



CITY OF KUNA

**P. O. BOX 13
KUNA, ID 83634**

**Telephone (208) 922-5546 Fax (208) 922-5989
www.cityofkuna.com**

September 3, 2013

**7:00 P.M. JOINT MEETING PLANNING
COMMISSION/CITY COUNCIL AND REGULAR
CITY COUNCIL MEETING**

**KUNA CITY COUNCIL CHAMBER
763 W. AVALON ST.
KUNA, IDAHO**

CITY OFFICIALS

**W. Greg Nelson, Mayor
Richard Cardoza, Council President
Briana Buban-Vonder Haar, Council Member
Doug Hoiland, Council Member
Joe Stear, Council Member**

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 to make inquiry concerning the nature of the item described on the agenda.

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.

**CITY OF KUNA
JOINT MEETING PLANNING COMMISSION AND CITY COUNCIL
AND REGULAR CITY COUNCIL MEETING
AGENDA**

TUESDAY, SEPTEMBER 3, 2013

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

7:00 P.M. JOINT MEETING PLANNING COMMISSION AND CITY COUNCIL

Call to Order and Roll Call

Invocation: Stan Johnson, Kuna Life Church

Pledge of Allegiance: Mayor Nelson

1. Public Hearing:

A. 13-01-ZOA (Text Amendment) – ORD. 2013-14:

AN ORDINANCE OF THE CITY OF KUNA, IDAHO AMENDING TITLE 5-1-6-2 MOVING THE TERM “COMMENCEMENT OF CONSTRUCTION” INTO THE DEFINITION SECTION; AMENDING 6 CHAPTER 2, “SUBDIVISION APPROVAL PROCEDURE” SECTION 4, “FINAL PLAT” TO CLARIFY THAT THE SUBDIVISION LANDSCAPING REQUIREMENT CAN PROVIDE FOR A FINANCIAL GUARANTEE IF IT IS NOT COMPLETED AT THE TIME THE FINAL PLAT IS SUBMITTED TO THE CITY FOR SIGNATURES; AND GRANTING THE CITY ENGINEER DISCRETION TO DETERMINE WHEN THE CONSTRUCTION OF THAT PORTION OF THE PRESSURIZED IRRIGATION SYSTEM THAT WILL BE DEDICATED TO THE PUBLIC CAN BE DEFERRED UNTIL THE ISSUANCE OF THE BUILDING PERMIT AND REQUIRING CONDITIONS THEREOF, AND PROVIDING AN EFFECTIVE DATE.

1. Planning Commission recommendation to City Council on amending Kuna City Code Title 5-1-6-2
2. City Council consideration of Ordinance No. 2013-14 to amend Kuna City Code Title 5-1-6-2

First Reading of Ordinance No. 2013- 14 Amending Title 5-1-6-2

Consideration to dispense with full reading and three consecutive readings.

Consideration to approve ordinance.

Consideration to approve a summary publication of the ordinance.

2. Adjourn Joint Meeting:

REGULAR CITY COUNCIL MEETING

Call to Order and Roll Call

1. Consent Agenda:

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

A. City Council Meeting Minutes:

1. Minutes of August 20, 2013 Regular Council Meeting

B. Accounts Payable Dated September 3, 2013 in the Amount of \$176,022.60

C. Alcohol Licenses: None

D. Resolutions:

1. Approve Resolution No. R24-2013 Accepting Pressure Irrigation Easement at Falcon Ridge School

E. Findings of Facts and Conclusions of Law: None

1. 13-02-S; The applicant (DBTV Applewood Farm LLC) is seeking preliminary plat re-approval for Silver Trail Subdivision, a residential subdivision in Kuna consisting of 115 buildable lots and 11 common lots over two parcels, and approximately 29.3 acres.

2. Citizen's Reports or Requests:

- A. Request to Change the Name of Avenue D to Glen Beck Avenue – Russell Hayes

3. Old Business:

- A. Discussion with Idaho Humane Society Regarding Animal Control Services – Jeff Rosenthal, Executive Director

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

- A. Adopt Fiscal Year Ending 2014 Budget Ordinance No. 2013-17 – John Marsh, City Treasurer

Ordinance No. 2013-17 Annual Appropriation Ordinance

Consideration to dispense with full reading and three consecutive readings.
Consideration to approve ordinance.
Consideration to approve a summary publication of the ordinance.

AN ORDINANCE ENTITLED THE ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014, APPROPRIATING THE SUM OF \$11,656,787 TO DEFRAY EXPENSES AND LIABILITIES OF THE CITY OF KUNA FOR SAID FISCAL YEAR; AUTHORIZING A LEVY OF A SUFFICIENT TAX UPON THE TAXABLE PROPERTY; SPECIFYING THE OBJECTS AND PROPOSED EXPENSES FOR WHICH SAID APPROPRIATION IS MADE; AND PROVIDING AN EFFECTIVE DATE

5. New Business:

- A. Discussion on Rescheduling or Cancelling the Regular City Council Meeting Scheduled on Election Day, November 5, 2013
- B. Resolution No. R24-2013 Authorizing the Assignment of a Certain Number of Osprey Ridge Development Sewer Connections Now Owned By Roy E. Stephenson, a Married Person (34% Interest), Michael Toomey, Trustee of the Albion Enterprises, Inc. Defined Benefit Plan Trust (50% Interest) and William R. Sturgeon, Trustee of Business Services Retirement Plan (16% Interest) (Hereinafter Referred to as "Assignor") and DBTV Agricultural Holdings, LLC, a Delaware Limited Liability Company ("Assignee") – Richard Roats, City Attorney

6. Ordinances:

7. Mayor/Council Discussion Items:

8. Announcements:

9. Executive Session:

- A. Adjourn to Executive Session Pursuant to Idaho Code 67-2345(c) to Discuss Property Disposition

10. Adjournment:

ORDINANCE 2013-14

AN ORDINANCE OF THE CITY OF KUNA, IDAHO AMENDING TITLE 5-1-6-2 MOVING THE TERM “COMMENCEMENT OF CONSTRUCTION” INTO THE DEFINITION SECTION; AMENDING 6 CHAPTER 2, “SUBDIVISION APPROVAL PROCEDURE” SECTION 4, “FINAL PLAT” TO CLARIFY THAT THE SUBDIVISION LANDSCAPING REQUIREMENT CAN PROVIDE FOR A FINANCIAL GUARANTEE IF IT IS NOT COMPLETED AT THE TIME THE FINAL PLAT IS SUBMITTED TO THE CITY FOR SIGNATURES; AND GRANTING THE CITY ENGINEER DISCRETION TO DETERMINE WHEN THE CONSTRUCTION OF THAT PORTION OF THE PRESSURIZED IRRIGATION SYSTEM THAT WILL BE DEDICATED TO THE PUBLIC CAN BE DEFERRED UNTIL THE ISSUANCE OF THE BUILDING PERMIT AND REQUIRING CONDITIONS THEREOF, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, this zoning amendment is pursued in accordance with KCC 5-13, “ZONING AMENDMENTS”; and

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

Ordinance Section 1.

Title 5-1-6-2: MEANINGS OF TERMS OR WORDS is amended to add the following term to the list of definitions:

COMMENCEMENT OF CONSTRUCTION: The construction of the first permanent structure on a site as approved or offsite improvements intended to primarily benefit said site. Onsite improvements include such things as: the pouring of slab or footings, the installation of pilings, the construction of columns or any other work beyond excavation. Offsite improvements include such things as: installing major infrastructure improvements, sewer lines, water lines, pressurized irrigation lines, well stations, lift stations, pump stations, roads, and other utilities intended to serve the site. Permanent construction does not include land preparation, such as clearing, grading, and filling or excavation for a basement, footings, piers, or foundations or the erection of temporary forms.

Ordinance Section 2.

Title 6 Chapter 2 Section 4 entitled, “FINAL PLAT” is amended to read:

6-2-4: **FINAL PLAT**

Note: Subdivider and developer are intended to be interchangeable terms.

The City **e**Engineer shall not sign the final plat Mylar if any City Code violations exist on the

subject property at the time of requested signature.

The following procedures shall apply to the filing for final plat approval of any eCity of Kuna subdivision:

A. *Application:* After the approval or conditional approval of the preliminary plat by the City Council, the subdivider may cause the subdivision, or any part thereof, to be surveyed and a final plat prepared in accordance with the approved preliminary plat. The subdivider shall submit to the planning staff the following:

1. Final plat application along with a title report that is less than six (6) months old, warranty deed or other acceptable evidence demonstrating the subdivider's ownership or legal interest in the land included in the final plat.
2. Payment of fees equivalent to the amount of material and labors expended by City staff for plat review. Fees shall be paid for all costs associated with the review of the preliminary plat, final plat and construction drawings. The subdivider will be notified of the amount owed and the basis for the fees charged. All plat related fees shall be paid prior to eCity approval.
3. Three (3) paper copies and a digital copy in a PDF format of the final plat and signature page.
4. Three (3) paper copies and a digital copy in a PDF format of the final engineering construction drawings for streets, water, sewer, sidewalk, pressure irrigation and other public improvements.
5. Other items as specified.

B. *Content of final plat:* The final plat shall be in compliance with all items required in Idaho Code Title. 50, Chapter 13; the final plat shall include the following:

1. Final plat check-off list with all items completed, [except landscaping may provide for financial guarantee as provided for in KCC 6-4-3;](#)
2. Proof of current ownership of the real property and written consent of the final plat owners of record;
3. Other information the director or City Council deem necessary to establish ownership and signing authority;
4. A statement and other supporting evidence demonstrating the final plat conform to the approved preliminary plat;
5. A statement of compliance with provisions of this title;
6. A statement the final plat meets established engineering practices and local standards; and

C. *Planning staff review:*

1. The Planning Staff shall certify and date stamp the application for purpose of establishing its completeness relative to all noted final plat requirements.

2. The Planning Staff shall review the final plat for compliance with the approved or conditionally approved preliminary plat. If the director or assigned person determines there are substantial differences between the preliminary and final plat, the subdivider may be required to submit the final plat to the City Council as it was portrayed at time of the preliminary plat process.
 3. After staff's determination the final plat is in compliance with the preliminary plat and all conditional requirements have been met, the director or assigned person shall place the final plat on the Council agenda within forty-five (45) days from its receipt and acceptance. Acknowledgement of final plat acceptance shall be conveyed by way of written confirmation.
- D. *Agency review:* The director or assigned person shall transmit final plat documents to other reviewing City staff and agencies for evaluation and comment. The reviewer shall evaluate the final plat improvements for consistency with construction standards, health protocols, cost estimates and legal requirements. The subdivider shall not rely upon a surety for performance bonding purpose.
- E. *Council action:* At the public meeting scheduled for the final plat review the City Council shall consider comments from concerned persons and agencies. The City Council shall approve, approve conditionally, disapprove the final plat or table it for purposes of acquiring and reviewing additional information and then approve, approve conditionally or disapprove the final plat after review of this supplementary information within thirty (30) days of the date of the regular meeting at which the plat is first considered. A copy of the approved plat shall be filed with the planning department. Upon granting or denying the final plat, the City Council shall specify:
1. The ordinance and standards relied upon to evaluate the application;
 2. The reasons for approval or denial; and
 3. The action(s), if any, the applicant could take to obtain a permit.
- F. *Approval period:*
1. The final subdivision plat shall be filed with the County Recorder within two (2) years after the City Council's signing of the findings of fact; otherwise, the plat approval shall become null and void unless prior to the 2-year expiration date the subdivider applies for a time extension. A final plat time extension is heard by the City Council. The subdivider shall provide the City Council sufficient reason(s) for continuing the final plat application as a basis for the granting of a time extension. The City Council is under no obligation to approve a final plat time extension. The City Council reserves the right to add additional conditions of approval to the final plat as part of a time extension.
 2. In the event the City Council does not approve a time extension request, the plat shall become null and void. If the plat becomes invalid the subdivider shall resubmit the plat

for preliminary plat approval. The subdivider will receive credit for improvements previously installed and approved. The subdivider shall pay the current preliminary plat fees and furnish staff an updated preliminary plat.

3. The resubmitted plat shall be subject to rules or regulations in place at time of reapplication. If a City rule or regulation has been instituted since the preliminary plat was initially approved and that regulatory change would require significant alteration to improvements previously installed and approved, the City ~~e~~Engineer may recommend to the City Council the regulatory provision be set aside. The city council has the discretion to set them aside, provided they do not affect public health or safety. Time extensions are valid for one (1) year from the City Council's approval based on the initial one-year time period established at the signing of the preliminary findings of fact.

G. *Prior to requesting the ~~e~~City ~~e~~Engineer's signature on the final plat Mylar:*

Either:

- a. All required improvements, infrastructure, public utilities, public improvements, etcetera have been installed and conditions of approval have been met and inspected and approved by the City; including all record drawing requirements, submittal of engineer or record inspection logs, submittal of the engineer of record certification and receipt of the dedication request, and memorandum from the City ~~e~~Engineer has been issued stating as much;

Or:

- b. The City ~~e~~Engineer has approved the amount of the financial guarantee as outlined in section 6-4-3 of this Chapter for required improvements and conditions of approval that have yet to be completed. The City ~~e~~Engineer shall not sign, nor release the final plat for recording until the City has received the financial guarantee in compliance with the provisions of this Chapter and the City Council has approved the final plat.

Additionally:

The following items ~~may not be financially pledged, rather they~~ shall be completed by the subdivider, and inspected and approved by the City ~~e~~Engineer and/or their design~~neen~~ate and other approving agencies, prior to the subdivider submitting for final plat approval; said items are not eligible for financial guarantees as provided for in KCC 6-4-3. The City ~~e~~Engineer's approval shall be in the form of a memorandum confirming completion of the following:

1. Construction of the domestic water system, including successful pressure and bacteria

tests followed by eCity of Kuna inspections and approvals;

2. Installation of fire hydrants according to the current 2006 International Fire Code standards and supporting fire flows according to standards established by the Kuna Fire District;
3. Construction of the sanitary sewer system, including successful pressure test, television camera inspection, evidence of acceptable pipe sloping, completion of all work within the base of the manholes followed by eCity of Kuna inspections and approvals.
4. Construction of an all around weather road system subject to the Kuna Fire Chief and Ada County Highway District (ACHD) inspections and approvals.
5. Installation of street signs followed by City eEngineer, Kuna Fire District and ACHD inspections and approvals.
6. The subdivider shall dedicate all sanitary sewer and domestic water facilities and provide all applicable documentation as required by the eCity eEngineer.
7. Construction ~~and testing of that portion of~~ the pressure irrigation system that will be dedicated to the City by the subdivider. Said system shall be tested by the subdivider, and inspected and approved by the City's engineering staff, where applicable. Under the discretion of the City eEngineer, the construction of said system, or a portion thereof, may be deferred to a date certain, but in no event, not later than the issuance of the first building permit. Any deferral shall be agreed to by the subdivider and the City, and recorded against the property. Upon completion of the deferred pressurized irrigation system or portion thereof, it shall be inspected and approved by the City eEngineering staff before the building permit is issued. Under circumstances where seasonal restrictions prevent the total completion of the irrigation system, the City eEngineer may allow, at his/her sole discretion, those portions of the system under the purview of seasonal restriction to be deferred. Any portion of the irrigation system that is deferred shall be included in the financial guarantee. The City must receive documentation requesting that the system be annexed into the Kuna Municipal Irrigation District if annexation is applicable. All applicable fees must be submitted with the annexation request. ~~Under circumstances where seasonal restrictions prevent the total completion of the irrigation system, the City engineer may allow, at his/her sole discretion, those portions of the system under the purview of seasonal restriction to be deferred. Any portion of the irrigation system that is deferred shall be included in the financial guarantee.~~
8. Dedicate water rights to the City in sufficient quantities to offset the subdivisions potential water demands as determined by the eCity eEngineer.
9. Provide permanent approved perimeter fencing along the subdivisions outer perimeter.

H. *Method of recording:* After the City Council grants final plat approval and subject to the prepayment of recording fees, posting an acceptable irrevocable guarantee and the inclusion of the following signatures on the final plat, the applicant shall submit the final plat to the

County Recorder for recording:

1. Certification and signature of the City Council verifying that the subdivision has been approved;
2. Certification and signature of the City ~~e~~Clerk, if required, and the City ~~e~~Engineer verifying that the subdivision meets the ~~e~~City requirements and has been approved by the City Council; and
3. Certification of the sanitation restrictions on the face of the plat pursuant to Idaho Code §50-1326.

~~I. The term "Commencement of Construction": The construction of the first permanent structure on a site as approved or offsite improvements intended to primarily benefit said site. Onsite improvements include such things as: the pouring of slab or footings, the installation of pilings, the construction of columns or any other work beyond excavation. Offsite improvements include such things as: installing major infrastructure improvements, sewer lines, water lines, pressurized irrigation lines, well stations, lift stations, pump stations, roads, and other utilities intended to serve the site. Permanent construction does not include land preparation, such as clearing, grading, and filling or excavation for a basement, footings, piers, or foundations or the erection of temporary forms.~~

Ordinance Section 3. Severability. If some provision of the law or certain application of these provisions are found to be unconstitutional. The remaining provisions, or the remaining applications of these provisions, will, nonetheless continue in force as law.

Ordinance Section 4. Full Force and Effect. This Ordinance shall be in full force and effective from and after its passage, approval and publication as required by law.

CITY OF KUNA

ADOPTED this ____ day of _____, 2013

CITY COUNCIL OF THE CITY
OF KUNA
Ada County, Idaho

W. GREG NELSON, MAYOR
CITY OF KUNA

ATTEST:

BRENDA S. BINGHAM, CITY CLERK
CITY OF KUNA

**CITY OF KUNA
COUNCIL MEETING
MINUTES**

TUESDAY, AUGUST 20, 2013

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

REGULAR COUNCIL MEETING 7:00 P.M.

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

CITY STAFF PRESENT: Richard Roats, City Attorney
Gordon Law, City Engineer
John Marsh, City Treasurer
Wendy Howell, Planning & Zoning Director
Troy Behunin, Planning & Zoning Sr. Planner
Brenda Bingham, City Clerk

1. Call to Order and Roll Call

Mayor Nelson welcomed everyone and called the meeting to order at 7:00 p.m. Roll call reflected Council President Cardoza and Council Members Hoiland, Buban-Vonder Haar and Stear present at the meeting.

2. Invocation: Randy Maxwell, 7th Day Adventist

3. Pledge of Allegiance: Mayor Nelson

4. Consent Agenda: (Timestamp 00:01:46)

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

A. Approve Minutes of August 6, 2013

B. Accounts Payable Dated August 20, 2013 in the Amount of \$305,424.55

Council Member Stear moved to approve the Consent Agenda as presented. Seconded by Council Member Buban-Vonder Haar, all voting aye. Motion carried 4-0.

5. Citizen's Reports or Requests:

6. Old Business:

1
2 A. Deliberate for Decision on Silver Trail Preliminary Plat – Richard Roats, City Attorney
3 (Timestamp 00:02:14)
4

5 Attorney Roats reminded the group a public hearing was held at the last meeting on the
6 Silver Trail Preliminary Plat. The two issues to be resolved involve the request to restrict
7 the building of two-story houses to single-story homes along the Ten Mile corridor and
8 the landscaping of common areas from the previous developer.
9

10 Mr. Roats reported he visited with the developer regarding the landscaping request by the
11 Home Owner Association (HOA) requesting the common lots along Ten Mile be
12 completed. The developer has agreed to do the landscaping independent of the Silver
13 Trail request for the plat and will complete the landscaping at the time the lots in the
14 subdivision along Ten Mile are constructed. Mr. Roats will work with the developer to
15 prepare a written agreement to assure the landscaping will not be a burden for the HOA
16 or the City.
17

18 It was also noted that there was nothing in writing from the previous developer that
19 promised a swimming pool would be constructed as an amenity.
20

21 Mr. Hoiland requested the secondary agreement for the common areas be agreed upon at
22 the same time as the preliminary plat.
23

24 Mr. Roats replied that the developer has asked that the secondary agreement be
25 independent. The Attorney will be working on the agreement to make sure it is binding
26 so that when the developer begins construction on the lots that it will be enforceable.
27

28 Discussion took place on the issue of allowing two-story homes to be built along Ten
29 Mile.
30

31 Attorney Roats explained there was a request by one of the home owners across the street
32 to limit the construction to single-story homes along Ten Mile and the motion needs to
33 include Council's decision on it.
34

35 Council President Cardoza reported the recommendation from Planning & Zoning (P&Z)
36 was to construct single-story homes along the eastern part of Ten Mile.
37

38 Troy Behunin reported the proposed Findings of Fact reflected a recommendation from
39 P&Z that single-story homes be constructed on lots that back north Ten Mile. This is
40 from an original approval which was not part of the discussion that staff had with the
41 developer. This issue re-surfaced during the public hearing with the P&Z Commission
42 as a request from the citizens. One two-story home already exists on the property. There
43 is nothing in code that requires any type of housing structure on any classified road.
44

45 **Council Member Stear moved to approve the Preliminary Plat for Silver Trail and**
46 **also allow for the two-story buildings on the Ten Mile frontage. Seconded by**
47 **Council Member Buban-Vonder Haar.**

Discussion on the motion took place.

Council President Cardoza expressed concern on allowing two-story homes to be built. He explained the existing two-story home built was built by error. The Building Inspector approved it and then the error was discovered after it was framed which was past the point of stopping the construction.

Attorney Roats explained the developer at that time accepted the conditions and complied with those conditions. The Silver Trail Plat is a separate development and there is not a city code that requires any type of corridor to have single-story homes.

More discussion took place noting 160' seemed sufficient distance from fence to fence for privacy.

Mr. Cardoza expressed concern in going back on a promise made to home owners west of the subdivision that there would not be any two-story homes and likes the idea of one-story homes along the main artery.

The Mayor commented that if the Council makes a promise then there should be an ordinance to back it up.

Mayor Nelson stated the motion has been moved and seconded to approve the Preliminary Plat of the Silver Trail subdivision.

Voting Yes: Council Members Stear and Buban-Vonder Haar

Voting No: Council Members Cardoza and Hoiland

Motion tied: 2-2

Mayor Nelson voted "Yes" to break the tie.

Motion carried 3-2

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

8. **New Business:**

- A. Resolution No. R21-2013 Authorizing the Mayor to Execute the Assignment Release and Assumption Agreement between JLJ Enterprises, Inc., and E4 Partnership, LLLP and Corey Barton Homes, Inc. DBA, CBH Homes – Richard Roats, City Attorney
(Timestamp 00:21:48)

Council Member Buban-Vonder Haar moved to approve Resolution No. R21-2013. Seconded by Council Member Stear, all voting aye. Motion carried 4-0.

- B. Resolution No. R22-2013 Authorizing the Mayor to Execute the Amendment to the Reimbursement Agreement Between E4 Partnership, LLLP and Corey Barton Homes, Inc. DBA, CBH Homes and the City of Kuna, Allocating the Reimbursement Payments as

Agreed to by and Between E4 Partnership, LLLP and Corey Barton Homes, Inc., DBA
CBH Homes – Richard Roats, City Attorney (*Timestamp 00:23:28*)

**Council Member Stear moved to adopt Resolution No. R22-2013. Seconded by
Council Member Buban-Vonder Haar, all voting aye. Motion carried 4-0.**

- C. Resolution No. R23-2013 Authorizing the Mayor to Execute the Letter to ACHD
Regarding the Vacation of the Alley Between North Avenue D and North Avenue E, Old
Kuna High School – Richard Roats, City Attorney (*Timestamp 00:30:12*)

**Council Member Stear moved to approve Resolution No. R23-2013. Seconded by
Council Member Buban-Vonder Haar, all voting aye. Motion carried 4-0.**

9. Ordinances:

A. First Reading of Ordinance No. 2013-16 Amending Ordinance No. 2006-35 – Applewood Subdivision (*Timestamp 00:33:16*)

Consideration to dispense with full reading and three consecutive readings.

Consideration to approve ordinance.

Consideration to approve a summary publication of the ordinance.

AN ORDINANCE AMENDING ORDINANCE NO. 2006-35 THAT ANNEXED
CERTAIN REAL PROPERTY, THEN KNOWN AS PARCEL NUMBER S1311336210
AND 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 AND ESTABLISHED THE ZONING
CLASSIFICATION AS A, AGRICULTURAL, TO CORRECT THE ZONING
CLASSIFICATION TO R-6 AS ANNEXED, AND TO CORRECT THE LEGAL
DESCRIPTION TO REFLECT THE ACTUAL LEGAL DESCRIPTION AS
DESCRIBED IN THE PLAT; DIRECTING THAT COPIES OF THIS ORDINANCE
BE FILED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

**Council Member Buban-Vonder Haar moved to dispense with the full reading and
three consecutive readings of Ordinance No. 2013-16. Seconded by Council Member
Stear, all voting aye. Motion carried 4-0.**

**Council Member Buban-Vonder Haar moved to approve Ordinance No. 2013-16.
Seconded by Council Member Stear with the following roll call vote:**

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

Voting No: None

Absent: None

Motion carried 4-0.

**Council Member Buban-Vonder Haar moved to approve a summary publication of
Ordinance No. 2013-16. Seconded by Council Member Stear all voting aye.
Motion carried 4-0.**

1 **10. Mayor/Council Discussion Items: (Timestamp 00:38:27)**
2

3 Council Member Stear reported the Kuna United Methodist Church Living Hope is
4 beginning a Parent Support Group on the first and third Wednesday's at 7:00 p.m. beginning
5 September 18, 2013 to assist with the drug free efforts being done in the community.
6

7 Gordon Law reported the irrigation was originally scheduled to be turned off on August 21
8 but due to the amount of water left in the allotment, the date has been extended to August 23.
9

10 The next Joint School Board Meeting will be held at the School District on Tuesday,
11 September 10, 2013 at 5:30 p.m.
12

13 *(Timestamp 00:42:17)*
14

15 Concerns regarding the lack of services from the Idaho Humane Society were reported.
16 Mayor Nelson will discuss the concerns with the director before the next contract is signed.
17 The Council requested for copies of the reports to be dispersed to them.
18

19 Council Member Stear expressed concern on the decision made for employee merit increases
20 to be given on a yearly basis where the increase is dropped off at the end of the year. He
21 would like to consider giving a 3% COLA increase due to the lack of increases in the past
22 due to the poor economy. It was noted it might be a little late to make a change for this year.
23 More discussion took place with a request made for a comparison to be made with what
24 other cities are giving for increases.
25

26 Council Member Hoiland expressed concerns on ACHD projects in Boise and Meridian in
27 comparison to projects in Kuna.
28

29 A discussion took place on the council meeting scheduled for Election Day. This item will
30 be placed on the next agenda for discussion.
31

32 **11. Announcements:**
33

34 **12. Executive Session:**
35

36 A. Adjourn to Executive Session Pursuant to Idaho Code 67-2345(c) to Discuss Possible
37 Acquisition of Property *(Timestamp 00:41:27)*
38

39 **Council Member Buban-Vonder Haar moved to adjourn into Executive Session**
40 **under Idaho Code section 67-2345(c) to discuss possible acquisition of property.**

41 **Seconded by Council Member Stear with the following roll call vote:**

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

43 **Voting No: None**

44 **Absent: None**

45 **Motion Carried: 4-0**

46 **Time: 7:45 p.m.**
47

(Timestamp 00:41:56)

Council Member Buban-Vonder Haar moved to adjourn the Executive Session.

Seconded by Council Member Stear, all voting aye.

Motion carried 4-0.

13. Adjournment:

Council Member Stear moved to adjourn the meeting at 8:23 p.m.

W. Greg Nelson, Mayor

ATTEST:

Brenda S. Bingham, City Clerk

Minutes prepared by Brenda Bingham

Date Approved: CCM 9/3/13

Report Criteria:

Detail report.

Invoices with totals above \$0.00 included.

Only 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	0453509	908	RUBBER STAMP FOR J. COULTER, AUG '13 - BLDG INSP	08/15/2013	11.45	.00	01-6165 OFFICE SUPPLIES	1005	8/13		
Total ABC STAMP, SIGNS & AWARDS:						11.45	.00					
ADA COUNTY HIGHWAY DISTRICT (RENT)												
1037	ADA COUNTY HIGHWAY DISTRICT (RENT)	09/13		ACHD SHOP RENT, SEPTEMBER '13 - PARKS	08/28/2013	148.50	.00	01-6211 RENT-BUILDINGS & LAND	1004	9/13		
1037	ADA COUNTY HIGHWAY DISTRICT (RENT)	09/13		ACHD SHOP RENT, SEPTEMBER '13 - WATER	08/28/2013	126.00	.00	20-6211 RENT-BUILDINGS & LAND	0	9/13		
1037	ADA COUNTY HIGHWAY DISTRICT (RENT)	09/13		ACHD SHOP RENT, SEPTEMBER '13 - SEWER	08/28/2013	121.50	.00	21-6211 RENT-BUILDINGS & LAND	0	9/13		
1037	ADA COUNTY HIGHWAY DISTRICT (RENT)	09/13		ACHD SHOP RENT, SEPTEMBER '13 - P.I.	08/28/2013	54.00	.00	25-6211 RENT-BUILDINGS & LAND	0	9/13		
Total ADA COUNTY HIGHWAY DISTRICT (RENT):						450.00	.00					
ADVANCED COMMUNICATIONS, INC. dba DATATE												
1566	ADVANCED COMMUNICATIONS, INC. dba DATATE	00195659		ANNUAL PHONE-NETWORK MAINT., OCT-DEC '13 - CITY HALL	08/01/2013	74.19	.00	01-6255 TELEPHONE	0	9/13		
1566	ADVANCED COMMUNICATIONS, INC. dba DATATE	00195659		ANNUAL PHONE-NETWORK MAINT., OCT-DEC '13 - P & Z	08/01/2013	37.09	.00	01-6255 TELEPHONE	1003	9/13		
1566	ADVANCED COMMUNICATIONS, INC. dba DATATE	00195659		ANNUAL PHONE-NETWORK MAINT., OCT-DEC '13 - WATER	08/01/2013	86.22	.00	20-6255 TELEPHONE EXPENSE	0	9/13		
1566	ADVANCED COMMUNICATIONS, INC. dba DATATE	00195659		ANNUAL PHONE-NETWORK MAINT., OCT-DEC '13 - SEWER	08/01/2013	102.61	.00	21-6255 TELEPHONE EXPENSE	0	9/13		

City of Kuna		Payment Approval Report - City Council Approval					Page: 2					
		Report dates: 8/26/2013-8/26/2013					Aug 29, 2013 11:54AM					
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
1566	ADVANCED COMMUNICATIONS, INC. dba DATE	00195659		ANNUAL PHONE-NETWORK MAINT., OCT-DEC '13 - P.I.	08/01/2013	35.89	.00	25-6255 TELEPHONE EXPENSE	0	9/13		
Total ADVANCED COMMUNICATIONS, INC. dba DATE:												
						336.00	.00					
ANALYTICAL LABORATORIES												
1	ANALYTICAL LABORATORIES	31821		BACTERIA TEST, JULY '13 - SEWER	07/31/2013	1,881.00	.00	21-6150 MAINT. & REPAIRS - SYSTEM	0	7/13		
Total ANALYTICAL LABORATORIES:												
						1,881.00	.00					
ASSOCIATION OF IDAHO CITIES												
8	ASSOCIATION OF IDAHO CITIES	5272299		REGISTRATION FOR ATTORNEY TO ATTEND 2013 IDAHO MUNICIPAL ATTORNEY CONFERENCE, JUNE '13 - CITY HALL	06/27/2013	16.57	.00	01-6155 MEETINGS/COMMITTEES	0	8/13		
8	ASSOCIATION OF IDAHO CITIES	5272299		REGISTRATION FOR ATTORNEY TO ATTEND 2013 IDAHO MUNICIPAL ATTORNEY CONFERENCE, JUNE '13 - WATER	06/27/2013	12.83	.00	20-6155 MEETINGS/COMMITTEES	0	8/13		
8	ASSOCIATION OF IDAHO CITIES	5272299		REGISTRATION FOR ATTORNEY TO ATTEND 2013 IDAHO MUNICIPAL ATTORNEY CONFERENCE, JUNE '13 - SEWER	06/27/2013	15.27	.00	21-6155 MEETINGS/COMMITTEES	0	8/13		
8	ASSOCIATION OF IDAHO CITIES	5272299		REGISTRATION FOR ATTORNEY TO ATTEND 2013 IDAHO MUNICIPAL ATTORNEY CONFERENCE, JUNE '13 - P.I.	06/27/2013	5.33	.00	25-6155 MEETING/COMMITTEES	0	8/13		
8	ASSOCIATION OF IDAHO CITIES	5272368	910	REGISTRATION FOR CLERK TO ATTEND ANNUAL CONFERENCE, AUG '13 - B. BINGHAM	08/19/2013	190.00	.00	01-6155 MEETINGS/COMMITTEES	0	8/13		
Total ASSOCIATION OF IDAHO CITIES:												
						240.00	.00					

Accounts Payable

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Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Invoice Amount		Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
						Net							
AUTOZONE, INC.													
1606	AUTOZONE, INC.	4126293726		1 PR DURALAST BRAKE PADS FOR SEWER TRK #5, JULY '13 - B. BACHMAN	07/18/2013	18.19		.00	21-6305 VEHICLE MAINTENANCE & REPAIRS	0	7/13		
1606	AUTOZONE, INC.	4126316127	916	OIL & AIR FILTERS FOR '09 WATER TRUCK, AUG '13 - B. BACHMAN	08/19/2013	39.66		.00	20-6305 VEHICLE MAINTENANCE & REPAIRS	0	8/13		
1606	AUTOZONE, INC.	4126316127	916	1 EA OIL FILTER FOR TRK #1.2 EA FOR INVENTORY, SEWER, AUG '13 - B. BACHMAN	08/19/2013	13.65		.00	21-6305 VEHICLE MAINTENANCE & REPAIRS	0	8/13		
1606	AUTOZONE, INC.	4126316127		PART OF VEHICLE FILTER STOCK CHARGED TO P.I., AUG '13 - B. BACHMAN	08/19/2013	3.85		.00	25-6305 VEHICLE MAINTENANCE & REPAIR	0	8/13		
Total AUTOZONE, INC.:						75.35		.00					
BRADY INDUSTRIES OF IDAHO LLC													
1240	BRADY INDUSTRIES OF IDAHO LLC	4250633	909	TOILET PAPER, SR CTR, AUG '13 - K. RICE	08/20/2013	54.90		.00	01-6025 JANITORIAL	1001	8/13		
1240	BRADY INDUSTRIES OF IDAHO LLC	4250633	909	ROLL PAPER TOWELS, N.WWTP, AUG '13 - K. RICE	08/20/2013	54.00		.00	21-6025 JANITORIAL	0	8/13		
1240	BRADY INDUSTRIES OF IDAHO LLC	4250636	892	TRASH CAN LINERS, AUG '13 - SR CTR	08/20/2013	35.90		.00	01-6025 JANITORIAL	1001	8/13		
1240	BRADY INDUSTRIES OF IDAHO LLC	4250636	892	NEW DISPENSERS, TOILET PAPER, PAPER TOWELS, AUG '13 - PARKS	08/20/2013	217.80		.00	01-6025 JANITORIAL	1004	8/13		
1240	BRADY INDUSTRIES OF IDAHO LLC	4251600	919	4 CS TRI-FOLD PAPER TOWELS, PARKS, AUG '13 - B. WITHROW	08/21/2013	127.27		.00	01-6025 JANITORIAL	1004	8/13		
Total BRADY INDUSTRIES OF IDAHO LLC:						489.87		.00					
BUREAU OF OCCUPATIONAL LICENSE													
1091	BUREAU OF OCCUPATIONAL LICENSE	08282013		INITIAL EXAM, CLIL WATER DISTRIBUTION, AUG '13 - R. FORD	08/28/2013	62.00		.00	20-6265 TRAINING & SCHOOLING EXPENSE	0	8/13		

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 BUREAU OF OCCUPATIONAL LICENSE:												
						62.00	.00					
CUSTOM ELECTRIC, INC.												
147	CUSTOM ELECTRIC, INC.	6782	903	TROUBleshoot PUMP @TOMORROW LIFT STN FOR P.L. AUG '13 - J. YERTON	08/12/2013	65.00	.00	25-6150 MAINT. & REPAIRS - SYSTEM (PI)	0	8/13		
147	CUSTOM ELECTRIC, INC.	6791	913	TROUBleshoot SCADA RADIOS FOR WATER & SEWER. AUG '13 - R. DAVIS	08/16/2013	972.15	.00	20-6142 MAINT. & REPAIRS- EQUIPMENT	0	8/13		
147	CUSTOM ELECTRIC, INC.	6791	913	TROUBleshoot SCADA RADIOS FOR WATER & SEWER. AUG '13 - R. DAVIS	08/16/2013	972.16	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	8/13		
147	CUSTOM ELECTRIC, INC.	6791	913	TROUBleshoot SCADA RADIOS FOR WATER & SEWER. AUG '13 - R. DAVIS	08/16/2013	370.35	.00	25-6142 MAINT. & REPAIRS - EQUIPMENT	0	8/13		
147	CUSTOM ELECTRIC, INC.	6792	935	NEW LEVEL TRANSDUCER FOR CRIMSON PT. P.L. AUG '13 - J. YERTON	08/22/2013	1,642.77	.00	25-6150 MAINT. & REPAIRS - SYSTEM (PI)	0	8/13		
Total CUSTOM ELECTRIC, INC.:												
						4,022.43	.00					
FERGUSON WATERWORKS #1701												
219	FERGUSON WATERWORKS #1701	0581274	911	21" PIPE FOR DRAIN REPAIRS @KUNA RD & TEN MILE P.L. AUG '13 - B. WITHROW	08/19/2013	459.20	.00	25-6150 MAINT. & REPAIRS - SYSTEM (PI)	0	8/13		
Total FERGUSON WATERWORKS #1701:												
						459.20	.00					
FILTRATION TECHNOLOGY												
108	FILTRATION TECHNOLOGY	S6477	912	10 BARRELS ALL-QUEST FOR WELL 4. 6 & 10. WATER. AUG '13 - J. YERTON	08/19/2013	3,090.00	.00	21-6150 MAINT. & REPAIRS - SYSTEM	0	8/13		
Total FILTRATION TECHNOLOGY:												
						3,090.00	.00					
HDR ENGINEERING, INC.												

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
1646	HDR ENGINEERING, INC.	97317-B		<u>FINE SCREEN, 60% DESIGN, N.WWTP</u>	08/09/2013	7,762.55	.00	21-6020 CAPITAL IMPROVEMENTS	0	8/13		
Total HDR ENGINEERING, INC.:												
HOCOCHAN HOLDINGS, INC.												
1619	HOCOCHAN HOLDINGS, INC.	AR264153		<u>COPIER LEASE, SHARP MX4110N, AUG '13 - P & Z</u>	08/12/2013	117.82	.00	01-6142 MAINT. & REPAIR-EQUIPMENT	1003	8/13		
1619	HOCOCHAN HOLDINGS, INC.	AR264153		<u>COPIER LEASE, SHARP MXM503N, AUG '13 - CITY HALL</u>	08/12/2013	235.68	.00	01-6142 MAINT. & REPAIR-EQUIPMENT	0	8/13		
1619	HOCOCHAN HOLDINGS, INC.	AR264154		<u>COPIER MAINTENANCE FOR JULY '13 - CITY HALL</u>	08/12/2013	61.32	.00	01-6142 MAINT. & REPAIR-EQUIPMENT	0	8/13		
1619	HOCOCHAN HOLDINGS, INC.	AR264154		<u>COPIER MAINTENANCE FOR JULY '13 - P & Z</u>	08/12/2013	30.66	.00	01-6142 MAINT. & REPAIR-EQUIPMENT	1003	8/13		
Total HOCOCHAN HOLDINGS, INC.:												
IDAHO HUMANE SOCIETY												
833	IDAHO HUMANE SOCIETY	09/13		<u>CONTRACT SERVICES - SEPTEMBER '13</u>	08/28/2013	4,121.00	.00	01-6005 ANIMAL CONTROL SERVICES	0	9/13		
Total IDAHO HUMANE SOCIETY:												
IDAHO POWER CO												
38	IDAHO POWER CO	08/13		<u>AUGUST 2013 - CITY HALL</u>	08/16/2013	380.68	.00	01-6290 UTILITIES	0	8/13		
38	IDAHO POWER CO	08/13		<u>AUGUST 2013 - SR CTR</u>	08/16/2013	506.68	.00	01-6290 UTILITIES	1001	8/13		
38	IDAHO POWER CO	08/13		<u>AUGUST 2013 - ST LTS</u>	08/16/2013	6,009.68	.00	01-6290 UTILITIES	1002	8/13		
38	IDAHO POWER CO	08/13		<u>AUGUST 2013 - P & Z</u>	08/16/2013	101.38	.00	01-6290 UTILITIES	1003	8/13		

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
38	IDAHO POWER CO	08/13		<u>AUGUST 2013 - PARKS</u>	08/16/2013	844.77	.00	01-6290 UTILITIES	1004	8/13		
38	IDAHO POWER CO	08/13		<u>AUGUST 2013 - WATER</u>	08/16/2013	23,877.79	.00	20-6290 UTILITIES EXPENSE	0	8/13		
38	IDAHO POWER CO	08/13		<u>AUGUST 2013 - SEWER</u>	08/16/2013	20,875.23	.00	21-6290 UTILITIES EXPENSE	0	8/13		
38	IDAHO POWER CO	08/13		<u>AUGUST 2013 - FARM</u>	08/16/2013	15,233.68	.00	21-6090 FARM EXPENDITURES	0	8/13		
38	IDAHO POWER CO	08/13		<u>AUGUST 2013 - P.I.</u>	08/16/2013	14,222.66	.00	25-6290 UTILITIES EXPENSE	0	8/13		
Total IDAHO POWER CO:						82,052.55	.00					
IDAHO RURAL WATER ASSOC												
33	IDAHO RURAL WATER ASSOC	4685		<u>MEMBERSHIP 2013-2014 - P.I.</u>	07/30/2013	79.20	.00	25-6075 DUES & MEMBERSHIPS EXPENSE	0	8/13		
33	IDAHO RURAL WATER ASSOC	4685		<u>MEMBERSHIP 2013-2014 - WATER</u>	07/30/2013	207.90	.00	20-6075 DUES & MEMBERSHIPS	0	8/13		
33	IDAHO RURAL WATER ASSOC	4685		<u>MEMBERSHIP 2013-2014 - SEWER</u>	07/30/2013	207.90	.00	21-6075 DUES & MEMBERSHIPS	0	8/13		
Total IDAHO RURAL WATER ASSOC:						495.00	.00					
INTEGRINET SOLUTIONS, INC.												
1595	INTEGRINET SOLUTIONS, INC.	62722		<u>MONTHLY COMPUTER MAINTENANCE, AUG '13 - CITY HALL</u>	08/15/2013	57.63	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	0	8/13		
1595	INTEGRINET SOLUTIONS, INC.	62722		<u>MONTHLY COMPUTER MAINTENANCE, AUG '13 - P & Z</u>	08/15/2013	28.82	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1003	8/13		
1595	INTEGRINET SOLUTIONS, INC.	62722		<u>MONTHLY COMPUTER MAINTENANCE, AUG '13 - WATER</u>	08/15/2013	66.97	.00	20-6142 MAINT. & REPAIRS- EQUIPMENT	0	8/13		
1595	INTEGRINET SOLUTIONS, INC.	62722		<u>MONTHLY COMPUTER MAINTENANCE, AUG '13 -</u>								

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		
1595	INTEGRINET SOLUTIONS, INC.	62722		SEWER	08/15/2013	79.71	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	8/13				
				MONTHLY COMPUTER MAINTENANCE, AUG '13 - P.I.	08/15/2013	27.87	.00	25-6142 MAINT. & REPAIRS - EQUIPMENT	0	8/13				
										261.00	.00			
INTERMOUNTAIN GAS CO														
37	INTERMOUNTAIN GAS CO	8/13		AUG 2013 (JULY 12-AUG 13) - SR CTR	08/16/2013	41.38	.00	01-6290 UTILITIES	1001	8/13				
37	INTERMOUNTAIN GAS CO	8/13		AUG 2013 (JULY 12-AUG 13) - CITY HALL	08/16/2013	7.25	.00	01-6290 UTILITIES	0	8/13				
						48.63	.00							
J & M SANITATION, INC.														
230	J & M SANITATION, INC.	08/13-2ND		8/14/13-8/27/13. PD 9/04/13 - AUG 2ND PMT	08/28/2013	45,847.22	.00	26-7000 SOLID WASTE SERVICE FEES	0	8/13				
230	J & M SANITATION, INC.	08/13-2ND		8/14/13-8/27/13. PD 9/04/13 - LESS ADMIN FEE	08/28/2013	-4,529.71	.00	01-4170 FRANCHISE FEES	0	8/13				
						41,317.51	.00							
KUNA LUMBER														
499	KUNA LUMBER	B45343	867	PARK BENCH REPAIR, 2X4'S, NUTS, BOLTS, JULY '13 - MAIN PARK	07/30/2013	42.98	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	7/13				
						42.98	.00							
KUNA TRUE VALUE HARDWARE														
43	KUNA TRUE VALUE HARDWARE	07222013	845	SCOTCH TAPE, 2 EA SPRAY PAINT, 100' ROPE, PRESSURE GAUGE, BUG KILLER FOR GRASS, PVC FITTINGS, JULY										

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
				'13 - B. WITHROW	07/22/2013	79.39	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	7/13		
43	KUNA TRUE VALUE HARDWARE	07222013	845	BAR CHAIN OIL FOR CHAIN SAWS, JULY '13 - B. WITHROW	07/22/2013	11.99	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1004	8/13		
43	KUNA TRUE VALUE HARDWARE	07222013	845	WEDGE FOR PARKS, JULY '13 - B. WITHROW	07/22/2013	13.99	.00	01-6175 SMALL TOOLS	1004	8/13		
43	KUNA TRUE VALUE HARDWARE	07222013	845	TOILET PAPER HOLDER, GREENBELT, PARKS, JULY '13 - B. WITHROW	07/22/2013	10.36	.00	01-6140 MAINT. & REPAIR BUILDING	1004	8/13		
43	KUNA TRUE VALUE HARDWARE	73113	884	2 PK SAWHORSES AND SAW BLADES, PARKS, JULY '13 - N. PURKEY	07/31/2013	26.57	.00	01-6175 SMALL TOOLS	1004	7/13		
43	KUNA TRUE VALUE HARDWARE	73113	884	ADAPTERS, UNION, PR GLOVES, 6 NUTS, BOLTS, SPRAYER, PAINT BRUSH, PARKS, JULY '13 - N. PURKEY	07/31/2013	40.35	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	7/13		
Total KUNA TRUE VALUE HARDWARE:							.00					
MASTER ROOTER SERVICES INC.												
834	MASTER ROOTER SERVICES INC.	149945	928	CAMERA TRUCK INSPECTION OF MAIN FOR SEWER, AUG '13 - R. DAVIS	08/20/2013	900.00	.00	21-6150 MAINT. & REPAIRS - SYSTEM	0	8/13		
Total MASTER ROOTER SERVICES INC.:							.00					
METROQUIP, INC.												
196	METROQUIP, INC.	00020818	900	REPAIRS TO VAC TRK #2 VALVE, AUG '13 - T. FLEMING	08/13/2013	300.20	.00	21-6305 VEHICLE MAINTENANCE & REPAIRS	0	8/13		
Total METROQUIP, INC.:							.00					

PARTS, INC.

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
470	PARTS, INC.	034613	899	2 HYDRAULIC HOSES FOR WHEEL LINES @FARM, AUG '13 - C. MCDANIEL	08/08/2013	52.98	.00	21-6090 FARM EXPENDITURES	0	8/13		
470	PARTS, INC.	034981	906	TRAILER ADAPTER FOR TRK #14 FOR PARKS, AUG '13 - B. WITHROW	08/13/2013	19.17	.00	01-6305 VEHICLE MAINTENANCE & REPAIRS	1004	8/13		
470	PARTS, INC.	035277	914	2 HYDRAULIC HOSES FOR WHEEL LINES @FARM, AUG '13 - C. MCDANIEL	08/16/2013	53.44	.00	21-6090 FARM EXPENDITURES	0	8/13		
Total PARTS, INC.:						125.59	.00					
PEAK ALARM COMPANY, INC												
1021	PEAK ALARM COMPANY, INC	539642		ALARM MONITOR, 9/1-11/30/2013, N. WWTP	09/01/2013	83.10	.00	21-6150 MAINT. & REPAIRS - SYSTEM	0	9/13		
Total PEAK ALARM COMPANY, INC:						83.10	.00					
PIPECO, INC												
55	PIPECO, INC	0000203677	854	4 EA 8" FERNCO COUPLERS FOR BUTLER P.I., JULY '13 - C. ARMSTRONG	07/24/2013	122.42	.00	25-6020 CAPITAL IMPROVEMENTS	0	7/13		
55	PIPECO, INC	0000204211	891	3 EA 1 - 1/2 CHECK VALVES FOR RE-USE PUMPS, SEWER, AUG '13 - M. NADEAU	08/06/2013	330.00	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	8/13		
Total PIPECO, INC:						452.42	.00					
PLATT ELECTRIC SUPPLY, INC.												
1613	PLATT ELECTRIC SUPPLY, INC.	5419961	882	4 - 15 AMP BREAKERS FOR PEDESTALS IN PARKS, JULY '13 - B. BACHMAN	08/16/2013	27.30	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	8/13		
Total PLATT ELECTRIC SUPPLY, INC.:						27.30	.00					

Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
829	PORTAPROS, LLC dba ABC SANITATION	56518		PORT-O-POTTY, W.HUBBARD/N.LINDER, AUG '13 - PARKS	08/07/2013	78.75	.00	01-6212 RENT-EQUIPMENT	1004	8/13		
829	PORTAPROS, LLC dba ABC SANITATION	56519		PORT-O-POTTY, W.DEER FLAT & LINDER, AUG '13 - PARKS	08/07/2013	78.75	.00	01-6212 RENT-EQUIPMENT	1004	8/13		
Total PORTAPROS, LLC dba ABC SANITATION:						157.50	.00					
PRESSURE IRRIGATION REIMBURSEMENTS 2013												
1653	PRESSURE IRRIGATION REIMBURSEMENTS 2013	9913340.02		WOOLF PROP MGMT. #9913340.02 - ACCT OVERPMT	08/14/2013	93.48	.00	99-1075 Utility Cash Clearing	0	8/13		
Total PRESSURE IRRIGATION REIMBURSEMENTS 2013:						93.48	.00					
SHORTLINE EXCAVATION, LLC												
1212	SHORTLINE EXCAVATION, LLC	270	925	IRRIGATION IMPROVEMENT @SUTTER'S MILL DITCH OFF SUNBEAM. DUG DITCH LINE DUE TO FLOODING. AUG '13 - C. DEYOUNG	08/01/2013	362.50	.00	25-6150 MAINT. & REPAIRS - SYSTEM (PI)	0	8/13		
Total SHORTLINE EXCAVATION, LLC:						362.50	.00					
STAPLES ADVANTAGE												
1292	STAPLES ADVANTAGE	8026610636	898	REINFORCED, 5 TAB DIVIDERS, KATIE, AUG '13 - ADMIN	08/10/2013	3.15	.00	01-6165 OFFICE SUPPLIES	0	8/13		
1292	STAPLES ADVANTAGE	8026610636	898	5 TAB REINFORCED DIVIDERS, WATER, KATIE, SWINGLINE STAPLER, STAPLER REMOVER, DEBBIE	08/10/2013	4.19	.00	20-6165 OFFICE SUPPLIES	0	8/13		
1292	STAPLES ADVANTAGE	8026610636	898	5-TAB, REINFORCED DIVIDERS, KATIE, AUG '13 - SEWER	08/10/2013	4.20	.00	21-6165 OFFICE SUPPLIES	0	8/13		
1292	STAPLES ADVANTAGE	8026610636	898	5-TAB, REINFORCED DIVIDERS, KATIE, AUG '13 - P.I.	08/10/2013	1.06	.00	25-6165 OFFICE SUPPLIES	0	8/13		
1292	STAPLES ADVANTAGE	8026610636	898	LEGAL 5-1/4" EXPANSION FILE POCKETS, 7" EXPANSION POCKETS FOR ATTORNEY, ADMIN, AUG '13 - K. RICE	08/10/2013	14.10	.00	01-6165 OFFICE SUPPLIES	0	8/13		

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
1292	STAPLES ADVANTAGE	8026610636	898	WIRE DESKTOP ORGANIZER, MULTIPURPOSE LITERATURE DISPLAY RACK, P & Z, AUG '13 - W. HOWELL	08/10/2013	31.06	.00	01-6165 OFFICE SUPPLIES	1003	8/13		
1292	STAPLES ADVANTAGE	8026610636	898	APC BACK-UPS, 550VA, SEWER, AUG '13 - R. DAVIS	08/10/2013	123.60	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	8/13		
1292	STAPLES ADVANTAGE	8026610636	898	LEGAL SIZE POCKET FILES FOR ATTORNEY, AUG '13 - WATER	08/10/2013	10.93	.00	20-6165 OFFICE SUPPLIES	0	8/13		
1292	STAPLES ADVANTAGE	8026610636	898	LEGAL SIZE POCKET FILES FOR ATTORNEY, AUG '13 - SEWER	08/10/2013	13.00	.00	21-6165 OFFICE SUPPLIES	0	8/13		
1292	STAPLES ADVANTAGE	8026610636	898	LEGAL SIZE POCKET FILES FOR ATTORNEY, AUG '13 - P.I.	08/10/2013	4.54	.00	25-6165 OFFICE SUPPLIES	0	8/13		
1292	STAPLES ADVANTAGE	8026610636	898	STAPLER AND STAPLE REMOVER, D. CROSSLEY, WATER, AUG '13 - K. RICE	08/10/2013	3.42	.00	20-6165 OFFICE SUPPLIES	0	8/13		
Total STAPLES ADVANTAGE:							213.25	.00				
THE JORDEL COMPANY DBA												
1523	THE JORDEL COMPANY DBA	3838	837	UPS CHARGES TO SEND 2 HYDRORANGERS FOR SERVICE, N.WWTP, JULY '13 - M. NADEAU	07/18/2013	73.26	.00	21-6190 POSTAGE & BILLING	0	8/13		
Total THE JORDEL COMPANY DBA:							73.26	.00				
TIM GORDON												
997	TIM GORDON	09/13		RENT - SEPTEMBER '13 - CITY HALL	08/28/2013	972.62	.00	01-6211 RENT- BUILDINGS & LAND	0	9/13		
997	TIM GORDON	09/13		RENT - SEPTEMBER '13 - P & Z	08/28/2013	486.31	.00	01-6211 RENT- BUILDINGS & LAND	1003	9/13		
997	TIM GORDON	09/13		RENT - SEPTEMBER '13 - WATER	08/28/2013	1,130.32	.00	20-6211 RENT- BUILDINGS & LAND	0	9/13		

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
997	TIM GORDON	09/13		RENT - SEPTEMBER '13 - SEWER	08/28/2013	1,345.29	.00	21-6211 RENT - BUILDINGS & LAND	0	9/13		
997	TIM GORDON	09/13		RENT - SEPTEMBER '13 - P.I.	08/28/2013	470.46	.00	25-6211 RENT - BUILDINGS & LAND	0	9/13		
Total TIM GORDON:						4,405.00	.00					
TREASURE VALLEY COFFEE												
992	TREASURE VALLEY COFFEE	03308254	926	6 EA BOTTLES WATER AUG '13 - VENDOR	08/20/2013	16.35	.00	20-6165 OFFICE SUPPLIES	0	8/13		
992	TREASURE VALLEY COFFEE	03308254	926	6 EA BOTTLES WATER AUG '13 - VENDOR	08/20/2013	16.35	.00	25-6165 OFFICE SUPPLIES	0	8/13		
992	TREASURE VALLEY COFFEE	03308254	926	1 COOLER RENTAL AUG '13 - WATER	08/20/2013	5.00	.00	20-6212 RENT - EQUIPMENT	0	8/13		
992	TREASURE VALLEY COFFEE	03308254	926	1 COOLER RENTAL AUG '13 - P.I.	08/20/2013	5.00	.00	25-6212 RENT - EQUIPMENT	0	8/13		
Total TREASURE VALLEY COFFEE:						42.70	.00					
UNIVAR USA, INC.												
1410	UNIVAR USA, INC.	NA548843	890	24 PAILS CALC.HYPOCHLORITE, 330 GALS SOD.HYPOCHLORITE, CONTAINER DEPOSIT, FUEL AND DELIVERY CHARGES, N.WWTP, AUG '13 - R. DAVIS	08/07/2013	4,000.95	.00	21-6150 MAINT. & REPAIRS - SYSTEM	0	8/13		
1410	UNIVAR USA, INC.	NA549015	890	45,000 LBS ALUM.SULFATE, N.WWTP, AUG '13 - R. DAVIS	08/09/2013	5,400.00	.00	21-6150 MAINT. & REPAIRS - SYSTEM	0	8/13		
Total UNIVAR USA, INC.:						9,400.95	.00					
USA BLUE BOOK												
265	USA BLUE BOOK	122013	902	REPLACE SALT BRIDGE FOR SENSORS, CELL COLUTION FOR SENSORS, 1 PACK OF 5 STENNER TUBE ASSEMBLIES, PH BUFFER PACK, 2XL PVC RAINSUIT, N.WWTP, AUG '13 -								

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
				R. DAVIS	08/12/2013	296.70	.00	21-6150 MAINT. & REPAIRS- SYSTEM	0	8/13		
Total USA BLUE BOOK:												
						296.70	.00					
UTILITY TRAILER SALES OF IDAHO, INC. DBA												
1641	UTILITY TRAILER SALES OF IDAHO, INC. DBA	A140776	931	20.CROSSWALK FLAGS. PARKS. AUG '13 - B. BACHMAN	08/22/2013	79.00	.00	01-6150 MAINTENANCE & REPAIRS- SYSTEM	1004	8/13		
Total UTILITY TRAILER SALES OF IDAHO, INC. DBA:												
						79.00	.00					
VALLI INFORMATION SYSTEMS, INC												
857	VALLI INFORMATION SYSTEMS, INC	21168		STATEMENT. POSTAGE. AUG '13 - CITY HALL	08/13/2013	661.10	.00	01-6190 POSTAGE & BILLING	0	8/13		
857	VALLI INFORMATION SYSTEMS, INC	21168		STATEMENT. POSTAGE. AUG '13 - WATER	08/13/2013	1,091.21	.00	20-6190 POSTAGE & BILLING	0	8/13		
857	VALLI INFORMATION SYSTEMS, INC	21168		STATEMENT. POSTAGE. AUG '13 - SEWER	08/13/2013	1,298.72	.00	21-6190 POSTAGE & BILLING	0	8/13		
857	VALLI INFORMATION SYSTEMS, INC	21168		STATEMENT. POSTAGE. AUG '13 - P.I.	08/13/2013	454.29	.00	25-6190 POSTAGE & BILLING	0	8/13		
Total VALLI INFORMATION SYSTEMS, INC:												
						3,505.32	.00					
W.W. GRAINGER												
162	W.W. GRAINGER	9209553008		DOUBLE ROLL TOILET PAPER HOLDER. GREENBELT BATHROOM. AUG '13 - PARKS	08/05/2013	70.00	.00	01-6140 MAINT. & REPAIR BUILDING	1004	8/13		
162	W.W. GRAINGER	9209553016		PAPER TOWEL DISPENSER FOR MAIN PARK RESTROOM. AUG '13 - PARKS	08/05/2013	116.80	.00	01-6140 MAINT. & REPAIR BUILDING	1004	8/13		
Total W.W. GRAINGER:												
						186.80	.00					

Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
1627	WATER DEPOSIT REFUNDS #4	110140.01		K. EACHUS. #110140.01 - ACCT OVERPMT	08/26/2013	169.26	.00	99-1075 Utility Cash Clearing	0	8/13		
1627	WATER DEPOSIT REFUNDS #4	110140.01		K. EACHUS. #110140.01 - WATER DEP REF	08/26/2013	100.00	.00	20-2200 WATER DEPOSITS HELD	0	8/13		
1627	WATER DEPOSIT REFUNDS #4	121160.01		E. DWORSHAK. #121160.01 - ACCT OVERPMT	08/16/2013	52.16	.00	99-1075 Utility Cash Clearing	0	8/13		
1627	WATER DEPOSIT REFUNDS #4	130280.01		J. S. HUGHES. #130280.01 - WATER DEP REF	08/26/2013	76.77	.00	20-2200 WATER DEPOSITS HELD	0	8/13		
1627	WATER DEPOSIT REFUNDS #4	131300.01		H. ANUMUDU. #131300.01 - WATER DEP REF	08/26/2013	14.54	.00	20-2200 WATER DEPOSITS HELD	0	8/13		
1627	WATER DEPOSIT REFUNDS #4	190955.02		B & K SEEK. #190955.02 - WATER DEP REF	08/20/2013	69.00	.00	20-2200 WATER DEPOSITS HELD	0	8/13		
1627	WATER DEPOSIT REFUNDS #4	201500.01		R. EWING. #201500.01 - ACCT OVERPMT	08/20/2013	83.59	.00	99-1075 Utility Cash Clearing	0	8/13		
1627	WATER DEPOSIT REFUNDS #4	221620.01		COREY BARTON HOMES. #221620.01 - ACCT OVERPMT	08/26/2013	28.15	.00	99-1075 Utility Cash Clearing	0	8/13		
1627	WATER DEPOSIT REFUNDS #4	221720.01		C. B. HOMES. #221720.01 - ACCT OVERPMT	08/20/2013	60.59	.00	99-1075 Utility Cash Clearing	0	8/13		
1627	WATER DEPOSIT REFUNDS #4	221775.01		C. B. HOMES. #221775.01 - ACCT OVERPMT	08/16/2013	40.74	.00	99-1075 Utility Cash Clearing	0	8/13		
1627	WATER DEPOSIT REFUNDS #4	230630.02		B. WINTERBURN. #230630.02 - WATER DEP REF	08/20/2013	69.90	.00	20-2200 WATER DEPOSITS HELD	0	8/13		
1627	WATER DEPOSIT REFUNDS #4	240365.00		J. BELLAMY. #240365.00 - WATER DEP REF	08/20/2013	10.89	.00	20-2200 WATER DEPOSITS HELD	0	8/13		
1627	WATER DEPOSIT REFUNDS #4	264060.01		CBH HOMES. #264060.01 - ACCT OVERPMT	08/26/2013	4.26	.00	99-1075 Utility Cash Clearing	0	8/13		
1627	WATER DEPOSIT REFUNDS #4	274460.01		C. B. HOMES. #274460.01 - ACCT OVERPMT	08/16/2013	37.98	.00	99-1075 Utility Cash Clearing	0	8/13		
1627	WATER DEPOSIT REFUNDS #4	300110.02		J. BOGLEY. #300110.02 - ACCT OVERPMT	08/20/2013	66.06	.00	99-1075 Utility Cash Clearing	0	8/13		

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
1627	WATER DEPOSIT REFUNDS #4	80310.02B		JLC INVESTMENTS, #80310.02 - ACCT OVERPMT	08/27/2013	62.05	.00	99-1075 <u>Utility Cash</u> <u>Clearing</u>	0	8/13		
1627	WATER DEPOSIT REFUNDS #4	9913340.02		WOOLF PROP.MGMT. #9913340.02 - ACCT OVERPMT	08/14/2013	274.21	.00	99-1075 <u>Utility Cash</u> <u>Clearing</u>	0	8/13		
Total WATER DEPOSIT REFUNDS #4:						1,220.15	.00					
WESTERN BUILDING MAINTENANCE, INC.												
1499	WESTERN BUILDING MAINTENANCE, INC.	0076117-IN		MONTHLY JANITORIAL, AUG '13 - SR CTR	08/23/2013	330.33	.00	01-6025 <u>JANITORIAL</u>	1001	8/13		
1499	WESTERN BUILDING MAINTENANCE, INC.	0076118-IN		MONTHLY JANITORIAL, AUG '13 - CITY HALL	08/23/2013	212.34	.00	01-6025 <u>JANITORIAL</u>	0	8/13		
1499	WESTERN BUILDING MAINTENANCE, INC.	0076119-IN		MONTHLY JANITORIAL, AUG '13 - N.WWTP	08/23/2013	75.00	.00	21-6025 <u>JANITORIAL</u>	0	8/13		
Total WESTERN BUILDING MAINTENANCE, INC.:						617.67	.00					
WESTERN STATES AUTOMATION, LLC												
1645	WESTERN STATES AUTOMATION, LLC	2078	704	PURCHASE REPLACEMENT WAS ACTUATOR, N.WWTP, JUNE '13 - R. DAVIS	08/12/2013	5,181.80	.00	21-6142 <u>MAINT. &</u> <u>REPAIRS -</u> <u>EQUIPMENT</u>	0	8/13		
Total WESTERN STATES AUTOMATION, LLC:						5,181.80	.00					
WESTERN STATES CHEM												
274	WESTERN STATES CHEM	131318	897	6 BOTTLES SILICONE .6 BOTTLES ODOR NEUTRALIZER, N.WWTP, AUG '13 - R. DAVIS	08/06/2013	167.64	.00	21-6150 <u>MAINT. &</u> <u>REPAIRS -</u> <u>SYSTEM</u>	0	8/13		
274	WESTERN STATES CHEM	131338		NITRILE GLOVE DISPENSERS, GERMICIDAL CLEANER, AUG '13 - PARKS	08/12/2013	283.62	.00	01-6142 <u>MAINT. &</u> <u>REPAIR -</u> <u>EQUIPMENT</u>	1004	8/13		
Total WESTERN STATES CHEM:						451.26	.00					
Grand Totals:						176,022.60	.00					

City of Kuna

Payment Approval Report - City Council Approval

Report dates: 8/26/2013-8/26/2013

Page: 16

Aug 29, 2013 11:54AM

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
Dated: _____ Mayor: _____ City Council: _____ _____ _____ _____ _____ _____ _____ City Treasurer: _____												
Report Criteria: Detail report. Invoices with totals above \$0.00 included. Only unpaid invoices included.												

Accounts Payable

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CITY OF KUNA
P.O. BOX 13
KUNA, ID 83634
www.cityofkuna.com

GORDON N. LAW
CITY ENGINEER

Telephone (208) 287-1727; Fax (208) 287-1731
Email: gordon@cityofkuna.com

MEMORANDUM

TO: Mayor Nelson and Members of City Council

FROM: Gordon N. Law
Kuna City Engineer

RE: Pressure Irrigation Line Easement
Falcon Ridge Charter School

DATE: August 19, 2013

REQUEST: Approve Resolution Accepting Pressure Irrigation Line Easement

Attached hereto is a proposed pressure irrigation line easement on the property of Falcon Ridge Charter School. The easement facilitates the construction and ultimate operation of a pressure irrigation line on the referenced property. Also attached is a resolution, which if approved by Council, would accept the easement and direct its recording.

The City Engineer recommends approval of the attached resolution.

Attachment

EASEMENT

THIS INDENTURE, Made this 13th day of August, 2013, between **FALCON RIDGE PUBLIC CHARTER SCHOOL**, party of the first part; and **CITY OF KUNA**, a municipal corporation, situated in the County of Ada, State of Idaho, party of the second part; WITNESSETH:

That the party of the first part, for good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, does by these presents grant forever unto the party of the second part, its successors and assigns, for the purpose of constructing, operating, and maintaining pressure irrigation lines, with the necessary appurtenances thereto, and for accessing Grantees property, full and free right to enter upon the real property of the party of the first part, said real property being described as follows:

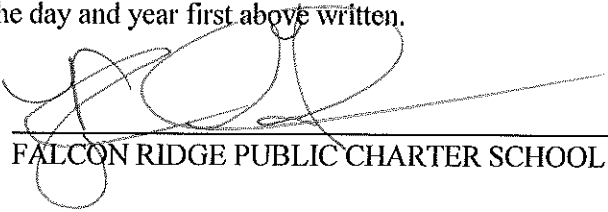
See Exhibit "A"

This easement is made subject to the following conditions:

1. The easement described above is hereby perpetually reserved for the utility purpose herein set forth and no structures other than those for such utility purposes are to be erected within the limits of said easement.
2. The CITY OF KUNA, or their assigns, shall have the right at any time to cut, trim, and clear all trees, brush, and other obstructions that may injure, endanger, or interfere with the construction, operation, or maintenance of said utility.
3. In exercising the rights granted herein, the CITY OF KUNA, or their assigns, will not unreasonably interfere with the normal use of the premises and will, at its sole cost and expense and with due diligence, restore the premises to its original or better condition following any use of the easement either for construction, repair, maintenance, and/or replacement of said facilities and appurtenances thereto.

TOGETHER With the right of ingress and egress on said real property for the purpose of constructing, operating, and maintaining said facilities and the necessary appurtenances thereto.

IN WITNESS WHEREOF, The party of the first part has hereunto set his hand and seals the day and year first above written.


FALCON RIDGE PUBLIC CHARTER SCHOOL

ATTEST

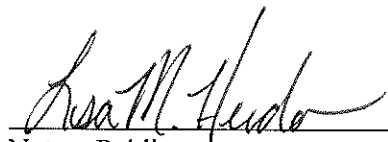
STATE OF IDAHO)
) ss.
County of Ada)

On this 13th day of August, 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared Vaughn Goodman

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he 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.





Notary Public

Residing at Kuna, ID

My Commission Expires 3.23.18



THE LAND GROUP, INC.

August 7, 2013
Project No. 112076

EXHIBIT A

**FALCON RIDGE CHARTER SCHOOL
IRRIGATION EASEMENT DESCRIPTION**

An easement located in Parcels A and B, as shown on Record-of-Survey Number 9466 of Ada County Records, which Parcels are located in Lots 11 and 12 of the Kuna Home Tracts, as shown on the Plat thereof recorded in Book 5 of Plats at Page 247 of Ada County Records, and situated in the Northwest One Quarter of the Northwest One Quarter of Section 26, Township 2 North, Range 1 West, Boise Meridian, City of Kuna, Ada County, Idaho, described as follows:

Commencing at the Northwest Corner of said Section 26, (from which point the West One Quarter corner of said Section 26 bears South 00°20'27" East, a distance of 2,644.25 feet);

Thence from said Northwest section corner, South 00°20'27" East a distance of 660.16 feet on the westerly line of said Section 26;

Thence South 89°54'50" East a distance of 55.15 feet to a point on the south boundary line of said Parcel B, said point being the POINT OF BEGINNING;

Thence North 00°16'36" West a distance of 4.25 feet;

Thence North 10°58'24" West a distance of 36.42 feet to a point on the easterly right of way line of Ten Mile Road;

Thence North 00°20'27" East a distance of 542.31 feet on the said easterly right of way line to a point of curve;

Thence 6.39 feet on the arc of a curve to the right, said curve having a radius of 30.00 feet, a central angle of 12°12'46", a chord bearing of North 06°26'50" East, and a chord distance of 6.38 feet to a point of compound curve;

Thence 4.70 feet on the arc of a curve to the right, said curve having a radius of 64.50 feet, a central angle of 04°10'29", a chord bearing of North 49°28'08" East, and a chord distance of 4.70 feet to a point of compound curve;

Thence 34.68 feet on the arc of a curve to the right, said curve having a radius of 102.50 feet, a central angle of 19°23'00", a chord bearing of North 61°14'52" East, and a chord distance of 34.51 feet to a point of compound curve;

Thence 12.44 feet on the arc of a curve to the right, said curve having a radius of 282.50 feet, a central angle of 02°31'20", a chord bearing of North 72°12'02" East, and a chord distance of 12.43 feet to a point on the southerly right of way line of West Avalon Street;

Thence South 89°54'51" East a distance of 377.86 feet on said southerly right of way line;

Thence South 29°13'27" East a distance of 11.47 feet on the east boundary line of said Parcel A;

Thence North 89°54'51" West a distance of 379.80 feet;

Thence South 56°35'27" West a distance of 48.02 feet;

Thence South 00°20'27" West a distance of 483.76 feet;

Thence South 10°58'24" East a distance of 87.38 feet;

Page 2 of 2



THE LAND GROUP, INC.

Thence South $00^{\circ}16'36''$ East a distance of 6.15 feet to a point on the south boundary line of said Parcel B;

Thence North $89^{\circ}54'50''$ West a distance of 20.00 feet on the said south boundary line to the point of beginning.

PREPARED BY:
THE LAND GROUP, INC.

James R. Washburn



Pressure Irrigation Easement for Falcon Ridge Charter School

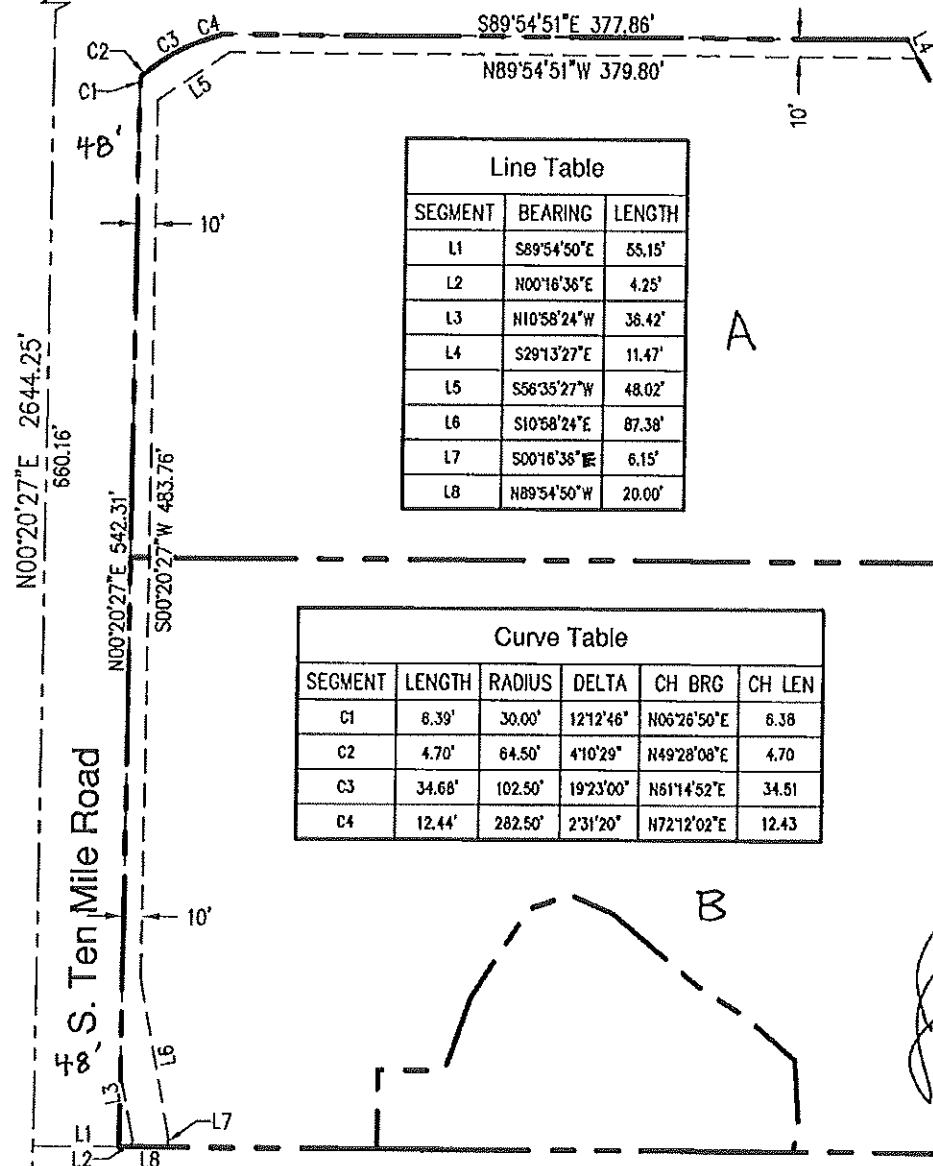
A portion of Lots 11&12, Kuna Home Tracts,
Located in the Northwest 1/4 of the Northwest 1/4 of Section 26,
Township 2 North, Range 1 West, Boise Meridian,
City of Kuna, Ada County, Idaho

FOUND BRASS CAP
CPF 112025627

22 23
27 26

W. Avalon Street

City of Kuna, Ada County, Idaho



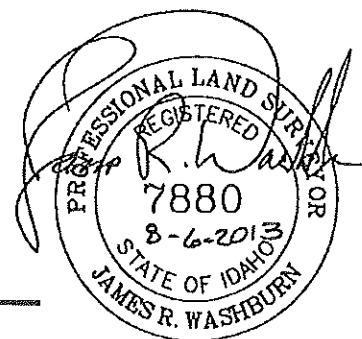
FOUND ALUM CAP
CPF 104014757

27 26



Exhibit

HORIZONTAL SCALE: 1" = 100'



THE LAND GROUP
INCORPORATED

462 East Shore Drive, Suite 100
Eagle, Idaho 83616
Phone 208.939.4041 • Fax 208.939.4445

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Sheet Title

Exhibit "B"
Irrigation Easement
Falcon Ridge Charter School
Kuna Idaho

Project No: 112076
Date of Issuance: 07/2/2013
Designed by: JMI
Checked by: JRW
Sheet No:

1

RESOLUTION NO. R24-2013

BE IT HEREBY RESOLVED by the Mayor and Council of the City of Kuna, Idaho, to accept that certain pressure irrigation line Easement, dated August 13, 2013, provided by FALCON RIDGE PUBLIC CHARTER SCHOOL, and directing that said Easement be recorded in the records of Ada County, State of Idaho, and which Easement is attached hereto, and made a part hereof, as if set forth in full.

PASSED BY THE COUNCIL of Kuna, Idaho this 3rd day of September, 2013.

APPROVED BY THE MAYOR of Kuna, Idaho this 3rd day of September, 2013.

W. Greg Nelson, Mayor

ATTEST:

Brenda S. Bingham, City Clerk



City of Kuna

Findings of Fact

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

To: Kuna City Council

Case Number: 13-02-S Subdivision, Preliminary Plat

Location: North Red Delicious Avenue (SEC Ten Mile & Mason Creek St.)
Kuna, Idaho 83634

Planner: Troy Behunin, Senior Planner

Meeting Date: August 6, 2013 (Continued)
August 20, 2013

Findings of Fact: September 3, 2013

Applicants: LEI Engineers & Planners, *Laren Bailey*
2040 S. Eagle Road
Meridian, ID, 83642
208.846.9600
Lbailey@LEI-Eng.com

DBTV Applewood Farm LLC, *Tim Eck*
6152 W. Half Moon lane
Eagle, ID, 83616
208.850.0591
Tweenterprises@yahoo.com

Table of Contents:

- A. Course Proceedings
- B. General Facts, Staff Analysis
- C. Applicable Standards
- D. Comprehensive Plan Analysis
- E. Findings of Fact
- F. Conclusions of Law
- G. Order of Decision by the Council

A. Course of Proceedings

1. Proposing Preliminary Plat for a residential subdivision is designated in Kuna City Code (KCC), 1-14-3 as a public hearing, with the City Council as the decision making body. This land use was given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65, Local Planning Act.
 - a. **Notifications**

i. Agencies	April 15, 2013
ii. 300' Property Owners	July 2, 2013 (sent)
iii. Kuna Melba Newspaper	July 10, 2013
iv. Site Posted	July 25, 2013
2. In accordance with KCC Title 6 in Kuna City Code (KCC) this application seeks re-approval for a Preliminary Plat (residential subdivision), known as Silver Trail Subdivision.

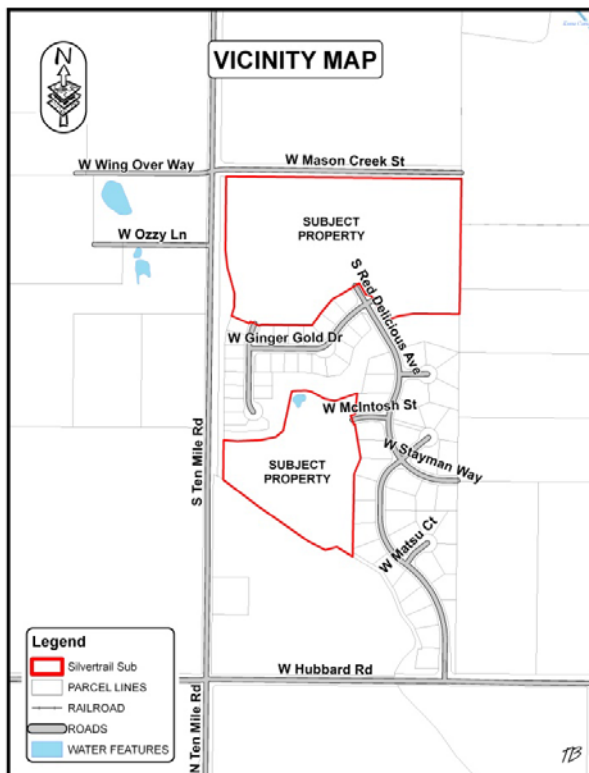
B. General Project Facts, Staff Analysis:

1. **Request:** The applicant is seeking preliminary plat re-approval for a residential subdivision in Kuna consisting of 115 buildable lots and 11 common lots over two parcels, and approximately 29.3 acres.
2. The applicant has submitted all necessary documents and materials for review and has held the appropriate neighborhood meeting and posted the site in accordance with KCC posting requirements.
3. **History:** The applicant is proposing a new preliminary re-plat for 115 lots and 11 common lots. This request has a slightly different lot arrangement than what was previously approved. The new lot count reflects an effort to match the developers Local Improvement District (LID) Equivalent Dwelling Units (EDU) obligation for the parcel. The overall increase in lots from the previous approval is about 15 additional buildable lots but remains within allowable densities for the R-6 zone.
4. **Legal Description:** A legal description was included with the application and is in the file.
5. **Comprehensive Plan Designation:** The Future Land Use map (FLU) identifies a designation of Medium Residential. In 2006 when this preliminary plat was originally approved, it was granted the R-6 zoning. In accordance with KCC 5-3-2, staff views this residential use request as compatible.

6. **Land Use:**

Direction	Current Zoning	
North	R-6	Medium Residential – Kuna City
South	RR	Rural Residential – Ada County
East	R-6, RR	Medium Residential – Kuna City and Rural Residential – Ada County
West	RR	Rural Residential – Ada County

6.1 Vicinity and Aerial Maps:



6.2 Parcel Numbers: APN: R1727740012, S1311336210

6.3 Parcel Sizes and Current Zoning:

Acres: 20.14 acres, 9.13 acres

Zoning: R-6 for both parcels.

6.4 Services:

Fire Protection – Kuna Fire District

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

Sanitary Sewer– City of Kuna

Potable Water – City of Kuna

Irrigation District – Boise-Kuna Irrigation District

Pressurized Irrigation – City of Kuna (KMID)

Sanitation Services – K&M Sanitation

6.5 Existing Structures, Vegetation and Natural Features: The site is currently vacant and relatively flat. The vegetation is what is commonly associated with a vacant lot, and the site has more than 1,200 feet of street frontage along Mason Creek Street.

6.6 Transportation / Connectivity: Road frontage is on Mason Creek Street, additional access is from Ten Mile Road.

6.7 Public Services, Utilities and Facilities: The following agencies returned comments on this project; City Engineer, Kuna Forester, Department of Environmental Quality and Central District Health Department.

C. Applicable Standards:

1. City of Kuna Zoning Ordinance No. 230.
2. City of Kuna Design Review Ordinance, 2011-08.
3. City of Kuna Subdivision Ordinance No. 2010-15, title 6 Subdivision Regulations.
4. City of Kuna Landscape Ordinance No. 2006-100.
5. City of Kuna Comprehensive Plan.
6. Idaho Code, Title 67, Chapter 65, Local Land Use Planning Act.

D. Comprehensive Plan Analysis:

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

1. The proposed subdivision preliminary plat for the site is consistent with the following Comprehensive Plan components:

GOALS AND POLICIES – 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 POLICIES – 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 POLICIES – 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.

E. Findings of Fact:

1. All required procedural items have been completed as shown in the staff report.
2. The proposed residential development complies with Section 6.0 of Kuna's Comprehensive Plan.
3. Public services are available and are adequate to accommodate this site's development.
4. The residential preliminary plat appears to not be detrimental to the public's health, safety and general welfare.
5. The site is zoned R-6 and intended for use as a residential subdivision after acquiring the proper approvals.
6. The project description and staff analysis and findings of fact are correct
7. Recommendation by the Planning and Zoning Commission:
Based on the facts outlined in staff's report and public testimony as presented, the Planning and Zoning Commission of Kuna, Idaho, hereby recommends *approval* for Case No. 13-02-S, a subdivision request by DBTV Applewood Farm, LLC, (Tim Eck), with the following conditions of approval:
 - a) Follow all staff recommendations listed in the staff report,
 - b) Developer shall coordinate with and follow the City Forester on alternate trees for certain species,
 - c) Single story homes for lots that back North Ten Mile Road,
 - d) Match and continue the existing perimeter fence,
 - e) Work with the City to provide correct fencing around retention ponds.

F. Conclusions of Law:

1. The preliminary plat use is consistent with Kuna City Code.
2. The preliminary plat use appears to meet the general objectives of Kuna's Comprehensive Plan.
3. The site is physically suitable for a preliminary plat use.
4. The preliminary plat use is not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.
5. The residential preliminary plat is not likely to cause adverse public health problems.
6. The residential preliminary plat appears to be in compliance with all ordinances and laws of the City.
7. The residential preliminary plat appears to not be detrimental 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.
8. The existing and proposed street and utility services in proximity to the site are suitable and adequate for residential purposes.

9. Based on evidence contained in Case #13-02-S, this proposal appears to comply with KCC Title 6.
10. Based on the evidence contained in Case #13-02-S this proposal appears to comply with Section 6.0 of the Comprehensive Plan and the Kuna Comprehensive Future Land Use Map.
11. The City Council has the authority to approve or deny this preliminary plat application.
12. The public notice requirements were met and the public hearing was conducted within the guidelines of applicable Idaho Code and City Ordinances.

G. Order of Decision by the Council

Note: This proposed motion is to approve or deny this subdivision preliminary plat request. If the City Council wishes to recommend approval or denial for specific parts of the requests as detailed in the report, those changes must be specified.

On August 20, 2013, the City Council voted 3-2, to approve case No. **13-02-S** based on the facts outlined in staff's report, case file and public testimony at the public hearing. The City Council of Kuna, Idaho, hereby **approves** Case No. **13-02-S**, a subdivision preliminary plat request by DBTV Applewood Farm, LLC, (Tim Eck), with the following conditions of approval:

Conditions of Approval:

- The City Council did not accept the planning and zoning recommendation for requiring single-story homes along Ten Mile Road. City Council approved two-story homes on lots which back North Ten Mile Road.
1. The applicant shall obtain written approval of the construction plans from the agencies noted below. The approval may be either on agency letterhead referring to the approval use or may be written or stamped upon a copy of the approved plan. All site improvements are prohibited prior to approval of these agencies.
 - a.) The City Engineer shall approve the sewer and water hook-ups.
 - b.) The Kuna Fire District shall approve all fire flow requirements and/or building plans.
 - c.) The Boise-Kuna Irrigation District shall approve all proposed modifications to the existing irrigation system.
 - d.) Approval from Ada County Highway District / Impact Fees, if any shall be paid prior to building permit approval.
 - e.) The City Engineer shall approve a surface drainage run-off plan, (if needed). As recommended by Central District Health Department, the plan should 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 a drainage design plan from the Kuna City Engineer. The drainage design plan shall include all proposed site grading.
 2. All public right-of-way shall be dedicated and constructed to standards of the City and Ada County Highway District. No public street construction may be commenced without the approval of the Ada County Highway District. Any work within the Ada County Highway District right-of-way requires a permit. For information regarding the requirements to obtain a permit, contact Ada County Highway District Development Services at 208-387-6100.
 - 2.1 – Dedicate right-of-way in sufficient amounts which 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.
 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.
 5. Lighting within the site shall comply with Kuna City Code.
 6. Parking within the site shall comply with Kuna City Code (Except as specifically approved otherwise).
 7. Fencing within and around the sites shall comply with Kuna City Code (Except as specifically approved otherwise).

8. Signage within the site shall comply with Kuna City Code. (The applicant shall apply for a sign permit prior to sign construction).
9. The applicant shall follow all of the requirements for sanitary sewer, potable water, pressure irrigation system connections, and all other requirements of the City engineer, as outlined in the Engineers memorandum dated May 1, 2013, and all future comments and/or corrections.
10. Submit a petition prior to submitting an application for final plat to the City, consenting to the pooling of irrigation surface water rights for delivery purpose and requesting to annex the irrigation surface water rights appurtenant to the property to the Kuna Municipal Pressure Irrigation District (KMID).
11. The applicant's preliminary plat (date stamped 3.18.2013) and landscape, parking and lighting plan, (date stamped 4.12.2013) shall be considered binding site plans.
12. All required landscaping shall be permanently maintained in a healthy growing condition. The property owner shall remove and replace any unhealthy or dead plant material immediately (within 5 days as weather permits or as the planting season permits), as required to meet the standards of these requirements. Maintenance and planting within public right-of-way shall be with approval from the public and/or private entities owning the property.
13. The applicant shall comply with all Federal, State and Local Laws.

DATED: this ____ day of _____, 2013.

W. Greg Nelson, Kuna Mayor

ATTEST:

Brenda Bingham
Kuna City Clerk

ORDINANCE NO. 2013-17

ANNUAL APPROPRIATION ORDINANCE

AN ORDINANCE ENTITLED THE ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014, APPROPRIATING THE SUM OF \$11,656,787 TO DEFRAY EXPENSES AND LIABILITIES OF THE CITY OF KUNA FOR SAID FISCAL YEAR; AUTHORIZING A LEVY OF A SUFFICIENT TAX UPON THE TAXABLE PROPERTY ; SPECIFYING THE OBJECTS AND PROPOSED EXPENSES FOR WHICH SAID APPROPRIATION IS MADE ; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED by the Mayor and City Council of the City of Kuna, Ada County, Idaho.

SECTION 1. That the sum of \$11,656,787 be, and the same is appropriated to defray the necessary expenses and the liabilities of the City of Kuna, Ada County, Idaho, for the fiscal year beginning October 1, 2013.

SECTION 2. The objects and purposes for which such appropriation is made, and the amount of each object and purpose is as follows:

ESTIMATED EXPENDITURES**GENERAL FUND**

LAW ENFORCEMENT SERVICES	\$1,518,954.00
PROSECUTORIAL SERVICES	\$48,911.00
ANIMAL CONTROL SERVICES	\$54,642.00
GENERAL GOVERNMENT	\$473,511.00
GENERAL FUND CAPITAL	\$10,062.00
CONTINGENCY	\$314,035.00
CONTRACT SERVICES	\$3,870.00
DONATIONS	\$7,000.00
DUES & MEMBERSHIPS	\$25,869.00
DEPOSITS ON ACCOUNT	\$0.00
LEGAL PUBLICATIONS	\$1,543.00
SENIOR CENTER	\$15,273.00
STREET LIGHTS	\$88,315.00
PLANNING & ZONING OPERATIONS	\$275,884.00
BUILDING INSPECTION	\$116,953.00
PARK OPERATIONS	\$511,898.00
Total General Fund	\$3,466,720.00

<u>L.I.D #2006-1 FUND</u>	<u>\$0.00</u>
<u>LATE COMERS FUND</u>	<u>\$459,050.00</u>
<u>GRANT FUND</u>	<u>\$188,000.00</u>
<u>WELL MITIGATION FUND</u>	<u>\$250,000.00</u>
<u>JUVENILE JUSTICE FUND</u>	<u>\$0.00</u>
<u>ENTERPRISE FUNDS</u>	
Water Fund	\$2,142,341.00
Sewer Fund	\$2,904,125.00
Pressurized Irrigation Fund	\$891,276.00
Solid Waste Collection Fund	\$1,355,275.00
Total Enterprise Funds	<u>\$7,293,017.00</u>
GRAND TOTAL ALL FUNDS	<u>\$11,656,787.00</u>

SECTION 3. That a general tax levy on all taxable property within the City of Kuna be levied in the amount of \$1,707,316 for the general purposes in said City for the fiscal year beginning October 1, 2013.

SECTION 4. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5. This ordinance shall take effect and be in full force upon its passage, approval, and publication in one issue of *Kuna-Melba News*, a newspaper of general circulation in the City of Kuna, and the official newspaper of said City.

PASSED under suspension of rules, upon which a roll call vote was taken and duly enacted an ordinance of the City of Kuna, Ada County, Idaho at a convened meeting of the Kuna City Council held on the 3rd day of September, 2013.

W.G. Nelson, Mayor

ATTEST:

Brenda Bingham, City Clerk

Election Day – Council Meeting History		
Election Day	Regular Council Meeting Schedule	Council Meeting Held, Rescheduled or Cancelled
November 7, 2006	November 7, 2006	Rescheduled to Wednesday, November 8
November 6, 2007	November 6, 2007	Rescheduled to Thursday, November 8
November 4, 2008	November 4, 2008	Held on Election Day at 8 p.m.
November 3, 2009	November 3, 2009	Rescheduled to Wednesday, November 4
November 2, 2010	November 2, 2010	Rescheduled to Monday, November 8
November 8, 2011	November 1, 2011	N/A
November 6, 2012	November 6, 2012	Held on Election Day at 6:30 p.m.

RESOLUTION NO. R 24-2013

A RESOLUTION OF THE CITY OF KUNA, IDAHO AUTHORIZING THE ASSIGNMENT OF A CERTAIN NUMBER OF OSPREY RIDGE DEVELOPMENT SEWER CONNECTIONS NOW OWNED BY ROY E. STEPHENSON, A MARRIED PERSON (34% INTEREST), MICHAEL TOOMEY, TRUSTEE OF THE ALBION ENTERPRISES, INC. DEFINED BENEFIT PLAN TRUST (50% INTEREST) AND WILLIAM R. STURGEON, TRUSTEE OF BUSINESS SERVICES RETIREMENT PLAN (16% INTEREST) (HEREINAFTER REFERRED TO AS "ASSIGNOR") AND DBTV AGRICULTURAL HOLDINGS, LLC, A DELAWARE LIMITED LIABILITY COMPANY ("ASSIGNEE").

Recitals

- A. On October 16, 2007, Osprey Ridge Partners LLLP, an Idaho limited liability limited partnership (Assignor's predecessor in interest, referred to herein as "Osprey") and the City of Kuna entered into that certain agreement attached hereto as Exhibit A ("Osprey Agreement") which, inter alia, entitled Osprey to pre-pay certain sewer connection fees, at the rate of \$4,200.00 each, to connect 306.12 residential units to the City of Kuna's sewer treatment plants ("Sewer Connections"). The City of Kuna has received payment for the amount due pursuant to the terms of the Osprey Agreement.
- B. Pursuant to the Osprey Agreement, upon payment of the sums due under the Osprey Agreement, the City of Kuna agreed to show in its records that the Sewer Connections were purchased by, and the property of, Osprey.
- C. Pursuant to the Osprey Agreement the Sewer Connections were transferable and Osprey was entitled to transfer, pledge or sell the Sewer Connections.
- D. Osprey assigned to Assignor all of its right, title and interest in and to the Sewer Connections, and rights related thereto in that certain Assignment of Sewer Connection Credits which was recorded November 12, 2012 in the records of Ada County, Idaho as Instrument Number 112122866 attached hereto as Exhibit B.
- E. Assignor now desires to assign to Assignee all of its right, title and interest in and to a certain number of Sewer Connections (amount to be determined) and its rights related thereto (collectively, "Assigned Sewer Connections").

WHEREAS, Said reimbursement agreement requires that the City of Kuna give written consent to an assignment.

BE IT HEREBY RESOLVED by the Mayor and Council of the City of Kuna, Idaho that the City of Kuna hereby consents to the Osprey Ridge Development Sewer Connections, in an amount to be determined in the assignment agreement, by and

between Roy E. Stephenson, a married person (34% interest), Michael Toomey, Trustee of The Albion Enterprises, Inc. Defined Benefit Plan Trust (50% interest) and William R. Sturgeon, Trustee of Business Services Retirement Plan (16% interest) (hereinafter referred to as "Assignor") and DBTV Agricultural Holdings, LLC, a Delaware limited liability company ("Assignee").

PASSED BY THE COUNCIL of Kuna, Idaho this 3rd day of September 2013.

APPROVED BY THE MAYOR of Kuna, Idaho this 3rd day of September 2013.

W. Greg Nelson, Mayor

ATTEST:

Brenda S. Bingham, City Clerk

EXHIBIT A

AGREEMENT

This Agreement made between Osprey Ridge Partners, LLLP, an Idaho limited liability limited partnership, its members, affiliates, successors and assigns (collectively "Osprey Ridge") and the City of Kuna, an Idaho municipal corporation ("Kuna" or the "City").

WHEREAS, Osprey Ridge intends to develop certain real properties it and/or its members, assignees or affiliates own, are the contract purchaser of or may acquire in the vicinity of Kuna, the present extent of which is graphically depicted on Exhibit "A" attached hereto and incorporated herein (collectively the "Land") and desires to annex the Land into Kuna, entitle the Land with appropriate zoning designations and building densities, obtain Kuna sewer, water and other City services for the Land and further develop the Land;

WHEREAS, Osprey Ridge is willing to contribute the sum of One Million Two Hundred Eighty Five Thousand Seven Hundred Six Dollars (\$1,285,706.00) to Kuna to be used toward a 30% expansion of capacity in the pending construction of the Kuna Siemens MBR north wastewater treatment plant (the "Sewer Plant") in exchange for said annexation, entitlement, provision of City services and development of the Land;

WHEREAS, Kuna is willing to annex, entitle, grant zoning designations, provide City services to and allow development of the Land in return for the payment by Osprey Ridge;

NOW THEREFORE, in consideration of the mutual promises contained herein the parties agree as follows.

1. The recitals set forth above are a material part of this Agreement and not mere recitals.
2. Osprey Ridge agrees to contribute \$1,285,706.00 to the City for the exclusive purpose of funding a 30% expansion of capacity in the construction of the Sewer Plant to 13,000 equivalent domestic units ("EDU's") from its original design of 10,000 EDU's. Osprey Ridge has already paid the City \$158,000.00 for the Keller & Associates redesign study for the expansion of capacity. The remaining balance to be paid by Osprey Ridge is \$1,127,706.00, (\$317,319.00 of which is for the Siemens Water Technology change order number 1 to upsize pumps and mechanical equipment to be installed in the first phase of the expansion of the Sewer Plant, and the remaining balance of which is to be used for the construction of the expanded capacity Sewer Plant.)
3. Osprey Ridge agrees to obtain an irrevocable letter of credit or other instrument satisfactory to Kuna to guarantee that the remaining balance not yet paid under paragraph 2 will be available for construction of the Sewer Plant when construction begins. Osprey Ridge will provide the letter of credit within two weeks of the execution of this Agreement. If Osprey Ridge places the remaining balance in one or more interest bearing accounts instead of obtaining a letter of credit, Osprey Ridge will receive any interest earned.

4. Kuna agrees to use the funds paid by Osprey Ridge for the sole purpose of construction of the expanded capacity Sewer Plant. Funds shall be released as required for the construction of the Sewer Plant, on a schedule and according to benchmarks met as shall be determined by the City's engineers. Of invoices paid, 7.4643% (being the ratio Osprey Ridge's contribution bears to the overall project cost) of the invoice amounts paid shall be taken from the monies contributed by Osprey Ridge until such funds are depleted, after which all invoices will be paid by the City.
5. The \$1,285,706.00 paid by Osprey Ridge shall be credited as pre-payment for "Sewer Connections" at the rate of \$4200.00 per Sewer Connection. Osprey Ridge now has credit for 37.62 Sewer Connections for the \$158,000.00 paid to date, shall receive Sewer Connections as moneys are paid, and shall have purchased 306.12 Sewer Connections for the \$1,285,706.00 when paid. As Osprey Ridge pays these sums, corresponding EDU's and Sewer Connections will be shown in the City's records as purchased by, and the property of, Osprey Ridge. Osprey Ridge shall be entitled to transfer, pledge or sell said Sewer Connections as allowed in adopted City policies, resolutions or ordinances, pass through its cost to purchasers and be compensated directly by those purchasers for the Sewer Connections.
6. Kuna shall not be responsible to construct transmission or collection lines to the Land for water or sewer services; rather Osprey Ridge will construct such lines at its cost. Kuna agrees to reimburse Osprey Ridge for such construction costs that are eligible for reimbursement pursuant to the City's reimbursement policies and ordinances, but cannot guarantee full reimbursement.
7. Kuna agrees to annex the Land into the City under the "A" or Agricultural designation when the Land becomes contiguous to Kuna. Osprey Ridge agrees to consent to annexation of the Land. Kuna also agrees to consider annexation of the Thomson land consisting of 960 acres, more or less and the Yamamoto/Origin Properties land consisting of 840 acres, more or less into the City under the "A" or Agricultural zoning designation, or such other land(s) necessary to establish contiguity between the Land and the City (the "Annexation Path Lands"). Kuna agrees to waive fees for applications to annex the Land and the Annexation Path Lands into the "A" or Agricultural zoning designation.
8. Osprey Ridge intends to and may submit applications and development agreements to Kuna for zoning, entitlement and plat approvals for developing the Land in whatever form it chooses with design, features, open space and amenities as shall be agreed between Osprey Ridge and Kuna. Such applications and development agreements shall comply with Kuna's zoning ordinances and Kuna's comprehensive plan, and approval of all proposed development must be the product of Kuna's standard zoning application and approval procedure, including the fees associated with rezoning to a development designation. Kuna agrees that it will process any applications submitted and negotiation of any Development Agreements concurrently with the annexation applications. Kuna does not guarantee any particular zoning designation or density approval on any particular parcel, but does guarantee to Osprey Ridge a minimum blended density of three

- (3) buildable lots/density units per gross acre in the overall development on the Land.
9. Osprey Ridge will provide easements across the Land necessary to provide City services to the Land, and will cooperate with and assist Kuna to obtain such easements across the property of third parties as necessary. Kuna shall not be obligated to use force or condemnation to acquire such easements if they cannot be obtained by other means.
10. This Agreement contains the entire agreement of the parties unless supplemented in a writing signed by both parties, but Osprey Ridge and the City reserve the right to so supplement this Agreement, including without limitation to provide for additional contributions, additional reservation of sewer capacity and any other terms the parties may mutually agree.
11. This Agreement is entered into by Kuna with the approval of the Kuna City Council.

OSPREY RIDGE:

By: Todd Massey
Todd Massey, Manager

Dated: October 16, 2007

CITY OF KUNA:

By: Scott Dowdy
Scott Dowdy, Mayor

Dated: October 16, 2007

EXHIBIT B

Recording Requested by and After Recording Return To: Michael Toomey P.O. Box 1715 Kernville, CA 93238	ADA COUNTY RECORDER Christopher D. Rich AMOUNT 52.00 15 BOISE IDAHO 11/21/12 04:09 PM DEPUTY Che Fowler RECORDED - REQUEST OF Albion Enterprises  112122866
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This Space Reserved for Recording Purposes

ASSIGNMENT OF SEWER CONNECTION CREDITS

THIS ASSIGNMENT OF SEWER CONNECTION CREDITS (this "Assignment") is effective as of April 27, 2012 (the "Effective Date"), by and between **OSPREY RIDGE PARTNERS, LLLP**, an Idaho limited liability limited partnership ("Assignor"), and **ROY E. STEPHENSON**, a married person (34% interest), **MICHAEL TOOMEY, TRUSTEE OF THE ALBION ENTERPRISES, INC. DEFINED BENEFIT PLAN TRUST** (50% interest), and **WILLIAM R. STURGEON, TRUSTEE OF BUSINESS SERVICES RETIREMENT PLAN** (16% interest) (collectively, "Assignee").

RECITALS

A. On October 16, 2007, Assignor and the City of Kuna (the "City") entered into that certain Agreement (the "Agreement") relating to the development of certain real property located in Ada County, Idaho, more particularly described in the Agreement. A copy of the Agreement is attached hereto as **Exhibit A**.

B. Pursuant to the terms of the Agreement, Assignor agreed to contribute (and did contribute) the sum of \$1,285,706.00 to the City in exchange for, among other things, credits for 306.12 Sewer Connections (as defined in the Agreement) at the rate of \$4,200.00 per Sewer Connection (the "Sewer Connection Credits").

C. On April 27, 2012, Assignee foreclosed on and became successor-in-interest to all of Assignor's right, title, interest in the real property more particularly described on **Exhibit B** attached hereto and the appurtenances thereto (the "Property") including, without limitation, the Sewer Connection Credits.

D. The parties now desire to confirm the transfer of all of Assignor's right, title and interest in and to the Sewer Connection Credits to Assignee as set forth below.

ASSIGNMENT

NOW THEREFORE, in consideration of the payment of Ten Dollars (\$10.00), the foregoing Recitals, which are hereby incorporated into this Assignment, and the mutual covenants and agreements contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Assignment. As of the Effective Date, Assignor hereby assigns, transfers, sets over, and delivers unto Assignee all of Assignor's right, title, and interest, if any, in and to the Sewer Connection Credits. Assignee hereby accepts the foregoing assignment of the Sewer Connection Credits from and after the Effective Date.

2. Further Acts. From time to time and at Assignee's request, Assignor shall do, execute, acknowledge, and deliver or shall cause to be done, executed, acknowledged, and delivered such further acts, documents, instruments, or assurances as reasonably may be required to carry out and give full effect to the terms of this Assignment.

3. Binding Effect. This Assignment shall be binding on and inure to the benefit of the parties hereto, their heirs, executors, administrators, successors-in-interest, and assigns.

4. Counterpart Signatures. This Assignment may be executed in multiple counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one and the same instrument.

5. Governing Law. This Assignment shall be construed in accordance with and governed by the laws of the State of Idaho.

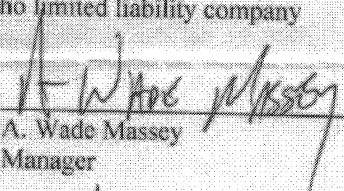
IN WITNESS WHEREOF, the parties hereto have caused this Assignment to be executed effective as of the day and year first above written.

ASSIGNOR:

OSPREY RIDGE PARTNERS, LLLP, an Idaho limited liability limited partnership

By: OSPREY RIDGE, LLC, its General Partner,
an Idaho limited liability company

By: KBK ACQUISITIONS, LLC, its Member,
an Idaho limited liability company

By: 

A. Wade Massey
Manager

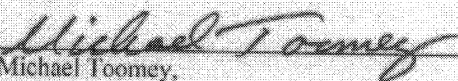
By: 

Jack Hawkins
Manager

ASSIGNEE:



Roy E. Stephenson



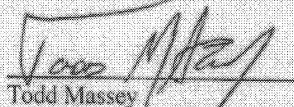
Michael Toomey,
Trustee of The Albion Enterprises, Inc.
Defined Benefit Plan Trust



William R. Sturgeon,
Trustee of Business Services Retirement Plan

ACKNOWLEDGMENT AND CONSENT

Todd Massey, former agent of Osprey Ridge Partners, LLLP and in that capacity the signatory to the Agreement as defined above; and also a former manager of Landevel, LLC and in that capacity a signatory to that certain Development Agreement dated June 13, 2008 between Osprey Ridge Partners, LLLP and the City of Kuna, by his signature below agrees that he acknowledges and consents to the above Assignment of Sewer Connection Credits.


Todd Massey

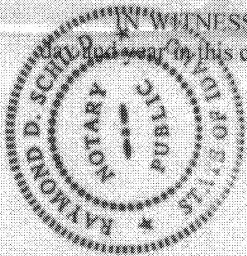
[Notary signatures blocks on following pages.]

STATE OF IDAHO

COUNTY OF Ada

) ss.

On this 28th day of June 2012, before me, a Notary Public in and for the said State, personally appeared A. Wade Massey known or identified to me to be a Manager of KBK Acquisitions, LLC, an Idaho limited liability company, which is a member of Osprey Ridge, LLC, an Idaho limited liability company, which is the general partner of Osprey Ridge Partners, LLLP, an Idaho limited liability partnership, who subscribed said limited liability company name to the foregoing instrument, and acknowledged to me that he executed the within instrument on behalf of said limited liability company, on behalf of said limited liability company partnership and that the limited liability limited partnership 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.

Notary Public

Residing at: Boise, IdahoMy Commission Expires: 4-3-13

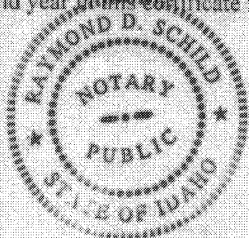
STATE OF IDAHO

COUNTY OF Ada

) ss.

On this 3rd day of July 2012, before me, a Notary Public in and for the said State, personally appeared Jack Hawkins, known or identified to me to be a Manager of KBK Acquisitions, LLC, an Idaho limited liability company, which is a member of Osprey Ridge, LLC, an Idaho limited liability company, which is the general partner of Osprey Ridge Partners, LLLP, an Idaho limited liability partnership, who subscribed said limited liability company name to the foregoing instrument, and acknowledged to me that he executed the within instrument on behalf of said limited liability company, on behalf of said limited liability company partnership and that the limited liability limited partnership 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.



Notary Public

Residing at: Boise, IdahoMy Commission Expires: 4-3-13

ASSIGNMENT OF SEWER CONNECTION CREDITS

STATE OF CALIFORNIA)
) ss:
 County of Los Angeles)

On this 10th day of September 2012, before me, Sharareh Edalatpisheh a notary public, personally appeared ROY E. STEPHENSON, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Sharareh Edalatpisheh



STATE OF CALIFORNIA)
) ss:
 County of Keen)

On this 17 day of August, 2012, before me, F. Rene Mitchell, a notary public, personally appeared MICHAEL TOOMEY, TRUSTEE OF THE ALBION ENTERPRISES, INC. DEFINED BENEFIT PLAN TRUST, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

F. Rene Mitchell
 Notary Public



STATE OF CALIFORNIA)
) ss:
County of Kern)

On this 17 day of August, 2012, before me, F. Rene Mitchell, a notary public, personally appeared WILLIAM R. STURGEON, TRUSTEE OF BUSINESS SERVICES RETIREMENT PLAN, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

F. Rene Mitchell, notary public



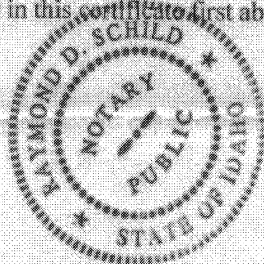
STATE OF IDAHO)

COUNTY OF) ss.

Ada

On this 28th day of June 2012, before me, a Notary Public in and for the said State, personally appeared Todd Massey, known or identified to me (or proven to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he 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.

Raymond D. Schild
Notary PublicResiding at: Boise, IdahoMy Commission Expires: 4-3-13