

OFFICIALS

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



CITY OF KUNA

Kuna City Hall Council Chamber, 751 W 4th Street, Kuna, Idaho 83634

Board of Correction Meeting AGENDA Tuesday, March 6, 2018

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

1. *Call to Order and Roll Call*

2. *Irrigation irregularities: Part 1*

Group A. Lots that had simple errors

- i.** Wrong acreage
- ii.** Different owner
- iii.** Different mailing address or location address

Group B. Lots that were inadvertently charged when in fact their rights were removed by a prior Board of Correction decision.

Group C. HOA accounts with simple errors

- i.** Wrong acreage
- ii.** Different owner
- iii.** Different mailing address or location address

Group D. Subdivisions that have dissolved their HOAs (without City Approval) and now we need to split the HOA charges equally amongst the residential lots.

- i.** Roeder Meadows
- ii.** Breckenbury

Group E. Accounts accidentally placed in the wrong subdivision

Group F. Residential Lot purchased the vacant lot next door, connected to PI and uses that service to water that vacant lot without paying a PI connection fee.

3. *Recess to Regular Kuna City Council Meeting*

4. *Reconvene Board of Corrections Meeting:*

NOTICE: Copies of all agenda materials are available for public review in the Office of the City Clerk. Persons who have questions concerning any agenda item may call the City Clerk's Office at 922-5546. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at 922-5546 at least forty-eight (48) hours prior to the meeting to allow the City to make reasonable arrangements to ensure accessibility to this meeting.

5. *Irrigation Irregularities: Part 2*

Group G. Add additional lots to the Official Roll

- i.** Messmer
- ii.** People Empowerment Services

6. *Tax Deeds:*

A. General Remarks and Comments

7. *Approve the Assessment Roll*

8. *Mayor/Council Discussion Items:*

9. *Announcements:*

10. *Adjournment:*

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CITY OF KUNA

Kuna City Hall Council Chamber, 751 W 4th Street, Kuna, Idaho 83634

City Council Meeting AGENDA Tuesday, March 6, 2018

6:00 P.M. REGULAR CITY COUNCIL

1. **Call to Order and Roll Call**
2. **Invocation:** Dean Herring, South Valley Baptist Church
3. **Pledge of Allegiance:** Mayor Stear
4. **Consent Agenda:**

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

A. City Council Meeting Minutes:

1. Regular City Council Minutes, February 20, 2018

B. Accounts Payable Dated March 1, 2018 in the Amount of \$243,718.08

C. Resolutions

1. Consideration to approve Resolution No. R16-2018

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE SCHOOL PROPERTY LEASE AGREEMENT TO LEASE THE PROPERTY ACROSS INDIAN CREEK FOR A COMMUNITY GARDEN, CITY TREE FARM, YOUTH HORTICULTURAL ACTIVITIES, AND OTHER RECREATIONAL ACTIVITIES, INCLUDING NON-MOTORIZED BIKE RIDING, AND REMOTE CONTROLLED RACE CARS.

2. Consideration to approve Resolution No. R17-2018

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING THE ASSIGNMENT OF THE LEASE AGREEMENT FOR THE REAL PROPERTY LOCATED AT 270 S. ORCHARD STREET, KUNA, IDAHO.

D. Final Plat

1. Consideration to approve Case No. 18-05-FP (Final Plat) for Ardell Estates Subdivision No. 2

E. Findings of Fact and Conclusions of Law

1. Consideration to approve Findings of Fact and Conclusions of Law for Case No. 17-01-ZC (Rezone) and 17-01-S (Pre Plat) for Caspian Subdivision
2. Consideration to approve Findings of Fact and Conclusions of Law for Case No. 17-09-AN (Annexation) for Former Urza Property
3. Consideration to approve Findings of Fact and Conclusions of Law for Case No. 17-10-S (Pre-Plat) for Gran Prado Subdivision

5. Community Reports or Requests: None

6. Public Hearings: (6:00 p.m. or as soon thereafter as matters may be heard.) None

7. Business Items:

- A. Consideration to approve funds from contingency for a new full time employee for the City Clerk's office – Chris Engels, City Clerk
- B. Consideration to approve up to \$24,500 for website enhancements to be distributed among the funds as appropriate – Chris Engels, City Clerk
- C. Consideration to approve Resolution No. R18-2018 – Richard Roats, City Attorney

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING AND ADOPTING MODIFICATIONS TO 11.13.3 AND 12.1 OF THE CITY OF KUNA, IDAHO PERSONNEL MANUAL (VERSION JANUARY 2016); AND PROVIDING AN EFFECTIVE DATE.

- D. Consideration to approve Resolution No. R19-2018 – Wendy Howell, Planning & Zoning Director

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE PROJECT PRIORITY LIST TITLED "CITY OF KUNA IDAHO'S TRANSPORTATION PRIORITY REQUESTS - 2018" AS THE OFFICIAL

TRANSPORTATION PROJECT PRIORITY LIST FOR THE CITY OF KUNA, IDAHO FOR THE ADA COUNTY HIGHWAY DISTRICT; AUTHORIZING THE CITY CLERK TO TRANSMIT THE DOCUMENT TO ACHD; AND HEREBY REPEALING ALL PREVIOUS TRANSPORTATION PROJECT PRIORITY LISTS.

8. Ordinances:

A. Consideration to approve Ordinance No. 2018-06

AN ORDINANCE OF THE CITY COUNCIL OF KUNA, IDAHO AMENDING KUNA CITY CODE 10-3-7 BY STRIKING 7.C.2 THEREBY ELIMINATING THE PROVISION THAT LICENSES PAID FOR AFTER JULY 1 WILL BE ONE-HALF THE REGULAR FEE; AND PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings of ordinance

Consideration to approve ordinance

Consideration to approve summary publication of ordinance

B. Consideration to approve Ordinance No. 2018-07

AN ORDINANCE OF THE CITY COUNCIL FOR KUNA, IDAHO STRIKING IN ITS ENTIRETY, SECTION 8 OF TITLE 6, CHAPTER 3 TITLED EASEMENTS AND REPLACING A NEW SECTION THAT PROVIDES FOR THE LOCATION AND WIDTH OF CITY AND PUBLIC UTILITIES EASEMENTS, ENCROACHMENT LOCATIONS, VESTS THE FINAL DETERMINATION OF THE LOCATION OF EASEMENTS WITH THE CITY ENGINEER, RESTRICTS THE PLACEMENT OF ENCROACHMENTS WITHIN THE EASEMENT AND RESPONSIBILITIES FOR DAMAGE, REMOVAL AND DISPOSAL, ALLOWS FOR EASEMENT MODIFICATIONS FOR SIDE YARD EASEMENTS LOCATED ON PHASE BOUNDARIES, AND PROVIDES AN EFFECTIVE DATE.

Consideration to waive three readings of ordinance

Consideration to approve ordinance

Consideration to approve summary publication of ordinance

C. Consideration to approve Ordinance No. 2018-08

AN ORDINANCE OF THE CITY COUNCIL FOR KUNA, IDAHO ADDING A NEW CHAPTER, CHAPTER 18 TO TITLE 5, TITLED PRIVATE ROADS THAT PROVIDES FOR THE ALLOWANCE OF PRIVATE ROADS IN CERTAIN LOCATIONS, SETS FORTH CONSTRUCTION AND DESIGN STANDARDS, SETS FORTH ACCESS AND MAINTENANCE REQUIREMENTS, ESTABLISHES GATED ROAD RESTRICTIONS, PROVIDES FOR PRIVATE ALLEYS, REQUIRES COMPLIANCE WITH THE COMPREHENSIVE PLAN, AND PROVIDES FOR A WAIVER OF STANDARDS BY THE CITY COUNCIL;

AMENDING KCC 5-7-3- PLANNED UNIT DEVELOPMENT TO REFERENCE PRIVATE ROADS- KCC 5-18-1; AMENDING 6-3-3- PLANNED UNIT DEVELOPMENT TO STRIKE THAT PORTION ONLY ALLOWING PRIVATE ROADS IN PLANNED UNIT DEVELOPMENTS AND ADDING THE REFERENCE TO KCC 5-18-1; AMENDING KCC 6-5-2- PLANNED UNIT AND CONDOMINIUM SUBDIVISIONS TO PROVIDE FOR PRIVATE ROAD STANDARDS CONSTRUCTED TO ADA COUNTY HIGHWAY DISTRICT LOCAL ROAD STANDARDS AND REVIEW BY THE CITY ENGINEER; AND PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings of ordinance

Consideration to approve ordinance

Consideration to approve summary publication of ordinance

D. Consideration to approve Ordinance No. 2018-09

AN ORDINANCE OF THE CITY OF KUNA, IDAHO, ANNEXING A PORTION OF NE ¼ OF THE NE ¼ OF SECTION 24, TOWNSHIP 2 NORTH RANGE 1 WEST, BOISE MERIDIAN, KUNA, ADA COUNTY, IDAHO AND COMMONLY REFERRED TO AS THE KJ SUPERSTORES PARCEL WHICH IS OWNED BY CONRAD & BISCHOFF INC, INTO THE KUNA MUNICIPAL IRRIGATION DISTRICT FROM THE BOISE~KUNA IRRIGATION DISTRICT; CHANGING THE RESPECTIVE BOUNDARIES OF SAID DISTRICTS; DECLARING WATER RIGHTS APPURTENANT THERETO ARE POOLED FOR DELIVERY PURPOSES; DIRECTING THAT COPIES OF THIS ORDINANCE BE RECORDED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings of ordinance

Consideration to approve ordinance

Consideration to approve summary publication of ordinance

E. Consideration to approve Ordinance No. 2018-10

AN ORDINANCE REZONING CERTAIN REAL PROPERTY, TO WIT: PARCEL NOS. S1235346610; R8468870305; S1235438411; S1235449215 OWNED BY MASON CREEK FARM, LLC FROM P TO R-6; SITUATED WITHIN THE CORPORATE LIMITS OF THE CITY OF KUNA, ADA COUNTY, IDAHO; DIRECTING THAT COPIES OF THIS ORDINANCE BE RECORDED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings of ordinance

Consideration to approve ordinance

Consideration to approve summary publication of ordinance

F. Consideration to approve Ordinance No. 2018-11

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY, TO WIT: PARCEL NO. R0615250650 OWNED BY DEBRA YOUNG, 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.

Consideration to waive three readings of ordinance

Consideration to approve ordinance

Consideration to approve summary publication of ordinance

G. Consideration to approve Ordinance No. 2018-12

AN ORDINANCE OF THE CITY OF KUNA, IDAHO, ANNEXING A PORTION OF LOT 5 BLOCK 1 OF SOUTH LINDERS ESTATES, INTO THE KUNA MUNICIPAL IRRIGATION DISTRICT FROM THE BOISE~KUNA IRRIGATION DISTRICT; CHANGING THE RESPECTIVE BOUNDARIES OF SAID DISTRICTS; DECLARING WATER RIGHTS APPURTENANT THERETO ARE POOLED FOR DELIVERY PURPOSES; DIRECTING THAT COPIES OF THIS ORDINANCE BE RECORDED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings of ordinance

Consideration to approve ordinance

Consideration to approve summary publication of ordinance

H. Consideration to approve Ordinance No. 2018-13

AN ORDINANCE OF THE CITY OF KUNA, IDAHO, ANNEXING A PORTION OF MONTARA SUBDIVISION SITUATED IN THE NW 1/4 OF SECTION 25, TOWNSHIP 2 NORTH, RANGE 1 WEST, BOISE MERIDIAN, KUNA, ADA COUNTY, IDAHO AND IS COMMONLY REFERRED TO AS THE JOHN MESSMER PARCEL, INTO THE KUNA MUNICIPAL IRRIGATION DISTRICT FROM THE BOISE~KUNA IRRIGATION DISTRICT; CHANGING THE RESPECTIVE BOUNDARIES OF SAID DISTRICTS; DECLARING WATER RIGHTS APPURTENANT THERETO ARE POOLED FOR DELIVERY PURPOSES; DIRECTING THAT COPIES OF THIS ORDINANCE BE RECORDED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings of ordinance

Consideration to approve ordinance

Consideration to approve summary publication of ordinance

9. Mayor/Council Announcements:

10. Executive Session:

- A.** Adjourn to Executive Session Pursuant to Idaho Code 74-206(f) for the Purpose of Potential Litigation

11. Adjournment:

OFFICIALS

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

**CITY OF KUNA**

Kuna City Hall Council Chamber, 751 W 4th Street, Kuna, Idaho 83634

City Council Meeting**MINUTES**

Tuesday, February 20, 2018

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

Mayor Joe Stear
 Council President Briana Buban-Vonder Haar
 Council Member Richard Cardoza
 Council Member Warren Christensen
 Council Member Greg McPherson

CITY STAFF PRESENT:

Chris Engels, City Clerk
 Bob Bachman, Public Works Director
 Bobby Withrow, Parks Director
 John Marsh, City Treasurer
 Wendy Howell, Planning & Zoning Director
 Richard Roats, City Attorney
 Troy Behunin, Planner III
 Jace Hellman, Planner II

2. Invocation: Chris Bent, Calvary Chapel**3. Pledge of Allegiance:** Mayor Stear**4. Consent Agenda:**

(Timestamp 00:01:46)

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A. City Council Meeting Minutes:**1. Regular City Council Minutes, February 6, 2018**

B. Accounts Payable Dated February 15, 2018 in the Amount of \$400,915.27

C. Resolutions

1. Consideration to approve Resolution No. R12-2018
A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO
DECLARING THAT IT IS THE POLICY OF THE CITY OF KUNA TO
ENCOURAGE EQUAL OPPORTUNITY IN HOUSING FOR ALL PERSONS
REGARDLESS OF RACE, COLOR, RELIGION, GENDER OR NATIONAL
ORIGIN.
2. Consideration to approve Resolution No. R13-2018
A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO ADOPTING
A POLICY OF NONDISCRIMINATION ON THE BASIS OF DISABILITY.
3. Consideration to approve Resolution No. R14-2018
A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO
ESTABLISHING A GRIEVANCE PROCEDURE TO MEET THE
REQUIREMENTS OF SECTION 504 OF THE REHABILITATION ACT AS
AMENDED AND THE AMERICANS WITH DISABILITIES ACT OF 1990
(ADA).
4. Consideration to approve Resolution No. R15-2018
A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO
AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT WITH
THE ADA COUNTY SHERIFF FOR SHERIFF'S COMMUNITY SERVICE
(SCS) WORKERS FOR THE FISCAL YEAR 2017-2018 FOR THE CITY OF
KUNA, IDAHO

D. Final Plat

1. Consideration to approve Case No. 18-03-FP (Final Plat) for Silver Trail
Subdivision No. 3
2. Consideration to approve Case No. 18-04-FP (Final Plat) for Crimson Point
Subdivision No. 8

**Council President Buban-Vonder Haar moved to approve the consent agenda.
Seconded by Council Member McPherson. Approved by the following roll call
vote:**

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

Voting No: None

Absent: None

Motion carried 4-0.

5. Community Reports or Requests:

(Timestamp 00:02:19)

Diana Lachiondo was running late. Council moved on to item 6A.

A. Allumbaugh House – Diana Lachiondo, Director of Community Partnerships

(Timestamp 00:30:17)

Director of Community Partnerships Diana Lachiondo reviewed the facts from her previous presentation on Allumbaugh House and the services they provide to those with substance abuse problems or with a mental crisis. She presented their request for a partnership and funds. She stood for questions.

Council President Buban-Vonder Haar asked if they accepted patients under the age of 18.

Ms. Lachiondo replied they did not. It was an adult only facility.

Council Member Christensen asked if it was opioid specific or if it was open to all substance abuse issues.

Ms. Lachiondo responded it was open to all substance abuse issues.

Mayor Stear commented on the opioid issues and did not want Idaho to get behind on these types of things.

Council President Buban-Vonder Haar asked if the contribution amount was flexible.

Ms. Lachiondo said it was and explained the formula they used to reach the requested amount.

Council President Buban-Vonder Haar asked if the number of the population under 18 had been taken into consideration.

Ms. Lachiondo replied it had not and shared that Boise was over prescribed but was not stepping back from their commitment.

Council Member Christensen thought it was great but also thought basing it strictly on census might be worth revisiting.

Ms. Lachiondo stated there were many ways to slice it and it was definitely worth looking at.

Council President Buban-Vonder Haar asked if the request was for FY 2018 or if it was something they would put in the budget for next year.

Ms. Lachiondo replied ideally it would be for 2018 but it was all voluntary.

Mayor Stear recommended approving this out of the contingency fund for 2018 and then also including it into the budgeting process for the next year.

Council Member Cardoza asked about the figures for Boise and Meridian not being included in the presentation.

Ms. Lachiondo explained they were already in the partnership and the presentation was set up for potential additional partners.

Council President Buban-Vonder Haar and Mayor Stear thanked her for her presentation.

Council President Buban-Vonder Haar moved to spend \$12,000.00 from the contingency fund for Allumbaugh House for FY 2018. Seconded by Council Member McPherson.

Approved by the following roll call vote:

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

Voting No: None

Absent: None

Motion carried 4-0.

6. Public Hearings: (6:00 p.m. or as soon thereafter as matters may be heard.)
(Timestamp 00:02:32)

A. Consideration to approve 17-09-AN (Annexation) – Troy Behunin, Planner III

A request from Kirsti Grabo with KM Engineering, seeking annexation of approximately 39.48 acres into Kuna City with an R-8 zone (Med. Den. Res.). The site is formerly known as the Urza property and is addressed as 2030 W. Kuna Road, located near the northwest corner of Ten Mile and Kuna Roads.

Kirsti Grabo with KM Engineering presented the application to Council and stood for questions.

Planner III Troy Behunin reviewed the matter with Council and stood for questions.

Mayor Stear opened the public hearing.

Support:

Tim Gordon, 1206 N Blackcat, Kuna, Idaho 83634, had the adjacent property and supported the application.

Against: None

Neutral: None

Council President Buban-Vonder Haar moved to close the public hearing. Seconded by Council Member McPherson. Motion carried 4-0.

Tim Eck, 6152 W Half Moon Lane, Eagle, Idaho 83616, was the applicant and stood for questions.

Council Member Cardoza asked how many houses per acre were planned.

Mr. Eck responded 5 per acre.

Council Member Cardoza indicated he couldn't recall a recent R-8 and wasn't sure if the area was ready for that density with services and roadways.

Council President Buban-Vonder Haar stated that she had to defer to other entities and the Planning and Zoning Commission approved the application unanimously.

Council Member Cardoza reiterated his concerns.

Mayor Stear asked Public Works Director Bob Bachman to review the services available.

Mr. Bachman stated he had recommended R-4 instead of R-8 due to some sewer capacity issues. Since he made that recommendation they had moved forward with some improvements to that system. It would be a bit of a long process to figure out what it would take to open up for more capacity but they had some positive solutions in mind. He felt if Mr. Eck were to stick to 5 per acre that would help the situation but definitely not R-8.

Council Member Cardoza asked if everything south of the tracks was going to Ten Mile or the lagoons; nothing was going north.

Mr. Bachman replied that was correct.

Council President Buban-Vonder Haar asked about the changes made to the Orchard Lift Station design.

Mr. Bachman reviewed the changes made since he took the Public Works position.

Council President Buban-Vonder Haar asked if his recommendation remained the same as it was; no more than R-4.

Mr. Bachman stood behind his recommendation with the exception that they could work with R-5.

Council Member Cardoza asked when Ada County Highway District proposed to widen Ten Mile.

Mayor Stear did not know exactly. He thought it would come with development.

David Corcoran with ACHD indicated at that moment they did not have plans in their CIP or 5 year work plan to widen Ten Mile south of the creek. That being said it would be driven by development.

Council Member Christensen asked why not change it to an R-6 if they were only looking to do 5 per acre.

Mr. Eck responded it had to do with the different dimensional standards of the zonings. R-6 would probably work fine with the dimensional standards but they figured they would start with the R-8.

Council President Buban-Vonder Haar asked if changing to R-6 would work for Mr. Bachman or if he would prefer some sort of note that they were approving R-6 for dimensional standards with an understanding there would be a density of no more than roughly 5.13 per acre.

Mr. Bachman replied once it was submitted at 5.13 Mr. Eck would need to stick to it so at that point R-6 or R-8 was immaterial.

Council President Buban-Vonder Haar asked if 5.13 would overtax the sewer system.

Mr. Bachman felt it would be alright.

Council President Buban-Vonder Haar asked City Attorney Richard Roats if they would need to make that a condition of approval at that point or if they would address it when the plat came before Council.

Mr. Roats replied they could do it as a condition of approval at the 5.13.

Mr. Eck responded. *(unintelligible – not on mic)*

Mr. Bachman was fine with what Mr. Eck said.

Council Member Christensen didn't have any more to add and Mr. Bachman did ease some of his concerns regarding utilities but he still had concerns regarding the road and traffic, crossings, and the school there.

Council President Buban-Vonder Haar stated, based on her review of the packet and the presentations, the request substantially conformed with the Comprehensive Plan and the Planning & Zoning Commission forwarded a recommendation of approval.

She appreciated the variety in lot and house sizes. She understood the concerns with it being near a school but felt that was also a benefit in terms of walkability. It also conformed to Idaho State Code.

Council President Buban-Vonder Haar moved to approve 17-09-AN (Annexation) with the conditions of approval as listed in the packet also noting the density request was changed from R-8 to R-6 with an actual density of no more than 5.2 units per acre. Seconded by Council Member McPherson. Motion carried 3-2. Mayor Stear voted aye. Council Members Cardoza and Christensen voted no.

Diana Lachiondo of Allumbaugh House had arrived. Council returned to item 5A.

7. Business Items:

(Timestamp 00:53:13)

A. Informational Only Financial Results of Operation – YTD Month Ending January 31, 2018 – John Marsh, City Treasurer

City Treasurer John Marsh stood for questions.

Council President Buban-Vonder Haar asked for a high level review.

Mr. Marsh reviewed the operating numbers for the general fund which was at a loss of \$322, 927.00. He did not want that to alarm Council. That was normal for that time of year because property tax revenues generally didn't arrive until the first part of February. The City received a check the first of February for just over \$1.2 million which was not reflected in this January financial.

Next Mr. Marsh reviewed the water fund. Thus far it was at a net income of \$535,575.00. The sewer fund was at a net income of \$581,630.00 and the irrigation fund was at a net income of \$231,163.00. All of these numbers were typical.

Council Member Christensen clarified the Government Wide section at the end of the report was the overall view point of the City of Kuna.

Mr. Marsh confirmed that Government Wide represented everything in the budget.

Council Member Cardoza asked what the Agency Fund was.

Mr. Marsh explained it was money that did not belong to the City and how that fund worked.

Council thanked him.

Mr. Marsh encouraged Council to contact him anytime they had a question.

Council President Buban-Vonder Haar asked for a quarterly high level review.

Mr. Marsh replied he would start doing that.

Council Member Cardoza asked about the change in amounts for the Agency Fund.

Mr. Marsh explained the bonds currently in that fund and the difference in the numbers.

8. Ordinances:

A. Consideration to approve Ordinance No. 2018-05 *(Timestamp 01:02:43)*

AN ORDINANCE OF THE CITY COUNCIL FOR KUNA, IDAHO AMENDING TITLE 7, CHAPTER 3, SECTION 17; AND PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings of ordinance

Consideration to approve ordinance

Consideration to approve summary publication of ordinance

Mayor Stear explained the reason for the change in code.

Council President Buban-Vonder Haar moved to waive three readings of Ordinance No. 2018-05. Seconded by Council Member McPherson. Motion carried 4-0.

Council President Buban-Vonder Haar moved to approve Ordinance No. 2018-05. Seconded by Council Member McPherson. Approved by the following roll call vote:

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

Voting No: None

Absent: None

Motion carried 4-0.

Council President Buban-Vonder Haar moved to approve the Summary Publication of Ordinance No. 2018-05. Seconded by Council Member McPherson. Motion carried 4-0.

Council Member Cardoza asked why the dog park was not on the list for places dogs were allowed off leash.

Parks Director Bobby Withrow replied the dog park was at Sadie Creek Park which was on the list so it fell under that.

B. Consideration to approve Ordinance No. 2017-29A

(Timestamp 01:05:42)

AN ORDINANCE, AMENDING ORDINANCE 2017-29, ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF KUNA, IDAHO, TO WIT: PARCEL NO. S1419223151, CURRENT OWNER IS SDN, LLC; THIS PROPERTY SITUATED IN THE UNINCORPORATED AREA OF ADA COUNTY, IDAHO AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF KUNA, IDAHO; ESTABLISHING THE ZONING CLASSIFICATION OF SAID REAL PROPERTIES; DIRECTING THAT COPIES OF THIS ORDINANCE BE FILED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings of ordinance

Consideration to approve ordinance

Consideration to approve summary publication of ordinance

Council President Buban-Vonder Haar moved to waive three readings of Ordinance No. 2017-29A. Seconded by Council Member McPherson. Motion carried 4-0.

Council President Buban-Vonder Haar moved to approve Ordinance No. 2017-29A. Seconded by Council Member McPherson. Approved by the following roll call vote:

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

Voting No: None

Absent: None

Motion carried 4-0.

Council President Buban-Vonder Haar moved to approve the Summary Publication of Ordinance No. 2017-29A. Seconded by Council Member McPherson. Motion carried 4-0.

9. Mayor/Council Announcements:

(Timestamp 01:05:35)

Council Member Buban-Vonder Haar reminded everyone Board of Corrections was at the next meeting and would start at 5:30 PM.

City Clerk Chris Engels added that if everyone was alright with it she would like to do Council photos at the second meeting in March at 5:30 PM.

Council Member Buban-Vonder Haar said she would try to make that work and asked if she could be last.

Ms. Engels replied she could be last or they could roll it over to May. There was no timeline.

Council Member Buban-Vonder Haar said she would try to make the second meeting in March work.

The next 2 Council Meetings would start at 5:30 PM.

10. Executive Session:

(Timestamp 01:08:47)

- A. Adjourn to Executive Session Pursuant to Idaho Code 74-206(a) and (b) for the Purpose of Discussing Personnel Matters

Council President Buban-Vonder Haar moved to adjourn to Executive Session Pursuant to Idaho Code 74-206(a) and (b) for the Purpose of Discussing Personnel Matters. Seconded by Council Member McPherson. Approved by the following roll call vote:

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

Voting No: None

Absent: None

Motion carried 4-0.

Adjournment to Executive Session: 7:08

Council President Buban-Vonder Haar moved to adjourn from Executive Session. Seconded by Council Member McPherson. Motion carried 4-0.

Executive Session adjourned: 8:12 PM

11. Adjournment: 8:12 PM

Joe L. Stear, Mayor

ATTEST:

Chris Engels, City Clerk

Minutes prepared by Ariana Welker, Deputy City Clerk

Date Approved: CCM 03.06.2018

City of Kuna

Payment Approval Report - City Council Approval

Page: 1

Report dates: 2/16/2018-3/1/2018

Mar 01, 2018 04:08PM

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
ABC STAMP, SIGNS & AWARDS												
277	ABC STAMP, SIGNS & AWARDS	0513566	6600	APPROVAL STAMP FOR PAUL STEVENS, CITY ENGINEER, FEB 18	02/12/2018	30.59	.00	01-6165 OFFICE SUPPLIES	0	2/18		
277	ABC STAMP, SIGNS & AWARDS	0513566	6600	APPROVAL STAMP FOR PAUL STEVENS, CITY ENGINEER, FEB 18, WATER	02/12/2018	.78	.00	20-6165 OFFICE SUPPLIES	0	2/18		
277	ABC STAMP, SIGNS & AWARDS	0513566	6600	APPROVAL STAMP FOR PAUL STEVENS, CITY ENGINEER, FEB 18, SEWER	02/12/2018	.78	.00	21-6165 OFFICE SUPPLIES	0	2/18		
277	ABC STAMP, SIGNS & AWARDS	0513566	6600	APPROVAL STAMP FOR PAUL STEVENS, CITY ENGINEER, FEB 18, PI	02/12/2018	.39	.00	25-6165 OFFICE SUPPLIES	0	2/18		
277	ABC STAMP, SIGNS & AWARDS	0513566	6600	CORPORATE SEAL FOR C ENGELS, FEB 18	02/12/2018	8.12	.00	01-6165 OFFICE SUPPLIES	0	2/18		
277	ABC STAMP, SIGNS & AWARDS	0513566	6600	CORPORATE SEAL FOR C ENGELS, FEB 18	02/12/2018	10.74	.00	20-6165 OFFICE SUPPLIES	0	2/18		
277	ABC STAMP, SIGNS & AWARDS	0513566	6600	CORPORATE SEAL FOR C ENGELS, FEB 18, SEWER	02/12/2018	10.74	.00	21-6165 OFFICE SUPPLIES	0	2/18		
277	ABC STAMP, SIGNS & AWARDS	0513566	6600	CORPORATE SEAL FOR C ENGELS, FEB 18, PI	02/12/2018	2.93	.00	25-6165 OFFICE SUPPLIES	0	2/18		
Total 0513566:						65.07	.00					
Total ABC STAMP, SIGNS & AWARDS:						65.07	.00					
ADA COUNTY HIGHWAY DISTRICT (RENT)												
1037	ADA COUNTY HIGHWAY DISTRICT (RENT)	14743		SHOP RENT FOR MARCH, FEB 18, PARKS	02/15/2018	148.50	.00	01-6211 RENT- BUILDINGS & LAND	1004	2/18		
1037	ADA COUNTY HIGHWAY DISTRICT (RENT)	14743		SHOP RENT FOR MARCH, FEB 18, WATER	02/15/2018	126.00	.00	20-6211 RENT- BUILDINGS & LAND	0	2/18		

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1037	ADA COUNTY HIGHWAY DISTRICT (RENT)	14743		<u>SHOP RENT FOR MARCH, FEB 18, SEWER</u>	02/15/2018	121.50	.00	<u>21-6211 RENT - BUILDINGS & LAND</u>	0	2/18		
1037	ADA COUNTY HIGHWAY DISTRICT (RENT)	14743		<u>SHOP RENT FOR MARCH, FEB 18, PI</u>	02/15/2018	54.00	.00	<u>25-6211 RENT - BUILDINGS & LAND</u>	0	2/18		
Total 14743:						450.00	.00					
Total ADA COUNTY HIGHWAY DISTRICT (RENT):						450.00	.00					
ADA COUNTY PROSECUTING ATTORNE												
176	ADA COUNTY PROSECUTING ATTORNE	MAR2018		<u>PROSECUTORIAL SERVICES MAR 18</u>	02/09/2018	4,379.33	.00	<u>01-6203 PROSECUTORIAL SERVICES</u>	0	2/18		
Total MAR2018:						4,379.33	.00					
Total ADA COUNTY PROSECUTING ATTORNE:						4,379.33	.00					
ALLOWAY ELECTRIC CO												
1087	ALLOWAY ELECTRIC CO	44542	6596	<u>LIGHT REPAIR, LIGHT # 1511K ON KALAHARI, 10-MILE & W SUNBEAM ST, D.CROSSLEY, FEB.'18</u>	02/15/2018	546.15	.00	<u>01-6142 MAINT. & REPAIR - EQUIPMENT</u>	1002	2/18		
Total 44542:						546.15	.00					
Total ALLOWAY ELECTRIC CO:						546.15	.00					
AMERICAN WATER WORKS ASSOC.												
1016	AMERICAN WATER WORKS ASSOC.	7001479425		<u>MEMBERSHIP RENEWAL FOR C.DEYOUNG, MEMBER #02658827, 5/1/18-4/30/18 - WATER</u>	01/26/2018	68.80	.00	<u>20-6075 DUES & MEMBERSHIPS</u>	0	3/18		
1016	AMERICAN WATER WORKS ASSOC.	7001479425		<u>MEMBERSHIP RENEWAL FOR C.DEYOUNG, MEMBER #02658827, 5/1/18-4/30/18 - P.I</u>	01/26/2018	17.20	.00	<u>25-6075 DUES & MEMBERSHIPS EXPENSE</u>	0	3/18		
Total 7001479425:						86.00	.00					

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Total AMERICAN WATER WORKS ASSOC.:						86.00	.00					
BARLOGA BREW LLC												
1918	BARLOGA BREW LLC	222		23 BOX LUNCHES, 1 LG DESSERT TRAY, 1 SETUP FEE, MAYOR'S MEETING FUND, JAN 18	01/29/2018	259.05	.00	01-6155 MEETINGS/COMM TTES	1031	1/18		
Total 222:						259.05	.00					
Total BARLOGA BREW LLC:						259.05	.00					
BOISE-KUNA IRRIGATION DISTRICT												
12	BOISE-KUNA IRRIGATION DISTRICT	SPRING1401-2		SPRINT ASSESSMENT FOR KUNA TOWNSITE, 1.697.67 ACRES, FEB 18	02/21/2018	84,868.50	.00	25-6116 IRRIGATION / WATER COSTS	0	2/18		
Total SPRING1401-2018:						84,868.50	.00					
12	BOISE-KUNA IRRIGATION DISTRICT	SPRING196A-		SPRING ASSESSMENT FOR MEADOWVIEW PROPERTY, 19.63 ACRES, FEB 18	02/21/2018	981.50	.00	25-6116 IRRIGATION / WATER COSTS	0	2/18		
Total SPRING196A-2018:						981.50	.00					
Total BOISE-KUNA IRRIGATION DISTRICT:						85,850.00	.00					
BONNEVILLE BLUEPRINT SUPPLY, INC.												
1378	BONNEVILLE BLUEPRINT SUPPLY, INC.	13094/2	6630	1 ROLL OF PAPER, 20# 34X150 BOND 2", M BORZICK, FEB 18	02/15/2018	17.88	.00	01-6165 OFFICE SUPPLIES	0	2/18		
Total 13094/2:						17.88	.00					
Total BONNEVILLE BLUEPRINT SUPPLY, INC.:						17.88	.00					
BSN SPORTS, LLC												
1739	BSN SPORTS, LLC	901616228	6619	4 EA. STEEL TOP CABLE/PVC SLV VOLLEYBALL NETS, J.MORFIN, FEB.'18	02/15/2018	1,609.88	.00	03-6374 EXP-HIGH FIVE YOUTH COUNCIL	0	2/18		

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Total 901616228:						1,609.88	.00					
Total BSN SPORTS, LLC:						1,609.88	.00					
BUREAU OF OCCUPATIONAL LICENSE												
1091	BUREAU OF OCCUPATIONAL LICENSE	02202018CM		<u>LICENSE RENEWAL FOR C. MCDANIEL, WWC1-17790 & WWT1-17571, MAR.'18</u>	02/20/2018	60.00	.00	<u>21-6075 DUES & MEMBERSHIPS</u>	0	3/18		
Total 02202018CM:						60.00	.00					
Total BUREAU OF OCCUPATIONAL LICENSE:						60.00	.00					
BUYWYZ LLC												
1795	BUYWYZ LLC	116329	6626	<u>LOGITECH R400 WIRELESS PRESENTER FOR CLERKS OFFICE, FEB 18</u>	02/14/2018	58.39	.00	<u>01-6165 OFFICE SUPPLIES</u>	0	2/18		
Total 116329:						58.39	.00					
1795	BUYWYZ LLC	117022	6656	<u>3 EA RULED INDEX CARDS, STAPLE REMOVER, LEGAL PADS, TAPE DISPENSER, FEB 18, WATER</u>	02/28/2018	18.79	.00	<u>20-6165 OFFICE SUPPLIES</u>	0	2/18		
1795	BUYWYZ LLC	117022	6656	<u>3 EA RULED INDEX CARDS, STAPLE REMOVER, LEGAL PADS, TAPE DISPENSER, FEB 18, SEWER</u>	02/28/2018	18.79	.00	<u>21-6165 OFFICE SUPPLIES</u>	0	2/18		
1795	BUYWYZ LLC	117022	6656	<u>3 EA RULED INDEX CARDS, STAPLE REMOVER, LEGAL PADS, TAPE DISPENSER, FEB 18, PI</u>	02/28/2018	7.14	.00	<u>25-6165 OFFICE SUPPLIES</u>	0	2/18		
1795	BUYWYZ LLC	117022	6656	<u>2 EA POWER DUSTER, FEB 18, P&Z</u>	02/28/2018	19.58	.00	<u>01-6165 OFFICE SUPPLIES</u>	1003	2/18		
1795	BUYWYZ LLC	117022	6656	<u>3X3 POST IT NOTES, 1X2 POST IT NOTES, 2 CS COPIER PAPER, 24 SETS BIG TAB FILE INSERTS, FEB 18</u>	02/28/2018	40.61	.00	<u>01-6165 OFFICE SUPPLIES</u>	0	2/18		

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1795	BUYWYZ LLC	117022	6656	3X3 POST IT NOTES, 1X2 POST IT NOTES, 2 CS COPIER PAPER, 24 SETS BIG TAB FILE INSERTS, FEB 18, P&Z	02/28/2018	14.52	.00	01-6165 OFFICE SUPPLIES	1003	2/18		
1795	BUYWYZ LLC	117022	6656	3X3 POST IT NOTES, 1X2 POST IT NOTES, 2 CS COPIER PAPER, 24 SETS BIG TAB FILE INSERTS, FEB 18, WATER	02/28/2018	37.73	.00	20-6165 OFFICE SUPPLIES	0	2/18		
1795	BUYWYZ LLC	117022	6656	3X3 POST IT NOTES, 1X2 POST IT NOTES, 2 CS COPIER PAPER, 24 SETS BIG TAB FILE INSERTS, FEB 18, SEWER	02/28/2018	37.73	.00	21-6165 OFFICE SUPPLIES	0	2/18		
1795	BUYWYZ LLC	117022	6656	3X3 POST IT NOTES, 1X2 POST IT NOTES, 2 CS COPIER PAPER, 24 SETS BIG TAB FILE INSERTS, FEB 18, PI	02/28/2018	14.52	.00	25-6165 OFFICE SUPPLIES	0	2/18		
Total 117022:						209.41	.00					
Total BUYWYZ LLC:						267.80	.00					
CENTURYLINK												
62	CENTURYLINK	208922917902		PHONE LINE TO ELEVATOR, 02 -07-18 TO 03-06-18, FEB 18	02/07/2018	13.23	13.23	01-6255 TELEPHONE	0	2/18	02/16/2018	
62	CENTURYLINK	208922917902		PHONE LINE TO ELEVATOR, 02 -07-18 TO 03-06-18, FEB 18, P&Z	02/07/2018	4.74	4.74	01-6255 TELEPHONE	1003	2/18	02/16/2018	
62	CENTURYLINK	208922917902		PHONE LINE TO ELEVATOR, 02 -07-18 TO 03-06-18, FEB 18, WATER	02/07/2018	12.31	12.31	20-6255 TELEPHONE EXPENSE	0	2/18	02/16/2018	
62	CENTURYLINK	208922917902		PHONE LINE TO ELEVATOR, 02 -07-18 TO 03-06-18, FEB 18, SEWER	02/07/2018	12.31	12.31	21-6255 TELEPHONE EXPENSE	0	2/18	02/16/2018	
62	CENTURYLINK	208922917902		PHONE LINE TO ELEVATOR, 02 -07-18 TO 03-06-18, FEB 18, PI	02/07/2018	4.74	4.74	25-6255 TELEPHONE EXPENSE	0	2/18	02/16/2018	
Total 20892291790207180306:						47.33	47.33					

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Total CENTURYLINK:						47.33	47.33					
ED STAUB & SONS PETROLEUM, INC												
1731	ED STAUB & SONS PETROLEUM, INC	1256604-IN		PROPANE TANK RENT AT SHORTLINE, PARKS, FEB 18	02/01/2018	10.00	.00	01-6212 RENT- EQUIPMENT	1004	2/18		
Total 1256604-IN:						10.00	.00					
1731	ED STAUB & SONS PETROLEUM, INC	N56119-IN		PROPANE REFILL AT SHORTLINE, FEB 18	02/12/2018	248.43	.00	01-6300 FUEL	0	2/18		
1731	ED STAUB & SONS PETROLEUM, INC	N56119-IN		PROPANE REFILL AT SHORTLINE, FEB 18, WATER	02/12/2018	99.37	.00	20-6300 FUEL	0	2/18		
1731	ED STAUB & SONS PETROLEUM, INC	N56119-IN		PROPANE REFILL AT SHORTLINE, FEB 18, SEWER	02/12/2018	99.37	.00	21-6300 FUEL	0	2/18		
1731	ED STAUB & SONS PETROLEUM, INC	N56119-IN		PROPANE REFILL AT SHORTLINE, FEB 18, PI	02/12/2018	49.69	.00	25-6300 FUEL	0	2/18		
Total N56119-IN:						496.86	.00					
Total ED STAUB & SONS PETROLEUM, INC:						506.86	.00					
EXECUTIVEPULSE INC												
1913	EXECUTIVEPULSE INC	02546		CUSTOMER RELATIONSHIP MANAGEMENT LICENSE, CUSTOMIZATION, AND DEPLOYMENT FEE, R.COLLINS, FEB.'18	02/22/2018	3,000.00	.00	01-6045 CONTINGENCY	4000	2/18		
Total 02546:						3,000.00	.00					
Total EXECUTIVEPULSE INC:						3,000.00	.00					
GERALD JESS PAYNE												
1916	GERALD JESS PAYNE	171219975	6644	RESTRICTED APPRAISAL REPORT ON NNA E MEADOWVIEW RD, 20 ACRES, APPROVED 11-8-17, FEB 18	12/11/2017	1,500.00	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	2/18		

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Total 171219975:						1,500.00	.00					
Total GERALD JESS PAYNE:						1,500.00	.00					
GRANITE FINANCIAL SOLUTIONS INC												
1914	GRANITE FINANCIAL SOLUTIONS INC	IN34971-1	6614	ADOBE CREATIVE CLOUD FOR TEAMS, LEVEL 1 VIP ENROLL/YEAR SUBSCRIPTION, R.COLLINS, FEB.'18	02/16/2018	839.99	.00	01-6075 DUES & MEMBERSHIPS	4000	2/18		
Total IN34971-1:						839.99	.00					
Total GRANITE FINANCIAL SOLUTIONS INC:						839.99	.00					
GROUND INNOVATIONS LLC												
1917	GROUND INNOVATIONS LLC	1805		CONSTRUCT, FORM, FINISH STAIRS ON INDIAN CREEK, FEB 18	02/23/2018	11,030.43	.00	40-6020 CAPITAL IMPROVEMENTS	1023	2/18		
Total 1805:						11,030.43	.00					
Total GROUND INNOVATIONS LLC:						11,030.43	.00					
HOCOCHAN HOLDINGS, INC.												
1619	HOCOCHAN HOLDINGS, INC.	AR611046		MONTHLY COPYCARE, 02-03-18 TO 03-02-18, FEB 18	02/08/2018	77.28	.00	01-6052 CONTRACT SERVICES	0	2/18		
1619	HOCOCHAN HOLDINGS, INC.	AR611046		MONTHLY COPYCARE, 02-03-18 TO 03-02-18, FEB 18, P&Z	02/08/2018	27.60	.00	01-6052 CONTRACT SERVICES	1003	2/18		
1619	HOCOCHAN HOLDINGS, INC.	AR611046		MONTHLY COPYCARE, 02-03-18 TO 03-02-18, FEB 18, WATER	02/08/2018	71.76	.00	20-6052 CONTRACT SERVICES	0	2/18		
1619	HOCOCHAN HOLDINGS, INC.	AR611046		MONTHLY COPYCARE, 02-03-18 TO 03-02-18, FEB 18, SEWER	02/08/2018	71.76	.00	21-6052 CONTRACT SERVICES	0	2/18		
1619	HOCOCHAN HOLDINGS, INC.	AR611046		MONTHLY COPYCARE, 02-03-18 TO 03-02-18, FEB 18, PI	02/08/2018	27.60	.00	25-6052 CONTRACT SERVICES	0	2/18		

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Total AR611046:						276.00	.00					
Total HOCOCHAN HOLDINGS, INC.:						276.00	.00					
IDAHO POWER CO												
38	IDAHO POWER CO	02282018I		ELECTRIC SERVICE FOR FEBRUARY 2018 - ADMIN	02/28/2018	466.03	.00	01-6290 UTILITIES	0	2/18		
38	IDAHO POWER CO	02282018I		ELECTRIC SERVICE FOR FEBRUARY 2018 - P & Z	02/28/2018	35.12	.00	01-6290 UTILITIES	1003	2/18		
38	IDAHO POWER CO	02282018I		ELECTRIC SERVICE FOR FEBRUARY 2018 - SENIOR CENTER	02/28/2018	293.82	.00	01-6290 UTILITIES	1001	2/18		
38	IDAHO POWER CO	02282018I		ELECTRIC SERVICE FOR FEBRUARY 2018 - STREET LIGHTS	02/28/2018	6,226.88	.00	01-6290 UTILITIES	1002	2/18		
38	IDAHO POWER CO	02282018I		ELECTRIC SERVICE FOR FEBRUARY 2018 - PARKS	02/28/2018	1,036.18	.00	01-6290 UTILITIES	1004	2/18		
38	IDAHO POWER CO	02282018I		ELECTRIC SERVICE FOR FEBRUARY 2018 - WATER	02/28/2018	8,557.24	.00	20-6290 UTILITIES EXPENSE	0	2/18		
38	IDAHO POWER CO	02282018I		ELECTRIC SERVICE FOR FEBRUARY 2018 - SEWER	02/28/2018	19,251.44	.00	21-6290 UTILITIES EXPENSE	0	2/18		
38	IDAHO POWER CO	02282018I		ELECTRIC SERVICE FOR FEBRUARY 2018 - FARM	02/28/2018	364.55	.00	21-6090 FARM EXPENDITURES	0	2/18		
38	IDAHO POWER CO	02282018I		ELECTRIC SERVICE FOR FEBRUARY 2018 - P.I	02/28/2018	879.51	.00	25-6290 UTILITIES EXPENSE	0	2/18		
Total 02282018I:						37,110.77	.00					
Total IDAHO POWER CO:						37,110.77	.00					
IDAHO PRESS TRIBUNE, LLC												
1802	IDAHO PRESS TRIBUNE, LLC	1093959-A	6547	AD#1728239, LEGAL NOTICE, MERC TOWERS, T.BEHUNIN, JAN.'18	02/21/2018	56.06	.00	01-6125 LEGAL PUBLICATIONS	1003	2/18		

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Total 1093959-A:						56.06	.00					
1802	IDAHO PRESS TRIBUNE, LLC	1093959-B	6623	AD#1729739. LEGAL NOTICE, RESOLUTION R17-2016. FAIR HOUSING. A.WELKER, FEB.'18	02/21/2018	74.56	.00	01-6125 LEGAL PUBLICATIONS	0	2/18		
1802	IDAHO PRESS TRIBUNE, LLC	1093959-B	6623	AD#1729746. LEGAL NOTICE, CITY OF KUNA CONVENE AS BOARD OF CORRECTIONS FOR KUNA MUNICIPAL IRRIGATION DIST. A.WELKER, FEB.'18	02/21/2018	27.20	.00	25-6125 LEGAL PUBLICATIONS	0	2/18		
Total 1093959-B:						101.76	.00					
Total IDAHO PRESS TRIBUNE, LLC:						157.82	.00					
IDAHO SECRETARY OF STATE												
1816	IDAHO SECRETARY OF STATE	02232018DS		NOTARY PUBLIC RENEWAL APPLICATION FEE. D.STEPHENS, FEB.'18	02/23/2018	30.00	30.00	01-6075 DUES & MEMBERSHIPS	1003	2/18	02/23/2018	
Total 02232018DS:						30.00	30.00					
Total IDAHO SECRETARY OF STATE:						30.00	30.00					
INTEGRINET SOLUTIONS, INC.												
1595	INTEGRINET SOLUTIONS, INC.	105624		PRO ACTION SERVICE AND MAINTENANCE FOR MARCH. SERVER PERFORMANCE. STATUS MONITORING FOR TWO SERVERS. SYMANTEC ENDPOINT PROTECTION. EMAIL SAFEGUARD. FEB 18	02/15/2018	285.62	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	0	2/18		
1595	INTEGRINET SOLUTIONS, INC.	105624		PRO ACTION SERVICE AND MAINTENANCE FOR MARCH. SERVER PERFORMANCE. STATUS MONITORING FOR TWO SERVERS. SYMANTEC ENDPOINT PROTECTION. EMAIL SAFEGUARD. FEB 18. P&Z	02/15/2018	102.01	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1003	2/18		

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1595	INTEGRINET SOLUTIONS, INC.	105624		<u>PRO ACTION SERVICE AND MAINTENANCE FOR MARCH, SERVER PERFORMANCE, STATUS MONITORING FOR TWO SERVERS, SYMANTEC ENDPOINT PROTECTION, EMAIL SAFEGUARD, FEB 18, WATER</u>	02/15/2018	265.23	.00	<u>20-6142 MAINT. & REPAIRS- EQUIPMENT</u>	0	2/18		
1595	INTEGRINET SOLUTIONS, INC.	105624		<u>PRO ACTION SERVICE AND MAINTENANCE FOR MARCH, SERVER PERFORMANCE, STATUS MONITORING FOR TWO SERVERS, SYMANTEC ENDPOINT PROTECTION, EMAIL SAFEGUARD, FEB 18, SEWER</u>	02/15/2018	265.23	.00	<u>21-6142 MAINT. & REPAIRS - EQUIPMENT</u>	0	2/18		
1595	INTEGRINET SOLUTIONS, INC.	105624		<u>PRO ACTION SERVICE AND MAINTENANCE FOR MARCH, SERVER PERFORMANCE, STATUS MONITORING FOR TWO SERVERS, SYMANTEC ENDPOINT PROTECTION, EMAIL SAFEGUARD, FEB 18, PI</u>	02/15/2018	102.01	.00	<u>25-6142 MAINT. & REPAIRS - EQUIPMENT</u>	0	2/18		
Total 105624:						1,020.10	.00					
1595	INTEGRINET SOLUTIONS, INC.	105726		<u>275GB CRUCIAL/MICRON SSD FOR R COLLINS, FEB 18</u>	02/17/2018	89.00	.00	<u>01-6142 MAINT. & REPAIR - EQUIPMENT</u>	4000	2/18		
Total 105726:						89.00	.00					
1595	INTEGRINET SOLUTIONS, INC.	105736		<u>DEVELOPMENT SERVICES FOR KUNA IMAGE PROGRAM INSTALLATION FOR R COLLINS, FEB 18</u>	02/18/2018	190.00	.00	<u>01-6142 MAINT. & REPAIR - EQUIPMENT</u>	4000	2/18		
Total 105736:						190.00	.00					
1595	INTEGRINET SOLUTIONS, INC.	105753		<u>TROUBLESHOT ROBIN'S SLOWNESS, RESET LAPTOP TO FACTORY DEFAULTS AND REINSTALLED ALL APPLICATIONS, REPLACED</u>								

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				SSD AND UPGRADED TO WINDOWS 10 FOR R COLLINS, FEB 18	02/18/2018	572.00	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	4000	2/18		
1595	INTEGRINET SOLUTIONS, INC.	105753		CREATED EMAIL FOR B BOWEN. CONFIRMED JESSE ABLE TO PRINT. WORKED WITH THE PROGRAMMER ON E -RECORDING SOFTWARE, FEB 18	02/18/2018	118.26	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	0	2/18		
1595	INTEGRINET SOLUTIONS, INC.	105753		CREATED EMAIL FOR B BOWEN. CONFIRMED JESSE ABLE TO PRINT. WORKED WITH THE PROGRAMMER ON E -RECORDING SOFTWARE, FEB 18, P&Z	02/18/2018	42.24	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1003	2/18		
1595	INTEGRINET SOLUTIONS, INC.	105753		CREATED EMAIL FOR B BOWEN. CONFIRMED JESSE ABLE TO PRINT. WORKED WITH THE PROGRAMMER ON E -RECORDING SOFTWARE, FEB 18, WATER	02/18/2018	109.83	.00	20-6142 MAINT. & REPAIRS- EQUIPMENT	0	2/18		
1595	INTEGRINET SOLUTIONS, INC.	105753		CREATED EMAIL FOR B BOWEN. CONFIRMED JESSE ABLE TO PRINT. WORKED WITH THE PROGRAMMER ON E -RECORDING SOFTWARE, FEB 18, SEWER	02/18/2018	109.83	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	2/18		
1595	INTEGRINET SOLUTIONS, INC.	105753		CREATED EMAIL FOR B BOWEN. CONFIRMED JESSE ABLE TO PRINT. WORKED WITH THE PROGRAMMER ON E -RECORDING SOFTWARE, FEB 18, PI	02/18/2018	42.24	.00	25-6142 MAINT. & REPAIRS - EQUIPMENT	0	2/18		
Total 105753:						994.40	.00					
Total INTEGRINET SOLUTIONS, INC.:						2,293.50	.00					
INTERMOUNTAIN GAS CO												
37	INTERMOUNTAIN GAS CO	482135196112		NATURAL GAS CONSUMPTION FOR SR CTR, FEB 18	02/09/2018	403.92	403.92	01-6290 UTILITIES	1001	2/18	02/16/2018	

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Total 4821351961121821818:						403.92	403.92					
37	INTERMOUNTAIN GAS CO	482634665112		NATURAL GAS CONSUMPTION, 01-12-18 TO 02-08-18, FEB 18	02/09/2018	93.65	93.65	01-6290 UTILITIES	0	2/18	02/16/2018	
37	INTERMOUNTAIN GAS CO	482634665112		NATURAL GAS CONSUMPTION, 01-12-18 TO 02-08-18, FEB 18, P&Z	02/09/2018	33.45	33.45	01-6290 UTILITIES	1003	2/18	02/16/2018	
37	INTERMOUNTAIN GAS CO	482634665112		NATURAL GAS CONSUMPTION, 01-12-18 TO 02-08-18, FEB 18, WATER	02/09/2018	86.97	86.97	20-6290 UTILITIES EXPENSE	0	2/18	02/16/2018	
37	INTERMOUNTAIN GAS CO	482634665112		NATURAL GAS CONSUMPTION, 01-12-18 TO 02-08-18, FEB 18, SEWER	02/09/2018	86.97	86.97	21-6290 UTILITIES EXPENSE	0	2/18	02/16/2018	
37	INTERMOUNTAIN GAS CO	482634665112		NATURAL GAS CONSUMPTION, 01-12-18 TO 02-08-18, FEB 18, PI	02/09/2018	33.45	33.45	25-6290 UTILITIES EXPENSE	0	2/18	02/16/2018	
Total 48263466511218021818:						334.49	334.49					
Total INTERMOUNTAIN GAS CO:						738.41	738.41					
J & M SANITATION, INC.												
230	J & M SANITATION, INC.	02092018-021		SANITATION RECEIPT TRANSFER, 02-09-18 to 02-15- 18, FEB 18	02/16/2018	56,138.61	56,138.61	26-7000 SOLID WASTE SERVICE FEES	0	2/18	02/16/2018	
230	J & M SANITATION, INC.	02092018-021		SANITATION RECEIPT TRANSFER, 02-09-2018 TO 02- 15-2018, LESS FRANCHISE FEE, FEB 18	02/16/2018	-5,546.49	-5,546.49	01-4170 FRANCHISE FEES	0	2/18	02/16/2018	
Total 02092018-02152018:						50,592.12	50,592.12					
230	J & M SANITATION, INC.	02162018-022		SANITATION RECEIPT TRANSFER, 02-16-18 TO 2-22- 18, FEB 18	02/23/2018	37,696.90	37,696.90	26-7000 SOLID WASTE SERVICE FEES	0	2/18	02/23/2018	
230	J & M SANITATION, INC.	02162018-022		SANITATION RECEIPT TRANSFER, LESS FRANCHISE FEE, 02-16-18 TO 2-22-18, FEB								

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			18		02/23/2018	-3,724.45	-3,724.45	01-4170 FRANCHISE FEES	0	2/18	02/23/2018	
Total 02162018-02222018:						33,972.45	33,972.45					
Total J & M SANITATION, INC.:						84,564.57	84,564.57					
JACK HENRY & ASSOCIATES, INC.												
1328	JACK HENRY & ASSOCIATES, INC.	2776012		<u>BANK FEES, FEB 18</u>	01/31/2018	35.09	.00	01-6505 BANK FEES	0	2/18		
1328	JACK HENRY & ASSOCIATES, INC.	2776012		<u>BANK FEES, FEB 18, P&Z</u>	01/31/2018	12.55	.00	01-6505 BANK FEES	1003	2/18		
1328	JACK HENRY & ASSOCIATES, INC.	2776012		<u>BANK FEES, FEB 18, WATER</u>	01/31/2018	32.62	.00	20-6505 BANK FEES	0	2/18		
1328	JACK HENRY & ASSOCIATES, INC.	2776012		<u>BANK FEES, FEB 18, SEWER</u>	01/31/2018	32.62	.00	21-6505 BANK FEES	0	2/18		
1328	JACK HENRY & ASSOCIATES, INC.	2776012		<u>BANK FEES, FEB 18, PI</u>	01/31/2018	12.55	.00	25-6505 BANK FEES	0	2/18		
Total 2776012:						125.43	.00					
Total JACK HENRY & ASSOCIATES, INC.:						125.43	.00					
J-U-B ENGINEERS, INC.												
1236	J-U-B ENGINEERS, INC.	0114559		<u>KUNA DOWNTOWN REVITALIZATION GRAND ADMIN, PROFESSIONAL SERVICES FROM 12-31-17 TO 02-03-18, FEB 18</u>	02/12/2018	2,000.00	.00	03-6378 EXPENDITURE-CDBG DWNTWN REVIT.	0	2/18		
Total 0114559:						2,000.00	.00					
Total J-U-B ENGINEERS, INC.:						2,000.00	.00					
KANKAKEE SPIKEBALL INC												
1915	KANKAKEE SPIKEBALL INC	SI-199535	6625	<u>SPIKE BALL SUPPLIES FOR MAYOR'S YOUTH COUNCIL, J. LORENTZ, FEB '18</u>	02/15/2018	104.00	.00	03-6374 EXP-HIGH FIVE YOUTH COUNCIL	0	2/18		

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Total SI-199535:						104.00	.00					
Total KANKAKEE SPIKEBALL INC:						104.00	.00					
KUNA JT. SCHOOL DISTRICT NO. 3												
199	KUNA JT. SCHOOL DISTRICT NO. 3	653		<u>FIBER OPTIC LEASE FOR FEB 18</u>	02/26/2018	84.00	.00	<u>01-6255 TELEPHONE</u>	0	2/18		
199	KUNA JT. SCHOOL DISTRICT NO. 3	653		<u>FIBER OPTIC LEASE FOR FEB 18, P&Z</u>	02/26/2018	30.00	.00	<u>01-6255 TELEPHONE</u>	0	2/18		
199	KUNA JT. SCHOOL DISTRICT NO. 3	653		<u>FIBER OPTIC LEASE FOR FEB 18, WATER</u>	02/26/2018	78.00	.00	<u>20-6255 TELEPHONE EXPENSE</u>	0	2/18		
199	KUNA JT. SCHOOL DISTRICT NO. 3	653		<u>FIBER OPTIC LEASE FOR FEB 18, SEWER</u>	02/26/2018	78.00	.00	<u>21-6255 TELEPHONE EXPENSE</u>	0	2/18		
199	KUNA JT. SCHOOL DISTRICT NO. 3	653		<u>FIBER OPTIC LEASE FOR FEB 18, PI</u>	02/26/2018	30.00	.00	<u>25-6255 TELEPHONE EXPENSE</u>	0	2/18		
Total 653:						300.00	.00					
Total KUNA JT. SCHOOL DISTRICT NO. 3:						300.00	.00					
KUNA LUMBER												
499	KUNA LUMBER	B110250	6655	<u>REPLACEMENT PORTABLE HEATER FOR GREENBELT PARK BATHROOM, D - RING, FEB.'18</u>	02/28/2018	22.68	.00	<u>01-6175 SMALL TOOLS</u>	1004	2/18		
Total B110250:						22.68	.00					
Total KUNA LUMBER:						22.68	.00					
NATHANIEL R. DAVIS												
1528	NATHANIEL R. DAVIS	2	6643	<u>1 ROLL BLACK CHAINLINK FABRIC AND REPAIRS TO DAMAGED SECTIONS OF</u>								

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				FENCING AT THE DOG PARK, B.WITHROW, FEB.'18	02/22/2018	600.00	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	2/18		
Total 2:						600.00	.00					
Total NATHANIEL R. DAVIS:						600.00	.00					
PARTS, INC.												
470	PARTS, INC.	159143	6629	2 EA. REPLACEMENT FUEL PUMPS FOR TRUCK #14, S.HOWELL, FEB.'18	02/15/2018	236.86	.00	01-6305 VEHICLE MAINTENANCE & REPAIRS	1004	2/18		
470	PARTS, INC.	159143	6629	STARTER ROPE, S.HOWELL, FEB.'18	02/15/2018	1.26	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1004	2/18		
Total 159143:						238.12	.00					
Total PARTS, INC.:						238.12	.00					
PEAK ALARM COMPANY, INC												
1021	PEAK ALARM COMPANY, INC	863145		ALARM MONITORING FOR WELLS (SEGO PRAIRIE, SNOWHAWK, DANSKIN, BUTLER, BEST BATH, EL CAJON, & CEDAR), 3/1/18- 3/31/18, WATER	03/01/2018	211.25	.00	20-6140 MAINT. & REPAIR BUILDING	0	3/18		
1021	PEAK ALARM COMPANY, INC	863145		ALARM MONITORING FOR WELLS (SEGO PRAIRIE, SNOWHAWK, DANSKIN, BUTLER, BEST BATH, EL CAJON, & CEDAR), 3/1/18- 3/31/18, P.I	03/01/2018	52.81	.00	25-6140 MAINT & REPAIR BUILDING	0	3/18		
Total 863145:						264.06	.00					
1021	PEAK ALARM COMPANY, INC	863194		ALARM MONITORING FOR THE TREATMENT PLANT, 3/1/18- 5/31/18	03/01/2018	89.01	.00	21-6140 MAINT & REPAIR BUILDING	0	3/18		

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Total 863194:						89.01	.00					
Total PEAK ALARM COMPANY, INC:						353.07	.00					
REXEL USA, INC.												
1613	REXEL USA, INC.	P637491	6580	EXTERIOR LIGHT BULBS FOR WELL HOUSE AT SEGO PRAIRIE, S.HOWELL, FEB.'18	02/02/2018	49.27	.00	20-6140 MAINT. & REPAIR BUILDING	0	2/18		
Total P637491:						49.27	.00					
1613	REXEL USA, INC.	P651011	6587	PHOTO CELL FOR PUMPHOUSE LIGHTS AT SEGO PRAIRIE, S.HOWELL, FEB.'18	02/02/2018	24.75	.00	20-6140 MAINT. & REPAIR BUILDING	0	2/18		
Total P651011:						24.75	.00					
1613	REXEL USA, INC.	P682414	6601	EXTERIOR CAN LIGHTS AT THE TREATMENT PLANT, S.HOWELL, FEB.'18	02/09/2018	35.43	.00	20-6140 MAINT. & REPAIR BUILDING	0	2/18		
1613	REXEL USA, INC.	P682414	6601	EXTERIOR CAN LIGHTS AT THE TREATMENT PLANT, S.HOWELL, FEB.'18	02/09/2018	35.43	.00	21-6140 MAINT & REPAIR BUILDING	0	2/18		
1613	REXEL USA, INC.	P682414	6601	EXTERIOR CAN LIGHTS AT THE TREATMENT PLANT, S.HOWELL, FEB.'18	02/09/2018	13.50	.00	25-6140 MAINT & REPAIR BUILDING	0	2/18		
Total P682414:						84.36	.00					
1613	REXEL USA, INC.	P708846	6601	EXTERIOR CAN LIGHTING FOR AT THE TREATMENT PLANT, S.HOWELL, FEB.'18	02/14/2018	14.17	.00	20-6140 MAINT. & REPAIR BUILDING	0	2/18		
1613	REXEL USA, INC.	P708846	6601	EXTERIOR CAN LIGHTING FOR AT THE TREATMENT PLANT, S.HOWELL, FEB.'18	02/14/2018	14.17	.00	21-6140 MAINT & REPAIR BUILDING	0	2/18		
1613	REXEL USA, INC.	P708846	6601	EXTERIOR CAN LIGHTING FOR AT THE TREATMENT PLANT, S.HOWELL, FEB.'18	02/14/2018	5.40	.00	25-6140 MAINT & REPAIR BUILDING	0	2/18		

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Total P708846:						33.74	.00					
Total REXEL USA, INC.:						192.12	.00					
TATES RENTS, INC.												
59	TATES RENTS, INC.	1083998-5	6633	2 CHAINSAW BARS AND 2 REPLACEMENT CHAINS. S.HOWELL, FEB.'18 - PARKS	02/16/2018	223.97	.00	01-6175 SMALL TOOLS	1004	2/18		
Total 1083998-5:						223.97	.00					
Total TATES RENTS, INC.:						223.97	.00					
THE HARTWELL CORP												
1359	THE HARTWELL CORP	5629	6637	RENEWAL OF NOTARY BOND FOR D.STEPHENS, FEB.'18	02/13/2018	50.00	50.00	01-6075 DUES & MEMBERSHIPS	1003	2/18	02/23/2018	
Total 5629:						50.00	50.00					
Total THE HARTWELL CORP:						50.00	50.00					
TREASURE VALLEY COFFEE												
992	TREASURE VALLEY COFFEE	2160:05448494		4 EA. 5-GAL BOTTLES OF WATER, CITY HALL, FEB.'18	02/16/2018	24.00	.00	01-6165 OFFICE SUPPLIES	0	2/18		
Total 2160:05448494:						24.00	.00					
992	TREASURE VALLEY COFFEE	2160:05459530	6642	6 EA. 5-GAL BOTTLES OF WATER, 1 CASE COFFEE, 1 CASE HOT CHOCOLATE PACKETS, 2 CANISTERS CREAMER, D.CROSSLEY, FEB.'18	02/23/2018	44.58	.00	20-6165 OFFICE SUPPLIES	0	2/18		
992	TREASURE VALLEY COFFEE	2160:05459530	6642	6 EA. 5-GAL BOTTLES OF WATER, 1 CASE COFFEE, 1 CASE HOT CHOCOLATE PACKETS, 2 CANISTERS CREAMER, D.CROSSLEY, FEB.'18	02/23/2018	44.58	.00	21-6165 OFFICE SUPPLIES	0	2/18		

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992	TREASURE VALLEY COFFEE	2160:05459530	6642	6 EA. 5-GAL BOTTLES OF WATER, 1 CASE COFFEE, 1 CASE HOT CHOCOLATE PACKETS, 2 CANISTERS CREAMER, D.CROSSLEY, FEB.'18	02/23/2018	16.99	.00	25-6165 OFFICE SUPPLIES	0	2/18		
Total 2160:05459530:						106.15	.00					
Total TREASURE VALLEY COFFEE:						130.15	.00					
U.S. BANK NATIONAL ASSOC (EQUIP FINANCE)												
1891	U.S. BANK NATIONAL ASSOC (EQUIP FINANCE)	351083274		COPIER CONTRACT, 500- 0519539-000, RICOH COPIERS SERIAL #C737M540938 & C737M540155, CITY HALL, ADMIN	02/15/2018	115.60	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	0	2/18		
1891	U.S. BANK NATIONAL ASSOC (EQUIP FINANCE)	351083274		COPIER CONTRACT, 500- 0519539-000, RICOH COPIERS SERIAL #C737M540938 & C737M540155, CITY HALL, P & Z	02/15/2018	41.29	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1003	2/18		
1891	U.S. BANK NATIONAL ASSOC (EQUIP FINANCE)	351083274		COPIER CONTRACT, 500- 0519539-000, RICOH COPIERS SERIAL #C737M540938 & C737M540155, CITY HALL, WATER	02/15/2018	107.34	.00	20-6142 MAINT. & REPAIRS- EQUIPMENT	0	2/18		
1891	U.S. BANK NATIONAL ASSOC (EQUIP FINANCE)	351083274		COPIER CONTRACT, 500- 0519539-000, RICOH COPIERS SERIAL #C737M540938 & C737M540155, CITY HALL, SEWER	02/15/2018	107.34	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	2/18		
1891	U.S. BANK NATIONAL ASSOC (EQUIP FINANCE)	351083274		COPIER CONTRACT, 500- 0519539-000, RICOH COPIERS SERIAL #C737M540938 & C737M540155, CITY HALL, P.I	02/15/2018	41.28	.00	25-6142 MAINT. & REPAIRS - EQUIPMENT	0	2/18		
Total 351083274:						412.85	.00					
Total U.S. BANK NATIONAL ASSOC (EQUIP FINANCE):						412.85	.00					

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UTILITY REFUND #4												
1887	UTILITY REFUND #4	100210.01		<u>LILA DE CORA, 249 S ALLIE AVE, UTILITY REFUND</u>	02/28/2018	114.24	.00	<u>99-1075 Utility Cash Clearing</u>	0	2/18		
Total 100210.01:						114.24	.00					
1887	UTILITY REFUND #4	110190.02		<u>DENNIS ROMANS, 537 N KATIE WAY, UTILITY REFUND</u>	02/28/2018	87.88	.00	<u>99-1075 Utility Cash Clearing</u>	0	2/18		
Total 110190.02:						87.88	.00					
1887	UTILITY REFUND #4	132100.02		<u>TREVER SEID, 1137 W EMMY CT, UTILITY REFUND</u>	02/28/2018	155.66	.00	<u>99-1075 Utility Cash Clearing</u>	0	2/18		
Total 132100.02:						155.66	.00					
1887	UTILITY REFUND #4	174020.01		<u>CBH HOMES, 1001 S RED SAND AVE, UTILITY REFUND</u>	02/28/2018	59.49	.00	<u>99-1075 Utility Cash Clearing</u>	0	2/18		
Total 174020.01:						59.49	.00					
1887	UTILITY REFUND #4	174023.01A		<u>CBH HOMES, 1030 S RED SAND AVE, UTILITY REFUND</u>	02/28/2018	64.35	.00	<u>99-1075 Utility Cash Clearing</u>	0	2/18		
Total 174023.01A:						64.35	.00					
1887	UTILITY REFUND #4	174032.01		<u>CBH HOMES, 1923 W DESERTHAWK DR, UTILITY REFUND</u>	02/28/2018	59.49	.00	<u>99-1075 Utility Cash Clearing</u>	0	2/18		
Total 174032.01:						59.49	.00					
1887	UTILITY REFUND #4	174040.01		<u>CBH HOMES, 1126 S KALAHARI AVE, UTILITY REFUND</u>	02/28/2018	66.23	.00	<u>99-1075 Utility Cash Clearing</u>	0	2/18		
Total 174040.01:						66.23	.00					

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1887	UTILITY REFUND #4	175006.01		<u>CBH, 1488 W BAYHORSE ST.</u> <u>UTILITY REFUND</u>	02/20/2018	100.83	.00	<u>99-1075 Utility Cash</u> <u>Clearing</u>	0	2/18		
Total 175006.01:						100.83	.00					
1887	UTILITY REFUND #4	180180.03		<u>BETTY JEAN MAKI, 1380 N EL</u> <u>CAMINO AVE, UTILITY REFUND</u>	02/28/2018	77.84	.00	<u>99-1075 Utility Cash</u> <u>Clearing</u>	0	2/18		
Total 180180.03:						77.84	.00					
1887	UTILITY REFUND #4	182390.02		<u>DIANA YAROSHCHUK, 1612 N</u> <u>HAREM WAY, UTILITY REFUND</u>	02/28/2018	71.36	.00	<u>99-1075 Utility Cash</u> <u>Clearing</u>	0	2/18		
Total 182390.02:						71.36	.00					
1887	UTILITY REFUND #4	183760.01		<u>KIRK WORTHEN, 1195 W</u> <u>CASTRO DR, UTILITY REFUND</u>	02/28/2018	8.88	.00	<u>99-1075 Utility Cash</u> <u>Clearing</u>	0	2/18		
Total 183760.01:						8.88	.00					
1887	UTILITY REFUND #4	221155.02A		<u>CHRISTOPHER WARE, 1052 S</u> <u>WISTON PL, UTILITY REFUND</u>	02/28/2018	80.12	.00	<u>99-1075 Utility Cash</u> <u>Clearing</u>	0	2/18		
Total 221155.02A:						80.12	.00					
1887	UTILITY REFUND #4	221340.01		<u>CBH, 1123 S PENMARK AVE.</u> <u>UTILITY REFUND</u>	02/20/2018	56.71	.00	<u>99-1075 Utility Cash</u> <u>Clearing</u>	0	2/18		
Total 221340.01:						56.71	.00					
1887	UTILITY REFUND #4	221395.01		<u>CBH, 1037 S RUMNEY AVE.</u> <u>UTILITY REFUND</u>	02/28/2018	108.47	.00	<u>99-1075 Utility Cash</u> <u>Clearing</u>	0	2/18		
Total 221395.01:						108.47	.00					

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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
1887	UTILITY REFUND #4	221615.05		<u>ERIC B BALLOU, 914 S TOMEN AVE, UTILITY REFUND</u>	02/28/2018	144.32	.00	<u>99-1075 Utility Cash Clearing</u>	0	2/18		
Total 221615.05:						144.32	.00					
1887	UTILITY REFUND #4	230075.02		<u>LISHAWNA PEREYRA, 1138 W PENELOPE ST, UTILITY REFUND</u>	02/28/2018	121.91	.00	<u>99-1075 Utility Cash Clearing</u>	0	2/18		
Total 230075.02:						121.91	.00					
1887	UTILITY REFUND #4	230550.01A		<u>RICHARD & ROXANNE ZAMZOW, 580 S GLENN BROOK PL, UTILITY REFUND</u>	02/28/2018	77.00	.00	<u>99-1075 Utility Cash Clearing</u>	0	2/18		
Total 230550.01A:						77.00	.00					
1887	UTILITY REFUND #4	265090.02		<u>JACOB D HUBER, 2332 N OLD LACE AVE, UTILITY REFUND</u>	02/28/2018	69.86	.00	<u>99-1075 Utility Cash Clearing</u>	0	2/18		
Total 265090.02:						69.86	.00					
1887	UTILITY REFUND #4	265112.01		<u>RIVERWOOD HOMES, 2262 N VAN DYKE AVE, UTILITY REFUND</u>	02/28/2018	74.84	.00	<u>99-1075 Utility Cash Clearing</u>	0	2/18		
Total 265112.01:						74.84	.00					
1887	UTILITY REFUND #4	277011.01A		<u>CBH, 2629 N HONEYSUCKLE WAY, UTILITY REFUND</u>	02/20/2018	59.49	.00	<u>99-1075 Utility Cash Clearing</u>	0	2/18		
Total 277011.01A:						59.49	.00					
1887	UTILITY REFUND #4	277012.01A		<u>CBH, 646 W QUAKING ASPEN DR, UTILITY REFUND</u>	02/20/2018	59.49	.00	<u>99-1075 Utility Cash Clearing</u>	0	2/18		

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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 277012.01A:						59.49	.00					
1887	UTILITY REFUND #4	277304.01		<u>CBH, 2195 N DOE AVE. UTILITY REFUND</u>	02/20/2018	116.79	.00	99-1075 <u>Utility Cash Clearing</u>	0	2/18		
Total 277304.01:						116.79	.00					
1887	UTILITY REFUND #4	277333.01		<u>CBH, 217 W SCREECH OWL DR. UTILITY REFUND</u>	02/20/2018	43.78	.00	99-1075 <u>Utility Cash Clearing</u>	0	2/18		
Total 277333.01:						43.78	.00					
1887	UTILITY REFUND #4	277341.01A		<u>CBH, 2168 N DOE AVE. UTILITY REFUND</u>	02/20/2018	58.23	.00	99-1075 <u>Utility Cash Clearing</u>	0	2/18		
Total 277341.01A:						58.23	.00					
1887	UTILITY REFUND #4	278001.01		<u>CBH, 2925 W GINGER GOLD DR. UTILITY REFUND</u>	02/20/2018	58.12	.00	99-1075 <u>Utility Cash Clearing</u>	0	2/18		
Total 278001.01:						58.12	.00					
1887	UTILITY REFUND #4	278009.01		<u>CBH, 2851 W GINGER GOLD DR. UTILITY REFUND</u>	02/20/2018	58.27	.00	99-1075 <u>Utility Cash Clearing</u>	0	2/18		
Total 278009.01:						58.27	.00					
1887	UTILITY REFUND #4	278111.01		<u>CBH, 8817 S RED DELICIOUS WAY, UTILITY REFUND</u>	02/20/2018	59.49	.00	99-1075 <u>Utility Cash Clearing</u>	0	2/18		
Total 278111.01:						59.49	.00					
1887	UTILITY REFUND #4	280220.02		<u>JOHN M FREER, 2050 N AZURITE DR. UTILITY REFUND</u>	02/28/2018	56.57	.00	99-1075 <u>Utility Cash Clearing</u>	0	2/18		

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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 280220.02:						56.57	.00					
1887	UTILITY REFUND #4	280365.01		SUNRISE HOMES, 2075 N CITRINE AVE, UTILITY REFUND	02/28/2018	77.42	.00	99-1075 Utility Cash Clearing	0	2/18		
Total 280365.01:						77.42	.00					
1887	UTILITY REFUND #4	280570.01		SUNRISE HOMES, 1211 W TANZANITE DR, UTILITY REFUND	02/28/2018	42.64	.00	99-1075 Utility Cash Clearing	0	2/18		
Total 280570.01:						42.64	.00					
1887	UTILITY REFUND #4	291046.01		CBH, 6737 S DONAWAY AVE, UTILITY REFUND	02/28/2018	95.15	.00	99-1075 Utility Cash Clearing	0	2/18		
Total 291046.01:						95.15	.00					
1887	UTILITY REFUND #4	301012.02		DON BRANDT, 1193 E WHITBECK DR, UTILITY REFUND	02/20/2018	69.21	.00	99-1075 Utility Cash Clearing	0	2/18		
Total 301012.02:						69.21	.00					
1887	UTILITY REFUND #4	302033.01		RIVERWOOD HOMES, 435 E RAISON ST, UTILITY REFUND	02/20/2018	35.10	.00	99-1075 Utility Cash Clearing	0	2/18		
Total 302033.01:						35.10	.00					
1887	UTILITY REFUND #4	303010.01		HUBBLE HOMES, 1117 E SHADY RIDGE DR, UTILITY REFUND	02/28/2018	46.12	.00	99-1075 Utility Cash Clearing	0	2/18		
Total 303010.01:						46.12	.00					
1887	UTILITY REFUND #4	310206.01A		TOLL BROS, 1448 W SOLDOTNA DR, UTILITY REFUND	02/20/2018	21.94	.00	99-1075 Utility Cash Clearing	0	2/18		

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Total 310206.01A:						21.94	.00					
1887	UTILITY REFUND #4	310218.01		<u>TOLL BROS. 9433 S UPDALE AVE. UTILITY REFUND</u>	02/28/2018	55.48	.00	99-1075 Utility Cash Clearing	0	2/18		
Total 310218.01:						55.48	.00					
1887	UTILITY REFUND #4	310344.01A		<u>TOLL BROS. 9320 S RUSSELL AVE. UTILITY REFUND</u>	02/20/2018	47.06	.00	99-1075 Utility Cash Clearing	0	2/18		
Total 310344.01A:						47.06	.00					
1887	UTILITY REFUND #4	310348.01		<u>TOLL BROS INC. 9295 S FIDALGO AVE. UTILITY REFUND</u>	02/28/2018	47.68	.00	99-1075 Utility Cash Clearing	0	2/18		
Total 310348.01:						47.68	.00					
1887	UTILITY REFUND #4	40321.04		<u>GRIFFIN HEWITT. 724 N MARTEESON AVE. UTILITY REFUND</u>	02/28/2018	66.34	.00	99-1075 Utility Cash Clearing	0	2/18		
Total 40321.04:						66.34	.00					
Total UTILITY REFUND #4:						2,773.85	.00					
WESTERN BUILDING MAINTENANCE, INC.												
1499	WESTERN BUILDING MAINTENANCE, INC.	0105500-IN		<u>MONTHLY JANITORIAL SERVICES, CITY HALL, FEBRUARY 2018</u>	02/23/2018	120.40	.00	01-6025 JANITORIAL	0	2/18		
1499	WESTERN BUILDING MAINTENANCE, INC.	0105500-IN		<u>MONTHLY JANITORIAL SERVICES, CITY HALL, FEBRUARY 2018</u>	02/23/2018	43.00	.00	01-6025 JANITORIAL	1003	2/18		
1499	WESTERN BUILDING MAINTENANCE, INC.	0105500-IN		<u>MONTHLY JANITORIAL SERVICES, CITY HALL, FEBRUARY 2018</u>	02/23/2018	111.80	.00	20-6025 JANITORIAL	0	2/18		

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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
1499	WESTERN BUILDING MAINTENANCE, INC.	0105500-IN		<u>MONTHLY JANITORIAL SERVICES, CITY HALL, FEBRUARY 2018</u>	02/23/2018	111.80	.00	<u>21-6025 JANITORIAL</u>	0	2/18		
1499	WESTERN BUILDING MAINTENANCE, INC.	0105500-IN		<u>MONTHLY JANITORIAL SERVICES, CITY HALL, FEBRUARY 2018</u>	02/23/2018	43.00	.00	<u>25-6025 JANITORIAL</u>	0	2/18		
Total 0105500-IN:						430.00	.00					
1499	WESTERN BUILDING MAINTENANCE, INC.	0105501-IN		<u>MONTHLY JANITORIAL SERVICES, TREATMENT PLANT, FEBRUARY 2018</u>	02/23/2018	31.50	.00	<u>20-6025 JANITORIAL</u>	0	2/18		
1499	WESTERN BUILDING MAINTENANCE, INC.	0105501-IN		<u>MONTHLY JANITORIAL SERVICES, TREATMENT PLANT, FEBRUARY 2018</u>	02/23/2018	31.50	.00	<u>21-6025 JANITORIAL</u>	0	2/18		
1499	WESTERN BUILDING MAINTENANCE, INC.	0105501-IN		<u>MONTHLY JANITORIAL SERVICES, TREATMENT PLANT, FEBRUARY 2018</u>	02/23/2018	12.00	.00	<u>25-6025 JANITORIAL</u>	0	2/18		
Total 0105501-IN:						75.00	.00					
Total WESTERN BUILDING MAINTENANCE, INC.:						505.00	.00					
Grand Totals:						243,718.08	85,430.31					

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Dated: _____

Mayor: _____

City Council: _____

City Treasurer: _____

Report Criteria:

Detail report.

Invoices with totals above \$0.00 included.

Paid and unpaid invoices included.

**RESOLUTION NO. R16-2018
CITY OF KUNA, IDAHO**

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE SCHOOL PROPERTY LEASE AGREEMENT TO LEASE THE PROPERTY ACROSS INDIAN CREEK FOR A COMMUNITY GARDEN, CITY TREE FARM, YOUTH HORTICULTURAL ACTIVITIES, AND OTHER RECREATIONAL ACTIVITIES, INCLUDING NON-MOTORIZED BIKE RIDING, AND REMOTE CONTROLLED RACE CARS.

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 SCHOOL PROPERTY LEASE AGREEMENT, by and between the City of Kuna and the Kuna Joint School District No. 3 to lease the property across Indian Creek for a community garden, city tree farm, youth horticultural activities, and other recreational activities, including non-motorized bike riding, and remote controlled race cars. A copy of the lease is attached hereto and made a part hereof as **EXHIBIT A**.

PASSED BY THE COUNCIL of Kuna, Idaho this 6th day of March, 2018.

APPROVED BY THE MAYOR of Kuna, Idaho this 6th day of March, 2018.

Joe L. Stear, Mayor

ATTEST:

Chris Engels, City Clerk

SCHOOL PROPERTY LEASE AGREEMENT

A LEASE AGREEMENT RELATING TO THE USE OF SCHOOL PROPERTY BY THE CITY OF KUNA, IDAHO FOR USE AS A COMMUNITY GARDEN, CITY TREE FARM, YOUTH HORTICULTURE ACTIVITIES, AND OTHER RECREATIONAL ACTIVITIES, INCLUDING NON-MOTORIZED BIKE RIDING AND REMOTE-CONTROLLED RACE CARS.

THIS AGREEMENT, entered into as of this 21st day of February 2018, by and between the CITY OF KUNA, IDAHO (hereinafter called CITY) and the KUNA SCHOOL DISTRICT, (hereinafter called SCHOOL).

WHEREAS;

1. SCHOOL owns certain property as described in EXHIBIT A (Property), attached hereto; and
2. CITY desires to enter into a lease agreement with the SCHOOL to use said property for as a community garden, city tree farm, youth horticulture activities, and youth recreational activities, including non-motorized bike riding at no cost to the CITY; and
3. The SCHOOL has agreed to allow the CITY to use the property; and
4. The SCHOOL and CITY desire to memorialize their understanding into this agreement.

NOW THEREFORE, the parties hereto do mutually agree as follows:

1. The above recitals are contractual and are incorporated in this agreement by reference.
2. SCHOOL shall lease the Property to the CITY.
3. The initial term of this lease is for the period commencing on January 1, 2018 and ending January 1, 2028. This term can be extended for additional terms upon giving written notice of the same to the SCHOOL. Either party may terminate this agreement by giving sixty (60) days written notice to the other party at the address listed in this agreement. SCHOOL agrees to lease the Property to CITY for no charge.
4. CITY shall be responsible for all maintenance costs of the Property.
5. CITY shall maintain insurance on said Property.
6. CITY agrees to provide liability insurance; said coverage to include CITY's agents and employees, and cover all CITY activities upon the Property. CITY also agrees to name the SCHOOL as an additional insured on the CITY'S insurance policy.

7. SCHOOL shall have the right to enter the leased premises at any reasonable time to examine the same and determine the maintenance and state of repair.
8. The parties acknowledge that sufficient consideration has been given and received by both parties
9. CITY agrees to indemnify, defend, and hold harmless SCHOOL, and its officers, agents and employees, from and against any and all claims, losses, actions, or judgments for damages or injury to persons or property arising out of or in connection with the acts and/or any performances or activities of CITY, CITY'S agents, employees, or representatives under this Agreement.
10. CITY shall have the right to enter into a subsequent lease by giving written notice to the LESSOR by December 15th of the year that the lease expires. All terms shall be agreed by the parties in writing.
11. CITY will only use the property in a way that is in compliance with the terms of this lease. The CITY's use of the property shall not be changed without the consent of SCHOOL.
12. This is the entire agreement of the CITY and the SCHOOL and can only be modified or amended in writing by the parties.
13. Any notice may be served upon SCHOOL by certified mail to SCHOOL at:

Kuna School District Office
711 E Porter
Kuna, Idaho 83634

And any notice may be served upon CITY by certified mail to CITY at:

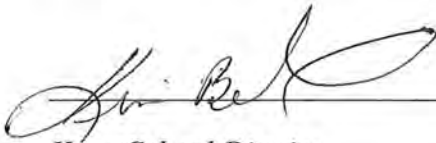
City of Kuna, Idaho
Post Office Box 13
Kuna, Idaho 83634;

Service of a notice by certified mail shall be deemed complete upon the date of the postmark by certified mail. Either party may change the address for services of notice by written notice to the other party.

DATED this 21st day of February, 2018.

SCHOOL:

CITY:



Kuna School District

By Kim Bekkedahl Asst. Supt.

By _____

City of Kuna, Idaho

By _____

Joe L. Stear

Its _____

Its _____

Mayor

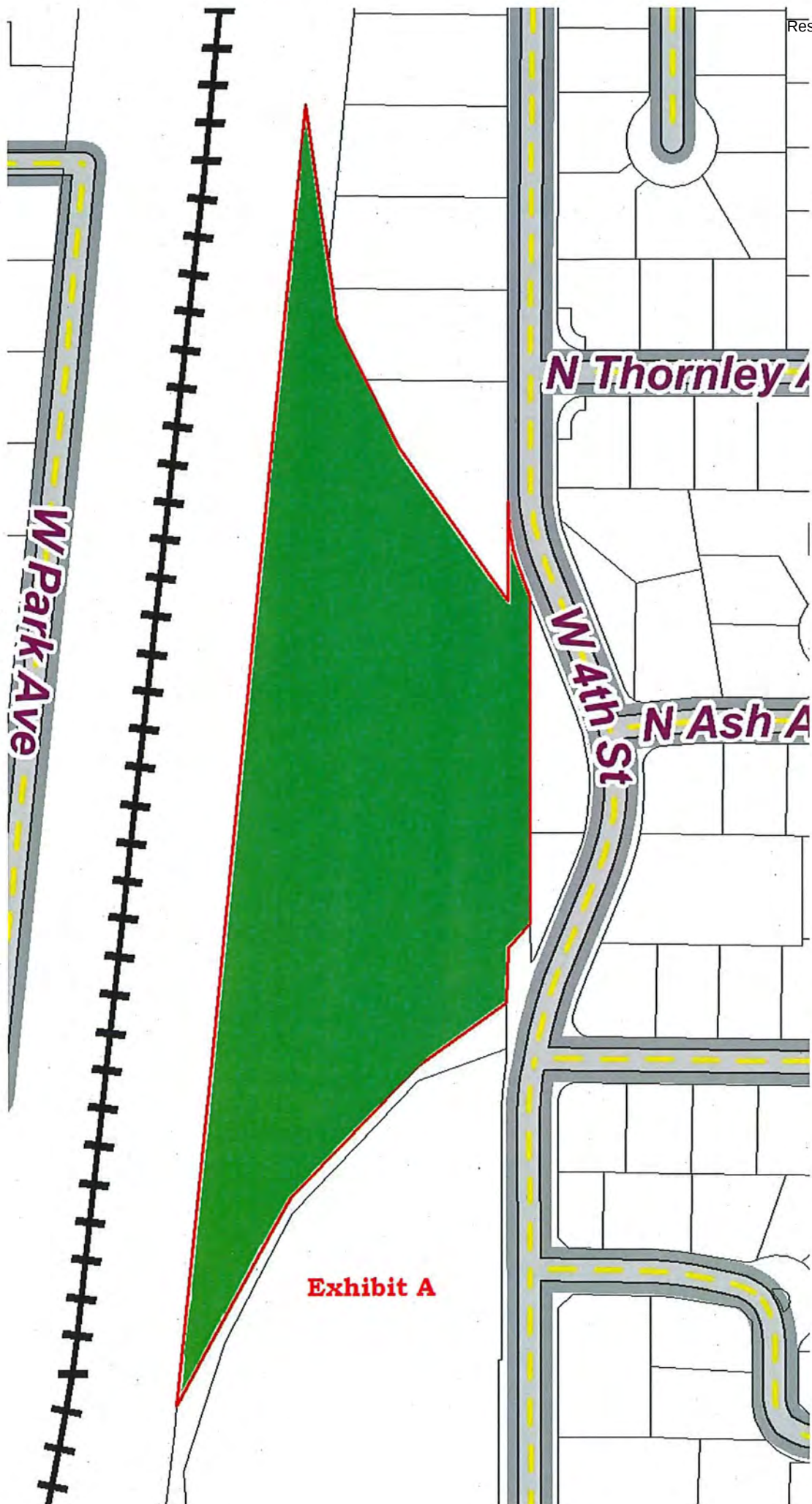
ATTEST:

ATTEST:



Clerk of Kuna School District

Clerk of _____



**RESOLUTION NO. R17-2018
CITY OF KUNA, IDAHO**

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING THE ASSIGNMENT OF THE LEASE AGREEMENT FOR THE REAL PROPERTY LOCATED AT 270 S. ORCHARD STREET, KUNA, IDAHO.

WHEREAS, the city of Kuna, Idaho purchased the real property located at 270 S. Orchard Street, Kuna, Idaho; and

WHEREAS, there is a tenant residing at the property pursuant to the terms of the lease agreement. A copy of the lease agreement is attached hereto as **EXHIBIT A**; and

WHEREAS, the lease agreement was assigned to the city at the time of the purchase. A copy of the lease assignment is attached hereto as **EXHIBIT B**.

NOW, THEREFORE, BE IT RESOLVED:

1. The assignment of the lease for the property located at 270 S. Orchard Street, Kuna, Idaho is hereby approved.

PASSED BY THE COUNCIL of Kuna, Idaho this 6th day of March, 2018.

APPROVED BY THE MAYOR of Kuna, Idaho this 6th day of March, 2018.

Joe L. Stear, Mayor

ATTEST:

Chris Engels, City Clerk

IDAHO RESIDENTIAL LEASE AGREEMENT

THIS LEASE AGREEMENT (hereinafter referred to as the "Agreement") made and entered into this 1st day of February, 2018, by and between John E. Messmer and Tanya Perkins Messmer, husband and wife, whose address is 235 S. Orchard Street, Kuna, Idaho 83634 (hereinafter referred to as "Landlord") and Viola Wilcox, whose address is 270 S. Orchard Street, Kuna, Idaho 83634 (hereinafter referred to as "Tenant").

WITNESSETH:

WHEREAS, Landlord is the fee owner of certain real property being, lying and situated in Ada County, Idaho, such real property having a street address of 270 S. Orchard Street, Kuna, Idaho 83634. (hereinafter referred to as the "Premises");

WHEREAS, Landlord desires to lease the Premises to Tenant upon the terms and conditions as contained herein; and

WHEREAS, Tenant desires to lease the Premises from Landlord on the terms and conditions as contained herein;

NOW, THEREFORE, for and in consideration of the covenants and obligations contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto hereby agree as follows:

1. **TERM- MONTH TO MONTH.** Landlord leases to Tenant, and Tenant leases from Landlord, the above described Premises together with any and all appurtenances thereto, month to month, beginning on February 1, 2018 and ending at 11:59 PM on June 15, 2018. Tenant agrees that there will be four (4) months of rent, and then Tenant will vacate the premises.
2. **RENT.** The rent for each month is the sum of \$670.00. All such payments shall be made to Landlord at Landlord's address as set forth in the preamble to this Agreement on or before the due date and without demand.
3. **SECURITY DEPOSIT.** None.
4. **CLEANING FEE.** None.
5. **PET CLEANING FEE.** None.
6. **TOTAL DUE FROM TENANT.** Upon execution of this Lease, Tenant shall tender to Landlord, the total sum of \$670.00 for the first month's rent (February).
7. **USE OF PREMISES.** The Premises shall be used and occupied by Tenant exclusively, as a private single family dwelling, and no part of the Premises shall be used at any time during the term of this Agreement by Tenant for the purpose of carrying on any business, profession, or trade of any kind, or for any purpose other than as a private single family dwelling. Tenant shall not allow any other person, other than Tenant's immediate family or transient relatives and friends who are guests of Tenant, to use or occupy the Premises without first obtaining Landlord's written consent to such use. Tenant shall comply with any and all laws, ordinances, rules and orders of any and all governmental or quasi-governmental authorities affecting the cleanliness, use, occupancy and preservation of the Premises.
8. **CONDITION OF PREMISES.** Tenant stipulates, represents and warrants that Tenant has examined the Premises, and that they are at the time of this Lease in good order, repair, and in a safe, clean and tenantable condition.
9. **ASSIGNMENT AND SUB-LETTING.** Tenant shall not assign this Agreement, or sub-let or grant any license to use the Premises or any part thereof without the prior written consent of Landlord. A consent by Landlord to one such assignment, sub-letting or license shall not be deemed to be a consent to any subsequent assignment, sub-letting or license. An assignment, sub-letting or license without the prior written consent of Landlord or an assignment or sub-letting by operation of law shall be absolutely null and void and shall, at Landlord's option, terminate this Agreement.
10. **ALTERATIONS AND IMPROVEMENTS.** Tenant shall make no alterations to the buildings or improvements on the Premises or construct any building or make any other improvements on the Premises without the prior written consent of Landlord. Any and all alterations, changes, and/or improvements built, constructed or placed on the Premises by Tenant shall, unless otherwise provided by written agreement between Landlord and Tenant, be and become the property of Landlord and remain on the Premises at the expiration or earlier termination of this Agreement.
11. **NON-DELIVERY OF POSSESSION.** Not Applicable.

Tenant(s): VW, _____, _____, _____

Landlord(s) or Landlord's Representative: Jem. TPM Page 1 of 5

12. **HAZARDOUS MATERIALS.** Tenant shall not keep on the Premises any item of a dangerous, flammable or explosive character that might unreasonably increase the danger of fire or explosion on the Premises or that might be considered hazardous or extra hazardous by any responsible insurance company.
13. **UTILITIES.** Tenant shall be responsible for arranging for and paying for all utility services required on the Premises.
14. **MAINTENANCE AND REPAIR; RULES.** Tenant will, at its sole expense, keep and maintain the Premises and appurtenances in good and sanitary condition and repair during the term of this Agreement and any renewal thereof. Without limiting the generality of the foregoing, Tenant shall:
- (a) Not obstruct the driveways, sidewalks, courts, entry ways, stairs and/or halls, which shall be used for the purposes of ingress and egress only;
 - (b) Keep all windows, glass, window coverings, doors, locks and hardware in good, clean order and repair;
 - (c) Not obstruct or cover the windows or doors;
 - (d) Not leave windows or doors in an open position during any inclement weather;
 - (e) Not hang any laundry, clothing, sheets, etc. from any window, rail, porch or balcony nor air or dry any of same within any yard area or space;
 - (f) Not cause or permit any locks or hooks to be placed upon any door or window without the prior written consent of Landlord;
 - (g) Keep all air conditioning filters clean and free from dirt;
 - (h) Keep all lavatories, sinks, toilets, and all other water and plumbing apparatus in good order and repair and shall use same only for the purposes for which they were constructed. Tenant shall not allow any sweepings, rubbish, sand, rags, ashes or other substances to be thrown or deposited therein. Any damage to any such apparatus and the cost of clearing stopped plumbing resulting from misuse shall be borne by Tenant;
 - (i) And Tenant's family and guests shall at all times maintain order in the Premises and at all places on the Premises, and shall not make or permit any loud or improper noises, or otherwise disturb other residents;
 - (j) Keep all radios, television sets, stereos, phonographs, etc., turned down to a level of sound that does not annoy or interfere with other residents;
 - (k) Deposit all trash, garbage, rubbish or refuse in the locations provided therefor and shall not allow any trash, garbage, rubbish or refuse to be deposited or permitted to stand on the exterior of any building or within the common elements;
 - (l) Abide by and be bound by any and all rules and regulations affecting the Premises or the common area appurtenant thereto which may be adopted or promulgated by the Condominium or Homeowners' Association having control over them.
15. **INSURANCE.** Landlord is not responsible for insuring Tenant's or Tenant's permitted visitors' personal property and vehicles against loss or damage due to theft, vandalism, fire, water, rain, criminal or negligent acts of others, or any other cause. Landlord has advised Tenant to carry Tenant's own insurance (renter's insurance) to protect Tenant from any such loss or damage. The parties agree that, upon notification by Landlord, Tenant shall take all actions necessary to avoid: (i) an increase in Landlord's insurance premium (or Tenant shall pay for the increase in premium); or (ii) loss of insurance.
16. **DAMAGE TO PREMISES.** In the event the Premises are destroyed or rendered wholly uninhabitable by fire, storm, earthquake, or other casualty not caused by the negligence of Tenant, this Agreement shall terminate from such time except for the purpose of enforcing rights that may have then accrued hereunder. The rental provided for herein shall then be accounted for by and between Landlord and Tenant up to the time of such injury or destruction of the Premises, Tenant paying rentals up to such date and Landlord refunding rentals collected beyond such date. Should a portion of the Premises thereby be rendered uninhabitable, the Landlord shall have the option of either repairing such injured or damaged portion or terminating this Lease. In the event that Landlord exercises its right to repair such uninhabitable portion, the rental shall abate in the proportion that the injured parts bears to the whole Premises, and such part so injured shall be restored by Landlord as speedily as practicable, after which the full rent shall recommence and the Agreement continue according to its terms.
17. **INSPECTION OF PREMISES.** Landlord and Landlord's agents shall have the right at all reasonable times during the term of this Agreement and any renewal thereof to enter the Premises for the purpose of inspecting the Premises and all buildings and improvements thereon, provided Landlord gives Tenant a least forty eight (48) hours notice, transmitted via email.
18. **SUBORDINATION OF LEASE.** This Agreement and Tenant's interest hereunder are and shall be subordinate, junior and inferior to any and all mortgages, liens or encumbrances now or hereafter placed on the Premises by Landlord, all advances made under any such mortgages, liens or encumbrances (including, but not limited to, future advances), the interest payable on such mortgages, liens or encumbrances and any and all renewals, extensions or modifications of such mortgages, liens or encumbrances.
19. **TENANT'S HOLD OVER.** If Tenant remains in possession of the Premises with the consent of Landlord after the natural expiration of this Agreement, a new tenancy from month-to-month shall be created between Landlord and Tenant which shall be subject to all of the terms and conditions hereof except that rent shall then be due and owing at two thousand dollars (\$2,000.00 per month).

Tenant(s): VJ, _____, _____, _____Landlord(s) or Landlord's Representative: Jem. TRM Page 2 of 5

20. **SURRENDER OF PREMISES.** Upon the expiration of the term hereof, Tenant shall surrender the Premises in as good a state and condition as they were at the commencement of this Agreement, reasonable use and wear and tear thereof and damages by the elements excepted.
21. **QUIET ENJOYMENT.** Tenant, upon payment of all of the sums referred to herein as being payable by Tenant and Tenant's performance of all Tenant's agreements contained herein and Tenant's observance of all rules and regulations, shall and may peacefully and quietly have, hold and enjoy said Premises for the term hereof.
22. **INDEMNIFICATION.** Landlord shall not be liable for any damage or injury of or to the Tenant, Tenant's family, guests, invitees, agents or employees or to any person entering the Premises or the building of which the Premises are a part or to goods or equipment, or in the structure or equipment of the structure of which the Premises are a part, and Tenant hereby agrees to indemnify, defend and hold Landlord harmless from any and all claims or assertions of every kind and nature.
23. **DEFAULT.** If Tenant fails to comply with any of the material provisions of this Agreement, other than the covenant to pay rent, or of any present rules and regulations or any that may be hereafter prescribed by Landlord, or materially fails to comply with any duties imposed on Tenant by statute, within seven (7) days after delivery of written notice by Landlord specifying the non-compliance and indicating the intention of Landlord to terminate the Lease by reason thereof, Landlord may terminate this Agreement. If Tenant fails to pay rent when due and the default continues for seven (7) days thereafter, Landlord may, at Landlord's option, declare the entire balance of rent payable hereunder to be immediately due and payable and may exercise any and all rights and remedies available to Landlord at law or in equity or may immediately terminate this Agreement.
24. **LATE CHARGE.** In the event that any payment required to be paid by Tenant hereunder is not made within three (3) days of when due, Tenant shall pay to Landlord, in addition to such payment or other charges due hereunder, a "late fee" in the amount of ONE HUNDRED DOLLARS (\$100.00).
25. **ABANDONMENT.** If at any time during the term of this Agreement Tenant abandons the Premises or any part thereof, Landlord may, at Landlord's option, obtain possession of the Premises in the manner provided by law, and without becoming liable to Tenant for damages or for any payment of any kind whatever. Landlord may, at Landlord's discretion, as agent for Tenant, relet the Premises, or any part thereof, for the whole or any part thereof, for the whole or any part of the then unexpired term, and may receive and collect all rent payable by virtue of such reletting, and, at Landlord's option, hold Tenant liable for any difference between the rent that would have been payable under this Agreement during the balance of the unexpired term, if this Agreement had continued in force, and the net rent for such period realized by Landlord by means of such reletting. If Landlord's right of reentry is exercised following abandonment of the Premises by Tenant, then Landlord shall consider any personal property belonging to Tenant and left on the Premises to also have been abandoned, in which case Landlord may dispose of all such personal property in any manner Landlord shall deem proper and Landlord is hereby relieved of all liability for doing so.
26. **ATTORNEYS' FEES.** Should it become necessary for Landlord to employ an attorney to enforce any of the conditions or covenants hereof, including the collection of rentals or gaining possession of the Premises, Tenant agrees to pay all expenses so incurred, including a reasonable attorneys' fee.
27. **RECORDING OF AGREEMENT.** Tenant shall not record this Agreement on the Public Records of any public office. In the event that Tenant shall record this Agreement, this Agreement shall, at Landlord's option, terminate immediately and Landlord shall be entitled to all rights and remedies that it has at law or in equity.
28. **GOVERNING LAW.** This Agreement shall be governed, construed and interpreted by, through and under the Laws of the State of Idaho.
29. **SEVERABILITY.** If any provision of this Agreement or the application thereof shall, for any reason and to any extent, be invalid or unenforceable, neither the remainder of this Agreement nor the application of the provision to other persons, entities or circumstances shall be affected thereby, but instead shall be enforced to the maximum extent permitted by law.
30. **BINDING EFFECT.** The covenants, obligations and conditions herein contained shall be binding on and inure to the benefit of the heirs, legal representatives, and assigns of the parties hereto.
31. **DESCRIPTIVE HEADINGS.** The descriptive headings used herein are for convenience of reference only and they are not intended to have any effect whatsoever in determining the rights or obligations of the Landlord or Tenant.
32. **CONSTRUCTION.** The pronouns used herein shall include, where appropriate, either gender or both, singular and plural.

Tenant(s): VW, _____, _____, _____Landlord(s) or Landlord's Representative Jem, TPM Page 3 of 5

- Page 4 of 5

Sign: John Messmer

Print: John E. Messmer

LANDLORD ("LANDLORD"):

Sign: Tanya Perkins Messmer

Print: Tanya Perkins Messmer

As to Tenant:

TENANT ("TENANT"):

Sign: Viola Wilcox

Print: Viola Wilcox

Tenant(s): VW, _____, _____, _____

Landlord(s) or Landlord's Representative: TPM

**Fidelity National Title****ASSIGNMENT OF LEASE AGREEMENT**

Date: February 20, 2018
Escrow No.: 34601806680-NB
Buyer(s): City of Kuna
Seller(s): John E Messmer and Tanya Perkins Messmer
Property: 270 S Orchard Street, Kuna, ID 83634

The undersigned Sellers (Assignors) agree to assign the unrecorded Lease per Lease Agreement dated February 1, 2018 in favor of City of Kuna. The undersigned Buyers (Assignees) agree to accept this unrecorded Lease with all of its terms and conditions, a copy of which is attached hereto as Exhibit "A".

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

ASSIGNOR(S):

John E Messmer
John E Messmer

2-20-18
Date

Tanya Perkins Messmer
Tanya Perkins Messmer

2-20-2018
Date

ASSIGNEE(S):

City of Kuna

BY: _____
Joe L Stear, Mayor

Date

Attest:

Chris Engels, City Clerk

Exhibit B

**Fidelity National Title****ASSIGNMENT OF LEASE AGREEMENT**

Date: February 20, 2018
Escrow No.: 34601806680-NB
Buyer(s): City of Kuna
Seller(s): John E Messmer and Tanya Perkins Messmer
Property: 270 S Orchard Street, Kuna, ID 83634

The undersigned Sellers (Assignors) agree to assign the unrecorded Lease per Lease Agreement dated February 1, 2018 in favor of City of Kuna. The undersigned Buyers (Assignees) agree to accept this unrecorded Lease with all of its terms and conditions, a copy of which is attached hereto as Exhibit "A".

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

ASSIGNOR(S):

John E Messmer

Date

Tanya Perkins Messmer

Date

ASSIGNEE(S):

City of Kuna

BY: _____

Joe L Stear, Mayor

02-20-2018

Date

Attest: _____

Chris Engels, City Clerk





City of Kuna

City Council Memo

4D1
Final Plat 18-05-FP
of 50

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

To: **Kuna City Council**

Case Number: 18-05-FP (Final Plat) – Ardell Estates Sub. No. 2

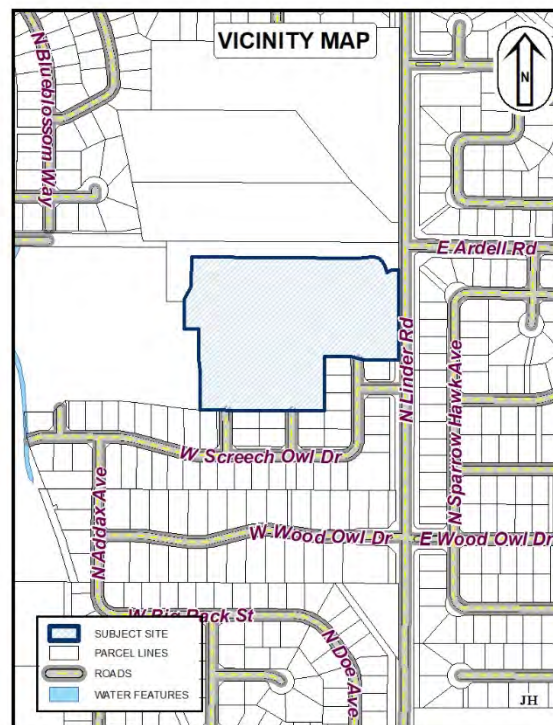
Location: West of Linder Rd., North of Deer Flat Rd. & South of Hubbard Rd., Kuna, ID 83634.

Planner: Jace Hellman, Planner II

Meeting Date: March 6, 2018

Applicant/
Owner: DB Development, LLC – Justin Blackstock

Representative: David Crawford, B&A Engineers, Inc.
5505 W Franklin Rd
Boise, ID 83705
208-343-3381
dacrawford@baengineers.com



A. General Project Facts:

1. The applicant is requesting final plat approval for Ardell Estates Subdivision No. 2 which has Forty (40) residential building lots and six (6) common lots on a total of approximately 11.62 acres (Ada County Assessor Parcel No. S1314417300).

B. Staff Analysis:

1. In accordance with Kuna City Code (KCC) Title 6 Subdivision Regulations, this application seeks final plat approval for Ardell Estates Subdivision No. 2.
2. Staff has determined that the proposed final plat for Ardell Estates Subdivision No. 2 is in substantial conformance with the approved preliminary plat.

C. Applicable Standards:

1. Kuna City Code Title 6 Subdivision Regulations.
2. City of Kuna Comprehensive Plan and Future Land Use Map.
3. Idaho Code, Title 50, Chapter 13, Plats and Vacations.

D. Conditions of Approval:

1. Applicant shall correct any technical items and make any requested changes on the final plat as recommended by Kuna Public Works Staff.
2. If any revisions are made, the applicant shall provide Planning and Zoning Staff with a revised copy of the final plat.
3. Applicant shall secure all signatures on the final plat check-off list prior to requesting Kuna City Engineer's signature on the final plat Mylar.

received
1.17.18



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

Final Plat Checklist

A final plat application does not require a public hearing. It will be placed on the City Council agenda as a regular agenda item.

Project name:	Applicant:
Ardell Estates Subdivision No. 2	David Crawford B&A Engineers, Inc.

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

Applicant (✓)	Description	Staff (✓)
×	Completed and signed Commission & Council Review Application.	×
×	All pages of the proposed Final Plat.	×
Submitted 1-3-18	Approved final engineering construction drawings for streets, water, sewer, sidewalks, pressure irrigation and other public improvements.	✓
×	Approved Findings of Fact, Conclusions of Law for Preliminary Plat	×
×	Proof of current ownership of the real property included in the proposed final plat and written consent of the record owners of the final plat (Affidavit of Legal Interest) for all interested parties involved.	✓
×	Such other information as deemed necessary to establish whether or not all proper parties have signed and/or approved said final plat.	✓
×	A statement of conformance with the following information: ◊ The approved preliminary plat and meeting all requirements or conditions. ◊ The acceptable engineering practices and local standards.	✓
×	Any proposed restrictive covenants and/or deed restrictions, and homeowners' association documents.	×
×	The final plat shall include and be in compliance with all items required under title 50, chapter 13 of the Idaho Code.	×

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 meeting date be set) until staff has received all required information. Once the application is deemed complete, staff will notify the applicant of the scheduled hearing date, fees due, additional copies needed, etc.

1-17-18
 RECEIVED



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)	18-05-FP
Project name	Arrell Estates Sub No. 2
Date Received	1.17.18
Date Accepted/ Complete	
Cross Reference Files	
Commission Hearing Date	
City Council Hearing Date	

Contact/Applicant Information

Owners of Record: DB Development, LLC Justin Blackstock - Manager	Phone Number: _____
Address: 2228 W. Piazza St.	E-Mail: _____
City, State, Zip: Meridian, ID 83642	Fax #: _____
Applicant (Developer): David Crawford, B&A Engineers, Inc.	Phone Number: 208-343-3381
Address: 5505 W. Franklin Rd.	E-Mail: dacrawford@baengineers.com
City, State, Zip: Boise, ID 83705	Fax #: _____
Engineer/Representative: Joseph D. Canning, B&A Engineers, Inc.	Phone Number: _____
Address: same as applicant	E-Mail: _____
City, State, Zip: _____	Fax #: _____

Subject Property Information

Site Address: _____
Site Location (Cross Streets): West of Linder Rd., North of Deerflat Rd. & South of Hubbard Rd.
Parcel Number (s): S1314417300
Section, Township, Range: Sec. 14 T2N R1W
Property size: 11.62 ac
Current land use: Residential
Proposed land use: Residential
Current zoning district: R-6
Proposed zoning district: no change

Project Description

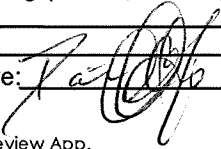
Project / subdivision name: <u>Ardell Estates Subdivision No. 2</u>
General description of proposed project / request: <u>Approval & city signature on Final Plat.</u>
Type of use proposed (check all that apply):
☒ Residential _____
☐ Commercial _____
☐ Office _____
☐ Industrial _____
☐ Other _____
Amenities 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: <u>40</u>
Number of common and/or other lots: <u>6</u>
Type of dwellings proposed:
☒ Single-Family _____
☐ Townhouses _____
☐ Duplexes _____
☐ Multi-Family _____
☐ Other _____
Minimum Square footage of structure (s): _____
Gross density (DU/acre-total property): <u>3.55 du/ac</u> 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.): <u>common</u>

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:  - B&P Engineers, Inc. Date: 1/16/18

B & A Engineers, Inc.

Consulting Engineers & Surveyors
5505 W. Franklin Rd. Boise, Id. 83705
Ph. 208-343-3381 Fax 208-342-5792

received
1.17.18

January 16, 2018

City of Kuna
751 W. 4th St.
Kuna, Idaho 83634

Subject: **Final Plat Approval Request for – Ardell Estates Subdivision No. 2**

City Staff:

We are pleased to present the final plat application and supporting documents with a request for the applicable City signatures for the final plat of Ardell Estates Subdivision No. 2

This 2nd Phase of the development has been completed in substantial conformance with the approved preliminary plat.

Based on limited field observations and information provided by others, we believe that all construction has been completed in substantial conformance with the approved construction plans.

On behalf of the applicant, as their representative, we respectfully request the signatures of the City for this Subdivision.

Sincerely,



David Crawford
B&A Engineers, Inc.

received
1.17.18

34601702 LBD nb

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED, the receipt and sufficiency of which is hereby acknowledged, **Waters Edge Farm LLC, an Idaho limited liability company** whose address is **1977 E Overland Rd, Meridian, ID 83642** (the "Grantor"), does hereby grant, bargain, sell and convey unto **DB Development LLC, a Delaware limited liability company**, whose address is **2228 W. Piazza St, Meridian, Idaho 83646**, (the "Grantee"), the following described premises (the "Premises"):

See the attached Schedule I.

TO HAVE AND TO HOLD the Premises, with their appurtenances unto the Grantee, and its successors and assigns forever.

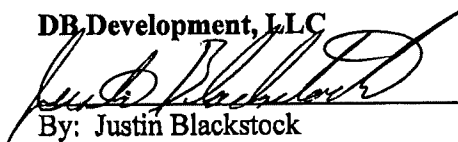
TOGETHER WITH all and singular the improvements, hereditaments, and appurtenances thereon and thereunto belonging or in anywise appertaining, and the reversion or reversions, remainders, rents, issues and profits thereof; and all of the estate, title, interest, claim and demand whatsoever of the Grantor, either in law or in equity, of, in and to the above-described Premises with said improvements, hereditaments and appurtenances.

Grantee is relying solely upon Grantee's inspections as to the condition of the Premises. Grantor and Grantor's agents, employees and attorneys are not making, have not made and expressly disclaim any representations or warranties, express or implied, with respect to any aspect, feature or condition of the Premises, including, without limitation, the existence of hazardous waste, or the suitability of the Premises for Grantee's intended use. Grantee shall independently verify all information regarding any aspect or feature of the Premises provided by Grantor. Grantor does not guaranty the accuracy of any information provided by Grantor, its agents, employees or attorneys. Grantee is purchasing the Premises in "AS IS" "WHERE IS" condition, subject to all faults (whether they be physical, environmental or otherwise), including both latent and patent defects.

Grantor makes no covenants or warranties with respect to title, express or implied, other than as expressly stated hereinafter. Grantor is the owner of the Premises and has not conveyed the same estate to any person other than Grantee and that such estate is at the time of the

GRANTEE

DB Development, LLC



By: Justin Blackstock

Its: Manager

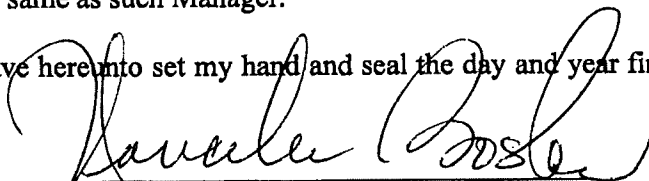
STATE OF IDAHO)

) : ss.

County of Ada)

On the 27 day of February, 2017, before me, the undersigned notary public in and for said state, personally appeared Justin Blackstock, known or identified to me to be the person whose name is subscribed to the within instrument as the Manager of DB Development, LLC and acknowledged to me that he executed the same as such Manager.

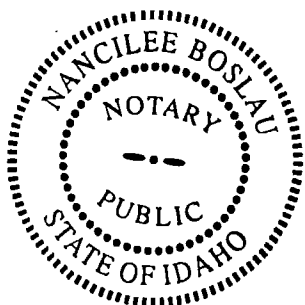
IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.



Notary Public for State of Idaho

Residing at _____

Commission expires: _____



Residing in Boise, Idaho
Expiration Date: 11/12/2022

SCHEDULE I

(continued)

Thence 27.91 feet along a tangent curve deflecting to the right having a radius of 82.50 feet, a central angle of $19^{\circ}23'00''$, a long chord bearing of South $29^{\circ}03'44''$ East, and a long chord distance of 27.78 feet to a point of compound curvature;

Thence 20.86 feet along a tangent curve deflecting to the right having a radius of 262.50 feet, a central angle of $04^{\circ}33'15''$, a long chord bearing of South $17^{\circ}05'36''$ East, and a long chord distance of 20.86 feet;

Thence North $56^{\circ}19'42''$ East, 21.05 feet;

Thence North $89^{\circ}39'30''$ East, 27.33 feet to the Westerly right-of-way of North Linder Road and to the POINT OF BEGINNING.

AFFIDAVIT OF LEGAL INTEREST

received
1.17.18

STATE OF IDAHO)
)ss
COUNTY OF ADA)

I, Timothy W. Eck 6152 W Half Moon Ln
(name) (address)

Being first duly sworn
upon oath, depose and say

1. That I am the record owner of the property described on the attached, and I grant my permission to:

B&A Engineers, Inc., located at 5505 W. Franklin Rd. Boise, ID.

to submit the accompanying application and documents pertaining to that property.

2. I agree to indemnify, defend and hold the City of Kuna, Ada County Highway District 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.

Dated this 9th day of June, 20 14

(signature)

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


Notary Public for Idaho

Residing at _____ Residing in: Boise, Idaho
Commission Expires: 05/16/2018

(address)
My Commission Expires: _____



Exhibit
A2d

received
1.17-18

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 06/26/07 02:06 PM
DEPUTY Bonnie Oberbillig
RECORDED - REQUEST OF
Title One

AMOUNT 156.00 52

107090857

DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
ARBOR RIDGE SUBDIVISION AND
SILVERDALE SUBDIVISION

THIS MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR ARBOR RIDGE SUBDIVISION AND SILVERDALE SUBDIVISION is made effective as of the 22nd day of June 2007, by Dyver Development LLC, an Idaho limited liability company ("Grantor" and "Class B Member").

Exhibit

A2f

improvements thereon, nor Grantor's right to maintain model homes, construction, sales or leasing offices or similar facilities on any portion of the Property, including the Common Area or any public right-of-way, nor Grantor's right to post signs incidental to construction, sales or leasing.

ARTICLE III: DEFINITIONS

3.1 "Abandoned or Inoperable Vehicle" shall mean any vehicle which has not been driven under its own propulsion for a period of seven (7) days or longer.

3.2 "Subdivision" shall mean the Property.

3.3 "Common Area" shall mean all real property in which the Association holds an interest or which is held or maintained, permanently or temporarily, for the common use, enjoyment and benefit of the entire Subdivision development and each Owner therein, which real property is legally described in Exhibit B attached hereto and made a part hereof. Common Area may be established from time to time by Grantor on any portion of the Property by describing it on a plat, by granting or reserving it in a deed or other instrument, or by designating it pursuant to this Declaration or any Supplemental Declaration. Common Area may include easement and/or license rights.

3.4 "Architectural Committee" shall mean the committee created by the Grantor or an Association pursuant to Article XII hereof.

3.5 "Articles" shall mean the Articles of Incorporation of an Association or other organizational or charter documents of an Association.

3.6 "Assessments" shall mean those payments required of Owners, Association Members, including Regular, Special and Limited Assessments of any Association as further defined in this Declaration.

3.7 "Association" shall mean the Idaho nonprofit corporation, its successors and assigns, established by Grantor to exercise the powers and to carry out the duties set forth in this Declaration or any Supplemental Declaration. Grantor shall have the power, in its discretion, to name the Association the "Arbor Ridge/Silverdale Subdivision Homeowners' Association, Inc.", or any similar name which fairly reflects its purpose.

3.8 "Association Rules" shall mean those rules and regulations promulgated by the Association governing conduct upon and use of the Property under the jurisdiction or control of the Association, the imposition of fines and forfeitures for violation of Association Rules and regulations, and procedural matters for use in the conduct of business of the Association.

3.9 "Board" shall mean the Board of Directors or other governing board or individual, if applicable, of the Association.

3.10 "Building Lot" shall mean one or more lots within the Property as specified or shown on any Plat and/or by Supplemental Declaration, upon which Improvements may be

domesticated cats, and other household pets which do not unreasonably bother or constitute a nuisance to others. Without limiting the generality of the foregoing, consistent and/or chronic barking by dogs shall be considered a nuisance. Each dog in the Subdivision shall be kept on a leash, curbed, and otherwise controlled at all times when such animal is off the premises of its owner. Such owner shall clean up any animal defecation immediately from the Common Area or public right-of-way. Failure to do so may result, at the Board's discretion, with a Limited Assessment levied against such animal owner. The construction of dog runs or other pet enclosures shall be subject to applicable Architectural Committee approval, shall be appropriately screened, and shall be maintained in a sanitary condition. Dog runs or other pet enclosures shall be placed a minimum of ten (10) feet from the side and/or rear Building Lot line, shall not be placed in any front yard of a Building Lot, and shall be screened from view so as not to be visible from Common Area or an adjacent Building Lot.

4.19 Landscaping. The Owner of any Building Lot shall sod the front and the side yards and landscape such Building Lot in conformance with the landscape plan approved by the Association, and as approved by the applicable Architectural Committee, prior to occupancy, weather permitting. Prior to construction of Improvements, the Owner (or any Association to which such responsibility has been assigned) shall provide adequate irrigation and maintenance of existing trees and landscaping, shall control weeds, and maintain the Owner's (or Association's) property in a clean and safe condition free of debris or any hazardous condition. All trees located on common Building Lot lines shall be the joint responsibility of the adjoining Building Lot owners. All landscaped Common Areas shall be irrigated by an underground sprinkler system.

The Board and/or applicable Architectural Committee may adopt rules regulating landscaping permitted and required. In the event that any Owner shall fail to install and maintain landscaping in conformance with such rules or shall allow such Owner's landscaping to deteriorate to a dangerous, unsafe, unsightly or unattractive condition, the Board, upon fifteen (15) days' prior written notice to such Owner, shall have the right to correct such condition and to enter upon such Owner's property for the purpose of doing so, and such Owner shall promptly reimburse the Association for the cost thereof. Such cost shall be a Limited Assessment and shall create a lien enforceable in the same manner as other Assessments as set forth in Article IX.

Following commencement of any construction of any Improvement, construction shall be diligently pursued and completed as soon as reasonably practical. All landscaping on a Building Lot, unless otherwise specified by the applicable Architectural Committee, shall be completed as soon as reasonably practical following completion of the residential structure on such Building Lot. The initial landscaping shall include, as a minimum, sod in the front and side yards, two (2) flowering trees of at least one and one-half inch (1 1/2") caliper or one (1) evergreen tree at least six feet (6') in height in the front yard, each with a three foot (3') diameter surrounding tree ring, and eight (8) one-gallon or larger shrubs in the front yard, and if a corner lot, two (2) additional one and one half inch (1 1/2") caliper trees installed on the street side of the residential structure with three foot (3') diameter surrounding tree ring. The use of berms and sculptured planting areas are encouraged. Back yard shall be sodded or seeded to grass within six (6) months of occupancy. The Supplemental Declarations for future phases may include more stringent landscaping requirements.

preservation of the health, safety, convenience and the welfare of the Owners, for the purpose of constructing, erecting, operating or maintaining:

5.5.1.6.1 Underground lines, cables, wires, conduits or other devices for the transmission of electricity or electronic signals-for lighting, heating, power, telephone, television or other purposes, and the above ground lighting stanchions, meters, and other facilities associated with the provisions of lighting and services; and

5.5.1.6.2 Public sewers, storm drains, water drains and pipes, water supply systems, sprinkling systems, heating and gas lines or pipes, and any similar public or quasi-public improvements or facilities.

5.5.1.6.3 Mailboxes and sidewalk abutments around such mailboxes or any service facility, berm, fencing and landscaping abutting common areas, public and private streets or land conveyed for any public or quasi-public purpose including, but not limited to, bicycle pathways.

The right to grant such licenses, easements and rights-of-way are hereby expressly reserved to the Association and may be granted at any time prior to twenty-one (21) years after the death of the issue of the individuals executing this Declaration on behalf of Grantor who are in being as of the date hereof.

5.5.2 Duties. In addition to duties necessary and proper to carry out the power delegated to the Association by this Declaration, and the Articles and Bylaws, without limiting the generality thereof, the Association or its agent, if any, shall have the authority and the obligation to conduct all business affairs of the Association and to perform, without limitation, each of the following duties:

5.5.2.1 Operation and Maintenance of Common Area. Operate, maintain, and otherwise manage or provide for the operation, maintenance and management of Common Area (other than Local Common Area), including the repair and replacement of property damaged or destroyed by casualty loss.

Specifically, the Association shall, at Grantor's sole discretion, operate and maintain all properties owned by Grantor which are designated by Grantor for temporary or permanent use by Members of the Association.

5.5.2.2 Reserve Account. Establish and fund a reserve account with a reputable banking institution or savings and loan association or title insurance company authorized to do business in the State of Idaho, which reserve account shall be dedicated to the costs of repair, replacement, maintenance and improvement of the Common Area.

5.5.2.3 Maintenance of Berms, Retaining Walls and Fences. Maintain any berms, retaining walls, fences and/or water amenities within and abutting Common Area or any Waterway. Maintain any water amenities constructed by Grantor or Association located in an easement in, over and through Building Lots as shown on the Plat.

5.5.2.4 Taxes and Assessments. Pay all real and personal property taxes and Assessments separately levied against Common Area or against the Subdivision, the Association and/or any other property owned by the Association. Such taxes and Assessments may be contested or compromised by the Association, provided, however, that such taxes and Assessments are paid or a bond insuring payment is posted prior to the sale or disposition of any property to satisfy the payment of such taxes and Assessments. In addition, the Association shall pay all other federal, state or local taxes, including income or corporate taxes levied against the Association, in the event that the Association is denied the status of a tax exempt corporation.

5.5.2.5 Water and Other Utilities. Acquire, provide and/or pay for water, sewer, garbage disposal, refuse and rubbish collection, electrical, telephone and gas and other necessary services for Common Area, and to manage for the benefit of the Subdivision all water rights and rights to receive water held by the Association, whether such rights are evidenced by license, permit, claim, stock ownership or otherwise.

5.5.2.6 Insurance. Obtain insurance from reputable insurance companies authorized to do business in the State of Idaho, and maintain in effect any insurance policy the Board deems necessary or advisable, including, without limitation the following policies of insurance:

5.5.2.6.1 Fire insurance including those risks embraced by coverage of the type known as the broad form "All Risk" or special extended coverage endorsement on a blanket agreed amount basis for the full insurable replacement value of all Improvements, equipment and fixtures located within Common Area.

5.5.2.6.2 Comprehensive public liability insurance insuring the Board, the Association, the Grantor and the individual grantees and agents and employees of each of the foregoing against any liability incident to the ownership and/or use of Common Area. Limits of liability of such coverage shall be as follows: Not less than One Million Dollars (\$1,000,000) per person and One Million Dollars (\$1,000,000) per occurrence with respect to personal injury or death, and One Million Dollars (\$1,000,000) per occurrence with respect to property damage.

ARTICLE VII: RIGHTS TO COMMON AREAS

7.1 Use of Common Area. Every Owner shall have a right to use each parcel of Common Area, which right shall be appurtenant to and shall pass with the title to every Building Lot, subject to the following provisions:

7.1.1 The right of the Association to levy and increase Assessments;

7.1.2 The right of such Association to suspend the voting rights and rights to use of, or interest in, Common Area by an Owner for any period during which any Assessment or charge against such Owner's Building Lot remains unpaid; and for a period not to exceed sixty (60) days for any infraction of the Association Rules; and

7.1.3 The right of the Association to dedicate or transfer all or any part of the Common Area to any public agency, authority or utility for such purposes and subject to such conditions as may be permitted by the Articles and Bylaws and agreed to by the Members. No dedication or transfer of said Common Area shall be effective unless an instrument agreeing to such dedication or transfer signed by Members representing two-thirds (2/3) of each class of Members has been recorded.

7.1.4 The right of such Association to prohibit the construction of structures or Improvements, Improvements on all Common Areas.

7.1.5 The right of such Association to prohibit structures, Improvements, including manicured lawns and nursery plants.

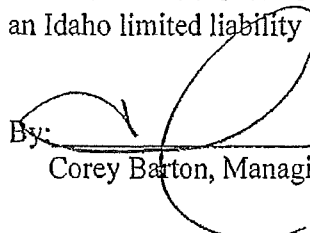
7.2 Designation of Common Area. Grantor shall designate and reserve Common Area in the Declaration, Supplemental Declarations and/or recorded Plats, deeds or other instruments and/or as otherwise provided herein.

7.3 Delegation of Right to Use. Any Owner may delegate, in accordance with the respective Bylaws and Association Rules of the Association, such Owner's right of enjoyment to the Common Area, to the members of such Owner's family in residence, and such Owner's tenants or contract purchasers who reside on such Owner's Building Lot. Only Grantor or the Association shall have the right to delegate the right of enjoyment to the Common Area, to the general public, and such delegation to the general public shall be for a fee set by Grantor or Association.

7.4 Damages. Each Owner shall be fully liable for any damage to any Common Area which may be sustained by reason of the negligence or willful misconduct of the Owner, such Owner's resident tenant or contract purchaser, or such Owner's family and guests, both minor and adult. In the case of joint ownership of a Building Lot, the liability of such Owners shall be joint and several. The cost of correcting such damage shall be a Limited Assessment against the Building Lot and may be collected as provided herein for the collection of other Assessments.

IN WITNESS WHEREOF, Grantor has set its hand this 22nd day of June, 2007.

DYVER DEVELOPMENT LLC,
an Idaho limited liability company

By: 

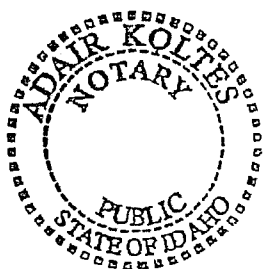
Corey Barton, Managing Member

ACKNOWLEDGMENT

STATE OF IDAHO)
) ss.
County of Ada)

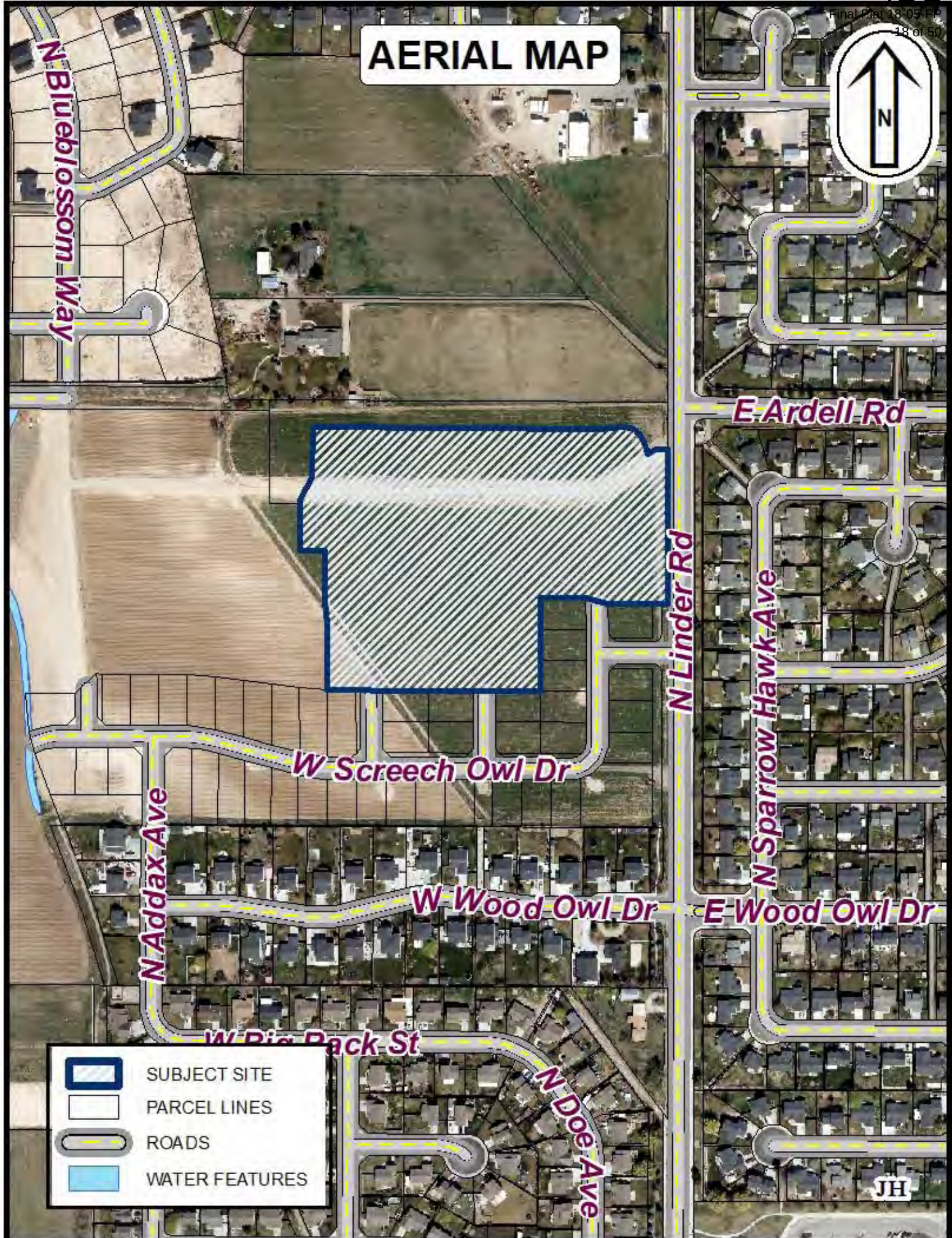
On this 22nd day of June, 2007, before me, the undersigned, a Notary Public in and for said State, personally appeared COREY BARTON, known or identified to me to be the Managing Member of DYVER DEVELOPMENT LLC, the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that such limited liability company 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.

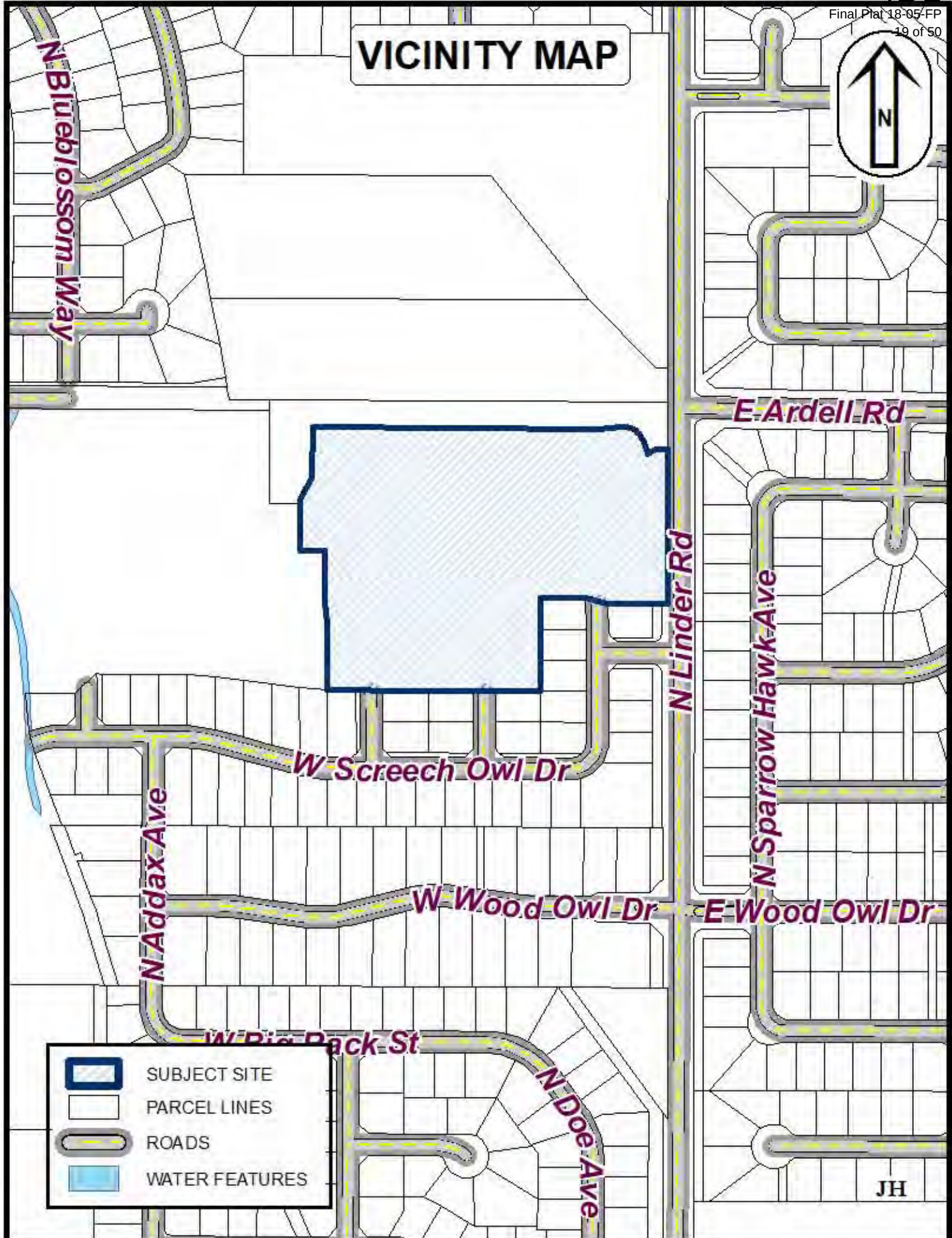


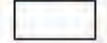
Adair Koltes
Notary Public for Idaho
Residing at Nampa, ID
My commission expires: 6-05-2010

AERIAL MAP



VICINITY MAP



-  SUBJECT SITE
-  PARCEL LINES
-  ROADS
-  WATER FEATURES

Sewer Construction Notes

- [illegible]

These record drawings have been prepared by B & A Engineers Inc., based on information collected during construction, after construction, and provided by others. Deviations may exist between the information shown hereon, and

CEL, AND SHALL HAVE A MINIMUM PRESSURE RATING EQUAL TO 200 PSI OR GREATER. ALL MANHOLE JOINTS, THURST BLOCKS OR OTHER CITY ENGINEER APPROVED RESTRAINTS, SHALL BE

AND SERVICES MUST BE AIR TESTED.

- [illegible]

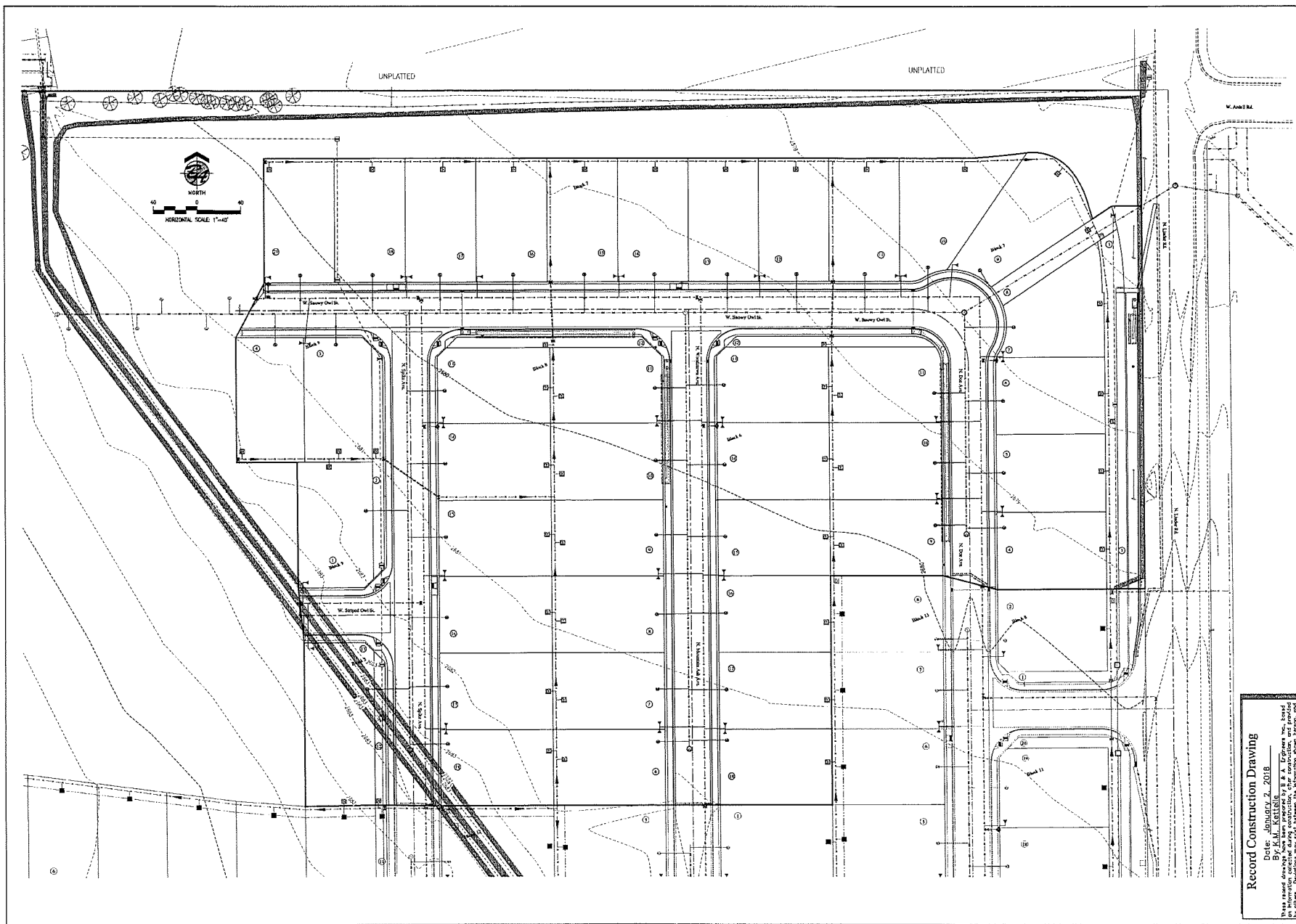
SALE		Revisions		DATE BY	
IS SHOW		REV.	DESC.		
ORDERED 1, 2018					
DASH BY:					
J.L. WILL					
ORDERED BY:					
J.D. DAWG					
PROCAT NO.					
FPO					
ORDER NO. 111540					
Add No. 1, Credit Privately					

1.1



By: K.M. Kettelle
These record drawings have been prepared by D & A Engineers Inc., based on information collected during construction, after construction, and provided by others. Deviations may exist between the information shown hereon, and

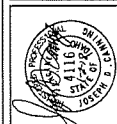
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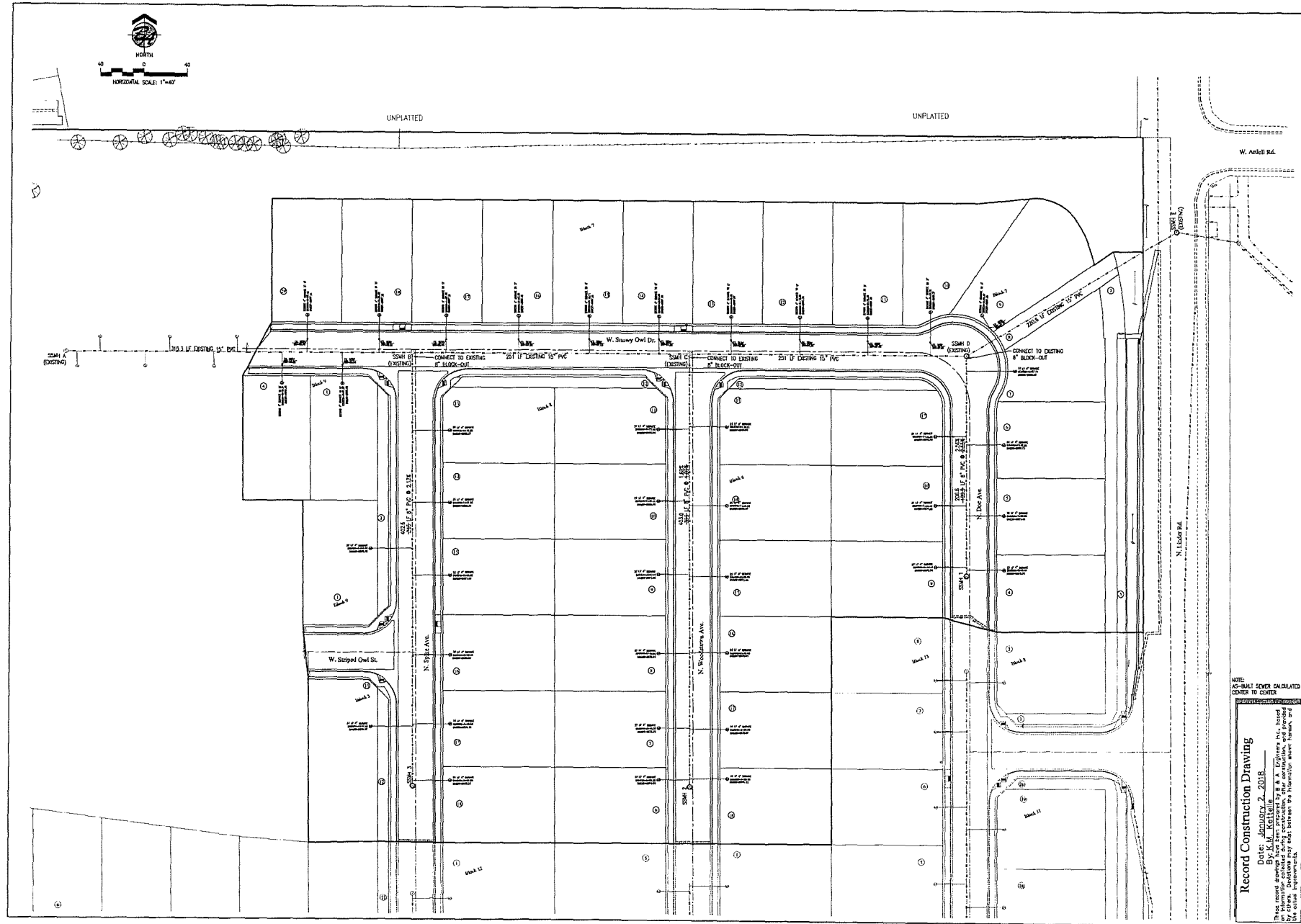
Record Construction Drawing
 Date: January 2, 2018
 By: K.M. Kestel
 Check: J.M. Kestel
 Scale: AS SHOWN
 Date: NOVEMBER 3, 2018
 By: J.M. Kestel
 Check: J.M. Kestel
 Project No: 4116
 Drawing Title: Ardell Estates Subdivision No. 2
 Ardell No. 2, Grand Parkway

REV.	DATE/REV.
1	11/3/18
2	11/3/18
3	11/3/18
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49	11/3/18
50	11/3/18

Site Composite Plan
 Ardell Estates Subdivision No. 2
 A PORTION OF LAND SITUATE IN THE NORTH PART OF THE SOUTHWEST QUARTER
 OF SECTION 14, TOWNSHIP 3 NORTH, RANGE 1 WEST, BOISE MERIDIAN, CITY
 OF ALAN, ADA COUNTY, IDAHO



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 Consulting Engineers, Surveyors & Planners
 5505 W. Franklin Rd. Boise, ID 83705
 (208) 344-3381



NOTE:
AS-BUILT SEWER CALCULATED
CENTER TO CENTER

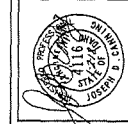
Record Construction Drawing
Date: January 2, 2018
By: S.M. Bellini

This record drawing has been prepared by B & A Engineers, Inc. based on information furnished by the owner. It is the responsibility of the owner to provide accurate information. B & A Engineers, Inc. is not responsible for any errors or omissions in this drawing.

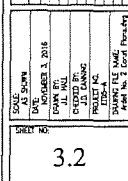
DATE	BY

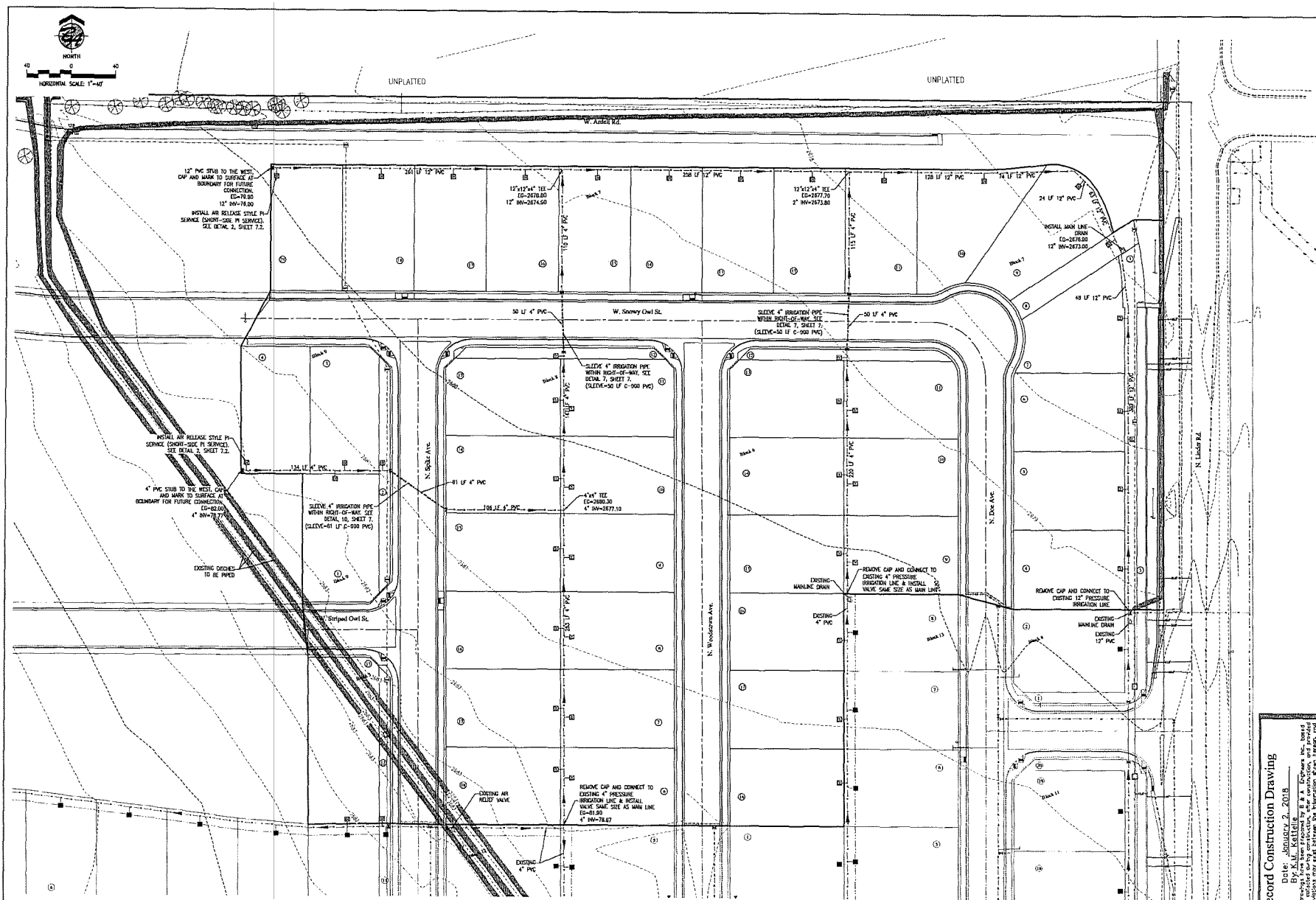
DATE	BY

Composite Sanitary Sewer Plan
Ardell Estates Subdivision No. 2
A portion of and subject to the NORTH MAP OF THE SOUTHEAST QUARTER
OF SECTION 16, TOWNSHIP 10N, RANGE 10E, PLAT 18-05-FP, JAMES
OF JAMES AND DAUGHTER, JAMES



B & A Engineers, Inc.
Consulting Engineers, Surveyors & Planners
5503 W. Franklin Rd., Indianapolis, IN 46226
(317) 343-3381





Record Construction Drawing

Date: January 2, 2018
 By: S.M. Kettell

This record drawing is the property of B & A Engineers, Inc. and is to be used only for the project and location shown hereon. It is not to be reproduced, copied, or used for any other purpose without the written consent of B & A Engineers, Inc.

Revisions

REV.	DATE	BY

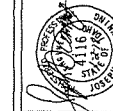
DATE: NOV 13 2018
 BY: JOHN B. JONES
 PROJECT: ARDILL ESTATES SUBDIVISION NO. 2
 DRAWING: IRRIGATION
 SHEET: 18-05-FP
 TOTAL SHEETS: 50

SHEET NO:

3.3

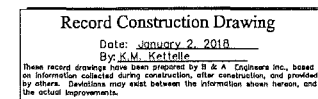
Pressure Irrigation Plan

Ardell Estates Subdivision No. 2
 A PARCEL OF LAND SITUATE IN THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 2 NORTH, RANGE 1 WEST, BOISE MERIDIAN, CITY OF KANE, ADA COUNTY, IDAHO.



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 Consulting Engineers, Surveyors & Planners
 1000 W. Main St., Suite 100
 Boise, ID 83702
 (208) 343-3331





3.4

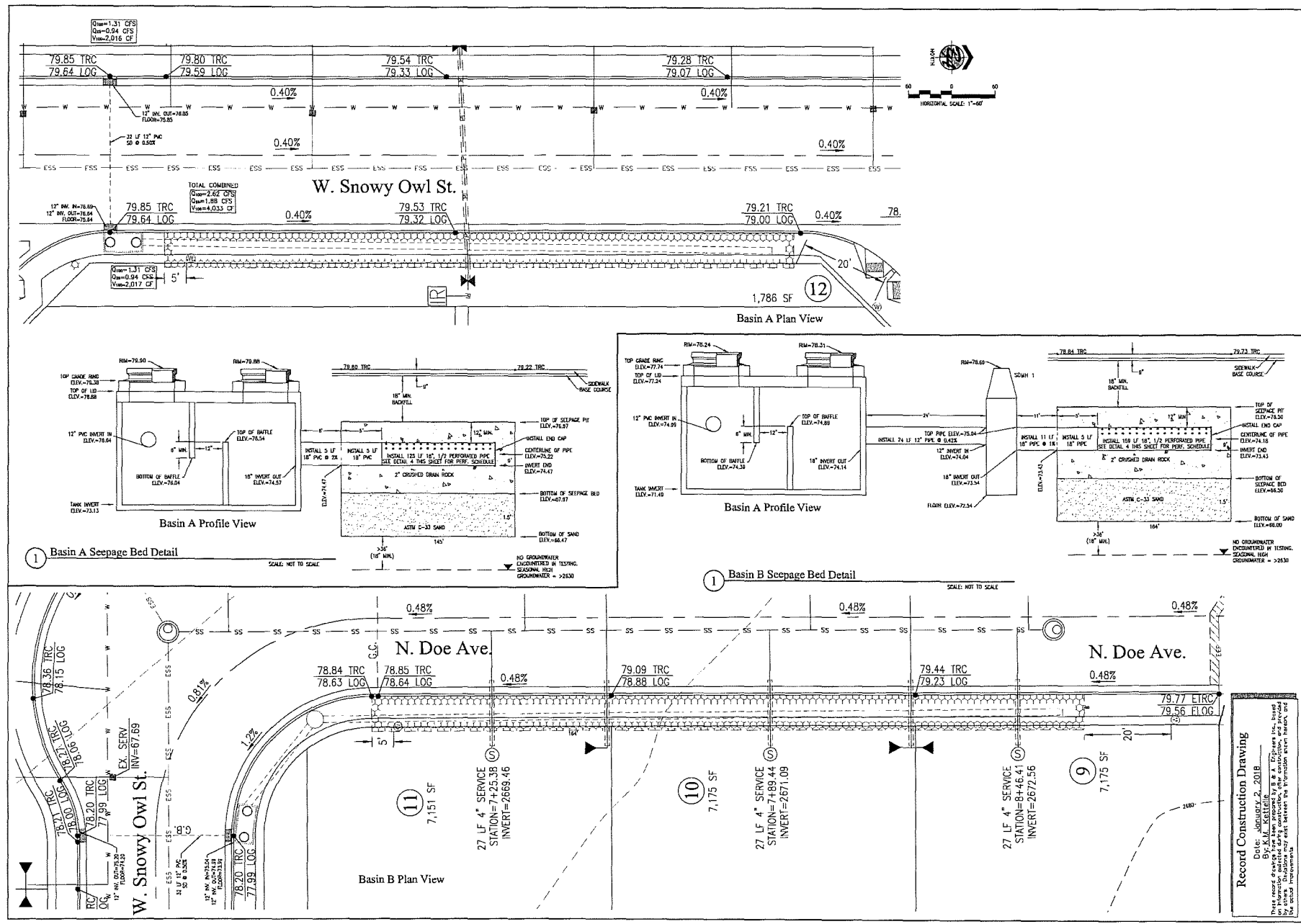
B&A Engineers, Inc.
Consulting Engineers, Surveyors & Planners
5000 North 11th Avenue, Suite 100
Denver, CO 80202
(303) 343-3381



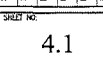
Storm Drainage Details
Basin A & B
Arrell Estates Subdivision No. 2
A PORTION OF LAND SITUATE IN THE NORTH HALF OF THE SEVENTH QUARTER
OF SECTION 14, TOWNSHIP 2 NORTH, RANGE 1 WEST, BOONE COUNTY, IOWA.

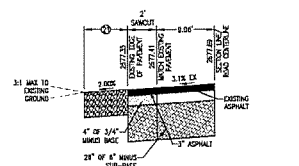
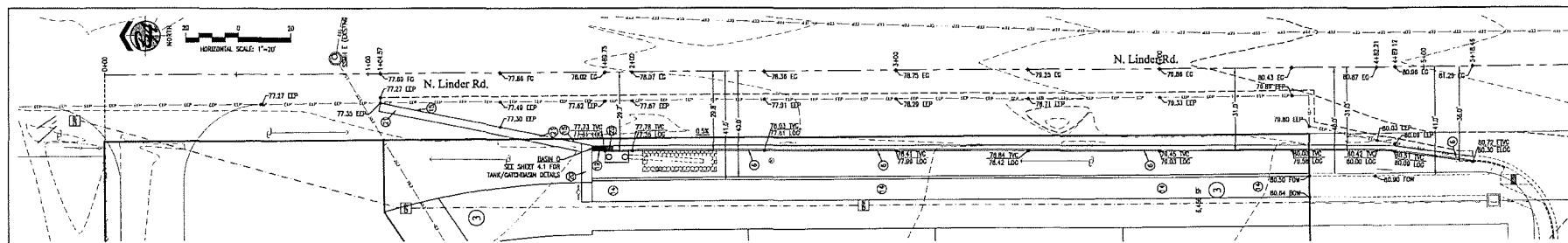
DATE/REV	REVISIONS
	REV. 1: ISSUED

SCALE: AS SHOWN	DATE: NOVEMBER 3, 2018
DRAWN BY: J.M. KELTIE	CHECKED BY: J.M. KELTIE
DESIGNED BY: J.M. KELTIE	PROJECT NO.: 18-05-FP
ISSUED FOR: RECORD	DATE: NOVEMBER 3, 2018
APPROVED BY: J.M. KELTIE	APPROVED BY: J.M. KELTIE

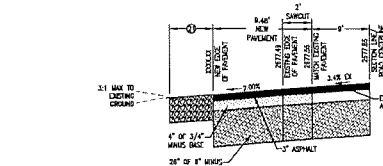


Record Construction Drawing
Date: January 2, 2018
By: J.M. Keltie
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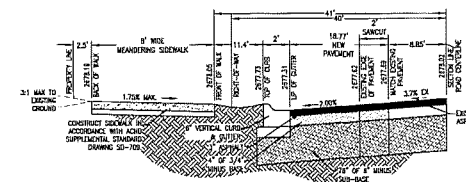




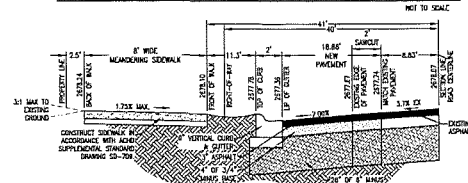
Meandering Sidewalk Section Sta. 1+04.57 - Looking North



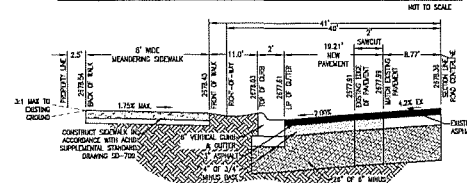
Meandering Sidewalk Section Sta. 1+50 - Looking North



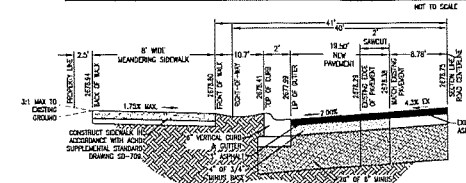
Meandering Sidewalk Section Sta. 1+89.75 - Looking North



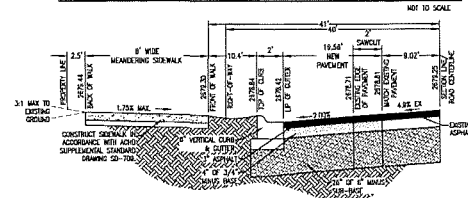
Meandering Sidewalk Section Sta. 2+00 - Looking North



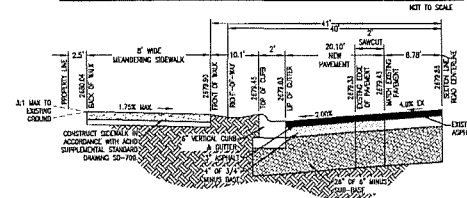
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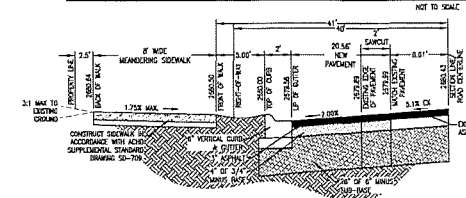
Meandering Sidewalk Section Sta. 3+00 - Looking North



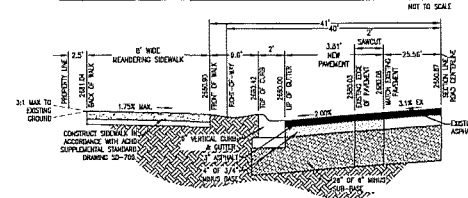
Meandering Sidewalk Section Sta. 3+50 - Looking North



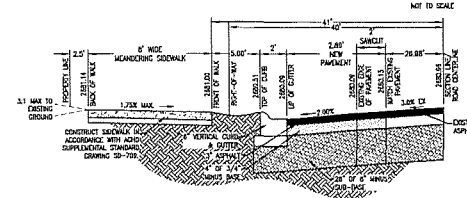
Meandering Sidewalk Section Sta. 4+00 - Looking North



Meandering Sidewalk Section Sta. 4+50 - Looking North



Meandering Sidewalk Section Sta. 4+82.21 - Looking North

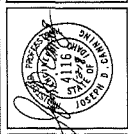


Meandering Sidewalk Section Sta. 4+89.12 - Looking North

Record Construction Drawing
 Date: January 2, 2018
 By: K. Kettler
 These record drawings have been prepared by B & A Engineers, Inc., based on information collected during construction, after construction, and provided by others. Discrepancies may exist between the information shown herein, and the actual improvements.

*CONSTRUCT ALL PAVEMENT MATCHES (INCLUDING DRIVEWAY APPROACHES AND UTILITY CUT SHEET REPAIRS) WITHIN ADO RIGHT-OF-WAY TO MATCH THE EXISTING STREET PAVEMENT SECTION OR TO USE THE FOLLOWING: 2.5-INCHES OF ASPHALT, 4-INCHES OF 3/4-INCH MANHOLE CHECKED INCREASE, 14-INCHES OF 6-INCH MANHOLE PIT BOX (FOR LOCAL STREETS), 3-INCHES OF ASPHALT, 4-INCHES OF 3/4-INCH MANHOLE CHECKED INCREASE, 20-INCHES OF 6-INCH MANHOLE PIT BOX (FOR MAJOR ARTERIAL STREETS) USE WHICHEVER PAVEMENT SECTION IS GREATER.

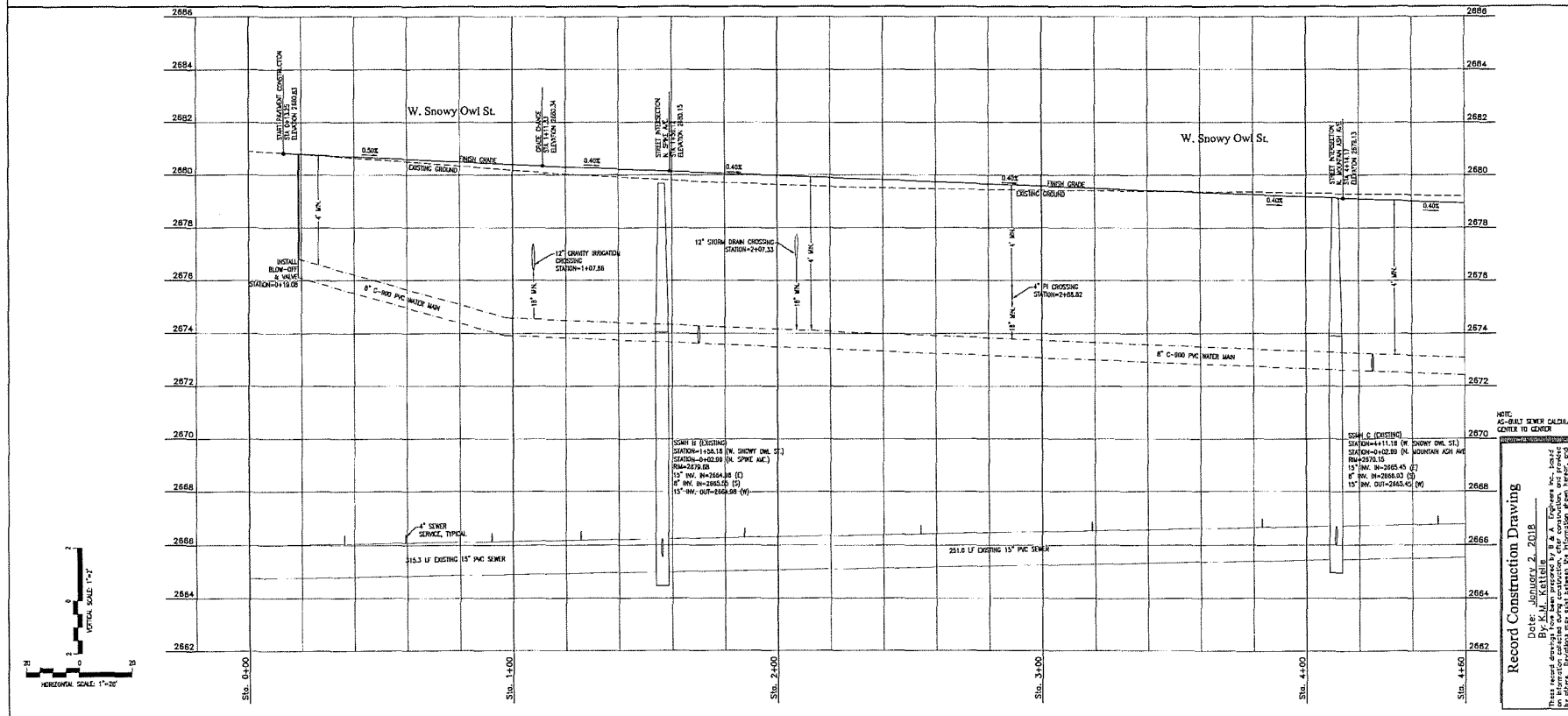
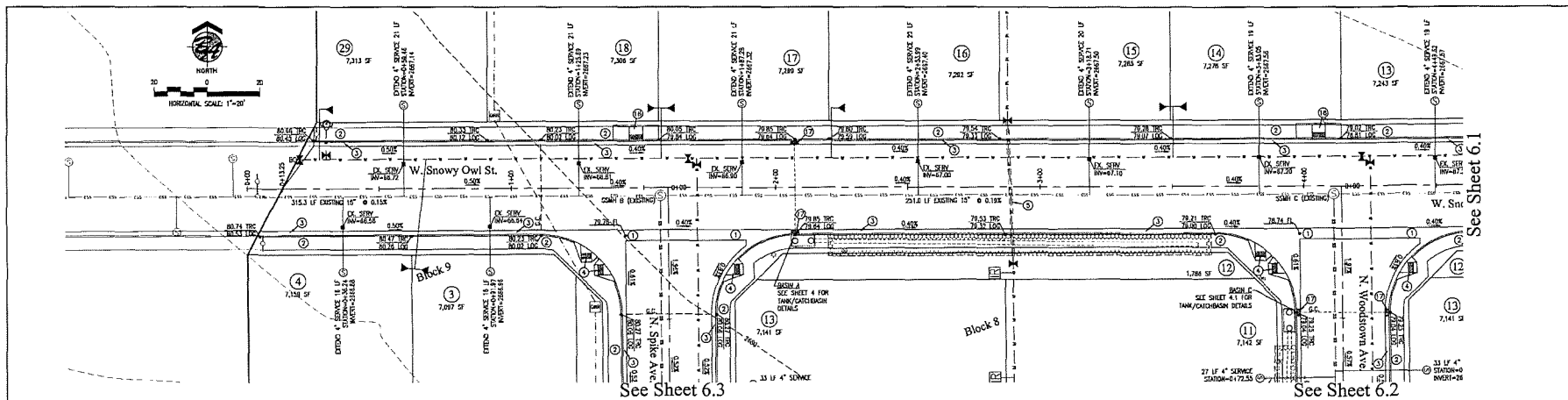
B & A Engineers, Inc.
 Consulting Engineers, Surveyors & Planners
 5505 W. Franklin Rd. Boise, ID 83705
 (208) 343-3381



Plan/Profile - Linder Rd. Right-of-Way Improvement Plan
Ardell Estates Subdivision No. 2
 A PARCEL OF LAND SITUATE IN THE NORTH PART OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 3 NORTH RANGE 1 WEST BOISE MERIDIAN, CITY OF ADAM, IDAHO COUNTY, IDAHO.

REVISIONS	DATE	BY
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2		
3		
4		
5		

SCALE	DATE	BY
AS SHOWN		
DATE		
BY		
SCALE		
DATE		
BY		
SCALE		
DATE		
BY		



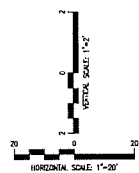
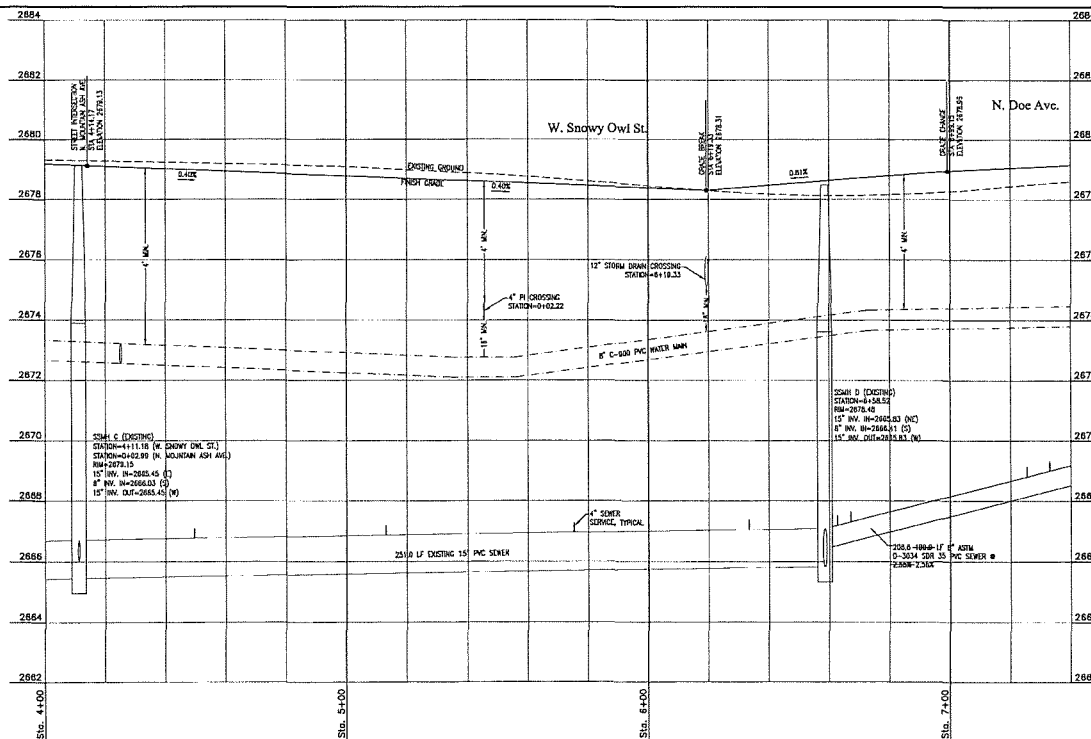
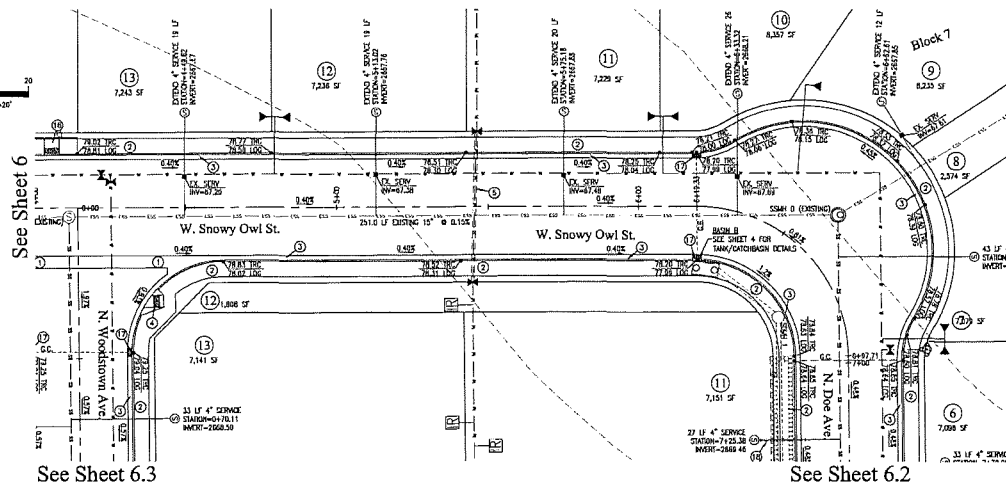
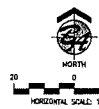
B&A Engineers, Inc.
Consulting Engineers, Surveyors & Planners
1000 N. Main St., Suite 100
Ann Arbor, MI 48103
(734) 343-3381



Plan/Profile - W. Sereech Owl Dr.
Ardell Estates Subdivision No. 2
A 2000' x 2000' Subdivision of Section 14, Township 7 North, Range 1 West, Essex Township, City of Ann Arbor, Michigan, Dated: 10/1/18

DATE/REV	REVISIONS
10/1/18	1. Initial Design
10/1/18	2. Final Design
10/1/18	3. Final Design
10/1/18	4. Final Design
10/1/18	5. Final Design
10/1/18	6. Final Design
10/1/18	7. Final Design
10/1/18	8. Final Design
10/1/18	9. Final Design
10/1/18	10. Final Design

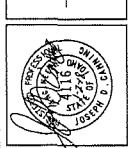
Record Construction Drawing
Date: January 2, 2018
By: K. J. Kallala
These record drawings have been prepared by B&A Engineers, Inc. under the supervision of a Professional Engineer. They are not to be used for any other purpose without the written consent of B&A Engineers, Inc.



Record Construction Drawing
 Date: January 2, 2018
 By: K.M. Kettling
 These record drawings have been prepared by B & A Engineers Inc., based on information collected during construction, after construction, and provided by others. Discrepancies may exist between the information shown herein, and the actual improvements.

NOTE:
 AS-BUILT CENTER CALCULATED
 CENTER TO CENTER

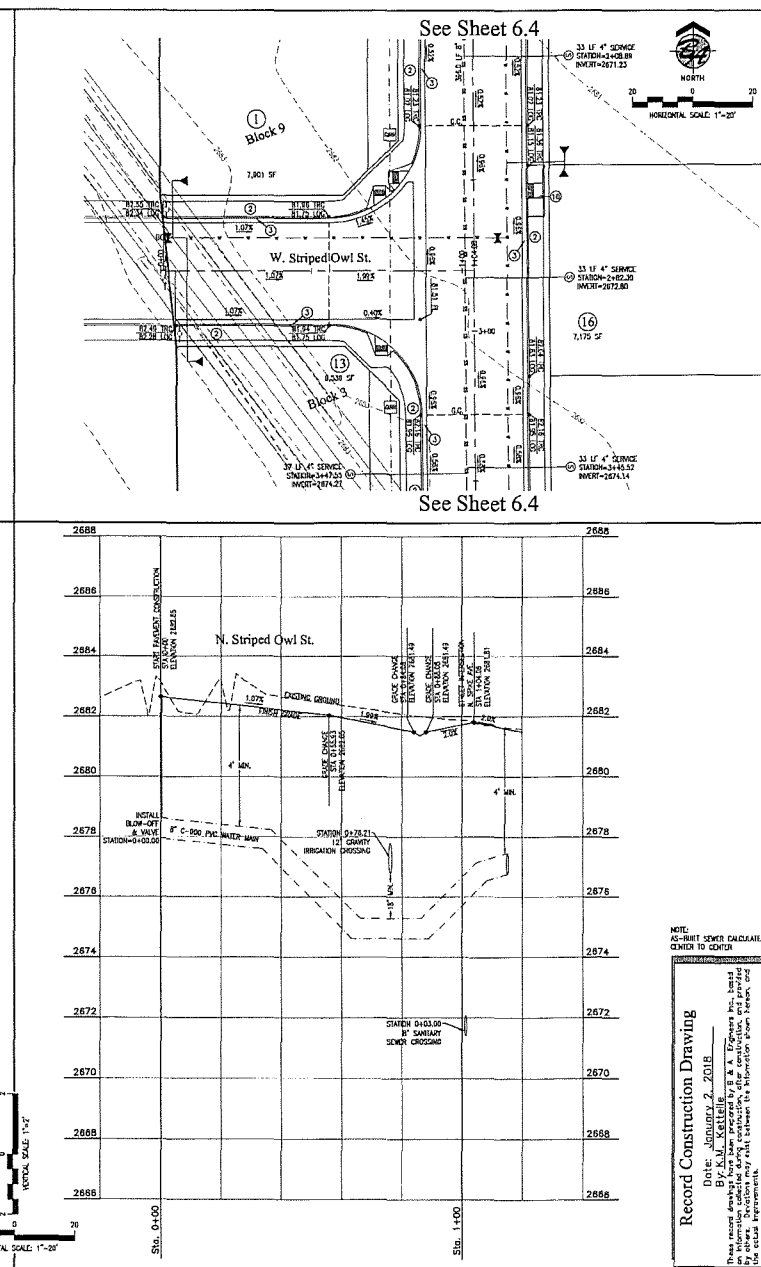
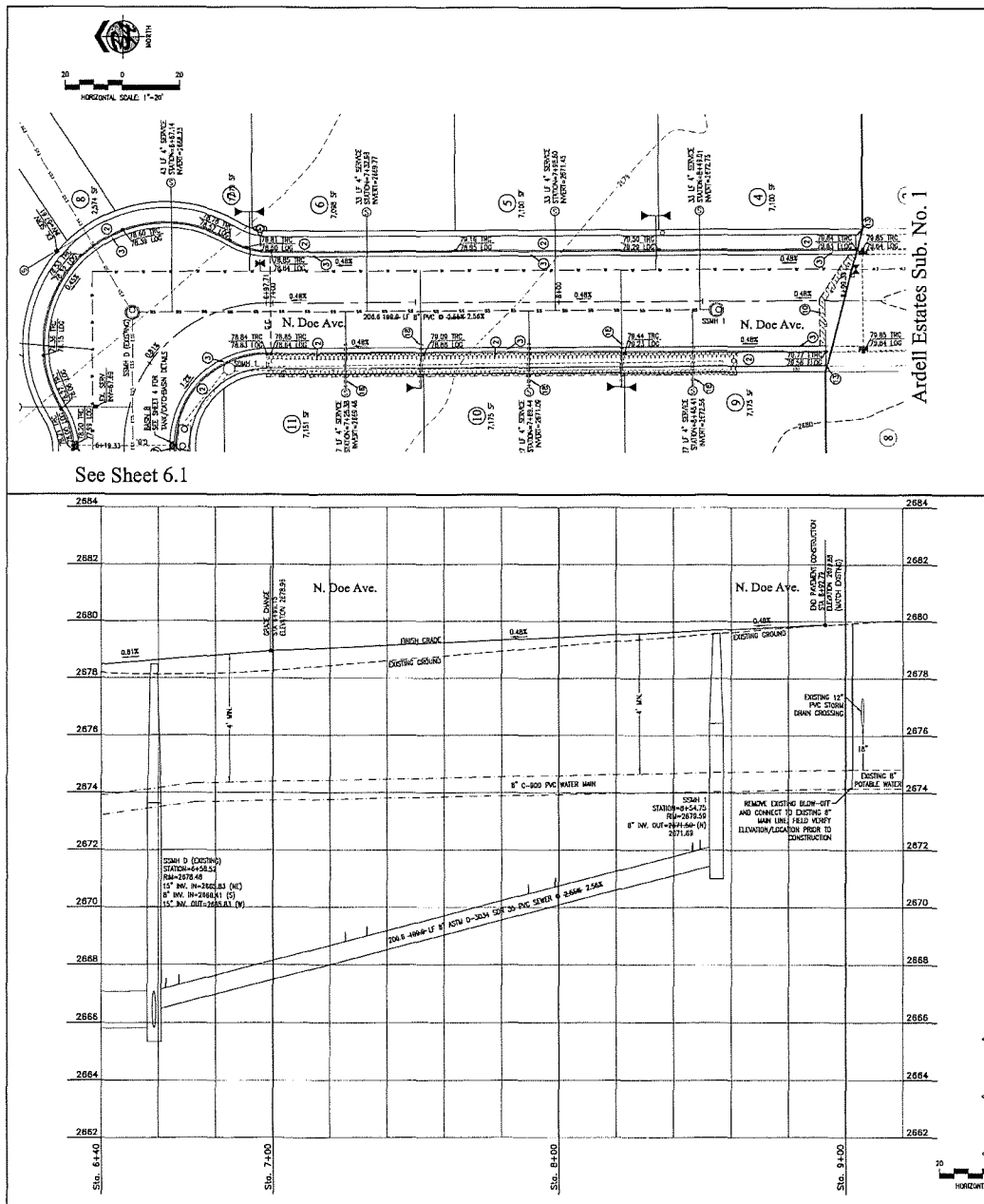
B & A Engineers, Inc.
 Consulting Engineers, Surveyors & Planners
 5503 W. Franklin Rd., Boise, ID 83705
 (208) 343-3381



Plan/Profile - W. Snowy Owl Dr.
Ardell Estates Subdivision No. 2
 A PART OF LAND SHOWN IN THE NORTH PART OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 33N, RANGE 12E, BOISE MERIDIAN, CITY OF BOISE, IDAHO COUNTY, IDAHO.

Revisions	DATE/REV.
REV. 1	01/02/2018
REV. 2	01/02/2018
REV. 3	01/02/2018
REV. 4	01/02/2018
REV. 5	01/02/2018
REV. 6	01/02/2018
REV. 7	01/02/2018
REV. 8	01/02/2018
REV. 9	01/02/2018
REV. 10	01/02/2018

6.1



Record Construction Drawing

Date: January 2, 2018

By: B.A. Kelleher

Check: B.A. Kelleher

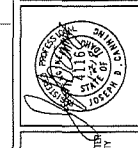
These record drawings are to be used for construction only. They are not to be used for any other purpose. The engineer and planner are not responsible for any errors or omissions in these drawings.

Scale	Date	Rev.	By	Check
AS SHOWN	1/2/18	1	B.A. Kelleher	B.A. Kelleher
AS SHOWN	1/2/18	2	B.A. Kelleher	B.A. Kelleher
AS SHOWN	1/2/18	3	B.A. Kelleher	B.A. Kelleher
AS SHOWN	1/2/18	4	B.A. Kelleher	B.A. Kelleher
AS SHOWN	1/2/18	5	B.A. Kelleher	B.A. Kelleher
AS SHOWN	1/2/18	6	B.A. Kelleher	B.A. Kelleher
AS SHOWN	1/2/18	7	B.A. Kelleher	B.A. Kelleher
AS SHOWN	1/2/18	8	B.A. Kelleher	B.A. Kelleher
AS SHOWN	1/2/18	9	B.A. Kelleher	B.A. Kelleher
AS SHOWN	1/2/18	10	B.A. Kelleher	B.A. Kelleher

Plan/Profile - N. Doe Ave. and
W. Striped Owl Dr.

Ardel Estates Subdivision No. 2

A PARTIAL OF LAND SITUATE IN THE NORTH PART OF THE SOUTHEAST QUARTER
OF SECTION 14, TOWNSHIP 2 NORTH, RANGE 1 WEST, BOGE MERIAN, CITY
OF KAN, AN COUNTY, IOWA

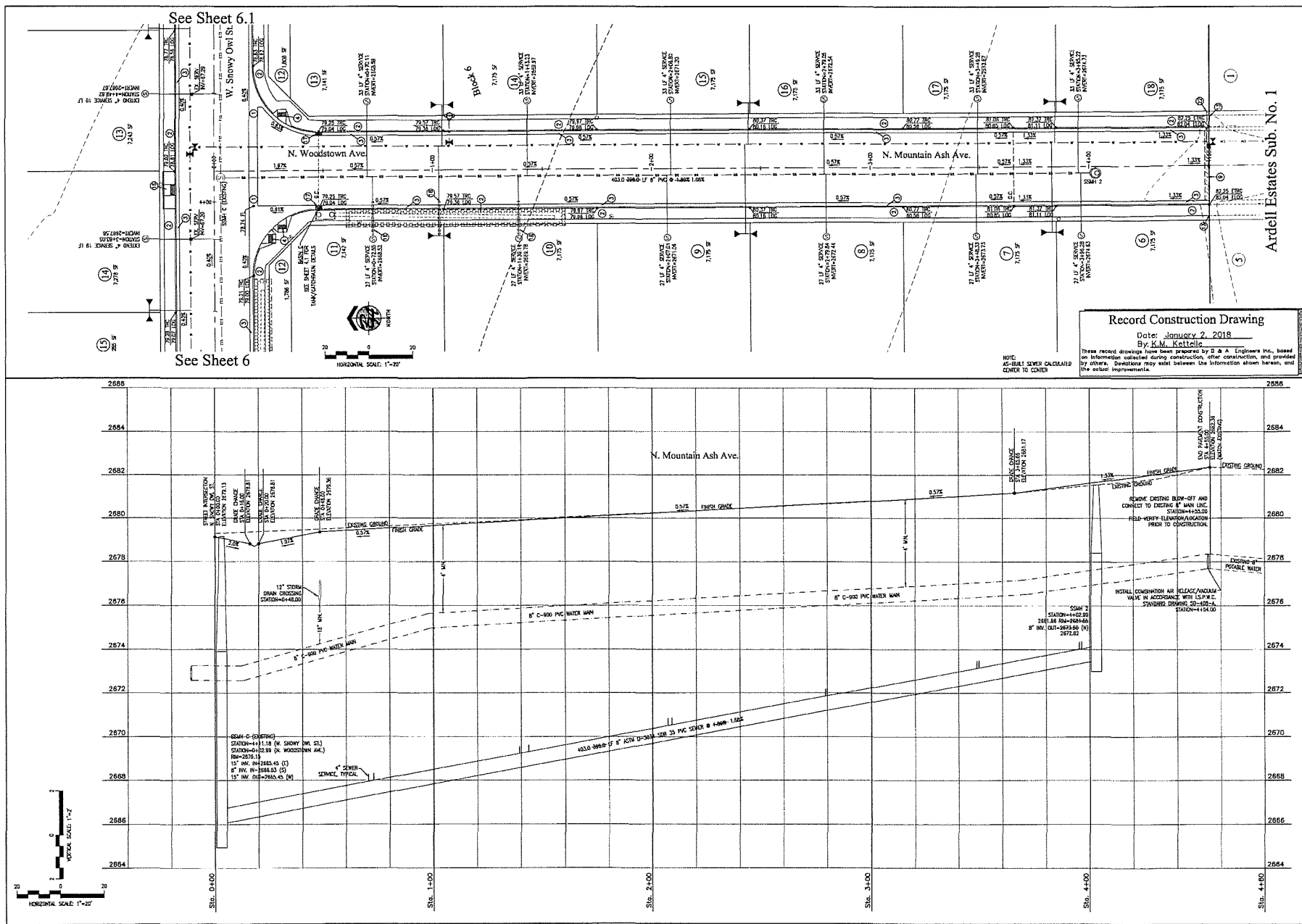


B & A Engineers, Inc.

Consulting Engineers, Surveyors & Planners

5505 W. Franklin Rd. Suite 104, R3705

(208) 343-3381



B & A Engineers, Inc.
Consulting Engineers, Surveyors & Planners
5505 W. Franklin Rd., Indianapolis, IN 46226
(317) 343-3381

Ardeil Estates Subdivision No. 2
A PARCEL OF LAND SITUATE IN THE NORTH HALF OF THE SOUTHWEST QUARTER
OF SECTION 14, TOWNSHIP 3 NORTH, RANGE 7 WEST, BOONE COUNTY, INDIANA
OF BOONE COUNTY, INDIANA

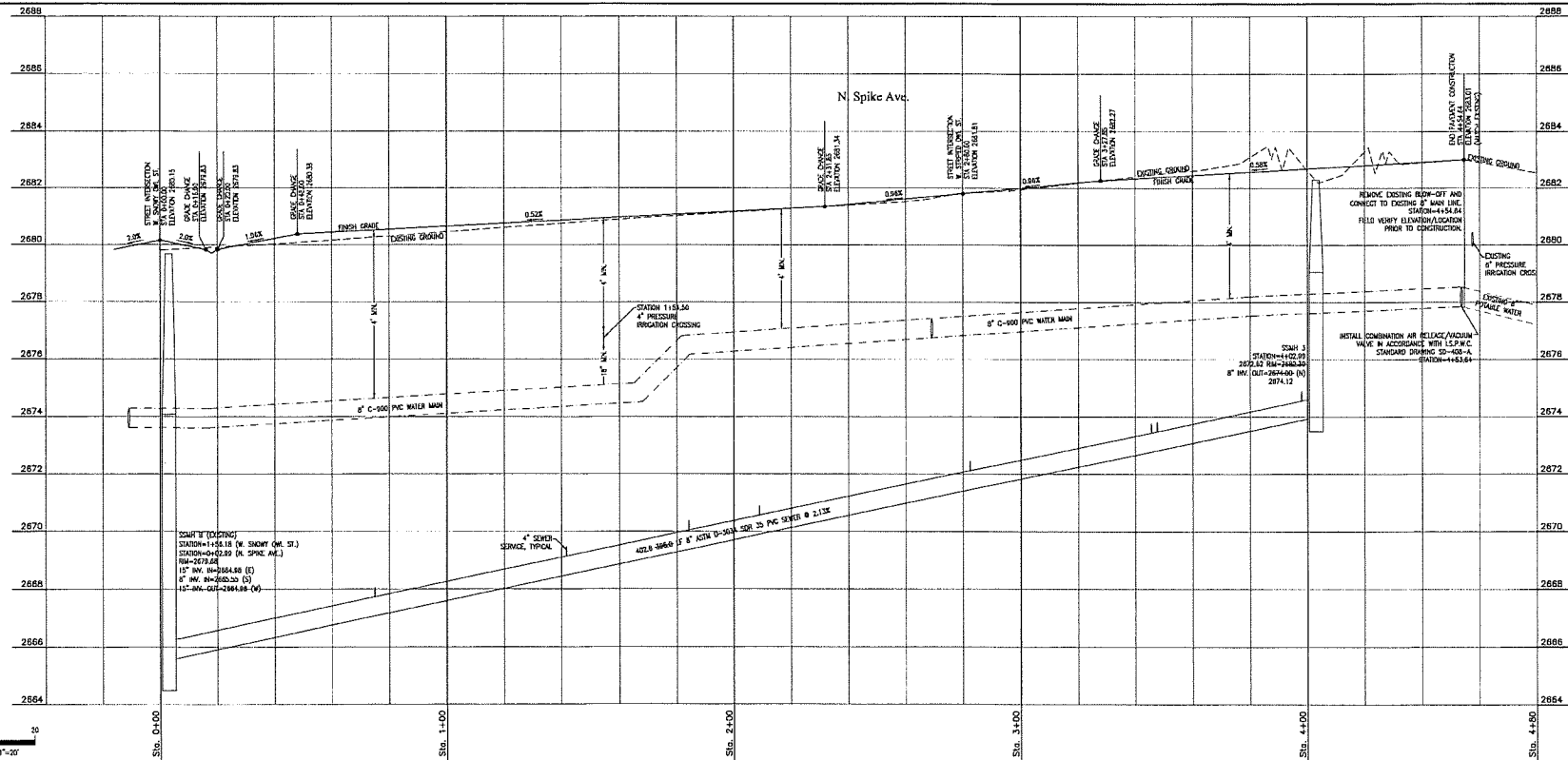
Revisions

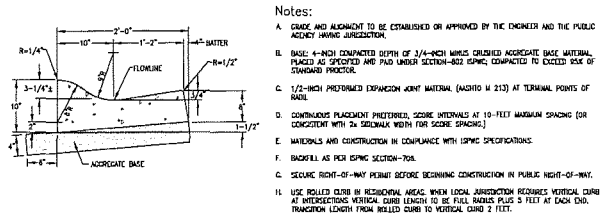
NO.	DATE	BY	REVISION
1	11/15/18	KMK	ISSUED FOR PERMIT
2	1/2/18	KMK	ISSUED FOR CONSTRUCTION

Scale Sheet

DATE: NOVEMBER 3, 2018
BY: K.M. KETTLER
CHECKED BY: J. D. DAVIS
PROJECT NO.: 18-05-FP
DRAWING NO.: 18-05-FP-01
DRAWING TITLE: N. MOUNTAIN ASH AVE.
SHEET NO.: 34 OF 50

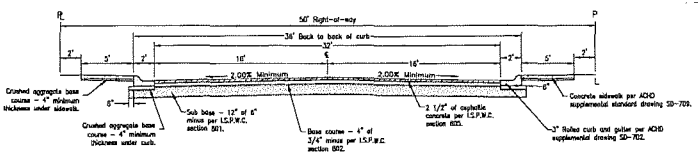
6.3





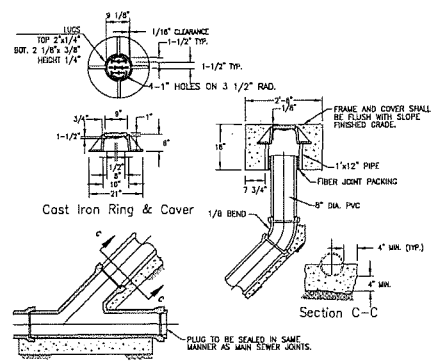
1 Typical 3" Rolled Curb And Gutter

REF: DASH STANDARDS FOR PUBLIC WORKS CONSTRUCTION, AASH SUPPLEMENTAL STD DWS SD-702. NOT TO SCALE



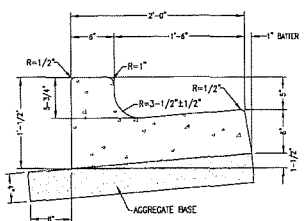
2 Typical Local Street Section

NOT TO SCALE



3 Standard Clean-out Detail

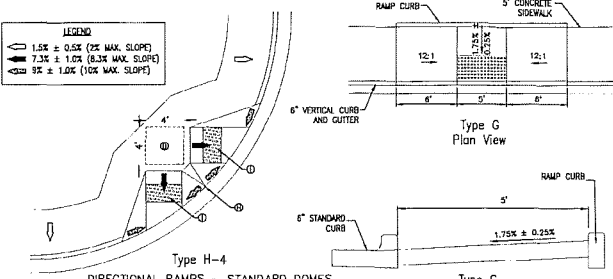
REF: DASH STANDARDS FOR PUBLIC WORKS CONSTRUCTION, STD DWS SD-30A. NOT TO SCALE



4 Typical 6" Vertical Curb & Gutter

REF: DASH STANDARDS FOR PUBLIC WORKS CONSTRUCTION, AASH SUPPLEMENTAL STD DWS SD-701. NOT TO SCALE

- Notes:
- GRADE AND ALIGNMENT TO BE ESTABLISHED OR APPROVED BY THE ENGINEER AND THE PUBLIC AGENCY HAVING JURISDICTION.
 - BASE: 4-INCH COMPACTED DEPTH OF 3/4-INCH WELLS CRUSHED AGGREGATE BASE MATERIAL, PLACED AS SPECIFIED AND PAID UNDER SECTION-802 (SPW); COMPACTED TO EXCEED 95% OF STANDARD PROCTOR.
 - CONTINUOUS PLACEMENT PREFORMED, SCORE INTERVALS 10-12 FEET MAXIMUM SPACING (OR CONSISTENT WITH 2X SIDEWALK WIDTH SCORE SPACING).
 - MATERIALS AND CONSTRUCTION IN COMPLIANCE WITH SPWC SPECIFICATIONS.
 - BACKFILL AS PER SECTION-704.
 - SECURE RIGHT-OF-WAY PERMIT BEFORE BEGINNING CONSTRUCTION IN PUBLIC RIGHT-OF-WAY.
 - STANDARD CURB TO BE USED ON:
 - COLLECTION AND ARTISANAL STREETS, UNLESS OTHERWISE INDICATED.
 - ALL RAMP PLUS 5-FEET EACH END WITH 2-FEET TRANSITION TO ROLL CURB.
 - TO MATCH EXISTING CURBS.
 - SEE SD-709 FOR CURB CONSTRUCTION WHEN SIDEWALK IS INCLUDED.



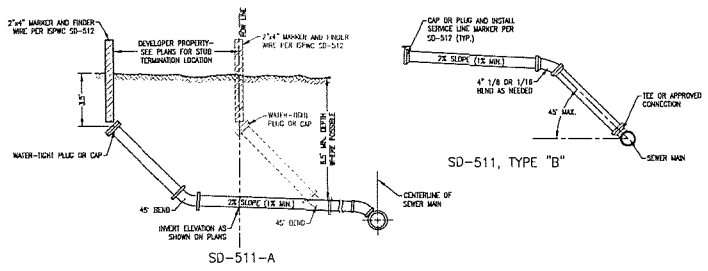
5 Directional Ramps - Standard Domes

- NOTES:
- RAMPS FOR CORNERS WITH A MIN. 15' RADIUS AND UTILIZING ROLLED CURB
 - RAMPS ARE CONTAINED WITHIN THE CURB RADIUS
 - RAMP DIMENSIONS:
 - CURB TYPE - STANDARD 3-INCH ROLLED PER SPWC SD-702
 - THROAT DEPTH - 4-FEET FROM FACE OF CURB
 - THROAT WIDTH - 4-FEET MINIMUM
 - WING - 3-FEET MINIMUM
 - WING - 1.5 FEET HIGH TRANSVERSABLE
 - RAMPS REQUIRE A MINIMUM 4 FEET X 4 FEET LANDING IN SIDEWALK @ 1.5% ± 0.25% (FOR MAX. SLOPE)
 - RAMPS SHALL NOT EXCEED 12:1 (8.3%) SLOPE & TRANSVERSABLE WING 16:1 (10%)
 - NON TRANSVERSABLE AREA - PATTERNED CONCRETE (MARK/CONVEY/ETC)
 - 4 FEET X 4 FEET FLAT STREET SIDE LANDING REQUIRED
 - CURB IS NOT REQUIRED TO BE FULL - HEIGHT
 - TRANSVERSABLE RAMPS SHALL BE INSTALLED IN ALL POSTERIOR RAMPS LOCATED WITHIN THE RIGHT-OF-WAY PER LSPWC SD-712. DOWNS SHALL BE REED INCHES WE-SET INTO CONCRETE (CONCRETE STAMPS AND AGGREGATE WING NOT ALLOWED) AND SHALL BE COLORED "TRAFFIC YELLOW".

5 Pedestrian Ramp SD-712-H4 & Mid Block Ramp SD-712-G

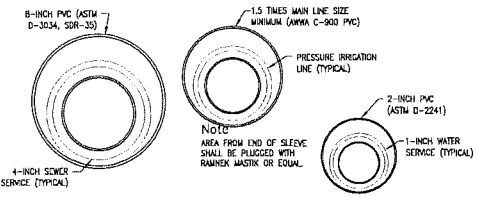
REF: DASH STANDARDS FOR PUBLIC WORKS CONSTRUCTION - AASH SUPPLEMENTAL STD DWS SD-712-H. NOT TO SCALE

REF: DASH STANDARDS FOR PUBLIC WORKS CONSTRUCTION - MID BLOCK RAMP SPWC SD-712-G



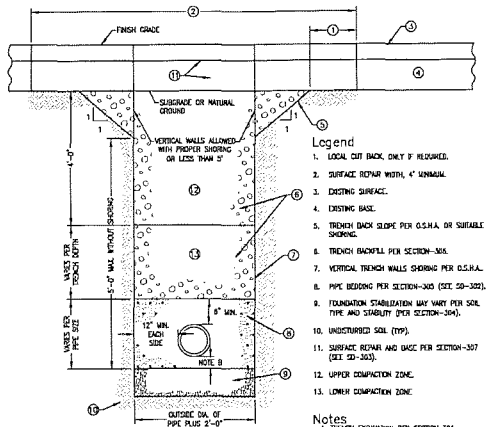
6 Standard Sewer Service Connection

REF: DASH STANDARDS FOR PUBLIC WORKS CONSTRUCTION, STD DWS SD-511 & SD-511-A. NOT TO SCALE



7 Pipe Sleeve Section Detail

NOT TO SCALE



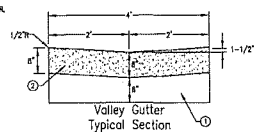
8 Typical Trench Detail

REF: DASH STANDARDS FOR PUBLIC WORKS CONSTRUCTION, STD DWS SD-301. NOT TO SCALE

- Notes:
- GRADE OF GUTTER MINIMUM 0.5%
 - EXPANSION JOINT 1/2-INCH PREFORMED JOINT MATERIAL (ASHTO M 213)
 - FLAT AND BASE SECTION THICKNESS SHALL MATCH THE VALLEY GUTTER TYPICAL
 - PAY LIMITS FOR VALLEY GUTTER
 - PAV. DETAIL FOR CORNER RADIUS 15 FEET OR LESS

9 Typical Valley Gutter

REF: DASH STANDARDS FOR PUBLIC WORKS CONSTRUCTION, AASH SUPPLEMENTAL STD DWS SD-708. NOT TO SCALE



Record Construction Drawing

Date: January 2, 2018
By: K.M. Kettelle

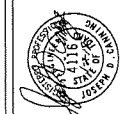
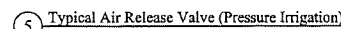
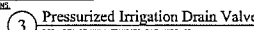
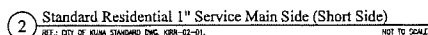
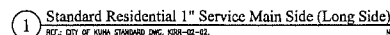
These record drawings have been prepared by B & A Engineers, Inc., based on information collected during construction, after construction, and provided by others. Deductions may exist between the information shown herein, and the actual improvements.

B & A Engineers, Inc.
Consulting Engineers, Surveyors & Planners
5505 W. Franklin Rd. Boise, ID 83705
(208) 343-3381



Ardele Estates Subdivision No. 2
A PART OF LAND SHOWN IN P.L.C. NORTH 1/4 OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 3 NORTH, RANGE 1 WEST, BOISE MERIDIAN, CITY OF BOISE, IDAHO COUNTY, IDAHO.

REV.	DATE	BY	REVISIONS
1	1/2/18	KMK	ISSUED FOR CONSTRUCTION
2	1/2/18	KMK	ISSUED FOR CONSTRUCTION
3	1/2/18	KMK	ISSUED FOR CONSTRUCTION
4	1/2/18	KMK	ISSUED FOR CONSTRUCTION
5	1/2/18	KMK	ISSUED FOR CONSTRUCTION
6	1/2/18	KMK	ISSUED FOR CONSTRUCTION
7	1/2/18	KMK	ISSUED FOR CONSTRUCTION
8	1/2/18	KMK	ISSUED FOR CONSTRUCTION
9	1/2/18	KMK	ISSUED FOR CONSTRUCTION
10	1/2/18	KMK	ISSUED FOR CONSTRUCTION
11	1/2/18	KMK	ISSUED FOR CONSTRUCTION
12	1/2/18	KMK	ISSUED FOR CONSTRUCTION
13	1/2/18	KMK	ISSUED FOR CONSTRUCTION
14	1/2/18	KMK	ISSUED FOR CONSTRUCTION
15	1/2/18	KMK	ISSUED FOR CONSTRUCTION
16	1/2/18	KMK	ISSUED FOR CONSTRUCTION
17	1/2/18	KMK	ISSUED FOR CONSTRUCTION
18	1/2/18	KMK	ISSUED FOR CONSTRUCTION
19	1/2/18	KMK	ISSUED FOR CONSTRUCTION
20	1/2/18	KMK	ISSUED FOR CONSTRUCTION



Ardell Estates Subdivision No. 2

A PARCEL OF LAND SITUATE IN THE NORTH HALF OF THE SOUTHEAST QUARTER
OF SECTION 14, TOWNSHIP 2 NORTH, RANGE 1 WEST, BOISE MERIDIAN, CITY
OF KUNA, ADA COUNTY, IDAHO.

[illegible]

SCALE: AS SHOWN
DATE: NOVEMBER 3, 2018
DRAWN BY: J.L. HALL
CHECKED BY: J.D. CRANING
PROJECT NO. 1703-A
DRAWING FILE NAME:

Date: January 2, 2018
By: K.M. Kettelle

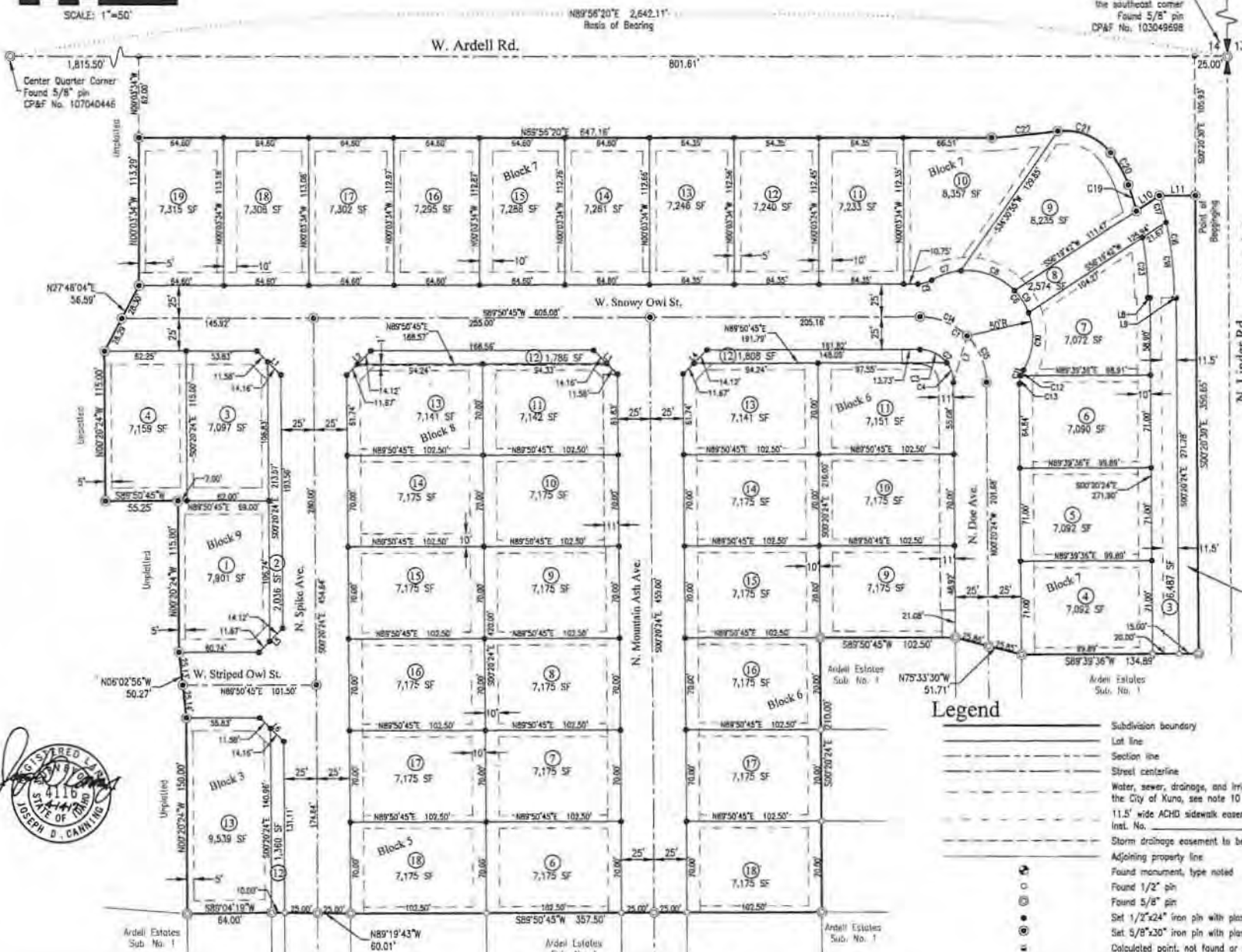
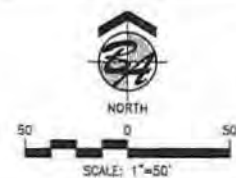
These record drawings have been prepared by B & A Engineers Inc., based on information collected during construction, after construction, and provided by others. Deviations may exist between the information shown hereon, and the actual improvements.

7.2

Ardell Estates Subdivision No. 2

A parcel of land situate in the north half of the southeast quarter of Section 14, Township 2 North, Range 1 West, Boise Meridian, City of Kuna, Ada County, Idaho.

2017



Northeast corner
Found aluminum cap
CP&F NO. 2015-090111

East Quarter Corner
Northeast corner of
the southeast corner
Found 5/8" pin
CP&F No. 103049698



B&A Engineers, Inc.

Consulting Engineers, Surveyors & Planners
5505 W. Franklin Rd. Boise, Id. 83705
(208) 343-3381

N. Linder Rd.

Dedicated to the Public for
right-of-way.

Legend

- Subdivision boundary
- Lot line
- Section line
- Street centerline
- Water, sewer, drainage, and irrigation easement to benefit the City of Kuna, see note 10 for more information.
- 11.5' wide ACHD sidewalk easement
- Inst. No.
- Storm drainage easement to benefit ACHD, see Note 14
- Adjoining property line
- Found monument, type noted
- Found 1/2" pin
- Found 5/8" pin
- Set 1/2"x24" iron pin with plastic cap labeled "B&A LS 4116"
- Set 5/8"x30" iron pin with plastic cap labeled "B&A LS 4118"
- Calculated point, not found or set

SEE SHEET 2 FOR CURVE AND LINE TABLE

Ardell Estates Sub. No. 1

Exhibit

A4

Ardell Estates Subdivision No. 2

Notes

- Irrigation water will be provided by the City of Kuna in compliance with Idaho Code Section §31-3805(1)(b). All lots within this subdivision will be entitled to irrigation rights through Boise-Kuna Irrigation District, and will be obligated for assessments from the City of Kuna.
- All references to Homeowners' Association herein are to the Ardell Estates Subdivision Homeowners' Association and the owners of the lots, within said subdivision, jointly.
- Any resubdivision of this plot shall comply with the applicable zoning regulations in effect at the time of the resubdivision and may require amendment of the development agreement.
- Building setbacks and dimensional standards in this subdivision shall be in compliance with the applicable zoning regulations of the City of Kuna and conditions of the staff report for Ardell Estates Subdivision.
- Lots shall not be reduced in size without prior approval from the health authority.
- Lot 12, Block 3; Lot 12, Block 5; Lot 12, Block 6; Lots 3 & 5, Block 7; and Lot 2, Block 8 are designated as common area lots to be owned and maintained by the Homeowners' Association. This ownership and maintenance commitment may not be dissolved without the express consent of the City of Kuna. The Homeowners' Association is responsible for payment of irrigation assessments. In the event the Homeowners' Association fails to pay assessments, each residential lot is responsible for a fractional share of the assessment.
- No easement shown or designated herein shall preclude the construction and maintenance of hard-surfaced driveways, landscaping (except trees), parking, or other such non-permanent improvements.
- All easements are parallel (or concentric) to the lines (or area) that they are dimensioned from unless otherwise noted.
- Public utility easement is hereby dedicated as follows:
• 10-foot wide along public rights-of-ways.
- Water, sewer, drainage, and irrigation easements are hereby dedicated to the City of Kuna for the installation and maintenance of lines as shown hereon (unless otherwise dimensioned).
• 10-foot wide along public rights-of-ways, rear lot lines and the exterior boundary.
• 10-foot wide contained on interior lot lines (unless otherwise dimensioned).
- Direct lot access to Linder Road is prohibited unless specifically approved in writing by the Ada County Highway District and the City of Kuna.
- Maintenance of any irrigation, drainage pipe, or ditch crossing a lot is the responsibility of the lot owner unless such responsibility is assumed by an irrigation/drainage district.
- This development recognizes Idaho Code Section §22-4503, Right to Farm Act, which states: "No Agricultural operation, agricultural facility or expansion thereof shall be or become a nuisance, private or public, by any changed conditions in or about the surrounding non-agricultural activities after it has been in operation for more than one (1) year, when the operation, facility or expansion was not a nuisance at the time it began or was constructed. The provisions of this section shall not apply when a nuisance results from the improper or negligent operation of an agricultural operation, agricultural facility or expansion thereof."
- All of Lot 12, Block 5 and portions of Lots 10, 11, & 13 Block 5; and Lots 9-11, Block 6 are servient to and contain the ACHD storm water drainage system. This lot is encumbered by that certain First Amended Master Perpetual Storm Water Drainage Easement, recorded on November 10, 2015 as Instrument No. 2015-103256, Official Records of Ada County, and incorporated herein by this reference as if set forth in full (The "MASTER EASEMENT"). The Master Easement and the storm water drainage system are dedicated to ACHD pursuant to Section §40-2302 Idaho Code. The Master Easement is for the operation and maintenance of the storm water drainage system.
- Lot 8, Block 7 is subject to an easement to benefit the City of Kuna for the installation and maintenance of sanitary sewer, pressure irrigation and gravity irrigation.
- This development is subject to a License Agreement, Inst. No. _____ to benefit the Ada County Highway District.

Curve Table

CURVE	DELTA	RADIUS	ARC	CHORD BEARING	CHORD DISTANCE
C1	89°48'51"	50.00'	78.38'	N45°14'50"W	70.60'
C2	89°48'51"	25.00'	39.19'	N45°14'50"W	35.30'
C3	53°07'46"	25.00'	23.18'	N63°35'21"W	22.36'
C4	36°41'02"	25.00'	16.01'	N18°40'55"W	15.73'
C5	31°39'08"	20.00'	11.05'	N74°01'11"E	10.91'
C6	153°07'08"	50.00'	133.52'	N45°14'50"W	97.26'
C7	26°38'33"	50.00'	23.25'	S71°30'53"W	23.04'
C8	51°33'58"	50.00'	45.00'	N69°22'51"W	43.50'
C9	23°05'00"	50.00'	20.14'	N32°03'22"W	20.01'
C10	51°49'37"	50.00'	45.23'	N52°55'56"E	43.70'
C11	31°39'08"	20.00'	11.05'	S15°29'10"W	10.91'
C12	13°42'51"	20.00'	4.79'	S24°27'19"W	4.78'
C13	17°56'18"	20.00'	6.26'	S83°37'45"W	6.24'
C14	44°54'25"	50.00'	39.19'	N67°42'02"W	38.19'
C15	44°54'25"	50.00'	39.19'	N22°47'37"W	38.19'
C16	16°11'46"	282.50'	79.86'	N8°05'53"W	79.59'
C17	41°02'27"	282.50'	21.24'	N14°02'32"W	21.23'
C18	11°53'18"	282.50'	58.62'	N5°56'39"W	58.51'
C19	4°33'15"	282.50'	20.86'	N17°05'36"W	20.86'
C20	19°23'00"	82.50'	27.81'	N29°03'44"W	27.76'
C21	58°26'15"	44.50'	45.39'	N67°58'21"W	43.44'
C22	31°2'58"	900.00'	50.52'	N84°25'01"E	50.51'
C23	10°07'58"	262.50'	46.42'	N5°03'58"W	46.36'

Line Table

Line	Bearing	Distance	Line	Bearing	Distance
L1	S45°14'50"E	25.74'	L7	N16°05'44"E	36.80'
L2	N44°45'10"E	25.79'	L8	N9°00'00"W	1.60'
L3	S45°14'50"E	25.74'	L9	N9°00'00"W	1.60'
L4	N44°45'10"E	25.79'	L10	S56°19'42"W	21.05'
L5	S44°45'10"W	25.79'	L11	N89°39'30"E	27.33'
L6	S45°14'50"E	25.74'			

Certificate of Owners

KNOW ALL MEN BY THESE PRESENTS: That the undersigned does hereby certify that it is the owner of a certain tract of land to be known as ARDELL ESTATES SUBDIVISION NO. 2, and that it intends to include the following described land in this plat:

A parcel of land situate in the north half of the southeast quarter of Section 14, Township 2 North, Range 1 West, Boise Meridian, Kuna City, Ada County, Idaho, and being more particularly described as follows:

Commencing at the northeast corner of the southeast quarter of said Section 14; thence S89°56'20"W, 25.00 feet along the northerly boundary of the southeast quarter of said Section 14 to the westerly right-of-way of North Linder Road; thence S00°20'30"E, 105.93 feet along the westerly right-of-way of North Linder Road to the Point of Beginning;

Thence continuing S00°20'30"E, 350.65 feet along the westerly right-of-way of North Linder Road to the northeasterly corner of Ardell Estates Subdivision No. 1 as shown in Book 111 of plats at Pages 15987 through 15989 records Ada County, Idaho;

Thence the following courses and distances along the northerly boundary of said Ardell Estates Subdivision No. 1:

S89°39'36"W, 134.89 feet; N75°33'30"W, 51.71 feet;
S89°50'45"W, 102.50 feet; S00°20'24"E, 210.00 feet;
S89°50'45"W, 357.50 feet; N89°19'43"W, 60.01 feet;
S89°04'19"W, 64.00 feet;

Thence N00°20'24"W, 150.00 feet;

Thence N06°02'56"W, 50.27 feet;

Thence N00°20'24"W, 115.00 feet;

Thence S89°50'45"W, 55.25 feet;

Thence N00°20'24"W, 115.00 feet;

Thence N27°46'04"E, 55.59 feet;

Thence N00°03'34"W, 113.29 feet;

Thence N89°56'20"E, 647.16 feet along a line 82.00 feet southerly of and parallel to the northerly boundary of the southeast quarter of said Section 14;

Thence 50.52 feet along a non-tangent curve deflecting to the left having a radius of 900.00 feet, a central angle of 03°12'50", a long chord bearing of N84°25'01"E, and a long chord distance of 50.51 feet;

Thence 45.39 feet along a tangent curve deflecting to the right having a radius of 44.50 feet, a central angle of 58°26'15", a long chord bearing of S87°58'21"E, and a long chord distance of 43.44 feet to a point of compound curvature;

Thence 27.31 feet along a tangent curve deflecting to the right having a radius of 82.50 feet, a central angle of 19°23'00", a long chord bearing of S29°03'44"E, and a long chord distance of 27.78 feet to point of compound curvature;

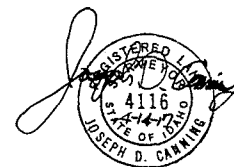
Thence 20.86 feet along a tangent curve deflecting to the right having a radius of 262.50 feet, a central angle of 04°33'15", a long chord bearing of S17°05'36"E, a long chord distance of 20.86 feet;

Thence N56°19'42"E, 21.05 feet;

Thence N89°39'30"E, 27.33 feet to the westerly right-of-way of North Linder Road and to the Point of Beginning.

Comprising 9.38 acres, more or less.

Comprising 11.62 Acres, more or less.



B&A Engineers, Inc.

Consulting Engineers, Surveyors & Planners
5505 W. Franklin Rd. Boise, Id. 83705
(208) 343-3381

Ardell Estates Subdivision No. 2
Sheet 2 of 3

SEE SHEET 3 FOR OWNERS SIGNATURE

Ardell Estates Subdivision No. 2

Certificate of Owners Signature

The public streets shown on this plat are hereby dedicated to the public; the easements shown on this plat are not dedicated to the public, but the right to use said easements is hereby reserved for the uses specifically depicted on the plat, and for any other purposes designated hereon. The lots within this subdivision are eligible to receive water service from the City of Kuna; and the City of Kuna has agreed in writing to serve all of the lots within this subdivision.

IN WITNESS WHEREOF: I have hereunto set my hand on this 25 day of April, 2017.

Justin Blackstock
Justin Blackstock, Manager
DB Development, LLC. Date 4-25-17

Acknowledgment

State of Idaho)

)ss.

County of Ada)

On this 25 day of April, in the year of 2017, before me the undersigned, a Notary Public in and for said state, personally appeared Justin Blackstock, known or identified to me to be the manager of the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company and acknowledged to me that such limited liability company executed the same.

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

Quinn L. Hall
Notary Public for Idaho
Residing in Boise, Idaho
My Commission Expires 1-13-2022



Certificate of Surveyor

I, JOSEPH D. CANNING, do hereby certify that I am a Professional Land Surveyor, licensed by the State of Idaho, and that this plat of ARDELL ESTATES SUBDIVISION NO. 2, as described in the Certificate of Owners and as shown on the attached plat, was drawn from an actual survey made on the ground under my supervision, and accurately and correctly represents the points platted thereon, and is in conformance with the State of Idaho Code relating to plats and surveys.

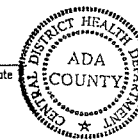
Joseph D. Canning, P.L.S. No. 4115



Approval of Central District Health Department

Sanitary restrictions as required by Idaho Code, Title 50, Chapter 13 have been satisfied according to the letter to be read on file with the County Recorder or his agent listing the conditions of approval. Sanitary restrictions may be re-imposed, in accordance with Section 50-1326, Idaho Code, by the issuance of a certificate of disapproval.

Boise 2015 5.2.17
Central District Health Department, EHS Date



Approval of Ada County Highway District

The foregoing plat was accepted and approved by the Board of Ada County Highway District Commissioners on the _____ day of _____.

Commission President
Ada County Highway District

Approval of City Engineer

I, the undersigned, the City Engineer in and for the City of Kuna, Ada County, Idaho, on this _____ day of _____, hereby approve this plat.

Kuna City Engineer

Approval of City Council

I, the undersigned, City Clerk in and for the City of Kuna, Ada County, Idaho, do hereby certify that at a regular meeting of the City Council held on the _____ day of _____, this plat was duly accepted and approved.

Kuna City Clerk

Certificate of County Surveyor

I, the undersigned, County Surveyor, in and for Ada County, Idaho, do hereby certify that I have checked this plat and that it complies with the State of Idaho Code relating to plats and surveys.

Ada County Surveyor

Date

Certificate of County Treasurer

I, the undersigned, County Treasurer in and for the County of Ada, State of Idaho, per requirements of Idaho Code 50-1308, do hereby certify that any and all current and/or delinquent county property taxes for the property included in this proposed subdivision have been paid in full. This certificate is valid for the next thirty (30) days only.

Ada County Treasurer

Date

Certificate of County Recorder

State of Idaho)

)ss.

Instrument No. _____

County of Ada)

I hereby certify that this instrument was filed at the request of _____

at _____ minutes past _____ o'clock _____ M.,

this _____ day of _____, _____

in my office, and was recorded in Book _____ of Plats

at Pages _____ through _____

Fee: _____

Ex-Officio Recorder: Christopher D. Rich

Deputy: _____



B&A Engineers, Inc.

Consulting Engineers, Surveyors & Planners
5505 W. Franklin Rd. Boise, Id. 83705
(208) 343-3381

Ardell Estates Subdivision No. 2
Sheet 3 of 3

received
1.17.18



City of Kuna

City Council Findings of Fact & Conclusions of Law

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

To: Kuna City Council

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

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

Planner: Troy Behunin, Senior Planner

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

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

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

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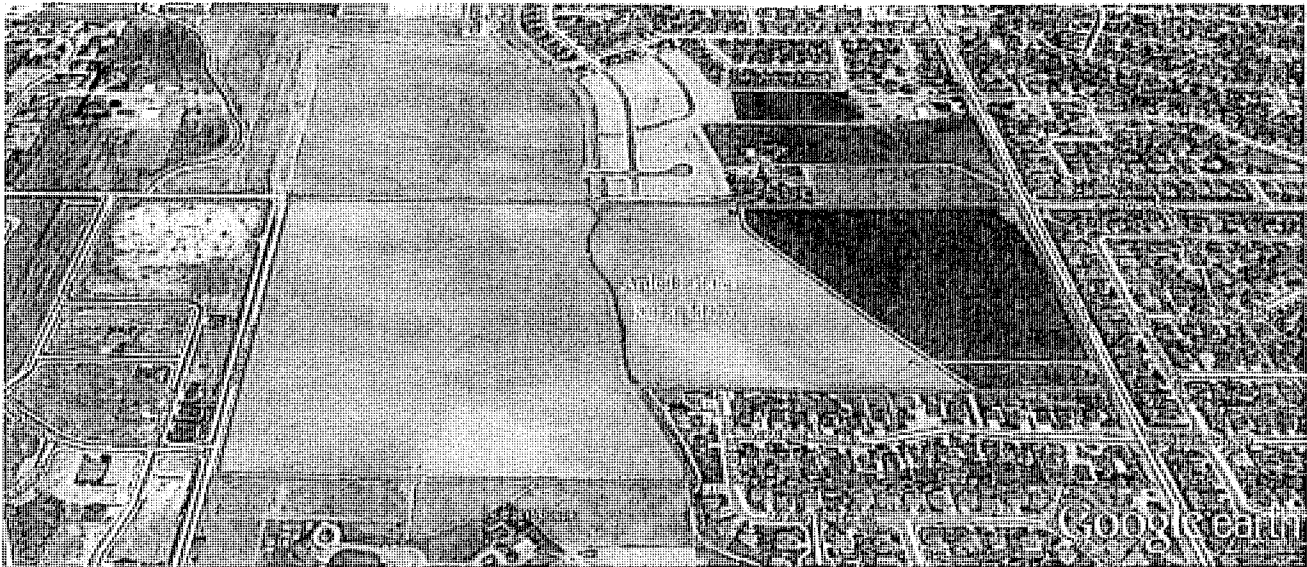
- A. Course Proceedings
- B. Applicants Request
- C. Vicinity & Aerial Maps
- D. Site History
- E. General Project Facts
- F. Staff Analysis
- G. Applicable Standards
- H. Comprehensive Plan Analysis
- I. Findings of Fact
- J. Conclusions of Law
- K. Recommendation by the Planning and Zoning Commission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

A. Course of Proceedings

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



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

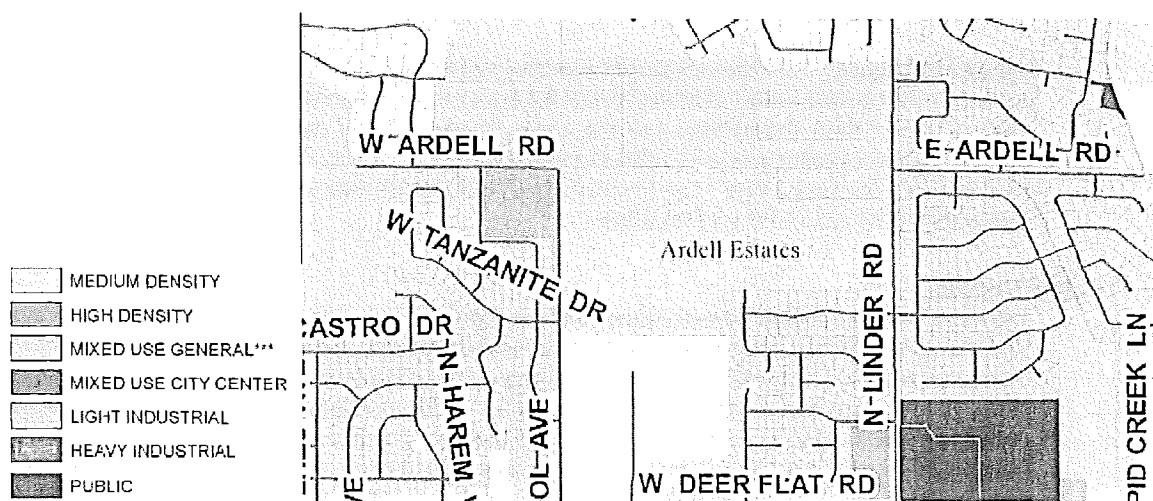


©COPYRIGHTED

D. History: The subject parcel is in Kuna City limits and is currently zoned R-6 (Medium Density Residential). This property has historically been used for Agriculture purposes and farmed.

E. General Project Facts:

- 1. Comprehensive Plan Designation:** The Future Land Use Map (FLU) identifies this site as Mixed-Use General, which is an overlay for mixing residential and commercial if the owner wishes, but it is not required. Staff views this land use request to be consistent with the approved FLU map.



2. Surrounding Land Uses:

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

3. Parcel Sizes, Current Zoning, Parcel Numbers:

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

4. Services:

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

5. Existing Structures, Vegetation and Natural Features: Currently there are no structures and the land is being used for agricultural purposes. It is anticipated that will continue its historic uses on the remaining lands until development occurs.**6. Transportation / Connectivity:** The applicant proposes a single access from Linder Road, one on future West Ardell Road and two access points on School Road for a total of four new access points. Applicant proposes to connect to the North Addax Avenue to the south.**7. Environmental Issues:** Staff is unaware of any environmental issues, health or safety conflicts.**8. Agency Responses:** The following agencies returned comments: City Engineer (Gordon Law, P.E.) (Exhibit B 1), Ada County Highway District (ACHD) (Exhibits B 2 & 3), Boise Project Board of Control (BPBC) (Exhibit B 4), Central District Health Department and the Idaho Transportation Department (ITD) (Exhibit B 5). The responding agency comments are included as exhibits with this case file. The following agencies did not send in comments; DEQ, Kuna Police Department, Kuna School District, Ada County Planning and Zoning, Idaho Power, J&M Sanitation, or the US Post Office.**F. Staff Analysis:**

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

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

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

G. Applicable Standards:

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

H. Comprehensive Plan Analysis:

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

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

GOALS AND POLICY – Property Rights

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

Policy 1: As part of a land use action review, the staff shall evaluate with guidance from the City's attorney; The Idaho Attorney General's six criterion established to determine the potential for property taking.

GOALS AND POLICY – Economic Development

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

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

GOALS AND POLICY – Land Use

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

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

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

I. Findings of Fact:

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

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

J. Conclusions of Law:

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

K. Recommendation by the Planning and Zoning Commission:

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

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

L. Decision by the City Council:

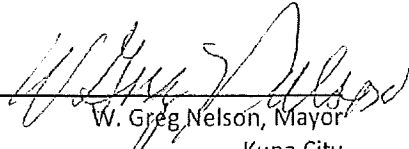
15-07-DRC:-Design Review approved by Planning and Zoning Commission 09.22.2015.

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

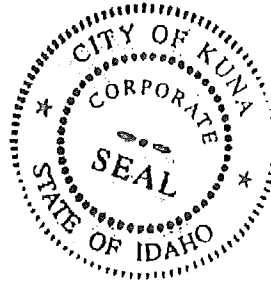
1. The applicant and/or owner shall obtain written approval on letterhead or may be written/stamped on the approved plans of the construction plans from the agencies noted below. All submittals are required to include the lighting, landscaping, drainage, and development plans. All site improvements are prohibited prior to approval of the following agencies:
 - a. The City Engineer shall approve the potable water and sewer hook-ups.

- b. The City Engineer shall approve the drainage and grading plans. Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, "Catalog for Best Management Practices for Idaho Cities and Counties". No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
 - c. The Kuna Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Fire District is required.
 - d. The *Boise Project and Board of Control* shall approval any modifications to the existing irrigation and drainage systems.
 - e. Approval from Ada County Highway District shall be obtained and Impact Fees must be paid prior to issuance of any building permit.
 2. All public rights-of-way shall be dedicated and constructed to standards of the City, Ada County Highway District, and Idaho Transportation Department. No public street construction may be commenced without the approval and permit from Ada County Highway District and/or Idaho Transportation Department.
 - 2.1- With future development and as necessary, dedicate right-of-way in sufficient amounts to follow Kuna City and ACHD standards and widths.
3. Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see KCC 6-4-2-W.
4. Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be Impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
5. Street lighting shall use LED lights, with spacing and wattages meeting the approval of the City; Applicant shall coordinate a street light plan for planning department approval in concert with the prepared construction drawings for the project.
6. Parking within the site shall comply with Kuna City Code, unless specifically approved otherwise.
7. Fencing within and around the site shall comply with Kuna City Code unless specifically approved otherwise).
8. All site signage (including entry monuments) must obtain design review approval and building permits for their construction.
9. All required landscaping shall be permanently maintained in a healthy growing condition. The property owner shall remove and replace unhealthy or dead plant material within 3 days or as the planting season permits as required to meet the standards of these requirements. Maintenance and planting within public rights-of-way shall be with approval from the public entities owning the property, and may include a license agreement for their care.
10. Submit a petition to the City (if necessary and confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and requesting to annex the irrigation surface water rights appurtenant to the property to the Kuna Municipal Pressure Irrigation system of the City (KMID) prior to requesting final plat signature from the City Engineer.
11. The land owner/applicant/developer and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the Commission and/or Council, or seek amending them through public hearing processes.
12. The applicant's proposed preliminary plat (*dated 04.2.15*) and landscape plan (*dated 04.14.2015*) shall be considered a binding site plans, or as modified and approved through the public hearing process.
13. Applicant's landscape plan does not indicate any trees or shrubs within the central pathway. Applicant shall follow the landscape requirements as noted in KCC 5-17-12-C for open spaces.
14. Applicant shall follow all staff, city engineer and other agency recommended requirements as applicable.
15. Developer shall comply with all local, state and federal laws.

DATED: This 4th, day of November, 2015


W. Greg Nelson, Mayor
Kuna City

ATTEST 
Chris Engels
Kuna City Clerk





CITY OF KUNA
P.O. BOX 13
KUNA, ID 83634
www.kunacity.id.gov
Phone : (208) 639-5347
Email : bbachman@kuna.id.gov

Bob Bachman, BOC I, IBC
 Public Works Director
 City of Kuna

MEMORANDUM

To: Wendy Howell – Director of Planning and Zoning
From: Bob Bachman - Public Works Director
 Paul A. Stevens P.E. – City Engineer
 Michael L. Borzick – GIS Manager/ Plan Review
RE: Final Plat – **Ardell Subdivision No. 2**
Date: February 27, 2018

The Public Works Staff has reviewed the above mentioned Final Plat(s). Public Works recommends proceeding with the approval(s) and addressing any issues and conditions raised below in connection with this application during plan review. Accordingly, Public Works provides the following comments:

1. Record Drawings

- a. This projects Record Drawings (As-builts) have been properly archived in the City's Map Room and the digital copies placed on the server for archival purposes.
- b. For assistance in understanding issues associated with project, please contact the GIS Manager at 208-287-1726

2. Water Rights

- a) Water Rights have been annexed per the request of the owner/developer per Ord 2017-18.
- b) For further assistance in understanding issues associated with said Water Rights, Assessment(s), Ordinance(s) or the request to Annex, please contact the GIS Manager at 208-287-1726.

3. Final Plat

- a) The applicant's Final Plat adheres to the Preliminary Plat, any Approved Construction Drawings, appropriate easements, rights-of-way and the like.
- b) For assistance in understanding issues associated with the Final Plat, please contact the City Engineer at 208-287-1727

4. Public Works Inspection Fees and Plan Review Fees

- a) The inspection fees and/or the plan review fees have been paid on this project in full and there is no need to reserve bond nor any other holdings.

a. Sewer Inspection Fee -	\$1,010.00
b. Water Inspection Fee -	\$1,962.00
c. PI Inspection Fee -	\$2,521.00
d. Record Drawing -	\$200.00
e. Plan Review Fee -	\$660.00

At this time, the Public Works Staff mentioned in the header affirm that they see no need to hold off on the approval of the above-mentioned subdivision. The Final Plat will be signed by the City Engineer upon completing of the aforementioned items. We look forward to working with you on this project. If we may be of further assistance, feel free to contact me at 208-639-5347.

Sincerely,

Bob Bachman

Bob Bachman
 Public Works Director

Exhibit

B2



City of Kuna

Council Findings of Fact & Conclusions of Law

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

To: **City Council**

File Numbers: **17-01-S** (Subdivision), and
17-01-ZC (Rezone).

Location: NEC of Ten Mile Road & Lake
Hazel Road, Meridian, Idaho

Planner: Troy Behunin, Planner III

Hearing date: June 6, 2017
Findings of Fact: **March 6, 2018**

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

Owner: **Mason Creek Farm, LLC,**
Tim Eck
6152 W. Half Moon Ln.
Eagle, ID 83616
208.286.0520
timothyeck@me.com

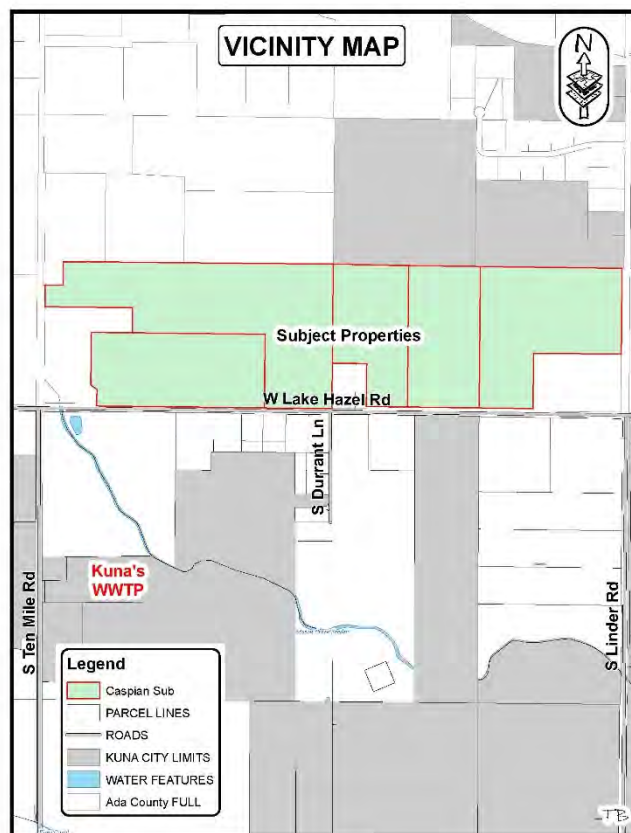


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| C. Aerial map | K. Comprehensive Plan Analysis |
| D. Site History | L. Idaho Code Analysis |
| E. General Project Facts | M. Conclusions of Law |
| F. Staff Analysis | N. Recommendation of the Commission to
City Council |
| G. Applicable Standards | O. Order of Decision by Council |
| H. Procedural Background | |

A. Process and Noticing:

1. Kuna City Code 1-14-3 (KCC), Title 1, Chapter 14, Section 3, states that rezones and preliminary plat's for subdivision's are designated as public hearings, with the City Council as the decision making body, and Commission as the decision making body for Subdivision landscape design review. This land use application was given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65 Local Planning Act.

a. Notifications

- | | |
|----------------------------|--|
| i. Neighborhood Meeting | October 14, 2016 (one person attended) |
| ii. Agency Comment Request | January 26, 2017 |

- | | |
|---------------------------|--------------|
| iii. 300' Property Owners | May 10, 2017 |
| iv. Kuna, Melba Newspaper | May 10, 2017 |
| v. Site Posted | May 24, 2017 |

B. Applicants Request:

1. Request:

On behalf of Mason Creek Farm, LLC. Tim Eck, David Crawford with B & A Engineers (applicant), requests approval for a rezone of approximately 107 acres from P (Public) to R-6 (Med. Density Residential), and a preliminary plat for approximately 131.74 acres of land. The applicant proposes to subdivide the parcels into 494 buildable lots and 69 common lots. Applicant has obtained Subdivision landscaping Design Review approval. This site is located north of Lake Hazel, between Ten Mile and Linder Roads (See Map).

C. Aerial Map:



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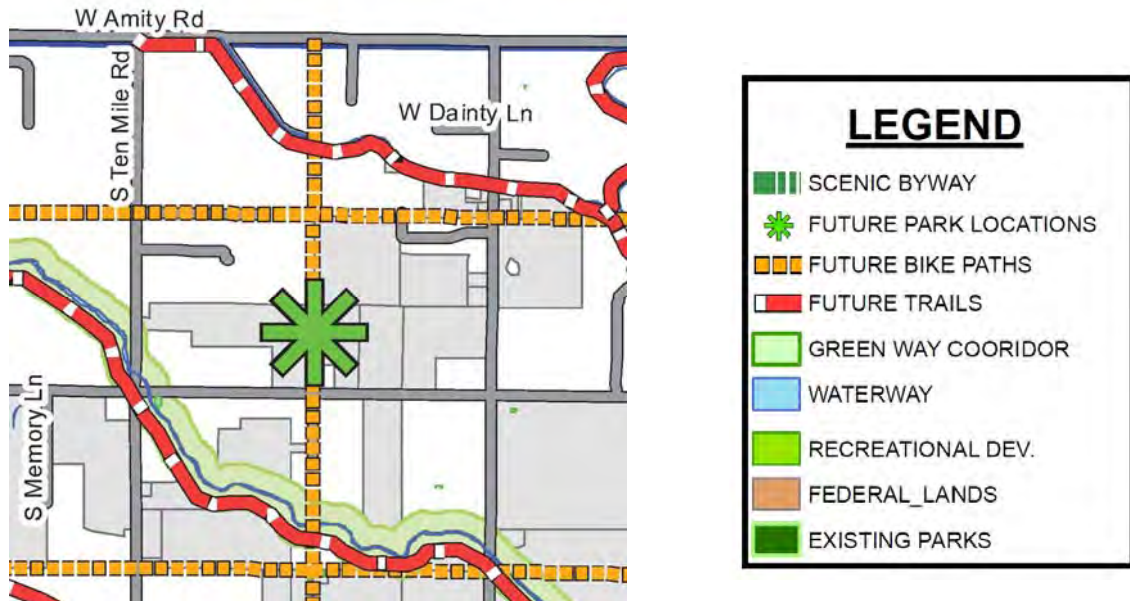
D. Site History:

Recently, this site was annexed into Kuna and has historically been used for small agricultural purposes and farm property for many years. The site is near City and County platted subdivisions – Memory Ranch, west/southwest: Kuna, Patriot Ridge, north: Ada County, Durrant Estates, south: Ada County.

E. General Projects Facts:

- 1. Comprehensive Plan Map:** The Future Land Use Map (Comprehensive Plan Map) is intended to serve as a guide for the decision making body for the City. This map indicates a land use designation and it is not the actual zoning. The Comp Plan Map designation for this site was amended July 5, 2016, to Medium Density Residential.

2. **Recreation and Pathways Map:** The Recreation and Pathways Master Plan Map indicates a future park in the area within the site. Applicant has proposed several acres of open space below the power lines and removed three lots in block 7 to provide open space.



3. **Surrounding Land Uses:**

North	Ag., R-2, RUT	Agriculture AND Low Density Residential – Kuna City, Rural Urban Transition – Ada County
South	Ag., RR, RUT	Agriculture - Kuna City, Rural Residential AND Rural Urban Transition – Ada County
East	RUT	Rural Urban Transition – Ada County
West	R-4*, RUT	Medium Density Residential – Kuna City * AND Rural Urban Transition – Ada County

** Recently this land was annexed into Kuna City as R-4.*

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

Parcel Size (Approximately)	Current Zone: (P & R-6) Public, Medium Density Residential	Parcel Number
42.04 acres	P – Kuna City	S1235346610
17.14 acres	P – Kuna City	R8468870305
18.94 acres	P – Kuna City	S1235438411
28.29 acres	P – Kuna City	S1235449215
22.87 acres	* R-6 – Kuna City	S1235347051

** Recently this land was annexed into Kuna City as R-6.*

5. **Services:**

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

6. Existing Structures, Vegetation and Natural Features:

There are no structures on site. The site has vegetation that is generally associated with Agricultural fields.

7. Transportation / Connectivity:

The site is adjacent to Ten Mile Road on the west, and Linder Road on the East side. The property also touches a significant portion of Lake Hazel Road. There are five proposed points of access for the project; one on Ten Mile, one on Linder, and three places on Lake Hazel.

8. Environmental Issues:

Staff is not aware of any environmental issues, health or safety conflicts. The site's topography is generally flat with less than 3 percent slope.

9. Agency Responses:

The following agencies returned comments are included with this case file:

- City Engineer (Gordon Law, P.E.) *Exhibit B 1*
- Ada County Highway District (Mindy Wallace) *Exhibit B 2*
- Boise Project Board of Control (Bob Carter) *Exhibit B 3*
- Central Dist. Health Dept. (Lori Badigian), *Exhibit B 4*
- COMPASS (Carl Miller), *Exhibit B 5*.
- *Approved Traffic Impact Study (Approved by ACHD) Exhibit B 6*

F. Staff Analysis:

In September of 2009, approximately 107 acres of this application were annexed (09-01-AN), into Kuna city limits with a 'P' (Public) zone as a way to land apply treated waste waters from Kuna's Waste Water Treatment Plant (WWTP) that is 1/4 mile south of Lake Hazel on Ten Mile Road. These 107 acres were surplus by the City in 2013, and sold at public auction, as they were no longer a necessity for the City. Additionally, approximately 22.87 acres were recently annexed into Kuna City limits with an R-6 (Medium Density) zone. The site is near other Kuna city subdivisions with the R-6 zone. The project touches three major arterials (Ten Mile, Lake Hazel and Linder Roads) and all public utilities will soon be available to service this subdivision.

The applicant seeks a rezone for approximately 107 acres from P (Public) to R-6 (Medium Density Residential) and approval for a preliminary plat for a total of approximately 131.75 acres, in order to develop the property into 497 new single-family homes and 68 common lots and design review approval for the subdivision landscaping to include the buffers along the road frontages for the project.

Long ago, the city of Kuna recognized the importance of the Ten Mile corridor and the critical role of the new Ten Mile Interchange at I-84, one of the newest interchanges in the Treasure Valley funded by the Idaho Transportation Department (ITD) and the Ada County Highway District (ACHD) in anticipation of the growth along the Ten Mile corridor and neighboring areas. Furthermore, ACHD has completed a study for the south Ten Mile corridor that anticipates additional growth for this area and designated Ten Mile as a major arterial roadway. Additionally, the city of Kuna anticipated the roll of the interchange and growth for this area ahead of all agencies by placing one of Idaho's newest and most advanced waste water treatment plants a 1/4 mile south of Lake Hazel Road on Ten Mile in 2009.

Furthermore, landowners have noticed the opportunity of the interchange, the treatment plant, and responded by developing their lands as an R-6 (Medium Density Residential) subdivision directly west of the treatment plant (Memory Ranch Subdivision – 262 Homes so far). Through direction from the City, that developer sized and built a lift-station for purposes of serving the entire region and placed it 470 feet south of Lake Hazel. If this application is approved, development of this site will bring all of Kuna's services to the area and use this up-sized lift-station, thus providing an opportunity for other land owners to connect to Kuna's services. The Memory Ranch lift-station is roughly 1,000 feet from this application and the developer will extend these service lines to his property. In addition to Memory Ranch, a nearby R-6 subdivision

(Springhill Subdivision at the southeast corner of Linder and Lake Hazel) will begin construction on phase one this summer. Springhill is approximately 203 +/- acres and could bring 700+ new homes to the area and is only 600 feet from this project (See Exhibit C 1).

City of Kuna Planning Efforts:

Kuna has been extensively planning for and studying this area since 2006. Included with that planning effort is a way to provide city services, a complete Comprehensive Plan Text re-write, Comprehensive Plan and Planning Maps including lands between Lake Hazel and Amity, and the construction of the treatment plant. There are many sections within Kuna's Comp Plan Text that discuss and plan for the lands between Lake Hazel and Amity Roads, and considerations for traffic, services and housing for that region. The lands in this application have been included (and designated as residential) on the planning Map and Area of City Impact (ACI) map since 2008. Notwithstanding nor diminishing Kuna's extensive planning, between 2012 and 2016, Kuna City and Meridian City had numerous discussions about the ACI line between the cities. At the same time, Kuna was negotiating its own new ACI with Ada County. As a compromise, Kuna elected to withdraw from the debate over the mile between Lake Hazel and Amity, and eventually pulled the ACI line down to Lake Hazel. Kuna continued planning for the Bittercreek area, and access to its sewer facilities facilitated the settlement between Bittercreek Meadows Subdivision and City of Meridian by providing sewer at its new \$30 Million treatment plant, only 1,000 feet away. Prior to this application, Kuna's city limits existed above Lake Hazel Road. The Kuna planning map approved by City Council in August 2015 (*See Exhibit C 10*), identifies the lands in this application as Medium Density, and the proposed annexation requests R-6 conforming to the map. As stated in their request, the applicant has proposed that densities will reach about 3.8 units per acre.

Staff has reviewed the proposed landscape plan for the subdivision and finds it is in substantial conformance with the Design Review (for Subdivision Landscape) Code for Kuna.

City of Meridian Planning Efforts:

Meridian City also has been studying and planning for this area. Notably, Meridian city has no immediate plans for municipal sewer, water or pressure irrigation services for this area. Meridian City limits, are nearly a mile from this area and services are even further. On October 11, 2016, Meridian City Council approved a Future Land Use Map (FLUM - *See Exhibit C 11*), demonstrating that Meridian also foresees the importance of the Ten Mile Corridor and the interchange, as Meridian has designated Mixed Use Neighborhoods (MUN) on both sides of Ten Mile for at least two miles; including five City parks planned within one mile, a fire station within one mile and a transit Station for commuters at the Interchange. This MUN designation predicts significant residential growth for the area.

At the April 25, 2017, Planning and Zoning Commission hearing, it was conditioned that the applicant shall *combine lots 13, 14 and 15, Block 7, and integrate those lots (part of phase three), into useable open/green space for the use of the H.O.A. members and keep all other pathways proposed on the pre plat.* The applicant has complied with that P & Z Commission condition and has submitted revised plans to reflect those changes.

Staff has determined this application complies with Title 5 of the Kuna City Code; Idaho Statute §50-222; and the Kuna Comprehensive Plan and Map; and forwards a recommendation of approval for Case No's 17-01-S, 17-01-ZC and 17-07-DR, subject to the recommended conditions of approval listed in Section 'N' of this report.

G. Applicable Standards:

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

H. Procedural Background:

On June 6, 2017, the Council considered Case No's 17-01-ZC and 17-01-S, including the applications, agency comments, staff's report, application exhibits and public testimony presented or given.

I. Findings of Fact for Councils Consideration:

Based on the record contained in Case No's 17-01-S, 17-01-ZC and 17-07-DR, including the exhibits, staff's report and the public testimony at the public hearing, the Council of Kuna, Idaho, hereby *approves* the proposed Findings of Fact and Conclusions of Law, and conditions of approval for Case No's 17-01-S and 17-01-ZC, for Caspian Subdivision.

The Council concludes that the Application complies with the City of Kuna's Zoning regulations (Title 5) of KCC and the Subdivision and Design Review regulations outlined in titles 5 and 6 of KCC.

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

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

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

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

2. The Council has the authority to approve Case Nos 17-01-S and 17-01-ZC. On June 6, 2017, the Council voted to approve Case No's 17-01-ZC and 17-01-S.

Comment: *On June 6, 2017, the Council voted to approve Case No's 17-01-S and 17-01-ZC.*

3. The public notice requirements were met and the public hearing was conducted within the guidelines of applicable Idaho Code and City Ordinances to hold a public hearing on June 6, 2017, with the Council.
4. The Council accepts the facts as outlined in the staff report, the public testimony and the supporting evidence list presented.

Comment: *The Council held a public hearing on the subject application on June 6, 2017, to hear from City staff, the applicant and to accept public testimony. The decision by the Council is based on the application, staff report and public testimony, both oral and written.*

5. Based on the evidence contained in Case No's 17-01-S, 17-01-ZC and 17-07-DR, this proposal appears to generally comply with the Comprehensive Plan and Comp Plan Map as amended.

Comment: *The Comp Plan has listed numerous goals for providing variety in housing options in Kuna. The Kuna Planning Map designates this property as Medium Density. As this is a proposed medium density residential use the project follows the goals of the Comp Plan and the Comp Plan Map.*

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

Comment: As noted in the process and noticing sections, notice requirements were met to hold a public hearing on June 6, 2017.

J. Factual Summary:

This site is located near the north east corner (NEC) of Ten Mile Lake Hazel Roads and reaches Linder Road to the east. Applicant proposes a rezone from P (Public) to R-6 (Med. Density Residential) for approximately 107 acres and a preliminary plat for approximately 131.75 acres into City limits in an R-6 zone creating a subdivision with 497 buildable lots and 69 common lots. Applicant proposes a Subdivision landscaping for the 68 common lots.

The site will take one access from Ten Mile Road, and one from Lake Hazel Road, and three access points from Lake Hazel Road.

K. Comprehensive Plan Analysis:

The Kuna Council accepts the Comprehensive Plan components as described below:

The designation of Medium Density shown on the Planning Map (See Adjacent Map) for these parcels was amended in August of 2015 by Council. The proposed preliminary plat for the site is consistent with the following Comprehensive Plan components:

Community Vision Statement:

Residents hoped for the creation of business and light commercial use centers within neighborhoods. These centers would include restaurants, gas stations, churches, multi-family use facilities, and other mixed-use developments. Citizens anticipated the manufacturing area moving south and eastward between the Union Pacific Railroad Line and Kuna Mora Road (Page 21).

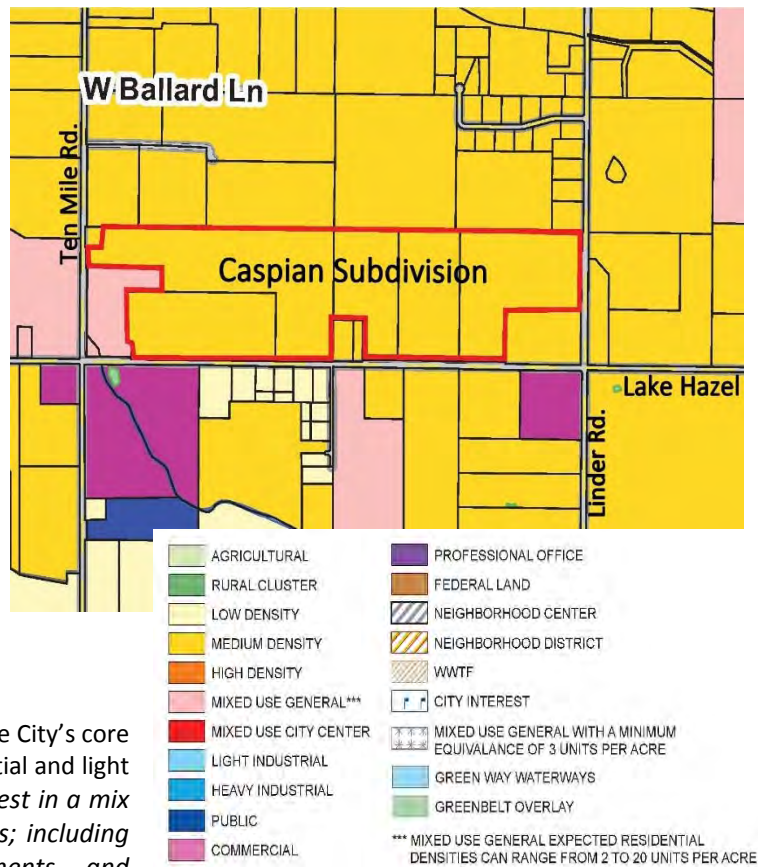
Housing:

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

Comment: The proposed preliminary plat with a proposed 3.77/DUA follows the community vision and provides a way to achieve the housing goals as stated and adopted.

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

Ensure the City land use policies, restrictions, conditions and fees do not violate private property rights and ensure that land use actions, decisions, and regulations do not effectively eliminate all economic value of the subject property. Ensure that City land use actions, decisions, and regulations do not prevent a private property owner



from taking advantage of a fundamental property right and staff shall evaluate with guidance from the City's attorney; the Idaho Attorney General's six criterion established to determine the potential for property taking.

Comment: *Utilizing the Idaho Attorney Generals criteria, and a review by the City Attorney, the proposed project does not constitute a "takings" and the economic value is intact.*

Economic Development Goals and Objectives - Section 5 - Summary:

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

Comment: *The proposed application complies with these elements of the comprehensive plan by providing a non-standard housing type meeting this goal.*

Land Use Goals and Objectives - Section 6 - Summary:

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

Medium Density Residential:

This designation describes areas where residential development densities generally range from four to eight units per acre. These areas will be made up of single-family homes, but may include townhomes, row houses duplexes and other types of multi-family land uses. Areas featuring these densities are generally located within the City Center and around Neighborhood Centers (Page 88).

Comment: *The proposed preliminary plat requests an R-6 zone, and approximately 3.77 / DUA, conforming to the Comprehensive Plan and Planning Map approved by Council in August of 2015.*

Housing Goals and Objectives - Section 12 - Summary:

Encourage developers to provide high-quality development with a variety of lot sizes, dwelling types, densities and price points to meet the needs of current and future population while creating safe and aesthetically-pleasing neighborhoods. Ensure housing is available throughout the community for all income levels and those with special needs. Encourage logical and orderly residential development while discouraging developers from developing land divisions greater than one half acre because large lot subdivisions increase municipal costs, require public subsidy and create sprawl (Pg. 155 – 1.2, Pg. 163 12.4 and Pg. 165 – 2.1).

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

Comment: *Applicant proposes medium density residential which will contribute to availability of varied types and home sizes in a logical and orderly manner while providing a quality development.*

Community Design Goals and Objectives - Section 13 - Summary:

Strengthen Kuna's Image through good community and urban design principles that create self-sufficient neighborhoods. Foster good community design concepts that incorporate landscape features to serve as buffers between incompatible uses while reducing scale and creates a sense of place.

Neighborhoods:

Kuna's updated Plan is an advocate for the development of self-sufficient neighborhoods. These neighborhoods are intended to be connected by transit and other non-motorized methods of transportation. Each neighborhood will have a center, a core and an edge. The Neighborhood Center will be the core of the neighborhoods churches, schools, and public facilities. The neighborhood centers will feature denser developments and multi-family residential development (Page 179).

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

L. Idaho Code Analysis:

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

M. Conclusions of Law:

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

1. This request appears to be consistent and in compliance with all Kuna City Codes (KCC).

Comment: The proposed project meets the land use and area standards in Chapter 3, Title 5 of the Kuna City Code (KCC). Staff also finds that the proposed project meets all applicable requirements of Titles 5 and 6 of the KCC.

2. The site is physically suitable for a rezone and an R-6, residential subdivision.

Comment: The 131.75 acre (approximate) project includes a request for a rezone from Public to R-6 (Medium Density) and a pre plat for a subdivision. The site appears to be compatible with the proposal.

3. The Rezone and Subdivision uses are not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.

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

4. The Rezone and Subdivision proposals are not likely to cause adverse public health problems.

Comment: The proposed Rezone and Subdivision for the property follows all Kuna City Codes. The medium density land use application requires connection to public sewer and potable water systems, therefore eliminating the occurrence of 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.

Comment: *The Council did consider the location of the property and adjacent uses. The subject property is in Kuna City limits and will be connected to the Kuna City central sewer and potable and pressure irrigation water systems. The current adjacent uses are both farms and residential uses and the site is adjacent to three major arterial roads.*

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

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

7. Based on the evidence contained in Case No's 17-01-S and 17-01-ZC, Council finds Case No's 17-01-S and 17-01-ZC adequately complies with Kuna City Code.
8. Based on the evidence contained in Case No's 17-01-S, 17-01-ZC and 17-07-DR, Council finds Case No's 17-01-S and 17-01-Z adequately complies with Kuna's Comprehensive Plan and its Map.

N. Recommendation of the Commission to City Council:

On April 25, 2017, the Commission voted 4-0, to recommend approval for Case No's 17-01-ZC and 17-01-S to City Council, based on the facts outlined in staff's report and the public testimony during the public hearing by the Planning and Zoning Commission of Kuna, Idaho. The Commission hereby recommends approval for Case No's 17-01-ZC, 17-01-S to City Council, a request for a rezone and subdivision preliminary plat; and hereby approves Case No. 17-07-DR, a subdivision design review request from Mason Creek Farm, LLC. Tim Eck, and David Crawford (B & A Engineers) with the following conditions of approval:

- *Applicants shall follow all conditions stated in the staff memo and appropriate agency comments and discussions at the public hearing on April 25, 2017.*
- *Applicant shall combine lots 13, 14 and 15, Block 7, and make those lots (part of phase three), into useable open/green space for the use of the H.O.A. members as discussed and agreed upon during the public hearing, and keep all other pathways proposed on the pre plat.*

O. Order of Decision by Council:

17-01-ZC (Rezone), *Note: This proposed motion is for approval, conditional approval, or denial for this request. If the Council wishes to approve or deny specific parts of the requests as detailed in this report, those changes must be specified.*

17-01-Sub (Subdivision), *Note: This proposed motion is for approval, conditional approval, or denial for this request. If the Council wishes to approve or deny specific parts of the requests as detailed in this report, those changes must be specified.*

On June 6, 2017, the Council voted to *approve* Case No's 17-01-ZC and 17-01-S, based upon the facts outlined in staff's memo, the Comp Plan, Kuna City Code, the record before the Council, the applicant's presentation, public testimony and discussion at the at the June 6, 2017, public hearing. The Council hereby votes to approve Case No's 17-01-ZC and 17-01-S with the following conditions of approval at time of development:

- Follow all staff and agency conditions of approval as listed in the packet.
1. The applicant and/or owner shall obtain written approval on letterhead or may be written/stamped on the approved plans of the construction plans from the agencies noted below. All submittals are required to include the lighting, landscaping, drainage, and development plans. All site improvements are prohibited prior to approval of the following agencies:
 - a. The City Engineer shall approve the sewer hook-ups.

- b. The City Engineer shall approve the drainage and grading plans. Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, "Catalog for Best Management Practices for Idaho Cities and Counties". No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
 - c. The Kuna Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Fire District is required.
 - d. The *Boise-Kuna* Irrigation District shall approval any modifications to the existing irrigation system.
 - e. Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to *issuance* of any building permit(s).
2. All public rights-of-way shall be dedicated and constructed to standards of the City, Ada County Highway District and Idaho Transportation Department. No public street construction may commence without the approval and permit from Ada County Highway District and/or Idaho Transportation Department.
 - 2.1— At time of development and as necessary, dedicate right-of-way in sufficient amounts to follow City and ACHD standards and widths.
 3. Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see **KCC 6-4-2-W**.
 4. Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
 5. When required, submit a petition to the City (as necessary, confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and requesting to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Pressure Irrigation system of the City (KMID).
 6. All street lighting within and for the site shall be LED lighting and must comply with Kuna City Code.
 7. Parking within the site shall comply with Kuna City Code. (Unless specifically approved otherwise).
 8. Fencing within and around the site shall comply with Kuna City Code (Unless specifically approved otherwise and permitted). Perimeter fencing (and permit) is required prior to requesting final plat signatures from Kuna City Clerk and Engineer.
 9. All signage within/for the project shall comply with Kuna City Code.
 10. All required landscaping shall be permanently maintained in a healthy growing condition. The property owner shall remove and replace unhealthy or dead plant material within 3 days or as the planting season permits as required to meet the standards of these requirements. Maintenance and planting within public rights-of-way shall be with approval from the public entities owning the property.
 11. The land owner/applicant/developer, and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the City Council, or seek amending them through public hearing processes.
 12. Staff recommends that phase 13, be incorporated into an adjacent phase to continue logical growth.
 13. Applicant shall follow staff, City engineers and other agency recommended requirements as applicable.
 14. Developer/owner/applicant shall comply with all local, state and federal laws.

DATED this 6th, day of March, 2018,

Joe Stear, Mayor
Kuna City

ATTEST:

Chris Engels
Kuna City Clerk



City of Kuna

Council – Findings of Fact & Conclusions of Law

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

To: Mayor, and City Council

Case Numbers: 17-09-AN (Annexation)
Former Urza Property

Location: Near the northwest corner of Ten Mile and Kuna Roads, Kuna, Idaho 83642

Planner: Troy Behunin,
Planner III

Hearing Date: February 20, 2018

Findings of Fact: March 6, 2018

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

Owner: *N Star Farm, LLC,*
6152 W. Half Moon Ln.
Eagle, ID, 83616



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A. Process and Noticing:

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

a. Notifications

- i. Neighborhood Meeting

October 18, 2017 (five persons attended)

- | | |
|----------------------------------|-------------------|
| ii. Agency Comment Request | December 1, 2017 |
| iii. 315' Property Owners Notice | February 12, 2018 |
| iv. Kuna, Melba Newspaper | January 31, 2018 |
| v. Site Posted | January 25, 2018 |

B. Applicant's Request:

On behalf of N Star Farm, LLC (the applicant), Kirsti Grabo with KM Engineering, requests approval to annex approximately 39.48 acres into Kuna City with an R-8 (Medium Density Residential) zone. This site is located near the NWC of Ten Mile and Kuna Roads. *The owner/developer is not seeking development entitlements at this time, however, he will likely submit for preliminary plat approval later in 2018.*

C. Aerial Map:



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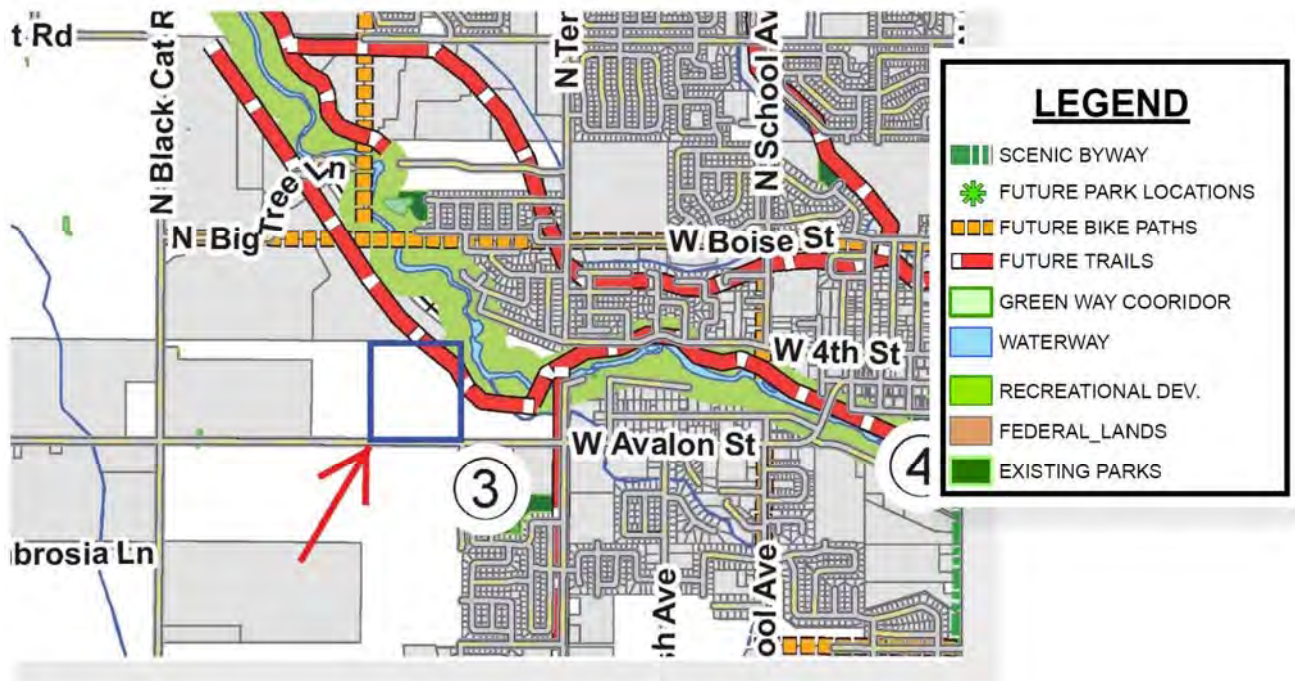
D. Site History:

This parcel is currently in the County, with varying historical uses, ranging from residential to farming and is adjacent to Kuna City limits in two places.

E. General Projects Facts:

1. **Comprehensive Plan Map:** The Future Land Use Map (Comp Plan Map) is intended to serve as a *guide* for the decision making body for the City. The Comp Plan map indicates land use designations generally speaking, it is not the actual zone. The Comp Plan Map calls for Medium Density Residential for this parcel.
2. **Recreation and Pathways Map:** The Recreation and Pathways Master Plan Map indicates a future trail through the NEC of the site, situated along Indian Creek. Accordingly, it is the City's goal and desire to increase the number of trails and pathways in Kuna. It is necessary for each parcel to develop trails and pathways along

their frontages of creeks, canals and ditches to comply with the Master Plan's goals by either starting a pathway, or extending one in that area at time of development.



3. **Surrounding Land Uses:**

North	A	Agriculture – Kuna City
South	RUT	Rural Urban Transition – Ada County
East	RUT	Rural Urban Transition – Ada County
West	RR	Rural Residential – Ada County

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

Property Owner	Parcel Size (Approximately)	Current Zone: (RUT)	Parcel Number
N Star Farm, LLC	39.48 acres	RUT – Ada County	S1322438400

5. **Services:**

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

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

The majority of this land is being used for agricultural purposes, a small part of it was used for residential purposes (Approx. 1.5 ac.) Applicant anticipates that the land will continue the historic agricultural uses on the lands until development occurs. The mobile home that was on site, has been removed. There are two outbuildings on site any ancillary sheds or other buildings remaining will be removed prior to development.

7. Transportation / Connectivity:

The applicant has not proposed connection to public streets at this time, as the application is solely for annexation into Kuna City limits. At the time of future development, access points will need to follow design standards according to City and ACHD (Ada County Highway Dist.) codes in place at that time. Current legal points of access being used at this time may remain until development requires a change.

8. Environmental Issues:

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

9. Agency Responses: The following responding agency comments are included as exhibits with this case file:

- Kuna City Engineer (Paul Stevens) – Exhibit B-1
- Ada County Highway District (ACHD – Austin Miller) – Exhibit B-2
- Boise-Kuna Irrigation District (Lauren Boehlke) – Exhibit B-3
- Cable One TV (Brett Pike) – Exhibit B-4
- Community Planning Association of Southwest Idaho (COMPASS – Carl Miller) – Exhibit B-5

F. Staff Analysis:

The applicant is only interested in annexation of the property at this time. However, in the future when development is desired, the project will be required to submit for subdivision and design review approvals (for landscaping and monument signage) and follow the public hearing process for those entitlements.

Among the Category ‘A’ annexation requirements for annexing lands into the city, a land owner must submit a written request for annexation. Furthermore, it requires that parcels must touch current city limits. The property touches Kuna City limits on its north property line and is adjacent to a principle arterial, Kuna Road. All major public utilities are approximately 1,325 feet east, at Ten Mile and Kuna Roads. Applicant has been made aware that development of this parcel will require extension of, and connection to all city services and require connection fees for that purpose. It is anticipated when these lands move forward with development in the future, it will likely require more than one phase for complete build-out.

Staff has reviewed Kuna’s Comprehensive Plan (Comp Plan), and found the Comp Plan encourages a variety of housing types for all income levels numerous times throughout the document. Pertinent sections of the Comp Plan that address housing types are included below, in Section K (Comp Plan Analysis) of this report. The City attempts to balance all housing types within the City. Staff will work with the applicant in the future when an application comes forward for a preliminary plat to ensure technical compliance with Kuna City Code (KCC), as required. Staff would recommend that the applicant work with Kuna City, ACHD, and Kuna Rural Fire District (KRFD) to conform to each agency’s requirements.

Staff has determined this application complies with Title 5 of the Kuna City Code; Idaho Statute § 67-6511; and the Kuna Comprehensive Plan document; and forwards a recommendation of approval for Case No’s 17-09-AN, subject to any conditions of approval outlined by Kuna’s Commission and City Council.

G. Applicable Standards:

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

H. Procedural Background:

On February 20, 2018, the Council considered the case, including the application, agency comments, staff’s memo, the application exhibits and public testimony presented or given.

I. Factual Summary:

This parcel is located near the northwest corners of Ten Mile and Kuna Roads. The project consists of 39.48 (approx.) acres and is adjacent to City limits and is currently zoned RUT (Rural Urban Transition – County). Applicant requests to annex the parcel into Kuna City with the R-8 (Medium Density Residential) zone. This parcel is adjacent to Kuna Road; a principle arterial.

J. Findings of Fact:

Based upon the record contained in Case No. 17-09-AN, including the Comprehensive Plan, Kuna City Code, staff's memorandums, including the exhibits, and the testimony during the public hearing, the Kuna Council hereby approve the Findings of Fact and Conclusions of Law, and conditions of approval for Case No. 17-09-AN, a request for annexation into Kuna City limits by the applicant based on the following:

The Council concludes that the applications comply with the City of Kuna's Zoning regulations (Title 5) of KCC and/or the Subdivision regulations outlined in title 6 of KCC.

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

Comment: *The Kuna Council held a public hearing on the subject applications on February 20, 2018, to hear from City staff, the applicant and to accept public testimony. The decision by the Council is based on the application, staff report and public testimony, both oral and written.*

2. Based on the evidence contained in Case No. 17-09-AN, this proposal appears to *generally* comply with the Comprehensive Plan.

Comment: *The Comp Plan has listed numerous goals for providing single-family housing in Kuna. The Comp Plan describes this property as Medium Density. As this project proposes single-family residential uses, the project follows the goals of the Comp Plan.*

3. The Kuna Council has the authority to approve this application.

Comment: *At a regular meeting on February 20, 2018, the Council voted to approve case No. 17-09-AN.*

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

Comment: *As noted in the process and noticing sections, notice requirements were met to hold a public hearing on February 20, 2018.*

K. City Council Comprehensive Plan Analysis:

Council determines the proposed annexation and zoning request for the *site* is consistent with the following Comp Plan components:

Housing:

Residents expressed interest in a mix of residential type dwellings applications; including a variety of housing. They were receptive to a greater mix of lot sizes and house price to appeal to a variety of people. A goal expressed by many was the preservation of large lots and rural cluster development in appropriate balance with a complement of other types of residential development (Page 21 Comprehensive Plan [CP]).

Comment: *The Comp Plan provides for a mix of residential uses. This project has proposed a zone that provides an opportunity for a variety of densities, therefore it generally conforms to the Comp Plan goals and policies.*

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

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

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

Economic Development Goals and Objectives - Section 5 - Summary:

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

Comment: The Comp Plan encourages an adequate mix of housing for all income levels and calls for increasing pedestrian connections. The requested zoning for this project provides an opportunity for a number of additional housing types to Kuna's inventory and quality housing. At time of development, this project should be conditioned to add to the City's pedestrian network for non-motorized transportation, by proposing pathway connections for future development to connect to in the future.

Land Use Goals and Objectives - Section 6 - Summary:

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

Comment: The requested zoning provides an opportunity for quality housing opportunities and multiple housing varieties to the City's inventory for all types of lifestyles, ages and economic groups.

Housing Goals and Objectives - Section 12 - Summary:

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

Comment: With the requested zoning, applicant proposes a future high quality development with a variety of dwelling types, densities, and price points for all income levels Kuna as encouraged by the Comp Plan. In the future, this project could add to the City's overall network of, utilities, sidewalks and roadways, therefore it complies with logical, orderly development and discourages land divisions and development greater than one half acre, and could avoid increased municipal services costs and sprawl.

Community Design Goals and Objectives - Section 13 - Summary:

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

Comment: Applicant should be conditioned to offer good community and urban design principles through creation of greenspaces, add to the pedestrian pathway network and add to the City's sidewalk network. At time of future development, applicant shall improve classified roadways, which add to the roadway system thereby complying

with the adopted Master Street Plan of Kuna (Functional Classified Road Map). At time of development, the applicant should be conditioned to incorporate landscape buffers creating a sense of place for citizens. With future development, the applicant should be conditioned to follow sound community design concepts and comply with the Comp Plan goals and help strengthen Kuna's image.

L. City Council's Idaho State Code Analysis:

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

M. Conclusions of Law:

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

1. The Council feels the site *is* physically suitable for development in the future.

Comment: *The 39.48 acre (approximate) proposal appears to be suitable for annexation, as proposed.*

2. The annexation request *is not* likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.

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

3. The annexation application *is not* likely to cause adverse public health problems.

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

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

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

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

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

6. Based on the evidence contained in Case No. 17-09-AN, *Council* finds Case No. 17-09-AN adequately complies with Kuna City Code.
7. Based on the evidence contained in Case No. 17-09-AN, *Council* finds Case No. 17-09-AN generally complies with Kuna's Zoning Code.

N. Commission's Recommended Conditions of Approval:

On January 23, 2018, the Commission voted 3-0 to recommend approval for case No. 17-09-AN (Annexation). Based upon the facts outlined in staff's memo, the Comp Plan, City Code, the record before the Commission, the applicant's presentation, public testimony and discussion during the January 9, 2018, public hearing, the Kuna Commission votes to *recommend approval* for Case No. 17-09-AN with the following conditions of approval to be applied *at time of development in the future*:

- Applicant shall follow all applicable staff recommended conditions stated in the staff report.
- Applicant shall be awarded the R-8 Medium Density Zoning.
- Sewer capacity issues will be discussed at City Council.

O. Councils Order of Decision:

On February 20, 2018, the Council voted 3-2, to *approve* Case No. 17-09-AN, based upon the facts outlined in staff's memo, the Comp Plan, City Code, the record before the *Council*, the applicant's presentation, public testimony and discussion during the public hearing. The Council hereby *approves* Case No. 17-09-AN with the following conditions of approval *at time of development in the future*:

- Applicant shall follow the conditions outlined in the staff report and related agency reports,
 - Zoning shall be R-6, Medium Density Residential,
 - Density shall be no more than 5.2 D.U.A.
1. The applicant and/or owner shall obtain written approval on letterhead or may be written/stamped on the approved plans of the construction plans from the agencies noted below. All submittals are required to include the lighting, landscaping, drainage, and development plans. All site improvements are prohibited prior to approval of the following agencies:
 - a. The City Engineer shall approve the sewer hook-ups.
 - b. The City Engineer shall approve the drainage and grading plans. Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, "Catalog for Best Management Practices for Idaho Cities and Counties". No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
 - c. The Kuna Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Fire District is required.
 - d. The *Boise-Kuna* Irrigation District shall approval any modifications to the existing irrigation system.
 - e. Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to *issuance* of any building permit(s).
 2. All public rights-of-way shall be dedicated and constructed to standards of the City, Ada County Highway District and Idaho Transportation Department. No public street construction may commence without the approval and permit from Ada County Highway District and/or Idaho Transportation Department.

- 2.1– With development and as necessary, dedicate right-of-way in sufficient amounts to follow City and ACHD standards and widths.
3. Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see **KCC 6-4-2-W**.
 4. Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
 5. When required, submit a petition to the City (as necessary, confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and request to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Pressure Irrigation system of the City (KMID).
 6. Street lights and parking lights for the site shall be LED lighting and must comply with Kuna City Code and established Dark Skies practices.
 7. Parking within the site shall comply with Kuna City Code. (Unless specifically approved otherwise).
 8. Fencing within and around the site shall comply with Kuna City Code (Unless specifically approved otherwise and permitted). Perimeter fencing (and permit) is required prior to requesting final plat signatures from Kuna City Clerk and Engineer.
 9. All signage within/for the project shall comply with Kuna City Code and shall be approved in the design review process with all new commercial and multi-family.
 10. All required landscaping shall be permanently maintained in a healthy growing condition. The property owner shall remove and replace unhealthy or dead plant material within 3 days or as the planting season permits as required to meet the standards of these requirements. Maintenance and planting within public rights-of-way shall be with approval from the public entities owning the property.
 11. The land owner/applicant/developer, and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the City Council, or seek amending them through public hearing processes.
 12. Applicant shall follow staff, City engineers and other agency recommended requirements as applicable.
 13. Developer/owner/applicant shall comply with all local, state and federal laws.

DATED this 6th, day of March, 2018,

Joe Stear, Mayor
Kuna City

ATTEST:

Chris Engels
Kuna City Clerk



City of Kuna

Council Findings of Fact & Conclusions of Law

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

To: City Council

Case Numbers: 17-10-S (Subdivision)
Gran Prado Sub

Site Location: Near the northwest and northeast Corner of Ten Mile and Lake Hazel Roads, Meridian, Idaho 83642

Planner: Troy Behunin, Planner III

Hearing Date: January 16, 2018

Findings of Fact: March 6, 2018

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

Owners (2): *Renescence Farm, LLC*
& *Waters Edge Farm, LLC*,
6152 W. Half Moon Ln.
Eagle, ID, 83616

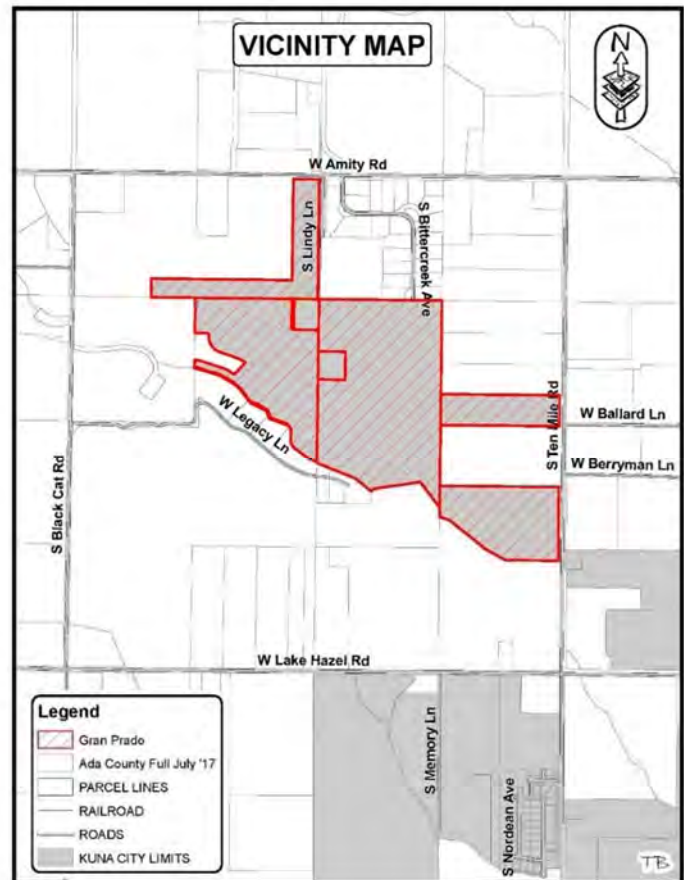


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| G. Factual Summary | |

A. Process and Noticing:

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

a. Notifications

- i. Neighborhood Meeting June 7, 2017 (12 persons attended)

- | | |
|----------------------------------|--------------------|
| ii. Agency Comment Request | September 20, 2017 |
| iii. 350' Property Owners Notice | January 5, 2018 |
| iv. Kuna, Melba Newspaper | December 20, 2017 |
| v. Site Posted | December 27, 2017 |

2. In accordance with KCC Title 6 in Kuna City Code (KCC) this application seeks approval for a Preliminary Plat (residential subdivision) known as Gran Prado Subdivision.

B. General Project Facts:

1. On behalf of Renaissance Farm, LLC and Waters Edge Farm, LLC, the applicant Kirsti Grabo with KM Engineering, requests approval to subdivide approximately 132.80 acres, (previously zoned R-4), into 530 single family residential lots and 67 common lots, with one shared driveway and have reserved the name Gran Prado Subdivision. A Design Review application for the 67 common areas and buffer landscaping accompanies this application. The site is located at the northwest corner of Ten Mile and Lake Hazel Roads, and is located Between Amity and Lake Hazel, west of Ten Mile Road, Kuna, Idaho, In Section 34, T 23N, R 1W, APN #'s: (See the submitted application).
2. The applicant has submitted all the required documents and materials for review, held the neighborhood meeting, and posted the site in accordance with KCC posting requirements and the requirements set forth in Idaho State Code, Title 67, Chapter 65 of the Local Land Use Planning Act.
3. **Site History:**
These parcels were recently annexed into Kuna city limits, with historical uses, ranging from residential to farming.
4. **Legal Description:** A legal description was included with the application and is attached as an exhibit within this report.
5. **Surrounding Land Uses:**

North	RUT	Rural Urban Transition – Ada County
South	RUT	Rural Urban Transition – Ada County
East	RR	Rural Residential – Ada County
West	RUT	Rural Urban Transition – Ada County

C. Aerial Map:



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1. **Comprehensive Plan Map:** The Future Land Use Map (Comp Plan Map) is intended to serve as a *guide* for the decision making body for the City. The Comp Plan map indicates land use designations generally speaking, it is not the actual zone. Kuna's Council recently granted these lands the R-4 zone, which is the border between Low and Medium Density Residential.
2. **Recreation and Pathways Map:** The Recreation and Pathways Master Plan Map indicates a future trail through the northeast corner (NEC) of the site, situated along the Mason Creek feeder on the south side of the site. Accordingly, it is the City's goal and desire to increase the number of trails and pathways in Kuna. Staff highly recommends that developers design and construct trails and pathways along frontages of their canals and ditches to comply with the Master Plan's goals by either starting a pathway, or extending current pathways at time of development.



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

Property Owner	Parcel Size (Approximately)	Current Zone: (RUT) Rural Urban Transition	Parcel Number
Renascence Farms, LLC	57.12 acres	R-4, Kuna City	R0967660156
Renascence Farms, LLC	30.38 acres	R-4, Kuna City	R0967660155
Renascence Farms, LLC	9.64 acres	R-4, Kuna City	S1234142351
Renascence Farms, LLC	0.20 acres	R-4, Kuna City	R0967660151
Renascence Farms, LLC	14.96 acres	R-4, Kuna City	S1234212935
Renascence Farms, LLC	0.42 acres	R-4, Kuna City	S1234244310
Renascence Farms, LLC	0.44 acres	R-4, Kuna City	S1234121105
Renascence Farms, LLC	0.44 acres	R-4, Kuna City	S1234212405
Waters' Edge Farm, LLC	19.2 acres	R-4, Kuna City	S1234417520
Total Acres 132.81			

4. **Services:**

Sanitary Sewer– City of Kuna
Potable Water – City of Kuna

Pressurized Irrigation – City of Kuna (KMID)
 Fire Protection – Meridian Rural Fire District
 Police Protection – Kuna Police (Ada County Sheriff's office)
 Sanitation Services – J & M Sanitation

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

Approximate 131 acres of these lands are being used for agricultural purposes while the remainder is being used as residential. Applicant anticipates that the land will continue the historic agricultural uses on the lands until future phases begin development. The current residences will remain as residential uses until development occurs. The site is relatively flat with an estimated average slope of 0% to 2% towards the Mason Creek Feeder. Bedrock depth is estimated to be between twenty and forty inches according to the USDA Soil Survey for Ada County

6. **Transportation / Connectivity:**

The applicant has proposed connections to public streets in three places for the project as a whole, in different phases and locations. All proposed access points will need to follow design standards according to City and ACHD (Ada County Highway Dist.) codes. Current legal points of access being used at this time may remain until development requires a change.

7. **Environmental Issues:**

Staff is not aware of any environmental issues, health or safety conflicts beyond the designation of being in the nitrate priority area. Idaho Department of Environmental Quality (DEQ) has provided recommendations for surface and groundwater protection practices and requirements for development of the site.

8. **Agency Responses:** The following responding agency comments are included as exhibits with this case file:

- Kuna City Public Works – Exhibit B-1
- Ada County Highway District (ACHD) – Exhibit B-2
- Boise Project Board of Control – Exhibit B-3
- Central District Health Department (CDHD) – Exhibit B-4
- Community Planning Association of Southwest Idaho (COMPASS) – Exhibit B-5
- Department of Environmental Quality – Exhibit B-6
- Idaho Transportation Department (ITD) – Exhibit B-7
- Meridian Fire Department – Exhibit B-8

D. Staff Analysis:

The applicant previously annexed the land as part of the Renaissance Farms and Mason Creek Farms application and now submits an application for subdivision, design review approvals and entitlements.

These properties were annexed into Kuna City limits with an approved for R-4 zoning (Low/Med. Density). During the public hearings for said annexation, certain development conditions were applied and approved by the Commission and City Council. Staff finds that this proposal conforms to each condition as outlined in the findings of fact and conclusions of law and concludes the developer has made every effort to be compliant with those conditions.

This project is adjacent to or near three principle arterials, Ten Mile, Amity and Lake Hazel Roads. All major public utilities are approximately 700 feet south of Lake Hazel Road. Applicant is aware that development of these parcels will require connection to all city services and associated connection fees at time of building permit submittal. It is anticipated that development will take a number of years for full build out, and may require up to ten (10) phases. It is also important to remember that the developer is connecting to City services in Ten Mile near Lake Hazel, and development will proceed west, as development typically follows sewer lines.

The applicant has met with Kuna and ACHD staffs on multiple occasions, in order to create a development that fits the Kuna comp plan. In an effort to do so, those meetings have produced a pre plat that has been slightly altered to accommodate the changes required by ACHD. These changes have not affected the lot count, density, or the open spaces. Rather, these changes have improved traffic safety, enhanced walkability and reduced the impact to adjacent development. Two (2) significant changes are 1) the absence of an east west and a north south mid mile collector system, and replaced it with a modified east west residential collector. And 2) the applicant proposes no connection to South Bittercreek Avenue in the north east corner of this project. Normally, City code requires both of these design elements, however, due to site constraints, and concerns of neighboring residents, staff supports these changes and recommends acceptance of these deviations from City Code.

Kuna's Comprehensive Plan (Comp Plan), encourages a variety of housing types for all income levels numerous times throughout the document. Pertinent sections of the Comp Plan that address housing types are included below, in Section K (Comp Plan Analysis) of this report. The City attempts to balance all housing types within the City. Staff has reviewed the proposed preliminary plat for technical compliance with Kuna City Code (KCC), and finds the pre plat and landscape plan is in compliance with applicable codes. Staff would recommend that the applicant work with Kuna's staff, ACHD, and Meridian Fire Department (MFD) to conform to each agency's requirements.

Applicant and City staff have discussed on several occasions the need for a lift station to serve the areas that will not be served by gravity sewer, and the pre plat has a location designed to fulfill that need in a later phase. Staff and applicant have also held discussions about the need for a domestic well site and pump/pond for pressure irrigation needs as well and the locations for those facilities within this project.

Staff has determined this application complies with the goals and policies for Kuna City, Title 5 of the Kuna City Code; Idaho Statute § 67-6511; and the Kuna Comprehensive Plan document; and forwards a recommendation of approval for Case No's 17-10-S, subject to any conditions of approval outlined by Kuna's Commission and City Council.

E. Applicable Standards:

1. Kuna City Code Chapter 6 – Chapter 1-6; Subdivision Regulations,
2. City of Kuna Zoning Ordinance Title 5, Chapter 13.
3. City of Kuna Comprehensive Plan, adopted September 1, 2009.
4. City of Kuna Design Review Code Title 5, Chapter 4
5. City of Kuna Landscape Code Title 5, Chapter 17
6. Idaho Code, Title 67, Chapter 65- the Local Land Use Planning Act.

F. Procedural Background:

On January 16, 2018, the Council considered the case, including the application, agency comments, staff's memo, the application exhibits and public testimony presented or given.

G. Proposed Factual Summary:

These parcels are located near the northwest corners of Ten Mile and Lake Hazel Roads. The project consists of 132.80 (approx.) acres, within City limits and all parcels are zoned R-4 (Low Density Residential). Applicant requests preliminary plat approval for 530 homes, 67 common lots and one shared driveway with access taken from Ten Mile in two places and Amity. All parcels in this application are near either Ten Mile Road, Lake Hazel Road or Amity Road; all roads are classified as principle arterials.

H. Proposed Findings of Fact:

Based upon the record contained in Case No's 17-10-S including the Comprehensive Plan, Kuna City Code, Staff's Memorandums, including the exhibits, and the testimony during the public hearing, the Kuna Council hereby

approves the Findings of Fact and Conclusions of Law, and conditions of approval for Case No's 17-10-S, a request for preliminary plat approval by the applicant follows:

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

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

Comment: *The Kuna Council held a public hearing on the subject applications on January 16, 2018, to hear from City staff, the applicant and to accept public testimony. The decision by the Council is based on the application, staff report and public testimony, both oral and written.*

2. Based on the evidence contained in Case No's 17-10-S, this proposal appears to *generally* comply with the Comprehensive Plan and City Code.

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

3. The Kuna Council has the authority to approve of these applications.

Comment: *On January 16, 2018, the Council voted to approve case No. 17-10-S (Preliminary Plat).*

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

Comment: *As noted in the process and noticing sections, notice requirements were met to hold a public hearing on January 16, 2018.*

I. City Council's Comprehensive Plan Analysis:

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

Housing:

Residents expressed interest in a mix of residential type dwellings applications; including a variety of housing. They were receptive to a greater mix of lot sizes and house price to appeal to a variety of people. A goal expressed by many was the preservation of large lots and rural cluster development in appropriate balance with a complement of other types of residential development (Page 21 Comprehensive Plan [CP]).

Comment: *The Comp Plan provides for a mix of residential uses. This project has proposed a zone that provides an opportunity for a variety of densities, therefore it generally conforms to the Comp Plan goals and policies.*

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

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

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

Economic Development Goals and Objectives - Section 5 - Summary:

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

Comment: The Comp Plan encourages an adequate mix of housing for all income levels and calls for increasing pedestrian connections. The requested zoning for this project provides an opportunity for a number of additional housing types to Kuna's inventory and quality housing. At time of development, this project should be conditioned to add to the City's pedestrian network for non-motorized transportation, by proposing pathway connections for development to connect to in the future.

Land Use Goals and Objectives - Section 6 - Summary:

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

Comment: The requested zoning provides for quality housing opportunities and multiple housing varieties to the City's inventory for all types of lifestyles, ages and economic groups.

Housing Goals and Objectives - Section 12 - Summary:

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

Comment: With the requested preliminary plat, applicant proposes a future high quality development with a variety of dwelling types, densities, and price points for all income levels Kuna as encouraged by the Comp Plan. In the future, this project could significantly add to the City's overall network of, utilities, sidewalks and roadways, therefore it complies with logical, orderly development and discourages land divisions and development greater than one half acre, and could avoid increased municipal services costs and sprawl.

Community Design Goals and Objectives - Section 13 - Summary:

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

Comment: Applicant should be conditioned to offer good community and urban design principles through creation of greenspaces, add to the pedestrian pathway network and add to the City's sidewalk network. At time of future development, applicant shall improve classified roadways, which add to the roadway system thereby complying with the adopted Master Street Plan of Kuna (Functional Classified Road Map). At time of development, the applicant should be conditioned to incorporate landscape buffers creating a sense of place for citizens. In the future, applicant should be conditioned to follow sound community design concepts and comply with the Comp Plan goals and help strengthen Kuna's image.

J. City Council's Idaho State Code Analysis:

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

K. The Council's Conclusions of Law:

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

1. The Council feels the site *is* physically suitable for development in the future.

Comment: *The 132.80 acre (approximate) proposal does/does not appear to be suitable for annexation, as proposed.*

2. The preliminary plat is not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.

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

3. These applications *are/are not* likely to cause adverse public health problems.

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

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

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

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

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

6. Based on the evidence contained in Case No's 17-10-S, Council finds Case No's 17-10-S, adequately complies with Kuna City Code.
7. Based on the evidence contained in Case No's 17-10-S, Council finds Case No's 17-10-S, generally complies with Kuna City Codes.

L. Commission's Recommendation to Council:

Based upon the Comp Plan, Kuna City Code, the record before the Commission, the applicant's presentation and testimony at the November 28, 2017, and discussion at the public hearing, the Kuna Commission votes to recommend approval for Case No's 17-10-S, and hereby approves 17-23-DR with the following conditions of approval:

- Applicant shall follow the conditions stated in the staff report and related agency reports.
- Applicant shall work with the City on the requirements for curb, gutters for all streets and address storm water requirements.

M. Order of Decision By Council:

On January 16, 2018, the Council voted to *approve* Case No. 17-10-S, based upon the facts outlined in staffs memo, the Comp Plan, Kuna City Code, the record before the Council, the applicant's presentation and public testimony and discussion at the public hearing; Therefore, the Kuna Council hereby approves Case No. 17-10-S, with the following conditions of approval:

- Applicant shall follow the conditions outlined in the staff report and related agency reports.
1. The applicant and/or owner shall obtain written approval on letterhead or may be written/stamped on the approved plans of the construction plans from the agencies noted below. All submittals are required to include the lighting, landscaping, drainage, and development plans. All site improvements are prohibited prior to approval of the following agencies:
 - a. The City Engineer shall approve the sewer hook-ups.
 - b. The City Engineer shall approve the drainage and grading plans. No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
 - c. Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, "Catalog for Best Management Practices for Idaho Cities and Counties".
 - d. The Meridian Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Meridian Fire District is required.
 - e. The *Nampa and Meridian* Irrigation Districts shall approval any modifications to the existing irrigation system.
 - f. Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to *issuance* of any building permit(s).
 - g. All public rights-of-way shall be dedicated and constructed to standards of the City and Ada County Highway District. No public street construction may commence without the approval and permit from Ada County Highway District.
 2. Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see **KCC 6-4-2-W**.
 3. 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.
 4. When required, submit a petition to the City (as necessary, confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and request to annex the irrigation surface

water rights appurtenant to the property over to the Kuna Municipal Pressure Irrigation system of the City (KMID).

5. Street lights, parking lights and monument lights for the site shall be LED lighting and must comply with Kuna City Code and established Dark Skies practices.
6. Parking within the site shall comply with Kuna City Code. (Unless specifically approved otherwise).
7. Fencing within and around the site shall comply with Kuna City Code (Unless specifically approved otherwise and permitted). Perimeter fencing (and permit) is required prior to requesting final plat signatures from Kuna City Clerk and Engineer.
8. All signage within/for the project shall comply with Kuna City Code and shall be approved in the design review process with all new commercial and multi-family.
9. All required landscaping shall be permanently maintained in a healthy growing condition. The property owner shall remove and replace unhealthy or dead plant material within 3 days or as the planting season permits as required to meet the standards of these requirements. Maintenance and planting within public rights-of-way shall be with approval from the public entities owning the property.
10. The land owner/applicant/developer, and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the City Council, or seek amending them through public hearing processes.
11. Applicant shall follow staff, City engineers and other agency recommended requirements as applicable.
12. Developer/owner/applicant shall comply with all local, state and federal laws.

DATED this 6th, day of March, 2018,

Joe Stear, Mayor
Kuna City

ATTEST:

Chris Engels
Kuna City Clerk



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

Telephone (208) 922-5546

Email: CEngels@kunaID.gov

MEMORANDUM

TO: Mayor Stear and Council
FROM: Chris Engels, City Clerk
RE: City Website – Civic Plus
DATE: February 26, 2018

Mayor and Council,

Attachment: Department Header package and statistics and use of the Kuna Website.

The City website is eligible to be updated. During this updating process, there is an opportunity to include a Department Header Package.

The Department Header Package will differentiate slightly from the website to assist participating departments in relaying their specific information, options and create a department centric look and feel with a customized banner, navigation buttons and photos.

The Department headers will continue to reflect the parent City website as well as share modules and layouts.

The cost is \$3,500 per department with a \$650 annual fee beginning in year 2.

For the initial project development fee, a request of up to \$24,500 to be distributed among the different funds as appropriate.

Thank you,
Chris Engels
City Clerk

Top Level Information

Overall: How is your website doing.

97,930

Total Visits

2:33s

Avg. Visit Duration



209,502

Total Page Views

2.8

Actions Per Visit

WEB REVIEW

Your website traffic increased in 2017.

2017

97,930

2016

84,302



Top Visited Pages

14,234

VISITS

Job Opportunities

4,894

VISITS

City Services

4,590

VISITS

Form Center

4,458

VISITS

Sanitation

4,094

VISITS

Water

3,917

VISITS

Agendas & Minutes

Top Searched Terms

48

SEARCHES

Jobs

32

SEARCHES

Irrigation

17

SEARCHES

Kuna Days

16

SEARCHES

Budget

16

SEARCHES

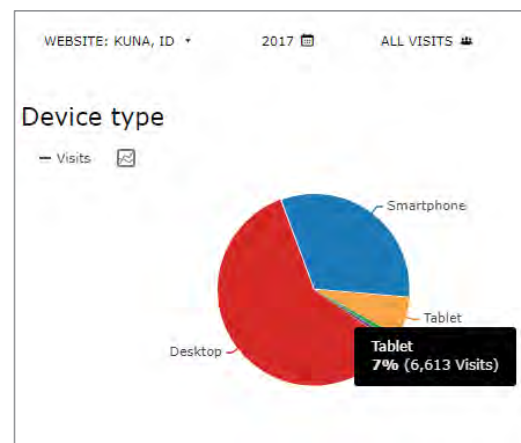
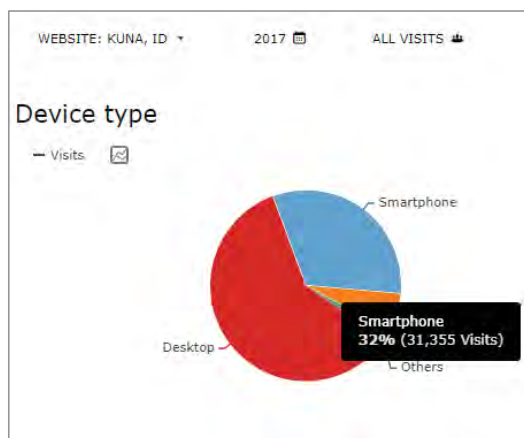
Building Permit

16

SEARCHES

Survey

Mobile Statistics



39% of your site traffic comes from a mobile device

92% of adults in the U.S. own a cellphone or smartphone

AN INTERACTIVE, MOBILE-RESPONSIVE WEBSITE is no longer a luxury, it's a necessity. Nearly 80% of the US population uses the internet and nearly 2/3 use mobile devices. It's how we communicate. It's how communities connect. It's our passion.

Department Header Package

Add some flair to your website



A Department Header Package includes:

- + Administrative access is controlled through the parent site administration
- + A new, customized banner that reflects your department or section identity
- + Unique global navigation headers
- + 3 graphic button changes (more can be purchased)
- + A unique URL (if desired)
- + Shared modules with the Parent Site, and layout matches Parent Site layout
- + Optional add-ons include: Unique Module Headers, Spotlight Changes

Sometimes, a department or a division within your organization wants a way to differentiate itself slightly from the rest of your website. No problem. A Department Header Package is a cost-effective way for these groups to graphically distinguish themselves from the look of the main – or parent – site while still falling under the umbrella of the same Content Management System administration. Allow departments and divisions to get their own look and feel without sending your website spiraling into a mish-mash of wacky design templates – or worse – having departments break away and do their own thing with another system.



\$3,500

Project Development Fee



\$650

Annual Fee
(Beginning in Year 2)

Getting Started is Easy!

Talk to your CivicPlus account representative today about getting this exciting process started.

+ CONNECTING PEOPLE



**RESOLUTION NO. R18-2018
CITY OF KUNA, IDAHO**

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING AND ADOPTING MODIFICATIONS TO 11.13.3 AND 12.1 OF THE CITY OF KUNA, IDAHO PERSONNEL MANUAL (VERSION JANUARY 2016); AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Chapter 11 and Chapter 12 are modified as provided for in **EXHIBIT A**, attached hereto and made a part hereof;

Section 2 The City Clerk shall distribute copies of this policy change to the holders of the personnel policy.

Section 4. The City of Kuna, Idaho Personnel Manual is effective upon passage.

PASSED BY THE COUNCIL of Kuna, Idaho this 6th day of March, 2018.

APPROVED BY THE MAYOR of Kuna, Idaho this 6th day of March, 2018.

Joe L. Stear, Mayor

ATTEST:

Chris Engels, City Clerk

Section 11.13 On-the-Job Injuries

- 11.13.1 Employees are covered by worker's compensation insurance for on-the-job injuries. All on-the-job injuries must be reported to the employee's supervisor as soon as practicable or twenty-four (24) hours, whichever is sooner, so that a worker's compensation claim can be filed. Supervisors are required to immediately report the injury to the Human Resource Manager and the City Treasurer.
- 11.13.2 An employee requiring (non-emergency) medical attention should go to the City's identified occupational health care provider. In case of emergency medical attention, the employee may be treated at the facility where transported by emergency personnel.
- 11.13.3 An employee who is injured on the job, and has experienced lost-time will be immediately placed on Sick Leave until the lost-time compensation as provided for by the Idaho State Insurance Fund is awarded. If no Sick Time is available, Vacation or Compensatory Time shall be used. An employee receiving lost-time compensation from the State Insurance Fund shall not be entitled to additional compensation (Salary, Sick, Vacation, Compensatory Time) from the City beyond an amount that will equal 100% of the employee's take home pay when lost-time pay and leave (Sick, Vacation, Compensatory Time) used are combined.
- 11.13.4 Return to employment will be authorized on a case-by-case basis in consultation with the department Director, attending physician and the Idaho State Insurance Fund, and may require a fitness for duty medical review. ~~If an employee is able to return to work on "light duty status", the City will make every effort to bring the employee back to work.~~
- ~~11.13.4~~ 11.13.5 The City will make every effort to bring the employee back on light duty status (if light duty work is available) before the employee is granted lost-time recovery from the State Insurance Fund. Light duty will be compensated at the employee's regular rate of pay.
- ~~11.13.5~~ 11.13.6 Concerns associated with injured worker status may be brought before the appropriate City Official for review.

CHAPTER 12. EMPLOYEE BENEFITS

Section 12.1 The City offers employee benefits for Exempt Employees and Regular Full-time Employees. Benefits provided pursuant to this Chapter, excluding health, dental, vision, and life insurance, are only available to Exempt Employees and Regular Full-time Employees on a percentage of actual hours worked basis. For example: if an employee actually works two hours and receives lost-time compensation for six hours, the employee shall receive 25% of the Employee Benefits available for Exempt Employees or Regular Full-time Employees.

~~Section 12.1~~Section 12.2 These benefits are subject to change or termination in the sole discretion of the City Council. Each benefit offering is subject to the specific terms of its respective insurance policy and/or official resolution of the City Council.

Section 11.13 On-the-Job Injuries

- 11.13.1 Employees are covered by worker's compensation insurance for on-the-job injuries. All on-the-job injuries must be reported to the employee's supervisor as soon as practicable or twenty-four (24) hours, whichever is sooner, so that a worker's compensation claim can be filed. Supervisors are required to immediately report the injury to the Human Resource Manager and the City Treasurer.
- 11.13.2 An employee requiring (non-emergency) medical attention should go to the City's identified occupational health care provider. In case of emergency medical attention, the employee may be treated at the facility where transported by emergency personnel.
- 11.13.3 An employee who is injured on the job and has experienced lost-time will be immediately placed on Sick Leave until the lost-time compensation as provided for by the Idaho State Insurance Fund is awarded. If no Sick Time is available, Vacation or Compensatory Time shall be used. An employee receiving lost-time compensation from the State Insurance Fund shall not be entitled to additional compensation (Salary, Sick, Vacation, Compensation Time) from the City beyond an amount that will equal 100% of the employee's take home pay when lost-time pay and leave (Sick, Vacation, Compensatory Time) used are combined.
- 11.13.4 Return to employment will be authorized on a case-by-case basis in consultation with the department Director, attending physician and the Idaho State Insurance Fund, and may require a fitness for duty medical review.
- 11.13.5 The City will make every effort to bring the employee back on light duty status (if light duty work is available) before the employee is granted lost-time recovery from the State Insurance Fund. Light duty will be compensated at the employee's regular rate of pay.
- 11.13.6 Concerns associated with injured worker status may be brought before the appropriate City Official for review.

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Section 12.2 These benefits are subject to change or termination in the sole discretion of the City Council. Each benefit offering is subject to the specific terms of its respective insurance policy and/or official resolution of the City Council.



City of Kuna

PO Box 13 • 751 W 4th St. • Kuna, Idaho 83634 • Phone: 208.922.5274

MEMORANDUM

Date: March 6, 2018
To: Kuna City Council
From: Wendy I. Howell, PCED
Re: Transportation Priority List, 2018

Before the City Council for consideration is Kuna's Transportation Priority List, 2018 for approval. ACHD's Integrated Five-Year Work Plan is comprised of prioritized projects submitted by each city under ACHD's jurisdiction annually for integration into ACHD's Capital Project budget; that budget is then categorized by project cost elements and then organized into sub-programs with each focusing on a particular aspect of the county roadway system. They are as follows:

- Roadways - These projects include widening, rebuilding or preserving of arterial or collector roadways. It also includes the annual allocation to the Corridor Preservation program which allows ACHD to purchase right-of-way from new development on identified roadways prior to the year identified in the Integrated Five Year Work Plan or Capital Improvements Program.
- Intersections - Includes new, rebuild, and/or signalization intersection projects.
- Traffic - Includes projects aimed at signal upgrades, intelligent traffic systems (ITS), ACHD Commuteride projects, including park & ride lots.
- Maintenance - Includes annual programs for overlays, crack seal, cul-de-sac and scrub coat projects on roadways.
- Cooperative - Provides an annual allocation for developer projects that result from cooperative agreements between ACHD and other entities.
- Community Programs - Includes curb, gutter, pedestrian, school safety, neighborhood, bikeway or traffic calming projects not associated with a roadway widening project.

Upon approval, Kuna's transportation project priorities will be forwarded to Ada County Highway District staff for their consideration and additional vetting. Based on ACHD staff recommendations, projects which appear to serve the greatest overall public need are then approved by the ACHD Commission for inclusion into the Integrated Five-Year Work Plan.

**RESOLUTION NO. R19-2018
CITY OF KUNA, IDAHO**

**CITY OF KUNA IDAHO'S
2018 TRANSPORTATION PRIORITY
REQUEST TO THE ADA COUNTY HIGHWAY DISTRICT**

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE PROJECT PRIORITY LIST TITLED “CITY OF KUNA IDAHO’S TRANSPORTATION PRIORITY REQUESTS - 2018” AS THE OFFICIAL TRANSPORTATION PROJECT PRIORITY LIST FOR THE CITY OF KUNA, IDAHO FOR THE ADA COUNTY HIGHWAY DISTRICT; AUTHORIZING THE CITY CLERK TO TRANSMIT THE DOCUMENT TO ACHD; AND HEREBY REPEALING ALL PREVIOUS TRANSPORTATION PROJECT PRIORITY LISTS.

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

1. The project priority list entitled “City of Kuna Transportation Priority Requests - 2018” is hereby approved as the official transportation project priority list for Kuna, Idaho; which said project priority list is attached hereto, and made a part thereof;
2. The City Clerk is hereby authorized to transmit the document to the Ada County Highway District;
3. All previous Transportation Project Priority lists for the city of Kuna, Idaho are hereby repealed.

PASSED BY THE COUNCIL of Kuna, Idaho this 6th day of March, 2018.

APPROVED BY THE MAYOR of Kuna, Idaho this 6th day of March, 2018.

Joe L. Stear, Mayor

ATTEST:

Chris Engels, City Clerk

City of Kuna Request Status and 2018 Prioritization

Instructions - Please insert your agency's ranking for each project in the column "2018 City Priority Ranking". Please add any additional comments or information in the last column. The remaining columns are for your information to assist you in preparing your 2018 requests. Additional lines can be added to input new project requests as needed. Please contact Ryan Head at (208) 387-6234 with any questions.

2018 City Priority Ranking	2017 City Priority Ranking	GIS #	ACHD Project Name (City Project Name)	Project Description	Current Programming Status						Additional Project Specific/Miscellaneous City Input	
					In IFYWP	DSN YR	ROW YR	CN YR	Total Cost in Millions	Programming Notes		
Road & Intersection												
	1	IN211-01	Linder Rd and Deer Flat Rd	Federal aid project to improve intersection of Linder Rd and Deer Flat Rd, including curb, gutter, sidewalk and bike lanes. Right-of-way funding will advance to a year prior to construction as funds become available.	Yes	2017	2018	2020	\$3.31	To be built in FY2020.	I was told last year that the Reed Elementary access would be worked into this project. If this was incorrect then the Reed Access needs to be a new request.	
	2	MA215-05	Swan Falls Railroad Overpass (Swan Falls Rd and Shortline St)	Install a new bridge over Indian Creek and Union Pacific Railroad on Swan Falls Rd in accordance with the Kuna Crossing Feasibility and Implementation Plan.	No				\$18.50	Included in ACHD's Master Street Map. Project to occur in accordance with the Kuna Crossing Feasibility and Implementation Plan.	Staff was told that ACHD has monies for the concept plan.	
	3		Ten Mile Rd / Deer Flat Rd	Design and construct a roundabout for continuous traffic flow.								
	4		Ten Mile Rd / Lake Hazel Rd	Design and construct a roundabout for continuous traffic flow.							This intersection is currently at capacity per ACHD.	
	5	IN205-127	Ten Mile Rd and Columbia Rd	Design and construct a single-lane expandable roundabout in accordance with the Ten Mile Corridor Intersection Analysis.	No				\$1.34	Defer. Operating at a LOS C or better.	This intersection is currently at capacity per ACHD.	
	6		Ten Mile Rd, Hubbard Rd / Columbia Rd	Widen Ten Mile Rd to 5 lanes with curb, gutter, sidewalk, and bike lanes in accordance with the Master Street Map.	No				TBD	Defer. Operating at a LOS D. Not a 2016 CIP project.		
	7		Linder Rd / Columbia Rd	Install a roundabout for continuous traffic flow.							This intersection is currently at capacity per ACHD.	
	8		Kuna Mora Rd, Cloverdale Rd / Cole Rd	Widen Kuna Mora Rd to 5/7 lanes with curb, gutter, sidewalk, and bike lanes in accordance with the Master Street Map.	No				TBD	Defer. Operating at a LOS D. Not a 2016 CIP project.		
	9		Avalon Rd / Kay St	Signalization with pedestrian crossing								

Community Programs												
	1	CM213-64	Linder Rd, Main St / Deer Flat Rd	Complete curb, gutter, detached sidewalk and bike lanes on both sides of Linder Rd, between 4th St (Linder/Main/3rd project limits) to Deer Flat Rd. Project will construct a Rectangular Rapid Flashing Beacon at Porter St.	Yes	2020	2021	2022	\$1.55	To be built in FY2022.		
	2	CM214-10 and IN211-01	Deer Flat Rd, Linder Rd / Kay Ave	Install sidewalk.	Yes	2019	2020	2020	\$3.31	Part to be built by ACHD forces and by development in FY2018. Remaining portion to be built in FY2020.		
	3	CM217-27	Deer Flat Rd and School St Pedestrian Crossing	Install an enhanced pedestrian crossing on Deer Flat Rd at School St.	Yes	2020	2020	2021	\$0.15	To be built in FY2021.		
	4	CM217-09	Ave C, Main St / 4th St	Construct curb, gutter, and sidewalk on both sides of Ave C, between Main St and 4th St in accordance with the Kuna Downtown Corridor Plan.	Yes	2020	2021	2022	\$0.15	To be built in FY2022.		
	5	CM217-10	Ave D, Main St / 4th St	Construct curb, gutter, and sidewalk on both sides of Ave D, between Main St and 4th St in accordance with the Kuna Downtown Corridor Plan.	Yes	2022	2022	PD	\$0.15	Design to begin in FY2022.		
	6	IN211-01	Deer Flat Rd, Linder Rd / 1,000' E/O Linder Rd	Construct a sidewalk on the south side of Deer Flat Rd to provide a contiguous walkway.	Yes	2017	2018	2020	\$3.31	To be built in FY2020. Project to be constructed with Linder Rd and Deer Flat Rd intersection.		
	7		Ten Mile Rd and Crenshaw St	Install an enhanced pedestrian crossing and school zone on Ten Mile Rd at Crenshaw St.	No				\$0.20	Project scoped in fall 2017. Final report pending.	Scoped as a "Go" project.	
	8		Swan Falls Rd and Indian Creek Pathway Pedestrian Crossing	Install an enhanced pedestrian crossing on Swan Falls Rd at the Indian Creek Pathway.	No				\$0.23	Project scoped in fall 2017. Final report pending.	Scoped as a "Go" project.	
	9		Ten Mile Rd and Deer Flat Rd	Install a pedestrian crossing at Deer Flat Rd and Ten Mile Rd								
	10		Main St, Ave C / Ave A	Streetscape improvements, including road reconstruction, wider sidewalks, on-street parking, drainage, and bike markings in accordance with Kuna Downtown Corridor Plan.	No				TBD	ACHD to support a City-led effort. As project moves forward, ACHD will evaluate financial partnership for roadway maintenance upon specific request.	Downtown Revitalization Phase 2A & 2B	
	11	CM217-11 and CM217-12	Linder Ave/Avalon St, 2nd St / Orchard St	Install an interim asphalt pathway with extruded curb on the north side of Linder Ave/Avalon St within existing right-of-way. Includes an enhanced pedestrian crossing (rectangular rapid flashing beacon) and curb ramps on Avalon St at Orchard (west side).	No				\$0.53	Scoped "Go" in 2017. To be evaluated and prioritized for possible inclusion into future IFYWP updates.	This project can be split into two phases if needed.	
	12		Ten Mile Rd / Boise St	Flashing 20 mph when children are present sign, for the school zone, due to middle school pedestrian traffic.								
	13	CM217-08	Ave B, Main St / 4th St	Construct curb, gutter, and sidewalk on both sides of Ave B, between Main St and 4th St in accordance with the Kuna Downtown Corridor Plan.	No				\$0.10	Scoped "Go" in 2017. To be evaluated and prioritized for possible inclusion into future IFYWP updates.		
	14	CM217-06	Ave A, Main St / 4th St	Construct curb, gutter, and sidewalk on both sides of Ave A, between Main St and 4th St in accordance with the Kuna Downtown Corridor Plan.	No				\$0.15	Scoped "Go" in 2017. To be evaluated and prioritized for possible inclusion into future IFYWP updates.		
	15	CM217-07	Ave B, 2nd St / Main St	Construct curb, gutter, and sidewalk on the east side of Ave B, between 2nd St and Main St in accordance with the Kuna Downtown Corridor Plan.	No				\$0.16	Scoped "Go" in 2017. To be evaluated and prioritized for possible inclusion into future IFYWP updates.		
	16	CM217-05	Ave C, 2nd St / Main St	Construct curb, gutter, and sidewalk on both sides of Ave C, between 2nd St and Main St in accordance with the Kuna Downtown Corridor Plan.	No				\$0.09	Scoped "Go" in 2017. To be evaluated and prioritized for possible inclusion into future IFYWP updates.		
	17		Linder Rd / Deer Flat Rd / Hwy 69	Construct an ADA compliant sidewalk on the south side of Deer Flat Rd to provide a contiguous walkway.								

18		2nd St / Bernie Fisher Park	Install bike lanes in accordance with the Kuna Downtown Corridor Plan.	No				TBD	Current low traffic volumes make striping a bike lane not appropriate at this time. ACHD to reevaluate as conditions change in the area.	
19		Ave B and 2nd St Parking Lot	2nd St downtown parking lot design including solar energy options, lighting, electric car charging, impervious asphalt, landscaped islands, and covered area for farmer's market	No				TBD	ACHD to support a City-led effort.	
20		Avalon Rd / S Ten Mile Rd	Construct sidewalks for pedestrian safety, particularly children walking to and from Falcon Ridge Charter School.							
21		Deer Flat Rd and Kay St	Install a roundabout with pedestrian crossing to provide continuous traffic flow and add a left turn lane from Kay St onto Deer Flat Rd.	No				TBD	North bound right-turn lane to be added in fall 2017, ACHD Traffic Engineering to evaluate after this is completed.	
22		Avenue B, south of Main St	185' of sidewalk on the west side of Ave. B, to connect senior center to downtown							
23	N/A	Kay St, Deer Flat Rd / Boise St	Construct curb, gutter, sidewalk and on-street parking on the east side of Kay St, between Deer Flat Rd and Boise St.	No				N/A	East side sidewalk to be built through development. Complete sidewalk exists on the west side of Kay St.	
24	RS203-07	Park and Ride Lot	Park and ride lot. Location to be determined	No				TBD	ACHD to support a City-led effort.	
25		4th St, School St / Linder Ave	Concept design to revitalize evaluate infrastructure, pedestrian, bicycle, lighting and utility improvements.	No				TBD	ACHD to evaluate as part of future budgeting efforts.	Downtown Revitalization - 4th St
26	N/A	Greenbelt Extension (West)	Extend greenbelt west to Deer Flat Rd	No				N/A	ACHD to support a City-led effort.	
27	N/A	Greenbelt Extension (East)	Extend greenbelt east to Stroebel Rd	No				N/A	ACHD to support a City-led effort.	

ORDINANCE NO.
CITY OF KUNA, IDAHO

AN ORDINANCE OF THE CITY COUNCIL FOR KUNA, IDAHO AMENDING KUNA CITY CODE 10-3-7 BY STRIKING 7.C.2 THEREBY ELIMINATING THE PROVISION THAT LICENSES PAID FOR AFTER JULY 1 WILL BE ONE-HALF THE REGULAR FEE; AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF KUNA, IDAHO as follows:

Section 1:

Kuna City Code 10-3-7 shall be amended as follows:

10-3-7:- DOG LICENSES:

- A. Location for purchasing license: Dog licenses shall be purchased at locations designated by the city council.
- B. License required; exceptions: It shall be unlawful for any person to own, harbor, keep or possess a dog older than six (6) months of age within the city without first procuring a license as required by this chapter, except:
 - 1. Dogs whose owners are nonresidents, but who are temporarily residing within the city for thirty (30) days or less, and possessing a license issued by another municipality or other licensing authority.
 - 2. Dogs brought into the city for the purpose of participating in shows, exhibits, competitions or similar events.
 - 3. Dogs specially trained to assist people with disabilities where the dog is serving in this capacity.
 - 4. Dogs for sale through licensed pet stores.
- C. License term; application; fees:
 - 1. Dog licenses shall be valid until December 31 of each calendar year. The owner of the dog located within the city shall make application at city council designated locations and pay a license fee according to the schedule of fees adopted by city resolution.
 - 2. ~~After July 1 of each calendar year, the license fee shall be one-half of the regular license fee and effective until December 31 of that year.~~
 - 3. No dog will be licensed as spayed or neutered without valid proof the surgery was performed.

4. At time of payment the license issuer shall provide a receipt designating the dog owner's name, license number, animal gender (or status of spayed or neutered) and the amount paid along with providing a metal tag bearing the number corresponding to that affixed upon the receipt.
 5. If a license is lost, the dog owner shall apply for a replacement tag and pay the appropriate fee.
 6. Dog licenses may be purchased starting December 1 of each calendar year.
- D. Use of improper or imitation dog license: It shall be unlawful for a person to allow their dog to wear a license tag issued to another dog, or wear an imitated city license tag representing the current year's registration, or any tag marked on plate or collar similar to that required by the city.

Section 2:

This ordinance shall become effective after its adoption and publication as required by law.

Ada County, Idaho

ADOPTED this ____ day of March 2018.

CITY COUNCIL FOR THE CITY OF KUNA

By

Joe L. Stear, Mayor

ATTEST:

Chris Engels, City Clerk

**ORDINANCE NO. 2018-06
CITY OF KUNA, IDAHO**

AN ORDINANCE OF THE CITY COUNCIL OF KUNA, IDAHO AMENDING KUNA CITY CODE 10-3-7 BY STRIKING 7.C.2 THEREBY ELIMINATING THE PROVISION THAT LICENSES PAID FOR AFTER JULY 1 WILL BE ONE-HALF THE REGULAR FEE; AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF KUNA, IDAHO as follows:

Section 1:

Kuna City Code 10-3-7 shall be amended as follows:

10-3-7:- DOG LICENSES:

- A. Location for purchasing license: Dog licenses shall be purchased at locations designated by the city council.
- B. License required; exceptions: It shall be unlawful for any person to own, harbor, keep or possess a dog older than six (6) months of age within the city without first procuring a license as required by this chapter, except:
 - 1. Dogs whose owners are nonresidents, but who are temporarily residing within the city for thirty (30) days or less, and possessing a license issued by another municipality or other licensing authority.
 - 2. Dogs brought into the city for the purpose of participating in shows, exhibits, competitions or similar events.
 - 3. Dogs specially trained to assist people with disabilities where the dog is serving in this capacity.
 - 4. Dogs for sale through licensed pet stores.
- C. License term; application; fees:
 - 1. Dog licenses shall be valid until December 31 of each calendar year. The owner of the dog located within the city shall make application at city council designated locations and pay a license fee according to the schedule of fees adopted by city resolution.
 - 2. No dog will be licensed as spayed or neutered without valid proof the surgery was performed.
 - 3. At time of payment the license issuer shall provide a receipt designating the dog owner's name, license number, animal gender (or status of spayed or neutered) and the amount

paid along with providing a metal tag bearing the number corresponding to that affixed upon the receipt.

4. If a license is lost, the dog owner shall apply for a replacement tag and pay the appropriate fee.
 5. Dog licenses may be purchased starting December 1 of each calendar year.
- D. Use of improper or imitation dog license: It shall be unlawful for a person to allow their dog to wear a license tag issued to another dog, or wear an imitated city license tag representing the current year's registration, or any tag marked on plate or collar similar to that required by the city.

Section 2:

This ordinance shall become effective after its adoption and publication as required by law.

Ada County, Idaho

ADOPTED this 6th day of March, 2018.

CITY OF KUNA

Joe L. Stear, Mayor

ATTEST:

Chris Engels, City Clerk



City of Kuna

City Council Memo

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

To: Kuna City Council

Case Number: 18-01-ZOA (Subdivision Ordinance Amendment)
Title 6: Subdivision Regulations

- KCC 6-8-3 (Easements)

Staff: Richard Roats
Wendy I. Howell, PCED

Hearing Date: March 6, 2018

A. Course of Proceedings

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

a. **Notifications**

- | | |
|---------------------------|---|
| i. Agencies | January 10, 2018 and February 13, 2018 |
| ii. Kuna, Melba Newspaper | February 21, 2018 and February 28, 2018 |

B. Agency Responses

- No comments have been submitted to date.

C. Staff Comments:

The city's current code section regarding easements created instances where the interpretation either created uncertainty as to an easement's width that was bisected by a lot line, or a hardship on developers that phased their project causing a ten-foot easement on one phase boundary adjoined by a ten-foot easement on the subsequent boundary resulting in a twenty-foot easement. This proposed code amendment has been modified to grant discretion to the City to modify easement widths based upon individual development's needs. Finally, there is a change limiting the easements to city utilities, which makes the process to vacate an unused easement much easier, as there is no need to obtain consent from the other public utilities to vacate, which is expensive and time intensive.

D. Applicable Standards:

1. City of Kuna Subdivision Ordinance, Title 6
2. City of Kuna Comprehensive Plan
3. Idaho Code, Title 67, Chapter 65, Local Land Use Planning Act

E. Proposed Decision by Planning and Zoning Commission:

The City Council shall consider and discuss the evidence and testimony presented at the meeting prior to rendering its decision.

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

- An ordinance of the City Council for Kuna, Idaho striking in its entirety, Section 8 of Title 6, Chapter 3 entitled, Easements and replacing a new section that provides for the location and width of city and public utilities easements, encroachment locations, vests the final determination of the location of easements with the City Engineer, restricts the placement of encroachments within the easement and responsibilities for damage, removal and disposal, allows for easement modifications for side yard easements located on phase boundaries, and provides an effective date.

**ORDINANCE NO.
CITY OF KUNA, IDAHO**

AN ORDINANCE OF THE CITY COUNCIL FOR KUNA, IDAHO STRIKING IN ITS ENTIRETY, SECTION 8 OF TITLE 6, CHAPTER 3 TITLED EASEMENTS AND REPLACING A NEW SECTION THAT PROVIDES FOR THE LOCATION AND WIDTH OF CITY AND PUBLIC UTILITIES EASEMENTS, ENCROACHMENT LOCATIONS, VESTS THE FINAL DETERMINATION OF THE LOCATION OF EASEMENTS WITH THE CITY ENGINEER, RESTRICTS THE PLACEMENT OF ENCROACHMENTS WITHIN THE EASEMENT AND RESPONSIBILITIES FOR DAMAGE, REMOVAL AND DISPOSAL, ALLOWS FOR EASEMENT MODIFICATIONS FOR SIDE YARD EASEMENTS LOCATED ON PHASE BOUNDARIES, AND PROVIDES AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KUNA, ADA COUNTY, IDAHO, as follows:

Section 1. Title 6, Chapter 3 (Design Standards), Section 8 shall be amended as follows:

Title 6, Chapter 3

6-3-8: - EASEMENTS:

~~Unobstructed utility easements shall be provided along front lot lines, rear lot lines and side lot lines when deemed necessary; total easement width shall not be less than ten (10) feet. Unobstructed drainageway easements shall be provided as required by the city council. Easement widths for major utilities shall be determined based on the width required for continued operation and maintenance of the facilities and shall be established by the city.~~

6-3-8: EASEMENTS:

- A. *Public Utilities Easements:* A public utilities easement, including city utilities, shall be provided along public rights-of-way abutting front lot lines in a width not less than ten feet (10') and side lot lines in a width not less than five feet (5') when the adjoining lot also has an easement of not less than five feet (5').
- B. *City Utilities Easements:* A city utilities easement shall be provided along rear lot lines in a width not less than ten feet (10') unless otherwise approved by the City Engineer or Public Works Director.
- C. *Encroachments:* The underground footing portion of the foundation may encroach into the easement not more than four inches (4") into the easement. Eaves may encroach into the easement not more than sixteen inches (16").
- D. *City Engineer:* The city engineer shall be responsible for the final determination of the actual easement width and location for all utilities within the easement based upon the width required for access, continued operation and maintenance of the utilities.
- E. *Obstructions placed in easements:*

- a. If any encroachment is constructed within the easement, including, but not limited to landscaping (trees, plants and grass), deck, fence, gate, air conditioner, shed, swimming pool, water feature, or concrete pad, and it is necessary for the city to access the easement for maintenance or repair, the encroachment shall be removed, replaced and/or hauled off at the owner's expense.
- b. The city shall give the owner of the property where the encroachment is located forty-eight (48) hours' notice to remove the encroachment, unless an emergency exists as determined by the City. If the owner fails to remove the encroachment, the city may cause the same to be removed and charge the owner for the costs of the removal.
- c. The owner of the property where the encroachment is located is responsible for all damage to the encroachment, and the city is absolved from any liability regardless of the nature or cause of the damage. This includes the items listed in (a) above, and also includes eaves.

F. *Phase Boundaries:*

- a. When a side lot line easement is part of a phase boundary and the City Engineer or Public Works Director has determined that a ten foot (10') easement will not be required along a lot that is part of the phase boundary, the owner or developer may dedicate not more than five feet (5') of the ten foot (10') easement onto the adjoining property at the time of the earlier phase, only if the property to be encumbered is part of a subsequent phase owned by the same owner or developer dedicating the easement.
- b. If an earlier phase has a dedicated ten-foot (10') side lot easement, the subsequent phase easement that abuts the ten-foot (10') easement may be a five-foot (5') easement and at the discretion of the City Engineer upon recording of the 5' easement in the later phase the 10' easement in the earlier phase can be reduced to 5' provided that in no case the combined easements shall not be less than 10'.

Section 2.

This ordinance shall become effective upon passage and publication as required by law.

ADOPTED this ____ day of February 2018.

CITY COUNCIL OF THE CITY OF KUNA
Ada County, Idaho

Joe L. Stear, Mayor

ATTEST:

Chris Engels, City Clerk

**ORDINANCE NO. 2018-07
CITY OF KUNA, IDAHO**

AN ORDINANCE OF THE CITY COUNCIL FOR KUNA, IDAHO STRIKING IN ITS ENTIRETY, SECTION 8 OF TITLE 6, CHAPTER 3 TITLED EASEMENTS AND REPLACING A NEW SECTION THAT PROVIDES FOR THE LOCATION AND WIDTH OF CITY AND PUBLIC UTILITIES EASEMENTS, ENCROACHMENT LOCATIONS, VESTS THE FINAL DETERMINATION OF THE LOCATION OF EASEMENTS WITH THE CITY ENGINEER, RESTRICTS THE PLACEMENT OF ENCROACHMENTS WITHIN THE EASEMENT AND RESPONSIBILITIES FOR DAMAGE, REMOVAL AND DISPOSAL, ALLOWS FOR EASEMENT MODIFICATIONS FOR SIDE YARD EASEMENTS LOCATED ON PHASE BOUNDARIES, AND PROVIDES AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KUNA, ADA COUNTY, IDAHO, as follows:

Section 1. Title 6, Chapter 3 (Design Standards), Section 8 shall be amended as follows:

Title 6, Chapter 3

6-3-8: EASEMENTS:

- A. *Public Utilities Easements:* A public utilities easement, including city utilities, shall be provided along public rights-of-way abutting front lot lines in a width not less than ten feet (10') and side lot lines in a width not less than five feet (5') when the adjoining lot also has an easement of not less than five feet (5').
- B. *City Utilities Easements:* A city utilities easement shall be provided along rear lot lines in a width not less than ten feet (10') unless otherwise approved by the City Engineer or Public Works Director.
- C. *Encroachments:* The underground footing portion of the foundation may encroach into the easement not more than four inches (4") into the easement. Eaves may encroach into the easement not more than sixteen inches (16").
- D. *City Engineer:* The city engineer shall be responsible for the final determination of the actual easement width and location for all utilities within the easement based upon the width required for access, continued operation and maintenance of the utilities.
- E. *Obstructions placed in easements:*
 - a. If any encroachment is constructed within the easement, including, but not limited to landscaping (trees, plants and grass), deck, fence, gate, air conditioner, shed, swimming pool, water feature, or concrete pad, and it is necessary for the city to access the easement for maintenance or repair, the encroachment shall be removed, replaced and/or hauled off at the owner's expense.
 - b. The city shall give the owner of the property where the encroachment is located forty-eight (48) hours' notice to remove the encroachment, unless an emergency exists as determined by the City. If the owner fails to remove the

encroachment, the city may cause the same to be removed and charge the owner for the costs of the removal.

- c. The owner of the property where the encroachment is located is responsible for all damage to the encroachment, and the city is absolved from any liability regardless of the nature or cause of the damage. This includes the items listed in (a) above, and also includes eaves.

F. *Phase Boundaries:*

- a. When a side lot line easement is part of a phase boundary and the City Engineer or Public Works Director has determined that a ten foot (10') easement will not be required along a lot that is part of the phase boundary, the owner or developer may dedicate not more than five feet (5') of the ten foot (10') easement onto the adjoining property at the time of the earlier phase, only if the property to be encumbered is part of a subsequent phase owned by the same owner or developer dedicating the easement.
- b. If an earlier phase has a dedicated ten-foot (10') side lot easement, the subsequent phase easement that abuts the ten-foot (10') easement may be a five-foot (5') easement and at the discretion of the City Engineer upon recording of the 5' easement in the later phase the 10' easement in the earlier phase can be reduced to 5' provided that in no case the combined easements shall not be less than 10'.

Section 2.

This ordinance shall become effective upon passage and publication as required by law.

ADOPTED this 6th day of March, 2018.

CITY OF KUNA

Joe L. Stear, Mayor

ATTEST:

Chris Engels, City Clerk



City of Kuna

City Council Memo

Phone: (208) 922-5274
Fax: (208) 922-5989
www.kunacity.id.gov

To: Kuna City Council

File Numbers: 18-02-ZOA (Zoning Ordinance Amendment)
Title 5: Zoning Regulations

- KCC 5-18-1 (Private Roads)
- KCC 5-7-3 (Planned Unit Development)
- KCC 6-3-3 (Planned Unit Development)
- KCC 6-5-2 (Planned Unit and Condominium Subdivisions)

Staff: Richard Roats
Wendy I Howell, PCED

Hearing Date: March 6, 2018

A. Course of Proceedings

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

a. Notifications

- | | |
|---------------------------|---|
| i. Agencies | January 10, 2018 and February 13, 2018 |
| ii. Kuna, Melba Newspaper | February 21, 2018 and February 28, 2018 |

B. Agency Responses

- *Paul Stevens, P.E., City Engineer* responded on January 12, 2018, with revisions to the ordinance. Those revisions have been incorporated into this ordinance.
- *Idaho Department of Transportation* responded on January 18, 2018 stating they do not have an objection to the proposed ordinance amendment.

C. Staff Comments:

The purpose of this code amendment is to give developers options for their developments. Staff anticipates the private road option to be used within Planned Unit Developments, dead-end roads or in a gated community scenario.

The City Engineer, Paul Steven's recommendations have already been incorporated into the proposed ordinance within your packets. The City Attorney, Richard Roats' has reviewed the proposed ordinance without any objections.

D. Applicable Standards:

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

E. Proposed Decision by Planning and Zoning Commission:

The City Council shall consider and discuss the evidence and testimony presented at the meeting prior to rendering of their decision.

Note: This proposed motion is for approval or denial. 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 public testimony (if any), an ordinance of City of Kuna, Idaho, adding a new chapter, Chapter 18 to Title 5, entitled Private Roads that provides for the allowance of private roads in certain locations, sets forth construction and design standards, sets forth access and maintenance requirements, establishes gated road restrictions, provides for private alleys, requires compliance with the Comprehensive Plan, and provides for a waiver of standards by the City Council; amending KCC 5-7-3, Planned Unit Development to reference private roads, KCC 5-18-1; amending 6-3-3, Planned Unit Development to strike that portion only allowing private roads in planned unit developments and adding the reference to KCC 5-18-1; amending KCC 6-5-2, Planned Unit And Condominium Subdivisions to provide for private road standards constructed to Ada County Highway District local road standards and review by the City Engineer; and providing an effective date.

**ORDINANCE NO.
CITY OF KUNA, IDAHO**

AN ORDINANCE OF THE CITY COUNCIL FOR KUNA, IDAHO ADDING A NEW CHAPTER, CHAPTER 18 TO TITLE 5, TITLED PRIVATE ROADS THAT PROVIDES FOR THE ALLOWANCE OF PRIVATE ROADS IN CERTAIN LOCATIONS, SETS FORTH CONSTRUCTION AND DESIGN STANDARDS, SETS FORTH ACCESS AND MAINTENANCE REQUIREMENTS, ESTABLISHES GATED ROAD RESTRICTIONS, PROVIDES FOR PRIVATE ALLEYS, REQUIRES COMPLIANCE WITH THE COMPREHENSIVE PLAN, AND PROVIDES FOR A WAIVER OF STANDARDS BY THE CITY COUNCIL; AMENDING KCC 5-7-3- PLANNED UNIT DEVELOPMENT TO REFERENCE PRIVATE ROADS- KCC 5-18-1; AMENDING 6-3-3- PLANNED UNIT DEVELOPMENT TO STRIKE THAT PORTION ONLY ALLOWING PRIVATE ROADS IN PLANNED UNIT DEVELOPMENTS AND ADDING THE REFERENCE TO KCC 5-18-1; AMENDING KCC 6-5-2- PLANNED UNIT AND CONDOMINIUM SUBDIVISIONS TO PROVIDE FOR PRIVATE ROAD STANDARDS CONSTRUCTED TO ADA COUNTY HIGHWAY DISTRICT LOCAL ROAD STANDARDS AND REVIEW BY THE CITY ENGINEER; AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KUNA, ADA COUNTY, IDAHO, as follows:

Section 1.

Adding a new chapter, Chapter 18, titled Private Roads to Title 5, of the Kuna City Code.

TITLE 5, CHAPTER 18

5-18-1 PRIVATE ROADS:

A. When allowed:

Private roads may be allowed for; dead end roads less than 450' in length (as measured from the closest connecting public road edge of pavement), gated communities, or commercial developments. A private road may provide access to any parcel, lot or lots provided City Council makes written findings that the private road(s) is/are in compliance with the following standards:

1. Unique or extraordinary circumstances exist with respect to the proposed use, design, location, topography, geographic barriers, or other features of the development such that a private road will serve to enhance the overall development.
2. A private road shall not take access from an arterial unless approved by the Planning and Zoning Director on a case by case basis, as said roads are described in the ACHD Master Streets Map, Kuna Street Circulation Plan or State Highway Plan.
3. The private road shall provide for the safe and effective movement of vehicular and pedestrian traffic including sidewalks, and parking.

4. The private road shall provide twenty-four (24) hour access for service and emergency vehicles.
5. The private road shall not adversely and/or significantly affect the public's access or the transportation circulation plan to and through the area.
6. The private road shall not landlock or limit access to adjacent properties.
7. Other than to provide emergency vehicle access, private roads shall not provide connectivity from one public road to another, or otherwise encourage travel through the development served by the private road; however, a private road may have a secondary access to a public road and/or may be connected to more than one public road if access thereto is controlled by automatic gates or other traffic control devices as approved by City Council.
8. The use or alignment of the private roads shall provide for the continuity of the public road grid or existing or planned public pathways as shown on Kuna's Recreation and Master Pathway Map.
9. If the private road is situated within a commercial development, the developer shall comply with section C, which shall be approved by City Council prior to recordation of the final plat.

B. Construction and Design Standards: Private roads shall conform to the following construction and design requirements:

1. A private road shall be a perpetual ingress/egress easement or a single platted lot within the development or subdivision that provides access to all properties served by the private road. When the private road is a portion of a subdivision, the preference is that the private road be a lot within the plat.
2. The connection of the private road to a public road shall be approved by Ada County Highway District and the City Engineer.
3. The development shall not restrict access to existing or future planned pathways or greenbelts.
4. Private road construction and design shall be in accordance with Ada County Highway District's structural standards for roadways and requirements for local street sections and the Ada County Highway District's intersection design and storm drainage and storage requirements, and as recommended by the City Engineer and approved by City Council.
5. Private roads shall be graded away from public road intersections, where possible.
6. Except as may be otherwise set forth in this section, private roads shall meet design and dimensional requirements as the City Council deems appropriate considering the proposed use, and the site where the private roads are to be located. All private roads shall have a paved travel lane of not less than twenty-eight feet (28') in width.
7. Curb, gutter and sidewalks shall be required in accordance with KCC 6-4-2, and may be modified at the discretion of the city planning and zoning director, public works director, city engineer, and approved by City Council. Lighting shall comply with the requirements of KCC, as amended.

8. The design engineer shall identify on the construction drawings submitted for review and approval by the City Engineer, all traffic signs needed for the project, including, but not limited to, designated parking and "no parking" areas, speed, stop, street name(s) and such other signs as are required for safe pedestrian and vehicle travel.

9. All private roads shall, during the progress of construction, be inspected and tested, at the expense of the owner or developer, by a qualified inspector in order to ensure compliance with the construction and design standards set forth in this section and KCC 6-4-2, the construction drawings shall be prepared by an Idaho state licensed professional engineer, and follow best practices for engineering and construction. Reports of such inspections and tests shall be submitted, together with a certification of such compliance, for the review and approval by the City Engineer.

10. All private roads shall originate in a public right of way and terminate in a public right of way, or at a fire district approved turnaround area.

11. The design of all private roads and related storm drainage facilities shall be prepared by an Idaho state licensed professional engineer and in substantial conformance with engineering and design standards in effect at the time of design. Construction drawings, together with a certification of such conformity, shall be submitted for review and approval to the City Engineer. No part of this section shall be construed as allowing a private road that is not in conformance with current engineering and design standards best practices.

12. If any provision of this section is found to be in conflict with any other applicable provision of this title, the provision which establishes the higher and/or more restrictive standard shall prevail, unless specifically determined otherwise by city council.

C. Access and Maintenance Requirements: Provisions shall be made for future maintenance of and access to private roads as follows:

1. A plan and schedule for future repair and maintenance of the private road and drainage facilities for the expected lifetime thereof and a cost estimate therefore prepared by an Idaho state licensed professional engineer, together with a proposed method for funding the same, including, but not limited to, the creation and maintenance of a reserve fund for that purpose, shall be submitted with the final plat application for review and approval by the City Engineer.

2. The location of the private road shall be clearly depicted on the face of the plat, and the plat notes shall be included on the face of the plat that shall:

a. Act to convey to each lot owner within the subdivision to be served by the private road the perpetual right of ingress and egress over the described private road;

b. Provide that such perpetual easement shall run with the land;

c. Provide the instrument number for the cross-access agreement for all properties being served by the private road, whether or not they are under common ownership; and

d. Provide that the restrictive covenant for maintenance of the private road cannot be modified or dissolved by the homeowners'/property owners' association or other entity without the express written consent of the City.

3. A restrictive covenant for repair and maintenance of the private roads shall be recorded at the time of recording the final plat which said covenant shall create a homeowners'/property owners' association or substantially similar entity and make provision for the perpetual maintenance of the private road in accordance with the approved plan as provided for in subsection 1. above.

4. The restrictive covenant, as described in section 3, above shall be reviewed by the city attorney prior to certification and signing of the final plat by the City Engineer.

5. The private roads shall provide twenty-four (24) hour access for service and emergency vehicles. If required for access, the developer shall provide the fire and police department with the necessary transmitters and/or any technology updates to allow the access, at the developer's expense.

6. City Council may, in the reasonable exercise of its discretion, order the owners or the entity responsible for the maintenance of any private road approved in accordance with the provisions of this section, to undertake such repair and maintenance activities as necessary to protect public health, safety, or welfare; and the owner or responsible entity shall, as a condition of approval of any such private road, agree to comply with any such order and reimburse the city all costs, including attorney fees, incurred in obtaining or enforcing any such order. Any order entered by the City Council pursuant to this subsection may be enforced by a court of competent jurisdiction and the city shall be entitled to recover its costs and attorney fees incurred in connection therewith.

D. Gated Roads: Gated roads are only allowed on private roads, and if serving more than one lot, must comply with the following:

1. No gate(s) may be installed within the public right-of-way;
2. Each gate placement must receive written approval from the City, fire department and police, prior to installation;
3. Each gate shall allow for twenty-four (24) hour emergency vehicle access;
4. Each gate must be inspected by the city and emergency services prior to signing of the final plat;
5. All gates within an approved development shall be removed if the private road becomes public road and accepted by the Ada County Highway District;
6. A gate location may be denied by the city based upon traffic conditions and overall community-wide connectivity needs.

E. Private alleyways may be allowed under the following conditions:

1. A minimum travel lane of sixteen (16) feet;
2. Directionally signed one-way;
3. Designed and constructed in accordance with this Chapter;
4. Connect to roads at each end.

- F. Conformity to Comprehensive Plan: All private roads and private alleyways shall substantially conform to the comprehensive plan and City standards.
- G. Waiver: City Council may waive or modify any of the standards or requirements of this section when a private road has been determined to be an integral element of the overall site plan and scheme of the development, or it will serve to enhance the overall development; provided, any waiver shall not be injurious to public health, safety, or welfare of the public, or substantially impact adjacent properties.

Section 2. Amending Title 5 (Planned Unit Development (PUD)), Chapter 7, Section 3, as follows:

5-7-3: - PLANNED UNIT DEVELOPMENT STANDARDS:

I. *Private ~~streets-roads~~ and alleyways:* Private ~~streets-roads~~ and alleys are allowed pursuant to KCC 5-18-1. ~~The City of Kuna prohibits private streets and alleys unless there is a hardship circumstance that warrants this consideration and not of the controllers making. In the limited circumstances where they are approved, private streets and alleyways shall be owned and maintained by private individuals or entities and not by government agencies. The controller shall provide documentation of a binding contract or recorded CCR's that establishes who will be responsible for the repair and maintenance of the private street or alleyway, including revenue sources for their long term sustainment. Private streets and alleyways shall be constructed on a perpetual ingress/egress easement and/or a separate and independent parcel(s) that provides access to applicable properties. The private street shall be constructed within fifty foot easement and shall have a minimum travel lane width of twenty-seven (27) feet. The street shall feature curb, gutter and five foot attached or detached sidewalks, unless the city or ACHD require wider sidewalks placed on both sides of the street. Private alleyways shall have a minimum travel lane width of sixteen (16) feet and be directionally signed one way. Private alleys should connect to streets at both ends, but may terminate with a fire district approved turnaround, and provided the alley length does not to exceed five hundred (500) feet as measured from the closest connecting street edge.~~

Section 3. Amending Title 6, Chapter 3 (Design Standards), Section 3, as follows:

6-3-3: - LOCATION:

Street and road location shall conform to the following:

- A. Street location and arrangements: When an official street plan or comprehensive development plan has been adopted, subdivision streets shall conform to such plans, the requirements of ACHD, the city, or any successor agency;
- B. Minor streets: Shall be so arranged as to discourage their use by through traffic;
- C. Stub streets: Where adjoining areas are not subdivided, the arrangement of streets in new subdivisions shall be such that said streets extend to the boundary line of the tract to make provisions for the future extension of said streets into adjacent areas. A reserve strip may be required and held in public ownership;
- D. Relation to topography: Streets shall be arranged in proper relation to topography so as to result in usable lots, safe streets and acceptable gradients;

E. Alleys: Private alleyways may be provided in multiple dwelling or commercial subdivisions unless other provisions are made for service access and off-street loading and parking;

F. Frontage roads: Where a subdivision abuts or contains an arterial street, it shall be required that there be frontage roads approximately parallel to and on each side of such arterial street; or, such other treatment as is necessary for the adequate protection of residential properties and to separate through traffic from local traffic;

G. Cul-de-sac streets: Cul-de-sac streets shall not be more than five hundred (500) feet in length and shall terminate with an adequate turnaround having a minimum radius of fifty (50) feet for right-of-way;

H. Half streets: Half streets shall be prohibited except where unusual circumstances make such necessary to the reasonable development of a tract in conformance with this title and where satisfactory assurance for dedication of the remaining part of the street is provided. Whenever a tract to be subdivided borders on an existing half or partial street, the other part of the street shall be dedicated within such tract; and

I. Private roads: Private roads shall be allowed pursuant to KCC 5-18-1 Private Roads ~~prohibited except within planned unit developments.~~

Section 4. Amending Title 6, Chapter 5 (Special Development Subdivisions), Section 2 of the Kuna City Code, as follows:

6-5-2: - PLANNED UNIT AND CONDOMINIUM SUBDIVISIONS:

A. General: Planned unit and condominium developments shall be subject to requirements set forth in the zoning regulations and also subject to all provisions within this title.

B. Minimum Area: A planned unit development for the following principal uses shall contain an area of not less than:

1. Three (3) acres or one city block for residential use.
2. Three (3) acres for manufactured home subdivisions.
3. Five (5) acres for residential use with subordinate commercial use.
4. Five (5) acres for commercial use.
5. Five (5) acres for industrial use.

C. Site Development Plan: The developer shall provide the planning and zoning commission with a colored rendering of adequate scale to show the completed development that will include at least the following:

1. Architectural style and building design.
2. Building materials and color.
3. Landscaping.

4. Screening.
5. Garbage areas.
6. Parking.
7. Open space.

D. Private Roads: Private road construction standards shall be based upon the Ada County Highway District's Local Street Design Standards and recommendations from the ~~(county/city)~~ City engineer. Adequate construction standards may vary depending on the size of the development and the demands placed on such improvements.

Section 5.

This ordinance shall become effective upon passage and publication as required by law.

ADOPTED this ____ day of February 2018.

CITY COUNCIL OF THE CITY OF KUNA
Ada County, Idaho

Joe L. Stear, Mayor

ATTEST:

Chris Engels, City Clerk

**ORDINANCE NO. 2018-08
CITY OF KUNA, IDAHO**

AN ORDINANCE OF THE CITY COUNCIL FOR KUNA, IDAHO ADDING A NEW CHAPTER, CHAPTER 18 TO TITLE 5, TITLED PRIVATE ROADS THAT PROVIDES FOR THE ALLOWANCE OF PRIVATE ROADS IN CERTAIN LOCATIONS, SETS FORTH CONSTRUCTION AND DESIGN STANDARDS, SETS FORTH ACCESS AND MAINTENANCE REQUIREMENTS, ESTABLISHES GATED ROAD RESTRICTIONS, PROVIDES FOR PRIVATE ALLEYS, REQUIRES COMPLIANCE WITH THE COMPREHENSIVE PLAN, AND PROVIDES FOR A WAIVER OF STANDARDS BY THE CITY COUNCIL; AMENDING KCC 5-7-3- PLANNED UNIT DEVELOPMENT TO REFERENCE PRIVATE ROADS- KCC 5-18-1; AMENDING 6-3-3- PLANNED UNIT DEVELOPMENT TO STRIKE THAT PORTION ONLY ALLOWING PRIVATE ROADS IN PLANNED UNIT DEVELOPMENTS AND ADDING THE REFERENCE TO KCC 5-18-1; AMENDING KCC 6-5-2- PLANNED UNIT AND CONDOMINIUM SUBDIVISIONS TO PROVIDE FOR PRIVATE ROAD STANDARDS CONSTRUCTED TO ADA COUNTY HIGHWAY DISTRICT LOCAL ROAD STANDARDS AND REVIEW BY THE CITY ENGINEER; AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KUNA, ADA COUNTY, IDAHO, as follows:

Section 1.

Adding a new chapter, Chapter 18, titled Private Roads to Title 5, of the Kuna City Code.

TITLE 5, CHAPTER 18

5-18-1 PRIVATE ROADS:

A. When allowed:

Private roads may be allowed for; dead end roads less than 450' in length (as measured from the closest connecting public road edge of pavement), gated communities, or commercial developments. A private road may provide access to any parcel, lot or lots provided City Council makes written findings that the private road(s) is/are in compliance with the following standards:

1. Unique or extraordinary circumstances exist with respect to the proposed use, design, location, topography, geographic barriers, or other features of the development such that a private road will serve to enhance the overall development.
2. A private road shall not take access from an arterial unless approved by the Planning and Zoning Director on a case by case basis, as said roads are described in the ACHD Master Streets Map, Kuna Street Circulation Plan or State Highway Plan.

3. The private road shall provide for the safe and effective movement of vehicular and pedestrian traffic including sidewalks, and parking.
4. The private road shall provide twenty-four (24) hour access for service and emergency vehicles.
5. The private road shall not adversely and/or significantly affect the public's access or the transportation circulation plan to and through the area.
6. The private road shall not landlock or limit access to adjacent properties.
7. Other than to provide emergency vehicle access, private roads shall not provide connectivity from one public road to another, or otherwise encourage travel through the development served by the private road; however, a private road may have a secondary access to a public road and/or may be connected to more than one public road if access thereto is controlled by automatic gates or other traffic control devices as approved by City Council.
8. The use or alignment of the private roads shall provide for the continuity of the public road grid or existing or planned public pathways as shown on Kuna's Recreation and Master Pathway Map.
9. If the private road is situated within a commercial development, the developer shall comply with section C, which shall be approved by City Council prior to recordation of the final plat.

B. Construction and Design Standards: Private roads shall conform to the following construction and design requirements:

1. A private road shall be a perpetual ingress/egress easement or a single platted lot within the development or subdivision that provides access to all properties served by the private road. When the private road is a portion of a subdivision, the preference is that the private road be a lot within the plat.
2. The connection of the private road to a public road shall be approved by Ada County Highway District and the City Engineer.
3. The development shall not restrict access to existing or future planned pathways or greenbelts.
4. Private road construction and design shall be in accordance with Ada County Highway District's structural standards for roadways and requirements for local street sections and the Ada County Highway District's intersection design and storm drainage and storage requirements, and as recommended by the City Engineer and approved by City Council.
5. Private roads shall be graded away from public road intersections, where possible.

6. Except as may be otherwise set forth in this section, private roads shall meet design and dimensional requirements as the City Council deems appropriate considering the proposed use, and the site where the private roads are to be located. All private roads shall have a paved travel lane of not less than twenty-eight feet (28') in width.

7. Curb, gutter and sidewalks shall be required in accordance with KCC 6-4-2, and may be modified at the discretion of the city planning and zoning director, public works director, city engineer, and approved by City Council. Lighting shall comply with the requirements of KCC, as amended.

8. The design engineer shall identify on the construction drawings submitted for review and approval by the City Engineer, all traffic signs needed for the project, including, but not limited to, designated parking and "no parking" areas, speed, stop, street name(s) and such other signs as are required for safe pedestrian and vehicle travel.

9. All private roads shall, during the progress of construction, be inspected and tested, at the expense of the owner or developer, by a qualified inspector in order to ensure compliance with the construction and design standards set forth in this section and KCC 6-4-2, the construction drawings shall be prepared by an Idaho state licensed professional engineer, and follow best practices for engineering and construction. Reports of such inspections and tests shall be submitted, together with a certification of such compliance, for the review and approval by the City Engineer.

10. All private roads shall originate in a public right of way and terminate in a public right of way, or at a fire district approved turnaround area.

11. The design of all private roads and related storm drainage facilities shall be prepared by an Idaho state licensed professional engineer and in substantial conformance with engineering and design standards in effect at the time of design. Construction drawings, together with a certification of such conformity, shall be submitted for review and approval to the City Engineer. No part of this section shall be construed as allowing a private road that is not in conformance with current engineering and design standards best practices.

12. If any provision of this section is found to be in conflict with any other applicable provision of this title, the provision which establishes the higher and/or more restrictive standard shall prevail, unless specifically determined otherwise by city council.

C. Access and Maintenance Requirements: Provisions shall be made for future maintenance of and access to private roads as follows:

1. A plan and schedule for future repair and maintenance of the private road and drainage facilities for the expected lifetime thereof and a cost estimate therefore prepared by an Idaho state licensed professional engineer, together with a proposed method for funding the same, including, but not limited to, the creation and maintenance of a reserve fund for that purpose, shall be submitted with the final plat application for review and approval by the City Engineer.

2. The location of the private road shall be clearly depicted on the face of the plat, and the plat notes shall be included on the face of the plat that shall:

- a. Act to convey to each lot owner within the subdivision to be served by the private road the perpetual right of ingress and egress over the described private road;
- b. Provide that such perpetual easement shall run with the land;
- c. Provide the instrument number for the cross-access agreement for all properties being served by the private road, whether or not they are under common ownership; and
- d. Provide that the restrictive covenant for maintenance of the private road cannot be modified or dissolved by the homeowners'/property owners' association or other entity without the express written consent of the City.

3. A restrictive covenant for repair and maintenance of the private roads shall be recorded at the time of recording the final plat which said covenant shall create a homeowners'/property owners' association or substantially similar entity and make provision for the perpetual maintenance of the private road in accordance with the approved plan as provided for in subsection 1. above.

4. The restrictive covenant, as described in section 3, above shall be reviewed by the city attorney prior to certification and signing of the final plat by the City Engineer.

5. The private roads shall provide twenty-four (24) hour access for service and emergency vehicles. If required for access, the developer shall provide the fire and police department with the necessary transmitters and/or any technology updates to allow the access, at the developer's expense.

6. City Council may, in the reasonable exercise of its discretion, order the owners or the entity responsible for the maintenance of any private road approved in accordance with the provisions of this section, to undertake such repair and maintenance activities as necessary to protect public health, safety, or welfare; and the owner or responsible entity shall, as a condition of approval of any such private road, agree to comply with any such order and reimburse the city all costs, including attorney fees, incurred in obtaining or enforcing any such order. Any order entered by the City Council pursuant to this subsection may be enforced by a court of competent jurisdiction and the city shall be entitled to recover its costs and attorney fees incurred in connection therewith.

D. Gated Roads: Gated roads are only allowed on private roads, and if serving more than one lot, must comply with the following:

- 1. No gate(s) may be installed within the public right-of-way;
- 2. Each gate placement must receive written approval from the City, fire department and police, prior to installation;
- 3. Each gate shall allow for twenty-four (24) hour emergency vehicle access;

4. Each gate must be inspected by the city and emergency services prior to signing of the final plat;
5. All gates within an approved development shall be removed if the private road becomes public road and accepted by the Ada County Highway District;
6. A gate location may be denied by the city based upon traffic conditions and overall community-wide connectivity needs.

E. Private alleyways may be allowed under the following conditions:

1. A minimum travel lane of sixteen (16) feet;
2. Directionally signed one-way;
3. Designed and constructed in accordance with this Chapter;
4. Connect to roads at each end.

F. Conformity to Comprehensive Plan: All private roads and private alleyways shall substantially conform to the comprehensive plan and City standards.

G. Waiver: City Council may waive or modify any of the standards or requirements of this section when a private road has been determined to be an integral element of the overall site plan and scheme of the development, or it will serve to enhance the overall development; provided, any waiver shall not be injurious to public health, safety, or welfare of the public, or substantially impact adjacent properties.

Section 2. Amending Title 5 (Planned Unit Development (PUD), Chapter 7, Section 3, as follows:

5-7-3: - PLANNED UNIT DEVELOPMENT STANDARDS:

- I. *Private roads and alleyways:* Private roads and alleys are allowed pursuant to KCC 5-18-1.

Section 3. Amending Title 6, Chapter 3 (Design Standards), Section 3, as follows:

6-3-3: - LOCATION:

Street and road location shall conform to the following:

A. Street location and arrangements: When an official street plan or comprehensive development plan has been adopted, subdivision streets shall conform to such plans, the requirements of ACHD, the city, or any successor agency;

B. Minor streets: Shall be so arranged as to discourage their use by through traffic;

C. Stub streets: Where adjoining areas are not subdivided, the arrangement of streets in new subdivisions shall be such that said streets extend to the boundary line of the tract to make provisions for the future extension of said streets into adjacent areas. A reserve strip may be required and held in public ownership;

D. Relation to topography: Streets shall be arranged in proper relation to topography so as to result in usable lots, safe streets and acceptable gradients;

E. Alleys: Private alleyways may be provided in multiple dwelling or commercial subdivisions unless other provisions are made for service access and off-street loading and parking;

F. Frontage roads: Where a subdivision abuts or contains an arterial street, it shall be required that there be frontage roads approximately parallel to and on each side of such arterial street; or, such other treatment as is necessary for the adequate protection of residential properties and to separate through traffic from local traffic;

G. Cul-de-sac streets: Cul-de-sac streets shall not be more than five hundred (500) feet in length and shall terminate with an adequate turnaround having a minimum radius of fifty (50) feet for right-of-way;

H. Half streets: Half streets shall be prohibited except where unusual circumstances make such necessary to the reasonable development of a tract in conformance with this title and where satisfactory assurance for dedication of the remaining part of the street is provided. Whenever a tract to be subdivided borders on an existing half or partial street, the other part of the street shall be dedicated within such tract; and

I. Private roads: Private roads shall be allowed pursuant to KCC 5-18-1 Private Roads.

Section 4. Amending Title 6, Chapter 5 (Special Development Subdivisions), Section 2 of the Kuna City Code, as follows:

6-5-2: - PLANNED UNIT AND CONDOMINIUM SUBDIVISIONS:

A. General: Planned unit and condominium developments shall be subject to requirements set forth in the zoning regulations and also subject to all provisions within this title.

B. Minimum Area: A planned unit development for the following principal uses shall contain an area of not less than:

1. Three (3) acres or one city block for residential use.
2. Three (3) acres for manufactured home subdivisions.
3. Five (5) acres for residential use with subordinate commercial use.
4. Five (5) acres for commercial use.
5. Five (5) acres for industrial use.

C. Site Development Plan: The developer shall provide the planning and zoning commission with a colored rendering of adequate scale to show the completed development that will include at least the following:

1. Architectural style and building design.
2. Building materials and color.
3. Landscaping.
4. Screening.
5. Garbage areas.
6. Parking.
7. Open space.

D. Private Roads: Private road construction standards shall be based upon the Ada County Highway District's Local Street Design Standards and recommendations from the City engineer. Adequate construction standards may vary depending on the size of the development and the demands placed on such improvements.

Section 5.

This ordinance shall become effective upon passage and publication as required by law.

ADOPTED this 6th day of March, 2018.

CITY OF KUNA

Joe L. Stear, Mayor

ATTEST:

Chris Engels, City Clerk

(Space above reserved for recording)

**ORDINANCE NO. 2018-09
CONRAD & BISCHOFF INC
MUNICIPAL IRRIGATION ANNEXATION**

AN ORDINANCE OF THE CITY OF KUNA, IDAHO, ANNEXING A PORTION OF NE ¼ OF THE NE ¼ OF SECTION 24, TOWNSHIP 2 NORTH RANGE 1 WEST, BOISE MERIDIAN, KUNA, ADA COUNTY, IDAHO AND COMMONLY REFERRED TO AS THE KJ SUPERSTORES PARCEL WHICH IS OWNED BY CONRAD & BISCHOFF INC, INTO THE KUNA MUNICIPAL IRRIGATION DISTRICT FROM THE BOISE~KUNA IRRIGATION DISTRICT; CHANGING THE RESPECTIVE BOUNDARIES OF SAID DISTRICTS; DECLARING WATER RIGHTS APPURTENANT THERETO ARE POOLED FOR DELIVERY PURPOSES; DIRECTING THAT COPIES OF THIS ORDINANCE BE RECORDED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Kuna operates a municipal irrigation system, generally referred to as Kuna Municipal Irrigation District (KMID), as authorized by Title 50, Chapter 18, Idaho Code; and

WHEREAS, the above mentioned parcels are connected to the Kuna Municipal Irrigation District system; and

WHEREAS, the Kuna City Council has deemed annexation of said properties into the Kuna Municipal Irrigation District to be in the best interest of the City of Kuna;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF KUNA, Ada County, Idaho, as follows:

Section 1: That the following described real properties be and the same hereby is annexed into the Kuna Municipal Irrigation District of the City of Kuna, State of Idaho and the boundaries adjusted accordingly, said property being described as follows in Exhibit A.

Section 2: Declaring the water rights appurtenant thereto are hereby pooled for delivery purposes

Section 3: The City Clerk is hereby directed to record, in the office of the recorder for Ada County, a certified copy of this ordinance as required by Section 50-1832, Idaho Code.

Section 4: The City Engineer is hereby directed to give notice of this action by forwarding a certified copy of this Ordinance to Boise~Kuna Irrigation District.

Section 5: That this Ordinance, or a summary thereof in compliance with Section 50-901A, Idaho Code, shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

DATED this 6th day of March, 2018.

CITY OF KUNA

Joe L. Stear, Mayor

ATTEST:

Chris Engels, City Clerk

EXHIBIT A
LEGAL DESCRIPTION FOR WATER RIGHTS ON
CONRAD & BISCOFF

A portion of Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 24, Township 2 North, Range 1 West, Boise Meridian, Kuna City, Ada County, Idaho, being more particularly described as follows:

Beginning at the North $\frac{1}{4}$ Corner of said Section 24, which bears N88°45'40"W, 2,631.12 feet from the northeast corner of said Section 24;

Thence S88°45'40"E, 2,032.23 feet along the Northerly line of said section 24;

Thence S00°46'09"W, 25.00 feet to a point on the northerly right-of-way of East Deer Flat Road, being the Northwest corner of KJ Super Stores and the ***Point of Beginning***;

Thence S88°45'40"E, 213.69 feet;

Thence S85°06'41"E, 235.80 feet;

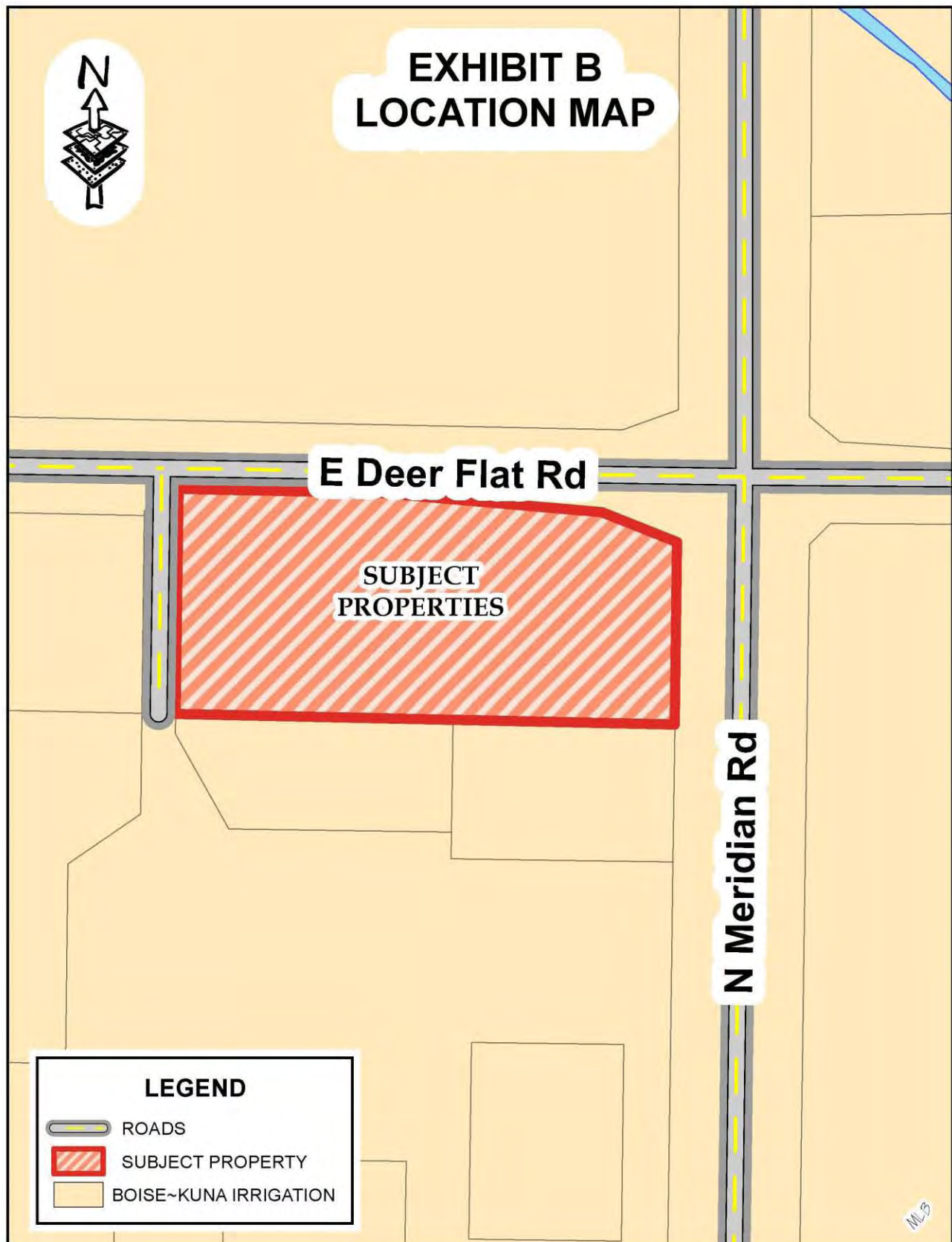
Thence S68°16'04"E, 85.67 feet;

Thence S00°46'09"W, 192.00 feet along the western right-of-way of South Meridian Road;

Thence N88°45'40"W, 528.89 feet along the northerly boundary of Ridley's Family Center Subdivision No. 1, recorded in Book 107 of Plats at Pages 14820-14822, records of Ada County, Idaho;

Thence continuing along said Plat N00°46'09"E, 237.01 feet along the westerly boundary of said project to the ***Point of Beginning***.

Comprising 2.78 Acres, more or less.



(Space above reserved for recording)

**KUNA CITY ORDINANCE NO. 2018-10
MASON CREEK FARM, LLC
MUNICIPAL REZONE**

AN ORDINANCE REZONING CERTAIN REAL PROPERTY, TO WIT: PARCEL NOS. S1235346610; R8468870305; S1235438411; S1235449215 OWNED BY MASON CREEK FARM, LLC FROM P TO R-6; SITUATED WITHIN THE CORPORATE LIMITS OF THE CITY OF KUNA, ADA COUNTY, IDAHO; DIRECTING THAT COPIES OF THIS ORDINANCE BE RECORDED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Kuna, Idaho is a municipal corporation organized and operating under the laws of the State of Idaho and is authorized to establish zoning within its corporate limits; and

WHEREAS, the owner of said parcel of real property has requested that the real property be rezoned from P to R-6; and

WHEREAS, the Planning and Zoning Commission of the City, pursuant to public notice as required by law, held a public hearing on April 25, 2017, as required by Section 67-6525, Idaho Code, made findings (approved by the Commission on May 9, 2017) where it was recommended to the Mayor and Council that the rezone request be approved with a zoning classification of R-6; and

WHEREAS, the Kuna City Council, pursuant to public notice as required by law, held a public hearing on June 6, 2017, on the proposed rezoning for the real property described in Section 2 below, as required by Section 67-6525, Idaho Code, made findings (approved on March 6, 2018) where it was determined that the requested rezone should be granted with a zoning classification R-6; and

WHEREAS, the zoning classification of R-6 is appropriate to meet the requirements of the Kuna City Code and should be granted.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF KUNA, IDAHO, as follows:

Section 1: The Kuna City Council hereby finds and declares that the real property described below is within the corporate limits of the City and the proposed rezone complies with the Kuna City Code and the Kuna City Comprehensive Plan.

Section 2: The real property is situated in the City of Kuna, Ada County, Idaho, and is commonly known as Parcel Nos. **S1235346610; R8468870305; S1235438411; S1235449215**

and more particularly described in “Exhibit A” – Legal Description and “Exhibit B” – Location Map, attached hereto and incorporated herein by reference.

Section 3: The zoning land use classifications of the land described in Section 2 above is hereby zoned as R-6, as provided by the Zoning Ordinance of the City. The Zoning Map of the City is hereby amended to include the real property described in Section 2 above in the R-6, zoning land use classification.

Section 4: The City Clerk is hereby directed to file, within ten (10) days of passage and approval of this Ordinance, a certified copy of this Ordinance with the offices of the Auditor, Treasurer, and Assessor of Ada County, Idaho, and with the Idaho State Tax Commission, Boise, Idaho, as required by Section 50-223, Idaho Code, and to comply with the provisions of Section 63-215, Idaho Code, with regard to the preparation and filing of a map and legal description of the real property annexed by this Ordinance.

Section 5: This Ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law. In lieu of publication of the entire ordinance, a summary thereof in compliance with Section 50-901A, Idaho Code, may be published.

DATED this 6th day of March, 2018.

CITY OF KUNA

Joe L. Stear, Mayor

ATTEST:

Chris Engels, City Clerk

EXHIBIT A
MASON CREEK FARM, LLC
MUNICIPAL REZONE

LEGAL DESCRIPTION

Lot 3, Block 1 of Titus Subdivision as shown in Book 77 of Plats at Pages 8143 through 8144 records of Ada County, Idaho and a portion of land situate in the south half of the south half of Section 35, Township 3 North, Range 1 West, Boise Meridian, City of Kuna, Ada County, Idaho, and being more particularly described as follows:

Commencing at the southeast section corner of said Section 35; thence N00°04'55"E, 548.95 feet along the easterly boundary of the southeast quarter of said Section 35 and the centerline of South Linder Road to the **Point of Beginning**;

Thence N89°40'35"W, 840.09 feet;

Thence S00°08'29"W, 549.21 feet to the southerly boundary of said Section 35 and to the centerline of West Lake Hazel Road;

Thence N89°41'40"W, 1,502.99 feet continuing along the southerly boundary of said Section 35 and the centerline of West Lake Hazel Road and along the southerly boundary of said Titus Subdivision to the extension of the easterly boundary of Lot 2, Block 1 of said Titus Subdivision;

Thence N00°18'20"E, 435.60 feet along the extension of and the easterly boundary of Lot 2, Block 1 of said Titus Subdivision to the northeast corner of said Lot 2;

Thence N89°41'40"W, 310.78 feet along the northerly boundary of said Lot 2 and the northerly boundary of Lot 1, Block 1 of said Titus Subdivision to the northwest corner of said Lot 1;

Thence S00°10'52"W, 435.60 feet along the westerly boundary of said Lot 1 and the westerly boundary of said Lot 1 extended to the south quarter corner of said Section 35 and to the centerline of West Lake Hazel Road;

Thence N89°43'48"W, 608.41 feet along the southerly boundary of said Section 35 and the centerline of West Lake Hazel Road;

Thence N00°15'04"E, 690.46 feet;

Thence N89°43'19"W, 1,199.05 feet;

Thence N00°09'03"E, 225.48 feet;

Thence N89°43'20"W, 836.35 feet to the westerly boundary of the southwest quarter of said Section 35 and to the centerline of South Ten Mile Road;

Thence N00°08'18"E, 195.69 feet along the westerly boundary of the southwest quarter of said Section 35 and the centerline of South Ten Mile Road;

Thence S89°56'11"E, 209.19 feet;

Thence N00°14'47"E, 208.55 feet;

Thence S89°56'50"E, 2,433.81 feet to the southeast corner of Berryman Subdivision as shown in Book 72 of Plat at Pages 7348 through 7349 records, Ada County, Idaho;

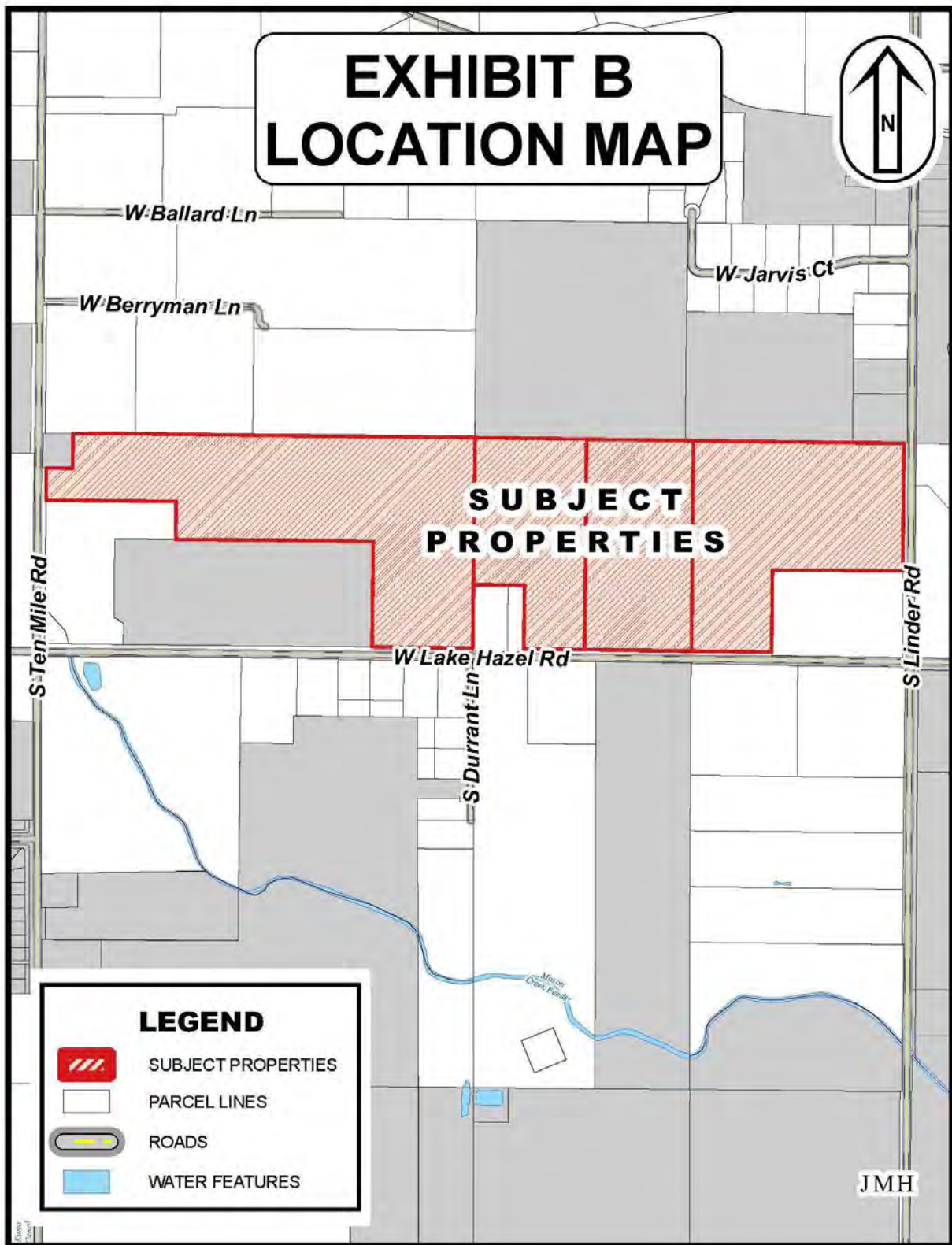
Thence S00°11'21"W, 5.90 feet to the southwest corner of Patriot Ridge Estates Subdivision as shown in Book 60 of Plats at Pages 6017 through 6018 records of Ada County, Idaho;

Thence S89°40'26"E, 2,651.20 feet along the southerly boundary of said Patriot Ridge Estates Subdivision;

Thence S00°04'55"W, 774.65 feet along the easterly boundary of the southeast quarter of said Section 35 and the centerline of South Linder Road to the **Point of Beginning**.

Comprising 109.75 acres, more or less.

This description has been prepared based on information shown on Record of Survey Nos. 8150 and 8334, the plat of Titus Subdivision, the plat of Berryman Subdivision, the plat of Patriot Ridge Estates Subdivision and Warranty Deed Instrument Number 2015-038409, all records of Ada County, Idaho.



(Space above reserved for recording)

**KUNA CITY ORDINANCE NO. 2018-11
DEBRA YOUNG
MUNICIPAL ANNEXATION**

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY, TO WIT: PARCEL NO. R0615250650 OWNED BY DEBRA YOUNG, SITUATED IN THE UNINCORPORATED AREA OF ADA COUNTY, IDAHO AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF KUNA INTO THE CITY OF KUNA, IDAHO; ESTABLISHING THE ZONING CLASSIFICATION OF SAID REAL PROPERTY; DIRECTING THAT COPIES OF THIS ORDINANCE BE FILED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Kuna, Idaho is a municipal corporation organized and operating under the laws of the State of Idaho and is authorized to annex into and incorporate within the boundaries of the City contiguous real property in the manner provided by Section 50-222, Idaho Code; and

WHEREAS, the owner of the parcel of real property situated in the unincorporated area of Ada County and as more particularly described in Section 2 of this ordinance, has requested, in writing, annexation of said real property to the City of Kuna; and

WHEREAS, the Planning and Zoning Commission of the City, pursuant to public notice as required by law, held a public hearing on September 12, 2017 as required by Section 67-6525, Idaho Code, made findings (approved by the Commission on September 26, 2017) where it was recommended to the Mayor and Council that the annexation and zoning request be approved with a zoning classification of R-4; and

WHEREAS, the Kuna City Council, pursuant to public notice as required by law, held a public hearing on November 8, 2017 on the proposed annexation and zoning for the real property described in Section 2 below, as required by Section 67-6525, Idaho Code, made findings (approved on November 21, 2017) where it determined that the requested annexation should be granted with a zoning classification R-4; and

WHEREAS, the zoning classification of R-4 is appropriate to meet the requirements of the Kuna City Code and should be granted.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF KUNA, IDAHO, as follows:

Section 1: The Kuna City Council hereby finds and declares that the real property described below is contiguous to the City, that said property can be reasonably assumed to be

used for the orderly development of the City, and that the owner of said property has requested, in writing, annexation thereof to the City.

Section 2: The real property, all situated in Ada County, Idaho, adjacent and contiguous to the City, commonly known as Parcel No. **R0615250650**; and more particularly described in “Exhibit A-1” and “Exhibit A-2” – Legal Description and “Exhibit B” – Location Map, attached hereto and incorporated herein by reference, is annexed to and incorporated in the incorporated territorial limits of the City of Kuna, Idaho.

Section 3: From and after the effective date of this Ordinance, all property and persons within the boundaries and territory described above shall be subject to all ordinances, resolutions, police regulations, taxation and other powers of the City of Kuna.

Section 4: The zoning land use classifications of the land described in Section 2 above is hereby established as R-4, as provided by the Zoning Ordinance of the City. The Zoning Map of the City is hereby amended to include the real property described in Section 2 above in the R-4 zoning land use classification.

Section 5: The City Clerk is hereby directed to file, within ten (10) days of passage and approval of this Ordinance, a certified copy of this Ordinance with the offices of the Auditor, Treasurer, and Assessor of Ada County, Idaho, and with the Idaho State Tax Commission, Boise, Idaho, as required by Section 50-223, Idaho Code, and to comply with the provisions of Section 63-215, Idaho Code, with regard to the preparation and filing of a map and legal description of the real property annexed by this Ordinance.

Section 6: This Ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law. In lieu of publication of the entire ordinance, a summary thereof in compliance with Section 50-901A, Idaho Code, may be published.

DATED this 6th day of March, 2018.

CITY OF KUNA

Joe L. Stear, Mayor

ATTEST:

Chris Engels, City Clerk

EXHIBIT A-1

DEBRA YOUNG MUNICIPAL ANNEXATION

West Parcel Legal Description

The following describes a Parcel of Land being a portion of Lots 1, 3, 5 and 6, Block 6 of the Amended Plat of Avalon Orchard Tracts Subdivision as filed for Record at Page 254 of Plats, Records of Ada County, Idaho and as shown on Record of Survey Number 10925, Records of Ada County, Idaho and Lying in a portion of the NW 1/4 NW 1/4 of Section 30, Township 2 North, Range 1 East, Boise Meridian, Kuna, Ada County Idaho, and more particularly described as follows:

COMMENCING at the Northwest Corner of Section 30 Township 2 North, Range 1 East, Boise Meridian which is being Marked by found Brass Cap, From which, the North 1/4 Corner of said Section 30 bears, South 89°33'02" East, 2542.47 feet (Formerly 2529.2 feet) which is being Marked by a found Aluminum Cap; Thence along the Northerly Boundary Line of the NW 1/4 of said Section 30, North 89°33'02" East, 1218.27 feet (Formerly 1209.2') to the West 1/16th Corner of said Section 30; Thence leaving said Northerly Boundary Line, South 39°03'57" West, 32.00 feet to the Intersection of the Southerly Right of Way Line of East Kuna Road and the Westerly Platted Right of Way Line of said Amended Plat of Avalon Orchard Tracts Subdivision being Marked by a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251"; Thence leaving the Southerly Right of Way Line of East Kuna Road, and along Westerly Platted Right of Way Line of said Amended Plat of Avalon Orchard Tracts Subdivision South 00°22'41" West, 202.27 feet to a the **POINT OF BEGINNING**;

Thence continuing along the Westerly Platted Right of Way Line of said Amended Plat of Avalon Orchard Tracts Subdivision, South 00°22'41" West, 873.73 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251" on the North Top of Bank of Indian Creek (South Side Canal);

Thence leaving said Westerly Right of Way Line, and along the North Top of Bank of Indian Creek (South Side Canal), North 45°19'05" West, 68.34 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence continuing, North 89°06'33" West, 153.27 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence continuing, North 69°19'34" West, 91.26 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence continuing, South 78°51'30" West, 201.10 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence continuing, South 43°04'06" West, 114.28 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence continuing, South 66°46'52" West, 55.20 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence continuing, South 37°04'11" West, 79.52 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence continuing, South 20°11'11" West, 54.91 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence continuing, South 03°24'44" West, 100.21 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence continuing, South 62°07'09" West, 42.84 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence continuing, South 87°46'26" West, 134.59 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence continuing, North 51°43'01" West, 70.13 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence continuing, North 47°20'08" West, 72.74 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence leaving said North Top of Bank, North 00°47'55" West, 281.59 feet to a point on the Centerline of the Teed 346 Rotation Sub-Lateral;

Thence along the Centerline of the Teed 346 Rotation Sub-Lateral the following courses and distance:

1. Southeasterly 12.35 feet along the arc of a Non-Tangent curve to the right having a radius of 197.19 feet, a Central angle of 03°35'18" and a long chord which bears, South 52°34'51" East, 12.35 feet to a point;
2. South 48°50'32" East, 141.03 feet to a point;
3. South 54°24'31" East, 55.42 feet to a point;
4. Southeasterly 33.43 feet along the arc of a Non-Tangent curve to the left having a radius of 38.03 feet, a Central angle of 50°21'32" and a long chord which bears, South 79°34'54" East, 32.36 feet to a point;
5. Northeasterly 66.12 feet along the arc of a Non-Tangent curve to the left having a radius of 198.51 feet, a Central angle of 19°04'58" and a long chord which bears, North 65°42'15" East, 65.81 feet to a point;
6. Northeasterly 116.76 feet along the arc of a Non-Tangent curve to the left having a radius of 277.85 feet, a Central angle of 24°04'36" and a long chord which bears, North 33°39'54" East, 115.90 feet to a point;
7. Northeasterly 20.01 feet along the arc of a Non-Tangent curve to the left having a radius of 45.42 a Central angle of 25°14'38" and a long chord which bears, North 09°00'08" East, 19.85 feet to a point;
8. North 00°27'36" East, 91.98 feet to a point;
9. Northeasterly 91.59 feet along the arc of a Non-Tangent curve to the right having a radius of 192.42 feet a Central angle of 27°16'22" and a long chord which bears, North 14°05'46" East, 90.73 feet to a point;
10. Northeasterly 56.46 feet along the arc of a Non-Tangent curve to the right having a radius of 95.00 feet, a Central angle of 34°03'00" and a long chord which bears, North 44°45'33" East, 55.63 feet to a point;
11. North 51°08'47" East, 67.26 feet to a point;
12. Northeasterly 73.93 feet along the arc of a curve to the left having a radius of 215.91 feet, a Central angle of 19°37'08" and a long chord which bears, North 21°44'37" East, 73.57 feet to a point;
13. North 15°27'33" East, 54.66 feet to a point;

14. North 08°29'03" East, 64.63 feet to a point;
15. Northeasterly 53.06 feet along the arc of a Non-Tangent curve to the right having a radius of 105.54 feet, a Central angle of 28°48'13" and a long chord which bears, North 22°53'56" East, 52.50 feet to a point;
16. North 40°39'46" East, 102.55 feet to a point;
17. North 36°40'07" East, 72.95 feet to a point;
18. Northeasterly 144.55 feet along the arc of a Non-Tangent curve to the right having a radius of 214.67 feet, a Central angle of 38°34'46" and a long chord which bears, North 63°14'57" East, 141.83 feet to a point;
19. North 81°53'51" East, 100.21 feet to a point;
20. North 67°54'02" East, 53.20 feet to a point;
21. North 52°46'16" East, 63.95 feet to a point;
22. North 49°59'10" East, 44.25 feet to the POINT OF BEGINNING:

The above described Parcel of Land contains 10.90 Acres more or less.

EXHIBIT A-2

DEBRA YOUNG MUNICIPAL ANNEXATION

East Parcel Legal Description

The following describes a Parcel of Land being a portion of Lots 1 & 3, and a portion of Lots 5 thru 10, Block 5 of the Amended Plat of Avalon Orchard Tracts Subdivision as filed for Record at Page 254 of Plats, Records of Ada County, Idaho and as shown on Record of Survey Number 10925, Records of Ada County, Idaho and Lying in a portion of the NE 1/4 NW 1/4 of Section 30, Township 2 North, Range 1 East, Boise Meridian, Kuna, Ada County Idaho, and more particularly described as follows:

COMMENCING at the Northwest Corner of Section 30 Township 2 North, Range 1 East, Boise Meridian which is being Marked by found Brass Cap. From which, the North 1/4 Corner of said Section 30 bears, South 89°33'02" East, 2542.47 feet (Formerly 2529.2 feet) which is being Marked by a found Aluminum Cap; Thence along the Northerly Boundary Line of the NW 1/4 of said Section 30, North 89°33'02" East, 1218.27 feet (Formerly 1209.2 feet) to the West 1/16th Corner of said Section 30; Thence leaving said Northerly Boundary Line, South 38°15'14" East, 32.04 feet to the Intersection of the Southerly Right of Way Line of East Kuna Road and the Easterly Platted Right of Way Line of said Amended Plat of Avalon Orchard Tracts Subdivision being Marked by a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251"; Thence leaving said Intersection, and along the Southerly Right of Way Line of East Kuna Road, South 89°33'02" East, 642.05 feet (Formerly 640 feet) to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251", the **POINT OF BEGINNING**:

Thence continuing along the Southerly Right of Way Line of East Kuna Road, South 89°33'02" East, 637.03 feet (Formerly 635 feet) to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251" on the Westerly Right of Way Line of South Stroebel Road;

Thence leaving said Southerly Right of Way Line, and along the Westerly Right of Way Line of South Stroebel Road, South 00°39'08" West, 1218.80 feet (Formerly 1210.6 feet) to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251" on the North Top of Bank of Indian Creek (South Side Canal);

Thence leaving said Westerly Right of Way Line, and along the North Top of Bank of Indian Creek (South Side Canal), North 87°06'53" West, 480.36 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence continuing, North 78°58'51" West, 144.70 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence continuing, North 56°46'55" West, 110.79 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence continuing, North 72°16'58" West, 169.65 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence continuing, South 55°44'02" West, 157.47 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence continuing, South 89°56'46" West, 227.37 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

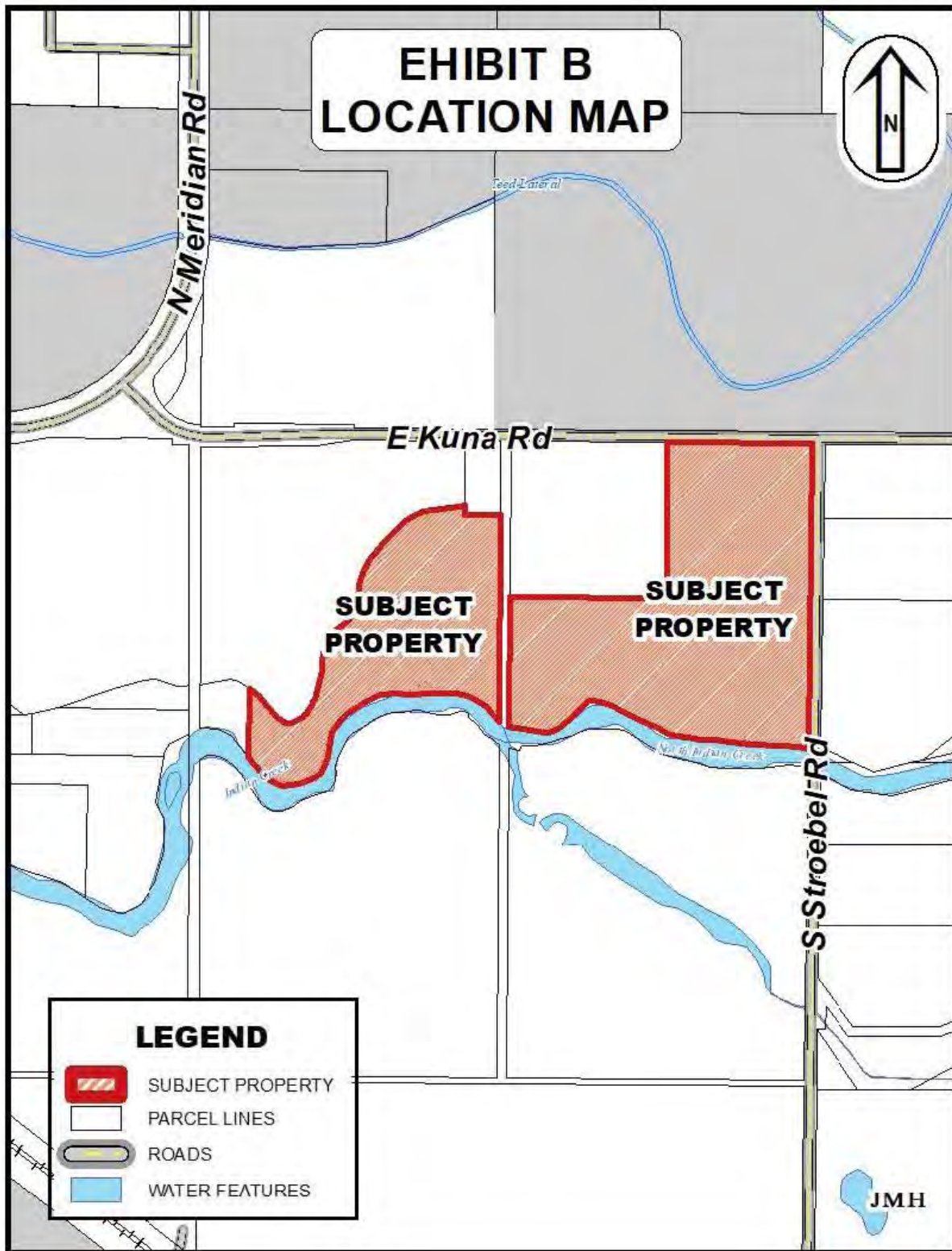
Thence continuing, North 45°19'05" West, 54.78 feet to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251" being on the Easterly Platted Right of Way Line of said Amended Plat of Avalon Orchard Tracts Subdivision;

Thence leaving said North Top of Bank, and along the Easterly Platted Right of Way Line of said Amended Plat of Avalon Orchard Tracts Subdivision, North 00°22'41" East, 479.18 feet (Formerly 414.5 feet) to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence leaving said Easterly Platted Right of Way Line, South 89°33'14" East, 642.05 feet (Formerly 640 feet) to a set 5/8" Iron Pin with Plastic Cap "Koerner PLS 8251";

Thence, North 00°22'41" East, 635.80 feet (Formerly 635.8 feet) to the POINT OF BEGINNING;

The above described Parcel of Land contains 24.70 Acres more or less.



(Space above reserved for recording)

**ORDINANCE NO. 2018-12
PEOPLE EMPOWERMENT SERVICES
MUNICIPAL IRRIGATION ANNEXATION**

AN ORDINANCE OF THE CITY OF KUNA, IDAHO, ANNEXING A PORTION OF LOT 5 BLOCK 1 OF SOUTH LINDERS ESTATES, INTO THE KUNA MUNICIPAL IRRIGATION DISTRICT FROM THE BOISE~KUNA IRRIGATION DISTRICT; CHANGING THE RESPECTIVE BOUNDARIES OF SAID DISTRICTS; DECLARING WATER RIGHTS APPURTENANT THERETO ARE POOLED FOR DELIVERY PURPOSES; DIRECTING THAT COPIES OF THIS ORDINANCE BE RECORDED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Kuna operates a municipal irrigation system, generally referred to as Kuna Municipal Irrigation District (KMID), as authorized by Title 50, Chapter 18, Idaho Code; and

WHEREAS, the above-mentioned parcels are connected to the Kuna Municipal Irrigation District system; and

WHEREAS, the Kuna City Council has deemed annexation of said properties into the Kuna Municipal Irrigation District to be in the best interest of the City of Kuna;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF KUNA, Ada County, Idaho, as follows:

Section 1: That the following described real properties be and the same hereby is annexed into the Kuna Municipal Irrigation District of the City of Kuna, State of Idaho and the boundaries adjusted accordingly, said property being described as follows in Exhibit A.

Section 2: Declaring the water rights appurtenant thereto are hereby pooled for delivery purposes

Section 3: The City Clerk is hereby directed to record, in the office of the recorder for Ada County, a certified copy of this ordinance as required by Section 50-1832, Idaho Code.

Section 4: The City Engineer is hereby directed to give notice of this action by forwarding a certified copy of this Ordinance to Boise~Kuna Irrigation District.

Section 5: That this Ordinance, or a summary thereof in compliance with Section 50-901A, Idaho Code, shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

DATED this 6th day of March, 2018.

CITY OF KUNA

Joe L. Stear, Mayor

ATTEST:

Chris Engels, City Clerk

EXHIBIT A
LEGAL DESCRIPTION FOR WATER RIGHTS ON
A PORTION OF LOT 5 OF SOUTH LINDER ESTATES

All of Lot 5, Block 1, South Linder Estates

Except the following:

Being a portion of Lot 5, Block 1, of South Linder Estates Subdivision, as filed in Book 30 of Plats at Page 1832, records of Ada County, Idaho, located in the Northwest ¼ of the Northwest ¼ of Section 24, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho, more particularly described as follows:

COMMENCING at the Southwest corner of said Lot 5; Thence along the West boundary line of said Lot 5, North 00°08'30" East, 152.67 feet to the REAL POINT OF BEGINNING;

Thence continuing along the said West boundary line North 00°08'30" East, 191.91 feet to the NW corner of said Lot 5;

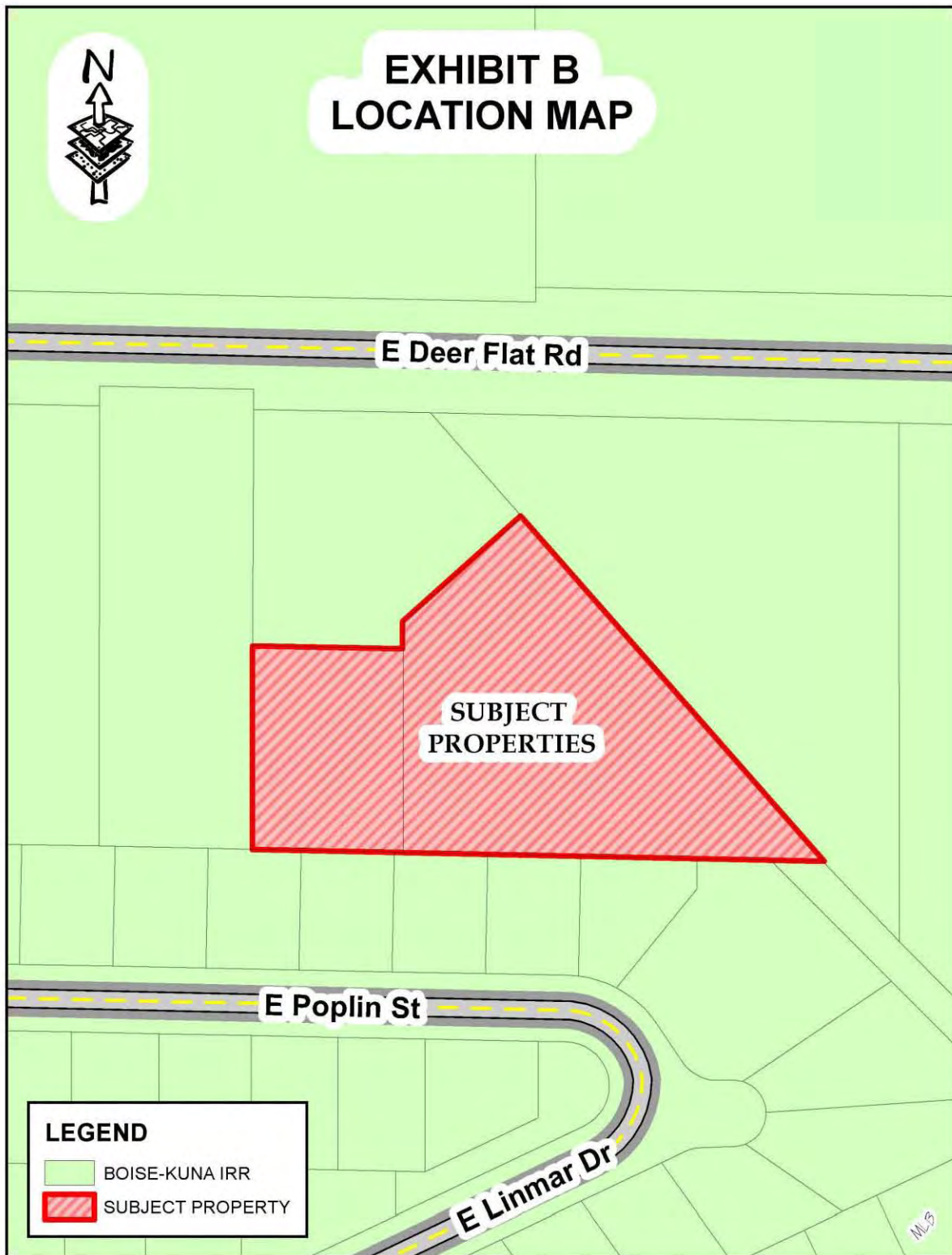
Thence along the North boundary line of said Lot 5 South 88°45'54" East, 120.10 feet to the NE corner of said Lot 5;

Thence along the northeasterly boundary line of said Lot 5 South 41°20'06" East, 123.09 feet;

Thence leaving said northeasterly boundary line South 48°21'35" West, 118.66 feet;

Thence South 00°00'00" East, 20.50 feet;

Thence North 88°45'54" West, 113.19 feet to the REAL POINT OF BEGINNING. Containing 29,616 square feet, more or less.



(Space above reserved for recording)

**ORDINANCE NO. 2018-13
JOHN MESSMER
MUNICIPAL IRRIGATION ANNEXATION**

AN ORDINANCE OF THE CITY OF KUNA, IDAHO, ANNEXING A PORTION OF MONTARA SUBDIVISION SITUATED IN THE NW 1/4 OF SECTION 25, TOWNSHIP 2 NORTH, RANGE 1 WEST, BOISE MERIDIAN, KUNA, ADA COUNTY, IDAHO AND IS COMMONLY REFERRED TO AS THE JOHN MESSMER PARCEL, INTO THE KUNA MUNICIPAL IRRIGATION DISTRICT FROM THE BOISE~KUNA IRRIGATION DISTRICT; CHANGING THE RESPECTIVE BOUNDARIES OF SAID DISTRICTS; DECLARING WATER RIGHTS APPURTENANT THERETO ARE POOLED FOR DELIVERY PURPOSES; DIRECTING THAT COPIES OF THIS ORDINANCE BE RECORDED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Kuna operates a municipal irrigation system, generally referred to as Kuna Municipal Irrigation District (KMID), as authorized by Title 50, Chapter 18, Idaho Code; and

WHEREAS, the above-mentioned parcels are connected to the Kuna Municipal Irrigation District system; and

WHEREAS, the Kuna City Council has deemed annexation of said properties into the Kuna Municipal Irrigation District to be in the best interest of the City of Kuna;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF KUNA, Ada County, Idaho, as follows:

Section 1: That the following described real property be and the same hereby is annexed into the Kuna Municipal Irrigation District of the City of Kuna, State of Idaho and the boundaries adjusted accordingly, said property being described as follows in Exhibit A.

Section 2: Declaring the water rights appurtenant thereto are hereby pooled for delivery purposes

Section 3: The City Clerk is hereby directed to record, in the office of the recorder for Ada County, a certified copy of this ordinance as required by Section 50-1832, Idaho Code.

Section 4: The City Engineer is hereby directed to give notice of this action by forwarding a certified copy of this Ordinance to Boise~Kuna Irrigation District.

Section 5: That this Ordinance, or a summary thereof in compliance with Section 50-901A, Idaho Code, shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

DATED this 6th day of March, 2018.

CITY OF KUNA

Joe L. Stear, Mayor

ATTEST:

Chris Engels, City Clerk

EXHIBIT A
LEGAL DESCRIPTION FOR WATER RIGHTS ON
JOHN MESSMER

A portion of Montara Subdivision recorded in Book 51 of Plats at Pages 4302-4303, records of Ada County, Idaho situated in the Northwest ¼ of Section 25, Township 2 North, Range 1 West, Boise Meridian, Kuna City, Ada County, Idaho, being more particularly described as follows:

Beginning at the Northwest Corner of said Section 25;

Thence S00°43'00"E, 40.01 feet along the westerly line of said section 25;
Thence S89°23'00"E, 1,070.31 feet to a point;
Thence S00°37'00"W, 75.00 feet to the Northwest corner of Montara Subdivision;
Thence continuing S00°37'00"W, 168.93 feet to the **Point of Beginning**;
Thence S89°22'58"E, 213.77 feet;
Thence S00°31'00"E, 134.03 feet;
Thence S74°34'00"W, 225.20 feet along the southerly boundary of Montara Subdivision;
Thence N00°37'00"E, 196.27 feet along the westerly boundary of Montara Subdivision to the **Point of Beginning**.

Comprising 0.823 Acres, more or less.

