expense, Base Assessment and Operations Assessment. Forty-one percent (41%) of the monies collected shall be credited to the account designated for Pressure Irrigation Trunk Line Fees and fifty-nine percent (59%) to the account designated for Pressure Irrigation Supply Fees. Properties subject to this fee, which subsequently pay the applicable one-time connection fees, shall thereafter be excused from payment of the capital reimbursement fee.

B. Gravity Assessment - Each parcel or lot receiving gravity irrigation service from the Municipal Irrigation System shall receive an annual assessment, consisting of the sum of three components, ASSESSMENT EXPENSE, BASE ASSESSMENT, and OPERATIONS

ASSESSMENT. Each component is computed as defined below:

1. Assessment Expense - All accounts shall be assessed four dollars (\$4.00) per account to defray the cost of preparing, mailing and collecting the assessment.

2. Base Assessment - Each parcel or lot shall be assessed at the rate of fifty-three dollars and twenty-five cents (\$53.25) per acre, but with a minimum assessment per account of twelve dollars (\$12.00). This component of the total assessment is largely to defray the cost of water rental charged by the underlying irrigation districts, with any amounts remaining to contribute to capital replacement and maintenance costs.

3. Operations Assessment - Any properties with gravity irrigation service shall be assessed at the rate of twenty-one dollars (\$21.00) per account for a property less than one acre in total area. The added assessment for residential accounts one acre and larger shall be two dollars and fifteen cents (\$2.15) per acre for the portion of the property exceeding one acre in area.

C. Assessments Due – Assessments are due and payable on April 1st or the first business day thereafter.

D. Partial Year Assessment – For purposes of calculating partial year assessments, the irrigation season is presumed to be April 10th to October 10th. For initial connections made during the course of the irrigation season (such as properties newly annexed into the municipal irrigation system), the new connection shall pay the full Base Assessment, the full Assessment Expense and a prorated Operations Assessment based on the portion of the irrigation season remaining. Partial year assessments are due and payable at the time of building permit issuance, and in instances where a building permit is not being issued, at or before the time of connection.

E. Full Year Assessment – Initial connections made before the commencement of the irrigation season (before April 10th) but after adoption of the annual assessment roll, shall be assessed the full annual irrigation assessment, prior to delivery of irrigation water, as if included in the annual assessment roll.

F. Dual Assessment – In the event a parcel receives an assessment from Kuna Municipal Irrigation District, and also receives and pays an assessment from the property's underlying irrigation district for the same irrigation season, the amount paid to the underlying irrigation district shall be credited to the account with Kuna Municipal Irrigation District. This

policy presumes the city does not receive an assessment from the underlying irrigation district for the same parcel.

G. Vacant Lot Assessment – A non-irrigated parcel of one acre or less in area which has access to pressure irrigation and which is eligible for a building permit for either residential or commercial purposes, but which has not yet exercised that right at the time of assessment, shall be assessed fourteen dollars and seventy-five cents (\$14.75) per buildable parcel. Vacant lots larger than one acre in size are assessed as a gravity irrigation lot. In the event a building permit is obtained on said parcel after the time of assessment, but before the end of the irrigation season, said parcel shall be treated as a “partial year” or “full year” assessment, as defined above, with credit given for the vacant lot assessment already paid.

VI. CUSTOMER BILLING:

A. Annual Billings – All irrigation accounts which do not also have a potable water account shall be billed annually, with courtesy reminders until paid, and be subject to shut-off of the irrigation service if payment is delinquent as provided in Idaho Code.

B. Monthly Billings – Each residential or commercial property that is served by potable water that also has a municipal irrigation account shall be billed for the annual irrigation assessment, as part of their municipal utilities billing statement, in equal monthly installments until paid in full, and be subject to shut-off of the potable water service in addition to other statutory remedies if the monthly payments are delinquent as provided in Kuna City Code.

C. Opt Out Provision - A municipal irrigation account holder may opt out of the monthly billing program at their option, and choose to pay the annual irrigation assessment in a lump sum payment due as provided for in Title 50, Section 18, Idaho Code. The City shall cause a notice to be mailed out to all municipal irrigation/potable water account holders informing them of their option of opting out of the monthly billing program and providing the address to inform the city of the same.

D. Monthly Rates – The monthly installments for payment of the 2017 annual irrigation assessment shall be nine (9) equal installments. After retirement of the 2017 annual irrigation assessment, the monthly installments shall end until re-started by the 2018 annual irrigation assessment resolution.

VII. CUSTOMER SERVICE CHARGES:

A. New Service Accounts - Requests to subdivide an account into additional accounts

or aggregate existing accounts under single ownership, into fewer accounts, may be made by application in person at Kuna City Hall between 8:00 a.m. and 5:00 p.m. during normal workdays. Customers will be billed five dollars (\$5.00) for each account added or reduced, payable at the time of the request. Adjustments in assessments during irrigation season, to the benefit or to the expense of the resulting accounts, shall be treated as "Partial Year Assessments" and prorated from the date of the request. Adjustments to the expense of an account shall be payable at the date of request and adjustments to the credit of an account shall be processed as an account payable in conformance with city procedures.

B. Delinquencies – All delinquent accounts shall be processed in accordance with the provisions of Idaho State Code.

C. Short Notice Line Location Charges - The City of Kuna, as required by law, participates in the Dig Line system. Forty-Eight (48) hours notification is required prior to excavation by any party. Line locations without forty-eight (48) hours notice will be billed to the requesting party at the rate ten dollars (\$10.00) per request. There will be no charge for line locations during times of individual hazard or public emergency.

D. Re-connect Fee – A re-connect fee of fifteen dollars (\$15.00), if performed during normal work hours or fifty dollars (\$50.00) if performed after normal work hours, which shall be paid prior to the account being reconnected, or as subsequently adopted by resolution of City Council, shall be charged to any account to reconnect service following disconnection for non-payment or for any other reason not in the discretion of the City of Kuna or its agents. This fee shall be applied separately for each request and must be paid before reconnection can occur.

E. Tampering Fee – A tampering fee of one hundred dollars (\$100.00), or as subsequently adopted by resolution of City Council, shall be charged to any account reconnecting service without authorization following disconnection for non-payment of assessments. This fee shall be applied separately for each unauthorized reconnection and must be paid before reconnection can occur.

F. Unauthorized Connection – In the event a parcel connects to the pressurized irrigation system without authorization, meaning without having paid connection fees and receiving explicit approval to connect, it shall be presumed that the parcel owner has petitioned to connect, but without authorization. The City may collect a tampering fee as outlined in Paragraph VI.E and disconnect the parcel from service, or collect full payment of connection fees and commence billing

monthly assessment charges, or commence charging monthly amortization of the connection fees as provided in Paragraph IV.I and commence billing monthly assessment charges. In the event the parcel does not have a water right for use of the water, and one cannot be provided, the only option available is to collect a tampering fee and disconnect the parcel from service.

VII. WATER ALLOTMENT

BE IT FURTHER RESOLVED, that no lot or parcel is entitled to receive delivery of a quantity of water which exceeds the allotment of water provided for that parcel by the underlying irrigation district holding the water right in trust. It is hereby declared to be in the public's best interest that water be used efficiently for its intended irrigation purpose, that a property's use of the irrigation system not impose an unauthorized over-spray or drainage burden on adjacent property and that such unauthorized use or any other misuse or wanton wasting of the same shall be due cause for disconnecting the offending lot or parcel from the pressure or gravity irrigation system for the duration of the irrigation season without any prorated reimbursement of assessment. It is further declared, delivery of water through the pressure or gravity systems ceases when deliveries end by the underlying irrigation district.

VIII. REPEAL OF EXISTING FEES AND POLICIES

BE IT FURTHER RESOLVED that the connection fees and other charges established herein are effective beginning October 4, 2016; prior similar fees and policies established by earlier resolution(s) are hereby repealed.

IX. SEVERABILITY CLAUSE

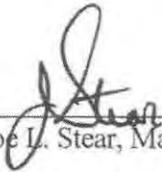
BE IT FURTHER RESOLVED, that the sections of this Resolution are severable. The invalidity of a section shall not affect the validity of the remaining sections.

X. EFFECTIVE DATE

BE IT FURTHER RESOLVED, that this resolution shall become effective upon passage by the Kuna City Council.

PASSED BY THE COUNCIL of the City of Kuna, this 15th day of November, 2016.

APPROVED BY THE MAYOR of the City of Kuna, this 15th day of November, 2016.



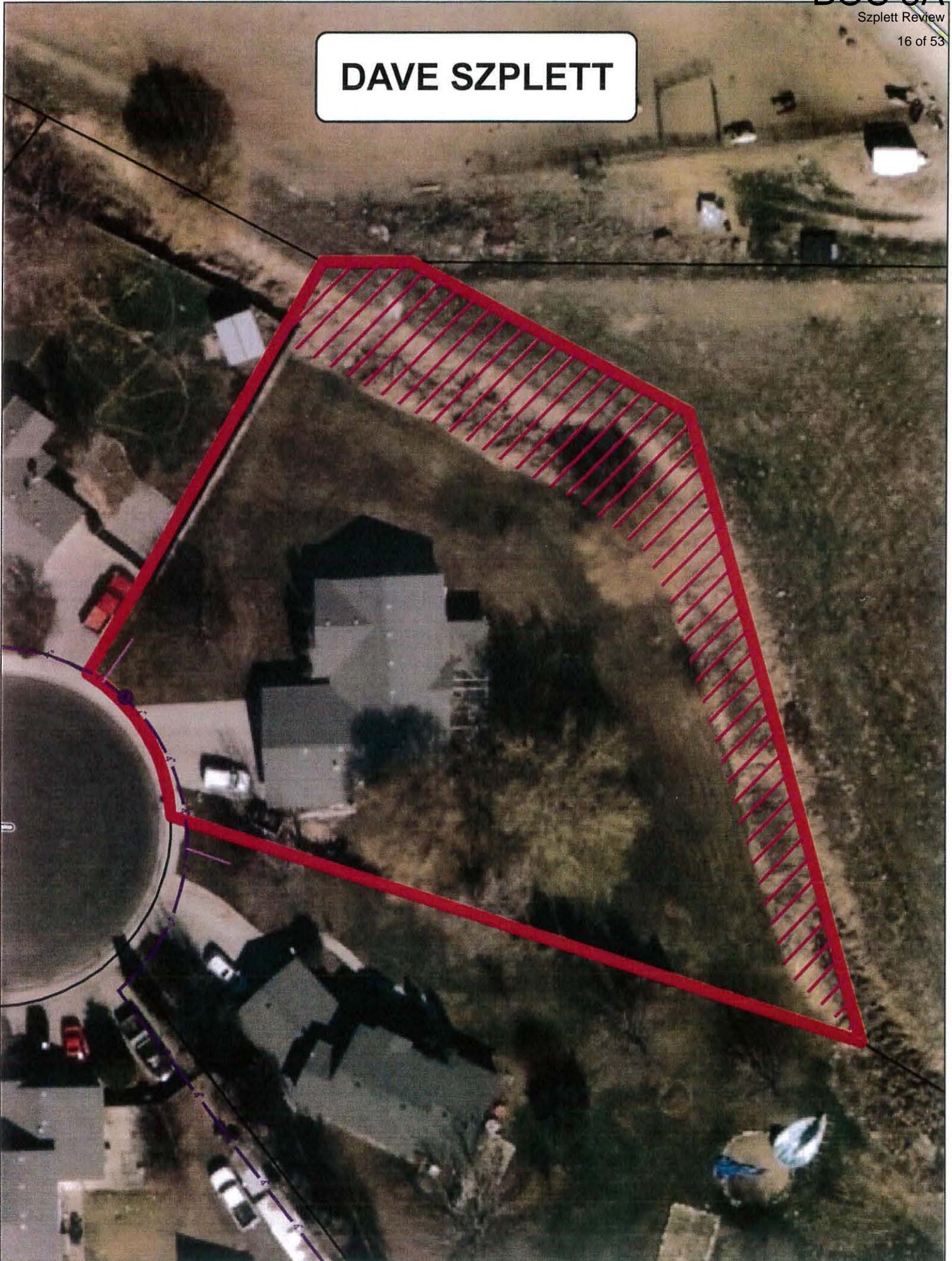
Joe L. Stear, Mayor

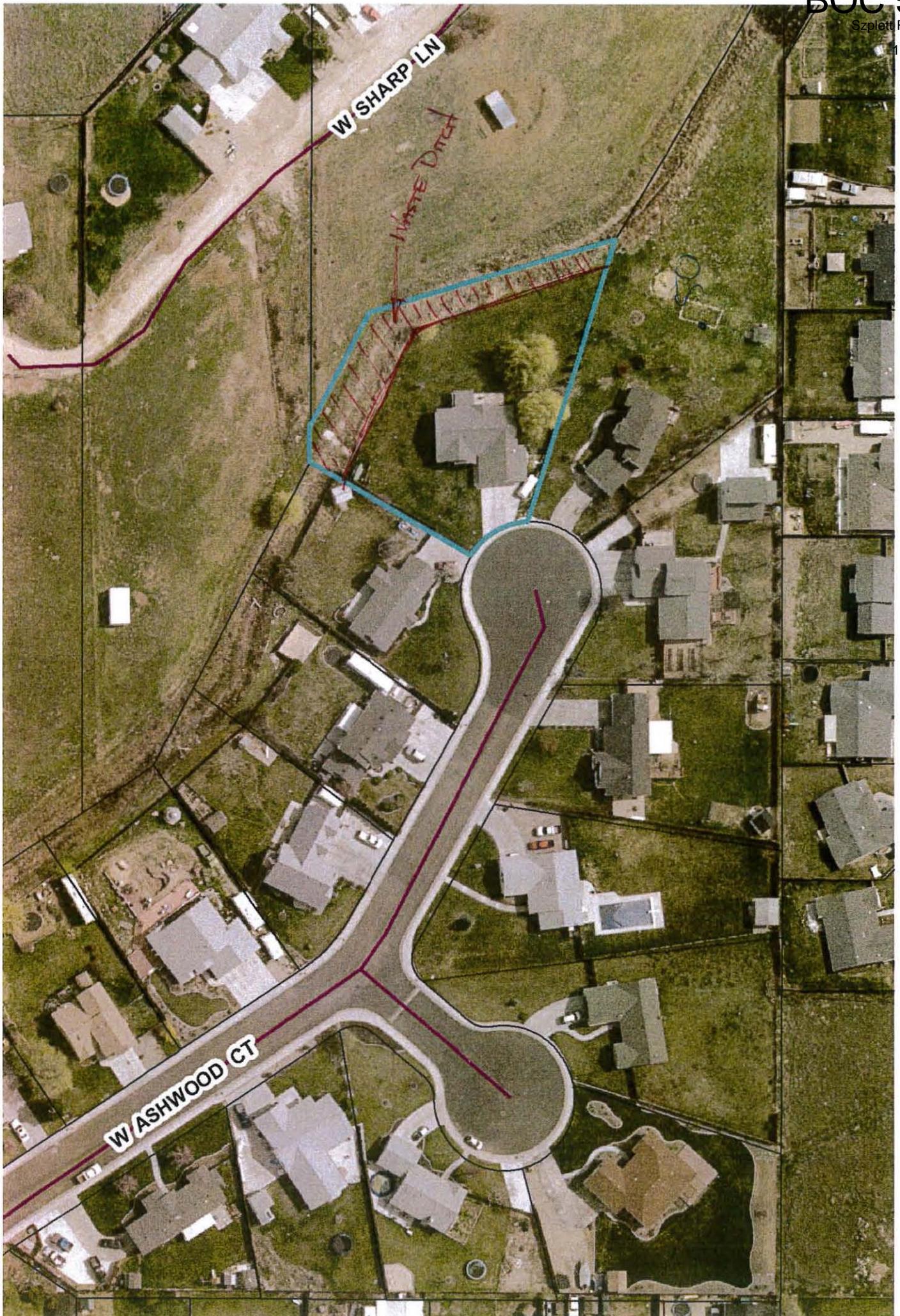
ATTEST:


Chris Engels, City Clerk



DAVE SZPLETT







October 26, 2015

Mayor and Council
City of Kuna
P.O. Box 13
Kuna, ID 83634

COPY

Re: Appeal of pressurized irrigation fees – 970 West Ashwood Court

The Council deferred my appeal last Spring. I have resolved those original issues and request that my appeal again be considered. My original appeal letter is attached.

Please remember that the issue is not a trivial one; the Mora Wasteway occupies over 30% of my lot. I suspect that the Council does not wish me to irrigate an irrigation ditch full of water. I have the same preference.

Please schedule the continuance as soon as possible. I need to know my irrigation budget for next year and the need to install additional sprinklers within the irrigation ditch. Thank you.



Dave Szplett

970 Ashood Court

Kuna, ID 83634.2245

208.863.4153



CITY OF KUNA
 P.O. BOX 13
 KUNA, IDAHO 83634
 (208) 922-5546
 Fax (208) 922-5989
 www.cityofkuna.com

Service Location:
 970 W ASHWOOD CT
 Account # : 32080.01

DAVID BRUCE SZPLETT
 970 W ASHWOOD CT
 KUNA ID 83634-2245

Legal Description

R5070251027
 PAR #2 R/S #3074
 KUNA HOME TRACTS

PREVIOUS H2O READING	DATE	SERVICE	USAGE (Gallons)	CHARGE
12350	06/23/2016	Water Sewer Trash	1,450	15.67
PRESENT READING	DATE			26.19
12495	07/25/2016			15.45
Statement Date:				
07/31/2016				
Please disregard if already paid.				
Previous Balance:				71.84
Payments:				- 71.84
Past Due/Credit Balance:				0.00
Current Due By:			08/15/2016	57.31
Total Amount				57.31

When you pay by check you authorize us to process your payment electronically. Funds may be withdrawn from your account as soon as the same day we receive your payment. You will not receive your check back from your financial institution; however, the transaction will appear on your bank statement.

Effective July 1, 2016 a new business license will increase to \$24.00 and will be valid for 1 year. Existing businesses will be required to renew their business license no later than January 31, 2017 for \$10.00 and will be valid for 1 year.

PLEASE SEE REVERSE SIDE FOR IMPORTANT UPCOMING UTILITY BILLING

PLEASE DETACH AND RETURN BOTTOM PORTION WITH YOUR PAYMENT



**CITY OF KUNA
BOARD OF CORRECTION MEETING
AGENDA
TUESDAY, MARCH 15, 2016**

Kuna City Hall Council Chamber, 763 W. Avalon Street, Kuna, Idaho

5:30 P.M. – ANNUAL BOARD OF CORRECTION MEETING

Call to Order and Roll Call

1. Introduction:

A. Introductory memo from Gordon Law

2. Irrigation irregularities:

A. David Szplett

a. Sprinkled area vs. Lot size issue

B. Old Town PI Connections

a. Several lots have taken PI use without paying for the connection, can we...

i. sign those individuals into a Promissory Note

ii. Re-Lock the services as we find them

iii. Apply fines as City Code states

iv. Annex any lot that isn't already in the KMID if they are using our PI water

3. Tax Deeds:

A. General remarks and comments

4.. Mayor/Council Discussion Items:

5. Announcements:

6. Adjournment:



NAME: DAVE SZPLETT

ACCT #: _____

ADDRESS: 970 W ASHWOOD CT

PHONE #: _____

ISSUE AT HAND: MR SZPLETT WOULD LIKE TO HAVE A PORTION OF HIS LOT
BE EXEMPT FROM THE KMID ASSESSMENT AS HE DOESN'T
WATER THAT PORTION OF GROUND NORTH OF THE DITCH

100% OF THIS LOT IS COVERED WITH A BKID WATER RIGHT

100% OF THIS PARCEL IS ANNEXED INTO THE KMID

THIS ISSUE WAS HEARD IN 2009 (DECISION ATTACHED)

RESOLUTION: _____

CORRECTED BY: _____

**OFFICIALS**

Joe Stear, Mayor
 Pat Jones, Council President
 Briana Buban-Vonder Haar, Council Member
 Richard Cardoza, Council Member
 Greg McPherson, Council Member

CITY OF KUNA

Kuna City Hall Council Chamber, 763 W. Avalon Street, Kuna, Idaho

**Board of Control
 MINUTES**

Tuesday, March 15, 2016

5:30 P.M. BOARD OF CONTROL

1. Call to Order and Roll Call
(Timestamp 00:00:01)

COUNCIL MEMBERS PRESENT:

Mayor Joe Stear
 Council President Pat Jones
 Council Member Richard Cardoza
 Council Member Briana Buban-Vonder Haar
 Council Member Greg McPherson

CITY STAFF PRESENT:

Richard Roats, City Attorney
 Chris Engels, City Clerk
 Gordon Law, City Engineer
 Mike Borzick, GIS Manager

2. Introduction:**A. Introductory memo from Gordon Law**

City Engineer Gordon Law explained the purpose of meeting. He noted that the state code interpretation could apply to any year. These meetings are held with the premise that any irrigation issue can be addressed. He stood for any questions.

The Board of Correction can last up to three days according to state code if the business can't be addressed at this meeting.

He explained the tax deed process for irrigation season. If property is delinquent by three years, it can be taken to satisfy the lien. There is only five this year and they are home owner associations. Last year all properties were taken care of before it went to tax deed.

Mr. Law said in cases of the tax deed of a home owners association, a fraction of the assessment is assigned to each home in the association.

Mayor Stear asked if the Oasis Properties was where a guy got stuck with a corner lot in an HOA deal on School Street last year.

Mr. Law answered yes and stated that City Attorney Richard Roats handled it.

City Attorney Richard Roats responded that he handled it last year and now the gentleman in question is coming in for an application to develop it this year. It is about 10 acres and will be developed. Attorney Roats has advised Planning and Zoning that, when he comes in to do the application, he needs to make that payment. We did the same thing last year with 2012. This gentleman waited until hours before the cut off to pay his tax.

Council Member Cardoza asked if the city costs were covered in the delinquent assessment.

Mr. Law said that there isn't any penalty added to compensate for city time. State code determines what can be charged.

Water supply rights were reviewed by Mr. Law including the capacities. He discussed the relative amounts of canal water and potable water. There has been a reduction of potable water pumped into the system. It is primarily due to pressurized irrigation mains that allow Sego Prairie pond to supplement supplies. We are doing a project this year that will deliver water again from Prairie Pond to supplement the supplies from the Saporosa Substation. We expect another drop. Canal water wasted is when water goes over the weir and isn't used or pumped from the canal. Our book accounts say that in 2014 we wasted 152,000,000 and 68,000,000 in 2015. The numbers are improving.

Council Member Cardoza asked if wells 10 or 11 will be counted as potable water.

Mr. Law said it wouldn't be counted as such. It is intended to be used during peak draw time which is at night. It is more expensive than using canal water and will only be used when absolutely needed. This should preserve surface water rights, giving us a longer season.

3. Irrigation irregularities:

A. David Szplett - Skipped

a. Sprinkled area vs. Lot size issue

B. Old Town PI Connections

(Timestamp 00:13:05)

- a. Several lots have taken PI use without paying for the connection, can we.....
 - i. sign those individuals into a Promissory Note
 - ii. Re-Lock the services as we find them

- iii. Apply fines as City Code states
- iv. Annex any lot that isn't already in the KMID if they are using our PI water

Mr. Law explained there were pressurized irrigation mains installed. They were dry, meaning there was no water allowed. Water has been provided and notice was given to the property owners they could convert to pressurized irrigation instead of gravity irrigation. Some have taken advantage of the opportunity. He reviewed the various water situations of the property owners in the area and several specialized situations.

For properties that get gravity irrigation, some use the water and some don't. The staff would like to establish a schedule to deliver water a limited number of days and only to those who use it in order to get rid of waste. Mr. Law asked for council's input.

Mayor Stear asked if the people who use the water contact Mr. Law and his staff or do we just give them a schedule of when the water is being delivered and they can water then, take it or leave it.

In response to Mayor Stear, Mr. Law reviewed how the schedule works according to even and odd years. He proposes to deliver on the weekend for those who use it and that those who don't, not waste the water. If any decided to restart receiving water, the city will get them scheduled to get water. If everyone were to sign back up for water, we would change our schedule accordingly.

Council Member Cardoza asked about the gaps in the water schedule and where the water goes during that time.

Mr. Law said it just runs down the ditch.

Council President Jones asked why the times couldn't be scheduled for a street to get the water on the same day for efficiency. He is not sure he wants to mandate when someone gets water, especially if they're paying for it. He is not sure the people will be receptive to a schedule to make it more efficient. He does not think people want to waste water and wonders, if we bring it to them, will they be more receptive to coordinating with us to help.

Mr. Law agreed that there should be a session explaining water conservation to residents. He said there are three delivery ditches and staff would like to reduce the number of days and have it all on one weekend day and during daytime hours to help with the situation.

Mayor Stear commented that when you use gravity irrigation you do have to mandate when it has to be used or else you just run ditch water all the time. That's the nature of the beast.

Council President Jones asked if anyone has ever complained that we aren't giving them enough water.

Mr. Law said no.

Mr. Law asked if there were any objections to going forward with changing the schedules. No one opposed.

Mr. Law discussed the properties that are taking water without paying for it, it becomes an automatic petition and the connection fee and costs are required. There are about nine properties in this category. Right now, for those who sign up voluntarily to connect, most of them will sign a note to pay that off over a period of 12 years at a flat monthly rate. They would do the same pay schedule for those who they automatically start charging.

Council Member Cardoza asked about the legal status of us doing this. What are the repercussions of us forcing this on them? Do we have the legal status to enforce it with a foreclosure after three years?

Mr. Roats explained the process of a lien and the agreements may need to be revised to deal with the forced contract. Those who are entering into the contract willingly are getting half off on the connection charge. Mr. Roats suggests that those who have gone in and turned on the connection themselves, but then voluntarily sign the contract be charged the full price. Give them warning that if they come in and sign the contract there will be no penalty, but if they refuse they will be charged the full amount.

Mayor Stear confirmed that Attorney Roats was suggesting that we lock out the system and give them notice that they can have access to the system if they sign up for it and if they take it again illegally they will be charged for it.

Council President Jones doesn't understand why they aren't held accountable as they are stealing water from the city. He said there should be a severe deterrent and is disappointed that there is nothing in place to stop this. He supports Mr. Law in whatever action he would like to take.

Mr. Law is willing to take any action that Council directs.

Mike Borzick said that the Sheriff was called about a situation of a lock being cut, and they wouldn't process the complaint because they said there wasn't enough evidence to show there was a lock on it.

Council said that education can be used and relocking the services. If it is cut again, then further action would be taken.

Mr. Law reviewed the properties that are taking water without being part of the Kuna Municipal Irrigation District. He suggests that an annexation would need to be included with a notice.

Council discussed the process and what was allowable for enforcement remedies.

Council was agreeable to the process Mr. Law proposed for a resolution to the situation with education and then lockout enforcement.

April 20, 2016 is the anticipated start date for irrigation turn on date. If the water is in the system prior to April 20, residents can use the water. Mr. Law concluded his presentation and stood for questions.

Council Member Cardoza asked about the Szplett item.

Mr. Law said that Mr. Szplett had been notified but hasn't responded and hasn't made a request to be on the agenda. He has been denied the waiver by Council twice before. He responded to Council Member Cardoza that staff doesn't recommend exclusion of portions of properties.

Mayor Stear supports the response given to Mr. Szplett previously.

4. Tax Deeds:

A. General remarks and comments

5. Mayor/Council Discussion Items:

6. Announcements:

7. Adjournment:

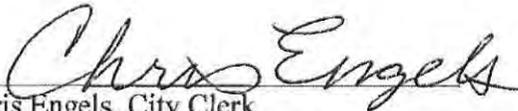
Meeting was adjourned at 6:28 p.m.

(Timestamp 00:57:50)



Joe L. Stear, Mayor

ATTEST:


Chris Engels, City Clerk



Minutes prepared by Ariana Welker, Customer Service Specialist
Date Approved: CCM 04.05.2016

August 5, 2016

Mayor and Council
City of Kuna
P.O. Box 13
Kuna, ID 83634

RECEIVED
AUG 09 2016
CITY OF KUNA

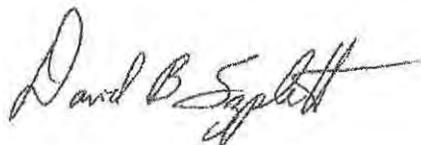
Re: **Appeal of pressurized irrigation fees – 970 West Ashwood Court**

What happened to my irrigation appeal? The attached letter was stapled to my check and hand delivered.

The Council “tabled” my appeal and it can’t be tabled forever. Plus I have a ton of new information from the Assessor’s office.

Idaho Statutes (43-303) requires that irrigation districts meet on a monthly schedule. You have had plenty of time to reschedule my appeal.

Thank you.



Dave Szplett

970 Ashood Court

Kuna, ID 83634.2245

208.863.4153

August 17, 2016

Mr. David Szplett
970 Ashood Court
Kuna, Idaho 83634-2245

Re: Your letter dated August 5, 2016/ Appeal of pressurized irrigation fees

Dear Mr. Szplett:

As the attorney for the city of Kuna, I have been provided a copy of your letter requesting information on the status of your appeal of your irrigation assessment.

On March 15, 2016, at 5:30 pm, the Kuna City Council convened as the Board of Correction, as provided for in Idaho Code §50-1807, to meet and make any necessary corrections to the irrigation assessments. Notice of the hearing was published in the Kuna-Melba News on February 17 and 24, 2016. In addition, the agenda for the Board of Correction was posted on the city's website, at City Hall, and around town on March 11, 2016, as provided for in Idaho Code. Finally, the minutes for the meeting were approved by the City Council on April 5, 2016, after the agenda, including the draft minutes, were again, posted on the City's website, City Hall, and around town on April 1, 2016. For your convenience, I have enclosed a copy of the Notice of Publication that was sent to the Kuna-Melba News, a copy of the publication on February 24, 2016, the Board of Correction Agenda for its March 15, 2016 meeting, and the approved Minutes from said Board of Correction meeting.

As your request was considered an appeal of your irrigation assessment, the City followed Idaho Code relating to providing notice of the Board of Correction meeting and scheduled your matter accordingly. As reflecting in the minutes, as you were not present at the hearing, the appeal was skipped (dismissed).

If you have any additional questions, please call at your convenience.

Szplett Letter
August 17, 2016
Page 2 of 2

Sincerely,

Richard T. Roats
City of Kuna, City Attorney

Cc: Mayor Steer
Gordon Law

Ariana Welker

From: David Szplett <david.szplett@yahoo.com>
Sent: Monday, August 22, 2016 9:29 AM
To: Ariana Welker
Subject: RE: Ordinance 7-8-3

thank you

On Mon, 8/22/16, Ariana Welker <awelker@kunaid.gov> wrote:

Subject: RE: Ordinance 7-8-3
To: "David Szplett" <david.szplett@yahoo.com>
Cc: "Mayor Stear" <mayorstear@kunaid.gov>, "Chris Engels" <cengels@kunaid.gov>
Date: Monday, August 22, 2016, 8:59 AM

Dear Mr. Szplett,

I have attached a copy of the Ordinance and Resolution pertaining to your request and the most recent Irrigation Schedule. You can also find the Irrigation Schedule on our website, kunacity.id.gov, under City Services: Public Works: Irrigation: GI Delivery Schedule.

Please let us know if you have any further questions.

Sincerely,

Ariana Welker
City of Kuna Clerks Office
(208) 387-7726
AWelker@kunaid.gov

-----Original Message-----

From: David Szplett [<mailto:david.szplett@yahoo.com>]

Sent: Monday, August 22, 2016 7:47 AM

To: City Clerk

Subject: Fw:

Ordinance 7-8-3

--- On Mon, 8/22/16, David Szplett <david.szplett@yahoo.com> wrote:

> From: David Szplett <david.szplett@yahoo.com>
> Subject: Ordinance 7-8-3
> To: mayorstear@cityofkuna.com
> Cc: cengels@kunaid.gov

> Date: Monday, August 22, 2016, 7:45 AM Ordinance 7-8-3 says that "The > irrigation assessment schedule shall be maintained and available to > the public through the city clerk's office."

>

> Please email a copy to this address.

>

> Thank you.

>

> Dave

>

Ariana Welker

From: David Szplett <david.szplett@yahoo.com>
Sent: Thursday, August 25, 2016 12:10 PM
To: Ariana Welker
Cc: Mayor Stear; Chris Engels
Subject: RE: Ordinance 7-8-3
Attachments: Szplett IR Third Appeal.pdf

I will hand deliver a paper copy this evening.

Dave

On Mon, 8/22/16, Ariana Welker <awelker@kunaid.gov> wrote:

Subject: RE: Ordinance 7-8-3
To: "David Szplett" <david.szplett@yahoo.com>
Cc: "Mayor Stear" <mayorstear@kunaid.gov>, "Chris Engels" <cengels@kunaid.gov>
Date: Monday, August 22, 2016, 8:59 AM

Dear Mr. Szplett,

I have attached a copy of the Ordinance and Resolution pertaining to your request and the most recent Irrigation Schedule. You can also find the Irrigation Schedule on our website, kuna.city.id.gov, under City Services: Public Works: Irrigation: GI Delivery Schedule.

Please let us know if you have any further questions.

Sincerely,

Ariana Welker
City of Kuna Clerks Office
(208) 387-7726
AWelker@kunaid.gov

-----Original Message-----

From: David Szplett [<mailto:david.szplett@yahoo.com>]

Sent: Monday, August 22, 2016 7:47 AM
To: City Clerk
Subject: Fw:
Ordinance 7-8-3

--- On Mon, 8/22/16, David Szplett <david.szplett@yahoo.com> wrote:

> From: David Szplett <david.szplett@yahoo.com>

August 25, 2016
Mayor and Council, City of Kuna
P.O. Box 13
Kuna, ID 83634

Re: Written Petition - Appeal of pressurized irrigation fees – 970 West Ashwood Court

In accordance with State Statute 67-5242 (4), I submit this petition for the City to vacate the earlier decision on my irrigation appeal. The grounds for the petition are simple:

- The City called me for the first meeting and there was every reason to expect the same notice for the continuance. The City clearly set the precedent.
- Mayor Nelson was at the counter when I hand-delivered the second request. I asked him to confirm that the City would contact me the same as last time.
- It took the City six months to schedule my appeal. The cost of six-months of newspapers would have negated the small benefit from the appeal.
- Mayor Nelson previously gave me cash to resolve this issue. My appeal only formalizes what has already been done.

This petition is filed timely. Although the meeting was held in March, 2016, the required notification of a final decision was not made until August 22, 2016. This petition is filed within five days of receiving the City's final decision.

The City didn't do very well on this issue. It appears that:

- This is a minor issue. It should have been easy.
- Some statutes may have been violated in terms of meeting frequency (43-303) and notification of a final decision (67-6521).
- The City spent more money in a written response than the value of the appeal. This didn't give the taxpayers any value.
- The City is relying on two-year old information. The newest action by the County Assessor already made the decision for you.
- I deal with local, county and state elected officials in my daily work. I haven't found one person who believes that the City of Kuna acted appropriately. They typically responded with some comment similar to "well, Greg Nelson isn't there anymore."

Thank you.



Dave Szplett
970 Ashwood Court
Kuna, ID 83634.2245
208.863.4153

- > Subject: Ordinance 7-8-3
- > To: mayorstear@cityofkuna.com
- > Cc: cengels@kunaid.gov
- > Date: Monday, August 22, 2016, 7:45 AM Ordinance 7-8-3 says that "The > irrigation assessment schedule shall be maintained and available to > the public through the city clerk's office."
- >
- > Please email a copy to this address.
- >
- > Thank you.
- >
- > Dave
- >

September 15, 2016

Mayor and City Council
PO Box 13
Kuna, ID 83634

RECEIVED
SEP 26 2016
CITY OF KUNA

Re: **Status of my many appeals)**

I ask for a status report on my many appeals. It would seem that the only pending appeal is my request for a hearing when I didn't know about the last one. This request is particularly important because A) I am now retired and no longer have internet access, and B) a subscription to the newspaper costs more than the value of the appeal.

I also ask, as a taxpayer, how many Kuna City staff hours have been expended on this small (\$25?) appeal.

Thank you.



Dave Szplett
970 Ashwood Court
Kuna, ID 83634



P.O. BOX 13
KUNA ID 83634
(208)922-5546
www.KunaCity.id.gov

Mayor

Joe Stear

City Council

Members

Briana Buban-Vonder Haar
Richard Cardoza
Pat Jones
Greg McPherson

City of Kuna

September 27, 2016

Mr. David Szplett
970 Ashood Court
Kuna, Idaho 83634-2245

Re: Your letter dated September 15, 2016/ Appeal of pressurized irrigation fees

Dear Mr. Szplett:

Before I address your request for an appeal hearing, I want to comment on your many letters, conversations and presentations to the city, wherein you cite case law, Idaho Code and the Idaho Administrative Procedures Act. Without addressing whether or not you are correct in your legal analysis, you portray yourself as being well-versed in the law; as such, I am going to assume that you've reviewed my last letter with the correct legal citations, and the process that the city followed in providing notice of the hearing before the Board of Correction and you now understand it.

I also understand that due to your retirement, your access to information has changed. You now claim you can't afford a subscription to the local newspaper, and your use of the state's internet for personal use has now ended due to your retirement. I note that there are copies of the newspaper available around town, and the Council's agenda is always posted around town and at City Hall- all free of charge.

I am troubled by your continued demand for preferential treatment. I hope you understand that the city has to treat all of its citizens equally. The city cannot capitulate to your demands, upon the premise that this is a small and insignificant matter- it is not, and it effects each and every citizen of Kuna. The city will dedicate the necessary time to comply with Idaho Code and treat its citizens fairly and uniformly.

As for your hearing, pursuant to Idaho Code §50- -1807, your matter will be heard before the Board of Correction on March 7, 2017 at 5:30 PM, or as soon

Szplett Letter
September 27, 2016
Page 2 of 2

thereafter as the matter may be heard. Please note that this is a courtesy notice. No other notice will be personally give to you.

If you have any additional questions, please call at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read 'Richard T. Roats', with a long horizontal flourish extending to the right.

Richard T. Roats
City of Kuna, City Attorney

Cc: Mayor Steer
Gordon Law

-----Original Message-----

From: David Szplett [mailto:david.szplett@yahoo.com]

Sent: Sunday, November 06, 2016 6:52 PM

To: Mayor Stear

Cc: Chris Engels; Ariana Welker

Subject: appeal of irrigation assessment

Sunday, November 06, 2016

Mayor and Kuna City Council

City of Kuna

P.O. Box 13

Kuna, Idaho 83634

Re: Annual Irrigation Appeal

I wish to appeal the 2017 irrigation assessment. My appeal is based upon the following:

- A large part of my property is the Mora Wasteway. There is no reason to irrigate in irrigation drainage ditch.
- A previous mayor agreed with Point 1 (above) and gave me a cash refund.
- The City's irrigation rates are based upon "residential" lot size. The County Assessor determined that only a part of my lot is "residential." The remainder is wasteland and listed as having no value.
- The area of the wasteway is larger than a normal city lot. The city can agree to the small reduction on my assessment and then resell that same amount of water at a much higher rate for a normal city lot.
- The Kuna-Meridian Irrigation District asks me to donate the area of wasteland to them for a maintenance easement. I should be reluctant to donate if it has value and can be irrigated.
- I don't want to be responsible for wasting the equivalent amount of water in our desert environment.
- The irrigation assessment is very small (less than \$30).

Thank you for reading these comments.

Dave Szplett

970 Ashwood Court

Kuna, Idaho 83634

From: david.szplett@gmail.com <david.szplett@gmail.com>

Sent: Sunday, November 27, 2016 7:46 AM

To: City Clerk

Subject: Please confirm that the city has received my Irrigation appeal

Ariana Welker

From: David Szplett <david.szplett@yahoo.com>
Sent: Sunday, September 11, 2016 2:11 PM
To: Ariana Welker; David Szplett
Cc: Mayor Stear; Chris Engels
Subject: Your request of an off-the-record meeting

I appreciate your kind offer of another off-the-record meeting about my irrigation appeal. I have talked to a number of public sector people and many Kuna voters. The consensus is consistent with the previous advice by the other officials, the clear suggestion that I avoid four-on-one off-the record meetings, and the Assessor's determination of my property. Especially once they saw that the city engineer did not even deliver copies of my original appeal to the council.

I therefore decline your kind offer of a secret meeting and ask to proceed to the formal appeal process

We are again disappointed with our City's actions. The City has already spent much more of the taxpayers' money than the small value of this appeal. And this whole matter could have been resolved in one meeting rather than many.

Dave

On Mon, 8/29/16, David Szplett <david.szplett@yahoo.com> wrote:

Subject: I got your phone message . . .
To: "Ariana Welker" <awelker@kunaid.gov>
Cc: "Mayor Stear" <mayorstear@kunaid.gov>, "Chris Engels" <cengels@kunaid.gov>
Date: Monday, August 29, 2016, 4:40 PM

. . . for an informal meeting.
I have to think it through though.

I have had two mayors say that they "would fix it" for me; one even gave me cash. Both were informal meeting and nothing came of either one.

I also had an informal meeting with the County Assessor. The Assessor's office reported that they would reclassify the ditch area as "wasteland," assign no value that that aprt of my property, and "that should take care of it. Nothing came of that either.

I now have to review if I am better off waiting until your next formal meeting or taking another route to a solution.

Alternatively, the City can just credit my irrigation account with the few dollars as noted in my appeal.

I appreciate all your time and efforts though.

Dave

Ariana Welker

From: David Szplett <david.szplett@yahoo.com>
Sent: Sunday, November 06, 2016 6:52 PM
To: Mayor Stear
Cc: Chris Engels; Ariana Welker
Subject: appeal of irrigation assessment

Sunday, November 06, 2016

Mayor and Kuna City Council
City of Kuna
P.O. Box 13
Kuna, Idaho 83634

Re: Annual Irrigation Appeal

I wish to appeal the 2017 irrigation assessment. My appeal is based upon the following:

- A large part of my property is the Mora Wasteway. There is no reason to irrigate in irrigation drainage ditch.
- A previous mayor agreed with Point 1 (above) and gave me a cash refund.
- The City's irrigation rates are based upon "residential" lot size. The County Assessor determined that only a part of my lot is "residential." The remainder is wasteland and listed as having no value.
- The area of the wasteway is larger than a normal city lot. The city can agree to the small reduction on my assessment and then resell that same amount of water at a much higher rate for a normal city lot.
- The Kuna-Meridian Irrigation District asks me to donate the area of wasteland to them for a maintenance easement. I should be reluctant to donate if it has value and can be irrigated.
- I don't want to be responsible for wasting the equivalent amount of water in our desert environment.
- The irrigation assessment is very small (less than \$30).

Thank you for reading these comments.

Dave Szplett
970 Ashwood Court
Kuna, Idaho 83634

Ariana Welker

From: david.szplett@gmail.com
Sent: Sunday, November 27, 2016 8:46 AM
To: City Clerk
Subject: Please confirm that the city has received my Irrigation appeal

Sent from my LG K10, an AT&T 4G LTE smartphone

November 30, 2016

Mayor and Council

I again appeal the annual irrigation assessment.
The appeal is based upon:

- 1- 7,000 sq ft of my lot is the Mora Wasteway
- 2- A previous mayor already gave me a refund
- 3- The residential lot size is only 0.46 acres
- 4- The city can resell the water at a higher fee
- 5- The irrigation district will have to pay a lot more for the land if they want an easement
- 6- I am wasting a lot of water

Thank you

David Szplett 836 4153
970 Ashwood Court



P.O. BOX 13
KUNA ID 83634
(208)922-5546
www.KunaCity.id.gov

Mayor
Joe Stear

City Council

Members
Briana Buban-Vonder Haar
Richard Cardoza
Pat Jones
Greg McPherson

City of Kuna

November 30, 2016

Mr. David Szplett
970 Ashood Court
Kuna, Idaho 83634-2245

Re: *Your appeal of irrigation assessment*

Dear Mr. Szplett:

This letter will acknowledge that your most recent letters regarding your appeal of your irrigation assessment will be added to your appeal file.

As a reminder, your hearing is scheduled before the Board of Correction on March 7, 2017 at 5:30 PM, or as soon thereafter as the matter may be heard.

If you have any additional questions, please call at your convenience.

Sincerely,

Richard T. Roats
City of Kuna, City Attorney

Cc: Mayor Stear
Gordon Law

From: [David Szplett](#)
Cc: [Mayor Stear](#); [Chris Engels](#)
Subject: Re: I got your notice of my appeal hearing. . .
Date: Sunday, December 04, 2016 7:29:03 AM

Thank for responding to my emailed and hand delivered appeals.

It was interesting that:

- my 2014 appeal got a phone call but no letter response
- my 2015 appeal got no phone call and no letter response
- my 2016 appeal got no phone call but did get a letter response

Either my City has no policy on responding to appeals (and needs one) or the staff does not follow policy (and needs one).

I will volunteer to write a policy for you, if requested.

Please keep in mind that I work for the Attorney General's office; please make sure that we don't have any conflicts of interest.

I appreciate all your time and efforts though.

Dave

CITY OF KUNA
BOARD OF CORRECTION MEETING
MINUTES
TUESDAY, MARCH 17, 2015
Kuna City Hall Council Chamber, 763 W. Avalon Street, Kuna, Idaho

5:30 P.M. BOARD OF CORRECTION

Call to Order and Roll Call:

COUNCIL MEMBERS PRESENT: Mayor W. Greg Nelson
Council President Richard Cardoza
Council Member Briana Buban-Vonder Haar
Council Member Pat Jones
Council Member Joe Stear

CITY STAFF PRESENT: Gordon Law, City Engineer
Richard Roats, City Attorney
Chris Engels, Interim City Clerk
Mike Borzick, GIS Manager

(Timestamp 00:00:30)

Gordon Law, City Engineer explained the Board of Corrections is an opportunity for citizens to bring items for consideration. The information included is an accounting of how the water was used in the last season as well as the prior. It shows the usage and trends in response to conditions. 2013 had drought conditions however 2014 was better. Potable water usage was decreased in 2014 by one hundred and eleven million gallons. Amount wasted is listed and Mr. Law explained that a certain amount of water is ordered into each pump station, the pumps send it into the system, the portion that can't go into the pipe goes into drainage ways and is wasted or lost.

Council President Cardoza asked if there was a large change in connections between 2013 and 2014.

Mr. Law indicated that there wasn't an out of the ordinary increase but there had been a few from Butler subdivision.

Mr. Law also noted that one property has reached the end of the grace period for not paying their assessment which is listed in item 1 below. They have been notified of their delinquency and on July 1 collection must be made or the property will be seized. In the upcoming year, there is one property owner that may be in a similar situation but it will be monitored.

The following items are proposed for consideration or decision:

- 1. 2012 Tax Deed List (See Attachment) – Provided for information purposes to allow questions or comments. The delinquent property is:**

OASIS PROPERTIES, LLC – S1326428020 – c/o Marty Pieroni, 475 S. Thornwood Way, Meridian, Idaho 83642

2. **Water Supply Balance** – For the information of the Board, the following Table shows the quantity of water provided to the pressure irrigation system and the usage, non-usage and wastage of canal water in 2014. Wastage is computed as the difference between canal water delivered to a pump station and the amount actually pumped. Water “not used” is the difference between available canal water allotment (including carryover) and the amount the City requested to be delivered.

	<u>2013</u>	<u>2014</u>
CANAL WATER PUMPED	666 MG	905 MG
POTABLE WATER USED	345 MG	234 MG
CANAL WATER DELIVERED	901 MG	1057 MG
CANAL WATER WASTED	235 MG	152 MG
	4,633 Connections (2014)	
	0.75 acre-feet/connection (2014)	

3. **Scheduled Protestants** – supporting documents, if any, provided at meeting

A. Dave Splzett

B. Paul Beckman

Mr. Law stated Dave Splzett has asked to have Council consider his issue and Mr. Splzett would like to make his presentation.

Mr. Splzett provided his home is at 970 Ashwood Ct. Mr. Splzett explained there is a waste ditch in his back yard and if he sprinkles his lawn, it is a waste of water. He would like his assessment reduced by the area that is in the Mora Wasteway. He asks for the credit for next year.

Mayor Nelson explained he let Mr. Splzett know prior to the meeting that there will be a Bureau of Reclamation easement decision along the Mora Wasteway that needs reviewed and the 30 foot easement could be from 1890. A townhall meeting won't be held but each individual will be handled individually. The FBI notified law enforcement that the militia has been interested in the situation. Mayor Nelson indicated he would like to have further information from the Bureau of Reclamation before a decision was made.

Mr. Splzett was agreeable to waiting to see if the Bureau of Reclamation intended to claim the easement.

Mr. Law stated that city staff was in agreement with Mr. Splzett and would like to see the results of the Bureau of Reclamation. Adjustments to the assessments can be made at a later date with a 5 day meeting notice.

Council was in agreement to wait.

Mr. Splzett thanked Council for their consideration.

4. Un-scheduled Protestants

(Timestamp 00:19:30)

A. Continue Board of Correction

Mr. Law asked for City Attorney Richard Roats to explain the meetings for this week and the schedule. He explained there was a calendaring delay and the second publication was not made. A second meeting needs to be held tomorrow and Thursday. It is likely that there will not be any attendance. The meeting can be reset to Thursday from Wednesday because of lack of quorum.

Mayor Nelson asked about Paul Beckman.

Mr. Roats said Mr. Beckman will probably attend next year.

Mr. Law explained the change in the vacant lot assessment as well as a settlement on cost recovery was done by agreement with Mr. Beckman. Since then, Mr. Beckman has not paid either of them. There are a large number of vacant lot assessment that are delinquent. They become eligible for seizure for next year. Mr. Beckman is also questioning the interceptor fee and thinks he shouldn't have to pay it because he prepaid sewer connections. Mr. Law doesn't think it is a matter for Board of Corrections.

Council agreed to meet Thursday for the next meeting.

5. Adjournment: 6:00 p.m.

Council Member Stear moved to adjourn the meeting at 6:00 p.m. Seconded by Council Member Jones, all voting aye. Motion carried 4-0.

W. Greg Nelson, Mayor

ATTEST:

Chris Engels, Interim City Clerk

Minutes prepared by Chris Engels

Date Approved: CCM 04.07.2015



CITY OF KUNA

P.O. BOX 13 • KUNA, ID 83634
PHONE (208) 922-5546

March 31, 2009

Dave Szplett
970 W. Ashwood Ct
Kuna, ID 83634

Dear Mr. Szplett;

On March 20, 2009 the City of Kuna, Idaho conducted the annual Board of Correction for the Kuna Municipal Irrigation District to consider protests to 2009 irrigation assessments. Inasmuch as you had previously submitted a protest to your assessment, your case was presented to City Council (as the Board of Correction) at that time and a decision was rendered.

The Board considered your request to eliminate a portion of your assessment at the 970 W Ashwood Ct. on the basis of portions of your lot not using irrigation water. It is the decision of the board, upon recommendation of staff, the request is denied. The decision is rendered based on the following considerations:

1. This Parcel is annexed into the Cities Municipal Irrigation District.
2. No portion of the parcel is excluded from the assessment by the underlying irrigation district.
3. A large majority of the expenses of providing, operating and maintaining the system accrue whether a particular lot draws water or not.
4. Special arrangements are eliminated to ensure all citizens are treated equally.

Sincerely,

J. Scott Dowdy
Mayor of Kuna

Cc: Gordon Law, City Engineer
Randy Grove, Attorney

Enclosure

Page 1 of 1

SITUATION #1

#17



NAME: DAVE SPLETT

ACCT #: 03 2080 01

ADDRESS: 970 W Ashtwood Ct

PHONE #: _____

PROBLEM:

- SAYS WASTE WATER DITCH
ISNT BEING IRRIGATED
SO HE DOESNT FEEL HE
SHOULD PAY FOR IT

APPROVED
KUNA PLANNING & ZONING DEPT.
M. Z. [Signature]
OFFICIAL
03/10/09
DATE

RESOLUTION:

- 26092 S.F. IN CITY IRRIG
- .67 ACRES FROM B/K IRRIG
- 100% OF PARCEL BEING
BILLED TO CITY FROM B/K IRRIG DIST

confirm #45678 mod.
[Signature]

CORRECTED BY:

[Signature]

DATED:

03/10/09



NAME: DAVE SZPLETT

ACCT #: _____

ADDRESS: 970 W ASHWOOD CT

PHONE #: _____

ISSUE AT HAND: MR SZPLETT WOULD LIKE TO HAVE A PORTION OF HIS LOT
BE EXEMPT FROM THE KMID ASSESSMENT AS HE DOESN'T
WATER THAT PORTION OF GROUND NORTH OF THE DITCH

100% OF THIS LOT IS COVERED WITH A BKID WATER RIGHT

100% OF THIS PARCEL IS ANNEXED INTO THE KMID

THIS ISSUE WAS HEARD IN 2009 (DECISION ATTACHED)

RESOLUTION: _____

CORRECTED BY: _____



OFFICIALS

Joe Stear, Mayor
 Richard Cardoza, Council President
 Briana Buban-Vonder Haar, Council Member
 Pat Jones, Council Member
 Greg McPherson, Council Member

CITY OF KUNA

Kuna City Hall Council Chamber, 751 W 4th Street, Kuna, Idaho

City Council Meeting MINUTES Tuesday, February 21, 2017

6:00 P.M. REGULAR CITY COUNCIL

1. *Call to Order and Roll Call*

COUNCIL MEMBERS PRESENT:

Mayor Joe Stear
 Council President Richard Cardoza
 Council Member Pat Jones
 Council Member Briana Buban-Vonder Haar
 Council Member Greg McPherson

CITY STAFF PRESENT:

Richard Roats, City Attorney
 Chris Engels, City Clerk
 Wendy Howell, P & Z Director
 Gordon Law, City Engineer
 John Marsh, City Treasurer
 Bobby Withrow, Parks Director
 Troy Behunin, Planner III

2. *Invocation:* None

3. *Pledge of Allegiance:* Mayor Stear

Consideration to Amend the Agenda

*(Council must move to amend the agenda per IC 74-204(4)(b))
 (Timestamp 00:00:55)*

Add item 7D under Business - Request from Mayor Stear to confirm appointment of Antonio Conti P.E. to the position of Kuna City Engineer

The City Clerk was notified of the request on Tuesday, February 21, 2017.

Council Member Buban-Vonder Haar moved to amend the agenda to include item 7D. Seconded by Council Member Jones. Motion carried 4-0.

4. Consent Agenda:

(Timestamp 00:01:27)

All items listed under the Consent Agenda are considered to be routine and are acted on with one motion by the City Council. There will be no separate discussion on these items unless the Mayor, Council Member, or City Staff requests an item to be removed from the Consent Agenda for discussion. Items removed from the Consent Agenda will be placed on the Regular Agenda under Business or as instructed by the City Council.

A. City Council Meeting Minutes:

I. Regular City Council Minutes, February 7, 2017

B. Accounts Payable Dated February 16, 2017 in the Amount of \$626,898.35

C. Alcohol Licenses:

I. Lima Limon – Liquor-by-the-Drink and On Premise Beer

D. Final Plat

E. Resolutions

I. Consideration to approve Resolution No. R17-2017 – Approving the Park Use Agreement Between the City of Kuna, Idaho and the Kuna Youth Softball and Baseball Association, Inc.

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING THE PARK USE AGREEMENT BY AND BETWEEN THE CITY OF KUNA, IDAHO AND THE KUNA YOUTH SOFTBALL AND BASEBALL ASSOCIATION, INC., PURSUANT TO THE TERMS OF THE AGREEMENT; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT.

2. Consideration to approve Resolution No. R18-2017 – Authorizing Signatures for Banking Services

A RESOLUTION AUTHORIZING SIGNATURES, INCLUDING FACSIMILE SIGNATURES, FOR BANKING SERVICES ON BEHALF OF THE CITY OF KUNA.

F. Findings of Fact and Conclusions of Law

Council Member Jones asked City Engineer Gordon Law to explain what a mixed liquor pipe is.

Mr. Law explained it is a line that recirculates the biological growth and mixture in the sewer lagoons from the back of the treatment train to the front. It is called mixed liquor because it has the biota mingled with it.

Council Member Jones asked City Clerk Chris Engels if Lima Limon's liquor license application was for a new license or a transfer.

Ms. Engels responded that it is not a transfer. The owner had previously been leasing a different license however Idaho State Liquor said he had to get his own.

**Council Member Buban-Vonder Haar moved to approve the consent agenda. Seconded by Council Member Jones. Approved by the following roll call vote:
Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar, and McPherson.
Voting No: None
Absent: None
Motion carried 4-0.**

5. Community Reports or Requests:
(Timestamp00:03:30)

A. KPAL Presentation – Kody Aldrich, Ada County Sheriff's Office

Kody Aldrich updated Council on KPAL. The soccer program is going very well and it is growing. Kuna will have its full soccer league in play in spring with all Kuna kids and all games played in Kuna. The KPAL program has grown as well, including the board and new positions. Mr. Aldrich is currently serving as the secretary. He introduced Todd Moyer, an accident reconstruction specialist with the Ada County Sheriff's Office and a volunteer for KPAL, as President. John McDaniel is the Vice President and is with the Ada County Sheriff's Office. Chelsey Campbell is a juvenile probation officer in Kuna and serves as Treasurer. She refers a lot of kids for KPAL scholarships. Britnie Shofner is over the soccer program and has put in a lot of hours. She is invaluable. Her husband, Jason Shofner, built KPAL's website and put together a lot of their security protocol. He is with Boise City Police. The program is great and is really giving back to the Kuna community.

Mr. Aldrich acknowledged all the work of Kuna Police Chief Justin Dusseau and his service. His work has been very valuable. Chief Dusseau was awarded a gift card to Cabela's.

Mr. Aldrich stood for questions.

Council Member Buban-Vonder Haar asked how many kids are doing soccer and football.

Mr. Aldrich said there are 140 in soccer at this time and more are signing up. Last year there were about 165 in football. There should be, for football, a peewee

division with four (4) teams, eight (8) teams in the sophomore division, and eight (8) teams in the junior division. It has really grown. They tried to refocus those younger ages with skill building and positive interaction by getting rid of the tournaments and some of those things. For the older kids that want to be more competitive and see the value of hard work and putting in the practice they try to make the tournaments more rewarding. Ultimately, it is an activities league, so they want to continue the leadership aspect and other opportunities. All in all it is going well. They are there financially. They appreciate the support of the community and the City, especially the Parks Department.

Mayor Stear and Council thanked Kody Aldrich and all those that help for being a resource to the city and youth.

6. Public Hearings: (6:00 p.m. or as soon thereafter as matters may be heard.)
(Timestamp 00:10:12)

A. Public Hearing and consideration to approve 15-05-S (Subdivision) – Troy Behunin, Senior Planner

A request from David Crawford with B & A Engineers and Tim Eck with DB Development for preliminary plat approval over approximately 130.55 acres, currently zoned R-6 (Medium Density Residential) in Kuna. The applicant proposes to develop 421 buildable lots and 56 common lots. The subject site is located on the south side of Columbia Road, between Ten Mile and Linder Roads. The south west corner of this project touches the east end of Mason Creek Street, which is south of Silver Trail Elementary School.

David Crawford from B & A Engineers presented the request to Council. The land, which they are calling the Silver Trail Addition Lands, is basically an in-fill project from a larger development that occurred many years ago as part of the Danskin overall development. Subsequently, since the purchase of this land, the LID assessments have been paid off. Ten (10) acres of property were gifted to the school district as part of that original development agreement and those development agreement provisions have all been satisfied. Part of the lands that constituted the original master plan were also sold to the school district so now there is a 40 acre parcel of land that belongs to the school district at the south east corner of Columbia and Ten Mile Road. They had two (2) hearings through the Planning & Zoning Commission and were able to glean some information from them. What he brought before Council was a representation of the information received from the neighbors and the Planning & Zoning Commission. They consolidated the open space, as much as they could, to be near the south east corner of the development at the extension of Mason Creek and School Street. They have about twelve (12) acres of open space that will be landscaped throughout the development and they also granted about an acre and a half located at about the middle of the development. That was done based on information received from both the neighbors and the Planning & Zoning Commission. They also accommodated for a lot of ACHD's input from their original conditions. ACHD added a round-about to the intersection at Mason Creek and

School Street which they accommodated for on their plan. That required them to revamp a lot of the south west corner of the development. They also have a mid-mile collector at School Street that runs through the project. There was some input from Planning & Zoning Commission requesting a 35 MPH speed limit. That road is designated to have that speed limit because it is a mid-mile collector. They have placed, in accordance with Kuna City Code, buffer strips along the entire corridor except for the small section where they only have 50 feet which is only enough room for the road and no landscaping. They did a substantial amount of redesign and received unanimous approval twice from the Planning & Zoning Commission. What has been brought before Council, they believe, is well thought out and in compliance with Kuna City Code. Each lot will be eligible for pressurized irrigation water, domestic water, and sanitary sewer through the City of Kuna services. He requested approval for the project and stood for questions.

Council Member Jones asked about two (2) other smaller spaces that were added. He wanted to know if they were open spaces.

Mr. Crawford explained there are two (2) different kinds of open spaces. One (1) will be owned and maintained by the home owners association and is south of Mason Creek. There is an existing turnaround from the existing Danskin project for fire department access at that spot. They proposed to continue that fire department access temporary turnaround but it won't be providing public street connection through to the private lands in Danskin. It will just be landscaped and maintained by the home owners association but, if something happens in the future it could become eligible for building permit.

Council Member Jones asked if they would be providing any amenities in the open spaces or if they would just be grass.

Mr. Crawford said they provided buffers along the entire parkway system. There are twelve acres of park land in the project. They buffered the entire green space from the streets with density planning of trees and shrubs but, because those aren't public open space, they afforded an opportunity to the home owners association to place the amenities they wish to have in there to own, operate, and maintain.

Senior Planner Troy Behunin further explained the project. Staff appreciated the opportunity to work with David Crawford and Tim Eck on this project. It was a long time coming. It was delayed because of a traffic impact study that was required. Noticing procedures did not go the way they were supposed to for the meeting for December of 2016 so they held another at the end of January. In between those two (2) meetings the applicant was responsive to some of the changes the neighbors had requested including open space and additional things that will make this an even better project. The packet provided in the Council Packet was the original packet and the three (3) documents given to Council at the meeting reflect the changes that were made and their responsiveness to questions and concerns. He noted that the Planning & Zoning Commission voted unanimously both times, that this is a technical

compliance project, and the applicant is technically compliant. He stood for questions.

Council Member Buban-Vonder Haar noted the question from the neighborhood meeting about home sizes and the answer that they would range from 1,400 – 2,800 square feet. The Estimate of Revenue Generation listed the estimated square footage to range from 2,000 square feet to 2,200 square feet. She wanted to know which was correct.

Mr. Behunin deferred to the applicant. He clarified that this is a straight zoning package and staff looks for technical compliance so they don't really get into that if the applicant is compliant with all the conditions, zoning requirements, and measurements for the lots.

Council Member Jones asked if there was public access along the creek. He was concerned about having a creek so close to homes.

Mr. Behunin deferred to the applicant but he did not believe it was a sizable creek.

Council Member Jones asked about the estimated cost of bringing services to the subdivision as far as schools, fire, and police.

Mr. Behunin said it wasn't something the City gets involved in.

Council Member Jones asked if it was a large scale subdivision.

Mr. Behunin responded it was.

Council Member Jones asked Mr. Behunin to look, when he gets a chance, at 6-5-4 item number B which says "estimate the public service cost to provide adequate service to a development".

Mr. Behunin did not believe that talks about numbers. It just asks if they are providing the service.

Council Member Jones said, under that same code, item D is requiring the suggested public means of financing the services for the development if the cost of the public services would not be offset by tax revenue received from the developer. The way he reads that is they are supposed to provide the cost for all of these services and the revenue amount; then, if there is less revenue than the expenses, they are supposed to provide means of how that revenue will be generated. He asked City Attorney Richard Roats for his input.

City Attorney Richard Roats believed the question in that code section is what the City is expending to bring in those services. In this case, the developer is expending those funds to bring the services to that site.

Council Member Jones clarified that the applicant was expending the funds for fire and police protection and schools.

Mr. Roats said the roads and City services are being taken care of by the developer and the others are paid for by taxes generated by the properties.

Council Member Jones asked how they would know if the taxes will cover those services without an estimated cost and who would cover the expenses if they are not enough.

Mr. Roats said that is determined when they work with the police services during contract time.

Council Member Jones asked what happens if it ends up exceeding that time and the City can't go back to the developer if the costs exceed what their revenue supposedly generates.

Mr. Roats did not think they get that specific. They annex in and the City taxes that cover those services are charged.

Planning & Zoning Director Wendy Howell asked Council Member Jones which code he was referencing.

Council Member Jones cited 6-5-4. He asked why, then, that code is in place.

Ms. Howell and Mr. Roats asked if Council could come back to the question in a bit.

Council Member Jones said that was fine.

Council President Cardoza asked the applicant about Pear Apple Street. It was cut down to a 29 foot width and he wanted to know if the fire department had any objections.

Mr. Crawford responded the fire department had not specifically weighed in on that yet but it is quite typical for a road cross section to use a 29 back to back and 42 foot right of way. What normally occurs is a requirement to have parking restricted to one (1) side so there would only be one (1) lane of parking. It is reduced about 7 feet from a normal road cross section which is 36 feet back to back to curb which allows parking on both sides.

Council President Cardoza asked how they would obstruct parking on one (1) side with homes on both sides.

Mr. Crawford said it would be signed and that it is quite common.

Mayor Stear noted that after the public hearing Council Member Jones' questions would be returned to.

Mayor Stear opened the public hearing.

In Favor: None

Neutral: None

In Opposition:

Bryce Durrant, 2345 W. Columbia Road, Meridian, Idaho 83642, referenced the comprehensive plan's desire to keep the City of Kuna's small town feel. These types of developments, with their average of 7,000 to 8,000 square foot lots and cookie cutter homes, take away from the small town feel referenced in the plan. The comprehensive plan calls for a variety of lot sizes and there aren't any in this plat. Probably 80% of those lots fall in the 5,000 to 7,000 square foot size. Kuna has many lots that size. He asked where the bigger lots are. Bigger lots provide more tax base to provide for necessary services. This does not provide for that. Section 6 of the land use section of the comprehensive plan references the provision of a variety of housing densities and types to accommodate various lifestyles, ages, and economic groups and encourages a balance of land use to ensure that Kuna remains a desirable, stable and self-sufficient community. He asked if Kuna was really self-sufficient and referenced the multiple school district bond requests. The new homes being built are not providing those funds to be self-sufficient in Kuna's schools. They have to keep coming back to community members to ask for more money to build more schools for these new houses. He asked how many times he would have to pay for new schools to be built when the new houses are not covering it on their own. Goal three (3) of that section is to protect the quality of existing residential neighborhoods and ensure the new residential development is sustainable. This plan does not meet the requirements of the comprehensive plan in regards to protecting the quality of existing neighborhoods to ensure their character and quality is preserved. The Danskin lots are all larger one (1) acre lots. One of the corner lots has seven (7) houses backed up to it. In his opinion, that does not preserve the quality of those existing neighborhoods. He will have up to four (4) houses backing up to his one (1) acre lot. When he purchased his home he envisioned larger lots would be developed. He addressed concerns about the landscaping buffers ending abruptly. He wanted to know if there would be sidewalks and landscaping after the 20 foot buffer ends. He was concerned about the aesthetics. He thanked Council for listening.

Council Member Buban-Vonder Haar moved to close the public hearing. Seconded by Council Member Jones. Approved by the following roll call vote: Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar, and McPherson.

Voting No: None

Absent: None

Motion carried 4-0.

City Attorney Richard responded to Council Member Jones' previous question regarding code 6-5-4. When looking at 6-5-1, the purpose of that chapter is to identify the developments that pose a special concern to the Planning & Zoning Commission and elected officials when reviewing and acting upon subdivision requests. That preface leads into 6-5-4 which outlines those items Council Member Jones referenced for the large scale development. Identification of the services would be on page 24 of 101 followed by the tax revenue. Council Member Jones was looking for an estimated service cost to provide those services to the development. Mr. Roats suggest that the services listed are self-financed by the tax revenue generated. Planning & Zoning didn't question if those services would exceed the generated tax revenue. If there is a question about those numbers they should be revisited at tax time and the City's equity for the taxes on the generation to provide those services re-evaluated. If a (*unintelligible*) top is built, supposedly, those taxes generated should be enough to cover those services being provided. They may be behind for a year but overall speaking he would suggest that the tax revenue does cover those services provided.

Council Member Jones was concerned because the code said it and he can't vote on something outside of the code. He did not want to be accused of not following Kuna's code. He was a little concerned about the numbers because that explanation means there should never be a bond for anything. He said, if fire, police, and school costs are covered, why would more money be needed. He is not against removing it from the code if that is chosen but, he does not believe Council put that in the code at any time. Typically the City comes to Council to add stuff to the code and not vice versa. He wanted to make sure that some of the things are not coming up short on money; that enough was being collected to cover these services. He asked if he had the right, at budget time, to go back and look at all these costs and tell an entity that is the only money they are getting because that is what it says here and they can't get anymore because nothing more has been collected. He wanted his interpretation of it understood.

Mayor Stear stated generally any entity has to run bonds to buy new buildings and those are on-going costs. When the state provides funding for school districts they provide operational costs not money for infrastructure. That is for the public to do. That will be ongoing whether there is growth or not. You may not need to build a new school but it will need upgrades. It is the same with fire districts. That is just by virtue of how the system is set up. The code can be reviewed to see if there is room for clarification.

Mr. Roats explained these developments go out to the different entities. They have reviewed the application and haven't indicated they will be fiscally impacted or that they will need Council to ask the developer to pay funds up front for development. Police protection is part of the contract. They base those numbers on the prior year. It would be difficult to say this (*unintelligible*) top has to provide X amount in addition to what they are going to pay on their taxes. He reviewed services and fees. He was not sure if the school had an opportunity to comment on this application

specifically to say if they needed extra money. They are coming forward with their bond and this development would help pay for that. Mr. Roats said as he breaks down and identifies the services he understands where Council Member Jones is going but he wasn't sure where the additional revenue would be needed.

Council Member Jones said that was not his point. His point was, if he is to vote on this and follow Kuna's code, he has no recourse to vote any other way. He was not saying that was what he was going to do but, the code says they are to provide that and it was not provided. Council can make a motion to wave that requirement but he wanted to know if he was reading the code wrong and that was not required for a large scale subdivision.

Mr. Roats started to go through it. The services had been identified. He asked if the question was regarding B - estimate the public service costs to provide adequate service to the development.

Council Member Jones said B is the only one (1) because B goes into D. If you have B and C then you can figure out if D applies. He added that he would be fine with removing this from code but he wanted to be sure he was following code when voting on something. It is just a legality point and not about the numbers. He was not sure if Council could waive the requirement but, if they can and have to, he wants to be sure it is in the motion.

Mr. Roats said he would argue that the estimate of the public services is on the page that indicates the revenue generated. Those entities have determined what it costs to operate per household in Kuna and that then is the anticipated cost for providing those services.

Council Member Jones said he understood what Mr. Roats was saying.

Mr. Roats added, if a developer were asked to say how much the impact would be, the developer would figure out how that impact will equal or come close to what those taxes or revenue fees are generated. There may be ten (10) houses that never call on law enforcement and one (1) that does but each house of those eleven (11) are going to pay the same amount based on the prorated share of the City's tax revenue.

Council Member Jones said he understood that the only way it could be done would be if the entities provided the cost per house; what it costs for the police department to police a house or ten (10) houses. That may be asking too much and it is not what he is saying. He just wants to be sure the code is followed in making this decision.

Mr. Roats said that page provided by the developer satisfies the code.

Council Member Buban-Vonder Haar suggested that section of code be reviewed.

Mayor Stear asked if the applicant would like to rebut the testimony given in opposition.

Tim Eck, 6152 W Half Moon Lane, Eagle, Idaho, reiterated the history of the project. The greater Danskin master plan was about 300 acres once. It has to be taken into consideration that 40 acres of that now belong to the school district. Part of the diversity and density that is being required is the Danskin Ridge development which is all one (1) acre lots. Applewood also has larger lots. This is the tail end of the subdivision where they have to start bringing in smaller lots. The original Danskin had much smaller lots than this. It was probably 6 – 8 lots per acre. They have not done that. They have maintained larger lots. Their density is 3.54 per acre. Overall the property was assessed through the LID for more EDUs than they will use. They had to pay off the entire LID assessment including both school sites. A small percentage of the EDUs for the school sites were retained for the school sites but all the rest they paid for and were able to move to other properties in the city that were not encumbered by the LID but, this plat has significantly less lots than originally intended in the previously approved Danskin master plan. That master plan was done prior to annexation and the LID and all fell under the direction of a very specific development agreement. That development agreement was vacated a couple of years ago because all of the conditions of the agreement had been met. The City had met their requirements and the land holders had met their requirements which included paying off approximately 200 EDUs. This project paid off 700 EDUs. There is a diversity of density, lot size, and house size but everything that has already been built as part of the greater Danskin master plan has to be taken into consideration. Mr. Eck stood for questions.

Council Member Jones thanked the developers for adding the open spaces.

Mr. Crawford followed up on the Mason Creek drain question. The Kuna City Code does require that each phase or boundary of the development is fenced so along the boundary it will be fenced other than across roads. They are not allowed to interfere with maintenance access.

Council Member Buban-Vonder Haar asked about the discrepancy of the home sizes in the document.

Mr. Crawford explained they look at those things in two (2) different veins. What they are looking at is driven by the market and a successful marketing model for homes being sold in the area. It has been working well so they would like to continue with it. It allows for a mix of people to come in and buy a home they want with a mix of sizes. The revenue generation report shows an average of what has been built in other developments like this one so they are seeing things on the middle of the road with a 2,000 to 2,200 square foot range. They are looking at it from a revenue generation based on an average and that is why there is a discrepancy.

Council Member Buban-Vonder Haar asked if the plan was still to have a variety maybe between 1,400 and 2,800 depending on needs and wants.

Mr. Crawford said that is correct. Typically they don't see very many homes at 1,400 square feet but it is really dependent on what people want to buy.

Council Member Jones asked if there was a path along the creek.

Mr. Crawford said there is a gravel access point.

Council Member Jones clarified that there would be no encouragement for recreation along it.

Mr. Crawford said there would not. In some instances they like to add that kind of amenity but they are at the behest of the Boise Board of Control. They can implement some safety precautions that allow for fencing along the creek but they have to leave the Boise Board of Control's stuff alone.

Mr. Behunin added that on page two (2) of the staff report it talks about a recreation pathways map and, in the staff memo, there is an illustration of a future trail through part of the subdivision in that area.

Council Member Jones said that is not being put in at the moment so, if anything, it will possibly be a City entity not a developer entity.

Mr. Behunin said the future pathways map calls for it so it could be added to the conditions as far as providing some sort of access as long as it does not interfere with the district.

Council Member Jones said he would prefer to do that as a whole thing instead of per development. As long as they aren't putting anything in right now, he would be comfortable dealing with that at a later time.

Council Member Buban-Vonder Haar addressed the testimony of the public hearing. She personally agreed that it would be nice to see larger lot sizes because that is something that is missing within City limits but at this point the comp plan doesn't allow the flexibility to deny based on that interest alone. Later on the agenda there is an item on retaining a company to redo the comp plan. She is hoping to build some of that flexibility in so a greater variety can be encouraged but, as it is written now, this development meets the current comp plan and city code. It conforms to the future land use map in terms of density. She was somewhat heartened by the fact there is a plan to allow for a variety of housing sizes and that also follows the comp plan. It calls for a mix of residential type dwellings to accommodate different families. It does add to the network of roadways and sidewalks. The fact that they added the open spaces is great and also speaks to some of the elements of the comp plan which asks folks to incorporate landscape features and uses of that nature. Her

read is that it comports with the code and the comp plan so she would make a motion to approve 15-05-S.

Council Member Jones seconded.

Mayor Stear asked if Council would like to add any conditions of approval.

Council President Cardoza asked Planning & Zoning Director Wendy Howell about the development agreement. He thought it was rescinded back in 2006 and asked, since this is a preliminary, would there be a new development agreement.

Ms. Howell said no.

Council Member Buban-Vonder Haar moved to approve 15-05-S (Subdivision) with the conditions of approval as listed in the packet. Seconded by Council Member Jones. Motion carried 4-0.

7. Business Items:

(Timestamp 00:57:45)

A. Consideration to approve Kuna Splash Pad Location – Bobby Withrow, Parks Director

Parks Director Bobby Withrow presented the options available for the splash pad and how they were determined. The choices were Bernie Fisher Park, the Greenbelt, and The Farm. He outlined public input and the pros and cons of each location. After analyzing the feedback and budget considerations he concluded that the most economical location was Bernie Fisher Park. If it is located there more money can be put into the actual splash pad instead of worrying about what else needs to be done to make it usable. He shared some different placement ideas and asked for Council's feedback on what to do next.

Council Member Buban-Vonder Haar asked, if budget wasn't an issue, would the Farm location be suitable to this use considering the flood plains and location.

Mr. Withrow said the flood area is an issue but otherwise it would be a good spot.

Council Member Buban-Vonder Haar was just thinking, since they were already talking about putting bathrooms in at different locations, if The Farm was suitable maybe they should splurge and do bathrooms and shelters but since it wouldn't logistically work out that was all she needed to know.

Council Member Jones said he appreciated Mr. Withrow's work on the project. He cautioned him against throwing away votes because there is no way of knowing if more than one (1) person voted from the same computer. He doesn't have a problem with Bernie Fisher Park. He did not like location options C and D and prefers option

B. He would be hesitant to move the gazebo and if that option is chosen he would suggest sending a courtesy note to the people who provided for that gazebo to be built to make sure they are on board with that. He said perhaps water coming out of the water tower could be a cool addition if option B is chosen. He deferred to Mr. Withrow's recommendation of Bernie Fisher Park and, if Council is in agreement with that, he would prefer option B.

Council Member Buban-Vonder Haar asked if there was feedback from the Farmers Market in regards to their interest in moving or ideas for where else they would go.

City Clerk Chris Engels said she spoke with Quency Murphey recently and had let her know this was possible. They discussed possibly moving to the City Hall Parking Lot. Ms. Engels discussed their needs for water, electricity, and that type of thing with the City's Facilities Director. The City's goal, should the market need to be relocated to the City Hall Parking Lot, would be to work with any special events that are coming, work with the Farmers Market's needs to get them solidly established, and help them that first year with the transfer as far as promoting their relocation. She surmised that the Farmers Market knows this could be coming and are amenable to using the City Hall Parking Lot if it is alright with Council.

Council Member Buban-Vonder Haar preferred option D. It requires the least amount of changes. She is leery of moving the gazebo; it seems like it is in a good, quite spot. Also, the leaves falling may be a nightmare. Her objection to option B was moving the Farmers Market. She felt it was a feature that helps with the walkability of downtown. However, it might be a double bonus if that helps get people to walk to the other end of town. She would probably be fine with option B or D. The concrete already in place at option B may be an issue.

Mr. Withrow said another thing to consider with option B is the area could possibly still be used for the Farmers Market if the splash pad is situated a certain way and stayed off until after the Farmers Market.

Ms. Engels added that the Farmers Market would prefer to stay where they are but will move if needed.

Council Member Jones asked if Mr. Withrow had plans to add anymore shelters to that park.

Mr. Withrow said he would like to add two (2) more north of the swing set in the coming spring. They would take out six (6) of those trees.

Council Member Jones clarified that would be by option B.

Mr. Withrow confirmed it would be to the right of option B.

Council Member Jones asked if, with options C or D, the splash pad would be shut down during large events like Kuna Days.

Mr. Withrow said that would be up for debate. He could see how people would want it shut down but he could also see how it could bring more people to an event like Kuna Days. Kids could play at the splash pad while their parents walk around and it is usually pretty hot so it would be a nice way for everyone to cool down.

Council Member Jones said option D is prime real-estate and it was a goal to bring bigger events to Kuna by utilizing that park. That was why \$1,500.00 was spent to put power in that park. The use of that park would be limited if the power were not available. That amenity would no longer be used as much to encourage people to bring their event to Kuna. He added that, with option D, Kuna Days will have to split up their vendors. That is not an issue and was expected to happen someday anyways but it is a lot of real-estate to give up. Obviously a new feature would be created; a very beneficial and good feature. He was looking at option B as an area that would not create as much impact. He would not necessarily be against option C but option B, in his personal opinion, would be best.

Council Member Buban-Vonder Haar asked if it would be tenable and advisable to run a line through the Grange property, for example, if the Grange allowed it, to the Greenbelt location.

Mr. Withrow deferred to City Engineer Gordon Law but added that if the City did that they would have to get an easement from them.

Council Member Buban-Vonder Haar said there has been some conversation about the property having been without irrigation for a long time which is why it is dead in the summer. Her suspicion, without ever having broached the subject, would be they might be willing to offer that kind of easement if it meant they also got their water back. If it could all be done in one fell swoop it might benefit everybody. It is still pretty close to this location and addresses some of the concerns.

City Engineer Gordon Law clarified she was asking if it was feasible to bring drinking quality water to that location or pressurized irrigation water.

Council Member Buban-Vonder Haar said any and all water that would be required for the splash pad. Mr. Withrow had mentioned one (1) of the cons of the Greenbelt location was the need to tear up roads to bring water down there which would be a bigger undertaking. She thought cutting through the Grange property might be an option if it is realistic.

Mr. Law said to get potable road would require cutting the road.

Council Member Jones asked which lines on the presentation maps represent water, irrigation, and sewer.

Mr. Withrow said the blue lines are water, the green are sewer, and the purple are pressurized irrigation.

Council Member Jones said it looks like a 2 inch pipe and asked what minimum would be needed.

Mr. Withrow said 3 inch.

Mayor Stear preferred options D or C. He liked the exposure without being close to the major road and the lines are easy to get to as well as parking. It would also be a good place for kids during baseball tournaments. His preference was location D.

Council Member McPherson preferred B or D and left it up to Mr. Withrow.

Council President Cardoza preferred the Greenbelt. It was close to the creek, right next to the restrooms, near parking, and it frees up the park for any other activities. The only issues would be the potable water issue and a net to keep baseballs from coming over and hitting the kids. There is the entire area for the families under the trees and the green areas. The Greenbelt seems the best of all locations other than the water issue unless there is some way to run irrigation water there with some way to sterilize it as it goes through the system. He thought there was irrigation there and a pump by the creek.

Mr. Law said the pump is not activated but there is pressurized irrigation water there.

Council President Cardoza asked if there was a way of sterilizing it.

Mr. Withrow said there is but the problem with that is the extremely high cost to do it every year.

Mayor Stear said it was about \$30,000.00 in maintenance per year. Staff had looked at some filtered systems and using PI.

Council President Cardoza said \$30,000.00 seems reasonable when compared to the maintenance of a swimming pool. This is a one-time deal to put in and it would free up the park.

Mayor Stear clarified the \$30,000.00 would be per year.

Council President Cardoza said that is still cheaper than a swimming pool.

Mayor Stear asked how soon Mr. Withrow would need a decision.

Mr. Withrow said Council could have more time to think about it; he was just waiting for a decision.

Council President Cardoza joked they would like it done by June 1st.

Council Member Buban-Vonder Haar asked for operating costs and location costs for making the Greenbelt work. She was torn between location options and thought finding a happy medium might be worth a little extra cost.

Mr. Withrow said he could have the information for the next Council Meeting.

Council Member Buban-Vonder Haar added that operating cost estimates for Bernie Fisher Park would also help in making the decision. She said he did not need to spend a ton of time on getting the information together and could just bring something rough to Council.

Mr. Withrow said the system he originally looked at was a repurpose system that would use potable water to go through the splash pad. It would go in a storage tank and then be pumped into the grass. That is probably about 25% - 30% less than treating it every time and then figuring out how to get rid of it after that. They would probably still need to do the repurpose so there would still be that cost on top of treating it.

Council Member Buban-Vonder Haar asked if that was regardless of location.

Mr. Withrow responded yes.

Council Member Buban-Vonder Haar asked that Mr. Withrow be as creative as possible in finding ways to make the Greenbelt work.

Council Member Jones asked who owns the road in between the Grange and the City Ball Field.

Mr. Withrow said the City does.

Council Member Jones said there is a 10 inch line along 2nd Avenue so that could be tapped into and the line could be run down that gravel road and no main roads would have to be torn into which would be a significant savings. He asked what the line on the corner of the map coming out of the S was.

Mr. Withrow said the blue was a potable water line.

Council Member Jones was asking about the green line not the blue.

Mr. Withrow said it was sewer and the purple line is pressurized irrigation.

Council Member Jones asked about running it off the 10 inch line and if Mr. Withrow had any plans to bring irrigation over to the horseshoe pits to put grass in.

Mr. Withrow said yes, for sprinklers but he has to remodel a little bit because it is on its own separate system.

Council Member Jones asked that Mr. Withrow look into using that 10 inch line. If it can be done that way he would have no problem with the splash pad going on the Greenbelt.

Mr. Withrow said he would bring the details back to Council.

B. Consideration to approve Resolution No. R19-2017 – Supporting the Kuna School District's Bond and Supplemental Levy Election – Mayor Stear
(Timestamp 01:27:30)

Ginny Gregor and Amber Abercrombie, the co-chairs of Friends of Kuna School District, asked for Council's support in the district's bond issue. They felt it would be a positive influence towards the success of the bond. Many months were spent on preparing the proposal and the school board was unanimous in the decision for a bond. They feel it would not only be beneficial for the school district but the community as a whole. They stood for questions.

Mayor Stear asked if more information would be coming up so no one forgets about the matter.

Ms. Abercrombie responded a committee is in place that is doing a number of things. They have information tables at every school district event and they have a phone bank set up that will go through the 14th. They are there four (4) days a week from about 5:30 to 8:30 making phone calls. A post card will also be going out closer the election. They are trying to educate as much as they possibly can in a financially conservative way.

Council Member Buban-Vonder Haar commented she had heard a lot about it online and was impressed with the amount being accomplished without taxes going up. It is remarkable and should be commended. It sounded to her like one (1) of the biggest misconceptions that people weren't aware of was why the district can't budget better and pay for the schools that way. She asked if they would like to talk about that a little bit.

Ms. Abercrombie responded that the district isn't authorized to use operating funds for buildings. Their only options are donation or bond. Ms. Abercrombie is a parent in the district with two (2) daughters that attend Kuna schools. They have been here about 13 years and she only knows of one (1) bond in that time. With the rapid rate of growth and the schools' inability to ask for educational impact fees, they get this misconception often. They can't go to developers and tell them to give them money since they are bringing in so many students. It is against the law in Idaho. The only opportunity they have to build new schools is to bond. She felt they had been really respectful to the patrons and the school district has done an amazing job positioning

it so there is not a tax increase. Basically, there will be about \$42.5 million worth of buildings and improvements without the rate going up at all which is phenomenal.

Ms. Gregor added that she spent 14 years on the board and has seen the budget and knows what it is like. The state does not give them enough money to fund education let alone buildings so bonding is really the only source of revenue for buildings. Growth does help pay for the bond but is also the reason for the bond. Also, the more commercial that comes in the better it is for the school district. It is a positive thing to see those commercial businesses going up on Meridian Road.

Council Member Buban-Vonder Haar asked if they knew how many districts in the state of Idaho have to ask for bonds or currently have supplemental levies on the books.

Ms. Abercrombie responded it used to be approximately 90%. Kuna is not alone and the school board has voted to maintain basically \$5.00 for every \$1,000.00. They have seen that rate go up and down in Kuna which is difficult for homeowners. Voting to keep it at that 5%, and it would stay at 5% even if the bond is passed, allows them to give their patrons a reliable number to budget for while still giving them the opportunity to address growth that will be seen in the upcoming years. This was something they have heard a lot about as they have been out promoting and it has been addressed in a great way.

Mayor Stear stated that he sat on the committee where there was a great deal of discussion from a very diverse group of people so there was a lot of different input in regards to how things should look and how they should go. It was a very good exercise to go through. They spent about four (4) months on that and came up with what he felt was a pretty good plan. The school boards direction from day one (1) was that they will not raise taxes and they kept it within those bounds.

Council Member Jones complimented the committee and the district on their fiscal awareness.

Mayor Stear asked if there was any further comment and then read the resolution in its entirety.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KUNA, IDAHO, RECOGNIZING THE IMPORTANCE OF A HIGH QUALITY PUBLIC EDUCATION SYSTEM TO THE LIVABILITY OF A COMMUNITY AND THE WELL-BEING OF ITS CHILDREN AND THE SUBSEQUENT BENEFITS TO OUR FAMILIES AND CITIZENS; SUPPORTING THE KUNA SCHOOL DISTRICT'S BOND AND SUPPLEMENTAL LEVY ELECTION ON TUESDAY, MARCH 14, 2017.

Council Member Buban-Vonder Haar moved to approve Resolution No. R19-2017. Seconded by Council Member McPherson. Motion carried 3-1.

Voting Aye: Council Members Jones, Buban-Vonder Haar, and McPherson.

Voting No: Council Member Cardoza

- C. Consideration to approve Resolution No. R20-2017 – Approving the Selection of Agnew::Beck Consulting for the Preparation of a New City of Kuna, Idaho Comprehensive Plan – Wendy Howell, Planning and Zoning Director
(Timestamp 01:45:30)

Planning & Zoning Director Wendy Howell explained there were three (3) proposals for consultation. All were interview on February 13, 2017 and it was determined Agnew::Beck was the best choice due to the availability of their services and they are local. She mentioned Council Member Buban-Vonder Haar and Mayor Stear were on the selection committee.

Council Member Buban-Vonder Haar said the decision was unanimous so everyone, including ACHD and Ada County representatives, agreed. Two (2) of the biggest factors were the fact that they are local and the fact that they are already well acquainted with Kuna. They are already familiar with the downtown revitalization project and it became apparent that the other firms would need a potentially significant period of education in order to get them up to speed on what Kuna was all about and its future which would take a lot of time and money. Overall, everybody was incredibly impressed. She came away feeling very excited and hopeful about what they could come up with. She, Mayor Stear, and Ms. Howell were open to questions.

Mayor Stear agreed that there was one (1) clear choice out of the three (3) presentations and felt Agnew::Beck would do an outstanding job. He, Ms. Howell, and the Planning & Zoning Staff got together a few days before that committee to draft questions that were pertinent and Agnew::Beck answered all those questions well. He asked Council if there were any questions.

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE SELECTION OF AGNEW::BECK CONSULTING FOR THE PREPARATION OF A NEW CITY OF KUNA, IDAHO COMPREHENSIVE PLAN, AND AUTHORIZING THE CITY'S SELECTION TEAM TO MOVE FORWARD WITH NEGOTIATIONS WITH AGNEW::BECK REGARDING THE FEE FOR SAID SERVICES.

Council Member Buban-Vonder Haar moved to approve Resolution No. R20-2017. Seconded by Council Member Jones. Motion carried 4-0.

- D. Request from Mayor Stear to confirm appointment of Antonio Conti P.E. to the position of Kuna City Engineer.
(Timestamp 01:48:59)

Mayor Stear explained there were two (2) applicants that were quite qualified. They had talked to Paul Stevens in the beginning. The City ended up going through a long negotiation with him and, in the end it, seemed like he didn't want to leave his current job so it fell through the morning of this meeting. They had an engineer hired and by 2:00 PM that afternoon they didn't anymore. City Attorney Richard Roats

called and talked to Antonio Conti who was excited about the position and was willing to step up to take it. Mayor Stear pulled most of the directors that afternoon as well and they were all in support of Mr. Conti, with the exception of City Treasurer John Marsh whom the Mayor did not get a chance to ask. He added City Engineer Gordon Law would be the best to answer any questions Council might have.

Council Member Buban-Vonder Haar moved to confirm the appointment of Antonio Conti P.E. to the position of Kuna City Engineer. Seconded by Council Member Jones. Motion Carried 4-0.

8. Ordinances:

(Timestamp 01:51:25)

- A. Consideration to approve Ordinance No. 2017-02 – Annexing TNT’s Certain Real Property into the City of Kuna, Idaho

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY, TO WIT: PARCEL NO. S1314438920 SITUATED IN THE UNINCORPORATED AREA OF ADA COUNTY, IDAHO AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF KUNA INTO THE CITY OF KUNA, IDAHO; ESTABLISHING THE ZONING CLASSIFICATION OF SAID REAL PROPERTY; DIRECTING THAT COPIES OF THIS ORDINANCE BE FILED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

Mayor Stear stated this was a pretty straight forward ordinance and unless there were any questions there was no reason not to fast track it.

Consideration to waive three readings

Consideration to approve ordinance

Consideration to approve summary publication of ordinance

Council Member Buban-Vonder Haar moved to waive three readings of Ordinance No. 2017-02. Seconded by Council Member Jones. Motion carried 4-0.

Council Member Buban-Vonder Haar moved to approve Ordinance No. 2017-02. Seconded by Council Member Jones. Approved by the following roll call vote:

Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar, and McPherson.

Voting No: None

Motion Carried 4-0.

Council Member Buban-Vonder Haar moved to approve the summary publication of Ordinance 2017-02. Seconded by Council Member Jones. Motion carried 4-0.

B. Consideration to approve Ordinance No. 2017-03 – Amending Kuna City Code Chapter 8, Title 3 - Special Events

AN ORDINANCE OF THE CITY OF KUNA, IDAHO AMENDING CERTAIN SECTIONS OF CHAPTER 8, TITLE 3 ENTITLED SPECIAL EVENTS OF THE KUNA CITY CODE SPECIAL EVENTS, AND PROVIDING AN EFFECTIVE DATE.

Mayor Stear requested the three (3) readings be waived due to the high volume of special events coming in.

Council Member Jones asked City Attorney Richard Roats to read Special Event Permit Required under 3-8-2, A5. He thought it should read “*unless* weapons are sold” but it still said “or”. He thought they had corrected that.

Mr. Roats said it had been corrected... (*Unintelligible – Mic not on*)

Council Member Jones asked about notification of when a special event is happening. He had been thinking it would be nice to have those notifications going out to Council with a courtesy copy of the permit so they can be aware of events that are happening in case they get questions. He had not known there were 28 events the previous year. He did not know if that needed to be included in the code.

Mr. Roats was not sure it would go in the ordinance but it could be done by resolution or simple direction to the Clerk’s Office to e-mail Council when those come in.

Council Member Jones said that would be fine with him.

Consideration to waive three readings

Consideration to approve ordinance

Consideration to approve summary publication of ordinance

Council Member Jones moved to waive three readings of Ordinance No. 2017-03. Seconded by Council Member Buban-Vonder Haar. Motion carried 4-0.

Council Member Jones moved to approve Ordinance No. 2017-03 with the correction to 3-8-2, A5 to add the word “unless”. Seconded by Council Member Buban-Vonder Haar. Approved by the following roll call vote:

Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar, and McPherson.

Voting No: None

Motion Carried 4-0.

Council Member Jones moved to approve the summary publication of Ordinance 2017-03. Seconded by Council Member Buban-Vonder Haar. Motion carried 4-0.

- C. Consideration to approve Ordinance No. 2017-04 – Amending Kuna City Code 4-2-1 - Building Codes
(Timestamp 01:58:10)

AN ORDINANCE OF THE CITY COUNCIL FOR CITY OF KUNA, IDAHO AMENDING KUNA CITY CODE 4-1-2 TO CLARIFY THE SUBSECTION REGARDING VIOLATION, NOTICE, REMEDY AND ADDITIONAL COSTS; ESTABLISHING THAT CIVIL FINES SHALL BE ASSESSED FOR VIOLATIONS OF THE ADOPTED BUILDING CODES AND SETTING FORTH A GRADUATED CIVIL FINE PENALTY FOR SAID VIOLATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

Mayor Stear asked Facilities Director Bob Bachman to briefly summarize how this came about. He added that this was another item that was less restrictive so there was no reason for three (3) readings if Council wishes.

Mr. Bachman explained that the busier they get the more people are proceeding without inspection. A lot of new contractors are coming into the area that may not be used to how the City of Kuna operates and the City basically has no teeth at the moment to do anything about it other than to stop the entire project which is generally not a good way to go about it. This will allow for some sort of penalty if they proceed without an inspection or if they proceed after being told not to proceed. It is something to enforce that will get their attention.

Council Member Buban-Vonder Haar asked if the dollar amounts were sufficient to get their attention.

Mr. Bachman said he thought it was because usually the general contractors require the sub that did it to pay that fee and generally that is the guy it hits the hardest.

Council Member Jones asked if any of the requirements were different from other cities as far as getting inspections.

Mr. Bachman said no, it's standard.

Council Member Jones said that means they should be versed on the requirements when they come in to get their permits; even if it is their first time dealing with the City.

Mr. Bachman replied yes, it is very well spelled out.

Council Member Jones was curious as to why the current code was not sufficient.

Mr. Bachman said more than anything it was to clear up the language. The current code said if the City was to red tag it and they were to proceed a penalty could be put in place but this clears it up to where even if they were to proceed without a red tag or an inspection the City is allowed to penalize them.

Council Member Jones clarified that the penalty as is can only be enforced if the inspector goes in and notices it whereas this change allows for them to be penalized if the inspector goes in and notices they have gone beyond it.

Mr. Bachman replied yes.

Council Member Jones said if Mr. Bachman felt this would be easier to enforce than what is already in place he has no problem with that but he felt the dollar amounts were too low. He did not feel they should be worried for someone who is violating Kuna's law. He would rather see it go back to the \$150.00 per day that was in the original code or his preference would be to go even higher.

Mr. Bachman felt that once they figure out this is now what the City is allowed to do there won't be a problem anymore. It is just recently that is has become a problem. The last eleven (11) years he had been doing this it had not been a huge problem until the last six (6) months. He thought most of that was due to the new people coming to Kuna. The subs that are normally used are all booked out so there are a lot of new contractors coming in. It is almost a matter of just training them in the way the City does things. He felt the fines, even though they're low, will definitely get their attention. He reiterated that it is generally the laborer that ends up paying it so he did feel it would get their attention.

Council Member Jones appreciated that but he would still like to keep it at \$150.00 per day. He asked if the misdemeanor clause was still in there.

City Attorney Richard Roats said it was still in there. The \$150.00 is a civil penalty and the misdemeanor falls back to the general city code violation. If they do not pay the fine it can become a misdemeanor.

Council Member Jones believed he read in Idaho State Code the City is prevented from giving them a misdemeanor and then charging a civil penalty.

Mr. Roats replied the preference would be to go with the civil penalty. Obviously it would be in the financial interest of the City versus sending it to the court just to have it shuffled through with the potential for no fine meaning nothing comes back to the City. The City does not intend to do anything with the misdemeanors really.

Council Member Jones said one (1) of the things he stresses is that the people are educated first. Obviously staff won't just go in every time and write them a ticket. If they are given the opportunity to fix their problem then he would prefer the higher dollar amount. He wanted to make sure the concern was not for what it is costing them. He understands the subs are not making that call but they know they are violating the code but they continue so there is more of a problem there than what is the City's responsibility. He still preferred the \$150.00 and would even go for \$250.00.

Mayor Stear said that would actually require publication and would extend the process to where the City could not get this through in a timely manner. This was needed right away.

Council Member Jones asked if this had already been publicized.

Mr. Roats said the current code is at \$150.00 so if it is kept at \$150.00 or less than a 10% increase it does not have to be publicized. If it were to be raised to \$250.00 that would require publication. He suggested if he wanted it at \$150.00 per day, leave it at that and see how it works. If it is decided it is not working the fee can be increased.

Council Member Jones asked if the rest of Council were alright with leaving it at \$150.00.

Mr. Bachman commented that he was fine with that if that is what Council wants but staff did also call other cities to see what they are doing. Staff followed the guideline of what is being done throughout the Treasure Valley, or at least of the cities that called them back, and that is where they came up with the numbers. He clarified that when they go in and do an inspection they do give one (1) warning.

Council Member Jones said if they are already getting a verbal warning he did not think the City should be concerned about how much they are being fined.

Council Member Buban-Vonder Haar said her read on it is that Mr. Bachman will have to primarily deal with this so if he thought what he was proposing would take care of it she was fine with going with it. Also, she thought the point of the fines was not to punish someone but to encourage compliance; to correct behavior rather than slap someone on the wrist. She would be willing to revisit this and up the dollar amount if this turns out not to take care of the problem but if Mr. Bachman thinks this will work she was fine with trying it.

Council Member Jones asked how much time this would involve above and beyond what staff would normally put in.

Mr. Bachman said they carry the letter with them and just write a red tag telling them to stop work after the verbal. Generally what happens is they are inspecting a house next door and know where that other inspection process is and see that they are proceeding without inspection. Staff wouldn't just be roaming around and run into it. They are in the area anyways and that is how they catch them. Otherwise there would be multiple cases where a house could skip two (2) or three (3) or four (4) trades before being noticed. To answer Council Member Jones question he said it does not add a lot of time because they are generally in the area anyways.

Council Member Jones said if it were to add hours that is worth more but if it is not too much out of their way then he did not have a problem going with what Mr. Bachman had. He would compromise.

Mr. Bachman added that there is also a re-inspection fee of \$50.00 so if the general contractor fails the same inspection more than three (3) times they are charged \$50.00 and if it is the fourth time it doubles. They never get to the fourth time. That \$50.00 re-inspection fee works well and really does get their attention. Generally the same problem does not recur.

Council Member Jones asked if they are given something when they come in for their permit to make them aware of the code.

Mr. Bachman said on the building permit it establishes a code and says which code sections are being used.

Consideration to waive three readings

Consideration to approve ordinance

Consideration to approve summary publication of ordinance

Council Member Buban-Vonder Haar moved to waive three readings of Ordinance No. 2017-04. Seconded by Council Member Jones. Motion carried 4-0.

Council Member Buban-Vonder Haar moved to approve Ordinance No. 2017-04. Seconded by Council Member Jones. Approved by the following roll call vote:

Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar, and McPherson.

Voting No: None

Motion Carried 4-0.

Council Member Buban-Vonder Haar moved to approve the summary publication of Ordinance 2017-04. Seconded by Council Member Jones. Motion carried 4-0.

9. Mayor/Council Discussion Items:

(Timestamp 02:11:10)

- A. Discussion of Special Events partnerships with the City and sponsorships of City events**

Council Member Jones wanted to have this discussion with the other Council members especially now that a special event ordinance was approved. He explained the City was approached the previous year for a partnership to put on an event. That event was Trunk-or-Treat. During that event the City provided some amenities and covered some costs but there was no out of pocket cost for the City. The event was a free event for the city with no vendors or entry fees or items being sold. He wanted to see if Council felt there was any need to set guidelines for when the City can partner with a promoter. This would make people aware of what they can expect or what the City would require. He was not sure how often it would happen but

obviously an event that has vendors or people buying things should not have a partnership with the City that lessens the burden of insurance and similar items. He was not saying that was happening but he would like to put things in place to prevent that from happening in order prevent people questioning why they would be required to do something when others have not.

Mayor Stear explained that, in the case of Trunk-or-Treat, the City did not partner with them. They had found there was a possible problem with using the parking lot they usually use. Albertsons was under construction so they could not use it. The City had City Hall's parking lot available so he authorized its use and City Clerk Chris Engels helped organize the event. Normally he does not do things like that but they were in a bind so they City stepped in to help. He thought, usually, everything falls under a special event plan unless it is a City event. He deferred to City Clerk Chris Engels for confirmation and input.

Ms. Engels confirmed Mayor Stears account. The City was approached by Mary Ann Sugai of the Chamber of Commerce. She was in a bit of a panic. A special event plan was done for the event; the questionnaire was done and the application was filled out. The City was in attendance, as it has been in others, with a trunk with candy in it. The City did allow them the use of electricity as well. The City did not so much partner with them as try to help them out with their situation. Special event plan protocols were still followed other than the City's ICRMP covered the liability on the event.

Council Member Jones clarified that event did not have to have the required insurance.

Ms. Engels said the Chamber had the insurance and the City had ICRMP.

Council Member Jones said that was not accurate. The Chamber did not have insurance. He knew there were two (2) sides to the story but if it is not the norm and will not be happening again he would have no further questions. He did not think it was a bad thing for the City to partner with the Chamber. It was great. The City got just as much, if not more, recognition as the Chamber. He had nothing against it but wanted to make sure that if it is going to be allowed in the future there were guidelines in place.

Mayor Stear said it was done at his discretion because it was a good thing that was done every year and the Chamber was in a bind. He did not see any reason not to help them out and they followed most of the special event plan except for the number of days in which you have to submit your plan. As far as there being another side to the story, he did not know what that might be. He would be interested to know if there was something that wasn't true.

Council Member Jones said there was nothing untrue and he agreed with everything Mayor Stear said but he did know the insurance requirement was a concern with the Chamber. The Chamber was deeply grateful the insurance requirement was met by

the City. He thought that there was some discussion that the Chamber would facilitate the event, do all the advertising, and give the City recognition as a partner. He had no question about the decisions made and only wanted guidelines in place for future non-revenue generating events coming to the City. Based on what has been discussed in this meeting, he did not think that was the direction the City wanted to go and he had no reason to be concerned.

Ms. Engels had the special event plan for Trunk-or-Treat on hand and was willing to show Council where it calls out that the City will carry the ICRMP.

Council Member Jones said he was not disputing that but, because it was offered to the Chamber, others could come to the City and ask for the same thing; to partner with the City on a non-revenue generating event that gives the City second billing on everything. He wanted to know if that would be allowed.

Ms. Engels reiterated that the event would not have occurred due to the parking lot situation. The request was taken to the Mayor and the City did their best to accommodate an annual event. Typically the City does not partner with anyone. Typically, if the City has events and funding is needed, the City works through a sponsorship program. There are items for signature, letters are sent out, and there are obligations on both sides. For example, the special event Punk in the Park did not really have money for insurance but the City required that they do it anyway. The City did not partner with them or offer them any coverage. It was just one (1) of those situations. Everyone jumped in to do what they could to make sure the event was continued. If the Chamber had been a for profit business it would have been different but the Chamber is a civic organization in the City. That was the only reason it was even considered.

Council Member Jones reiterated his concern and that if it will not be happening again he has no more concern.

Ms. Engels felt Council had been pretty direct on any kind of fee waivers and the criteria for them. For example, there are no fee waivers at the park unless it is a youth organization with no vendors or profits being made. Council has set the criteria for when the City will do a fee waiver which gives a general direction of Council. City adhered to the direction Council had provided about 12 to 18 months ago.

Council Member Jones said he appreciated that and his concerns were resolved. He asked City Attorney Richard Roats about sponsorships. He was concerned about protection for the City. There have been generous donations in the past that have had requirements attached. He wanted to know how to protect the City if someone does not fulfill those requirements. He was not looking for a contract for everything but suggesting that anything over \$1,000.00 have a written contract so both sides are bound. He was not sure if that was something Council was receptive to but wanted to make sure the City was protected.

City Clerk Chris Engels said last year there were some issues with one (1) of the sponsorships and the City had to back track on it, however, from that incident and any future sponsorships, everything that has been done up until this point, the City has learned from that experience and now has a deadline. The City does not put out any promotional materials or promote someone as a sponsor unless they have paid their sponsorship. The Clerk's Office sends out an invoice from the Treasurer's Office. It goes to the sponsor and gets paid. Then it is noted and credited and the City moves forward with them as a sponsor.

Council Member Jones clarified that going forward the City is requiring all money be paid up front.

Ms. Engels said absolutely.

Council Member Jones was happy with that.

Mayor Stear announced Police Chief Dusseau had taken another position. Mayor Stear was unsure of the timeline for his replacement. He would be meeting with Chief Dusseau's recommendation for his replacement later that week to begin those discussions. He praised Chief Dusseau's work and felt he would be tough to replace and missed but Chief Dusseau had assured the Mayor his replacement would be every bit as capable and everyone will be just as happy with him as with Chief Dusseau. Chief Dusseau will also work with his replacement for a while before he leaves.

10. Announcements:

11. Executive Session:

12. Adjournment: 8:23 pm

Joe L. Stear, Mayor

ATTEST:

Chris Engels, City Clerk

*Minutes prepared by Ariana Welker, Customer Service Specialist
Date Approved: CCM 03.07.2017*

City of Kuna

Payment Approval Report - City Council Approval

Page: 2

Report dates: 2/17/2017-3/2/2017

Mar 02, 2017 02:35PM

Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
				LINE, FEB 17, WATER	02/21/2017	25.28	.00	20-6140 MAINT. & REPAIR BUILDING	0	2/17		
1566	ADVANCED COMMUNICATIONS, INC.	13293		1 LEVITON 3 PORT WHITE FACEPLATE, 3 BLANK WHITE INSERTS, LABOR, MOVED D49 AND D50 TO CONFERENCE ROOM AND INSTALL PHONE LINE, FEB 17, SEWER	02/21/2017	25.28	.00	21-6140 MAINT & REPAIR BUILDING	0	2/17		
1566	ADVANCED COMMUNICATIONS, INC.	13293		1 LEVITON 3 PORT WHITE FACEPLATE, 3 BLANK WHITE INSERTS, LABOR, MOVED D49 AND D50 TO CONFERENCE ROOM AND INSTALL PHONE LINE, FEB 17, PI	02/21/2017	9.72	.00	25-6140 MAINT & REPAIR BUILDING	0	2/17		
Total 13293:						97.20	.00					
1566	ADVANCED COMMUNICATIONS, INC.	13294		INSTALLED NEW PHONE FOR NEW HIRE AT TREATMENT PLANT, G LAW, FEB 17	02/21/2017	141.75	.00	01-6255 TELEPHONE	0	2/17		
1566	ADVANCED COMMUNICATIONS, INC.	13294		INSTALLED NEW PHONE FOR NEW HIRE AT TREATMENT PLANT, G LAW, FEB 17, WATER	02/21/2017	187.11	.00	20-6255 TELEPHONE EXPENSE	0	2/17		
1566	ADVANCED COMMUNICATIONS, INC.	13294		INSTALLED NEW PHONE FOR NEW HIRE AT TREATMENT PLANT, G LAW, FEB 17, SEWER	02/21/2017	187.11	.00	21-6255 TELEPHONE EXPENSE	0	2/17		
1566	ADVANCED COMMUNICATIONS, INC.	13294		INSTALLED NEW PHONE FOR NEW HIRE AT TREATMENT PLANT, G LAW, FEB 17, PI	02/21/2017	51.03	.00	25-6255 TELEPHONE EXPENSE	0	2/17		
Total 13294:						567.00	.00					
Total ADVANCED COMMUNICATIONS, INC.:						664.20	.00					
AFFORDABLE TRANSMISSION & AUTO REPAIR												
1780	AFFORDABLE TRANSMISSION & AUTO REPAIR	0008996		EMISSION TESTING, TRUCK #4, SEWER, FEB 17	02/24/2017	13.50	.00	21-6305 VEHICLE MAINTENANCE & REPAIRS	0	2/17		

City of Kuna

Payment Approval Report - City Council Approval

Page: 3

Report dates: 2/17/2017-3/2/2017

Mar 02, 2017 02:35PM

Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
1780	AFFORDABLE TRANSMISSION & AUTO REPAIR	0008996		<u>EMISSION TESTING, TRUCK #6, WATER, FEB 17</u>	02/24/2017	13.50	.00	<u>20-6305 VEHICLE MAINTENANCE & REPAIRS</u>	0	2/17		
Total 0008996:						27.00	.00					
1780	AFFORDABLE TRANSMISSION & AUTO REPAIR	0009041		<u>EMISSIONS TESTING, TRUCK #10, PARKS, FEB 17</u>	02/24/2017	13.50	.00	<u>01-6305 VEHICLE MAINTENANCE & REPAIRS</u>	0	2/17		
Total 0009041:						13.50	.00					
Total AFFORDABLE TRANSMISSION & AUTO REPAIR:						40.50	.00					
AMERICAN WATER WORKS ASSOC.												
1016	AMERICAN WATER WORKS ASSOC.	7001326903		<u>MEMBERSHIP RENEW, C DEYOUNG, OPERATIONS/ADMIN, PACIFIC NORTHWEST, 05-01-17 TO 04- 30-18, WATER</u>	01/27/2017	68.80	.00	<u>20-6075 DUES & MEMBERSHIPS</u>	0	1/17		
1016	AMERICAN WATER WORKS ASSOC.	7001326903		<u>MEMBERSHIP RENEW, C DEYOUNG, OPERATIONS/ADMIN, PACIFIC NORTHWEST, 05-01-17 TO 04- 30-18, SEWER</u>	01/27/2017	17.20	.00	<u>25-6075 DUES & MEMBERSHIPS EXPENSE</u>	0	1/17		
Total 7001326903:						86.00	.00					
Total AMERICAN WATER WORKS ASSOC.:						86.00	.00					
B & A ENGINEERS, INC.												
347	B & A ENGINEERS, INC.	3142		<u>IRRIGATION LEGALS PER R ROATS, FEB 14</u>	02/14/2017	415.00	.00	<u>03-6368 EXPEND- KUNA POOL/FITNESS FAC.</u>	0	2/17		
Total 3142:						415.00	.00					
Total B & A ENGINEERS, INC.:						415.00	.00					

Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
BOISE-KUNA IRRIGATION DISTRICT												
12	BOISE-KUNA IRRIGATION DISTRICT	SPRING 1401		<u>SPRING ASSESSMENT KUNA TOWNSITE SEC. 23 2N 1W, FEB 17</u>	02/28/2017	82,958.50	.00	<u>25-6116 IRRIGATION / WATER COSTS</u>	0	2/17		
Total SPRING 1401:						82,958.50	.00					
12	BOISE-KUNA IRRIGATION DISTRICT	SPRING 196A		<u>SPRING ASSESSMENT W2 NE4 SW 4 SEC. 19 2N 1E, FEB 17</u>	02/28/2017	981.50	.00	<u>25-6116 IRRIGATION / WATER COSTS</u>	0	2/17		
Total SPRING 196A:						981.50	.00					
Total BOISE-KUNA IRRIGATION DISTRICT:						83,940.00	.00					
BRADY INDUSTRIES OF IDAHO LLC												
1240	BRADY INDUSTRIES OF IDAHO LLC	5353258	5228	<u>1 CS TOILET PAPER, 1 CS LARGE BLACK TRASH BAGS, CITY HALL, FEB 17</u>	02/23/2017	16.51	.00	<u>01-6025 JANITORIAL</u>	0	2/17		
1240	BRADY INDUSTRIES OF IDAHO LLC	5353258	5228	<u>1 CS TOILET PAPER, 1 CS LARGE BLACK TRASH BAGS, CITY HALL, FEB 17, P&Z</u>	02/23/2017	5.91	.00	<u>01-6025 JANITORIAL</u>	1003	2/17		
1240	BRADY INDUSTRIES OF IDAHO LLC	5353258	5228	<u>1 CS TOILET PAPER, 1 CS LARGE BLACK TRASH BAGS, CITY HALL, FEB 17, WATER</u>	02/23/2017	15.36	.00	<u>20-6025 JANITORIAL</u>	0	2/17		
1240	BRADY INDUSTRIES OF IDAHO LLC	5353258	5228	<u>1 CS TOILET PAPER, 1 CS LARGE BLACK TRASH BAGS, CITY HALL, FEB 17, SEWER</u>	02/23/2017	15.36	.00	<u>21-6025 JANITORIAL</u>	0	2/17		
1240	BRADY INDUSTRIES OF IDAHO LLC	5353258	5228	<u>1 CS TOILET PAPER, 1 CS LARGE BLACK TRASH BAGS, CITY HALL, FEB 17, PI</u>	02/23/2017	5.91	.00	<u>25-6025 JANITORIAL</u>	0	2/17		
Total 5353258:						59.05	.00					
Total BRADY INDUSTRIES OF IDAHO LLC:						59.05	.00					

BUREAU OF OCCUPATIONAL LICENSE

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1091	BUREAU OF OCCUPATIONAL LICENSE	0227117		LICENSE RENEWAL FOR C MCDANIEL, LICENSE #WWC1- 17790, AND #WWT1-17571, SEWER, FEB 17	02/27/2017	55.00	.00	21-6075 DUES & MEMBERSHIPS	0	2/17		
Total 0227117:						55.00	.00					
Total BUREAU OF OCCUPATIONAL LICENSE:						55.00	.00					
COMPRESSOR - PUMP & SERVICE IN												
909	COMPRESSOR - PUMP & SERVICE IN	0161514-IN	5192	VALVE CHECK ON COMPRESSORS IN PROCESS BUILDING, M.NADEAU, FEB.'17 - SEWER	02/27/2017	405.00	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	2/17		
Total 0161514-IN:						405.00	.00					
Total COMPRESSOR - PUMP & SERVICE IN:						405.00	.00					
CUSTOM ELECTRIC, INC.												
147	CUSTOM ELECTRIC, INC.	7593	5183	RELOADED BELT PRESS PROGRAM TO PLC AND SCADA, T.SHAFFER, FEB.'17 - SEWER	02/03/2017	170.00	.00	21-6150 MAINT. & REPAIRS - SYSTEM	0	2/17		
Total 7593:						170.00	.00					
147	CUSTOM ELECTRIC, INC.	7604	5242	PROGRAMMED THE TANK MIXERS FOR CEDAR AND BUTLER WELLS, C.DEYOUNG, FEB.'17 - WATER	02/21/2017	340.00	.00	20-6150 MAINT. & REPAIRS - SYSTEM	0	2/17		
Total 7604:						340.00	.00					
Total CUSTOM ELECTRIC, INC.:						510.00	.00					
D & B SUPPLY												
75	D & B SUPPLY	004 72478 001		3 EA GEARBOX GREASE, AUTOCUT REPLACEMENT WEED WHIPHEADS, PARKS, FEB17	02/27/2017	120.93	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1004	2/17		

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Total 004 72478 001:						120.93	.00					
Total D & B SUPPLY:						120.93	.00					
DAHLE CONSTRUCTION, LLC												
1708	DAHLE CONSTRUCTION, LLC	3618	4988	<u>CONNECT WATER LINE TIE IN AT LUKER AND GREAT BEAR, 10" MAIN, C.DEYOUNG, NOV.'16 - WATER</u>	12/05/2016	8,890.00	.00	<u>20-6020 CAPITAL IMPROVEMENTS</u>	1109	2/17		
Total 3618:						8,890.00	.00					
Total DAHLE CONSTRUCTION, LLC:						8,890.00	.00					
FERGUSON WATERWORKS #1701												
219	FERGUSON WATERWORKS #1701	0650941	5101	<u>CEU CLASS REGISTRATION (T.FLEMING, C.MCDANIEL, A.COOK, J COX, J WEBB, J MORFIN, C DEYOUNG, FEB.'17, WATER</u>	02/14/2017	192.00	.00	<u>20-6265 TRAINING & SCHOOLING EXPENSE</u>	0	2/17		
219	FERGUSON WATERWORKS #1701	0650941	5101	<u>CEU CLASS REGISTRATION (T.FLEMING, C.MCDANIEL, A.COOK, J COX, J WEBB, J MORFIN, C DEYOUNG, FEB.'17, SEWER</u>	02/14/2017	180.00	.00	<u>21-6265 TRAINING & SCHOOLING EXPENSE</u>	0	2/17		
219	FERGUSON WATERWORKS #1701	0650941	5101	<u>CEU CLASS REGISTRATION (T.FLEMING, C.MCDANIEL, A.COOK, J COX, J WEBB, J MORFIN, C DEYOUNG, FEB.'17, PI</u>	02/14/2017	48.00	.00	<u>25-6265 TRAINING & SCHOOLING EXPENSE</u>	0	2/17		
Total 0650941:						420.00	.00					
219	FERGUSON WATERWORKS #1701	0651020		<u>40 METERS, WATER, FEB 17</u>	02/15/2017	5,440.00	.00	<u>20-6020 CAPITAL IMPROVEMENTS</u>	1089	2/17		
Total 0651020:						5,440.00	.00					

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Total FERGUSON WATERWORKS #1701:						5,860.00	.00					
FLUID CONNECTOR PRODUCTS, INC.												
1083	FLUID CONNECTOR PRODUCTS, INC.	6582636	5194	4" CAMLOCK GASKETS TO REPLACE FOR MBR 3 & 4 SUCTION HOSES. T SHAFER, SEWER, FEB 17	02/09/2017	20.00	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	2/17		
Total 6582636:						20.00	.00					
1083	FLUID CONNECTOR PRODUCTS, INC.	6592189		RETURN GASKETS, ORIGINAL INV#6582636, CREDIT MEMO, T SHAFFER, SEWER, FEB 17	02/21/2017	-20.00	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	2/17		
Total 6592189:						-20.00	.00					
Total FLUID CONNECTOR PRODUCTS, INC.:						.00	.00					
HD SUPPLY WATERWORKS LTD												
63	HD SUPPLY WATERWORKS LTD	G653912		NEPTUNE UPGRADE, WATER, FEB 17	02/14/2017	2,386.00	.00	20-6020 CAPITAL IMPROVEMENTS	1089	2/17		
Total G653912:						2,386.00	.00					
Total HD SUPPLY WATERWORKS LTD:						2,386.00	.00					
HOCOCHAN HOLDINGS, INC.												
1619	HOCOCHAN HOLDINGS, INC.	AR518242		MONTHLY COPIER CARE, MX4110N, MXM503N, COVERAGE FROM 01-01-17 TO 01-31-17, FEB 17, B&W	02/14/2017	21.35	.00	01-6052 CONTRACT SERVICES	0	2/17		
1619	HOCOCHAN HOLDINGS, INC.	AR518242		MONTHLY COPIER CARE, MX4110N, MXM503N, COVERAGE FROM 01-01-17 TO 01-31-17, FEB 17, B&W, P&Z	02/14/2017	7.64	.00	01-6052 CONTRACT SERVICES	0	2/17		
1619	HOCOCHAN HOLDINGS, INC.	AR518242		MONTHLY COPIER CARE, MX4110N, MXM503N, COVERAGE FROM 01-01-17 TO 01-31-17, FEB 17, B&W, WATER	02/14/2017	19.86	.00	20-6052 CONTRACT SERVICES	0	2/17		

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1619	HOCOCHAN HOLDINGS, INC.	AR518242		<u>MONTHLY COPIER CARE, MX4110N, MXM503N, COVERAGE FROM 01-01-17 TO 01-31-17, FEB 17, B&W, SEWER</u>	02/14/2017	19.86	.00	<u>21-6052 CONTRACT SERVICES</u>	0	2/17		
1619	HOCOCHAN HOLDINGS, INC.	AR518242		<u>MONTHLY COPIER CARE, MX4110N, MXM503N, COVERAGE FROM 01-01-17 TO 01-31-17, FEB 17, B&W, PI</u>	02/14/2017	7.64	.00	<u>25-6052 CONTRACT SERVICES</u>	0	2/17		
1619	HOCOCHAN HOLDINGS, INC.	AR518242		<u>MONTHLY COPIER CARE, MX4110N, MXM503N, COVERAGE FROM 01-01-17 TO 01-31-17, FEB 17, COLOR</u>	02/14/2017	40.32	.00	<u>01-6052 CONTRACT SERVICES</u>	0	2/17		
1619	HOCOCHAN HOLDINGS, INC.	AR518242		<u>MONTHLY COPIER CARE, MX4110N, MXM503N, COVERAGE FROM 01-01-17 TO 01-31-17, FEB 17, COLOR, P&Z</u>	02/14/2017	14.41	.00	<u>01-6052 CONTRACT SERVICES</u>	1003	2/17		
1619	HOCOCHAN HOLDINGS, INC.	AR518242		<u>MONTHLY COPIER CARE, MX4110N, MXM503N, COVERAGE FROM 01-01-17 TO 01-31-17, FEB 17, COLOR, WATER</u>	02/14/2017	37.46	.00	<u>20-6052 CONTRACT SERVICES</u>	0	2/17		
1619	HOCOCHAN HOLDINGS, INC.	AR518242		<u>MONTHLY COPIER CARE, MX4110N, MXM503N, COVERAGE FROM 01-01-17 TO 01-31-17, FEB 17, COLOR, SEWER</u>	02/14/2017	37.46	.00	<u>21-6052 CONTRACT SERVICES</u>	0	2/17		
1619	HOCOCHAN HOLDINGS, INC.	AR518242		<u>MONTHLY COPIER CARE, MX4110N, MXM503N, COVERAGE FROM 01-01-17 TO 01-31-17, FEB 17, COLOR, PI</u>	02/14/2017	14.41	.00	<u>25-6052 CONTRACT SERVICES</u>	0	2/17		
Total AR518242:						220.41	.00					
Total HOCOCHAN HOLDINGS, INC.:						220.41	.00					
HR2, INC.												
884	HR2, INC.	3184	5197	<u>CLASS FOR BACKFLOW LICENSE, INCLUDING MANUAL FOR CLASS. R JONES, FEB.'17 - WATER</u>	02/24/2017	560.00	.00	<u>20-6265 TRAINING & SCHOOLING EXPENSE</u>	0	2/17		

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884	HR2, INC.	3184	5197	<u>CLASS FOR BACKFLOW LICENSE, INCLUDING MANUAL FOR CLASS. R JONES, FEB.'17 - P.I</u>	02/24/2017	140.00	.00	<u>25-6265 TRAINING & SCHOOLING EXPENSE</u>	0	2/17		
Total 3184:						700.00	.00					
Total HR2, INC.:						700.00	.00					
IDAHO POWER CO												
38	IDAHO POWER CO	022820171		<u>ELECTRIC SERVICE FOR FEBRUARY 2017 - ADMIN</u>	02/28/2017	460.23	.00	<u>01-6290 UTILITIES</u>	0	2/17		
38	IDAHO POWER CO	022820171		<u>ELECTRIC SERVICE FOR FEBRUARY 2017 - P & Z</u>	02/28/2017	55.07	.00	<u>01-6290 UTILITIES</u>	1003	2/17		
38	IDAHO POWER CO	022820171		<u>ELECTRIC SERVICE FOR FEBRUARY 2017 - SENIOR CENTER</u>	02/28/2017	293.76	.00	<u>01-6290 UTILITIES</u>	1001	2/17		
38	IDAHO POWER CO	022820171		<u>ELECTRIC SERVICE FOR FEBRUARY 2017 - STREET LIGHTS</u>	02/28/2017	6,737.01	.00	<u>01-6290 UTILITIES</u>	1002	2/17		
38	IDAHO POWER CO	022820171		<u>ELECTRIC SERVICE FOR FEBRUARY 2017 - PARKS</u>	02/28/2017	1,112.88	.00	<u>01-6290 UTILITIES</u>	1004	2/17		
38	IDAHO POWER CO	022820171		<u>ELECTRIC SERVICE FOR FEBRUARY 2017 - WATER</u>	02/28/2017	9,369.29	.00	<u>20-6290 UTILITIES EXPENSE</u>	0	2/17		
38	IDAHO POWER CO	022820171		<u>ELECTRIC SERVICE FOR FEBRUARY 2017 - SEWER</u>	02/28/2017	19,827.32	.00	<u>21-6290 UTILITIES EXPENSE</u>	0	2/17		
38	IDAHO POWER CO	022820171		<u>ELECTRIC SERVICE FOR FEBRUARY 2017 - FARM</u>	02/28/2017	391.32	.00	<u>21-6090 FARM EXPENDITURES</u>	0	2/17		
38	IDAHO POWER CO	022820171		<u>ELECTRIC SERVICE FOR FEBRUARY 2017 - P.I</u>	02/28/2017	939.62	.00	<u>25-6290 UTILITIES EXPENSE</u>	0	2/17		
Total 022820171:						39,186.50	.00					
Total IDAHO POWER CO:						39,186.50	.00					

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				SERVERS, FEB 17, SEWER	02/15/2017	236.99	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	2/17		
1595	INTEGRINET SOLUTIONS, INC.	97864		PRO ACTION MAINTENANCE SERVICE MONITORING, 35 SYMANTEC ENDPOINT ANTI-VIRUS LICENSES, TWO SERVERS, FEB 17, PI	02/15/2017	91.15	.00	25-6142 MAINT. & REPAIRS - EQUIPMENT	0	2/17		
Total 97864:						911.50	.00					
1595	INTEGRINET SOLUTIONS, INC.	98010		SET UP G SMITH MONITORS AND NETWORK, FEB 17	02/19/2017	22.00	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	0	2/17		
1595	INTEGRINET SOLUTIONS, INC.	98010		SET UP G SMITH MONITORS AND NETWORK, FEB 17, WATER	02/19/2017	29.04	.00	20-6142 MAINT. & REPAIRS - EQUIPMENT	0	2/17		
1595	INTEGRINET SOLUTIONS, INC.	98010		SET UP G SMITH MONITORS AND NETWORK, FEB 17, SEWER	02/19/2017	29.04	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	2/17		
1595	INTEGRINET SOLUTIONS, INC.	98010		SET UP G SMITH MONITORS AND NETWORK, FEB 17, PI	02/19/2017	7.92	.00	25-6142 MAINT. & REPAIRS - EQUIPMENT	0	2/17		
1595	INTEGRINET SOLUTIONS, INC.	98010		WORKED ON P&Z CASH DRAWER, FEB 17, P&Z	02/19/2017	44.00	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1003	2/17		
Total 98010:						132.00	.00					
Total INTEGRINET SOLUTIONS, INC.:						1,096.30	.00					
J & M SANITATION, INC.												
230	J & M SANITATION, INC.	02102017-021		SANITATION RECEIPT TRANSFER - 02-10-17 TO 02-16-2017, FEB 17	02/17/2017	57,186.24	57,186.24	26-7000 SOLID WASTE SERVICE FEES	0	2/17	02/17/2017	
230	J & M SANITATION, INC.	02102017-021		SANITATION RECEIPT TRANSFER LESS FRANCHISE FEE - 02-10-17 TO 02-16-2017, FEB 17	02/17/2017	-5,650.00	-5,650.00	01-4170 FRANCHISE FEES	0	2/17	02/17/2017	

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Total 02102017-02162017:						51,536.24	51,536.24					
230	J & M SANITATION, INC.	02172017-022		<u>SANITATION RECEIPT TRANSFER - 02-14--17 TO 02- 23-17, FEB 17</u>	02/24/2017	27,159.31	27,159.31	<u>26-7000 SOLID WASTE SERVICE FEES</u>	0	2/17	02/24/2017	
230	J & M SANITATION, INC.	02172017-022		<u>SANITATION RECEIPT TRANSFER - LESS FRANCHISE FEE. 02-14--17 TO 02-23-17, FEB 17</u>	02/24/2017	-2,683.33	-2,683.33	<u>01-4170 FRANCHISE FEES</u>	0	2/17	02/24/2017	
Total 02172017-02232017:						24,475.98	24,475.98					
Total J & M SANITATION, INC.:						76,012.22	76,012.22					
J. P. COOKE CO.												
956	J. P. COOKE CO.	439821	5231	<u>300 A-30 BLUE AA LIC TAGS, CLERKS, FEB 17</u>	02/16/2017	72.67	.00	<u>01-6005 ANIMAL CONTROL SERVICES</u>	0	2/17		
Total 439821:						72.67	.00					
Total J. P. COOKE CO.:						72.67	.00					
JIM'S UPHOLSTERY INC												
1772	JIM'S UPHOLSTERY INC	24649	5233	<u>SPRING REPAIR AND REUPHOLSTERED TRUCK #13, J.ADAMS, FEB.'17 - BUILDING MAINTENANCE, ADMIN</u>	02/17/2017	51.56	.00	<u>01-6305 VEHICLE MAINTENANCE & REPAIRS</u>	0	2/17		
1772	JIM'S UPHOLSTERY INC	24649	5233	<u>SPRING REPAIR AND REUPHOLSTERED TRUCK #13, J.ADAMS, FEB.'17 - BUILDING MAINTENANCE, PARKS</u>	02/17/2017	134.06	.00	<u>01-6305 VEHICLE MAINTENANCE & REPAIRS</u>	1004	2/17		
1772	JIM'S UPHOLSTERY INC	24649	5233	<u>SPRING REPAIR AND REUPHOLSTERED TRUCK #13, J.ADAMS, FEB.'17 - BUILDING MAINTENANCE, INSPECTIONS</u>	02/17/2017	68.75	.00	<u>01-6305 VEHICLE MAINTENANCE & REPAIRS</u>	1005	2/17		
1772	JIM'S UPHOLSTERY INC	24649	5233	<u>SPRING REPAIR AND REUPHOLSTERED TRUCK #13, J.ADAMS, FEB.'17 - BUILDING MAINTENANCE, WATER</u>	02/17/2017	8.25	.00	<u>20-6305 VEHICLE MAINTENANCE & REPAIRS</u>	0	2/17		

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1772	JIM'S UPHOLSTERY INC	24649	5233	SPRING REPAIR AND REUPHOLSTERED TRUCK #13, J.ADAMS, FEB.'17 - BUILDING MAINTENANCE, SEWER	02/17/2017	8.25	.00	21-6305 VEHICLE MAINTENANCE & REPAIRS	0	2/17		
1772	JIM'S UPHOLSTERY INC	24649	5233	SPRING REPAIR AND REUPHOLSTERED TRUCK #13, J.ADAMS, FEB.'17 - BUILDING MAINTENANCE, PI	02/17/2017	4.13	.00	25-6305 VEHICLE MAINTENANCE & REPAIR	0	2/17		
Total 24649:						275.00	.00					
Total JIM'S UPHOLSTERY INC:						275.00	.00					
J-U-B ENGINEERS, INC.												
1236	J-U-B ENGINEERS, INC.	0106603		PROFESSIONAL SERVICES FROM 01-01-17 TO 02-04-17, KUNA DOWNTOWN REVITALIZATION GRAND ADMIN, FEB 17	02/13/2017	3,500.00	.00	03-6378 EXPENDITURE- CDBG DWNTWN REVIT.	0	2/17		
Total 0106603:						3,500.00	.00					
1236	J-U-B ENGINEERS, INC.	0106640		PROFESSIONAL SERVICES FROM JAN 1,2017 TO FEB 4, 2017, ARDELL PUMP STATION AND POND, G LAW, FEB 17	02/14/2017	18,135.00	.00	20-6020 CAPITAL IMPROVEMENTS	1055	2/17		
Total 0106640:						18,135.00	.00					
Total J-U-B ENGINEERS, INC.:						21,635.00	.00					
KUNA JT. SCHOOL DISTRICT NO. 3												
199	KUNA JT. SCHOOL DISTRICT NO. 3	579		FIBER OPTIC LINE LEASE FOR JAN 17 AND FEB 17	02/24/2017	168.00	.00	01-6255 TELEPHONE	0	2/17		
199	KUNA JT. SCHOOL DISTRICT NO. 3	579		FIBER OPTIC LINE LEASE FOR JAN 17 AND FEB 17, P&Z	02/24/2017	60.00	.00	01-6255 TELEPHONE	1003	2/17		
199	KUNA JT. SCHOOL DISTRICT NO. 3	579		FIBER OPTIC LINE LEASE FOR JAN 17 AND FEB 17, WATER	02/24/2017	156.00	.00	20-6255 TELEPHONE EXPENSE	0	2/17		

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199	KUNA JT. SCHOOL DISTRICT NO. 3	579		<u>FIBER OPTIC LINE LEASE FOR JAN 17 AND FEB 17, SEWER</u>	02/24/2017	156.00	.00	<u>21-6255 TELEPHONE EXPENSE</u>	0	2/17		
199	KUNA JT. SCHOOL DISTRICT NO. 3	579		<u>FIBER OPTIC LINE LEASE FOR JAN 17 AND FEB 17, PI</u>	02/24/2017	60.00	.00	<u>25-6255 TELEPHONE EXPENSE</u>	0	2/17		
Total 579:						600.00	.00					
Total KUNA JT. SCHOOL DISTRICT NO. 3:						600.00	.00					
KUNA LUMBER												
499	KUNA LUMBER	A87472	5261	<u>CAULK, COUPLING FOR WATER HEATER REPAIR, STEEL WOOL, 5/8 COUNTER SINK FOR MONITORS, 3/4 LEG GLIDE, METAL PLUG, 7/16 MANDREL FOR HOLE SAW, SILICONE FOR CREEKSIDE SIGN, FEB.'17, CITY HALL MAINTENANCE</u>	02/27/2017	109.20	.00	<u>01-6140 MAINT. & REPAIR BUILDING</u>	0	2/17		
499	KUNA LUMBER	A87472	5261	<u>DOOR HANDLE REPLACEMENT, DOOR KEY MADE 16" WHITE BRACKET FOR SHELF, FEB.'17 -</u>	02/27/2017	9.16	.00	<u>01-6140 MAINT. & REPAIR BUILDING</u>	0	2/17		
499	KUNA LUMBER	A87472	5261	<u>DOOR HANDLE REPLACEMENT, DOOR KEY MADE 16" WHITE BRACKET FOR SHELF, FEB.'17 -</u>	02/27/2017	30.23	.00	<u>01-6140 MAINT. & REPAIR BUILDING</u>	1004	2/17		
499	KUNA LUMBER	A87472	5261	<u>DOOR HANDLE REPLACEMENT, DOOR KEY MADE 16" WHITE BRACKET FOR SHELF, FEB.'17 - INSPECTIONS</u>	02/27/2017	10.08	.00	<u>01-6140 MAINT. & REPAIR BUILDING</u>	1005	2/17		
499	KUNA LUMBER	A87472	5261	<u>DOOR HANDLE REPLACEMENT, DOOR KEY MADE 16" WHITE BRACKET FOR SHELF, FEB.'17 -WATER</u>	02/27/2017	18.32	.00	<u>20-6140 MAINT. & REPAIR BUILDING</u>	0	2/17		
499	KUNA LUMBER	A87472	5261	<u>DOOR HANDLE REPLACEMENT, DOOR KEY MADE 16" WHITE BRACKET FOR SHELF, FEB.'17 -SEWER</u>	02/27/2017	19.24	.00	<u>21-6140 MAINT & REPAIR BUILDING</u>	0	2/17		

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499	KUNA LUMBER	A87472	5261	<u>DOOR HANDLE REPLACEMENT, DOOR KEY MADE 16" WHITE BRACKET FOR SHELF, FEB.'17 -PI</u>	02/27/2017	4.57	.00	<u>25-6140 MAINT. & REPAIR BUILDING</u>	0	2/17		
499	KUNA LUMBER	A87472	5261	<u>MASKING TAPE, ROLLER COVER, SPACKELING FOR REPAIR, ROLLER FRAME, 3 PIECE ROLLER SET, DROP CLOTH, 20OZ SPRAY TEXTURE, WHITE PAINT FOR NWWTP, FEB.'17 - SEWER</u>	02/27/2017	107.54	.00	<u>21-6140 MAINT. & REPAIR BUILDING</u>	0	2/17		
499	KUNA LUMBER	A87472	5261	<u>SILICONE SEALANT, SCREWS, 5-8FT PIECES OF PINE, 8 FT 2X4S, PLYWOOD, SUPERGRIP RED SCREWS, 1/4 IN IMPACT BIT FOR PARKS ROOF REPAIR, FEB.'17 - PARKS</u>	02/27/2017	95.63	.00	<u>01-6140 MAINT. & REPAIR BUILDING</u>	1004	2/17		
499	KUNA LUMBER	A87472	5261	<u>MILE MARKERS FOR GREEN BELT FOR HIGH FIVE GRANT, FEB.'17</u>	02/27/2017	69.93	.00	<u>03-6374 EXP-HIGH FIVE YOUTH COUNCIL</u>	0	2/17		
499	KUNA LUMBER	A87472	5261	<u>270 FT STRING LINE, 35 FT TAPE MEASURE, FEB.'17</u>	02/27/2017	37.11	.00	<u>01-6175 SMALL TOOLS</u>	0	2/17		
Total A87472:						511.01	.00					
499	KUNA LUMBER	B97032	5239	<u>2 TUBES OF SILICONE FOR LAGOONS, A.COOK, FEB.'17 - SEWER</u>	02/21/2017	7.18	.00	<u>21-6150 MAINT. & REPAIRS - SYSTEM</u>	0	2/17		
Total B97032:						7.18	.00					
499	KUNA LUMBER	B97064	5243	<u>20" DRILL BIT, LAGOON DIVERSION BOX REPAIR, A.COOK, FEB.'17 - SEWER</u>	02/22/2017	22.49	.00	<u>21-6175 SMALL TOOLS</u>	0	2/17		
Total B97064:						22.49	.00					
Total KUNA LUMBER:						540.68	.00					

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KUNA TRUE VALUE HARDWARE												
43	KUNA TRUE VALUE HARDWARE	164422	5220	<u>SPRINKLER PARTS FOR STOCK, PURCHASED REMAINING PVC AND POLY FITTINGS FOR SPRINKLERS, PVC FITTINGS, PVC NIPPLES, PVC UNIONS, ELBOWS, 10 CAN PURPLE PRIMER, J.CRUMPTON, FEB.'17</u>	02/16/2017	277.22	.00	01-6150 <u>MAINTENANCE & REPAIRS - SYSTEM</u>	1004	2/17		
Total 164422:						277.22	.00					
Total KUNA TRUE VALUE HARDWARE:						277.22	.00					
LES SCHWAB TIRES												
221	LES SCHWAB TIRES	12800238124	5265	<u>FLAT TIRE REPAIR FOR KUBOTA RTV, PARKS, B GILLOGLY, FEB 17</u>	02/28/2017	23.02	.00	01-6142 <u>MAINT. & REPAIR - EQUIPMENT</u>	1004	2/17		
Total 12800238124:						23.02	.00					
Total LES SCHWAB TIRES:						23.02	.00					
METROQUIP, INC.												
196	METROQUIP, INC.	00035008	5212	<u>30 3 IN CAMLOCK GASKETS FOR MBR TANKS, TSHAFER, SEWER, FEB 17</u>	02/13/2017	17.40	.00	21-6142 <u>MAINT. & REPAIRS - EQUIPMENT</u>	0	2/17		
Total 00035008:						17.40	.00					
196	METROQUIP, INC.	00035064	5221	<u>VAC TRUCK #2 ROUTER HOSE, REPAIRED SHORT IN ELECTRICAL SYSTEM, T.FLEMING, FEB.'17 - SEWER</u>	02/16/2017	2,125.24	.00	21-6305 <u>VEHICLE MAINTENANCE & REPAIRS</u>	0	2/17		
Total 00035064:						2,125.24	.00					
196	METROQUIP, INC.	00035084	5213	<u>30 3 IN CHEMICAL RESISTANT CAMLOCK GASKETS, T SHAFER, SEWER, FEB 17</u>	02/17/2017	35.70	.00	21-6150 <u>MAINT. & REPAIRS - SYSTEM</u>	0	2/17		

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Total 00035084:						35.70	.00					
Total METROQUIP, INC.:						2,178.34	.00					
PARTS, INC.												
470	PARTS, INC.	131369	5210	<u>RADIATOR FOR TRUCK #13, B.GILLOGLY, FEB.'17</u>	02/13/2017	62.79	.00	<u>01-6305 VEHICLE MAINTENANCE & REPAIRS</u>	1004	2/17		
470	PARTS, INC.	131369	5210	<u>RADIATOR FOR TRUCK #13, B.GILLOGLY, FEB.'17 - ADMIN</u>	02/13/2017	24.15	.00	<u>01-6305 VEHICLE MAINTENANCE & REPAIRS</u>	0	2/17		
470	PARTS, INC.	131369	5210	<u>RADIATOR FOR TRUCK #13, B.GILLOGLY, FEB.'17 - BUILDING INSPECTION</u>	02/13/2017	32.20	.00	<u>01-6305 VEHICLE MAINTENANCE & REPAIRS</u>	0	2/17		
470	PARTS, INC.	131369	5210	<u>RADIATOR FOR TRUCK #13, B.GILLOGLY, FEB.'17 - WATER</u>	02/13/2017	3.86	.00	<u>20-6305 VEHICLE MAINTENANCE & REPAIRS</u>	0	2/17		
470	PARTS, INC.	131369	5210	<u>RADIATOR FOR TRUCK #13, B.GILLOGLY, FEB.'17 - SEWER</u>	02/13/2017	3.86	.00	<u>21-6305 VEHICLE MAINTENANCE & REPAIRS</u>	0	2/17		
470	PARTS, INC.	131369	5210	<u>RADIATOR FOR TRUCK #13, B.GILLOGLY, FEB.'17 - P.I</u>	02/13/2017	1.94	.00	<u>25-6305 VEHICLE MAINTENANCE & REPAIR</u>	0	2/17		
Total 131369:						128.80	.00					
470	PARTS, INC.	131607	5225	<u>TRAILER HITCH FOR TRUCK #13, J.ADAMS, FEB.'17 - PARKS</u>	02/16/2017	3.90	.00	<u>01-6305 VEHICLE MAINTENANCE & REPAIRS</u>	1004	2/17		
470	PARTS, INC.	131607	5225	<u>TRAILER HITCH FOR TRUCK #13, J.ADAMS, FEB.'17 - ADMIN</u>	02/16/2017	1.50	.00	<u>01-6305 VEHICLE MAINTENANCE & REPAIRS</u>	0	2/17		
470	PARTS, INC.	131607	5225	<u>TRAILER HITCH FOR TRUCK #13, J.ADAMS, FEB.'17 - BUILDING INSPECTION</u>	02/16/2017	2.00	.00	<u>01-6305 VEHICLE MAINTENANCE & REPAIRS</u>	1005	2/17		
470	PARTS, INC.	131607	5225	<u>TRAILER HITCH FOR TRUCK #13, J.ADAMS, FEB.'17 - WATER</u>	02/16/2017	.24	.00	<u>20-6305 VEHICLE MAINTENANCE &</u>				

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								REPAIRS	0	2/17		
470	PARTS, INC.	131607	5225	TRAILER HITCH FOR TRUCK #13, J.ADAMS, FEB.'17 - SEWER	02/16/2017	.24	.00	21-6305 VEHICLE MAINTENANCE & REPAIRS	0	2/17		
470	PARTS, INC.	131607	5225	TRAILER HITCH FOR TRUCK #13, J.ADAMS, FEB.'17 - P.I	02/16/2017	.11	.00	25-6305 VEHICLE MAINTENANCE & REPAIR	0	2/17		
Total 131607:						7.99	.00					
470	PARTS, INC.	131656	5235	BALL MOUNT, TRUCK #6, R.JONES, FEB.'17 - WATER	02/17/2017	23.20	.00	20-6305 VEHICLE MAINTENANCE & REPAIRS	0	2/17		
470	PARTS, INC.	131656	5235	BALL MOUNT, TRUCK #6, R.JONES, FEB.'17 - P.I	02/17/2017	5.79	.00	25-6305 VEHICLE MAINTENANCE & REPAIR	0	2/17		
Total 131656:						28.99	.00					
470	PARTS, INC.	131684	5236	FILTER FOR TRUCK #13, B.GILLOGLY, FEB.'17 - ADMIN	02/17/2017	3.00	.00	01-6305 VEHICLE MAINTENANCE & REPAIRS	0	2/17		
470	PARTS, INC.	131684	5236	FILTER FOR TRUCK #13, B.GILLOGLY, FEB.'17 - PARKS	02/17/2017	7.80	.00	01-6305 VEHICLE MAINTENANCE & REPAIRS	1004	2/17		
470	PARTS, INC.	131684	5236	FILTER FOR TRUCK #13, B.GILLOGLY, FEB.'17 - BUILDING INSPECTION	02/17/2017	4.00	.00	01-6305 VEHICLE MAINTENANCE & REPAIRS	1005	2/17		
470	PARTS, INC.	131684	5236	FILTER FOR TRUCK #13, B.GILLOGLY, FEB.'17 - WATER	02/17/2017	.48	.00	20-6305 VEHICLE MAINTENANCE & REPAIRS	0	2/17		
470	PARTS, INC.	131684	5236	FILTER FOR TRUCK #13, B.GILLOGLY, FEB.'17 - SEWER	02/17/2017	.48	.00	21-6305 VEHICLE MAINTENANCE & REPAIRS	0	2/17		
470	PARTS, INC.	131684	5236	FILTER FOR TRUCK #13, B.GILLOGLY, FEB.'17 - P.I	02/17/2017	.23	.00	25-6305 VEHICLE MAINTENANCE & REPAIR	0	2/17		

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Total 131684:						15.99	.00					
470	PARTS, INC.	131901	5238	<u>DOOR HINGES FOR TRUCK #13, B.GILLOGLY, FEB.'17 - PARKS</u>	02/21/2017	5.89	.00	<u>01-6305 VEHICLE MAINTENANCE & REPAIRS</u>	1004	2/17		
470	PARTS, INC.	131901	5238	<u>DOOR HINGES FOR TRUCK #13, B.GILLOGLY, FEB.'17 - ADMIN</u>	02/21/2017	2.27	.00	<u>01-6305 VEHICLE MAINTENANCE & REPAIRS</u>	0	2/17		
470	PARTS, INC.	131901	5238	<u>DOOR HINGES FOR TRUCK #13, B.GILLOGLY, FEB.'17 - BUILDING INSPECTION</u>	02/21/2017	3.02	.00	<u>01-6305 VEHICLE MAINTENANCE & REPAIRS</u>	1005	2/17		
470	PARTS, INC.	131901	5238	<u>DOOR HINGES FOR TRUCK #13, B.GILLOGLY, FEB.'17 - WATER</u>	02/21/2017	.36	.00	<u>20-6305 VEHICLE MAINTENANCE & REPAIRS</u>	0	2/17		
470	PARTS, INC.	131901	5238	<u>DOOR HINGES FOR TRUCK #13, B.GILLOGLY, FEB.'17 - SEWER</u>	02/21/2017	.36	.00	<u>21-6305 VEHICLE MAINTENANCE & REPAIRS</u>	0	2/17		
470	PARTS, INC.	131901	5238	<u>DOOR HINGES FOR TRUCK #13, B.GILLOGLY, FEB.'17 - P.I</u>	02/21/2017	.18	.00	<u>25-6305 VEHICLE MAINTENANCE & REPAIR</u>	0	2/17		
Total 131901:						12.08	.00					
470	PARTS, INC.	132005	5245	<u>REPLACEMENT CUTTING TORCH TIP, A.COOK, FEB.'17 - FARM</u>	02/22/2017	19.50	.00	<u>21-6090 FARM EXPENDITURES</u>	0	2/17		
Total 132005:						19.50	.00					
Total PARTS, INC.:						213.35	.00					
RAIN FOR RENT												
144	RAIN FOR RENT	1005774	5249	<u>COUPLERS FOR WHEEL LINE MOVERS, T SHAFFER, FEB.'17 - FARM</u>	02/24/2017	36.00	.00	<u>21-6090 FARM EXPENDITURES</u>	0	2/17		

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				FEB.'17 - P.I	02/10/2017	9.46	.00	25-6140 MAINT. & REPAIR BUILDING	0	2/17		
Total L376732:						94.48	.00					
Total REXEL, INC.:						230.95	.00					
SHARP ELECTRONICS CORP-METERED												
1806	SHARP ELECTRONICS CORP-METERED	11064966		EXCESS METER READING/USAGE, 12/01/16- 12/31/16, MODEL #MX2615N - PARKS	01/31/2017	16.60	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1004	12/16		
1806	SHARP ELECTRONICS CORP-METERED	11064966		EXCESS METER READING/USAGE, 12/01/16- 12/31/16, MODEL #MX2615N - WATER	01/31/2017	26.74	.00	20-6142 MAINT. & REPAIRS - EQUIPMENT	0	12/16		
1806	SHARP ELECTRONICS CORP-METERED	11064966		EXCESS METER READING/USAGE, 12/01/16- 12/31/16, MODEL #MX2615N - SEWER	01/31/2017	33.20	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	12/16		
1806	SHARP ELECTRONICS CORP-METERED	11064966		EXCESS METER READING/USAGE, 12/01/16- 12/31/16, MODEL #MX2615N - P.I	01/31/2017	15.67	.00	25-6142 MAINT. & REPAIRS - EQUIPMENT	0	12/16		
Total 11064966:						92.21	.00					
Total SHARP ELECTRONICS CORP-METERED:						92.21	.00					
ST. LUKE'S REGIONAL MEDICAL CENTER												
1441	ST. LUKE'S REGIONAL MEDICAL CENTER	418129146		EMPLOYEE ALCOHOL AND DRUG SCREENING, FEB.'17 - SEWER	02/09/2017	64.00	.00	21-6202 PROFESSIONAL SERVICES	0	2/17		
Total 418129146:						64.00	.00					
Total ST. LUKE'S REGIONAL MEDICAL CENTER:						64.00	.00					

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THUESON CONSTRUCTION INC												
1724	THUESON CONSTRUCTION INC	865-1		<u>LAKE HAZEL SEWER PROJECT, G.LAW, FEB.'17 - SEWER</u>	02/23/2017	76,072.15	.00	<u>21-6020 CAPITAL IMPROVEMENTS</u>	1049	2/17		
Total 865-1:						76,072.15	.00					
Total THUESON CONSTRUCTION INC:						76,072.15	.00					
TREASURE VALLEY COFFEE												
992	TREASURE VALLEY COFFEE	2160:04882076	5234	<u>COOLER RENT FOR MAINTENANCE SHOP, FEB.'17- PARKS</u>	02/17/2017	10.00	.00	<u>01-6165 OFFICE SUPPLIES</u>	1004	2/17		
Total 2160:04882076:						10.00	.00					
Total TREASURE VALLEY COFFEE:						10.00	.00					
USA BLUE BOOK												
265	USA BLUE BOOK	175693	5186	<u>MARKING FLAGS, FEB.'17 - WATER</u>	02/07/2017	47.92	.00	<u>20-6150 MAINT. & REPAIRS - SYSTEM</u>	0	2/17		
265	USA BLUE BOOK	175693	5186	<u>MARKING FLAGS, FEB.'17 - SEWER</u>	02/07/2017	59.89	.00	<u>21-6150 MAINT. & REPAIRS - SYSTEM</u>	0	2/17		
265	USA BLUE BOOK	175693	5186	<u>MARKING FLAGS, FEB.'17 - P.I</u>	02/07/2017	11.98	.00	<u>25-6150 MAINT. & REPAIRS - SYSTEM (PI)</u>	0	2/17		
Total 175693:						119.79	.00					
Total USA BLUE BOOK:						119.79	.00					
UTILITY REFUNDS #1												
1863	UTILITY REFUNDS #1	160240.01		<u>LAURA LUNA, 299 W HESTON ST, WATER OVERPAYMENT</u>	02/21/2017	79.71	.00	<u>99-1075 Utility Cash Clearing</u>	0	2/17		
Total 160240.01:						79.71	.00					

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1863	UTILITY REFUNDS #1	173230.01		<u>HUNTER HOMES, 497 S TAILINGS AVE, WATER OVERPAYMENT</u>	02/21/2017	59.12	.00	99-1075 Utility Cash Clearing	0	2/17		
Total 173230.01:						59.12	.00					
1863	UTILITY REFUNDS #1	180340.01		<u>JOANNA L CALLAHAN, 1520 W BALBOA ST, WATER OVERPAYMENT</u>	02/27/2017	60.79	.00	99-1075 Utility Cash Clearing	0	2/17		
Total 180340.01:						60.79	.00					
1863	UTILITY REFUNDS #1	182160.03		<u>DUSTIN CROWELL, 1500 W MCHENRY ST, WATER OVERPAYMENT</u>	02/27/2017	78.26	.00	99-1075 Utility Cash Clearing	0	2/17		
Total 182160.03:						78.26	.00					
1863	UTILITY REFUNDS #1	20640.01		<u>JOHN MESSMER, 417-427 E AVALON ST, WATER OVERPAYMENT</u>	02/27/2017	2.94	.00	99-1075 Utility Cash Clearing	0	2/17		
Total 20640.01:						2.94	.00					
1863	UTILITY REFUNDS #1	221345.01		<u>CBH, 1043 E LUDLOW ST, WATER OVERPAYMENT</u>	02/21/2017	59.06	.00	99-1075 Utility Cash Clearing	0	2/17		
Total 221345.01:						59.06	.00					
1863	UTILITY REFUNDS #1	230685.02		<u>TYSON JANES, 453 W WILLOW DALE WAY, WATER OVERPAYMENT</u>	02/27/2017	37.33	.00	99-1075 Utility Cash Clearing	0	2/17		
Total 230685.02:						37.33	.00					
1863	UTILITY REFUNDS #1	264245.01		<u>CBH, 1912 W FELTSON ST, WATER OVERPAYMENT</u>	02/27/2017	45.77	.00	99-1075 Utility Cash Clearing	0	2/17		

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Total 264245.01:						45.77	.00					
1863	UTILITY REFUNDS #1	278014.01		<u>CBH, 8966 S PINOVA AVE, WATER OVERPAYMENT</u>	02/21/2017	58.05	.00	99-1075 Utility Cash Clearing	0	2/17		
Total 278014.01:						58.05	.00					
1863	UTILITY REFUNDS #1	280610.01		<u>TRADITION HOMES, 1073 W TANZANITE DR, WATER OVERPAYMENT</u>	02/27/2017	57.01	.00	99-1075 Utility Cash Clearing	0	2/17		
Total 280610.01:						57.01	.00					
1863	UTILITY REFUNDS #1	301067.01		<u>HUBBLE HOMES, 980 E SHADY RIDGE DR, WATER OVERPAYMENT</u>	02/27/2017	11.07	.00	99-1075 Utility Cash Clearing	0	2/17		
Total 301067.01:						11.07	.00					
Total UTILITY REFUNDS #1:						549.11	.00					
W.W. GRAINGER												
162	W.W. GRAINGER	9360670062	5215	<u>ELECTRICAL MOTOR TO REPLACE BURNED OUT MOTOR ON AIR COOLER FAN AT LAGOONS, T SHAFFER, FEB 17, FARM</u>	02/14/2017	353.75	.00	21-6150 MAINT. & REPAIRS - SYSTEM	0	2/17		
Total 9360670062:						353.75	.00					
Total W.W. GRAINGER:						353.75	.00					
WESTERN BUILDING MAINTENANCE, INC.												
1499	WESTERN BUILDING MAINTENANCE, INC.	0098163-IN		<u>MONTHLY JANITORIAL SERVICES FOR FEBRUARY - SENIOR CENTER</u>	02/24/2017	330.33	.00	01-6025 JANITORIAL	1001	2/17		

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Total 0098163-IN:						330.33	.00					
1499	WESTERN BUILDING MAINTENANCE, INC.	0098164-IN		<u>MONTHLY JANITORIAL SERVICES FOR FEBRUARY AT CITY HALL - ADMIN</u>	02/24/2017	84.93	.00	<u>01-6025 JANITORIAL</u>	0	2/17		
1499	WESTERN BUILDING MAINTENANCE, INC.	0098164-IN		<u>MONTHLY JANITORIAL SERVICES FOR FEBRUARY AT CITY HALL - P & Z</u>	02/24/2017	30.33	.00	<u>01-6025 JANITORIAL</u>	1003	2/17		
1499	WESTERN BUILDING MAINTENANCE, INC.	0098164-IN		<u>MONTHLY JANITORIAL SERVICES FOR FEBRUARY AT CITY HALL - WATER</u>	02/24/2017	78.87	.00	<u>20-6025 JANITORIAL</u>	0	2/17		
1499	WESTERN BUILDING MAINTENANCE, INC.	0098164-IN		<u>MONTHLY JANITORIAL SERVICES FOR FEBRUARY AT CITY HALL - SEWER</u>	02/24/2017	78.87	.00	<u>21-6025 JANITORIAL</u>	0	2/17		
1499	WESTERN BUILDING MAINTENANCE, INC.	0098164-IN		<u>MONTHLY JANITORIAL SERVICES FOR FEBRUARY AT CITY HALL - P.I</u>	02/24/2017	30.33	.00	<u>25-6025 JANITORIAL</u>	0	2/17		
Total 0098164-IN:						303.33	.00					
1499	WESTERN BUILDING MAINTENANCE, INC.	0098165-IN		<u>MONTHLY JANITORIAL SERVICES FOR FEBRUARY AT THE TREATMENT PLANT - WATER</u>	02/24/2017	31.50	.00	<u>20-6025 JANITORIAL</u>	0	2/17		
1499	WESTERN BUILDING MAINTENANCE, INC.	0098165-IN		<u>MONTHLY JANITORIAL SERVICES FOR FEBRUARY AT THE TREATMENT PLANT - SEWER</u>	02/24/2017	31.50	.00	<u>21-6025 JANITORIAL</u>	0	2/17		
1499	WESTERN BUILDING MAINTENANCE, INC.	0098165-IN		<u>MONTHLY JANITORIAL SERVICES FOR FEBRUARY AT THE TREATMENT PLANT - P.I</u>	02/24/2017	12.00	.00	<u>25-6025 JANITORIAL</u>	0	2/17		
Total 0098165-IN:						75.00	.00					
Total WESTERN BUILDING MAINTENANCE, INC.:						708.66	.00					

City of Kuna

Payment Approval Report - City Council Approval

Page: 27

Report dates: 2/17/2017-3/2/2017

Mar 02, 2017 02:36PM

Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
WESTERN STATES EQUIPMENT CO.												
98	WESTERN STATES EQUIPMENT CO.	IN000262484	5151	<u>REPAIRS ON GENERATORS AT 10 MILE LIFT STATION, T.FLEMING, JAN.'17 -SEWER</u>	02/10/2017	303.75	.00	<u>21-6150 MAINT. & REPAIRS - SYSTEM</u>	0	2/17		
Total IN000262484:						303.75	.00					
98	WESTERN STATES EQUIPMENT CO.	IN000262490	5151	<u>REPAIRS ON GENERATORS AT DANSKIN LIFT STATION, T.FLEMING, JAN.'17 -SEWER</u>	02/10/2017	2,747.75	.00	<u>21-6150 MAINT. & REPAIRS - SYSTEM</u>	0	2/17		
Total IN000262490:						2,747.75	.00					
98	WESTERN STATES EQUIPMENT CO.	IN000267221	5152	<u>REPAIRS AT CEDAR WELL, C.DEYOUNG, JAN.'17 - WATER</u>	02/16/2017	1,482.21	.00	<u>20-6150 MAINT. & REPAIRS - SYSTEM</u>	0	2/17		
Total IN000267221:						1,482.21	.00					
Total WESTERN STATES EQUIPMENT CO.:						4,533.71	.00					
Grand Totals:						334,990.73	76,012.22					

City of Kuna

Payment Approval Report - City Council Approval
Report dates: 2/17/2017-3/2/2017

Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
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Dated: _____

Mayor: _____

City Council: _____

City Treasurer: _____

Report Criteria:

Detail report.

Invoices with totals above \$0.00 included.

Paid and unpaid invoices included.



City of Kuna

Council Findings of Fact & Conclusions of Law

P.O. Box 13
 Phone: (208) 922-5274
 Fax: (208) 922-5989
www.Kunacity.id.gov

To: City Council

Case Numbers: 15-05-S (Preliminary Plat) **Silver Trail Addition Subdivision**

Location: South East Corner (SEC) Ten Mile and Columbia Roads, Kuna, Idaho 83634

Planner: Troy Behunin, Planner III

Hearing Date: February 21, 2017
Findings of Fact: **March 7, 2017**

Applicant: **DB Development,**
 Tim Eck
 6152 W. Half Moon Ln.
 Eagle, ID, 83616
 208.850.0591
Timothyeck@me.com

Engineer: **B&A Engineers,**
 David Crawford
 5505 W. Franklin Rd.
 Boise, ID, 83705
 208.342.5792
dacrawford@baengineers.com

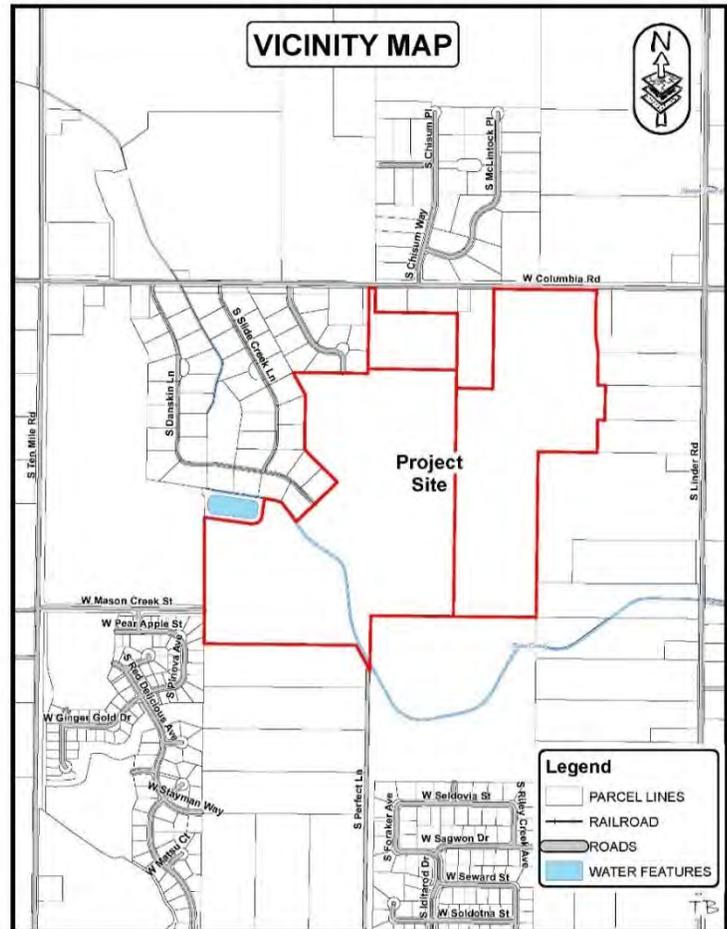


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| B. Applicants Request | J. Findings of Fact |
| C. Aerial map | K. Comprehensive Plan Analysis |
| D. Site History | L. Idaho Code Analysis |
| E. General Project Facts | M. Conclusions of Law |
| F. Staff Analysis | N. P & Z Commission Recommendation |
| G. Applicable Standards | O. Council's Order of Decision |
| H. Procedural Background | |

A. Process and Noticing:

1. Kuna City Code (KCC), Title 1, Chapter 14, Section 3, states that subdivisions are designated as public hearings, with the City Council as the decision making body. These land use applications were given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65 Local Planning Act.

a. Notifications

- | | |
|----------------------------------|--|
| i. Neighborhood Meeting | July 20, 2015 (seven persons attended) |
| ii. Agency Comment Request | October 23, 2015 |
| iii. 315' Property Owners Notice | December 5, 2016 |
| iv. Kuna, Melba Newspaper | February 1, 2017 |
| v. Site Posted | February 9, 2017 |

B. Applicant's Request:

On behalf of Viper Investments, LLC, David Crawford with B & A Engineers, is requesting approval for a preliminary plat over approximately 130.55 acres, currently zoned R-6 (Medium Density Residential). The applicant proposes to subdivide three properties into 421 buildable lots and 56 common lots. The subject site is located on the south side of Columbia Road, between Ten Mile and Linder Roads. The south west corner of this project touches the east end of Mason Creek Street, which is south of Silvertrail Elementary school.

C. Aerial Map:

©Copyrighted

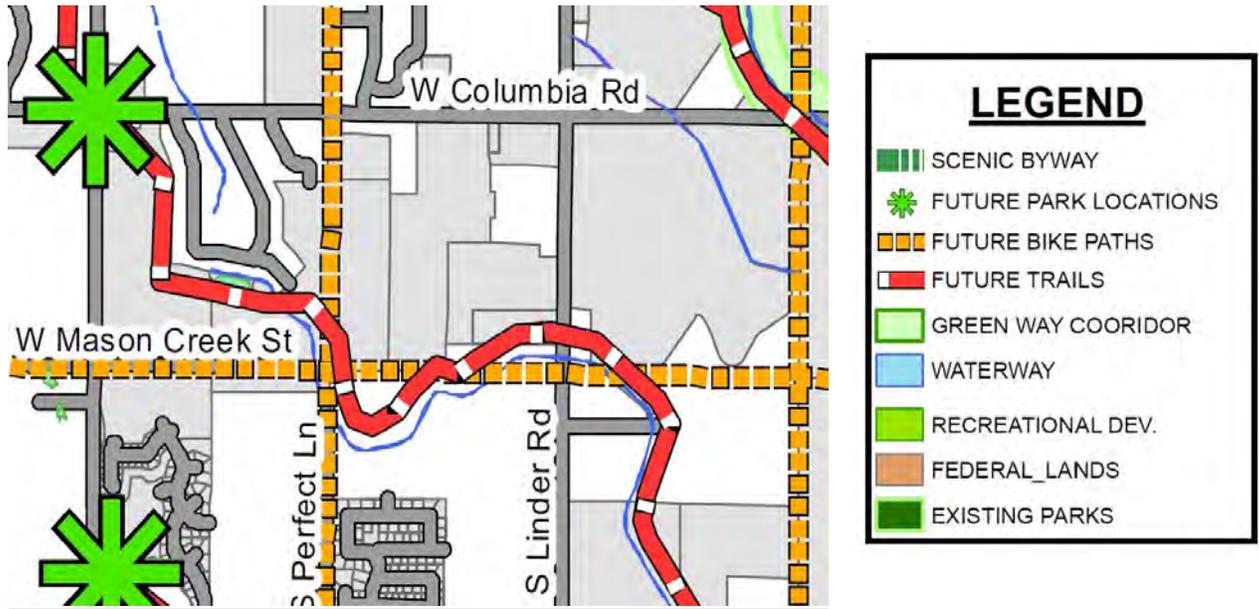
D. Site History:

This site is in the City, and has been undeveloped for many years. It is adjacent to four existing subdivisions. Three are County subdivisions, while one is a City subdivision. Two of the subject properties are lots within the Danskin Ridge subdivision. Historically, it has been farmed.

E. General Projects Facts:

1. **Comprehensive Plan Map:** The Future Land Use Map (Comp Plan Map) is intended to serve as a *guide* for the decision making body for the City. This map indicates land use designations generally speaking, it is not the actual zone. The Comp Plan Map identifies this entire site as Medium Density Residential. The range for Medium Density is 4 - 8 dwelling units per acre (DUA).

2. **Recreation and Pathways Map:** The Recreation and Pathways Master Plan Map indicates a future trail along the southwest boundary of the site, situated along the Kuna Canal.



3. **Surrounding Land Uses:**

North	RR, A	Rural Residential & Agriculture – Ada County and Kuna City
South	RR	Rural Residential – Ada County
East	RR, A	Rural Residential & Agriculture – Ada County and Kuna City
West	RR, R-6	Rural Residential & Medium Density Residential – Ada County and Kuna City

4. **Parcel Sizes, Current Zoning, Parcel Number(s):**

- Project Size in total: 130.55 acres (approximately)
- Zoning: R-6; Medium Density Residential, Kuna; for all parcels
- Parcel #: R1727750100 (74.2 ac.) Lot 68, Block 1, Danskin Ridge Sub No. 6,
Parcel #: S1311111350 (48.7 ac.)
Parcel #: R1727730050 (7.5 ac.) Lot 52, Block 1, Danskin Ridge Sub No. 4.

5. **Services:**

- Sanitary Sewer– City of Kuna
- Potable Water – City of Kuna
- Irrigation District – Boise-Kuna Irrigation District
- Pressurized Irrigation – City of Kuna (KMID)
- Fire Protection – Kuna Rural Fire District
- Police Protection – Kuna Police (Ada County Sheriff’s office)
- Sanitation Services – J&M Sanitation

6. **Existing Structures, Vegetation and Natural Features:**

The land is being used for agricultural purposes. Applicant anticipates that the land will continue the historic Ag. uses on the lands until development occurs. This site is generally flat, with a slight slope from the center of the site to the west and south west, generally.

7. **Transportation / Connectivity:**

The applicant proposes two access points on Columbia Road. The applicant has also proposed extending the mid-mile road (Mason Creek Street) on the entire south side of the project which runs east-west. As the project develops, additional points of access will be provided through proposed stub streets.

8. **Environmental Issues:**

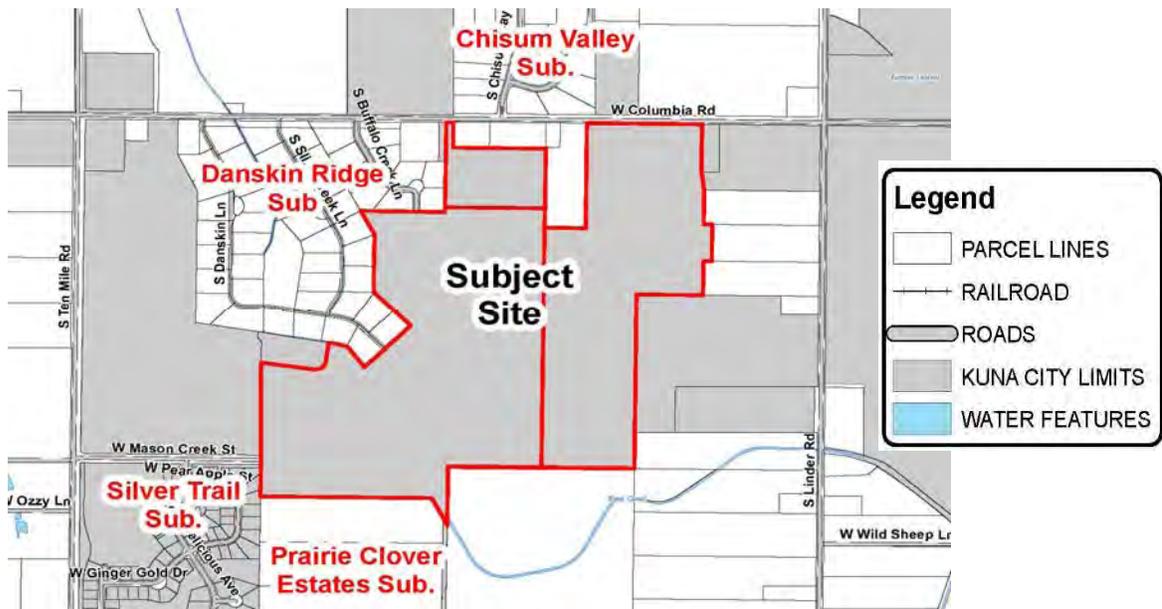
Staff is not aware of any environmental, health or safety conflicts.

9. **Agency Responses:**

The following agencies returned comments: City Engineer (Gordon Law, P.E.) Exhibit B 1, Ada County Highway District (Mindy Wallace) Exhibit B 2, Boise Project Board of Control (Bob Carter) Exhibit B 3, Central Dist. Health Dept. (Lori Badigian), Exhibit B 4, Idaho Transportation Department (ITD) Exhibit B 5, which are included with this case file and are included with this report.

F. **Staff Analysis:**

This subdivision application involves two lots within recorded plats, and an un-platted City parcel. All three properties are in Kuna City limits and already zoned R-6 (Medium Density Residential). This project is adjacent to four other platted subdivisions and is adjacent to a minor arterial (Columbia Rd.) and touches another mid-mile collector road (Mason Creek St.). All major public utilities are near, or adjacent to this site. Applicant intends to prepare the site for a new single-family housing development to be built over an anticipated 13 phases. Applicant believes full build-out will be achieved in approximately 13 years, if one phase per year (or 40 homes) is developed. The applicant is prepared to adjust their timeline with market demands.



Staff has reviewed Kuna's Comprehensive Plan (Comp Plan), which encourages a variety of housing types and income levels numerous times throughout the Comp Plan. The sections of the Comp Plan that address housing types are included below, in Section K (Comp Plan analysis) of this report. The City attempts to balance all housing types within the City. The project site is already zoned R-6 (Medium Density Residential) and the applicants request for a gross density of 3.65 dwellings per acre, is well under the existing zones density limits of six units per acre. Staff has reviewed the preliminary plat for technical compliance with KCC Chapter 6, and has determined that it appears to conform to KCC as required. Staff would recommend that

the applicant work with Kuna Rural Fire District (KRFD) to conform to the secondary access limits of the KRFD, for the number of homes utilizing access points.

The applicant has proposed a landscape buffer adjacent to Columbia Road and another landscape buffer on the south side of the project between the homes that will back the extended Mason Creek Street and the roadway. The applicant also proposes to install landscaping on both sides of a required north-south mid-mile collector (future School Avenue) that will be constructed near the middle of the project. The landscape plan provides other landscaped areas throughout the subdivision at the end of streets, and in landscape pockets. Staff has reviewed the landscape plan, and determined it appears to follow Kuna City Code 5-17. Staff recommends the applicant add two notes to the landscape plan for planting requirements, and submit an 11 X 17 for approval bearing the requested changes that are listed in the Recommended Conditions of Approval. The applicant has proposed 8.68 acres for open space, which is 6.65% of the projects area.

Staff has determined this application complies with its current zone and Title 5 and 6 of the Kuna City Code; Idaho Statute § 67-6511; and the Kuna Comprehensive Plan; and forwards a recommendation of approval for Case No. 15-05-S subject to any conditions of approval outlined by Council.

G. Applicable Standards:

1. City of Kuna Zoning Ordinance Title 5, Chapter 13
2. City of Kuna Comprehensive Plan, adopted September 1, 2009
3. City of Kuna Design Review Code Title 5, Chapter 4
4. City of Kuna Landscape Code Title 5, Chapter 17.
5. Idaho Code, Title 67, Chapter 65- the Local Land Use Planning Act.

H. Procedural Background:

On February 21, 2017, the Council considered case number 15-05-S, including the application, agency comments, staff's report, application exhibits and public testimony presented or given.

I. Factual Summary:

This site is located on the south side of Columbia Road, between Ten Mile and Linder Roads. The project consists of 130.55 (approx.) acres that are already in the City limits and currently zoned R-6 (Med. Den. Residential). Applicant requests preliminary plat approval for a new subdivision of 421 buildable lots, and 56 common lots consisting of 13 development phases. If approved, this project will take access from Columbia Road in two places, and a third access from a classified road will come from Mason Creek Street in the SWC (south west corner) of the project. Additionally, this project will extend the mid-mile road to the east, and provide multiple access points for future projects.

J. City Council's Findings of Fact:

Based upon the record in **15-05-S**, including the Comprehensive Plan, Kuna City Code, Staff's memorandums, including the exhibits, and the testimony elicited during the public hearing, the Council hereby *approves/denies* Case No. 15-05-S, a request for a subdivision preliminary plat request by the applicant as follows:

The Council concludes that the Application does/does not comply with the City of Kuna's Zoning regulations (Title 5) of KCC and/or the Subdivision regulations outlined in title 6 of KCC.

1. In making a decision regarding the Subdivision application, the Council is to consider Idaho Code §67-6535 (2), which states the following:

The approval or denial of any application required or authorized pursuant to this chapter shall be in writing and accompanied by a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the decision based on the applicable provisions of the comprehensive plan, relevant

ordinance and statutory provisions, pertinent constitutional principles and factual information contained in the record.

In addition, Idaho Code §67-6535(2)(a), provides that:

Failure to identify the nature of compliance or noncompliance with express approval standards or failure to explain compliance or noncompliance with relevant decision criteria shall be grounds for invalidation of an approved permit or site-specific authorization, or denial of same, on appeal.

2. The Kuna City Council has the authority to approve or deny Case No. 15-05-S. On February 21, 2017, Kuna’s Council voted to approve/deny of Case No. 15-05-S.
3. The public notice requirements were met and the public hearing was conducted within the guidelines of applicable Idaho Code and City Ordinances to hold a public hearing on February 21, 2017 with the City Council.

K. City Council Comprehensive Plan

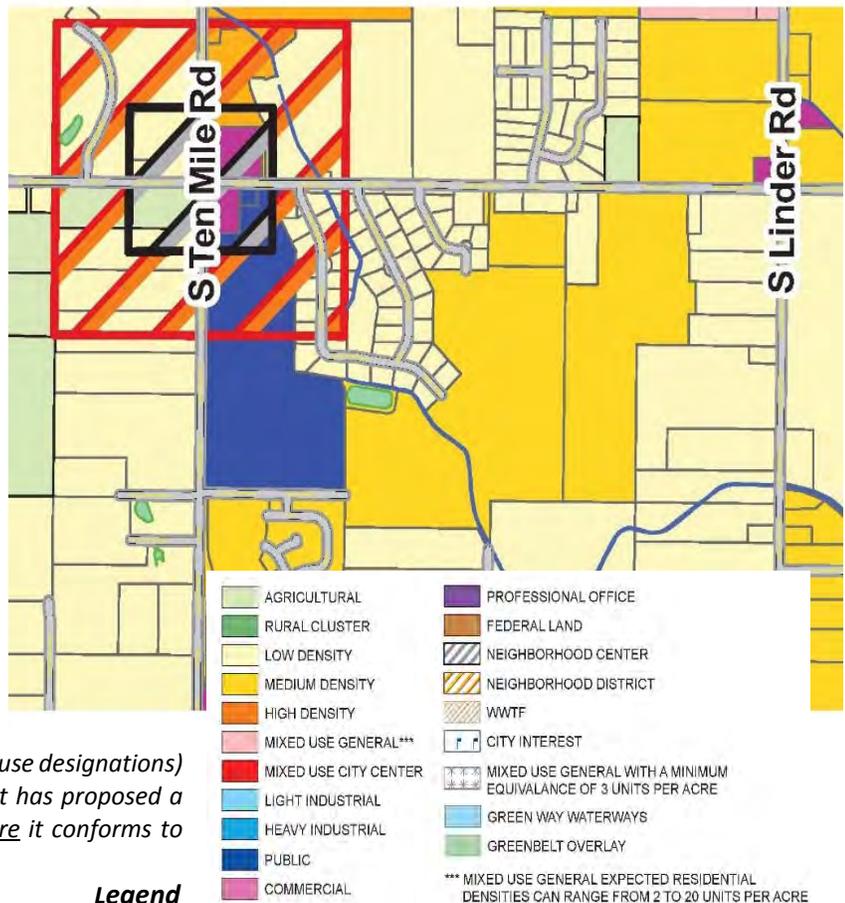
Analysis:

Council determines the proposed subdivision for the *site is/is not* consistent with the following Comp Plan components:

Housing:

Residents envisioned higher densities in the City’s core to include opportunities for mixed residential and light commercial activity. They expressed interest in a mix of residential type dwellings applications; including single-family, *multi-family*, apartments and condominiums. They were receptive to a greater mix of lot sizes and house price to appeal to a variety of people. A goal expressed by many was the preservation of large lots and rural cluster development in appropriate balance with a complement of other types of residential development (Page 21 [CP]).

Comment: *The Comp Plan and the corresponding Future Land Use Map (with land use designations) provides for medium density (R-6). This project has proposed a density of less than six units per acre, therefore it conforms to the Comp Plan and the Future Land Use Map.*



Legend

Private Property Rights Goals and Objectives - Section 2 - Summary:

Ensure the City land use policies, restrictions, conditions and fees do not violate private property rights and ensure that land use actions, decisions, and regulations do not effectively eliminate all economic value of the subject property. Ensure that City land use actions, decisions, and regulations do not prevent a private property owner from taking advantage of a fundamental property right and staff shall evaluate with guidance from the City’s attorney; the Idaho Attorney General’s six criterion established to determine the potential for property taking.

Comment: Utilizing the Idaho Attorney General's criteria, and a review by the City Attorney, the proposed project does not constitute a "takings" and the Economic value is intact.

Economic Development Goals and Objectives - Section 5 - Summary:

Ensure an adequate supply of housing for all income levels and facilitate pedestrian connections, both visually and physically, to enhance pedestrian movement (Pg. 42 – 1.5 and Pg. 43 – 3.1 [CP]).

Comment: The Comp Plan encourages adequate housing for all income levels and calls for increasing pedestrian connections. This project supplies a number of additional housing types to Kuna's inventory and provides opportunities for quality housing. This development enhances the City's pedestrian network for non-motorized transportation, by proposing pathway connections to other subdivisions and the nearby elementary school.

Land Use Goals and Objectives - Section 6 - Summary:

Adopt a future land use plan and map that includes natural and developed open spaces, while providing a variety of housing densities and types to accommodate various lifestyles, ages and economic groups. Protect existing neighborhoods and ensure new development is sustainable and keeps Kuna desirable. Develop cohesive neighborhoods with character and quality while incorporating a variety of densities and styles (Pg. 64 – 3.1 & Goal 3 and Pg. 65 – 4.3 [CP]).

Comment: This project adds a number of quality housing varieties to the City's inventory for all types of lifestyles, ages and economic groups. This project also proposes 6.65% open space which adds to the greenspaces in Kuna, keeping it a desirable City while enhancing the City's overall pathway network.

Housing Goals and Objectives - Section 12 - Summary:

Encourage developers to provide high-quality development with a variety of lot sizes, dwelling types, densities and price points to meet the needs of current and future population while creating safe and aesthetically-pleasing neighborhoods. Ensure housing is available throughout the community for all income levels and those with special needs. Encourage logical and orderly residential development while discouraging developers from developing land divisions greater than one half acre because large lot subdivisions increase municipal costs, require public subsidy and create sprawl (Pg. 155 – Obj. 1.1, Pg. 163 12.4 and Pg. 165 – 2.1 [CP]).

Encourage mixed-use development that includes town centers, single-family, *multi-family*, accessory units, and other types of residential development. – Policy 1.1.2, Section 12, Housing (Page 155 [CP]).

Comment: Applicant proposes a high-quality development with a variety of dwelling types, densities, and price points for all income levels in this part of Kuna as encouraged by the Comp Plan. This project significantly adds to the City's overall network of utilities, sidewalks and roadways, therefore it complies with logical, orderly development and discourages land divisions and development greater than one half acre, and avoids increased municipal services costs and sprawl.

Community Design Goals and Objectives - Section 13 - Summary:

Strengthen Kuna's Image through good community and urban design principles that create self-sufficient neighborhoods. Foster good community design concepts that incorporate landscape features to serve as buffers between incompatible uses while reducing scale and creates a sense of place (Pg.167 – Goal 1 and Pg. 168 – 1.2[CP]).

Comment: Applicant proposes good community and urban design principles through creation of greenspaces, extension of the pedestrian pathway network and adding to the City's sidewalk network. Applicant also proposes extending Mason Creek Street, which adds to the roadway system thereby complying with the adopted Master Street Plan of Kuna (Functional Classified Road Map). This development also incorporates landscape buffers, and creates a sense of place for citizens. Therefore, this project fosters sound community design concepts and complies with the Comp Plan goals and strengthens Kuna's image. Applicant has proposed a positive affect for adjoining property owners by developing under the allowed densities of the R-6 zone (3.65 Gross Density).

Neighborhoods:

Kuna's updated Plan is an advocate for the development of self-sufficient neighborhoods. These neighborhoods are intended to be connected by transit and other non-motorized methods of transportation. Each neighborhood will have a center, a core and an edge (Page 179 [CP]).

Comment: Applicant proposes an extension of the sidewalk and roadway system which complies with the Master Street Plan adopted by Kuna. Applicant also proposes connections to adjacent neighborhoods by adding pathways and sidewalks for pedestrian and non-motorized transportation. Applicant proposes R-6 housing densities thereby complying with Medium Density land use designation outlined within the Comp Plan and Comp Plan Map.

L. Council's Idaho State Code Analysis:

1. **IC §67-6511 (2) C** requires that the Council analyze the proposed changes to zoning ordinances to ensure that they are not in conflict with the policies of the adopted comprehensive plan. If the request is found by the governing board to be in conflict with the adopted plan, **or** would result in demonstrable adverse impacts upon the delivery of services by any political subdivision providing public services, including school districts, within the planning jurisdiction.
2. **IC §67-6513** provides that the City provide for mitigation of the effects of subdivision development on the ability of political subdivisions of the state, including school districts, to deliver services without compromising quality of service delivery to current residents or imposing substantial additional costs upon current residents to accommodate the proposed subdivision.
3. Through discussions and comments submitted by public service providers, the project would not create demonstrable adverse impact to quality of emergency service and/or delivery of said services, or impose substantial additional costs to current residents.

M. Council's Conclusions of Law:

The public notice requirements have been met and the neighborhood meeting was conducted within the guidelines of applicable Idaho Code and City Ordinances.

1. The Council feels the site *is/is not* physically suitable for subdivision and development into a single-family subdivision, as proposed.

Comment: *The 130.55 acre (approximate) project does/does not appear to be suitable for subdivision and development as single-family subdivision, as proposed.*

2. The subdivision uses are not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.

Comment: *The land to be subdivided is not used as wildlife habitat. Roads, driveways, family units and open spaces are planned for construction according the City and ACHD requirements and best practices and will therefore not cause environmental damage or loss of habitat.*

3. The rezone and subdivision applications are not likely to cause adverse public health problems.

Comment: *The subdivision of the property would comply with the Comp Plan. The project would connect to public sewer and potable water systems, therefore eliminating the occurrence of adverse public health problems.*

4. The application appears to avoid detriment to the present and potential surrounding uses; to the health, safety, and general welfare of the public taking into account the physical features of the site, public facilities and existing adjacent uses.

Comment: *Through correspondence with public service providers and application evaluation, this project appears to avoid detriment to surrounding uses. Council did consider the subdivision and the location of the property with adjacent uses.*

5. The existing and proposed street and utility services in proximity to the site are suitable or adequate for residential purposes.

Comment: *Correspondence from ACHD and Kuna Public Works confirms that the streets and utility services are suitable and adequate for the residential project.*

6. Based on the evidence contained in Case No. 15-05-S, Council finds Case No. 15-05-S adequately complies with Kuna City Code.
7. Based on the evidence contained in Case Nos. 15-05-S, Council finds Case No. 15-05-S, generally does/does not comply with Kuna's Subdivision Code.

N. Recommendation by the Commission:

On January 24, 2017, the Planning and Zoning Commission voted to recommend conditional *approval* for Case No. 15-05 S based on the facts outlined in staff's memo and the public testimony during the public hearing by the Planning and Zoning Commission of Kuna, Idaho, the Commission hereby recommends approval for Case No. 15-05-S, a Preliminary Plat and Subdivision request from David Crawford (B&A Engineers) and Tim Eck with DB Development, with the following conditions of approval to Council:

- Applicant shall follow all conditions outlined in the staff memo, City Engineers comments, and all other applicable agency comments.

O. Council's Order of Decision:

On February 21, 2017, the Council voted to conditionally *approve* Case No. 15-05 S, based upon the Comp Plan, Kuna City Code, the record before the Council, the applicant's presentation, all testimony and discussion at the public hearing. The Kuna Council hereby votes to approve Case Nos. 15-05-S, including the request for a new subdivision with the following conditions of approval:

- Follow the recommended conditions of approval listed in the staff memo, inside the Council packets.
1. The applicant and/or owner shall obtain written approval on letterhead or may be written/stamped on the approved plans of the construction plans from the agencies noted below. All submittals are required to include the lighting, landscaping, drainage, and development plans. All site improvements are prohibited prior to approval of the following agencies:
 - a. The City Engineer shall approve the sewer hook-ups.
 - b. The City Engineer shall approve the drainage and grading plans. Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, "Catalog for Best Management Practices for Idaho Cities and Counties". No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
 - c. The Kuna Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Fire District is required.
 - d. The *Boise-Kuna* Irrigation District shall approval any modifications to the existing irrigation system.

- e. Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to *issuance* of any building permit(s).
2. All public rights-of-way shall be dedicated and constructed to standards of the City, Ada County Highway District and Idaho Transportation Department. No public street construction may commence without the approval and permit from Ada County Highway District and/or Idaho Transportation Department.
 - 2.1– With development and as necessary, dedicate right-of-way in sufficient amounts to follow City and ACHD standards and widths.
 3. Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see **KCC 6-4-2-W**.
 4. Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
 5. When required, submit a petition to the City (as necessary, confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and request to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Pressure Irrigation system of the City (KMID).
 6. Street lights within the site shall be LED lighting and must comply with Kuna City Code and established Dark Skies practices.
 7. Parking within the site shall comply with Kuna City Code. (Unless specifically approved otherwise).
 8. Fencing within and around the site shall comply with Kuna City Code (Unless specifically approved otherwise and permitted). Perimeter fencing (and permit) is required prior to requesting final plat signatures from Kuna City Clerk and Engineer.
 9. All signage within/for the project shall comply with Kuna City Code.
 10. All required landscaping shall be permanently maintained in a healthy growing condition. The property owner shall remove and replace unhealthy or dead plant material within 3 days or as the planting season permits as required to meet the standards of these requirements. Maintenance and planting within public rights-of-way shall be with approval from the public entities owning the property.
 11. Applicant shall add the following notes to the landscape plans and resubmit a PDF for Planning and Zoning approved plans, bearing the changes.
 - 11.1 – Landscape contractor shall remove all twine/ropes and burlap from root balls.
 - 11.2 – Landscape contractor shall remove the wire basket from the top 1/2 of the root ball.
 12. The land owner/applicant/developer, and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the City Council, or seek amending them through public hearing processes.
 13. Applicant shall follow staff, City engineers and other agency recommended requirements as applicable.
 14. Developer/owner/applicant shall comply with all local, state and federal laws.

DATED: This 7th, day of March, 2017.

Joe Stear, Mayor
Kuna City

ATTEST:

Chris Engels
Kuna City Clerk



CITY OF KUNA
P.O. BOX 13
KUNA, ID 83634
www.kunacity.id.gov

GORDON N. LAW
CITY ENGINEER

Telephone (208) 287-1727; Fax (208) 287-1731
Email: glaw@kunaid.gov

MEMORANDUM

TO: Mayor Stear and Members of City Council

FROM: Gordon N. Law
Kuna City Engineer

RE: Agreement Signed by City Engineer

DATE: February 24, 2017

REQUEST: Pursuant to Council Resolutions R07-2016 and R08-2016, the following agreements have been signed by the City Engineer

1. Consent to Use. Contract No. 6-07-11-L3806, Sewer Line Crossings (30-inch casings) of Mason Creek Feeder Canal (two locations) and two future utility crossings (24-inch casings) under Mason Creek Feeder Canal, SE1/4, Sec. 34, T3N, R1W, B.M. (Intersection of Ten Mile and Lake Hazel Roads)
2. Sixth Addendum to Master License Agreement for a Municipal Pressure Irrigation System Within the Public Rights-of-Way Between the City of Kuna, Idaho and Ada County Highway District. (2017 Pressure Irrigation Project)
 - a. West Hubbard Road: North Kelsan Avenue to North Copeland Avenue;
 - b. West Ardell Road: North Ten Mile Road to North Shayla Avenue;
 - c. North Kay Street: East Boise Street to East 4th Street.



CITY OF KUNA
P.O. BOX 13
KUNA, ID 83634
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Planning & Zoning
Department

MEMO

Date: March 7, 2017
From: Trevor Kesner, Planner II
To: **Kuna City Council**
RE: **Case No. 16-09-AN (Annexation) - Proposed Annexation request by Michael Robinson**

Planning & Zoning staff requests the referenced public hearing item be tabled to the next regularly scheduled City Council hearing on March 21st, 2017.

Thank you for your consideration.

Trevor Kesner, Planner II
Kuna Planning & Zoning Department



City of Kuna

Staff Memo – City Council

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To: City Council

Case Numbers: 16-03-CPM (Comprehensive Plan Map Amend) and 16-10-AN (Annexation)
Ashton Estates Subdivision

Location: Southeast Corner (SEC) Meridian and Deer Flat Roads, Kuna, Idaho 83634

Planner: Troy Behunin, Planner III

Hearing Date: *March 7, 2017*

Owner: **SDN, LLC,**
 Don Newell
 P.O. Box 1939
 Eagle, ID 83616
 208.404.2161
Ashton.home@hotmail.com

Engineer: **KM Engineering**
 Kirsti Grabo
 9233 W. State St,
 Boise, ID 83714
 208.639.6930
KGrabo@kmengllp.com

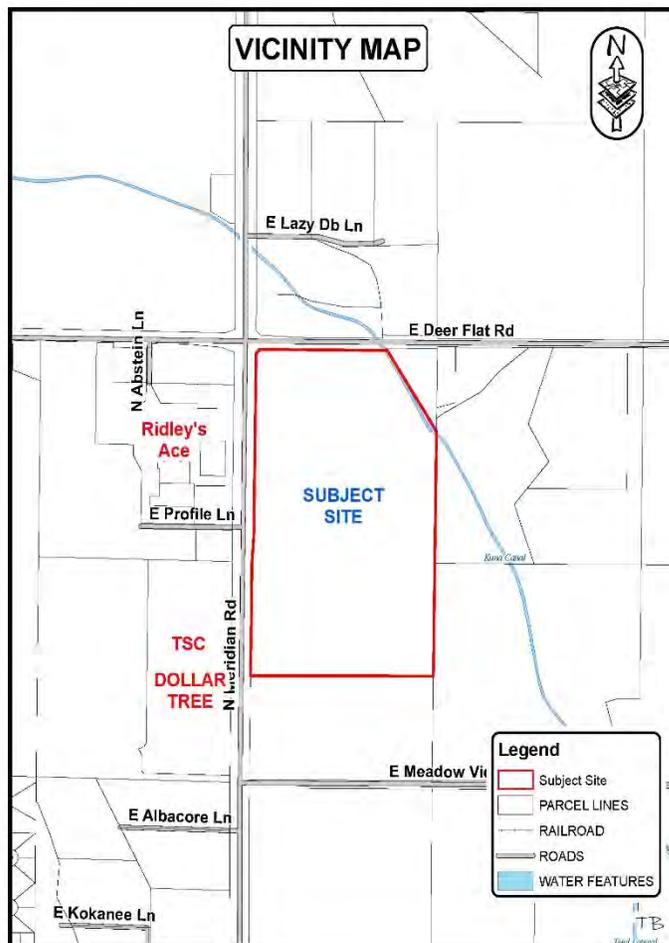


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A. Process and Noticing:

1. Kuna City Code (KCC), Title 1, Chapter 14, Section 3, states that Comprehensive Plan Map Amendments and Annexations are designated as public hearings, with the P & Z Commission as a recommending body and City Council as the decision making body. These land use applications were given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65, Local Planning Act.

a. Notifications

- | | |
|----------------------------------|--------------------------------------|
| i. Neighborhood Meeting | October 6, 2016 (13 people attended) |
| ii. Agency Comment Request | November 14, 2016 |
| iii. 315' Property Owners Notice | February 20, 2017 |
| iv. Kuna, Melba Newspaper | February 15, 2017 |
| v. Site Posted | February 24, 2017 |

B. Applicant's Request:

On behalf of SDN, LLC, the applicant, Kirsti Grabo with KM Engineering, requests approval to amend the Comprehensive Plan (Comp Plan) Map designation for the site, from Medium Density Residential to Mixed-Use General over approximately 51 acres. The site is contiguous to Kuna City limits and the applicant requests approval to annex the same parcel into Kuna City with the following zones throughout the site; C-1 (Neighborhood Commercial), R-6 (Medium Density Residential) and R-20 (High Density Residential). The subject site is located on the southeast corner (SEC) of Meridian and Deer Flat Roads.

C. Aerial Map:

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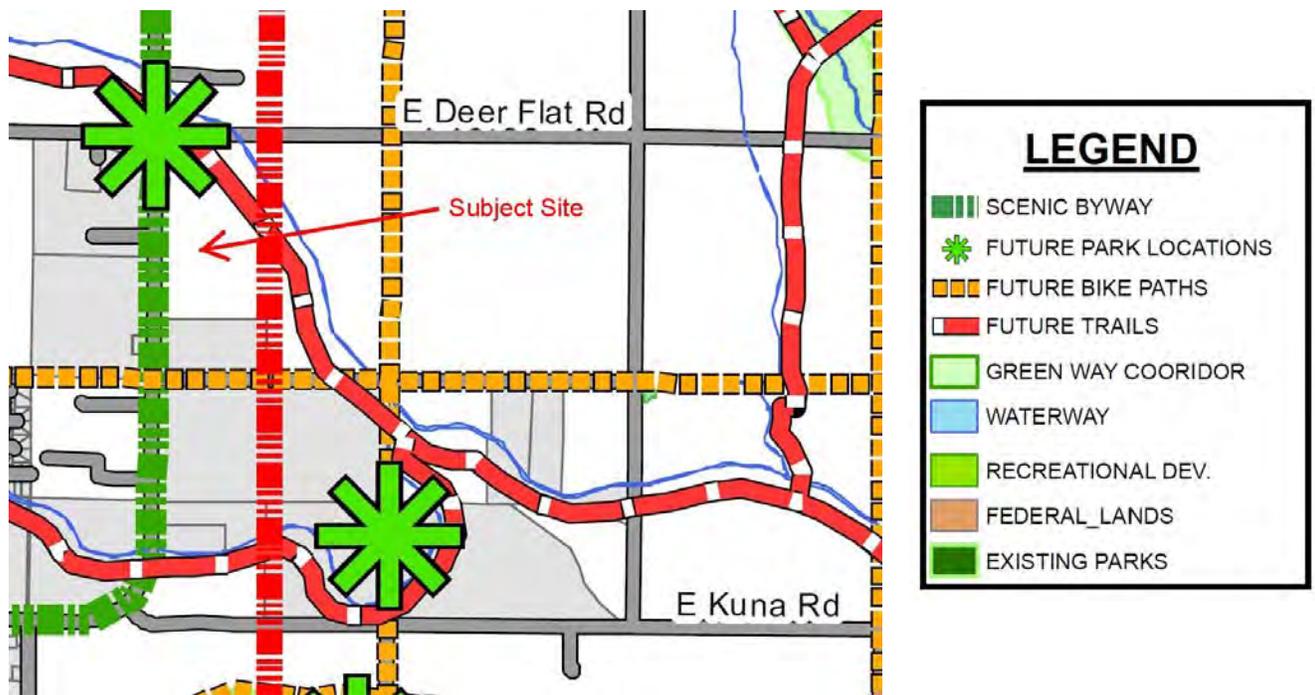
D. Site History:

This site is currently in the County, and historically has been farmed. It is directly east of two Kuna City commercial subdivisions – the Merrell Family Center and Ensign Subdivisions.

E. General Projects Facts:

1. **Comprehensive Plan Map:** The Future Land Use Map (Comprehensive [Comp] Plan Map) is intended to serve as a *guide* for the decision making body for the City. This map indicates land use designations generally speaking, it is not the actual zone. The Comp Plan Map identifies this site as Medium Density Residential.
2. **Recreation and Pathways Map:** The Recreation and Pathways Master Plan Map indicates a future trail through the northeast corner (NEC) of the site, situated along the Kuna Canal. Accordingly, it is the City's goal

and desire to increase the number of trails and pathways in Kuna. It is necessary for each parcel to develop trails and pathways along frontages of their canals and ditches to comply with the Master Plan goals by either starting a pathway, or extending one in that area.



3. **Surrounding Land Uses:**

North	RUT	Rural Urban Transition – Ada County
South	A	Agriculture – Kuna City
East	RR	Rural Residential – Ada County
West	C-1	Neighborhood Commercial – Kuna City

4. **Parcel Sizes, Current Zoning, Parcel Number(s):**

- Parcel Size: 51 acres (approximately).
- Zoning: RUT; Rural Urban Transition, (Ada County).
- Parcel #: S1419223151.

5. **Services:**

- Sanitary Sewer– City of Kuna (Nearby and required to connect)
- Potable Water – City of Kuna (Nearby and required to connect)
- Irrigation District – Boise-Kuna Irrigation District
- Pressurized Irrigation – City of Kuna (KMID)
- Fire Protection – Kuna Rural Fire District
- Police Protection – Kuna Police (Ada County Sheriff’s office)
- Sanitation Services – J&M Sanitation

6. **Existing Structures, Vegetation and Natural Features:**

The land is currently being used for agricultural purposes. Applicant anticipates that the land will continue the historic agricultural uses on the lands until development occurs. This site is generally flat, with a slight slope

from the north end to the center of the site, and a slight slope from the south end toward the center of the site. The site has a slight “V” shape. The soils appear to be a Hydrologic Group D for the majority of the site with a general slope of less than 2%.

7. **Transportation / Connectivity:**

The applicant proposes four access points for the site. Two access points on Meridian Road, to include one full public road access on the south and a Right-in/Right-out (RIRO) driveway on the north. The applicant has proposed two access points on Deer Flat Road, including one full public access on the east side, and a second RIRO (driveway) on the west side. Staff notes that the Highway Overlay District standards state that connection to Meridian Road shall be at the full and/or mid-mile alignment.

8. **Environmental Issues:**

Staff is not aware of any environmental, health or safety conflicts.

9. **Agency Responses:**

The following agencies returned comments: City Engineer (Gordon Law, P.E.) *Exhibit B 1*, Ada County Highway District (Stacey Yarrington) *Exhibit B 2*, Boise Project Board of Control (Bob Carter) *Exhibit B 3*, Central Dist. Health Dept. (Lori Badigian), *Exhibit B 3*, Department of Environmental Quality (DEQ) *Exhibit B 5*, which are included with this case file and are included with this report.

F. **Staff Analysis:**

This project will be required to submit a subdivision application, and may also require a Planned Unit Development (PUD) application in the future to introduce mixed-uses along with a design review application as uses are identified. The property abuts Kuna City limits on the west (Profile Ridge). This project is adjacent to a principle arterial (Meridian Rd./Highway 69) and minor arterial (Deer Flat Rd.). All major public utilities are within 300 feet, or adjacent to this site. Applicant intends to prepare the site for a mixed-use development to include commercial pads, new single-family and multi-family housing options. It is anticipated this development will take a number of phases for complete build-out.

This project proposes a mixed-use development. The project size is approximately 51 acres in size and proposes three different zones. The C-1 (Neighborhood Commercial) is approximately 14.28 acres or 28 % of the overall site. The R-6 (Medium Density Residential) is approximately 27.26 acres or 53.8% of the overall site. The R-20 (High Density Residential) is approximately 9.09 acres or 17.9 % of the overall site. The proposed Commercial will front Meridian and Deer Flat Roads in compliance with recommendations from the Comprehensive Plan. The medium residential provides a buffer between the proposed commercial and current uses on the east and southern sides of the site and complies with mixed-use design principles. The high density residential is centrally located (and surrounded by medium density residential and the commercial uses) and maintains the good design principles for mixed-uses and is the smallest use for the project.

Staff has reviewed Kuna’s Comprehensive Plan (Comp Plan), which encourages commercial developments, and a variety of housing types for all income levels numerous times throughout the Comp Plan. The sections of the Comp Plan that address new commercial and various housing types are included below, in Section K (Comp Plan analysis) of this report. The City attempts to balance new commercial uses as well as all housing types within the City. Staff will work with the applicant for future preliminary plat and possible PUD applications to assure technical compliance with Kuna City Code (KCC), as required. Staff recommends the applicant work with Kuna Rural Fire District (KRFD) to conform to the secondary access limits of the KRFD, for the number of homes utilizing access points for all proposed access and circulation at time of development.

Staff has determined this application complies with the goals and policies of Kuna city for this corridor, and Title 5 and 6 of the Kuna City Code; Idaho Statute § 67-6511; and the Kuna Comprehensive Plan; and forwards a recommendation of approval for Case No's 16-03 –CPM and 16-10-AN, subject to the conditions of approval by Kuna's Commission and Council.

G. Applicable Standards:

1. City of Kuna Zoning Ordinance Title 5, Chapter 13
2. City of Kuna Comprehensive Plan, adopted September 1, 2009
3. Idaho Code, Title 67, Chapter 65- the Local Land Use Planning Act.

H. Procedural Background:

On March 7, 2017, the City Council considered the applications, including agency comments, staff's report, application exhibits and public testimony presented or given.

I. Proposed Factual Summary:

This site is located on the southeast corner of Meridian and Deer Flat Roads. The project consists of 51 (approx.) acres that are adjacent to City limits and currently zoned RUT (Rural Urban Transition – Ada County). Applicant requests amending the Comp Plan Map designation from Medium Density Residential to Mixed-Use General; to annex the same parcel into Kuna City with the following zones throughout the site; C-1 (Neighborhood Commercial - approximately 14.28 acres), R-6 (Medium Density Residential - approximately 27.26 acres), and R-20 (High Density Residential; approximately 9.09 acres). If approved, this project will take access from Meridian Road (principle arterial) in two places, and from Deer Flat Road (minor arterial) in two places. Both roads are classified roadways.

J. Proposed Findings of Fact:

16-03-CPM and 16-10-AN: Based upon the record contained in Case No's 16-03-CPM and 16-10-AN, including the Comprehensive Plan, Kuna City Code, staff's memorandums, the exhibits, and the testimony during the public hearing, the Council hereby *approves/denies* the Findings of Fact and Conclusions of Law, and conditions of approval for Case No's 16-03-CPM and 16-10-AN, a request for Comprehensive Plan Map amendment and annexation into Kuna City limits request by the applicant follows:

The Council concludes that the applications comply with the City of Kuna's Zoning regulations (Title 5) of KCC.

1. The Kuna City Council accepts the facts as outlined in the staff memo, the public testimony and the supporting evidence list presented.

Comment: *The City Council held a public hearing on the subject applications on March 7, 2017, to hear from City staff, the applicant and to accept public testimony. The decision by the City Council is based on the application, staff report and public testimony, both oral and written.*

2. Based on the evidence contained in Case No's 16-03-CPM and 16-10-AN, this proposal appears to *generally* comply with the Comprehensive Plan and Comp Plan Map.

Comment: *The Comp Plan has listed numerous goals for providing commercial, single-family and multi-family housing in Kuna. The Comp Plan Map designates this property as Medium Density. As this project proposes to accommodate commercial and residential uses the project generally follows the goals of the Comp Plan and the Comp Plan Map.*

3. The Council has the authority to approve or deny these applications.

Comment: On March 7, 2017, City Council voted to recommend approval/denial for case No's 16-03-CPM and 16-10-AN.

- The public notice requirements were met and the public hearing was conducted within the guidelines of applicable Idaho Code and City Ordinances.

Comment: As noted in the process and noticing sections, notice requirements were met to hold a public hearing on March 7, 2017.

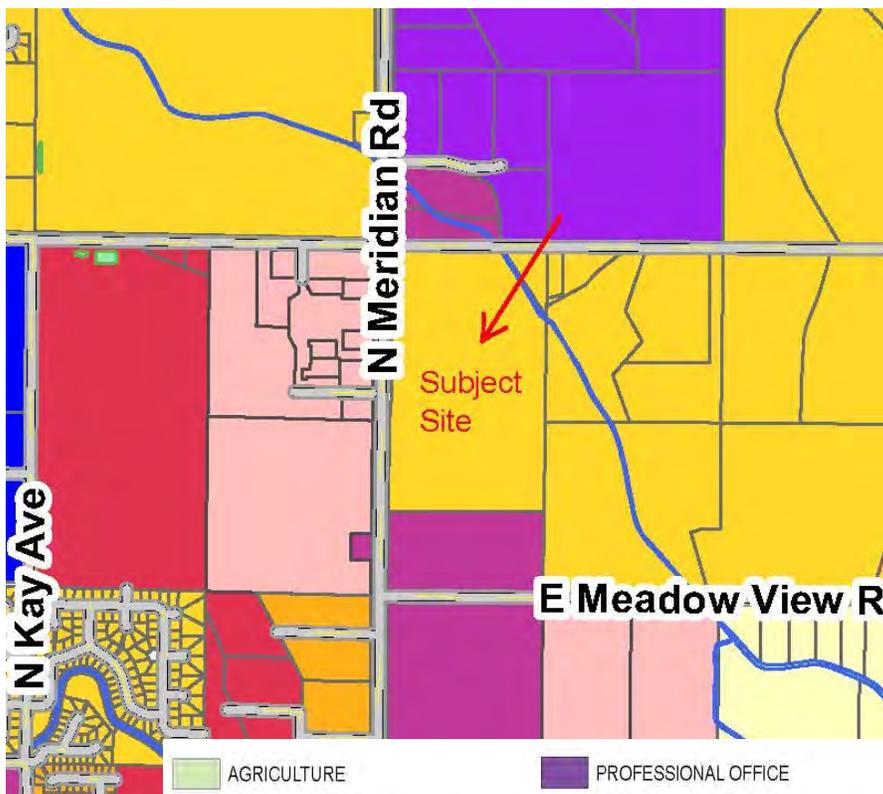
K. Proposed Council's Comp. Plan

Analysis:

City Council determines the proposed subdivision for the *site is/is not* consistent with the following Comp Plan components:

Housing:

Residents envisioned higher densities in the City's core to include opportunities for mixed residential and light commercial activity. They expressed interest in a mix of residential type dwellings applications; including single-family, *multi-family*, apartments and condominiums. They were receptive to a greater mix of lot sizes and house price to appeal to a variety of people. A goal expressed by many was the preservation of large lots and rural cluster development in appropriate balance with a complement of other types of residential development (Page 21 [Comprehensive Plan –CP]).



LEGEND

AGRICULTURE	PROFESSIONAL OFFICE
RURAL CLUSTER	FEDERAL & STATE LANDS
LOW DENSITY RESIDENTIAL	NEIGHBORHOOD CENTER
MEDIUM DENSITY RESIDENTIAL	NEIGHBORHOOD DISTRICT
HIGH DENSITY RESIDENTIAL	BIRDS OF PREY BOUNDARY
MIXED USE GENERAL***	
MIXED USE CITY CENTER	
COMMERCIAL (NEIGHBORHOOD & COMMUNITY)	
LIGHT INDUSTRIAL	
HEAVY INDUSTRIAL	
PUBLIC	

*** MIXED USE GENERAL EXPECTED RESIDENTIAL DENSITIES CAN RANGE FROM 2 TO 20 UNITS PER ACRE

Residents hoped for the creation of business and light commercial use centers within neighborhoods. These centers would include restaurants, gas stations, churches, multi-family use facilities, and other mixed-use developments (Page 13 - CP).

Comment: The Comp Plan and the corresponding Future Land Use Map (with land use designations) provides for a mix of medium density and high density residential uses and commercial uses. This project has proposed a variety of densities mixed with commercial, therefore it generally conforms to the Comp Plan and the Future Land Use Map.

Private Property Rights Goals and Objectives - Section 2 - Summary:

Ensure the City land use policies, restrictions, conditions and fees do not violate private property rights and ensure that land use actions, decisions, and regulations do not effectively eliminate all economic value of the subject property. Ensure that City land use actions, decisions, and regulations do not prevent a private property owner from taking advantage of a fundamental property right and staff shall evaluate with guidance from the City's attorney; the Idaho Attorney General's six criterion established to determine the potential for property taking.

Comment: Utilizing the Idaho Attorney General's criteria, and a review by the City Attorney, the proposed project does not constitute a "takings" and the Economic value is intact.

Economic Development Goals and Objectives - Section 5 - Summary:

Promote and support a diverse and sustainable economy that will allow more Kuna residents to work in their community, and develop policies to provide incentives and assistance to attract companies. Ensure an adequate supply of housing for all income levels and facilitate pedestrian connections, both visually and physically, to enhance pedestrian movement (Pg. 42 – 1.5, Pg. 43 – 3.1 and Pg. 41 – 1 & 1.3 [CP]).

Comment: The Comp Plan encourages a mix of commercial uses and adequate housing for all income levels and calls for increasing pedestrian connections. This project supplies a number of additional housing types to Kuna's inventory and provides opportunities for quality housing. This development should add to the City's pedestrian network for non-motorized transportation, by proposing pathway connections for development to connect to in the future.

Land Use Goals and Objectives - Section 6 - Summary:

Encourage and support mixed uses to accommodate a diverse range of business and commercial activity balanced with residential uses. Provide a broad mix of services within walking distances while strengthening the economy and providing opportunity for social interactions. Encourage commercial development on transportation corridors. Adopt a future land use plan and map that includes natural and developed open spaces, while providing a variety of housing densities and types to accommodate various lifestyles, ages and economic groups. Protect existing neighborhoods and ensure new development is sustainable and keeps Kuna desirable. Develop cohesive neighborhoods with character and quality while incorporating a variety of densities and styles (Pg. 63 – 1.1, Pg. 64 – 2.1, 2.2, 2.2.1, 3.1 & Goal 3, Pg. 65 – 4.3 and 6.4.1 Def. Pg. 89 [CP]).

Comment: This project adds a number of quality commercial opportunities and multiple housing varieties to the City's inventory for all types of lifestyles, ages and economic groups.

Transportation - Section 9: Encourage developers to create mixed-use developments that will reduce travel demand through trip capture. Increase Kuna's employment opportunities as a means of reducing commuter trips (Page 119 – Obj. 3.2 Policy 1 and 2 [CP]).

Comment: Applicant proposes a mixed-use development adding to employment opportunities and may reduce commuter trips, therefore, it complies with the comp plan goals and policies

Housing Goals and Objectives - Section 12 - Summary:

Adopt mixed-use land strategies which assure the self-sufficiency of neighborhoods Encourage developers to provide high-quality development with a variety of lot sizes, dwelling types, densities and price points to meet the needs of current and future population while creating safe and aesthetically-pleasing neighborhoods. Ensure housing is available throughout the community for all income levels and those with special needs. Encourage logical and orderly mixed-use development while discouraging developers from developing land divisions greater than one half acre because large lot subdivisions increase municipal costs, require public subsidy and create sprawl (Pg. 155 – Obj. 1.1, Pg. 163 12.4 and Pg. 165 – 2.1 [CP]).

Encourage mixed-use development that includes town centers, single-family, *multi-family*, accessory units, and other types of residential development. – Policy 1.1.2, Section 12, Housing (Page 155 [CP]).

Comment: Applicant proposes a high-quality development for commercial development along with a variety of dwelling types, densities, and price points for all income levels in this part of Kuna as encouraged by the Comp Plan. This project significantly adds to the City's overall network of commercial uses, utilities, sidewalks and roadways, therefore it complies with logical, orderly development and discourages land divisions and development greater than one half acre, and avoids increased municipal services costs and sprawl.

Community Design Goals and Objectives - Section 13 - Summary:

Strengthen Kuna's Image through good community and urban design principles that create mixed-uses and self-sufficient neighborhoods. Foster good community design concepts that incorporate landscape features to serve as buffers between incompatible uses while reducing scale and creates a sense of place (Pg.167 – Goal 1 and Pg. 168 – 1.2 and 2.1[CP]).

Comment: Applicant proposes good community and urban design principles through creation of Mixed-Uses and a self-sustaining development, adding to the pedestrian pathway network and adding to the City's sidewalk network. Applicant also proposes improving Deer Flat Road, which adds to the roadway system thereby complying with the adopted Master Street Plan of Kuna (Functional Classified Road Map). This development should also incorporate landscape buffers creating a sense of place for citizens. Therefore, this project fosters sound community design concepts and complies with the Comp Plan goals and strengthens Kuna's image.

Neighborhoods:

Kuna's updated Plan is an advocate for the development of self-sufficient and mixed-use neighborhoods. These neighborhoods are intended to be connected by transit and other non-motorized methods of transportation. Each neighborhood will have a center, a core and an edge (Page 179 [CP]).

Comment: Applicant proposes an extension of the sidewalk and roadway system which complies with the Master Street Plan adopted by Kuna. Applicant should also propose connections to adjacent parcels by adding stub streets, pathways and sidewalks for pedestrian and non-motorized transportation. Applicant proposes R-6, and R-20 housing densities thereby complying with call for a variety of housing types outlined within the Comp Plan and Comp Plan Map.

L. Proposed City Council's Idaho State Code Analysis:

1. **IC §67-6511 (2) C** requires that the City Council analyze the proposed changes to zoning ordinances to ensure that they are not in conflict with the policies of the adopted comprehensive plan. If the request is found by the governing board to be in conflict with the adopted plan, **or** would result in demonstrable adverse impacts upon the delivery of services by any political subdivision providing public services, including school districts, within the planning jurisdiction.
2. **IC §67-6513** provides that the City provide for mitigation of the effects of subdivision development on the ability of political subdivisions of the state, including school districts, to deliver services without compromising quality of service delivery to current residents or imposing substantial additional costs upon current residents to accommodate the proposed subdivision.
3. Through discussions and comments submitted by public service providers, the project would not create demonstrable adverse impact to quality of emergency service and/or delivery of said services, or impose substantial additional costs to current residents.

M. Proposed Council's Conclusions of Law:

The public notice requirements have been met and the neighborhood meeting was conducted within the guidelines of applicable Idaho Code and City Ordinances.

1. The *City Council* feels the site *is* physically suitable for subdivision and development into a single-family subdivision, as proposed.

Comment: *The 51 acre (approximate) project does appear to be suitable for this subdivision and development as a mixed-use style subdivision, as proposed.*

2. The subdivision uses are not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.

Comment: *The land to be subdivided is not used as wildlife habitat. Roads, driveways, family units and open spaces are planned for construction according the City and ACHD requirements and best practices and will therefore not cause environmental damage or loss of habitat.*

3. The Comprehensive Plan Map amendment and annexation applications are not likely to cause adverse public health problems.

Comment: *The subdivision of the property would generally comply with the Comp Plan. The project would connect to public sewer and potable water systems, therefore eliminating the occurrence of adverse public health problems.*

4. The application appears to avoid detriment to the present and potential surrounding uses; to the health, safety, and general well-being of the public taking into account the physical features of the site, public facilities and existing adjacent uses.

Comment: *Through correspondence with public service providers and application evaluation, this project appears to avoid detriment to surrounding uses. City Council did consider the subdivision and the location of the project with adjacent uses.*

5. The existing and proposed street and utility services in proximity to the site are suitable or adequate for commercial and residential purposes.

Comment: *Correspondence from ACHD and Kuna Public Works confirms that the streets and utility services are suitable and adequate for the residential project.*

6. Based on the evidence contained in Case No's 16-03-CPM and 16-10-AN, City Council finds Case No's 16-03-CPM and 16-10-AN adequately comply with Kuna City Code.

7. Based on the evidence contained in Case No's 16-03-CPM and 16-10-AN, Council finds Case No's 16-03-CPM and 16-10-AN generally comply with Kuna's zoning Code.

N. P & Z Commission's Recommended Conditions of Approval:

On January 24, 2017, the Planning and Zoning Commission voted 3-1 to recommend approval for case No's 16-03-CPM and 16-10-AN, based upon the Comp Plan, Kuna City Code, the record before the Commission, the applicant's presentation, testimony and Commission discussion at the public hearing, the Kuna Commission votes to recommend approval for Case No's 16-03-CPM and 16-10-AN with the following conditions of approval at time of development in the future:

- Applicant shall follow all conditions outlined in the staff report.
- If a PUD is not applied for and approved, or, if the project does not submit for preliminary plat application within two (2) years of the signing of the findings of fact, the entire parcel (as shown in the application – parcel S1419223151) shall be zoned and recorded as an R-6, medium density residential zone (follows Comp Plan Map).

- The annexation ordinance shall not be recorded with Ada County until a PUD or preliminary plat for the entire project is approved by Council.

O. Proposed Recommended Conditions of Approval:

Based upon the Comp Plan, Kuna City Code, the record before the City Council, the applicant's presentation, testimony and Commission discussion at the public hearing, the City Council voted to approve/deny Case No's 16-03-CPM and 16-10-AN with/without the following conditions of approval at time of development in the future:

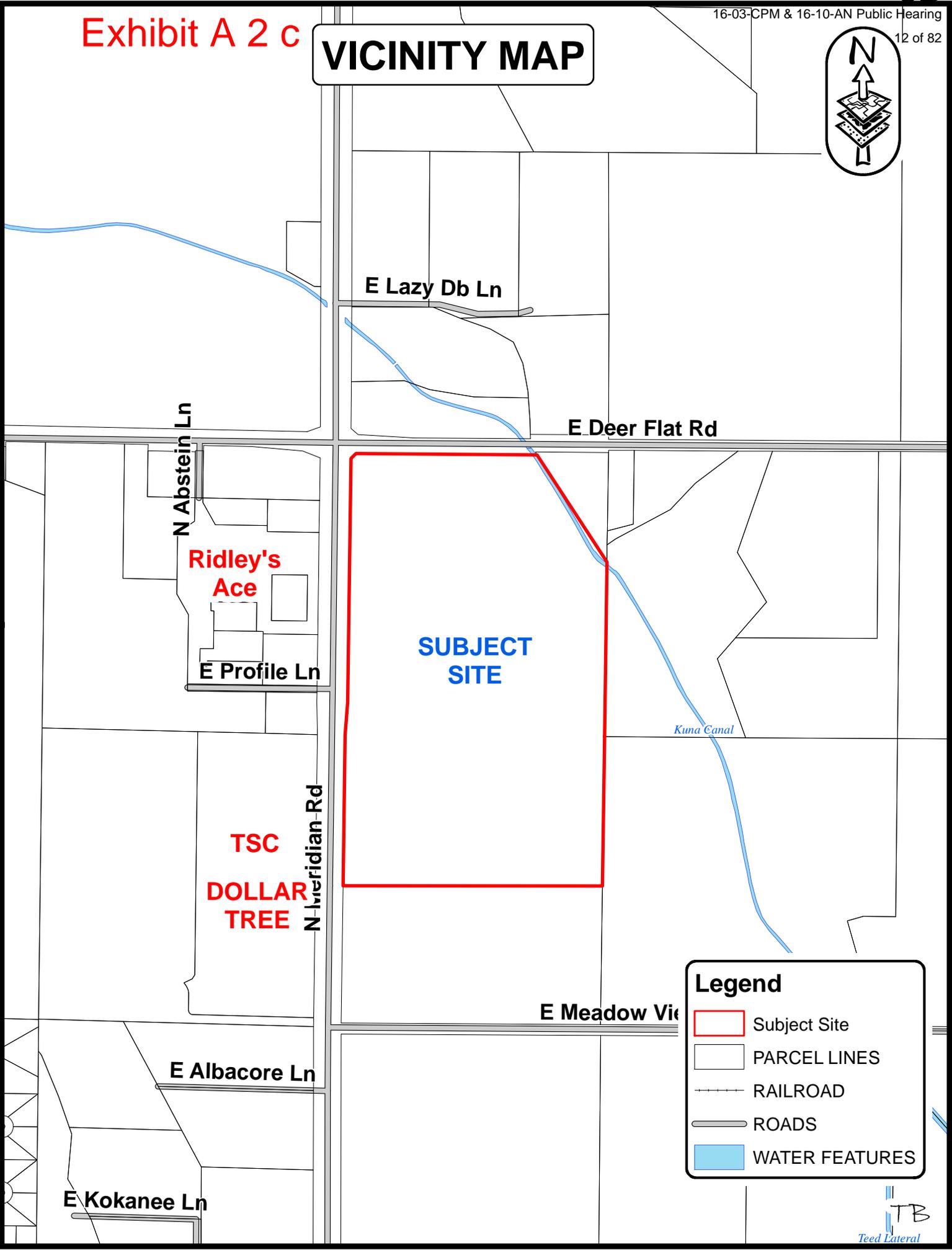
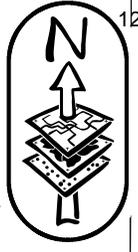
1. The applicant and/or owner shall obtain written approval on letterhead or may be written/stamped on the approved plans of the construction plans from the agencies noted below. All submittals are required to include the lighting, landscaping, drainage, and development plans. All site improvements are prohibited prior to approval of the following agencies:
 - a. The City Engineer shall approve the sewer hook-ups.
 - b. The City Engineer shall approve the drainage and grading plans. Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, "Catalog for Best Management Practices for Idaho Cities and Counties". No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
 - c. The Kuna Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Fire District is required.
 - d. The *Boise-Kuna* Irrigation District shall approval any modifications to the existing irrigation system.
 - e. Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to *issuance* of any building permit(s).
2. All public rights-of-way shall be dedicated and constructed to standards of the City, Ada County Highway District and Idaho Transportation Department. No public street construction may commence without the approval and permit from Ada County Highway District and/or Idaho Transportation Department.
 - 2.1- With development and as necessary, dedicate right-of-way in sufficient amounts to follow City and ACHD standards and widths.
3. Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see **KCC 6-4-2-W**.
4. Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
5. When required, submit a petition to the City (as necessary, confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and request to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Pressure Irrigation system of the City (KMID).
6. Street lights and parking lights for the site shall be LED lighting and must comply with Kuna City Code and established Dark Skies practices.
7. Parking within the site shall comply with Kuna City Code. (Unless specifically approved otherwise).
8. Fencing within and around the site shall comply with Kuna City Code (Unless specifically approved otherwise and permitted). Perimeter fencing (and permit) is required prior to requesting final plat signatures from Kuna City Clerk and Engineer.
9. All signage within/for the project shall comply with Kuna City Code and shall be approved in the design review process with all new commercial and multi-family.
10. All required landscaping shall be permanently maintained in a healthy growing condition. The property owner shall remove and replace unhealthy or dead plant material within 3 days or as the planting season permits as required to meet the standards of these requirements. Maintenance and planting within public rights-of-way shall be with approval from the public entities owning the property.

11. Applicant shall be conditioned to add appropriate and necessary pathways along water bodies to comply with the Master Recreation and Pathways Map at time of development.
12. The land owner/applicant/developer, and/or any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the City Council, or seek amending them through public hearing processes.
13. Applicant shall follow staff, City engineers and other agency recommended requirements as applicable.
14. Developer/owner/applicant shall comply with all local, state and federal laws.

DATED: This _____ day of _____, 2017.

Exhibit A 2 c

VICINITY MAP



Ridley's
Ace

E Profile Ln

TSC
DOLLAR
TREE

N Meridian Rd

E Lazy Db Ln

E Deer Flat Rd

SUBJECT
SITE

Kuna Canal

E Meadow Vie

E Albacore Ln

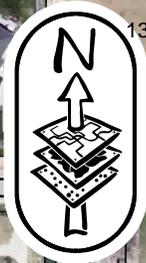
E Kokanee Ln

Legend

- Subject Site
- PARCEL LINES
- RAILROAD
- ROADS
- WATER FEATURES

Exhibit A 2 c

AERIAL MAP



N Abstein Ln

E Deer Flat Rd

Ridley's Ace

E Profile Ln

N Meridian Rd

Kuna Canal

Subject Property

TB

Exhibit A 2 c





9233 WEST STATE STREET | BOISE, ID 83714 | 208.639.6939 | FAX 208.639.6930

October 21, 2016
Project No.: 16-083

Mr. Troy Behunin
Planning & Zoning Department
City of Kuna
751 West 4th Street
Kuna, ID 83634

**RE: Ashton Estates – Ada County, ID
Annexation & Comprehensive Plan Amendment Applications**

Dear Mr. Behunin:

On behalf of SDN, LLC, we are pleased to submit the attached applications and required supplements for an annexation and comprehensive plan amendment for the project referenced above.

The subject property is approximately 50.6 acres of agricultural ground and is located at the southeast corner of East Deer Flat and North Meridian Roads. It is presently located in Ada County, but is contiguous to City limits on the south and across Meridian Road on the west. The site is currently zoned RUT in the County with a comprehensive plan designation of Medium-Density Residential. As a part of this application, we are requesting to amend the comprehensive plan to the Mixed Use General designation and annex the property into the City of Kuna with a zoning mix of C-1, R-6, and R-20.

Comprehensive Plan Amendment

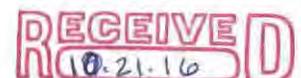
With the existing comprehensive plan designation of Medium-Density Residential, the subject property is limited to single-family residential uses, which are not ideally located adjacent to busy thoroughfares. The future vision for the site includes a mix of commercial, multi-family, and single-family residential uses with commercial and multi-family being contemplated along the roadways. The area designated for single-family use will allow homes to be set back from Meridian and Deer Flat Roads while also providing transition areas and buffering between commercial uses at the northwest corner and agricultural uses to the east and south. To accommodate this proposed blend of uses, we are requesting the Mixed Use General comprehensive plan designation across the site. This is compatible with the area, as the surrounding Comprehensive Plan designations are Commercial and Professional Office to the north, Commercial to the south, and Mixed Use General to the west.

Annexation and Zoning

As previously stated, the subject property is contiguous to City limits on both the west and south. Annexation into the City will provide enhanced development opportunities while furthering the City's goals of not only expanding commercial development in the area, but providing multi-family and single-family components to support the commercial growth.

In conjunction with annexation, we are requesting to zone the site with three separate designations to accommodate a mix of uses, which are depicted on the attached Zoning Exhibit. The proposed designations and uses are as follows:

- C-1: We are proposing the C-1 zone for 14.28 acres adjacent to Deer Flat and Meridian Roads for future commercial and/or multi-family development.



- R-20: As a transition area, we are proposing the R-20 zone for 9.09 acres of future high-density residential development east and south of the commercial area. This zone will allow future flexibility to develop this area as multi-family or single-family homes as the market dictates.
- R-6: For the balance of the site (27.26 acres), we are proposing the R-6 zone to accommodate single-family residences and a 3.0-acre City park, which will be centrally located and easily accessible by both residents of Ashton Estates and the community at large. The single-family area is intended to include a mix of lot sizes and will provide a buffer between the busy commercial components along Meridian and Deer Flat Roads and the agricultural uses to the east and south.

Access

As a part of this project, we are requesting four points of access along the existing public roads as follows. The distances below are measured from the intersection of Meridian and Deer Flat Roads, and the accesses have been placed to meet ACHD and ITD spacing requirements.

East Deer Flat Road

- Full access 660' east of the intersection
- Right-in/Right-out access 330' east of the intersection

North Meridian Road / SH 69

- Full access 1,120' south of the intersection in alignment with existing approach across the road
- Right-in/Right-out access 600' south of the intersection

At this time we anticipate that both full access points will be utilized for future public streets and distribution of traffic through the entirety of the project. Further, these streets will be stubbed to the neighboring properties on the south and east for future connectivity.

The right-in/right-out approaches will provide direct access to the commercial component of this project. Adequate access is critical to the success of commercial development, and the addition of these access points aids in the flow of traffic not only to/from Meridian and Deer Flat Roads, but across the various commercial properties, as well. All the commercial properties will be subject to reciprocal access easements to protect access to the approaches for all parties.

These access points will be subject to review and approval by ACHD and ITD based on a traffic analysis that is presently underway.

Public Utilities

We have conducted multiple meetings with Kuna's City Engineer to understand sewer, water, and pressure irrigation facilities, all of which are available for connection across Meridian Road with development of this site. As the project progresses, we will also work with the remaining public utilities including power, gas, phone, and cable to ensure that adequate utilities are provided.

Timing

It is our intention to follow this application package with a preliminary plat submittal in the coming months. Before expending resources to prepare the full preliminary plat, we felt it prudent to obtain the City's feedback on the vision for the project so that any alterations can be incorporated into the layout.

Conclusion

With the proposals discussed herein, we feel that the new Ashton Estates project complements the City's vision for commercial uses along major roadways while also providing a blend of housing opportunities for this growing area. We look forward to working with staff to accomplish this great addition to the City of Kuna.

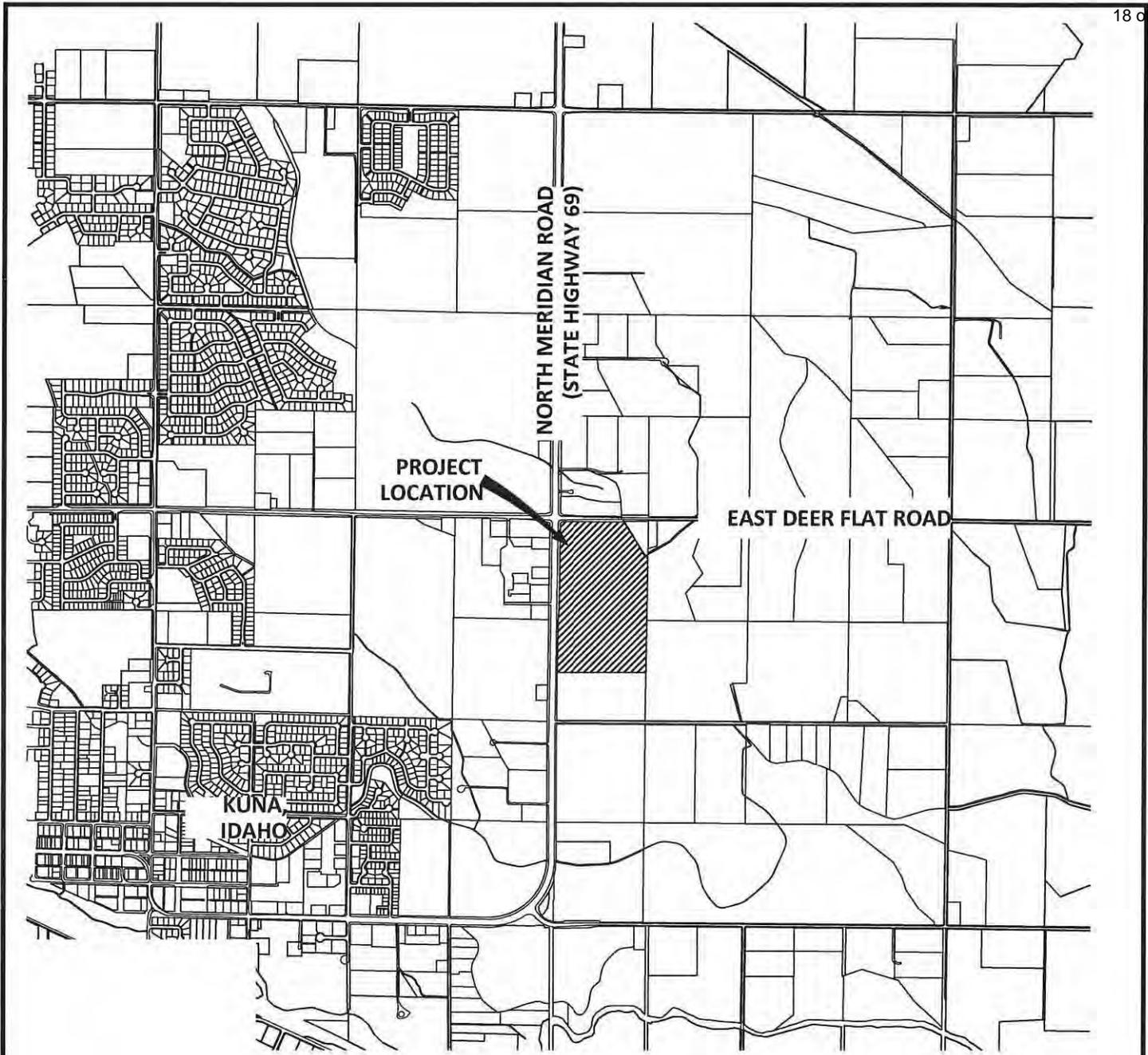
Should you have questions or require further information in order to process these applications, please feel free to contact me.

Sincerely,
KM Engineering, LLP



Kirsti Grabo
Development Coordinator

cc: SDN, LLC

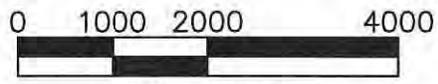


PROJECT LOCATION

NORTH MERIDIAN ROAD
(STATE HIGHWAY 69)

EAST DEER FLAT ROAD

KUNA
IDAHO



Plan Scale

km
ENGINEERING

ENGINEERS . SURVEYORS . PLANNERS
9233 WEST STATE STREET
BOISE, IDAHO 83714
PHONE (208) 639-6939
FAX (208) 639-6930

DATE: 10/21/2016

PROJECT: 16-083

SHEET:
1 OF 1

ASHTON ESTATES
VICINITY MAP

SITUATED IN THE NORTHWEST 1/4 OF SECTION 19, T3N, R1E, BM,
SOUTHEAST CORNER OF MERIDIAN ROAD AND DEER FLAT ROAD, KUNA, ID

RECEIVED
10.21.16

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**City of Kuna
Planning & Zoning
Department**
P.O. Box 13
Kuna, Idaho 83634
208.922.5274
Fax: 208.922.5989
Website: www.kunacity.id.gov

Commission & Council Review Application

Note: Engineering fees shall be paid by the applicant if required.

*Please submit the appropriate checklist (s) with application

Type of Review (check all that apply):

- Annexation
- Appeal
- Comprehensive Plan Amendment
- Design Review
- Development Agreement
- Final Planned Unit Development
- Final Plat
- Lot Line Adjustment
- Lot Split
- Planned Unit Development
- Preliminary Plat
- Rezone
- Special Use
- Temporary Business
- Vacation
- Variance

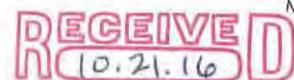
For Office Use Only	
File Number (s)	16-10-AN 16-03-CPM
Project name	
Date Received	10.21.16
Date Accepted/ Complete	
Cross Reference Files	
Commission Hearing Date	
City Council Hearing Date	

Contact/Applicant Information

Owners of Record: <u>SDN, LLC</u>	Phone Number: <u>208.404.2161</u>
Address: <u>PO Box 1939</u>	E-Mail: <u>ashton.homes@hotmail.com</u>
City, State, Zip: <u>Eagle, ID 83616</u>	Fax #: _____
Applicant (Developer): <u>same</u>	Phone Number: _____
Address: _____	E-Mail: _____
City, State, Zip: _____	Fax #: _____
Engineer/Representative: <u>KM Engineering</u>	Phone Number: <u>208.639.6939</u>
Address: <u>9233 West State Street</u>	E-Mail: <u>kgrabo@kmengllp.com</u>
City, State, Zip: <u>Boise, ID 83714</u>	Fax #: <u>208.639.6930</u>

Subject Property Information

Site Address: <u>North Meridian Road</u>	
Site Location (Cross Streets): <u>Southeast Corner of Meridian & Deer Flat</u>	
Parcel Number (s): <u>S1419223151</u>	
Section, Township, Range: <u>Section 19, T2N, R1E</u>	
Property size: <u>50.6 acres</u>	
Current land use: <u>ag</u>	Proposed land use: <u>mixed use</u>
Current zoning district: <u>Ada County RUT</u>	Proposed zoning district: <u>C1, R6, R20</u>



Project Description

Project / subdivision name: <u>Ashton Estates</u>
General description of proposed project / request: <u>annexation and comp plan amendment for future mixed use project</u>
Type of use proposed (check all that apply):
<input checked="" type="checkbox"/> Residential <u>single-family and possible multi-family</u>
<input checked="" type="checkbox"/> Commercial _____
<input type="checkbox"/> Office _____
<input type="checkbox"/> Industrial _____
<input type="checkbox"/> Other _____
Amenities provided with this development (if applicable): <u>3-acre park</u>

Residential Project Summary (if applicable)

Are there existing buildings? <input type="checkbox"/> Yes <input type="checkbox"/> No
Please describe the existing buildings: _____
Any existing buildings to remain? <input type="checkbox"/> Yes <input type="checkbox"/> No
Number of residential units: _____ Number of building lots: _____
Number of common and/or other lots: _____
Type of dwellings proposed:
<input type="checkbox"/> Single-Family _____
<input type="checkbox"/> Townhouses _____
<input type="checkbox"/> Duplexes _____
<input type="checkbox"/> Multi-Family _____
<input type="checkbox"/> Other _____
Minimum Square footage of structure (s): _____
Gross density (DU/acre-total property): _____ Net density (DU/acre-excluding roads): _____
Percentage of open space provided: _____ Acreage of open space: _____
Type of open space provided (i.e. landscaping, public, common, etc.): _____

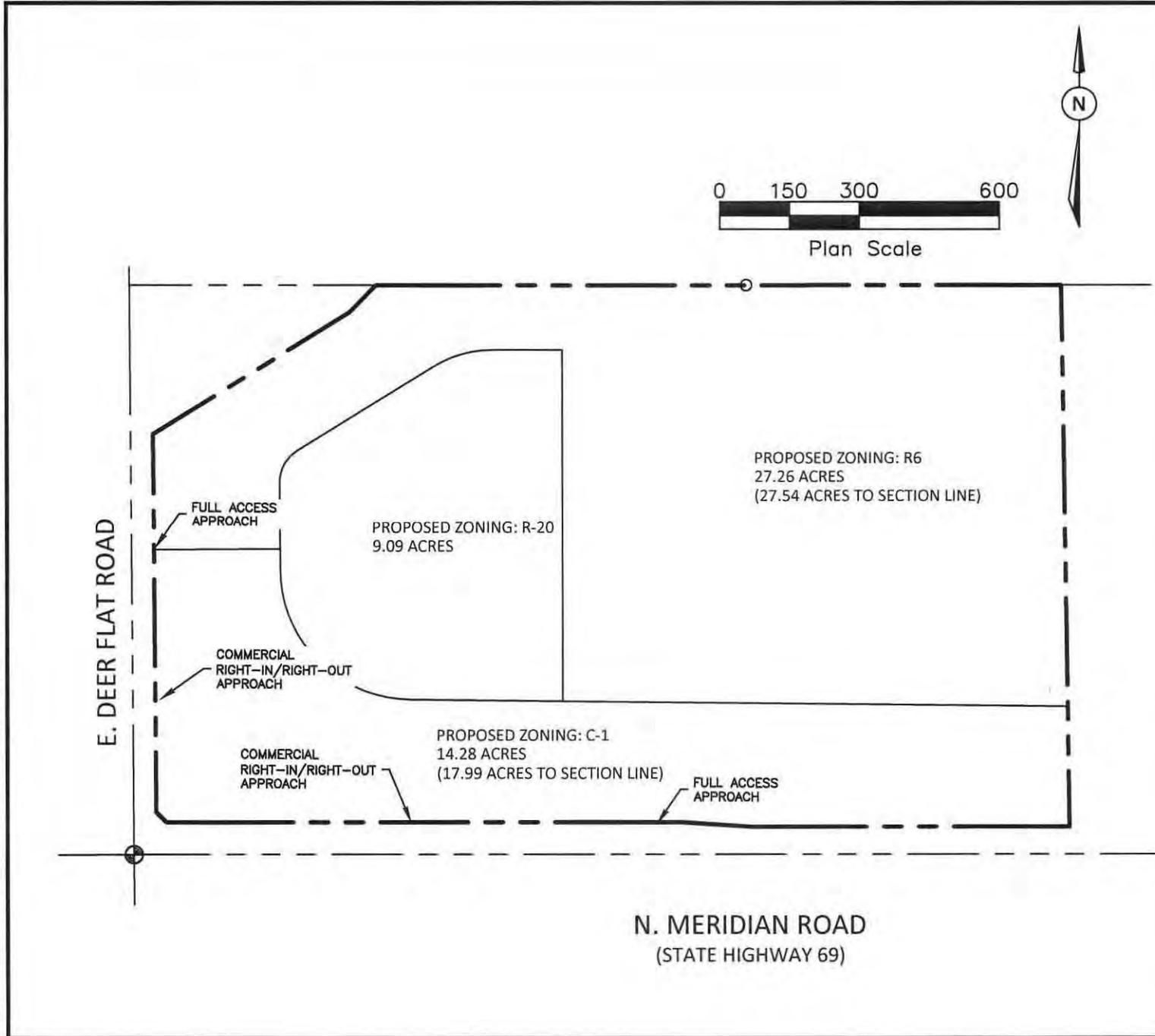
Non-Residential Project Summary (if applicable)

Number of building lots: _____	Other lots: _____
Gross floor area square footage: _____	Existing (if applicable): _____
Hours of operation (days & hours): _____	Building height: _____
Total number of employees: _____	Max. number of employees at one time: _____
Number and ages of students/children: _____	Seating capacity: _____
Fencing type, size & location (proposed or existing to remain): _____	
Proposed Parking:	a. Handicapped spaces: _____ Dimensions: _____
	b. Total Parking spaces: _____ Dimensions: _____
	c. Width of driveway aisle: _____
Proposed Lighting: _____	
Proposed Landscaping (berms, buffers, entrances, parking areas, common areas, etc.): _____	

Applicant's Signature: [Signature] Date: 10.21.16

Exhibit E 1

RECEIVED
10.21.16



ASHTON ESTATES
KUNA, IDAHO
ZONING EXHIBIT

DATE: 10/20/2016
PROJECT: 16-083

SHEET:
1 OF 1

km
ENGINEERING
ENGINEERS . SURVEYORS . PLANNERS
9233 WEST STATE STREET
BOISE, IDAHO 83714
PHONE (208) 639-6939
FAX (208) 639-6930

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CITY OF KUNA
P.O. BOX 13
KUNA, ID 83634
www.kunacity.id.gov

GORDON N. LAW
CITY ENGINEER

Telephone (208) 287-1727; Fax (208) 287-1731
Email: glaw@kunaid.gov

MEMORANDUM

TO: Director of Kuna Planning and Zoning

FROM: Gordon N. Law
Kuna City Engineer

RE: Ashton Hills
Annexation
16-10-AN, 16-03-CPM

DATE: November 17, 2016

The City Engineer has reviewed the annexation request and associated Comprehensive Plan Map change of the above applicant dated November 14, 2016. It is noted that while the application outlines the applicant's general development intent, specific development plans are not provided except those implied as allowed or permitted in an "R-6", "R-20" or "C-1" zone. It is understood, however, the applicant intends to develop portions of this property under terms of future land-use actions. The applicant desires City services for these future developments and the City Engineer affirms herein that the City could include all of the applicant's aforementioned property in its service area.

The recommendation of the City Engineer is to proceed with this annexation consistent with the enclosed comments but to keep in mind that these comments may be expanded or refined in connection with the future land-use actions. Accordingly, the City Engineer provides the following comments:

1. Sanitary Sewer Needs

- a) The applicant's property to be annexed is presently used for agricultural purposes, is not connected to City services and would be subject to connection fees for the demand of the ultimate connected load as provided in the City's Standard Table. City Code (6-4-20) requires connection to the City sewer system for all sanitary sewer needs.
- b) The property is located within the Profile Ridge sewer shed which discharges to the Danskin Lift Station and thence to the North Wastewater Treatment Plant.
- c) This property was not included in Local Improvement District 2006-1, and consequently, has no connection fee credits and reserved treatment capacity. Nevertheless, there are adequate connection credits available for purchase from others. When connecting to the

sewer system, the applicant will need to abide by any relevant sewer reimbursement policies and agreements and any relevant connection fees.

- d) For any connected load, it is recommended this application be conditioned to conform to the sewer master plan, particularly to the providing of sewer mains and trunk lines in the master plan.
- e) The nearest Sewer Main capable of serving this property lies on the opposite side of Highway 69 approximately 200 feet distant. It will require the applicant to bore an oversized line across the Highway for which he will be eligible for oversizing reimbursement consistent with City policies.
- f) At all reasonable locations where sewer service could be extended to adjoining properties, sewer mains should be stubbed to the property line or extended in right-of-way in or adjacent to the project – both at useable depths. This applies to a sewer main with easements to be extended north and south along the Highway 69 frontage.
- g) For assistance in locating existing facilities and understanding issues associated with connection, please contact the City Engineer at 287-1727.

2. Potable Water Needs

- a) The applicant's property to be annexed is presently used for agricultural purposes, is not connected to City water service and would be subject to connection fees for the demand of the ultimate connected load as provided in the City's Standard Table. City Code (6-4-2X) requires connection to the City water system for all potable water needs. The City has sufficient potable water supply to serve this site.
- b) The nearest point of water connection for the property lies on the opposite side of Highway 69 approximately 200 feet distant. It will require the applicant to bore an oversized line across the Highway for which he will be eligible for oversizing reimbursement consistent with City policies.
- c) Improvements necessary to provide adequate fire protection as required by Kuna Fire District will be required of the development.
- d) For any connected load, it is recommended this application be conditioned to conform to the water master plan. Specifically, 12-inch water mains are required in the portions of the project fronting the Highway 69 and Deer Flat Road.
- e) 8-inch water mains should be installed by developer in internal subdivision streets.
- f) At least 8-inch water mains are to be extended and connected by developer to water trunk lines and mains through all entryway streets to Deer Flat Road and Highway 69 and in stub streets to adjacent properties.
- g) The City Engineer concludes redundancy of water transmission route to the development site is not provided by existing facilities. This matter will be evaluated further in comments related to later applications.
- h) The City Engineer has evaluated the distribution of supply wells and available supply in the vicinity of the project and concludes there may be need for a well site within the bounds of the project. This matter will be evaluated further in comments related to later applications.
- i) For assistance in locating existing facilities, please contact the City Engineer at 287-1727.

3. Pressure Irrigation

- a) The property's irrigation needs are presently served by local canals from surface water rights. The applicant's property is not connected to the City pressure irrigation system. Relying on drinking water for irrigation purposes is contrary to City Code (6-4-2I) and

the public interest, is not accounted for in the approved Water Master Plan and the City Engineer recommends connection to existing City pressurized irrigation facilities. When connecting to the pressure irrigation system, the applicant will need to abide by any relevant irrigation reimbursement policies and agreements and any relevant connection fees.

- b) It is recommended this project be conditioned to require connection and annexation to the City Pressure Irrigation system at the time of development. It is further recommended that annexation into the municipal irrigation district and pooling of water rights is a requirement at the time of final platting.
- c) The development is subject to connection fees based on number of dwellings and lot size for the residential area and based on ultimate landscaped area and lot size for the commercial area and common lots, as provided in City Resolutions.
- d) The nearest point of connection for the Ashton Hills project is on the opposite side of Highway 69 approximately 200 feet distant. It will require the applicant to bore an oversized line across the Highway for which the applicant will be eligible for oversizing reimbursement consistent with City policies.
- e) For any connected load, it is recommended this application be conditioned to conform to the Pressure Irrigation Master Plan. The Master Plan designates the providing of trunk lines in the Highway 69 and Deer Flat frontages.
- f) The property's irrigation needs are presently served by the Boise-Kuna Irrigation District. The City Engineer has evaluated the distribution of irrigation pump stations and available supply in the vicinity of the project and concludes there is not need for a pump station and reservoir within the bounds of the project.
- g) It is recommended that conformity with approved City PI standards is required, including the providing of adequately sized internal and boundary loop lines.
- h) For assistance in locating existing facilities, please contact the City Engineer at 287-1727.

4. Grading and Storm Drainage

The following is not required for annexation but will be required when alteration of surface features is proposed (such as grading or paving) in connection with future land use applications:

- a) Please provide a grading and drainage plan which supports and maintains all upstream drainage rights and all downstream irrigation delivery rights as they presently exist for this property.
- b) Runoff from public right-of-way is regulated by ACHD or ITD, depending on the agency responsible for the right-of-way. Plans are required to conform to the appropriate agency standards.
- c) Exclusive of public right-of-way, any increase in quantity or rate of runoff or decrease in quality of runoff compared to historical conditions must be detained, treated and released at rates no greater than historical amounts. In the alternative, offsite disposal of storm water in excess of historical rates or conditions of disposal at locations different than provided historically, approval of the operating entity is required. The City of Kuna relies on the ACHD Stormwater Policy Manual to establish the requirements for design of any private disposal system.
- d) If impervious area is increased, please provide a storm water disposal plan acceptable to the City Engineer which accounts for the increased storm water drainage. Please provide detail drawings of drainage facilities for review.

5. General

- a) With the addition of this property into the corporate limits of Kuna and its potential connection to water (and perhaps irrigation) services, this property will be placing demand not only on constructed facilities but on water rights provided by others. It is the reasonable expectation, in return, that this property transfer to the City at time of connection (ie development) any conveyable water rights by deed and “Change of Ownership” form from IDWR that are presently associated with the property. The domestic water right associated solely with a residence and ½ acre or less is not conveyable. The water right held in trust by an irrigation district is also not conveyable.
- b) A plan approval letter will be required if this project affects any local irrigation districts.
- c) Verify that existing and proposed elevations match at property boundaries such that a slope burden is not imposed on adjacent properties.
- d) State the vertical datum used for elevations on all drawings.
- e) Provide engineering certification on all final engineering drawings.

6. Inspection Fees

An inspection fee will be required for City inspection of the construction of any **public** water, sewer and irrigation facility associated with this development. The developer will still require a qualified responsible engineer to do sufficient inspection to justly certify to DEQ the project was completed in accordance with approved plans and specifications and to provide accurate as-built drawings to the City. The developer’s engineer and the City’s inspector are permitted to coordinate inspections as much as possible. The current inspection fee is \$1.00 per lineal foot of sewer, water and pressure irrigation pipe and payment is due and payable prior to City’s approval of final construction plans.

7. Right-of-Way

The subject property fronts on its north side by a section line principal arterial street (Deer Flat - ACHD) and on its west by a section line principal arterial highway (Highway 69 – ITD) and truck route. The following conditions are related to these classified streets and future quarter line classified streets and apply at the time of development:

- a) Sufficient half right-of-way on the quarter line and section line for existing and future classified streets should be provided pursuant to City, ACHD and ITD standards.
- b) It is recommended approaches onto the classified streets comply with ACHD and ITD approach policies.
- c) It is recommended sidewalk, curb and gutter, street widening and any related storm drainage facilities, consistent with city code and policies, are provided in connection with property development.
- d) This application proposes two full approaches and two right in/right out approaches to the classified streets. It is not appropriate to comment on this aspect of the application without the results of a traffic study or the input of the operating agencies. Comments on this item will be provided in connection with later applications.
- e) This development must provide stub streets to adjoining properties to the south and east. Comments on this item will be provided in connection with later applications.

8. As-Built Drawings

As-built drawings are required at the conclusion of any public facility construction project and are the responsibility of the developer’s engineer. The city may help track changes, but

will not be responsible for the finished product. As-built drawings will be required before occupancy or final plat approval is granted.

9. Property Description

- a) The applicant provided a metes and bounds property description of the subject parcel.



Project/File: **Ashton Estates/ KUNA16-0020/ 16-10-AN/ 16-03-CPM**
This is an annexation with rezone from RUT to C-1, R-6, and R-20 throughout the site; and a Comprehensive Map amendment from Medium density residential to Mixed-use. The site is located on 50.6-acres.

Lead Agency: City of Kuna

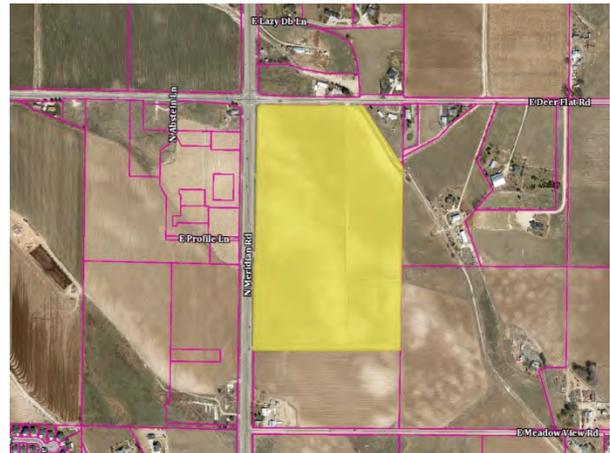
Site address: SEC of Deer Flat Road & SH-69

Staff Approval: January 13, 2017

Applicant: SDN, LLC
 PO Box 1939
 Eagle, ID 83616

Representative: KM Engineering
 Kirsti Grabo
 9233 W State Street
 Boise, ID 83714

Staff Contact: Stacey Yarrington
 Phone: 387-6171
 E-mail: syarrington@achdidaho.org



A. Findings of Fact

- Description of Application:** The applicant is requesting approval of an annexation application with rezone from RUT (Rural Urban Transition) to C-1 (Neighborhood Commercial), R-6 (Medium density residential), and R-20 (High density residential); and a Comprehensive Map amendment from Medium density residential to Mixed-use.

The site is located on 50.6-acres with the applicant proposing 14.3-acres of the site to be C-1, 9-acres to be R-20, and the remaining 20.3-acres to be R-6.

- Description of Adjacent Surrounding Area:**

Direction	Land Use	Zoning
North	Rural Urban Transition (Ada County)	RUT
South	Rural Residential (Ada County)	RR
East	Rural Urban Transition, Rural Residential (Ada County)	RUT, RR
West	Neighborhood Commercial, Medium density residential	C-1, R-6

- Site History:** ACHD has not previously reviewed this site for a development application.
- Adjacent Development:** The following developments are pending or underway in the vicinity of the site:
 - Profile Ridge, a mixed use development, located directly west of the site is in various phases of development and was approved by ACHD on November 7, 2007.*

- *Winfield Subdivision, located on the NWC of Deer Flat & SH-69, consisting of 348 single residential lots, is currently under review by ACHD.*

- 5. Transit:** Transit services are not available to serve this site.
- 6. New Center Lane Miles:** There are no new centerline miles of public roadway associated with this application.
- 7. Impact Fees:** There will be an impact fee that is assessed and due prior to issuance of any building permits. The assessed impact fee will be based on the impact fee ordinance that is in effect at that time.

- 8. Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):**
There are currently no roadways, bridges or intersections in the general vicinity of the project that are currently in the Integrated Five Year Work Plan (IFYWP).

- The intersection of Linder Road and Deer Flat Road is scheduled in the IFYWP to be widened to 5-lanes on the north leg, 4-lanes on the south, 5-lanes east, and 5-lanes on the west leg, and reconstructed/signalized in 2020.
- Deer Flat Road is listed in the CIP to be widened to 5-lanes from Linder Road to SH-69/ Meridian Road between 2026 and 2030.
- The intersection of Deer Flat Road and SH-69/ Meridian Road is listed in the CIP to be widened to 6-lanes on the north leg, 6-lanes on the south, 6-lanes east, and 6-lanes on the west leg, and signalized between 2031 and 2035.

B. Traffic Findings for Consideration

- 1. Trip Generation:** A Traffic Impact Study has been submitted for the forthcoming preliminary plat and is currently being reviewed. Possible traffic generators that may be located within the site are listed below.

Use (1,000 sf)	Average Daily Trips (ADT)	PM Peak Hour
General Office Building	11.03	1.49
Medical/ Dental Office Building	36.13	3.57
Restaurant	89.95	7.49
Single Tenant Office Building	11.65	1.74
Specialty Retail Center	44.32	2.71
Apartment (unit)	6.65	0.62
Townhouse (unit)	5.81	0.52
Single Family Detached (unit)	9.52	1.00
Senior Adult Housing-Attached (unit)	3.44	0.25

- 2. Condition of Area Roadways**
Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service	Existing Plus Project
**SH-69/ Meridian Road	1,960-feet	Principal Arterial	951	N/A	N/A

Deer Flat Road	842-feet	Minor Arterial	192	Better than "E"	N/A
----------------	----------	----------------	-----	--------------------	-----

* Acceptable level of service for a two-lane minor arterial is "E" (575 VPH).

** ACHD does not set level of service thresholds for State Highways.

3. Average Daily Traffic Count (VDT)

Average daily traffic counts are based on ACHD's most current traffic counts.

- The average daily traffic count for SH-69/ Meridian Road south of Deer Flat Road was 16,411 on 7/20/2016.
- The average daily traffic count for Deer Flat Road west of Locust Grove Road was 1,613 on 10/28/2015.

C. Findings for Consideration

This application is for annexation and rezone only. Listed below are some of the findings for consideration that the District may identify when it reviews a future development application. The District may add additional findings for consideration when it reviews a specific redevelopment application.

1. SH-69/Meridian Road

SH-69/Meridian Road is under the jurisdiction of the Idaho Transportation Department (ITD). The applicant, City of Kuna, and ITD should work together to determine if additional right-of-way or improvements are necessary on SH-69/ Meridian Road.

2. Deer Flat Road

a. Existing Conditions: Deer Flat Road is improved with 2-travel lanes, and no curb, gutter or sidewalk abutting the site. Existing right-of-way varies between 86 to 73 feet for Deer Flat Road (48-feet from centerline).

b. Policy:

Arterial Roadway Policy: District Policy 7205.2.1 states that the developer is responsible for improving all street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

Master Street Map and Typology Policy: District Policy 7205.5 states that the design of improvements for arterials shall be in accordance with District standards, including the Master Street Map and Livable Streets Design Guide. The developer or engineer should contact the District before starting any design.

Street Section and Right-of-Way Width Policy: District Policies 7205.2.1 & 7205.5.2 state that the standard 5-lane street section shall be 72-feet (back-of-curb to back-of-curb) within 96-feet of right-of-way. This width typically accommodates two travel lanes in each direction, a continuous center left-turn lane, and bike lanes on a minor arterial and a safety shoulder on a principal arterial.

Right-of-Way Dedication: District Policy 7205.2 states that The District will provide compensation for additional right-of-way dedicated beyond the existing right-of-way along arterials listed as impact fee eligible in the adopted Capital Improvements Plan using available impact fee revenue in the Impact Fee Service Area.

No compensation will be provided for right-of-way on an arterial that is not listed as impact fee eligible in the Capital Improvements Plan.

The District may acquire additional right-of-way beyond the site-related needs to preserve a corridor for future capacity improvements, as provided in Section 7300.

Sidewalk Policy: District Policy 7205.5.7 requires a concrete sidewalk at least 5-feet wide to be constructed on both sides of all arterial streets. A parkway strip at least 6-feet wide between the back-of-curb and street edge of the sidewalk is required to provide increased safety and protection of pedestrians. Consult the District’s planter width policy if trees are to be placed within the parkway strip. Sidewalks constructed next to the back-of-curb shall be a minimum of 7-feet wide.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

Frontage Improvements Policy: District Policy 7205.2.1 states that the developer shall widen the pavement to a minimum of 17-feet from centerline plus a 3-foot wide gravel shoulder adjacent to the entire site. Curb, gutter and additional pavement widening may be required (See Section 7205.5.5).

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, arterial street requirements, and specific roadway features required through development. This segment of Deer Flat Road is designated in the MSM as a Transitional/ Commercial Arterial with 5-lanes and on-street bike lanes, a 69-foot street section within 87-feet of right-of-way.

- c. **Staff Comments/Recommendations:** The Deer Flat Road/SH-69 intersection shown in the CIP to be widened/reconstructed in 2031-2035. Therefore the applicant should be required to dedicate 6-feet of additional right-of-way to total 54-feet of right-of-way along Deer Flat Road abutting the site. The additional right-of-way is impact fee eligible for reimbursement.

Deer Flat Road is improved with between 50 to 24 feet of pavement and 3-foot wide gravel shoulders abutting the site. The applicant should be required to widen Deer Flat Road with 17-feet of pavement from centerline of Deer Flat Road abutting the site, plus a 3-foot wide gravel shoulder.

The applicant should be required to construct 5-foot wide concrete sidewalk located a minimum 41-feet from centerline of Deer Flat Road, abutting the site. The applicant should provide a permanent right-of-way easement for any public sidewalk placed outside of the dedicated right-of-way.

3. Internal Collector Roadway

- a. **Existing Conditions:** There are no existing streets internal to the site.

- b. **Policy:**

Collector Street Policy: District policy 7206.2.1 states that the developer is responsible for improving all collector frontages adjacent to the site or internal to the development as required below, regardless of whether access is taken to all of the adjacent streets.

Master Street Map and Typologies Policy: District policy 7206.5 states that if the collector street is designated with a typology on the Master Street Map, that typology shall be considered for the required street improvements. If there is no typology listed in the Master Street Map, then standard street sections shall serve as the default.

Street Section and Right-of-Way Policy: District policy 7206.5.2 states that the standard right-of-way width for collector streets shall typically be 50 to 70-feet, depending on the location and width of the sidewalk and the location and use of the roadway. The right-of-way width may be reduced, with District approval, if the sidewalk is located within an easement; in

which case the District will require a minimum right-of-way width that extends 2-feet behind the back-of-curb on each side.

The standard street section shall be 46-feet (back-of-curb to back-of-curb). This width typically accommodates a single travel lane in each direction, a continuous center left-turn lane, and bike lanes.

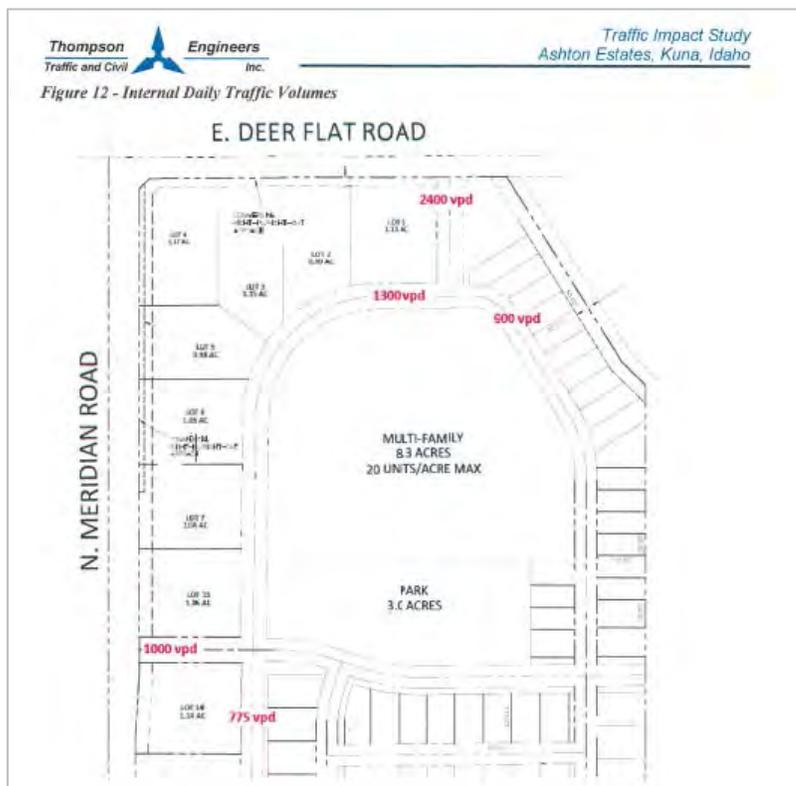
Residential Collector Policy: District policy 7206.5.2 states that the standard street section for a collector in a residential area shall be 36-feet (back-of-curb to back-of-curb). The District will consider a 33-foot or 29-foot street section with written fire department approval and taking into consideration the needs of the adjacent land use, the projected volumes, the need for bicycle lanes, and on-street parking.

Sidewalk Policy: District policy 7206.5.6 requires a concrete sidewalks at least 5-feet wide to be constructed on both sides of all collector streets. A parkway strip at least 6-feet wide between the back-of-curb and street edge of the sidewalk is required to provide increased safety and protection of pedestrians. Consult the District's planter width policy if trees are to be placed within the parkway strip. Sidewalks constructed next to the back-of-curb shall be a minimum of 7-feet wide.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

- c. **Staff Comments/Recommendations:** The Traffic Impact Study submitted for this development includes a concept plan with an internal loop road. Staff recommends that this loop road be constructed as a collector street to accommodate the potential vehicle trips generated within the site.



4. Internal Local Streets

a. **Existing Conditions:** There are no existing streets internal to the site.

b. **Policy:**

Local Roadway Policy: District Policy 7207.2.1 states that the developer is responsible for improving all local street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

Street Section and Right-of-Way Policy: District Policy 7207.5 states that right-of-way widths for all local streets shall generally not be less than 50-feet wide and that the standard street section shall be 36-feet (back-of-curb to back-of-curb). The District will consider the utilization of a street width less than 36-feet with written fire department approval.

Standard Urban Local Street—36-foot to 33-foot Street Section and Right-of-way Policy: District Policy 7207.5.2 states that the standard street section shall be 36-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot concrete sidewalks on both sides and shall typically be within 50-feet of right-of-way.

The District will also consider the utilization of a street width less than 36-feet with written fire department approval. Most often this width is a 33-foot street section (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size.

Continuation of Streets Policy: District Policy 7207.2.4 states that an existing street, or a street in an approved preliminary plat, which ends at a boundary of a proposed development shall be extended in that development. The extension shall include provisions for continuation of storm drainage facilities. Benefits of connectivity include but are not limited to the following:

- Reduces vehicle miles traveled.
- Increases pedestrian and bicycle connectivity.
- Increases access for emergency services.
- Reduces need for additional access points to the arterial street system
- Promotes the efficient delivery of services including trash, mail and deliveries.
- Promotes appropriate intra-neighborhood traffic circulation to schools, parks, neighborhood commercial centers, transit stops, etc.
- Promotes orderly development.

Sidewalk Policy: District Policy 7207.5.7 states that five-foot wide concrete sidewalk is required on both sides of all local street, except those in rural developments with net densities of one dwelling unit per 1.0 acre or less, or in hillside conditions where there is no direct lot frontage, in which case a sidewalk shall be constructed along one side of the street. Some local jurisdictions may require wider sidewalks.

The sidewalk may be placed next to the back-of-curb. Where feasible, a parkway strip at least 8-feet wide between the back-of-curb and the street edge of the sidewalk is recommended to provide increased safety and protection of pedestrians and to allow for the planting of trees in accordance with the District's Tree Planting Policy. If no trees are to be planted in the parkway strip, the applicant may submit a request to the District, with justification, to reduce the width of the parkway strip.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-

of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

Cul-de-sac Streets Policy: District policy 7207.5.8 requires cul-de-sacs to be constructed to provide a minimum turning radius of 45-feet; in rural areas or for temporary cul-de-sacs the emergency service providers may require a greater radius. Landscape and parking islands may be constructed in turnarounds if a minimum 29-foot street section is constructed around the island. The pavement width shall be sufficient to allow the turning around of a standard AASHTO SU design vehicle without backing. The developer shall provide written approval from the appropriate fire department for this design element.

The District will consider alternatives to the standard cul-de-sac turnaround on a case-by-case basis. This will be based on turning area, drainage, maintenance considerations and the written approval of the agency providing emergency fire service for the area where the development is located.

Minor Improvements Policy: District Policy 7203.3 states that minor improvements to existing streets adjacent to a proposed development may be required. These improvements are to correct deficiencies or replace deteriorated facilities. Included are sidewalk construction or replacement; curb and gutter construction or replacement; replacement of unused driveways with curb, gutter and sidewalk; installation or reconstruction of pedestrian ramps; pavement repairs; signs; traffic control devices; and other similar items.

- c. **Staff Comments/Recommendations:** Staff recommends that the applicant construct the internal local streets as either a 33-foot street section or 36-foot street section with curb, gutter, and 5-foot wide concrete sidewalk within 50-feet of right-of-way.

5. Roadway Offsets

- a. **Existing Conditions:** There are no existing streets onto Deer Flat Road from the site.

- b. **Policy:**

Collector Offset Policy: District policy 7205.4.2 states that the optimum spacing for new signalized collector roadways intersecting minor arterials is one half-mile.

Local Offset Policy: District policy 7206.4.5, requires local roadways to align or offset a minimum of 330-feet from a collector roadway (measured centerline to centerline).

District policy 7207.4.2, requires local roadways to align or provide a minimum offset of 125-feet from any other street (measured centerline to centerline).

- c. **Staff Comments/Recommendations:** The applicant's concept plan shows a full access roadway approach onto Deer Flat Road, located 660-feet east of SH-69/Meridian Road (measured centerline to centerline). The applicant's proposal does not meet District Collector Offset policy because it does not meet the one-half mile minimum offset. However, staff recommends a modification of policy due to the fact that the site has limited frontage along Deer Flat Road. This is a 40% modification to the dimension standard and is approved at the Manager's discretion.

The applicant should be required to construct all internal streets with minimum 125-foot offsets.

6. Stub Streets

- a. **Existing Conditions:** There are no existing stub streets to the site.

- b. **Policy:**

Stub Street Policy: District policy 7205.2 (arterials)/ 7207.2.4 (local)/ 7208.2.4 (commercial) states that stub streets will be required to provide circulation or to provide access to adjoining properties. Stub streets will conform with the requirements described in Section 7205.2.5.4

(arterials)/ 7207.2.5.4 (local)/ 7208.2.5.4 (commercial), except a temporary cul-de-sac will not be required if the stub street has a length no greater than 150-feet. A sign shall be installed at the terminus of the stub street stating that, "THIS ROAD WILL BE EXTENDED IN THE FUTURE."

In addition, stub streets must meet the following conditions:

- A stub street shall be designed to slope towards the nearest street intersection within the proposed development and drain surface water towards that intersection; unless an alternative storm drain system is approved by the District.
- The District may require appropriate covenants guaranteeing that the stub street will remain free of obstructions.

Temporary Dead End Streets Policy: District policy 7205.2 (arterials)/ 7207.2.4 (local)/ 7208.2.4 (commercial) requires that the design and construction for cul-de-sac streets shall apply to temporary dead end streets. The temporary cul-de-sac shall be paved and shall be the dimensional requirements of a standard cul-de-sac. The developer shall grant a temporary turnaround easement to the District for those portions of the cul-de-sac which extend beyond the dedicated street right-of-way. In the instance where a temporary easement extends onto a buildable lot, the entire lot shall be encumbered by the easement and identified on the plat as a non-buildable lot until the street is extended.

- c. **Staff Comments/Recommendations:** Staff recommends that stub streets be provided to the 2 large parcels to the east and the large parcel to the south, to provide connectivity to this area.

7. Driveways

7.1 Deer Flat Road

- a. **Existing Conditions:** There is an existing 40-foot wide paved driveway, located approximately 785-feet east of SH-69/Meridian Road, onto Deer Flat Road from the site.

b. **Policy**

Access Points Policy: District Policy 7205.4.1 states that all access points associated with development applications shall be determined in accordance with the policies in this section and Section 7202. Access points shall be reviewed only for a development application that is being considered by the lead land use agency. Approved access points may be relocated and/or restricted in the future if the land use intensifies, changes, or the property redevelops.

Access Policy: District policy 7205.4.6 states that direct access to minor arterials is typically prohibited. If a property has frontage on more than one street, access shall be taken from the street having the lesser functional classification. If it is necessary to take access to the higher classified street due to a lack of frontage, the minimum allowable spacing shall be based on Table 1a under District policy 7205.4.6, unless a waiver for the access point has been approved by the District Commission.

Driveway Location Policy: District policy 7205.4.5 requires driveways located on minor arterial roadways from a signalized intersection with a dual left turn lane shall be located a minimum of 330-feet from the nearest intersection for a right-in/right-out only driveway and a minimum of 710-feet from the intersection for a full-movement driveway.

Successive Driveways: District policy 7205.4.6 Table 1a, requires driveways located on minor arterial roadways with a speed limit of 50 MPH to align or offset a minimum of 425-feet from any existing or proposed driveway.

Driveway Width Policy: District policy 7205.4.8 restricts high-volume driveways (100 VTD or more) to a maximum width of 36-feet and low-volume driveways (less than 100 VTD) to a maximum width of 30-feet. Curb return type driveways with 30-foot radii will be required for high-volume driveways with 100 VTD or more. Curb return type driveways with 15-foot radii will be required for low-volume driveways with less than 100 VTD.

- c. **Staff Comments/Recommendations:** The applicant's concept plan shows a commercial driveway located approximately 330-feet east of SH-69/Meridian Road, onto Deer Flat Road from the site. Staff recommends that the proposed driveway be a maximum of 30-feet in width and restricted to right-in/right-out. The driveway should be constructed as a curb return type driveway and minimum 30-foot radii.

7.2 Future Collector Street

- a. **Existing Conditions:** There are no driveways internal to the site.

b. **Policy:**

Access Policy: District Policy 7205.4.1 states that all access points associated with development applications shall be determined in accordance with the policies in this section and Section 7202. Access points shall be reviewed only for a development application that is being considered by the lead land use agency. Approved access points may be relocated and/or restricted in the future if the land use intensifies, changes, or the property redevelops.

District Policy 7206.1 states that the primary function of a collector is to intercept traffic from the local street system and carry that traffic to the nearest arterial. A secondary function is to service adjacent property. Access will be limited or controlled. Collectors may also be designated at bicycle and bus routes.

Driveway Location Policy (Stop Controlled Intersection): District policy 7206.4.4 requires driveways located on collector roadways near a STOP controlled intersection to be located outside of the area of influence; OR a minimum of 150-feet from the intersection, whichever is greater. Dimensions shall be measured from the centerline of the intersection to the centerline of the driveway.

Successive Driveways: District policy 7206.4.5 Table 1, requires driveways located on collector roadways with a speed limit of 20 MPH and daily traffic volumes greater than 200 VTD to align or offset a minimum of 245-feet from any existing or proposed driveway.

Driveway Width Policy: District policy 7206.4.6 restricts high-volume driveways (100 VTD or more) to a maximum width of 36-feet and low-volume driveways (less than 100 VTD) to a maximum width of 30-feet. Curb return type driveways with 30-foot radii will be required for high-volume driveways with 100 VTD or more. Curb return type driveways with 15-foot radii will be required for low-volume driveways with less than 100 VTD.

Driveway Paving Policy: Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7206.4.6, the applicant should be required to pave the driveway its full width and at least 30-feet into the site beyond the edge of pavement of the roadway and install pavement tapers in accordance with Table 2 under District Policy 7206.4.6.

- c. Staff Comments/Recommendations:** As stated in 3.c. above, staff recommends that the potential internal loop road be constructed as a collector street. However, future access to the internal streets will be reviewed when the site redevelops in the future. It should be noted that access for residential front-on housing is restricted on collector streets. Therefore, front-on residential housing should be located only on local streets within the site.



8. Tree Planters

Tree Planter Policy: Tree Planter Policy: The District's Tree Planter Policy prohibits all trees in planters less than 8-feet in width without the installation of root barriers. Class II trees may be allowed in planters with a minimum width of 8-feet, and Class I and Class III trees may be allowed in planters with a minimum width of 10-feet.

9. Landscaping

Landscaping Policy: A license agreement is required for all landscaping proposed within ACHD right-of-way or easement areas. Trees shall be located no closer than 10-feet from all public storm drain facilities. Landscaping should be designed to eliminate site obstructions in the vision triangle at intersections. District Policy 5104.3.1 requires a 40-foot vision triangle and a 3-foot height restriction on all landscaping located at an uncontrolled intersection and a 50-foot offset from stop signs. Landscape plans are required with the submittal of civil plans and must meet all District requirements prior to signature of the final plat and/or approval of the civil plans.

10. Other Access

SH-69/Meridian Road and Deer Flat Road are classified as principal and minor arterial roadways. Other than the access specifically approved with this application, direct lot access is prohibited to these roadways.

D. Site Specific Conditions of Approval

This application is for annexation and rezone only. The District may add additional findings for consideration when it reviews a specific development application. Site Specific Conditions will be established at that time.

E. Standard Conditions of Approval

1. All proposed irrigation facilities shall be located outside of the ACHD right-of-way (including all easements). Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way (including all easements).
2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.
3. In accordance with District policy, 7203.3, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.
4. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.
5. A license agreement and compliance with the District's Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.
6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.
8. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.
9. All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.
11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.
12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

F. Conclusions of Law

1. The proposed site plan is approved, if all of the Site Specific and Standard Conditions of Approval are satisfied.
2. ACHD requirements are intended to assure that the proposed use/development will not place an undue burden on the existing vehicular transportation system within the vicinity impacted by the proposed development.

G. Attachments

1. Vicinity Map
2. Site Plan
3. Utility Coordinating Council
4. Development Process Checklist
5. Appeal Guidelines

VICINITY MAP

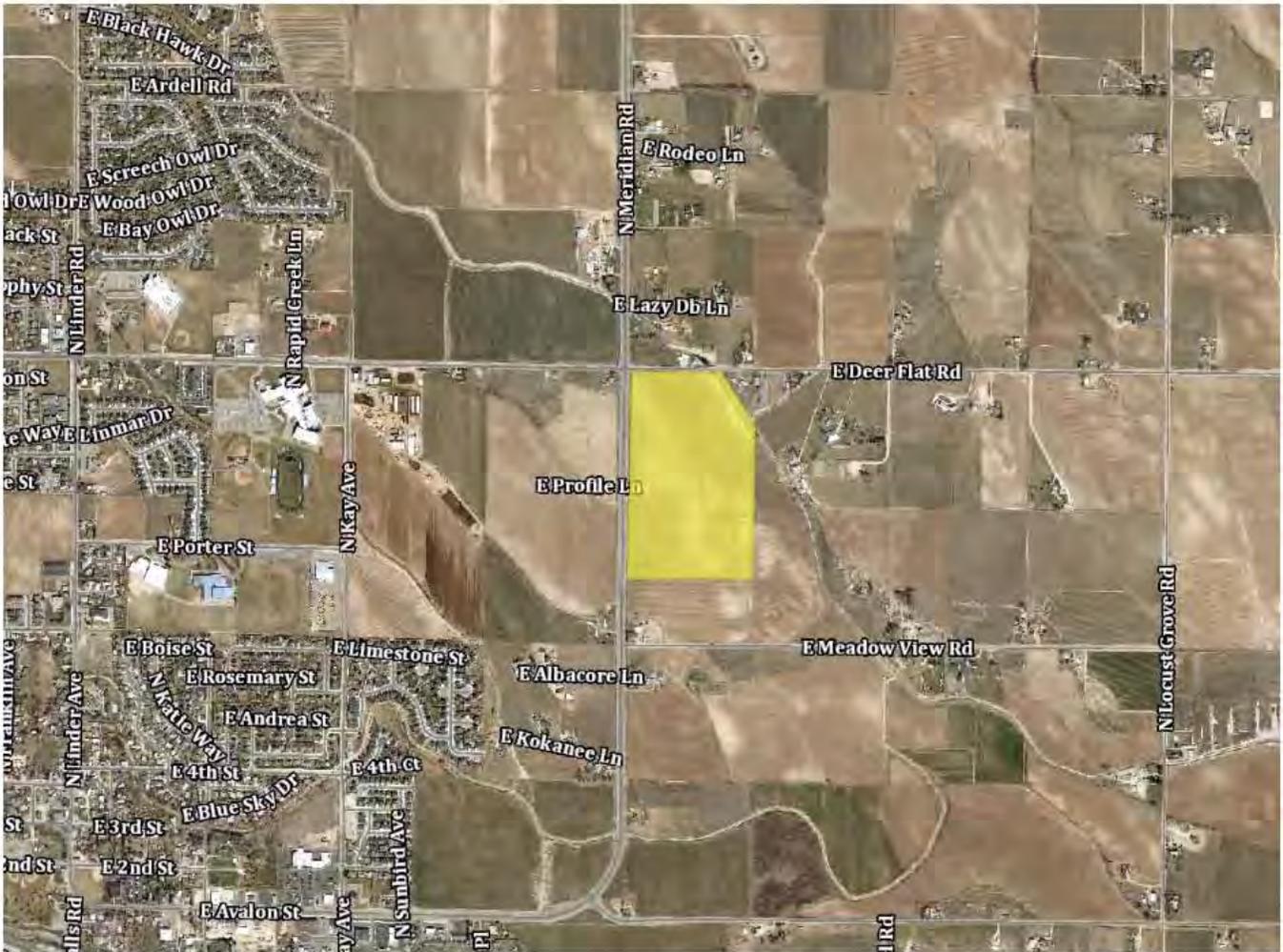
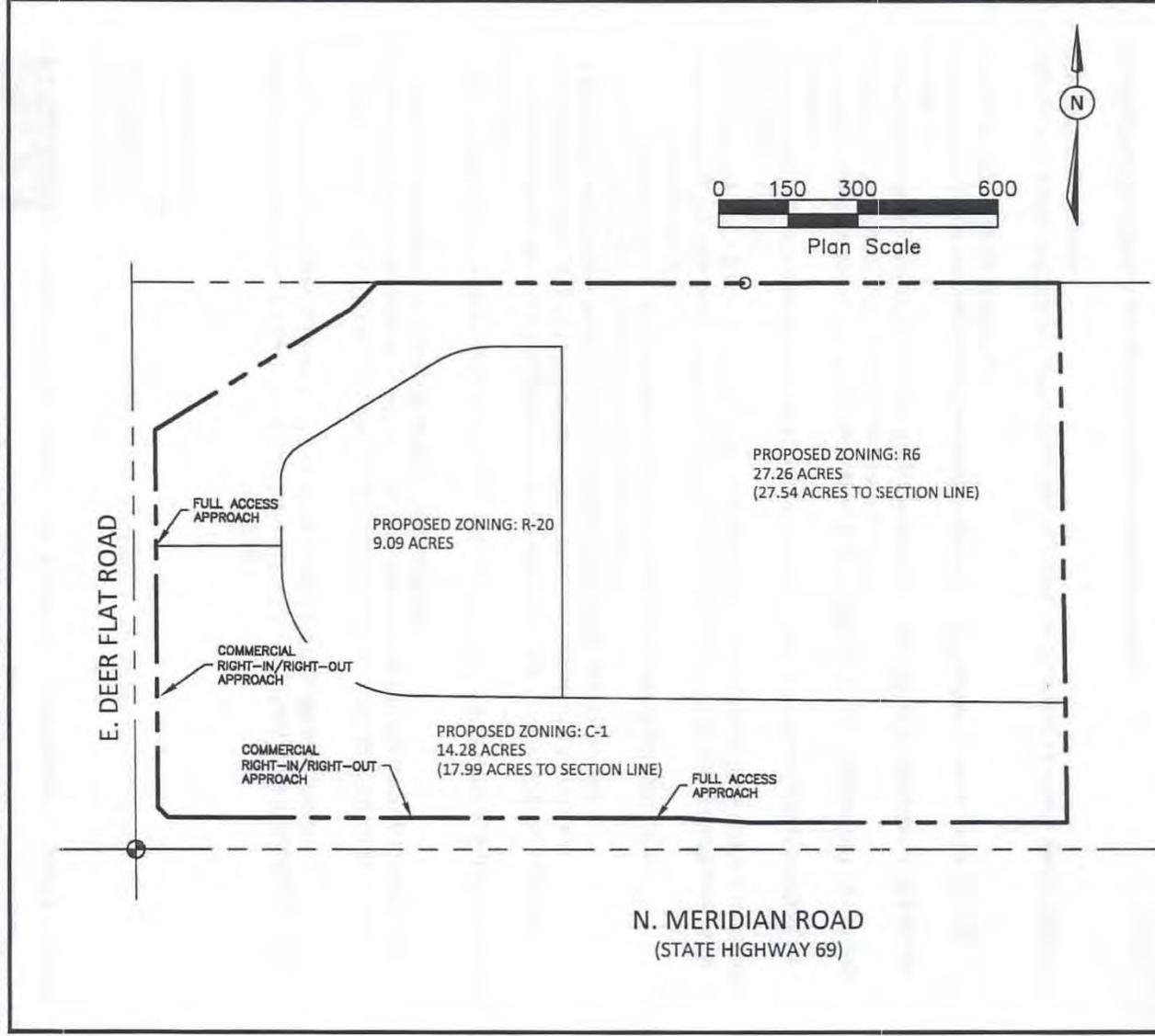


Exhibit B 2

SITE PLAN

P:\16-083\CAD\EXHIBITS\16-083 PRELIM SITE 3_2.DWG, JAMES HANLEY, 10/21/2016, KYOCERA TASKALFA 4550CI KX.P3, ---



ASHTON ESTATES KUNA, IDAHO	
ZONING EXHIBIT	
DATE:	10/20/2016
PROJECT:	16-083
SHEET:	1 OF 1
km ENGINEERING	
ENGINEERS . SURVEYORS . PLANNERS	
9233 WEST STATE STREET BOISE, IDAHO 83714 PHONE (208) 639-6939 FAX (208) 639-6930	

RECEIVED
10-21-16

Ada County Utility Coordinating Council

Developer/Local Improvement District Right of Way Improvements Guideline Request

Purpose: To develop the necessary avenue for proper notification to utilities of local highway and road improvements, to help the utilities in budgeting and to clarify the already existing process.

- 1) **Notification:** Within five (5) working days upon notification of required right of way improvements by Highway entities, developers shall provide written notification to the affected utility owners and the Ada County Utility Coordinating Council (UCC). Notification shall include but not be limited to, project limits, scope of roadway improvements/project, anticipated construction dates, and any portions critical to the right of way improvements and coordination of utilities.
- 2) **Plan Review:** The developer shall provide the highway entities and all utility owners with preliminary project plans and schedule a plan review conference. Depending on the scale of utility improvements, a plan review conference may not be necessary, as determined by the utility owners. Conference notification shall also be sent to the UCC. During the review meeting the developer shall notify utilities of the status of right of way/easement acquisition necessary for their project. At the plan review conference each company shall have the right to appeal, adjust and/or negotiate with the developer on its own behalf. Each utility shall provide the developer with a letter of review indicating the costs and time required for relocation of its facilities. Said letter of review is to be provided within thirty calendar days after the date of the plan review conference.
- 3) **Revisions:** The developer is responsible to provide utilities with any revisions to preliminary plans. Utilities may request an updated plan review meeting if revisions are made in the preliminary plans which affect the utility relocation requirements. Utilities shall have thirty days after receiving the revisions to review and comment thereon.
- 4) **Final Notification:** The developer will provide highway entities, utility owners and the UCC with final notification of its intent to proceed with right of way improvements and include the anticipated date work will commence. This notification shall indicate that the work to be performed shall be pursuant to final approved plans by the highway entity. The developer shall schedule a preconstruction meeting prior to right of way improvements. Utility relocation activity shall be completed within the times established during the preconstruction meeting, unless otherwise agreed upon.

Notification to the Ada County UCC can be sent to: 50 S. Cole Rd. Boise 83707, or Visit iducc.com for e-mail notification information.

Development Process Checklist

Items Completed to Date:

- Submit a development application to a City or to Ada County
- The City or the County will transmit the development application to ACHD
- The ACHD **Planning Review Section** will receive the development application to review
- The **Planning Review Section** will do one of the following:
 - Send a **“No Review”** letter to the applicant stating that there are no site specific conditions of approval at this time.
 - Write a **Staff Level** report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy.
 - Write a **Commission Level** report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy.

Items to be completed by Applicant:

- For **ALL** development applications, including those receiving a **“No Review”** letter:
 - The applicant should submit one set of engineered plans directly to ACHD for review by the **Development Review Section** for plan review and assessment of impact fees. (Note: if there are no site improvements required by ACHD, then architectural plans may be submitted for purposes of impact fee assessment.)
 - The applicant is required to get a permit from Construction Services (ACHD) for ANY work in the right-of-way, including, but not limited to, driveway approaches, street improvements and utility cuts.
- Pay Impact Fees prior to issuance of building permit. Impact fees cannot be paid prior to plan review approval.

DID YOU REMEMBER:

Construction (Non-Subdivisions)

Driveway or Property Approach(s)

- Submit a “Driveway Approach Request” form to ACHD Construction (for approval by Development Services & Traffic Services). There is a one week turnaround for this approval.

Working in the ACHD Right-of-Way

- Four business days prior to starting work have a bonded contractor submit a “Temporary Highway Use Permit Application” to ACHD Construction – Permits along with:
 - a) Traffic Control Plan
 - b) An Erosion & Sediment Control Narrative & Plat, done by a Certified Plan Designer, if trench is >50’ or you are placing >600 sf of concrete or asphalt.

Construction (Subdivisions)

Sediment & Erosion Submittal

- At least one week prior to setting up a Pre-Construction Meeting an Erosion & Sediment Control Narrative & Plan, done by a Certified Plan Designer, must be turned into ACHD Construction to be reviewed and approved by the ACHD Stormwater Section.

Idaho Power Company

- Vic Steelman at Idaho Power must have his IPCO approved set of subdivision utility plans prior to Pre-Con being scheduled.

Final Approval from Development Services is required prior to scheduling a Pre-Con.

Request for Appeal of Staff Decision

1. **Appeal of Staff Decision:** The Commission shall hear and decide appeals by an applicant of the final decision made by the Development Services Manager when it is alleged that the Development Services Manager did not properly apply this section 7101.6, did not consider all of the relevant facts presented, made an error of fact or law, abused discretion or acted arbitrarily and capriciously in the interpretation or enforcement of the ACHD Policy Manual.
 - a. **Filing Fee:** The Commission may, from time to time, set reasonable fees to be charged the applicant for the processing of appeals, to cover administrative costs.
 - b. **Initiation:** An appeal is initiated by the filing of a written notice of appeal with the Secretary of Highway Systems, which must be filed within ten (10) working days from the date of the decision that is the subject of the appeal. The notice of appeal shall refer to the decision being appealed, identify the appellant by name, address and telephone number and state the grounds for the appeal. The grounds shall include a written summary of the provisions of the policy relevant to the appeal and/or the facts and law relied upon and shall include a written argument in support of the appeal. The Commission shall not consider a notice of appeal that does not comply with the provisions of this subsection.
 - c. **Time to Reply:** The Development Services Manager shall have ten (10) working days from the date of the filing of the notice of appeal to reply to the notice of the appeal, and may during such time meet with the appellant to discuss the matter, and may also consider and/or modify the decision that is being appealed. A copy of the reply and any modifications to the decision being appealed will be provided to the appellant prior to the Commission hearing on the appeal.
 - d. **Notice of Hearing:** Unless otherwise agreed to by the appellant, the hearing of the appeal will be noticed and scheduled on the Commission agenda at a regular meeting to be held within thirty (30) days following the delivery to the appellant of the Development Services Manager's reply to the notice of appeal. A copy of the decision being appealed, the notice of appeal and the reply shall be delivered to the Commission at least one (1) week prior to the hearing.
 - e. **Action by Commission:** Following the hearing, the Commission shall either affirm or reverse, in whole or part, or otherwise modify, amend or supplement the decision being appealed, as such action is adequately supported by the law and evidence presented at the hearing.

within the easement before the proper crossing agreements have been secured through the Bureau of Reclamation and the Boise Project Board of Control.

Storm Drainage and/or Street Runoff must be retained on site.

Local irrigation/drainage ditches that cross this property, in order to serve neighboring properties, must remain unobstructed and protected by appropriate easements.

Whereas this property lies within the Boise-Kuna Irrigation District it is important that representatives of this development contact the BKID office as soon as possible to discuss the pressure system prior to any costly design work

If the irrigation system will be incorporated into the City of Kuna's pressure system, we will require confirmation from both the City of Kuna and the Boise-Kuna Irrigation District.

Wording on the preliminary and final recorded plat needs to state that any proposed and/or future usage of the Boise Project Board of Control facilities are subject to Idaho Statutes, Title 42-1209.

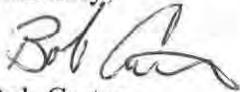
This development is subject to Idaho Code 31-3805, in accordance, this office is requesting a copy of the irrigation and drainage plans.

Boise Project Board of Control requests a full set of plans for our review and approval when applicable.

Whereas this development is in its preliminary stages, Boise Project Board of Control reserves the right to review plans and require changes when our easements and/or facilities are affected by unknown factors.

If you have any further questions or comments regarding this matter, please do not hesitate to contact me at (208) 344-1141.

Sincerely,



Bob Carter
Assistant Project Manager, BPBC

bdc/bc

cc: Clint McCormick Watermaster, Div; 2 BPBC
Lauren Boehlke Secretary – Treasurer, BKID
File



CENTRAL DISTRICT HEALTH DEPARTMENT
Environmental Health Division

Return to: 46 of 82

RECEIVED
12-5-16

- ACZ
- Boise
- Eagle
- Garden City
- Kuna
- Meridian
- Star

Rezone # 16-03-CPM / 16-10-AM
 Conditional Use # _____
 Preliminary / Final / Short Plat _____

Ashton Estates City of Kuna

RECEIVED
DEC 05 2016
CITY OF KUNA

- 1. We have No Objections to this Proposal.
- 2. We recommend Denial of this Proposal.
- 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.
- 4. We will require more data concerning soil conditions on this Proposal before we can comment.
- 5. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
 - high seasonal ground water
 - bedrock from original grade
 - waste flow characteristics
 - other _____
- 6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.
- 7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.
- 8. After written approval from appropriate entities are submitted, we can approve this proposal for:
 - central sewage
 - interim sewage
 - individual sewage
 - community sewage system
 - central water
 - individual water
 - community water well
- 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
 - central sewage
 - sewage dry lines
 - community sewage system
 - central water
 - community water
- 10. This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.
- 11. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
- 12. We will require plans be submitted for a plan review for any:
 - food establishment
 - beverage establishment
 - swimming pools or spas
 - grocery store
 - child care center
- 13. Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDHD.

14. _____ Reviewed By: _____
 _____ Date: 11/29/16

Row Body
Date: 11/29/16



STATE OF IDAHO
 DEPARTMENT OF ENVIRONMENTAL QUALITY
 BOISE REGIONAL OFFICE
 1445 North Orchard Street • Boise, ID 83706-2239 • (208) 373-0550

DEQ Response to Request for Environmental Comment

Date:	11/23/2016
Agency Requesting Comments:	City of Kuna
Date Request Received:	11/15/2016
Applicant/Description:	16-03-CPM Comp Plan MAP Change 16-10-AN Annexation Ashton Estates Commercial & Residential Subdivision

Thank you for the opportunity to respond to your request for comment. While DEQ does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at <http://www.deq.idaho.gov/ieg/>.

The following information does not cover every aspect of this project; however, we have the following general comments to use as appropriate:

1. Air Quality

- *Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), trade waste burning (58.01.01.600-617), and odor control plans (58.01.01.776).*

For questions, contact David Luft, Air Quality Manager, at 373-0550.

- *IDAPA 58.01.01.201 requires an owner or operator of a facility to obtain an air quality permit to construct prior to the commencement of construction or modification of any facility that will be a source of air pollution in quantities above established levels. DEQ asks that cities and counties require a proposed facility to contact DEQ for an applicability determination on their proposal to ensure they remain in compliance with the rules.*

For questions, contact the DEQ Air Quality Permitting Hotline at 1-877-573-7648.

2. Wastewater and Recycled Water

- *DEQ recommends verifying that there is adequate sewer to serve this project prior to approval. Please contact the sewer provider for a capacity statement, declining balance report, and willingness to serve this project.*
- *IDAPA 58.01.16 and IDAPA 58.01.17 are the sections of Idaho rules regarding wastewater and recycled water. Please review these rules to determine whether this or future projects will require DEQ approval. IDAPA 58.01.03 is the section of Idaho rules regarding subsurface disposal of wastewater. Please review this rule to determine whether this or future projects will require permitting by the district health department.*

All projects for construction or modification of wastewater systems require preconstruction approval. Recycled water projects and subsurface disposal projects require separate permits as well.

- *DEQ recommends that projects be served by existing approved wastewater collection systems or a centralized community wastewater system whenever possible. Please contact DEQ to discuss potential for development of a community treatment system along with best management practices for communities to protect ground water.*
- *DEQ recommends that cities and counties develop and use a comprehensive land use management plan, which includes the impacts of present and future wastewater management in this area. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.*

For questions, contact Todd Crutcher, Engineering Manager, at 373-0550.

3. Drinking Water

- *DEQ recommends verifying that there is adequate water to serve this project prior to approval. Please contact the water provider for a capacity statement, declining balance report, and willingness to serve this project.*
- *IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval.*

All projects for construction or modification of public drinking water systems require preconstruction approval.

- *DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system (refer to the DEQ website at <http://www.deq.idaho.gov/water-quality/drinking-water.aspx>). For non-regulated systems, DEQ recommends annual testing for total coliform bacteria, nitrate, and nitrite.*
- *If any private wells will be included in this project, we recommend that they be tested for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.*
- *DEQ recommends using an existing drinking water system whenever possible or construction of a new community drinking water system. Please contact DEQ to discuss this project and to explore options to both best serve the future residents of this development and provide for protection of ground water resources.*
- *DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.*

For questions, contact Todd Crutcher, Engineering Manager at 373-0550.

4. Surface Water

- *A DEQ short-term activity exemption (STAE) from this office is required if the project will involve de-watering of ground water during excavation and discharge back into surface water, including a description of the water treatment from this process to prevent excessive sediment and turbidity from entering surface water.*
- *Please contact DEQ to determine whether this project will require a National Pollution Discharge Elimination System (NPDES) Permit. If this project disturbs more than one acre, a stormwater permit from EPA may be required.*
- *If this project is near a source of surface water, DEQ requests that projects incorporate construction best management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.*
- *The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call 208-334-2190 for more information. Information is also available on the IDWR website at: <http://www.idwr.idaho.gov/WaterManagement/StreamsDams/Streams/AlterationPermit/AlterationPermit.htm>*
- *The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.*

For questions, contact Lance Holloway, Surface Water Manager, at 373-0550.

5. Hazardous Waste And Ground Water Contamination

- **Hazardous Waste.** *The types and number of requirements that must be complied with under the federal Resource Conservation and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.*
- *No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards, Rules and Regulations for Hazardous Waste, and Rules and Regulations for the Prevention of Air Pollution.*
- **Water Quality Standards.** *Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852).*

Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.

- **Ground Water Contamination.** *DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."*

For questions, contact Dean Ehlert, Waste & Remediation Manager, at 373-0550.

6. Additional Notes

- *If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, the site should be evaluated to determine whether the UST is regulated by DEQ. EPA regulates ASTs. UST and AST sites should be assessed to determine whether there is potential soil and ground water contamination. Please call DEQ at 373-0550, or visit the DEQ website (<http://www.deq.idaho.gov/waste-mgmt-remediation/storage-tanks.aspx>) for assistance.*
- *If applicable to this project, DEQ recommends that BMPs be implemented for any of the following conditions: wash water from cleaning vehicles, fertilizers and pesticides, animal facilities, composted waste, and ponds. Please contact DEQ for more information on any of these conditions.*

We look forward to working with you in a proactive manner to address potential environmental impacts that may be within our regulatory authority. If you have any questions, please contact me, or any of our technical staff at 208-373-0550.

Sincerely,



Aaron Scheff
aaron.scheff@deq.idaho.gov
Regional Administrator
Boise Regional Office
Idaho Department of Environmental Quality

ec: TRIM 2016AEK111
File # 2232



9233 WEST STATE STREET | BOISE, ID 83714 | 208.639.6939 | FAX 208.639.6930

October 21, 2016
Ashton Estates
Project No. 16-083
Annexation Legal

Exhibit A

A parcel of land situated in Government Lots 1 and 2 of Section 19, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho and being more particularly described as follows:

Commencing at a found aluminum cap marking the northwest corner of said Section 19, which bears S00°46'08"W a distance of 2,649.32 feet from a found aluminum cap marking the West 1/4 corner of said Section 19 and being the **POINT OF BEGINNING**.

Thence following the northerly line of said Government Lot 1, S89°35'35"E a distance of 912.43 feet to a point;

Thence leaving said northerly line, S00°24'25"W a distance of 48.00 feet to a point being on the southerly right-of-way line of East Deer Flat road and the East Bank of the Kuna Canal;

Thence following the East bank of said Kuna Canal the following two (2) courses:

1. S31°15'35"E a distance of 497.97 feet to a point;
2. Thence S45°04'05"E a distance of 82.21 feet to a point on the easterly line of said Government Lot 1;

Thence leaving the East Bank of the Kuna Canal and following the easterly line of said Government Lot 1, S00°45'15"W a distance of 795.44 feet to a found 1/2" rebar marking the southeast corner of said Government Lot 1;

Thence following the easterly line of said Government Lot 2, S00°45'15"W a distance of 675.51 feet to a point;

Thence leaving the easterly line of said Government Lot 2, N89°58'53"W a distance of 1,236.27 feet to a point on the westerly line of said Government Lot 2;

Thence following the westerly line of said Government Lot 2, N00°46'08"E a distance of 684.16 feet to a point;

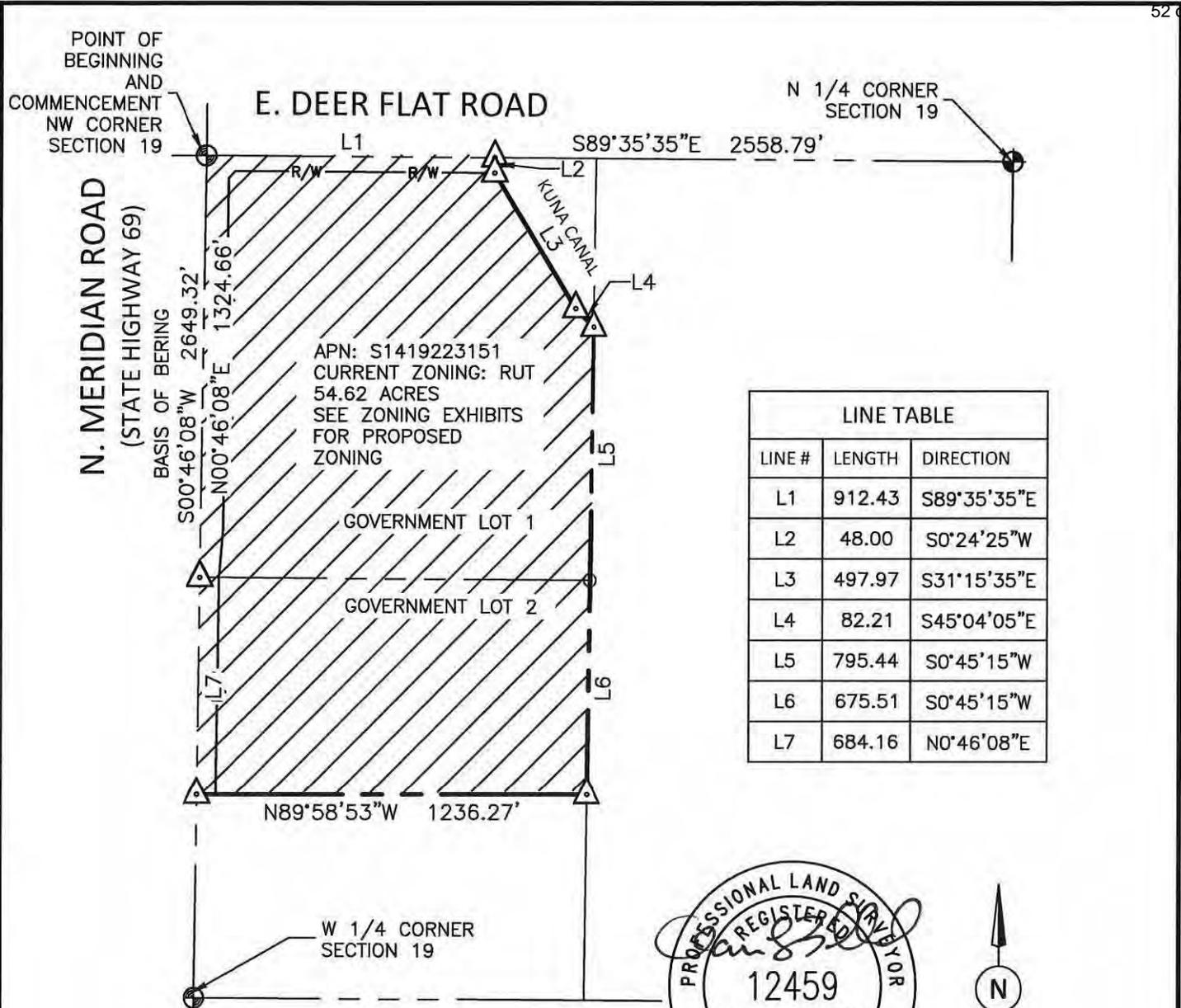
Thence following the westerly line of said Government Lot 1, N00°46'08"E a distance of 1324.66 feet to the **POINT OF BEGINNING**.

Said parcel contains 54.623 acres more or less, and is subject to all existing easement and/or rights-of-way of record or implied.

Attached hereto is Exhibit B and by this reference is made a part hereof.

RECEIVED
10.21.16



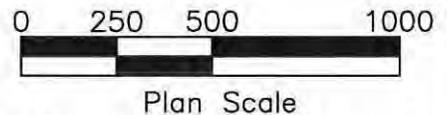


LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	912.43	S89°35'35"E
L2	48.00	S0°24'25"W
L3	497.97	S31°15'35"E
L4	82.21	S45°04'05"E
L5	795.44	S0°45'15"W
L6	675.51	S0°45'15"W
L7	684.16	N0°46'08"E



LEGEND

- PARCEL BOUNDARY LINE
- RIGHT-OF-WAY LINE
- SECTION LINE
- CALCULATED POINT
- FOUND ALUMINUM CAP MONUMENT
- FOUND 5/8" REBAR MONUMENT
- PARCEL AREA



km
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9233 WEST STATE STREET
BOISE, IDAHO 83714
PHONE (208) 639-6939
FAX (208) 639-6930

**ASHTON ESTATES ANNEXATION
EXHIBIT B**

SITUATED IN GOVERNMENT LOTS 1 AND 2 OF SECTION 19, T3N, R1E, BM,
SE CORNER OF MERIDIAN ROAD AND DEER FLAT ROAD, ADA COUNTY, ID

DATE: 10/21/2016
PROJECT: 16-083
SHEET: 1 OF 1

P:\16-083\CAD\EXHIBITS\16-083 BOUNDARY EXHIBIT.DWG, JAMES HANLEY, 10/21/2016, KYOCERA TASKALFA 4550CI KX.PC3, -----

October 21, 2016
Ashton Estates
Project No. 16-083
C-1 Rezone Legal

Exhibit A

A parcel of land situated in Government Lots 1 and 2 of Section 19, Township 3 North, Range 1 East, Boise Meridian, City of Kuna, Ada County, Idaho and being more particularly described as follows:

Beginning at a found aluminum cap marking the northwest corner of said Section 19, which bears $S00^{\circ}46'08''W$ a distance of 2,649.32 feet from a found aluminum cap marking the West 1/4 corner of said Section 19;

Thence following the northerly line of said Government Lot 1, $S89^{\circ}35'35''E$ a distance of 660.00 feet to a point;

Thence leaving said northerly line, $S00^{\circ}24'11''W$ a distance of 319.13 feet to a point;

Thence $N89^{\circ}35'28''W$ a distance of 47.84 feet to a point;

Thence 434.89 feet along the arc of a circular curve to the left, said curve having a radius of 280.00 feet, a delta angle of $88^{\circ}59'25''$, a chord bearing of $S45^{\circ}54'26''W$ and a chord distance of 392.48 feet to a point;

Thence $S01^{\circ}24'43''W$ a distance of 1,412.61 feet to a point;

Thence $N89^{\circ}58'53''W$ a distance of 320.17 feet to a point on the westerly line of said Government Lot 2;

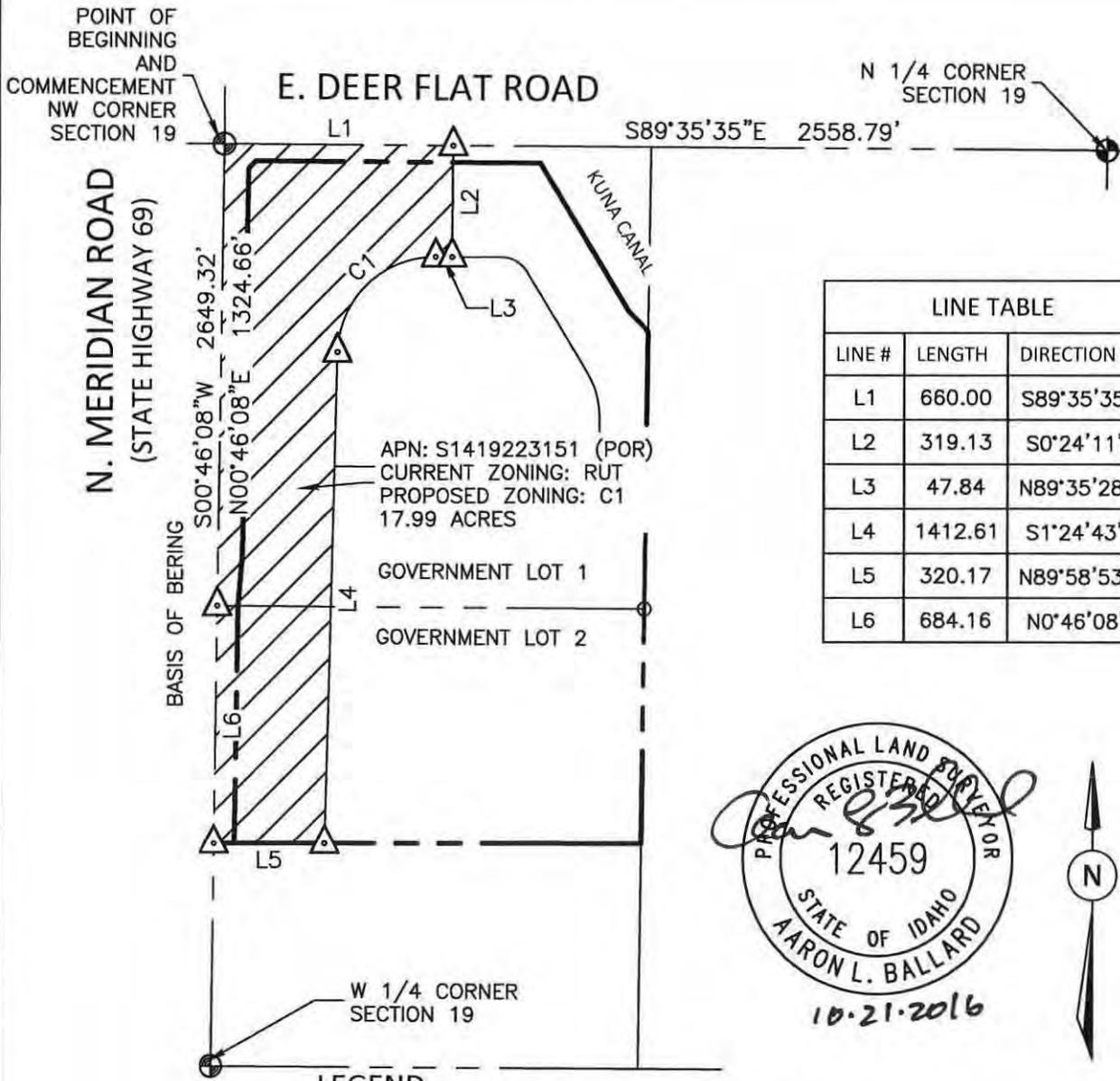
Thence following the westerly line of said Government Lot 2, $N00^{\circ}46'08''E$ a distance of 684.16 feet to a point being the northwest corner of said Government Lot 2;

Thence leaving said westerly line of said Government Lot 2 and following the westerly line of said Government Lot 1, $N00^{\circ}46'08''E$ a distance of 1324.66 feet to the **POINT OF BEGINNING**.

Said parcel contains 17.99 acres more or less, and is subject to all existing easement and/or rights-of-way of record or implied.

Attached hereto is Exhibit B and by this reference is made a part hereof.



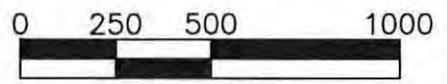


LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	660.00	S89°35'35"E
L2	319.13	S0°24'11"W
L3	47.84	N89°35'28"W
L4	1412.61	S1°24'43"W
L5	320.17	N89°58'53"W
L6	684.16	N0°46'08"E



LEGEND

- PARCEL BOUNDARY LINE
- SECTION LINE
- ZONING LINE
- CALCULATED POINT
- FOUND ALUMINUM CAP MONUMENT
- FOUND 5/8" REBAR MONUMENT
- REZONE AREA



Plan Scale

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BRG	CHORD
C1	280.00'	434.89'	88°59'25"	S45°54'26"W	392.48'



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 BOISE, IDAHO 83714
 PHONE (208) 639-6939
 FAX (208) 639-6930

DATE: 10/21/2016
 PROJECT: 16-083
 SHEET: 1 OF 1

ASHTON ESTATES REZONE EXHIBIT B

SITUATED IN GOVERNMENT LOTS 1 AND 2 OF SECTION 19, T3N, R1E, BM, SOUTHEAST CORNER OF MERIDIAN ROAD AND DEER FLAT ROAD, KUNA, ID

P:\16-083\CAD\EXHIBITS\16-083 C-2 REZONE EXHIBIT.DWG, JAMES HANLEY, 10/21/2016, KYOCERA TASKALFA 4550CI KX.PC3, —



9233 WEST STATE STREET | BOISE, ID 83714 | 208.639.6939 | FAX 208.639.6930

October 21, 2016
Ashton Estates
Project No. 16-083
R-6 Rezone Legal

Exhibit A

A parcel of land situated in Government Lots 1 and 2 of Section 19, Township 3 North, Range 1 East, Boise Meridian, City of Kuna, Ada County, Idaho and being more particularly described as follows:

Commencing at a found aluminum cap marking the northwest corner of said Section 19, which bears S00°46'08"W a distance of 2,649.32 feet from a found aluminum cap marking the West 1/4 corner of said Section 19; Thence following the northerly line of said Government Lot 1, S89°35'35"E a distance of 660.00 feet to the **POINT OF BEGINNING**.

Thence following the northerly line of said Government Lot 1, S89°35'35"E a distance of 252.43 feet to a point;

Thence leaving said northerly line, S00°24'25"W a distance of 48.00 feet to a point being on the southerly right-of-way line of East Deer Flat road and the East Bank of the Kuna Canal;

Thence following the East bank of said Kuna Canal the following two (2) courses:

1. S31°15'35"E a distance of 497.97 feet to a point;
2. Thence S45°04'05"E a distance of 82.21 feet to a point on the easterly line of said Government Lot 1;

Thence leaving the East Bank of the Kuna Canal and following the easterly line of said Government Lot 1, S00°45'15"W a distance of 795.44 feet to a found 1/2" rebar marking the southeast corner of said Government Lot 1;

Thence leaving said easterly line of said Government Lot 1 and following the easterly line of said Government Lot 2, S00°45'15"W a distance of 675.51 feet to a point;

Thence leaving the easterly line of said Government Lot 2, N89°58'53"W a distance of 916.10 feet to a point;

Thence N01°24'43"E a distance of 1,084.31 feet to a point;

Thence S89°12'37"E a distance of 762.83 feet to a point;

Thence N00°47'23"E a distance of 150.22 feet to a point;

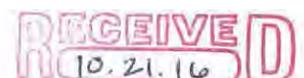
Thence 134.27 feet along the arc of a circular curve to the left, said curve having a radius of 240.00 feet, a delta angle of 32°03'15", a chord bearing of N15°14'14"W and a chord distance of 132.52 feet to a point;

Thence N31°15'52"W a distance of 343.83 feet to a point;

Thence 81.45 feet along the arc of a circular curve to the left, said curve having a radius of 80.00 feet, a delta angle of 58°20'08", a chord bearing of N60°25'56"W and a chord distance of 77.98 feet to a point;

Thence N89°36'00"W a distance of 145.93 feet to a point;

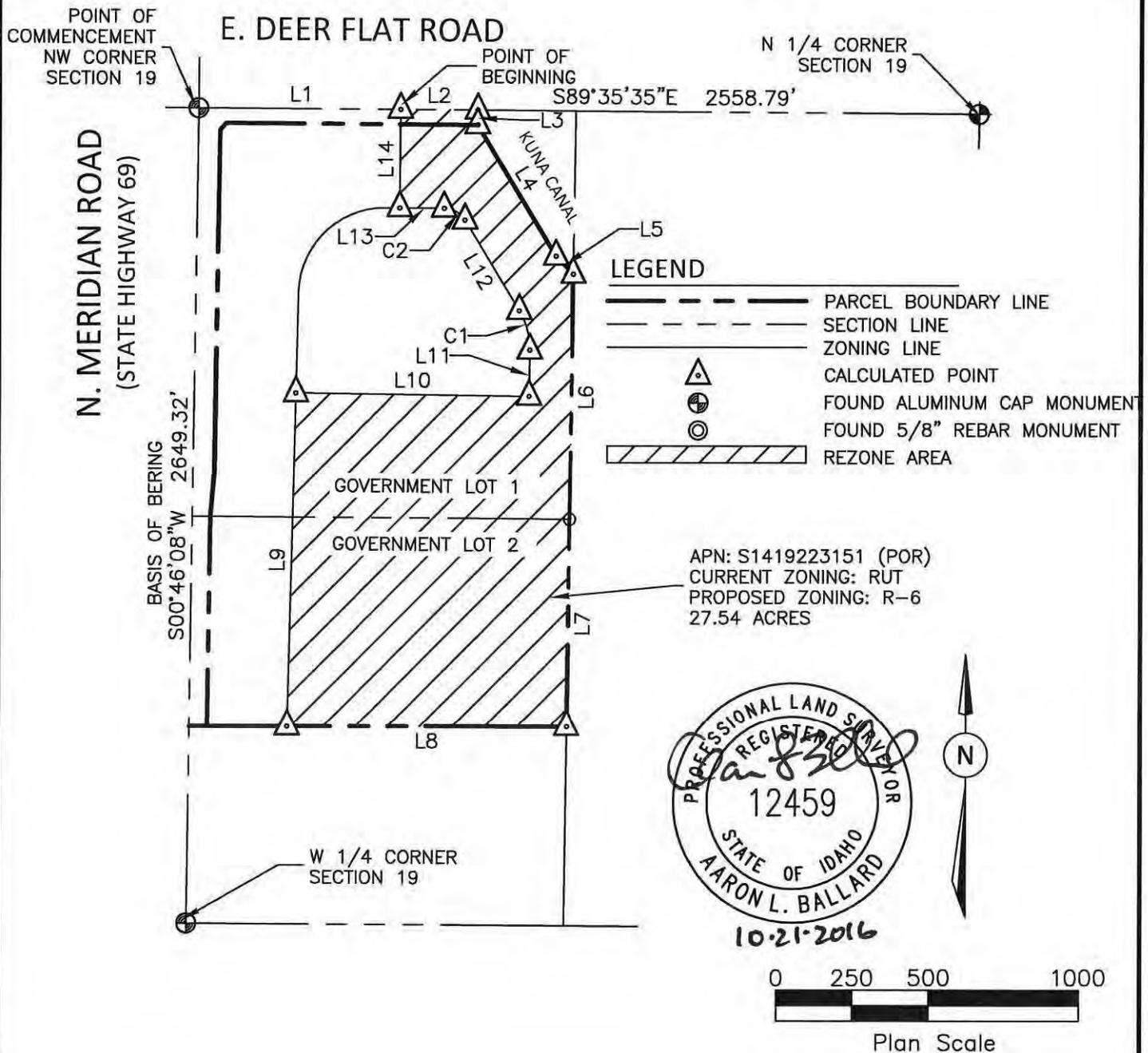
Thence N00°24'11"E a distance of 319.13 feet to the **POINT OF BEGINNING**.



Said parcel contains 27.54 acres more or less, and is subject to all existing easement and/or rights-of-way of record or implied.

Attached hereto is Exhibit B and by this reference is made a part hereof.





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 BOISE, IDAHO 83714
 PHONE (208) 639-6939
 FAX (208) 639-6930

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BRG	CHORD
C1	240.00'	134.27'	32°03'15"	N15°14'14"W	132.52'
C2	80.00'	81.45'	58°20'08"	N60°25'56"W	77.98'

**ASHTON ESTATES REZONE
 EXHIBIT B**

DATE: 10/21/2016
 PROJECT: 16-083
 SHEET:
 1 OF 2

SITUATED IN GOVERNMENT LOTS 1 AND 2 OF SECTION 19, T3N, R1E, BM,
 SOUTHEAST CORNER OF MERIDIAN ROAD AND DEER FLAT ROAD, KUNA, ID

P:\16-083\CAD\EXHIBITS\16-083 C-2 REZONE EXHIBIT - COPY.DWG, JAMES HANLEY, 10/21/2016, KYOCERA TASKALFA 4550CI KX.PC3, ----



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October 21, 2016
Ashton Estates
Project No. 16-083
R-20 Rezone Legal

Exhibit A

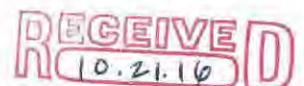
A parcel of land situated in Government Lot 1 of Section 19, Township 3 North, Range 1 East, Boise Meridian, City of Kuna, Ada County, Idaho and being more particularly described as follows:

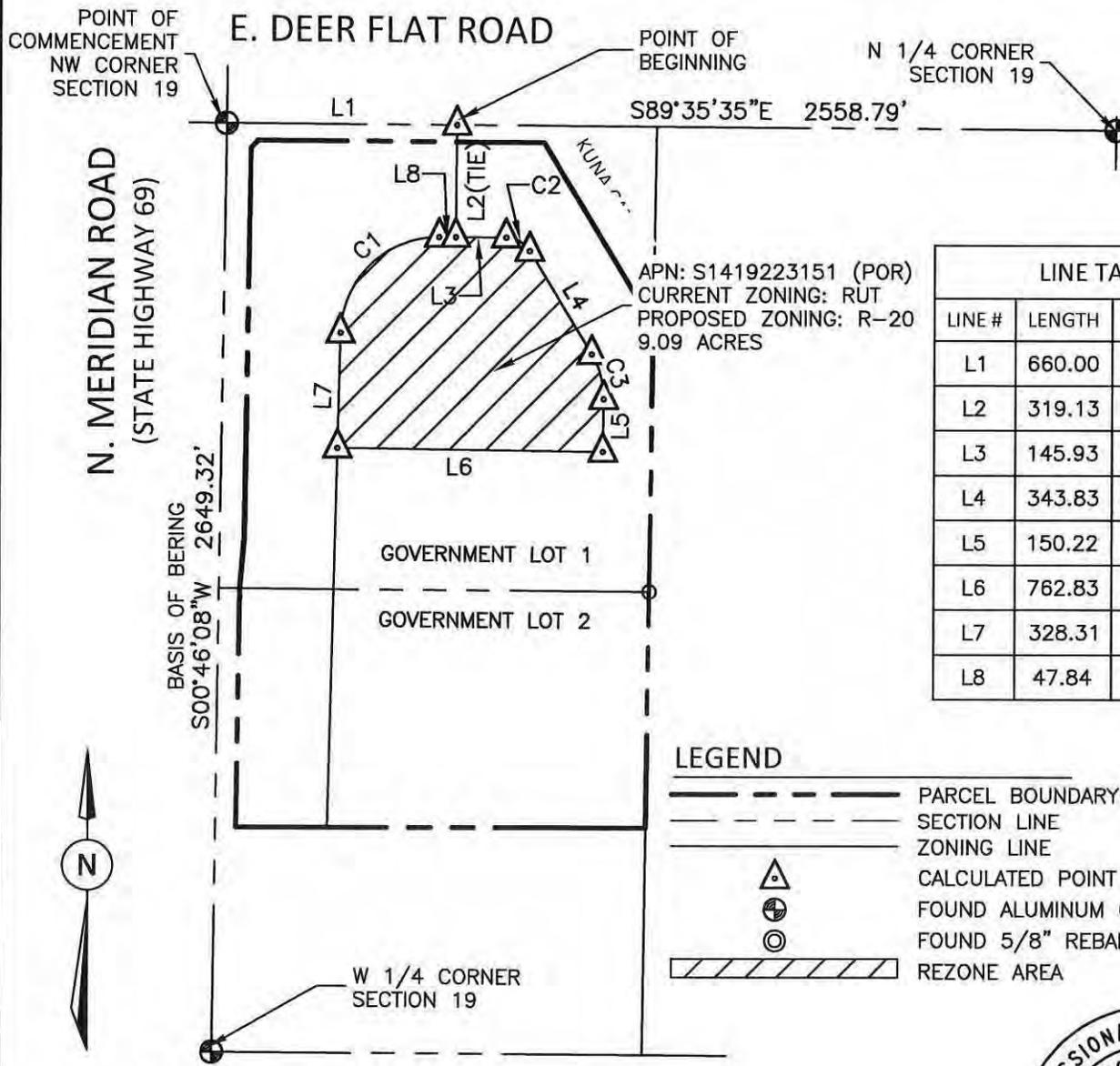
Commencing at a found aluminum cap marking the northwest corner of said Section 19, which bears S00°46'08"W a distance of 2,649.32 feet from a found aluminum cap marking the West 1/4 corner of said Section 19; Thence following the northerly line of said Government Lot 1, S89°35'35"E a distance of 660.00 feet to point; Thence leaving said northerly line, S00°24'11"W a distance of 319.13 feet to the **POINT OF BEGINNING**.

Thence S89°36'00"E a distance of 145.93 feet to a point;
Thence 81.45 feet along the arc of a circular curve to the right, said curve having a radius of 80.00 feet, a delta angle of 58°20'08", a chord bearing of S60°25'56"E and a chord distance of 77.98 feet to a point;
Thence S31°15'52"E a distance of 343.83 feet to a point;
Thence 134.27 feet along the arc of a circular curve to the right, said curve having a radius of 240.00 feet, a delta angle of 32°03'15", a chord bearing of S15°14'14"E and a chord distance of 132.52 feet to a point;
Thence S00°47'23"W a distance of 150.22 feet to a point;
Thence N89°12'37"W a distance of 762.83 feet to a point;
Thence N01°24'43"E a distance of 328.31 feet to a point;
Thence 434.89 feet along the arc of a circular curve to the right, said curve having a radius of 280.00 feet, a delta angle of 88°59'25", a chord bearing of N45°54'26"E and a chord distance of 392.48 feet to a point;
Thence S89°35'28"E a distance of 47.84 feet to the **POINT OF BEGINNING**.

Said parcel contains 9.09 acres more or less, and is subject to all existing easement and/or rights-of-way of record or implied.

Attached hereto is Exhibit B and by this reference is made a part hereof.





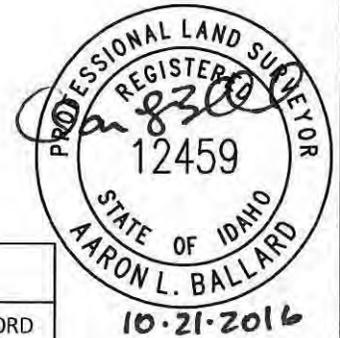
LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	660.00	S89°35'35"E
L2	319.13	S0°24'11"W
L3	145.93	S89°36'00"E
L4	343.83	S31°15'52"E
L5	150.22	S0°47'23"W
L6	762.83	N89°12'37"W
L7	328.31	N1°24'43"E
L8	47.84	S89°35'28"E

LEGEND

- PARCEL BOUNDARY LINE
- SECTION LINE
- ZONING LINE
- CALCULATED POINT
- FOUND ALUMINUM CAP MONUMENT
- FOUND 5/8" REBAR MONUMENT
- REZONE AREA



Plan Scale



CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BRG	CHORD
C1	280.00'	434.89'	88°59'25"	N45°54'26"E	392.48'
C2	80.00'	81.45'	58°20'08"	S60°25'56"E	77.98'
C3	240.00'	134.27'	32°03'15"	S15°14'14"E	132.52'



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BOISE, IDAHO 83714
PHONE (208) 639-6939
FAX (208) 639-6930

**ASHTON ESTATES REZONE
EXHIBIT B**

DATE: 10/21/2016

PROJECT: 16-083

SHEET:
1 OF 1

SITUATED IN GOVERNMENT LOT 1 OF SECTION 19, T3N, R1E, BM,
SOUTHEAST CORNER OF MERIDIAN ROAD AND DEER FLAT ROAD, KUNA, ID



City of Kuna

P & Z Findings of Fact & Conclusions of Law

P.O. Box 13
Phone: (208) 922-5274
Fax: (208) 922-5989
www.Kunacity.id.gov

To: Planning and Zoning Commission (**P & Z**)

Case Numbers: 16-03-CPM (Comprehensive Plan Map Amend) and 16-10-AN (Annexation)
Ashton Estates Subdivision

Location: Southeast Corner (SEC) Meridian and Deer Flat Roads, Kuna, Idaho 83634

Planner: Troy Behunin, Planner III

Hearing Date: *January 10, 2017*
Tabled Until: *January 24, 2017*
Findings of Fact: *February 14, 2017*

Owner: **SDN, LLC,**
Don Newell
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208.404.2161
Ashton.home@hotmail.com

Engineer: **KM Engineering**
Kirsti Grabo
9233 W. State St,
Boise, ID 83714
208.639.6930
KGrabo@kmengllp.com

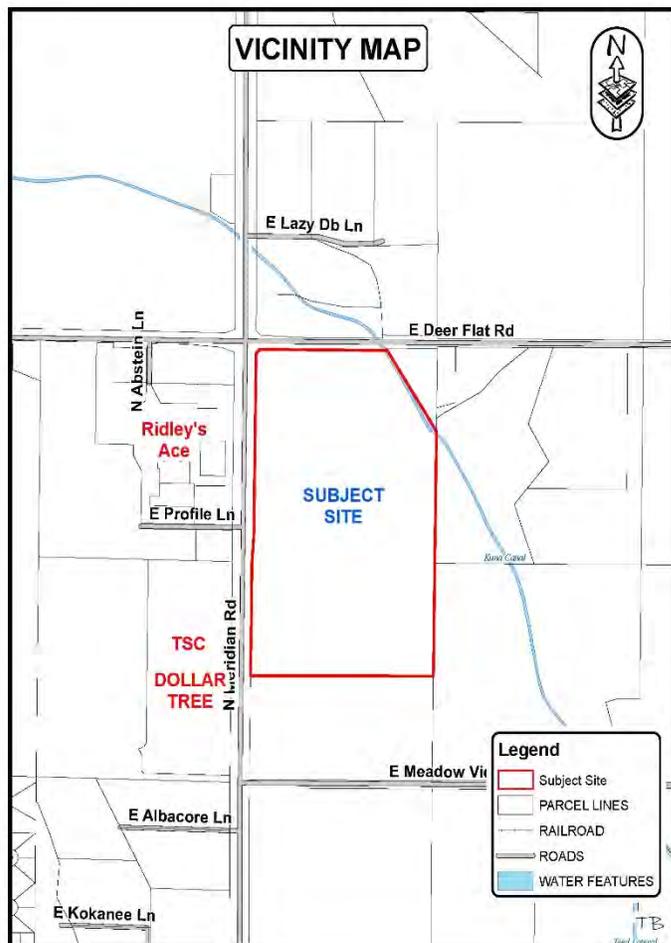


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A. Process and Noticing:

1. Kuna City Code (KCC), Title 1, Chapter 14, Section 3, states that Comprehensive Plan Map Amendments and Annexations are designated as public hearings, with the P & Z Commission as a recommending body and City

Council as the decision making body. These land use applications were given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65, Local Planning Act.

a. Notifications

- | | |
|----------------------------------|--------------------------------------|
| i. Neighborhood Meeting | October 6, 2016 (13 people attended) |
| ii. Agency Comment Request | November 14, 2016 |
| iii. 315' Property Owners Notice | December 14, 2016 |
| iv. Kuna, Melba Newspaper | December 14, 2016 |
| v. Site Posted | December 28, 2016 |

B. Applicant's Request:

On behalf of SDN, LLC, the applicant, Kirsti Grabo with KM Engineering, requests approval to amend the Comprehensive Plan (Comp Plan) Map designation for the site, from Medium Density Residential to Mixed-Use General over approximately 51 acres. The site is contiguous to Kuna City limits and the applicant requests approval to annex the same parcel into Kuna City with the following zones throughout the site; C-1 (Neighborhood Commercial), R-6 (Medium Density Residential) and R-20 (High Density Residential). The subject site is located on the southeast corner (SEC) of Meridian and Deer Flat Roads.

C. Aerial Map:



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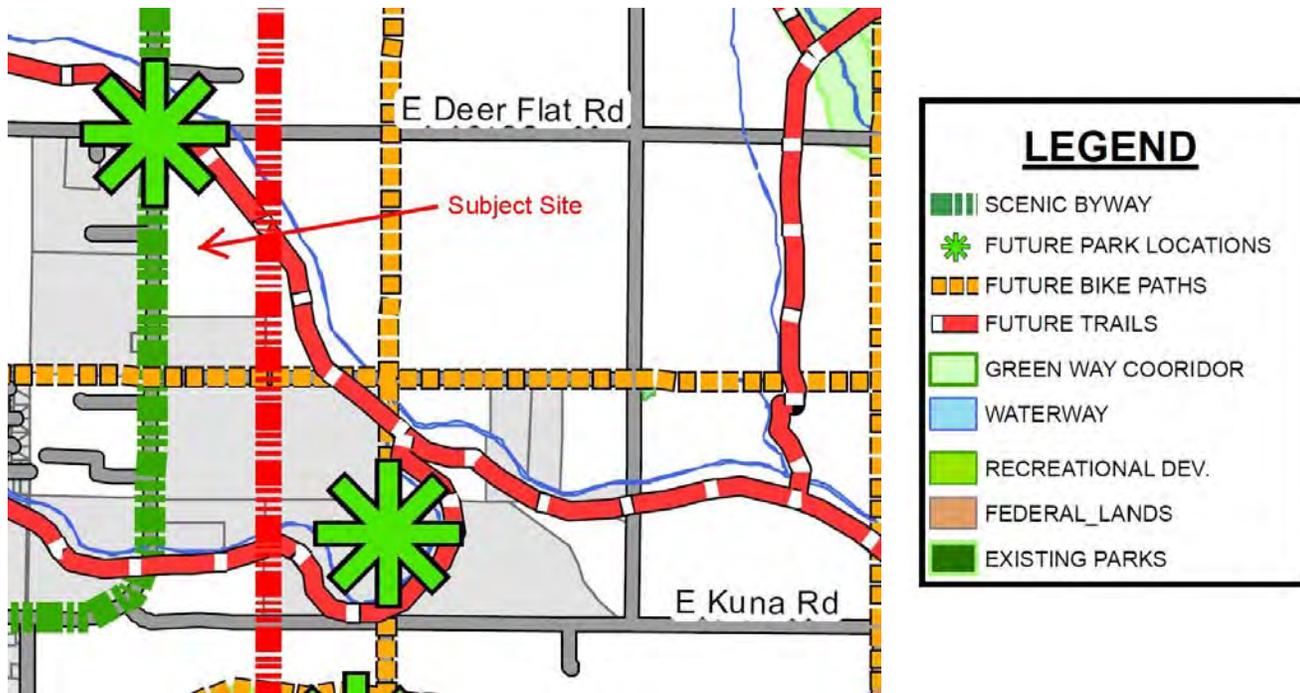
D. Site History:

This site is currently in the County, and historically has been farmed. It is directly east of two Kuna City commercial subdivisions – the Merrell Family Center and Ensign Subdivisions.

E. General Projects Facts:

- 1. Comprehensive Plan Map:** The Future Land Use Map (Comprehensive [Comp] Plan Map) is intended to serve as a *guide* for the decision making body for the City. This map indicates land use designations generally speaking, it is not the actual zone. The Comp Plan Map identifies this site as Medium Density Residential.

2. **Recreation and Pathways Map:** The Recreation and Pathways Master Plan Map indicates a future trail through the northeast corner (NEC) of the site, situated along the Kuna Canal. Accordingly, it is the City’s goal and desire to increase the number of trails and pathways in Kuna. It is necessary for each parcel to develop trails and pathways along frontages of their canals and ditches to comply with the Master Plan goals by either starting a pathway, or extending one in that area.



3. **Surrounding Land Uses:**

North	RUT	Rural Urban Transition – Ada County
South	A	Agriculture – Kuna City
East	RR	Rural Residential – Ada County
West	C-1	Neighborhood Commercial – Kuna City

4. **Parcel Sizes, Current Zoning, Parcel Number(s):**

- Parcel Size: 51 acres (approximately).
- Zoning: RUT; Rural Urban Transition, (Ada County).
- Parcel #: S1419223151.

5. **Services:**

- Sanitary Sewer– City of Kuna (Nearby and required to connect)
- Potable Water – City of Kuna (Nearby and required to connect)
- Irrigation District – Boise-Kuna Irrigation District
- Pressurized Irrigation – City of Kuna (KMID)
- Fire Protection – Kuna Rural Fire District
- Police Protection – Kuna Police (Ada County Sheriff’s office)
- Sanitation Services – J&M Sanitation

6. **Existing Structures, Vegetation and Natural Features:**

The land is currently being used for agricultural purposes. Applicant anticipates that the land will continue the historic agricultural uses on the lands until development occurs. This site is generally flat, with a slight slope from the north end to the center of the site, and a slight slope from the south end toward the center of the site. The site has a slight "V" shape. The soils appear to be a Hydrologic Group D for the majority of the site with a general slope of less than 2%.

7. **Transportation / Connectivity:**

The applicant proposes four access points for the site. Two access points on Meridian Road, to include one full public road access on the south and a Right-in/Right-out (RIRO) driveway on the north. The applicant has proposed two access points on Deer Flat Road, including one full public access on the east side, and a second RIRO (driveway) on the west side. Staff notes that the Highway Overlay District standards state that connection to Meridian Road shall be at the full and/or mid-mile alignment.

8. **Environmental Issues:**

Staff is not aware of any environmental, health or safety conflicts.

9. **Agency Responses:**

The following agencies returned comments: City Engineer (Gordon Law, P.E.) *Exhibit B 1*, Ada County Highway District (Stacey Yarrington) *Exhibit B 2*, Boise Project Board of Control (Bob Carter) *Exhibit B 3*, Central Dist. Health Dept. (Lori Badigian), *Exhibit B 3*, Department of Environmental Quality (DEQ) *Exhibit B 5*, which are included with this case file and are included with this report.

F. **Staff Analysis:**

This project will be required to submit a subdivision application, and a Planned Unit Development (PUD) application in the future to introduce mixed-uses along with a design review application as uses are identified. The property abuts Kuna City limits on the west (Profile Ridge). This project is adjacent to a principle arterial (Meridian Rd./Highway 69) and minor arterial (Deer Flat Rd.). All major public utilities are within 300 feet, or adjacent to this site. Applicant intends to prepare the site for a mixed-use development to include commercial pads, new single-family and multi-family housing options. It is anticipated this development will take a number of phases for complete build-out.

This project proposes a mixed-use development. The project size is approximately 51 acres in size and proposes three different zones. The C-1 (Neighborhood Commercial) is approximately 14.28 acres or 28 % of the overall site. The R-6 (Medium Density Residential) is approximately 27.26 acres or 53.8% of the overall site. The R-20 (High Density Residential) is approximately 9.09 acres or 17.9 % of the overall site. The proposed Commercial will front Meridian and Deer Flat Roads in compliance with recommendations from the Comprehensive Plan. The medium residential provides a buffer between the proposed commercial and current uses on the east and southern sides of the site and complies with mixed-use design principles. The high density residential is centrally located (and surrounded by medium density residential and the commercial uses) and maintains the good design principles for mixed-uses and is the smallest use for the project.

Staff has reviewed Kuna's Comprehensive Plan (Comp Plan), which encourages commercial developments, and a variety of housing types for all income levels numerous times throughout the Comp Plan. The sections of the Comp Plan that address new commercial and various housing types are included below, in Section K (Comp Plan analysis) of this report. The City attempts to balance new commercial uses as well as all housing types within the City. Staff will work with the applicant for future preliminary plat and PUD applications to assure technical compliance with Kuna City Code (KCC), as required. Staff recommends the applicant work with Kuna Rural Fire District (KRFD) to conform to the secondary access limits of the KRFD, for the number of homes utilizing access points for all proposed access and circulation at time of development.

Staff has determined this application complies with Title 5 and 6 of the Kuna City Code; Idaho Statute § 67-6511; and the Kuna Comprehensive Plan; and forwards a recommendation of approval for Case No's 16-03-CPM and 16-10-AN, subject to the conditions of approval by Kuna's Commission and Council.

G. Applicable Standards:

1. City of Kuna Zoning Ordinance Title 5, Chapter 13
2. City of Kuna Comprehensive Plan, adopted September 1, 2009
3. Idaho Code, Title 67, Chapter 65- the Local Land Use Planning Act.

H. Procedural Background:

On January 24, 2017, the Planning and Zoning Commission considered the applications, including agency comments, staff's report, application exhibits and public testimony presented or given.

I. Factual Summary:

This site is located on the southeast corner of Meridian and Deer Flat Roads. The project consists of 51 (approx.) acres that are adjacent to City limits and currently zoned RUT (Rural Urban Transition – Ada County). Applicant requests amending the Comp Plan Map designation from Medium Density Residential to Mixed-Use General; to annex the same parcel into Kuna City with the following zones throughout the site; C-1 (Neighborhood Commercial - approximately 14.28 acres), R-6 (Medium Density Residential - approximately 27.26 acres), and R-20 (High Density Residential; approximately 9.09 acres). If approved, this project will take access from Meridian Road (principle arterial) in two places, and from Deer Flat Road (minor arterial) in two places. Both roads are classified roadways.

J. Findings of Fact:

16-03-CPM and 16-10-AN: Based upon the record contained in Case No's 16-03-CPM and 16-10-AN, including the Comprehensive Plan, Kuna City Code, staff's memorandums, the exhibits, and the testimony during the public hearing, Kuna Commission hereby recommends *approval of* the Findings of Fact and Conclusions of Law, and conditions of approval for Case No's 16-03-CPM and 16-10-AN, a request for Comprehensive Plan Map amendment and annexation into Kuna City limits request by the applicant follows:

The Commission concludes that the applications comply with the City of Kuna's Zoning regulations (Title 5) of KCC.

1. The Kuna Commission accepts the facts as outlined in the staff memo, the public testimony and the supporting evidence list presented.

Comment: *The Kuna Commission held a public hearing on the subject applications on January 24, 2017, to hear from City staff, the applicant and to accept public testimony. The decision by the Commission is based on the application, staff report and public testimony, both oral and written.*

2. Based on the evidence contained in Case No's 16-03-CPM and 16-10-AN, this proposal appears to *generally* comply with the Comprehensive Plan and Comp Plan Map.

Comment: *The Comp Plan has listed numerous goals for providing commercial, single-family and multi-family housing in Kuna. The Comp Plan Map designates this property as Medium Density. As this project proposes to accommodate commercial and residential uses the project generally follows the goals of the Comp Plan and the Comp Plan Map.*

3. The Kuna Commission has the authority to recommend approval or denial of these applications.

Comment: On January 24, 2017, Kuna’s Commission voted to recommend approval for case No’s 16-03-CPM and 16-10-AN.

- 4. The public notice requirements were met and the public hearing was conducted within the guidelines of applicable Idaho Code and City Ordinances.

Comment: As noted in the process and noticing sections, notice requirements were met to hold a public hearing on January 24, 2017.

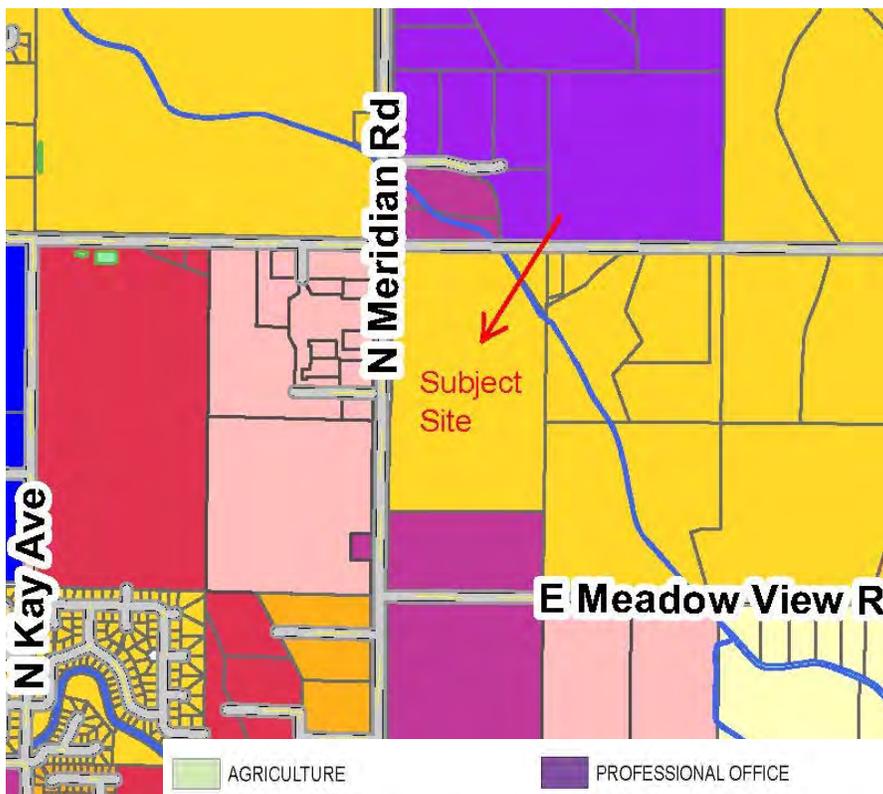
K. Commissions Comprehensive Plan

Analysis:

Commission determines the proposed subdivision for the *site is/is not* consistent with the following Comp Plan components:

Housing:

Residents envisioned higher densities in the City’s core to include opportunities for mixed residential and light commercial activity. They expressed interest in a mix of residential type dwellings applications; including single-family, *multi-family*, apartments and condominiums. They were receptive to a greater mix of lot sizes and house price to appeal to a variety of people. A goal expressed by many was the preservation of large lots and rural cluster development in appropriate balance with a complement of other types of residential development (Page 21 [Comprehensive Plan –CP]).



LEGEND

AGRICULTURE	PROFESSIONAL OFFICE
RURAL CLUSTER	FEDERAL & STATE LANDS
LOW DENSITY RESIDENTIAL	NEIGHBORHOOD CENTER
MEDIUM DENSITY RESIDENTIAL	NEIGHBORHOOD DISTRICT
HIGH DENSITY RESIDENTIAL	BIRDS OF PREY BOUNDARY
MIXED USE GENERAL***	
MIXED USE CITY CENTER	
COMMERCIAL (NEIGHBORHOOD & COMMUNITY)	
LIGHT INDUSTRIAL	
HEAVY INDUSTRIAL	
PUBLIC	

*** MIXED USE GENERAL EXPECTED RESIDENTIAL DENSITIES CAN RANGE FROM 2 TO 20 UNITS PER ACRE

Residents hoped for the creation of business and light commercial use centers within neighborhoods. These centers would include restaurants, gas stations, churches, multi-family use facilities, and other mixed-use developments (Page 13 - CP).

Comment: The Comp Plan and the corresponding Future Land Use Map (with land use designations) provides for a mix of medium density and high density residential uses and commercial uses. This project has proposed a variety of densities mixed with commercial, therefore it generally conforms to the Comp Plan and the Future Land Use Map.

Private Property Rights Goals and Objectives - Section 2 - Summary:

Ensure the City land use policies, restrictions, conditions and fees do not violate private property rights and ensure that land use actions, decisions, and regulations do not effectively eliminate all economic value of the subject property. Ensure that City land use actions, decisions, and regulations do not prevent a private property owner from taking advantage of a fundamental property right and staff shall evaluate with guidance from the City's attorney; the Idaho Attorney General's six criterion established to determine the potential for property taking.

Comment: Utilizing the Idaho Attorney General's criteria, and a review by the City Attorney, the proposed project does not constitute a "takings" and the Economic value is intact.

Economic Development Goals and Objectives - Section 5 - Summary:

Promote and support a diverse and sustainable economy that will allow more Kuna residents to work in their community, and develop policies to provide incentives and assistance to attract companies. Ensure an adequate supply of housing for all income levels and facilitate pedestrian connections, both visually and physically, to enhance pedestrian movement (Pg. 42 – 1.5, Pg. 43 – 3.1 and Pg. 41 – 1 & 1.3 [CP]).

Comment: The Comp Plan encourages a mix of commercial uses and adequate housing for all income levels and calls for increasing pedestrian connections. This project supplies a number of additional housing types to Kuna's inventory and provides opportunities for quality housing. This development should add to the City's pedestrian network for non-motorized transportation, by proposing pathway connections for development to connect to in the future.

Land Use Goals and Objectives - Section 6 - Summary:

Encourage and support mixed uses to accommodate a diverse range of business and commercial activity balanced with residential uses. Provide a broad mix of services within walking distances while strengthening the economy and providing opportunity for social interactions. Encourage commercial development on transportation corridors. Adopt a future land use plan and map that includes natural and developed open spaces, while providing a variety of housing densities and types to accommodate various lifestyles, ages and economic groups. Protect existing neighborhoods and ensure new development is sustainable and keeps Kuna desirable. Develop cohesive neighborhoods with character and quality while incorporating a variety of densities and styles (Pg. 63 – 1.1, Pg. 64 – 2.1, 2.2, 2.2.1, 3.1 & Goal 3, Pg. 65 – 4.3 and 6.4.1 Def. Pg. 89 [CP]).

Comment: This project adds a number of quality commercial opportunities and multiple housing varieties to the City's inventory for all types of lifestyles, ages and economic groups.

Transportation - Section 9: Encourage developers to create mixed-use developments that will reduce travel demand through trip capture. Increase Kuna's employment opportunities as a means of reducing commuter trips (Page 119 – Obj. 3.2 Policy 1 and 2 [CP]).

Comment: Applicant proposes a mixed-use development adding to employment opportunities and may reduce commuter trips, therefore, it complies with the comp plan goals and policies

Housing Goals and Objectives - Section 12 - Summary:

Adopt mixed-use land strategies which assure the self-sufficiency of neighborhoods Encourage developers to provide high-quality development with a variety of lot sizes, dwelling types, densities and price points to meet the needs of current and future population while creating safe and aesthetically-pleasing neighborhoods. Ensure housing is available throughout the community for all income levels and those with special needs. Encourage logical and orderly mixed-use development while discouraging developers from developing land divisions greater than one half acre because large lot subdivisions increase municipal costs, require public subsidy and create sprawl (Pg. 155 – Obj. 1.1, Pg. 163 12.4 and Pg. 165 – 2.1 [CP]).

Encourage mixed-use development that includes town centers, single-family, *multi-family*, accessory units, and other types of residential development. – Policy 1.1.2, Section 12, Housing (Page 155 [CP]).

Comment: Applicant proposes a high-quality development for commercial development along with a variety of dwelling types, densities, and price points for all income levels in this part of Kuna as encouraged by the Comp Plan. This project significantly adds to the City's overall network of commercial uses, utilities, sidewalks and roadways, therefore it complies with logical, orderly development and discourages land divisions and development greater than one half acre, and avoids increased municipal services costs and sprawl.

Community Design Goals and Objectives - Section 13 - Summary:

Strengthen Kuna's Image through good community and urban design principles that create mixed-uses and self-sufficient neighborhoods. Foster good community design concepts that incorporate landscape features to serve as buffers between incompatible uses while reducing scale and creates a sense of place (Pg.167 – Goal 1 and Pg. 168 – 1.2 and 2.1[CP]).

Comment: Applicant proposes good community and urban design principles through creation of Mixed-Uses and a self-sustaining development, adding to the pedestrian pathway network and adding to the City's sidewalk network. Applicant also proposes improving Deer Flat Road, which adds to the roadway system thereby complying with the adopted Master Street Plan of Kuna (Functional Classified Road Map). This development should also incorporate landscape buffers creating a sense of place for citizens. Therefore, this project fosters sound community design concepts and complies with the Comp Plan goals and strengthens Kuna's image.

Neighborhoods:

Kuna's updated Plan is an advocate for the development of self-sufficient and mixed-use neighborhoods. These neighborhoods are intended to be connected by transit and other non-motorized methods of transportation. Each neighborhood will have a center, a core and an edge (Page 179 [CP]).

Comment: Applicant proposes an extension of the sidewalk and roadway system which complies with the Master Street Plan adopted by Kuna. Applicant should also propose connections to adjacent parcels by adding stub streets, pathways and sidewalks for pedestrian and non-motorized transportation. Applicant proposes R-6, and R-20 housing densities thereby complying with call for a variety of housing types outlined within the Comp Plan and Comp Plan Map.

L. City Council's Idaho State Code Analysis:

1. **IC §67-6511 (2) C** requires that the Commission analyze the proposed changes to zoning ordinances to ensure that they are not in conflict with the policies of the adopted comprehensive plan. If the request is found by the governing board to be in conflict with the adopted plan, **or** would result in demonstrable adverse impacts upon the delivery of services by any political subdivision providing public services, including school districts, within the planning jurisdiction.
2. **IC §67-6513** provides that the City provide for mitigation of the effects of subdivision development on the ability of political subdivisions of the state, including school districts, to deliver services without compromising quality of service delivery to current residents or imposing substantial additional costs upon current residents to accommodate the proposed subdivision.
3. Through discussions and comments submitted by public service providers, the project would not create demonstrable adverse impact to quality of emergency service and/or delivery of said services, or impose substantial additional costs to current residents.

M. The Commission's Conclusions of Law:

The public notice requirements have been met and the neighborhood meeting was conducted within the guidelines of applicable Idaho Code and City Ordinances.

1. The Commission feels the site *is* physically suitable for subdivision and development into a single-family subdivision, as proposed.

Comment: *The 51 acre (approximate) project does appear to be suitable for subdivision and development as a mixed-use subdivision, as proposed.*

2. The subdivision uses are not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.

Comment: *The land to be subdivided is not used as wildlife habitat. Roads, driveways, family units and open spaces are planned for construction according the City and ACHD requirements and best practices and will therefore not cause environmental damage or loss of habitat.*

3. The Comprehensive Plan Map amendment and annexation applications are not likely to cause adverse public health problems.

Comment: *The subdivision of the property would generally comply with the Comp Plan. The project would connect to public sewer and potable water systems, therefore eliminating the occurrence of adverse public health problems.*

4. The application appears to avoid detriment to the present and potential surrounding uses; to the health, safety, and general welfare of the public taking into account the physical features of the site, public facilities and existing adjacent uses.

Comment: *Through correspondence with public service providers and application evaluation, this project appears to avoid detriment to surrounding uses. Commission did consider the subdivision and the location of the property with adjacent uses.*

5. The existing and proposed street and utility services in proximity to the site are suitable or adequate for commercial and residential purposes.

Comment: *Correspondence from ACHD and Kuna Public Works confirms that the streets and utility services are suitable and adequate for the residential project.*

6. Based on the evidence contained in Case No's 16-03-CPM and 16-10-AN, Commission finds Case No's 16-03-CPM and 16-10-AN adequately comply with Kuna City Code.

7. Based on the evidence contained in Case No's 16-03-CPM and 16-10-AN, Council finds Case No's 16-03-CPM and 16-10-AN generally comply with Kuna's zoning Code.

N. Recommended Conditions of Approval:

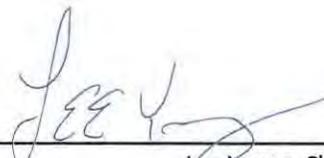
On January 24, 2017, the Planning and Zoning Commission voted 3-1 to recommend approval for case No's 16-03-CPM and 16-10-AN, based upon the Comp Plan, Kuna City Code, the record before the Commission, the applicant's presentation, testimony and Commission discussion at the public hearing, the Kuna Commission votes to recommend approval for Case No's 16-03-CPM and 16-10-AN with the following conditions of approval at time of development in the future:

- Applicant shall follow all conditions outlined in the staff report.
- If a PUD is not applied for and approved, or, if the project does not submit for preliminary plat application within two (2) years of the signing of the findings of fact, the entire parcel (as shown in the application – parcel S1419223151) shall be zoned and recorded as an R-6, medium density residential zone (follows Comp Plan Map).

- The annexation ordinance shall not be recorded with Ada County until a PUD or preliminary plat for the entire project is approved by Council.
1. The applicant and/or owner shall obtain written approval on letterhead or may be written/stamped on the approved plans of the construction plans from the agencies noted below. All submittals are required to include the lighting, landscaping, drainage, and development plans. All site improvements are prohibited prior to approval of the following agencies:
 - a. The City Engineer shall approve the sewer hook-ups.
 - b. The City Engineer shall approve the drainage and grading plans. Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, "Catalog for Best Management Practices for Idaho Cities and Counties". No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
 - c. The Kuna Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Fire District is required.
 - d. The *Boise-Kuna* Irrigation District shall approval any modifications to the existing irrigation system.
 - e. Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to *issuance* of any building permit(s).
 2. All public rights-of-way shall be dedicated and constructed to standards of the City, Ada County Highway District and Idaho Transportation Department. No public street construction may commence without the approval and permit from Ada County Highway District and/or Idaho Transportation Department.
 - 2.1- With development and as necessary, dedicate right-of-way in sufficient amounts to follow City and ACHD standards and widths.
 3. Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see **KCC 6-4-2-W**.
 4. Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
 5. When required, submit a petition to the City (as necessary, confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and request to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Pressure Irrigation system of the City (KMID).
 6. Street lights and parking lights for the site shall be LED lighting and must comply with Kuna City Code and established Dark Skies practices.
 7. Parking within the site shall comply with Kuna City Code. (Unless specifically approved otherwise).
 8. Fencing within and around the site shall comply with Kuna City Code (Unless specifically approved otherwise and permitted). Perimeter fencing (and permit) is required prior to requesting final plat signatures from Kuna City Clerk and Engineer.
 9. All signage within/for the project shall comply with Kuna City Code and shall be approved in the design review process with all new commercial and multi-family.
 10. All required landscaping shall be permanently maintained in a healthy growing condition. The property owner shall remove and replace unhealthy or dead plant material within 3 days or as the planting season permits as required to meet the standards of these requirements. Maintenance and planting within public rights-of-way shall be with approval from the public entities owning the property.
 11. Applicant shall be conditioned to add appropriate and necessary pathways along water bodies to comply with the Master Recreation and Pathways Map at time of development.
 12. The land owner/applicant/developer, and/or any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the City Council, or seek amending them through public hearing processes.
 13. Applicant shall follow staff, City engineers and other agency recommended requirements as applicable.

14. Developer/owner/applicant shall comply with all local, state and federal laws.

DATED: This 28th day of Feb., 2017.



Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:



Troy Behunin, Planner III
Kuna Planning and Zoning Department

**CITY OF KUNA
REGULAR PLANNING & ZONING COMMISSION**

**MEETING MINUTES
Tuesday, January 24, 2017**

PZ COMMISSION MEMBER	PRESENT	CITY STAFF PRESENT:	PRESENT
Chairman Lee Young	Absent	Wendy Howell, Planning Director	X
Commissioner Dana Hennis	X	Troy Behunin, Senior Planner	X
Commissioner Cathy Gealy	X	Trevor Kesner, Planner II	
Commissioner Ron Herther	X	Nancy Stauffer, Planning Technician	X
Commissioner Stephen Damron	X		

6:00 pm – COMMISSION MEETING & PUBLIC HEARING

Call to Order and Roll Call

Vice Chairman Hennis called the meeting to order at **6:00 pm**.

1. CONSENT AGENDA

- a. Planning and Zoning Commission meeting minutes for January 10, 2017

Chairman Herther motions to approve the consent agenda; Commissioner Gealy Seconds, all aye and motions carried 3-0.

Wendy Howell: We are requesting to pull item **3d** from the agenda.

Cathy Gealy: Mr. Vice Chairman, I motion to remove item 3d, 16-12-AN from the agenda, an annexation request for Renaissance Farm and Mason Creek Farms.

Commissioner Herther seconds, all aye and motion carried 3-0.

Vice Chairman Hennis: If there is anyone here for the Renaissance Farm, Mason Creek Farm annexation, we apologize, but that has been pulled from the agenda.

Troy Behunin: The Renaissance Farm and Mason Creek Farm Annexation will be re-noticed.

1. PUBLIC HEARING

- a) 16-09-AN (Annexation); A request by **Michael Robinson** to annex approximately one (1) acre with an R-2 zoning designation. The site is contiguous to the city limits and is located at 1420 West Hubbard Road.

Michael Robinson: For the record, Michael Robinson, 1420 West Hubbard Road. I would like to bring my property into the City of Kuna.

Commissioner Herther: I understand you want to hook up to the water.

Michael Robinson: The irrigation, yes.

Nancy Stauffer: Commissioners, for the Record, Nancy Stauffer, Planning Technician. The application before you tonight, is from Michael Robinson. He is requesting an annexation into the City with an R-2 zoning designation. The agencies were notified on November 30th. Notices of tonight's meeting were sent out to neighbors within 300 feet of the property on January 4th and a legal notice was published in the Kuna Melba News on January 11th. The Comprehensive Plan's land Use map identifies this property as 'medium density'. The applicant has submitted all

**CITY OF KUNA
REGULAR PLANNING & ZONING COMMISSION**

**MEETING MINUTES
Tuesday, January 24, 2017**

lower density than the R-6 zone. Talking about the transition between one neighbor to another, we're really stuck with what we can do there. We can't amend the fence types, or, we can't do the cedar fencing, we are pretty limited to vinyl fencing. Most people don't like the wrought iron because you can see through it. So, those are the types of things that we are required to do, and we will do.

Vice Chairman Hennis: Unfortunately, he is right. There is no stated transition that needs to be addressed. And again, the density is defined by previous zoning.

Commissioner Herther: The density is much better than what it could be. We are looking at 3.5 vs 6.

Vice Chairman Hennis: I think he was talking about...

Commissioner Herther: I know, I understand. I think this was laid out some time ago. And that's what we live with.

Vice Chairman Hennis: Unfortunately, it has been pre-defined.

Vice Chairman Hennis: Any other discussion? Ok, I will stand for a motion.

Commissioner Herther motions to recommend approval of 15-05-S subdivision and 15-08-DR Design Review Silvertrail addition subdivision as conditioned by staff; Commissioner Gealy Seconds, all aye and motion carried 3-0.

Vice Chairman Hennis: I would like to make another announcement as well that we have pulled the Renaissance Farm and Mason Creek Farms annexation from the agenda and will be re-noticed at a later date in case we have had some people come in afterword. Thank you.

- c) 16-03-CPM (Comprehensive Plan Map Amend) and 16-10-AN (Annexation) **Ashton Estates Subdivision**; Applicant, SDN, LLC, requests approval to amend the Comprehensive Plan (Comp Plan) Map, from Medium Density Residential to Mixed-Use General over approximately 50.6 acres. The site is contiguous to Kuna City limits and the applicant requests approval to annex the same parcel into Kuna City with the following zones; C-1 (Neighborhood Commercial), R-6 (Medium Density Residential) and R-20 (High Density Residential). The subject site is located on the south-east corner (SEC) of Meridian and Deer Flat Roads.

Kelly Kerrick: Kelly kerrick with KM Engineering, 9233 W. State Street, Boise Idaho. Commissioners, I'm excited to be here bringing forward a project along your guys' gateway corridor and we have been working real closely with staff to try and figure out a good way to develop this piece of property. It started off with the property is currently in the medium density in the comp plan and when you are working along incoming traffic streets like a state highway, it's obviously not ideal to have your single family pushed right up against the highway, you have the commercial right across the street. So, in coming up with a plan to develop this property, we figured how to adjust the transition for a commercial convention that's on the other side and take advantage of the traffic to a high density residential to a (inaudible) And so, the best way to do that was to come in with a comp plan amendment for the mixed use so that we can do the different zones and then coming in with a rezone to match that progression. Beyond that, I think the staff did a great job summarizing the project, so I am happy to stand for any questions.

Commissioner Gealy: I have no questions at this time.

Commissioner Herther: I don't have any questions.

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Vice Chairman Hennis: Thank you very much. We will have staff come forward.

Troy Behunin: For the record, Troy Behunin, Planner 3, planning and Zoning. The application you have before you tonight 16-03-CPM Comp Plan Map Amendment and 16-10-An Annexation is a request by The SDN, LLC, the Don Newell property. The owner is here along with the engineer. Staff is here to tell you that we've worked very closely with the applicant and their representative, we just want to let you know that the noticing procedures have all been followed. We advertised in the paper, notices were sent out to land owners, actually beyond 300 feet, which is the minimum, and it was posted properly. The applicant has only proposed the map amendment to you folks for a recommendation to City Council and also annexation, which will be your recommendation to council. They are aware that in the future, that additional entitlements, at least a couple of other additional land use entitlements will be required, which would be included in the plat which would effectively divide the property. Right now it's a single parcel, it's just over 50 acres with frontage along Meridian road and Deer Flat. They have a number of things that they would like to do with their property and staff would support all of the reasons stated within the comp plan analysis that references the comprehensive plan text with mixing uses, like commercial and residential. The staff would only like to make a couple of suggestions to add to the overall conditions of approval, and I have typed them out, so I am going to read them so that this body does agree with those conditions, then you can discuss amongst yourselves and you can make a motion weather you want to follow that or not. I have talked with the applicant and their representative and at least on the surface they appear to be agreeable to them and they knew that they were coming...that staff would recommend that they be conditioned to this. The reason for these conditions is because in the zoning exhibit, which is part of the overall packet, it would appear that there could be a proposal for 3 different zones on a single property, which is not allowed in Kuna city code. So, we have construed a couple of different conditions that would remedy anything that would appear to be that. The first condition would be that we would add "If a PUD, planned unit development, is not applied for and approved, or, the project does not submit for a preliminary plat application within 2 years of the signing of the findings of fact the entire parcel shall be zoned and recorded as an R-6 medium density residential zone. The reason for that is, we cannot have multiple zones on a single parcel, this would eliminate that. A planned unit development would allow that to happen and it would also demonstrate the applicants wishes and desires to further this process along and then we would record the annexation with the proper zoning designations as demonstrated in their zoning exhibit. The second suggested condition would be the annexation ordinance shall not be recorded with Ada County until the preliminary plat for the entire project is approved by council. Other than that, I will stand for any questions that you might have.

Commissioner Damron: When we approved that parcel down the street, ACHD had no conditions for the approach on that. If this is approved with the commercial site in front. I don't see any conditions for that approach on the ACHD paperwork.

Troy Behunin: they will need to actually come before this body again through the public hearing process seeking a preliminary plat approval and that it would move to City Council. As a part of that application, because it is a public hearing item, ACHD would then offer full comments based on a preliminary plat. The other comments for this application were limited only to the annexation and the comprehensive plan map change. There are no development conditions, other than the few that you saw in the report. There full comments will come at preliminary plat, which they would be required to get.

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Commissioner Damron: The extension on Deer Flat, according to ACHD, they are going to increase the size of that in the future. Are the set back on the property enough for that widening...

Troy Behunin: I believe the applicant is aware of that widening requirement and when it goes to the landscape buffer that is required along Deer Flat. We did discuss that at length.

Commissioner Gealy: I am confused by the first recommended additional condition. It seems that the proposal is to amend the comprehensive plan for a medium density residential to mixed use. Why wouldn't we just leave it at that and not stipulate that if they do not come in with a PUD or something...

Troy Behunin: Because it has to do with the zoning that's being requested.

Commissioner Gealy: But if the zoning that is being requested is for mixed use, is that correct?

Troy Behunin: the mixed-use designation on comprehensive plan is not actual zoned. It's just saying that in this area we would like to have different zones to complement one another.

Commissioner Gealy: Why wouldn't we just then leave it R-6 until they come in with their preliminary plat.

Troy Behunin: Because that would require a zone change, because even with a mixed-use designation, you still need the underlying zone, which is the actual zone.

Commissioner Gealy: But this time it is R-6, is that correct?

Troy Behunin: At this time, it is. When a property annexes into the city, they need a zoning designation.

Commissioner Gealy: I am not happy with your additional condition.

Troy Behunin: We are doing it to prevent any confusion for any appearance that we are breaking code, because we are not. They can get the approval for those zones, but the annexation ordinance would not be recorded until future applications are brought forward.

Vice Chairman Hennis: I believe it is just basically trying to condition out that in for compliance with what they are doing with the commercial and the 2 residential zonings, they would have to comply and file a PUD to be able to accomplish that. So this is just saying that they would have to file that PUD within the first 2 years, or it will be rezoned as an R-6.

Troy Behunin: they would have to file for a preliminary plat, respectively, divides commercial from residential. They have provided legal descriptions, which do divide the property, but, without splitting the property so that we could effectively divide them, our code does not allow for that, does not allow for the splitting of the parcels even for a zoning designation. The only way to divide up the zones would be to actually divide the property on the Ada County assessors map.

Commissioner Gealy: For this amendment and this annexation?

Troy Behunin: For the zoning within this application.

Commissioner Herther: I am really confused. How did this get here?

Troy Behunin: this is actually a fairly standard way of doing...normally what happens, is we have a preliminary plat that follows along, complementary to this, but at this time, the preliminary plat is not written. This is standard practice.

Commissioner Gealy: So, if we go ahead with this additional condition that you have, and with the amendment that's been presented, then are we committed to those zoning designations?

Troy Behunin: Yes

Commissioner Gealy: the three? The commercial, the high density and the R-6?

Troy Behunin: Yes

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Vice Chairman Hennis: And to protect, like we have had with issues in the past, where a development may not come about, due to certain reasons. What that first condition, as I understand it, would protect the city to be able to still comply with the comprehensive land use map as an R-6, if the PUD doesn't get filed and the plat doesn't get filed and something happens to the development then it gets kicked back to the R-6.

Troy Behunin: It would be straight compliant with the comprehensive plan map. Which would not require public hearings or anything like that.

Commissioner Gealy: I guess that's my question. Why don't they just have an R-6 zoning designation as they enter, and when they are ready with a plan that we can look at, we talk about commercial and R-20

Troy Behunin: Because that would require an additional rezoning hearing. They have to ask for a zone at this meeting, because RUT does not transfer into the city. If they do an R-6 right now in order to get that underlying zoning for an R-20 or a C-1, which they intend to do, they would have to come back through the public hearing process just for a rezone and that would be a huge expense on their part, it would be additional time that's not needed because they have to ask for a zone with their annexation request, which we are doing tonight.

Vice Chairman Hennis: That's fairly standard.

Commissioner Herther: All they are asking for is an annexation at this point?

Vice Chairman Hennis: Yes, and a comprehensive land use map change to address what they want to bring in to the city, and that's basically part of these steps. So, because they haven't got the plat ready, we haven't done the final step yet, that's going to have to come through when the plats' addressed. This is fairly typical to bring it in as such.

Commissioner Damron: In order to annex them in, they have to have a reason, and this is the primary reason to bring it from the county into the city.

Commissioner Herther: Now it's making some sense.

Troy Behunin: If it would make you more comfortable, Commissioner Gealy, you could identify the properties and their sizes as proposed, which is stated in the staff report under factual summary, it lists the requested zoning and the requested acreage.

Commissioner Gealy: C-1 is about 14.28, the R-6 is about 27 and the R-20 is 9.09 as stated in the factual summary. Thank you. That it more comfortable for me.

Vice Chairman Hennis: Are there any other questions for staff? No? I will now open this section up for public hearing at 7:17pm, and I have one person signed up to testify under neutral category. Rod Weins.

Rod Neims: Rodney Neims 2329 East Deer Flat Road. The development, the commercial, along Meridian and on the corner, there at Deer Flat, seems what would be expected, and the single family residences there, sound good to me, which the multi-family units that are possible there. If you put that together, the possibility is over 230 units. You start looking at that and the congestion on that corner, which is already extremely congested, it's going to get horrendous. That is my major concern. The high density residential that would be allowed. To me that's the major concern. I've heard from several people here in Kuna, I'm kind of a newcomer, but we look at that intersection as the gateway to Kuna. It's going to get mighty congested if we do this kind of thing there. We would have to do an awful lot of major work on that intersection, or something, something's got to be done. I would suggest not having quite that many people all trying to get through that intersection, that would be my concern.

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Vice Chairman Hennis: Is there anyone else in the audience that did not sign up that would like to testify? Would you please come forward and sign in? Please state your name and address for the record.

David Andrus: David Andrus, 1920 E Deer Flat Road. I know the gentleman over here said that proper notices were sent out to everybody. We live kitty corner to that property, we were never given any kind of a notice about what was going on with this property, it is a concern to me that 300 feet in the country doesn't seem like much of a notice. I'm on five acres, so if I stood in the middle of my property, I wouldn't have to notify anybody. It seems like not much of a notice. I talked to the neighbors down the street, a lot of them didn't get any notification of this. Our neighbor did happen to tell us that there was a meeting going on. When we first went there, we were told by these people over here is that, they didn't even know what they were doing for sure, it was just kind of throwing some things out here, we want some commercial, we want to put some homes in here and we want to throw some multi homes in here. And so, it seems to me like this is being pushed through, rather, in a hurry, without the proper way of really figuring out what exactly wants to be here. It's also a concern to me that Kuna has stipulations that say we shouldn't have three different types of property within the same property, yet we're trying to find a way to do this, to help the developers, and that just doesn't seem right to me. I'm not sure what a PUD is, this is all new to me, I'm an accountant, I don't do this kind of stuff, but it appears to me that we're finding run arounds to benefit them instead of looking and saying there is probably a reason that these kinds of limitations are on these properties. So, that is all I have to say.

Vice Chairman Hennis: Please come forward and sign in. Please state your name and address for the record.

Theresa Perry: My name is Theresa Perry, 2150 E Deer Flat road. In a round a bout way our property does abut a very small, across the canal. I'm not opposed to development, I'm not opposed to growth, I'm opposed to irresponsible development. We moved out to Kuna 1993 and we moved out here for a reason, obviously, we didn't move out far enough. The big concern I have as well as everyone else has already stated, is a comment at the neighborhood meeting was said that this is going to be the hub of Kuna, this is what Kuna city wants, this corner is going to be it. Well, great, let's come into a bunch of multi housing units to welcome everyone to Kuna. Because you have three corners there that they are wanting to develop. You have one kitty corner from it that is going, I think that's going to be over 400 units, single family homes. I think that property, last I heard anyway, directly across from it on Deer Flat, they are requesting, at the neighborhood meeting, 14 four-plexes plus a gas station, stuff like this. This was all divulged at the neighborhood meeting. You know, Deer Flat is busy enough as it is and our road is, our house id right on Deer Flat. This summer with the construction going on at Ridley's and Tractor Supply and Family Dollar was ridiculous. I was trying to pull into my house and couldn't (inaudible) To have this type of development coming in right next to us, you know, as I said, I'm not opposed to development, I'm opposed the kind of development that devalues my property, my neighbors' property and what we came out here to have, and that was a little bit of peace and quiet, you know, and have some great neighbors. I don't want to have 400 neighbors within 300 feet of me. I didn't move out here for that reason. And then when you consider the other two properties that are coming in, you are under 1000 single units coming in on those three properties. Is that really what Kuna wants to do to welcome everyone to their beautiful city? I wouldn't want it. I think it turn me off if I wanted to come move out here again. I would really go a different way. And the other thing that concerns me is, I don't have children in the schools anymore, but the amount of overcrowding in the schools right now is ridiculous,

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it's crazy. Our kids came out and we were really satisfied with Kuna schools and they did great, but they are so overcrowded right now, and I don't know how the school district, the fire department, transportation department, or anyone else can keep up with the amount of development that Kuna is coming right now.

Vice Chairman Hennis: No one else, with that I will close the public hearing at 7:26pm.

Kelly Kerrick: Kelly Kerrick KM Engineering 9233 West Main Street, Boise. A couple of the concerns that were brought up. One is traffic. One of the things when you start the process with this is having a traffic study done on the property, working with ITD and ACHD to, one, look at the intersection and how our development impacts that and also the roads around it. We will be working with them to make sure that ...traffic impacts. The other thing that I just really want to make clear is that this is a small first step. The bigger steps are going to later on when we come in with a preliminary plat. That details out how the property is going to be divided, how everything is laid out, and we have it generally laid out, but that will really nail down what we're doing. With that, I'll be happy to stand for any questions.

Vice Chairman Hennis: The one question that I would have at this point, in kind of listening to what has been brought up, is, how stuck are you on the R-20, how close does it comply, your initial thoughts on this, are you going to be near R-20, are you going to be down lower, would it be something to be said that maybe an R-12 would be more appropriate for what you are doing? I don't know what your anticipation might be on that.

Kelly Kerrick: I don't anticipate it being close to the R-20. My guess is it's somewhere, based off of what I have seen in the area, realistically we may end up with just single family housing. My guess is, if it actually went multi-family it would be closer to the R-10 range than the R-20. For this area, I would not expect to be in the (inaudible)

Commissioner Gealy: I have no questions, thank you.

Commissioner Damron: The commercial lots you got in front, what's your plan for those? Office space or retail outlets?

Kelly Kerrick: Again, a lot of with commercial, it's body driven, with these types of involvements, I would expect more professional office with the main corners being your higher use areas. I think having been through developing a lot of these commercial types sites, you don't end up with the high traffic uses because (inaudible) I would expect it to be more of a professional office more than anything, a medical office. Actually, the developer even has a dental office user interested in one of the parcels.

Vice Chairman Hennis: Thank you. Now that opens us up to discussion.

Commissioner Damron: I like the idea of the commercial office spaces in front, I'm still not really happy with the R-20 designation. That's a lot of homes right behind there, and then single family homes in back beside it. I would be a little bit happier with an R-10 or 12 designation in there.

Vice Chairman Hennis: Yeah, I kind of reflect the same opinion.

Commissioner Herther: I agree with that.

Vice Chairman Hennis: Over all I think it is a good mixed use and the intention of the PUD, like our audience was speaking about. Because that's what a PUD is supposed to do, bring in a couple of uses, mixed area so that it does a lot for that. I do have concerns with the R-20.

Kelly Kerrick: One of the things that the developer just over to me and said they would be satisfied going down to an R-12 with the zone.

Vice Chairman Hennis: That would be much appreciated, thank you.

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Commissioner Damron: When I look at these developments, one of the big issues I have is traffic. Looking at the slated expansions of the roads that we have, we have the big development coming on the other side, those coming up. Those are small streets, that is, I don't know how to get ACHD to step those up in this area, as far as expansion goes. The one we just heard won't be coming on Columbia until about 13-14 years down the road. This one is going to be immediate with the two impacts that we have on that one. And as small as Deer Flat road is, they are right, the traffic is going to be a headache coming across here, or even trying to get on there. So, that...either approaches or something, we have to make sure...

Vice Chairman Hennis: And that is one of the things that we have seen in the past is ACHD approaches and ITD specifically on meridian road, they address and they prioritize these as it's approved. So, as these get approved, then it gets a lot more on their radar and they start bumping up priority levels, so we won't see any additional improvements on Deer Flat until some developments go along there, so, this does have the advantage, as once it is approved that most of the time ACHD will then reprioritize as they can to address that. At least this is on the other side versus a lot of the construction that's going on, on the west side.

Commissioner Damron: Ok, how are we as a city prepared to deal with those issues before they get to it?

Vice Chairman Hennis: Not speaking for staff, but typically they are constantly working with ACHD to make sure that their concerns are addressed.

Troy Behunin: It is very much an egg or chicken scenario, because ACHD does not have the funds to improve things unless there is a reason to improve things. They also, historically, do not require a lot in areas where it is not being developed. The city has actually taken the steps to get what is called a functionally classified road map framework for all collectors and everything above a collector, which would include arterials. Deer Flat road is an arterial and ACHD is well aware of the development and the things that are going on, the discussions that are being had here at the city, because, people like the Ridley's folks or this applicant, or the northwest corner, their talking to ACHD too, and they are revamping things as much as needed. So, they are aware of the traffic demands based on historic situations and they will make recommendations accordingly. They follow the national standards that are published and the people that review these applications at ACHD, they have more brain cell than I do, and that's what they do, they forecast and they predict and they put these recommendations together and they formulate all of the things that developers are required to do. They have traffic engineers and this is all they do, they look at cars and hueing, distance to intersections, things like that and they make their recommendations appropriately.

Commissioner Damron: So, as we continue to go on with the development in these areas that are, like that intersection that are tight. If we recognize a problem that we're having traffic issues, do we request a traffic study from ACHD to see if we can move that up or if they have a solution to that problem, or do we just wait for them to come in and expand the road?

Troy Behunin: Just for the audience and also the commission, a traffic impact study is a very expensive proposition. There is a trigger where ACHD requires it, no matter what. That trigger is 100 homes or a certain number of commercial users in any given development, and once that trigger is reached, then a traffic impact study is required. I believe that Kelly is on the record tonight, and they have committed to following the requirements for a traffic impact study, which ACHD will analyze and if it doesn't live up to

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their standards, they will kick it back to the applicant and they'll either make it right or they won't get approval.

Vice Chairman Hennis: Any other discussions?

Commissioner Gealy: I am still concerned with the three zoning designations. The corner, commercial makes absolute sense to me. But I look at the schematic here and it looks like the commercial is not a very wide strip, there is indication there a full access approach and a right in, right out approach, and it looks to me like that's a strip mall. I think that's about all that would fit there. I don't think it's going to look like an office park. I'm kind of thing about that office park at Meridian and Victory on the left-hand side. And I don't think it would fit in that strip they have designated as commercial. That is a concern to me.

Vice Chairman Hennis: by scale, that's still between 200-300 feet in that strip. It's going to be similar to...

Commissioner Gealy: So, they are looking at full access, it indicates full access to Meridian road, t=right there, is that correct?

Vice Chairman Hennis: Yes, that is what is indicated, but that's all preliminary.

Commissioner Gealy: But that is up to ACHD? ITD for Meridian road and ACHD for Deer Flat.

Vice Chairman Hennis: So, this is all proposal, but I can still see it ending up like what you are thinking.

Commissioner Gealy: Access off of Deer Flat, not on Meridian road where there would be some depth to an office park, which is a nice kind of a buffer and a transition from a busy highway to more residential areas. But I don't see how you can have the 15 acres as commercial and the 37 acres residential and have a reasonable transition. The numbers are not working in my head and neither is this little map.

Vice Chairman Hennis: Right, this is all preliminary, so that specifically would be...

Commissioner Gealy: They have asked to approve these designations, for this amount of ground, for that kind of zoning. I think it is too preliminary, but I completely support the idea. The commercial makes sense on that corner and it's nice to have a transition to the residential, but the rural residential that exists there now. So, I support both of those things, but I don't know how we can approve these acreages, these percentages, these proportions and not have it come back and bite us.

Vice Chairman Hennis: Any clarification I might offer would be, this is just, we're hearing for the comprehensive land use map amendment and the annexation to the city. These specifics would have to be presented during the PUD and the plat when it is presented to us. That is when we would be specifically seeing how those areas are designated, there transitions, borders, etc. I don't know if that helped, but...but this is just the comprehensive land use map, so we are saying that they are allowed, they are coming into the city under the annexation, the comprehensive land use map would then define that they are looking to make a planned unit development to include this proportions or ratios.

Commissioner Herther: If we were to recommend approval and this were to come back to us, could we stipulate that all of their homework would have to be completed and all the platwork done before we would see it again?

Vice Chairman Hennis: Yes, it does have to be. That's the whole idea, the next step, and that's what the first condition that Troy presents is that would need to be presented in the next step or it goes back to an R-6 completely.

Troy Behunin: the only difference between this and other typical applications, is that this shows the boundary, just the boundary of those zones, that's all it shows. A preliminary plat does the same thing. It

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shows the boundary of the zones, it also shows the inside, but more importantly, it shows the boundary between the different zones. That's it. So, the developer is actually the one taking the risk, because if their preliminary plat does not match what they have asked for, then they would have to come back through for a rezone for any changes they want to make that don't coincide with what's being proposed tonight. Or, what is approved by City Council. Yes, a preliminary plat does show more detail, but, make no mistake about it, if you had the streets and the lots drawn inside that bubble diagram, the boundaries would still be the same. And all you are approving is the zone for that particular area on this parcel. Does that help at all?

Commissioner Damron: I think one way to look at it is they have to have something to give to the county to allow them to bring this and be annexed into the city. They have to have a plan. Once we annex it in, then it comes back to us and we talked about the R-20, they agreed to go down to R-12. If we don't designate what this property will be, we can't annex it into the city. The county won't allow us to do that. So, he's coming in with a pre-approval, and then we can work on that, what he's going to put on there. Keeps them from having to go through several meetings, rezoning, it's easier on the staff, reduces their time and paperwork into this.

Commissioner Gealy: I guess the concern I have is in the case before this one, we said the zoning is set, that's not a conversation we can have tonight. And what we are doing with this one, we are setting the zoning, so we won't be able to have that conversation again.

Vice Chairman Hennis: Correct, but it doesn't have anything to do with any boundaries or transitions or anything in there, so, again, you would still...that's where you are concerned about transitions and boundaries. That is where we can deal in the next meeting, but, yes, you are correct, this will be setting those acreages.

Commissioner Gealy: If we approve these acreages, then that I think we are locked into that.

Vice Chairman Hennis: Yes, we are. But the difference, how it transitions from, even the shape of that acreage isn't necessarily defined here. That 15 acres can be moved a little bit or stretched out. As I understand it, were just stating that 15 acres is commercial. We don't have a specific shape or dimensions. So, that can be worked on still.

Commissioner Gealy: But then, should the applicant decide that they want 20 acres of commercial, they have to come in for a rezone. Or should the applicant decide they want 20 acres of multi family, they would have to come in for a rezone.

Vice Chairman Hennis: Right.

Commissioner Herther: Are we just talking about annexing this piece of property?

Vice Chairman Hennis: Yes

Commissioner Herther: That's all we are doing tonight?

Vice Chairman Hennis: And the comprehensive plan map amendment stating that instead of the R-6, they want to go into this mixed use.

Commissioner Gealy: But we don't have a mixed use designation. So, we have to parcel it out.

Commissioner Herther: After tonight and before the next meeting...I'm still on board.

Commissioner Damron: How do we, do we have to re-hear this if we bring it down to an R-12?

Vice Chairman Hennis: No, it wouldn't have to be.

Troy Behunin: Commissioner Damron, the reason why a re-hearing would not be required to go from 20-12 is because it has been notice as an R-20, which is a more intense use. If the developer wishes to

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relax that, then the state doesn't require that and city code does not require a re-hearing for a less intense purpose than was advertised.

Commissioner Gealy: But, it's correct, if they want to change the proportions within the three zoning designations based upon what is in the factual summary, that would require a rezone?

Troy Behunin: Yes. According to your recommendation to council, if it gets approved, as presented, if they want to change any of those lines or any of those areas at all, they will have to do a rezone public hearing for whatever they want to change.

Commissioner Gealy: Could I ask you to state again what your second condition of approval was?

Troy Behunin: That the annexation ordinance shall not be recorded with Ada County until the preliminary plat for the entire project is approved by City Council, or a PUD approved.

Commissioner Damron: One question for staff. If the developer agrees to an R-12, once this is all approved and then they say no, we are going to put an R-20 in there.

Troy Behunin: They would not be allowed to.

Commissioner Damron: Ok, I just wanted to make that clear.

Vice Chairman Hennis: If there is no further discussion, I will stand for a motion. Either recommend, or deny to council.

Commissioner Herther motions to recommend approval of 16-03-CPM comprehensive plan map amendment and 16-10-AN annexation Ashton Estates Subdivision as conditioned by staff in the staff report, including the two additional requirements listed by staff, and the commitment made by the representative tonight of revising the R-20 to an R-12.; Commissioner Damron Seconds, Commissioners Herther and Damron in favor, Commissioner Gealy opposed. Motion carried 2-1.

- d) 16-12-AN (Annexation) – **Renascence Farm and Mason Creek Farms**; Applicants, Renascence Farm, LLC, Spaulding and Anderson and Mason Creek Farm, LLC, requests approval to annex approximately 165 +/- acres into the City of Kuna. Applicant requests the R-6 (Medium Density Residential) for all properties. 139 acres of the application are located between Ten Mile and Black Cat Roads, south of Amity Road. Approximately 26 acres are located near the NEC of Ten Mile and Lake Hazel Roads, east of Ten Mile and north of Lake Hazel. All parcels are contiguous to Kuna City limits.

Vice Chairman Hennis: 16-12-AN (annexation) Renascence Farm and Mason Creek Farms has been pulled from the agenda and will be re-noticed when that will be heard.

ADJOURNMENT:

Commissioner Gealy motions to adjourn at 7:40 pm; Commissioner Damron Seconds, all aye and motion carried 3-0.

**CITY OF KUNA
REGULAR PLANNING & ZONING COMMISSION**

**MEETING MINUTES
Tuesday, January 24, 2017**

Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:

Wendy I. Howell, Planning and Zoning Director
Kuna Planning and Zoning Department

CITY OF KUNA

State of Idaho *Proclamation*

15th ANNUAL MARCH FOR MEALS MONTH

WHEREAS, on March 22, 1972, President Richard Nixon signed into law a measure that amended the Older Americans Act of 1965 and established a national nutrition program for seniors 60 years and older; and

WHEREAS, Meals on Wheels America established the March for Meals campaign in March 2002 to recognize the historic month, the importance of the Older Americans Act Nutrition Programs, both congregate and home delivered, and raise awareness about the escalating problem of senior hunger in America; and

WHEREAS, the 2017 observance of March for Meals celebrates 15 years of providing an opportunity to support Meals on Wheels programs that deliver vital and critical services by donating, volunteering, and raising awareness about senior hunger and isolation; and

WHEREAS, Meals on Wheels programs, both congregate and home delivered, in Kuna have served our community admirably for more than 40 years; and

WHEREAS, volunteers for Meals on Wheels programs in Kuna are the backbone of the program and they not only deliver nutritious meals to seniors and individuals with disabilities who are at significant risk of hunger and isolation, but also caring concern and attention to their welfare; and

WHEREAS, Metro Meals on Wheels in Ada County provides nutritious meals to seniors throughout the Meridian area that help them maintain their health and independence, thereby preventing unnecessary falls, hospitalizations and/or premature institutionalization; and

WHEREAS, Metro Meals on Wheels programs in Ada County provide a powerful socialization opportunity for seniors to help combat loneliness and isolation; and

WHEREAS, Meals on Wheels programs in Ada County deserve recognition for the contributions they have made and will continue to make to local communities, our State and our Nation.

NOW, THEREFORE, BE IT RESOLVED that I, Joe L. Stear, Mayor of the City of Kuna, Idaho, hereby proclaim March 2017 as the 15th Annual March for Meals Month and urge every citizen to take this month to honor our Meals on Wheels programs, the seniors they serve, and the volunteers who care for them. Our recognition of, and involvement in, the national 2017 March for Meals can enrich our entire community and help combat senior hunger and isolation in America.



IN WITNESS WHEREOF,
I set my hand on this the 7th day of March
in the year of two thousand and seventeen.

Joe L. Stear
Mayor of Kuna, Idaho



CITY OF KUNA
P.O. BOX 13
KUNA, ID 83634

BOBBY WITHROW
PARKS DIRECTOR
Telephone (208) 573-7668
Email: bwithrow@kunaid.gov

MEMORANDUM

To: Mayor, Council

From: Bobby Withrow

Subject: Reallocation of Indian Creek Ingress/Egress

Mayor and Council,

This year we budgeted \$25,000 for the Indian Creek Ingress/Egress along the Greenbelt. I tried multiple times to get ahold of the Army Core of Engineers and didn't get any response from them. I will continue to try until I have good contact. The water is already in Indian Creek a few weeks sooner than normal, so we won't be doing anything in or around the banks until after the water goes out in October. We did have time to put some rip/rap (large rocks) along one of the areas which is eroding the fastest. We had the dirt on hand, got the rocks donated from a local farmer and the only cost we had was the liner. Overall, we spent approximately \$1,200.00. We still have \$23,800 left over. During the budget process, I *read* (and thought) that we budgeted \$53,000 for the Bobcat Tool Cat, not \$35,000. It was a mistake I did not pick up until after the budgeting process was over. I would like to reallocate the amount of \$23,800 to the Bobcat Utility Vehicle, originally \$35,000, to bring the total amount up to \$58,800. I was going to wait until the next budget year to ask for the additional funds, but now that I have excess funds from Indian Creek Ingress/Egress project, I thought I would ask for the reallocation. This piece of equipment will make us more efficient with the upcoming projects and normal maintenance we do all year. The additional funds will also enable the City to purchase a couple attachments with the equipment.

Thank you,

Bobby Withrow



CITY OF KUNA
P.O. BOX 13
KUNA, ID 83634

BOBBY WITHROW
PARKS DIRECTOR
 Telephone (208) 573-7668
 Email: bwithrow@kunaid.gov

MEMORANDUM

To: Mayor, City Council

From: Bobby Withrow, Carlee Oswald

Subject: Splash Pad Options

Splash Pad Options with Budgets



Budget

Splash Pad:

ITEM	QUANTITY	COST (\$)	COST TOTAL (\$)
<i>Bollard Activator</i>	3	2,870	8,610
<i>Frog No 6</i>	1	12,260	12,260
<i>Jet Stream No 1</i>	3	390	1,170
<i>Leaf No 3</i>	1	10,070	10,070
<i>Seaweed No 1</i>	1	4,370	4,370
<i>Snail No 4</i>	1	5,600	5,600
<i>Supersplash No 2</i>	1	28,650	28,650
<i>Water Jelly No 1</i>	1	750	750
<i>Spray Loops</i>	1	8,720	8,720
<i>Water Bug No 1</i>	1	4,940	4,940
<i>Play Safe Drain</i>	3	1,700	5,100
<i>Conical Strainer Basket</i>	3	912	2,736
<i>Water Distribution System</i>	1	26,667	26,667
<i>Custom Capture Tank</i>	1	63,200 (11,407)	51,793

<i>Freight</i>			7,000
Total			178,436

Bernie Fisher: Location B

Pros:

- Downtown/ central location
 - Safety aspect
- Parking
- Water lines easily accessible
- Existing restrooms
- Existing shelters
- Fencing around nearly the whole park
- Easily visible to public



Cons:

- Possible conflict with Kuna Days and Farmer's Market
- Might need to remove a couple trees
- May need to relocate amenities

Budget

Location Costs:

<i>ITEM</i>	<i>SIZE/QUANTITY</i>	<i>COST</i>	<i>COST TOTAL</i>
<i>Water Pipe to Splash Pad</i>	20 feet	\$80/ ft	\$1,600
<i>Walking Path</i>	N/A	N/A	N/A
<i>Net</i>	N/A	N/A	N/A
<i>Poles</i>	N/A	N/A	N/A
<i>Mechanical Room</i>	12 x14 = 71.42 sq ft		\$12,000
<i>Repurpose Line</i>	40 feet	\$40/ ft	\$1,600
<i>Excavation</i>	4,200 sq ft	\$3.00/ sq ft	\$12,600
<i>Concrete</i>	4,000 sq ft	\$5.75 / sq ft	\$23,000
<i>Fence</i>	170 ft	\$19.00/ ft	\$3,230
<i>Landscape Buffer</i>	1100 sq ft	\$3.25/ sq ft	\$3,575
Location Total			\$57,605
Splash Pad Total			\$178,436
Project Total			\$236,041

Bernie Fisher: Location D

Pros:

- Downtown/ central location
 - Safety aspect
- Parking
- Water lines easily accessible
- Existing restrooms
- Existing shelters
- Fencing around nearly the whole park
- Easily visible to public



Cons:

- Possible conflict with Kuna Days and Farmer's Market
- Might need to remove a couple trees
- May need to relocate amenities

Budget

Location Costs:

ITEM	SIZE/QUANTITY	COST	COST TOTAL
<i>Water Pipe to Splash Pad</i>	80 feet	\$80/ ft	\$6,400
<i>Walking Path</i>	N/A	N/A	N/A
<i>Net</i>	N/A	N/A	N/A
<i>Poles</i>	N/A	N/A	N/A
<i>Mechanical Room</i>	12 x14 = 71.42 sq ft		\$12,000
<i>Repurpose Line</i>	60 feet	\$40/ ft	\$2,400
<i>Excavation</i>	4,200 sq ft	\$3.00/ sq ft	\$12,600
<i>Concrete</i>	4,000 sq ft	\$5.75 / sq ft	\$23,000
<i>Fence</i>	186 ft	\$19.00/ ft	\$3,534
<i>Landscape Buffer</i>	N/A	N/A	N/A
Location Total			\$59,934
Splash Pad Total			\$178,436
Project Total			\$238,370

Greenbelt Location

Pros:

- Downtown/ central location
- Parking at either Bernie Fisher or by Indian Creek
- Existing bathrooms
- Trees could be used for shade
- Place to wait: floater, volleyball, disc golf, baseball

Cons:

- Need to move disc golf tee pad
- Baseball safety concerns: add net
- Need pathways from parking lots for A.D.A compliance
- Might need to remove a couple trees
- Close to the creek
- Water line is farther → more construction and will hit the street



Budget

Location Costs:

ITEM	SIZE/QUANTITY	COST	COST TOTAL
<i>Water Pipe to Splash Pad</i>	260 feet	\$80/ ft	\$20,800
<i>Walking Path</i>	120 feet	\$50/ ft	\$6,000
<i>Net</i>	700 sq ft	\$.99/ sq ft	\$693
<i>Poles</i>	8	175 each	\$1,400
<i>Mechanical Room</i>	12 x14 = 71.42 sq ft		\$12,000
<i>Repurpose Line</i>	288 feet	\$40/ ft	\$11,520
<i>Excavation</i>	4,200 sq ft	\$3.00/ sq ft	\$12,600
<i>Concrete</i>	4,000 sq ft	\$5.75 / sq ft	\$23,000
<i>Fence</i>	N/A	N/A	N/A
<i>Landscape Buffer</i>	N/A	N/A	N/A
Location Total			\$88,013
Splash Pad Total			\$178,436
Project Total			\$266,449

Additional Considerations:

“First I want to address lighting to enhance perceptions of safety. Although this may not substantially reduce actual crime rates, improved lighting and increased legitimate activity allow for greater night time surveillance. In my experience lighting is a deterrent, but those dedicated to committing crime like vandalism etc. may be dedicated to their cause regardless. That being said I would want to make sure we consider that factor primarily at the greenbelt location. The greenbelt location does seem a bit secluded so adequate lighting is essential... A good, safe splash pad to me would be one that was actually for children to play in and their parents would want to be there watching them and not a place that gets littered up by teens who don't want to be at home. That is easier said than done but it seems to us that Bernie Fisher is a larger, more diverse open area that may help with appropriate blending of park and splash pad users. The concern and stigma of crime and just general poor behavior is threatening our skate park and surrounding recreation areas. That is an effort that many of us in the community have taken on for years. As a result we need to consider “Natural Surveillance” which is keeping the environment maintained so that people can be easily seen by other users, city staff, police and anyone who may pass by the splash pad. Again, I would suggest that the Bernie Fisher locations are better for this purpose. I would also bring up parking and shade but I think both locations have this covered.”

- Chief Justin Dusseau, Kuna Police

BOLLARD ACTIVATOR NO 3



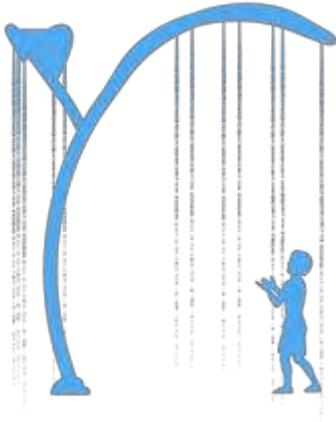
FROG NO 6



JETSTREAM NO 1



LEAF NO 3



PLAYSAFE DRAIN 1



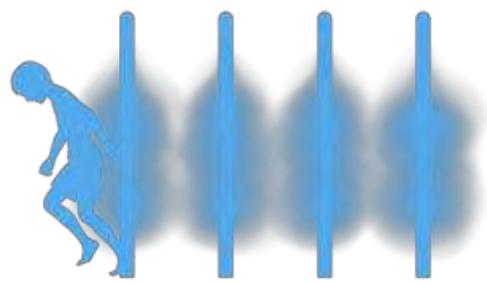
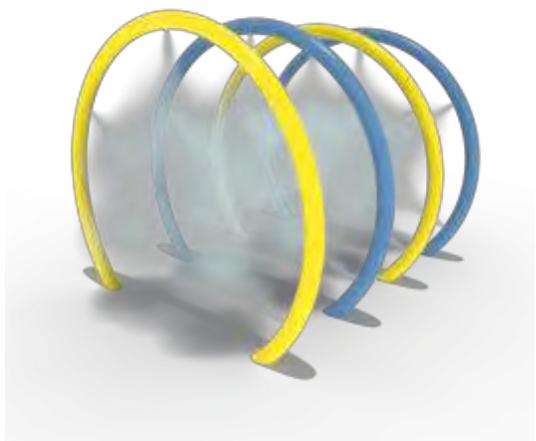
SEAWEED NO 1



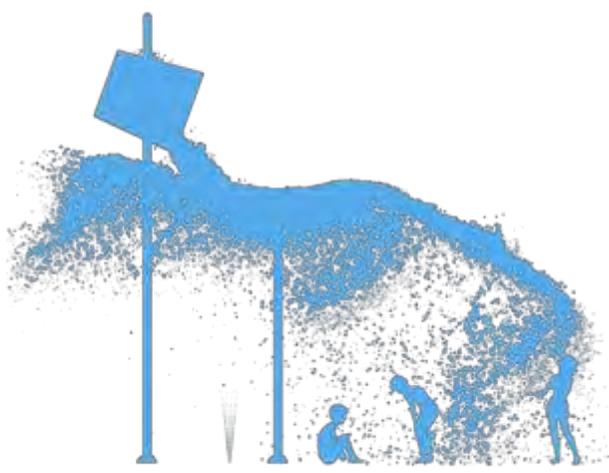
SNAIL NO 4



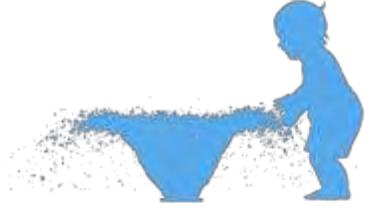
SPRAYLOOPS 4 UNITS



SUPERSPLASH NO 2



WATER JELLY NO 1



WATERBUG NO 1



Bobby Withrow



City of Kuna

PO Box 763 ▪ 763 W Avalon St ▪ Phone: 208.922.5274 ▪ www.kunacity.id.gov

MEMORANDUM

Date: March 7, 2017
To: Kuna City Council
From: Wendy I. Howell, PCED
Re: Transportation Priority List, 2017

Before the City Council for consideration is Kuna's Transportation Priority List, 2017 for approval. ACHD's Integrated Five-Year Work Plan is comprised of prioritized projects submitted by each city under ACHD's jurisdiction annually for integration into ACHD's Capital Project budget; that budget is then categorized by project cost elements and then organized into sub-programs with each focusing on a particular aspect of the county roadway system. They are as follows:

- Roadways - These projects include widening, rebuilding or preserving of arterial or collector roadways. It also includes the annual allocation to the Corridor Preservation program which allows ACHD to purchase right-of-way from new development on identified roadways prior to the year identified in the Integrated Five Year Work Plan or Capital Improvements Program.
- Intersections - Includes new, rebuild, and/or signalization intersection projects.
- Traffic - Includes projects aimed at signal upgrades, intelligent traffic systems (ITS), ACHD Commuteride projects, including park & ride lots.
- Maintenance - Includes annual programs for overlays, crack seal, cul-de-sac and scrub coat projects on roadways.
- Cooperative - Provides an annual allocation for developer projects that result from cooperative agreements between ACHD and other entities.
- Community Programs - Includes curb, gutter, pedestrian, school safety, neighborhood, bikeway or traffic calming projects not associated with a roadway widening project.

Upon approval, Kuna's transportation project priorities will be forwarded to Ada County Highway District staff for their consideration and additional vetting. Based on ACHD staff recommendations, projects which appear to serve the greatest overall public need are then approved by the ACHD Commission for inclusion into the Integrated Five-Year Work Plan.

**RESOLUTION NO. R22-2017
CITY OF KUNA, IDAHO**

**CITY OF KUNA IDAHO'S
2017 TRANSPORTATION PRIORITY
REQUEST TO THE ADA COUNTY HIGHWAY DISTRICT**

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE PROJECT PRIORITY LIST TITLED “CITY OF KUNA IDAHO’S TRANSPORTATION PRIORITY REQUESTS- 2017” AS THE OFFICIAL TRANSPORTATION PROJECT PRIORITY LIST FOR THE CITY OF KUNA, IDAHO FOR THE ADA COUNTY HIGHWAY DISTRICT; AUTHORIZING THE CITY CLERK TO TRANSMIT THE DOCUMENT TO ACHD; AND HEREBY REPEALING ALL PREVIOUS TRANSPORTATION PROJECT PRIORITY LISTS.

BE IT HEREBY RESOLVED by the Mayor and Council of the City of Kuna, Idaho as follows:

1. The project priority list entitled “City of Kuna Transportation Priority Requests- 2017” is hereby approved as the official transportation project priority list for Kuna, Idaho; which said project priority list is attached hereto, and made a part thereof;
2. The City Clerk is hereby authorized to transmit the document to the Ada County Highway District;
3. All previous Transportation Project Priority lists for the city of Kuna, Idaho are hereby repealed.

PASSED BY THE COUNCIL of Kuna, Idaho this 7th day of March 2017.

APPROVED BY THE MAYOR of Kuna, Idaho this 7th day of March 2017.

Joe L. Stear, Mayor

ATTEST:

Chris Engels, City Clerk

ROADS & INTERSECTIONS										
Priority Ranking	GIS #	ACHD Project Name	Project Description	In Five Year Plan	DSN Year	ROW Year	CNST Year	Total Cost in Millions	ACHD Programming Notes	Additional Information
1	IN211-01	Linder Rd and Deer Flat Rd	Federal aid project to improve intersection of Linder Rd and Deer Flat Rd, including curb, gutter, sidewalks and bike lanes. Right-of-way funding will advance to a year prior to construction as funds become available. Widen Reed Elementary access to accommodate buses. Install an enhanced pedestrian crossing on Deer Flat Rd east of the central driveway of Kuna HS. Project includes completion of sidewalk on the north side of Deer Flat from where it ends near west school boundary and the identified signal location.	Yes	2017	2020	2020	\$3.31	To be built in FY2020.	
2	CM215-12	Main St, Ave E / Ave C	Streetscape improvements, including road reconstruction, wider sidewalks, on-street parking, drainage, and bike markings in accordance with Kuna Downtown Corridor Plan.	Yes	N/A	N/A	2017	\$0.20	Cost reflects ACHD's contribution for roadway maintenance in support of City efforts.	
3	CM214-10	Deer Flat Rd and Kuna HS Pedestrian Crossing (Deer Flat Rd, Kuna High School/LDS Church)	Install an enhanced pedestrian crossing on Deer Flat Rd east of the central driveway of Kuna HS. Project also includes completion of sidewalk on the north side of Deer Flat from where it ends near the west school boundary and the identified signal location. (City request was for a deceleration lane at this location.)	Yes	2019	2019	2020	\$0.43	To be built in FY2020.	
4	MMP21-3-01	Kuna Mora Rd and Cole Rd	Road improvements to sustain truck traffic.	Yes	Done	2017	2019	\$2.55	To be built in FY2019. Evaluating opportunities to advance construction.	
5		Main St, Ave C / Ave A	Streetscape improvements, including road reconstruction, wider sidewalks, on-street parking, drainage, and bike markings in accordance with Kuna Downtown Corridor Plan.	No				TBD	ACHD to support a City-led effort. As project moves forward, ACHD will evaluate financial partnership for roadway maintenance.	
6		Deer Flat Rd and Kay St	Design and construct a round-about with pedestrian crossing to address continued traffic flow. With the new residential developments, new commercial construction, and the location of the high school. Traffic is congested at that intersection and is only getting worse with additional development.							This intersection will operate at LOS E under background traffic conditions and LOS F under total traffic conditions at buildout of the adjacent for the Winfield Subdivision. The critical peak hour is in the PM and the critical movement is the northbound left turn movement. Residential development doesn't add traffic to that movement. When the residential development adds an additional lane, this intersection will operate at an acceptable LOS. However, it does not change the critical left turn movement. By placing a roundabout in this location will make the intersection meet all issues. This is a safety issue.

7	N/A	Deer Flat Rd and Kay St	Install traffic signal or add a left turn lane from Kay onto Deer Flat due to traffic concerns prior to and after school.	No				N/A	Location does not meet warrants for additional traffic control. ACHD to explore addition of a turn lane with existing right-of-way in spring 2017.
8	N/A	Kay St, Deer Flat Rd / Boise St	Construct curb, gutter, sidewalk and on-street parking on the east side of Kay St, between Deer Flat Rd and Boise St.	No				N/A	East side sidewalk to be built through development. Complete sidewalk exists on the west side of Kay St.
9	MA215-05	Swan Falls Railroad Overpass (Swan Falls Rd and Shortline St)	Install a new bridge over Indian Creek and Union Pacific Railroad on Swan Falls Rd in accordance with the Kuna Crossing Feasibility and Implementation Plan.	No				\$18.50	Included in ACHD's Master Street Map. Project to occur in accordance with the Kuna Crossing Feasibility and Implementation Plan.
10		Ten Mile Rd between Columbia and Hubbard Rds	Improve roadway to bring LOS to an acceptable level. (Currently LOS D)						
11		Kuna Mora Rd between Cloverdale and Cole Rd	Improve roadway to bring LOS to an acceptable level. (Currently LOS D)						
12	IN205-127	Ten Mile Rd and Columbia Rd	Install a single-lane expandable roundabout in accordance with the Ten Mile Corridor Intersection Analysis.	No				\$1.34	Defer. Currently operating at a level of service C or better.

COMMUNITY PROGRAMS										
Priority Ranking	GIS #	ACHD Project Name	Project Description	In Five Year Plan	DSN Year	ROW Year	CNST Year	Total Cost in Millions	Programming Notes	Additional Information
1	CM213-64	Linder Rd, Main St / Deer Flat Rd (Linder Rd, south of Porter St/Art Ct)	Complete curb, gutter, detached sidewalk and bike lanes on both sides of Linder Rd, between 4th St (Linder/Main/3rd project limits) to Deer Flat Rd. Project will construct a Rectangular Rapid Flashing Beacon at Porter St.	Yes	2018	2019	2021	\$1.49	Project advanced during FY2016 update. To be built in FY2021.	
	CM213-64	Linder Rd, Main St / Deer Flat Rd (Linder Rd, Main St/Boise St)	Complete curb, gutter, detached sidewalk and bike lanes on both sides of Linder Rd, between 4th St (Linder/Main/3rd project limits) to Deer Flat Rd. Project will construct a Rectangular Rapid Flashing Beacon at Porter St.	Yes	2018	2019	2021	\$1.49	This request is included in priority #7 above.	
2	CM214-10 and IN211-01	Deer Flat Rd, Linder Rd / Kay Ave	Install sidewalk.	Partial	2017/2019	2020	2020	\$3.31	Costs show full cost of intersection project. Project to be complete as part of Road & Intersection Priorities #2/#4 and Community Programs Priority #4	
3		Boise St and School St Pedestrian Crossing	Install an enhanced pedestrian crossing on Boise St at School St. Provide illumination	No				TBD	Traffic engineering review shows this location as a 4-way stop. An enhanced pedestrian crossing is not appropriate in conditions where all traffic must already stop.	
4		Ten Mile Rd and Crenshaw St	Install an enhanced pedestrian crossing and school zone on Ten Mile Rd at Crenshaw St.	No				TBD	Location would require a crossing guard. If supported by the School District, project to be prioritized and scoped.	
5		Swan Falls Rd and Indian Creek Pathway Pedestrian Crossing	Install an enhanced pedestrian crossing on Swan Falls Rd at the Indian Creek Pathway.	No				TBD	ACHD to prioritize and scope project in 2017.	
6		Deer Flat Rd and School St Pedestrian Crossing	Install a Pedestrian Hybrid Beacon on the west side of the intersection. Install ADA directional ramps at the crosswalk.	No				TBD	Scoped in summer 2016. Final report pending.	Anticipated to be placed on the Five-Year Workplan in 2017.
7		Ave C, Main St / 4th St (North Downtown Blocks Sidewalk Addition)	Rebuild road to include 5' detached sidewalks, 5' landscaped buffer, 2' of curb/gutter, 18' angled parking, and 10' travel lanes on the east side of the road and the west side of the road south of the alley. Install 5' attached sidewalk on west side of road north of the alley to preserve existing tree and yard. Overlay alley crossings with concrete. Install conduit for street lighting. Complete analysis for installation of green stormwater infrastructure.	No				TBD	Scoped in summer 2016. Final report pending.	Anticipated to be placed on the Five-Year Workplan in 2017.

8	Ave D, Main St / 4th St (North Downtown Blocks Sidewalk Addition)	Rebuild road to include 5' detached sidewalks, 5' landscaped buffer, 2' of curb/gutter, 18' angled parking, and 10' travel lanes. Overlay alley crossings with concrete. Install conduit for street lighting. Complete analysis for installation of green stormwater infrastructure.	No				TBD	Scoped in summer 2016. Final report pending.	Anticipated to be placed on the Five-Year Workplan in 2017.
9	Ave B, Main St / 4th St (North Downtown Blocks Sidewalk Addition)	Rebuild road to include 5' detached sidewalks, 5' landscaped buffer, 2' of curb/gutter, 18' angled parking, and 10' travel lane on the east side of the road. Leave west side of road in place and install 18' angled parking. Overlay alley crossings with concrete. Install conduit for street lighting. Modify cross-section as needed to preserve existing structures. Complete analysis for installation of green stormwater infrastructure.	No				TBD	Scoped in summer 2016. Final report pending.	Anticipated to be placed on the Five-Year Workplan in 2017.
10	Ave A, Main St / 4th St (North Downtown Blocks Sidewalk Addition)	Rebuild road to include 5' detached sidewalks, 5' landscaped buffer, 2' curb/gutter, 18' angled parking, and 10' travel lanes on each side. Install ADA directional ramps at junctions. Overlay alley crossings with concrete. Install conduit for street lighting. The cross-section should be modified as needed to preserve existing structures. Complete analysis for installation of green stormwater infrastructure.	No				TBD	Scoped in summer 2016. Final report pending.	Anticipated to be placed on the Five-Year Workplan in 2017.
11	Ave B, 2nd St / Main St (Southeast Downtown Blocks Sidewalk Addition)	Rebuild road to include 10' attached sidewalks with patterned concrete on west side of Ave B north of alley. For remainder of streetscape, install 5' detached sidewalks, 5' landscaped buffer, 2' of curb/gutter, 18' angled parking, and 10' travel lanes on each side. Install ADA directional ramps at junctions. Overlay alley crossings with concrete. Install ADA directional ramp onto street outside Senior Center on the southwest side of Ave B to facilitate handicap parking. Provide curb cut on SE side of Ave B to allow for access to future paved parking lot. Install conduit for street lighting. Complete analysis for installation of green stormwater infrastructure. The 10' patterned concrete attached sidewalk will require a cost share with the City of Kuna.	No				TBD	Scoped in summer 2016. Final report pending.	Anticipated to be placed on the Five-Year Workplan in 2017.
12	Ave A, 2nd St / Main St (Southeast Downtown Blocks Sidewalk Addition)	Rebuild road to include a 20' curb to curb cross section with a 5' attached sidewalk on the west side of the street with curb and gutter. Convert remainder of right-of-way to the west to a landscaped area. Retain access to alley and a curb cut in the center of the street section to allow for access to the parking lot. Install conduit for future street lights. Complete analysis for installation of green stormwater infrastructure.	No				TBD	Scoped in summer 2016. Final report pending.	Anticipated to be placed on the Five-Year Workplan in 2017.
13	Linder Ave/Avalon St, 2nd St / Orchard St	Install an interim asphalt pathway with extruded curb on the north side of Linder Ave./Avalon St within existing right-of-way. Install a Rapid Rectangular Flashing Beacon on the west side of Orchard Ave to provide connectivity along Avalon St. Install ADA directional ramps at 2 nd St and Orchard Ave.	No				TBD	Scoped in summer 2016. Final report pending.	Anticipated to be placed on the Five-Year Workplan in 2017.
14	2nd St and Ave D, Main St / Avalon St	Install bike lanes in accordance with the Kuna Downtown Corridor Plan.	No				TBD	Current low traffic volumes make striping a bike lane not appropriate at this time. ACHD to reevaluate as conditions change in the area.	
15	Ave B/2 nd St Parking lot	2 nd St downtown parking lot design including solar energy options, lighting, electric car charging, impervious asphalt, landscaped islands, and covered area for farmer's market.							

16		Deer Flat Rd between Linder and the LDS Church	Construct a sidewalk on the south side of Deer Flat Rd to provide a contiguous walkway.							This is a priority for Kuna School District and the City of Kuna.
17	RS203-07	Park and Ride Lot	Park and ride lot. Location to be determined	No				TBD	ACHD will support a City-led site selection effort. Project to be prioritized and scoped after site selected.	
18		4 th St from School St to Linder Ave	Project development for revitalization to determine inadequate infrastructure, identify priority ped and bicycle access and utility improvements, and the need and locations for curbs, gutter, sidewalks, and lighting.							
19	N/A	Greenbelt Extension (West)	Extend greenbelt west to Deer Flat Rd	No				N/A	ACHD will support a City-led effort.	
20	N/A	Greenbelt Extension (East)	Extend greenbelt east to Stroeble Rd	No				N/A	ACHD will support a City-led effort.	



CITY OF KUNA
P.O. BOX 13
KUNA, ID 83634
www.kunacity.id.gov

GORDON N. LAW
 CITY ENGINEER

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 Email: glaw@kunaid.gov

MEMORANDUM

TO: Mayor Nelson and Members of City Council

FROM: Gordon N. Law
 Kuna City Engineer

RE: 2017 PI Projects
 Approval of Bid Results

DATE: February 27, 2017

REQUEST: **Approve Resolution for Award of Bid**

On February 24, 2017, bids were opened for the construction of a pressure irrigation mains in West Hubbard Road, W. Ardell Road and North Kay Street and a Water Main in Deer Flat and Hwy 69. The results of the bidding are as follows:

1. Cougar Construction Excavation	\$349,232.20
2. Shiloh Automatic Sprinkler, Inc.	\$406,504.30
3. Knife River Corp.	\$479,479.00
4. Granite Excavation	\$510,303.50
5. Blue Sky Construction	\$567,969.00

The apparent low bid at the bid opening was Cougar Construction Excavation in the amount of \$349,232.20. The new low bid submittal was reviewed and found to be responsive to the Bid Instructions and **it is recommended the new low bidder is awarded the contract for the work.** A resolution is attached, which if approved, will adopt the recommendation.

Protest and Anomalies in Bid Process

Two bidders (Shiloh, Granite) submitted bids with minor clerical or mathematical mistakes, which were corrected as directed in the Instructions to Bidders but the changes did not affect the "apparent low bidder". The spread between low and second low bidders is 16%, which is higher than typical bid spreads. The largest variances were for rock excavation and asphalt restoration.

Available Funds

Different portions of the project are budgeted from either the PI Fund or the Water Fund. Available budgeted funds for this project are summarized as follows:

1. Hubbard PI Line	\$112,000	PI Fund
2. Ardell PI Line	\$140,000	PI Fund

3. Kay PI Line	\$ 84,500	PI Fund
4. Deer Flat/Hwy 69 Water Line	\$995,000	Water Fund (from Well 5 Tank & Booster)
5. Contingency (Less Previous commitments)	\$200,000	Water Fund
6. Contingency (Less Previous commitments)	\$150,000	PI Fund
TOTAL AVAILABLE	\$1,681,500	

Attachments: Resolution
Abstract of Bids
Bid Results at Opening

**RESOLUTION NO. R23-2017
CITY OF KUNA, IDAHO**

RESOLUTION AWARDING BID FOR THE 2017 PRESSURE IRRIGATION PROJECT TO COUGAR CONSTRUCTION EXCAVATION IN THE AMOUNT OF \$349,232.20; DIRECTING EXPENDITURE OF FUNDS FROM THE WATER AND IRRIGATION FUNDS FOR SAID PROJECT; AND AUTHORIZING THE MAYOR, CITY CLERK, AND CITY ENGINEER TO EXECUTE CONTRACT DOCUMENTS WITH SAID BIDDER.

WHEREAS, City of Kuna, Idaho has received bids for the 2017 PI Main Project; and

WHEREAS, the apparent low bidder for said Project is COUGAR CONSTRUCTION EXCAVATION; and

WHEREAS, the bid submitted by COUGAR CONSTRUCTION EXCAVATION is responsive to the bid requirements:

BE IT HEREBY RESOLVED by the Mayor and Council of the City of Kuna, Idaho that said City approves the award of bid to COUGAR CONSTRUCTION EXCAVATION in the amount of three hundred forty-nine thousand two hundred thirty-two and 20/100 dollars (\$349,232.20) for the project;

BE IT FURTHER RESOLVED that Mayor and Council directs the expenditure of available funds from the Water and Irrigation Funds for said project; and

BE IT FURTHER RESOLVED that the Mayor, Clerk and City Engineer of said City are hereby authorized to execute documents for securing the services of said bidder for the Project identified above upon receipt of proper evidence of public works licensure, bonds and acceptable insurance binders; and directs that copies of signed bids of successful bidder is attached hereto, and made a part hereof, as if set forth in full.

PASSED BY THE COUNCIL of Kuna this 7th day of March, 2017.

APPROVED BY THE MAYOR of Kuna this 7th day of March, 2017.

Joe L. Stear, Mayor

ATTEST:

Chris Engel, City Clerk

BID ABSTRACT - 2017 PI PROJECT

ITEM	TASK	QTY	UNIT	COUGAR		SHILOH		KNIFE RIVER		GRANITE	
				UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
2010.4.1.A.1	Mobilization (10% max)	1	LS	31,772.00	31,772.00	35,500.00	35,500.00	35,047.00	35,047.00	16,164.00	16,164.00
1103.4.1.A.1	Construction Traffic Control	1	LS	15,000.00	15,000.00	8,350.00	8,350.00	15,000.00	15,000.00	11,413.50	11,413.50
1001.4.1.A.1	Sediment Control	5436	LF	1.00	5,436.00	1.60	8,697.60	2.00	10,872.00	2.75	14,949.00
302.4.1.A.1	Rock Excavation	800	CY	30.00	24,000.00	77.50	62,000.00	100.00	80,000.00	96.50	77,200.00
306.4.1.D.1	Imported Trench Backfill	75	CY	18.00	1,350.00	11.30	847.50	25.00	1,875.00	68.25	5,118.75
307.4.1.A.1	Misc Surf. Restore - Landscape	54	LF	12.00	648.00	19.90	1,074.60	40.00	2,160.00	119.25	6,439.50
307.4.1.A.7	Misc Surf. Restore - Nat. Ground	463	LF	6.00	2,778.00	3.30	1,527.90	9.00	4,167.00	5.25	2,430.75
307.4.1.F.1	Type "P" Surf. Restore	1791	SY	22.00	39,402.00	49.40	88,475.40	38.00	68,058.00	70.25	125,817.75
307.4.1.H.1	Full-width Asph. Restore (Path)	13	SY	40.00	520.00	48.80	634.40	160.00	2,080.00	135.75	1,764.75
401.4.1.A.1	12" C900 DR18 PVC	823	LF	41.40	34,072.20	26.40	21,727.20	40.00	32,920.00	44.00	36,212.00
401.4.1.B.1	12" Water Fittings	3	EA	800.00	2,400.00	600.00	1,800.00	750.00	2,250.00	643.00	1,929.00
402.4.1.A.1	12" Gate Valve	3	EA	1,640.00	4,920.00	2,040.00	6,120.00	2,200.00	6,600.00	2,422.75	7,268.25
ISPWC SD-408	Comb. Air release/vac valve	1	EA	2,460.00	2,460.00	2,040.00	2,040.00	4,500.00	4,500.00	4,750.00	4,750.00
706.4.1.A.7	Curb and Gutter Repair	1	LF	40.00	40.00	34.80	34.80	250.00	250.00	528.00	528.00
706.4.1.E.1	Concrete Sidewalk Repair	13	SY	42.00	546.00	35.80	465.40	110.00	1,430.00	177.00	2,301.00
901.4.1.A.1	12" PVC PI Main - C-900, DR 18	2873	LF	32.00	91,936.00	25.60	73,548.80	35.00	100,555.00	33.50	96,245.50
901.4.1.A.1	10" PVC PI Main - C-900, DR 18	1740	LF	28.00	48,720.00	24.30	42,282.00	32.00	55,680.00	28.50	49,590.00
901.4.1.B.1	12" Irr Fittings	14	EA	774.00	10,836.00	559.00	7,826.00	675.00	9,450.00	610.00	8,540.00
901.4.1.B.1	10" Irr. Fittings	7	EA	560.00	3,920.00	539.00	3,773.00	600.00	4,200.00	464.00	3,248.00
902.4.1.A.1	12" Gate Valves	6	EA	1,800.00	10,800.00	2,040.00	12,240.00	2,300.00	13,800.00	2,454.00	14,724.00
902.4.1.A.1	10" Gate Valves	4	EA	1,470.00	5,880.00	1,830.00	7,320.00	2,100.00	8,400.00	2,128.50	8,514.00
SP-100	Connect to Exist. PI Main	7	EA	840.00	5,880.00	2,100.00	14,700.00	1,200.00	8,400.00	926.75	6,487.25
SP-100	Connect to Exist. Water Main	2	EA	1,020.00	2,040.00	2,160.00	4,320.00	1,000.00	2,000.00	808.75	1,617.50
SP-200	Misc Surf. Restore - Shoulder	9	LF	10.00	90.00	26.30	236.70	35.00	315.00	66.00	594.00
SP-400	PI Air Release Valves	1	EA	1,204.00	1,204.00	426.00	426.00	600.00	600.00	800.00	800.00
SP-500	Drains	1	EA	1,402.00	1,402.00	537.00	537.00	1,200.00	1,200.00	937.00	937.00
SP-600	Temp Parallel Utility Support	1180	LF	1.00	1,180.00	0.00	0.00	6.50	7,670.00	4.00	4,720.00
	TOTAL				349,232.20		406,504.30		479,479.00		510,303.50

BID ABSTRACT - 2017 PI PROJECT

ITEM	TASK	QTY	UNIT	BLUE SKY		UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
				UNIT PRICE	EXTENDED PRICE						
2010.4.1.A.1	Mobilization (10% max)	1	LS	37,500.00	37,500.00		0.00		0.00		0.00
1103.4.1.A.1	Construction Traffic Control	1	LS	27,875.00	27,875.00		0.00		0.00		0.00
1001.4.1.A.1	Sediment Control	5436	LF	2.00	10,872.00		0.00		0.00		0.00
302.4.1.A.1	Rock Excavation	800	CY	150.00	120,000.00		0.00		0.00		0.00
306.4.1.D.1	Imported Trench Backfill	75	CY	20.00	1,500.00		0.00		0.00		0.00
307.4.1.A.1	Misc Surf. Restore - Landscape	54	LF	27.00	1,458.00		0.00		0.00		0.00
307.4.1.A.7	Misc Surf. Restore - Nat. Ground	463	LF	5.00	2,315.00		0.00		0.00		0.00
307.4.1.F.1	Type "P" Surf. Restore	1791	SY	50.00	89,550.00		0.00		0.00		0.00
307.4.1.H.1	Full-width Asph. Restore (Path)	13	SY	100.00	1,300.00		0.00		0.00		0.00
401.4.1.A.1	12" C900 DR18 PVC	823	LF	47.00	38,681.00		0.00		0.00		0.00
401.4.1.B.1	12" Water Fittings	3	EA	750.00	2,250.00		0.00		0.00		0.00
402.4.1.A.1	12" Gate Valve	3	EA	2,025.00	6,075.00		0.00		0.00		0.00
ISPWC SD-408	Comb. Air release/vac valve	1	EA	2,665.00	2,665.00		0.00		0.00		0.00
706.4.1.A.7	Curb and Gutter Repair	1	LF	250.00	250.00		0.00		0.00		0.00
706.4.1.E.1	Concrete Sidewalk Repair	13	SY	100.00	1,300.00		0.00		0.00		0.00
901.4.1.A.1	12" PVC PI Main - C-900, DR 18	2873	LF	36.00	103,428.00		0.00		0.00		0.00
901.4.1.A.1	10" PVC PI Main - C-900, DR 18	1740	LF	32.00	55,680.00		0.00		0.00		0.00
901.4.1.B.1	12" Irr Fittings	14	EA	875.00	12,250.00		0.00		0.00		0.00
901.4.1.B.1	10" Irr. Fittings	7	EA	660.00	4,620.00		0.00		0.00		0.00
902.4.1.A.1	12" Gate Valves	6	EA	2,715.00	16,290.00		0.00		0.00		0.00
902.4.1.A.1	10" Gate Valves	4	EA	2,440.00	9,760.00		0.00		0.00		0.00
SP-100	Connect to Exist. PI Main	7	EA	1,250.00	8,750.00		0.00		0.00		0.00
SP-100	Connect to Exist. Water Main	2	EA	1,550.00	3,100.00		0.00		0.00		0.00
SP-200	Misc Surf. Restore - Shoulder	9	LF	100.00	900.00		0.00		0.00		0.00
SP-400	PI Air Release Valves	1	EA	1,700.00	1,700.00		0.00		0.00		0.00
SP-500	Drains	1	EA	2,000.00	2,000.00		0.00		0.00		0.00
SP-600	Temp Parallel Utility Support	1180	LF	5.00	5,900.00		0.00		0.00		0.00
	TOTAL				567,969.00		0.00		0.00		0.00

2017 PRESSURE IRRIGATION MAIN PROJECT

BID OPENING RESULTS - KNWWTP

FEBRUARY 24, 2017 : 3:00 P.M.

MODERATOR: GORDON LAW

WITNESS: MICHAEL BORZICK

BID NO.	SCHEDULE	BID BOND	SIGNED	ADDEND. ACKN.	CONTRACTOR	BID AMOUNT
1	A	✓	✓	✓✓	BLUE SKY CONST	567,969. ⁰⁰
2	A	✓	✓	✓✓	COUGAR CONST EXCAV	349,232. ²⁰
3	A	✓	✓	✓✓	GRANITE EXCAV	510,289. ⁵⁰
4	A	✓		✓✓	SHILO CONST	406,402. ³⁰
5	A	✓	✓	✓✓	KNIFE RIVER	479,479. ⁰⁰
6	A					
7	A					
8	A					
9	A					
10	A					
11	A					
12	A					
13	A					
14	A					
15	A					
16	A					
17	A					
18	A					
19	A					
20	A					
21	A					
22	A					
23	A					
24	A					
25	A					

*

CITY OF KUNA
2017 WATER AND PRESSURE IRRIGATION MAINS

214112-003

BID FORM

PROJECT IDENTIFICATION:

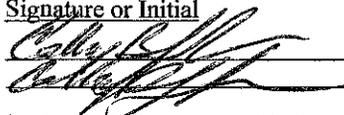
City of Kuna 2017 Water and Pressure Irrigation Mains

THIS BID IS SUBMITTED TO:

DELIVER TO:

City of Kuna
Office of City Engineer
6950 South Ten Mile Road
Meridian, Idaho 83642

- 1.01 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with Owner in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in the Bid and in accordance with the other terms and conditions of the Bidding Documents.
- 2.01 Bidder accepts all of the terms and conditions of the Advertisement or Invitation to Bid and Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. The Bid will remain subject to acceptance for 60 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.
- 3.01 In submitting this Bid, Bidder represents, as set forth in the Agreement that:
 - A. Bidder has examined and carefully studied the Bidding Documents, the other related data identified in the Bidding Documents, and the following Addenda, receipt of all which is hereby acknowledged.

<u>Addendum No.</u>	<u>Addendum Date</u>	<u>Signature or Initial</u>
<u>01</u>	<u>2/13/17</u>	<u></u>
<u>02</u>	<u>2/21/17</u>	<u></u>

- B. Bidder has visited the Site and become familiar with and is satisfied as to the general, local and Site conditions that may affect cost, progress, and performance of the Work.
- C. Bidder is familiar with and is satisfied as to all federal, state, and local Laws and Regulations that may affect cost, progress and performance of the Work.
- D. Bidder has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or contiguous to the Site and all drawings of physical conditions in or relating to existing surface or subsurface structures at or contiguous to the Site (except Underground Facilities), if any, which have been identified in the Supplementary Conditions as provided in paragraph 4.02 of the General Conditions, and (2) reports and drawings of a Hazardous Environmental Condition, if any, which have been identified in the Supplementary Conditions as provided in paragraph 4.06 of the General Conditions.
- E. Bidder has obtained and carefully studied (or assumes responsibility for having done so) all additional or supplementary examinations, investigations, explorations, tests, studies and data concerning conditions (surface, subsurface and Underground Facilities) at or contiguous to the Site which may affect cost, progress, or performance of the Work or which relate to any aspect of the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder, including applying the specific means, methods, techniques, sequence, and procedures of construction expressly required by the Bidding Documents to be employed by Bidder, and safety precautions and progress incident thereto.

CITY OF KUNA
2017 WATER AND PRESSURE IRRIGATION MAINS

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- F. Bidder does not consider that any further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price(s) bid and within the times and in accordance with the other terms and conditions of the Bidding Documents.
- G. Bidder is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.
- H. Bidder has correlated the information known to Bidder, information and observations obtained from visits to the Site, reports and drawings identified in the Bidding Documents, and all additional examinations, investigations, explorations, tests, studies, and data with the Bidding Documents.
- I. Prior to bid, Bidder has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and the written resolution thereof by Engineer is acceptable to Bidder.
- J. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance of the Work for which this Bid is submitted.

4.01 Bidder further represents that this Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation; Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid; Bidder has not solicited or induced any individual or entity to refrain from bidding; and Bidder has not sought by collusion to obtain for itself any advantage over any other Bidder or over Owner.

Bidder acknowledges that estimated quantities are not guaranteed, and are solely for the purpose of comparison of Bids, and final payment for all Unit Price Bid items will be based on actual quantities provided, determined as provided in the Contract Documents.

5.01 BID SCHEDULE

Item No.	Reference	Description	Total Quantity	Unit	Unit Price	Amount
1	2010.4.1.A.1	Mobilization (Max 10%)	1	LS	\$31,772. ⁰⁰	\$31,772. ⁰⁰
2	1103.4.1.A.1	Construction Traffic Control	1	LS	\$15,000. ⁰⁰	\$15,000. ⁰⁰
3	1001.4.1.A.1	Sediment Control	5,436	LF	\$ 1. ⁰⁰	\$ 5,436. ⁰⁰
4	302.4.1.A.1	Rock Excavation	800	CY	\$ 30. ⁰⁰	\$24,000. ⁰⁰
5	306.4.1.D.1	Imported Trench Backfill	75	CY	\$ 18. ⁰⁰	\$ 1,350. ⁰⁰
6	307.4.1.A.1	Miscellaneous Surface Restoration (Landscape Repair)	54	SY	\$ 12. ⁰⁰	\$ 648. ⁰⁰
7	307.4.1.A.7	Miscellaneous Surface Restoration (Natural Ground)	463	LF	\$ 6. ⁰⁰	\$ 2,778. ⁰⁰
8	307.4.1.F.1	Type "P" Surface Restoration	1,791	SY	\$ 22. ⁰⁰	\$ 39,402. ⁰⁰
9	307.4.1.H.1	Full width Asphalt Surface Restoration (Pathway)	13	SY	\$ 40. ⁰⁰	\$ 520. ⁰⁰

CITY OF KUNA
2017 WATER AND PRESSURE IRRIGATION MAINS

214112-003

Item No.	Reference	Description	Total Quantity	Unit	Unit Price	Amount
10	401.4.1.A.1	12" C900, DR 18 PVC	823	LF	\$ 41.40	\$34,072.20
11	401.4.1.B.1	12" Fittings (Bends, Elbows, Tees, Crosses, Reducers, Caps, etc.)	3	EA	\$ 800.00	\$ 2,400.00
12	402.4.1.A.1	12" Gate Valve	3	EA	\$ 1,640.00	\$ 4,920.00
13	ISPWC Detail SD-408	Combination Air Release/Vacuum Valve	1	EA	\$ 2,460.00	\$ 2,460.00
14	706.4.1.A.7	Curb and Gutter Repair	1	LF	\$ 40.00	\$ 40.00
15	706.4.1.E.1	Concrete Sidewalk Repair	13	SY	\$ 42.00	\$ 546.00
16	901.4.1.A.1	12" C900, DR 18 PVC Irrigation Pressure Pipe	2,873	LF	\$ 32.00	\$ 91,936.00
17	901.4.1.A.1	10" C900, DR 18 PVC Irrigation Pressure Pipe	1,740	LF	\$ 28.00	\$ 48,720.00
18	901.4.1.B.1	12" Irrigation Fittings (Bends, Elbows, Tees, Crosses, Reducers, Caps, etc.)	14	EA	\$ 774.00	\$ 10,836.00
19	901.4.1.B.1	10" Irrigation Fittings (Bends, Elbows, Tees, Crosses, Reducers, Caps, etc.)	7	EA	\$ 560.00	\$ 3,920.00
20	902.4.1.A.1	12" Gate Valve	6	EA	\$ 1,800.00	\$ 10,800.00
21	902.4.1.A.1	10" Gate Valve	4	EA	\$ 1,470.00	\$ 5,880.00
22	SP-100	Connect to Existing Pressure Irrigation Mains	7	EA	\$ 840.00	\$ 5,880.00
23	SP-100	Connect to Existing Pressure Water Mains	2	EA	\$ 1,020.00	\$ 2,040.00
24	SP-200	Miscellaneous Surface Restoration (Shoulder)	9	LF	\$ 10.00	\$ 90.00
25	SP-300	Temporary Pole Support	0	EA	\$ 0	\$ 0
26	SP-400	Pressure Irrigation Air Release Valves	1	EA	\$ 1,204.00	\$ 1,204.00
27	SP-500	Pressure Irrigation Drains	1	EA	\$ 1,402.00	\$ 1,402.00
28	SP-600	Temporary Parallel Utility Support	1,180	LF	\$ 1.00	\$ 1,180.00

Three hundred forty nine thousand two hundred thirty two dollars and ²⁰/₁₀₀ Dollars \$ 349,232.20
 Total in Words and twenty cents Total in Figures

CITY OF KUNA
2017 WATER AND PRESSURE IRRIGATION MAINS

214112-003

5.02 BASIS OF AWARD

- A. Owner reserves the right to reject any or all Bids, including without limitation, non-conforming, non-responsive, unbalanced, or conditional Bids. Owner further reserves the right to reject the Bid of any Bidder whom it finds, after reasonable inquiry and evaluation, to be non-responsible. Owner also reserves the right to waive all informalities not involving price, time, or changes in the Work and to negotiate contract terms with the Successful Bidder.
- B. More than one Bid for the same Work from an individual or entity under the same or different names will not be considered. Reasonable grounds for believing that any Bidder has an interest in more than one bid for the Work may be cause for disqualification of that Bidder and the rejection of all Bids in which that Bidder has an interest.
- C. In evaluating Bids, Owner will consider whether or not the Bids comply with the prescribed requirements, and such alternates, unit prices and other data, as may be requested in the Bid Form or prior to the Notice of Award.
- D. In evaluating Bidders, Owner will consider the qualifications of Bidders and may consider the qualifications and experience of Subcontractors, Suppliers, and other individuals or entities proposed for those portions of the Work for which the identity of Subcontractors, Suppliers, and other individuals or entities must be submitted as provided in the Supplementary Conditions.
- E. Owner may conduct such investigations as Owner deems necessary to establish the responsibility, qualifications, and financial ability of Bidders, proposed Subcontractors, Suppliers, individuals, or entities to perform the Work in accordance with the Contract Documents.
- F. If the Contract is to be awarded, Owner will award the Contract to the lowest responsible Bidder whose Bid is acceptable to the Owner.
- G. The Owner will award all or any combination of individual bid packages that is financially most advantageous to the Owner and within the Owner's budget. The Owner may award contracts to multiple contractors.

6.01 Bidder agrees that the Work will be substantially completed and ready for final payment in accordance with paragraph 14.07.B of the General Conditions on or before the dates or within the number of calendar days indicated in the Agreement.

6.02 Bidder accepts the provisions of the Agreement as to liquidated damages in the event of failure to complete the Work within the times specified above, which shall be stated in the Agreement.

6.03 Bidder agrees to comply with Idaho Code 44-1006, regarding employment of Idaho residents.

7.01 The following documents are attached to and made a condition of this bid:

- A. Required Bid security
- B. Completed form in Section 00435, including names, addresses, and Idaho Public Works Contracts License Numbers of the Subcontractors who shall, in the event the Bidder secures the Contract, subcontract work under the general Contract.

8.01 The terms used in this Bid with initial capital letters have the meanings indicated in the Instructions to Bidders, the General Conditions, and the Supplementary Conditions.

Submitted on 2-24, 2017.

Idaho Public Works Contractor License No. PWC-C-16438-B-4

Expiration Date 3-31-17.

CITY OF KUNA
2017 WATER AND PRESSURE IRRIGATION MAINS

214112-003

An Individual

Name (typed or printed): Frank Colby Buffington

By: *Frank Colby Buffington* (SEAL)
(Individual's signature)

Doing business as: Cougar Const Excavation

Business address: P.O. Box 1306 Meridian Id 83680

Phone No.: 208-860-4578 FAX No.: _____

A Joint Venture

Joint Venturer Name: _____ (SEAL)

By: _____
(Signature of joint venture partner – attach evidence of authority to sign)

Name (typed or printed): _____

Title: _____

Business address: _____

Phone No.: _____ FAX No.: _____

Joint Venturer Name: _____ (SEAL)

By: _____
(Signature – attach evidence of authority to sign)

Name (typed or printed): _____

Title: _____

Business address: _____

Phone No.: _____ FAX No.: _____

Phone and FAX Number, and Address for receipt of official communications:

(Each joint venturer must sign. The manner of signing for each individual, partnership, and corporation that is a party to the joint venture should be in the manner indicated above.)

CITY OF KUNA
2017 WATER AND PRESSURE IRRIGATION MAINS

214112-003

PENAL SUM FORM

BID BOND

BIDDER (Name and Address):

Cougar Excavation, LLC
PO Box 1306
Meridian, Idaho 83680

SURETY (Name and Address of Principal Place of Business):

Western Surety Company
333 South Wabash Ave. 41st Floor
Chicago, IL 60604

OWNER (Name and Address):

City of Kuna
6950 South Ten Mile
Meridian, Idaho 83642

BID

BID DUE DATE: February 24, 2017
PROJECT (Brief Description Including Location):
Kuna 2017 Water and Pressure Irrigation Mains Project
Hubbard Road, Ardell Road, Kay Street and Deer Flat Road

BOND

BOND NUMBER: 63090959
DATE (Not later than Bid due date): February 23, 2017
PENAL SUM: Five Percent (5%) of Amount Bid (Words) 5% of Amount Bid (Figures)

IN WITNESS WHEREOF, Surety and Bidder, intending to be legally bound hereby, subject to the terms printed on the reverse side hereof, do each cause this Bid Bond to be duly executed on its behalf by its authorized officer, agent, or representative.

BIDDER

Cougar Excavation, LLC (Seal)
Bidder's Name and Corporate Seal

By: [Signature] Signature and Title

Attest: [Signature] Signature and Title

SURETY

Western Surety Company (Seal)
Surety's Name and Corporate Seal

By: [Signature] Signature and Title Janet K Holthaus, Attorney-in-Fact (Attach Power of Attorney)

Attest: [Signature] Signature and Title Jenae M Sexton Witness

Note: (1) Above addresses are to be used for giving required notice.
(2) Any singular reference to Bidder, Surety, Owner or other party shall be considered plural where applicable.