

CITY OFFICIALS  
W. Greg Nelson, Mayor  
Richard Cardoza, Council President  
Briana Buban-Vonder Haar, Council Member  
Pat Jones, Council Member  
Joe Stear, Council Member

## CITY OF KUNA

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

### Regular City Council Meeting

### AGENDA

Tuesday, November 4, 2015

#### 7:00 P.M. REGULAR CITY COUNCIL

1. **Call to Order and Roll Call**
2. **Invocation:** Randy Maxwell, 7<sup>th</sup> Day Adventist Church
3. **Pledge of Allegiance:** Mayor Nelson
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 Old Business or as instructed by the City Council.*

- A. City Council Meeting Minutes:
  1. Regular City Council Minutes, October 20, 2015
- B. Accounts Payable Dated October 29, 2015 in the Amount of \$223,999.74
- C. Resolution:
- D. Findings of Facts and Conclusions of Law:
  1. Consideration to Approve Findings of Fact based on the record contained in Case No. 15-04-S, Ardell Estates preliminary plat, including the exhibits, staff's report and the public testimony at the public hearing.
  2. Consideration to Approve Findings of Fact for case No's 14-07-AN and 14-03-LS, Daniel and Gina Safford, as outlined in staff's report, including the exhibits and the public testimony at the public hearing.

#### 5. **Citizen's Reports or Requests:**

**6. Public Hearings:** (7:00 p.m. or as soon thereafter as matters may be heard.)

Consideration to Approve Case No. 15-01-AN, *Falcon Crest Annexation* – Troy Behunin, Senior Planner

Applicant requests annexation of approximately 294.31 acres into the City limits. Applicant and other property owners are requesting the Agriculture (AG) zone for all parcels. This is to set the stage for the future of the Golf Course. At an unknown time in the future, it is anticipated the remainder of the Golf Course will annex into the City, when a specific development plan for the area is known and will go through the application review process at that time.

**7. Business Items:**

- A.** Consideration to Approve Case No. 15-03-LLA; A Lot Line Adjustment request by Gary Herriott - Troy Behunin, Senior Planner

Applicant requests to reconfigure two qualifying parcels to better suit the needs of the two parcels.

- B.** Consideration to Approve Resolution R79-2015 Approving Spectrum Lease Agreement – Gordon Law, City Engineer

APPROVING “SPECTRUM LEASE AGREEMENT”; AND AUTHORIZING THE MAYOR, CITY CLERK AND CITY ENGINEER TO EXECUTE “SPECTRUM LEASE AGREEMENT”.

- C.** Consideration to Approve Resolutions in preparation for the City’s application for a Community Development Block Grant with Idaho Commerce for Downtown Revitalization – Chris Engels, City Clerk

- 1.** Consideration to Approve R80-2015 ICDBG Citizen Participation Plan

A RESOLUTION OF THE CITY OF KUNA, IDAHO APPROVING THE IDAHO COMMUNITY DEVELOPMENT BLOCK GRANT (ICDBG) CITIZEN PARTICIPATION PLAN; AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME AND THE CLERK TO ATTEST TO SAID EXECUTION.

- 2.** Consideration to Approve R81-2015 JUB Professional Service Agreement

A RESOLUTION OF THE CITY OF KUNA, IDAHO APPROVING THE PROFESSIONAL SERVICES AGREEMENT WITH JUB ENGINEERS, INC. TO PREPARE AN IDAHO COMMUNITY DEVELOPMENT BLOCK GRANT (ICDBG) CITIZEN PARTICIPATION PLAN DOWNTOWN

REVITALIZATION PLAN FOR THE CITY OF KUNA, IDAHO; AND  
AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT.

3. Consideration to Approve R82-2015 Establishing a Redevelopment Area

A RESOLUTION TO ESTABLISH A REDEVELOPMENT AREA

D. Consideration to Appoint Ron Herther to the Planning and Zoning Commission effective November 1, 2015. Mr. Herther's term will expire on November 1, 2018 – Wendy Howell, P & Z Director

E. October 2015 Construction Report – Gordon Law, City Engineer  
(No Action Required)

8. Ordinances:

A. *First Reading* of Ordinance No 2015-12 Idaho Power Franchise Agreement – Richard Roats, City Attorney

*Consideration to waive three readings*

*Consideration to approve ordinance*

*Consideration to approve a summary publication of the ordinance*

AN ORDINANCE IN ACCORDANCE WITH IDAHO CODE SECTIONS 50-328, 50-329 AND 50-329A GRANTING A FRANCHISE TO IDAHO POWER COMPANY, AN IDAHO CORPORATION, AND TO ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, MAINTAIN AND OPERATE IN AND UPON THE PRESENT AND FUTURE STREETS, HIGHWAYS AND OTHER PUBLIC PLACES WITHIN THE CORPORATE LIMITS OF THE CITY OF KUNA, IDAHO, ELECTRIC UTILITY PROPERTY AND FACILITIES FOR SUPPLYING ELECTRICITY AND ELECTRIC SERVICE TO THE CITY, THE INHABITANTS THEREOF, AND OTHERS FOR A TERM OF TEN (10) YEARS; PROVIDING A RIGHT TO THE CITY TO PHYSICALLY LOCATE AND MAINTAIN TELEPHONE, CABLE, FIBER OPTICS OR OTHER COMMUNICATIONS FACILITIES ON THE POLES AND OTHER FACILITIES OF GRANTEE; PROVIDING FOR A HOLD HARMLESS CLAUSE; PROVIDING FOR A REQUIREMENT FOR INSURANCE; PROVIDING FOR A PROCESS TO IMPLEMENT A FRANCHISE FEE; PROVIDING FOR A NON COMPETE CLAUSE; PROVIDING A CLAUSE THAT PERMITS THE CITY TO GENERATE POWER FOR ITS OWN CONSUMPTION; RESERVING POWER OF EMINENT DOMAIN; PROVIDING FOR THE PAYMENT OF FRANCHISE FEES; AND SPECIFYING OTHER LIMITATIONS, TERMS AND CONDITIONS GOVERNING THE EXERCISE OF SAID FRANCHISE.

- B.** *First Reading of Ordinance No 2015-18 Annexing Real Property – Trevor Kesner, Planner II*

*Consideration to waive three readings*

*Consideration to approve ordinance*

*Consideration to approve a summary publication of the ordinance*

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY, TO WIT:  
PARCEL NO. R5070501603 AND PARCEL NO. R5070501602 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.

**9. Mayor/Council Discussion Items:**

**10. Announcements:**

**11. Executive Session:**

**12. Adjournment:**

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## CITY OF KUNA

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

**Regular City Council Meeting  
 MINUTES**

**Tuesday, October 20, 2015**

**7:00 P.M. REGULAR CITY COUNCIL**

**1. 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:** John Marsh, City Treasurer  
 Richard Roats, City Attorney  
 Chris Engels, City Clerk  
 Wendy Howell, P & Z Director  
 Bob Bachman, Facilities Director  
 Bobby Withrow, Parks Director  
 Gordon Law, City Engineer

**2. Invocation:** Karen Hernandez, United Methodist Church

**3. Pledge of Allegiance:** Mayor Nelson

**4. Consent Agenda:**  
*(Timestamp 00:02:30)*

*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 Old Business or as instructed by the City Council.*

**A. City Council Meeting Minutes:**

- 1.** Regular City Council Minutes, October 6, 2015
- 2.** Special Meeting City Council Minutes, October 13, 2015

**B. Accounts Payable Dated October 15, 2015 in the Amount of \$314,155.91**

**C. Resolution:**

1. Consideration to Approve R65-2015 Prosecuting Attorney Contract FY2016
2. Consideration to Approve R76-2015 Reallocation of FYE 2016 General Fund Budget items, General and Capital Projects Funds Only, Bucket Truck Acquisition as directed by Council on October 6, 2015.
3. Consideration to Approve R78-2015 Purchase Price of 2015 Ford F-150 for \$26,719.79 as allocated in the FY2016 budget.

**D. Findings of Facts and Conclusions of Law:**

Council President Cardoza asked if there should be a correction to the R76-2015 summary memo. The last paragraph should read “The remaining \$10,000 of the original \$25,000”.

City Treasurer John Marsh agreed there was an error, it will be corrected.

**Council Member Stear moved to approve the consent agenda with the correction to item. Seconded by Council Member Buban-Vonder Haar with the following roll call vote:**

**Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar and Stear**

**Voting No: None**

**Absent: None**

**Motion carried 4-0.**

**5. Citizen’s Reports or Requests:**

*(Timestamp 00:05:09)*

- A.** Consideration to waive fees for Bernie Fisher Park and Electricity for Kuna Fall Festival – Jaclyn Kippes

Jaclyn Kippes asked Council to waive the fees for the first year event. This is a continuation of the city’s last year 150<sup>th</sup> birthday celebration. There are activities that are family focused with emphasis on kids. The fee waiver would help with funding the vendors that are providing those activities.

Mayor Nelson asked if this would be an annual event.

Ms. Kippes responded they hoped it would be.

Council Member Stear thanked Ms. Kippes for organizing the event.

Council President Cardoza asked what the funds would be used for.

Ms. Kippes explained the funds would be used for the jump houses, balloon makers, face painters, prizes for the chili cook off and duck calling contest as well as pumpkin carving contest.

Council President asked if it was open to the public.

Ms. Kippes confirmed it is.

**Council Member Buban-Vonder Haar moved to approve Fee Waiver. Seconded by Council Member Stear with the following roll call vote:**

**Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar and Stear**

**Voting No: None**

**Absent: None**

**Motion carried 4-0.**

- B.** Consideration to reduce or waive fees for Kuna Disc Golf Course – Gregory Harris, Kuna Disc Golf League

Gregory Harris from Kuna Disc Golf League said that he wanted to play glow disc golf every other Tuesday. He appreciates having the Disc Golf Course.

Council Member Jones asked about the Park being closed after dark.

Mr. Harris will be asking for afterhours permit. He said he has played glow disc events at other locations and it worked well.

Council Member Jones asked City Clerk, Chris Engels if a special event permit would be needed every week.

Ms. Engels responded an afterhours permit would be in order. A special event permit would not be necessary.

Council Member Jones' concern is; safety at night and possibly non-players causing trouble. How would we control that?

Ms. Engels responded the city does have an Ordinance that allows for afterhours permitting which does have costs associated with that permit.

Council Member Jones asked if the afterhours permit is being asked to be waived as well and what those costs would be.

Ms. Engels asked Mr. Harris how many people would be attending the event. Mr. Harris indicated 15 – 20 people the first week but as the weather gets colder the numbers dwindle. Ms. Engels stated 10 people would be \$10.00 for each event and over 10 would be \$25.00 for each event.

Mayor Nelson asked if Mr. Harris had spoken with the Police Chief about this.

Mr. Harris responded he had not, that would be his next step.

Council Member Buban-Vonder Haar asked if Mr. Harris would like time to re-evaluate all the fees involved since the consideration before Council is to waive only the disc golf course fees and to also be able to speak with the Police Chief.

Mayor Nelson stated this sounds like this can be worked out. Mr. Harris needs to meet with the Police Chief and gather all the information for the fee waiver. The matter could be tabled tonight and considered at the next Council meeting on November 4, 2015.

Council Member Jones asked if disc golf was played in the winter.

Mr. Harris explained they play year round. If Council would consider waiving either the course fees or the afterhours fees, it would help. The group would like to start playing next week.

Council Member Buban-Vonder Haar said it was her understanding the disc golf fees were set to be consistent with other parks. Is that not the case?

Mr. Harris does not believe that the fees are consistent with other parks.

Ms. Engels clarified the fee information came from Travis Lindstrom who runs disc golf leagues in Boise and other areas.

Council Member Buban-Vonder Haar asked Mr. Harris about his offer to help with clean-up and maintenance of the course in exchange for the fee waiver.

Mr. Harris responded the players would absolutely help with anything that would be needed.

Mayor Nelson asked Facilities Director, Bob Bachman and Parks Director, Bobby Withrow to help Mr. Harris with a letter outlining the things needed.

Council Member Buban-Vonder Haar reviewed that she would like contact with the Police Department. She does have concerns about waiving the afterhours fees however she is interested in waiving the course fees because the group is willing to donate their labor in exchange. If Mr. Harris is not interested in waiving the afterhours fees and makes contact with the Police Chief, this matter would not have to wait until the next Council Meeting.

Council Member Jones stated he would be agreeable to that arrangement. He also appreciates Mr. Harris's honesty. The number one concern is safety; the fees can be worked out.

Mr. Harris stated he will talk to the Police Chief and is willing to pay the afterhours fees. He would like to start as soon as possible.

Council Member Stear asked Council if the fees could be waived until the next Council Meeting.

Council Member Buban-Vonder Haar stated the request before Council is to waive the disc golf course fees which she is agreeable to for a specified time. The waiver can be extended if things are working well. If Mr. Harris's group is willing to pay the afterhours fees, he would not have to come back before Council.

Council President Cardoza asked Facilities Director, Bob Bachman or City Treasurer, John Marsh how much the disc golf course cost to build.

City Clerk, Chris Engels responded this was a grant funded project. The cost was between \$10,000 and \$10,100.

Council President Cardoza said he is not sure the fees to play are out of line.

Council Direction: The non-exclusive disc golf course fee will be waived for 4 months. At the end of that time, check in for a continuance of the waiver. Also note, Mr. Harris' group will volunteer labor to assist with projects.

**Council Member Buban-Vonder Haar moved to approve Fee Waiver. Seconded by Council Member Stear with the following roll call vote:**

**Voting Aye: Council Members, Jones, Buban-Vonder Haar and Stear**

**Voting No: Cardoza**

**Absent: None**

**Motion carried 3-1.**

**C. Annual Presentation from COMPASS**

The representatives explained that the presentation would consist of an overview of transportation agencies.

Toni Tisdale from COMPASS explained their organization and their transportation partner agencies. She also explained the benefits and resources COMPASS can provide to assist communities. COMPASS met with staff earlier in the year and discussed the needs of the community. COMPASS is researching ways to help Kuna fund those projects.

The Valley Regional Transit representative explained their organization and benefits to transportation. VRT is the regional public transportation authority for Ada and Canyon Counties.

Idaho Transportation Department was explained; their organization and benefits to transportation. ITD manages and oversees all modes of statewide transportation modes.

LHTAC was explained; their organization and benefits to transportation. LHTAC mostly works with the rural communities to connect local highway jurisdictions with resources for maintenance and construction projects.

Ms. Tisdale explained the funding options from COMPASS for projects.

Various programs for transportation options were explained. The assistance and training from the agencies were also explained.

Council Member Stear said that transportation has been important and thinks it is something that should be discussed to establish possible funding going forward.

Mayor Nelson said he finds it troubling that planning takes place for 5 years in the future and when a large business such as Simplot moves into the city, causing a big increase in traffic which was not anticipated, plans are immediately behind.

Ms. Tisdale responded the long range plan is updated every four years for exactly that reason. They are currently updating plans.

Mayor Nelson explained the situation with the two at grade railroad crossings dividing the town. To upgrade those crossings is a cost of \$300,000 to \$500,000 each. The city could use advice from experts.

Ms. Tisdale said the programs they have wouldn't cover the costs but could help with the planning for the funding.

**6. Public Hearings:** (7:00 p.m. or as soon thereafter as matters may be heard.)  
(Timestamp 00:48:29)

**A.** Consideration to Approve 15-04-S (Subdivision), Ardell Estates Preliminary Plat – Troy Behunin, Senior Planner

**Ardell Estates Preliminary Plat:** The request includes creating a 261 lot subdivision in an R-6 (Medium Density Residential) zone in the City. Applicant proposes to develop 27 additional lots into common lots. Applicant is proposing a minimum of seven (7) phases of development to be driven by the market.

Senior Planner, Troy Behunin explained the application is for the Ardell Estates. This is a straight subdivision request by DBTV, Waters Edge Farms with 261 lots and 27 addition common lots. A neighborhood meeting was held and the applicants have met all the requirements of noticing. All materials have been provided that are requested. The Planning and Zoning Commission forwarded their approval that

included several conditions. One of which is to eliminate item 13 which required trees and shrubs in a common lot where a path is located. The pathway connects two subdivisions. The reason for removal is because of a utility easement that only allows pathway and grass.

Mr. Behunin said he spoke with City Engineer, Gordon Law and the project does provide for a regional pressurized irrigation pump station for the city. The applicant has worked closely with Mr. Law to be sure the pump station is correct. Mr. Behunin said this should be a condition of approval. This project has also decommissioned the Deerhorn Subdivision lift station and will decommission the Birds of Prey Subdivision lift station.

Council Member Stear commented on the map on the second page, the north boundary seems to take a jog north and looks as though it gets into a tree and shed on an existing property.

Mr. Behunin said the applicant has spoken with the neighbor. Some of the trees are very close to the property line and as the property is developed will probably not survive. The shed will have to be removed also as well as a fence.

Council President Cardoza asked if city code required ten percent open space.

Mr. Behunin said no, not on a straight subdivision.

Council President Cardoza responded there is a recommendation from P & Z saying the applicants have addressed the need for additional open space for residents. Is that going to be presented to Council?

Mr. Behunin said the applicant will provide the information.

Mayor Nelson opened the public hearing.

Support:

David Crawford, B & A Engineers, representing the applicant. Mr. Crawford updated Council that they have been working with the neighbors. There has been an agreement on fencing adjoining a five acre parcel and still be within city code. The property is zoned R-6. Previously this property was part of Waters Edge subdivision which was a denser development and was never constructed. Ardell Estates is closer to an R-4 and he believes it is more fitting with the surrounding properties. This could be considered an infill development. Land sizes are 7,000 to 10,000 square feet and are consistent with the market. The project will phase as the market allows.

Mr. Crawford said the project is in compliance with all city codes and is not asking for any higher density. Since the original submittal, the City Engineer asked to alternatively locate the pressurized irrigation storage facility. The location was

moved to accommodate the city preferences and is now more rectangular. He explained the layout and various points of note. The city will benefit from the installation of main sewer lines.

He addressed ten percent open space and is in compliance with all city codes. The applicants have been able to negotiate permission to install grass and pathway along the utility easement which originally only allowed gravel. This allowance will continue to connect pathways within half a mile of a Kuna city park. Mr. Crawford stood for questions and asked for approval of Ardell Estates subdivision.

Council President asked if Mr. Crawford knew why the density was so high on Waters Edge.

Mr. Crawford said it was a unique design with townhomes and smaller homes. There was a large pond in the center which caused the higher density.

Council President thought it was a mixed use project.

Against:

Richard Durrant; is concerned with traffic patterns and schools with the influx of children without support from the city with impact fees. He had a truck trying to get on Ten Mile at 7:00 a.m. but the traffic pattern made it difficult.

Council Member Stear explained that the statute doesn't allow for school districts to have impact fees as the code is strict on the matter. He thinks with the reduction of state funding, the school board may need to look further into it.

Mr. Durrant met with the school board and there are some things in mind such as a use fee. He appreciates the larger lot sizes in Kuna and feels it is imperative to cater to upper scale developments and keep the schools on track with the rest of the state.

Council Member Jones commented he thinks everyone is concerned with the influx of students to the school district and funding. The school district is notified of all subdivisions and they don't respond. He is stuck in the middle because on one side, the school doesn't share their concerns with Council and on the other side is an applicant that has met all the code guidelines. Refusing to approve that applicant's request wouldn't be fair.

He explained that it would be helpful to have the school district respond if they have an official concern.

Mr. Durrant thought the school district understood after his meeting with them.

Mayor Nelson said that the school district and Council meet quarterly to discuss anything on the horizon. They also receive our building activity reports. He further

explained that the property taxes from the Simplot plant and the Solar Farm have been reduced for a period of time by the county however he doesn't know what that amount is but is trying to find out.

Council Member Stear stated the city is approaching a population where businesses will continue to come and increase the tax base.

Neutral:

Tim Gordon, 1206 N Black Cat wanted to echo the sentiments of Mayor Nelson and encourages more commercial business to bring down taxes for existing business and residential as well.

Mayor Nelson closed the hearing at 8:19 p.m.

Mayor Nelson said the matter was before Council for discussion.

Council President Cardoza asked for Mr. Crawford to show him the public areas.

Mr. Crawford explained the public areas are related to the pathways within the subdivision and connecting the subdivisions, the open space lots are related to buffering the streets along the sides of the project and throughout the development.

Council President Cardoza said he wasn't sure there is adequate public space.

Council Member Buban-Vonder Harr said there is paved pathway and it leads to the large Arbor Ridge Park. It isn't required by city code and the subdivision is sandwiched between two large parks that are accessible.

Mayor Nelson said the description of the development as an infill development would be accurate.

Council President Cardoza expressed he didn't like the amount of open space.

Council Member Buban-Vonder Harr said that she didn't personally like the plan but it meets code. The comp plan needs to be revised.

Council Member Jones asked Mr. Behunin what type of subdivision required ten percent open space.

Mr. Behunin explained a development that would be asking for relaxed standards such as narrower street frontages or a higher density would be subject to the ten percent open space requirement.

Council Member Jones asked if there is an open space requirement for a high density subdivision compared to a medium density subdivision.

Mr. Behunin responded if it is properly zoned for R12 or R20 and the developers are not asking for any variance to what code requires, then no, there is no open space requirement.

Council Member Jones agrees that there are items that need to be taken care of in the near future and agrees the applicant has met all the current requirements.

Council President Cardoza asked Mr. Crawford about the entrance to the subdivision having only 4 or 5 trees. Will there not be any other beautification? It seems plain.

Mr. Crawford said it does seem somewhat plain but what is being shown is what is required. The rest of the landscaping will go through a specific design review.

**Council Member Buban-Vonder Haar moved to approve 15-04-S. Seconded by Council Member Jones with the following roll call vote:**

**Voting Aye: Council Members Jones, Buban-Vonder Haar, Cardoza and Stear**

**Voting No: None**

**Motion carried 4-0.**

**7. Business Items:**

*(Timestamp 01:34:05)*

- A.** Consideration to Approve 15-02-AN, 15-02-ZC and 15-01-S Based on the record contained in Case No.s 15-02-AN, 15-02-ZC and 15-01-S, including the exhibits, staff's report and the public testimony at the public hearing, the City Council of Kuna, Idaho, hereby *approves* the Findings of Fact and Conclusions of Law, and conditions of approval for Case No's 15-02-AN, 15-02-ZC and 15-01-S, annexation, rezone and preliminary plat. – Troy Behunin, Senior Planner.

**Council Member Stear moved to approve the Findings of Fact and Conclusions of Law, and conditions of approval for Case No's 15-02-AN, 15-02-ZC and 15-01-S, annexation, rezone and preliminary plat. Seconded by Council Member Buban-Vonder Haar with the following roll call vote:**

**Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar, and Stear**

**Voting No: None**

**Motion carried 4-0.**

- B.** Consideration to Approve Resolution R70-2015 Approving 2016 Irrigation Assessment Roll and Adopting Irrigation Fees and Policies for 2016 – Gordon Law, City Engineer

*(Timestamp 01:36:20)*

A 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 2016 IRRIGATION SEASON; RECEIVING AND ACCEPTING THE ESTIMATE OF EXPENSES FOR THE 2016 IRRIGATION SEASON; SETTING THE TIME AND PLACE FOR THE MEETING OF THE BOARD OF CORRECTION FOR 2016 ASSESSMENTS; SETTING FEES FOR CONNECTING TO SAID IRRIGATION SYSTEM; SETTING UNIFORM METHOD OF ALLOCATING ASSESSMENTS FOR THE 2016 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.

City Engineer Gordon Law explained this is an annual assessment affecting all those benefiting from the city pressurized irrigation system. The meeting of the board of correction will take place on March 15, 2016. The proposal calls for a 1% increase in the annual assessment for a typical residence.

Council Member Buban-Vonder Haar noted there was a typo in the Unauthorized Connection paragraph.

Mr. Law asked if everyone understood the paragraph.

Council Member Jones asked why unauthorized connection to the system isn't criminal.

Mr. Law said he couldn't explain but the city is taking appropriate measures by establishing a fine for such an action.

Council Member Jones asked how the city would know if someone connected without authorization.

Mr. Law responded there is general knowledge of the location of services that are not presently hooked up. When employees see a location is enjoying those services without having paid for a connection, there is a notation made. At this time there are 6 – 8 residences that this would apply to.

Council Member Jones stated he would like to make sure the consequence is a deterrent.

Council President Cardoza stated he notices the potable water use is down substantially and asked Mr. Law if he had considered the water usage from the treatment plant.

Mr. Law responded he has not at this time. At this time, the permit is out for comment. There are concerns that should be addressed by staff and the governing board for decisions to be made. Because of that, it does not seem appropriate at this time to take into account the cost or savings that may result from the treatment plant.

**Council Member Buban-Vonder Haar moved to approve Resolution R70-2015. Seconded by Council Member Stear with the following roll call vote:  
Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar and Stear  
Voting No: None  
Motion carried 4-0.**

- C. Consideration to Approve Resolution R74-2015 Adopting Water Fund Fees and Policies for 2016 – Gordon Law, City Engineer  
(Timestamp 01:47:40)

A RESOLUTION AMENDING PORTIONS OF RESOLUTION R58-2014 THAT: SETS FORTH THE AUTHORITY FOR ADOPTING WATER CONNECTION FEES AND MONTHLY WATER SERVICE RATES; ESTABLISHES FEES FOR CONNECTING TO THE WATER SYSTEM; ESTABLISHES WATER USE FEES THAT ARE NOW AMENDED WITH WATER RATE CHANGES FOR ALL CUSTOMERS; PROVIDES FOR MISCELLANEOUS WATER CUSTOMER SERVICE POLICIES; SETS FORTH MINIMUM LINE SIZES; REPEALS FEES ESTABLISHED BY EARLIER RESOLUTIONS; AND SETS AN EFFECTIVE DATE.

City Engineer, Gordon Law commented that there have been several successes over the last year. One was the line extension which resulted in a reduction of potable water use. There has been a reduction during peak demand time from 5 million gallons to 2.5 million gallons. There is still a shortage requiring usage of potable water but heading in the right direction. Also, there was a somewhat short irrigation water supply this year but due to the successes shared; 47 days of water at maximum rate remained in supply at the end of the season.

Mr. Law explained the projected inflation adjustment for the upcoming year is 1%. There is an additional item of expense due to the internal transfer of expenses from the general fund to water, sewer and pressurized irrigation which brings the total adjusted percentage to 2.3% or 2.4%. There are also some connection fees being subsidized.

Mayor Nelson said it was a great report. He would like to thank the staff for moving in the right direction.

Council President Cardoza asked how Kuna water rates compare to neighboring cities.

Mr. Law said we are substantially lower than United Water but higher than Caldwell. He doesn't know about Meridian.

Council President Cardoza asked if the city is being careful to not price ourselves out of the building trade. Are the costs reflecting the true cost for connections?

Mr. Law responded; one fee is the monthly fee which is based on operation costs, the connection fee is based on capital costs. The major connection fees for wells and transmission lines are what developers and contractors see and those are not part of the cost adjustments. The capital cost adjustment reflected here is for those fees related to providing the service itself such as the meter vault and meter.

Mayor Nelson asked Mr. Law to compare Kuna to neighboring cities and send the information to Council.

Council Member Buban-Vonder Haar noted two corrections for the motion.

**Council Member Stear moved to approve Resolution R74-2015 with the change of 2A1 to read twenty two ninety five and 2A4 bracketed to read \$1.67. Seconded by Council Member Buban-Vonder Haar with the following roll call vote:  
Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar and Stear  
Voting No: None  
Motion carried 4-0.**

- D.** Consideration to Approve Resolution R75-2015 Adopting Sewer Fund Fees and Policies for 2016 – Gordon Law, City Engineer  
(Timestamp 01:57:35)

A RESOLUTION AMENDING CERTAIN SECTIONS OF RESOLUTION R59-2014 THAT: SETS FORTH THE AUTHORITY FOR ADOPTING SEWER FEES; ESTABLISHES FEES FOR CONNECTING TO SEWER SYSTEM; ESTABLISHES MONTHLY SEWER USE FEES THAT ARE NOW AMENDED WITH SEWER RATE CHANGES FOR ALL CUSTOMERS; SETS FORTH MINIMUM LINE SIZES; PROVIDES FOR A METHOD OF COMPUTING USER EQUIVALENT; REPEALS FEES ESTABLISHED BY EARLIER RESOLUTIONS; AND SETS AN EFFECTIVE DATE.

City Engineer, Gordon Law explained there was another success this year in the water system. A tank mixer was purchased to circulate water in wells to alleviate a bubble problem as well as a hard water problem. This has exceeded expectations.

Mr. Law stated sewer fees are proposed to be adjusted to match the inflationary rate.

**Council Member Stear moved to approve Resolution R75-2015. Seconded by Council Member Buban-Vonder Haar with the following roll call vote:  
Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar and Stear  
Voting No: None  
Motion carried 4-0.**

- E.** Consideration to Approve Resolution R52-2015A to Appoint Fabiola Giddings to the Kuna Development Impact Fee Advisory Committee – Richard Roats, City Attorney

*(Timestamp 02:02:07)*

The previous appointment, Kellie Goicoechea, was unable to serve on the committee

City Attorney, Richard Roats asked for the Resolution to be approved. He plans to have a draft ordinance for review by the Committee.

Council President Cardoza asked if there was a developer on the committee for input.

Mr. Roats responded; no there is not, however he does intend to pass along information to the developers the city works with and invite their input as well as their attendance at some of the meetings as the committee moves forward.

Council President Cardoza asked if contractors should be included as well.

Mr. Roats suggested moving forward as described and contractors can be added if any express an interest.

**Council Member Stear moved to approve Resolution R52-2015A. Seconded by Council Member Buban-Vonder Haar with the following roll call vote:  
Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar and Stear  
Voting No: None  
Motion carried 4-0.**

- F.** Consideration to accept the resignation from the Planning and Zoning Commissioner Joan Gay effective November 1, 2015 – Wendy Howell, P & Z Director

*(Timestamp 02:05:54)*

**Council Member Buban-Vonder Haar moved to approve the resignation of Planning and Zoning Commissioner Joan Gay. Seconded by Council Member Stear with the following roll call vote:  
Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar and Stear  
Voting No: None  
Motion carried 4-0.**

- G.** Consideration to Appoint Ron Herther to the Planning and Zoning Commission effective November 1, 2015. Mr. Herther's term will expire on November 1, 2018 – Wendy Howell, P & Z Director

*(Timestamp 02:07:32)*

Planning and Zoning Director Wendy Howell explained that she did not have any applicants for the Planning and Zoning Commissioner vacancy. Ms. Howell approached Mr. Herther regarding the opportunity and he submitted a resume to Ms. Howell.

Council Member Jones asked about advertising for the position to give the public an opportunity to apply.

Council Member Buban-Vonder Haar said she hadn't seen any advertising on any of the social media pages.

Ms. Howell responded there was no advertising.

Council Member Buban-Vonder Haar said she had some concerns regarding the applicant's lack of experience in planning and zoning matters or city functions.

Council Member Jones would like to see the position advertised to give everyone an opportunity to participate.

Council Member Stear said obtaining volunteers can be difficult especially on short notice.

Mayor Nelson agreed it should be advertised.

Council Member Buban-Vonder Haar said she believes it would be reasonable to put out a call on social media and any way possible. Any responses can then be considered.

Council Direction: Advertise the position for others to consider applying and review the matter at the next Council meeting.

**Council Member Buban-Vonder Haar moved to table Ron Herther to the Planning and Zoning Commission. Seconded by Council Member Jones with the following roll call vote:**

**Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar and Stear**

**Voting No: None**

**Motion carried 4-0.**

**H.** Consideration to set Council Workshop date and time for final review of Personnel Manual – Richard Roats, City Attorney  
(Timestamp 02:18:12)

City Attorney, Richard Roats asked for a time and date that would work for everyone to schedule the final review workshop of the Personnel Manual.

Council agreed to a November 17, 2015 pre-council meeting workshop at 5:30 p.m.

Mr. Roats asked if the next item on the agenda, Ordinance No 2015-12 could be pulled from the agenda until the next Council meeting.

**Council Member Buban-Vonder Haar moved to table Ordinance No 2015-12 until the November 4, 2015 Council meeting. Seconded by Council Member Stear with the following roll call vote:**

**Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar and Stear**

**Voting No: None**

**Motion carried 4-0.**

## **8. Ordinances:**

*(Timestamp 0:00:00) Pulled from the agenda*

- A.** *First Reading of Ordinance No 2015-12 Idaho Power Franchise Agreement  
Consideration to waive three readings  
Consideration to approve ordinance  
Consideration to approve a summary publication of the ordinance*

AN ORDINANCE IN ACCORDANCE WITH IDAHO CODE SECTIONS 50-328, 50-329 AND 50-329A GRANTING A FRANCHISE TO IDAHO POWER COMPANY, AN IDAHO CORPORATION, AND TO ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, MAINTAIN AND OPERATE IN AND UPON THE PRESENT AND FUTURE STREETS, HIGHWAYS AND OTHER PUBLIC PLACES WITHIN THE CORPORATE LIMITS OF THE CITY OF KUNA, IDAHO, ELECTRIC UTILITY PROPERTY AND FACILITIES FOR SUPPLYING ELECTRICITY AND ELECTRIC SERVICE TO THE CITY, THE INHABITANTS THEREOF, AND OTHERS FOR A TERM OF TEN (10) YEARS; PROVIDING A RIGHT TO THE CITY TO PHYSICALLY LOCATE AND MAINTAIN TELEPHONE, CABLE, FIBER OPTICS OR OTHER COMMUNICATIONS FACILITIES ON THE POLES AND OTHER FACILITIES OF GRANTEE; PROVIDING FOR A HOLD HARMLESS CLAUSE; PROVIDING FOR A REQUIREMENT FOR INSURANCE; PROVIDING FOR A PROCESS TO IMPLEMENT A FRANCHISE FEE; PROVIDING FOR A NON COMPETE CLAUSE; PROVIDING A CLAUSE THAT PERMITS THE CITY TO GENERATE POWER FOR ITS OWN CONSUMPTION; RESERVING POWER OF EMINENT DOMAIN; PROVIDING FOR THE PAYMENT OF FRANCHISE FEES; AND SPECIFYING OTHER LIMITATIONS, TERMS AND CONDITIONS GOVERNING THE EXERCISE OF SAID FRANCHISE.

## **9. Mayor/Council Discussion Items:**

## **10. Announcements:**

**11. Executive Session:****12. Adjournment:**

**Council Member Stear moved to adjourn the meeting at 9:20 p.m. Seconded by Council Member Jones. Motion carried 4-0**

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W. Greg Nelson, Mayor

ATTEST:

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Chris Engels, City Clerk

*Minutes prepared by Dawn Stephens  
Date Approved: CCM 11.04.2015*



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			15		10/18/2015	90.50	.00	21-6212_RENT-EQUIPMENT	0	10/15		
	Total B-236606:					90.50	.00					
1463	A COMPANY, INC.	B-236952		RENTAL HITECH RESTROOM, SN#T228. RENTAL 10.00. SERVICE 73.00. DAMAGE WAIVER 7.50. ARBOR RIDGE PARK. EOW. PARKS. OCT 15	10/18/2015	90.50	.00	01-6212_RENT-EQUIPMENT	1004	10/15		
	Total B-236952:					90.50	.00					
1463	A COMPANY, INC.	B-236953		RENTAL HITECH RESTROOM, SN#P255. RENTAL 10.00. SERVICE 73.00. DAMAGE WAIVER 7.50. THE FARM PARK. EOW. PARKS. OCT 15	10/18/2015	90.50	.00	01-6212_RENT-EQUIPMENT	1004	10/15		
	Total B-236953:					90.50	.00					
	Total A COMPANY, INC.:					648.50	.00					
<b>ABC STAMP, SIGNS &amp; AWARDS</b>												
277	ABC STAMP, SIGNS & AWARDS	0483102	3455	NAME PLATE FOR NANCY STAUFFER. NEW EMPLOYEE. P&Z. OCT 15	10/15/2015	14.47	.00	01-6165_OFFICE SUPPLIES	1003	10/15		
	Total 0483102:					14.47	.00					
277	ABC STAMP, SIGNS & AWARDS	0483146	3473	8 NAME PLATES AND HOLDERS FOR PARK IMPACT COMMITTEE MEMBERS. PARKS. OCT 15	10/16/2015	167.55	.00	01-6165_OFFICE SUPPLIES	1004	10/15		
	Total 0483146:					167.55	.00					
	Total ABC STAMP, SIGNS & AWARDS:					182.02	.00					

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<b>ALLOWAY ELECTRIC CO</b>												
1087	ALLOWAY ELECTRIC CO	38079		<u>DAMAGE TO STREET LIGHT AT HUBBARD AND COPELAND. CAUSED BY DRUNK DRIVER. RESTITUTION HAS BEEN REQUESTED. OCT 15</u>	10/14/2015	1,607.06	.00	<u>01-6142 MAINT. &amp; REPAIR - EQUIPMENT</u>	1002	10/15		
Total 38079:						1,607.06	.00					
Total ALLOWAY ELECTRIC CO:						1,607.06	.00					
<b>B &amp; A ENGINEERS</b>												
347	B & A ENGINEERS	2359		<u>BIRDS OF PREY SEWER MAIN DESIGN, MAIN LINE EXTENSION, G LAW, OCT 15</u>	10/14/2015	778.28	.00	<u>21-6020 CAPITAL IMPROVEMENTS</u>	0	9/15		
Total 2359:						778.28	.00					
347	B & A ENGINEERS	2360		<u>FINAL BILL FOR DEERHORN SEWER MAIN PROJECT, G LAW, OCT 15</u>	10/14/2015	54.90	.00	<u>21-6020 CAPITAL IMPROVEMENTS</u>	0	9/15		
Total 2360:						54.90	.00					
Total B & A ENGINEERS:						833.18	.00					
<b>BHS SPECIALTY CHEMICALS</b>												
512	BHS SPECIALTY CHEMICALS	61113	3279	<u>SODIUM HYDROXIDE, CAUSTIC SODA, T.SHAFFER, SEWER, AUG.'15</u>	08/28/2015	4,332.60	.00	<u>21-6150 MAINT. &amp; REPAIRS - SYSTEM</u>	0	8/15		
Total 61113:						4,332.60	.00					
Total BHS SPECIALTY CHEMICALS:						4,332.60	.00					
<b>BRADY INDUSTRIES OF IDAHO LLC</b>												
1240	BRADY INDUSTRIES OF IDAHO LLC	4909656	3453	<u>1 CS TOILET PAPER FOR SENIOR CTR, OCT 15</u>	10/13/2015	57.82	.00	<u>01-6025 JANITORIAL</u>	1001	10/15		

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Total 4909656:						57.82	.00					
1240	BRADY INDUSTRIES OF IDAHO LLC	4910118	3457	<u>1 CS SOAP, 1 CS TOILET PAPER, 1 CS ROLL PAPER TOWELS, ADMIN, OCT 15</u>	10/13/2015	170.37	.00	<u>01-6025 JANITORIAL</u>	0	10/15		
1240	BRADY INDUSTRIES OF IDAHO LLC	4910118	3457	<u>1 CS ROLL PAPER TOWELS, SR CTR, OCT 15</u>	10/13/2015	57.06	.00	<u>01-6025 JANITORIAL</u>	1001	10/15		
Total 4910118:						227.43	.00					
Total BRADY INDUSTRIES OF IDAHO LLC:						285.25	.00					
<b>BUREAU OF OCCUPATIONAL LICENSE</b>												
1091	BUREAU OF OCCUPATIONAL LICENSE	101915BW		<u>LICENSE RENEWAL FOR BOBBY WITHROW, LICENSE #S BAT-17574, #WWT1-14920, #WWC1-15519, #DWD3-18259, PARKS, OCT 15</u>	10/19/2015	120.00	.00	<u>01-6265 TRAINING &amp; SCHOOLING</u>	1004	10/15		
Total 101915BW:						120.00	.00					
Total BUREAU OF OCCUPATIONAL LICENSE:						120.00	.00					
<b>CAPITAL PAVING CO</b>												
20	CAPITAL PAVING CO	3860		<u>SERVICE LINE PATCH ON MARTEESON AND 4TH, C DEYOUNG, WATER, OCT 15</u>	10/13/2015	335.00	.00	<u>20-6150 MAINT. &amp; REPAIRS - SYSTEM</u>	0	10/15		
Total 3860:						335.00	.00					
Total CAPITAL PAVING CO:						335.00	.00					
<b>CASELLE INC</b>												
1239	CASELLE INC	68603		<u>CONTRACT SERVICES, COPY UNITS AND SERVICE DESCRIPTIONS FROM 2015 SERVICES AND RATES TO 2016 SERVICES AND RATES, PI, OCT 15</u>	10/20/2015	580.00	.00	<u>01-6052 CONTRACT SERVICES</u>	1003	10/15		

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Total 68603:						580.00	.00					
Total CASELLE INC:						580.00	.00					
<b>EUROFINS EATON ANALYTICAL, INC</b>												
1735	EUROFINS EATON ANALYTICAL, INC	L0237190		<u>MCMR3 SAMPLES, WELLS #4 &amp; #9, C DEYOUNG, WATER, OCT 15</u>	10/19/2015	425.00	.00	<u>20-6150 MAINT. &amp; REPAIRS - SYSTEM</u>	0	9/15		
Total L0237190:						425.00	.00					
Total EUROFINS EATON ANALYTICAL, INC:						425.00	.00					
<b>FASTENAL COMPANY</b>												
1507	FASTENAL COMPANY	IDBOS196035	3447	<u>DRILL BIT AND CUTTING LUBE TO INSTALL WATER MARKING STICK, DISCOVERY GENERATOR PROJECT, C KNIGHT, SEWER, OCT 15</u>	10/07/2015	8.28	.00	<u>21-6150 MAINT. &amp; REPAIRS - SYSTEM</u>	0	10/15		
Total IDBOS196035:						8.28	.00					
Total FASTENAL COMPANY:						8.28	.00					
<b>FERGUSON WATERWORKS #1701</b>												
219	FERGUSON WATERWORKS #1701	0617811	3246	<u>METER READER SYSTEM, 1 SP-SFL6501GB, FL6501 GB HANDHELD DEVICE, 1 SINGLE ETHERNET DOCK, 1 AUTOREADY MODULE, 1 COMMAND LINK, 24-3/4S IPERL 1000 GAL RESOLUTION, 24-520M DUAL PORT RADIOS, G.LAW, AUG:15</u>	08/13/2015	13,980.82	.00	<u>20-6166 PP&amp;E PURCHASES OPERATIONS</u>	0	8/15		
Total 0617811:						13,980.82	.00					
219	FERGUSON WATERWORKS #1701	0618178		<u>SENSUS SOFTWARE, FLEXNET M2 SFWR 1 YR MAINTENANCE AGREEMENT, SEPT 9, 2015 TO SEPT 9, 2016,</u>	10/19/2015	2,297.51	.00	<u>20-6052 CONTRACT SERVICES</u>	0	9/15		

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Total 0618178:						2,297.51	.00					
Total FERGUSON WATERWORKS #1701:						16,278.33	.00					
<b>G &amp; R AG PRODUCTS, INC.</b>												
376	G & R AG PRODUCTS, INC.	1200254-01	3497	<u>SOIL PROBE-TO CHECK SOIL CONDITIONS IN THE PARK, B WITHROW, PARKS, OCT 15</u>	10/23/2015	94.42	.00	<u>01-6175 SMALL TOOLS</u>	1004	10/15		
376	G & R AG PRODUCTS, INC.	1200254-01	3497	<u>REPLACED OLD SPRAYER MOTOR, B WITHROW, PARKS, OCT 15</u>	10/23/2015	188.25	.00	<u>01-6142 MAINT. &amp; REPAIR - EQUIPMENT</u>	1004	10/15		
Total 1200254-01:						282.67	.00					
Total G & R AG PRODUCTS, INC.:						282.67	.00					
<b>GREGG BARNEY EXCAVATION, INC.</b>												
1340	GREGG BARNEY EXCAVATION, INC.	5444		<u>WELL #11 PAD REMOVAL, 8" WATER MAIN, SPILL DISPOSAL, FY 2014-2015, G LAW, OCT 15</u>	10/01/2015	5,875.39	.00	<u>20-6020 CAPITAL IMPROVEMENTS</u>	0	10/15		
Total 5444:						5,875.39	.00					
Total GREGG BARNEY EXCAVATION, INC.:						5,875.39	.00					
<b>HOCOCHAN HOLDINGS, INC.</b>												
1619	HOCOCHAN HOLDINGS, INC.	AR409481		<u>MONTHLY COPIER LEASE, MX411ON, MXM503N, 10-01-15 TO 10-31-15, ADMIN, OCT 15</u>	10/13/2015	98.98	.00	<u>01-6142 MAINT. &amp; REPAIR - EQUIPMENT</u>	0	10/15		
1619	HOCOCHAN HOLDINGS, INC.	AR409481		<u>MONTHLY COPIER LEASE, MX411ON, MXM503N, 10-01-15 TO 10-31-15, P&amp;Z, OCT 15</u>	10/13/2015	35.35	.00	<u>01-6142 MAINT. &amp; REPAIR - EQUIPMENT</u>	1003	10/15		
1619	HOCOCHAN HOLDINGS, INC.	AR409481		<u>MONTHLY COPIER LEASE, MX411ON, MXM503N, 10-01-15 TO 10-31-15, WATER, OCT 15</u>	10/13/2015	91.91	.00	<u>20-6142 MAINT. &amp; REPAIRS- EQUIPMENT</u>	0	10/15		
1619	HOCOCHAN HOLDINGS, INC.	AR409481		<u>MONTHLY COPIER LEASE, MX411ON, MXM503N, 10-01-15 TO 10-31-15, SEWER, OCT 15</u>	10/13/2015	91.91	.00	<u>21-6142 MAINT. &amp; REPAIRS - EQUIPMENT</u>	0	10/15		

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1619	HOCOCHAN HOLDINGS, INC.	AR409481		<u>MONTHLY COPIER LEASE, MX4110N, MXM503N, 10-01-15 TO 10-31-15, PI, OCT 15</u>	10/13/2015	35.35	.00	<u>25-6142 MAINT. &amp; REPAIRS - EQUIPMENT</u>	0	10/15		
Total AR409481:						353.50	.00					
1619	HOCOCHAN HOLDINGS, INC.	AR409482		<u>MONTHLY COPIER CARE, B&amp;W, MX4110N, MXM503N, 09-01-15 TO 09-30-15, ADMIN, SEPT 15</u>	10/13/2015	34.74	.00	<u>01-6142 MAINT. &amp; REPAIR - EQUIPMENT</u>	0	9/15		
1619	HOCOCHAN HOLDINGS, INC.	AR409482		<u>MONTHLY COPIER CARE, B&amp;W, MX4110N, MXM503N, 09-01-15 TO 09-30-15, P&amp;Z, SEPT 15</u>	10/13/2015	12.42	.00	<u>01-6142 MAINT. &amp; REPAIR - EQUIPMENT</u>	1003	9/15		
1619	HOCOCHAN HOLDINGS, INC.	AR409482		<u>MONTHLY COPIER CARE, B&amp;W, MX4110N, MXM503N, 09-01-15 TO 09-30-15, WATER, SEPT 15</u>	10/13/2015	32.29	.00	<u>20-6142 MAINT. &amp; REPAIRS- EQUIPMENT</u>	0	9/15		
1619	HOCOCHAN HOLDINGS, INC.	AR409482		<u>MONTHLY COPIER CARE, B&amp;W, MX4110N, MXM503N, 09-01-15 TO 09-30-15, SEWER, SEPT 15</u>	10/13/2015	32.29	.00	<u>21-6142 MAINT. &amp; REPAIRS - EQUIPMENT</u>	0	9/15		
1619	HOCOCHAN HOLDINGS, INC.	AR409482		<u>MONTHLY COPIER CARE, B&amp;W, MX4110N, MXM503N, 09-01-15 TO 09-30-15, PI, SEPT 15</u>	10/13/2015	12.42	.00	<u>25-6142 MAINT. &amp; REPAIRS - EQUIPMENT</u>	0	9/15		
1619	HOCOCHAN HOLDINGS, INC.	AR409482		<u>MONTHLY COPIER CARE, COLOR, MX4110N, MXM503N, 09-01-15 TO 09-30-15, ADMIN, SEPT 15</u>	10/13/2015	105.77	.00	<u>01-6142 MAINT. &amp; REPAIR - EQUIPMENT</u>	0	9/15		
1619	HOCOCHAN HOLDINGS, INC.	AR409482		<u>MONTHLY COPIER CARE, COLOR, MX4110N, MXM503N, 09-01-15 TO 09-30-15, P&amp;Z, SEPT 15</u>	10/13/2015	37.79	.00	<u>01-6142 MAINT. &amp; REPAIR - EQUIPMENT</u>	1003	9/15		
1619	HOCOCHAN HOLDINGS, INC.	AR409482		<u>MONTHLY COPIER CARE, COLOR, MX4110N, MXM503N, 09-01-15 TO 09-30-15, WATER, SEPT 15</u>	10/13/2015	98.23	.00	<u>20-6142 MAINT. &amp; REPAIRS- EQUIPMENT</u>	0	9/15		
1619	HOCOCHAN HOLDINGS, INC.	AR409482		<u>MONTHLY COPIER CARE, COLOR, MX4110N, MXM503N, 09-01-15 TO 09-30-15, SEWER, SEPT 15</u>	10/13/2015	98.23	.00	<u>21-6142 MAINT. &amp; REPAIRS - EQUIPMENT</u>	0	9/15		

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1619	HOCOCHAN HOLDINGS, INC.	AR409482		<u>MONTHLY COPIER CARE, COLOR, MX4110N, MXM503N, 09-01-15 TO 09-30-15, PI, SEPT 15</u>	10/13/2015	37.79	.00	<u>25-6142 MAINT. &amp; REPAIRS - EQUIPMENT</u>	0	9/15		
Total AR409482:						501.97	.00					
Total HOCOCHAN HOLDINGS, INC.:						855.47	.00					
<b>IDAHO DEPARTMENT OF LABOR</b>												
179	IDAHO DEPARTMENT OF LABOR	102915		<u>UNEMPLOYMENT INSURANCE CLAIM 2015-3RD QTR FOR JUDITH BRACE, SEPT 15</u>	10/29/2015	364.28	.00	<u>01-6280 UNEMPLOYMENT EXPENSES</u>	1003	9/15		
Total 102915:						364.28	.00					
Total IDAHO DEPARTMENT OF LABOR:						364.28	.00					
<b>IDAHO POWER CO</b>												
38	IDAHO POWER CO	10282015I		<u>ELECTRIC SERVICE FOR OCTOBER 2015 - ADMIN</u>	10/21/2015	166.50	.00	<u>01-6290 UTILITIES</u>	0	10/15		
38	IDAHO POWER CO	10282015I		<u>ELECTRIC SERVICE FOR OCTOBER 2015 - P &amp; Z</u>	10/21/2015	32.88	.00	<u>01-6290 UTILITIES</u>	1003	10/15		
38	IDAHO POWER CO	10282015I		<u>ELECTRIC SERVICE FOR OCTOBER 2015 - SENIOR CENTER</u>	10/21/2015	312.76	.00	<u>01-6290 UTILITIES</u>	1001	10/15		
38	IDAHO POWER CO	10282015I		<u>ELECTRIC SERVICE FOR OCTOBER 2015 - STREET LIGHTS</u>	10/21/2015	5,984.69	.00	<u>01-6290 UTILITIES</u>	1002	10/15		
38	IDAHO POWER CO	10282015I		<u>ELECTRIC SERVICE FOR OCTOBER 2015 - PARKS</u>	10/21/2015	600.39	.00	<u>01-6290 UTILITIES</u>	1004	10/15		
38	IDAHO POWER CO	10282015I		<u>ELECTRIC SERVICE FOR OCTOBER 2015 - WATER</u>	10/21/2015	9,400.49	.00	<u>20-6290 UTILITIES EXPENSE</u>	0	10/15		
38	IDAHO POWER CO	10282015I		<u>ELECTRIC SERVICE FOR OCTOBER 2015 - SEWER</u>	10/21/2015	19,718.24	.00	<u>21-6290 UTILITIES EXPENSE</u>	0	10/15		
38	IDAHO POWER CO	10282015I		<u>ELECTRIC SERVICE FOR OCTOBER 2015 - FARM</u>	10/21/2015	6,363.53	.00	<u>21-6090 FARM EXPENDITURES</u>	0	10/15		

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38	IDAHO POWER CO	10282015I		<u>ELECTRIC SERVICE FOR OCTOBER 2015 - P.I</u>	10/21/2015	9,545.35	.00	<u>25-6290 UTILITIES EXPENSE</u>	0	10/15		
Total 10282015I:						52,124.83	.00					
Total IDAHO POWER CO:						52,124.83	.00					
<b>IDAHO STATE POLICE</b>												
1509	IDAHO STATE POLICE	S6026297		<u>PROFESSIONAL SERVICES BACKGROUN CHECK FOR NEW HIRE DILLON MISHLER, OCT 15</u>	10/27/2015	37.36	.00	<u>01-6202 PROFESSIONAL SERVICES</u>	0	10/15		
1509	IDAHO STATE POLICE	S6026297		<u>PROFESSIONAL SERVICES BACKGROUN CHECK FOR NEW HIRE DILLON MISHLER, WATER, OCT 15</u>	10/27/2015	.95	.00	<u>20-6202 PROFESSIONAL SERVICES</u>	0	10/15		
1509	IDAHO STATE POLICE	S6026297		<u>PROFESSIONAL SERVICES BACKGROUN CHECK FOR NEW HIRE DILLON MISHLER, SEWER, OCT 15</u>	10/27/2015	.95	.00	<u>21-6202 PROFESSIONAL SERVICES</u>	0	10/15		
1509	IDAHO STATE POLICE	S6026297		<u>PROFESSIONAL SERVICES BACKGROUN CHECK FOR NEW HIRE DILLON MISHLER, PI, OCT 15</u>	10/27/2015	.49	.00	<u>25-6202 PROFESSIONAL SERVICES</u>	0	10/15		
Total S6026297:						39.75	.00					
1509	IDAHO STATE POLICE	S6026947		<u>PROFESSIONAL SERVICES, FINGERPRINTS FOR NEW HIRE, NANCY STAUFFER, P&amp;Z, OCT 15</u>	10/27/2015	10.00	.00	<u>01-6202 PROFESSIONAL SERVICES</u>	1003	10/15		
Total S6026947:						10.00	.00					
1509	IDAHO STATE POLICE	S6028414		<u>PROFESSIONAL SERVICES, SOLICITOR LICENSE, KRYSTA MARSHALL, OCT 15</u>	10/27/2015	39.75	.00	<u>01-2075 UNEARNED REVENUE</u>	0	10/15		
Total S6028414:						39.75	.00					

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1509	IDAHO STATE POLICE	S6031432		<u>PROFESSIONAL SERVICES FOR NEW HIRE BRUCE GILLOGLY, PARKS, OCT 15</u>	10/27/2015	39.75	.00	<u>01-6202 PROFESSIONAL SERVICES</u>	1004	10/15		
Total S6031432:						39.75	.00					
Total IDAHO STATE POLICE:						129.25	.00					
<b>IDAHO TRANSPORTATION DEPT.</b>												
180	IDAHO TRANSPORTATION DEPT.	102315		<u>REGISTRATION/TAGS, 2015 FORD F150</u>	10/23/2015	23.00	23.00	<u>01-6305 VEHICLE MAINTENANCE &amp; REPAIRS</u>	0	10/15	10/23/2015	
Total 102315:						23.00	23.00					
180	IDAHO TRANSPORTATION DEPT.	105		<u>EXEMPT LICENSE PLATE FOR C11221, TRUCK #4, OCT.'15 - WATER</u>	10/27/2015	23.00	.00	<u>20-6305 VEHICLE MAINTENANCE &amp; REPAIRS</u>	0	10/15		
Total 105:						23.00	.00					
180	IDAHO TRANSPORTATION DEPT.	155		<u>EXEMP LICENSE PLATE FOR C11783, TRUCK #10, OCT.'15 - WATER</u>	10/27/2015	11.50	.00	<u>20-6305 VEHICLE MAINTENANCE &amp; REPAIRS</u>	0	10/15		
180	IDAHO TRANSPORTATION DEPT.	155		<u>EXEMP LICENSE PLATE FOR C11783, TRUCK #10, OCT.'15 - SEWER</u>	10/27/2015	11.50	.00	<u>21-6305 VEHICLE MAINTENANCE &amp; REPAIRS</u>	0	10/15		
Total 155:						23.00	.00					
180	IDAHO TRANSPORTATION DEPT.	169		<u>EXEMPT LICENSE PLATE FOR C15519, FORD FUSION, OCT.'15</u>	10/27/2015	23.00	.00	<u>01-6305 VEHICLE MAINTENANCE &amp; REPAIRS</u>	0	10/15		
Total 169:						23.00	.00					
180	IDAHO TRANSPORTATION DEPT.	215		<u>EXEMPT LICENSE PLATE FOR C16202, TRUCK #22, OCT.'15 - WATER</u>	10/27/2015	15.33	.00	<u>20-6305 VEHICLE MAINTENANCE &amp; REPAIRS</u>	0	10/15		

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180	IDAHO TRANSPORTATION DEPT.	215		EXEMPT LICENSE PLATE FOR C16202, TRUCK #22, OCT.'15 - P.I	10/27/2015	7.67	.00	25-6305 VEHICLE MAINTENANCE & REPAIR	0	10/15		
Total 215:						23.00	.00					
180	IDAHO TRANSPORTATION DEPT.	328		EXEMPT LICENSE PLATE FOR C4239, DUMP TRUCK #12, OCT.'15 - ADMIN	10/27/2015	11.50	.00	01-6305 VEHICLE MAINTENANCE & REPAIRS	0	10/15		
180	IDAHO TRANSPORTATION DEPT.	328		EXEMPT LICENSE PLATE FOR C4239, DUMP TRUCK #12, OCT.'15 - WATER	10/27/2015	11.50	.00	20-6305 VEHICLE MAINTENANCE & REPAIRS	0	10/15		
Total 328:						23.00	.00					
Total IDAHO TRANSPORTATION DEPT.:						138.00	23.00					
<b>INTEGRINET SOLUTIONS, INC.</b>												
1595	INTEGRINET SOLUTIONS, INC.	87030		PROCESS TO SUBMIT REQUEST FOR KUNA.GOV DOMAIN NAME, ADMIN, OCT 15	10/11/2015	49.28	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	0	10/15		
1595	INTEGRINET SOLUTIONS, INC.	87030		PROCESS TO SUBMIT REQUEST FOR KUNA.GOV DOMAIN NAME, P&Z, OCT 15	10/11/2015	17.60	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1003	10/15		
1595	INTEGRINET SOLUTIONS, INC.	87030		PROCESS TO SUBMIT REQUEST FOR KUNA.GOV DOMAIN NAME, WATER, OCT 15	10/11/2015	45.76	.00	20-6142 MAINT. & REPAIRS- EQUIPMENT	0	10/15		
1595	INTEGRINET SOLUTIONS, INC.	87030		PROCESS TO SUBMIT REQUEST FOR KUNA.GOV DOMAIN NAME, SEWER, OCT 15	10/11/2015	45.76	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	10/15		
1595	INTEGRINET SOLUTIONS, INC.	87030		PROCESS TO SUBMIT REQUEST FOR KUNA.GOV DOMAIN NAME, PI, OCT 15	10/11/2015	17.60	.00	25-6142 MAINT. & REPAIRS - EQUIPMENT	0	10/15		
Total 87030:						176.00	.00					



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				OCT 15	10/18/2015	18.31	.00	21-6142_MAINT. & REPAIRS - EQUIPMENT	0	10/15		
1595	INTEGRINET SOLUTIONS, INC.	87292		NEW EMAIL DOMAIN, CONTACTED INTEGRA TO SET UP DNS SERVICES, PI, OCT 15	10/18/2015	7.04	.00	25-6142_MAINT. & REPAIRS - EQUIPMENT	0	10/15		
Total 87292:						140.80	.00					
Total INTEGRINET SOLUTIONS, INC.:						1,154.80	.00					
<b>INTELLIMAR, INC</b>												
1764	INTELLIMAR, INC	010491	3423	MAXIFORCE COLLAPSIBLE BOLLARD, RECTANGULAR BODY, WENCH OPERATED, USED TO BLOCK ENTRANCE OF GREENBELT AT BOTH ENDS FROM VEHICLES, B BACHMAN, SEPT 15	10/22/2015	858.60	.00	03-6364 EXPENDITURE-CIM GREENBELT EAST	0	9/15		
1764	INTELLIMAR, INC	010491	3423	MAXIFORCE COLLAPSIBLE BOLLARD, RECTANGULAR BODY, WENCH OPERATED, USED TO BLOCK ENTRANCE OF GREENBELT AT BOTH ENDS FROM VEHICLES, B BACHMAN, SEPT 15	10/22/2015	2,003.40	.00	03-6365 EXPENDITURE-ID PARKS & REC RTP	0	9/15		
Total 010491:						2,862.00	.00					
Total INTELLIMAR, INC:						2,862.00	.00					
<b>INTERMOUNTAIN GAS CO</b>												
37	INTERMOUNTAIN GAS CO	482135960911		NATURAL GAS CONSUMPTION SR CENTER, 09-11-15 TO 10-12- 15, OCT 15	10/13/2015	44.06	.00	01-6290 UTILITIES	1001	10/15		
Total 48213596091115101215:						44.06	.00					
37	INTERMOUNTAIN GAS CO	482537058091		NATURAL GAS CONSUMPTION NWWTP, OCT 15	10/13/2015	15.30	.00	21-6290 UTILITIES EXPENSE	0	10/15		

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Total 48253705809111510121:						15.30	.00					
Total INTERMOUNTAIN GAS CO:						59.36	.00					
<b>J &amp; M SANITATION, INC.</b>												
230	J & M SANITATION, INC.	10092015-101		<u>SANITATION RECEIPT TRANSFER FOR 10/9/15- 10/15/15</u>	10/16/2015	43,404.31	43,404.31	26-7000 SOLID WASTE SERVICE FEES	0	10/15	10/16/2015	
230	J & M SANITATION, INC.	10092015-101		<u>SANITATION RECEIPT TRANSFER MINUS FRANCHISE FEE FOR 10/9/15-10/15/15</u>	10/16/2015	-4,288.35	-4,288.35	01-4170 FRANCHISE FEES	0	10/15	10/16/2015	
Total 10092015-10152015:						39,115.96	39,115.96					
230	J & M SANITATION, INC.	10162015-102		<u>SANITATION RECEIPT TRANSFER 10-16-15 TO 10-22- 15, OCT 15</u>	10/23/2015	37,476.04	37,476.04	26-7000 SOLID WASTE SERVICE FEES	0	10/15	10/23/2015	
230	J & M SANITATION, INC.	10162015-102		<u>SANITATION RECEIPT TRANSFER LESS FRANCHISE FEE, 10-16-15 TO 10-22-15, OCT 15</u>	10/23/2015	-3,702.63	-3,702.63	01-4170 FRANCHISE FEES	0	10/15	10/23/2015	
Total 10162015-10222015:						33,773.41	33,773.41					
Total J & M SANITATION, INC.:						72,889.37	72,889.37					
<b>JOHNSTONE SUPPLY</b>												
596	JOHNSTONE SUPPLY	271658LF		<u>LATE FEES ON ORIGINAL INVOICE #271658 DATED 6-26- 15, SEWER, JUNE 15</u>	06/26/2015	.92	.00	21-6150 MAINT. & REPAIRS - SYSTEM	0	10/15		
Total 271658LF:						.92	.00					
Total JOHNSTONE SUPPLY:						.92	.00					
<b>J-U-B ENGINEERS, INC.</b>												
1236	J-U-B ENGINEERS, INC.	0096305	3509	<u>PROJECT MANAGEMENT FOR DOWNTOWN REVITALIZATION, D.STEPHENS, OCT.'15</u>	09/14/2015	2,920.00	.00	03-6371 EXP. - CAPITAL MATRIX	0	9/15		

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1236	J-U-B ENGINEERS, INC.	0096305	3509	<u>DOWNTOWN REVITALIZATION ASSESSMENT, D.STEPHENS, OCT.'15</u>	09/14/2015	4,080.00	.00	<u>03-6372_EXP- COMPASS CIM DOWNTOWN REVIT</u>	0	9/15		
Total 0096305:						7,000.00	.00					
Total J-U-B ENGINEERS, INC.:						7,000.00	.00					
<b>KELLER ASSOCIATES, INC.</b>												
429	KELLER ASSOCIATES, INC.	0000001K		<u>PROFESSIONAL SERVICES FROM 8-1-15 TO 9-30-15, WELL #11 WELLHOUSE REMODEL, G LAW, AUG 15</u>	10/12/2015	4,293.75	.00	<u>20-6020 CAPITAL IMPROVEMENTS</u>	0	10/15		
Total 0000001K:						4,293.75	.00					
429	KELLER ASSOCIATES, INC.	0000011K		<u>PROFESSIONAL SERVICES, 2015 PI PROJECT CONSTRUCTION SUPPORT, G LAW, SEPT 15</u>	10/12/2015	1,141.25	.00	<u>20-6020 CAPITAL IMPROVEMENTS</u>	0	9/15		
Total 0000011K:						1,141.25	.00					
Total KELLER ASSOCIATES, INC.:						5,435.00	.00					
<b>KENDALL FORD OF MERIDIAN LLC</b>												
1616	KENDALL FORD OF MERIDIAN LLC	RN11376		<u>2015 FORD F150, 1FTEX1E98FKE86938, OCT 15</u>	10/23/2015	24,047.10	24,047.10	<u>40-6166_PP&amp;E PURCHASES OPERATIONS</u>	1007	10/15	10/23/2015	
1616	KENDALL FORD OF MERIDIAN LLC	RN11376		<u>2015 FORD F150, 1FTEX1E98FKE86938, OCT 15</u>	10/23/2015	1,068.76	1,068.76	<u>20-6166_PP&amp;E PURCHASES OPERATIONS</u>	1007	10/15	10/23/2015	
1616	KENDALL FORD OF MERIDIAN LLC	RN11376		<u>2015 FORD F150, 1FTEX1E98FKE86938, OCT 15</u>	10/23/2015	1,068.76	1,068.76	<u>21-6166_PP&amp;E PURCHASES - OPERATIONS</u>	1007	10/15	10/23/2015	
1616	KENDALL FORD OF MERIDIAN LLC	RN11376		<u>2015 FORD F150, 1FTEX1E98FKE86938, OCT 15</u>	10/23/2015	534.38	534.38	<u>25-6166_PP&amp;E PURCHASES - OPERATIONS</u>	1007	10/15	10/23/2015	

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Total RN11376:						26,719.00	26,719.00					
Total KENDALL FORD OF MERIDIAN LLC:						26,719.00	26,719.00					
<b>KUNA TRUE VALUE HARDWARE</b>												
43	KUNA TRUE VALUE HARDWARE	143579	3461	<u>4 3/8 BOLT AND 4 WASHERS, DISCOVERY GENERATOR PROJECT, C KNIGHT, SEWER, OCT 15</u>	10/13/2015	3.28	.00	<u>21-6150 MAINT. &amp; REPAIRS - SYSTEM</u>	0	10/15		
Total 143579:						3.28	.00					
43	KUNA TRUE VALUE HARDWARE	143713	3475	<u>4 WASHER, 4 BOLTS, 2 LBS DUPLEX NAILS, DISCOVERY GENERATOR PROJECT, C KNIGHT, SEWER, OCT 15</u>	10/15/2015	7.38	.00	<u>21-6150 MAINT. &amp; REPAIRS - SYSTEM</u>	0	10/15		
Total 143713:						7.38	.00					
Total KUNA TRUE VALUE HARDWARE:						10.66	.00					
<b>KUNA WELDING</b>												
46	KUNA WELDING	2310	3255	<u>BLOWER SHAFT POLISHED MEMBRANE TANK 1 BLOWER 700, M NADEAU, SEWER, AUG 15</u>	08/18/2015	40.00	.00	<u>21-6142 MAINT. &amp; REPAIRS - EQUIPMENT</u>	0	8/15		
Total 2310:						40.00	.00					
46	KUNA WELDING	2313	3321	<u>REPAIR ON TEN MILE, REPLACED BEARING AND STAINLESS ROLL PINTS ON AUGER, T.FLEMING, SEWER, AUG.'15</u>	08/20/2015	877.00	.00	<u>21-6142 MAINT. &amp; REPAIRS - EQUIPMENT</u>	0	10/15		
Total 2313:						877.00	.00					
Total KUNA WELDING:						917.00	.00					

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<b>LYNCH OIL, INC.</b>												
1670	LYNCH OIL, INC.	25917	3488	<u>1500 GAL NON-ETHANOL UNLEADED @\$2.1712/GAL FOR VEHICLES, T SHAFER, SEWER, OCT 15</u>	10/21/2015	3,135.21	.00	<u>21-6300 FUEL</u>	0	10/15		
Total 25917:						3,135.21	.00					
Total LYNCH OIL, INC.:						3,135.21	.00					
<b>MISCELLANEOUS VENDORS</b>												
285	MISCELLANEOUS VENDORS	102815		<u>REIMBURSE DOROTHY WHITMIRE FOR POSTAGE FOR HISTORICAL ITEMS SENT TO MAYOR NELSON, OCT 15</u>	10/28/2015	14.50	14.50	<u>01-6190 POSTAGE &amp; BILLING</u>	0	10/15	10/28/2015	
Total 102815:						14.50	14.50					
Total MISCELLANEOUS VENDORS:						14.50	14.50					
<b>PARTS, INC.</b>												
470	PARTS, INC.	088378	3102	<u>HYDRAULIC HOSES FOR THE FARM, C.MCDANIEL, JUL.'15</u>	07/07/2015	46.48	.00	<u>21-6090 FARM EXPENDITURES</u>	0	7/15		
Total 088378:						46.48	.00					
470	PARTS, INC.	088581	3115	<u>FUEL FILTER FOR GRASSHOPPER MOWER, B.GILLOGLY, PARKS, JUL.'15</u>	07/09/2015	9.97	.00	<u>01-6142 MAINT. &amp; REPAIR - EQUIPMENT</u>	1004	7/15		
Total 088581:						9.97	.00					
470	PARTS, INC.	090558	3205	<u>2 HYDRAULIC HOSES AND 2 BUNGEE CORDS, FARM, C.MCDANIEL, AUG.'15</u>	08/04/2015	64.92	.00	<u>21-6090 FARM EXPENDITURES</u>	0	8/15		
Total 090558:						64.92	.00					

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470	PARTS, INC.	090559	3206	<u>GREASE FOR THE BACKHOE, B.GILLOGLY, PARKS, AUG.'15</u>	08/04/2015	11.40	.00	<u>01-6142 MAINT. &amp; REPAIR - EQUIPMENT</u>	1004	8/15		
470	PARTS, INC.	090559	3206	<u>GREASE FOR THE BACKHOE, B.GILLOGLY, AUG.'15 - WATER</u>	08/04/2015	15.04	.00	<u>20-6142 MAINT. &amp; REPAIRS- EQUIPMENT</u>	0	8/15		
470	PARTS, INC.	090559	3206	<u>GREASE FOR THE BACKHOE, B.GILLOGLY, AUG.'15 - SEWER</u>	08/04/2015	15.04	.00	<u>21-6142 MAINT. &amp; REPAIRS - EQUIPMENT</u>	0	8/15		
470	PARTS, INC.	090559	3206	<u>GREASE FOR THE BACKHOE, B.GILLOGLY, AUG.'15 - P.I</u>	08/04/2015	4.12	.00	<u>25-6142 MAINT. &amp; REPAIRS - EQUIPMENT</u>	0	8/15		
Total 090559:						45.60	.00					
470	PARTS, INC.	090840	3227	<u>AUTO WASH, MIT AND BUCKET FOR PARK TRUCKS, B.GILLOGLY, PARKS, AUG.'15</u>	08/07/2015	22.08	.00	<u>01-6305 VEHICLE MAINTENANCE &amp; REPAIRS</u>	1004	8/15		
Total 090840:						22.08	.00					
470	PARTS, INC.	090992	3228	<u>DEGREASER TO CLEAN THE KUBOTA MOTOR, B.GILLOGLY, PARKS, AUG.'15</u>	08/10/2015	12.74	.00	<u>01-6142 MAINT. &amp; REPAIR - EQUIPMENT</u>	1004	8/15		
Total 090992:						12.74	.00					
470	PARTS, INC.	092171	3286	<u>1 PKG CUTTING WHEELS FOR USE AT THE FARM, C.MCDANIEL, SEWER, AUG.'15</u>	08/25/2015	15.62	.00	<u>21-6090 FARM EXPENDITURES</u>	0	8/15		
Total 092171:						15.62	.00					
470	PARTS, INC.	092266	3291	<u>SOCKETS AND DRIVE, TOOLS TO REPAIR THE LAGOON BLOWER, M.NADEAU, SEWER, AUG.'15</u>	08/26/2015	79.17	.00	<u>21-6175 SMALL TOOLS</u>	0	8/15		



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				BOTTLE STP OIL TREATMENT), PURCHASED ON 5/27/15,	10/19/2015	-13.52	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1004	10/15		
	Total 096033:					-13.52	.00					
	Total PARTS, INC.:					440.71	.00					
<b>PEAK ALARM COMPANY, INC</b>												
1021	PEAK ALARM COMPANY, INC	697239		ALARM MONITOR FOR CEDAR, SNOWHAWK, DANSKIN, SEGO PRAIRIE, BUTLER, EL CAJON, & BEST BATH WELLS, 11/1/15- 11/30/15 - WATER	11/01/2015	197.18	.00	20-6140 MAINT. & REPAIR BUILDING	0	10/15		
1021	PEAK ALARM COMPANY, INC	697239		ALARM MONITOR FOR CEDAR, SNOWHAWK, DANSKIN, SEGO PRAIRIE, BUTLER, EL CAJON, & BEST BATH WELLS, 11/1/15- 11/30/15 - P.I	11/01/2015	49.29	.00	25-6140 MAINT & REPAIR BUILDING	0	10/15		
	Total 697239:					246.47	.00					
	Total PEAK ALARM COMPANY, INC:					246.47	.00					
<b>RENTAL CONNECTION</b>												
893	RENTAL CONNECTION	38360	3468	RENTAL OF SOD CUTTER, FOR THE DISCOVERY GENERATOR PROJECT, C.KNIGHT, SEWER, OCT.'15	10/14/2015	40.00	.00	21-6150 MAINT. & REPAIRS - SYSTEM	0	10/15		
	Total 38360:					40.00	.00					
	Total RENTAL CONNECTION:					40.00	.00					
<b>SEID CRANE SERVICE, INC</b>												
1766	SEID CRANE SERVICE, INC	8298	3442	CRANE SERVICE FOR THE LAGOON GUAGE PROJECT, T.FLEMING, SEWER, OCT.'15	10/07/2015	195.00	.00	21-6150 MAINT. & REPAIRS - SYSTEM	0	10/15		

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Total 8298:						195.00	.00					
Total SEID CRANE SERVICE, INC:						195.00	.00					
<b>SHARP ELECTRONICS CORPORATION</b>												
1734	SHARP ELECTRONICS CORPORATION	5002528391		<u>COPIER LEASE FOR MODEL #MX2615N, 10/1/15-10/31/15 - WATER</u>	10/05/2015	27.92	.00	<u>20-6142 MAINT. &amp; REPAIRS - EQUIPMENT</u>	0	10/15		
1734	SHARP ELECTRONICS CORPORATION	5002528391		<u>COPIER LEASE FOR MODEL #MX2615N, 10/1/15-10/31/15 - SEWER</u>	10/05/2015	34.65	.00	<u>21-6142 MAINT. &amp; REPAIRS - EQUIPMENT</u>	0	10/15		
1734	SHARP ELECTRONICS CORPORATION	5002528391		<u>COPIER LEASE FOR MODEL #MX2615N, 10/1/15-10/31/15 - P.I</u>	10/05/2015	16.36	.00	<u>25-6142 MAINT. &amp; REPAIRS - EQUIPMENT</u>	0	10/15		
1734	SHARP ELECTRONICS CORPORATION	5002528391		<u>COPIER LEASE FOR MODEL #MX2615N, FOR 10/1/15-10/31/15 - PARKS</u>	10/05/2015	17.33	.00	<u>01-6142 MAINT. &amp; REPAIR - EQUIPMENT</u>	1004	10/15		
Total 5002528391:						96.26	.00					
Total SHARP ELECTRONICS CORPORATION:						96.26	.00					
<b>ST PAUL STAMP WORKS INC</b>												
57	ST PAUL STAMP WORKS INC	345387	3433	<u>2016 DOG TAGS, L MAYHUGH, OCT.'15</u>	10/20/2015	172.54	.00	<u>01-6005 ANIMAL CONTROL SERVICES</u>	0	10/15		
Total 345387:						172.54	.00					
Total ST PAUL STAMP WORKS INC:						172.54	.00					
<b>STAPLES ADVANTAGE</b>												
1292	STAPLES ADVANTAGE	3280703150	3393	<u>7-OUTLET SURGE SUPPRESSOR, J.MARSH, OCT.'15</u>	10/10/2015	16.76	.00	<u>01-6165 OFFICE SUPPLIES</u>	0	10/15		
Total 3280703150:						16.76	.00					

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1292	STAPLES ADVANTAGE	3280703157	3424	<u>BRONZE WALL CLOCK FOR CHAMBERS, D. STEPHENS, ADMIN, OCT.'15</u>	10/10/2015	60.49	.00	<u>01-6165 OFFICE SUPPLIES</u>	0	10/15		
Total 3280703157:						60.49	.00					
1292	STAPLES ADVANTAGE	3280703159	3443	<u>2 BOXES BLUE FOLDERS, 2 BOXES GREEN FOLDERS, P &amp; Z, OCT.'15</u>	10/07/2015	208.84	.00	<u>01-6165 OFFICE SUPPLIES</u>	1003	10/15		
1292	STAPLES ADVANTAGE	3280703159	3443	<u>5 EA. BINDERS, 1 PKG. AAA BATTERIES, 1 EA HP131A CYAN TONER CARTRIDGE, 1 EA. ERASABLE WALL CALENDAR, 2 EA. 2016 PLANNERS, 2 EA. CALCULATOR RIBBON, ADMIN, OCT.'15</u>	10/07/2015	298.36	.00	<u>01-6165 OFFICE SUPPLIES</u>	0	10/15		
1292	STAPLES ADVANTAGE	3280703159	3443	<u>2 EA BLUE FILE BOXES, B.WITHROW, PARKS, OCT.'15</u>	10/07/2015	21.88	.00	<u>01-6165 OFFICE SUPPLIES</u>	1004	10/15		
1292	STAPLES ADVANTAGE	3280703159	3443	<u>2 EA. COMPACT DESKPADS W/NOTES, OCT.'15 - WATER</u>	10/07/2015	12.04	.00	<u>20-6165 OFFICE SUPPLIES</u>	0	10/15		
1292	STAPLES ADVANTAGE	3280703159	3443	<u>1 EA. 5 X 8 DAILY PLANNER, SEWER, OCT.'15</u>	10/07/2015	17.58	.00	<u>21-6165 OFFICE SUPPLIES</u>	0	10/15		
Total 3280703159:						558.70	.00					
1292	STAPLES ADVANTAGE	3280703163	3443	<u>2 EA. DESK PADS 22X17 W/CALENDARS, WATER, OCT.'15</u>	10/10/2015	6.00	.00	<u>20-6165 OFFICE SUPPLIES</u>	0	10/15		
Total 3280703163:						6.00	.00					
1292	STAPLES ADVANTAGE	3281285462	3469	<u>2 BOXES FOLDERS, 1 EA. 2016 CALENDAR, ADMIN, OCT.'15</u>	10/14/2015	31.12	.00	<u>01-6165 OFFICE SUPPLIES</u>	0	10/15		
1292	STAPLES ADVANTAGE	3281285462	3469	<u>1 BOX FOLDERS, B.WITHROW, OCT.'15 - PARKS</u>	10/14/2015	15.75	.00	<u>01-6165 OFFICE SUPPLIES</u>	1004	10/15		
1292	STAPLES ADVANTAGE	3281285462	3469	<u>1 EA. 2-PART RECEIPT BOOK, W.HOWELL, OCT.'15 - P &amp; Z</u>	10/14/2015	5.99	.00	<u>01-6165 OFFICE SUPPLIES</u>	1003	10/15		

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1292	STAPLES ADVANTAGE	3281285462	3469	<u>1 PKG. AA BATTERIES, M.BORZICK, OCT.'15 - P &amp; Z</u>	10/14/2015	2.81	.00	<u>01-6165 OFFICE SUPPLIES</u>	1003	10/15		
1292	STAPLES ADVANTAGE	3281285462	3469	<u>1 PKG. AA BATTERIES, M.BORZICK, OCT.'15 - WATER</u>	10/14/2015	3.71	.00	<u>20-6165 OFFICE SUPPLIES</u>	0	10/15		
1292	STAPLES ADVANTAGE	3281285462	3469	<u>1 PKG. AA BATTERIES, M.BORZICK, OCT.'15 - SEWER</u>	10/14/2015	3.71	.00	<u>21-6165 OFFICE SUPPLIES</u>	0	10/15		
1292	STAPLES ADVANTAGE	3281285462	3469	<u>1 PKG. AA BATTERIES, M.BORZICK, OCT.'15 - P.]</u>	10/14/2015	1.01	.00	<u>25-6165 OFFICE SUPPLIES</u>	0	10/15		
Total 3281285462:						64.10	.00					
Total STAPLES ADVANTAGE:						706.05	.00					
<b>TECHNICHEM CORPORATION</b>												
1450	TECHNICHEM CORPORATION	57883	3402	<u>DEODORIZER BLOCKS, T.SHAFER, SEWER, OCT.'15</u>	10/14/2015	540.00	.00	<u>21-6150 MAINT. &amp; REPAIRS - SYSTEM</u>	0	10/15		
Total 57883:						540.00	.00					
Total TECHNICHEM CORPORATION:						540.00	.00					
<b>THE JORDEL COMPANY</b>												
1523	THE JORDEL COMPANY	00000010154	3460	<u>PRINTING AND CUTTING POST CARDS FOR THE DOWNTOWN REVITALIZATION MEETING, HIGH FIVE GRANT, D, STEPHENS, OCT.'15</u>	10/13/2015	263.70	.00	<u>03-6360 EXPEND - BLUE CROSS HIGH FIVE</u>	0	10/15		
Total 00000010154:						263.70	.00					
Total THE JORDEL COMPANY:						263.70	.00					
<b>TIM GORDON</b>												
997	TIM GORDON	112015		<u>CITY HALL RENT, NOV 2015, ADMIN</u>	10/27/2015	1,293.48	.00	<u>01-6211 RENT- BUILDINGS &amp; LAND</u>	0	11/15		
997	TIM GORDON	112015		<u>CITY HALL RENT, NOV 2015, P&amp;Z</u>	10/27/2015	461.96	.00	<u>01-6211 RENT- BUILDINGS &amp; LAND</u>	1003	11/15		

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997	TIM GORDON	112015		<u>CITY HALL RENT, NOV 2015, WATER</u>	10/27/2015	1,201.09	.00	<u>20-6211 RENT- BUILDINGS &amp; LAND</u>	0	11/15		
997	TIM GORDON	112015		<u>CITY HALL RENT, NOV 2015, SEWER</u>	10/27/2015	1,201.09	.00	<u>21-6211 RENT - BUILDINGS &amp; LAND</u>	0	11/15		
997	TIM GORDON	112015		<u>CITY HALL RENT, NOV 2015, PI</u>	10/27/2015	461.93	.00	<u>25-6211 RENT - BUILDINGS &amp; LAND</u>	0	11/15		
Total 112015:						4,619.55	.00					
Total TIM GORDON:						4,619.55	.00					
<b>TITAN TECHNOLOGIES INC</b>												
1235	TITAN TECHNOLOGIES INC	10212015TT		<u>4TH TO PARK PI PROJECT FINAL PAYMENT, G.LAW, OCT.'15 - WATER</u>	10/21/2015	9,474.05	.00	<u>20-6020 CAPITAL IMPROVEMENTS</u>	0	10/15		
Total 10212015TT:						9,474.05	.00					
Total TITAN TECHNOLOGIES INC:						9,474.05	.00					
<b>TREASURE VALLEY COFFEE</b>												
992	TREASURE VALLEY COFFEE	2160:04208398	3486	<u>3 EA. 5-GAL BOTTLES OF WATER AND COOLER RENTAL AT THE MAINTENANCE SHOP, OCT.'15</u>	10/20/2015	26.35	.00	<u>01-6165 OFFICE SUPPLIES</u>	1004	10/15		
Total 2160:04208398:						26.35	.00					
992	TREASURE VALLEY COFFEE	2160:04250552	3485	<u>1 BOX COFFEE, 2 CANS CREAMER, CITY HALL, OCT.'15</u>	10/20/2015	58.70	.00	<u>01-6165 OFFICE SUPPLIES</u>	0	10/15		
Total 2160:04250552:						58.70	.00					
Total TREASURE VALLEY COFFEE:						85.05	.00					

**U. S. POST OFFICE**

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67	U. S. POST OFFICE	USPO102215	3483	<u>U.S. POSTAL SERVICE, BULK MAILING, DOWNTOWN REVITALIZATION, HIGH 5 GRANT, D.STEPHENS, OCT.'15</u>	10/22/2015	1,328.40	1,328.40	<u>03-6360 EXPEND.- BLUE CROSS HIGH FIVE</u>	0	10/15	10/22/2015	
Total USPO102215:						1,328.40	1,328.40					
Total U. S. POST OFFICE:						1,328.40	1,328.40					
<b>UNITED OIL</b>												
316	UNITED OIL	063344		<u>LATE CHARGES REFERENCING INVOICE #0369028, LATE ARRIVING INVOICE TO A/P FOLLOWING DELIVERY OF PRODUCT, OCT.'15</u>	10/15/2015	36.06	.00	<u>21-6505 BANK FEES</u>	0	10/15		
Total 063344:						36.06	.00					
Total UNITED OIL:						36.06	.00					
<b>UNIVAR USA, INC.</b>												
1410	UNIVAR USA, INC.	NA364028		<u>TOTE DEPOSIT CREDIT, SEPT.'15</u>	10/06/2014	-1,770.00	.00	<u>21-6150 MAINT. &amp; REPAIRS - SYSTEM</u>	0	10/15		
Total NA364028:						-1,770.00	.00					
1410	UNIVAR USA, INC.	NA364715		<u>TOTE DEPOSIT CREDIT, SEPT.'15</u>	03/30/2015	-1,740.00	.00	<u>21-6097 DEPOSITS ON ACCOUNT</u>	0	9/15		
1410	UNIVAR USA, INC.	NA364715		<u>TOTE DEPOSIT CREDIT, SEPT.'15</u>	03/30/2015	-120.00	.00	<u>21-6150 MAINT. &amp; REPAIRS - SYSTEM</u>	0	10/15		
Total NA364715:						-1,860.00	.00					
Total UNIVAR USA, INC.:						-3,630.00	.00					
<b>VICTORY GREENS</b>												

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364	VICTORY GREENS	369685	3465	<u>TOP SOIL FOR REPAIR ON BUTLER WELL (#11). P.KAUFMAN, WATER, OCT.'15</u>	10/13/2015	265.30	.00	<u>20-6020 CAPITAL IMPROVEMENTS</u>	1036	10/15		
Total 369685:						265.30	.00					
364	VICTORY GREENS	370610	3467	<u>TOP SOIL FOR BUTLER WELL (#11) REPAIR CLEANUP. J.CRUMPTON, WATER, OCT.'15</u>	10/14/2015	132.65	.00	<u>20-6020 CAPITAL IMPROVEMENTS</u>	1036	10/15		
Total 370610:						132.65	.00					
Total VICTORY GREENS:						397.95	.00					
<b>VMware, INC.</b>												
1695	VMware, INC.	AWUS-56621		<u>ANNUAL RENEWAL FINAL PAYMENT TERM OF 4-21-15 TO 12-12-15, ADMIN, OCT 15</u>	10/23/2015	131.45	.00	<u>01-6052 CONTRACT SERVICES</u>	0	10/15		
1695	VMware, INC.	AWUS-56621		<u>ANNUAL RENEWAL FINAL PAYMENT TERM OF 4-21-15 TO 12-12-15, P&amp;Z, OCT 15</u>	10/23/2015	42.25	.00	<u>01-6052 CONTRACT SERVICES</u>	1003	10/15		
1695	VMware, INC.	AWUS-56621		<u>ANNUAL RENEWAL FINAL PAYMENT TERM OF 4-21-15 TO 12-12-15, WATER, OCT 15</u>	10/23/2015	124.40	.00	<u>20-6052 CONTRACT SERVICES</u>	0	10/15		
1695	VMware, INC.	AWUS-56621		<u>ANNUAL RENEWAL FINAL PAYMENT TERM OF 4-21-15 TO 12-12-15, SEWER, OCT 15</u>	10/23/2015	124.40	.00	<u>21-6052 CONTRACT SERVICES</u>	0	10/15		
1695	VMware, INC.	AWUS-56621		<u>ANNUAL RENEWAL FINAL PAYMENT TERM OF 4-21-15 TO 12-12-15, PI, OCT 15</u>	10/23/2015	46.94	.00	<u>25-6052 CONTRACT SERVICES</u>	0	10/15		
Total AWUS-56621:						469.44	.00					
Total VMware, INC.:						469.44	.00					
<b>WATER DEPOSIT REFUNDS #9</b>												
1737	WATER DEPOSIT REFUNDS #9	100845.02		<u>100845.02, JASON DAWSON, WATER OVERPAYMENT</u>	10/12/2015	65.31	.00	<u>99-1075 Utility Cash Clearing</u>	0	10/15		

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Total 100845.02:						65.31	.00					
1737	WATER DEPOSIT REFUNDS #9	111800.02		<u>111800.02, MICHAEL R SAILER, WATER OVERPAYMENT</u>	10/08/2015	69.58	.00	99-1075 Utility Cash Clearing	0	10/15		
Total 111800.02:						69.58	.00					
1737	WATER DEPOSIT REFUNDS #9	121400.01		<u>121400.01, RENDI L BELL, WATER OVERPAYMENT</u>	10/21/2015	51.69	.00	99-1075 Utility Cash Clearing	0	10/15		
Total 121400.01:						51.69	.00					
1737	WATER DEPOSIT REFUNDS #9	150070.02		<u>150070.02, ZABRINA BANEY, 1410 N ANDREW AVE, WATER OVERPAYMENT</u>	10/01/2015	133.96	.00	99-1075 Utility Cash Clearing	0	10/15		
Total 150070.02:						133.96	.00					
1737	WATER DEPOSIT REFUNDS #9	167030.02		<u>167030.02, ORLANDO PAUL NATALIE REV TRUST, 317 E IVY GLADE ST, WATER OVERPAYMENT</u>	10/21/2015	14.99	.00	99-1075 Utility Cash Clearing	0	10/15		
Total 167030.02:						14.99	.00					
1737	WATER DEPOSIT REFUNDS #9	173115.01A		<u>173115.01, RICH BEAMAN, 1320 W PENELOPE ST, WATER OVERPAYMENT</u>	10/02/2015	44.83	.00	99-1075 Utility Cash Clearing	0	10/15		
Total 173115.01A:						44.83	.00					
1737	WATER DEPOSIT REFUNDS #9	173165.01		<u>173165.01, HAYDEN HOMES, 457 S WHIM AVE, WATER OVERPAYMENT</u>	10/21/2015	84.33	.00	99-1075 Utility Cash Clearing	0	10/15		
Total 173165.01:						84.33	.00					

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1737	WATER DEPOSIT REFUNDS #9	173200.01		<u>173200.01, RICH BEAMAN, 1467 W SCOOP ST, WATER OVERPAYMENT</u>	10/21/2015	91.46	.00	99-1075 Utility Cash Clearing	0	10/15		
Total 173200.01:						91.46	.00					
1737	WATER DEPOSIT REFUNDS #9	201975.01A		<u>201975.01, NANCY I WICKMAN, 494 E CHAPPAROSA DR, WATER OVERPAYMENT</u>	10/02/2015	64.83	.00	99-1075 Utility Cash Clearing	0	10/15		
Total 201975.01A:						64.83	.00					
1737	WATER DEPOSIT REFUNDS #9	203010.02A		<u>203010.02, RYAN HARDY, WATER OVERPAYMENT</u>	10/05/2015	78.95	.00	99-1075 Utility Cash Clearing	0	10/15		
Total 203010.02A:						78.95	.00					
1737	WATER DEPOSIT REFUNDS #9	203080.02A		<u>203080.02, KENDALL BRUNSON, 2764 N ROCK CLIFFS AVE, WATER OVERPAYMENT</u>	10/02/2015	64.90	.00	99-1075 Utility Cash Clearing	0	10/15		
Total 203080.02A:						64.90	.00					
1737	WATER DEPOSIT REFUNDS #9	206005.01		<u>206005.01, BARTOLO ELIZONDO, 237 E WYTHBURN ST, WATER OVERPAYMENT</u>	10/21/2015	71.41	.00	99-1075 Utility Cash Clearing	0	10/15		
Total 206005.01:						71.41	.00					
1737	WATER DEPOSIT REFUNDS #9	220795.03A		<u>220795.03, JUDY SCHEPIS, 699 E GREAT BEAR ST, WATER OVERPAYMENT</u>	10/09/2015	75.50	.00	99-1075 Utility Cash Clearing	0	10/15		
Total 220795.03A:						75.50	.00					
1737	WATER DEPOSIT REFUNDS #9	221630.02		<u>221630.02, ELMER MUNOZ, WATER OVERPAYMENT</u>	10/12/2015	84.79	.00	99-1075 Utility Cash Clearing	0	10/15		

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Total 221630.02:						84.79	.00					
1737	WATER DEPOSIT REFUNDS #9	240085.02		<u>240085.02, ELI HANKS, WATER OVERPAYMENT</u>	10/22/2015	164.32	.00	99-1075 Utility Cash Clearing	0	10/15		
Total 240085.02:						164.32	.00					
1737	WATER DEPOSIT REFUNDS #9	250870.02		<u>250870.02, PAUL T CROFT, 1044 S SABRINA AVE, WATER OVERPAYMENT</u>	10/08/2015	89.54	.00	99-1075 Utility Cash Clearing	0	10/15		
Total 250870.02:						89.54	.00					
1737	WATER DEPOSIT REFUNDS #9	260290.01A		<u>260290.01, TERREL MILLER, 1744 N BISQUE AVE, WATER OVERPAYMENT</u>	10/28/2015	151.00	.00	99-1075 Utility Cash Clearing	0	10/15		
Total 260290.01A:						151.00	.00					
1737	WATER DEPOSIT REFUNDS #9	264950.01A		<u>264950.01, TIMOTHY SAWYER, WATER OVERPAYMENT</u>	10/05/2015	64.83	.00	99-1075 Utility Cash Clearing	0	10/15		
Total 264950.01A:						64.83	.00					
1737	WATER DEPOSIT REFUNDS #9	265050.01		<u>265050.01, WESTPARK COMPANY, 2348 W BEIGE CT, WATER OVERPAYMENT</u>	10/12/2015	43.71	.00	99-1075 Utility Cash Clearing	0	10/15		
Total 265050.01:						43.71	.00					
1737	WATER DEPOSIT REFUNDS #9	266020.01		<u>266020.01, CBH, 1999 N THISTLE DR, WATER OVERPAYMENT</u>	10/21/2015	43.85	.00	99-1075 Utility Cash Clearing	0	10/15		
Total 266020.01:						43.85	.00					

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1737	WATER DEPOSIT REFUNDS #9	266083.01		<u>266083.01, CBH, 2967 W NAVY ST, WATER OVERPAYMENT</u>	10/21/2015	25.02	.00	99-1075 Utility Cash Clearing	0	10/15		
Total 266083.01:						25.02	.00					
1737	WATER DEPOSIT REFUNDS #9	274300.03		<u>274300.03, JASON SHOFNER, WATER OVERPAYMENT</u>	10/21/2015	22.76	.00	99-1075 Utility Cash Clearing	0	10/15		
Total 274300.03:						22.76	.00					
1737	WATER DEPOSIT REFUNDS #9	274915.02A		<u>274915.02, JENNA WRIGHT, WATER OVERPAYMENT</u>	09/16/2015	64.83	.00	99-1075 Utility Cash Clearing	0	10/15		
Total 274915.02A:						64.83	.00					
1737	WATER DEPOSIT REFUNDS #9	278024.01A		<u>278024.01, 2832 W PEAR APPLE ST - WATER OVERPAYMENT</u>	10/02/2015	44.83	.00	99-1075 Utility Cash Clearing	0	10/15		
Total 278024.01A:						44.83	.00					
1737	WATER DEPOSIT REFUNDS #9	280120.02		<u>280120.02, FARRELL SUE MOLCK, WATER OVERPAYMENT</u>	10/21/2015	58.99	.00	99-1075 Utility Cash Clearing	0	10/15		
Total 280120.02:						58.99	.00					
1737	WATER DEPOSIT REFUNDS #9	301022.01		<u>301022.01, HUBBLE HOMES, 2440 N HOSE GULCH AVE, WATER OVERPAYMENT</u>	10/21/2015	78.44	.00	99-1075 Utility Cash Clearing	0	10/15		
Total 301022.01:						78.44	.00					
1737	WATER DEPOSIT REFUNDS #9	80430.01		<u>80430.01, JENNY SWENSEN, 900 N STRIKE WAY, WATER OVERPAYMENT</u>	10/12/2015	7.24	.00	99-1075 Utility Cash Clearing	0	10/15		

City of Kuna

## Payment Approval Report - City Council Approval

Report dates: 10/16/2015-10/29/2015

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Oct 29, 2015 04:39PM

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
Total 80430.01:						7.24	.00					
1737	WATER DEPOSIT REFUNDS #9	90810.01		<u>90810.01, BRYON BYINGTON, WATER OVERPAYMENT</u>	10/21/2015	67.22	.00	<u>99-1075 Utility Cash Clearing</u>	0	10/15		
Total 90810.01:						67.22	.00					
Total WATER DEPOSIT REFUNDS #9:						1,923.11	.00					
<b>WESTERN BUILDING MAINTENANCE, INC.</b>												
1499	WESTERN BUILDING MAINTENANCE, INC.	0086329-IN		<u>MONTHLY JANITORIAL SERVICES FOR OCTOBER AT THE SENIOR CENTER</u>	10/23/2015	330.33	.00	<u>01-6025 JANITORIAL</u>	1001	10/15		
Total 0086329-IN:						330.33	.00					
1499	WESTERN BUILDING MAINTENANCE, INC.	0086330-IN		<u>JANITORIAL SERVICES FOR OCTOBER AT CITY HALL - ADMIN</u>	10/23/2015	59.46	.00	<u>01-6025 JANITORIAL</u>	0	10/15		
1499	WESTERN BUILDING MAINTENANCE, INC.	0086330-IN		<u>JANITORIAL SERVICES FOR OCTOBER AT CITY HALL - P &amp; Z</u>	10/23/2015	21.23	.00	<u>01-6025 JANITORIAL</u>	1003	10/15		
1499	WESTERN BUILDING MAINTENANCE, INC.	0086330-IN		<u>JANITORIAL SERVICES FOR OCTOBER AT CITY HALL - WATER</u>	10/23/2015	55.21	.00	<u>20-6025 JANITORIAL</u>	0	10/15		
1499	WESTERN BUILDING MAINTENANCE, INC.	0086330-IN		<u>JANITORIAL SERVICES FOR OCTOBER AT CITY HALL - SEWER</u>	10/23/2015	55.21	.00	<u>21-6025 JANITORIAL</u>	0	10/15		
1499	WESTERN BUILDING MAINTENANCE, INC.	0086330-IN		<u>JANITORIAL SERVICES FOR OCTOBER AT CITY HALL - P.I</u>	10/23/2015	21.23	.00	<u>25-6025 JANITORIAL</u>	0	10/15		
Total 0086330-IN:						212.34	.00					
1499	WESTERN BUILDING MAINTENANCE, INC.	0086331-IN		<u>MONTHLY JANITORIAL SERVICES FOR OCTOBER AT THE TREATMENT PLANT - WATER</u>	10/23/2015	31.50	.00	<u>20-6025 JANITORIAL</u>	0	10/15		

City of Kuna

## Payment Approval Report - City Council Approval

Report dates: 10/16/2015-10/29/2015

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Oct 29, 2015 04:39PM

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
1499	WESTERN BUILDING MAINTENANCE, INC.	0086331-IN		<u>MONTHLY JANITORIAL SERVICES FOR OCTOBER AT THE TREATMENT PLANT - SEWER</u>	10/23/2015	31.50	.00	<u>21-6025 JANITORIAL</u>	0	10/15		
1499	WESTERN BUILDING MAINTENANCE, INC.	0086331-IN		<u>MONTHLY JANITORIAL SERVICES FOR OCTOBER AT THE TREATMENT PLANT - P.I</u>	10/23/2015	12.00	.00	<u>25-6025 JANITORIAL</u>	0	10/15		
Total 0086331-IN:						75.00	.00					
Total WESTERN BUILDING MAINTENANCE, INC.:						617.67	.00					
<b>WESTERN STATES CHEM</b>												
274	WESTERN STATES CHEM	152599	3491	<u>AIR FRESHNER, CLEANER, SPONGE PADS, FOR CLEANING THE PARK RESTROOMS, OCT.'15</u>	10/08/2015	290.66	.00	<u>01-6025 JANITORIAL</u>	1004	10/15		
274	WESTERN STATES CHEM	152599	3491	<u>DOGGIE BAGS FOR THE PARKS, N.PURKEY, PARKS, OCT.'15</u>	10/08/2015	48.17	.00	<u>01-6150 MAINTENANCE &amp; REPAIRS - SYSTEM</u>	1004	10/15		
Total 152599:						338.83	.00					
Total WESTERN STATES CHEM:						338.83	.00					
<b>ZAMZOWS</b>												
66	ZAMZOWS	991983		<u>3 ROLLS OF WEED BARRIER FOR THE ROSE GARDEN @ WINCHESTER PARK, N.PURKEY, JUN.'15</u>	06/27/2015	35.97	.00	<u>01-6150 MAINTENANCE &amp; REPAIRS - SYSTEM</u>	1004	6/15		
Total 991983:						35.97	.00					
Total ZAMZOWS:						35.97	.00					
Grand Totals:						223,999.74	100,974.27					

City of Kuna

Payment Approval Report - City Council Approval  
Report dates: 10/16/2015-10/29/2015

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

### City Council Findings of Fact & Conclusions of Law

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

**To:** Kuna City Council

**Case Number(s):** 15-04-S (Pre Plat) and 15-07-DRC (Design Review – Approved by P&Z) **Ardell Estates Subdivision**

**Site Location:** Southwest Corner (SWC) Linder and Ardell Roads, Kuna, Idaho 83634

**Planner:** Troy Behunin, Senior Planner

**Hearing Date:** October 6, 2015  
**Tabled Until:** October 20, 2015 (Applicant Request)  
**Findings of Fact:** November 4, 2015

**Applicant:** **DBTV Waters Edge Farm, LLC; Tim Eck**  
 6152 W. Half Moon Ln.  
 Eagle, ID, 83616  
 208.850.0591  
[timothyeck@me.com](mailto:timothyeck@me.com)

**Representative:** **B&A Engineers, Inc., David Crawford**  
 5505 W. Franklin Rd.  
 Boise, ID 83705  
 208.342.5792  
[dacrawford@baengineers.com](mailto:dacrawford@baengineers.com)

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- A. Course Proceedings
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- C. Vicinity & Aerial Maps
- D. Site History
- E. General Project Facts
- F. Staff Analysis
- G. Applicable Standards
- H. Comprehensive Plan Analysis
- I. Findings of Fact
- J. Conclusions of Law
- K. Recommendation by the Planning and Zoning Commission
- L. Decision by the Council

#### A. Course of Proceedings

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. This land use application was given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65 Local Planning Act.

a. **Notifications**

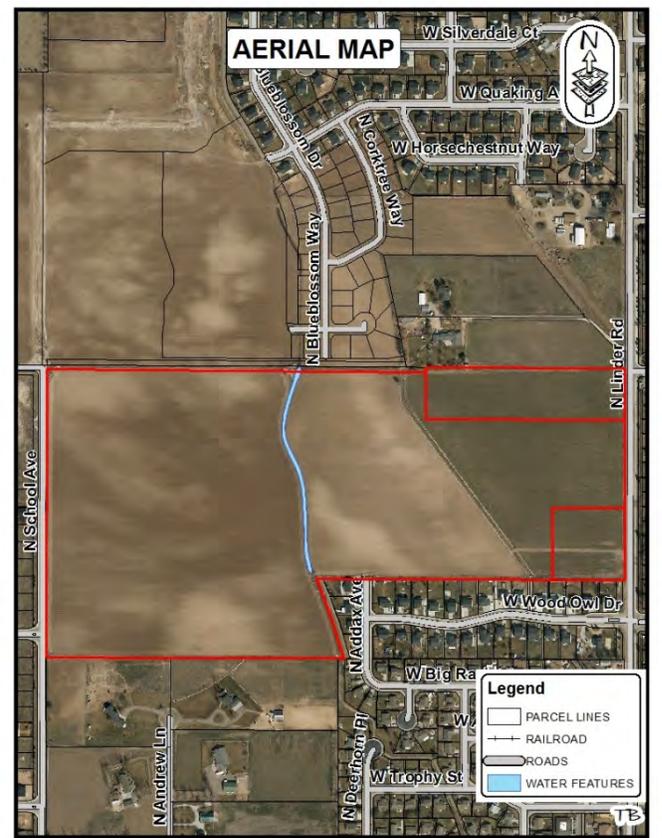
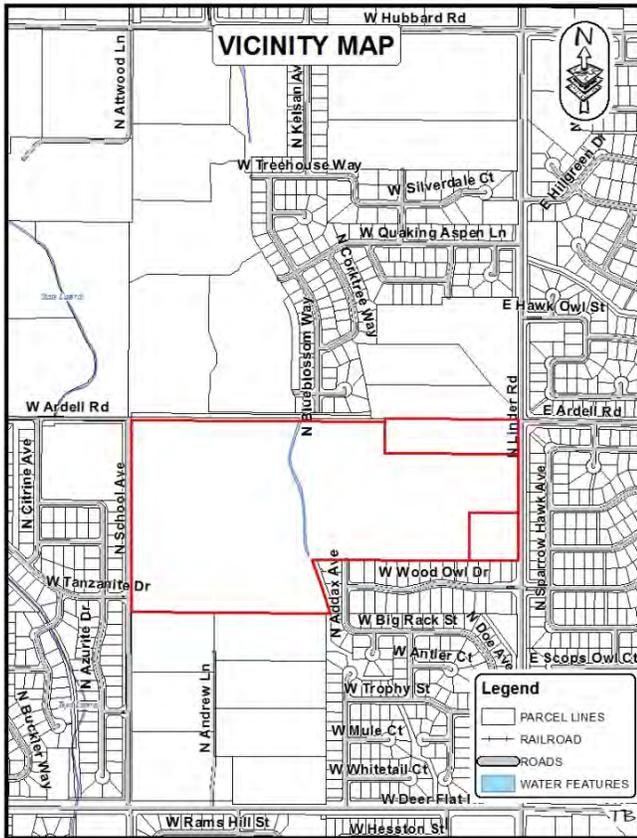
- |                                 |  |
|---------------------------------|--|
| i. Neighborhood Meeting         | April 2, 2015                              |
| ii. Agencies                    | July 1, 2015                               |
| iii. 300' Property Owners       | September 18, 2015                         |
| iv. Kuna, Melba Newspaper       | September 16, 2015                         |
| v. Site Posted                  | September 15, 2015                         |
| vi. City Council Public Hearing | October 6, 2015 (Tabled to a date certain) |

**B. Applicants Request:**

1. **Request:**

Applicant requests preliminary plat approval in order to create a 261 lot residential subdivision (Ardell Estates Subdivision) in an R-6 (Medium Density Residential) zone. The applicant proposes to develop 27 additional lots into common lots for use by residents. These common lots will make up 7.87% of the site, or approximately 5.4 acres. Applicant is proposing a minimum of seven (7) phases of development; the timing of which will be driven by the consumer market.

**C. Vicinity and Aerial Maps:**





2. **Surrounding Land Uses:**

<b>North</b>	R-4, RR	Medium Density Residential – Kuna City, Rural Residential – Ada County
<b>South</b>	R-5, RUT	Medium Density Residential – Kuna City, Rural Urban Transition – Ada County
<b>East</b>	R-6	Medium Density Residential - Kuna City
<b>West</b>	C-1, R-6	Neighborhood Commercial, Med. Den. Residential – Kuna City

3. **Parcel Sizes, Current Zoning, Parcel Numbers:**

- Approx. 68.58 total acres
- R-6, (Medium Density Residential)
- Parcels: 1 = S1314417200 (4.8 ac.), 2 = S1314417415 (60.4 ac.), and 3 = S1314417970 (2.4 ac.)

4. **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 City Police (Ada County Sheriff’s office)  
 Sanitation Services – J&M Sanitation

5. **Existing Structures, Vegetation and Natural Features:** Currently there are no structures and the land is being used for agricultural purposes. It is anticipated that will continue its historic uses on the remaining lands until development occurs.

6. **Transportation / Connectivity:** The applicant proposes a single access from Linder Road, one on future West Ardell Road and two access points on School Road for a total of four new access points. Applicant proposes to connect to the North Addax Avenue to the south.

7. **Environmental Issues:** Staff is unaware of any environmental issues, health or safety conflicts.

8. **Agency Responses:** The following agencies returned comments: City Engineer (Gordon Law, P.E.) (Exhibit B 1), Ada County Highway District (ACHD) (Exhibits B 2 & 3), Boise Project Board of Control (BPBC) (Exhibit B 4), Central District Health Department and the Idaho Transportation Department (ITD) (Exhibit B 5). The responding agency comments are included as exhibits with this case file. The following agencies did not send in comments; DEQ, Kuna Police Department, Kuna School District, Ada County Planning and Zoning, Idaho Power, J&M Sanitation, or the US Post Office.

F. **Staff Analysis:**

This site is located at the southwest corner of Linder & Ardell Roads. The applicant proposes to develop the land into 261 residential lots in an R-6 (Medium Density Residential) zone. Applicant proposes 27 additional common lots for use by future residents; including a central pedestrian pathway that will add to the City’s overall master pathway system. This pathway will extend an existing pathway south of this project connecting pedestrians to and through Arbor Ridge (north of this site) and ultimately to a City Park within Arbor Ridge. The Hubbard Beal Drain is generally centered within the project and it is anticipated that this drain will be piped through the site. The central pathway will follow this natural feature. An HOA will be established for the care and maintenance of the common lots. This application includes Design Review for the common spaces and all landscape buffers. Applicant proposes a minimum of seven (7) phases of development which will be driven by the consumer market.

Public services will be extended by the developer to the property from the existing facilities offsite. This project anticipates providing a location for a new regional irrigation pump station in the southeastern part of the site.

Staff has determined this application complies with Title 5 of the Kuna City Code; Idaho Statute §50-222; and the Kuna Comprehensive Plan; and forwards Case No.'s 15-04-Sub and 15-07-DRC, to the Commission with general staff support and recommended conditions of approval.

#### **G. Applicable Standards:**

1. City of Kuna Zoning Ordinance No. 230, 546 and 570,
2. City of Kuna Subdivision Ordinance No. 2012-18, Title 5 Zoning Regulations,
3. City of Kuna Comprehensive Plan and Future Land Use Map,
4. City of Kuna Landscape Regulations, Title 5, Chapter 17, Section 1 thru 26,
5. Idaho Code, Title 67, Chapter 65, Local Land Use Planning Act.

#### **H. Comprehensive Plan Analysis:**

The Kuna Planning and Zoning Commission accepts the Comprehensive Plan components as described below.

1. The proposed applications for this site are consistent with the following Comprehensive Plan components:

##### **GOALS AND POLICY – *Property Rights***

**Goal 1:** *Ensure that the City of Kuna land use policies, restrictions, conditions and fees do not violate private property rights. Establish an orderly, consistent review process for the City of Kuna to evaluate whether proposed actions may result in private property “takings”.*

Policy 1: As part of a land use action review, the 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.

##### **GOALS AND POLICY – *Economic Development***

**Goal 1:** *Promote and support a diverse and sustainable economy that will allow more Kuna residents to work in their community.*

Policy 1.3: The City will develop a policy to provide incentives and/or assistance in order to competitively attract firms.

##### **GOALS AND POLICY – *Land Use***

**Goal 2:** *Encourage a balance of land uses to ensure that Kuna remains a desirable, stable, and self-sufficient community.*

Objective 2.2: Plan for areas designed to accommodate a diverse range of businesses and commercial activity – within both the community-scale and neighborhood-scale centers – to strengthen the local economy and to provide more opportunities for social interaction.

Policy 2.3: Retail and residential land uses should be appropriately mixed and balanced with professional offices and service facilities to provide residents with a broader mix of services within walking distance from their homes.

#### **I. Findings of Fact:**

1. This request appears to be consistent and in compliance with all Kuna City Code (KCC).
2. The use appears to meet the general objectives of Kuna’s Comprehensive Plan.

3. The site is physically suitable for a subdivision.
4. The subdivision uses are not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.
5. The subdivision application is not likely to cause adverse public health problems.
6. 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.
7. The existing and proposed street and utility services in proximity to the site are suitable and adequate for residential purposes.
8. The Kuna Planning and Zoning Commission accepts the facts as outlined in the staff report, any public testimony and the supporting evidence list as presented.
9. Based on the evidence contained in Case No's 15-04-Sub and 15-07-DRC, this proposal appears to comply with the Comprehensive Plan and the Kuna Comprehensive Future Land Use Map (FLU).
10. The Planning and Zoning Commission has the authority to recommend approval or denial for these applications.
11. The public notice requirements were met and the public hearing was conducted within the guidelines of applicable Idaho Code and City Ordinances.

**J. Conclusions of Law:**

1. Based on the evidence contained in Case No. 15-04-S, the Kuna City Council finds Case No. 15-04-S, complies with Kuna City Code.
2. Based on the evidence contained in Case No. 15-04-S and 15-07-DRC, the Kuna City Council finds Case No. 15-04-S, is consistent with Kuna's Comprehensive Plan.
3. The public notice requirements have been met and the neighborhood meeting was conducted within the guidelines of applicable Idaho Code and City Ordinances.

**K. Recommendation by the Planning and Zoning Commission:**

On Aug. 25, 2015, the Planning and Zoning Commission voted 5-0 and now recommend approval for Case No. 15-04-S, based on the facts outlined in staff's report and the public testimony at the public hearing the Planning and Zoning Commission of Kuna, Idaho, hereby recommends *approval* of Case No's 15-04-S a request for Preliminary Plat by DBTV Waters Edge Farms, LLC and B&A Engineers, Inc. *with* the following conditions of approval:

- Follow all Staff recommended conditions outlined in staff report;
- The applicant work with city staff to provide for appropriate screening on the south side of the development adjacent to the pasture areas and;
- Applicant shall address the need for some additional open spaces for residents to use in the subdivision and present those to City Council and;
- Applicant shall strike/eliminate condition #13 from the staff report.

**L. Decision by the City Council:**

**15-07-DRC:-Design Review** approved by Planning and Zoning Commission 09.22.2015.

**15-04-S** (Subdivision): Based on the record contained in Case No. 15-04-S, including the exhibits, staff's report as presented and the public testimony at the public hearing, the City Council of Kuna, Idaho, hereby *approves* the Findings of Fact and Conclusions of Law, and conditions of approval for Case No. 15-04-S, preliminary plat.

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 potable water and 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 Project and Board of Control* shall approval any modifications to the existing irrigation and drainage systems.
  - e. Approval from Ada County Highway District shall be obtained and Impact Fees must be paid prior to issuance of any building permit.
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 be commenced without the approval and permit from Ada County Highway District and/or Idaho Transportation Department.
    - 2.1- With future development and as necessary, dedicate right-of-way in sufficient amounts to follow Kuna 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. Street lighting shall use *LED* lights, with spacing and wattages meeting the approval of the City; Applicant shall coordinate a street light plan for planning department approval in concert with the prepared construction drawings for the project.
  6. Parking within the site shall comply with Kuna City Code, unless specifically approved otherwise.
  7. Fencing within and around the site shall comply with Kuna City Code unless specifically approved otherwise).
  8. All site signage (including entry monuments) must obtain design review approval and building permits for their construction.
  9. 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, and may include a license agreement for their care.
  10. Submit a petition to the City (if necessary and confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and requesting to annex the irrigation surface water rights appurtenant to the property to the Kuna Municipal Pressure Irrigation system of the City (KMID) prior to requesting final plat signature from the City Engineer.
  11. 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 Commission and/or Council, or seek amending them through public hearing processes.
  12. The applicant's proposed preliminary plat (*dated 04.2.15*) and landscape plan (*dated 04.14.2015*) shall be considered a binding site plans, or as modified and approved through the public hearing process.
  13. Applicant's landscape plan does not indicate any trees or shrubs within the central pathway. Applicant shall follow the landscape requirements as noted in KCC 5-17-12-C for open spaces.
  14. Applicant shall follow all staff, city engineer and other agency recommended requirements as applicable.
  15. Developer shall comply with all local, state and federal laws.

**DATED:** This 4th, day of November, 2015

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W. Greg Nelson, Mayor  
Kuna City

ATTEST:

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Chris Engels  
Kuna City Clerk



# City of Kuna

## City Council Staff Report Findings of Fact and Conclusions of Law

P.O. Box 13  
Kuna, ID 83634  
Phone: (208) 922-5274  
Fax: (208) 922-5989  
Kunacity.id.gov

**To:** Kuna City Council

**Case Number(s):** 14-07-AN (Annexation) and 14-03-LS (Lot Split)  
Safford -Annexation and Lot Split

**Location:** 1036 S. Ten Mile Rd. and 1200 S. Ten Mile Rd.  
Kuna, Idaho 83634

**Planner:** Trevor Kesner, Planner I

**Hearing Date:** April 21, 2015 (Tabled)  
September 15, 2015 (Tabled)  
October 6, 2015

**Applicant:** Daniel & Gina Safford  
1036 S. Ten Mile Rd.  
Kuna, Idaho 83634  
208.869.8323  
[saffordranch@gmail.com](mailto:saffordranch@gmail.com)

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- I. Proposed Findings of Fact
- J. Proposed Conclusions of Law
- K. Proposed Decision by the City Council

### A. Course of Proceedings

1. Kuna City Code (KCC), Title 1, Chapter 14, Section 3, states annexation is designated as a public hearing, and a lot split as a public meeting with the City Council as the decision making body. This land use was given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65, Local Planning Act.

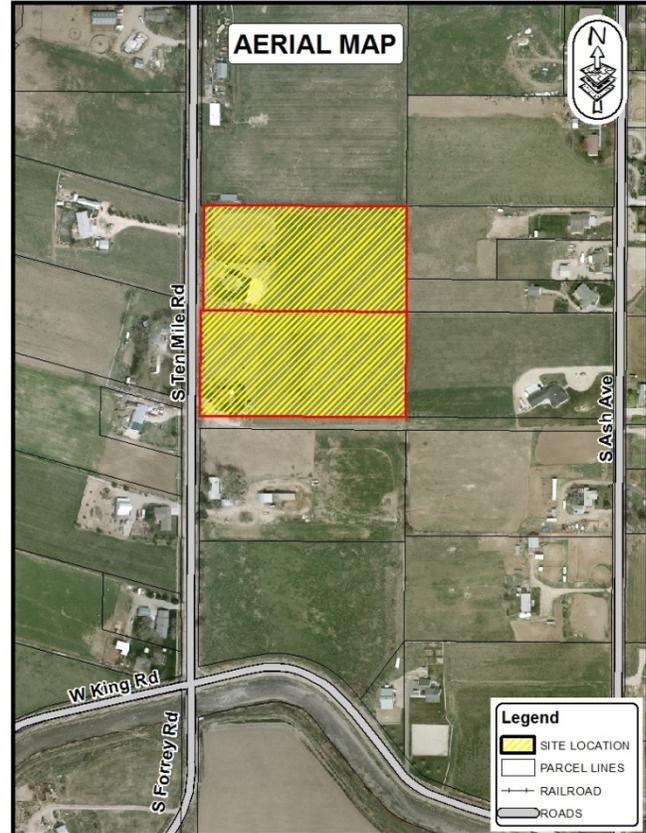
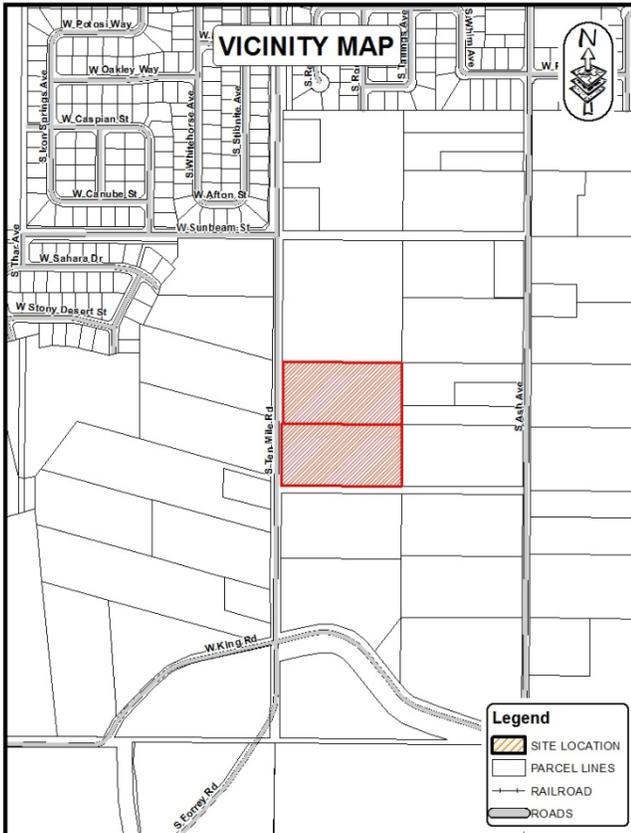
#### a. Notifications

- |                                  |   |
|----------------------------------|---|
| i. Neighborhood Meeting          | October 15, 2014 (3 people attended; 2 via phone) |
| ii. Agencies Notified            | November 24, 2014                                 |
| iii. 300' Property Owners        | April 1, 2015                                     |
| iv. Kuna, Melba Newspaper (P&Z)  | December 10, 2014 and December 17, 2014           |
| Kuna, Melba Newspaper (CC)       | April 8, 2015                                     |
| v. Site Posted (P&Z)             | December 30, 2014                                 |
| Site Posted (CC)                 | April 6, 2015                                     |
| vi. Planning and Zoning Approval | January 27, 2015                                  |

**B. Applicant Request:**

1. The applicant is requesting approvals for annexation of two existing parcels comprising approximately 9.34 acres into the City of Kuna with a zoning designation of R-6; and to split one of the parcels, located at 1200 S. Ten Mile Road.

**C. Vicinity and Aerial Maps:**



**D. History:** Both parcels are adjacent to the City limits and are currently zoned RUT (Rural Urban Transitional). Each existing parcel contains a home and the majority of the remaining ground is currently farmed. These parcels have historically been farmed.

**E. General Projects Facts:**

1. **Comprehensive Plan Designation:** The Future Land Use Map (FLU) identifies this site as Medium-Low Density Residential. Staff views this land use request to be consistent with the approved FLU map.

2. **Surrounding Land Uses:**

<b>North</b>	A	Agricultural – Kuna City
<b>South</b>	RUT	Rural Urban Transition – Ada County
<b>East</b>	R-1/RUT	Estate Residential/Rural Urban Transition – Ada County
<b>West</b>	RUT	Rural Urban Transition – Ada County

3. **Parcel Sizes, Current Zoning, Parcel Numbers:**

- Approx. 9.34 total acres
- RUT, Rural Urban Transition (Ada County)
- Parcel # - R5070501603 and R5070501602

4. **Services:**

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

5. **Existing Structures, Vegetation and Natural Features:** Currently there is a house on the north 4.61 acre parcel where the applicant resides. There is an additional house on the south 4.7 acre parcel which is to be split. Historically, the site has been used for agricultural activities and it is anticipated that such use will continue on both parcels until the newly created east parcel is developed.
6. **Transportation / Connectivity:** The existing parcels have access from south Ten Mile Road and will remain the same. It is anticipated that the newly created eastern parcel will take access from an existing public right-of-way dedication showing on the recorded plat map.
7. **Environmental Issues:** Staff is not aware of any environmental issues, health or safety conflicts. This site's topography is generally flat.
8. **Agency Responses:** The following agencies returned comments: City Engineer (Gordon Law, P.E.), Central District Health Department and the Idaho Department of Environmental Quality (DEQ). The responding agency comments are included as exhibits with this case file.

F. **Staff Analysis:**

This site is located on the east side of south Ten Mile Road between west King Road and west Sunbeam Street. The applicant requests to annex both parcels into the City and split the southern 4.7 acre parcel into two new parcels. The northern parcel will remain the same at approximately 4.641 acres in size. The existing residence on the northern parcel, which relies on an existing septic tank and private domestic well, will remain as it is.

The southern 4.7 acre parcel has an existing residence which also relies on a separate existing septic tank and private domestic well. The southern parcel is to be split to create a western parcel of approximately 1.7 acres. The remaining eastern parcel will contain approximately 3.0 acres. Historically, both parcels have been farmed and it is anticipated that use will continue.

Staff has determined this application complies with Title 5 of the Kuna City Code; Idaho Statute §50-222; and Kuna Comprehensive Plan; and forwards a recommendation of approval for Case #'s 14-07-AN, 14-03-LS and 14-06-DA, subject to the recommended conditions of approval.

G. **Applicable Standards:**

1. City of Kuna, Title 5 Zoning Ordinance.
2. City of Kuna Comprehensive Plan and Future Land Use Map.
3. Idaho Code, Title 67, Chapter 65, Local Land Use Planning Act.

**H. Comprehensive Plan Analysis:**

The Kuna City Council accepts the Comprehensive Plan components as described below.

1. The proposed lot split for the site is consistent with the following Comprehensive Plan components:

**GOALS AND POLICY – Property Rights**

*Goal 1: Ensure that the City of Kuna land use policies, restrictions, conditions and fees do not violate private property rights. Establish an orderly, consistent review process for the City of Kuna to evaluate whether proposed actions may result in private property “takings”.*

Objective 1.4: Ensure that City land use actions, decisions, and regulations do not prevent a private property owner from taking advantage of a fundamental property right. Ensure City actions do not impose a substantial and significant limitation on the use of the property.

Policy 1: As part of a land use action review, the 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.

**GOALS AND POLICY – Land Use**

*Goal 2: Encourage a balance of land uses to ensure that Kuna remains a desirable, stable, and self-sufficient community.*

Policy 2: Provide a variety of housing densities and types to accommodate various lifestyles, ages, and economic groups.

**I. Findings of Fact:**

1. This request appears to be in compliance with all ordinances and laws of the City, including Kuna City Code (KCC).
2. The site is physically suitable for a lot split.
3. The annexation and lot-split uses are not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.
4. The annexation application is not likely to cause adverse public health problems.
5. 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.
6. The existing and proposed street and utility services in proximity to the site are suitable and adequate for residential purposes.
7. The Kuna City Council accepts the facts as outlined in the staff report, any public testimony and the supporting evidence list as presented.
8. Based on the evidence contained in Case No’s 14-07-AN and 14-03-LS, this proposal appears to comply with the Comprehensive Plan and the Kuna Comprehensive Future Land Use Map (FLU).
9. The City Council has the authority to recommend approval or denial for these applications.
10. The public notice requirements were met and the public hearing was conducted within the guidelines of applicable Idaho Code and Kuna City Ordinances.

**J. Conclusions of Law:**

1. Based on the evidence contained in Case No’s 14-07-AN and 14-03-LS, the City Council finds Case No’s 14-07-AN and 14-03-LS comply with Kuna City Code.
2. Based on the evidence contained in Case No’s 14-07-AN and 14-03-LS, the Kuna City Council finds Case No’s 14-07-AN and 14-03-LS, are consistent with Kuna’s Comprehensive Plan.

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

**K. Decision by the City Council:**

*Note: This proposed motion is for approval of this request. However, if the City Council wishes to approve or deny specific parts of the request as detailed in this report, they must be specified:*

Based on the facts outlined in staff's report and the public testimony at the public hearing, the City Council of Kuna, Idaho, hereby *approves* Case No's 14-07-AN and 14-03-LS, a request for annexation and lot-split from Daniel and Gina Safford, with the following conditions of approval:

1. The applicant and/or owner shall obtain written approval on letterhead or may be written/stamped on the approved 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 future sewer hook-ups; and such future service lines shall be placed facing South Ten Mile Road from the western portion of the newly created parcel (parcel frontage) to ensure that future hook ups are not impeded by any structures or blocked by any existing underground facilities.
  - b. The Kuna Building Official shall approve all building plans.
  - c. The *Boise-Kuna* Irrigation District shall approval any modifications to the existing irrigation system.
  - d. Approval from Ada County Highway District shall be obtained and Impact Fees must be paid prior to issuance of any building permits.
  - e. Approval from the Idaho Department of Water Resources to share any existing domestic well or domestic water source shall be obtained and a copy furnished to the Planning and Zoning Department prior to the issuance of any building permits.
  - f. Approvals and permits shall be obtained from Central District Health Department and copies furnished to the Planning and Zoning Department for any new septic system prior to installation of the septic system and the issuance of any building permits.
2. Applicant shall designate a shared driveway or access easement between both parcels for future access to the newly created eastern parcel. Said easement will be shown on the recorded record of survey and applicant shall provide Kuna Planning and Zoning with a copy of the recorded survey and the instrument number.
3. 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. Submit a petition to the City (if necessary and confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and requesting to annex the irrigation surface water rights appurtenant to the property to the Kuna Municipal Pressure Irrigation system of the City (KMID).
6. Applicant shall abide by all applicable federal, state and local laws and ordinances.

DATED: this \_\_\_\_\_ day of \_\_\_\_\_, 2015



*City of Kuna*  
**City Council Staff Report**

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

**To:** City Council

**Case Number(s):** 15-01-AN (Annex) Falcon Crest Golf Course Annexation

**Location:** Near the intersection of Cloverdale & Kuna Roads  
Kuna, Idaho 83634

**Planner:** Troy Behunin, Senior Planner

**Hearing Date:** November 4, 2015

**Applicant:** **A-Team Land Consultants - Steve Arnold**  
1785 Whisper Cove Avenue  
Boise, ID 83709  
208.321.0525  
[Steve@ateamboise.com](mailto:Steve@ateamboise.com)

**Owner:** **Falcon Crest Golf Course - Terry Cook**  
2528 N. Cloverdale Rd.  
Boise, ID 83709

**Table of Contents:**

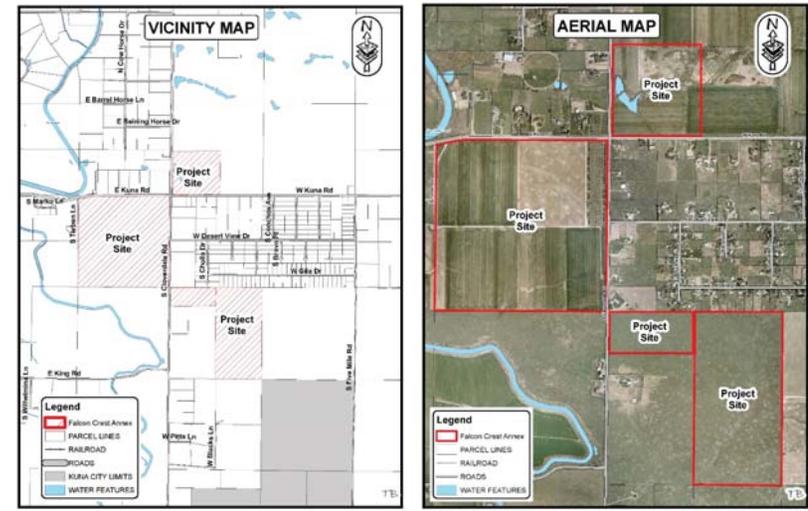
- A. Course Proceedings
- B. Applicants Request
- C. Vicinity & Aerial Maps
- D. Site History
- E. General Project Facts
- F. Staff Analysis
- G. Applicable Standards
- H. Comprehensive Plan Analysis
- I. Proposed Findings of Fact
- J. Proposed Conclusions of Law
- K. Recommendation by the Planning and Zoning Commission
- L. Proposed Decision by the Council
- M. Recommended Conditions of Approval

- A. Course of Proceedings**
1. Kuna City Code (KCC), Title 1, Chapter 14, Section 3, states annexations are designated as public hearings, with the City Council as the decision making body. This land use was given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65 Local Planning Act.
    - a. **Notifications**
      - i. Neighborhood Meeting March 9, 2015
      - ii. Agencies June 10, 2015
      - iii. 300' Property Owners October 16, 2015
      - iv. Kuna, Melba Newspaper October 14, 2015
      - v. Site Posted October 23, 2015

**B. Applicants Request:**

1. **Request:**  
Applicant requests approval to annex approximately 294.31 acres into the City limits. Applicant is working to get Central City services to the Golf Course for future development(s). At this time the applicant and other property owners are requesting the Agriculture (AG) zone for all parcels. This is designed to set the stage for the future of the Golf Course. At an unknown time in the future, it is anticipated the remainder of the Golf Course will annex into the City, when a specific development plan for the area is known and will go through the application review process at that time.

**C. Vicinity and Aerial Maps:**



**D. History:** The subject parcels are all in Ada County, currently zoned RR (Rural Residential), and are adjacent to Kuna City limits, or will touch if this request is granted. The southeastern parcel is owned by Idaho State Department of Lands and the State has submitted a letter consenting to the annexation of their property.

**E. General Projects Facts:**

1. **Comprehensive Plan Designation:** The Future Land Use Map (FLU) identifies these parcels as Agriculture, and Low Density. Generally speaking, staff views this land use request to be consistent with the approved FLU map.

2. **Surrounding Land Uses (Generally):**

North	RR	Rural Residential – Ada County
South	RR	Rural Residential – Ada County
East	RR	Rural Residential – Ada County
West	RR	Rural Residential – Ada County

3. **Parcel Sizes, Current Zoning, Parcel Numbers:**

- Approx. 294.31 total acres
- All parcels are Rural Residential (RR)
- S1427314800 (ID Dept. of Lands) - Parcel #1
- S1427325400 (Blevins) - Parcel #2
- S1428111000 (Heimbuch) - Parcel #3
- S1422314800 (Falcon Crest LLC – APPLICANT) - Parcel #4

4. **Services:**

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

5. **Existing Structures, Vegetation and Natural Features:** Currently the lands are used for agricultural purposes and it is anticipated that all four will continue their historic uses on the remaining lands until development occurs. The site’s topography is generally flat.

6. **Transportation / Connectivity:** The four parcels have sufficient access frontage to classified roads and staff will work with the applicant in the future when development occurs, to establish access points and other site-specific development considerations.

7. **Environmental Issues:** Staff is not aware of any environmental issues, health or safety conflicts.

8. **Agency Responses:** The following agencies returned comments: City Engineer (Gordon Law, P.E.), Central District Health Department (CDHD), Department of Environmental Quality (DEQ) and the Idaho Transportation Department (ITD). The responding agency comments are included as exhibits with this case file. The following agencies did not send in comments; ACHD, Boise Project Board of Control, Kuna Fire District, Boise-Kuna Irrigation District, Kuna Police Department, Kuna School District, Ada County Planning and Zoning, Idaho Power, J&M Sanitation, or the US Post Office.

**F. Staff Analysis:**

The four parcels in this application are located near the intersection of Cloverdale & Kuna Roads. The applicant proposes to annex 294.31 acres into the City as Agriculture zone. Public services are not currently near the properties. However, the applicant is preparing the Golf Course for development in the future and working towards getting City services to the Golf Course. The applicant does not have any specific plans or designs at this time and is not proposing any development at this time. Once services are closer, at that time, a specific plan will be developed and submitted to the City for application review and approval.

In order for a parcel to annex into the City, a willing land owner’s parcel must touch existing City limits and submit a request for annexation. The Golf Courses parcel does not currently touch the City limits and so the applicant needed to secure a pathway back to a property currently touching current City limits. The applicant was successful in working with two private property owners and the Idaho State Department of Lands to secure its pathway.

Applicant (*parcel #4*) is annexing only a part of parcel 1422314800 (Falcon Crest Golf Course) into the City at this time. The applicant has worked with Ada County for a One-Time-Division (O.T.D.) in order to create the smaller parcel, which is approximately 40 acres in size. This action has received approval from the County.

All 74 acres (+/-) of parcel #2 are not being annexed at this time. Instead, the land owner (Blevins) has worked with Ada County for a O.T.D. in order to create an approximately ten (10) acre parcel which will bridge the gap between the State lands, and the Heimbuch property, thus providing the needed touch. This action has received approval from the County, subject to conditions of approval.

Staff has determined this application complies with Title 5 of the Kuna City Code; Idaho Statute §50-222; and the Kuna Comprehensive Plan; and forwards a recommendation of approval for Case No. 15-01-AN, subject to the recommended conditions of approval.

**G. Applicable Standards:**

1. City of Kuna Zoning Ordinance No. 230, 546 and 570,
2. City of Kuna Subdivision Ordinance No. 2012-18, Title 5 Zoning Regulations,
3. City of Kuna Comprehensive Plan and Future Land Use Map,
4. City of Kuna Landscape Regulations, Title 5, Chapter 17, Section 1 thru 26,
5. Idaho Code, Title 67, Chapter 65, Local Land Use Planning Act.

**H. Comprehensive Plan Analysis:**

The Kuna Planning and Zoning Commission accepts the Comprehensive Plan components as described below.

1. The proposed applications for this site are consistent with the following Comprehensive Plan components:

**GOALS AND POLICY – Property Rights**

**Goal 1:** *Ensure that the City of Kuna land use policies, restrictions, conditions and fees do not violate private property rights. Establish an orderly, consistent review process for the City of Kuna to evaluate whether proposed actions may result in private property “takings”.*

Policy 1: As part of a land use action review, the 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.

**GOALS AND POLICY – Economic Development**

**Goal 1:** *Promote and support a diverse and sustainable economy that will allow more Kuna residents to work in their community.*

Policy 1.3: The City will develop a policy to provide incentives and/or assistance in order to competitively attract firms.

**GOALS AND POLICY – Land Use**

**Goal 2:** *Encourage a balance of land uses to ensure that Kuna remains a desirable, stable, and self-sufficient community.*

Objective 2.2: Plan for areas designed to accommodate a diverse range of businesses and commercial activity – within both the community-scale and neighborhood-scale centers – to strengthen the local economy and to provide more opportunities for social interaction.

Policy 2.3: Retail and residential land uses should be appropriately mixed and balanced with professional offices and service facilities to provide residents with a broader mix of services within walking distance from their homes.

**I. Proposed Findings of Fact:**

1. This request appears to be consistent and in compliance with all Kuna City Code (KCC).
2. The use appears to meet the general objectives of Kuna's Comprehensive Plan.
3. The site is physically suitable for a subdivision.
4. The annexation and subdivision uses are not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.
5. The annexation application is not likely to cause adverse public health problems.
6. 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.
7. The existing and proposed street and utility services in proximity to the site are suitable and adequate for residential purposes.
8. The Kuna Planning and Zoning Commission accepts the facts as outlined in the staff report, any public testimony and the supporting evidence list as presented.
9. Based on the evidence contained in Case No.s 14-05-AN, 14-04-DA, 14-03-Sub and 14-06-DRC, this proposal appears to comply with the Comprehensive Plan and the Kuna Comprehensive Future Land Use Map (FLU).
10. The Planning and Zoning Commission has the authority to recommend approval or denial for these applications.
11. The public notice requirements were met and the public hearing was conducted within the guidelines of applicable Idaho Code and City Ordinances.

**J. Proposed Conclusions of Law:**

1. Based on the evidence contained in Case No. 15-01-AN, the Kuna Planning and Zoning Commission finds Case No. 15-01-AN, comply with Kuna City Code.
2. Based on the evidence contained in Case No. 15-01-AN, the Kuna Planning and Zoning Commission finds Case No. 15-01-AN, is consistent with Kuna's Comprehensive Plan.
3. The public notice requirements have been met and the neighborhood meeting was conducted within the guidelines of applicable Idaho Code and City Ordinances.

**K. Recommendation by the Planning and Zoning Commission:**

On July 28, 2015, the Commission voted 4-0 to *recommend approval* for Case No. 15-01-AN, based on the facts outlined in staff's report, exhibits, and the public testimony at the public hearing. The Planning and Zoning Commission of Kuna, Idaho, hereby recommends *approval* of Case No. 15-01-AN, a request for annexation into the City of Kuna by Steve Arnold (*A-Team Consulting*) and Terry Cook (*Falcon Crest Golf Course*) with the following conditions of approval when appropriate in the future as development occurs:

- Follow all staff and appropriate Government Agency comments,
- Applicant shall work with Idaho Department of Lands until the access easement for the Idaho Department of Lands property is finalized.

**L. Proposed Decision by the City Council:**

**15-01-AN, Note:** *This proposed motion is for approval, conditional approval, or denial for this request. If the City Council wishes to approve or deny specific parts of the requests as detailed in this report, those changes must be specified.*

**15-01-AN: (Annexation)** Based on the record contained in Case No. 15-01-AN, including the exhibits, staff's report and the public testimony at the public hearing, the City Council of Kuna, Idaho, hereby *approves/denies* the Findings of Fact and Conclusions of Law, and conditions of approval for Case No. 15-01-AN, Falcon Crest Golf Course Annexation request.

**M. Recommended Conditions of Approval:**

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 Project and Board of Control* shall approval any modifications to the existing irrigation system.
  - e. Approval from Ada County Highway District shall be obtained and Impact Fees must be paid prior to issuance of any building permit.
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 be commenced without the approval and permit from Ada County Highway District and/or Idaho Transportation Department.
  - 2.1- With future development and as necessary, dedicate right-of-way in sufficient amounts to follow Kuna 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. Future street lighting shall be LED lights and meet the approval of the City.
6. Future parking shall comply with Kuna City Code, unless specifically approved otherwise.
7. Future fencing within and around the site shall comply with Kuna City Code unless specifically approved otherwise).
8. Future signage within the site shall comply with Kuna City Code (A sign permit is required prior to sign construction).
9. At time of development, 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.
10. Prior to requesting final plat approval in the future, submit a petition to the City (if necessary and confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and requesting to annex the irrigation surface water rights appurtenant to the property to the Kuna Municipal Pressure Irrigation system of the City (KMID).
11. 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 Commission, or seek amending them through public hearing processes.
12. Applicant shall follow all staff, city engineer and other agency recommended requirements as applicable.
13. Applicant shall comply with all local, state and federal laws.

**DATED:** This \_\_\_ day of \_\_\_\_\_, 2015.



April 7, 2015

Mr. Troy Behunin, Senior Planner  
City of Kuna  
763 W. Avalon Street  
Kuna, Idaho 83634

Dear Troy:

Subject: Falcon Crest Annexation

On behalf of Falcon Crest Golf Course, A Team Land Consultants presents to the City of Kuna a request to annex a portion of the Golf Course and neighboring properties. The subject site is generally located at the corner of Cloverdale Road and Kuna Road. The property contains 294.31 total acres. The sole purpose of the request to annex is to work towards getting City services to the Golf Course for future developments. Once that is determined, than the remainder of the Golf Course will annex and a specific development plan will be submitted to the City for review and approval.

On March 9, 2015, a neighborhood meeting was conducted to discuss this application. There were several adjacent land owners that showed up to that meeting. Our discussion mainly focused on the fact that we are just proposing to annex at the current time, and that there were no specific plans to develop the site. We discussed timing and the process of development and we told the neighbors that when a specific development came through the City there would be opportunity in the future to discuss that proposal.

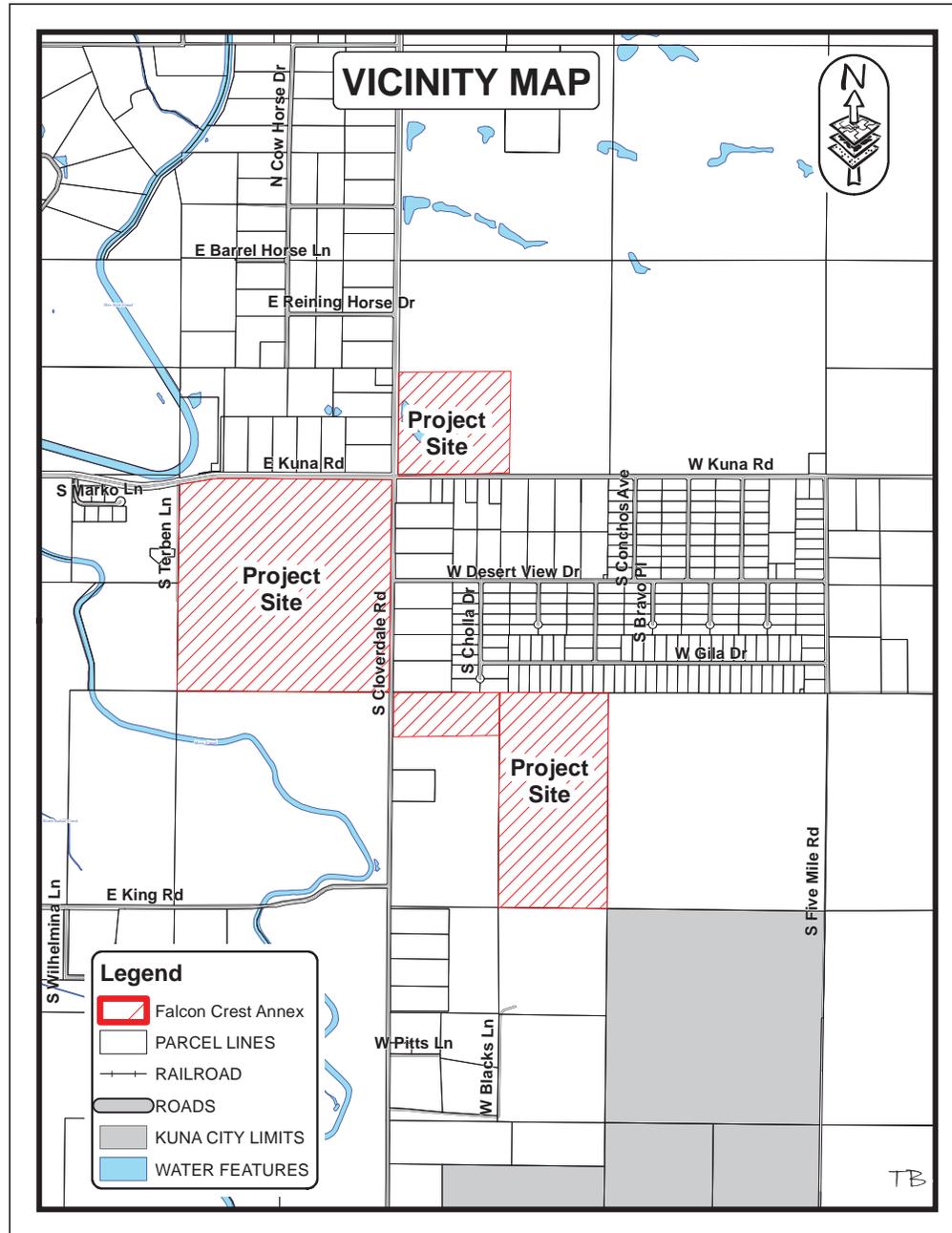
It is anticipated that the application is in compliance with all applicable plans and codes adopted by the City. Please notify us as early as possible if you should need additional clarification or information regarding this application. I look forward to working with the City as this development moves forward in the process.

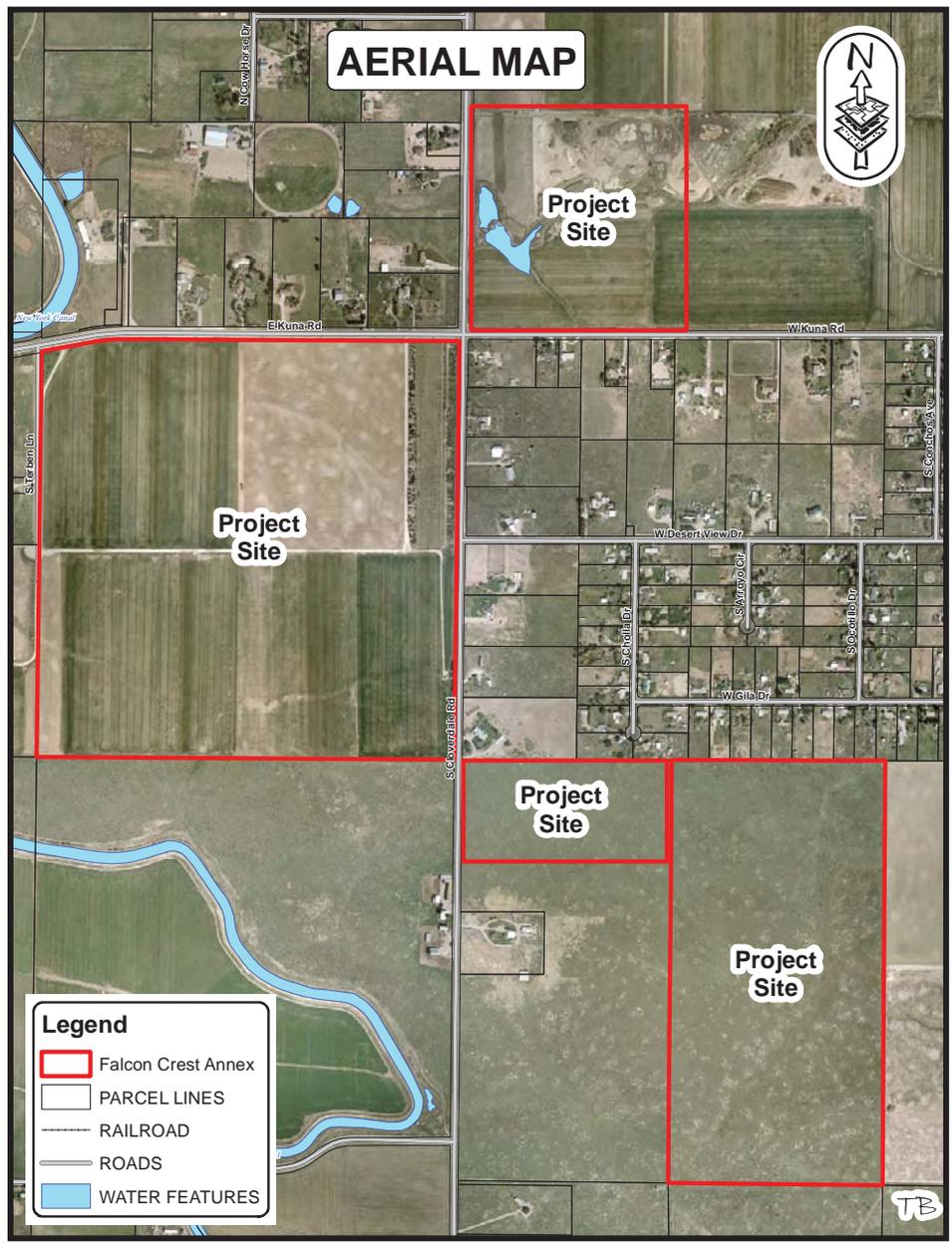
Sincerely,  
A Team Land Consultants

Steve Arnold  
Project & Real Estate Manager

Cc: Terry Cook  
Hans Borbonus  
George Tortorica

Land Use Planning & Design/ Project Management/ Real Estate  
1785 Whisper Cove Avenue, Boise Idaho 83709. Ph. (208) 871-7020 Fx. (208) 401-0977  
E-mail: steve@ateamboise.com





RECEIVED  
CITY OF KUNA



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)	15-01-AN
Project name	FALCON CREST GOLF COURSE
Date Received	APR 7, 2015
Date Accepted/Complete	MAY 5, 2015
Cross Reference Files	
Commission Hearing Date	July 28, 15
City Council Hearing Date	

**Contact/Applicant Information**

Owners of Record: Terry Cook	Phone Number: 208-375-5262
Address: 2528 N Cloverdale Road	E-Mail: steve@ateamboise.com
City, State, Zip: Boise, ID	Fax #: 208-401-0965
Applicant (Developer): Steve Arnold/A Team Land Consultants	Phone Number: 208-871-7020
Address: 1785 S Whisper Cove Ave	E-Mail: Steve@ateamboise.com
City, State, Zip: Boise, ID 83709	Fax #: 208-401-0965
Engineer/Representative: Steve Arnold/A Team Land Consultants	Phone Number: 208-871-7020
Address: 1785 S Whisper Cove Ave	E-Mail: Steve@ateamboise.com
City, State, Zip: Boise, ID 83709	Fax #: 208-401-0965

**Subject Property Information**

Site Address: 11102 S Cloverdale Rd Kuna, Id 83634
Site Location (Cross Streets): Corner of S. Cloverdale and Kuna Rd
Parcel Number (s): Please see attached info.
Section, Township, Range: 22, T.2N., R.1E., B.M. (and) 28, T.2N., R.1E., B.M. (and) 27, T.2N., R.1E., B.M.
Property size : 287.17
Current land use: Agriculture Proposed land use: Agriculture
Current zoning district: RR Proposed zoning district: A

**Project Description**

Project / subdivision name: <u>Falcon Crest</u>	
General description of proposed project / request: <u>request for annexation of the 3 contiguous parcels for the sole purpose of connecting to sewer</u>	
Type of use proposed (check all that apply):	
<input type="checkbox"/> Residential	
<input type="checkbox"/> Commercial	
<input type="checkbox"/> Office	
<input type="checkbox"/> Industrial	
<input checked="" type="checkbox"/> Other	The applicant is proposing to annex at this time for the sole purpose of City Services. Upon receipt of those services a specific application will be submitted to the City for the Falcon Crest Golf Course.
Amenities provided with this development (if applicable):	

**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: 4/6/15

**CONSENT TO ANNEXATION  
INTO THE CITY OF KUNA, IDAHO**  
Idaho Code §50-222

WHEREAS, the city limits of the city of Kuna, Idaho are contiguous to the real property as described herein, however said real property is not within the city limits of the City of Kuna, Idaho.

NOW THEREFORE, Robert Pietras, being first duly sworn upon oath, deposes and states:

1. Pursuant to resolution of the Idaho Department of Lands (IDL) (Copy of Resolution attached), I have express authority to act on behalf of the IDL and I hereby give its consent to the annexation of the property described below, pursuant to Idaho Code §50-222(3)(a) Category A Annexation.

Physical Address: S1427314800

Legal Description: Township 02 North, Range 01 East, Section 27, E2SW

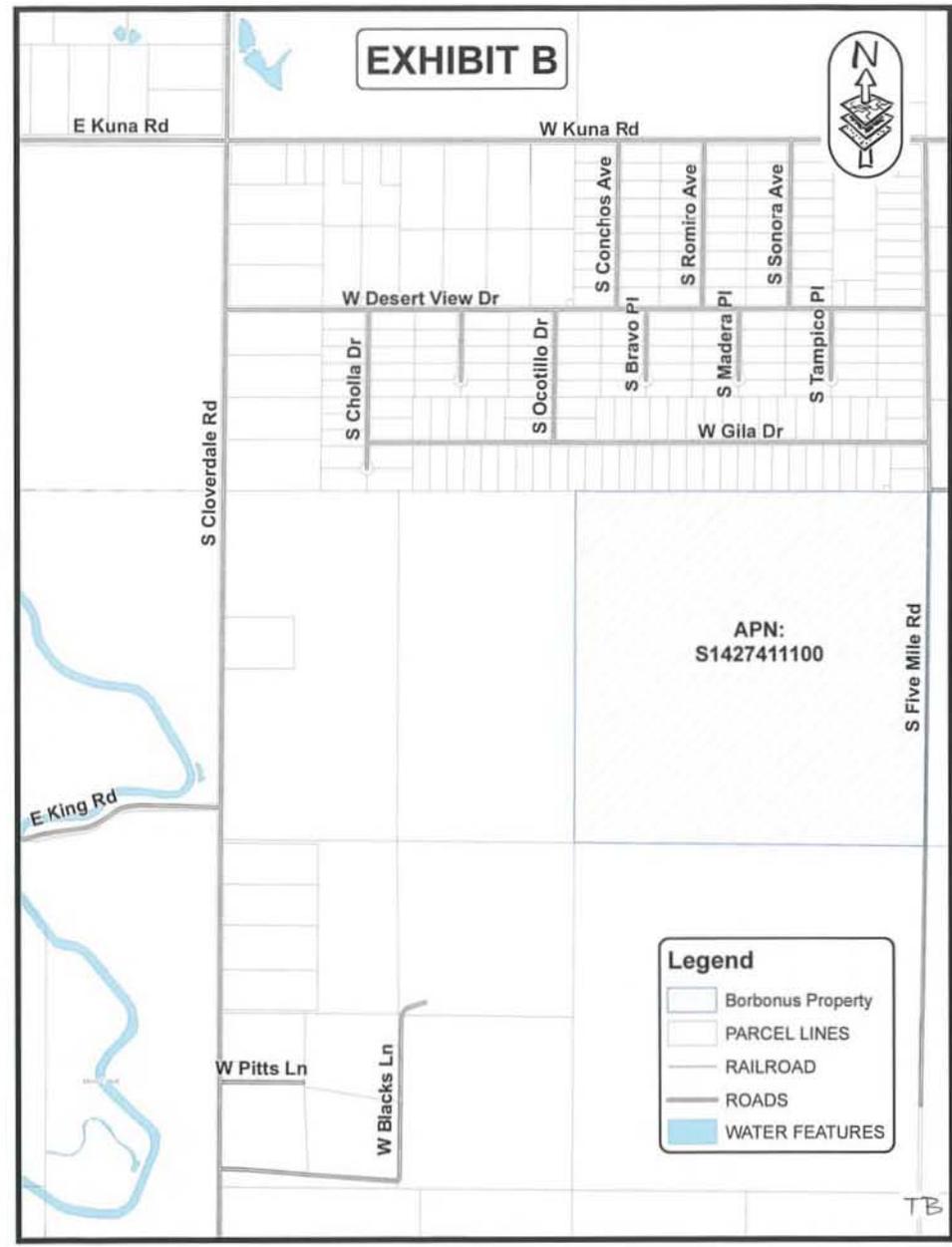
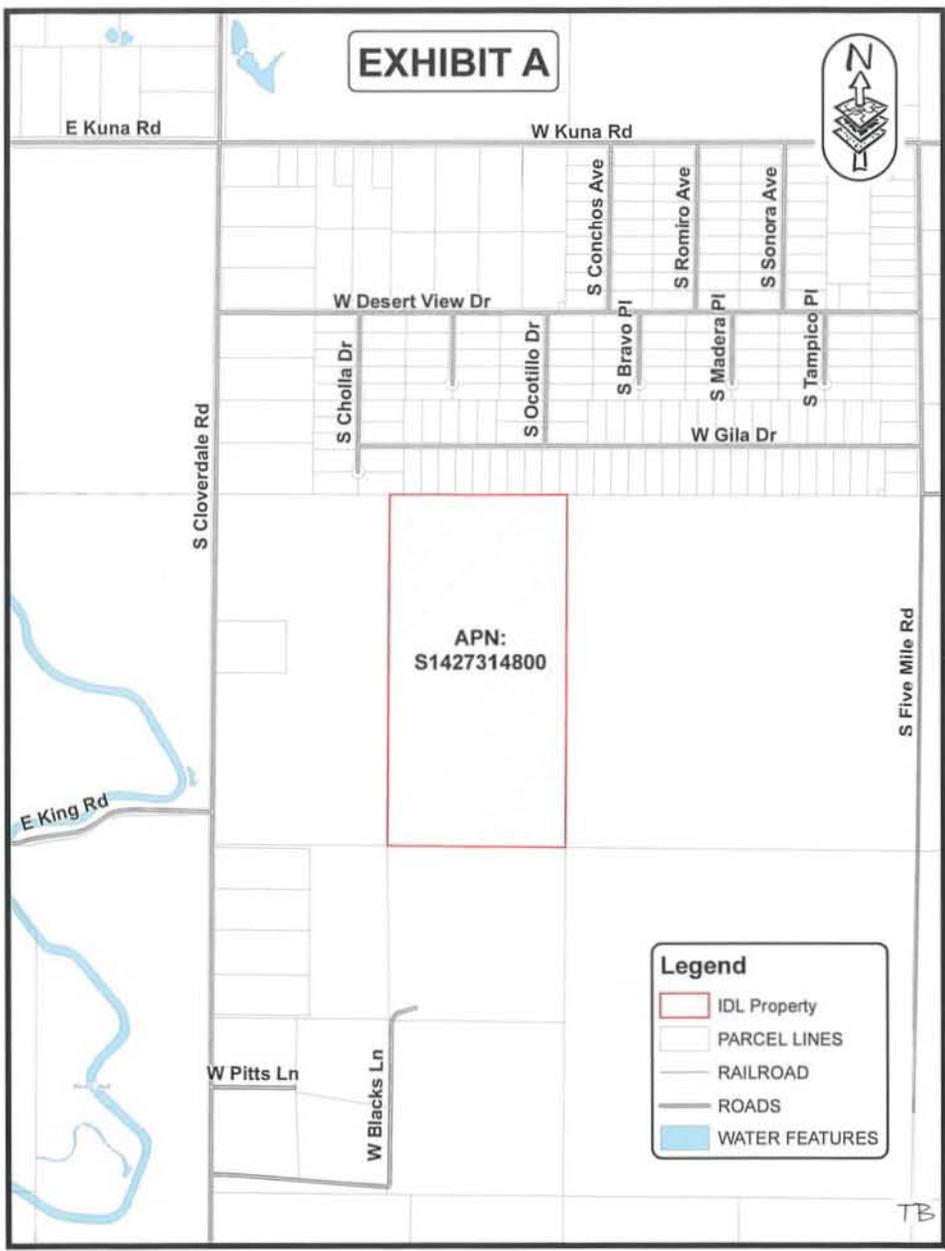
Location Map: See attached **Exhibit A**.

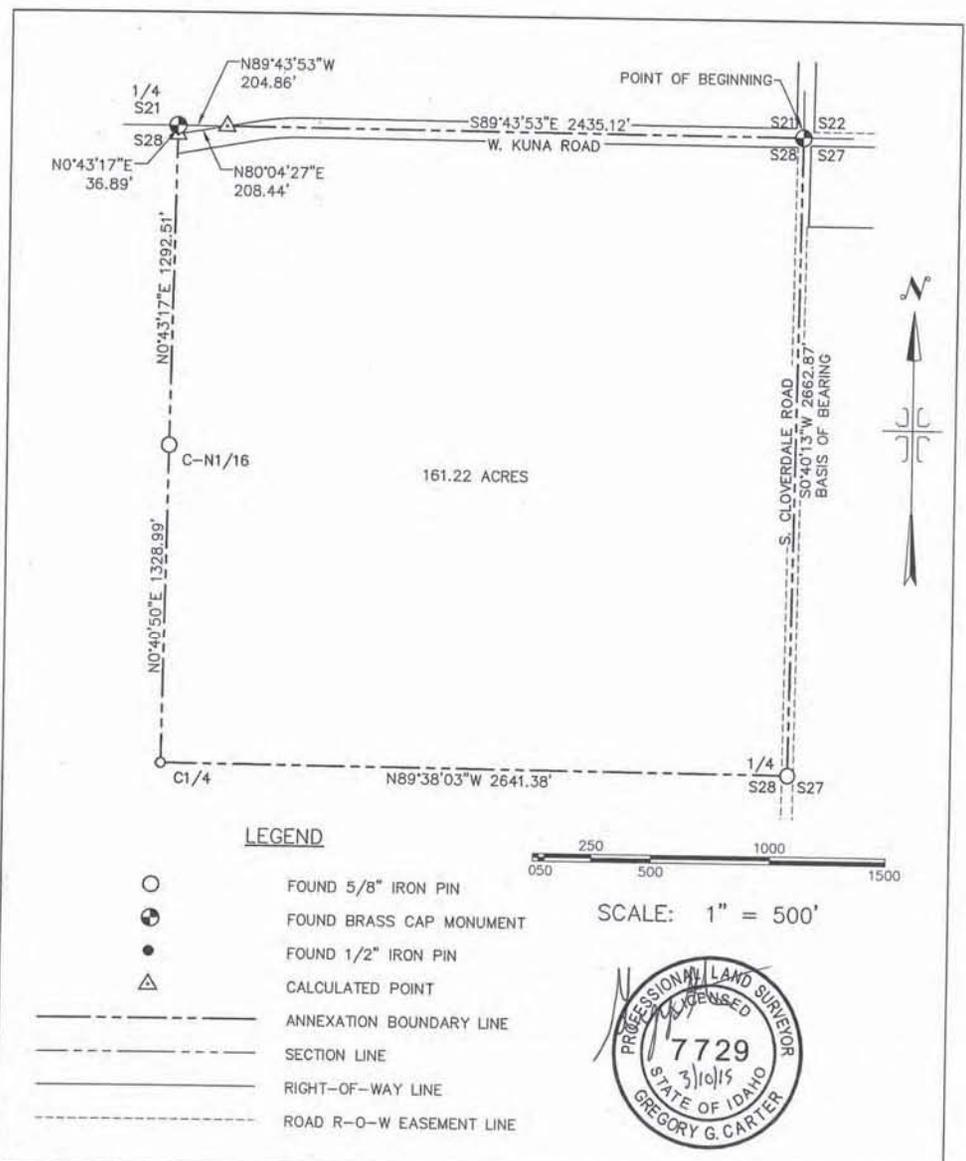
2. Furthermore, on behalf of the IDL, I understand and agree that the City of Kuna has a right under Idaho Law to annex lands that are reasonably necessary to assure the orderly development of the City in order to allow efficient and economically viable provisions of tax-supported and fee-supported municipal services, to enable orderly development of private lands that benefit from the cost-effective availability of municipal services in urbanizing areas, and to equitably allocate the costs of public services in management of development on the urban fringe.
3. Furthermore, on behalf of the IDL, I understand and agree that this annexation is a Category A Annexation and I do not have a right to have it judicially reviewed by any court.

signature page follows

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Project No. 15-033

March 10, 2015

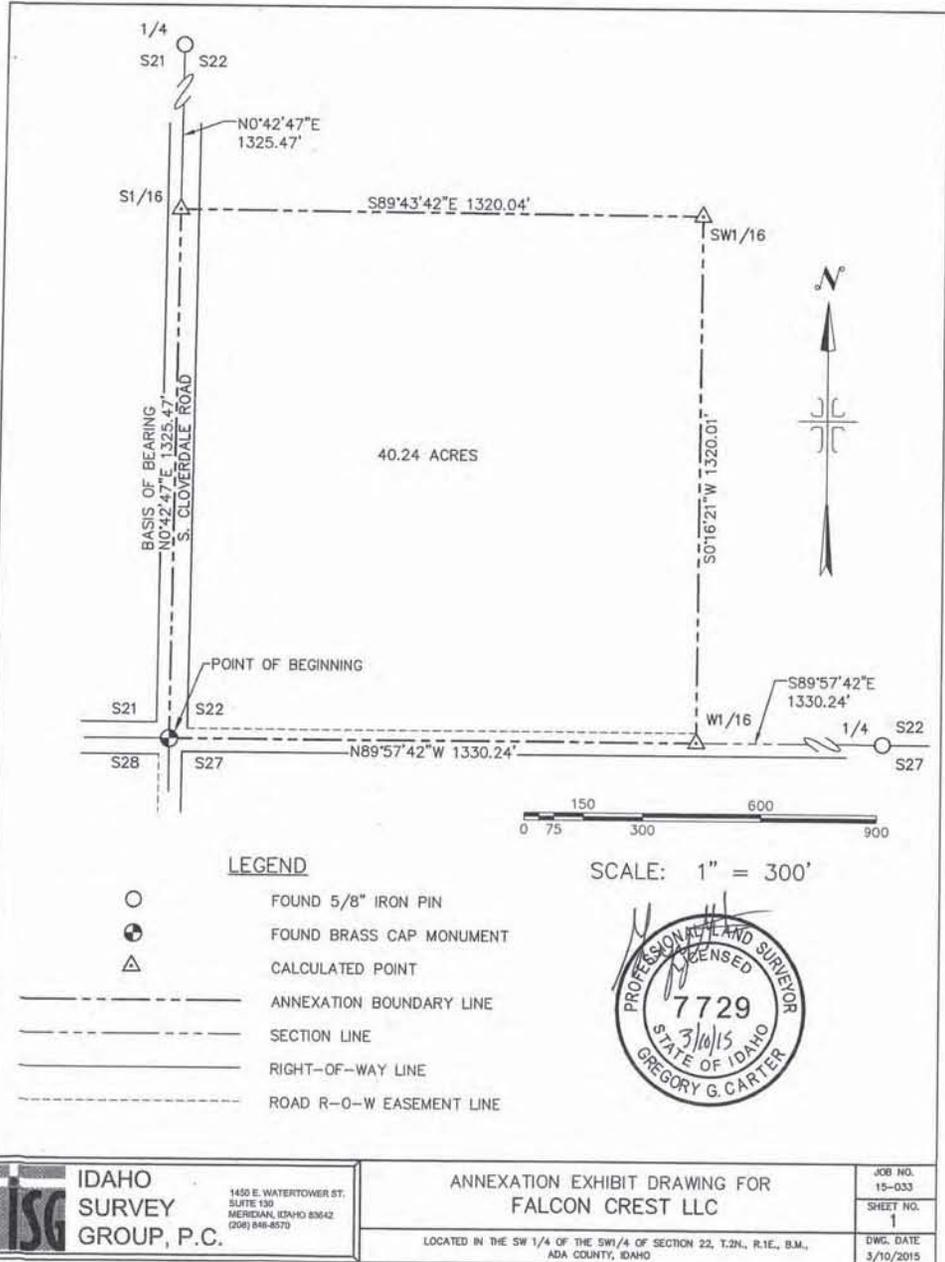
**ANNEXATION DESCRIPTION FOR  
HEIMBUCH PROPERTY**

A parcel of land located in the NE 1/4 of the NE 1/4 of Section 28, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho being more particularly described as follows:

- BEGINNING** at a brass cap monument marking the NE of said Section 28;
- Thence along the East boundary line of said Section 28 South 00°40'13" West, 2662.87 feet a 5/8" iron pin marking the E1/4 corner of said Section 28;
- Thence along said the East-West centerline of said Section 28 North 89°38'03" West, 2641.38 feet to a 1/2" iron pin marking the C1/4 corner of said Section 28;
- Thence along the North-South centerline of said Section 28 North 00°40'50" East, 1328.99 feet to a 5/8" iron pin marking the C-N1/16 corner of said Section 28;
- Thence continuing along the North-South centerline of said Section 28 North 00°43'17" East, 1292.51 feet to a point on the northerly right-of-way line of W. Kuna Road;
- Thence along said northerly right-of-way line North 80°04'27" East, 208.44 feet to a point on the North boundary line of said Section 28;
- Thence along said North boundary line South 89°43'53" East, 2435.12 feet to the **POINT OF BEGINNING**. Containing 161.22 acres, more or less.



<b>IDAHO SURVEY GROUP, P.C.</b> <small>1450 E. WATERTOWER ST. SUITE 130 MERIDIAN, IDAHO 83642 (208) 846-6670</small>	<b>ANNEXATION EXHIBIT DRAWING FOR HEIMBUCH PROPERTY</b>	JOB NO. 15-033
	<small>LOCATED IN THE NE 1/4 OF SECTION 28, T.2N., R.1E., B.M., ADA COUNTY, IDAHO</small>	SHEET NO. 1
		DWG. DATE 3/10/2015



Project No. 15-033

March 10, 2015

**ANNEXATION DESCRIPTION FOR  
FALCON CREST LLC PROPERTY**

A parcel of land located in the SW 1/4 of the SW 1/4 of Section 22, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho being more particularly described as follows:

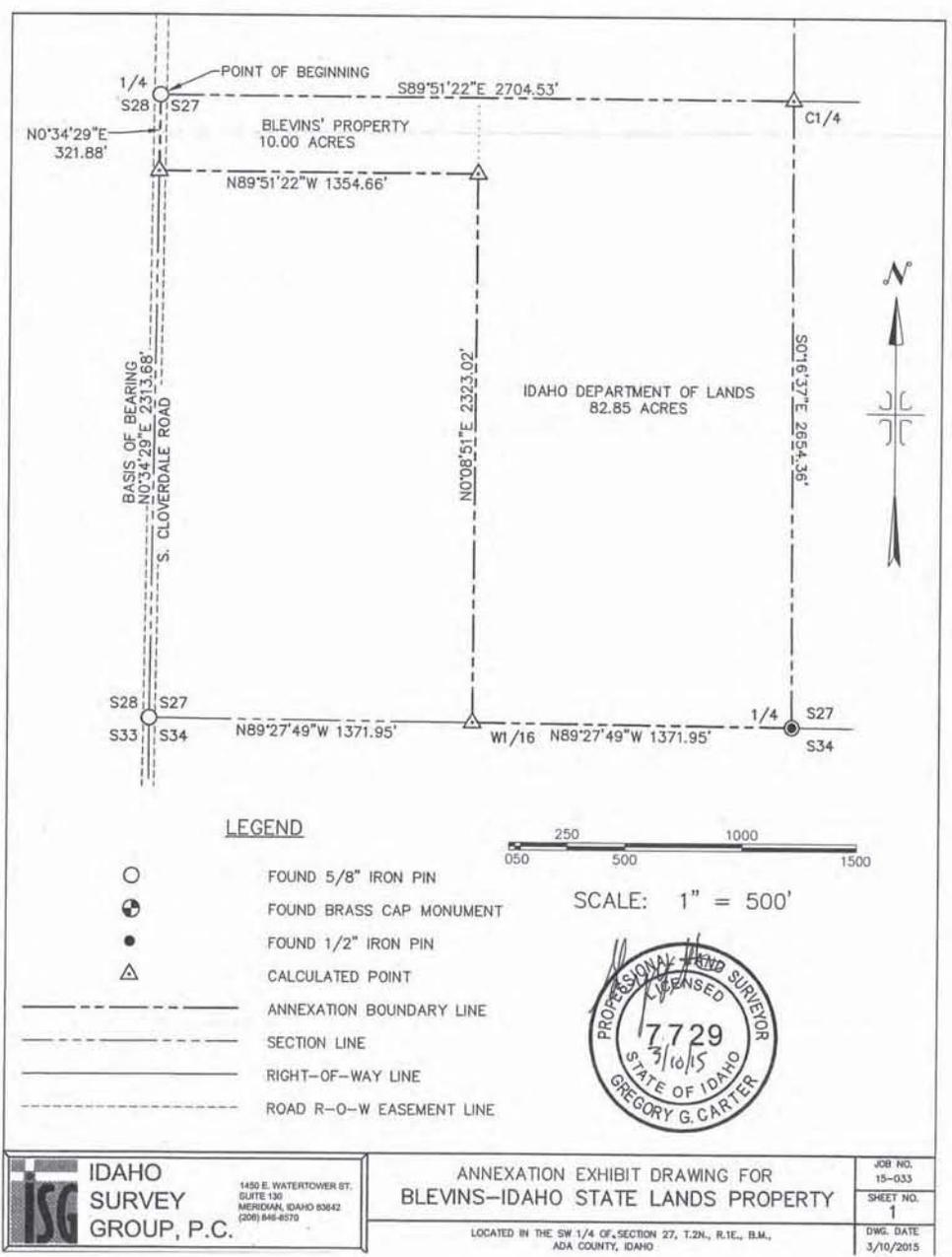
- Beginning at a brass cap monument marking the SW of said Section 22;
- Thence along the West boundary line of said Section 22 North 00°42'47" East, 1325.47 feet to the S1/16 corner of said Section 22;
- Thence along said the North boundary line of the SW 1/4 of the SW 1/4 of said Section 22 South 89°43'42" East, 1320.04 feet to the SW1/16 corner of said Section 22;
- Thence along the East boundary line of the SW 1/4 of the SW 1/4 of said Section 22 South 00°16'21" West, 1320.01 feet to the W1/16 corner of said Section 22;
- Thence along said South boundary line of said Section 22 North 89°57'42" West, 1330.24 feet to the **REAL POINT OF BEGINNING**. Containing 40.24 acres, more or less.



**ISG** IDAHO SURVEY GROUP, P.C.  
 1450 E. WATERTOWER ST.  
 SUITE 130  
 MERIDIAN, IDAHO 83642  
 (208) 848-8570

ANNEXATION EXHIBIT DRAWING FOR  
**FALCON CREST LLC**  
 LOCATED IN THE SW 1/4 OF THE SW 1/4 OF SECTION 22, T.2N., R.1E., B.M.,  
 ADA COUNTY, IDAHO

JOB NO.  
 15-033  
 SHEET NO.  
 1  
 DWS. DATE  
 3/10/2015



Project No. 15-033

March 10, 2015

**ANNEXATION DESCRIPTION FOR BLEVINS-STATE OF IDAHO PROPERTY**

A parcel of land located in the SW 1/4 of Section 27, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho being more particularly described as follows:

- BEGINNING** at a brass cap monument marking the W1/4 corner of said Section 27;
- Thence along the East-West centerline of said Section 27 South 89°51'22" East, 2704.53 feet to the C1/4 corner of said Section 27;
- Thence along said the North-South centerline of said Section 27 South 00°16'37" East, 2654.36 feet to an aluminum cap monument marking the S1/4 corner of said Section 27;
- Thence along the South boundary line of said Section 27 North 89°27'49" West, 1371.95 feet to W1/16 corner of said Section 27;
- Thence along the West boundary line of the E1/2 of the SW1/4 of said Section 27 North 00°08'51" East, 2323.02 feet;
- Thence leaving said West boundary line North 89°51'22" West, 1354.66 feet to a point on the West boundary line of said Section 27;
- Thence along said West boundary line North 00°34'29" East, 321.88 feet to the **POINT OF BEGINNING**. Containing 92.85 acres, more or less.



**ISG** IDAHO SURVEY GROUP, P.C.  
 1450 E. WATERTOWER ST.  
 SUITE 130  
 MICRORAIL, IDAHO 83642  
 (208) 846-8570

ANNEXATION EXHIBIT DRAWING FOR  
 BLEVINS-IDAHO STATE LANDS PROPERTY  
 LOCATED IN THE SW 1/4 OF SECTION 27, T.2N., R.1E., B.M.,  
 ADA COUNTY, IDAHO.

JOB NO.  
 15-033  
 SHEET NO.  
 1  
 DWG. DATE  
 3/10/2015



**CITY OF KUNA**  
**P.O. BOX 13**  
**KUNA, ID 83634**  
[www.cityofkuna.com](http://www.cityofkuna.com)

GORDON N. LAW  
 CITY ENGINEER

Telephone (208) 287-1727; Fax (208) 287-1731

Email: [glaw@cityofkuna.com](mailto:glaw@cityofkuna.com)

## MEMORANDUM

TO: Director of Kuna Planning and Zoning

FROM: Gordon N. Law  
 Kuna City Engineer

RE: Falcon Crest  
 Annexation  
 15-01-AN

DATE: June 20, 2015

The City Engineer has reviewed the annexation request of the above applicant dated June 8, 2015. It is noted that specific development plans are not provided except those implied as allowed or permitted in an "A" zone. It is understood, however, the applicant intends to re-zone and develop portions of this property and other properties in the vicinity which it owns under terms of future land-use actions. This understanding includes the possibility the applicant will sell these properties to a third party having the same intent. The applicant desires City services for these future developments and the City has affirmed its willingness to include all of the applicant's aforementioned properties in its service area.

The recommendation of the City Engineer is to proceed with this annexation and address the issues of extending the City service area in connection with the future land-use actions. Accordingly, the City Engineer provides the following comments:

### 1. Sanitary Sewer Needs

- The applicant's property to be annexed is presently used for agricultural purposes and does not require City services. As developed property, it will require municipal or community sewer service. The City Engineer recommends ultimate connection to existing City facilities but does not preclude the implementation of an interim treatment and disposal option.
- Wastewater from the applicant's property has the option of being treated in either the North or South Treatment Plants and each plant has sufficient capacity to serve this site. The City Engineer recommends choosing the plant of connection based on the results of a comparison of investment costs. 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.
- For assistance in locating existing facilities and understanding issues associated with connection, please contact the City Engineer at 287-1727.

### 2. Potable Water Needs

- The applicant's property to be annexed is presently used for agricultural purposes and does not require City services. As developed property, it will require municipal water service for potable and fire protection needs. There are issues of water rights, redundancy, water quality and elevation to be considered. The City Engineer recommends an economic evaluation of initially extending lines from the existing system compared to starting a new system in the vicinity of Falcon Crest and implementing the least cost option.
- The nearest point of connection for the Falcon Crest project is 3.3 miles (see comment 2.a). When connecting to the water system, the applicant will need to abide by any relevant water reimbursement policies and agreements and any relevant connection fees.
- Improvements necessary to provide adequate fire protection as required by Kuna Fire District will be required of the development.
- For assistance in locating existing facilities, please contact the City Engineer at 287-1727.

### 3. Pressure Irrigation

- The property's irrigation needs are presently served by its own wells and the area is not within the boundaries of an irrigation district with access to surface water rights. The city does not have pressure irrigation facilities in the vicinity and the costly extension of City facilities to the site does not seem justified. Accordingly, the City Engineer recommends reliance on either the new potable system or utilization of the existing irrigation wells of the applicant.
- The adopted Irrigation Master Plan does not address municipal pressurized irrigation service to areas not within agricultural irrigation districts. It is recommended that appropriate policies are developed to guide land development decisions for such areas.

### 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:

- 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.
- 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.
- Any increase in quantity or rate of runoff or decrease in quality of runoff from the site compared to historical conditions must be detained, treated and released at rates no greater than historical amounts.

- d) If offsite disposal of storm water in excess of historical rates or conditions is proposed, or disposed at locations different than provided historically, the approval of the affected entities is required.

#### 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. **If no public water, sewer and irrigation construction work is done (such as with a stand-alone annexation), no fees are required.**

#### 7. Right-of-Way

The subject property fronts on its south and west sides on existing section line arterial streets (Cloverdale and Kuna Road). 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 and ACHD standards.
- b) It is recommended approaches onto the classified streets complies with ACHD 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 at the time of land-use change or re-development.

#### 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. **If no public facilities are constructed (such as with a stand-alone annexation) , no as-built drawings are required.**

#### 9. Property Description

- a) The applicant provided a metes and bounds property description of the subject parcel.

 **CENTRAL DISTRICT HEALTH DEPARTMENT**  
Environmental Health Division

Return to:  
 ACZ  
 Boise  
 Eagle  
 Garden City  
 Kuna  
 Meridian  
 Star

Rezone # 15-01-AN  
 Conditional Use # \_\_\_\_\_  
 Preliminary / Final / Short Plat \_\_\_\_\_

*Falcon Crest Golf Course*  
**RECEIVED**  
 JUL 06 2015  
 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       waste flow characteristics
  - bedrock from original grade       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       community sewage system       community water well
  - interim sewage       central water
  - individual sewage       individual water
- 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
  - central sewage       community sewage system       community water
  - sewage dry lines       central 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       swimming pools or spas       child care center
  - beverage establishment       grocery store
- 13. Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDHD.
- 14. \_\_\_\_\_ Reviewed By: *[Signature]*  
 \_\_\_\_\_ Date: *6/26/15*



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: 07/21/2015  
 Agency Requesting Comments: Kuna Planning and Zoning  
 Date Request Received: 06/10/2015  
 Applicant/Description: 15-01-AN Annexation – Falcon Crest Golf Course Annex

*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.



**IDAHO TRANSPORTATION DEPARTMENT**  
P.O. Box 8028  
Boise, ID 83707-2028

(208) 334-8300  
itd.idaho.gov

June 12, 2015

Troy Behunin  
Senior Planner  
City of Kuna  
P.O. Box 13,  
Kuna, Idaho 83634

VIA EMAIL

**RE: 15-01-AN FALCON CREST GOLF COURSE ANNEX**

The Idaho Transportation Department (ITD) has reviewed the annexation application for the Falcon Crest Golf Course Annex near the intersection of S Cloverdale Rd. and E Kuna Rd. east of SH-69. ITD has the following review comments:

1. ITD has no objection to this project.
2. These properties do not abut the State highway system.

If you have any questions, you may contact me at 332-7191.

Sincerely,

James K. Morrison  
Development Services Manager  
[jim.morrison@itd.idaho.gov](mailto:jim.morrison@itd.idaho.gov)

Page 2 of 4

*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.*

Page 3 of 4

**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).

Page 4 of 4

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 Aaron Scheff, 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 our technical staff at 208-373-0550.

Sincerely,

*Danielle Robbins*

Danielle Robbins  
[danielle.robbins@deg.idaho.gov](mailto:danielle.robbins@deg.idaho.gov)  
 Boise Regional Office  
 Idaho Department of Environmental Quality

C: File # 2072



# Neighborhood Meeting Certification

CITY OF KUNA PLANNING & ZONING \* 763 W. Avalon, Kuna, Idaho, 83634 \* www.kunacity.id.gov \* (208) 922-5274 \* Fax: (208) 922-5989

### GENERAL INFORMATION:

You must conduct a neighborhood meeting prior to application for variance, conditional use, zoning ordinance map amendment, expansion or extension of a nonconforming use, and/or a subdivision. Please see Section 8-7A-3 of the Kuna City Code or ask one of our planners for more information on neighborhood meetings.

The meeting must be held either on a weekend between 10 a.m. and 7 p.m., or a weekday between 6 p.m. and 8 p.m. Meetings cannot be conducted on holidays, holiday weekends, or the day before or after a holiday or holiday weekend. The meeting must be held at one of the following locations:

- The Subject Property;
- The nearest available public meeting place (Examples include fire stations, libraries and community centers);
- An office space within a 1-mile radius of the subject property.

The meeting cannot take place more than 2 months prior to acceptance of the application and the application will not be accepted before the neighborhood meeting is conducted. You are required to send written notification of your meeting, allowing a reasonable amount of time before your meeting for property owners to plan to attend. Contacting and/or meeting individually with residents will not fulfill Neighborhood Meeting requirements.

You may request a list of the people you need to invite to the neighborhood meeting from our department. This list includes property owners within 300 feet of the subject property. Once you have held your neighborhood meeting, please complete this certification form and include it with your application.

**Please Note: The neighborhood meeting must be conducted in one location for attendance by all neighboring residents. Contacting and/or meeting individually with residents does not comply with the neighborhood meeting requirements.**

**Please include a copy of the sign-in sheet for your neighborhood meeting, so we have written record of who attended your meeting and the letter of intent sent to each recipient. In addition, provide any concerns that may have been addressed by individuals that attended the meeting.**

Description of proposed project: Annexation of approximately 287-acres

Date and time of neighborhood meeting: March 9, 2015, at 5:30 pm

Location of neighborhood meeting: Kuna City Hall

### SITE INFORMATION:

Location: Quarter: NW Section: 27 Township: 2N Range: 1E Total Acres: 287

Subdivision Name: \_\_\_\_\_ Lot: \_\_\_\_\_ Block: \_\_\_\_\_

Site Address: 13690 S. Cloverdale Road Tax Parcel Number(s): S1427314800, S1427325400

Kuna Id 83634 S1428111000, S1422314800

Please make sure to include **all** parcels & addresses included in your proposed use.

### CURRENT PROPERTY OWNER:

Name: Terry Cook

Address: 2528 N. Cloverdale Road City: Boise State: Id Zip: 83713

### CONTACT PERSON (Mail recipient and person to call with questions):

Name: Steve Arnold Business (if applicable): A Team Land Consultants

Address: 1785 Whisper Cove Avenue City: Boise State: ID Zip: 83709

### PROPOSED USE:

I request a neighborhood meeting list for the following proposed use of my property (check all that apply):

Application Type	Brief Description
Annexation	<u>Annexation for the purposes of providing City services to a</u>
Re-zone	<u>future development around the existing golf course.</u>
Subdivision (Sketch Plat and/or Prelim. Plat)	_____
Special Use	_____
Variance	_____
Expansion of Extension of a Nonconforming Use	_____
Zoning Ordinance Map Amendment	_____

### APPLICANT:

Name: A Team Land Consultants, Steve Arnold

Address: 1785 Whisper Cove Avenue

City: Boise State: ID Zip: 83709

Telephone: 321-0525 Fax: 401-0977

I certify that a neighborhood meeting was conducted at the time and location noted on this form and in accord with Section 8-7A-3 of the Kuna City Code

Signature: (Applicant) Steve Arnold Date 4/7/15



February 28, 2015

**INVITATION TO NEIGHBORHOOD MEETING**

Dear Property Owner:

Kuna City Code requires an opportunity for a meeting between the applicant of a development proposal and the residents of the neighborhood in which the development site is located. The meeting shall occur prior to formal submittal of the development application to the City. This letter is a notice of an opportunity to review and discuss our proposed annexation located off Cloverdale Road, both north and south of Kuna Road of approximately 290-acres. This is not a public hearing; public officials will not be at the meeting. If you have any questions regarding this Kuna City Code neighborhood meeting requirement, please contact the Planning Division at 922-5274. If you have any questions about the proposed development please give me a call at 871-7020.

**Purpose:** To review and provide comments regarding the proposed Annexation.

**When:** March 9, 2015, at 5:30-6:30 p.m.

**Where:** Kuna City Hall Room, 763 W. Avalon Street, Kuna ID 83634.

**Project Description:** The applicant is proposing to annex a portion of the Falcon Crest Golf course and neighboring properties consisting of approximately 290-acres. There are no other application proposed at this time. The properties include, 40-acres at the northeast corner of Kuna and Cloverdale Road (Falcon Crest), 157-acres at the southwest corner of that intersection, 10-acres of the Blevins property, and 80-acres of State Land east of the Blevins property.

If you cannot attend the meeting and have questions concerning the application for Annexation, please feel free to call me at 871-7020.

Sincerely,  
A Team Land Consultants

Steve Arnold  
Project & Real Estate Manager

Land Use Planning & Design/ Project Management/ Real Estate  
1785 Whisper Cove Avenue, Boise Idaho 83709. Ph. (208) 871-7020 Fax. (208) 321-0525  
E-mail: steve@ateamboise.com

PROJECT NAME: Falcon Crest

DATE: 03/09/2015

Name	Address	E-Mail	Phone
1. Robert C. Hendriksen	11975 Kuna Rd	cyathahendriksen@yahoo.com	208-362-5679
Comments:			
2. Rod Hensley	13270 S. Cloverdale Rd	Rod.Hensley@msn.com	208-362-7615
Comments:			
3. Mike Rainey	12078 Desert View	MIKE@5208414160.COM	208-602-5231
Comments:			
4. Dallas Hulseby	11985 S. CLOVERDALE RD	DALLAS.A.HULSEBY@GMAIL.COM	619 307 3347
Comments:			
5. Jacki Cook	11703 W Gila Kuna	vjcook@integrity.com	562-1322
Comments:			
6. RRY & Ben Cook			
Comments:			
7. Leonard Jean Campbell	LenCampbell@cablecar.net		
Comments:			



City of Kuna

P.O. Box 13  
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Kunacity.id.gov

Findings of Fact & Conclusions of Law

**To:** Planning and Zoning Commission

**Case Number(s):** 15-01-AN (Annex) Falcon Crest Golf Course Annexation

**Location:** Near the intersection of Cloverdale & Kuna Roads  
Kuna, Idaho 83634

**Planner:** Troy Behunin, Senior Planner

**Hearing Date:** July 28, 2015  
**Findings of Fact:** August 11, 2015

**Applicant:** **A-Team Land Consultants - Steve Arnold**  
1785 Whisper Cove Avenue  
Boise, ID 83709  
208.321.0525  
[Steve@ateamboise.com](mailto:Steve@ateamboise.com)

**Owner:** **Falcon Crest Golf Course - Terry Cook**  
2528 N. Cloverdale Rd.  
Boise, ID 83709

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- A. Course Proceedings
- B. Applicants Request
- C. Vicinity & Aerial Maps
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- E. General Project Facts
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- H. Comprehensive Plan Analysis
- I. Findings of Fact
- J. Conclusions of Law
- K. Conditions of Approval

**A. Course of Proceedings**

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

**a. Notifications**

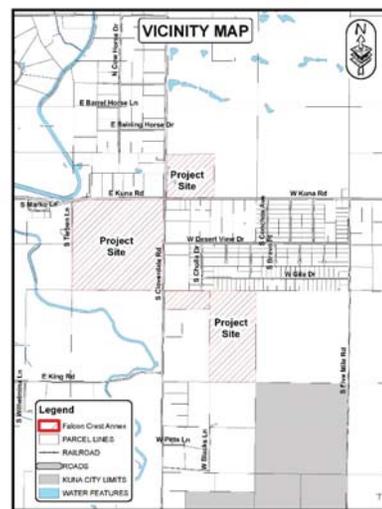
- i. Neighborhood Meeting March 9, 2015
- ii. Agencies June 10, 2015
- iii. 300' Property Owners July 16, 2015
- iv. Kuna, Melba Newspaper July 8, 2015
- v. Site Posted July 16, 2015

**B. Applicants Request:**

**1. Request:**

Applicant requests approval to annex approximately 294.31 acres into the City limits. Applicant is working to get Central City services to the Golf Course for future development(s). At this time the applicant and other property owners are requesting the Agriculture (AG) zone for all parcels. This is designed to set the stage for the future of the Golf Course. At an unknown time in the future, it is anticipated the remainder of the Golf Course will annex into the City, when a specific development plan for the area is known and will go through the application review process at that time.

**C. Vicinity and Aerial Maps:**



**D. History:** The subject parcels are all in Ada County, currently zoned RR (Rural Residential), and are adjacent to Kuna City limits, or will touch if this request is granted. The southeastern parcel is owned by Idaho State Department of Lands and the State has submitted a letter consenting to the annexation of their property.

**E. General Projects Facts:**

1. **Comprehensive Plan Designation:** The Future Land Use Map (FLU) identifies these parcels as Agriculture, and Low Density. Generally speaking, staff views this land use request to be consistent with the approved FLU map.

2. **Surrounding Land Uses (Generally):**

North	RR	Rural Residential – Ada County
South	RR	Rural Residential – Ada County
East	RR	Rural Residential – Ada County
West	RR	Rural Residential – Ada County

3. **Parcel Sizes, Current Zoning, Parcel Numbers:**

- Approx. 294.31 total acres
- All parcels are Rural Residential (RR)
- S1427314800 (ID Dept. of Lands) - Parcel #1
- S1427325400 (Blevins) - Parcel #2
- S1428111000 (Heimbuch) - Parcel #3
- S1422314800 (Falcon Crest LLC – APPLICANT) - Parcel #4

4. **Services:**

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

5. **Existing Structures, Vegetation and Natural Features:** Currently the lands are used for agricultural purposes and it is anticipated that all four will continue their historic uses on the remaining lands until development occurs. The site’s topography is generally flat.

6. **Transportation / Connectivity:** The four parcels have sufficient access frontage to classified roads and staff will work with the applicant in the future when development occurs, to establish access points and other site-specific development considerations.

7. **Environmental Issues:** Staff is not aware of any environmental issues, health or safety conflicts.

8. **Agency Responses:** The following agencies returned comments: City Engineer (Gordon Law, P.E.), Central District Health Department (CDHD), Department of Environmental Quality (DEQ) and the Idaho Transportation Department (ITD). The responding agency comments are included as exhibits with this case file. The following agencies did not send in comments; ACHD, Boise Project Board of Control, Kuna Fire District, Boise-Kuna Irrigation District, Kuna Police Department, Kuna School District, Ada County Planning and Zoning, Idaho Power, J&M Sanitation, or the US Post Office.

F. **Staff Analysis:**

The four parcels in this application are located near the intersection of Cloverdale & Kuna Roads. The applicant proposes to annex 294.31 acres into the City as Agriculture zone. Public services are not currently near the properties. However, the applicant is preparing the Golf Course for development in the future and working towards getting City services to the Golf Course. The applicant does not have any specific plans or designs at this time and is not proposing any development at this time. Once services are closer, at that time, a specific plan will be developed and submitted to the City for application review and approval.

In order for a parcel to annex into the City, a willing land owner’s parcel must touch existing City limits and submit a request for annexation. The Golf Courses parcel does not currently touch the City limits and so the applicant needed to secure a pathway back to a property currently touching current City limits. The applicant was successful in working with two private property owners and the Idaho State Department of Lands to secure its pathway.

Applicant (*parcel #4*) is annexing only a part of parcel 1422314800 (Falcon Crest Golf Course) into the City at this time. The applicant has worked with Ada County for a One-Time-Division (O.T.D.) in order to create the smaller parcel, which is approximately 40 acres in size. This action has received approval from the County.

All 74 acres (+/-) of parcel #2 are not being annexed at this time. Instead, the land owner (Blevins) has worked with Ada County for a O.T.D. in order to create an approximately ten (10) acre parcel which will bridge the gap between the State lands, and the Heimbuch property, thus providing the needed touch. This action has received approval from the County, subject to conditions of approval.

Staff has determined this application complies with Title 5 of the Kuna City Code; Idaho Statute §50-222; and the Kuna Comprehensive Plan; and forwards a recommendation of approval for Case No. 15-01-AN, subject to the recommended conditions of approval.

G. **Applicable Standards:**

1. City of Kuna Zoning Ordinance No. 230, 546 and 570,
2. City of Kuna Subdivision Ordinance No. 2012-18, Title 5 Zoning Regulations,
3. City of Kuna Comprehensive Plan and Future Land Use Map,
4. City of Kuna Landscape Regulations, Title 5, Chapter 17, Section 1 thru 26,
5. Idaho Code, Title 67, Chapter 65, Local Land Use Planning Act.

H. **Comprehensive Plan Analysis:**

The Kuna Planning and Zoning Commission accepts the Comprehensive Plan components as described below.

1. The proposed applications for this site are consistent with the following Comprehensive Plan components:

**GOALS AND POLICY – Property Rights**

**Goal 1: Ensure that the City of Kuna land use policies, restrictions, conditions and fees do not violate private property rights. Establish an orderly, consistent review process for the City of Kuna to evaluate whether proposed actions may result in private property “takings”.**

Policy 1: As part of a land use action review, the 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.

**GOALS AND POLICY – Economic Development**

**Goal 1: Promote and support a diverse and sustainable economy that will allow more Kuna residents to work in their community.**

Policy 1.3: The City will develop a policy to provide incentives and/or assistance in order to competitively attract firms.

**GOALS AND POLICY – Land Use**

**Goal 2: Encourage a balance of land uses to ensure that Kuna remains a desirable, stable, and self-sufficient community.**

Objective 2.2: Plan for areas designed to accommodate a diverse range of businesses and commercial activity – within both the community-scale and neighborhood-scale centers – to strengthen the local economy and to provide more opportunities for social interaction.

Policy 2.3: Retail and residential land uses should be appropriately mixed and balanced with professional offices and service facilities to provide residents with a broader mix of services within walking distance from their homes.

**I. Findings of Fact:**

1. This request appears to be consistent and in compliance with all Kuna City Code (KCC).
2. The use appears to meet the general objectives of Kuna's Comprehensive Plan.
3. The site is physically suitable for a subdivision.
4. The annexation and subdivision uses are not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.
5. The annexation application is not likely to cause adverse public health problems.
6. 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.
7. The existing and proposed street and utility services in proximity to the site are suitable and adequate for residential purposes.
8. The Kuna Planning and Zoning Commission accepts the facts as outlined in the staff report, any public testimony and the supporting evidence list as presented.
9. Based on the evidence contained in Case No.s 14-05-AN, 14-04-DA, 14-03-Sub and 14-06-DRC, this proposal appears to comply with the Comprehensive Plan and the Kuna Comprehensive Future Land Use Map (FLU).
10. The Planning and Zoning Commission has the authority to recommend approval or denial for these applications.
11. The public notice requirements were met and the public hearing was conducted within the guidelines of applicable Idaho Code and City Ordinances.

**J. Conclusions of Law:**

1. Based on the evidence contained in Case No. 15-01-AN, the Kuna Planning and Zoning Commission finds Case No. 15-01-AN, comply with Kuna City Code.
2. Based on the evidence contained in Case No. 15-01-AN, the Kuna Planning and Zoning Commission finds Case No. 15-01-AN, is consistent with Kuna's Comprehensive Plan.
3. The public notice requirements have been met and the neighborhood meeting was conducted within the guidelines of applicable Idaho Code and City Ordinances.

**K. Decision by the Commission:**

**15-01-AN, Note:** *This proposed motion is to recommend approval, conditional approval, or denial for this request to City Council. If the Commission wishes to approve or deny specific parts of the requests as detailed in this report, those changes must be specified.*

On July 28, 2015, the Commission voted 4-0 to *recommend approval* for Case No. 15-01-AN, based on the facts outlined in staff's report and the public testimony at the public hearing. The Planning and Zoning Commission of Kuna, Idaho, hereby recommends *approval* of Case No. 15-01-AN, a request for annexation into the City of Kuna by Steve Arnold (A-Team Consulting) and Terry Cook (Falcon Crest Golf Course) *with* the following conditions of approval when appropriate in the future as development occurs:

- Follow all staff and appropriate Government Agency comments,
- Applicant shall work with Idaho Department of Lands until the access easement for the Idaho Department of Lands property is finalized.

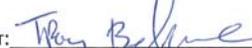
1. The applicant and/or owner shall obtain written approval on letterhead or may be written/stamped on the approved plans of the construction plans from the agencies noted below. All submittals are required

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 Project and Board of Control* shall approval any modifications to the existing irrigation system.
  - e. Approval from Ada County Highway District shall be obtained and Impact Fees must be paid prior to issuance of any building permit.
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 be commenced without the approval and permit from Ada County Highway District and/or Idaho Transportation Department.
    - 2.1- With future development and as necessary, dedicate right-of-way in sufficient amounts to follow Kuna 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. Future street lighting shall be LED lights and meet the approval of the City.
  6. Future parking shall comply with Kuna City Code, unless specifically approved otherwise.
  7. Future fencing within and around the site shall comply with Kuna City Code unless specifically approved otherwise.
  8. Future signage within the site shall comply with Kuna City Code (A sign permit is required prior to sign construction).
  9. At time of development, 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.
  10. Prior to requesting final plat approval in the future, submit a petition to the City (if necessary and confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and requesting to annex the irrigation surface water rights appurtenant to the property to the Kuna Municipal Pressure Irrigation system of the City (KMID).
  11. 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 Commission, or seek amending them through public hearing processes.
  12. Applicant shall follow all staff, city engineer and other agency recommended requirements as applicable.
  13. Applicant shall comply with all local, state and federal laws.

DATED: This 11<sup>TH</sup> day of August, 2015.

  
\_\_\_\_\_  
Leg Young, Chairman  
Kuna Planning and Zoning Commission

ATTEST:   
\_\_\_\_\_  
Troy Behunin, Senior Planner  
Kuna Planning and Zoning Department

**CITY OF KUNA  
REGULAR PLANNING & ZONING COMMISSION**

**MEETING MINUTES  
Tuesday, July 28, 2015**

PZ COMMISSION MEMBER	PRESENT	CITY STAFF PRESENT:	PRESENT
Chairman Lee Young	X	Wendy Howell, Planning Director	X
Vice-Chairman Stephanie Wierschem	Absent	Troy Behunin, Senior Planner	X
Commissioner Dana Hennis	X	Trevor Kesner, Planner I	X
Commissioner Cathy Gealy	X		
Commissioner Joan Gay	Absent		

6:00 pm – COMMISSION MEETING & PUBLIC HEARING

Call to Order and Roll Call

Chairman Young called the meeting to order at 6:05pm.

**1. CONSENT AGENDA**

- a. Meeting Minutes for July 14, 2015
- b.

**15-01-ZC** – Rezone; and **07-03-DA** – Development Agreement (Modification): Profile Ridge [South 1/2] Subdivision - Findings of Fact and Conclusions of Law.

*Commissioner Hennis motioned to approve consent agenda;  
Commissioner Gealy seconds, all aye and motioned carried 3-0.*

*Commissioner Hennis motioned to switch the 'NEW BUSINESS' items with 'OLD BUSINESS' items on the agenda;  
Commissioner Gealy seconds, all aye and motioned carried 3-0.*

**2. NEW BUSINESS:**

- a. **15-02-SUP** (Special Use Permit): A request from applicant, Shayla Menard for a Special Use Permit (SUP) to operate an in-home pet grooming service business located at 226 E. Chapparosa Drive.

Trevor Kesner: Good evening Commissioners; for the record, Trevor Kesner: Kuna City Planner. The application before you tonight; 15-02-SUP is a Special Use Permit application from Shayla Menard to operate an in-home pet grooming service business at 226 E. Chapparosa Drive. Kuna City code designates a Special Use Permit application as a public hearing has completed all of the required application materials, she has posted the site, notified all property owners within 300 feet of the proposed business of her intent and the SUP hearing was published in the Kuna-Melba News. As far as staff is concerned, we would forward a recommendation of approval for the application and I will stand for any questions you may have. The applicant is here as well tonight if you have any questions for them.

C/Young: Ok, well I guess I could ask her, but are there any questions for Trevor?

**CITY OF KUNA  
REGULAR PLANNING & ZONING COMMISSION**

**MEETING MINUTES  
Tuesday, July 28, 2015**

before, she is just seeking now to do it correctly and legally so as she has stated, there have not been any previous complaints or concerns brought to staff's attention in regards to noise levels so you are certainly allowed to include conditions regarding that.

*\*\*Unknown from the audience\*\*:* "Can you turn that volume up a little bit; we can't hear anything out here, or are we supposed to or what?"

C/Gealy: Yes, you are supposed to be able to hear.

C/Young: I will speak up and he just turned up the volume as well. If there is nothing else, I will stand for a motion then.

*Commissioner Gealy motioned to approve 15-02-SUP with the conditions of approval as stated in the staff report and to include two additional conditions of approval: 1) Applicant shall clean up all animal waste on a daily basis, and 2) should approved SUP activities create a public nuisance, this SUP approval shall be reviewed by the Planning and Zoning Commission for reconsideration;  
Commissioner Hennis seconds, all aye and motioned carried 3-0.*

- b. **15-01-AN** (Annexation): A request from applicant, 'A' Team Land Consultants to annex approximately 287.17 +/- acres near the intersection of Kuna and Cloverdale Roads (Falcon Crest Golf Course) into the City of Kuna and provide for a change in the county zoning designation from RR (Rural Residential) to the city zoning designation of A (Agriculture District).

*C/Young: Will the applicant please come forward and state your name and address for the record?*

*Steve Arnold: Mr. Chairman and Commissioners, for the record, my name is Steve Arnold; I am with 'A-Team' land consultants, 1785 S. Whisper Cove, Boise, Idaho. Before the Commission tonight is an annexation with an agricultural zoning to include a portion of the golf course, and approximately 157 acres south and west of the golf course and then we are using a ten acre sliver that is provided by Mr. and Mrs. Blevins, and that sliver connects to the east on an 80 acre parcel that is owned by the state department. We've had the state department agree to work with us on the annexation, as we did with the parcel to the east of our site on the other side of Cloverdale; the ten acres and so we are using that as a route for annexation in the city limits. At this point, we don't have any plans to develop the property. The golf course has developed with thirty-six holes; an eighteen hole and then two nines. Our intention at the beginning with the golf course was to always provide some single family dwellings around the course, and in doing so, of course we would need to provide city services; that being city sewer and water and other services that a city agency would provide. We've looked at potentially going and incorporating the golf course into the city of Boise, but that didn't seem like a viable option. After speaking with your city engineer and your staff, it appeared that we could get an annexation route and once annexed, we would work with the city on either some type of urban renewal district or some sort of method of providing sewer from its current location which is about three miles away to the actual golf course. It is important to note that the main focus for future development is the golf course and not the 157, or the 10 or the state department of lands; those are all just means of getting the golf course annexed into the city limits. Again, once it is annexed, we will work with the city and start working on either funding methods or coordinating methods with some future development that is going on south and east of town. There has been talk of some industrial uses going in there and other uses that the city may be extending services to. We just want to be part of that discussion and out good faith is essentially showing that we want to annex and go into the city and work with the city in the future.*

**CITY OF KUNA  
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That being said, I have read through all the staff reports and the conditions; I would like to say that we would comply with everything, but there is nothing to comply with at this point; there are no conditions being imposed on this proposed annexation. We will, in the future, any conditions that the city engineer or that staff come up with, we will comply; or with any other jurisdictions at that time, we will work with those agencies at that time. So, what the Commission has before you tonight is basically, the first step in developing the golf course. The other properties that are associated with this are not proposing development. With that, I will stand for any questions. I've read through all the reports and all of the staff's conditions and findings.

C/Young: Ok; any questions for the applicant at this time?

C/Hennis: Not at this time.

C/Gealy: I have none.

C/Young: Ok; I guess now we will have staff come up and speak.

Troy Behunin: Good evening Commissioners; just for the record, Troy Behunin, Kuna Planning and Zoning department. The application before you tonight for the Falcon Crest golf course 15-01-AN, which is an annexation request from county rural residential to a city agriculture zone. The applicant and their representative have complied with all of the noticing procedures; they held the required neighborhood meeting with landowners within at least 300 feet and I believe they actually went to within 400 feet, which exceeds the code. They have also posted the site for tonight's meeting. It has been run in the newspaper, they sent out notices to the same folks who were invited to the neighborhood meeting and all of the noticing procedures have been followed as they should. I think Steve did a really good job; a comprehensive job of explaining what the request is, but just to highlight the centerpiece of this annexation is the Falcon Crest golf course, a 40 acre site which on the northeast corner of the intersection of Kuna Road and Cloverdale Road, and that is just to set the table for future possible development when city services do get closer, and there is a lot of moving parts and juggling balls that are in the air for that. The other piece is the state lands, the Blevins' property, and the Heimbrook property; those are all just stepping stones to provide a pathway. Staff is generally very supportive of this application and we didn't see any concerns with this. We did have a number of conditions that were listed in the end of this report and as you can tell, all of them deal with future development which at this time it is contemplated and it is a possibility but there is nothing conditioned on this property right now for development. If this property is annexed into the city with an agricultural zone, they will have to come back at some point in time and when they know what their development plan is going to be and they will have to rezone the property, and at that time there will be site specific conditions and things to address the known development at that time. I will stand for any questions you might have.

C/Young: Ok; any questions for Troy at this time?

C/Gealy: Troy, I have one question with respect to the affidavit of legal interest submitted by the Idaho Department of Lands, I think; and its part 'B' as part of the consideration of the consent to annex this assignment of the IDL requires that it receive from Hans George Barbones landscaping a recorded easement; has that been... is that finalized?

Steve Arnold: It's in process.

**CITY OF KUNA  
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Troy Behunin: So you could condition the application to a successful recordation of the easement, but yes, that was a condition from the Department of Lands on the consent to annex. Good observation.

C/Young: Ok; any other questions for Troy?

C/Hennis: No.

Troy Behunin: Just a suggestion; you might want to ask the audience if there are others, because I noticed when I brought the sign-up sheet that there was only the one.

**3. PUBLIC HEARING**

C/Young: Ok, we're about ready to open it up. We'll open the public testimony at ... I can't read the clock today; at 6:28 pm. I see that only Mr. Arnold signed up, is there anybody else present that would like to speak on this issue or have any input? Ok. Seeing none, I will go ahead and close the public hearing at 6:29 pm, which then brings up our discussion. From what I can see, this annexation complies with the comprehensive plan, our future land use maps and the goals that the city has set forth for those areas and our area of impact so I don't have any issues.

C/Hennis: No, I don't really see anything that is out of the ordinary on this one, I mean anything that were to develop from here would still have to be brought back in front of the Commission so...

C/Young: Yes.

C/Gealy: Again, the only question I have is with respect to what I guess would be a condition, of the IDL.

C/Hennis: The access?

C/Gealy: ... to agree to be a part of this path and they say: "it is agreed that the City of Kuna shall not approve the annexation ordinance until it receives proof that said easement has been recorded with the Ada County recorder". Would you step up and address that again please? I mean, anybody can; you are certainly welcome to address it as well because I'd like to have it on the record.

C/Young: If you would just state your name and address for the record.

Terry Cook: Terry Cook with Falcon Crest, LLC and I had a conversation with Ryan Leigh from the department of lands just about a month ago. The route is selected. They know the path and I think his comment to me was we just haven't had time to write it. I mean it's all agreed to, it's approved, we know exactly where it will go and it's just a matter of the paperwork to follow up so I don't see any problem, I mean we are agreeing with it.

C/Hennis: Ok.

Terry Cook: But if you want to attach it with a condition, I think in a matter of a few weeks, it will be resolved, or whenever they can get to it.

C/Young: Ok; thank you very much.

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REGULAR PLANNING & ZONING COMMISSION**

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*Commissioner Hennis motioned to recommend approval of 15-01-AN annexation to the City Council with the conditions as stated in the staff report and add the condition that the access easement to the Idaho Department of Lands property is finalized ;  
Commissioner Gealy seconds, all aye and motioned carried 3-0.*

C/Young: Ok, we'll give everybody a moment to shift and then we'll move forward.

**4. OLD BUSINESS:**

- a. **15-01-ZOA** - (Lot Split Ordinance Amendment): A request to amend Kuna City Code (KCC), Title 5, Chapter 16, Section 3 entitled, "Lot Split" to amend the requirements of sidewalk construction; modify the sewer, water, and storm drainage requirements; deletion of septic tanks and private well placement requirement; and provide an effective date.  
*-This item was tabled at the July 14<sup>th</sup> regular Planning and Zoning Commission meeting*

Wendy Howell: For the record, Wendy Howell, Kuna Planning and Zoning Director. I brought Richard Roats with me today, our city attorney; he can probably fill in some gaps and answer some questions you had last time. I am just going to go over the changes that were made. Initially the question that came up regarding the 180 days, in 5-16-4-1: It was 90 days and it was changed to 180 days. Did you have any questions on that or do you want to address it later?

C/Young: I guess as far as the number goes, when the ordinance was written, the original 90, or now the 180 days; where did that number come from?

Richard Roats: Good evening, Richard Roats, city attorney. Chairman, I can tell you this: there was collaboration between Planning and Zoning, my department, the engineer on working through some of these that had arisen in the past on the septic ordinance and how we were going to deal with it so we decided that it needed a rewrite so I can't recall specifically where the 180 or the 90 days came up, but based upon the questions raised at your last meeting, that was changed to 180 days, and significantly then, basically it is a 180 days and there has to be a timeline, so it can be extended out, it's just that they have to do something within that 180 days, realizing that the 90 days is kind of a tight timeframe to get something done with the connection. The 180 days and then the timeline approved by the city engineer and then the City Council to do that. Again realizing that there is probably going to be situations where, and leading to one of the other things that was raised was the financing of some of this; either statutory common law or perhaps an L.I.D. type basis to bring in the system to get this taken care of. So we've tried to be flexible with it realizing that the underlying premise in this whole thing is from the city engineers position is number one, we want to limit the number of septic systems we have in the city limits for two reasons: 1) we are in a high nitrate priority area; almost the whole city is and 2) if we allow some of these septic systems [and I know there was a discussion on allowing them and then the replacement if they fail at some point, which may be 20 years or so], we create these blocks to development where it is financially unfeasible to extend the system out past, let's say if somebody has five acres that front Ten Mile and the development on the other end, it's financially prohibitive to extend that line without being able to service those properties in between there, so it really creates some blocks that the city engineer is concerned about if we allow these developments with the septic system. So the thought is, if the line is run down there, there has



City of Kuna

City Council - Staff Report

P.O. Box 13  
 Kuna, ID 83634  
 Phone: (208) 922-5274  
 Fax: (208) 922-5989  
 Kunacity.id.gov

To: Kuna City Council

Case Numbers: 15-03-LLA (Lot Line Adjustment)

Site Location: Near the South East Corner of Linder and Amity Roads  
 Meridian, Idaho 83642

Planner: Troy Behunin, Senior Planner

Meeting Date: November 4, 2015

Applicant / Owner of Record: Gary Herriott  
 5550 S. Linder Road  
 Meridian, ID 83642  
 208.573.4518  
[Herrtrucking@aol.com](mailto:Herrtrucking@aol.com)

Surveyor: ALS Land Surveying; Sean Sullivan  
 1103 W. Main  
 Middleton, ID 83644  
 208.585.5858  
[ssullivan@alsce.com](mailto:ssullivan@alsce.com)

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- G. Applicable Standards
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A. Course Proceedings:

1. A Lot Line Adjustment (LLA) is designated in Kuna City Code (KCC) 1-14-3, as a public meeting, with the City Council as the decision making body. As a public meeting, this application does not require public notice as set forth in Idaho Code, Chapter 65, Local Land Use Planning Act. The guidelines for decision making by the Council as outlined in KCC 1-14-3 have been adhered to.

a. Notifications

- i. Agenda November 4, 2015

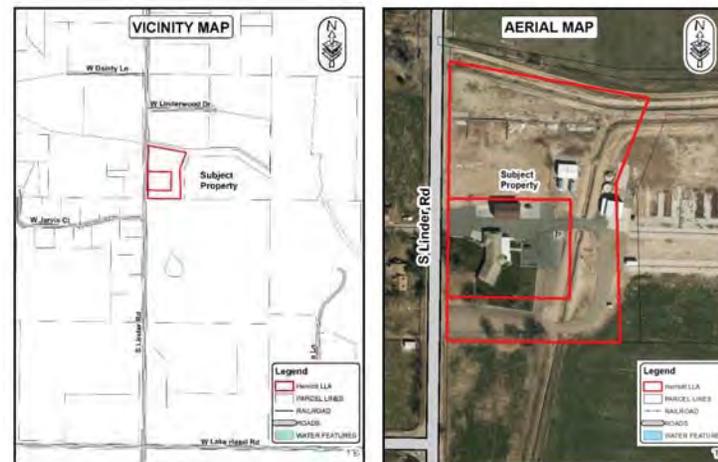
B. Applicants Request:

1. Applicant seeks approval for a lot line adjustment (LLA) on two qualifying parcels in order to reconfigure the lots to better suit the needs of the parcels. This LLA will also assist and accommodate a future land sale.

The applicant will also provide permanent and legal access to a parcel directly east of these parcels that does not have road frontage on Ten Mile and the applicant has drafted an easement for that purpose.

2. The applicant has submitted all necessary documents and materials for review.

C. Vicinity and Aerial Maps:



© COPYRIGHTED

D. History:

The smaller parcel has historically been used for residential needs including a large accessory building. The larger parcel has been used for a cattle operation and also a shipping/trucking business.

**E. General Project Facts:**

1. **Comprehensive Plan Designation:** The Future Land Use map (FLU) approved by City Council, indicates the site is an Mixed-Use designation. In accordance with KCC 5-3-2, staff views this lot split request to be consistent with the FLU map.

2. **Surrounding Land Use:**

<b>North</b>	RUT	Rural Urban Transition – Ada County
<b>South</b>	Ag	Agriculture – Kuna City
<b>East</b>	Ag	Agriculture – Kuna City
<b>West</b>	RUT, Ag, R-2	Rural Urban Transition, Agriculture, Low Density Residential – Ada County Kuna City, Kuna City

3. **Parcel Numbers:** APN: S1236233950, and S1236233920.

4. **Parcel Sizes and Current Zoning:**

S1236233950 = 1.138 ac. (Approximately)

S1236233920 = 3.51 ac. (Approximately) both parcels are currently zoned Agricultural.

5. **Services:**

Sanitary Sewer– City of Kuna (*when available*)

Potable Water – City of Kuna (*when available*)

Pressurized Irrigation – City of Kuna (KMID) (*when available*)

Fire Protection – Kuna Fire District

Police Protection – Kuna City Police (*Ada County Sheriff's office*)

Sanitation Services – J&M Sanitation

6. **Existing Structures, Vegetation and Natural Features:** Currently the properties have a residence, several large accessory buildings, and concrete structures. There is a drain through the east side of the property.

7. **Transportation / Connectivity:** Applicant has sufficient road frontage on Ten Mile Road for both parcels involved with this LLA.

8. **Environmental Issues:** Staff is not aware of any environmental issues, health or safety conflicts. This site's topography is generally flat and includes a drain.

**F. Staff Analysis:**

This site is not within the current Future Land Use (FLU) map area boundary. However, after reviewing the nearby surrounding properties and uses, staff views this proposed action to be consistent and harmonious with the surrounding uses.

Staff forwards a recommendation of *approval* for Case No. 15-03-LLA, to the Council.

**G. Applicable Standards:**

1. City of Kuna Zoning Ordinance Title 5; No. 230.
2. City of Kuna Comprehensive Plan.
3. Idaho Code, Title 67, Chapter 65, Local Land Use Planning Act.
4. City of Kuna Zoning Ordinance Title 5, Chapter 16, Section 2. Ord. 2011-14.

**H. Comprehensive Plan Analysis:**

The City Council may accept the Comprehensive Plan components as described below.

1. The proposed lot split for the site is consistent with the following Comprehensive Plan components:

**GOALS AND POLICY – Property Rights (Section 2)**

*Goal 1: Ensure that the City of Kuna land use policies, restrictions, conditions and fees do not violate private property rights. Establish an orderly, consistent review process for the City of Kuna to evaluate whether proposed actions may result in private property "takings".*

Objective 1.2: Ensure that City land use actions, decisions, and regulations do not effectively eliminate all economic value of the subject property.

Objective 1.4: Ensure that City land use actions, decisions, and regulations do not prevent a private property owner from taking advantage of a fundamental property right. Ensure City actions do not impose a substantial and significant limitation on the use of the property.

Policy 1: As part of a land use action review, the 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.

**GOALS AND POLICY – Land Use (Section 6)**

*Goal 2: Encourage a balance of land uses to ensure that Kuna remains a desirable, stable, and self-sufficient community.*

Policy 2: Provide a variety of housing densities and types to accommodate various lifestyles, ages, and economic groups.

Objective 3.1: Encourage and plan for the development of cohesive neighborhood units that incorporate a variety of housing densities and styles.

Policy 3: Provide land use guidance for rural areas, which are annexed into the City.

**GOALS AND POLICY – Natural Resources (Section 7)**

Goal 1: Retain natural resources that contribute to Kuna's quality of life (Large lots).

**GOALS AND POLICY – Community Design (Section 13)**

Goal 1: Strengthen the image of the City through good community and urban design principles.

Objective 3.1: Capitalize upon natural assets that contribute to the beauty and character of Kuna (Large Lots)

**I. Proposed Decision by the Council:**

*Note: This proposed motion is for either approval or denial of this request. However, if the Council wishes to approve or deny specific parts of the request, those changes must be specified.*

Based on the facts outlined in staff's report, the case file and discussion at the public meeting the City Council of Kuna, Idaho, hereby (approves/denies) Case No. 15-03-LLA, a Lot line Adjustment (LLA) request by Gary Herriott; with the following conditions of approval:

1. Have the applicants or their representative engineer-surveyor record the following documents:
  - a. Proposed Record of Survey(s).
  - b. Execute and record the necessary deeds to accomplish the new parcel boundaries as approved.

City of Kuna  
Planning and Zoning Dept.  
PO Box 13  
Kuna, ID 83634  
208-922-5274

September 8, 2015

To whom it may concern:

This is a letter to inform you of the lot line adjustment application for the two parcels as described within the documents provided for the Herriott and Fisher parcels. The parcels are being adjusted to better suit the needs of each parcel to avoid encroachments and increase the size of the parcel with the current house, garage/shop and storage building.

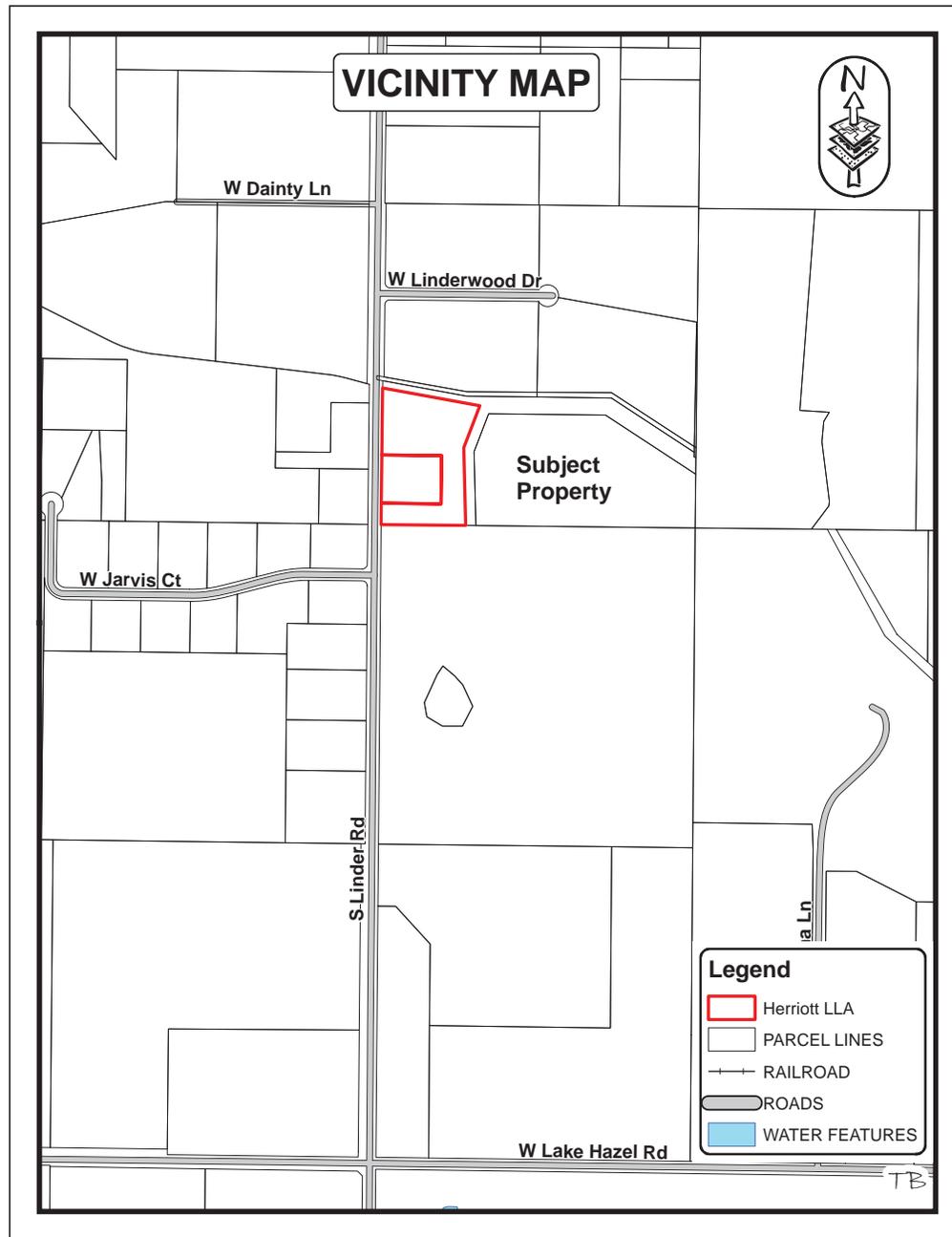
The adjusted southerly parcel will also include an easement for access for the parcel to the east. The parcel to the east is also owned by Gary Herriott and at the moment is land locked without legal access. Providing this access easement for the southerly parcel, Adjusted Parcel 1, will also provide access to the Herriot parcel to the east.

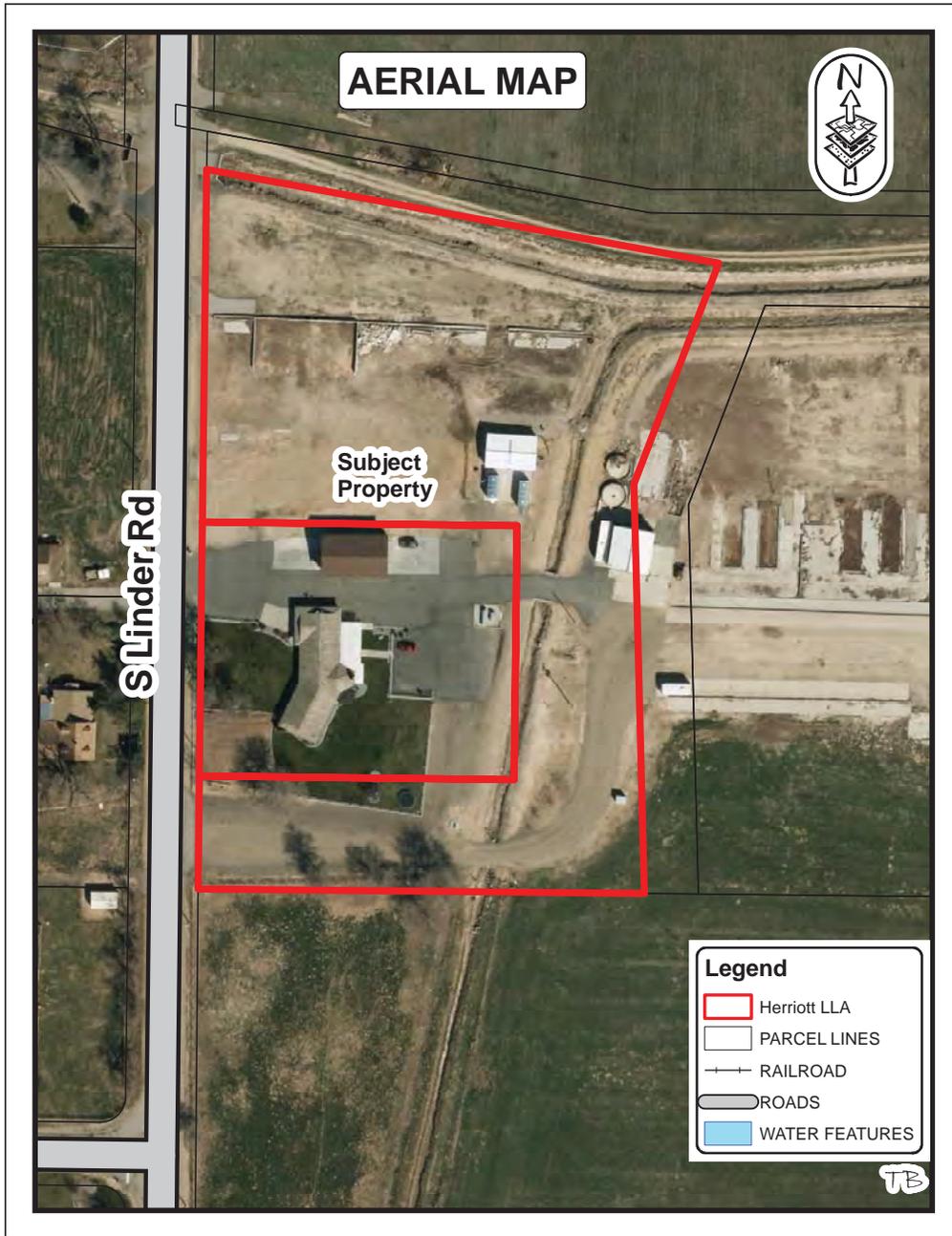
Mr. Herriott is in the process with the Idaho Department of Lands to acquire an all inclusive easement that will all parties to have granted access for ease of use of these parcels of land.

Thank you for your consideration.

Sincerely,

*Gary B. Herriott*  
Gary B. Herriott





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SEP 11 2015

CITY OF KUNA

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
Rezoning
Special Use
Temporary Business
Vacation
Variance



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

Table with 2 columns: For Office Use Only, File Number(s), Project name, Date Received, Date Accepted/Complete, Cross Reference Files, Commission Hearing Date, City Council Hearing Date.

Contact/Applicant Information

Table with 2 columns: Owners of Record, Applicant (Developer), Engineer/Representative, Phone Number, E-Mail, Fax #.

Subject Property Information

Table with 2 columns: Site Address, Site Location, Parcel Number, Section, Township, Range, Property size, Current land use, Current zoning district, Proposed land use, Proposed zoning district.

Project Description

Project / subdivision name: Herriott Boundary Line Adjustment
General description of proposed project / request: Adjust boundary lines
Type of use proposed (check all that apply):
[X] Residential
Commercial N/A
Office N/A
Industrial N/A
Other N/A
Amenities provided with this development (if applicable): None

Residential Project Summary (if applicable)

Are there existing buildings? [X] Yes [ ] No
Please describe the existing buildings: Parcel 1 has a house and shop.
Any existing buildings to remain? [X] Yes [ ] No
Number of residential units: 1 Number of building lots: 2
Number of common and/or other lots: -0-
Type of dwellings proposed:
[X] Single-Family Existing house
Townhouses N/A
Duplexes N/A
Multi-Family N/A
Other N/A
Minimum Square footage of structure (s): Existing home has + 2600 Sq. Ft.
Gross density (DU/acre-total property): 2.33 Net density (DU/acre-excluding roads):
Percentage of open space provided: N/A Acreage of open space: N/A
Type of open space provided (i.e. landscaping, public, common, etc.): N/A

Non-Residential Project Summary (if applicable)

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

Applicant's Signature: [Signature] Date: 9/8/15

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CITY OF KUNA

15-03-LLA



City of Kuna  
Planning & Zoning  
Department  
P.O. Box 13  
Kuna, Idaho 83634  
708.922.5274  
Fax: 208.922.5989  
Website: www.cityofkuna.com

**Lot Line Adjustment Checklist**

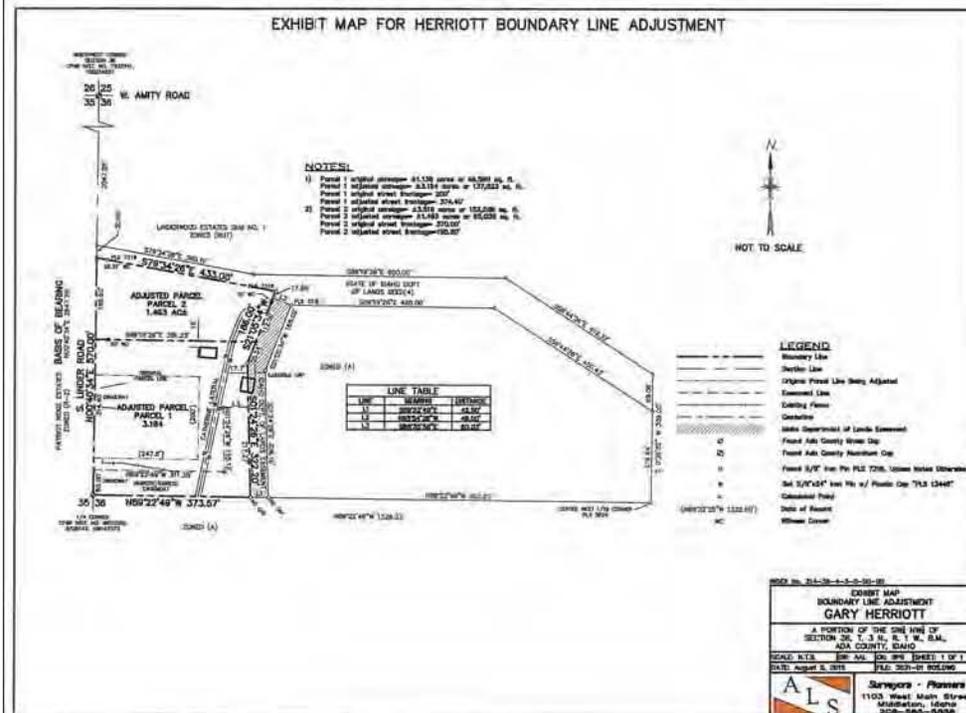
A Lot Line Adjustment request does not require a public hearing, and will be scheduled for a regular City Council meeting as a regular agenda item.

Project name: **GARY Herriott Lot Line Adj**  
Applicant: **GARY Herriott**

All applications are required to contain one copy of the following:

Applicant (✓)	Description	Staff (✓)
<input checked="" type="checkbox"/>	Completed and signed Commission & Council Review Application.	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Detailed submittal letter explaining how the project enhances and beautifies the community and types of services the project will provide and/or reason for the lot line adjustment.	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Legal description of the property: Include a metes & bounds description to the section line of all adjacent roadways stamped & signed by a registered professional land surveyor with a calculated closure sheet & a map showing the boundaries of the legal description.	<input type="checkbox"/>
<input type="checkbox"/>	Proof of ownership—A copy of your deed and Affidavit of Legal Interest (for all interested parties).	<input type="checkbox"/>
<input type="checkbox"/>	8 1/2 x 11 vicinity map showing streets, driveways, property lines, etc.	<input type="checkbox"/>
<input type="checkbox"/>	A sketch showing the proposed lot line adjustment. The sketch shall include the following information: <input type="checkbox"/> Current lot size including dimensions, square-footage and street frontage. <input type="checkbox"/> Proposed new location of the lot line and new dimensions, square-footages and street frontages. <input type="checkbox"/> Streets, surrounding land uses, etc. <input type="checkbox"/> Existing and proposed public improvements including sidewalk, streets, lighting, landscaping, natural features, etc. if applicable.	<input type="checkbox"/>

Note: Only one copy of the above items need to be submitted when applying for multiple applications.



This application shall not be considered complete (nor will a hearing date be set) until staff has received all required information. Once the application is deemed complete, staff will notify the applicant of the scheduled hearing date, fees due, additional copies needed, etc.



Unlimited Boundaries, Inc. dba ALS  
**LAND SURVEYING & PLANNING**  
 1103 W. Main St.  
 Middleton, Idaho 83644  
 208-585-5858 www.alsce.com

**DESCRIPTION FOR  
 GARY HERRIOTT**

**PARCEL "1"**

A parcel of real property being a portion of that certain Parcel described in Quitclaim Deed Instrument No. 2015-005185 and that certain Parcel described in Parcel "B" of Warranty Deed, Inst. No. 108006226, records of Ada County, Idaho, situate within Southwest Quarter of the Northwest Quarter (SW1/4 NW1/4) of Section 36, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

**BEGINNING** at the Southwest Corner of the said SW1/4 NW1/4, also being the West 1/4 Corner of said Section 36 and the southwest corner of said Parcel B;

Thence, along the westerly boundary line of said Section 36, said Quitclaim Deed and Parcel "B", North 00°40'34" East, 374.40 feet;

Thence, departing said westerly boundary line, South 89°19'26" East, 381.23 feet to easterly boundary line of said Parcel "B";

Thence, along the said easterly boundary line, South 21°05'34" West, 55.54 feet;

Thence, continuing along said easterly boundary line, South 01°24'26" East, 322.20 feet to the southeast corner of said Parcel "B";

Thence, along the southerly boundary line of said Parcel "B", North 89°22'49" West, 373.57 feet to the **POINT OF BEGINNING**, containing 3.164 acres, more or less.

**TOGETHER WITH:**

A 60.00 foot wide ingress/ingress easement being a portion of Parcel "B" of Warranty Deed, Inst. No. 108006226, records of Ada County, Idaho, situate within Southwest Quarter of the Northwest Quarter (SW1/4 NW1/4) of Section 36, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

**BEGINNING** at the Southwest Corner of the said SW1/4 NW1/4, also being the West 1/4 Corner of said Section 36 and the southwest corner of said Parcel B;

Thence, along the westerly boundary line of said Section 36 and Parcel "B", North 00°40'34" East, 60.00 feet;

Thence, departing said westerly boundary line and along a line 60.00 feet northerly of and parallel with the southerly boundary line of said Parcel "B", South 89°22'49" East, 311.35 feet;

Thence, along a line 60.00 feet westerly of and parallel with the easterly boundary line of said Parcel "B", North 01°24'26" West, 155.12 feet;

1 HERRIOTT, PARCEL 1

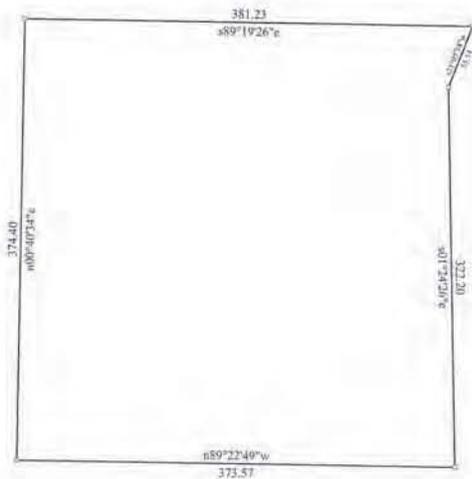
Thence, South 88°35'58" East, 60.03 feet to the said easterly boundary line of Parcel "B";

Thence, along said easterly boundary line, South 01°24'26" East, 217.27 feet to the southeast corner of said Parcel "B";

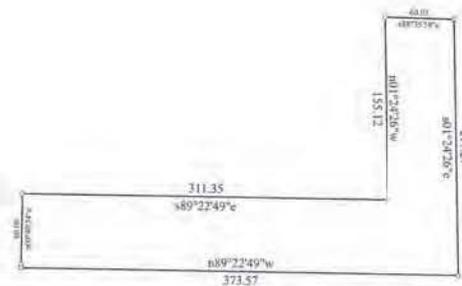
Thence, along the said southerly boundary line of Parcel "B", North 89°22'49" West, 373.57 feet to the **POINT OF BEGINNING**.



2 HERRIOTT, PARCEL 1



Title:		Date: 09-08-2015
Scale: 1 inch = 100 feet	File: PARCEL 1 090815.des	
Tract 1: 3.164 Acres: 137805 Sq Feet: Closure = n17.2408e 0.01 Feet: Precision = 1/253447: Perimeter = 1507 Feet		
001=n00.4034e 374.40	003=s21.0534w 55.54	005=n89.2249w 373.57
002=s89.1926e 381.23	004=s01.2426e 322.20	



Title:		Date: 09-08-2015
Scale: 1 inch = 100 feet	File: 60 FOOT EASEMENT.des	
Tract 1: 0.736 Acres: 32049 Sq Feet: Closure = n00.3512w 2.93 Feet: Precision = 1/402: Perimeter = 1177 Feet		
001=n00.4034e 60.00	004=s88.3558e 60.03	
002=s89.2249e 311.35	005=s01.2426e 217.27	
003=n01.2426w 155.12	006=n89.2249w 373.57	



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 1103 W. Main St.  
 Middleton, Idaho 83644  
 208-585-5858 www.alsce.com

**DESCRIPTION FOR  
 GARY HERRIOTT  
 PARCEL "2"**

A parcel of real property being a portion of Parcel "B" of Warranty Deed, Inst. No. 108006226, records of Ada County, Idaho, situate within Southwest Quarter of the Northwest Quarter (SW1/4 NW1/4) of Section 36, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

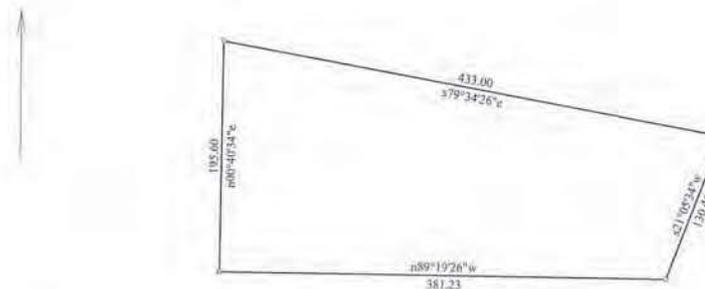
Commencing at the Southwest Corner of the said SW1/4 NW1/4, also being the West 1/4 Corner of said Section 36 and the southwest corner of said Parcel B; thence, along the westerly boundary line of said Section 36 and Parcel "B", North 00°40'34" East, 374.40 feet to the **POINT OF BEGINNING**;

Thence, continuing along said westerly boundary line, North 00°40'34" East, 195.60 feet to the Northwest Corner of said Parcel "B";

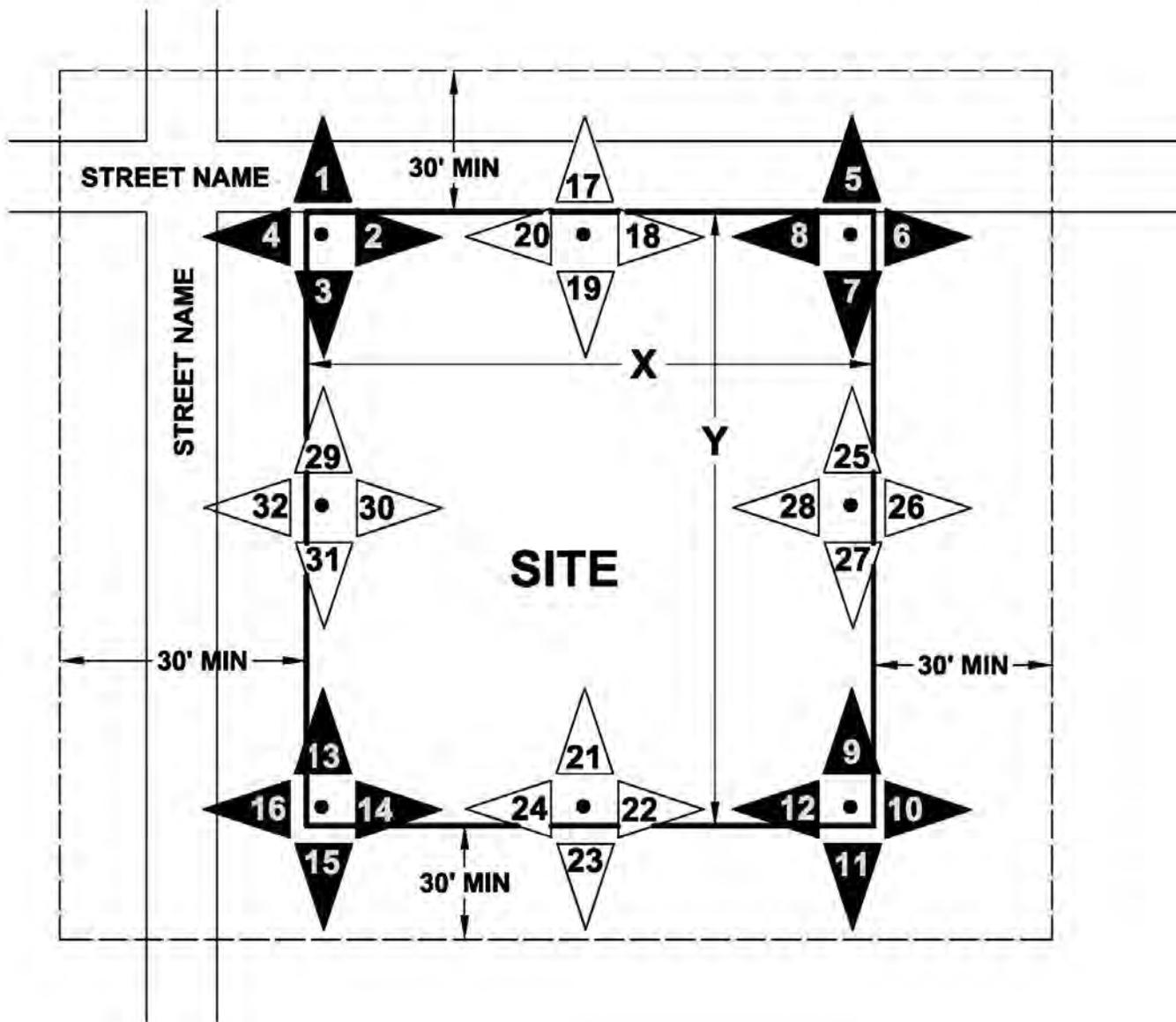
Thence, along the northerly boundary line of said Parcel "B", South 79°34'26" East, 433.00 feet to the northeast corner of said Parcel "B";

Thence, along the easterly boundary line of said Parcel "B", South 21°05'34" West, 130.46 feet;

Thence, departing said easterly boundary line, North 89°19'26" West, 381.23 feet to the **POINT OF BEGINNING**, containing 1.493 acres, more or less.



Title:		Date: 09-08-2015
Scale: 1 inch = 100 feet	File: PARCEL. 2 090815.des	
Tract 1: 1.493 Acres: 65041 Sq Feet: Closure = s38.2752w 0.01 Feet: Precision = 1/127106: Perimeter = 1140 Feet		
001=n00.4034e 195.60	003=s21.0534w 130.46	
002=s79.3426e 433.00	004=n89.1926w 381.23	



**Project Information:**

Name: .....

Project:.....

Gross Acre:.....

**NOTE:**

Provide Site Plan on an 8 1/2" x 11" paper— indicating placement of photo orientation.

All applicants are expected to provide COLOR photographs at a 1-16 minimum.

If Distance 'X' is GREATER than 500-feet, also take photos 17-24.

If Distance 'Y' is GREATER than 500-feet, also take photos 17-24.



Picture 1



Picture 3



Picture 2



Picture 4



Picture 5



Picture 7



Picture 6



Picture 8



Picture 9



picture 11



Picture 10



Picture 12



Picture 13



Picture 15



Picture 14



Picture 16

GORDON N. LAW  
CITY ENGINEER



**CITY OF KUNA**  
**P.O. BOX 13**  
**KUNA, ID 83634**  
**[www.cityofkuna.com](http://www.cityofkuna.com)**

**Telephone (208) 287-1727; Fax (208) 287-1731**  
**Email: [glaw@cityofkuna.com](mailto:glaw@cityofkuna.com)**

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## MEMORANDUM

**TO:** Mayor Nelson and Members of City Council

**FROM:** Gordon N. Law  
Kuna City Engineer

**RE:** Spectrum Lease Agreement  
Sensus Water Meters

**DATE:** October 26, 2015

---

**REQUEST: Approve Resolution to sign Spectrum Lease**

The City of Kuna has started using Sensus water meters and has purchased software and data collectors to read the meters. A necessary part of the system is the use of radio frequencies owned by Sensus. The City learned after the fact that the Federal Communication Commission requires there be a lease arrangement between the customer (Kuna) and the spectrum owner (Sensus) in order for Kuna to use the frequencies.

The Mayor and City Engineer have already signed the lease documents since the City was already using the frequencies and did not want to jeopardize the City's ability to continue using them or to violate the rules of the FCC. The request is to confirm the action of the Mayor and City Engineer by approving the attached resolution.

Attachments: Resolution  
Agreement

**FCC Notification for Spectrum Manager Lease  
Ownership Disclosure Information  
and  
Spectrum Lease Agreement  
("Agreement")**

This Agreement contains two parts: Part (1) is The FCC Notification for Spectrum Manager Lease, to be filed with the FCC by Sensus on behalf of the Customer, coupled with Ownership Disclosure Information required for the FCC lease and Part (2) is a Spectrum Lease Agreement between Sensus as Lessor and Customer as Lessee. Together, these two parts create the Agreement.

The number of pages in this Agreement is indicated below, and Customer represents that it has received, reviewed, and completed the entire Agreement. By their signatures below, the parties agree to the terms and conditions set forth in this Agreement. The parties have caused this Agreement to be executed by their duly authorized representatives as of the day and year written below.

<b>Sensus USA Inc. &amp; Sensus Spectrum, LLC</b> (together, "Sensus")	Customer: City of Kuna (ID)
<b>Sensus USA Inc.</b> Signature: _____ Name: <u>Colin Flannery</u> Title: <u>Vice President</u> Date: _____	Signature: <u><i>W. Eric Nelson</i></u> Name: <u>W. Eric Nelson</u> Title: <u>Mayor</u> Date: <u>10/23/15</u>
<b>Sensus Spectrum, LLC</b> Signature: _____ Name: <u>Colin Flannery</u> Title: <u>Vice President</u> Date: _____	Customer contact person for FCC filings: Name: <u>Gordon N. Law</u> Phone: <u>(208) 287-1727</u> Email: <u>glaw@cityofkuna.com</u> Customer FRN: _____ Customer Tax ID: <u>82-6002217</u>

Part 1. Notification for Spectrum Manager Lease

In order for Sensus to apply to the FCC on the Customer's behalf for a spectrum manager lease, Customer must complete the information below in boxes one (1) through ten (10) and certify via authorized signature. Customer's signature will indicate that Customer authorizes Sensus to file the spectrum manager lease notification on FCC Form 608 with the Customer as spectrum Lessee, and if Customer does not already have one, ownership disclosure information on FCC Form 602.

Customer / Lessee Information

1	Customer/Lessee Name: <i>City of Kona, ID</i>		
	Attention To: <i>Gordon N. Law</i>	Name of Real Party in Interest:	
	Street Address: <i>763 W. Arakoa</i>		City: <i>Kona</i>
	State: <i>ID</i>	Zip: <i>83634</i>	Phone: <i>(208) 287-1727</i>
	Fax: <i>287-1731</i>	Email: <i>g.law@cityofkona.com</i>	

Is Customer contact information same as above?  Yes  No (If No, complete box 2 below)

Additional Customer/Lessee Contact Information

2	Company Name:		
	Attention To:		
	Street Address:		City:
	State:	Zip:	Phone:
	Fax:	Email:	

3	Customer/Lessee is a(n) (Select one): <input type="checkbox"/> Individual   <input type="checkbox"/> Unincorporated Association   <input type="checkbox"/> Trust <input checked="" type="checkbox"/> Government Entity   <input type="checkbox"/> Corporation   <input type="checkbox"/> Limited Liability Company   <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership   <input type="checkbox"/> Limited Liability Partnership   <input type="checkbox"/> Consortium   <input type="checkbox"/> Other _____
---	--

4	FCC Form 602: FCC File Number of Customer's Form 602 Ownership Information: _____. If Customer has not filed a Form 602, Sensus will file one for Customer. Please complete questions 5, 6, and 7 below if Customer does <u>not</u> have a Form 602 on file. Customer must complete items 8, 9 and 10 irrespective of whether Customer has an ownership report on file.
---	--

5	Customer Tax ID: <i>82-6000217</i>
---	------------------------------------

Individual Contact For FCC Matters

6	Please designate one individual (the Director of Public Works or similar person) who is responsible to the FCC for the operation of the FlexNet radio system.		
	Name: <i>Gordon N. Law</i>		
	Title: <i>City Engineer</i>		
	Email: <i>g.law@cityofkona.com</i>		Phone: <i>(208) 287-1727</i>

**Ownership Disclosure Information**

7	Customer/Lessee to list the names of the Mayor and all Council Members below, as well as verify citizenship and ownership interests in any entity regulated by the FCC. Such ownership must be disclosed where a mayor/council member owns 10% or more, directly or indirectly, or has operating control of any entity subject to FCC regulation. If any answer to Ownership question is Yes, or any answer to Citizenship question is No, provide an attachment with further explanation.		
		US Citizen?	Ownership Disclosure?
	Mayor: <i>W. Greg Nelson</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Council Member: <i>Richard Cardona</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Council Member: <i>Joseph Stear</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Council Member: <i>Briana Bukam-VanderHart</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Council Member: <i>Pat Jones</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Council Member:	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Council Member:	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Council Member:	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Council Member:	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

8	<b>Alien Ownership Questions</b> (if the answer is Yes, provide an attachment explaining the circumstances)	
1) Is the Customer/Lessee a foreign government or the representative of any foreign government?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

9	<b>Basic Qualification Information</b>	
	1) Has the Customer or any party to this application had any FCC station authorization, license, or construction permit revoked or had any application for an initial, modification or renewal of FCC station authorization, license or construction permit denied by the Commission?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	2) Has the Customer or any party to this filing, or any party directly or indirectly controlling the Customer or any party to this filing ever been convicted of a felony by any state or federal court?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	3) Has any court finally adjudged the Customer or any party directly or indirectly controlling the Customer guilty of unlawfully monopolizing or attempting to unlawfully monopolize radio communication, directly or indirectly, through control of manufacture or sale of radio apparatus, exclusive traffic arrangement, or any other means or unfair methods of competition?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

10	<b>Customer/Lessee Certification Statements</b>	
	1) The Customer/Lessee agrees that the Lease is not a sale or transfer of the license itself.	<input checked="" type="checkbox"/> Yes
	2) The Customer/Lessee acknowledges that it is required to comply with the Commission's Rules and Regulations and other applicable law at all times, and if the Customer/Lessee fails to so comply, the Lease may be revoked, cancelled, or terminated by either the Licensee or the Commission.	<input checked="" type="checkbox"/> Yes
	3) The Customer/Lessee certifies that neither it nor any other party to the Application/Notification is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C § 862, because of a conviction for possession or distribution of a controlled substance (See Section 1.2002(b) of the rules, 47 CFR § 1.2002(b), for the definition of "party to the application" as used in this certification.)	<input checked="" type="checkbox"/> Yes
	4) The Customer/Lessee hereby accepts Commission oversight and enforcement consistent with the license and lease authorization. The Lessee acknowledges that it must cooperate fully with any investigation or inquiry conducted either by the Commission or the Licensee, allow the Commission or the Licensee to conduct on-site inspections of transmission facilities, and suspend operations at the direction of the Commission or the Licensee and to the extent that such suspension of operation would be consistent with applicable Commission policies.	<input checked="" type="checkbox"/> Yes

5) The Customer/Lessee acknowledges that in the event an authorization held by a Licensee that it has association with it a spectrum leasing arrangement that is the subject of this filing is revoked, cancelled, terminated, or otherwise ceases to be in effect, the Customer/Lessee will have no continuing authority to use the leased spectrum and will be required to terminate its operations no later than the date on which the Licensee ceases to have any authority to operate under the license, unless otherwise authorized by the Commission.	<input checked="" type="checkbox"/> Yes
6) The Customer/Lessee agrees the Lease shall not be assigned to any entity that is not eligible or qualified to enter into a spectrum leasing arrangement under the Commission's Rules and Regulations.	<input checked="" type="checkbox"/> Yes
7) The Customer/Lessee waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by spectrum lease or otherwise.	<input checked="" type="checkbox"/> Yes
8) The Customer/Lessee certifies that it is not in default on any payment for Commission licenses and that it is not delinquent on any non-tax debt owed to any federal agency.	<input checked="" type="checkbox"/> Yes

The Customer/Lessee certifies that all of its statements made in this Application/Notification and in the schedules, exhibits, attachments, or documents incorporated by reference are material, are part of this Application/Notification, and are true, complete, correct, and made in good faith. The Customer/Lessee shall notify Sensus in writing in the event any information supplied on this form changes.

Type or Printed Name of Party Authorized to Sign

First Name: <i>Willard</i>	MI: <i>G.</i>	Last Name: <i>Nelson</i>	Suffix:
Title: <i>Mayor</i>		Customer Name: <i>City of Kuna, Idaho</i>	
Signature: <i>Willard Nelson</i>			Date: <i>10/23/15</i>
FAILURE TO SIGN THIS APPLICATION MAY RESULT IN DISMISSAL OF THE APPLICATION AND FORFEITURE OF ANY FEES PAID.			
WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. Code, Title 18, Section 1001) AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. Code, Title 47, Section 312(a)(1)) AND/OR FORFEITURE (U.S. Code Title 47, Section 503).			

## Part 2: SPECTRUM LEASE AGREEMENT

## Background

- A. Customer has bought or will buy or use FlexNet equipment manufactured by Sensus;
- B. Sensus is leasing spectrum to Customer to operate the FlexNet equipment;
- C. The spectrum that Sensus is leasing is authorized by Sensus' FCC License(s); and
- D. Sensus is leasing spectrum to Customer in the area where FlexNet equipment will be operated (the "Service Area").

## Agreement

- A. **Spectrum Lease.** Sensus hereby grants to Customer and Customer accepts a spectrum manager lease ("Lease") over the frequencies of the FCC License and solely within Customer's Service Area. (The frequencies of the FCC License within Customer's geographic Service Area are called the "Leased Spectrum"). For use of the spectrum, Sensus shall partition \$1 from the annual/monthly or other ongoing fees already being paid by Customer, and such amount is hereby allocated to the spectrum Lease pursuant to this Agreement.
- B. **FCC Forms.** At the Federal Communications Commission (FCC), Sensus will; (1) obtain an FCC Registration Number (FRN) for Customer; (2) submit on behalf of Customer the FCC Form 602 Ownership Disclosure Information if Customer has not already done so; and (3) file a FCC Form 608, notification/application for long-term spectrum manager lease. This Lease becomes effective when the FCC accepts the FCC Form 608.
- C. **Lease Application.** In order to complete the FCC lease application, Customer will:
  - i. Complete and sign the representations in Part 1 of this Agreement such that Customer demonstrates it qualifies for a spectrum lease under FCC rules. Customer's signature will indicate that Customer authorizes Sensus to; (1) obtain an FRN on behalf of Customer; (2) submit the FCC Form 602 Ownership Disclosure Information on behalf of Customer if Customer has not already done so; and (3) file the spectrum manager lease notification on FCC Form 608 with the Customer as spectrum lessee.
  - ii. Give Sensus the coordinates of the boundaries of Customer's Service Area or, alternatively, approve Sensus' estimation of the same.
  - iii. If Customer has not already done so; Customer hereby authorizes Sensus to apply on Customer's behalf and obtain for Customer a Federal Registration Number (FRN, the FCC's unique identifier for each licensee) and shall supply Sensus with Customer's Taxpayer Identification Number (TIN).
  - iv. Provide any other information or other cooperation reasonably necessary for the Parties to perform as set forth herein.
- D. **Permitted Use of Spectrum Lease.** Customer may transmit or receive over the Leased Spectrum only in the Service Area and only using FlexNet equipment manufactured by Sensus and used in accordance with Sensus' specifications. Customer may use the Leased Spectrum only to read and direct meters in support of Customer's primary utility business or any other operation approved by Sensus in writing. Without limiting the foregoing, Customer is prohibited from reselling, subleasing or sublicensing the Leased Spectrum or from transmitting voice communications over the Leased Spectrum.
- E. **Term of Spectrum Lease.** Unless terminated earlier (because for example Customer stopped using the FlexNet equipment), this Lease will have the same term as the FCC license. If Customer is operating in compliance with this Agreement and Customer's underlying agreement with Sensus and is current on any payments owed to Sensus, when the FCC License renews, the Parties will apply to the FCC to renew this Lease.
- F. **Termination of Spectrum Lease.** The Lease will terminate: (a) two months after Customer stops transmitting with FlexNet equipment manufactured by Sensus; (b) upon termination, revocation or expiration of the FCC License; or (c) upon Customer's breach of this Agreement.
- G. **FCC Compliance.** The following FCC requirements apply
  - i. Pursuant to 47 CFR 1.9040(a);
    - (a) Customer must comply at all times with applicable FCC rules. This Agreement may be revoked by Sensus or the FCC if Customer fails to so comply;
    - (b) If the FCC License is terminated, Customer has no continuing right to use the Leased Spectrum unless otherwise authorized by the FCC;
    - (c) This Agreement is not an assignment, sale or other transfer of the FCC License;
    - (d) This Agreement may not be assigned except upon written consent of Sensus, which consent may be withheld in its discretion; and
    - (e) In any event, Sensus will not consent to an assignment that does not satisfy FCC rules.
  - ii. Referencing 47 CFR 1.9010, Sensus retains *de jure* and *de facto* control over the applicable radio facilities, including that,

- (a) Sensus will be responsible for Customer's compliance with FCC policies and rules. Sensus represents and warrants that it has engineered the FlexNet equipment and accompanying software and other programs to comply with FCC rules. Customer will operate the FlexNet equipment subject to Sensus' supervision and control and solely in accordance with Sensus' specifications. Sensus retains the right to inspect Customer's radio operations hereunder and to terminate this Agreement or take any other necessary steps to resolve a violation of FCC rules, including to order Customer to cease transmission. Sensus will act as spectrum manager in assigning spectrum under the FCC License so as to avoid any harmful interference or other violation of FCC rules. Sensus will be responsible for resolving any interference complaints or other FCC rule violations that may arise; and
- (b) Sensus will file any necessary FCC forms or applications and Customer agrees reasonably to assist Sensus with such filing by providing any necessary information or other cooperation. Sensus will otherwise interact with the FCC with respect to this Agreement, the FCC License or FlexNet equipment.
- H. **Interference.** Customer agrees to report to Sensus promptly, and in no event later than 72 hours afterward, any incident related to the Leased Spectrum, including where Customer experiences harmful interference, receives a complaint or other notice of having caused harmful interference, or receives any type of communication from the FCC or other government agency regarding radio transmission.
- I. **Limitation of Liability.** Each parties' liability in any and all causes of action arising under, out of or in relation to this Agreement, its negotiation, performance, breach or termination (collectively, "Causes of Action") shall be limited to direct damages. Neither party shall be liable for any indirect, incidental, special or consequential damages. This is so whether the Causes of Action are in tort, including, without limitation, negligence or strict liability, in contract, under statute or otherwise. The limitations on liability set forth in this Agreement are fundamental inducements to both parties to enter into this Agreement. They apply unconditionally and in all respects. They are to be interpreted broadly so as to give the maximum protection permitted under law.

*[Rest of this page intentionally left blank.]*

###

EXHIBIT A

FCC LICENSE(S) AND LICENSED FREQUENCIES

Call Sign	Market Number	Channel Block	Market Name
WQDQ348	BEA150	AH	Boise City, ID-OR
WQDQ349	BEA150	AI	Boise City, ID-OR

**EXHIBIT B**

**GEOGRAPHIC BOUNDARIES OF UTILITY'S SERVICE AREA**

<b>Channels</b> (Base/Remote Frequency)	<b>Locations</b> (Coordinates)
928.9375 - 928.9625 MHz uplink, 959.9375 - 959.9625 MHz downlink	43 28 25.2 N, 116 27 13.5 W 43 28 25.7 N, 116 23 36.4 W 43 31 27.7 N, 116 23 37.5 W 43 31 26.8 N, 116 27 41.7 W

**RESOLUTION NO. R79-2015****RESOLUTION APPROVING “SPECTRUM LEASE AGREEMENT”; AND  
AUTHORIZING THE MAYOR, CITY CLERK AND CITY ENGINEER TO EXECUTE  
“SPECTRUM LEASE AGREEMENT”.**

**WHEREAS**, Sensus USA Inc. and Sensus Spectrum, LLC (together, “Sensus”) is the owner of certain radio frequencies utilized in the remote reading of “Sensus” water meters; and

**WHEREAS**, the City of Kuna, Idaho desires to lease said radio frequencies for the remote reading of “Sensus” water meters:

**BE IT HEREBY RESOLVED** by the Mayor and Council of the City of Kuna, Idaho, that said City approves the “Spectrum Lease Agreement”, by and between “Sensus” and said City of Kuna, which lease agreement is to permit the use of Sensus owned radio frequencies for drive-by reading of “Sensus” water meters by said City of Kuna, and the Mayor, Clerk and City Engineer of said City are hereby authorized to execute said “Spectrum Lease Agreement”; and which copy of signed “Spectrum Lease Agreement” is attached hereto, and made a part hereof, as if set forth in full.

**PASSED BY THE COUNCIL** of Kuna this 4th day of November, 2015.

**APPROVED BY THE MAYOR** of Kuna this 4th day of November, 2015.

\_\_\_\_\_  
W. Greg Nelson, Mayor

ATTEST:

\_\_\_\_\_  
Chris Engels, City Clerk



**CITY OF KUNA**  
**P.O. BOX 13**  
**KUNA, ID 83634**  
[KunaCity.id.gov](http://KunaCity.id.gov)

Telephone (208) 922-5546

Email: [CEngels@cityofkuna.com](mailto:CEngels@cityofkuna.com)

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## MEMORANDUM

TO: Mayor Nelson and Members of City Council

FROM: Chris Engels, City Clerk

RE: Downtown Revitalization and Idaho Community Development Block Grant (ICDBG) application

DATE: October 30, 2015

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Three resolutions are before Council to continue to move funding for Downtown Revitalization forward with a ICDBG application.

**R80-2015** ICDBG Citizen Participation Plan authorizes the Mayor to sign the Citizen Participation Plan (CPP). The purpose of the CPP is to document the city's intent to comply with ICDBG requirements to hold a minimum of two public hearings at different stages in the process and obtain citizen views on the project.

**R81-2015** is to accept the professional service agreement with JUB to write the ICDBG on behalf of Kuna for Downtown Revitalization in the amount of \$6,500 to paid from High Five Downtown Revitalization funds and grant matching and Downtown Revitalization funds approved by Council for FY16. The ICDBG administration portion of the contract will be effective upon a successful award of the ICDBG.

The RFP for services was issued on October 7, 2015 and closed October 14, 2015 at 5:00 p.m. Two submissions were received however, only JUB submitted prior to the deadline. The second submission wasn't received until October 15, 2015. Upon receipt by the City Clerk and City Attorney, JUB provided the level of services and experience required for a successful application attempt and was received on time.

**R82-2015** establishes the redevelopment area for this portion Downtown Revitalization. The boundaries were determined by the Downtown Revitalization Steering Committee. Within the boundaries, and within compliance of ICDBG requirements, slum and blight conditions were identified.

**RESOLUTION NO. R80-2015  
IDAHO COMMUNITY DEVELOPMENT BLOCK GRANT  
CITIZEN PARTICIPATION PLAN  
CITY OF KUNA, IDAHO**

**A RESOLUTION OF THE CITY OF KUNA, IDAHO APPROVING THE IDAHO COMMUNITY DEVELOPMENT BLOCK GRANT (ICDBG) CITIZEN PARTICIPATION PLAN; AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME AND THE CLERK TO ATTEST TO SAID EXECUTION.**

**BE IT HEREBY RESOLVED** by the Mayor and Council of the City of Kuna, Idaho as follows:

Section 1. The agreement entitled “IDAHO COMMUNITY DEVELOPMENT BLOCK GRANT (ICDBG) CITIZEN PARTICIPATION PLAN”, as attached hereto and hereby incorporated herein by reference, is hereby approved; and

Section 2. The Mayor of the City of Kuna, Idaho is hereby authorized to execute said Agreement and the City Clerk is hereby authorized to attest to said execution as so authorize and approved for on behalf of the City of Kuna, Idaho.

**PASSED BY THE COUNCIL** of Kuna, Idaho this 4<sup>th</sup> day of November 2015.

**APPROVED BY THE MAYOR** of Kuna, Idaho this 4th day of November 2015.

\_\_\_\_\_  
W. Greg Nelson, Mayor

ATTEST:

\_\_\_\_\_  
Chris Engels, City Clerk

**Idaho Community Development Block Grant  
(ICDBG) Citizen Participation Plan**

**City of Kuna, Idaho**

Pursuant to citizen participation requirements for Idaho Community Block Grant participants, the City/County of Kuna, Idaho hereby certifies the following activities will be completed:

Provide for and encourage citizen participation, particularly for low and moderate income persons who reside in slum or blighted areas and areas in which ICDBG funds are proposed to be used. Provide technical assistance to group's representative of low and moderate income persons that request assistance in developing proposals in accordance with procedures developed by the department. Such assistance need not include providing funds to such groups.

Hold a minimum of two public hearings, each at a different stage of the program, for the purpose of obtaining citizens' views. The first public hearing shall include a description of the proposed project, scope of work, budget, schedule, location, and beneficiaries. Any earned program income must also be noted. The application, related documents, and the Application Handbook shall be available for citizens to review.

The second public hearing on the status of funded activities and accomplishments to date; a general description of remaining work and a general description of changes made to the ICDBG project scope of work, budget, schedule, location or beneficiaries.

A public hearing shall also be held in the event ICDBG project activities are added, deleted or substantially changed from the application. Substantially changed means changes made in terms or purpose, scope, location or beneficiaries as defined by the ICDBG program.

Provide reasonable and timely access to local meetings, information and records pertaining to the local government's proposed and actual use of ICDBG funds. Public hearings shall be conducted at times and locations convenient to local citizens.

Public hearings shall be advertised in a local newspaper no less than seven (7) twenty-four (24) hour days prior to the hearing date. If there is no local newspaper, public notification will occur through some other method where there is wide distribution to citizens within the project area. The Community Development staff must approve this method.

A copy of the publication and/or affidavit of publication shall be submitted to the department. The notice should identify all of the topics to be addressed in the public hearing including the assurances that hearings shall be held in facilities that are accessible to persons with disabilities and that alternative formats shall be available to persons with disabilities where practicable, and with advance notice to the unit of local government.

Citizens shall also be notified they will be given the opportunity to comment orally or in writing at a minimum of (10) days prior to and at the hearing. Special accommodations shall be available for persons with disabilities who may wish to comment within this period.

Public hearings shall be conducted in a manner to meet the needs of non-English speaking residents where a significant number of non-English speaking residents can be expected to participate.

Local citizen participation records which shall be made available to the state and local citizens shall include: A copy of the public notice and/or affidavit of publication which describes proposed or actual project activities, scope of work, location, budget, schedule, objectives, and beneficiaries. Notices shall also contain the accessibility clause for persons with disabilities.

Grantees must provide the address, telephone number, and times for submitting complaints and grievances, and provide timely written answers to written complaints and grievances within fifteen (15) working days where practicable.

Local staff shall be familiar with citizen's complaint procedures. These procedures shall provide local citizens with the opportunity to protest project activities or related issues. A written complaint or grievance is formal notification of a concern, allegation or protest to a proper authority. A formal complaint will be considered filed at the time it is delivered to the appropriate authority's office. To file a complaint, citizens must provide enough information to allow an investigation. The complaint should be clear and concise and include the following information:

- A. Identification of the project, project location, and program activities.
- B. Reason for the complaint (hearsay and innuendo will not be considered valid).
- C. Sufficient data to substantiate any claims or charges. If possible, supporting documentation should be included.
- D. If desired, citizens may propose a solution to the problem.

If the complaint is concerning local activities or project implementation, complaints and grievances shall first be filed with the appropriate elected official. If this is the case, grantees shall be required to notify the department of the complaint. A copy of the response shall also be submitted to the department. Every attempt must be made to respond to citizens within fifteen (15) days where practicable.

If a citizen feels the response from the local jurisdiction is unsatisfactory, he or she may appeal to the department for resolution. The department at that time may request additional information. Every effort will be made by the department to provide a full response within thirty (30) days.

If valid and sufficient data has been provided to substantiate the complaint, an investigation will be conducted. The extent of an investigation depends on the scope and depth of the issues involved.

If the complaint is more appropriately directed toward the ICDBG program activities, the same procedure will be followed except all communications are between the state and the complainant.

This plan shall become effective November 4, 2015.

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Mayor

**RESOLUTION NO. R81-2015**

**CITY OF KUNA, IDAHO  
PROFESSIONAL SERVICES AGREEMENT WITH JUB ENGINEERS, INC.**

**A RESOLUTION OF THE CITY OF KUNA, IDAHO APPROVING THE PROFESSIONAL SERVICES AGREEMENT WITH JUB ENGINEERS, INC. TO PREPARE AN IDAHO COMMUNITY DEVELOPMENT BLOCK GRANT (ICDBG) CITIZEN PARTICIPATION PLAN DOWNTOWN REVITALIZATION PLAN FOR THE CITY OF KUNA, IDAHO; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT.**

**BE IT HEREBY RESOLVED** by the Mayor and Council of the City of Kuna, Idaho as follows:

Section 1. The Agreement with JUB Engineers, Inc., in substantially the form as attached hereto as EXHIBIT A is hereby approved.

Section 2. The Mayor of the City of Kuna, Idaho is hereby authorized to execute the Agreement, and the City Clerk is hereby authorized to attest to said execution as so authorize and approved for on behalf of the City of Kuna, Idaho.

**PASSED BY THE COUNCIL** of Kuna, Idaho this 4<sup>th</sup> day of November 2015.

**APPROVED BY THE MAYOR** of Kuna, Idaho this 4<sup>th</sup> day of November 2015.

\_\_\_\_\_  
W. Greg Nelson, Mayor

ATTEST:

\_\_\_\_\_  
Chris Engels, City Clerk

## CITY OF KUNA, IDAHO PROFESSIONAL SERVICES AGREEMENT

This AGREEMENT is made between the City of Kuna, Idaho, a political subdivision of the state of Idaho, herein "*KUNA*" and J-U-B ENGINEERS, Inc., herein "*CONTRACTOR*").

THE PARTIES AGREE AS FOLLOWS:

### 1. **SCOPE OF WORK:**

*KUNA* engages *CONTRACTOR* to develop an Idaho Community Development Block Grant (ICDBG) application and, upon receipt of ICDBG funds, grant administration of ICDBG funds for the Downtown Revitalization project for the City of Kuna as detailed in "**Exhibit A**" attached hereto.

### 2. **KUNA'S RESPONSIBILITIES:**

1. *KUNA* agrees to provide *CONTRACTOR* with information as to *KUNA*'s requirements for the *Project*, including design objectives, capacity and performance requirements, and other documents in its possession, or reasonably obtainable.
2. *KUNA* agrees to obtain, arrange and pay for all advertisements for bids, permits and licenses, and similar fees and charges required, and provide all land, easements, rights-of-ways and access necessary for *CONTRACTOR*'s services and the *Project*.
3. *KUNA* agrees to provide right of access to all properties as required during the execution of the work.

### 3. **CONTRACTOR'S RESPONSIBILITIES:**

1. *CONTRACTOR* agrees to provide the services of all professional and technical personnel required by this Agreement and detailed in **Exhibit A**.

### 4. **RISK ALLOCATION:**

*KUNA* agrees that *CONTRACTOR* is not responsible for damages arising directly or indirectly from any delays for causes beyond *CONTRACTOR*'s control. For purposes of this Agreement, such causes include, but are not limited to, strikes or labor disputes; severe weather disruptions or other natural disasters; fire, riots, war or other emergencies or acts of God; failure of any government agency or other third party to act in a timely manner; failure of performance by *KUNA* or *KUNA*'s contractors or consultants; or discovery of any hazardous substance or differing site conditions. In addition, if said delays directly result in the increase in cost or time required by *CONTRACTOR* to perform its services in an orderly and efficient manner, *CONTRACTOR* shall be entitled to request an equitable adjustment in the schedule and payment.

**5. PAYMENT:**

*KUNA* agrees to pay *CONTRACTOR* for its services rendered under this Agreement an amount not to exceed the total sum of **\$6,500** (Phase 1 – Grant writing) and **\$50,000** (Phase 2 – Grant administration) for said services rendered from for the Project. The parties agree that *CONTRACTOR* will invoice *KUNA* for payment under this Agreement for services rendered herein. Compensation for Phase 2 is contingent upon the City of Kuna receiving ICDBG funds.

**6. RIGHT OF CONTROL:**

*KUNA* agrees that it will have no right to control or direct the details, manner, or means by which *CONTRACTOR* accomplishes the results of the services performed hereunder. *CONTRACTOR* has no obligation to work any particular hours or days or any particular number of hours or days. *CONTRACTOR* agrees, however, that his other contracts or services shall not interfere with the performance of his services under this Agreement.

**7. INDEPENDENT CONTRACTOR RELATIONSHIP:**

*CONTRACTOR* is an independent contractor and is not an employee, servant, agent, partner, or joint venturer of *KUNA*. *KUNA* shall determine the work to be done by *CONTRACTOR*, but *CONTRACTOR* shall determine the legal means by which it accomplishes the work specified by *KUNA*.

**8. FEDERAL, STATE, AND LOCAL PAYROLL TAXES:**

Neither federal, state or local income taxes, nor payroll taxes of any kind shall be withheld and paid by *KUNA* on behalf of *CONTRACTOR* or the employees of *CONTRACTOR*. *CONTRACTOR* shall not be treated as an employee with respect to the services performed hereunder for federal or state tax purposes. *CONTRACTOR* understands that *CONTRACTOR* is responsible to pay, according to law, *CONTRACTOR*'s income tax. *CONTRACTOR* further understands that *CONTRACTOR* may be liable for self-employment (Social Security) tax to be paid by *CONTRACTOR* according to law.

**9. LICENSES AND LAW:**

*CONTRACTOR* represents that he possess the skill and experience necessary and all licenses required to perform the services under this agreement. *CONTRACTOR* further agrees to comply with all applicable laws in the performance of the services hereunder.

**10. FRINGE BENEFITS:**

Because *CONTRACTOR* is engaged in its own independently established business, *CONTRACTOR* is not eligible for, and shall not participate in, any employee pension, health, or other fringe benefit plans of *KUNA*.

**11. WORKER'S COMPENSATION:**

*CONTRACTOR* shall maintain in full force and effect worker's compensation for *CONTRACTOR* and any agents, employees, and staff that the *CONTRACTOR* may employ, and provide proof to *KUNA* of such coverage or that such worker's compensation insurance is not required under the circumstances.

**12. EQUIPMENT, TOOLS, MATERIALS OR SUPPLIES:**

*CONTRACTOR* shall supply, at *CONTRACTOR's* sole expense, all equipment, tools, materials and/or supplies to accomplish the services to be provided herein.

**13. EFFECTIVE DATE:**

This contract shall be completed on or before December 31, 2018.

**14. WARRANTY:**

*CONTRACTOR* warrants that work performed in this agreement shall be in accordance with and limited to the applicable standard of care for like professional services. *CONTRACTOR* acknowledges that it will be liable for any breach of this warranty.

**15. INDEMNIFICATION AND INSURANCE PROVISIONS:**

*CONTRACTOR* agrees to the following:

1. As respects acts, errors or omissions in the performance of professional services, *CONTRACTOR* agrees to indemnify and hold harmless KUNA, its officers, employees, and KUNA-designated volunteers from and against any and all claims, demands, defense costs, or liability of any kind or nature to the extent arising directly out of *CONTRACTOR's* negligent acts, errors or omissions in the performance of its professional services under the terms of this contract.
  
2. As respects all acts or omissions which do not arise directly out of the performance of professional services, but limited to those acts or omissions ~~ally~~ covered by *CONTRACTOR's* general and automobile liability insurance, *CONTRACTOR* agrees to indemnify, defend (at *KUNA's* option), and hold harmless *KUNA*, its officers, agents, employees, representatives, and volunteers from and against any and all claims, demands, defense costs, liability, or consequential damages of any kind or nature arising out of or in connection with *CONTRACTOR's* (or *CONTRACTOR's* subcontractors, if any) performance or failure to perform, under the terms of this contract; excepting those which *CONTRACTOR* is not legally liable.

Without limiting *KUNA's* right to indemnification, it is agreed that *CONTRACTOR* shall secure prior to commencing any activities under this Agreement, and maintain during the term of this Agreement, insurance coverage as follows:

1. Worker's compensation insurance as required by Idaho statutes.
  
2. Comprehensive general liability insurance or commercial general liability insurance, including coverage for premises and operations, contractual liability, personal injury liability, products/completed operations liability, broad-form property damage (if applicable) and independent contractor's liability (if applicable), in an amount of not less than One Million Dollars (\$1,000,000.00) per occurrence, combined single limit, written on an occurrence form.

3. Comprehensive automobile liability coverage including, as applicable, owned, non-owned and hired autos, in an amount of not less than One Million Dollars (\$1,000,000.00) per occurrence, combined single limit, written on an occurrence form.
4. Professional liability insurance coverage, in an amount not less than One Million Dollars (\$1,000,000.00), and *CONTRACTOR* shall maintain such coverage for at least four (4) years from the termination of this Agreement; and during this four-year period, *CONTRACTOR* shall use *CONTRACTOR*'s best efforts to ensure that there is no change of the retroactive date on this insurance coverage.

The policy or policies shall provide *CONTRACTOR* thirty (30) days prior notice in case of cancellation, non-renewal, or significant coverage changes. *CONTRACTOR* shall immediately provide notice to *KUNA* in such an event.

*KUNA* is hereby authorized to reduce the requirements set forth above in the event he/she determines that such reduction is in *KUNA*'s best interest.

It is agreed that any insurance maintained by *KUNA* shall apply in excess of and not contribute with insurance provided by this policy.

Each insurance policy required by this Agreement, excepting policies for worker's compensation and professional liability shall provide that:

*KUNA*, its officers, agents, employees, representatives and volunteers are added as additional insureds as respects operations and activities of, or on behalf of, the named insured, performed under contract with *KUNA*. Prior to commencing any work under this Agreement, *CONTRACTOR* shall deliver to *KUNA* insurance certificates confirming the existence of the insurance required by this Agreement, and including the applicable clauses referenced above. Also, within thirty (30) days of the execution date of this Agreement, *CONTRACTOR* shall provide to *KUNA* endorsements to the above-required policies, which add to these policies the applicable clauses referenced above. Said endorsements shall be signed by an authorized representative of the insurance company and shall include the signature's company affiliation and title. Should it be deemed necessary by *KUNA*, it shall be *CONTRACTOR*'s responsibility to see that *KUNA* receives documentation acceptable to *KUNA* which sustains that the individual signing said endorsements is indeed authorized to do so by the insurance company. Also, *KUNA* has the right to demand, and to receive within a reasonable time period, copies of any insurance policies required under this Agreement.

In addition to any other remedies *KUNA* may have if *CONTRACTOR* fails to provide or maintain any insurance policies or policy endorsements to the extent and within the time herein required, *KUNA* may, at its sole option:

1. Obtain such insurance and deduct and retain the amount of the premiums for such insurance from any sums due under the Agreement;

- A. Order *CONTRACTOR* to stop work under this Agreement and/or withhold any payment(s) which become due to *CONTRACTOR* hereunder until *CONTRACTOR* demonstrates compliance with the requirements hereof.
- B. Terminate this Agreement.

Exercise of any of the above remedies, however, is an alternative to other remedies *KUNA* may have and is not the exclusive remedy for *CONTRACTOR*'s failure to maintain insurance or secure appropriate endorsements.

Nothing herein contained shall be construed as limiting in any way the extent to which *CONTRACTOR* may be held responsible for payments of damages to persons or property resulting from *CONTRACTOR*'s, or its subcontractor's, negligent performance of the work covered under this Agreement.

**16. NON-WAIVER:**

Failure of either party to exercise any of the rights under this Agreement, or breach thereof, shall not be deemed to be a waiver of such right or a waiver of any subsequent breach.

**17. CHOICE OF LAW:**

Any dispute under this Agreement, or related to this Agreement, shall be decided in accordance with the laws of the state of Idaho.

**18. ENTIRE AGREEMENT:**

This is the entire Agreement of the parties and can only be modified or amended in writing by the parties.

**19. SEVERABILITY:**

If any part of this Agreement is held unenforceable, the remaining portions of the Agreement will nevertheless remain in full force and effect.

**20. ATTORNEY FEES:**

Determination of how reasonable attorney fees shall be awarded in any action to enforce this Agreement or to declare forfeiture or termination of this Agreement shall be in accordance with state law.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

KUNA:

\_\_\_\_\_   
 KUNA

W. Greg Nelson

CONTRACTOR:

By \_\_\_\_\_

Brian Smith

J-U-B ENGINEERS, Inc.

250 S. Beechwood Ave. No. 201

Mayor

*Boise, Idaho 83709*

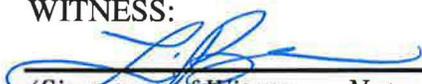
Its \_\_\_\_\_

*Area Manager*

ATTEST:

WITNESS:

\_\_\_\_\_

  
\_\_\_\_\_

*(Signature of Witness or Notary Public)*

Chris Engels  
City Clerk

Form and content approved by \_\_\_\_\_, as attorney *KUNA*.



**J-U-B ENGINEERS, Inc.  
AGREEMENT FOR PROFESSIONAL SERVICES**

**CITY of Kuna  
Downtown Revitalization  
Grant Writing and Grant Administration Services  
October 21, 2015**

**Exhibit A – Scope of Services, Schedule, and Basis of Fee**

The Agreement for Professional Services is amended and supplemented to include the following provisions regarding the Scope of Services, Schedule of Services, and the Basis of Fee:

For the purposes of this exhibit, 'Agreement for Professional Services' and 'the Agreement' shall refer to the document entitled 'Agreement for Professional Services,' executed between J-U-B and the CITY OF KUNA (CITY) to which this exhibit and any other exhibits have been attached.

**PROJECT UNDERSTANDING**

The goal of the project is to assist the CITY with preparing a competitive Downtown Revitalization Grant application for a Idaho Community Development Block Grant (CDBG). Further, upon receipt of CDBG funds, the CITY desires J-U-B to assist with grant administration activities to comply with CDBG requirements.

The primary objective covered by this scope is to produce a CDBG application and administer grant funds for the CITY of Kuna.

To summarize, the scope of services for J-U-B has been divided into two phases and tasks under each phase, which are described in detail later in Part 1:

**Phase 1 – Grant Writing**

- Task 010 – CDBG Application Preparation and Submittal
- Task 020 – CDBG Addendum Preparation, Submittal and Economic Advisory Council (EAC) Presentation

**Phase 2 – Grant Administration**

- Task A – Project Set up
- Task B – Environmental Review
- Task C – Acquisition and Relocation
- Task D – Labor Monitoring
- Task E – Project Monitoring
- Task F – Civil Rights
- Task G – Fair Housing Plan
- Task H – 504/ADA Self Evaluation and Transition Plan

- Task I – Project Close-Out

## **PART 1 - SCOPE OF SERVICES**

- A.** Basic Services - J-U-B's Basic Services under this Agreement are limited to the following tasks. CITY reserves the right to add subsequent phases or related work to the scope of services upon mutual agreement of scope, additional fees, and schedule.

### **Phase 1 – Grant Writing**

This phase includes preparing and submitting a CDBG application and application addendum, and assisting with a presentation to the EAC.

#### **Task 010 – CDBG Application Preparation and Submittal**

J-U-B will complete the following tasks to complete the CDBG application by the November 20, 2015 CDBG application due date:

- 1) Hold a kick-off meeting with staff.
- 2) Coordinate with staff and ACHD.
- 3) Attend one public hearing prior to CDBG application submittal.
- 4) Attend an ACHD Commission meeting prior to CDBG application submittal.
- 5) Prepare application forms and develop relevant information including a project description, community information, budget, environmental checklist, Citizen Participation Plan and Redevelopment Resolution for adoption, and Fair Housing Resolution.

Assumptions:

- 1) City staff will prepare all public hearing notices
- 2) City staff will provide all project support letters
- 3) City staff will coordinate meeting dates and schedule items on the agenda
- 4) City staff will complete a building assessment to be included in the CDBG application
- 5) City staff will provide past and future project implementation information related to downtown
- 6) City staff will facilitate local (and other sources) of matching funds and will provide such information to J-U-B

#### **Task 020 – CDBG Addendum Preparation, Submittal and EAC Presentation**

Upon receipt of an invitation from the Idaho Department of Commerce, J-U-B will assist with the City of Kuna with preparation and submittal of a CDBG application addendum. This task also includes assisting the City of Kuna with preparing for a presentation to the EAC. Tasks include:

- 1) Assemble & submit application addendum
- 2) Assist with and attend the EAC Presentation

Assumptions:

- 1) City staff will provide relevant information to J-U-B requested by the Idaho Department of Commerce for inclusion in the application addendum
- 2) This task is limited to one (1) meeting to prepare for the EAC presentation

**Phase 2 – Grant Administration** (note: this portion of the scope of work is contingent upon the City of Kuna receiving CDBG funds)

**Task A – Project Set-Up**

This task includes file set-up, facilitating financial management procedures including cost allocation plan, meetings with grantee and stakeholders, submission of pre-contract documents, responding to inquiries, and explaining CDBG requirements to the City of Kuna.

**Task B – Environmental Review**

J-U-B will prepare an environmental review record that complies with 24 CFR Part 58. This task includes assessing project site, touring the site, gathering and verifying documentation, determining the clearance level, documenting information, and collecting applicable technical environmental information. J-U-B will assist City staff with publishing and posting public notices, gathering and tracking comments (if applicable), establishing mitigation measures, and securing environmental concurrence from the Idaho Department of Commerce.

**Task C – Acquisition and Relocation**

If applicable, J-U-B will guide the City of Kuna in complying with the Uniform Relocation Assistance and Real Property Acquisition Policies Act for any property, permanent easements or long-term leases acquired for the CDBG project. J-U-B will assist the City of Kuna with an anti-displacement and relocation plan, touring of the project site, determining acquisition activity, and advising the City about the voluntary, basic, or donation requirements as per the Uniform Act. This task also includes meetings with property owners and submission of documentation to the Idaho Department of Commerce.

**Task D – Labor Monitoring**

J-U-B will advise and monitor construction contractors on the requirements of the Davis Bacon Act, Copeland Act, CWHSSA and Fair Labor Standards Act. J-U-B will inform contractors about the labor requirements, provide labor documents and forms to contractors and their sub-contractors, identify appropriate wage determination, request additional wage classifications, review and track payrolls, conduct employee interviews on-site, travel to project site, observe workers, compare payroll information with interviews, document payroll reviews, identify and investigate errors with contractor, report and facilitate the correction of errors or problems to the Idaho Department of Commerce, and complete required labor reports.

**Task E – Project Monitoring (during procurement and construction)**

Assist the City of Kuna in setting up the procurement and then the selection of a design professional and/or contractors in accordance with CDBG requirements. J-U-B will participate in pre-bid, pre-construction and construction progress meetings. J-U-B will review bidding documents, and conduct construction progress monitoring, reporting, and construction close-out. J-U-B will observe construction progress, and monitor the design professional procurement process. J-U-B will conduct financial management including coordinating contractor and design professional pay applications, preparation of CDBG request for funds, submission of request to IDC and ensuring proper disbursement of CDBG expenditures.

**Task F – Civil Rights – Equal Access**

J-U-B will complete the required CDBG civil rights activities and documents. J-U-B will educate contractors on the complying with Section 3 requirements and hiring of disadvantage business enterprises. J-U-B will assist with submission of RFP to Idaho Procurement Technical Assistance Center (PTAC). J-U-B will review Section 3 Reports and the Contractor / Sub-contractor Activity Report for accuracy. J-U-B will assist the City of Kuna in conducting a Limited English Proficiency (LEP) four-factor analysis City of Kuna profiles. J-U-B will oversee efforts of promoting disadvantage business enterprises and fair bidding practices, including reviewing the public display of EEO posters.

**Task G – Fair Housing Plan**

J-U-B will assist the City of Kuna with preparing and adopting a fair housing resolution, proclaiming fair housing month, and displaying fair housing information. J-U-B will assist and guide the City of Kuna in completing a fair housing assessment including identifying impediments and actions to mitigate any impediments.

**Task H – 504 / ADA Self Evaluation and Transition Plan**

J-U-B will assist the City of Kuna in conducting a self-evaluation of its facilities, services, and programs. J-U-B will help develop a transition plan and the effective communication checklist. J-U-B will assist with identifying a 504 coordinator, non-discrimination policy and grievance procedure.

**Task I – Project Close-Out**

J-U-B will prepare documentation that the City of Kuna has met their CDBG national objective and contractual performance requirements. J-U-B will complete CDBG closeout documents for review and signature. J-U-B will assist the City of Kuna with providing requested documents and addressing any concerns.

**Assumptions:**

- 1) Acquiring easements and/or right-of-way is not an anticipated use of CDBG funds.
- 2) City staff will schedule contractor request for funds on the City Council agenda for approval in a timely manner, in accordance with contract requirements.

**B. CITY’S Responsibilities/Exclusions from Current Scope** - CITY is responsible for completing, authorizing J-U-B to complete as Additional Services, or authorizing others to complete all tasks not specifically included above in J-U-B’s Basic Services that may be required for the project, including, but not limited to:

1. Ensure staff availability to review documents and provide active direction and timely decisions in writing pertaining this scope of work
2. Furnish to J-U-B any other available information pertinent to the Project including reports and data relative to this scope of work
3. Furnish to J-U-B any letters of support from community businesses and/or residents as required by the application
4. Furnish J-U-B with any existing planning tools and documents currently in use.

**PART 2 - SCHEDULE OF SERVICES**

A. The following table summarizes the anticipated schedule for the identified Basic Services predicated upon timely receipt of CITY-provided information, typical review periods, and active direction during work. CITY acknowledges that the J-U-B will not be responsible for impacts to the schedule by events or actions of others over which J-U-B has no control.

Task Number	Task Name	Anticipated Schedule
<b>Grant Writing (Phase I)</b>		
010	CDBG Application Preparation and Submittal	CDBG Application Due November 20, 2015
020	CDBG Addendum Preparation and Submittal	CDBG Addendum Due Spring 2016
<b>Grant Administration (Phase 2) – Contingent on receipt of CDBG funds</b>		
A	Project Set-Up	2016-2017
B	Environmental Review	
C	Acquisition and Relocation	
D	Labor Monitoring	
E	Project Monitoring	
F	Civil Rights	
G	Fair Housing Plan	
H	504/ADA Self Evaluation and Transition Plan	
I	Project Close-Out	

**PART 3 - BASIS OF FEE**

- A. CITY shall pay J-U-B for the identified Basic Services as follows:
1. For Lump Sum fees:
    - a. The portion of the Lump Sum amount billed for J-U-B’s services will be based upon J-U-B’s estimate of the percentage of the total services actually completed during the billing period.
  2. For Time and Materials (T&M) fees:
    - a. CITY shall pay J-U-B an amount equal to the cumulative hours charged to the Project by each J-U-B employee times that employees’ standard billing rate for all services performed on the Project, plus Reimbursable Expenses and J-U-B’s J-U-Bs’ charges, if any.
- B. The fee types and amounts for each task are presented in the following table:

Task Number	Task Name	Fee Type	Amount
<b>Grant Writing (Phase I) – City funds</b>			
010	CDBG Application Preparation and Submittal	Lump Sum	\$5,000
020	CDBG Addendum Preparation and Submittal	Lump Sum	\$1,500
			<b>Total: \$6,500</b>

Task Number	Task Name	Fee Type	Amount
<b>Grant Administration (Phase 2) – Contingent on receipt of CDBG funds (grant administration costs not to exceed 10% of the grant amount)</b>			
A	Project Set-Up	Lump Sum	\$3,200
B	Environmental Review	Lump Sum	\$9,500
C	*Acquisition and Relocation	Lump Sum	\$2,500
D	Labor Monitoring	Lump Sum	\$6,800
E	Project Monitoring	Lump Sum	\$6,400
F	Civil Rights	Lump Sum	\$3,200
G	Fair Housing Plan	Lump Sum	\$6,500
H	504/ADA Self Evaluation and Transition Plan	Lump Sum	\$6,500
I	Project Close-Out	Lump Sum	\$5,400
			<b>Total: \$50,000</b>

\*This task is only applicable if easements and/or right-of-way purchase is required.

- C. Period of Service: If the period of service for the task identified above is extended beyond 18 months, the compensation amount for J-U-B's services shall be appropriately adjusted to account for inflation and salary adjustments.

**City of Kuna, Idaho**

**Resolution to Establish a Redevelopment Area**

**Resolution No. R82-2015**

BE IT RESOLVED by the City Council of the City of Kuna, Ada County, Idaho:

WHEREAS, the City has reviewed the conditions and quality of the City and found a geographic area in which slum and blight conditions exist according to IDAPA 28, Title 02, Chapter 01, Section 020. The approximate boundaries of this geographic area are Avenue E from 4<sup>th</sup> Street to the Indian Creek Greenbelt, and Main Street from Avenue E to Avenue A and are delineated on a map entitled, “Redevelopment Area” affixed hereto, which is a map of the subject area defining the limits, boundaries and location of the slum and blight conditions of said district; and

WHEREAS, the following is a description of the slum and blight conditions which exist in the delineated area:

Infrastructure:

- **Sidewalk, Curb, Gutter, ADA Ramps:** Approximately 2,950 linear feet of sidewalk, curb and gutter is determined to be substandard it does not meet ADA accessibility requirements. Specifically, the sidewalks do not allow for unrestricted pedestrian movement because of broken surfaces, as per ADA regulations 28 CFR Part 35.
- **Storm Drainage:** Approximately 2,676 linear feet of storm drainage lines and nine (9) catch basins are substandard because they do not meet Ada County Highway District’s Section 800 – Drainage and Stormwater Management Standards. The storm drainage facilities are either non-existent or insignificant, causing regular occurrences of ponding, clogging, and pavement deterioration.
- **Street Lights:** Approximately 40 street lights are determined to be substandard as they do not meet City of Kuna code section 5-4-6 due to the complete absence of street lamp lighting and inadequate illumination of the sidewalk for pedestrian safety.
- **Irrigation:** Approximately 2,855 linear feet of pressurized irrigation lines are determined to be substandard as they do not exist within the project area. Kuna City Code section 5-17-11 states that pressurized irrigation is required for landscaped areas.

Properties:

- Of the 34 building lots located within the redevelopment area, substandard properties consist of:
  - Two (2) commercial buildings have been vacant for over 12 months

- 31 properties with substandard sidewalks
- 20 properties are in poor or fair condition

Detailed documentation is contained in the Existing Conditions Assessment prepared by licensed professional, Tim Blair, PE; and Bob Bachman, City of Kuna Certified Building Inspector/Building and Facilities Manager, dated October 29, 2015.

WHEREAS, these conditions are risks to public safety, impediments to sound community growth and are considered economic liabilities to the community;

WHEREAS, the City of Kuna desires to eliminate and prevent slum and blight conditions within the stated geographic area, the City will undertake various activities to eliminate these conditions. These activities will conform to the City’s comprehensive plan; and

WHEREAS, the planned activities may include land acquisition, demolition, and/or clearance, the Idaho Department of Commerce’s “Anti-Residential Displacement and Relocation Plan” will govern any of these activities.

NOW THEREFORE, it is resolved by the Mayor and City Council of Kuna, Idaho that the City shall designate the above-stated geographic area as a redevelopment area and shall take action as necessary to remove and prevent slum and blight conditions.

**PASSED BY THE COUNCIL** of Kuna this 4th day of November, 2015.

**APPROVED BY THE MAYOR** of Kuna this 4th day of November, 2015.

\_\_\_\_\_  
W. Greg Nelson, Mayor

ATTEST:

\_\_\_\_\_  
Chris Engels, City Clerk

<b>Kuna Main Street and Avenue E Substandard Infrastructure</b>			
<b>LOCATION</b>	<b>TYPE OF INFRASTRUCTURE</b>	<b>ADEQUATE INFRASTRUCTURE</b>	<b>INADEQUATE (SUBSTANDARD) INFRASTRUCTURE</b>
<b>Main Street</b>	<b>Sidewalk (LF)</b>		
Avenue E to Avenue D		200	200
Avenue D to Avenue C		0	800
Avenue C to Avenue B		0	800
Avenue B to Avenue A		0	800
		200	2,600
<b>Avenue E</b>			
4th St to Main		350	350
		350	350
	<b>SIDEWALK TOTAL</b>	<b>550</b>	<b>2,950</b>
<b>Project Limits</b>	<b>Storm Drainage Lines (LF)</b>		
		0	2676
	<b>STORM DRAINAGE TOTAL</b>	<b>0</b>	<b>2676</b>
<b>Project Limits</b>	<b>Catch Basins (EA)</b>		
		0	9
	<b>CATCH BASIN TOTAL</b>	<b>0</b>	<b>9</b>
<b>Project Limits</b>	<b>Street Lights (Each)</b>		
			40
	<b>STREET LIGHT TOTAL</b>	<b>0</b>	<b>40</b>
<b>Project Limits</b>	<b>Pressurized Irrigation Lines (LF)</b>		
			2,855
	<b>PRESSURIZED IRRIGATION TOTAL</b>	<b>0</b>	<b>2,855</b>

## KUNA BUILDING CONDITION ASSESSMENT - MAIN STREET &amp; AVENUE E

Main Street, N. Avenue E to N. Avenue D - North Side										
Business Name	PARCEL No.	Address	Zoning	Acres	Year Built	Remodel Year	Building Condition	Sidewalk Condition	Onsite Parking Spaces	Vacant/Occupied
Old 4th Street Gym	R5070001380	533 W 4TH ST	CBD	1.82	1900	0	Poor	Substandard	Not paved	Occupied
Super C	R5070001462	331 N AVENUE D	CBD	0.24	1935	1956	Fair	Substandard	10	Occupied
Main Street, N. Avenue E to N. Avenue D - South Side										
Business Name	PARCEL No.	Address	Zoning	Acres	Year Built	Remodel Year	Building Condition	Sidewalk Condition	Onsite Parking Spaces	Vacant/Occupied
Residential Home	R5070001330	587 W MAIN ST	CBD	0.25	0	0	Residential-Poor	Substandard	0	Occupied
ACHD	R5070001312	567 W MAIN ST	CBD	0.037	0	0	N/A	Substandard	0	N/A
Behind the Chair Salon	R5070001305	525 W MAIN ST	CBD	0.21	1930	1950	Fair	Substandard	10	Occupied
Main Street, N. Avenue D to N. Avenue C - North Side										
Business Name	PARCEL No.	Address	Zoning	Acres	Year Built	Remodel Year	Building Condition	Sidewalk Condition	Onsite Parking Spaces	Vacant/Occupied
Edward Jones/Kuna News	R5070001086	498 W MAIN ST	CBD	0.08	1953	0	Good	Substandard	2	Occupied
El Gallo Giro Rest. & Apts.	R5070001091	482 W MAIN ST	CBD	0.09	1910	1931	Poor	Substandard	4 (add'l parking in rear)	Occupied
El Gallo Giro/Apts	R5070001100	478 W MAIN ST	CBD	0.14	1910	0	Poor	Substandard	Rear parking	Occupied
Multi-Com Insurance	R5070001110	462 W MAIN ST	CBD	0.08	1915	1950	Fair	Substandard	2 (street parking)	Occupied
Long Horn Bar	R5070001116	458 W MAIN ST	CBD	0.13	1930	1956	Poor	Substandard	2 (street parking)	Occupied
Myers Real Estate	R5070001128	452 W MAIN ST	CBD	0.039	1962	0	Fair	Substandard	2 (street parking)	Occupied
Red Eye Saloon	R5070001126	444 W MAIN ST	CBD	0.14	1929	1956	Poor	Substandard	2 (street parking)	Occupied
Main Street, N. Avenue D to N. Avenue C - South Side										
Business Name	PARCEL No.	Address	Zoning	Acres	Year Built	Remodel Year	Building Condition	Sidewalk Condition	Onsite Parking Spaces	Vacant/Occupied
US Bank - Kuna	R5070001187	485 W MAIN ST	CBD	0.792	1980	0	Good	Substandard	2 (street parking, add'l parking in rear)	Occupied
Kuna Hardware	R5070001175	467 W MAIN ST	CBD	0.14	1951	1956	Fair	Substandard	2 (street parking)	Occupied
The Arlene	R5070001165	459 W MAIN ST	CBD	0.1	1911	1951	Fair	Substandard	2 (street parking)	Occupied
Grandpa's Attic	R5070001160	451 W MAIN ST	CBD	0.08	1945	1956	Fair	Substandard	2 (street parking)	Occupied
Consign & Design	R5070001145	439 W MAIN ST	CBD	0.24	1935	1956	Fair	Substandard	2 (street parking)	Occupied
Main Street, N. Avenue C to N. Avenue B - North Side										
Business Name	PARCEL No.	Address	Zoning	Acres	Year Built	Remodel Year	Building Condition	Sidewalk Condition	Onsite Parking Spaces	Vacant/Occupied
Post Office	R5070000968	398 W MAIN ST	CBD	0.29	1960	1970	Good	Substandard	6	Occupied
Kuna Community Hall	R5070000971	360 W MAIN ST	CBD	0.19	1930	0	Fair	Substandard	2 (street parking)	Occupied
Jackson's / Shell	R5070001001	330 W MAIN ST	CBD	0.48	1997	0	Good	Substandard	14	Occupied
Main Street, N. Avenue C to N. Avenue B - South Side										
Business Name	PARCEL No.	Address	Zoning	Acres	Year Built	Remodel Year	Building Condition	Sidewalk Condition	Onsite Parking Spaces	Vacant/Occupied
Mary's Downtown Laundry	R5070000822	397 W MAIN ST	CBD	0.16	1940	1950	Poor	Substandard	N/A	Occupied
Four E'S Bar	R5070000805	379 W MAIN ST	CBD	0.08	1950	1950	Poor	Substandard	3 (street parking, shared parking on side)	Occupied
Popcorn	R5070000795	371 W MAIN ST	CBD	0.16	1980	1985	Poor	Substandard	9	Occupied
Ben's, Quick Wok	R5070000780	361 W MAIN ST	CBD	0.24	1963	2000	Good	Substandard	3 (street parking, add'l parking on side)	Occupied
	R5070000775	339 W MAIN ST	CBD	0.08	0	0	N/A	Substandard	N/A	N/A
City of Kuna Parks & Rec	R5070000765	329 W MAIN ST	P	0.16	1980	0	Fair	Substandard	2 (street parking)	Occupied
Main Street, N. Avenue B to N. Avenue A - North Side										
Business Name	PARCEL No.	Address	Zoning	Acres	Year Built	Remodel Year	Building Condition	Sidewalk Condition	Onsite Parking Spaces	Vacant/Occupied
Farmers Insurance	R5070000425	290 W MAIN ST	CBD	0.069	1999	0	Good	Substandard	3 (street, add'l parking on side)	Occupied
Zamzow's	R5070000436	256 W MAIN ST	CBD	0.56	1981	0	Good	Substandard	3 (street, add'l parking on side)	Occupied
Main Street, N. Avenue B to N. Avenue A - South Side										
Business Name	PARCEL No.	Address	Zoning	Acres	Year Built	Remodel Year	Building Condition	Sidewalk Condition	Onsite Parking Spaces	Vacant/Occupied
Napa & Auto Shop	R5070000515	279 W MAIN ST	CBD	0.4	1954	1994	Good	Substandard	3 (street, add'l parking in rear)	Occupied
Kuna Machine Shop	R5070000505	251 W MAIN ST	CBD	0.24	1956	0	Fair	Substandard	3 (street, add'l parking in rear)	Occupied
City Park	R5070000480	201 W MAIN ST	P	0.45	0	0	N/A	Substandard	4 (street, add'l parking in rear)	N/A
N. Avenue E, 4th St. to Greenbelt - West Side										
Business Name	PARCEL No.	Address	Zoning	Acres	Year Built	Remodel Year	Building Condition	Sidewalk Condition	Onsite Parking Spaces	Vacant/Occupied
Avenue E Retail	R5070001475	381 N AVENUE E	CBD	0.172	2008	0	Good	Standard	Parking in Sandstone Plaza	Occupied
Avenue E Retail	R5070001472	375 N AVENUE E	CBD	0.155	2008	0	Good	Standard	Parking in Sandstone Plaza	Vacant
Sandstone Plaza (Cowgirls)	R5070001485	345 N AVENUE E	CBD	1.483	1980	2004	Good	Standard	Parking in Sandstone Plaza	Occupied/Vacant
Idaho Pizza Co.	R5070001552	331 N AVENUE E	CBD	0.654	1978	0	Good	Standard	Parking in Sandstone Plaza	Occupied
Color Green Salon	R5070001605	291 N AVENUE E	CBD	0.588	1930	2004	Fair	Standard	Parking in Sandstone Plaza	Occupied
N. Avenue E, 4th St. to Main Street - East Side										
Business Name	PARCEL No.	Address	Zoning	Acres	Year Built	Remodel Year	Building Condition	Sidewalk Condition	Onsite Parking Spaces	Vacant/Occupied
Old 4th Street Gym	R5070001380	533 W 4TH ST	CBD	1.82	1900	0	N/A (accounted)	Substandard	8 paved	Occupied

Item	Information		
Building Condition	Good	Fair	Poor
Sidewalk Condition	Standard	Sub-standard	
Onsite Parking Spaces	No. of Spaces		
Vacant/Occupied	Vacant	Occupied	



LEGEND

- EXISTING RIGHT-OF-WAY
- PROJECT AREA LIMIT



REDEVELOPMENT AREA  
KUNA DOWNTOWN REVITALIZATION  
CITY OF KUNA  
OCTOBER 2015

Plot Date: 10/28/2015 11:15 AM, Plotted By: Matt Spahr  
 File Name: C:\0282015\PROJECTS\SUB10-15882 KUNA DOWNTOWN REVITALIZATION\PLANCAD FILES\1082 MAIN ST\_REDEVELOPMENT AREA.DWG  
 LAST UPDATED: 10/28/2015  
 PLOT DATE: 10/28/2015

**J-U-B ENGINEERS, INC.**

Ron Herther  
478 S. Stibnite Avenue  
Kuna, ID 83634  
(509) 481-8294  
ronherther@gmail.com

9/28/15

OBJECTIVE:

Part time volunteer work for City of Kuna

SKILLS:

Working knowledge of Microsoft Word and Excel  
Management skills  
Customer service skills  
Sales skills  
Problem solving skills

WORK EXPERIENCE:

Vice President of Sutter's mill HOA Kuna, ID 08/01/2015 to present  
Retired 05/25/09 to present  
Pro desk associate Home Depot 05/01/2002 to 5/25/2009  
Regional Sales Manager Echlin Inc. (NAPA) 06/10/1983 to 04/15/2002  
Local Division Manager NAPA 01/15/1977 to 04/01/1983  
Assistant Sales Manager NAPA 01/02/1975 to 12/15/1976  
Store Manager NAPA 02/20/1969 to 12/31/1974  
Outside Salesman NAPA 03/16/1968 to 02/15/1969  
United States Army Inducted 02/06/1966, honorably discharged as Sergeant  
E-5 02/06/1968, Vietnam veteran.

EDUCATION:

Training sessions and workshops throughout my NAPA career  
Boise Junior College, 2 years business classes  
Meridian High School, graduated



**CITY OF KUNA**  
**P.O. BOX 13**  
**KUNA, ID 83634**  
[www.cityofkuna.com](http://www.cityofkuna.com)

**GORDON N. LAW**  
**CITY ENGINEER**

**Telephone (208) 287-1727; Fax (208) 287-1731**  
**Email: [glaw@cityofkuna.com](mailto:glaw@cityofkuna.com)**

## MEMORANDUM

**TO:** Mayor Nelson and Members of City Council

**FROM:** Gordon N. Law  
Kuna City Engineer

**RE:** City Construction and Planning Projects  
October 2015

**DATE:** November 1, 2015

**REQUEST: FYI**

The city has a number of capital and planning projects budgeted for FY2015-16. Some projects may ultimately affect traffic mobility or temporarily inconvenience neighborhoods and Mayor and Council may receive comments and questions concerning them. Other projects are simply included for informational purposes. This memo is intended to give a short review of each project.

1. **Well No. 11** – This project is for the purpose of drilling Well 11 to replace Well 3 (Butler) and the conversion of Well 3 to irrigation purposes. The production well is complete. Design of a remodeled well house and adjusted piping layout is in progress.
2. **Well No. 3 Conversion** – This project is to repair Well 3 casing and convert it to pressurized irrigation use. The repair will commence this fall with the installation of a new pumping plant to follow.
3. **Butler GenSet** – Project is to replace existing Butler GenSet to accommodate new Well 11. Pricing is in progress.
4. **Replacement Membranes** – Project is to replace three racks of membranes as part of a planned membrane rotation schedule. Membranes will be ordered from Australia this fall and installed in early spring.
5. **Fiber Optic to NWWTP** – This project is to upgrade communications at the north treatment plant by installing fiber in or adjacent to Ten Mile Road and connecting to the School District fiber.
6. **Reuse Permit Application** – The City has applied to DEQ to reuse highly treated wastewater in the City's pressure irrigation system. DEQ has the permit out for public comment.

7. **Pond 7 Blower Replacement** – The purpose of this project is to replace an inefficient unreliable roots-type positive displacement blower with an energy efficient turbo-type blower. The funding for this project will partially come from an Idaho Power Grant. Bid has been awarded and equipment is on-order.
8. **Birds of Prey Sewer Main Extension** – This project extends a sewer main from Arbor Ridge Sewer Trunk to Birds of Prey Lift Station, and in the process, removes Birds of Prey Lift Station from service. The project construction is 75% complete.
9. **Ten Mile-Hubbard PI** – Trunk to connect Chapparosa service area to Sego Prairie service area. Design is in progress.
10. **Goiri PI** - Trunk to connect Well 3 to Boise Street Trunk. Design is in progress.
11. **Ardell Pump Station** – Project is to develop new irrigation pump station and pond north of Indian Creek. Preparing RFP
12. **Lake Hazel Sewer Project** – Project is to commence sewer collection system to serve Mason Creek drainage. Evaluating sites for Lift Station.
13. **Lift Station Pump Around** -
14. **Subdivisions in Final Plat** – Kromann
15. **Subdivisions in Construction** - Crimson #7, Desert Hawk #2, Greyhawk #4
16. **Subdivision Plans in Review** – Merlin Pointe #1
17. **Plans Approved** - Arbor Ridge #3, Silver Trail #2, Patagonia #1, Sorrell, Crimson #8
18. **Orchard Sidewalk** – This project provides sidewalk on the west side of Orchard Street south of Avalon to connect to the east Green Belt. Project is delayed for re-bidding.
19. **Main / 3<sup>rd</sup> Roundabout** – This project is intended to replace the delta-configuration of the intersection with a roundabout. ACHD is at 99% stage of project design and construction is programmed for 2016-2017.
20. **Linder / Deer Flat Intersection** – This project is intended to construct intersection improvements. The recommendation of ACHD and City staff is to construct an upgraded signal rather than a round-about. ACHD is programming funding for Design for FY2016 and funding for Construction is intended for FY2020. The project will include safety and pedestrian improvements on the east Deer Flat leg of the intersection.

**CITY OF KUNA, IDAHO  
ORDINANCE NO. 2015-12  
IDAHO POWER FRANCHISE AGREEMENT**

“AN ORDINANCE IN ACCORDANCE WITH IDAHO CODE SECTIONS 50-328, 50-329 AND 50-329A GRANTING A FRANCHISE TO IDAHO POWER COMPANY, AN IDAHO CORPORATION, AND TO ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, MAINTAIN AND OPERATE IN AND UPON THE PRESENT AND FUTURE STREETS, HIGHWAYS AND OTHER PUBLIC PLACES WITHIN THE CORPORATE LIMITS OF THE CITY OF KUNA, IDAHO, ELECTRIC UTILITY PROPERTY AND FACILITIES FOR SUPPLYING ELECTRICITY AND ELECTRIC SERVICE TO THE CITY, THE INHABITANTS THEREOF, AND OTHERS FOR A TERM OF TEN (10) YEARS; PROVIDING A RIGHT TO THE CITY TO PHYSICALLY LOCATE AND MAINTAIN TELEPHONE, CABLE, FIBER OPTICS OR OTHER COMMUNICATIONS FACILITIES ON THE POLES AND OTHER FACILITIES OF GRANTEE; PROVIDING FOR A HOLD HARMLESS CLAUSE; PROVIDING FOR A REQUIREMENT FOR INSURANCE; PROVIDING FOR A PROCESS TO IMPLEMENT A FRANCHISE FEE; PROVIDING FOR A NON COMPETE CLAUSE; PROVIDING A CLAUSE THAT PERMITS THE CITY TO GENERATE POWER FOR ITS OWN CONSUMPTION; RESERVING POWER OF EMINENT DOMAIN; PROVIDING FOR THE PAYMENT OF FRANCHISE FEES; AND SPECIFYING OTHER LIMITATIONS, TERMS AND CONDITIONS GOVERNING THE EXERCISE OF SAID FRANCHISE.”

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF KUNA, IDAHO THAT;

SECTION 1. The City of Kuna, Idaho (hereinafter called the “City”) hereby grants to IDAHO POWER COMPANY, an Idaho corporation, and to its successors and assigns (hereinafter called the “Grantee”) the right (subject to the rights of the City set forth in Section 14 hereof), privilege and franchise for a period of ten (10) years from and after November 1, 2015, however, with the right to amend by mutual agreement in accordance with Section 15, to construct, maintain and operate in and upon the present and future streets, alleys, highways and other public places within the corporate limits of the City, electric utility property and facilities for supplying electricity to the City, and the inhabitants thereof, and to persons and corporations beyond the limits of the City, including the nonexclusive right to physically locate and maintain telephone, cable, fiber optics or other communications facilities of the Grantee or other parties, (provided, that Grantee shall comply with the City’s requirements for cable system franchises) all subject to the terms and conditions hereinafter specified. In the case of annexation of property to the corporate limit, such area will be considered under this agreement, upon effective date of the annexation, subject to Section 9 hereof. All such electric utility property and facilities now maintained by the Grantee within the streets, alleys, highways and other public places within the corporate limits of the City shall be deemed covered by this ordinance as provided herein.

SECTION 2. All of the Grantee's electric property and facilities in and upon the present and future streets, alleys, highways and public places within the corporate limits of the City shall be constructed and at all times maintained in good order and condition and in accordance with standard engineering practices and all applicable safety codes and lawful governmental regulations, including all applicable state and federal regulations and all construction standards presently in effect by the Idaho Public Utilities Commission or adopted by that Commission during the term of this franchise agreement.

SECTION 3. Upon request of the City, the Grantee shall relocate its facilities as necessary within the present and future streets, alleys, highways and other public places owned by the City. The City shall have no responsibility for the costs of such relocations. The Grantee shall bear the cost of relocating its facilities at the City's request, unless the facilities are to be relocated for the benefit of a third party, in which case the third party shall pay the costs of relocation. In the event federal, state or other funds are available in whole or in part for utility relocating purposes, the City shall apply for such funds and the Grantee will be reimbursed to the extent any such funds are actually obtained.

SECTION 4. It shall be lawful for the Grantee to make all needful or convenient excavations and/or installations in any of the present and future streets, alleys, highways and other public places within the corporate limits of the City for the purpose of erecting and maintaining the posts, poles, towers, or other supports for its wires or for the purpose of laying, maintaining and operating conduits, vaults and wires and other conductors underground for the purpose aforesaid, or to repair and improve such electric power and light system and to extend the same; provided that when the Grantee or any person or corporation under the authority of this franchise, shall disturb any of said streets, alleys, highways or other public places for the purposes aforesaid, he, it or they shall restore the same to good order and condition as soon as practicable and without unnecessary delay and failing to do so after five (5) days notice from the City, or its duly authorized officer or officers, then the City may place said street, alley, highway or public place in such condition at the cost and expense of the Grantee, and said Grantee will forthwith pay the full cost and expense thereof upon demand of the City. All facilities constructed under this ordinance shall be placed and maintained at such places and positions in or upon such public ways and public places and shall not interfere with the passage of traffic and shall conform to all applicable laws, rules and regulations, including the regulations of the Ada County Highway District, or any successor highway district, as amended.

SECTION 5. The City shall have the right and privilege to string and maintain wires for its internal communications for its fire, police, airport and all other municipal services, including Internet, upon the poles and other facilities erected and maintained by the Grantee hereunder, subject to the Rules and Regulations of the Idaho Public Utilities Commission. The City shall string, maintain and operate such wires at its own expense, risk and responsibility, and in accordance with all legal requirements and good engineering practices and in such manner as not to impose any additional expense upon Grantee of its said poles and facilities. Any such wires of the City shall be subject to interference by the Grantee only when necessary in the maintenance, operation or repair of the Grantee's own fixtures, wires, facilities and appurtenances.

SECTION 6. The Grantee shall at all times indemnify and hold the City, its officers, employees and agents, harmless from any and all expenses or liability arising from, and against or by reason of any negligent act or omission of the Grantee, its representatives or employees, in the construction, operation or maintenance of any of the Grantee's electric utility property or facilities.

SECTION 7. Upon acceptance of this franchise by Grantee and before Grantee shall have any rights hereunder, Grantee shall file with the City Clerk a Certificate of Insurance evidencing General Liability Insurance which covers claims for Bodily Injury, Property Damage and Personal Injury. Such insurance shall have minimum limits of \$1,000,000 per occurrence. The City of Kuna shall be named as an "Additional Named Insured" under Grantee's insurance policy. Should the minimum limits of insurance as set forth herein be increased above \$1,000,000, pursuant to the Idaho Tort Claims Act (Idaho Code Section 6-901 et. seq.) or any similar legislation, the Grantee shall be required to provide the City with a new Certificate of Insurance evidencing the higher limits upon the City's request.

SECTION 8. The electric service to be furnished to the public hereunder, and all rates and charges therefore, and all regulation of the Grantee hereunder, shall at all times be subject to all rules, regulations and orders that may be lawfully prescribed by the Idaho Public Utilities Commission or by any other governmental authority now or hereafter having jurisdiction over such matters. During the term of this franchise, Grantee shall at all times assure that customers within the City have access to customer service from the Grantee as required by the Idaho Public Utilities Commission.

SECTION 9. At the time of adoption of this agreement, the City will not be assessing a franchise fee. If, at a later date, the City elects to implement a franchise fee of one percent (1%) by formal adoption of city resolution, then Grantee agrees to pay to the City on or before the 30th day of January, April, July and October, an amount equivalent to the agreed to franchise fee percentage of Grantee's "gross revenues" for the preceding calendar quarter. For purposes of this Section, "gross revenues" shall mean the amount of money billed by the Grantee for the electricity it sells within the corporate limits of the City to customers, less un-collectibles. The City shall provide appropriate information to the Grantee to allow the Grantee to identify which of its customers are located within the corporate limits of the City for purposes of paying franchise fees. Grantee shall not be responsible for any failure to pay franchise fees that results from deficiencies in such information provided by the City. In the event the City annexes a new area into its corporate limits, the terms of this Section 9 regarding franchise fees shall not apply to the annexed area until sixty (60) days after the City has supplied the Grantee with appropriate information for the identification of the Grantee's customers within the annexed area.

If the City elects to implement a franchise fee of one percent (1%) in the future as provided in the preceding paragraph, the Grantee's franchise fee payment obligations hereunder shall commence with the start of the Grantee's second full billing cycle following the effective date of the City's franchise fee resolution; provided, that the Grantee must first receive approval

from the Idaho Public Utilities Commission for the collection of the franchise fee in the rates charged by Grantee.

SECTION 10. If the City desires to establish a franchise fee greater than one percent (1%), but not more than three percent (3%), this franchise agreement may be amended by obtaining the consent of the Grantee or the approval of a majority of voters of the City voting on the question at an election held in accordance with chapter 4, title 50, Idaho Code. Any such vote to increase the franchise fee hereunder shall provide that the increased franchise fee will apply to any electric service provider (other than the City) who utilizes the City's streets, alleys or other public places to provide electrical service within the City, during the term of this franchise agreement.

SECTION 11. The Grantee shall keep accurate books of account for the collection of the franchise fees for a period not to exceed three years hereunder and the City shall have the right to inspect the same at all times during business hours, and from time to time audit the same for the purpose of determining gross revenues under Section 9 above.

SECTION 12. The franchise fees paid by the Grantee hereunder will be in lieu of and as payment for any tax or fee imposed by the City on the Grantee by virtue of its status as a public utility including, but not limited to, taxes, fees or charges related to easements, franchises, rights-of-way, utility lines and equipment installation, maintenance and removal during the term of this franchise Agreement.

SECTION 13. The Grantee shall have the right and privilege, insofar as the City is able to grant the same, in accordance with National Arborist Association standards, of the pruning of all trees which overhang the present and future streets, alleys, highways and other public places within the corporate limits of the City, in such a manner and to such extent as will prevent the branches or limbs or other parts of such trees from touching or interfering with its wires, poles and other fixtures and equipment. However, except in an emergency, no pruning shall be undertaken without giving the occupant of the adjacent property written or oral notice that such pruning will be performed.

SECTION 14. In consideration of Grantee's undertaking hereunder as evidenced by its acceptance hereof, the City agrees not to engage in the business of providing electric service during the life of this franchise or any extension thereof in competition with the Grantee, its successors and assigns; but nothing herein contained shall be construed or deemed to prevent the City from exercising at any time any power of eminent domain granted to it under the laws of the State of Idaho. The City shall not grant a franchise to another electric service provider during the term of this franchise Agreement unless the electric service provider has received approval to provide electrical service within the City from the Idaho Public Utilities Commission, and the City has imposed the same franchise fee on the electric service provider as paid by the Grantee.

Notwithstanding the preceding paragraph, this Agreement will not restrict the City from developing an electrical generation facility or facilities, by itself or with others, which: (1)

provides power exclusively to the City, for the City's internal use only, and not for resale to its residents or other Idaho Power retail customers, provided that this shall not prohibit the City from entering into an agreement with an electrical generation facility so long as the power is sold to Idaho Power; and/or (2) is a Qualifying Facility under the Public Utility Regulatory Policies Act of 1978.

SECTION 15. In the event of an amendment to the laws, rules or regulations of the City of Kuna, the State of Idaho or the Public Utilities Commission of Idaho applicable to this franchise, or for periodic review of any section of this Agreement, the terms of this franchise and the rights and privileges hereby conferred may be changed, altered, amended or modified upon mutual agreement between the City and the Grantee. In all cases, sixty (60) days notice shall be required on the part of City or Grantee to reopen the Agreement pursuant to this section.

SECTION 16. Any violation by the Grantee of the provisions of this ordinance, franchise and grant or any material portions thereof or the failure promptly to perform any of the provisions thereof shall be cause for the forfeiture of this franchise and grant and all rights hereunder by the City after sixty (60) days' written notice to the Grantee and the continuance of such violation, failure or default; however, this provision shall not prevent the Grantee from submitting such question of violation or forfeiture to the appropriate forum (which may include the district court having jurisdiction or the Idaho Public Utilities Commission) for determination.

SECTION 17. Sale, assignment or lease of this franchise is prohibited without notification to the City.

SECTION 18. The Grantee shall assume the cost of publication of this franchise as such publication is required by law.

SECTION 19. The Grantee shall within thirty (30) days after final passage of this ordinance, file with the City Clerk its acceptance of this franchise in writing signed by its proper officers and attested by its corporate seal.

SECTION 20. The existing franchise agreement between the City and Grantee, Ordinance No. 151, dated September 7, 1965, shall terminate upon the adoption and acceptance of this ordinance.

SECTION 21. Inasmuch as the Grantee has constructed and now is maintaining and operating the electric utility property and facilities in and upon the streets, alleys, highways, and public places in the City, it is hereby adjudged and declared that this ordinance is necessary for the preservation of the public peace, health and safety, and therefore this ordinance shall take effect on September 7, 2015.

PASSED AND ADOPTED by the Council of the City of Kuna this 4th day of October, 2015.

APPROVED by the Mayor this 4th day of October, 2015.

---

W. Greg Nelson, Mayor

ATTEST:

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Chris Engels, City Clerk

(Seal)

ACCEPTANCE

IDAHO POWER COMPANY, as the franchisee, accepts the franchise set forth in the above Ordinance and agrees to abide by the terms and conditions thereof.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2015.

By: \_\_\_\_\_

Daniel B. Minor  
Executive Vice President and  
Chief Operating Officer

ATTEST:

\_\_\_\_\_

Secretary

(Seal)

(Space above reserved for recording)

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**KUNA CITY ORDINANCE NO. 2015-18**

**AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY, TO WIT: PARCEL NO. R5070501603 AND PARCEL NO. R5070501602 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.**

WHEREAS, the City of Kuna, Idaho is a municipal corporation organized and operating under the laws of the State of Idaho and is authorized to annex into and incorporate within the boundaries of the City contiguous real property in the manner provided by Section 50-222, Idaho Code; and

WHEREAS, the owner of the parcel of real property situated in the unincorporated area of Ada County and as more particularly described in Section 2 of this ordinance, has requested, in writing, annexation of said real property to the City of Kuna; and

WHEREAS, the Planning and Zoning Commission of the City, pursuant to public notice as required by law, held a public hearing on January 13, 2015, as required by Section 67-6525, Idaho Code, made findings (approved by the Commission on January 27, 2015) where it was recommended to the Mayor and Council that the annexation and zoning request be approved with a zoning classification of R-6; and

WHEREAS, the Kuna City Council, pursuant to public notice as required by law, held a public hearing on April 21, 2015, on the proposed annexation and zoning for the real property described in Section 2 below, as required by Section 67-6525, Idaho Code, made findings (approved on October 6, 2015) where it determined that the requested annexation should be granted with a zoning classification R-6; and

WHEREAS, the zoning classification of R-6 is appropriate to meet the requirements of the Kuna City Code and should be granted.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF KUNA, IDAHO, as follows:

Section 1: The Kuna City Council hereby finds and declares that the real property described below is contiguous to the City, that said property can be reasonably

assumed to be used for the orderly development of the City, and that the owner of said property has requested, in writing, annexation thereof to the City.

Section 2: The real property, all situated in Ada County, Idaho, adjacent and contiguous to the City, commonly known as Parcel No. **R5070501603** and Parcel No. **R5070501602**; and more particularly described in “Exhibit A” – Legal Description and “Exhibit B” – Location Map, attached hereto and incorporated herein by reference, is annexed to and incorporated in the incorporated territorial limits of the City of Kuna, Idaho.

Section 3: From and after the effective date of this Ordinance, all property and persons within the boundaries and territory described above shall be subject to all ordinances, resolutions, police regulations, taxation and other powers of the City of Kuna.

Section 4: The zoning land use classifications of the land described in Section 2 above is hereby established as R-6, as provided by the Zoning Ordinance of the City. The Zoning Map of the City is hereby amended to include the real property described in Section 2 above in the R-6, zoning land use classification.

Section 5: The City Clerk is hereby directed to file, within ten (10) days of passage and approval of this Ordinance, a certified copy of this Ordinance with the offices of the Auditor, Treasurer, and Assessor of Ada County, Idaho, and with the Idaho State Tax Commission, Boise, Idaho, as required by Section 50-223, Idaho Code, and to comply with the provisions of Section 63-215, Idaho Code, with regard to the preparation and filing of a map and legal description of the real property annexed by this Ordinance.

Section 6: This Ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law. In lieu of publication of the entire ordinance, a summary thereof in compliance with Section 50-901A, Idaho Code, may be published.

DATED this 03<sup>rd</sup> day of November 2015.

CITY OF KUNA  
Ada County, Idaho

\_\_\_\_\_  
W. Greg Nelson, Mayor

ATTEST:

\_\_\_\_\_  
Chris Engles, City Clerk

# EXHIBIT A

## DANIEL AND GINA SAFFORD ANNEXATION

### Annexation Legal Description

A parcel of land being Lot 12 of the Kuna Orchard Tracts as recorded in Book 6 of Plats at Page 291, Records of Ada County and as Parcels 1 and 2 on Record of Survey #2883 recorded as document 94052210, Records of Ada County, said parcel located in the Southwest Quarter of Section 26, Township 2 North, Range 1 West of the Boise Meridian, Kuna City, Ada County, Idaho being more particularly described as follows:

Commencing at the Quarter Corner common to Sections 26 and 27, Township 2 North, Range 1 West of the Boise Meridian as perpetuated by document 9324557, Records of Ada County;

Thence South 00° 00' 00" West along the line common to said Sections 26 and 27 for a distance of 667.43 feet;

Thence North 89° 56' 01" East for a distance of 25.00 feet to a set 5/8<sup>th</sup> inch rebar, the **REAL POINT OF BEGINNING**;

Thence continuing North 89° 56' 01" East for a distance of 632.89 feet to a found 5/8<sup>th</sup> inch rebar;

Thence South 00° 01' 14" East for a distance of 648.42 feet to a found 1/2 inch rebar;

Thence North 89° 58' 51" West for a distance of 633.12 feet to a found 1/2 inch rebar;

Thence North 00° 00' 00" West along the Easterly right-of-way of S. Ten Mile Road for a distance of 647.48 feet to the **REAL POINT OF BEGINNING**.

Parcel contains 9.41 acres, more or less.

