

## OFFICIALS

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



## CITY OF KUNA

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

### City Council Meeting AGENDA Tuesday, August 2, 2016

#### 6:00 P.M. REGULAR CITY COUNCIL

1. **Call to Order and Roll Call**
2. **Invocation:** Karen Hernandez, United Methodist Church
3. **Pledge of Allegiance:** Mayor Stear
4. **Consent Agenda:**

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

#### A. City Council Meeting Minutes:

1. Budget Workshop Minutes, July 18, 2016
2. Regular City Council Minutes, July 19, 2016

#### B. Accounts Payable Dated July 28, 2016 in the Amount of \$226,108.48

#### C. Alcohol Licenses:

#### D. Resolutions

1. Resolution No. R48-2016 – ACHD Transfer Agreement

**A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO  
AUTHORIZING THE MAYOR TO EXECUTE THE INTERAGENCY  
AGREEMENT FOR REAL PROPERTY TRANSFER BY AND BETWEEN  
THE CITY OF KUNA, IDAHO AND THE ADA COUNTY HIGHWAY  
DISTRICT ACCEPTING THE TRANSFER OF REAL PROPERTY**

LOCATED EAST OF SWAN FALLS ROAD AND USED BY THE CITY OF  
KUNA FOR ITS GREENBELT EXTENSION

**E. Findings of Fact and Conclusions of Law**

**5. Community Reports or Requests:**

- A.** Kuna Police Activities League ( Kuna PAL) Update – Kuna Police Chief Justin Dusseau and Kody Aldrich from Ada County Sherriff’s Office

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

- A.** Public Hearing and consideration to approve 16-04-AN (Annexation) - Trevor Kesner, Planner II

Jahil Vejar representing applicant’s Jose and Irma Garcia are requesting approval to annex an approximately 1.21 acre parcel located at 930 W. Deer Flat Road, into the City of Kuna with an ‘R-6’ (Medium Density Residential) zoning designation.

- B.** Public Hearing and consideration to approve 16-05-AN (Annexation) – Trevor Kesner, Planner II

Don Boyer representing applicant, David Austad requests approval to annex an approximately 10 acre parcel located west of Deserthawk Estates Subdivision; south of W. Sunbeam St. at the western terminus of W. Stony Desert St. into the City of Kuna with an ‘R-6’ (Medium Density Residential) zoning designation.

- C.** Public Hearing and consideration to approve Resolution No. R49-2016 J & M Sanitation Fee Schedule – Bill Jackson, Deputy Treasurer

A RESOLUTION OF THE CITY OF KUNA, IDAHO ADOPTING THE FOLLOWING FEE SCHEDULE WITH J&M SANITATION, INC.

**7. Business Items:**

- A.** Consideration to approve Resolution No. R50-2016 Awarding bid for the Fiber Optic Project – Gordon Law, City Engineer

RESOLUTION AWARDING BID FOR THE 2016 FIBER OPTIC PROJECT TO TRACK UTILITIES, LLC IN THE AMOUNT OF \$60,234.29; DIRECTING EXPENDITURE OF FUNDS FROM THE SEWER, WATER AND IRRIGATION FUNDS FOR SAID PROJECT; AND AUTHORIZING THE MAYOR, CITY CLERK AND CITY ENGINEER TO EXECUTE CONTRACT DOCUMENTS WITH SAID BIDDERS.

- B.** Consideration to approve Resolution No. R51-2016 Approving Agreement with T-O Engineers for Preparation of Sewer Master Plan – Gordon Law, City Engineer

RESOLUTION AWARDING CONTRACT FOR CONSULTING SERVICES TO T-O ENGINEERS IN THE AMOUNT OF \$159,300.00 FOR PREPARATION OF AN AMENDED SEWER MASTER PLAN; DIRECTING EXPENDITURE OF FUNDS FROM THE SEWER FUND FOR SAID WORK; AND AUTHORIZING THE MAYOR, CITY CLERK AND CITY ENGINEER TO EXECUTE CONTRACT DOCUMENTS WITH SAID CONSULTANT.

C. New City Hall Update (*No Action Required*) – Bob Bachman, Facilities Director

**8. Ordinances:**

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

**10. Announcements:**

**11. Executive Session:**

A. Adjourn to Executive Session pursuant to I.C. Section 74-206(a) Personnel

**12. Adjournment:**

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**CITY OF KUNA**

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

**Budget Workshop  
 MINUTES  
 Monday, July 18, 2016**

**6:30 P.M. BUDGET WORKSHOP****1. Call to Order and Roll Call**

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

**CITY STAFF PRESENT:**

Chris Engels, City Clerk  
 John Marsh, City Treasurer  
 Bob Bachman, Fleet/Facilities Director  
 Bobby Withrow, Parks Director

**2. Fund Discussions**

City Treasurer John Marsh introduced the workshop for Fiscal Year 2017. The General Fund is the focus of the workshop but a decision is not requested. The goal is to have some discussion and get some direction for the next meeting on Monday, July 25, 2016 at 6:30 pm.

Council Member Buban-Vonder Haar indicated she would be absent that week.

Mr. Marsh said he would check with all the council members. There is an alternative August date.

He explained that, for the General Fund, all the numbers have been put in for everything that was proposed. It was laid out with a summary of revenues, a summary of expenditures, and a summary of the summaries. The summary of the summaries contains were the City stands today with everything in it and is titled *The Primary Budget Items for Discussion - General Fund*. The most important piece in this summary is the Revenue Projection for Fiscal Year 2017 at \$3.9 million. The Expenditure Projection for Fiscal Year 2017, which contains all of the numbers that have been presented, is \$4.4

million. There is a deficit of \$431,882.00 so all the items listed, which in general are the larger items that have been added, must be discussed.

He asked council if they wanted to go line by line or take questions.

Council President Jones preferred to go through it by group.

Mr. Marsh started with Labor.

Labor:

*(Timestamp 00:03:42)*

The total amount reflected in the general fund is \$146,095.00.

Cost of living is included. The Consumer Price Index in the western region of all urban consumers is referenced to arrive at a general level of prices in the market place. Last year was 1%, this year it is 1.5%. There are requests for promotions, which are not necessarily for permission, but are there to make Council aware of what is in the budget. There is an item for dental and vision. He explained that is there because 50% dependent premium coverage for healthcare was put in place in February of 2016 but dental and vision for dependents had not been addressed. Currently, it is allowed for appointed employees but not non-appointed employees. The budget item attempts to address that issue.

Council President Jones clarified that the dental and vision insurance is an added benefit for the employees and not something that is typically received.

Mr. Marsh explained that the number is based on those that are already enrolled and paying for dental and vision and those that are enrolled with dependents in health insurance. It is not an exact number but it is close.

Council Member Cardoza asked if a vehicle was provided last year for the Building Inspector.

Mr. Marsh said a vehicle was provided to Bob Bachman for Fleet and Maintenance and the Building Inspector has a vehicle that is strictly for building inspections. He said Mr. Bachman could go into more detail, but the vehicle for the Building Inspector is having some issues.

Mayor Stear explained it was discussed but not approved last year.

Council President Jones asked if promotions are following the guidelines.

Mr. Marsh explained that there is a step in grade policy that was approved two (2) years ago. Next level positions were created with a list of what is required for an employee to

get to that level. Generally speaking, the answer to Council President Jones' question is yes.

Council President Jones said almost every promotion listed requires 2,000 hours.

Mayor Stear added that there is one (1) exception. When hiring for the Deputy Clerk position, no one was hired as the Deputy Clerk. Two (2) Customer Service Representatives were hired in order to see how the positions would work out. The goal is to promote the better qualified employee after a year of service.

Council President Jones clarified that the promotion would not go in to affect in October of 2016; it would go into effect one (1) year after the hire date instead.

Council Member Buban-Vonder Haar said 2,000 hours is one (1) year.

Mayor Stear said Council President Jones was correct about the effective date.

Council President Jones asked if the Engineer position was being announced yet.

Mayor Stear explained that the City Engineer is near retirement age and has a lot of knowledge. He would like a minimum of six (6) months of cross training. That is why it is coming up now. There is no retirement date scheduled but it is coming.

Council President Jones asked if the amount budgeted was for a year of training or six (6) months.

Mr. Marsh said it is for a full year.

Mayor Stear said a reduction based on a retirement was not budgeted because they do not have a retirement date yet.

Council President Jones said he understands that but the number is huge. He says he will defer to the Mayor on this issue.

Mayor Stear said it is tough because it is not an easy position to fill. Whoever takes over will need to pick up on everything the current Engineer knows and learn all of Kuna's systems and areas. This will cost some money for a little while but he doesn't really see any way around it.

Mr. Marsh shared an item that was not put into the budget. There is going to be a projected health insurance increase. At one (1) point in time Idaho projected a 20% to 27% increase. Mr. Marsh has a fairly reasonable estimate of an approximate 11% increase that has been factored in to the premiums. There is also a 1% increase projected for dental and vision. These are just projections though. It is very difficult to get an assumption this early since renewal is in February. He added that PERCI, at their year-end on June 30, 2016, was nearing a threshold for the value of the market shares for

their investments. They are required to maintain a certain level for unfunded pension liability. If they dropped below that threshold by June 30, 2016, they were going to discuss putting a rate increase into effect. The outcome is unknown at this point but the increase is built into the numbers.

Mr. Marsh moved on the next group, Automobiles.

Automobiles:

*(Timestamp 00:12:16)*

Mr. Marsh explained that there are a couple items totaling \$36,550.00. He asked if there were any questions.

Council President Jones asked if the lift was a hoist.

Facilities Director Bob Bachman confirmed that was correct.

Council President Jones asked why Sewer and Water only pay 15% of the hoist when half the vehicles in the fleet belong to them.

Mr. Marsh explained the allocations were established when Mr. Bachman came on as Facilities Director. The allocations were based on parks, building inspections, street lights, and things of that nature. What they found was that they were a little heavier on the General Funds side. What they used in this allocation was the same payroll allocation, aside from charging to street lights, where generally the General Fund absorbs that piece. He said this can be reevaluated from a vehicle stand point. Mr. Bachman could attest as to whether the value should be higher for the enterprise funds. There is usually a little kick back when these things are changed though.

Council President Jones asked to have it looked at again. He felt it would be better to split the cost so the General Fund would have money to put towards something else.

Mr. Marsh said they would look at it.

Council President Jones asked Facilities director Bob Bachman if he had a truck or an SUV.

Mr. Bachman said he has a truck.

Council President Jones asked how many years Mr. Bachman expects to be able to use the new truck.

Mr. Bachman answered a minimum of ten (10) years. Some of the vehicles in the fleet right now are going on twelve (12) to over twenty (20) years.

Council President Jones asked Mayor Stear if the Building Inspector is or would be driving his vehicle home every day.

Mayor Stear confirmed that the Building Inspector did drive the vehicle home. He works on the same schedule as the builders so a lot of times he goes to job sites in the evenings to do inspections. He also comes in really early in the morning and it is easier to go straight to a job site than to pick up a vehicle from the facility. Not letting him drive it home would not really save the City anything.

Council President Jones said, based on his calculations, it would be about 50,000 miles over the span of ten (10) years being put on that vehicle that would not normally be on it. It would also be about \$7,500 in fuel. That is a lot of money that no other employee gets and he is concerned that the tax payers shouldn't be paying for gas money for the inspector to get to and from work.

Council Member Buban-Vonder Haar asked if a mileage calculation had ever been done, such as reimbursing for mileage at the designated rate.

Mr. Marsh said it used to be that way. It ended up being cheaper to bring in the vehicle he is using now. They have not done any further analysis.

Mayor Stear asked if Mr. Bachman wanted to add anything to Mr. Marsh's statement.

Mr. Bachman shared with the Council what it was like filling in for the Building Inspector the previous week. He was doing inspections until 8:00 pm to provide a service for the builders. The City has one (1) Building Inspector when there should really be two (2) or more, so in order to do all of their duties and provide the service is very taxing for one (1) person. He feels it is a lot better service-wise to let the Inspector leave straight from home to a job site but leaves it to the Council to decide. He added that it is not an 8 - 5 job and that is his biggest concern.

Council President Jones understands but is concerned about the fairness. He asked if the Inspector was an hourly position.

Mr. Bachman said yes.

Council President Jones asked where he punches in at and how his hours are tracked.

Mr. Bachman said the Inspector punches in when he gets to the job site and punches out when he finishes his last inspection.

Mayor Stear said the hours can be tracked by inspections and the time it takes to complete an inspection. The Inspector is more than fair with the City.

Council President Jones explained that he was just concerned about the extra benefit the Inspector, and no other employee, gets by taking the car home.

Mr. Bachman clarified that the Inspector does not use the vehicle for any personal use.

Council President Jones said he understands that, but there is still the issue of the mileage being put on the car that would not be if it was left at City Hall.

Mayor Stear said Council President Jones' concerns were understandable.

Council Member Cardoza asked about the cost of the vehicle coming out of General Funds but being allocated by fees for building permits.

Mr. Marsh explained it is wholly in the General Fund. There is an activity set apart for building inspections and the only thing in that is expenditure so the cost center can be tracked. The funds related to going out and doing a building inspection all end up in the Planning and Zoning activity and those all end up in the General Fund. The activity is just being tracked.

Council Member Cardoza said the cost of the vehicle should be subsidized by building permits.

Mr. Marsh said it is. The dollars are not tracked directly to expenditures. Instead, all the fees collected go into the General Fund and then the expenditures come out of that. There could be a year where ten (10) permits are done and those costs are then handled by other sources of revenue within the General Fund or vice versa if the permits are bringing in more revenue than they are costing. He said the revenue could be identified directly with expenditures, but he would not recommend it.

Council Member Cardoza asked if it would really clarify that line item.

Mr. Marsh said it would and the City can go that route if that is what is desired.

Council Member Cardoza asked if the computer system would allow that.

Mr. Marsh said it will but it will take some reconfiguring in the general ledger. It would be a pretty good effort. He does not think it could be done for this budget cycle but it could be worked on for future budgets if that is Councils direction.

Council Member Cardoza said he was asking because the revenue generated by building permits operates the entire Planning and Zoning department.

Mr. Marsh said silos could be created for building activities for revenue that is generated by building inspections versus revenue that is generated by Planning and Zoning application and permit fees. A smaller amount would be in Planning and Zoning and a larger amount in building permits but there is a larger cost structure in Planning and Zoning to push it out. It gets very complicated because one (1) would have to be allocated to the other because one (1) does not function without the other. It can be done though.

Council Member Cardoza addressed the Mayor saying that he thought that might be a good way to go for the Building Inspector position in order to maintain a true profit/loss.

He feels the Building Inspector position is the only position that the time element cannot be accounted for. He asked Mr. Bachman if every stop and inspection done was tracked or on an itinerary.

Mr. Bachman said yes. At the end of everyday Planning and Zoning sends him and the Building Inspector the next day's work. The only thing that does not track is courtesy stops, phone calls, and impromptu requests. An effort is made to log that as they go. He does think they are getting some software to help with that.

Council Member Cardoza asked if re-inspections are accounted for on those logs.

Mr. Bachman said that is one (1) thing that is hard to account for. The only system they have for that right now is to keep track of it on a spread sheet which is somewhat outdated.

There were no further questions.

Equipment:

(Timestamp 00:26:32)

Mr. Marsh explained the total for equipment, \$143,879.00, and the variety of things listed; much of it is the parks department. Office equipment for the move to the new City Hall is also listed.

Council President Jones asked about the office equipment.

Mr. Bachman, Facilities Director, said that wasn't his line item but there should be a standard for what the office equipment will be like moving forward. He intends to talk to the Mayor and the other Directors about it. He thinks the line item is for the Planning and Zoning area of the new City Hall.

Council President Jones asked why this amount was not included in the original assessment.

Mr. Marsh explained that the exact number of cubicles needed has not been determined. How it will all fit together and go in place is still in question. The number listed is just a rough estimate of what may be needed for Planning and zoning, the clerk's staff, treasurer staff, and the possible fleet and parks administrative position.

Council President Jones asked if this includes desks, chairs, partitions, and cubicles.

Mr. Marsh explained that the number was determined by using an office modular model. The City does not have the luxury of shopping around at the moment so the budget was done based on worst case scenario. The number could come down considerably depending on what furniture the City already owns will fit in the spaces at the new location.

Council President Jones said he is disappointed that this was not thought about when the price estimate was done for the new City Hall.

Mr. Marsh said most of what would be purchased is for getting the building to its intended use; not necessarily moveable items. He reiterated that the number could go down.

Council President Jones asked about the Verizon Fleet Monitoring Service.

Mr. Bachman explained that this item was requested last year but not approved. It is maintenance software for each vehicle. It would be hardwired into the vehicle. It alerts him when an oil change is due, when an OBD2 code comes up, and when service is needed for each individual truck. It can also track the speed the vehicle is being driven at any given time, wear and tear on a vehicle, fuel mileage, and how many miles a day it is driven.

Council President Jones asked if it records through OBD2.

Mr. Bachman said yes or it can be hardwired in. The option that is budgeted for is hardwiring it in; that way the OBD2 doesn't get unplugged.

Council President Jones asked if it had GPS.

Mr. Bachman said yes.

Council Member Cardoza asked how old the City's Bobcat is.

Parks Director Bobby Withrow said he remembers it as being a 2010. The Bobcat listed is a utility vehicle/tractor. A lot of the things Parks does right now require a PTO driven tractor in the back. The one currently owned by the City is shared between Parks and Sewer and it is becoming too small for the things Mr. Withrow needs it for.

Council Member Cardoza clarified that the new Bobcat would be more of a UTV.

Mr. Withrow said yes. It would be bigger than the orange Kubotas and is actually the size of a small Ranger truck.

Council Member Cardoza asked if it was not truly a Bobcat with a bucket and other features.

Mr. Withrow said it would have a smaller bucket in the front and used for miscellaneous stuff but the Bobcat would be more of a tractor.

Council Member Cardoza asked what the ETO is used for.

Mr. Withrow said it is used to spread fertilizer and grass seed. He added that there are also attachments for the three (3) point rerun.

Council President Jones asked if everything Mr. Withrow has on the budget is for Parks only.

Mr. Withrow said yes.

There were no further questions.

Capital Improvements:

*(Timestamp 00:34:11)*

Mr. Marsh amended the section due to a duplication of items. The Acquisition of Messmer Property for Greenbelt East Access & Facility was also listed in another section so he will remove that item from the Capital Improvements section bringing the General Fund total below \$300,000.00.

Council President Jones asked if the duplication was also in the totals at the top of the report.

Mr. Marsh said no.

Council Member Cardoza asked about the greenbelt lighting project. He remembered allocating \$5,000.00 for the project and wanted to know about the price for \$2,500.00.

Bob Bachman, Facilities Director, explained last year's funds were for phase one (1) which was to get the power from the transformer to a Myers cabinet in order to distribute power from that point. That should be completed August of 2016.

Council Member Cardoza asked where it would be located.

Mr. Bachman said the transformer is down on the Greenbelt, south of the ball fields.

Council Member Cardoza asked if this would put lighting going both east and west all the way down to Indian Creek and to Orchard.

Mr. Bachman said this would complete the first phase of that. This will go from Swan Falls to Bridge and create the ability to go from Bridge to School and Swan Falls to Orchard.

Council Member Cardoza clarified that the project was shaping up to be about \$75,000.00 total.

Council President Jones said the current ordinance prohibits people being in the park after hours. He does not see the need to light it when no one should be there in the dark.

Mayor Stear responded that Mayor Nelson had started this when looking at the crime rates and noting the City of Caldwell's lower crime rate due to lighting their Greenbelt. He said keeping the Greenbelt open longer will have to be revisited.

Mr. Bachman added that the lights would include waypoints; meaning if someone were to get hurt on the Greenbelt they could call emergency services and say what light number they are at. Emergency services would have a map of where all the lights are at.

Council President Jones asked about the parking lot overhaul.

Parks Director Bobby Withrow explained that the parking lot for Nicholson Park is just gravel at the moment. The plan is to have it paved, lined, and with sidewalk and gutter all the way around it.

Council President Jones said he is not against that but just wants to put out there that, considering the Downtown Revitalization project, he would rather see the parking lot in Downtown get fixed first, even though it is considerably more money. He never hears complaints about Nicholson Park's parking lot, but he does hear about the Downtown parking lot.

Mayor Stear said some of the area by the BMX track, directly across the bridge and down by the skate board park is being considered for a possible parking lot. A road mill and chopped up asphalt is what is being looked at make that project happen. It would provide more parking for Downtown. His only concern with doing the parking lot by the ball fields is that it is used for Kuna Clean-Up Days. Changing it would take away a multipurpose space.

Council President Jones said he would like it looked into since the rest of Downtown is being fixed up.

Mr. Withrow asked if Council President Jones would like him to find out the costs of doing that and bring it to the next meeting.

Council President Jones said yes. He remembers Rideshare coming in about two (2) years ago and giving an estimate of about \$200,000.00 but he has no idea what it would be now.

Mayor Stear added that the City would have had to follow Rideshare's guidelines with all kinds of center islands and lights. The City doesn't have to follow those guidelines now and it can certainly be looked into.

Council President Jones asked about the sidewalk connectivity project.

Mayor Stear explained that generally new development puts curb/gutter/sidewalk in, but some of the connecting areas will not be completing curb/gutter/sidewalk for some time.

The plan is to map out where people go and then try to find those little gaps and start filling them in so there is more pedestrian connectivity around the city. One of the biggest problems Kuna pedestrians face is being able to get from point A to point B. There is no specific area at this point. It's kind of like the lighting project; just starting to do what can be done; determine areas that need it the worst and go from there.

Council President Jones asked if Sidewalk Connectivity Project was for determining those areas or actually putting the sidewalks in.

Mayor Stear said City Staff would locate the gaps and map it. The \$10,000.00 budgeted is for actually putting in the sidewalks, with Ada County Highway District's (ACHD) permission, and then a study for something else.

Council Member Cardoza asked why ACHD wouldn't take care of the sidewalk since the sidewalks are their property.

Mayor Stear said the City has been struggling with that for years. ACHD doesn't generally do just sidewalks. The sidewalks would need to be tied to other projects and new development. They did, however, put sidewalks along the ball fields and down 2<sup>nd</sup> Street though.

Council Member Cardoza said ACHD did a good job with that.

Mayor Stear said he would continue to see what can be done. ACHD is doing some sidewalks around Kuna as part of their project list. He believes that if ACHD sees the City investing they will see how serious the City is about getting it done.

Council Member Cardoza commented on how much better things have gotten with ACHD based on the project they did along 2<sup>nd</sup> Street.

Mayor Stear said staff has been working very hard to build relationships with other entities and they worked very hard at getting that project to come to fruition. Wendy Howell, Planning and Zoning Director, and Gordon Law, City Engineer, spent a lot of time talking with ACHD and Mr. Bachman and Mr. Withrow worked really well with ACHD. ACHD is more apt to help Kuna than they used to be.

Council President Jones asked Mr. Withrow about the dog park. He said each time it is talked about there is a different number.

Mr. Withrow explained that the \$57,000.00 covers two (2) fences for separate areas for big dogs and little dogs, a covered area on each side, and a water feature. The fence is approximately \$44,000.00. The goal is to get as much as possible with the rest.

Council President Jones asked if Sadie Creek had been decided on as the location.

Mr. Withrow said Sadie Creek is his recommendation.

Council President Jones asked about the water feature and its correlation with the pond.

Mr. Withrow said the water feature would be smaller and in the fenced area. It would not be for swimming; just for running and playing in. If owners want to take the dogs swimming they will have access to the pond as well.

Council Member Cardoza suggested the old bmx track area for the dog park.

Mr. Withrow explained people feel that area as a dog park would take away from the beautification of the town.

Council Member Cardoza asked Mr. Marsh how much money is in the Restroom Sinking Fund at the moment.

Mr. Marsh said \$50,000.00 and the \$25,000.00 on the proposed budget would make it \$75,000.00.

Council President Jones asked if the location for that had been decided since that amount only covers one (1) sinking restroom.

Mr. Withrow said it has not been decided yet.

Mr. Marsh said the money will be budgeted into the Capital Improvements so that when it is decided the money will be there.

Council Member Cardoza asked about accumulating interest on investments in the General Fund on a yearly basis. He wanted to know if the interest would be attached to a particular line item or project.

Mr. Marsh said interest is not attached to a particular project or line item. It is attached to individual funds.

Council Member Cardoza asked if the Restroom Sinking Fund should be accumulating interest.

Mr. Marsh said yes, but it is less than half a percent of interest.

There were no further questions

Projects:

*(Timestamp 00:50:58)*

Mr. Marsh explained this section is the one that rightly contains the \$180,000.00 Messmer Property Acquisition. The total for the section is \$323,578.00.

Mayor Stear explained the property acquisition request. He has had discussions with the property owner and he wants to sell that property sooner rather than later. The property

is one (1) of two (2) that he wants to sell and he wants to sell one (1) this year and one (1) next year. The property is right at the end of the Greenbelt where it runs into Orchard St. which makes it a road block for developing the Greenbelt. Mayor Stear is concerned about someone else buying the property and not selling it for years. He is looking into other options but is not sure how they will pan out. This is the only option he is fairly certain would work to secure the Greenbelt route which is why it is on the budget for this year. He added that the property has not been appraised so he does not know the value of the property, but he did let the owner know that the City could not pay more than it appraises for.

Council Member Cardoza asked if the City is budgeting \$360,000.00 for the property.

Mayor Stear said no, just \$180,000.00.

Council President Jones asked if the property has been looked at to determine if the part needed for the Greenbelt could be used and the rest sold off, especially the house.

Mayor Stear said he thinks the Parks Director and the Facilities Director have looked at it. The problem right now is that if someone were to give right of way to the Greenbelt, the City would have to cut into their deck.

Bobby Withrow, Parks Director, explained the portion needed would go ten (10) feet off the side of the house. The building could be turned into an event center for events like weddings.

Council President Jones asked about bringing the building up to code.

Bob Bachman, Facilities Director said the biggest thing that would need to be done would be bringing it up to ADA standards. It would not be very difficult since there are no high steps or anything like that. As for parking, there are four (4) or five (5) spots down there and the rest of the property could be opened up for parking.

Council President Jones asked if the fence has been moved out farther.

Mr. Bachman said the owner had it surveyed and put the fence in during the Greenbelt project in order to create a clear separation.

Mayor Stear said there may be other options. This is very preliminary and is only on the budget because of time sensitivity. He and Mr. Marsh will work with the tax accountant to see if there is a way to get a tax credit or some other way to bring the price down, but for now, without an appraisal, \$180,000 is where it is at.

Council Member Cardoza asked about building a bridge in order to use a corner of an island south of Messmer's as part of the Greenbelt.

Mr. Bachman explained it was talked about but the cost was too high due to the requirements for putting a bridge across the water.

Council President Jones asked Mr. Bachman how long it would take to recoup the \$12,000.00 loss for the Senior Center lighting and oven upgrade.

Mr. Bachman said he thinks it is three and half (3 ½) years.

Council President Jones asked if that was reflected in the itemized.

Mr. Marsh said the utility numbers are based on the current trends.

Council President Jones asked if Mr. Bachman is confident with \$5,000.00 on the fence for the Senior Center.

Mr. Bachman said the \$5,000.00 is high.

Council President Jones asked how much it cost to do the park.

Mr. Bachman said it was about \$13,000.00. He added that ACHD told him that they had just bid a wrought iron fence for another project at \$70.00 per foot. The fence for the park was done at \$15.00 per foot.

Council President Jones asked if Mr. Bachman was planning on duplicating the plan for the park.

Mr. Bachman said yes.

Council Member Buban-Vonder Haar asked if the fence was urgent.

Mr. Bachman said it was considered last year and a grant was attempted. The point of the fence is to give a little separation for the Senior Center and the Skate Park. Last year there were some issues with kids wandering in the yard and someone setting off fireworks.

Council Member Buban-Vonder Haar asked if anyone uses the outside for events or if the grassy area was just maintained for looks.

Mr. Bachman said the grassy area is sometimes used by rentals and seniors when the weather is nice but generally it is just maintained for looks.

Council President Jones asked about Downtown Revitalization and Grant Matching. He wanted more specific information.

Chris Engels, City Clerk, said \$15,000.00 of the \$40,000.00 came over from Parks and Fleet and Facilities as their request. The scheduled matches for this upcoming year are the IDPR Greenbelt Trail Head, IDPR Greenbelt behind Indian Creek School, the SHRAB grant which is to convert the City's historical documents onto archival paper and proper storage, and the PetSafe Bark Park Grant is pending for \$25,000.00. There is

an additional one coming up in the next few months and there is a Play Everywhere Grant to create interactive art pieces for Downtown. The City will also be reapplying for the TAP Grant for phase two (2) of Downtown. There is a 7.34% match on all those federal funds. Also, for the fencing around the Senior Center, the City will be applying for ICF Grant Funds. Those are just the ones that are scheduled. There are others coming up the City may apply for.

Council President Jones clarified that this line item is strictly for grant matching and is not attached to a certain project.

Ms. Engels confirmed Council President Jones' statement.

Council President Jones asked if the Comp Plan was just the first half.

Mayor Stear said yes.

Council President Jones asked if there was any need to do that sooner.

Mayor Stear said it needs to be done fairly quickly but there are a lot of things that are not in it and a lot of inconsistency. The hope is to have the impact area boundaries approved by the County by the end of the year. Then things can go forward with the Comprehensive Plan. If the City gets public input there will be a lot less push back when projects are brought to Planning and Zoning and the Council. He gave the example of how things played out with Memory Ranch. The Comp Plan was not tight enough when it was brought before Council so there was not a lot of discretion on making a decision and the public was unable to give input. He feels that, for the growth of the community and the City's overall plan, the Comp Plan is crucial.

Council President Jones asked if there was something that could be done this year.

Mayor Stear said he was not sure but it might be possible with the whole amount.

Council Member Buban-Vonder Haar asked if the entire plan had to be redone at the same time or if it could be done in sections.

Mayor Stear said he would have to talk with Wendy Powell, Planning and Zoning Director, because she has some experience in that area and possibly talk with Gordon Law, City Engineer.

Council Member Buban-Vonder Haar said she remember Ms. Powell going over different sections with Council and reviewing and making changes with her. Council Member Buban-Vonder Haar said she assumes those changes were made which makes her think the plan could be redone in sections.

Mayor Stear said he does not think the things that are already good would have to be rebuilt. The original estimate was much higher so this number incorporates not changing things that don't need to be changed.

Council Member Buban-Vonder Haar asked about targeting sections that specifically deal with development issues that have been discussed. She wanted to know if those areas could be put first and if that would help.

Mayor Stear said the City would have to work with a consultant to see what can and can't be done, but he will look into it.

Council Member Buban-Vonder Haar said if it can't be done that way it may make sense to pay for the whole thing sooner rather than later.

Council President Jones said he feels it is a priority and there are some things that could be put on hold in order to complete the Comp Plan.

Council Member Cardoza asked why the Comprehensive Plan is not allocated to the Water and Sewer Funds as well. They benefit from the Comp Plan.

Mr. Marsh said there is an argument for that. The prior Comp Plan came out of the General Fund entirely and that is the way it generally goes, but it can be put on the enterprise funds. An allocation would have to be determined.

Council Member Cardoza said he would be interested in looking at that, if the rest of the Council agrees. He would like a ruling by City Attorney Richards Roats to determine if the line of separation is being crossed in regards to benefits of the Comp Plan to those three (3) divisions. However, if it was allocated to the other funds it would free up a lot of money in the General Fund.

Council President Jones added that it could also provide the money to complete the plan.

Council Member Cardoza said in order to get it done in approximately one (1) year the other 50% of the plan could be allocated equally among the other funds.

Mayor Stear said it could be looked in to.

Mr. Marsh said a reasonable allocation could be assessed.

Council Member Cardoza felt that was fair.

There were no other questions.

Property Tax Levy:  
(Timestamp 01:09:19)

Mr. Marsh explained that there are two (2) items included in this number, New Construction Value at prior year levy rate and the Annexation Value at the prior year levy rate. The New Construction Value is \$93,923.00 and the Annexation Value is \$1,677.00. Two (2) items not in this number for revenue are the Property Tax Increase

which is maximized at 3% and the Foregone Property Tax Increase. The two together total \$111,252.00. What that means for property taxes, on a two (2) level basis, if the entire amount was levied, without adjusting any property values for inflation, there would still be a tax decrease in the City of Kuna. However, if that adjust \$100,000.00 for inflation, which is called the real value, there is about a \$30 average tax increase per year in Kuna. That number could be high but it is hedged in there for high level. Basically it could be anywhere from a decrease to a \$30 to \$32 increase.

Mr. Marsh reiterated that the Tax Increase and the Foregone Tax Increase are not included in the revenue number at the top of the report.

Council President Jones asked if projection of a \$100,000.00 tax increase was without the 3% increase.

Mr. Marsh said it is without the 3% increase and without the Foregone Tax Increase.

Council President Jones asked if property tax assessments have been better for businesses.

Mr. Marsh said yes, commercial has not grown. Kuna is at 80% residential. If a large commercial enterprise moves in the number will change, but for now Kuna is still a residential based community and will be funded in that fashion.

Mr. Marsh went back to the beginning of the report to go over the projected deficit in the General Fund of \$431,882.00. He asked Council for guidance. He asked if the Council had any preferences; the staff could come together to prioritize or the Council could prioritize if they would like. He asked if they want to balance the budget based on current revenues and current expenditures or if they want to erode the carry over, the Contingency Fund. He reminded Council that growth is happening and, generally speaking, if commercial growth happens from now until next year, the City will fall behind a little on property taxes. If that happens, the pressure on property tax will decrease on the dollar for dollar basis on a household level and a commercial level depending on the level of growth.

Council Member Buban-Vonder Haar said her preference is to get the budget as close to balanced as soon as possible without dipping into carry over. She would like staff to go through the budget and be really honest about what is a need and what is a want. She gave the example of the Parks Department's request for the replacement lawn tractor, the hydraulic dump trailer, the Bobcat Utility Vehicle, and the soil spreader. She asked if they are all absolute must haves for this budget session or could they be put off until the next year. She suggested that, in future years, a retrospect of one (1) to (3) years on requests so the Council can determine what has been passed on previously and what should be passed in current sessions.

Mr. Marsh said that can be done.

Council President Jones said he agrees with everything Council Member Buban-Vonder Haar said.

Mayor Stear pointed out that when the acquisition of a City Hall was discussed there was a projected \$1.563 million in contingency. The projected carry over after that acquisition was \$1.026 million. The City is actually in a better position than that. After the purchase of the new City Hall, the contingency fund is already back to \$1.5 million dollars. The carry over fund has already rebuilt itself, so there is that cushion if there are things the City wants to move on with it won't hurt. He does not recommend digging into the fund to deeply though.

Council Member Cardoza said his figures show the shortfall is about \$441,800.00.

Mr. Marsh said he was correct.

Council President Jones asked if the Park Impact Fee could be used for any of the items on this budget.

Mr. Marsh said it has not been determined what the committee would want to spend that money on. This is a brand new fund; the money has to be set aside. An account and new tracking mechanisms still need to be set up for the Park Impact Fee. The number that is projected for that fund will be presented at the next meeting. There will be an expenditure line item with nothing specific and the amount will come out of the Contingency Fund. Depending on how that materializes during the year, if the committee wants to spend that money on something that falls into the criteria of something that has already been budgeted to come out of the General Fund, they could reimburse the General Fund.

Council President Jones suggested putting an asterix next to items that could come out of another fund to help Council decide what to cut.

Mr. Marsh said items could be identified that are currently up for discussion that could potentially fall into something that is already approved or is available for the Park Impact Fee Committee.

Council Member Buban-Vonder Haar said the flip side of that is, if anything has to be cut it could be recommended or the information given to the Park Impact Fee Committee.

Council President Jones pointed out that on page 1 of 5 of the Expenditure Statement, in the General Government Admin. Section, Professional Services has a 100% increase. He wanted to know why.

Mr. Marsh explained it was for an asset evaluation by Valuations Northwest. Every so many years ICRMP contracts with Valuations Northwest to appraise the assets ICRMP insures over a certain dollar amount. Valuations Northwest offers a reduced rate to

apprise all of the rest of the City's assets at the same time, including buildings and their contents. This helps the City with insurance, evaluation, and inventory. In the past they have inventoried all of the tools. Everything over \$50 is assessed and items under \$50 are only assessed if they are high risk. It doesn't have to be done but it is very helpful.

Council President Jones asked about item 01-6265 Training and Schooling. He wanted to know if that was for the Ranger Program.

Mr. Marsh explained that there is a \$10,000.00 line item in Parks Training and Schooling for the Ranger Program. The \$10,000.00 line item has a lot of little line items. He wants it to be put into an activity so it can be tracked. It is in Parks, which is already an activity, so it had to be moved out to the Admin and then it can be turned into an activity.

Council President Jones asked about Small Tools being doubled.

Mr. Marsh said that is the office equipment listed on the call out sheet.

Council President Jones asked if all of the memberships Kuna has held will be renewed.

Mr. Marsh said yes, they are the same as previous years.

Council President Jones pointed out page three (3), item 01-6265-1003 Planning and Zoning Training has doubled.

Council Member Buban-Vonder Haar asked for clarification on a couple items on page two (2) before moving on to page three (3). She wanted to know about Meetings/Committees doubling and Travel is up about seventeen (17) times last year's amount.

Mr. Marsh said Meetings/Committees was budgeted at \$11,495.00 last year. The projected actual is at \$5,157.00; that could climb if the budgeted items materialize throughout the year. However, it is actually budgeted at less than what was budgeted last year because the projected actual is lower.

Council President Jones asked if the actuals were to date and not what is projected for the year.

Mr. Marsh said yes, a lot of the actuals are extrapolated numbers. They take where the City is at today and extrapolate that out to the end of the year. This means some items could fall short and some items could be on or above.

Council President Jones compared it to prorating and thanked Mr. Marsh for explaining it.

Mr. Marsh then explained the Committees aspect of Council Member Buban-Vonder Haars questions. All the Committees have remained the same. Some have been used and some have not. He gave the example of the Bike Path Committee. It has not been used yet but it might.

Council Member Buban-Vonder asked if the Committee Funds don't get used, will they roll back into the General Fund and is there a way to account for unused money rolling over for the next year.

Mr. Marsh said funds being reused could probably be put in the notes.

Council Member Buban-Vonder Haar felt it would help balance the budget if there was a way to account for the fact that, in theory, only \$5,000.00 would need to be budgeted but the item would actually have \$10,000.00 due to the roll over. She thought maybe everything should be gone over to see if any other items were like this. She does not want to ear-mark money that will never get spent.

Council President Jones thought some of the bigger items might have the same issue and if that's the case it could help figure out the deficit. He asked Mr. Marsh if he had those numbers.

Mr. Marsh said he has them in raw format and it is a lot of information, but it is available to Council.

Council Member Buban-Vonder Haar asked if there is a need to budget \$1,725.00 for travel when only \$150.00 was used this year.

Mr. Marsh explained there is a new item in the budget for Caselle, the City of Kuna's enterprise reporting system. Some staff members need to go to Caselle's training conference to learn their new products and to better understand their existing products. Also, there is still time in this year where some of the budget may or may not get used; it's hard to say. The Mayor has had seminars to attend and some of that travel is related to that. Sometimes there isn't a need for it; it just depends on what comes up. The budget can be narrowed down if needed.

Council Member Buban-Vonder Haar said this is another place where it would help to have a notation of a roll over amount letting Council know that there is a possibility of \$1,500.00 left over from this year. She then asked about Contract Services and Dues and Memberships going up. \$7,604.00 was budgeted last year for contract services and this year \$13,785.00 is being requested. Dues and Memberships went up about \$7,000.00.

Mr. Marsh said the Verizon Fleet Monitoring accounts for about \$2,300.00 in the Contract Services. There is an auto-cad software license in that as well. As for the Dues and Memberships, all of them went up a little bit and the biggest one in the budget is VRT, Valley Regional Transit.

Mayor Stear added that Kuna reduces VRT billing every year.

Council Member Buban-Vonder Haar asked if any of the Dues and Memberships were flexible in the amount paid.

Mr. Marsh asked if she was looking for the difference in every year.

Council Member Buban-Vonder Haar said some memberships have a set cost but some, like Valley Regional Transit or Boise Valley Economic Partnership, seemed to have a requested amount but would take less.

Mr. Marsh said Kelly Fairless of VRT usually comes every year but he doesn't recall her coming this year. In prior years it has been \$1,000.00 but the request that came in this year was \$7,160.00.

Council Member Buban-Vonder Haar asked if that accounted for the whole increase.

Mr. Marsh said that is the primary and there are some additional.

Mayor Stear said he has learned that federal funding they receive is two (2) to one (1) on what money is paid by members; so if Kuna gives \$7,000.00 they actually end up with \$2,100.00; for every dollar given they use three (3).

Council Member Buban-Vonder Haar asked if Kuna was getting any additional services from VRT.

Mayor Stear said no and he felt it would be best to have Kelly Fairless come and explain it. Looking at it by regional system, the more cars off the road the more convenient it is. Kuna does have people who use the Park & Ride buses but he does not have any numbers on that. At this point they are using the freeway. That is something that may be best explained by Kelly Fairless if the Council is interested.

Council Member Buban-Vonder Haar said if Kuna were to pay \$7,000.00 in addition, just to get a single round trip bus to take people up to the Park & Ride is about \$20,000.00 for the year, it doesn't seem that efficient.

Mayor Stear said the system is growing and will eventually get to Kuna but it isn't in Kuna yet.

Council Member Buban-Vonder Haar said if that is what Kuna would be getting she would rather pay \$1,000.00 instead of \$7,000.00 for membership and put the other \$6,000.00 towards the bus, especially since they don't help pay for the bus and they get to keep all the fares.

Council Member Cardoza asked about Building Permits on the Revenue Statement. FYE 2015 and FYE 2014 have exactly the same amount listed for actuals. He wanted to know if that was a clerical error.

Mr. Marsh said yes, that is an error. The budget is structured with links all over the place so a column is probably out of place.

Council Member Cardoza reviewed Building Permits for FYE 2016 and FYE 2017. The actual for 2016 is \$417,133.00 and 2017 is projected at \$336,189.00 which is a difference of about \$80,944.00. He wanted to know if that is low by today's standards and if it should be brought up a bit to a more realistic number. In the past the actual from the following year has been used to determine the projected amount for the next year which would make this year's projected amount about \$417,000.00 or \$420,000.00.

Mr. Marsh explained that it comes down to conservatism. The \$417,000.00 is a projected year end number for the current year and is based on where Kuna is at today and extrapolated out to the end of the year. He feels it is probably a little high because there is a lot going on right now but it tends to taper off toward the end of the year. He built some conservatism into the projected number for 2017 because it would not be good to budget on something that is way out there. It can be changed if it would make more sense.

Council Member Cardoza said it is hard for him to even think about projecting with 2014 and 2015 having an incorrect amount. He felt \$336,189.00 was low with the Simplot building coming, the development on Hubbard, the development on Hubbard and Linder, and the development on Ten Mile. He felt the number was about \$100,000.00 short.

Council Member Cardoza then asked now that Kuna has purchased a new city hall where the funds would be allocated that were usually spent on rent in the past. He wanted to know if there would be a separate line item or if it would go into contingency.

Mayor Stear said he could not commit future councils to that but it could be set up that way and discussed every year.

Council Member Cardoza said if the money was to be line itemed, in the future, if there was a desire to add to the building or buy another building, the money that was allocated for rent in the past would be available for purchases.

Mayor Stear said it could be done as a line item if that is the Council's preference.

Council Member Cardoza suggested keeping the item as rent and making it a Contingency Fund for buildings and land acquisitions. Although it would read rent, it would be itemized strictly for acquisitions.

Mayor Stear said it would work to make a fund for property acquisition.

Council Member Buban-Vonder Haar said she thought that when the decision was made to purchase City Hall, the decision was made to put the money back into the Reserve Funds to build them back up to the prior amount.

Mayor Stear said there was a discussion but it was about how many years it would take to do that without obligating future Councils. It can be done as a line item or however Council would like to do it.

Mr. Marsh said the number that was determined pays the City back for the lost interest which is nothing. It would have to be a line item that is discussed every year. It is not on the budget currently.

Council President Jones asked if ACHD had been asked the value of the land the City is renting on Shortline and if they would be willing to sell.

Mr. Marsh said he is not aware of that.

Mayor Stear said he has not but can be looked into.

Council President Jones said that would be a great thing to do if the money could be used to purchase property. He does not like renting if it is not necessary. He said he thinks the City has already paid about \$60,000.00 in rent which is probably close to what the property is worth.

Council Member Cardoza said in the past exchanging land has been discussed with ACHD. He does not remember what parcel ACHD wanted from Kuna but it may have been on Kuna Mora Road and Swan Falls. They wanted a corner out of the farmland. He doesn't remember the reasoning but they had talked about trading parcels. He thinks Mitch, Kuna's ACHD representative at the time, might be able to recall that.

Mr. Marsh referred back to Council Member Cardoza's and Council Member Buban-Vonder Haar's questions about replenishing the Reserves or using the replenishment to fund a Capitol Fund. Staff will run numbers and bring them to the next meeting. It is essentially a little bit more than what the City has been paying in rent on an annual basis. It was \$4,500.00 to \$4,600.00 a month in rent that would be allocated back to the General Fund.

Mr. Marsh then returned to Council Member Cardoza's question about Building Permits in the Planning and Zoning section of the Revenue Statement and the two (2) years with matching numbers. His source information is where the error is and he is not sure why that is. He will have to go back to the prior year's statement to determine the correct amounts. He will give those numbers at the next meeting. He will also go back and look at the projected number for 2017 but he will proceed with caution in regards to that item because it could decline more rapidly than any other number on the budget if something were to happen in the market.

Council President Jones asked about a special tax to only fund one item and once that item is built the tax goes away. He couldn't remember what it is called.

Mr. Marsh said he thinks Council President Jones is talking about the General Obligation Bond and it can be looked into.

Council President Jones asked if the details pertaining to Small Tools are in Mr. Marsh's other notes that he had asked about earlier. Small Tools is the section he has the most questions about because every line item has considerable increases.

Mr. Marsh said yes.

Council President Jones asked Mr. Marsh to send those notes to him.

Mr. Marsh said he would and explained that Small Tools has office equipment, PC replacements, and things of that nature; items that generally are not small but also not \$5,000 per ticket for capitalization. The goal is to plan ahead to replace PCs instead of coming back to Council with a request to use Contingency Funds. On top of that there is a little extra built in in case a printer goes down. Staff needs to be able to replace the printer right away instead of waiting to bring it to Council.

Council President Jones said he just wants to make sure everything is accurate. The average over the last three (3) years has been \$3,500.00 and it has gone up \$11,663.00. He knows the office furniture is included in that and thinks that might be causing his confusion. He does not think of office furniture as small tools.

Mr. Marsh said Small Tools is defined as items of durable nature that have more than one (1) year of longevity and generally fall below the \$5,000.00 mark for capitalization. Anything from a printer or PC to a hammer or a chainsaw falls into that category, creating this sort of misnomer.

Council President Jones brought up past discussions on lumping items into broad categories and the purchase of items for Capital Projects that could go under sections like Small Tools.

Mr. Marsh explained, with Capital Projects, all items purchased to complete projects go under Capital Projects but some of those items fit the description of Small Tools. He understands how someone could come in and say certain items are needed so why not charge them to a Capital Project and then tools the City could not get otherwise are on hand. Staff keeps an eye on that to make sure what is going in is appropriate and hopefully the reporting mechanism of activities by project will help to highlight changes. Anything that does not look right will be questioned.

Council President Jones said he understands.

There were no further questions.

Mr. Marsh said it sounds like one (1) more dedicated meeting is needed. Since July 25, 2016 did not work for Council member Buban-Vonder Haar, he suggested Monday, August 8, 2016.

Council President Jones asked if a Wednesday or a Thursday would be okay with everyone else. He can do Mondays if necessary, but they are a little more difficult for him.

Council Member Buban-Vonder Haar asked if he still wanted the week of August 8, 2016.

Council President Jones said the week doesn't matter to him.

Mayor Stear asked when the public hearing is set.

Mr. Marsh said the regular City Council Meeting on August 16, 2016 is when the tentative budget is to be set. As long as one (1) more budget meeting occurs before then, all the numbers can be finalized and brought forward to set the tentative budget with the public hearing following on September 6, 2016. That is when the official adoption would take place.

Council President Jones asked if City Engineer Gordon Law's presentation would take very long.

Mr. Marsh said Mr. Law wanted to talk about his next steps, especially regarding retirement and the inclusion of a City Engineer Trainee.

Council President Jones said he was thinking about an hour for Mr. Law and an hour to discuss the rest.

Council Member Buban-Vonder Haar reminded him that it took six (6) hours last time. She doesn't mind tacking the budget meeting on to another Council Meeting if it can be done quickly but she did not want to stay until midnight like the last time.

Council President Jones said he is fine with either; he would just prefer a Wednesday to a Monday.

Council Member Buban-Vonder Haar suggested Wednesday, August 10, 2016.

Mr. Marsh said that would give Staff until Thursday evening to get the tentative budget out for the Council Meeting Packet but he thinks it can be done.

Council Member Buban-Vonder Haar said the preceding week, maybe August 3, 2016, if that would work.

Council President Jones liked August 3, 2016 because it allows for staff to go back over things if something comes up. He feels a regular meeting should be sufficient to complete the budget though.

Council Member Buban-Vonder Haar agreed.

The next budget meeting was set for Wednesday, August 3, 2016 at 6:30 pm.

Council Member Cardoza asked why the Commissioners are increasing by 4% if the Cost of Living is 1.5%. It puts the City of Kuna in an awkward position.

Kuna Police Chief Justin Dusseau explained it is an area where he has very little control. He was not at the meeting, but he believes the Sherriff asked for 5% but was given 4%. Chief Dusseau always projects out to a 3% increase because they hardly ever go over 3% and over a ten (10) year period the average is 2.2%. He agrees that this does put Kuna in an awkward position. If Kuna was not in line with the rest of the County no one would want to work here. He has to stay in line with the County which creates an issue because Kuna has other employees. Unfortunately, he has no effect on that.

Council Member Cardoza said he has no problem with that but his problem is probably with the County Commissioners who have a contract with Kuna, Eagle and Star. He wanted to know why Mayors and Councils were not involved or forewarned of the 4% raises when everyone else will be going with the 1.5% per this year's COLA.

Chief Dusseau said he tries his best to predict which way it will go, all the way from 0% to 3%, but he usually doesn't know until it is done. Then he comes back and shares it with the Council. Usually he presents his budget to Council before the Commissioners make a decision and this year he was off by 1%.

Mayor Stear said the only thing he can suggest is asking the Sherriff if he feels it would be appropriate, in future years, to share the information he will be presenting with Chief Dusseau.

Chief Dusseau said he has asked. He will continue to have that conversation with the Sherriff though because it makes things go much more smoothly for Kuna.

Council President Jones asked Chief Dusseau if he had a COLA last year.

Chief Dusseau said last year was 2%.

Council President Jones said he has no issue with it and appreciates everything they do.

Mayor and Council thanked Chief Dusseau.

### **3. Adjournment 8:30 pm**

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Joe L. Stear, Mayor

ATTEST:

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Chris Engels, City Clerk

*Minutes prepared by Ariana Welker, Customer Service Specialist*  
*Date Approved: CCM 08.02.2016*

**OFFICIALS**

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

**CITY OF KUNA**

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

**City Council Meeting  
 MINUTES  
 Tuesday, July 19, 2016**

**6:00 P.M. REGULAR CITY COUNCIL****1. Call to Order and Roll Call**

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

**CITY STAFF PRESENT:**

Chris Engels, City Clerk  
 Trevor Kesner, Planner II  
 Gordon Law, City Engineer  
 Bobby Withrow, Parks Director

**2. Invocation:** None**3. Pledge of Allegiance:** Mayor Stear**4. Consent Agenda:**

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

**A. City Council Meeting Minutes:****1. Regular City Council Minutes, July 5, 2016****B. Accounts Payable Dated July 14, 2016 in the Amount of \$1,173,644.00****C. Alcohol Licenses:**

1. K & L Ventures LLC dba Cowgirls – Liquor-By-The-Drink and On Premise Beer

**D. Resolutions**

**E. Findings of Fact and Conclusions of Law**

**Council Member Buban-Vonder Haar moved to approve the consent agenda. Seconded by Council Member McPherson. Motion carried 4-0.**

**5. Community Reports or Requests:**

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

**7. Business Items:**

- A. Consideration to Approve 16-05-FP (Final Plat), Journey's End Subdivision No. 1 – Trevor Kesner, Planner II  
(Timestamp 00:01:23)

Applicant is requesting Final Plat approval for the first phase of Journey's End Subdivision. The final plat for Journey's End Subdivision No. 1 proposes nine (9) residential building lots and two (2) common lots for the future construction of 36 multi-family units on a total of 2.32 acres. A-Team Land Consultants is representing Black Creek LLP.

Planner II Trevor Kesner reviewed the application details for Council and indicated that all requirements have been met. He stood for questions.

Steve Arnold represents the applicant and was present for questions.

Council President Jones asked about the changes from the Preliminary Plat to the Final Plat. He said it looks like the location of one (1) of the multiplexes has been changed.

Mr. Arnold responded that one (1) of the 4plex buildings was eliminated. Originally they had twenty-five (25) but they have dropped it down to twenty-four (24) and moved some of the units.

Council President Jones asked about the larger Lot 6 that was added at the north end.

Mr. Arnold responded that it is open space.

Council President Jones asked if there were any amenities in the open space.

Mr. Arnold said there would be a gazebo with plants.

Council President Jones asked if there would be any amenities other than the pool for kids or other activities.

Mr. Arnold said yes, there are amenities within the subdivision. There is an internal Tot Lot, a pool, and club house.

Council President Jones clarified that the Tot Lot is not in the multi-family area but the pool and club house are.

Mr. Arnold said yes, and the amenities would be available to the entire subdivision, multi-family units and single family units.

Council President Jones asked about any buffer changes.

Mr. Arnold answered it is roughly the same; maybe a little larger. They essentially went from more density to less to give the project a more open feel per their client.

Council President Jones asked in general if the City has any control of CC&Rs.

Mayor Stear said he doesn't think so.

Council President Jones said some of the signage in the project is not compatible with Kuna Code. He gave the example of allowing political signs to be posted ninety (90) days when the City only allows sixty (60). He would like it to match City Code. He also asked why motorcycles aren't allowed to be parked in the parking lot.

Mr. Arnold said he has not read through the CC&Rs in full detail. He knows their attorney prepared them and, if there are conflicts with City Code, his understanding is that City Code takes precedence over CC&Rs. The City does not enforce CC&Rs but they do enforce City Code. He will take note of the conflicts and have their attorney make changes before they record.

Council Member Cardoza asked about the covenants on page 49 of 50. Section 5 addresses approval by Boise City.

Mr. Arnold said it may be an error on the applicant's part.

Council Member Cardoza asked that it be corrected.

**Council President Jones moved to approve 16-05-FP (Final Plat). Seconded by Council Member Buban-Vonder Haar. Motion carried 4-0.**

- B.** Consideration to Approve 16-06-FP (Final Plat), Greyhawk Subdivision No. 5 - Trevor Kesner, Planner II  
(Timestamp 00:09:53)

Applicant is requesting Final Plat approval for the fifth phase of the Greyhawk Subdivision. The final plat for Greyhawk Subdivision No. 5 proposes twenty nine (29) residential building lots and one (1) common lot on a total of 6.35 acres. Kent Brown is representing Hubble Homes.

Planner II Trevor Kesner reviewed the application details for Council and indicated that all requirements have been met. He noted that Mr. Brown couldn't attend but someone from his company was present for any questions. Mr. Kesner stood for questions.

**Council Member Buban-Vonder Haar moved to approve 16-06-FP (Final Plat). Seconded by Council Member McPherson. Motion carried 4-0.**

- C. Consideration to Approve 16-03-LLA (Lot Line Adjustment) and 16-03-LS (Lot Split), Sergey Oleynik – Trevor Kesner, Planner II  
(Timestamp 00:12:14)

Applicant seeks approval for a Lot Line Adjustment to correct an existing fence and accessory structure (shed) encroachment on the subject parcel. Applicant also seeks Lot Split approval to create three lots from the existing 4.75 acre subject parcel located at 1271 S. Ash Avenue. Applicant is Sergey Oleynik.

Planner II Trevor Kesner reviewed the application details for Council and indicated that all requirements have been met. Mr. Kesner asked for two separate motions. He stood for questions.

**Council Member Buban-Vonder Haar moved to approve 16-03-LS (Lot Split). Seconded by Council Member McPherson. Motion carried 4-0.**

**Council Member Buban-Vonder Haar moved to approve 16-03-LLA (Lot Line Adjustment). Seconded by Council Member McPherson. Motion carried 4-0.**

- D. Follow up from July 18, 2016 Budget meeting (*if needed*) – John Marsh, City Treasurer  
(Timestamp 00:16:29)

City Treasurer John Marsh said there was no update but there was a conflict with the date of Wednesday, August 3, 2016 for the next budget meeting. He confirmed Monday, August 8, 2016 for the next budget meeting at 6:30 pm instead.

- E. New City Hall Update (*no action required*) – Bob Bachman, Facilities Director  
(Timestamp 00:18:00)

Mayor Stear provided an update on behalf of Mr. Bachman as he was still working on the City Hall project. Mayor Stear reviewed the rough schedule Mr. Bachman provided in the memo. No surprises have been found and things are going well.

Council Member Cardoza asked if the basement had been gutted.

Mayor Stear was not certain. It may have been done that day, but, if not, the latest it would be done is next week.

Council Member Buban-Vonder Haar commented that, if that part is not done yet, it is not a problem since the basement is being turned into a fireproof storage area; not offices.

Council Member Cardoza asked where the computers are going.

Mayor Stear said he wasn't sure.

Council Member Cardoza thought the basement would be ideal if it is going to be fireproof. He also thought it would be less likely to be hacked.

Mayor Stear said he could find out from Mr. Bachman.

## 8. Ordinances:

- A. Consideration to Approve Ordinance No. 2016-24 – Lee Annexation (16-03-AN)  
(Timestamp 00:20:39)

*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. R0615251450 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.

**Council Member Buban-Vonder Haar moved to waive three readings of Ordinance No. 2016-24. Seconded by Council Member McPherson. Motion carried 4-0.**

**Council Member Buban-Vonder Haar moved to approve Ordinance No. 2016-24. Seconded by Council Member McPherson. Approved by the following roll call vote:**

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

**Voting No: None**

**Motion carried 4-0.**

**Council Member Buban-Vonder Haar moved to approve summary publication of Ordinance No. 2016-24. Seconded by Council Member McPherson. Motion carried 4-0.**

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

*(Timestamp 00:23:00)*

Council President Jones said, in the past, the current City Hall building has been used for non-City official business. He asked if that practice would be continued at the new City Hall.

Council Member Buban-Vonder Haar asked that Council President Jones clarify his question.

Council President Jones said he was talking about meetings.

Council Member Buban-Vonder Haar wanted to know if he only meant during business hours or after hours as well.

Council President Jones replied both, but his biggest concern is after hours; anything that doesn't really promote the City itself. He is worried about giving out keys to City Hall for events that would have no City staff present to make sure everything was locked up afterwards.

Mayor Stear deferred to City Clerk Chris Engels.

Ms. Engels said there used to be AA meetings at the current City Hall for a short period of time. After that, only other governmental organizations or some of the state legislatures have held after hours meetings at the current City Hall.

Mayor Stear said he doesn't think there have been any afterhours meetings without some City staff present.

Council President Jones asked about guidelines for letting non-official groups like AA use the new City Hall with no City staff present.

Mayor Stear said letting others use City Hall without City staff present was not a good idea.

Council President Jones asked if Facilities Director Bob Bachman and Parks Director Bobby Withrow could get an estimate on a splash pad.

Parks Director Bobby Withrow said he is planning to meet with someone at the end of the week about a splash pad. He is hoping he will have all the numbers by the next budget meeting.

Council Member Cardoza asked if there would be a security alarm at the new City Hall.

Mayor Stear said yes, Mr. Bachman has added that into the budget.

Council Member McPherson asked if there was going to be cross walk signs or warning devices put up on the roundabout.

Mayor Stear said that ACHD can be notified and they can come out to assess that. As far as he knows, it is complete and there are no plans to do anything else.

Council Member McPherson said he would contact ACHD.

Council Member Cardoza said at one time ACHD had talked about making a truck route down Swan Falls in order to avoid Downtown. He saw a semi go through the roundabout earlier that day. He said that is dangerous and stains the sidewalk.

Mayor Stear said there is an apron in the roundabout to accommodate trucks.

Council Member Cardoza said yes, but originally they had talked about making a truck route. Rather than coming through town, trucks would go down Avalon to Swan Falls and Shortline.

Mayor Stear said the problem he sees with that is the curve that turns on to Swan Falls. If that can be widened so that it is not such a tight corner for trucks they may be more inclined to use it. He has discussed it with ACHD.

Council Member Cardoza said ACHD worked on the corner for about two (2) months three to five (3-5) years ago. Less than two (2) weeks after it had been finished the curbing had been demolished by trucks and the corner had to be cut back again.

Mayor Stear said he thinks the problem is a driver is already in the turn when they have to cut the other way so it is more than ninety (90) degrees. He has talked to ACHD about modifying and widening that intersection for trucks.

Council Member Cardoza was concerned about pedestrians and cyclists at the roundabout when a forty (40) to fifty (50) foot trailer goes through there. He does not think they should come through Downtown if they have an alternative route.

Mayor Stear said he would continue that discussion with ACHD. He does think trucks would use the alternative route more if that corner was more conducive for turning.

Council Member Cardoza gave another option of going down Meridian to Kuna to Stroebel, but there is a curve at Stroebel that is kind of an issue. He said it still may be a better option for trucks.

Council President Jones said he thought they had talked about putting a roundabout at Swan Falls.

Mayor Stear said they have talked about it but he does not know the outcome.

Council Member Cardoza said they are concerned about the bridge.

Mayor Stear said he would continue discussions with ACHD.

**10. Announcements:**

**11. Executive Session:**

**12. Adjournment:** 6:31 pm

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Joe L. Stear, Mayor

ATTEST:

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Chris Engels, City Clerk

*Minutes prepared by Ariana Welker, Customer Service Specialist  
Date Approved: CCM 08.02.2016*

City of Kuna

Payment Approval Report - City Council Approval

Report dates: 7/15/2016-7/28/2016

Report Criteria:

- Detail report.
- Invoices with totals above \$0.00 included.
- Paid and unpaid invoices included.

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
<b>2M COMPANY, INC.</b>												
1461	2M COMPANY, INC.	4108924-000	4452	<u>PARTS TO RAISE SPRINKLERS IN ARBOR RIDGE, P KAUFMAN, PARKS, JULY 16</u>	07/11/2016	38.12	.00	<u>40-6020 CAPITAL IMPROVEMENTS</u>	1016	7/16		
Total 4108924-000:						38.12	.00					
1461	2M COMPANY, INC.	4108980-000	4461	<u>REPLACEMENT PARTS FOR ARBOR RIDGE, P.KAUFMAN, JUL.'16 - PARKS</u>	07/12/2016	27.69	.00	<u>40-6020 CAPITAL IMPROVEMENTS</u>	1016	7/16		
Total 4108980-000:						27.69	.00					
1461	2M COMPANY, INC.	4109080-000		<u>PVC PIPE AND FITTINGS FOR ARBOR RIDGE, B WITHROW, PARKS, JULY 16</u>	07/14/2016	20.50	.00	<u>40-6020 CAPITAL IMPROVEMENTS</u>	1016	7/16		
1461	2M COMPANY, INC.	4109080-000		<u>STOCK FOR REPAIRS, B WITHROW, PARKS, JULY 16</u>	07/14/2016	82.00	.00	<u>01-6150 MAINTENANCE &amp; REPAIRS - SYSTEM</u>	1004	7/16		
1461	2M COMPANY, INC.	4109080-000		<u>HAND PUMP TO PUMP OUT VALVE BOXES FOR PIPE REPAIRS, B WITHROW, PARKS, JULY 16</u>	07/14/2016	44.15	.00	<u>01-6175 SMALL TOOLS</u>	1004	7/16		
Total 4109080-000:						146.65	.00					
Total 2M COMPANY, INC.:						212.46	.00					
<b>A COMPANY, INC.</b>												
1463	A COMPANY, INC.	B-253856		<u>RENTAL HITECH RESTROOM, SN#EE445, RENTAL 10.00, SERVICE 73.00, DAMAGE WAIVER 7.50, WINCHESTER PARK SUTTERS MILL, EOW, PARKS, JULY 16</u>	07/24/2016	90.50	.00	<u>20-6212 RENT - EQUIPMENT</u>	1004	7/16		

City of Kuna

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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 B-253856:						90.50	.00					
1463	A COMPANY, INC.	B-253873		RENTAL HITECH RESTROOM, SN#CC116, RENTAL 10.00, SERVICE 73.00, DAMAGE WAIVER 7.50, SEGO PRAIRIE POND PARK, EOW, PARKS, JULY 16	07/24/2016	90.50	.00	01-6212 RENT- EQUIPMENT	1004	7/16		
Total B-253873:						90.50	.00					
1463	A COMPANY, INC.	B-253921		RENTAL HITECH RESTROOM, SN#GH502, RENTAL 10.00, SERVICE 73.00, DAMAGE WAIVER 7.50, SADIE CREEK PARK, EOW, PARKS, JULY 16	07/24/2016	90.50	.00	01-6212 RENT- EQUIPMENT	1004	7/16		
Total B-253921:						90.50	.00					
1463	A COMPANY, INC.	B-253925		RENTAL HITECH RESTROOM, SN#T273, RENTAL 10.00, SERVICE 73.00, DAMAGE WAIVER 7.50, CITY FARM, SEWER, JULY 16	07/24/2016	90.50	.00	21-6212 RENT- EQUIPMENT	0	7/16		
Total B-253925:						90.50	.00					
1463	A COMPANY, INC.	B-254071		RENTAL HITECH RESTROOM, SN#KBO1127, RENTAL 10.00, SERVICE 73.00, DAMAGE WAIVER 7.50, ARBOR RIDGE PARK, EOW, PARKS, JULY 16	07/24/2016	90.50	.00	01-6212 RENT- EQUIPMENT	1004	7/16		
Total B-254071:						90.50	.00					
1463	A COMPANY, INC.	B-254072		RENTAL HITECH RESTROOMS, SN#CC1054, RENTAL 10.00, SERVICE 73.00, DAMAGE WAIVER 7.50, FARM PARK, EOW, PARKS, JULY 16	07/24/2016	90.50	.00	01-6212 RENT- EQUIPMENT	1004	7/16		

City of Kuna

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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 B-254072:						90.50	.00					
Total A COMPANY, INC.:						543.00	.00					
<b>ABC STAMP, SIGNS &amp; AWARDS</b>												
277	ABC STAMP, SIGNS & AWARDS	0493539	4520	ORDER 3 IN STAMP FOR J COULTER, BLDG. "VAPOR BARRIER REQUIRED UNDER GARAGE SLAB", J COULTER, JULY 16	07/22/2016	12.25	.00	01-6165 OFFICE SUPPLIES	1005	7/16		
Total 0493539:						12.25	.00					
Total ABC STAMP, SIGNS & AWARDS:						12.25	.00					
<b>ADA COUNTY HIGHWAY DISTRICT (RENT)</b>												
1037	ADA COUNTY HIGHWAY DISTRICT (RENT)	13836		ACHD SHOP RENT, AUG 16, PARKS	07/21/2016	112.50	.00	01-6140 MAINT. & REPAIR BUILDING	1004	8/16		
1037	ADA COUNTY HIGHWAY DISTRICT (RENT)	13836		ACHD SHOP RENT, AUG 16, WATER	07/21/2016	148.50	.00	20-6140 MAINT. & REPAIR BUILDING	0	8/16		
1037	ADA COUNTY HIGHWAY DISTRICT (RENT)	13836		ACHD SHOP RENT, AUG 16, SEWER	07/21/2016	148.50	.00	21-6140 MAINT & REPAIR BUILDING	0	8/16		
1037	ADA COUNTY HIGHWAY DISTRICT (RENT)	13836		ACHD SHOP RENT, AUG 16, PI	07/21/2016	40.50	.00	25-6140 MAINT & REPAIR BUILDING	0	8/16		
Total 13836:						450.00	.00					
Total ADA COUNTY HIGHWAY DISTRICT (RENT):						450.00	.00					
<b>ADVANCED COMMUNICATIONS, INC.</b>												
1566	ADVANCED COMMUNICATIONS, INC.	10631		ANNUAL QUARTERLY MAINTENANCE CHARGE, JULY, AUG, SEPT, JULY 26, ADMIN	06/01/2016	94.08	.00	01-6255 TELEPHONE	0	7/16		
1566	ADVANCED COMMUNICATIONS, INC.	10631		ANNUAL QUARTERLY MAINTENANCE CHARGE, JULY, AUG, SEPT, JULY 26, P&Z	06/01/2016	33.60	.00	01-6255 TELEPHONE	1003	7/16		



City of Kuna

## Payment Approval Report - City Council Approval

Report dates: 7/15/2016-7/28/2016

Jul 28, 2016 05:14PM

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
				INSPEC	07/12/2016	18.90	.00	01-6155 <u>MEETINGS/COMMI TEES</u>	1005	7/16		
8	ASSOCIATION OF IDAHO CITIES	200001956	4462	REGISTRATION FOR B.BACHMAN 2016 ENERGY CONFERENCE JUL.'16 WATER	07/12/2016	7.56	.00	20-6155 <u>MEETINGS/COMMI TEES</u>	0	7/16		
8	ASSOCIATION OF IDAHO CITIES	200001956	4462	REGISTRATION FOR B.BACHMAN 2016 ENERGY CONFERENCE JUL.'16 SEWER	07/12/2016	7.56	.00	21-6155 <u>MEETINGS/COMMI TEES</u>	0	7/16		
8	ASSOCIATION OF IDAHO CITIES	200001956	4462	REGISTRATION FOR B.BACHMAN 2016 ENERGY CONFERENCE JUL.'16 PI	07/12/2016	3.78	.00	25-6155 <u>MEETING/COMMIT TEES</u>	0	7/16		
Total 200001956:						189.00	.00					
Total ASSOCIATION OF IDAHO CITIES:						189.00	.00					
<b>BAILEY ENGINEERING, INC.</b>												
1812	BAILEY ENGINEERING, INC.	6791		MEMORY RANCH LIFT STATION DESIGNS. G.LAW. JUL.'16 - SEWER	07/25/2016	1,860.00	.00	21-6020 CAPITAL <u>IMPROVEMENTS</u>	1050	7/16		
Total 6791:						1,860.00	.00					
Total BAILEY ENGINEERING, INC.:						1,860.00	.00					
<b>BASALITE - BOISE</b>												
453	BASALITE - BOISE	192035963	4454	50# BUCKET OF WATERPLUGS. USED TO REPLACE AND PATCH HEADGATES FOR GRAVITY IRRIGATION. PER C DEYOUNG. M.DAVILLA. GRAVITY. JULY 16	07/11/2016	110.70	.00	25-6115 MAINT & <u>REPAIR-SYSTEM- GRAVITY</u>	0	7/16		
Total 192035963:						110.70	.00					
Total BASALITE - BOISE:						110.70	.00					

City of Kuna

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Jul 28, 2016 05:14PM

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
<b>BHS SPECIALTY CHEMICALS</b>												
512	BHS SPECIALTY CHEMICALS	71320	4387	<u>2 TOTES OF CHLORINE FOR WELLS, D CROSLEY, WATER, JUNE 16</u>	06/30/2016	1,490.50	.00	<u>20-6150 MAINT. &amp; REPAIRS - SYSTEM</u>	0	6/16		
Total 71320:						1,490.50	.00					
Total BHS SPECIALTY CHEMICALS:						1,490.50	.00					
<b>BOERGER, LLC</b>												
1805	BOERGER, LLC	34001245	4521	<u>6 LOBE TIPS AND MOUNTING SETS, REPLACEMENT PARTS FOR PUMP REPAIR, M NADEAU, JUL.'16 - SEWER</u>	07/21/2016	2,826.88	.00	<u>21-6142 MAINT. &amp; REPAIRS - EQUIPMENT</u>	0	7/16		
Total 34001245:						2,826.88	.00					
Total BOERGER, LLC:						2,826.88	.00					
<b>BOLEN'S CONTROL HOUSE, INC.</b>												
617	BOLEN'S CONTROL HOUSE, INC.	S1255849.001	4327	<u>DC POWER SUPPLY FOR THE UV SYSTEM, T.SHAFFER, SEWER, JUN.'16</u>	06/28/2016	435.50	.00	<u>21-6142 MAINT. &amp; REPAIRS - EQUIPMENT</u>	0	6/16		
Total S1255849.001:						435.50	.00					
Total BOLEN'S CONTROL HOUSE, INC.:						435.50	.00					
<b>BONNEVILLE BLUEPRINT SUPPLY, INC.</b>												
1378	BONNEVILLE BLUEPRINT SUPPLY, INC.	1995/2		<u>FIBER OPTIC TEN MILE, COLOR SCANS, COPY FILES TO CD, WATER, JULY 16</u>	07/05/2016	8.80	.00	<u>20-6165 OFFICE SUPPLIES</u>	0	7/16		
1378	BONNEVILLE BLUEPRINT SUPPLY, INC.	1995/2		<u>FIBER OPTIC TEN MILE, COLOR SCANS, COPY FILES TO CD, SEWER, JULY 16</u>	07/05/2016	8.80	.00	<u>21-6155 MEETINGS/COMMI TTES</u>	0	7/16		
1378	BONNEVILLE BLUEPRINT SUPPLY, INC.	1995/2		<u>FIBER OPTIC TEN MILE, COLOR SCANS, COPY FILES TO CD, PI, JULY 16</u>	07/05/2016	3.35	.00	<u>25-6165 OFFICE SUPPLIES</u>	0	7/16		

City of Kuna

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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
1378	BONNEVILLE BLUEPRINT SUPPLY, INC.	1995/2		FIBER OPTIC TEN MILE, COLOR SCANS, COPY FILES TO CD, WATER, JULY 16	07/05/2016	29.40	.00	20-6020 CAPITAL IMPROVEMENTS	0	7/16		
1378	BONNEVILLE BLUEPRINT SUPPLY, INC.	1995/2		FIBER OPTIC TEN MILE, COLOR SCANS, COPY FILES TO CD, SEWER, JULY 16	07/05/2016	29.40	.00	21-6020 CAPITAL IMPROVEMENTS	0	7/16		
1378	BONNEVILLE BLUEPRINT SUPPLY, INC.	1995/2		FIBER OPTIC TEN MILE, COLOR SCANS, COPY FILES TO CD, PI, JULY 16	07/05/2016	11.20	.00	25-6020 CAPITAL IMPROVEMENTS	0	7/16		
Total 1995/2:						90.95	.00					
Total BONNEVILLE BLUEPRINT SUPPLY, INC.:						90.95	.00					
<b>BRADY INDUSTRIES OF IDAHO LLC</b>												
1240	BRADY INDUSTRIES OF IDAHO LLC	5154485	4485	1 CS HAND SANITIZER, 1 CS DOGGIE BAGS, 1 CS FOAMY TOILET DISINFECTANT CLEANER, B WITHROW, PARKS, JULY 16	07/18/2016	215.18	.00	01-6025 JANITORIAL	1004	7/16		
Total 5154485:						215.18	.00					
Total BRADY INDUSTRIES OF IDAHO LLC:						215.18	.00					
<b>BUYWYZ LLC</b>												
1795	BUYWYZ LLC	89768	4481	9X12 MANILLA ENVELOPES, 2 EA, BLK PENS, 1 MINT, 1 DUM DUM SUCKERS, REFILLABLE BLUE INKPAD INK, JULY 16	07/13/2016	75.50	.00	01-6165 OFFICE SUPPLIES	0	7/16		
Total 89768:						75.50	.00					
Total BUYWYZ LLC:						75.50	.00					
<b>CAPITAL PAVING CO</b>												
20	CAPITAL PAVING CO	6131		CRENSHAW PATCH REPAIR, C DEYOUNG, WATER, JULY 16	07/11/2016	385.00	.00	20-6150 MAINT. & REPAIRS - SYSTEM	0	7/16		

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 6131:						385.00	.00					
Total CAPITAL PAVING CO:						385.00	.00					
<b>CAROLE KELLY</b>												
1801	CAROLE KELLY	07182016		<u>DOG OBEDIENCE CLASS_5 DOGS @60.00, 1 DOG @50.00, JULY 16</u>	07/18/2016	350.00	.00	<u>01-6265 TRAINING &amp; SCHOOLING</u>	0	7/16		
Total 07182016:						350.00	.00					
Total CAROLE KELLY:						350.00	.00					
<b>COREY BARTON HOMES, INC.</b>												
479	COREY BARTON HOMES, INC.	07052016		<u>DANSKIN LIFT STATION REIMBURSEMENT, 2ND QTR, 42.4 EDU'S, JULY 16</u>	07/05/2016	16,154.40	.00	<u>05-6306 SEWER MAIN CAPACITY REIMBURSE</u>	0	7/16		
Total 07052016:						16,154.40	.00					
Total COREY BARTON HOMES, INC.:						16,154.40	.00					
<b>DMH ENTERPRISES</b>												
1745	DMH ENTERPRISES	07272016D		<u>ADDITIONAL PLUMBING PERMITS, JUNE 2016</u>	07/27/2016	1,170.00	.00	<u>01-6202 PROFESSIONAL SERVICES</u>	1003	6/16		
Total 07272016D:						1,170.00	.00					
Total DMH ENTERPRISES:						1,170.00	.00					
<b>E4 PARTNERSHIP, LLC</b>												
1655	E4 PARTNERSHIP, LLC	07052016		<u>DANSKIN LIFT STATION REIMBURSEMENT, 2ND QTR, 10.6 EDU'S, JULY 16</u>	07/05/2016	4,038.60	.00	<u>05-6306 SEWER MAIN CAPACITY REIMBURSE</u>	0	7/16		
Total 07052016:						4,038.60	.00					



City of Kuna

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Report dates: 7/15/2016-7/28/2016

Jul 28, 2016 05:14PM

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
				CONTACT CHAMBERS, LAGOONS, T FLEMING, SEWER, JUNE 16	06/27/2016	77.76	.00	21-6090 FARM EXPENDITURES	0	6/16		
	Total IDBOS202202:					77.76	.00					
1507	FASTENAL COMPANY	IDBOS202599	4465	FASTENERS AND BOLTS, MANHOLE REPAIR, CHLORINE CONTACT CHAMBERS, LAGOONS, A.COOK, JUL.'16 - SEWER	07/12/2016	20.19	.00	21-6090 FARM EXPENDITURES	0	7/16		
	Total IDBOS202599:					20.19	.00					
	Total FASTENAL COMPANY:					316.44	.00					
<b>HACH COMPANY</b>												
157	HACH COMPANY	10018277	4451	2 EA SENSOR GUARD, LAGOONS, T SHAFFER, JUL.'16 - SEWER	07/15/2016	382.61	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	7/16		
	Total 10018277:					382.61	.00					
157	HACH COMPANY	10020646	4451	1 EA LDO AIR BLAST CLEANING SYSTEM, LAGOONS, T SHAFFER, JUL.'16 - SEWER	07/18/2016	923.44	.00	21-6150 MAINT. & REPAIRS - SYSTEM	0	7/16		
	Total 10020646:					923.44	.00					
	Total HACH COMPANY:					1,306.05	.00					
<b>HD SUPPLY WATERWORKS LTD</b>												
63	HD SUPPLY WATERWORKS LTD	F620977	4418	PIPE FOR MUD RUN, B.WITHROW, GRANT FUNDS, JUL.'16	07/05/2016	947.20	.00	03-6360 EXPEND.- BLUE CROSS HIGH FIVE	0	7/16		
	Total F620977:					947.20	.00					

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63	HD SUPPLY WATERWORKS LTD	F765868	4417	<u>GRID AND METER SET, R.FORD, WATER, JUL.'16</u>	07/05/2016	135.00	.00	20-6150 MAINT. & REPAIRS - SYSTEM	0	7/16		
Total F765868:						135.00	.00					
63	HD SUPPLY WATERWORKS LTD	F777825	4435	<u>RESTOCKING IRRIGATION BOXES, M.DAVILA, P.I, JUL.'16</u>	07/07/2016	121.56	.00	25-6150 MAINT. & REPAIRS - SYSTEM (PI)	0	7/16		
Total F777825:						121.56	.00					
63	HD SUPPLY WATERWORKS LTD	F786256	4477	<u>20 RADIOS FOR METERS, STOCK, J COX, WATER, JULY 16</u>	07/14/2016	2,772.00	.00	20-6150 MAINT. & REPAIRS - SYSTEM	0	7/16		
Total F786256:						2,772.00	.00					
Total HD SUPPLY WATERWORKS LTD:						3,975.76	.00					
<b>HOCOCHAN HOLDINGS, INC.</b>												
1619	HOCOCHAN HOLDINGS, INC.	AR467969		<u>MONTHLY COPIER CARE, MX4110N, MCM503N, B&amp;W, 06-01-16 TO 06-30-16, ADMIN, JUNE 16</u>	07/13/2016	22.21	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	0	6/16		
1619	HOCOCHAN HOLDINGS, INC.	AR467969		<u>MONTHLY COPIER CARE, MX4110N, MCM503N, B&amp;W, 06-01-16 TO 06-30-16, P&amp;Z, JUNE 16</u>	07/13/2016	7.94	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1003	6/16		
1619	HOCOCHAN HOLDINGS, INC.	AR467969		<u>MONTHLY COPIER CARE, MX4110N, MCM503N, B&amp;W, 06-01-16 TO 06-30-16, WATER, JUNE 16</u>	07/13/2016	20.65	.00	20-6142 MAINT. & REPAIRS - EQUIPMENT	0	6/16		
1619	HOCOCHAN HOLDINGS, INC.	AR467969		<u>MONTHLY COPIER CARE, MX4110N, MCM503N, B&amp;W, 06-01-16 TO 06-30-16, SEWER, JUNE 16</u>	07/13/2016	20.65	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	6/16		
1619	HOCOCHAN HOLDINGS, INC.	AR467969		<u>MONTHLY COPIER CARE, MX4110N, MCM503N, B&amp;W, 06-01-16 TO 06-30-16, PL, JUNE 16</u>	07/13/2016	7.94	.00	25-6142 MAINT. & REPAIRS - EQUIPMENT	0	6/16		

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1619	HOCOCHAN HOLDINGS, INC.	AR467969		<u>MONTHLY COPIER CARE, MX4110N, MCM503N, COLOR, 06-01-16 TO 06-30-16, ADMIN, JUNE 16</u>	07/13/2016	47.94	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	0	6/16		
1619	HOCOCHAN HOLDINGS, INC.	AR467969		<u>MONTHLY COPIER CARE, MX4110N, MCM503N, COLOR, 06-01-16 TO 06-30-16, P&amp;Z, JUNE 16</u>	07/13/2016	17.14	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1003	6/16		
1619	HOCOCHAN HOLDINGS, INC.	AR467969		<u>MONTHLY COPIER CARE, MX4110N, MCM503N, COLOR, 06-01-16 TO 06-30-16, WATER, JUNE 16</u>	07/13/2016	44.55	.00	20-6142 MAINT. & REPAIRS - EQUIPMENT	0	6/16		
1619	HOCOCHAN HOLDINGS, INC.	AR467969		<u>MONTHLY COPIER CARE, MX4110N, MCM503N, COLOR, 06-01-16 TO 06-30-16, SEWER, JUNE 16</u>	07/13/2016	44.55	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	6/16		
1619	HOCOCHAN HOLDINGS, INC.	AR467969		<u>MONTHLY COPIER CARE, MX4110N, MCM503N, COLOR, 06-01-16 TO 06-30-16, PI, JUNE 16</u>	07/13/2016	17.14	.00	25-6142 MAINT. & REPAIRS - EQUIPMENT	0	6/16		
Total AR467969:						250.71	.00					
1619	HOCOCHAN HOLDINGS, INC.	AR468041		<u>MONTHLY COPIER LEASE, 07-01-16 TO 07-31-16, ADMIN, JULY 16</u>	07/13/2016	98.98	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	0	7/16		
1619	HOCOCHAN HOLDINGS, INC.	AR468041		<u>MONTHLY COPIER LEASE, 07-01-16 TO 07-31-16, P&amp;Z, JULY 16</u>	07/13/2016	35.35	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1003	7/16		
1619	HOCOCHAN HOLDINGS, INC.	AR468041		<u>MONTHLY COPIER LEASE, 07-01-16 TO 07-31-16, WATER, JULY 16</u>	07/13/2016	91.91	.00	20-6142 MAINT. & REPAIRS - EQUIPMENT	0	7/16		
1619	HOCOCHAN HOLDINGS, INC.	AR468041		<u>MONTHLY COPIER LEASE, 07-01-16 TO 07-31-16, SEWER, JULY 16</u>	07/13/2016	91.91	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	7/16		
1619	HOCOCHAN HOLDINGS, INC.	AR468041		<u>MONTHLY COPIER LEASE, 07-01-16 TO 07-31-16, PI, JULY 16</u>	07/13/2016	35.35	.00	25-6142 MAINT. & REPAIRS - EQUIPMENT	0	7/16		

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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 AR468041:						353.50	.00					
Total HOCOCHAN HOLDINGS, INC.:						604.21	.00					
<b>IDAHO DEPARTMENT OF LABOR</b>												
179	IDAHO DEPARTMENT OF LABOR	072616		<u>UNEMPLOYMENT INSURANCE CLAIM, Q2 ROBERT HERRON, JULY 16</u>	07/26/2016	360.00	.00	01-6280 <u>UNEMPLOYMENT EXPENSES</u>	1004	7/16		
Total 072616:						360.00	.00					
Total IDAHO DEPARTMENT OF LABOR:						360.00	.00					
<b>IDAHO POWER CO</b>												
38	IDAHO POWER CO	07272016I		<u>ELECTRIC SERVICE FOR JULY 2016 - ADMIN</u>	07/27/2016	211.06	.00	01-6290 UTILITIES	0	7/16		
38	IDAHO POWER CO	07272016I		<u>ELECTRIC SERVICE FOR JULY 2016 - SENIOR CENTER</u>	07/27/2016	346.48	.00	01-6290 UTILITIES	1001	7/16		
38	IDAHO POWER CO	07272016I		<u>ELECTRIC SERVICE FOR JULY 2016 - STREET LIGHTS</u>	07/27/2016	6,071.66	.00	01-6290 UTILITIES	1002	7/16		
38	IDAHO POWER CO	07272016I		<u>ELECTRIC SERVICE FOR JULY 2016 - P &amp; Z</u>	07/27/2016	36.79	.00	01-6290 UTILITIES	1003	7/16		
38	IDAHO POWER CO	07272016I		<u>ELECTRIC SERVICE FOR JULY 2016 - PARKS</u>	07/27/2016	747.42	.00	01-6290 UTILITIES	1004	7/16		
38	IDAHO POWER CO	07272016I		<u>ELECTRIC SERVICE FOR JULY 2016 - WATER</u>	07/27/2016	13,261.63	.00	20-6290 UTILITIES EXPENSE	0	7/16		
38	IDAHO POWER CO	07272016I		<u>ELECTRIC SERVICE FOR JULY 2016 - SEWER</u>	07/27/2016	20,908.33	.00	21-6290 UTILITIES EXPENSE	0	7/16		
38	IDAHO POWER CO	07272016I		<u>ELECTRIC SERVICE FOR JULY 2016 - FARM</u>	07/27/2016	14,955.08	.00	21-6090 FARM EXPENDITURES	0	7/16		
38	IDAHO POWER CO	07272016I		<u>ELECTRIC SERVICE FOR JULY 2016 - P.I</u>	07/27/2016	18,496.53	.00	25-6290 UTILITIES EXPENSE	0	7/16		

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 07272016:						75,034.98	.00					
Total IDAHO POWER CO:						75,034.98	.00					
<b>IDAHO PRESS TRIBUNE, LLC</b>												
1802	IDAHO PRESS TRIBUNE, LLC	992720		AD #1485889, LEGAL PUBLICATION, ORDINANCE 2016-19, IRRIGATION ANNEXATION, A.WELKER, JUL.'16	07/13/2016	50.14	.00	25-6125 LEGAL PUBLICATIONS	0	7/16		
1802	IDAHO PRESS TRIBUNE, LLC	992720		AD #1485898, LEGAL PUBLICATION, ORDINANCE 2016-23, IRRIGATION ANNEXATION, A.WELKER, JUL.'16	07/13/2016	52.36	.00	25-6125 LEGAL PUBLICATIONS	0	7/16		
1802	IDAHO PRESS TRIBUNE, LLC	992720		AD #1485912, LEGAL PUBLICATION, ORDINANCE 2016-21, IRRIGATION ANNEXATION, A.WELKER, JUL.'16	07/13/2016	52.36	.00	25-6125 LEGAL PUBLICATIONS	0	7/16		
1802	IDAHO PRESS TRIBUNE, LLC	992720		AD #1485918, LEGAL PUBLICATION, ORDINANCE 2016-18, IRRIGATION ANNEXATION, A.WELKER, JUL.'16	07/13/2016	52.36	.00	25-6125 LEGAL PUBLICATIONS	0	7/16		
1802	IDAHO PRESS TRIBUNE, LLC	992720		AD #1485929, LEGAL PUBLICATION, ORDINANCE 2016-22, IRRIGATION ANNEXATION, A.WELKER, JUL.'16	07/13/2016	52.36	.00	25-6125 LEGAL PUBLICATIONS	0	7/16		
1802	IDAHO PRESS TRIBUNE, LLC	992720		AD #1485941, LEGAL PUBLICATION, ORDINANCE 2016-20, IRRIGATION ANNEXATION, A.WELKER, JUL.'16	07/13/2016	52.36	.00	25-6125 LEGAL PUBLICATIONS	0	7/16		
Total 992720:						311.94	.00					
1802	IDAHO PRESS TRIBUNE, LLC	993988-A	4415	AD# 1484343, LEGAL NOTICE, FILE 16-03-ZOA, ZONING ORDINANCE AMENDMENT, T.KESNER, JUL.'16 - P & Z	07/20/2016	86.42	.00	01-6125 LEGAL PUBLICATIONS	1003	7/16		

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Total 993988-A:						86.42	.00					
1802	IDAHO PRESS TRIBUNE, LLC	993988-B	4473	<u>AD# 1488589. LEGAL PUBLICATION. FILE 16-05-AN. ANNEXATION. T.KESNER. JUL.'16</u>	07/20/2016	56.06	.00	<u>01-6125 LEGAL PUBLICATIONS</u>	1003	7/16		
Total 993988-B:						56.06	.00					
1802	IDAHO PRESS TRIBUNE, LLC	993988-C	4498	<u>AD#1489044. LEGAL PUBLICATION. FILE 16-04-AN. ANNEXATION. N.STAUFFER. JUL.'16 - P &amp; Z</u>	07/20/2016	55.32	.00	<u>01-6125 LEGAL PUBLICATIONS</u>	1003	7/16		
Total 993988-C:						55.32	.00					
Total IDAHO PRESS TRIBUNE, LLC:						509.74	.00					
<b>INTERMOUNTAIN GAS CO</b>												
37	INTERMOUNTAIN GAS CO	482135196061		<u>NATURAL GAS CONSUMPTION. SR CTR. 06-14-16 TO 07-12-16. SR CTR</u>	07/13/2016	37.36	.00	<u>01-6290 UTILITIES</u>	1001	7/16		
Total 48213519606141607121:						37.36	.00					
37	INTERMOUNTAIN GAS CO	482537058061		<u>NATURAL GAS CONSUMPTION. NWWTP. 06-14-16 TO 07-12-16. JULY 16</u>	07/13/2016	6.57	.00	<u>21-6290 UTILITIES EXPENSE</u>	0	7/16		
Total 48253705806141607121:						6.57	.00					
Total INTERMOUNTAIN GAS CO:						43.93	.00					
<b>J &amp; M SANITATION, INC.</b>												
230	J & M SANITATION, INC.	07082016-071		<u>SANITATION RECEIPT TRANSFER 07-08-16 TO 07-14-16. JULY.'16</u>	07/15/2016	50,218.46	50,218.46	<u>26-7000 SOLID WASTE SERVICE FEES</u>	0	7/16	07/15/2016	

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230	J & M SANITATION, INC.	07082016-071		<u>SANITATION RECEIPT TRANSFER LESS FRANCHISE FEE 07-08-16 TO 07-14-16, JULY '16</u>	07/15/2016	-4,961.58	-4,961.58	01-4170 <u>FRANCHISE FEES</u>	0	7/16	07/15/2016	
Total 07082016-07142016:						45,256.88	45,256.88					
230	J & M SANITATION, INC.	072216		<u>SANITATION RECEIPT TRANSFER 07-15-16 TO 07-21- 16, JULY</u>	07/22/2016	52,109.28	52,109.28	26-7000 <u>SOLID WASTE SERVICE FEES</u>	0	7/16	07/22/2016	
230	J & M SANITATION, INC.	072216		<u>SANITATION RECEIPT TRANSFER LESS FRANCHISE FEE, 07-15-16 TO 07-21-16, JULY</u>	07/22/2016	-5,148.39	-5,148.39	01-4170 <u>FRANCHISE FEES</u>	0	7/16	07/22/2016	
Total 072216:						46,960.89	46,960.89					
Total J & M SANITATION, INC.:						92,217.77	92,217.77					
<b>JACK HENRY &amp; ASSOCIATES, INC.</b>												
1328	JACK HENRY & ASSOCIATES, INC.	2314088		<u>BANK FEES, ADMIN, JUNE 16</u>	06/30/2016	62.78	.00	01-6505 <u>BANK FEES</u>	0	6/16		
1328	JACK HENRY & ASSOCIATES, INC.	2314088		<u>BANK FEES, P&amp;Z, JUNE 16</u>	06/30/2016	3.14	.00	01-6505 <u>BANK FEES</u>	1003	6/16		
1328	JACK HENRY & ASSOCIATES, INC.	2314088		<u>BANK FEES, WATER, JUNE 16</u>	06/30/2016	103.58	.00	20-6505 <u>BANK FEES</u>	0	6/16		
1328	JACK HENRY & ASSOCIATES, INC.	2314088		<u>BANK FEES, SEWER, JUNE 16</u>	06/30/2016	103.58	.00	21-6505 <u>BANK FEES</u>	0	6/16		
1328	JACK HENRY & ASSOCIATES, INC.	2314088		<u>BANK FEES, PI, JUNE 16</u>	06/30/2016	40.80	.00	25-6505 <u>BANK FEES</u>	0	6/16		
Total 2314088:						313.88	.00					
Total JACK HENRY & ASSOCIATES, INC.:						313.88	.00					

**KC TOOL SUPPLY**

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240	KC TOOL SUPPLY	563497	4503	<u>SAW BLADES, FOR DEMO ON THE NEW CITY HALL BLDG., B.WITHROW, JUL.'16</u>	07/14/2016	25.08	.00	40-6166 PP&E PURCHASES OPERATIONS	1058	7/16		
240	KC TOOL SUPPLY	563497	4503	<u>SAW BLADES, FOR DEMO ON THE NEW CITY HALL BLDG., B.WITHROW, WATER, JUL.'16</u>	07/14/2016	17.16	.00	20-6166 PP&E PURCHASES OPERATIONS	1058	7/16		
240	KC TOOL SUPPLY	563497	4503	<u>SAW BLADES, FOR DEMO ON THE NEW CITY HALL BLDG., B.WITHROW, PI, JUL.'16</u>	07/14/2016	6.60	.00	25-6166 PP&E PURCHASES - OPERATIONS	1058	7/16		
240	KC TOOL SUPPLY	563497	4503	<u>SAW BLADES, FOR DEMO ON THE NEW CITY HALL BLDG., B.WITHROW, SEWER, JUL.'16</u>	07/14/2016	17.16	.00	21-6166 PP&E PURCHASES - OPERATIONS	1058	7/16		
Total 563497:						66.00	.00					
Total KC TOOL SUPPLY:						66.00	.00					
<b>KELLER ASSOCIATES, INC.</b>												
429	KELLER ASSOCIATES, INC.	0000001-A		<u>LIFT STATION UNIFORM STANDARDS, G.LAW, JUL.'16 - SEWER</u>	07/20/2016	820.00	.00	21-6020 CAPITAL IMPROVEMENTS	1050	7/16		
Total 0000001-A:						820.00	.00					
429	KELLER ASSOCIATES, INC.	0000010-A		<u>WELL #3 REMODEL CONTRACT CLOSEOUT, G.LAW, JUL.'16 - WATER</u>	07/20/2016	902.50	.00	20-6020 CAPITAL IMPROVEMENTS	1037	7/16		
Total 0000010-A:						902.50	.00					
Total KELLER ASSOCIATES, INC.:						1,722.50	.00					
<b>KUNA LUMBER</b>												
499	KUNA LUMBER	A82434		<u>CONCRETE FOR PARK BENCHES, JUL.'16</u>	05/11/2016	11.37	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	5/16		

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Total A82434:						11.37	.00					
499	KUNA LUMBER	B88125		<u>CONCRETE ANCHORS FOR PARK BENCHES. PARKS. MAY 16</u>	05/11/2016	27.90	.00	<u>01-6150 MAINTENANCE &amp; REPAIRS - SYSTEM</u>	1004	5/16		
Total B88125:						27.90	.00					
499	KUNA LUMBER	B88419		<u>PAINT AND CONCRETE FOR PROSPECTOR AND DOWNTOWN P.I. C.DEYOUNG. JUN.'16 - P.I</u>	05/18/2016	37.30	.00	<u>25-6020 CAPITAL IMPROVEMENTS</u>	1056	6/16		
Total B88419:						37.30	.00					
499	KUNA LUMBER	B88712		<u>BRASS HOSE TO PIPE ADAPTER AND A 3/4" HEX FOR THE PROSPECTOR AND DOWNTOWN P.I MAIN, C.DEYOUNG. JUN.'16 - P.I</u>	06/10/2016	8.08	.00	<u>25-6020 CAPITAL IMPROVEMENTS</u>	1056	6/16		
Total B88712:						8.08	.00					
499	KUNA LUMBER	B89871	4378	<u>2 PIECES 4X8 PLYWOOD. FOR MANHOLE COVERS. A COOK. SEWER. JUNE 16</u>	06/27/2016	23.98	.00	<u>21-6150 MAINT. &amp; REPAIRS - SYSTEM</u>	0	6/16		
Total B89871:						23.98	.00					
499	KUNA LUMBER	B90125	4434	<u>POSTS FOR SIGNS IN PARKS. JUL.'16</u>	07/06/2016	17.55	.00	<u>01-6150 MAINTENANCE &amp; REPAIRS - SYSTEM</u>	1004	7/16		
Total B90125:						17.55	.00					
Total KUNA LUMBER:						126.18	.00					



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				BIT FOR KKUBOTA MOWER, PARKS, JUL.'16-PARKS	07/13/2016	12.94	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	7/16		
Total 155789:						103.05	.00					
43	KUNA TRUE VALUE HARDWARE	155896	4471	1 IN COUPLER, 1 1/4 IN T, BUSHING, SLIP COUPLER, COUPLERS FOR ARBOR RIDGE REPAIR, B WITHROW, JUL.'16	07/15/2016	48.65	.00	40-6020 CAPITAL IMPROVEMENTS	1016	7/16		
43	KUNA TRUE VALUE HARDWARE	155896	4471	UTILITY KNIFE, MASKING TAPE, PARKS, JUL.'16	07/15/2016	19.57	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	7/16		
Total 155896:						68.22	.00					
Total KUNA TRUE VALUE HARDWARE:						411.02	.00					
<b>LES SCHWAB TIRES</b>												
221	LES SCHWAB TIRES	12800202566	4364	TIRES ON GATOR, B.GILLOGLY, JUN.'16 - PARKS	06/16/2016	616.44	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1004	6/16		
Total 12800202566:						616.44	.00					
Total LES SCHWAB TIRES:						616.44	.00					
<b>MERIDIAN FENCE COMPANY</b>												
548	MERIDIAN FENCE COMPANY	810	4472	CHAIN LINK FENCING FOR BUTLER WELL HOUSE, J.MORFIN, JUL.'16 - WATER	06/20/2016	600.00	.00	20-6020 CAPITAL IMPROVEMENTS	1038	6/16		
Total 810:						600.00	.00					
Total MERIDIAN FENCE COMPANY:						600.00	.00					

MISCELLANEOUS VENDORS

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285	MISCELLANEOUS VENDORS	072116		<u>RESERVATION CHANGE, C ENGELS, JULY 16</u>	07/21/2016	150.00	150.00	01-4195 RENTAL INCOME	1004	7/16	07/21/2016	
Total 072116:						150.00	150.00					
285	MISCELLANEOUS VENDORS	07272016R		<u>REFUND OVERCHARGE FOR SEWER CONNECTION, JUL.'16</u>	07/27/2016	3,233.75	.00	21-2530 DUE TO KEYBANK 2006-1 LID	0	7/16		
Total 07272016R:						3,233.75	.00					
285	MISCELLANEOUS VENDORS	07272016T		<u>REFUND OVERCHARGE FOR SEWER CONNECTION, JUL.'16</u>	07/27/2016	3,233.75	.00	21-2530 DUE TO KEYBANK 2006-1 LID	0	7/16		
285	MISCELLANEOUS VENDORS	07272016T		<u>REFUND OVERCHARGE FOR SEWER CONNECTION, JUL.'16</u>	07/27/2016	1,092.25	.00	21-4606 LID REDUCED SEWER CONNECTION	0	7/16		
Total 07272016T:						4,326.00	.00					
Total MISCELLANEOUS VENDORS:						7,709.75	150.00					
<b>PARTS, INC.</b>												
470	PARTS, INC.	115365	4450	<u>AIR FILTERS FOR ALL KUBOTAS, BOBCAT, AND BACKHOES, B. GILLOGLY, PARKS, JUL.'16</u>	07/11/2016	342.51	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1004	7/16		
470	PARTS, INC.	115365	4450	<u>AIR FILTERS FOR ALL KUBOTAS, BOBCAT, AND BACKHOES, B GILLOGLY, PARKS, JUL.'16 - WATER</u>	07/11/2016	99.36	.00	20-6142 MAINT. & REPAIRS- EQUIPMENT	0	7/16		
470	PARTS, INC.	115365	4450	<u>AIR FILTERS FOR ALL KUBOTAS, BOBCAT, AND BACKHOES, B GILLOGLY, PARKS, JUL.'16 - SEWER</u>	07/11/2016	99.36	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	7/16		
470	PARTS, INC.	115365	4450	<u>AIR FILTERS FOR ALL KUBOTAS, BOBCAT, AND BACKHOES, B GILLOGLY, PARKS, JUL.'16 - P.I</u>	07/11/2016	37.89	.00	25-6142 MAINT. & REPAIRS - EQUIPMENT	0	7/16		

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 115365:						579.12	.00					
470	PARTS, INC.	115366	4449	<u>WIPER BLADES FOR CAR #70, B GILLOGLY, BLDG INSPECTOR, JUL.'16</u>	07/11/2016	32.91	.00	01-6305 VEHICLE MAINTENANCE & REPAIRS	1005	7/16		
Total 115366:						32.91	.00					
Total PARTS, INC.:						612.03	.00					
<b>SIGNS NOW</b>												
1060	SIGNS NOW	37933	4478	<u>ADDITIONAL SIGNS FOR NICHOLSON PARK, B.WITHROW, JUL.'16 - PARKS</u>	07/13/2016	96.00	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	7/16		
Total 37933:						96.00	.00					
Total SIGNS NOW:						96.00	.00					
<b>SRO ENTERPRISES LLC</b>												
1684	SRO ENTERPRISES LLC	18022	4535	<u>PLAQUES FOR BENCHES AND BIKE RACKS, UPRR, JUL.'16</u>	07/07/2016	164.63	.00	03-6362 EXPENDITURE-UP-GREENBELT EXTEN	0	7/16		
1684	SRO ENTERPRISES LLC	18022	4535	<u>PLAQUES FOR BENCHES AND BIKE RACKS, HIGH FIVE, JUL.'16</u>	07/07/2016	329.91	.00	03-6360 EXPEND.-BLUE CROSS HIGH FIVE	0	7/16		
Total 18022:						494.54	.00					
Total SRO ENTERPRISES LLC:						494.54	.00					
<b>SUMMERS ENTERPRISES</b>												
1819	SUMMERS ENTERPRISES	1001	4530	<u>HEALTHY LIVING SEMINAR GROCERIES, HIGH FIVE COMMUNITY CLASSES, JUL.'16</u>	07/26/2016	187.00	.00	03-6360 EXPEND.-BLUE CROSS HIGH FIVE	0	7/16		

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Total 1001:						187.00	.00					
Total SUMMERS ENTERPRISES:						187.00	.00					
<b>SUZANNE DAVIS</b>												
1663	SUZANNE DAVIS	07142016T	4502	<u>SHIRTS FOR THE SEASONAL EMPLOYEES AND B.GILLOGLY, B.WITHROW, JUL.'16 - ADMIN</u>	07/14/2016	13.13	.00	01-6285 UNIFORMS	0	7/16		
1663	SUZANNE DAVIS	07142016T	4502	<u>SHIRTS FOR THE SEASONAL EMPLOYEES AND B.GILLOGLY, B.WITHROW, JUL.'16 - PARKS</u>	07/14/2016	258.13	.00	01-6285 UNIFORMS	1004	7/16		
1663	SUZANNE DAVIS	07142016T	4502	<u>SHIRTS FOR THE SEASONAL EMPLOYEES AND B.GILLOGLY, B.WITHROW, JUL.'16 - WATER</u>	07/14/2016	2.10	.00	20-6285 UNIFORMS EXPENSE	0	7/16		
1663	SUZANNE DAVIS	07142016T	4502	<u>SHIRTS FOR THE SEASONAL EMPLOYEES AND B.GILLOGLY, B.WITHROW, JUL.'16 - SEWER</u>	07/14/2016	2.10	.00	21-6285 UNIFORMS EXPENSE	0	7/16		
1663	SUZANNE DAVIS	07142016T	4502	<u>SHIRTS FOR THE SEASONAL EMPLOYEES AND B.GILLOGLY, B.WITHROW, JUL.'16 - P.I</u>	07/14/2016	1.05	.00	25-6285 UNIFORMS EXPENSE	0	7/16		
Total 07142016T:						276.51	.00					
Total SUZANNE DAVIS:						276.51	.00					
<b>VICTORY GREENS</b>												
364	VICTORY GREENS	392113	4509	<u>12 ROLLS SOD, REPAIR AT A P.I BREAK, R.JONES, JUL.'16 - P.I</u>	07/18/2016	30.53	.00	25-6150 MAINT. & REPAIRS - SYSTEM (PI)	0	7/16		
Total 392113:						30.53	.00					
Total VICTORY GREENS:						30.53	.00					
<b>WATER DEPOSIT REFUNDS #11</b>												
1815	WATER DEPOSIT REFUNDS #11	110552.01		<u>SALVATORE MONTAGNINO, 712 N SHADY GROVE WAY, WATER OVERPAYMENT</u>	07/20/2016	76.84	.00	99-1075 Utility Cash Clearing	0	7/16		

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Total 110552.01:						76.84	.00					
1815	WATER DEPOSIT REFUNDS #11	121350.01		<u>PHILEAS DUGUAY, WATER OVERPAYMENT, 1834 W TOPANGA DR</u>	07/14/2016	148.79	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 121350.01:						148.79	.00					
1815	WATER DEPOSIT REFUNDS #11	165045.01		<u>ERICA GERBER, WATER OVERPAYMENT, 1134 N CAMBRICK DR</u>	07/14/2016	13.22	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 165045.01:						13.22	.00					
1815	WATER DEPOSIT REFUNDS #11	170440.02		<u>SHAWN HORNBERGER, 272 S YANKEE ROCK AVE, WATER OVERPAYMENT</u>	07/20/2016	67.90	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 170440.02:						67.90	.00					
1815	WATER DEPOSIT REFUNDS #11	171045.01		<u>CBH, WATER OVERPAYMENT, 1824 W CASPIAN ST</u>	07/15/2016	51.24	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 171045.01:						51.24	.00					
1815	WATER DEPOSIT REFUNDS #11	171080.01		<u>CBH, WATER OVERPAYMENT, 689 S IRON SPRINGS AVE</u>	07/15/2016	45.28	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 171080.01:						45.28	.00					
1815	WATER DEPOSIT REFUNDS #11	173450.01		<u>CBH, 1946 W SAHARA DR, WATER OVERPAYMENT</u>	07/18/2016	57.13	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 173450.01:						57.13	.00					
1815	WATER DEPOSIT REFUNDS #11	183400.02		<u>CHRIS ATKINSON, 1894 N BUCKLER WAY, WATER OVERPAYMENT</u>	07/20/2016	152.51	.00	99-1075 Utility Cash Clearing	0	7/16		

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Total 183400.02:						152.51	.00					
1815	WATER DEPOSIT REFUNDS #11	206050.02		<u>ALAN R NEWBY, WATER OVERPAYMENT, 228 E WHITBECK ST</u>	07/15/2016	48.70	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 206050.02:						48.70	.00					
1815	WATER DEPOSIT REFUNDS #11	210190.02		<u>ETHAN CONNELL, WATER OVERPAYMENT, 171 E HARRIS HAWK DR</u>	07/15/2016	170.01	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 210190.02:						170.01	.00					
1815	WATER DEPOSIT REFUNDS #11	220355.01A		<u>MARK MOWBRAY, 483 E RED BUD CT, WATER OVERPAYMENT</u>	07/27/2016	77.67	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 220355.01A:						77.67	.00					
1815	WATER DEPOSIT REFUNDS #11	221260.01		<u>CBH, OVERPAYMENT, 1119 S TOMEN AVE</u>	07/15/2016	6.24	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 221260.01:						6.24	.00					
1815	WATER DEPOSIT REFUNDS #11	221275.01		<u>CBH, 1009 E LUDLOW ST, WATER OVERPAYMENT</u>	07/18/2016	58.33	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 221275.01:						58.33	.00					
1815	WATER DEPOSIT REFUNDS #11	221490.01		<u>CBH, WATER OVERPAYMENT, 876 S RUMNEY AVE</u>	07/18/2016	114.26	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 221490.01:						114.26	.00					

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1815	WATER DEPOSIT REFUNDS #11	221510.01		<u>CBH, 1102 E RUTHERGLEN ST, WATER OVERPAYMENT</u>	07/18/2016	57.13	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 221510.01:						57.13	.00					
1815	WATER DEPOSIT REFUNDS #11	230515.03		<u>KIMBERLY SUTER, 675 S WILLOW SPRINGS PL, WATER OVERPAYMENT</u>	07/20/2016	66.51	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 230515.03:						66.51	.00					
1815	WATER DEPOSIT REFUNDS #11	240450.01		<u>JASON MCCONNEHEY, 1109 E LITHIC CT, WATER OVERPAYMENT</u>	07/18/2016	78.16	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 240450.01:						78.16	.00					
1815	WATER DEPOSIT REFUNDS #11	250835.04		<u>JOSHUA NUGENT, 356 W KAMMERS CT, WATER OVERPAYMENT</u>	07/20/2016	92.71	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 250835.04:						92.71	.00					
1815	WATER DEPOSIT REFUNDS #11	264170.01		<u>CBH, 1750 N BLUSH AVE, WATER OVERPAYMENT</u>	07/18/2016	57.13	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 264170.01:						57.13	.00					
1815	WATER DEPOSIT REFUNDS #11	264240.01		<u>CBH, WATER OVERPAYMENT, 1934 W FELTSON ST</u>	07/18/2016	46.35	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 264240.01:						46.35	.00					
1815	WATER DEPOSIT REFUNDS #11	264265.01		<u>CBH, 1725 N ROSEDUST DR, WATER OVERPAYMENT</u>	07/18/2016	57.13	.00	99-1075 Utility Cash Clearing	0	7/16		

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Total 264265.01:						57.13	.00					
1815	WATER DEPOSIT REFUNDS #11	264280.01		<u>CBH, 1751 N ROSEDUST DR, WATER OVERPAYMENT</u>	07/18/2016	57.13	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 264280.01:						57.13	.00					
1815	WATER DEPOSIT REFUNDS #11	264285.01		<u>CBH, 1763 N ROSEDUST DR, WATER OVERPAYMENT</u>	07/18/2016	57.13	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 264285.01:						57.13	.00					
1815	WATER DEPOSIT REFUNDS #11	264345.01		<u>CBH, 1712 N ROSEDUST DR, WATER OVERPAYMENT</u>	07/18/2016	85.75	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 264345.01:						85.75	.00					
1815	WATER DEPOSIT REFUNDS #11	264380.01		<u>CBH, 1924 W TURQUOISE DR, WATER OVERPAYMENT</u>	07/18/2016	57.13	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 264380.01:						57.13	.00					
1815	WATER DEPOSIT REFUNDS #11	264420.01		<u>CBH, 1872 N ROSEDUST DR, WATER OVERPAYMENT</u>	07/18/2016	60.85	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 264420.01:						60.85	.00					
1815	WATER DEPOSIT REFUNDS #11	265000.01		<u>RIVERWOOD HOMES, 2315 OLD LACE AVE, WATER OVERPAYMENT</u>	07/18/2016	57.13	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 265000.01:						57.13	.00					
1815	WATER DEPOSIT REFUNDS #11	265080.01		<u>RIVERWOOD HOMES, 2216 W BEIGE ST, WATER OVERPAYMENT</u>	07/18/2016	57.13	.00	99-1075 Utility Cash Clearing	0	7/16		

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Total 265080.01:						57.13	.00					
1815	WATER DEPOSIT REFUNDS #11	265100.01		<u>RIVERWOOD HOMES, 2198 W BEIGE CT</u>	07/18/2016	4.21	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 265100.01:						4.21	.00					
1815	WATER DEPOSIT REFUNDS #11	276046.01		<u>CBH, WATER OVERPAYMENT, 2402 N CORKTREE WAY</u>	07/18/2016	141.17	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 276046.01:						141.17	.00					
1815	WATER DEPOSIT REFUNDS #11	276052.01		<u>CBH, 2359 N CORKTREE WAY, WATER OVERPAYMENT</u>	07/18/2016	57.13	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 276052.01:						57.13	.00					
1815	WATER DEPOSIT REFUNDS #11	276058.01		<u>CBH, WATER OVERPAYMENT, 2297 N CORKTREE WAY</u>	07/18/2016	110.54	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 276058.01:						110.54	.00					
1815	WATER DEPOSIT REFUNDS #11	276070.01		<u>CBH, WATER OVERPAYMENT, 2346 N BLUEBLOSSOM WAY</u>	07/16/2016	57.13	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 276070.01:						57.13	.00					
1815	WATER DEPOSIT REFUNDS #11	278005.01		<u>CBH, WATER OVERPAYMENT, 2893 W GINGER GOLD DR</u>	07/18/2016	47.90	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 278005.01:						47.90	.00					
1815	WATER DEPOSIT REFUNDS #11	278032.01		<u>CBH, WATER OVERPAYMENT, 2914 W PEAR APPLE ST</u>	07/18/2016	57.10	.00	99-1075 Utility Cash Clearing	0	7/16		

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Total 278032.01:						57.10	.00					
1815	WATER DEPOSIT REFUNDS #11	278050.01		<u>CBH, 2911 W PEAR APPLE ST. WATER OVERPAYMENT</u>	07/18/2016	92.70	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 278050.01:						92.70	.00					
1815	WATER DEPOSIT REFUNDS #11	278060.01		<u>CBH, 8937 S PINOVA AVE. WATER OVERPAYMENT</u>	07/18/2016	57.13	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 278060.01:						57.13	.00					
1815	WATER DEPOSIT REFUNDS #11	290030.02		<u>JAY WASHBURN, WATER OVERPAYMENT, 8163 S BUFFALO CREEK LN</u>	07/18/2016	20.16	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 290030.02:						20.16	.00					
1815	WATER DEPOSIT REFUNDS #11	300730.01		<u>HUBBLE HOMES, 1032 E WHITBECK DR, WATER OVERPAYMENT</u>	07/18/2016	46.35	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 300730.01:						46.35	.00					
1815	WATER DEPOSIT REFUNDS #11	301012.01		<u>HUBBLE, 1193 E WHITBECK DR, WATER OVERPAYMENT</u>	07/20/2016	7.73	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 301012.01:						7.73	.00					
1815	WATER DEPOSIT REFUNDS #11	301016.01		<u>HUBBLE HOMES, 1225 E WHITBECK DR, WATER OVERPAYMENT</u>	07/18/2016	57.13	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 301016.01:						57.13	.00					
1815	WATER DEPOSIT REFUNDS #11	301030.01		<u>HUBBLE HOMES, 1210 E WHITBECK DR, WATER OVERPAYMENT</u>	07/18/2016	24.01	.00	99-1075 Utility Cash Clearing	0	7/16		

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Total 301030.01:						24.01	.00					
1815	WATER DEPOSIT REFUNDS #11	301070.01		HUBBLE HOMES, 1056 E SHADY RIDGE DR, WATER OVERPAYMENT	07/18/2016	47.01	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 301070.01:						47.01	.00					
1815	WATER DEPOSIT REFUNDS #11	310005.01		COLEMAN HOMES, 9327 S MACADAN WAY, WATER OVERPAYMENT	07/18/2016	114.58	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 310005.01:						114.58	.00					
1815	WATER DEPOSIT REFUNDS #11	310059.01		COLEMAN HOMES, 1186 W SELDOVIA DR, WATER OVERPAYMENT	07/18/2016	57.13	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 310059.01:						57.13	.00					
1815	WATER DEPOSIT REFUNDS #11	310061.01		COLEMAN HOMES, 1230 W SELDOVIA DR, WATER OVERPAYMENT	07/18/2016	57.13	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 310061.01:						57.13	.00					
1815	WATER DEPOSIT REFUNDS #11	310107.01		COLEMAN HOMES, WATER OVERPAYMENT, 1534 W SELDOVIA ST	07/18/2016	101.25	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 310107.01:						101.25	.00					
1815	WATER DEPOSIT REFUNDS #11	310109.01		COLEMAN HOMES, 1502 W SELDOVIA ST, WATER OVERPAYMENT	07/18/2016	57.13	.00	99-1075 Utility Cash Clearing	0	7/16		

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Total 310109.01:						57.13	.00					
1815	WATER DEPOSIT REFUNDS #11	310111.01		<u>COLEMAN HOMES, WATER OVERPAYMENT, 1462 W SELDOVIA ST</u>	07/18/2016	40.64	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 310111.01:						40.64	.00					
1815	WATER DEPOSIT REFUNDS #11	310142.01		<u>COLEMAN HOMES, WATER OVERPAYMENT, 9302 S UPDALE AVE</u>	07/18/2016	57.13	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 310142.01:						57.13	.00					
1815	WATER DEPOSIT REFUNDS #11	50387.01A		<u>ANGEL ESTATES, 943 N LINDER RD, WATER OVERPAYMENT</u>	07/19/2016	351.89	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 50387.01A:						351.89	.00					
1815	WATER DEPOSIT REFUNDS #11	80760.03		<u>BARBARA STRATTON, 130 E KENTER ST, WATER OVERPAYMENT</u>	07/20/2016	163.38	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 80760.03:						163.38	.00					
1815	WATER DEPOSIT REFUNDS #11	91200.01		<u>ADAM L STEINBERG, WATER OVERPAYMENT, 1025 N QUARTZITE AVE</u>	07/15/2016	15.03	.00	99-1075 Utility Cash Clearing	0	7/16		
Total 91200.01:						15.03	.00					
Total WATER DEPOSIT REFUNDS #11:						3,818.18	.00					
<b>WESTERN BUILDING MAINTENANCE, INC.</b>												
1499	WESTERN BUILDING MAINTENANCE, INC.	0093322-IN		<u>MONTHLY JANITORIAL SERVICES FOR JULY, SENIOR CENTER</u>	07/26/2016	330.33	.00	01-6025 JANITORIAL	1001	7/16		

City of Kuna

Payment Approval Report - City Council Approval

Report dates: 7/15/2016-7/28/2016

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 0093322-IN:						330.33	.00					
1499	WESTERN BUILDING MAINTENANCE, INC.	0093323-IN		MONTHLY JANITORIAL SERVICES FOR JULY - CITY HALL - ADMIN	07/26/2016	59.46	.00	01-6025 JANITORIAL	0	7/16		
1499	WESTERN BUILDING MAINTENANCE, INC.	0093323-IN		MONTHLY JANITORIAL SERVICES FOR JULY - CITY HALL - P&Z	07/26/2016	21.23	.00	01-6025 JANITORIAL	1003	7/16		
1499	WESTERN BUILDING MAINTENANCE, INC.	0093323-IN		MONTHLY JANITORIAL SERVICES FOR JULY - CITY HALL - WATER	07/26/2016	55.21	.00	20-6025 JANITORIAL	0	7/16		
1499	WESTERN BUILDING MAINTENANCE, INC.	0093323-IN		MONTHLY JANITORIAL SERVICES FOR JULY - CITY HALL - SEWER	07/26/2016	55.21	.00	21-6025 JANITORIAL	0	7/16		
1499	WESTERN BUILDING MAINTENANCE, INC.	0093323-IN		MONTHLY JANITORIAL SERVICES FOR JULY - CITY HALL - P.I	07/26/2016	21.23	.00	25-6025 JANITORIAL	0	7/16		
Total 0093323-IN:						212.34	.00					
1499	WESTERN BUILDING MAINTENANCE, INC.	0093324-IN		MONTHLY JANITORIAL SERVICES FOR JULY - TREATMENT PLANT - WATER	07/26/2016	31.50	.00	20-6025 JANITORIAL	0	7/16		
1499	WESTERN BUILDING MAINTENANCE, INC.	0093324-IN		MONTHLY JANITORIAL SERVICES FOR JULY - TREATMENT PLANT - SEWER	07/26/2016	31.50	.00	21-6025 JANITORIAL	0	7/16		
1499	WESTERN BUILDING MAINTENANCE, INC.	0093324-IN		MONTHLY JANITORIAL SERVICES FOR JULY - TREATMENT PLANT - P.I	07/26/2016	12.00	.00	25-6025 JANITORIAL	0	7/16		
Total 0093324-IN:						75.00	.00					
Total WESTERN BUILDING MAINTENANCE, INC.:						617.67	.00					
<b>WESTERN RECORDS DESTRUCTION, INC.</b>												
1633	WESTERN RECORDS DESTRUCTION, INC.	0320349		RECORDS DESTRUCTION SERVICES, 6/1/16-6/30/16 - ADMIN	07/01/2016	7.00	.00	01-6052 CONTRACT SERVICES	0	6/16		

City of Kuna

## Payment Approval Report - City Council Approval

Report dates: 7/15/2016-7/28/2016

Jul 28, 2016 05:14PM

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
1633	WESTERN RECORDS DESTRUCTION, INC.	0320349		RECORDS DESTRUCTION SERVICES, 6/1/16-6/30/16 - P&Z	07/01/2016	2.25	.00	01-6052 CONTRACT SERVICES	1003	6/16		
1633	WESTERN RECORDS DESTRUCTION, INC.	0320349		RECORDS DESTRUCTION SERVICES, 6/1/16-6/30/16 - WATER	07/01/2016	6.63	.00	20-6052 CONTRACT SERVICES	0	6/16		
1633	WESTERN RECORDS DESTRUCTION, INC.	0320349		RECORDS DESTRUCTION SERVICES, 6/1/16-6/30/16 - SEWER	07/01/2016	6.63	.00	21-6052 CONTRACT SERVICES	0	6/16		
1633	WESTERN RECORDS DESTRUCTION, INC.	0320349		RECORDS DESTRUCTION SERVICES, 6/1/16-6/30/16 - P.I	07/01/2016	2.49	.00	25-6052 CONTRACT SERVICES	0	6/16		
Total 0320349:						25.00	.00					
Total WESTERN RECORDS DESTRUCTION, INC.:						25.00	.00					
<b>Whistle Stop Garden</b>												
1800	Whistle Stop Garden	46	4455	PLANTS FOR DOWNTOWN POTS, BENCHES BEHIND PIZZA HUT, N PURKEY, PARKS, JULY 16	07/11/2016	65.78	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	7/16		
Total 46:						65.78	.00					
Total Whistle Stop Garden:						65.78	.00					
<b>ZAMZOWS</b>												
66	ZAMZOWS	1023384	4479	PRUNERS FOR THE ROSE BUSHES, N.PURKEY, JUL.'16 - PARKS	07/13/2016	18.99	.00	01-6175 SMALL TOOLS	1004	7/16		
66	ZAMZOWS	1023384	4479	SYSTEMIC FOR THE ROSE BUSHES, N.PURKEY, JUL.'16 - PARKS	07/13/2016	45.98	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	7/16		
Total 1023384:						64.97	.00					

Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
Total ZAMZOWS:						64.97	.00					
Grand Totals:						<u>226,108.48</u>	<u>92,367.77</u>					

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, IDAHO  
RESOLUTION NO. R48-2016**

**A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE INTERAGENCY AGREEMENT FOR REAL PROPERTY TRANSFER BY AND BETWEEN THE CITY OF KUNA, IDAHO AND THE ADA COUNTY HIGHWAY DISTRICT ACCEPTING THE TRANSFER OF REAL PROPERTY LOCATED EAST OF SWAN FALLS ROAD AND USED BY THE CITY OF KUNA FOR ITS GREENBELT EXTENSION**

**BE IT HEREBY RESOLVED** by the Mayor and Council of the City of Kuna, Idaho that the Mayor of the City is hereby authorized to execute the INTERAGENCY AGREEMENT FOR REAL PROPERTY TRANSFER by and between the City of Kuna, Idaho and the Ada County Highway District, accepting the transfer of real property located east of Swan Falls Road and used by the City of Kuna, Idaho for its greenbelt extension; and authorizing the City Clerk to attest to the same.

**PASSED BY THE COUNCIL** of Kuna, Idaho this \_\_\_\_ day of July 2016.

**APPROVED BY THE MAYOR** of Kuna, Idaho this \_\_\_\_ day of July 2016.

\_\_\_\_\_  
Joe L. Stear, Mayor

ATTEST:

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



Kent Goldthorpe, President  
Paul Woods, Vice President  
Rebecca W. Arnold, Commissioner  
Sara M. Baker, Commissioner  
Jim D. Hansen, Commissioner

July 14, 2016

City of Kuna  
Attention: Chris Engels  
763 W. Avalon  
Kuna, ID 83634

Re: ACHD Project No. 2146  
Interagency Transfer Agreement  
Parcel #25, T2N, R1W

Dear Chris:

RECEIVED  
JUL 18 2016  
CITY OF KUNA

Enclosed for your information and use are the following documents and instructions for signature and closing of the above-referenced Interagency Agreement for Real Property Transfer between **City of Kuna** and the Ada County Highway District (ACHD), whose address is 3775 N Adams Street, Garden City, Idaho 83714 :

1. The original Interagency Agreement for Real Property between City of Kuna and ACHD dated July 13, 2016. **Sign and Return to ACHD.**
2. A copy of the Quitclaim Deed, Signed and Notarized by ACHD, Please note that the original, Quitclaim Deed is to be recorded by ACHD.
3. A copy of the signed Resolution Number 2146. Please note that the original Resolution Number 2146 is to be recorded by ACHD.

Contacts are Sue Linthicum, Technician or Dave Serdar, Right of Way Supervisor, whose address is 3775 Adams Street, Garden City, ID 83714 and whose phone number is 208-387-6266. Dave Serdar, Supervisor at 387-6224.

**SPECIAL INSTRUCTIONS:**

Please return the ORIGINAL INTERAGENCY AGREEMENT FOR REAL PROPERTY to our office.

Thank you for your attention to this matter.

Sincerely,

ADA COUNTY HIGHWAY DISTRICT

  
Sue Linthisum  
Right-of-Way Technician

## INTERAGENCY AGREEMENT FOR REAL PROPERTY TRANSFER

This Agreement for Real Property Transfer ("Agreement") is made this 13<sup>th</sup> day of July, 2016, between the City of Kuna (hereinafter "City") and Ada County Highway District (hereinafter "ACHD"), both parties being bodies politic and corporate of the State of Idaho.

### WITNESSETH

#### Section 1. Recitals

**WHEREAS**, City is a duly formed and existing city pursuant to the laws and Constitution of the State of Idaho; and

**WHEREAS**, ACHD is a single County-wide highway district organized and existing under the laws of the State of Idaho, with the jurisdiction and authority over all highways in Ada County, Idaho, except for State highways and freeways; and

**WHEREAS**, The Joint Project Interagency Agreement between ACHD and City of Kuna for their greenbelt project referred to the portion of Indian Creek Street right-of-way near the southeast corner of the intersection of S. Swan Falls Rd. and E. Avalon St. ("Vacation Parcel") and with regard to the Vacation Parcel, the Agreement provided that upon acceptance of Resolution 2126, the ACHD Commission would consider the vacation and abandonment of the Vacation parcel and if so vacated and abandoned, ACHD would convey the Vacation Parcel to the City of Kuna without receipt of compensation. Resolution 2126 is complete and City has expressed its desire to receive the Vacation Parcel from ACHD as described in the attached Exhibit "A" without payment of financial consideration per the Agreement for Waiver of Costs and Fees between City and ACHD dated October 3, 2012 ("Cost & Fee Waiver Agreement"); and

**WHEREAS**, ACHD is willing to transfer the Vacation Parcel to the City without receipt of financial consideration per the Cost & Fee Waiver Agreement; and

**WHEREAS**, Idaho Code § 50-301 authorizes the City to acquire real property in the name of the City; and

**WHEREAS**, Idaho Code § 67-2322 authorizes ACHD to transfer or convey real property to the City without receipt of financial consideration if it is in the best interest of the public; and

**WHEREAS**, Idaho Code § 67-2323 requires that prior to any conveyance of property, a written agreement shall be made; and

**WHEREAS**, both City and ACHD desire to enter into such an agreement for the transfer of the Vacation Parcel to City by ACHD.

**NOW THEREFORE**, in consideration of the premises, mutual covenants and agreements herein contained, and in consideration of the Fee Waiver Agreement, the parties hereto agree as follows:

Section 2. General Provisions

A. ACHD agrees to transfer to City of Kuna, the Vacation Parcel (the "Property"), which is described in Exhibit "A" without receipt of financial consideration, by execution of a Quitclaim Deed, a copy of which is attached hereto as Exhibit "B".

B. City agrees to accept the transfer of the Property described in Exhibit "A" from ACHD without payment of financial consideration.

C. City and ACHD agree that the Property is transferred "AS IS" and that ACHD does not in any way give any warranties express or implied relating to the Property.

D. ACHD shall publish Notice of the general terms of this Agreement a minimum of two (2) times in a newspaper of general circulation in the Idaho Statesman in accordance with Idaho Code § 67-2323, and such Notice shall give the time and place of the next regular or special meeting of each respective unit at which time the governing board of such unit proposes to consider this Agreement.

E. Pursuant to Idaho Code § 67-2324, the transfer is contingent upon both the City and ACHD's governing boards' approval of the terms of this Agreement by two thirds vote of their members.

IN WITNESS WHEREOF, the undersigned have caused this Agreement to be executed the day, month and year first set forth above.

**CITY OF KUNA**

By: \_\_\_\_\_  
\_\_\_\_\_, Mayor

ATTEST:

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

**ADA COUNTY HIGHWAY DISTRICT**

By: Paul R. Woods  
Paul Woods, President

ATTEST:

Bruce S. Wong, Director

Resolution No. 2146  
T2N, R1W, Sec. 25

## QUITCLAIM DEED CONVEYING SURPLUS PROPERTY

THIS INDENTURE, made this 13<sup>th</sup> day of July, 2016, **Ada County Highway District**, a body politic and corporate of the State of Idaho, the "GRANTOR", and **City of Kuna**, the "GRANTEE";

### WITNESSETH:

FOR VALUE RECEIVED, GRANTOR does by these presents convey, remise, release and forever quitclaim unto GRANTEE all right, title and interest of GRANTOR in the real property situated in the COUNTY OF ADA, STATE OF IDAHO, as more particularly described on Exhibit "A" attached hereto and by this reference made a part hereof (hereinafter the "Right-of-Way").

SUBJECT TO easements of record, statutory rights of utilities and districts to be in the public right-of-way which rights are being exercised in the Right-of-Way as of the date of this Indenture (for sewer, gas, water or similar pipelines and their appurtenances, for electrical and telephone lines and for irrigation and drainage ditches), and subject to licenses for telecommunications lines which are in place in the Right-of-Way as of the date of this Indenture. GRANTEE is responsible for costs of any relocation or replacement of such pipelines, lines and ditches.

TO HAVE AND TO HOLD the same unto the GRANTEE and to its successors and assigns forever.

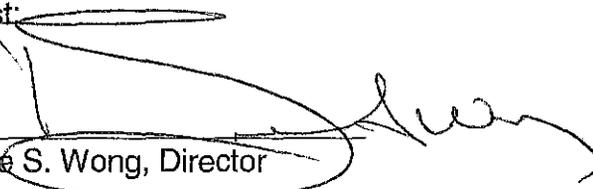
The current address of GRANTEE is:

City of Kuna  
763 W. Avalon St.  
Kuna, Idaho 83634

IN WITNESS WHEREOF, this Quitclaim Deed has been duly executed by and on behalf of GRANTOR this 13<sup>th</sup> day of July, 2016.

ADA COUNTY HIGHWAY DISTRICT

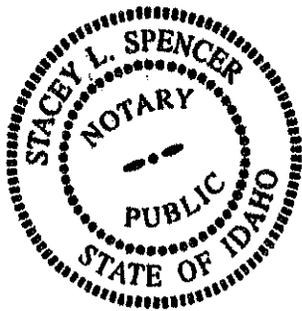
By Paul R. Woods  
President

Attest:  
  
Bruce S. Wong, Director

State of Idaho )  
County of Ada ) ss.

On this 13<sup>th</sup> day of July, in the year 2016, before me, Stacey L. Spencer, a Notary Public in and for the State of Idaho, personally appeared Paul Woods, known or identified to me to be the President of the Board of Commissioners of the Ada County Highway District, and Bruce S. Wong, known or identified to me to be the Director of the Ada County Highway District, the persons who executed this instrument on behalf of said Highway District for the purposes therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above-written.



Stacey L. Spencer  
Notary Public for the State of Idaho  
Residing at Boise, Idaho  
My Commission expires: August 13, 2019

## RESOLUTION NUMBER 2146

BY THE ADA COUNTY HIGHWAY DISTRICT BOARD OF COMMISSIONERS:  
KENT GOLDTHORPE, SARA M. BAKER, JIM D. HANSEN, REBECCA W. ARNOLD AND  
PAUL WOODS.

A RESOLUTION RATIFYING AND AUTHORIZING THE EXECUTION OF AN INTERAGENCY AGREEMENT FOR SALE AND TRANSFER OF REAL PROPERTY BETWEEN ACHD AND THE CITY OF KUNA AND AUTHORIZING THE EXECUTION OF A QUIT CLAIM DEED FOR THE TRANSFER OF THE REAL PROPERTY TO THE CITY OF KUNA.

**WHEREAS**, Ada County Highway District (“District”) is a single county-wide highway district organized and existing under the laws of the State of Idaho with the jurisdiction and authority over all highways in Ada County, except for State highways and freeways; and

**WHEREAS**, the City of Kuna (“City”) is a duly formed and existing municipal corporation pursuant to the laws of the State of Idaho; and

**WHEREAS**, the District recently vacated the unopened right of way located along and into Indian Creek, from Swan Falls Road to Orchard Avenue in Kuna, Idaho, identified on the attached Exhibit “A” to the Attachment “1” as the Vacation Parcel and referred to collectively hereafter as the “Subject Real Property” and determined said property is not needed for any purpose of the District and is hereby declared to be surplus property; and

**WHEREAS**, it is in the public interest to transfer to City of Kuna for their Greenbelt Development the Subject Real Property, approximately 4.209 acres in size and described in Exhibit “A” to Attachment “1”; and

**WHEREAS**, District and City have negotiated a written Interagency Agreement (“Agreement”) setting forth the agreement of the parties thereto, a copy of which is attached hereto as Attachment “1”; and

**WHEREAS**, District and City have entered into an Agreement for Waiver of Costs and Fees dated October 3, 2012; and

**WHEREAS**, transfer of the Subject Real Property to City by District as agreed between the parties is allowed pursuant to sections 67-2322 to 67-2324 of the *Idaho Code*; and

**WHEREAS**, notices of the terms of the Agreement between City and District for the transfer of the Subject Real Property to City pursuant to sections 67-2322 to 67-2324 of the *Idaho Code*, and the dates and times of the Kuna City Council regular meeting and the Ada County Highway District Board of Commissioners regular meeting to consider ratification of the Agreement were published in the *Idaho Statesman*, a daily newspaper published in Ada County, in accordance with section 67-2323 of the *Idaho Code* July 1<sup>st</sup> and 2<sup>nd</sup>, 2016 and July 8<sup>th</sup>, 2016; and

RESOLUTION 2146 – RATIFYING AND AUTHORIZING THE EXECUTION OF AN INTERAGENCY AGREEMENT FOR TRANSFER OF REAL PROPERTY BETWEEN CITY OF KUNA AND ACHD AND AUTHORIZING EXECUTION OF A QUITCLAIM DEED FOR THE TRANSFER OF THE PROPERTY TO KUNA.

**WHEREAS**, section 67-2323 of the *Idaho Code*, requires that the Ada County Highway District Board of Commissioners find that the sale and transfer of the Subject Real Property is in the public interest, and section 67-2324 of the *Idaho Code* requires that the Ada County Highway District Board of Commissioners ratify the Agreement between the City and District by two-thirds vote of its members; and

**WHEREAS**, the Kuna City Council is scheduled on July 19<sup>th</sup>, 2016, to vote to ratify the Agreement between City and District execute a Quit Claim Deed transferring the Subject Real Property to the City, a copy of which is Exhibit "B" to Attachment "1"; and

**WHEREAS**, it is in the public interest for the District to ratify the Agreement between the City and District and execute a Quitclaim Deed granting the Property to City.

**NOW, THEREFORE, BE IT RESOLVED**, that pursuant to section 67-2324 of the *Idaho Code*, the Ada County Highway District Board of Commissioners hereby ratifies the terms and conditions of the Agreement between District and City, and authorizes the President to execute the Agreement, a copy of which is attached hereto as Attachment "1"; and

**BE IT FURTHER RESOLVED**, that pursuant to section 67-2323 of the *Idaho Code*, the Ada County Highway District Board of Commissioners hereby finds that it is in the public interest for Ada County Highway District to execute, and does hereby authorize the President to execute the Quit Claim Deed granting the Subject Real Property to City, a copy of which is Exhibit "B" to Attachment "1" which is attached hereto.

**ADOPTED AND APPROVED** by the Board of Commissioners of the Ada County Highway District at its regular meeting held on this 13<sup>th</sup> day of July, 2016.

(Signature page follows)

ADA COUNTY HIGHWAY DISTRICT  
BOARD OF COMMISSIONERS

By: participated via teleconference  
Kent Goldthorpe, President

By: Paul R. Woods  
Paul Woods, Vice President

By: Rebecca W. Arnold  
Rebecca W. Arnold, Commissioner

By: Sara M. Baker  
Sara M. Baker, Commissioner

By: Jim Hansen  
Jim Hansen, Commissioner

ATTEST:

Bruce S. Wong, Director

RESOLUTION 2146 – RATIFYING AND AUTHORIZING THE EXECUTION OF AN INTERAGENCY AGREEMENT FOR TRANSFER OF REAL PROPERTY BETWEEN CITY OF KUNA AND ACHD AND AUTHORIZING EXECUTION OF A QUITCLAIM DEED FOR THE TRANSFER OF THE PROPERTY TO KUNA.



# City of Kuna

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

## Memo

**To:** City Council

**Case Number(s):** 16-04-AN (Annexation)

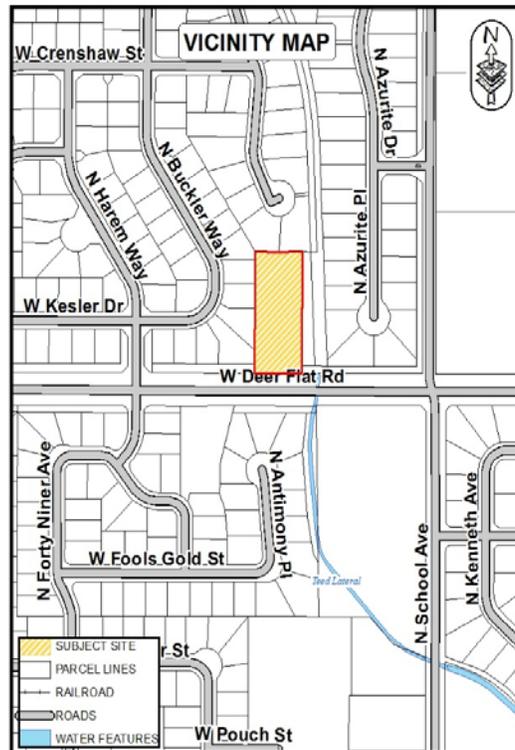
**Location:** 930 W. Deer Flat Road Kuna, ID 83634

**Planner:** Trevor Kesner, Planner II

**Hearing Date:** July 12, 2016

**Owner:** Jose or Irma Garcia  
930 W. Deer Flat Road  
Kuna, ID 83634

**Applicant/  
Representative:** Jahil Vehar  
942 N. School Ave.  
Kuna, ID 83634



### Table of Contents:

- A. Course Proceedings
- B. Applicant Request
- C. Vicinity and Aerial Maps
- D. 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. Proposed Decision by the Commission

### A. Course of Proceedings

1. Kuna City Code (KCC), Title 1, Chapter 14, Section 3, states annexation is designated as a public hearing with the Planning and Zoning Commission as the recommending body and 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 Land Use Planning Act (LLUPA).

#### a. Notifications

- i. Neighborhood Meeting June 13, 2016
- ii. Agencies Notified June 21, 2016
- iii. 300' Property Owners July 21, 2016
- iv. Kuna, Melba Newspaper July 20, 2016
- v. Site Posted July 24, 2016

**B. Applicant Request:**

1. The applicant is requesting approval to annex an approximately 1.21 acre parcel located at 930 W. Deer Flat Road into the City of Kuna with an 'R-6' (Medium Density Residential) zoning designation.

**C. History:** The parcel is contiguous to City limits and is currently zoned RUT (Rural-Urban Transition) in Ada County. The current home of the Garcia's is located on the site.

**D. General Projects Facts:**

1. **Comprehensive Plan Designation:** The Future Land Use Map identifies this site as 'Medium Density Residential'. Staff views this annexation request to be consistent with the approved Future Land Use Map.

2. **Surrounding Land Uses:**

<b>North</b>	R-6	Medium Density Residential (Kuna)
<b>South</b>	R-6	Medium Density Residential (Kuna)
<b>East</b>	R-6	Medium Density Residential (Kuna)
<b>West</b>	R-6	Medium Density Residential (Kuna)

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

- Approx. 1.21 total acres
- RUT, (Rural Urban Transition) (Ada County)
- Parcel # S1314346791

4. **Services:**

Future Sanitary Sewer –City of Kuna  
 Future Potable Water – City of Kuna  
 Irrigation District –New York 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 Services

5. **Existing Structures, Vegetation and Natural Features:** The subject site is currently used as a primary residence. The applicant has not indicated any intention to develop the property at this time.

6. **Transportation / Connectivity:** The parcel is currently not improved with any pavement, curb, gutter, sidewalks. The site can be accessed directly off of Deer Flat road. Ada County Highway District (ACHD) has provided conditions for future development of the site (reference Exhibit B-5).

7. **Environmental Issues:** The subject site lies within the designated 'Nitrate Priority Area' (NPA) for groundwater monitoring. Beyond the NPA, staff is not aware of any additional environmental issues, health or safety conflicts resulting from this application. The site's topography is generally flat with a potential 0-3% slope in certain areas.

8. **Agency Responses:** The following agencies returned comments which are included as exhibits with this case file:

Exhibit B-1: Boise Project Board  
 Exhibit B-2: Idaho Transportation Department (ITD)  
 Exhibit B-3: Central District Health Department (CDHD)  
 Exhibit B-4: Kuna City Engineer  
 Exhibit B-5: Ada County Highway District (ACHD)  
 Exhibit B-6: Boise-Kuna Irrigation District (BKID)

**E. Staff Analysis:**

The applicant requests to annex an approximately 1.21 acre parcel into Kuna City limits with an R-6 residential zoning designation. Future development of the site or any portions thereof shall be in accordance with the provisions set forth in Kuna City Code (KCC) including any potential sales of the subject property.

Staff has determined this annexation 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 # 16-04-AN, subject to the recommended conditions of approval.

**F. Applicable Standards:**

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

**G. 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, staff shall evaluate with guidance from the City’s attorney; The Idaho Attorney General’s six criterion established to determine the potential for property takings.

Policy 3.1: Promote developments with a variety of lot sizes.

**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.***

**H. Proposed 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 annexation.
3. The annexation is 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 street and utility services in proximity to the site appear to be adequate for the current use; however, any future site improvements as determined by the City Engineer and the Planning and Zoning Director, shall comply with the provisions set forth in Kuna City Code (KCC)
7. The Kuna Planning and Zoning Commission accepts the facts as outlined in the staff report, any public testimony and the supporting evidence as presented.
8. Based on the evidence contained in Case No. 16-04-AN, this proposal appears to comply with the Comprehensive Plan and the Kuna Comprehensive Future Land Use Map.
9. The Planning and Zoning Commission has the authority to recommend approval or denial for the annexation application.
10. The public notice requirements were adhered to and the public hearing was conducted within the guidelines of applicable Idaho Code and Kuna City Ordinances.

**I. Proposed Conclusions of Law:**

1. Based on the evidence contained in Case No 16-04-AN, the Kuna Planning and Zoning Commission finds Case No. 16-04-AN complies with Kuna City Code.
2. Based on the evidence contained in Case No 16-04-AN, the Kuna Planning and Zoning Commission finds Case No. 16-04-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 Kuna City Ordinances.

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

*Note: This proposed motion is for approval or denial of this request. However, if the 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 any public testimony at the public hearing, the City Council of Kuna, Idaho, hereby recommends *approval/denial* of Case No. 16-04-AN, a request for annexation from Jose and Irma Garcia with/without the following conditions of approval:

1. All development submittals are required to include the lighting, landscaping, drainage and development plans as required by Planning and Zoning. All site improvements are prohibited prior to approval of the following agencies. The applicant/owner shall obtain written approval on letterhead or may be written/stamped on the approved construction plans from the agencies noted:
  - a. Central District Health Department (CDHD).
  - b. The City Engineer shall approve the future sewer, water and irrigation and drainage construction plans.
  - c. The Kuna Fire District shall approve all site development and building plans.

- d. The *New York* Irrigation District shall approval any modifications to the existing irrigation system.
- e. Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to issuance of any building permits.
- 2. All public rights-of-way shall be dedicated to the City and/or Ada County Highway District. No public street construction may be commenced without the approval and permit from Ada County Highway District:
  - 2.1– With future development and as necessary, dedicate right-of-way in sufficient amounts to follow City and ACHD standards and widths.
- 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. Any site improvements shall require the property owner to comply with the provisions set forth in Kuna City Code (KCC)
- 6. At the time of development, submit a petition to the City (as 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).
- 7. Applicant shall follow all staff, City engineer and any other agency recommended requirements as applicable.
- 8. Applicant shall abide by all applicable federal, state and local laws and ordinances.

**DATED:** This \_\_\_\_\_ day of \_\_\_\_\_, 2016.

---

Joe Stear, Mayor

ATTEST:

---

Trevor Kesner, Planner II  
Kuna Planning and Zoning Department



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

### Annexation Checklist

Annexation requires public hearings with both the Planning & Zoning Commission and City Council. Public hearing signs will be required to be posted by the applicant for both meetings. Sign posting regulations are available online.

<b>Project name:</b> 16-04-AN (Annexation)	<b>Applicant:</b> JOSE & IRMA GARCIA
---	---

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

Applicant (✓)	Description	Staff (✓)
✓	Completed and signed Commission & Council Review Application.	✓
	Letter of Intent indicating reasons for proposed annexation and the availability of public services. If reason for annexation is development, also submit a conceptual plan.	
✓	Vicinity map drawn to scale, showing the location of the subject property. Map shall contain the following information: Shaded area showing the annexation property, Street names and names of surrounding subdivisions.	✓
✓	Legal description of the annexation area: 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.	✓
✓	Recorded warranty deed for the property.	✓
✓	Proof of ownership—A copy of your deed <u>and</u> Affidavit of Legal Interest (All parties involved)	✓
N/A	Development Agreement & Development Agreement Checklist	N/A
*	Neighborhood meeting certification (certification & neighborhood meeting list forms shall accompany this application).	
✓	Commitment of Property Posting form signed by the applicant/agent.	✓

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 Public Hearing 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.*





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

For Office Use Only	
File Number (s)	16-04-AN
Project name	GARCIA ANNEXATION
Date Received	5-23-16
Date Accepted/Complete	6-14-16
Cross Reference Files	-NA-
Commission Hearing Date	
City Council Hearing Date	

#### 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

#### Contact/Applicant Information

Owners of Record: _____	Phone Number: 208 866-7576
Address: 930W Deer Flat Rd	E-Mail: jossegarcia610@gmail.com
City, State, Zip: Kuna, ID, 83634	Fax #: _____
Applicant (Developer): Sahil Vejar	Signature: <i>Sahil Vejar</i>
Address: 942 N. Kuna School Ave	Phone Number: _____
City, State, Zip: Kuna ID 83634	E-Mail: _____
Engineer/Representative: _____	Phone Number: _____
Address: _____	E-Mail: _____
City, State, Zip: _____	Fax #: _____

#### Subject Property Information

Site Address: 930 W DEER FLAT RD	
Site Location (Cross Streets): W DEER FLAT RD & N SCHOOL AVE	
Parcel Number (s): 51314346791	
Section, Township, Range: SEC 14 T2N R1W	
Property size: 1.212	
Current land use: RESIDENTIAL	Proposed land use: _____
Current zoning district: RUT	Proposed zoning district: _____



**Project Description**

Project / subdivision name: \_\_\_\_\_

General description of proposed project / request: \_\_\_\_\_

---

Type of use proposed (check all that apply):

Residential \_\_\_\_\_

Commercial \_\_\_\_\_

Office \_\_\_\_\_

Industrial \_\_\_\_\_

Other \_\_\_\_\_

---

Amenities provided with this development (if applicable): \_\_\_\_\_

**Residential Project Summary (if applicable)**

Are there existing buildings?  Yes  No

Please describe the existing buildings: \_\_\_\_\_

Any existing buildings to remain?  Yes  No

Number of residential units: \_\_\_\_\_ Number of building lots: \_\_\_\_\_

Number of common and/or other lots: \_\_\_\_\_

Type of dwellings proposed:

Single-Family \_\_\_\_\_

Townhouses \_\_\_\_\_

Duplexes \_\_\_\_\_

Multi-Family \_\_\_\_\_

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: \_\_\_\_\_

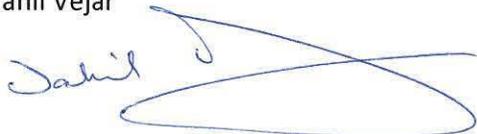
Proposed Landscaping (berms, buffers, entrances, parking areas, common areas, etc.): \_\_\_\_\_

Applicant's Signature: Janil Date: 6/13/16

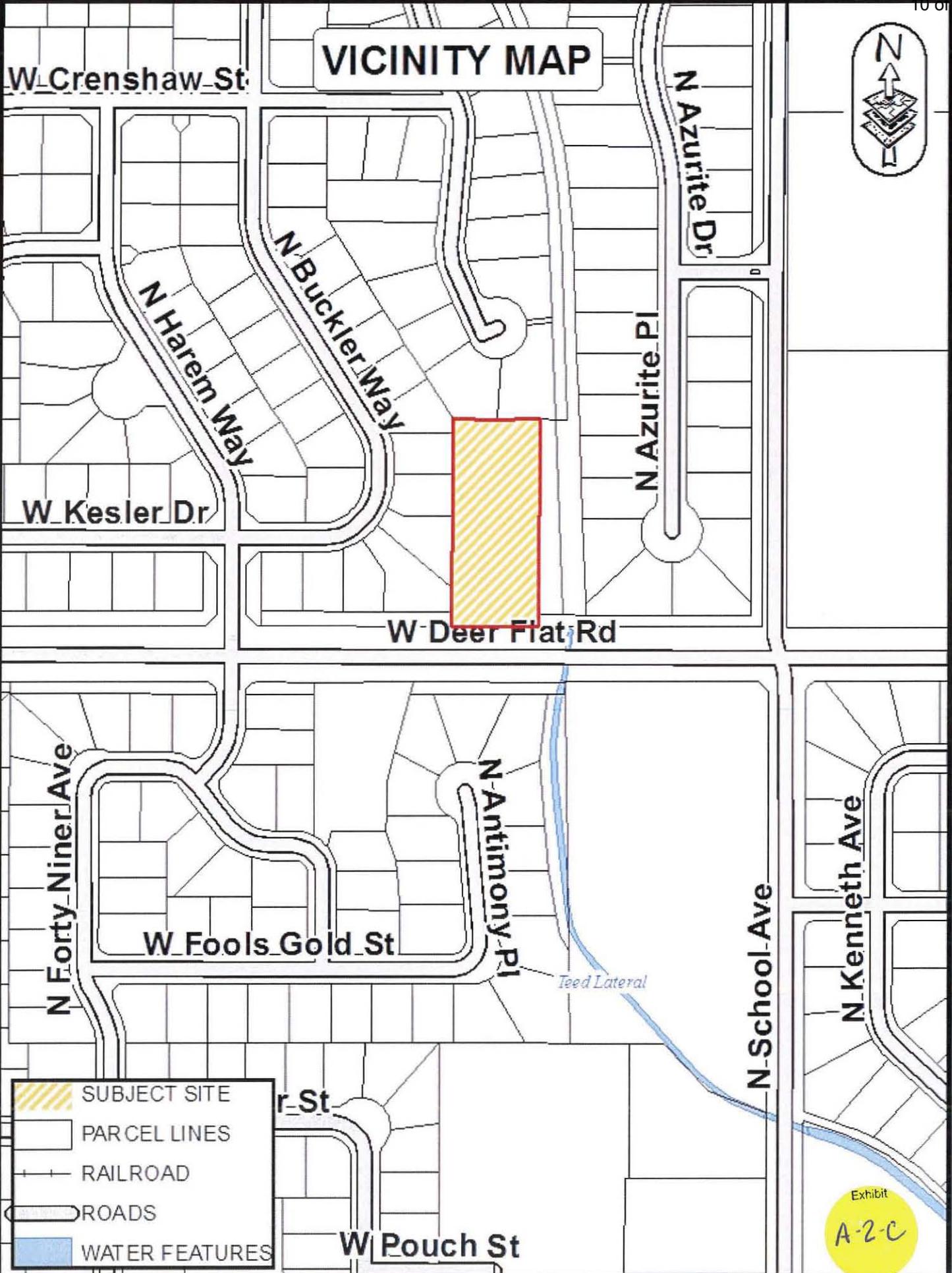
To whom it may concern;

My parents, Jose and Irma Garcia, wish to annex their property at 930 W Deer Flat Rd, into the City of Kuna. We have no plans to do anything with the property at this time.

Jahil Vejar

A handwritten signature in blue ink that reads "Jahil" followed by a stylized, looped flourish.

# VICINITY MAP



-  SUBJECT SITE
-  PARCEL LINES
-  RAILROAD
-  ROADS
-  WATER FEATURES

Exhibit  
A-2-C

# AERIAL MAP



W Crenshaw St

N Azurite Dr

N Harem Way

N Buckler Way

N Azurite Pl

W Kesler Dr

W Deer Flat Rd

N Forty Niner Ave

W Fools Gold St

N Antimony Pl

Teed Lateral

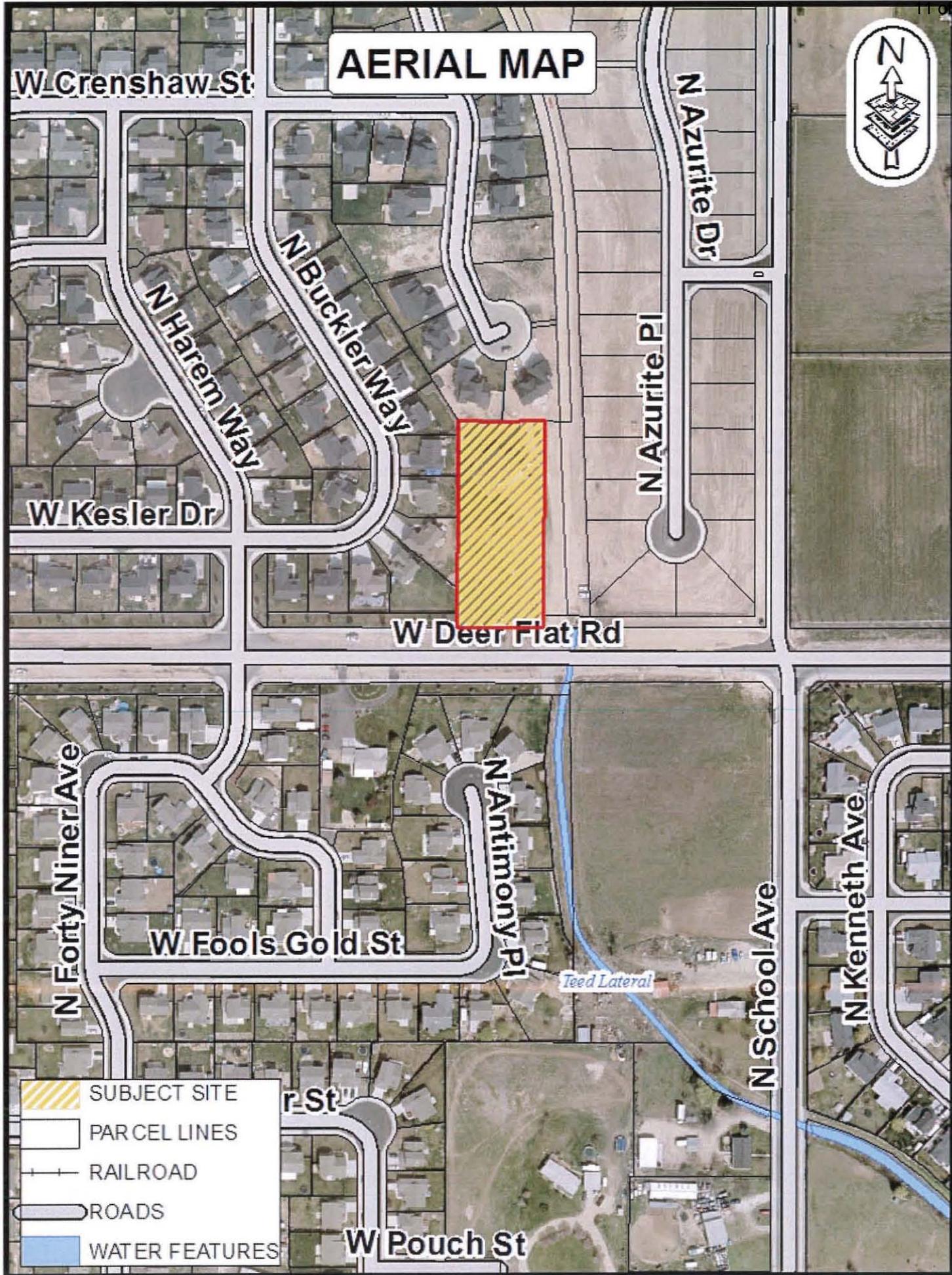
N School Ave

N Kenneth Ave

-  SUBJECT SITE
-  PARCEL LINES
-  RAILROAD
-  ROADS
-  WATER FEATURES

r-St

W Pouch St





LEGAL DESCRIPTION (continued)

EXHIBIT "A"

A portion of the Southeast quarter of the Southwest quarter of said Section 14, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at the Southwest corner of the Southeast quarter of the Southwest quarter of said Section 14; thence East 900 feet along the Southerly boundary of the Southeast quarter of the Southwest quarter of said Section 14 to the REAL POINT OF BEGINNING; thence North 400 feet; thence West 150 feet; thence South 400 feet to the Southerly boundary of the Southeast quarter of the Southwest quarter of Section 14; thence East 150 feet along the Southerly boundary of the Southeast quarter of the Southwest quarter of said Section 14 to the REAL POINT OF BEGINNING.



ADA COUNTY RECORDER J. DAVID NAVARRO      AMOUNT 12.00      4  
 BOISE IDAHO 04/06/07 02:40 PM  
 DEPUTY Gail Garrett  
 RECORDED - REQUEST OF  
 Pioneer



255832 KCHH

Project Name: Deer Flat Road, (Ten Mile to Meridian Road)  
 Project No.: 505053  
 R/W Parcel No.: 2  
 Township/Range/Section: SE1/4 SW1/4 T.2N., R.1W., SEC 14

(Reserved for Ada County Recorder)

WARRANTY DEED

THIS INDENTURE, made this 19<sup>th</sup> day of August, 2006, Jose Garcia and Irma D. Garcia, husband and Wife, the "GRANTOR" and ADA COUNTY HIGHWAY DISTRICT, a body politic and corporate of the State of Idaho, the "GRANTEE";

WITNESSETH:

FOR VALUE RECEIVED, the GRANTOR has granted, conveyed, bargained and sold, and does hereby grant, bargain, sell, convey and confirm to the GRANTEE and its successors and assigns forever, that certain real property situated in the COUNTY OF ADA, STATE OF IDAHO, more particularly described on Exhibit "A" attached hereto and by this reference made a part hereof,

TOGETHER with all and singular the buildings, structures, improvements and fixtures thereto, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, and rents, issues and profits thereof (the "Premises").

Subject to those exceptions to GRANTOR's title as are set forth on Exhibit "B" attached hereto and by this reference made a part hereof.

SUBJECT TO those exceptions to title to which this conveyance is expressly made subject and those made, suffered or done by the GRANTEE: (a) the GRANTOR covenants to the GRANTEE, its successors and assigns, that the GRANTEE shall enjoy the quiet and peaceful possession of the Premises; and (b) GRANTOR warrants to the GRANTEE, its successors and assigns, that GRANTOR is the owner of said Premises in fee simple and has the right and authority to convey the same to GRANTEE, and GRANTOR will defend the GRANTEE's title from all lawful claims whatsoever.

The current address of the GRANTEE is:  
 Ada County Highway District  
 3775 Adams Street  
 Garden City, Idaho 83714-6499



IN WITNESS WHEREOF, this WARRANTY DEED has been duly executed by the GRANTOR, the day, month and year herein first above written.

Jose Garcia  
Jose Garcia

Irma D. Garcia  
Irma D. Garcia

STATE OF IDAHO )  
CALIFORNIA ) ss.  
County of Ada )  
LOS ANGELES

On this 19 day of AUGUST, 2006, before me, a Notary Public in and for the State of Idaho, personally appeared Jose Garcia and Irma D. Garcia, known or proved to me to be the person(s) who executed the foregoing instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Amelia Espinoza  
Notary Public for Idaho CALIFORNIA  
Residing at LOS ANGELES, Idaho CALIFORNIA  
My commission expires MAY 8, 2007





ADA COUNTY RECORDER J. DAVID NAVARRO  
BOISE IDAHO 05/14/04 04:49 PM  
DEPUTY Bonnie Oberbillig  
RECORDED - REQUEST OF  
Transaction Title  
AMOUNT 9.00



9

56. I.D. 6

Escrow No. 0400019615 CAU

### WARRANTY DEED

#### FOR VALUE RECEIVED

Jamie J. Stiner, a single person

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL AND CONVEY unto: Jose Garcia and Irma D. Garcia, husband and wife

GRANTEES(s), whose current address is: 930 West Deer Flat Road, Kuna, Idaho 83634 the following described real property in Ada County, State of Idaho, more particularly described as follows, to wit:

**SEE EXHIBIT "A" ATTACHED**  
(Continued)

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

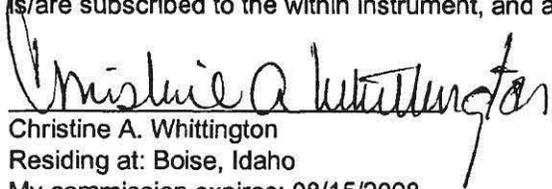
Date: May 12, 2004  
  
\_\_\_\_\_  
Jamie J. Stiner

\_\_\_\_\_

WARRANTY DEED - NOTARY ACKNOWLEDGMENT(S):

State of Idaho, County of Ada, ss.

On this 12<sup>th</sup> day of May in the year of 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared Jamie J. Stiner known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

  
Christine A. Whittington  
Residing at: Boise, Idaho  
My commission expires: 08/15/2008



LEGAL DESCRIPTION (continued)

EXHIBIT "A"

A portion of the Southeast quarter of the Southwest quarter of said Section 14, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at the Southwest corner of the Southeast quarter of the Southwest quarter of said Section 14; thence East 900 feet along the Southerly boundary of the Southeast quarter of the Southwest quarter of said Section 14 to the REAL POINT OF BEGINNING; thence North 400 feet; thence West 150 feet; thence South 400 feet to the Southerly boundary of the Southeast quarter of the Southwest quarter of Section 14; thence East 150 feet along the Southerly boundary of the Southeast quarter of the Southwest quarter of said Section 14 to the REAL POINT OF BEGINNING.





# City of Kuna AFFIDAVIT OF LEGAL INTEREST

City of Kuna  
P.O. Box 13  
Kuna, Idaho 83634  
Phone: (208) 922-5274  
Fax: (208) 922-5989  
Web: www.cityofkuna.com

State of Idaho )  
                          ) ss.  
County of Ada )

I, Jose & Irma Garcia, 930 W Deer Flat Rd.  
Name Address  
Kuna, Idaho 83634  
City State Zip Code

being first duly sworn upon oath, depose and say:

(If Applicant is also Owner of Record, skip to B)

A. That I am the record owner of the property described on the attached, and I grant my permission to \_\_\_\_\_  
Name Address  
to submit the accompanying application pertaining to that property.

B. I agree to indemnify, defend and hold City of Kuna and its employees harmless from any claim or liability resulting from any dispute as to the statements contained herein or as to the ownership of the property which is the subject of the application.

C. I hereby grant permission to the City of Kuna staff to enter the subject property for the purpose of site inspections related to processing said application(s).

Dated this 13 day of April, 2016

Jose & Irma Garcia  
Signature

Subscribed and sworn to before me the day and year first above written.

[Signature]  
Notary Public for Idaho  
Residing at: Meridian, Idaho  
My commission expires: 12/10/2018





# City of Kuna AFFIDAVIT OF LEGAL INTEREST

City of Kuna  
P.O. Box 13  
Kuna, Idaho 83634

Phone: (208) 922-5274  
Fax: (208) 922-5989  
Web: www.cityofkuna.com

State of Idaho )

County of Ada )

I, Josaf Irma Garcia, 930 w Deerflat Rd  
Name Address  
Kuna, Idaho 83634  
City State Zip Code

being first duly sworn upon oath, depose and say:

(If Applicant is also Owner of Record, skip to B)

A. That I am the record owner of the property described on the attached, and I grant my permission to Jahil Vejar 942 N. School Ave. Kuna ID 83634  
Name Address  
Jahil Vejar  
to submit the accompanying application pertaining to that property.

B. I agree to indemnify, defend and hold City of Kuna and its employees harmless from any claim or liability resulting from any dispute as to the statements contained herein or as to the ownership of the property which is the subject of the application.

C. I hereby grant permission to the City of Kuna staff to enter the subject property for the purpose of site inspections related to processing said application(s),

Dated this 18 day of April, 2016

Josaf Irma Garcia  
Signature

Subscribed and sworn to before me the day and year first above written.

Tracy B. [Signature]  
Notary Public for Idaho

Residing at: 763 W. Avalon, KUNA ID.

My commission expires: 4 NOV. 2020





# Neighborhood Meeting List Request

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

### GENERAL INFORMATION:

If you are applying for one of the uses listed below, you must conduct a Neighborhood Meeting. This meeting allows neighbors to learn more about your project before the public hearing (Kuna Planning & Zoning will notify surrounding property owners of the hearing). All involved property owners within \*300 feet of the subject property boundary need to be invited to your meeting.

According to Kuna City Code, 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 6 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.

**Please fill out the supplied certification form and include it with your application so we have written record of your meeting.** Contacting and/or meeting individually with residents will not fulfill Neighborhood Meeting requirements.

\*PLEASE NOTE: A \$20.00 FEE IS REQUIRED FOR THIS SERVICE (CITY OF KUNA PROVIDES MAILING LABELS)

### PROPOSED USE:

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

APPLICATION TYPE	BRIEF DESCRIPTION
<input type="checkbox"/> Subdivision (Sketch Plat and/or Prelim. Plat)	<u>Annexation</u>
<input type="checkbox"/> Conditional Use	_____
<input type="checkbox"/> Variance	_____
<input type="checkbox"/> Expansion of Extension of a Nonconforming Use	_____
<input type="checkbox"/> Zoning Ordinance Map Amendment	_____

### SITE INFORMATION:

Location: Quarter: SW Section: 14 Township: 2N Range: 1W Total Acres: 1.212  
 Subdivision Name: N/A Lot(s): \_\_\_\_\_ Block(s): \_\_\_\_\_  
 Site Address: 930 W DEER FLAT RD Tax Parcel Number(s): 51314346791

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

### CURRENT PROPERTY OWNER:

Name: JOSE GARCIA Jose & Irma Garcia  
 Address: 930 W DEER FLAT RD City: KUNA State: ID Zip: 83634

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

Name: Jose & Irma Garcia Business (if applicable): \_\_\_\_\_  
 Address: 930 W Deer Flat Rd City: Kuna State: ID Zip: 83634  
 Fax: \_\_\_\_\_ Phone: \_\_\_\_\_ Cell: 208 866-7576

Exhibit  
A-2  
h

*Jose & Irma Garcia*

OFFICE USE ONLY			
File No.:	Received By:	Date:	Stamped:

**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

Re-zone

Subdivision (Sketch Plat and/or Prelim. Plat)

Special Use

Variance

Expansion of Extension of a Nonconforming Use

Zoning Ordinance Map Amendment

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**APPLICANT:**

Name: Josee Irma Garcia

Address: 930 W. Deer flat Rd.

City: Kona State: HI Zip: 83634

Telephone: 208 866-7576 Fax: \_\_\_\_\_

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 Kona City Code

Signature: (Applicant) \_\_\_\_\_

Date 12/4/2016

*Josee Irma Garcia*



BACHMAN BOB D & LISA M  
1677 N CALAVERAS PL  
KUNA, ID 83634-0000

BELCOURT MICHAEL T  
684 N FRANKLIN AVE  
KUNA, ID 83634-0000

CALHOUN LARRY  
1425 N SCHOOL AVE  
KUNA, ID 83634-1215

CHRISTENSEN JAMES M & TAWNA S  
1554 N HAREM WAY  
KUNA, ID 83634-0000

CLELAND LIVING TRUST  
37 HIGHLAND CT  
UKIAH, CA 95482-0000

COOK GARY & MELANIE  
1574 N AZURITE PL  
KUNA, ID 83634-0000

COULTER MELVIN & BRENDA  
1569 N BUCKLER WAY  
KUNA, ID 83634-0000

CRNKOVICH TYLER D  
3314 N KELLY WAY  
BOISE, ID 83704-0000

DAY ROBERT E SR & ELIZABETH  
1466 N HAREM WAY  
KUNA, ID 83634-0000

DIAZ JOEL A & JESSICA  
1693 N AZURITE PL  
KUNA, ID 83634-0000

DOOLEY PATRICK & JODI  
1622 N CALAVERAS PL  
KUNA, ID 83634-0000

FEASTER RANDALL ALAN  
1637 N CALAVERAS PL  
KUNA, ID 83634-0000

FLEDDERJOHANN DEAN & VICKIE  
391 E SCOPS OWL DR  
KUNA, ID 83634-0000

FRENCH SEAN M  
1584 N HAREM WAY  
KUNA, ID 83634-0000

GOLDCREEK HOMEOWNERS ASSN  
6223 DISCOVERY WAY, STE 1000  
BOISE, ID 83713-0000

GOLDMAN JAY & CAROL  
1678 N AZURITE PL  
KUNA, ID 83634-0000

GOSSETT MINDY M  
2149 N CARMEN WAY  
BOISE, ID 83704-0000

HALLETT ROY & KARINA GWEN  
1552 N AZURITE PL  
KUNA, ID 83634-0000

HARDIN TY & JANICA  
1562 N BUCKLER WAY  
KUNA, ID 83634-0000

HEINRICH MARK & BONNIE  
1672 N CALAVERAS PL  
KUNA, ID 83634-0000

HUBBLE HOMES LLC  
701 S ALLEN ST STE 104  
MERIDIAN, ID 83642-0000

KOEPPEN MARGITTA D  
1611 N CALAVERAS PL  
KUNA, ID 83634-0000

KRAMER GERALD & DARLENE  
1573 N AZURITE PL  
KUNA, ID 83634-0000

LASHAWAY JOEL & KARA  
1620 N BUCKLER WAY  
KUNA, ID 83634-0000

LEIKVOLD JERRY & SHELLY  
1576 N BUCKLER WAY  
KUNA, ID 83634-0000

MCCONNELL KENNETH & REBECCA  
1590 N BUCKLER WAY  
KUNA, ID 83634-0000

MCCULLOCH LAWRENCE & DONNA  
1721 N AZURITE DR  
KUNA, ID 83634-0000

MILLER DAVID E  
1604 N BUCKLER WAY  
KUNA, ID 83634-0000

MINERAL SPRINGS HOA INC  
3585 W STATE ST  
EAGLE, ID 83616-0000

MURPHY WILLIAM R JR & KATRINA  
1655 N AZURITE PL  
KUNA, ID 83634-0000

PALOMAR HEIGHTS HOA INC  
2180 W SR 434 STE 5000  
LONGWOOD, FL 32779-0000

PENSCO TRUST CO IRA  
PO BOX 173859  
DENVER, CO 80217-0000

PERA DAVID & MARY  
4546 W DAPHNE ST  
MERIDIAN, ID 83646-0000

PERKINS BRAD B  
1438 N ANTIMONY PL  
KUNA, ID 83634-0000

PROCTOR LIVING TRUST  
1650 N CALAVERAS PL  
KUNA, ID 83634-0000

RAWLES MATTHEW BRIAN & JENNIFER  
1427 N ANTIMONY PL  
KUNA, ID 83634-7906

RAWLINSON JOSEPH & AIMEE  
1633 N AZURITE PL  
KUNA, ID 83634-0000

REEVE REX ARTHUR & CARLA JO  
1651 N CALAVERAS PL  
KUNA, ID 83634-0000

RUPERT BRANDON & AMANDA  
1612 N AZURITE PL  
KUNA, ID 83634-0000

S R JENKINS INC  
10753 W AMITY RD  
BOISE, ID 83709-0000

SMITH PETER  
1444 N HAREM WAY  
KUNA, ID 83634-0000

SMITH STEPHEN DANIEL  
1544 N BUCKLER WAY  
KUNA, ID 83634-0000

STEVENS TODD & CRYSTAL  
1432 N ANTIMONY PL  
KUNA, ID 83634-3390

STEWART SARI  
1103 W KESLER DR  
KUNA, ID 83634-0000

STRED JAROD & KELLY  
1551 N AZURITE PL  
KUNA, ID 83634-0000

THOMPSON ROBERT WAYNE  
1677 N AZURITE PL  
KUNA, ID 83634-0000

THON SUSAN BAKER & DALE H  
PO BOX 1175  
MERIDIAN, ID 83680-0000

THORNTON KAREN L  
1656 N AZURITE PL  
KUNA, ID 83634-0000

WEIGHALL RICK & MIRANDA  
1572 N HAREM WAY  
KUNA, ID 83634-0000

WILLIS KELLEN & ERIN  
1650 N BUCKLER WAY  
KUNA, ID 83634-0000

WOODS THOMAS & KAREN  
1439 N ANTIMONY PL  
KUNA, ID 83634-0000

YOUNCE ROSEMARY J  
1632 N BUCKLER WAY  
KUNA, ID 83634-0000

ARNOLD RON  
1585 N BUCKLER WAY  
KUNA, ID 83634

# SIGN IN SHEET

PROJECT NAME: GARCIA ANNEXATION

Date: 6/13/16

	Name	Address	Zip	Phone
1	<u>Koepen</u>	<u>1611 N Calaveras</u>	<u>93634</u>	<u>362-1123</u>
2	<u>Shelly Leikwold</u>	<u>1576 N Buckhorn</u>	<u>93634</u>	<u>859-9293</u>
3	<u>JERRY KRAMER</u>	<u>1573 N AZURITE PL</u>	<u>93634</u>	<u>407-5106</u>
4	<u>DARLENE KRAMER</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>
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CONCERNS ABOUT ANY FUTURE  
Development  
Zoning Designation?  
Density

Helen Proctor - In Favor  
11650 N Calaveras Pl  
922-5161  
Adjoins the Garcia property  
in the rear



# 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

Date and time of neighborhood meeting: 6/13/2016 6:00 pm.

Location of neighborhood meeting: Kuna City Hall - Planning & Zoning Dept.

### SITE INFORMATION:

Location: Quarter: SW Section: 14 Township: 2N Range: 1W Total Acres: 1.212

Subdivision Name: N/A Lot: N/A Block: N/A

Site Address: 930 W DEER FLAT RD Tax Parcel Number(s): 51314346791

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

### CURRENT PROPERTY OWNER:

Name: JOSE GARCIA JOSE & Irma Garcia

Address: 930 W DEERFLAT RD City: KUNA State: ID Zip: 83634

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

Name: full of full Irma D. Garcia Business (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_



# City of Kuna COMMITMENT TO PROPERTY POSTING

City of Kuna  
P.O. Box 13  
Kuna, Idaho 83634  
Phone: (208) 922-5274  
Fax: (208) 922-5989  
Web: www.cityofkuna.com

Per City Code 5-1A-8, the applicant for all applications requiring a public hearing shall post the subject property not less than ten (10) days prior to the hearing. The applicant shall post a copy of the public hearing notice or the application (s) on the property under consideration.

The applicant shall submit proof of property posting in the form of a notarized statement and a photograph of the posting to the City no later than seven (7) days prior to the public hearing attesting to where and when the sign (s) were posted. Unless such Certificate is received by the required date, the hearing will be continued.

The sign (s) shall be removed no later than three (3) days after the end of the public hearing for which the sign (s) had been posted.

I am aware of the above requirements and will comply with the posting requirements as stated in Kuna City Code 5-1A-8

*[Handwritten Signature]*  
Applicant/agent signature

13/4/2016  
Date



# EXHIBIT "A"

Owner of Record: Jose and Irma Garcia  
Parcel No.: SI314346790  
ACHD Project: Deer Flat Road (Ten Mile to SH69) Project No.: 50503

## Parcel 2 Right-of-Way Description

A parcel of land situated in the SE1/4 SW1/4 of Section 14, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho, and being part of that Warranty Deed, filed as instrument number 104060085, and said parcel also being a portion of that Record of Survey No. 3547, filed as instrument number 96041736, records of Ada County, Idaho, being more particularly described as follows:

Commencing at the southwest corner of said SE1/4 SW1/4 (West 1/16 corner) of Section 14 from which the southwest corner of said Section 14 bears N 89°58'07" W, 1321.27 feet as shown on said Record of Survey, thence S 89°58'23" E, 900.00 feet along the south boundary of said SE1/4 SW1/4 to the southeast corner of said Warranty Deed and Record of Survey, said point being the POINT OF BEGINNING.

Thence N 0°03 '25" E, 48.00 feet along the east boundary of said Record of Survey to a point;

Thence N 89°58'23" W, 150.00 feet parallel to the south boundary of said SE1/4 SW1/4 to a point on the west boundary of said Record of Survey;

Thence S 0°03 '25" W, 48.00 feet along said west boundary to a point on the south boundary of said SE1/4 SW1/4;

Thence S 89°58'23" E, 150.00 feet along the south boundary of said SE1/4 SW1/4 to the Point of Beginning.

Said described parcel contains 7,200 square feet or 0.17 acres and includes 3,750 square feet or 0.09 acres of prescriptive use right-of-way..

Said parcel is subject to easements of record or in use.

This legal description was prepared by the ACHD Survey Section from record data .



Project Name: Deer Flat Road, (Ten Mile to Meridian Road)  
Project No.: 505053  
R/W Parcel No.: 2  
Township/Range/Section: SE1/4 SW1/4 T.2N., R.1W., SEC 14

## Special Exceptions

~~1. General taxes for the year 2006, which are liens, are not yet due and payable.~~

2. Sewerage charges and special assessment powers of the City of Kuna.
3. Liens, fees and charges for trash services as provided by Ada County Ordinance No. 467 amending Title 5, Chapter 2, Section 4 of Ada County Code (208-287-6800).
4. Liens and assessments of the following district and the rights and powers thereof as provided by law.  
District: Boise Kuna Irrigation District-(922-5608)
5. Rights of way for ditches, tunnels and telephone and transmission lines constructed by Authority of the United States, as granted to the United States under the provisions of Section 58-604 Idaho Code 1947.
6. Rights and claims in and to that portion of said premises lying within the right of way of Deer Flat Road.

EXHIBIT "B"

**RON PLATT**  
CHAIRMAN OF THE BOARD

**RICHARD MURGOITIO**  
VICE CHAIRMAN OF THE BOARD

**TIMOTHY M. PAGE**  
PROJECT MANAGER

**ROBERT D. CARTER**  
ASSISTANT PROJECT MANAGER

**APRYL GARDNER**  
SECRETARY-TREASURER

**JERRI FLOYD**  
ASSISTANT SECRETARY-TREASURER

### BOISE PROJECT BOARD OF CONTROL

(FORMERLY BOISE U.S. RECLAMATION PROJECT)

2485 OVERLAND ROAD  
BOISE, IDAHO 83705-3155

OPERATING AGENCY FOR 187,000  
ACRES FOR THE FOLLOWING  
IRRIGATION DISTRICTS

NAMPA-MERIDIAN DISTRICT  
BOISE-KUNA DISTRICT  
WILDER DISTRICT  
NEW YORK DISTRICT  
BIG BEND DISTRICT

23 June 2016

TEL: (208) 344-1141  
FAX: (208) 344-1437

City of Kuna  
P.O. Box 13  
Kuna, Idaho 83634

RE: Jose and Irma Garcia  
930 W. Deer Flat Rd. Kuna  
Boise-Kuna Irrigation District  
Teed Lateral 182+10  
Sec. 14, T2N, R1W, BM.

16-04-AN

BK-1401

City of Kuna, Trevor Kesner, Planner II:

Boise Project Board of Control finds the annexation of the above mentioned property acceptable with the following being noted.

The United States' Teed Lateral lies within the boundary of the above-mentioned location. The easement for this lateral is held in the name of the United States through the Bureau of Reclamation under the authority of the Act of August 30, 1890. (26 Stat. 391; 43 U.S.C. 945)

The Boise Project Board of Control is contracted to operate and maintain this Canal. We assert this federal easement of 20 feet west and 20 feet east of the lateral's centerline. Whereas this area is for the operation and maintenance of our facility, no activity should hinder our ability to do so.

The Boise Project does not approve landscaping including trees and/or shrubs (other than grass) within its easements, as this will certainly increase our cost of maintenance.

Local irrigation/drainage ditches that cross this property, in order to serve neighboring properties, must remain unobstructed and protected by an appropriate easement.

If the irrigation system will be incorporated into the City of Kuna's pressure system, we will require confirmation from both the City of Kuna and the Boise-Kuna Irrigation District.



If you have any further questions or comments regarding this matter, please do not hesitate to contact me at (208) 344-1141.

Sincerely,



Thomas Ritthaler  
Management / GIS

tbr/tr

cc: Clint McCormick  
Lauren Boehlke  
File

Watermaster, Div; 2 BPBC  
Secretary – Treasurer, BKID

**IDAHO TRANSPORTATION DEPARTMENT**

P.O. Box 8028  
Boise, ID 83707-2028

(208) 334-8300  
[itd.idaho.gov](http://itd.idaho.gov)

---

June 24, 2016

Trevor Kesner  
City of Kuna, Planning and Zoning Department  
P.O. Box 13  
Kuna, ID 83634

**VIA EMAIL****RE: 16-04-AN JOSE AND IRMA GARCIA**

The Idaho Transportation Department has reviewed the referenced annexation application for Jose and Irma Garcia located at 930 West Deer Flat Road west of SH-69. ITD has the following comments:

1. ITD has no objection to the annexation of this property into the City of Kuna.
2. This property does not abut the State highway system.

If you have any questions, you may contact Ken Couch at 332-7190 or Shona Tonkin at 334-8341.

Sincerely,

A handwritten signature in blue ink that reads "James K. Morrison".

James K. Morrison  
D3 Property Manager  
[jim.morrison@itd.idaho.gov](mailto:jim.morrison@itd.idaho.gov)



CENTRAL DISTRICT HEALTH DEPARTMENT  
Environmental Health Division

16-04-AN (Annexation)

Return to: 34 of 60

- ACZ
- Boise
- Eagle
- Garden City
- Kuna
- Meridian
- Star

Rezone # 16-04-AN

Conditional Use # \_\_\_\_\_

Preliminary / Final / Short Plat \_\_\_\_\_

City of Kuna

RECEIVED  
JUN 30 2016  
CITY OF KUNA

- 1. We have No Objections to this Proposal.
- 2. We recommend Denial of this Proposal.
- 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.
- 4. We will require more data concerning soil conditions on this Proposal before we can comment.
- 5. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
  - high seasonal ground water
  - bedrock from original grade
  - waste flow characteristics
  - other \_\_\_\_\_
- 6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.
- 7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.
- 8. After written approval from appropriate entities are submitted, we can approve this proposal for:
  - central sewage
  - interim sewage
  - individual sewage
  - community sewage system
  - central water
  - individual water
  - community water well
- 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
  - central sewage
  - sewage dry lines
  - community sewage system
  - central water
  - community water
- 10. This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.
- 11. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
- 12. We will require plans be submitted for a plan review for any:
  - food establishment
  - beverage establishment
  - swimming pools or spas
  - grocery store
  - child care center
- 13. Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDHD.

14. \_\_\_\_\_  
\_\_\_\_\_

Reviewed By: [Signature]  
Date: 6/27/14

Exhibit  
B-3



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

**GORDON N. LAW**  
**CITY ENGINEER**

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

Email: [glaw@kunaid.gov](mailto:glaw@kunaid.gov)

## MEMORANDUM

TO: Director of Kuna Planning and Zoning

FROM: Gordon N. Law  
 Kuna City Engineer

RE: Jose and Irma Garcia  
 Annexation  
 16-04-AN

DATE: June 27, 2016

The City Engineer has reviewed the annexation request of the above applicant dated June 14, 2016. It is noted that specific development plans are not provided except those implied as allowed or permitted in a "R-6" zone. The applicant desires to continue their residential use at the site and is annexing to qualify for connection to pressurized irrigation.

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

- a) The applicant's property to be annexed is presently used for residential purposes, has its own private sewer system and does not require City service. As developed property, it will require municipal sewer service. The City Engineer recommends ultimate connection to City facilities at such time as their existing system fails or in connection with future development.
- b) Wastewater from the applicant's property has the future option of being treated at the North Treatment Plant which has sufficient capacity to serve this site. The nearest point of connection for the Garcia property is beyond 300 feet and is considered "not reasonably available". 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.
- c) For assistance in locating existing facilities and understanding issues associated with connection, please contact the City Engineer at 287-1727.

## 2. Potable Water Needs

- a) The applicant's property to be annexed is presently used for residential purposes and is connected to City service at present.
- b) For assistance in locating existing facilities, please contact the City Engineer at 287-1727.

## 3. Pressure Irrigation

- a) The property's irrigation needs are presently served by City potable water. The city does have pressure irrigation facilities in the vicinity. Accordingly, the City Engineer recommends connection to City pressure irrigation facilities.

## 4. Grading and Storm Drainage

The following is not required for annexation but will be required when alteration of surface features is proposed (such as grading or paving) in connection with future land use applications:

- a) Please provide a grading and drainage plan which supports and maintains all upstream drainage rights and all downstream irrigation delivery rights as they presently exist for this property.
- b) 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.
- c) 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 (The following issues are not relevant to this application.)

- 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 side on an existing section line arterial street (Deer Flat 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 new approaches onto the classified streets comply 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.



**Project/File:** Garcia Annexation/ KUNA16-0014/ 16-04-AN  
*This is an annexation application with proposed zoning of R-6 (medium density residential) located on 1.2-acres into the City of Kuna*

**Lead Agency:** City of Kuna

**Site address:** 930 W Deer Flat Road

**Staff Approval:** July 1, 2016

**Applicant:** Jose & Irma Garcia  
 930 W Deer Flat Road  
 Kuna, ID 83634

**Representative:** Jahil Vejar  
 942 S School Avenue  
 Kuna, ID 83634

**Staff Contact:** Stacey Yarrington  
 Phone: 387-6171  
 E-mail: [syarrington@achdidaho.org](mailto:syarrington@achdidaho.org)



## A. Findings of Fact

- Description of Application:** The applicant is requesting approval of an annexation application of 1.2-acres with a proposed rezone from RUT to R-6 into the City of Kuna.

The property is currently zoned RUT (Rural Urban Transition) and the property is located within the City of Kuna's Impact area and is therefore consistent with the City's comprehensive plan.

- Description of Adjacent Surrounding Area:**

Direction	Land Use	Zoning
North	Medium Density Residential	R-6
South	Medium Density Residential	R-6
East	Medium Density Residential	R-6
West	Medium Density Residential	R-6

- Site History:** ACHD previously reviewed this site as K05-06-AN in August 2005. The requirements of this staff report are consistent with those of the prior action.
- Transit:** Transit services are not available to serve this site.
- New Center Lane Miles:** There are no new centerline miles of public roadway associated with this project.
- Impact Fees:** There will be an impact fee that is assessed and due prior to issuance of any building permits. The assessed impact fee will be based on the impact fee ordinance that is in effect at that time.



## 7. Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):

- The intersection of Linder Avenue and Main Street and 3<sup>rd</sup> Street is scheduled in the IFYWP to be constructed as a single-lane roundabout in 2016.
- 4<sup>th</sup> Street and #326 is scheduled in the IFYWP to be replaced in 2018.
- Avalon is listed in the CIP to be widened to 3-lanes from Linder Road to Orchard Street between 2022 and 2026.
- Deer Flat is listed in the CIP to be widened to 5-lanes from Linder Road to SH-69/ Meridian Rd between 2027 and 2031.

## B. Traffic Findings for Consideration

1. **Trip Generation:** This development is estimated to generate 0 additional vehicle trips per day (10 existing); 0 additional vehicle trips per hour in the PM peak hour (1 existing), based on the Institute of Transportation Engineers Trip Generation Manual, 9<sup>th</sup> edition. Additional trips will be determined when a development application has been received.
2. **Condition of Area Roadways**  
Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service	Existing Plus Project
Deer Flat Road	150-feet	Minor Arterial	228	Better than "D"	Better than "D"
Ten Mile Road	0-feet	Minor Arterial	251	Better than "D"	Better than "D"
Linder Road	0-feet	Minor Arterial	283	Better than "D"	Better than "D"

\* Acceptable level of service for a two-lane minor arterial is "D" (550 VPH).

\* Acceptable level of service for a three-lane minor arterial is "D" (720 VPH).

## 3. Average Daily Traffic Count (VDT)

*Average daily traffic counts are based on ACHD's most current traffic counts.*

- The average daily traffic count for Deer Flat Road east of Ten Mile Road was 4,373 on 3/8/2016.
- The average daily traffic count for Ten Mile Road north of Deer Flat Road was 4,462 on 3/8/2016.
- The average daily traffic count for Linder Road north of Deer Flat Road was 4,548 on 7/31/2014.

## C. Findings for Consideration

*This application is for annexation and rezone only. Listed below are some of the findings for consideration that the District may identify when it reviews a future development application. The District may add additional findings for consideration when it reviews a specific redevelopment application.*

### 1. Deer Flat Road

- a. **Existing Conditions:** Deer Flat Road is improved with 3-travel lanes, and no curb, gutter or sidewalk abutting the site. There is 96-feet of right-of-way for Deer Flat Road (53-feet from centerline).

**b. Policy:**

**Arterial Roadway Policy:** District Policy 7205.2.1 states that the developer is responsible for improving all street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

**Master Street Map and Typology Policy:** District Policy 7205.5 states that the design of improvements for arterials shall be in accordance with District standards, including the Master Street Map and Livable Streets Design Guide. The developer or engineer should contact the District before starting any design.

**Street Section and Right-of-Way Width Policy:** District Policies 7205.2.1 & 7205.5.2 state that the standard 5-lane street section shall be 72-feet (back-of-curb to back-of-curb) within 96-feet of right-of-way. This width typically accommodates two travel lanes in each direction, a continuous center left-turn lane, and bike lanes on a minor arterial and a safety shoulder on a principal arterial.

**Right-of-Way Dedication:** District Policy 7205.2 states that The District will provide compensation for additional right-of-way dedicated beyond the existing right-of-way along arterials listed as impact fee eligible in the adopted Capital Improvements Plan using available impact fee revenue in the Impact Fee Service Area.

No compensation will be provided for right-of-way on an arterial that is not listed as impact fee eligible in the Capital Improvements Plan.

The District may acquire additional right-of-way beyond the site-related needs to preserve a corridor for future capacity improvements, as provided in Section 7300.

**Sidewalk Policy:** District Policy 7205.5.7 requires a concrete sidewalk at least 5-feet wide to be constructed on both sides of all arterial streets. A parkway strip at least 6-feet wide between the back-of-curb and street edge of the sidewalk is required to provide increased safety and protection of pedestrians. Consult the District's planter width policy if trees are to be placed within the parkway strip. Sidewalks constructed next to the back-of-curb shall be a minimum of 7-feet wide.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

**Minor Improvements Policy:** District Policy 7203.3 states that minor improvements to existing streets adjacent to a proposed development may be required. These improvements are to correct deficiencies or replace deteriorated facilities. Included are sidewalk construction or replacement; curb and gutter construction or replacement; replacement of unused driveways with curb, gutter and sidewalk; installation or reconstruction of pedestrian ramps; pavement repairs; signs; traffic control devices; and other similar items.

**ACHD Master Street Map:** ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, arterial street requirements, and specific roadway features required through development. This segment of Deer Flat Road is designated in the MSM as a Residential Arterial with 5-lanes and on-street bike lanes, a 71-foot street section within 97-feet of right-of-way.

- c. Staff Comments/Recommendations:** No other right-of-way dedication will be required with this application. As this application is not creating any new vehicle trips per day, no street improvements will be required with this application. However, the applicant will be required to

construct minimum 5-foot wide concrete sidewalk along Deer Flat Road, located a minimum of 41-feet from the centerline of the right-of-way, when the site is further developed.

## 2. Driveways

### 2.1 Deer Flat Road

a. **Existing Conditions:** There is one existing residential driveway onto Deer Flat Road from the site.

b. **Policy**

**Access Points Policy:** District Policy 7205.4.1 states that all access points associated with development applications shall be determined in accordance with the policies in this section and Section 7202. Access points shall be reviewed only for a development application that is being considered by the lead land use agency. Approved access points may be relocated and/or restricted in the future if the land use intensifies, changes, or the property redevelops.

**Access Policy:** District policy 7205.4.6 states that direct access to minor arterials is typically prohibited. If a property has frontage on more than one street, access shall be taken from the street having the lesser functional classification. If it is necessary to take access to the higher classified street due to a lack of frontage, the minimum allowable spacing shall be based on Table 1a under District policy 7205.4.6, unless a waiver for the access point has been approved by the District Commission.

**Driveway Location Policy:** District policy 7205.4.5 requires driveways located on minor arterial roadways from a signalized intersection with a single left turn lane shall be located a minimum of 330-feet from the nearest intersection for a right-in/right-out only driveway and a minimum of 660-feet from the intersection for a full-movement driveway.

**Successive Driveways:** District policy 7205.4.6 Table 1a, requires driveways located on minor arterial roadways with a speed limit of 40 MPH to align or offset a minimum of 330-feet from any existing or proposed driveway.

**Driveway Width Policy:** District policy 7205.4.8 restricts high-volume driveways (100 VTD or more) to a maximum width of 36-feet and low-volume driveways (less than 100 VTD) to a maximum width of 30-feet. Curb return type driveways with 30-foot radii will be required for high-volume driveways with 100 VTD or more. Curb return type driveways with 15-foot radii will be required for low-volume driveways with less than 100 VTD.

**Driveway Paving Policy:** Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7205.4.8, the applicant should be required to pave the driveway its full width and at least 30-feet into the site beyond the edge of pavement of the roadway and install pavement tapers in accordance with Table 2 under District Policy 7205.4.8.

c. **Staff Comments/Recommendations:** District Access Management, Successive Driveway, and Driveway Location policies, requires driveways located on arterial roadways to be located a minimum of 330-feet from any existing or proposed driveway.

The existing driveway meets District policy. Any change to the existing driveway location will be evaluated with a future development application.

## 3. Tree Planters

**Tree Planter Policy:** Tree Planter Policy: The District's Tree Planter Policy prohibits all trees in planters less than 8-feet in width without the installation of root barriers. Class II trees may be allowed in planters with a minimum width of 8-feet, and Class I and Class III trees may be allowed in planters with a minimum width of 10-feet.

#### 4. Landscaping

**Landscaping Policy:** A license agreement is required for all landscaping proposed within ACHD right-of-way or easement areas. Trees shall be located no closer than 10-feet from all public storm drain facilities. Landscaping should be designed to eliminate site obstructions in the vision triangle at intersections. District Policy 5104.3.1 requires a 40-foot vision triangle and a 3-foot height restriction on all landscaping located at an uncontrolled intersection and a 50-foot offset from stop signs. Landscape plans are required with the submittal of civil plans and must meet all District requirements prior to signature of the final plat and/or approval of the civil plans.

#### 5. Other Access

Deer Flat Road is classified as a minor arterial roadway. Other than the access specifically approved with this application, direct lot access is prohibited to this roadway.

### D. Site Specific Conditions of Approval

*This application is for annexation and rezone only. Listed below are some of the findings for consideration that the District may identify when it reviews a future development application. The District may add additional findings for consideration when it reviews a specific redevelopment application.*

1. Payment of impacts fees are due prior to issuance of a building permit.
2. Comply with all Standard Conditions of Approval.

### E. Standard Conditions of Approval

1. All proposed irrigation facilities shall be located outside of the ACHD right-of-way (including all easements). Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way (including all easements).
2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.
3. In accordance with District policy, 7203.3, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.
4. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.
5. A license agreement and compliance with the District's Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.
6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.
8. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.

9. All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.
11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.
12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

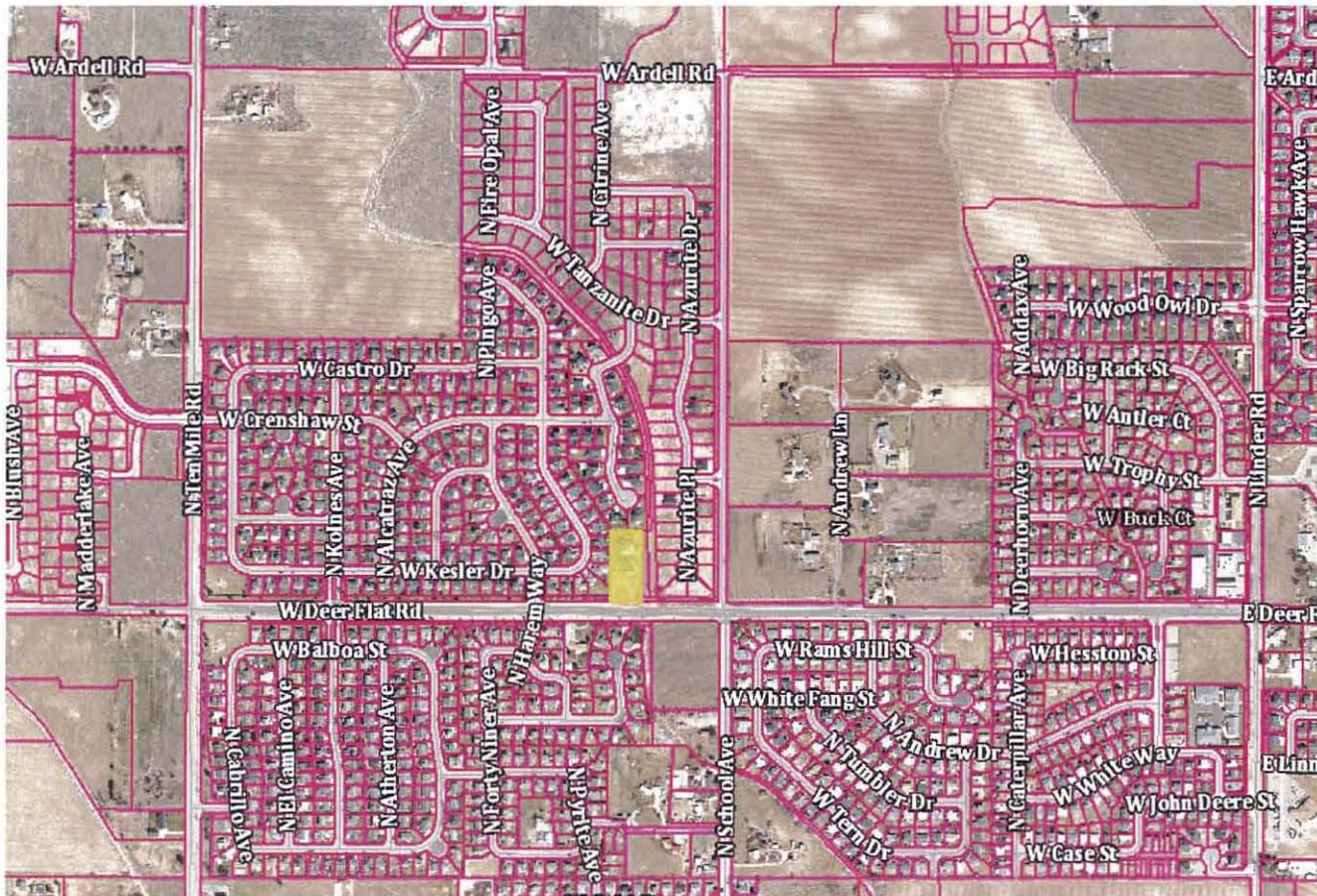
## **F. Conclusions of Law**

1. The proposed site plan is approved, if all of the Site Specific and Standard Conditions of Approval are satisfied.
2. ACHD requirements are intended to assure that the proposed use/development will not place an undue burden on the existing vehicular transportation system within the vicinity impacted by the proposed development.

## **G. Attachments**

1. Vicinity Map
2. Site Plan
3. Utility Coordinating Council
4. Development Process Checklist
5. Request for Reconsideration Guidelines

VICINITY MAP



## Ada County Utility Coordinating Council

### Developer/Local Improvement District Right of Way Improvements Guideline Request

*Purpose: To develop the necessary avenue for proper notification to utilities of local highway and road improvements, to help the utilities in budgeting and to clarify the already existing process.*

- 1) **Notification:** Within five (5) working days upon notification of required right of way improvements by Highway entities, developers shall provide written notification to the affected utility owners and the Ada County Utility Coordinating Council (UCC). Notification shall include but not be limited to, project limits, scope of roadway improvements/project, anticipated construction dates, and any portions critical to the right of way improvements and coordination of utilities.
- 2) **Plan Review:** The developer shall provide the highway entities and all utility owners with preliminary project plans and schedule a plan review conference. Depending on the scale of utility improvements, a plan review conference may not be necessary, as determined by the utility owners. Conference notification shall also be sent to the UCC. During the review meeting the developer shall notify utilities of the status of right of way/easement acquisition necessary for their project. At the plan review conference each company shall have the right to appeal, adjust and/or negotiate with the developer on its own behalf. Each utility shall provide the developer with a letter of review indicating the costs and time required for relocation of its facilities. Said letter of review is to be provided within thirty calendar days after the date of the plan review conference.
- 3) **Revisions:** The developer is responsible to provide utilities with any revisions to preliminary plans. Utilities may request an updated plan review meeting if revisions are made in the preliminary plans which affect the utility relocation requirements. Utilities shall have thirty days after receiving the revisions to review and comment thereon.
- 4) **Final Notification:** The developer will provide highway entities, utility owners and the UCC with final notification of its intent to proceed with right of way improvements and include the anticipated date work will commence. This notification shall indicate that the work to be performed shall be pursuant to final approved plans by the highway entity. The developer shall schedule a preconstruction meeting prior to right of way improvements. Utility relocation activity shall be completed within the times established during the preconstruction meeting, unless otherwise agreed upon.

**Notification to the Ada County UCC can be sent to:** 50 S. Cole Rd. Boise 83707, or Visit [iducc.com](http://iducc.com) for e-mail notification information.

# Development Process Checklist

## Items Completed to Date:

- Submit a development application to a City or to Ada County
- The City or the County will transmit the development application to ACHD
- The ACHD **Planning Review Section** will receive the development application to review
- The **Planning Review Section** will do one of the following:
  - Send a “**No Review**” letter to the applicant stating that there are no site specific conditions of approval at this time.
  - Write a **Staff Level** report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy.
  - Write a **Commission Level** report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy.

## **Items to be completed by Applicant:**

- For **ALL** development applications, including those receiving a “**No Review**” letter:
  - The applicant should submit one set of engineered plans directly to ACHD for review by the **Development Review Section** for plan review and assessment of impact fees. (Note: if there are no site improvements required by ACHD, then architectural plans may be submitted for purposes of impact fee assessment.)
  - The applicant is required to get a permit from Construction Services (ACHD) for ANY work in the right-of-way, including, but not limited to, driveway approaches, street improvements and utility cuts.
- Pay Impact Fees prior to issuance of building permit. Impact fees cannot be paid prior to plan review approval.

### *DID YOU REMEMBER:*

#### *Construction (Non-Subdivisions)*

- Driveway or Property Approach(s)**
  - Submit a “Driveway Approach Request” form to ACHD Construction (for approval by Development Services & Traffic Services). There is a one week turnaround for this approval.
- Working in the ACHD Right-of-Way**
  - Four business days prior to starting work have a bonded contractor submit a “Temporary Highway Use Permit Application” to ACHD Construction – Permits along with:
    - a) Traffic Control Plan
    - b) An Erosion & Sediment Control Narrative & Plat, done by a Certified Plan Designer, if trench is >50’ or you are placing >600 sf of concrete or asphalt.

#### *Construction (Subdivisions)*

- Sediment & Erosion Submittal**
  - At least one week prior to setting up a Pre-Construction Meeting an Erosion & Sediment Control Narrative & Plan, done by a Certified Plan Designer, must be turned into ACHD Construction to be reviewed and approved by the ACHD Stormwater Section.
- Idaho Power Company**
  - Vic Steelman at Idaho Power must have his IPCO approved set of subdivision utility plans prior to Pre-Con being scheduled.
- Final Approval from Development Services is required** prior to scheduling a Pre-Con.

## Request for Appeal of Staff Decision

1. **Appeal of Staff Decision:** The Commission shall hear and decide appeals by an applicant of the final decision made by the Development Services Manager when it is alleged that the Development Services Manager did not properly apply this section 7101.6, did not consider all of the relevant facts presented, made an error of fact or law, abused discretion or acted arbitrarily and capriciously in the interpretation or enforcement of the ACHD Policy Manual.
  - a. **Filing Fee:** The Commission may, from time to time, set reasonable fees to be charged the applicant for the processing of appeals, to cover administrative costs.
  - b. **Initiation:** An appeal is initiated by the filing of a written notice of appeal with the Secretary of Highway Systems, which must be filed within ten (10) working days from the date of the decision that is the subject of the appeal. The notice of appeal shall refer to the decision being appealed, identify the appellant by name, address and telephone number and state the grounds for the appeal. The grounds shall include a written summary of the provisions of the policy relevant to the appeal and/or the facts and law relied upon and shall include a written argument in support of the appeal. The Commission shall not consider a notice of appeal that does not comply with the provisions of this subsection.
  - c. **Time to Reply:** The Development Services Manager shall have ten (10) working days from the date of the filing of the notice of appeal to reply to the notice of the appeal, and may during such time meet with the appellant to discuss the matter, and may also consider and/or modify the decision that is being appealed. A copy of the reply and any modifications to the decision being appealed will be provided to the appellant prior to the Commission hearing on the appeal.
  - d. **Notice of Hearing:** Unless otherwise agreed to by the appellant, the hearing of the appeal will be noticed and scheduled on the Commission agenda at a regular meeting to be held within thirty (30) days following the delivery to the appellant of the Development Services Manager's reply to the notice of appeal. A copy of the decision being appealed, the notice of appeal and the reply shall be delivered to the Commission at least one (1) week prior to the hearing.
  - e. **Action by Commission:** Following the hearing, the Commission shall either affirm or reverse, in whole or part, or otherwise modify, amend or supplement the decision being appealed, as such action is adequately supported by the law and evidence presented at the hearing.

# Boise-Kuna Irrigation District

129 N. School Ave-P.O. Box 330

Directors  
Ronald I. Blickenstaff  
Duane Yamamoto  
Mike D. Kukla

Kuna, ID 83634-0330  
Telephone (208) 922-5608  
Fax (208) 922-565

Staff  
Lauren S. Boehlke  
Sec. -Treasurer  
Rochelle Proesch  
Asst. Sec.-Treasurer

COPY

March 1, 2007

To Whom It May Concern:

This is just a reminder that the water tax on the enclosed property has not been paid.

This a water right that goes with the land and must be paid whether the water is used or not.

Once the bill has been paid, water right may be given back to the District if no means of delivery is available, or you chose not to use it.

If you have any questions about this bill, please contact the Boise-Kuna Irrigation District office at 922-5608.

Your prompt attention to this matter is appreciated.

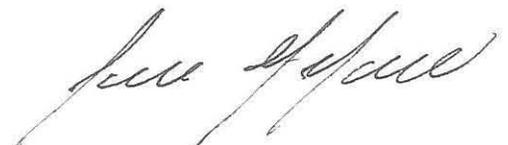
Thank you.

Sincerely



Lauren S Boehlke  
Secretary/Treasurer

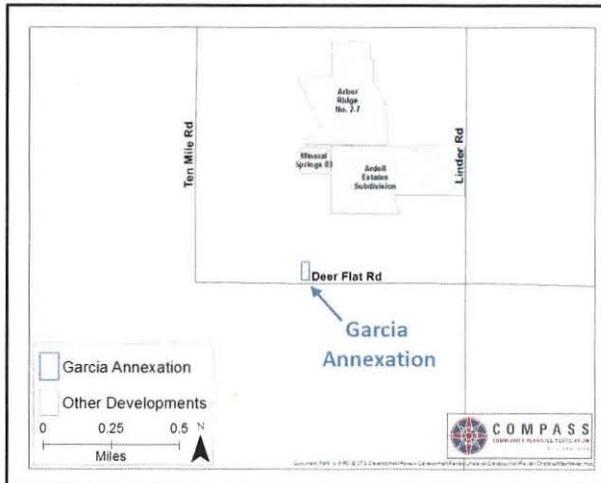
*I do wish to relinquish the water rights from my property here to I can get the water in my property*



# Communities in Motion 2040 Development Checklist

The Community Planning Association of Southwest Idaho (COMPASS) is the metropolitan planning organization (MPO) for Ada and Canyon Counties. COMPASS has developed this checklist as a tool for local governments to evaluate whether land developments are consistent with the goals of *Communities in Motion 2040* (CIM 2040), the regional long-range transportation plan for Ada and Canyon Counties. CIM 2040 was developed through a collaborative approach with COMPASS member agencies and adopted by the COMPASS Board on **July 21, 2014**.

This checklist is not intended to be prescriptive, but rather a guidance document based on CIM 2040 goals, objectives, and performance measures. A checklist user guide is available [here](#); and more information about the CIM 2040 goals can be found [here](#); and information on the CIM 2040 Vision can be found [here](#).



Click to view enlarged map

**Name of Development:** Garcia Annexation - Annexation of 1.2 acres with R-6 zoning.

**Summary:** Located about 400 feet to the west of School Ave off the north side of Deer Flat Rd the proposed annexation and zoning designation would allow for up to 7 residences. There are 3 other active developments in this area that are anticipated to add 451 residential units (on 451 lots) and 3 commercial units. The proposal supports 7 CIM 2040 checklist items and does not support 13 CIM2040 checklist items.

### Land Use

In which of the [CIM 2040 Vision Areas](#) is the proposed development? (**Goal 2.1**)?

- Downtown
- Future Neighborhood
- Small Town
- Employment Center
- Mixed Use
- Transit Oriented Development
- Existing Neighborhood
- Prime Farmland
- Foothills
- Rural

Yes  No  N/A The proposal is within a CIM 2040 Major Activity Center. (**Goal 2.3**)

### Neighborhood (Transportation Analysis Zone) Demographics

TAZ: 1193

Existing		Existing TAZ + Proposal		2040 Forecast	
Households	Jobs	Households	Jobs	Households	Jobs
260	31	267	31	407	70

Yes  No  N/A The number of jobs and/or households in this development is consistent with jobs/households in the CIM 2040 Vision in this neighborhood. (**Goal 2.1**)

### Area (Adjacent Transportation Analysis Zone) Demographics

TAZs: 1194, 1195, 1196, 1197, 1203, 1204, 1277, 1278, 1279

Existing		Existing TAZs + Net Proposed		2040 Forecast	
Households	Jobs	Households	Jobs	Households	Jobs
1,784	408	2,242	408	3,994	1,008

Yes  No  N/A The number of jobs and/or households in this development is consistent with jobs/households in the CIM 2040 Vision in this area. (**Goal 2.1**)



More information on COMPASS and *Communities in Motion 2040* can be found at:

[www.compassidaho.org](http://www.compassidaho.org)  
Email: [info@compassidaho.org](mailto:info@compassidaho.org)  
Telephone: (208) 475-2239



**COMPASS**  
COMMUNITY PLANNING ASSOCIATION  
of Southwest Idaho

## Communities in Motion 2040 Development Checklist

### Transportation

- Attached  N/A An Area of Influence Travel Demand Model Run is attached.
- Yes  No  N/A There are relevant projects in the current Regional [Transportation Improvement Projects](#) (TIP) within one mile of the development.

**Comments:** In FY2020 ACHD plans to improve the intersection at Linder and Deer Flat Roads in Kuna.

- Yes  No  N/A The proposal uses appropriate access management techniques as described in the [COMPASS Access Management Toolkit](#).

**Comments:** \_\_\_\_\_

- Yes  No  N/A This proposal supports Valley Regional Transit's [valleyconnect](#) plan. See [Valley Regional Transit Amenities Development Guidelines](#) for additional detail.

**Comments:** Future demand response services are proposed near the development. See valleyconnect for details

The **Complete Streets Level of Service (LOS) scoring** based on the proposed development will be provided on an separate worksheet (**Goals [1.1](#), [1.2](#), [1.3](#), [1.4](#), [2.4](#)**):

- Attached  N/A Complete Streets LOS scorecard is attached.
- Yes  No  N/A The proposal maintains or improves current automobile LOS.
- Yes  No  N/A The proposal maintains or improves current bicycle LOS.
- Yes  No  N/A The proposal maintains or improves current pedestrian LOS.
- Yes  No  N/A The proposal maintains or improves current transit LOS.
- Yes  No  N/A The proposal is in an area with a [Walkscore](#) over 50.

### Housing

- Yes  No  N/A The proposal adds [compact housing](#) over seven residential units per acre. (**Goal [2.3](#)**)
- Yes  No  N/A The proposal is a mixed-use development or in a mixed-use area. (**Goal [3.1](#)**)
- Yes  No  N/A The proposal is in an area with lower transportation costs than the [regional average](#) of 26% of the median household income. (**Goal [3.1](#)**)
- Yes  No  N/A The proposal improves the jobs-housing balance by providing housing in employment-rich areas. (**Goal [3.1](#)**)

### Community Infrastructure

- Yes  No  N/A The proposal is infill development. (**Goals [4.1](#), [4.2](#)**)
- Yes  No  N/A The proposal is within or adjacent to city limits. (**Goals [4.1](#), [4.2](#)**)
- Yes  No  N/A The proposal is within a city area of impact. (**Goals [4.1](#), [4.2](#)**)

### Health

- Yes  No  N/A The proposal is within 1/4 mile of a transit stop. (**Goal [5.1](#)**)
- Yes  No  N/A The proposal is within 1/4 mile of a public school. (**Goal [5.1](#)**)
- Yes  No  N/A The proposal is within 1/4 mile of a grocery store. (**Goal [5.1](#)**)
- Yes  No  N/A The proposal is within 1 mile of a park and ride location. (**Goal [5.1](#)**)

### Economic Development

- Yes  No  N/A The proposal improves the jobs-housing balance by providing employment in housing-rich areas. (**Goal [3.1](#)**)
- Yes  No  N/A The proposal provides grocery stores or other retail options for neighborhoods within 1/2 mile. (**Goal [6.1](#)**)

### Open Space

- Yes  No  N/A The proposal is within a 1/4 mile of a public park. (**Goal [7.1](#)**)
- Yes  No  N/A The proposal provides at least 1 acre of parks for every 35 housing units. (**Goal [7.1](#)**)

### Farmland

- Yes  No  N/A The proposal is outside "Prime Farmland" in the CIM 2040 Vision. (**Goals [4.1](#), [8.2](#)**)
- Yes  No  N/A The proposal is outside prime farmland. (**Goal [8.2](#)**)

## Communities in Motion 2040 Complete Streets Scorecard

The purpose of this checklist is to provide a tool for local governments to evaluate whether land developments are in accordance with the goals of *Communities in Motion 2040* (CIM 2040). Complete Streets Level of Service (LOS) refers to the multimodal (automobile, bicycle, pedestrian, and transit) experience and grades a roadway (A-F) for each mode. COMPASS conducts Complete Streets Level of Service (CSLOS) analysis for developments on arterial roads.



Street	Mode	Existing	With detached sidewalk
		Link LOS	Link LOS
Deer Flat Road	Transit	F	F
School Avenue to Ten Mile Road	Bike	C	C
	Ped	<b>D</b>	<b>B</b>
Highway Capacity Manual 2010 Methodologies			

**Walkscore: 24 Car Dependent.** Walkscore is a walkability index that assigns a numerical walkability on a scale from 0 - 100 based on walking routes to destinations such as grocery stores, schools, parks, restaurants, and retail. Scores of 50 or higher are considered at least "Somewhat Walkable" while scores less than 50 are "Car-Dependent."

**Additional Comments:**

Completing the sidewalk at this location would provide complete westbound coverage from School Avenue to Ten Mile Road and would improve pedestrian LOS from a "D" to an "B."

More information on  
COMPASS and  
*Communities in Motion*  
2040 can be found at:



[www.compassidaho.org](http://www.compassidaho.org)



# Communities in Motion 2040 Checklist User Guide

**C**ommunity Planning Association of Southwest Idaho (COMPASS) is a forum for regional collaboration that helps maintain a healthy and economically vibrant region, offering people choices in how and where they live, work, play, and travel. COMPASS serves as the metropolitan planning organization (MPO) for Ada and Canyon Counties, Idaho. More information about COMPASS can be found [here](#).

**C**IM 2040 describes the current transportation system, outlines what is needed to accommodate future growth, explores how to fund future transportation needs, discusses how to maintain a safe and secure transportation system, and examines the environmental issues that have the potential to impact, or be impacted by, transportation investments. More information about the CIM 2040 can be found [here](#).

**H**ighlighted text indicates that there is a hyperlink to a document on the internet that further explains the background, topic, or methodology used to develop the information.

**Y**es and no answers to each of the 8 CIM 2040 elements have been developed to indicate how well a development aligns with the goals and vision of CIM. More information about the eight CIM 2040 goals, objectives, and tasks can be found [here](#) and are:

- Transportation
- Land Use
- Housing
- Community Infrastructure
- Health
- Economic Development
- Open Space
- Farmland

**Q**R Codes (or Quick Response Codes) can be scanned with personal electronic device, such as a cell phone or tablet, to open a web page. The QR code on the CIM 2040 land development checklist will take the user to the COMPASS home page ([www.compassidaho.org](http://www.compassidaho.org)).

### Communities in Motion 2040 Development Checklist

The Community Planning Association of Southwest Idaho (COMPASS) is the metropolitan planning organization (MPO) for Ada and Canyon Counties. COMPASS has developed this checklist as a tool for local governments to evaluate whether land developments are consistent with the goals of *Communities in Motion 2040* (CIM 2040), the regional long-range transportation plan for Ada and Canyon Counties. CIM 2040 was developed through a collaborative approach with COMPASS member agencies and adopted by the COMPASS Board on July 21, 2014.

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**MAP**

Name of Development: \_\_\_\_\_

Summary: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Land Use**  
In which of the **CIM 2040 Vision Areas** is the proposed development? (Goal 2.1)?

Downtown  Employment Center  Existing Neighborhood  Foothills  
 Future Neighborhood  Mixed Use  Prime Farmland  Rural  
 Small Town  Transit Oriented Development

Yes  No  N/A The proposal is within a CIM 2040 Major Activity Center. (Goal 2.1)

**Neighborhood (Transportation Analysis Zone) Demographics**

Existing		Existing + Proposed		2040 Forecast	
Households	Jobs	Households	Jobs	Households	Jobs

Yes  No  N/A The number of jobs and/or households in this development is consistent with jobs/households in the CIM 2040 Vision in this neighborhood. (Goal 2.1)

**Area (Adjacent Transportation Analysis Zone) Demographics**

Existing		Existing + Proposed		2040 Forecast	
Households	Jobs	Households	Jobs	Households	Jobs

Yes  No  N/A The number of jobs and/or households in this development is consistent with jobs/households in the CIM 2040 Vision in this area. (Goal 2.1)

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(Page 1 of 2)

**L**ocation map highlights the location of the proposed development and the nearby 2040 functionally classified roadways. Functional street classification groups roads into classes according to the character of service they are intended to provide. More information on functional classification can be found [here](#).

**C**IM 2040 Vision Areas highlight the general vision for how the region will grow. Each typology describes different uses and densities as well as approaches to promoting housing, economic development, open space, farmland, health, and community infrastructure. More information about the CIM 2040 Vision is found [here](#).

**M**ajor Activity Centers (MACs) are important trip generators and are logical destinations for public transit service. MACs tend to increase productivity and support economic development, reduce land consumption and sprawl, and provide options for those that are carless. More information about Major Activity Centers can be found [here](#).

**T**raffic Analysis Zones (or TAZs) are designated areas used for travel demand modeling. CIM 2040 was developed using TAZs at the core unit of geography. "Neighborhood demographics" to the exact TAZs where the development will occur, while "area demographics" refer to the neighborhood TAZs plus TAZs adjacent to the development area to provide an overview of the impact on the broader area. More information about the regional travel demand model can be found [here](#).

**C**OMPASS staff welcome the opportunity to discuss *Communities in Motion*, the checklist, or specific development proposals with stakeholders. Please feel free to contact us at to schedule an appointment using the phone number/email address to the left. More information on the COMPASS member service can be found [here](#).

# Communities in Motion 2040 Checklist User Guide

**A**rea of Influence travel demand model runs summarize the impact of the proposed development on the transportation network. More information on the travel demand model can be found [here](#).

**C**omplete Streets Level of Service (CSLOS) refers to the multimodal (automobile, bicycle, pedestrian, and transit) experience and grades a roadway (A-F) according to those modes. COMPASS conducts CSLOS analysis for developments on arterial roads when a traffic impact study is provided. A separate CSLOS worksheet will be provided as applicable. More information on the Complete Streets can be found [here](#).

**A**"location affordability portal" has been developed to determine housing and transportation costs. On average, in Ada and Canyon Counties, 26% of household income is spent on transportation. Developing in areas with existing employment and services will enable households to save on transportation costs." Developing in areas with employment and services will enable households to save. More information on the location affordability portal is available [here](#).

**I**nfill development is using land within already developed areas and meets the following criteria:

- At least 1 job/per acre within 1 mile of the development
- Within city limits (or enclave)
- Within ¼ mile of at least one of the following: public school, public park, transit stop, or retail center.

More information on infill can be found [here](#).

**P**rime Farmland areas were designated in the CIM 2040 Vision as areas to preserve to enable agricultural production. While not all farmland will be able to be preserved over the next three decades, areas with prime soils and without urban infrastructure are key candidates for preservation. More information about the CIM 2040

Communities in Motion 2040 Development Checklist					
<b>Transportation</b>					
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Attached	N/A	An Area of Influence Travel Demand Model Run is attached.			
Yes	No	No	N/A	These are relevant projects in the current Regional <b>Transportation Improvement Projects (TIP)</b> within one mile of the development.	
<b>Comments:</b>					
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Yes	No	No	N/A	The proposal uses appropriate access management techniques as described in the <b>COMPASS Access Management Toolkit</b> .	
<b>Comments:</b>					
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Yes	No	No	N/A	This proposal supports Valley Regional Transit's <b>Bus Stop Location and Transit Amenities Development Guidelines</b> .	
<b>Comments:</b>					
* <b>Complete Streets Level of Service (LOS) scoring</b> based on the proposed development will be provided on a separate worksheet (Goals <b>1.1.1, 1.2, 1.3, 1.4, 2.1</b> ):					
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Attached	N/A	Complete Streets LOS scorecard is attached.			
Yes	No	No	N/A	The proposal maintains or improves current automobile LOS.	
Yes	No	No	N/A	The proposal maintains or improves current bicycle LOS.	
Yes	No	No	N/A	The proposal maintains or improves current pedestrian LOS.	
Yes	No	No	N/A	The proposal maintains or improves current transit LOS.	
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Yes	No	No	N/A	The proposal is in an area with a <b>Walkscore</b> over 50.	
<b>Housing</b>					
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Yes	No	No	N/A	The proposal adds <b>compact housing</b> over 100 residential units per acre. (Goal <b>2.3</b> )	
Yes	No	No	N/A	The proposal is a mixed-use development or in a mixed-use area. (Goal <b>3.1</b> )	
Yes	No	No	N/A	The proposal is in an area with lower transportation costs than the <b>regional average</b> of 26% of the median household income. (Goal <b>3.1</b> )	
Yes	No	No	N/A	The proposal improves the jobs-housing balance by providing housing in employment-rich areas. (Goal <b>3.1</b> )	
<b>Community Infrastructure</b>					
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Yes	No	No	N/A	The proposal is infill development. (Goals <b>4.1, 4.2</b> )	
Yes	No	No	N/A	The proposal is within or adjacent to city limits. (Goals <b>4.1, 4.2</b> )	
Yes	No	No	N/A	The proposal is within a city area of impact. (Goals <b>4.1, 4.2</b> )	
<b>Health</b>					
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Yes	No	No	N/A	The proposal is within 1/4 mile of a transit stop. (Goal <b>5.1</b> )	
Yes	No	No	N/A	The proposal is within 1/4 mile of a public school. (Goal <b>5.1</b> )	
Yes	No	No	N/A	The proposal is within 1/4 mile of a grocery store. (Goal <b>5.1</b> )	
Yes	No	No	N/A	The proposal is within 1 mile of a park and ride location. (Goal <b>5.1</b> )	
<b>Economic Development</b>					
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Yes	No	No	N/A	The proposal improves the jobs-housing balance by providing employment in housing-rich areas. (Goal <b>3.1</b> )	
Yes	No	No	N/A	The proposal provides grocery stores or other retail options for neighborhoods within 1/2 mile. (Goal <b>6.1</b> )	
<b>Open Space</b>					
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Yes	No	No	N/A	The proposal is within a 1/4 mile of a public park. (Goal <b>7.1</b> )	
Yes	No	No	N/A	The proposal provides at least 1 acre of parks for every 35 housing units. (Goal <b>7.1</b> )	
<b>Farmland</b>					
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Yes	No	No	N/A	The proposal is outside "Prime Farmland" in the CIM 2040 Vision. (Goals <b>4.1, 8.2</b> )	
Yes	No	No	N/A	The proposal is outside prime farmland. (Goal <b>8.2</b> )	

**T**he Regional Transportation Improvement Program (TIP) is a short-range (3-5 year) capital improvement program (budget) of transportation projects consistent with federal regulations and area policies and strategies. The TIP lists all projects for which federal funds are anticipated, along with non-federally funded projects that are regionally significant. The TIP represents the transportation improvement priorities of the region and is required by federal law. Relevant projects include those that improve capacity or function of road; studies are not included. More information on the TIP can be found [here](#).

**V**alley Regional Transit's Bus Stop Location and Transit Amenities Development Guidelines help in designing and placing transit facilities/amenities. These guidelines are to be considered in within the context of the overall location and project. More information about the guidelines can be found [here](#).

**W**alkscore is a walkability index that assigns a numerical walkability on a scale from 0 - 100 based on walking routes to destinations such as grocery stores, schools, parks, restaurants, and retail. Scores of 50 or higher are considered at least "Somewhat Walkable" while scores less than 50 are "Car-Dependent." More information on the Walkscore can be found [here](#).

**C**ompact housing, in certain locations, can be an effective way to reduce housing burdens; promote walking, biking, and transit use; reduce infrastructure costs; and preserve valuable prime farmland. Examples of successful compact housing projects in the region can be found [here](#).

**W**hile individuals differ, most studies indicate that people are willing to walk up to 1/4 mile for transit, parks, schools, and grocery stores. After that walk distance, most travel is made by motorized vehicles. A map highlighting walkability to key landmarks is found [here](#).

**P**rime farmland is defined as having irrigable soils and water rights. More information on the farmland preservation can be found [here](#).

# Communities in Motion 2040 Vision

The *Communities in Motion 2040* Vision illustrates a preferred growth scenario for the Treasure Valley, specifically Ada and Canyon Counties. Defined by local stakeholders, including the public, the Vision will help guide development of the *Communities in Motion 2040* regional long-range transportation plan.

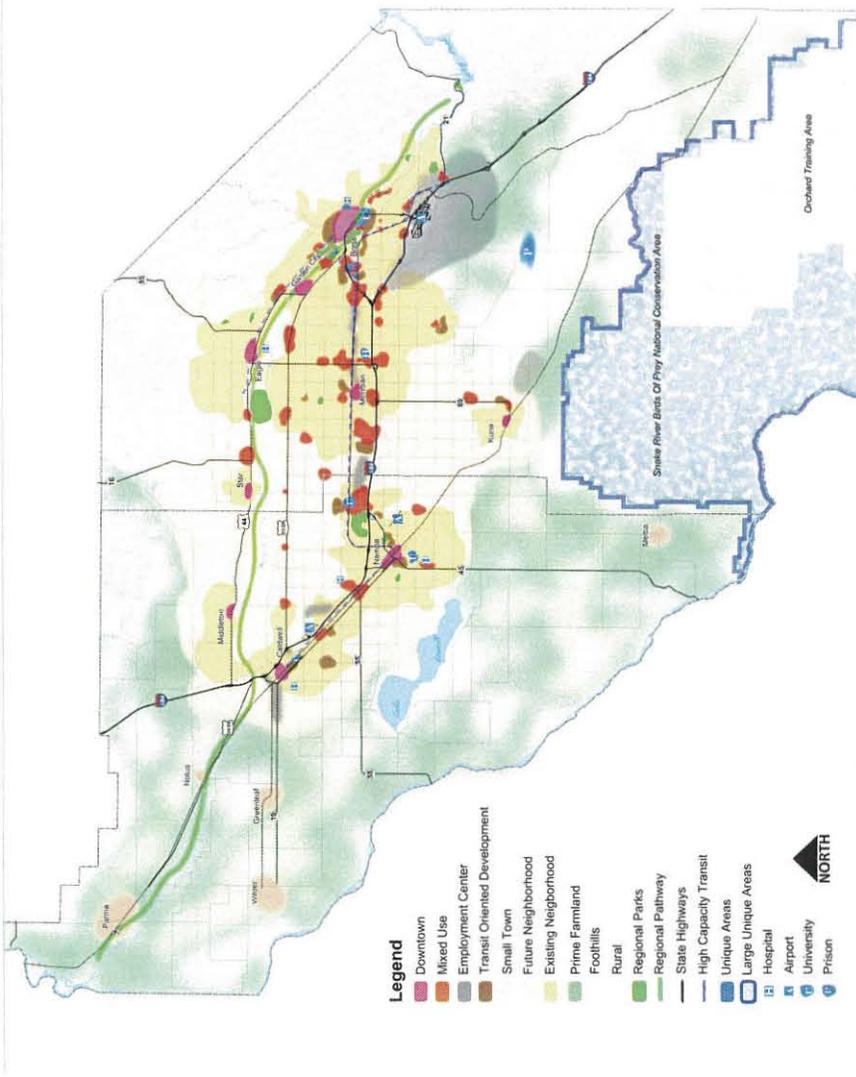
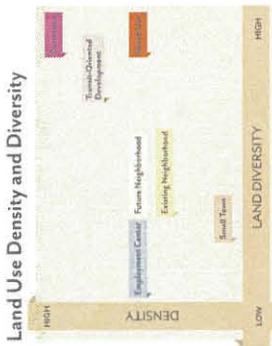
## Vision Statement

The *Communities in Motion 2040* Vision provides new housing and jobs along transit corridors and in major activity centers, with a strong focus on maintaining the region's recreation and open space areas. New growth would be comprised of a variety of housing types, served by infrastructure, nearby services, and outside of prime farmland or environmental constraints.

This scenario supports local comprehensive plan goals and densities, and includes unutilized developments as of July 2012. This scenario would support high-capacity transit for State Street (Highway 44) and a route parallel to Interstate 84, as well as multimodal infrastructure and services throughout the region.

Key goals include walkability, preserving farmland, minimizing congestion, increasing transportation options, improving job-housing balance, better access to parks, and maintaining environmental resources.

## Vision Map



Please note: This Vision Map reflects the preferred growth scenario approved by the COMPASS Board. It is not a plan and has no regulatory authority.



The Community Planning Association of Southwest Idaho (COMPASS) is an association of local governments working together to plan for the future of the region. COMPASS members consider factors that affect quality of life for area residents when making decisions about transportation and setting priorities for spending federal transportation dollars over the next 25 years.

## Vision Areas

Below are possible interpretations of how the land use types included in *Communities in Motion 2040* could look.

### Transit-Oriented Development

This area supports the highest densities and land uses, including housing, office, and retail jobs. Downtowns typically are centers for culture and activity. Complete streets for all users would be a priority.

Features: Mixed-use buildings, typically with ground-floor retail; restaurants and streets with public seating; pocket parks and plazas; variety in building height and massing; multiple transportation options; right-sized parking areas; mix of high-quality housing, including affordable, workforce, market rate, and luxury and mid-rise multifamily residential.

Housing: 20-40% Jobs: 60-80% Other: 5-15%

### Employment Center

A center for mostly employment-related business. Freight and mobility would typically be prioritized in these areas.

Features: Light industrial manufacturing aligned along freight routes; energy-efficient buildings; perimeter office buildings; access to main boulevards to nearby neighborhoods; transit connections; streets with wide walking distance pocket parks.

Housing: 0-20% Jobs: 80-100% Other: 0-15%

### Small Town

Smaller and used towns with opportunities for sustainable growth while maintaining a small-town feel. Primarily residential but with local services and mostly reliant on the urban core for employment and regional amenities.

Features: Main street businesses serve local needs; opportunities for agriculture; small-scale transit; walkable streets; local services; and local amenities; "third places" for community gathering; proximity to highway.

Housing: 75-95% Jobs: 5-15% Other: 10-25%

### Transit-Oriented Development

Vertical mix of land uses, including housing and employment spread out in relatively higher densities, enabling transit services.

Features: Variety of building heights; moderate to high densities; mixed-use buildings with ground-floor retail; adaptive reuse; redevelopment potential; pocket parks; transit connections; parking areas; appropriately sized retail, walk boulevards; transit-oriented streets.

Housing: 20-40% Jobs: 20-60% Other: 10-25%

### Small Town

Smaller and used towns with opportunities for sustainable growth while maintaining a small-town feel. Primarily residential but with local services and mostly reliant on the urban core for employment and regional amenities.

Features: Main street businesses serve local needs; opportunities for agriculture; small-scale transit; walkable streets; local services; and local amenities; "third places" for community gathering; proximity to highway.

Housing: 75-95% Jobs: 5-15% Other: 10-25%

### Existing Neighborhood

Neighborhoods with existing developments, with different opportunities for reuse and renovation. These areas include existing transit stations, transit-oriented development, parks, schools, and small-scale shopping to support the neighborhood.

Features: Mix of housing styles, ages, and uses; walkable streets; retail and service uses; walking distance community gardens; transit options; sidewalks and bike lanes.

Housing: 75-95% Jobs: 5-15% Other: 10-25%

### Future Neighborhood

Neighborhoods proposed to be built, with different opportunities for planned development. These areas include transit stations, transit-oriented development, parks, schools, and small-scale shopping to support the neighborhood.

Features: Range of housing types; services within walking distance; pedestrian pathways; parks and recreation; neighborhood gardens; road network with narrow streets, boulevards, and alleys; close to existing infrastructure and preserved farmland.

Housing: 75-95% Jobs: 5-15% Other: 10-25%

## Unique Areas

Areas for special consideration, including regional higher education centers and regional medical centers, that have regional impact but that don't fit other typologies. These areas include unique types of densities, and other uses. They include: Boise State University; Idaho State University; College of Western Idaho; St. Alphonsus Medical Center (Boise, Eagle, and Nampa); Boise Medical Center (Boise); Boise International Airport; Nampa Airport; Caldwell Airport.

Boise State University  
 College of Idaho  
 Idaho State University  
 College of Western Idaho  
 St. Alphonsus Medical Center (Boise, Eagle, and Nampa)  
 Boise Medical Center (Boise)  
 Boise International Airport  
 Nampa Airport, Caldwell Airport

## Communities in Motion is the regional long-range transportation plan for Ada and Canyon Counties.

- It offers a vision that addresses:
- How land use affects transportation
  - How investments in transportation influence growth
  - What the transportation system is supposed to achieve
  - How transportation projects are selected
  - How transportation projects serve regional needs

It is based on:

- Connections: Providing options for safe access and expanded mobility choices in a cost-effective manner in the region.
- Coordination: Achieving better inter-jurisdictional coordination of transportation and land use planning.
- Environment: Minimizing transportation impacts to people, cultural resources, and the environment.
- Information: Coordinating data gathering and dispensing better information.

The complete *Communities in Motion 2040* plan is available online at [www.compassidaho.org](http://www.compassidaho.org).

## Vision Benefits

**Economic Development:** A 61% increase in composite population near downtowns and other activity centers. Growth in these areas is typically more sustainable than other locations due to the proximity of features.

**Housing:** Growth in areas with transportation and other infrastructure improve overall affordability by locating housing near transit routes, employment centers, and basic services.

**Land Use:** Better jobs-housing balances reduces traffic, improves air quality, and increases discretionary time.

**Transportation:** Strong transportation infrastructure and services promote economic development and quality of life.

**Open Space:** Access to parks and open space enables citizens to enjoy the natural beauty of the region.

**Health:** More transportation options and development near services enables physical activity and improves air quality.

**Farmland:** Almost 86% of farmland can be preserved by developing infill sites and other non-farm areas. This will increase agricultural economic value in the area and preserve food security.

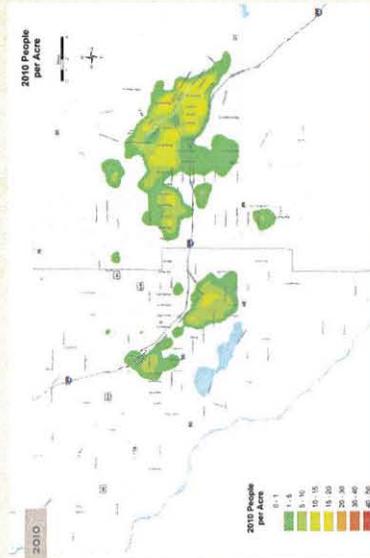
**Community Infrastructure:** Development in or nearby areas served by infrastructure reduces infrastructure costs and can save municipalities millions of maintenance and operations costs.

## Vision Demographics

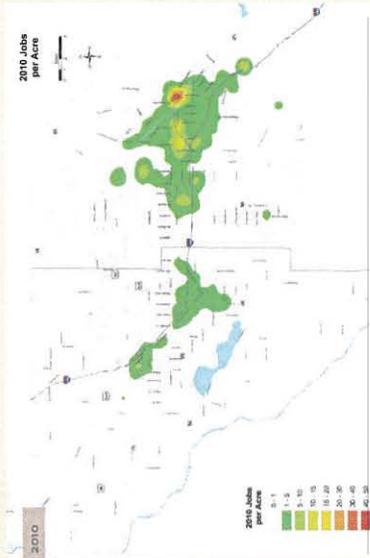
City Area of Impact	2010			2040			Buildout Households	Buildout Population	Buildout Jobs	Buildout Households	Buildout Population	Buildout Jobs
	Population	Households	Jobs	Population	Households	Jobs						
<b>Boise</b>	317,241	96,054	141,025	517,092	140,548	214,520	439,403	174,975	691,291			
<b>Engle</b>	23,222	8,197	5,577	32,446	10,823	6,438	105,693	37,876	47,085			
<b>Garden City</b>	11,001	4,949	7,049	18,301	8,391	13,794	49,036	18,247	23,839			
<b>Kuna</b>	15,339	4,275	1,806	45,990	12,270	14,950	144,275	54,475	71,720			
<b>Meridian</b>	82,786	28,396	30,272	154,180	57,024	65,842	355,408	155,516	199,817			
<b>Shea</b>	6,429	3,177	1,674	35,644	12,255	3,104	79,134	28,066	40,079			
<b>Ada County (outside areas of impact)</b>	17,426	3,995	7,648	79,453	23,869	13,116	81,941	26,659	21,185			
<b>Ada County Total</b>	<b>394,395</b>	<b>148,445</b>	<b>190,354</b>	<b>694,377</b>	<b>272,444</b>	<b>350,679</b>	<b>1,445,609</b>	<b>536,114</b>	<b>1,107,348</b>			
<b> Caldwell</b>	59,672	16,540	13,144	109,111	40,098	37,850	271,204	105,572	85,549			
<b>  Greenleaf</b>	2,748	959	440	5,942	2,445	877	157,934	44,031	51,246			
<b>  Melba</b>	845	279	305	2,358	809	539	3,009	968	1,295			
<b>  Middleton</b>	10,348	3,594	1,352	18,475	6,546	1,937	59,066	22,476	25,625			
<b>  Nampa</b>	96,773	32,829	29,278	150,886	59,886	66,973	429,255	159,191	233,839			
<b>  Navajo</b>	984	332	134	2,452	822	462	12,825	4,340	3,882			
<b>  Prama</b>	1,588	905	687	6,861	2,456	1,108	50,471	16,971	35,948			
<b>  Wilder</b>	1,951	618	283	6,760	2,371	729	14,479	3,220	4,070			
<b> Canyon County (outside areas of impact)</b>	22,634	7,634	4,129	34,833	12,234	5,693	216,485	71,724	50,777			
<b> Canyon County Total</b>	<b>188,923</b>	<b>63,604</b>	<b>50,822</b>	<b>347,683</b>	<b>127,375</b>	<b>110,978</b>	<b>1,174,106</b>	<b>451,853</b>	<b>585,733</b>			
<b> Total Region</b>	<b>581,188</b>	<b>212,049</b>	<b>240,506</b>	<b>1,032,000</b>	<b>399,419</b>	<b>461,657</b>	<b>2,723,768</b>	<b>988,067</b>	<b>1,737,081</b>			

Note: Totals may not sum due to overlapping areas of impact.

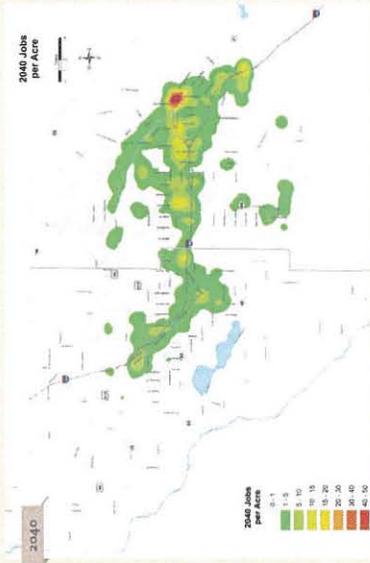
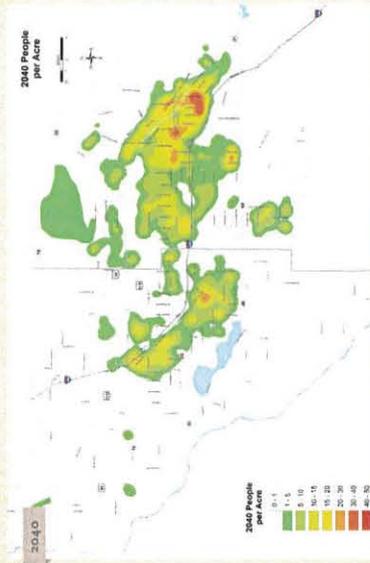
## Population Density Maps



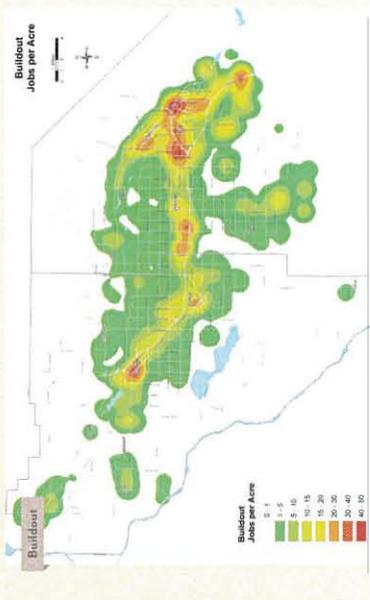
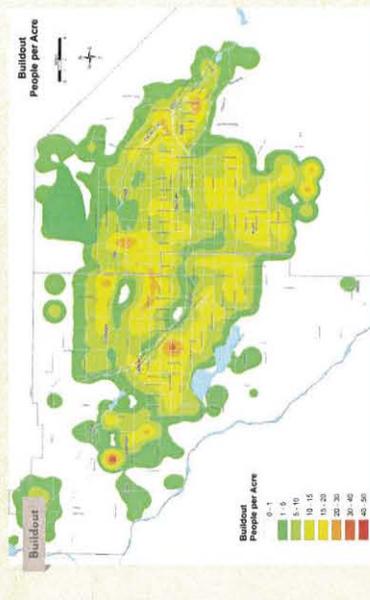
## Employment Density Maps



The 2010 maps show the baseline conditions used in developing the *Communities in Motion 2040* Vision. These maps are based on the 2010 census counts and 2010 Idaho Department of Labor employment data.



The above maps show the generalized densities when the *Communities in Motion 2040* Vision is implemented.



Buildout is the summation of local land use (unimproved) jobs. It enables COMPASS to consider long-range corridor generation and is not contained by the 2040 population forecast adopted by the COMPASS Board. It is not an official forecast for any quality conformity.



**CITY OF KUNA PLANNING & ZONING DEPARTMENT**

PO Box 13 • 763 W Avalon St • Kuna, Idaho • 83634  
Phone (208) 922-5274 • Fax: (208) 922-5989  
www.kunacity.id.gov

Dear Property Owner:

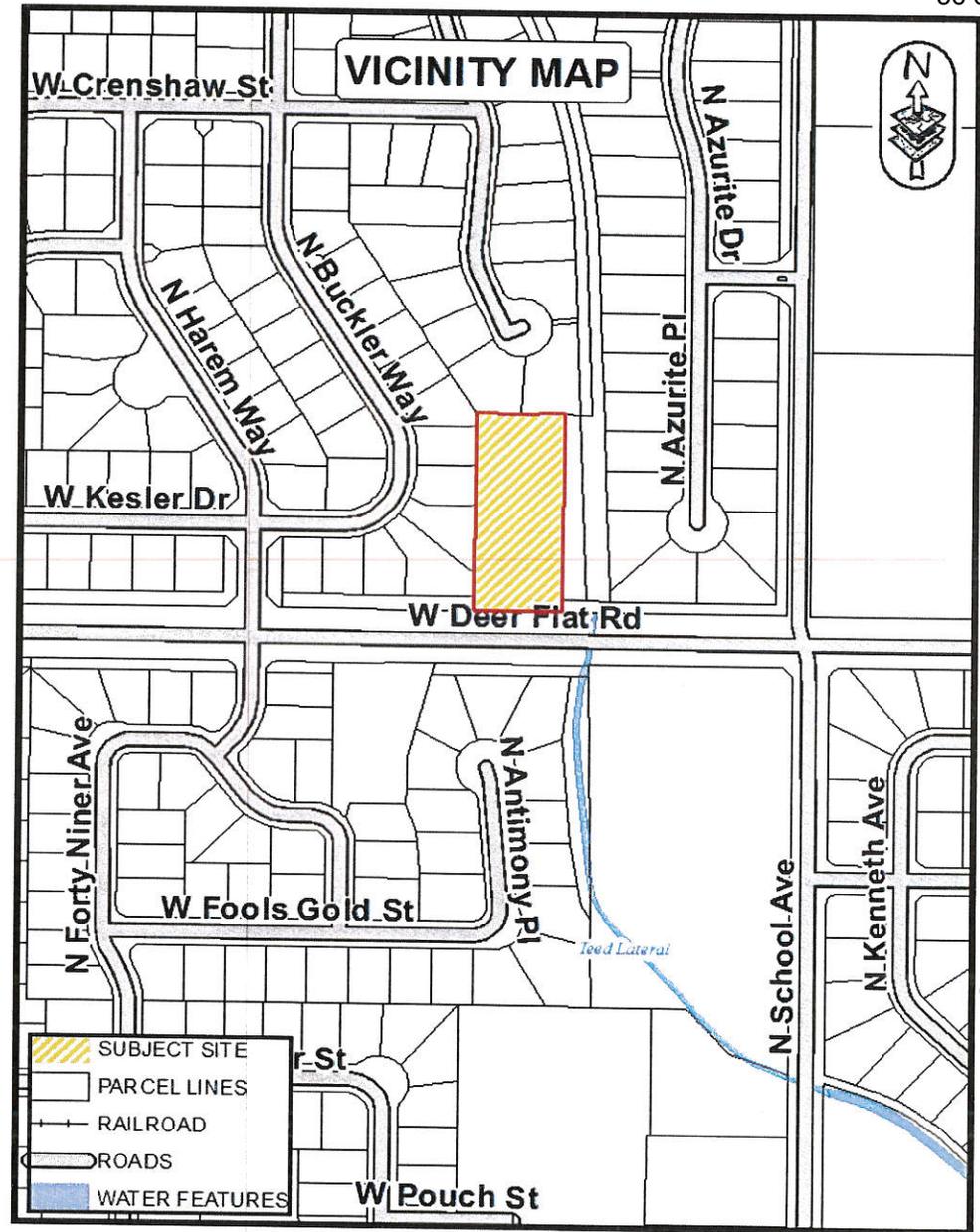
NOTICE IS HEREBY GIVEN that the Kuna City Council is scheduled to hold a public hearing on **August 2, 2016** beginning at 6:00 pm on the following case: 16-04-AN (Annexation); an annexation request with an 'R-6' zoning designation by Jose and Irma Garcia

The site is located at 930 W Deer Flat Rd; Sec 14 T2N R1W (refer to adjacent map).

The public hearing will be held in the City Council Chambers at Kuna City Hall located at 763 West Avalon Street, Kuna, Idaho.

All documents concerning public hearing items may be reviewed at Kuna City Hall, 763 West Avalon Street, Kuna, Idaho, 83634. Office hours are 8:00 am to 5:00 pm, Monday through Friday, except holidays. If you have questions or would like additional information, please contact the Planning and Zoning Department at (208) 922-5274.

You are invited to provide oral or written comments to the Commission at the hearing. Please note that all comments made to the Council during the public hearing will be restricted to three (3) minutes per person. Prior to the hearing, written comments may be submitted to the appropriate governing body at least seven (7) days prior to the hearing. These comments will be forwarded to the City Council and read into the record.



Please refer to the case name: **16-04-AN (Garcia Annexation)** in all correspondence concerning this case

IDAHO PRESS TRIBUNE  
 MERIDIAN PRESS, KUNA MELBA NEWS  
 C/O ISJ PAYMENT PROCESSING CENTER  
 PO BOX 1570  
 POCATELLO ID 83204  
 (208) 467-9251

ORDER CONFIRMATION (CONTINUED)

Salesperson: LEGALS

Printed at 07/15/16 10:10 by sjel4

Acct #: 345222

Ad #: 1489044

Status: N

**LEGAL NOTICE**

CITY OF KUNA  
 P.O. Box 13  
 Kuna, ID 83634  
 Phone: 922-5274  
 Fax: 922-5989

**Case # 16-04-AN  
 (Annexation)**

NOTICE IS HEREBY GIVEN, the Kuna City Council will hold a public hearing, Tuesday, August 2, 2016, at 6:00 pm, or as soon as can be heard at Kuna City Hall, 763 W. Avalon, Kuna, ID; in connection with a request from Jose and Irma Garcia to annex approximately 1.21 acres into the Kuna City limits with an "R-6" (Residential) zoning designation. The assigned address is 930 West Deer Flat Road, Kuna, Idaho (APN #: S1314346791).

All persons wishing to testify must state his/her name and residential address for the record. No person shall speak until recognized by the Mayor. A three (3) minute time limit may be placed on all testimony.

The public is invited to present written and/or oral comments. Any written testimony must be received by 5:00 pm, July 28th, 2016, or it may not be considered. Please mail any comments to P.O. Box 13 Kuna, ID 83634, or drop off at City Hall 763 W. Avalon.

Please do not contact anyone who would be involved in this decision making process, which would include City Council Members, or the Mayor prior to the hearing. Private conversations outside of the public hearing would be considered ex parte (one sided) and could jeopardize due process.

If you have any questions or require special accommodations, please contact the Kuna Planning & Zoning Department prior to the meeting at 922-5274.

Kuna Planning & Zoning  
 Department

July 20, 2016

1489044

JULY 20, 2016

A11

Fax: 922-5989

#s 16-03-ZOA  
ing Ordinance  
endment

Case # 16-05-AN  
(Annexation)

IS HEREBY GIV-  
the Kuna Planning  
g Commission will  
public hearing on  
July 26, 2016 at  
as soon thereafter  
be heard at Kuna  
763 W. Avalon,  
The public hearing  
purpose of gaining  
a proposed zoning  
text amendment:  
DINANCE OF THE  
KUNA, IDAHO,  
IG TITLE 5, CHAP-  
ECTION 6-2 ENTI-  
"MEANINGS OF  
OR WORDS" TO  
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CHAPTER 3, SEC-  
ENTITLED "LAND  
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016. Please mail to  
3, Kuna, ID 83634,  
f at City Hall 763 W

NOTICE IS HEREBY GIV-  
EN, the Kuna City Council will  
hold a public hearing, Tues-  
day, August 2, 2016, at 6:00  
pm, or as soon as can be  
heard at Kuna City Hall, 763  
W. Avalon, Kuna, ID; in con-  
nection with a request from  
David Austad to annex ap-  
proximately 10 acres into the  
Kuna City limits with an "R-6"  
(Residential) zoning designa-  
tion. The parcel has no as-  
signed address and is located  
at the western terminus of W.  
Stony Desert St., Kuna, Idaho  
(APN #: R7321000916).

All persons wishing to testi-  
fy must state his/her name  
and residential address for  
the record. No person shall  
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Avalon.

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If you have any questions  
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tions, please contact the  
Kuna Planning & Zoning De-  
partment prior to the meeting  
at 922-5274.

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anning &  
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20, 2016 1484343

GAL NOTICE

TY OF KUNA  
P.O. Box 13  
Kuna, ID 83634  
one: 922-5274

Kuna Planning & Zoning  
Department

July 20, 2016

1488589

LEGAL NOTICE

City of Kuna  
PUBLIC HEARING NOTICE  
POSED RESOLUTION FOR SOLID WASTE COL-  
LECTION SERVICE FEE INCREASE

IS HEREBY GIVEN that the Mayor and Council of  
of Kuna will hold a public hearing to gather public  
concerning a proposed increase in the Solid Waste  
Collection Service Fees charged by J&M Sanitation pursuant  
to Kuna Ordinance No. 679 establishing a system for  
collection, hauling and removal of solid waste within the  
City of Kuna. The purpose of this hearing is to establish  
fees on the collection thereof. This resolution provides  
for the following increases:

J&M Sanitation, Inc. -- City of Kuna, Idaho  
Monthly Rates - Current and Proposed Rate Increase

RESIDENTIAL

	Current Rate Month	Proposed Rate Month
1 - 95 gal trash cart	\$20.33	\$20.63
2 - 95 gal trash carts	\$22.52	\$22.86
3 - 95 gal trash carts	\$24.71	\$25.08



# City of Kuna PROOF OF PROPERTY POSTING

City of Kuna  
P.O. Box 13  
Kuna, Idaho 83634

Phone: (208) 922-5274  
Fax: (208) 922-5989  
Web: www.kunacity.id.gov

930 W. Deer Flat Rd

This notice shall confirm that the Public Hearing Notice for Garcia Annexation (**NAME OF SUBDIVISION OR ADDRESS**) was posted as required per Kuna City Ordinance 5-1-5B. Sign posted July 24 2016 (**DAY OF THE WEEK, MONTH, DATE AND YEAR**). This form is required to be returned three (3) calendar days subsequent to posting and signs are to be removed from the site three (3) calendar days after the hearing.

DATED this July day of 24, 2016

Signature,

Jahid  
Owner/Developer

STATE OF IDAHO )  
County of Ada ) : ss

On this 28<sup>th</sup> day of July, 2016 before me the undersigned, a Notary Public in and for said state, personally appeared before me (Owner, Developer).

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Dawn Stephens  
Notary Public  
Residing at Kuna, Idaho  
Commission Expires 1-17-18



**CITY OF KUNA**  
**PUBLIC HEARING**  
**NOTICE**

*City Council*

The City of Kuna

will hold a public hearing on *Aug.*  
*2<sup>nd</sup>*, 2016 at Kuna City Hall,  
at 6:00 pm

Annexation of 930 W Deer Flat  
Rd; Sec 14 T2N R1W, R-6  
designation.

APPLICANT: Jose and Irma Garcia



# City of Kuna

## Staff Report

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

**To:** Kuna City Council

**Case Number(s):** 16-05-AN (Annexation) *Austad Annexation*

**Location:** West of Deserthawk Estates Subdivision; south of W. Sunbeam St. at the western terminus of W. Stony Desert St., Kuna, Idaho 83634

**Planner:** Trevor Kesner, Planner II

**Hearing Date:** August 2, 2016

**Owner:** David Austad  
 1365 NW 35<sup>th</sup> St.  
 Redmond, OR 97756

**Applicant/  
 Representative:** Don Boyer  
 2100 W. King Rd.  
 Kuna, ID 83634

### Table of Contents:

- A. Course Proceedings
- B. Applicant Request
- C. Vicinity and Aerial Maps
- D. 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. Proposed Decision by the Commission

### A. Course of Proceedings

1. Kuna City Code (KCC), Title 1, Chapter 14, Section 3, states annexation is designated as a public hearing with the Planning and Zoning Commission as the recommending body and 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 Land Use Planning Act (LLUPA).

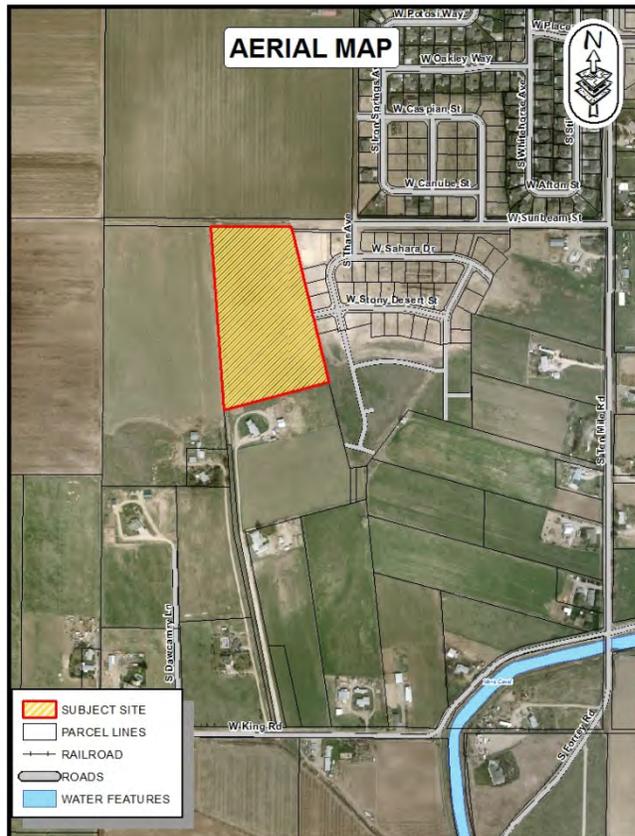
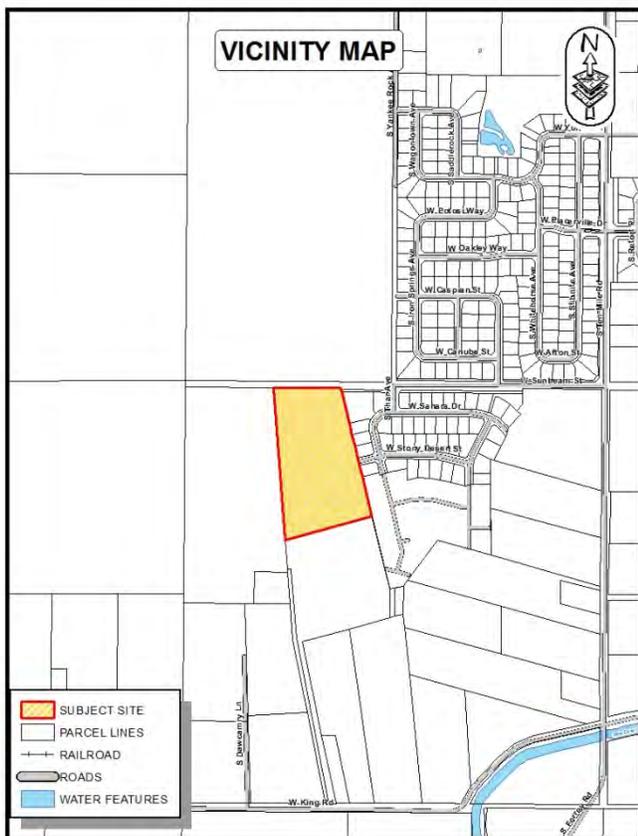
#### a. Notifications

- |                           |               |
|---------------------------|---------------|
| i. Neighborhood Meeting   | May 24, 2016  |
| ii. Agencies Notified     | June 1, 2016  |
| iii. 300' Property Owners | July 20, 2016 |
| iv. Kuna, Melba Newspaper | July 20, 2016 |
| v. Site Posted            | July 19, 2016 |

**B. Applicant Request:**

1. The applicant requests approval to annex an approximately 10 acre parcel located west of Deserthawk Estates Subdivision; south of W. Sunbeam St. at the western terminus of W. Stony Desert St. into the City of Kuna with an ‘R-6’ (Medium Density Residential) zoning designation for potential future development.

**C. Vicinity and Aerial Maps:**



**D. History:** The parcel is contiguous to City limits and is currently zoned RUT (Rural-Urban Transitional) in Ada County. The site is currently vacant and contains no structures. This parcel has historically been farmed.

**E. General Projects Facts:**

1. **Comprehensive Plan Designation:** The Future Land Use Map identifies this site as ‘Medium Density Residential’. Staff views this annexation request to be consistent with the approved Future Land Use Map.

2. **Surrounding Land Uses:**

<b>North</b>	RUT	Rural Urban Transitional – Ada County
<b>South</b>	RUT	Rural Urban Transitional – Ada County
<b>East</b>	R-6	Medium Density Residential (Kuna)
<b>West</b>	RUT	Rural Urban Transitional – Ada County

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

- Approx. 10 +/- total acres
- RUT, Rural Urban Transitional (Ada County)
- Parcel # - R7321000916

4. **Services:**

Future Sanitary Sewer –City of Kuna  
 Future Potable Water – City of Kuna  
 Irrigation District –New York 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 Services

5. **Existing Structures, Vegetation and Natural Features:** The subject site is currently vacant land containing no improvements. The site has historically been used for agricultural purposes (farmed). The applicant has not indicated any intention to develop the property at this time.
6. **Transportation / Connectivity:** The parcel is currently not improved with any pavement, curb, gutter, sidewalks. The site can be accessed from the western terminus of West Sunbeam Street and West Stony Desert Street; however barricades have been placed at both locations to prevent public access. Ada County Highway District (ACHD) has provided conditions for future development of the site (reference Exhibit B-4).
7. **Environmental Issues:** The subject site lies within the designated ‘Nitrate Priority Area’ (NPA) for groundwater monitoring. Beyond the NPA, staff is not aware of any additional environmental issues, health or safety conflicts resulting from this application. The site’s topography is generally flat with a potential 0-3% slope in certain areas.
8. **Agency Responses:** The following agencies returned comments which are included as exhibits with this case file:  
 Exhibit B-1: Kuna City Engineer;  
 Exhibit B-2: Idaho Transportation Department (ITD);  
 Exhibit B-3: Central District Health Department (CDHD);  
 Exhibit B-4: Ada County Highway District (ACHD).

F. **Staff Analysis:**

The subject site is located directly west of Deserthawk Estates Subdivision; south of West Sunbeam Street and the western terminus of West Stony Desert Street. The applicant requests to annex the 10 +/- acre parcel into Kuna City limits with an R-6 zoning designation. Future development of the site or any portions thereof shall be in accordance with the provisions set forth in Kuna City Code (KCC). This includes the possibility that the applicant may sell the subject property to another party, who may intend to develop the site consistent with adjacent developments.

Staff has determined this annexation 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 # 16-05-AN, subject to the recommended conditions of approval.

**G. Applicable Standards:**

1. City of Kuna, Title 5 Zoning Ordinance: Annexations.
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 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 – *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.

**I. Proposed 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 annexation.
3. The annexation is 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 street and utility services in proximity to the site appear to be adequate for the current use; however, any future site improvements as determined by the City Engineer and the Planning and Zoning Director, shall comply with the provisions set forth in Kuna City Code (KCC)
7. The Kuna City Council accepts the facts as outlined in the staff report, any public testimony and the supporting evidence as presented.
8. Based on the evidence contained in Case No. 16-05-AN, this proposal appears to comply with the Comprehensive Plan and the Kuna Comprehensive Future Land Use Map.
9. The Planning and Zoning Commission has the authority to recommend approval or denial for the annexation application.

10. The Planning and Zoning Commission recommended approval of the application to City Council on June 8, 2016 and approved Findings of Fact and Conclusions of Law on July 12, 2016.
11. The public notice requirements were adhered to and the public hearing was conducted within the guidelines of applicable Idaho Code and Kuna City Ordinances.

**J. Proposed Conclusions of Law:**

1. Based on the evidence contained in Case No 16-05-AN, the Kuna City Council finds Case No. 16-05-AN complies with Kuna City Code.
2. Based on the evidence contained in Case No 16-05-AN, the Kuna City Council finds Case No. 16-05-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 State Code and Kuna City Ordinances.

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

*Note: This motion is for approval/denial of this annexation request. However, if the 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 any public testimony at the public hearing, the City Council of Kuna, Idaho, hereby recommends *approval/denial* of Case No. 16-05-AN; a request for annexation from David Austad, with the following conditions of approval:

1. All development submittals are required to include the lighting, landscaping, drainage and development plans as required by Planning and Zoning. All site improvements are prohibited prior to approval of the following agencies. The applicant/owner shall obtain written approval on letterhead or may be written/stamped on the approved construction plans from the agencies noted:
  - a. Central District Health Department (CDHD).
  - b. The City Engineer shall approve the future sewer, water and irrigation and drainage construction plans.
  - c. The Kuna Fire District shall approve all site development and building plans.
  - d. The *New York* Irrigation District shall approval any modifications to the existing irrigation system.
  - e. Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to issuance of any building permits.
2. All public rights-of-way shall be dedicated to the City and/or Ada County Highway District. No public street construction may be commenced without the approval and permit from Ada County Highway District:
  - 2.1- With future development and as necessary, dedicate right-of-way in sufficient amounts to follow City and ACHD standards and widths.
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. Any site improvements shall require the property owner to comply with the provisions set forth in Kuna City Code (KCC)
6. At the time of development, submit a petition to the City (as 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).

7. Applicant shall follow all staff, City engineer and any other agency recommended requirements as applicable.
8. Applicant shall abide by all applicable federal, state and local laws and ordinances.



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

### Annexation Checklist

Annexation requires public hearings with both the Planning & Zoning Commission and City Council. Public hearing signs will be required to be posted by the applicant for both meetings. Sign posting regulations are available online.

<b>Project name:</b> 16-05-AN	<b>Applicant:</b> David Austad
----------------------------------	-----------------------------------

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

Applicant (✓)	Description	Staff (✓)
✓	Completed and signed Commission & Council Review Application.	✓
✓	Letter of Intent indicating reasons for proposed annexation and the availability of public services. If reason for annexation is development, also submit a conceptual plan.	✓
✓	Vicinity map drawn to scale, showing the location of the subject property. Map shall contain the following information: Shaded area showing the annexation property, Street names and names of surrounding subdivisions.	✓
	Legal description of the annexation area: 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.	
✓	Recorded warranty deed for the property.	✓
✓	Proof of ownership—A copy of your deed <b>and</b> Affidavit of Legal Interest (All parties involved)	✓
	<del>Development Agreement &amp; Development Agreement Checklist</del>	
✓	Neighborhood meeting certification (certification & neighborhood meeting list forms shall accompany this application).	✓
✓	Commitment of Property Posting form signed by the applicant/agent.	✓

*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 Public Hearing 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.*



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

### Commission & Council Review Application

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

\*Please submit the appropriate checklist (s) with application

#### Type of Review (check all that apply):

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

For Office Use Only	
File Number (s)	16-05-AN
Project name	David Austad Annex
Date Received	RECEIVED 5-23-16
Date Accepted/Complete	May 30, 2016
Cross Reference Files	
Commission Hearing Date	June 28, 2016
City Council Hearing Date	

#### Contact/Applicant Information

Owners of Record: <u>DAVID M AUSTAD</u>	Phone Number: <u>541-213-5872</u>
Address: <u>1365 NW 35th St.</u>	E-Mail: _____
City, State, Zip: <u>Redmond OR 97756</u>	Fax #: _____
Applicant (Developer): _____	Phone Number: _____
Address: _____	E-Mail: _____
City, State, Zip: _____	Fax #: _____
Engineer/Representative: <u>Don Bayer</u>	Phone Number: <u>867-6616</u>
Address: _____	E-Mail: _____
City, State, Zip: <u>Kuna, Id 83634</u>	Fax #: _____

#### Subject Property Information

Site Address: <u>NO Address</u>	
Site Location (Cross Streets): <u>Ten Mile / Sunbeam</u>	
Parcel Number (s): <u>APN # R7321000916</u>	
Section, Township, Range: _____	
Property size: <u>10 acres +/-</u>	
Current land use: <u>farming</u>	Proposed land use: <u>farming</u>
Current zoning district: _____	Proposed zoning district: _____



RECEIVED  
May 2016  
Page 1  
MAY 23 2016

CITY OF KUNA

**Project Description**

Project / subdivision name: \_\_\_\_\_  
 General description of proposed project / request: \_\_\_\_\_  
 \_\_\_\_\_  
 Type of use proposed (check all that apply):  
 Residential \_\_\_\_\_  
 Commercial \_\_\_\_\_  
 Office \_\_\_\_\_  
 Industrial \_\_\_\_\_  
 Other None \_\_\_\_\_  
 \_\_\_\_\_  
 Amenities provided with this development (if applicable): \_\_\_\_\_  
 \_\_\_\_\_

**Residential Project Summary (if applicable)**

Are there existing buildings?  Yes  No  
 Please describe the existing buildings: \_\_\_\_\_  
 Any existing buildings to remain?  Yes  No  
 Number of residential units: \_\_\_\_\_ Number of building lots: \_\_\_\_\_  
 Number of common and/or other lots: \_\_\_\_\_  
 Type of dwellings proposed:  
 Single-Family \_\_\_\_\_  
 Townhouses \_\_\_\_\_  
 Duplexes \_\_\_\_\_  
 Multi-Family \_\_\_\_\_  
 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.): \_\_\_\_\_  
 \_\_\_\_\_

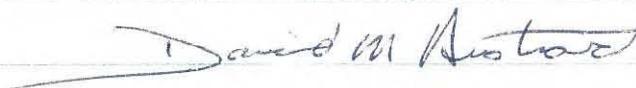
Applicant's Signature: David M. Austrod Date: 5.15.16

City of Kuna

5-15-16

This is a letter of Intent for annexation of property parcel: APN R 7321000916 / case # 16-05-AN. The reason for annexation is to make the property more desirable to any potential buyers.

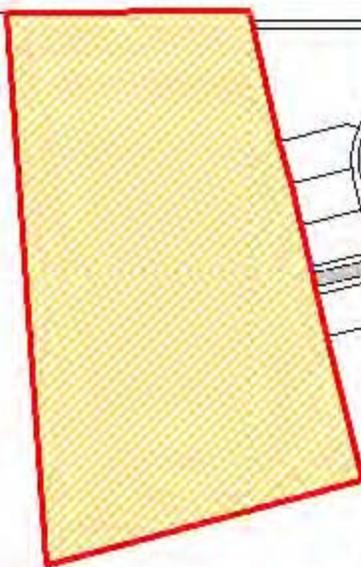
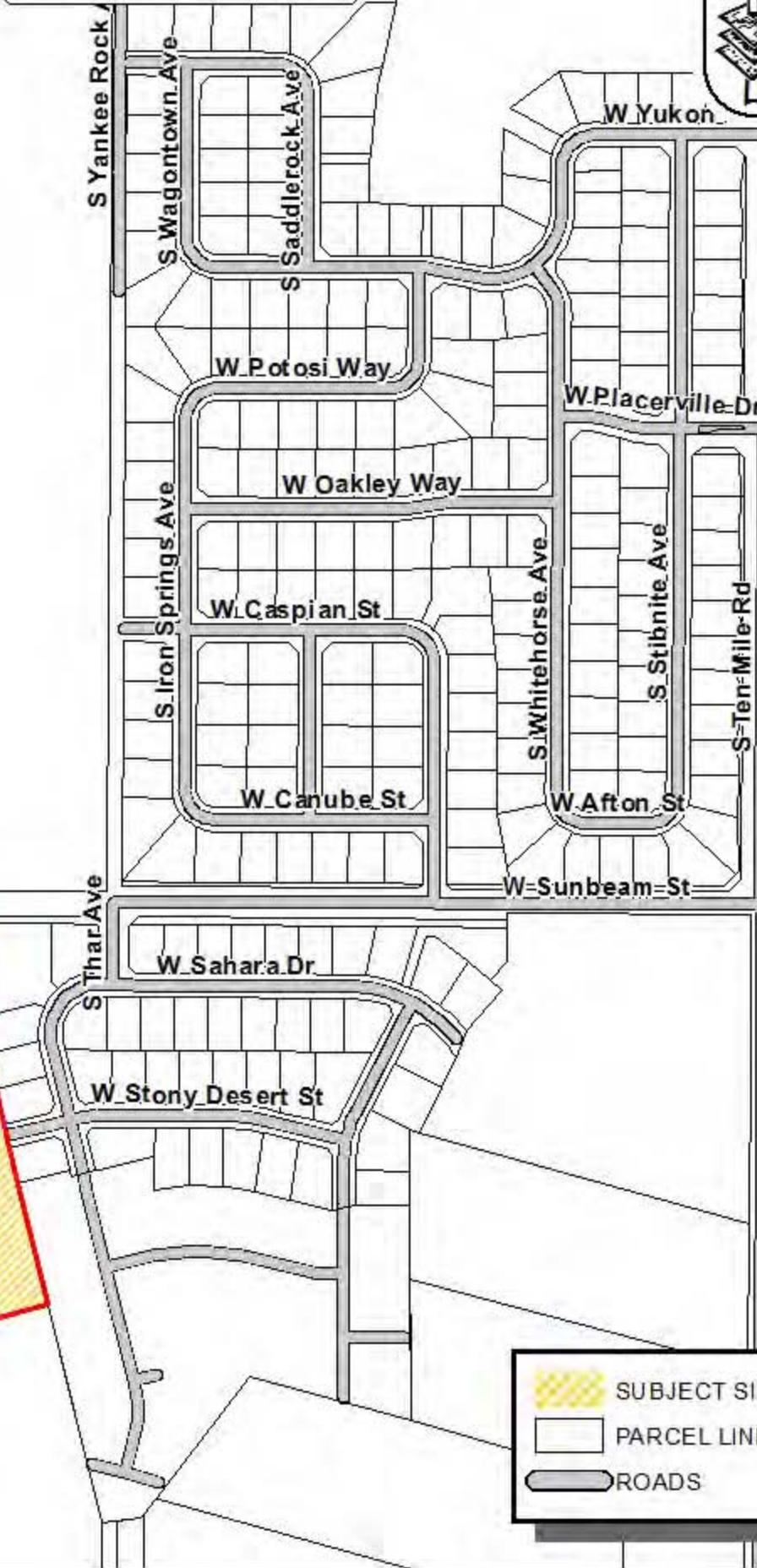
owner - DAVID M AUSTAD

David M Austad

Exhibit

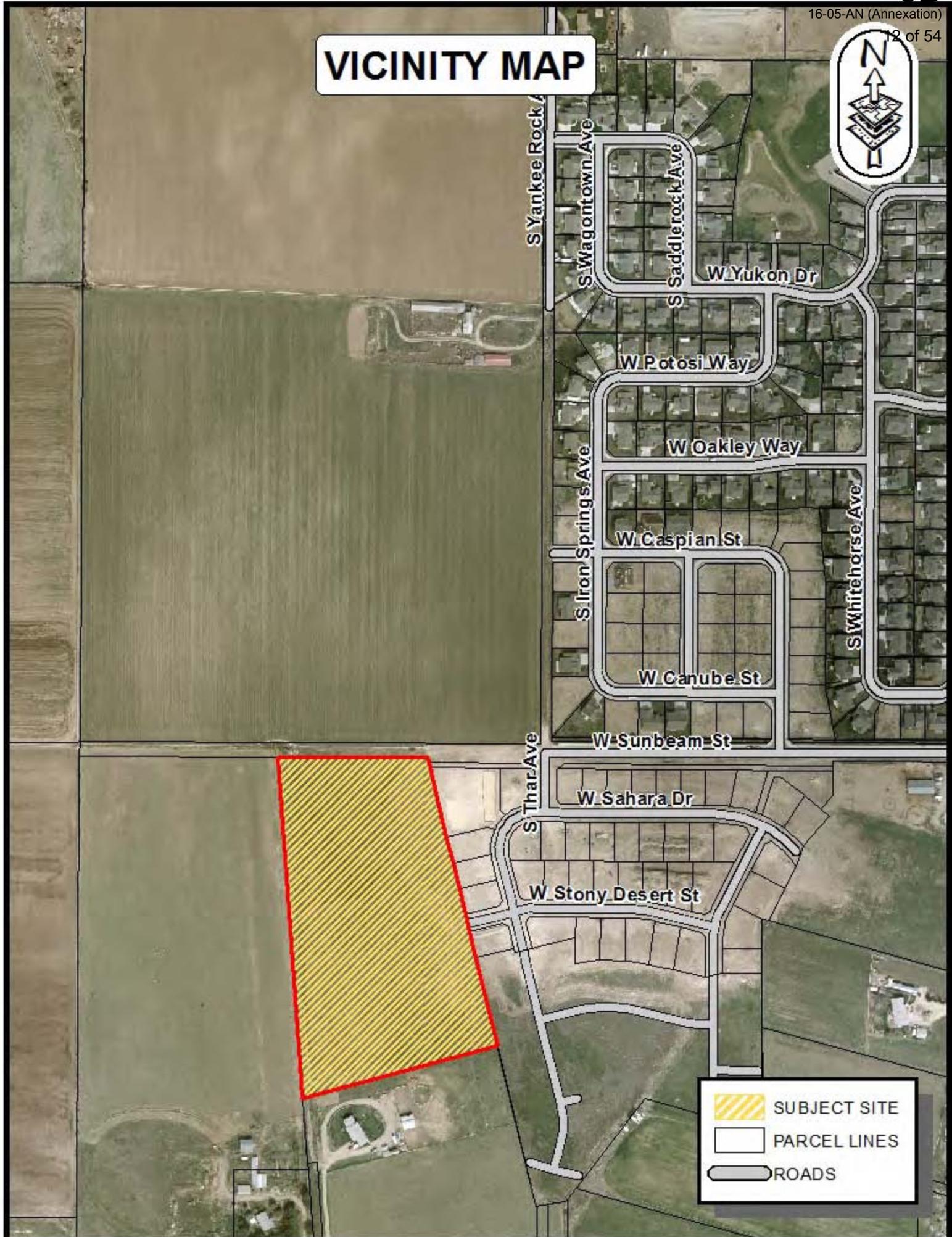
A-2b

# AERIAL MAP



	SUBJECT SITE
	PARCEL LINES
	ROADS

# VICINITY MAP



	SUBJECT SITE
	PARCEL LINES
	ROADS

EXHIBIT "A"

The land referred to in this commitment is located in the County of Ada, State of Idaho and described as follows:

C  
O  
P  
Y

A parcel of land being a portion of Lots 21 through 23 of Rader and Kroeger's Subdivision as filed for record in the office of the Ada County Recorder, Boise, Idaho in Book 5 of Plats at page 205, all lying in the SE 1/4 of Section 27, T.2N., R.1W., B.M. and more particularly described as follows:

Beginning at an iron pin marking the Northeast corner of said SE 1/4; thence North 89°33'03" West along the Northerly boundary of said SE 1/4 1679.87 feet (formerly S 89°49'47" W 1678.58) to a point; thence continuing along said Northerly boundary of the SE 1/4 North 89°33'03" West 409.13 feet (formerly S 89°49'47" W 409.20 feet) to an iron pin; thence leaving said Northerly boundary of the SE 1/4 South 03°55'03" East 21.06 feet (formerly S 04°30'30" E) to an iron pin marking the REAL POINT OF BEGINNING;

thence continuing South 03°55'03" East 968.46 feet (formerly S 04°30'30" E) to an iron pin;

thence North 74°45'35" East 563.96 feet to an iron pin on the Westerly boundary of Lot 4 of Desert Edge Estates, a subdivision as filed for record in the office of the Ada County Recorder, Boise, Idaho in Short Plat Book A at page 22;

thence North 13°37'39" West 838.31 feet (formerly N 14°10'30" W) along said Westerly boundary of Lot 4 of Desert Edge Estates to an iron pin lying 21.00 feet Southerly of said Northerly boundary of the SE 1/4;

thence North 89°33'03" West 412.79 feet along a line parallel to and 21.00 feet Southerly of said Northerly boundary of the SE 1/4 to the point of beginning, comprising 10.00 acres, more or less.

TOGETHER WITH:

An Ingress-Egress easement located in the SE 1/4 of Section 27, T.2N., R.1W., B.M., and more particularly described as follows: Beginning at an iron pin marking the Northeast corner of said SE 1/4; thence North 89°33'03" West along the Northerly boundary of said SE 1/4 1679.87 feet (formerly S 89°49'47" W 1678.58) to a point; thence continuing along said Northerly boundary of the SE 1/4 North 89°33'03" West 409.13 feet (formerly S 89°49'47" W 409.20 feet) to an iron pin; thence leaving said Northerly boundary of the SE 1/4 South 03°55'03" East 989.52 feet (formerly S 04°30'30" E) to an iron pin marking the Southwest corner of the above described Parcel 1, also said iron pin being the REAL POINT OF BEGINNING;



thence continuing South 03°55'03" East 65.31 feet (formerly S 04°30'30" E) to an iron pin;

thence South 04°13'21" East 153.64 feet (formerly S 04°47'30" E) to an iron pin;

thence North 85°46'39" East 25.00 feet (formerly N 85°12'30" E) to an iron pin;

thence South 04°13'21" East 426.98 feet (formerly N 04°47'30" W 448.47 feet) to an iron pin;

C thence South 10°59'10" East 778.63 feet (formerly S 11°35'30" E 780.40 feet) to a point;

O thence South 11°42'54" East 291.65 feet (formerly N 12°16'30" W 306.18 feet) to a point on the Southerly boundary of said SE 1/4, said point bears South 89°46'57" East 937.01 feet from a brass cap marking the Southwest corner of said SE 1/4;

thence South 89°46'57" East 25.55 feet (formerly S 89°51'30" W 25.14 feet) along said Southerly boundary of said SE 1/4 to a point, said point bears North 89°46'57" West 1700.28 feet from a brass cap marking the Southeast corner of said SE 1/4;

P thence leaving said Southerly boundary of the SE 1/4 North 11°42'54" West 296.78 feet (formerly S 12°16'30" E 306.18 feet) to a point;

Y thence North 10°59'10" West 783.67 feet (formerly S 11°35'30" E 780.40 feet) to an iron pin marking the Northwest corner of Lot 7 of the Amended Plat of Ten Mile Acres Subdivision, as filed for record in the office of the Ada County Recorder, Boise, Idaho, in Book 27 of Plats at page 1670;

thence North 04°13'56" West 423.73 feet to a point;

thence North 08°48'23" West 220.87 feet to a point on the Southerly boundary of the above described Parcel 1;

thence South 74°45'35" West 31.72 feet to the point of beginning of the above described Ingress-Egress easement.

SUBJECT TO:

All existing easements and road rights-of-way of record or appearing on the above described parcel of land.

Prepared by:

J-U-B ENGINEERS, Inc.

C  
O  
P  
Y

JTE/DGB



John T. Eddy, P.L.S.

# WARRANTY DEED

For Value Received HARLOW D. AUSTAD AND BONNIE J. AUSTAD, husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto DAVID M. AUSTAD, a single person,

the grantee, the following described premises, to-wit:

That certain real property more particularly described in Exhibit "A" attached hereto and incorporated herein by reference.

*Bonnie A. Austad*

IDA COUNTY RECORDER  
J. DAVID NAVARRO  
BOISE, IDAHO

1998 MAY 18 PM 12:13

RECORDED - REQUEST OF

FEE *12<sup>00</sup>* DEPUTY *[Signature]*

98047305

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that said premises are free from all incumbrances except easements, rights-of-way, covenants, and restrictions currently of record, or appearing on the land,

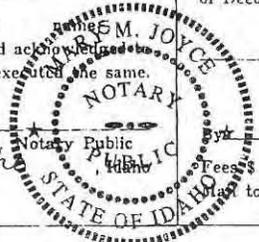
and that he will warrant and defend the same from all lawful claims whatsoever.  
Dated: effective the 1st day of November, 1994.

*Harlow D. Austad*  
*Bonnie J. Austad*

STATE OF IDAHO, COUNTY OF  
On this 10 day of November 1994,  
before me, a notary public in and for said State, personally appeared

*Harlow D. Austad*  
*Bonnie J. Austad*

known to me to be the person(s) who subscribed to the within instrument, and acknowledged to me that they executed the same.  
*Mary M. Joyce*  
Residing at *Meridian, Idaho*  
Comm. Expires *4-26-2006*



STATE OF IDAHO, COUNTY OF  
I hereby certify that this instrument was filed for record at the request of

at \_\_\_\_\_ minutes past \_\_\_\_\_ o'clock m.,  
this \_\_\_\_\_ day of \_\_\_\_\_,  
19\_\_\_\_, in my office, and duly recorded in Book \_\_\_\_\_  
of Deeds at page \_\_\_\_\_

\_\_\_\_\_  
Ex-Officio Recorder

\_\_\_\_\_  
Deputy.

INSTRUMENT NO.

Exhibit  
A-2e



# City of Kuna AFFIDAVIT OF LEGAL INTEREST

City of Kuna  
P.O. Box 13  
Kuna, Idaho 83634  
Phone: (208) 922-5274  
Fax: (208) 922-5989  
Web: www.cityofkuna.com

State of Idaho <sup>Oregon LB</sup>  
County of Ada <sup>deschutes LB</sup> ) ss.

I, DAVID M AUSTAD , ~~210~~ 1365 NW 35<sup>th</sup> St  
Name Address  
Redmond , OR 97756  
City State Zip Code

being first duly sworn upon oath, depose and say:

(If Applicant is also Owner of Record, skip to B)

A. That I am the record owner of the property described on the attached, and I grant my permission to DON BOYER 3710 E KUNA MORA KUNA ID 83634  
Name Address

to submit the accompanying application pertaining to that property.

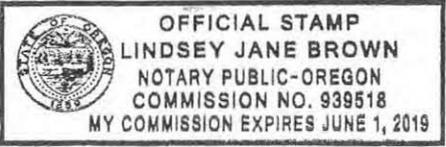
B. I agree to indemnify, defend and hold City of Kuna and its employees harmless from any claim or liability resulting from any dispute as to the statements contained herein or as to the ownership of the property which is the subject of the application.

C. I hereby grant permission to the City of Kuna staff to enter the subject property for the purpose of site inspections related to processing said application(s),

Dated this 11<sup>th</sup> day of April, 2016

David M Austad  
Signature

Subscribed and sworn to before me the day and year first above written.



[Signature]  
Notary Public for Idaho <sup>Oregon LB</sup>  
Residing at: 915 SW Rimrock way ste 201, Redmond, OR 97756  
My commission expires: June 1, 2019





# 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: Austad Annexation  
 Date and time of neighborhood meeting: May 24, 2016 / 6:30 pm - 8:00 pm  
 Location of neighborhood meeting: Kuna Public Library

### SITE INFORMATION:

Location: Quarter: — Section: 27 Township: 2N Range: 1W Total Acres: 10  
 Subdivision Name: Rader & Kroegers Sub Lot: 21, 22, 23 Block: —  
 Site Address: Parcel 0916 Tax Parcel Number(s): —  
(No Address) R7321000916

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

### CURRENT PROPERTY OWNER:

Name: David Austad  
 Address: 2100 W. King Rd City: Kuna State: Id Zip: 83634

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

Name: Don Boyer Business (if applicable): —  
 Address: 3710 E. Kuna-Mora City: Kuna State: Id Zip: 83634



**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

Re-zone

Subdivision (Sketch Plat and/or Prelim. Plat)

Special Use

Variance

Expansion of Extension of a Nonconforming Use

Zoning Ordinance Map Amendment

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**APPLICANT:**

Name: Don Boyer

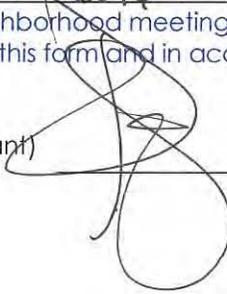
Address: 3710 E. Kuna-Mora Rd

City: Kuna State: Id Zip: 83634

Telephone: 867-6616 Fax: \_\_\_\_\_

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)



Date 5-26-16

Date 4-30-16

Dear Neighbor:

My name is David Austad and I am the owner of the property shown on the map (reverse side). I would like to annex my property into the City of Kuna. This property has no true address; however, the parcel number is APN# R7321000916.

As part of the annexation process, I am required to hold a meeting with neighbors who also own property within 300 feet of my parcel. This meeting will be held on **May 24, 2016** in the conference room at the **Kuna Public Library**, from **6:30 pm to 8:00 pm**. The library is located at **457 N. Locust, Kuna, Idaho**.

At this time, I do not have any plans to do anything with the property. I am only annexing it into the city.

Please plan on attending this meeting if you have any questions or concerns about the annexation; or you may also send your concerns or questions to me via US mail (see return address).

Thank you.

-David Austad



Earl Tuman Allen  
2200 W King Rd  
Kuna, ID 83634

Gary & Catherine Cameron  
2198 W King Rd  
Kuna, ID 83634

Amber & Donald Cockrum  
2020 W Stony Desert St  
Kuna, ID 83634

Martin & Christina Cyrway  
2032 W Sahara Dr  
Kuna, ID 83634

Jay & Gail Davis  
875 S Kalahari Ave  
Kuna, ID 83634

Desert Hawk Estates  
6152 W Half Moon Ln  
Kuna, ID 83634

Tracey Dunn  
1999 W Sahara Dr  
Kuna, ID 83634

Jason & Elizabeth Ford  
2031 W Sahara Dr  
Kuna, ID 83634

John Hein  
PO Box 1349  
Meridian, ID 83680

Steven Rowell  
901 S Kalahari Ave  
Kuna, ID 83634

Marcos & Estephania Urza  
1923 167<sup>th</sup> Ave SE  
Bellevue, WA 98008

710 E Kuna Mora Rd  
Kuna, ID 83634

Chrys & Edna Oldenburg  
1965 W Stony Desert St  
Kuna, ID 83634

E Kuna Mora Rd  
ID 83634

DB Development LLC  
2228 W Piazza St  
Meridian ID 83646

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E Kuna Mora Rd  
ID 83634

Muriel Elmquist  
1976 W Stony Desert St  
Kuna, ID 83634

---

0 E Kuna Mora Rd  
na, ID 83634

Corey Barton Homes  
1977 E Overland Rd  
Meridian, ID 83642

---

# SIGN IN SHEET

**PROJECT NAME:** Austad Annexation

**Date:** 5-24-16

	<u>Name</u>	<u>Address</u>	<u>Zip</u>	<u>Phone</u>
1	<u>all Rights Bar Ngn-E (Resced)</u>	<u>NORTH West AMEXEM</u>	<u>EXEMPT</u>	<u>208-412-4607</u>
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# City of Kuna COMMITMENT TO PROPERTY POSTING

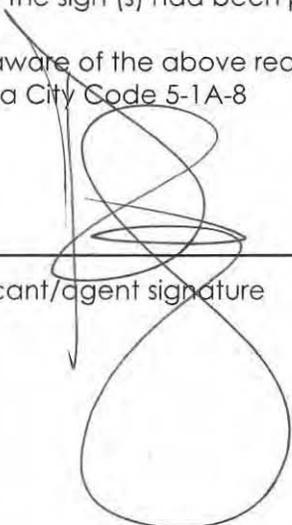
City of Kuna  
P.O. Box 13  
Kuna, Idaho 83634  
Phone: (208) 922-5274  
Fax: (208) 922-5989  
Web: www.cityofkuna.com

Per City Code 5-1A-8, the applicant for all applications requiring a public hearing shall post the subject property not less than ten (10) days prior to the hearing. The applicant shall post a copy of the public hearing notice or the application (s) on the property under consideration.

The applicant shall submit proof of property posting in the form of a notarized statement and a photograph of the posting to the City no later than seven (7) days prior to the public hearing attesting to where and when the sign (s) were posted. Unless such Certificate is received by the required date, the hearing will be continued.

The sign (s) shall be removed no later than three (3) days after the end of the public hearing for which the sign (s) had been posted.

I am aware of the above requirements and will comply with the posting requirements as stated in Kuna City Code 5-1A-8

  
\_\_\_\_\_  
Applicant/agent signature

4-25-16  
Date

Exhibit  
A-2i



**CITY OF KUNA  
PLANNING & ZONING DEPARTMENT**

PO Box 13 • 763 W Avalon St • Kuna, Idaho • 83634  
Phone (208) 922-5274 • Fax: (208) 922-5989  
www.kunacity.id.gov

Dear Property Owner:

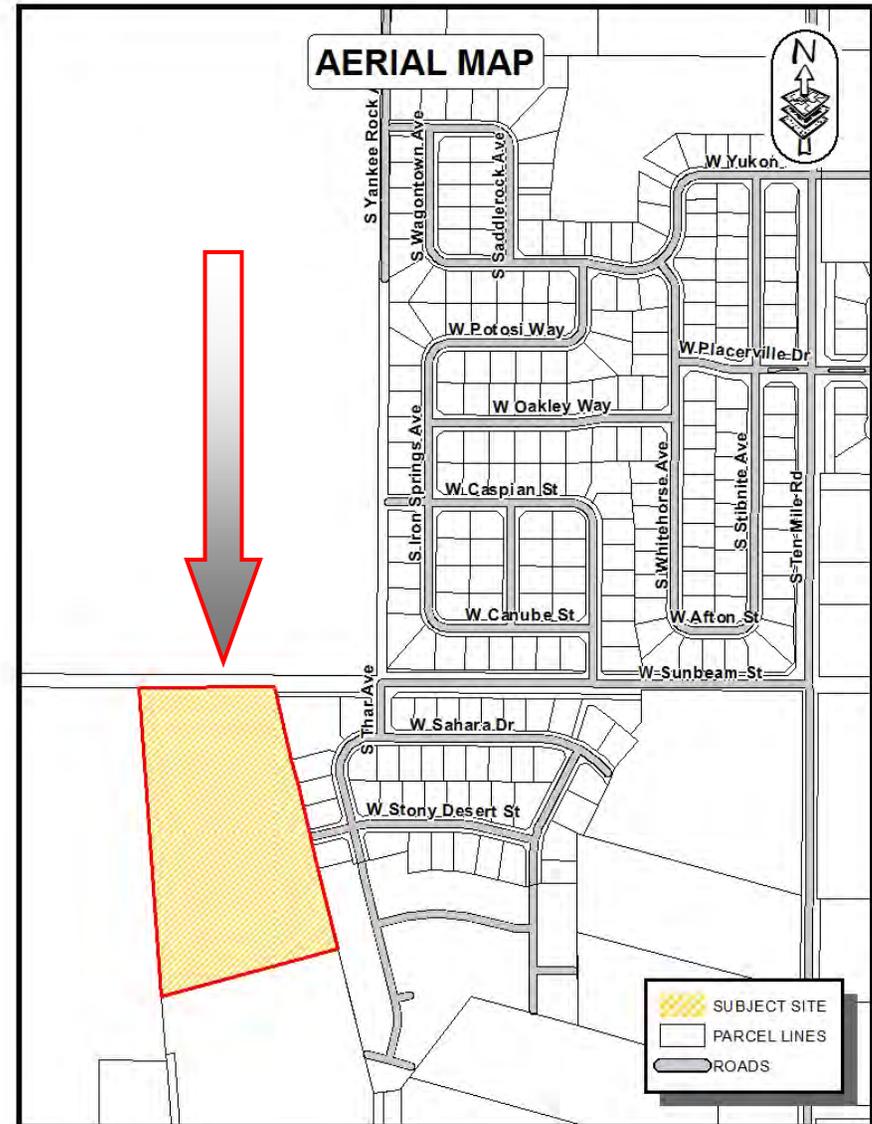
NOTICE IS HEREBY GIVEN that the Kuna Planning and Zoning Commission will hold a public hearing on **June 28, 2016** beginning at **6:00 pm** on the following case: 16-05-AN (Annexation); an Annexation request by David Austad to annex approximately 10 +/- acres into the Kuna city limits with an 'R-6' Residential zoning designation.

The site has no address; it is located at the western terminus of W. Stony Desert Street and W. Sunbeam Street; Lot 21 through 23; Rader & Kroeger's Subdivision, Kuna, Idaho (see adjacent map).  
**Ada County APN #R7321000916**

The public hearing will be held in the City Council Chambers at Kuna City Hall located at 763 West Avalon Street, Kuna, Idaho.

All documents concerning public hearing items may be reviewed at Kuna City Hall, 763 West Avalon Street, Kuna, Idaho, 83634. Office hours are 8:00 am to 5:00 pm, Monday through Friday, except holidays. If you have questions or would like additional information, please contact the Planning and Zoning Department at (208) 922-5274.

You are invited to provide oral or written comments to the Commission at the hearing. Please note that all comments made to the Commission during the public hearing will be restricted to three (3) minutes per person. Prior to the hearing, written comments may be submitted to the appropriate governing body at least seven (7) days prior to the hearing. These comments will be forwarded to the Planning and Zoning Commission and read into record.



Please refer to the case name: **16-05-AN (Austad Annexation)**  
in all correspondence concerning this case

## Suggestions For Testifying at the Public Hearing:

### **Be informed . . .**

Review the proposal, the staff report, applicable provisions of the ordinance and comprehensive plan.

### **Be on time . . .**

Although the item you are interested in may not be first on the agenda, you never know when it will be heard. The governing body has authority to adjust the schedule according to its discretion. Thus, anticipate attending from the beginning.

### **Speak to the point . . .**

The governing body appreciates pertinent, well organized, and concise comments. Redundant testimony is prohibited and **each individual is given three (3) minutes to comment.** Long stories, abstract complaints, or generalities may not be the best use of time. Neighborhood groups are encouraged to organize testimony and have one (1) person speak on behalf of the group -- "opposition representative," like the applicant's representative, receives 10 minutes to make comments. Applicant has five (5) minutes to rebut or discuss issues raised by any opposition.

### **If you don't wish to speak, write . . .**

At most hearings, previously submitted written testimony may be reviewed by the governing body before the meeting. It is unreasonable to submit extensive written comments or information at the hearing and expect them to be reviewed prior to a decision. All documents or written comments should be submitted to the City of Kuna at least one (1) week **prior** to the hearing.

City of Kuna  
Planning and Zoning  
PO Box 13  
Kuna, ID 83634

**LEGAL NOTICE**

RECEIVED  
6-16-16



# City of Kuna PROOF OF PROPERTY POSTING

City of Kuna  
P.O. Box 13  
Kuna, Idaho 83634  
Phone: (208) 922-5274  
Fax: (208) 922-5989  
Web: www.kunacity.id.gov

This notice shall confirm that the Public Hearing Notice for R7321000916 (AVSTAD)  
(NAME OF SUBDIVISION OR ADDRESS) was posted as required per Kuna City Ordinance  
5-1-5B. Sign posted 6-16-16 (DAY OF THE WEEK, MONTH,  
**DATE AND YEAR**). This form is required to be returned three (3) calendar days  
subsequent to posting and signs are to be removed from the site three (3) calendar  
days after the hearing.

DATED this 16<sup>th</sup> day of JUNE, 2016

Signature,  
  
Owner/Developer / REPRESENTATIVE

STATE OF IDAHO )  
County of ADA ) : ss  
)

On this 16<sup>th</sup> day of JUNE, 2016, before me the  
undersigned, a Notary Public in and for said State, personally appeared before me  
(Owner, Developer).

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal  
the day and year in this certificate first above written.

Troy Behunin  
Notary Public  
Residing at 763 W. Arrow, Kuna, ID  
Commission Expires 4 NOV. 2020





## CITY OF KUNA PUBLIC HEARING NOTICE

### KUNA PLANNING AND ZONING COMMISSION

**WHEN:** The City of Kuna will hold a public hearing on June 28, 2016 at Kuna City Hall at 6:00pm

**PURPOSE:** Annexation and Zoning - Lots 21-23, Rader & Kroeger's Subdivision. Zoning R-6. Approximately 10 +/- acres

**LOCATION:** S Ten Mile Rd. / W Sunbeam St.

**APPLICATION BY:** David Austad, Kuna, Idaho

**CONTACT:** City of Kuna Senior Planner  
Troy Behunin 208-922-5274



CITY OF KUNA  
PUBLIC HEARING NOTICE  
KUNA PLANNING &  
ZONING COMMISSION  
THE CITY OF KUNA will hold a public  
hearing on June 28<sup>th</sup>, 2016 at 7:00  
City Hall, 444 4th Ave.  
Annexation: Lots 11-21 Baker &  
Kreger's Subdivision  
APN # 8721000918 Zoning: R-4  
LOCATION: 1, Ten Mile Rd. / W.  
Sunbeam  
APPLICANT: David Kuntz, Kuna,  
Idaho

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...Clerk's Office, Kuna City Hall,  
763 W. Avalon Street, Kuna,  
Idaho.

THE FOREGOING SUMMARY IS APPROVED for publication this 7th day of June, 2016 by the City Council of the City of Kuna.

CITY OF KUNA,  
a Municipal Corporation of  
Idaho  
Joe L. Stear, Mayor

ATTEST:  
Chris Engels, City Clerk

I have reviewed the foregoing summary and believe that it provides a true and complete summary of Ordinance No. 2016-15 and that the summary provides adequate notice to the public of the contents of this ordinance.

DATED this 7th day of  
June, 2016.

Richard T. Roats,  
City Attorney

June 15, 2016 1473535

LEGAL NOTICE  
ORDINANCE 2016-16

AN ORDINANCE OF THE CITY COUNCIL FOR KUNA, IDAHO AMENDING KCC 5-1-6-2 "COMMENCEMENT OF CONSTRUCTION" TO INCLUDE THE PREPAYMENT OF PREPAID SEWER HOOK UPS OR LID EDU'S; AMENDING KCC 6-2-3 ENTITLED "PRELIMINARY PLAT" TO CLARIFY CERTAIN SECTIONS REGARDING THE APPROVAL PERIOD FOR A PRELIMINARY PLAT, REMOVING LANGUAGE REGARDING CONSTRUCTION PHASING AND THE REQUIREMENT THAT THE DEVELOPER PROVIDE A TIME SCHEDULE WITH START AND COMPLETION DATES, ADDING LANGUAGE TO REQUIRE SIXTY (60) DAYS NOTICE PRIOR TO A PLAT EXPIRING, ADDING LANGUAGE THAT A DEVELOPER MAY RECEIVE A PRELIMINARY PLAT REINSTATEMENT IF THERE HAS

CITY OF KUNA  
P.O. Box 13  
Kuna, ID 83634  
Phone: 922-5274  
Fax: 922-5989

Case # 16-05-AN (Annexation)

NOTICE IS HEREBY GIVEN, the Kuna Planning and Zoning Commission will hold a public hearing, Tuesday, June 28, 2016, at 6:00 pm, or as soon as can be heard at Kuna City Hall, 763 W. Avalon, Kuna, ID; in connection with a request from David Austad to annex approximately 10 acres into the Kuna City limits with an "R-6" (Residential) zoning designation. The parcel has no assigned address and is located at the western terminus of W. Stony Desert St., Kuna, Idaho (APN #: R7321000916).

All persons wishing to testify must state his/her name and residential address for the record. No person shall speak until recognized by the Chairman. A three (3) minute time limit may be placed on all testimony.

The public is invited to present written and/or oral comments. Any written testimony must be received by 5:00 pm, June 27th, 2016, or it may not be considered. Please mail any comments to P.O. Box 13 Kuna, ID 83634, or drop off at City Hall 763 W. Avalon.

Please do not contact anyone who would be involved in this decision making process, which would include the Planning & Zoning Commissioners, City Council Members, or the Mayor. Such private conversations would be considered ex parte (one sided) and could jeopardize the public hearing process.

If you have any questions or require special accommodations, please contact the Kuna Planning & Zoning Department prior to the meeting at 922-5274.

Kuna Planning & Zoning  
Department

June 15, 2016 1473157



**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@kunaid.gov](mailto:glaw@kunaid.gov)**

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## MEMORANDUM

**TO:** Director of Kuna Planning and Zoning

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

**RE:** Dave Austad  
Annexation  
16-05-AN

**DATE:** June 6, 2016

---

The City Engineer has reviewed the annexation request of the above applicant dated May 30, 2016. It is noted that specific development plans are not provided except those implied as allowed or permitted in an "R-6" zone. It is understood, however, the applicant intends to develop portions of this property 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 Engineer has affirmed that the City could include all of the applicant's aforementioned property in its service area.

The recommendation of the City Engineer is to proceed with this annexation 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**

- a) 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.
- b) Wastewater from the applicant's property has the option of being treated in the South Treatment Plant, which presently has sufficient capacity to serve this site. 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.
- c) For assistance in locating existing facilities and understanding issues associated with connection, please contact the City Engineer at 287-1727.

### **2. Potable Water Needs**

- a) The applicant's property to be annexed is presently used for agricultural purposes and does not require City services. As developed property, it will require municipal water

service for potable and fire protection needs. The City Engineer recommends ultimate connection to existing City facilities.

- b) The nearest point of connection for the Austad project is at the east property line of the project. 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.
- c) Improvements necessary to provide adequate fire protection as required by Kuna Fire District will be required of the development.
- d) For assistance in locating existing facilities, please contact the City Engineer at 287-1727.

### **3. Pressure Irrigation**

- a) The property's irrigation needs are presently served by local canals from surface water rights. The city has pressure irrigation facilities adjacent to this property. The City Engineer recommends ultimate connection to existing City facilities.
- b) The nearest point of connection for the Austad project is at the east property line of the project. When connecting to the pressure irrigation system, the applicant will need to abide by any relevant water reimbursement policies and agreements and any relevant connection fees

### **4. Grading and Storm Drainage**

The following is not required for annexation but will be required when alteration of surface features is proposed (such as grading or paving) in connection with future land use applications:

- a) Please provide a grading and drainage plan which supports and maintains all upstream drainage rights and all downstream irrigation delivery rights as they presently exist for this property.
- b) 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.
- c) 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 north side on quarter-section line local collector street (Sunbeam). 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 comply 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.

**IDAHO TRANSPORTATION DEPARTMENT**

P.O. Box 8028  
Boise, ID 83707-2028

(208) 334-8300  
[itd.idaho.gov](http://itd.idaho.gov)

---

June 8, 2016

Trevor Kesner  
City of Kuna, Planning and Zoning Department  
P.O. Box 13  
Kuna, ID 83634

**VIA EMAIL****RE: 16-05-AN DAVID AUSTAD**

The Idaho Transportation Department has reviewed the referenced annexation application for David Austad located west of South Ten Mile Road and South of West Sunbeam Street southwest of SH-69. ITD has the following comments:

1. ITD has no objection to the annexation of this property into the City of Kuna.
2. This property does not abut the State highway system.

If you have any questions, you may contact Ken Couch at 332-7190 or me at 332-7191.

Sincerely,

A handwritten signature in blue ink that reads "James K. Morrison". The signature is written in a cursive, flowing style.

James K. Morrison  
D3 Property Manager  
[jim.morrison@itd.idaho.gov](mailto:jim.morrison@itd.idaho.gov)



CENTRAL DISTRICT HEALTH DEPARTMENT  
Environmental Health Division

Return to: 37 of 54

- ACZ
- Boise
- Eagle
- Garden City
- Kuna
- Meridian
- Star

Rezone # 16-05-AN

Conditional Use # \_\_\_\_\_

Preliminary / Final / Short Plat \_\_\_\_\_

RECEIVED *City of Kuna*  
JUN 20 2016  
CITY OF KUNA

- 1. We have No Objections to this Proposal.
- 2. We recommend Denial of this Proposal.
- 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.
- 4. We will require more data concerning soil conditions on this Proposal before we can comment.
- 5. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
  - high seasonal ground water
  - 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: *Lowrey*  
Date: *6/14/16*

Exhibit  
B-3

### 7. Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):

- The intersection of Linder Avenue and Main Street and 3<sup>rd</sup> Street is scheduled in the IFYWP to be constructed as a single-lane roundabout in 2016.
- 4<sup>th</sup> Street and #326 is scheduled in the IFYWP to be replaced in 2018.
- Avalon is listed in the CIP to be widened to 3-lanes from Linder Road to Orchard Street between 2022 and 2026.
- Deer Flat is listed in the CIP to be widened to 5-lanes from Linder Road to SH-69/ Meridian Rd between 2027 and 2031.

## B. Traffic Findings for Consideration

1. **Trip Generation:** This development is estimated to generate 10 additional vehicle trips per day per single-family dwelling (0 existing); 1 additional vehicle trips per hour in the PM peak hour per single-family dwelling (0 existing), based on the Institute of Transportation Engineers Trip Generation Manual, 9<sup>th</sup> edition.
2. **Condition of Area Roadways**  
Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service	Existing Plus Project
Ten Mile Road	0-feet	Arterial	116	Better than "D"	Better than "D"
Sunbeam Street	425-feet	Collector	76	Better than "D"	Better than "D"

\* Acceptable level of service for a two-lane minor arterial is "D" (550 VPH).

\* Acceptable level of service for a two-lane collector is "D" (425 VPH).

3. **Average Daily Traffic Count (VDT)**

*Average daily traffic counts are based on ACHD's most current traffic counts.*

- The average daily traffic count for Ten Mile Road south of Avalon was 1,885 on 1/20/2016.
- The average daily traffic count for Sunbeam Street west of Swan Falls Road was 1,002 on 10/14/2015.

## C. Findings for Consideration

*This application is for annexation and rezone only. Listed below are some of the findings for consideration that the District may identify when it reviews a future development application. The District may add additional findings for consideration when it reviews a specific redevelopment application.*

1. **Sunbeam Street**

- a. **Existing Conditions:** Sunbeam Street is a collector street stubbed at the site's east property line.
- b. **Policy:**  
**Collector Street Policy:** District policy 7206.2.1 states that the developer is responsible for improving all collector frontages adjacent to the site or internal to the development as required below, regardless of whether access is taken to all of the adjacent streets.

**Master Street Map and Typologies Policy:** District policy 7206.5 states that if the collector street is designated with a typology on the Master Street Map, that typology shall be considered for the required street improvements. If there is no typology listed in the Master Street Map, then standard street sections shall serve as the default.

**Street Section and Right-of-Way Policy:** District policy 7206.5.2 states that the standard right-of-way width for collector streets shall typically be 50 to 70-feet, depending on the location and width of the sidewalk and the location and use of the roadway. The right-of-way width may be reduced, with District approval, if the sidewalk is located within an easement; in which case the District will require a minimum right-of-way width that extends 2-feet behind the back-of-curb on each side.

The standard street section shall be 46-feet (back-of-curb to back-of-curb). This width typically accommodates a single travel lane in each direction, a continuous center left-turn lane, and bike lanes.

**Residential Collector Policy:** District policy 7206.5.2 states that the standard street section for a collector in a residential area shall be 36-feet (back-of-curb to back-of-curb). The District will consider a 33-foot or 29-foot street section with written fire department approval and taking into consideration the needs of the adjacent land use, the projected volumes, the need for bicycle lanes, and on-street parking.

**Half Street Policy:** District Policy 7206.2.2 required improvements shall consist of pavement widening to one-half the required width, including curb, gutter and concrete sidewalk (minimum 5-feet), plus 12-feet of additional pavement widening beyond the centerline established for the street to provide an adequate roadway surface, with the pavement crowned at the ultimate centerline. A 3-foot wide gravel shoulder and a borrow ditch sized to accommodate the roadway storm runoff shall be constructed on the unimproved side.

**Sidewalk Policy:** District policy 7206.5.6 requires a concrete sidewalks at least 5-feet wide to be constructed on both sides of all collector streets. A parkway strip at least 6-feet wide between the back-of-curb and street edge of the sidewalk is required to provide increased safety and protection of pedestrians. Consult the District's planter width policy if trees are to be placed within the parkway strip. Sidewalks constructed next to the back-of-curb shall be a minimum of 7-feet wide.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

**ACHD Master Street Map:** ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, collector street requirements, and specific roadway features required through development. A new collector roadway was identified on the MSM with the street typology of Residential Collector. The new collector roadway should align with Sunbeam Street on the east side of Ten Mile Road and continue through the property stubbing to the west. The Residential Collector typology as depicted in the Livable Street Design Guide recommends a 2-lane roadway with bike lanes, and on street parking, a 47-foot street section within 69-feet of right-of-way.

- c. **Staff Comments/Recommendations:** Consistent with the approval of Desert Hawk Subdivision directly east of the site; the applicant should be required to match existing conditions and construct Sunbeam Street as one-half of a residential collector street with a 36-foot street section, curb, gutter, and either 7-foot wide attached sidewalk or 5-foot wide detached sidewalk with minimum 6-foot wide planter strip abutting the site; plus 12-feet of

additional pavement widening and 3-foot wide gravel shoulder and borrow ditch, when the property develops.

## 2. Internal Streets

a. **Existing Conditions:** There are no existing internal roadways within the site.

b. **Policy:**

**Local Roadway Policy:** District Policy 7207.2.1 states that the developer is responsible for improving all local street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

**Street Section and Right-of-Way Policy:** District Policy 7207.5 states that right-of-way widths for all local streets shall generally not be less than 50-feet wide and that the standard street section shall be 36-feet (back-of-curb to back-of-curb). The District will consider the utilization of a street width less than 36-feet with written fire department approval.

**Standard Urban Local Street—36-foot to 33-foot Street Section and Right-of-way Policy:** District Policy 7207.5.2 states that the standard street section shall be 36-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot concrete sidewalks on both sides and shall typically be within 50-feet of right-of-way.

The District will also consider the utilization of a street width less than 36-feet with written fire department approval. Most often this width is a 33-foot street section (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size.

**Continuation of Streets Policy:** District Policy 7207.2.4 states that an existing street, or a street in an approved preliminary plat, which ends at a boundary of a proposed development shall be extended in that development. The extension shall include provisions for continuation of storm drainage facilities. Benefits of connectivity include but are not limited to the following:

- Reduces vehicle miles traveled.
- Increases pedestrian and bicycle connectivity.
- Increases access for emergency services.
- Reduces need for additional access points to the arterial street system
- Promotes the efficient delivery of services including trash, mail and deliveries.
- Promotes appropriate intra-neighborhood traffic circulation to schools, parks, neighborhood commercial centers, transit stops, etc.
- Promotes orderly development.

**Sidewalk Policy:** District Policy 7207.5.7 states that five-foot wide concrete sidewalk is required on both sides of all local street, except those in rural developments with net densities of one dwelling unit per 1.0 acre or less, or in hillside conditions where there is no direct lot frontage, in which case a sidewalk shall be constructed along one side of the street. Some local jurisdictions may require wider sidewalks.

The sidewalk may be placed next to the back-of-curb. Where feasible, a parkway strip at least 8-feet wide between the back-of-curb and the street edge of the sidewalk is recommended to provide increased safety and protection of pedestrians and to allow for the planting of trees in accordance with the District's Tree Planting Policy. If no trees are to be planted in the parkway strip, the applicant may submit a request to the District, with justification, to reduce the width of the parkway strip.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

**Cul-de-sac Streets Policy:** District policy 7207.5.8 requires cul-de-sacs to be constructed to provide a minimum turning radius of 45-feet; in rural areas or for temporary cul-de-sacs the emergency service providers may require a greater radius. Landscape and parking islands may be constructed in turnarounds if a minimum 29-foot street section is constructed around the island. The pavement width shall be sufficient to allow the turning around of a standard AASHTO SU design vehicle without backing. The developer shall provide written approval from the appropriate fire department for this design element.

The District will consider alternatives to the standard cul-de-sac turnaround on a case-by-case basis. This will be based on turning area, drainage, maintenance considerations and the written approval of the agency providing emergency fire service for the area where the development is located.

- c. **Staff Comments/Recommendations:** The applicant should be required to construct all internal streets as 36-foot street sections with curb, gutter, and 5-foot wide sidewalks, when the property develops.

### 3. Stub Streets

- a. **Existing Conditions:** There is an existing stub street, Stony Desert Street at the site's east property line.

b. **Policy:**

**Stub Street Policy:** District policy 7207.2.4 (local) states that stub streets will be required to provide circulation or to provide access to adjoining properties. Stub streets will conform with the requirements described in Section 7207.2.5.4 (local), except a temporary cul-de-sac will not be required if the stub street has a length no greater than 150-feet. A sign shall be installed at the terminus of the stub street stating that, "THIS ROAD WILL BE EXTENDED IN THE FUTURE."

In addition, stub streets must meet the following conditions:

- A stub street shall be designed to slope towards the nearest street intersection within the proposed development and drain surface water towards that intersection; unless an alternative storm drain system is approved by the District.
- The District may require appropriate covenants guaranteeing that the stub street will remain free of obstructions.

**Temporary Dead End Streets Policy:** District policy 7207.2.4 (local) requires that the design and construction for cul-de-sac streets shall apply to temporary dead end streets. The temporary cul-de-sac shall be paved and shall be the dimensional requirements of a standard cul-de-sac. The developer shall grant a temporary turnaround easement to the District for those portions of the cul-de-sac which extend beyond the dedicated street right-of-way. In the instance where a temporary easement extends onto a buildable lot, the entire lot shall be encumbered by the easement and identified on the plat as a non-buildable lot until the street is extended.

- c. **Staff Comments/Recommendations:** The applicant should be required to extend Desert Street into the site. The applicant should be required to provide a stub street to the west and to the south when the property is developed. Until the stub streets are extended the applicant should be required to construct a temporary cul-de-sac turnaround at the terminus of the stub streets and install signage that "THIS IS A DESIGNATED COLLECTOR ROADWAY. THIS

STREET WILL BE EXTENDED AND WIDENED IN THE FUTURE.” or, “THIS ROADWAY WILL BE EXTENDED IN THE FUTURE.”.

#### 4. **Tree Planters**

**Tree Planter Policy:** Tree Planter Policy: The District’s Tree Planter Policy prohibits all trees in planters less than 8-feet in width without the installation of root barriers. Class II trees may be allowed in planters with a minimum width of 8-feet, and Class I and Class III trees may be allowed in planters with a minimum width of 10-feet.

#### 5. **Landscaping**

**Landscaping Policy:** A license agreement is required for all landscaping proposed within ACHD right-of-way or easement areas. Trees shall be located no closer than 10-feet from all public storm drain facilities. Landscaping should be designed to eliminate site obstructions in the vision triangle at intersections. District Policy 5104.3.1 requires a 40-foot vision triangle and a 3-foot height restriction on all landscaping located at an uncontrolled intersection and a 50-foot offset from stop signs. Landscape plans are required with the submittal of civil plans and must meet all District requirements prior to signature of the final plat and/or approval of the civil plans.

#### 6. **Other Access**

Sunbeam Street is classified as collector roadway. Other than the access specifically approved with this application, direct lot access is prohibited to this roadway.

### **D. Site Specific Conditions of Approval**

*This application is for annexation and rezone only. The District may add additional findings for consideration when it reviews a specific development application. Site Specific Conditions will be established at that time.*

### **E. Standard Conditions of Approval**

1. All proposed irrigation facilities shall be located outside of the ACHD right-of-way (including all easements). Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way (including all easements).
2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.
3. In accordance with District policy, 7203.3, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant’s engineer should provide documentation of ADA compliance to District Development Review staff for review.
4. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.
5. A license agreement and compliance with the District’s Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.
6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.

8. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.
9. All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.
11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.
12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

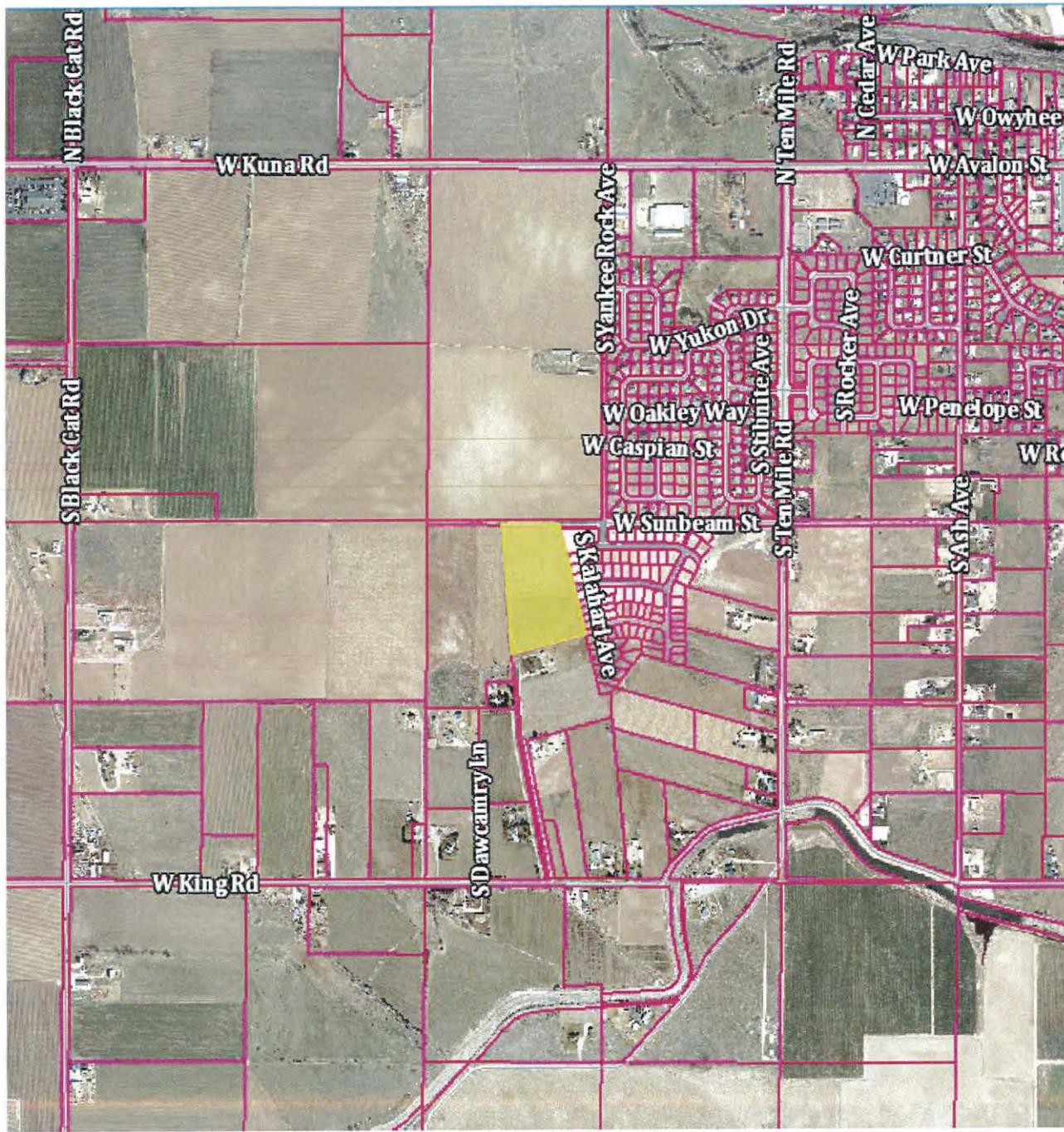
## **F. Conclusions of Law**

1. The proposed site plan is approved, if all of the Site Specific and Standard Conditions of Approval are satisfied.
2. ACHD requirements are intended to assure that the proposed use/development will not place an undue burden on the existing vehicular transportation system within the vicinity impacted by the proposed development.

## **G. Attachments**

1. Vicinity Map
2. Utility Coordinating Council
3. Development Process Checklist
4. Request for Reconsideration Guidelines

VICINITY MAP



## Ada County Utility Coordinating Council

### Developer/Local Improvement District Right of Way Improvements Guideline Request

*Purpose: To develop the necessary avenue for proper notification to utilities of local highway and road improvements, to help the utilities in budgeting and to clarify the already existing process.*

- 1) **Notification:** Within five (5) working days upon notification of required right of way improvements by Highway entities, developers shall provide written notification to the affected utility owners and the Ada County Utility Coordinating Council (UCC). Notification shall include but not be limited to, project limits, scope of roadway improvements/project, anticipated construction dates, and any portions critical to the right of way improvements and coordination of utilities.
- 2) **Plan Review:** The developer shall provide the highway entities and all utility owners with preliminary project plans and schedule a plan review conference. Depending on the scale of utility improvements, a plan review conference may not be necessary, as determined by the utility owners. Conference notification shall also be sent to the UCC. During the review meeting the developer shall notify utilities of the status of right of way/easement acquisition necessary for their project. At the plan review conference each company shall have the right to appeal, adjust and/or negotiate with the developer on its own behalf. Each utility shall provide the developer with a letter of review indicating the costs and time required for relocation of its facilities. Said letter of review is to be provided within thirty calendar days after the date of the plan review conference.
- 3) **Revisions:** The developer is responsible to provide utilities with any revisions to preliminary plans. Utilities may request an updated plan review meeting if revisions are made in the preliminary plans which affect the utility relocation requirements. Utilities shall have thirty days after receiving the revisions to review and comment thereon.
- 4) **Final Notification:** The developer will provide highway entities, utility owners and the UCC with final notification of its intent to proceed with right of way improvements and include the anticipated date work will commence. This notification shall indicate that the work to be performed shall be pursuant to final approved plans by the highway entity. The developer shall schedule a preconstruction meeting prior to right of way improvements. Utility relocation activity shall be completed within the times established during the preconstruction meeting, unless otherwise agreed upon.

**Notification to the Ada County UCC can be sent to:** 50 S. Cole Rd. Boise 83707, or Visit [iducc.com](http://iducc.com) for e-mail notification information.

## Development Process Checklist

### Items Completed to Date:

- Submit a development application to a City or to Ada County
- The City or the County will transmit the development application to ACHD
- The ACHD **Planning Review Section** will receive the development application to review
- The **Planning Review Section** will do one of the following:
  - Send a “**No Review**” letter to the applicant stating that there are no site specific conditions of approval at this time.
  - Write a **Staff Level** report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy.
  - Write a **Commission Level** report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy.

### Items to be completed by Applicant:

- For **ALL** development applications, including those receiving a “**No Review**” letter:
  - The applicant should submit one set of engineered plans directly to ACHD for review by the **Development Review Section** for plan review and assessment of impact fees. (Note: if there are no site improvements required by ACHD, then architectural plans may be submitted for purposes of impact fee assessment.)
  - The applicant is required to get a permit from Construction Services (ACHD) for ANY work in the right-of-way, including, but not limited to, driveway approaches, street improvements and utility cuts.
- Pay Impact Fees prior to issuance of building permit. Impact fees cannot be paid prior to plan review approval.

#### DID YOU REMEMBER:

##### *Construction (Non-Subdivisions)*

- Driveway or Property Approach(s)**
  - Submit a “Driveway Approach Request” form to ACHD Construction (for approval by Development Services & Traffic Services). There is a one week turnaround for this approval.
- Working in the ACHD Right-of-Way**
  - Four business days prior to starting work have a bonded contractor submit a “Temporary Highway Use Permit Application” to ACHD Construction – Permits along with:
    - a) Traffic Control Plan
    - b) An Erosion & Sediment Control Narrative & Plat, done by a Certified Plan Designer, if trench is >50’ or you are placing >600 sf of concrete or asphalt.

##### *Construction (Subdivisions)*

- Sediment & Erosion Submittal**
  - At least one week prior to setting up a Pre-Construction Meeting an Erosion & Sediment Control Narrative & Plan, done by a Certified Plan Designer, must be turned into ACHD Construction to be reviewed and approved by the ACHD Stormwater Section.
- Idaho Power Company**
  - Vic Steelman at Idaho Power must have his IPCO approved set of subdivision utility plans prior to Pre-Con being scheduled.
- Final Approval from Development Services is required** prior to scheduling a Pre-Con.

## Request for Appeal of Staff Decision

1. **Appeal of Staff Decision:** The Commission shall hear and decide appeals by an applicant of the final decision made by the Development Services Manager when it is alleged that the Development Services Manager did not properly apply this section 7101.6, did not consider all of the relevant facts presented, made an error of fact or law, abused discretion or acted arbitrarily and capriciously in the interpretation or enforcement of the ACHD Policy Manual.
  - a. **Filing Fee:** The Commission may, from time to time, set reasonable fees to be charged the applicant for the processing of appeals, to cover administrative costs.
  - b. **Initiation:** An appeal is initiated by the filing of a written notice of appeal with the Secretary of Highway Systems, which must be filed within ten (10) working days from the date of the decision that is the subject of the appeal. The notice of appeal shall refer to the decision being appealed, identify the appellant by name, address and telephone number and state the grounds for the appeal. The grounds shall include a written summary of the provisions of the policy relevant to the appeal and/or the facts and law relied upon and shall include a written argument in support of the appeal. The Commission shall not consider a notice of appeal that does not comply with the provisions of this subsection.
  - c. **Time to Reply:** The Development Services Manager shall have ten (10) working days from the date of the filing of the notice of appeal to reply to the notice of the appeal, and may during such time meet with the appellant to discuss the matter, and may also consider and/or modify the decision that is being appealed. A copy of the reply and any modifications to the decision being appealed will be provided to the appellant prior to the Commission hearing on the appeal.
  - d. **Notice of Hearing:** Unless otherwise agreed to by the appellant, the hearing of the appeal will be noticed and scheduled on the Commission agenda at a regular meeting to be held within thirty (30) days following the delivery to the appellant of the Development Services Manager's reply to the notice of appeal. A copy of the decision being appealed, the notice of appeal and the reply shall be delivered to the Commission at least one (1) week prior to the hearing.
  - e. **Action by Commission:** Following the hearing, the Commission shall either affirm or reverse, in whole or part, or otherwise modify, amend or supplement the decision being appealed, as such action is adequately supported by the law and evidence presented at the hearing.



### CITY OF KUNA

763 W. Avalon • Kuna, Idaho • 83634 • Phone (208) 922-5274

Fax: (208) 922-5989 • www.kunacity.id.gov

## SIGN-UP SHEET

03-01-2016 – KUNA CITY COUNCIL

Case Name: **16-05-AN – David Austad (Ten Mile & Sunbeam Streets)**

Case Type: Annexation; approximately 10 acres

Please print your name below if you would like to present oral testimony or written exhibits about this item to the Kuna City Council.

IN FAVOR		NEUTRAL		IN OPPOSITION	
<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>	<input type="checkbox"/> <u>Testify</u>	<input checked="" type="checkbox"/> <u>Not Testify</u>	<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>
_____	_____	<i>Karl Rude</i>	_____	_____	_____
Print Name	Print Name	Print Name	Print Name	Print Name	Print Name
_____	_____	<i>923 S Kalahoki</i>	_____	_____	_____
Print Address	Print Address	Print Address	Print Address	Print Address	Print Address
_____	_____	<i>Kuna ID 83634</i>	_____	_____	_____
City	State, Zip	City	State, Zip	City	State, Zip
<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>	<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>	<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>
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City	State, Zip	City	State, Zip	City	State, Zip



# City of Kuna

## P & Z Findings of Fact and Conclusions of Law

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

**To:** Planning and Zoning Commission

**Case Number(s):** 16-05-AN (Annexation) *Austad Annexation*

**Location:** West of Deserthawk Estates Subdivision; south of W. Sunbeam St. at the western terminus of W. Stony Desert St., Kuna, Idaho 83634

**Planner:** Trevor Kesner, Planner II

**Hearing Date:** June 28, 2016  
**Findings:** July 12, 2016

**Owner:** David Austad  
 1365 NW 35<sup>th</sup> St.  
 Redmond, OR 97756

**Applicant/  
 Representative:** Don Boyer  
 2100 W. King Rd.  
 Kuna, ID 83634

### Table of Contents:

- A. Course Proceedings
- B. Applicant Request
- C. Vicinity and Aerial Maps
- D. 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. Proposed Decision by the Commission

### A. Course of Proceedings

1. Kuna City Code (KCC), Title 1, Chapter 14, Section 3, states annexation is designated as a public hearing with the Planning and Zoning Commission as the recommending body and 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 Land Use Planning Act (LLUPA).

#### a. Notifications

- |                           |               |
|---------------------------|---------------|
| i. Neighborhood Meeting   | May 24, 2016  |
| ii. Agencies Notified     | June 1, 2016  |
| iii. 300' Property Owners | June 15, 2016 |
| iv. Kuna, Melba Newspaper | June 15, 2016 |
| v. Site Posted            | June 16, 2016 |

**B. Applicant Request:**

1. The applicant requests approval to annex an approximately 10 acre parcel located west of Deserthawk Estates Subdivision; south of W. Sunbeam St. at the western terminus of W. Stony Desert St. into the City of Kuna with an 'R-6' (Medium Density Residential) zoning designation for potential future development.

**C. Vicinity and Aerial Maps:**



**D. History:** The parcel is contiguous to City limits and is currently zoned RUT (Rural-Urban Transitional) in Ada County. The site is currently vacant and contains no structures. This parcel has historically been farmed.

**E. General Projects Facts:**

1. **Comprehensive Plan Designation:** The Future Land Use Map identifies this site as 'Medium Density Residential'. Staff views this annexation request to be consistent with the approved Future Land Use Map.

2. **Surrounding Land Uses:**

<b>North</b>	RUT	Rural Urban Transitional – Ada County
<b>South</b>	RUT	Rural Urban Transitional – Ada County
<b>East</b>	R-6	Medium Density Residential (Kuna)
<b>West</b>	RUT	Rural Urban Transitional – Ada County

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

- Approx. 10 +/- total acres
- RUT, Rural Urban Transitional (Ada County)
- Parcel # - R7321000916

4. **Services:**

Future Sanitary Sewer –City of Kuna  
 Future Potable Water – City of Kuna  
 Irrigation District –New York 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 Services

5. **Existing Structures, Vegetation and Natural Features:** The subject site is currently vacant land containing no improvements. The site has historically been used for agricultural purposes (farmed). The applicant has not indicated any intention to develop the property at this time.

6. **Transportation / Connectivity:** The parcel is currently not improved with any pavement, curb, gutter, sidewalks. The site can be accessed from the western terminus of West Sunbeam Street and West Stony Desert Street; however barricades have been placed at both locations to prevent public access. Ada County Highway District (ACHD) has provided conditions for future development of the site (reference Exhibit B-4).

7. **Environmental Issues:** The subject site lies within the designated 'Nitrate Priority Area' (NPA) for groundwater monitoring. Beyond the NPA, staff is not aware of any additional environmental issues, health or safety conflicts resulting from this application. The site's topography is generally flat with a potential 0-3% slope in certain areas.

8. **Agency Responses:** The following agencies returned comments which are included as exhibits with this case file:

Exhibit B-1: Kuna City Engineer;  
 Exhibit B-2: Idaho Transportation Department (ITD);  
 Exhibit B-3: Central District Health Department (CDHD)  
 Exhibit B-4; Ada County Highway District (ACHD).

F. **Staff Analysis:**

The subject site is located directly west of Deserthawk Estates Subdivision; south of West Sunbeam Street and the western terminus of West Stony Desert Street. The applicant requests to annex the 10 +/- acre parcel into Kuna City limits with an R-6 zoning designation. Future development of the site or any portions thereof shall be in accordance with the provisions set forth in Kuna City Code (KCC). This includes the possibility that the applicant may sell the subject property to another party, who may intend to develop the site consistent with the adjacent developments.

Staff has determined this annexation 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 # 16-05-AN, subject to the recommended conditions of approval.

**G. Applicable Standards:**

1. City of Kuna, Title 5 Zoning Ordinance: Annexations.
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 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.

Policy 3.1: Promote developments with a variety of lot sizes.

**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.

**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 annexation.
3. The annexation is 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 street and utility services in proximity to the site appear to be adequate for the current use; however, any future site improvements as determined by the City Engineer and the Planning and Zoning Director, shall comply with the provisions set forth in Kuna City Code (KCC)
7. The Kuna Planning and Zoning Commission accepts the facts as outlined in the staff report, any public testimony and the supporting evidence as presented.

8. Based on the evidence contained in Case No. 16-05-AN, this proposal appears to comply with the Comprehensive Plan and the Kuna Comprehensive Future Land Use Map.
9. The Planning and Zoning Commission has the authority to recommend approval or denial for the annexation application.
10. The public notice requirements were adhered to 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 16-05-AN, the Kuna Planning and Zoning Commission finds Case No. 16-05-AN complies with Kuna City Code.
2. Based on the evidence contained in Case No 16-05-AN, the Kuna Planning and Zoning Commission finds Case No. 16-05-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 Kuna City Ordinances.

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

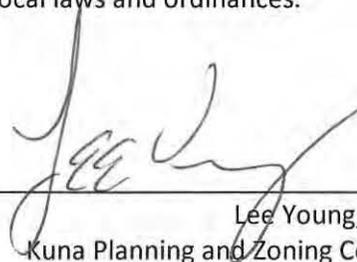
*Note: This motion is to recommend approval of this request to City Council. However, if the Commission wishes to approve or deny specific parts of the request as detailed in this report, they must be specified.*

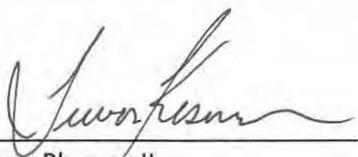
Based on the facts outlined in staff's report and any public testimony at the public hearing, the Planning and Zoning Commission of Kuna, Idaho, hereby recommends *approval* of Case No. 16-05-AN, a request for annexation from David Austad to the Kuna City Council, with the following conditions of approval:

1. All development submittals are required to include the lighting, landscaping, drainage and development plans as required by Planning and Zoning. All site improvements are prohibited prior to approval of the following agencies. The applicant/owner shall obtain written approval on letterhead or may be written/stamped on the approved construction plans from the agencies noted:
  - a. Central District Health Department (CDHD).
  - b. The City Engineer shall approve the future sewer, water and irrigation and drainage construction plans.
  - c. The Kuna Fire District shall approve all site development and building plans.
  - d. The *New York* Irrigation District shall approval any modifications to the existing irrigation system.
  - e. Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to issuance of any building permits.
2. All public rights-of-way shall be dedicated to the City and/or Ada County Highway District. No public street construction may be commenced without the approval and permit from Ada County Highway District:
  - 2.1- With future development and as necessary, dedicate right-of-way in sufficient amounts to follow City and ACHD standards and widths.
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. Any site improvements shall require the property owner to comply with the provisions set forth in Kuna City Code (KCC)
- 6. At the time of development, submit a petition to the City (as 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).
- 7. Applicant shall follow all staff, City engineer and any other agency recommended requirements as applicable.
- 8. Applicant shall abide by all applicable federal, state and local laws and ordinances.

DATED: This 12<sup>th</sup> day of July, 2016.

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

ATTEST:  
  
 \_\_\_\_\_  
 Trevor Kesner, Planner II  
 Kuna Planning and Zoning Department

**CITY OF KUNA, IDAHO  
ADOPTION OF SANITATION FEE SCHEDULE  
RESOLUTION NO. R49-2016**

**A RESOLUTION OF THE CITY OF KUNA, IDAHO ADOPTING THE FOLLOWING FEE SCHEDULE WITH J&M SANITATION, INC.**

**BE IT HEREBY RESOLVED** by the Mayor and Council of the City of Kuna, Idaho do hereby adopt the following fee schedule with J&M Sanitation, Inc.

**RESIDENTIAL**

	Current Rate/Month	Proposed Rate/Month
Regular 1 - 95 gal trash cart	\$20.33	\$20.63
Regular 2 - 95 gal trash carts	\$22.52	\$22.86
Regular 3 - 95 gal trash carts	\$24.71	\$25.08
Regular 4 - 95 gal trash carts	\$26.94	\$27.34
Regular 5 - 95 gal trash carts	\$29.08	\$29.52
Regular 6 - 95 gal trash carts	\$31.31	\$31.78
Senior Citizen 1 - 95 gal trash cart	\$15.45	\$15.68
Senior Citizen 2 - 95 gal trash carts	\$17.69	\$17.96
Senior Citizen 3 - 95 gal trash carts	\$19.83	\$20.13
Carry Out/Drive-In 1 - 95 gal trash cart	\$26.43	\$26.83
Carry out/drive-in 2 - 95 gal trash cart	\$28.67	\$29.10
Carry out/drive-in 3 - 95 gal trash cart	\$30.86	\$31.32

**COMMERCIAL**

	Current Rate/Month	Proposed Rate/Month
Commercial 1 - 95 gal trash cart	\$26.33	\$26.72
Commercial 2 - 95 gal trash carts	\$28.57	\$29.00
Commercial 3 - 95 gal trash carts	\$30.70	\$31.16
Commercial 4 - 95 gal trash carts	\$32.94	\$33.43
Dumpster (permanent) 1x/week		
3 Yard	\$101.67	\$103.20
6 Yard	\$159.22	\$161.61
8 Yard	\$219.61	\$222.90
Dumpster(permanent) 2x/week		
3 Yard	\$159.22	\$161.61
6 Yard	\$318.23	\$323.00

	8 Yard	\$378.82	\$384.50
Dumpster (permanent) 3x/week			
	3 Yard	\$219.61	\$222.90
	6 Yard	\$439.21	\$445.80
	8 Yard	\$499.20	\$506.69
Dumpster (permanent) 4x/week			
	8 Yard	\$625.27	\$634.65
Dumpster (temporary)			
	Delivery Fee	\$39.65	\$40.24
	Monthly Rental	\$24.65	\$25.02
	Pickup Fee	\$42.70	\$43.34
Compactor 1x/week			
	4 Yard	\$422.95	\$429.29
	6 Yard	\$603.92	\$612.98
Compactor 2x/week			
	4 Yard	\$841.10	\$853.72
	6 Yard	\$1,202.35	\$1,220.39
Other Commercial			
	Commercial 2 – 95 gal trash carts 2x/week	\$57.14	\$58.00
	KSD school dumpster: > 5 dumpsters	\$6,031.75	\$6,122.23
	Commercial 3 yard every other week	\$81.34	\$82.56
	Commercial dumpster 2 ea. 3 yrd. 3 x week: 9 owners (White Barn)	\$48.80	\$49.53
	Commercial 3 yrd. split 1 x week: 2 owners	\$50.84	\$51.60
	Commercial 3 yrd. split 2 x week: 2 owners	\$78.30	\$79.47
	Commercial 8 yrd. 1 x week: 6 owners (Art Ct.)	\$36.60	\$37.15
	Commercial 6 yrd. 2 x week: 2 owners	\$53.07	\$53.87

**MISCELLANEOUS**

	Current Rate/Month	Proposed Rate/Month
Excess pick up (general household)	Varies by volume	Varies by volume
Temporary dumpster delivery	\$39.65	\$40.24
Temporary dumpster rent	\$24.65	\$25.02
Temporary dumpster pick up	\$42.70	\$43.34
Large Freon (annual clean-up event only)	\$10.17	\$10.32
Large non- Freon (large item or refrigerator w/no Freon)	\$11.18	\$11.35
Lid lock installation (one-time fee)	\$50.84	\$51.60

Effective with the utility billing which occurs on or about October 1, 2016.

**PASSED BY THE COUNCIL** of Kuna, Idaho this \_\_\_\_\_ day of August, 2016.

**APPROVED BY THE MAYOR** of Kuna, Idaho this \_\_\_\_\_ day of August, 2016.

\_\_\_\_\_  
Joe L. Stear, Mayor

ATTEST:

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



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 Stear and Members of City Council  
FROM: Gordon N. Law  
Kuna City Engineer  
RE: 2016 Fiber Optic Build Project  
Approval of Bid Results  
DATE: July 27, 2016

**REQUEST: Approve Resolution for Award of Bid**

On July 27, 2016, bids were opened for the construction of a Fiber Optic Project from the NWWTP to Silver Trail Elementary School. The results of the bidding are as follows:

- |                                |                    |
|--------------------------------|--------------------|
| 1. Das-Co c/o Pre-Com          | \$69,983.61        |
| 2. <b>Track Utilities, LLC</b> | <b>\$60,234.29</b> |
| 3. Circle H Construction, Inc. | \$73,671.84        |

The apparent low bid at the bid opening was Track Utilities, LLC in the amount of \$60,234.29. In reviewing the accuracy of the submittal no mathematical or clerical mistakes were made. A resolution is attached, which if approved, will adopt the recommendation that the project is awarded to the apparent low bidder.

**Available Funds**

Different portions of the project are budgeted from the Sewer Fund, PI Fund and the Water Fund. Available budgeted funds for this project are summarized as follows:

- |                        |                  |            |
|------------------------|------------------|------------|
| 1. Fiber Optic Project | \$42,000         | Sewer Fund |
| 2. Fiber Optic Project | \$42,000         | Water Fund |
| 3. Fiber Optic Project | \$16,000         | PI Fund    |
| <b>TOTAL AVAILABLE</b> | <b>\$100,000</b> |            |

Attachments: Resolution  
Abstract of Bids  
Bid Results at Opening

**RESOLUTION NO. R50-2016**

**RESOLUTION AWARDED BID FOR THE 2016 FIBER OPTIC PROJECT TO TRACK UTILITIES, LLC IN THE AMOUNT OF \$60,234.29; DIRECTING EXPENDITURE OF FUNDS FROM THE SEWER, WATER AND IRRIGATION FUNDS FOR SAID PROJECT; AND AUTHORIZING THE MAYOR, CITY CLERK AND CITY ENGINEER TO EXECUTE CONTRACT DOCUMENTS WITH SAID BIDDERS.**

**WHEREAS**, City of Kuna, Idaho has received bids for the 2016 Fiber Optic Project; and

**WHEREAS**, the apparent low bidder for said Project is TRACK UTILITIES, LLC; and

**WHEREAS**, the bid submitted by TRACK UTILITIES, LLC. is responsive to the bid requirements:

**BE IT HEREBY RESOLVED** by the Mayor and Council of the City of Kuna, Idaho that said City approves the award of bid to TRACK UTILITIES, LLC. in the amount of sixty thousand two hundred thirty-four dollars and 29/100 cents (\$60,234.29) for the project;

**BE IT FURTHER RESOLVED** that Mayor and Council directs the expenditure of available funds from the Sewer, Water and Irrigation Funds for said project; and

**BE IT FURTHER RESOLVED** that the Mayor, Clerk and City Engineer of said City are hereby authorized to execute documents for securing the services of said bidder for the Project identified above upon receipt of proper evidence of public works licensure, bonds and acceptable insurance binders; and directs that copies of signed bids of successful bidder is attached hereto, and made a part hereof, as if set forth in full.

**PASSED BY THE COUNCIL** of Kuna this 2nd day of August, 2016.

**APPROVED BY THE MAYOR** of Kuna this 2nd day of August, 2016.

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Joe L. Stear, Mayor

ATTEST:

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Chris Engels, City Clerk

**TRACK UTILITIES, LLC**

Item No.	Description	Total Quantity	Unit	Unit Price	Amount
1	2010.4.1.A.1 Mobilization (Max 10%)	1	LS	\$ 150.00	\$ 150.00
2	1103.4.1.A.1 Construction Traffic Control	1	LS	\$ 8,750.00	\$ 8,750.00
3	1001.4.1.A.1 Sediment Control	1,629	LF	\$ 1.00	\$ 1,629.00
4	302.4.1.A.1 Rock Excavation	20	CY	\$ 15.00	\$ 300.00
5	306.4.1.D.1 Imported Trench Backfill	20	CY	\$ 8.00	\$ 160.00
6	307.4.1.A.7 Miscellaneous Surface Restoration (Natural Ground)	34	LF	\$ 6.00	\$ 204.00
7	307.3.12.C.4 Miscellaneous Surface Restoration (Shoulder)	1,462	LF	\$ 1.10	\$ 1,608.20
8	307.4.1.F.1 Type "P" Surface Restoration (Driveways)	33	LF	\$ 4.35	\$ 143.55
9	307.4.1.H.1 Type "P" Surface Restoration	100	LF	\$ 4.35	\$ 435.00
10	KFO-01 Tracing Wire (No. 12 minimum AWG)	4,883	LF	\$ 0.18	\$ 878.94
11	KFO-02 Install 24 Strand Fiber in Conduit	4,383	LF	\$ 1.79	\$ 7,845.57
12	KFO-03 Install 24 Strand Fiber Aerially w/cable support	2,835	LF	\$ 2.01	\$ 5,698.35
13	KFO-04 Install 24 Strand Fiber in Risers	50	LF	\$ 1.79	\$ 89.50
14	KFO-05 Install 24 Strand Fiber for Expansion	800	LF	\$ 1.79	\$ 1,432.00
15	KFO-06 Provide and Install 2" Conduit	500	LF	\$ 12.78	\$ 6,390.00
16	KFO-07 Provide and Install 4" Conduit with 3 - 1 1/2" Innerducts	1,129	LF	\$ 16.52	\$ 18,651.08
17	KFO-08 Splice to Existing 4" Conduit and Innerducts	1	EA	\$ 556.00	\$ 556.00
18	KFO-09 Attach to Idaho Power Poles per Fiber Optic Comm. Connection Standards (2 Riser Poles are included in this count) w/proper cable support clamp	12	EA	\$ 30.00	\$ 360.00
19	KFO-10 Provide and Install Riser per Idaho Power Communication Riser Standards	2	EA	\$ 317.61	\$ 635.22
20	KFO-11 Provide and Install Aerial Expansion Loop Hardware	3	EA	\$ 100.00	\$ 300.00
21	KFO-12 Provide and Install Fiber Optic Cable Vault	3	EA	\$ 1,105.96	\$ 3,317.88
22	KFO-13 Terminate 4 strands of fiber at each Facility	2	EA	\$ 350.00	\$ 700.00
					\$ 60,234.29

**DAS-CO c/o PRE-COM**

Item No.	Description	Total Quantity	Unit	Unit Price	Amount
1	2010.4.1.A.1 Mobilization (Max 10%)	1	LS	\$ 6,900.00	\$ 6,900.00
2	1103.4.1.A.1 Construction Traffic Control	1	LS	\$ 7,500.00	\$ 7,500.00
3	1001.4.1.A.1 Sediment Control	1,629	LF	\$ 1.35	\$ 2,199.15
4	302.4.1.A.1 Rock Excavation	20	CY	\$ 175.00	\$ 3,500.00
5	306.4.1.D.1 Imported Trench Backfill	20	CY	\$ 16.00	\$ 320.00
6	307.4.1.A.7 Miscellaneous Surface Restoration (Natural Ground)	34	LF	\$ 3.50	\$ 119.00
7	307.3.12.C.4 Miscellaneous Surface Restoration (Shoulder)	1,462	LF	\$ 4.50	\$ 6,579.00
8	307.4.1.F.1 Type "P" Surface Restoration (Driveways)	33	LF	\$ 12.50	\$ 412.50
9	307.4.1.H.1 Type "P" Surface Restoration	100	LF	\$ 20.00	\$ 2,000.00
10	KFO-01 Tracing Wire (No. 12 minimum AWG)	4,883	LF	\$ 0.20	\$ 976.60
11	KFO-02 Install 24 Strand Fiber in Conduit	4,383	LF	\$ 1.92	\$ 8,415.36
12	KFO-03 Install 24 Strand Fiber Aerially w/cable support	2,835	LF	\$ 3.10	\$ 8,788.50
13	KFO-04 Install 24 Strand Fiber in Risers	50	LF	\$ 2.95	\$ 147.50
14	KFO-05 Install 24 Strand Fiber for Expansion	800	LF	\$ 1.20	\$ 960.00
15	KFO-06 Provide and Install 2" Conduit	500	LF	\$ 6.75	\$ 3,375.00
16	KFO-07 Provide and Install 4" Conduit with 3 - 1 1/2" Innerducts	1,129	LF	\$ 9.00	\$ 10,161.00
17	KFO-08 Splice to Existing 4" Conduit and Innerducts	1	EA	\$ 250.00	\$ 250.00
18	KFO-09 Attach to Idaho Power Poles per Fiber Optic Comm. Connection Standards (2 Riser Poles are included in this count) w/proper cable support clamp	12	EA	\$ 55.00	\$ 660.00
19	KFO-10 Provide and Install Riser per Idaho Power Communication Riser Standards	2	EA	\$ 450.00	\$ 900.00
20	KFO-11 Provide and Install Aerial Expansion Loop Hardware	3	EA	\$ 200.00	\$ 600.00
21	KFO-12 Provide and Install Fiber Optic Cable Vault	3	EA	\$ 1,500.00	\$ 4,500.00
22	KFO-13 Terminate 4 strands of fiber at each Facility	2	EA	\$ 360.00	\$ 720.00
					\$ 69,983.61

**CIRCLE H CONSTRUCTION, INC**

Item No.	Description	Total Quantity	Unit	Unit Price	Amount
1	2010.4.1.A.1 Mobilization (Max 10%)	1	LS	\$ 3,500.00	\$ 3,500.00
2	1103.4.1.A.1 Construction Traffic Control	1	LS	\$ 7,200.00	\$ 7,200.00
3	1001.4.1.A.1 Sediment Control	1,629	LF	\$ 1.50	\$ 2,443.50
4	302.4.1.A.1 Rock Excavation	20	CY	\$ 82.50	\$ 1,650.00
5	306.4.1.D.1 Imported Trench Backfill	20	CY	\$ 18.00	\$ 360.00
6	307.4.1.A.7 Miscellaneous Surface Restoration (Natural Ground)	34	LF	\$ 2.00	\$ 68.00
7	307.3.12.C.4 Miscellaneous Surface Restoration (Shoulder)	1,462	LF	\$ 2.00	\$ 2,924.00
8	307.4.1.F.1 Type "P" Surface Restoration (Driveways)	33	LF	\$ 18.60	\$ 613.80
9	307.4.1.H.1 Type "P" Surface Restoration	100	LF	\$ 18.60	\$ 1,860.00
10	KFO-01 Tracing Wire (No. 12 minimum AWG)	4,883	LF	\$ 0.20	\$ 976.60
11	KFO-02 Install 24 Strand Fiber in Conduit	4,383	LF	\$ 2.00	\$ 8,766.00
12	KFO-03 Install 24 Strand Fiber Aerially w/cable support	2,835	LF	\$ 3.50	\$ 9,922.50
13	KFO-04 Install 24 Strand Fiber in Risers	50	LF	\$ 2.50	\$ 125.00
14	KFO-05 Install 24 Strand Fiber for Expansion	800	LF	\$ 2.00	\$ 1,600.00
15	KFO-06 Provide and Install 2" Conduit	500	LF	\$ 7.50	\$ 3,750.00
16	KFO-07 Provide and Install 4" Conduit with 3 - 1 1/2" Innerducts	1,129	LF	\$ 14.36	\$ 16,212.44
17	KFO-08 Splice to Existing 4" Conduit and Innerducts	1	EA	\$ 500.00	\$ 500.00
18	KFO-09 Attach to Idaho Power Poles per Fiber Optic Comm. Connection Standards (2 Riser Poles are included in this count) w/proper cable support clamp	12	EA	\$ 150.00	\$ 1,800.00
19	KFO-10 Provide and Install Riser per Idaho Power Communication Riser Standards	2	EA	\$ 500.00	\$ 1,000.00
20	KFO-11 Provide and Install Aerial Expansion Loop Hardware	3	EA	\$ 300.00	\$ 900.00
21	KFO-12 Provide and Install Fiber Optic Cable Vault	3	EA	\$ 1,500.00	\$ 4,500.00
22	KFO-13 Terminate 4 strands of fiber at each Facility	2	EA	\$ 1,500.00	\$ 3,000.00
					\$ 73,671.84

**AGREEMENT BETWEEN OWNER AND CONTRACTOR**

THIS AGREEMENT is dated as of the \_\_\_\_ day of \_\_\_\_\_, in the year 2016, by and between the CITY OF KUNA, IDAHO, (hereinafter called OWNER) and \_\_\_\_\_ (hereinafter called CONTRACTOR). OWNER and CONTRACTOR, in consideration of the mutual covenants hereinafter set forth, agree as follows:

**Article 1.        WORK**

1.01    CONTRACTOR shall complete all Work as specified or indicated in the Contract Documents. The Work is generally described as follows:

**Kuna Fiber Optic Project**

Contractor shall complete all Work as specified or indicated in Contract Documents. The Work is general described as follows:

The Project generally consists of the construction and installation of 8,068 linear feet of Corning ALTOS Lite Loose Tube, Gel-Free, Single Jacket, Single Armored Cable, 24 F, Single-Mode (OS2) Fiber Optic Cable; of which 4,383 linear feet will be installed below ground in conduit – 500 linear feet in new 2” conduit, 1,129 linear feet in new 4” conduit with 3 new innerduct and an additional 2,754 linear feet in an existing conduit/innerduct package; 2,835 linear feet will need to be hung aerially on 13 existing Idaho Power Poles with two (2) associated risers; there are to be three (3) new ACHD approved pull boxes installed while using two (2) existing communications manholes to make the last run into each facility, there are also eight (8) – 100 linear foot expansion loops along this project, five (5) in pull boxes and three (3) aerially along the route, the terminating of four (4) fiber strands at both the Kuna North Waste Water Treatment Plant (KNWWTP) and the Silvertrail Elementary School, Construction will include the crossing of three (3) ACHD roads along with several public utilities to include a critical gas main; and earthen gravel and asphalt repair.

**Article 2.        ENGINEER**

2.01    The Project has been designed at the request of the City of Kuna City Engineer who is hereinafter called ENGINEER and who may act as OWNER'S representative, assume all duties and responsibilities and have the rights and authority assigned to ENGINEER in the Contract Documents in connection with the completion of the Work in accordance with the Contract Documents. For all purposes, the City of Kuna's City Engineer is both OWNER and ENGINEER.

**Article 3.        CONTRACT TIME**

3.01    COMPLETION. The Work will be substantially complete **45 calendar days** after Notice to Proceed is issued, adjusted for delays due to weather conditions per paragraph 3.03, and will be completed and ready for final payment.

3.02    LIQUIDATED DAMAGES. OWNER and CONTRACTOR recognize that time is of the essence in this Agreement and that OWNER will suffer financial loss if the Work is not completed within the times specified in paragraph 3.1 above, plus any extensions thereof approved and granted by the ENGINEER. They also recognize the delays, expense and difficulties involved in proving in a legal or arbitration proceeding the actual loss suffered by OWNER if the Work is not completed on time. Accordingly, instead of requiring any such proof, OWNER and CONTRACTOR agree that as liquidated damages for delay (but not as a penalty) CONTRACTOR shall pay OWNER TWO HUNDRED AND NO/100 DOLLARS (\$200.00) for each day that expires after the time specified.

3.03    EXTENSION OF TIME. CONTRACTOR shall not be charged with liquidated damages because of any delays in the completion of the Work due to unforeseeable causes beyond his control and which are not his fault or due to his negligence including but not restricted to, Acts of God, strikes, Federal Laws and Regulations in the procurement of materials, unusually severe weather conditions or delays of subcontractors due to such causes. CONTRACTOR shall give written notice of the causes of any such act, hindrance, or delay within ten (10) days after its occurrence. The completion date shall be extended by the number of working days equal to the number of working days lost by the delay.

**Article 4.            CONTRACT PRICE AND PAYMENT PROCEDURE**

- 4.01 PAYMENT. OWNER shall pay CONTRACTOR for completion of the Work in accordance with the Contract Documents in current funds.
- 4.02 Payment Procedures. For the faithful performance of this Work herein embraced, as set forth in this Agreement between OWNER and CONTRACTOR, together with the following contract documents:
- a.            Invitation To Bid
  - b.            Instruction To Bidders
  - c.            Bid Form
  - d.            Bid Schedule
  - e.            Bid Bond
  - f.            WH-5 Tax Form
  - g.            Notice of Award
  - h.            Agreement Between Owner & Contractor
  - i.            Payment Bond
  - j.            Performance Bond
  - k.            Notice to Proceed
  - l.            Special Provisions
  - m.            Technical Specifications
  - n.            Drawing sheets (1-13)
  - o.            Addenda \_\_\_\_\_ to \_\_\_\_\_, Inclusive

Which are made a part of this agreement hereof, in accordance with the directions of the ENGINEER, and to his satisfaction, said OWNER agrees to pay to said CONTRACTOR the amount earned, computed from actual quantities of work performed, as shown by the estimate of the ENGINEER, at the unit prices designated in the Bid Form. Such payment shall be adjusted to account for change orders, previous progress payments, retainage, liquidated damages and interest as applicable. Payments shall be made by the City Treasurer of said OWNER upon warrants of the OWNER issued upon vouchers of said ENGINEER which have been approved by Mayor and Council of said OWNER out of monies legally available for that purpose.

4.03 PROGRESS PAYMENT. CONTRACTOR shall be entitled to monthly Progress Payments for work completed, tested, and approved by OWNER and for materials delivered and stored at the site (but not installed) during previous calendar months. On the first day of each month, or within nine days thereafter, CONTRACTOR shall deliver to OWNER'S ENGINEER a signed Request for Payment containing an estimate of the actual quantities of work performed and invoices for materials delivered to the site. ENGINEER shall verify that quantities are correct and adjust totals if necessary. Payment shall be computed using UNIT PRICES designated on the Bid Form and adjusted to account for change orders, previous progress payments, retainage, liquidated damages, and interest as applicable. The receipt of Progress Payments does not signify acceptance of the Work.

4.04 RETAINAGE. OWNER shall be entitled to retain five percent of each progress payment. This retainage shall be released to the CONTRACTOR after final acceptance of the Work by the OWNER, and receipt of a tax release from the Idaho State Tax Commission.

4.05 EXTRA WORK & FORCE ACCOUNT WORK. In the event of any "Extra Work" being ordered by the Engineer of a class not covered by the prices submitted in the proposal, the basis of payment for the same shall be agreed upon in writing between the parties to the contract **before** such Work is done.

The quantities shown in the bid documents are approximate only and are for the purpose of comparing bids. The City of Kuna especially reserves the right to increase or decrease any of the quantities and to make reasonable changes in designs without being responsible to the Contractor in any way for extra costs or for anticipated profits. The Contractor will be paid for the actual quantities of work finally installed or performed at the applicable unit prices stated in his proposal.

If unforeseen conditions require extra work of a type or nature already contemplated by the Contract, written change orders will be furnished to the Contractor. The basis for any additional compensation will be the unit prices originally provided by the Contractor.

4.06 PAYMENT OF MATERIAL ON HAND. In preparing monthly estimates, payment shall be made to the extent of 75 percent of the invoice cost for materials on hand to be used on the project, and stored on site in an acceptable manner. All materials must conform to the requirements of the specifications; however, payment for materials on hand will not constitute acceptance and any faulty material will be condemned even though such payment may have been made for same in the estimates. Deductions at the same rates and in the amounts equal to the payments will be made from the estimates as the material is used, for which partial payments have been made.

4.07 FINAL PAYMENT. Upon completion of the Work and any testing specified in the Contract Documents, CONTRACTOR shall submit a Request For Final Payment containing an estimate of the actual quantities completed. ENGINEER shall inspect the completed Work, itemize any deficiencies, verify that quantities are correct, and adjust totals if necessary. Payment shall be computed as defined in Section 4.02 of this Agreement. CONTRACTOR shall correct any deficiencies to the ENGINEERS satisfaction and provide evidence from the Idaho State Tax Commission that State and Local Taxes are paid. CONTRACTOR shall be given a Certificate of Completion and paid in full as soon as reasonably possible after correction of deficiencies and submission of required documents.

4.08 FINAL GUARANTEE. All Work is guaranteed by the CONTRACTOR for a period of 1 (one) year from after the date of the certification of the final pay estimate by the ENGINEER and the CONTRACTOR.

If within said guarantee period, repairs or changes are required in connection with any guaranteed Work, which in the opinion of the ENGINEER is rendered necessary as the result of the use of materials, equipment, or workmanship which are inferior, defective, or not in accordance with the terms of the contract, the CONTRACTOR shall promptly upon receipt of written notice from the OWNER and without expense to the OWNER:

- a. Place in satisfactory condition in every particular all of such guaranteed Work, correct all defects therein; and,
- b. Make good all damage to the building or site, or equipment or contents thereof, which in the opinion of the ENGINEER is a result of the use of materials, equipment, or workmanship which are inferior, defective or not in accordance with the terms of the contract; and,
- c. Make good any Work or material or the equipment and the contents of the building, structure, or site disturbed in fulfilling any such guarantee.

If the CONTRACTOR or Bonding Company, after such notice, fails to within 10 days proceed to comply with the terms of this guarantee the OWNER may have the defects corrected and the CONTRACTOR and his Surety shall be liable for all costs and expenses incurred; provided, however, that in case of emergency where, in the opinion of the ENGINEER, delay would cause serious loss or damage, repairs may be made without notice being given to the CONTRACTOR and the CONTRACTOR shall pay the cost thereof.

4.09 COMPENSATION FOR INSPECTORS - OVERTIME. Should the CONTRACTOR choose to schedule his work so that it requires overtime be worked by OWNER crews, i.e., staking, inspection, etc., the CONTRACTOR shall be obligated to pay the overtime wages at the time and one half rate. CONTRACTOR should take note that no construction shall take place during overtime situation without an inspector being available.

#### **Article 5. INTEREST**

All monies not paid within 30 days of CONTRACTOR'S submittal of Request For Payment (or as specified in article 4.07, Final Payment), and to which the CONTRACTOR is legally entitled by this Agreement, shall bear 2% above bank prime.

#### **Article 6. CONTRACTOR'S REPRESENTATIVES**

In order to induce OWNER to enter into this Agreement CONTRACTOR makes the following representations:

6.01 CONTRACTOR has familiarized itself with the nature and extent of the Contract Documents, Work, site locality, and all local conditions and Laws and Regulations that in any manner may affect cost, progress, performance or furnishing of the Work;

6.02 CONTRACTOR has studied carefully all reports and drawings of physical conditions which are identified in the Contract Documents, and accepts the determination and extent of the technical data contained in such reports and drawings upon which CONTRACTOR is entitled to reply .

6.03 CONTRACTOR has obtained and carefully studied (or assumes responsibility for obtaining and carefully studying) all such examinations, investigations, explorations, tests, reports and studies (in addition to those provided by owner above) which pertain to the subsurface or physical conditions at or contiguous to the site or otherwise may affect the cost, progress, performance or furnishing of the Work as CONTRACTOR considers necessary for the performance or furnishing of the Work at the Contract Price, within the Contract Time and in accordance with the other terms and conditions of the Contract Documents.

6.04 UNDERGROUND FACILITIES. CONTRACTOR has reviewed and checked all information and data shown or indicated on the Contract Documents with respect to existing Underground Facilities at or contiguous to the site and assumes responsibility for the accurate location of said Underground Facilities. CONTRACTOR may (upon permission from the ENGINEER) conduct additional examinations, investigations, or explorations in order to perform and furnish the work at the Contract Price, within the Contract Time an in accordance with the other terms and conditions of the Contract Documents.

6.05 CONTRACTOR has correlated the results of all such observations, examinations, investigations, exploration tests, reports and studies with the terms and conditions of the Contract Documents.

6.06 ERRORS. CONTRACTOR has given ENGINEER written notice of all conflicts, errors or discrepancies that he has discovered in the Contract Documents and the written resolution thereof by ENGINEER is acceptable to CONTRACTOR.

6.07 DAMAGES DURING CONSTRUCTION. CONTRACTOR accepts responsibility for conducting construction activities in a manner to prevent damage to structures or facilities in or near the construction site. CONTRACTOR agrees, in the event of damage caused by construction activities, to restore said structures or facilities at CONTRACTOR'S expense to a condition equal or exceeding that existing prior to said construction activities.

**Article 7. CONTRACT DOCUMENTS**

The Contract Documents which comprise the entire agreement between OWNER AND CONTRACTOR concerning the Work consist of the following:

1. This Agreement
2. Invitation To Bid
3. Instructions To Bidders
4. Bid Form
5. Bid Schedule
6. Bid Bond
7. W-H 5 Tax Form
8. Notice of Award
9. Notice To Proceed
10. Special Provisions
11. Technical Specifications
12. Contract Drawing Sheets No. 1 - 13
13. Addenda numbers \_\_\_\_\_ to \_\_\_\_\_, inclusive
14. Payment Bond
15. Performance Bond
16. Insurance Certificates

There are no Contract Documents other than those listed above in this Article 7. The Contract Documents may only be amended, modified or supplemented as agreed to by both parties in writing.

**Article 8. OTHER PROVISIONS**

8.01 OWNER and CONTRACTOR each binds itself, its partners, successors, assigns and legal representatives to the other party hereto, its partners, successors, assigns and legal representatives in respect of all covenants, agreements and obligations contained in the Contract Documents.

8.02 INDEMNIFICATION AND INSURANCE. The CONTRACTOR shall not commence work under this agreement until he has obtained the insurance and furnished to the OWNER satisfactory proof of such coverage:

1. COMPENSATION INSURANCE. The CONTRACTOR shall maintain during the life of this agreement Workmen's Compensation insurance for all of his employees working under this agreement.
2. PUBLIC LIABILITY AND PROPERTY DAMAGE INSURANCE. The CONTRACTOR shall maintain during the life of this agreement such public and property damage insurance as shall protect him while performing Work under this Contract from claims for liability or property damage which may arise from operations by himself or anyone directly or indirectly employed by him under this Contract. The amount of such insurance shall be not less than the following: Liability Insurance in the amount of \$1,000,000/2,000,000 and Property Damage in the amount of \$300,000.
3. CERTIFICATE OF INSURANCE. NOTICE TO PROCEED shall not be issued until the CONTRACTOR has furnished to the OWNER a Certificate of Insurance executed by insurance companies authorized to do insurance business in Idaho certifying that policies of insurance as required by the Contract have been duly issued to the CONTRACTOR (and its subcontractors where required). This paragraph applies to all insurance required by the Contract.

8.03 INDEPENDENT CONTRACTOR. In all matters pertaining to this work, the offeror shall be acting as an independent CONTRACTOR.

**Article 9. GENERAL CONTRACTOR OBLIGATIONS**

In general, CONTRACTOR is obligated and required to, but not limited to:

1. Locate and protect all utilities within the area required to complete the work of this Contract;
2. Protect all surface structures from damage including shoring of trenches to protect footings and foundations;
3. Adhere strictly to requirements for safety in the work zone as per all state and Federal statutes, and local ordinances including but not limited to O.S.H.A. Standards and as outlined in the SPECIAL PROVISIONS.
4. Construct all facilities in accordance with State, Federal, Ada County Highway District, and Idaho Power specifications and guidelines, and as approved by the Contracting Officer;
5. Restore all surface features to former condition and usage. Pavement restoration is to be to the satisfaction of the pavement owner;
6. Dispose of all rocks, brush, trees, concrete, and removed pipe disturbed by construction in accordance to with all Local, State, and Federal Statues and Ordinances;
7. Conduct all construction and testing in accordance with requirements of the 2015 standards for Idaho Public Work Construction (unless otherwise specified).
8. Maintain utility services provided by above-ground or underground facilities in the area of the Work and be liable for damages due to disruptions to service caused by CONTRACTOR'S construction activities;

9. Maintain vehicle access to adjacent properties in such instances where the construction area provides the sole vehicular access to said property except that access may be interrupted provided that the interruption not extend for more than eight continuous hours, nor occur outside of normal daytime working hours (8:00 a.m.- 5:00 p.m.), and the affected properties be given a minimum 72 hour advance notification of the interruption;
10. The ENGINEER, or his representative, shall be present during all testing, notify ENGINEER of the start of construction, and notify ENGINEER if conditions vary substantially from those indicated per the specifications hereof;

**Article 10. SCOPE OF WORK**

10.01 INTENT OF PLANS AND SPECIFICATIONS. The intent of the plans and specifications is to prescribe a complete Work or improvement that the CONTRACTOR undertakes to do in full compliance with the plans, specifications, and other Contract Documents. The CONTRACTOR shall do all Work including such additional, extra and incidental Work as may be considered necessary to complete the project in a satisfactory and acceptable manner as provided in the plans, Proposal and Contract. CONTRACTOR shall furnish, unless otherwise provided, all materials, equipment, tools, labor and incidentals necessary to prosecute the completion of the Work.

10.02 INCREASED OR DECREASED QUANTITIES OF WORK. The OWNER reserves the right to make such alterations in the plans or in the quantities of Work as may be considered necessary. Such alterations shall not be considered as a waiver of any conditions of the Contract to invalidate any of the provisions thereof.

10.03 EXTRA WORK. In connection with the work covered by the contract, the ENGINEER may at any time during its progress order other work or materials incidental thereto. All such work and materials which do not appear in the contract as a specific item accompanied by a unit price, and which are not included under the price bid for other items in the contract, shall be designated as "Extra Work". The CONTRACTOR shall perform "Extra Work" whenever it is deemed necessary and ordered to complete fully the project as contemplated and it must be done in accordance with the intent of these specifications. Payment for "Extra Work" will be made at an agreed unit price or lump sum price as set forth in a supplemental agreement executed by both parties to the Contract.

"Extra Work" shall be done under the supervision of the ENGINEER and his decision shall be final and binding. The plans of the Work to be followed, the materials and equipment to be used, and the amount and character of labor to be employed shall meet with approval of the ENGINEER. Authorization for "Extra Work" shall be made by the ENGINEER in writing in advance of the performance of the Work and claims for such Work not so authorized will be rejected.

10.04 MAINTENANCE OF TRAFFIC. The CONTRACTOR shall, wherever possible, provide access to streets under construction when actual operations are not in progress and when public travel will not damage the uncompleted Work. The cost of maintaining traffic shall be the sole responsibility of the CONTRACTOR and he shall be solely liable for the damages and injuries that are in any way chargeable to his construction, or any circumstances, actions or negligence in connection therewith.

10.05 FINAL CLEANUP. Upon completion of the Work and before acceptance and final payment is made, the CONTRACTOR shall remove all equipment, excess and discarded materials, temporary structures and rubbish from the site and adjacent property and shall leave the site in a neat, presentable condition.

**Article 11. CONTROL OF WORK AND MATERIALS**

11.01 AUTHORITY OF THE ENGINEER. The ENGINEER shall decide any and all questions which may arise as to the quality or acceptability of materials furnished and Work to be performed, as to the manner of performance and rate of progress of the Work, as to the interpretation of the plans and specifications, as to the acceptable fulfillment of the Contract on the part of the CONTRACTORS, as to compensation, and as to mutual rights between CONTRACTORS. The decision of the ENGINEER shall be final and he shall have exclusive authority to enforce the provisions of the Contract.

11.02 PLANS AND SPECIFICATIONS. All Work performed and all materials furnished under the Contract shall be in accordance with the plans and specifications and no deviation will be permitted without the written order of the ENGINEER.

11.03 CONSTRUCTION STAKES. The ENGINEER will furnish the CONTRACTOR with all lines, grades and measurements necessary to proper prosecution and control of the Work contracted for under these specifications. The CONTRACTOR shall satisfy himself as to the accuracy of all measurements before constructing any permanent structure and shall not take advantage of any errors that may have been made in laying out the Work. Such stakes and marking as the ENGINEER may set for either his own or the CONTRACTOR'S guidance shall be scrupulously preserved by the CONTRACTOR. ENGINEER has the option of charging the CONTRACTOR for any necessary re-staking due to CONTRACTOR negligence.

11.04 AUTHORITY AND DUTIES OF INSPECTORS. Inspectors employed by the OWNER shall be authorized to inspect all work done and materials furnished. Such inspection may extend to all or any part of the work and to the preparation, fabrication, quality or manufacture of the materials to be used. The Inspector shall not be authorized to revoke, alter or waive any requirements of the specifications. He shall be authorized to call the attention of the CONTRACTOR to any failure of the Work or materials to conform to the specifications and contract. He shall have the authority to reject materials or suspend the Work until any question at issue can be decided by the ENGINEER.

11.05 INSPECTION. The ENGINEER or his representative shall be allowed access to all parts of the project at all times and shall be furnished such information and assistance by the CONTRACTOR as may be required to make a complete and detailed inspection.

11.06 REMOVAL OF DEFECTIVE AND UNAUTHORIZED WORK. All Work and materials which do not conform to the requirements of the contract shall be considered as defective work. Any defective work, whether the result of poor workmanship, use of defective materials, damage through carelessness or any other cause, found to exist prior to acceptance of final payment for Work shall be removed immediately and replaced by Work and materials which shall conform to the specifications or shall be remedied otherwise in an acceptable manner. The fact that the inspector may have previously overlooked such defective work shall not constitute an acceptance of any part of it.

11.07 MAINTENANCE DURING CONSTRUCTION. The CONTRACTOR shall maintain the Work until it is finally accepted. All cost of maintenance Work by the CONTRACTOR during construction and before the Work is finally accepted shall be included in the unit prices on various pay items or lump sum bid and the CONTRACTOR will not be paid an additional amount for the Work.

11.08 DISPUTED CLAIMS. In any case where the CONTRACTOR deems extra compensation is due him for Work or materials not clearly covered in the Contract, or not ordered by the ENGINEER as an extra, as defined herein, the CONTRACTOR shall notify the ENGINEER in writing of his intention to make claim for such extra compensation before he begins the Work on which he bases the claim. If such notification is not given or the ENGINEER is not offered proper facilities by the CONTRACTOR for keeping strict account of cost, the CONTRACTOR hereby agrees to waive the claim for such extra compensation. In case the claim is found to be just, it shall be allowed and paid for as an extra as provided herein for "Extra Work".

All Contractor claims against the Owner shall be initiated by a written claim submitted to the Owner and the Engineer. Such claim shall be received by the Owner and the Engineer no later than seven (7) calendar days after the event of the first appearance of the circumstances causing the claim, and same shall set forth in detail all known facts and circumstances supporting the claim.

The execution of a Change Order by the Contractor shall constitute conclusive evidence of the Contractor's agreement to the ordered changes in the work, this Contract as thus amended, the Contract Price, and the time for performance by the Contractor. The Contractor, by executing the Change Order, waives and forever releases any claim against the Owner for additional time or compensation for matters relating to or arising out of or resulting from the work included within or affected by the executed Change Order.

In all claims for adjusted compensations due to unexpected obstructions or other causes, where it is determined by the ENGINEER that compensation is due, the amount of compensation shall be based on an adjustment in quantities at the Unit Prices submitted with the CONTRACTOR'S original bid for the classification of WORK involved in the claim for adjusted compensation. The ENGINEER shall be the final authority in determining the reasonableness in applying a Unit Price to an item of work and the manner in which it is applied.

11.09 MATERIALS. Only materials conforming to the requirements of the plans and specifications shall be used. All materials before being incorporated in the work shall be inspected and approved by the ENGINEER or his authorized representative.

All materials which do not meet the requirements of these specifications will be rejected and shall be removed immediately from the job unless permitted by the ENGINEER to remain on the Work. The loss in replacing improper work or material shall furnish no ground to the CONTRACTOR for claiming additional compensation or extension of time for the completion of the Contract. Upon failure on the part of the CONTRACTOR to comply forthwith with any order of the ENGINEER made under the provisions of this paragraph, the ENGINEER shall have the authority to remove and replace defective material and to deduct the cost of removal and replacement from any money due or to become due to the CONTRACTOR.

11.10 WORK AREA. The CONTRACTOR shall keep the Work area in a reasonable neat condition with regard to litter and trash that may evolve from his own operations. All empty cement sacks, used form lumber, unused barricades, etc., shall be disposed of immediately in a manner satisfactory to the OWNER.

11.11 COMPLIANCE WITH BUILDING/ELECTRICAL/PLUMBING CODES. All Work performed in the performance and prosecution of this project shall be in accordance with the most recent editions of the International Building Code, the National Electrical Code, and the Uniform Plumbing Code.

**Article 12. LEGAL RELATIONS AND RESPONSIBILITY TO PUBLIC**

12.01 LAWS TO BE OBSERVED. The CONTRACTOR is assumed to be familiar with all Federal, State and local laws, codes, ordinances and regulations which in any manner affect those engaged or employed in the Work or the material or equipment used in or upon the construction area, or in any way affect the conduct of the Work. No pleas of mistake in fact or ignorance on the part of the CONTRACTOR will, in any way, serve to modify the provisions of the Contract. The CONTRACTOR, at all times, shall observe and comply with all Federal, State and local laws, codes, ordinances and regulations in any manner affecting the conduct of the Work, and the CONTRACTOR and his surety shall indemnify and save harmless the OWNER and all its officers, agents and servants against any claim or liability arising from or based on the violation of any such law, ordinance, regulation, order or decree, whether by himself or his employees.

12.02 BARRICADES, WARNINGS, SIGNS AND LIGHTS. The CONTRACTOR will be required to erect at his expense barricades and warning signs, and to furnish and maintain warning lights at night to protect the public from possible injury during the progress of all parts of the Work. All traffic control devices will be set in place prior to the start of any work on the project.

12.03 PUBLIC SAFETY AND CONVENIENCE. The CONTRACTOR shall at all times so conduct his Work as to insure the least possible obstruction to traffic. The convenience of the general public and residents along streets and the protection of persons and property are of prime importance and shall be provided for by the CONTRACTOR in an adequate and satisfactory manner.

Where the CONTRACTOR'S equipment is operated on any pavement or structure, not within the limits of his contract, which is used by traffic, the CONTRACTOR shall clean the pavement of all dirt and debris at the end of each day's Work. The cost of this Work will not be paid for directly but shall be considered as included in the contract unit prices for other items.

12.04 PROTECTION AND RESTORATION OF PROPERTY. The CONTRACTOR shall not enter upon private property for any purpose without first obtaining permission, and he shall be responsible for the preservation and/or restoration of all public and private property, fences, monuments, underground structures, building, poles, signs, mailboxes etc. on and adjacent to the site and shall use every precaution necessary to prevent damage or injury thereto. He shall be responsible for all damage or injury to property of any character resulting from any act, omission, neglect or misconduct in his manner or method of executing said Work, or due to his nonexecution of said Work, or at any time due to defective Work or materials, and said responsibility shall not be released until the Work has been completed and accepted.

When or where any direct or indirect damage or injury is done to public or private property by or on account of any act, omission, neglect or misconduct in the execution of the Work, or in consequence of the nonexecution thereof on the part of the CONTRACTOR, he shall restore, at his own expense, such property to a condition similar or equal to that existing before such damage or injury in an acceptable manner.

12.05 RESPONSIBILITY FOR DAMAGE CLAIMS. The CONTRACTOR and his surety shall indemnify and save the OWNER and all of its officers, agents, and employees from all suits, actions or claims of any character, name and description brought for or on account of any injuries or damages received or sustained by any person, persons, or property, by or from the said CONTRACTOR or his employees, or by or in consequence of any neglect in safeguarding the Work, or by or on account of any act or omission, neglect, or misconduct of the said CONTRACTOR, or by or on account of any claims or amounts recovered by any infringement of patent, trademark or copyright, or from any claims or amounts arising or recovered under the "Workman's Compensation Law", or any other law, ordinance, order or decree, and so much of the money due said CONTRACTOR under and by virtue of his contract, as shall be considered necessary by the OWNER, may be retained, or, in case no money is due, his surety shall be held until such suit or suits, action or actions, claim or claims, or injuries or damages as aforesaid shall have been settled and satisfactory evidence to that effect furnished to the OWNER.

12.06 CONTRACTOR'S RESPONSIBILITY FOR WORK. Until the final acceptance of the Work by the ENGINEER and the OWNER, the CONTRACTOR shall have the charge and care thereof and shall take every necessary precaution against injury or damage to any part thereof by the action of the elements or from any other cause, whether arising from faulty materials or Work or from the execution or nonexecution of the Work. The CONTRACTOR shall rebuild, repair, restore and make good all injuries or damages to any portion of the Work occasioned by any of the above causes before its completion and acceptance, and shall bear the expense thereof except damage to the Work due to acts of God or the public enemy.

An "Act of God" is construed to mean an earthquake, cloudburst, cyclone or other cataclysmic phenomenon of nature. A rain, windstorm or other natural phenomenon of normal intensity for the particular locality shall not be construed as an "Act of God" and no reparation to the CONTRACTOR shall be made for damages to the Work resulting therefrom. The ENGINEER shall be the sole judge as to whether a particular natural phenomenon shall be classed as an "Act of God" or as a normal occurrence.

In case of suspension of Work from any cause whatever, the CONTRACTOR shall be responsible for all materials, and shall properly store them, if necessary, and shall provide suitable drainage of the roadway and erect temporary structures where necessary.

**Article 13. PROSECUTION AND PROGRESS**

13.01 SUBLETTING OF CONTRACT. The OWNER will not recognize any subcontractor on the Work. The CONTRACTOR shall at all times when Work is in operation be represented either in person, by a qualified superintendent, or other designated representative. All persons engaged in the Work of the construction, including subcontractors, will be considered as employees of the CONTRACTOR and he will be held responsible for their Work, which shall be subject to the provisions of the Contract.

13.02 DEFAULT AND TERMINATION OF CONTRACT. If the CONTRACTOR

- a. Fails to begin the Work under the contract within the time specified in the "Notice to Proceed";
- b. Fails to perform the Work with sufficient workmen and equipment or with sufficient materials to assure the prompt completion of the Work;
- c. Performs the Work unsuitably or neglects or refuses to remove materials or to perform anew such Work as may be rejected as unacceptable and unsuitable;
- d. Discontinues the prosecution of the Work;
- e. Fails to resume Work which has been discontinued within a reasonable time after notice to do so;
- f. Becomes insolvent or is declared bankrupt, or commits any act of bankruptcy or insolvency;
- g. Makes an assignment for the benefit of creditors;

Or for any other cause whatsoever, fails to carry on the Work in an acceptable manner, the ENGINEER will give notice to the CONTRACTOR as follows:

- a. A verbal notification from the ENGINEER to the CONTRACTOR (documented by the ENGINEER) that one or more of the above infractions have occurred.
- b. A written notification from the ENGINEER to the CONTRACTOR stating the infraction(s), as was given in the verbal notification, and should such infractions not be corrected within 10 days, the OWNER will proceed to take full power and authority from the CONTRACTOR for Default of the Contract. A copy of the notification shall be sent to the CONTRACTOR'S surety.
- c. If the CONTRACTOR or Surety, within a period of 10 days after such notice, does not proceed in accordance therewith, the OWNER will, upon written notification from the ENGINEER of the fact of such delay, neglect or default and the CONTRACTOR'S failure to comply with such notice, have full power and authority without violating the contract, to take the prosecution of the Work out of the hands of the CONTRACTOR.

The OWNER may appropriate or use any or all materials and equipment on the ground as may be suitable and acceptable and may enter into an agreement for the completion of said Contract according to the terms and provisions thereof, or use such other methods as in the opinion of the ENGINEER will be required for the completion of the contract in an acceptable manner.

Costs and charges incurred by the OWNER, together with the cost of completing the Work under the Contract, will be deducted from any monies due or which may become due the CONTRACTOR. If such expense exceeds the sum which would have been payable under the Contract, then the CONTRACTOR and the Surety shall be liable and shall pay to the OWNER the amount of such excess.

13.03 EXTENSION OF TIME. The CONTRACTOR shall not be charged with liquidated damages because of any delays in the completion of the Work due to unforeseeable causes beyond his control and which are not his fault or due to his negligence including but not restricted to, Acts of God, strikes, Federal laws and Regulations in the procurement of materials, unusually severe weather conditions or delays of subcontractors due to such causes. The CONTRACTOR shall give written notice of the causes of such act, hindrance, or delay within 10 (ten) days after its occurrence. The completion date shall be extended by the number of working days equal to the number of working days lost by the delay.

13.04 COMPLETION OF CONTRACT. The contract shall be considered as complete after all the Work included has been completed and accepted and after the final estimate has been allowed and paid; the CONTRACTOR shall then be released from all further obligations except as set forth in his bond and as to any legal rights of the OWNER.

**Article 14. BID PRICE**

This is a UNIT COST bid contract. Contractor agrees to complete the Work hereof as specified at the unit prices indicated on the BID FORM and for measured quantities after completion of the Work.

IN WITNESS WHEREOF, OWNER and CONTRACTOR have signed this Agreement in triplicate. One counterpart each has been delivered to OWNER, CONTRACTOR and ENGINEER. All portions of the Contract Document have been signed or identified by OWNER and CONTRACTOR or by ENGINEER on their behalf.

This Agreement will be effective on the \_\_\_\_ day of \_\_\_\_\_, 2016

OWNER: CIT OF KUNA

**CONTRACTOR:** \_\_\_\_\_  
License No. \_\_\_\_\_

By \_\_\_\_\_  
(CORPORATE SEAL)

**BY:** \_\_\_\_\_  
(CORPORATE SEAL)

Attest \_\_\_\_\_

**Attest:** \_\_\_\_\_

Address for giving notices:

763 W. Avalon  
Kuna, Idaho 83634

**Address for giving notices:**

\_\_\_\_\_

\_\_\_\_\_

Agent for service of Process:

\_\_\_\_\_  
(If CONTRACTOR is corporation, attach  
evidence of authority to sign.)



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

GORDON N. LAW  
CITY ENGINEER

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

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## MEMORANDUM

TO: Mayor Stear and Members of City Council

FROM: Gordon N. Law  
Kuna City Engineer

RE: Kuna Public Works Projects  
2016 Sewer Master Plan  
Consultant Agreement

DATE: July 28, 2016

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**REQUEST: Approve Resolution for Toothman-Orton Agreement**

The City Engineer proposes the use of consultant services to prepare an amended Sewer Master Plan. The former Master Plan is now 11 years old with almost all of the previously identified capital projects completed. In addition, the proposed increase in the size of our impact area includes substantial area not included in the previous Master Plan.

The City of Kuna has created a registry of qualified consultants to perform design on modest sized water, sewer and pressurized irrigation projects. Of the qualified firms from the registry, Toothman-Orton was determined to be the best qualified for the above referenced project because their team includes Richard Weibe, who has demonstrated to me on multiple projects a high standard of performance for this type of work. Major items included in the work will include routing and sizing of sewer trunk lines, placing temporary and permanent lift stations and determining whether and/or where the City should consider placement of a third treatment facility.

Toothman-Orton has provided an Agreement for Professional Services and an estimate of costs in the amount of \$159,300.00 for the Scope of Work. In selecting a consultant, the Idaho State Code does not allow selection on the basis of the cost of consultant services – only on the basis of qualifications to provide the services. The City staff will continue to make consultant selection as required in state code, but does evaluate costs to make sure expenditures are appropriately controlled.

The City Engineer requests the attached Agreement for Professional Services, Scope and Budget and Estimate of Costs is approved and the services of Toothman-Orton is secured for the work. A resolution is attached, which if approved, authorizes the Mayor, Clerk and City Engineer to execute the requisite documents. The FY2015-16 Sewer budget has \$30,000 in unexpended funds for the project, and in FY2016-17, an additional \$130,000 is being budgeted from the Sewer Fund.

Attachments:

## RESOLUTION NO. R51-2016

**RESOLUTION AWARDDING CONTRACT FOR CONSULTING SERVICES TO T-O ENGINEERS IN THE AMOUNT OF \$159,300.00 FOR PREPARATION OF AN AMENDED SEWER MASTER PLAN; DIRECTING EXPENDITURE OF FUNDS FROM THE SEWER FUND FOR SAID WORK; AND AUTHORIZING THE MAYOR, CITY CLERK AND CITY ENGINEER TO EXECUTE CONTRACT DOCUMENTS WITH SAID CONSULTANT.**

**WHEREAS**, the City of Kuna, Idaho has determined it to be in said City's best interest to prepare an Amended Sewer Master Plan; and

**WHEREAS**, the City of Kuna, Idaho has prepared a registry of qualified sewer design consultants; and

**WHEREAS**, the City of Kuna, Idaho has selected T-O Engineers from its registry of qualified consultants and proposes to contract with them for design services on the basis of their being best qualified to provide consultant services for preparation of an Amended Sewer Master Plan:

**BE IT HEREBY RESOLVED** by the Mayor and Council of the City of Kuna, Idaho, that the Mayor, City Engineer and City Clerk of said city are hereby authorized to execute that certain agreement titled "Agreement for Professional Services", by and between said city and T-O Engineers, which Agreement is for consulting services related to preparation of an Amended Sewer Master Plan, which agreement and associated scope of work is estimated to cost one hundred fifty-nine thousand three hundred dollars (\$159,300) and which Agreement is attached hereto, and made a part hereof, as if set forth in full.

**PASSED BY THE COUNCIL** of Kuna, Idaho this 2nd day of August, 2016.

**APPROVED BY THE MAYOR** of Kuna, Idaho this 2nd day of August, 2016.

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Joe L. Stear, Mayor

ATTEST:

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Chris Engels, City Clerk



2471 S. Titanium Place  
Meridian, ID 83642  
Ph: (208) 323-2288 • Fax: (208) 323-2399

# T.O ENGINEERS

## TASK ORDER AUTHORIZATION

(Please expedite return of signed form.)

TASK ORDER NO. 1

Master Contract Date: Nov 9, 2015

TASK ORDER DATE: August 2, 2016

Contract/Project No: 160146 (M15175) Task Order Name: Kuna Sewer Master Plan

Name of Client: City of Kuna

Address: PO Box 13

City/State: Kuna, ID Zip Code: 83634 Telephone: 208-922-5546

Description of Services to be Provided by Consultant: Per attached Exhibit B – Task Order 1

### T-O Billing Reference Description:

Budget Estimate: Per Exhibit B – Task Order 1, Attachment 1  T & M (Estimate Only)  T & M (Not to Exceed)  
(Additional services are performed on a time and materials basis unless otherwise shown in writing)

The Terms and Conditions of the master contract, M15175, dated November 9, 2015, above are incorporated and made a part of this Agreement.

Offered by T-O Engineers (Consultant):

Accepted by Client:

William H. Russell 7-28-2016  
Signature Date

\_\_\_\_\_  
Signature Date

William H. Russell/President  
Printed Name/Title

\_\_\_\_\_  
Printed Name/Title

\_\_\_\_\_  
Name of Client

**T-O ENGINEERS**

CONSULTING ENGINEERS, SURVEYORS AND PLANNERS  
332 N BROADMORE WAY  
NAMPA, IDAHO 83687  
208-442-6300 • FAX 208-466-0944

***EXHIBIT "B"***  
***SCOPE OF SERVICES – Task Order 1***

***Kuna Sewer Master Plan***

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**Project Understanding**

The City of Kuna intends to update their sewer master plan to include expansion of the impact boundary and modifications to the sewer collection system. The new sewer planning boundary extends south and east and includes approximately 79 square miles of area.

The sewer system master plan will include:

- Analysis of the existing system to identify system deficiencies.
- Master Plan of the sewer system to the planning boundary
  - Master plan the future system to 10-inch diameter size in the detailed planning area (20 Year Planning Horizon)
  - Master plan the future system to 15-inch diameter size in the long term planning area
- Integration and optimization of the master plan with the existing system, existing wastewater treatment plants (WWTP's), a potential satellite WWTP, future interceptor lines, and existing and future lift stations.
- A capital improvement plan for deficiencies in the sewer system.

This scope of work assumes the following general assumptions based on discussions with Kuna staff and other available information.

***General Assumptions:***

- a. The City of Kuna will review work and provide guidance regarding course of the project.
- b. The existing sewer system is mapped in GIS with inverts.
- c. The lift station SCADA data will be sufficient for calibration of the model and gravity system flow monitoring will not be necessary.
- d. The capital improvement plan will provide budget estimates for 3-5 projects.

***Items to be Provided by the City:***

- a. GIS mapping of the sewer system with inverts and sizes
- b. Lift Station information
- c. Lift Station SCADA information
- d. WWTP influent flow data

Attachement "B" – Scope of Services - Task Order 1  
Kuna Sewer Master Plan

- e. Topographic mapping with elevation of the planning boundary
- f. Land Use and Zoning information for the planning boundary
- g. Access to the WWTP and staff to gather plant information and treatment performance information

**Scope of Work Services:**

**1. Project Coordination**

- 1.1. Kick Off Meeting – CONSULTANT will prepare an agenda and conduct a meeting with
- 1.2. Progress Meetings – CONSULTANT will schedule progress meetings with Kuna at regular intervals. Meeting discussion topics may include summary update, project progress, and budget update. It is anticipated that six progress meetings will take place.
- 1.3. Budget and Tracking – CONSULTANT will provide monthly progress report(s), summarizing work completed, budget status, and schedule updates. Monthly progress report(s) will be submitted in the cover letter of the monthly invoice(s).
- 1.4. Agency Coordination – CONSULTANT will coordinate with DEQ to determine agency requirements.

**2. Existing System Analysis**

- 2.1. Investigation – Investigation will include collection of information for development of the model including mapping, contour or surface data, land use information, comprehensive plan, available rock depth information, sewer system information, and flow data. It will include GIS coordination to coordinate data flow between the model and the City’s GIS system. It will include a field visit with operations staff to discuss current operation and concerns. It will also include review existing sewer master plan document.
- 2.2. Develop Assumptions and Model Parameters - CONSULTANT will develop model inputs from data collected during investigation including:
  - Unit flows – for various land uses
  - Development densities
  - Sewer system characteristics and limitations

Meet with the City to review assumptions and model parameters.

- 2.3. Develop Existing Model - CONSULTANT will develop the existing model from City GIS, land use information, and model parameters and assumptions.

Attachement "B" – Scope of Services - Task Order 1  
Kuna Sewer Master Plan

- 2.4. Calibrate Model – CONSULTANT will use existing flow data to calibrate the model. Lift station SCADA data and WWTP influent data will be used for calibration.
- 2.5. Assess Available Capacity – CONSULTANT will analyze the gravity system to assess available capacity, assess available capacity of the lift stations, and determine if additional analysis is necessary in capacity restricted areas.
- 2.6. Tech Memo – Investigation and Existing System Analysis – CONSULTANT will prepare and submit a technical memorandum summarizing the Existing System Analysis.

**3. Master Plan**

The master plan will be developed in two phases with two levels of detail for each phase. The first phase is the preliminary master plan. Topography will govern the layout with an effort to utilize routes of expected public ROW if possible. The second phase will be the integration phase where the capacity of the treatment plants, satellite treatment, lift station optimization, and interceptor routing will be considered. Each phase will include a detailed planning boundary and a long term planning boundary. The detailed planning boundary will be master planned down to the 10-inch sewer size. The long term planning boundary will be master planned down to the 15-inch sewer size.

The detailed planning boundary is generally described by the county line to the west, the Meridian’s impact boundary to the north, Cloverdale Road to the east, and Kuna Mora Road to the south. The long term planning boundary is the City’s proposed impact boundary.

- 3.1. Preliminary Master Plan – CONSULTANT will utilize topographic mapping provide by the City to master plan the future sewer system. The goals in this phase of the master plan are to route flows to trunk lines, minimize lift stations, minimize depths, and minimize force main length.
- 3.2. Master Plan Integration – CONSULTANT will:
  - Modify the preliminary master plan to optimize use of the existing system
  - Investigate maximizing gravity flow to WWTP
  - Balance flow to the treatment plants depending on capacity and long term expansion prospects.
  - Investigate satellite versus interceptor service of the east long term planning area.
  - Investigate gravity service of lift station service areas.
  - Investigate a Ten Mile Road trunk to dampen lift station impact at the headworks.
  - Review optimization effort with City staff.

Attachement "B" – Scope of Services - Task Order 1  
Kuna Sewer Master Plan

3.3. Treatment Issues – CONSULTANT will estimate wastewater treatment plant capacity and long term upgrade options for the City’s two WWTP’s. See attached scope of work for Wastewater Master Plan Services.

**4. Capital Improvement Plan**

CONSULTANT will utilize the existing system analysis and master plan to provide recommendations for system improvements for a five-year planning cycle. Recommendations will consider capacity, expected growth and optimization of existing lift station operations. The capital improvement plan will provide budget level costs for recommended improvements.

**5. Master Plan Report**

CONSULTANT will document complete master planning effort with a bound report. Report will summarize effort, provide master plan maps and tables, and document the capital improvement plan.

A draft report will be submitted to the City for review and then review comments will be addressed and the report will be finalized.

**Additional Services at Owner’s Request:**

- A. Survey Spot Check Sewer System - inverts to check datum and system integrity. Field investigation may be necessary to address discrepancies in the system information. It is assumed that 15 manholes will be spot checked and an additional 15 manholes will require survey to address discrepancies in the system.
- B. Survey Check Master Plan Critical Areas – Critical areas in the master plan will also be field checked. This includes significant drains and creek crossings.
- C. Additional Lift Station Flow Monitoring – Additional lift station flow monitoring may be necessary to characterize the system flows and for calibration.
- D. Estimate Service Area Extents – Estimate service area extents of existing system and show approximate existing system service area boundary.
- E. Council Presentation – Provide a council Presentation summarizing the results of the master planning effort.

Attachement "B" – Scope of Services - Task Order 1  
Kuna Sewer Master Plan

**Project Schedule**

Signed Contract:	August 2, 2016
Kick-Off Meeting:	Within 1 Week of Signed Contract (August 9, 2016)
Existing System Tech Memo:	Within 13 Weeks of Kick-Off Meeting (November 8, 2016)
Master Plan Preliminary Review:	Within 12 Weeks of the Exist Sys Tech Memo (Jan 31, 2017)
Optimization and Draft Report:	Within 12 Weeks of the MP Review (April 25, 2017)
Final Report	Within 3 Weeks of Comments on Draft Report

**Cost of Services**

Services will be on a time and materials basis.

Attachment 1 includes a budget estimate.

**ATTACHMENT 1 of EXHIBIT B - TASK ORDER 1  
BUDGET ESTIMATE  
Kuna Sewer Master Plan**

TASK AND DESCRIPTION	Project Manager	Design Engineer	Surveyor	Survey Crew	Clerical	Expenses Modeling Software	Expenses GPS	Sub-Consultants	Subtask	Subtotal
	Engineer	Engineer							Cost	Cost
Approx. Employee Hourly Pay Rate	\$150	\$80	\$110	\$150	\$50	\$20	\$55			

TASK AND DESCRIPTION	Time Estimate - Days						Expenses Modeling Software	Expenses GPS	Sub-Consultants	Subtask	Subtotal
	Project Manager	Design Engineer	Surveyor	Survey Crew	Clerical	Other					
<b>1. Project Coordination</b>											\$8,700
1.1 Kick-off Meeting	0.5	1									\$1,200
1.2 Progress Meetings (4)	1.5	2									\$3,100
1.3 Budget and Tracking	2					2					\$3,200
1.4 Agency Permitting and Coordination	1										\$1,200
<b>2. Existing System Analysis</b>											\$36,000
<b>2.1 Investigation</b>											
2.1.1 Gather Mapping and Land Use Information	0.25	0.5									\$600
2.1.2 GIS Coordination	0.5	1									\$1,200
2.1.3 Investigate Rock Depth	0.25	1									\$900
2.1.4 Meet w/ Staff and Field Investigate System	1	1									\$1,800
2.1.5 Gather LS Info and WWTP Flow Data and Process	1	2									\$2,500
2.1.6 Review existing sewer master plan	0.5	0.5									\$900
<b>2.2 Develop Assumptions and Model Parameters</b>											
2.2.1 Unit Flows per Land Use	0.5	0.5									\$900
2.2.2 I&I Assumptions from flow data	0.5	1									\$1,200
2.2.3 Densities	0.25	0.25									\$500
2.2.4 LS Capacities	1	1.5									\$2,200
2.2.5 System Assumptions	0.25	0.5									\$600
2.2.6 Assumptions and Model Review	0.5	0.75									\$1,100
<b>2.3 Develop Existing Model</b>	2	4					\$640				\$5,600
<b>2.4 Calibrate</b>	1.5	3					\$480				\$4,200
<b>2.5 Existing System Analysis</b>											
2.5.1 Gravity System	1.5	3					\$480				\$4,200
2.5.2 Lift Stations	2	3									\$4,300
<b>2.6 Tech Memo - Investigation and Ex Sys Analysis</b>	1	2				2					\$3,300
<b>3. Master Plan</b>											\$64,600
<b>3.1 Preliminary Master Plan Layout</b>											
3.1.1 Detailed Planning System Layout 38 sq mi	3	9					\$720				\$10,100
3.1.2 Detailed Planning Data Input	1	3					\$240				\$3,400
3.1.3 Detailed Planning Service Area Development	1.5	3					\$240				\$4,000
3.1.4 Detailed Planning Land Use Integration	0.5	1.5					\$120				\$1,700
3.1.6 Long Term Planning System Layout 40 sq mi	2	5					\$400				\$6,000
3.1.7 Long Term Planning Data Input	1	1.5					\$120				\$2,300
3.1.8 Long Term Planning Service Area Development	0.5	2					\$160				\$2,000
3.1.9 Long Term Planning Land Use Integration	0.5	1					\$80				\$1,300
3.1.10 Master Plan Analysis and Revisions	2.5	5					\$800				\$7,000
<b>3.2 Master Plan Integration</b>											
3.2.1 WWTP Flow Balance	1	1.5					\$120				\$2,300
3.2.2 Satellite WWTP Viability	2	4					\$320	\$3,993			\$9,300
3.2.3 Interceptor Integration	2	3					\$240				\$4,600
3.2.4 10-Mi Trunk Concept	1	2					\$160				\$2,600
3.2.5 Lift Station Optimization	2.5	5									\$6,200
3.2.6 Integration Review	1	1									\$1,800
<b>4. Treatment Issues</b>											\$18,800
4.1 Capacity Snapshot	0.5	0.5								\$6,380	\$7,300
4.2 WWTP Upgrade Options	1									\$5,357	\$6,600
4.3 Treatment Tech Memo	1									\$4,708	\$5,900
<b>5. Capital Improvement Plan</b>											\$19,700
5.1 Capital Improvement Plan	6	13			2				\$3,388		\$19,700
<b>6. Final Report</b>											\$10,500
6.1 Draft Report	3	5			2						\$7,600
6.2 Final Report	1	2			1						\$2,900
<b>Total</b>	<b>54</b>	<b>96.5</b>			<b>9</b>		<b>\$5,320</b>		<b>\$23,826</b>		<b>\$159,300</b>

**Task Order 1 - Kuna Sewer Master Plan Budget Estimate Total \$159,300**

Additional Services	Project Manager	Design Engineer	Surveyor	Survey Crew	Clerical	Expenses Modeling Software	Expenses GPS	Sub-Consultants	Subtask	Subtotal
A. Survey Spot Check Existing System		0.25	0.25	1.5			\$660			\$2,800
B. Master Plan - Field Investigate Critical Areas	0.5	0.5	0.5	1			\$440			\$3,000
C. Additional LS Flow Monitoring	1.5	3								\$8,700
D. Existing Service Area Extents	1	4			1	\$640				\$4,800
E. Final Report - Council Presentation	1	1.5			1					\$2,600
<b>Additional Services Total</b>	<b>4</b>	<b>9.25</b>	<b>0.75</b>	<b>2.5</b>	<b>2</b>	<b>\$640</b>	<b>\$1,100</b>			<b>\$16,900</b>

**T-O ENGINEERS, INC. AGREEMENT FOR PROFESSIONAL SERVICES**

T-O Engineers, Inc.  
Project Number: M15175  
Date: November 9, 2015

THIS AGREEMENT is between City of Kuna, Idaho, hereinafter referred to as "Client" and T-O Engineers, Inc., an Idaho Corporation, hereinafter referred to as "Consultant". The Client and Consultant in consideration of their mutual covenants herein contract and agree as follows:

The Client intends to retain Consultant for on-call Consulting Services and specific tasks from time to time as described in tasks orders attached as Exhibit B, hereinafter referred to as the "Project".

**A. CLIENT INFORMATION AND RESPONSIBILITIES**

1. The Client shall timely provide to Consultant a complete description of the Project including: Client's requirements for the Project, objectives and constraints, capacity and performance requirements, flexibility and expandability needs, any budgetary limitations, and all design and construction criteria which Client requires be incorporated into the Project.
2. Client shall timely provide to Consultant all associated or applicable project information including: data and documents prepared by others, soil and subsurface explorations, hydrologic information, laboratory tests, inspection reports, environmental assessments, title reports, records of survey, warranty deeds, and land use restrictions, all of which Consultant may use and rely upon, without liability, in performing services under this Agreement.
3. The Client shall timely obtain permission for Consultant to enter upon public and private property as required for Consultant to perform services under this Agreement.

**B. SERVICES TO BE PERFORMED BY CONSULTANT**

Consultant shall provide the following generally described services under this Agreement as more particularly described in Exhibit B:

**C. BASIS OF FEE AND BILLING SCHEDULE**

The Client shall timely pay Consultant for services set forth and provided under this Agreement. Client shall timely pay Consultant for additional services authorized by written amendment to this Agreement.

*\*\*\*\*\*Project Manager: Select one of the following compensation methods and one of the following fee options, modify as necessary, attach the appropriate Exhibit A, then delete this note and other compensation options not used.*

- o Hourly Rates Compensation shall be timely made for all hourly charges and direct expenses during the performance of work described herein. Hourly charges are the product of actual time expended on the Project multiplied by the hourly billing rate for that employee classification as shown on the Fee Schedule, attached as

Exhibit A. Direct expenses are the sum of all expenditures attributable to the Project that are not labor charges, including sub-consultant fees. Hourly and direct expense rates are subject to annual review and revision by Consultant.

- Estimated Fee The estimated total fee for services to be provided is included in the scope of work attached as Exhibit B. Any fees described herein for services to be provided are only estimates, the final amount billed for this work shall include all time, at stated bill rates, plus all direct expenses.
- Contract Amount (Not to Exceed) The maximum total fee for services to be provided is included in the scope of work attached as Exhibit B.
- Lump Sum The lump sum fee for services to be provided is included in the scope of work attached as Exhibit B. The portion of the lump sum that is invoiced monthly will be based on Consultant's estimate of percentage of scope of work completed.

#### D. TERMS AND CONDITIONS-GENERAL

1. Consultant shall provide professional services for the Client on the Project described in this Agreement. These services shall be performed in accordance with generally accepted professional practices and standards of care and skill ordinarily used in Consultant's profession under similar circumstances. Consultant makes no warranty, either expressed or implied, as to performance of professional services.
2. Consultant shall not be responsible for acts or omissions of any other party involved in the Project.
3. Consultant has not been retained to supervise, direct or have control over the work of any construction contractor or their subcontractor or supplier, hereinafter referred to collectively as "Contractor". Consultant does not have authority over, or responsibility for: Contractor's means, methods, techniques, sequences or procedures of construction, safety precautions and programs incident to the work of Contractor, or for any failure of Contractor to comply with applicable laws and regulations.
4. Consultant can neither guarantee the performance of any Contractor nor assume responsibility for Contractor's failure to furnish and perform work in accordance with any construction contract documents or recommendations issued by Consultant.
5. The Client understands and agrees that subsurface and soils characteristics may vary greatly between successive test points and sample intervals. Consultant makes no warranties, expressed or implied, as to the services or data furnished by professionals providing soils testing or geotechnical advice.

#### E. OPINIONS OF COST

Consultant may be asked to provide opinions of probable construction or Project costs as part of the professional services under this Agreement. The Client understands and agrees that: Consultant has no control over the cost of labor or materials furnished by others or market conditions, Consultant's opinions of probable cost are based on Consultant's experience and judgment, Consultant does not guarantee or warrant that bids or estimates prepared by Contractors will not deviate from opinions of probable cost provided by Consultant, and Consultant is not responsible for variations between actual construction bids or costs and Consultant's opinions regarding probable construction costs.

## F. USE AND OWNERSHIP OF DOCUMENTS

1. All work product including documents prepared by the Consultant under this Agreement are proprietary instruments of the Consultant's professional service and shall remain the sole property of the Consultant and no work product shall be used or reused by the Client other than for the construction, operation and maintenance of the Project, without specific prior written permission of Consultant.
2. Client agrees that: authorized use of Consultant's work product on the Project is subject to full payment for Consultant's services related to preparation of the product, work product is not suitable for use on the Project unless completed by the Consultant for the specific purpose intended, and any other use of Consultant's work product by Client will be at Client's sole risk without liability of Consultant.
3. The Client shall timely pay, assume, defend, indemnify and hold Consultant harmless from any claims, damages, losses and expenses, including attorney's fees, arising from unauthorized reuse of all work product prepared by Consultant and limited to unauthorized reuses of work product directly attributable to Client.

## G. GOVERNING LAW

The laws of the State of Idaho shall govern the validity of this Agreement, its interpretation and performance, and all remedies for breach of contract or any other claims related to this Agreement.

## H. SUCCESSORS AND ASSIGNS

1. Client and Consultant are hereby bound, and their partners, successors, executors, administrators and legal representatives are likewise bound, to the other party to this Agreement, in respect of all covenants, agreements and obligations of this Agreement.
2. Neither Client nor Consultant may assign or transfer any rights, duties or responsibilities under this Agreement without prior written consent of the other party.
3. Nothing under this Agreement shall be construed to provide any rights or benefits in this Agreement to anyone other than Client and Consultant, and all duties and responsibilities undertaken pursuant to this Agreement shall be for the sole and exclusive benefit of Client and Consultant and not for the benefit of any other party.

## I. TIMES OF PAYMENTS

1. Consultant shall submit monthly invoices for services rendered and for direct expenses incurred. Client shall timely make monthly payments. Invoices are due and payable within thirty (30) days of the date of the invoice.
2. All account balances not paid in full within thirty (30) days of the date when first invoiced are overdue and subject to interest at the rate of twelve (12) percent (%) per annum compounded monthly from the date when first invoiced until paid in full. Any payments received shall be credited first to accrued interest and then to principal.
3. All fees and costs incurred by Consultant to collect overdue account balances shall be added to the account balance.

## J. SUSPENSION OR TERMINATION

1. Consultant may, at its sole discretion, after giving seven (7) days written notice to Client, suspend or terminate service if undisputed charges are not paid within forty-five (45) days of receipt of Consultant's invoice and Client hereby waives any claim against Consultant, and shall timely pay, assume, defend, indemnify, and hold Consultant harmless from and against any claims arising from Consultant's suspension or termination of services due to Client's failure to make timely payment.
2. Any charges in dispute shall be called to Consultant's attention, in writing, within ten (10) days of receipt of Consultant's invoice, and Client and Consultant shall work together in good faith to resolve any such disputes. If Client and Consultant are unable to resolve said disputes within twenty (20) days, Consultant may suspend or terminate service.
3. The obligation to perform under this Agreement may be terminated by either party upon thirty (30) days written notice. Such termination shall be based upon substantial lack of performance by the other party under the Terms and Conditions of this Agreement.
4. Consultant may terminate services under this agreement upon seven (7) days written notice if Client requires or demands that Consultant perform services in conflict with Consultant's professional responsibilities and Client hereby waives any and all claims against Consultant for such termination.

5. If this Agreement is terminated by either party, Consultant shall be timely paid for services rendered and for direct expenses incurred to the date of such termination plus close-out or suspension costs including but not limited to document management, rescheduling or re-assignment of personnel, and documentation as to status of work tasks.

#### K. HAZARDOUS ENVIRONMENTAL CONDITIONS OR MATERIALS

1. Consultant's services exclude any services related to hazardous materials or a hazardous environmental condition, including hazardous materials as defined by federal, state and local law. Discovery of hazardous materials after the date of execution of this Agreement mandates renegotiation of Consultant's scope of work or suspension or termination of services.
2. The Client hereby waives any claim against Consultant, and shall timely pay, assume, defend, indemnify, and hold Consultant harmless from any claim or liability for injury, loss, damages or expenses arising from hazardous materials.

#### L. DISPUTE RESOLUTION

All claims or disputes arising out of this Agreement shall first be addressed through non-binding mediation and no lawsuit shall be filed unless said mediation is unsuccessful in resolving any such claims or disputes. Nothing in this section shall be construed to prevent either party from filing a lawsuit to preserve any applicable statute of limitations so long as the parties thereafter attempt non-binding mediation.

#### M. INSURANCE COVERAGE

To the fullest extent permitted by law, Consultant's total liability to Client, and anyone claiming through or under Client, for any and all injuries, claims, losses, expenses, damages, or claimed expenses arising out of this Agreement, or in any way related to the Project, from any cause(s) shall not exceed the total insurance proceeds paid by Consultant's insurers in satisfaction of Client's Claims, or the total compensation received by Consultant under this Agreement, whichever amount is greater. Such causes include but are not limited to Consultant's negligence, errors, omissions, strict liability, or breach of contract. Consultant shall, during the duration of the project, maintain insurance in the minimum amounts as follows: General Liability at One Million Dollars (\$1,000,000) per occurrence, Professional Liability at One Million Dollars (\$1,000,000) per occurrence, Automobile Liability Insurance at One Million Dollars (\$1,000,000) per occurrence, and Workers' Compensation Insurance in the statutory limits as required by law.

#### N. RECOVERY OF ATTORNEY'S FEES, EXPENSES AND COSTS

In the event that legal action, including mediation, is brought by either party against the other, the prevailing party shall be timely reimbursed by the other party for the prevailing party's reasonable attorney's fees, costs and expense, in addition to whatever other judgments or settlement sums, if any, may be due. Such fees, expenses and costs shall

include, but not be limited to, reasonable attorney's fees, court costs, and expert witness fees.

#### O. EXTENT OF AGREEMENT AND AMENDMENTS

1. This Agreement, including any attachments and the Terms and Conditions, represents the entire agreement between the Client and Consultant and supersedes all prior negotiations, representations or agreements, written or oral.
2. Client may furnish to Consultant a signed copy of this Agreement by scanned or facsimile media and Consultant may rely upon the authority of such media.
3. A signed Agreement constitutes a notice to proceed in the absence of any written directive otherwise from Client.
4. This Agreement may be amended only by written instrument duly executed by both Client and Consultant. For purposes of signatures on any amendments, Client and Consultant agree that e-mail directives, or scanned or faxed signatures are acceptable and that each party may rely upon the authority of such communications.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above

CONSULTANT: T-O ENGINEERS, INC.

Signature: \_\_\_\_\_

Name: Steven E. Holt, P.E.

Title: Corporate Secretary

Address: 9777 Chinden Blvd.

Boise, Idaho 83714

Date: \_\_\_\_\_

11/9/15

CLIENT: CITY OF KUNA, IDAHO

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: Mayor

Address: Post Office Box 13

Kuna, Idaho 83634

Date: \_\_\_\_\_

**EXHIBIT "A"**  
**FUNCTIONAL FEE SCHEDULE**  
**PROFESSIONAL SERVICES**  
**Effective March 1, 2015**

<b>I. PERSONNEL</b>	
Principal /Project Manager	\$150.00 - \$210.00 /hour
Project Manager	\$120.00 - \$160.00 /hour
Project Engineer	\$95.00 - \$125.00 /hour
Construction Manager	\$90.00 - \$125.00 /hour
Inspector/Technician	\$70.00 - \$95.00 /hour
Engineer Intern	\$70.00 - \$95.00 /hour
Information Technology	\$80.00 - \$100.00 /hour
Administrative	\$45.00 - \$85.00 /hour
<b>II. LANDSCAPE ARCHITECT</b>	
Landscape Architect	\$80.00 - \$120.00 /hour
<b>III. SURVEYING</b>	
Survey Manager	\$120.00 - \$140.00 /hour
Surveyor	\$75.00 - \$110.00 /hour
Survey Intern	\$70.00 - \$90.00 /hour
Survey Technician	\$60.00 - \$75.00 /hour
<b>IV. COMPUTER HARDWARE &amp; SOFTWARE</b>	
Total Station	\$10.00 /hour
Drill and Generator	\$80.00 /day
GPS, Robotics	\$55.00 /hour
Property Database Research	\$50.00 /hour
CADD and Other Technical Uses	\$5.00 /hour
<b>V. REPRODUCTION</b>	
In-House Reproduction	Hourly Labor Rates Apply
Outside Reproduction	Actual Cost + 10%
<b>VI. MILEAGE</b>	
Vehicle	0.55 - 0.65 /mile
ATV Vehicle	5.00 /hour
<b>VII. OTHER DIRECT CHARGES</b>	
Direct costs for material or services incurred for the project	Actual Cost + 10%

Notes: 1. When employees perform work that requires overtime, the billing rate for that overtime work will be increased to 130% of the rate established above. Overtime shall be defined as any work required of an employee in excess of 40 hours per week.

2. This fee schedule is subject to periodic adjustment.

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Bob Bachman, BOC 1, IBC  
Facilities Director  
City of Kuna

## MEMO

**Date:** July 28, 2016  
**From:** Bob Bachman, Facilities Director  
**To:** City Council  
**RE:** Update on City Hall

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Construction/Project update:

- Demolish completed on schedule
- Framing finished on schedule
- Currently working on IT cabling, HVAC changes, electrical layout and retro fit, alarm system
- Upcoming work will be mostly electrical, windows and doors

Everything is going smoothly at this point with no surprises.