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

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

City Council Meeting
AGENDA
Tuesday, January 21, 2020

6:00 P.M. REGULAR CITY COUNCIL

1. Call to Order and Roll Call

2. Invocation: *None*

3. Pledge of Allegiance: Mayor Stear

4. Consent Agenda: ALL OF THE LISTED CONSENT AGENDA ITEMS ARE ACTION ITEMS

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

A. Regular City Council Meeting Minutes, January 7, 2020

B. Accounts Payable Dated January 16, 2020 in the amount of $1,178,585.12

C. New Alcohol License:

Family Dollar Inc dba Family Dollar Store #27198 349 E Avalon Street – Off Premise Beer & Off Premise Wine

D. Resolutions:

1. Consideration to approve Resolution No. R09-2020

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPOINTING CERTAIN CITY OF KUNA, IDAHO OFFICIALS AS PERSONS AUTHORIZED TO SIGN FOR BANKING SERVICES ON BEHALF OF THE CITY OF KUNA, IDAHO AND PROVIDING THAT THE SIGNATURES ARE VALID FOR THE 2020 YEAR OR UNTIL REVOKED BY ACTION OF THE MAYOR, AS PROVIDED FOR IN RESOLUTION NO. R33-2018.

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

2. Consideration to approve Resolution No. R10-2020

A RESOLUTION OF THE CITY OF KUNA, IDAHO APPOINTING SEVEN (7) MEMBERS TO THE ECONOMIC DEVELOPMENT EXECUTIVE COMMITTEE.

E. Final Plat:

Consideration to approve Case No. 19-08-FP (Final Plat) for the Memory Ranch Subdivision No. 3.

5. Community Reports or Requests:

Introduction of Sergeant Brian Keene – Jon McDaniel, Kuna Police Chief

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

A. Public Hearing continued from the November 19, 2019 and January 7, 2020 Regular City Council Meetings for public oral and written testimony and Third Reading with Consideration to approve Ordinance No. 2019-44 – Wendy Howell, Planning & Zoning Director and Bobby Withrow, Parks Director ACTION ITEM

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:

- MAKING CERTAIN FINDINGS, PURPOSES AND ORDINANCE ENACTMENT HISTORY; AND
- REPEALING SECTION 20, ARTICLE A, CHAPTER 2, TITLE 4 KUNA CITY CODE; AND
- AMENDING AND REDESIGNATING SECTIONS 21 THROUGH 38, ARTICLE A, CHAPTER 2 OF TITLE 4 KUNA CITY CODE; AND
- AMENDING SUBSECTION 2 OF SECTION 6, CHAPTER 1, TITLE 5 KUNA CITY CODE MAKING A TECHNICAL CORRECTION TO THE DEFINITION OF "OPEN SPACE"; AND
- AMENDING SECTION 5, CHAPTER 5 OF TITLE 5 KUNA CITY CODE MAKING TECHNICAL CORRECTIONS REGARDING THE GENERAL REQUIREMENTS OF FENCE REGULATIONS; AND
- REPEALING SECTION 4, CHAPTER 6, TITLE 5 KUNA CITY CODE; AND
- AMENDING AND REDESIGNATING SECTIONS 4, 5, 6, 7, 8, AND 9 OF CHAPTER 6 OF TITLE 5 KUNA CITY CODE; AND
- AMENDING SECTIONS 2, 4, 6, 10, 12, AND 20, CHAPTER 17, TITLE 5 OF KUNA CITY CODE MAKING TECHNICAL CHANGES TO DESIGN REQUIREMENTS AND ADDING REQUIREMENTS FOR RESIDENTIAL OPEN SPACE; AND
- AMENDING SECTION 2, CHAPTER 4 OF TITLE 6 KUNA CITY CODE PROVIDING FOR A CHANGE IN THE TEXT DESIGNATION FOR DEFINITIONS UPON WHICH CITY STAFF CAN RELY AND MAKING A TECHNICAL CORRECTION REGARDING THE MEASUREMENT OF FENCE HEIGHT AND LOCATION OF FENCING; AND

- PROVIDING A SEVERABILITY CLAUSE; AND
- DIRECTING THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Re-Open Public Hearing
Receive evidence
Consideration to close evidence presentation and proceed to deliberation
Potential Motions:
Option 1:
Consideration to waive third reading
Consideration to approve ordinance
Consideration to approve summary publication
Option 2: Continue the Public Hearing to a time and date certain.

B. Public Hearing continued from the January 7, 2020 Regular City Council Meeting for public oral and written testimony and Consideration to approve new water and sewer system fees and policies – Bob Bachman, Public Works Director ACTION ITEM

Re-Open Public Hearing
Receive evidence
Potential Motions:
Consideration to close evidence presentation and proceed to deliberation

1. Consideration to approve Resolution No. R01-2020

A RESOLUTION AMENDING PORTIONS OF RESOLUTION R84-2017 THAT: SETS FORTH THE AUTHORITY FOR ADOPTING WATER CONNECTION FEES AND MONTHLY WATER SERVICE RATES; ESTABLISHES FEES FOR CONNECTING TO THE WATER SYSTEM; ESTABLISHES WATER USE FEES THAT ARE NOW AMENDED WITH WATER RATE CHANGES FOR ALL CUSTOMERS; PROVIDES FOR MISCELLANEOUS WATER CUSTOMER SERVICE POLICIES; SETS FORTH MINIMUM LINE SIZES; REPEALS FEES ESTABLISHED BY EARLIER RESOLUTIONS; AND SETS AN EFFECTIVE DATE.

2. Consideration to approve Resolution No. R02-2020

A RESOLUTION AMENDING CERTAIN SECTIONS OF RESOLUTION R83-2017 THAT: SETS FORTH THE AUTHORITY FOR ADOPTING SEWER FEES; ESTABLISHES FEES FOR CONNECTING TO SEWER SYSTEM; ESTABLISHES MONTHLY SEWER USE FEES THAT ARE NOW AMENDED WITH SEWER RATE CHANGES FOR ALL CUSTOMERS; SETS FORTH MINIMUM LINE SIZES; REPEALS FEES ESTABLISHED BY EARLIER RESOLUTIONS; AND SETS AN EFFECTIVE DATE.

C. Public Hearing and Consideration to approve 19-06-ZC (Rezone) & 19-07-S (Preliminary Plat) – Doug Hanson, Planner I ACTION ITEM

On behalf of Carl Bader (owner), JUB Engineers requests to rezone one parcel consisting of approximately 7.25 acres from an "A" (Agriculture) to "R-6" (Medium Density Residential) zoning district classification and to subdivide the 7.25 acres into 35 total lots (twenty-nine (29) buildable lots, six (6) common lots). The subject site is located at 750 S. Ten Mile Road, Kuna, ID 83634, within Section 26, Township 2 North, Range 1 West; (APN: R5070503500).

Open Public Hearing
Receive evidence
Consideration to close evidence presentation and proceed to deliberation

Potential Motions:

Consideration to either:

Option 1: Approve or Deny 19-06-ZC (Rezone) & 19-07-S (Preliminary Plat) and the Findings of Fact, Conclusions of Law and Order of Decision as presented in the packet and Close the Public Hearing.

Option 2: Continue the Public Hearing to a time and date certain, direct staff to prepare a draft Findings of Fact, Conclusions of Law and Order of Decision for consideration by the Council.

D. Public Hearing and Consideration to approve 19-07-ZC (Rezone) & 19-03-S (Preliminary Plat) for Robin Hood Subdivision – Troy Behunin, Planner III & Mark Tate, M3 Companies (Owner) ACTION ITEM

The applicant, JUB Engineers, on behalf of M3 Companies (Owner), requests approval to rezone approx. 25.08 acres and subdivide approx. 37.61 acres into 137 total lots. This site is located near the NEC of Cloverdale and Kuna Roads, Kuna, Idaho, in Section 22, Township 2 North, Range 1 East (APN #'s S1422212410; S1422212000; S1422233700).

Open Public Hearing
Receive evidence
Consideration to close evidence presentation and proceed to deliberation

Potential Motions:

Consideration to either:

Option 1: Approve or Deny 19-07-ZC (Rezone) & 19-03-S (Preliminary Plat) and the Findings of Fact, Conclusions of Law and Order of Decision as presented in the packet and Close the Public Hearing.

Option 2: Continue the Public Hearing to a time and date certain and direct staff to prepare a draft Findings of Fact, Conclusions of Law and Order of Decision for consideration by the Council.

7. Business Items:

Consideration to approve $24,000 from contingency for a designated City Hall Vehicle – Bob Bachman, Public Works Director ACTION ITEM

8. Ordinances:

A. Consideration to approve Ordinance No. 2020-04 ACTION ITEM

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:

- MAKING CERTAIN FINDINGS; and
- ENLARGING THE BOUNDARIES OF THE KUNA MUNICIPAL IRRIGATION SYSTEM BY THE INCLUSION OF ADA COUNTY ASSESSOR'S GREYHAWK LAND COMPANY LLC.; AND
- DECLARING WATER RIGHTS APPURTENANT THERETO ARE POOLED FOR DELIVERY PURPOSES; and
- DIRECTING THE CITY CLERK TO RECORD THIS ORDINANCE AS PROVIDED BY LAW; and
- DIRECTING THE CITY ENGINEER TO PROVIDE NOTICE OF THIS ORDINANCE TO THE NEW YORK IRRIGATION DISTRICT, THE OWNERS AND UPDATE THE IRRIGATION SYSTEM MAP; and
- PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings
Consideration to approve ordinance

B. Consideration to approve Ordinance No. 2020-05 ACTION ITEM

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:

- MAKING CERTAIN FINDINGS; and
- ENLARGING THE BOUNDARIES OF THE KUNA MUNICIPAL IRRIGATION SYSTEM BY THE INCLUSION OF ADA COUNTY ASSESSOR'S PATAGONIA DEVELOPMENT LLC.; AND
- DECLARING WATER RIGHTS APPURTENANT THERETO ARE POOLED FOR DELIVERY PURPOSES; and
- DIRECTING THE CITY CLERK TO RECORD THIS ORDINANCE AS PROVIDED BY LAW; and
- DIRECTING THE CITY ENGINEER TO PROVIDE NOTICE OF THIS ORDINANCE TO THE NEW YORK IRRIGATION DISTRICT, THE OWNERS AND UPDATE THE IRRIGATION SYSTEM MAP; and
- PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings
Consideration to approve ordinance

C. Consideration to approve Ordinance No. 2020-06 ACTION ITEM

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:

- MAKING CERTAIN FINDINGS; and

- ENLARGING THE BOUNDARIES OF THE KUNA MUNICIPAL IRRIGATION SYSTEM BY THE INCLUSION OF ADA COUNTY ASSESSOR'S THOMAS PETERSON & TAMELA WHITE; AND
- DECLARING WATER RIGHTS APPURTENANT THERETO ARE POOLED FOR DELIVERY PURPOSES; and
- DIRECTING THE CITY CLERK TO RECORD THIS ORDINANCE AS PROVIDED BY LAW; and
- DIRECTING THE CITY ENGINEER TO PROVIDE NOTICE OF THIS ORDINANCE TO THE BOISE~KUNA IRRIGATION DISTRICT, THE OWNERS AND UPDATE THE IRRIGATION SYSTEM MAP; and
- PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings
Consideration to approve ordinance

D. Consideration to approve Ordinance No. 2020-07 ACTION ITEM

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:
- MAKING CERTAIN FINDINGS; AND
- REZONING CERTAIN REAL PROPERTY, TO WIT: ADA COUNTY PARCEL NO. S1419333450 OWNED BY SERGEY STADNITSKY JR, SITUATED WITHIN THE CORPORATE LIMITS OF THE CITY OF KUNA, ADA COUNTY, IDAHO; AND
- AMENDING THE ZONING MAP; AND
- DIRECTING THE CITY ENGINEER AND THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings
Consideration to approve ordinance

E. Consideration to approve Ordinance No. 2020-08 ACTION ITEM

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:
- AMENDING SECTION 4 OF CHAPTER 1 OF TITLE 3 KUNA CITY CODE AMENDING THE ALCOHOLIC BEVERAGES LICENSE REDUCED FEES DATES; AND
- AMENDING SECTION 13 OF CHAPTER 1 OF TITLE 3 KUNA CITY CODE AMENDING THE ALCOHOLIC BEVERAGES LICENSE EXPIRATION DATE; AND
- DIRECTING THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings
Consideration to approve ordinance
Consideration to approve Summary Publication

9. Mayor/Council Announcements:

10. Executive Session:

Convene Executive Session pursuant to:

Idaho Code Section 74-206 (1)(c)

(c) To receive information regarding the acquisition of an interest in real property which is not owned by the City of Kuna.

11. Adjournment:

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

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

City Council Meeting
MINUTES
Tuesday, January 7, 2020

6:00 P.M. REGULAR CITY COUNCIL

1. *Call to Order and Roll Call*

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

CITY STAFF PRESENT:
Bob Bachman, Public Works Director
Jared Empey, City Treasurer
Chris Engels, City Clerk
Bill Gigray, City Attorney
Lisa Holland, Economic Development Director
Wendy Howell, Planning & Zoning Director
Nancy Stauffer, Human Resources Director
Bobby Withrow, Parks Director
Troy Behunin, Planner III
Ariana Welker, Deputy City Clerk
Jace Hellman, Planner II
Carlee Oswald, Energy Conservation Specialist/Public Works Administrator

2. ***Invocation:*** *None*

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

4. ***Consent Agenda:*** ALL OF THE LISTED CONSENT AGENDA ITEMS ARE ACTION ITEMS

(Timestamp 00:00:48)

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Agenda for discussion. Items removed from the Consent Agenda will be placed on the Regular Agenda under Business or as instructed by the City Council.

A. City Council Meeting Minutes

1. Regular City Council Minutes, December 3, 2019

2. Special City Council Minutes, December 20, 2019

B. Accounts Payable Dated January 2, 2020

1. Consideration to ratify Accounts Payable Report for November 27, 2019 through December 12, 2019 in the amount of $550,634.34

2. Consideration to approve Accounts Payable Report for December 13, 2019 through January 2, 2020 in the Amount $288,425.56

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

6. Swearing in of Newly Re-Elected Officials Joe Stear, Briana Buban-Vonder Haar and Greg McPherson

(Timestamp 00:01:23)

Chris Engels, City Clerk swore in Joe Stear as Mayor and Briana Buban-Vonder Haar and Greg McPherson as Council Members.

7. Recess for Change of Council

(Timestamp 00:04:56)

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

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

City Council Meeting
AGENDA
Tuesday, January 7, 2020

1. Reconvene Council Meeting

(Timestamp 00:04:56)

2. Call to Order and Roll Call

COUNCIL MEMBERS PRESENT:
Mayor Joe Stear
Council Member Briana Buban-Vonder Haar
Council Member Richard Cardoza
Council Member Warren Christensen
Council Member Greg McPherson

CITY STAFF PRESENT:
Bob Bachman, Public Works Director
Jared Empey, City Treasurer
Chris Engels, City Clerk
Bill Gigray, City Attorney
Lisa Holland, Economic Development Director
Wendy Howell, Planning & Zoning Director
Nancy Stauffer, Human Resources Director
Bobby Withrow, Parks Director
Troy Behunin, Planner III
Jace Hellman, Planner II
Carlee Oswald, Energy Conservation Specialist/Public Works Administrator

3. Elect Council President Action Item

(Timestamp 00:05:27)

Council Member McPherson nominated Council Member Buban-Vonder Haar for Council President.

Council Member Buban-Vonder Haar accepted.

Council Member Cardoza seconded the nomination.

Council Member McPherson moved to elect Council Member Buban-Vonder Haar as Council President. Seconded by Council Member Cardoza. Motion carried 4-0.

***4. Consent Agenda** (Continued):* ALL OF THE LISTED CONSENT AGENDA ITEMS ARE ACTION ITEMS
(Timestamp 00:06:16)

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

C. Resolutions

1. Consideration to approve Resolution No. R95-2019

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING THE PERPETUAL CITY OF KUNA WATER MAIN EASEMENT AGREEMENT WITH BLACK CREEK LIMITED PARTNERSHIP; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

2. Consideration to approve Resolution No. R96-2019

CITY CAPITAL IMPROVEMENT AND LATECOMER REIMBURSEMENT POLICY – 2019

3. Consideration to approve Resolution No. R03-2020

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPOINTING MEMBERS FOR TO THE CITY OF KUNA, IDAHO JOINT DEVELOPMENT IMPACT FEE ADVISORY COMMITTEE FOR THE CITY POLICE DEPARTMENT AND KUNA RURAL FIRE DISTRICT FOR THE YEAR 2020.

4. Consideration to approve Resolution No. R04-2020

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING THE STATE/LOCAL AGREEMENT (DESIGN AND CONSTRUCTION) FOR PROJECT NO. A020 (143) MAIN STREET- AVENUE C TO AVENUE A, KUNA, ADA COUNTY, IDAHO, KEY NO. 20143; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CLERK TO ATTEST TO SAID SIGNATURE.

5. Consideration to approve Resolution No. R05-2020

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE "*PROFESSIONAL SERVICES AGREEMENT*" WITH JUB ENGINEERING, INC. FOR DEVELOPING THE HELEN ZAMZOW PARK MASTER PLAN; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

6. Consideration to approve Resolution No. R06-2020

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KUNA, IDAHO APPROVING THE WATER TRUNK REIMBURSEMENT AGREEMENT FOR MERINO COVE SUBDIVISION; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE; AND AUTHORIZING THE CITY TREASURER TO PAY VARIALLE CONSTRUCTION, INC THE AMOUNT OF SEVEN THOUSAND THREE HUNDRED SEVENTY-FIVE DOLLARS AND ZERO CENTS ($7,375.00) PURSUANT TO THE TERMS OF SAID AGREEMENT.

7. Consideration to approve Resolution No. R07-2020

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KUNA, IDAHO APPROVING THE PRESSURIZED IRRIGATION REIMBURSEMENT AGREEMENT FOR MERINO COVE SUBDIVISION; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE; AND AUTHORIZING THE CITY TREASURER TO PAY VARIALLE CONSTRUCTION, INC THE AMOUNT OF THREE THOUSAND FIVE HUNDRED SEVEN DOLLARS AND ZERO CENTS ($3,507.00) PURSUANT TO THE TERMS OF SAID AGREEMENT.

8. Consideration to approve Resolution No. R08-2020

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KUNA, IDAHO APPROVING THE SEWER TRUNK REIMBURSEMENT AGREEMENT FOR MERINO COVE SUBDIVISION; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE; AND AUTHORIZING THE CITY TREASURER TO PAY VARIALLE CONSTRUCTION, INC THE AMOUNT OF TEN THOUSAND EIGHTY-SEVEN DOLLARS AND ZERO CENTS ($10,087.00) PURSUANT TO THE TERMS OF SAID AGREEMENT.

D. Final Plats

1. Consideration to approve Case No. 19-16-FP (Final Plat) for the Malaspina Ranch Subdivision No. 1.

2. Consideration to approve Case No. 19-17-FP (Final Plat) for the Greyhawk Subdivision No. 9.

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

5. Community Reports or Requests:

A. Request for Exemption for fire sprinkler plan review from Idaho State Fire Marshal's Office – Phil Roberts, Fire Chief ACTION ITEM
(Timestamp 00:06:52)

Fire Chief Roberts had not arrived yet.

City Attorney Bill Gigray, who also served as attorney for the Kuna Rural Fire District, presented the request and stood for questions.

Mayor Stear clarified this did not exempt them from anything with the International Fire Code. This was only a request that the State Fire Marshal's Office allow this with the City's blessing.

Mr. Gigray affirmed that statement.

Mayor Stear asked Public Works Director Bob Bachman if he had any questions or comments.

Mr. Bachman said the building department would be supportive of it.

Council Member Cardoza asked if the City would have any liability if they endorsed this.

Mr. Gigray responded no.

Fire Chief Roberts had arrived and explained the benefit to the community was the turnaround of permits in a timely manner. The State was well qualified but was serving a number of jurisdictions and their turnaround was three weeks or greater. Kuna Fire was trying to maintain a turnaround time of less than a week. Chief Roberts saw this as a way to better serve the community.

Council President Buban-Vonder Haar moved to approve the Request for Exemption for Fire Sprinkler Plan Review from the Idaho State Fire Marshal's Office that was

submitted by the Kuna Rural Fire District and authorize the Mayor to sign the exemption request. Seconded by Council Member McPherson. Motion carried: 4-0

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

A. Public Hearing continued from the November 19, 2019 Regular City Council Meeting for testimony from staff and public written testimony and Consideration to approve Ordinance No. 2019-44 – Wendy Howell, Planning & Zoning Director and Bobby Withrow, Parks Director ACTION ITEM
(Timestamp 00:17:40)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:

- MAKING CERTAIN FINDINGS, PURPOSES AND ORDINANCE ENACTMENT HISTORY; AND
- REPEALING SECTION 20, ARTICLE A, CHAPTER 2, TITLE 4 KUNA CITY CODE; AND
- AMENDING AND REDESIGNATING SECTIONS 21 THROUGH 38, ARTICLE A, CHAPTER 2 OF TITLE 4 KUNA CITY CODE; AND
- AMENDING SUBSECTION 2 OF SECTION 6, CHAPTER 1, TITLE 5 KUNA CITY CODE MAKING A TECHNICAL CORRECTION TO THE DEFINITION OF "OPEN SPACE"; AND
- AMENDING SECTION 5, CHAPTER 5 OF TITLE 5 KUNA CITY CODE MAKING TECHNICAL CORRECTIONS REGARDING THE GENERAL REQUIREMENTS OF FENCE REGULATIONS; AND
- REPEALING SECTION 4, CHAPTER 6, TITLE 5 KUNA CITY CODE; AND
- AMENDING AND REDESIGNATING SECTIONS 4, 5, 6, 7, 8, AND 9 OF CHAPTER 6 OF TITLE 5 KUNA CITY CODE; AND
- AMENDING SECTIONS 2, 4, 6, 10, 12, AND 20, CHAPTER 17, TITLE 5 OF KUNA CITY CODE MAKING TECHNICAL CHANGES TO DESIGN REQUIREMENTS AND ADDING REQUIREMENTS FOR RESIDENTIAL OPEN SPACE; AND
- AMENDING SECTION 2, CHAPTER 4 OF TITLE 6 KUNA CITY CODE PROVIDING FOR A CHANGE IN THE TEXT DESIGNATION FOR DEFINITIONS UPON WHICH CITY STAFF CAN RELY AND MAKING A TECHNICAL CORRECTION REGARDING THE MEASUREMENT OF FENCE HEIGHT AND LOCATION OF FENCING; AND
- PROVIDING A SEVERABILITY CLAUSE; AND
- DIRECTING THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Planner II Jace Hellman presented the changes made to the ordinance as a result of Council's direction, discussion, and public testimony. He presented a graph of the changes. The large table was the old proposal. The shorter, more compact table was the new proposal based on their research. He noted they received a number of late exhibits staff had received in the past hour. If Council needed time to read through those that was understandable. He also handed out paper copies of the presented graph to Council. He stood for questions.

Mayor Stear reviewed the purpose of this was to bring City Code in line with the re-write of the comprehensive plan. There were some errors in the final part of the last proposal that they corrected. He also knew Meridian was in the process of changing their open space requirement. He asked Mr. Hellman to review land donation to the school district.

Mr. Hellman explained the table included a note that allowed for any parcel of land that was 10 or more acres donated to the school district for a school site as an amenity for that development to count towards the open space requirement. It would help the school district and the community over all.

Council President Buban-Vonder Haar asked, if the developer did not put in the required amenities, would they still have to pay the Park Impact Fee on top of this open space requirement.

Parks Director Bobby Withrow replied yes. The open space was basically for the subdivisions coming in that did not have a lot of park space for kids to play in. The Park Impact Fee would come into play and be assessed to every buildable lot. Also, if a developer met the minimum requirements the City would give them credit.

Mayor Stear recalled at the last hearing for this there was concern about HOA fees on properties that got large. He thought the Parks Department required a 5-acre parcel to be donated to the City as a park which would relieve the HOAs of having to maintain those properties.

Mr. Withrow said that was correct. He added that the surrounding cities required the same thing.

Council President Buban-Vonder Haar asked if the open space requirements for surrounding cities were in the packet or if that information could be acquired.

Mr. Hellman said they weren't in the packet. He knew for sure the City of Eagle was at 18% open space with 15% usable across the board with a couple little caveats in the code. Their definition of usable open space was different and accepted more, including buffers, end caps and things like that. Meridian was at 10% but they were in the process of changing their code and he did not know what changes they were proposing. Those were the two cities they focused on.

Council President Buban-Vonder Haar stated she might be interested in obtaining numbers for Garden City, Star, and possibly Nampa. She would clarify at the end of this part of the agenda. She asked if Council was ready for the public hearing.

Mayor Stear reviewed Council had requested written testimony from the public and testimony from staff. He asked if Council wanted to re-open the public hearing for public comment.

Council President Buban-Vonder Haar asked, if they assumed every development that went in would be between 7 and 50 and therefore at the 7% open space, would that achieve the 1 acre per 80 people standard they were hoping to achieve.

Mr. Hellman said staff felt it would. He reiterated the goal of this code was not to get every project to 1:80, or even the city to 1:80, overnight but, to get people to start paying attention to open space and to get it in projects so community members had places to go. It might take a while but, this code would get them to their goals.

Council President Buban-Vonder Haar asked why it would be beneficial, or not, to go with the system being proposed which allocated the percentage of required open space based on the number of dwelling units versus the density of the project. She wanted to know why they chose this approach instead of tying it to the project density.

Mr. Hellman explained they looked at a tiered system based on impact. He gave some examples of how the tiered system worked versus how basing on density worked to show how the tiered system was better.

Mayor Stear liked how staff was working hard to reach the goal set by the community in the revised comprehensive plan. He thought they had come a long way and had done a good job with making changes to this to make it more reasonable. It was a 12.5% maximum and it shouldn't be to devasting to meet that. It addressed the number of people in a small area and giving enough space.

Council President Buban-Vonder Haar asked how long this second version had been available to the public.

Mr. Hellman stated the second version became available to the public when the packet went online.

Council President Buban-Vonder Haar felt with something this big that had gotten so much feedback there was value in doing a third reading. She was wondering if they should put it to the next meeting or the first meeting in February to give as many people as possible the opportunity to look at it and provide feedback so they could come up with final modifications if any and get it in place.

City Attorney Bill Gigray suggested, if they were continuing the hearing and not re-noticing, they advise those present of the changes that had been made from the original version that was noticed and published. Then they could announce those changes were available in the Council Packet which was online for people to see. Then people could have an opportunity to address any issues at the continued hearing.

Council President Buban-Vonder Haar reviewed what was originally proposed and the changes to the proposed ordinance as presented in the table provided by Mr. Hellman.

Mayor Stear noted the actual changes were listed in the packet in the actual ordinance which began on page 19 of 26 and went to page 20 of 26 or pages 347 and 348 of the overall package.

Council President Buban-Vonder Haar asked what folks' thoughts were about continuing to January 21, 2020 versus February 4, 2020.

Council Member Christensen thought, since the focus had always been on the percentage-based increments and since they had simplified them so much, they didn't need a whole month for review and comment. Two weeks seemed to be enough time.

Council Member McPherson was fine with either.

Council President Buban-Vonder Haar noted January 20, 2020 was MLK Jr. Day. She wasn't sure how everyone felt about having this immediately following the holiday.

Mr. Hellman stated staff was comfortable with January 21, 2020.

Mayor Stear noted he had received an email from the school district letting him know they had not been able to take this to the school board yet and would not be able to get their comment in until January 14, 2020. The 21st of January would actually work for them. He did also let them know they could contact staff with any questions.

Council President Buban-Vonder Haar asked if they wanted to allow for any additional public testimony when they continued it for a third reading.

Mayor Stear preferred to work with staff on these things but if they wanted to receive letters again, they could. He thought it worked out pretty well this time.

Council President Buban-Vonder Haar was concerned it would be impossible for people to address feedback from the school district in their written testimony because it wouldn't be available for people to comment on until after the packet was published.

Mayor Stear thought the School District was just going to work with staff regarding their comments. He felt it would be cleaner to stick with written testimony and have everybody work with staff to make changes so everything was cleaned up when it came back to Council.

Council President Buban-Vonder Haar noted, on page 22 of 95 of this item, under "H. Abatement of unlawful fences:", section I.2.B. needed to be modified to read, "Height of fence waiver shall only be considered when the grade between two lots has a difference of two (2) feet or more and the request is made by the owner of the two properties."

City Attorney Bill Gigray recommended Council be very clear they were going to proceed with a third reading on the January 21, 2020 and the record of this proceeding would remain open for written comment by affected property owners and interested

persons and agencies to be received by staff and included in the Council Packet for that meeting to be taken into consideration.

Council President Buban-Vonder Haar moved to continue the Public Hearing to January 21, 2020 and continue to receive written testimony only, which would be submitted to staff and included in the packet.

Mr. Gigray recommended a deadline for submitting written testimony should also be made clear.

Mayor Stear asked if staff would be comfortable with Wednesday, January 15, 2020.

Mr. Hellman replied yes.

Council President Buban-Vonder Haar asked if noon on Thursday, January 16, 2020 would be acceptable.

Mr. Hellman explained staff preferred the day prior in order to get the packet in by the 5:00 P.M. cutoff for Council.

Council President Buban-Vonder Haar was still struggling with people being able to address anything new through written testimony.

Mayor Stear thought a lot of this stuff could be addressed with school staff prior to the meeting so it should be fairly easy to assemble. If it didn't work out and this needed to be continued again to address any issues the school board might have, it could be. This wasn't do or die and he felt they were covered with this.

Planner III Troy Behunin stated anyone at this meeting or that listened to the recording online or read the minutes would have notice that they could submit written testimony and attend the meeting in order to hear any new information. It was no different from any other public hearing with the packet and written testimony submissions.

Council President Buban-Vonder Haar said it was not like any other public hearing. They were discussing not allowing testimony. She reiterated her concern that people would not be able to view comments from the school district until the packet was released which was after the submission cutoff for written testimony. She suggested allowing public testimony for the exclusive purpose of addressing brand-new information that was not available for written comment.

Mayor Stear felt that was acceptable.

Council Member Cardoza wondered if it should be continued to February 4, 2020 to allow people more time to review this.

Council Member Christensen felt a week and a half was ample time to respond. He agreed with opening it up exclusively for responses to the school board in order to avoid rehashing everything or pushing it off.

Council President Buban-Vonder Haar proposed setting the deadline for receipt of written testimony as 8:00 A.M. on January 16, 2020 and allow oral testimony specifically for comments from the school district or it could be broader to include anything included in the packet for the first time.

Council Member Cardoza would prefer open testimony on all issues since the percentages were changed.

Council President Buban-Vonder Haar was not opposed to that. She wanted feedback on the new table. It seemed like most of the letters received referenced the original proposal. That was why she asked if this had been circulated.

Council Member Cardoza agreed. He asked Mr. Gigray if there was any reason they couldn't open it to public testimony.

Mr. Gigray said absolutely not and thought it was really the safe play. They could limit the testimony to what was new or they could just leave it open.

Council President Buban-Vonder Haar was worried about getting into the woods deciding what was new and what wasn't. She also did not want to inadvertently cut off testimony of something relevant by crafting something specific for what they wanted to hear.

Council Member Christensen said it was the safe play to reopen it.

Council President Buban-Vonder Haar withdrew her prior motion and confirmed Council still wanted January 21, 2020 with oral testimony.

Council President Buban-Vonder Haar moved to continue the Public Hearing to the January 21, 2020 City Council Meeting at which time Council would receive oral and written testimony as with a normal public hearing. Seconded by Council Member McPherson. Motion carried: 4-0.

B. Public Hearing and Consideration to approve new water and sewer system fees and policies – Bob Bachman, Public Works Director ACTION ITEM
(Timestamp 01:01:20)

Public Works Director Bob Bachman reviewed staff's task of doing a rate study including water and sewer user rates and sewer and water hook up fees. They had hired a third party to do that study, Justin Walker from Keller and Associates. Mr. Walker would present and stand for questions with Mr. Bachman and City Treasurer Jared Empey. He

wanted Council to know they understood this was a tough decision. They presented the facts as they were and did not make this recommendation lightly.

Mr. Walker presented the details of the study and the resulting proposed water and sewer system fees and policies. He reviewed utility revenue sources, rate structure objectives, water system rates and connecting fees, and sewer system rates and connecting fees. He, Mr. Bachman, and City Treasurer Jared Empey stood for questions.

Council Member Cardoza asked if this would lower the rates in proportion with the operating expenses.

Mr. Walker explained the revenue would stay the same or be slightly higher. Those that use a lot more water would be paying significantly more and more than compensate for the loss of revenue from 50% of Kuna's users. The revenue would slightly increase even with the reduction in the average water bill.

Council Member Christensen said the report showed the average Kuna resident used 5,800 gallons of water. That would imply the average Kuna resident would be in Tier 1, not the Base Tier. He asked what the logic was behind that.

Council President Buban-Vonder Haar stated she and Council Member McPherson were on the sub-committee for this so they already saw this report and talked through the different approaches. The challenge they were encountering was the top 10% skewed the whole average.

Council Member Christensen said that made sense as to why they focused on the median instead of the average.

Council President Buban-Vonder Haar added that about 50% of residential users would fall under the Base Tier so their bill would go down. Then, depending on how much those in Tier 1 used, in theory, their bill would still go down. Including the Base Tier and Tier 1 they were at 70% of users who shouldn't see an increase in their bill and might see a decrease depending on use.

Mayor Stear stated they still had a certain amount of users who did not have access to Pressurized Irrigation. He asked if that was considered. It was why they had hesitated to drop below 10,000 gallons for quite some time.

Mr. Walker's understanding, when they talked about that during the study, was the additional cost they might pay on a monthly basis would be similar to the Pressurized Irrigation Fee that those who did have it would pay. They did not foresee a major impact on those people.

Mr. Bachman added they looked at that extensively. When looking at it over the calendar year it was hard to determine what a PI users' yearly rate would be without using that for PI. The assumption was, with 50% or more of customers in the Base Tier, during the

months they were not using PI they would fall in the Base Tier and save on the $98 so the PI bill would hopefully wash out and it would be an incentive to get hooked up to PI for those that could.

Mayor Stear commented there were a few people's homes the City could not get the line anywhere near and wondered if there should be special consideration for those. They couldn't punish people already in the city that they couldn't do something for.

Mr. Bachman replied they tried to look at that the best they could with the way the rate structure was and hoped it would balance out.

Mr. Walker said it was certainly something they could do if it became an issue.

Mayor Stear was thinking they would need that consideration, otherwise they would get hammered hard.

Council Member Cardoza asked if, Appendix A, the Existing EDU Guide, took into consideration the EDUs that went with the LID.

Mr. Walker wasn't sure what the question was.

Council Member Cardoza explained if the City was selling EDUs they would get 100% of the money but, some of those EDU's were outstanding and being sold by others so Kuna was not getting that revenue in. He thought that was why that redline was so diminished. He asked if Mr. Walker, or maybe Mayor Stear, knew when those EDUs would be completely sold and Kuna would start selling their own EDUs.

Mayor Stear said it depended on the rate of sale which seemed to be happening much quicker than before and deferred to Mr. Bachman for further explanation.

Mr. Bachman explained the EDU was for expansion of the system, not upkeep. It was two different pools of money. The EDU the City collected was a hook up fee that bought into the system to expand it and treat it. The user rates were completely separate from that. Also, the $500 recommended increase would not be in the portion that was involved with the LID. It would be the interceptor fee the City collected that went up. The City would see that and it would help make sure the development was paying for itself.

Council President Buban-Vonder Haar noticed in a slide it said it might be better to do a phased in approach when raising fees. However, the resolutions reflected doing it all at once. She asked if they wanted to take a more phased approach, would the amounts need to change.

Mr. Walker replied yes, there were five alternatives for increasing the rates in the report. If they wanted to take a phased in approached, he recommended they not change their tier rate. They would just slowly increase the base rate. However, the ultimate number could

be higher because the City would lose out on revenue for however long it took to get to the $38 so to get the same revenue, they could potentially have to go above $38.

Council President Buban-Vonder Haar clarified the various options were more about how they split out the fees. She asked if there was something in the report about how to get to the same end goal over a period of time instead of all at once and apologized if she missed it.

Council Member Christensen said page 34 of 108 talked about percentage increase over a period of time. It was the summary page right before Appendix A.

Mr. Walker added different sewer scenarios for increasing rates would be in figures 11, 12, 13, and 14.

Mayor Stear opened the public hearing.
(Timestamp 01:45:00)

Support: None

Against:

Lance Coumerilh, 935 Strike Way, Kuna, Idaho 83634, vacillated between being neutral or against this. He was swayed by the fact that the resolutions had February implementation dates. He calculated his bills. He was not a 5,000 a month user. He was probably between 5,000 and 10,000 and the rate increase was substantial. He understood for the sewer it needed to get to where it was fiscally maintainable. He thought that should be where the primary increase should be. However, for water, he felt larger families and those with older home with less water friendly appliances were being penalized. He thought the implementation was unrealistic. He wanted to be encouraged to conserve water, not held hostage to it. It was not reasonable to expect homeowners to jump below 5,000, especially with the February implementation date. It should be encouraged through public awareness and rate increases. However, he could see it on the sewer side. He thanked Council.

Mayor Stear appreciated Mr. Coumerilh coming out to testify. He had trouble with this too. He knew it would hit some people harder than others. It was tough.

Mr. Coumerilh reiterated his concern for larger families and felt this was not a fair representation of the broader base.

Mayor Stear said they would not take this decision lightly.

Jim Eberhard, 332 E Northridge Drive, Kuna, Idaho 83634, said the presentation was very informative. He liked what was said about educating people. He had educated himself on energy conservation and efficiency in lighting, heating and cooling, and water in his home. He spent a lot of money to do that. The other utilities he used, specifically electricity and gas, rewarded him for that investment. His investment was a high initial

cost but, after a certain period he started to get a return on that investment; money in his pocket. That didn't happen with water. He put in a tankless water heater with a circulating pump on it. The line ran down to the farthest part of the water line and circulated it so that, when he turned on his faucet, he had hot water in about two seconds and insulated the pipes to keep the heat in for efficiency. He had done reviews on his bills from 2017, 2018, and 2019. His gallons per day for occupant ranged from 28 to 57. The national average was 80 and Idaho's average was 140. He didn't understand that. His investment, from low flow fixtures to high efficiency flushing toilets, was significant and he was not getting any kind of return on that investment. The commercial recommendation was a flat rate with a dollar per thousand of usage. He asked why not do that with residential. Then everyone would be paying for what they used. As it was, he paid for 120,000 gallons of water each year and he was using 12,000. That was a pretty steep fee. To get to a higher usage he let his water run for an hour or two every morning while reading the paper and in December 2019 he was finally able to get his usage up to 5,600. He asked who would leave a faucet running for that many hours a month and how.

Mayor Stear stated Mr. Eberhard had a pretty good list of questions that staff had gone through and would be providing answers for those. He felt that would help explain their theories and reiterated it was not something they were taking lighting. They had come a long way and while they weren't where Mr. Eberhard was yet; they would eventually get there. Mayor Stear appreciated his comments and hoped to work on conservation over time.

Neutral: None

Rebuttal:

Mayor Stear asked if staff wanted to go over Mr. Walker's presentation or if Council had questions.

Mr. Bachman felt a lot was already answered but if they came across anything more specific, he would be happy to answer any questions.

Mayor Stear thought staff had done some caparisons to Las Vegas and other cities that were mentioned.

Mr. Bachman explained there were some comparisons made to other large cities so staff took a quick look the best they were able to in the time they had. What staff found was some of the rates those cities were charging were just how much it cost for water to get to their tap. There were additional service charges, administrative fees, and other fees on top of that rate. Those fees were already reflected in the base fee that was being recommended. The other difference was it was not being spread across a million people or more.

Council Member Cardoza wanted to elaborate on Mr. Bachman's statement. He reviewed Las Vegas' water rates and fees he had found online. It looked like the proposal was in the ball park with the first 5,000.

Mr. Bachman replied that was pretty much identical to what staff found.

Mayor Stear asked if there were any more questions. He knew this was a lot to absorb. He had been going over it for the past few months and still had questions every other day. He thought since this was a rate consideration it would be wise to continue for the full three readings.

Council President Buban-Vonder Haar agreed. She asked Mr. Bachman if he would advise moving forward with the proposed full increase up front to start hitting those targets more immediately or doing a more staggered implementation over the next three or five years.

Mr. Bachman said staff stood by their recommendation. They heard the testimony and understood it. They did consider the impact it would have on the community on the sewer side but felt the effect of waiting could have greater potential impact by far. They also desperately needed to maintain it going forward instead of waiting as long as they did to come to Council with a rate adjustment. They felt this was imperative. An example of what could happen in the blink of an eye was the $25,000 pump that went down that weekend for no reason. It didn't sound like a lot of money for a pump but the impact and trickle-down affect was it basically shut down one of the lift stations which was vital for the sewer system. Those were the kind of things the City needed to be able to react to and fix with the aging infrastructure in the ground. The longer they waited the greater those problems would become. The growth really took off in 2004 or 2005 and most parts were good for 15 – 20 years so a lot of that was expiring now. The last thing they wanted to have to do was come before the Council and citizens to have a more serious discussion about infrastructure bonds or massive rate increases to pay for the infrastructure. Staff felt their proposal was responsible and got the City back on track to not have to do this again.

Mayor Stear asked if they knew what this rate increase meant per month for income for the City; not so much the connection rate but the user rate.

Council President Buban-Vonder Haar said, if her math was correct, the difference would be $132,469 additional per month. She explained how she got to that amount and asked if she was correct.

City Treasurer Jared Empey replied those numbers seemed accurate to him and made sense.

Council President Buban-Vonder Haar noted the chart she based her numbers on was just a flat average number of EDUs and didn't include new growth EDUs and things like that so the number might fiddle a little bit.

Mayor Stear wasn't sure where he was going with that yet but thanked them.

Council President Buban-Vonder Haar asked Mr. Bachman, understanding definitively that his preference was to implement it all at once, she would love to hear his opinion on

the maximum they could sustain in terms of a slow roll. She knew it was a hard question to answer so, if he wanted, he could think it over and address it at the next public hearing.

Mr. Bachman stated City Clerk Chris Engels just let him know this was a resolution so there weren't three readings.

Council President Buban-Vonder Haar said they could table it then.

Mr. Bachman said he would definitely take that into consideration but believed, as the Public Works Director for the City of Kuna, it would be irresponsible to recommend anything else. However, he would respect Council's wishes and decision and implement whatever they asked.

Council President Buban-Vonder Haar's concern was what this kind of increase would do to people and if people could stomach an extra $10 a month right from the jump. She thought if there was a way to cut it in half and do it over two years, people could better budget for it; especially if they were looking at an implementation date that was a couple months out.

City Attorney Bill Gigray said Council needed to keep in mind what was noticed. That would define their options; if it included a tiering in or just one increase. He reminded them this was a proprietary fund that needed to stand on its own. If the fund got to where it couldn't, they couldn't rely on general funds to supplant water and sewer fees. If they wanted to do a phased in system that would need to be identified in the resolution with what the increases would be and what dates they started. He was concerned, if they went out to far, the rate study would end up being out dated and they would have to look at doing another rate study; which meant more advertising and public hearings. He thought they would be better off setting an amount and then, if they were going to go in the future, they could revise it. There were some advantages to proceeding in accordance with the recommendation.

Mayor Stear asked if the phased in approach was in the report or if it was added that night.

Mr. Walker replied the alternatives were in the report but the recommendation and what was in the resolution was a one-step approach.

Council President Buban-Vonder Haar reviewed the different approaches in the report.

Council Member Christensen asked where the City was at in the wastewater fund as far as solvency.

Mr. Empey reviewed the operating income; particularly in the sewer fund. It had not covered its cost from 2010 to 2018. On an operating basis, the sewer fund had lost $5.7 million over that period of time. In other words, the fund was $5.7 million behind where it should be funded. One of the biggest reasons they brought up enacting the rate increase

immediately was, even if they eventually got to where the operating results would be positive, it wouldn't necessarily be filling the hole.

Mayor Stear said, he wasn't picking on Nampa and thought they did a good job coming back from the hole they were in, but Kuna didn't want to get to the point where they would have to do what Nampa had to. They gave their citizens an alternative of either bonding for a certain amount or having their sewer rates raised a substantial amount; like $60 a month. They opted for bonding and got out of the hole. The problem was they dug a hole that was $100 million plus. Kuna did not want to get to that point. He thought they were doing the right thing. It was just a tough pill to swallow.

Mr. Gigray reviewed the Revenue Bond Act and his experience working with cities in related scenarios. He suggested Council ask Mr. Bachman to look at different scenarios and he could come back to Council and tell them where shortfalls would show up depending on what they did.

Council Member Christensen liked that idea. If they could pick a couple scenarios, Mr. Bachman could come back and tell them the impact he foresaw with the different approaches. It would at least justify a potential instant increase or a phased approach for him.

Council President Buban-Vonder Haar thought, as they have all come to understand the dire situation they were about to be in or could find themselves in, she would be fine hearing about a two year and maybe a three year but going to a five year or beyond would just be prolonging the inevitable. She asked how Mr. Bachman felt about that.

Mr. Bachman said he would be more than happy to put that information together.

Council President Buban-Vonder Haar asked if anyone had questions or requests for the next meeting regarding the approach to water.

Mayor Stear replied not necessarily. It was very stable and basically just came down to the dollar amount on everyone's bill.

Mr. Bachman noted even though they saw between a nine and ten percent increase in growth the last year they actually decreased their potable water usage by about 25,000 gallons. He was very proud of his staff and Kuna citizens for how hard they worked to make that happen. It was not easy to do; especially when adding that many roof tops. He thought the tiered rate for water would also increase that number if it passed and was a step in the right direction. He was excited about it.

Mayor Stear appreciated the Senior Rate. People on a fixed income didn't really have the ability to pay more.

Council Member Cardoza reviewed some figures and calculated the increase for the average citizen would be about $4.35 a month. He recalled a major sewer break on Ten Mile in 2006. There was no contingency left in the sewer fund. They had to borrow from

the general fund and the water fund to make repairs and avoid a bond issue. City employees went on a 37- and 36-hour work week in order to help the citizens. He was amazed at the reciprocation from the citizens and the employees that took a cut in pay of about four hours a week until the money was paid back. Part of the problem the City had now was the school bond that was just passed. It added about $500 a month for his business and $500 a month for his home. The increase of $4.35 would probably get a little feed back from the community but, knowing the consequences of not having sufficient funds in contingency, he would just as soon go for the $4.35, take the hit from the community, and try to explain the necessity for the rate increase.

Council President Buban-Vonder Haar clarified he was saying he was comfortable with what was presented and would be comfortable with passing it that night.

Council Member Cardoza said that was correct and usually he was kind of against rate increases. There was one condition he would put on it; that Mr. Bachman not come back the next year asking for a 10% rate increase for the sewers.

Mr. Bachman said the goal was to get it to where it paid for itself and then take incremental increases as needed. Hopefully, they'd never have to come back for such a large increase but they couldn't say never. They didn't like it either but felt the importance of it.

Mayor Stear preferred not to pass it that night. It was a rate increase and he would like to give it another meeting or two to soak in. He wanted to do what was requested; look at a tiered in approach.

Council President Buban-Vonder Haar liked that as well. At least the public could then fully understand why they were doing this.

Mr. Bachman replied that was no problem at all.

Council Member Christensen requested scenarios for two- and three-year phases.

Council President Buban-Vonder Haar asked if the next meeting would work.

Mayor Stear thought that was fine and asked that they keep the public hearing open for testimony. He asked Mr. Bachman if that would work for him.

Mr. Bachman said yes and had a couple questions on the two hook up fee portions of this. They had the water hook up fee with a $250 increase and the sewer EDU interceptor fee with a $500 increase. He explained those fees covered growth. The developers or builders paid that fee which helped cover the expansion of the system. It was important to them to make sure those rates accurately reflected the infrastructure going into the ground and they were absorbing as much of that cost as possible.

Council Member Cardoza asked Mr. Bachman to let them know how much was in the sewer contingency fund.

Mr. Bachman said he would do that.

1. Consideration to approve Resolution No. R01-2020

A RESOLUTION AMENDING PORTIONS OF RESOLUTION R84-2017 THAT: SETS FORTH THE AUTHORITY FOR ADOPTING WATER CONNECTION FEES AND MONTHLY WATER SERVICE RATES; ESTABLISHES FEES FOR CONNECTING TO THE WATER SYSTEM; ESTABLISHES WATER USE FEES THAT ARE NOW AMENDED WITH WATER RATE CHANGES FOR ALL CUSTOMERS; PROVIDES FOR MISCELLANEOUS WATER CUSTOMER SERVICE POLICIES; SETS FORTH MINIMUM LINE SIZES; REPEALS FEES ESTABLISHED BY EARLIER RESOLUTIONS; AND SETS AN EFFECTIVE DATE.

2. Consideration to approve Resolution No. R02-2020

A RESOLUTION AMENDING CERTAIN SECTIONS OF RESOLUTION R83-2017 THAT: SETS FORTH THE AUTHORITY FOR ADOPTING SEWER FEES; ESTABLISHES FEES FOR CONNECTING TO SEWER SYSTEM; ESTABLISHES MONTHLY SEWER USE FEES THAT ARE NOW AMENDED WITH SEWER RATE CHANGES FOR ALL CUSTOMERS; SETS FORTH MINIMUM LINE SIZES; REPEALS FEES ESTABLISHED BY EARLIER RESOLUTIONS; AND SETS AN EFFECTIVE DATE.

Council President Buban-Vonder Haar moved to continue the Public Hearing and consideration to approve the new water and sewer system fees and polices to the meeting on January 21, 2020 at which time Council would continue to receive public testimony. Seconded by Council Member McPherson. Motion carried 4-0.

7. Business Items:

A. Consideration to approve 19-02-LLA (Lot Line Adjustment) – Jace Hellman, Planner II
ACTION ITEM
(Timestamp 02:30:36)

On behalf of Jim Lesley (Owner), Jeff Likes with ALC Architecture seeks Lot Line Adjustment approval to create a larger buildable lot within Ensign Subdivision No. 2 for a new Freedom Fitness gym facility. The subject properties are located at 909 N. Meridian Road and 921 N. Meridian Road, Kuna, ID 83634 (APNS: R2404330020 & R2404330040).

Planner II Jace Hellman presented the staff report and stood for questions.

Council President Buban-Vonder Haar moved to approve 18-01-LLA (Lot Line Adjustment). Seconded by Council Member McPherson.

Council realized the wrong case number was listed in the memo.

Council President Buban-Vonder Haar modified her previous motion.

Council President Buban-Vonder Haar moved to approve 19-02-LLA (Lot Line Adjustment). Seconded by Council Member McPherson. Motion carried: 4-0.

B. Request for direction on possible change in Alcohol License Renewal timeline – Chris Engels, City Clerk ACTION ITEM
(Timestamp 02:33:28)

City Clerk Chris Engels explained there was discussion between the cities, the county, and the state about making a change to alcohol license renewal timelines. Currently, the State, County, and cities all expired on April 30th. The request was consideration to do staggered. Upon conversation with the County and the cities, the recommendation was the State would continue to expire on April 30th, the County was agreeable to expiring on May 30th, and then the cities would expire on June 30th or there abouts. It was not mandatory; however, it would certainly benefit a rolling renewal for the users. The other portion that would change was the current decrease in fees at half the year and ¾ of the year. Those dates would move accordingly. In the first year for the renewal they would expire on April 30, 2020 and then they would not need to renew until June 30, 2021 so they would have about 13 or 14 months. She noted the Chief was aware of the request. She stood for questions and welcomed any input. If Council's direction was to move forward with this, it would be brought back as an ordinance for their consideration.

Mayor Stear stated this was a brain child of City Clerk Chris Engels. A couple of other cities had already implemented it. It took out the risk of having to close the Albertsons and Walgreens liquor aisles like they did last year. It got it to the point now that if someone didn't get it in on time there was nothing else that could be done for them. He appreciated all of Ms. Engels' time and effort. It had been an ongoing issue for a long time and, because of her consideration on this, it would save a lot of people and a lot of cities a lot of problems. She deserved kudos for that.

Council President Buban-Vonder Haar said it sounded good and directed her to write it up.

Ms. Engels said she would come back with an ordinance.

C. *Informational Only* Ethical considerations related to Greg McPherson's dual-role as a Commissioner for the Kuna Rural Fire District and as a Member of the Kuna City Council – Bill Gigray, City Attorney
(Timestamp 02:36:37)

City Attorney Bill Gigray reviewed the ethical considerations, as laid out in his memo in the Council Packet, that could come up in regards to Council Member McPherson's dual-role as a Commissioner for the Kuna Rural Fire District and as a Member of the Kuna City Council and the procedures for dealing with those potential conflicts. He stood for questions.

Mayor Stear thought there was only one issue when he had a dual-role as a Commissioner for the Kuna Rural Fire District and as a Member of the Kuna City Council. He just stated what his conflict could be and there didn't seem to be an issue with it. It was pretty rare and he didn't think they would have any trouble with it.

Council thanked Mr. Gigray.

8. Ordinances:

A. Consideration to approve Ordinance No. 2019-46 ACTION ITEM
(Timestamp 02:44:21)

A MUNICIPAL ANNEXATION AND ZONING ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA;

- MAKING CERTAIN FINDINGS AND DECLARATION OF AUTHORITY; AND
- ANNEXING CERTAIN REAL PROPERTIES, TO WIT: ADA COUNTY ASSESSOR'S PARCEL NOS. S2102110000 AND S2101212400 OWNED BY THE BUREAU OF LAND MANAGEMENT WITHIN THE UNICORPORATED AREA OF ADA COUNTY, IDAHO AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF KUNA, INTO THE CITY OF KUNA, IDAHO; AND
- RESPECTIVELY ESTABLISHING PUBLIC (P) ZONING DISTRICT CLASSIFICATIONS OF SAID REAL PROPERTIES; AND
- AMENDING THE OFFICIAL ZONING MAP; AND
- DIRECTING THE CITY ENGINEER AND THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings
Consideration to approve ordinance

Council President Buban-Vonder Haar moved to waive three readings of Ordinance No. 2019-46. Seconded by Council Member McPherson. Motion carried: 4-0.

Council President Buban-Vonder Haar moved to approve Ordinance No. 2019-46. Seconded by Council Member McPherson. Approved by the following roll call vote:

Voting Aye: Council Members Cardoza, Christensen, Buban-Vonder Haar, and McPherson
Voting No: None
Absent: None
Motion carried: 4-0.

B. Consideration to approve Ordinance No. 2019-47 ACTION ITEM
(Timestamp 02:46:00)

A MUNICIPAL REZONE ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA;

- MAKING CERTAIN FINDINGS; AND
- REZONING CERTAIN REAL PROPERTIES, TO WIT: ADA COUNTY PARCEL NOS. R2404330020, R2404330040 AND R2404330060 OWNED BY LESLEY PROPERTIES LLC, SITUATED WITHIN THE CORPORATE LIMITS OF THE CITY OF KUNA, ADA COUNTY, IDAHO; AND
- AMENDING THE ZONING MAP; AND
- DIRECTING THE CITY ENGINEER AND THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings
Consideration to approve ordinance

Council President Buban-Vonder Haar moved to waive three readings of Ordinance No. 2019-47. Seconded by Council Member McPherson. Motion carried: 4-0.

Council President Buban-Vonder Haar moved to approve Ordinance No. 2019-47. Seconded by Council Member McPherson. Approved by the following roll call vote:
Voting Aye: Council Members Cardoza, Christensen, Buban-Vonder Haar, and McPherson
Voting No: None
Absent: None
Motion carried: 4-0.

C. Consideration to approve Ordinance No. 2019-50 ACTION ITEM
(Timestamp 02:47:20)

A MUNICIPAL REZONE ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA;

- MAKING CERTAIN FINDINGS; AND
- REZONING CERTAIN REAL PROPERTIES, TO WIT: LANDS LEGALLY DESCRIBED IN EXHIBIT A, OWNED BY HDP GREYHAWK LLC, SITUATED WITHIN THE CORPORATE LIMITS OF THE CITY OF KUNA, ADA COUNTY, IDAHO; AND
- AMENDING THE ZONING MAP; AND

- DIRECTING THE CITY ENGINEER AND THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings
Consideration to approve ordinance

Council President Buban-Vonder Haar moved to waive three readings of Ordinance No. 2019-50. Seconded by Council Member McPherson. Motion carried: 4-0.

Council President Buban-Vonder Haar moved to approve Ordinance No. 2019-50. Seconded by Council Member McPherson. Approved by the following roll call vote:
Voting Aye: Council Members Cardoza, Christensen, Buban-Vonder Haar, and McPherson
Voting No: None
Absent: None
Motion carried: 4-0.

D. Consideration to approve Ordinance No. 2020-01 ACTION ITEM
(Timestamp 02:48:31)

AN ORDINANCE OF THE CITY COUNCIL OF KUNA, IDAHO
- REPEALING CHAPTER 2 OF TITLE 11 KUNA CITY CODE; AND
- ENACTING A NEW CHAPTER 2 OF TITLE 11 KUNA CITY CODE; AND
- DIRECTING THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings
Consideration to approve ordinance
Consideration to approve summary publication

Council President Buban-Vonder Haar asked if this was the first time they were seeing this. Normally they had a marked-up version but there wasn't one. She asked if the prior Chapter 2 was about parking.

City Clerk Chris Engels explained this was in response to some parking situations occurring in the subdivisions outside the high school. The City had no authorities to issue citations for being parked in front of driveways and mailboxes and causing a lot of heartache for the homeowners in the neighborhood. Due to the fact the City didn't have it and there was not overriding State Code that indicated the police could site on behalf of the City, Marc Bybee wrote this ordinance in order for the City to implement that.

Mayor Stear added people were parking in the subdivision and walking to school because they didn't want to pay the parking permit fees. They were lining the streets, parking in front of mail boxes and there was no recourse to make them move or tow them. People couldn't get their mail and it was a problem so they worked with the Chief on this.

Council President Buban-Vonder Haar asked if there was any reason Council would like additional readings. She noted on page 6 of 8 for 11.2.9 there was a Section A and Subsection 1 but there was no Section B or Subsection 2. She asked to have that as just 11.2.9; not breaking it out to A or 1. Also, in Section 11.2.10, there was the same issue. Section B.1 should be incorporated into Section B.

Ms. Engels stated staff's preference was to waive the three readings.

Council President Buban-Vonder Haar moved to waive three readings of Ordinance No. 2020-01 as amended. Seconded by Council Member McPherson. Motion carried: 4-0.

Council President Buban-Vonder Haar moved to approve Ordinance No. 2020-01 as amended. Seconded by Council Member McPherson. Approved by the following roll call vote:
Voting Aye: Council Members Cardoza, Christensen, Buban-Vonder Haar, and McPherson
Voting No: None
Absent: None
Motion carried: 4-0.

Council President Buban-Vonder Haar asked what should be in the summary publication.

Ms. Engels said they could summarize or publish. Typically, they offered the option to summarize which would have the repeal of Chapter 2, the title, and the bullets underneath.

Mayor Stear said they could summarize as long as it had what the material change was.

City Attorney Bill Gigray said they could supply a summary that would embellish a little more on what the new chapter was. They could list the specifics and still do it as published summary.

Council President Buban-Vonder Haar moved approve summary publication of Ordinance No. 2020-01. Seconded by Council Member McPherson. Motion carried: 4-0.

E. Consideration to approve Ordinance No. 2020-02 ACTION ITEM
(Timestamp 02:57:35)

AN ORDINANCE OF THE CITY COUNCIL OF KUNA, IDAHO:
- AMENDING SECTION 8 OF CHAPTER 6 OF TITLE 1 KUNA CITY CODE PROVIDING A FIVE-MINUTE APPLICANT REBUTTAL TESTIMONY TIME LIMIT; AND
- DIRECTING THE CITY CLERK; AND

- PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings
Consideration to approve ordinance
Consideration to approve summary publication

Council President Buban-Vonder Haar verified the only change was taking the rebuttal time from 10 minutes to 5 minutes and asked if there was something that prompted the change.

Mayor Stear stated at the last public hearing that had to do with open space he realized the developers didn't really like the timelines that were given and when it was switched on them it was obvious they didn't like having that backwards motion. Something the public had expressed to him was they didn't like the fact that, after they gave testimony, the applicant could get back up and present a lot more information than they had in the original presentation. That 10-minute time limit seemed deceitful to them because then they didn't get to rebut. His hope was that by reducing this to a 5-minute timeline it would force the original 15-minute presentation to be more inclusive of all information.

Council President Buban-Vonder Haar clarified staff presentation was 15 minutes and the applicant presentation was 10 minutes. She felt that made sense.

Council President Buban-Vonder Haar moved to waive three readings of Ordinance No. 2020-02. Seconded by Council Member McPherson. Motion carried: 4-0.

Council President Buban-Vonder Haar moved to approve Ordinance No. 2020-02. Seconded by Council Member McPherson. Approved by the following roll call vote:
Voting Aye: Council Members Cardoza, Christensen, Buban-Vonder Haar, and McPherson
Voting No: None
Absent: None
Motion carried: 4-0.

Council President Buban-Vonder Haar moved approve summary publication of Ordinance No. 2020-02. Seconded by Council Member McPherson. Motion carried: 4-0.

F. Consideration to approve Ordinance No. 2020-03 ACTION ITEM
(Timestamp 03:00:43)

AN ORDINANCE OF THE CITY COUNCIL OF KUNA, IDAHO:

- ADDITION OF A NEW CHAPTER 5 TO TITLE 2 KUNA CITY CODE ESTABLISHING THE KUNA ECONOMIC DEVELOPMENT EXECUTIVE COMMITTEE; AND
- DIRECTING THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings
Consideration to approve ordinance
Consideration to approve summary publication

Council President Buban-Vonder Haar moved to waive three readings of Ordinance No. 2020-03. Seconded by Council Member McPherson. Motion carried: 4-0.

Council President Buban-Vonder Haar moved to approve Ordinance No. 2020-03. Seconded by Council Member McPherson. Approved by the following roll call vote:
Voting Aye: Council Members Cardoza, Christensen, Buban-Vonder Haar, and McPherson
Voting No: None
Absent: None
Motion carried: 4-0.

Council President Buban-Vonder Haar moved approve summary publication of Ordinance No. 2020-03. Seconded by Council Member McPherson. Motion carried: 4-0.

9. Mayor/Council Announcements:

(Timestamp 03:02:00)

Mayor Stear shared Parks Director Bobby Withrow and the Parks Department moved a tree. There were three trees growing really close together which would kill all three trees so they took the one out of the center and moved it behind City Hall. They estimated the tree was worth about $3,500 so, by spending about $800 to move it, they saved about $10,000 worth of trees and now there was a really nice tree behind City Hall.

Council Member Cardoza asked that Chief McDaniel walk Main Street between Avenue C and Avenue D on the north side sometime that week. They were having issues with vomit on the sidewalks again.

Council Member Cardoza also thanked the City for all the decorations in the park and downtown. He thought it was very nice.

Mayor Stear commented the decorations behind City Hall were very nice as well.

10. Executive Session:

None

11. Adjournment: **9:05pm**

_____
Joe L. Stear, Mayor

ATTEST:

_____
Chris Engels, City Clerk

Minutes prepared by Ariana Welker, Deputy City Clerk
Date Approved: CCM 01.21.2020

Staffs' Previous Open Space Proposal
November 19, 2019

Proposed No. of Dwellings/Units	Total % of Required Open Space
100 or Less	3.0%

Proposed No. of Dwellings/Units	Required Open Space Per 50 Dwellings/Units (Compounded)**	Total % of Required Open Space ***&****
101-150	1.70%	4.70%
151-200	1.70%	6.40%
201-250	1.70%	8.10%
251-300	1.70%	9.80%
301-350	0.55%	10.35%
351-400	0.55%	10.90%
451-500	0.55%	12.00%
501-550	0.40%	12.40%
551-600	0.40%	12.80%
601-650	0.40%	13.20%
651-700	0.40%	13.60%
701-750	0.40%	14.00%
751-800	0.40%	14.40%
801-850	0.40%	14.80%
851-900	0.40%	15.20%
901-950	0.40%	15.60%
951-1000	0.40%	16.00%
1001-1050	0.40%	16.40%
1051-1100	0.40%	16.80%
1101-1150	0.40%	17.20%
1151-1200	0.40%	17.60%
1201-1250	0.40%	18.00%
1251-1300	0.40%	18.40%
1301-1350	0.40%	18.80%
1351-1400	0.40%	19.20%
1401-1450	0.40%	19.60%
1451-1500	0.40%	20.00%
1501-1550	0.40%	20.40%
1551-1600	0.40%	20.80%
1601-1650	0.40%	21.20%
1651-1700	0.40%	21.60%
1701-1750	0.40%	22.00%
1751-1800	0.40%	22.40%
1801-1850	0.40%	22.80%
1851-1900	0.40%	23.20%
1901-1950	0.40%	23.60%
1951-2000	0.40%	24.00%
2001+	0.40% Per 50 Units	

Example 1 – 340 dwellings = 10.35% open space.
Example 2 – 723 dwellings = 14.00% open space.

Staffs' Modified Open Space Proposal
January 7, 2020

Proposed Number of Dwellings/Units	Total % of Required Open Space
1-6	Exempt

Proposed Number of Dwellings/Units	Total % of Required Open Space **&***
7-50	7.00%
51-100	7.50%
101-150	8.00%
151-200	8.50%
201-250	9.00%
251-300	9.50%
301-350	10.00%
351-400	10.50%
401-450	11.00%
451-500	11.50%
501-550	12.00%
551+	12.50%

Example 1 – 340 dwellings = 10.00% open space.
Example 2 – 723 dwellings would be 12.5% required open space.

January 7, 2020

Mayor and City Council
City of Kuna
751 West 4th Street
Kuna, ID 83634

RE: Proposed Changes to Open Space Requirements

Dear Mayor & Council:

Please accept this letter as written opposition to the open space requirement changes proposed in conjunction with Ordinance 2019-44, which is scheduled before you this evening.

As a land owner and developer with active projects in the City of Kuna, I have an interest in code and ordinance changes that affect development requirements and procedures. In reviewing the proposed ordinance changes and discussing them with other owners and developers in the area, I understand the City's desire to implement open space requirements for development projects and don't oppose the concept. However, the ordinance changes as presently written will place a heavy burden not only on developers, but also on homeowner's associations and homeowners themselves who ultimately must pay to maintain the open spaces provided within their neighborhoods.

As stated, I am in favor of the implementation of an open space policy and believe that well-designed and strategically-placed open spaces can provide excellent benefits for individual neighborhoods and their surrounding communities. However, I believe that the City's current open space proposal is excessive and should be re-evaluated in a manner that allows for public input and the opportunity for the City to truly understand the economic impacts of any open space requirements they choose to impose.

Sincerely,

Don Newell
PO Box 1939
Eagle, ID 83616

Dear Mayor and City Council Members,

I want to express my desire to formally oppose the open space requirements in the draft ordinance scheduled to be on the city council agenda for January 7, 2020.

I fully support the City implementing open space requirements that will mutually benefit the City and its residents while not eliminating the possibility for affordable housing in Kuna. I believe the current proposed resolution will shift exorbitant costs onto land developers and home builders, and ultimately these costs will become the burden of families buying homes in Kuna.

I have been very fortunate to own one of the largest real estate brokerages in Idaho. In 2019 we had the privilege to help of 2,500 families buy and sell homes throughout the Treasure Valley. I know first-hand how hard the run-up in home prices has been over the past five years on families trying to find good communities and homes to live in. Many of these buyers, and especially the native Idahoans, are simply being priced out of 'the American Dream'.

The proposed ordinance will make this problem even worse. Kuna is seen as one of the last beacons of hope for families to buy a high-quality affordable home and still live in a great, safe, exciting, and family oriented community. This ordinance will make it nearly impossible for builders or developers to sell a good product at a reasonable price. Not to mention HOA fees would have to increase substantially to continue to cover the additional expenses that will be incurred.

For land developers the cost will increase which will be passed onto builders and ultimately the consumer. With the increased development cost I would estimate a $75,000 lot would now cost $125,000. This would make the finished home price close to $500,000 on the low end. I Don't think this product would sell in Kuna and as stated before it would make our affordable housing problem much worse.

I am in favor of a reasonable open space plan. I respectfully request the city council reject this ordinance and take more time to assess the overall impact with involvement of all affected parties.

Best Regards,

Sheridan Hodson
Co-Founder EPIC Realty
208 861 8052

Wendy Howell

From: Ryan Hammons <rhammons@tollbrothers.com>
Sent: Tuesday, January 7, 2020 3:55 PM
To: Mayor Stear; Briana Buban-Vonder Haar; Richard Cardoza; Warren Christensen; Greg McPherson
Cc: Wendy Howell; Troy Behunin; Bob Bachman; Paul Stevens
Subject: Proposed Open Space Ordinance

Dear Mayor Stear and City Council Members,

I am writing in regards to the proposed open space ordinance that is to be discussed at tonight's council meeting. We at Toll Brothers fully support the City of Kuna's move to increase the amount of open space in its residential developments. We have made significant investments in the City of Kuna and believe that a well thought out ordinance that improves the overall look and feel of the City would be a significant benefit to residents and business partners like Toll Brothers.

However, I am concerned about the percentage increase in open space as the number of lots increase for the following reasons:

1. It incentivizes developers to break up development in to smaller individual plats. This would increase the administrative burden on the City resulting in longer approval times as well as increased costs.
2. Breaking up larger parcels in to smaller projects leads to poor planning. There are benefits to designing a large master planned community as one cohesive neighborhood.

I encourage to set a reasonable minimum percentage of open space that is the same no matter the size of the project.

Thank you,

RYAN HAMMONS | Senior Division Vice President
Coleman Homes, A Toll Brothers Company
3103 W Sheryl Drive, Suite 100 | Meridian, ID 83642
o: 208.424.0020
mycolemanhome.com

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Jace Hellman

From: Jace Hellman
Sent: Tuesday, January 7, 2020 5:05 PM
To: Jace Hellman
Subject: FW: Opposition letter for Jan 7th 2020 Meeting

From: Chad McCloud <chad@homesbyepic.com>
Sent: Tuesday, January 7, 2020 4:17 PM
To: Chris Engels <cengels@kunaid.gov>
Subject: Opposition letter for Jan 7th 2020 Meeting

Good afternoon,

Please include this letter in the agenda for Jan 7th meeting. Thank you!

Mayor and City Council Members.

As an owner of one of the largest Real Estate Brokerages in the Valley. I want to formally oppose the open space requirements in the draft ordinance scheduled to be on the city council agenda for January 7, 2020.

I fully support the City implementing open space requirements that will mutually benefit the City and its residents while not eliminating the possibility for affordable housing in Kuna.

As a real estate professional, I have seen the struggles that local, born and raised residents are having when it comes to finding affordable housing. Many of them are simply being priced out of 'the American Dream'. The proposed ordinance will make this problem even worse. Kuna is the last affordable option in ADA county and this ordinance will make it nearly impossible for builders or developers to sell a good product at a reasonable price. Not to mention HOA fees would have to increase, adding to the total cost per month for the resident.

For land developers the cost will increase which will be passed onto builders and ultimately the consumer. With the increased development cost I would estimate a $75,000 lot would now cost $125,000. This would make the finished home price close to $500,000 on the low end. I Don't think this product would sell in Kuna and as stated before it would make our affordable housing problem much worse.

I am in favor of a reasonable open space plan. I respectfully request the city council reject this ordinance and take more time to assess the overall impact with involvement of all affected parties.

Best Regards,

Chad McCloud

Chad McCloud
Realtor/ Co-Founder
EPICRealty
C:208-901-5380
O:208-576-4717

Mayor and City Council Members.

As Member/Manager of several legal entities all owning land within the city of Kuna I want to formally oppose the open space requirements in the draft ordinance scheduled to be on the city council agenda for January 7, 2020.

First, I fully support the City implementing open space requirements that will mutually benefit the City and its residents without unreasonable burden on landowners and developers. I do not believe this ordinance benefits either.

On February 5th, 2019, Kuna adopted ordinance 2019-04. Ordinance 2019-04 focused on changing the allowed uses in the C-1 Zone and was fast-tracked by the Council to stop residential projects in commercial zones. Buried in the fine print of that same ordinance was a 13-word sentence that significantly impacts all residential development. It states there shall be: "A minimum of 5% useable open space per 50 dwellings in residential developments". Because of the politics regarding the C-1 allowed uses, the mass of the document and the fine print regarding open space, the open space requirement was adopted without any input from the development community, without any economic study, and without any review or discussion by the Council.

Ordinance 2019-04 imposes the most aggressive open space ordinance in Ada County that I am aware of. It is also fatally flawed because the formula, 5% per 50 dwellings, requires 50% open space in a 500-dwelling plat or 100% open space in a 1,000-dwelling plat. Comments from staff at prior hearings recognize the City's first attempt at an open space requirement is "not workable".

Another ordinance was produced to revise the City open space calculation. It went to P&Z in June, again without any economic study, public discussion, or input from the development community or impacted land holders. P&Z made a recommendation of approval. This ordinance, however, never made it to the Council because it was poorly worded and ambiguous.

The ordinance on the agenda for January 7, 2020, is the second attempt to overhaul the City's open space calculation. The proposed formula requires increased open space with no cap as projects propose more units and results in outrageous amounts of open space for large projects. Attached hereto as exhibit 4 is the open space table proposed by the draft ordinance. As you can see, projects with 2000 units will require 24% open space. For comparison, Meridian only requires 5% for large lot projects and 10% for denser projects.

I am curious how this open space formula was developed. When the City updated our comp plan there was over a year of studies, surveys, public input, business input, developer input, workshops, etc. I would submit that this open space requirement is just as significant of a decision and yet there was no involvement with any of the community. Specifically, none of the owners of land that might be developed were involved.
Within the current comp plan Kuna developed Goal 2.B (Maintain and expand parks and public gathering spaces) exhibit 5. Within 2.B the plan states "the city of Kuna's level of service goal is one acre of park land for every 80 residents". This goal is unreasonably aggressive. Please note the following examples for comparison:
The city of Eagle's park level of service goal is 3.3 Acres per 1,000 population or one acre per 303 population.

The city of Meridian's CIP reports a standard of service of 3.04 acres per 1,000 residents or one acre per 329 residents.
Kuna's unreasonable goal is 378% more than Eagle and 411% more than Meridian.

Goal 2.B of the comp plan also states "In August 2016, the city of Kuna adopted a park impact fee to help build and establish new parks. The impact fees will generate approximately $1,595,320 for park land **acquisition, maintenance and improvements**".

In order to implement an equitable impact fee system for the parks and recreational facilities, the city adopted by resolution dated June 7, 2016, the City of Kuna, *Idaho Capital Improvements Plan, and Park Impact Fee Calculation Study* (study). The study was prepared by city staff, as qualified professionals in finance, engineering, planning and transportation.

The study sets forth reasonable methodologies and analyses for determining the impacts of various types of new development on the parks and recreational facilities and determines the cost of acquiring or constructing the improvements necessary to meet the demands for such facilities created by new development.

It has been suggested that the open space ordinance is consistent with the comp plan goal for park land. Contradicting the comp plan that relies on the Park Impact Fee to achieve the Park Land Goal and the goal of the park impact fee for determining the impacts of various types of new development on the parks and recreational facilities, and determines the cost of acquiring or constructing the improvements necessary to meet the demands for such facilities created by new development.

This open space ordinance is a double dip. It does not increase parks or public gathering spaces. Therefore, it is not facilitating the goals of the comp plan. It creates private open space that will be owned and maintained by the controlling Homeowners Association. It will be private and for the exclusive use of the members of the association. Excessive open space owned and maintained by a HOA imposes excessive maintenance burden on the members. This excess burden could easily increase HOA maintenance costs by 12 times. As soon as the members obtain control of the association, they will vote to reduce their budget by terminating maintenance of the excess open space. They will maintain only the open space they regularly use, and the surplus will be allowed to die.

To my knowledge, there was no economic study completed to understand the effects of the proposed open space calculations. This needs to be studied because it will have a significant impact on the economics of the City and the costs of homeownership in Kuna. Requiring such large areas of open space will dramatically increase the price of building lots in the City, I estimate by up to 60% or ($40,000 - $60,000 per lot). This is due to the higher cost of land resulting from the total land cost being applied only to the land receiving dwellings, running utilities through and around open space, and developer costs to install open space landscaping. The maintenance cost imposed on ACHD to maintain and repair roadways to, through and around open space that does not pay taxes. The installation and maintenance cost of all utilities that would be required to stretch around the open space. If a project requires 24% open space, my calculations show that home prices in such a development could be as much as $200,000 higher for the same product. Prices will exceed Meridian and maybe Eagle and Boise.

An economic study is also important because this open space ordinance will cost homeowners millions of dollars in additional HOA assessments to maintain these large areas of open space. Lastly, this ordinance will dramatically decrease the city's tax revenue because common area and open space are not assessed by Ada County. Thus, in a 2000-unit development, approximately 1/4 of the area would not generate tax revenue for the city.

This proposed ordinance is also biased against larger developments and landowners. The City's ordinance should treat landowners equally and fairly. The proposal also creates more open space for less dense projects, which makes no sense. As projects get denser there should be more open space. Meridian's code recognizes this.

Attached are several exhibits showing bias against larger low-density developments:

Exhibit 1 quadrant 1A
A 2000 lot subdivision on 640 acres would result in 3.125 DUGA and require 153.6 acres open space.

Exhibit 1 quadrant 1B
A 2000 lot subdivision on 500 acres would result in 4 DUGA and require 120 acres open space.

Exhibit 1 quadrant 1C
A 2000 lot subdivision on 333.33 acres would result in 6 DUGA and require 80 acres open space.

Exhibit 1 quadrant 1D
A 2000 lot subdivision on 250 acres would result in 8 DUGA and require 60 acres open space.

A 2000 lot subdivision on 200 acres would result in 10 DUGA and require 48 acres open space. This example is not on the exhibit, but I think you get the point.

5 scenarios all with 2000 lots and open space ranging from 48 to 153.6 acres.

The proposed ordinance encourages higher density and smaller lots. It also encourages piecemeal development to avoid the higher open space thresholds.

These examples are based on a square mile:

Exhibit 2 quadrant 2A
A square mile developed in 32 plats of 20 acres each at 6 DUGA will generate 3840 lots and require 30.08 acres open space.

Exhibit 2 quadrant 2B
A square mile developed in 16 plats of 40 acres each at 6 DUGA will generate 3840 lots and require 51.84 acres open space.

Exhibit 2 quadrant 2C
A square mile developed in 32 plats of 20 acres each at 4 DUGA will generate 2560 lots and require 19.2 acres open space.

Exhibit 2 quadrant 2D
A square mile developed in 16 plats of 40 acres each at 4 DUGA will generate 2560 lots and require 40.96 acres open space.

Exhibit 3 quadrant 3A
A square mile in a single plat at 6 DUGA will generate 3840 lots and require 247.80 acres open space. (yes, that is 38.72%)

While some current subdivisions may comply with this open space plan and while some of these scenarios may not have occurred, all of these scenarios are possible and should be considered.

This will result in large parcels being sold off in pieces or developed in smaller parcels as smaller subdivisions.

As a said, I am in favor of a reasonable open space plan. I respectfully request the city council reject this ordinance and Instruct staff to reassess the open space calculation. I would submit that this process should include public involvement from the residents, development community and all landowners. It should also include an economic study to obtain an understanding of the cost to landowners, cost to developers, costs to HOAs, and the loss of Tax revenue. Then formulate an open space plan accordingly.

Sincerely:

Timothy W Eck

Please consider this letter of opposition as being submitted individually from each of the following entities each holding large parcels of land in Kuna:

Arroyo Indio Farm LLC
Bodahl Farm LLC
Mason Creek Farm LLC
N Star Farm LLC
NE Kuna Farm LLC
Pawnee Farm LLC
Renascence Farm LLC
South Farm LLC
Thistle Farm LLC
Urza Farm LLC
Vanderkooy Farm LLC
Waters Edge Farm LLC
DB Development
Endurance Holdings
Viper Investments
Challenger Development
CBH Homes

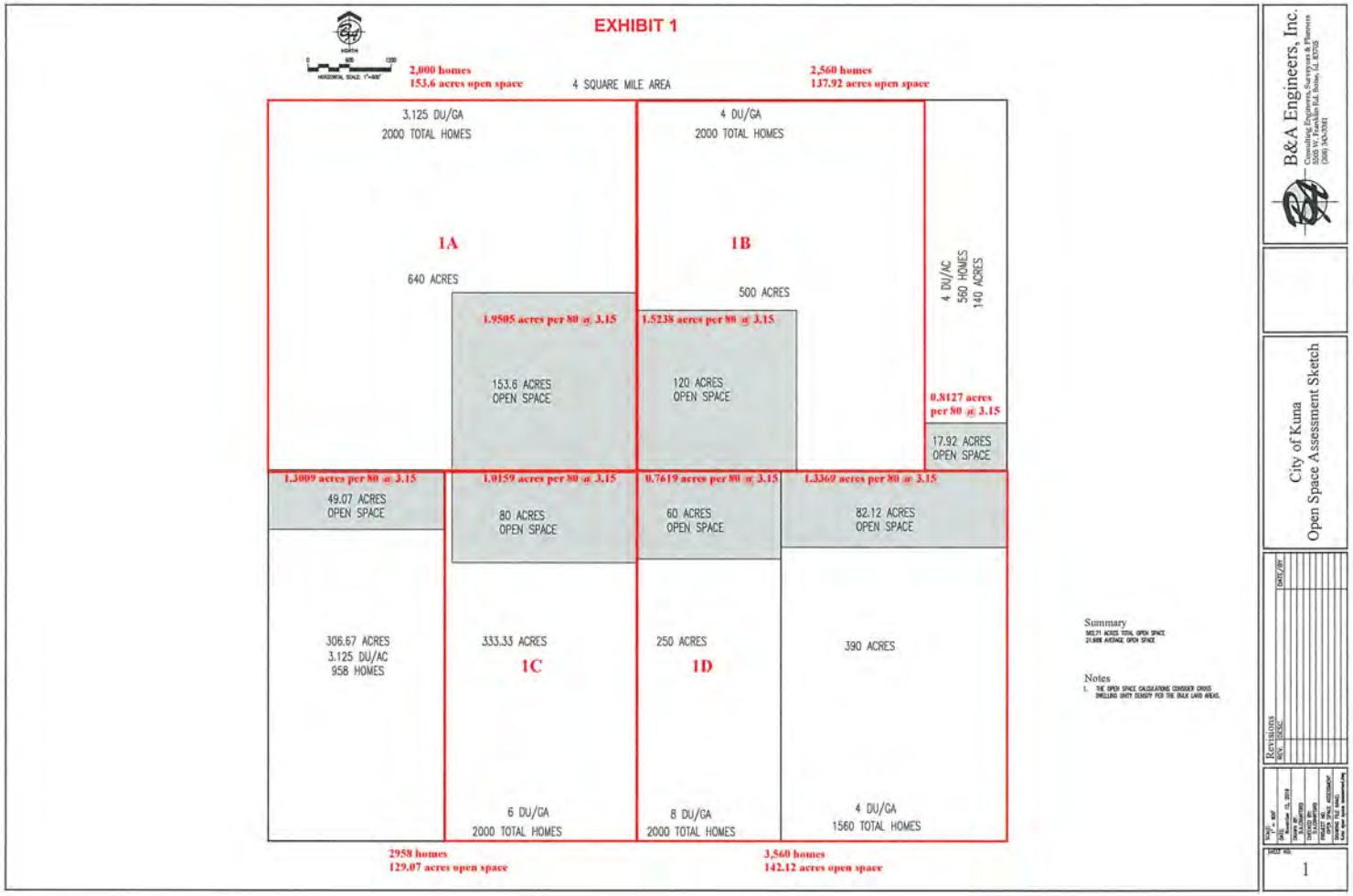
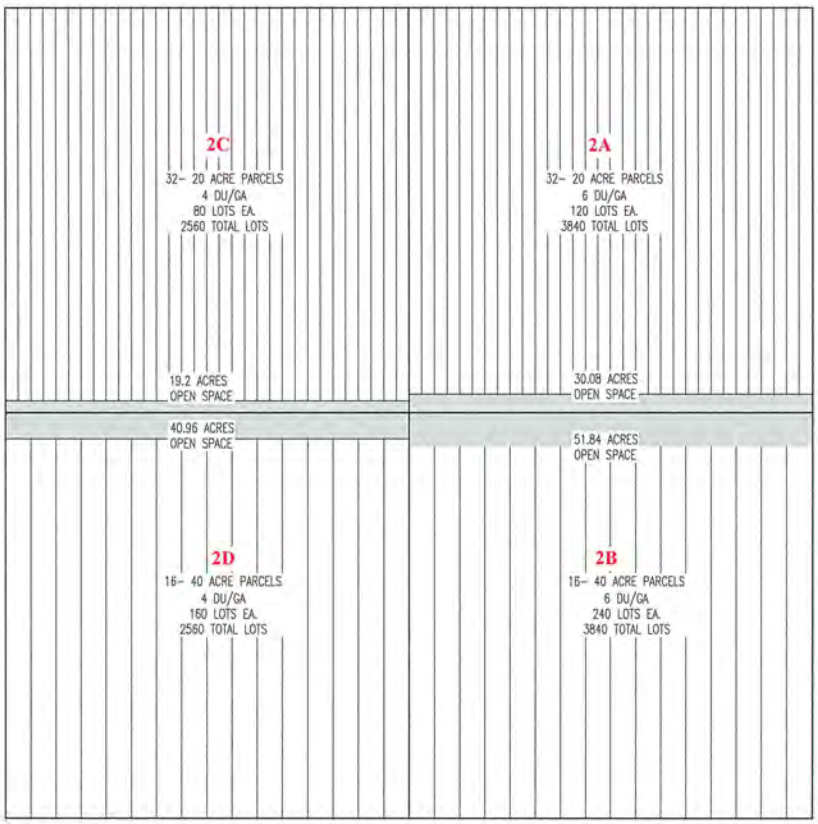

EXHIBIT 1
2,000 homes
153.6 acres open space
4 SQUARE MILE AREA
2,560 homes
137.92 acres open space
3.125 DU/GA
2000 TOTAL HOMES
4 DU/GA
2000 TOTAL HOMES
1A
640 ACRES
1B
500 ACRES
4 DU/AC
560 HOMES
140 ACRES
1.9505 acres per 80 @ 3.15
153.6 ACRES
OPEN SPACE
1.5238 acres per 80 @ 3.15
120 ACRES
OPEN SPACE
0.8127 acres
per 80 @ 3.15
17.92 ACRES
OPEN SPACE
1.5009 acres per 80 @ 3.15
49.07 ACRES
OPEN SPACE
1.0159 acres per 80 @ 3.15
80 ACRES
OPEN SPACE
0.7619 acres per 80 @ 3.15
60 ACRES
OPEN SPACE
1.3369 acres per 80 @ 3.15
82.12 ACRES
OPEN SPACE
306.67 ACRES
3.125 DU/AC
958 HOMES
333.33 ACRES
1C
250 ACRES
1D
390 ACRES
6 DU/GA
2000 TOTAL HOMES
8 DU/GA
2000 TOTAL HOMES
4 DU/GA
1560 TOTAL HOMES
2958 homes
129.07 acres open space
3,560 homes
142.12 acres open space
Summary
Notes
B&A Engineers, Inc.
City of Kuna
Open Space Assessment Sketch
Revisions
1

EXHIBIT 2



Summary

Notes

B&A Engineers, Inc.

City of Kuna
Open Space Assessment Sketch

Revisions

2

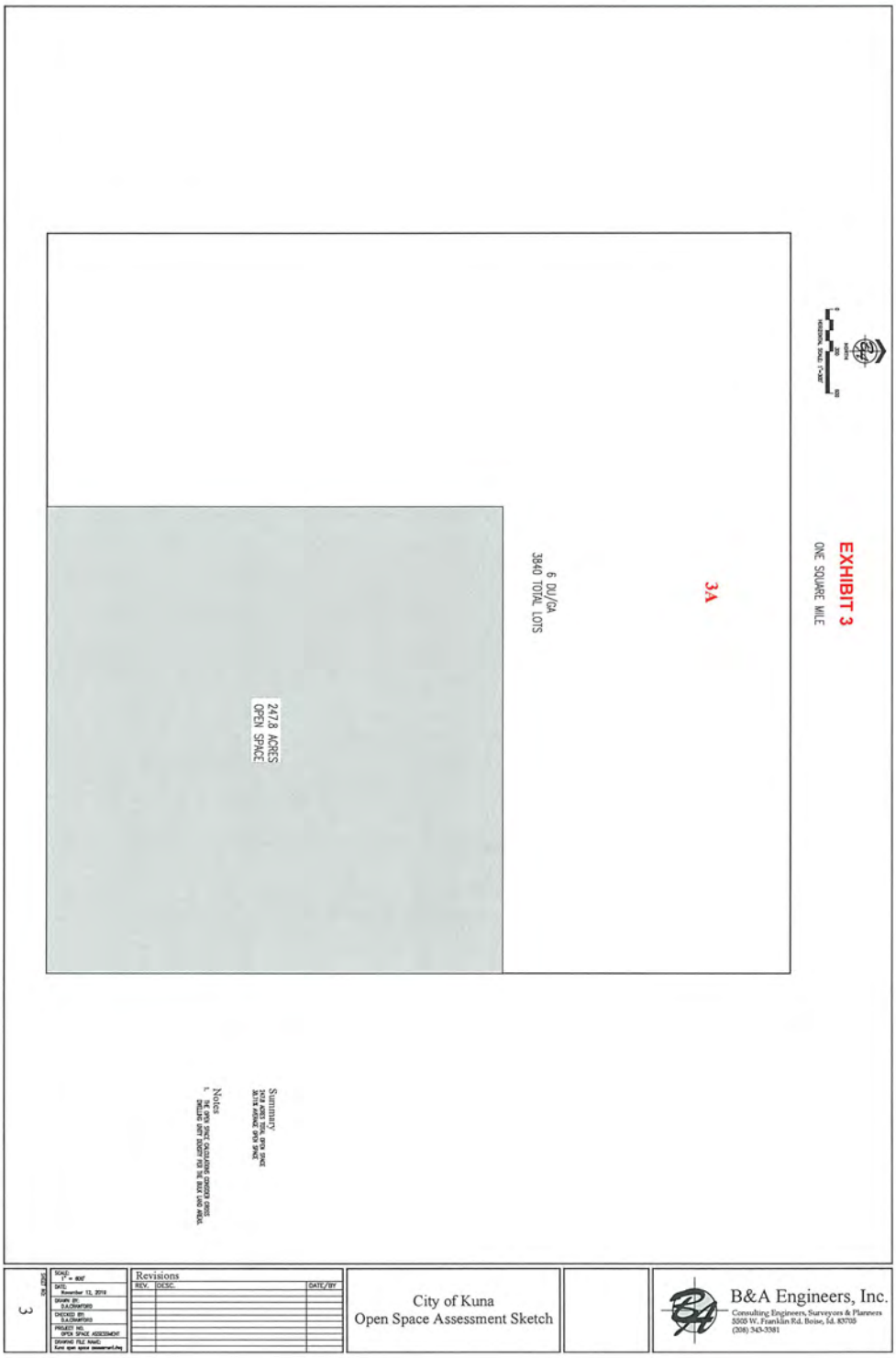

EXHIBIT 3
ONE SQUARE MILE
3A
6 DU/GA
3840 TOTAL LOTS
247.8 ACRES
OPEN SPACE
Summary
Notes
Revisions
REV.
DESC.
DATE/BY
City of Kuna
Open Space Assessment Sketch
B&A Engineers, Inc.
Consulting Engineers, Surveyors & Planners
5305 W. Franklin Rd. Boise, Id. 83705
(208) 343-3381

EXHIBIT 4

Number of Homes and percentage of open space

		11 to 29	30-100	150	200	250	300	350	400	450	500	550	600	650	700	750	800	850	900	950	1000
100	3.00%	2.50%	3.00%																		
150	1.70%			4.70%																	
200	1.70%				6.40%																
250	1.70%					8.10%															
300	1.70%						9.80%														
350	0.55%							10.35%													
400	0.55%								10.90%												
450	0.55%									11.45%											
500	0.55%										12.00%										
550	0.40%											12.40%									
600	0.40%												12.80%								
650	0.40%													13.20%							
700	0.40%														13.60%						
750	0.40%															14.00%					
800	0.40%																14.40%				
850	0.40%																	14.80%			
900	0.40%																		15.20%		
950	0.40%																			15.60%	
1000	0.40%																				16.00%

		1050	1100	1150	1200	1250	1300	1350	1400	1450	1500	1550	1600	1650	1700	1750	1800	1850	1900	1950	2000
1050	0.40%	16.40%																			
1100	0.40%		16.80%																		
1150	0.40%			17.20%																	
1200	0.40%				17.60%																
1250	0.40%					18.00%															
1300	0.40%						18.40%														
1350	0.40%							18.80%													
1400	0.40%								19.20%												
1450	0.40%									19.60%											
1500	0.40%										20.00%										
1550	0.40%											20.40%									
1600	0.40%												20.80%								
1650	0.40%													21.20%							
1700	0.40%														21.60%						
1750	0.40%															22.00%					
1800	0.40%																22.40%				
1850	0.40%																	22.80%			
1900	0.40%																		23.20%		
1950	0.40%																			23.60%	
2000	0.40%																				24.00%

EXHIBIT 5

Goal 2.B Maintain and expand parks and public gathering spaces.

New development puts a demand on existing parks and public spaces; as Kuna continues to grow, its parks system will necessarily expand to meet citizens' needs to recreate, socialize, gather, play and be active. There are 113 acres of City parks in Kuna in 17 locations (four bare ground neighborhood playgrounds, nine neighborhood parks and four specialized recreation areas). In August 2016, the city of Kuna instituted a park impact fee to help build and establish new parks. The impact fees will generate approximately $1,595,320 for park land acquisition, maintenance, and improvements. As of August 2016, there was one acre of park and recreation space for every 105 residents in Kuna; the city of Kuna's level of service goal is one acre of park land for every 80 residents.



Troy Behunin

From: Timothy Eck <timothyeck@me.com>
Sent: Tuesday, January 07, 2020 4:39 PM
To: Troy Behunin
Subject: Open Space

Troy:

I have seen the the amended open space schedule. It is greatly improved but they should count all open space including end caps and landscape buffers. Some argue thet the end capsand landscape buffers are not usable but that is wrong. All end caps and landscape buffers include 5' - 8' sidewalks. That makes them Quite usable.

TE

CITY OF KUNA
751 W. 4th Street • Kuna, Idaho • 83634 • Phone (208) 922-5546
Fax: (208) 922-5989 • www.kunacity.id.gov

PUBLIC HEARING SIGN-UP SHEET

Kuna City Council Meeting 6:00 p.m.
September 3, 2019

New Water and Sewer System Fees and Policies
Resolution No.s R01-2020 and R02-2020

Please print your name below if you would like to present oral testimony or written exhibits about this item to the City Council.

IN FAVOR	NEUTRAL	IN OPPOSITION
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☑ Testify ☐ Not Testify
Print Name	Print Name	Lance Comerill
Print Address	Print Address	435 Strike Way
City State, Zip	City State, Zip	Kuna ID 83634
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify
Print Name	Print Name	Jim EBERHARD
Print Address	Print Address	332 E. NORTHRIDGE DR
City State, Zip	City State, Zip	KUNA ID 83634
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify
Print Name	Print Name	Print Name
Print Address	Print Address	Print Address
City State, Zip	City State, Zip	City State, Zip

IN FAVOR	NEUTRAL	IN OPPOSITION
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify
Print Name	Print Name	Print Name
Print Address	Print Address	Print Address
City State, Zip	City State, Zip	City State, Zip
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify
Print Name	Print Name	Print Name
Print Address	Print Address	Print Address
City State, Zip	City State, Zip	City State, Zip
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify
Print Name	Print Name	Print Name
Print Address	Print Address	Print Address
City State, Zip	City State, Zip	City State, Zip
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify
Print Name	Print Name	Print Name
Print Address	Print Address	Print Address
City State, Zip	City State, Zip	City State, Zip
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify
Print Name	Print Name	Print Name
Print Address	Print Address	Print Address
City State, Zip	City State, Zip	City State, Zip

From: Jim E. <tracerjim@yahoo.com>
Sent: Monday, January 6, 2020 7:27 AM
To: Mayor Stear <mayorstear@kunaid.gov>; Richard Cardoza <rcardoza@kunaid.gov>; Briana Buban-Vonder Haar <bbuban@kunaid.gov>; Greg McPherson <gmcpherson@kunaid.gov>; Lisa Holland <lholland@kunaid.gov>; wchristesen@kunaid.gov
Cc: smcintosh@idahostatesman.com; Christina Lords <clords@idahostatesman.com>; news@kboi2.com; news@kivitv.com
Subject: Kuna Water Billing Practices

Hi all. Since I will be allowed 3 minutes to speak at the council meeting I am going to try explaining myself before the meeting.

I have invested a lot of my time and money into making my home efficient in terms of resources needed to be comfortable, affordable and, good for the environment.

Things I have done to help conserve resources and make life comfortable include installing high efficiency heating, cooling and water heating systems. Properly venting, then insulating my attic. My home is 2000 sq. feet single level. My level pay natural gas bill is $34, electric is $33, my Kuna water bill is $43.63. How do these amounts compare to yours? Do you know what yours are?

My water heater is natural gas, tankless with built in circulator. What this means is, the burner is 98% efficient. It only runs when water is flowing and less than 125 deg F. I am not storing 50 gallons of 145 deg F water like most people. The higher temperature is so they don't "run out of hot water". This type of water heater also cools all 50 gallons while the burner is not operating, about 18 hours every day. The average household spends $400-$600 annually heating it's water, according to Energy.gov. During the 3 months the furnace does not operate, (June, July, August) my natural gas usage is $1/month. Efficiency pays, usually. Not in Kuna. The USGS says the average usage per person in the U.S. is 84 gallons. But in Idaho it is 142 gallons. That's embarrassing. I don't know what all goes into how those amounts are calculated, but that is a huge difference, regardless. I am sure that one of the reasons Idaho consumption is so high, is how water is billed. The current method does nothing to incentivize conservation, nothing.

Take a look at the attached files. I have summarized my water bills for 3 years. In 2017 there were 3 people living here. Note the far right column, it is G/Day/occ. That is gallons per day per occupant in my home for each month. Half the national average. Now look at the 2019 sheet. I started to do everything I could imagine to reduce my water consumption. Again, look at the far right column. The month I was able to get below 1000 gallons for the month my G/Day/Occ was 30 gallons! Yet my monthly bill remained $43.63.

In July I started to do nothing to conserve water. Each subsequent month I did more and more to use more and more water. In December I got desperate to raise the amount used. Here is what I did. Each morning I read headlines and then the stories that interest me. It takes 1 1/2 to 2 hours to finish. Before sitting down to read I opened the kitchen faucet. When I finished, I closed the faucet. That is the only way I am able to get the cost per gallon reduced. Use more! And that used just over half the 10,000 I gallons a month I pay for. Currently I am paying for nearly a years' worth of water every month. In 2019 I used 21,300 gallons, total. I paid for 120,000 gallons.

Kuna water meter resolution is down to 50 gallons. Electric meters resolution is 0.0001 KWh, gas meters 0.1 cubic foot. Gas is billed in 1.0 cubic feet. Electricity is billed in 1.0 KWh. This method shows that the more you use, the more it costs. Why doesn't Kuna bill water the same way? I have to use more to show a reduction in cost per unit,(gallon), but no change in the amount billed.

How would you feel if after buying a new high mileage car and after filling the tank, you paid for 100 gallons of gas, every time you filled up, regardless of the actual amount of gas used? Unless you used more than 100 gallons. That is how Kuna bills me for my water. Why bother opening and closing the faucets? Opening and closing them wears the valves out, takes time and effort on my part. I am going to stop wearing my faucet valves out and just plain get lazy. It will cost me less in the long run! No plumber bills for replacing worn faucets. Not to mention, letting them drip. Why repair them, it will only cost me.

Kuna has everything in place to bill according to usage. This has far ranging benefits. If people realized less usage meant less $$ month for water, they would use less. As the population grows and usage went down, new wells may not be required. Well pumps run less and last longer. Water treatment plants won't need to be expanded, or new ones built. The environment wins on some many levels.

Finally, I researched the cost of water in 3 cities. For 1,500 gallons Chicago $23.28, Las Vegas $34.93, L.A. $47.49, U.S. average $35.49. Kuna $43.63. Only L.A. is more expensive. Why? Electricity and labor are half that of any of the cities I listed. Why is water so expensive in Kuna?

In summary, questions I would like answered during my 3 minutes tonight are:

* Compare your personal utility bills to mine, do they come close to mine?

* Why is the cost of water in Kuna so high? Chicago, $23.28, L.A. $47.49.

* What factors are used to calculate the rate?

* Why not bill for the actual amount used. Tiered rates do nothing to encourage conservation.

* Why isn't electronic billing an option?

* New connection fees reflect the true cost of growth?

* How are the meters read?

* When do water meters get calibrated?

Thank you for your time.

Sincerely,

Jim Eberhard

208 713 5163

Kuna Water Billing 2018								
Prev	Pres	Days	Usage	Occ	G/Occ	Billed	$/100 Gallons	G/Day/Occ
12/27/2016	1/25/2017	29	3000	3	1000	$ 42.50	$1.42	34.48
47895	48195							
1/25/2017	2/22/2017	28	3450	3	1150	$ 42.50	$1.23	41.07
48195	48540							
2/22/2017	3/28/2017	34	4600	3	1533	$ 42.50	$0.92	45.10
48540	49000							
3/28/2017	4/25/2017	28	4050	3	1350	$ 42.50	$1.05	48.21
49000	49405							
4/25/2017	5/24/2017	29	3450	3	1150	$ 42.50	$1.23	39.66
49405	49750							
5/24/2017	6/26/2017	33	3700	3	1233	$ 42.50	$1.15	37.37
49750	50120							
6/26/2017	7/25/2017	29	2400	2	1200	$ 42.50	$1.77	41.38
50120	50360							
7/25/2017	8/24/2017	30	2200	2	1100	$ 42.50	$1.93	36.67
50360	50580							
8/24/2017	9/25/2017	32	4500	3	1500	$ 42.50	$0.94	46.88
50580	51030							
9/25/2017	10/30/2017	35	4400	3	1467	$ 42.50	$0.97	41.90
51030	51470							
10/30/2017	11/27/2017	28	4100	3	1367	$ 43.63	$1.06	48.81
51470	51880							
11/27/2017	12/26/2017	29	3350	3	1117	$ 43.63	$1.30	38.51
51880	52215							
	Averages		**3600**		**1263.9**		**$1.25**	**41.67**

Kuna Water Billing 2018								
Prev	Pres	Days	Usage	Occ	G/Occ	Billed	$/100 Gallons	G/Day/Occ
12/26/2017	1/25/2018	30	4950	5	990	$ 43.63	$0.88	33.00
52215	52710							
1/25/2018	2/22/2018	28	3300	4	825	$ 43.63	$1.32	29.46
52710	53040							
2/22/2018	3/27/2018	33	950	1	950	$ 43.63	$4.59	28.79
53040	53135							
3/27/2018	4/26/2018	30	1200	1	1200	$ 43.63	$3.64	40.00
53135	53255							
4/26/2018	5/24/2018	28	1600	1	1600	$ 43.63	$2.73	57.14
53255	53415							
5/24/2018	6/26/2018	33	1610	1	1610	$ 43.63	$2.71	48.79
53415	53576							
6/26/2018	7/25/2018	29	1540	1	1540	$ 43.63	$2.83	53.10
53576	53730							
7/25/2018	8/28/2018	34	1900	1	1900	$ 43.63	$2.30	55.88
53730	53920							
8/28/2018	9/24/2018	27	1200	1	1200	$ 43.63	$3.64	44.44
53920	54040							
9/24/2018	10/26/2018	32	2100	2	1050	$ 43.63	$2.08	32.81
54040	54250							
10/26/2018	11/26/2018	31	1800	1.5	1200	$ 43.63	$2.42	38.71
54250	54430							
11/26/2018	12/26/2018	30	1500	1	1500	$ 43.63	$2.91	50.00
54430	54580							
	Averages		**1971**		**1297**		**$2.67**	**42.68**

Kuna Water Billing 2019								
Prev	Pres	Days	Usage	Occ	G/Occ	Billed	$/100 Gallons	G/Day/Occ
12/26/2018	1/24/2019	29	1150	1	1150	$ 43.63	$3.79	39.66
54580	54695							
1/24/2019	2/25/2019	32	1500	1	1500	$ 43.63	$2.91	46.88
54695	54845							
2/25/2019	3/25/2019	28	1300	1	1300	$ 43.63	$3.36	46.43
54845	54975							
3/25/2019	4/24/2019	30	1250	1	1250	$ 43.63	$3.49	41.67
54975	55100							
4/24/2019	5/23/2019	29	1000	1	1000	$ 43.63	$4.36	34.48
55100	55200							
5/23/2019	6/24/2019	32	1200	1	1200	$ 43.63	$3.64	37.50
55200	55320							
6/24/2019	7/24/2019	30	900	1	900	$ 43.63	$4.85	30.00
55320	55410							
7/24/2019	8/26/2019	33	1100	1	1100	$ 43.63	$3.97	33.33
55410	55520							
8/26/2019	9/24/2019	29	1650	1.5	1100	$ 43.63	$2.64	37.93
55520	55685							
9/24/2019	10/28/2019	34	2800	2	1400	$ 43.63	$1.56	41.18
55685	55965							
10/28/2019	11/21/2019	24	2500	1	2500	$ 43.63	$1.75	104.17
55965	56215							
11/21/2019	12/23/2019	32	4950	1	4950	$ 43.63	$0.88	154.69
56215	56710							
	Averages		**1775**		**1612.5**		**$3.10**	**53.99**



Water Rates Dashboard

This interactive graphic shows eight years of water rates data from 30 major U.S. cities. The graphs above show average monthly residential water prices for three levels of consumption (top) and the annual percent change (bottom). Use the buttons on the left side to show the same data for a single year or city.

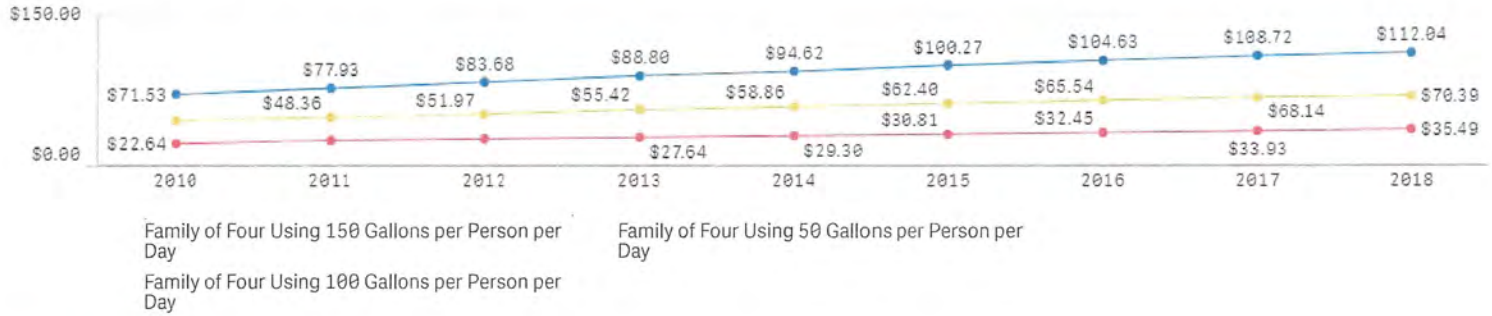
CLEAR ALL

Year

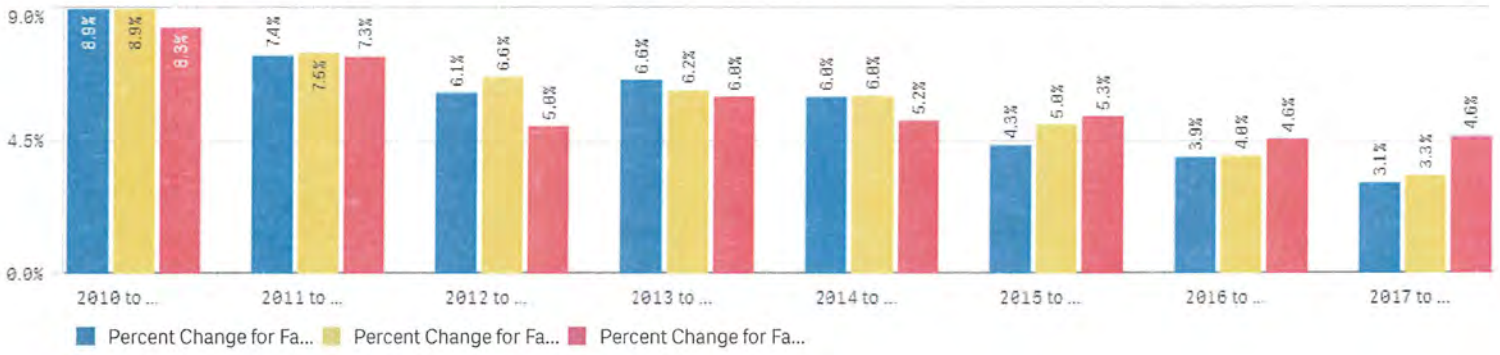
2018
2017
2016
2015
2014
2013
2012
2011

Select City

Average Monthly Cost of Water



Annual Percent Change for Monthly Cost of Water





Water Rates Dashboard

This interactive graphic shows eight years of water rates data from 30 major U.S. cities. The graphs above show average monthly residential water prices for three levels of consumption (top) and the annual percent change (bottom). Use the buttons on the left side to show the same data for a single year or city.

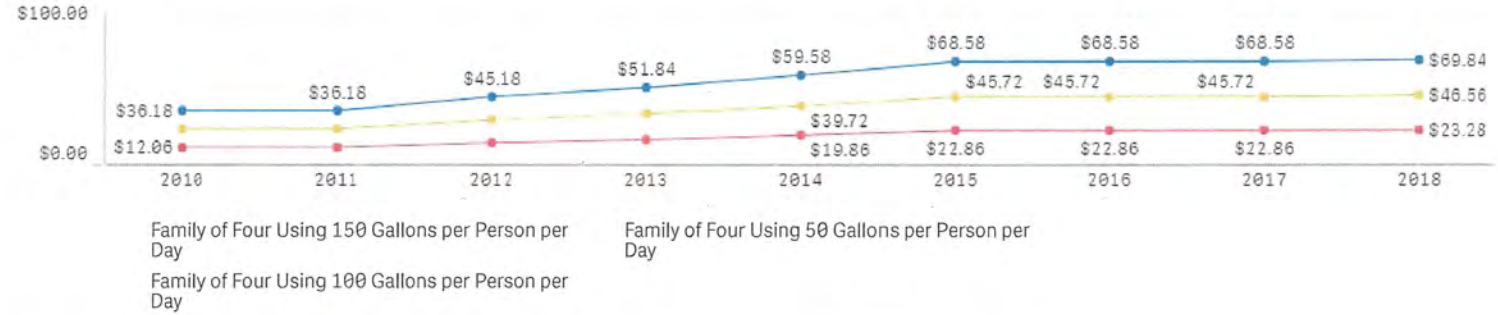
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Year

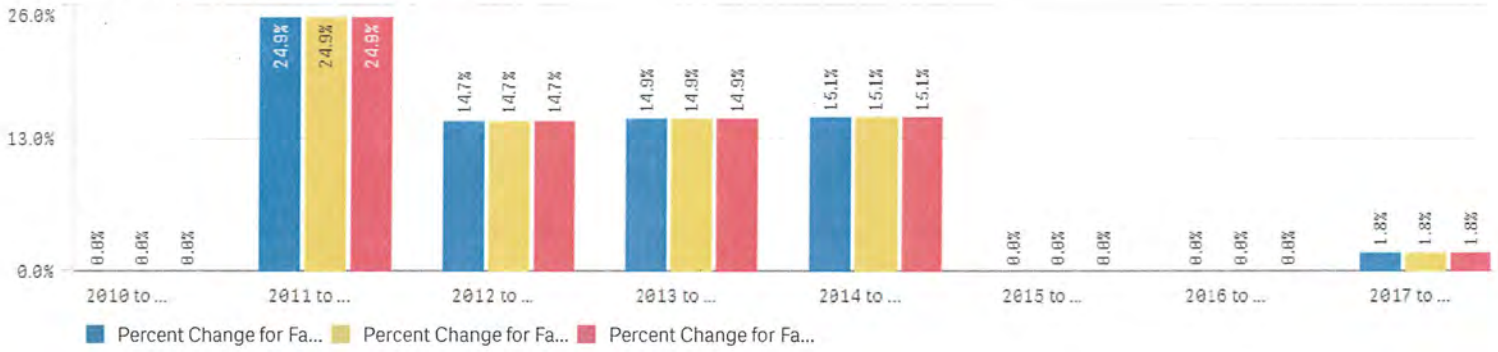
2018
2017
2016
2015
2014
2013
2012
2011

Chicago

Average Monthly Cost of Water



Annual Percent Change for Monthly Cost of Water





Water Rates Dashboard

This interactive graphic shows eight years of water rates data from 30 major U.S. cities. The graphs above show average monthly residential water prices for three levels of consumption (top) and the annual percent change (bottom). Use the buttons on the left side to show the same data for a single year or city.

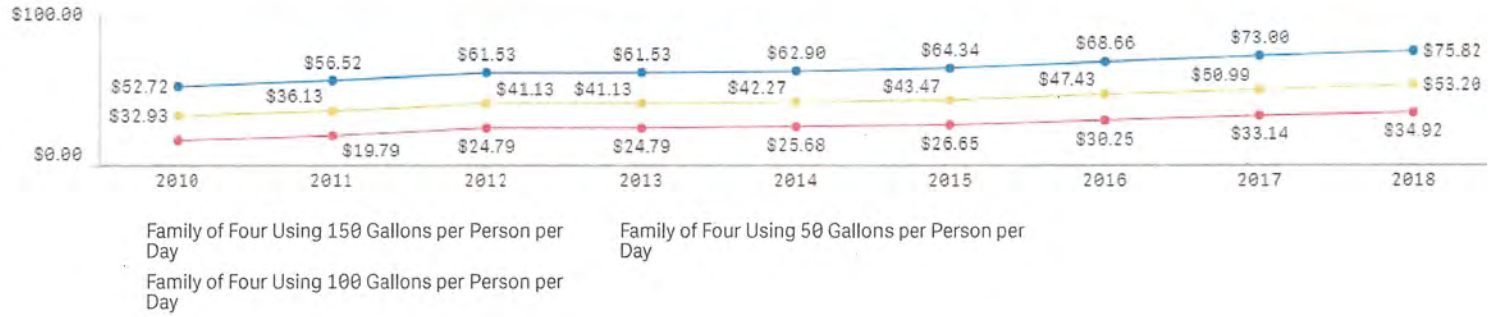
CLEAR ALL

Year

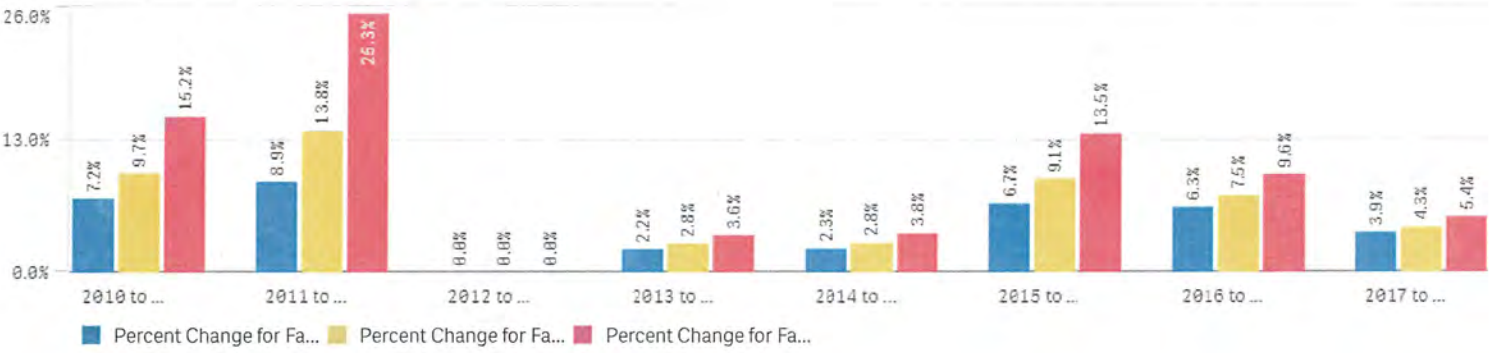
2018
2017
2016
2015
2014
2013
2012
2011

Las Vegas

Average Monthly Cost of Water



Annual Percent Change for Monthly Cost of Water





Water Rates Dashboard

This interactive graphic shows eight years of water rates data from 30 major U.S. cities. The graphs above show average monthly residential water prices for three levels of consumption (top) and the annual percent change (bottom). Use the buttons on the left side to show the same data for a single year or city.

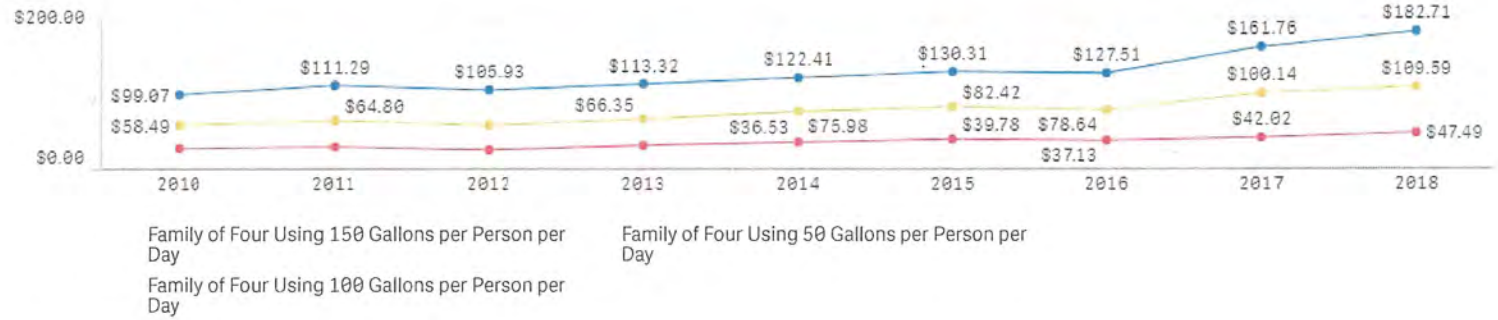
CLEAR ALL

Year

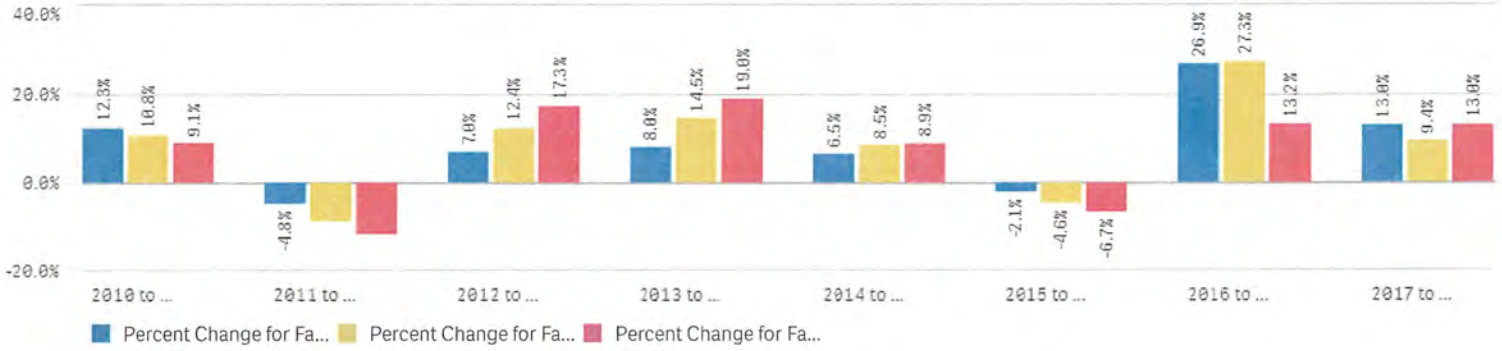
2018
2017
2016
2015
2014
2013
2012
2011

Los Angeles

Average Monthly Cost of Water



Annual Percent Change for Monthly Cost of Water



City of Kuna | Payment Approval Report - City Council Approval | Page: 1
Report dates: 1/3/2020-1/16/2020 | Jan 16, 2020 11:29AM

Report Criteria:
Detail report.
Invoices with totals above $0.00 included.
Paid and unpaid invoices included.

Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
ACEM												
839	ACEM	60220.00		2ND QUARTER MEMBERSHIP DUES FOR FY 2020, JAN. '20	01/01/2020	1,883.50	1,883.50	01-6075 DUES & MEMBERSHIPS	0	1/20	01/03/2020	
Total 60220.00:						1,883.50	1,883.50					
Total ACEM:						1,883.50	1,883.50					
ADA COUNTY HIGHWAY DISTRICT (IMPACT)												
5	ADA COUNTY HIGHWAY DISTRICT (IMPACT)	12312019ACH		ACHD IMPACT FEE, DEC.'19	12/31/2019	188,580.00	188,580.00	01-2510 ACHD IMPACT FEE TRANSFER	0	1/20	01/10/2020	
Total 12312019ACHDI:						188,580.00	188,580.00					
Total ADA COUNTY HIGHWAY DISTRICT (IMPACT):						188,580.00	188,580.00					
ADA COUNTY SHERIFF'S OFFICE												
6	ADA COUNTY SHERIFF'S OFFICE	063659		SHERIFF SERVICES FOR JANUARY 2020	01/02/2020	208,449.56	.00	01-6000 LAW ENFORCEMENT SERVICES	0	1/20		
Total 063659:						208,449.56	.00					
Total ADA COUNTY SHERIFF'S OFFICE:						208,449.56	.00					
ADVANCED COMMUNICATIONS, INC.												
1566	ADVANCED COMMUNICATIONS, INC.	000010230101		INTERNET SERVICE FOR PARKS OFFICE, 01/01/2020-01/31/2020	01/01/2020	164.75	.00	01-6290 UTILITIES	1004	1/20		
Total 0000102301012020:						164.75	.00					

Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
Total ADVANCED COMMUNICATIONS, INC.:						164.75	.00					
ALLOWAY ELECTRIC CO												
1087	ALLOWAY ELECTRIC CO	49023	9469	5 EA CAPS FOR STANDARD STREET LIGHTS, ELECTRICIAN LABOR-1/8/2020, S. HOWELL, JAN. '20	01/10/2020	136.05	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1002	1/20		
Total 49023:						136.05	.00					
Total ALLOWAY ELECTRIC CO:						136.05	.00					
ALLSTREAM BUSINESS US, INC												
1411	ALLSTREAM BUSINESS US, INC	16572113		TELEPHONE, DATA, AND NETWORK SERVICES PROVIDER, 1/1/2020-1/31/2020 - ADMIN	01/01/2020	328.12	.00	01-6255 TELEPH0NE	0	1/20		
1411	ALLSTREAM BUSINESS US, INC	16572113		TELEPHONE, DATA, AND NETWORK SERVICES PROVIDER, 1/1/2020-1/31/2020 - WATER	01/01/2020	304.68	.00	20-6255 TELEPH0NE EXPENSE	0	1/20		
1411	ALLSTREAM BUSINESS US, INC	16572113		TELEPHONE, DATA, AND NETWORK SERVICES PROVIDER, 1/1/2020-1/31/2020 - SEWER	01/01/2020	304.68	.00	21-6255 TELEPH0NE EXPENSE	0	1/20		
1411	ALLSTREAM BUSINESS US, INC	16572113		TELEPHONE, DATA, AND NETWORK SERVICES PROVIDER, 1/1/2020-1/31/2020 - IRR	01/01/2020	117.19	.00	25-6255 TELEPH0NE EXPENSE	0	1/20		
1411	ALLSTREAM BUSINESS US, INC	16572113		TELEPHONE, DATA, AND NETWORK SERVICES PROVIDER, 1/1/2020-1/31/2020 - P&Z	01/01/2020	117.19	.00	01-6255 TELEPH0NE	1003	1/20		
Total 16572113:						1,171.86	.00					
Total ALLSTREAM BUSINESS US, INC:						1,171.86	.00					
ANALYTICAL LABORATORIES												

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
1	ANALYTICAL LABORATORIES	68809		MONTHLY BACTERIA SAMPLES, WATER, DEC. '19	12/31/2019	1,029.80	.00	20-6152 M & R - LABORATORY COSTS	0	1/20		
Total 68809:						1,029.80	.00					
1	ANALYTICAL LABORATORIES	68810		LAB TESTS, SEWER, DEC. '19	12/31/2019	1,025.05	.00	21-6152 M & R - LABORATORY COSTS	0	1/20		
Total 68810:						1,025.05	.00					
Total ANALYTICAL LABORATORIES:						2,054.85	.00					
ANDREW SEID												
2015	ANDREW SEID	12096	9430	1.5 HR CRANE SERVICE AT SADIE CREEK PUMPSTATION, M. DAVILA, DEC. '19	12/20/2019	225.00	.00	25-6150 MAINT. & REPAIRS - SYSTEM (PI)	0	1/20		
Total 12096:						225.00	.00					
Total ANDREW SEID:						225.00	.00					
BIG SKY RENTALS LLC												
1846	BIG SKY RENTALS LLC	7468	9366	PROPANE FOR THE FARM, R. WARWICK, DEC. '19	12/06/2019	13.46	.00	21-6090 FARM EXPENDITURES	0	1/20		
Total 7468:						13.46	.00					
1846	BIG SKY RENTALS LLC	7478	9382	PROPANE, R.WARWICK, DEC.'19	12/10/2019	448.50	.00	21-6090 FARM EXPENDITURES	0	1/20		
Total 7478:						448.50	.00					
1846	BIG SKY RENTALS LLC	7484	9384	PROPANE FOR WEED BURNING, M.MEADE, DEC.'19	12/11/2019	14.35	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	1/20		

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 7484:						14.35	.00					
1846	BIG SKY RENTALS LLC	7513	9433	PROPANE FOR THE FARM, R.WARWICK, DEC.'19	12/26/2019	12.56	.00	21-6150 M & R - SYSTEM	0	1/20		
Total 7513:						12.56	.00					
Total BIG SKY RENTALS LLC:						488.87	.00					
BOISE RIGGING SUPPLY												
246	BOISE RIGGING SUPPLY	B 080070	9442	100' 5/16" STEEL CABLE WIRE, 2 EA EYE SPLICE FLEMISH, HEAVY DUTY THIMBLE, NEW CABLE ON HOIST FOR TRUCK 23, SEWER, R. WARWICK, DEC. '19	12/30/2019	227.11	.00	21-6305 VEHICLE MAINTENANCE & REPAIRS	0	1/20		
Total B 080070:						227.11	.00					
Total BOISE RIGGING SUPPLY:						227.11	.00					
BURKHOLDER GROUP, INC												
1753	BURKHOLDER GROUP, INC	01082020	9425	REMOVAL AND CLEANUP OF TREE, J. MORFIN, DEC. '19	01/14/2020	1,900.00	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	1/20		
Total 01082020:						1,900.00	.00					
Total BURKHOLDER GROUP, INC:						1,900.00	.00					
BUYWYZ LLC												
1795	BUYWYZ LLC	147209	9393	2 DOZ GEL PENS, D.CROSSLEY, DEC.'19 - WATER	12/12/2019	14.73	.00	20-6165 0FFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147209	9393	2 DOZ GEL PENS, D.CROSSLEY, DEC.'19 - SEWER	12/12/2019	14.73	.00	21-6165 OFFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147209	9393	2 DOZ GEL PENS, D.CROSSLEY, DEC.'19 - P.I	12/12/2019	5.62	.00	25-6165 OFFICE SUPPLIES	0	1/20		

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
1795	BUYWYZ LLC	147209	9393	1 PK CARD STOCK, CLERKS' OFFICE, DEC.'19 - ADMIN	12/12/2019	13.96	.00	01-6165 OFFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147209	9393	4 EA DAILY PLANNER BOOKS, D.CROSSLEY, DEC.'19 - WATER	12/12/2019	73.50	.00	20-6165 0FFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147209	9393	4 EA DAILY PLANNER BOOKS, D.CROSSLEY, DEC.'19 - P.I	12/12/2019	18.38	.00	25-6165 OFFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147209	9393	2 PK BUSINESS CARD SLEEVES, P.STEVENS, DEC.'19 - P&Z	12/12/2019	1.64	.00	01-6165 OFFICE SUPPLIES	1003	1/20		
1795	BUYWYZ LLC	147209	9393	1 BOX CORRECTION TAPE, CITY HALL, DEC.'19 - ADMIN	12/12/2019	8.60	.00	01-6165 OFFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147209	9393	1 PK CARD STOCK, CLERKS' OFFICE, DEC.'19 - WATER	12/12/2019	.29	.00	20-6165 0FFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147209	9393	1 PK CARD STOCK, CLERKS' OFFICE, DEC.'19 - SEWER	12/12/2019	.29	.00	21-6165 OFFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147209	9393	1 PK CARD STOCK, CLERKS' OFFICE, DEC.'19 - P.I.	12/12/2019	.15	.00	25-6165 OFFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147209	9393	2 PK BUSINESS CARD SLEEVES, P.STEVENS, DEC.'19 - WATER	12/12/2019	2.29	.00	20-6165 0FFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147209	9393	2 PK BUSINESS CARD SLEEVES, P.STEVENS, DEC.'19 - SEWER	12/12/2019	2.29	.00	21-6165 OFFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147209	9393	2 PK BUSINESS CARD SLEEVES, P.STEVENS, DEC.'19 - IRR	12/12/2019	.32	.00	25-6165 OFFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147209	9393	1 BOX CORRECTION TAPE, CITY HALL, DEC.'19 - WATER	12/12/2019	5.88	.00	20-6165 0FFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147209	9393	1 BOX CORRECTION TAPE, CITY HALL, DEC.'19 - SEWER	12/12/2019	5.88	.00	21-6165 OFFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147209	9393	1 BOX CORRECTION TAPE, CITY HALL, DEC.'19 - IRR	12/12/2019	2.26	.00	25-6165 OFFICE SUPPLIES	0	1/20		

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 147209:						170.81	.00					
1795	BUYWYZ LLC	147209.1	9393	1 CASE KLEENEX, CITY HALL, DEC.'19 - ADMIN	12/16/2019	5.05	.00	01-6165 OFFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147209.1	9393	1 CASE KLEENEX, CITY HALL, DEC.'19 - WATER	12/16/2019	3.45	.00	20-6165 0FFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147209.1	9393	1 CASE KLEENEX, CITY HALL, DEC.'19 - SEWER	12/16/2019	3.45	.00	21-6165 OFFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147209.1	9393	1 CASE KLEENEX, CITY HALL, DEC.'19 - IRR	12/16/2019	1.33	.00	25-6165 OFFICE SUPPLIES	0	1/20		
Total 147209.1:						13.28	.00					
1795	BUYWYZ LLC	147538	9421	1 EA RECEIPT BOOK, 2 PKGS POSTIT NOTES, DEC.'19 - P&Z	12/19/2019	51.91	.00	01-6165 OFFICE SUPPLIES	1003	1/20		
1795	BUYWYZ LLC	147538	9421	1 PK LASER PRINTING LABELS, CLERKS, DEC.'19 - ADMIN	12/19/2019	27.16	.00	01-6165 OFFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147538	9421	1 PK GLUE STICKS, 1 BOX #2 PENCILS, CITY HALL, DEC.'19 - ADMIN	12/19/2019	11.33	.00	01-6165 OFFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147538	9421	1 PK LASER PRINTING LABELS, CLERKS, DEC.'19 - WATER	12/19/2019	.57	.00	20-6165 0FFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147538	9421	1 PK LASER PRINTING LABELS, CLERKS, DEC.'19 - SEWER	12/19/2019	.57	.00	21-6165 OFFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147538	9421	1 PK LASER PRINTING LABELS, CLERKS, DEC.'19 - IRR	12/19/2019	.29	.00	25-6165 OFFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147538	9421	1 PK GLUE STICKS, 1 BOX #2 PENCILS, CITY HALL, DEC.'19 - WATER	12/19/2019	7.76	.00	20-6165 0FFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147538	9421	1 PK GLUE STICKS, 1 BOX #2 PENCILS, CITY HALL, DEC.'19 - SEWER	12/19/2019	7.76	.00	21-6165 OFFICE SUPPLIES	0	1/20		

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
1795	BUYWYZ LLC	147538	9421	1 PK GLUE STICKS, 1 BOX #2 PENCILS, CITY HALL, DEC.'19 - IRR	12/19/2019	2.98	.00	25-6165 OFFICE SUPPLIES	0	1/20		
Total 147538:						110.33	.00					
1795	BUYWYZ LLC	147696	9432	PAPER TOWELS FOR THE TREATMENT PLANT, DEC.'19 - WATER	12/26/2019	47.15	.00	20-6025 JANITORIAL	0	1/20		
1795	BUYWYZ LLC	147696	9432	PAPER TOWELS FOR THE TREATMENT PLANT, DEC.'19 - SEWER	12/26/2019	47.15	.00	21-6025 JANITORIAL	0	1/20		
1795	BUYWYZ LLC	147696	9432	PAPER TOWELS FOR THE TREATMENT PLANT, DEC.'19 - P.I	12/26/2019	17.96	.00	25-6025 JANITORIAL	0	1/20		
1795	BUYWYZ LLC	147696	9432	1 BOX LARGE ENVELOPES, CLERKS OFFICE, DEC.'19 - ADMIN	12/26/2019	33.62	.00	01-6165 OFFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147696	9432	1 BOX LARGE ENVELOPES, CLERKS OFFICE, DEC.'19 - WATER	12/26/2019	.86	.00	20-6165 0FFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147696	9432	1 BOX LARGE ENVELOPES, CLERKS OFFICE, DEC.'19 - SEWER	12/26/2019	.86	.00	21-6165 OFFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147696	9432	1 BOX LARGE ENVELOPES, CLERKS OFFICE, DEC.'19 - P.I	12/26/2019	.43	.00	25-6165 OFFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147696	9432	2 CASES COPY PAPER, CITY HALL, DEC.'19 - ADMIN	12/26/2019	29.64	.00	01-6165 OFFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147696	9432	2 CASES COPY PAPER, CITY HALL, DEC.'19 - WATER	12/26/2019	20.28	.00	20-6165 0FFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147696	9432	2 CASES COPY PAPER, CITY HALL, DEC.'19 - SEWER	12/26/2019	20.28	.00	21-6165 OFFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147696	9432	2 CASES COPY PAPER, CITY HALL, DEC.'19 - P.I	12/26/2019	7.80	.00	25-6165 OFFICE SUPPLIES	0	1/20		

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 147696:						226.03	.00					
1795	BUYWYZ LLC	147856	9449	CASE OF BANKER BOXES, G. SMITH, JAN. '20 - SEWER	01/02/2020	33.63	.00	21-6165 OFFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147856	9449	CASE OF BANKER BOXES, G. SMITH, JAN. '20 - WATER	01/02/2020	33.63	.00	20-6165 0FFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147856	9449	CASE OF BANKER BOXES, G. SMITH, JAN. '20 - ADMIN	01/02/2020	25.47	.00	01-6165 OFFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147856	9449	CASE OF BANKER BOXES, G. SMITH, JAN. '20 - IRR	01/02/2020	9.17	.00	25-6165 OFFICE SUPPLIES	0	1/20		
Total 147856:						101.90	.00					
1795	BUYWYZ LLC	147856.1	9449	FILE CABINET FOR N. STAUFFER, JAN. '20 - WATER	01/03/2020	291.84	.00	20-6165 0FFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147856.1	9449	FILE CABINET FOR N. STAUFFER, JAN. '20 - ADMIN	01/03/2020	221.08	.00	01-6165 OFFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147856.1	9449	FILE CABINET FOR N. STAUFFER, JAN. '20 - SEWER	01/03/2020	291.84	.00	21-6165 OFFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147856.1	9449	FILE CABINET FOR N. STAUFFER, JAN. '20 - IRR	01/03/2020	79.59	.00	25-6165 OFFICE SUPPLIES	0	1/20		
Total 147856.1:						884.35	.00					
1795	BUYWYZ LLC	147856.2	9449	2020 MONTHLY PLANNER FOR N. STAUFFER, JAN. '20 - ADMIN	01/06/2020	5.03	.00	01-6165 OFFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147856.2	9449	2020 MONTHLY PLANNER FOR N. STAUFFER, JAN. '20 - WATER	01/06/2020	6.66	.00	20-6165 0FFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147856.2	9449	2020 MONTHLY PLANNER FOR N. STAUFFER, JAN. '20 - SEWER	01/06/2020	6.66	.00	21-6165 OFFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147856.2	9449	2020 MONTHLY PLANNER FOR N. STAUFFER, JAN. '20 - IRR	01/06/2020	1.82	.00	25-6165 OFFICE SUPPLIES	0	1/20		

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 147856.2:						20.17	.00					
1795	BUYWYZ LLC	147866	9450	W-2 FORMS AND ENVELOPES, N.STAUFFER, JAN. '20 - ADMIN	01/02/2020	21.66	.00	01-6165 OFFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147866	9450	W-2 FORMS AND ENVELOPES, N.STAUFFER, JAN. '20 - WATER	01/02/2020	28.58	.00	20-6165 0FFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147866	9450	W-2 FORMS AND ENVELOPES, N.STAUFFER, JAN. '20 - SEWER	01/02/2020	28.58	.00	21-6165 OFFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	147866	9450	W-2 FORMS AND ENVELOPES, N.STAUFFER, JAN. '20 - IRR	01/02/2020	7.80	.00	25-6165 OFFICE SUPPLIES	0	1/20		
Total 147866:						86.62	.00					
1795	BUYWYZ LLC	148244	9479	2020 MONTHLY PLANNER, 2 BOXES OF COPY PAPER, JAN. '20 - P&Z	01/09/2020	92.26	.00	01-6165 OFFICE SUPPLIES	1003	1/20		
1795	BUYWYZ LLC	148244	9479	CANDY FOR CUSTOMERS, SHARPIES, CITY HALL, JAN. '20 - ADMIN	01/09/2020	12.64	.00	01-6165 OFFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	148244	9479	CANDY FOR CUSTOMERS, SHARPIES, CITY HALL, JAN. '20 - WATER	01/09/2020	8.64	.00	20-6165 0FFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	148244	9479	CANDY FOR CUSTOMERS, SHARPIES, CITY HALL, JAN. '20 - SEWER	01/09/2020	8.64	.00	21-6165 OFFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	148244	9479	CANDY FOR CUSTOMERS, SHARPIES, CITY HALL, JAN. '20 - IRR	01/09/2020	3.32	.00	25-6165 OFFICE SUPPLIES	0	1/20		
Total 148244:						125.50	.00					
1795	BUYWYZ LLC	148244.1	9479	POST-IT TABS, JAN.'20 - P & Z	01/14/2020	4.99	.00	01-6165 OFFICE SUPPLIES	1003	1/20		
1795	BUYWYZ LLC	148244.1	9479	2 EA MONTHLY DESK PAD, JAN.'20 - ADMIN	01/14/2020	7.88	.00	01-6165 OFFICE SUPPLIES	0	1/20		

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
1795	BUYWYZ LLC	148244.1	9479	2 EA MONTHLY DESK PAD, JAN.'20 - WATER	01/14/2020	3.16	.00	20-6165 0FFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	148244.1	9479	2 EA MONTHLY DESK PAD, JAN.'20 - SEWER	01/14/2020	3.16	.00	21-6165 OFFICE SUPPLIES	0	1/20		
1795	BUYWYZ LLC	148244.1	9479	2 EA MONTHLY DESK PAD, JAN.'20 - IRR	01/14/2020	1.58	.00	01-6165 OFFICE SUPPLIES	0	1/20		
Total 148244.1:						20.77	.00					
Total BUYWYZ LLC:						1,759.76	.00					
CASELLE INC												
1239	CASELLE INC	99715		CONTRACT SUPPORT AND MAINTENANCE FOR 2/1-29/20 - ADMIN	01/01/2020	606.80	.00	01-6052 CONTRACT SERVICES	0	1/20		
1239	CASELLE INC	99715		CONTRACT SUPPORT AND MAINTENANCE FOR 2/1-29/20 - WATER	01/01/2020	434.60	.00	20-6052 CONTRACT SERVICES	0	1/20		
1239	CASELLE INC	99715		CONTRACT SUPPORT AND MAINTENANCE FOR 2/1-29/20 - SEWER	01/01/2020	434.60	.00	21-6052 C0NTRACT SERVICES	0	1/20		
1239	CASELLE INC	99715		CONTRACT SUPPORT AND MAINTENANCE FOR 2/1-29/20 - P.I	01/01/2020	164.00	.00	25-6052 C0NTRACT SERVICES	0	1/20		
Total 99715:						1,640.00	.00					
Total CASELLE INC:						1,640.00	.00					
CENTURYLINK												
62	CENTURYLINK	208922113658		DEDICATED LANDLINE SCADA, 12/25/2019-1/24/2020 - WATER	12/25/2019	21.35	21.35	20-6255 TELEPH0NE EXPENSE	0	1/20	01/10/2020	
62	CENTURYLINK	208922113658		DEDICATED LANDLINE SCADA, 12/25/2019-1/24/2020 - SEWER	12/25/2019	21.35	21.35	21-6255 TELEPH0NE EXPENSE	0	1/20	01/10/2020	

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
62	CENTURYLINK	208922113658		DEDICATED LANDLINE SCADA, 12/25/2019-1/24/2020 - IRR	12/25/2019	8.13	8.13	25-6255 TELEPH0NE EXPENSE	0	1/20	01/10/2020	
Total 2089221136586B12252019:						50.83	50.83					
62	CENTURYLINK	208922211037		PARKS OFFICE INTERNET SERVICE, 12/25/2019-1/24/2020	12/25/2019	103.98	103.98	01-6255 TELEPH0NE	1004	1/20	01/10/2020	
Total 2089222110376B12252019:						103.98	103.98					
Total CENTURYLINK:						154.81	154.81					
COMPASS												
4	COMPASS	220042		2ND QTR MEMBERSHIP DUES, FY 2020, JAN. '20	01/02/2020	2,516.50	.00	01-6075 DUES & MEMBERSHIPS	0	1/20		
Total 220042:						2,516.50	.00					
Total COMPASS:						2,516.50	.00					
COREY BARTON HOMES, INC.												
479	COREY BARTON HOMES, INC.	01062020CBH		SEWER LID REFUND, BP#21561, DESERTHAWK EAS LOT 2 BLK 04, JAN.'20	01/06/2020	3,233.75	3,233.75	21-2530 DUE TO KEYBANK 2006-1 LID	0	1/20	01/10/2020	
Total 01062020CBH:						3,233.75	3,233.75					
Total COREY BARTON HOMES, INC.:						3,233.75	3,233.75					
CREATIVE WRAPS												
1970	CREATIVE WRAPS	1312	9455	15 EA DOUBLE SIDED POLE BANNERS, J.MORFIN, DEC. '19	12/10/2019	600.00	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	1/20		
Total 1312:						600.00	.00					

Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
1970	CREATIVE WRAPS	1332		3 EA VINYL BANNER PRINTING SERVICE, FOR THE HOLIDAY LIGHT TOUR COMPETITION PLACE BANNERS/FLAGS, ARTS COMMISION, DEC. '19	12/30/2019	150.00	.00	01-6070 D0NATI0NS EXPENSE	0	1/20		
Total 1332:						150.00	.00					
Total CREATIVE WRAPS:						750.00	.00					
CUSTOM ELECTRIC, INC.												
147	CUSTOM ELECTRIC, INC.	8303	9476	LOOKED AT CRIMSON POINT VFD AND BYPASSED IT BY USING THE CITY OF KUNA'S SPARE SOFT START, CRIMSON LIFT, T. FLEMING, JAN. '20	01/07/2020	575.00	.00	21-6150 M & R - SYSTEM	0	1/20		
Total 8303:						575.00	.00					
Total CUSTOM ELECTRIC, INC.:						575.00	.00					
D & B SUPPLY												
75	D & B SUPPLY	17249	9451	SOLDERING IRON, FLEET SHOP, B. GILLOGLY, DEC. '19 - ADMIN	12/31/2019	14.99	.00	01-6175 SMALL TOOLS	0	1/20		
75	D & B SUPPLY	17249	9451	SOLDERING IRON, FLEET SHOP, B. GILLOGLY, DEC. '19 - WATER	12/31/2019	6.00	.00	20-6175 SMALL TOOLS	0	1/20		
75	D & B SUPPLY	17249	9451	SOLDERING IRON, FLEET SHOP, B. GILLOGLY, DEC. '19 - SEWER	12/31/2019	6.00	.00	21-6175 SMALL TOOLS	0	1/20		
75	D & B SUPPLY	17249	9451	SOLDERING IRON, FLEET SHOP, B. GILLOGLY, DEC. '19 - IRR	12/31/2019	3.00	.00	25-6175 SMALL TOOLS	0	1/20		
Total 17249:						29.99	.00					
75	D & B SUPPLY	21438	9464	25 FT HOSE FOR PROPANE TANK FOR LAGOONS, B. GILLOGLY, JAN. '20	01/06/2020	36.39	.00	21-6090 FARM EXPENDITURES	0	1/20		

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 21438:						36.39	.00					
75	D & B SUPPLY	22181	9486	20 V 5IN RANDOM ORBITAL SANDER, DUST MASKS, M.MEADE, JAN.'20	01/13/2020	132.58	.00	01-6175 SMALL TOOLS	1004	1/20		
Total 22181:						132.58	.00					
75	D & B SUPPLY	9282	9494	PAIR OF BOOTS FOR B. GILLOGLY, JAN. '20 - ADMIN	01/14/2020	69.99	.00	01-6285 UNIF0RMS	0	1/20		
75	D & B SUPPLY	9282	9494	PAIR OF BOOTS FOR B. GILLOGLY, JAN. '20 - WATER	01/14/2020	28.00	.00	20-6285 UNIF0RMS EXPENSE	0	1/20		
75	D & B SUPPLY	9282	9494	PAIR OF BOOTS FOR B. GILLOGLY, JAN. '20 - SEWER	01/14/2020	28.00	.00	21-6285 UNIF0RMS EXPENSE	0	1/20		
75	D & B SUPPLY	9282	9494	PAIR OF BOOTS FOR B. GILLOGLY, JAN. '20 - IRR	01/14/2020	14.00	.00	25-6285 UNIF0RMS EXPENSE	0	1/20		
Total 9282:						139.99	.00					
Total D & B SUPPLY:						338.95	.00					
DIGLINE												
25	DIGLINE	0061940-IN		DIG FEES, DEC. '19 - WATER	12/31/2019	182.69	.00	20-6065 DIG LINE EXPENSE	0	1/20		
25	DIGLINE	0061940-IN		DIG FEES, DEC. '19 - SEWER	12/31/2019	182.68	.00	21-6065 DIG LINE EXPENSE	0	1/20		
25	DIGLINE	0061940-IN		DIG FEES, DEC. '19 - IRR	12/31/2019	69.60	.00	25-6065 DIG LINE EXPENSE	0	1/20		
Total 0061940-IN:						434.97	.00					
Total DIGLINE:						434.97	.00					
DMH ENTERPRISES												

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
1745	DMH ENTERPRISES	12312019DMH		PLUMBING PERMITS, DEC.'19	12/31/2019	9,792.66	9,792.66	01-6052 CONTRACT SERVICES	1005	1/20	01/10/2020	
Total 12312019DMH:						9,792.66	9,792.66					
Total DMH ENTERPRISES:						9,792.66	9,792.66					
ELECTRICAL CONTROLS & INSTRUMENTATION												
1744	ELECTRICAL CONTROLS & INSTRUMENTATION	12312019ECI		ELECTRICAL PERMITS, DEC.'19	12/31/2019	7,367.40	7,367.40	01-6052 CONTRACT SERVICES	1005	1/20	01/10/2020	
Total 12312019ECI:						7,367.40	7,367.40					
Total ELECTRICAL CONTROLS & INSTRUMENTATION:						7,367.40	7,367.40					
FATBEAM LLC												
1831	FATBEAM LLC	10688FB		MONTHLY RECURRING CHARGE FOR CONNECT INTERNET SERVICE 100MB, REISSUE OF INVOICE #: 10688, DEC. '19 - ADMIN	12/01/2019	95.00	95.00	01-6052 CONTRACT SERVICES	0	1/20	01/10/2020	
1831	FATBEAM LLC	10688FB		MONTHLY RECURRING CHARGE FOR CONNECT INTERNET SERVICE 100MB, REISSUE OF INVOICE #: 10688, DEC. '19 - WATER	12/01/2019	65.00	65.00	20-6052 CONTRACT SERVICES	0	1/20	01/10/2020	
1831	FATBEAM LLC	10688FB		MONTHLY RECURRING CHARGE FOR CONNECT INTERNET SERVICE 100MB, REISSUE OF INVOICE #: 10688, DEC. '19 - SEWER	12/01/2019	65.00	65.00	21-6052 C0NTRACT SERVICES	0	1/20	01/10/2020	
1831	FATBEAM LLC	10688FB		MONTHLY RECURRING CHARGE FOR CONNECT INTERNET SERVICE 100MB, REISSUE OF INVOICE #: 10688, DEC. '19 - IRR	12/01/2019	25.00	25.00	25-6052 C0NTRACT SERVICES	0	1/20	01/10/2020	
Total 10688FB:						250.00	250.00					

Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
Total FATBEAM LLC:						250.00	250.00					
FERGUSON ENTERPRISES INC												
219	FERGUSON ENTERPRISES INC	7854586	9445	FAUCET FOR MENS BATHROOM SINK IN CITY HALL, JAN. '20 - ADMIN	01/01/2020	13.12	.00	01-6140 MAINT. & REPAIR BUILDING	0	1/20		
219	FERGUSON ENTERPRISES INC	7854586	9445	FAUCET FOR MENS BATHROOM SINK IN CITY HALL, JAN. '20 - WATER	01/01/2020	12.18	.00	20-6140 MAINT. & REPAIR BUILDING	0	1/20		
219	FERGUSON ENTERPRISES INC	7854586	9445	FAUCET FOR MENS BATHROOM SINK IN CITY HALL, JAN. '20 - SEWER	01/01/2020	12.18	.00	21-6140 MAINT & REPAIR BUILDING	0	1/20		
219	FERGUSON ENTERPRISES INC	7854586	9445	FAUCET FOR MENS BATHROOM SINK IN CITY HALL, JAN. '20 - IRR	01/01/2020	4.69	.00	25-6140 MAINT & REPAIR BUILDING	0	1/20		
219	FERGUSON ENTERPRISES INC	7854586	9445	FAUCET FOR MENS BATHROOM SINK IN CITY HALL, JAN. '20 - P&Z	01/01/2020	4.69	.00	01-6140 MAINT. & REPAIR BUILDING	1003	1/20		
Total 7854586:						46.86	.00					
Total FERGUSON ENTERPRISES INC:						46.86	.00					
FILTRATION TECHNOLOGY												
108	FILTRATION TECHNOLOGY	S7801	9467	15 EA 30-GALLON BARRELS OF CARUS AQUA MAG 8100, R.JONES, JAN.'20	01/07/2020	6,150.00	.00	20-6151 M & R - PROCESS CHEMICALS	0	1/20		
Total S7801:						6,150.00	.00					
Total FILTRATION TECHNOLOGY:						6,150.00	.00					
FREUND PROPERTIES LLC												
2014	FREUND PROPERTIES LLC	1544		SERVICE ONBOARDING, PROBLEM SOLVING AND MAINTENANCE, ANTI-VIRUS REMOVAL/REPLACEMENT, ALL WORKSTATIONS/DEPARTMENTS/LOCATIONS, DEC.'19 - ADMIN	01/01/2020	835.80	835.80	01-6142 MAINT. & REPAIR - EQUIPMENT	0	1/20	01/10/2020	

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
2014	FREUND PROPERTIES LLC	1544		SERVICE ONBOARDING, PROBLEM SOLVING AND MAINTENANCE, ANTI-VIRUS REMOVAL/REPLACEMENT, ALL WORKSTATIONS/DEPARTMENTS/LOCATIONS, DEC.'19	01/01/2020	298.50	298.50	01-6142 MAINT. & REPAIR - EQUIPMENT	1003	1/20	01/10/2020	
2014	FREUND PROPERTIES LLC	1544		SERVICE ONBOARDING, PROBLEM SOLVING AND MAINTENANCE, ANTI-VIRUS REMOVAL/REPLACEMENT, ALL WORKSTATIONS/DEPARTMENTS/LOCATIONS, DEC.'19	01/01/2020	776.10	776.10	20-6142 MAINT. & REPAIRS-EQUIPMENT	0	1/20	01/10/2020	
2014	FREUND PROPERTIES LLC	1544		SERVICE ONBOARDING, PROBLEM SOLVING AND MAINTENANCE, ANTI-VIRUS REMOVAL/REPLACEMENT, ALL WORKSTATIONS/DEPARTMENTS/LOCATIONS, DEC.'19	01/01/2020	776.10	776.10	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	1/20	01/10/2020	
2014	FREUND PROPERTIES LLC	1544		SERVICE ONBOARDING, PROBLEM SOLVING AND MAINTENANCE, ANTI-VIRUS REMOVAL/REPLACEMENT, ALL WORKSTATIONS/DEPARTMENTS/LOCATIONS, DEC.'19	01/01/2020	298.50	298.50	25-6142 MAINT. & REPAIRS - EQUIPMENT	0	1/20	01/10/2020	
Total 1544:						2,985.00	2,985.00					
Total FREUND PROPERTIES LLC:						2,985.00	2,985.00					
IDAHO HUMANE SOCIETY												
833	IDAHO HUMANE SOCIETY	01/2020		ANIMAL CONTROL CONTRACT SERVICES FOR JAN.'20	01/01/2020	9,281.75	.00	01-6005 ANIMAL CONTROL SERVICES	0	1/20		
Total 01/2020:						9,281.75	.00					
833	IDAHO HUMANE SOCIETY	12/2019		ANIMAL CONTROL CONTRACT SERVICES FOR DEC.'19	12/31/2019	9,281.75	.00	01-6005 ANIMAL CONTROL SERVICES	0	1/20		
Total 12/2019:						9,281.75	.00					

Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
	Total IDAHO HUMANE SOCIETY:					18,563.50	.00					
IDAHO POWER CO												
38	IDAHO POWER CO	01102020IP		ELECTRIC SERVICE FOR DEC. '19 - STREET LIGHTS	01/10/2020	1,168.60	.00	01-6290 UTILITIES	1002	1/20		
	Total 01102020IP:					1,168.60	.00					
	Total IDAHO POWER CO:					1,168.60	.00					
IDAHO PRESS TRIBUNE, LLC												
1802	IDAHO PRESS TRIBUNE, LLC	1195992	9438	AD #: 1980837, LEGAL NOTICE, CASE #'S 19-03-S (PRELIMINARY PLAT) & 19-07-ZC (REZONE) ROBIN HOOD SUBDIVISION, T. BEHUNIN, JAN. '20	01/01/2020	51.62	.00	01-6125 LEGAL PUBLICATI0NS	1003	1/20		
1802	IDAHO PRESS TRIBUNE, LLC	1195992	9409	AD #: 1976850, LEGAL NOTICE, A HEARING TO CONSIDER ADOPTING RESOLUTION NO. R01-2020, A.WELKER, DEC.'19	01/01/2020	1,020.97	.00	01-6125 LEGAL PUBLICATI0NS	0	1/20		
1802	IDAHO PRESS TRIBUNE, LLC	1195992		AD #: 1977030, LEGAL NOTICE, A HEARING TO CONSIDER ADOPTING RESOLUTION NO. R02-2020, JAN. '20	01/01/2020	883.34	.00	01-6125 LEGAL PUBLICATI0NS	0	1/20		
1802	IDAHO PRESS TRIBUNE, LLC	1195992		AD #: 1977074, LEGAL NOTICE, POSTED MEETING DATES FOR COUNCIL, P&Z COMMISSION, ECON DEVELOPMENT, ARTS COMMISION, PARK IMPACT FEE, DEC. '19	01/01/2020	288.93	.00	01-6125 LEGAL PUBLICATI0NS	0	1/20		
	Total 1195992:					2,244.86	.00					
1802	IDAHO PRESS TRIBUNE, LLC	1196684	9407	AD #: 1976808, LEGAL NOTICE, CASE #'S 19-10-AN (ANNEX), 19-01-PUD (PLANNED UNIT DEVELOPMENT), 19-06-S (PRELIMINARY PLAT) & A DEVELOPMENT AGREEMENT, T. BEHUNIN, DEC. '19	01/08/2020	129.20	.00	01-6125 LEGAL PUBLICATI0NS	1003	1/20		

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 1196684:						129.20	.00					
Total IDAHO PRESS TRIBUNE, LLC:						2,374.06	.00					
IDAHO STATE POLICE												
1509	IDAHO STATE POLICE	12262019IDSP		NEW EMPLOYEE BACKGROUND INVESTIGATION, N.STANLEY, DEC.'19 - ADMIN	12/26/2019	31.26	31.26	01-6202 PR0FESSI0NAL SERVICES	0	1/20	01/03/2020	
1509	IDAHO STATE POLICE	12262019IDSP		NEW EMPLOYEE BACKGROUND INVESTIGATION, N.STANLEY, DEC.'19 - WATER	12/26/2019	.80	.80	20-6202 PROFESSIONAL SERVICES	0	1/20	01/03/2020	
1509	IDAHO STATE POLICE	12262019IDSP		NEW EMPLOYEE BACKGROUND INVESTIGATION, N.STANLEY, DEC.'19 - SEWER	12/26/2019	.80	.80	21-6202 PR0FESSI0NAL SERVICES	0	1/20	01/03/2020	
1509	IDAHO STATE POLICE	12262019IDSP		NEW EMPLOYEE BACKGROUND INVESTIGATION, N.STANLEY, DEC.'19 - P.I	12/26/2019	.39	.39	25-6202 PROFESSIONAL SERVICES	0	1/20	01/03/2020	
1509	IDAHO STATE POLICE	12262019IDSP		SOLICITOR BACKGROUND INVESTIGATIONS, S0057258, S0057259, S0057260, S0057262, S0057264, S0057261, S0057263, DEC.'19	12/26/2019	232.75	232.75	01-2075 UNEARNED REVENUE	0	1/20	01/03/2020	
Total 12262019IDSP:						266.00	266.00					
Total IDAHO STATE POLICE:						266.00	266.00					
INDUSTRIAL ASSET MANAGEMENT COUNCIL INC												
1980	INDUSTRIAL ASSET MANAGEMENT COUNCIL INC	154090		SPRING 2020 PROFESSIONAL FORUM, L.HOLLAND, JAN.'20	01/06/2020	1,995.00	.00	01-6155 MEETINGS/COMMITTEES	4000	1/20		
Total 154090:						1,995.00	.00					

Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
Total INDUSTRIAL ASSET MANAGEMENT COUNCIL INC:						1,995.00	.00					
INTERMOUNTAIN GAS CO												
37	INTERMOUNTAIN GAS CO	482135196112		NATURAL GAS CONSUMPTION AT SENIOR CENTER, 11/23/2019-12/29/2019	12/31/2019	497.11	497.11	01-6290 UTILITIES	1001	1/20	01/10/2020	
Total 482135196112319122919:						497.11	497.11					
37	INTERMOUNTAIN GAS CO	482195000120		NATURAL GAS CONSUMPTION AT AT WASTEWATER TREATMENT PLANT, 12/5/2019-1/6/2020 - WATER	01/07/2020	789.14	.00	20-6290 UTILITIES EXPENSE	0	1/20		
37	INTERMOUNTAIN GAS CO	482195000120		NATURAL GAS CONSUMPTION AT AT WASTEWATER TREATMENT PLANT, 12/5/2019-1/6/2020 - SEWER	01/07/2020	789.13	.00	21-6290 UTILITIES EXPENSE	0	1/20		
37	INTERMOUNTAIN GAS CO	482195000120		NATURAL GAS CONSUMPTION AT AT WASTEWATER TREATMENT PLANT, 12/5/2019-1/6/2020 - IRR	01/07/2020	300.59	.00	25-6290 UTILITIES EXPENSE	0	1/20		
Total 482195000120519010620:						1,878.86	.00					
37	INTERMOUNTAIN GAS CO	482327707112		NATURAL GAS CONSUMPTION AT PARKS ORCHARD OFFICE, 11/23/2019-12/29/2019	12/31/2019	48.83	48.83	01-6290 UTILITIES	1004	1/20	01/10/2020	
Total 482327707112320191229 2019:						48.83	48.83					
37	INTERMOUNTAIN GAS CO	482634665112		NATURAL GAS CONSUMPTION AT CITY HALL, 11/23/2019-12/27/2019 - ADMIN	12/30/2019	162.24	162.24	01-6290 UTILITIES	0	1/20	01/03/2020	
37	INTERMOUNTAIN GAS CO	482634665112		NATURAL GAS CONSUMPTION AT CITY HALL, 11/23/2019-12/27/2019 - WATER	12/30/2019	111.01	111.01	20-6290 UTILITIES EXPENSE	0	1/20	01/03/2020	
37	INTERMOUNTAIN GAS CO	482634665112		NATURAL GAS CONSUMPTION AT CITY HALL, 11/23/2019-12/27/2019 - SEWER	12/30/2019	111.01	111.01	21-6290 UTILITIES EXPENSE	0	1/20	01/03/2020	

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
37	INTERMOUNTAIN GAS CO	482634665112		NATURAL GAS CONSUMPTION AT CITY HALL, 11/23/2019-12/27/2019 - P.I.	12/30/2019	42.70	42.70	25-6290 UTILITIES EXPENSE	0	1/20	01/03/2020	
Total 482634665112319122719:						426.96	426.96					
Total INTERMOUNTAIN GAS CO:						2,851.76	972.90					
J & M SANITATION, INC.												
230	J & M SANITATION, INC.	01032020-010		SANITATION RECEIPT TRANSFER , 01/03/2020-01/09/2020	01/10/2020	58,982.94	58,982.94	26-7000 SOLID WASTE SERVICE FEES	0	1/20	01/10/2020	
230	J & M SANITATION, INC.	01032020-010		SANITATION RECEIPT TRANSFER LESS FRANCHISE FEES, 01/03/2020-01/09/2020	01/10/2020	-5,827.51	-5,827.51	01-4170 FRANCHISE FEES	0	1/20	01/10/2020	
Total 01032020-01092020:						53,155.43	53,155.43					
230	J & M SANITATION, INC.	12272019-010		SANITATION RECEIPT TRANSFER, 12/27/2019-01/02/2020	01/03/2020	17,895.80	17,895.80	26-7000 SOLID WASTE SERVICE FEES	0	1/20	01/03/2020	
230	J & M SANITATION, INC.	12272019-010		SANITATION RECEIPT TRANSFER LESS FRANCHISE FEES, 12/27/2019-01/02/2020	01/03/2020	-1,768.11	-1,768.11	01-4170 FRANCHISE FEES	0	1/20	01/03/2020	
Total 12272019-01022020:						16,127.69	16,127.69					
230	J & M SANITATION, INC.	9000-1223201		SLUDGE REPORT FOR DECEMBER, 7 PICKUPS 12/4, 12/6, 12/11, 12/13, 12/18, 12/20, 1& 12/24	12/23/2019	2,520.00	.00	21-6153 M & R - SLUDGE DISPOSAL	0	1/20		
Total 9000-12232019:						2,520.00	.00					
Total J & M SANITATION, INC.:						71,803.12	69,283.12					
JONATHAN STRICKLAND												
1976	JONATHAN STRICKLAND	241		JANITORIAL SERVICES FOR JANUARY 2020, TREATMENT PLANT - WATER	01/06/2020	50.40	.00	20-6025 JANITORIAL	0	1/20		

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
1976	JONATHAN STRICKLAND	241		JANITORIAL SERVICES FOR JANUARY 2020, TREATMENT PLANT - SEWER	01/06/2020	50.40	.00	21-6025 JANITORIAL	0	1/20		
1976	JONATHAN STRICKLAND	241		JANITORIAL SERVICES FOR JANUARY 2020, TREATMENT PLANT - P.I	01/06/2020	19.20	.00	25-6025 JANITORIAL	0	1/20		
Total 241:						120.00	.00					
1976	JONATHAN STRICKLAND	242		JANITORIAL SERVICES FOR JANUARY 2020, SENIOR CENTER	01/06/2020	446.00	.00	01-6025 JANITORIAL	1001	1/20		
Total 242:						446.00	.00					
1976	JONATHAN STRICKLAND	243		JANITORIAL SERVICES FOR JANUARY 2020, CITY HALL - ADMIN	01/06/2020	212.80	.00	01-6025 JANITORIAL	0	1/20		
1976	JONATHAN STRICKLAND	243		JANITORIAL SERVICES FOR JANUARY 2020, CITY HALL - WATER	01/06/2020	145.60	.00	20-6025 JANITORIAL	0	1/20		
1976	JONATHAN STRICKLAND	243		JANITORIAL SERVICES FOR JANUARY 2020, CITY HALL - SEWER	01/06/2020	145.60	.00	21-6025 JANITORIAL	0	1/20		
1976	JONATHAN STRICKLAND	243		JANITORIAL SERVICES FOR JANUARY 2020, CITY HALL - P.I	01/06/2020	56.00	.00	25-6025 JANITORIAL	0	1/20		
Total 243:						560.00	.00					
Total JONATHAN STRICKLAND:						1,126.00	.00					
KUNA CHAMBER OF COMMERCE												
314	KUNA CHAMBER OF COMMERCE	1619		18 EA CHAMBER CHECKS FOR THE CITY OF KUNA - CHRISTMAS LIGHT WINNERS, LIGHT BUS TOUR RESIDENTIAL LIGHTING COMPETITION PRIZES, ARTS COMMISION (DONATIONS), JAN. '20	01/08/2020	180.00	.00	01-6070 D0NATI0NS EXPENSE	0	1/20		

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 1619:						180.00	.00					
Total KUNA CHAMBER OF COMMERCE:						180.00	.00					
KUNA LUMBER												
499	KUNA LUMBER	A112153	9441	2 EA SANDING BELTS FOR TABLE AND BENCH MAINTENANCE, M.MEADE, DEC.'19	12/30/2019	10.42	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	1/20		
499	KUNA LUMBER	A112153	9441	MILKHOUSE UTILITY HEATER FOR BERNIE FISHER PARK RESTROOM, M.MEADE, DEC.'19	12/30/2019	25.49	.00	01-6140 MAINT. & REPAIR BUILDING	1004	1/20		
Total A112153:						35.91	.00					
499	KUNA LUMBER	A112251	9475	2 ROLLS OF 16X100 6M BLACK POLY FILM, TO LINE THE DUMPSTER AND COVER THINGS, M. NADEAU, JAN. '20	01/08/2020	143.98	.00	21-6150 M & R - SYSTEM	0	1/20		
Total A112251:						143.98	.00					
499	KUNA LUMBER	A112310	9487	25 EA HEX NUTS, 25 EA LOCK WASHER, 25 EA CARRIAGE BOLTS, M.MEADE, JAN.'20	01/13/2020	16.21	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	1/20		
Total A112310:						16.21	.00					
499	KUNA LUMBER	B134181	9415	RETURNED 120G SANDING BELT FROM INVOICE #: B134154, 3 EA SANDING BELTS, 3 PACKS OF PAINT FOAM ROLLERS, 2 PACKS OF DUST MASKS, 3 EA PAINT BRUSHES, 2 EA WIRE ROLLER FRAME, 1 GAL OF STAIN, FOR TABLES AND BENCHES, M. MEADE, DEC.'19	12/17/2019	73.76	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	1/20		

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 B134181:						73.76	.00					
499	KUNA LUMBER	B134407	9434	WOOD SCREWS, CLEAR ACRYLIC SHEET, PLYWOOD, 2"X2"X8' FIRRING STRIPS, POLISHED BRASS KNOB, PIN HINGE, SUPPLIES TO BUILD LIBRARY, DEC. '19, J.MORFIN	12/27/2019	68.75	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	1/20		
Total B134407:						68.75	.00					
499	KUNA LUMBER	B134535	9454	3.5LB 16GA REBAR TIEWIRE FOR THE FARM, C. MCDANIEL, JAN.'20	01/02/2020	4.31	.00	21-6090 FARM EXPENDITURES	0	1/20		
Total B134535:						4.31	.00					
499	KUNA LUMBER	B134640	9462	30 EA CARRIAGE BOLTS, 30 EA HEX NUT, 30 EA LOCK WASHER, 5" 80G SANDING DISC, 3 PACKS OF 5" 60G SANDING DISC, 3 EA SANDING RESPIRATOR W/VALV, 2 GALLONS REDWOOD TONE STAIN, 39 EA 2X4-8', 11 EA 12" SQUARE GREY STEPPING STONE, M.MEADE, JAN.'20	01/06/2020	319.85	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	1/20		
Total B134640:						319.85	.00					
499	KUNA LUMBER	B134876	9490	2 EA 3/4" 45D PVC CONNECTIONS, M. NADEAU, JAN. '20	01/13/2020	6.82	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	1/20		
499	KUNA LUMBER	B134876	9490	4-1/2" MULTIPURPOSE GRINDING DISC, M. NADEAU, JAN. '20	01/13/2020	10.79	.00	21-6175 SMALL TOOLS	0	1/20		
Total B134876:						17.61	.00					

Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
	Total KUNA LUMBER:					680.38	.00					
KUNA RURAL FIRE DISTRICT (IMPACT)												
1944	KUNA RURAL FIRE DISTRICT (IMPACT)	12312019KRF		KRFD IMPACT FEES, DEC.'19	12/31/2019	44,163.00	44,163.00	01-2511 KRFD IMPACT FEE TRANSFER	0	1/20	01/10/2020	
	Total 12312019KRFDI:					44,163.00	44,163.00					
	Total KUNA RURAL FIRE DISTRICT (IMPACT):					44,163.00	44,163.00					
L & L TREE SERVICE LLC												
2013	L & L TREE SERVICE LLC	1-3-20L&L	9448	TREE TRANSPLANT ON GREENBELT, M.MEADE, JAN. '20	01/03/2020	875.00	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	1/20		
	Total 1-3-20L&L:					875.00	.00					
	Total L & L TREE SERVICE LLC:					875.00	.00					
LES SCHWAB TIRES												
221	LES SCHWAB TIRES	12800398872	9343	REPLACED 1 LOOSE TRAILER TIRE FOR WATER DEPARTMENT, R.JONES, DEC.'19 - WATER	12/03/2019	124.91	.00	20-6305 VEHICLE MAINTENANCE & REPAIRS	0	1/20		
221	LES SCHWAB TIRES	12800398872	9343	REPLACED 1 LOOSE TRAILER TIRE FOR WATER DEPARTMENT, R.JONES, DEC.'19 - IRR	12/03/2019	31.23	.00	25-6305 VEHICLE MAINTENANCE & REPAIR	0	1/20		
	Total 12800398872:					156.14	.00					
	Total LES SCHWAB TIRES:					156.14	.00					
MATHESON TRI-GAS INC												
1871	MATHESON TRI-GAS INC	20957101		HYDROCHLORIC GAS CYLINDER RENTAL, LAGOONS, DEC. '19	12/31/2019	38.96	.00	21-6150 M & R - SYSTEM	0	1/20		

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 20957101:						38.96	.00					
Total MATHESON TRI-GAS INC:						38.96	.00					
MISCELLANEOUS VENDORS 2												
1849	MISCELLANEOUS VENDORS 2	01142020TB		CASH BOND FOR WINFIELD SPRINGS, R68-2018	01/14/2020	554,584.16	.00	30-2075 UNEARNED REVENUE	0	1/20		
Total 01142020TB:						554,584.16	.00					
1849	MISCELLANEOUS VENDORS 2	01142020WH		REIMBURSEMENT FOR MILEAGE, VARIOUS MEETINGS/WORK GROUPS IN VARIOUS LOCATIONS, 10/08/19 -1/10/2020, W. HOWELL, JAN.'20	01/14/2020	140.76	.00	01-6270 TRAVEL	1003	1/20		
Total 01142020WH:						140.76	.00					
Total MISCELLANEOUS VENDORS 2:						554,724.92	.00					
NEOFUNDS BY NEOPOST												
1770	NEOFUNDS BY NEOPOST	12312019NEO		POSTAGE METER REFILLS, DEC.'19 - ADMIN	12/31/2019	294.76	.00	01-6190 P0STAGE & BILLING	0	1/20		
1770	NEOFUNDS BY NEOPOST	12312019NEO		POSTAGE METER REFILLS, DEC.'19 - P & Z	12/31/2019	105.27	.00	01-6190 P0STAGE & BILLING	1003	1/20		
1770	NEOFUNDS BY NEOPOST	12312019NEO		POSTAGE METER REFILLS, DEC.'19 - WATER	12/31/2019	273.71	.00	20-6190 P0STAGE & BILLING	0	1/20		
1770	NEOFUNDS BY NEOPOST	12312019NEO		POSTAGE METER REFILLS, DEC.'19 - SEWER	12/31/2019	273.71	.00	21-6190 P0STAGE & BILLING	0	1/20		
1770	NEOFUNDS BY NEOPOST	12312019NEO		POSTAGE METER REFILLS, DEC.'19 - P.I	12/31/2019	105.27	.00	25-6190 P0STAGE & BILLING	0	1/20		
Total 12312019NEOF:						1,052.72	.00					
Total NEOFUNDS BY NEOPOST:						1,052.72	.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
PARTS, INC.												
470	PARTS, INC.	203901	9412	2 BOTTLES STARTING FLUID AND 2 WIRE BRUSH HANDLES, USED AT SADIE CREEK PI STATION, C.DEYOUNG, DEC.'19	12/16/2019	15.96	.00	25-6150 MAINT. & REPAIRS - SYSTEM (PI)	0	1/20		
Total 203901:						15.96	.00					
470	PARTS, INC.	204552	9437	FUEL PUMP FOR TRUCK #6, S. HOWELL, DEC. '19 - WATER	12/30/2019	106.49	.00	20-6305 VEHICLE MAINTENANCE & REPAIRS	0	1/20		
470	PARTS, INC.	204552	9437	FUEL PUMP FOR TRUCK #6, S. HOWELL, DEC. '19 - P.I	12/30/2019	26.62	.00	25-6305 VEHICLE MAINTENANCE & REPAIR	0	1/20		
Total 204552:						133.11	.00					
470	PARTS, INC.	204660	9452	ANTIFREEZE FOR SHOP SUPPLY, S. HOWELL, DEC. '19 - ADMIN	12/31/2019	14.49	.00	01-6305 VEHICLE MAINTENANCE & REPAIRS	0	1/20		
470	PARTS, INC.	204660	9452	ANTIFREEZE FOR SHOP SUPPLY, S. HOWELL, DEC. '19 - WATER	12/31/2019	5.80	.00	20-6305 VEHICLE MAINTENANCE & REPAIRS	0	1/20		
470	PARTS, INC.	204660	9452	ANTIFREEZE FOR SHOP SUPPLY, S. HOWELL, DEC. '19 - SEWER	12/31/2019	5.80	.00	21-6305 VEHICLE MAINTENANCE & REPAIRS	0	1/20		
470	PARTS, INC.	204660	9452	ANTIFREEZE FOR SHOP SUPPLY, S. HOWELL, DEC. '19 - P.I	12/31/2019	2.89	.00	25-6305 VEHICLE MAINTENANCE & REPAIR	0	1/20		
Total 204660:						28.98	.00					
Total PARTS, INC.:						178.05	.00					
PETROLEUM STORAGE TANK FUND												
143	PETROLEUM STORAGE TANK FUND	26535		PETROLEUM STORAGE TANK FINANCIAL RESPONSIBILITY INSURANCE, CITY SEWER LIFT STATION, DANSKIN LIFT STATION, CRIMSON LIFT								

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
				STATION, PATAGONIA LIFT STATION, 3/1/2020-31/2021	01/09/2020	100.00	.00	21-6150 M & R - SYSTEM	0	1/20		
143	PETROLEUM STORAGE TANK FUND	26535		PETROLEUM STORAGE TANK FINANCIAL RESPONSIBILITY INSURANCE, BUTLER WELL, CEDAR WELL, 3/1/2020-31/2021	01/09/2020	50.00	.00	20-6150 M & R - SYSTEM	0	1/20		
143	PETROLEUM STORAGE TANK FUND	26535		PETROLEUM STORAGE TANK FINANCIAL RESPONSIBILITY INSURANCE, CITY OF KUNA NORTH WASTE WATER TREAMENT PLANT, 3/1/2020-31/2021 - WATER	01/09/2020	31.50	.00	20-6150 M & R - SYSTEM	0	1/20		
143	PETROLEUM STORAGE TANK FUND	26535		PETROLEUM STORAGE TANK FINANCIAL RESPONSIBILITY INSURANCE, CITY OF KUNA NORTH WASTE WATER TREAMENT PLANT, 3/1/2020-31/2021 - SEWER	01/09/2020	31.50	.00	21-6150 M & R - SYSTEM	0	1/20		
143	PETROLEUM STORAGE TANK FUND	26535		PETROLEUM STORAGE TANK FINANCIAL RESPONSIBILITY INSURANCE, CITY OF KUNA NORTH WASTE WATER TREAMENT PLANT, 3/1/2020-31/2021 - IRR	01/09/2020	12.00	.00	25-6150 MAINT. & REPAIRS - SYSTEM (PI)	0	1/20		
Total 26535:						225.00	.00					
Total PETROLEUM STORAGE TANK FUND:						225.00	.00					
RICOH USA, INC. (MAINTENANCE)												
1422	RICOH USA, INC. (MAINTENANCE)	5058434065		COPIER MODEL #IMC2000, ADDITIONAL IMAGES/ADDITIONAL CHARGES, PARKS OFFICE, JAN.'20	01/01/2020	7.04	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1004	1/20		
Total 5058434065:						7.04	.00					
Total RICOH USA, INC. (MAINTENANCE):						7.04	.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
SHARP ELECTRONICS CORP -LEASE												
1734	SHARP ELECTRONICS CORP - LEASE	5008725705		COPIER LEASE, MODEL #MX2615N, 1/1-1/31/2020, TREATMENT PLANT - WATER	01/07/2020	40.43	.00	20-6142 MAINT. & REPAIRS-EQUIPMENT	0	1/20		
1734	SHARP ELECTRONICS CORP - LEASE	5008725705		COPIER LEASE, MODEL #MX2615N, 1/1-31/2020, TREATMENT PLANT - SEWER	01/07/2020	40.43	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	1/20		
1734	SHARP ELECTRONICS CORP - LEASE	5008725705		COPIER LEASE, MODEL #MX2615N, 1/1-31/2020, TREATMENT PLANT - P.I	01/07/2020	15.40	.00	25-6142 MAINT. & REPAIRS - EQUIPMENT	0	1/20		
Total 5008725705:						96.26	.00					
Total SHARP ELECTRONICS CORP -LEASE:						96.26	.00					
SHARP ELECTRONICS CORP-METERED												
1806	SHARP ELECTRONICS CORP-METERED	12155310		EXCESS METER READING, 11/1 -30/19, MODEL #MX2615N, SERIAL #55096581, TREATMENT PLANT - WATER	12/30/2019	19.15	.00	20-6142 MAINT. & REPAIRS-EQUIPMENT	0	1/20		
1806	SHARP ELECTRONICS CORP-METERED	12155310		EXCESS METER READING, 11/1 -30/19, MODEL #MX2615N, SERIAL #55096581, TREATMENT PLANT - SEWER	12/30/2019	19.15	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	1/20		
1806	SHARP ELECTRONICS CORP-METERED	12155310		EXCESS METER READING, 11/1 -30/19, MODEL #MX2615N, SERIAL #55096581, TREATMENT PLANT - P.I	12/30/2019	7.29	.00	25-6142 MAINT. & REPAIRS - EQUIPMENT	0	1/20		
Total 12155310:						45.59	.00					
Total SHARP ELECTRONICS CORP-METERED:						45.59	.00					
SOUTHWEST IDAHO OPERATORS SECTION												
1439	SOUTHWEST IDAHO OPERATORS SECTION	01102020SWI		SWIOS MEMBERSHIP DUES, C.MCDANIEL/T.FLEMING/T.SHAFFER/R.WARWICK/J.PEREZ/R.DAVILA/M.NADEAU/R.HERRERA, JAN.'20 - SEWER	01/10/2020	120.00	120.00	21-6075 DUES & MEMBERSHIPS	0	1/20	01/10/2020	

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
1439	SOUTHWEST IDAHO OPERATORS SECTION	01102020SWI		SWIOS MEMBERSHIP DUES, D.CROSSLEY/R.JONES/M.SMITH/B.BURR/M.DAVILA/J.OSBORN/C.DEYOUNG/J.COX/J.WEBB, JAN.'20 - WATER	01/10/2020	108.00	108.00	20-6075 DUES & MEMBERSHIPS	0	1/20	01/10/2020	
1439	SOUTHWEST IDAHO OPERATORS SECTION	01102020SWI		SWIOS MEMBERSHIP DUES, D.CROSSLEY/R.JONES/M.SMITH/B.BURR/M.DAVILA/J.OSBORN/C.DEYOUNG/J.COX/J.WEBB, JAN.'20 - P.I	01/10/2020	27.00	27.00	25-6075 DUES & MEMBERSHIPS EXPENSE	0	1/20	01/10/2020	
1439	SOUTHWEST IDAHO OPERATORS SECTION	01102020SWI		SWIOS MEMBERSHIP DUES, B.WITHROW/M.MEADE/J.MORFIN, JAN.'20	01/10/2020	45.00	45.00	01-6075 DUES & MEMBERSHIPS	1004	1/20	01/10/2020	
Total 01102020SWIOS:						300.00	300.00					
Total SOUTHWEST IDAHO OPERATORS SECTION:						300.00	300.00					
SPECIALTY PLASTICS & FABRICATI, INC.												
1477	SPECIALTY PLASTICS & FABRICATI, INC.	76741		1 EA PVC FITTING, T.SHAFFER, DEC.'19	12/30/2019	13.40	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	1/20		
Total 76741:						13.40	.00					
1477	SPECIALTY PLASTICS & FABRICATI, INC.	76803		SOCKET TO REPAIR WASH WATER LINE, T.SHAFFER, JAN.'20	01/08/2020	375.21	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	1/20		
Total 76803:						375.21	.00					
Total SPECIALTY PLASTICS & FABRICATI, INC.:						388.61	.00					
SPF WATER ENGINEERING, L.L.C.												
1498	SPF WATER ENGINEERING, L.L.C.	27414		COMPLETED WATER RIGHT STRATEGY MEMO, DEC.'19	12/31/2019	525.00	.00	20-6020 CAPITAL IMPR0VEMENTS	1204	1/20		
Total 27414:						525.00	.00					

Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
Total SPF WATER ENGINEERING, L.L.C.:						525.00	.00					
THE JORDEL COMPANY												
1523	THE JORDEL COMPANY	00000004127	9414	SHIPPING FOR RETURNING SPECTROMETER TO HAWK CO, T. SHAFFER, DEC. '19	12/17/2019	78.81	.00	21-6190 P0STAGE & BILLING	0	1/20		
Total 00000004127:						78.81	.00					
1523	THE JORDEL COMPANY	00000004139	9417	LAMINATING/BINDING AND PRINTING OF ROUGH PLUMBING TAGS, BUILDING DEPARTMENT, DEC. '19	12/19/2019	80.00	.00	01-6165 OFFICE SUPPLIES	1005	1/20		
Total 00000004139:						80.00	.00					
1523	THE JORDEL COMPANY	00000004140	9408	2020 MEETINGS AND EVENTS MAILER, METERED MAIL AND PRINTING A. WELKER, DEC. '19 - ADMIN	12/19/2019	1,077.72	.00	01-6190 P0STAGE & BILLING	0	1/20		
1523	THE JORDEL COMPANY	00000004140		2020 MEETINGS AND EVENTS MAILER, METERED MAIL AND PRINTING A. WELKER, DEC. '19 - WATER	12/19/2019	1,422.59	.00	20-6190 P0STAGE & BILLING	0	1/20		
1523	THE JORDEL COMPANY	00000004140		2020 MEETINGS AND EVENTS MAILER, METERED MAIL AND PRINTING A. WELKER, DEC. '19 - SEWER	12/19/2019	1,422.59	.00	21-6190 P0STAGE & BILLING	0	1/20		
1523	THE JORDEL COMPANY	00000004140		2020 MEETINGS AND EVENTS MAILER, METERED MAIL AND PRINTING A. WELKER, DEC. '19 - P.I.	12/19/2019	387.98	.00	25-6190 P0STAGE & BILLING	0	1/20		
Total 00000004140:						4,310.88	.00					
Total THE JORDEL COMPANY:						4,469.69	.00					
TREASURE VALLEY COFFEE												
992	TREASURE VALLEY COFFEE	2160:06479539	9483	3 EA 5-GALLON WATER BOTTLES, 3 SLEEVES OF CUPS, 1 CASE COFFEE,								

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
				TREATMENT PLANT, C.OSWALD, JAN.'20 - WATER	01/09/2020	36.58	.00	20-6165 0FFICE SUPPLIES	0	1/20		
992	TREASURE VALLEY COFFEE	2160:06479539	9483	3 EA 5-GALLON WATER BOTTLES, 3 SLEEVES OF CUPS, 1 CASE COFFEE, TREATMENT PLANT, C.OSWALD, JAN.'20 - SEWER	01/09/2020	36.58	.00	21-6165 OFFICE SUPPLIES	0	1/20		
992	TREASURE VALLEY COFFEE	2160:06479539	9483	3 EA 5-GALLON WATER BOTTLES, 3 SLEEVES OF CUPS, 1 CASE COFFEE, TREATMENT PLANT, C.OSWALD, JAN.'20 - P.I	01/09/2020	13.94	.00	25-6165 OFFICE SUPPLIES	0	1/20		
Total 2160:06479539:						87.10	.00					
992	TREASURE VALLEY COFFEE	2160:06490938	9493	1 EA CASE OF COFFEE, 2 EA CANISTERS OF CREAMER, 1 EA CANISTER OF SUGAR, CITY HALL, JAN. '20	01/14/2020	64.57	.00	01-6165 OFFICE SUPPLIES	0	1/20		
Total 2160:06490938:						64.57	.00					
992	TREASURE VALLEY COFFEE	2160:06502552	9458	1 EA 5-GALLON WATER BOTTLE, 1 EA WATER COOLER RENTAL, MAINTENANCE SHOP, JAN. '20	01/03/2020	16.70	.00	01-6165 OFFICE SUPPLIES	1004	1/20		
Total 2160:06502552:						16.70	.00					
992	TREASURE VALLEY COFFEE	2160:06502594	9458	4 EA 5-GALLON WATER BOTTLES, 1 EA WATER COOLER RENTAL, CITY HALL, JAN. '20	01/03/2020	37.80	.00	01-6165 OFFICE SUPPLIES	0	1/20		
Total 2160:06502594:						37.80	.00					
992	TREASURE VALLEY COFFEE	2160:06502606	9458	1 EA 5-GALLON WATER BOTTLE, 1 EA WATER COOLER RENTTAL, PARKS OFFICE, JAN. '20	01/03/2020	18.70	.00	01-6165 OFFICE SUPPLIES	1004	1/20		

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 2160:06502606:						18.70	.00					
Total TREASURE VALLEY COFFEE:						224.87	.00					
U. S. POST OFFICE												
67	U. S. POST OFFICE	01062020USP		2020 POST OFFICE BOX FEE, JAN.'20 - ADMIN	01/06/2020	24.78	.00	01-6190 POSTAGE & BILLING	0	1/20		
67	U. S. POST OFFICE	01062020USP		2020 POST OFFICE BOX FEE, JAN.'20 - P&Z	01/06/2020	3.54	.00	01-6190 POSTAGE & BILLING	1003	1/20		
67	U. S. POST OFFICE	01062020USP		2020 POST OFFICE BOX FEE, JAN.'20 - WATER	01/06/2020	37.76	.00	20-6190 POSTAGE & BILLING	0	1/20		
67	U. S. POST OFFICE	01062020USP		2020 POST OFFICE BOX FEE, JAN.'20 - SEWER	01/06/2020	37.76	.00	21-6190 POSTAGE & BILLING	0	1/20		
67	U. S. POST OFFICE	01062020USP		2020 POST OFFICE BOX FEE, JAN.'20 - P.I	01/06/2020	14.16	.00	25-6190 POSTAGE & BILLING	0	1/20		
Total 01062020USPO:						118.00	.00					
Total U. S. POST OFFICE:						118.00	.00					
U.S. BANK (VISA)												
1444	U.S. BANK (VISA)	008593379000	9316	SUN COAST LEARNING, IDRWA APPLIED CONFINED SPACE SAFETY CLASS, J.MORFIN, NOV.'19	12/03/2019	150.00	.00	01-6265 TRAINING & SCH00LING	1004	1/20		
Total 008593379000018717861:						150.00	.00					
1444	U.S. BANK (VISA)	263893304000	9315	WALMART, KINDERGARTEN PRESENTATION SUPPLIES, RANGER PROGRAM, J.LORENTZ, NOV.'19	11/25/2019	50.23	.00	01-6265 TRAINING & SCH00LING	1086	1/20		
1444	U.S. BANK (VISA)	263893304000	9315	WALMART, COMMAND HOOKS, WHITE OUT, VISA VIS MARKERS, PARKS OFFICE, NOV.'19	11/25/2019	26.20	.00	01-6165 OFFICE SUPPLIES	1004	1/20		

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 26389330400006851636:						76.43	.00					
1444	U.S. BANK (VISA)	263893404000	9362	WALMART, CHRISTMAS LIGHTS AND SUPPLIES FOR CHRISTMAS FLOAT, J. LORENTZ, DEC. '19	12/05/2019	371.76	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	1/20		
Total 26389340400000763355:						371.76	.00					
1444	U.S. BANK (VISA)	263893464000	9385	WALMART, CANDY FOR NIGHT LIGHT PARADE, J. LORENTZ, DEC. '19	12/11/2019	42.34	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	1/20		
Total 26389346400001514553:						42.34	.00					
1444	U.S. BANK (VISA)	263893474000	9396	WALMART, CHRISTMAS DECORATIONS FOR THE FLOAT, B.WITHROW, DEC.'19	12/12/2019	125.68	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	1/20		
Total 26389347400008698168:						125.68	.00					
1444	U.S. BANK (VISA)	273393407202	9363	RIDLEYS, SNUGGLE, PUSH PINS, TAPE, D. CROSSLEY, DEC. '19 - WATER	12/06/2019	8.09	.00	20-6165 0FFICE SUPPLIES	0	1/20		
1444	U.S. BANK (VISA)	273393407202	9363	RIDLEYS, SNUGGLE, PUSH PINS, TAPE, D. CROSSLEY, DEC. '19 - SEWER	12/06/2019	8.09	.00	21-6165 OFFICE SUPPLIES	0	1/20		
1444	U.S. BANK (VISA)	273393407202	9363	RIDLEYS, SNUGGLE, PUSH PINS, TAPE, D. CROSSLEY, DEC. '19 - P.I	12/06/2019	3.07	.00	25-6165 OFFICE SUPPLIES	0	1/20		
Total 27339340720203150395:						19.25	.00					
1444	U.S. BANK (VISA)	310693419750		ALBERTSONS, ICE FOR SAMPLES, R.JONES, JAN.'20	11/20/2019	3.99	.00	20-6150 M & R - SYSTEM	0	1/20		

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 31069341975014430032:						3.99	.00					
1444	U.S. BANK (VISA)	316893488370	9403	CASH & CARRY, 100 BOXES FOR THE COOKIE DECORATING EVENT ON 12/14, A. WELKER, DEC. '19	12/13/2019	24.15	.00	01-6070 D0NATI0NS EXPENSE	0	1/20		
Total 31689348837000434404:						24.15	.00					
1444	U.S. BANK (VISA)	330993464005	9394	IBOL, B. BURR DWD1 LICENSE RENEWAL #2286, DEC. '19 - WATER	12/12/2019	24.00	.00	20-6265 TRAINING & SCH00LING EXPENSE	0	1/20		
1444	U.S. BANK (VISA)	330993464005	9394	IBOL, B. BURR DWD1 LICENSE RENEWAL #2286, DEC. '19 - P.I	12/12/2019	6.00	.00	25-6265 TRAINING & SCH00LING EXPENSE	0	1/20		
Total 33099346400540003820:						30.00	.00					
1444	U.S. BANK (VISA)	330993464005	9394	IBOL, R. DAVILA WWC1 LICENSE RENEWAL #22513, DEC. '19 - SEWER	12/12/2019	30.00	.00	21-6265 TRAINING & SCH00LING EXPENSE	0	1/20		
Total 33099346400540005296:						30.00	.00					
1444	U.S. BANK (VISA)	374693400015	9351	TRACTOR SUPPLY, METAL STRIP TO BUILD TOOL ORGANIZERS, S. HOWELL, DEC. '19	12/04/2019	4.98	.00	20-6150 M & R - SYSTEM	0	1/20		
Total 37469340001562934588:						4.98	.00					
1444	U.S. BANK (VISA)	450093464002	9385	WALMART, CANDY FOR NIGHT LIGHT PARADE, J. LORENTZ, DEC. '19	12/11/2019	206.02	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	1/20		
Total 45009346400205672651:						206.02	.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
1444	U.S. BANK (VISA)	450093474002		WALMART, LIGHTS FOR THE CHRISTMAS FLOAT, B.WITHROW, DEC.'19	12/12/2019	23.84	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	1/20		
Total 45009347400210095723:						23.84	.00					
1444	U.S. BANK (VISA)	554293487334	9403	LIFE'S KITCHEN, KIDS HOLIDAY COOKIE DECORATING KIT, A. WELKER, DEC. '19	12/13/2019	400.00	.00	01-6070 D0NATI0NS EXPENSE	0	1/20		
Total 55429348733480511711:						400.00	.00					
1444	U.S. BANK (VISA)	554293551735	9426	DEQ, COURSE REGISTRATION FOR R.HERRERA, DEC.'19 - SEWER	12/20/2019	75.00	.00	21-6265 TRAINING & SCH00LING EXPENSE	0	1/20		
Total 55429355173552594305:						75.00	.00					
1444	U.S. BANK (VISA)	593093449000	9379	INLA, HORTICULTURE COURSES, B.WITHROW, DEC.'19	12/10/2019	738.00	.00	01-6265 TRAINING & SCH00LING	1004	1/20		
1444	U.S. BANK (VISA)	593093449000	9379	INLA, MEMBERSHIP RENEWAL, B.WITHROW, DEC.'19	12/10/2019	75.00	.00	01-6075 DUES & MEMBERSHIPS	1004	1/20		
Total 59309344900016001808:						813.00	.00					
1444	U.S. BANK (VISA)	707693322867		NATIONAL BUSINESS INSTITUTE, SEMINAR REGISTRATION, D. HANSON, NOV.'19	11/27/2019	299.00	.00	01-6265 TRAINING & SCH00LING	1003	1/20		
Total 70769332286790301953:						299.00	.00					
1444	U.S. BANK (VISA)	710593306271		IDAHO RURAL WATER ASSOCIATION, REFUND REGISTRATION, CANCELLED CLASS, J.MORFIN, NOV.'19	11/26/2019	-120.00	.00	01-6265 TRAINING & SCH00LING	1004	1/20		

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 71059330627169841836:						-120.00	.00					
1444	U.S. BANK (VISA)	830993440915	9183	ITD, RENEWING LICENSE REGISTRATION FOR SEWER TRUCK VIN#: LAST 4 - 6963, J. EMPEY, OCT. '19	12/10/2019	23.69	.00	21-6165 OFFICE SUPPLIES	0	1/20		
Total 83099344091567003769:						23.69	.00					
1444	U.S. BANK (VISA)	893093437902	9371	ORIENTAL TRADING CO., CANDY CANE STICKS W/ MAYOR, A. WELKER, DEC. '19	12/07/2019	28.37	.00	01-6155 MEETINGS/COMMITTEES	1031	1/20		
Total 89309343790201436890:						28.37	.00					
1444	U.S. BANK (VISA)	921593296379	9323	ICSC, RECON CONFERENCE, L.HOLLAND, NOV.'19	11/25/2019	630.00	.00	01-6155 MEETINGS/COMMITTEES	4000	1/20		
Total 92159329637901046393:						630.00	.00					
1444	U.S. BANK (VISA)	921593387171	9354	EVENT BRIGHT, IDAHO HOUSING AND FINANCE, CONFERENCE ON HOUSING AND ECONOMIC DEVELOPMENT,L. HOLLAND, DEC.'19	12/04/2019	235.00	.00	01-6265 TRAINING & SCH00LING	4000	1/20		
1444	U.S. BANK (VISA)	921593387171	9354	EVENT BRIGHT, IDAHO HOUSING AND FINANCE, CONFERENCE ON HOUSING AND ECONOMIC DEVELOPMENT, W. HOWELL, DEC. '19	12/04/2019	235.00	.00	01-6265 TRAINING & SCH00LING	1003	1/20		
Total 92159338717119689561:						470.00	.00					
1444	U.S. BANK (VISA)	921593476370	9403	CASCADE STUDENT TRANSPORTATION, HOLIDAY BUS TOURS 12/19, 12/20, 12/21, $162.57 X 3, A. WELKER, DEC. '19	12/13/2019	162.57	.00	01-6070 D0NATI0NS EXPENSE	0	1/20		

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 92159347637019508522:						162.57	.00					
1444	U.S. BANK (VISA)	921593476370	9403	CASCADE STUDENT TRANSPORTATION, HOLIDAY BUS TOURS 12/19, 12/20, 12/21, $162.57 X 3, A. WELKER, DEC. '19	12/13/2019	162.57	.00	01-6070 D0NATI0NS EXPENSE	0	1/20		
Total 92159347637019611672:						162.57	.00					
1444	U.S. BANK (VISA)	921593476370	9403	CASCADE STUDENT TRANSPORTATION, HOLIDAY BUS TOURS 12/19, 12/20, 12/21, $162.57 X 3, A. WELKER, DEC. '19	12/13/2019	162.57	.00	01-6070 D0NATI0NS EXPENSE	0	1/20		
Total 92159347637019648377:						162.57	.00					
1444	U.S. BANK (VISA)	921693291009		LOWES, ELECTRICAL TESTER AND WIRE BRUSH, B.WITHROW, NOV.'19	11/25/2019	10.06	.00	01-6175 SMALL TOOLS	1004	1/20		
1444	U.S. BANK (VISA)	921693291009		LOWES, LATEX DIPPED GLOVES, B.WITHROW, NOV.'19	11/25/2019	15.96	.00	01-6230 SAFETY TRAINING & EQUIPMENT	1004	1/20		
Total 92169329100987692066:						26.02	.00					
1444	U.S. BANK (VISA)	921693301006	9315	THE HOME DEPOT, CHRISTMAS LIGHTS FOR THE PARKS, B.WITHROW, NOV.'19	11/25/2019	334.97	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	1/20		
Total 92169330100612365945:						334.97	.00					
1444	U.S. BANK (VISA)	921693301007	9324	AMAZON.COM, STAND UP DESK FOR J.REID, NOV.'19	11/26/2019	189.99	.00	01-6165 OFFICE SUPPLIES	1003	1/20		

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 92169330100752694559:						189.99	.00					
1444	U.S. BANK (VISA)	921693391008	9362	LOWES, CHRISTMAS LIGHTS AND SUPPLIES FOR TUNNEL AND CHRISTMAS FLOAT, J. LORENTZ, DEC. '19	12/05/2019	82.22	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	1/20		
Total 92169339100860563226:						82.22	.00					
1444	U.S. BANK (VISA)	921693441007	9371	AMAZON, DESK CHAIRS FOR CHAMBERS, A. WELKER, DEC. '19	12/10/2019	647.95	.00	01-6165 OFFICE SUPPLIES	0	1/20		
1444	U.S. BANK (VISA)	921693441007	9371	AMAZON, DESK CHAIRS FOR CHAMBERS, A. WELKER, DEC. '19	12/10/2019	28.80	.00	20-6165 0FFICE SUPPLIES	0	1/20		
1444	U.S. BANK (VISA)	921693441007	9371	AMAZON, DESK CHAIRS FOR CHAMBERS, A. WELKER, DEC. '19	12/10/2019	28.80	.00	21-6165 OFFICE SUPPLIES	0	1/20		
1444	U.S. BANK (VISA)	921693441007	9371	AMAZON, DESK CHAIRS FOR CHAMBERS, A. WELKER, DEC. '19	12/10/2019	14.39	.00	25-6165 OFFICE SUPPLIES	0	1/20		
Total 92169344100713594710:						719.94	.00					
1444	U.S. BANK (VISA)	921693461006	9402	LOWES, MATS TO COVER CORDS BEHIND CITY HALL, DEC. '19	12/12/2019	41.96	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	1/20		
Total 92169346100632071335:						41.96	.00					
1444	U.S. BANK (VISA)	921693461006	9401	DROPBOX, ANNUAL SUBSCRIPTION TO DROPBOX, L. HOLLAND, DEC. '19	12/12/2019	119.88	.00	01-6165 OFFICE SUPPLIES	4000	1/20		
Total 92169346100697309216:						119.88	.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
1444	U.S. BANK (VISA)	921693521007	9416	AMAZON.COM, PHONE CASE, FOR NEW PARKS EMPLOYEE, DEC.'19	12/18/2019	46.38	.00	01-6255 TELEPH0NE	1004	1/20		
Total 92169352100799865744:						46.38	.00					
1444	U.S. BANK (VISA)	921693551001	9424	DLX FOR SMALL BUSINESS, 1200 COUNT DEPOSIT SLIPS, B. JACKSON, DEC. '19	12/21/2019	259.17	.00	01-6165 OFFICE SUPPLIES	0	1/20		
Total 92169355100116605036:						259.17	.00					
1444	U.S. BANK (VISA)	921693561000	9423	AMAZON, OUTDOOR LIGHT PRIZES-FLAG HOLDERS, A. WELKER, DEC. '19	12/22/2019	74.97	.00	01-6070 D0NATI0NS EXPENSE	0	1/20		
Total 92169356100038308486:						74.97	.00					
1444	U.S. BANK (VISA)	921693581000	9423	AMAZON, OFFICE CHAIR FOR N. STANLEY, A. WELKER, DEC. '19	12/24/2019	50.39	.00	01-6165 OFFICE SUPPLIES	0	1/20		
1444	U.S. BANK (VISA)	921693581000	9423	AMAZON, OFFICE CHAIR FOR N. STANLEY, A. WELKER, DEC. '19	12/24/2019	2.24	.00	20-6165 0FFICE SUPPLIES	0	1/20		
1444	U.S. BANK (VISA)	921693581000	9423	AMAZON, OFFICE CHAIR FOR N. STANLEY, A. WELKER, DEC. '19	12/24/2019	2.24	.00	21-6165 OFFICE SUPPLIES	0	1/20		
1444	U.S. BANK (VISA)	921693581000	9423	AMAZON, OFFICE CHAIR FOR N. STANLEY, A. WELKER, DEC. '19	12/24/2019	1.12	.00	25-6165 OFFICE SUPPLIES	0	1/20		
Total 92169358100009686611:						55.99	.00					
1444	U.S. BANK (VISA)	921693581004		DLX FOR SMALL BUSINESS, REFUND FOR COUPON FOR PURCHASE OF DEPOSIT SLIPS, B.JACKSON, DEC.'19	12/24/2019	-14.67	.00	01-6165 OFFICE SUPPLIES	0	1/20		

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 92169358100434211584:						-14.67	.00					
Total U.S. BANK (VISA):						6,152.03	.00					
UTILITY REFUND #8												
1998	UTILITY REFUND #8	10790.02		JOSHUA BLACK, 384 E 2ND ST, UTILITY REFUND	01/06/2020	1.40	.00	20-4500 METERED WATER SALES	0	1/20		
1998	UTILITY REFUND #8	10790.02		JOSHUA BLACK, 384 E 2ND ST, UTILITY REFUND	01/06/2020	1.12	.00	21-4600 SEWER USER FEES	0	1/20		
1998	UTILITY REFUND #8	10790.02		JOSHUA BLACK, 384 E 2ND ST, UTILITY REFUND	01/06/2020	1.14	.00	26-4975 SOLID WASTE USER FEES	0	1/20		
Total 10790.02:						3.66	.00					
1998	UTILITY REFUND #8	110497.01		JOHN C BUNCH, 709 N SHADY GROVE WAY, UTILITY REFUND	01/13/2020	8.55	.00	20-4500 METERED WATER SALES	0	1/20		
1998	UTILITY REFUND #8	110497.01		JOHN C BUNCH, 709 N SHADY GROVE WAY, UTILITY REFUND	01/13/2020	7.91	.00	21-4600 SEWER USER FEES	0	1/20		
1998	UTILITY REFUND #8	110497.01		JOHN C BUNCH, 709 N SHADY GROVE WAY, UTILITY REFUND	01/13/2020	6.04	.00	26-4975 SOLID WASTE USER FEES	0	1/20		
Total 110497.01:						22.50	.00					
1998	UTILITY REFUND #8	150070.03		KENDRA R EARLL, 1410 N ANDREW AVE, UTILITY REFUND	01/06/2020	28.65	.00	20-4500 METERED WATER SALES	0	1/20		
1998	UTILITY REFUND #8	150070.03		KENDRA R EARLL, 1410 N ANDREW AVE, UTILITY REFUND	01/06/2020	31.18	.00	21-4600 SEWER USER FEES	0	1/20		
1998	UTILITY REFUND #8	150070.03		KENDRA R EARLL, 1410 N ANDREW AVE, UTILITY REFUND	01/06/2020	26.77	.00	26-4975 SOLID WASTE USER FEES	0	1/20		
1998	UTILITY REFUND #8	150070.03		KENDRA R EARLL, 1410 N ANDREW AVE, UTILITY								

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
				REFUND	01/06/2020	.77	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/20		
Total 150070.03:						87.37	.00					
1998	UTILITY REFUND #8	160250.02		JOHN DOMINGUEZ, 285 W HESSTON ST, UTILITY REFUND	01/06/2020	4.95	.00	20-4500 METERED WATER SALES	0	1/20		
1998	UTILITY REFUND #8	160250.02		JOHN DOMINGUEZ, 285 W HESSTON ST, UTILITY REFUND	01/06/2020	5.07	.00	21-4600 SEWER USER FEES	0	1/20		
1998	UTILITY REFUND #8	160250.02		JOHN DOMINGUEZ, 285 W HESSTON ST, UTILITY REFUND	01/06/2020	3.93	.00	26-4975 SOLID WASTE USER FEES	0	1/20		
1998	UTILITY REFUND #8	160250.02		JOHN DOMINGUEZ, 285 W HESSTON ST, UTILITY REFUND	01/06/2020	.13	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/20		
Total 160250.02:						14.08	.00					
1998	UTILITY REFUND #8	162070.01		ROBERT A HEARN, 1311-1315 N GINGHAM AVE, UTILITY REFUND	01/14/2020	45.28	.00	20-4500 METERED WATER SALES	0	1/20		
1998	UTILITY REFUND #8	162070.01		ROBERT A HEARN, 1311-1315 N GINGHAM AVE, UTILITY REFUND	01/14/2020	71.52	.00	21-4600 SEWER USER FEES	0	1/20		
1998	UTILITY REFUND #8	162070.01		ROBERT A HEARN, 1311-1315 N GINGHAM AVE, UTILITY REFUND	01/14/2020	55.06	.00	26-4975 SOLID WASTE USER FEES	0	1/20		
1998	UTILITY REFUND #8	162070.01		ROBERT A HEARN, 1311-1315 N GINGHAM AVE, UTILITY REFUND	01/14/2020	1.04	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/20		
Total 162070.01:						172.90	.00					
1998	UTILITY REFUND #8	165095.03		TIMOTHY MCCORKILL, 1085 N CAMBRICK DR, UTILITY REFUND	01/06/2020	23.00	.00	20-4500 METERED WATER SALES	0	1/20		

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
1998	UTILITY REFUND #8	165095.03		TIMOTHY MCCORKILL, 1085 N CAMBRICK DR, UTILITY REFUND	01/06/2020	22.96	.00	21-4600 SEWER USER FEES	0	1/20		
1998	UTILITY REFUND #8	165095.03		TIMOTHY MCCORKILL, 1085 N CAMBRICK DR, UTILITY REFUND	01/06/2020	21.77	.00	26-4975 SOLID WASTE USER FEES	0	1/20		
1998	UTILITY REFUND #8	165095.03		TIMOTHY MCCORKILL, 1085 N CAMBRICK DR, UTILITY REFUND	01/06/2020	.59	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/20		
Total 165095.03:						68.32	.00					
1998	UTILITY REFUND #8	183920.01		BOB D BACHMAN, 1677 N CALAVERAS PL, UTILITY REFUND	01/08/2020	46.04	.00	20-4500 METERED WATER SALES	0	1/20		
1998	UTILITY REFUND #8	183920.01		BOB D BACHMAN, 1677 N CALAVERAS PL, UTILITY REFUND	01/08/2020	50.01	.00	21-4600 SEWER USER FEES	0	1/20		
1998	UTILITY REFUND #8	183920.01		BOB D BACHMAN, 1677 N CALAVERAS PL, UTILITY REFUND	01/08/2020	42.88	.00	26-4975 SOLID WASTE USER FEES	0	1/20		
1998	UTILITY REFUND #8	183920.01		BOB D BACHMAN, 1677 N CALAVERAS PL, UTILITY REFUND	01/08/2020	1.37	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/20		
Total 183920.01:						140.30	.00					
1998	UTILITY REFUND #8	185001.00		BILTMORE COMPANY LLC, 550 W DEER FLAT RD BLDG A, UTILITY REFUND	01/13/2020	37.08	.00	20-4500 METERED WATER SALES	0	1/20		
1998	UTILITY REFUND #8	185001.00		BILTMORE COMPANY LLC, 550 W DEER FLAT RD BLDG A, UTILITY REFUND	01/13/2020	48.16	.00	21-4600 SEWER USER FEES	0	1/20		
1998	UTILITY REFUND #8	185001.00		BILTMORE COMPANY LLC, 550 W DEER FLAT RD BLDG A, UTILITY REFUND	01/13/2020	6.49	.00	26-4975 SOLID WASTE USER FEES	0	1/20		

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
1998	UTILITY REFUND #8	185001.00		BILTMORE COMPANY LLC, 550 W DEER FLAT RD BLDG A, UTILITY REFUND	01/13/2020	18.98	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/20		
Total 185001.00:						110.71	.00					
1998	UTILITY REFUND #8	185002.00		BILTMORE COMPANY LLC, 550 W DEER FLAT DR BLDG B, UTILITY REFUND	01/13/2020	25.14	.00	20-4500 METERED WATER SALES	0	1/20		
1998	UTILITY REFUND #8	185002.00		BILTMORE COMPANY LLC, 550 W DEER FLAT DR BLDG B, UTILITY REFUND	01/13/2020	32.65	.00	21-4600 SEWER USER FEES	0	1/20		
Total 185002.00:						57.79	.00					
1998	UTILITY REFUND #8	185003.00		BILTMORE COMPANY LLC, 550 W DEER FLAT RD BLDG C, UTILITY REFUND	01/13/2020	25.14	.00	20-4500 METERED WATER SALES	0	1/20		
1998	UTILITY REFUND #8	185003.00		BILTMORE COMPANY LLC, 550 W DEER FLAT RD BLDG C, UTILITY REFUND	01/13/2020	32.65	.00	21-4600 SEWER USER FEES	0	1/20		
Total 185003.00:						57.79	.00					
1998	UTILITY REFUND #8	185004.00		BILTMORE COMPANY LLC, 550 W DEER FLAT RD BLDG D, UTILITY REFUND	01/13/2020	25.14	.00	20-4500 METERED WATER SALES	0	1/20		
1998	UTILITY REFUND #8	185004.00		BILTMORE COMPANY LLC, 550 W DEER FLAT RD BLDG D, UTILITY REFUND	01/13/2020	32.65	.00	21-4600 SEWER USER FEES	0	1/20		
Total 185004.00:						57.79	.00					
1998	UTILITY REFUND #8	185005.00		BILTMORE COMPANY LLC, 550 W DEER FLAT RD BLDG E, UTILITY REFUND	01/13/2020	25.14	.00	20-4500 METERED WATER SALES	0	1/20		
1998	UTILITY REFUND #8	185005.00		BILTMORE COMPANY LLC, 550 W DEER FLAT RD BLDG E, UTILITY REFUND	01/13/2020	32.65	.00	21-4600 SEWER USER FEES	0	1/20		

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 185005.00:						57.79	.00					
1998	UTILITY REFUND #8	185006.00		BILTMORE COMPANY LLC, 550 W DEER FLAT RD BLDG F, UTILITY REFUND	01/13/2020	25.14	.00	20-4500 METERED WATER SALES	0	1/20		
1998	UTILITY REFUND #8	185006.00		BILTMORE COMPANY LLC, 550 W DEER FLAT RD BLDG F, UTILITY REFUND	01/13/2020	32.65	.00	21-4600 SEWER USER FEES	0	1/20		
Total 185006.00:						57.79	.00					
1998	UTILITY REFUND #8	185007.00		BILTMORE COMPANY LLC, 550 W DEER FLAT RD BLDG G, UTILITY REFUND	01/13/2020	25.31	.00	20-4500 METERED WATER SALES	0	1/20		
1998	UTILITY REFUND #8	185007.00		BILTMORE COMPANY LLC, 550 W DEER FLAT RD BLDG G, UTILITY REFUND	01/13/2020	32.88	.00	21-4600 SEWER USER FEES	0	1/20		
Total 185007.00:						58.19	.00					
1998	UTILITY REFUND #8	185008.00		BILTMORE COMPANY LLC, 550 W DEER FLAT RD BLD H, UTILITY REFUND	01/13/2020	25.14	.00	20-4500 METERED WATER SALES	0	1/20		
1998	UTILITY REFUND #8	185008.00		BILTMORE COMPANY LLC, 550 W DEER FLAT RD BLDG H, UTILITY REFUND	01/13/2020	32.65	.00	21-4600 SEWER USER FEES	0	1/20		
Total 185008.00:						57.79	.00					
1998	UTILITY REFUND #8	185009.00		BILTMORE COMPANY LLC, 550 W DEER FLAT RD BLDG I, UTILITY REFUND	01/13/2020	25.14	.00	20-4500 METERED WATER SALES	0	1/20		
1998	UTILITY REFUND #8	185009.00		BILTMORE COMPANY LLC, 550 W DEER FLAT RD BLDG I, UTILITY REFUND	01/13/2020	32.65	.00	21-4600 SEWER USER FEES	0	1/20		

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 185009.00:						57.79	.00					
1998	UTILITY REFUND #8	185010.00		BILTMORE COMPANY LLC, 550 W DEER FLAT RD BLDG J, UTILITY REFUND	01/13/2020	25.14	.00	20-4500 METERED WATER SALES	0	1/20		
1998	UTILITY REFUND #8	185010.00		BILTMORE COMPANY LLC, 550 W DEER FLAT RD BLDG J, UTILITY REFUND	01/13/2020	32.65	.00	21-4600 SEWER USER FEES	0	1/20		
Total 185010.00:						57.79	.00					
1998	UTILITY REFUND #8	185011.00		BILTMORE COMPANY LLC, 550 W DEER FLAT RD BLDG K, UTILITY REFUND	01/13/2020	25.14	.00	20-4500 METERED WATER SALES	0	1/20		
1998	UTILITY REFUND #8	185011.00		BILTMORE COMPANY LLC, 550 W DEER FLAT RD BLDG K, UTILITY REFUND	01/13/2020	32.65	.00	21-4600 SEWER USER FEES	0	1/20		
Total 185011.00:						57.79	.00					
1998	UTILITY REFUND #8	185012.00		BILTMORE COMPANY LLC, 550 W DEER FLAT RD BLDG L, UTILITY REFUND	01/13/2020	25.14	.00	20-4500 METERED WATER SALES	0	1/20		
1998	UTILITY REFUND #8	185012.00		BILTMORE COMPANY LLC, 550 W DEER FLAT RD BLDG L, UTILITY REFUND	01/13/2020	32.65	.00	21-4600 SEWER USER FEES	0	1/20		
Total 185012.00:						57.79	.00					
1998	UTILITY REFUND #8	185013.00		BILTMORE COMPANY LLC, 550 W DEER FLAT RD BLDG M, UTILITY REFUND	01/13/2020	25.14	.00	20-4500 METERED WATER SALES	0	1/20		
1998	UTILITY REFUND #8	185013.00		BILTMORE COMPANY LLC, 550 W DEER FLAT RD BLDG M, UTILITY REFUND	01/13/2020	32.65	.00	21-4600 SEWER USER FEES	0	1/20		

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 185013.00:						57.79	.00					
1998	UTILITY REFUND #8	20510.02		ANNE JAMES, 479 E BLUE SKY DR, UTILITY REFUND	01/03/2020	72.67	.00	20-4500 METERED WATER SALES	0	1/20		
Total 20510.02:						72.67	.00					
1998	UTILITY REFUND #8	221620.02		BRADY BOWER, 882 S TOMEN AVE, UTILITY REFUND	01/08/2020	12.07	.00	20-4500 METERED WATER SALES	0	1/20		
1998	UTILITY REFUND #8	221620.02		BRADY BOWER, 882 S TOMEN AVE, UTILITY REFUND	01/08/2020	-4.09	.00	21-4600 SEWER USER FEES	0	1/20		
1998	UTILITY REFUND #8	221620.02		BRADY BOWER, 882 S TOMEN AVE, UTILITY REFUND	01/08/2020	-3.29	.00	26-4975 SOLID WASTE USER FEES	0	1/20		
Total 221620.02:						4.69	.00					
1998	UTILITY REFUND #8	230325.03		LUIS A ORTIZ-PARRA, 728 W WILLOW DALE WAY, UTILITY REFUND	01/06/2020	5.05	.00	20-4500 METERED WATER SALES	0	1/20		
1998	UTILITY REFUND #8	230325.03		LUIS A ORTIZ-PARRA, 728 W WILLOW DALE WAY, UTILITY REFUND	01/06/2020	5.62	.00	21-4600 SEWER USER FEES	0	1/20		
1998	UTILITY REFUND #8	230325.03		LUIS A ORTIZ-PARRA, 728 W WILLOW DALE WAY, UTILITY REFUND	01/06/2020	4.35	.00	26-4975 SOLID WASTE USER FEES	0	1/20		
1998	UTILITY REFUND #8	230325.03		LUIS A ORTIZ-PARRA, 728 W WILLOW DALE WAY, UTILITY REFUND	01/06/2020	.24	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/20		
Total 230325.03:						15.26	.00					
1998	UTILITY REFUND #8	241043.00		MERLIN POINTE LLC, 219 N BAY HAVEN AVE, UTILITY REFUND	01/14/2020	8.11	.00	20-4500 METERED WATER SALES	0	1/20		

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
1998	UTILITY REFUND #8	241043.00		MERLIN POINTE LLC, 219 N BAY HAVEN AVE, UTILITY REFUND	01/14/2020	4.99	.00	21-4600 SEWER USER FEES	0	1/20		
1998	UTILITY REFUND #8	241043.00		MERLIN POINTE LLC, 219 N BAY HAVEN AVE, UTILITY REFUND	01/14/2020	1.49	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/20		
Total 241043.00:						14.59	.00					
1998	UTILITY REFUND #8	250260.02		CHAD ROWLAND, 821 W LUNCHBOX ST, UTILITY REFUND	01/13/2020	47.81	.00	20-4500 METERED WATER SALES	0	1/20		
1998	UTILITY REFUND #8	250260.02		CHAD ROWLAND, 821 W LUNCHBOX ST, UTILITY REFUND	01/13/2020	56.33	.00	21-4600 SEWER USER FEES	0	1/20		
1998	UTILITY REFUND #8	250260.02		CHAD ROWLAND, 821 W LUNCHBOX ST, UTILITY REFUND	01/13/2020	48.93	.00	26-4975 SOLID WASTE USER FEES	0	1/20		
1998	UTILITY REFUND #8	250260.02		CHAD ROWLAND, 821 W LUNCHBOX ST, UTILITY REFUND	01/13/2020	1.46	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/20		
Total 250260.02:						154.53	.00					
1998	UTILITY REFUND #8	268315.00		CBH HOMES, 2539 W QUILCEDA ST, UTILITY REFUND	01/06/2020	17.49	.00	20-4500 METERED WATER SALES	0	1/20		
1998	UTILITY REFUND #8	268315.00		CBH HOMES, 2539 W QUILCEDA ST, UTILITY REFUND	01/06/2020	-7.91	.00	21-4600 SEWER USER FEES	0	1/20		
1998	UTILITY REFUND #8	268315.00		CBH HOMES, 2539 W QUILCEDA ST, UTILITY REFUND	01/06/2020	-2.81	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/20		
Total 268315.00:						6.77	.00					
1998	UTILITY REFUND #8	268317.00A		CBH HOMES, 2501 W QUILCEDA ST, UTILITY								

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
				REFUND	01/09/2020	59.21	.00	20-4500 METERED WATER SALES	0	1/20		
Total 268317.00A:						59.21	.00					
1998	UTILITY REFUND #8	268327.00		CBH HOMES, 1615 N BISQUE AVE, UTILITY REFUND	01/02/2020	54.53	.00	20-4500 METERED WATER SALES	0	1/20		
1998	UTILITY REFUND #8	268327.00		CBH HOMES, 1615 N BISQUE AVE, UTILITY REFUND	01/02/2020	22.72	.00	21-4600 SEWER USER FEES	0	1/20		
1998	UTILITY REFUND #8	268327.00		CBH HOMES, 1615 N BISQUE AVE, UTILITY REFUND	01/02/2020	4.30	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/20		
Total 268327.00:						81.55	.00					
1998	UTILITY REFUND #8	277133.01A		CBH HOMES, 2566 N TUMBLER PL, UTILITY REFUND	01/09/2020	59.21	.00	20-4500 METERED WATER SALES	0	1/20		
Total 277133.01A:						59.21	.00					
1998	UTILITY REFUND #8	277144.01		CBH HOMES, 2619 N KENNETH AVE, UTILITY REFUND	01/06/2020	41.79	.00	20-4500 METERED WATER SALES	0	1/20		
1998	UTILITY REFUND #8	277144.01		CBH HOMES, 2619 N KENNETH AVE, UTILITY REFUND	01/06/2020	34.45	.00	21-4600 SEWER USER FEES	0	1/20		
1998	UTILITY REFUND #8	277144.01		CBH HOMES, 2619 N KENNETH AVE, UTILITY REFUND	01/06/2020	5.31	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/20		
Total 277144.01:						81.55	.00					
1998	UTILITY REFUND #8	277437.01A		CBH HOMES, 2300 N SPIKE AVE, UTILITY REFUND	01/09/2020	59.21	.00	20-4500 METERED WATER SALES	0	1/20		
Total 277437.01A:						59.21	.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
1998	UTILITY REFUND #8	277438.01A		CBH HOMES, 2282 N SPIKE AVE, UTILITY REFUND	01/09/2020	59.21	.00	20-4500 METERED WATER SALES	0	1/20		
Total 277438.01A:						59.21	.00					
1998	UTILITY REFUND #8	277441.01		CBH HOMES, 2228 N SPIKE AVE, UTILITY REFUND	01/14/2020	42.26	.00	20-4500 METERED WATER SALES	0	1/20		
1998	UTILITY REFUND #8	277441.01		CBH HOMES, 2228 N SPIKE AVE, UTILITY REFUND	01/14/2020	35.72	.00	21-4600 SEWER USER FEES	0	1/20		
1998	UTILITY REFUND #8	277441.01		CBH HOMES, 2228 N SPIKE AVE, UTILITY REFUND	01/14/2020	5.13	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/20		
Total 277441.01:						83.11	.00					
1998	UTILITY REFUND #8	290370.02		BRIAN BURGER, 8216 S BUFFALO CREEK LN, UTILITY REFUND	01/14/2020	11.89	.00	20-4500 METERED WATER SALES	0	1/20		
1998	UTILITY REFUND #8	290370.02		BRIAN BURGER, 8216 S BUFFALO CREEK LN, UTILITY REFUND	01/14/2020	7.21	.00	21-4600 SEWER USER FEES	0	1/20		
1998	UTILITY REFUND #8	290370.02		BRIAN BURGER, 8216 S BUFFALO CREEK LN, UTILITY REFUND	01/14/2020	3.46	.00	26-4975 SOLID WASTE USER FEES	0	1/20		
Total 290370.02:						22.56	.00					
1998	UTILITY REFUND #8	291060.00		CBH HOMES, 6797 S MEMORY WAY, UTILITY REFUND	01/06/2020	40.03	.00	20-4500 METERED WATER SALES	0	1/20		
1998	UTILITY REFUND #8	291060.00		CBH HOMES, 6797 S MEMORY WAY, UTILITY REFUND	01/06/2020	36.50	.00	21-4600 SEWER USER FEES	0	1/20		
1998	UTILITY REFUND #8	291060.00		CBH HOMES, 6797 S MEMORY WAY, UTILITY REFUND	01/06/2020	4.77	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/20		

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 291060.00:						81.30	.00					
1998	UTILITY REFUND #8	292021.00		CBH HOMES, 2692 W PEAR APPLE ST, UTILITY REFUND	01/08/2020	6.71	.00	20-4500 METERED WATER SALES	0	1/20		
1998	UTILITY REFUND #8	292021.00		CBH HOMES, 2692 W PEAR APPLE ST, UTILITY REFUND	01/08/2020	4.74	.00	21-4600 SEWER USER FEES	0	1/20		
Total 292021.00:						11.45	.00					
1998	UTILITY REFUND #8	292048.00		CBH HOMES, 8620 S INARA AVE, UTILITY REFUND	01/06/2020	44.52	.00	20-4500 METERED WATER SALES	0	1/20		
1998	UTILITY REFUND #8	292048.00		CBH HOMES, 8620 S INARA AVE, UTILITY REFUND	01/06/2020	12.76	.00	21-4600 SEWER USER FEES	0	1/20		
1998	UTILITY REFUND #8	292048.00		CBH HOMES, 8620 S INARA AVE, UTILITY REFUND	01/06/2020	2.49	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/20		
Total 292048.00:						59.77	.00					
1998	UTILITY REFUND #8	292054.00		CBH HOMES, 8677 S INARA AVE, UTILITY REFUND	01/08/2020	51.72	.00	20-4500 METERED WATER SALES	0	1/20		
1998	UTILITY REFUND #8	292054.00		CBH HOMES, 8677 S INARA AVE, UTILITY REFUND	01/08/2020	26.58	.00	21-4600 SEWER USER FEES	0	1/20		
1998	UTILITY REFUND #8	292054.00		CBH HOMES, 8677 S INARA AVE, UTILITY REFUND	01/08/2020	4.81	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/20		
Total 292054.00:						83.11	.00					
1998	UTILITY REFUND #8	302015.02		WARREN EKNESS, 470 E RAISON ST, UTILITY REFUND	01/09/2020	4.76	.00	20-4500 METERED WATER SALES	0	1/20		
1998	UTILITY REFUND #8	302015.02		WARREN EKNESS, 470 E RAISON ST, UTILITY REFUND	01/09/2020	5.02	.00	21-4600 SEWER USER FEES	0	1/20		

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
1998	UTILITY REFUND #8	302015.02		WARREN EKNESS, 470 E RAISON ST, UTILITY REFUND	01/09/2020	4.31	.00	26-4975 SOLID WASTE USER FEES	0	1/20		
Total 302015.02:						14.09	.00					
1998	UTILITY REFUND #8	302212.00		STACY CONSTRUCTION INC., 9275 S PALENA PL, UTILITY REFUND	01/02/2020	74.99	.00	20-4500 METERED WATER SALES	0	1/20		
1998	UTILITY REFUND #8	302212.00		STACY CONSTRUCTION INC., 9275 S PALENA PL, UTILITY REFUND	01/02/2020	61.03	.00	21-4600 SEWER USER FEES	0	1/20		
1998	UTILITY REFUND #8	302212.00		STACY CONSTRUCTION INC., 9275 S PALENA PL, UTILITY REFUND	01/02/2020	9.73	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/20		
Total 302212.00:						145.75	.00					
1998	UTILITY REFUND #8	303276.00		HUBBLE HOMES, 1126 E BRUSH CREEK ST, UTILITY REFUND	01/02/2020	33.55	.00	20-4500 METERED WATER SALES	0	1/20		
1998	UTILITY REFUND #8	303276.00		HUBBLE HOMES, 1126 E BRUSH CREEK ST, UTILITY REFUND	01/02/2020	34.34	.00	21-4600 SEWER USER FEES	0	1/20		
1998	UTILITY REFUND #8	303276.00		HUBBLE HOMES, 1126 E BRUSH CREEK ST, UTILITY REFUND	01/02/2020	7.42	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/20		
Total 303276.00:						75.31	.00					
1998	UTILITY REFUND #8	303293.00		HUBBLE HOMES, 929 E BRUSH CREEK ST, UTILITY REFUND	01/06/2020	32.59	.00	20-4500 METERED WATER SALES	0	1/20		
1998	UTILITY REFUND #8	303293.00		HUBBLE HOMES, 929 E BRUSH CREEK ST, UTILITY REFUND	01/06/2020	33.46	.00	21-4600 SEWER USER FEES	0	1/20		
1998	UTILITY REFUND #8	303293.00		HUBBLE HOMES, 929 E BRUSH CREEK ST, UTILITY REFUND	01/06/2020	8.22	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/20		

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 303293.00:						74.27	.00					
1998	UTILITY REFUND #8	303295.00		HUBBLE HOMES, 893 E BRUSH CREEK ST, UTILITY REFUND	01/02/2020	29.96	.00	20-4500 METERED WATER SALES	0	1/20		
1998	UTILITY REFUND #8	303295.00		HUBBLE HOMES, 893 E BRUSH CREEK ST, UTILITY REFUND	01/02/2020	30.64	.00	21-4600 SEWER USER FEES	0	1/20		
1998	UTILITY REFUND #8	303295.00		HUBBLE HOMES, 893 E BRUSH CREEK ST, UTILITY REFUND	01/02/2020	6.64	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/20		
Total 303295.00:						67.24	.00					
1998	UTILITY REFUND #8	30980.02		KEY2 HOMES LLC, 330 S HAYWARD AVE, UTILITY REFUND	01/02/2020	48.43	.00	20-4500 METERED WATER SALES	0	1/20		
1998	UTILITY REFUND #8	30980.02		KEY2 HOMES LLC, 330 S HAYWARD AVE, UTILITY REFUND	01/02/2020	61.96	.00	21-4600 SEWER USER FEES	0	1/20		
1998	UTILITY REFUND #8	30980.02		KEY2 HOMES LLC, 330 S HAYWARD AVE, UTILITY REFUND	01/02/2020	49.29	.00	26-4975 SOLID WASTE USER FEES	0	1/20		
Total 30980.02:						159.68	.00					
1998	UTILITY REFUND #8	318301.01		NEW HORIZON CONSTRUCTION CO., 1159 E SAILER SHORES ST, UTILITY REFUND	01/13/2020	41.72	.00	20-4500 METERED WATER SALES	0	1/20		
1998	UTILITY REFUND #8	318301.01		NEW HORIZON CONSTRUCTION CO., 1159 E SAILER SHORES ST, UTILITY REFUND	01/13/2020	42.45	.00	21-4600 SEWER USER FEES	0	1/20		
1998	UTILITY REFUND #8	318301.01		NEW HORIZON CONSTRUCTION CO., 1159 E SAILER SHORES ST, UTILITY REFUND	01/13/2020	3.27	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/20		

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 318301.01:						87.44	.00					
1998	UTILITY REFUND #8	320046.00		HAYDEN HOMES, 1878 E MESA FALLS ST, UTILITY REFUND	01/06/2020	1.41	.00	20-4500 METERED WATER SALES	0	1/20		
1998	UTILITY REFUND #8	320046.00		HAYDEN HOMES, 1878 E MESA FALLS ST, UTILITY REFUND	01/06/2020	4.94	.00	21-4600 SEWER USER FEES	0	1/20		
1998	UTILITY REFUND #8	320046.00		HAYDEN HOMES, 1878 E MESA FALLS ST, UTILITY REFUND	01/06/2020	2.70	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/20		
Total 320046.00:						9.05	.00					
1998	UTILITY REFUND #8	320047.00		HAYDEN HOMES, 1894 S MESA FALLS ST, UTILITY REFUND	01/14/2020	6.76	.00	20-4500 METERED WATER SALES	0	1/20		
1998	UTILITY REFUND #8	320047.00		HAYDEN HOMES, 1894 S MESA FALLS ST, UTILITY REFUND	01/14/2020	8.77	.00	21-4600 SEWER USER FEES	0	1/20		
1998	UTILITY REFUND #8	320047.00		HAYDEN HOMES, 1894 S MESA FALLS ST, UTILITY REFUND	01/14/2020	6.74	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/20		
Total 320047.00:						22.27	.00					
1998	UTILITY REFUND #8	320052.00		HAYDEN HOMES, 1306 N WARM RIVER AVE, UTILITY REFUND	01/08/2020	7.42	.00	20-4500 METERED WATER SALES	0	1/20		
1998	UTILITY REFUND #8	320052.00		HAYDEN HOMES, 1306 N WARM RIVER AVE, UTILITY REFUND	01/08/2020	9.64	.00	21-4600 SEWER USER FEES	0	1/20		
1998	UTILITY REFUND #8	320052.00		HAYDEN HOMES, 1306 N WARM RIVER AVE, UTILITY REFUND	01/08/2020	3.76	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/20		
Total 320052.00:						20.82	.00					
1998	UTILITY REFUND #8	340036.01		CBH HOMES, 6797 S BIRCH CREEK AVE, UTILITY REFUND	01/02/2020	48.45	.00	20-4500 METERED WATER SALES	0	1/20		

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
1998	UTILITY REFUND #8	340036.01		CBH HOMES, 6797 S BIRCH CREEK AVE, UTILITY REFUND	01/02/2020	12.81	.00	21-4600 SEWER USER FEES	0	1/20		
1998	UTILITY REFUND #8	340036.01		CBH HOMES, 6797 S BIRCH CREEK AVE, UTILITY REFUND	01/02/2020	-1.76	.00	25-4700 PRESS. IRRIGATI0N USER FEES	0	1/20		
Total 340036.01:						59.50	.00					
Total UTILITY REFUND #8:						3,058.89	.00					
VALLI INFORMATION SYSTEMS, INC												
857	VALLI INFORMATION SYSTEMS, INC	56760		POSTAGE, IMAGING, PRINTING BILLS AND INSERTS FOR DEC.'19 - ADMIN	12/31/2019	1,146.05	.00	01-6190 P0STAGE & BILLING	0	1/20		
857	VALLI INFORMATION SYSTEMS, INC	56760		POSTAGE, IMAGING, PRINTING BILLS AND INSERTS FOR DEC.'19 - WATER	12/31/2019	1,800.94	.00	20-6190 P0STAGE & BILLING	0	1/20		
857	VALLI INFORMATION SYSTEMS, INC	56760		POSTAGE, IMAGING, PRINTING BILLS AND INSERTS FOR DEC.'19 - SEWER	12/31/2019	1,800.94	.00	21-6190 P0STAGE & BILLING	0	1/20		
857	VALLI INFORMATION SYSTEMS, INC	56760		POSTAGE, IMAGING, PRINTING BILLS AND INSERTS FOR DEC.'19 - P.I	12/31/2019	709.47	.00	25-6190 P0STAGE & BILLING	0	1/20		
Total 56760:						5,457.40	.00					
857	VALLI INFORMATION SYSTEMS, INC	56761		LOCKBOX TRANSACTIONS FOR DEC.'19 - ADMIN	12/31/2019	60.90	.00	01-6505 BANK FEES	0	1/20		
857	VALLI INFORMATION SYSTEMS, INC	56761		LOCKBOX TRANSACTIONS FOR DEC.'19 - WATER	12/31/2019	95.70	.00	20-6505 BANK FEES	0	1/20		
857	VALLI INFORMATION SYSTEMS, INC	56761		LOCKBOX TRANSACTIONS FOR DEC.'19 - SEWER	12/31/2019	95.70	.00	21-6505 BANK FEES	0	1/20		
857	VALLI INFORMATION SYSTEMS, INC	56761		LOCKBOX TRANSACTIONS FOR DEC.'19 - P.I	12/31/2019	37.70	.00	25-6505 BANK FEES	0	1/20		

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 56761:						290.00	.00					
Total VALLI INFORMATION SYSTEMS, INC:						5,747.40	.00					
VERIZON WIRELESS												
1575	VERIZON WIRELESS	9845225143		CELL PHONE SERVICE, 11/29-12/28/19 - ADMIN	12/28/2019	145.22	.00	01-6255 TELEPH0NE	0	1/20		
1575	VERIZON WIRELESS	9845225143		CELL PHONE SERVICE, 11/29-12/28/19 - P & Z	12/28/2019	55.16	.00	01-6255 TELEPH0NE	1003	1/20		
1575	VERIZON WIRELESS	9845225143		CELL PHONE SERVICE, 11/29-12/28/19 - PARKS	12/28/2019	538.56	.00	01-6255 TELEPH0NE	1004	1/20		
1575	VERIZON WIRELESS	9845225143		CELL PHONE SERVICE, 11/29-12/28/19 - BUILDING INSPECTION	12/28/2019	98.09	.00	01-6255 TELEPH0NE	1005	1/20		
1575	VERIZON WIRELESS	9845225143		CELL PHONE SERVICE, 11/29-12/28/19 - WATER	12/28/2019	482.19	.00	20-6255 TELEPH0NE EXPENSE	0	1/20		
1575	VERIZON WIRELESS	9845225143		CELL PHONE SERVICE, 11/29-12/28/19 - SEWER	12/28/2019	568.74	.00	21-6255 TELEPH0NE EXPENSE	0	1/20		
1575	VERIZON WIRELESS	9845225143		CELL PHONE SERVICE, 11/29-12/28/19 - P.I	12/28/2019	131.63	.00	25-6255 TELEPH0NE EXPENSE	0	1/20		
1575	VERIZON WIRELESS	9845225143		CELL PHONE SERVICE, 11/29-12/28/19 - ECONOMIC DEVELOPMENT	12/28/2019	48.09	.00	01-6255 TELEPH0NE	4000	1/20		
Total 9845225143:						2,067.68	.00					
1575	VERIZON WIRELESS	9845359703		TABLET SERVICE, 12/2/19-1/1/20 - ADMIN	01/01/2020	3.68	.00	01-6255 TELEPH0NE	0	1/20		
1575	VERIZON WIRELESS	9845359703		TABLET SERVICE, 12/2/19-1/1/20 - PARKS	01/01/2020	8.09	.00	01-6255 TELEPH0NE	1004	1/20		
1575	VERIZON WIRELESS	9845359703		TABLET SERVICE, 12/2/19-1/1/20 - BUILDING INSPECTION	01/01/2020	30.87	.00	01-6255 TELEPH0NE	1005	1/20		

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
1575	VERIZON WIRELESS	9845359703		TABLET SERVICE, 12/2/19-1/1/20 - WATER	01/01/2020	42.04	.00	20-6255 TELEPH0NE EXPENSE	0	1/20		
1575	VERIZON WIRELESS	9845359703		TABLET SERVICE, 12/2/19-1/1/20 - SEWER	01/01/2020	50.86	.00	21-6255 TELEPH0NE EXPENSE	0	1/20		
1575	VERIZON WIRELESS	9845359703		TABLET SERVICE, 12/2/19-1/1/20 - P.I	01/01/2020	11.46	.00	25-6255 TELEPH0NE EXPENSE	0	1/20		
Total 9845359703:						147.00	.00					
1575	VERIZON WIRELESS	9845359704		IPAD SERVICE, 12/2/19-1/1/20 - ADMIN	01/01/2020	5.01	.00	01-6255 TELEPH0NE	0	1/20		
1575	VERIZON WIRELESS	9845359704		IPAD SERVICE, 12/2/19-1/1/20 - PARKS	01/01/2020	20.01	.00	01-6255 TELEPH0NE	1004	1/20		
1575	VERIZON WIRELESS	9845359704		IPAD SERVICE, 12/2/19-1/1/20 - WATER	01/01/2020	6.61	.00	20-6255 TELEPH0NE EXPENSE	0	1/20		
1575	VERIZON WIRELESS	9845359704		IPAD SERVICE, 12/2/19-1/1/20 - SEWER	01/01/2020	6.61	.00	21-6255 TELEPH0NE EXPENSE	0	1/20		
1575	VERIZON WIRELESS	9845359704		IPAD SERVICE, 12/2/19-1/1/20 - P.I	01/01/2020	1.79	.00	25-6255 TELEPH0NE EXPENSE	0	1/20		
Total 9845359704:						40.03	.00					
Total VERIZON WIRELESS:						2,254.71	.00					
WATER ENVIRONMENT FEDERATION												
1031	WATER ENVIRONMENT FEDERATION	02292020MN		MEMBERSHIP RENEWAL AND DUES, MEMBER #17864350, M.NADEAU, JAN.'20	01/14/2020	120.00	.00	21-6075 DUES & MEMBERSHIPS	0	1/20		
Total 02292020MN:						120.00	.00					

Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
Total WATER ENVIRONMENT FEDERATION:						120.00	.00					
WESTERN RECORDS DESTRUCTION, INC.												
1633	WESTERN RECORDS DESTRUCTION, INC.	0469116		RECORDS DESTRUCTION, 12/1 -31/19 - ADMIN	01/01/2020	6.25	.00	01-6052 CONTRACT SERVICES	0	1/20		
1633	WESTERN RECORDS DESTRUCTION, INC.	0469116		RECORDS DESTRUCTION, 12/1 -31/19 - WATER	01/01/2020	8.25	.00	20-6052 CONTRACT SERVICES	0	1/20		
1633	WESTERN RECORDS DESTRUCTION, INC.	0469116		RECORDS DESTRUCTION, 12/1 -31/19 - SEWER	01/01/2020	8.25	.00	21-6052 C0NTRACT SERVICES	0	1/20		
1633	WESTERN RECORDS DESTRUCTION, INC.	0469116		RECORDS DESTRUCTION, 12/1 -31/19 - P.I	01/01/2020	2.25	.00	25-6052 C0NTRACT SERVICES	0	1/20		
Total 0469116:						25.00	.00					
Total WESTERN RECORDS DESTRUCTION, INC.:						25.00	.00					
WEX BANK												
1234	WEX BANK	63113734		FUEL, DEC.'19 - ADMIN	12/31/2019	28.92	.00	01-6300 FUEL	0	1/20		
1234	WEX BANK	63113734		FUEL, DEC.'19 - P&Z	12/31/2019	9.64	.00	01-6300 FUEL	1003	1/20		
1234	WEX BANK	63113734		FUEL, DEC.'19 - PARKS	12/31/2019	248.94	.00	01-6300 FUEL	1004	1/20		
1234	WEX BANK	63113734		FUEL, DEC.'19 - BUILDING INSPECTION	12/31/2019	338.65	.00	01-6300 FUEL	1005	1/20		
1234	WEX BANK	63113734		FUEL, DEC.'19 - WATER	12/31/2019	150.80	.00	20-6300 FUEL	0	1/20		
1234	WEX BANK	63113734		FUEL, DEC.'19 - SEWER	12/31/2019	150.80	.00	21-6300 FUEL	0	1/20		
1234	WEX BANK	63113734		FUEL, DEC.'19 - P.I	12/31/2019	41.13	.00	25-6300 FUEL	0	1/20		
Total 63113734:						968.88	.00					

Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
Total WEX BANK:						968.88	.00					
WHITE, PETERSON, GIGRAY, & NICHOLS P.A.												
1958	WHITE, PETERSON, GIGRAY, & NICHOLS P.A.	12312019WPG		LEGAL FEES AND EXPENSES, DEC.'19 - ADMIN	12/31/2019	5,253.23	.00	01-6202 PR0FESSI0NAL SERVICES	0	1/20		
1958	WHITE, PETERSON, GIGRAY, & NICHOLS P.A.	12312019WPG		LEGAL FEES, DEC.'19 - P&Z	12/31/2019	1,015.50	.00	01-6202 PR0FESSI0NAL SERVICES	1003	1/20		
1958	WHITE, PETERSON, GIGRAY, & NICHOLS P.A.	12312019WPG		LEGAL FEES, DEC.'19 - WATER	12/31/2019	144.00	.00	20-6202 PROFESSIONAL SERVICES	0	1/20		
1958	WHITE, PETERSON, GIGRAY, & NICHOLS P.A.	12312019WPG		LEGAL FEES, DEC.'19 - P.I	12/31/2019	36.00	.00	25-6202 PROFESSIONAL SERVICES	0	1/20		
1958	WHITE, PETERSON, GIGRAY, & NICHOLS P.A.	12312019WPG		LEGAL FEES AND EXPENSES, DEC.'19	12/31/2019	1,935.00	.00	40-6020 CAPITAL IMPROVEMENTS	1207	1/20		
Total 12312019WPGN:						8,383.73	.00					
Total WHITE, PETERSON, GIGRAY, & NICHOLS P.A.:						8,383.73	.00					
Grand Totals:						1,178,585.12	329,232.14					

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.
Paid and unpaid invoices included.

City of Kuna
Alcohol Beverage License
751 W 4th Street
P.O. BOX 13
KUNA, ID 83634
Phone: (208) 922-5546
E-mail: cityclerk@kunaid.gov

***** OFFICE USE ONLY *****

Date 1/14/2020 City License No. 170089A

New ✓ Renewal ___ Modification ___ Transfer ___

LICENSE:

APPROVED ____ DENIED ____

Date Fee Paid and Receipt No.: 1/14/2020 11002970

ALL FEES ARE NON-REFUNDABLE

LIQUOR-BY-THE-DRINK	**$ 562.50**	
(Includes On Premise Wine)		
OFF PREMISE BEER	**$ 50.00**	X
OFF PREMISE WINE	**$ 200.00**	X
ON PREMISE BEER	**$ 200.00**	
ON PREMISE WINE	**$ 200.00**	
CHANGE IN LOCATION OF LICENSE (15% OF THE ANNUAL FEE)		

50% off → Applied after Nov. 1st

TOTAL $ ~~250.00~~ $125.-

All applications include: Copy of the IDAHO STATE LICENSE and ADA COUNTY LICENSE
New applications also include: Copy of ABC stamped approved Foot Print
All Licenses will expire annually on May 1 at 2:00 a.m.

BUSINESS NAME: Family Dollar Store # 27198 **PHONE:** 208-922-3311

BUSINESS LOCATION: 349 E. Avalon St., Kuna, ID 83634
(City, State, Zip Code)

BUSINESS MAILING ADDRESS: 500 Volvo Parkway, Chesapeake, VA 23320
(City, State, Zip Code)

APPLICANT NAME: Family Dollar, Inc. / Lonnie McCaffety President **PHONE:** 757-698-7539

RESIDENCE ADDRESS 500 Volvo Parkway, Chesapeake, VA 23320
(City, State, Zip Code)

IF APPLICANT IS A *PARTNERSHIP* OR *CORPORATION*, LIST NAMES AND ADDRESSES OF PARTNERS OR OFFICERS

NAME Lonnie McCaffety **ADDRESS** 313 Cawdor Crossing Chesapeake, VA 23322

NAME Sandra Loftis-Boscia **ADDRESS** 127 Meadowbrook Road Charlotte, NC 28211

NAME William Old, Jr. **ADDRESS** 111B 84th Street Virginia Beach, VA 23451

Applicant Signature **Date** 1/3/2020

APPLICANT: *Please be advised that bars, nightclubs, lounges, taverns and other permanent locations where alcoholic beverages are sold, not including restaurants where the principle business is serving food, are required to procure a Special Use Permit along with an application for a liquor license permit, provided the zone in which the use is located affords the sale of alcohol. The Special Use Application may be acquired from the City's Planning Department. If there is any doubt or uncertainty whether the principle business is food, that determination will be made by the Planning Department.*

State of Idaho

Idaho State Police

Cycle Tracking Number: 112296

Premise Number: 1A-26755

Retail Alcohol Beverage License

License Year: 2020

License Number: 26755

This is to certify, that Family Dollar Inc

doing business as: Family Dollar #27198

is licensed to sell alcoholic beverages as stated below at:

349 E Avalon Street, Kuna, Ada County

Acceptance of a license by a retailer shall constitute knowledge of and agreement to operate by and in accordance to the Alcohol Beverage Code, Title 23. Only the licensee herein specified shall use this license.

County and city licenses are also required in order to operate.

Liquor	No	
Beer	Yes	$50.00
On-premises consumption	No	
Kegs to go	No	
Restaurant	No	
Wine by the bottle	Yes	$100.00
Wine by the glass	No	
Multipurpose arena	No	
Growlers	No	

TOTAL FEE: $150.00

Signature of Licensee, Corporate Officer, LLC Member or Partner

FAMILY DOLLAR INC
FAMILY DOLLAR #27198
500 VOLVO PARKWAY

CHESAPEAKE, VA 23320

Mailing Address

License Valid: 07/25/2019 - 04/30/2020

***Expires:* 04/30/2020**

Director of Idaho State Police

ABC FORM NO: ABC 03

SEE REVERSE SIDE FOR SALE OR TRANSFER OF THIS LICENSE

THIS LICENSE MUST BE CONSPICUOUSLY DISPLAYED

2019-2020 RETAIL ALCOHOL BEVERAGE LICENSE 2020927

ADA COUNTY, IDAHO

STATE OF IDAHO

This is to certify, that Family Dollar Inc

dba: Family Dollar #27198

is licensed hereby as a retailer of alcohol beverage, as stated below, to the provisions of Title 23, Idaho Code and the laws of the State of Idaho and regulations and ordinances of Board of County Commissioners in regard to the sale of alcoholic beverage at: 349 E Avalon Street, Kuna, ID 83634

◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆ ❖ ◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆

License valid from December 23, 2019 to April 30, 2020

Beer	Bottled or canned, consumed OFF premises	$25.00
Wine	WINE Retail: (This is for OFF premises consumption only)	$100.00

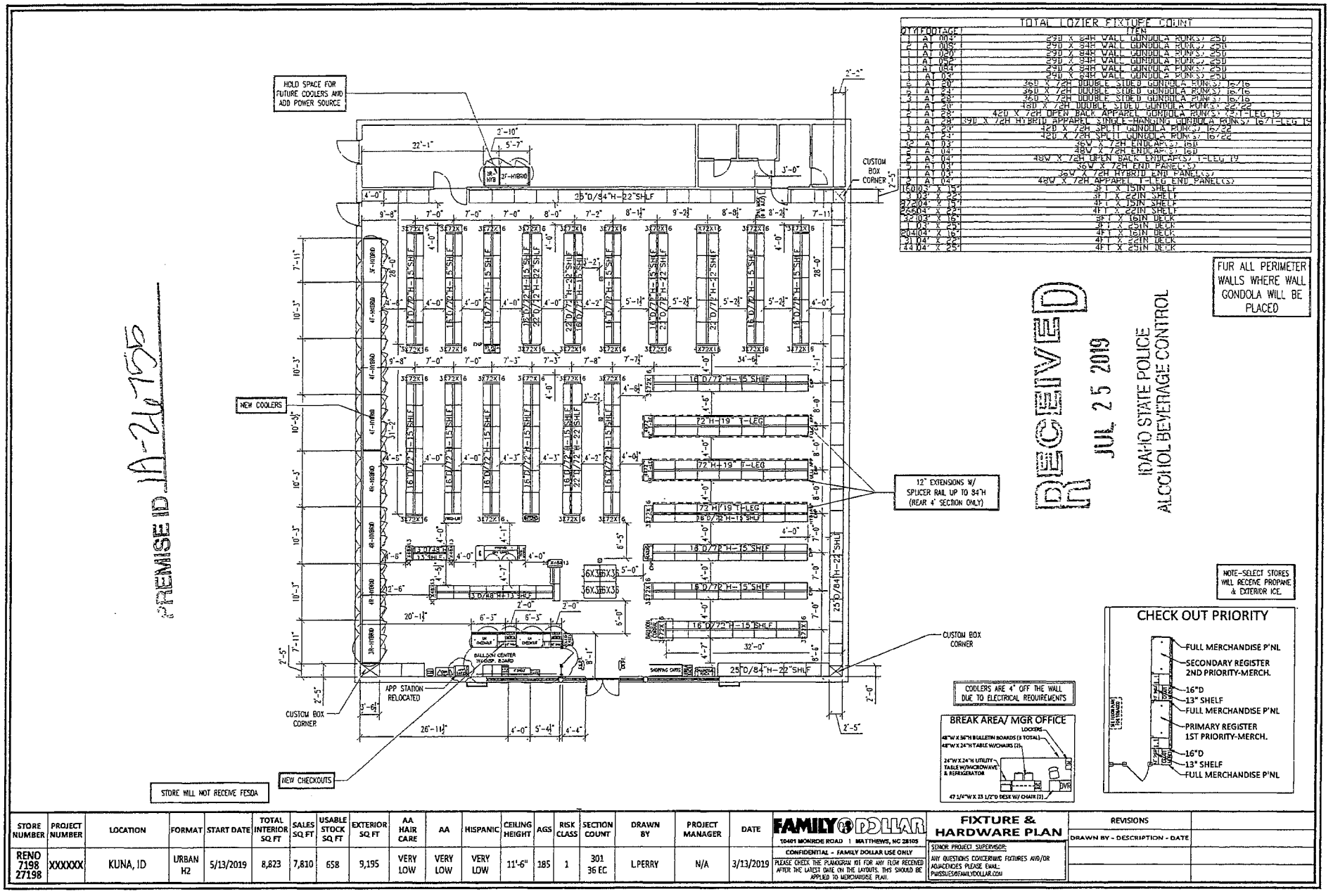
Signature of Licensee or Officer of Corporation

APPROVED by the Board of County Commissioners this 23rd day of December, 2019

Phil McGrane, Clerk

Chairman

(THIS LICENSE MUST BE CONSPICUOUSLY DISPLAYED)



TOTAL LOZIER FIXTURE COUNT

QTY	FOOTAGE	ITEM
1	AT 00'	25D X 84H WALL GONDOLA RUNS; 25D
1	AT 00'	25D X 84H WALL GONDOLA RUNS; 25D
1	AT 00'	25D X 84H WALL GONDOLA RUNS; 25D
1	AT 00'	25D X 84H WALL GONDOLA RUNS; 25D
1	AT 08'	25D X 84H WALL GONDOLA RUNS; 25D
1	AT 08'	25D X 84H WALL GONDOLA RUNS; 25D
6	AT 20'	36D X 72H DOUBLE SIDED GONDOLA RUNS; 16/16
3	AT 24'	36D X 72H DOUBLE SIDED GONDOLA RUNS; 16/16
3	AT 28'	36D X 72H DOUBLE SIDED GONDOLA RUNS; 16/16
1	AT 28'	48D X 72H DOUBLE SIDED GONDOLA RUNS; 22/22
2	AT 28'	42D X 72H OPEN BACK APPAREL GONDOLA RUNS; 15/1-LEG 19
1	AT 28'	39D X 72H HYBRID APPAREL SINGLE-HANGING GONDOLA RUNS; 16/1-LEG 19
3	AT 28'	42D X 72H SPLIT GONDOLA RUNS; 16/22
3	AT 28'	42D X 72H SPLIT GONDOLA RUNS; 16/22
42	AT 03'	36W X 72H ENDCAPS; 16D
6	AT 04'	48W X 72H ENDCAPS; 16D
2	AT 04'	48W X 72H OPEN BACK ENDCAPS; 1-LEG 19
7	AT 03'	36W X 72H END PANELS; 2
1	AT 03'	36W X 72H HYBRID END PANELS; 1
9	AT 04'	42W X 72H APPAREL 1-LEG END PANELS; 2
100	03' X 15'	3FT X 15IN SHELF
9	03' X 22'	3FT X 22IN SHELF
972	04' X 15'	4FT X 15IN SHELF
24	04' X 22'	4FT X 22IN SHELF
32	03' X 16'	3FT X 16IN DECK
2	03' X 25'	3FT X 25IN DECK
204	04' X 16'	4FT X 16IN DECK
31	04' X 22'	4FT X 22IN DECK
44	04' X 25'	4FT X 25IN DECK

STORE NUMBER	PROJECT NUMBER	LOCATION	FORMAT	START DATE	TOTAL INTERIOR SQ FT	SALES SQ FT	USABLE STOCK SQ FT	EXTERIOR SQ FT	AA HAIR CARE	AA	HISPANIC	CEILING HEIGHT	AGS	RISK CLASS	SECTION COUNT	DRAWN BY	PROJECT MANAGER	DATE
RENO 7198 27198	XXXXXX	KUNA, ID	URBAN H2	5/13/2019	8,823	7,810	658	9,195	VERY LOW	VERY LOW	VERY LOW	11'-6"	185	1	301 36 EC	L.PERRY	N/A	3/13/2019

FAMILY DOLLAR
10401 MONROE ROAD | MATTHEWS, NC 28105
CONFIDENTIAL - FAMILY DOLLAR USE ONLY
PLEASE CHECK THE PLANOGRAM IDI FOR ANY FLOW RECEIVED AFTER THE LATEST DATE ON THE LAYOUTS. THIS SHOULD BE APPLIED TO MERCHANDISE PLAN.

FIXTURE & HARDWARE PLAN

SENIOR PROJECT SUPERVISOR:
ANY QUESTIONS CONCERNING FIXTURES AND/OR ADJACENCIES PLEASE EMAIL: PMSSUPERVISOR@FAMILYDOLLAR.COM

REVISIONS
DRAWN BY - DESCRIPTION - DATE

RESOLUTION NO. R09-2020
KUNA, IDAHO

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPOINTING CERTAIN CITY OF KUNA, IDAHO OFFICIALS AS PERSONS AUTHORIZED TO SIGN FOR BANKING SERVICES ON BEHALF OF THE CITY OF KUNA, IDAHO AND PROVIDING THAT THE SIGNATURES ARE VALID FOR THE 2020 YEAR OR UNTIL REVOKED BY ACTION OF THE MAYOR, AS PROVIDED FOR IN RESOLUTION NO. R33-2018.

WHEREAS, the City of Kuna, Idaho adopted Resolution No. R33-2018, on June 5, 2018, which provides for certain City of Kuna, Idaho officials to exercise the authority to sign for banking services on behalf of the City of Kuna, Idaho, as appointed by separate Resolution and adopted annually by the City Council; and

WHEREAS, City of Kuna Resolution No. R33-2018 provides that the signatures are valid until the second City Council meeting in January or until revoked by action of the Mayor.

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

The following persons are hereby appointed to sign for banking services on behalf of the City of Kuna, Idaho:

Jared Empey, City Treasurer of the City
Joe L. Stear, Mayor of the City
Briana Buban-Vonder Haar, Council President of the City

BE IT FURTHER RESOLVED that the above appointments are valid until January 19, 2021, or until revoked by action of the Mayor.

PASSED BY THE CITY COUNCIL of Kuna, Idaho this 21st day of January, 2020.

APPROVED BY THE MAYOR of Kuna, Idaho this 21st day of January, 2020.

_____
Joe L. Stear, Mayor

ATTEST:

_____
Chris Engels, City Clerk

RESOLUTION NO. R10-2020
KUNA, IDAHO

A RESOLUTION OF THE CITY OF KUNA, IDAHO APPOINTING SEVEN (7) MEMBERS TO THE ECONOMIC DEVELOPMENT EXECUTIVE COMMITTEE.

BE IT HEREBY RESOLVED by the Mayor and Council of the City of Kuna, Idaho that the following seven (7) persons are appointed to the City of Kuna, Idaho Economic Development Executive Committee;

Lisa Holland, Economic Development Director, City of Kuna
Kara Medrano, First Interstate Bank
Ana Paz, Enrique's Mexican Restaurant
Kelsey Holder, Farmers Insurance
Charlie Long, Ridley's Family Markets
Mike Smith, S.P.I. Transportation
Steve Cherry, C.S. Beef

PASSED BY THE COUNCIL of Kuna, Idaho this 21st day of January, 2020.

APPROVED BY THE MAYOR of Kuna, Idaho this 21st day of January, 2020.

_____
Joe L. Stear, Mayor

ATTEST:

_____
Chris Engels, City Clerk

City of Kuna

City Council Staff Memo

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

To: **Kuna City Council**

Case Number: **19-08-FP – Final Plat;** Memory Ranch Subdivision No. 3

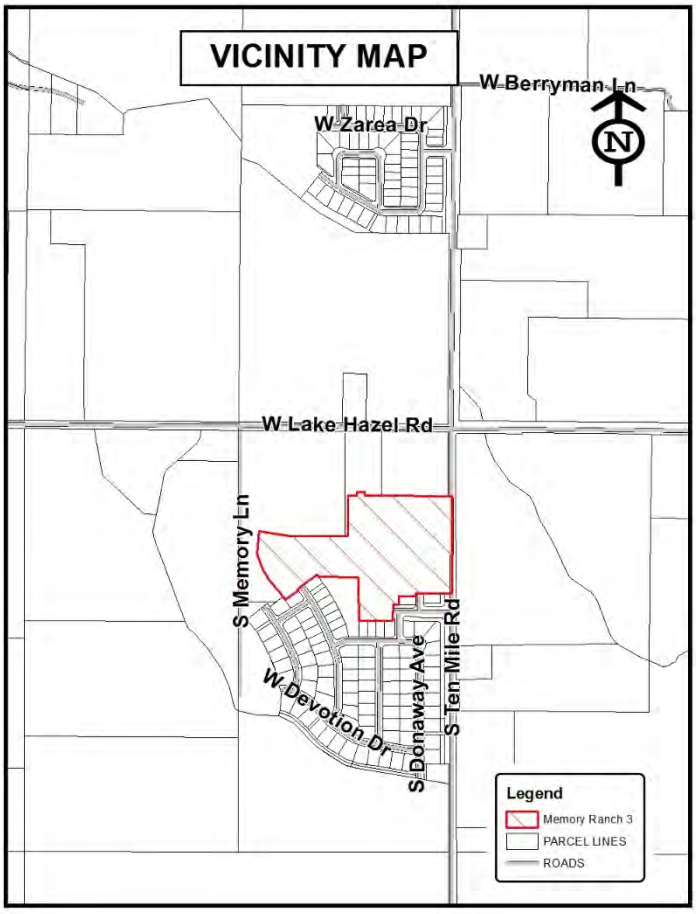
Location: Near the South West Corner (SWC) Ten Mile & Lake Hazel Road; Kuna, ID.

Planner: Troy Behunin, Planner III

Meeting Date: January 21, 2020

Applicant: **Trilogy Idaho**
Shawn Brownlee
9839 W. Cable Car
Boise, ID, 83709
208.895.8858
shawn@trilogyidaho.com

Representative: Kent Brown
3161 E. Springwood Dr.
Meridian, Idaho 83642
208.871.6842
kentlkb@gmail.com



A. General Project Facts, Staff Analysis:

1. The applicant is requesting final plat approval for *Memory Ranch Subdivision No.3*. The final plat for *Memory Ranch Subdivision No.3,* proposes 65 residential lots and six (6) common lots over 13.42 acres.

2. In accordance with KCC Title 6 Subdivision Regulations, this application seeks final plat approval for the *Memory Ranch Subdivision No.3.* Staff has determined that the proposed final plat for Memory Ranch Subdivision No. 3 is in substantial conformance with the approved preliminary plat.

B. Applicable Standards:

1. Kuna City Code Title 6 Subdivision Regulations.

C. Staff Analysis:

1. After staffs review, the proposed final plat appears to be in substantial conformance with the approved preliminary plat for the Memory Ranch No. 3 Subdivision.

2. Applicant shall secure all signatures on the final plat check-off list prior to requesting City engineer's signature on the final plat Mylar.
3. All City fees must be paid prior to requesting City's signature on the plat.
4. Staff notes the applicant may need to adjust the final plat to be compliant with Kuna's standards.

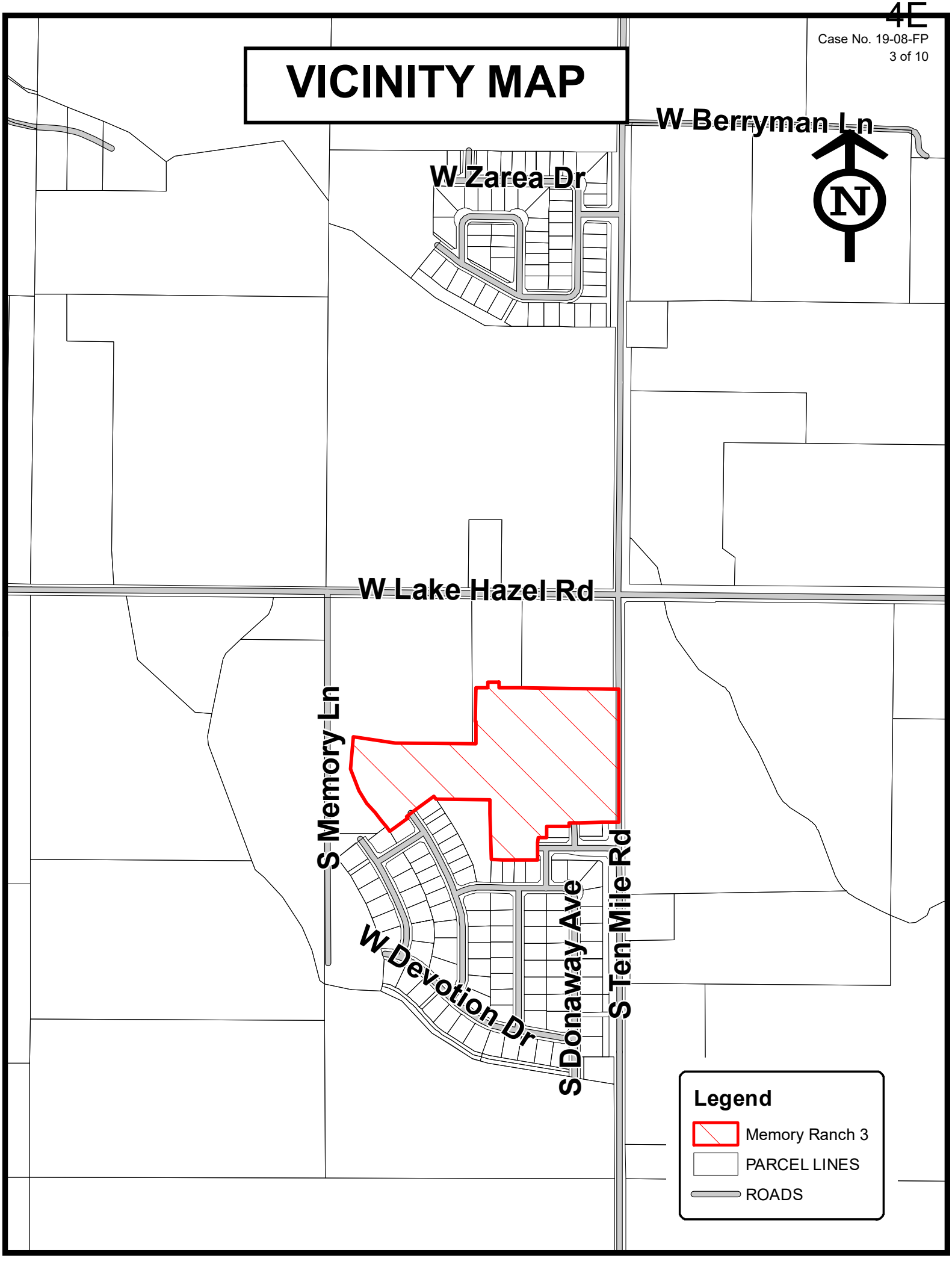
D. Proposed Decisions by the Council:

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

Based on the facts outlined in staff's report, the case file and any discussion at the public meeting with the Council of Kuna, Idaho, hereby (**approves/denies**) Case No. 19-08-FP, a final plat request by Shawn Brownlee with Trilogy Idaho with the following conditions of approval:

1. The applicant shall adhere to all agency and staff recommendations.
2. Applicant shall follow all Kuna rural fire district standards.
3. If further correction is needed, the applicant shall amend the final plat until staff is satisfied with all parts of the plat.
4. The applicant shall comply with all federal, state and local laws.
5. Applicant shall complete the final plat check-off list prior to requesting City signature on the plat.

VICINITY MAP



KENT BROWN
PLANNING SERVICES

received
7.24.19

May 18, 2019

Kuna City Planning & Development Services
PO Box 13
Kuna, ID 83634

RE: Memory Ranch No. 3 Subdivision Final Plat Application

Dear Planning Staff:

On behalf of Challenge Development LLC, we are requesting approval of the Final Plat application for the Memory Ranch Subdivision No 3. The site is located on the west-side of Ten Mile Road approximately 1,000 feet south of the intersection of Lake Hazel Road and Ten Mile Road. The site is currently vacant and is13.42 acres in size.

Memory Ranch No. 1 is proposed with 71 total lots, consisting of 65 buildable and 6 common, all 65 buildable lots will be single-family homes. The common space will total 1.97 acres, or 16% of the site. The common area lots will consist of a landscape buffers, micro pathways and park. The final plat complies too all the preliminary plat requirements. The proposed construction design has been done to comply with all City and ACHD and general engineering practices. The construction plans have been reviewed and are in the process of making the minor changes, requested by the City Engineer.

If you have any questions regarding this or any other of our application for Memory Ranch No 3 feel free to contact me.

Sincerely,



Kent Brown
Planner

3161E Springwood Dr ◆ Meridian, Idaho 83680 ◆ Tel.: 208-871-6842 ◆

received
07.24.19

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

Commission & Council Review Application

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

*Please submit the appropriate checklist (s) with application

For Office Use Only	
File Number (s)	19-08-FP
Project name	Memory Ranch No. 3 Final Plat
Date Received	07.24.19
Date Accepted/ Complete	
Cross Reference Files	
Commission Hearing Date	
City Council Hearing Date	

Type of Review (check all that apply):

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

Contact/Applicant Information

Owners of Record: CHALLENGER DEVELOPMENT	Phone Number: 208-895-8858
Address: 1977 E OVERLAND RD	E-Mail: SHAWN@TRILOGYIDAHO.COM
City, State, Zip: MERIDIAN ID 83642	Fax #:
Applicant (Developer): TRILOGY IDAHO	Phone Number: 208-895-8858
Address: 9839 CABLE CAR	E-Mail: SHAWN@TRILOGYIDAHO.COM
City, State, Zip: BOISE ID 83709	Fax #:
Engineer/Representative: KENT BROWN	Phone Number: 208-871-6842
Address: 3161 E SPRINGWOOD DR	E-Mail: KENTLKB@GMAIL.COM
City, State, Zip: MERIDIAN ID 83642	Fax #:

Subject Property Information

Site Address: S MEMORY LN

Site Location (Cross Streets): TEN MILE AND MEMORIAL ST

Parcel Number (s): S1303111910;S1303110310;S1303110455

Section, Township, Range: SEC 3; 2N ; 1W

Property size : 13.42

Current land use: VACANT — Proposed land use: RESIDENTIAL

Current zoning district: R-6 — Proposed zoning district: R-6

Project Description

Project / subdivision name: MEMORY RANCH NO 3

General description of proposed project / request: FINAL PLAT FOR MEMORY RANCH NO 3 WHICH HAS 65 BUILDABLE AND 6 COMMON LOTS

Type of use proposed (check all that apply):

- [X] Residential SINGLE FAMILY
- [ ] Commercial
- [ ] Office
- [ ] Industrial
- [ ] Other

Amenities provided with this development (if applicable): street buffering and micro paths and park

Residential Project Summary (if applicable)

Are there existing buildings? [ ] Yes [X] No

Please describe the existing buildings:

Any existing buildings to remain? [ ] Yes [ ] No

Number of residential units: _____ Number of building lots: 65

Number of common and/or other lots: 6

Type of dwellings proposed:

- [ ] Single-Family 65
- [ ] Townhouses
- [ ] Duplexes
- [ ] Multi-Family
- [ ] Other 6 COMMON

Minimum Square footage of structure (s):

Gross density (DU/acre-total property): 4.8 Net density (DU/acre-excluding roads): 4.62

Percentage of open space provided: 16 Acreage of open space: 1.97

Type of open space provided (i.e. landscaping, public, common, etc.): street buffering and micro paths park

Non-Residential Project Summary (if applicable) N/A

Number of building lots: _____ Other lots:

Gross floor area square footage: _____ Existing (if applicable):

Hours of operation (days & hours): _____ Building height:

Total number of employees: _____ Max. number of employees at one time:

Number and ages of students/children: _____ Seating capacity:

Fencing type, size & location (proposed or existing to remain):

Proposed Parking:

a. Handicapped spaces: _____ Dimensions:
b. Total Parking spaces: _____ Dimensions:
c. Width of driveway aisle:

Proposed Lighting:

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

Applicant's Signature: _____ Date: 7/15/19

PLAT SHOWING

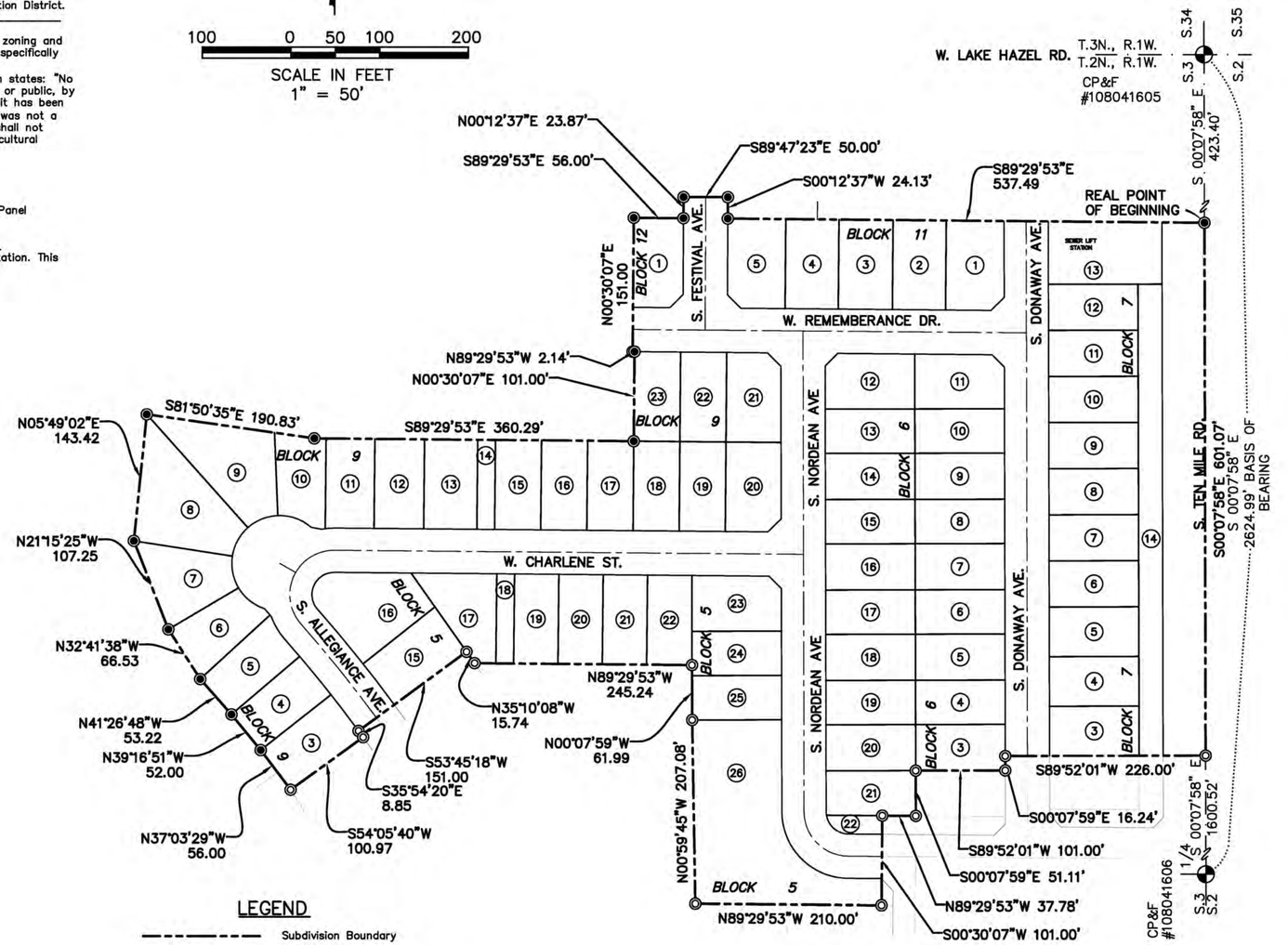
MEMORY RANCH SUBDIVISION NO. 3

LOCATED IN THE NE 1/4 OF SECTION 3 T.2N., R.1W., B.M.,
KUNA, ADA COUNTY, IDAHO
2019

NOTES:

1. Lot lines common to a public right-of-way line have a ten (10) foot wide permanent public utilities, water, sewer, drainage & irrigation easement unless otherwise shown. All rear lot lines have a ten (10) foot wide permanent drainage and irrigation easement as shown.
2. Each side of interior lot lines have a five (5) foot wide drainage and irrigation easement as shown. Where a City of Kuna Pressure Irrigation Main is constructed, said lot line easements are TEN (10) feet wide as shown.
3. Any resubdivision of this Plat shall comply with the applicable zoning regulations in effect at the time of resubdivision and may require amendment of the development agreement.
4. Lots 18 and 26 Block 5, Lot 22 Block 6, Lot 14 Block 7 and Lot 14 Block 9 are designated as common area lots to be owned and maintained by the Memory Ranch Subdivision Homeowner's Association. The Homeowners' Association (HOA), its ownership and maintenance commitments cannot be dissolved without the express written consent of the City of Kuna, Idaho. All improved individual lots are subject to the fractional share of the irrigation assessment for each HOA common lot(s) that recieve(s) municipal irrigation. If the assessment is not paid by the HOA, the individual improved lots are subject to a lien for non-payment. All common lots are subject to a blanket public utility easement unless otherwise shown.
5. Irrigation water will be provided by Nampa Meridian Irrigation District in compliance with Idaho Code Section 31-3805(1)(b). All lots within this subdivision will be entitled to irrigation rights, and will be obligated for assessments from City of Kuna via Nampa Meridian Irrigation District. The City of Kuna will own, operate and maintain the system. See Instr. No. _____ for Annexation into Kuna Municipal Irrigation District.
6. Minimum building setbacks shall be in accordance with the City of Kuna applicable zoning and subdivision regulations at the time of issuance of individual building permits or as specifically approved and/or required.
7. This development recognizes Idaho Code Section 22-4503, right to farm act, which states: "No agricultural facility or an expansion thereof shall be or become a nuisance, private or public, by any changed conditions in or about the surrounding nonagricultural activities after it has been in operation for more than one (1) year, when the operation, facility or expansion was not a nuisance at the time it began or was constructed. The provisions of this section shall not apply when a nuisance results from the improper or negligent operation of an agricultural operation, agricultural facility or expansion thereof.
8. ACHD Storm Drain Easement – See Inst. No. _____
9. ACHD License Agreement – See Inst. No. _____
10. Intermountain Gas Easement – See Inst. No. _____
11. Direct lot or parcel access to S. Ten Mile Road is prohibited.
12. This subdivision does not fall within any FEMA flood harzard zone. Reference FIRM Panel 16001C0250J revised October 2, 2003.
13. ACHD Sidewalk Easement – See Inst. No. _____
14. Right-of-way dedication via warranty deed – See Inst. No. _____
15. Lot 13, Block 7 is a non-buildable lot which contains a City of Kuna Sewer Lift Station. This lot shall be owned & maintained by the City of Kuna.

100 0 50 100 200
SCALE IN FEET
1" = 50'



Curve Table					
Curve #	Radius	Length	Chord	Bearing	Delta
C3	1543.00	138.28	138.23	N38°48'45"W	5°08'05"
C4	1518.00	136.04	135.99	N38°48'45"W	5°08'05"
C5	1493.00	133.80	133.75	N38°48'45"W	5°08'05"
C6	1493.00	55.78	55.77	N39°16'51"W	2°08'26"
C7	1493.00	51.22	51.22	N37°13'40"W	1°57'56"
C8	75.00	28.70	28.53	N30°24'58"W	21°55'39"
C10	50.00	115.09	91.31	S24°33'40"W	131°52'54"
C11	50.00	62.13	58.21	S05°46'50"E	71°11'54"
C12	50.00	52.96	50.52	S60°09'37"W	60°40'59"
C13	54.00	38.42	37.61	N51°04'43"W	40°45'45"
C14	54.00	37.22	36.49	N10°57'07"W	39°29'25"
C15	54.00	37.22	36.49	N28°32'18"E	39°29'25"
C16	54.00	37.22	36.49	N68°01'43"E	39°29'25"
C17	54.00	40.83	39.87	S70°33'52"E	43°19'24"
C18	54.00	190.91	105.91	S29°49'07"W	202°33'26"
C19	75.00	4.32	4.32	N80°44'28"E	3°18'11"
C20	75.00	10.61	10.61	N86°26'50"E	8°06'33"
C21	75.00	14.94	14.91	S84°47'45"W	11°24'44"
C22	25.00	35.25	32.40	S49°06'06"E	80°47'35"
C23	50.00	77.99	70.32	S44°48'56"E	89°21'54"
C25	1493.00	26.80	26.80	N40°51'56"W	1°01'43"
C26	25.00	3.74	3.74	S04°25'09"E	8°34'19"

Line Table		
Line #	Direction	Length
L1	N41°06'51"W	9.48
L2	N41°06'51"W	2.39
L3	S41°06'51"E	11.87
L4	S79°14'54"E	11.87
L6	N45°11'04"E	21.10
L7	N44°48'56"W	21.33
L8	N45°21'22"E	21.16
L9	S44°38'38"E	21.27
L10	S45°11'04"W	19.88
L11	N45°11'04"E	21.10

Line Table		
Line #	Direction	Length
L12	N44°48'56"W	19.72
L13	S89°29'53"E	38.27
L14	S89°29'53"E	38.27
L15	S60°10'53"E	20.72

LEGEND

- Subdivision Boundary
- Section Line
- Easement line (See Note 1)
- Existing Easement line (As noted)
- Street Centerline
- Lot Line
- (5) Lot Number
- Found Aluminum cap
- Set 5/8" x 24" Iron Pin with Plastic Cap, PLS 7729
- Found 5/8" Iron Pin with Plastic Cap, PLS 7729
- Set 1/2" x 24" Iron Pin with Plastic Cap, PLS 7729
- Found 1/2" x 24" Iron Pin with Plastic Cap, PLS 7729

PROFESSIONAL LAND SURVEYOR LICENSED 7729 STATE OF IDAHO GREGORY G. CARTER

GREGORY G. CARTER, PLS 7729
IDAHO SURVEY GROUP
9955 W. EMERALD STREET,
BOISE, ID 83704

Bailey Engineering, Inc.
CIVIL ENGINEERING | PLANNING | CADD
4242 N. BROOKSIDE LANE
BOISE, ID 83714
TEL 208-938-0013
www.baileyengineers.com

MEMORY RANCH SUBDIVISION NO. 3

SCALE IN FEET
1" = 60'
60 0 30 60 120

SEE NOTE 8

N00°12'37"E 23.87
S89°29'53"E 56.00
S89°47'23"E 50.00
UNPLATTED
S00°12'37"W 24.13
UNPLATTED
S89°29'53"E 537.49
UNPLATTED
N00°30'07"E 151.00'
S. FESTIVAL AVE.
S. DONAWAY AVE.
SEWER LIFT STATION
SEE NOTE 10
SEE NOTE 13
SEE NOTE 14
S89°29'53"E 282.08'
S89°29'53"E 362.23'
S89°29'53"E 191.86'
W. REMEMBERANCE DR. 252.02'
S89°29'53"E 152.14'
S89°29'53"E 174.01'
N89°29'53"W 2.14
S89°29'53"E 360.29'
S89°29'53"E 166.11'
S. NORDEAN AVE
S81°50'35"E 190.83'
N05°49'02"E 143.42'
N21°15'25"W 107.25'
N32°41'38"W 66.53'
N41°26'45"W 53.22'
N39°16'51"W 52.00
N37°03'29"W 56.00
S54°05'40"W 100.97'
S35°54'20"E 8.85
S53°45'18"W 151.00'
N35°10'08"W 15.74
N89°29'53"W 245.24'
MEMORY RANCH SUBDIVISION NO. 2
N89°29'53"W 528.93'
W. CHARLENE ST.
S89°29'53"E 490.33'
S. ALLEGIANCE AVE.
N00°07'59"W 61.99
N00°59'45"W 207.08'
N89°29'53"W 210.00'
MEMORY RANCH SUBDIVISION NO. 1
W. MEMORIAL ST.
S89°52'01"W 226.00'
S89°52'01"W 101.00'
S00°07'59"E 16.24
S00°07'59"E 51.11
N89°29'53"W 37.78
S00°30'07"W 101.00
S00°07'58"E 601.07'
S. TEN MILE RD.

LEGEND

- Subdivision Boundary
- Section Line
- Easement line (See Note 1)
- Existing Easement line (As noted)
- Street Centerline
- Lot Line
- (5) Lot Number
- Found Aluminum cap
- Set 5/8" x 24" Iron Pin with Plastic Cap, PLS 7729
- Set 1/2" x 24" Iron Pin with Plastic Cap, PLS 7729
- Found 1/2" x 24" Iron Pin with Plastic Cap, PLS 7729

PROFESSIONAL LAND SURVEYOR LICENSED 7729 STATE OF IDAHO GREGORY G. CARTER

GREGORY G. CARTER, PLS 7729
IDAHO SURVEY GROUP
9955 W. EMERALD STREET,
BOISE, ID 83704

SEE SHEET 1 OF 4 FOR LINE AND CURVE TABLE AND NOTES

SHEET 2 OF 4

Bailey Engineering, Inc.
CIVIL ENGINEERING | PLANNING | CADD
4242 N. BROOKSIDE LANE
BOISE, ID 83714
TEL 208-938-0013
www.baileyengineers.com

MEMORY RANCH SUBDIVISION NO. 3

CERTIFICATE OF OWNERS

Know all men by these presents: That Challenger Development, Inc., an Idaho Corporation is the owner of the property described as follows:

A parcel of land located in the NE 1/4 of the NE1/4 of Section 3, T.2N., R.1W., B.M., Ada, County, Idaho more particularly described as follows:

Commencing at the NE corner of said Section 3 from which an aluminum cap monument marking the E1/4 corner of said Section 3 bears South 00°07'58" East, 2624.99 feet;
thence along the East boundary line of said Section 3 South 00°07'58" East, 423.40 feet to the **REAL POINT OF BEGINNING;**
thence continuing along said East boundary line South 00°07'58" East, 601.07 feet to the NE corner of 5 of Memory Ranch Subdivision No. 1 as filed in Book 111 of Plats at Pages 16,180 through 16,182, records of Ada County, Idaho;
thence along the northerly boundary line of said Memory Ranch Subdivision No. 1 the following 7 courses and distances;
thence leaving said East boundary line South 89°52'01" West, 226.00 feet;
thence South 00°07'59" East, 16.24 feet;
thence South 89°52'01" West, 101.00 feet;
thence South 00°07'59" East, 51.11 feet;
thence North 89°29'53" West, 37.78 feet;
thence South 00°30'07" West, 101.00 feet;
thence North 89°29'53" West, 210.00 feet to a point on the exterior boundary line of Memory Ranch Subdivision No. 2 as filed in Book of Plats at Pages through , records of Ada County, Idaho;
thence along the exterior boundary line of said Memory Ranch Subdivision No. 2 the following 7 courses and distances;
thence North 00°59'45" West, 207.08 feet;
thence North 00°07'59" West, 61.99 feet;
thence North 89°29'53" West, 245.24 feet;
thence North 35°10'08" West, 15.74 feet;
thence South 53°45'18" West, 151.00 feet;
thence 8.85 feet along the arc of a non-tangent curve to the right, said curve having a radius of 1,493.00 feet, a central angle of 00°20'22" and a long chord which bears South 36°04'31" East, 8.85 feet;
thence South 54°05'40" West, 101.00 feet;
thence continuing along said exterior boundary line and the northwesterly extension thereof North 37°03'29" West, 56.00 feet;
thence North 39°16'51" West, 52.00 feet;
thence North 41°26'48" West, 53.22 feet;
thence North 32°41'38" West, 66.53 feet;
thence North 21°15'25" West, 107.25 feet;
thence North 05°49'02" East, 143.42 feet;
thence South 81°50'35" East, 190.83 feet;
thence South 89°29'53" East, 360.29 feet;
thence North 00°30'07" East, 101.00 feet;
thence North 89°29'53" West, 2.14 feet;
thence North 00°30'07" East, 151.00 feet;
thence South 89°29'53" East, 56.00 feet;
thence North 00°12'37" East, 23.87 feet;
thence South 89°47'23" East, 50.00 feet;
thence South 00°12'37" West, 24.13 feet;
thence South 89°29'53" East, 537.49 feet to the **REAL POINT OF BEGINNING**. Containing 13.42 acres, more or less.

CERTIFICATE OF OWNERS...CONTINUED

IT IS THE INTENTION OF THE UNDERSIGNED TO HEREBY INCLUDE THE ABOVE DESCRIBED PROPERTY IN THIS PLAT AND TO DEDICATE TO THE PUBLIC, THE PUBLIC STREETS AS SHOWN ON THIS PLAT. THE EASEMENTS AS SHOWN ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC. HOWEVER, THE RIGHT TO USE SAID EASEMENTS IS HEREBY PERPETUALLY RESERVED FOR PUBLIC UTILITIES AND SUCH OTHER USES AS DESIGNATED WITHIN THIS PLAT, AND NO PERMANENT STRUCTURES ARE TO BE ERECTED WITHIN THE LINES OF SAID EASEMENTS. ALL LOTS IN THIS PLAT WILL BE ELIGIBLE TO RECEIVE WATER SERVICE FROM AN EXISTING CITY OF KUNA MAIN LINE LOCATED ADJACENT TO THE SUBJECT SUBDIVISION, AND THE CITY OF KUNA HAS AGREED IN WRITING TO SERVE ALL THE LOTS IN THIS SUBDIVISION.

CHALLENGER DEVELOPMENT, INC., AN IDAHO CORPORATION

_____
COREY D. BARTON, PRESIDENT

CERTIFICATE OF SURVEYOR

I, Gregory G. Carter, do hereby certify that I am a Professional Land Surveyor licensed by the State of Idaho, and that this plat as described in the "Certificate of Owners" was drawn from an actual survey made on the ground under my direct supervision and accurately represents the points platted thereon, and is in conformity with the State of Idaho Code relating to plats and surveys.

PROFESSIONAL LAND SURVEYOR LICENSED 7729 STATE OF IDAHO GREGORY G. CARTER

_____ _____
Gregory G. Carter P.L.S. No. 7729

ACKNOWLEDGMENT

State of Idaho)
) s.s.
County of Ada)

On this _____ day of _____, 20_____, before me, the undersigned, a Notary Public in and for said State, personally appeared Corey D. Barton, known or identified to me to be the President of Challenger Development, Inc., an Idaho Corporation, the corporation which executed 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.

_____ _____
My commission expires Notary Public for Idaho
Residing in _____, Idaho

Bailey Engineering, Inc.
CIVIL ENGINEERING | PLANNING | CADD
4242 N. BROOKSIDE LANE
BOISE, ID 83714
TEL 208-938-0013
www.baileyengineers.com

MEMORY RANCH SUBDIVISION NO. 3

HEALTH CERTIFICATE

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

_____
District Health Department, EHS Date

APPROVAL OF ADA COUNTY HIGHWAY DISTRICT

The foregoing plat was accepted and approved by the Board of Ada County Highway District Commissioners on the_____ day of _____, 20_____.

_____
President ACHD

APPROVAL OF CITY ENGINEER

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

_____
City Engineer Date

APPROVAL OF CITY COUNCIL

I, the undersigned, City Clerk in and for the City of Kuna, Ada County, Idaho, hereby certify that at a regular meeting of the City Council held on the _____ day of _____, 20_____, this plat was duly accepted and approved.

_____
City Clerk, Kuna, Idaho

PROFESSIONAL LAND SURVEYOR
LICENSED
7729
STATE OF IDAHO
GREGORY G. CARTER

GREGORY G. CARTER, PLS 7729
IDAHO SURVEY GROUP
9955 W. EMERALD STREET,
BOISE, ID 83704

CERTIFICATE OF COUNTY SURVEYOR

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

_____
County Surveyor

CERTIFICATE OF COUNTY TREASURER

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

_____ _____
Date County Treasurer

COUNTY RECORDER'S CERTIFICATE

State of Idaho)
) s.s.
County of Ada)

I hereby certify that this instrument was filed for record at the request of _____ at _____ Minutes past _____ O'clock _____ .M. on this _____ day of _____, 20_____, in Book _____ of plats at Pages_____.

Instrument No. _____

_____ _____
Deputy Ex-Officio Recorder

Bailey Engineering, Inc.
CIVIL ENGINEERING | PLANNING | CADD
4242 N. BROOKSIDE LANE
BOISE, ID 83714
TEL 208-938-0013
www.baileyengineers.com

ORDINANCE NO. 2019-44
CITY OF KUNA
ZONING ORDINANCE AMENDMENT

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:

- **MAKING CERTAIN FINDINGS, PURPOSES AND ORDINANCE ENACTMENT HISTORY; AND**
- **REPEALING SECTION 20, ARTICLE A, CHAPTER 2, TITLE 4 KUNA CITY CODE; AND**
- **AMENDING AND REDESIGNATING SECTIONS 21 THROUGH 38, ARTICLE A, CHAPTER 2 OF TITLE 4 KUNA CITY CODE; AND**
- **AMENDING SUBSECTION 2 OF SECTION 6, CHAPTER 1, TITLE 5 KUNA CITY CODE MAKING A TECHNICAL CORRECTION TO THE DEFINITION OF "OPEN SPACE"; AND**
- **AMENDING SECTION 5, CHAPTER 5 OF TITLE 5 KUNA CITY CODE MAKING TECHNICAL CORRECTIONS REGARDING THE GENERAL REQUIREMENTS OF FENCE REGULATIONS; AND**
- **REPEALING SECTION 4, CHAPTER 6, TITLE 5 KUNA CITY CODE; AND**
- **AMENDING AND REDESIGNATING SECTIONS 4, 5, 6, 7, 8, AND 9 OF CHAPTER 6 OF TITLE 5 KUNA CITY CODE; AND**
- **AMENDING SECTIONS 2, 4, 6, 10, 12, AND 20, CHAPTER 17, TITLE 5 OF KUNA CITY CODE MAKING TECHNICAL CHANGES TO DESIGN REQUIREMENTS AND ADDING REQUIREMENTS FOR RESIDENTIAL OPEN SPACE; AND**
- **AMENDING SECTION 2, CHAPTER 4 OF TITLE 6 KUNA CITY CODE PROVIDING FOR A CHANGE IN THE TEXT DESIGNATION FOR DEFINITIONS UPON WHICH CITY STAFF CAN RELY AND MAKING A TECHNICAL CORRECTION REGARDING THE MEASUREMENT OF FENCE HEIGHT AND LOCATION OF FENCING; AND**
- **PROVIDING A SEVERABILITY CLAUSE; AND**
- **DIRECTING THE CITY CLERK; AND**
- **PROVIDING AN EFFECTIVE DATE.**

Section 1: The City Council findings: The City Council makes the following findings of its authority, purpose and the history of the enactment of this ordinance:

1.1 The City of Kuna, Idaho is a municipal corporation organized and operating under the laws of the state of Idaho and is authorized under the provisions of 67-6511, Idaho Code, to establish within its jurisdiction one or more zones or zoning districts where appropriate which zoning districts and zoning ordinances are established and codified in Title 5 of the Kuna City Code and are known and cited as the Kuna Zoning Regulations; and

1.2 The Planning and Zoning Commission of the City, pursuant to public notice as required by law, held a public hearing on October 8, 2019, as required by Sections 67-6511 and 67-6509, Idaho Code, and made a recommendation of approval by the Commission on October

8, 2019 where it was recommended to the Mayor and Council that this legislative proposal for amendments to the Kuna Zoning Regulations be approved; and

1.3 The Kuna City Council, pursuant to public notice as required by law, held a public hearing on October 23, 2019, and October 30, 2019 on the Legislative Proposal for Amendments to the Kuna Building, Zoning and Subdivision Regulations, as required by Sections 67-6511 and 67-6509, Idaho Code, and in accordance with the provisions of Kuna City Code Section 5-1A-7 the City Council has made findings (approved on _____) and determined that the legislative proposal for amendments to the Kuna Zoning Regulations be approved; and

1.4 It is necessary that the City Council adopt this Ordinance, as required by Section 67-6511(2) Idaho Code and Kuna City Code § 5-1A-7G, to complete the process of implementing the decision of the Kuna City Council to adopt and enact the legislative proposal for amendments to the Kuna Zoning Regulations.

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

Section 2: That Section 20, Article A, Chapter 2 of Title 4 Kuna City Code be and the same is hereby repealed.

~~**4-2A-20: - FENCES:**~~

~~A. Location, Height And Density: In any yard adjacent to a street and within ten feet (10') from the curb line to such street, fences, walls and hedges may be up to forty eight inches (48") in height, when that portion of the fence above twenty four inches (24") is at least seventy five percent (75%) open when measured at ninety degrees (90;deg;) to the fence. Fences located in a yard area other than above described may be up to six feet (6') in height.~~

~~B. Measurements Of Height Of Fences: All fences along a public right of way will be measured from and along the sidewalk, or if no sidewalk exists, from along the curb. All other fences will be measured from and along the finished grade of the property along the fence.~~

~~C. Use Of Hazardous Materials: Fences shall not be constructed of or contain any material which will do bodily harm, such as barbed wire, electric wires, broken glass, spikes or any other hazardous or dangerous material.~~

Section 3: Sections 21 through 38, Article A, Chapter 2 of Title 4 Kuna City Code are hereby amended to read as follows:

4-2A-2~~1~~0: - STORAGE:

A. General Requirements: A fenced area shall be provided for each manufactured home park for the storage of accessory items such as boats, vacation trailers, campers and related equipment owned by park residents. Such items shall be stored in the storage area and not be parked beside the manufactured home. The storage area shall contain a minimum of sixty (60) square feet per manufactured home space. The required fence shall be six feet (6') high, sight obscuring and contain a lockable gate.

B. Permanent Storage Building: In addition to the above, one permanent storage building containing a minimum of thirty-two (32) square feet of floor area shall be provided by the owner of the manufactured home park development for each manufactured home space. The building height shall not be less than seven feet (7') nor more than nine feet (9'). It shall have a minimum setback of fifteen feet (15') from adjacent manufactured home spaces and from any public street or highway right of way.

4-2A-2~~2~~1: - WALKS:

A. General Requirements: All parks shall be provided with safe, convenient, all-season pedestrian access of adequate width for intended use, durable and convenient to maintain, between individual manufactured homes, the park streets and all community facilities provided for park residents. Sudden changes in alignments and gradients shall be avoided.

B. Individual Walks: All manufactured home stands shall be connected to common walks, to paved streets and to paved driveways or parking spaces connecting to a paved street. Such individual walks shall have a minimum width of three feet (3').

4-2A-2~~3~~2: - MANUFACTURED HOME STANDS:

The owner or developer of a manufactured home park development shall provide a manufactured home stand for each space. The area of the manufactured home stand shall be improved to provide adequate support for the placement and tie-down of the manufactured home, thereby securing the superstructure against uplift, sliding, rotation and overturning. The manufactured home stand shall not heave, shift or settle unevenly under the weight of the manufactured home due to frost action, inadequate drainage, vibration or other forces acting on the structure.

4-2A-2~~4~~3: - WATER SUPPLY:

A. Water Distribution System: The park shall use city water and shall be in compliance with the provisions of title 7, chapter 5 of this code. The water supply system of the manufactured home park shall have one meter and shall be connected by pipes to all manufactured homes, buildings and other facilities requiring water by the manufactured home park owner or developer. All water piping, fixtures and other

equipment shall be constructed and maintained in accordance with state and local regulations and shall be of a type and in locations approved by the city. The water piping system shall not be connected with nonpotable or questionable water supplies and shall be protected against the hazards of backflow or back siphonage. The system shall be so designed and maintained as to provide a pressure of not less than thirty-five (35) pounds per square inch under normal operating conditions at service buildings and other locations requiring potable water supply and be of the size required by the city. The water distribution system shall be designed by a registered Idaho professional engineer. The plans and specifications for the water system shall be submitted for review and written approval by the division of environmental quality (DEQ) prior to construction. All water service lines and connections shall be installed and maintained in accordance with the rules and regulations of the state department of labor and industrial services, plumbing division.

B. Fire Hydrants: Fire hydrants shall be installed and maintained in accordance with safe standards for fire protection and shall not be located more than four hundred fifty feet (450') from any manufactured home stand. All water mains in the manufactured home park which serve fire hydrants shall not be less than six inches (6") in diameter.

C. Individual Water Riser Pipes ~~A~~and Connections: Individual water riser pipes shall be located within the confined area of the manufactured home stand at a point where the water connection will approximate a vertical position. Water riser pipes shall extend at least four inches (4") above ground elevation. The pipe shall be at least three-quarter inch (3/4") in diameter. The water outlet shall be capped when a manufactured home does not occupy the lot. Adequate provisions shall be made to prevent freezing of service lines, valves and riser pipes and to protect risers from heaving and thawing actions of ground during freezing weather. Surface drainage shall be diverted from the location of the riser pipe.

4-2A-2~~5~~4: - SEWAGE DISPOSAL:

A. General Requirements: All plumbing in the manufactured home park shall comply with state and local plumbing laws and regulations and must connect to the public sewer of the city and shall conform to all applicable ordinances, rules and regulations of the city.

B. Sewer Mains: All sewer mains shall be constructed in accordance with the rules and regulations of the Idaho public works division. Mains shall not be less than eight inches (8") in diameter with manholes located no more than three hundred feet (300') apart. All mains shall terminate in a manhole. Cleanouts shall not be allowed except on individual service lines. The sewage disposal system shall be designed by a registered Idaho professional engineer. The plans and specifications for the sewage disposal system shall be submitted for review and written approval by the division of environmental quality (DEQ) prior to construction. All sewage disposal lines and connections shall be installed and maintained in accordance with the rules and regulations of the state department of labor and industrial services, plumbing division.

C. Individual Sewer Connections: The connection of each manufactured home, building or other facility requiring sewer to the manufactured home park sewer mains shall be provided by the manufactured home park owner or developer. Each manufactured home stand shall be provided with at least a four-inch (4") diameter sewer riser pipe. The sewer riser pipe shall be so located on each stand that the sewer connection to the manufactured home drain outlet will approximate a vertical position. The sewer connection (see definition of sewer connection) [1] shall be laid with a minimum drop of one-quarter inch (1/4") slope per foot. The sewer connection shall consist of one pipe line only without any branch fittings. All joints shall be watertight. All materials used for sewer connections shall be semirigid, corrosive resistant, absorbent and durable. The inner surface shall be smooth. Provision shall be made for plugging the sewer riser pipe when a manufactured home does not occupy the lot. Surface drainage shall be diverted away from the riser. The rim of the riser pipe shall extend at least four inches (4") above ground elevation.

4-2A-2~~6~~5: - PLUMBING WITHIN MANUFACTURED HOMES:

All plumbing within each manufactured home shall conform to the minimum standards of the state and local regulations and laws. All plumbing within the manufactured home park shall comply with state and local plumbing standards of the state and local regulations and laws, as well as the city.

4-2A-2~~7~~6: - ELECTRICAL DISTRIBUTION SYSTEM:

A. General Requirements: Every park shall contain an electrical wiring system consisting of wiring, fixtures, equipment and appurtenances which shall be installed and maintained in accordance with applicable codes and regulations governing such systems.

B. Power Distribution Lines: Main power lines shall be installed underground and must comply with all local and state requirements. All direct burial conductors or cable shall comply with all state and local regulations, with a minimum buried distance of eighteen inches (18") below the ground surface and specially designed for the purpose. Such conductors shall be located not less than one foot (1') radial distance from water, sewer, gas or communication lines.

C. Individual Electrical Connections: The electrical connection for each individual manufactured home shall be provided by the manufactured home park owner or developer and shall conform to the requirements of the electrical code of the state of Idaho.

D. Required Grounding: All exposed noncurrent-carrying metal parts of manufactured homes and all other equipment shall be grounded by means of an approved grounding conductor with branch circuit conductors or other approved method of grounded

metallic wiring. The neutral conductor shall not be used as an equipment ground for manufactured homes or other equipment.

4-2A-2~~8~~7: - SERVICE BUILDINGS AND OTHER COMMUNITY SERVICE FACILITIES:

A. General Requirements: The requirements of this section shall apply to all service buildings, recreation buildings and other community service facilities, including, but not limited to, management offices, repair shops, storage areas, sanitary facilities, laundry facilities, indoor recreation areas and commercial uses supplying essential goods or services for the exclusive use of park occupants.

B. Service Buildings: Every manufactured home park that accepts or accommodates dependent manufactured homes shall provide adequate flush-type toilet fixtures and laundry facilities. In no instance shall there be less than one laundry unit, two (2) water closets, one lavatory and one shower or bathtub for women and one shower or bathtub for men. The foregoing listed facilities shall be the minimum required facilities to accommodate up to twenty (20) dependent manufactured homes. One additional water closet for each sex shall be provided for every ten (10) additional dependent manufactured homes. (Urinals may be substituted for 1/3 of the additional water closets.) One additional lavatory for each sex shall be provided for every ten (10) additional dependent coaches, and one additional shower or bathtub for each sex for every twenty (20) additional dependent coaches. Dependent manufactured homes shall be parked not more than two hundred feet (200') from the service buildings. There shall be one laundry tray for every twenty (20) dependent manufactured home spaces. One shall be located at least fifteen feet (15') or more from any manufactured home space.

C. Structural Requirements ~~F~~for Service Building ~~A~~and Service Facilities: All structures and buildings shall conform to all applicable ordinances, rules and regulations of the state and city code. All portions of the structure shall be properly protected from destructive elements. Exterior portions shall be of such materials and be so constructed and protected as to prevent entrance or penetration of moisture and weather.

D. Sanitary ~~A~~and Laundry Facilities: All sanitary and laundry facilities shall:

1. Have resistant walls extending to the ceiling between male and female sanitary facilities. Walls and partitions around showers, bathtubs, lavatories and other plumbing fixtures shall be constructed of dense, nonabsorbent, waterproof material or covered with moisture resistant material.
2. Have at least one window or skylight facing directly to the outdoors. The minimum aggregate gross area of windows for each required room shall be not less than ten percent (10%) of floor space served by them. Such openings shall be adequately screened.

3. Have at least one window which can be easily opened, or a mechanical device which will adequately ventilate the room. Such opening or openings shall be adequately screened, to prevent insect infiltration.

E. Toilets: Toilets shall be located in separate compartments equipped with self-closing doors. Shower stalls shall be of the individual type. The rooms shall be screened to prevent direct view of the interior when the exterior doors are open.

F. Illumination ~~O~~of Service Buildings: Illumination levels shall be maintained as follows:

1. Laundry room work area: forty (40) foot-candles.
2. Toilet room, in front of mirrors: forty (40) foot-candles.

G. Hot ~~A~~and Cold Water: Hot and cold water shall be furnished to every lavatory, sink, bathtub, shower and laundry fixture, and cold water shall be furnished to every water closet and urinal.

H. Heating Facilities: Heating facilities shall be maintained at a temperature of seventy degrees Fahrenheit (70;deg;F) during cold weather, and shall supply a minimum of three (3) gallons of hot water per hour per manufactured home space during time of peak demand.

I. Outdoor Fireplace Facilities: All barbecue pits, fireplaces, stoves, incinerators and cooking shelters and the like shall be so located, constructed, maintained and used as to minimize fire hazards and smoke nuisance both on the property on which used and on neighboring property. No open fire shall be permitted except in facilities provided. No open fire shall be left unattended. No fuel shall be used or material burned which emits dense smoke or objectionable odors.

4-2A-2~~9~~8: - REFUSE HANDLING:

The storage, collection and disposal of refuse in the manufactured home park shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards or air pollution. All refuse shall be stored in fly tight, watertight, rodent proof containers, which shall be located not more than one hundred fifty feet (150') from any manufactured home lot. Containers shall be provided in sufficient number and capacity to properly store all refuse and shall conform to the state and local minimum health standards. Refuse collection stands shall be provided for all refuse containers. Such container stands shall be so designed as to prevent containers from being tipped, to minimize spillage and container deterioration and to facilitate cleaning around them or as set forth by state and local garbage collection regulations. All refuse containing garbage shall be collected at least once a week.

4-2A-~~30~~29: - INSECT AND RODENT CONTROL:

Grounds, buildings and structures shall be maintained free of insect and rodent harborage and infestation. Extermination methods and other measures to control insects and rodents shall conform with the requirements and regulations of the state of Idaho, department of agriculture. Parks shall be maintained free of accumulations of debris which may provide rodent harborage or breeding places for flies, mosquitoes and other pests. Storage areas shall be so maintained as to prevent rodent harborage. Lumber, pipe and other building material shall be stored at least one foot (1') aboveground. Where the potential for insect and rodent infestation exists, all exterior openings in or beneath any structure shall be appropriately screened with wire mesh or other suitable materials. The growth of brush, weeds and grass shall be controlled to prevent harborage of noxious insects. Parks shall be so maintained as to prevent the growth of noxious and unsightly weeds, and those which could be injurious to health. Open areas as well as areas about and under the manufactured home shall be maintained free of heavy undergrowth of any description.

4-2A-3~~1~~0: - FUEL SUPPLY AND STORAGE:

A. Natural Gas System: Natural gas piping systems shall, where natural gas is available, be installed and maintained by the manufactured home park owner or developer in accordance with applicable codes and regulations governing such systems. The hookup for each system shall be provided by the manufactured home park owner or developer at the manufactured home stand. Each manufactured home lot provided with piped gas shall have an approved manual shut-off valve installed upstream of the gas outlet. The outlet shall be equipped with an approved cap to prevent accidental discharge of gas when the outlet is not in use.

B. Liquefied Petroleum Gas System: Liquefied petroleum gas systems shall be devices to relieve excessive pressures and shall be arranged so that the discharge terminates at a safe location. They shall be provided with safety devices to relieve excessive pressures and shall be arranged so that the discharge terminates at a safe location. They shall have at least one accessible means for shutting off gas. Such means shall be located outside the manufactured home and shall be maintained in effective operating condition. All LPG piping outside of the manufactured home shall be well supported and protected against mechanical injury. Undiluted liquefied petroleum gas in liquid form shall not be conveyed through piping equipment and systems in manufactured homes. Liquefied petroleum gas containers installed on a manufactured home lot shall be securely but not permanently fastened to prevent accidental overturning. Such containers shall not be less than five (5) nor more than two hundred (200) U.S. gallons gross capacity. No liquefied petroleum gas vessel shall be stored or located inside or beneath any storage cabinet, carport, manufactured home or any other structure, unless such installations are approved by the city council and placed fifteen feet (15') or more from any adjacent lot line.

C. Fuel Oil Supply Systems: All fuel oil supply systems shall be installed and maintained in accordance with applicable codes and regulations governing such

systems. All piping from outside fuel storage tanks or cylinders to manufactured homes shall be permanently installed and securely fastened in place. All fuel oil storage tanks or cylinders shall be securely fastened in place and shall not be located inside or beneath any manufactured home or less than five feet (5') from any manufactured home exit. Storage tanks located in areas subject to traffic shall be protected against physical damage.

4-2A-3~~2~~1: - FIRE PROTECTION:

Manufactured home parks shall be kept free of litter, rubbish and other flammable materials. Portable fire extinguishers rated for class B and C fires shall be kept in service buildings. Their capacity shall not be less than two and one-half (2 1/2) pounds. Fires shall be made only in stoves and other equipment intended for such purposes. Fire hydrants shall be located within four hundred fifty feet (450') of any manufactured home, service building or other structure in the park. The manufactured home park shall be subject to the city fire prevention codes [1] and authority.

4-2A-3~~3~~2: - RESPONSIBILITIES OF PARK MANAGEMENT:

The person to whom a permit for a manufactured home park is issued shall operate the park in compliance with this article and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition. The park management shall notify park occupants of all applicable provisions of this article and inform them of their duties and responsibilities under this article. The park management shall be present during and supervise and be responsible for the placement of each manufactured home on its manufactured home pad and shall, prior to occupancy of any manufactured home, obtain a certificate of occupancy from the public works director. The park management shall maintain a register containing the names of all park occupants identified by lot number or street address. Such register shall be available to any authorized person inspecting the park. Fire extinguishers for class B and C fires shall be kept at each service building and community service facility and maintained in good working condition.

4-2A-3~~4~~3: - RESPONSIBILITIES OF PARK OCCUPANTS:

A. General Requirements: Every park occupant shall comply with all applicable ordinances, regulations and rules of the city and shall maintain his manufactured home lot, manufactured home, its facilities and equipment in good repair and in a clean and sanitary condition. Manufactured homes shall be subject to all building, electrical, plumbing, water and sewer codes and requirements.

B. Installation ~~O~~of Utility Connections: Each park occupant shall be responsible for proper installation of all utility connections in accordance with the instructions of the park management, and all applicable ordinances, regulations and rules of the city.

C. Garbage ~~A~~and Trash Disposal: Every park occupant shall comply with the provisions of section 8-1-5 of this code and shall also store and dispose of all his

rubbish and garbage in a clean, sanitary and safe manner. The garbage container shall be rodent proof, insect proof and watertight.

D. Pets: Pets shall be prohibited to run at large or to commit any nuisance within the limits of any manufactured home lot. Owners of any animals shall be subject to all applicable provisions of this code relating to dog or animal control [1].

E. Skirting, Porches ~~A~~and Awnings: Skirting, porches, awnings and other additions shall be installed only if permitted and approved by the park management. When installed, they shall be maintained in good repair. The space immediately underneath a manufactured home shall be used for storage only if permitted by the park management. If permitted, the following conditions shall be satisfied:

1. The storage area shall be provided with a base of impervious material.
2. Stored items shall be located so as not to interfere with the underneath inspection of the manufactured home.
3. The storage area shall be enclosed by skirting.

4-2A-3~~5~~4: - CONFLICTING PROVISIONS; SEVERABILITY CLAUSE:

A. In any case where a provision of this article is found to be in conflict with a provision of any other ordinance or code of the city, existing on the effective date of this article, the provision which, in the judgment of the city council, establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail.

B. If any section, subsection, paragraph, sentence, clause or phrase of this article should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this article which shall remain in full force and effect; and to this end the provisions of this article are hereby declared to be severable.

4-2A-3~~6~~5: - NONCONFORMING MANUFACTURED HOME PARKS:

Any manufactured home park which is in existence at the date of the passage of this article shall not be subject to provisions of this article; provided, however, that if any manufactured home park is enlarged, added to or extended after the passage of this article, the entire manufactured home park shall be subject to the provisions of this article.

4-2A-3~~7~~6: - PENALTIES:

Penalties for failure to comply with the provisions of this article or failure to comply with any of its requirements shall constitute a misdemeanor. A separate offense shall be deemed committed for each day such violation shall continue. The manufactured home owner, manufactured home tenant, manufactured home park owner, park manager, or any other person who commits, participates in, assists in or maintains such violation may each be found guilty of a separate offense. Each offense may be punished by a fine of up to three hundred dollars

($300.00). Nothing herein contained shall prevent the council or any other public official or private citizen from taking such lawful action as is necessary to restrain or prevent any violation of this article or of the Idaho Code.

4-2A-387: - TREES:

The manufactured home park owner or developer shall plant at least one tree for every two (2) lots in the manufactured home development.

Section 4: That Subsection 2 of Section 6, Chapter 1 of Title 5 Kuna City Code be and the same is hereby amended to read as follows:

5-1-6-2: - MEANINGS OF TERMS OR WORDS:

For the meanings of zoning terms or words not found in Kuna City Code 5-1-6-2, the city staff shall rely upon the latest A Planners Dictionary, edited by Michael Davidson and Fay Dolnick, American Planning Association and Planning Advisory Service, for interpretation purposes.

OPEN SPACE: An area substantially open to the sky which may be on the same lot with a building. The area may include, along with the natural environmental features, water areas, swimming pools and tennis courts, and other recreational facilities that the planning and zoning commission deems permissible. Streets, private parking areas, structures for habitation, buffer areas along classified roads, endcaps, and the like shall not be included.

Section 5: That Section 5, Chapter 5 of Title 5 Kuna City Code be and the same is hereby amended to read as follows:

5-5-5: - REGULATIONS FOR FENCES, WALLS AND HEDGES:

A. *Permit required:* It is unlawful for any person to construct or replace a fence upon any property within the city limits without first having applied for and obtained a building permit to do so and without thereafter complying with all the provisions of said permit with the exception of normal maintenance.

B. *Fences on rights-of-way or easements:* Fences may be permitted to be constructed on public rights-of-way and easements subject to the sidewalk and vision clearance restrictions set forth herein. Permission to construct fences on rights-of-way shall be obtained from the city council and ACHD or appropriate agency. Upon notification from the city, it is the property owner's responsibility to remove fences from public rights-of-way or easements, at the owner's expense, should the city need to utilize any right-of-way or easement for maintenance or construction of any public facility or improvements or if it is determined to be in the best interest of the city, or in the opinion of the city, the fence creates a safety hazard. Fences which constitute structures as defined under this section shall not be permitted upon public rights-of-way or easements.

C. *General requirements:* For the purposes of this section, wall, latticework, screens, hedges and planting shall be considered fences and shall be built and maintained in compliance with the provisions herein.

1. Electric fences and barbed wire fences are prohibited within the city except in those instances where it can be demonstrated to the building official that the use is solely for the containment of animals kept in compliance with city animal control regulations and the fence is not located on the public right-of-way. The building official shall have the authority to revoke authorization for an electric fence or barbed wire fence upon declaration of a finding by him that such fence would be detrimental to public health, safety or welfare or would be potentially injurious to persons, properties or improvements in the vicinity.

2. Barbed wire may be permitted in commercial or industrial zones when used as the top section for security fences, provided barbed wires are a minimum of seventy-two (72) inches above grade and do not project over public right-of-way.

3. No fence shall be permitted ~~io~~n the sidewalk ~~area~~ or in a location which may impair the construction of sidewalks.

4. In the event any fence restricts access to or use of established rights-of-way and easements, it shall be the fence owner's responsibility, at his expense, to provide access upon demand of the city or other entitled party.

5. Any fence that exceeds six (6) feet in height must have an approved waiver according to KCC 5-5-5-I ~~special permit~~.

6. Any fence which restricts access to any utility meter or fire hydrant shall provide a way of access through the fence by a hand gate and remain unlocked.

7. Vision clearance for fences at street and alley intersections shall be as defined in subsection 5-5-2.A of this chapter.

8. All fence heights shall ~~must~~ be measured from the base of the fence ~~existing sidewalk or proposed sidewalk~~ to the highest point.

D. *Residential districts:*

1. *Interior lots:* Solid or closed non-vision fences to a height of thirty-six (36) inches, or open vision fences to a height of forty-eight (48) inches may be built within the front yard setback to the inside of the existing sidewalk or to the inside of the proposed future sidewalk with a license agreement from the Ada County Highway District, or other appropriate agency who controls use of the public rights-of-way. A fence of seventy-two (72) inches in height may be built behind the front dwelling setback along the property boundary. See illustration 1 attached to the ordinance codified herein and available for inspection in the office of the city clerk.

2. *Corner lots:* Solid or closed non-vision fences to a height of thirty-six (36) inches, or open vision fences to a height of forty-eight (48) inches may be built within the front dwelling and street side yard setback to the inside of the right-of-way line with a license agreement from Ada County Highway District, or other appropriate agency who controls use of the public right-of-way. A fence of seventy-two (72) inches in height may be built along the side property lines adjacent to an interior lot from the front dwelling setbacks.

See illustration 2 attached to the ordinance codified herein and available for inspection in the office of the city clerk.

3. *Back-to-back corner lots:* Where two (2) corner lots are back-to-back, with no vehicle access to the roadway adjacent to the side yard of either home, the side yard fence may be solid, or open to a maximum height of seventy-two (72) inches, except within the clear vision sight triangle as identified in subsection 5-5-2:A of this chapter. See illustration 3 attached to the ordinance codified herein and available for inspection in the office of the city clerk.

E. *Commercial or industrial districts:* Fences adjacent to residential areas must be sight obscuring. Fences not to exceed eight (8) feet in height may be located or maintained on any property line except within vision clearance areas. In the case of security fences, when a barbed wire top section is utilized, the eight-foot maximum height limitation may be exceeded by up to thirty (30) inches only by the barbed wire security top section.

Open vision fences to a height of six (6) feet may be built out to the inside of the property line, provided no barbed wire or other security top section is utilized and fences comply with vision clearance requirements for fences to be located at intersections.

F. *Pathway/greenbelt fencing:*

1. Pathway fencing is required.

2. In order to design for crime prevention, the following design standards will be followed:

a. The use of "see-through" fencing is required, as it provides better visibility from adjacent homes or buildings. If solid fencing is used, it may not exceed four (4) feet in height. Wrought iron, a vinyl four-foot solid with two-foot lattice, or equal quality fence is preferred.

b. All pathway fencing shall be constructed prior to the issuance of building permits for the subdivision.

G. *Fences required for sight obstruction:*

1. Certain uses are declared and others may be declared in the future by the city to possess characteristics that require sight obstruction in order to preclude damage, hazard, nuisance or other detriment to public health, safety or welfare, or to prevent a materially injurious situation to property or improvements in a given vicinity.

2. Sight obscuring fences, where required by provision of this subsection, shall be of dense coniferous planting or climbing varieties of nondeciduous vines on permanently installed aluminum mesh fencing or solid nonvision-type fencing of such design and material that retains its attractiveness with nominal maintenance.

3. The following uses are declared to require sight obscuring fences: Junkyards, wrecking yards, equipment or vehicle salvage storage yards, trailer parks, auction blocks, lumberyards, RV parks, sanitary landfills, recycling collection stations and temporary recycling collection stations, and any other uses determined to be similar in nature to the preceding uses.

H. *Abatement of unlawful fences:* The following fences are declared unlawful nuisances and shall be subject to the enforcement provisions of title 8, chapter 1 of this Code:

1. Any fence constructed or maintained which is in whole or in part weak, unsafe, or constructed of broken, unsightly, inferior or old worn material of an inflammable nature which may impair the value of the adjoining land.

2. Any fence constructed or maintained for the purpose of maliciously annoying the owners or occupants of adjoining property.

3. Any fence not constructed or maintained in accordance with this section.

I. ~~*Variance*~~*Waiver:* If an owner or applicant desires to obtain a ~~variance~~ waiver from the provisions in this subsection~~, it shall not be treated as a variance pursuant to the provisions of KCC 5-11-4~~ of this title~~. and the procedure for such variance shall not be governed by the aforementioned section.~~ The special procedure for a waiver ~~variances~~ from this subsection shall be as follows:

1. The owner or applicant shall file an application for a fence ~~variance~~ waiver with the city planning and zoning director or their designee~~assignee,~~. The ~~which~~ application shall be provided by the city.

2. Upon receipt of the fence ~~variance~~ waiver application, ~~the assignee~~staff shall review each application on a case-by-case basis using the following criteria:

a. *Setback requirements* waiver shall consider the safety and clear-vision sight triangle standards (see KCC 5-3-1) to determine if the application is appropriate.

b. *Height of fence* waiver shall only be considered when the grade between two lots has a difference of two (2) feet or more ~~and is on the request is for the lower of the two properties.~~and the request is made by the owner of the lower of the two properties.

3. Upon hearing the request for the fence ~~variance~~waiver, the planning and zoning director shall either approve, deny, or approve with conditions, the application for a fence ~~variance~~waiver. No written findings of fact will be required but a written decision shall be sent to the applicant and to any party requesting written notification of the decision~~ at the hearing~~.

J. *Appeal:* Any aggrieved party may appeal the decision of the planning and zoning director directly to the planning and zoning commission pursuant to section 5-11-2 of this title. Written notice of an appeal of the director's decision should be filed along with a nonrefundable fee to be established by resolution of the city council, with the city clerk within twenty (20) days after the decision of the director.

Section 6: That Section 4, Chapter 6 of Title 5 Kuna City Code be and the same is hereby repealed.

Section 7: That Sections 4, 5, 6, 7, 8 and 9 of Chapter 6 of Title 5 Kuna City Code be and the same are hereby amended to read as follows:

5-6-~~54~~54: - SUPPLEMENTARY CONDITIONS AND SAFEGUARDS:

In granting any special use, the planning and zoning commission may prescribe appropriate conditions, bonds and safeguards in conformity with this title. Violations of such conditions, bonds or safeguards, when made a part of the terms under which the special use is granted, shall be deemed a violation of this title.

5-6-~~65~~65: - PROCEDURE FOR HEARING NOTICE:

Prior to granting a special use permit, at least one (1) public hearing in which interested persons shall have an opportunity to be heard shall be held. At least fifteen (15) days prior to the hearing, notice of the time and place and a summary of the proposal shall be published in the official newspaper or paper of general circulation within the jurisdiction. Notice may also be made available to other newspapers, radio and television stations serving the jurisdiction for use as a public service announcement. Notice shall also be provided to property owners and residents within three hundred (300) feet of the external boundaries of the land being considered, and any additional area that may be substantially impacted by the proposed special use as determined by the commission. When notice is required to two hundred (200) or more property owners or residents, in lieu of the mailing notice, two (2) additional hearing notices shall be provided.

5-6-~~76~~76: - ACTION BY COMMISSION:

Within thirty (30) days after the public hearing, the planning and zoning commission shall either approve; conditionally approve; or disapprove the applications as presented. If the application is approved or approved with modifications, the commission shall direct the planning and zoning director to issue a special use permit listing the specific conditions specified by the commission for approval.

A. Upon granting a special use permit, conditions may be attached to a special use permit including, but not limited to those:

1. Minimizing adverse impact on other development;
2. Controlling the sequence and timing of developments;
3. Controlling the duration of the development;
4. Assuring that development is maintained properly;
5. Designating the exact location and nature of the development;
6. Requiring the provision for on-site or off-site public facilities or services;
7. Requiring more restrictive standards than those generally required in an ordinance.

B. Prior to granting a special use permit, studies may be required of the social, economic, fiscal and environmental effects of the proposed special use. A special use permit shall not be considered as establishing a binding precedent to grant other special use permits. A special use permit is not transferable from one parcel of land to another.

C. Prior to granting or denying an application, the commission shall specify:

1. The ordinance and standards used in evaluating the application;
2. The reasons for approval or denial; and
3. The actions, if any, that the applicant could take to obtain a permit.

D. The applicant or any affected person who appeared in person or in writing before the commission may appeal the decision of the commission to the council, provided the appeal is submitted to the council within fifteen (15) days from receipt of notification of the commission's action.

5-6-~~8~~7: - NOTIFICATION TO APPLICANT:

Within ten (10) days after a decision has been rendered, the planning and zoning director or their designee shall provide the applicant with written notice of the action on the request.

5-6-~~9~~8: - APPEAL TO COUNCIL:

Upon receipt of an appeal from the action of the planning and zoning commission, the city council shall set a hearing date to consider all information, testimony and commission's minutes of the public hearing to reach a decision to uphold, conditionally uphold or overrule the commission by a favorable vote of one-half plus one (1) of the full council.

5-6-~~10~~9: - HARDSHIP CASES:

The planning and zoning commission may grant a special use permit for retail business use in any residential zone upon a showing that, due to extreme hardship resulting from the physical disability of the applicant, it is impractical for the applicant to operate his or her business elsewhere. No such special use permit shall be granted unless the following conditions have been found to exist:

A. The applicant has a physical disability which prevents the applicant from traveling to a business location outside of his or her residential premises, and there does not exist adequate public transportation for such purpose.

B. All of the standards set forth in section 5-6-3 of this chapter, except subsection 5-6-3.A of this chapter, have been satisfied.

Any special use permit so granted shall be personal to the applicant and shall not run with the land, shall not be transferable, and shall terminate when the applicant ceases to do business at the location stated in the permit or when adequate public transportation is available, whichever occurs first. The grant or denial of an application for a special use permit hereunder shall be subject to appeal by any interested party pursuant to section 5-6-9 of this chapter.

Section 8: That Section 2, 4, 6, 10, 12, and 20 Chapter 17 of Title 5 Kuna City Code be and the same are hereby amended to read as follows:

5-17-2: - DEFINITIONS:

BUFFER: A landscape buffer is a combination of physical space and vertical elements; including, but not limited to: Trees, shrubs, berms, fences and/or walls that separate and screen incompatible land uses from one another. A common lot is a lot that is separate from individual building lots. Landscape coverage shall be comprised of one hundred (100) percent organic materials, thus, ~~no gravel or~~ hardscape materials may not substitute for landscape purposes. ~~The~~ All landscape~~e~~ing shall be supported by a non-potable irrigation source, unless the public works director determines surface waters are not available for this irrigating purpose. All subdivision landscape buffers and open space areas shall be placed on a common lot, owned and maintained by the subdivision homeowner's association (HOA) or business owner's association (BOA), the city shall not maintain nonpublic common lots. Landscape buffers associated with new residential development, located outside a subdivision, shall be the property owner's responsibility.

5-17-4: - EXISTING VEGETATION:

A. *Retention of existing trees:* Existing trees shall be retained unless removal is approved in writing by the city. Where trees are approved by the city to be removed from the project site (or from abutting rights-of-way), replacement of all trees with an acceptable species is required. Acceptable replacement shall be greater in size or equal to the size of the tree(s) removed.

Example: An acceptable replacement for a six-inch (6") caliper tree could be either a new six-inch (6") caliper tree or two (2), three-inch (3") caliper trees.

In all cases, planting within public rights-of-way shall be with approval from the public and/or private entities owning the property.

B. *Damage during construction:* Existing trees or shrubs that are retained shall be protected from damage to bark, branches, or roots during construction. Any damaged tree or shrub shall be replaced in accordance with section 5-17-7 of this chapter.

C. *Minimum landscaping:* Existing vegetation which is to be retained can be used to satisfy the minimum required landscaping (staff approval required).

5-17-6: - INSTALLATION AND MINIMUM STANDARDS:

A. Accepted nursery standards and practices shall be followed in the planting and maintenance of landscaped areas.

B. Soil and slope stabilization must result after landscape installation.

C. Root barriers shall be installed for all new trees planted adjacent to existing or proposed public or private sidewalks and paving. Ada County Highway District (ACHD) requires continuous root barriers for planter strips proposed to be less than eight (8) feet in width with trees. ACHD does not allow trees to be planted in a planter strip less than six (6) feet wide.

D. The minimum acceptable size for deciduous trees shall be two-inch caliper, balled and burlapped, with wire baskets, twine and rope removed from the top half of the ball after being placed in the ground.

E. The minimum acceptable size for evergreen trees shall be six (6) ~~to seven (7)~~ feet, balled and burlapped, with wire baskets, twine and rope removed from the top half of the ball after being placed in the ground.

F. The minimum acceptable size for woody shrubs is a two (2) Gallon pot.

~~F~~G.All landscaped areas adjacent to vehicular areas are to be protected with an approved curbing material (staff approval required).

5-17-10: - BERMS:

A. ~~Three~~Four to one (~~3~~4:1) maximum slopes are ~~recommended~~ allowed for berms. ~~Grass that requires mowing shall not be used on slopes steeper than three to one (3:1).~~

B. The height of berms and fences employed as a landscape application shall be measured from the base of the fence ~~elevation of the final grade of the adjacent roadway (measured at the centerline to the top of the proposed berming/fencing and~~ to the highest point~~not exceed city height standards~~.

5-17-12: - BUFFER AREAS; COMMON LOTS; OPEN SPACE:

A. *Materials:*

1. All buffer areas shall be comprised of, but not limited to, a mix of evergreen and deciduous trees, shrubs and groundcover in which evergreen plant materials comprise a minimum of sixty (60) percent of the total plant material used.
2. Height requirements shall be accomplished with plant material with a fence or decorative wall.
3. The required buffer area shall result in an effective barrier within three (3) years and be maintained such that sixty (60) percent or more of the vertical surface is closed and prevents the passage of vision through it.
4. Chainlink fencing, with slats or otherwise~~, and cedar fencing~~ is prohibited for screening in or adjacent to residential areas.

B. *Major roadways:* New residential development shall be buffered through landscape applications from the adjoining collectors, arterials, or highways according to the city's landscape requirements, to protect residents from roadway activity. This buffer shall be placed

on an individual lot, an easement or in a common open space. The buffer area shall be owned and maintained by a homeowners' association or business association. Landscape buffers associated with new residential development, located outside a subdivision, shall be the property owner's responsibility. Landscape placed within the public rights-of-way shall not be credited towards buffer area requirements.

C. *Common area landscapes:* New residential subdivision common area landscapes shall be comprised of the following:

1. Lawn, either seed or sod.

a. All required buffers along classified roads shall be planted with sod.
b. Interior end caps, open spaces, and other approved areas may be planted with seed with prior approval from the planning and zoning director or their designee. All seeded areas shall be mature at time of inspection request.

2. A minimum of one (1) deciduous shade tree per ~~one thousand~~ eight hundred (~~1,000~~800) square feet of site.

3. For design flexibility, half of the required shade trees may be substituted on a two to one (2:1) basis with ornamental and evergreen trees.

4. Buffer areas should include a variety of species, arranged to create varied and attractive views. Fences, walls and berms may be used. Height changes, offset angles, different materials and other design techniques are required ~~so as~~ to encourage creative~~e~~ variety.

D. *Design requirements for ~~residential developments~~open space:*

~~1. A minimum of five (5) percent useable open space per fifty (50) dwellings in residential developments.~~

1. Open space is required for all residential developments* in accordance with the following tables: ~~A minimum of 5% useable open space per 50 dwellings in residential developments.~~

a.

Proposed No. of Dwellings Units	Total % of Required Open Space
~~100 or less~~1 - 6	~~3.0%~~Exempt

~~b.~~

Proposed Number of Dwellings/Units	Total % of Required Open Space** & ***
~~101 – 150~~7 - 50	7.00%~~4.70%~~
~~151 – 200~~51-100	7.50%~~6.40%~~
~~201 – 250~~101-150	8.00%~~8.10%~~
~~251 – 300~~151-200	8.50%~~9.80%~~

301 - 350201-250	9.00%10.35%
351 - 400251-300	9.50%10.90%
451 - 500301-350	10.00%12.00%
501 - 550351-400	10.50%12.40%
551 - 600401-450	11.00%12.80%
601 - 650451-500	11.50%13.20%
651 - 700501-550	12.00%13.60%
701 - 750551+	12.50%14.00%
751 - 800	14.40%
801 - 850	14.80%
851 - 900	15.20%
901 - 950	15.60%
951 - 1000	16.00%
1001 - 1050	16.40%
1051 - 1100	16.80%
1101 - 1150	17.20%
1151 - 1200	17.60%
1201 - 1250	18.00%
1251 - 1300	18.40%
1301 - 1350	18.80%
1351 - 1400	19.20%
1401 - 1450	19.60%
1451 - 1500	20.00%
1501 - 1550	20.40%
1551 - 1600	20.80%
1601 - 1650	21.20%
1651 - 1700	21.60%
1701 - 1750	22.00%
1751 - 1800	22.40%
1801 - 1850	22.80%
1851 - 1900	23.20%
1901 - 1950	23.60%
1951 - 2000	24.00%
2001 +	

Example 1 - 340 dwellings = 10.3500% open space.
Example 2 - 723 dwellings would be 1412.5000% required open space.

*The open space tables above does not apply to planned unit developments. See KCC 5-7-11.

**Subdivisions over one hundred (100) dwellings/units have compounding open space requirements at increments of fifty (50) dwellings.

***A portion of the storm retention pond may be considered open space on a case by case basis, if it is determined there is a useable area of a minimum of two (2) feet from the bottom of the retention pond.

~~***A portion of a school site may be considered open space on a case by case basis, if its open to the public after school hours and on weekends.~~A school site is considered open space

~~E. *Design requirement for apartments and/or multi-family developments:*~~

~~1. A minimum of 200 square feet of usable open space is required per dwelling unit.~~

E. *Design ~~considerations~~ options for ~~c~~Commercial ~~d~~Development:*

1. Mulching: Mulch shall be used in all required planting areas. With prior approval, mulches may be organic, including but not limited to bark, soil aid, or rock products, such as "perma-bark" or similar products. Use of mulch, organics or rock, as the exclusive ground cover in required planting areas is prohibited. Mulch may not total more than thirty five percent (35%) of all ground cover. Pea gravel, drain rock, road base gravel, or similar products shall not be considered mulch. All mulch shall be confined by a concrete curb or other approved edging method to prevent mulch migrating to adjacent surfaces. If rock mulch is used, a weed barrier fabric shall be used beneath the rock. Plastic weed barriers that are impermeable are prohibited as they restrict water and oxygen to the plants. If approved by the City engineer, mulch used in stormwater facilities may not float. See size requirements for rock below in E-2, of this section.
2. Vegetation Coverage: Required landscape areas shall be at least seventy percent (70%) covered with vegetation at maturity, installing mulch under and/or around all shrubs and trees.

F. *Alternative method of compliance:*

1. Water Conserving Design: in order to qualify for water conserving designs, the applicant shall demonstrate the following:

a. The design includes water conserving trees, shrubs, boulders, rocks and other ground covers.
b. The design includes plants that can thrive in climates with approximately ten (10) to twelve inches (12") of annual rainfall.
c. Lawn and turf areas shall not comprise more than fifty five percent (55%) of the total landscaped areas and shall consist of water conserving grasses, including, but not limited to, Buffalo Grass, Blue Gamma Grass, Compact Fescue, Zerilawn, and/or Rhyzomotuous Tall Fescue.
d. Herbaceous and/or perennial ground cover shall be drought tolerant and able to withstand dry conditions once established. As a guide, refer to the recommended plants in the city of Boise parks and recreation department "Water Conservation Guidelines".
e. Boulders, rocks and/or other materials to be used as sod substitutes shall be at least a minimum size approved by the design review committee on a case by case basis. Pea gravel, drain rock, road base gravel, or similar products shall not be used.

2. Vegetation Coverage: An exception to F-1-b listed above may be approved by the planning and zoning director for water conserving designs that meet both standards listed below:

a. The design incorporates a variety of water conserving trees, water conserving shrubs, boulders, rocks, decorative walls and/or permeable hardscape materials such as pavers and flagstones; and
b. Required landscape areas shall be at least forty percent (40%) covered with vegetation at maturity.

~~F. *Design considerations for residential developments:*~~

~~1. For design flexibility, half of the required shade trees may be substituted on a two to one (2:1) basis with ornamental and evergreen trees.~~
~~2. Buffer areas should include a variety of species, arranged to create varied and attractive views. Fences, walls and berms may be used. Height changes, offset angles, different materials and other design techniques are required so as to create variety.~~

5-17-20: - LANDSCAPING WITHIN RIGHT-OF-WAY:

A. The distance separation from the edge of the roadway pavement to the curb or its alignment, where there is a separation, requires a landscape treatment - see KCC 6-4-2:S. A distance separation of less than ten (10) feet from the edge of pavement to the public curb or its alignment requires an approved landscape treatment to include a non-potable irrigation source located underground. A distance separation greater than ten (10) feet from edge of pavement to the public curb or its alignment ~~requires~~ may allow the remaining right-of-way area to be improved with a rock, or other application treatment acceptable to the ~~city~~ planning and zoning director and the transportation authority with jurisdiction.

B. Landscaping placed in the public rights-of-way shall not be credited towards buffer area requirements (KCC 5-17-12:B).

Section 9: That Section 2, Chapter 4 of Title 6 Kuna City Code be and is hereby amended to read as follows:

6-4-2: - REQUIRED PUBLIC IMPROVEMENTS:

Every subdivider as part of the final subdivision platting process shall be required to install the following public and other improvements in accordance with the conditions and specifications as follows:

Note: for amendment purposes, subdivider and developer are intended to be interchangeable words.

For the meanings of subdivision terms or words not found in Kuna City Code section 5-1-6-2, the city staff shall rely upon ~~the "Latest Illustrated Book of Development Definitions", by Moskowitz and Lindbloom~~ the latest *A Planners Dictionary*, edited by Michael Davidson and Fay Dolnick, American Planning Association and Planning Advisory Service, for interpretation purposes.

A. *Bicycle lanes:* A subdivision shall feature bicycle lanes along its roadways to accommodate bicycle enthusiasts. Sidewalks shall not substitute for bicycle lanes, rather the bike lane shall be included as a feature of the street section or located in a separate easement. Bike lane specifications shall be according to city and ACHD standards.

B. *Cell towers:* Cell tower placement is subject to the provisions of the city's wireless communication facilities ordinance.

C. *Curb and gutter:* Vertical curb and gutter shall be installed on functionally classified collector and arterial streets. The street's functionality shall be determined based on the city's adopted functionally classified roadmap. Other street classifications may feature rolled or vertical curbs, and supporting stormwater devices.

The use of drainage swales for stormwater conveyance in lieu of curb and gutter is prohibited unless necessary to preserve a historical drainage right that would be impeded by the swale's removal as determined by the city engineer. There shall be no mixing of irrigation drainage water and road runoff water. All construction shall be in accordance with Idaho Standards for Public ~~Construction~~ Work Construction [ISP~~CW~~WC] or other standards established by the city engineer or Public Works Director.

D. *Driveway and other approaches:* Driveway and other approaches' curb cuts shall be installed according to the city, ITD and ACHD's access management standards. Driveway and other approach placement, alignment, width and apron features shall be designed and constructed

E. According to standards established by the authority with jurisdictional over the subject roadway. The width of driveways and other approaches that are installed in office, commercial and industrial zoning districts, where the city's zoning does not establish a minimum lot width standard, shall be constructed wide enough to accommodate commercially designed driveway entrances accessing the street frontage. All curb returns shall be constructed with a twenty-eight-foot minimum curb return radius.

F. *Fencing:* Fencing shall be installed according to ~~the approved fencing plan~~ KCC 5-5-5. The subdivision shall feature permanent fencing along its outer perimeter with the exception of those portions of its perimeter that feature common open space or park area accessible from the street. The fencing that is placed next to an arterial or collector road shall be punctuated with a minimum three (3) feet of parallel fencing offset, every two hundred fifty (250) linear feet [maximum] to minimize the monotony of the fence's facade. Fences shall be ~~a maximum six (6) feet in height (~~measured from base of fence to

the highest point and ~~crest of the road at the location the fences are constructed),~~ permanent in nature and maintenance free. Fencing shall be constructed of metal, rock or vinyl materials with an approved post hole footing. ~~Wood and c~~Chainlink fencing ~~are~~ is not permitted in a subdivision, except for school related purposes. The school authority may rely upon a powder coated or vinyl coated chainlink type fencing for security related purposes. Architecturally designed cedar fences up to 6 feet with metal posts may be allowed with administrative determination approval from planning and zoning director or public works director. Applicant must submit a drawing or sketch with material and concept clearly depicted. Ditch or irrigation fencing shall be determined with input from the irrigation ~~p~~surveyor. Fencing placed along a subdivision's internal pathways shall be of a see-though type construction to minimize tunneling effects and provide for pedestrian safety. If fencing is used in combination with a landscaped berm, the fence ~~shall~~ may be placed ~~behind the berm, and under no circumstances, placed~~ on the berm.

G. *Fire hydrants:* Subdivision fire hydrants shall be installed in such a manner as to meet the city and fire district's water supply requirements and according to standards established for the type of fire hydrant installed and the accompanying waterline connection(s). Fire hydrants shall be installed at locations identified by the Kuna Rural Fire District and shown on all of the final approved construction drawings and record drawings. Fire hydrants shall be operable prior to any combustible materials being brought on the subdivision property. Fire hydrants shall be painted bright red [or other prescribed color] and the steamer connection must meet fire district requirements. Where there is the possibility a fire hydrant is susceptible to collision potential, the subdivider may be directed to install bollards for its safekeeping.

H. *Flag lot:* Residential subdivision flag lots shall be developed via a common private driveway access that connects with a public street. The driveway shall not extend more than one hundred fifty (150) feet from the public street right-of-way. A common [or shared] driveway shall be relied upon to access the lots contained within the flag lot configuration, with a maximum of three (3) contiguous lots contained within a flag lot. A cross-access driveway agreement qualifying the methods of common driveway care and maintenance responsibility shall be recorded with each lot of the flag lot. The pole portion of the flag lot shall front on the street a minimum thirty (30) feet. The driveway access shall be centered on the pole portion of the flag lot and designed and constructed with a minimum twenty-foot-wide curb cut to include a concrete apron. The common driveway shall be constructed of a material approved by the city engineer. The flag lot is subject to street frontage improvements. The area of the flag lot pole is exclusive of each lot's minimum square footage. Each flag lot shall meet the zoning conditions of the underlying zone. Structure(s) placed on the flag lot shall face the public street and be setback a minimum of twenty (20) feet from edge of driveway. Commercial flag lots shall be evaluated on a case by case basis.

I. *Greenbelt pathways:* Greenbelts pathways are required to be installed at developer's expense within the subdivision to: mitigate land incompatibilities that arise between the subdivision property and the adjoining highways, waterbodies, railroad rights-of-way, transmission lines and other like features; or as shown on the recreation and pathways

master plan, as adopted by the city council. Greenbelt pathways are subject to design review. Subdivision plats shall show the location of greenbelt pathways. These pathways shall be a minimum ten (10) feet wide and located within a thirty-foot wide public easement. The city council may accept a pathway that is nine (9) feet wide, upon making findings that this width is not a safety hazard and it is in the interests of the city to allow the narrower pathway width. The greenbelt pathway shall feature lighting bollards at appropriate distances, directional signage and landscape consisting of trees, bushes and other organic materials to include an irrigation source. The greenbelt pathway shall feature park benches, vistas at appropriate locations and be marked with mileage indicators for sport and safety purposes. These pathways shall be constructed of a material in keeping with the Americans with Disabilities Act (ADA) accessibility guidelines. Greenbelt pathways located along waterbodies shall be placed on one (1) side or the other of the water feature in such a fashion as to provide an uninterrupted pathway alignment and be separated from the waterbody by the installation of fencing constructed consistent with the fencing standards found in Kuna City Code subsection 6-4-2.E. If there are trees located along the waterbody, these shall be reviewed by the city forester for preservation purpose. Where possible, the greenbelt pathway shall connect with other pathways.

Section 10: Severability Provision

10.1 This ordinance is hereby declared to be severable. Should any portion of this ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purpose(s) of the ordinance before the declaration of partial invalidity.

Section 11: Directing the City Clerk

11.1 The City Clerk is directed to file, this Ordinance in the official records of the City and to provide a conformed copy to the, Planning and Zoning Director.

Section 12: Effective Date

12.1 This Ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law and at the discretion of the City Clerk and In lieu of publication of the entire ordinance, a summary thereof in compliance with Section 50-901A, Idaho Code, may be published.

ADOPTED this _____ day of _____, ~~2019~~2020.

CITY OF KUNA

_____
Joe L. Stear, Mayor

ATTEST:

_____

Chris Engels, City Clerk

ORDINANCE NO. 2019-44
CITY OF KUNA
ZONING ORDINANCE AMENDMENT

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:

- **MAKING CERTAIN FINDINGS, PURPOSES AND ORDINANCE ENACTMENT HISTORY; AND**
- **REPEALING SECTION 20, ARTICLE A, CHAPTER 2, TITLE 4 KUNA CITY CODE; AND**
- **AMENDING AND REDESIGNATING SECTIONS 21 THROUGH 38, ARTICLE A, CHAPTER 2 OF TITLE 4 KUNA CITY CODE; AND**
- **AMENDING SUBSECTION 2 OF SECTION 6, CHAPTER 1, TITLE 5 KUNA CITY CODE MAKING A TECHNICAL CORRECTION TO THE DEFINITION OF "OPEN SPACE"; AND**
- **AMENDING SECTION 5, CHAPTER 5 OF TITLE 5 KUNA CITY CODE MAKING TECHNICAL CORRECTIONS REGARDING THE GENERAL REQUIREMENTS OF FENCE REGULATIONS; AND**
- **REPEALING SECTION 4, CHAPTER 6, TITLE 5 KUNA CITY CODE; AND**
- **AMENDING AND REDESIGNATING SECTIONS 4, 5, 6, 7, 8, AND 9 OF CHAPTER 6 OF TITLE 5 KUNA CITY CODE; AND**
- **AMENDING SECTIONS 2, 4, 6, 10, 12, AND 20, CHAPTER 17, TITLE 5 OF KUNA CITY CODE MAKING TECHNICAL CHANGES TO DESIGN REQUIREMENTS AND ADDING REQUIREMENTS FOR RESIDENTIAL OPEN SPACE; AND**
- **AMENDING SECTION 2, CHAPTER 4 OF TITLE 6 KUNA CITY CODE PROVIDING FOR A CHANGE IN THE TEXT DESIGNATION FOR DEFINITIONS UPON WHICH CITY STAFF CAN RELY AND MAKING A TECHNICAL CORRECTION REGARDING THE MEASUREMENT OF FENCE HEIGHT AND LOCATION OF FENCING; AND**
- **PROVIDING A SEVERABILITY CLAUSE; AND**
- **DIRECTING THE CITY CLERK; AND**
- **PROVIDING AN EFFECTIVE DATE.**

Section 1: The City Council findings: The City Council makes the following findings of its authority, purpose and the history of the enactment of this ordinance:

1.1 The City of Kuna, Idaho is a municipal corporation organized and operating under the laws of the state of Idaho and is authorized under the provisions of 67-6511, Idaho Code, to establish within its jurisdiction one or more zones or zoning districts where appropriate which zoning districts and zoning ordinances are established and codified in Title 5 of the Kuna City Code and are known and cited as the Kuna Zoning Regulations; and

1.2 The Planning and Zoning Commission of the City, pursuant to public notice as required by law, held a public hearing on October 8, 2019, as required by Sections 67-6511 and 67-6509, Idaho Code, and made a recommendation of approval by the Commission on October 8, 2019 where it was recommended to the Mayor and Council that this legislative proposal for amendments to the Kuna Zoning Regulations be approved; and

1.3 The Kuna City Council, pursuant to public notice as required by law, held a public hearing on October 23, 2019, and October 30, 2019 on the Legislative Proposal for Amendments to the Kuna Building, Zoning and Subdivision Regulations, as required by Sections 67-6511 and 67-6509, Idaho Code, and in accordance with the provisions of Kuna City Code Section 5-1A-7 the City Council has made findings (approved on _____) and determined that the legislative proposal for amendments to the Kuna Zoning Regulations be approved; and

1.4 It is necessary that the City Council adopt this Ordinance, as required by Section 67-6511(2) Idaho Code and Kuna City Code § 5-1A-7G, to complete the process of implementing the decision of the Kuna City Council to adopt and enact the legislative proposal for amendments to the Kuna Zoning Regulations.

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

Section 2: That Section 20, Article A, Chapter 2 of Title 4 Kuna City Code be and the same is hereby repealed.

Section 3: Sections 21 through 38, Article A, Chapter 2 of Title 4 Kuna City Code are hereby amended to read as follows:

4-2A-20: - STORAGE:

A. General Requirements: A fenced area shall be provided for each manufactured home park for the storage of accessory items such as boats, vacation trailers, campers and related equipment owned by park residents. Such items shall be stored in the storage area and not be parked beside the manufactured home. The storage area shall contain a minimum of sixty (60) square feet per manufactured home space. The required fence shall be six feet (6') high, sight obscuring and contain a lockable gate.

B. Permanent Storage Building: In addition to the above, one permanent storage building containing a minimum of thirty-two (32) square feet of floor area shall be provided by the owner of the manufactured home park development for each manufactured home space. The building height shall not be less than seven feet (7') nor more than nine feet (9'). It shall have a minimum setback of fifteen feet (15') from adjacent manufactured home spaces and from any public street or highway right of way.

4-2A-21: - WALKS:

A. General Requirements: All parks shall be provided with safe, convenient, all-season pedestrian access of adequate width for intended use, durable and convenient to maintain, between individual manufactured homes, the park streets and all community facilities provided for park residents. Sudden changes in alignments and gradients shall be avoided.

B. Individual Walks: All manufactured home stands shall be connected to common walks, to paved streets and to paved driveways or parking spaces connecting to a paved street. Such individual walks shall have a minimum width of three feet (3').

4-2A-22: - MANUFACTURED HOME STANDS:

The owner or developer of a manufactured home park development shall provide a manufactured home stand for each space. The area of the manufactured home stand shall be improved to provide adequate support for the placement and tie-down of the manufactured home, thereby securing the superstructure against uplift, sliding, rotation and overturning. The manufactured home stand shall not heave, shift or settle unevenly under the weight of the manufactured home due to frost action, inadequate drainage, vibration or other forces acting on the structure.

4-2A-23: - WATER SUPPLY:

A. Water Distribution System: The park shall use city water and shall be in compliance with the provisions of title 7, chapter 5 of this code. The water supply system of the manufactured home park shall have one meter and shall be connected by pipes to all manufactured homes, buildings and other facilities requiring water by the manufactured home park owner or developer. All water piping, fixtures and other equipment shall be constructed and maintained in accordance with state and local regulations and shall be of a type and in locations approved by the city. The water piping system shall not be connected with non-potable or questionable water supplies and shall be protected against the hazards of backflow or back siphonage. The system shall be so designed and maintained as to provide a pressure of not less than thirty-five (35) pounds per square inch under normal operating conditions at service buildings and other locations requiring potable water supply and be of the size required by the city. The water distribution system shall be designed by a registered Idaho professional engineer. The plans and specifications for the water system shall be submitted for review and written approval by the division of environmental quality (DEQ) prior to construction. All water service lines and connections shall be installed and maintained in accordance with the rules and regulations of the state department of labor and industrial services, plumbing division.

B. Fire Hydrants: Fire hydrants shall be installed and maintained in accordance with safe standards for fire protection and shall not be located more than four hundred fifty feet (450') from any manufactured home stand. All water mains in the manufactured home park which serve fire hydrants shall not be less than six inches (6") in diameter.

C. Individual Water Riser Pipes and Connections: Individual water riser pipes shall be located within the confined area of the manufactured home stand at a point where the water connection will approximate a vertical position. Water riser pipes shall extend at least four inches (4") above ground elevation. The pipe shall be at least three-quarter inch (3/4") in diameter. The water outlet shall be capped when a manufactured home does not occupy the lot. Adequate provisions shall be made to prevent freezing of service lines, valves and riser pipes and to protect risers from heaving and thawing

actions of ground during freezing weather. Surface drainage shall be diverted from the location of the riser pipe.

4-2A-24: - SEWAGE DISPOSAL:

A. General Requirements: All plumbing in the manufactured home park shall comply with state and local plumbing laws and regulations and must connect to the public sewer of the city and shall conform to all applicable ordinances, rules and regulations of the city.

B. Sewer Mains: All sewer mains shall be constructed in accordance with the rules and regulations of the Idaho public works division. Mains shall not be less than eight inches (8") in diameter with manholes located no more than three hundred feet (300') apart. All mains shall terminate in a manhole. Cleanouts shall not be allowed except on individual service lines. The sewage disposal system shall be designed by a registered Idaho professional engineer. The plans and specifications for the sewage disposal system shall be submitted for review and written approval by the division of environmental quality (DEQ) prior to construction. All sewage disposal lines and connections shall be installed and maintained in accordance with the rules and regulations of the state department of labor and industrial services, plumbing division.

C. Individual Sewer Connections: The connection of each manufactured home, building or other facility requiring sewer to the manufactured home park sewer mains shall be provided by the manufactured home park owner or developer. Each manufactured home stand shall be provided with at least a four-inch (4") diameter sewer riser pipe. The sewer riser pipe shall be so located on each stand that the sewer connection to the manufactured home drain outlet will approximate a vertical position. The sewer connection (see definition of sewer connection) [1] shall be laid with a minimum drop of one-quarter inch (1/4") slope per foot. The sewer connection shall consist of one pipe line only without any branch fittings. All joints shall be watertight. All materials used for sewer connections shall be semirigid, corrosive resistant, absorbent and durable. The inner surface shall be smooth. Provision shall be made for plugging the sewer riser pipe when a manufactured home does not occupy the lot. Surface drainage shall be diverted away from the riser. The rim of the riser pipe shall extend at least four inches (4") above ground elevation.

4-2A-25: - PLUMBING WITHIN MANUFACTURED HOMES:

All plumbing within each manufactured home shall conform to the minimum standards of the state and local regulations and laws. All plumbing within the manufactured home park shall comply with state and local plumbing standards of the state and local regulations and laws, as well as the city.

4-2A-26: - ELECTRICAL DISTRIBUTION SYSTEM:

A. General Requirements: Every park shall contain an electrical wiring system consisting of wiring, fixtures, equipment and appurtenances which shall be installed and

maintained in accordance with applicable codes and regulations governing such systems.

B. Power Distribution Lines: Main power lines shall be installed underground and must comply with all local and state requirements. All direct burial conductors or cable shall comply with all state and local regulations, with a minimum buried distance of eighteen inches (18") below the ground surface and specially designed for the purpose. Such conductors shall be located not less than one foot (1') radial distance from water, sewer, gas or communication lines.

C. Individual Electrical Connections: The electrical connection for each individual manufactured home shall be provided by the manufactured home park owner or developer and shall conform to the requirements of the electrical code of the state of Idaho.

D. Required Grounding: All exposed noncurrent-carrying metal parts of manufactured homes and all other equipment shall be grounded by means of an approved grounding conductor with branch circuit conductors or other approved method of grounded metallic wiring. The neutral conductor shall not be used as an equipment ground for manufactured homes or other equipment.

4-2A-27: - SERVICE BUILDINGS AND OTHER COMMUNITY SERVICE FACILITIES:

A. General Requirements: The requirements of this section shall apply to all service buildings, recreation buildings and other community service facilities, including, but not limited to, management offices, repair shops, storage areas, sanitary facilities, laundry facilities, indoor recreation areas and commercial uses supplying essential goods or services for the exclusive use of park occupants.

B. Service Buildings: Every manufactured home park that accepts or accommodates dependent manufactured homes shall provide adequate flush-type toilet fixtures and laundry facilities. In no instance shall there be less than one laundry unit, two (2) water closets, one lavatory and one shower or bathtub for women and one shower or bathtub for men. The foregoing listed facilities shall be the minimum required facilities to accommodate up to twenty (20) dependent manufactured homes. One additional water closet for each sex shall be provided for every ten (10) additional dependent manufactured homes. (Urinals may be substituted for 1/3 of the additional water closets.) One additional lavatory for each sex shall be provided for every ten (10) additional dependent coaches, and one additional shower or bathtub for each sex for every twenty (20) additional dependent coaches. Dependent manufactured homes shall be parked not more than two hundred feet (200') from the service buildings. There shall be one laundry tray for every twenty (20) dependent manufactured home spaces. One shall be located at least fifteen feet (15') or more from any manufactured home space.

C. Structural Requirements for Service Building and Service Facilities: All structures and buildings shall conform to all applicable ordinances, rules and regulations of the state

and city code. All portions of the structure shall be properly protected from destructive elements. Exterior portions shall be of such materials and be so constructed and protected as to prevent entrance or penetration of moisture and weather.

D. Sanitary and Laundry Facilities: All sanitary and laundry facilities shall:

1. Have resistant walls extending to the ceiling between male and female sanitary facilities. Walls and partitions around showers, bathtubs, lavatories and other plumbing fixtures shall be constructed of dense, nonabsorbent, waterproof material or covered with moisture resistant material.

2. Have at least one window or skylight facing directly to the outdoors. The minimum aggregate gross area of windows for each required room shall be not less than ten percent (10%) of floor space served by them. Such openings shall be adequately screened.

3. Have at least one window which can be easily opened, or a mechanical device which will adequately ventilate the room. Such opening or openings shall be adequately screened, to prevent insect infiltration.

E. Toilets: Toilets shall be located in separate compartments equipped with self-closing doors. Shower stalls shall be of the individual type. The rooms shall be screened to prevent direct view of the interior when the exterior doors are open.

F. Illumination of Service Buildings: Illumination levels shall be maintained as follows:

1. Laundry room work area: forty (40) foot-candles.

2. Toilet room, in front of mirrors: forty (40) foot-candles.

G. Hot and Cold Water: Hot and cold water shall be furnished to every lavatory, sink, bathtub, shower and laundry fixture, and cold water shall be furnished to every water closet and urinal.

H. Heating Facilities: Heating facilities shall be maintained at a temperature of seventy degrees Fahrenheit (70;deg;F) during cold weather, and shall supply a minimum of three (3) gallons of hot water per hour per manufactured home space during time of peak demand.

I. Outdoor Fireplace Facilities: All barbecue pits, fireplaces, stoves, incinerators and cooking shelters and the like shall be so located, constructed, maintained and used as to minimize fire hazards and smoke nuisance both on the property on which used and on neighboring property. No open fire shall be permitted except in facilities provided. No open fire shall be left unattended. No fuel shall be used or material burned which emits dense smoke or objectionable odors.

4-2A-28: - REFUSE HANDLING:

The storage, collection and disposal of refuse in the manufactured home park shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards or air pollution. All refuse shall be stored in fly tight, watertight, rodent proof containers, which shall be located not more than one hundred fifty feet (150') from any manufactured home lot. Containers shall be provided in sufficient number and capacity to properly store all refuse and shall conform to the state and local minimum health standards. Refuse collection stands shall be provided for all refuse containers. Such container stands shall be so designed as to prevent containers from being tipped, to minimize spillage and container deterioration and to facilitate cleaning around them or as set forth by state and local garbage collection regulations. All refuse containing garbage shall be collected at least once a week.

4-2A-29: - INSECT AND RODENT CONTROL:

Grounds, buildings and structures shall be maintained free of insect and rodent harborage and infestation. Extermination methods and other measures to control insects and rodents shall conform with the requirements and regulations of the state of Idaho, department of agriculture. Parks shall be maintained free of accumulations of debris which may provide rodent harborage or breeding places for flies, mosquitoes and other pests. Storage areas shall be so maintained as to prevent rodent harborage. Lumber, pipe and other building material shall be stored at least one foot (1') aboveground. Where the potential for insect and rodent infestation exists, all exterior openings in or beneath any structure shall be appropriately screened with wire mesh or other suitable materials. The growth of brush, weeds and grass shall be controlled to prevent harborage of noxious insects. Parks shall be so maintained as to prevent the growth of noxious and unsightly weeds, and those which could be injurious to health. Open areas as well as areas about and under the manufactured home shall be maintained free of heavy undergrowth of any description.

4-2A-30: - FUEL SUPPLY AND STORAGE:

A. Natural Gas System: Natural gas piping systems shall, where natural gas is available, be installed and maintained by the manufactured home park owner or developer in accordance with applicable codes and regulations governing such systems. The hookup for each system shall be provided by the manufactured home park owner or developer at the manufactured home stand. Each manufactured home lot provided with piped gas shall have an approved manual shut-off valve installed upstream of the gas outlet. The outlet shall be equipped with an approved cap to prevent accidental discharge of gas when the outlet is not in use.

B. Liquefied Petroleum Gas System: Liquefied petroleum gas systems shall be devices to relieve excessive pressures and shall be arranged so that the discharge terminates at a safe location. They shall be provided with safety devices to relieve excessive pressures and shall be arranged so that the discharge terminates at a safe location. They shall have at least one accessible means for shutting off gas. Such means shall be located outside the manufactured home and shall be maintained in effective operating condition. All LPG piping outside of the manufactured home shall be well supported and protected

against mechanical injury. Undiluted liquefied petroleum gas in liquid form shall not be conveyed through piping equipment and systems in manufactured homes. Liquefied petroleum gas containers installed on a manufactured home lot shall be securely but not permanently fastened to prevent accidental overturning. Such containers shall not be less than five (5) nor more than two hundred (200) U.S. gallons gross capacity. No liquefied petroleum gas vessel shall be stored or located inside or beneath any storage cabinet, carport, manufactured home or any other structure, unless such installations are approved by the city council and placed fifteen feet (15') or more from any adjacent lot line.

C. Fuel Oil Supply Systems: All fuel oil supply systems shall be installed and maintained in accordance with applicable codes and regulations governing such systems. All piping from outside fuel storage tanks or cylinders to manufactured homes shall be permanently installed and securely fastened in place. All fuel oil storage tanks or cylinders shall be securely fastened in place and shall not be located inside or beneath any manufactured home or less than five feet (5') from any manufactured home exit. Storage tanks located in areas subject to traffic shall be protected against physical damage.

4-2A-31: - FIRE PROTECTION:

Manufactured home parks shall be kept free of litter, rubbish and other flammable materials. Portable fire extinguishers rated for class B and C fires shall be kept in service buildings. Their capacity shall not be less than two and one-half (2 1/2) pounds. Fires shall be made only in stoves and other equipment intended for such purposes. Fire hydrants shall be located within four hundred fifty feet (450') of any manufactured home, service building or other structure in the park. The manufactured home park shall be subject to the city fire prevention codes [1] and authority.

4-2A-32: - RESPONSIBILITIES OF PARK MANAGEMENT:

The person to whom a permit for a manufactured home park is issued shall operate the park in compliance with this article and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition. The park management shall notify park occupants of all applicable provisions of this article and inform them of their duties and responsibilities under this article. The park management shall be present during and supervise and be responsible for the placement of each manufactured home on its manufactured home pad and shall, prior to occupancy of any manufactured home, obtain a certificate of occupancy from the public works director. The park management shall maintain a register containing the names of all park occupants identified by lot number or street address. Such register shall be available to any authorized person inspecting the park. Fire extinguishers for class B and C fires shall be kept at each service building and community service facility and maintained in good working condition.

4-2A-33: - RESPONSIBILITIES OF PARK OCCUPANTS:

A. General Requirements: Every park occupant shall comply with all applicable ordinances, regulations and rules of the city and shall maintain his manufactured home lot, manufactured home, its facilities and equipment in good repair and in a clean and sanitary condition. Manufactured homes shall be subject to all building, electrical, plumbing, water and sewer codes and requirements.

B. Installation of Utility Connections: Each park occupant shall be responsible for proper installation of all utility connections in accordance with the instructions of the park management, and all applicable ordinances, regulations and rules of the city.

C. Garbage and Trash Disposal: Every park occupant shall comply with the provisions of section 8-1-5 of this code and shall also store and dispose of all his rubbish and garbage in a clean, sanitary and safe manner. The garbage container shall be rodent proof, insect proof and watertight.

D. Pets: Pets shall be prohibited to run at large or to commit any nuisance within the limits of any manufactured home lot. Owners of any animals shall be subject to all applicable provisions of this code relating to dog or animal control [1].

E. Skirting, Porches and Awnings: Skirting, porches, awnings and other additions shall be installed only if permitted and approved by the park management. When installed, they shall be maintained in good repair. The space immediately underneath a manufactured home shall be used for storage only if permitted by the park management. If permitted, the following conditions shall be satisfied:

1. The storage area shall be provided with a base of impervious material.

2. Stored items shall be located so as not to interfere with the underneath inspection of the manufactured home.

3. The storage area shall be enclosed by skirting.

4-2A-34: - CONFLICTING PROVISIONS; SEVERABILITY CLAUSE:

A. In any case where a provision of this article is found to be in conflict with a provision of any other ordinance or code of the city, existing on the effective date of this article, the provision which, in the judgment of the city council, establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail.

B. If any section, subsection, paragraph, sentence, clause or phrase of this article should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this article which shall remain in full force and effect; and to this end the provisions of this article are hereby declared to be severable.

4-2A-35: - NONCONFORMING MANUFACTURED HOME PARKS:

Any manufactured home park which is in existence at the date of the passage of this article shall not be subject to provisions of this article; provided, however, that if any manufactured home park is enlarged, added to or extended after the passage of this article, the entire manufactured home park shall be subject to the provisions of this article.

4-2A-36: - PENALTIES:

Penalties for failure to comply with the provisions of this article or failure to comply with any of its requirements shall constitute a misdemeanor. A separate offense shall be deemed committed for each day such violation shall continue. The manufactured home owner, manufactured home tenant, manufactured home park owner, park manager, or any other person who commits, participates in, assists in or maintains such violation may each be found guilty of a separate offense. Each offense may be punished by a fine of up to three hundred dollars ($300.00). Nothing herein contained shall prevent the council or any other public official or private citizen from taking such lawful action as is necessary to restrain or prevent any violation of this article or of the Idaho Code.

4-2A-37: - TREES:

The manufactured home park owner or developer shall plant at least one tree for every two (2) lots in the manufactured home development.

Section 4: That Subsection 2 of Section 6, Chapter 1 of Title 5 Kuna City Code be and the same is hereby amended to read as follows:

5-1-6-2: - MEANINGS OF TERMS OR WORDS:

For the meanings of zoning terms or words not found in Kuna City Code 5-1-6-2, the city staff shall rely upon the latest A Planners Dictionary, edited by Michael Davidson and Fay Dolnick, American Planning Association and Planning Advisory Service, for interpretation purposes.

OPEN SPACE: An area substantially open to the sky which may be on the same lot with a building. The area may include, along with the natural environmental features, water areas, swimming pools and tennis courts, and other recreational facilities that the planning and zoning commission deems permissible. Streets, private parking areas, structures for habitation, buffer areas along classified roads, endcaps, and the like shall not be included.

Section 5: That Section 5, Chapter 5 of Title 5 Kuna City Code be and the same is hereby amended to read as follows:

5-5-5: - REGULATIONS FOR FENCES, WALLS AND HEDGES:

A. *Permit required:* It is unlawful for any person to construct or replace a fence upon any property within the city limits without first having applied for and obtained a building

permit to do so and without thereafter complying with all the provisions of said permit with the exception of normal maintenance.

B. *Fences on rights-of-way or easements:* Fences may be permitted to be constructed on public rights-of-way and easements subject to the sidewalk and vision clearance restrictions set forth herein. Permission to construct fences on rights-of-way shall be obtained from the city council and ACHD or appropriate agency. Upon notification from the city, it is the property owner's responsibility to remove fences from public rights-of-way or easements, at the owner's expense, should the city need to utilize any right-of-way or easement for maintenance or construction of any public facility or improvements or if it is determined to be in the best interest of the city, or in the opinion of the city, the fence creates a safety hazard. Fences which constitute structures as defined under this section shall not be permitted upon public rights-of-way or easements.

C. *General requirements:* For the purposes of this section, wall, latticework, screens, hedges and planting shall be considered fences and shall be built and maintained in compliance with the provisions herein.

1. Electric fences and barbed wire fences are prohibited within the city except in those instances where it can be demonstrated to the building official that the use is solely for the containment of animals kept in compliance with city animal control regulations and the fence is not located on the public right-of-way. The building official shall have the authority to revoke authorization for an electric fence or barbed wire fence upon declaration of a finding by him that such fence would be detrimental to public health, safety or welfare or would be potentially injurious to persons, properties or improvements in the vicinity.

2. Barbed wire may be permitted in commercial or industrial zones when used as the top section for security fences, provided barbed wires are a minimum of seventy-two (72) inches above grade and do not project over public right-of-way.

3. No fence shall be permitted on the sidewalk or in a location which may impair the construction of sidewalks.

4. In the event any fence restricts access to or use of established rights-of-way and easements, it shall be the fence owner's responsibility, at his expense, to provide access upon demand of the city or other entitled party.

5. Any fence that exceeds six (6) feet in height must have an approved waiver according to KCC 5-5-5-I.

6. Any fence which restricts access to any utility meter or fire hydrant shall provide a way of access through the fence by a hand gate and remain unlocked.

7. Vision clearance for fences at street and alley intersections shall be as defined in subsection 5-5-2.A of this chapter.

8. All fence heights shall be measured from the base of the fence to the highest point.

D. *Residential districts:*

1. *Interior lots:* Solid or closed non-vision fences to a height of thirty-six (36) inches, or open vision fences to a height of forty-eight (48) inches may be built within the front yard setback to the inside of the existing sidewalk or to the inside of the proposed future sidewalk with a license agreement from the Ada County Highway District, or other appropriate agency who controls use of the public rights-of-way. A fence of seventy-two (72) inches in height may be built behind the front dwelling setback along the property boundary. See illustration 1 attached to the ordinance codified herein and available for inspection in the office of the city clerk.

2. *Corner lots:* Solid or closed non-vision fences to a height of thirty-six (36) inches, or open vision fences to a height of forty-eight (48) inches may be built within the front dwelling and street side yard setback to the inside of the right-of-way line with a license agreement from Ada County Highway District, or other appropriate agency who controls use of the public right-of-way. A fence of seventy-two (72) inches in height may be built along the side property lines adjacent to an interior lot from the front dwelling setbacks. See illustration 2 attached to the ordinance codified herein and available for inspection in the office of the city clerk.

3. *Back-to-back corner lots:* Where two (2) corner lots are back-to-back, with no vehicle access to the roadway adjacent to the side yard of either home, the side yard fence may be solid, or open to a maximum height of seventy-two (72) inches, except within the clear vision sight triangle as identified in subsection 5-5-2:A of this chapter. See illustration 3 attached to the ordinance codified herein and available for inspection in the office of the city clerk.

E. *Commercial or industrial districts:* Fences adjacent to residential areas must be sight obscuring. Fences not to exceed eight (8) feet in height may be located or maintained on any property line except within vision clearance areas. In the case of security fences, when a barbed wire top section is utilized, the eight-foot maximum height limitation may be exceeded by up to thirty (30) inches only by the barbed wire security top section.

Open vision fences to a height of six (6) feet may be built out to the inside of the property line, provided no barbed wire or other security top section is utilized and fences comply with vision clearance requirements for fences to be located at intersections.

F. *Pathway/greenbelt fencing:*

1. Pathway fencing is required.

2. In order to design for crime prevention, the following design standards will be followed:

a. The use of "see-through" fencing is required, as it provides better visibility from adjacent homes or buildings. If solid fencing is used, it may not exceed four (4) feet in height. Wrought iron, a vinyl four-foot solid with two-foot lattice, or equal quality fence is preferred.

b. All pathway fencing shall be constructed prior to the issuance of building permits for the subdivision.

G. *Fences required for sight obstruction:*

1. Certain uses are declared and others may be declared in the future by the city to possess characteristics that require sight obstruction in order to preclude damage, hazard, nuisance or other detriment to public health, safety or welfare, or to prevent a materially injurious situation to property or improvements in a given vicinity.

2. Sight obscuring fences, where required by provision of this subsection, shall be of dense coniferous planting or climbing varieties of non-deciduous vines on permanently installed aluminum mesh fencing or solid non-vision-type fencing of such design and material that retains its attractiveness with nominal maintenance.

3. The following uses are declared to require sight obscuring fences: Junkyards, wrecking yards, equipment or vehicle salvage storage yards, trailer parks, auction blocks, lumberyards, RV parks, sanitary landfills, recycling collection stations and temporary recycling collection stations, and any other uses determined to be similar in nature to the preceding uses.

H. *Abatement of unlawful fences:* The following fences are declared unlawful nuisances and shall be subject to the enforcement provisions of title 8, chapter 1 of this Code:

1. Any fence constructed or maintained which is in whole or in part weak, unsafe, or constructed of broken, unsightly, inferior or old worn material of an inflammable nature which may impair the value of the adjoining land.

2. Any fence constructed or maintained for the purpose of maliciously annoying the owners or occupants of adjoining property.

3. Any fence not constructed or maintained in accordance with this section.

I. *Waiver:* If an owner or applicant desires to obtain a waiver from the provisions in this subsection of this title. The special procedure for a waiver from this subsection shall be as follows:

1. The owner or applicant shall file an application for a fence waiver with the city planning and zoning director or their designee. The application shall be provided by the city.

2. Upon receipt of the fence waiver application, staff shall review each application on a case-by-case basis using the following criteria:

   a. *Setback requirements* waiver shall consider the safety and clear-vision sight triangle standards (see KCC 5-3-1) to determine if the application is appropriate.

   b. *Height of fence* waiver shall only be considered when the grade between two lots has a difference of two (2) feet or more and the request is made by the owner of the lower of the two properties.

3. Upon hearing the request for the fence waiver, the planning and zoning director shall either approve, deny, or approve with conditions, the application for a fence waiver. No written findings of fact will be required but a written decision shall be sent to the applicant and to any party requesting written notification of the decision.

J. *Appeal:* Any aggrieved party may appeal the decision of the planning and zoning director directly to the planning and zoning commission pursuant to section 5-11-2 of this title. Written notice of an appeal of the director's decision should be filed along with a nonrefundable fee to be established by resolution of the city council, with the city clerk within twenty (20) days after the decision of the director.

Section 6: That Section 4, Chapter 6 of Title 5 Kuna City Code be and the same is hereby repealed.

Section 7: That Sections 4, 5, 6, 7, 8 and 9 of Chapter 6 of Title 5 Kuna City Code be and the same are hereby amended to read as follows:

5-6-4: - SUPPLEMENTARY CONDITIONS AND SAFEGUARDS:

In granting any special use, the planning and zoning commission may prescribe appropriate conditions, bonds and safeguards in conformity with this title. Violations of such conditions, bonds or safeguards, when made a part of the terms under which the special use is granted, shall be deemed a violation of this title.

5-6-5: - PROCEDURE FOR HEARING NOTICE:

Prior to granting a special use permit, at least one (1) public hearing in which interested persons shall have an opportunity to be heard shall be held. At least fifteen (15) days prior to the hearing, notice of the time and place and a summary of the proposal shall be published in the official newspaper or paper of general circulation within the jurisdiction. Notice may also be made available to other newspapers, radio and television stations serving the jurisdiction for use as a public service announcement. Notice shall also be provided to property owners and residents within three hundred (300) feet of the external boundaries of the land being considered, and any additional area that may be substantially impacted by the proposed special use as determined by the commission. When notice is required to two hundred (200) or more property owners or residents, in lieu of the mailing notice, two (2) additional hearing notices shall be provided.

5-6-6: - ACTION BY COMMISSION:

Within thirty (30) days after the public hearing, the planning and zoning commission shall either approve; conditionally approve; or disapprove the applications as presented. If the application is approved or approved with modifications, the commission shall direct the planning and zoning director to issue a special use permit listing the specific conditions specified by the commission for approval.

A. Upon granting a special use permit, conditions may be attached to a special use permit including, but not limited to those:

   1. Minimizing adverse impact on other development;

   2. Controlling the sequence and timing of developments;

   3. Controlling the duration of the development;

   4. Assuring that development is maintained properly;

   5. Designating the exact location and nature of the development;

   6. Requiring the provision for on-site or off-site public facilities or services;

   7. Requiring more restrictive standards than those generally required in an ordinance.

B. Prior to granting a special use permit, studies may be required of the social, economic, fiscal and environmental effects of the proposed special use. A special use permit shall not be considered as establishing a binding precedent to grant other special use permits. A special use permit is not transferable from one parcel of land to another.

C. Prior to granting or denying an application, the commission shall specify:

   1. The ordinance and standards used in evaluating the application;

   2. The reasons for approval or denial; and

   3. The actions, if any, that the applicant could take to obtain a permit.

D. The applicant or any affected person who appeared in person or in writing before the commission may appeal the decision of the commission to the council, provided the appeal is submitted to the council within fifteen (15) days from receipt of notification of the commission's action.

5-6-7: - NOTIFICATION TO APPLICANT:

Within ten (10) days after a decision has been rendered, the planning and zoning director or their designee shall provide the applicant with written notice of the action on the request.

5-6-8: - APPEAL TO COUNCIL:

Upon receipt of an appeal from the action of the planning and zoning commission, the city council shall set a hearing date to consider all information, testimony and commission's minutes of the public hearing to reach a decision to uphold, conditionally uphold or overrule the commission by a favorable vote of one-half plus one (1) of the full council.

5-6-9: - HARDSHIP CASES:

The planning and zoning commission may grant a special use permit for retail business use in any residential zone upon a showing that, due to extreme hardship resulting from the physical disability of the applicant, it is impractical for the applicant to operate his or her business elsewhere. No such special use permit shall be granted unless the following conditions have been found to exist:

A. The applicant has a physical disability which prevents the applicant from traveling to a business location outside of his or her residential premises, and there does not exist adequate public transportation for such purpose.

B. All of the standards set forth in section 5-6-3 of this chapter, except subsection 5-6-3.A of this chapter, have been satisfied.

Any special use permit so granted shall be personal to the applicant and shall not run with the land, shall not be transferable, and shall terminate when the applicant ceases to do business at the location stated in the permit or when adequate public transportation is available, whichever occurs first. The grant or denial of an application for a special use permit hereunder shall be subject to appeal by any interested party pursuant to section 5-6-9 of this chapter.

Section 8: That Section 2, 4, 6, 10, 12, and 20 Chapter 17 of Title 5 Kuna City Code be and the same are hereby amended to read as follows:

5-17-2: - DEFINITIONS:

BUFFER: A landscape buffer is a combination of physical space and vertical elements; including, but not limited to: Trees, shrubs, berms, fences and/or walls that separate and screen incompatible land uses from one another. A common lot is a lot that is separate from individual building lots. Landscape coverage shall be comprised of one hundred (100) percent organic materials, thus, hardscape materials may not substitute for landscape purposes. All landscaping shall be supported by a non-potable irrigation source, unless the public works director determines surface waters are not available for this irrigating purpose. All subdivision landscape buffers and open space areas shall be placed on a common lot, owned and maintained by the subdivision homeowner's association (HOA) or business owner's association (BOA), the city shall not maintain nonpublic common lots. Landscape buffers associated with new residential development, located outside a subdivision, shall be the property owner's responsibility.

5-17-4: - EXISTING VEGETATION:

A. *Retention of existing trees:* Existing trees shall be retained unless removal is approved in writing by the city. Where trees are approved by the city to be removed from the project site (or from abutting rights-of-way), replacement of all trees with an acceptable species is required. Acceptable replacement shall be greater in size or equal to the size of the tree(s) removed.

Example: An acceptable replacement for a six-inch (6") caliper tree could be either a new six-inch (6") caliper tree or two (2), three-inch (3") caliper trees.

In all cases, planting within public rights-of-way shall be with approval from the public and/or private entities owning the property.

B. *Damage during construction:* Existing trees or shrubs that are retained shall be protected from damage to bark, branches, or roots during construction. Any damaged tree or shrub shall be replaced in accordance with section 5-17-7 of this chapter.

C. *Minimum landscaping:* Existing vegetation which is to be retained can be used to satisfy the minimum required landscaping (staff approval required).

5-17-6: - INSTALLATION AND MINIMUM STANDARDS:

A. Accepted nursery standards and practices shall be followed in the planting and maintenance of landscaped areas.

B. Soil and slope stabilization must result after landscape installation.

C. Root barriers shall be installed for all new trees planted adjacent to existing or proposed public or private sidewalks and paving. Ada County Highway District (ACHD) requires continuous root barriers for planter strips proposed to be less than eight (8) feet in width with trees. ACHD does not allow trees to be planted in a planter strip less than six (6) feet wide.

D. The minimum acceptable size for deciduous trees shall be two-inch caliper, balled and burlapped, with wire baskets, twine and rope removed from the top half of the ball after being placed in the ground.

E. The minimum acceptable size for evergreen trees shall be six (6) feet, balled and burlapped, with wire baskets, twine and rope removed from the top half of the ball after being placed in the ground.

F. The minimum acceptable size for woody shrubs is a two (2) Gallon pot.

G. All landscaped areas adjacent to vehicular areas are to be protected with an approved curbing material (staff approval required).

5-17-10: - BERMS:

A. Four to one (4:1) maximum slopes are allowed for berms.

B. The height of berms and fences employed as a landscape application shall be measured from the base of the fence to the highest point.

5-17-12: - BUFFER AREAS; COMMON LOTS; OPEN SPACE:

A. Materials:

1. All buffer areas shall be comprised of, but not limited to, a mix of evergreen and deciduous trees, shrubs and groundcover in which evergreen plant materials comprise a minimum of sixty (60) percent of the total plant material used.

2. Height requirements shall be accomplished with plant material with a fence or decorative wall.

3. The required buffer area shall result in an effective barrier within three (3) years and be maintained such that sixty (60) percent or more of the vertical surface is closed and prevents the passage of vision through it.

4. Chain-link fencing, with slats or otherwise is prohibited for screening in or adjacent to residential areas.

B. *Major roadways:* New residential development shall be buffered through landscape applications from the adjoining collectors, arterials, or highways according to the city's landscape requirements, to protect residents from roadway activity. This buffer shall be placed on an individual lot, an easement or in a common open space. The buffer area shall be owned and maintained by a homeowners' association or business association. Landscape buffers associated with new residential development, located outside a subdivision, shall be the property owner's responsibility. Landscape placed within the public rights-of-way shall not be credited towards buffer area requirements.

C. *Common area landscapes:* New residential subdivision common area landscapes shall be comprised of the following:

1. Lawn, either seed or sod.

   a. All required buffers along classified roads shall be planted with sod.

   b. Interior end caps, open spaces, and other approved areas may be planted with seed with prior approval from the planning and zoning director or their designee. All seeded areas shall be mature at time of inspection request.

2. A minimum of one (1) deciduous shade tree per eight hundred (800) square feet of site.

3. For design flexibility, half of the required shade trees may be substituted on a two to one (2:1) basis with ornamental and evergreen trees.

4. Buffer areas should include a variety of species, arranged to create varied and attractive views. Fences, walls and berms may be used. Height changes, offset angles, different materials and other design techniques are required to encourage creative variety.

D. Design requirements for open space:

1. Open space is required for all residential developments* in accordance with the following tables:

a.

Proposed No. of Dwellings Units	Total % of Required Open Space
1 - 6	Exempt

Proposed Number of Dwellings/Units	Total % of Required Open Space** & ***
7-50	7.00%
51-100	7.50%
101-150	8.00%
151-200	8.50%
201-250	9.00%
251-300	9.50%
301-350	10.00%
351-400	10.50%
401-450	11.00%
451-500	11.50%
501-550	12.00%
551+	12.50%

Example 1 - 340 dwellings = 10.00% open space.
Example 2 - 723 dwellings would be 12.5% required open space.

* The open space table above does not apply to planned unit developments. See KCC 5-7-11.
**A portion of the storm retention pond may be considered open space on a case by case basis, if it is determined there is a useable area of a minimum of two (2) feet from the bottom of the retention pond.
***A school site is considered open space

E. Design options for Commercial Development:

1. Mulching: Mulch shall be used in all required planting areas. With prior approval, mulches may be organic, including but not limited to bark, soil aid, or rock products, such as "perma-bark" or similar products. Use of mulch, organics or rock, as the

exclusive ground cover in required planting areas is prohibited. Mulch may not total more than thirty five percent (35%) of all ground cover. Pea gravel, drain rock, road base gravel, or similar products shall not be considered mulch. All mulch shall be confined by a concrete curb or other approved edging method to prevent mulch migrating to adjacent surfaces. If rock mulch is used, a weed barrier fabric shall be used beneath the rock. Plastic weed barriers that are impermeable are prohibited as they restrict water and oxygen to the plants. If approved by the City engineer, mulch used in stormwater facilities may not float. See size requirements for rock below in E-2, of this section.

2. Vegetation Coverage: Required landscape areas shall be at least seventy percent (70%) covered with vegetation at maturity, installing mulch under and/or around all shrubs and trees.

F. *Alternative method of compliance:*

1. Water Conserving Design: in order to qualify for water conserving designs, the applicant shall demonstrate the following:

   a. The design includes water conserving trees, shrubs, boulders, rocks and other ground covers.

   b. The design includes plants that can thrive in climates with approximately ten (10) to twelve inches (12") of annual rainfall.

   c. Lawn and turf areas shall not comprise more than fifty five percent (55%) of the total landscaped areas and shall consist of water conserving grasses, including, but not limited to, Buffalo Grass, Blue Gamma Grass, Compact Fescue, Zerilawn, and/or Rhyzomotuous Tall Fescue.

   d. Herbaceous and/or perennial ground cover shall be drought tolerant and able to withstand dry conditions once established. As a guide, refer to the recommended plants in the city of Boise parks and recreation department "Water Conservation Guidelines".

   e. Boulders, rocks and/or other materials to be used as sod substitutes shall be at least a minimum size approved by the design review committee on a case by case basis. Pea gravel, drain rock, road base gravel, or similar products shall not be used.

2. Vegetation Coverage: An exception to F-1-b listed above may be approved by the planning and zoning director for water conserving designs that meet both standards listed below:

   a. The design incorporates a variety of water conserving trees, water conserving shrubs, boulders, rocks, decorative walls and/or permeable hardscape materials such as pavers and flagstones; and

b. Required landscape areas shall be at least forty percent (40%) covered with vegetation at maturity.

5-17-20: - LANDSCAPING WITHIN RIGHT-OF-WAY:

A. The distance separation from the edge of the roadway pavement to the curb or its alignment, where there is a separation, requires a landscape treatment - see KCC 6-4-2:S. A distance separation of less than ten (10) feet from the edge of pavement to the public curb or its alignment requires an approved landscape treatment to include a non-potable irrigation source located underground. A distance separation greater than ten (10) feet from edge of pavement to the public curb or its alignment may allow the remaining right-of-way area to be improved with a rock, or other application treatment acceptable to the planning and zoning director and the transportation authority with jurisdiction.

B. Landscaping placed in the public rights-of-way shall not be credited towards buffer area requirements (KCC 5-17-12: B).

Section 9: That Section 2, Chapter 4 of Title 6 Kuna City Code be and is hereby amended to read as follows:

6-4-2: - REQUIRED PUBLIC IMPROVEMENTS:

Every subdivider as part of the final subdivision platting process shall be required to install the following public and other improvements in accordance with the conditions and specifications as follows:

Note: for amendment purposes, subdivider and developer are intended to be interchangeable words.

For the meanings of subdivision terms or words not found in Kuna City Code section 5-1-6-2, the city staff shall rely upon the latest *A Planners Dictionary*, edited by Michael Davidson and Fay Dolnick, American Planning Association and Planning Advisory Service, for interpretation purposes.

A. *Bicycle lanes:* A subdivision shall feature bicycle lanes along its roadways to accommodate bicycle enthusiasts. Sidewalks shall not substitute for bicycle lanes, rather the bike lane shall be included as a feature of the street section or located in a separate easement. Bike lane specifications shall be according to city and ACHD standards.

B. *Cell towers:* Cell tower placement is subject to the provisions of the city's wireless communication facilities ordinance.

C. *Curb and gutter:* Vertical curb and gutter shall be installed on functionally classified collector and arterial streets. The street's functionality shall be determined based on the

city's adopted functionally classified roadmap. Other street classifications may feature rolled or vertical curbs, and supporting stormwater devices.

The use of drainage swales for stormwater conveyance in lieu of curb and gutter is prohibited unless necessary to preserve a historical drainage right that would be impeded by the swale's removal as determined by the city engineer. There shall be no mixing of irrigation drainage water and road runoff water. All construction shall be in accordance with Idaho Standards for Public Work Construction [ISPWC] or other standards established by the city engineer or Public Works Director.

D. *Driveway and other approaches:* Driveway and other approaches' curb cuts shall be installed according to the city, ITD and ACHD's access management standards. Driveway and other approach placement, alignment, width and apron features shall be designed and constructed

E. According to standards established by the authority with jurisdictional over the subject roadway. The width of driveways and other approaches that are installed in office, commercial and industrial zoning districts, where the city's zoning does not establish a minimum lot width standard, shall be constructed wide enough to accommodate commercially designed driveway entrances accessing the street frontage. All curb returns shall be constructed with a twenty-eight-foot minimum curb return radius.

F. *Fencing:* Fencing shall be installed according to KCC 5-5-5. The subdivision shall feature permanent fencing along its outer perimeter with the exception of those portions of its perimeter that feature common open space or park area accessible from the street. The fencing that is placed next to an arterial or collector road shall be punctuated with a minimum three (3) feet of parallel fencing offset, every two hundred fifty (250) linear feet [maximum] to minimize the monotony of the fence's facade. Fences shall be measured from base of fence to the highest point and permanent in nature and maintenance free. Fencing shall be constructed of metal, rock or vinyl materials with an approved post hole footing. Chain-link fencing is not permitted in a subdivision, except for school related purposes. The school authority may rely upon a powder coated or vinyl coated chain-link type fencing for security related purposes. Architecturally designed cedar fences up to 6 feet with metal posts may be allowed with administrative determination approval from planning and zoning director or public works director. Applicant must submit a drawing or sketch with material and concept clearly depicted. Ditch or irrigation fencing shall be determined with input from the irrigation surveyor. Fencing placed along a subdivision's internal pathways shall be of a see-though type construction to minimize tunneling effects and provide for pedestrian safety. If fencing is used in combination with a landscaped berm, the fence may be placed on the berm.

G. *Fire hydrants:* Subdivision fire hydrants shall be installed in such a manner as to meet the city and fire district's water supply requirements and according to standards established for the type of fire hydrant installed and the accompanying waterline connection(s). Fire hydrants shall be installed at locations identified by the Kuna Rural Fire District and shown on all of the final approved construction drawings and record drawings. Fire hydrants shall be operable prior to any combustible materials being

brought on the subdivision property. Fire hydrants shall be painted bright red [or other prescribed color] and the steamer connection must meet fire district requirements. Where there is the possibility a fire hydrant is susceptible to collision potential, the subdivider may be directed to install bollards for its safekeeping.

H. *Flag lot:* Residential subdivision flag lots shall be developed via a common private driveway access that connects with a public street. The driveway shall not extend more than one hundred fifty (150) feet from the public street right-of-way. A common [or shared] driveway shall be relied upon to access the lots contained within the flag lot configuration, with a maximum of three (3) contiguous lots contained within a flag lot. A cross-access driveway agreement qualifying the methods of common driveway care and maintenance responsibility shall be recorded with each lot of the flag lot. The pole portion of the flag lot shall front on the street a minimum thirty (30) feet. The driveway access shall be centered on the pole portion of the flag lot and designed and constructed with a minimum twenty-foot-wide curb cut to include a concrete apron. The common driveway shall be constructed of a material approved by the city engineer. The flag lot is subject to street frontage improvements. The area of the flag lot pole is exclusive of each lot's minimum square footage. Each flag lot shall meet the zoning conditions of the underlying zone. Structure(s) placed on the flag lot shall face the public street and be setback a minimum of twenty (20) feet from edge of driveway. Commercial flag lots shall be evaluated on a case by case basis.

I. *Greenbelt pathways:* Greenbelts pathways are required to be installed at developer's expense within the subdivision to: mitigate land incompatibilities that arise between the subdivision property and the adjoining highways, waterbodies, railroad rights-of-way, transmission lines and other like features; or as shown on the recreation and pathways master plan, as adopted by the city council. Greenbelt pathways are subject to design review. Subdivision plats shall show the location of greenbelt pathways. These pathways shall be a minimum ten (10) feet wide and located within a thirty-foot wide public easement. The city council may accept a pathway that is nine (9) feet wide, upon making findings that this width is not a safety hazard and it is in the interests of the city to allow the narrower pathway width. The greenbelt pathway shall feature lighting bollards at appropriate distances, directional signage and landscape consisting of trees, bushes and other organic materials to include an irrigation source. The greenbelt pathway shall feature park benches, vistas at appropriate locations and be marked with mileage indicators for sport and safety purposes. These pathways shall be constructed of a material in keeping with the Americans with Disabilities Act (ADA) accessibility guidelines. Greenbelt pathways located along waterbodies shall be placed on one (1) side or the other of the water feature in such a fashion as to provide an uninterrupted pathway alignment and be separated from the waterbody by the installation of fencing constructed consistent with the fencing standards found in Kuna City Code subsection 6-4-2.E. If there are trees located along the waterbody, these shall be reviewed by the city forester for preservation purpose. Where possible, the greenbelt pathway shall connect with other pathways.

Section 10: Severability Provision

10.1 This ordinance is hereby declared to be severable. Should any portion of this ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purpose(s) of the ordinance before the declaration of partial invalidity.

Section 11: Directing the City Clerk

11.1 The City Clerk is directed to file, this Ordinance in the official records of the City and to provide a conformed copy to the, Planning and Zoning Director.

Section 12: Effective Date

12.1 This Ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law and at the discretion of the City Clerk and In lieu of publication of the entire ordinance, a summary thereof in compliance with Section 50-901A, Idaho Code, may be published.

ADOPTED this 21st day of January, 2020.

CITY OF KUNA

_____
Joe L. Stear, Mayor

ATTEST:

_____
Chris Engels, City Clerk

Staffs' Previous Open Space Proposal
November 19, 2019

Proposed No. of Dwellings/Units	Total % of Required Open Space
100 or Less	3.0%

Proposed No. of Dwellings/Units	Required Open Space Per 50 Dwellings/Units (Compounded)**	Total % of Required Open Space ***&****
101-150	1.70%	4.70%
151-200	1.70%	6.40%
201-250	1.70%	8.10%
251-300	1.70%	9.80%
301-350	0.55%	10.35%
351-400	0.55%	10.90%
451-500	0.55%	12.00%
501-550	0.40%	12.40%
551-600	0.40%	12.80%
601-650	0.40%	13.20%
651-700	0.40%	13.60%
701-750	0.40%	14.00%
751-800	0.40%	14.40%
801-850	0.40%	14.80%
851-900	0.40%	15.20%
901-950	0.40%	15.60%
951-1000	0.40%	16.00%
1001-1050	0.40%	16.40%
1051-1100	0.40%	16.80%
1101-1150	0.40%	17.20%
1151-1200	0.40%	17.60%
1201-1250	0.40%	18.00%
1251-1300	0.40%	18.40%
1301-1350	0.40%	18.80%
1351-1400	0.40%	19.20%
1401-1450	0.40%	19.60%
1451-1500	0.40%	20.00%
1501-1550	0.40%	20.40%
1551-1600	0.40%	20.80%
1601-1650	0.40%	21.20%
1651-1700	0.40%	21.60%
1701-1750	0.40%	22.00%
1751-1800	0.40%	22.40%
1801-1850	0.40%	22.80%
1851-1900	0.40%	23.20%
1901-1950	0.40%	23.60%
1951-2000	0.40%	24.00%
2001+	0.40% Per 50 Units	

Example 1 – 340 dwellings = 10.35% open space.
Example 2 – 723 dwellings = 14.00% open space.

Staffs' Modified Open Space Proposal
January 7, 2020

Proposed Number of Dwellings/Units	Total % of Required Open Space
1-6	Exempt

Proposed Number of Dwellings/Units	Total % of Required Open Space **&***
7-50	7.00%
51-100	7.50%
101-150	8.00%
151-200	8.50%
201-250	9.00%
251-300	9.50%
301-350	10.00%
351-400	10.50%
401-450	11.00%
451-500	11.50%
501-550	12.00%
551+	12.50%

Example 1 – 340 dwellings = 10.00% open space.
Example 2 – 723 dwellings would be 12.5% required open space.

Kuna School District Board of Trustees

Inspiring each student to become a lifelong learner and a contributing, responsible citizen.

January 14, 2020

Dear City Council members,

Recently Ordinance Number 2019-44 was introduced to you for your consideration. Our administrators have worked closely with Planning and Zoning Department staff to understand the ordinance and how it will impact potential developments and families that will live therein.

We support the proposed ordinance for the following reasons. New housing developments and the new families they attract to our communities also increase our enrollment and the need for classroom space. The ordinance's inclusion of school land as one option to fulfill the requirements for open space is essential. We see this supporting our work to create public private partnerships where large and medium development set aside and donate land for neighborhood schools preserving and enhancing our communities long support for education.

As our community grows, in addition to more school space, we need more recreation space. Currently, our district struggles and the Parks and Recreation Department struggle to provide the outdoor space needed for our young people to practice team sports and recreate. Open space is necessary for healthy, active youth and also healthy, active families and community. This ordinance's consideration of addition recreational space supports this need.

Thank you for your continued partnership. We appreciate the cooperation your departments show our administration and the continued positive relationship with have with you.

Sincerely,

J.D. Grant
Chairman

711 E. Porter Rd., Kuna, Idaho 83634
Phone: (208) 922-1000 FAX: (208) 922-5646

JD Grant
Chairman & Trustee
Zone 2

Joy Thomas
Vice Chairman & Trustee
Zone 1

Sallie Ann McArthur
Trustee Zone 3

Kim Nixon
Trustee Zone 4

Russ Johnson
Trustee Zone 5

BUILDING CONTRACTORS ASSOCIATION OF SOUTHWESTERN IDAHO, INC.
"A Tradition of Building Excellence for Over 60 Years"
6206 N. Discovery Way, Boise
Boise, Idaho 83713
(208) 377-3550
(208) 377-3553 fax
Website: www.bcaswi.org
E-mail: bca@heritagewifi.com
Affiliated with NAHB National Association of Home Builders

January 16, 2020

Mayor Stear and City Council Members
751 W 4th Street
Kuna, ID 83634

Subject: City of Kuna Development Standards – Open Space

Dear Mayor Stear and City Council Members:

The Building Contractors Association of Southwestern Idaho (BCASWI) thanks you for taking our recommended options from our letter dated December 16, 2019, into consideration. We believe the latest version of your proposed open space ordinance is definitely an improvement. We especially appreciate raising the minimum percentage and lowering the higher percentage along with the inclusion of school sites as open space which, to our knowledge, is unprecedented and a big win for Kuna and its citizens.

An area of concern for us continues to be the exclusion of landscaped frontage along arterial streets. The inclusion of these areas is a common practice among Ada County's other municipalities and could create some confusion.

We also still believe the City of Kuna would be better served by tying the open space percentages to density rather than the number of units. Our experience tells us this approach is a more equitable way to ensure adequate open space across all sizes of subdivisions. However, if the City is determined to measure open space based on the number of housing units, we accept that and are committed to partnering with Kuna to monitor future developments for the purpose of ensuring the stated goals for open space are being realized.

Most of all we are very pleased to be working with you to promote the responsible development of your community. This collaborative effort aligns very well with BCASWI's purpose and mission. We encourage and invite you to look to our leadership and members for our experience and expertise. Additionally, we encourage your staff to participate in our monthly Builders & Developers Council meetings. The staff from other local government agencies regularly join us each month to share their statistics and concerns about planning and development, as well as proposed or upcoming code changes. The relationships developed through this participation are mutually beneficial. It would be an honor to include members of Kuna's staff. For more information please contact Bill Rauer, BCASWI's executive officer, at brauer@bcaswi.org or (208) 377-4420.

Sincerely,

Dan Richter, Past President Heather Hering, President Bill Rauer, Executive Officer

Building Contractors Association of Southwestern Idaho

Wendy Howell

From: Jeffrey W. Bower <jeffbower@givenspursley.com>
Sent: Wednesday, January 8, 2020 2:56 PM
To: Wendy Howell; 'Tim Eck (timothyeck@me.com)'
Cc: Jace Hellman; Troy Behunin; Bobby Withrow
Subject: RE: Open Space Ordinance [IWOV-GPDMS.FID919939]

Thank you, Wendy. We will review and provide any additional comments prior to the Council's continued hearing on this issue.

Jeff

Jeff Bower
GIVENS PURSLEY LLP
601 W Bannock St, Boise, ID 83702
main 208-388-1200
direct 208-388-1260
fax 208-388-1300
jeffbower@givenspursley.com
www.givenspursley.com

From: Wendy Howell <whowell@kunaid.gov>
Sent: Wednesday, January 8, 2020 2:41 PM
To: 'Tim Eck (timothyeck@me.com)' <timothyeck@me.com>; Jeffrey W. Bower <jeffbower@givenspursley.com>
Cc: Jace Hellman <jhellman@kunaID.gov>; Troy Behunin <tbehunin@kunaid.gov>; Bobby Withrow <bwithrow@kunaid.gov>
Subject: Open Space Ordinance

Good afternoon,

Thank you for the letter you provided to Kuna City Council in regards to their second reading of Ordinance No. 2019-44. Upon reviewing the letter, it became apparent to me that the letter was referring to the older proposal of open space. Attached is the updated open space chart for your review and comment as you see fit.

Staff has strived to make the requirements fair as well as work toward the community's goal of one acre per 80 people of open space. This goal can be found in our newly adopted Comprehensive Plan entitle Envision Kuna.

Again, thank you for your comments.

Sincerely,

Wendy I. Howell, PCED
Planning & Zoning Director
City of Kuna
PO Box 13
Kuna, ID 83634
(208) 922-5274

Wendy Howell

From: Kirsti Grabo <KGrabo@kmengllp.com>
Sent: Thursday, January 9, 2020 4:20 PM
To: Wendy Howell
Subject: RE: Ordinance No. 2019-44 Open Space

Glad to hear it went well. I haven't had a lot of time to study everything, but I think the last table you sent looks like a good step.

From: Wendy Howell <whowell@kunaid.gov>
Sent: Thursday, January 9, 2020 4:16 PM
To: Kirsti Grabo <KGrabo@kmengllp.com>
Subject: RE: Ordinance No. 2019-44 Open Space

It went well. The Council just wants to open it back up one last time for input from the public.

Wendy

From: Kirsti Grabo <KGrabo@kmengllp.com>
Sent: Thursday, January 9, 2020 2:27 PM
To: Wendy Howell <whowell@kunaid.gov>; ashton.homes@hotmail.com
Subject: RE: Ordinance No. 2019-44 Open Space

Hi Wendy –

Out of curiosity, how did it go last night?

Thanks,
Kirsti

From: Wendy Howell <whowell@kunaid.gov>
Sent: Thursday, January 9, 2020 9:55 AM
To: Kirsti Grabo <KGrabo@kmengllp.com>; ashton.homes@hotmail.com
Subject: Ordinance No. 2019-44 Open Space

Good morning,

Thank you for the letter you provided to Kuna City Council in regards to the second reading of Ordinance No. 2019-44. Upon review of the letter, it became evident to me that the letter was referring to the previous proposal of open space. I wanted to make sure that you have the most updated open space chart thus I have attached it for your review and comment.

Staff has strived to make the requirements fair as well as work toward the community's goal of one acre per 80 people of open space. While the proposed open space chart falls short of this goal, it moves the City a step forward in meeting the goal in the newly adopted Comprehensive Plan.

Again, thank you for your comments.

Wendy Howell

From: Sheridan Hodson <sheridan@homesbyepic.com>
Sent: Wednesday, January 8, 2020 3:00 PM
To: Wendy Howell
Subject: Re: Please Include my Letter in the Jan 7th, 2020 agenda packet

Hello Wendy,

Thank you for the response and for getting back to me. You are correct that I was not informed on the update. Thank you for everything you do to make Kuna a great community. I cannot even imagine how busy your job must be, and I am grateful for your service.

Regards,

Sheridan Hodson
Co-Founder
EPIC Realty
Cell: (208) 861-8052
Office: (208) 576-4717

On Wed, Jan 8, 2020 at 2:20 PM Wendy Howell <whowell@kunaid.gov> wrote:

> Good afternoon Sheridan,
>
> Thank you for the letter you provided to Kuna City Council in regards to their second reading of Ordinance No. 2019-44. Upon reviewing the letter, it became apparent to me that the letter was referring to the older proposal of open space. Attached is the updated open space chart for your review and comment as you see fit.
>
> Staff has strived to make the requirements fair as well as work toward the community's goal of one acre per 80 people of open space. This goal can be found in our newly adopted Comprehensive Plan entitle Envision Kuna.
>
> Again, thank you for your comments.
>
> Sincerely,
>
> *Wendy I. Howell*, PCED

Troy Behunin

From: Timothy Eck <timothyeck@me.com>
Sent: Tuesday, January 07, 2020 4:39 PM
To: Troy Behunin
Subject: Open Space

Categories: Landscaping

Troy:

I have seen the the amended open space schedule. It is greatly improved but they should count all open space including end caps and landscape buffers. Some argue thet the end capsand landscape buffers are not usable but that is wrong. All end caps and landscape buffers include 5' - 8' sidewalks. That makes them Quite usable.

TE

Wendy Howell

From: Ryan Hammons <rhammons@tollbrothers.com>
Sent: Wednesday, January 8, 2020 3:16 PM
To: Wendy Howell
Subject: RE: Proposed Open Space Ordinance

Follow Up Flag: Follow up
Flag Status: Flagged

Thanks Wendy. The table is the same and seems reasonable. I think it does make it easier for us if we go in to it knowing it's the same percentage. I see issues where we have the potential to gain or lose a lot and then it changes our open space percentage.

From: Wendy Howell <whowell@kunaid.gov>
Sent: Wednesday, January 8, 2020 12:48 PM
To: Ryan Hammons <rhammons@tollbrothers.com>
Subject: RE: Proposed Open Space Ordinance

Hi Ryan,

The Mayor asked me to send you the updated open space chart which I have included with this email.

I really appreciate your enthusiasm regarding open space requirements. Staff has strived to make the requirements fair as well as work toward the community's goal of one acre per 80 people.

Please feel free to make comments and/or concerns you may have regarding the new open space table. Just curious as to who sent you the incorrect table or information for last nights hearing? I want to make sure that they have the correct information as well.

Thank you,

Wendy I. Howell, PCED
Planning & Zoning Director
City of Kuna
PO Box 13
Kuna, ID 83634
(208) 922-5274

From: Mayor Stear <mayorstear@kunaid.gov>
Sent: Wednesday, January 8, 2020 11:11 AM
To: Wendy Howell <whowell@kunaid.gov>
Subject: FW: Proposed Open Space Ordinance

Would you send Ryan the current chart as presented to council last night please?

Thanks

Joe Stear
Mayor of Kuna Idaho

751 W. 4th St.
PO Box 13
Kuna Idaho 83634
www.KunaCity.id.gov
(208) 922.5546

From: Ryan Hammons [mailto:rhammons@tollbrothers.com]
Sent: Wednesday, January 08, 2020 10:53 AM
To: Mayor Stear <mayorstear@kunaid.gov>
Subject: RE: Proposed Open Space Ordinance

Thanks for the quick response. I'm honestly not sure. I wasn't able to attend the meeting last night and I'm not sure if the chart I have is the most recent one. Would you be able to send it to me?

Candidly, I'm really excited about what you guys are trying to do. All of the developments we've done and are planning would have trouble meeting the requirements. It raises the bar for everyone and I think that's a good thing.

Thank you,

Ryan

From: Mayor Stear <mayorstear@kunaid.gov>
Sent: Wednesday, January 8, 2020 10:21 AM
To: Ryan Hammons <rhammons@tollbrothers.com>
Subject: RE: Proposed Open Space Ordinance

EXTERNAL EMAIL

Ryan Good Day!

I am just wondering did you look at the chart to be presented at the meeting last night or the one that was originally presented?

Thanks

Joe Stear

Mayor of Kuna Idaho

751 W. 4th St.
PO Box 13
Kuna Idaho 83634
www.KunaCity.id.gov
(208) 922.5546

From: Ryan Hammons [mailto:rhammons@tollbrothers.com]
Sent: Tuesday, January 07, 2020 3:55 PM
To: Mayor Stear <mayorstear@kunaid.gov>; Briana Buban-Vonder Haar <bbuban@kunaid.gov>; Richard Cardoza <rcardoza@kunaid.gov>; Warren Christensen <wchristensen@kunaid.gov>; Greg McPherson <gmcpherson@kunaid.gov>
Cc: Wendy Howell <whowell@kunaid.gov>; Troy Behunin <tbehunin@kunaid.gov>; Bob Bachman <bbachman@kunaid.gov>; Paul Stevens <PStevens@kunaid.gov>
Subject: Proposed Open Space Ordinance

Dear Mayor Stear and City Council Members,

I am writing in regards to the proposed open space ordinance that is to be discussed at tonight's council meeting. We at Toll Brothers fully support the City of Kuna's move to increase the amount of open space in its residential developments. We have made significant investments in the City of Kuna and believe that a well thought out ordinance that improves the overall look and feel of the City would be a significant benefit to residents and business partners like Toll Brothers.

However, I am concerned about the percentage increase in open space as the number of lots increase for the following reasons:

1. It incentivizes developers to break up development in to smaller individual plats. This would increase the administrative burden on the City resulting in longer approval times as well as increased costs.
2. Breaking up larger parcels in to smaller projects leads to poor planning. There are benefits to designing a large master planned community as one cohesive neighborhood.

I encourage to set a reasonable minimum percentage of open space that is the same no matter the size of the project.

Thank you,

RYAN HAMMONS | Senior Division Vice President
Coleman Homes, A Toll Brothers Company
3103 W Sheryl Drive, Suite 100 | Meridian, ID 83642
o: 208.424.0020
mycolemanhome.com

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Jace Hellman

From: D3 Development Services <D3Development.Services@itd.idaho.gov>
Sent: Tuesday, October 1, 2019 11:07 AM
To: Jace Hellman
Subject: Case No. 19-02-OA (Ordinance Amendment)

Good morning,
ITD has received application 19-02-OA for review. ITD does not anticipate any significant impact to the State Highway system from this development and has no objections to the proposed ordinance amendment.

Thank you,

Sarah Arjona
Development Services Coordinator
ITD District 3
(208) 334-8338

From: Jace Hellman <jhellman@kunaID.gov>
Sent: Thursday, September 12, 2019 12:19 PM
To: Ada County Engineer <agilman@adaweb.net>; Ada County Highway District <planningreview@achdidaho.org>; Adam Ingram <adam.ingram@cableone.biz>; Becky Rone - Kuna USPS Addressing <rebecca.i.rone@usps.gov>; Bob Bachman <bbachman@kunaid.gov>; Bobby Withrow <bwithrow@kunaid.gov>; Boise Project Board of Control (TRitthaler@boiseproject.org) <TRitthaler@boiseproject.org>; Cable One t.v. <cheryl.goettsche@cableone.biz>; Central District Health Dept. CDHD <lbadigia@cdhd.idaho.gov>; COMPASS <cmiller@compassidaho.org>; DEQ (Alicia.martin@deq.idaho.gov) <Alicia.martin@deq.idaho.gov>; Eric Adolfson <eadolfson@compassidaho.org>; Idaho Power <ahawkins@idahopower.com>; Idaho Power <bwatson2@idahopower.com>; Idaho Power Easements <easements@idahopower.com>; Idaho Power Easments 2 <kfunke@idahopower.com>; Intermountain Gas <bryce.ostler@intgas.com>; D3 Development Services <D3Development.Services@itd.idaho.gov>; J&M Sanitation - Chad Gordon <Chad.Gordon@jmsanitation.com>; jmcdaniel@adaweb.net; Julie Stanely - Regional Address Mgmt. <Julie.R.Stanley@usps.gov>; Kuna Postmaster - Marc C. Boyer <marc.c.boyer@usps.gov>; Kuna School District <kbekkedahl@kunaschools.org>; Kuna School District <bsaxton@kunaschools.org>; Kuna School District <wjohnson@kunaschools.org>; Lisa Holland <lholland@kunaid.gov>; Megan Leatherman <mleatherman@adaweb.net>; Nampa Meridian Irrigation District <nmid@nmid.org>; New York Irrigation <terri@nyid.org>; Paul Stevens <PStevens@kunaid.gov>; Perry Palmer <ppalmer@kunafire.com>; Planning Mgr: Ada County Development Services <jboal@adaweb.net>; Wendy Howell <whowell@kunaid.gov>
Subject: [EXTERNAL] City of Kuna Request for Agency Comment - Case No. 19-02-OA (Ordinance Amendment)

--- This email is from an external sender. Be cautious and DO NOT open links or attachments if the sender is unknown. ---
September 12, 2019

Notice is hereby given by the City of Kuna that the following action is under consideration by the Planning and Zoning Commission for:

FILE NUMBER	**19-02-OA** (Ordinance Amendment)
PROJECT DESCRIPTION	• **MAKING CERTAIN FINDINGS; AND** • **REPEALING SECTION 20, ARTICLE A, CHAPTER 2, TITLE 4 AND**

	RENUMBERING THE REMAINING SECTIONS; AND • **AMENDING SUBSECTION 2 OF SECTION 6, CHAPTER 1, TITLE 5 MAKING A TECHNICAL CORRECTION TO THE DEFINITION OF "OPEN SPACE"; AND** • **AMENDING PART 8 OF SUBSECTION C, SECTION 5, CHAPTER 5, TITLE 5, MAKING A TECHNICAL CORRECTION REGARDING THE MEASURE OF FENCE HEIGHT; AND** • **REPEALING SECTION 4, CHAPTER 6, TITLE 5 AND RENUMBERING THE REMAINING SECTIONS OF SAID SECTION; AND** • **AMENDING SECTIONS 4, 5, 6, 7, 8, AND 9, CHAPTER 6, TITLE 5 TO REDESIGNATE THESE SECTIONS; AND** • **AMENDING SECTIONS 2, 4, 6, 10, 12, AND 20, CHAPTER 17, TITLE 5 MAKING TECHNICAL CHANGES TO DESIGN REQUIREMENTS AND ADDING REQUIREMENTS FOR RESIDENTIAL OPEN SPACE; AND** • **AMENDING SECTION 2, CHAPTER 4, TITLE 6, PROVIDING FOR A CHANGE IN THE TEXT DESIGNATION FOR DEFINITIONS UPON WHICH CITY STAFF CAN RELY AND MAKING A TECHNICAL CORRECTION REGARDING THE MEASURE OF FENCE HEIGHT AND LOCATION OF FENCING; AND** • **PROVIDING A SEVERABILITY CLAUSE; AND** • **DIRECTING THE CITY CLERK; AND** • **PROVIDING AN EFFECTIVE DATE.**
APPLICANT/ REPRESENTATIVE	City of Kuna PO Box 13 Kuna, ID 83634
SCHEDULED HEARING DATE	**Tuesday, October 8, 2019 at 6:00 pm**
STAFF CONTACT	Wendy I. Howell, Planning & Zoning Director whowell@kunaid.gov Phone: 208- 922-5274 Fax: 208-922-5989

CITY OF KUNA
P.O. BOX 13
KUNA, ID 83634
www.kunacity.id.gov
Email: bbachman@kunaid.gov

Bob Bachman, BOC 1, IBC
Public Works Director
City of Kuna

MEMORANDUM

To: Mayor and Council

From: Bob Bachman - Public Works Director
Jared Empey- City Treasurer

RE: Sewer Rate Fees- Follow-up

Date: January 16, 2020

Mayor and Council,

As requested from Council at the last meeting, here is our estimate of what the sewer rates would be for the following phase ins:

1. 5-year phase in
    a. Suggested
        i. Senior $27.67
        ii. Normal $36.33
    b. Phase In
        i. Senior $43.03
        ii. Normal $44.07
2. 3-year phase in
    a. Suggested
        i. Senior $27.26
        ii. Normal $35.79
    b. Phase In
        i. Senior $42.27
        ii. Normal $43.29
3. 2-year phase in
    a. Suggested
        i. Senior $27.06
        ii. Normal $35.33

   b. Phase In
      i. Senior $41.78
      ii. Normal $42.79

In addition, below are the contingency monies available at the beginning of the Fiscal 2020 Year for the sewer fund as compared to the sewer fund's assets. The water and irrigation funds' figures are also presented as a point of comparison.

1. Sewer
   a. Contingency: $4,796,645.57
   b. Fiscal Assets: $59,298,507.45
   c. Coverage Ratio: 8.09%
2. Water
   a. Contingency: $8,473,779.41
   b. Fiscal Assets: $12,108,215.14
   c. Coverage Ratio: 69.98%
3. Irrigation
   a. Contingency: $3,742,128.61
   b. Fiscal Assets: $6,111,738.38
   c. Coverage Ratio: 61.23%

Thank you,

Bob Bachman and Jared Empey

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

Bob Bachman, BOC 1, IBC
Public Works Director
City of Kuna

MEMO

Date: December 30, 2019

From: Bob Bachman, Public Works Director
Jared Empey, City Treasurer

To: Mayor and Council

RE: **City of Kuna Rate Study and Staff Recommendation**

Mayor and Council,

Over the last year we conducted an in-depth rate study involving water and sewer user rates and hook-up fees. In the attached documents, you will see all of the data from the different methodologies we studied in an effort to establish our rates. We also worked closely with Justin Walker from Keller and Associates throughout this process in addition to Council President Briana Buban-Vonder Haar and Councilman Greg McPherson.

The primary focus of this study was to create a system that more accurately reflects the majority of the population's usage, helps conserve water, and adequately covers the costs of operating the water and sewer utility funds. The option we suggest is a tiered structure to achieve those goals.

In summary, the rate study confirmed that our sewer fund is not adequately funded under the current rate structure. The reason for this is due to the user rate not being adequately adjusted over the last several years to cover sufficient maintenance and cost recovery of infrastructure. To avoid a long-term need for a potential bond and eventual decay of infrastructure, we recommend an increase to the user rates and an increase to the hook-up fee. We also recommend increasing the sewer interceptor fee so that future growth pays for future infrastructure improvements. Below are the charts outlining the structure we propose for the new user monthly rate. More detailed information and results can be found in your council packet.

Thank you for your time and consideration,

Bob Bachman and Jared Empey

Table 1: Water User Rate Fees (50% / 20% / 20% / 10%)

Residential	o Monthly Base Rate: $17.67 (Usage up to 5,000 gals) o 1st Tier (5,001-7,000 gals): $1.56 per 1,000 gals o 2nd Tier (7,001-10,000 gals): $2.35 per 1,000 gals o 3rd Tier (>10,000 gals): $3.53 per 1,000 gals
Senior Residential	o Monthly Base Rate: $13.75 (Usage up to 5,000 gals) o 1st Tier (5,001-7,000 gals): $1.56 per 1,000 gals o 2nd Tier (7,001-10,000 gals): $2.35 per 1,000 gals o 3rd Tier (>10,000 gals): $3.53 per 1,000 gals
¾" Commercial	o Monthly Base Rate: $17.67 (Usage up to 1,000 gals) o 1st Tier (>1,000 gals): $3.53 per 1,000 gals
2" Commercial	o Monthly Base Rate: $125.80 (Usage up to 1,000 gals) o 1st Tier (>1,000 gals): $3.53 per 1,000 gals

Table 1- The water residential user fee Monthly Base Rate accounts for 50% of users, the 1st Tier accounts for 20% of users, the 2nd Tier accounts for 20% of users and the 3rd Tier accounts for 10% of users.

Table 2: Sewer User Rate Fees (50% / 20% / 20% / 10%)

Residential	o Monthly Base Rate: $35.00 (Usage up to 4,000 gals) o 1st Tier (4,001-6,000 gals): $3.00 per 1,000 gals o 2nd Tier (6,001-8,000 gals): $4.00 per 1,000 gals o 3rd Tier (>8,000 gals): $5.00 per 1,000 gals
Senior Residential	o Monthly Base Rate: $26.66 (Usage up to 4,000 gals) o 1st Tier (4,001-6,000 gals): $3.00 per 1,000 gals o 2nd Tier (6,001-8,000 gals): $4.00 per 1,000 gals o 3rd Tier (>8,000 gals): $5.00 per 1,000 gals
¾" Commercial	o Monthly Base Rate: $35.00 (Usage up to 1,000 gals) o 1st Tier (>1,000 gals): $5.00 per 1,000 gals
2" Commercial	o Monthly Base Rate: $248.89 (Usage up to 1,000 gals) o 1st Tier (>1,000 gals): $5.00 per 1,000 gals

Table 2- The sewer residential user fee Monthly Base Rate accounts for 50% of users, the 1st Tier accounts for 20% of users, the 2nd Tier accounts for 20% of users and the 3rd Tier accounts for 10% of users.

Table 3: Breakdown of Water Connection Fees

	Existing	Recommended Max Fee	City Recommendation
Capacity Fee	$1,173	$1,675	$1,423
Supply Fee	$1,085	$1,085	$1,085
Water Meter Fee*	$340	$340	$340
Total	$2,598	$3,100	$2,848

Table 3- The water connection fee includes a capacity fee, supply fee and water meter fee, where the proposed rate increase is to the capacity fee only.
**Fee changes based on the size of the water meter.*

Table 4: Breakdown of Sewer Connection Fees

	Existing	Recommended Max Fee	City Recommendation
Interceptor Fee	$829	$1,974	$1,329
Treatment Capacity Fee (EDU)*	$4,326	$4,326	$4,326
Total	$5,155	$6,300	$5,655

Table 4- The sewer connection fee includes the interceptor fee and treatment capacity fee, where the proposed increase is to the interceptor fee only.
**Fee changes based on the number of EDUs assigned at time of building permit.*

Technical Memorandum

CITY OF KUNA

WATER/WASTEWATER CONNECTION FEE AND USER RATE STUDY



MAY 2019

PROJECT NO 217086-029

PREPARED BY:

KELLER ASSOCIATES

131 SW 5th Ave, Suite A
Meridian, ID 83642
(208) 288-1992

PREPARED FOR:

GATEWAY TO THE BIRDS OF PREY
KUNA, IDAHO

751 W. 4th St.
Kuna,ID 83634
(208) 922-5546

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Appendix B - Kuna City Council EDU Methodology Handout

Appendix C - AWWA Meter Equivalency Standard

Appendix D - Fixture Count EDU Calculator – Meridian Example

Appendix E - City of Kuna Water System Asset Inventory

Appendix F - Top 20 Water Users Lists

Appendix G - City of Kuna Wastewater System Asset Inventory

Appendix H - Kuna Financial Audits (Partial)

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KELLER ASSOCIATES

Technical Memorandum

TO: City of Kuna – Bob Bachman, Public Works Director

FROM: Keller Associates, Inc. – Justin Walker, P.E.

DATE: May 14, 2019

SUBJECT: Water/Wastewater Connection Fee and User Rate Study

1.0 INTRODUCTION

The purpose of this study is to develop recommended adjustments to the City of Kuna's (City) monthly sewer and water enterprise fund user rates and connection fees. These recommendations will more equitably assess charges to existing and future customers for operating, maintaining, replacing, and expanding the water and wastewater utilities. This technical memorandum summarizes the findings of an evaluation of the connection fee and monthly user rate charges for the water/wastewater system owned and operated by the City. This evaluation is intended to be an update to the current City rates, and as such this evaluation builds upon data provided by the City. It is noted that the scope of work for this effort did not include evaluation of the City's pressure irrigation enterprise fund and utility.

2.0 BACKGROUND

This study evaluates the monthly user rate charges and the connection fees for both the wastewater and potable water utilities. The connection fee analysis included the collection system and the wastewater treatment components for the wastewater system and the water supply, distribution, and storage components for the potable water system.

Operation, replacement, maintenance, and expansion of the water and wastewater systems are funded primarily by a combination of two major income sources: monthly user rates from existing customers and connection fees from new customers. Keller Associates recommends that monthly user rates be sufficient to cover the costs of operating, maintaining, and replacing existing system infrastructure, including administration and debt retirement costs. Connection fees should be sufficient to reflect the "equity buy-in" philosophy for new developments' use of the various components of the infrastructure systems.

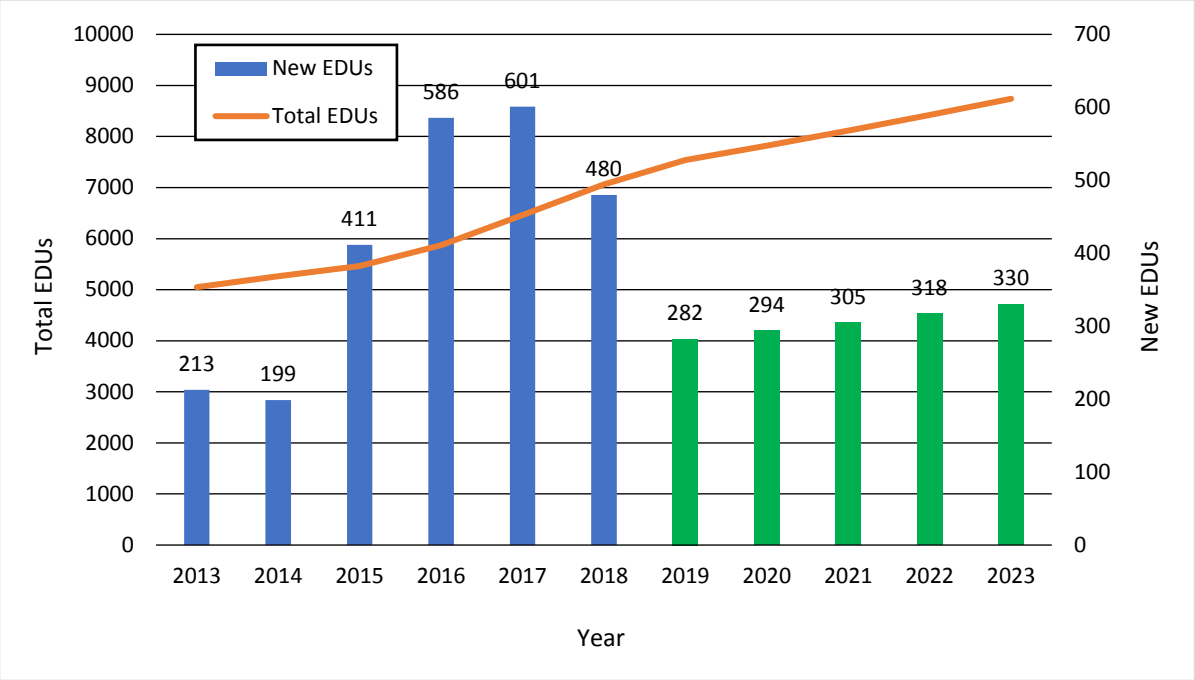
The monthly user rate evaluation for the water and wastewater systems reflects an evaluation of the actual expenditures and income for fiscal years 2013 to 2017 (the last five years) as provided by City personnel. A forecast of future user rate charges based on estimated income and expenditures was developed for the next five years based on historical data and reasonable assumptions, which are hereafter documented. Connection fees and monthly user rates are sensitive to the real estate market, interest rates, inflation, cost of materials, and other factors, and consequently should be reviewed each year with a comprehensive reevaluation at least every five years.

The proposed connection fees for the water and wastewater systems are based on an asset inventory that was prepared using data provided by the City and recent master and facility plans. Costs were updated to reflect current replacement construction costs based on the Engineer News Record (ENR) index and engineering judgement.

The future revenue and operational cost projections are dependent on the number of future equivalent dwelling units (EDUs) that connect to the water and wastewater systems. Based on consultation with City

personnel, an average 4% annual growth rate was assumed for planning purposes. The 4% annual growth rate is consistent with the 2017 City of Kuna Master Plan. It is noted that the City has experienced a much higher growth rate in the last four years. City provided data show approximately 7,130 EDUs are connected to the system as of October 2018. Figure 1 depicts the historical growth as new EDUs (depicted in blue), and the projected future number of EDUs (depicted in green).

FIGURE 1 – HISTORICAL AND FUTURE EDU PROJECTIONS



2.1 EDU Calculation Methodology

Currently, the City calculates EDU allotment using an EDU table, which takes into account building use, categorization, etc. This system is used by several other municipalities including: Mountain Home, Nampa, Star, and the Eagle Sewer District. See Appendix A for the existing EDU determination table. However, this methodology lacks a defensible source, requires a high level of effort by staff to determine the appropriate EDU, and is somewhat subject to interpretation depending on who makes the assessment. Because of this, Keller Associates examined two alternate methodologies for EDU assignment. A summary of the analysis was presented to the City Council on August 21st, 2018 in a technical memorandum which is included in Appendix B for reference.

- *Alternate Method 1 – Meter Equivalency*

  This option associates EDUs with water meter size. For example, a ¾-inch standard meter will be counted as one EDU, because it is the meter size for essentially all single-family dwelling units. A 2-inch meter would` count for more EDUs, to be determined by the municipality. This method is based on the cross-sectional area of the meter opening and is recommended by the American Water Works Associates. This method is simple to understand, easy to use, predictable, objective, and is used by communities such as Weiser, Emmett, Ontario, and Fruitland. The EDU tabulation based on meter size is explained in Appendix C.

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- *Alternate Method 2 – Fixture Count*

  This method is used by the City of Meridian and City of Boise to determine EDU count. For this method, EDU assignment is based on the number and type of fixtures on a property. While it is straightforward and applies to all types of development, it does require more effort and time by the staff and has an increased chance of error. However, it does make the EDU assignment process more consistent, predictable, and objective. A copy of the form used by the City of Meridian is included in Appendix D.

3.0 WATER SYSTEM

The City owns and operates a municipal water system composed of a distribution system, wells, tanks, and two booster stations. Appendix E provides a summary inventory of the water system infrastructure and assets.

3.1 Connection Fees

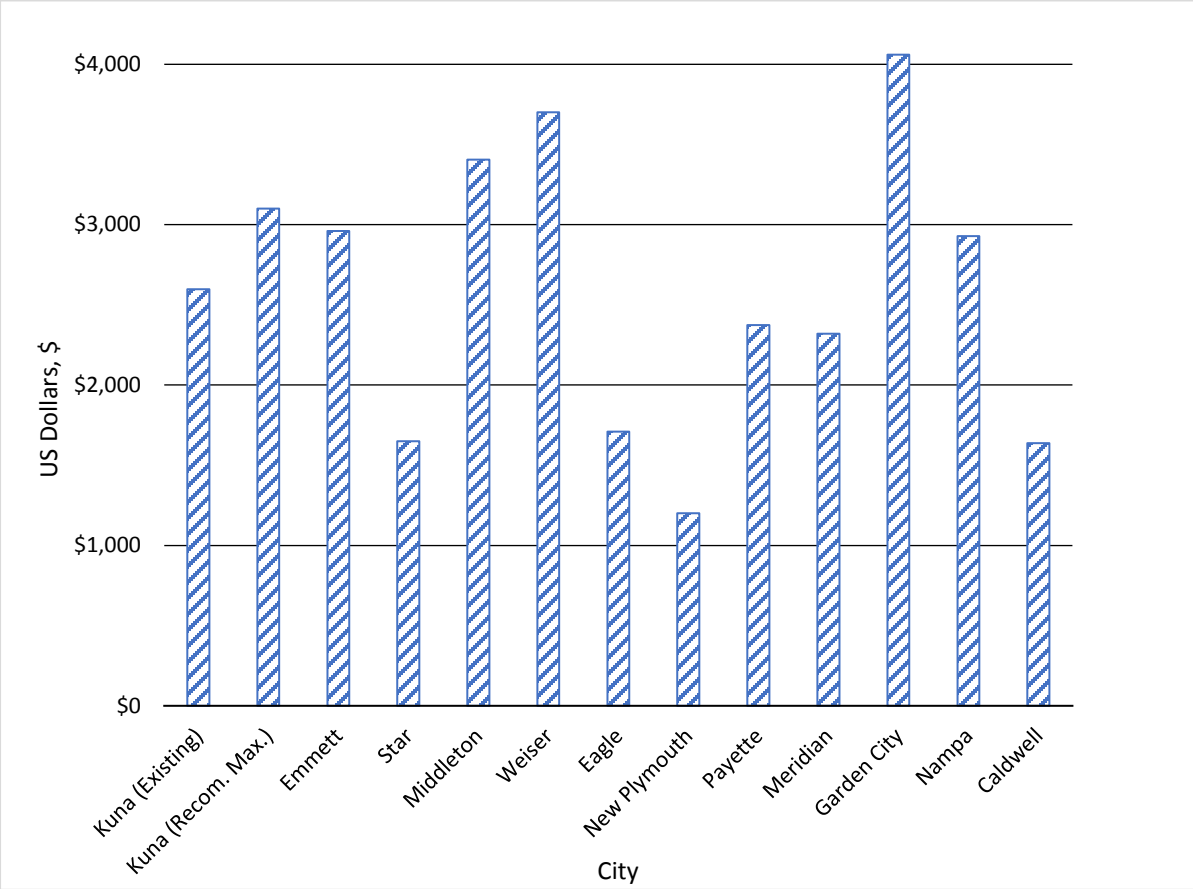
The City's current connection fee is $2,598 per EDU. According to City staff, the City uses the "equity buy-in" philosophy which is consistent with state court decisions for calculation, assessment, and collection of connection fees. As stated above, the connection fee should be sufficient to cover the cost of a new connection's percentage of infrastructure capacity cost. The connection fee fund should be dedicated to the water system and kept separate from general utility funds. The scope of this study included updating the connection fee, by updating replacement values to reflect current construction costs, discounting by non-funded depreciation and debt, and dividing by system capacity in EDUs. Appendix E reflects the current water system infrastructure inventory and the replacement cost per EDU for each component of the water system. Table 1 presents the total recommended connection fee.

TABLE 1 - RECOMMENDED WATER CONNECTION FEE PER EDU

Water System	($/EDU)
Existing Connection Fee	2,598
Recommended Maximum Connection Fee	3,100

A comparison of water connection fees for other communities in the area is included below in Figure 2.

FIGURE 2 – WATER CONNECTION FEES OF LOCAL COMMUNITIES



3.2 Existing Monthly Usage and User Rates

In order to understand water usage patterns within the City, Keller Associates examined historical monthly usage data for all users from May 2016 to July 2018. Users who were not exempt from monthly water billing are separated into three categories: Residential, Senior Residential, and Commercial. For each user, the average, minimum, and maximum number of gallons used per month were calculated. Summarized data for these three user types is presented in Table 2.

TABLE 2 – HISTORICAL WATER USAGE SUMMARY (GALLONS)

User Type	Average Monthly Usage	Lowest User Average Monthly Usage	Highest User Average Monthly Usage	Winter Months Average Usage	Annual Average Usage
Residential	5,841	2	69,326	4,856	70,092
Senior Residential	6,095	350	46,542	3,875	73,134
Commercial	25,717	10	2,606,538	8,787	308,609

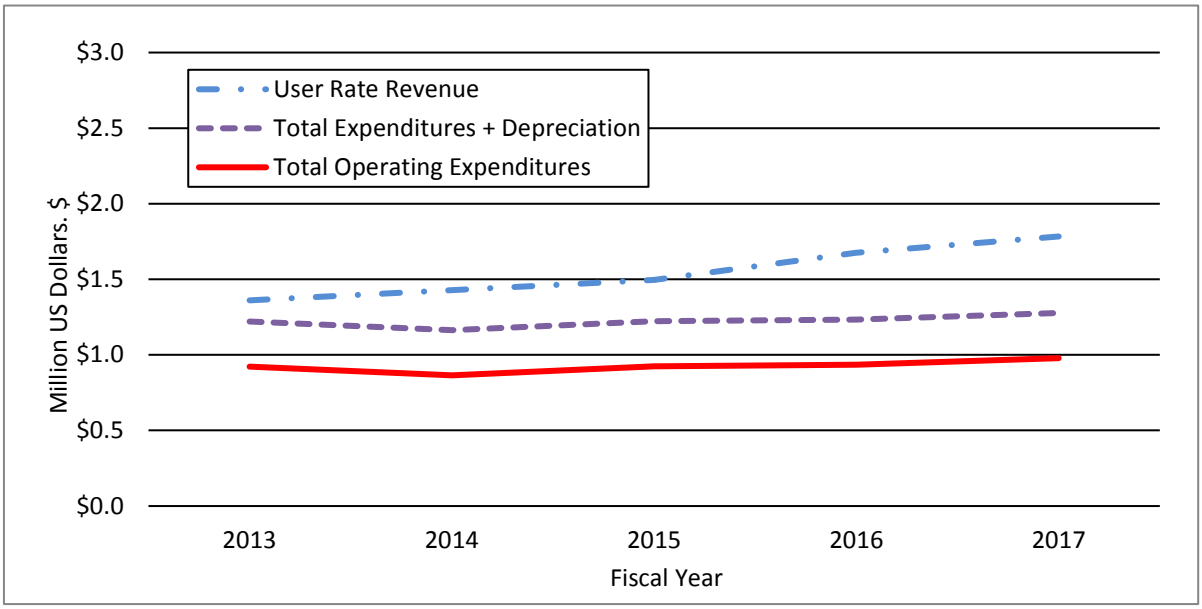
Note:
*Winter months include months November – February

As shown, commercial users use the highest proportion of water. There were several residential accounts which listed very low usages in the data provided. Likely, this is due to the rapid increase in residents within Kuna, and many accounts which likely were being activated at the end of the period that was analyzed (July 2018), or accounts which only occupied the housing for a small portion of the year. In reality, it is expected that the average residential usage is slightly higher as these accounts drive down the average. Upon review with City staff, the largest user appears to have faulty inflated data that is larger than anticipated. As such, this account's data (Arctic Circle) was not included in the average calculations.

The 20 users in each category with the largest annual average usages and the largest average winter usages were also compiled and are presented in Appendix F. This appendix also provides a breakdown on all average usages per user type, and notes which account have access to the separate pressure irrigation system.

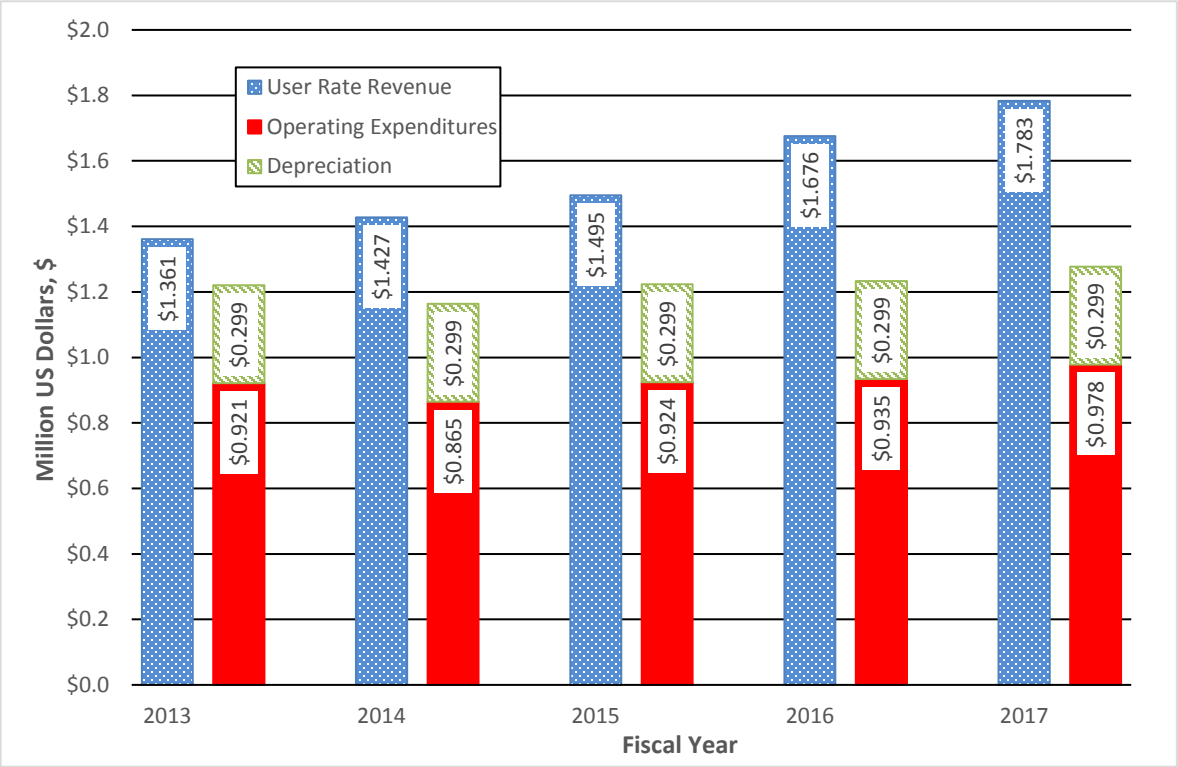
The City's current water rate structure includes a base rate of $21.02 for residential users that is assessed per EDU plus a consumptive rate of $1.75 assessed for every 1,000 gallons used over the base allotment of 10,000 gallons on a monthly basis. The average monthly bill for a residential connection is $21.02, as most residential users do not exceed 10,000 gallons per month. Senior residential users pay a base rate of $16.33 and commercial users pay a base rate of $24.86 per EDU, with both having the same tiered structure and rate as the residential users. As noted above, the monthly user revenue should be sufficient to cover operation, maintenance, and replacement costs plus debt retirement. Operating revenue versus system operating expenditures with and without depreciation over the last five years is illustrated in Figure 3, which was obtained from the City's audit reports. Figure 4 provides a breakdown of these components.

FIGURE 3 - CITY OF KUNA HISTORICAL WATER OPERATING FUND FINANCES



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FIGURE 4 – WATER SYSTEM EXPENDITURES VERSUS USER RATE INCOME



The annual financial audits for fiscal years 2013 through 2017 provided by the City were used to develop the figures above.

The data reflect the following observations:

- While there are a variety of miscellaneous income sources to the City, the figures above include only monthly user charges. Monthly user charges amount to over 50% of revenue annually (over 70% prior to 2017), as the connection fees mentioned previously are not regular and largely dependent on growth within Kuna.
- Operating expenditures include operation, maintenance, administration, and debt payment. Depreciation is included under the annual operating expenditures, as the City uses this number to keep track of future replacements that may need to be made in their system.
- The City of Kuna has no outstanding debt in the potable water system utility.

Key observations include:

- The revenue from user rates have rapidly increased over the past five years, from $1.36 million in 2013 to $1.78 million in 2017. Likely this is due to the increase in residents moving into the City within this period of time. The revenues exceed both operating expenses and depreciation.
- Total expenditures have remained relatively constant over the past five fiscal years with a slight increase likely due to growth. This is due to no major increases in City staff, no major water capital improvement projects, and relatively constant O&M costs in this period of time.

- The reported number for depreciation, $298,795 has not changed between fiscal years 2013 through 2017. The City should re-evaluate this number to ensure this number is sufficient to cover the cost of replacing and maintaining elements of their water system, which is discussed later in the report.

3.3 Depreciation and Replacement Budget

As noted earlier in the report, a fully sustainable user rate fee should be sufficient to fund the replacement of existing infrastructure which is often referred to as depreciation funding. As part of this effort, Keller Associates calculated the ideal replacement budget for the City's existing water system assets. In order to properly determine the replacement or depreciation budget for the City's water system, Keller Associates performed an inventory of the water system infrastructure and assets, as can be seen in Appendix E. Using valuation criteria, the value of the water system was established, and a yearly replacement cost based on design life was calculated. This ideal yearly replacement cost of approximately $2,900,000 represents the amount of money the City would need to set aside annually to replace the water system infrastructure once it has reached its useful life. For the purposes of modelling user rate scenarios, as shown in sections 3.4-3.6, City staff requested that an annual replacement budget of $400,000 be used for the water system. It should be noted that very few communities are able to fully fund the ideal annual replacement/depreciation budget.

3.4 New Water Rate Scenarios

Several user rate scenarios were developed for the water and wastewater systems to assess the City's financials. The philosophy behind the structures was to generate enough income to cover the City's annual expenses and a contingency allowance while more fairly assessing costs based on actual usage. The prepared scenarios used various tiered usage rates and are presented below. The following sections first explain the scenarios that Keller Associates presented to the City, and then offers recommendations for the preferred alternative based on City input.

Three user rate scenarios were prepared for the water system and are characterized by the following percentage breakdowns based on total EDUs:

- *Scenario 1* - 20% / 60% / 20%
- *Scenario 2* - 50% / 20% / 20% / 10%
- *Scenario 3* - 50% / 40% / 10%

The first percentage represents the percentage of the customers whose average usage falls within the base tier and each subsequent percentage represents the percentage of customers whose average falls within the next tier of water usage. For example, Scenario 1 was developed to target approximately 20% of the EDUs whose average usage falls within the base tier, the next 60% of EDUs in the first tier, and the remaining 20% of EDUs in the second tier.

The ranges for each tiered scenario are presented in Table 3, along with the existing tier structure.

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TABLE 3 – TIER RANGES FOR WATER USAGE RATE SCENARIOS

Scenario		Base Tier (gallons)	First Tier (gallons)	Second Tier (gallons)	Third Tier (gallons)
1	20/60/20	0 – 3,000	3,001 – 8,000	> 8,000	-
2	50/20/20/10	0 – 5,000	5,001 – 7,000	7,001 – 10,000	>10,000
3	50/40/10	0 – 5,000	5,001 – 10,000	>10,000	-
Existing		0 – 10,000	>10,000	-	-

A spreadsheet model was developed based on financial reports from the City. Calibration of the model was performed using the 2017 fiscal year and the model predicted revenue to within 1% of City reports. The model was then used to establish expected revenues for the three scenarios presented in Table 3.

In sustainable financial systems, the generated revenues must meet or exceed expenditures, including depreciation. For the purpose of this user rate study, the City's 2017 expenses were divided into two categories: fixed and variable expenses. Fixed expenses, including depreciation and a 10% contingency, were accounted for using revenue generated from the base tier. While variable expenses, including a 10% contingency, was accounted for using revenue generated from the first tier. The remaining tiers were developed to promote water conservation throughout the system, especially among high water users. Table 4 shows the dollar amount assigned to each scenario and tier for residential customers.

TABLE 4 – RESIDENTIAL TIER RATES FOR WATER USAGE RATE SCENARIOS

Scenario		Base Tier (USD)	First Tier (USD/1,000gal)	Second Tier (USD/1,000gal)	Third Tier (USD/1,000gal)
1	20/60/20	$17.67	$1.56	$2.35	-
2	50/20/20/10	$17.67	$1.56	$2.35	$3.53
3	50/40/10	$17.67	$1.56	$2.35	-
Existing		$21.02	$1.75	-	-

For the proposed scenarios, the second tier was established by increasing the first tier by 50%. The third tier, for Scenario 2, was established by increasing the second tier by 50%. Table 4 shows the modeled scenarios for EDUS in the residential category. The two remaining categories, senior residential and commercial, have the same tier rate structure, but their base tiers differ. Table 5 shows the base tiers for the City's three user types.

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TABLE 5 – WATER BASE TIER RATES FOR USER TYPES

	Residential (USD)	Senior Residential (USD)	Commercial (USD)
Proposed Base Tier	$17.69	$13.75	$20.93
Existing Base Tier	$21.02	$16.33	$24.86

Using the modelled scenarios and 2017 fiscal year data, the average monthly water bills were calculated for each category of user and each scenario and are presented in Table 6.

TABLE 6 – AVERAGE WATER MONTHLY BILLS FOR MODELLED SCENARIOS

User Type	Scenario 1 (USD/Month)	Scenario 2 (USD/Month)	Scenario 3 (USD/Month)	Existing (USD/Month)
Residential	$22.37	$19.25	$19.25	$22.71
Senior Residential	$19.99	$16.87	$16.87	$18.58
Commercial	$99.23	$129.94	$94.53	$121.90

Table 7 shows the annual water system revenue comparisons for the modelled scenarios, based on the 2017 fiscal year data.

TABLE 7 – AVERAGE ANNUAL WATER SCENARIO REVENUES

	Scenario 1 (USD/Year)	Scenario 2 (USD/Year)	Scenario 3 (USD/Year)	Existing (USD/Year)
Base Revenue	$1,282,000	$1,282,000	$1,282,000	$1,501,100
Tiered Revenue	$616,000	$696,900	$498,900	$282,100
Total Revenue	$1,898,000	$1,978,900	$1,780,900	$1,783,200

In addition, a sensitivity analysis was performed to see how much impact there is on system revenue if users consume less water with conservation measures. The model was run on Scenario 2 with all users using 20% less water year-round. This resulted in a decrease in the tiered revenue of approximately 42%, corresponding to approximately $290,000 less total revenue. The analysis showed that lowering the monthly base allotment of water produces a structure that is more susceptible to changes in water use from customers. However, the system water usage would have to drop by more than 12-15% for revenues to be less than revenues under the current rate structure. Water conservation over 15% is unlikely and usually not sustained over long periods of time. Consequently, the risk of revenue actually dropping is believed to be relatively low.

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3.5 Recommended Water System Scenario

On December 14th, 2018, these three options were presented to City staff and a subcommittee of elected officials. During deliberations, it was determined that a more simplified user rate structure for commercial customers would be preferable for the system. As such, a decision was made to create a rate structure that did not include charges based on EDU designations for non-residential customers. Consequently, a rate structure was developed where the Base Tier charge is determined by meter size with a base water allotment of 1,000 gallons and a single tier consumptive rate charged for all usage over 1,000 gallons.

In Kuna, City records only show two-meter sizes, ¾-inch and 2-inch. For this new scenario, the base rate for commercial entities with a standard ¾-inch meter size would be the same as the residential base rate. Commercial users with a 2-inch would be charged the residential base rate multiplied by the ratio of the larger meter area to the standard ¾-inch meter area. The philosophy behind this is that the larger meter sizes require additional infrastructure from the City to supply the potential water demand from users with a larger water meter. Table 8 depicts the new proposed rate structure (Scenario 4).

TABLE 8 – TIER RANGES FOR SCENARIO 4 WATER USAGE RATE

User Type	Base Tier (gallons)	First Tier (gallons)	Second Tier (gallons)	Third Tier (gallons)
Scenario 4 Residential	0 – 5,000	5,001 – 7,000	7,001 – 10,000	>10,000
Scenario 4 Senior Residential	0 – 5,000	5,001 – 7,000	7,001 – 10,000	>10,000
Scenario 4 Commercial	0 – 1,000	>1,000	-	-
Existing	0 – 10,000	>10,000	-	-

Table 9 depicts the changes to the base rate and tiered rate structure for Scenario 4.

TABLE 9 –TIER RATES FOR SCENARIO 4

User Type	Base Tier (USD)	First Tier (USD/1,000gal)	Second Tier (USD/1,000gal)	Third Tier (USD/1,000gal)
Residential	$17.67	$1.56	$2.35	$3.53
Senior Residential	$13.75	$1.56	$2.35	$3.53
Commercial with ¾-inch meter	$17.67	$3.53	-	-
Commercial with 2-inch meter	$125.80	$3.53	-	
Existing Rate Structure	$21.02	$1.75	-	-

The average monthly bill for the new Scenario 4 was calculated, and is compared to the average monthly bills for the previous scenarios in Table 10.

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TABLE 10 – AVERAGE WATER MONTHLY BILLS FOR MODELLED SCENARIOS

User Type	Scenario 1 (USD/Month)	Scenario 2 (USD/Month)	Scenario 3 (USD/Month)	Scenario 4 (USD/Month)	Existing (USD/Month)
Residential	$22.37	$19.25	$19.25	$19.25	$22.71
Senior Residential	$19.99	$16.87	$16.87	$16.87	$18.58
Commercial with ¾-inch meters	$99.23	$129.94	$94.53	$148.30	$121.90
Commercial with 2-inch meters	$99.23	$129.94	$94.53	$256.41	$121.90

Table 11 shows the annual water system revenue comparisons for the modelled scenarios based on the 2017 fiscal year data. During the City's review, it was discovered that the highest reported user had an abnormally large usage, approximately 10 times larger than anticipated. As such, it was decided that this data was faulty, and the revenue acquired from the largest user was removed from analysis.

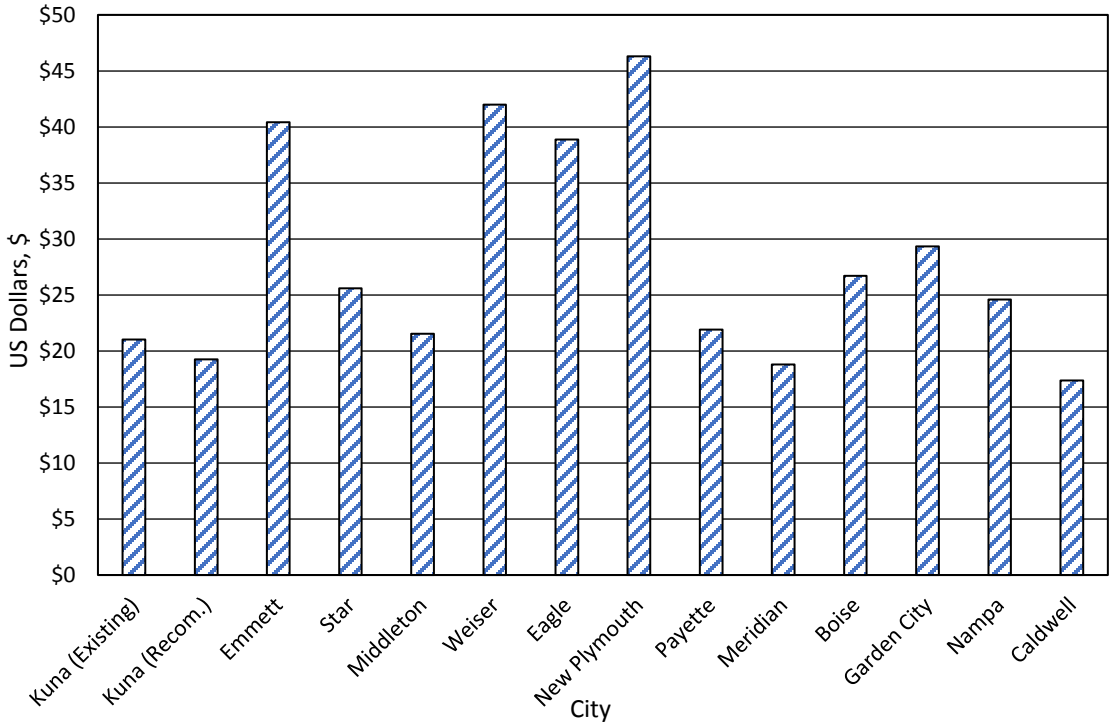
TABLE 11 – AVERAGE ANNUAL WATER SCENARIO REVENUES

	Scenario 1 (USD/Year)	Scenario 2 (USD/Year)	Scenario 3 (USD/Year)	Scenario 4 (USD/Year)	Existing (USD/Year)
Base Revenue	$1,282,000	$1,282,000	$1,282,000	$1,318,420	$1,501,100
Tiered Revenue	$616,000	$696,900	$498,900	$706,740	$282,100
Total Revenue	$1,898,000	$1,978,900	$1,780,900	$2,025,160	$1,783,200
Largest User Revenue	$74,190	$110,850	$74,130	$110,570	-
Total Minus Largest User	$1,823,800	$1,868,050	$1,706,770	$1,914,590	$1,783,200

Scenario 4 is the recommended rate structure that best satisfies the City's objectives.

A comparison of the recommended water rate with monthly water rates for other local communities is presented in Figure 5.

FIGURE 5 - AVERAGE MONTHLY WATER USER CHARGES OF LOCAL COMMUNITIES



Note:
Reflects fees for EDU with an average water usage of 6,350 gallons per month and a 3/4 -inch meter, October 2018.It should be noted that the City does not currently have any large industrial customers. However, if such customers should connect to the system in the future, a personalized connection fee and user rate should be developed.

3.6 Water Rate 5-Year Projection

This section presents the projections for the recommended user rate structure (Scenario 4) presented in section 3.5 for the next five years. It reflects different growth scenarios and inflation in material costs and is based on user-based revenues, expenditures, and depreciation. Two growth scenarios were examined, a 4% annual growth rate and no growth in population beyond March 2019. Both projection scenarios assume the following:

- The future user-based revenue is based on the recommended structure model for Scenario 4. The number of connections added each year was multiplied by the average monthly user charge and added to the previous year's revenue.
- The operating expenditures were forecasted by increasing the operating expenditures by 5% per year to account for increases in material, chemical, power, and salary costs. This assumption is consistent with historical annual increases in operating expenditures, which have increased by an average of 4% over the last four years.
- 2018 values for expenditures were estimated using the same growth criteria (5%) as the future scenarios. Depreciation was kept at the same value the City has used for the past five years ($400,000 per year).

- *Rate Forecast Scenario 1: Implementation of Recommended Rate with 4% Growth Rate*.

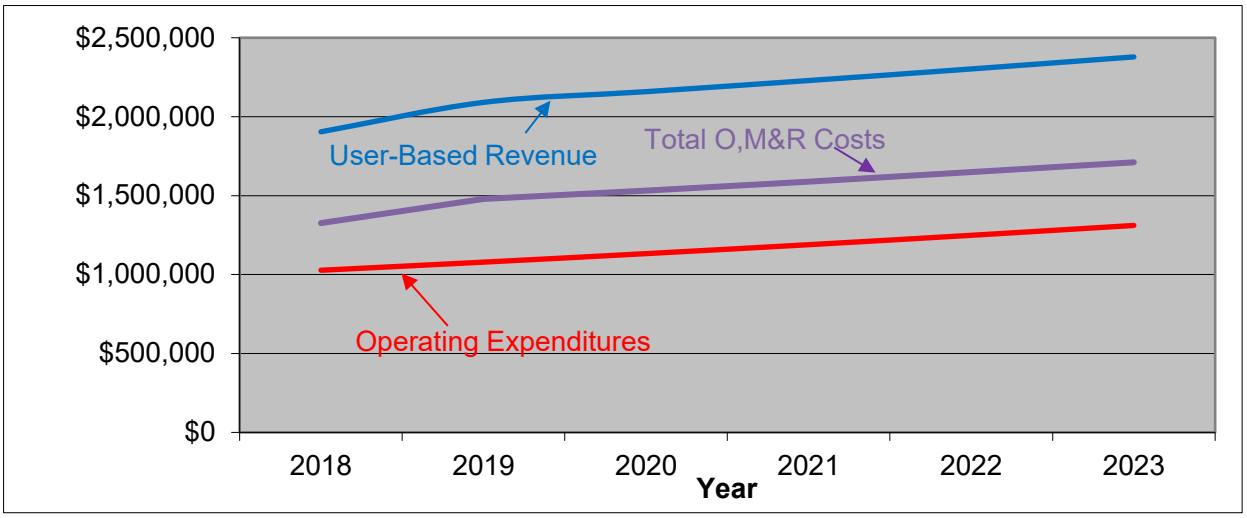
TABLE 12 – WATER RATE FORECAST SCENARIO 1

	Estimate	Projected				
Projected Connections	2018	2019	2020	2021	2022	2023
New Growth (EDUs) [1]	480	282	294	305	318	330
Average # of EDUs	7,060	7,342	7,636	7,941	8,259	8,589
Annual Costs-O, M & R						
Operating Expenditures [2]	$1,027,200	$1,078,600	$1,132,500	$1,189,100	$1,248,600	$1,311,000
Depreciation (Replacement Fund) [3]	$298,795	$400,000	$400,000	$400,000	$400,000	$400,000
Total O, M & R Costs	**$1,325,995**	**$1,478,600**	**$1,532,500**	**$1,589,100**	**$1,648,600**	**$1,711,000**
Typical Monthly User Rate [4]	**$21.02**	**$19.25**	**$19.25**	**$19.25**	**$19.25**	**$19.25**
User Rate % Increase	0%	-8%	0%	0%	0%	0%
User-Based Revenue [5]	**$1,904,302**	**$2,090,612**	**$2,158,526**	**$2,228,981**	**$2,302,439**	**$2,378,669**
Net Revenue	**$578,307**	**$612,012**	**$626,026**	**$639,881**	**$653,839**	**$667,669**

Notes:

1. EDU=Equivalent Dwelling Unit. Growth based on a 4.0% growth rate for projected years beyond 2018 (consistent with projections documented in 2017 Water FPS).
2. O&M costs increased by 5% per year to account for inflation. Actual average annual increase in operating costs from 2014-2017 was 4.4%. Operating expenditures includes operation, maintenance, debt repayment, and administrative costs.
3. Historical and projected depreciation schedule was provided by the Owner.
4. No rate increase assumed in the future. Average Monthly User rate reflects Residential users with a standard ¾-inch meter with average water usage of 5,800 gallons per month.
5. Projected revenues calculated using the 2017 model results and adding the number of new EDU's multiplied by typical monthly user rates and months in the year.

FIGURE 6 – WATER RATE FORECAST SCENARIO 1



➢ *Rate Forecast Scenario 2: Implementation of Recommended Rate with 0% Growth Rate*

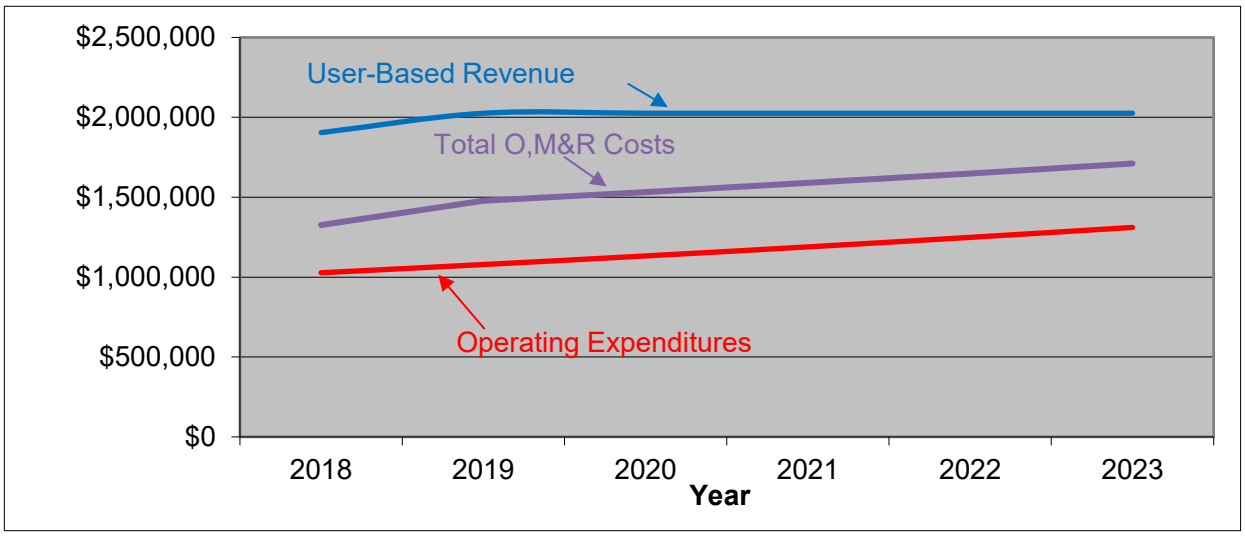
TABLE 13 – WATER RATE FORECAST SCENARIO 2

	Estimate	Projected				
Projected Connections	2018	2019	2020	2021	2022	2023
New Growth (EDUs) [1]	480	0	0	0	0	0
Average # of EDUs	7,060	7,060	7,060	7,060	7,060	7,060
Annual Costs-Operation, Maintenance & Replacement						
Operating Expenditures [2]	$1,027,200	$1,078,600	$1,132,500	$1,189,100	$1,248,600	$1,311,000
Depreciation (Replacement Fund) [3]	$298,795	$400,000	$400,000	$400,000	$400,000	$400,000
Total O, M & R Costs	**$1,325,995**	**$1,478,600**	**$1,532,500**	**$1,589,100**	**$1,648,600**	**$1,711,000**
Average Monthly User Rate [4]	**$21.02**	**$19.25**	**$19.25**	**$19.25**	**$19.25**	**$19.25**
User Rate % Increase	0%	-8%	0%	0%	0%	0%
User-Based Revenue [5]	**$1,904,302**	**$2,025,470**	**$2,025,470**	**$2,025,470**	**$2,025,470**	**$2,025,470**
Net Revenue	**$578,307**	**$546,870**	**$492,970**	**$436,370**	**$376,870**	**$314,470**

Notes:

1. EDU=Equivalent Dwelling Unit. Growth is assumed at 0%.
2. O&M costs increased by 5% per year to account for inflation. Actual average annual increase in operating costs from 2014-2017 was 4.4%. Operating expenditures includes operation, maintenance, debt repayment, and administrative costs.
3. Historical and projected depreciation schedule was provided by the Owner.
4. No rate increase assumed in the future. Average Monthly User rate reflects Residential users with a standard ¾-inch meter with average water usage of 5,800 gallons per month.
5. Projected revenues calculated using the 2017 model results and adding the number of new EDU's multiplied by typical monthly user rates and months in the year.

FIGURE 7 – WATER RATE FORECAST SCENARIO 2



As shown by the two scenarios, the recommended user rate is projected to cover operation, maintenance, and replacement costs for the next five years, even without increases to user rates with or without growth. Both scenarios show that revenue exceeds expenses, so the City could consider contributing more to its annual replacement budget to get closer to the ideal replacement budget target. It should be noted that while the projections show that revenues will exceed expenses without a rate increase, it is good practice to implement small rate increases every year to account for inflation and so customers are more accustomed to regular rate adjustments. This additional revenue could be used to increase the depreciation funding each year. Over time, this user rate should be re-examined and refined to meet the City's needs.

4.0 WASTEWATER SYSTEM

The City owns and operates a municipal wastewater system composed of a collection system with sewer collection lines and lift stations, and two wastewater treatment plants. The existing wastewater system valuation was determined using the estimated existing system replacement value, discounted for non-funded depreciation.

4.1 Connection Fees

The City's current wastewater connection fee per EDU is $5,155. As stated above, the connection fee should be sufficient to cover the cost of a new connection's percentage of existing infrastructure replacement ("equity buy-in philosophy").

The City has no outstanding debt. The City does have a repayment obligation to Key Bank as part of a Local Improvement District (LID) settlement. However, the City is only obligated to convey $3325.52 per EDU of the current $5,155 connection fee, to Key Bank. If no new hookups occur, the City has no repayment obligation to Key Bank. Any amount of the connection fee greater than this LID repayment obligation of $3325.52 is retained by the City to cover system expansion and replacement costs. The LID repayment obligation does not impose a financial burden or obligation on existing users or the associated monthly user rates.

The connection fee fund should be dedicated to the wastewater system and kept separate from general utility funds. The scope of this study included updating the connection fee by updating replacement values to reflect current construction costs. To assign value to the existing system, an inventory of the system components was performed. Original construction costs were established where available. When information was not available an engineer's opinion of probable cost was established, and costs were adjusted to present value using the ENR Index. A summary of the 2018 values is presented in Appendix G.

Appendix G reflects the current wastewater system infrastructure inventory and the replacement cost per EDU for each component of the wastewater system. Table 14 presents the recommended connection fee based on the number of EDUs that are able to be served by the system at capacity.

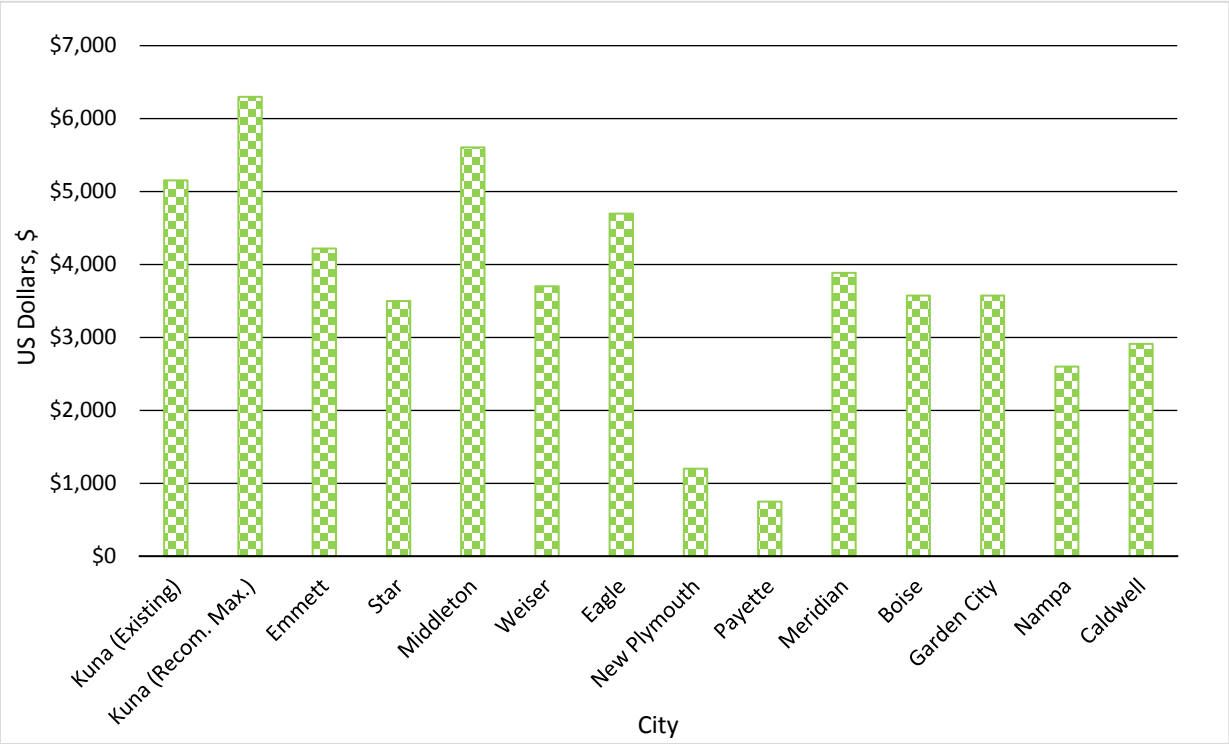
TABLE 14 - RECOMMENDED WASTEWATER CONNECTION FEE PER EDU

Wastewater System	($/EDU)
Existing Connection Fee	5,155
Recommended Maximum Connection Fee	6,300

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A comparison of other wastewater connection fees in the area is included below in Figure 8.

FIGURE 8 - WASTEWATER CONNECTION FEES OF LOCAL COMMUNITIES PER EDU



Note: Reflects connection fee per EDU with 3/4-inch meter, October 2018.

4.2 Existing Monthly Usage and User Rates

The City's current wastewater rate structure uses a flat rate of $27.30 that is assessed per EDU on a monthly basis. Operating revenue versus system operating expenditures with and without depreciation over the last five years is illustrated in Figure 9. Figure 10 provides a breakdown of these components.

FIGURE 9 – CITY OF KUNA HISTORICAL WASTEWATER OPERATING FUND FINANCES

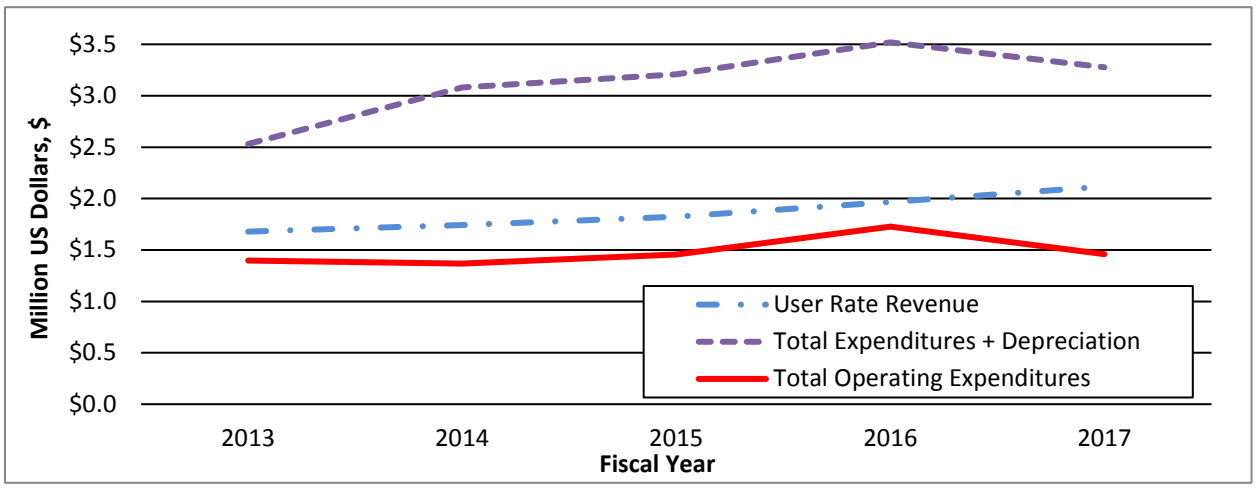
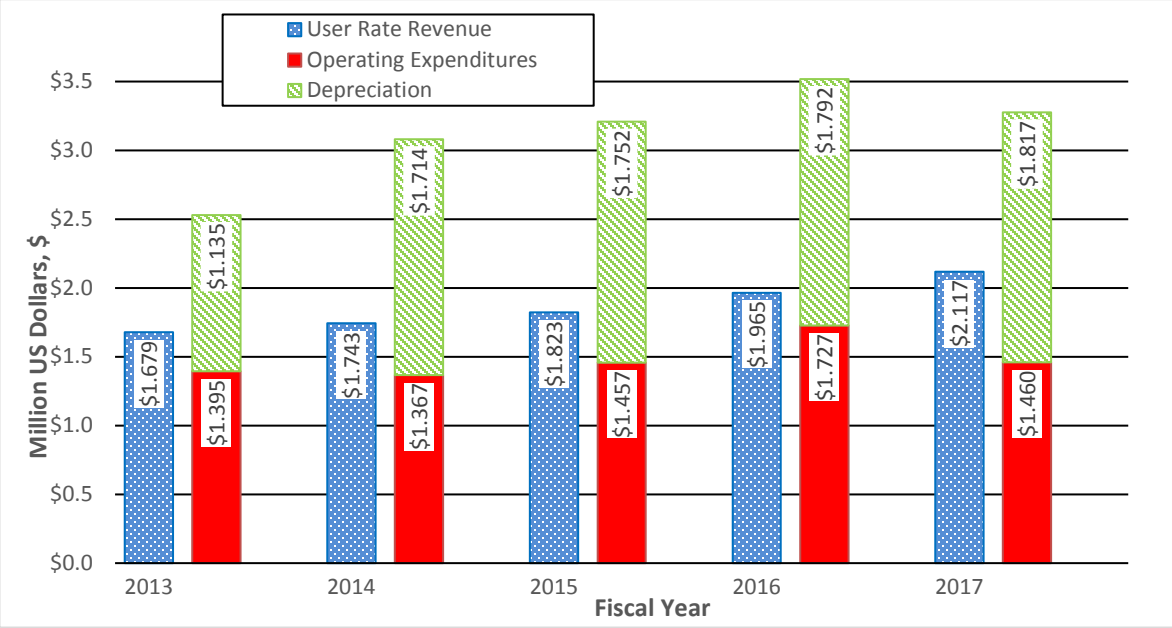


FIGURE 10 – WASTEWATER SYSTEM EXPENDITURES VERSUS USER RATE INCOME



The annual financial audits for fiscal years 2013 through 2017 provided by the City were used to develop the charts above.

The data reflect the following conditions:

- While the City has several sources of miscellaneous income, the figures above only include monthly user charges. In past years, monthly user rates have accounted for over 75% of the reported revenues, as the connection fees are not regular, largely dependent on growth within Kuna, and predominately committed to Key Bank for LID repayment obligations.
- Operating expenditures included operation, maintenance, administration, and debt payment. Depreciation was included under the annual operating expenditures, as the City uses this number to keep track of future replacements that may need to be made in their system.

Key observations include:

- The increase in expenditures during Fiscal Year 2016 was likely due to the Huber Screen project performed that year.
- The depreciation budget rose significantly from 2013 to 2014, and then has increased at a rate of about 2% per year.
- Operating revenue has been adequate to cover operating expenditures, but not sufficient to cover operating expenditures plus depreciation.

4.3 Depreciation and Replacement Budget

As noted earlier in the report, a fully sustainable user rate fee should be sufficient to fund the replacement of existing infrastructure which is often referred to as depreciation funding. As part of this effort, Keller Associates calculated the ideal replacement budget for the City's existing wastewater system assets. In order to properly determine the replacement or depreciation budget

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for Kuna's wastewater system, Keller Associates performed an inventory of the wastewater system infrastructure and assets, similar to the water system, as can be seen in Appendix G. Using the same valuation criteria as water, an ideal yearly replacement cost of $4,834,000 was established. This ideal yearly replacement cost represents the amount of money the City would need to set aside annually to replace the wastewater system infrastructure once it has reached its useful life. For the purposes of modeling user rate scenarios as shown in sections 4.4-4.6, City staff requested that an annual replacement budget of $1,800,000 be used for the wastewater system. It should be noted that very few communities are able to fully fund the ideal annual replacement/depreciation budget.

4.4 New Wastewater Rate Scenarios

Much like the water system, new user rate scenarios were prepared for the wastewater system to generate the target revenue. However, unlike the water utility, the wastewater utility has historically not been generating enough revenue to cover operating, maintenance, and replacement costs. Consequently, changes were needed to generate approximately 50% more revenue. As part of this change, the City wanted to implement a rate structure that was usage based rather than a flat fee. The new rate scenarios are characterized by the following percentage breakdowns based on total EDUs:

- *Scenario 1* - 20% / 60% / 20%
- *Scenario 2* - 50% / 20% / 20% / 10%
- *Scenario 3* - 50% / 40% / 10%
- *Scenario 4* – Flat Rate

Since wastewater usage is not metered, but is directly related to potable water usage, the wastewater rates were based on either average annual potable water usage or average winter water usage. A summary of the average annual and winter water usage is presented in Section 3.2. These two averages resulted in different tier ranges for three of the scenarios, thus creating seven total scenarios for the wastewater usage rate analysis. Table 15 shows the wastewater tier ranges based on average annual water usage, while Table 16 shows the wastewater tier ranges based on average winter water usage.

TABLE 15 – TIER RANGES FOR WASTEWATER RATE SCENARIOS (ANNUAL AVERAGE WATER USAGE)

Scenario		Base Tier (gallons)	First Tier (gallons)	Second Tier (gallons)	Third Tier (gallons)
1	20/60/20	0 – 3,000	3,001 – 8,000	> 8,000	-
2	50/20/20/10	0 – 5,000	5,001 – 7,000	7,001 – 10,000	>10,000
3	50/40/10	0 – 5,000	5,001 – 10,000	>10,000	-
4	Flat Rate	N/A	N/A	N/A	N/A
5	Existing (Flat Rate)	N/A	N/A	N/A	N/A

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TABLE 16 – TIER RANGES FOR WASTEWATER RATE SCENARIOS (WINTER AVERAGE WATER USAGE)

Scenario		Base Tier (gallons)	First Tier (gallons)	Second Tier (gallons)	Third Tier (gallons)
1	20/60/20	0 – 2,500	2,501 – 6,000	> 6,000	-
2	50/20/20/10	0 – 4,000	4,001 – 6,000	6,001 – 8,000	>8,000
3	50/40/10	0 – 4,000	4,001 – 8,000	>8,000	-
4	Flat Rate	N/A	N/A	N/A	N/A
5	Existing (Flat Rate)	N/A	N/A	N/A	N/A

A model was developed based on financial reports from the City. Calibration of the model was performed using the 2017 fiscal year and the model predicted revenue to within 7% of City reports. Due to the discrepancy between the model and the City's financial reports, an adjustment was made to predict the revenue for the new scenarios more accurately and match actual audited revenue. This was accomplished by adding a scale factor to the model output. The calibrated model was then used to establish expected revenues for each of the seven scenarios presented in Table 15 and Table 16.

For the purpose of this user rate study, the City's 2017 wastewater system expenditures were divided into two categories: fixed and variable expenses. Fixed expenses, including depreciation, were accounted for using revenue generated from the base tier. While variable expenses were accounted for using revenue generated by the remaining tiers. Scenarios were developed to generate the target revenue of approximately $3,200,000 which was provided by the City. Base tiers were established using the ratio of average winter water usage between the category types. For example, commercial EDUs use on average 89.7% more water than residential during winter months. Thus, the base rate for a commercial EDU is 89.7% higher than a residential EDU. For the proposed flat rate, the base was chosen to generate enough revenue to cover both fixed and variable expenses. Table 17 shows the dollar amount assigned to each scenario and tier.

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TABLE 17 – RESIDENTIAL TIER RATES FOR WASTEWATER RATE SCENARIOS

Scenario		Base Tier (USD)	First Tier (USD/1,000gal)	Second Tier (USD/1,000gal)	Third Tier (USD/1,000gal)
1	20/60/20	$33.50	$2.00	$3.00	-
2	50/20/20/10	$33.50	$2.00	$3.00	$5.00
3	50/40/10	$33.50	$2.00	$3.00	-
1	20/60/20 (Winter Avg)	$33.50	$2.50	$3.50	-
2	50/20/20/10 (Winter Avg)	$33.50	$3.00	$4.00	$5.00
3	50/40/10 (Winter Avg)	$33.50	$3.50	$5.00	-
4	Flat Rate	$42.20	-	-	-
Existing (Flat Rate)		$27.30	-	-	-

For the proposed scenarios, tiers one through three were established using the model to target variable revenue. Table 17 shows the modeled scenarios for EDUS in the residential category. The two remaining categories, senior residential and commercial, have the same tier rate structure, but their base tiers differ. Table 18 shows the base tiers for the City's three user types.

TABLE 18 – WASTEWATER BASE TIER RATES FOR ALL USER TYPES

	Residential (USD)	Senior Residential (USD)	Commercial (USD)
Proposed Base Tier	$33.50	$26.66	$63.58
Proposed Flat Rate	$42.20	$33.59	$80.09
Existing Flat Rate	$27.30	$27.30	$27.30

Using the modelled scenarios and 2017 fiscal year data, the average monthly wastewater bills were calculated and are presented in Table 19.

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TABLE 19 – AVERAGE WASTEWATER MONTHLY BILLS FOR MODELLED SCENARIOS

	Residential (USD/Month)	Senior Residential (USD/Year)	Commercial (USD/Year)
Scenario 1	$39.50	$34.66	$163.58
Scenario 2	$35.50	$30.66	$213.58
Scenario 3	$35.50	$30.66	$157.58
Scenario 1 (Winter Avg)	$41.00	$31.66	$142.58
Scenario 2 (Winter Avg)	$36.50	$26.66	$162.58
Scenario 3 (Winter Avg)	$37.00	$26.66	$162.58
Scenario 4 (Flat Rate)	$42.20	$33.59	$80.09
Existing (Flat Rate)	$27.30	$27.30	$27.30

Table 20 shows the annual wastewater system revenue comparisons for the modelled scenarios, based on the 2017 fiscal year data.

TABLE 20 – AVERAGE ANNUAL WASTEWATER SCENARIO REVENUE

	Base Revenue (USD/Year)	Tiered Revenue (USD/Year)	Total Revenue (USD/Year)
Scenario 1	$2,771,400	$717,300	$3,488,700
Scenario 2	$2,771,400	$946,300	$3,717,700
Scenario 3	$2,771,400	$566,200	$3,337,600
Scenario 1 (Winter Avg)	$2,771,400	$505,700	$3,277,100
Scenario 2 (Winter Avg)	$2,771,400	$518,400	$3,289,800
Scenario 3 (Winter Avg)	$2,771,400	$527,900	$3,299,300
Scenario 4 (Flat Rate)	$3,256,850	-	$3,256,850
Existing (Flat Rate)	$2,117,000	-	$2,117,000

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4.5 Recommended Scenario for Wastewater System

Similar to the water system, it was determined that a simplified wastewater alternative that utilizes meter size instead of EDUs for base rate determination for non-residential users would be preferable for the system. Changes to the wastewater system mimic the changes to the water system based off of City staff feedback. That is, the commercial base allotment was reduced to 1,000 gallons, and the base rate for ¾-inch meter commercial users was made the same as residential users. The commercial users with 2-inch meters had their base rate multiplied by the ratio of meter areas. An additional Scenario 5 was developed based on this structure and is the recommended structure that meets the City's revenue targets and conservation goals. Table 21 shows the wastewater tier ranges of the proposed new Scenario 5 based on average winter water usage.

TABLE 21 – TIER RANGES FOR WASTEWATER RATE SCENARIO 5 (WINTER AVERAGE WATER USAGE)

User Type	Base Tier (gallons)	First Tier (gallons)	Second Tier (gallons)	Third Tier (gallons)
Residential	0 – 4,000	4,001 – 6,000	6,000 - 8,000	>8,000
Senior Residential	0 – 4,000	4,001 – 6,000	6,001 – 8,000	>8,000
Commercial	0 – 1,000	>1,000	-	-
Existing (Flat Rate)	N/A	N/A	N/A	N/A

Table 22 shows changes of the new rate structure and the dollar amount assigned to each user type and tier.

TABLE 22 – RESIDENTIAL TIER RATES FOR WASTEWATER RATE SCENARIO 5 (AVERAGE WINTER WATER USAGE)

Scenario	Base Tier (USD)	First Tier (USD/1,000gal)	Second Tier (USD/1,000gal)	Third Tier (USD/1,000gal)
Residential	$35.00	$3.00	$4.00	$5.00
Senior Residential	$26.66	$3.00	$4.00	$5.00
Commercial with ¾-inch meters	$35.00	$5.00	-	-
Commercial with 2-inch meters	$248.89	$5.00	-	-
Existing (Flat Rate)	$27.30	-	-	-

The average monthly bill for the Scenario 5 was calculated and is compared to the average monthly bills for the previous scenarios in Table 23.

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TABLE 23 – AVERAGE WASTEWATER MONTHLY BILLS FOR MODELLED SCENARIOS

	Residential (USD/Month)	Senior Residential (USD/Year)	Commercial with ¾-inch meter (USD/Year)	Commercial with 2-inch meter (USD/Year)
Scenario 1	$39.50	$34.66	$163.58	$163.58
Scenario 2	$35.50	$30.66	$213.58	$213.58
Scenario 3	$35.50	$30.66	$157.58	$157.58
Scenario 1 (Winter Avg)	$41.00	$31.66	$142.58	$142.58
Scenario 2 (Winter Avg)	$36.50	$26.66	$162.58	$162.58
Scenario 3 (Winter Avg)	$37.00	$26.66	$162.58	$162.58
Scenario 4 (Flat Rate)	$42.20	$33.59	$80.09	$80.09
Scenario 5 (Winter Avg)	$38.00	$26.66	$80.00	$288.89
Existing	$27.30	$27.30	$27.30	$27.30

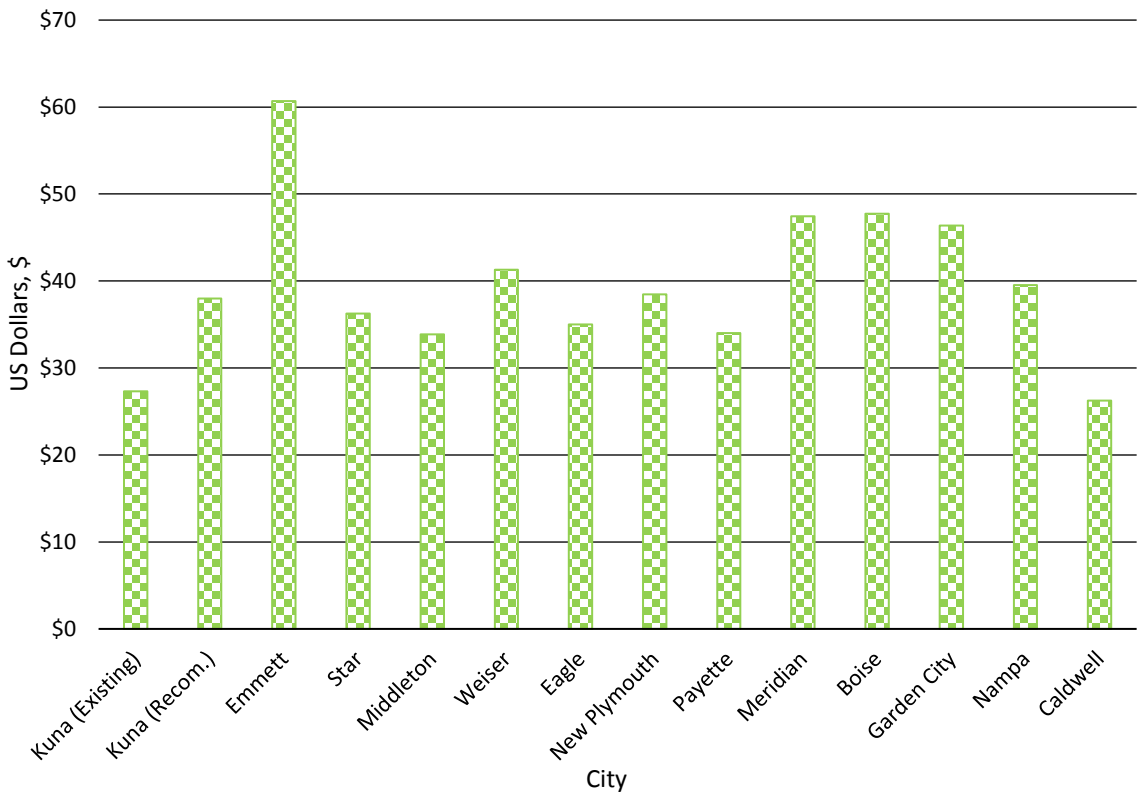
Table 24 shows the annual wastewater system revenue comparisons for the modelled scenarios, based on the 2017 fiscal year data. Due to the abnormal charge of the largest user calculated, this number was disregarded in the total revenue calculations.

TABLE 24 – AVERAGE ANNUAL WASTEWATER SCENARIO REVENUE

	Base Revenue (USD/Year)	Tiered Revenue (USD/Year)	Total Revenue (USD/Year)	Largest User Charge	Total Minus Largest User
Scenario 1	$2,771,400	$717,300	$3,488,700	$96,350	$3,392,350
Scenario 2	$2,771,400	$946,300	$3,717,700	$158,620	$3,559,080
Scenario 3	$2,771,400	$566,200	$3,337,600	$96,280	$3,241,320
Scenario 1 (Winter Avg)	$2,771,400	$505,700	$3,277,100	$91,040	$3,186,060
Scenario 2 (Winter Avg)	$2,771,400	$518,400	$3,289,800	$129,380	$3,160,420
Scenario 3 (Winter Avg)	$2,771,400	$527,900	$3,299,300	$129,380	$3,169,920
Scenario 4 (Flat Rate)	$3,259,540	-	$3,259,540	$2,690	$3,256,850
Scenario 5 (Winter Avg)	$2,760,230	$534,210	$3,294,440	$127,360	$3,167,080
Existing (Flat Rate)	$2,117,000	-	$2,117,000	-	

Scenario 5 is the recommended rate structure to meet the City's revenue and conservation goals. It should be noted that the City does not currently have any large industrial customers. If such a connection occurs in the future, a personalized user rate and connection fee should be developed that considers flow and wastewater loadings from the customer. In addition, pretreatment should also be considered. A comparison of the recommended wastewater rate to monthly wastewater rates for local communities is presented in Figure 11.

FIGURE 11 – AVERAGE MONTHLY WASTEWATER USER CHARGES OF LOCAL COMMUNITIES



Note: Reflects fees for EDU with an average water usage of 6,350 gallons per month and a 3/4-inch meter, October 2018.

4.6 Wastewater Rate 5-Year Projection

This section presents the projections for the recommended user rate structure (Scenario 5) presented in section 4.5 for the next five years. It reflects different growth scenarios and inflation in material costs and is based on user-based revenues, expenditures, and depreciation. Four future rate scenarios were examined, which included various methods of increasing user rates and population growth. Projection scenarios assume the following:

- The operating expenditures were forecasted by increasing the operating expenditures by 5% per year to account for increases in material, chemical, power, and salary costs. This assumption is consistent with historical annual increases in operating expenditures, which have increased by approximately 4% annually for the past five years.
- 2018 values for expenditures were estimated using the same growth criteria (5%) as the future scenarios. The City-requested annual depreciation of $1,800,000 was used for 2018

through 2023. 2018 user-based revenue was calculated by multiplying the number of new EDUs by the average monthly user rate multiplied by 12 months in a year.

- *Scenario 1: Single Step Implementation of Recommended Rate Now with a 4% Growth Rate and No Rate Increase*

This scenario assumes that the growth rate remains a constant 4% within Kuna, and that the recommended rate structure is established in 2019 in one step. In this scenario, future user-based revenue is based on the results of the 2017 Scenario 5 model. New connections added each year were multiplied by the average monthly user charge and added on to the previous year's revenue.

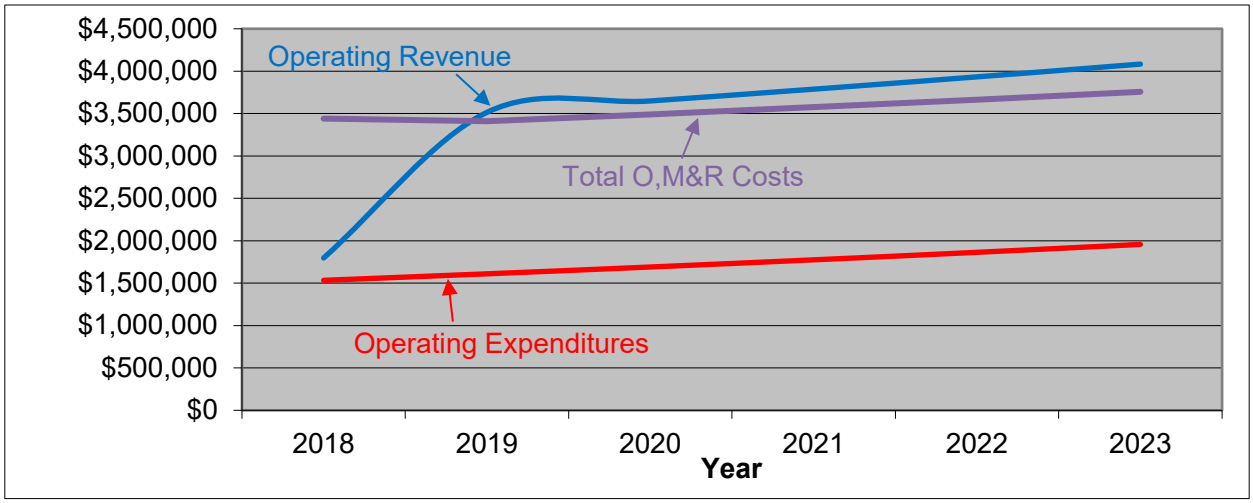
TABLE 25 – WASTEWATER RATE FORECAST SCENARIO 1

	Estimate	Projected				
Projected Connections	2018	2019	2020	2021	2022	2023
New Growth (EDUs) [1]	480	282	294	305	318	330
Average # of EDUs	7,060	7,342	7,636	7,941	8,259	8,589
Annual Costs-Operation, Maintenance & Replacement						
Operating Expenditures [2]	$1,533,000	$1,609,700	$1,690,200	$1,774,700	$1,863,400	$1,956,600
Depreciation (Replacement Fund) [3]	$1,800,000	$1,800,000	$1,800,000	$1,800,000	$1,800,000	$1,800,000
Total O, M & R Costs	**$3,333,000**	**$3,409,700**	**$3,490,200**	**$3,574,700**	**$3,663,400**	**$3,756,600**
Average Monthly User Rate [4]	**$27.30**	**$38.00**	**$38.00**	**$38.00**	**$38.00**	**$38.00**
User Base Rate % Increase	0%	39%	0%	0%	0%	0%
User-Based Revenue [5]	**$1,796,331**	**$3,514,552**	**$3,648,616**	**$3,787,696**	**$3,932,704**	**$4,083,184**
Net Revenue	**-$1,536,669**	**$104,852**	**$158,416**	**$212,996**	**$269,304**	**$326,584**

Notes:

1. EDU=Equivalent Dwelling Unit. Growth based on a 4.0% growth rate for projected years beyond 2018 (consistent with projections documented in 2017 Water FPS).
2. O&M costs increased by 5% per year to account for inflation. Actual average annual increase in operating costs from 2014-2017 was 4.4%. Operating expenditures includes operation, maintenance, debt repayment, and administrative costs.
3. Historical and projected depreciation schedule was provided by the Owner.
4. No rate increase assumed in the future. Average Monthly User rate reflects Residential users with a standard ¾-icnh meter with average winter water usage of 4,900 gallons per month.
5. Projected revenues calculated using the 2017 model results and adding the number of new EDU's multiplied by typical monthly user rates and months in the year.

FIGURE 12 – WASTEWATER RATE FORECAST SCENARIO 1



- *Scenario 2: Single Step Implementation of Recommended Rate Now with 0% Growth Rate and 3% Annual Increase in Rate*

  This scenario assumes that the population of Kuna does not increase after March 2019, and that the recommended user rate is implemented in 2019. In this scenario, user rates were increased annually to keep up with the yearly increases in operating expenditures which translated to a 3% annual rate increase. Projected user-based revenue is calculated the same as Scenario 1.

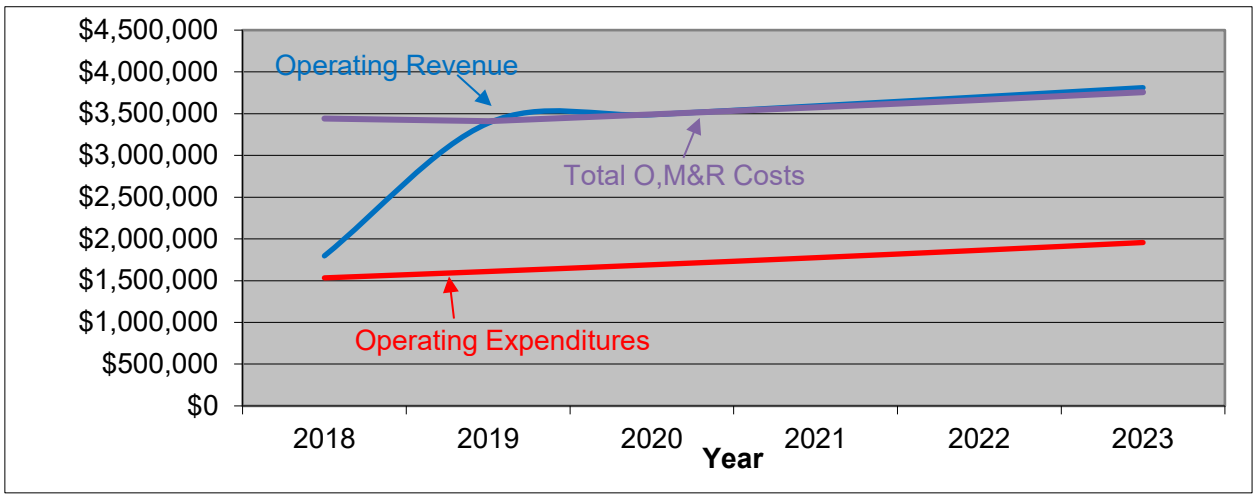
TABLE 26 – WASTEWATER RATE FORECAST SCENARIO 2

	Estimate	Projected				
Projected Connections	2018	2019	2020	2021	2022	2023
New Growth (EDUs) [1]	480	0	0	0	0	0
Average # of EDUs	7,060	7,060	7,060	7,060	7,060	7,060
Annual Costs-Operation, Maintenance & Replacement						
Operating Expenditures [2]	$1,533,000	$1,609,700	$1,690,200	$1,774,700	$1,863,400	$1,956,600
Depreciation (Replacement Fund) [3]	$1,800,000	$1,800,000	$1,800,000	$1,800,000	$1,800,000	$1,800,000
Total O, M & R Costs	**$3,333,000**	**$3,409,700**	**$3,490,200**	**$3,574,700**	**$3,663,400**	**$3,756,600**
Average Monthly User Rate [4]	**$27.30**	**$38.00**	**$39.14**	**$40.31**	**$41.52**	**$42.77**
User Base Rate % Increase	0%	39%	3.0%	3.0%	3.0%	3.0%
User-Based Revenue [5]	**$1,796,331**	**$3,385,960**	**$3,487,539**	**$3,592,165**	**$3,699,930**	**$3,810,928**
Net Revenue	**-$1,536,669**	**-$23,740**	**-$2,661**	**$17,465**	**$36,530**	**$54,328**

Notes:

1. EDU=Equivalent Dwelling Unit. Growth based on as 0%.
2. O&M costs increased by 5% per year to account for inflation. Actual average annual increase in operating costs from 2014-2017 was 4.4%. Operating expenditures includes operation, maintenance, debt repayment, and administrative costs.
3. Historical and projected depreciation schedule was provided by the Owner.
4. An annual user rate increase of 3% was used to keep up with annual increases in operating expenditures. Average Monthly User rate reflects Residential users with a standard ¾-inch meter with average winter water usage of 4,900 gallons per month.
5. Projected revenues calculated by multiplying the average number of EDUs by the Average Monthly User Rate multiplied by 12 months per year. An adjustment factor of 105.2% was included to account for the difference between this calculation method and the model-based revenue.

FIGURE 13 – WASTEWATER RATE FORECAST SCENARIO 2



- *Scenario 3: Gradual 5% Annual Increase of User Rates with 4% Growth Rate*

The follow scenario reflects a gradual implementation of the new user rates, where user rates are increased by 5% annually, the maximum allowable for a municipality without the requirement of a public hearing. Generally, this method is used to decrease the burden that an instantaneous large rate increase has on rate payers. Projected user-based revenue is calculated by multiplying the average number of EDUs by the average monthly user rate multiplied by 12 months per year. As illustrated, because of growth, target revenues are achieved with an overall lower rate increase than Scenario 1. However, the first four years, the utility will likely realize a net loss in its operating fund.

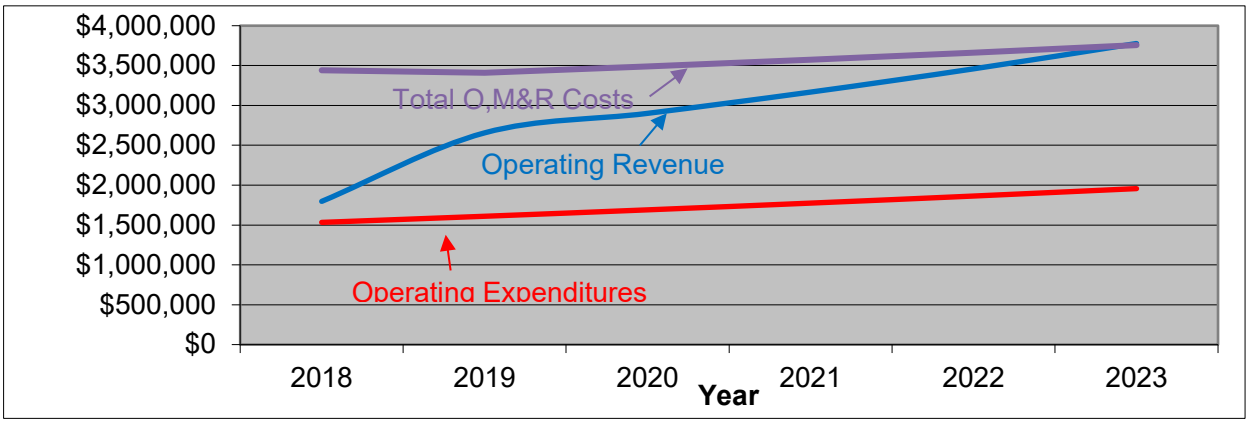
TABLE 27 – WASTEWATER RATE FORECAST SCENARIO 3

	Estimate	Projected				
Projected Connections	2018	2019	2020	2021	2022	2023
New Growth (EDUs) [1]	480	282	294	305	318	330
Average # of EDUs	7,060	7,342	7,636	7,941	8,259	8,589
Annual Costs-Operation, Maintenance & Replacement						
Operating Expenditures [2]	$1,533,000	$1,609,700	$1,690,200	$1,774,700	$1,863,400	$1,956,600
Depreciation (Replacement Fund) [3]	$1,800,000	$1,800,000	$1,800,000	$1,800,000	$1,800,000	$1,800,000
Total O, M & R Costs	**$3,333,000**	**$3,409,700**	**$3,490,200**	**$3,574,700**	**$3,663,400**	**$3,756,600**
Average Monthly User Rate [4]	**$27.30**	**$28.67**	**$30.10**	**$31.60**	**$33.18**	**$34.84**
User Base Rate % Increase	0%	5.0%	5.0%	5.0%	5.0%	5.0%
User-Based Revenue [5]	**$1,796,331**	**$2,656,194**	**$2,900,686**	**$3,167,373**	**$3,458,923**	**$3,776,985**
Net Revenue	**-$1,536,669**	**-$753,506**	**-$589,514**	**-$407,327**	**-$204,477**	**$20,385**

Notes:

1. EDU=Equivalent Dwelling Unit. Growth based on a 4.0% growth rate for projected years beyond 2018 (consistent with projections documented in 2017 Water FPS).
2. O&M costs increased by 5% per year to account for inflation. Actual average annual increase in operating costs from 2014-2017 was 4.4%. Operating expenditures includes operation, maintenance, debt repayment, and administrative costs.
3. Historical and projected depreciation schedule was provided by the Owner.
4. The annual rate increase of 5% was chosen as the maximum allowable yearly increase without the requirement of a public hearing. Average Monthly User rate reflects Residential users with a standard ¾-inch meter with average winter water usage of 4,900 gallons per month.
5. Projected revenues calculated by multiplying the average number of EDUs by the Average Monthly User Rate multiplied by 12 months per year. An adjustment factor of 105.2% was included to account for the difference between this calculation method and the model-based revenue.

FIGURE 14 – WASTEWATER RATE FORECAST SCENARIO 3



- *Scenario 4: 3-Year Phase in of Recommended User Rate with 4% Growth Rate*

  This scenario assumes a population growth rate of 4%, and assumes that the City implements the recommended rate scenario over a period of three years. Projected user-based revenue was calculated using the same method as Scenario 3. Naturally, this scenario achieves the target revenue more rapidly and then exceeds the target revenue due to growth.

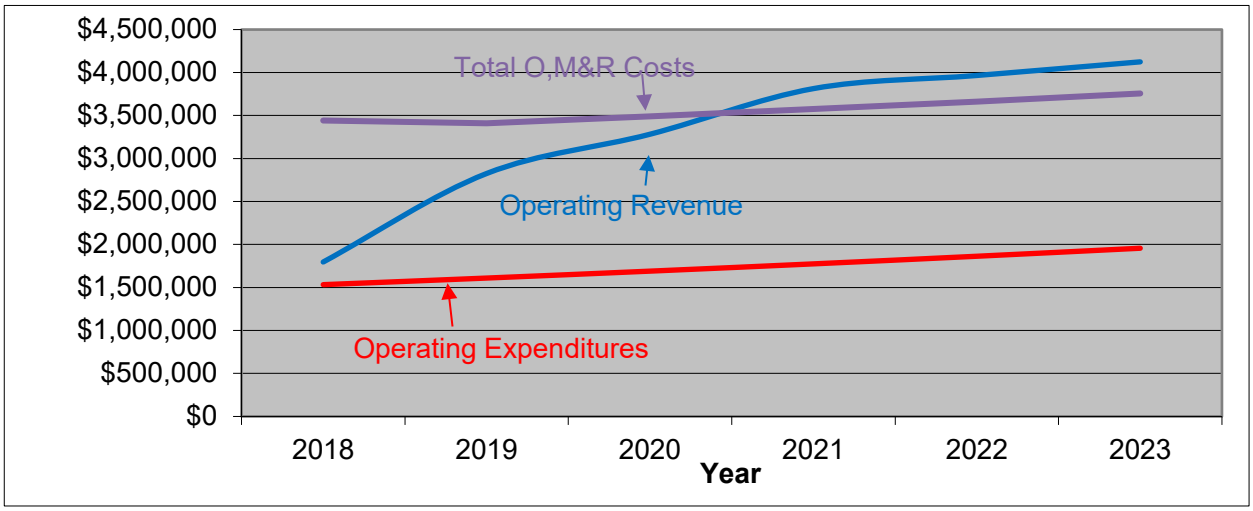
TABLE 28 – WASTEWATER RATE FORECAST SCENARIO 4

	Estimate	Projected				
Projected Connections	2018	2019	2020	2021	2022	2023
New Growth (EDUs) [1]	480	282	294	305	318	330
Average # of EDUs	7,060	7,342	7,636	7,941	8,259	8,589
Annual Costs-Operation, Maintenance & Replacement						
Operating Expenditures [2]	$1,533,000	$1,609,700	$1,690,200	$1,774,700	$1,863,400	$1,956,600
Depreciation (Replacement Fund) [3]	$1,800,000	$1,800,000	$1,800,000	$1,800,000	$1,800,000	$1,800,000
Total O, M & R Costs	**$3,333,000**	**$3,409,700**	**$3,490,200**	**$3,574,700**	**$3,663,400**	**$3,756,600**
Average Monthly User Rate [4]	**$27.30**	**$30.49**	**$34.06**	**$38.05**	**$38.05**	**$38.05**
User Base Rate % Increase	0%	11.7%	11.7%	11.7%	0.0%	0.0%
User-Based Revenue [5]	**$1,796,331**	**$2,825,685**	**$3,282,679**	**$3,813,211**	**$3,965,913**	**$4,124,376**
Net Revenue	**-$1,536,669**	**-$584,015**	**-$207,521**	**$238,511**	**$302,513**	**$367,776**

Notes:

1. EDU=Equivalent Dwelling Unit. Growth based on a 4.0% growth rate for projected years beyond 2018 (consistent with projections documented in 2017 Water FPS).
2. O&M costs increased by 5% per year to account for inflation. Actual average annual increase in operating costs from 2014-2017 was 4.4%. Operating expenditures includes operation, maintenance, debt repayment, and administrative costs.
3. Historical and projected depreciation schedule was provided by the Owner.
4. A rate increase of 11.7% was calculated as the minimum rate needed to reach the target user rate in 3 years. Average Monthly User rate reflects Residential users with a standard ¾-inch meter with average winter water usage of 4,900 gallons per month.
5. Projected revenues calculated by multiplying the average number of EDUs by the Average Monthly User Rate multiplied by 12 months per year. An adjustment factor of 105.2% was included to account for the difference between this calculation method and the model-based revenue.

FIGURE 15 – WASTEWATER RATE FORECAST SCENARIO 4



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If the population of Kuna continues to grow at a rate of 4% or greater, then the recommended user rate will be sufficient to cover operation, maintenance, and replacement costs for the next five years without increases to the monthly rates. Municipalities often choose to phase in user rate adjustments to decrease the financial impact on rate payers. If the City increases rates by 5% per year, and the current growth rate is maintained, it is anticipated that the City can cover the total operating, maintenance, and replacement costs by 2023. If the City wishes to phase in the recommended rate over a shorter period of time, such as a three-year time span, then an annual increase of 11.7% to the user rate is required. However, if growth within Kuna slows, the user-generated revenue will not be sufficient to cover these expenses. If the recommended user rate is immediately implemented, and no growth occurs, rates will need to be increased by approximately 3% annually to keep up with the annual increases in operating expenditures.

5.0 SUMMARY

If the City desires to increase the connection fees for water and wastewater, it is recommended that those fees do not exceed the values presented in Sections 3.1 and 4.1 of this report.

Currently, Kuna is generating enough revenue to cover the City's operating and maintenance expenses, and enough to cover the existing replacement budget for the water system. However, the City has not been generating enough revenue in the wastewater utility to cover the desired replacement budget. Modifications to the monthly water and sewer charge will depend on the level of depreciation funding that Kuna adopts. It should be noted that underfunding the depreciation will weaken Kuna's financial capability for completing future infrastructure replacement projects without incurring additional debt. The recommended user rates presented in Section 3.5 and 4.5 of this report will allow the City to cover their desired depreciation budgets. A decision of how to implement these rates may be influenced by the fact that customers generally look more favorably on gradual rate increases than sharp, extreme rate increases.

Given their sensitivity to the real estate market, interest rates, inflation, cost of materials, and many other factors, connection fees and monthly user rates should be reviewed each year with a more comprehensive re-evaluation at least every five years.

APPENDIX A

Existing Kuna EDU Guide

KELLER ASSOCIATES

EQUIVALENT DWELLING UNIT TABLE	
Classification	**Equivalent Dwelling Units**
1. Airport Terminal - For each 2,000 sq. ft	1.0
2. Apartment	see multi-dwelling unit
3. Assembly Hall or Auditorium - For each 200 Seats	1.0
4. Bank or Savings and Loan - For each 3,000 sq. ft.	1.0
5. Bar - Additional per 20 Seats	1.0 0.5
6. Barbershop, Beauty Salon - Additional per Station over 2	1.0 0.5
7. Bowling Alley - Additional per Lane over 3	1.0 0.2
8. Café, per customer seating capacity	see restaurant
9. Campsite (and KOA) - For each Trailer Unit - For each Camp Site - Additional for RV Dump	1.0 0.46 4.0
10. Car Dealer No Repair or Wash Facilities With Wash Bays and/or Stalls - Additional per Stall	1.0 1.0 0.5
11. Car Wash (per bay)	2.0
12. Church - For each 50 seats	1.0
13. Club or Lodge	same as church
14. Condominium	see multiple living unit
15. Dentist - For each Practitioner	2.0
16. Doctor	same as dentist
17. Department Store	see retail store
18. Drugstore	see retail store
19. Duplex	See multiple living unit

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EDUs

20.	Florist - For each 1,500 sq. ft.	 1.0
21.	Fourplex	See multiple living unit
22.	Garage Automotive Repair - Additional per Stall over 2 Storage Only - Additional per Stall over 2	 1.0 0.5 1.0 0.2
23.	Grocery	see retail food store
24.	Hardware Store	see retail store
25.	Hospital and/or Convalescent Home - Additional per Bed	1.0 0.3
26.	Hotel / Motel - First Unit - Additional per Unit ~~- Additional per Unit with Kitchen~~	 1.0 ~~0.5~~ 0.2
27.	Industrial Use	Staff Calculated
28.	Jail - Additional per Bed	1.0 0.5
29.	Laundry Self Service up to 10 Machines - Additional Machine over 10 - Commercial	 4.0 0.25 Staff Calculated
30.	Mobilehome and Trailer Park - For each Unit	 1.0
31.	Multiple Living Unit - per Unit	 1.0
32.	Office Building - For each 2,500 sq. ft.	 1.0
33.	Photo Lab, Printing Shop	Staff Calculated
34.	Post Office	see office building
35.	Residential Units	1.0
36.	Retail Store - For each 3,000 sq. ft.	 1.0
37.	Retail Food Store - For each 1,500 sq. ft.	 1.0

38. Restaurant - Sit Down - For each Seat (minimum 2.0)	.10
39. Restaurant – Fast Food - For each Seat (minimum 1.0)	0.05
40. Schools - Per 25 Students	1.0
41. Service Station Gas and Restroom Only - Per Set of Pumps Full Service Convenience Store	 1.0 see garage see retail food
42. Tire Store	see garage, office
43. Warehouse/Storage Unit - For each 10,000 Sq. Ft.	1.0

Appendix B

Kuna City Council EDU Methodology Handout

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KELLER ASSOCIATES
131 SW 5th Ave, Suite A
Meridian, ID 83642
(208) 288-1992

City of Kuna
2018 User Rate Study
Equivalent Dwelling Unit (EDU) Determination Methodology

Option 1: Type of Development—Current Methodology (see Exhibit 1)

- Source is unknown
- Methodology also used by Star, Nampa, Mountain Home, Eagle Sewer District
- Pros:
  - City is familiar with this approach
  - Used by a number of communities in the Treasure Valley
- Cons:
  - Only useful for specific categories in table
  - Requires high level of effort by staff
  - No defensible source

Option 2: Meter Equivalency (see Exhibit 2)

- Source is American Water Works Association (AWWA)-national organization
- Methodology also used by Weiser, Emmett, Ontario, Fruitland,
- Pros:
  - Simple to use and easy to understand
  - Defensible source
  - Applicant is in control…determine meter size within plumbing code requirements
  - Directly related to hydraulic capacity of meter
  - Applies to all types of development
- Cons:
  - May result in higher connection fees for large meter sizes

Option 3: Fixture Count (see Exhibit 3)

- Developed by the City of Meridian
- Methodology used by Meridian, Boise
- Pros:
  - Straight forward
  - Applies to all types of development
- Cons:
  - Requires more effort and time by staff to calculate EDU assessment
  - More chance for error
  - Not widely used

Exhibit 1

City of Kuna EDU Chart - Exhibit A

Classification	Equivalent Dwelling Units
Assembly Hall or Auditorium For Each 200 Seats	1.00
Automotive	
• Car Dealer (Less Wash Bays and Repair Stalls) For Each 4000 sq. ft.	1.00
- Additional Per Wash Bay	1.00
- Additional Per Repair Stall	1.00
• Car Wash	
- Self Service (Per Bay)	1.50
- Automatic w/Recycled Water (Per Bay)	1.50
- Automatic w/o Recycled Water (Per Bay)	2.00
• Service Station	1.00
- Fuel & Bathroom Only: Add per Pump Islands over 4	1.00
- Full Service: Add per each Pump Island or Stall over 4	1.00
- Repair: Add per stall over 4	1.00
- Convenience Store: As per Retail Store	
Bowling Alley (w/First 3 Lanes)	1.00
- Additional Per Lane Over 3	0.20
Business	
• Non Food Prep for each 4,000 sq. ft.: Apparel and Accessory, Department & Retail, Durable Goods, Drugstore, Florist, Hardware, Lumberyard, Gardening Sales, Nursery or Greenhouse, Shopping Center, Business Office, Bank, Post Office, and Tire Store are nonexclusive examples.	1.00
• Grocery & Misc Retail Foods (w/o resident butcher or baker) For Each 4,000 sq. ft.	1.00
- Add for Resident Butcher or Baker	1.00
Campground	1.00
- Add For Each Trailer Unit Over 2	0.50
- Add For Each Camp Site Over 3	0.33
- Additional For RV Dump	4.00
Church, Club or Lodge	
• w/ Kitchen: For Each 75 General Assembly Seats	1.00
• w/o Kitchen: For Each 100 General Assembly Seats	1.00
Food and Beverage Service	1.00
- Bar/Lounge: Add for each 20 Seats Over 20	0.50
- Restaurant Fine Dining: Add for each Seat over 25	0.05
- Restaurant Sit Down: Add for each Seat over 12	0.08
- Restaurant Fast Food: Add for each Seat over 20	0.05
Health Practitioner (Doctor, Dentist, Chiropractor, Specialist)	
• For Up To 3 Chairs or Exam Rooms	1.00
- Add For Each Chair or Exam Room Over 3	0.33
Hotel or Motel	1.00
- Additional Per Unit w/ Kitchen Over 2	0.50
- Additional Per Unit w/o Kitchen Over 3	0.33
Industrial Use	
• Per Each 16 Employees	1.00
• With Showers Per Each 12 Employees	1.00
• With Showers & Cafeteria Per Each 10 Employees	1.00
- Add Per Industrial Process Wastewater	Staff Calculated
Institutional	1.00
- School w/o Cafeteria or Showers: Per 40 /Students over 40	1.00
- School w/Cafeteria: Per 30 Students over 30	1.00
- School w/Showers: Per 30 Students over 30	1.00
- School w/Cafeteria and Showers: Per 25 Students over 25	1.00
- Hospital Additional Per Bed Over 1	0.80
- Nursing Home Additional Per Bed Over 2	0.40
- Jail: Add Per Each Bed over 2	0.50
Laundry	
• Self Serve Up To 5 Machines	2.00
- Additional Per Machine Over 5	0.20
• Commercial Per Machine	Staff Calculated
Personal Care Service	1.00
- Barber Shop: Add for each Station over 4	0.20
- Salon: Add for each Station Over 2	0.40
Photo Lab, Printing Shop	Staff Calculated
Residential Units	
• Per Single Family Dwelling and Multiple Dwelling per Living Unit	1.00
• Per Mobile Home or Trailer Park For Each Unit	1.00
Warehouse or Storage Unit For Each 12,500 sq. ft.	1.00

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Exhibit 2

Table VI.2-5 Meter equivalencies based on meter capacity and establishing SDCs by meter size using the buy-in method and replacement cost new less depreciation valuation approach

Meter Size	Maximum Rated Safe Operating Flow, gpm*	Meter Equivalent Ratio†	SDC‡
⅝" Displacement	20	1.0	$2,454
¾" Displacement	30	1.5	3,681
1" Displacement	50	2.5	6,135
1½" Displacement	100	5.0	12,271
2" Displacement	160	8.0	19,633
3" Singlejet	320	16.0	39,267
3" Compound, Class I	320	16.0	39,267
3" Turbine, Class I	350	17.5	42,948
4" Singlejet	500	25.0	61,354
4" Compound, Class I	500	25.0	61,354
4" Turbine Class I	630	31.5	77,307
6" Singlejet	1,000	50.0	122,709
6" Compound, Class I	1,000	50.0	122,709
6" Turbine Class I	1,300	65.0	159,521
8" Compound, Class I	1,600	80.0	196,334
8" Turbine Class II	2,800	140.0	343,585
10" Turbine Class II	4,200	210.0	515,377
12" Turbine Class II	5,300	265.0	650,357

* Source: AWWA Standards: Displacement C700-09; Singlejet C712-10; Turbine Class I C701-12; Turbine Class II C701-12; Compound Class I C702-10.

† Using standard maximum meter-flow capacity ratios (e.g., 2" = 160 gpm, 20 gpm [⅝"] = 8.0:1.0 capacity ratio).

‡ ⅝-inch SDC based on example presented in Table VI.2-2.

The equivalent meter ratio is used as the basis for the increased SDC for larger meters. For example, the safe operating capacity of a ⅝-in. meter is 20 gpm. In contrast to this, a 2-in. meter has a safe operating capacity of 160 gpm. Thus, on a capacity basis, a 2-in. meter is the equivalent of eight ⅝-in. meters and the SDC for the 2-in. meter should be set at 8 times the ⅝-in. meter SDC.

Table VI.2-5 provides an example for the development of SDC schedules based on a ⅝-in. meter size as the base meter size. In this example the base SDC is $2,454 or the amount calculated in the buy-in example displayed in Table VI.2-2.

As shown in Table VI.2-5, for each type of meter, there is a corresponding maximum rated safe operating flow. This provides the basis for the meter equivalency ratios. These ratios are then multiplied by the base cost SDC ($2,454) to provide a schedule of SDCs for new customers connecting to the system. For example, a customer with a 2-in. meter would be charged $19,633, since the capacity of a 2-in meter is eight times that of a ⅝-in. meter. Stated another way, a customer with a 2-in. meter has the capacity of the equivalent of eight ⅝-in. meters.

Equivalent residential units. One of the disadvantages of the meter size approach is that for larger meters, the meter capacity may not be a reasonable indicator for the actual capacity use of the customer. It should be remembered that the $2,454 SDC for a ⅝-in. connection reflects the usage patterns of that size meter (i.e., a residential customer with a ⅝-in. meter). A new customer with a larger connection

Exhibit 3

Community Development Department

Building Services
Meridian City Hall, Suite 102
33 E. Broadway Avenue
Meridian, Idaho 83642

Sanitary Sewer & Water Assessment Calculator (Estimate Only)

Fee Calculator Instructions: Enter appropriate data into the Blue cells Only. Values and Costs will be calculated automatically based upon user entered data. This Calculator is being furnished as an estimating tool for our customers, and the generated results shall not be considered completely accurate for permitting purposes.
Basis for Equivalent Residential Unit (ERU): Total number of Water Supply Fixture Units (WSFU), divided by 21 = the total number of ERU. Values are based upon the International Code Council's Building Valuation Data from 2009. For each ERU, there is a credit for 5,450 square feet of landscape irrigation.

Appliancse, Appurtenance, or Fixtures	No of Fixtures	WFU / Fixture	Total WFU	DFU / Fixture	Total DFU
Water Closet, 1.6 GPF Flushometer Tank		2.5	0.0	4.0	0.0
Lavatory		1.0	0.0	1.0	0.0
Urinal,1.0 GPF Flushometer Valve		5.0	0.0	2.0	0.0
Sink, Bar		2.0	0.0	2.0	0.0
Sink Kitchen, Dual Faucet Domestic		3.0	0.0	4.0	0.0
Sink Kitchen, Single Faucet Domestic		1.5	0.0	2.0	0.0
Sink Laundry		1.5	0.0	2.0	0.0
Sink Service or Mop Basin		3.0	0.0	3.0	0.0
Sink Washup, Each Set of Faucets		2.0	0.0	2.0	0.0
Bathtub or Combination, Bath/Shower (Fill)		4.0	0.0	2.0	0.0
Shower, Per Head		2.0	0.0	2.0	0.0
Dishwasher, Domestic		1.5	0.0	2.0	0.0
Clothes Washer		4.0	0.0	3.0	0.0
Drinking Fountain or Watercooler (Hi-Lo Fountain Counts as 1)		0.5	0.0	0.5	0.0
Hose Bibb		2.5	0.0	0.0	0.0
Hose Bibb, Each Additional		1.0	0.0	0.0	0.0
Floor Drain		0.0	0.0	2.0	0.0
Floor Sink		2.0	0.0	2.0	0.0

Total WFU **0.0** **Total DFU** **0.0**

Total ERU for Water Assessment (Total WFU divided by 21) **0.00**
Total ERU for Sewer Assessment (Total DFU divided by 21) **0.00**

Landscape Irrigation	Square Footage
Total Landscaping Square Footage	
Landscaping Square Footage Credit Based on Above Total ERU	0.00

Total Square Footage After Credit **0.00**

Total ERU Landscaping (Total After Credit Divided by 5,450) **0.00**

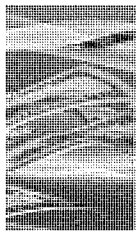
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APPENDIX C

AWWA Meter Equivalency Standard

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Chapter III.2

Distributing Costs to Customer Classes

The preceding chapters explained how utilities determine revenue requirements and how to allocate both operating and capital-related costs to cost components (e.g., base, extra capacity). This chapter presents the final step in the cost-of-service process: the distribution of allocated cost components to customer classes of service (e.g., residential, commercial).

The ideal solution to developing rates for water utility customers is to assign cost responsibility to each individual customer served and to develop rates that reflect that cost. Unfortunately, it is neither economically practical nor often possible to determine the cost responsibility and applicable rates for each individual customer served. However, the cost of providing service can reasonably be determined for groups or classes of customers that have similar water-use characteristics and for special customers having unusual or unique water-use or service requirements. Rate making endeavors to assign costs to classes of customers in a nondiscriminatory, cost-responsive manner so that rates can be designed to closely meet the cost of providing service to such customer classes.

CUSTOMER CLASSES

In establishing customer classes, water utilities consider service characteristics, demand patterns, and whether service is provided to customers both inside and outside the owning city's jurisdictional limits. Service characteristic differences may be illustrated by recognizing that customers using treated water require facilities that raw-water customers do not need. Similarly, large-volume industrial customers, wholesale customers, and other large users are often served directly from major treated-water transmission mains, whereas smaller users are served by both large and small distribution mains. Utilities should consider these and other factors when establishing customer classes and their costs of service.

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Demand patterns of various customers differ, depending on their peak-day and peak-hour rates of demand relative to average demands. For example, the residential customer class, placing summer lawn irrigation loads on the system, typically has a much higher peak-demand requirement, relative to the average demand, than does a large manufacturing facility, which may require water on a relatively uniform basis throughout the year. These differences in demand patterns can create differences in the cost to serve those customers.

The classification of water customers as either inside or outside the city limits is related to each major group's responsibility for overall costs. As explained in chapter V.1, this classification is important in the allocation of costs of service for government-owned utilities and, in some instances, may have a bearing on investor-owned utilities.

Utilities may need to recognize certain customer classifications from an accounting standpoint because of legal requirements or customs; such requirements can be accommodated in rate studies. However, general service characteristics, facility requirements, demand patterns, and location with regard to city limits are generally the principal considerations in customer classification.

General Classes

It is common for water utilities to have three principal customer classes: (1) residential, (2) commercial, and (3) industrial. Utilities may define these general customer classes differently, but, in very broad terms, the following definitions are common.

Residential: One-and two-family dwellings, usually physically separate

Commercial: Multifamily apartment buildings and nonresidential, nonindustrial business enterprises

Industrial: Manufacturing and processing establishments

Some utilities may break down these general classes into more specific groups. For example, the commercial customer group may be separated into multifamily customers and commercial customers, or multifamily apartments may be considered part of the residential class. Sometimes this distinction is based on ownership with small owner-occupied apartments considered to be in the residential class and larger non-owner-occupied buildings are part of the commercial class. Similarly, the industrial customer group may be subdivided into small industry, large industry, and special, the latter typified by some unique characteristic(s). Lastly, municipal accounts may be considered separately in some studies.

Many systems, particularly larger ones, have customers with individual water-use characteristics, service requirements, or other factors that differentiate them from other customers with regard to cost responsibility. These customers should have a separate class designation. These classes may include large hospitals, universities and colleges, military establishments, and other such categories.

Other Classes

In addition to the general classes of service previously described, water utilities often provide service to certain special classes of customers. Three such classes are wholesale service, fire protection service, and irrigation.

Wholesale service. Wholesale service is usually defined as a situation in which water is sold to a customer through a master meter at one or more major points of delivery for resale to individual retail customers within the wholesale customer's service area. Usually, the wholesale customer is a separate municipality or water district adjacent to the supplying utility, but it may be in an area within the jurisdiction of

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the supplying utility. A more detailed discussion of outside-city and wholesale service considerations is provided in chapter V.1.

Fire protection service. Fire protection service has characteristics that are markedly different from other types of water service. The service provided is principally of a standby nature—that is, readiness to deliver relatively large quantities of water for short periods of time at any of a large number of points in the water distribution system.

Costs allocated to fire protection service as a class can be subdivided to those related to public fire protection service and private fire protection service. The reader should refer to chapter IV.8 for further discussion of fire protection rates and charges.

Irrigation. Irrigation is characterized by the relatively high demands it places on the water system, usually during the late afternoon and early evening hours. Throughout most of the United States, both lawn and agricultural irrigation are very seasonal in nature. Such usage is most pronounced during the summer months and, in some areas, virtually nonexistent during the winter months.

In many instances, irrigation service is not separately metered from other service; therefore, the high peaking characteristics of lawn irrigation need to be recognized as a part of each class's water-use characteristics. However, establishment of a separate class designation is warranted when separate metering for lawn irrigation is available, as is often the case for automatic lawn sprinkling systems, parks, fields, and golf courses, and where such loads are significant in the system. In this case, the significant demands caused by irrigation can be recognized and reflected in the cost to provide this service.

Service outside city limits. Many government-owned utilities recognize in their rate structures the differences in costs of serving water users located outside the corporate limits of the supplying city or jurisdiction compared with those located within the corporate limits. In many cases a government-owned utility may be considered to be the property of the citizens within the city. Customers within the city are effectively the owner customers, who sometimes must bear the risks and responsibilities of utility ownership. Outside-city customers are nonowner customers and, as such, may bear a different responsibility for costs than do owner customers.

The costs to be borne by outside-city (nonowner) customers are similar to those attributed to the customers (nonowners) of an investor-owned utility. Such costs include O&M expense, depreciation expense, and an appropriate return on the value of property devoted to serving the outside-city customers. Chapter V.1 provides a more in-depth discussion of the treatment of outside-city or nonowning customers.

UNITS OF SERVICE

The total cost of each cost component, such as the base cost, is divided by the appropriate total customer service requirements or units of service for all customer classes for each cost component to express a unit cost of service for each cost component. The unit costs of each component serve as a basis for calculating the cost of serving each customer class as well as for designing rates. As a basis for distributing component costs to customer classes, the units of service attributable to the respective classes must be established for the test year. To do so, the utility must determine or estimate the total quantity of water to be used by each class in the test year and the peak rates of use by the class. Peak rates of use are usually designated by maximum-day and maximum-hour rates of use. (In some systems, maximum-week or other peak use periods may be appropriate.) In addition, the utility must determine the number of equivalent meters and services by class, as well as the number of bills by class.

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Maximum rates of use may be expressed in terms of a peaking factor—that is, a percentage relationship of the estimated class maximum rate of use to average annual rate of use. Thus, if a customer class maximum-day rate of use is 2.5 times its average annual daily rate, it is said to have a maximum-day peaking factor of 250 percent. Stated another way, using this same example, a class with an average day use of 1.0 million gallons would have a maximum-day peak use of 2.5 million gallons.

To estimate customer class peaking factors, utilities need to investigate and study all pertinent sources of information. Such data should include daily and hourly system pumping records, recorded rates of flow in specific areas of the system, studies and interviews of large users regarding individual and group characteristics of use, special demand metering programs, and experience in studies of other utilities exhibiting like characteristics. Recent technology improvements in automated meter reading (AMR), particularly those associated with a fixed network system, have provided utilities with far greater opportunities to collect demand data applicable to cost-of-service studies. In addition, sound and logical inferences can be drawn from customer billing information, provided billing periods are sufficiently short to reflect seasonal differences, usually not to exceed three-month periods, with monthly billing being preferable for these analyses. Appendix A provides some techniques that can be used to determine reasonable estimates of the maximum-day and maximum-hour peaking factors for each customer class using available system demand data for the utility and customer class billing records.

The total annual volume of water used for fire service is usually negligible, at least in relation to that of other classes; however, peak requirements for fire service can be quite significant. The Insurance Services Office (ISO) periodically defines desired rates of flow for fire service, which is a good source of maximum-capacity requirements for fire service. This data must be applied judiciously to achieve practical cost allocations.

Customer-related costs for meters and services may be properly distributed among customer classes by recognizing factors that are generally responsible for those costs being incurred. As an example, one method for distributing meter-and-service costs to customer classes is in proportion to the investment in meters and services installed for each customer class, based on the number of equivalent meters. Distribution of customer costs by equivalent meter-and-service ratios recognizes that meter-and-service costs vary, depending on considerations such as size of service pipe, materials used, locations of meters, and other local characteristics for various sized meters as compared to ⅝-in. meters and services. In this example, typical customer meter-and-service equivalent ratios based on investment are as follows:

Meter Size, in.	Equivalent Meter Size Ratios Based on Investment
⅝	1.0
¾	1.1
1	1.4
1½	1.8
2	2.9
3	11.0
4	14.0
6	21.0
8	29.0

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Table III.2-1 Units of service—Base-extra capacity method (test year)

Line No.	Customer Class	Base Units: Annual Use, 1,000 gal	Base Units: Average Rate, 1,000 gpd	Maximum-Day Units: Peaking Factor, %	Maximum-Day Units: Total Capacity, 1,000 gpd	Maximum-Day Units: Extra Capacity, 1,000 gpd	Maximum-Hour Units: Peaking Factor, %	Maximum-Hour Units: Total Capacity, 1,000 gpd	Maximum-Hour Units: Extra Capacity, 1,000 gpd	Customer Units: Equivalent Meters & Services	Customer Units: Bills
	Inside-City:										
	Retail Service										
1	Residential	968,000	2,652	250	6,630	3,978	400	10,608	3,978	15,652	185,760
2	Commercial	473,000	1,296	200	2,592	1,296	325	4,212	1,620	1,758	14,640
3	Industrial	1,095,000	3,000	150	4,500	1,500	200	6,000	1,500	251	420
4	Fire Protection				840	840		5,040	4,200		
5	Total Inside City	2,536,000	6,948		14,562	7,614		25,860	11,298	17,661	200,820
	Outside City:										
6	Wholesale	230,000	630	225	1,418	788	375	2,363	945	34	48
7	Total	2,766,000	7,578		15,980	8,402		28,223	12,243	17,695	200,868

Appendix B further discusses how to develop the meter-and-service cost ratios previously shown, as well as equivalent meter ratios based on factors such as meter demand capacity.

Costs related to meter reading, billing, and collecting may be distributed among customer classes based on the total number of bills or equivalent billing units rendered to the respective classes in a test year. In some instances, billing ratios are used to recognize that billing, metering, and collection costs for larger services may be greater than for smaller meter-size services. This may be due to difficulty in accessing the meter facility, replacement of meters, multiple dial meters, more customer service time associated with dealing with larger meter customers, and other factors.

Table III.2-1 illustrates the development of the test-year units of service for the example utility, using the base-extra capacity method of cost allocation and distribution. Test-year units of service reflect the prospective average annual customer water use and other service requirements during the test-year study period considered in this example. For purposes of the example in this manual, it is assumed that retail service and fire protection service are provided inside the city to residential, commercial, and industrial classes. Outside-city service is provided on a wholesale basis (see chapter V.1 for a more detailed discussion). The annual usage and number of customers by customer class were previously developed in Table II.2-2.

DISTRIBUTING COST COMPONENTS TO CUSTOMER CLASSES

Table III.2-1 shows, under the heading "Base Units," the total annual water use in thousand gallons for each customer class, as well as the average rate in thousand gallons per day. Maximum-day peaking factors are applied to average day rates of flow to develop total maximum-day capacity by class. Maximum-day extra capacity is defined as the difference between total maximum-day capacity and the average day rate of use. Fire protection service is considered to require negligible flow on an average annual basis but 840 thousand gallons per day (1,000 gpd) on a maximum daily basis (3,500 gpm for 4 hours).

Maximum-hour extra peaking factors for each customer class are applied to average day rates of flow, and the maximum-hour extra capacity units are defined as the difference in the total maximum-hour capacity and the maximum-day capacity. Maximum-hour units for fire protection service assumes that flow for fires is 5,040 thousand gpd (3,500 gpm expressed as a gpd rate = 3,500 gpm × 60 min ×

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Table III.2-2 Units of service—Commodity-demand method (test year)

Line No.	Customer Class	Commodity		Maximum Day		Maximum Hour		Customer Units	
		Annual Use, 1,000 gal	Average Rate, 1,000 gpd	Peaking Factor, %	Total Capacity, 1,000 gpd	Peaking Factor, %	Total Capacity, 1,000 gpd	Equivalent Meters & Services	Bills
	Inside City:								
	Retail Service								
1	Residential	968,000	2,652	250	6,630	400	10,608	15,652	185,760
2	Commercial	473,000	1,296	200	2,592	325	4,212	1,758	14,640
3	Industrial	1,095,000	3,000	150	4,500	200	6,000	251	420
4	Fire Protection				840		5,040		
5	Total Inside City	2,536,000	6,948		14,562		25,860	17,661	200,820
	Outside City:								
6	Wholesale	230,000	630	225	1,418	375	2,363	34	48
7	Total	2,766,000	7,578		15,980		28,223	17,695	200,868

24 hours). Maximum-hour extra capacity units for fire protection is defined as the total maximum-hour capacity less total maximum-day capacity, similar to the other classes of service.

Equivalent meters and services are derived by applying equivalent meter-and-service cost ratios to the number of meters of each size by class. The number of bills is simply the total number of bills rendered annually for each class. If customers are billed at different frequencies, care must be taken to reflect this. For example, large customers may get 12 bills per year and smaller customers may get 4 bills per year.

Table III.2-2 shows the development of the units of service that apply to the commodity-demand method of cost allocation. Table III.2-2 differs from Table III.2-1 only in that the incremental maximum-day and maximum-hour extra capacity columns are excluded. Under the commodity-demand method, the total maximum day or maximum hour is used.

In this example, the maximum total capacity, on both a maximum-day and maximum-hour basis, for the total system (shown in Tables III.2-1 and III.2-2) is an estimate of the sum of noncoincidental peaking requirements on the system. That is, it is the sum of the peaks for each class, regardless of the day or hour in which such peaks may occur. Again, Appendix A provides a more thorough discussion of the noncoincidental peaking requirements by customer class and their development.

UNIT COSTS

Unit costs of service are based on total costs previously allocated to each of the cost components and divided by the total number of applicable units of service for the test year. The development of unit costs of service for the base-extra capacity method is presented in Table III.2-3. As explained in the previous chapter, the following tables contain capital cost allocations based on the utility method of determining revenue requirements. This is because the example includes a wholesale customer, which is considered to be an outside-city, nonowner customer. As described more fully in chapter V.1, it is appropriate to use the utility basis of revenue requirements for nonowner customers in order to assess them a fair rate of return in determining the costs of providing service to such customers. The residual cash needs are the total cash expenses after deducting the revenues from outside-city customers. These residual cash needs may then be recovered from the "owners" or inside-city customers.

Most government-owned utilities, particularly those that do not have outside-city service, may choose to allocate their costs based on their cash needs, because most of these utilities use the cash basis of revenue requirement determination. In using

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Table III.2-3 Unit costs of service—Base-extra capacity method (test year)

Line No.	Unit Cost Component	Rate of Return Percentage	Total	Base	Extra Capacity		Customer Costs		Direct Fire Protection Services
					Maximum Day	Maximum Hour*	Meters and Services	Billing and Collecting	
	Units of Service								
1	Total System			2,766,000 1,000 gal	8,402 1,000 gpd	12,243 1,000 gpd	17,695 equiv. meters	200,868 bills	
	O&M Expense								
2	Total		$6,837,000	$3,202,390	$955,048	$319,072	$989,367	$1,288,624	$82,498
3	Unit Cost, $/Unit			$1.1578	$113.6740	$26.0613	$55.9122	$6.4153	
	Depreciation Expense								
4	Total		$1,242,000	$548,063	$271,740	$167,816	$216,789		$37,592
5	Unit Cost, $/Unit			$0.1981	$32.3436	$13.7069	$12.2514		
	Nonrate Revenue								
6	Total		($78,000)	($29,000)	($12,000)	($4,000)	($14,000)	($18,000)	($1,000)
7	Unit Rate Base, $/Unit			– $0.0105	–$1.4283	– $0.3267	– $0.7912	– $0.0896	
	Rate Base								
8	Total Rate Base		$48,558,000	$23,572,110	$11,175,548	$6,558,537	$5,974,569		$1,277,236
9	Unit Rate Base, $/Unit			$8.5221	$1,330.1621	$535.6903	$337.6416		
	Unit Return on Rate Base								
10	Outside-City, $/Unit Return on Rate Base (Input)	8.00%		$0.6818	$106.4130	$42.8552	$27.0113		
11	Outside-City Units of Service			230,000	788	945	34		
12	Outside-City Rate Base		$3,525,629	$1,960,081	$1,047,730	$506,337	$11,480		
13	Outside-City Return on Rate Base		$282,050	$156,807	$83,818	$40,507	$918		
14	Inside City, $/Unit Return on Rate Base (Input)	5.20%		$0.4431	$69.1562	$27.8510	$17.5543		
15	Inside-City Units of Service			2,536,000	7,614	11,298	17,661		
16	Inside-City Rate Base		$45,032,371	$21,612,029	$10,127,818	$6,052,200	$5,963,089		$1,277,236
17	Inside-City Return on Rate Base		$2,341,270	$1,123,627	$526,553	$314,659	$310,026		$66,405
18	Total System Return on Rate Base (Calculated)	5.40%	$2,623,320	$1,280,434	$610,372	$355,166	$310,944		$66,405
19	Inside City, $/Unit (Line 3 + 5 + 7 + 14)			$1.7885	$213.7455	$67.2925	$84.9268	$6.3257	$185,495
20	Outside City, $/Unit (Line 3 + 5 + 7 + 10)			$2.0272	$251.0023	$82.2967	$94.3838	$6.3257	

* Maximum-hour demand in excess of maximum-day demand.

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the cash-needs revenue requirements, instead of including depreciation and return on rate base as the capital costs, a government-owned utility can replace these items with debt service (including any coverage requirements), and annual capital outlays. Because the annual costs of debt service or cash-financed capital outlays can vary significantly from year-to-year, revenue requirements under the cash-needs approach can also vary significantly. To conform to the objective of rate continuity, those capital costs can be allocated to base and extra capacity components, or to commodity and demand cost components, in the same overall proportion or ratio as the allocation of total net plant investment or rate base. It is assumed that future capital projects (whether debt or cash financed) will be in rough proportion to the past investments in the system, or the net plant value, and the use of the cumulative net plant-value allocation basis for annual capital costs will tend to "dampen out" the variations in the annual additions to the net plant value and will provide for rate continuity.

Unit costs are determined simply by dividing the test-year O&M and capital cost components by the respective total system units of service for the test year. For example, in Table III.2-3 under the base-extra capacity method, the base unit cost for O&M expense of $1.1578 per thousand gallons may be derived by dividing the allocated base O&M expense of $3,202,390 by the total base-component units of service of 2,766,000 thousand gallons. Similar computations are made to determine unit costs for all other O&M expense and depreciation expense. Using the utility-basis approach, the resulting average unit costs for O&M expense and depreciation expense apply to all customers, both inside and outside the city. Allocation of O&M expense and depreciation expense to cost components is presented in chapter III.1.

As shown in Table III.2-3, unit return on rate base is determined by first calculating the unit cost for rate base. The rate base for each cost component is divided by respective total system units of service to yield unit costs for rate base. Subsequently, unit return on rate base is derived by applying the appropriate inside-city and outside-city rates of return to the unit costs for rate base. As discussed in chapters I.1 through II.5, for the government-owned utility to meet total cash revenue requirements under the hybrid utility approach or residual cash-needs approach, the required level of return in the example would be $2,623,320. Based on a total rate base of $48,558,000, the overall required rate of return is approximately 5.40 percent. In this example, it is assumed that the utility provides service to both inside-city and outside-city customers. Generally, where inside-city owners provide service to outside-city nonowners, a differential rate of return is appropriate. In this example, a rate of return of 8.0 percent is assumed and applied to component unit costs for rate base to determine the outside-city unit return on rate base.

In some cases, it may be desirable to calculate the outside-city and inside-city rates of return under the hybrid approach. Total outside-city return is calculated by determining total outside-city rate base and applying the 8.0 percent rate of return. According to the base-extra capacity method, total outside-city rate base is derived by applying the unit costs for rate base from Table III.2-3 to the respective outside-city units of service presented in Table III.2-1. Application of the 8.0 percent rate of return to an outside-city rate base of $3,525,629 results in an outside-city return of approximately $282,050. Once outside-city return is determined, the inside-city rate of return can be calculated as a level sufficient to derive the balance of the total required return or cash needs. In the example, the total required return is $2,793,000. Subtracting the outside-city return of $282,050 leaves a residual amount of $2,341,270, which is the net revenue requirement for inside-city customers.

The inside-city rate of return can be determined by dividing the total return from inside-city customers of $2,341,270 by the inside-city rate base. The inside-city rate base is calculated in a manner similar to that described for developing the outside-city

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rate base and totals $45,032,371. As a result, the total inside-city rate of return is determined to be 5.20 percent.

Returning to the unit-cost approach presented in Table III.2-3, inside-city unit return on rate base is developed by applying the 5.58 percent rate of return to the unit costs for rate base. The differential in inside-city versus outside-city rates of return reflects in part the municipality's risk in the ownership of facilities constructed to serve outside-city customers, as well as a return on paid-up equity in system facilities to inside-city customers.

Total unit costs of service are comprised of the O&M, depreciation, the credit for nonrate revenues, and return on rate-base unit costs of service and are shown at the bottom of Table III.2-3 for inside-city and outside-city customers on Lines 19 and 20, respectively. Also included in the table are the costs of service directly allocated to fire protection service. See chapter IV.8 for details on direct and indirect fire protection costs.

Unit costs of service for the commodity-demand method are developed using an approach similar to that used for the base-extra capacity method. Total unit costs of service for inside-city and outside-city customers under the commodity-demand method are summarized at the bottom of Table III.2-4.

DISTRIBUTING COSTS TO CUSTOMER CLASSES: BASE-EXTRA CAPACITY METHOD

The costs of service are distributed to the utility's customer classes by applying unit costs of service to individual customer class units of water service. The total units of service and the unit costs of service for the test year, from Tables III.2-1 and III.2-3 respectively, are summarized in Table III.2-5.

As discussed previously, base costs are costs that would be incurred in supplying water at perfect load factor (i.e., at a continuous, uniform rate), without costs incurred in providing extra plant capacity for variation in the rate of use beyond a uniform rate. The resulting distribution of cost responsibility for base costs is simply a function of the volume of water used by each class.

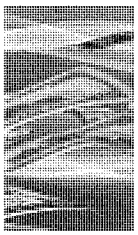
As shown in Table III.2-5, residential customers are projected to use 968,000 thousand gallons of water in the test year; commercial customers, 473,000 thousand gallons; and industrial customers 1,095,000 thousand gallons. Applying the inside-city unit base cost of $1.7885 per thousand gallons to the respective units of service yields the distributed customer-class base cost of service. By definition, the unit base cost is the minimum rate at which water could be sold (if perfect load-factor use could be achieved) after customer costs are recovered. Outside-city distributed base costs are derived from applying the unit base cost of $2.0272 per thousand gallons to the outside-city base unit-of-service requirements. The higher unit base cost reflects the rate of return differential discussed previously.

Extra capacity costs for maximum-day and maximum-hour service are incurred in providing facilities to furnish water at varying rates above the average. Customer class responsibility for extra capacity costs is determined by applying the unit costs of service to the individual customer-class units of service in a manner similar to that used for determining customer class base costs.

Customer costs, which include the categories of meters and services and billing and collection costs, are generally treated separately in rate studies. Customer costs associated with meters and services (both capital and O&M costs) may be distributed to customer classes on the basis of equivalent meter-and-service cost factors. Meter-and-service costs are based on the total number of equivalent ⅝-in. meters and are

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Appendix B

Equivalent Meter Ratios

In the overall rate-setting process, there is often the need to establish a minimum threshold or *base* level of cost or demand for service, against which the costs or demands of larger customers can be measured. A convenient and readily available parameter for this purpose is the size of the customer's water meter. Typically the meter size, which is generally used as the *base or minimum*, is the smallest available. The ⅝-inch meter traditionally has been the most prevalent meter size found in many water utilities, and, until recently, has also been the size most often used for single-family residential customers. However, this is subject to local code requirements that may vary by location, with some utilities using ¾-inch meters as the minimum size for residential customers. Accordingly, care should be taken to select the meter size for the *base* that is most relevant to the particular utility. In the overall rate-setting process, residential user characteristics are often used as the measure of the base level of service or on which service equivalency units are measured.

There are different methodologies for measuring or computing equivalent ratios for larger meters as compared to a ⅝-inch meter or the standard base size meter as determined by the utility. The appropriate methodology depends on the use of the equivalent ratios. The two most commonly used ratios in the water rate-making industry are (1) equivalent meter-and-service cost ratios and (2) equivalent meter capacity ratios. Generally, equivalent meter-and-service cost ratios should be used when assigning elements specifically related to the initial installation cost of meters and service line connections, depreciation of meters and services, replacement of meters, and testing of meters among the various sizes of meters in the system. The allocation of many customer-related costs associated with meters in conjunction with a cost-of-service study is an example of a use of equivalent meter cost ratios.*

Meter capacity ratios, on the other hand, are most often used when estimating potential capacity or demand requirements for customers on the basis of the size of the water meter. The determination of system development charges or impact fees for meters greater than the base size, where potential customer demand is assumed to

* This may not include customer costs associated with meter reading, billing, and collection that are typically the same for all meter sizes and are more a function of bill frequency.

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be proportional to meter size, is an example of the use of meter capacity ratios. Meter capacity ratios may also be appropriate in the design of the service charge portion of the general rate schedule when such charges include some recovery of fixed-capacity-related costs or readiness-to-serve-related costs.

EQUIVALENT METER-AND-SERVICE COST RATIOS

In determining the ratio of the cost of installing various sizes of meters and related service lines relative to the cost of installing the base size meter, it is important to include all of the costs involved in such installations. This includes the direct cost of the various categories of labor involved in the installation, fringe benefit related overheads and other appropriate administrative overheads applicable to the labor costs, all direct materials and supplies costs, and the cost of equipment used in the installation.*

In the cost allocation examples in chapter III.2, the costs of meters and services were combined in the cost allocation procedure. This is an appropriate consideration when it is the responsibility of the utility to install both a portion of the customer service line (generally from the main in the street to the customer's property line) as well as the meter itself. Accordingly, the example derivation of the cost ratios shown in this appendix, and used in chapter III.2, are related to the combined cost of meter-and-service installations for various sizes of connections.

The following table presents an example of the costs of meter installations for ⅝-, ¾-, 1-, and 1½-inch meters and the related service lines. Note that these are merely examples and not recommended for use by a specific utility unless they have been verified by the utility. Dividing the total costs of installing the meter-and-service installations of the larger meter sizes by the total cost of the ⅝-inch meter-and-service connection yields the cost ratios shown. The development of these ratios, along with the applicable ratios for larger size meters, is the basis for the tabulation shown in chapter III.2 of this manual.

Cost Item	⅝-in.	¾-in.	1-in.	1½-in.
Service Connection	$922.32	$922.32	$988.97	$1,026.52
Meter Installation	$385.46	$463.97	$869.38	$1,302.13
Total Cost	$1,307.78	$1,386.29	$1,858.35	$2,328.65
Ratio to ⅝ in.	1.00	1.06	1.42	1.78
Ratio Used	1.0	1.1	1.4	1.8

EQUIVALENT METER CAPACITY RATIOS

The safe operating flow, or capacity, of a particular size of meter is essentially the limiting factor in terms of the demand that can be exerted on the water system through the meter. In establishing a schedule of system development charges based on meter size or assigning a portion of the fixed costs as part of a demand or readiness to serve component, the potential demand or capacity requirements placed on the water system by a new customer is generally an accepted basis for determining the level of charge applicable to the customer. Accordingly, when the minimum or base system development charge is established for a single-family residential customer with a ⅝-in. meter (as is often the case), the ratio of the safe operating capacity of various

* Where actual meter-and-service installation costs are not available due to the absence of detail in property records, current-day installation costs may be used instead.

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sizes of meters, relative to the capacity of a ⅝-inch meter, may be used to determine appropriate charges for the larger meter sizes.

In chapter VI.2 (see Table VI.2-5), the maximum safe operating capacity for meters of various sizes are tabulated, based on the American Water Works Association's (AWWA's) Standards for Water Meters (C700 series). The ratios of these capacities, relative to that of a ⅝-inch meter, are computed, and range from 1.5 for a ¾-inch meter up to 265 for a 12-inch turbine meter. As discussed in chapter VI.2, while capacity ratios for larger meters can be computed, the use of such ratios for larger meters may or may not provide a true indication of the potential demand requirements of the larger meters. Table B-1 displays the safe maximum operating capacity by meter size and meter type based on AWWA's Standards for Water Meters.

It is important to understand and recognize the types of costs that are to be recovered using equivalent meter ratios in order to develop the appropriate meter equivalency factors. As discussed in chapter VI.2, developing equivalent capacity ratios specific to a particular utility and its system characteristics is normally desired, as opposed to using a standardized table of meter equivalencies. For example, a water utility may have significant investment in impounded reservoir source of supply facilities (designed on the basis of annual average-day demands), as well as treatment plant, pumping, and transmission facilities (designed on the basis of maximum-day and/or -hour demands). In this instance, the utility would need to recognize both annual usage requirements, as well as peak demand requirements, for each of its sizes of meters in establishing relevant equivalent capacity ratios appropriate for system development charge determination.

SUMMARY

The selection of equivalent meter ratios is dependent on the purpose for which the ratios are to be used. Care should be exercised in using the correct ratio methodology for the correct purpose. It is normally desirable to develop ratios that are applicable to an individual utility's particular circumstances and facilities. The purpose of this appendix is to clarify the various types of equivalent meter ratios that may be used in rate making, and the general applicability of each of the measures of equivalency. Selection of the appropriate measures for distributing costs should be considered on an individual utility basis.

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Table B-1 Safe maximum operating capacity* by meter type, per current AWWA standards, gpm

Meter Size (in.)	C700-09 Displacement Type (Bronze main case)	C710-09 Displacement Type (plastic main case)	C708-11 Multijet Type	C712-10 Singlejet Type	C713-10 Fluidic-Oscillator Type	C701-12 Turbine Type, Class I, Vertical-Shaft Type	C701-12 Turbine Type, Class II, In-Line (high-velocity type)	C702-10 Compound Type, Class I	C702-10 Compound Type, Class II	C703-11 Fire-Service, Type I, Proportional Fire-Service Meters w/ Check Valve	C703-11 Fire-Service, Type II, Compound Fire-Service Meter Assembly and Strainer w/ Check Valve	C703-11 Fire-Service, Type III, Turbine Fire-Service Meter and Strainer w/o Check Valve	C704-08 Propeller Type
½	15	15			15								
½ × ¾	15	15			15								
⅝	20	20	20	20	20								
⅝ × ¾	20	20	20	20	20								
¾	30	30	30	30	30	30							
1	50	50	50	50	50	50							
1½	100		100	100	100	100	120						
2	160		160	160	160	160	190	160	160				120
3				320		350	435	320	350	400	350	350	300
4				500		630	750	500	600	700	700	700	600
6				1,000		1,300	1,600	1,000	1,350	1,600	1,600	1,600	1,350
8							2,800	1,600	1,600	2,800	2,800	2,800	1,800
10							4,200			4,400	4,400	4,400	2,400
12							5,300						3,375
14													4,500
16							7,800						5,700
18													6,750
20							12,000						8,250
24													12,000
30													18,000
36													24,000
42													40,000
48													50,000
54													55,000
60													80,000
66													95,000
72													115,000

* C700, C710, C708 → Operation at this flow rate should not exceed 10 percent of usage, or 2 hr in a 24-hr period.
C701 → Safe Maximum Operating Capacity is the maximum flow rate for intermittent service and should not exceed 33 percent usage (8 hr/day).
C704 → As shown for use 10 to 15 percent of total time meter is operating (also referred to as "intermittent maximum flow").

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Table VI.2-4 Illustrative example of the development of the SDC for pumping plant using the combined cost method for a ⅝-in. connection

Capacity Item	Value	Outstanding Debt Principal	Net Value	Capacity, mgd	Unit Value, $/mgd
Existing Capacity	$4,179,723	$500,000	$3,679,723	24.0	NA*
Future Capacity	785,750		785,750	4.0	NA
	$4,965,473	($500,000)	$4,465,473	28.0	$159,481
Divided by: 1,000,000 gallons ($/gpd)					$0.1595
Multiplied by: New ⅝-inch Customer Demand (gpd)					625.0
Equals: Pump Station Component Value of SDC					$99.68

* NA = not applicable.

Combined Cost Approach

The combined cost approach, as shown in Table VI.2-4, is as the name implies a method of averaging the buy-in method and the incremental cost method. The average is not a simple summed average, but rather, it is a weighted average. In the example illustrated in Table VI.2-4, it is assumed that the utility has capacity within the existing system that can serve growth but will also need to add capacity in the future to serve growth. In such cases, it is logical to base the SDC on the weighted average cost of the existing capacity and future capacity additions. By doing so, new customers pay an SDC that reflects the value of existing and planned capacity.

As was the case for the buy-in and incremental methods, the example in Table VI.2-4 provides the pumping plant cost component for the SDC. In this case, using the combined cost method, the SDC for a ⅝-in. connection is $99.68. This is based on a unit cost of $0.1595/gpd and a customer demand of 625 gpd. A similar analysis should be done for the other functional areas of the system, and the sum of the component SDCs will result in the total allowable SDC for a new customer.

SDC Schedule Methods

The examples used in this chapter have determined an SDC for a new ⅝-in. connection. However, new customers will likely have different connection sizes and place different capacity demands on the system. As a result, a utility must have a method of administering the SDCs that fairly and equitably reflect the capacity costs of the varying new customer capacity needs. There are four common methods for determining the SDCs for varying capacity requirements:

1. Meter size
2. Equivalent residential units (ERUs)
3. Dwelling fixture units (DFUs)
4. Estimated usage

Meter size. A common method for administering SDCs is based on meter size. One of the advantages of this method is that it is relatively easy to administer and explain to new customers. According to the meter size approach, SDCs for new customers increase as the size (capacity) of the meter increases. To accomplish this, an equivalent meter ratio is developed that expresses the capacity of larger meters in relation to the capacity of the utility's "base" meter size (e.g., a ⅝-in. meter).

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Table VI.2-5 Meter equivalencies based on meter capacity and establishing SDCs by meter size using the buy-in method and replacement cost new less depreciation valuation approach

Meter Size	Maximum Rated Safe Operating Flow, gpm*	Meter Equivalent Ratio†	SDC‡
⅝" Displacement	20	1.0	$2,454
¾" Displacement	30	1.5	3,681
1" Displacement	50	2.5	6,135
1½" Discplacement	100	5.0	12,271
2" Displacement	160	8.0	19,633
3" Singlejet	320	16.0	39,267
3" Compound, Class I	320	16.0	39,267
3" Turbine, Class I	350	17.5	42,948
4" Singlejet	500	25.0	61,354
4" Compound, Class I	500	25.0	61,354
4" Turbine Class I	630	31.5	77,307
6" Singlejet	1,000	50.0	122,709
6" Compound, Class I	1,000	50.0	122,709
6" Turbine Class I	1,300	65.0	159,521
8" Compound, Class I	1,600	80.0	196,334
8" Turbine Class II	2,800	140.0	343,585
10" Turbine Class II	4,200	210.0	515,377
12" Turbine Class II	5,300	265.0	650,357

* Source: AWWA Standards: Displacement C700-09; Singlejet C712-10; Turbine Class I C701-12; Turbine Class II C701-12; Compound Class I C702-10.

† Using standard maximum meter-flow capacity ratios (e.g., 2" = 160 gpm, 20 gpm [⅝"] = 8.0:1.0 capacity ratio).

‡ ⅝-inch SDC based on example presented in Table VI.2-2.

The equivalent meter ratio is used as the basis for the increased SDC for larger meters. For example, the safe operating capacity of a ⅝-in. meter is 20 gpm. In contrast to this, a 2-in. meter has a safe operating capacity of 160 gpm. Thus, on a capacity basis, a 2-in. meter is the equivalent of eight ⅝-in. meters and the SDC for the 2-in. meter should be set at 8 times the ⅝-in. meter SDC.

Table VI.2-5 provides an example for the development of SDC schedules based on a ⅝-in. meter size as the base meter size. In this example the base SDC is $2,454 or the amount calculated in the buy-in example displayed in Table VI.2-2.

As shown in Table VI.2-5, for each type of meter, there is a corresponding maximum rated safe operating flow. This provides the basis for the meter equivalency ratios. These ratios are then multiplied by the base cost SDC ($2,454) to provide a schedule of SDCs for new customers connecting to the system. For example, a customer with a 2-in. meter would be charged $19,633, since the capacity of a 2-in meter is eight times that of a ⅝-in. meter. Stated another way, a customer with a 2-in. meter has the capacity of the equivalent of eight ⅝-in. meters.

Equivalent residential units. One of the disadvantages of the meter size approach is that for larger meters, the meter capacity may not be a reasonable indicator for the actual capacity use of the customer. It should be remembered that the $2,454 SDC for a ⅝-in. connection reflects the usage patterns of that size meter (i.e., a residential customer with a ⅝-in. meter). A new customer with a larger connection

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size, for example an industrial customer with a 6-in. meter, may use far more capacity than shown on Table VI.2-5 for a 6-in. meter. Given that, an individual determination of the number of equivalent units or capacity requirements may be appropriate. Some utilities, within their adopted SDC ordinance or resolution, provide for the ability to review capacity use of customers with larger connections after a specified period of time after which a baseline of historical usage has been established. With this review comes the opportunity to true-up the SDC payment based on the baseline consumption data.

Dwelling fixture units. The dwelling fixture unit approach is based on a count of the fixture units (water-using devices like toilets, dishwashers, etc.) within the dwelling or building. This method is commonly used for unmetered customers. The basic concept of this approach is that each water-using fixture within the dwelling is equal to a specified volume stated in gallons per day and that can be equated to an equivalent residential unit (ERU). The values for each fixture unit within the dwelling are then summed, and the total ERUs for purposes of establishing the SDC can be determined.

Estimated usage. This approach is often used by utilities to establish the SDC for new customers needing a meter size that is larger than a certain threshold (e.g., larger than 2-in.). In these cases, for new connections up to the threshold size, the utility will use the meter size, or other standard approach. Then, for meters larger than the threshold, the utility will estimate the capacity needs of the new customer and base the SDC on those estimates. Ideally, the utility will have other similar customers with historical data on which to make the estimate. In some cases where estimated usage is used to determine the customer's SDC, the utility may consider a true-up to the SDC after some reasonable time period of historical usage that has allowed for a clearer understanding of the customer's patterns of use; the use of such a true-up should be evaluated based on any applicable legal/legislative requirements governing the assessment of SDCs.

Timing of SDC assessment and collection. Another factor that should be considered when selecting the SDC schedule approach is the timing of the SDC assessment and collection. Depending on when the SDC is assessed and collected, it may be possible that the data required for one or more of the four approaches will not be available. However, if the SDC is collected at the time of building permit issuance or service initiation (e.g., at the time the meter is set), the data for any of the four approaches would be available, and therefore any one of them could be selected. The estimated usage approach involves additional collection steps in cases where the customer's usage during the monitoring period demonstrates the need to collect an incremental SDC. When the monitoring period extends over years, it is possible that the utility may find itself dealing with customer turnover at the service location. Again, the determination of when the SDC may be assessed and/or collected may be governed by local or state requirements.

OTHER SDC TECHNICAL AND ADMINISTRATIVE ISSUES

While the previous discussion and examples have provided an overview of the development of SDCs, there are many other technical and administrative issues associated with SDCs.

SDC Revenue (Debt) Credits

It is recommended that SDC calculations include credits for capital costs that are embedded in system revenue requirements (e.g., outstanding debt) and therefore will

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Appendix D

Fixture Count EDU Calculator – Meridian Example

KELLER ASSOCIATES

Community Development Department

Building Services
Meridian City Hall, Suite 102
33 E. Broadway Avenue
Meridian, Idaho 83642

Sanitary Sewer & Water Assessment Calculator (Estimate Only)

Fee Calculator Instructions: Enter appropriate data into the Blue cells Only. Values and Costs will be calculated automatically based upon user entered data. This Calculator is being furnished as an estimating tool for our customers, and the generated results shall not be considered completely accurate for permitting purposes.
Basis for Equivalent Residential Unit (ERU): Total number of Water Supply Fixture Units (WSFU), divided by 21 = the total number of ERU. Values are based upon the International Code Council's Building Valuation Data from 2009. For each ERU, there is a credit for 5,450 square feet of landscape irrigation.

Appliancse, Appurtenance, or Fixtures	No of Fixtures	WFU / Fixture	Total WFU	DFU / Fixture	Total DFU
Water Closet, 1.6 GPF Flushometer Tank		2.5	0.0	4.0	0.0
Lavatory		1.0	0.0	1.0	0.0
Urinal,1.0 GPF Flushometer Valve		5.0	0.0	2.0	0.0
Sink, Bar		2.0	0.0	2.0	0.0
Sink Kitchen, Dual Faucet Domestic		3.0	0.0	4.0	0.0
Sink Kitchen, Single Faucet Domestic		1.5	0.0	2.0	0.0
Sink Laundry		1.5	0.0	2.0	0.0
Sink Service or Mop Basin		3.0	0.0	3.0	0.0
Sink Washup, Each Set of Faucets		2.0	0.0	2.0	0.0
Bathtub or Combination, Bath/Shower (Fill)		4.0	0.0	2.0	0.0
Shower, Per Head		2.0	0.0	2.0	0.0
Dishwasher, Domestic		1.5	0.0	2.0	0.0
Clothes Washer		4.0	0.0	3.0	0.0
Drinking Fountain or Watercooler (Hi-Lo Fountain Counts as 1)		0.5	0.0	0.5	0.0
Hose Bibb		2.5	0.0	0.0	0.0
Hose Bibb, Each Additional		1.0	0.0	0.0	0.0
Floor Drain		0.0	0.0	2.0	0.0
Floor Sink		2.0	0.0	2.0	0.0

Total WFU **0.0** **Total DFU** **0.0**

Total ERU for Water Assessment (Total WFU divided by 21) **0.00**
Total ERU for Sewer Assessment (Total DFU divided by 21) **0.00**

Landscape Irrigation	Square Footage
Total Landscaping Square Footage	
Landscaping Square Footage Credit Based on Above Total ERU	0.00

Total Square Footage After Credit **0.00**

Total ERU Landscaping (Total After Credit Divided by 5,450) **0.00**

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APPENDIX E

City of Kuna Water System Asset Inventory

KELLER ASSOCIATES

City of Kuna Water System Asset Inventory

Water System Asset				Project Valuation	Year of Valuation	Year of Valuation ENR Index	Replacement Cost (2018 $$)	Design Life	Construction / Major Upgrade Year	Remaining Life	Annualized Replacement Cost (based on design life) ($/yr)	Annualized Replacement Cost (based on remaining life) ($/yr)	Value of Depreciation Experienced to Date ($)	Depreciated Value (2018)
Wells and Booster Stations														
Well 10	Structures (Long-Lived Assets)			$526,900	2012	9308	$632,302.64	50	2012	44	$21,000	$22,580	$75,876	$556,426
	Mechanical, Electrical (Short-Lived Assets)			$100,100	2012	9308	$120,124.30	20	2012	14	$7,500	$10,070	$36,037	$84,087
Well 6	Structures (Long-Lived Assets)			$526,900	2012	9308	$632,302.64	50	2003	35	$21,000	$26,100	$189,691	$442,612
	Mechanical, Electrical (Short-Lived Assets)			$200,100	2012	9308	$240,128.60	20	2003	5	$15,000	$51,250	$180,096	$60,032
Well 5	Structures (Long-Lived Assets)			$526,900	2012	9308	$632,302.64	50	1998	30	$21,000	$29,020	$252,921	$379,382
	Mechanical, Electrical (Short-Lived Assets)			$100,100	2012	9308	$83,413.68	20	1998	0	$5,300	$83,414	$83,414	$0
Butler Booster Station	Structure, Tank, and Wells 3 and 11 (Long-Lived Assets)			$1,787,916	May-17	10692	$1,867,847.15	50	2016	48	$62,000	$63,400	$74,714	$1,793,133
	Mechanical, Electrical (Short-Lived Assets)			$1,152,749	May-17	10692	$1,204,283.87	20	2016	18	$75,100	$81,750	$120,428	$1,083,855
Cedar Booster Station	Structure, Tank, and Wells 4 and 9 (Long-Lived Assets)			$1,787,916	May-17	10692	$1,867,847.15	50	1993	25	$62,000	$97,940	$933,924	$933,924
	Mechanical, Electrical (Short-Lived Assets)			$1,152,749	May-17	10692	$1,204,283.87	20	1993	0	$75,100	$1,204,284	$1,204,284	$0
Danskin Wells	Structures and Wells 7 and 8 (Long-Lived Assets)			$276,000	Apr-02	6838	$450,851.13	50	2002	34	$15,000	$18,980	$144,272	$306,579
	Mechanical, Electrical (Short-Lived Assets)			$146,000	Jun-08	8185	$199,244.96	20	2008	10	$12,500	$22,420	$99,622	$99,622
Pipes		**Length**												
4" Pipe		11,865	LF	$1,098,996	May-17	10692	$1,148,128	70	2001	53	$32,300	$36,910	$278,831	$869,297
6" Pipe		119,507	LF	$12,428,728	May-17	10692	$12,984,371	70	2001	53	$365,300	$417,370	$3,153,347	$9,831,024
8" Pipe		246,975	LF	$27,290,738	May-17	10692	$28,510,806	70	2001	53	$802,100	$916,450	$6,924,053	$21,586,753
10" Pipe		65,348	LF	$8,070,478	May-17	10692	$8,431,279	70	2001	53	$237,200	$271,020	$2,047,596	$6,383,683
12" Pipe		102,109	LF	$13,937,879	May-17	10692	$14,560,990	70	2001	53	$409,700	$468,050	$3,536,240	$11,024,749
14" Pipe		1,332	LF	$386,145	Oct-18	11170	$386,145	70	2001	53	$10,900	$12,420	$93,778	$292,367
15" Pipe		1,931	LF	$414,200	May-17	10692	$432,717	70	2001	53	$12,200	$13,910	$105,088	$327,628
16" Pipe		62	LF	$13,299	May-17	10692	$13,894	70	2001	53	$400	$450	$3,374	$10,519
Water Valves ($2,750/ea)		2589	units	$7,119,750	Feb-18	10689	$7,440,135	30	2001	13	$341,500	$664,290	$4,216,077	$3,224,059
Blow-Off Valves ($2,750/ea)		170	units	$467,500	Feb-18	10689	$488,537	30	2001	13	$22,500	$43,620	$276,838	$211,699
Water Meter and setter assembly ($1,950/ea)		1132	units	$1,867,800	May-17	10692	$1,951,302	20	2001	3	$121,700	$679,270	$1,658,607	$292,695
Fire Hydrants ($4,910/ea)		921	units	$4,522,509	Jan-18	10676	$4,731,774	40	2001	23	$179,100	$264,360	$2,011,004	$2,720,770
TOTALS				**$85,902,349**			**$90,215,011**				**$2,927,400**	**$5,499,328**	**$27,700,114**	**$62,514,897**

Water System Asset Replacement

Water System Asset		Replacement Cost (2018 $$)	Design Life	Annualized Replacement Cost (based on design life) ($/yr)	Remaining Life	Annualized Replacement Cost (based on remaining life) ($/yr)	Value of Depreciation Experienced to Date ($)	Depreciated Value (2018)
Short-Lived Assets (≤ 20 Year Design Life)								
Well 10	Mechanical, Electrical (Short-Lived Assets)	$120,124	20	$7,500	14	$10,070	$36,037	$84,087
Well 6	Mechanical, Electrical (Short-Lived Assets)	$240,129	20	$15,000	5	$51,250	$180,096	$60,032
Well 5	Mechanical, Electrical (Short-Lived Assets)	$83,414	20	$5,300	0	$83,414	$83,414	$0
Butler Booster Station	Mechanical, Electrical (Short-Lived Assets)	$1,204,284	20	$75,100	18	$81,750	$120,428	$1,083,855
Cedar Booster Station	Mechanical, Electrical (Short-Lived Assets)	$1,204,284	20	$75,100	0	$1,204,284	$1,204,284	$0
Danskin Wells	Mechanical, Electrical (Short-Lived Assets)	$199,245	20	$12,500	10	$22,420	$99,622	$99,622
Water Meter and setter assembly ($1,950/ea)		$1,951,302	20	$121,700	3	$679,270	$1,658,607	$292,695
TOTALS		**$5,002,782**		**$312,200**		**$2,132,458**	**$3,382,489**	**$1,620,292**
Long-Lived Assets (> 20 Year Design Life)								
Well 10	Structures (Long-Lived Assets)	$632,303	50	$21,000	44	$22,580	$75,876	$556,426
Well 6	Structures (Long-Lived Assets)	$632,303	50	$21,000	35	$26,100	$189,691	$442,612
Well 5	Structures (Long-Lived Assets)	$632,303	50	$21,000	30	$29,020	$252,921	$379,382
Butler Booster Station	Structure, Tank, and Wells 3 and 11 (Long-Lived Assets)	$1,867,847	50	$62,000	48	$63,400	$74,714	$1,793,133
Cedar Booster Station	Structure, Tank, and Wells 4 and 9 (Long-Lived Assets)	$1,867,847	50	$62,000	25	$97,940	$933,924	$933,924
Danskin Wells	Structures and Wells 7 and 8 (Long-Lived Assets)	$450,851	50	$15,000	34	$18,980	$144,272	$306,579
4" Pipe		$1,148,128	70	$32,300	53	$36,910	$278,831	$869,297
6" Pipe		$12,984,371	70	$365,300	53	$417,370	$3,153,347	$9,831,024
8" Pipe		$28,510,806	70	$802,100	53	$916,450	$6,924,053	$21,586,753
10" Pipe		$8,431,279	70	$237,200	53	$271,020	$2,047,596	$6,383,683
12" Pipe		$14,560,990	70	$409,700	53	$468,050	$3,536,240	$11,024,749
14" Pipe		$386,145	70	$10,900	53	$12,420	$93,778	$292,367
15" Pipe		$432,717	70	$12,200	53	$13,910	$105,088	$327,628
16" Pipe		$13,894	70	$400	53	$450	$3,374	$10,519
Water Valves ($2,750/ea)		$7,440,135	30	$341,500	13	$664,290	$4,216,077	$3,224,059
Blow-Off Valves ($2,750/ea)		$488,537	30	$22,500	13	$43,620	$276,838	$211,699
Fire Hydrants ($4,910/ea)		$4,731,774	40	$179,100	23	$264,360	$2,011,004	$2,720,770
TOTALS		**$85,212,229**		**$2,615,200**		**$3,366,870**	**$24,317,625**	**$60,894,604**
COMBINED TOTAL (Short and Long-Lived Assets)		**$90,215,011**		**$2,927,400**		**$5,499,328**	**$27,700,114**	**$62,514,897**

APPENDIX F

Top 20 Water Users Lists

KELLER ASSOCIATES

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City of Kuna

Top 20 Commercial Users – Largest Average Monthly Usage

Customer	Service Address	Customer Name	Meter ID	Res/Comm/Exempt/HOA	Meter Size	Service	Separate Irr?	EDUs	Avg Monthly Usage	Min Monthly Usage	Max Monthly Usage	Average Yearly Usage
140001	710 E AVALON ST	AC KUNA LLC*		Commercial	3/4	Water	Yes	3	2,606,538	636,400	3,467,500	31,278,450
192000	1415 N MERIDIAN RD- METER I	RIDLEY'S MARKET IRR METER	1471740384	Commercial	2	Water	Yes	1	1,444,131	81,000	2,785,000	17,329,569
50258.02	620 N LINDER AVE- IRRIGATIOI	VALLEY RUN LLC--IRRIGATION**	1543463120	Commercial	2	Water	Yes	4	427,833	196,000	601,500	5,134,000
30512.01	951 W AVALON ST	AVALON COUNTRY ESTATES	1470732398	Commercial	2	Water	Yes	25	369,800	78,500	970,500	4,437,600
140000	700 E AVALON ST	ALBERTSONS	1471838266	Commercial	2	Water	Yes	1	223,500	78,000	409,500	2,682,000
21022.02	191 W SHORTLINE RD	IDAHO POWER - METER IRR	1470803574	Commercial	3/4	Water	Yes	1	121,365	400	226,300	1,456,376
10231.02	482 W MAIN ST	CONPAZ INC DBA ENRIQUES	1471727228	Commercial	3/4	Water	Yes	3	113,532	72,400	163,650	1,362,384
140600	1009 E KUNA RD	1009 E KUNA RD, LLC	1470070434	Commercial	2	Water	No	1	104,200	48,000	201,000	1,250,400
140003	712 730 E AVALON ST	ALBERTSONS	1471813270	Commercial	2	Water	Yes	10	84,960	3,000	297,000	1,019,520
140008	700 E AVALON (MTR IRRG)	ALBERTSONS LLC	1482402728	Commercial	3/4	Water	Yes	1	74,968	18,000	114,700	899,614
21185.01	247 S SCHOOL AVE	SCHMID, PETER J	1470813828	Commercial	2	Water	Yes	1	64,900	24,500	130,000	778,800
30065.01	942 OWYHEE ST	KLAUZER, JIM	1470787700	Commercial	2	Water	Yes	1	64,460	10,000	181,000	773,520
80010.01	1415 MERIDIAN RD RIDLEYS	CJM LIMITED LIABILITY	1471407988	Commercial	2	Water	Yes	9	63,240	45,500	98,000	758,880
10580.01	320 N LINDER AVE	CASE, DAVID L	1471834172	Commercial	3/4	Water	Yes	1	60,560	1,350	138,500	726,720
140595	708 E WYTHE CREEK CT	STAFFORD, MICHAEL D	1105257746	Commercial	2	Water	Yes	3	58,480	2,000	156,500	701,760
10130.01	485 W MAIN ST	US BANK 300 33688	1471821686	Commercial	2	Water	Yes	2.1	57,580	1,000	204,000	690,960
30020.01	129 N SCHOOL AVE	BOISE KUNA IRRIGATION	1470648358	Commercial	3/4	Water	Yes	3.8	55,372	800	133,800	664,464
140594	672 E WYTHE CREEK CT	KUNA PROPERTIES, LLC	1471413544	Commercial	2	Water	Yes	7.9	55,327	1,000	157,500	663,923
160373	202 W WHITE WAY	CRAE BERRETT/SWAN FALLS ASSISTED	1470621854	Commercial	2	Water	Yes	1	52,520	39,000	89,000	630,240
50403.01	850 -862 WHITE BARN RD	GIMA, LANCE	1471224774	Commercial	2	Water	Yes	1	51,420	21,500	136,500	617,040

Top 20 Residential Users – Largest Average Monthly Usage

Customer	Service Address	Customer Name	Meter ID	Res/Comm/Exempt/HOA	Meter Size	Service	Separate Irr?	EDUs	Avg Monthly Usage	Min Monthly Usage	Max Monthly Usage	Average Yearly Usage
20040.01	391 N ORCHARD AVE	DRYE, TERRY*	1547836576	Residential	3/4	Water	No	1	69,326	14,377	169,600	831,908
21020.01	355 S SWAN FALLS RD	WHITTAKER INVESTMENTS	1483320436	Residential	3/4	Water	Yes	1	63,174	29,600	182,200	758,088
150100	640 W RAMS HILL ST	MESERTH, MORGAN A**	1471813412	Residential	3/4	Water	Yes	1	62,404	7,300	271,650	748,846
21090.01	781 S SCHOOL AVE	JIM RUSSELL EXCVTN	1470706906	Residential	3/4	Water	Yes	1	60,392	4,750	146,850	724,704
20665.01	375 E AVALON ST	THOMAS, LISA	1547838946	Residential	3/4	Water	No	1	59,675	33,150	86,200	716,100
180480	1196 N CABRILLO AVE	MOONEY, KEVIN L	1545269336	Residential	3/4	Water	Yes	1	58,400	58,400	58,400	700,800
10550.01	388 N LINDER AVE	BELL, DALE	1471813414	Residential	3/4	Water	No	1	50,160	37,200	70,400	601,920
30240.03	1311 W OWYHEE ST	MCMENOMY III, CHARLES ROBERT	1547840272	Residential	3/4	Water	No	1	46,550	31,350	61,750	558,600
30260.02	1333 -1343 W OWYHEE ST	SANDERS, JOSHUA GLADE	1547840834	Residential	3/4	Water	No	1	46,140	33,170	56,400	553,680
260245	1827 N BISQUE AVE	JONES, THOMAS R	1471752019	Residential	3/4	Water	Yes	1	44,126	28,650	63,900	529,512
20575.01	235 S ORCHARD AVE	MESSMER, JOHN	1471025012	Residential	3/4	Water	No	1	42,722	5,550	179,300	512,664
30200.01	1241 W OWYHEE ST	CROWE, WILLIAM C	1470771902	Residential	3/4	Water	No	1	40,644	23,750	77,000	487,728
60700.01	530 W DAWN CT	JSR ENTERPRISES	1450556619	Residential	3/4	Water	No	1	38,032	5,900	80,900	456,384
50365.01	743 N LINDER AVE	STEWART, JULIE	1471772426	Residential	3/4	Water	No	1	38,022	3,950	93,050	456,264
70380.03	880 N GOIRI ST	SHELP, JOHN M	1470723556	Residential	3/4	Water	Yes	1	38,022	2,200	161,950	456,264
80470.01	846 N STRIKE WAY	ROYER, MARJORIE	1547838434	Residential	3/4	Water	No	1	36,730	35,700	37,760	440,760
91745.01	1156 W SKAGWAY ST	STEELE, RONALD J	1471800128	Residential	3/4	Water	Yes	1	34,776	8,750	73,450	417,312
60870.01	582 - 588 W DAWN CT	CHRISTENSEN, EMORY C	1470893518	Residential	3/4	Water	Yes	1	34,750	4,250	79,150	417,000
40230.02	729 N ELM AVE	CROWE, JOHN D	1471705860	Residential	3/4	Water	Yes	1	34,616	10,300	75,350	415,392
30860.01	1380 W CURTNER ST	HOLGATE, LILA***	1543160776	Residential	3/4	Water	No	1	34,602	50	109,150	415,218
60720.01	535 W DAWN CT	PIFER, DAVID	1450548662	Residential	3/4	Water	No	1	34,090	1,800	107,100	409,080

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City of Kuna

Top 20 Senior Residential Users – Largest Average Monthly Usage

Customer	Service Address	Customer Name	Meter ID	Res/Comm/Exempt/HOA	Meter Size	Service	Separate Irr?	EDUs	Avg Monthly Usage	Min Monthly Usage	Max Monthly Usage	Average Yearly Usage
11000.01	325 N CLEVELAND AVE	GODFREY, W R	1471821574	Senior Residential	3/4	Water	No	1	46,542	16,900	107,800	558,504
30381.01	1280 W AVALON ST	CARLOCK, DONALD L	1470817694	Senior Residential	3/4	Water	No	1	36,527	50	103,500	438,327
40550.01	455 N MARTEESON AVE	SAGAR, KERRY	1490358190	Senior Residential	3/4	Water	Yes	1	33,918	4,350	75,850	407,016
40130.01	600 N ELM AVE	ANDREWS, JUANITA GAY	1471555446	Senior Residential	3/4	Water	Yes	1	32,632	23,500	66,150	391,584
80613.01	116 E PORTER ST	CARPENTER, DENNIS D	1546712492	Senior Residential	3/4	Water	No	1	32,243	3,000	86,650	386,917
40425.02	576 N MARTEESON AVE	CROWE, JEFFREY	1471799412	Senior Residential	3/4	Water	Yes	1	31,800	31,800	31,800	381,600
60730.01	539 W DAWN CT	FALVEY, MARTHA	1450548663	Senior Residential	3/4	Water	No	1	29,332	8,000	147,450	351,984
20030.02	375 N ORCHARD AVE	HULLINGER, JACINTA L	1547835860	Senior Residential	3/4	Water	No	1	28,165	22,830	33,500	337,980
20615.01	221 S BLUE DIAMOND LN	YOUNG, DON	1470875708	Senior Residential	3/4	Water	No	1	26,774	2,400	79,250	321,288
20330.02	679 -689 E 4TH ST	FARIA, FRANCINE	1470535860	Senior Residential	3/4	Water	No	1	24,948	7,100	64,650	299,376
60140.01	939 W TEN LETTER CT	SHAPPEE, MARGARET	1470598664	Senior Residential	3/4	Water	No	1	24,152	1,700	75,900	289,824
10740.02	330 E 2ND ST	BACHMAN, BOB	1540260912	Senior Residential	3/4	Water	No	1	22,600	1,000	107,300	271,200
70180.01	663 W TRINI ST	FOLAND, JAMES	1547871248	Senior Residential	3/4	Water	Yes	1	22,495	15,000	31,700	269,940
40570.01	424 N MARTEESON AVE	CONTRERAS, ENRIQUE	1490316022	Senior Residential	3/4	Water	Yes	1	22,074	2,250	91,400	264,888
70590.01	698 W MENDI PL	WOLFLEY, ROBERT R	1471061604	Senior Residential	3/4	Water	No	1	21,616	3,050	55,050	259,392
30410.01	1220 W AVALON ST	ANDERSON, VICKI C	1470791630	Senior Residential	3/4	Water	No	1	20,840	1,100	72,600	250,080
100150	221 S ALLIE AVE	OEHLER, WILLIAM D	1471821634	Senior Residential	3/4	Water	No	1	20,720	5,000	57,000	248,640
10800.01	363 E 2ND ST	PHILLIPS, RONALD E	1471806608	Senior Residential	3/4	Water	No	1	20,398	2,400	79,100	244,776
31070.01	375 S ASH AVE	GEARHART, LEONA	1470638850	Senior Residential	3/4	Water	No	1	20,120	3,150	47,250	241,440
21000.01	425 S SWAN FALLS RD	CLOVER, MILTON	1470814462	Senior Residential	3/4	Water	No	1	19,592	2,200	66,400	235,104
50120.01	158 W 4TH ST	MOTT, GLENN E	1471213002	Senior Residential	3/4	Water	No	1	18,784	11,200	25,400	225,408

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City of Kuna

Top 20 Commercial Users – Largest Winter Monthly Usage

Customer	Service Address	Customer Name	Meter ID	Res/Comm/Exempt/HOA	Meter Size	Service	Separate Irr	EDUs	Avg Monthly Usage	Min Monthly Usage	Max Monthly Usage
140001	710 E AVALON ST	AC KUNA LLC		Commercial	3/4	Water	Yes	3	2,117,129	636,400	2,841,500
20630.02	447 E AVALON ST	MACKEY REAL ESTATE HOLDINGS LLC		Commercial	3/4	Water	Yes	2	156,857	96,000	229,500
140000	700 E AVALON ST	ALBERTSONS	1471838266	Commercial	2	Water	Yes	1	140,688	78,000	257,500
30512.01	951 W AVALON ST	AVALON COUNTRY ESTATES	1470732398	Commercial	2	Water	Yes	25	110,188	78,500	164,500
10231.02	482 W MAIN ST	CONPAZ INC DBA ENRIQUES	1471727228	Commercial	3/4	Water	Yes	3	90,606	72,400	105,500
140600	1009 E KUNA RD	1009 E KUNA RD, LLC	1470070434	Commercial	2	Water	No	1	59,563	48,000	64,000
160373	202 W WHITE WAY	CRAE BERRETT/SWAN FALLS ASSISTED	1470621854	Commercial	2	Water	Yes	1	56,188	43,500	89,000
80010.01	1415 MERIDIAN RD RIDLEYS	CJM LIMITED LIABILITY	1471407988	Commercial	2	Water	Yes	9	52,450	45,500	63,100
10376.02	156 W MAIN ST KUNA TOWNSITE AMD	ADA COUNTY HIGHWAY DIST	1471820682	Commercial	3/4	Water	Yes	1	50,706	24,800	66,100
50403.01	850 -862 WHITE BARN RD	GIMA, LANCE	1471224774	Commercial	2	Water	Yes	1	46,000	22,000	62,000
10240.02	478 W MAIN ST	SOTO LLC	1471395668	Commercial	3/4	Water	Yes	8	45,744	37,100	62,300
160375	194 W WHITE WAY	CRAE BERRETT/SWAN FALLS ASSISTED	1470575410	Commercial	2	Water	Yes	1	32,375	25,000	40,500
80551.01	1299 N SCHOOL AVE	B M E, INC.	1471407808	Commercial	2	Water	Yes	1	32,063	20,500	90,500
160376	190 W WHITE WAY	CRAE BERRETT/SWAN FALLS ASSISTED	1471435548	Commercial	2	Water	Yes	1	29,313	23,500	38,500
160371	198 W WHITE WAY	CRAE BERRETT/SWAN FALLS ASSISTED	1470639130	Commercial	2	Water	Yes	1	28,063	21,500	36,500
21185.01	247 S SCHOOL AVE	SCHMID, PETER J	1470813828	Commercial	2	Water	Yes	1	27,188	24,500	30,500
191140	1615 N LINDER RD	R&A REAL ESTATE, LLC	1470631246	Commercial	3/4	Water	Yes	1	26,088	11,600	33,300
140004	780 E AVALON ST	FIESTA GUADALAJARA	1471838224	Commercial	2	Water	Yes	4.780702	24,500	21,500	30,000
50405.01	861 -871 N WHITE BARN RD	SCHMALE, MICHAEL	1490348910	Commercial	2	Water	Yes	4	21,313	9,000	37,000
10190.01	331 AVE E	IDAHO PIZZA	1541201770	Commercial	3/4	Water	Yes	1.349415	19,088	17,950	20,750

Top 20 Residential Users – Largest Winter Monthly Usage

Customer	Service Address	Customer Name	Meter ID	Res/Comm/Exempt/HOA	Meter Size	Service	Separate Irr	EDUs	Avg Monthly Usage	Min Monthly Usage	Max Monthly Usage
183250	1620 N BUCKLER WAY	FOX, LUCAS		Residential	3/4	Water	Yes	1	160,000	160,000	160,000
50320.02	601 N LINDER AVE	HONEY, LISA MARIE		Residential	3/4	Water	No	1	152,800	38,500	208,000
50580	571 N FRANKLIN AVE #2	THORPE, JAMES & GAIL		Residential	3/4	Water	No	1	123,500	117,500	129,500
240760	895 E FOLGADO CT	AH4R PROPERTIES, LLC		Residential	3/4	Water	Yes	1	122,000	122,000	122,000
240760	895 E FOLGADO CT	AH4R PROPERTIES, LLC		Residential	3/4	Water	Yes	1	97,500	97,500	97,500
260640	1727 N VINIFERA PL	GOODY, ASHLYNN G		Residential	3/4	Water	Yes	1	89,000	89,000	89,000
172025	1849 W CANUBE ST	WELSCH LIVING TRUST, DONALD E		Residential	3/4	Water	Yes	1	88,000	88,000	88,000
160905	266 W JOHN DEERE ST	HILL, NICHOLAS D		Residential	3/4	Water	Yes	1	87,000	66,500	107,500
164075	322 E BRUSH GULCH ST	AH4R PROPERTIES LLC		Residential	3/4	Water	Yes	1	86,500	86,500	86,500
221655	915 S TOMEN AVE	WHITMAN, APRIL N		Residential	3/4	Water	Yes	1	82,667	51,500	123,500
111060	629 E ROSEMARY ST	TINNERELLO, JENNA G		Residential	3/4	Water	Yes	1	82,000	82,000	82,000
170895	634 S STIBNITE AVE	HILLMAN, ALLEN K		Residential	3/4	Water	Yes	1	79,500	76,500	85,000
220230	710 E NEW ROCKROSE CT	MAY, CONNIE M		Residential	3/4	Water	Yes	1	68,000	64,500	71,500
250620	169 W TEHUTI CT	BOREN, EVAN COLEMAN		Residential	3/4	Water	Yes	1	66,000	66,000	66,000
180130	1286 N EL CAMINO AVE	NAVA, DANIEL		Residential	3/4	Water	Yes	1	65,500	65,500	65,500
240880	960 E ONTEM ST	ALLURI, KRISHNA		Residential	3/4	Water	Yes	1	63,500	63,500	63,500
263030	2568 W BURLEYWOOD PATH	OBRIEN, JACOB V		Residential	3/4	Water	Yes	1	61,500	61,500	61,500
111630	660 E ANDREA ST	RUSSO, KYLE		Residential	3/4	Water	Yes	1	60,500	60,500	60,500
210005	2381 N HAWAIIAN HAWK PL	IACONO, AUGUST A		Residential	3/4	Water	Yes	1	58,500	58,500	58,500
150100	640 W RAMS HILL ST	MESERTH, MORGAN A	1471813412	Residential	3/4	Water	Yes	1	57,585	-	271,650
240050	930 E FOURTH CT	BRENNAN, JULIE E		Residential	3/4	Water	Yes	1	57,000	57,000	57,000

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City of Kuna

Top 20 Senior Residential Users – Largest Winter Monthly Usage

111765	489 N SOURWOOD AVE	HADLOW, CHARLES T		Senior Residential	3/4	Water	Yes	1	45,500	45,500	45,500
11000.01	325 N CLEVELAND AVE	GODFREY, W R	1471821574	Senior Residential	3/4	Water	No	1	34,256	16,900	55,200
40570.01	424 N MARTEESON AVE	CONTRERAS, ENRIQUE	1490316022	Senior Residential	3/4	Water	Yes	1	31,038	2,250	91,400
40130.01	600 N ELM AVE	ANDREWS, JUANITA GAY	1471555446	Senior Residential	3/4	Water	Yes	1	26,825	23,500	34,000
121731	1816 W SEGO PRAIRIE ST	GRAHAM, RANDALL	1546389040	Senior Residential	3/4	Water	Yes	1	21,588	19,450	25,150
50120.01	158 W 4TH ST	MOTT, GLENN E	1471213002	Senior Residential	3/4	Water	No	1	14,739	-	21,450
274000	2369 W SOLDOTNA CT	STAMPS, RUSSELL	1471045650	Senior Residential	3/4	Water	Yes	1	13,438	8,450	24,100
220600	484 E WILD PRIMROSE CT	SKIMMYHORN, JERRY	1490338302	Senior Residential	3/4	Water	Yes	1	13,375	6,000	27,000
260775	2161 W CALIRET ST	JONES, THOMAS L	1471024949	Senior Residential	3/4	Water	Yes	1	11,631	10,200	12,950
260580	1680 N FIREBRICK DR	SHEPARD, DEAN	1470310964	Senior Residential	3/4	Water	Yes	1	10,038	5,650	23,250
20170.01	427 N SHADY GROVE PL	LEPLAT, ERNIE	1470635016	Senior Residential	3/4	Water	No	1	9,975	1,450	55,200
60730.01	539 W DAWN CT	FALVEY, MARTHA	1450548663	Senior Residential	3/4	Water	No	1	9,788	8,050	12,300
80210.01	1583 W 4TH ST	HAWKES, MERLIN A	1470580734	Senior Residential	3/4	Water	Yes	1	9,563	5,550	12,750
280590	1143 W TANZANITE DR	QUIGLEY, PAXTON	1471611992	Senior Residential	3/4	Water	Yes	1	9,531	8,050	12,600
273035	2274 W SELDOVIA ST	WILSON, TERRY	1471397393	Senior Residential	3/4	Water	Yes	1	9,413	7,350	16,600
210485	2263 N BUTEO PL	LUPPENS, JOSEPH H	1540165452	Senior Residential	3/4	Water	Yes	1	9,238	8,400	10,800
130860	1586 W TOPANGA CT	COOPER, MARGIE M	1470572028	Senior Residential	3/4	Water	Yes	1	9,081	5,900	12,050
20330.02	679 -689 E 4TH ST	FARIA, FRANCINE	1470535860	Senior Residential	3/4	Water	No	1	8,819	7,100	10,950
200950	380 E BAY OWL DR	PATLAN, ROBERT	1471751382	Senior Residential	3/4	Water	Yes	1	8,631	6,750	13,250
121960	1635 W BOISE ST	HUNTER LAVELL DAVE & KATHLENN DA	1450267506	Senior Residential	3/4	Water	Yes	1	8,619	5,450	10,050
100750	742 W BURY ST	BIGELOW, RAYMOND	1471806792	Senior Residential	3/4	Water	Yes	1	8,375	3,950	12,800

City of Kuna

Average Monthly Usage by Account

			Average Monthly Usage Range												
			0-1,000	1,000-2,500	2,500-5,000	5,000-7,500	7,500-10,000	10,000-15,000	15,000-20,000	20,000-25,000	25,000-50,000	50,000-100,000	100,000-500,000	500,000+	Totals:
Number of Accounts	Residential	with Separate Pressure Irrigation	266	647	2182	1531	571	303	69	27	30	4	0	0	5630
		without SeparatePressure Irrigation	3	14	35	47	111	43	53	32	28	3	0	0	369
	Senior Residential	with Separate Pressure Irrigation	7	82	186	62	14	17	4	2	3	0	0	0	377
		without Separate Pressure Irrigation	2	6	8	10	8	19	17	8	6	0	0	0	84
	Commercial	with Separate Pressure Irrigation	35	29	23	12	17	17	13	9	20	12	5	2	194
		without Separate Pressure Irrigation	1	1	1	4	3	3	1	2	1	0	1	0	18
		Totals:	314	779	2,435	1,666	724	402	157	80	88	19	6	2	6672

Percentile Breakdown of Average Monthly Usages by Account

			Average Monthly Usage Range Percentages												
			0-1,000	1,000-2,500	2,500-5,000	5,000-7,500	7,500-10,000	10,000-15,000	15,000-20,000	20,000-25,000	25,000-50,000	50,000-100,000	100,000-500,000	500,000+	Totals:
Number of Accounts	Residential	with Separate Pressure Irrigation	1.9%	21.8%	49.3%	16.4%	3.7%	4.5%	1.1%	0.5%	0.8%	0.0%	0.0%	0.0%	100.0%
		without SeparatePressure Irrigation	2.4%	7.1%	9.5%	11.9%	9.5%	22.6%	20.2%	9.5%	7.1%	0.0%	0.0%	0.0%	100.0%
	Senior Residential	with Separate Pressure Irrigation	4.7%	11.5%	38.8%	27.2%	10.1%	5.4%	1.2%	0.5%	0.5%	0.1%	0.0%	0.0%	100.0%
		without Separate Pressure Irrigation	0.8%	3.8%	9.5%	12.7%	30.1%	11.7%	14.4%	8.7%	7.6%	0.8%	0.0%	0.0%	100.0%
	Commercial	with Separate Pressure Irrigation	18.0%	14.9%	11.9%	6.2%	8.8%	8.8%	6.7%	4.6%	10.3%	6.2%	2.6%	1.0%	100.0%
		without Separate Pressure Irrigation	5.6%	5.6%	5.6%	22.2%	16.7%	16.7%	5.6%	11.1%	5.6%	0.0%	5.6%	0.0%	100.0%
		Totals:	4.7%	11.7%	36.5%	25.0%	10.9%	6.0%	2.4%	1.2%	1.3%	0.3%	0.1%	0.0%	100%

Cumulative Percentage Breakdown of Average Monthly Usages by Account

			Average Monthly Usage Range Cumulative Percentages											
			0-1,000	1,000-2,500	2,500-5,000	5,000-7,500	7,500-10,000	10,000-15,000	15,000-20,000	20,000-25,000	25,000-50,000	50,000-100,000	100,000-500,000	500,000+
Number of Accounts	Residential	with Separate Pressure Irrigation	1.9%	23.6%	72.9%	89.4%	93.1%	97.6%	98.7%	99.2%	100.0%	100.0%	100.0%	100.0%
		without SeparatePressure Irrigation	2.4%	9.5%	19.0%	31.0%	40.5%	63.1%	83.3%	92.9%	100.0%	100.0%	100.0%	100.0%
	Senior Residential	with Separate Pressure Irrigation	4.7%	16.2%	55.0%	82.2%	92.3%	97.7%	98.9%	99.4%	99.9%	100.0%	100.0%	100.0%
		without Separate Pressure Irrigation	0.8%	4.6%	14.1%	26.8%	56.9%	68.6%	82.9%	91.6%	99.2%	100.0%	100.0%	100.0%
	Commercial	with Separate Pressure Irrigation	18.0%	33.0%	44.8%	51.0%	59.8%	68.6%	75.3%	79.9%	90.2%	96.4%	99.0%	100.0%
		without Separate Pressure Irrigation	5.6%	11.1%	16.7%	38.9%	55.6%	72.2%	77.8%	88.9%	94.4%	94.4%	100.0%	100.0%
		Totals:	4.7%	16.4%	52.9%	77.8%	88.7%	94.7%	97.1%	98.3%	99.6%	99.9%	100.0%	100.0%

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APPENDIX G

City of Kuna Wastewater System Asset Inventory

KELLER ASSOCIATES

City of Kuna Wastewater System Asset Inventory

Wastewater System Asset		Project Valuation	Year of Valuation	Year of Valuation ENR Index	Replacement Cost (2018 $$)	Design Life	Construction / Major Upgrade Year	Remaining Life	Annualized Replacement Cost (based on design life) ($/yr)	Annualized Replacement Cost (based on remaining life) ($/yr)	Value of Depreciation Experienced to Date ($)	Depreciated Value (2018)
Facilities												
KNWWTP	Structures (long lived assets)	$8,285,000	2009	8570	$10,798,536	50	2009	41	$359,000	$402,490	$1,943,736	$8,854,799
	Mechanical, Electrical (short-lived assets)	$10,481,000	2009	8570	$13,660,767	20	2009	11	$852,000	$1,411,760	$6,147,345	$7,513,422
	Land Costs	$600,000	2007	N/A	$593,220	N/A	2007	N/A	N/A	N/A	N/A	$593,220
	24" Effluent Pipeline	$1,578,000	2009	8570	$2,056,740	70	2009	61	$58,000	$61,580	$264,438	$1,792,302
South WWTP	Storage/Treatment Lagoons (205 MGs)	$5,650,000	2006	7751	$8,142,240	50	1995	27	$271,000	$403,160	$3,745,430	$4,396,809
	Aeration Equipment	$300,000	2004	7751	$432,331	30	2004	16	$20,000	$32,350	$201,755	$230,577
	27 - 1/4 Mile Wheel Irrigation Lines; booster station	$579,627	1998	5920	$1,093,654	25	1995	2	$58,000	$564,940	$1,006,162	$87,492
	Land Costs (450 acres)	$32,033	2018	N/A	$32,033	N/A	1981	N/A	N/A	N/A	N/A	$32,033
Orchard LS (Regional)	Structures (long lived assets)	$1,020,000	2018	11170	$1,020,000	50	2018	50	$34,000	$33,840	$0	$1,020,000
	Mechanical, Electrical (short-lived assets)	$1,085,000	2018	11170	$1,085,000	20	2018	20	$68,000	$67,650	$0	$1,085,000
Ten Mile LS (Regional)	Structures (long lived assets)	$560,000	2017	11170	$560,000	50	1981	13	$19,000	$50,000	$414,400	$145,600
	Mechanical, Electrical (short-lived assets)	$764,241	2017	11170	$764,241	20	1981	0	$48,000	$764,241	$764,241	$0
Crimson LS (Regional)	Structures (long lived assets)	$1,020,000	2018	11170	$1,020,000	50	2004	36	$34,000	$41,320	$285,600	$734,400
	Mechanical, Electrical (short-lived assets)	$860,000	2018	11170	$860,000	20	2004	6	$54,000	$154,580	$602,000	$258,000
Danskin LS (Regional)	Structures (long lived assets)	$934,000	2018	11170	$934,000	50	2009	41	$31,000	$34,820	$168,120	$765,880
	Mechanical, Electrical (short-lived assets)	$860,000	2018	11170	$860,000	20	2009	11	$54,000	$88,880	$387,000	$473,000
Memory Ranch LS (Regional)	Structures (long lived assets)	$844,000	2018	11170	$844,000	50	2017	49	$29,000	$28,320	$16,880	$827,120
	Mechanical, Electrical (short-lived assets)	$730,000	2018	11170	$730,000	20	2017	19	$46,000	$47,430	$36,500	$693,500
Springhill LS (Regional)	Structures (long lived assets)	$844,000	2018	11170	$844,000	50	2018	50	$29,000	$28,010	$0	$844,000
	Mechanical, Electrical (short-lived assets)	$730,000	2018	11170	$730,000	20	2018	20	$46,000	$45,520	$0	$730,000
Patagonia LS (Regional)	Structures (long lived assets)	$934,000	2018	11170	$934,000	50	2017	49	$31,000	$31,340	$18,680	$915,320
	Mechanical, Electrical (short-lived assets)	$860,000	2018	11170	$860,000	20	2017	19	$54,000	$55,870	$43,000	$817,000
Indian Creek LS	Structures (long lived assets)	$147,000	2015	10034	$163,643	50	1981	13	$6,000	$14,620	$121,096	$42,547
	Mechanical, Electrical (short-lived assets)	$147,000	2015	10034	$163,643	20	1981	0	$11,000	$163,643	$163,643	$0
Hubbard LS	Structures (long lived assets)	$147,000	2015	10034	$163,643	50	1981	13	$6,000	$14,620	$121,096	$42,547
	Mechanical, Electrical (short-lived assets)	$147,000	2015	10034	$163,643	20	1981	0	$11,000	$163,643	$163,643	$0
Prospector LS	Structures (long lived assets)	$147,000	2015	10034	$163,643	50	1984	16	$6,000	$12,250	$111,277	$52,366
	Mechanical, Electrical (short-lived assets)	$147,000	2015	10034	$163,643	20	1984	0	$11,000	$163,643	$163,643	$0
Discovery LS	Structures (long lived assets)	$147,000	2015	10034	$163,643	50	1994	26	$6,000	$8,340	$78,548	$85,094
	Mechanical, Electrical (short-lived assets)	$147,000	2015	10034	$163,643	20	1994	0	$11,000	$163,643	$163,643	$0
Grey Hawk LS	Structures (long lived assets)	$147,000	2015	10034	$163,643	50	2008	40	$6,000	$6,200	$32,729	$130,914
	Mechanical, Electrical (short-lived assets)	$147,000	2015	10034	$163,643	20	2008	10	$11,000	$18,410	$81,821	$81,821
Gravity Pipes	**Footage**											
4" Pipe	37,831	$5,377,057	Feb-18	10689	$5,619,022	70	2011	63	$152,000	$165,680	$561,902	$5,057,120
6" Pipe	3,759	$545,510	Feb-18	10689	$570,058	70	2006	58	$16,000	$17,500	$97,724	$472,334
8" Pipe	317,419	$46,998,485	Feb-18	10689	$49,113,395	70	2006	58	$1,323,000	$1,507,060	$8,419,439	$40,693,956
10" Pipe	18,700	$2,827,934	Feb-18	10689	$2,955,189	70	2004	56	$80,000	$92,310	$591,038	$2,364,152

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Wastewater System Asset		Project Valuation	Year of Valuation	Year of Valuation ENR Index	Replacement Cost (2018 $$)	Design Life	Construction / Major Upgrade Year	Remaining Life	Annualized Replacement Cost (based on design life) ($/yr)	Annualized Replacement Cost (based on remaining life) ($/yr)	Value of Depreciation Experienced to Date ($)	Depreciated Value (2018)
12" Pipe	29,770	$4,547,942	Feb-18	10689	$4,752,597	70	2006	58	$128,000	$145,840	$814,731	$3,937,866
15" Pipe	6,696	$1,066,540	Feb-18	10689	$1,114,534	70	2008	60	$31,000	$33,640	$159,219	$955,315
18" Pipe	7,380	$1,284,357	Feb-18	10689	$1,342,153	70	2013	65	$37,000	$39,010	$95,868	$1,246,285
21" Pipe	5,948	$1,080,945	Feb-18	10689	$1,129,587	70	2007	59	$31,000	$34,370	$177,507	$952,080
Manholes	1890	$4,400,000	Feb-18	10689	$4,597,998	30	2006	18	$211,000	$312,120	$1,839,199	$2,758,799
Pressure Pipelines	**Footage**											
4" Pipe	5,554	$581,925	Feb-18	10689	$608,111	70	1994	46	$18,000	$21,250	$211,386	$396,725
6" Pipe	2,298	$255,031	Feb-18	10689	$266,508	70	1981	33	$8,000	$11,450	$140,868	$125,639
8" Pipe	7,734	$939,829	Feb-18	10689	$982,121	70	2015	67	$28,000	$28,090	$36,201	$945,920
10" Pipe	34,364	$4,512,104	Feb-18	10689	$4,715,147	70	1993	45	$133,000	$166,620	$1,698,972	$3,016,175
12" Pipe	43,849	$6,213,067	Feb-18	10689	$6,492,652	70	2004	56	$183,000	$202,710	$1,294,493	$5,198,158
14" Pipe	17,839	$2,703,162	Feb-18	10689	$2,824,803	70	2007	59	$80,000	$85,950	$443,898	$2,380,906
Sewer Valves	74	$185,000	Feb-18	10689	$193,325	30	2001	13	$9,000	$17,340	$109,965	$83,360
TOTALS		**$127,569,187**			**$140,934,106**				**$4,834,000**	**$7,958,051**	**$34,551,805**	**$103,829,553**

City of Kuna Wastewater System Short-Lived Asset Replacement

Wastewater System Asset		Replacement Cost (2018 $$)	Design Life	Annualized Replacement Cost (based on design life) ($/yr)	Remaining Life	Annualized Replacement Cost (based on remaining life) ($/yr)	Value of Depreciation Experienced to Date ($)	Depreciated Value (2018)
Short-Lived Assets (≤ 20 Year Design Life)								
KNWWTP	Mechanical, Electrical (short-lived assets)	$13,660,767	20	$852,000	11	$1,411,760	$6,147,345	$7,513,422
Orchard LS (Regional)	Mechanical, Electrical (short-lived assets)	$1,085,000	20	$68,000	20	$67,650	$0	$1,085,000
Ten Mile LS (Regional)	Mechanical, Electrical (short-lived assets)	$764,241	20	$48,000	0	$764,241	$764,241	$0
Crimson LS (Regional)	Mechanical, Electrical (short-lived assets)	$860,000	20	$54,000	6	$154,580	$602,000	$258,000
Danskin LS (Regional)	Mechanical, Electrical (short-lived assets)	$860,000	20	$54,000	11	$88,880	$387,000	$473,000
Memory Ranch LS (Regional)	Mechanical, Electrical (short-lived assets)	$730,000	20	$46,000	19	$47,430	$36,500	$693,500
Springhill LS (Regional)	Mechanical, Electrical (short-lived assets)	$730,000	20	$46,000	20	$45,520	$0	$730,000
Patagonia LS (Regional)	Mechanical, Electrical (short-lived assets)	$860,000	20	$54,000	19	$55,870	$43,000	$817,000
Indian Creek LS	Mechanical, Electrical (short-lived assets)	$163,643	20	$11,000	0	$163,643	$163,643	$0
Hubbard LS	Mechanical, Electrical (short-lived assets)	$163,643	20	$11,000	0	$163,643	$163,643	$0
Prospector LS	Mechanical, Electrical (short-lived assets)	$163,643	20	$11,000	0	$163,643	$163,643	$0
Discovery LS	Mechanical, Electrical (short-lived assets)	$163,643	20	$11,000	0	$163,643	$163,643	$0
Grey Hawk LS	Mechanical, Electrical (short-lived assets)	$163,643	20	$11,000	10	$18,410	$81,821	$81,821
TOTALS		**$20,368,220**		**$1,277,000**		**$3,308,911**	**$8,716,477**	**$11,651,743**

City of Kuna Wastewater System Long-Lived Asset Replacement

Wastewater System Asset		Replacement Cost (2018 $$)	Design Life	Annualized Replacement Cost (based on design life) ($/yr)	Remaining Life	Annualized Replacement Cost (based on remaining life) ($/yr)	Value of Depreciation Experienced to Date ($))	Depreciated Value (2018)
Long-Lived Assets (> 20 Year Design Life)								
KNWWTP	Structures (long lived assets)	$10,798,536	50	$359,000	41	$402,490	$1,943,736	$8,854,799
	Land Costs	$593,220	N/A	N/A	N/A	N/A	N/A	$593,220
	24" Effluent Pipeline	$2,056,740	70	$58,000	61	$61,580	$264,438	$1,792,302
South WWTP	Storage/Treatment Lagoons (205 MGs)	$8,142,240	50	$271,000	27	$403,160	$3,745,430	$4,396,809
	Land Costs (450 acres)	$32,033	N/A	N/A	N/A	N/A	N/A	$32,033
	Aeration Equipment	$432,331	30	$20,000	16	$32,350	$201,755	$230,577
	27 - 1/4 Mile Wheel Irrigation Lines; booster station	$1,093,654	25	$58,000	2	$564,940	$1,006,162	$87,492
Orchard LS (Regional)	Structures (long lived assets)	$1,020,000	50	$34,000	50	$33,840	$0	$1,020,000
Ten Mile LS (Regional)	Structures (long lived assets)	$560,000	50	$19,000	13	$50,000	$414,400	$145,600
Crimson LS (Regional)	Structures (long lived assets)	$1,020,000	50	$34,000	36	$41,320	$285,600	$734,400
Danskin LS (Regional)	Structures (long lived assets)	$934,000	50	$31,000	41	$34,820	$168,120	$765,880
Memory Ranch LS (Regional)	Structures (long lived assets)	$844,000	50	$29,000	49	$28,320	$16,880	$827,120
Springhill LS (Regional)	Structures (long lived assets)	$844,000	50	$29,000	50	$28,010	$0	$844,000
Patagonia LS (Regional)	Structures (long lived assets)	$934,000	50	$31,000	49	$31,340	$18,680	$915,320
Indian Creek LS	Structures (long lived assets)	$163,643	50	$6,000	13	$14,620	$121,096	$42,547
Hubbard LS	Structures (long lived assets)	$163,643	50	$6,000	13	$14,620	$121,096	$42,547
Prospector LS	Structures (long lived assets)	$163,643	50	$6,000	16	$12,250	$111,277	$52,366
Discovery LS	Structures (long lived assets)	$163,643	50	$6,000	26	$8,340	$78,548	$85,094
Grey Hawk LS	Structures (long lived assets)	$163,643	50	$6,000	40	$6,200	$32,729	$130,914
Gravity Pipes	4" Pipe	$5,619,022	70	$152,000	63	$165,680	$561,902	$5,057,120
	6" Pipe	$570,058	70	$16,000	58	$17,500	$97,724	$472,334
	8" Pipe	$49,113,395	70	$1,323,000	58	$1,507,060	$8,419,439	$40,693,956
	10" Pipe	$2,955,189	70	$80,000	56	$92,310	$591,038	$2,364,152
	12" Pipe	$4,752,597	70	$128,000	58	$145,840	$814,731	$3,937,866
	15" Pipe	$1,114,534	70	$31,000	60	$33,640	$159,219	$955,315
	18" Pipe	$1,342,153	70	$37,000	65	$39,010	$95,868	$1,246,285
	21" Pipe	$1,129,587	70	$31,000	59	$34,370	$177,507	$952,080
Pressure Pipelines	4" Pipe	$608,111	70	$18,000	46	$21,250	$211,386	$396,725
	6" Pipe	$266,508	70	$8,000	33	$11,450	$140,868	$125,639
	8" Pipe	$982,121	70	$28,000	67	$28,090	$36,201	$945,920
	10" Pipe	$4,715,147	70	$133,000	45	$166,620	$1,698,972	$3,016,175
	12" Pipe	$6,492,652	70	$183,000	56	$202,710	$1,294,493	$5,198,158
	14" Pipe	$2,824,803	70	$80,000	59	$85,950	$443,898	$2,380,906
Manholes		$4,597,998	30	$211,000	18	$312,120	$1,839,199	$2,758,799
Sewer Valves		$193,325	30	$9,000	13	$17,340	$109,965	$83,360
TOTALS		**$117,400,167**		**$3,471,000**		**$4,649,140**	**$25,222,356**	**$92,177,810**
COMBINED TOTAL (Short and Long-Lived Assets)		**$137,768,387**		**$4,748,000**		**$7,958,051**	**$33,938,833**	**$103,829,553**

APPENDIX H

Kuna Financial Audits (Partial)

KELLER ASSOCIATES

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CITY OF KUNA, IDAHO

Report on Audited
Basic
Financial Statements
and
Supplemental Information

For the Year Ended September 30, 2013

City of Kuna, Idaho
Statement of Activities
For the Year Ended September 30, 2013

		Program Revenues			Net (Expense) Revenue and Changes in Net Position		
	Expenses	Charges for Services and Sales	Operating Grants and Contributions	Capital Grants and Contributions	Governmental Activities	Business-type Activities	Total
Primary Government:							
Governmental Activities:							
General Administration	$ 3,131,646	$ 761,453	$ 0	$ 6,150	$ (2,364,043)	$ 0	$ (2,364,043)
Total Governmental Activities	3,131,646	761,453	0	6,150	(2,364,043)	0	(2,364,043)
Business-type Activities:							
Water	1,220,463	1,690,322	0	0	0	469,859	469,859
Sewer	2,578,941	2,008,446	0	32,142,888	0	31,572,393	31,572,393
Irrigation	511,835	707,933	0	0	0	196,098	196,098
Trash	1,313,165	1,336,233	0	0	0	23,068	23,068
Well Mitigation	0	250	0	0	0	250	250
Total Business-type Activities	5,624,404	5,743,184	0	32,142,888	0	32,261,668	32,261,668
Total Primary Government	$ 8,756,050	$ 6,504,637	$ 0	$ 32,149,038	(2,364,043)	32,261,668	29,897,625
General Revenues:							
Property Taxes					1,857,484	0	1,857,484
State Sources					731,323	0	731,323
Other					66,904	0	66,904
Investment Earnings					922	4,368	5,290
Total General Revenues and Special Items					2,656,633	4,368	2,661,001
Change in Net Position					292,590	32,266,036	32,558,626
Net Position, Beginning					1,975,514	26,437,863	28,413,377
Net Position, Ending					$ 2,268,104	$ 58,703,899	$ 60,972,003

The accompanying notes are an integral part of the financial statements.

City of Kuna, Idaho
Statement of Net Position -
Proprietary Funds
September 30, 2013

	Business-type Activities - Enterprise Funds		
	Water	Sewer	Irrigation
Assets			
Current Assets:			
Cash and Cash Equivalents	$ 2,184,236	$ 1,965,050	$ 935,583
Prepaid Items	10,451	11,669	2,565
Interest Receivable	82	77	36
Accounts Receivable, Net	140,445	203,273	31,057
Total Current Assets	2,335,214	2,180,069	969,241
Noncurrent Assets:			
Capital Assets:			
Land and Construction in Progress	215,166	3,747,320	150,699
Buildings, Net	48,089	33,143,778	567,471
Equipment, Net	448,445	309,196	69,380
Improvements, Net	3,815,999	9,714,706	2,549,154
Total Noncurrent Assets	4,527,699	46,915,000	3,336,704
Total Assets	6,862,913	49,095,069	4,305,945
Deferred Outflows	0	0	0
Liabilities			
Current Liabilities:			
Accounts Payable	21,133	69,386	9,853
Benefits and Wages Payable	29,285	31,909	7,666
Payroll Taxes Payable	5,454	6,488	1,278
Deposits from Others	234,692	0	0
Unearned Revenues	0	0	8,467
Accrued Interest	193	48,531	0
Compensated Absences	49,548	50,834	11,985
Current Portion - Notes Payable	0	109,079	0
Total Current Liabilities	340,305	316,227	39,249
Long-term Liabilities:			
Notes Payable	0	1,345,659	0
Total Long-term Liabilities	0	1,345,659	0
Total Liabilities	340,305	1,661,886	39,249
Deferred Inflows	0	0	0
Net Position			
Net Investment in Capital Assets	4,527,699	45,460,262	3,336,704
Unrestricted	1,994,909	1,972,921	929,992
Total Net Position	$ 6,522,608	$ 47,433,183	$ 4,266,696

The accompanying notes are an integral
part of the financial statements.

City of Kuna, Idaho
Statement of Revenues, Expenses, and Changes
in Fund Net Position - Proprietary Funds
For the Year Ended September 30, 2013

	Business-type Activities - Enterprise Funds		
	Water	Sewer	Irrigation
Operating Revenues			
Charges for Services	$ 1,360,686	$ 2,001,713	$ 639,216
Hook Ups	205,773	0	0
Turn on Fees	28,915	0	0
Miscellaneous	94,948	6,733	68,717
Total Operating Revenues	1,690,322	2,008,446	707,933
Operating Expenses			
Salaries and Benefits	520,222	604,436	130,695
Contractor Services	4,818	5,039	3,829
Maintenance and Operations	396,280	785,977	221,549
Depreciation	298,795	1,135,164	155,762
Total Operating Expenses	1,220,115	2,530,616	511,835
Operating Income (Loss)	470,207	(522,170)	196,098
Nonoperating Revenues (Expenses)			
Interest Earned	1,581	1,614	828
Interest Expense	(348)	(48,325)	0
Total Nonoperating Revenues (Expenses)	1,233	(46,711)	828
Income (Loss) Before Transfers	471,440	(568,881)	196,926
Transfers and Capital Contributions			
Transfers In	0	0	0
Transfers Out	(59,066)	0	0
Capital Contributions	0	32,142,888	0
Net Transfers and Capital Contributions	(59,066)	32,142,888	0
Change in Net Position	412,374	31,574,007	196,926
Net Position - Beginning	6,110,234	15,859,176	4,069,770
Net Position - Ending	$ 6,522,608	$ 47,433,183	$ 4,266,696

The accompanying notes are an integral
part of the financial statements.

City of Kuna, Idaho
Statement of Cash Flows -
Proprietary Funds
For the Year Ended September 30, 2013

	Business-type Activities - Enterprise Funds		
	Water	Sewer	Irrigation
Cash Flows From Operating Activities			
Receipts from Customers	$ 1,602,958	$ 1,989,017	$ 646,504
Payments to Suppliers for Goods or Services	(456,737)	(780,965)	(235,953)
Payments to Employees for Services	(504,849)	(591,889)	(126,449)
Other Receipts	94,948	6,733	68,717
Net Cash Provided (Used) by Operating Activities	736,320	622,896	352,819
Cash Flows From Noncapital			
Transfers In (Out)	(59,066)	0	0
Net Cash Provided (Used) by Noncapital Financing Activities	(59,066)	0	0
Cash Flows From Capital and Related Financing Activities			
Purchases and Construction of Capital Assets	(74,384)	(134,237)	(91,034)
Principal Paid on Capital Debt	(230,816)	0	0
Interest Paid on Capital Debt	(5,467)	206	0
Net Cash Used by Capital and Related Financing Activities	(310,667)	(134,031)	(91,034)
Cash Flows From Investing Activities			
Interest and Dividends	1,499	1,537	792
Net Change in Cash and Cash Equivalents	368,086	490,402	262,577
Cash and Cash Equivalents - Beginning	1,816,150	1,474,648	673,006
Cash and Cash Equivalents - Ending	$ 2,184,236	$ 1,965,050	$ 935,583
Displayed As:			
Cash and Cash Equivalents	$ 2,184,236	$ 1,965,050	$ 935,583
Restricted Cash	0	0	0
	$ 2,184,236	$ 1,965,050	$ 935,583
Schedule of Noncash Transactions:			
Capital Contributions	$ 0	$ 32,142,888	$ 0
LID Obligation	$ 0	$ 1,454,738	$ 0

The accompanying notes are an integral
part of the financial statements.

City of Kuna, Idaho
Statement of Cash Flows -
Proprietary Funds (continued)
For the Year Ended September 30, 2013

	Business-type Activities - Enterprise Funds		
	Water	Sewer	Irrigation
Reconciliation of Operating Income (Loss) to Net Cash Provided (Used) by Operating Activities:			
Operating Income (Loss)	$ 470,207	$ (522,170)	$ 196,098
Adjustments to Reconcile Operating Income to Net Cash Provided (Used) by Operating Activities:			
Depreciation	298,795	1,135,164	155,762
Changes in Assets and Liabilities:			
(Increase) Decrease in Accounts Receivable	(7,373)	(12,696)	(1,179)
(Increase) Decrease in Prepaid Items	(2,696)	2,546	(828)
Increase (Decrease) in Accounts Payable	(52,943)	7,505	(9,747)
Increase (Decrease) in Benefits and Wages Payable	14,319	11,442	4,031
Increase (Decrease) in Payroll Taxes Payable	1,054	1,105	215
Increase (Decrease) in Deposits From Others	14,957	0	0
Increase (Decrease) in Unearned Revenue	0	0	8,467
Net Cash Provided by Operating Activities	$ 736,320	$ 622,896	$ 352,819

The accompanying notes are an integral part of the financial statements.

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CITY OF KUNA, IDAHO

Report on Audited
Basic
Financial Statements
and
Supplemental Information

For the Year Ended September 30, 2014

City of Kuna, Idaho
Statement of Activities
For the Year Ended September 30, 2014

		Program Revenues			Net (Expense) Revenue and Changes in Net Position		
	Expenses	Charges for Services and Sales	Operating Grants and Contributions	Capital Grants and Contributions	Governmental Activities	Business-type Activities	Total
Primary Government:							
Governmental Activities:							
General Administration	$ 3,418,784	$ 861,829	$ 0	$ 244,868	$ (2,312,087)	$ 0	$ (2,312,087)
Total Governmental Activities	3,418,784	861,829	0	244,868	(2,312,087)	0	(2,312,087)
Business-type Activities:							
Water	1,167,663	1,669,179	0	0	0	501,516	501,516
Sewer	3,081,391	1,983,015	0	194,025	0	(904,351)	(904,351)
Irrigation	576,182	706,213	0	0	0	130,031	130,031
Trash	1,376,001	1,374,820	0	0	0	(1,181)	(1,181)
Well Mitigation	0	0	0	0	0	0	0
Total Business-type Activities	6,201,237	5,733,227	0	194,025	0	(273,985)	(273,985)
Total Primary Government	$ 9,620,021	$ 6,595,056	$ 0	$ 438,893	(2,312,087)	(273,985)	(2,586,072)
General Revenues:							
Property Taxes					1,743,880	0	1,743,880
State Sources					781,661	0	781,661
Other					71,214	0	71,214
Disposal of Assets					(12,823)	169,721	156,898
Investment Earnings					772	3,869	4,641
Total General Revenues and Special Items					2,584,704	173,590	2,758,294
Change in Net Position					272,617	(100,395)	172,222
Net Position, Beginning					2,268,102	58,703,891	60,971,993
Net Position, Ending					$ 2,540,719	$ 58,603,496	$ 61,144,215

The accompanying notes are an integral part of the financial statements.

City of Kuna, Idaho
Statement of Net Position -
Proprietary Funds
September 30, 2014

	Business-type Activities - Enterprise Funds		
	Water	Sewer	Irrigation
Assets			
Current Assets:			
Cash and Cash Equivalents	$ 2,401,736	$ 2,938,936	$ 1,091,701
Prepaid Items	11,604	12,820	2,904
Interest Receivable	78	74	35
Accounts Receivable, Net	140,225	249,171	49,152
Total Current Assets	2,553,643	3,201,001	1,143,792
Noncurrent Assets:			
Capital Assets:			
Land and Construction in Progress	318,356	1,599,098	124,542
Buildings, Net	46,159	32,018,036	544,696
Equipment, Net	404,073	263,082	62,505
Improvements, Net	4,187,337	9,865,779	2,587,885
Total Noncurrent Assets	4,955,925	43,745,995	3,319,628
Total Assets	7,509,568	46,946,996	4,463,420
Deferred Outflows	0	0	0
Liabilities			
Current Liabilities:			
Accounts Payable	157,680	140,170	21,202
Benefits and Wages Payable	20,488	26,531	7,915
Payroll Taxes Payable	5,323	6,590	1,423
Deposits from Others	253,657	0	0
Due to Keybank LID	0	15,296	0
Unearned Revenues	0	0	24,577
Accrued Interest	75	0	0
Compensated Absences	45,044	40,786	10,963
Total Current Liabilities	482,267	229,373	66,080
Long-term Liabilities:			
Compensated Absences	1,824	17,406	0
Total Long-term Liabilities	1,824	17,406	0
Total Liabilities	484,091	246,779	66,080
Deferred Inflows	0	0	0
Net Position			
Net Investment in Capital Assets	4,955,925	43,745,995	3,319,628
Unrestricted	2,069,552	2,954,222	1,077,712
Total Net Position	$ 7,025,477	$ 46,700,217	$ 4,397,340

The accompanying notes are an integral
part of the financial statements.

City of Kuna, Idaho
Statement of Revenues, Expenses, and Changes
in Fund Net Position - Proprietary Funds
For the Year Ended September 30, 2014

	Business-type Activities - Enterprise Funds		
	Water	Sewer	Irrigation
Operating Revenues			
Charges for Services	$ 1,427,349	$ 1,971,434	$ 638,978
Hook Ups	167,025	0	0
Turn on Fees	17,411	0	0
Miscellaneous	57,394	11,581	67,235
Total Operating Revenues	1,669,179	1,983,015	706,213
Operating Expenses			
Salaries and Benefits	505,098	565,016	132,641
Contractor Services	9,745	13,654	6,090
Maintenance and Operations	349,854	788,742	278,620
Depreciation	302,966	1,713,979	158,831
Total Operating Expenses	1,167,663	3,081,391	576,182
Operating Income (Loss)	501,516	(1,098,376)	130,031
Nonoperating Revenues (Expenses)			
Interest Earned	1,353	1,671	613
Disposal of Assets	0	169,721	0
Total Nonoperating Revenues (Expenses)	1,353	171,392	613
Income (Loss) Before Transfers	502,869	(926,984)	130,644
Transfers and Capital Contributions			
Transfers In	0	0	0
Transfers Out	0	0	0
Capital Contributions	0	194,025	0
Net Transfers and Capital Contributions	0	194,025	0
Change in Net Position	502,869	(732,959)	130,644
Net Position - Beginning	6,522,608	47,433,176	4,266,696
Net Position - Ending	$ 7,025,477	$ 46,700,217	$ 4,397,340

The accompanying notes are an integral
part of the financial statements.

City of Kuna, Idaho
Statement of Cash Flows -
Proprietary Funds
For the Year Ended September 30, 2014

	Business-type Activities - Enterprise Funds		
	Water	Sewer	Irrigation
Cash Flows From Operating Activities			
Receipts from Customers	$ 1,630,970	$ 1,940,832	$ 636,993
Payments to Suppliers for Goods or Services	(224,205)	(732,763)	(273,700)
Payments to Employees for Services	(516,706)	(562,934)	(133,269)
Other Receipts	57,394	11,581	67,235
Net Cash Provided (Used) by Operating Activities	947,453	656,716	297,259
Cash Flows From Noncapital Financing Activities	0	0	0
Cash Flows From Capital and Related Financing Activities			
Purchases and Construction of Capital Assets	(731,193)	(683,665)	(141,756)
Proceeds from Sale of Capital Assets	0	2,147,358	0
Capital Contribution	0	194,025	0
Principal Paid on Capital Debt	0	(1,342,016)	0
Interest Paid on Capital Debt	(118)	(206)	0
Net Cash Used by Capital and Related Financing Activities	(731,311)	315,496	(141,756)
Cash Flows From Investing Activities			
Interest and Dividends	1,357	1,674	614
Net Change in Cash and Cash Equivalents	217,499	973,886	156,117
Cash and Cash Equivalents - Beginning	2,184,237	1,965,050	935,584
Cash and Cash Equivalents - Ending	$ 2,401,736	$ 2,938,936	$ 1,091,701
Displayed As:			
Cash and Cash Equivalents	$ 2,401,736	$ 2,938,936	$ 1,091,701
Restricted Cash	0	0	0
	$ 2,401,736	$ 2,938,936	$ 1,091,701
Schedule of Noncash Transactions:			
Principal and Interest Reduction of LID Obligation	$ 0	$ (161,047)	$ 0
Gain on Disposal of Asset	$ 0	$ 161,047	$ 0

The accompanying notes are an integral
part of the financial statements.

City of Kuna, Idaho
Statement of Cash Flows -
Proprietary Funds (continued)
For the Year Ended September 30, 2014

	Business-type Activities - Enterprise Funds		
	Water	Sewer	Irrigation
Reconciliation of Operating Income (Loss) to Net Cash Provided (Used) by Operating Activities:			
Operating Income (Loss)	$ 501,516	$ (1,098,376)	$ 130,031
Adjustments to Reconcile Operating Income to Net Cash Provided (Used) by Operating Activities:			
Depreciation	302,966	1,713,979	158,831
Changes in Assets and Liabilities:			
(Increase) Decrease in Accounts Receivable	220	(45,898)	(18,095)
(Increase) Decrease in Prepaid Items	(1,153)	(1,151)	(339)
Increase (Decrease) in Accounts Payable	136,547	70,784	11,349
Increase (Decrease) in Due to KeyBank LID	0	15,296	0
Increase (Decrease) in Benefits and Wages Payable	(11,477)	1,980	(773)
Increase (Decrease) in Payroll Taxes Payable	(131)	102	145
Increase (Decrease) in Deposits From Others	18,965	0	0
Increase (Decrease) in Unearned Revenues	0	0	16,110
Net Cash Provided by Operating Activities	$ 947,453	$ 656,716	$ 297,259

The accompanying notes are an integral
part of the financial statements.

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CITY OF KUNA, IDAHO

Report on Audited
Basic
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and
Supplemental Information

For the Year Ended September 30, 2015

City of Kuna, Idaho
Statement of Activities
For the Year Ended September 30, 2015

		Program Revenues			Net (Expense) Revenue and Changes in Net Position		
	Expenses	Charges for Services and Sales	Operating Grants and Contributions	Capital Grants and Contributions	Governmental Activities	Business-type Activities	Total
Primary Government:							
Governmental Activities:							
General Administration	$ 3,706,423	$ 1,271,831	$ 50,210	$ 61,706	$ (2,322,676)	$ 0	$ (2,322,676)
Total Governmental Activities	3,706,423	1,271,831	50,210	61,706	(2,322,676)	0	(2,322,676)
Business-type Activities:							
Water	1,242,433	1,930,290	0	0	0	687,857	687,857
Sewer	3,208,684	2,208,206	0	0	0	(1,000,478)	(1,000,478)
Irrigation	565,204	821,699	0	0	0	256,495	256,495
Trash	1,476,363	1,504,085	0	0	0	27,722	27,722
Total Business-type Activities	6,492,684	6,464,280	0	0	0	(28,404)	(28,404)
Total Primary Government	$ 10,199,107	$ 7,736,111	$ 50,210	$ 61,706	(2,322,676)	(28,404)	(2,351,080)
General Revenues:							
Property Taxes					1,827,446	0	1,827,446
State Sources					881,466	0	881,466
Other					136,001	0	136,001
Investment Earnings					2,264	7,121	9,385
Total General Revenues and Special Items					2,847,177	7,121	2,854,298
Change in Net Position					524,501	(21,283)	503,218
Net Position, Beginning - Previously					2,540,721	58,603,501	61,144,222
Prior Period Adjustment					(374,753)	(451,307)	(826,060)
Net Position, Beginning - Restated					2,165,968	58,152,194	60,318,162
Net Position, Ending					$ 2,690,469	$ 58,130,911	$ 60,821,380

The accompanying notes are an integral part of the financial statements.

City of Kuna, Idaho
Statement of Net Position -
Proprietary Funds
September 30, 2015

	Business-type Activities - Enterprise Funds		
	Water	Sewer	Irrigation
Assets			
Current Assets:			
Cash and Cash Equivalents	$ 2,543,218	$ 3,206,934	$ 1,316,462
Prepaid Items	31,385	16,539	3,589
Interest Receivable	121	153	62
Accounts Receivable, Net	114,793	204,223	52,624
Total Current Assets	2,689,517	3,427,849	1,372,737
Noncurrent Assets:			
Capital Assets:			
Land and Construction in Progress	972,971	1,964,820	290,036
Buildings, Net	741,716	32,833,444	926,735
Equipment, Net	129,774	213,107	47,728
Improvements, Net	3,648,987	7,524,900	2,066,185
Total Noncurrent Assets	5,493,448	42,536,271	3,330,684
Total Assets	8,182,965	45,964,120	4,703,421
Deferred Outflows			
Pension	77,232	94,057	19,497
Liabilities			
Current Liabilities:			
Accounts Payable	123,490	99,093	24,733
Benefits and Wages Payable	27,813	31,578	7,155
Payroll Taxes Payable	5,665	7,973	1,507
Deposits from Others	256,490	0	0
Due to KeyBank LID	0	12,935	0
Unearned Revenues	0	0	860
Compensated Absences	47,019	50,027	12,206
Total Current Liabilities	460,477	201,606	46,461
Long-term Liabilities:			
Compensated Absences	14,731	19,526	2,906
Net Pension Liability	167,575	200,109	41,864
Total Long-term Liabilities	182,306	219,635	44,770
Total Liabilities	642,783	421,241	91,231
Deferred Inflows			
Pension	109,795	126,806	26,950
Net Position			
Net Investment in Capital Assets	5,493,448	42,536,271	3,330,684
Restricted	0	0	0
Unrestricted	2,014,171	2,973,859	1,274,053
Total Net Position	$ 7,507,619	$ 45,510,130	$ 4,604,737

The accompanying notes are an integral
part of the financial statements.

City of Kuna, Idaho
Statement of Revenues, Expenses, and Changes
in Fund Net Position - Proprietary Funds
For the Year Ended September 30, 2015

	Business-type Activities - Enterprise Funds		
	Water	Sewer	Irrigation
Operating Revenues			
Charges for Services	$ 1,494,964	$ 2,113,670	$ 713,768
Hook Ups	271,431	0	0
Turn on Fees	18,654	0	0
Miscellaneous	145,241	94,536	107,931
Total Operating Revenues	1,930,290	2,208,206	821,699
Operating Expenses			
Salaries and Benefits	526,754	624,980	131,781
Contractor Services	18,352	17,785	7,376
Maintenance and Operations	379,241	813,881	265,412
Depreciation	318,086	1,752,038	160,635
Total Operating Expenses	1,242,433	3,208,684	565,204
Operating Income (Loss)	687,857	(1,000,478)	256,495
Nonoperating Revenues (Expenses)			
Interest Earned	1,863	2,271	2,746
Total Nonoperating Revenues (Expenses)	1,863	2,271	2,746
Change in Net Position	689,720	(998,207)	259,241
Net Position - Beginning, Previously	7,025,482	46,700,218	4,397,339
Prior Period Adjustment	(207,583)	(191,881)	(51,843)
Net Position - Beginning, Restated	6,817,899	46,508,337	4,345,496
Net Position - Ending	$ 7,507,619	$ 45,510,130	$ 4,604,737

The accompanying notes are an integral
part of the financial statements.

City of Kuna, Idaho
Statement of Cash Flows -
Proprietary Funds
For the Year Ended September 30, 2015

	Business-type Activities - Enterprise Funds		
	Water	Sewer	Irrigation
Cash Flows From Operating Activities			
Receipts from Customers	$ 1,813,314	$ 2,156,257	$ 686,579
Payments to Suppliers for Goods or Services	(451,564)	(876,462)	(269,942)
Payments to Employees for Services	(511,519)	(616,188)	(130,225)
Other Receipts	145,241	94,536	107,931
Net Cash Provided (Used) by Operating Activities	995,472	758,143	394,343
Cash Flows From Noncapital Financing Activities	0	0	0
Cash Flows From Capital and Related Financing Activities			
Purchases and Construction of Capital Assets	(855,735)	(492,337)	(172,301)
Interest Paid on Capital Debt	(75)	0	0
Net Cash Used by Capital and Related Financing Activities	(855,810)	(492,337)	(172,301)
Cash Flows From Investing Activities			
Interest and Dividends	1,820	2,192	2,719
Net Change in Cash and Cash Equivalents	141,482	267,998	224,761
Cash and Cash Equivalents - Beginning	2,401,736	2,938,936	1,091,701
Cash and Cash Equivalents - Ending	$ 2,543,218	$ 3,206,934	$ 1,316,462
Displayed As:			
Cash and Cash Equivalents	$ 2,543,218	$ 3,206,934	$ 1,316,462
Restricted Cash	0	0	0
	$ 2,543,218	$ 3,206,934	$ 1,316,462

The accompanying notes are an integral part of the financial statements.

City of Kuna, Idaho
Statement of Cash Flows -
Proprietary Funds (continued)
For the Year Ended September 30, 2015

	Business-type Activities - Enterprise Funds		
	Water	Sewer	Irrigation
Reconciliation of Operating Income (Loss) to Net Cash Provided (Used) by Operating Activities:			
Operating Income (Loss)	$ 687,857	$ (1,000,478)	$ 256,495
Adjustments to Reconcile Operating Income to Net Cash Provided (Used) by Operating Activities:			
Depreciation	318,086	1,752,038	160,635
Changes in Assets, Liabilities, and Deferrals:			
(Increase) Decrease in Accounts Receivable	25,432	44,948	(3,472)
(Increase) Decrease in Prepaid Items	(19,781)	(3,719)	(685)
(Increase) Decrease in Deferred Outflows - Pension	(60,352)	(74,382)	(15,334)
Increase (Decrease) in Accounts Payable	(34,190)	(41,077)	3,531
Increase (Decrease) in Due to KeyBank LID	0	(2,361)	0
Increase (Decrease) in Benefits and Wages Payable	22,207	16,408	3,389
Increase (Decrease) in Payroll Taxes Payable	342	1,383	84
Increase (Decrease) in Deposits From Others	2,833	0	0
Increase (Decrease) in Unearned Revenues	0	0	(23,717)
Increase (Decrease) in Net Pension Liability	73,167	90,065	18,578
Increase (Decrease) in Deferred Inflows - Pension	(20,129)	(24,682)	(5,161)
Net Cash Provided by Operating Activities	$ 995,472	$ 758,143	$ 394,343

The accompanying notes are an integral part of the financial statements.

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CITY OF KUNA, IDAHO

Report on Audited
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For the Year Ended September 30, 2016

City of Kuna, Idaho
Statement of Activities
For the Year Ended September 30, 2016

		Program Revenues			Net (Expense) Revenue and Changes in Net Position		
	Expenses	Charges for Services and Sales	Operating Grants and Contributions	Capital Grants and Contributions	Governmental Activities	Business-type Activities	Total
Primary Government:							
Governmental Activities:							
General Administration	$ 4,370,667	$ 1,956,986	$ 50,210	$ 57,845	$ (2,305,626)	$ 0	$ (2,305,626)
Total Governmental Activities	4,370,667	1,956,986	50,210	57,845	(2,305,626)	0	(2,305,626)
Business-type Activities:							
Water	1,288,159	2,344,423	0	0	0	1,056,264	1,056,264
Sewer	3,518,645	2,467,499	0	0	0	(1,051,146)	(1,051,146)
Irrigation	593,123	1,057,829	0	0	0	464,706	464,706
Trash	1,613,547	1,620,715	0	0	0	7,168	7,168
Total Business-type Activities	7,013,474	7,490,466	0	0	0	476,992	476,992
Total Primary Government	$ 11,384,141	$ 9,447,452	$ 50,210	$ 57,845	(2,305,626)	476,992	(1,828,634)
General Revenues:							
Property Taxes					1,940,143	0	1,940,143
State Sources					987,521	0	987,521
Other					46,987	0	46,987
Investment Earnings					3,524	11,591	15,115
Total General Revenues and Special Items					2,978,175	11,591	2,989,766
Change in Net Position					672,549	488,583	1,161,132
Net Position, Beginning					2,690,468	58,130,911	60,821,379
Net Position, Ending					$ 3,363,017	$ 58,619,494	$ 61,982,511

The accompanying notes are an integral part of the financial statements.

City of Kuna, Idaho
Statement of Net Position -
Proprietary Funds
September 30, 2016

	Business-type Activities - Enterprise Funds		
	Water	Sewer	Irrigation
Assets			
Current Assets:			
Cash and Cash Equivalents	$ 2,881,566	$ 3,204,035	$ 1,642,954
Prepaid Items	31,476	22,822	2,882
Interest Receivable	340	428	174
Accounts Receivable, Net	132,610	206,180	52,505
Total Current Assets	3,045,992	3,433,465	1,698,515
Noncurrent Assets:			
Capital Assets:			
Land and Construction in Progress	219,984	1,690,311	122,160
Buildings, Net	854,382	31,781,198	964,648
Equipment, Net	168,496	377,038	43,108
Improvements, Net	4,951,166	7,731,947	2,366,148
Total Noncurrent Assets	6,194,028	41,580,494	3,496,064
Total Assets	9,240,020	45,013,959	5,194,579
Deferred Outflows			
Pension	167,572	199,541	44,627
Liabilities			
Current Liabilities:			
Accounts Payable	112,700	182,513	52,664
Benefits and Wages Payable	20,970	21,236	5,683
Payroll Taxes Payable	4,197	5,181	1,170
Deposits from Others	282,475	0	0
Due to KeyBank LID	0	58,531	0
Unearned Revenues	0	0	860
Compensated Absences	50,419	48,264	12,068
Total Current Liabilities	470,761	315,725	72,445
Long-term Liabilities:			
Net Pension Liability	275,171	325,834	71,751
Total Long-term Liabilities	275,171	325,834	71,751
Total Liabilities	745,932	641,559	144,196
Deferred Inflows			
Pension	94,122	108,421	22,628
Net Position			
Net Investment in Capital Assets	6,194,028	41,580,494	3,496,064
Restricted	0	0	0
Unrestricted	2,373,510	2,883,026	1,576,318
Total Net Position	$ 8,567,538	$ 44,463,520	$ 5,072,382

The accompanying notes are an integral
part of the financial statements.

City of Kuna, Idaho
Statement of Revenues, Expenses, and Changes
in Fund Net Position - Proprietary Funds
For the Year Ended September 30, 2016

	Business-type Activities - Enterprise Funds		
	Water	Sewer	Irrigation
Operating Revenues			
Charges for Services	$ 1,676,054	$ 2,382,510	$ 899,564
Hook Ups	444,845	0	0
Turn on Fees	18,431	0	0
Miscellaneous	205,093	84,989	158,265
Total Operating Revenues	2,344,423	2,467,499	1,057,829
Operating Expenses			
Salaries and Benefits	586,268	677,370	160,513
Contractor Services	11,938	20,159	4,678
Maintenance and Operations	336,323	1,029,364	259,555
Depreciation	353,630	1,791,752	168,377
Total Operating Expenses	1,288,159	3,518,645	593,123
Operating Income (Loss)	1,056,264	(1,051,146)	464,706
Nonoperating Revenues (Expenses)			
Interest Earned	3,658	4,535	2,937
Total Nonoperating Revenues (Expenses)	3,658	4,535	2,937
Change in Net Position	1,059,922	(1,046,611)	467,643
Net Position - Beginning	7,507,616	45,510,131	4,604,739
Net Position - Ending	$ 8,567,538	$ 44,463,520	$ 5,072,382

The accompanying notes are an integral
part of the financial statements.

City of Kuna, Idaho
Statement of Cash Flows -
Proprietary Funds
For the Year Ended September 30, 2016

	Business-type Activities - Enterprise Funds		
	Water	Sewer	Irrigation
Cash Flows From Operating Activities			
Receipts from Customers	$ 2,147,498	$ 2,426,149	$ 899,683
Payments to Suppliers for Goods or Services	(359,142)	(972,386)	(235,595)
Payments to Employees for Services	(604,327)	(709,937)	(164,931)
Other Receipts	205,093	84,989	158,265
Net Cash Provided (Used) by Operating Activities	1,389,122	828,815	657,422
Cash Flows From Noncapital Financing Activities	0	0	0
Cash Flows From Capital and Related Financing Activities			
Purchases and Construction of Capital Assets	(1,054,213)	(835,974)	(333,755)
Net Cash Used by Capital and Related Financing Activities	(1,054,213)	(835,974)	(333,755)
Cash Flows From Investing Activities			
Interest and Dividends	3,439	4,260	2,825
Net Change in Cash and Cash Equivalents	338,348	(2,899)	326,492
Cash and Cash Equivalents - Beginning	2,543,218	3,206,934	1,316,462
Cash and Cash Equivalents - Ending	$ 2,881,566	$ 3,204,035	$ 1,642,954
Displayed As:			
Cash and Cash Equivalents	$ 2,881,566	$ 3,204,035	$ 1,642,954
	$ 2,881,566	$ 3,204,035	$ 1,642,954

The accompanying notes are an integral part of the financial statements.

City of Kuna, Idaho
Statement of Cash Flows -
Proprietary Funds (continued)
For the Year Ended September 30, 2016

	Business-type Activities - Enterprise Funds		
	Water	Sewer	Irrigation
Reconciliation of Operating Income (Loss) to Net Cash Provided (Used) by Operating Activities:			
Operating Income (Loss)	$ 1,056,264	$ (1,051,146)	$ 464,706
Adjustments to Reconcile Operating Income to Net Cash Provided (Used) by Operating Activities:			
Depreciation	353,630	1,791,752	168,377
Changes in Assets, Liabilities, and Deferrals:			
(Increase) Decrease in Accounts Receivable	(17,817)	(1,957)	119
(Increase) Decrease in Prepaid Items	(91)	(6,283)	707
(Increase) Decrease in Deferred Outflows - Pension	(90,340)	(105,484)	(25,130)
Increase (Decrease) in Accounts Payable	(10,790)	83,420	27,931
Increase (Decrease) in Due to KeyBank LID	0	45,596	0
Increase (Decrease) in Benefits and Wages Payable	(18,174)	(31,631)	(4,516)
Increase (Decrease) in Payroll Taxes Payable	(1,468)	(2,792)	(337)
Increase (Decrease) in Deposits From Others	25,985	0	0
Increase (Decrease) in Net Pension Liability	107,596	125,725	29,887
Increase (Decrease) in Deferred Inflows - Pension	(15,673)	(18,385)	(4,322)
Net Cash Provided by Operating Activities	$ 1,389,122	$ 828,815	$ 657,422

The accompanying notes are an integral part of the financial statements.

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CITY OF KUNA, IDAHO

Report on Audited
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For the Year Ended September 30, 2017

City of Kuna, Idaho
Statement of Activities
For the Year Ended September 30, 2017

		Program Revenues			Net (Expense) Revenue and Changes in Net Position		
	Expenses	Charges for Services and Sales	Operating Grants and Contributions	Capital Grants and Contributions	Governmental Activities	Business-type Activities	Total
Primary Government:							
Governmental Activities:							
General Administration	$ 5,390,350	$ 3,184,799	$ 69,778	$ 685,082	$ (1,450,691)	$ 0	$ (1,450,691)
Total Governmental Activities	5,390,350	3,184,799	69,778	685,082	(1,450,691)	0	(1,450,691)
Business-type Activities:							
Water	1,377,518	3,016,323	0	0	0	1,638,805	1,638,805
Sewer	3,276,692	2,864,183	0	163,724	0	(248,785)	(248,785)
Irrigation	631,829	1,209,413	0	0	0	577,584	577,584
Trash	1,749,560	1,753,386	0	0	0	3,826	3,826
Total Business-type Activities	7,035,599	8,843,305	0	163,724	0	1,971,430	1,971,430
Total Primary Government	$ 12,425,949	$ 12,028,104	$ 69,778	$ 848,806	(1,450,691)	1,971,430	520,739
General Revenues:							
Property Taxes					2,114,783	0	2,114,783
State Sources					1,081,494	0	1,081,494
Other					31,861	0	31,861
Investment Earnings					6,232	20,763	26,995
Total General Revenues and Special Items					3,234,370	20,763	3,255,133
Change in Net Position					1,783,679	1,992,193	3,775,872
Net Position, Beginning					3,363,017	58,619,494	61,982,511
Net Position, Ending					$ 5,146,696	$ 60,611,687	$ 65,758,383

The accompanying notes are an integral part of the financial statements.

City of Kuna, Idaho
Statement of Net Position -
Proprietary Funds
September 30, 2017

	Business-type Activities - Enterprise Funds		
	Water	Sewer	Irrigation
Assets			
Current Assets:			
Cash and Cash Equivalents	$ 4,520,481	$ 3,855,147	$ 1,814,750
Prepaid Items	33,657	19,146	2,704
Interest Receivable	730	704	305
Accounts Receivable, Net	174,047	254,798	43,305
Total Current Assets	4,728,915	4,129,795	1,861,064
Noncurrent Assets:			
Capital Assets:			
Land and Construction in Progress	214,116	1,683,641	285,884
Buildings, Net	795,999	30,524,153	922,560
Equipment, Net	192,424	383,983	40,288
Improvements, Net	5,205,071	8,046,907	2,956,372
Total Noncurrent Assets	6,407,610	40,638,684	4,205,104
Total Assets	11,136,525	44,768,479	6,066,168
Deferred Outflows			
Pension	91,405	110,111	23,327
Liabilities			
Current Liabilities:			
Accounts Payable	104,923	215,163	177,614
Benefits and Wages Payable	22,015	23,716	6,045
Payroll Taxes Payable	6,262	8,327	1,805
Deposits from Others	289,875	0	0
Due to KeyBank LID	0	186,407	0
Compensated Absences	50,046	46,186	13,394
Total Current Liabilities	473,121	479,799	198,858
Long-term Liabilities:			
Net Pension Liability	241,771	286,630	62,452
Total Long-term Liabilities	241,771	286,630	62,452
Total Liabilities	714,892	766,429	261,310
Deferred Inflows			
Pension	47,407	53,560	9,521
Net Position			
Net Investment in Capital Assets	6,407,610	40,638,684	4,205,104
Restricted	0	0	0
Unrestricted	4,058,021	3,419,917	1,613,560
Total Net Position	$ 10,465,631	$ 44,058,601	$ 5,818,664

The accompanying notes are an integral
part of the financial statements.

City of Kuna, Idaho
Statement of Revenues, Expenses, and Changes
in Fund Net Position - Proprietary Funds
For the Year Ended September 30, 2017

	Business-type Activities - Enterprise Funds		
	Water	Sewer	Irrigation
Operating Revenues			
Charges for Services	$ 1,783,227	$ 2,766,138	$ 1,018,602
Hook Ups	700,660	0	0
Delinquent Fees	52,800	35,970	14,246
Miscellaneous	479,636	62,075	176,565
Total Operating Revenues	3,016,323	2,864,183	1,209,413
Operating Expenses			
Salaries and Benefits	589,071	673,274	165,418
Contractor Services	27,068	35,015	10,923
Maintenance and Operations	362,193	751,717	272,864
Depreciation	399,186	1,816,686	182,624
Total Operating Expenses	1,377,518	3,276,692	631,829
Operating Income (Loss)	1,638,805	(412,509)	577,584
Nonoperating Revenues (Expenses)			
Interest Earned	7,452	7,590	4,974
Total Nonoperating Revenues (Expenses)	7,452	7,590	4,974
Income (Loss) Before Transfers	1,646,257	(404,919)	582,558
Transfers and Capital Contributions			
Transfers In	251,836	0	0
Transfers Out	0	0	0
Capital Contributions	0	0	163,724
Net Transfers and Capital Contributions	251,836	0	163,724
Change in Net Position	1,898,093	(404,919)	746,282
Net Position - Beginning	8,567,538	44,463,520	5,072,382
Net Position - Ending	$ 10,465,631	$ 44,058,601	$ 5,818,664

The accompanying notes are an integral
part of the financial statements.

City of Kuna, Idaho
Statement of Cash Flows -
Proprietary Funds
For the Year Ended September 30, 2017

	Business-type Activities - Enterprise Funds		
	Water	Sewer	Irrigation
Cash Flows From Operating Activities			
Receipts from Customers	$ 2,502,650	$ 2,881,366	$ 1,041,188
Payments to Suppliers for Goods or Services	(399,219)	(750,406)	(158,659)
Payments to Employees for Services	(590,282)	(674,361)	(164,201)
Other Receipts	479,636	62,075	176,565
Net Cash Provided (Used) by Operating Activities	1,992,785	1,518,674	894,893
Cash Flows From Noncapital Financing Activities			
Transfers In (Out)	251,836	0	0
Cash Flows From Capital and Related Financing Activities			
Purchases and Construction of Capital Assets	(612,768)	(874,876)	(727,940)
Net Cash Used by Capital and Related Financing Activities	(612,768)	(874,876)	(727,940)
Cash Flows From Investing Activities			
Interest and Dividends	7,062	7,314	4,843
Net Change in Cash and Cash Equivalents	1,638,915	651,112	171,796
Cash and Cash Equivalents - Beginning	2,881,566	3,204,035	1,642,954
Cash and Cash Equivalents - Ending	$ 4,520,481	$ 3,855,147	$ 1,814,750
Displayed As:			
Cash and Cash Equivalents	$ 4,520,481	$ 3,855,147	$ 1,814,750
	$ 4,520,481	$ 3,855,147	$ 1,814,750
Schedule of Noncash Transactions:			
Land Contribution	$ 0	$ 0	$ 163,724

The accompanying notes are an integral part of the financial statements.

City of Kuna, Idaho
Statement of Cash Flows -
Proprietary Funds (continued)
For the Year Ended September 30, 2017

	Business-type Activities - Enterprise Funds		
	Water	Sewer	Irrigation
Reconciliation of Operating Income (Loss) to Net Cash Provided (Used) by Operating Activities:			
Operating Income (Loss)	$ 1,638,805	$ (412,509)	$ 577,584
Adjustments to Reconcile Operating Income to Net Cash Provided (Used) by Operating Activities:			
Depreciation	399,186	1,816,686	182,624
Changes in Assets, Liabilities, and Deferrals:			
(Increase) Decrease in Accounts Receivable	(41,437)	(48,618)	9,200
(Increase) Decrease in Prepaid Items	(2,181)	3,676	178
(Increase) Decrease in Deferred Outflows - Pension	76,167	89,430	21,300
Increase (Decrease) in Accounts Payable	(7,777)	32,650	124,950
Increase (Decrease) in Due to KeyBank LID	0	127,876	0
Increase (Decrease) in Benefits and Wages Payable	672	402	1,688
Increase (Decrease) in Payroll Taxes Payable	2,065	3,146	635
Increase (Decrease) in Deposits From Others	7,400	0	0
Increase (Decrease) in Unearned Revenues	0	0	(860)
Increase (Decrease) in Net Pension Liability	(33,400)	(39,204)	(9,299)
Increase (Decrease) in Deferred Inflows - Pension	(46,715)	(54,861)	(13,107)
Net Cash Provided by Operating Activities	$ 1,992,785	$ 1,518,674	$ 894,893

The accompanying notes are an integral part of the financial statements.

Bob Bachman

From: Jim E. <tracerjim@yahoo.com>
Sent: Thursday, December 26, 2019 9:03 AM
To: Bob Bachman
Cc: Mayor Stear; clords@idahostatesman.com; smcintosh@idahostatesman.com; news@kboi2.com
Subject: Water Billing

Hi Bob, Thank you for getting back to me. Sounds like a lot of progress has been made into a fairer way of billing for water. I don't think it goes far enough. Without knowing the actual change your plan will make to my bill, charging me for 5,00 gallons of water every month is still outrageous. I use closer to 1,000 gallons a month. With practicing no conservation, and even trying to waste water, I am still not over 2,000 gallons a month, less than half the first tier rate you are proposing. Under the new billing, I will only pay for 6 months of water every month, not a years worth, as I am presently doing?

I have read that the citizens of Idaho use nearly twice the national average of water a day. The average US consumption is 84 gallons, Idaho is 142. It's easy to understand why, with the current billing methods. I know of pool owners that dump their pools and refill, because, "it doesn't cost me any more to do it" that way. Cheaper than running a pump and buying chemicals. WOW.

Why am I not billed like all the other utilities for my actual consumption? The water meter reports usage in 100 gallon increments. Bill me that way, please.

I will be attending the city counsel meeting in January, thank you for extending that information to me.

Sincerely,

Jim Eberhard

Don't wait for the Storm to pass, Learn to Dance in the Rain!

RESOLUTION NO. R01-2020
CITY OF KUNA, IDAHO

WATER SYSTEM FEES AND POLICIES

A RESOLUTION AMENDING PORTIONS OF RESOLUTION R84-2017 THAT: SETS FORTH THE AUTHORITY FOR ADOPTING WATER CONNECTION FEES AND MONTHLY WATER SERVICE RATES; ESTABLISHES FEES FOR CONNECTING TO THE WATER SYSTEM; ESTABLISHES WATER USE FEES THAT ARE NOW AMENDED WITH WATER RATE CHANGES FOR ALL CUSTOMERS; PROVIDES FOR MISCELLANEOUS WATER CUSTOMER SERVICE POLICIES; SETS FORTH MINIMUM LINE SIZES; REPEALS FEES ESTABLISHED BY EARLIER RESOLUTIONS; AND SETS AN EFFECTIVE DATE.

WHEREAS, Section 7-5-5 of the Kuna City Code authorizes the City of Kuna, Idaho to set water connection fees by resolution of City Council; and

WHEREAS, Section 7-5-3 of the Kuna City Code authorizes the City of Kuna, Idaho to set monthly service rates for water use by resolution of City Council:

I. WATER CONNECTION FEES

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

A. Water Main Capacity Fee: ~~——~~Each dwelling unit (single family residence, manufactured home, town home, condominium or apartment), or any other user based upon volume of demand compared to an ~~"~~equivalent dwelling unit~~"~~ (EDU), to be connected to the City potable water system, shall be assessed ~~one thousand one hundred and seventy-three~~one thousand four hundred twenty-three dollars and zero cents ($1,423~~173~~.00) per EDU ~~"equivalent dwelling unit"~~ at or before the time of connection for the capital costs of providing oversized mains and trunk lines to convey potable water required by each connection.

B. Water Supply Fee: ~~-~~Each dwelling unit (single family residence, manufactured home, town home, condominium or apartment), or any other user based upon volume of demand compared to an ~~"equivalent dwelling unit"~~ (EDU), to be connected to the City potable water system requiring water for domestic use only shall be assessed one thousand and eighty-five dollars ($1,085.00) per ~~equivalent dwelling unit~~EDU at or before the time of connection for the capital costs of providing water supply required by each connection. In instances where a developer or property owner has prepaid this fee as a condition of developing, and the area to which the prepayment applies is specifically defined, then any further water supply fee for connection subsequent to passage of this act shall be waived.

C. **Industrial/Commercial Connection:** —Each commercial or industrial facility to be connected to the publicly owned potable water works shall be assessed water main capacity fees and water supply fees, computed based on peak usage at full capacity and prorated compared to an equivalent dwelling unit. The minimum fees charged any connection shall be one equivalent dwelling unit.

The peak usage shall be determined from the usage of the proposed facility at full capacity based on flows obtained from IDAPA 58.01.03.007.08 in the chart titled WASTEWATER FLOWS FROM VARIOUS ESTABLISHMENTS IN GALLONS PER DAY. For uses not specifically addressed in the aforementioned regulation, it shall be the responsibility of the City Engineer to equitably estimate peak usage at full capacity based on predictive equations, comparative usage, or historical usage as approved by the City Engineer. The minimum charge for non-irrigated property shall be the charge for one equivalent dwelling unit.

D. **Water Meter and Service Fees:** Each water connection shall be assessed charges for completing services and connections, when required, in accordance with the following schedule:

3/4"	Setter & Service	$ **771.00**/ea
1"	Setter & Service	$**1,143.00**/ea
1-1/2"	Setter & Service	$**1,627.00**/ea
2"	Setter & Service	$**2,033.00**/ea
3" & larger	Meter & Service	Time & Material
3/4"	Meter Only	$**340.00**/ea
1"	Meter Only	$ **383.00**./ea
1 ½"	Meter Only	$ **613.00**/ea
2"	Meter Only	$ **758.00**/ea
1/2 Street Asphalt Patch		$ **390.00**
Full Street Asphalt Patch		$ **612.00**

E. **Previous Connections:** In instances where an improvement on a property has previously been connected to the water system and complied with the connection fee(s) in force at the time of connection, the above fees do not apply. If, however, the connection involves an increase in number of dwelling units or an increase in demand on the system, then the connection is subject to these fees for the amount of the increase only and prorated in comparison to the demand of an equivalent dwelling unit.

II. WATER USE FEES

BE IT FURTHER RESOLVED that fees for water usage and other charges shall be determined as follows:

A. **Customer Water Use Charges:**

1. **Standard Water Use Fee** - Metered water usage for City of Kuna residents and

original Danskin Well customers shall be billed at a baseflat rate of ~~twenty-one dollars and two cents~~seventeen dollars and sixty-one cents ($17.61) ~~($**21.02**)~~ for the first five~~ten~~ thousand (5~~10~~,000) gallons of usage in a monthly billing cycle, an additional one dollar and fifty-six cents ($1.56) per thousand gallons up to seven thousand (7,000) gallons, an additional two dollars and thirty-five cents ($2.35) per thousand gallons up to ten thousand (10,000) gallons, and an additional three dollars and fifty-three cents ($3.53) per thousand gallons over ten thousand (10,000) gallons. Metered water usage for City residents, where the head of house is over sixty-five (65) years of age, resides at the residence and has completed an application with the City, shall be billed at a ~~flat~~ rate ~~of **sixteen** dollars and **thirty-three**~~thirteen dollars and seventy-five cents ($13.75) for the first five thousand (5,000) gallons~~($**16.33**) for the first ten thousand (10,000) gallons~~ of usage in a monthly billing cycle, an additional one dollar and fifty-six cents ($1.56) per thousand gallons up to seven thousand (7,000) gallons, an additional two dollars and thirty-five cents ($2.35) per thousand gallons up to ten thousand (10,000) gallons, and an additional three dollars and fifty-three cents ($3.53) per thousand gallons over ten thousand (10,000) ~~-~~ gallons. Commercial m~~M~~etered water usage for ~~all other users and~~ users with ~~oversized~~ ¾" service lines shall be billed at a base ~~flat~~ rate of ~~**twenty four** dollars and **eighty** six~~seventeen dollars and sixty-seven cents ($17.67) ~~cents ($**24.86**)~~ for the first one ~~ten~~ thousand (1~~0~~,000) gallons ~~of usage in a monthly billing cycle~~and an additional three dollars and fifty-three cents ($3.53) per one thousand (1,000) gallons after. Commercial metered water usage for users with 2" service lines shall be billed at a base rate of one hundred twenty-five dollars and eighty cents ($125.80) for the first one thousand (1,000) gallons and an additional three dollars fifty-three cents per one thousand (1,000) gallons after.

~~**2. Excess Water Use Fee**- Metered water usage beyond ten thousand (10,000) gallons shall be billed at **one** dollar and **seventy-five** cents ($**1.75**) per one thousand (1,000) gallons except for the special situation noted in the following paragraph.~~

2. **Excess Water Use Fee**- As mentioned under the Standard Water Use Fee, metered water usage beyond ten thousand (10,000) gallons shall be billed at three dollars and fifty-three cents ($3.53) per one thousand (1,000) gallons.

3. **Irrigation Water Use Fee-**
   - **i.** The irrigation season shall run from May 1 to October 31.
   - **ii.** For City residential property (a single family residence located within the City Limits of Kuna) that has no access to pressure irrigation or gravity irrigation service because the service is not available in the area that the property is located, and where the usage is beyond ten thousand (10,000) gallons, but less than forty-five thousand (45,000) gallons, said residential property shall be billed as follows:

     For the irrigation seasons 2014, 2015 and 2016, the rate shall be **seventy-five** cents ($**0.75**) per one thousand (1,000) gallons.

     For the irrigation seasons 2017 and 2018, the rate shall be **one** dollar ($**1.00**) per

thousand (1,000) gallons.

For the irrigation seasons 2019 and thereafter, the rate shall be the same as the Eexcess Wwater Uuse Ffee.

iii. For City Commercial property, City residential property that has access to the City pressurized irrigation system or gravity irrigation and elects not to connect to the system, or residential property that is without the city limits that has no access to pressure irrigation or gravity irrigation service because the service is not available in the area that the property is located or has elected not to connect to either service, and where the usage is beyond ten thousand (10,000) gallons, but less than forty-five thousand (45,000) gallons, said property shall be billed as follows:

For the irrigation seasons 2014 and 2015, the rate shall be **one** dollar (**$1.00**) per one thousand (1,000) gallons.

For the irrigation seasons 2016 and thereafter, the rate shall be the same rate as the City excess water use fee.

iv. For City Enterprise Funds (except Water Fund) usage of City potable water shall be billed as follows:

For the irrigation seasons 2014 and thereafter, the rate shall be **fifty** cents (**$0.50**) per one thousand (1,000) gallons.

4. **Bulk Water Charges** - All bulk sales shall be approved by the Water Superintendent or his designated representative prior to delivery, and be obtained from designated sources only. The rate for bulk sales shall be three dollars and fifty-three cents ($3.53)**one** dollar and **seventy-five** cents (**$1.75**) per one thousand (1,000) gallons.

III. NEW CONSTRUCTION

BE IT FURTHER RESOLVED, that in connection with new development, the assumed water main size is a minimum nominal diameter of eight (8) inches. When, in conformance with the needs of the City Water System, a larger line is requested of the developer than this minimum nominal diameter, and the larger line is beyond the developer's flow needs, the developer may be reimbursed in conformance with adopted City reimbursement policies.

IV. OTHER CHARGES B) Other Charges:

A. 1. **Connection Fees (Outside City Limits)** - Any customer outside the corporate limits of the City requesting water service, who is legally able to annex to the City, must do so to connect to the City Water System, thereafter to pay connection fees as any other resident. Any customer outside City corporate limits requesting water service, who is not legally able to annex, cannot connect without explicit Council

approval, which approval is solely at the option of City Council.

B. ~~2.~~ **Damage Repair Costs** - Damages to Water Department facilities by other utilities, excavators or others will be repaired by or at the direction of Water Department p~~P~~ersonnel.~~-~~ All direct and indirect costs incurred in the repair will be billed to the party causing the damage.

C. ~~3.~~ **Short Notice Line Location Charges** - The City of Kuna, as required by law, participates in the Dig Line system. ~~-~~Forty-e~~E~~ight (48) hours notification is required prior to excavation by any party. ~~-~~Exceptions will be allowed for line locations during times of individual hazard or public emergency.

~~III. NEW CONSTRUCTION~~

~~**BE IT FURTHER RESOLVED**, that in connection with new development, the assumed water main size is a minimum nominal diameter of eight (8") inches. When, in conformance with the needs of the City Water System, a larger line is requested of the developer than this minimum nominal diameter, and the larger line is beyond the developer's flow needs, the developer may be reimbursed in conformance with adopted City reimbursement policies.~~

IV. EFFECTIVE DATE

BE IT FURTHER RESOLVED that water connection fees and all other charges, as presented in this resolution and as set forth in Exhibit "A" attached hereto and incorporated herein by reference, other than the Customer Water Use Fees, shall be in effect upon passage of this resolution, that Customer Water Use Fees shall be in effect beginning with the February 1, 2020 billing cycle, and that all fees that are in conflict with the new fees as established by earlier resolution(s) are hereby repealed.~~-~~

~~**BE IT FURTHER RESOLVED** that the Customer Water Use Fees shall be in effect beginning with the November 1st, 2017 billing.~~

~~**BE IT FURTHER RESOLVED,** that all similar fees and policies established by earlier resolution(s) are hereby repealed.~~

PASSED BY THE COUNCIL of the City of Kuna, this 7th day of January, 2020.

APPROVED BY THE MAYOR of the City of Kuna, this 7th day of January, 2020.

Joe L. Stear, Mayor

ATTEST:

_____
Chris Engels, City Clerk

EXHIBIT A TO RESOLUTION R01-2020
CITY OF KUNA
WATER SYSTEM FEES
EFFECTIVE January 7, 2020

Note: Customer Water Use Fees effective beginning with the February 1, 2020 billing cycle.

Residential	o Monthly Base Rate: $17.67 (Usage up to 5,000 gallons) o 1st Tier (5,001-7,000 gals): $1.56 per 1,000 gals o 2nd Tier (7,001-10,000 gals): $2.35 per 1,000 gals o 3rd Tier (>10,000 gals): $3.53 per 1,000 gals
Senior Residential	o Monthly Base Rate: $13.75 (Usage up to 5,000 gallons) o 1st Tier (5,001-7,000 gals): $1.56 per 1,000 gals o 2nd Tier (7,001-10,000 gals): $2.35 per 1,000 gals o 3rd Tier (>10,000 gals): $3.53 per 1,000 gals
¾" Commercial	o Monthly Base Rate: $17.67 (Usage up to 1,000 gallons) o 1st Tier (>1,000 gals): $3.53 per 1,000 gals
2" Commercial	o Monthly Base Rate: $125.80 (Usage up to 1,000 gallons) o 1st Tier (>1,000 gals): $3.53 per 1,000 gals

RESOLUTION NO. R01-2020
CITY OF KUNA, IDAHO

WATER SYSTEM FEES AND POLICIES

A RESOLUTION AMENDING PORTIONS OF RESOLUTION R84-2017 THAT: SETS FORTH THE AUTHORITY FOR ADOPTING WATER CONNECTION FEES AND MONTHLY WATER SERVICE RATES; ESTABLISHES FEES FOR CONNECTING TO THE WATER SYSTEM; ESTABLISHES WATER USE FEES THAT ARE NOW AMENDED WITH WATER RATE CHANGES FOR ALL CUSTOMERS; PROVIDES FOR MISCELLANEOUS WATER CUSTOMER SERVICE POLICIES; SETS FORTH MINIMUM LINE SIZES; REPEALS FEES ESTABLISHED BY EARLIER RESOLUTIONS; AND SETS AN EFFECTIVE DATE.

WHEREAS, Section 7-5-5 of the Kuna City Code authorizes the City of Kuna, Idaho to set water connection fees by resolution of City Council; and

WHEREAS, Section 7-5-3 of the Kuna City Code authorizes the City of Kuna, Idaho to set monthly service rates for water use by resolution of City Council:

I. WATER CONNECTION FEES

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

A. **Water Main Capacity Fee:** Each dwelling unit (single family residence, manufactured home, town home, condominium or apartment), or any other user based upon volume of demand compared to an equivalent dwelling unit (EDU), to be connected to the City potable water system, shall be assessed one thousand four hundred twenty-three dollars and zero cents ($1,423.00) per EDU at or before the time of connection for the capital costs of providing oversized mains and trunk lines to convey potable water required by each connection.

B. **Water Supply Fee:** Each dwelling unit (single family residence, manufactured home, town home, condominium or apartment), or any other user based upon volume of demand compared to an (EDU), to be connected to the City potable water system requiring water for domestic use only shall be assessed one thousand and eighty-five dollars ($1,085.00) per EDU at or before the time of connection for the capital costs of providing water supply required by each connection. In instances where a developer or property owner has prepaid this fee as a condition of developing, and the area to which the prepayment applies is specifically defined, then any further water supply fee for connection subsequent to passage of this act shall be waived.

C. **Industrial/Commercial Connection:** Each commercial or industrial facility to be connected to the publicly owned potable water works shall be assessed water main capacity fees and water supply fees, computed based on peak usage at full capacity and

prorated compared to an equivalent dwelling unit. The minimum fees charged any connection shall be one equivalent dwelling unit.

The peak usage shall be determined from the usage of the proposed facility at full capacity based on flows obtained from IDAPA 58.01.03.007.08 in the chart titled WASTEWATER FLOWS FROM VARIOUS ESTABLISHMENTS IN GALLONS PER DAY. For uses not specifically addressed in the aforementioned regulation, it shall be the responsibility of the City Engineer to equitably estimate peak usage at full capacity based on predictive equations, comparative usage, or historical usage as approved by the City Engineer. The minimum charge for non-irrigated property shall be the charge for one equivalent dwelling unit.

D. **Water Meter and Service Fees:** Each water connection shall be assessed charges for completing services and connections, when required, in accordance with the following schedule:

3/4"	Setter & Service	$ **771.00**/ea
1"	Setter & Service	$**1,143.00**/ea
1-1/2"	Setter & Service	$**1,627.00**/ea
2"	Setter & Service	$**2,033.00**/ea
3" & larger	Meter & Service	Time & Material
3/4"	Meter Only	$**340.00**/ea
1"	Meter Only	$ **383.00**./ea
1 ½"	Meter Only	$ **613.00**/ea
2"	Meter Only	$ **758.00**/ea
1/2 Street Asphalt Patch		$ **390.00**
Full Street Asphalt Patch		$ **612.00**

E. **Previous Connections:** In instances where an improvement on a property has previously been connected to the water system and complied with the connection fee(s) in force at the time of connection, the above fees do not apply. If, however, the connection involves an increase in number of dwelling units or an increase in demand on the system, then the connection is subject to these fees for the amount of the increase only and prorated in comparison to the demand of an equivalent dwelling unit.

II. WATER USE FEES

BE IT FURTHER RESOLVED that fees for water usage and other charges shall be determined as follows:

A. **Customer Water Use Charges:**

1. **Standard Water Use Fee** - Metered water usage for City of Kuna residents and original Danskin Well customers shall be billed at a base rate of seventeen dollars and sixty-one cents ($17.61) for the first five thousand (5,000) gallons of usage in a monthly billing cycle, an additional one dollar and fifty-six cents ($1.56) per

thousand gallons up to seven thousand (7,000) gallons, an additional two dollars and thirty-five cents ($2.35) per thousand gallons up to ten thousand (10,000) gallons, and an additional three dollars and fifty-three cents ($3.53) per thousand gallons over ten thousand (10,000) gallons. Metered water usage for City residents, where the head of house is over sixty-five (65) years of age, resides at the residence and has completed an application with the City, shall be billed at a rate thirteen dollars and seventy-five cents ($13.75) for the first five thousand (5,000) gallons of usage in a monthly billing cycle, an additional one dollar and fifty-six cents ($1.56) per thousand gallons up to seven thousand (7,000) gallons, an additional two dollars and thirty-five cents ($2.35) per thousand gallons up to ten thousand (10,000) gallons, and an additional three dollars and fifty-three cents ($3.53) per thousand gallons over ten thousand (10,000) gallons. Commercial metered water usage for users with ¾" service lines shall be billed at a base rate of seventeen dollars and sixty-seven cents ($17.67) for the first one thousand (1,000) gallons and an additional three dollars and fifty-three cents ($3.53) per one thousand (1,000) gallons after. Commercial metered water usage for users with 2" service lines shall be billed at a base rate of one hundred twenty-five dollars and eighty cents ($125.80) for the first one thousand (1,000) gallons and an additional three dollars fifty-three cents per one thousand (1,000) gallons after.

2. **Excess Water Use Fee** - As mentioned under the Standard Water Use Fee, metered water usage beyond ten thousand (10,000) gallons shall be billed at three dollars and fifty-three cents ($3.53) per one thousand (1,000) gallons.

3. **Irrigation Water Use Fee –**

   i. The irrigation season shall run from May 1 to October 31.

   ii. For City residential property (a single family residence located within the City Limits of Kuna) that has no access to pressure irrigation or gravity irrigation service because the service is not available in the area that the property is located, and where the usage is beyond ten thousand (10,000) gallons, but less than forty-five thousand (45,000) gallons, said residential property shall be billed as follows:

   For the irrigation seasons 2014, 2015 and 2016, the rate shall be **seventy-five** cents ($**0.75**) per one thousand (1,000) gallons.

   For the irrigation seasons 2017 and 2018, the rate shall be **one** dollar ($**1.00**) per thousand (1,000) gallons.

   For the irrigation seasons 2019 and thereafter, the rate shall be the same as the Excess Water Use Fee.

   iii. For City Commercial property, City residential property that has access to the City pressurized irrigation system or gravity irrigation and elects not to connect to the system, or residential property that is without the city limits that has no

access to pressure irrigation or gravity irrigation service because the service is not available in the area that the property is located or has elected not to connect to either service, and where the usage is beyond ten thousand (10,000) gallons, but less than forty-five thousand (45,000) gallons, said property shall be billed as follows:

For the irrigation seasons 2014 and 2015, the rate shall be **one** dollar (**$1.00**) per one thousand (1,000) gallons.

For the irrigation seasons 2016 and thereafter, the rate shall be the same rate as the City excess water use fee.

iv. For City Enterprise Funds (except Water Fund) usage of City potable water shall be billed as follows:

For the irrigation seasons 2014 and thereafter, the rate shall be **fifty** cents (**$0.50**) per one thousand (1,000) gallons.

4. **Bulk Water Charges** - All bulk sales shall be approved by the Water Superintendent or his designated representative prior to delivery, and be obtained from designated sources only. The rate for bulk sales shall be three dollars and fifty-three cents ($3.53) per one thousand (1,000) gallons.

III. NEW CONSTRUCTION

BE IT FURTHER RESOLVED, that in connection with new development, the assumed water main size is a minimum nominal diameter of eight (8) inches. When, in conformance with the needs of the City Water System, a larger line is requested of the developer than this minimum nominal diameter, and the larger line is beyond the developer's flow needs, the developer may be reimbursed in conformance with adopted City reimbursement policies.

IV. OTHER CHARGES

A. **Connection Fees (Outside City Limits)** - Any customer outside the corporate limits of the City requesting water service, who is legally able to annex to the City, must do so to connect to the City Water System, thereafter to pay connection fees as any other resident. Any customer outside City corporate limits requesting water service, who is not legally able to annex, cannot connect without explicit Council approval, which approval is solely at the option of City Council.

B. **Damage Repair Costs** - Damages to Water Department facilities by other utilities, excavators or others will be repaired by or at the direction of Water Department personnel. All direct and indirect costs incurred in the repair will be billed to the party causing the damage.

C. **Short Notice Line Location Charges** - The City of Kuna, as required by law, participates in the Dig Line system. Forty-eight (48) hours notification is required prior to excavation by any party. Exceptions will be allowed for line locations during times of individual hazard or public emergency.

IV. EFFECTIVE DATE

BE IT FURTHER RESOLVED that water connection fees and all other charges, as presented in this resolution and as set forth in Exhibit "A" attached hereto and incorporated herein by reference, other than the Customer Water Use Fees, shall be in effect upon passage of this resolution, that Customer Water Use Fees shall be in effect beginning with the February 1, 2020 billing cycle, and that all fees that are in conflict with the new fees as established by earlier resolution(s) are hereby repealed.

PASSED BY THE COUNCIL of the City of Kuna, this 7th day of January, 2020.

APPROVED BY THE MAYOR of the City of Kuna, this 7th day of January, 2020.

_____
Joe L. Stear, Mayor

ATTEST:

_____
Chris Engels, City Clerk

EXHIBIT A TO RESOLUTION R01-2020
CITY OF KUNA
WATER SYSTEM FEES
EFFECTIVE January 7, 2020

Note: Customer Water Use Fees effective beginning with the February 1, 2020 billing cycle.

Residential	o Monthly Base Rate: $17.67 (Usage up to 5,000 gallons) o 1st Tier (5,001-7,000 gals): $1.56 per 1,000 gals o 2nd Tier (7,001-10,000 gals): $2.35 per 1,000 gals o 3rd Tier (>10,000 gals): $3.53 per 1,000 gals
Senior Residential	o Monthly Base Rate: $13.75 (Usage up to 5,000 gallons) o 1st Tier (5,001-7,000 gals): $1.56 per 1,000 gals o 2nd Tier (7,001-10,000 gals): $2.35 per 1,000 gals o 3rd Tier (>10,000 gals): $3.53 per 1,000 gals
¾" Commercial	o Monthly Base Rate: $17.67 (Usage up to 1,000 gallons) o 1st Tier (>1,000 gals): $3.53 per 1,000 gals
2" Commercial	o Monthly Base Rate: $125.80 (Usage up to 1,000 gallons) o 1st Tier (>1,000 gals): $3.53 per 1,000 gals

RESOLUTION NO. R02-2020
CITY OF KUNA, IDAHO

SEWER SYSTEM FEES AND POLICIES

A RESOLUTION AMENDING CERTAIN SECTIONS OF RESOLUTION R83-2017~~R71-2016~~ THAT: SETS FORTH THE AUTHORITY FOR ADOPTING SEWER FEES; ESTABLISHES FEES FOR CONNECTING TO SEWER SYSTEM; ESTABLISHES MONTHLY SEWER USE FEES THAT ARE NOW AMENDED WITH SEWER RATE CHANGES FOR ALL CUSTOMERS; SETS FORTH MINIMUM LINE SIZES; ~~PROVIDES FOR A METHOD OF COMPUTING USER EQUIVALENT~~; REPEALS FEES ESTABLISHED BY EARLIER RESOLUTIONS; AND SETS AN EFFECTIVE DATE.

WHEREAS, Section 7-6-3A of the Kuna City Code authorizes the City of Kuna, Idaho to ~~prescribe charges for sewer connections and such charges to be in force after approval of the Mayor and City Council~~set connection fees by resolution of City Council; and

WHEREAS, Section 7-6-4A of the Kuna City Code authorizes the City of Kuna, Idaho to set monthly user rates ~~establish user charges~~ for service by the ~~Publicly Owned Treatment Works~~Wastewater Treatment Facilities, based on the volume and strength of the effluent discharged by the users, and consistent with the benefit derived by the users, by resolution of City Council:~~;~~

I. SEWER CONNECTION FEES

NOW THEREFORE BE IT RESOLVED that the fee for connecting to the Wastewater Treatment Facilities ~~Publicly Owned Treatment Works~~ shall be determined as follows:

A. Interceptor Capacity Fee: Each dwelling unit (single family residence, manufactured home, town home, condominium or apartment), or any other user prorated based upon volume and strength when compared to an ~~"user equivalent"~~equivalent dwelling unit (EDU) as defined in Kuna City Code, to be connected to the ~~Publicly Owned Treatment Works~~Wastewater Treatment Facilities, shall be assessed one thousand three hundred twenty-nine dollars and zero cents ~~eight hundred and twenty-nine~~ dollars ($1,329.00)~~($829.00)~~ per ~~"user equivalent"~~EDU at the time of connection for the capital costs of providing oversized mains, and interceptor and trunk lines to convey the wastewater flow generated by each unit.

B. Treatment Capacity Fee: Each dwelling unit (single family residence, manufactured home, town home, condominium or apartment), or any other user prorated based upon volume and strength when compared to an ~~"user equivalent"~~EDU as defined in Kuna City Code, to be connected to the ~~Publicly Owned Treatment Works~~Wastewater Treatment Facilities shall be assessed four thousand three hundred and twenty-six dollars ($4,326.00) per ~~"user equivalent"~~EDU at the time of connection for the capital costs of providing treatment capacity to treat the biochemical oxygen demand and total suspended solids generated by each unit. In instances where a developer or property owner has prepaid this fee as a condition of development, and the treatment plant to which the proposed connection and prepayment applies is the same, then the prepaid fee shall suffice for full

or partial credit for payment of the Treatment Capacity Fee defined herein and as provided in City Resolution R10-2010.

C. **Industrial/Commercial Connection:** Each commercial or industrial facility to be connected to the publicly owned treatment works shall be assessed interceptor capacity and treatment capacity fees based on user equivalents established by adopted policies, and in instances not addressed by established policies, computed as follows, based on peak usage at full capacity and prorated compared to a typical residence:

The peak usage shall be determined from the usage of the proposed facility at full capacity based on flows obtained from IDAPA 58.01.03.007.08 in the chart titled WASTEWATER FLOWS FROM VARIOUS ESTABLISHMENTS IN GALLONS PER DAY. Waste Strength shall be obtained from the chart in Section II.B of this resolution by averaging the high and low extremes of the applicable Category. For uses not specifically addressed in the aforementioned charts, it shall be the responsibility of the City Engineer to equitably estimate peak usage at design capacity for the connecting facility.

D. **Previous Connections:** In instances where an improvement on a property has previously been connected to the sewer system and complied with the connection fee(s) in force at the time of connection, the above fees do not apply. If, however, the connection involves an increase in number of dwelling units or an increase in demand on the system, then the connection is subject to these fees for the increase only. ~~—~~For existing connections proposing to increase levels of discharge, a fee proportional to the increase of quantities, when compared to an EDU ~~"user equivalent"~~ as defined in Kuna City Code, shall be assessed. For existing commercial and industrial users, the existing level of usage is generally the discharge defined by connection fees previously paid at the time they were paid. In the absence of a record of connection fees previously paid, the existing level of usage derived from the existing facility at full capacity, or the discharges defined in a "discharge permit" or "user agreement" existing at the promulgation of this act may be utilized.

II. SEWER USER CHARGES

BE IT FURTHER RESOLVED, the monthly use fee for sewer service provided by the ~~Publicly Owned Treatment Works~~Wastewater Treatment Facilities to each user connected to the system within the City Limits shall include a Monthly Use Fee based upon volume and strength of discharge as follows:

A. **Monthly Use Fee:** Sewer Use Fees shall be ~~-~~thirty-five dollars and zero cents ($35.00) for the first four thousand (4,000) gallons, an additional three dollars and zero cents ($3.00) up to six thousand (6,000) gallons, an additional four dollars and zero cents ($4.00) up to eight thousand (8,000) gallons, and an additional five dollars and zero cents ($5.00) per one thousand gallons (1,000) above eight thousand gallons. ~~**twenty-seven** dollars and **thirty** cents ($**27.30**) per "user equivalent"~~user equivalent ~~as defined in Kuna City Code. The monthly use fee for fractions of a month shall be prorated according to time in service~~. Metered water usage for City residents, where the head of house is over sixty-five (65)

years of age, resides at the residence and has completed an application with the City, shall be billed at a rate of twenty-six dollars and sixty-six cents ($26.66) for the first four thousand (4,000) gallons, an additional three dollars and zero cents ($3.00) up to six thousand (6,000) gallons, an additional four dollars and zero cents ($4.00) up to eight thousand (8,000) gallons, and an additional five dollars and zero cents ($5.00) per one thousand gallons (1,000) above eight thousand gallons. Commercial metered usage for users with ¾" service lines shall be billed a base amount of thirty-five dollars and zero cents ($35.00) for the first one thousand (1,000) gallons and an additional five dollars and zero cents ($5.00) per one thousand (1,000) gallons after. Commercial metered usage for users with 2" service lines shall be billed a base amount of two hundred forty-eight dollars and eighty-nine cents ($248.89) for the first one thousand (1,000) gallons and an additional five dollars and zero cents ($5.00) per one thousand (1,000) gallons after.

B. **Waste Strength**: The Kuna City Code defines ~~"user equivalent"~~user equivalent in terms of flow and waste strength as follows:

Flow	190 gallons/day
BOD	350 mg/liter
COD	750 mg/liter
TSS	285 mg/liter

The City has adopted by Resolution R55-2019~~**R33-2012**~~ a methodology of calculating EDUs, ~~"Simplified EDU Chart"~~ which shall be relied on in establishing "user equivalent~~ss~~" for each discharger as provided in Kuna City Code.

~~**2. Non-Category Rate:** For users whose **"user equivalent"user equivalent is not** defined in this Resolution **R33-2012**, the monthly use fee shall be computed and prorated based on the higher concentration of either B.O.D.[5] or T.S.S.~~

1. ~~**3.**~~ **Purpose:** The waste strength may be used at the discretion of the City Engineer to compute the ~~"user equivalent"~~user equivalent for each user for the purpose of assessing connection and monthly use fees.

III. NEW CONSTRUCTION

BE IT FURTHER RESOLVED, that in connection with new development, the minimum sewer main size is a nominal diameter of eight ~~(8")~~(8) inches. When, in conformance with the needs of the City Sewer System, a larger line is requested of the developer than this nominal diameter, and the larger line is beyond the developer's flow needs, the developer may be reimbursed in conformance with adopted City reimbursement policies.

IV. OTHER CHARGES~~POLICIES~~

~~**BE IT FURTHER RESOLVED** that:~~

A. **Connection Feess (Outside City Limits)**-- Any customer outside the corporate limits of the City requesting sewer service, who is legally able to annex to the City, must do so as a condition to connect to the City sewer system except as approved by resolution of City

Council. Any customer outside City corporate limits requesting sewer service, who is not legally able to annex, cannot connect without explicit Council approval, which approval is solely at the option of City Council.

B. **Damage Repair Costs** – Damages to Sewer Department facilities by other utilities, excavators or others will be repaired using City approved contractors, procedures and specifications. All direct and indirect costs incurred by the City to perform, oversee, monitor and/or inspect the repair will be billed to the party causing the damage.

C. **Short Notice Line Location Charges** - The City of Kuna, as required by law, participates in the Dig Line system. Forty-eight (48) hours notification is required prior to excavation by any party. Exceptions will be allowed for line locations during times of individual hazard or public emergency.

V. EFFECTIVE DATE

BE IT FURTHER RESOLVED that sewer connection fees, as presented in this resolution and as set forth in Exhibit "A" attached hereto and incorporated herein by reference, shall ~~are to~~ be in effect ~~beginning~~ upon passage of this resolution, ~~November 1, 2008 and~~ that Sewer User Charges ~~sewer use fees are to~~ shall be ~~be~~ in effect beginning with the ~~for the water meter reading cycle beginning in October 2017~~ February 1, 2020 billing cycle ~~and appearing in the November 1st, 2017 billing~~, and all fees that are in conflict with the new fees as established by earlier resolution(s) are hereby repealed.

PASSED BY THE COUNCIL of the City of Kuna, this 7th day of January, 2020.

APPROVED BY THE MAYOR of the City of Kuna, this 7th day of January, 2020.

_____
Joe L. Stear, Mayor

ATTEST:

_____
Chris Engels, City Clerk

EXHIBIT A TO RESOLUTION R02-2020
CITY OF KUNA
SEWER SYSTEM FEES
EFFECTIVE January 7, 2020

Note: Sewer User Charges effective beginning with the February 1, 2020 billing cycle.

• Residential	o Monthly Base Rate: $35.00 (Usage up to 4,000 gallons) o 1st Tier (4,001-6,000 gals): $3.00 per 1,000 gals o 2nd Tier (6,001-8,000 gals): $4.00 per 1,000 gals o 3rd Tier (>8,000 gals): $5.00 per 1,000 gals
• Senior Residential	o Monthly Base Rate: $26.66 (average winter water usage up to 4,000 gallons) o 1st Tier (4,001-6,000 gals): $3.00 per 1,000 gals o 2nd Tier (6,001-8,000 gals): $4.00 per 1,000 gals o 3rd Tier (>8,000 gals): $5.00 per 1,000 gals
• ¾" Commercial	o Monthly Base Rate: $35.00 (Usage up to 1,000 gallons) o 1st Tier (>1,000 gals): $5.00 per 1,000 gals
• 2" Commercial	o Monthly Base Rate: $248.89 (Usage up to 1,000 gallons) o 1st Tier (>1,000 gals): $5.00 per 1,000 gals

RESOLUTION NO. R02-2020
CITY OF KUNA, IDAHO

SEWER SYSTEM FEES AND POLICIES

A RESOLUTION AMENDING CERTAIN SECTIONS OF RESOLUTION R83-2017 THAT: SETS FORTH THE AUTHORITY FOR ADOPTING SEWER FEES; ESTABLISHES FEES FOR CONNECTING TO SEWER SYSTEM; ESTABLISHES MONTHLY SEWER USE FEES THAT ARE NOW AMENDED WITH SEWER RATE CHANGES FOR ALL CUSTOMERS; SETS FORTH MINIMUM LINE SIZES; REPEALS FEES ESTABLISHED BY EARLIER RESOLUTIONS; AND SETS AN EFFECTIVE DATE.

WHEREAS, Section 7-6-3A of the Kuna City Code authorizes the City of Kuna, Idaho to set connection fees by resolution of City Council; and

WHEREAS, Section 7-6-4A of the Kuna City Code authorizes the City of Kuna, Idaho to set monthly user rates for service by the Wastewater Treatment Facilities, based on the volume and strength of the effluent discharged by the users, and consistent with the benefit derived by the users, by resolution of City Council:

I. SEWER CONNECTION FEES

NOW THEREFORE BE IT RESOLVED that the fee for connecting to the Wastewater Treatment Facilities shall be determined as follows:

A. **Interceptor Capacity Fee:** Each dwelling unit (single family residence, manufactured home, town home, condominium or apartment), or any other user prorated based upon volume and strength when compared to an equivalent dwelling unit (EDU) as defined in Kuna City Code, to be connected to the Wastewater Treatment Facilities, shall be assessed one thousand three hundred twenty-nine dollars and zero cents dollars ($1,329.00) per EDU at the time of connection for the capital costs of providing oversized mains, and interceptor and trunk lines to convey the wastewater flow generated by each unit.

B. **Treatment Capacity Fee:** Each dwelling unit (single family residence, manufactured home, town home, condominium or apartment), or any other user prorated based upon volume and strength when compared to an EDU as defined in Kuna City Code, to be connected to the Wastewater Treatment Facilities shall be assessed four thousand three hundred and twenty-six dollars ($4,326.00) per EDU at the time of connection for the capital costs of providing treatment capacity to treat the biochemical oxygen demand and total suspended solids generated by each unit. In instances where a developer or property owner has prepaid this fee as a condition of development, and the treatment plant to which the proposed connection and prepayment applies is the same, then the prepaid fee shall suffice for full or partial credit for payment of the Treatment Capacity Fee defined herein and as provided in City Resolution R10-2010.

C. **Industrial/Commercial Connection:** Each commercial or industrial facility to be connected to the publicly owned treatment works shall be assessed interceptor capacity

and treatment capacity fees based on user equivalents established by adopted policies, and in instances not addressed by established policies, computed as follows, based on peak usage at full capacity and prorated compared to a typical residence:

The peak usage shall be determined from the usage of the proposed facility at full capacity based on flows obtained from IDAPA 58.01.03.007.08 in the chart titled WASTEWATER FLOWS FROM VARIOUS ESTABLISHMENTS IN GALLONS PER DAY. Waste Strength shall be obtained from the chart in Section II.B of this resolution by averaging the high and low extremes of the applicable Category. For uses not specifically addressed in the aforementioned charts, it shall be the responsibility of the City Engineer to equitably estimate peak usage at design capacity for the connecting facility.

D. **Previous Connections:** In instances where an improvement on a property has previously been connected to the sewer system and complied with the connection fee(s) in force at the time of connection, the above fees do not apply. If, however, the connection involves an increase in number of dwelling units or an increase in demand on the system, then the connection is subject to these fees for the increase only. For existing connections proposing to increase levels of discharge, a fee proportional to the increase of quantities, when compared to an EDU as defined in Kuna City Code, shall be assessed. For existing commercial and industrial users, the existing level of usage is generally the discharge defined by connection fees previously paid at the time they were paid. In the absence of a record of connection fees previously paid, the existing level of usage derived from the existing facility at full capacity, or the discharges defined in a "discharge permit" or "user agreement" existing at the promulgation of this act may be utilized.

II. SEWER USER CHARGES

BE IT FURTHER RESOLVED, the monthly use fee for sewer service provided by the Wastewater Treatment Facilities to each user connected to the system within the City Limits shall include a Monthly Use Fee based upon volume and strength of discharge as follows:

A. **Monthly Use Fee:** Sewer Use Fees shall be thirty-five dollars and zero cents ($35.00) for the first four thousand (4,000) gallons, an additional three dollars and zero cents ($3.00) up to six thousand (6,000) gallons, an additional four dollars and zero cents ($4.00) up to eight thousand (8,000) gallons, and an additional five dollars and zero cents ($5.00) per one thousand gallons (1,000) above eight thousand gallons. user equivalent. Metered water usage for City residents, where the head of house is over sixty-five (65) years of age, resides at the residence and has completed an application with the City, shall be billed at a rate of twenty-six dollars and sixty-six cents ($26.66) for the first four thousand (4,000) gallons, an additional three dollars and zero cents ($3.00) up to six thousand (6,000) gallons, an additional four dollars and zero cents ($4.00) up to eight thousand (8,000) gallons, and an additional five dollars and zero cents ($5.00) per one thousand gallons (1,000) above eight thousand gallons. Commercial metered usage for users with ¾" service lines shall be billed a base amount of thirty-five dollars and zero cents ($35.00) for the first one thousand (1,000) gallons and an additional five dollars and zero cents ($5.00) per one thousand (1,000) gallons after. Commercial metered usage for users with

2" service lines shall be billed a base amount of two hundred forty-eight dollars and eighty-nine cents ($248.89) for the first one thousand (1,000) gallons and an additional five dollars and zero cents ($5.00) per one thousand (1,000) gallons after.

B. **Waste Strength**: The Kuna City Code defines user equivalent in terms of flow and waste strength as follows:

Flow	190 gallons/day
BOD	350 mg/liter
COD	750 mg/liter
TSS	285 mg/liter

The City has adopted by Resolution R55-2019a methodology of calculating EDUs, which shall be relied on in establishing user equivalents for each discharger as provided in Kuna City Code.

1. **Purpose:** The waste strength may be used at the discretion of the City Engineer to compute the user equivalent for each user for the purpose of assessing connection and monthly use fees.

III. NEW CONSTRUCTION

BE IT FURTHER RESOLVED, that in connection with new development, the minimum sewer main size is a nominal diameter of eight (8) inches. When, in conformance with the needs of the City Sewer System, a larger line is requested of the developer than this nominal diameter, and the larger line is beyond the developer's flow needs, the developer may be reimbursed in conformance with adopted City reimbursement policies.

IV. OTHER CHARGES

A. **Connection Fees (Outside City Limits)**- Any customer outside the corporate limits of the City requesting sewer service, who is legally able to annex to the City, must do so as a condition to connect to the City sewer system except as approved by resolution of City Council. Any customer outside City corporate limits requesting sewer service, who is not legally able to annex, cannot connect without explicit Council approval, which approval is solely at the option of City Council.

B. **Damage Repair Costs**- Damages to Sewer Department facilities by other utilities, excavators or others will be repaired using City approved contractors, procedures and specifications. All direct and indirect costs incurred by the City to perform, oversee, monitor and/or inspect the repair will be billed to the party causing the damage.

C. **Short Notice Line Location Charges** - The City of Kuna, as required by law, participates in the Dig Line system. Forty-eight (48) hours notification is required prior to excavation by any party. Exceptions will be allowed for line locations during times of individual hazard or public emergency.

V. EFFECTIVE DATE

BE IT FURTHER RESOLVED that sewer connection fees, as presented in this resolution and as set forth in Exhibit "A" attached hereto and incorporated herein by reference, shall be in effect upon passage of this resolution, that Sewer User Charges shall be in effect beginning with the February 1, 2020 billing cycle, and all fees that are in conflict with the new fees as established by earlier resolution(s) are hereby repealed.

PASSED BY THE COUNCIL of the City of Kuna, this 7th day of January, 2020.

APPROVED BY THE MAYOR of the City of Kuna, this 7th day of January, 2020.

_____
Joe L. Stear, Mayor

ATTEST:

_____
Chris Engels, City Clerk

EXHIBIT A TO RESOLUTION R02-2020
CITY OF KUNA
SEWER SYSTEM FEES
EFFECTIVE January 7, 2020

Note: Sewer User Charges effective beginning with the February 1, 2020 billing cycle.

Residential	o Monthly Base Rate: $35.00 (Usage up to 4,000 gallons) o 1st Tier (4,001-6,000 gals): $3.00 per 1,000 gals o 2nd Tier (6,001-8,000 gals): $4.00 per 1,000 gals o 3rd Tier (>8,000 gals): $5.00 per 1,000 gals
Senior Residential	o Monthly Base Rate: $26.66 (average winter water usage up to 4,000 gallons) o 1st Tier (4,001-6,000 gals): $3.00 per 1,000 gals o 2nd Tier (6,001-8,000 gals): $4.00 per 1,000 gals o 3rd Tier (>8,000 gals): $5.00 per 1,000 gals
¾" Commercial	o Monthly Base Rate: $35.00 (Usage up to 1,000 gallons) o 1st Tier (>1,000 gals): $5.00 per 1,000 gals
2" Commercial	o Monthly Base Rate: $248.89 (Usage up to 1,000 gallons) o 1st Tier (>1,000 gals): $5.00 per 1,000 gals

City of Kuna

City Council
Staff Memo

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

To: City Council

Case Numbers: 19-06-ZC (Rezone) &
19-07-S (Preliminary Plat)
Kern River Heights Subdivision

Site Location: 750 S. Ten Mile Rd., Kuna, ID 83634

Planner: Doug Hanson, Planner I

Hearing Date: January 21, 2020

Owner: Carl Bader
750 S. Ten Mile Rd.
Kuna, ID 83634

Applicant: Ryan Minert
3327 S. Eagle Rd., Ste 110-148
Meridian, ID 83646
208.639.3262
ryan@iagroupllc.com

Representative: Wendy Shrief, JUB Engineers
250 S. Beechwood Dr., Ste 201 Boise, ID 83709
208.376.7330
wshrief@jub.com

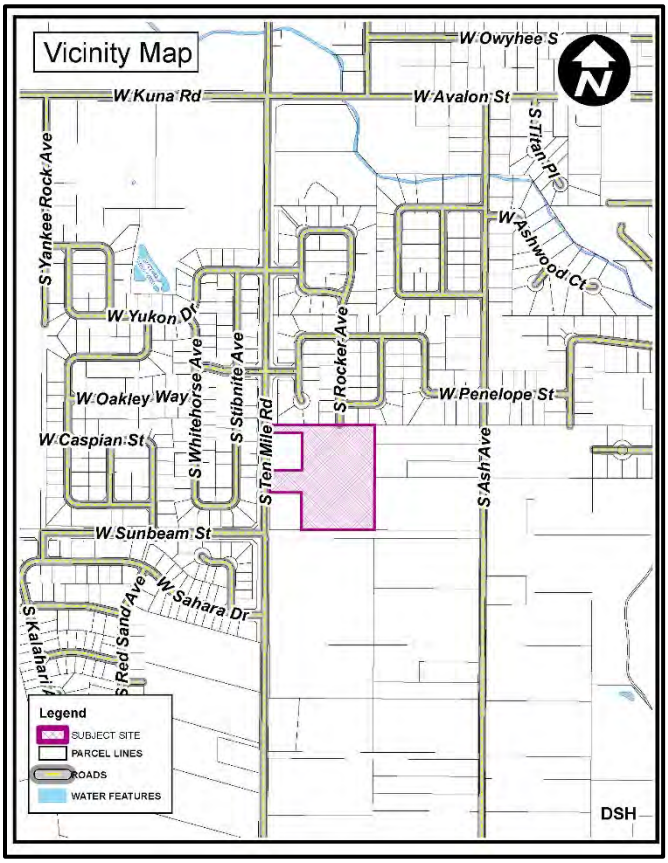


Table of Contents:

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B. Applicants Request
C. Site History
D. General Project Facts
E. Staff Analysis
F. Applicable Standards
G. Proposed Comprehensive Plan Analysis
H. Proposed Kuna City Code Analysis
I. Commission's Recommendation
J. Council's Order of Decision

A. Process and Noticing:

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

a. Notifications

i.	Neighborhood Meeting	July 25, 2019 (2 people attended)
ii.	Agency Comment Request	September 5, 2019
iii.	350' Property Owners Notice	December 18, 2019
iv.	Kuna Melba Newspaper	December 18, 2019

v. Site Posted January 10, 2020

B. Applicant's Request:

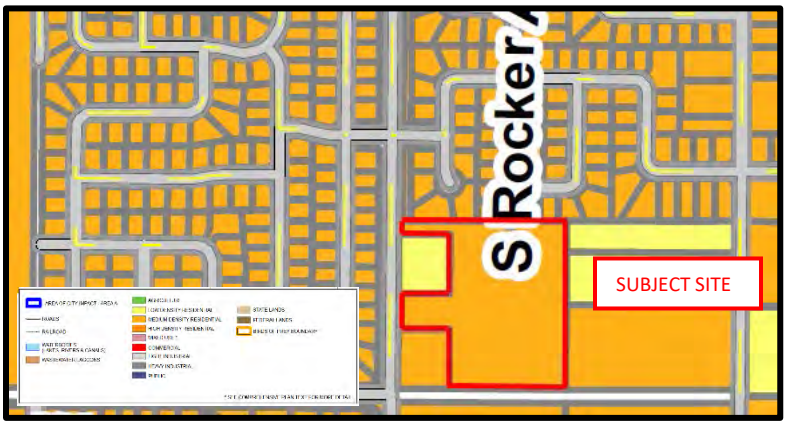
On behalf of Carl Bader (owner), JUB Engineers requests to rezone one parcel consisting of approximately 7.25 acres from an "A" (Agriculture) to "R-6" (Medium Density Residential) zoning district classification and to subdivide the 7.25 acres into 35 total lots (twenty-nine (29) buildable lots, six (6) common lots). The subject site is located at 750 S. Ten Mile Road, Kuna, ID 83634, within Section 26, Township 2 North, Range 1 West; (APN: R5070503500).

C. Site History:

The subject parcel is in Kuna City Limits and is currently zoned A (Agriculture). The parcel has historically served as farmland.

D. General Projects Facts:

1. **Comprehensive Plan Map:** The Future Land Use Map (FLUM) is intended to serve as a *guide* for the decision-making body for the City. The FLUM indicates land use designations generally speaking, it is not the actual zone. The Future Land Use Map identifies the 7.25-acre site as Medium Density Residential.



2. **Recreation and Pathways Map:** The Recreation and Pathways Master Plan Map does indicate a future pathway/trail through the Ten Mile Corridor near subject site.

3. **Surrounding Land Uses:**

North	R-6	Medium Density Residential – Kuna City
South	RUT	Rural Urban Transition – Ada County
East	R-1	Estate Residential – Ada County
West	A R-4 R-6	Agriculture – Kuna City Medium Density Residential – Kuna City Medium Density Residential – Kuna City

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

Property Owner	Parcel Size	Current Zone:	Parcel Number
Carl Bader	7.25 acres	A (Agriculture)	R5070503500

5. **Services:**

Sanitary Sewer– City of Kuna
Potable Water – City of Kuna
Pressurized Irrigation – City of Kuna (KMIS)
Fire Protection – City of Kuna (KRFD)
Police Protection – Kuna Police (Ada County Sheriff's office)
Sanitation Services – J & M Sanitation

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

Currently there are no structures on the parcel, vegetation on-site is consistent with that of crop fields. The sites have an estimated average slope of 12% to 21%. Bedrock depth is estimated to be 10 to 20 inches.

7. **Transportation / Connectivity:**
The applicant proposes connections to an existing public street via S. Rocker Avenue. If the subdivision is approved the projects main ingress/egress will be accessed by an extension of a section of Sunbeam Street (mid-mile collector) that will be located along the southern boundary of the property.

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

9. **Agency Responses:** The following responding agency comments are included as exhibits with this case file:
    - Central District Health Department ..... Exhibit C-2
    - Department of Environmental Quality ..... Exhibit C-3
    - Nampa & Meridian Irrigation District ..... Exhibit C-4
    - Idaho Transportation Department ..... Exhibit C-5
    - Ada County Highway District ..... Exhibit C-6
    - Kuna City Engineer ..... Exhibit C-7

E. Staff Analysis:

On June 26, 2019, Staff held a pre-application meeting with the applicant to discuss the project. The applicant held a neighborhood meeting with residents within 350 ft of the subject site on July 25, 2019. There were two residents who attended the meeting. A recap of the neighborhood meeting was provided as a part of the application (Exhibit A1).

The applicant proposes to rezone the approximately 7.25 acres from "A" (Agriculture) to "R-6" (Medium Density Residential. The FLUM and the Comprehensive Plan for Kuna identifies this parcel for medium density residential, which equals six (6) dwelling units per net acre. The applicants preliminary plat proposes 6.26 dwelling units per net acre, exceeding the R-6 net acre density established in Kuna City Code by 0.26 dwelling units per net acre. On January 15, 2020 the applicant submitted a new site plan reflecting the net dwelling unit per acre density of 6.0 in order to comply with the recommended condition made to the Planning and Zoning Commission listed in section "J" of this report. However, staff notes that this new site plan does not reflect the Planning and Zoning Commission's recommended condition of adding more centralized open space listed in section "J" of this report. If the Council approves this application with the conditions as recommended by the Planning and Zoning Commission, staff recommends an additional condition that the applicant submit a new preliminary plat to staff meeting these conditions prior to submitting a final plat application.

The project proposes to take its main access from an extension of Sunbeam Street (mid-mile Collector) along the southern border of the property. The applicant is proposing to construct Sunbeam Street as half of a 36-foot-wide street section, plus an additional 12-feet of pavement to total 30-feet, with vertical curb, gutter, and 7-foot wide attached (or 5-foot wide detached) concrete sidewalk abutting the site within the 50-feet of right-of-way. Additionally, the applicant proposes connection into the existing street, S. Rocker Avenue, which will provide access from the Placerville Subdivision adjacent to the north.

The installation of streetlights is a required public improvement (Kuna City Code 6-4-2). The applicant has not identified streetlight locations on the preliminary plat. Applicant will be required to work with staff in order to comply with Kuna City code and install street lights a maximum spacing of 250 feet along the site's frontage and on local roads. The locations of street lights will be approved at the time of construction document review. Staff

would note that these street lights shall be designed and installed according to "Dark skies" standards and Kuna City Code.

Staff has determined the annexations and preliminary plat generally comply with the goals and policies for Kuna City, Title 5 and Title 6 of the Kuna City Code; Idaho Statute § 67-6511; and the Kuna Comprehensive Plan; and forwards a recommendation of approval for Case No's 19-06-ZC (Rezone) and 19-07-S (Preliminary Plat) subject to any conditions of approval outlined by Kuna's Planning and Zoning Commission and City Council.

F. Applicable Standards:

1. City of Kuna Zoning Ordinance Title 5.
2. City of Kuna Subdivision Ordinance Title 6.
3. City of Kuna Comprehensive Plan.
4. Idaho Code, Title 67, Chapter 65- the Local Land Use Planning Act.

G. Proposed Comprehensive Plan Analysis:

Kuna Planning and Zoning Commission may (accept or reject) the Comprehensive Plan components, and shall determine if the proposed annexation and preliminary plat requests for the site (*are/are not)* consistent with the following Comprehensive Plan components as described below:

Goal Area 3: Kuna's land uses will support a desirable, distinctive and well-designed community.

- Goal 3.D: Encourage development of housing options and strong neighborhoods.
  - Objective 3.D.1: Encourage development of housing options for all citizens.
    - Policy 3.D.1.a: Encourage preservation and development of housing that meets demand for household sizes, lifestyles and settings.
- Goal 3.G: Respect and protect private property rights.
  - Objective 3.G.1: Ensure land use policies, restrictions, and fees do not violate private property rights.
    - Policy 3.G.1.b: Ensure City land use actions, decisions and regulations will not cause an unconstitutional regulatory taking of private property; and do not effectively eliminate all economic value of the subject property.
    - Policy 3.G.1.c: Ensure City land use actions, decisions and regulations do not prevent a private property owner from taking advantage of a fundamental property right. Ensure city actions do not impose a substantial and significant limitation on the use of the property.

Goal Area 4: Kuna will be a connected community through strong transportation and infrastructure systems.

- Goal 4.D: Promote a connected street network that incorporates mid-mile collectors and crossing for improved neighborhood connectivity.
  - Objective 4.D.2: Ensure the continued expansion/development of mid-mile collector system throughout the community.
    - Policy 4.D.2.a: Extend and expand mid-mile roads as growth occurs.
    - Policy 4.D.1.b: Preserve adequate right-of-way along all mid-mile roads or other approved alternative locations to align roads.

H. Proposed Kuna City Code Analysis:

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

   Comment: *The proposed application adheres/does not adhere to the applicable requirements of Title 5 and Title 6 of KCC.*

2. The City Council feels the site *is/is not* physically suitable for the proposed development.

Comment: *The 7.25-acre (approximate) site does/does not appear to be suitable for the proposed development.*

3. The preliminary plat requests are/ are not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.

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

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

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

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

   Comment*: The preliminary plat request considers the location of the property and adjacent uses. The adjacent uses are medium density residential (Kuna City), estate residential (Ada County) and rural urban transition (Ada County).*

6. The existing and proposed street and utility services in proximity to the site are suitable *or* adequate for a commercial development.

   Comment: *Correspondence from ACHD and Kuna Public Works confirms that the streets and utility services are suitable and adequate for this project, however, per Kuna City Engineer comments (exhibit C8), a commensurate impact of City services will result with this development.*

I. Commission's Recommendation:

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* of Case Nos*. 19-06-ZC (Rezone) and 19-07-S* (Preliminary Plat), a subdivision request from JUB Engineers to rezone one parcel consisting of approximately 7.25 acres from "A" (Agriculture) to an "R-6" (Medium Density Residential) zoning classification and to subdivide the 7.25 acres into 35 total lots (twenty-nine (33) buildable lots, six (6) common lots) subject to the following conditions of approval listed in section "J" of this staff report, including but the following additional conditions:

- Applicant shall work with staff to reduce the net density to six (6) net dwelling units per acre. (#16)
- Applicant shall work with staff to create more centralized open space. (#15)

J. Council's Proposed Order of Decision:

These motions are for the approval, conditional approval or denial of the annexation and preliminary plat applications. However, if the City Council wishes to approve or deny specific parts of these requests as detailed in the report, those changes must be specified.

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

b. The City Engineer shall approve all civil plans. No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
c. Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, "Catalog for Best Management Practices for Idaho Cities and Counties".
d. The Kuna Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Fire District are required.
e. The Kuna Municipal Irrigation System and Boise Project Board of Control shall approve any modifications to the existing irrigation system.
f. Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to *issuance* of any building permit(s).
g. All public rights-of-way shall be dedicated and constructed to standards of the City and Ada County Highway District. No public street construction may commence without the approval and permit from Ada County Highway District.

2. Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see **KCC 6-4-2-W**.
3. Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
4. When required, submit a petition to the City (as necessary, confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and request to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Pressure Irrigation system of the City (KMID).
5. Connection to City Services (Sewer, Water, Pressurized Irrigation) is required. The applicant shall conform all corresponding Master Plans.
6. Curb, gutter and sidewalk (attached and detached) shall be installed in accordance with Kuna City Code Title 5 Chapter 17.
7. Applicant shall work with staff in order to provide locations of street lights as required by Kuna City Code.
8. Street lights for the site shall be LED lighting and must comply with Kuna City Code and established Dark Skies practices.
9. Fencing within and around the site shall comply with Kuna City Code (Unless specifically approved otherwise and permitted).
10. All required landscaping shall be permanently maintained in a healthy growing condition. The property owner shall remove and replace unhealthy or dead plant material within 3 days or as the planting season permits as required to meet the standards of these requirements. Maintenance and planting within public rights-of-way shall be with approval from the public entities owning the property.
11. If any revisions are made, the applicant shall provide the Planning and Zoning Staff with a revised copy of the preliminary plat.
12. Any revisions of the plat are subject to administrative determination to rule if the revision is substantial.
13. The land owner/applicant/developer, and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the City Council, or seek amending them through public hearing processes.
14. Developer/owner/applicant shall follow staff, City engineers and other agency recommended requirements as applicable.
15. Developer/owner/applicant shall comply with all local, state and federal laws.
16. Applicant shall work with staff to reduce the net density to six (6) net dwelling units per acre.
17. Applicant shall work with staff to create more centralized open space.

DATED this 21st day of January, 2020

City of Kuna
City Council
Proposed Findings of Fact and Conclusions of Law

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

Based upon the record contained in Case Nos. 19-06-ZC and 19-07-S including the Comprehensive Plan, Kuna City Code, Staff's Memorandums, including the exhibits, and the testimony during the public hearing, the City Council hereby (approves/conditionally approves/denies) Case No's 19-06-ZC and 19-07-S, a request from JUB Engineers requests to rezone one parcel consisting of approximately 7.25 acres from "A" (Agriculture) to an "R-6" (Medium Density Residential) zoning classification and to subdivide the 7.25 acres into 35 total lots (twenty-nine (33) buildable lots, six (6) common lots).

If the planning and Zoning Commission wishes to approve, deny or modify specific parts of the Findings of Facts and Conclusions of Law as detailed below, those changes must be specified.

1. *Based on the evidence contained in Case Nos. 19-06-ZC and 19-07-S, this proposal does generally comply with the City Code.*

   Staff Finding: *The applicant has submitted a complete application, and following staff review for technical compliance the application appears to be in general compliance with the design requirements, public improvement requirements, objectives and considerations listed in Kuna City Code Title 5 and Title 6.*

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

   Staff Finding: *Neighborhood Notices were mailed out to residents within 350-FT of the proposed project site on December 18, 2019 and a legal notice was published in the Kuna Melba Newspaper on December 18, 2019. The applicant posted sign on the property on January 10, 2020.*

3. *Based on the evidence contained in Case Nos. 19-06-ZC and 19-07-S, this proposal does generally comply with the Comprehensive Plan.*

   Staff Finding: *The Comp Plan has listed numerous goals for providing a variety of housing densities and types to accommodate various lifestyles, ages and economic group in Kuna. The proposed zoning designation is R-6 (Medium Density Residential). The Comp Plan Map designates the property as Medium Density.*

4. The contents of the proposed preliminary plat application *does* contain all of the necessary requirements as listed in Kuna City Code 6-2-3: - Preliminary Plat.

   Staff Finding: *Review by Staff of the proposed preliminary plat confirms all technical requirements listed in KCC 6-2-3 were provided.*

5. The availability of existing and proposed public services and streets *can* accommodate the proposed development.

   Staff Finding: *Correspondence from ACHD and Kuna Public Works confirms that the streets and utility services and suitable and adequate to accommodate the proposed project. It should be noted that installation of this project will place a commensurate impact on City services.*

6. The proposed development *is* continuous with Master Utility Plans (Sewer/Water/Pressurized Irrigation).

Staff Finding: *Correspondence from Kuna Public Works recommends the applicant be required to conform to the Master Sewer Plan, Master Water Plan and Master Pressurized Irrigation Plan, therefore satisfying this requirement.*

7. The public *does* have the financial capability to provide supporting services to the proposed development.

   Staff Finding: *Throughout the development of the project and beyond, connection fees, impact fees (Fire, police, Park and Ada County Highway District), and property taxes will be collected, therefore satisfying the financial capability to provide supporting services.*

8. The proposed project *does* consider health and safety of the public and the surrounding area's environment***.***

   Staff Finding: *Connection to City services, as well as other public improvements such as streetlights, fire hydrants, sidewalks, bike lanes, etc. are required to be implemented as a part of this project. No major wildlife habitats will be impacted by the proposed development.*

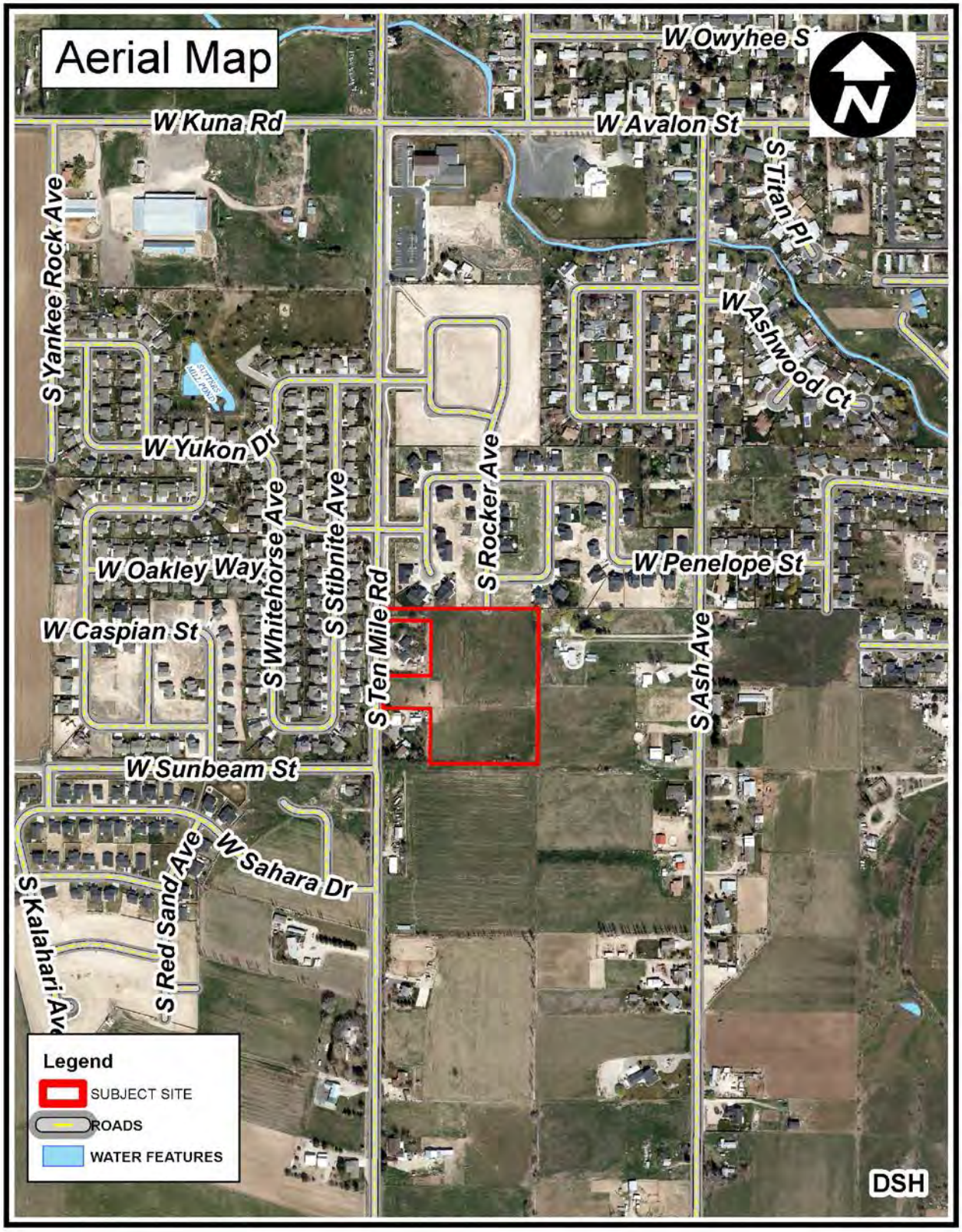
9. All private landowners *have* consented to annexation.

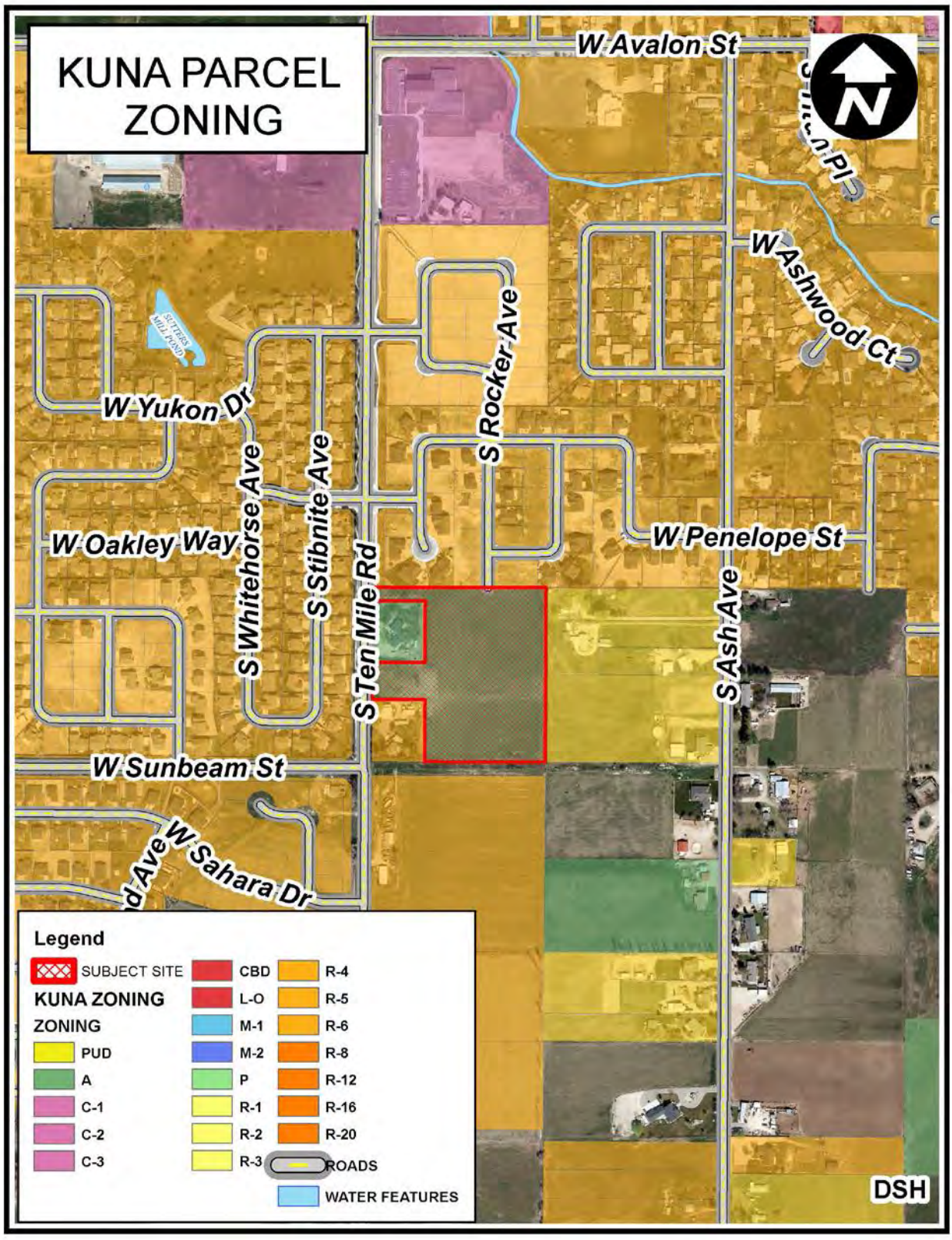
   Staff Finding: *An affidavit of legal interest was signed by Carl Bader allowing JUB Engineers to act on their behalf of this project, therefore consenting to the rezone of the proposed project site.*

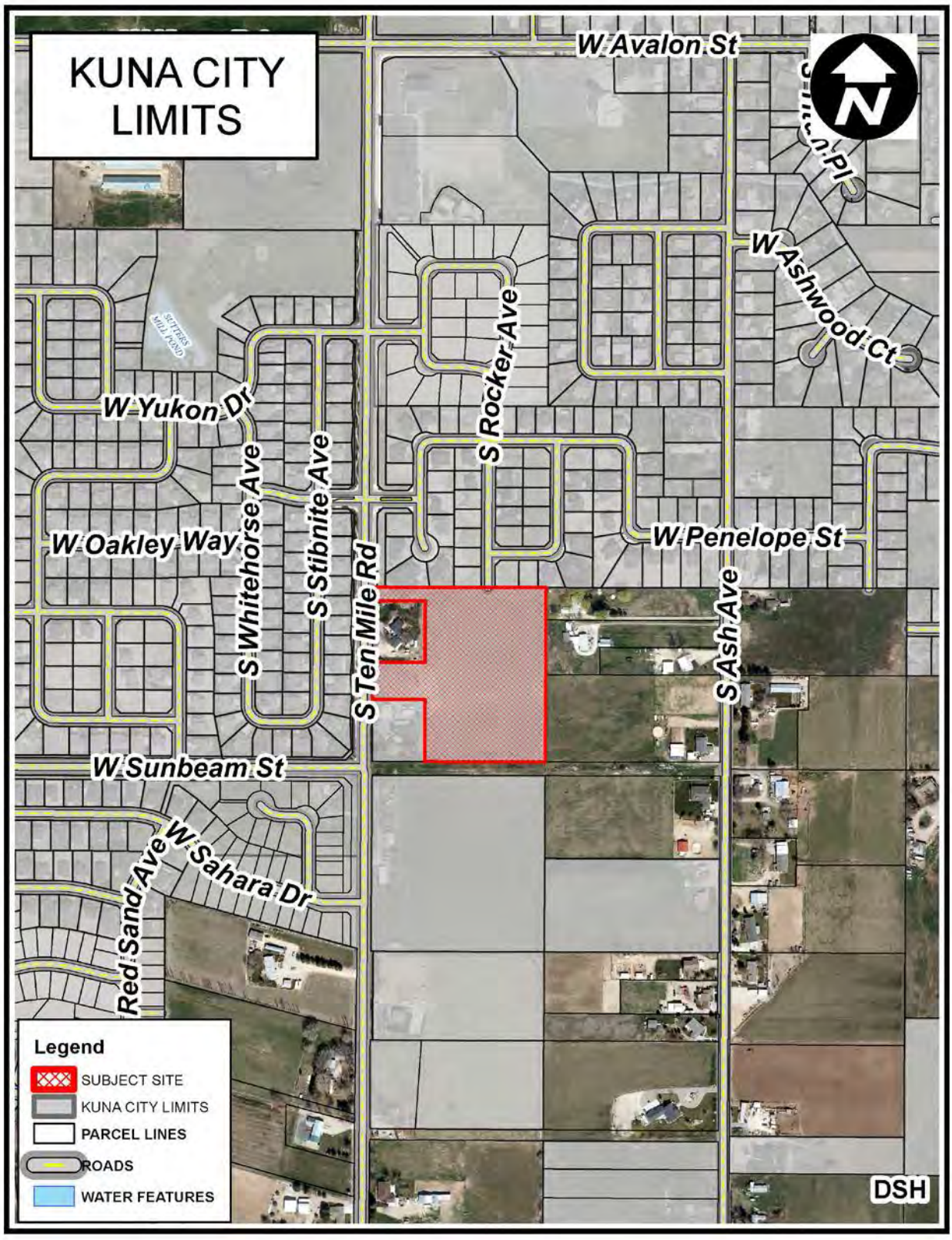
10. The proposed project lands *are* contiguous or adjacent to property within Kuna City Limits.

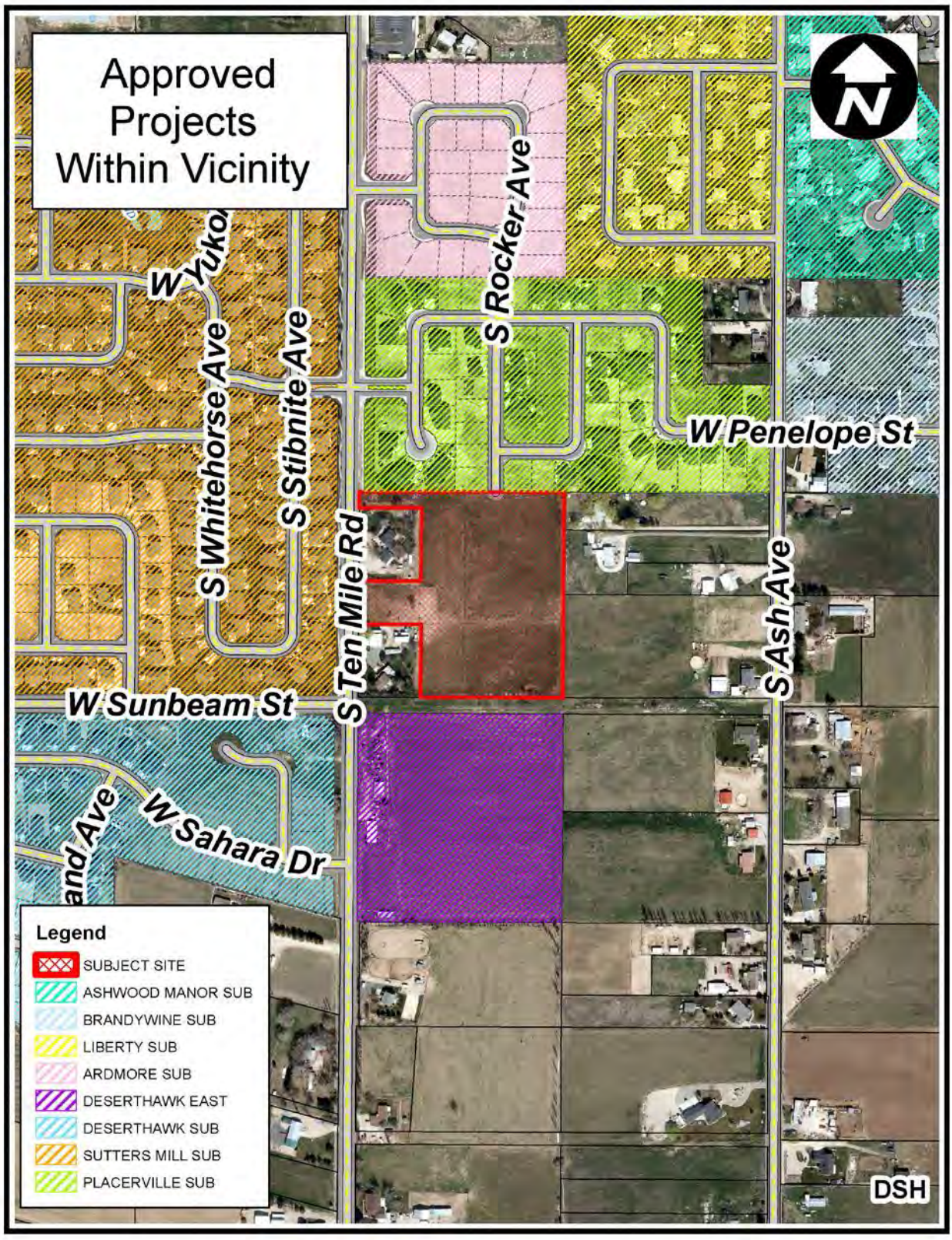
    Staff Finding: *The parcel is contiguous with City limits to the north, west and south.*

DATED this 21st day of January, 2020.

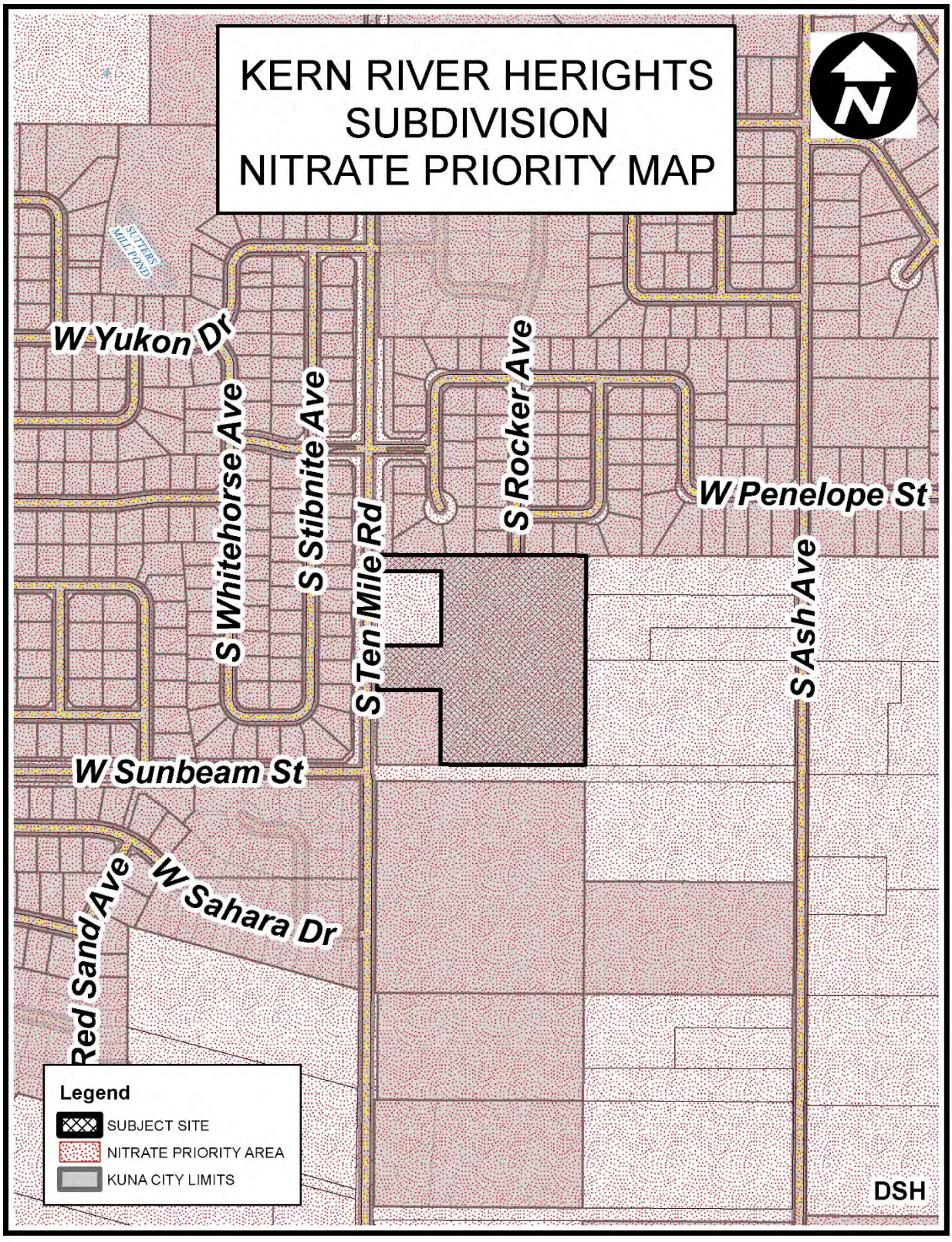

Aerial Map
W Owyhee St
W Kuna Rd
W Avalon St
S Titan Pl
S Yankee Rock Ave
W Ashwood Ct
W Yukon Dr
S Whitehorse Ave
S Stibnite Ave
S Rocker Ave
W Oakley Way
W Penelope St
W Caspian St
S Ten Mile Rd
S Ash Ave
W Sunbeam St
W Sahara Dr
S Red Sand Ave
S Kalahari Ave
Legend
SUBJECT SITE
ROADS
WATER FEATURES
DSH


KUNA PARCEL ZONING
W Avalon St
W Yukon Dr
W Oakley Way
W Penelope St
W Sunbeam St
W Sahara Dr
W Ashwood Ct
S Rocker Ave
S Whitehorse Ave
S Stibnite Ave
S Ten Mile Rd
S Ash Ave
Legend
SUBJECT SITE
KUNA ZONING
ZONING
PUD
A
C-1
C-2
C-3
CBD
L-O
M-1
M-2
P
R-1
R-2
R-3
R-4
R-5
R-6
R-8
R-12
R-16
R-20
ROADS
WATER FEATURES
DSH


KUNA CITY LIMITS
W Avalon St
W Ashwood Ct
S Rocker Ave
W Yukon Dr
S Whitehorse Ave
S Stibnite Ave
W Oakley Way
S Ten Mile Rd
W Penelope St
S Ash Ave
W Sunbeam St
W Sahara Dr
Red Sand Ave
Legend
SUBJECT SITE
KUNA CITY LIMITS
PARCEL LINES
ROADS
WATER FEATURES
DSH


Approved Projects Within Vicinity
N
W Yuko
S Whitehorse Ave
S Stibnite Ave
S Rocker Ave
W Penelope St
S Ten Mile Rd
S Ash Ave
W Sunbeam St
W Sahara Dr
and Ave
Legend
SUBJECT SITE
ASHWOOD MANOR SUB
BRANDYWINE SUB
LIBERTY SUB
ARDMORE SUB
DESERTHAWK EAST
DESERTHAWK SUB
SUTTERS MILL SUB
PLACERVILLE SUB
DSH


KERN RIVER HEIGHTS
SUBDIVISION
PATHWAYS MASTER PLAN
W Kuna Rd
W Avalon St
S Yankee Rock Ave
S Titan Pl
W Ashwood Ct
W Yukon Dr
S Ten Mile Rd
S Whitehorse Ave
S Stibnite Ave
S Rocker Ave
W Oakley Way
W Penelope St
W Caspian St
S Ash Ave
W Sunbeam St
Legend
SUBJECT SITE
BIKE ROUTES
FUTURE TRAILS
SCENIC_BYWAY
GREEN BELT OVERLAY
CITY PARKS
DSH


KERN RIVER HERIGHTS
SUBDIVISION
NITRATE PRIORITY MAP
N
SUTTERS MILL POND
W Yukon Dr
S Whitehorse Ave
S Stibnite Ave
S Ten Mile Rd
S Rocker Ave
W Penelope St
S Ash Ave
W Sunbeam St
Red Sand Ave
W Sahara Dr
Legend
SUBJECT SITE
NITRATE PRIORITY AREA
KUNA CITY LIMITS
DSH

CITY OF KUNA
PLANNING & ZONING COMMISSION

MEETING MINUTES
Tuesday, November 12, 2019

PZ COMMISSION MEMBER	PRESENT	CITY STAFF PRESENT:	PRESENT
Chairman Lee Young	X	Wendy Howell, Planning Director	X
Commissioner Dana Hennis	X	Troy Behunin, Senior Planner	N/A
Commissioner Cathy Gealy	X	Jace Hellman, Planner II	N/A
Commissioner Stephen Damron	X	Sam Weiger, Planner I	N/A
Commissioner John Laraway	X	Doug Hanson, Planner I	X

6:00 pm – COMMISSION MEETING

Chairman Young called the meeting to order at **6:00 pm**.

Call to Order and Roll Call

1. **CONSENT AGENDA**
   Meeting Minutes for October 22, 2019.
   Findings of Fact and Conclusions of Law for 19-07-ZC (Rezone), 19-03-S (Preliminary Plat) & 19-14-DR (Design Review)

   Commissioner Gealy motions to approve the consent agenda; Commissioner Hennis seconds, all aye and motion carried 4-0.

2. **PUBLIC HEARING**

a. **19-06-ZC (Rezone), 19-07-S (Preliminary Plat) & 19-27-DR (Design Review)** – Kern River Heights Subdivision; On behalf of Carl Bader (owner), JUB Engineers requests to rezone one parcel consisting of approximately 7.25 acres from an "A" (Agriculture) to "R-6" (Medium Density Residential) zoning district classification and to subdivide the 7.25 acres into 35 total lots (twenty-nine (29) buildable lots, six (6) common lots). The subject site is located at 750 S. Ten Mile Road, Kuna, ID 83634, within Section 26, Township 2 North, Range 1 West; (APN: R5070503500).

Doug Hanson: Good evening Chairman and Commissioners, for the record, Doug Hanson, Kuna Planning and Zoning Staff, 751 W 4th St, Kuna, ID 83634. The applications before you this evening are the rezone of an approximately 7.25-acre parcel from an A (Agriculture) to R-6 (Medium Density Residential) zoning district classification, and the subdivision of the 7.25-acre parcel into 29 buildable lots and six common lots. Additionally, the applicant has submitted a design review application for the projects landscaping and open space. Following review, staff has determined the rezone, preliminary plat and design review are within compliance of Kuna City Code, Idaho State Code and the Kuna Comprehensive Plan with the exception of the net dwelling unit per acre density of the preliminary plat. As a reminder the rezone and preliminary plat are before you as a recommendation to the City Council, and the design review is seeking your decision this evening. If the Commission approves the design review and recommends approval of the rezone/pre-plat, Staff would recommend that the applicant be subject to the conditions of approval listed in section "i" of your staff report, as well as any other additional conditions, this decision-making body decides to impose. I will stand for any questions. **C/Gealy:** Yes, I am confused by the dwelling units per acre, in the staff report it says that it is zoned 6.26 dwelling units per acre, but in the letter from the applicant it says 4.0 dwelling units per acre? **Doug Hanson:** That is gross dwelling units per acre versus net dwelling units per acre. The way code reads is that for an R-6 Medium Density Residential it needs to be under 6.0 net dwelling units per acre. **C/Gealy:** So, it is 4.0 net? **Doug Hanson:** It is 4.0 gross dwelling units per acre. **C/Gealy:**

CITY OF KUNA
PLANNING & ZONING COMMISSION

MEETING MINUTES
Tuesday, November 12, 2019

Ok, so it is 6.26 net dwelling units per acre so it is really not in compliance with City Code. **Doug Hanson:** Yes, that is the exception. **C/Gealy:** Ok, thank you. **C/Young:** Any other questions at this time? We will have the applicant come forward, please state your name and address for the record. **Wendy Shrief:** Good Evening Chairman and Commissioners my name is Wendy Shrief, I am a planner with JUB Engineers and my business address is 250 Beechwood Avenue in Boise, ID. We are her this evening proposing a project where the property is already annexed into the City of Kuna. We are proposing a rezone to R-6, we requested R-6 for the dimensional standards, I will talk a little bit about gross and net density. Our gross density is 4.0 dwelling units per acre, where if you divide up the acreage of the property which is 7.25 acres, we have an average of four units per acre for that proposed density. Typically when you are looking at net density you are taking out the open space and streets so it can be subjective, depending on how you put in your roadway configuration and how you do your open space that can skew that net density, but the gross density which is used by most jurisdictions in the Treasure Valley, we are at 4.0 dwelling units per acre. We are not approaching the gross density of 6.0 dwelling units per acre for the R-6 zone. We are requesting that density for the dimensional standards. We are willing through a development agreement to restrict it to that 4.0 gross dwelling units per acre. So, this is an area where we are keeping with the surrounding subdivisions. It is well developed on the other side of Ten Mile and immediately to the north. To the south existing subdivisions and lot sizes will be very compatible to the proposed home types that will be going into the subdivision. We are keeping with code and what has already been approved in that area, so it will be a nice addition in a lot of ways because it is a smaller property where we have two existing homes which are going to remain on Ten Mile. In a lot of ways, it is an infill project where we had to get creative on how we are doing the roadway design, open space and access for this project. We are here for any questions and we think it is going to be a positive addition to the City of Kuna. **C/Young:** Are there any questions? **C/Gealy:** I have a couple of questions. Staff mentioned there were no streetlights included in the preliminary plat but as a condition you will work with the City? **Wendy Shrief:** Yes, we will have it as a part of our construction drawings, we don't typically show that on a preliminary plat. **C/Gealy:** On the ACHD report they mentioned offsetting Tanami and Footlights? **Wendy Shrief:** ACHD requires that to meet their spacing standards that we shift where that access point is by one lot. So, when we move on to Council, we will meet that condition and submit a revised plat. **C/Gealy:** This plat doesn't recognize the change? **Wendy Shrief:** No, this is the original plat that was submitted. **C/Gealy:** I have no further questions. **C/Laraway:** I have a question. Maybe I am misunderstanding, I am probably on a different number but the road Sunbeam, is that private or does it belong to the development? **Wendy Shrief:** It will be a public street; these will all be ACHD streets. We do not have any proposed private streets. **C/Laraway:** Does the property planned for Sunbeam belong to somebody else right now? **Wendy Shrief:** Are you talking about the existing Sunbeam? **C/Laraway:** Correct, the one at the south part of the subdivision, the very bottom street where the exit goes out. **Wendy Shrief:** It is a public street that we are connecting to. **C/Young:** Anything else at this time? **Wendy Shrief:** We have no changes to the conditions or proposed conditions in the staff report, they have been good to work with. **C/Young:** We will open up the public testimony at 6:09 pm, I don't see anyone else listed on the sign in sheet. Is there anyone here that did not sign in that would like to testify? Is there anything else that the applicant wanted to add? Ok, I will close the public testimony at 6:10 pm, which brings up our discussion. **C/Damron:** How do we mitigate the gross density and net density issue? If we start pushing that line its going to get further and further down the road. **Doug Hanson:** The way that code is written right now, net density is how dwelling units per acre are established. **C/Damron:** So, by code we have to go by the net density. **C/Young:** Along those lines I think that potentially we could address that by increasing some of the open space. There is some open space to the north in that looped area, maybe increase some of that and tweak lot size along that street to meet that need would be my first thought. **C/Hennis:** I think that would help; it seems like the open space is kind of cramped up in that little finger, I don't much care for that. **C/Young:** It is hard with the existing properties. **C/Hennis:** Well that's the thing, if you want kids to play out there is it really a good area? **C/Young:** I agree, I think increasing that center space would be more adaptable. **C/Damron:** If they rearrange, drop one dwelling and put some open space in the center, or closer to the center I think that would be more applicable use of that piece of property. They have already stated that they are going to have to move the entry so those two lots are going to have to be cut. **C/Young:** They will have to be switched around. But other than

CITY OF KUNA
PLANNING & ZONING COMMISSION

MEETING MINUTES
Tuesday, November 12, 2019

that, I think the way that it is laid out it is consistent with other developments in the area. It would also be nice to get Sunbeam extended. Any other thoughts or questions? **C/Hennis:** I think if they can bring that unit density down and add some open space to be a little more centralized it will be fine. **C/Young:** Yes, work with staff to get that accomplished. **C/Hennis:** We also need to look at the design review part of that because that is different. **C/Young:** As far as the design review piece, with ACHD's suggestion to move that south entrance down that helps keep everything in sync. With landscaping they have done a nice job on that piece in the northwest corner and I think that they meet what the requirements are for the buffers. **C/Damron:** Moving Sunbeam can also slow traffic down in that far lane through those house sections right there. **C/Hennis:** I think the landscaping complies throughout the subdivision; it meets code.

Commissioner Hennis motions to recommend approval of Case No. 19-07-ZC (Rezone), 19-03-S (Preliminary Plat) with the conditions as outlined in the staff report and the additional condition that the applicant work with staff to reduce the density in a way such as removing a lot and adding open space near the center to provide centralized open space in order to lower the net density to 6.0 or under & approve 19-14-DR (Design Review); Commissioner Damron seconds, all aye and motion carried 4-0.

3. **COMMISSION REPORTS**

4. **ADJOURNMENT**
Commissioner Hennis motions to adjourn; Commissioner Gealy Seconds, all aye and motion carried 4-0.

Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:

Wendy I. Howell, Planning and Zoning Director
Kuna Planning and Zoning Department

City of Kuna
Planning & Zoning
Department
PO. Box 13
Kuna, ID 83634
208.922.5274
www.kunacity.id.gov

Preliminary Plat Checklist

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

Project Name: Kern River Heights Sub **Applicant:** JUB Engineers

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

Applicant (√)	Description	Staff (√)
☑	**Electronic copy of all required submittal items.**	☑
☑	**Completed and signed Commission & Council Review Application.**	☑
☑	**Vicinity map showing relationship of the proposed plat to the surrounding area with a 2-mile radius.**	☑
☑	**Homeowner's maintenance agreement for the care of landscaped common areas.**	☑
☑	**Legal description of the preliminary plat area: Include a metes & bounds description to the section line of all adjacent roadways stamped & signed by a registered professional land surveyor with a calculated closure sheet & a map showing the boundaries of the legal description.**	☑
☑	**Proof of ownership—A copy of your deed and Affidavit of Legal Interest (for all interested parties involved).**	☑
☑	**Letter of intent indicating reasons and details for preliminary plat.**	☑
☑	**Commitment of Property Posting form signed by the applicant/agent.**	☑
N/A	**If preliminary plat includes 100 lots or more, please submit a traffic impact study.**	☐
☑	**A letter from Ada County Engineer with the Subdivision Name reservation. A name change needs to be submitted and approved by the Planning & Zoning Director and Ada County Engineer.**	☑
N/A	**Phasing Plan**	☐
☑	**Landscape plan for subdivision entrances, buffers, common areas, etc.**	☑
☑	**Neighborhood meeting certification (certification & neighborhood meeting list forms shall accompany this application).**	☐
☑	**8 1/2 x 11 proposed preliminary plat.**	☑
☑	**Preliminary plat drawing on 24x36 quality paper drawn to scale of 1 to 100' or more. The following information shall be contained on the preliminary plat:** ◊ **Topography at two-foot (2') intervals** ◊ **Land uses (location, layout, types & dimensions): residential, commercial & industrial land uses.** ◊ **Street right-of-way: dimensions of right-of-way dedication for all roadways, street sections, improvements, etc.** ◊ **Easements/common space: utility easements, parks, community spaces** ◊ **Lots: layout and dimensions of lots** ◊ **Preliminary improvement drawing: show water, sewer, drainage, electricity, irrigation, telephone, natural gas, proposed street lighting, proposed street names, proposed subdivision name, fire hydrant placement, storm water disposal, underground utilities, and sidewalks.**	☑

NOTE: One copy of the above items need to be submitted when applying for multiple applications. This application shall not be considered complete (nor will a public hearing be set) until staff has received ***all required information****. Once the application is deemed complete, staff will notify the applicant of the scheduled hearing date, fees due, additional copies needed, etc.*

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

Rezone Checklist

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

Project name: Kern River Heights Subdivision **Applicant:** / JUB Engineers

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

Applicant (√)	Description	Staff (√)
√	Completed and signed Commission & Council Review Application.	✓
√	Letter of Intent indicating reasons for proposed rezone.	✓
√	Vicinity map drawn to scale, showing the location of the subject property. Map shall contain the following information: Shaded area showing the rezone property, Street names and names of surrounding subdivisions.	✓
√	Legal description of the rezone area: Include a metes & bounds description to the section line of all adjacent roadways stamped & signed by a registered professional land surveyor with a calculated closure sheet & a map showing the boundaries of the legal description.	✓
√	Development Agreement & Development Agreement Checklist	
√	Recorded warranty deed for the property.	✓
√	Proof of ownership—A copy of your deed **and** Affidavit of Legal Interest. (All parties involved)	✓
√	Neighborhood meeting certification (certification & neighborhood meeting list forms shall accompany this application).	
√	Commitment of Property Posting form signed by the applicant/agent.	✓

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

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

received
8.16.19

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

Commission & Council Review Application

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

*Please submit the appropriate checklist (s) with application

For Office Use Only	
File Number (s)	19-07-S 19-27-DR 19-06-ZC
Project name	Kern River Heights Sub
Date Received	8.16.19
Date Accepted/ Complete	
Cross Reference Files	
Commission Hearing Date	
City Council Hearing Date	

Type of Review (check all that apply):

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

Contact/Applicant Information

Owners of Record: Carl Bader Address: 750 S Ten Mile Rd City, State, Zip: Kuna, Id 83634	Phone Number: E-Mail: Fax #:
Applicant (Developer): Ryan Minert Address: 3327 N. Eagle Road Suite #110-148 City, State, Zip: Meridian, Idaho 83646	Phone Number: 208-639-3262 E-Mail: ryan@iagroupllc.com Fax #:
Engineer/Representative: Wendy Shrief Address: 250 S Beechwood Dr, Ste 201 City, State, Zip: Boise, ID 83709	Phone Number: 208-376-7330 E-Mail: wshrief@jub.com Fax #:

Subject Property Information

Site Address: 750 S Ten Mile Rd Kuna ID 83634
Site Location (Cross Streets): NE corner of S. Ten Mile Road and W. Sunbeam Street
Parcel Number (s): R5070503500
Section, Township, Range: Section 26, T 2N, R 1W
Property size : 7.24 acres
Current land use: agriculture — Proposed land use: Residential
Current zoning district: A : Kuna — Proposed zoning district: R-6

Exhibit A1

Project Description

Project / subdivision name: Kern River Heights Subdivision

General description of proposed project / request: Single-Family Residential Subdivision

Type of use proposed (check all that apply):

- [x] Residential Single-Family
- [ ] Commercial
- [ ] Office
- [ ] Industrial
- [ ] Other

Amenities provided with this development (if applicable): common areas with landscaping

Residential Project Summary (if applicable)

Are there existing buildings? [ ] Yes [x] No

Please describe the existing buildings:

Any existing buildings to remain? [ ] Yes [x] No

Number of residential units: 29 Number of building lots: 29

Number of common and/or other lots: 6

Type of dwellings proposed:

- [x] Single-Family 29
- [ ] Townhouses
- [ ] Duplexes
- [ ] Multi-Family
- [ ] Other

Minimum Square footage of structure (s): To be determined

Gross density (DU/acre-total property): 4.00 DU/ac Net density (DU/acre-excluding roads): 6.26 Du/ac

Percentage of open space provided: 9.1% Acreage of open space: 0.66 acres

Type of open space provided (i.e. landscaping, public, common, etc.): Landscaping buffers along streets and common areas with landscaping

Non-Residential Project Summary (if applicable)

Number of building lots: Other lots:

Gross floor area square footage: Existing (if applicable):

Hours of operation (days & hours): Building height:

Total number of employees: Max. number of employees at one time:

Number and ages of students/children: Seating capacity:

Fencing type, size & location (proposed or existing to remain):

Proposed Parking:

a. Handicapped spaces: Dimensions:
b. Total Parking spaces: Dimensions:
c. Width of driveway aisle:

Proposed Lighting:

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

Applicant's Signature: Wendy Shrief Date: 8/16/19

J-U-B COMPANIES THE LANGDON GROUP GATEWAY MAPPING INC.

J-U-B ENGINEERS, INC.

August 16, 2019

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

RE: KERN RIVER HEIGHTS SUBDIVISION – REZONE APPLICATION AND PRELIMINARY PLAT

To Whom It May Concern:

On behalf of our client, D. Ryan Minert, please accept this request for Rezone and Preliminary Plat for the Kern River Heights Subdivision located on the northeast corner of S. Ten Mile Road and W. Sunbeam Street, in Kuna, Idaho. The proposed development includes a total of 29 residential lots on 7.25 acres.

Rezone

The request is to zone the entire 7.24 acres to R-6 (Medium Density Residential). The existing zoning for the subject property is A (Agriculture) in Ada County. The requested zoning designation is R-6 (Medium Density Residential) which is consistent with the City of Kuna Comprehensive Plan Future Land Use Map for the project area. The proposed density for the residential development is 4.0 dwelling units per acre; R-6 zoning is being requested to allow for additional flexibility in the design of the subdivision. The proposed subdivision is bordered to the north by Placerville Subdivision and to the east by Sutter's Mill Subdivision.

Preliminary Plat

The design of the project is intended to complement the existing single-family residential uses in the area. The 7.24 acre property will be divided into 35 lots, which will include 29 single-family lots and 6 common lots. The smallest buildable lot will measure 5,085 square feet and the average lot size will be 6,949 square feet. There will be 4.0 dwelling units per acre. The open space is design to meet the minimum requirements set forth in the Kuna City Code 5-7-11 and the landscaping will be emplaced in compliance with the provisions listed in Kuna City Code 5-17 and will be subject to Design Review.

There are adequate public services available to this area to serve the subdivision. Sewer and water utilities will be extended into the site from existing main lines in surrounding developments. The development will be served with public sewer and water by the City of Kuna. Fire protection will be available through the Kuna Fire Department. A pressurized irrigation system will be provided for the development with operation and maintenance of the facility being provided by the City of Kuna. Storm water will be retained on site and designed by a civil engineer in accordance with City of Kuna and ACHD requirements.

Access to the development will be provided on W. Sunbeam Street and S. Rocker Ave.

The enclosed applications have been submitted in accordance with the requirements of the City of Kuna. The development has been designed in accordance with the City of Kuna's Code and Comprehensive Plan. Please contact me at 376-7330 if you have any questions regarding this application.

Sincerely,
J-U-B ENGINEERS, Inc.

Wendy Shrief, AICP

J-U-B ENGINEERS, INC.

J-U-B COMPANIES | THE LANGDON GROUP | GATEWAY MAPPING INC.

EXHIBIT "A"
Kern River Subdivision
Boundary Description

Project No. 10-19-076 *August 13, 2019*

A tract of land situate in the southwest quarter of the northwest quarter of Section 26, Township 2 North, Range 1 West, Boise Meridian, City of Kuna, County of Ada, State of Idaho, and being more particularly described as follows:

Commencing at the northwest corner of said Section 26; thence from said Point of Commencement, South 00°20'23" West, along the west line of said Section 26, a distance of 2,644.28 feet to the west quarter corner of said Section 26; thence along the south line of the northwest quarter of said Section 26, South 89°48'56" East, a distance of 218.00 feet to a point on a line lying 218.00-feet easterly of and parallel with, the west line of said Section 26; thence leaving said south line, North 00°20'23" East, along said parallel line, a distance of 25.00 feet to the **Point of Beginning** of this description;

thence from said **Point of Beginning**, the following seven (7) consecutive courses and distances:

1. continuing North 00°20'23" East, along said parallel line, a distance of 225.60 feet to a point on a line lying 250.6-feet northerly of and parallel with, the south line of the northwest quarter of said Section 26,
2. North 89°48'56" West, along said parallel line, a distance of 193.00 feet to a point on a line lying 25.00-feet easterly of and parallel with, the west line of said Section 26,
3. North 00°20'23" East, along said parallel line, a distance of 134.62 feet to a point on a line lying 275.6-feet southerly of and parallel with, the north line of Lot 20 as shown on the Plat of the Kuna Orchard Tracts recorded in Book 6 of plat books, at Page 291, Ada County Records,
4. South 89°51'52" East, along said parallel line, a distance of 193.00 feet, to a point on a line lying 218.00-feet easterly of and parallel with, the west line of said Section 26,
5. North 00°20'23" East, along said parallel line, a distance of 225.60 feet to a point on a line lying 50.00-feet southerly of and parallel with, the north line of said Lot 20,
6. North 89°51'52" West, along said parallel line, a distance of 193.00 feet to a point on a line lying 25.00-feet easterly of and parallel with, the west line of said Section 26, and
7. North 00°20'23" East, along said parallel line, a distance of 50.00 feet to the northwest corner of said Lot 20, said corner also being the southwest corner of

a 250 S. Beechwood Avenue, Suite 201, Boise, ID 83709-0944 p 208-376-7330 f 208-323-9336 w www.jub.com

the Placerville Subdivision recorded in Book 99 of plats, at Pages 12,726 through 12,728 inclusive, Ada County Records;

thence along the respective northerly, easterly, and southerly lines of said Lot 20, the following three (3) consecutive courses and distances:

1. South 89°51'52" East, along the southerly line of said Placerville Subdivision, a distance of 632.46 feet to the northeast corner of said Lot 20,
2. South 00°19'47" West, a distance of 636.35 feet to the southeast corner of said Lot 20, and
3. North 89°48'56" West, a distance of 439.57 feet to the **Point of Beginning**.

Containing an area of 7.24 acres of land, more or less.

The above-described tract of land is shown on Exhibit "B", attached hereto and made a part hereof.

End of Description.

J-U-B ENGINEERS, Inc.
This description was prepared by me or under my supervision. If any portion of this description is modified or removed without the written consent of Timothy Harrigan, PLS, all professional liability associated with this document is hereby declared null and void.



Timothy Harrigan, PLS 17665

8/13/2019
Date

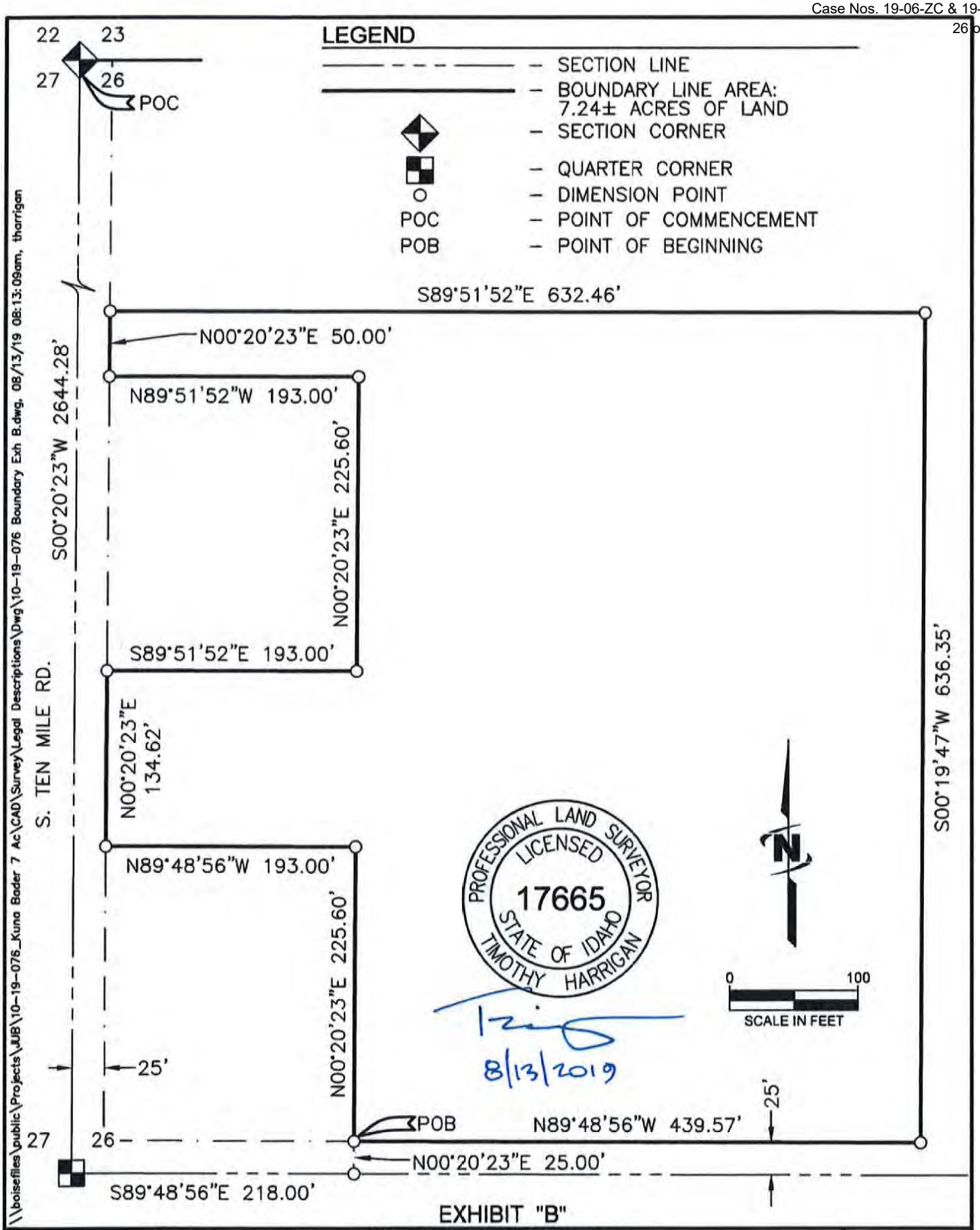


EXHIBIT "B"

PRJ NO: 10-19-076 JUB J-U-B ENGINEERS, INC.	KERN RIVER SUBDIVISION BOUNDARY DESCRIPTION A PORTION OF THE SW 1/4 OF THE NW 1/4 OF SEC. 26, T2N, R1W, BM CITY OF KUNA, COUNTY OF ADA, STATE OF IDAHO	SHEET 1 OF 1

ADA COUNTY RECORDER Christopher D. Rich AMOUNT 13.00 2
BOISE IDAHO 06/21/2013 03:38 PM
DEPUTY Gail Garrett
Simplifile Electronic Recording
RECORDED-REQUEST OF
TITLEONE BOISE
113069731

TitleOne
a title & escrow co.

Order Number: 13223792

Warranty Deed

For value received,

Timothy A. Hill and Pamela K. Lowe, husband and wife

the grantor, does hereby grant, bargain, sell, and convey unto

Carl Bader a single man

whose current address is 780 S. Ten Mile Road Kuna, Idaho 83634

the grantee, the following described premises, in Ada County, Idaho, to wit:

All of Lot 20 of Kuna Orchard Tracts, according to the official plat thereof, filed in Book 6 of Plats at Page 291, official records of Ada County, Idaho.

Except the following described tract:

That portion of Lot 20, Kuna Orchard Tracts, more particularly described as follows:

Beginning at the Northwest corner of said Lot 20; thence
South along the West boundary of said Lot 20, a distance of 275.6 feet to a point; thence
East parallel to the North boundary of said Lot 20, a distance of 193 feet to a point; thence
North, parallel to the West boundary of said Lot 20, a distance of 275.6 feet to a point on the North boundary of said Lot 20; thence
West along the North boundary 193 feet, more or less, to the Point of Beginning.

Except the North 50 feet thereof.

And further excepting therefrom the following described tract:

That portion of Lot 20, Kuna Orchard Tracts, more particularly described as follows:

Beginning at the Southwest corner of said Lot 20 Kuna Orchard Tracts; thence
North along the West boundary of said Lot 20, a distance of 225.6 feet to a point; thence
East and parallel to the South boundary of said Lot 20, a distance of 193 feet to a point; thence
South, and parallel to the West boundary of said Lot 20, a distance of 225.6 feet to a point; thence
West along the South boundary of said Lot 20, a distance of 193 feet to the Point of Beginning.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Timothy A. Hill

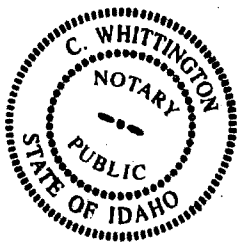
Pamela K. Lowe

State of Idaho, County of Ada, ss.

On this 24th day of June in the year of 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared Timothy A. Hill and Pamela K. Lowe, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Notary Public
My Commission Expires:
(seal)

Residing at: Boise, Idaho
Commission expires: 08/15/2014



City of Kuna
AFFIDAVIT OF LEGAL INTEREST

City of Kuna
Planning & Zoning Department
PO. Box 13
Kuna, ID 83634
208.922.5274
www.kunacity.id.gov

State of Idaho)
) ss.
County of Ada)

I, CARL J. BADER (Name), 780 So TEN Mile Rd (Address)
KUNA (City), ID (State) 83634 (Zip Code)

being first duly sworn upon oath, depose and say:

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

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

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

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

Dated this 5 day of August, 20 15

Carl J Bader
Signature

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

Notary Public for Idaho

Residing at: _____

My commission expires: _____

WHITNEY SCOTT
COMMISSION #45787
NOTARY PUBLIC
STATE OF IDAHO
MY COMMISSION EXPIRES 11/10/2023

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

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

City of Kuna

COMMITMENT TO PROPERTY POSTING

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

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

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

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

W & N 2 0 — 8/9/19

Applicant/agent signature: Date:

Wendy Shrief

From: Sub Name Mail <subnamemail@adacounty.id.gov>
Sent: Friday, July 19, 2019 4:18 PM
To: Wendy Shrief
Subject: Kern River Heights Subdivision Name Reservation

[External Email]

July 19, 2019

Wendy Shrief, J-U-B Engineers

RE: Subdivision Name Reservation: **KERN RIVER HEIGHTS SUBDIVISION**

At your request, I will reserve the name **Kern River Heights Subdivision** for your project. I can honor this reservation only as long as your project is in the approval process. Final approval can only take place when the final plat is recorded.

This reservation is available for the project as long as it is in the approval process unless the project is terminated by the client, the jurisdiction or the conditions of approval have not been met, in which case the name can be re-used by someone else.

Sincerely,

Jerry L. Hastings, PLS 5359
County Surveyor
Deputy Clerk Recorder
Ada County Development Services
200 W. Front St., Boise, ID 83702
(208) 287-7912 *office*
(208) 287-7909 *fax*
E-mail: jhastings@adacounty.id.gov

From: Wendy Shrief [mailto:wshrief@jub.com]
Sent: Wednesday, July 17, 2019 3:19 PM
To: Sub Name Mail
Subject: RE: Name Request - Kern River Heights Subdivision

Hello,

Correct parcel number is R5070503500

Wendy Kirkpatrick Shrief, AICP
Planner

From: Sub Name Mail <subnamemail@adacounty.id.gov>
Sent: Wednesday, July 17, 2019 2:32 PM
To: Wendy Shrief <wshrief@jub.com>
Subject: RE: Name Request - Kern River Heights Subdivision

[External Email]

Wendy;

Please verify the parcel number. It does not appear to be correct.

Glen Smallwood
Surveying Technician
Ada County Development Services
200 W. Front St., Boise, ID 83702
(208) 287-7926 *office*
(208) 287-7909 *fax*

From: Wendy Shrief [mailto:wshrief@jub.com]
Sent: Wednesday, July 17, 2019 11:20 AM
To: Sub Name Mail
Subject: Name Request - Kern River Heights Subdivision

Hello,

I would live to reserve the name "Kern River Heights Subdivision" for a property located in Kuna at 750 S. Ten Mile Parcel # R50503500 2N 1W Section 26

JUB is the Engineer / Surveyor
Developer is D. Ryan Minert

Wendy Kirkpatrick Shrief, AICP
Planner
J-U-B ENGINEERS, Inc.
250 S. Beechwood Avenue, Suite 201, Boise, ID 83709
e wshrief@jub.com *w* www.jub.com [jub.com] [linkprotect.cudasvc.com]
p 208 376 7330 *c* 208 559 1760

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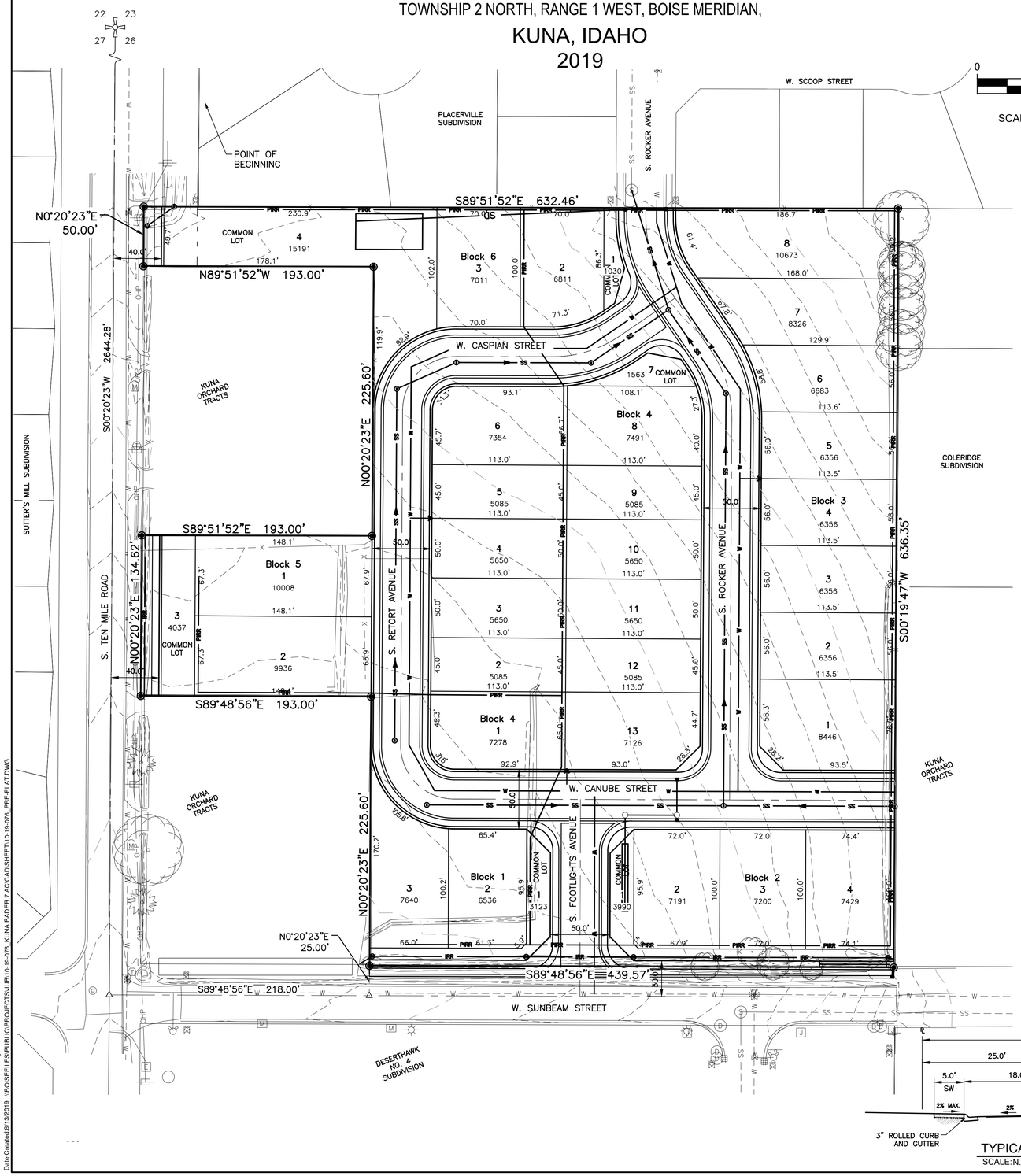
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PRELIMINARY PLAT FOR

KERN RIVER HEIGHTS SUBDIVISION

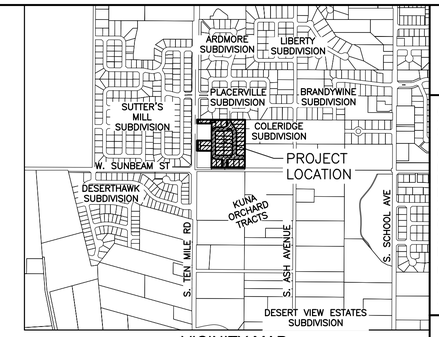
SITUATED IN THE SOUTHWEST QUARTER IF THE NORTHWEST QUARTER OF SECTION 26,
TOWNSHIP 2 NORTH, RANGE 1 WEST, BOISE MERIDIAN,

KUNA, IDAHO
2019



BOUNDARY LEGEND

- Subdivision Boundary Line
- Section Line
- Center Line
- Right–of–way Line
- Existing Parcel Line
- Section Corner
- Quarter–Section Corner
- Property Corner



VICINITY MAP
SCALE: 1"=2000'

NOTES:

1. CONTOUR AND SPOT ELEVATION DATA IS REFERENCED TO NAVD '88 DATUM.
2. THE STREETS WITHIN THIS DEVELOPMENT ARE PUBLIC STREETS. THE PUBLIC STREET SHALL BE CONSTRUCTED IN ACCORDANCE WITH ADA COUNTY HIGHWAY DISTRICT (ACHD) STANDARDS FOR PUBLIC STREETS WITH A MINIMUM GRADIENT OF 0.40%.
3. ALL LOTS ARE RESIDENTIAL BUILDING LOTS EXCEPT LOT 1, BLOCK 1, LOT 1, BLOCK 2, LOT 7, BLOCK 4, LOT 3, BLOCK 5, AND LOTS 1, AND 4, BLOCK 6, WHICH ARE COMMON AREA\DRAINAGE STORAGE LOTS.
4. STORMWATER RUN–OFF GENERATED ON THIS SITE SHALL HAVE A QUALITY CONTROL TREATMENT PRIOR TO BEING CONVEYED TO ONSITE STORAGE FACILITIES.
5. PUBLIC UTILITIES SHALL INCLUDE WATER, SEWER, ELECTRIC POWER, NATURAL GAS, TELEPHONE, AND CABLE TELEVISION.
6. THIS SUBDIVISION WILL RECEIVE PRESSURIZED IRRIGATION FROM THE CITY PRESSURE IRRIGATION SYSTEM. THE PRESSURE IRRIGATION SYSTEM WILL BE OWNED AND MAINTAINED BY KUNA IRRIGATION.
7. THIS DEVELOPMENT RECOGNIZES SECTION 22–4503 OF IDAHO CODE, RIGHT TO FARM ACT, WHICH STATES, "NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION, FACILITY OR EXPANSION WAS NOT A NUISANCE AT THE TIME IT BEGAN OR WAS CONSTRUCTED. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHEN A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF."
8. DOMESTIC AND FIRE PROTECTION WATER SHALL BE PROVIDED BY THE CITY OF KUNA.
9. SANITARY SEWER COLLECTION SHALL BE PROVIDED BY THE CITY OF KUNA.
10. IRRIGATION DITCHES THROUGH THE PROJECT SHALL BE PIPED WHERE THEY CROSS ROADWAYS WITH ALL STRUCTURES LOCATED BEYOND ANY PUBLIC RIGHT–OF–WAY.
11. LANDSCAPED COMMON LOTS ARE LOCATED THROUGHOUT THE PROJECT AND ARE IDENTIFIED ON THE PLAN. THESE LOTS SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
12. BUILDING SETBACKS AND DIMENSIONAL STANDARDS SHALL BE IN ACCORDANCE WITH THE DEVELOPMENT AGREEMENT WITH THE CITY OF KUNA.
13. ANY RE–SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN AFFECT AT THE TIME OF THE RE–SUBDIVISION.
14. THE OWNER SHALL COMPLY WITH IDAHO CODE, SECTION 31–3805 OR ITS PROVISIONS THAT MAY APPLY TO IRRIGATION RIGHTS.
15. A STORMWATER DRAINAGE EASEMENT SHALL BE RESERVED ON THE DRAINAGE LOTS FOR THE BENEFIT OF ACHD. LANDSCAPING OVER SAID LOTS SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION AND ACHD SHALL PROVIDE HEAVY MAINTENANCE OF THE STORM DRAINAGE FACILITIES AS DEFINED IN THE COVENANTS, CONDITIONS AND RESTRICTIONS FOR KERN RIVER HEIGHTS SUBDIVISION.
16. THIS PROPERTY IS IN ZONE X OF THE FLOOD INSURANCE RATE MAP NO. 16001C0400 J, COMMUNITY PANEL NO. 0400, WHICH BEARS AN EFFECTIVE DATE OF OCTOBER 2, 2003 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.

LAND USE SUMMARY

TOTAL AREA:	7.25 AC.
TOTAL LOTS:	35 LOTS
RESIDENTIAL LOTS:	29 LOTS
COMMON AREA LOTS:	6 LOTS
RESIDENTIAL DENSITY:	4.00 DU/AC
COMMON AREA:	0.66 AC. (9.1%)
AVERAGE LOT SIZE:	6,949 S.F.
SMALLEST LOT:	5,085 S.F.
EXISTING ZONE:	A
PROPOSED ZONE:	R–6

IRRIGATION DISTRICT:

BOISE PROJECT BOARD OF CONTROL
2465 OVERLAND ROAD
BOISE, ID 83705
PHONE: (208) 344–1141

CIVIL ENGINEER

ANDREW NEWELL, P.E.
J–U–B ENGINEERS
250 S. BEECHWOOD AVE.
STE. 201
BOISE, ID 83709
208–376–7330

FIRE DISTRICT:

KUNA FIRE DISTRICT
150 W. BOISE STREET
KUNA, ID 83634
PHONE: (208) 922–1144

SCHOOL DISTRICT:

KUNA SCHOOL DISTRICT
711 E. PORTER STREET
KUNA, ID 83634
PHONE: (208) 922–1000

OWNER

CARL BADER
780 S. TEN MILE RD.
KUNA, ID 83643

DEVELOPER

RYAN MINERT
3327 N. EAGLE ROAD
SUITE #110–148
MERIDIAN, IDAHO 83646
208–639–3262

LAND SURVEYOR

TIMOTHY HARRIGAN, P.L.S.
J–U–B ENGINEERS
250 S. BEECHWOOD AVE.
STE. 201
BOISE, ID 83709
208–376–7330

SEWER & WATER:

CITY OF KUNA
6950 S TEN MILE RD
MERIDIAN, ID. 83634
PHONE: (208) 287–1729 (SEW)
PHONE: (208) 287–1725 (WAT)

POWER:

IDAHO POWER
VIC STEELMAN
1221 W. IDAHO STREET
BOISE, ID. 83702
PHONE: (208) 388–2323

PRESSURE IRRIGATION:

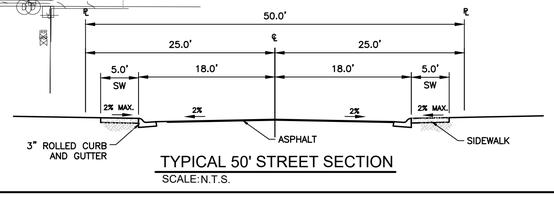
CITY OF KUNA
6950 S TEN MILE RD
MERIDIAN, ID. 83634
PHONE: (208) 287–1725

ROADWAYS

ADA COUNTY HIGHWAY DISTRICT
1301 N. ORCHARD ST
BOISE, ID. 83706
PHONE: (208) 387–6100

LEGEND

EXISTING		PROPOSED
—S—	SANITARY SEWER LINE	—S—S—
—W—	WATER LINE	—W—W—
—IR—	GRAVITY IRRIGATION PIPE	—IR—
—PIR—	PRESSURE IRRIGATION LINE	—PIR—
—SD—SD—	STORM DRAIN LINE	—SD—SD—SD—
	CENTERLINE	
	LOT LINE	
	6" VERTICAL CURB & GUTTER	
	ROLLED CURB & GUTTER	
	5' SIDEWALK	
	SEWER MANHOLE	
	DITCH FLOW LINE	
	IRRIGATION MANHOLE	
	STREET LIGHT	
	TREE DECIDUOUS	
	TREE CONIFER	
	EDGE OF PAVEMENT	
	GAS LINE	
	FENCE LINE	
	FIRE HYDRANT	
2650	5' CONTOUR LINE	
2651	1' CONTOUR LINE	



TYPICAL 50' STREET SECTION
SCALE:N.T.S.

PROFESSIONAL LAND SURVEYOR
LICENSED
17665
STATE OF IDAHO
TIMOTHY HARRIGAN

BOUNDARY CERTIFICATION

J-U-B ENGINEERS, INC.
250 S. Beechwood Ave.
Suite 201
Boise, ID 83709-0944
Phone: 208.376.7330
www.jub.com

PROFESSIONAL ENGINEER
REGISTERED
17011
STATE OF IDAHO
ANDREW F NEWELL

REUSE OF DRAWINGS
THIS DOCUMENT, AND THE IDEAS INCORPORATED HEREIN, AS AN INSTRUMENT OF PROFESSIONAL SERVICE, IS THE PROPERTY OF J-U-B ENGINEERS, Inc.AND IS NOT TO BE USED, IN WHOLE OR PART, FOR ANY OTHER PROJECT WITHOUT THE EXPRESS WRITTEN AUTHORIZATION OF J-U-B ENGINEERS, Inc.

NO.	DESCRIPTION	BY	APPR.	DATE
	REVISION			

KERN RIVER HEIGHTS SUBDIVISION
KUNA, IDAHO

PRE-PLAT

FILE : 10-19-076 PRE-PLAT
JUB PROJ. # : 10-19-076
DRAWN BY: ----
DESIGN BY: ----
CHECKED BY: ----
ONE INCH
AT FULL SIZE, IF NOT ONE INCH, SCALE ACCORDINGLY
LAST UPDATED: 8/13/2019

SHEET NUMBER:
PP-01

Plot Date:8/13/2019 9:55 AM Plotted By: Everett Earnest
Date Created:8/13/2019 I:\BOISEFILES\PUBLIC\PROJECTS\JUB\10-19-076 KUNA BADER 7 AC\CAD\SHEET\10-19-076_PRE-PLAT.DWG

J-U-B ENGINEERS, INC.

J-U-B COMPANIES THE LANGDON GROUP GATEWAY MAPPING INC.

July 19, 2019

RE: NEIGHBORHOOD MEETING for a proposed subdivision on Thursday July 25, 2019

Dear Property Owner:

You are invited to attend a Neighborhood Meeting for Kern River Heights Subdivision, a single-family residential development:

- Thursday, July 25 at 6:00 p.m.
- Meeting will be held at the location of the proposed subdivision at 750 S. Ten Mile in Kuna. Meeting location is shown on enclosed map.

The subdivision project is located on the east side of S. Ten Mile Road, at the northeast intersection of S. Ten Mile Road and W. Sunbeam Street. The subdivision consists of 29 residential lots on approximately 7.25 acres (see reverse side for project location.) An application will be submitted to the City of Kuna consisting of a Preliminary Plat and a Rezone Application to request R-6 zoning. The property has been annexed into the City of Kuna.

Should you have any questions prior to the meeting or cannot attend, please do not hesitate to contact me at wshrief@jub.com or at 208-376-7330.

Sincerely,
J-U-B ENGINEERS, Inc.

Wendy Shrief, AICP
Planner

a 250 S. Beechwood Avenue, Suite 201, Boise, ID 83709-0944 p 208-376-7330 f 208-323-9336 w www.jub.com

NEIGHBORHOOD MEETING MINUTES

Meeting Date: 7/25/19 Number of Attendees: 2 + JUB Staff

Meeting Location: Onsite - 750 S. Ten Mile in Kuna

Description of Project Presented:

29 lot residential subdivision with rezone to R-6

Attendee's comments:

Neighbors had questions about access points and about whether homes would be placed next to their existing homes.

Neighbors were pleased with locations of common lots and entrance to subdivision

I hereby certify that the above information is complete and correct to the best of by knowledge.

Wendy Shrief

Printed Name

Signature

7/29/19

Date

SIGN IN SHEET

PROJECT NAME: Kern River Heights

Date: 7/25/19

	Name	Address	Zip	Phone
1	~~Tyler Dyer Summit~~			559-479-19
2	Eric Carl	22 E. Ten Mile	83634	208-919-8814
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landproDATA

Parcels

County	Parcel	Primary Owner	Property Address	Property City	Subdivision
Ada	R1510310010	TALBOT HEATHER LEA	625 S ASH AVE	KUNA, ID 83634-0000	COLERIDGE SUB
Ada	R1510310030	MICHAELSON ALAN M	655 S ASH AVE	KUNA, ID 83634-0000	COLERIDGE SUB
Ada	R1510310050	WIEBUSCH DOUGLAS	685 S ASH AVE	KUNA, ID 83634-0000	COLERIDGE SUB
Ada	R1814290360	DESERTHAWK SUB HOA	W SAHARA DR	KUNA, ID 83634-0000	DESERTHAWK SUB NO
Ada	R5070501800	CHALLENGER DEVELOPMENT INC	874 S TEN MILE RD	KUNA, ID 83634-0000	KUNA ORCHARD TRAC
Ada	R5070502020	HUDON MISTY D	847 S ASH AVE	KUNA, ID 83634-0000	KUNA ORCHARD TRAC
Ada	R5070503200	NEWMAN DOUGLAS A	755 S ASH AVE	KUNA, ID 83634-0000	KUNA ORCHARD TRAC
Ada	R5070503500	BADER CARL	750 S TEN MILE RD	KUNA, ID 83634-0000	KUNA ORCHARD TRAC
Ada	R5070503550	BADER CARL J	780 S TEN MILE RD	KUNA, ID 83634-0000	KUNA ORCHARD TRAC
Ada	R5070503580	CLARK ERIC	722 S TEN MILE RD	KUNA, ID 83634-0000	KUNA ORCHARD TRAC
Ada	R7100120090	SILVER FALLS HOA INC	S TEN MILE RD	KUNA, ID 83634-0000	PLACERVILLE SUB
Ada	R7100120100	MCKAY TYLER M	513 S RETORT PL	KUNA, ID 83634-0000	PLACERVILLE SUB
Ada	R7100120110	HIRTLE JOEL W	535 S RETORT PL	KUNA, ID 83634-0000	PLACERVILLE SUB
Ada	R7100120120	SMART FLOYD	577 S RETORT PL	KUNA, ID 83634-0000	PLACERVILLE SUB
Ada	R7100120130	BENDALL FAMILY TRUST 12/11/17	566 S RETORT PL	KUNA, ID 83634-0000	PLACERVILLE SUB
Ada	R7100120140	HOYLE JAYMIE D	524 S RETORT PL	KUNA, ID 83634-0000	PLACERVILLE SUB
Ada	R7100120150	HAYES TODD	502 S RETORT PL	KUNA, ID 83634-0000	PLACERVILLE SUB
Ada	R7100120200	CALLAHAN MCKENZIE	487 S ROCKER AVE	KUNA, ID 83634-0000	PLACERVILLE SUB
Ada	R7100120210	FRONTINO JULI LINN	521 S ROCKER AVE	KUNA, ID 83634-0000	PLACERVILLE SUB
Ada	R7100120220	MCCASLIN DAVID A	553 S ROCKER AVE	KUNA, ID 83634-0000	PLACERVILLE SUB
Ada	R7100120230	SANDERS DEREK L	565 S ROCKER AVE	KUNA, ID 83634-0000	PLACERVILLE SUB
Ada	R7100120240	BEAVERS ROGER W	587 S ROCKER AVE	KUNA, ID 83634-0000	PLACERVILLE SUB
Ada	R7100120270	DULIN JEANNIE C	488 S ROCKER AVE	KUNA, ID 83634-0000	PLACERVILLE SUB
Ada	R7100120280	ONIEDA DILLON J	512 S ROCKER AVE	KUNA, ID 83634-0000	PLACERVILLE SUB
Ada	R7100120290	HARDIN MASON D	534 S ROCKER AVE	KUNA, ID 83634-0000	PLACERVILLE SUB
Ada	R7100120300	BROWN JOSHUA L	535 S TAILINGS AVE	KUNA, ID 83634-0000	PLACERVILLE SUB
Ada	R7100120310	FRAZIER SCOTT R	513 S TAILINGS AVE	KUNA, ID 83634-0000	PLACERVILLE SUB
Ada	R7100120320	EMIDY THOMAS	497 S TAILINGS AVE	KUNA, ID 83634-0000	PLACERVILLE SUB
Ada	R7100120490	BUSTAMANTE WILLIAM J	1533 W SCOOP ST	KUNA, ID 83634-0000	PLACERVILLE SUB
Ada	R7100120500	CURTIS CLINTON J	1511 W SCOOP ST	KUNA, ID 83634-0000	PLACERVILLE SUB
Ada	R7100120510	COTHERN CYNTHIA	1489 W SCOOP ST	KUNA, ID 83634-0000	PLACERVILLE SUB
Ada	R7100120520	DOBRANSKY DANIEL R	1467 W SCOOP ST	KUNA, ID 83634-0000	PLACERVILLE SUB
Ada	R7100120530	NEVILLE ERIC P	546 S TAILINGS AVE	KUNA, ID 83634-0000	PLACERVILLE SUB
Ada	R7100120540	BREIER TODD J	524 S TAILINGS AVE	KUNA, ID 83634-0000	PLACERVILLE SUB
Ada	R7100120550	KONDRATYUK IRINA	502 S TAILINGS AVE	KUNA, ID 83634-0000	PLACERVILLE SUB
Ada	R7100120610	SORENSON JONATHAN W	531 S WHIM AVE	KUNA, ID 83634-0000	PLACERVILLE SUB
Ada	R7100120620	BELIERA JUDITH E	1429 W PENELOPE ST	KUNA, ID 83634-0000	PLACERVILLE SUB
Ada	R7100120630	GEORGE BART BOONE	1407 W PENELOPE ST	KUNA, ID 83634-0000	PLACERVILLE SUB
Ada	R8232270380	POWELL CLYDE L JR	550 S STIBNITE AVE	KUNA, ID 83634-0000	SUTTERS MILL SUB NC
Ada	R8232270390	SUTTERS MILL SUB NO 1 HOA INC	W PLACERVILLE DR	KUNA, ID 83634-0000	SUTTERS MILL SUB NC
Ada	R8232300010	SUTTER'S MILL SUBDIVISION NO 1 HOMEOWNERS' ASSOCIATION	S TEN MILE RD	KUNA, ID 83634-0000	SUTTERS MILL SUB NC
Ada	R8232300020	WILKS JOSHUA MICHAEL	594 S STIBNITE AVE	KUNA, ID 83634-0000	SUTTERS MILL SUB NC
Ada	R8232300030	TSIOMA VLADIMIR	618 S STIBNITE AVE	KUNA, ID 83634-0000	SUTTERS MILL SUB NC
Ada	R8232300040	HILLMAN ALLEN K	634 S STIBNITE AVE	KUNA, ID 83634-0000	SUTTERS MILL SUB NC
Ada	R8232300050	DRENNER MICHAELYN D	650 S STIBNITE AVE	KUNA, ID 83634-0000	SUTTERS MILL SUB NC
Ada	R8232300060	PACKER KIMBERLY G	668 S STIBNITE AVE	KUNA, ID 83634-0000	SUTTERS MILL SUB NC
Ada	R8232300070	BALL SEAN	684 S STIBNITE AVE	KUNA, ID 83634-0000	SUTTERS MILL SUB NC
Ada	R8232300080	PUGA DAVID	706 S STIBNITE AVE	KUNA, ID 83634-0000	SUTTERS MILL SUB NC
Ada	R8232300090	YOUNG THURLOW D REVOCABLE LIVING TRUST	728 S STIBNITE AVE	KUNA, ID 83634-0000	SUTTERS MILL SUB NC
Ada	R8232300100	ELLWAY BRIAN	742 S STIBNITE AVE	KUNA, ID 83634-0000	SUTTERS MILL SUB NC
Ada	R8232300110	SAVAGE GREGORY L JR	756 S STIBNITE AVE	KUNA, ID 83634-0000	SUTTERS MILL SUB NC
Ada	R8232300120	MARTIN WANDA A	1649 W AFTON ST	KUNA, ID 83634-0000	SUTTERS MILL SUB NC
Ada	R8232300130	MALLATT KYLE	1661 W AFTON ST	KUNA, ID 83634-0000	SUTTERS MILL SUB NC

After Recording
Return to:

Ryan Minert
Investment Analytics Group LLC
3327 N Eagle Road, Suite 110-148
Kuna, ID 83646

FOR RECORDING INFORMATION

MASTER DECLARATION OF

COVENANTS, CONDITIONS AND RESTRICTIONS

FOR

KERN SUBDIVISION

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MASTER DECLARATION OF

COVENANTS, CONDITIONS AND RESTRICTIONS

FOR

KERN SUBDIVISION

THIS MASTER DECLARATION is made effective as TBD Black Summit LLC, an Idaho limited liability company ("Grantor" and "Class B Member"). All capitalized terms not otherwise defined in the text hereof are defined in Article III.

ARTICLE I: RECITALS

1.1 Property Covered. The property subject to this Declaration of Covenants, Conditions and Restrictions is the Kern Subdivision No. 1 legally described in **Exhibit A**, attached hereto and made a part hereof, which property has been approved by the City of Kuna, Idaho, for the development of residential lots and common lots. Grantor intends to develop Kern Subdivision No. 1, together with other property within Kern Subdivision, in several development Phases, defined below. Each additional Phase shall be made specifically subject to this Declaration by supplemental declaration, as may be amended or supplemented from time to time, and all property subject to this Declaration shall be collectively sometimes referred to herein as the "**Property,**" or as "**Kern Subdivision.**"

1.2 Residential Development. Kern Subdivision is planned as a residential development that Grantor currently intends to develop in accordance with existing development approvals obtained by Grantor from Ada County and/or the City of Kuna and/or Ada County Highway District, or any other development plan(s) for which Grantor may from time to time obtain approval from the applicable jurisdiction(s) (the "**Development Plan**"). Any development plans for the Property in existence prior to or following the effective date of this Declaration are subject to change at any time by Grantor, and impose no obligation on Grantor as to how the Property is to be developed or improved.

1.3 Purpose of Declaration. The purpose of this Declaration is to set forth the basic restrictions, covenants, limitations, easements, conditions and equitable servitudes (collectively, "**Restrictions**") that will apply to the Property, including future Phases specifically made subject to this Declaration and any other property annexed into Kern Subdivision, as provided further herein. The Restrictions are designed to preserve the Property's value, desirability and attractiveness, to ensure a well integrated, high-quality development, and to guarantee adequate maintenance of the Common Areas, and the Improvements located thereon in a cost effective and administratively efficient manner.

ARTICLE II: DECLARATION

Grantor hereby declares that the Property, and each lot, parcel or portion thereof, is and/or shall be held, sold, conveyed, encumbered, hypothecated, leased, used, occupied and improved subject to the following terms and Restrictions, all of which are declared and agreed to be in furtherance of a general plan for the protection, maintenance, subdivision, improvement and sale of the Property, and to enhance the value, desirability and attractiveness of the Property. The terms and Restrictions set forth herein shall run with the land constituting the Property, and with each estate therein, and shall be binding upon any Person having or acquiring any right, title or interest in the Property or any lot, parcel or portion thereof; shall inure to the benefit of every lot, parcel or portion of the Property and any interest therein; and shall inure to the benefit of and be binding upon Grantor, Grantor's successors in interest and each grantee or

Owner and such grantee's or Owner's respective successors in interest, and may be enforced by Grantor, any grantee or grantee's successors, any Owner or Owner's successors, or by the Association. In the event of any conflict between this Declaration and any other of the Project Documents, defined below, this Declaration shall control.

Notwithstanding anything to the contrary herein, until one hundred percent (100%) of all the Building Lots in Kern Subdivision are transferred by Grantor, no provision of this Declaration shall be construed as to prevent or limit Grantor's right to complete development of Kern Subdivision, including any subdivision or re-subdivision of Kern Subdivision, and to construct improvements thereon, nor Grantor's right to use and to maintain model homes, construction, sales or leasing offices or similar facilities on any portion of the Property, including the Common Area, nor Grantor's right to post signs incidental to construction, sales and/or leasing.

ARTICLE III: DEFINITIONS

3.1 **"Architectural Control Committee"** shall mean the Architectural Control Committee ("**ACC**") established by Grantor pursuant to Article X hereof.

3.2 **"Articles"** shall mean the Articles of Incorporation of the Association.

3.3 **"Assessments"** shall mean those payments required of Owners, as Association Members, including Regular, Special and Limited Assessments.

3.4 **" Association"** shall mean Kern Homeowners Association, Inc., an Idaho nonprofit corporation, or its successors, organized and established by Grantor to exercise the powers and to carry out the duties set forth in this Declaration and/or any Supplemental Declaration, if applicable.

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

3.6 **"Board"** shall mean the Board of Directors of the Association.

3.7 **"Building Lot"** shall mean a lot within any Phase of Kern Subdivision as specified or shown on the Plat and/or by Supplemental Declaration upon which Improvements may be constructed. Building Lot(s) shall not include any Common Area.

3.8 **"Bylaws"** shall mean the Bylaws of the Association.

3.9 **"Common Areas"** shall mean any or all parcels of Common Area, which may include, without limitation, all such parcels that are designated as private streets or drives, parking areas or drives, common open space, common landscaped areas and other amenities and facilities. Common Area may be established from time to time by Grantor on any portion of the Property by describing such area on a recorded Plat, by granting or reserving Common Area in a deed or other instrument, or by designating Common Area as such in this Declaration or in any Supplemental Declaration.

3.10 **"Declaration"** shall mean this Master Declaration of Covenants, Conditions and Restrictions for Kern Subdivision as may be amended and supplemented from time to time with a Supplemental Declaration.

3.11 **"First Mortgage"** shall mean any Mortgage which is not subordinate to any lien or encumbrance except liens for taxes or other liens which are given priority by statute.

3.12 **"Grantor"** shall mean Black Summit LLC, an Idaho limited liability company, the owner of the Property, or its successors in interest, or any Person to whom the rights under this Declaration are expressly transferred, in whole or in part, but excluding transfers to individual Building Lot Owners by Grantor.

3.13 **"Improvements"** shall mean any structure, facility or system, or other improvement or object, whether permanent or temporary, which is erected, constructed, placed upon or allowed on, under or over any portion of the Property, which may include, without limitation, residential structures, accessory structures, fences, streets, driveways, parking areas, sidewalks, curbs, landscaping, lights, mail boxes, electrical lines, pipes, pumps, ditches, grading, road construction and utility improvements. Improvement(s) includes both original improvements existing on the Property on the date hereof and all later changes and Improvements.

3.14 **"Limited Assessment"** shall mean a charge against a particular Owner, and such Owner's Building Lot, directly attributable to such Owner, either equal to the cost incurred by the Association in connection with corrective action performed pursuant to the provisions of this Declaration, including, without limitation, damage to any Common Area, or the failure of an Owner to keep such Owner's Building Lot and/or Improvements in proper repair, or levied as a fine for violation of the provisions of this Declaration, and including interest thereon as provided in this Declaration.

3.15 **"Member"** shall mean each Owner holding a membership in the Association, including Grantor.

3.16 **"Mortgage"** shall mean any mortgage, deed of trust, or other document pledging any portion of the Property or interest therein as security for the payment of a debt or obligation.

3.17 **"Occupant"** shall mean any resident or occupant of a Building Lot, including, without limitation, the Owner, family members, guests, invitees and/or tenants.

3.18 **"Owner"** shall mean the record owner, whether one or more Persons, including Grantor, holding fee simple interest of record to a Building Lot which is a part of the Property, and buyers under executory contracts of sale, but excluding those Persons having such interest merely as security for the performance of an obligation, unless and until such Person has acquired fee simple title pursuant to foreclosure or other proceedings.

3.19 **"Person(s)"** shall mean any individual, partnership, corporation, trust, estate or other legal entity, including Grantor.

3.20 **"Phase"** shall mean a defined portion of the Property which has been designated as a Phase by Plat and/or recorded Supplemental Declaration. Each Phase shall contain one or more residential Building Lots, and may, in Grantor's discretion, be managed to the extent permitted herein, and/or by Supplemental Declaration.

3.21 **"Plat"** shall mean any subdivision plat covering any portion of the Property as recorded in the Ada County, Idaho, Recorder's Office.

3.22 **"Project Documents"** shall mean the basic documents creating and governing the Property including, without limitation, this Declaration, any Supplemental Declarations, Articles of Incorporation and Bylaws of the Association, Association Rules, Plats, and any other procedures, rules, regulations or policies adopted under such documents by the Association.

3.23 **"Property"** shall mean the real property legally described in **Exhibit A** subject to this Declaration and any property made subject to this Declaration by recorded Supplemental Declarations, including, without limitation, each lot, parcel and portion thereof and interest therein.

3.24 **"Regular Assessment"** shall mean the portion of the cost of designing, constructing, maintaining, improving, repairing, managing and/or operating all Common Area, including all Improvements located thereon, and the other costs and expenses incurred to conduct the business and affairs of the Association that is levied against the Building Lot of each Owner by the Association, pursuant to the terms of this Declaration.

3.25 **"Special Assessment"** shall mean that portion of the cost of the capital improvements or replacements, equipment purchases and/or shortages in Regular Assessments which are authorized to be paid to the Association pursuant to the provisions of this Declaration.

3.26 **"Supplemental Declaration"** shall mean any Supplemental Declaration by which additional property is made subject to this Declaration, including additional covenants, conditions and restrictions that may be adopted by Grantor with respect to any Phase or any portion of the Property or property annexed and made subject to this Declaration, as provided further herein. Grantor shall have the right to annex future phases into the Homeowners Association.

ARTICLE IV: GENERAL AND SPECIFIC RESTRICTIONS

4.1 **Prior Plan Approval**. Except for Improvements made by Grantor, no Improvements of any kind shall be placed or permitted to remain upon any part of the Property including, without limitation, a Building Lot, unless a written request for approval has been approved by the Board or the ACC or a person so designated by the Board to approve same. Any such written request for approval shall include all plans, specifications, landscaping plans, and exterior color scheme for the proposed Improvements.

4.2 **Improvements – Generally.** The general instructions set forth in this Declaration shall govern the right of a Person or Owner, excluding Grantor, to construct, reconstruct, refinish, remove, add, alter or maintain any Improvements upon, under or above the Property, and to make or create any excavation or fill on the Property, or to make any change in the natural or existing surface contour or drainage, or install any utility line or conduit on, under or above the Property. All Building Lots, other than the Building Lot(s) used for Common Area or utility facilities and services, shall be used exclusively for and/or in connection with single-family residential homes. All Improvements by any Owner, excluding Grantor, must be pre-approved in writing by the ACC prior to such Owner's construction or reconstruction. This Declaration is not intended to serve as authority for the ACC to control the interior layout or design of residential structures except to the extent incidentally necessitated by use, size and height restrictions. This Declaration is intended to serve as authority for the ACC to use its judgment to see that all Improvements conform and harmonize as to external design, quality and type of construction, architectural character, materials, color and location on the Property as set forth in this Declaration.

4.2.1 **Minimum Areas.**

4.2.1.1 Minimum Living Space Requirements:

(A) Single Story Dwellings. Each one-story single-family dwelling unit shall have a minimum of one thousand eight hundred fifty (1,850) square feet of living space.

(B) Two Story Dwellings. The bottom floor of each two-story single-family dwelling unit shall have a minimum of one thousand four hundred (1,400) square feet of living space.

(C) The term "living space" as used herein shall not include, garages, carports, patios, breezeways, storage rooms, porches or similar features.

4.2.1.2 Minimum Garage Area Requirements: Garages shall be fully enclosed, shall provide for a minimum of two (2) automobiles, and shall consist of a minimum of four hundred eighty (480) square feet.

4.2.2 **Roofs**. The roof of each dwelling shall be covered with at least 30-year composition shingles as more fully specified in design standards adopted by the ACC. All roofs shall have a minimum of 6" to 12" pitch.

4.2.3 **Foundations**. All foundations of each dwelling shall have a minimum elevation of eighteen inches (18") above the lowest level of the back of curb adjacent to the Building Lot.

4.2.4 **Setbacks and Heights.** No residential or other structure shall be placed nearer to the Building Lot lines or built higher than permitted by the Plat and/or the Declaration or by any applicable zoning restriction.

4.2.5 **Accessory Structures.** Detached garages and storage sheds, and patio covers shall be constructed of, and roofed with, the same materials and with similar colors and design, as the residential structure on the applicable Building Lot unless otherwise approved by the ACC.

4.2.6 **Garages**. All residential structures shall have an enclosed garage that holds no less than two (2) vehicles and shall be constructed of the same materials and with similar colors and design as the residential structure unless otherwise approved by the ACC. Garages shall not be used as living quarters. Garages are primarily for the parking of vehicles. In no case shall a garage be used for storage such that no room is left for the parking of vehicles.

4.2.7 **Driveways.** All Building Lots shall have a concrete driveway and a minimum of two (2) concrete car parking spaces within the boundaries of each Building Lot. No driveway or parking area shall be asphalt, dirt, rock, or gravel.

4.2.8 **Mailboxes.** All mailboxes shall be of consistent design, material and coloration and shall be located on or adjoining Building Lot lines at places designated by Grantor or the ACC. Grantor will initially provide all mailboxes and stands in the subdivision.

4.2.9 **Fencing.** No fence, hedge or boundary wall situated anywhere upon a Building Lot shall have a height greater than six (6) feet above the finished graded surface of the Building Lot or Common Area upon which such fence, hedge or boundary wall is situated. However, any fence constructed immediately adjacent to a swimming pool for the purpose of safety may be at a height required by applicable government agencies and/or homeowner liability insurer(s) if approved by Grantor. Any fence or boundary wall constructed on or near the lot line common to one or more Building Lots shall be constructed as a "good neighbor" fence, and the cost to construct such fence shall be paid for equally by the owners of the Building Lots separated by the fence. No fence shall be constructed so as to extend toward the front of the Building Lot past two (2) feet behind the front plane of the residential structure constructed thereon or closer than fifteen (15) feet to any side Building Lot line of a corner Building Lot adjacent to a dedicated street. Grantor may construct perimeter fencing around all or part of the exterior boundary of Kern Subdivision. It shall be the responsibility of the Owner of any Building Lot with such perimeter fencing to maintain, repair and/or replace, as needed, that portion of the perimeter fence on that Owner's Building Lot. The maintenance, repair and/or replacement shall be performed so as to keep the perimeter fencing uniform, attractive, and harmonious. The ACC shall adopt design standards for all fences within Kern Subdivision, including the location, type and size of each fence, and the material used therein, and the ACC shall have authority to regulate all such fencing.

4.2.10 Lighting. Any street lights installed by Grantor shall be maintained and operated by the Association as a Common Area expense until such time as the City of Kuna or other governmental agency assumes the maintenance and operation of such street lights. Maintenance and operation shall include all repairs and costs of power.

4.3 Exterior Maintenance: Owner's Obligation. No Improvement shall be permitted to fall into disrepair, and each Improvement shall at all times be kept in good condition and repair. In the event that any Owner shall permit any Improvement, including trees and landscaping, to fall into disrepair so as to create an unsightly, unsanitary, dangerous or unsafe condition, or a condition that damages property or facilities on or adjoining such Owner's Building Lot, the Association, upon thirty (30) days' prior written notice to the Owner of such Building Lot, shall have the right to correct such condition, and to enter upon such Owner's Building Lot for the purpose of doing so, and such Owner shall promptly reimburse the Association for the cost thereof. Such cost shall be a Limited Assessment and shall create a lien enforceable in the same manner as other Assessments as set forth herein. The Owner of the offending Building Lot shall be personally liable, and such Owner's Building Lot may be subject to a lien for all costs and expenses incurred by the Association in taking such corrective acts, plus all costs incurred in collecting the amounts due, if any. Each Owner shall pay all amounts due for such work within ten (10) days after receipt of written demand therefor.

4.4 Landscaping. Within sixty (60) days of occupancy of the residential structure, the Owner of the Building Lot shall landscape all of the Owner's Building Lot in compliance with the landscaping plan for the Kern Subdivision. Without limiting the foregoing, such landscaping shall, at a minimum, include: (i) sod and automatic underground sprinklers throughout the Building Lot; (ii) at least two (2) trees having a diameter, when measured six (6) inches above the root ball, of two and one-half inches (2.5"); (iii) ten (10) five-gallon shrubs or plants; and (iv) ten (10) two- gallon shrubs or plants (v) five (5) 1 gallon grasses (v) planter beds can either be Perma-Bark, Rock, Mulch or Bark. A "blended bed" extending across lot lines must be the same material.

4.5 Nuisances. No rubbish or debris of any kind shall be placed or permitted to accumulate anywhere upon the Property, and no odor shall be permitted to arise from any portion of the Property so as to render the Property or any portion thereof unsanitary, unsightly, offensive or detrimental to the Property, its Owners or to its Occupants, or to any other property in the vicinity thereof. Owners shall not deposit any rubbish, debris, grass clippings, dirt or sod on any vacant Building Lot. No clothing or fabric shall be hung, dried or aired in such a way as to be visible to any other portion of the Property.

4.6 Trade or Business. Trade or business may be conducted in or from any Building Lot by an Owner or Occupant so long as: (a) the existence or operation of the business activity is not apparent or detectable by sight, sound or smell from the exterior of the dwelling on the Building Lot; (b) the business activity conforms to all zoning requirements; (c) no signs relating to said business activity are displayed where visible from any public or private road within Kern Subdivision; (d) the business activity does not increase the liability or casualty insurance obligation or premium of the Association; and (e) the business activity does not constitute a nuisance or hazardous or offensive use, as may be determined in the sole discretion of the Board.

4.7 No Hazardous Activities. No activities shall be conducted on the Property, and no Improvements shall be constructed on the Property that are or might be unsafe or hazardous to any Person or property.

4.8 No Mining or Drilling. No portion of the Property shall be used for the purpose of blasting, mining, quarrying, drilling, boring or exploring for or removing water, oil, gas or other hydrocarbons, minerals, rocks, stones, sand, gravel or earth. This Section shall not prohibit exploratory drilling or coring which is necessary to construct Improvements including, without limitation, water facilities.

4.9 Insurance Rates. Nothing shall be done or kept on the Property and/or any Building Lot that will increase the rate of, or cancel any insurance on any other portion of the Property

without the approval of the Owner(s) of such other portion, nor shall anything be done or kept on the Property and/or any Building Lot that would result in the cancellation of insurance on any portion of the Property owned and/or managed by the Association or which would be in violation of any law.

4.10 Vehicles and Equipment. No motor homes, motor coaches, campers, trailers, snowmobiles, boats, recreational vehicles, all-terrain vehicles, abandoned or inoperable vehicles (that is, any vehicle which has not been driven under its own propulsion for a period of three (3) days or longer), oversized vehicles (that is, vehicles which are too high or too wide to clear the entrance of an approved residential garage door opening), dilapidated or unrepaired and unsightly vehicles or similar equipment such as snow removal equipment, garden maintenance equipment and all other potentially unsightly equipment and machinery, shall be placed upon any portion of the Property including, without limitation, streets and driveways, unless the same are enclosed by a structure or a 6' fence concealing them from view in a manner approved by the Board or the ACC. Any such vehicles or equipment may only be stored on a lot if said vehicle or equipment does not exceed the height of the fence and is stored only behind a fence and behind the back elevation and the side elevation of a home. The Board or its agent may remove any vehicles in violation of this section at any time after giving the Owner fifteen (15) days' written notice of the Board's intent to do so. For any such vehicles removed, the Owner shall reimburse the Board for the cost thereof. Such cost shall be a Limited Assessment and shall create a lien enforceable in the same manner as other Assessments as set forth herein.

4.11 Animals/Pets. No animals, birds, insects, pigeons, poultry or livestock shall be kept on the Property. This Section is not intended to prohibit the keeping of up to two (2) domesticated dogs, up to two (2) domesticated cats, and other typical household pets which do not unreasonably bother or constitute a nuisance to others. Without limiting the generality of the foregoing, consistent and/or chronic barking by dogs or similar sounds by other household pets shall be considered a nuisance. Each dog or other similar household pet in Kern Subdivision shall be kept on a leash, curbed, and otherwise controlled at all times when such animal is off the premises of its owner and are to be kept in compliance with all applicable state and local laws and ordinances. Such owner shall clean up any animal defecation immediately from any Common Area or public right-of-way. Failure to do so may result, at the ACC's discretion, with a Limited Assessment levied against such animal owner. The construction of dog runs or other pet enclosures shall be appropriately screened, maintained in a sanitary condition, placed a minimum of ten (10) feet from the side and/or rear Building Lot line, screened from view so as not to be visible from Common Area or an adjacent Building Lot, and shall not be placed in any front yard of a Building Lot.

4.12 No Mobile Homes or Temporary Structures. No house trailer, manufactured home, mobile home, tent (other than for short term recreational use), shack or other temporary building, improvement or structure shall be placed upon any portion of the Property, except temporarily as may be required by construction activity undertaken on the Property. Provided, however, that a mobile office may be placed upon a portion of the Property and/or Common Area by Grantor or Grantor's agents and/or employees for the purpose of construction, operation and/or marketing Kern Subdivision or other adjacent land until all such construction and/or marketing is complete.

4.13 Drainage. There shall be no interference with the established drainage pattern over any portion of the Property, unless an adequate alternative provision is made for proper drainage and is first approved in writing by the Board and the Ada County Highway District (ACHD). For the purposes hereof, "established" drainage is defined as the system of drainage, whether natural or otherwise, which exists at the time the overall grading of any portion of the Property is completed by Grantor, or that drainage which is shown on any plans approved by the Board, which may include drainage from a Common Area over a Building Lot in the Property.

4.14 Grading. All Improvements must be placed on any Building Lot in accordance with the grading plan approved by the City of Kuna, federal guidelines, and guidelines of the Kern Subdivision engineer. The Owner of any Building Lot within the Property in which grading or other work has been performed pursuant to a grading plan approved under applicable federal, state and/or local

laws, ordinances and/or by the Grantor, as applicable, shall maintain and repair all graded surfaces and erosion prevention devices, retaining walls, drainage structures, means or devices which are not the responsibility of any public agency, and plantings and ground cover installed or completed thereon. Such requirements shall be subject to Limited Assessments provided for herein.

Each Owner shall grade and drain such Owner's individual Building Lot (and maintain that grading and drainage) to prevent the runoff or drainage of water onto any adjacent Building Lots. Each Owner shall also refrain from using excessive irrigation water that overflows onto adjacent property. (Excessive irrigation may also cause water to settle into crawl spaces and create numerous problems relating thereto.) Grantor shall have no duty to grade any property. All grading and elevations shall be done by each Owner. All Building Lots shall be graded by Owner at the time of building (and such grading shall be maintained thereafter) so that:

A) the Building Lot will drain sufficiently away from any foundation with a proper slope to keep water out of the crawl space of the home;

B) drainage will be directed to the side, rear and front yards and not to any adjacent property;

C) grading and drainage shall comply with all applicable building code requirements; and;

D) the top of any foundation wall must be at least eighteen inches (18") above the lowest back of curb adjacent to the Building Lot.

It shall be the specific affirmative duty of each Owner to prevent any water on that Owner's Building Lot from draining onto any other Owner's Building Lot (and/or into any neighboring crawl spaces). In the event that an Owner does not adequately maintain the grade, drainage and slope of the Building Lot as provided herein, or uses excessive irrigation water, such that water flows off such Owner's Building Lot onto an adjacent property causing damage or injury, the offending Owner may be liable for any damages occurring as a result and may be liable for all of the costs of remedial actions to correct the problem should the offending Owner fail to correct the problem. Any damages and costs, together with interest at the rate which accrues on judgments and all costs of collection which may be paid or incurred, including reasonable attorneys' fees, may be assessed against such Building Lot and collected as a Limited Assessment.

4.15 **Water Supply Systems**. No separate or individual water supply system, regardless of the proposed use of the water to be delivered by such system, shall be permitted on any Building Lot unless such system is approved by all government authorities having jurisdiction, and designed, located, constructed and equipped in accordance with the requirements, standards and recommendations of the Idaho Department of Water Resources and Grantor, so long as Grantor is the Owner of Building Lots.

4.16 **Water Rights Appurtenant to Subdivision Lands**. Grantor owns certain water rights which are appurtenant to the Property and which may be utilized in connection with the Irrigation System, defined below, that will supply non-potable irrigation water to the Property, as provided further herein. Within one hundred twenty (120) days of the date of the recording of this Master Declaration, Grantor shall transfer from the Property subject to this Master Declaration, and within the boundaries of an irrigation entity, as defined in Section 31-3805, Idaho Code, all water rights and assessment obligations appurtenant to the Property to the Association. Each Owner, by accepting and recording a deed to a Building Lot or by occupying any Building Lot, acknowledges and agrees that: the Property is in the Nampa Kuna Irrigation District (hereinafter "**District**"); each Owner of any Building Lot is subject to all assessments levied by District, or other water supplier and/or the Association; each Building Lot Owner shall be responsible for any levies attributable to such Building Lot by the District, or other water supplier and/or the Association; and water assessments are a lien upon each Building Lot. Each Owner or Occupant of any Building Lot specifically releases and waives any and all claims of any kind against

Grantor, Grantor's agents, employees, officers, members and directors relating to irrigation water, or the lack of it, or the quantity or quality of it, in Kern Subdivision.

4.17 Energy Devices: Outside. No energy production devices, including, without limitation, generators of any kind and solar energy devices, shall be constructed or maintained on any portion of the Property without the written approval of the Board or the ACC except for heat pumps shown in the plans for a residential structure and as approved by the Board or the ACC. This Section shall not apply to passive solar energy systems incorporated into the approved design of a residential structure or any back-up devices necessary for utility pump stations.

4.18 Signs. No sign of any kind shall be displayed to the public view without the approval of the Architectural Committee, except: (1) such signs as may be used by Grantor in connection with the development of the Property and sale of Building Lots; (2) temporary signs naming the contractors, the architect, and the lending institution for a particular construction operation; (3) such signs identifying Kern Subdivision, or informational signs, of customary and reasonable dimensions as prescribed by the Architectural Committee may be displayed on or from the Common Area; and (4) one (1) sign of customary and reasonable dimensions as prescribed by the Architectural Committee as may be displayed by an Owner other than Grantor on or from a Building Lot advertising the residence for sale or lease. Notwithstanding the foregoing, no sign that is internally illuminated or that has flashing lights or moving parts shall be allowed. A customary "for sale" or "for lease" sign not more than three (3) feet by two (2) feet shall not require Architectural Committee approval. Without limiting the foregoing, no sign shall be placed in the Common Area without the written approval of the applicable Architectural Committee.

4.19 Antennae. No exterior radio antenna, television antenna, satellite dish antenna or other antenna of any type shall be erected or maintained on the Property unless such is located to the rear of the residential structure and reasonably screened from view of other Owners.

4.20 No Further Subdivision. No Building Lot may be further subdivided unless expressly approved in writing by Grantor and consistent with all applicable state and local laws and ordinances.

4.21 Leasing. The Owner of a Building Lot shall have the right to lease such Building Lot and residential structure thereon, subject to the following conditions: (a) all leases shall be in writing; (b) such lease shall be specifically subject to the Project Documents, and any failure of a tenant to comply with the Project Documents shall be a default under the lease; and (c) the Owner shall be liable for any violation of the Project Documents committed by the tenant of such Owner, without prejudice to the Owner's right to collect any sums from such tenant paid by the Owner on behalf of the tenant.

4.22 Grantor's Right of Development. Nothing contained herein shall limit the right of Grantor, or Grantor's successors or assigns, to grant licenses, to reserve rights-of-ways and easements for utility companies, public agencies or others, or to complete excavation, grading and construction of Improvements to and on, under or about any portion of the Property owned by Grantor and/or the Association, or to alter the foregoing and Grantor's construction plans and designs, or to construct such additional Improvements as Grantor deems advisable in the course of development of the Property so long as any Building Lot in the Property remains unsold by Grantor. Grantor need not seek or obtain Association or Board or ACC approval of any improvement constructed or placed by Grantor on any portion of the Property.

Each Owner, by acceptance of a deed to any Building Lot, agrees that such Owner shall not object to or oppose any development of any portion of the Property, or other property owned or purchased by Grantor and annexed to the Property and made subject to the Declaration as more fully provided in Article XVI below. Such agreement not to oppose development is a material consideration to the conveyance of any portion of the Property by Grantor to any and all Persons.

4.23 Compliance with Laws. Subject to the rights of reasonable contest, each Owner shall promptly comply with the provisions of all applicable laws, regulations, ordinances and other governmental or quasi-governmental regulations with respect to all or any portion of the Property.

ARTICLE V: ASSOCIATION

5.1 Organization of Association. The Association shall be initially organized by Grantor as an Idaho nonprofit corporation under the provisions of the Idaho Code relating to nonprofit corporations and shall be charged with the duties and invested with the powers prescribed by law and set forth in the Articles and Bylaws of the Association and this Declaration. Neither the Articles nor the Bylaws of the Association shall be amended or otherwise changed or interpreted so as to be inconsistent with this Declaration. Grantor grants to the Association a revocable, non-exclusive license to use the name "**Kern**" for the sole purpose of identifying the Association.

5.2 Members of Association. The Members shall be all Owners and no Owner, except Grantor, shall have more than one membership in the Association. Memberships in the Association shall be appurtenant to the Building Lot owned by such Owner. The memberships in the Association cannot be terminated and shall not be transferred, pledged, assigned or alienated in any way except upon the transfer of an Owner's title in and to such Owner's Building Lot and then only to the transferee of such title.

5.3 Voting. The Association will have two (2) classes of memberships.

5.3.1 Class B Member. Grantor shall be the Class B Member, and shall be entitled to five (5) votes for each Building Lot owned by Grantor in all Phases of Kern Subdivision. The Class B Member shall cease to be a voting Member in the Association at the earlier of: (a) when Grantor has deeded the last Building Lot to an Owner other than Grantor in the final Phase of the Kern Subdivision; or (b) December 31, 2026.

5.3.2 Class A Members. Class A Members shall be all Owners except for Grantor. Class A Members shall be entitled to one (1) vote per residential Building Lot.

5.4 Board of Directors and Officers. The affairs of the Association shall be conducted and managed by such officers as the Board may elect or appoint, in accordance with the Articles and Bylaws of the Association. The Board shall be comprised of Class A Members and Grantor so long as Grantor owns any Building Lot. For purposes of voting at Board meetings, each Member, including Grantor, when acting in their capacity as Board members, shall have the same number of votes as provided in Section 5.3 above. The Association may exercise any right or privilege given to the Association expressly by this Declaration and the Project Documents, or as reasonably implied from or reasonably necessary to effectuate any such right or privilege.

5.5 Power and Duties of the Association.

5.5.1 Powers. The Association shall have all the powers of a nonprofit corporation organized under the nonprofit corporation laws of the State of Idaho subject only to such limitations upon the exercise of such powers as are expressly set forth in the Project Documents, and to do and perform any and all acts which may be necessary, proper, and/or incidental to the proper management and operation of the Association's business and the Common Area, and the performance of the other responsibilities herein enumerated, including, without limitation:

5.5.1.1 Assessments. The power to levy Assessments and to enforce payment of such Assessments, all in accordance with the provisions of this Declaration. This power shall include the right of the Association to levy Assessments on any Owner or any portion of the Property to cover the operation and maintenance costs of Common Area.

5.5.1.2 Right of Enforcement. The Association shall be the primary entity responsible for enforcement of this Declaration. The power and authority from time to time in its own name, on its own behalf, or on behalf of any Owner or Owners who consent thereto, to commence and maintain actions and suits to restrain and enjoin any breach or threatened breach of the Project Documents, and to enforce by injunction or otherwise, all provisions hereof. The Association, after reasonable notice to the offender and/or to the Owner, may remove any Improvement constructed, reconstructed, refinished, removed, added, altered or maintained in violation of this Declaration, and the Owner of the Improvements shall immediately reimburse the Association for all expenses incurred with such removal.

5.5.1.3 Delegation of Powers. The authority to delegate its power and duties to committees, officers, employees, or to any Person to act as manager for the maintenance, repair, replacement and operation of any Common Area. The Association and the members of the Association shall not be liable for any omission or improper exercise by the manager of any such duty or power so delegated.

5.5.1.4 Association Rules. Association shall have the power to adopt, amend and repeal such Association Rules and regulations as the Association deems reasonable. The Association shall be the primary entity responsible for enforcement of the Association Rules, if any. The Association may govern the use of Common Area by Owners, their families, invitees, licensees, tenants or contract purchasers, including, without limitation, the use of Common Area for organized recreational activities; provided, however, that the Association Rules shall apply equally to all Owners and shall not be inconsistent with this Declaration. A copy of the Association Rules as they may from time to time be adopted, amended or repealed shall be mailed or otherwise delivered to each Owner. Upon such mailing or delivery, the Association Rules shall have the same force and effect as if they were set forth in and were a part of this Declaration.

5.5.1.5 Emergency Powers. The power, exercised by the Association or by any Person authorized by the Association, to enter upon any portion of the Property (but not inside any building constructed thereon) in the event of any emergency involving potential danger to life or property or when necessary in connection with any maintenance or construction for which the Association is responsible. Such entry shall be made with as little inconvenience to the Owner of such portion of the Property as practicable, and any damage caused thereby shall be repaired by the Association.

5.5.1.6 Licenses, Easements and Rights-of-Way. The power to grant and convey to any third party such licenses, easements and rights-of-way in, on, under and about Common Area as may be necessary or appropriate for the orderly construction of Improvements, maintenance, preservation and enjoyment of the same.

5.5.2 Duties. In addition to duties necessary and proper to carry out the power delegated to the Association by the Project Documents, the Association or its agents, if any, shall have the authority and the obligation to conduct all business affairs of the Association and to perform, without limitation, each of the following duties:

5.5.2.1 Operation and Maintenance of Common Area. Operate, maintain, and otherwise manage or provide for the operation, maintenance and management of Common Area.

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

5.5.2.3 **Taxes and Assessments.** Pay all real and personal property taxes and Assessments separately levied against Common Area. Such taxes and Assessments may be contested by the Association; provided, however, that such taxes and Assessments are paid or a bond insuring payment is posted prior to the sale or disposition of any property to satisfy the payment of such taxes and Assessments.

5.5.2.4 **Tax Returns**. Timely file any and all tax return(s) with the appropriate governmental entity.

5.5.2.5 **Utilities.** Acquire, provide and/or pay for water, sewer, garbage disposal, refuse and rubbish collection and other necessary services for Common Area, and to own and/or manage for the benefit of Kern Subdivision all water and water rights, ditch and ditch rights, and storage and storage rights, if any, and rights to receive water held by the Association, if any, whether such rights are evidenced by license, permit, claim, decree, stock ownership or otherwise.

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

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

B. Comprehensive general liability insurance insuring the Board, the Association, Grantor, and their agents and employees, invitees and guests of each against any liability incident to the ownership and/or use of Common Area. Limits on liability of such coverage shall be as follows: not less than Three Million Dollars ($3,000,000) combined single limit for bodily injury and property damage per occurrence.

C. Such other insurance, to the extent necessary to comply with all applicable laws, and indemnity, faithful performance, and fidelity and/or other bonds as the Board shall deem necessary or required to carry out the Association functions or to insure the Association against loss from malfeasance or dishonesty of any employee or other Person charged with the management or possession of the Association funds or other property.

D. The Association shall be deemed trustee of the interests of all Owners in connection with any insurance proceeds paid to the Association under such policies, and shall have full power to receive such Owner's interests in such proceeds and to deal therewith.

Insurance premiums for the above insurance coverage shall be deemed a common expense to be included in the Regular Assessments levied by the Association.

5.5.2.7 **Newsletter; Community-wide Activities.** If the Association so elects, prepare and distribute a newsletter on matters of general interest to Association Members and/or organize Kern Subdivision's community-wide activities, the cost of which shall be included in Regular Assessments.

5.5.2.8 **Rule Making.** Make, establish, promulgate, amend and repeal such Association Rules as the Association shall deem advisable.

5.5.2.9 **Board.** Appoint and remove members of the Board following Grantor's relinquishment of right to appoint members of the Board, subject to the provisions of this Declaration.

5.5.2.10 **Enforcement of Restrictions and Rules.** Perform such other acts, whether or not expressly authorized by this Declaration, as may be reasonably advised or necessary to enforce any of the provisions of the Project Documents and any and all state or local laws, ordinances, rules and regulations. Also including, without limitation, the recordation of any claim of lien with the Ada County Recorder's Office, as more fully provided herein.

5.6 **Annual Meeting.** The Association shall hold an annual meeting each year and the first annual meeting shall be held during the month of May of the first calendar year following the first sale of the first Building Lot in the Property. Subsequent regular annual meetings and special meetings of the Association shall be held as provided in the Bylaws. Notice of annual or special meetings of the Association shall be delivered to all Members of the Association as provided in the Bylaws. All meetings shall be held within the Property or as close thereto as practicable at a reasonable place selected by the Board. All Members of the Association are encouraged to attend all annual and special meetings of the Association.

5.7 **Budgets and Financial Statements.** Financial statements for the Association shall be prepared regularly and, upon request, copies shall be distributed to each Member of the Association as follows:

5.7.1 A pro forma operating statement or budget for each fiscal year shall be available for distribution not less than sixty (60) days before the beginning of each fiscal year. The operating statement shall include a schedule of Assessments received and receivable.

5.7.2 Within ninety (90) days after the close of each fiscal year, the Association shall cause to be prepared and available to each Owner, a balance sheet as of the last day of the Association's fiscal year for the Association and annual operating statements reflecting the income and expenditures of the Association for the fiscal last year.

5.8 **Manager.** The Association may employ or contract for the services of a professional manager or management company. The professional manager so employed or contracted with shall not have the authority to make expenditures chargeable against the Association except upon specific prior written approval and direction by the Board. The Board shall not be liable for any omission or improper exercise by such a professional manager of any such duty, power or function so delegated by or on behalf of the Board.

5.9 **Personal Liability.** No Member of the Board, or member of any committee of the Association, or any officer of the Association, or Grantor, or the manager, if any, shall be personally liable to any Owner, or to any other party including, without limitation, the Association, for any damage, loss or prejudice suffered or claimed on the account of any act, omission, error or negligence of the Association, the Board, the manager, if any, or any officer, committee, or other representative or employee of the Association, Grantor, or the Board, provided that such Person, upon the basis of such information as may be possessed by such Person, has acted in good faith without willful or intentional negligence and/or misconduct.

ARTICLE VI: RIGHTS TO COMMON AREAS

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

6.1.1 The right of the Association holding or controlling such Common Area to levy and increase Assessments for the construction, maintenance, repair, management and operation of Improvements on Common Area, including the right to Special Assessments.

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

6.1.3 The right of the Association to dedicate or transfer all or any part of Common Area to any public agency, authority or utility or other Person as provided further herein.

6.1.4 The right of such Association to prohibit the construction of Improvements on all Common Areas.

6.1.5 The right of the Association to adopt rules regulating the use and enjoyment of the Common Area, including rules restricting use of the Common Area to occupants of Building Lots and their guests and rules limiting the number of guests who may use the Common Area.

6.1.6 The right of the Association to permit use of the Common Area by persons other than Owners, their families, tenants and guests upon payment of use fees established by the Board. There is hereby reserved to all authorized users of the Common Area an easement over the remaining Common Area for direct ingress and egress to and from such Common Area being leased.

6.1.7 The Common Area may not be mortgaged or conveyed without the approval of Owners, excluding Grantor, of at least two-thirds (2/3) of the total voting power in the Association. If ingress or egress to any Building Lot is through Common Area, any conveyance or encumbrance of Common Area shall be subject to an easement in favor of the Owners of such Building Lots for the purpose of ingress and egress.

6.1.8 Any Owner may delegate, in accordance with the Project Documents, such Owner's right of enjoyment to Common Area to the members of such Owner's family in residence, and such Owner's tenants or contract purchasers who reside on such Owner's Building Lot.

6.1.9 Common Area may or may not be utilized for drainage purposes. During periods of storms, rainfall or drainage events, some Common Area may not be accessible.

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

ARTICLE VII: ASSESSMENTS

7.1 Covenant to Pay Assessments. By acceptance of a deed to any Building Lot, each Owner thereby covenants and agrees to pay when due all Assessments or charges made by the Association, including all Regular, Special and Limited Assessments and charges made against such Owner pursuant to the provision of this Declaration, any Supplemental Declaration or other applicable Project Document.

7.1.1 Assessment Constitutes Lien. Such Assessments and charges together with late charge(s), interest, costs and reasonable attorneys' fees which may be incurred in collecting the same, shall be a continuing lien upon the property against which each such Assessment or charge is made.

7.1.2 Assessment Is Personal Obligation. Each such Assessment, together with late charge(s), interest, costs and reasonable attorneys' fees, shall also be the personal obligation of the Owner beginning at the time the Assessment becomes due. No Owner shall be exempt from such obligation by a waiver of the use and enjoyment of Common Area or by lease or abandonment of such Owner's Building Lot.

7.2 Uniform Rate of Assessment. All Assessments must be fixed at a uniform rate for each Building Lot.

7.3 Date of Commencement of Assessments. The obligation to pay Assessments shall commence as to each Building Lot, except Building Lots owned by Grantor, on the first day of the month following: (a) the month in which the Building Lot is made subject to this Declaration; or (b) the month in which the Board first determines a budget and levies Assessments pursuant to this Article, whichever is later. The first annual Regular Assessment levied on each Building Lot shall be adjusted according to the number of months remaining in the fiscal year at the time Assessments commence on the Building Lot.

7.4 Exempt Property. The following property shall be exempt from payment of Regular Assessments and Special Assessments: (a) all Common Area; (b) any property dedicated to and accepted by any governmental authority or public utility; and (c) all Building Lots owned by the Grantor (collectively, the "**Exempt Property**").

7.5 Capitalization of Association and Other Fees. Upon acquisition of record title to a Building Lot by the first owner thereof other than Grantor, a contribution shall be made by or on behalf of the Owner to the working capital of the Association in an amount equal to Two Hundred Fifty and No/100 Dollars ($250.00). Upon any subsequent transfer of the record title to a Building Lot, a contribution shall be made by or on behalf of the Owner to the working capital of the Association in an amount equal to Two Hundred and No/100 Dollars ($250.00). These amounts shall be in addition to, not in lieu of, the annual Regular Assessment and shall not be considered an advance payment of such Assessment. These amounts shall be deposited into the purchase and sales escrow and disbursed therefrom to the Association for use in covering operating expenses and other expenses incurred by the Association pursuant to the terms of this Declaration and the Project Documents.

7.6 Regular Assessments. All Owners are obligated to pay Regular Assessments to the Association on a schedule of payments established by the Board.

7.6.1 Purpose. The proceeds from Regular Assessments are to be used for all costs and expenses incurred by the Association, including attorneys' fees and other professional fees, for the conduct of such Association affairs, including without limitation the costs and expenses of construction, improvement, maintenance, repair, management and operation of Common Area, including all Improvements located on such areas owned and/or managed and maintained by the Association (the "**Operating Expenses**"), and an amount allocated to an adequate reserve fund

to be used for repair, replacement, maintenance and improvement to those elements of Common Area, or other property of the Association that must be replaced and maintained on a regular basis (the "**Repair Expenses**"). The Operating Expenses and the Repair Expenses are collectively referred to herein as the "**Expenses**."

7.6.2 Computation of Regular Assessments. The Association shall compute the amount of Expenses on an annual basis. The Board shall compute and levy the amount of Regular Assessments for the first fiscal year within six (6) months following the month in which the closing of the first sale of a Building Lot occurs for the purposes of the Association's Regular Assessment ("**Initiation Date**"). Thereafter, the computation of Regular Assessments by the Association shall take place not less than thirty (30) nor more than sixty (60) days before the beginning of each fiscal year of the Association. The computation of the Regular Assessment for the period from the Initiation Date until the beginning of the next fiscal year shall be reduced by an amount which fairly reflects the fact that such period was less than one (1) year.

If the proposed budget is disapproved or the Board fails for any reason to determine the budget for any year, then until such time as a budget is determined, the budget in effect for the immediately preceding year shall continue for the current year. The Regular Assessment shall be set at a level which is reasonably expected to produce total income for the Association equal to the total budgeted Expenses, including reserves. In determining the level of Assessments, the Board, in its discretion, may consider other sources of funds available to the Association. In addition, the Board shall take into account the number of Building Lots subject to Assessment on the first day of the fiscal year for which the budget is prepared and the number of Building Lots reasonably anticipated to become subject to Assessment during the fiscal year.

7.6.3 Amounts Paid by Owners. The Board can require, in its discretion, payment of Regular Assessments in monthly, quarterly, semi-annual or annual installments. The Regular Assessments to be paid by any particular Owner for any given fiscal year shall be computed by dividing the Association's total advance estimate of Expenses by the number of Building Lots (excluding the Exempt Property).

7.7 Special Assessments.

7.7.1 Purpose. In the event that the Board shall reasonably determine that the Regular Assessment for a given calendar year is or will be inadequate to meet the Expenses for any reason, including, without limitation, costs of construction, improvement, maintenance, repair, management and operation of Improvements upon Common Area, attorneys' fees and/or litigation costs, other professional fees, or for any other reason, the Board shall determine the approximate amount necessary to defray such Expenses and levy a Special Assessment against the residential Building Lots which shall be computed in the same manner as Regular Assessments. The Board shall, in its discretion, determine the schedule under which such Special Assessment will be paid. No Special Assessment shall be levied which exceeds twenty percent (20%) of the budgeted gross Expenses of the Association for that fiscal year, without the vote or written assent of the Owners representing a majority of the votes of the Members of the Association.

7.7.2 Consistent Basis of Assessment. Every Special Assessment shall be levied and paid upon the same basis as Regular Assessments.

7.8 Limited Assessments.

7.8.1 Purpose. Notwithstanding the above provisions with respect to Regular and Special Assessments, the Board may levy a Limited Assessment against an Owner or the Owner's Building Lot as a remedy to reimburse the Association for costs incurred in bringing the Owner and/or such Owner's Building Lot into compliance with the provisions of the Project

Documents, or as a fine or penalty for an Owner's failure to comply with this Declaration, or for damage caused by the Owner, or any of such Owner's family, representatives or invitees, to any Common Area.

7.8.2 Fine for Violation. The Board shall be entitled to impose a fine of $10.00 per day or a maximum of $900.00 total, as a Limited Assessment, against an Owner who has caused or permitted a violation of any of the restrictions, conditions or covenants contained in this Declaration, provided that the Owner is given at least fifteen (15) days advance written notice of the proposed monetary penalty and a timely opportunity to be heard on the matter. The opportunity to be heard may, at the election of such Owner, be oral or in writing. The notice shall be given either personally to such Owner, or sent by first class or certified mail to the last known address of such Owner as shown in the records of the Association and shall state the place, date and time of the hearing. The hearing shall be conducted by the Board or by a committee composed of not less than three (3) persons appointed by the Board. Such hearing shall be conducted in good faith and in a fair and reasonable manner. Any subsequent violation of the same nature by the same Owner within one (1) year from the last violation will not require additional notification by the Association for the fine to be levied. At the Board's sole discretion, any such fine once levied may by subsequently removed on a case-by-case basis.

Any monetary penalty imposed as provided herein shall be a Limited Assessment to which such Owner's Building Lot is subject, shall be in addition to any other Assessments levied by the Association pursuant to the provisions of this Declaration, and shall not be subject to any of the requirements, limitations or restrictions on the amount or uniformity of Assessments contained herein. Failure by the Association to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

7.9 Assessment Period. Unless otherwise provided in the Project Documents, the Regular Assessment period for the Association shall be quarterly or as otherwise determined by the Board. The first Assessment shall be pro-rated according to the number of months remaining in the current quarter and shall be payable in equal installments. The Regular Assessments to be paid by any particular Owner for any given quarter shall be computed by dividing the Association's total advance estimate of Expenses by the number of Building Lots (excluding the Exempt Property).

7.10 Notice and Assessment Due Date. Thirty (30) days' prior written notice of Regular and Special Assessments shall be sent by the Association to the Owner of every Building Lot, and to any Person in possession of such Building Lot. The due dates for installment payments of Regular Assessments and Special Assessments shall be the first day of each month unless some other due date is established by the Board. Each installment of the Regular Assessment or Special Assessment shall become delinquent if not paid within fifteen (15) days after due. There may accrue, solely at the Board's discretion, on each delinquent installment payment a late charge equal to Twenty-five and No/100 Dollars ($25.00). The Association may bring an action against the delinquent Owner and may foreclose the lien against such Owner's Building Lot as more fully provided herein.

7.11 Reserve Budget and Capital Contribution. The Board shall annually prepare reserve budgets for both general purposes which take into account the number and nature of replaceable assets, the expected life of each asset, and the expected repair or replacement cost. The Board shall set the required capital contribution in an amount sufficient to permit meeting the projected needs of the Association, as shown on the budget, with respect both to amount and timing by annual Regular Assessments over the budget period.

7.12 Estoppel Certificate. The Association, upon at least twenty (20) days' prior written request, shall execute, acknowledge and deliver to the party making such request, a statement in writing stating whether, to the knowledge of the Association, a particular Owner is in default under the provisions of this Declaration, and further stating the dates through which any Assessments have been

paid by such Owner. Any such statement delivered pursuant to this Section 7.12 may be relied upon by any prospective purchaser or mortgagee of Owner's Building Lot. Reliance on such statement may not extend to any default of such Owner of which the signor of such statement shall have had no actual knowledge.

ARTICLE VIII: ENFORCEMENT OF ASSESSMENTS; LIENS

8.1 Right to Enforce. The Association has the right to collect and enforce Assessments pursuant to the provisions hereof. Each Owner of a Building Lot shall be deemed to covenant and agree to pay each and every Assessment provided for in this Declaration and agrees to the enforcement of all Assessments in the manner herein specified. In the event an attorney or attorneys are employed for the collection of any Assessment, whether by suit or otherwise, or to enforce compliance with or specific performance of the terms, and conditions of this Declaration, each Owner agrees to pay reasonable attorneys' fees in addition to any other relief or remedy obtained against such Owner. The Board or its authorized representative(s) may enforce the obligations of Owners to pay such Assessments by commencement and maintenance of a suit at law or in equity to enforce the liens created hereby. A suit to recover a money judgment for an unpaid Assessment shall be maintainable without foreclosing or waiving the lien hereinafter provided.

8.2 Assessment Liens.

8.2.1 Creation. There is hereby created a claim of lien on each and every Building Lot to secure payment of any and all Assessments levied against such Building Lot pursuant to this Declaration together with interest at the rate which accrues on judgments and all costs of collection which may be paid or incurred by the Association, including reasonable attorneys' fees. All sums assessed in accordance with the provisions of this Declaration shall constitute a lien on such respective Building Lots upon recordation of a claim of lien with the Ada County Recorder's Office. Such lien shall be prior and superior to all other liens or claims created subsequent to the recordation of the notice of delinquency and claim of lien except for tax liens for real property taxes on any Building Lot and assessments on any Building Lot in favor of any municipal or other governmental assessing body which, by law, would be superior thereto.

8.2.2 Claim of Lien. Upon default of any Owner in the payment of any Regular, Special or Limited Assessment, the Association may cause to be recorded in the Ada County Recorder's Office a claim of lien. The claim of lien shall state the amount of such delinquent sums and other authorized charges (including the cost of recording such notice), a sufficient description of the Building Lot(s) against which the same have been assessed, and the name of the record Owner thereof. Each delinquency shall constitute a separate basis for a notice and claim of lien, but any number of defaults may be included within a single notice and claim of lien. Upon payment to the Association of such delinquent sums and charges in connection therewith or other satisfaction thereof, the Association shall cause to be recorded a further notice stating the satisfaction of relief of such delinquent sums and charges. The Association may demand and receive the cost of preparing and recording such release before recording the same.

8.3 Method of Foreclosure. Such lien may be foreclosed pursuant to any applicable Idaho law and/or proceeding. The Board is authorized to appoint an attorney, any officer or director of the Association, or any title company authorized to do business in Idaho as trustee for the purpose of conducting foreclosure to the extent allowed by applicable law.

8.4 Subordination to Certain Mortgages. The lien for the Assessments provided for herein in connection with a given Building Lot shall not be subordinate to the lien of any Mortgage except the lien of a First Mortgage given and made in good faith and for value that is of record as an encumbrance against such Building Lot prior to the recordation of a claim of lien for the Assessments. Except as expressly provided in this Article, with respect to a mortgagee of the First Mortgage who acquires title to a Building Lot, the sale or transfer of any Building Lot shall not affect the Assessment lien

provided for herein, nor the creation thereof by the recordation of a claim lien, on account of the Assessments becoming due whether before, on, or after the date of such sale or transfer, nor shall such sale or transfer diminish or defeat the personal obligation of any Owner for delinquent Assessments as provided for in this Declaration.

ARTICLE IX: INSPECTION OF THE ASSOCIATION'S BOOKS AND RECORDS

The membership register, books of account and minutes of meetings of the Board shall be made available for inspection and copying by any Member or by such Member's duly appointed representatives, at any reasonable time and for a purpose reasonably related to such Member's interest as a Member at the office of the Association or at such other place as the Board shall prescribe.

ARTICLE X: ARCHITECTURAL CONTROL COMMITTEE

10.1 ACC Creation; Right of Appointment. Before or within thirty (30) days after the date on which Grantor first conveys a Building Lot to an Owner, Grantor shall appoint three (3) individuals to serve on the ACC. The ACC shall have exclusive jurisdiction over all original construction on any portion of the Property or any other real property annexed as provided further in Article XVI. Until one hundred percent (100%) of the Property has been developed and conveyed to Owners other than builders, Grantor retains the right to appoint all members of the ACC who shall serve at Grantor's discretion. There shall be no surrender of this right prior to that time except in a written instrument in recordable form executed by Grantor. Initially the Grantor and ultimately the ACC shall have the power to promulgate ACC Design Standards relating to the planning, construction, alteration, modification, removal or destruction of Improvements within the Property deemed necessary or desirable by the Grantor or the ACC, as the case may be, to carry out the purposes of this Declaration. The ACC Design Standards shall be consistent with the provisions of this Declaration. The ACC Design Standards may contain provisions not limited to design standards, exterior finishes and colors, roofing materials, fences, landscaping, exterior lighting, mailboxes and the like. They may also include policies, procedures and rules, which in the discretion of the ACC are reasonable to maintain a quality subdivision and to protect property values. The Building Lot owner shall review and be familiar with the current ACC Design Standards, copies of which are available from the Grantor or the Grantor's marketing representative.

10.2 Improvements Generally. No Improvements on any portion of the Property shall be constructed, reconstructed, placed or removed from the Property, except those placed or removed by Grantor, without prior written consent of the ACC. In the event the ACC fails to approve or disapprove such request within thirty (30) days after such request has been submitted in writing, approval shall not be required and such request shall be deemed to be in compliance with this Section 10.2. Nothing contained in this Section 10.2 limits any Owner's obligation and duty to ensure that such Owner's Building Lot Improvements are in compliance with this Declaration, any Supplemental Declaration, any other Project Documents and applicable state or local laws.

10.3 Expenses. The ACC shall have the right to charge a reasonable fee for each application submitted to the ACC for review of any request for Improvements made to Building Lots in an amount which may be established by the ACC from time to time and such fees shall be collected by the ACC and remitted to the Association to help defray the expenses of the ACC's operation, including reasonable payment to each member of the ACC for their services as provided herein.

10.4 Non-Liability of ACC. Approval by the ACC shall not imply that Improvements meet any applicable federal, state and/or local laws and ordinances, and does not assure approval of the Improvements by any appropriate governmental or quasi-governmental agency, board or commission. Applicant and/or Owner shall ensure that such Improvements meet any and all applicable federal, state and/or local laws and ordinances. Notwithstanding that the ACC has approved Improvements, plans and specifications, neither the ACC nor any of their members shall be responsible or liable to the Association or to any Person, Owner, or Grantor with respect to any loss, liability, claim or expense which may arise

by reason of such approval of the Improvements, unless due to the willful misconduct or bad faith of the ACC.

10.5 Enforcement. Any Improvement placed or made in violation of this Article shall be deemed to be nonconforming. Upon written request from the ACC or Grantor, such offending Owner shall, at its own cost and expense, remove such Improvement and restore the land to substantially the same condition as existed prior to the nonconforming work. Should an Owner fail to remove and restore as required, the ACC or its designees shall have the right to enter the Building Lot, remove the violation, and restore the Building Lot to substantially the same condition as previously existed. All costs, together with the interest at the rate which accrues on judgments and all costs of collection which may be paid or incurred by the ACC, including reasonable attorneys' fees, may be assessed against the Building Lot and collected as a Limited Assessment.

10.6 Grantor's Exemption. Any and all Improvements constructed by Grantor on or to the Property are not subject to review and approval by the ACC.

ARTICLE XI: EASEMENTS

11.1 Owners: Easements of Enjoyment. Every Owner shall have a nonexclusive easement for the use and enjoyment of Common Area which shall be appurtenant to and shall pass with the title to every Building Lot.

11.2 Delegation of Use. Any Owner may delegate, in accordance with the Project Documents, such Owner's right of enjoyment in Common Area to such Owner's tenants, employees, family, guests or invitees.

11.3 Recorded Easements. The Property shall be subject to all easements shown on any recorded Plat affecting the Property, or any portion thereof, and to any other easements of record or of use as of the date of recordation of this Declaration.

11.4 Easements of Encroachment. There shall be reciprocal appurtenant easements of encroachment as between each Building Lot and such portion or portions of Common Area adjacent thereto, or as between adjacent Building Lots, due to the inadvertent placement or settling or shifting of Improvements constructed, reconstructed or altered thereon in accordance with the terms of this Declaration. Easements of encroachment shall be valid only so long as they exist, and the rights and obligations of Owners shall not be altered in any way because of encroachments, settling or shifting of the Improvements; provided, however, that in no event shall a valid easement for encroachment occur due to the willful or bad faith act(s) of an Owner.

11.5 Easements of Access. Grantor expressly reserves for the benefit of all the Property reciprocal easements of ingress and egress for all Owners to, from over and across their respective Building Lots for installation and repair of utility services, for drainage of water over, across and upon adjacent Building Lots and Common Areas resulting from the normal use of adjoining Building Lots and Common Areas, and for necessary construction, maintenance and repair of any Improvement. Such easements may be used by Grantor, and by all Owners, their guests, tenants and invitees, residing on or temporarily visiting the Property, for such purposes reasonably necessary for the use and enjoyment of a Building Lot or Common Area.

11.6 Drainage and Utility Easements. Notwithstanding anything expressly or impliedly contained to the contrary, the Property shall be subject to all easements heretofore or hereafter granted by Grantor for the installation and maintenance of utilities and/or drainage facilities that are required for the development of the Property. In addition, Grantor hereby reserves for the benefit of the Association the right to grant additional easements and rights-of-way over the Property, as appropriate, to utility companies and/or public agencies as necessary or expedient for the proper development of the Property until close of escrow for the sale of the last Building Lot in the Property.

11.7 Improvement of Drainage and Utility Easement Areas. The Owners of Building Lots are hereby restricted and enjoined from constructing or altering any Improvements upon any drainage and/or utility easement areas as shown on the Plat(s) or otherwise designated in any recorded document which would interfere with or prevent the easement from being used for its intended purpose.

11.8 Rights and Duties Concerning Utility Easements. The rights and duties of Owners of the Building Lots within the Property with respect to utilities shall be governed by the following:

11.8.1 Wherever utility house connections are installed within the Property, which connections or any portions thereof lie in or upon Building Lots owned by an Owner other than the Owner of the Building Lot served by the connections, the Owner of the Building Lot served by the connections shall have the right, and is hereby granted an easement to the full extent necessary therefor, to enter upon any Building Lot or to have their agent enter upon any Building Lot within the Property in or upon which such connections or any portion thereof lie, to repair, replace and generally maintain the connections as and when it may be necessary.

11.8.2 Whenever utility house connections are installed within the Property, which connections serve more than one Building Lot, the Owner of each Building Lot served by the connections shall be entitled to full use and enjoyment of such portions of such connections as service such Owner's Building Lot.

11.9 Grantor's Rights Incident to Construction. Grantor hereby retains a right and easement of ingress and egress over, in, upon, under, and across the Property and the right to store materials thereon and to make such other use thereof as may be reasonably necessary or incident to the construction of the Improvements on the Property owned by Grantor; provided, however, that no such rights shall be exercised by Grantor in such a way so as to unreasonably interfere with the occupancy, use, enjoyment, or access to an Owner's Building Lot by that Owner or such Owner's family, tenants, guests, or invitees.

11.10 Easements Deemed Created. All conveyances of Building Lots made after the date of the recording of the Declaration, as the same may be amended and supplemented from time to time, whether by Grantor or otherwise, shall be construed to grant and reserve the easements contained in this Article, even though no specific reference to such easement or to this Article appears in the instrument for such conveyance.

11.11 Reservation for Expansion. Grantor hereby reserves to itself and for Owners of Building Lots a perpetual easement and right-of-way for access over, upon, across and through the Property for construction, utilities, drainage, ingress and egress, and for use of Common Area. The location of these easements and rights-of-way must be approved by the ACC and may be documented by Grantor by recorded instruments. Grantor shall have the right to annex future phases into the Homeowners Association.

11.12 Emergency Easement. A general easement is hereby granted to all police, sheriff, fire protection, ambulance, and all other similar emergency agencies or Persons to enter the Property in the proper performances of their duties.

11.13 Association's Responsibility. The Association shall maintain and keep Common Area in good repair, such maintenance to be funded as provided herein. This maintenance shall include, without limitation, maintenance, repair and replacement, subject to any insurance then in effect, of all landscaping, structures and Improvements situated within Common Area.

ARTICLE XII: IRRIGATION WATER

12.1 Irrigation System. Each Building Lot shall have access to a pressured urban irrigation water system ("**Irrigation System**") and irrigation water, when seasonally available, will be

supplied through the Irrigation System. It is contemplated that the Irrigation System shall be constructed by Grantor, for use by the Owners of Kern Subdivision, as may be determined by the governing documents of such subdivision. Following the initial construction of the Kern Subdivision by Grantor the Irrigation System shall be owned, maintained and operated by the Association with all operation and maintenance costs billed proportionately to each Building Lot Owner. Use of and Assessments in connection with the Irrigation System shall be subject to such rules and regulations of the Association governing use of the Irrigation System.

12.2 **Irrigation Committee. Creation; Right of Appointment**. Before or within thirty (30) days after the date on which Grantor first conveys a Building Lot to an Owner, Grantor shall appoint two (2) individuals to serve on the Kern Subdivision Irrigation Committee (the "**Irrigation Committee**"), which Irrigation Committee shall have exclusive jurisdiction over all matters relating to the Irrigation System. Until one hundred percent (100%) of the Property has been developed and conveyed to Owners other than builders, Grantor retains the right to appoint all members of the Irrigation Committee who shall serve at the Grantor's discretion. There shall be no surrender of this right prior to that time except by written instrument in recordable form executed by Grantor. Upon the expiration of such right, the Board shall appoint two (2) individuals to serve on the Irrigation Committee, who shall serve and may be removed at the Board's discretion.

12.3 **Non-Potable Water**. The non-potable Irrigation System contains inherent dangers. Use of the Irrigation System shall be subject to such rules, regulations, laws and ordinances as may be adopted and amended from time to time, of the local jurisdiction, the District, State of Idaho, and federal government, if any, and the Association, governing the use of the Irrigation System including, without limitation, all requirements of the "Idaho Rules for Public Drinking Water Systems." Each Owner shall clearly mark every non-potable water tap on such Owner's Building Lot with a warning label or sticker, and shall maintain such label or sticker. No Owner, nor any other person claiming right under any Owner, shall cause or allow to be caused, any connection between the domestic water system and the Irrigation System. Cross-connections of any type or kind whatsoever between the non-potable Irrigation System and potable water lines are strictly prohibited.

12.4 **Water Unreliable**. The area of the country where Kern Subdivision is located is desert. Irrigation water is not always reliable and such water is not unlimited. Irrigation water may not be available due to, without limitation, drought, harsh weather conditions, government actions, system breakdowns, transmission failures, overuse by Building Lot Owners or any other causes. Each Owner assumes the risk of any water shortage and, in the event that there is a water shortage, each Owner must be prepared to use such Owner's domestic water supply. No Building Lot shall have any right to an extended water season, and Grantor, District or the Association shall have no obligation to provide water over an extended season or supplemental water. All costs of extended season or supplemental water, if any, shall be included at the cost of operation of the Irrigation System and shall be assessed to the Building Lots.

12.5 **Rotation**. No Building Lot in the Kern Subdivision shall have any right to, or assurance of, a continuous or unlimited supply of irrigation water from the Irrigation System. Nor is any Building Lot guaranteed enough water from the Irrigation System to irrigate all of the landscaping on the Building Lot. Each Building Lot shall be subject to, and each Building Lot Owner by accepting a deed to a Building Lot in Kern Subdivision agrees to be bound by and to comply with, any rules or regulations which may be established for the use and rotation of irrigation water between the Building Lots by the District, Grantor or Association.

12.6 WARNING! IRRIGATION WATER IS NOT DRINKABLE.

Notice is hereby given to each Owner in Kern Subdivision that the water in the Irrigation System is NOT fit for human consumption. It contains untreated ditch or pond water, which may contain dirt, hazardous wastes or farm chemicals or disease-causing organisms. Drinking of the irrigation water may make a person sick, and could result in death or permanent disability.

NEVER DRINK WATER FROM THE PRESSURIZED IRRIGATION SYSTEM!

It is the duty of each Owner to: (a) educate all family members, guests, tenants and invitees that the water from the Irrigation System is not drinkable; (b) ensure that ALL of the faucets and risers in the Irrigation System are adequately marked, and if not marked to check with the local health department to determine what type of markings are required by that health department or agency; (c) not remove any existing tags or other warning markers from the irrigation risers; and (d) not install, or maintain the installation of, any cross connections between the Irrigation System and the drinking water system unless the cross connection has been approved in writing by the Association AND the supplier of the irrigation water AND the supplier of the drinking water AND the cross connection back flow prevention device meets all relevant governmental and building code requirements.

12.7 No Liability for Quality or Quantity of Water. Neither the Association nor the Grantor (or any members, employees, agents, officers, shareholders or directors thereof) shall have any liability of any kind to any Owner, Occupant, Association, and/or any others for any losses, damages, or bodily injuries relating in any respect to the quantity or the quality of the irrigation water, or the ingestion of, or contact with, the irrigation water. Each Owner, Occupant and Association accepts the risk of using the irrigation water and waives and releases Grantor and the Association (and any Members, employees, agents, officers, shareholders or directors thereof) from any and all claims relating thereto.

ARTICLE XIII: DAMAGE OR DESTRUCTION

13.1 Association as Attorney-in-Fact. Each and every Owner hereby irrevocably constitutes and appoints the Association as such Owner's true and lawful attorney-in-fact in such Owner's name, place, and stead for the purpose of dealing with the Improvements on Common Area upon damage or destruction as provided in this Article. Acceptance by any grantee of a deed or other instrument of conveyance from Grantor or from any Owner shall constitute appointment of the attorney-in-fact as herein provided. As attorney-in-fact, the Association shall have full and complete authorization, right, and power to make, execute, and deliver any contract, assignment, deed, waiver, or other instrument with respect to the interest of any Owner which may be necessary or appropriate to exercise the powers granted herein to the Association as attorney-in-fact.

13.2 Estimate of Damages or Destruction. As soon as practicable after an event causing damage to or destruction to any part of Common Area, the Association shall, unless such damage or destruction shall be minor, obtain an estimate or estimates that such Association deems reliable and complete of the costs of repair and reconstruction of that part of Common Area so damaged or destroyed. The terms "**repair and reconstruction**" as used in this Article shall mean restoring the damaged or destroyed Improvements to substantially the same condition in which they existed prior to the damage or destruction.

13.3 Repair and Reconstruction. As soon as practicable after obtaining estimates, the Association shall diligently pursue to completion the repair and reconstruction of the damaged or destroyed Improvements. As attorney-in-fact for Owners, the Association may take any and all necessary or appropriate action to effect repair and reconstruction, and no consent or other action by any Owner shall be necessary. Assessments of the Association shall not be abated during any period of insurance adjustments and repair and reconstruction.

13.4 Funds for Repair and Reconstruction. The proceeds received by the Association from any casualty or hazard insurance shall be used for the purpose of repair and reconstruction. If the proceeds of the insurance are insufficient to pay the estimated or actual costs of such repair and reconstruction, the Association may assess in advance from all Owners a Special Assessment sufficient to provide funds to pay such estimated or actual costs of repair or reconstruction. Further assessments may be made in like manner if the amounts collected prove insufficient to complete such repair and reconstruction.

13.5 Disbursement of Funds for Repair and Reconstruction. The insurance proceeds held by the Association and the amounts received from the Special Assessments constitute a fund for the payment of the costs of repair and reconstruction after casualty. It shall be deemed that the first money disbursed in payment for the costs repair and reconstruction shall be made from insurance proceeds, and the balance from the Special Assessments. If there is a balance remaining after payment of all cost of such repair and reconstruction, such balance shall be distributed to Owners in proportion to the contributions each Owner made as a Special Assessment to the Association under this Article or, if no Special Assessments were made, in equal shares per Building Lot to Owners.

13.6 Decision Not to Rebuild. If Owners representing at least sixty-seven percent (67%) of the total votes of the Association and sixty-seven percent (67%) of the holders of a First Mortgage (based upon one vote for each mortgage owned) of the Building Lots agree in writing not to repair or reconstruct and no alternative Improvements are authorized, then and in that event the damaged Common Area shall be restored to its natural state and maintained as an undeveloped portion of Common Area by the Association in a neat and attractive condition, and any remaining insurance proceeds shall be distributed in equal shares per Building Lot to the Owners.

13.7 Damage or Destruction Affecting Building Lots. In the event of damage or destruction to the Improvements located on any of the Building Lots, the Owner thereof shall promptly repair and reconstruct the damaged Improvements to their condition prior to such damage or destruction. If such repair or reconstruction is not commenced within one hundred eighty (180) days from the date of such damage or destruction, or if repair or reconstruction is commenced but then abandoned for a period of more than ninety (90) days, then the Association may impose a fine of not less than Fifty and No/100 Dollars ($50.00) per day on the Owner of the Building Lot until repair and reconstruction is commenced, unless the Owner can prove to the reasonable satisfaction of the Association that such failure is due to circumstances beyond the Owner's control.

ARTICLE XIV: CONDEMNATION

14.1 Rights of Owners. Whenever all or any part of Common Area shall be taken or conveyed in lieu of and under threat of condemnation, the Board, acting as attorney-in-fact for all Owners, shall notify each Owner of the taking, but the Association shall act as attorney-in-fact for all Owners in the proceedings incident to the condemnation proceeding, unless otherwise prohibited by law.

14.2 Condemnation; Distribution of Award; Reconstruction. The award made for such partial or complete taking shall be payable to the Association as trustee for all Owners to be disbursed as follows: If the taking involves a portion of Common Area on which Improvements have been constructed, then, unless within sixty (60) days after such taking Grantor and Owners representing at least sixty-seven percent (67%) of the Class B and A Members shall otherwise agree, the Association shall restore or replace such Improvements so taken on the remaining land including in Common Area to the extent lands are available therefor, in accordance with plans approved by the Board. If such Improvements are to be repaired or restored, the provisions in Article XIII regarding the disbursement of funds with respect to casualty damage or destruction which is to be repaired shall apply. If the taking does not involve any Improvements on Common Area, or if there is a decision made not to repair or restore, or if there are net funds remaining after any such restoration or replacement is completed, then such award or net funds shall be distributed in equal shares per Building Lot to the Owners.

ARTICLE XV: RESOLUTIONS OF DISPUTES

15.1 Avoiding Costs of Litigation and Limiting Right to Litigate Disputes. The Association, Grantor, all Persons subject to this Declaration, and any Person not otherwise subject to this Declaration who agrees to submit to this Article (collectively, "**Bound Parties**"), shall encourage the amicable resolution of disputes involving the Property, and avoid the emotional and financial costs of litigation if at all possible. Accordingly, all claims, grievances or disputes between such Bound Party and any other Bound Party, including, without limitation, claims, grievances or disputes arising out of or relating to the interpretation, application or enforcement of this Declaration, the Project Documents and/or the Association rules (collectively "**Claim**"), shall be subject to the procedures set forth herein.

15.2 Mandatory Procedures for All Other Claims. Any Bound Party having a Claim ("**Claimant**") against any other Bound Party ("**Respondent**") shall not file suit in any court or initiate any proceeding before any administrative tribunal seeking redress or resolution of such Claim until the Claimant has complied with the following procedures:

15.2.1 Negotiation. Each Claimant and Respondent (the "**Parties**") shall make every reasonable effort to meet in person and confer for the purpose of resolving the Claim by good faith negotiation. Upon receipt of a written request from any Party, the Board may appoint a representative to assist the Parties in resolving the dispute by negotiation.

15.2.2 Mediation. If the Parties do not resolve the Claim through negotiation, Claimant shall submit the Claim to mediation under the auspices of Idaho law. If the results of mediation are unsatisfactory to either Party, either Party shall then have all remedies at law or equity.

15.3 Allocation of Costs of Resolving Claims. Each Party shall bear all of its own costs incurred prior to and during the proceedings described herein, including the fees of its attorney or other representative. Each Party shall share equally all charges in connection with mediator(s).

ARTICLE XVI: ANNEXATION AND WITHDRAWAL OF PROPERTY

16.1 Annexation. Grantor hereby reserves the right to annex any abutting, adjoining or contiguous real property, into Kern Subdivision. Such annexation shall be accomplished by filing a Supplemental Declaration in the records of Ada County, Idaho, describing the property to be annexed and specifically subjecting such property to the terms of this Declaration, as may be modified to reflect any special circumstances in connection with such annexed real property. Such Supplemental Declaration shall not require the consent of voting Members, but shall require the consent of the owner of such property, if other than Grantor. Any such annexation shall be effective upon the recording of such Supplemental Declaration. Once such annexation is complete, the annexed property shall be included in the definition of "Property" in this Declaration.

16.2 Additional Covenants and Easements. Grantor may unilaterally subject any portion of the Property to this Declaration initially or by Supplemental Declaration to additional covenants, conditions and restrictions, including covenants obligating the Association to maintain and insure such Property on behalf of the Owners and obligating such Owners to pay the costs incurred by the Association through Assessments. Such additional covenants and easements shall be set forth in a Supplemental Declaration recorded either concurrently with or after the annexation of such Property, and shall require the written consent of the owner(s) of such Property, if other than Grantor.

16.3 De-annexation. Grantor may delete all or a portion of the property described on **Exhibit A** and any annexed property from coverage of this Declaration and the jurisdiction of the Association, so long as Grantor is the owner of all such property being de-annexed, and provided that a notice of de-annexation is filed in the records of Ada County, Idaho, describing the property to be de-annexed and specifically excepting such property from the terms of this Declaration.

16.4 Amendment. This Article shall not be amended without the prior written consent of Grantor so long as Grantor owns any portion of Kern Subdivision.

ARTICLE XVII: MISCELLANEOUS

17.1 Term. The Restrictions created hereunder shall be perpetual, subject only to extinguishment by the holders of such Restrictions as provided by law.

17.2 Amendment.

17.2.1 By Grantor. Until the recordation of the first deed to a Building Lot, the provisions of this Declaration may be amended, modified, clarified, supplemented, added to or terminated (collectively, "**amendment**") by Grantor by recordation of a written instrument setting forth such amendment.

17.2.2 By Owners. After the recordation of the first deed to a Building Lot, any amendment to any provision of the Declaration, other than to this Article, shall be by an instrument in writing signed and acknowledged by the president and secretary of the Association certifying and attesting that such amendment has been approved by the vote or written consent of Members representing at least two-thirds (2/3) of the total voting power in the Association, except where a greater percentage is required by express provision in this Declaration, and such amendment shall be effective upon its recordation with the Ada County Recorder's Office. Any amendment to this Article shall require the vote or written consent of Members representing ninety percent (90%) of the voting power of the Association.

17.2.3 Effect of Amendment. Any amendment of this Declaration approved in the manner specified above shall be binding on and effective as to all Owners and their respective Building Lots notwithstanding that such Owners may not have voted for or consented to such amendment. Such amendments may add to and increase the covenants, conditions, restrictions and easements applicable to the Property but shall not prohibit or unreasonably interfere with the allowed uses of such Owner's Building Lot(s) which existed prior to such amendment.

17.3 Mortgage Protection. Notwithstanding any other provision of this Declaration, no amendment of this Declaration shall operate to defeat or render invalid the rights of the beneficiary under any First Mortgage upon a Building Lot made in good faith and for value, and recorded prior to the recordation of such amendment, provided that after foreclosure of any such First Mortgage, such Building Lot shall remain subject to this Declaration.

17.4 Notices. Any notices permitted or required to be delivered as provided in this Declaration shall be in writing and may be delivered either personally or by U.S. mail. If delivery is made by U.S. mail, delivery shall be deemed to have been delivered seventy-two (72) hours after the same has been deposited in the U.S. mail, first class, postage prepaid, addressed to any Person at the address given by such Person to the Association for the purpose of service of such notice, or to the residence of such Person if no address has been given to the Association or to the address of such Person as contained in the Ada County tax assessor's rolls. Such address may be changed from time to time by notice in writing to the Association.

17.5 Enforcement and Non-Waiver.

17.5.1 Right of Enforcement. Except as otherwise provided herein, any Owner, Association or Grantor shall have the right to enforce any or all of the provisions hereof against any portion of the Property and against Owners thereof.

17.5.2 Violations and Nuisances. The failure of any Owner of a Building Lot to comply with any provision hereof, or with any provision of the Project Documents, is hereby declared a

nuisance and will give rise to a cause of action in Grantor, the Association or any Owner for recovery of damages or for negative or affirmative injunctive relief or both.

17.5.3 Violation of Law. Any violation of any state, municipal or local law, ordinance or regulation pertaining to the ownership, occupation or use of any portion of the Property is hereby declared to be a violation of this Declaration and subject to any and all of the enforcement procedures set forth in this Declaration and any and all enforcement procedures in law and equity.

17.5.4 Remedies Cumulative. Each remedy provided herein is cumulative and not exclusive.

17.5.5 Non-Waiver. The failure to enforce any of the provisions herein at any time shall not constitute a waiver of the right to enforce any such provision.

17.6 Use of Trade Name. Each Owner by acceptance of a deed for such Owner's Building Lot shall be deemed to acknowledge that "Kern" is or may become a service mark, trade name and/or trademark of Grantor, or its licensees, and to covenant that any such Owner shall not use the term "Caven Ridge" or "Kern" without the prior written permission of Grantor.

17.7 Interpretation. The provision of this Declaration shall be liberally construed to effectuate its purpose of creating a uniform plan for the development and operation of the Property. This Declaration shall be construed and governed under the laws of the State of Idaho.

17.7.1 Restrictions Construed Together. All of the provisions hereof shall be liberally construed together to promote and effectuate the fundamental concepts of the development of the Property as set forth in the Recitals of this Declaration.

17.7.2 Restrictions Severable. Notwithstanding the provision of the foregoing Subsection 17.7.1, each of the provisions of this Declaration shall be deemed independent and severable, and the invalidity of partial invalidity of any provision or portion thereof shall not affect the validity or enforceability of any other provision herein.

17.7.3 Construction. Unless the context requires a contrary construction, the singular shall include the plural and the plural the singular, and the masculine, feminine or neuter shall each include the masculine, feminine and neuter.

17.7.4 Captions. All captions and titles used in this Declaration are intended solely for convenience of reference and shall not affect that which is set forth in any of the provisions hereof.

17.8 Successors and Assigns. All references herein to Grantor, Owner, Members, the Association or Person shall be construed to include all successors, assigns, partners and authorized agents of such Grantor, Owners, Members, Association or Person.

17.9 Owners' Further Acknowledgments. By accepting a deed to any Building Lot(s) contained within the Property, each Owner acknowledges and agrees that Owner has read and understands the Project Documents.

[Signature page to follow]

IN WITNESS WHEREOF, the undersigned have duly executed this Declaration of Covenants, Conditions and Restrictions for Kern Subdivision effective upon the date hereof.

GRANTOR:

BLACK SUMMIT LLC, an Idaho limited liability company
By: Investment Analytics Group, LLC, its Manager

By:_____
Ryan Minert, its Manager

STATE OF IDAHO)
) ss.
County of Ada)

On this day of_____, 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared Ryan Minert, known or identified to me to be the Manager of Investment Analytics LLC, which in turn is the manager of Black Summit LLC, the entity that executed the instrument or the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that such company executed the same.

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

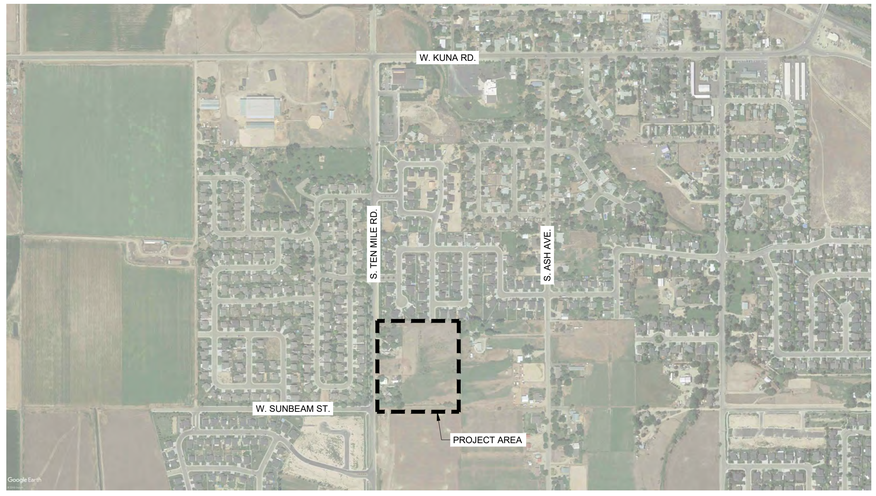
_____
Notary Public for Idaho
My commission expires:_____

EXHIBIT A
REAL PROPERTY DESCRIPTION FOR KERN
SUBDIVISION NO. 1

LANDSCAPE NOTES:

1. REGULATIONS & STANDARDS
   - 1.1. All contractor work shall be conducted in accordance with ISPWC (Idaho Standard Public Works Construction), 2019; and Kuna, ID codes, standards and state and local regulations.
2. EXISTING CONDITIONS
   - 2.1. All utilities shall be located prior to construction and protected. Any damage to structures, utilities or concrete will be replaced at contractor's expense.
   - 2.2. The site has many existing improvements such as underground utilities, curb and gutter, light poles and sidewalks.
   - 2.3. See Engineer's plans for information about existing features; all drainage pipes and locations. Protect and retain drainage at all times.
3. GRADING & SITE PREPARATION
   - 3.1. Prepare finish grades for planting by grubbing and removing weeds. If necessary apply Round-Up (or equivalent herbicide), using a certified applicator. Remove rocks and other materials over 2".
   - 3.2. All gravel overprep to be removed and disposed of off site.
   - 3.3. Finish grade to be smooth transition to allow for entire site to be a natural flowing space.
   - 3.4. Refer to Engineer's plans for grading information & for all drainage pipes and locations. Protect and retain drainage at all times.
   - 3.5. No pooling or standing water will be accepted per industry standards.
4. SOILS
   - 4.1. All planter beds to receive a minimum of 18" depth of screened topsoil. Spread, compact, and fine grade to smooth and uniform grade 2.5" below adjacent surfaces.
   - 4.2. All lawn areas to receive a minimum of 12" depth of screened topsoil. Spread, compact, and fine grade topsoil to a smooth uniform grade 1" below adjacent surfaces.
   - 4.3. Reuse of existing topsoil that has been stockpiled on site is permitted if:
     - 4.3.1. Topsoil is tested and analyzed to ensure a proper growing medium. Provide additional amendments as determined by soil tests. And
     - 4.3.2. Topsoil is to be loose, friable sandy loam that is clean and free of toxic materials, noxious weeds, weed seeds, rocks, grass or other foreign materials.
     - 4.3.3. Topsoil should have a pH of 6.5 to 8.
     - 4.3.4. If on site topsoil does not meet these minimum standards contractor is responsible for providing approved imported topsoil or improving onsite topsoil per the approval of the project manager.
   - 4.4. If imported topsoil is used it must be from a local source and be screened free of any debris or foreign matter. Topsoil must not contain rocks, sticks, lumps, or toxic matter.
   - 4.5. Smooth, compact, and fine grade topsoil in lawn areas to smooth and uniform grade .5" below adjacent surfaces.
   - 4.6. Prepare finish grade of topsoil to elevations set by Engineer's plans with positive drainage away from structures. Refer to Civil Engineer's plans for grading information.
   - 4.7. Amend all new plantings with 2 parts topsoil and 1 part compost.
5. PLANTER BED MULCH
   - 5.1. All planter beds to receive 3" depth of round river rock mulch, or approved other. Install over commercial grade weed barrier fabric per manufacturer recommendations.
6. LAWN AREAS
   - 6.1. Sodded, to be tall turf-type fescue or approved equal per approved by owner.
   - 6.2. All lawn areas to have cut edge.
7. PLANTS
   - 7.1. All plant material shall be installed per industry standards.
   - 7.2. All plant material shall meet or exceed the minimum federal standards as regulated by ANSI z60.1, American Standard for Nursery Stock. Plants not meeting these standards for quality, or plants determined to be unhealthy by Owner's representative, will be rejected.
   - 7.3. All trees and shrubs to be installed per details.
   - 7.4. Fertilize all trees and shrubs with "Agriform" planting tablets or approved equal. Apply per manufacturers recommendations.
   - 7.5. All plants shall adhere to plant schedule, species & sizes. Any necessary substitutions due to availability or alternatives shall be coordinated to the landscape architect via submittal.
8. IRRIGATION
   - 8.1. Irrigation system shall be built to the following specifications:
     - 8.1.1. Adhere to city codes when connecting to city water.
     - 8.1.2. All irrigation material to be new with manufacturers' warranty fully intact.
   - 8.2. All remote control valves (including master control valve) to have flow control device.
   - 8.3. Install indoor rated controller. Coordinate with general contractor on exact location.
   - 8.4. Controller to include On/Off rain switch or other rain shut off device that does not alter program.
   - 8.5. Irrigation system piping to be minimum class 200 PVC or approved equal, sleeves to be double the size of pipes located within, all wires to be contained in separate sleeves 1-1/2" dia min.
   - 8.6. Use common trenching where possible.
   - 8.7. All PVC located under hardscapes to be schedule 40 PVC with same req's as above.
   - 8.8. All mainline pipe and wires to be buried a minimum of 18" and all lateral piping to be buried a minimum of 12" below grade.
   - 8.9. All wires to be 14 gauge direct bury wire at a minimum. Size wire for correct voltage loss.
   - 8.10. Supply a minimum of (2) spare wires to furthest valves from controller in all directions.
   - 8.11. Sprinkler heads shall have a matched precipitation within each control circuit. Velocities shall not exceed 5 feet per second.
   - 8.12. Contractor is responsible complying with all codes and paying all permits necessary.
   - 8.13. Sprinkler heads shall have matched precipitation within each control circuit. Velocities shall not exceed 5 feet per second.
9. CONTRACTOR RESPONSIBILITIES
   - 9.1. Estimated quantities are shown for general reference only. Contractor shall be responsible for all quantity estimates.
   - 9.2. All plant material and workmanship shall be guaranteed for a period of one year beginning at the date of Acceptance by Owner. Replace all dead or unhealthy plant material immediately with same type and size at no cost to Owner.
   - 9.3. Landscape contractor to turn in as built drawings at the end of project. Substantial completion will not be granted until 2 copies @ 1"=10' scale are turned in and approved by owner's representative.
10. In the event of a discrepancy, notify the General Contractor.

VICINITY MAP:



NORTH
N.T.S

LANDSCAPE REQUIREMENTS:

PER CITY OF KUNA LANDSCAPING REQUIREMENTS CHAPTER 5.

LANDSCAPE AT COMMON LOTS:
* MINIMUM (1) DECIDUOUS TREE PER 1,000 SF OF SITE.

COMMON LOT	TREES REQUIRED	TREES PROVIDED
• LOT 1, BLOCK 1 - 2,166 SF	2	2
• LOT 1, BLOCK 2 - 2,166 SF	2	2
• LOT 7, BLOCK 4 - 1,563 SF	2	2
• LOT 1, BLOCK 6 - 1,030 SF	1	1
• LOT 4, BLOCK 6 - 15,191 SF	15	17 (13 DECIDUOUS, 4 EVERGREEN)

LANDSCAPE ALONG STREETS:
* 1 TREE PER 35 LINEAR FEET.
* 5 SHRUBS PER 35 LINEAR FEET.

S. TEN MILE RD.	TREES REQUIRED / TREES PROVIDED:	SHRUBS REQUIRED / PROVIDED
• 134 LF	4/4	20/21
W. SUNBEAM ST.	TREES REQUIRED / TREES PROVIDED:	SHRUBS REQUIRED / PROVIDED
• 390 LF	11/11	55/67

BIODIVERSITY REQUIREMENT:
*A MINIMUM OF 4 DIFFERENT TREE SPECIES ARE REQUIRED WHEN 31-40 TREES ARE PROPOSED.

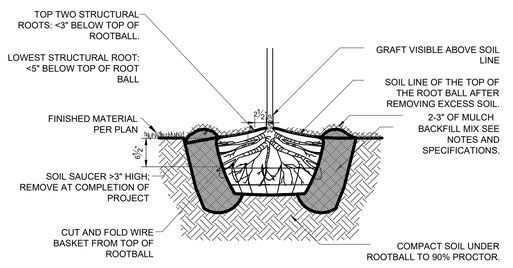
• PROPOSED TREES	SPECIES REQUIRED:	SPECIES PROVIDED:
• 39	4	4

PLANT SIZING MINIMUM REQUIREMENTS:

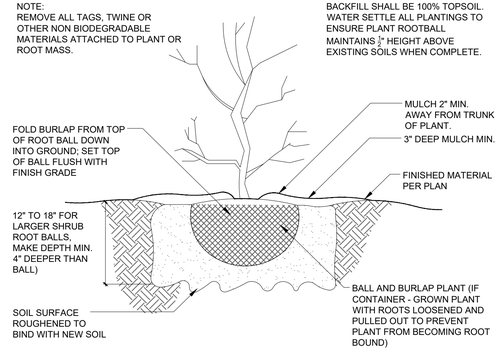
TREE SIZING:

SHADE TREES:	MIN 2" CAL, B&B
ORNAMENTAL TREES:	MIN 2" CAL, B&B
EVERGREEN TREES:	MIN 6 FEET IN HEIGHT

NOTES:
1. DO NOT DAMAGE OR CUT LEADER
2. DO NOT DISTURB ROOT OR DAMAGE ROOT BALL WHEN INSTALLING TREE OR TREE STAKES.
3. TREE STAKING SHALL BE AT THE DISCRETION OF CONTRACTOR. HOWEVER ANY TREES DISTURBED FROM PLUMB DURING THE PLANT WARRANTEE PERIOD WILL BE REPAIRED OR REPLACED AT CONTRACTOR'S EXPENSE.
4. WATER PLANTS THOROUGHLY IMMEDIATELY AFTER INSTILLATION.
5. REMOVE ALL BURLAP, TWINE, ROPE, OR MATERIAL FROM THE TOP ⅓ OF THE ROOTBALL.
6. 4' DIAMETER PLANTER BED/MULCH RING AROUND THE TRUNK OF THE TREE. 3" OF MULCH MIN. DO NOT PLACE MULCH WITHIN 2" OF TRUNK OF TREE.



1 BALL AND BURLAP TREE PLANTING
3/4" = 1'-0" 329343.33-04



2 SHRUB PLANTING
1" = 1'-0" 329333.16-01

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STACK ROCK GROUP
LANDSCAPE ARCHITECTURE & MASTER PLANNING

(208) 345-0500
404 S 8th St. #154
Boise, ID 83702
StackRockGroup.com

WILLET C HOWARD, PLA
OFFICE: (208) 345.0500 EMAIL:
WILL@STACKROCKGROUP.COM
www.STACKROCKGROUP.COM

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Seals

PRELIMINARY

STATE OF IDAHO
JESSEN BUSTER
LA-16830
08.12.19
LICENSED LANDSCAPE ARCHITECT

NOT FOR CONSTRUCTION

KERN SUBDIVISION
KUNA, ID

REVISIONS

MRK	DATE	Description
1	**	**

JOB NO:	19-1443
DATE:	08.12.2019
DRAWN BY:	DW
CHECKED BY:	JB

DRAWING TITLE

LANDSCAPE NOTES & DETAILS

SHEET NUMBER

L1.00

STACK ROCK GROUP - CITY REVIEW SET

G:\Shared drives\Stack Rock Group\Work\2019\01-Projects\19-1443 Kern Subdivision\03-CAD\3.01-City Submittals\19-1443 L100 DR LandscapePlan.dwg

PLANT SCHEDULE

TREES	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	QTY	REMARKS
	Acer truncatum `Pacific Sunset` TM / Pacific Sunset Maple	B & B	2"		11	30`h x 25`w
	Liquidambar styraciflua `Ward` / Cherokee Sweetgum	B&B	2"		7	45`h x 30`w
	Pinus flexilis `Vanderwolf`s Pyramid` / Vanderwolf`s Pyramid Pine	B & B		6`-7` H	4	25` h x 12`w
	Tilia americana `Redmond` / Redmond American Linden	B & B	2"		17	50`h x 30`w
SHRUBS	**BOTANICAL / COMMON NAME**	**CONT**	**FIELD2**	**SIZE**	**QTY**	**REMARKS**
	Forsythia x intermedia `Kolgold` / Magical Gold Forsythia	5 gal			21	5`h x 4`w
	Helictotrichon sempervirens / Blue Oat Grass	2 gal			30	3`h x 3`w, Drought Tolerant
	Pennisetum alopecuroides `Red Head` / Red Head Fountain Grass	1 gal			24	3`h x 3`w
	Pinus strobus `Blue Shag` / Blue Shag White Pine	5 gal			14	3`h x 4`w
	Salvia nemorosa `East Friesland` / East Friesland Perennial Sage	2 gal			4	1.5` H X 2` W Drought Tolerant

LANDSCAPE MATERIALS LEGEND:

SOD LAWN, OR APPROVED OTHER

6' CLOSED VISION FENCE

EXISTING FENCE TO REMAIN



STACK ROCK GROUP
LANDSCAPE ARCHITECTURE & MASTER PLANNING
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Seals

PRELIMINARY

STATE OF IDAHO
JESSEN BUSTER
LICENSED LANDSCAPE ARCHITECT
LA-16830
08.12.19

NOT FOR CONSTRUCTION

KERN SUBDIVISION
KUNA, ID

REVISIONS

MRK	DATE	Description
1	**	**

JOB NO:	19-1443
DATE:	08.12.2019
DRAWN BY:	DW
CHECKED BY:	JB

DRAWING TITLE

LANDSCAPE PLAN

SHEET NUMBER

L1.01

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STACK ROCK GROUP - CITY REVIEW SET

PLANT SCHEDULE						
TREES	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	QTY	REMARKS
	Acer truncatum `Pacific Sunset` TM / Pacific Sunset Maple	B & B	2"		11	30`h x 25`w
	Liquidambar styraciflua `Ward` / Cherokee Sweetgum	B&B	2"		7	45`h x 30`w
	Pinus flexilis `Vanderwolf`s Pyramid` / Vanderwolf`s Pyramid Pine	B & B		6`-7` H	4	25` h x 12`w
	Tilia americana `Redmond` / Redmond American Linden	B & B	2"		17	50`h x 30`w
SHRUBS	BOTANICAL / COMMON NAME	CONT	FIELD2	SIZE	QTY	REMARKS
	Forsythia x intermedia `Kolgold` / Magical Gold Forsythia	5 gal			21	5`h x 4`w
	Helictotrichon sempervirens / Blue Oat Grass	2 gal			30	3`h x 3`w, Drought Tolerant
	Pennisetum alopecuroides `Red Head` / Red Head Fountain Grass	1 gal			23	3`h x 3`w
	Pinus strobus `Blue Shag` / Blue Shag White Pine	5 gal			14	3`h x 4`w
	Salvia nemorosa `East Friesland` / East Friesland Perennial Sage	2 gal			4	1.5` H X 2` W Drought Tolerant

LANDSCAPE MATERIALS LEGEND:

- SOD LAWN, OR APPROVED OTHER
- LANDSCAPE MULCH
- 6' CLOSED VISION FENCE
- EXISTING FENCE TO REMAIN



NORTH
0 30 60 90 feet
SCALE: 1" = 30'

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PRELIMINARY

STATE OF IDAHO
JESSEN BUSTER
LICENSED LANDSCAPE ARCHITECT
LA-16830
08.12.19

NOT FOR CONSTRUCTION

KERN SUBDIVISION
KUNA, ID

REVISIONS

MRK	DATE	Description
1	**	**

JOB NO:	19-1443
DATE:	08.12.2019
DRAWN BY:	DW
CHECKED BY:	JB

DRAWING TITLE

LANDSCAPE COLOR PLAN

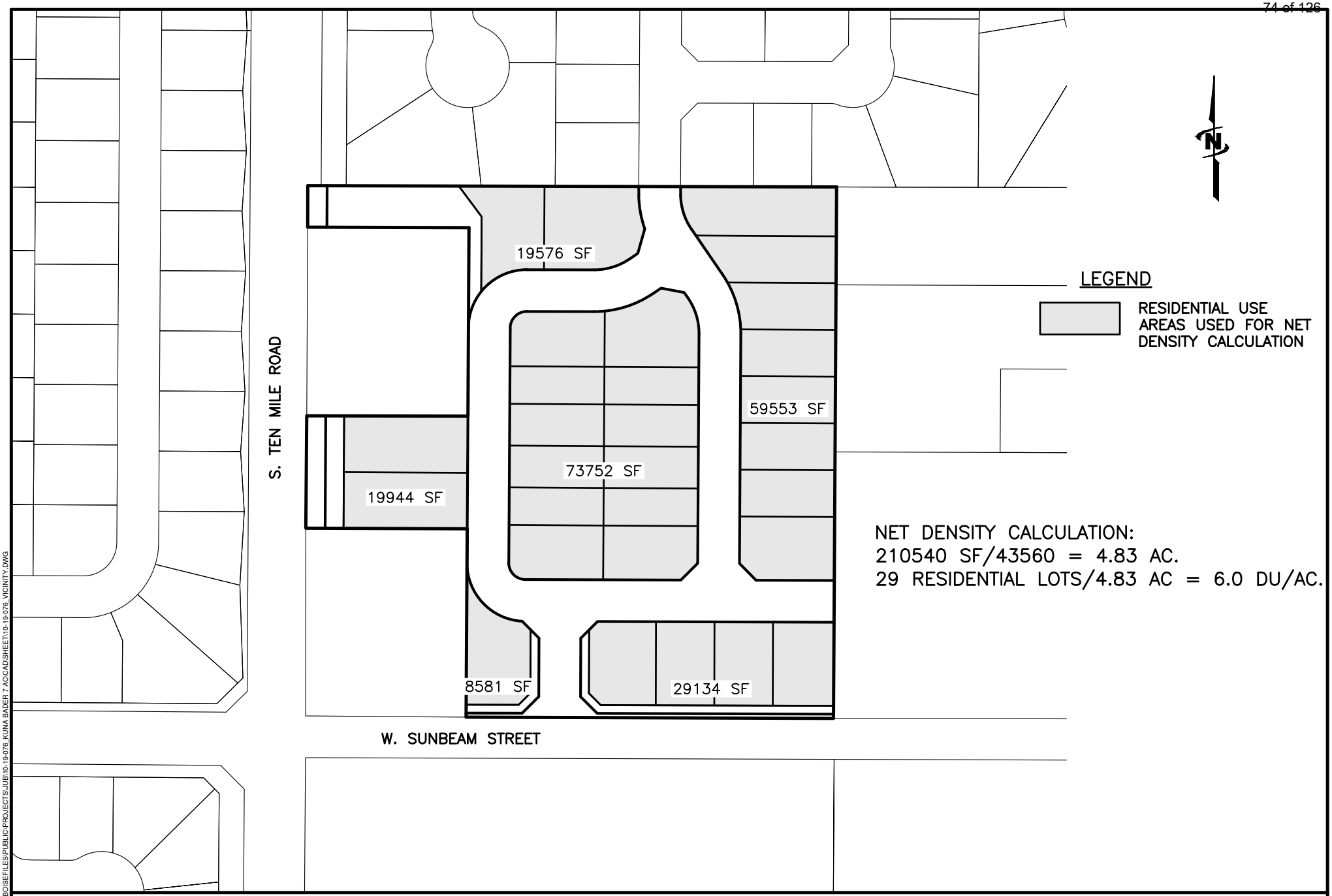
SHEET NUMBER

L1.02

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PROPOSED SITE PLAN 11.16.20



PROPOSED SITE PLAN 1.16.20

KERN RIVER SUBDIVISION
KUNA, IDAHO
NET DENSITY EXHIBIT

J-U-B ENGINEERS, INC.

LAST UPDATE: 1/14/2020
PLOT DATE: 1/15/2020
FILE: 10-19-076 VICINITY

Plot Date:1/15/2020 5:24 AM Plotted By: Everett Earnest
Date Created:1/14/2020 \\BOISEFILES\PUBLIC\PROJECTS\JUB\10-19-076 KUNA BADER 7 AC\CAD\SHEET\10-19-076_VICINITY.DWG

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

City of Kuna
Planning & Zoning Department

Agency Transmittal

September 5, 2019

Notice is hereby given by the City of Kuna that the following action(s) are under consideration:

File Number & Case Name:	19-06-ZC (Rezone),19-07-S (Preliminary Plat) & 19-27-DR (Design Review) – Kern River Heights Subdivision.
Project Description	On behalf of Carl Bader (owner), JUB Engineers requests to rezone one parcel consisting of approximately 7.24 acres from A (Agriculture) to R-6 (Medium Density Residential) zone and to subdivide the 7.24 acres into 35 total lots (twenty-nine (29) buildable lots, six (6) common lots). The subject site is located at the NEC of S. Ten Mile Rd and W. Sunbeam St, Kuna, ID 83634, within Section 26, Township 2 North, Range 1 West; (APN: R5070503500).
Site Location	NEC of S. Ten Mile Rd and W. Sunbeam St, Kuna, ID 83634
Applicant	**Ryan Minert** 3327 N. Eagle Rd, Ste 110-148 Meridian, ID 83646 208-639-3262 ryan@iagroupllc.com
Representative	**Wendy Shrief** 250 S. Beechwood Dr, Ste 201 Boise, ID 83709 208-376-7330 wshrief@jub.com
Public Hearing Date	Tuesday, **November 12, 2019** 6:00 pm Kuna City Hall is located at 751 W. 4th Street, Kuna, ID 83634
Staff Contact	Doug Hanson, Planner I dhanson@kunaid.gov Phone: 208.922.5274 Fax: 208.922.5989

- Page 2

Enclosed is information to assist you with your consideration and response. All comments as to how this action may affect the service(s) your agency provides, is greatly appreciated. Please contact staff with any questions. **If your agency needs different or additional information to review and provide comments please notify our office and they will be sent to you.** If your agency needs additional time for review, please let our office know as soon as possible. *No response within 15 business days will indicate you have no objection or comments for this project*.

CENTRAL DISTRICT HEALTH DEPARTMENT

CENTRAL DISTRICT HEALTH DEPARTMENT

Environmental Health Division

RECEIVED
SEP 16 2019
CITY OF KUNA

Return to:
- ☐ ACZ
- ☐ Boise
- ☐ Eagle
- ☐ Garden City
- ☑ Kuna
- ☐ Meridian
- ☐ Star

Rezone # _____

Conditional Use # _____

Preliminary / Final / Short Plat 19-07-S

Kern River Heights

☐ 1. We have No Objections to this Proposal.

☐ 2. We recommend Denial of this Proposal.

☐ 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.

☐ 4. We will require more data concerning soil conditions on this Proposal before we can comment.

☐ 5. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
- ☐ high seasonal ground water
- ☐ bedrock from original grade
- ☐ waste flow characteristics
- ☐ other _____

☐ 6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.

☐ 7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.

☑ 8. After written approval from appropriate entities are submitted, we can approve this proposal for:
- ☑ central sewage
- ☐ interim sewage
- ☐ individual sewage
- ☐ community sewage system
- ☐ central water
- ☑ individual water
- ☐ community water well

☑ 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
- ☑ central sewage
- ☐ sewage dry lines
- ☐ community sewage system
- ☑ central water
- ☐ community water

☐ 10. This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.

☐ 11. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.

☐ 12. We will require plans be submitted for a plan review for any:
- ☐ food establishment
- ☐ beverage establishment
- ☐ swimming pools or spas
- ☐ grocery store
- ☐ child care center

☑ 13. Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDHD.

☐ 14. _____ Reviewed By: _____

_____ Date: 9/10/19

CLINTON C. PLINE
CHAIRMAN OF THE BOARD

RON PLATT
VICE CHAIRMAN OF THE BOARD

ROBERT D. CARTER
PROJECT MANAGER

THOMAS RITTHALER
ASSISTANT PROJECT MANAGER

APRYL GARDNER
SECRETARY-TREASURER

MARY SUE CHASE
ASSISTANT SECRETARY-TREASURER

BOISE PROJECT BOARD OF CONTROL

(FORMERLY BOISE U.S. RECLAMATION PROJECT)

2465 OVERLAND ROAD
BOISE, IDAHO 83705-3155

OPERATING AGENCY FOR 167,000 ACRES FOR THE FOLLOWING IRRIGATION DISTRICTS

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

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

RECEIVED
SEP 11 2019
CITY OF KUNA

07 September 2019

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

RE: Kern River Heights Sub. **201901316-AC A**
Ten Mile and W Sunbeam St, Kuna 83634
Boise-Kuna Irrigation District BK-1300 S
Narcissa 00+10
Sec. 26, T2N, R1W, BM.

Doug Hanson, Planner I:

There are no Boise Project facilities located on the above-mentioned property, however it does in fact possess a valid water right.

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

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

Sincerely,

Thomas Ritthaler
Assistant Project Manager, BPBC

tbr/tr
cc: Ray Moore Watermaster, Div; 3 BPBC
Lauren Boehlke Secretary – Treasurer, BKID
File

RECEIVED
SEP 18 2019
CITY OF KUNA

STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

1445 North Orchard • Boise, ID 83706 • (208) 373-0550

Brad Little, Governor
John H. Tippets, Director

September 13, 2019

Doug Hanson, Planner I
City of Kuna Planning & Zoning Department
P.O. Box 13
Kuna, ID 83634

RE: Kern River Heights Subdivision, 19-06-ZC, 19-07-S, 19-27-DR

Thank you for the opportunity to respond to your request for comment. While DEQ does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at: deq.idaho.gov/assistance-resources/environmental-guide-for-local-govts.

The following information does not cover every aspect of this project; however, we have the following general comments to use as appropriate:

1. **Air Quality**
   - Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), trade waste burning (58.01.01.600-617), and odor control plans (58.01.01.776).

     All property owners, developers, and their contractor(s) must ensure that reasonable controls to prevent fugitive dust from becoming airborne are utilized during all phases of construction activities per IDAPA 58.01.01.651.

     DEQ recommends the city/county require the development and submittal of a dust prevention and control plan prior to final plat approval. Dust prevention and control plans incorporate appropriate best management practices to control fugitive dust that may be generated at sites.

     Information on fugitive dust control plans can be found at:
     http://www.deq.idaho.gov/media/61833-dust_control_plan.pdf

   - Per IDAPA 58.01.01.600-617, the open burning of any construction waste is prohibited. The property owner, developer, and their contractor(s) are responsible for ensuring no prohibited open burning occurs during construction.

     For questions, contact David Luft, Air Quality Manager, at 373-0550.

2. **Wastewater and Recycled Water**
   - DEQ recommends verifying that there is adequate sewer to serve this project prior to approval.

protection of ground water resources.

- DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

  For questions, contact Todd Crutcher, Engineering Manager at 373-0550.

4. Surface Water

- A DEQ short-term activity exemption (STAE) from this office is required if the project will involve de-watering of ground water during excavation and discharge back into surface water, including a description of the water treatment from this process to prevent excessive sediment and turbidity from entering surface water.

- Please contact DEQ to determine whether this project will require a National Pollution Discharge Elimination System (NPDES) Permit. If this project disturbs more than one acre, a stormwater permit from EPA may be required.

- If this project is near a source of surface water, DEQ requests that projects incorporate construction best management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.

- The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call (208) 334-2190 for more information. Information is also available on the IDWR website at:
  http://www.idwr.idaho.gov/WaterManagement/StreamsDams/Streams/AlterationPermit/AlterationPermit.htm

- The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.

  For questions, contact Lance Holloway, Surface Water Manager, at 373-0550.

5. Hazardous Waste And Ground Water Contamination

- **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource Conservations and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.

- No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards, Rules and Regulations for Hazardous Waste, and Rules

Nampa & Meridian Irrigation District

1503 FIRST STREET SOUTH
FAX #208-463-0092

NAMPA, IDAHO 83651-4395
nmid.org

OFFICE: Nampa 208-466-7861
SHOP: Nampa 208-466-0663

RECEIVED
SEP 16 2019
CITY OF KUNA

September 12, 2019

Doug Hanson, Planner I
City of Kuna
751 W. 4th Street
Kuna, ID 83634

RE: 19-06-ZC, 19-07-S & 19-27-DR/ Kern River Heights Subdivision

Dear Doug:

Nampa & Meridian Irrigation District (NMID) has no comment on the above referenced application as it lies outside of our district boundaries. Please contact Thomas Ritthaler, Boise Project- Board of Control, at 208-344-1141 or 2465 Overland Road Room 202 Boise, ID 83705-3173.

All private laterals and waste ways must be protected. All municipal surface drainage must be retained on-site. If any surface drainage leaves the site NMID must review drainage plans. Developers must comply with Idaho Code 31-3805.

Sincerely,

David T. Duvall
Asst. Water Superintendent
Nampa & Meridian Irrigation District
DTD/ gnf

Cc:
Office/ file
T. Ritthaler, Board of Control

received 9.16.19

Doug Hanson

From: D3 Development Services <D3Development.Services@itd.idaho.gov>
Sent: Monday, September 16, 2019 10:44 AM
To: Doug Hanson
Subject: 19-07-S, 19-06-ZC, 19-27-DR Kern River Heights Subdivision

Good morning,
ITD has received application 19-07-S, 19-06-ZC, 19-27-DR for review. ITD does not anticipate any significant traffic impact to the State Highway system from this development and has no objections to the proposed development.
Thank you,

Sarah Arjona
Development Services Coordinator
ITD District 3
(208) 334-8338

From: Doug Hanson <dhanson@kunaid.gov>
Sent: Thursday, September 5, 2019 1:22 PM
To: Ada County Engineer <agilman@adaweb.net>; Ada County Highway District <planningreview@achdidaho.org>; Adam Ingram <adam.ingram@cableone.biz>; Becky Rone - Kuna USPS Addressing <rebecca.i.rone@usps.gov>; Bob Bachman <bbachman@kunaid.gov>; Bobby Withrow <bwithrow@kunaid.gov>; Boise Project Board of Control <bcarter@boiseproject.org>; Cable One t.v. <cheryl.goettsche@cableone.biz>; Central District Health Dept. CDHD <lbadigia@cdhd.idaho.gov>; COMPASS <cmiller@compassidaho.org>; DEQ (Alicia.martin@deq.idaho.gov) <Alicia.martin@deq.idaho.gov>; Eric Adolfson <eadolfson@compassidaho.org>; Idaho Power <ahawkins@idahopower.com>; Idaho Power <bwatson2@idahopower.com>; Idaho Power Easements <easements@idahopower.com>; Idaho Power Easments 2 <kfunke@idahopower.com>; Intermountain Gas <bryce.ostler@intgas.com>; D3 Development Services <D3Development.Services@itd.idaho.gov>; J&M Sanitation - Chad Gordon <Chad.Gordon@jmsanitation.com>; Julie Stanely - Regional Address Mgmt. <Julie.R.Stanley@usps.gov>; Kuna Police <jdusseau@adaweb.net>; Kuna Postmaster - Marc C. Boyer <marc.c.boyer@usps.gov>; Kuna School District <kbekkedahl@kunaschools.org>; Kuna School District <bsaxton@kunaschools.org>; Kuna School District <wjohnson@kunaschools.org>; Lisa Holland <lholland@kunaid.gov>; Megan Leatherman <mleatherman@adaweb.net>; Nampa Meridian Irrigation District <nmid@nmid.org>; New York Irrigation <terri@nyid.org>; Paul Stevens <PStevens@kunaid.gov>; Perry Palmer <ppalmer@kunafire.com>; Planning Mgr: Ada County Development Services <jboal@adaweb.net>; Wendy Howell <whowell@kunaid.gov>
Subject: [EXTERNAL] Kuna Planning and Zoning Request for Comment - Case No. 19-07-S (Preliminary Plat), 19-06-ZC (Rezone), 19-27-DR (Design Review) - Kern River Heights Subdivision

--- This email is from an external sender. Be cautious and DO NOT open links or attachments if the sender is unknown. ---
September 5, 2019

Notice is hereby given by the City of Kuna that the following action(s) are under consideration:

File Number & Case Name:	19-06-ZC (Rezone),19-07-S (Preliminary Plat) & 19-27-DR (Design Review) – Kern River Heights Subdivision.

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

Paul A. Stevens, P.E.
Kuna City Engineer

MEMORANDUM

Date: **4 October 2019**

From: **Paul A. Stevens, P.E.**

To: **Wendy Howell, Planning and Zoning Director**

RE: **Kern River Heights Subdivision Preliminary Plat – 19-07-S, 19-06-ZC & Design Review– 19-27-DR**

The Kern River Heights Subdivision Preliminary Plat and design review request dated 16 August 2019 has been reviewed. It is noted that while the application outlines the applicant's general development intent, specific development plans are not provided except those implied as allowed or permitted in a "R-6" zone. These comments apply to the preliminary plat and do not address the landscaping design review request. The landscaping & design review request rests with the Planning and Zoning Department. Review of civil design drawings is accomplished separately, when received.

These comments may be expanded or refined based on future land-use actions. The following comments apply:

1. **General**
   a. Kern River Heights Subdivision requests a rezone from A agricultural to R6 residential, contains 7.24 Acres, 6 common lots, and 29 residential lots. A commensurate impact on the City of Kuna's water and sewer utilities will result.
   b. Access to Kern River Heights Subdivision is from W. Sunbeam Street and S. Rocker Avenue.
   c. A plan approval letter will be required if this project affects any local irrigation districts.
   d. Verify that existing and proposed elevations match at property boundaries such that a slope burden is not imposed on adjacent properties.
   e. State the vertical datum used for elevations on all drawings.
   f. Provide engineering certification on all final engineering drawings.

2. **Inspection Fees**
   a. An inspection fee will be required for City inspection of the construction of any water, sewer and irrigation facilities associated with this development.
   b. The developer shall retain a qualified responsible, Idaho registered professional engineer to provide sufficient inspection to certify to IDEQ that the project was completed in accordance with approved plans and specifications and to provide accurate as-built drawings to the City.
   c. The developer's engineer and the City's inspector are permitted to coordinate inspections.
   d. The current inspection fee is $1.00 per lineal foot of sewer, water and pressurized irrigation pipe

e. Payment is due and payable prior to City's approval of final construction plans.

3. Right-of-Way

a. Kern River Heights Subdivision accesses from W. Sunbeam Street and S. Rocker Avenue.
a. Sufficient right-of-way on the quarter line and section line for existing and future classified streets shall be provided pursuant to City & ACHD standards.
b. Approaches onto classified streets must comply with ACHD approach policies.
c. Sidewalk, curb and gutter, street widening and any related storm drainage facilities, shall be provided in connection with property development. All construction shall comply with city code and policies.
d. All street construction must meet or exceed ACHD and City of Kuna development standards.
e. Developer shall provide sufficient access and maintenance easements to allow city access to and maintenance of the pressurized irrigation, sewer and water main lines and any associated apparatus.

4. Sanitary Sewer & Potable Water

a. The applicant's property is presently undeveloped, is not connected to City services and would be subject to connection fees for the ultimate connected sewer load and water demand as provided in the City's Standard Tables. City Code (6-4-2) requires connection to the City sewer system for all sanitary sewer needs. City Code (6-4-2X) requires connection to City water services.
b. City code 5-16-3: B.2 states that applicant shall extend public sewer and water to each parcel when water and sewer are available within three hundred (300) feet of the parcels.
c. Water and sewer utilities are pending construction. The exact method of supply and conveyance is to be determined.
d. All sewer and water infrastructure must meet or exceed City of Kuna requirements.
e. Kern River Heights Subdivision is located in the Ten Mile Lift Station Sewer Drainage Basin. Approximately 89 EDU connections may be available in the Ten Mile Lift Station Drainage Basin.
f. Developer participation may be needed to expand the Ten Mile Lift Station.
g. Sewer and Water "Will Serve" commitments shall be based on available water and sewer capacities at the time of construction drawing approval.
h. Development construction must be in progress and vigorously pursued within one year from the Will Serve Letter date of issue to avoid automatic termination of the Will Serve Commitments.

5. Pressurized Irrigation

a. The applicant's property is not connected to the City of Kuna pressurized irrigation system. Relying on drinking water for irrigation purposes is contrary to City Code (6-4-2).
b. Pressurized irrigation will be provided by the City of Kuna.
c. All pressurized irrigation infrastructure shall meet or exceed City of Kuna standards.
d. This application shall be conditioned to conform to the Pressurized Irrigation Master Plan.

6. Grading and Storm Drainage

The following provisions apply to Kern River Heights Subdivision:

a. Provide a grading and drainage plan which supports and maintains all upstream drainage rights and all downstream irrigation delivery rights as they presently exist for this property.
b. Verify that existing and proposed elevations match at property boundaries such that a slope burden is not imposed on adjacent properties. Slopes shall not be steeper than 3:1 on lots adjacent to a street or common lot and no steeper than 4:1 for lots with common rear lot lines.

c. Runoff from public right-of-way is regulated by ACHD. On site storm water retention shall be reviewed in conjunction with the Civil Engineering construction improvements review.
d. The City of Kuna relies on the ACHD Stormwater Policy Manual to establish the requirements for design of any private disposal system.
e. Any increase in quantity or rate of runoff or decrease in quality of runoff (compared to historical conditions) must be detained, treated and released at rates no greater than historical amounts at a quality consistent with historical quality.
f. If impervious area is increased, provide a storm water disposal plan for review by the City Engineer which accounts for the increased storm water drainage. Provide detailed drawings of drainage facilities for review.

7. As-Built Drawings

a. As-built drawings are required at the conclusion of any public facility construction project and are the responsibility of the developer's engineer. The city may help track changes but will not be responsible for the finished product. As-built drawings will be required before occupancy or final plat approval is granted.

8. Property Description

a. The applicant provided a preliminary plat and supporting documents as part of the application.

Project/File: **Kern River Heights Subdivision/ KPP19-0008/ 19-06-ZC, 19-07-S, 19-27-DR**
This is a rezone, preliminary plat and design review application to allow for the development of 29 buildable lots and 6 common lots on 7.24 acres.

Lead Agency: City of Kuna

Site address: NEC of Ten Mile Road and Sunbeam Street

Staff Approval: September 25, 2019

Applicant: Ryan Minert
3327 N. Eagle Rd. Ste 110-148
Meridian, ID 83646

Representative: Wendy Shrief
JUB
250 S. Beechwood Dr. Ste 201
Boise, ID 83709

Staff Contact: Paige Bankhead
Phone: 387-6293
E-mail: pbankhead@achdidaho.org

A. Findings of Fact

1. **Description of Application:** The applicant is proposing to rezone two parcels from Agriculture (A) to Medium Density Residential (R-6), subdivide 7.24 acres into 29 buildable lots for single family dwellings and 6 common lots.

   The applicant's proposal is consistent with the City of Kuna Comprehensive Plan Future Land Use Map for medium density residential uses on this site.

2. **Description of Adjacent Surrounding Area:**

Direction	Land Use	Zoning
North	Medium density residential	R-6
South	Medium density residential	R-6
East	Residential Single Family (Ada County)	R-1
West	Medium density residential	R-6

3. **Site History:** ACHD has not previously reviewed this site for a development application.

4. **Adjacent Development:** The following developments are pending or underway in the vicinity of the site:

   - Deserthawk Subdivision No. 4 to the south of site, 34 residential building lots and 7 common lots on 9.4 acres, approved by ACHD in July 2017.

5. **Transit:** Transit services are not available to serve this site.

6. **New Center Lane Miles:** The proposed development includes 0.32 centerline miles of new public road.

7. **Impact Fees:** There will be an impact fee that is assessed and due prior to issuance of any building permits. The assessed impact fee will be based on the impact fee ordinance that is in effect at that time.

8. **Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):**
   There are no roadways, bridges or intersections in the general vicinity of the project that are in the Integrated Five Year Work Plan (IFYWP) or the District's Capital Improvement Plan (CIP).

B. Traffic Findings for Consideration

1. **Trip Generation:** This development is estimated to generate 274 additional vehicle trips per day; 29 additional vehicle trips per hour in the PM peak hour, based on the Institute of Transportation Engineers Trip Generation Manual, 10th edition.

2. **Condition of Area Roadways**
   Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
Ten Mile Road	183-feet	Minor Arterial	24	Better than "E"

   * Acceptable level of service for a two-lane minor arterial is "E" (575 VPH).

3. **Average Daily Traffic Count (VDT)**
   Average daily traffic counts are based on ACHD's most current traffic counts.

   - The average daily traffic count for Ten Mile Road north of King Road was 388 on 5/1/13.

C. Findings for Consideration

1. Ten Mile Road

a. **Existing Conditions:** Ten Mile Road is improved with 2-travel lanes, and no curb, gutter or sidewalk abutting the site. There is 70-feet of right-of-way for Ten Mile Road (30-feet from centerline to the site property line).

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

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

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

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

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

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

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

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

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

Frontage Improvements Policy: District Policy 7205.2.1 states that the developer shall widen the pavement to a minimum of 17-feet from centerline plus a 3-foot wide gravel shoulder adjacent to the entire site. Curb, gutter and additional pavement widening may be required (See Section 7205.5.5).

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, arterial street requirements, and specific roadway features required through development. This segment of Ten Mile Road is designated in the MSM as a Residential Arterial with 5-lanes and on-street bike lanes, a 72-foot street section within 96-feet of right-of-way.

c. **Applicant Proposal:** The applicant has proposed to dedicate right-of-way to total 48-feet from centerline of Ten Mile Road and widen Ten Mile Road to a minimum 17-feet from centerline plus a 3-foot wide gravel should adjacent to the entire site. They have also proposed to construct a 5-foot wide detached concrete sidewalk located a minimum of 41-feet from the centerline of Ten Mile Road abutting the site.

Staff Comments/Recommendations: The applicant's proposal should be approved as proposed. The applicant will not be compensated for the right-of-way dedication as this segment of Ten Mile Road is not listed as impact fee eligible in the Capital Improvements Plan.

If the sidewalk is located outside of the dedicated right-of-way, then a permanent right-of-way easement should be provided.

The City of Kuna has indicated a desire for some arterial roadways to be constructed as complete streets with pavement widening, curb, and gutter to create a finished look for the roadway. If the City of Kuna requires Ten Mile Road to be constructed as a complete street abutting the site, then it should be constructed as half of a 3-lane, 49-foot street section with 24.5-feet of pavement from the centerline of Ten Mile Road, vertical curb, gutter, and a detached concrete sidewalk, a minimum of 5-feet in width, located a minimum of 41-feet from the centerline of Ten Mile Road abutting the site.

2. Sunbeam Street

a. Existing Conditions: Sunbeam is an unimproved, unopened right-of-way abutting the site. There is 50-feet of right-of-way for Sunbeam Street.

b. Policy:

Collector Street Policy: District policy 7206.2.1 states that the developer is responsible for improving all collector frontages adjacent to the site or internal to the development as required below, regardless of whether access is taken to all of the adjacent streets.

Master Street Map and Typologies Policy: District policy 7206.5 states that if the collector street is designated with a typology on the Master Street Map, that typology shall be considered for the required street improvements. If there is no typology listed in the Master Street Map, then standard street sections shall serve as the default.

Street Section and Right-of-Way Policy: District policy 7206.5.2 states that the standard right-of-way width for collector streets shall typically be 50 to 70-feet, depending on the location and width of the sidewalk and the location and use of the roadway. The right-of-way width may be reduced, with District approval, if the sidewalk is located within an easement; in which case the District will require a minimum right-of-way width that extends 2-feet behind the back-of-curb on each side.

The standard street section shall be 46-feet (back-of-curb to back-of-curb). This width typically accommodates a single travel lane in each direction, a continuous center left-turn lane, and bike lanes.

Residential Collector Policy: District policy 7206.5.2 states that the standard street section for a collector in a residential area shall be 36-feet (back-of-curb to back-of-curb). The District will consider a 33-foot or 29-foot street section with written fire department approval and taking into consideration the needs of the adjacent land use, the projected volumes, the need for bicycle lanes, and on-street parking.

Sidewalk Policy: District policy 7206.5.6 requires a concrete sidewalks at least 5-feet wide to be constructed on both sides of all collector streets. A parkway strip at least 6-feet wide between the back-of-curb and street edge of the sidewalk is required to provide increased safety and protection of pedestrians. Consult the District's planter width policy if trees are to be placed within the parkway strip. Sidewalks constructed next to the back-of-curb shall be a minimum of 7-feet wide.

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

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

Half Street Policy: District Policy 7206.2.2 required improvements shall consist of pavement widening to one-half the required width, including curb, gutter and concrete sidewalk (minimum 5-feet), plus 12-feet of additional pavement widening beyond the centerline established for the street to provide an adequate roadway surface, with the pavement crowned at the ultimate centerline. A 3-foot wide gravel shoulder and a borrow ditch sized to accommodate the roadway storm runoff shall be constructed on the unimproved side.

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, collector street requirements, and specific roadway features required through development. A new collector roadway was identified on the MSM with the street typology of Residential Collector. The new collector roadway should align with Sunbeam Street on the west side of Ten Mile Road and continue through the property stubbing to the east. The Residential Collector typology as depicted in the Livable Street Design Guide

recommends a 2-lane roadway with bike lanes, a 36-foot street section within 54-feet of right-of-way.

c. **Applicant Proposal:** The applicant is proposing to construct Sunbeam Street has ½ of a 36-foot residential collector street section, plus an additional 12-feet of pavement to total 30-feet, with vertical curb, gutter, and 7-foot wide attached (or 5-foot wide detached) concrete sidewalk abutting the site within the 50-feet of right-of-way.

d. **Staff Comments/Recommendations:** The applicant's proposal should be approved as proposed. If detached sidewalks are constructed and are located outside of the right-of-way, then a permanent right-of-way easement should be provided.

3. Internal Local Streets

a. **Existing Conditions:** There are no internal local streets within the site.

b. **Policy:**

Local Roadway Policy: District Policy 7207.2.1 states that the developer is responsible for improving all local street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

Street Section and Right-of-Way Policy: District Policy 7207.5 states that right-of-way widths for all local streets shall generally not be less than 47-feet wide and that the standard street section shall be 33-feet (back-of-curb to back-of-curb).

Standard Urban Local Street—33-foot Street Section and Right-of-way Policy: District Policy 7207.5.2 states that the standard street section shall be 33-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 47-feet of right-of-way.
For the City of Kuna and City of Star: Unless otherwise approved by Kuna or Star, the standard street section shall be 36-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 50-feet of right-of-way.

Continuation of Streets Policy: District Policy 7207.2.4 states that an existing street, or a street in an approved preliminary plat, which ends at a boundary of a proposed development shall be extended in that development. The extension shall include provisions for continuation of storm drainage facilities. Benefits of connectivity include but are not limited to the following:

- Reduces vehicle miles traveled.
- Increases pedestrian and bicycle connectivity.
- Increases access for emergency services.
- Reduces need for additional access points to the arterial street system
- Promotes the efficient delivery of services including trash, mail and deliveries.
- Promotes appropriate intra-neighborhood traffic circulation to schools, parks, neighborhood commercial centers, transit stops, etc.
- Promotes orderly development.

Sidewalk Policy: District Policy 7207.5.7 states that five-foot wide concrete sidewalk is required on both sides of all local street, except those in rural developments with net densities of one dwelling unit per 1.0 acre or less, or in hillside conditions where there is no direct lot frontage, in which case a sidewalk shall be constructed along one side of the street. Some local jurisdictions may require wider sidewalks.

The sidewalk may be placed next to the back-of-curb. Where feasible, a parkway strip at least 8-feet wide between the back-of-curb and the street edge of the sidewalk is recommended to provide increased safety and protection of pedestrians and to allow for the planting of trees in accordance with the District's Tree Planting Policy. If no trees are to be planted in the parkway strip, the applicant may submit a request to the District, with justification, to reduce the width of the parkway strip.

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

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

c. **Applicant's Proposal:** The applicant has proposed to construct the internal local streets as 36-foot street sections with rolled curb, gutter, and 5-foot wide attached concrete sidewalks within 50-feet of right-of-way.

d. **Staff Comments/Recommendations:** The applicant's proposal meets district policy and should be approved, as proposed.

4. Roadway Offsets

a. **Existing Conditions:** There are no roadways within the site.

b. **Policy:**
Local Offset Policy: District policy 7206.4.5, requires local roadways intersecting a collector roadway to align or offset a minimum of 330-feet (measured centerline to centerline).

District policy 7207.4.2, requires local roadways intersecting other local roadways to align or provide a minimum offset of 125-feet from any other street (measured centerline to centerline).

c. **Applicant's Proposal:** The applicant is proposing to construct one new local street, Footlights Avenue, to intersect Sunbeam Street which will be located approximately 135 feet west of the proposed new local street from the southern subdivision, Tanami Avenue, and 395 feet east of Ten Mile Road.

The applicant is also proposing to construct internal streets that are aligned or offset at least 125 feet from each other.

d. **Staff Comments/Recommendations:** The applicant's proposal to construct Footlights Avenue 135-feet from Tanami Avenue on Sunbeam Street does not meet District policy for roadway offsets for local streets along a collector. Staff recognizes that the offset between Tanami Road and Ten Mile Road (530-feet) limits the ability for the applicant to meet the 330-feet of spacing between Tanami Road and Footlights Avenue. Therefore, Staff recommends adjusting Footlights Avenue to be at least 330-feet from Ten Mile Road, as measured centerline to centerline. Staff does not recommend that the applicant align Footlights Avenue with Tanami Avenue because it would create a linear road to the north that would not be conducive to traffic calming.

5. Stub Streets

a. **Existing Conditions:** There is an existing local stub street that stubs at the northern property line, Rocker Avenue.

b. **Policy:**
Stub Street Policy: District policy 7207.2.4 (local)states that stub streets will be required to provide circulation or to provide access to adjoining properties. Stub streets will conform with the requirements described in Section 7207.2.5.4 (local), except a temporary cul-de-sac will not

be required if the stub street has a length less than 150-feet. A sign shall be installed at the terminus of the stub street stating that, "THIS ROAD WILL BE EXTENDED IN THE FUTURE."

In addition, stub streets must meet the following conditions:

- A stub street shall be designed to slope towards the nearest street intersection within the proposed development and drain surface water towards that intersection; unless an alternative storm drain system is approved by the District.
- The District may require appropriate covenants guaranteeing that the stub street will remain free of obstructions.

c. Applicant Proposal: The applicant is proposing to extend Rocker Avenue into the site, and to construct a new local stub street to the east, Canube Street, located 150-feet north of Sunbeam Street.

d. Staff Comments/Recommendations: The applicant's proposal meets District policy and should be approved as proposed. A sign shall be installed at the terminus of the Canube Street stub street stating that, "THIS ROAD WILL BE EXTENDED IN THE FUTURE."

6. Tree Planters

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

7. Landscaping

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

8. Other Access

Ten Mile Road is classified as a minor arterial roadway; Sunbeam Street is classified as a collector roadway. Other than the access specifically approved with this application, direct lot access is prohibited to these roadways and should be noted on the final plat.

D. Site Specific Conditions of Approval

1. Dedicate additional right-of-way to total 48-feet from the centerline of Ten Mile Road abutting the site. Compensation will not be provided for this right-of-way dedication.

2. Widen the pavement on Ten Mile Road to a minimum 17-feet from centerline plus a 3-foot wide gravel shoulder adjacent to the entire site.

3. Construct a 5-foot wide detached concrete sidewalk located a minimum of 41-feet from the centerline of Ten Mile Road abutting the site. Provide a permanent right-of-way easement if detached sidewalks are located outside of the dedicated right-of-way.

4. If the City of Kuna requires Ten Mile Road to be constructed as a complete street abutting the site, then construct Ten Mile Road as half of a 3-lane, 49-foot street section with 24.5-feet of pavement from the centerline of Ten Mile Road, vertical curb, gutter, and a detached concrete sidewalk, a minimum of 5-feet in width, located a minimum of 41-feet from the centerline of Ten Mile Road abutting the site.

5. Construct the internal local streets as 36-foot street sections with rolled curb, gutter, and 5-foot wide attached concrete sidewalks within 50-feet of right-of-way.

6. Construct Footlights Avenue, to intersect Sunbeam Street, 330-feet east of Ten Mile Road as measured from centerline to centerline.

7. Construct one stub street to the east, Canube Avenue, located 150-feet north of Sunbeam Street. Install a sign at the terminus of Sahara Drive, which states that, "THIS ROAD WILL BE EXTENDED IN THE FUTURE."

8. Internal local streets should align or offset no less than 125-feet, as measured from centerline to centerline.

9. Ten Mile Road is classified as a minor arterial roadway; Sunbeam Street is classified as a collector roadway. Other than the access specifically approved with this application, direct lot access is prohibited to these roadways and should be noted on the final plat.

10. Payment of impact fees is due prior to issuance of a building permit.

11. Comply with all Standard Conditions of Approval.

E. Standard Conditions of Approval

1. All proposed irrigation facilities shall be located outside of the ACHD right-of-way (including all easements). Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way (including all easements).

2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.

3. In accordance with District policy, 7203.3, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.

4. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.

5. A license agreement and compliance with the District's Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.

6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.

7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.

8. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.

9. All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.

10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.

11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.

12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

F. Conclusions of Law

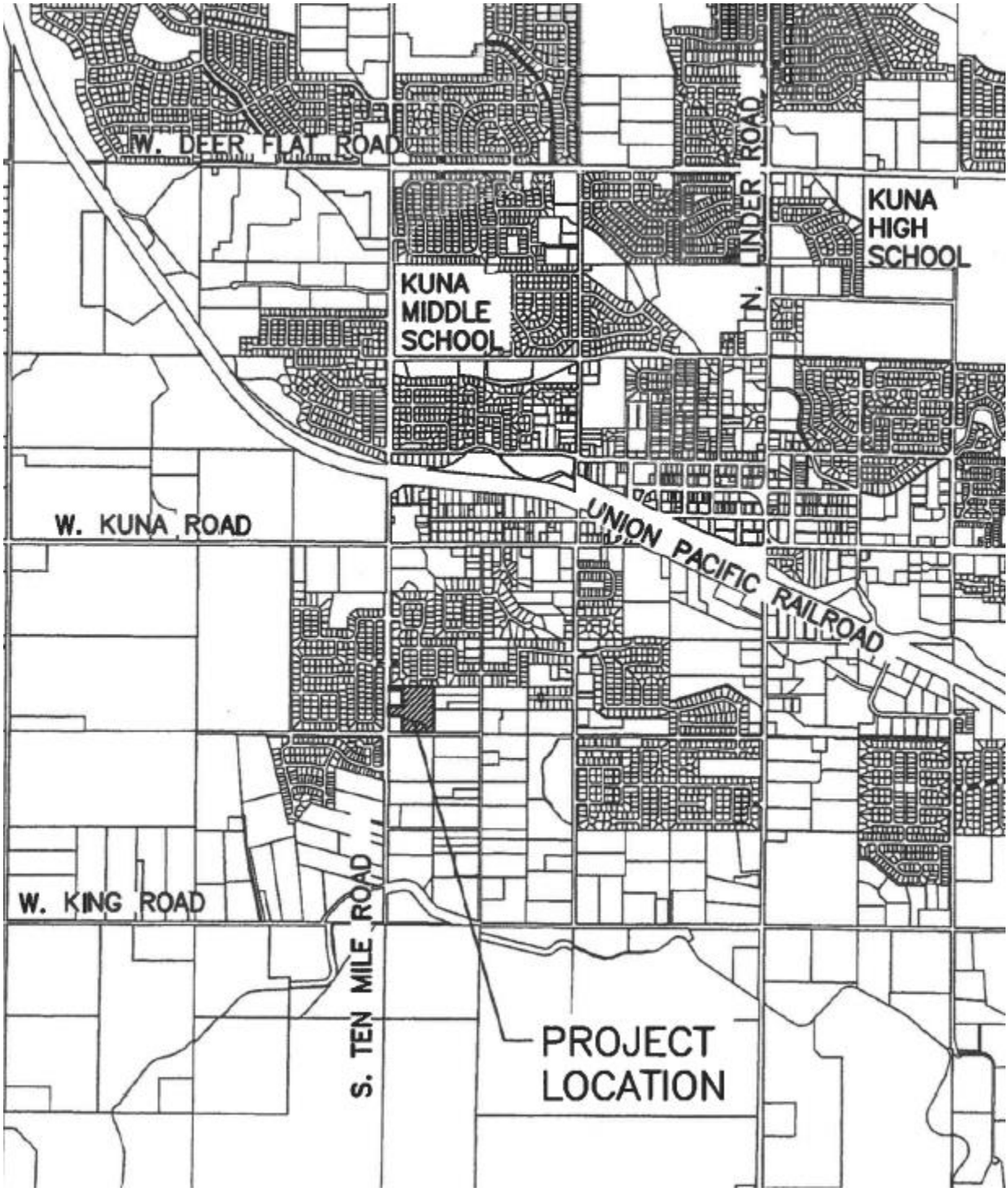
1. The proposed site plan is approved, if all of the Site Specific and Standard Conditions of Approval are satisfied.

2. ACHD requirements are intended to assure that the proposed use/development will not place an undue burden on the existing vehicular transportation system within the vicinity impacted by the proposed development.

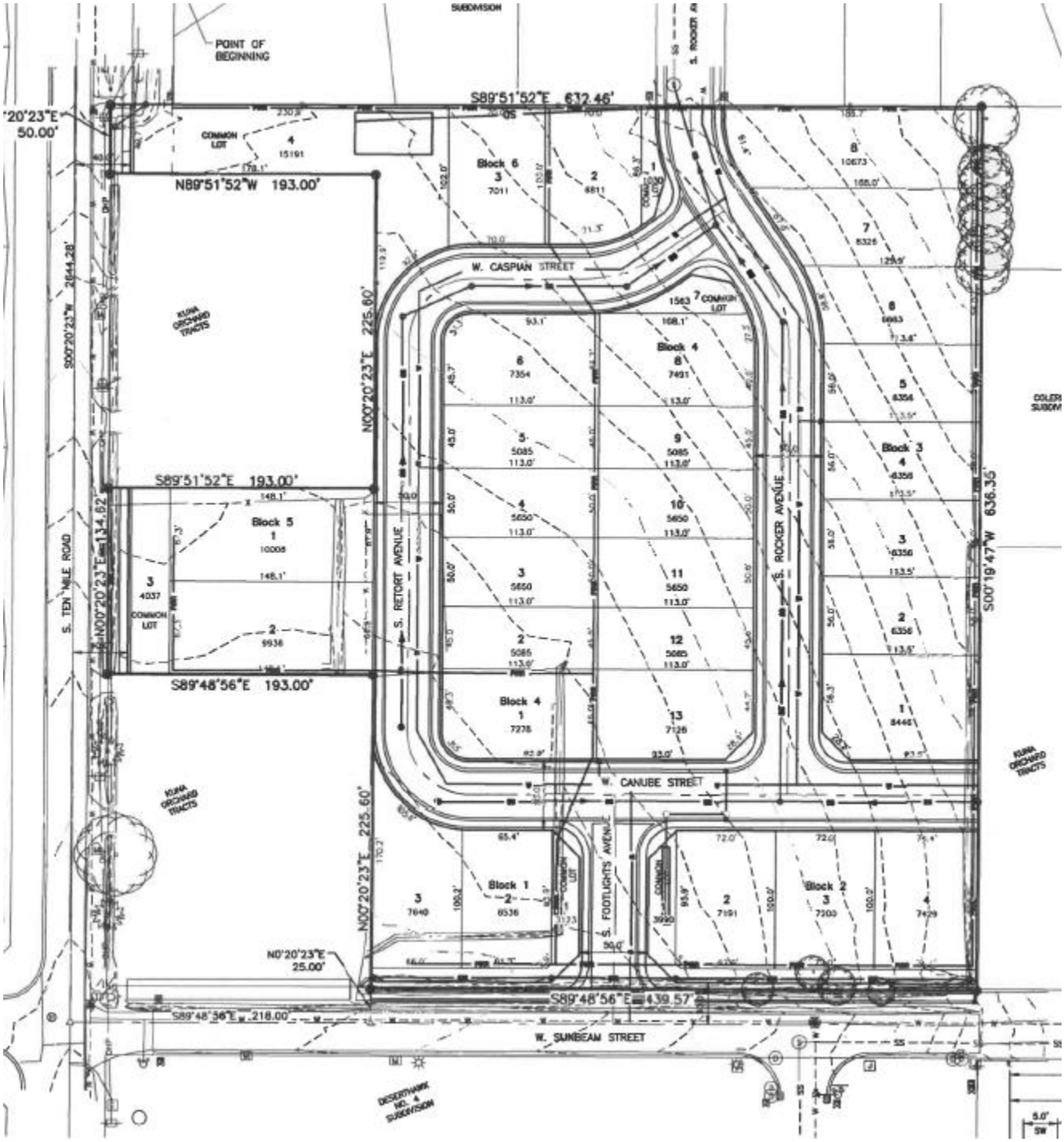
G. Attachments

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

VICINITY MAP



SITE PLAN


POINT OF BEGINNING
S89°51'52"E 632.46'
N89°51'52"W 193.00'
S89°51'52"E 193.00'
S89°48'56"E 193.00'
N00°20'23"E 225.60'
S00°20'23"W 2644.28'
N00°20'23"E 134.62'
S00°19'47"W 636.35'
N0°20'23"E 25.00'
S89°48'56"E 439.57'
S89°48'56"E 218.00'
W. CASPIAN STREET
W. CANUBE STREET
W. SUNBEAM STREET
S. RETORT AVENUE
S. ROCKER AVENUE
S. FOOTLIGHTS AVENUE
S. TEN MILE ROAD
COMMON LOT
Block 1
Block 2
Block 3
Block 4
Block 5
Block 6
KUNA ORCHARD TRACTS
DESERTHAWK NO. 4 SUBDIVISION

Ada County Utility Coordinating Council

Developer/Local Improvement District
Right of Way Improvements Guideline Request

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

1) **Notification:** Within five (5) working days upon notification of required right of way improvements by Highway entities, developers shall provide written notification to the affected utility owners and the Ada County Utility Coordinating Council (UCC). Notification shall include but not be limited to, project limits, scope of roadway improvements/project, anticipated construction dates, and any portions critical to the right of way improvements and coordination of utilities.

2) **Plan Review:** The developer shall provide the highway entities and all utility owners with preliminary project plans and schedule a plan review conference. Depending on the scale of utility improvements, a plan review conference may not be necessary, as determined by the utility owners. Conference notification shall also be sent to the UCC. During the review meeting the developer shall notify utilities of the status of right of way/easement acquisition necessary for their project. At the plan review conference each company shall have the right to appeal, adjust and/or negotiate with the developer on its own behalf. Each utility shall provide the developer with a letter of review indicating the costs and time required for relocation of its facilities. Said letter of review is to be provided within thirty calendar days after the date of the plan review conference.

3) **Revisions:** The developer is responsible to provide utilities with any revisions to preliminary plans. Utilities may request an updated plan review meeting if revisions are made in the preliminary plans which affect the utility relocation requirements. Utilities shall have thirty days after receiving the revisions to review and comment thereon.

4) **Final Notification:** The developer will provide highway entities, utility owners and the UCC with final notification of its intent to proceed with right of way improvements and include the anticipated date work will commence. This notification shall indicate that the work to be performed shall be pursuant to final approved plans by the highway entity. The developer shall schedule a preconstruction meeting prior to right of way improvements. Utility relocation activity shall be completed within the times established during the preconstruction meeting, unless otherwise agreed upon.

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

Development Process Checklist

Items Completed to Date:

☒Submit a development application to a City or to Ada County

☒The City or the County will transmit the development application to ACHD

☒The ACHD **Planning Review Section** will receive the development application to review

☒The **Planning Review Section** will do one of the following:

☐Send a **"No Review"** letter to the applicant stating that there are no site specific conditions of approval at this time.

☒Write a **Staff Level** report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy.

☐Write a **Commission Level** report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy.

Items to be completed by Applicant:

☐For **ALL** development applications, including those receiving a **"No Review"** letter:

- The applicant should submit one set of engineered plans directly to ACHD for review by the **Development Review Section** for plan review and assessment of impact fees. (Note: if there are no site improvements required by ACHD, then architectural plans may be submitted for purposes of impact fee assessment.)
- The applicant is required to get a permit from Construction Services (ACHD) for ANY work in the right-of-way, including, but not limited to, driveway approaches, street improvements and utility cuts.

☐Pay Impact Fees prior to issuance of building permit. Impact fees cannot be paid prior to plan review approval.

DID YOU REMEMBER:
Construction (Non-Subdivisions)
☐ **Driveway or Property Approach(s)**

- Submit a "Driveway Approach Request" form to ACHD Construction (for approval by Development Services & Traffic Services). There is a one week turnaround for this approval.

☐ **Working in the ACHD Right-of-Way**

- Four business days prior to starting work have a bonded contractor submit a "Temporary Highway Use Permit Application" to ACHD Construction – Permits along with:
  a) Traffic Control Plan
  b) An Erosion & Sediment Control Narrative & Plat, done by a Certified Plan Designer, if trench is >50' or you are placing >600 sf of concrete or asphalt.

Construction (Subdivisions)
☐ **Sediment & Erosion Submittal**

- At least one week prior to setting up a Pre-Construction Meeting an Erosion & Sediment Control Narrative & Plan, done by a Certified Plan Designer, must be turned into ACHD Construction to be reviewed and approved by the ACHD Stormwater Section.

☐ **Idaho Power Company**

- Vic Steelman at Idaho Power must have his IPCO approved set of subdivision utility plans prior to Pre-Con being scheduled.

☐ **Final Approval from Development Services is required** prior to scheduling a Pre-Con.

Request for Appeal of Staff Decision

1. **Appeal of Staff Decision:** The Commission shall hear and decide appeals by an applicant of the final decision made by the Development Services Manager when it is alleged that the Development Services Manager did not properly apply this section 7101.6, did not consider all of the relevant facts presented, made an error of fact or law, abused discretion or acted arbitrarily and capriciously in the interpretation or enforcement of the ACHD Policy Manual.

    a. Filing Fee: The Commission may, from time to time, set reasonable fees to be charged the applicant for the processing of appeals, to cover administrative costs.

    b. Initiation: An appeal is initiated by the filing of a written notice of appeal with the Secretary and Clerk of the District, which must be filed within ten (10) working days from the date of the decision that is the subject of the appeal. The notice of appeal shall refer to the decision being appealed, identify the appellant by name, address and telephone number and state the grounds for the appeal. The grounds shall include a written summary of the provisions of the policy relevant to the appeal and/or the facts and law relied upon and shall include a written argument in support of the appeal. The Commission shall not consider a notice of appeal that does not comply with the provisions of this subsection.

    c. Time to Reply: The Development Services Manager shall have ten (10) working days from the date of the filing of the notice of appeal to reply to the notice of the appeal, and may during such time meet with the appellant to discuss the matter, and may also consider and/or modify the decision that is being appealed. A copy of the reply and any modifications to the decision being appealed will be provided to the appellant prior to the Commission hearing on the appeal.

    d. Notice of Hearing: Unless otherwise agreed to by the appellant, the hearing of the appeal will be noticed and scheduled on the Commission agenda at a regular meeting to be held within thirty (30) days following the delivery to the appellant of the Development Services Manager's reply to the notice of appeal. A copy of the decision being appealed, the notice of appeal and the reply shall be delivered to the Commission at least one (1) week prior to the hearing.

    e. Action by Commission: Following the hearing, the Commission shall either affirm or reverse, in whole or part, or otherwise modify, amend or supplement the decision being appealed, as such action is adequately supported by the law and evidence presented at the hearing.

Request for Reconsideration of Commission Action

1. **Request for Reconsideration of Commission Action:** A Commissioner, a member of ACHD staff or any other person objecting to any final action taken by the Commission may request reconsideration of that action, provided the request is not for a reconsideration of an action previously requested to be reconsidered, an action whose provisions have been partly and materially carried out, or an action that has created a contractual relationship with third parties.

    a. Only a Commission member who voted with the prevailing side can move for reconsideration, but the motion may be seconded by any Commissioner and is voted on by all Commissioners present.

       If a motion to reconsider is made and seconded it is subject to a motion to postpone to a certain time.

    b. The request must be in writing and delivered to the Secretary of the Highway District no later than 11:00 a.m. 2 days prior to the Commission's next scheduled regular meeting following the meeting at which the action to be reconsidered was taken. Upon receipt of the request, the Secretary shall cause the same to be placed on the agenda for that next scheduled regular Commission meeting.

    c. The request for reconsideration must be supported by written documentation setting forth new facts and information not presented at the earlier meeting, or a changed situation that has developed since the taking of the earlier vote, or information establishing an error of fact or law in the earlier action. The request may also be supported by oral testimony at the meeting.

    d. If a motion to reconsider passes, the effect is the original matter is in the exact position it occupied the moment before it was voted on originally. It will normally be returned to ACHD staff for further review. The Commission may set the date of the meeting at which the matter is to be returned. The Commission shall only take action on the original matter at a meeting where the agenda notice so provides.

    e. At the meeting where the original matter is again on the agenda for Commission action, interested persons and ACHD staff may present such written and oral testimony as the President of the Commission determines to be appropriate, and the Commission may take any action the majority of the Commission deems advisable.

    f. If a motion to reconsider passes, the applicant may be charged a reasonable fee, to cover administrative costs, as established by the Commission.

City of Kuna
PROOF OF PROPERTY POSTING

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

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

This notice shall confirm that the Public Hearing Notice for Kern River (NAME OF SUBDIVISION OR ADDRESS) was posted as required per Kuna City Ordinance 5-1A-8. Sgn posted 11/1/19 (DAY OF THE WEEK, MONTH, DATE AND YEAR). *This form is required to be returned three (3) calendar days subsequent to posting and signs are to be removed from the site three (3) calendar days after the hearing.*

DATED *this* 1 *day of* November, 2019.

Signature,

Owner/Developer

STATE OF IDAHO)
): ss
County of Ada)

On this 1 *day of* November, 2019, *before me the undersigned, a Notary Public in and for said State, personally appeared before me (Owner, Developer).*

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

Notary Public
Residing at 10809 W Estate Dr.

Commission Expires 3/30/21

HOLLY WEIGEL NOTARY PUBLIC STATE OF IDAHO


CITY OF KUNA
PUBLIC HEARING NOTICE
Kuna Planning and Zoning Commission
THE CITY OF KUNA will hold a public hearing on November 12, 2019 at 6:00 PM, at Kuna City Hall
PURPOSE: 19-07-S (Preliminary Plat), 19-06-ZC (Rezone), and 19-27-DR (Design Review)
LOCATION: 750 S. Ten Mile Rd. (APN: R5070503500) Kuna, Idaho
APPLICATION BY: JUB / Wendy Shrief
CONTACT: Kuna Planning & Zoning at 208-922-5546

City of Kuna
PROOF OF PROPERTY POSTING

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

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

This notice shall confirm that the Public Hearing Notice for Kern River (NAME OF SUBDIVISION OR ADDRESS) was posted as required per Kuna City Ordinance 5-1A-8. Sign posted 1/10/20 (DAY OF THE WEEK, MONTH, DATE AND YEAR). *This form is required to be returned three (3) calendar days subsequent to posting and signs are to be removed from the site three (3) calendar days after the hearing.*

DATED *this* 10th *day of* January, 2020.

Signature,

Owner/Developer

STATE OF IDAHO)
): ss
County of Ada)

On this 10th *day of* January, 2020, *before me the undersigned, a Notary Public in and for said State, personally appeared before me* (Owner, Developer).

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

Notary Public
Residing at 10909 W Estate Dr. Boise Id 83709

Commission Expires 03/30/2021

HOLLY WEIGEL
NOTARY
PUBLIC
STATE OF IDAHO


CITY OF KUNA
PUBLIC HEARING NOTICE
Kuna City Council
THE CITY OF KUNA will hold a public hearing on January 21, 2020 at 6:00 PM, at Kuna City Hall
PURPOSE: 19-07-S (Preliminary Plat), 19-06-ZC (Rezone), and 19-27-DR (Design Review)
LOCATION: 750 S. Ten Mile Rd. (APN: R5070503500) Kuna, Idaho
APPLICATION BY: JUB / Wendy Shrief
CONTACT: Kuna Planning & Zoning at 208-922-5546

CITY OF KUNA
PLANNING & ZONING DEPARTMENT
751 West 4th Street
P.O. Box 13
Kuna, ID 83634
Phone: 208-922-5274
Fax: 208-922-5989
www.kunacity.id.gov

CERTIFICATE OF MAILING

Date: 10/17/2019

To: ☑ 350' Property Owners ☐ Other _____

Planner: Doug Hanson, Planner I

Case Name: 19-07-S & 19-06-ZC – Kern River Heights Subdivision

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I HEREBY CERTIFY that on this 17th day of October, 2019, I caused a true and correct copy of the foregoing instrument to be deposited in the United States mail, with prepaid postage.

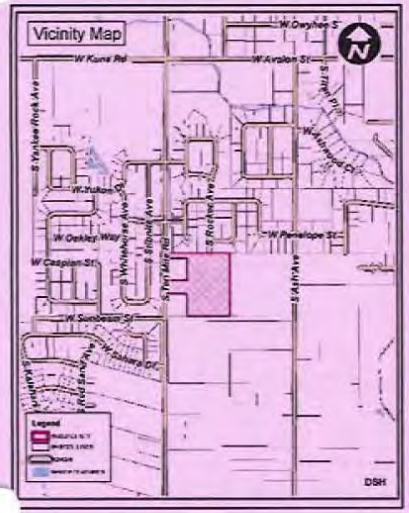
Signature

Attest

CITY OF KUNA
PLANNING & ZONING DEPARTMENT
PO Box 13 • 751 W. 4th St • Kuna, Idaho • 83634
Phone (208) 922-5274 • Fax: (208) 922-5989
www.kunacity.id.gov

Dear Property Owner:

NOTICE IS HEREBY GIVEN that the City of Kuna **Planning and Zoning Commission** is scheduled to hold a public hearing on **November 12, 2019,** beginning **at 6:00 pm** on the following case:



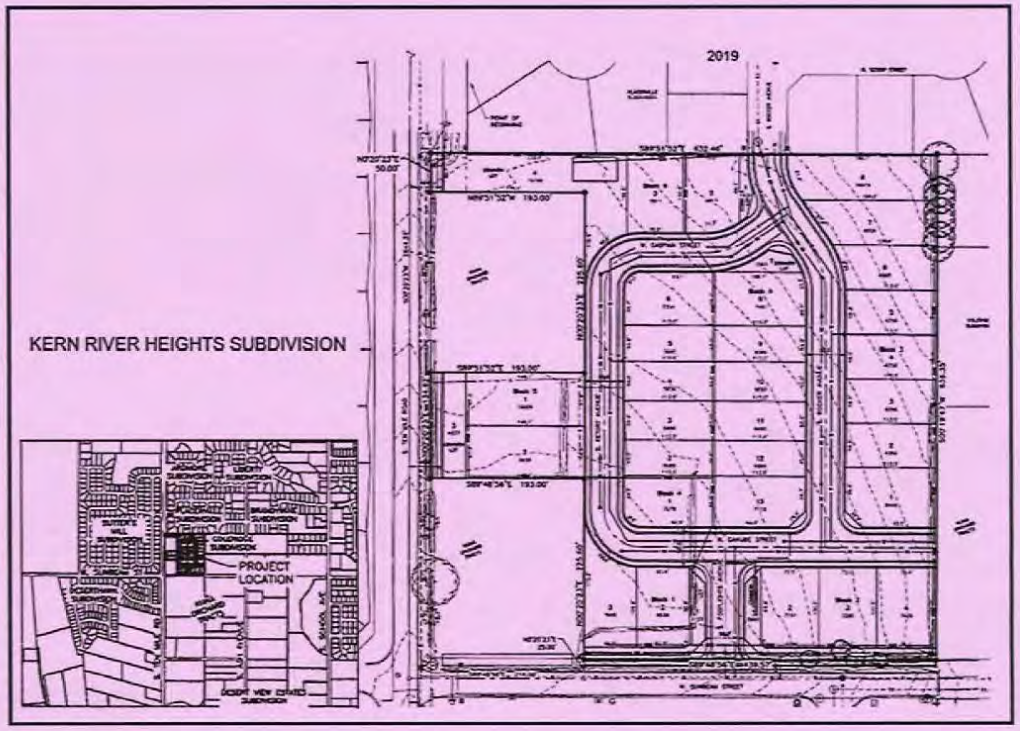
A request from JUB Engineers, on behalf of Carl Bader (owner), to rezone one parcel consisting of approximately 7.25 acres from A (Agriculture) to R-6 (Medium Density Residential) zone and to subdivide the 7.25 acres into 35 total lots (twenty-nine (29) buildable lots, six (6) common lots). The subject site is located at 750 S. Ten Mile Rd., Kuna, ID 83634, within Section 26, Township 2 North, Range 1 West; (APN: R5070503500).

The hearing will be held **at 6:00 PM in the Council Chambers at City Hall located at 751 W. 4th Street, Kuna, Idaho.**

You are invited to provide oral or written comments. Written testimony received by the close of business on ***November 5, 2019*** will be included in the packet that is distributed to the governing body prior to the hearing. Late submissions (must submit eight (8) copies) will be presented to the governing body at time of the hearing. Please note oral comments made during the public hearing will be restricted to three (3) minutes per person.

Mail written comments to PO Box 13, Kuna, ID 83634 or hand deliver them to City Hall.

If you have questions or need special assistance, please contact the Planning and Zoning Division at (208) 922-5274.



MAILED 10/17/19

Ann and Kyle Allen
647 S Stibnite Ave
Kuna, ID 83634

Carl Bader
780 S Ten Mile Rd
Kuna, ID 83634

Carl J Bader
PO Box 332
Kuna, ID 83634

Roger and Amy Beavers
587 S Rocker Ave
Kuna, ID 83634

Judith and John Beliera
1429 W Penelope St
Kuna, ID 83634

Bendall Family Trust
566 S Retort Pl
Kuna, ID 83634

Todd and Deena Brier
524 S Tailings Ave
Kuna, ID 83634

Joshua and Katie Brown
535 S Tailings Ave
Kuna, ID 83634

William and Sheryl Bustamante
1533 W Scoop St
Kuna, ID 83634

Mckenzie and Heather Callahan
487 S Rocker Ave
Kuna, ID 83634

Challenger Development Inc
1977 E Overland Rd
Meridian, ID 83642

Cindy Clark
834 S Stibnite Pl
Kuna, ID 83634

Eric and Katie Clark
722 S Ten Mile Rd
Kuna, ID 83634

Robert and Jessica Clark
741 S Stibnite Ave
Kuna, ID 83634

Cynthia Cothern
1489 W Scoop St
Kuna, ID 83634

Clinton Curtis
1511 S Scoop St
Kuna, ID 83634

Deserthawk Sub HOA
177 E Overland Rd
Meridian, ID 83642

Daniel and Julie Dobransky
1467 W Scoop St
Kuna, ID 83634

Michaelyn Drenner
650 S Stibnite Ave
Kuna, ID 83634

Jeanie and Jason Dulin
488 S Rocker Ave
Kuna, ID 83634

Glenn and Barbara Ellis
622 S Whitehorse Ave
Kuna, ID 83634

Brian and Terresa Ellway
742 S Stibnite Ave
Kuna, ID 83634

Thomas and Donna Emidy
497 S Tailings Ave
Kuna, ID 83634

Matthew Engelbart
704 S Whitehorse Ave
Kuna, ID 83634

Scott Frazier
513 S Tailings Ave
Kuna, ID 83634

Juli and Bobby Frontini
521 S Rocker Ave
Kuna, ID 83634

Colleen Gee and Cheryl Potts
683 S Stibnite Ave
Kuna, ID 83634

Bart and Louann George
1407 W Penelope St
Kuna, ID 83634

Melisa George
852 S Stibnite Pl
Kuna, ID 83634

Mason Hardin
534 S Rocker Ave
Kuna, ID 83634

Todd and Kristin Hayes
502 S Retort Pl
Kuna, ID 83634

Allen and Heather Hillman
634 S Stibnite Ave
Kuna, ID 83634

Hip Woo Hong Trading Co LLC
318 W Colchester Dr
Eagle, ID

Joel and Melissa Hirtle
535 S Retort Pl
Kuna, ID 83634

Jaymie Hoyle and Babette Monroe
524 S Retort Pl
Kuna, ID 83634

Misty and Noel Hudon
847 S Ash Ave
Kuna, ID 83634

Travis Johnson and Amber Saurey
629 S Stibnite Ave
Kuna, ID 83634

Irina and Ruslan Kondratyuk
502 S Tailings Ave
Kuna, ID 83634

Otha and Brenda Lee
722 S Whitehorse Ave
Kuna, ID 83634

Kyle Mallatt
1661 W Afton St
Kuna, ID 83634

Nicholas and Stephanie Marsala
1677 W Afton St
Kuna, ID 83634

Wanda Martin
1649 W Afton St
Kuna, ID 83634

Benjamin and Jennifer Maupin
478 S Retort Ave
Kuna, ID 83634

David and Rose McCaslin
553 S Rocker Ave
Kuna, ID 83634

Martin and Julie McDannel
682 S Whitehorse Ave
Kuna, ID 83634

Tyler and Angie McKay
513 S retort Pl
Kuna, ID 83634

Alan Michaelson
655 S Ash Ave
Kuna, ID 83634

Gordon and Susan Neuman
553 S Stibnite Ave
Kuna, ID 83634

Eric and Jillian Neville
546 S Tailings Ave
Kuna, ID 83634

Douglas and Peggy Newman
29776 Davis Rd
Bruneau, ID 83604-5038

Erik and Amy Nielsen
660 W Whitehorse Ave
Kuna, ID 83634

Dillon Onieda
512 S Rocker Ave
Kuna, ID 83634

Kimberly and Lucas Packer
668 S Stibnite Ave
Kuna, ID 83634

Clyde and Sara Powell
550 S Stibnite Ave
Kuna, ID 83634

David and Shannon Puga
706 S Stibnite Ave
Kuna, Id 83634

David and Danielle Pugmire
709 S Stibnite Ave
Kuna, ID 83634

Patricia Rafter
607 S Stibnite Ave
Kuna, ID 83634

Brett Reitmeier
PO Box 248
Kuna, ID 83634

Kurt Romero
589 S Stibnite Ave
Kuna, ID 83634

Derek and Kelsey Sanders
565 S Rocker Ave
Kuna, ID 83634

Gregory and Patricia Savage
756 S Stibnite Ave
Kuna, ID 83634

Silver Falls HOA Inc
PO Box 817
Kuna, ID 83634-0817

Floyd and Patricia Smart
577 S Retort Pl
Kuna, ID 83634

Kevin and Ann Smith
519 S Whim Ave
Kuna, ID 83634

Jonathan and Heidi Sorenson
531 S Whim Ave
Kuna, ID 83634

Sutter's Mill Sub No. 1 HOA
PO Box 87
Kuna, ID 83634

Heather and John Talbot
625 S Ash Ave
Kuna, ID 83634

Casey and Kathleen Timmons
723 S Stibnite Ave
Kuna, ID 83634

Vladimir and Yelena Tsioma
618 S Stibnite Ave
Kuna, ID 83634

Cloyd and Brenda Watson
684 S Stibnite Ave
Kuna, ID 83634

Douglas Wiebusch
685 S Ash Ave
Kuna, ID 83634

Stephen and Shelley Wilcox
604 S Whitehorse Ave
Kuna, ID 836334

Joshua Wilks
594 S Stibnite Ave
Kuna, ID 83634

Paul Williams
644 S Whitehorse Ave
Kuna, ID 83634

Thurlow Young
728 S Stibnite Ave
Kuna, ID 83634

PRIMOWNER	SECOWNER
ALLEN DESANIE ANN	ALLEN KYLE B
BADER CARL	
BADER CARL J	
BEAVERS ROGER W	BEAVERS AMY E
BELIERA JUDITH E	BELIERA JOHN L
BENDALL FAMILY TRUST 12/11/17	BENDALL RICHARD EVAN TRUSTEE
BREIER TODD J	BREIER DEENA L
BROWN JOSHUA L	BROWN KATIE AMANDA
BUSTAMANTE WILLIAM J	BUSTAMANTE SHERYL K
CALLAHAN MCKENZIE	CALLAHAN HEATHER
CHALLENGER DEVELOPMENT INC	
CLARK CINDY L	
CLARK ERIC	CLARK KATIE
CLARK ROBERT MATTHEW	CLARK JESSICA JEAN
COTHERN CYNTHIA	
CURTIS CLINTON J	
DESERTHAWK SUB HOA	
DOBRANSKY DANIEL R	DOBRANSKY JULIE M
DRENNER MICHAELYN D	
DULIN JEANNIE C	DULIN JASON M
ELLIS GLENN ALVIN	ELLIS BARBARA JEAN
ELLWAY BRIAN	ELLWAY TERRESA
EMIDY THOMAS	EMIDY DONNA
ENGELBART MATTHEW M	
FRAZIER SCOTT R	
FRONTINO JULI LINN	FRONTINO BOBBY RAY
GEE COLLEEN A	POTTS CHERYL D
GEORGE BART BOONE	GEORGE LOUANN
GEORGE MELISA	
HARDIN MASON D	
HAYES TODD	HAYES KRISTINE
HILLMAN ALLEN K	HILLMAN HEATHER B
HIP WOO HONG TRADING CO LLC	
HIRTLE JOEL W	HIRTLE MELISSA J
HOYLE JAYMIE D	MONROE BABETTE T
HUDON MISTY D	HUDON NOEL T
JOHNSON TRAVIS BRENT	SAUREY AMBER RAE
KONDRATYUK IRINA	KONDRATYUK RUSLAN
LEE OTHA C	LEE BRENDA B
MALLATT KYLE	
MARSALA NICHOLAS J	MARSALA STEPHANIE D
MARTIN WANDA A	
MAUPIN BENJAMIN N	MAUPIN JENNIFER
MCCASLIN DAVID A	MCCASLIN ROSE A
MCDANNEL MARTIN BRIAN	MCDANNEL JULIE M
MCKAY TYLER M	MCKAY ANGIE T

MICHAELSON ALAN M
NEUMAN GORDON JAY NEUMAN SUSAN P
NEVILLE ERIC P NEVILLE JILLIAN D
NEWMAN DOUGLAS A NEWMAN PEGGY S
NIELSEN ERIK C NIELSEN AMY R
ONIEDA DILLON J
PACKER KIMBERLY G PACKER LUCAS W
POWELL CLYDE L JR POWELL SARA
PUGA DAVID PUGA SHANNON MARIE
PUGMIRE DAVID L PUGMIRE DANIELLE M
RAFTER PATRICIA
REITMEIER BRETT L
ROMERO KURT TOMAS
SANDERS DEREK L SANDERS KELSEY N
SAVAGE GREGORY L JR SAVAGE PATRICIA A
SILVER FALLS HOA INC
SMART FLOYD SMART PATRICIA
SMITH KEVIN CURT SMITH ANN CELESTE
SORENSON JONATHAN W SORENSON HEIDI L
SUTTERS MILL SUB NO 1 HOA INC
SUTTER'S MILL SUBDIVISION NO 1 HOMEOWNERS' ASSOCIATION
TALBOT HEATHER LEA TALBOT JOHN A
TIMMONS CASEY TIMMONS KATHLEEN
TSIOMA VLADIMIR TSIOMA YELENA
WATSON CLOYD WATSON BRENDA
WIEBUSCH DOUGLAS
WILCOX STEPHEN D WILCOX SHELLEY R
WILKS JOSHUA MICHAEL
WILLIAMS PAUL L & JANET M REVOCABLE LIVING TRUST WILLIAMS PAUL L TRUSTEE
YOUNG THURLOW D REVOCABLE LIVING TRUST YOUNG THURLOW D TRUSTEE

ADDCONCAT	STATCONCAT
647 S STIBNITE AVE	KUNA, ID 83634-0000
780 S TEN MILE RD	KUNA, ID 83634-0000
P O BOX 332	KUNA, ID 83634-0000
587 S ROCKER AVE	KUNA, ID 83634-0000
1429 W PENELOPE ST	KUNA, ID 83634-0000
566 S RETORT PL	KUNA, ID 83634-0000
524 S TAILINGS AVE	KUNA, ID 83634-0000
535 S TAILINGS AVE	KUNA, ID 83634-0000
1533 W SCOOP ST	KUNA, ID 83634-0000
487 S ROCKER AVE	KUNA, ID 83634-0000
1977 E OVERLAND RD	MERIDIAN, ID 83642-0000
834 S STIBNITE PL	KUNA, ID 83634-0000
722 S TEN MILE RD	KUNA, ID 83634-0000
741 S STIBNITE AVE	KUNA, ID 83634-0000
1489 W SCOOP ST	KUNA, ID 83634-0000
1511 W SCOOP ST	KUNA, ID 83634-0000
177 E OVERLAND RD	MERIDIAN, ID 83642-0000
1467 W SCOOP ST	KUNA, ID 83634-0000
650 S STIBNITE AVE	KUNA, ID 83634-0000
488 S ROCKER AVE	KUNA, ID 83634-0000
622 S WHITEHORSE AVE	KUNA, ID 83634-0000
742 S STIBNITE AVE	KUNA, ID 83634-0000
497 S TAILINGS AVE	KUNA, ID 83634-0000
704 S WHITEHORSE AVE	KUNA, ID 83634-0000
513 S TAILINGS AVE	KUNA, ID 83634-0000
521 S ROCKER AVE	KUNA, ID 83634-0000
683 S STIBNITE AVE	KUNA, ID 83634-0000
1407 W PENELOPE ST	KUNA, ID 83634-0000
852 S STIBNITE PL	KUNA, ID 83634-0000
534 S ROCKER AVE	KUNA, ID 83634-0000
502 S RETORT PL	KUNA, ID 83634-0000
634 S STIBNITE AVE	KUNA, ID 83634-0000
318 W COLCHESTER DR	EAGLE, ID 83616-0000
535 S RETORT PL	KUNA, ID 83634-0000
524 S RETORT PL	KUNA, ID 83634-0000
847 S ASH AVE	KUNA, ID 83634-0000
629 S STIBNITE AVE	KUNA, ID 83634-0000
502 S TAILINGS AVE	KUNA, ID 83634-0000
722 S WHITEHORSE AVE	KUNA, ID 83634-0000
1661 W AFTON ST	KUNA, ID 83634-0000
1677 W AFTON ST	KUNA, ID 83634-0000
1649 W AFTON ST	KUNA, ID 83634-0000
478 S RETORT AVE	KUNA, ID 83634-0000
553 S ROCKER AVE	KUNA, ID 83634-0000
682 S WHITEHORSE AVE	KUNA, ID 83634-0000
513 S RETORT PL	KUNA, ID 83634-0000

655 S ASH AVE	KUNA, ID 83634-0000
553 S STIBNITE AVE	KUNA, ID 83634-0000
546 S TAILINGS AVE	KUNA, ID 83634-0000
29776 DAVIS RD	BRUNEAU, ID 83604-5038
660 S WHITEHORSE AVE	KUNA, ID 83634-0000
512 S ROCKER AVE	KUNA, ID 83634-0000
668 S STIBNITE AVE	KUNA, ID 83634-0000
550 S STIBNITE AVE	KUNA, ID 83634-0000
706 S STIBNITE AVE	KUNA, ID 83634-0000
709 S STIBNITE AVE	KUNA, ID 83634-0000
607 S STIBNITE AVE	KUNA, ID 83634-0000
PO BOX 248	KUNA, ID 83634-0000
589 S STIBNITE AVE	KUNA, ID 83634-0000
565 S ROCKER AVE	KUNA, ID 83634-0000
756 S STIBNITE AVE	KUNA, ID 83634-0000
PO BOX 817	KUNA, ID 83634-0817
577 S RETORT PL	KUNA, ID 83634-0000
519 S WHIM AVE	KUNA, ID 83634-0000
531 S WHIM AVE	KUNA, ID 83634-0000
PO BOX 87	KUNA, ID 83634-0000
PO BOX 87	KUNA, ID 83634-0000
625 S ASH AVE	KUNA, ID 83634-0000
723 S STIBNITE AVE	KUNA, ID 83634-0000
618 S STIBNITE AVE	KUNA, ID 83634-0000
684 S STIBNITE AVE	KUNA, ID 83634-0000
685 S ASH AVE	KUNA, ID 83634-0000
604 S WHITEHORSE AVE	KUNA, ID 83634-0000
594 S STIBNITE AVE	KUNA, ID 83634-0000
644 S WHITEHORSE AVE	KUNA, ID 83634-0000
728 S STIBNITE AVE	KUNA, ID 83634-0000

CITY OF KUNA
PLANNING & ZONING DEPARTMENT

751 West 4th Street
P.O. Box 13
Kuna, ID 83634
Phone: 208-922-5274
Fax: 208-922-5989
www.kunacity.id.gov

CERTIFICATE OF MAILING

Date: 12/18/2019

To: ❑ 350' Property Owners ❑ Other _____

Planner: Doug Hanson, Planner I

Case Name: 19-07-S and 19-06-ZC Kern River Heights Subdivision

---

I HEREBY CERTIFY that on this 18th day of December, 2019, I caused a true and correct copy of the foregoing instrument to be deposited in the United States mail, with prepaid postage.

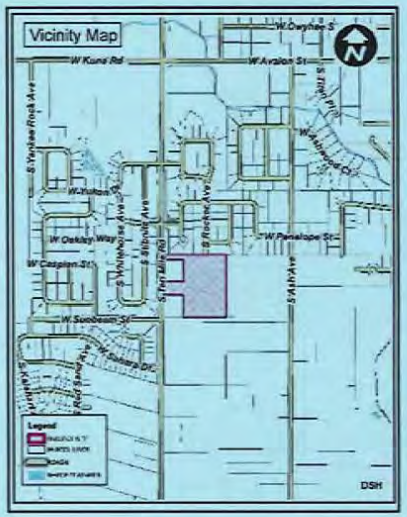
_____
Signature

_____
Attest

CITY OF KUNA
PLANNING & ZONING DEPARTMENT
PO Box 13 • 751 W. 4th St • Kuna, Idaho • 83634
Phone (208) 922-5274 • Fax: (208) 922-5989
www.kunacity.id.gov

Dear Property Owner:

NOTICE IS HEREBY GIVEN that the Kuna **City Council** is scheduled to hold a public hearing on **January 21, 2020,** beginning **at 6:00 pm** on the following case:



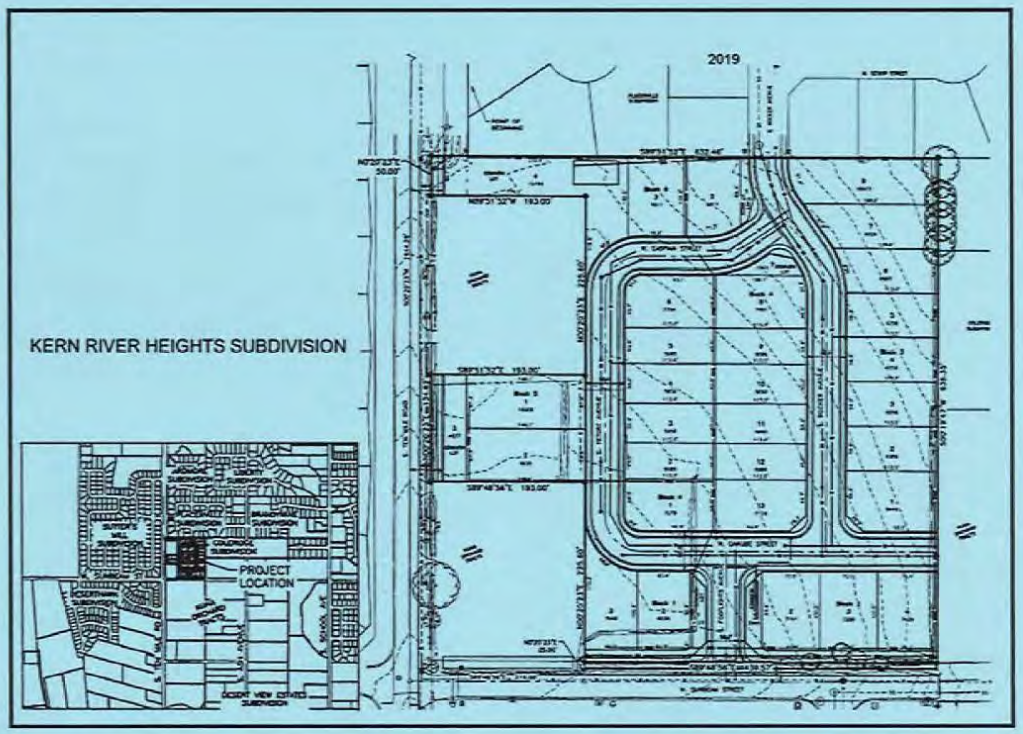
A request from JUB Engineers, on behalf of Carl Bader (owner), to rezone one parcel consisting of approximately 7.25 acres from A (Agriculture) to a R-6 (Medium Density Residential) zoning district classification and to subdivide the 7.25 acres into 35 total lots (twenty-nine (29) buildable lots, six (6) common lots). The subject site is located at 750 S. Ten Mile Rd., Kuna, ID 83634, within Section 26, Township 2 North, Range 1 West; (APN: R5070503500).

The hearing will be held **at 6:00 PM in the Council Chambers at City Hall located at 751 W. 4th Street, Kuna, Idaho.**

You are invited to provide oral or written comments. Written testimony received by the close of business on ***January 14, 2020*** will be included in the packet that is distributed to the governing body prior to the hearing. Late submissions (must submit eight (8) copies) will be presented to the governing body at time of the hearing. Please note oral comments made during the public hearing will be restricted to three (3) minutes per person.

Mail written comments to PO Box 13, Kuna, ID 83634 or hand deliver them to City Hall.

If you have questions or need special assistance, please contact the Planning and Zoning Division at (208) 922-5274.



MAILED 12/18/19

Suggestions For Testifying at the Public Hearing:

Be informed . . .
Review the proposal, staff report, applicable provisions of the ordinance, comprehensive plan and Idaho State Code (Title 67, Chapter 65).

All items pertaining to the application can be found the Friday prior to the hearing at **http://kunacity.id.gov/240/Agendas-and-Meeting-Minutes.**

Be on time . . .
Although the item you are interested in may not be first on the agenda, you never know when it will be heard. The governing body has authority to adjust the schedule according to its discretion. Thus, anticipate attending from the beginning.

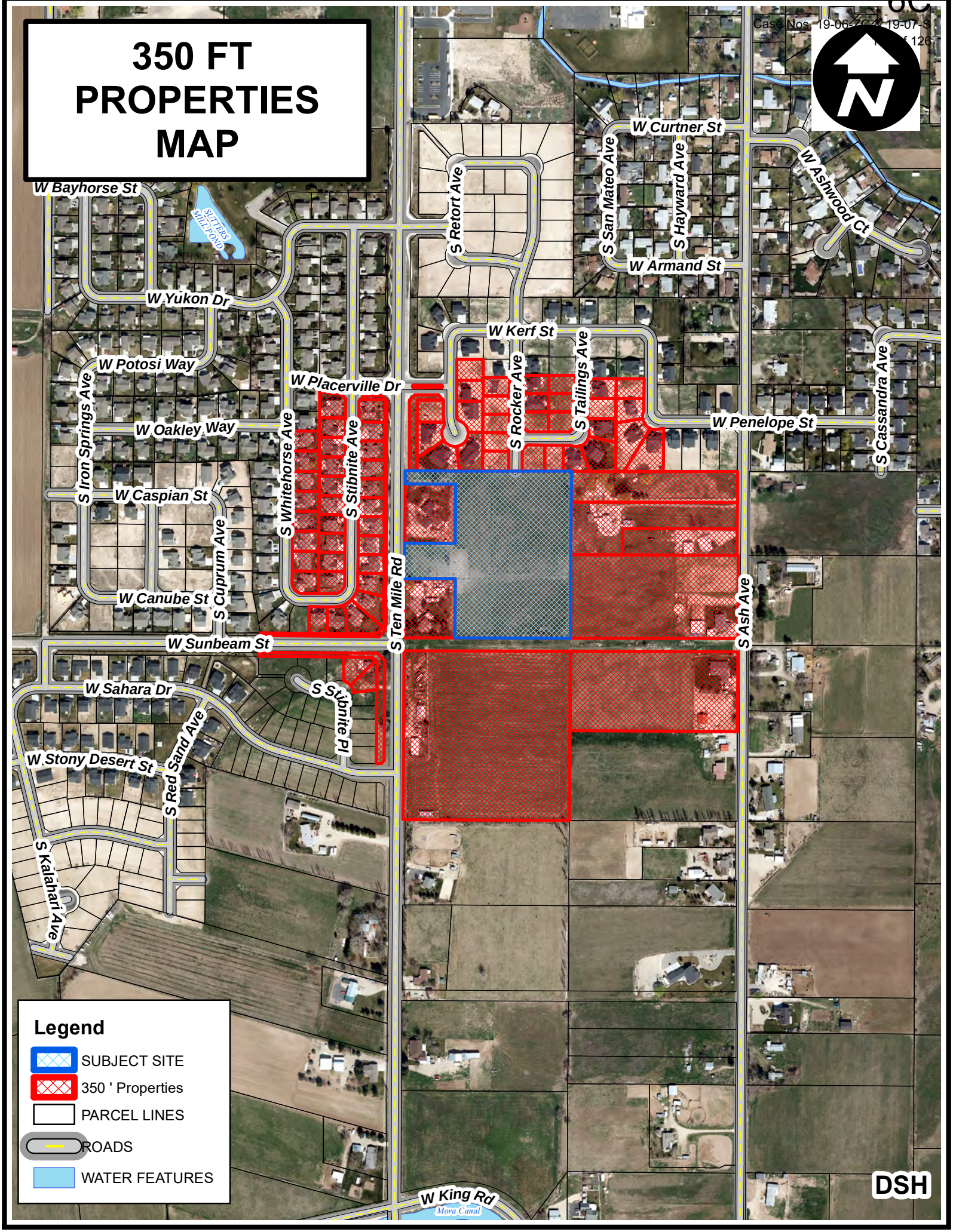
Speak to the point . . .
The governing body appreciates pertinent, well organized, factual and concise comments. Redundant testimony is prohibited. **The developer or their representative is given 10 minutes to present their project. Others wishing to testify are given three (3) minutes. The developer (or their representative) is given additional time for rebuttal to address issues raised during public testimony.** Long stories, abstract complaints, or generalities may not be the best use of time. Neighborhood groups are encouraged to organize testimony and have one (1) person speak on behalf of the group. The group representative will receive 10 minutes to make comments.

If you don't wish to speak, write . . .
Written testimony submitted one (1) week prior to the hearing will be included in the packet that is distributed to the governing body prior to the hearing. Late submissions must submit eight (8) copies, which will be presented to the governing body at time of hearing. As a reminder, it is unreasonable to submit extensive written comments or information at the hearing and expect them to be reviewed prior to a decision.

City of Kuna
Planning and Zoning
PO Box 13
Kuna, ID 83634

LEGAL NOTICE POSTED

350 FT PROPERTIES MAP



Doug Hanson

From: Doug Hanson
Sent: Thursday, October 17, 2019 8:44 AM
To: 'IDAHO PRESS-TRIBUNE'
Subject: City of Kuna Request for Legal Publication
Attachments: Kern River Legal Publication KMN 10.23.19.docx

Greetings:

We would like to request that you publish the attached legal notification in the October 23rd, 2019 cycle of the Kuna Melba News on behalf of the City of Kuna, Planning and Zoning Department. This notification needs to only be published for one (1) cycle.

The Kuna P.O. for these requests is #9192 (if you need it)

Thanks,

Doug Hanson
Planner 1
City of Kuna
751 W 4th St
Kuna, ID 83634

CITY OF KUNA
PO Box 13 - Kuna, ID 83634
Phone: 208.922.5274 - Fax: 208.922.5989

File #'s 19-06-ZC & 19-07-S, Kern River Heights Subdivision

NOTICE IS HEREBY GIVEN, that the Kuna Planning and Zoning Commission will hold a public hearing, **Tuesday, November 12, 2019 at 6:00 pm**, or as soon as can be heard at Kuna City Hall, 751 W. 4th St, Kuna, ID; in connection with a **Rezone (ZC)** and **Preliminary Plat (S)** request for Kern River Heights Subdivision. On behalf of Carl Bader (owner), JUB Engineers requests to rezone one parcel consisting of approximately 7.25 acres from A (Agriculture) to R-6 (Medium Density Residential) zone and to subdivide the 7.25 acres into 35 total lots (twenty-nine (29) buildable lots, six (6) common lots). The subject site is located at 750 S. Ten Mile Rd., Kuna, ID 83634, within Section 26, Township 2 North, Range 1 West; (APN: R5070503500).

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Please do not contact anyone who would be involved in this decision making process, which would include the Planning & Zoning Commissioners, City Council Members, or the Mayor; as such private conversations would be considered ex parte (one sided) and could jeopardize the public hearing process.

If you have any questions or require special accommodations, please contact the Kuna Planning & Zoning Department prior to the meeting at (208) 922-5274.

Kuna Planning & Zoning Department

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*(No need to print this portion) Please publish one time on **October 23, 2019**.*

(Sent 10/17/2019)

Kuna P.O. #9192

IDAHO PRESS-TRIBUNE
EMMETT MERIDIAN KUNA BOISE WKLY
C/O ISJ PAYMENT PROCESSING CENTER
PO BOX 1570
POCATELLO ID 83204
(208)467-9251
Fax (208)475-2321

ORDER CONFIRMATION

Salesperson: LEGALS — Printed at 10/17/19 19:13 by sje14

Acct #: 345222 — Ad #: 1957318 — Status: New CHOLD

1 KUNA, CITY OF
P.O. BOX 13
KUNA ID 83634

Start: 10/23/2019 — Stop: 10/23/2019
Times Ord: 1 — Times Run: ***
LEG 1.00 X 70.00 — Words: 293
Total LEG 70.00
Class: 0006 GOVERNMENT NOTICES
Rate: LG — Cost: 56.80
Affidavits: 1

Contact: CHRIS ENGLES
Phone: (208)387-7727
Fax#:
Email: awelker@kunaid.gov; gsmith@k
Agency:

Ad Descrpt: PH 11/12/19 KERN RIVER
Given by: DOUG HANSON
P.O. #:
Created: sje14 10/17/19 19:10
Last Changed: sje14 10/17/19 19:13

PUB	ZONE	EDT	TP	RUN DATES
KMN	A	96	S	10/23

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

DOUG HANSON
Name (print or type)

Name (signature)

(CONTINUED ON NEXT PAGE)

IDAHO PRESS-TRIBUNE
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ORDER CONFIRMATION (CONTINUED)

Salesperson: LEGALS Printed at 10/17/19 19:13 by sje14

Acct #: 345222 Ad #: 1957318 Status: New CHOLD CH

LEGAL NOTICE

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Kuna Planning & Zoning Department

October 23, 2019 1957318

Doug Hanson

From: Doug Hanson
Sent: Wednesday, December 11, 2019 2:02 PM
To: 'IDAHO PRESS-TRIBUNE'
Subject: City of Kuna Request for Legal Publication
Attachments: Kern River Legal Publication KMN 12.12.19.docx

Greetings:

We would like to request that you publish the attached legal notification in the October 23rd, 2019 cycle of the Kuna Melba News on behalf of the City of Kuna, Planning and Zoning Department. This notification needs to only be published for one (1) cycle.

The Kuna P.O. for these requests is #9389 (if you need it)

Thanks,

Doug Hanson
Planner 1
City of Kuna
751 W 4th St
Kuna, ID 83634

CITY OF KUNA
PO Box 13 - Kuna, ID 83634
Phone: 208.922.5274 - Fax: 208.922.5989

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Kuna Planning & Zoning Department

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*(No need to print this portion) Please publish one time on **December 18, 2019**.*

(Sent 12/12/2019)

Kuna P.O. #9389

IDAHO PRESS-TRIBUNE
EMMETT MERIDIAN KUNA BOISE WKLY
C/O ISJ PAYMENT PROCESSING CENTER
PO BOX 1570
POCATELLO ID 83204
(208)467-9251
Fax (208)475-2321

ORDER CONFIRMATION

Salesperson: LEGALS — Printed at 12/13/19 10:00 by sje14

Acct #: 345222 — Ad #: 1976406 — Status: New WHOLD

1 KUNA, CITY OF
P.O. BOX 13
KUNA ID 83634

Start: 12/18/2019 — Stop: 12/18/2019
Times Ord: 1 — Times Run: ***
LEG 1.00 X 71.00 — Words: 294
Total LEG 71.00
Class: 0006 GOVERNMENT NOTICES
Rate: LG — Cost: 57.54
Affidavits: 1

Contact: CHRIS ENGLES
Phone: (208)387-7727
Fax#:
Email: awelker@kunaid.gov; gsmith@k
Agency:

Ad Descrpt: PH 1/21/2020
Given by: DOUG HANSON
P.O. #:
Created: sje14 12/13/19 09:56
Last Changed: sje14 12/13/19 09:59

PUB	ZONE	EDT	TP	RUN DATES
KMN	A	96	S	12/18

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

DOUG HANSON
Name (print or type)

Name (signature)

(CONTINUED ON NEXT PAGE)

IDAHO PRESS-TRIBUNE
EMMETT MERIDIAN KUNA BOISE WKLY
C/O ISJ PAYMENT PROCESSING CENTER
PO BOX 1570
POCATELLO ID 83204
(208)467-9251
Fax (208)475-2321

ORDER CONFIRMATION (CONTINUED)

Salesperson: LEGALS Printed at 12/13/19 10:00 by sje14

Acct #: 345222 Ad #: 1976406 Status: New WHOLD WHOI

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Kuna Planning & Zoning Department

December 18, 2019
1976406

345222 1976406

1 KUNA, CITY OF

P.O. BOX 13
KUNA ID 83634

LEGAL NOTICE

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Kuna Planning & Zoning Department

December 18, 2019

1976406

AFFIDAVIT OF PUBLICATION
STATE OF IDAHO)
)SS.
County of Ada)

Sharon Jessen
of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.
2. That I am the Principle Clerk of the Kuna Melba News, a weekly newspaper published in the City of Kuna, in the County of Ada, State of Idaho; that the said newspaper is in general circulation in the said County of Ada, and in the vicinity of Kuna and Melba, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of this notice, a copy of which is hereto attached.
3. That the notice, of which the annexed is a printed copy, was published in said newspaper 1 time(s) in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

That said notice was published the following:
12/18/2019

Sharon Jessen

STATE OF IDAHO)
County of Canyon)
On this 18th day of December in the year of 2019 before me a Notary Public, personally appeared. Sharon Jessen, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledge to me that he/she executed the same.

Colleen R. Nielsen

Notary Public for Idaho
Residing at Canyon County
My Commission expires 06/28/2023

COLLEEN R. NIELSEN NOTARY PUBLIC Comm No. 70215 STATE OF IDAHO

City of Kuna

City Council Staff Memo

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

To: **City Council**

Case No's: **19-07-ZC** (Rezone)
19-03-S (Preliminary Plat)

Location: Southeast Corner of Cloverdale and Deer Flat Roads, Kuna, ID.

Planner: Troy Behunin, Planner III

Hearing date: January 21, 2020

Owner: **M3 Companies** - *Mark Tate*
1087 W. River Street, Ste. 310
Boise, ID 83702
208.939.6263
MTate@m3companiesllc.com

Engineer: **JUB Engineers**
250 S. Beechwood Ave. S. 201
Boise, ID 83709
208.323.9336
Wshrief@jub.com

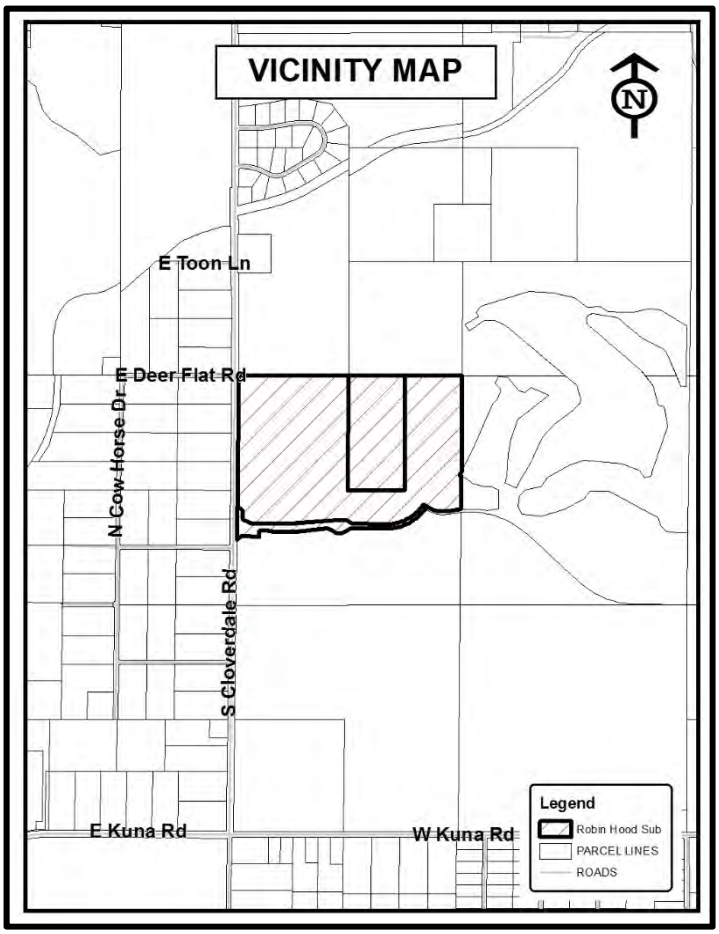


Table of Contents:

A. Process and Noticing
B. Applicants Request
C. Site History
D. General Project Facts
E. Staff Analysis
F. Applicable Standards
G. Proposed Comprehensive Plan Analysis
H. Proposed Kuna City Code Analysis
I. Recommendation of Commission to Council.
J. Recommended Conditions of Approval

A. Process and Noticing:

1. Kuna City Code 1-14-3 (KCC), Title 1, Chapter 14, Section 3, states that Annexation, Comprehensive Plan Map Changes, P.U.D.'s, Rezones and Preliminary Plats are designated as public hearings, with the Commission as the recommending body, and City Council as the decision making body, and the Commission as the decision making body for the Design Review. These land use applications were given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65 Local Planning Act.

a. Notifications

i.	Neighborhood Meeting	April 1, 2019 (twenty five (25) persons attended)
ii.	Agency Comment Request	June 18, 2019
iii.	450' Notice to Property Owners	January 3, 2020
iv.	Kuna, Melba Newspaper	January 1, 2020
v.	Site Posted	January 11, 2020

B. Applicants Request:

1. **Request:**

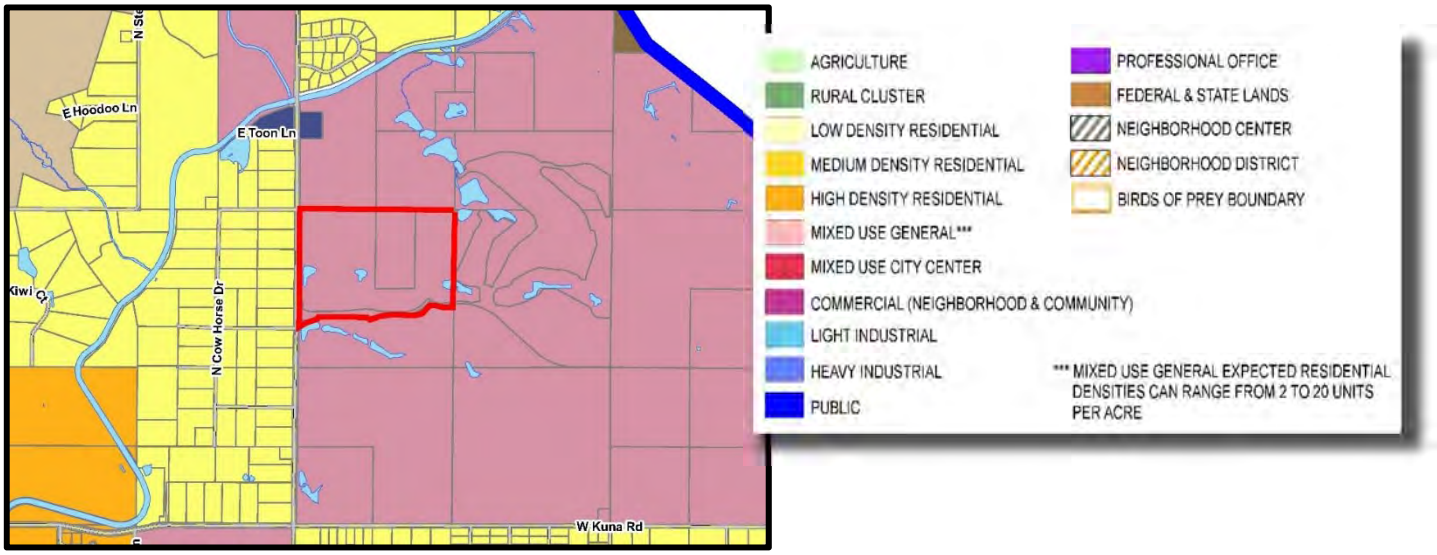
The applicant, J-U-B Engineers, on behalf of M3 Companies (Owner), requests approval to rezone approx. 25.08 acres and subdivide approx. 37.61 acres into 137 total lots. This site is located near the NEC of Cloverdale and Kuna Roads, Kuna, Idaho, in Section 22, Township 2 North, Range 1 East (APN #'s S1422212410; S1422212000; S1422233700).

C. Site History:

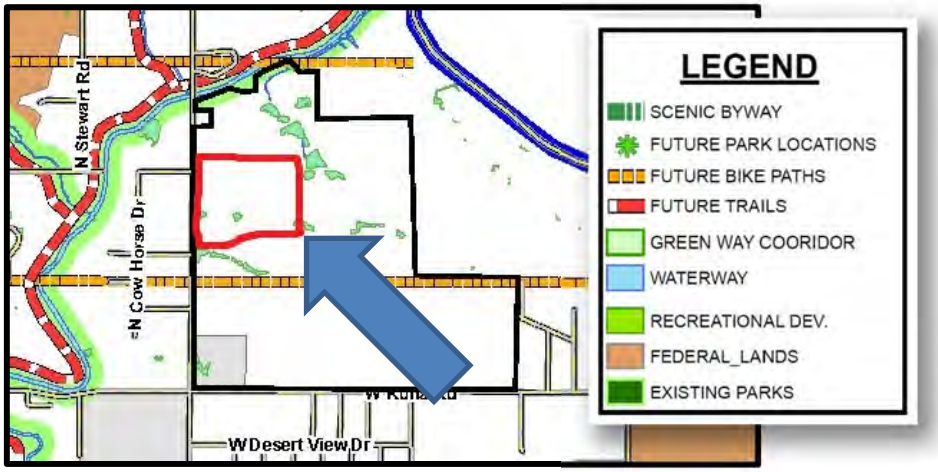
These lands historically have been used for golf course and agricultural purposes for many years. The lands in this application are a smaller part of the Planned Unit Development (PUD) for the Falcon Crest Golf Course and were annexed into Kuna, on February 5, 2019, (Case No. 18-03-AN).

D. General Projects Facts:

1. **Comprehensive Plan Map:** The Comp Plan Map designation for this site is Mixed-Use, and staff notes as a reminder, this is only a part of a larger PUD. The Future Land Use Map (Comprehensive Plan Map) is intended to serve as a guide for the decision making body. This map indicates land use designations, it is not actual zoning.



2. **Recreation and Pathways Map:** The Rec. & Path Master Plan Map indicates a future trail along the north side of the New York Canal, which is off-site. The PUD approved by Council in early 2019 includes many walking trails throughout the subdivision and this subdivision complies. Staff finds that the applicant has incorporated green/open spaces throughout the project.



3. **Surrounding Land Uses:**

North	R-6, R-12	Medium & High Density Residential – Golf Course -Kuna City
South	R-6	Medium Density Residential – Kuna City
East	R-6	Medium Density Residential – Kuna City
West	RR	Rural Residential – Ada County

4. **Lot Sizes, Current Zoning, Parcel No's, and L & B No's:**

Lot Size (Approximately)	Current Zone:	Parcel Number(s)
20 acres	R-6, Med. Density Residential	S1422212000
79.03 acres	R-6, Med. Density Residential	S1422212410
4.80 acres	R-6, Med. Density Residential	S1422233700

5. **Services (at time of development):**

Sanitary Sewer– City of Kuna
Potable Water – City of Kuna
Pressurized Irrigation – Developer Built and Owned/Maintained
Fire Protection – Kuna Rural Fire District
Police Protection – Ada County Sheriff's office; Kuna Police
Sanitation Services – J & M Sanitation

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

The site has multiple structures that typically are associated with a golf course and maintenance facilities and vegetation that is generally associated with a golf course and other Agricultural uses.

7. **Transportation / Connectivity:**

The site has significant Cloverdale and Kuna Road frontages. The applicant proposes one point of ingress/egress on Cloverdale Road for phase one, approximately 2,000 feet north of Kuna Road to line up with Reining Horse Drive. This subdivision will also connect to proposed stub streets within the Falcon Crest Subdivision approved in February 2019. All points of access must follow City & ACHD standards.

8. **Environmental Issues:**

Staff is not aware of any environmental issues, health or safety conflicts. Most of the sites' topography is generally flat with less than 3 percent slope. However, north of this site, there are rolling hills and some grades greater than 3 percent and these are areas within the existing golf course. This site is not within the Nitrate Priority Area (NPA), however, the project will be required to connect to Kuna City sanitary sewer, potable water and provide for a pressure irrigation water system to the project as a whole.

9. **Agency Responses:**

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

- City Engineer *Exhibit B 1*
- *Ada County Highway District (ACHD) Exhibit B 2*
- *Boise Project Board of Control Exhibit B 3*
- *Central District Heath Department Exhibit B 4*
- *COMPASS Exhibit B 5*
- *Dept. of Environmental Quality (DEQ) Exhibit B 6*
- *ID Transportation Dept. (ITD) Exhibit B 7*
- *Kuna Rural Fire District Exhibit B 8*

E. Staff Analysis:

The subject site is at the southeast corner (SEC) of Cloverdale and Deer Flat Roads. The site was approved for residential development in early 2019 as a smaller part of the greater Falcon Crest PUD whole. If approved, this request will integrate single family homes around the Falcon Crest golf course while providing continuity for this multi-phased project. The Robin Hood Subdivision make's up approximately 37.61 acres of the approximately 1,028 acres PUD.

The applicant seeks to rezone approximately 25.08 acres of previously zoned R-12 (High Density Residential) land, *TO* an R-6 (Med. Den. Res.) zone. If approved, this down-zoning will be a reduction for a part of the previously approved R-12 zoning designation.

In concert with the previously approved PUD, the applicant proposes various activities within the project to include; walking and cart pathways, recreational activities, approximately 4.89 open space and approximately 2.76 acres of golf course lots. Staff finds that the preliminary plat follows current City Code and any previously approved PUD standards which allows the applicant relief from certain development standards to provide a unique development in Kuna. The applicant proposes one shared driveway which staff will support provided the permanent maintenance, care and responsibility of the shared driveways is detailed in the CC&R's. Staff recommends that the applicant be conditioned to demonstrate shared driveway responsibility as explained. During the pre-application meeting there was discussion about connecting the cul-de-sacs for EMS between lot 48, Block 1 and Lot 24, Block 7, however, staff was unable to find that connection. Staff will support a no connection if it is first approved by the Kuna Rural Fire District (KRFD).

All Robin Hood Subdivision roads are proposed as public roads. Staff also notes that along arterial roads, KCC calls for full roadway improvements, including curb/gutter, road widening, and sidewalks at eight feet (either separated or attached). Staff recommends that all Kuna and ACHD standards for roads be conditioned on the applicant. All open spaces will be built and maintained by the Home Owners Association (HOA). Staff notes that the proposed preliminary plat appears to be in substantial compliance with KCC and the approved PUD.

Staff has determined the rezone, preliminary plat and design review generally complies with the goals and policies for Kuna City, Title 5 and Title 6 of the Kuna City Code; Idaho Statute § 67-6511; and the Kuna Comprehensive Plan. Staff recommends that if the Planning and Zoning Commission recommends approval of Case No's 19-07-ZC (Rezone) and 19-03-S (Preliminary Plat), the applicant be subject to the conditions of approval listed in section "J" of this report, as well as any additional conditions by the Council detailed at the public hearing.

F. Applicable Standards:

1. City of Kuna Zoning Ordinance Title 5,
2. City of Kuna Subdivision Ordinance Title 6,
3. City of Kuna Comprehensive Plan and Map, adopted September 1, 2009,
4. Idaho Code, Title 67, Chapter 65- the Local Land Use Planning Act,
5. Planned Unit Development Council approvals, February 5, 2019 (18-02-PUD).

G. Proposed Comprehensive Plan Analysis:

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

The designations of Mixed-Use shown on the Planning Map (See Map above) for these parcels were approved by Council. This application for an R-6 (Med. Den. Res.) subdivision is supported by way of the application being a smaller part of a larger whole known as the *Falcon Crest PUD* (Approved by Council 02.05.19) and staff views this request to be consistent with the following Comprehensive Plan components:

Goal Area 3: Kuna's land uses will support a desirable, distinctive and well-designed community.

- Goal 3.D: Encourage development of housing options and strong neighborhoods.

- Objective 3.D.1: Encourage development of housing options for all citizens.
  - Policy 3.D.1.a: Encourage preservation and development of housing that meets demand for household sizes, lifestyles and settings.
- Goal 3.G: Respect and protect private property rights.
  - Objective 3.G.1: Ensure land use policies, restrictions, and fees do not violate private property rights.
    - Policy 3.G.1.b: Ensure City land use actions, decisions and regulations will not cause an unconstitutional regulatory taking of private property; and do not effectively eliminate all economic value of the subject property.
    - Policy 3.G.1.c: Ensure City land use actions, decisions and regulations do not prevent a private property owner from taking advantage of a fundamental property right. Ensure city actions do not impose a substantial and significant limitation on the use of the property.

Goal Area 4: Kuna will be a connected community through strong transportation and infrastructure systems.

- Goal 4.D: Promote a connected street network that incorporates mid-mile collectors and crossing for improved neighborhood connectivity.
  - Objective 4.D.2: Ensure the continued expansion/development of mid-mile collector system throughout the community.
    - Policy 4.D.2.a: Extend and expand mid-mile roads as growth occurs.
    - Policy 4.D.1.b: Preserve adequate right-of-way along all mid-mile roads or other approved alternative locations to align roads.

H. Proposed Kuna City Code Analysis:

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

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

2. The site is physically suitable for the proposed new subdivision and site development.

Comment: *The 37.61 acre (approximate) project includes a request for subdividing a portion of the lands into 116 buildable lots and 21 common lots. The site appears to be compatible with the proposal.*

3. The applications **are / are not** likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.

Comment: *The land to be annexed, rezoned and subdivided is not used as wildlife habitat. Future roads, dwelling units and open spaces must be designed and planned for construction according the City and ACHD requirements and best practices and will therefore not cause environmental damage or loss of habitat.*

4. The development proposal **is / is not** likely to cause adverse public health problems.

Comment: *The proposed subdivision of the property appears to follows Kuna City Codes. All development requires connection to public sewer and potable water systems, therefore eliminating the occurrence of adverse public health problems.*

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

Comment: *The Council did consider the location of the property and adjacent uses. The subject property is in Kuna City and will be required to connect to the Kuna City central sewer and potable water systems, and*

create their own Pressure Irrigation System. The current adjacent uses are large lots in the County, and agricultural in nature and the site it adjacent to two Principle arterial roads.

6. Based on the evidence contained in Case No's 19-07-ZC and 19-03-S, **do/do not** adequately comply with Kuna City Code.

7. Based on the evidence contained in Case No's 19-07-ZC and 19-03-S generally **do/do not** comply with Kuna's Zoning Code.

I. Recommendation of the Commission:

Based on the facts outlined in staff's memo, the Comp Plan, City Code, the record before the Commission, the applicant's presentation, public testimony and discussion during the public hearing by the Planning and Zoning Commission of Kuna, Idaho, the Commission hereby recommends **approval** to City Council for Case No's 19-07-ZC and 19-03-S, a Rezone and Preliminary Plat request by J-U-B Engineers, on behalf of M3 Companies, with the following conditions of approval.

- Applicant shall follow all conditions of approval as outlined in the Staff Report.

J. Proposed Order of Decision by the Council:

19-07-ZC (Rezone), and **19-03-S (Preliminary Plat),** *Note: This proposed motion is for **approval / conditional approval / denial**. If the Council wishes to approve or deny specific parts of the requests as detailed in this report, those changes must be specified.*

Based on the facts outlined in staff's memo, the Comp Plan, City Code, the record before the Council, the applicant's presentation, public testimony and discussion during the public hearing by the Kuna City Council of Kuna, Idaho, the Council hereby **approves / conditionally approves / denies** Case No's 19-07-ZC and 19-03-S, a Rezone and Preliminary Plat request by J-U-B Engineers, on behalf of M3 Companies, with the following conditions of approval listed below:

1. The applicant and/or owner shall obtain written approval on letterhead or may be written/stamped on the approved plans of the construction plans from the agencies noted below. All submittals are required to include the lighting, landscaping, drainage, and development plans. All site improvements are prohibited prior to approval of the following agencies:
    a. The City Engineer shall approve the sewer hook-ups.
    b. The City Engineer shall approve the drainage and grading plans. Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, "Catalog for Best Management Practices for Idaho Cities and Counties". No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
    c. The Kuna Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Fire District is required.
    d. The *Boise-Kuna* Irrigation District shall approval any modifications to the existing irrigation system.
    e. Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to *issuance* of any building permit(s).
2. All public rights-of-way shall be dedicated and constructed to standards of the City, Ada County Highway District and Idaho Transportation Department. No public street construction may commence without the approval and permit from Ada County Highway District and/or Idaho Transportation Department.
    2.1– At time of development and as necessary, dedicate right-of-way in sufficient amounts to follow City and ACHD standards and widths, *except as otherwise approved through the PUD process.*
3. Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see **KCC 6-4-2-W**.

4. Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
5. When required, submit a petition to the City (as necessary, confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and requesting to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Pressure Irrigation system of the City (KMID).
6. All street lighting within and for the site shall be LED lighting and must comply with Kuna City Code, *except as otherwise approved through the PUD process.*
7. Parking within the site shall comply with Kuna City Code, *except as otherwise approved through the PUD process.*
8. Fencing within and around the site shall comply with Kuna City Code (Unless specifically approved otherwise and permitted). Perimeter fencing (and permit) is required prior to requesting final plat signatures from Kuna City Clerk and Engineer.
9. All signage within/for the project shall comply with Kuna City Code and go through Design Review for those approvals.
10. All required landscaping shall be permanently maintained in a healthy growing condition. The property owner shall remove and replace unhealthy or dead plant material within 3 days or as the planting season permits as required to meet the standards of these requirements. Maintenance and planting within public rights-of-way shall be with approval from the public entities owning the property.
11. The land owner/applicant/developer, and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the City Council, or seek amending them through public hearing processes.
12. The applicant's proposed landscape plan (dated 10.30.2018) shall be considered binding site plans, or as modified and approved through the proper process.
13. The applicant's proposed preliminary plat (dated 5.18.2018) shall be considered binding site plans, or as modified and approved through the public hearing process
14. Applicant shall follow staff, City engineers and other agency recommended requirements as applicable.
15. Developer/owner/applicant shall comply with all local, state and federal laws.

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

City Council
Proposed Findings of Fact and Conclusions of Law

Based upon the record contained in Case No's 19-07-ZC and 19-03-S, 19-14-DR, including the Comprehensive Plan, Kuna City Code, Staff's Memorandums, including the exhibits, and the testimony during the public hearing, the Kuna City Council hereby ***approves/conditionally approves/denies*** the Findings of Fact and Conclusions of Law, and conditions of approval for Case No's 19-07-ZC and 19-03-S, a request for a rezone, preliminary plat approval by J-U-B Engineers, on behalf of M3 Companies, LLC to rezone approximately 25.08 acres from R-12 (HDR) to R-6 (MDR) and to subdivide approximately 37.61 acres into 137 lots (116 buildable lots and 21 common lots).

1. *The Kuna City Council* ***approves/conditionally approves/denies*** *the facts as outlined in the staff report, the public testimony and the supporting evidence list presented.*

   Comment: *The Kuna City Council held a public hearing on the subject applications on December 17, 2019, to hear from City staff, the applicant and to accept public testimony. The decision by the Council is based on the application, staff report and public testimony, both oral and written.*

2. *Based on the evidence contained in Case No's* 19-07-ZC and 19-03-S*, this proposal* ***does/does not*** *generally comply with the Comprehensive Plan and City Code.*

   Comment: *The Comp Plan has listed numerous goals for promoting and supporting a diverse and sustainable economy that will allow more Kuna residents to work in their community and encouraging a balance of land uses to ensure that Kuna remains desirable, stable and a self-sufficient community.*

3. *Based on the evidence contained in Case No's* 19-07-ZC and 19-03-S*, this proposal* ***does/does not*** *generally comply with the City Code.*

   Comment: *The applicant has submitted a complete application, and following staff review the application appears to be in general compliance with the design requirements, public improvement requirements, objectives and considerations listed in Kuna City Code Title 5 and Title 6.*

4. *The Kuna City Council has the authority to* ***approve/deny*** *Case No's* 19-07-ZC and 19-03-S.

   Comment: *On December 17, 2019, the Council voted for* ***approval/conditional approval/denial*** *of Case No's* 19-07-ZC and 19-03-S.

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

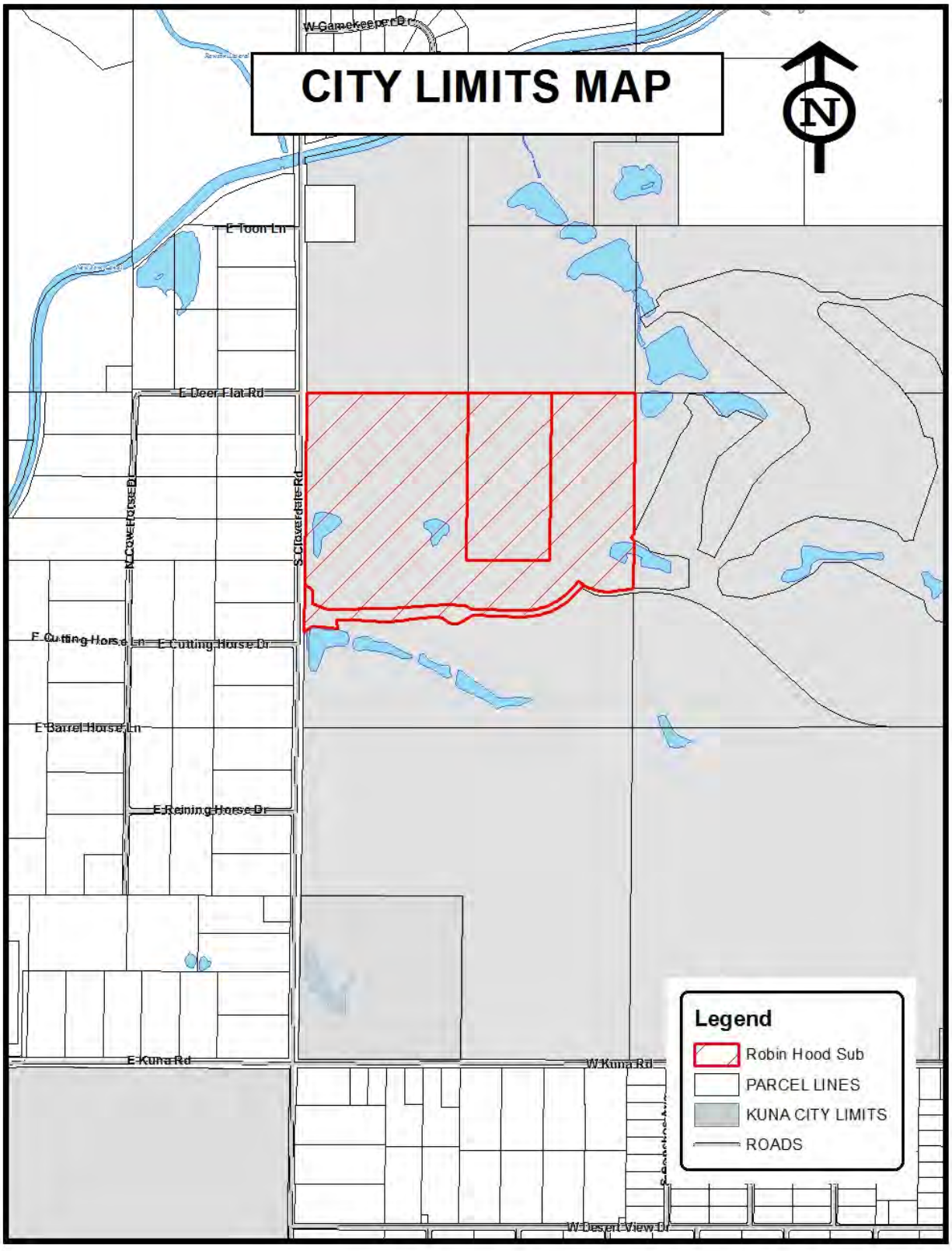
   Comment: *Neighborhood Notices were mailed out to residents within 450-FT of the proposed project site on December 6, 2019 and a legal notice was in the Kuna Melba Newspaper on November 20, 2019. The applicant placed a sign on the property on December 6, 2019.*

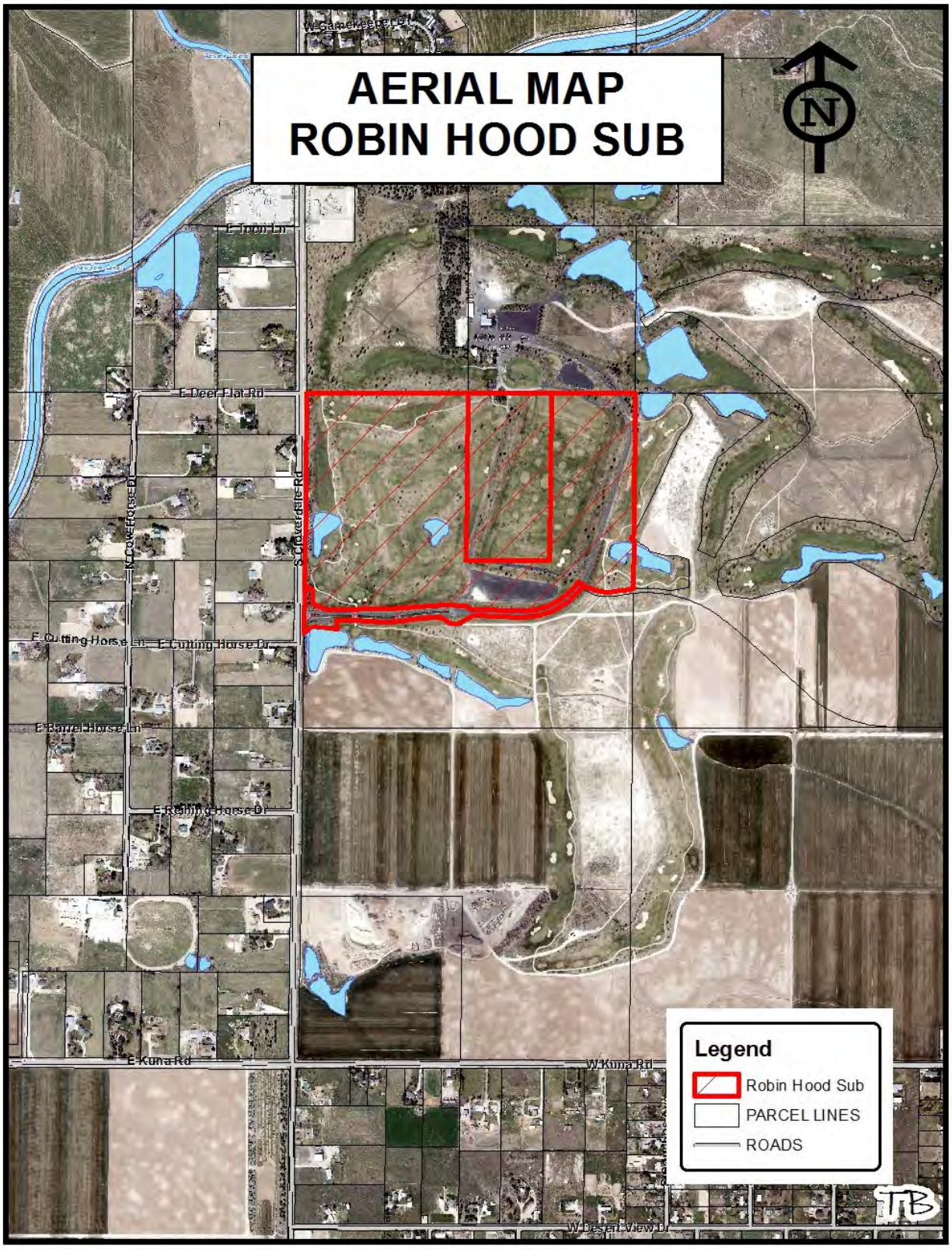
   DATED this 17th day of December, 2019

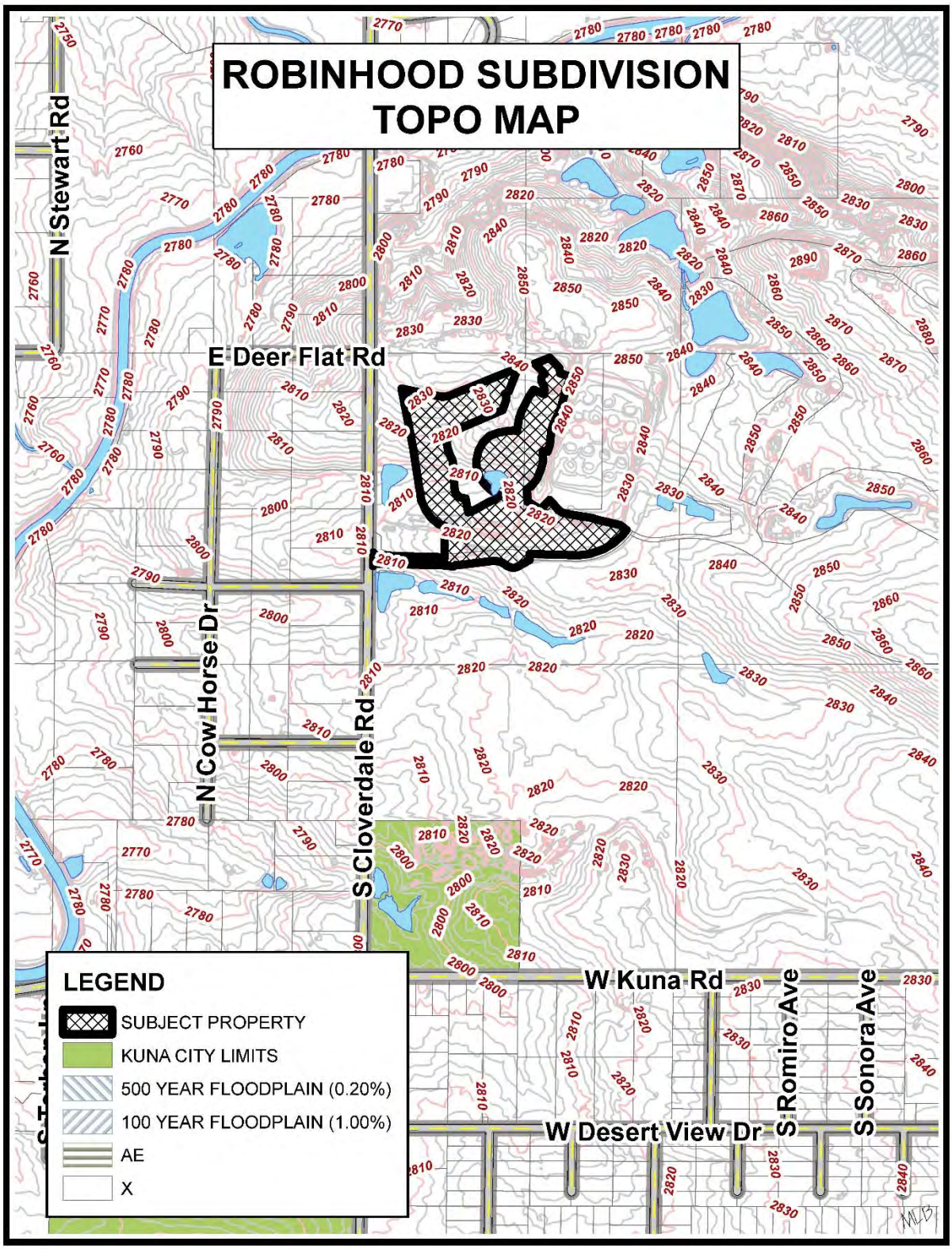
_____
Joe Stear, Mayor
Kuna City

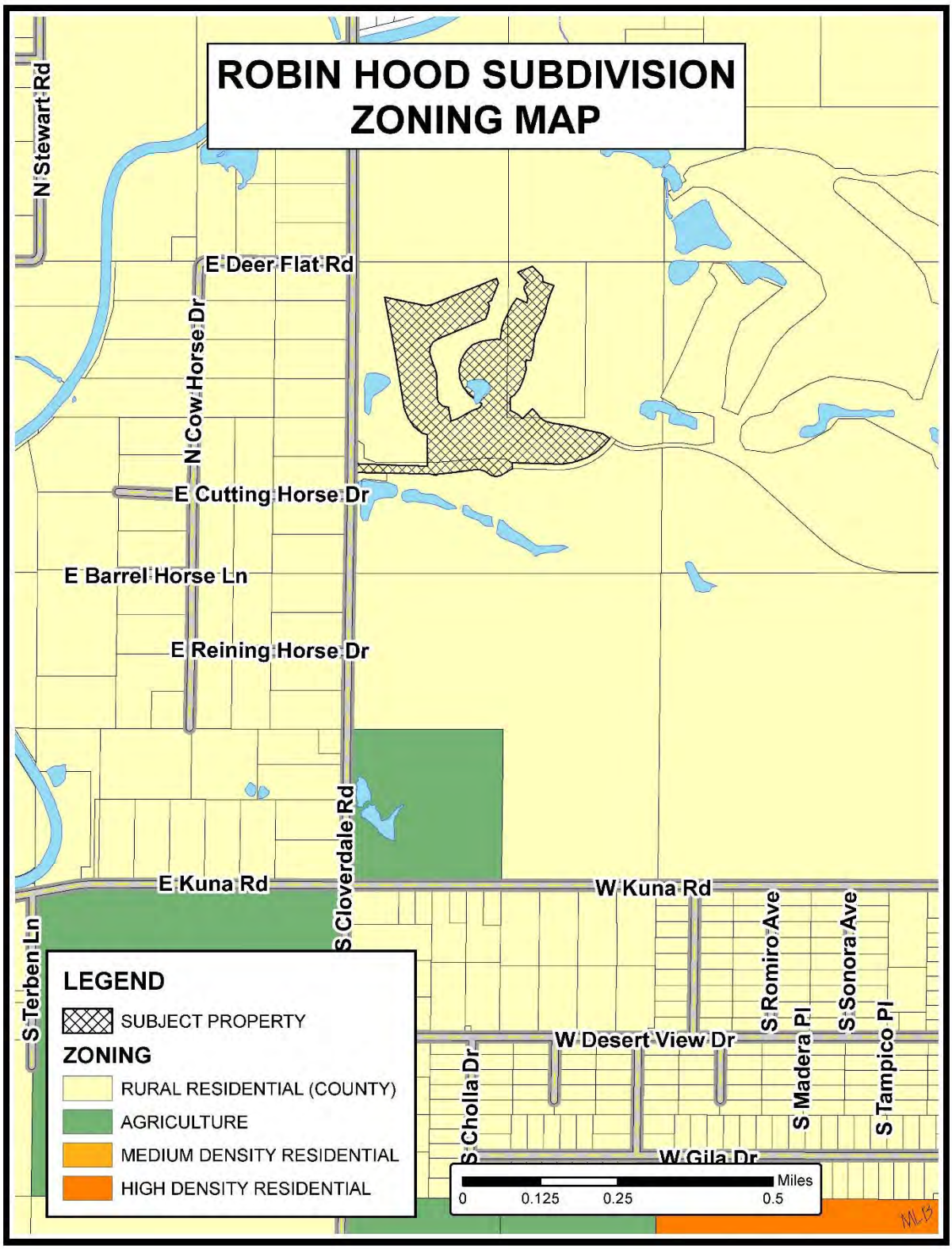
ATTEST:

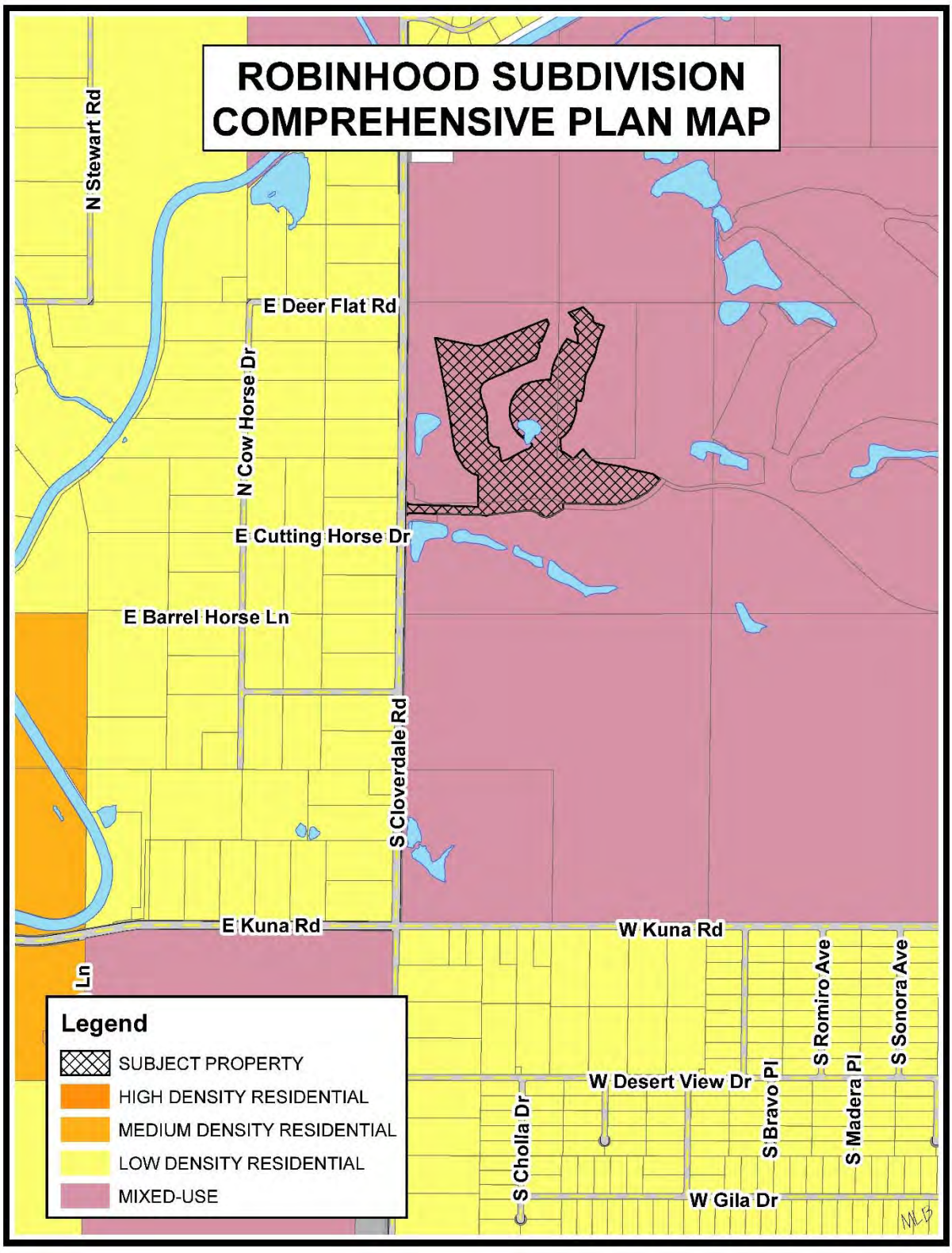
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Chris Engels
Kuna City Clerk

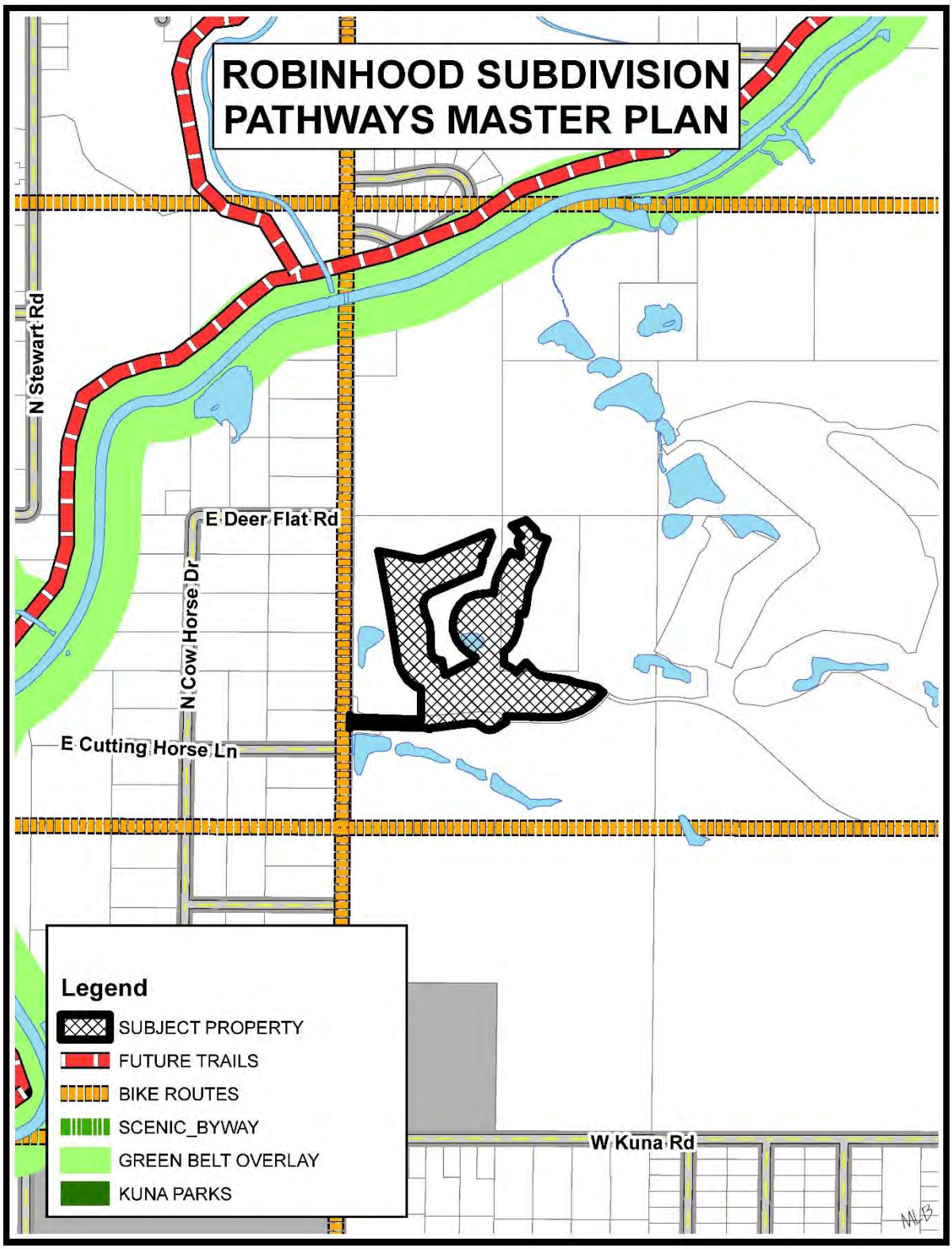

CITY LIMITS MAP
N
W Gamekeeper Dr
E Toon Ln
E Deer Flat Rd
N Cowtrace Dr
S Cloverdale Rd
E Cutting Horse Ln
E Cutting Horse Dr
E Barrel Horse Ln
E Reining Horse Dr
E Kuna Rd
W Kuna Rd
W Desert View Dr
Legend
Robin Hood Sub
PARCEL LINES
KUNA CITY LIMITS
ROADS

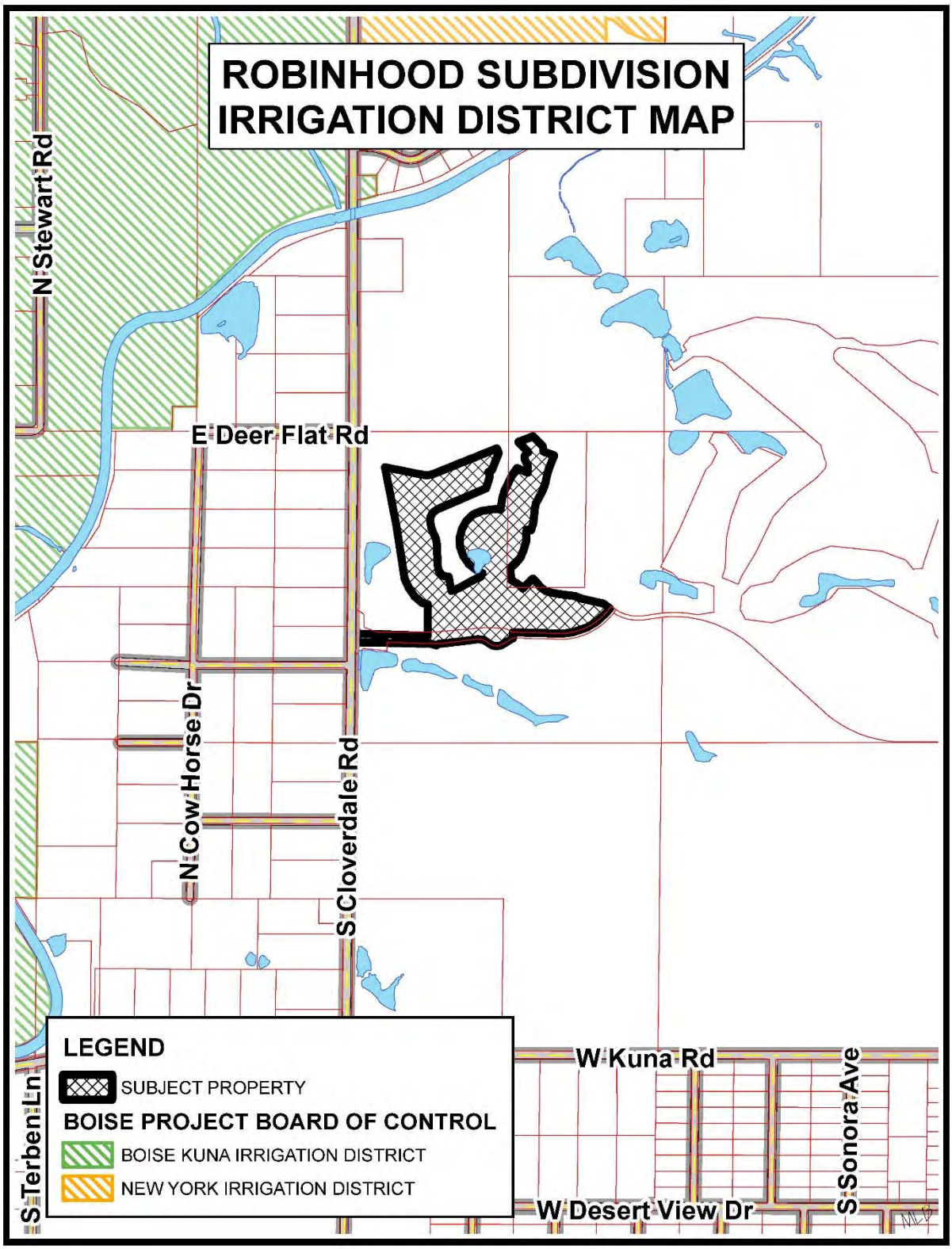

AERIAL MAP
ROBIN HOOD SUB
N
E Iron Ln
E Deer Flat Rd
N Cloverdale Rd
S Cloverdale Rd
N Cloverhorse Dr
E Cutting Horse Ln
E Cutting Horse Dr
E Barrel Horse Ln
E Reining Horse Dr
E Kuna Rd
W Kuna Rd
W Desert View Dr
Legend
Robin Hood Sub
PARCEL LINES
ROADS

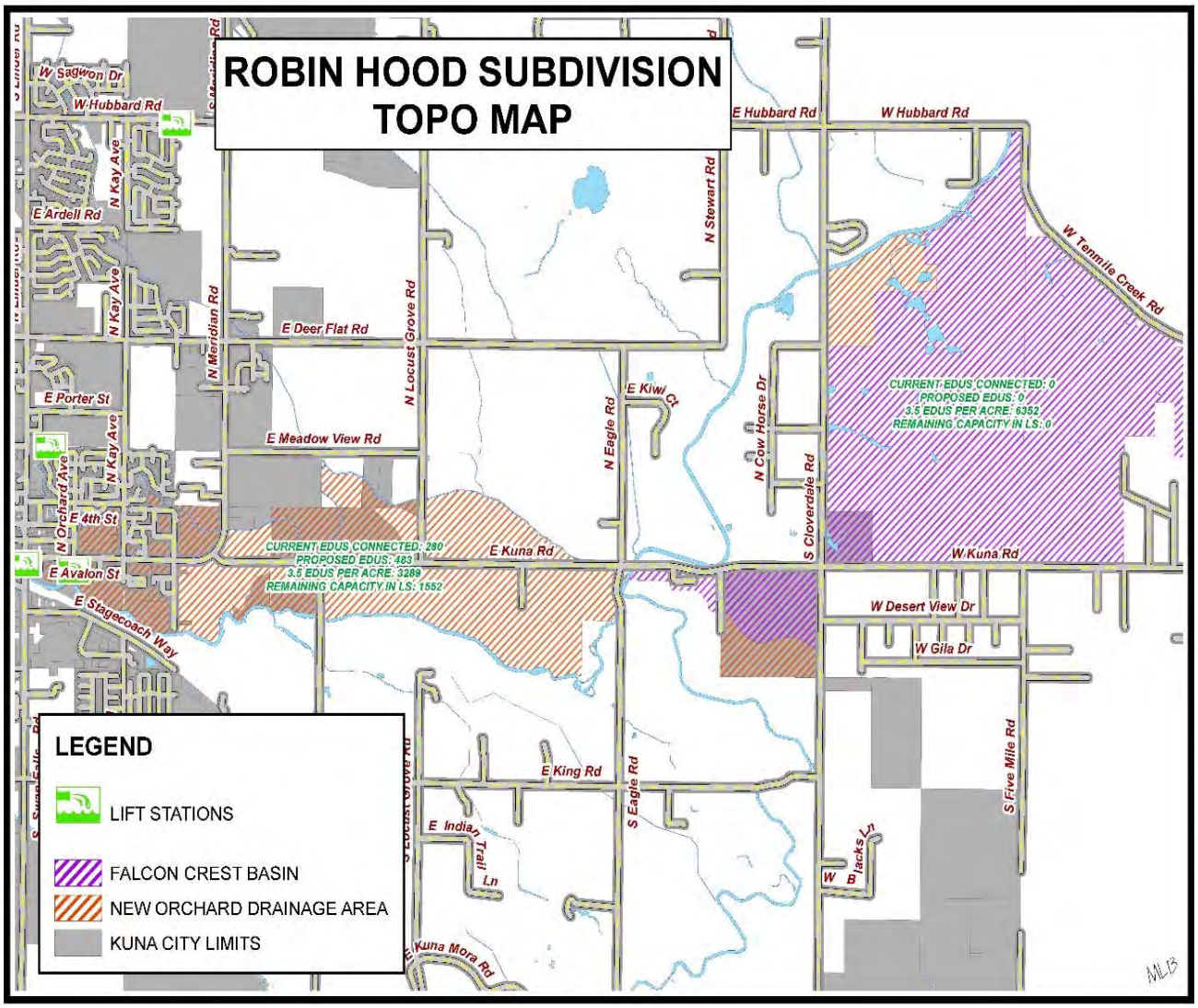

ROBINHOOD SUBDIVISION
TOPO MAP
N Stewart Rd
E Deer Flat Rd
N Cow Horse Dr
S Cloverdale Rd
W Kuna Rd
W Desert View Dr
S Romiro Ave
S Sonora Ave
LEGEND
SUBJECT PROPERTY
KUNA CITY LIMITS
500 YEAR FLOODPLAIN (0.20%)
100 YEAR FLOODPLAIN (1.00%)
AE
X


ROBIN HOOD SUBDIVISION
ZONING MAP
N Stewart Rd
E Deer Flat Rd
N Cow Horse Dr
E Cutting Horse Dr
E Barrel Horse Ln
E Reining Horse Dr
S Cloverdale Rd
E Kuna Rd
W Kuna Rd
S Terben Ln
S Romiro Ave
S Sonora Ave
W Desert View Dr
S Madera Pl
S Tampico Pl
S Cholla Dr
W Gila Dr
LEGEND
SUBJECT PROPERTY
ZONING
RURAL RESIDENTIAL (COUNTY)
AGRICULTURE
MEDIUM DENSITY RESIDENTIAL
HIGH DENSITY RESIDENTIAL
Miles
0
0.125
0.25
0.5

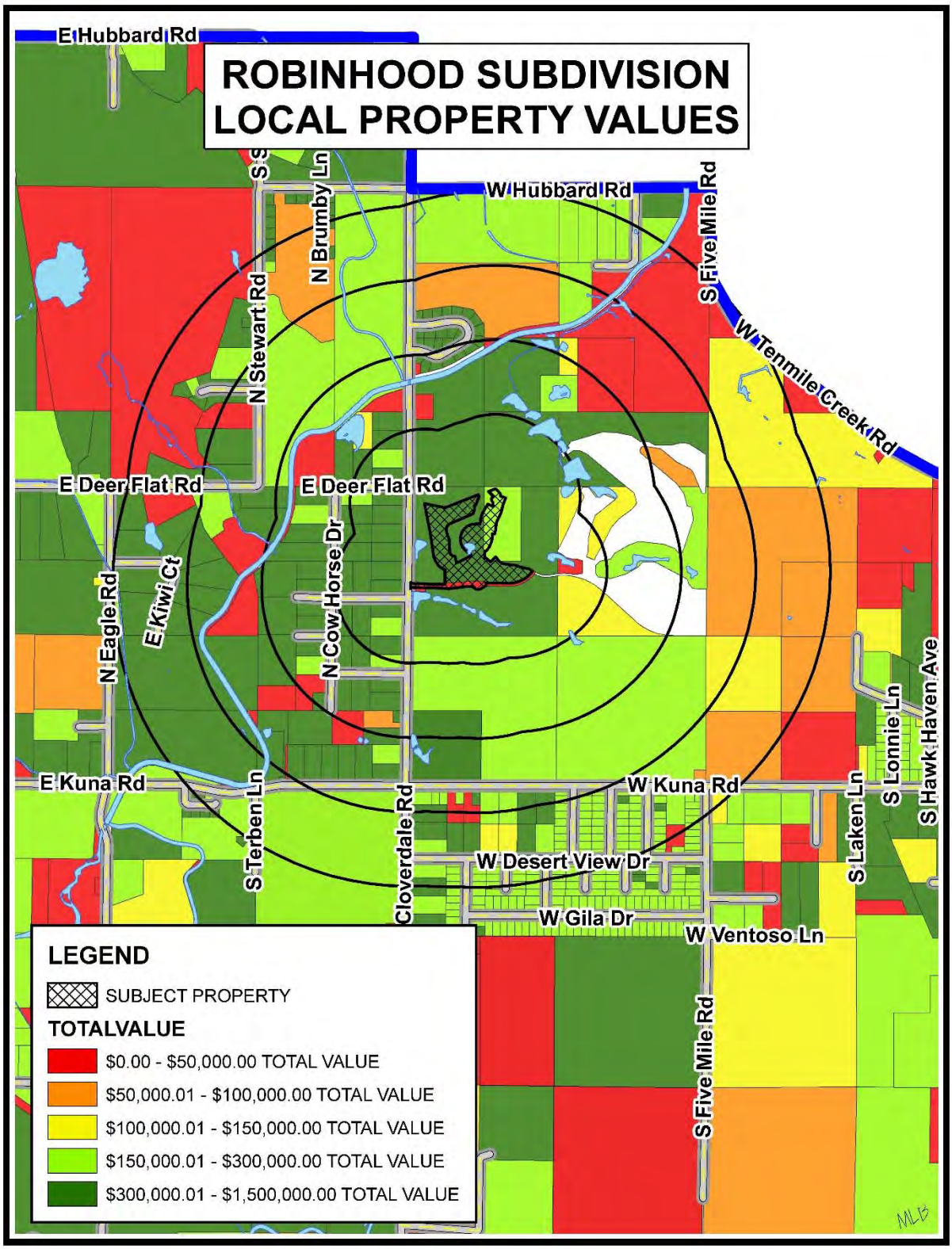

ROBINHOOD SUBDIVISION
COMPREHENSIVE PLAN MAP
N Stewart Rd
E Deer Flat Rd
N Cow Horse Dr
E Cutting Horse Dr
E Barrel Horse Ln
S Cloverdale Rd
E Kuna Rd
W Kuna Rd
Ln
S Romiro Ave
S Sonora Ave
W Desert View Dr
S Bravo Pl
S Madera Pl
S Cholla Dr
W Gila Dr
Legend
SUBJECT PROPERTY
HIGH DENSITY RESIDENTIAL
MEDIUM DENSITY RESIDENTIAL
LOW DENSITY RESIDENTIAL
MIXED-USE


ROBINHOOD SUBDIVISION
PATHWAYS MASTER PLAN
N Stewart Rd
E Deer Flat Rd
N Cow Horse Dr
E Cutting Horse Ln
W Kuna Rd
Legend
SUBJECT PROPERTY
FUTURE TRAILS
BIKE ROUTES
SCENIC_BYWAY
GREEN BELT OVERLAY
KUNA PARKS


ROBINHOOD SUBDIVISION
IRRIGATION DISTRICT MAP
N Stewart Rd
E Deer Flat Rd
N Cow Horse Dr
S Cloverdale Rd
S Terben Ln
W Kuna Rd
S Sonora Ave
W Desert View Dr
LEGEND
SUBJECT PROPERTY
BOISE PROJECT BOARD OF CONTROL
BOISE KUNA IRRIGATION DISTRICT
NEW YORK IRRIGATION DISTRICT


ROBIN HOOD SUBDIVISION
TOPO MAP
W Sagwon Dr
W Hubbard Rd
E Hubbard Rd
W Hubbard Rd
N Kay Ave
E Ardell Rd
N Stewart Rd
W Tennmile Creek Rd
N Meridian Rd
E Deer Flat Rd
N Locust Grove Rd
E Porter St
E Kiwi Ct
N Eagle Rd
N Cow Horse Dr
CURRENT EDUS CONNECTED: 0
PROPOSED EDUS: 0
3.5 EDUS PER ACRE: 6352
REMAINING CAPACITY IN LS: 0
E Meadow View Rd
N Orchard Ave
E 4th St
S Cloverdale Rd
CURRENT EDUS CONNECTED: 280
PROPOSED EDUS: 483
3.5 EDUS PER ACRE: 3289
REMAINING CAPACITY IN LS: 1552
E Kuna Rd
W Kuna Rd
E Avalon St
E Stagecoach Way
W Desert View Dr
W Gila Dr
LEGEND
LIFT STATIONS
FALCON CREST BASIN
NEW ORCHARD DRAINAGE AREA
KUNA CITY LIMITS
E King Rd
S Eagle Rd
S Five Mile Rd
E Indian Trail Ln
W Blacks Ln
E Kuna Mora Rd
MLB


ROBINHOOD SUBDIVISION
LOCAL PROPERTY SIZES
E Hubbard Rd
W Hubbard Rd
N Brumby Ln
N Stewart Rd
W Tenmile Creek Rd
E Deer Flat Rd
N Cow Horse Dr
E Kiwi Ct
N Eagle Rd
E Kuna Rd
S Terben Ln
S Cloverdale Rd
W Kuna Rd
S Lonnie Ln
S Laken Ln
W Desert View Dr
W Gila Dr
W Ventoso Ln
S Five Mile Rd
LEGEND
SUBJECT PROPERTY
PROPERTY SIZE
0.00 - 2.00 ACRE PROPERTIES
2.01 - 5.00 ACRE PROPERTIES
5.01 - 10.00 ACRE PROPERTIES
10.01 - 40.00 ACRE PROPERTIES
40.01 - 655.98 ACRE PROPERTIES
Miles
0 0.125 0.25 0.5 0.75 1
MLB


ROBINHOOD SUBDIVISION
LOCAL PROPERTY VALUES
E Hubbard Rd
W Hubbard Rd
N Brumby Ln
N Stewart Rd
S Five Mile Rd
W Tenmile Creek Rd
E Deer Flat Rd
E Deer Flat Rd
N Eagle Rd
E Kiwi Ct
N Cow Horse Dr
E Kuna Rd
S Terben Ln
Cloverdale Rd
W Kuna Rd
S Lonnie Ln
S Hawk Haven Ave
S Laken Ln
W Desert View Dr
W Gila Dr
W Ventoso Ln
S Five Mile Rd
LEGEND
SUBJECT PROPERTY
TOTALVALUE
$0.00 - $50,000.00 TOTAL VALUE
$50,000.01 - $100,000.00 TOTAL VALUE
$100,000.01 - $150,000.00 TOTAL VALUE
$150,000.01 - $300,000.00 TOTAL VALUE
$300,000.01 - $1,500,000.00 TOTAL VALUE
MLB

J-U-B ENGINEERS, INC.

J-U-B COMPANIES | THE LANGDON GROUP | GATEWAY MAPPING INC.

May 9, 2019

Wendy Howell, PCED
Planning and Zoning Director
City of Kuna
751 W. 4th Street
Kuna, Idaho 83634

RE: ROBINHOOD SUBDIVISION –PRELIMINARY PLAT

Dear Ms. Howell:

On behalf of our client, M3 ID Falcon Crest, LLC, please accept this request for the Preliminary Plat for Robinhood Subdivision. The proposed development is located on the east side of S. Cloverdale Road immediately adjacent to the existing Falcon Crest Golf Course. The subject property has been annexed into the City of Kuna and received R-6 zoning; this application is for a Preliminary Plat only. The address for the subject property is 11102 S Cloverdale Rd, Kuna, Idaho. The development includes 36.72 acres.

Preliminary Plat

The Preliminary Plat for Robinhood Subdivision consists of 36.72 acres, includes 116 residential lots, 17 common lots, 2 golf lots, and 2 common driveway lots. The common area will include 4.89 acres making up 13.3% of the platted area, and the golf lots will include an additional 2.76 acres making up 8.0% of the platted area. The average lot size is 7,477 S.F and the residential density is 3.44 dwelling units per acre. All lots meet dimensional standards approved through the existing PUD. The property has existing R-6 zoning.

The Falcon Crest Masterplan identifies the Robinhood Subdivision area as "Golf Village A"; the subject area was originally approved through the PUD for 128 units and a density of 4.0 dwelling units per acre. 116 units are proposed for Robinhood Subdivision; the 12 units not utilized in Golf Village A will be shifted to one of the future Village areas.

The existing 9 hole Robinhood course will be removed when Robinhood Subdivision is constructed; a new 9 hole golf course will be constructed adjacent to Robinhood Subdivision.

Existing Entitlements

In 2018, the Falcon Crest development was annexed into the City of Kuna; the Robinhood Subdivision parcels were included in this annexation. A Development Agreement and Planned Unit Development were approved for the subject property as a part of the annexation and zoning for Falcon Crest. The proposed Preliminary Plat for Robin Hood complies with the underlying zoning and PUD that were approved for the subject property though the Falcon Crest entitlements.

Development Schedule

Development is planned to proceed immediately following project and engineering approvals. We anticipate developing 1-2 phases a year until the project is completed. It is anticipated that construction will start on this development by the end of 2019 and that the project will be construction in 2-3 phases over the next three years. A phasing plan is included as a part of this application.

The enclosed applications have been submitted in accordance with the requirements of the City of Kuna and will comply with all applicable local, state and federal requirements. The development has been designed in accordance with the City of Kuna's Code and Comprehensive Plan. Please contact me at 376-7330 if you have any questions regarding this application.

Sincerely,
J-U-B ENGINEERS, Inc.

Wendy Shrief, AICP

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

Commission & Council Review Application

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

*Please submit the appropriate checklist (s) with application

Type of Review (check all that apply):

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

For Office Use Only	
File Number (s)	19-03-S, & 19-14-DR 19-07-ZC
Project name	Robinhood Sub.
Date Received	5.16.2019
Date Accepted/ Complete	6.08.2019
Cross Reference Files	
Commission Hearing Date	08.13.2019
City Council Hearing Date	

Contact/Applicant Information

Owners of Record: Falcon Crest, LLC
Address: 2528 N Cloverdale Rd
City, State, Zip: Boise, ID 83713
Phone Number:
E-Mail:
Fax #:

Applicant (Developer): M3 Companies
Address: 1087 W River Street, Suite 310
City, State, Zip: Boise, ID 83702
Phone Number: 939-6263
E-Mail: mtate@m3companiesllc.com
Fax #:

Engineer/Representative: JUB Engineers, Scott Wonders
Address: 250 S Beechwood Ave, Suite 201
City, State, Zip: Boise, ID 83709
Phone Number: 376-7330
E-Mail: swonders@jub.com
Fax #:

Subject Property Information

Site Address: 11102 S Cloverdale Rd, Kuna, ID
Site Location (Cross Streets): S. Cloverdale Road adjacent to Falcon Crest Golf Course
Parcel Number (s): S1422212410; S142212000; S1422233700
Section, Township, Range: Section 22, T2N, R1E, BM
Property size : 36.72 ac.
Current land use: Golf Course and Vacant Properties
Proposed land use: Residential
Current zoning district: R-6
Proposed zoning district: N/A

Project Description

Project / subdivision name: Robinhood Subdivision

General description of proposed project / request: Single-Family Residential Subdivision

Type of use proposed (check all that apply):

- [X] Residential Single-Family
- [ ] Commercial
- [ ] Office
- [ ] Industrial
- [ ] Other

Amenities provided with this development (if applicable): Amenities will be included in future phases

Residential Project Summary (if applicable)

Are there existing buildings? [ ] Yes [X] No

Please describe the existing buildings:

Any existing buildings to remain? [ ] Yes [X] No

Number of residential units: 116 Number of building lots: 116

Number of common and/or other lots: 21

Type of dwellings proposed:

- [X] Single-Family
- [ ] Townhouses
- [ ] Duplexes
- [ ] Multi-Family
- [ ] Other

Minimum Square footage of structure (s): Unknown at this time

Gross density (DU/acre-total property): 3.44 Net density (DU/acre-excluding roads): 5.83

Percentage of open space provided: 13.3% Acreage of open space: 4.89 acres + 2.76 ac. golf lots

Type of open space provided (i.e. landscaping, public, common, etc.): Landscaping buffers, common areas with landscaping and amenities.

Non-Residential Project Summary (if applicable)

Number of building lots: N/A Other lots: N/A

Gross floor area square footage: N/A Existing (if applicable): N/A

Hours of operation (days & hours): N/A Building height: N/A

Total number of employees: N/A Max. number of employees at one time: N/A

Number and ages of students/children: N/A Seating capacity: N/A

Fencing type, size & location (proposed or existing to remain): N/A

Proposed Parking: N/A

a. Handicapped spaces: Dimensions:

b. Total Parking spaces: Dimensions:

c. Width of driveway aisle:

Proposed Lighting: N/A

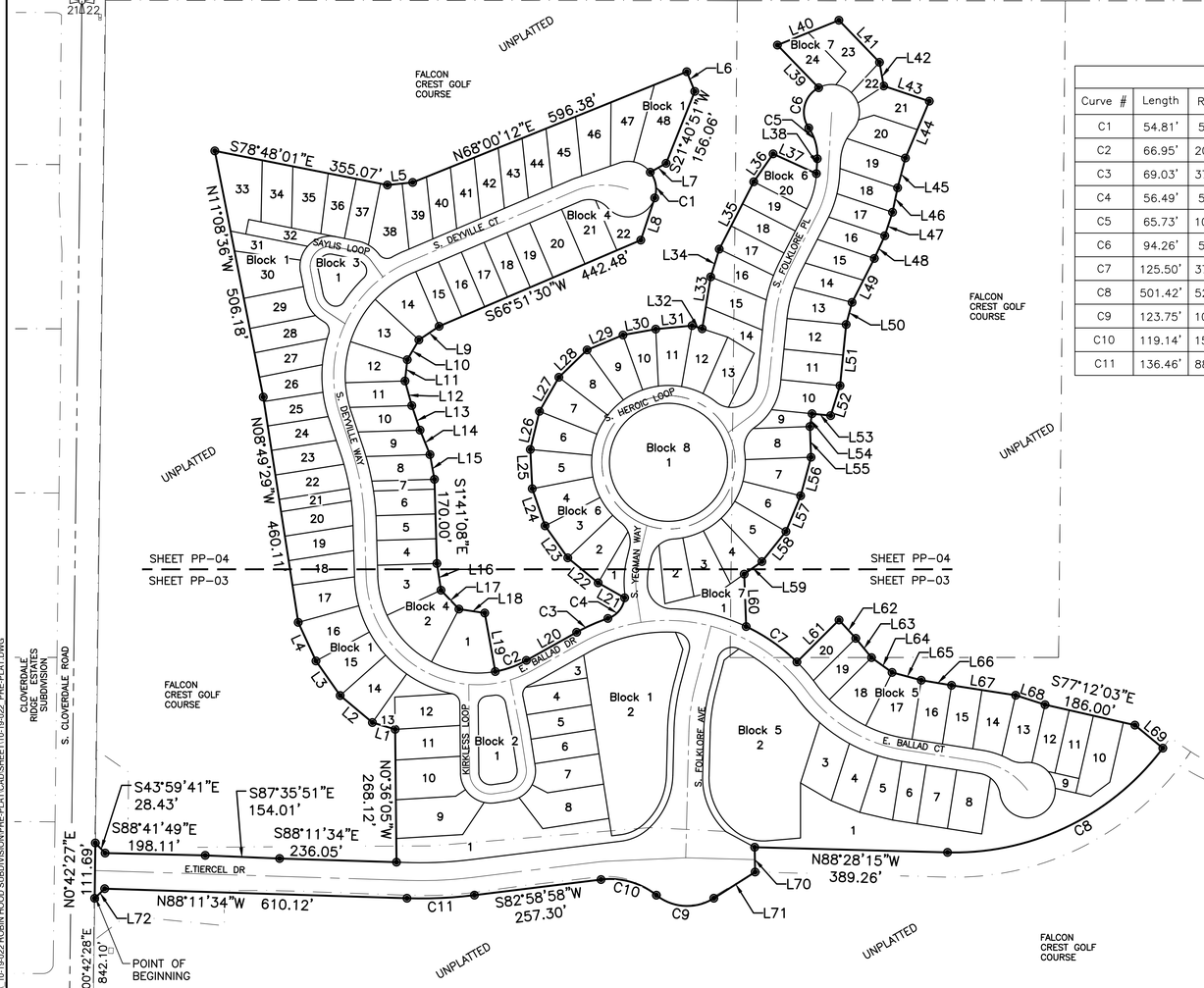
Proposed Landscaping (berms, buffers, entrances, parking areas, common areas, etc.): N/A

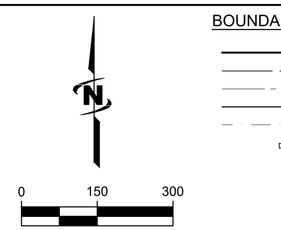
Applicant's Signature: Date: 5/10/19

PRELIMINARY PLAT FOR

ROBINHOOD SUBDIVISION

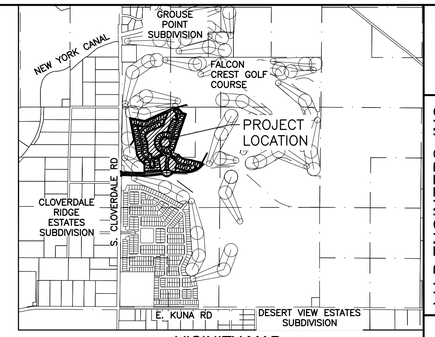
SITUATED IN THE NORTHWEST QUARTER OF SECTION 22,
TOWNSHIP 2 NORTH, RANGE 1 EAST, BOISE MERIDIAN,
KUNA, ADA COUNTY, IDAHO
2019





BOUNDARY LEGEND

- Subdivision Boundary Line
- Section Line
- Center Line
- Right–of–way Line
- Existing Parcel Line
- Section Corner
- Quarter–Section Corner
- Property Corner



VICINITY MAP
SCALE: 1"=2000'

Curve Table					
Curve #	Length	Radius	Delta	Chord Bearing	Chord Length
C1	54.81'	56.00'	56°04'34"	S09°45'34"E	52.65'
C2	66.95'	201.50'	19°02'10"	N70°19'11"E	66.64'
C3	69.03'	373.50'	10°35'23"	N66°05'47"E	68.93'
C4	56.49'	50.00'	64°43'56"	N39°01'31"E	53.53'
C5	65.73'	100.00'	37°39'30"	N15°30'15"W	64.55'
C6	94.26'	56.00'	96°26'19"	N13°53'09"E	83.52'
C7	125.50'	373.50'	19°15'10"	S55°02'57"E	124.92'
C8	501.42'	525.00'	54°43'19"	S64°10'06"W	482.57'
C9	123.75'	100.00'	70°54'07"	N86°57'34"W	116.00'
C10	119.14'	150.00'	45°30'32"	N74°15'46"W	116.03'
C11	136.46'	886.00'	8°49'28"	S87°23'42"W	136.32'

NOTES:

1. CONTOUR AND SPOT ELEVATION DATA IS REFERENCED TO NAVD '88 DATUM.
2. THE STREETS WITHIN THIS DEVELOPMENT ARE PUBLIC STREETS. THE PUBLIC STREET SHALL BE CONSTRUCTED IN ACCORDANCE WITH ADA COUNTY HIGHWAY DISTRICT (ACHD) STANDARDS FOR PUBLIC STREETS WITH A MINIMUM GRADIENT OF 0.40%.
3. ALL LOTS ARE RESIDENTIAL BUILDING LOTS EXCEPT LOTS 1, 3, 13, 21, AND 31, BLOCK 1, LOT 1, BLOCK 2, LOT 1, BLOCK 3, AND LOTS 7 AND 22, BLOCK 4, LOT 1, BLOCK 5, LOTS 1, 10, AND 14, BLOCK 6, LOTS 1, 9, AND 22, BLOCK 7, AND LOT 1, BLOCK 8 WHICH ARE COMMON AREA\DRAINAGE STORAGE LOTS. LOT 2, BLOCK 1 AND LOT 2, BLOCK 5 ARE GOLF COURSE LOTS. LOT 32 BLOCK 1 AND LOT 9, BLOCK 5 ARE COMMON DRIVEWAY LOTS.
4. STORMWATER RUN–OFF GENERATED ON THIS SITE SHALL HAVE A QUALITY CONTROL TREATMENT PRIOR TO BEING CONVEYED TO ONSITE STORAGE FACILITIES.
5. PUBLIC UTILITIES SHALL INCLUDE WATER, SEWER, ELECTRIC POWER, NATURAL GAS, TELEPHONE, AND CABLE TELEVISION.
6. THIS SUBDIVISION WILL RECEIVE PRESSURIZED IRRIGATION FROM A PRESSURE IRRIGATION PUMP STATION LOCATED ON THE DEVELOPMENT PROPERTY. THE CONSTRUCTED PRESSURE IRRIGATION SYSTEM SHALL BE MAINTAINED AND OPERATED BY THE HOME OWNERS ASSOCIATION AND GOLF COURSE.
7. THIS DEVELOPMENT RECOGNIZES SECTION 22–4503 OF IDAHO CODE, RIGHT TO FARM ACT, WHICH STATES, "NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION, FACILITY OR EXPANSION WAS NOT A NUISANCE AT THE TIME IT BEGAN OR WAS CONSTRUCTED. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHEN A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF."
8. DOMESTIC AND FIRE PROTECTION WATER SHALL BE PROVIDED BY THE CITY OF KUNA.
9. SANITARY SEWER COLLECTION SHALL BE PROVIDED BY THE CITY OF KUNA.
10. IRRIGATION DITCHES THROUGH THE PROJECT SHALL BE PIPED WHERE THEY CROSS ROADWAYS WITH ALL STRUCTURES LOCATED BEYOND ANY PUBLIC RIGHT–OF–WAY.
11. LANDSCAPED COMMON LOTS ARE LOCATED THROUGHOUT THE PROJECT AND ARE IDENTIFIED ON THE PLAN. THESE LOTS SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
12. BUILDING SETBACKS AND DIMENSIONAL STANDARDS SHALL BE IN ACCORDANCE WITH THE DEVELOPMENT AGREEMENT WITH THE CITY OF KUNA.
13. ANY RE–SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN AFFECT AT THE TIME OF THE RE–SUBDIVISION.
14. THE OWNER SHALL COMPLY WITH IDAHO CODE, SECTION 31–3805 OR ITS PROVISIONS THAT MAY APPLY TO IRRIGATION RIGHTS.
15. A STORMWATER DRAINAGE EASEMENT SHALL BE RESERVED ON THE DRAINAGE LOTS FOR THE BENEFIT OF ACHD. LANDSCAPING OVER SAID LOTS SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION AND ACHD SHALL PROVIDE HEAVY MAINTENANCE OF THE STORM DRAINAGE FACILITIES AS DEFINED IN THE COVENANTS, CONDITIONS AND RESTRICTIONS FOR ROBIN HOOD SUBDIVISION.
16. THIS PROPERTY IS IN ZONE X OF THE FLOOD INSURANCE RATE MAP NO. 16001C0425 H, COMMUNITY PANEL NO. 0425, WHICH BEARS AN EFFECTIVE DATE OF OCTOBER 2, 2003 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.

IRRIGATION DISTRICT:

BOISE PROJECT BOARD OF CONTROL
2465 OVERLAND ROAD
BOISE, ID 83705
PHONE: (208) 344–1141

LAND USE SUMMARY

TOTAL AREA:	36.72 AC.
TOTAL LOTS:	137 LOTS
RESIDENTIAL LOTS:	116 LOTS
COMMON AREA LOTS:	17 LOTS
GOLF LOTS:	2 LOTS
COMMON DRIVEWAY LOTS:	2 LOTS
RESIDENTIAL DENSITY:	3.44 DU/AC
COMMON AREA:	4.89 AC. (13.3%)
GOLF LOTS AREA:	2.76 AC. (8.0%)
AVERAGE LOT SIZE:	7,477 S.F.
SMALLEST LOT:	6,000 S.F.
EXISTING ZONE:	R–6

FIRE DISTRICT:

KUNA FIRE DISTRICT
150 W. BOISE STREET
KUNA, ID 83634
PHONE: (208) 922–1144

SCHOOL DISTRICT:

KUNA SCHOOL DISTRICT
711 E. PORTER STREET
KUNA, ID 83634
PHONE: (208) 922–1000

OWNER

FALCON CREST LLC
2528 N. CLOVERDALE RD.
BOISE, ID 83713

DEVELOPER

M3 COMPANIES
1087 W. RIVER STREET
SUITE #310
BOISE, IDAHO 83702
MARK TATE 208–939–6263

CIVIL ENGINEER

SCOTT WONDERS, P.E.
J–U–B ENGINEERS
250 S. BEECHWOOD AVE.
STE. 201
BOISE, ID 83709
208–376–7330

LAND SURVEYOR

ROBERT L. KAZARINOFF, P.L.S.
J–U–B ENGINEERS
250 S. BEECHWOOD AVE.
STE. 201
BOISE, ID 83709
208–376–7330

PROFESSIONAL LAND SURVEYOR REGISTERED 16642 STATE OF IDAHO ROBERT L. KAZARINOFF

BOUNDARY CERTIFICATION

SEWER & WATER:

CITY OF KUNA
6950 S TEN MILE RD
MERIDIAN, ID. 83634
PHONE: (208) 287–1729 (SEW)
PHONE: (208) 287–1725 (WAT)

POWER:

IDAHO POWER
VIC STEELMAN
1221 W. IDAHO STREET
BOISE, ID. 83702
PHONE: (208) 388–2323

PRESSURE IRRIGATION:

CITY OF KUNA
6950 S TEN MILE RD
MERIDIAN, ID. 83634
PHONE: (208) 287–1725

ROADWAYS

ADA COUNTY HIGHWAY DISTRICT
3775 ADAMS STREET
GARDEN CITY, ID. 83714
PHONE: (208) 387–6100

LEGEND

EXISTING		PROPOSED
S	SANITARY SEWER LINE	S S
W	WATER LINE	W W
IRR	GRAVITY IRRIGATION PIPE	IRR
PRR	PRESSURE IRRIGATION LINE	PRR
SD	STORM DRAIN LINE	SD SD SD
	CENTERLINE	
	LOT LINE	
	6" VERTICAL CURB & GUTTER	
	ROLLED CURB & GUTTER	
	5' SIDEWALK	
	SEWER MANHOLE	
	DITCH FLOW LINE	
	IRRIGATION MANHOLE	
	STREET LIGHT	
	TREE DECIDUOUS	
	TREE CONIFER	
	EDGE OF PAVEMENT	
	GAS LINE	
	FENCE LINE	
	FIRE HYDRANT	
2650	5' CONTOUR LINE	
2651	1' CONTOUR LINE	

Line Table		
Line #	Direction	Length
L1	N73°23'45"W	47.82'
L2	N49°58'04"W	84.86'
L3	N35°04'13"W	85.12'
L4	N24°40'27"W	85.69'
L5	N84°05'51"E	51.29'
L6	S21°59'48"E	42.82'
L7	S60°39'42"W	36.71'
L8	S18°16'43"W	89.69'
L9	S56°08'46"W	49.18'
L10	S30°17'23"W	46.37'
L11	S06°02'31"W	43.10'

Line Table		
Line #	Direction	Length
L12	S15°29'35"E	51.49'
L13	S18°26'47"E	52.22'
L14	S22°02'23"E	53.33'
L15	S10°19'47"E	50.57'
L16	S08°36'49"E	54.53'
L17	S43°41'14"E	52.60'
L18	S81°20'14"E	52.60'
L19	S10°09'44"E	120.00'
L20	N60°48'05"E	116.36'
L21	N60°29'17"W	61.32'
L22	N50°32'11"W	79.42'

Line Table		
Line #	Direction	Length
L23	N35°20'42"W	79.20'
L24	N19°05'05"W	79.20'
L25	N02°49'29"W	79.20'
L26	N13°26'08"E	79.20'
L27	N29°41'45"E	79.20'
L28	N45°57'22"E	79.20'
L29	N67°22'53"E	78.51'
L30	N79°51'40"E	67.05'
L31	N84°25'44"E	73.72'
L32	S72°04'52"E	21.37'
L33	N09°23'47"E	106.17'

Line Table		
Line #	Direction	Length
L34	N17°05'11"E	58.67'
L35	N27°05'58"E	152.56'
L36	N34°44'51"E	68.61'
L37	S65°29'46"E	95.99'
L38	N03°19'30"E	30.03'
L39	N43°58'57"W	119.64'
L40	N68°00'12"E	133.72'
L41	S43°58'57"E	117.87'
L42	S10°05'24"E	48.53'
L43	S71°30'52"E	97.04'
L44	S22°52'23"W	124.36'

Line Table		
Line #	Direction	Length
L45	S14°37'55"W	62.14'
L46	S11°46'20"W	50.35'
L47	S18°15'27"W	50.00'
L48	S24°40'42"W	50.29'
L49	S26°53'53"W	99.48'
L50	S14°48'05"W	46.13'
L51	S05°44'12"W	124.00'
L52	S17°24'12"W	63.31'
L53	N84°15'48"W	37.81'
L54	S09°18'11"W	26.16'
L55	S02°03'26"E	62.00'

Line Table		
Line #	Direction	Length
L56	S15°05'13"W	80.58'
L57	S22°19'59"W	77.78'
L58	S38°35'36"W	77.78'
L59	S54°51'12"W	43.75'
L60	S02°09'23"E	105.97'
L61	N45°04'15"E	120.00'
L62	S42°23'46"E	50.05'
L63	S39°11'32"E	50.25'
L64	S54°19'50"E	51.13'
L65	S75°02'59"E	60.91'
L66	S80°30'09"E	62.00'

Line Table		
Line #	Direction	Length
L67	S81°09'06"E	130.91'
L68	S72°09'34"E	62.24'
L69	S50°26'50"E	72.94'
L70	S00°59'11"E	50.05'
L71	S57°35'23"W	98.66'
L72	S46°15'26"W	28.01'

J-U-B ENGINEERS, INC.
J-U-B ENGINEERS, INC.
250 S. Beechwood Ave.
Suite 201
Boise, ID 83709-0944
Phone: 208.376.7330
www.jub.com

PROFESSIONAL ENGINEER REGISTERED 10683 STATE OF IDAHO W. SCOTT WONDERS 5/9/19

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NO.	DESCRIPTION	BY	APPR.	DATE
	REVISION			

ROBINHOOD SUBDIVISION
KUNA, ADA COUNTY, IDAHO

BOUNDARY AND PROJECT INFORMATION

FILE : 10-19-022_PRE-PLAT
JUB PROJ. # : 10-19-022
DRAWN BY: ----
DESIGN BY: ----
CHECKED BY: ----
ONE INCH
AT FULL SIZE, IF NOT ONE INCH, SCALE ACCORDINGLY
LAST UPDATED: 5/9/2019

SHEET NUMBER:
PP-01

Plot Date:5/9/2019 1:00 PM Plotted By: Everett Earnest
Date Created:5/9/2019 F:\PROJECTS\JUB\10-17-141 FALCON CREST DEVELOPMENT_10-19-022 ROBIN HOOD SUBDIVISION\PRE-PLAT\CAD\SHEET\10-19-022_PRE-PLAT.DWG

NOTE:
SEWER INVERTS ARE ESTABLISHED USING MIN. SLOPES 0.42% FOR 8" AND 0.62% FOR END RUNS WITH 8" PIPE. THESE INVERTS ARE NOT FINAL DESIGN ELEVATIONS BUT ARE FOR INFORMATION PURPOSES.

SCALE IN FEET
0 60 120

S10°19'47"E 50.57'
GRAVITY IRRIGATION PIPE TO EXISTING POND
S0°41'08"E 170.00'
S8°36'49"E 54.53'
N2°49'29"W 79.20'
N19°05'05"W 79.20'
N35°20'42"W 79.20'
N50°32'11"W 79.42'
S43°41'14"E 52.60'
S81°20'14"E 52.60'
N60°29'17"W 61.32'
S1°09'44"E 120.00'
N60°48'05"E 116.36'
N24°40'27"W 85.69'
N35°04'13"W 85.12'
N49°58'04"W 84.86'
N73°23'45"W 47.82'
N0°36'05"W 268.12'
S2°03'26"E 62.00'
S15°05'13"W 80.58'
S22°19'59"W 77.78'
S36°35'36"W 77.78'
S54°51'12"W 43.75'
S2°09'23"E 105.97'
S42°23'46"E 50.05'
S39°11'32"E 50.25'
S54°19'50"E 51.13'
S45°04'15"W 120.00'
S75°02'59"E 60.91'
S80°30'09"E 62.00'
S81°09'06"E 130.91'
S72°09'34"E 62.24'
S77°12'03"E 186.00'
S50°26'50"E 72.94'
S88°11'34"E 236.05'
N88°11'34"W 610.12'
257.30' S82°58'58"W
S57°35'23"W 98.66'
S0°59'11"E 50.05'
N88°28'15"W 389.26'
S43°59'41"E 28.43'
S88°41'49"E 198.11'
S87°35'51"E 154.01'
N0°42'27"E 111.69'
N88°11'34"W 610.12'
S46°15'26"W 28.01'

Block 1 17 8441 126.7'
Block 1 18 6659 126.3'
Block 1 19 6799 132.8'
Block 1 20 7083 139.1'
Block 1 21 3590 143.4'
Block 1 22 7111 143.6'
Block 1 23 6808 140.0'
Block 1 11645
Block 1 34805
Block 1 56115
Block 1 62677
Block 1 44488
Block 2 1 11645
Block 3 7567
Block 4 1 11312
Block 5 18 8598
Block 5 2 62677
Block 6 3 7567
Block 7 3 7405
Block 8 1 44488

PROPOSED POND
PROPOSED STREAM (TYP)
PROPOSED GOLF COURSE
EXISTING GOLF COURSE
COMMON LOT
GOLF COMMON LOT
PARKING
50.3 LF 8" SS
82.3 LF 8" SS
268.5 LF 8" SS
TOE
PIRR
E. BALLAD DR
E. BALLAD CT
S. FOLKLORE AVE
S. YEOMAN WAY
E. TIERCEL DR
KIRKLESS LOOP
S. CLOVERDALE ROAD
MATCH LINE SEE BELOW
MATCH LINE SEE ABOVE

TYPICAL 72' STREET SECTION
SCALE:N.T.S.
TYPICAL 47' ATTACHED STREET SECTION
SCALE:N.T.S.
TYPICAL 47' DETACHED STREET SECTION
SCALE:N.T.S.
TYPICAL 37' DETACHED STREET SECTION
SCALE:N.T.S.
TYPICAL 36' STREET SECTION
SCALE:N.T.S.
TYPICAL 60' STREET SECTION
SCALE:N.T.S.

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PROFESSIONAL ENGINEER
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10683
STATE OF IDAHO
W. SCOTT WONDERS
5/9/19

REVISION | DESCRIPTION | BY | APPR. | DATE

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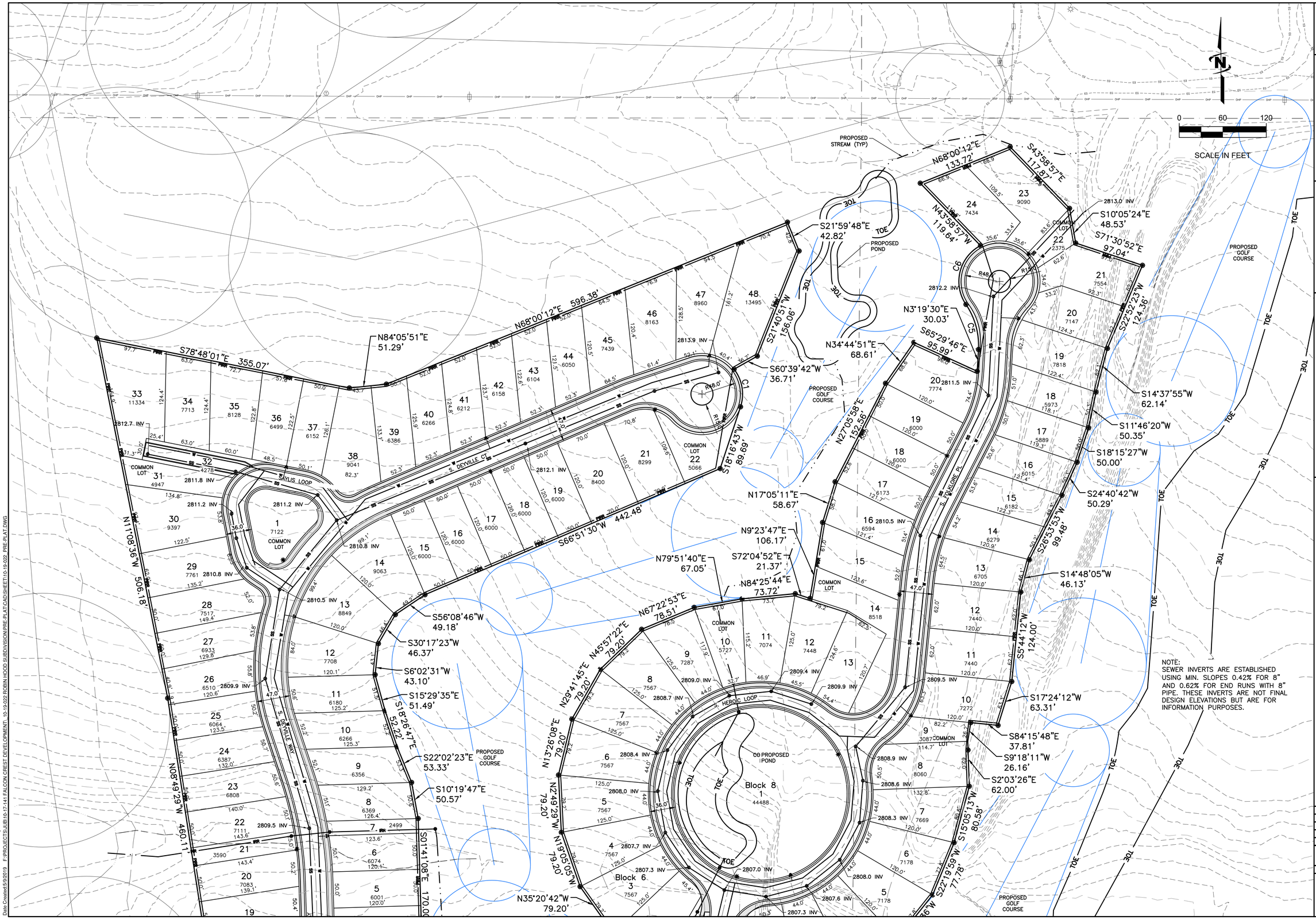
ROBINHOOD SUBDIVISION
KUNA, ADA COUNTY, IDAHO

PROPOSED CONDITIONS

FILE: 10-19-022_PRE-PLAT
JUB PROJ. # : 10-19-022
DRAWN BY: ----
DESIGN BY: ----
CHECKED BY: ----
ONE INCH
AT FULL SIZE, IF NOT ONE INCH, SCALE ACCORDINGLY
LAST UPDATED: 5/9/2019

SHEET NUMBER:
PP-03

Plot Date:5/9/2019 12:40 PM Plotted By: Everett Earnest
Date Created:5/9/2019 F:\PROJECTS\JUB\10-17-141 FALCON CREST DEVELOPMENT_10-19-022 ROBIN HOOD SUBDIVISION\PRE-PLAT\CAD\SHEET\10-19-022_PRE-PLAT.DWG



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5/9/19

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NO.	DESCRIPTION	BY	APPR.	DATE
	REVISION			

ROBINHOOD SUBDIVISION
KUNA, ADA COUNTY, IDAHO

PROPOSED CONDITIONS

FILE : 10-19-022_PRE-PLAT
JUB PROJ. # : 10-19-022
DRAWN BY: ----
DESIGN BY: ----
CHECKED BY: ----
ONE INCH
AT FULL SIZE, IF NOT ONE INCH, SCALE ACCORDINGLY
LAST UPDATED: 5/9/2019

SHEET NUMBER:
PP-04

Plot Date:5/9/2019 12:41 PM Plotted By: Everett Earnest
Date Created:5/9/2019 F:\PROJECTS\JUB\10-17-141 FALCON CREST DEVELOPMENT_10-19-022 ROBIN HOOD SUBDIVISION\PRE-PLAT\CAD\SHEET\10-19-022_PRE-PLAT.DWG



PLANT MATERIAL LEGEND

Sym.	Plant Name	Size
	Existing Tree To Be Relocated?Remain?	Varies
Class I Trees		
	Cercis canadensis Eastern Redbud	2" B&B
	Cornus florida Flowering Dogwood	2" B&B
	Prunus cerasifera 'Newport' Newport Purple Leaf Plum	2" B&B
	Pyrus calleryana 'Chanticleer' Callery Pear	2" B&B
Class II Trees		
	Acer truncatum x Norwegian sunset Norwegian Sunset Maple	3" B&B
	Acer x fremanii 'October Glory' October Glory Maple	3" B&B
	Gleditsia triancanthos var. inermis 'Skyline' Skyline Honey Locust	3" B&B
	Tilia americana 'Little Leaf Little leaf Linden	3" B&B
Shrubs		
	Berberis thunbergii "Crimson Pygmy' Crimson Pygmy Japanese Barberry	5 Gal.
	Buddleja davidii 'Black Knight' Black Knight Butterfly Bush	5 Gal.
	Buddleja davidii 'Peach Cobbler' Peach Cobbler Butterfly Bush	5 gal.
	Caryopteris x clandonensis 'Dark Knight' Dark Knight Bluebeard	5 gal.
	Cornus sericea 'Kelseyi' Kelsey's Dwarf Red-Osier Dogwood	5 Gal.
	Euonymus alatus 'Compactus' Burning Bush	5 Gal.
	Euonymus fortunei 'Emerald 'n Gold' Emerald & Gold Euonymus	5 gal.
	Euonymus japonica 'Aureo-Marginata' Gold Edge Euonymus	5 gal.
	Euonymus japonicus 'microphyllus' Baseaf Euonymus	5 Gal.
	Euonymus japonicus 'Silver King' Silver King Euonymus	5 Gal.
	Euonymus kiautschovicus 'Manhattan' Manhatten Euonymus	5 Gal.
	Perovskia atriplicifolia Russian Sage	5 Gal.
	Photinia x fraseri Fraser's Photinia	5 gal.
	Picea pungens 'Globosa' Globosa Spruce	15 gal.
	Pinus mugo pumilio Mugo Pine'	15 Gal.
	Rosa x 'Noare' Flower Carpet TM Red Rose	5 Gal.
	Rosa x 'Noalesa' Flower Carpet Yellow Rose	5 Gal.
	Rosa x 'Noala' Flower Carpet Coral Rose	5 Gal.
	Spiraea x bumalda 'Goldflame' Gold Flame Spirea	5 gal.
	Spiraea japonica 'Little Princess Little Princess Spirea	5 gal.
	Syringa vulgaris 'Charles Joly' Charles Joly Lilac	5 gal.
	Syringa vulgaris 'Ludwig Spaeth' Ludwig Spaeth Lilac	5 gal.
	Weigela florida 'Wine and Roses' Wine and Roses Weigela	5 gal.
Groundcovers		
	Ceratostigma plumbago Dwarf Plumbago	3 Gal
	Erica x darleyensis 'Kramer's Rote' Kramers Red Winter Heath	3 Gal.
	Erica x darleyensis 'Mediterranean White' Mediterranean White Heath	3 Gal.
	Taxus cuspidata 'Monloo' Emerald Spreader	3 Gal.
Grasses		
	Calamagrostis x acutiflora 'Overdam' Overdam Feather Reed Grass	5 Gal.
	Helictotrichon sempervirens Blue Oat grass	5 Gal.
	Miscanthus sinensis 'Gracillimus' Maiden Grass	5 Gal.
	Pennisetum alopecuroides 'Little Bunny' Little Bunny Fountain Grass	5 Gal.
Perennials		
	Coreopsis 'Zagreb' Zagreb Coreopsis	3 gal.
	Echinacea purpurea 'Magnus' 'Magnus' Purple Coneflower	3 gal.
	Geum 'Blazing Sunset' Blazing Sunset	3 gal.
	Hemerocallis 'Happy Returns' Daylily Happy Returns	3 gal.
	Lavandula angustifolia 'Munstead' Lavander Munstead	3 Gal.
	Rudbeckia fulgid var. sullivantii 'Goldsturm' Goldsturm Black Eyed Susan	3 gal.
	Sedum spectabile 'Autumn Fire' Autumn Fire Stonecrop	3 gal.
	Sedum spectabile 'Autumn Joy' Autumn Joy Stonecrop	3 gal.
	Sedum spectabile 'Xenox' Xenox Stonecrop	3 gal.
	Veronica spicata 'Red Fox' Red Fox Veronica	3 gal.

MASS PLANTING

Sym.	Description
	SODDED FESCUE TURF

INERTS

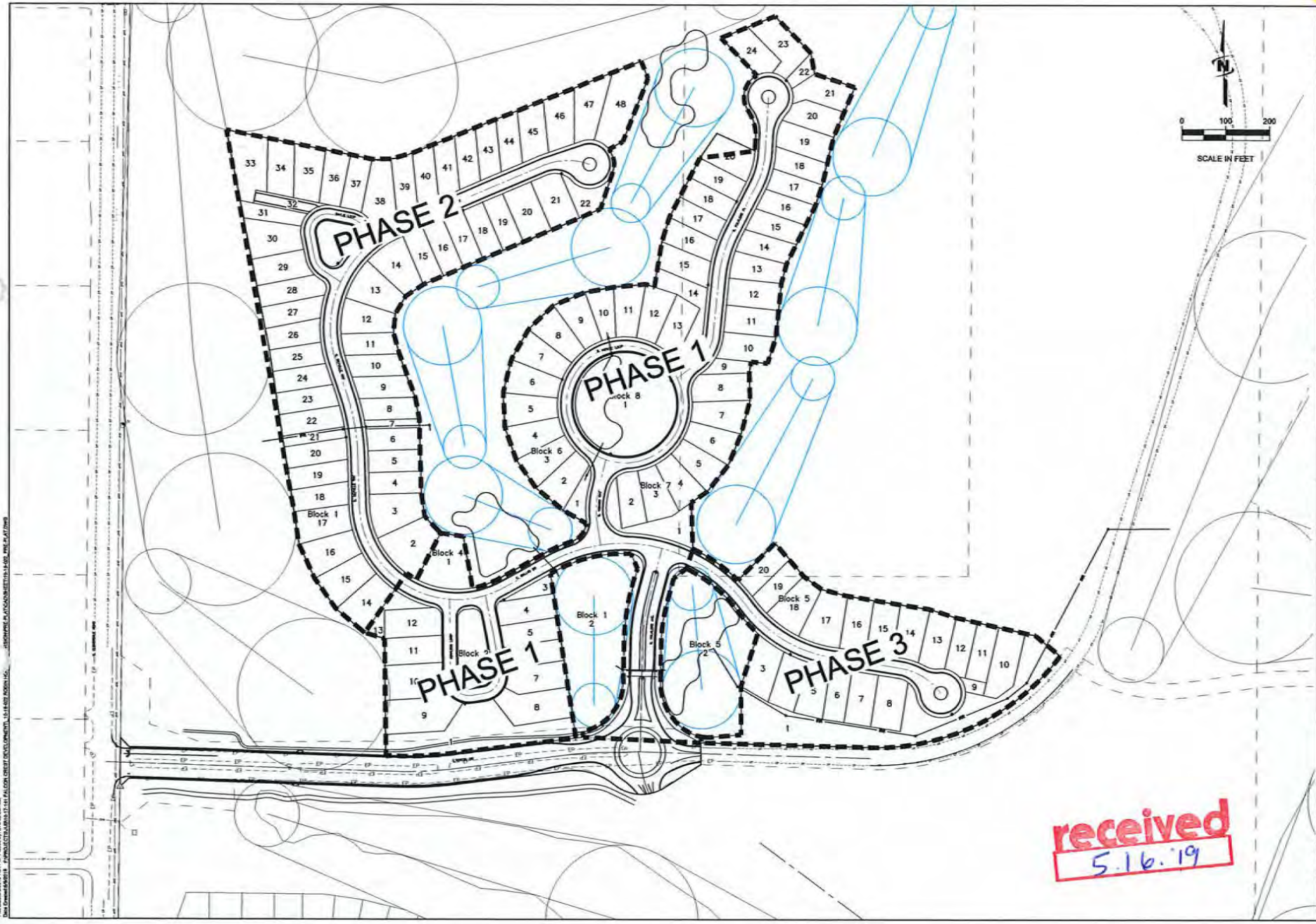
Sym.	Description
	MULCH, 3" LAYER, COLOR: PREMIUM BLEND

Falcon Crest Entry & Robin Hood Subdivision
Conceptual Landscape Plan

GREEY|PICKETT

0 100' 200' 300'
Scale: 1" = 100'-0"

Exhibit A



J-U-B ENGINEERS, INC.
250 S. Beechwood Ave.
Suite 201
Boise, ID 83709-0944
Phone: 208.376.7330
www.jub.com

ROBIN HOOD SUBDIVISION
KUNA, ADA COUNTY, IDAHO

PHASING PLAN

SHEET NUMBER: 1

received
5.16.19

Exhibit B 1a

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

Paul A. Stevens, P.E.
Kuna City Engineer

MEMORANDUM

Date: **12 July 2019**

From: **Paul A. Stevens, P.E.**

To: **Wendy Howell, Planning and Zoning Director**

RE: **Robinhood Preliminary Plat – 19-03-S & Design Review Landscaping – 19-14-DR**

The Robinhood Preliminary Plat and design review (landscaping) request dated 16 May 2019 has been reviewed. It is noted that while the application outlines the applicant's general development intent, specific development plans are not provided except those implied as allowed or permitted in a "R-6" zone and as provided in the Falcon Ridge Development Agreement. These comments apply to the preliminary plat and do not address the landscaping design review request. The design review request rests with the Planning and Zoning Department. Review of civil design drawings is accomplished separately, when received.

Recommendation: proceed with the Preliminary Plat consistent with the enclosed comments. These comments may be expanded or refined based on future land-use actions. The following comments apply:

1. **General**
   a. Robinhood Subdivision is zoned R6, contains 36.72 Acres, 2 golf lots, 2 common driveway lots, 17 common lots and 116 residential lots. A commensurate impact on the City of Kuna's water and sewer utilities will result.
   b. Access to Robinhood Subdivision is from South Cloverdale Road.
   c. A plan approval letter will be required if this project affects any local irrigation districts.
   d. Verify that existing and proposed elevations match at property boundaries such that a slope burden is not imposed on adjacent properties.
   e. State the vertical datum used for elevations on all drawings.
   f. Provide engineering certification on all final engineering drawings.

2. Inspection Fees

a. An inspection fee will be required for City inspection of the construction of any water, sewer and irrigation facilities associated with this development.
b. The developer shall retain a qualified responsible, Idaho registered professional engineer to provide sufficient inspection to justly certify to DEQ the project was completed in accordance with approved plans and specifications and to provide accurate as-built drawings to the City.
c. The developer's engineer and the City's inspector are permitted to coordinate inspections. The current inspection fee is $1.00 per lineal foot of sewer, water and pressure irrigation pipe and payment is due and payable prior to City's approval of final construction plans.

3. Right-of-Way

a. Robinhood Subdivision accesses from South Cloverdale Road.
a. Sufficient right-of-way on the quarter line and section line for existing and future classified streets should be provided pursuant to City & ACHD standards.
b. Approaches onto classified streets must comply with ACHD approach policies.
c. It is recommended that sidewalk, curb and gutter, street widening and any related storm drainage facilities, consistent with city code and policies, are provided in connection with property development.
d. Robinhood Subdivision is part of a planned unit development (PUD). Streets shall be constructed, owned, and maintained by Falcon Crest Development its successors, heirs, and assigns.
e. All street construction must meet or exceed ACHD and City of Kuna development standards.
f. Developer shall provide sufficient access and maintenance easements to allow city access to and maintenance of the sewer and water main lines.

4. Sanitary Sewer & Potable Water

a. The applicant's property is presently undeveloped, is not connected to City services and would be subject to connection fees for the ultimate connected sewer load and water demand as provided in the City's Standard Tables. City Code (6-4-2) requires connection to the City sewer system for all sanitary sewer needs. City Code (6-4-2X) requires connection to City water services.
b. City code 5-16-3: B.2 states that applicant shall extend public sewer and water to each parcel when water and sewer are available within three hundred (300) feet of the parcels.
c. In this case, the water and sewer utilities are pending construction. The exact method of supply and conveyance is to be determined.
d. All sewer and water infrastructure must meet or exceed City of Kuna requirements.

5. Pressurized Irrigation

a. The applicant's property is not connected to the City pressurized irrigation system. Relying on drinking water for irrigation purposes is contrary to City Code (6-4-2).
b. Pressurized irrigation will be provided by the Falcon Crest development in accordance with their Development Agreement with the City of Kuna.
c. All pressurized irrigation infrastructure shall meet or exceed City of Kuna standards.
d. It is recommended that this application be conditioned to conform to the Pressure Irrigation Master Plan where applicable.

6. Grading and Storm Drainage

The following provisions apply to Robinhood Subdivision:

a. Provide a grading and drainage plan which supports and maintains all upstream drainage rights and all downstream irrigation delivery rights as they presently exist for this property.

b. Verify that existing and proposed elevations match at property boundaries such that a slope burden is not imposed on adjacent properties. Slopes shall not be steeper than 3:1 on lots adjacent to a street or common lot and no steeper than 4:1 for lots with common rear lot lines.

c. Runoff from public right-of-way is regulated by ACHD. On site storm water retention shall be reviewed in conjunction with the Civil Engineering construction improvements review.

d. Any increase in quantity or rate of runoff or decrease in quality of runoff compared to historical conditions must be detained, treated and released at rates no greater than historical amounts. In the alternative, offsite disposal of storm water in excess of historical rates or conditions of disposal at locations different than provided historically, approval of the operating entity is required. The City of Kuna relies on the ACHD Stormwater Policy Manual to establish the requirements for design of any private disposal system.

e. If impervious area is increased, provide a storm water disposal plan acceptable to the City Engineer which accounts for the increased storm water drainage. Provide detail drawings of drainage facilities for review.

7. As-Built Drawings

a. As-built drawings are required at the conclusion of any public facility construction project and are the responsibility of the developer's engineer. The city may help track changes but will not be responsible for the finished product. As-built drawings will be required before occupancy or final plat approval is granted.

8. Property Description

a. The applicant provided a preliminary plat and supporting documents as part of the application.

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

Paul A. Stevens, P.E.
Kuna City Engineer
208-287-1727

REZONE REVIEW MEMORANDUM

Date: **3 October 2019**

From: **Paul A. Stevens, P.E.**

To: **Wendy Howell, Planning and Zoning Director**

RE: **Robinhood Subdivision Rezone 19-07-ZC**

The Robinhood Subdivision Rezone request by M3 ID Falcon Crest, LLC, dated September 19, 2018 has been reviewed. No preliminary plat was provided. The following narrative is limited to the rezone request. A discussion regarding the availability of city utility services (pressurized irrigation, sewer, & water) will accompany the preliminary plat when submitted.

1. General

a) This rezone request transfers approximately 25.08 Acres from zone R-12 to zone R-6.
b) Less dense properties are less burdensome to the city's infrastructure.
c) The property is located at the North East Corner of the intersection of Cloverdale and Kuna Roads.
d) With the addition of this property into the corporate limits of Kuna and its potential connection to pressurized irrigation, sewer, and water utilities, this property will be placing demand on constructed facilities and on water rights provided by others. It is expected that this property transfer to the City, at time of connection, all conveyable water rights by deed and "Change of Ownership" form from IDWR. The domestic water right associated solely with a residence and ½ acre or less is not conveyable. The water right held in trust by an irrigation district is also not conveyable.
e) A plan approval letter will be required if this project affects any local irrigation districts or its facilities.
f) The City reserves the right of prior approval to all agreements involving the applicant, successors & assigns and the irrigation or drainage district related to the property of this application and any attempt to abandon surface water rights.
g) R-6 is defined as six dwellings per net acre. Or about 7,260 square feet per lot. This is considered medium density development by the City of Kuna.

2. Property Description

a) The applicant provided a metes and bounds property description (legal description) of the subject parcel with illustrations. A specific subdivision was not provided.

Rebecca W. Arnold, President
Mary May, 1st Vice-President
Sara M. Baker, 2nd Vice-President
Jim D. Hansen, Commissioner
Kent Goldthorpe, Commissioner

September 26, 2019

To: Mark Tate
M3 Companies
1087 W. River Street Suite 310
Boise, ID 83702

Subject: KPP19-0003 / 19-03-S
11102 S. Cloverdale Road
Robinhood Subdivision

On September 25, 2019, the Ada County Highway District acted on your application for the above referenced project. The attached report includes site specific conditions of approval.

If you have any questions, please feel free to contact me at (208) 387-6335.

Sincerely,

Austin Miller
Planner II
Development Services

cc: City of Kuna, via e-mail
JUB Engineers (Scott Wonders), via e-mail

Project/File: **Robinhood Subdivision / KPP19-0003 / 19-03-S**
The applicant is requesting preliminary plat approval for 116 single family residential lots and 21 common lots on 36.7-acres. The site is located within the Falcon Crest Master Plan planning area and is located on the east side of Cloverdale Road north of Kuna Road in Kuna, Idaho.

Lead Agency: City of Kuna

Site address: 11102 S. Cloverdale Road

Commission Approval: September 25, 2019

Applicant: Mark Tate
M3 Companies
1087 W. River Street Suite 310
Boise, ID 83702

Representative: Scott Wonders
JUB Engineers
250 W. Beechwood Ave. Ste. 201
Boise, ID 83709

Staff Contact: Austin Miller
Phone: 387-6335
E-mail: amiller@achdidaho.org



A. Findings of Fact

1. **Description of Application:** The applicant is requesting preliminary plat approval for 116 single family residential lots and 21 common lots on 36.7-acres located in Kuna, Idaho. The site is currently zoned R-6 and the proposed use is consistent with the City of Kuna's comprehensive plan designation of mixed use.

2. **Description of Adjacent Surrounding Area:**

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

3. **Site History:** ACHD previously reviewed this site as a portion of the Falcon Crest Master Plan Community in September 2018. The requirements of this staff report are consistent with those of the prior action. The proposed subdivision is phase 2 of the Falcon Crest Master Plan.

4. **Adjacent Development:** The following developments are pending or underway in the vicinity of the site:
    - Falcon Crest Subdivision (Phase 1 of Falcon Crest Master Plan), consisting of 409 single family residential lots and 1 commercial lot is located immediately south of the site and was approved by ACHD in December 2018.
5. **Transit:** Transit services are not available to serve this site.
6. **New Center Lane Miles:** The proposed development includes 2.6 centerline miles of new public road.
7. **Impact Fees:** There will be an impact fee that is assessed and due prior to issuance of any building permits. The assessed impact fee will be based on the impact fee ordinance that is in effect at that time.
8. **Capital Improvements Plan (CIP) / Integrated Five Year Work Plan (IFYWP):**
    - Cloverdale Road is listed in the CIP to be widened to 3-lanes from Columbia Road to Kuna Road between 2031 and 2035.
    - The intersection of Cloverdale Road and Columbia Road is listed in the CIP to be reconstructed as a single lane roundabout with a westbound right turn bypass lane between 2026 and 2030.

B. Traffic Findings for Consideration

1. **Trip Generation:** This development is estimated to generate 1,182 additional vehicle trips per day; 116 additional vehicle trips per hour in the PM peak hour, based on the traffic impact study.
2. **Traffic Impact Study**
   Kittelson & Associates prepared a traffic impact study for the proposed Robinhood Subdivision. Below is an executive summary of the findings **as presented by Kittelson & Associates**. The following executive summary is **not the opinion of ACHD staff**. ACHD has reviewed the submitted traffic impact study for consistency with ACHD policies and practices and may have additional requirements beyond what is noted in the summary. ACHD Staff comments on the submitted traffic impact study can be found below under staff comments.

   Recommendations: Based on the findings and conclusions, recommendations are provided for the buildout of the Robinhood subdivision. The analysis found that no off-site intersections require mitigation upon buildout of the Robinhood development under total traffic conditions.

   Robinhood Site Specific Recommendations

    - Site Access A (Tiercel Drive) & Internal Roundabout
        - Construct the single-lane internal roundabout at its proposed location, with one entry and exit lane on each approach.
    - Golf Course Access Road (Tiercel Drive)
        - Reconstruct roadway to ACHD collector roadway standards.
        - Provide a delineated crossing with approach signage for the golf cart path, located approximately 400-feet east of Cloverdale Road.
    - Cloverdale Road and Golf Course Access Road (Tiercel Drive)
        - A southbound left-turn lane is warranted upon full buildout of Robinhood Subdivision, however, there is an existing two-way left-turn lane currently available at the intersection.

- Consideration to widen and lengthen the two-way left-turn is recommended if it can be done within the constraints.

- The following recommendations have been identified to ensure adequate sight distance at site access points, the internal roundabout, and internal roadways:
  - Remove miscellaneous vegetation and potential obstructions along Cloverdale Road as necessary to obtain and maintain adequate intersection sight distance.
  - The proposed north leg of the roundabout should match the existing elevation of Golf Course Access Road (Tiercel Drive) to ensure the best possible sight distance.
  - Shrubbery and landscaping near the internal intersections and the site access point should be maintained to ensure adequate sight distance.
  - If future widening occurs along Cloverdale Road, utility poles should be set back outside of the sight lines.

Staff Comments/Recommendations: ACHD District Traffic Services and Development Review staff has completed a review of the required traffic impact study and has found it to be in compliance with ACHD Policy and standards.

If Tiercel Drive is converted to a public street, as proposed, then the proposed pavement marking for golf cart path crossings will not be allowed.

Consistent with the TIS, the applicant should be required to widen and lengthen the two-way left-turn lane on Cloverdale Road at the intersection with Tiercel Drive. This improvement should be made prior to ACHD's signature on the first final plat.

All study area intersections and roadway segments meet District level of service planning threshold standards under existing traffic, 2025 background traffic and 2025 build-out year total traffic conditions and no mitigation is required.

3. Condition of Area Roadways

Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
Cloverdale Road (Kuna Road to Hubbard Road)	1,900-feet	Minor Arterial	186	Better than "E"
Cloverdale Road (Hubbard Road to Columbia Road)	None	Minor Arterial	241	Better than "E"
Kuna Road	None	Minor Arterial	205	Better than "E"

* Acceptable level of service for a two-lane minor arterial is "E" (575 VPH).

4. Average Daily Traffic Count (VDT)

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

- The average daily traffic count for Cloverdale Road between Kuna Road and Hubbard Road was 3,317 on November 28, 2018.
- The average daily traffic count for Cloverdale Road between Hubbard Road to Columbia Road was 4,743 on November 28, 2018.
- The average daily traffic count on Kuna Road between Cloverdale Road and Eagle Road was 3,774 on May 16, 2018.

C. Findings for Consideration

1. Cloverdale Road

a. Existing Conditions: Cloverdale Road is improved with 2-travel lanes (29-feet of pavement), and no curb, gutter or sidewalk abutting the site. There is a center left turn lane at the existing golf course entrance (private road). There is 81-feet of right-of-way for Cloverdale Road (45-feet from centerline).

b. Policy:

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

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

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

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

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

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

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

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

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

Frontage Improvements Policy: District Policy 7205.2.1 states that the developer shall widen the pavement to a minimum of 17-feet from centerline plus a 3-foot wide gravel shoulder adjacent to the entire site. Curb, gutter and additional pavement widening may be required (See Section 7205.5.5).

Minor Improvements Policy: District Policy 7203.3 states that minor improvements to existing streets adjacent to a proposed development may be required. These improvements are to correct deficiencies or replace deteriorated facilities. Included are sidewalk construction or replacement; curb and gutter construction or replacement; replacement of unused driveways

with curb, gutter and sidewalk; installation or reconstruction of pedestrian ramps; pavement repairs; signs; traffic control devices; and other similar items.

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, arterial street requirements, and specific roadway features required through development. This segment of Cloverdale Road is designated in the MSM as a Rural Arterial with 3-lanes and on-street bike lanes, a 46-foot street section within 74-feet of right-of-way.

c. **Applicant Proposal:** The applicant is not proposing any improvements to Cloverdale Road abutting the site.

d. **Staff Comments/Recommendations:** The parcel being developed has 1,900-feet of frontage on Cloverdale Road, improvements should be constructed along the entire frontage.

The existing right-of-way exceeds the recommended right-of-way dedication listed in the MSM; however, staff recommends approval of the applicant's proposal to preserve 48-feet of right-of-way from the centerline of Cloverdale Road based on information provided in the submitted traffic impact study. The applicant should be required to dedicate right-of-way to total 48-feet from centerline on Cloverdale Road abutting the site.

Consistent with the TIS, prior to ACHD's signature on the first final plat the applicant should be required to widen and lengthen the two-way left-turn lane on Cloverdale Road at the intersection with Tiercel Drive.

The applicant should be required to construct a 5-foot wide detached concrete sidewalk located 42-feet from the centerline of Cloverdale Road abutting the site. The applicant should be required to provide a permanent right-of-way easement for detached sidewalks located outside of the dedicated right-of-way. Sidewalks should be designed meeting ADA Standards and meandering sidewalks are discouraged.

Additionally, the applicant should be required to widen the pavement on Cloverdale Road to 17-feet from centerline with a 3-foot wide gravel shoulder abutting the entire site.

The right-of-way dedication, pavement widening, and sidewalk construction should be completed prior to ACHD's signature on the 2nd preliminary plat.

e. **Commission Action:** During the September 25, 2019 Commission meeting the ACHD Commission heard testimony from neighboring property owners regarding the current condition, traffic impacts and safety concerns on Cloverdale Road. The Commission required that improvements to Cloverdale Road be made with the first final plat. The Site Specific Conditions of Approval have been modified to address the Commission's approval.

2. Tiercel Drive

a. **Existing Conditions:** No public streets exist internal to the site.

As part of the development of the original Falcon Crest Golf Course a 65-foot wide private road (proposed Tiercel Drive) was constructed with 20-foot wide sandstone center landscape islands and exists internal to the site. The existing private road intersects Cloverdale Road 235-feet north of Cutting Horse Drive and provides access to Falcon Crest Golf Club.

b. **Policy:**

Collector Street Policy: District policy 7206.2.1 states that the developer is responsible for improving all collector frontages adjacent to the site or internal to the development as required below, regardless of whether access is taken to all of the adjacent streets.

Master Street Map and Typologies Policy: District policy 7206.5 states that if the collector street is designated with a typology on the Master Street Map, that typology shall be considered

for the required street improvements. If there is no typology listed in the Master Street Map, then standard street sections shall serve as the default.

Street Section and Right-of-Way Policy: District policy 7206.5.2 states that the standard right-of-way width for collector streets shall typically be 50 to 70-feet, depending on the location and width of the sidewalk and the location and use of the roadway. The right-of-way width may be reduced, with District approval, if the sidewalk is located within an easement; in which case the District will require a minimum right-of-way width that extends 2-feet behind the back-of-curb on each side.

The standard street section shall be 46-feet (back-of-curb to back-of-curb). This width typically accommodates a single travel lane in each direction, a continuous center left-turn lane, and bike lanes.

Residential Collector Policy: District policy 7206.5.2 states that the standard street section for a collector in a residential area shall be 36-feet (back-of-curb to back-of-curb). The District will consider a 33-foot or 29-foot street section with written fire department approval and taking into consideration the needs of the adjacent land use, the projected volumes, the need for bicycle lanes, and on-street parking.

Sidewalk Policy: District policy 7206.5.6 requires a concrete sidewalk at least 5-feet wide to be constructed on both sides of all collector streets. A parkway strip at least 6-feet wide between the back-of-curb and street edge of the sidewalk is required to provide increased safety and protection of pedestrians. Consult the District's planter width policy if trees are to be placed within the parkway strip. Sidewalks constructed next to the back-of-curb shall be a minimum of 7-feet wide.

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

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

Landscape Medians Policy: District policy 7206.5.14 states that landscape medians are permissible where adequate pavement width is provided on each side of the median to accommodate the travel lanes and where the following is provided:

- The median is platted as right-of-way owned by ACHD.
- The width of an island near an intersection is 12-feet maximum for a minimum distance of 150-feet. Beyond the 150-feet, the island may increase to a maximum width of 30-feet.
- At an intersection that is signalized or is to be signalized in the future, the median width shall be reduced to accommodate the necessary turn lane storage and tapers.
- The Developer or Homeowners Association shall apply for a license agreement if landscaping is to be placed within these medians.
- The license agreement shall contain the District's requirements of the developer including, but not limited to, a "hold harmless" clause; requirements for maintenance by the developer; liability insurance requirements; and restrictions.
- Vertical curbs are required around the perimeter of any raised median. Gutters shall slope away from the curb to prevent ponding.

c. **Applicant Proposal:** The applicant is proposing to reconstruct the existing private road to meet ACHD standards and to dedicate it as a public street to ACHD; Tiercel Drive.



The applicant is proposing to construct Tiercel Drive as a 72-foot wide collector street section with two 26-foot wide travel lanes and a 20-foot wide center landscape island within 72-feet of right-of-way. The applicant is proposing detached sidewalks and vertical curb and gutter on the north and south sides of Tiercel Drive and has requested a modification of District policy to allow the existing sandstone curbing around the center landscape islands to remain, see attachment 3.

d. **Staff Comments/Recommendations:** The applicant's proposal to reconstruct Tiercel Drive as a public collector road is allowed under meets District policy if a roadway is reconstructed meeting all ACHD policies and standard. In this case, staff is not supportive of the proposed modification of policy to allow the use of sandstone curbing around the landscape islands, as they currently sit on top of the roadway

District policy does not require the existing private street be converted to a public road (Tiercel Drive) and ACHD does not have to accept a road if it is not improved to meet public street standards. If the road cannot be reconstructed to meet ACHD standards, the road can remain as a private road.

The existing private road has been in place for over 15 years, and ACHD does not have any maintenance records. The roadway will be required to be reconstructed to meet ACHD standards. The existing sandstone landscape islands will need to be removed during the reconstruction of the roadway. The landscape medians will need to be modified to not exceed 12-feet wide within 150-feet of an intersection.

The proposal to retain and replace the sandstone curbing on top of the rebuilt roadway does not meet District policy or ISPWC specifications and should not be approved as proposed. The existing sandstone blocks are not secured and may become displaced during winter maintenance operations, posing safety and liability concerns. Additionally, the proposed blocks would allow water from the landscaped median into the base and subbase of the roadway more easily than standard curb, decreasing roadway life expectancy and increasing maintenance costs.

Although staff is not supportive of the applicant's proposal, staff is exploring viable options that would allow sandstone blocks at the back of curb and would address ACHD concerns. This may include the use of rolled or vertical curb to address drainage and may include mortar between the blocks to address concerns regarding maintenance and safety. Staff recommends that we continue to work the applicant to come up with a design that is acceptable to ACHD and still allows use of the sandstone blocks. A license agreement will be required for the sandstone blocks.

If the applicant and staff cannot come to an agreement regarding a design for the sandstone blocks then standard vertical curb should be constructed on the center landscape islands on Tiercel Drive.

Consistent with District policy, the applicant should be required to construct Tiercel Drive with 21-foot wide travel lanes on each side of the center landscape island with concrete vertical curb, gutter and minimum 5-foot wide detached sidewalk on both sides of the street (or 7-foot wide

concrete sidewalk if attached). The center landscape island should not exceed 12-feet wide within 150-feet of an intersection and should be dedicated as right-of-way.

If Tiercel Drive is converted to a public street, as proposed, then the proposed pavement marking for golf cart path crossings will not be allowed.

Tiercel Drive is anticipated to have a posted speed limit of 25 MPH.

3. Roundabout

a. Applicant's Proposal: The applicant has proposed to construct a single lane mini roundabout at the terminus of Tiercel Drive.

b. Staff Comments/Recommendations: Consistent with the TIS, staff recommends that a single lane mini roundabout be constructed at the terminus of Tiercel Drive. The roundabout should be designed to accommodate all turning movements and the center island and splitter islands should be mountable. The sidewalk at the roundabout should be detached or separated to discourage pedestrians from crossing within the roundabout outside of the designated crosswalks.

The applicant should follow the guidance provided in NCHRP 672 and will need to design the mini roundabout meeting the standards within ACHD's Roundabout Design Guide policy section 5188.

4. Internal Local Streets

a. Existing Conditions: No public streets exist internal to the site.

b. Policy:

Local Roadway Policy: District Policy 7207.2.1 states that the developer is responsible for improving all local street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

Street Section and Right-of-Way Policy: District Policy 7207.5 states that right-of-way widths for all local streets shall generally not be less than 47-feet wide and that the standard street section shall be 33-feet (back-of-curb to back-of-curb).

Standard Urban Local Street—33-foot Street Section and Right-of-way Policy: District Policy 7207.5.2 states that the standard street section shall be 33-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 47-feet of right-of-way.

For the City of Kuna and City of Star: Unless otherwise approved by Kuna or Star, the standard street section shall be 36-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 50-feet of right-of-way.

Sidewalk Policy: District Policy 7207.5.7 states that five-foot wide concrete sidewalk is required on both sides of all local street, except those in rural developments with net densities of one dwelling unit per 1.0 acre or less, or in hillside conditions where there is no direct lot frontage, in which case a sidewalk shall be constructed along one side of the street. Some local jurisdictions may require wider sidewalks.

The sidewalk may be placed next to the back-of-curb. Where feasible, a parkway strip at least 8-feet wide between the back-of-curb and the street edge of the sidewalk is recommended to provide increased safety and protection of pedestrians and to allow for the planting of trees in accordance with the District's Tree Planting Policy. If no trees are to be planted in the parkway strip, the applicant may submit a request to the District, with justification, to reduce the width of the parkway strip.

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

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

Cul-de-sac Streets Policy: District policy 7207.5.8 requires cul-de-sacs to be constructed to provide a minimum turning radius of 45-feet; in rural areas or for temporary cul-de-sacs the emergency service providers may require a greater radius. Landscape and parking islands may be constructed in turnarounds if a minimum 29-foot street section is constructed around the island. The pavement width shall be sufficient to allow the turning around of a standard AASHTO SU design vehicle without backing. The developer shall provide written approval from the appropriate fire department for this design element.

The District will consider alternatives to the standard cul-de-sac turnaround on a case-by-case basis. This will be based on turning area, drainage, maintenance considerations and the written approval of the agency providing emergency fire service for the area where the development is located.

Landscape Medians Policy: District policy 7207.5.16 states that landscape medians are permissible where adequate pavement width is provided on each side of the median to accommodate the travel lanes and where the following is provided:

- The median is platted as right-of-way owned by ACHD.
- The width of an island near an intersection is 12-feet maximum for a minimum distance of 150-feet. Beyond the 150-feet, the island may increase to a maximum width of 30-feet.
- At an intersection that is signalized or is to be signalized in the future, the median width shall be reduced to accommodate the necessary turn lane storage and tapers.
- The Developer or Homeowners Association shall apply for a license agreement if landscaping is to be placed within these medians.
- The license agreement shall contain the District's requirements of the developer including, but not limited to, a "hold harmless" clause; requirements for maintenance by the developer; liability insurance requirements; and restrictions.
- Vertical curbs are required around the perimeter of any raised median. Gutters shall slope away from the curb to prevent ponding.

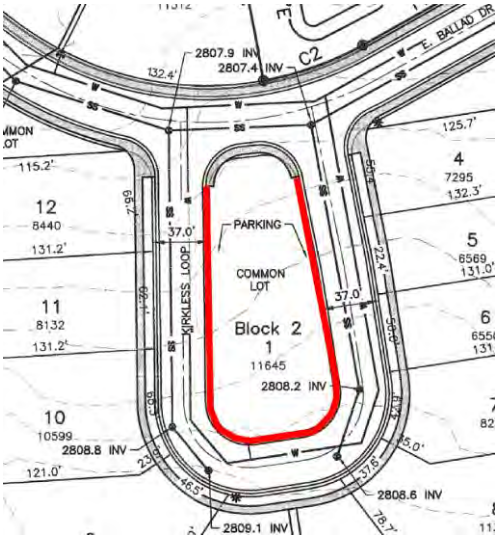
c. **Applicant's Proposal:** The applicant is proposing to construct Folklore Avenue (north of Tiercel Drive) as a 56-foot street section with two 22-foot travel lanes, a 12-foot wide center landscape island, vertical curb, gutter and 5-foot wide detached concrete sidewalks within 60-feet of right-of-way.

The applicant is proposing to construct Ballad Court/Drive, Yeoman Way, Deville Court/Way and Folklore Place as 33-foot street sections with rolled curb, gutter and 5-foot wide concrete sidewalks within 47-feet of right-of-way.

The applicant is proposing to construct cul-de-sacs turnarounds with center islands and 48-foot radii at the terminus of Ballad Court, Deyville Court and Folklore Place.

The applicant is proposing to construct Kirkless Loop and Saylis Loop as 33-foot street sections with rolled curb and gutter within 37-feet of right-of-way. The applicant is proposing 5-foot wide detached concrete sidewalk on one side of the streets and has requested a waiver of District policy to not be required to construct sidewalk along the inside of the loop (shown in red), adjacent to the common lot.





d. Staff Comments/Recommendations: The applicant should be required to construct Folklore Avenue as a 54-foot street section with two 21-foot travel lanes, a 12-foot wide center landscape island, vertical curb, gutter and 5-foot wide detached concrete sidewalk within 60-feet of right-of-way. A permanent right-of-way easement should be provided for the public sidewalks that are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk.

The applicant's proposal to construct Ballad Court/Drive, Yeoman Way, Deville Court/Way and Folklore Place as 33-foot street sections with rolled curb, gutter and 5-foot wide concrete sidewalk within 47-feet of right-of-way meets District policy and should be approved as proposed.

The applicant should be required to provide a sight distance easement ensuring 225-foot unobstructed sight lines from the intersection of Folklore Avenue and Ballad Drive/Court.

All center landscape islands should be platted as ACHD right-of-way owned by ACHD. The applicant or the homeowner's association should apply for a license agreement if landscaping is to be placed within the islands.

The three proposed cul-de-sacs with 48-foot radii meet District policy and should be approved as proposed.

Staff supports the applicant's request to not construct sidewalk on the inside of Kirkless Loop and Saylis Loop as no housing is proposed on the inside of the loops and sidewalk is provided around the outside of the loops.

Both internal common lots for Kirkless Loop and Saylis Loop should be platted as right-of-way owned by ACHD. The applicant or the future homeowners association should enter into a license agreement for any landscaping proposed within the islands.

5. Heroic Loop

a. Existing Conditions: No public streets exist internal to the site.

b. Policy:

Reduced Urban Local Street—27-foot Street Section and Right-of-Way Policy: District Policy 7207.5.2 states that the width of a reduced urban local street shall be 27-feet (back-of-curb to back-of-curb) with curb, gutter, and minimum 5-foot concrete sidewalks on both sides and shall typically be within 41-feet of right-of-way. Unless approved in writing by the land use agency, this street section is not allowed by the City of Kuna and City of Star. In some cases, this street width may not accommodate new utilities. A 29-foot street section within 43-feet of

right-of-way may be constructed in lieu of a 27-foot street section if the applicant demonstrates that the additional roadway width is necessary to extend the utilities. Although some parking is allowed by the following subsections, the District will further restrict parking on a reduced width street if curves or other physical features cause problems, if actual emergency response experience indicates that emergency vehicles may not be able to provide service, or if other safety concerns arise. One of the following three sets of design conditions shall apply.

Design Condition #1: Parking is allowed on one side of a reduced width street when all of the following criteria are met:

- The street is in a residential area.
- The developer shall provide written approval from the appropriate fire department or emergency response unit in the jurisdiction.
- The developer shall install —NO PARKING‖ signs on one side of the street, as specified by the District and as specified by the appropriate fire department.
- This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 41-feet of right-of-way.
- Traffic volumes on the street shall not exceed 1,000 vehicle trips per day. There shall be no possibility that another street may be connected to it in a manner that would allow more than 1,000 vehicle trips per day.

Design Condition #2: Parking is allowed on both sides of a reduced width street when the street layout has the qualities of a road grid system. This provides fire trucks and other emergency vehicles alternate routes of access since the ability to pass another vehicle may be compromised by placement of parked vehicles on both sides of the street. The following criteria shall be met:

- The street is in a residential area.
- The developer shall provide written approval from the appropriate fire department or emergency response unit in the jurisdiction.
- The block length of the street shall not exceed 500-feet, measured between centerlines.
- Traffic volumes on the street are not forecast to exceed 400 vehicle trips per day.
- A minimum of two street connections shall be provided to each end of the street with the reduced width. The two connecting streets shall each connect to the larger street system to provide the intended alternate routes of access. A street system that has one street connection to the larger street network on one end and a loop/circle street on the other end with no outlet shall not be approved.
- This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 41-feet of right-of-way.

Design Condition #3: Parking is allowed on both sides of a reduced width residential street with passing pockets that are created when two driveways are constructed near the same property line, where a 50-foot segment will not have on–street parking on the side of the street with the driveways. This provides fire trucks and other vehicles areas to move to the side of the street to allow another vehicle to pass when vehicles are parked on the street. Parking is allowed on both sides of a reduced width street when the following criteria are met:

- The street is in a residential area.
- The developer shall provide written approval from the appropriate fire department or emergency response unit in the jurisdiction.
- Driveway locations are predetermined with curb cuts for the driveways to be installed when the street is constructed. The curb cuts shall be 20-feet wide. Each lot on the street will be —paired‖ with an adjacent lot. If there are an odd number of lots, one lot at either end of the street will not be paired. Each pair of lots shall locate its driveway 5-feet from the shared lot line of the pair.

- This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 41-feet of right-of-way.
- The lots cannot abut an alley.
- Traffic volumes on the street are not forecast to exceed 400 vehicle trips per day.

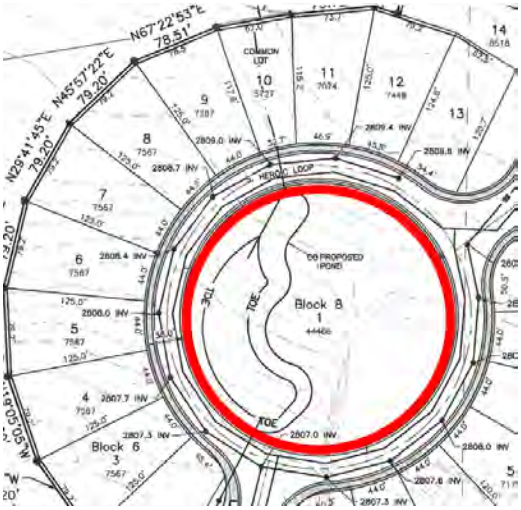
Sidewalk Policy: District Policy 7207.5.7 states that five-foot wide concrete sidewalk is required on both sides of all local streets, except those in rural developments with net densities of one dwelling unit per 1.0 acre or less, or in hillside conditions where there is no direct lot frontage, in which case a sidewalk shall be constructed along one side of the street. Some local jurisdictions may require wider sidewalks.

The sidewalk may be placed next to the back-of-curb. Where feasible, a parkway strip at least 8-feet wide between the back-of-curb and the street edge of the sidewalk is recommended to provide increased safety and protection of pedestrians and to allow for the planting of trees in accordance with the District's Tree Planting Policy. If no trees are to be planted in the parkway strip, the applicant may submit a request to the District, with justification, to reduce the width of the parkway strip.

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

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

c. **Applicant Proposal:** The applicant is proposing to construct Heroic Loop as a 27-foot street section with rolled curb, gutter and 5-foot wide attached concrete sidewalk on one side within 36-feet of right-of-way. The applicant has requested a waiver of District policy to not be required to construct sidewalk along the inside of the loop (shown in red), adjacent to the common lot.



d. **Staff Comments/Recommendations:** The applicant's proposal to construct Heroic Loop as a 27-foot street section with curb, gutter meet's District policy and should be approved. Vertical curb should be constructed on the inside of the loop, rolled curb should be constructed on the outside of the loop.

The applicant's proposal to construct 5-foot wide attached concrete sidewalk on one side of Heroic Loop does not meet District policy however staff supports the applicant's proposal and waiver request. Staff supports the applicant's request to construct sidewalk on one side of

Heroic Loop as no housing is proposed on the inside of the loop and sidewalk is provided around the outside of the loop.

The applicant should be required to plat the internal common lot (Lot 1 Block 8) as right-of-way owned by ACHD for Heroic Loop. The applicant or future homeowners association should be required to enter into a license agreement for any landscaping within the center landscape island.

A license agreement should be provided for all landscaping within the right-of-way.

The applicant should be required to sign Heroic Loop for NO PARKING on one side of the roadway.

6. Roadway Offsets

a. Existing Conditions: The existing private road intersects Cloverdale Road 235-feet north of Cutting Horse Drive.

b. Policy:

Intersection Spacing on Minor Arterials: District policy 7205.4.3 states that if it is necessary, as determined by ACHD, for a local street to intersect an arterial, the minimum allowable offset shall be 660-feet as measured from all other existing roadways as identified in Table 1a (7205.4.6).

Local Offset Policy: District policy 7207.4.2, requires local roadways to align or provide a minimum offset of 125-feet from any other street (measured centerline to centerline).

c. Applicant's Proposal: The applicant is proposing to convert the existing private road to a public street, Tiercel Drive, to intersect Cloverdale Road 235-feet north of Cutting Horse Drive.

The applicant is proposing to construct Kirkless Loop to intersect Ballad Drive with 90-feet between each leg of the proposed loop.

d. Staff Comments/Recommendations: The applicant's proposal does not meet District policy which requires a 660-foot offset between Tiercel Drive and Cutting Horse Drive. However, staff recommends a 64% modification of policy as Tiercel Drive is an existing private road that is proposed to be converted to public. There is an existing two-way left turn lane on Cloverdale Road in this location that cannot be relocated due to existing power poles. Additionally, there are existing golf holes and ponds (to remain) that line Tiercel Drive to the north and south further prohibiting the realignment of the roadway.

The applicant's proposal to construct Kirkless Loop to intersect Ballad Drive with 90-feet between each leg does not meet District policy. However, staff recommends a modification of policy to approve the intersection locations as proposed as only 9-lots will take access to Kirkless Loop. Clear sight lines are provided between the two intersections. Additionally, there is only one entrance/exit for the subdivision, drivers are anticipated to travel towards the sole entrance/exit which will reduce the conflict between the two intersections. The proposed 28% modification of policy is approved at the discretion of the Development Services Manager.

7. Stub Streets

a. Existing Conditions: No streets exist internal to the site.

b. Policy:

Stub Street Policy: District policy 7206.2.4 / 7207.2.4 states that stub streets will be required to provide circulation or to provide access to adjoining properties. Stub streets will conform with the requirements described in Section 7206.2.5.4 / 7207.2.5.4, except a temporary cul-de-sac will not be required if the stub street has a length no greater than 150-feet. A sign shall be installed at the terminus of the Tiercel Drive stub street stating that, "THIS IS A DESIGNATED COLLECTOR ROADWAY. THIS STREET WILL BE EXTENDED AND WIDENDED IN THE

FUTURE." A sign shall be installed at the terminus of the Folklore Avenue stub street stating that, "THIS ROAD WILL BE EXTENDED IN THE FUTURE."

In addition, stub streets must meet the following conditions:

- A stub street shall be designed to slope towards the nearest street intersection within the proposed development and drain surface water towards that intersection; unless an alternative storm drain system is approved by the District.
- The District may require appropriate covenants guaranteeing that the stub street will remain free of obstructions.

Temporary Dead End Streets Policy: District policy 7206.2.4 / 7207.2.4 requires that the design and construction for cul-de-sac streets shall apply to temporary dead end streets. The temporary cul-de-sac shall be paved and shall be the dimensional requirements of a standard cul-de-sac. The developer shall grant a temporary turnaround easement to the District for those portions of the cul-de-sac which extend beyond the dedicated street right-of-way. In the instance where a temporary easement extends onto a buildable lot, the entire lot shall be encumbered by the easement and identified on the plat as a non-buildable lot until the street is extended.

c. Applicant Proposal: The applicant is proposing Tiercel Drive to stub to the east property line and Folklore Avenue to stub to the south property line.

d. Staff Comments/Recommendations: The applicant's proposal meets District policy and should be approved as proposed. A temporary turn around is not required at the terminus of either the stub street as they do not extend greater than 150-feet.

The applicant should be required to install a sign at the terminus of the Tiercel Drive stub street stating, "THIS IS A DESIGNATED COLLECTOR ROADWAY. THIS STREET WILL BE EXTENDED AND WIDENDED IN THE FUTURE." The applicant should be required to install a sign at the terminus of the Folklore Avenue stub street stating, "THIS ROAD WILL BE EXTENDED IN THE FUTURE."

8. Tree Planters

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

9. Landscaping

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

10. Other Access

Cloverdale Road is classified as a minor arterial roadway, Tiercel Drive is classified as a collector roadway. Other than the access specifically approved with this application, direct lot access is prohibited to these roadways and should be noted on the final plat.

D. Special Note to the City of Kuna and Applicant

District policy does not require the existing private street be converted to a public street (Tiercel Drive) and ACHD does not have to accept a street if it is not improved to meet public street standards. If the street cannot be reconstructed to meet ACHD standards, the street can remain as a private street.

If Tiercel Drive is not accepted by ACHD as a public street, all internal streets should be constructed as private roadways.

E. Site Specific Conditions of Approval

1. Prior to ACHD's signature on the 1st final plat, dedicate right-of-way to total 48-feet from centerline on Cloverdale Road abutting the site. The applicant will not be compensated for this right-of-way dedication.
2. Prior to ACHD's signature on the 1st final plat, construct 5-foot wide detached concrete sidewalk located a minimum of 42-feet from the centerline of Cloverdale Road abutting the site.
3. Prior to ACHD's signature on the 1st final plat, widen the pavement on Cloverdale Road to 17-feet from centerline with a 3-foot gravel shoulder abutting the site where it doesn't exist.
4. Prior to ACHD's signature on the 1nd final plat, widen and lengthen the two-way left-turn lane on Cloverdale Road at the intersection with Tiercel Drive.
5. Construct Tiercel Drive with two 21-foot wide travel lanes, a landscape median not to exceed 12-feet wide within 150-feet of an intersection, curb, gutter and a minimum of 5-foot wide detached concrete sidewalk (or 7-foot attached).
6. Work with ACHD on a design that allows the use of the sandstone blocks around the center landscape islands on Tiercel Drive. The design shall be acceptable to ACHD and may include use of rolled or vertical curb, and mortar between the blocks.
7. Enter into a license agreement for the sandstone blocks.
8. If ACHD and the applicant cannot come to an agreement on the design and use of the sandstone blocks, than standard vertical curb shall be constructed around the center landscape islands on Tiercel Drive.
9. Construct a single lane mini roundabout at the terminus of Tiercel Drive. The center island and splitter islands shall be mountable. The sidewalk at the roundabout shall be detached or separated.
10. The mini roundabout shall be designed per ACHD's Roundabout Design Guide policy section 5188, and follow the guidance provided in NCHRP 672.
11. Construct Folklore Avenue (north of Tiercel Drive) as a 54-foot street section with two 21-foot travel lanes, a 12-foot wide island, vertical curb, gutter within 60-feet of right-of-way. Construct 5-foot wide detached concrete sidewalk along Folklore Avenue (north of Tiercel Drive) and provide a permanent right-of-way easement. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk.
12. Plat all center landscape islands and cul-de-sac islands at right-of-way owned by ACHD.
13. Enter into a license agreement for any landscaping proposed within the islands.
14. Construct Ballad Court/Drive, Yeoman Way, Deville Court/Way and Folklore Place as 33-foot street sections with rolled curb, gutter and 5-foot wide concrete sidewalk within 47-feet of right-of-way.

15. Provide a sight distance easement ensuring 225-foot unobstructed sight lines from the intersection of Folklore Avenue and Ballad Drive/Court.

16. Construct three cul-de-sacs with internal islands and 48-foot radii.

17. Construct Kirkless Loop and Saylis Loop as 33-foot street sections, with rolled curb, gutter and 5-foot wide concrete sidewalk on the outside of the loop, and vertical curb, gutter and no sidewalk on the inside of the loop.

18. Plat both internal common lots for Kirkless Loop (Lot 1 Block 2) and Saylis Loop (Lot 1 Block 3) as right-of-way owned by ACHD.

19. Construct Heroic Loop as a 27-foot street section with vertical curb on the inside of the loop, rolled curb on the outside of the loop and 5-foot wide concrete sidewalk.

20. Plat the internal common lot for Heroic Loop (Lot 1 Block 8) as right-of-way owned by ACHD.

21. Sign Heroic Loop for “NO PARKING” on one side of the roadway.

22. Install a sign at the terminus of the Tiercel Drive stub street stating, “THIS IS A DESIGNATED COLLECTOR ROADWAY. THIS STREET WILL BE EXTENDED AND WIDENDED IN THE FUTURE.”

23. Install a sign at the terminus of the Folklore Avenue stub street stating, "THIS ROAD WILL BE EXTENDED IN THE FUTURE.”

24. All sidewalks shall be designed meeting ADA standards. Meandering sidewalks are discouraged.

25. Payment of impact fees is due prior to issuance of a building permit.

26. Comply with all Standard Conditions of Approval.

F. Standard Conditions of Approval

1. All proposed irrigation facilities shall be located outside of the ACHD right-of-way (including all easements). Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way (including all easements).

2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.

3. In accordance with District policy, 7203.3, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant’s engineer should provide documentation of ADA compliance to District Development Review staff for review.

4. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.

5. A license agreement and compliance with the District’s Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.

6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.

7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking

ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.

8. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.
9. All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.
11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.
12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

G. Conclusions of Law

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

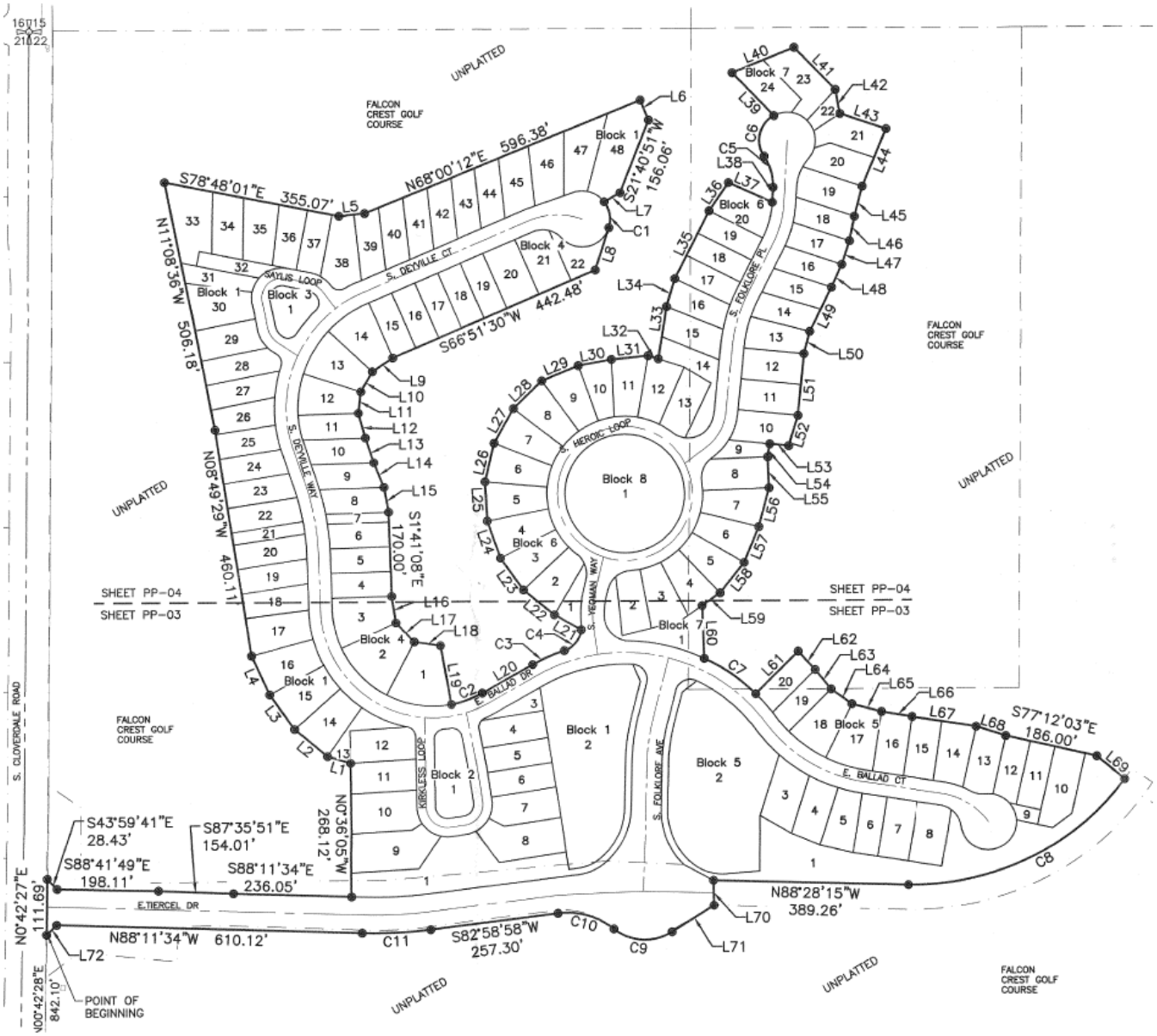
H. Attachments

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

VICINITY MAP



SITE PLAN


UNPLATTED
FALCON CREST GOLF COURSE
S78°48'01"E 355.07'
N68°00'12"E 596.38'
S21°40'51"W 156.06'
S66°51'30"W 442.48'
N11°08'36"W 506.18'
N08°49'29"W 460.11'
S1°41'08"E 170.00'
S. DEVILLE CT.
S. DEVILLE WAY
SAYLUS LOOP
S. HEROIC LOOP
S. FOLKLORE PL.
S. VERMAN WAY
E. BALLAD DR.
E. BALLAD CT.
KIRKLESS LOOP
S. FOLKLORE AVE
S. CLOVERDALE ROAD
E. TIERCEL DR
SHEET PP-04
SHEET PP-03
Block 1
Block 2
Block 3
Block 4
Block 5
Block 6
Block 7
Block 8
S43°59'41"E 28.43'
S88°41'49"E 198.11'
S87°35'51"E 154.01'
S88°11'34"E 236.05'
N0°36'05"W 268.12'
N0°42'27"E 111.69'
N88°11'34"W 610.12'
S82°58'58"W 257.30'
N88°28'15"W 389.26'
S77°12'03"E 186.00'
N0°42'28"E 842.10'
POINT OF BEGINNING

EXISTING SANDSTONE CURB





Ada County Utility Coordinating Council

Developer/Local Improvement District
Right of Way Improvements Guideline Request

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

1) **Notification:** Within five (5) working days upon notification of required right of way improvements by Highway entities, developers shall provide written notification to the affected utility owners and the Ada County Utility Coordinating Council (UCC). Notification shall include but not be limited to, project limits, scope of roadway improvements/project, anticipated construction dates, and any portions critical to the right of way improvements and coordination of utilities.

2) **Plan Review:** The developer shall provide the highway entities and all utility owners with preliminary project plans and schedule a plan review conference. Depending on the scale of utility improvements, a plan review conference may not be necessary, as determined by the utility owners. Conference notification shall also be sent to the UCC. During the review meeting the developer shall notify utilities of the status of right of way/easement acquisition necessary for their project. At the plan review conference each company shall have the right to appeal, adjust and/or negotiate with the developer on its own behalf. Each utility shall provide the developer with a letter of review indicating the costs and time required for relocation of its facilities. Said letter of review is to be provided within thirty calendar days after the date of the plan review conference.

3) **Revisions:** The developer is responsible to provide utilities with any revisions to preliminary plans. Utilities may request an updated plan review meeting if revisions are made in the preliminary plans which affect the utility relocation requirements. Utilities shall have thirty days after receiving the revisions to review and comment thereon.

4) **Final Notification:** The developer will provide highway entities, utility owners and the UCC with final notification of its intent to proceed with right of way improvements and include the anticipated date work will commence. This notification shall indicate that the work to be performed shall be pursuant to final approved plans by the highway entity. The developer shall schedule a preconstruction meeting prior to right of way improvements. Utility relocation activity shall be completed within the times established during the preconstruction meeting, unless otherwise agreed upon.

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

Development Process Checklist

Items Completed to Date:

☒Submit a development application to a City or to Ada County

☒The City or the County will transmit the development application to ACHD

☒The ACHD **Planning Review Section** will receive the development application to review

☒The **Planning Review Section** will do one of the following:

☐Send a **"No Review"** letter to the applicant stating that there are no site specific conditions of approval at this time.

☐Write a **Staff Level** report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy.

☒Write a **Commission Level** report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy.

Items to be completed by Applicant:

☐For **ALL** development applications, including those receiving a **"No Review"** letter:

- The applicant should submit one set of engineered plans directly to ACHD for review by the **Development Review Section** for plan review and assessment of impact fees. (Note: if there are no site improvements required by ACHD, then architectural plans may be submitted for purposes of impact fee assessment.)
- The applicant is required to get a permit from Construction Services (ACHD) for ANY work in the right-of-way, including, but not limited to, driveway approaches, street improvements and utility cuts.

☐Pay Impact Fees prior to issuance of building permit. Impact fees cannot be paid prior to plan review approval.

DID YOU REMEMBER:
Construction (Non-Subdivisions)
☐ **Driveway or Property Approach(s)**

- Submit a "Driveway Approach Request" form to ACHD Construction (for approval by Development Services & Traffic Services). There is a one week turnaround for this approval.

☐ **Working in the ACHD Right-of-Way**

- Four business days prior to starting work have a bonded contractor submit a "Temporary Highway Use Permit Application" to ACHD Construction – Permits along with:
  a) Traffic Control Plan
  b) An Erosion & Sediment Control Narrative & Plat, done by a Certified Plan Designer, if trench is >50' or you are placing >600 sf of concrete or asphalt.

Construction (Subdivisions)
☐ **Sediment & Erosion Submittal**

- At least one week prior to setting up a Pre-Construction Meeting an Erosion & Sediment Control Narrative & Plan, done by a Certified Plan Designer, must be turned into ACHD Construction to be reviewed and approved by the ACHD Stormwater Section.

☐ **Idaho Power Company**

- Vic Steelman at Idaho Power must have his IPCO approved set of subdivision utility plans prior to Pre-Con being scheduled.

☐ **Final Approval from Development Services is required** prior to scheduling a Pre-Con.

Request for Reconsideration of Commission Action

1. **Request for Reconsideration of Commission Action:** A Commissioner, a member of ACHD staff or any other person objecting to any final action taken by the Commission may request reconsideration of that action, provided the request is not for a reconsideration of an action previously requested to be reconsidered, an action whose provisions have been partly and materially carried out, or an action that has created a contractual relationship with third parties.

    a. Only a Commission member who voted with the prevailing side can move for reconsideration, but the motion may be seconded by any Commissioner and is voted on by all Commissioners present.

    If a motion to reconsider is made and seconded it is subject to a motion to postpone to a certain time.

    b. The request must be in writing and delivered to the Secretary of the Highway District no later than 11:00 a.m. 2 days prior to the Commission's next scheduled regular meeting following the meeting at which the action to be reconsidered was taken. Upon receipt of the request, the Secretary shall cause the same to be placed on the agenda for that next scheduled regular Commission meeting.

    c. The request for reconsideration must be supported by written documentation setting forth new facts and information not presented at the earlier meeting, or a changed situation that has developed since the taking of the earlier vote, or information establishing an error of fact or law in the earlier action. The request may also be supported by oral testimony at the meeting.

    d. If a motion to reconsider passes, the effect is the original matter is in the exact position it occupied the moment before it was voted on originally. It will normally be returned to ACHD staff for further review. The Commission may set the date of the meeting at which the matter is to be returned. The Commission shall only take action on the original matter at a meeting where the agenda notice so provides.

    e. At the meeting where the original matter is again on the agenda for Commission action, interested persons and ACHD staff may present such written and oral testimony as the President of the Commission determines to be appropriate, and the Commission may take any action the majority of the Commission deems advisable.

    f. If a motion to reconsider passes, the applicant may be charged a reasonable fee, to cover administrative costs, as established by the Commission.

Troy Behunin

From: Tom Ritthaler <TRitthaler@boiseproject.org>
Sent: Tuesday, June 18, 2019 8:14 PM
To: Troy Behunin
Subject: RE: Robinhood Subdivision

Categories: Agency Comments

Troy,

Boise Project has no objections to this proposed subdivision as there are no project facilities at this location or surface water rights associated with it.

Tom

From: Troy Behunin <tbehunin@kunaid.gov>
Sent: Tuesday, June 18, 2019 5:32 PM
To: ACHD <clittle@achdidaho.org>; Becky Rone - Kuna USPS Addressing <rebecca.i.rone@usps.gov>; Bob Bachman <bbachman@kunaid.gov>; Paul Stevens <PStevens@kunaid.gov>; Boise Project Brd Cntrl <TRitthaler@boiseproject.org>; Boise-Kuna Irrigation Distr. <laurenboehlke@yahoo.com>; Cable One Business <Adam.ingram@cableone.biz>; Cable One t.v. <cheryl.goettsche@cableone.biz>; Central District Health Dept. CDHD <lbadigia@cdhd.idaho.gov>; COMPASS <cmiller@compassidaho.org>; D. Reinhart <Dreinhart@kunschools.org>; DEQ <Alicia.martin@deq.idaho.gov>; Eric Adolfson <eadolfson@compassidaho.org>; Idaho Power <bwatson2@idahopower.com>; Idaho Power <ahawkins@idahopower.com>; Idaho Power - Jacky Chris <easements@idahopower.com>; Intermountain Gas <robert.miller@mdu.com>; Intermountain Gas <bryce.ostler@intgas.com>; ITD <D3Development.Services@itd.idaho.gov>; Jim O. - KSD <Jim@kunaschools.org>; Julie Stanley - Regional Address Mgmt. <Julie.R.Stanley@usps.gov>; Kuna Police Chief <so4217@adaweb.net>; Kuna Postmaster - Marc C. Boyer <marc.c.boyer@usps.gov>; Kuna School District <kbekkedahl@kunaschools.org>; Kuna School District <wjohnson@kunaschools.org>; Kuna School District <bsaxton@kunaschools.org>; New York Irrigation District <terri@nyid.org>; Planning Mgr: Ada County Development Services <jboal@adaweb.net>
Subject: Robinhood Subdivision

Everyone,
Please review the information packet for the proposed Robinhood Subdivision here in Kuna. Please respond within the allotted time, or notify our office that you need additional time. If you need additional information, or hard copies of the application please let us know.
Thanks,
Troy

Troy Behunin
Planner III
City of Kuna
751 W. 4th Street
Kuna, ID 83634
TBehunin@Kunaid.Gov

CONFIDENTIALITY NOTICE
This e-mail and any attachments may contain confidential or privileged information. If you are not the intended recipient, you are not authorized to use or distribute any information included in this e-mail or its attachments. If you receive this e-mail in error, please delete it from your system and contact the sender.

CENTRAL DISTRICT HEALTH DEPARTMENT

Environmental Health Division

RECEIVED
JUN 24 2019
CITY OF KUNA

Return to:
- ☐ ACZ
- ☐ Boise
- ☐ Eagle
- ☐ Garden City
- ☒ Kuna
- ☐ Meridian
- ☐ Star

Rezone # _____

Conditional Use # _____

Preliminary / Final / Short Plat 19-03-S

Robinhood

☐ 1. We have No Objections to this Proposal.

☐ 2. We recommend Denial of this Proposal.

☐ 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.

☐ 4. We will require more data concerning soil conditions on this Proposal before we can comment.

☐ 5. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
- ☐ high seasonal ground water
- ☐ bedrock from original grade
- ☐ waste flow characteristics
- ☐ other _____

☐ 6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.

☐ 7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.

☒ 8. After written approval from appropriate entities are submitted, we can approve this proposal for:
- ☒ central sewage
- ☐ interim sewage
- ☐ individual sewage
- ☐ community sewage system
- ☒ central water
- ☐ individual water
- ☐ community water well

☒ 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
- ☒ central sewage
- ☐ sewage dry lines
- ☐ community sewage system
- ☒ central water
- ☐ community water

☐ 10. This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.

☐ 11. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.

☐ 12. We will require plans be submitted for a plan review for any:
- ☐ food establishment
- ☐ beverage establishment
- ☐ swimming pools or spas
- ☐ grocery store
- ☐ child care center

☒ 13. Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDHD.

☐ 14. _____

Reviewed By: Rob Bach

Date: 6/19/19

Review Sheet

Troy Behunin

From: Carl Miller <CMiller@compassidaho.org>
Sent: Wednesday, June 19, 2019 11:10 AM
To: Troy Behunin
Cc: Liisa Itkonen
Subject: RE: Robinhood Subdivision

Troy,

As I understand this is a platting of the Falcon Crest annexation and zoning that we commented on last year. We have no additional comments. Thank you.

Carl

Carl Miller, PMP, AICP CTP
Principal Planner
Community Planning Association (COMPASS)
700 NE 2nd Street, Suite 200
Meridian, ID 83642
Direct: 208-475-2239 | Main: 208-855-2558
Fax: 208-855-2559
cmiller@compassidaho.org
http://www.compassidaho.org

From: Troy Behunin [mailto:tbehunin@kunaid.gov]
Sent: Tuesday, June 18, 2019 5:32 PM
To: Christy Little <clittle@achdidaho.org>; Becky Rone - Kuna USPS Addressing <rebecca.i.rone@usps.gov>; Bob Bachman <bbachman@kunaid.gov>; Paul Stevens <PStevens@kunaid.gov>; Boise Project Brd Cntrl <TRitthaler@boiseproject.org>; Boise-Kuna Irrigation Distr. <laurenboehlke@yahoo.com>; Cable One Business <Adam.ingram@cableone.biz>; Cable One t.v. <cheryl.goettsche@cableone.biz>; Central District Health Dept. CDHD <lbadigia@cdhd.idaho.gov>; Carl Miller <CMiller@compassidaho.org>; D. Reinhart <Dreinhart@kunschools.org>; DEQ <Alicia.martin@deq.idaho.gov>; Eric Adolfson <EAdolfson@compassidaho.org>; Idaho Power <bwatson2@idahopower.com>; Idaho Power <ahawkins@idahopower.com>; Idaho Power - Jacky Chris <easements@idahopower.com>; Intermountain Gas <robert.miller@mdu.com>; Intermountain Gas <bryce.ostler@intgas.com>; ITD <D3Development.Services@itd.idaho.gov>; Jim O. - KSD <Jim@kunaschools.org>; Julie Stanley - Regional Address Mgmt. <Julie.R.Stanley@usps.gov>; Kuna Police Chief <so4217@adaweb.net>; Kuna Postmaster - Marc C. Boyer <marc.c.boyer@usps.gov>; Kuna School District <kbekkedahl@kunaschools.org>; Kuna School District <wjohnson@kunaschools.org>; Kuna School District <bsaxton@kunaschools.org>; New York Irrigation District <terri@nyid.org>; Jason Boal <jboal@adaweb.net>
Subject: Robinhood Subdivision

Everyone,

Please review the information packet for the proposed Robinhood Subdivision here in Kuna. Please respond within the allotted time, or notify our office that you need additional time. If you need additional information, or hard copies of the application please let us know.
Thanks,
Troy

Troy Behunin
Planner III
City of Kuna
751 W. 4th Street
Kuna, ID 83634
TBehunin@KunaId.Gov

CONFIDENTIALITY NOTICE
This e-mail and any attachments may contain confidential or privileged information. If you are not the intended recipient, you are not authorized to use or distribute any information included in this e-mail or its attachments. If you receive this e-mail in error, please delete it from your system and contact the sender.

STATE OF IDAHO
DEPARTMENT OF ENVIRONMENTAL QUALITY
BOISE REGIONAL OFFICE
1445 North Orchard Street•Boise, ID 83706-2239•(208) 373-0550

DEQ Response to Request for Environmental Comment

Date:	*June 28, 2019*
Agency Requesting Comments:	*City of Kuna*
Date Request Received:	*June 18, 2019*
Applicant/Description:	*Chotika Subdivision, 19-03-AN, 19-02-S, & 19-09-DR*
	Robin Hood Subdivision 19-03-S & 19-14-DR

Thank you for the opportunity to respond to your request for comment. While DEQ does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at http://www.deq.idaho.gov/ieg/.

The following information does not cover every aspect of this project; however, we have the following general comments to use as appropriate:

1. Air Quality

- *Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), trade waste burning (58.01.01.600-617), and odor control plans (58.01.01.776).*

  The property owner, developer, and their contractor(s) must ensure that reasonable controls to prevent fugitive dust from becoming airborne are utilized during all phases of construction activities per IDAPA 58.01.01.651.

  Per IDAPA 58.01.01.600-617, the open burning of any construction waste is prohibited. The property owner, developer, and their contractor(s) are responsible for ensuring no prohibited open burning occurs during construction.

  For questions, contact David Luft, Air Quality Manager, at 373-0550.

2. Wastewater and Recycled Water

- *DEQ recommends verifying that there is adequate sewer to serve this project prior to approval. Please contact the sewer provider for a capacity statement, declining balance report, and willingness to serve this project.*

- *IDAPA 58.01.16 and IDAPA 58.01.17 are the sections of Idaho rules regarding wastewater and recycled water. Please review these rules to determine whether this or future projects will require DEQ approval. IDAPA 58.01.03 is the section of Idaho rules regarding subsurface disposal of wastewater. Please review this rule to determine whether this or future projects will require permitting by the district health department.*

  All projects for construction or modification of wastewater systems require preconstruction approval. Recycled water projects and subsurface disposal projects

require separate permits as well.

- *DEQ recommends that projects be served by existing approved wastewater collection systems or a centralized community wastewater system whenever possible. Please contact DEQ to discuss potential for development of a community treatment system along with best management practices for communities to protect ground water.*
- *DEQ recommends that cities and counties develop and use a comprehensive land use management plan, which includes the impacts of present and future wastewater management in this area. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.*

For questions, contact Todd Crutcher, Engineering Manager, at 373-0550.

3. Drinking Water

- *DEQ recommends verifying that there is adequate water to serve this project prior to approval. Please contact the water provider for a capacity statement, declining balance report, and willingness to serve this project.*
- *IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval.*

  All projects for construction or modification of public drinking water systems require preconstruction approval.

- *DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system (refer to the DEQ website at http://www.deq.idaho.gov/water-quality/drinking-water.aspx). For non-regulated systems, DEQ recommends annual testing for total coliform bacteria, nitrate, and nitrite.*
- *If any private wells will be included in this project, we recommend that they be tested for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.*
- *DEQ recommends using an existing drinking water system whenever possible or construction of a new community drinking water system. Please contact DEQ to discuss this project and to explore options to both best serve the future residents of this development and provide for protection of ground water resources.*
- *DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.*

  For questions, contact Todd Crutcher, Engineering Manager at 373-0550.

4. Surface Water

- *A DEQ short-term activity exemption (STAE) from this office is required if the project will involve de-watering of ground water during excavation and discharge back into surface water, including a description of the water treatment from this process to prevent excessive sediment and turbidity from entering surface water.*
- *Please contact DEQ to determine whether this project will require a National Pollution Discharge Elimination System (NPDES) Permit. If this project disturbs more than one*

acre, a stormwater permit from EPA may be required.

- *If this project is near a source of surface water, DEQ requests that projects incorporate construction best management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.*

- *The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call 208-334-2190 for more information. Information is also available on the IDWR website at:*
  http://www.idwr.idaho.gov/WaterManagement/StreamsDams/Streams/AlterationPermit/AlterationPermit.htm

- *The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.*

  For questions, contact Lance Holloway, Surface Water Manager, at 373-0550.

5. Hazardous Waste And Ground Water Contamination

- ***Hazardous Waste.*** *The types and number of requirements that must be complied with under the federal Resource Conservations and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.*

- *No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards, Rules and Regulations for Hazardous Waste, and Rules and Regulations for the Prevention of Air Pollution.*

- ***Water Quality Standards.*** *Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852).*

  Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.

- ***Ground Water Contamination.*** *DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in*

accordance with a permit, consent order or applicable best management practice, best available method or best practical method."

For questions, contact Albert Crawshaw, Waste & Remediation Manager, at 373-0550.

6. ***Additional Notes***
   - *If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, the site should be evaluated to determine whether the UST is regulated by DEQ. EPA regulates ASTs. UST and AST sites should be assessed to determine whether there is potential soil and ground water contamination. Please call DEQ at 373-0550, or visit the DEQ website (http://www.deq.idaho.gov/waste-mgmt-remediation/storage-tanks.aspx) for assistance.*
   - *If applicable to this project, DEQ recommends that BMPs be implemented for any of the following conditions: wash water from cleaning vehicles, fertilizers and pesticides, animal facilities, composted waste, and ponds. Please contact DEQ for more information on any of these conditions.*

We look forward to working with you in a proactive manner to address potential environmental impacts that may be within our regulatory authority. If you have any questions, please contact me, or any our technical staff at 208-373-0550.

Sincerely,



Aaron Scheff
aaron.scheff@deq.idaho.gov
Regional Administrator
Boise Regional Office
Idaho Department of Environmental Quality

ec: CM#2019AEK114

Troy Behunin

To: D3 Development Services
Subject: Robinhood Subdivision

Thank you!
Troy

From: D3 Development Services [mailto:D3Development.Services@itd.idaho.gov]
Sent: Monday, July 08, 2019 11:43 AM
To: Troy Behunin <tbehunin@kunaid.gov>
Subject: RE: [EXTERNAL] Robinhood Subdivision

Good morning,
ITD has received application 19-03-S 19-14-DR for review. ITD does not anticipate any significant traffic impact from this development consisting of 116 residential units and has no objections to the proposed development.

Thank you,

Sarah Arjona
Development Services Coordinator
ITD District 3
(208) 334-8338

From: Troy Behunin <tbehunin@kunaid.gov>
Sent: Tuesday, June 18, 2019 5:32 PM
To: ACHD <clittle@achdidaho.org>; Becky Rone - Kuna USPS Addressing <rebecca.i.rone@usps.gov>; Bob Bachman <bbachman@kunaid.gov>; Paul Stevens <PStevens@kunaid.gov>; Boise Project Brd Cntrl <TRitthaler@boiseproject.org>; Boise-Kuna Irrigation Distr. <laurenboehlke@yahoo.com>; Cable One Business <Adam.ingram@cableone.biz>; Cable One t.v. <cheryl.goettsche@cableone.biz>; Central District Health Dept. CDHD <lbadigia@cdhd.idaho.gov>; COMPASS <cmiller@compassidaho.org>; D. Reinhart <Dreinhart@kunschools.org>; DEQ <Alicia.martin@deq.idaho.gov>; Eric Adolfson <eadolfson@compassidaho.org>; Idaho Power <bwatson2@idahopower.com>; Idaho Power <ahawkins@idahopower.com>; Idaho Power - Jacky Chris <easements@idahopower.com>; Intermountain Gas <robert.miller@mdu.com>; Intermountain Gas <bryce.ostler@intgas.com>; D3 Development Services <D3Development.Services@itd.idaho.gov>; Jim O. - KSD <Jim@kunaschools.org>; Julie Stanley - Regional Address Mgmt. <Julie.R.Stanley@usps.gov>; Kuna Police Chief <so4217@adaweb.net>; Kuna Postmaster - Marc C. Boyer <marc.c.boyer@usps.gov>; Kuna School District <kbekkedahl@kunaschools.org>; Kuna School District <wjohnson@kunaschools.org>; Kuna School District <bsaxton@kunaschools.org>; New York Irrigation District <terri@nyid.org>; Planning Mgr: Ada County Development Services <jboal@adaweb.net>
Subject: [EXTERNAL] Robinhood Subdivision

--- This email is from an external sender. Be cautious and DO NOT open links or attachments if the sender is unknown. ---
Everyone,
Please review the information packet for the proposed Robinhood Subdivision here in Kuna. Please respond within the allotted time, or notify our office that you need additional time. If you need additional information, or hard copies of the application please let us know.
Thanks,
Troy

Troy Behunin

From: D3 Development Services <D3Development.Services@itd.idaho.gov>
Sent: Monday, October 07, 2019 5:00 PM
To: Troy Behunin
Subject: 19-07-ZC Robin Hood REZONE Application

Categories: Agency Comments

Good afternoon,
ITD has received application 19-07-ZC for review. ITD does not anticipate any significant traffic impact to the State Highway system from this development and has no objections to the proposed development.

Thank you,

Sarah Arjona
Development Services Coordinator
ITD District 3
(208) 334-8338

From: Troy Behunin <tbehunin@kunaid.gov>
Sent: Wednesday, September 25, 2019 4:53 PM
To: Becky Rone - Kuna USPS Addressing <rebecca.i.rone@usps.gov>; Bob Bachman <bbachman@kunaid.gov>; Boise Project Brd Cntrl <TRitthaler@boiseproject.org>; Boise-Kuna Irrigation Distr. <laurenboehlke@yahoo.com>; Cable One Business <Adam.ingram@cableone.biz>; Cable One t.v. <cheryl.goettsche@cableone.biz>; Central District Health Dept. CDHD <lbadigia@cdhd.idaho.gov>; Chief Phil <proberts@kunafire.com>; COMPASS <cmiller@compassidaho.org>; D. Reinhart <Dreinhart@kunschools.org>; DEQ <Alicia.martin@deq.idaho.gov>; Eric Adolfson <eadolfson@compassidaho.org>; Idaho Power <bwatson2@idahopower.com>; Idaho Power <ahawkins@idahopower.com>; Idaho Power - Jacky Chris <easements@idahopower.com>; Intermountain Gas <robert.miller@mdu.com>; Intermountain Gas <bryce.ostler@intgas.com>; D3 Development Services <D3Development.Services@itd.idaho.gov>; J&M Sanitation - Chad Gordon <Chad.Gordon@jmsanitation.com>; Jim O. - KSD <Jim@kunaschools.org>; Julie Stanley - Regional Address Mgmt. <Julie.R.Stanley@usps.gov>; Kuna Police Chief <so4217@adaweb.net>; Kuna Postmaster - Marc C. Boyer <marc.c.boyer@usps.gov>; Kuna School District <kbekkedahl@kunaschools.org>; Kuna School District <wjohnson@kunaschools.org>; Kuna School District <bsaxton@kunaschools.org>; Lisa Holland <lholland@kunaid.gov>; Mike Borzick <mborzick@kunaid.gov>; Paul Stevens <PStevens@kunaid.gov>; Planning Mgr: Ada County Development Services <jboal@adaweb.net>; ACHD <planningreview@achdidaho.org>; Mindy Wallace <Mwallace@achdidaho.org>
Subject: [EXTERNAL] Robin Hood REZONE Application

--- This email is from an external sender. Be cautious and DO NOT open links or attachments if the sender is unknown. ---
Everyone,
Please review the packet and send relevant comments about the services provided by your agency or company to our office on or before October 17th, 2019. If you need additional time to provide a response, please notify our office as soon as you are able.
Thank you for your consideration.
Troy

Troy Behunin
Planner III

Troy Behunin

From: Phil Roberts <proberts@kunafire.com>
Sent: Wednesday, September 25, 2019 5:21 PM
To: Troy Behunin
Subject: RE: Robin Hood REZONE Application

Categories: Agency Comments

I have no problem with the re-zone.

The true subdivision plate with roads widths and dimensions will come later right?

Phil Roberts
Fire Chief
Kuna Rural Fire District
208-922-1144 Ext 101
208-922-1982 Fax
208-870-3057 Cell

From: Troy Behunin <tbehunin@kunaid.gov>
Sent: Wednesday, September 25, 2019 4:53 PM
To: Becky Rone - Kuna USPS Addressing <rebecca.i.rone@usps.gov>; Bob Bachman <bbachman@kunaid.gov>; Boise Project Brd Cntrl <TRitthaler@boiseproject.org>; Boise-Kuna Irrigation Distr. <laurenboehlke@yahoo.com>; Cable One Business <Adam.ingram@cableone.biz>; Cable One t.v. <cheryl.goettsche@cableone.biz>; Central District Health Dept. CDHD <lbadigia@cdhd.idaho.gov>; Phil Roberts <proberts@kunafire.com>; COMPASS <cmiller@compassidaho.org>; D. Reinhart <Dreinhart@kunschools.org>; DEQ <Alicia.martin@deq.idaho.gov>; Eric Adolfson <eadolfson@compassidaho.org>; Idaho Power <bwatson2@idahopower.com>; Idaho Power <ahawkins@idahopower.com>; Idaho Power - Jacky Chris <easements@idahopower.com>; Intermountain Gas <robert.miller@mdu.com>; Intermountain Gas <bryce.ostler@intgas.com>; ITD <D3Development.Services@itd.idaho.gov>; J&M Sanitation - Chad Gordon <Chad.Gordon@jmsanitation.com>; Jim O. - KSD <Jim@kunaschools.org>; Julie Stanley - Regional Address Mgmt. <Julie.R.Stanley@usps.gov>; Kuna Police Chief <so4217@adaweb.net>; Kuna Postmaster - Marc C. Boyer <marc.c.boyer@usps.gov>; Kuna School District <kbekkedahl@kunaschools.org>; Kuna School District <wjohnson@kunaschools.org>; Kuna School District <bsaxton@kunaschools.org>; Lisa Holland <lholland@kunaid.gov>; Mike Borzick <mborzick@kunaid.gov>; Paul Stevens <PStevens@kunaid.gov>; Planning Mgr: Ada County Development Services <jboal@adaweb.net>; ACHD <planningreview@achdidaho.org>; Mindy Wallace <Mwallace@achdidaho.org>
Subject: Robin Hood REZONE Application

Everyone,
Please review the packet and send relevant comments about the services provided by your agency or company to our office on or before October 17th, 2019. If you need additional time to provide a response, please notify our office as soon as you are able.
Thank you for your consideration.
Troy

Wendy Shrief

From: Sub Name Mail <subnamemail@adacounty.id.gov>
Sent: Friday, April 12, 2019 6:23 PM
To: Wendy Shrief; Rob Kazarinoff; Timothy Harrigan
Subject: Robinhood Sub Name Reservation

[External Email]

April 12, 2019

Wendy Shrief, J-U-B Engineers

RE: Subdivision Name Reservation: **ROBINHOOD SUB**

At your request, I will reserve the name **Robinhood Subdivision** for your project. I can honor this reservation only as long as your project is in the approval process. Final approval can only take place when the final plat is recorded.

This reservation is available for the project as long as it is in the approval process unless the project is terminated by the client, the jurisdiction or the conditions of approval have not been met, in which case the name can be re-used by someone else.

Sincerely,

Jerry L. Hastings, PLS 5359
County Surveyor
Deputy Clerk Recorder
Ada County Development Services
200 W. Front St., Boise, ID 83702
(208) 287-7912 *office*
(208) 287-7909 *fax*
E-mail: jhastings@adacounty.id.gov

From: Wendy Shrief [mailto:wshrief@jub.com]
Sent: Friday, April 12, 2019 9:26 AM
To: Sub Name Mail
Subject: RE: Subdivision Name Request

Glen,

The parcels do overlap, but this is a new preliminary plat and we want to have a new name. Parcels are: S1422212410; S1422212000; S1422233700

Wendy Kirkpatrick Shrief, AICP
Planner

From: Sub Name Mail <subnamemail@adacounty.id.gov>
Sent: Friday, April 12, 2019 9:10 AM
To: Wendy Shrief <wshrief@jub.com>
Subject: RE: Subdivision Name Request

Wendy;

Exhibit A2j

We reserved Falcon Crest Sub for Kristy Watkins on 1/12/2018, and since the parcels noted in her request overlaps your approximate location, we need to determine what is changing.

Exactly which parcels are involved in this development?

Please refer to her approval letter if you need help sorting out the properties.

Glen Smallwood
Surveying Technician
Ada County Development Services
200 W. Front St., Boise, ID 83702
(208) 287-7926 *office*
(208) 287-7909 *fax*

From: Wendy Shrief [mailto:wshrief@jub.com]
Sent: Friday, April 12, 2019 8:11 AM
To: Sub Name Mail
Cc: Glen Smallwood
Subject: Subdivision Name Request

Hello,

I would like to request the name "Robinhood Subdivision" for a 116 lot residential subdivision in Kuna. Development is located in 2N 1E NW ¼ of Section 22 immediately to the east of S. Cloverdale Road. Developer is M3 Companies. There is an existing golf area inside Falcon Crest called "Robinhood" - this is why this spelling is being requested.

Thanks!

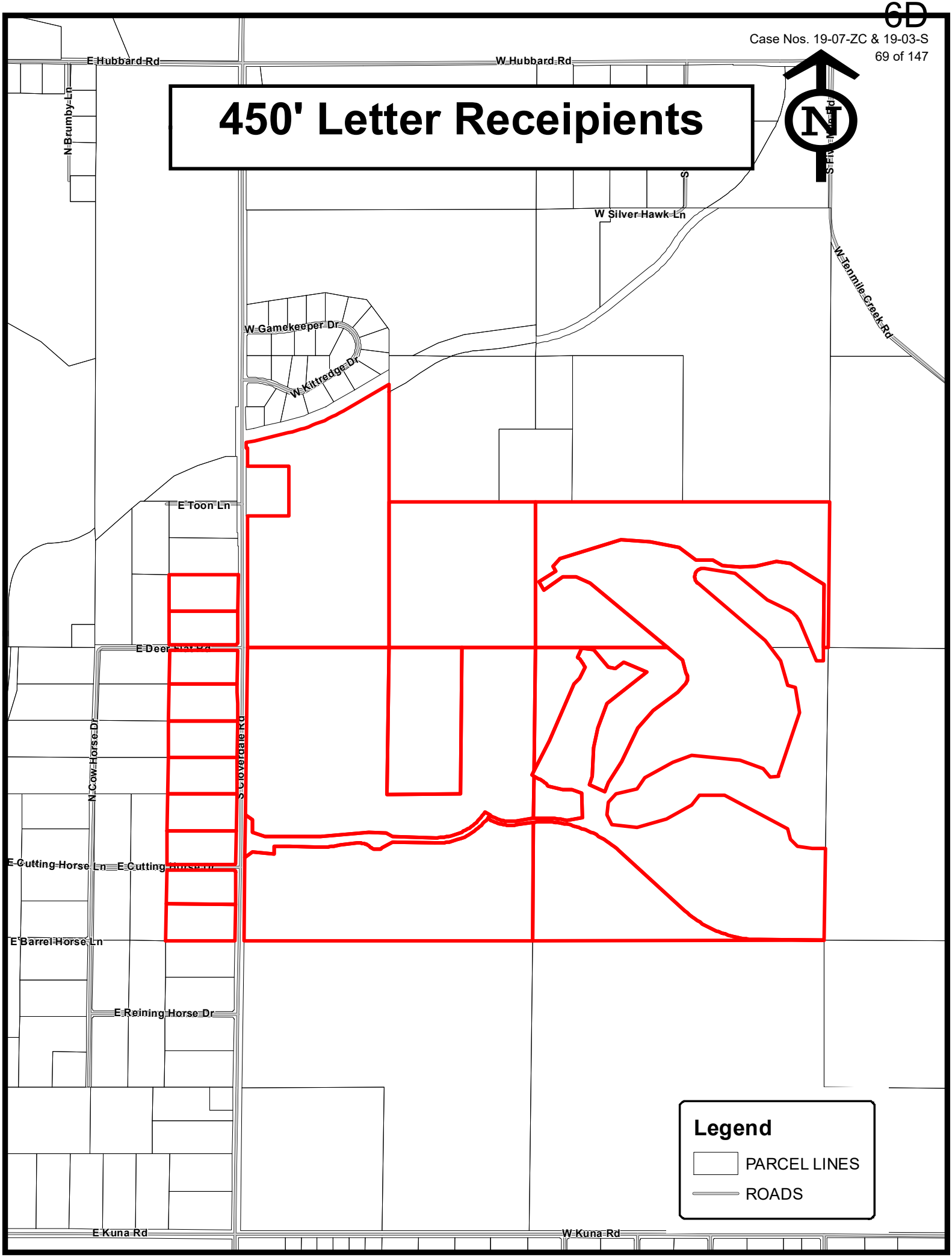
Wendy

Wendy Kirkpatrick Shrief, AICP
Planner
J-U-B ENGINEERS, Inc.
250 S. Beechwood Avenue, Suite 201, Boise, ID 83709
e wshrief@jub.com *w* www.jub.com
p 208 376 7330 *c* 208 559 1760

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This e-mail and any attachments involving J-U-B or a subsidiary business may contain information that is confidential and/or proprietary. Prior to use, you agree to the provisions found on the Electronic Documents/Data License, which can be accessed from the footer on the J-U-B home page. If you believe you received this email in error, please reply to that effect and then delete all copies.

450' Letter Receipients



Neighborhood Meeting Certification

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

GENERAL INFORMATION:

You must conduct a neighborhood meeting prior to application for variance, conditional use, zoning ordinance map amendment, expansion or extension of a nonconforming use, and/or a subdivision. Please see Section 5-1A-2 of the Kuna City Code or ask one of our planners for more information on neighborhood meetings.

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

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

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

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

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

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

Description of proposed project: Single-family residential subdivision

Date and time of neighborhood meeting: April 1, 2019 6:00 - 7:00

Location of neighborhood meeting: Falcon Crest Golf Course Event Tent

SITE INFORMATION:

Location: Quarter: ____ Section: 22 Township: 2N Range: 1E Total Acres: 36.72

Subdivision Name: Robinhood Subdivision Lot: ____ Block: ____

Site Address: S. Cloverdale / Adjacent to Falcon Crest Golf Course

Tax Parcel Number(s): S142212410; S142212000 / S142233700

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

CURRENT PROPERTY OWNER:

Name: Falcon Crest LLC

Address: 11102 S. Cloverdale City: Kuna State: ID Zip: 83634

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

Name: Wendy Shrief Business (if applicable): JUB Engineers

Address: 250 S. Beechwood Ave. City: Boise State: ID Zip: 83709

received 5-16-19

Exhibit A2

PROPOSED USE:

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

Application Type	***Brief Description***
Annexation	
Re-zone	
Subdivision (Sketch Plat and/or Prelim. Plat)	Preliminary Plat
Special Use	
Variance	
Expansion of Extension of a Nonconforming Use	
Zoning Ordinance Map Amendment	

Neighborhood meeting list was run by JUB on 3/21/19 with LandPro Data. Parcel map and list attache

APPLICANT:

Name: JUB Engineers / Wendy Shrief

Address: 250 S. Beechwood Ave.

City: Boise State: ID Zip: 83709

Telephone: 208.376.7330 Fax:

I certify that a neighborhood meeting was conducted at the time and location noted on this form and in accord with Section 5-1A-2 of the Kuna City Code

Signature: (Applicant) Wendy Shrief Date 5/10/19

SIGN IN SHEET

PROJECT NAME: Robin Hood Subdivision

Date: 4/1/19

	Name	Address	Zip	Phone
1	[illegible]	1581 Cow Horse Dr.	83634	208-890-0614
2	Kathy Mezra	11325 S. Cloverdale	83634	
3	Jay Dobbel	477 Cow Horse	83634	208-859-9158
4	Betsy Winkler	11421 Kuna Rd	83634	208-484-6084
5	Ray Crabtree	12220 S Hawk Haven	83634	208 866 2208
6	Patty Hamm	12689 S. 5 Mile	83634	208.362.1907
7	Rick Dixon	1143 Cow Horse	83634	208-996-4159
8	Alx Stevens	326 N. Ave. D	83634	208-922-3008
*9	Quincy Holton	6000 E. Deer Flat Rd	83634	208-600-7491
10	Gladys Crabtree	12220 S Hawk Haven	83634	208-866-2208
11	LOREN KLOCK	5680 E CUTTING HORSE	83634	[redacted]
12	Jen Sword	12313 Lonnie Lane	83634	
13	Meg Lawson	1357 Cow Horse	83634	208 340 0256
14	Mary Jepsen	13010 Madera	83634	208 703 7219
15	Brad Rosenbalm	1091 Cow Horse Dr	83634	208-565-0121
16	Matthew Taplin	1142 Cow Horse Dr	83634	208-841-3115
17	Chris Brown	7670 S. Old Farm Ln	83642	208-870-8093
18	Dave Maison	13159 S. Ocotillo Dr.	83642	(208) 861-5292
19	B.S. Henningfield	11893 S Cloverdale Rd	83634	570-3507
20	MIKE & TINA APOSTOLOV	5783 E. BARREL HORSE DR.	83634	208 941-1522
21	Terri Hisel	6225 E Deer Flat Rd	83634	208-866-9006
*22	KLETE HOWARD	12153 TOUCHROCK LN	83634	208-870-9441
23	LauraLee Nef	12408 Lonnie Lane	83634	
24	John Lawson	1357 Cow Horse	83634	208 631-4741
25				
26				
27				
28				
29				
30				

NEIGHBORHOOD MEETING MINUTES

Meeting Date: 4/1/19 Number of Attendees: 25

Meeting Location: Falcon Crest Golf Course Event Tent

Description of Project Presented:

- 116 lot single-family residential subdivision
- Standard single-family lots with 6,000 sf min. lotsize
- Described phasing of Falcon Crest Master Plan / PUD and timing for proposed Robinhood subdivision

Attendee's comments:

- Some residents expressed concerns over traffic and changes in the area - Some residents expressed a desire for a project with large 5-10 acre County lots
- A number of residents were happy to see that lots would be traditional single-family homes and not multi-family or patio homes
- Several residents had questions about how water will be brought out to the property
- Several residents asked if commercial or light industrial would be constructed in this subdivision - they were happy to hear that it would not be

I hereby certify that the above information is complete and correct to the best of by knowledge.

Wendy Shrief

Printed Name

Wendy Shrief

Signature

5/10/19

Date

J-U-B ENGINEERS, INC.

J-U-B COMPANIES | THE LANGDON GROUP | GATEWAY MAPPING INC.

March 21, 2019

RE: OPEN HOUSE / NEIGHBORHOOD MEETING for a proposed subdivision on Monday April 1, 2019

Dear Property Owner:

You are invited to attend an Open House / Neighborhood Meeting for a single-family residential development:

- Monday, April 1 from 6:00 p.m. to 7:00 p.m.
- Meeting will be held at 11102 S. Cloverdale Road at the Falcon Crest Golf Course event tent. Meeting location is shown on enclosed map.

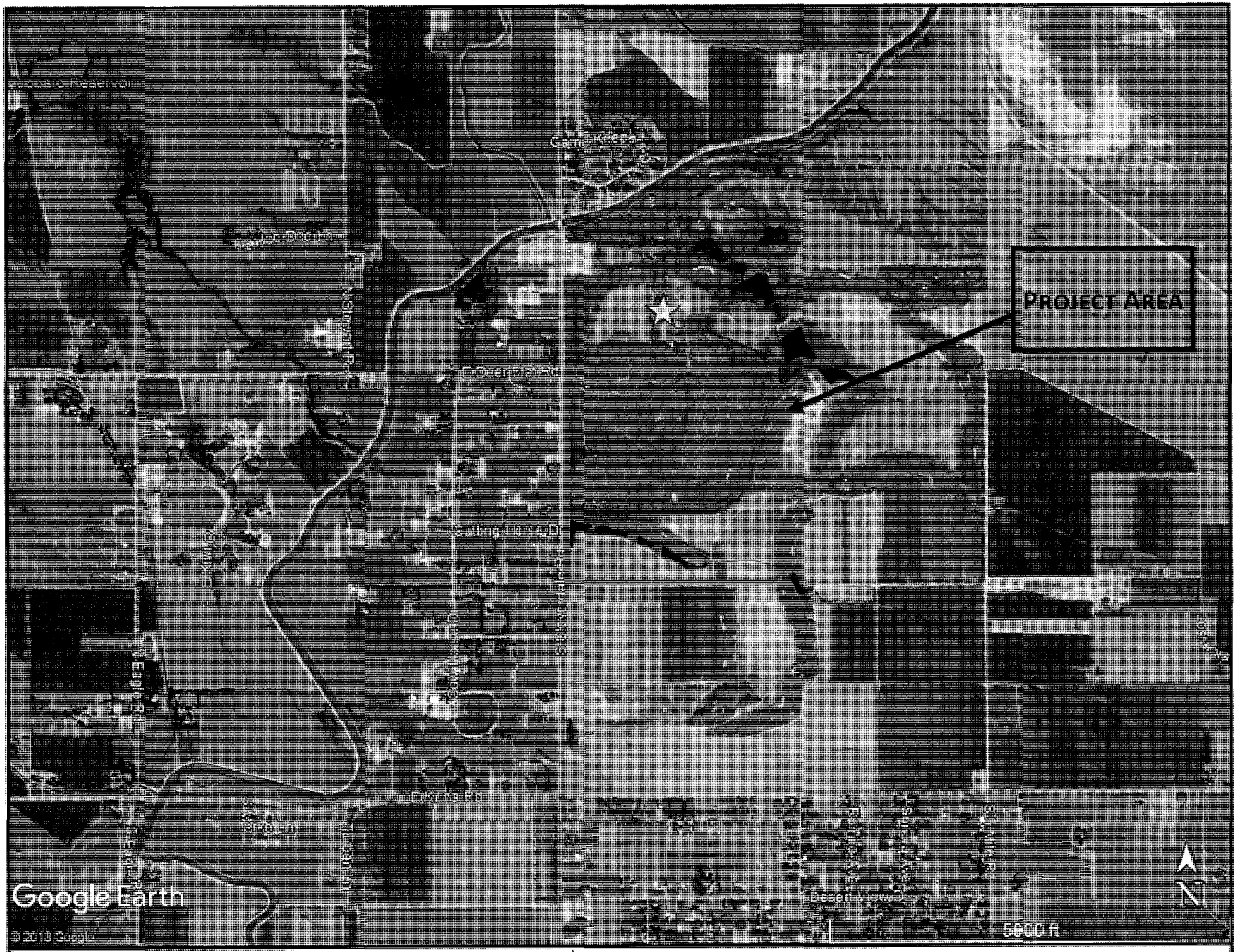
The subdivision project is located on the east side of S. Cloverdale Road, south of Falcon Crest Golf Course. The subdivision consists of approximately 42.2 acres (see reverse side for project location.) An application will be submitted to the City of Kuna consisting of a Preliminary Plat. The property is currently zoned R-6.

Should you have any questions prior to the meeting or cannot attend, please do not hesitate to contact me at wshrief@jub.com or at 208-376-7330.

Sincerely,
J-U-B ENGINEERS, Inc.

Wendy Shrief, AICP
Planner

a 250 S. Beechwood Avenue, Suite 201, Boise, ID 83709-0944 p 208-376-7330 f 208-323-9336 w www.jub.com

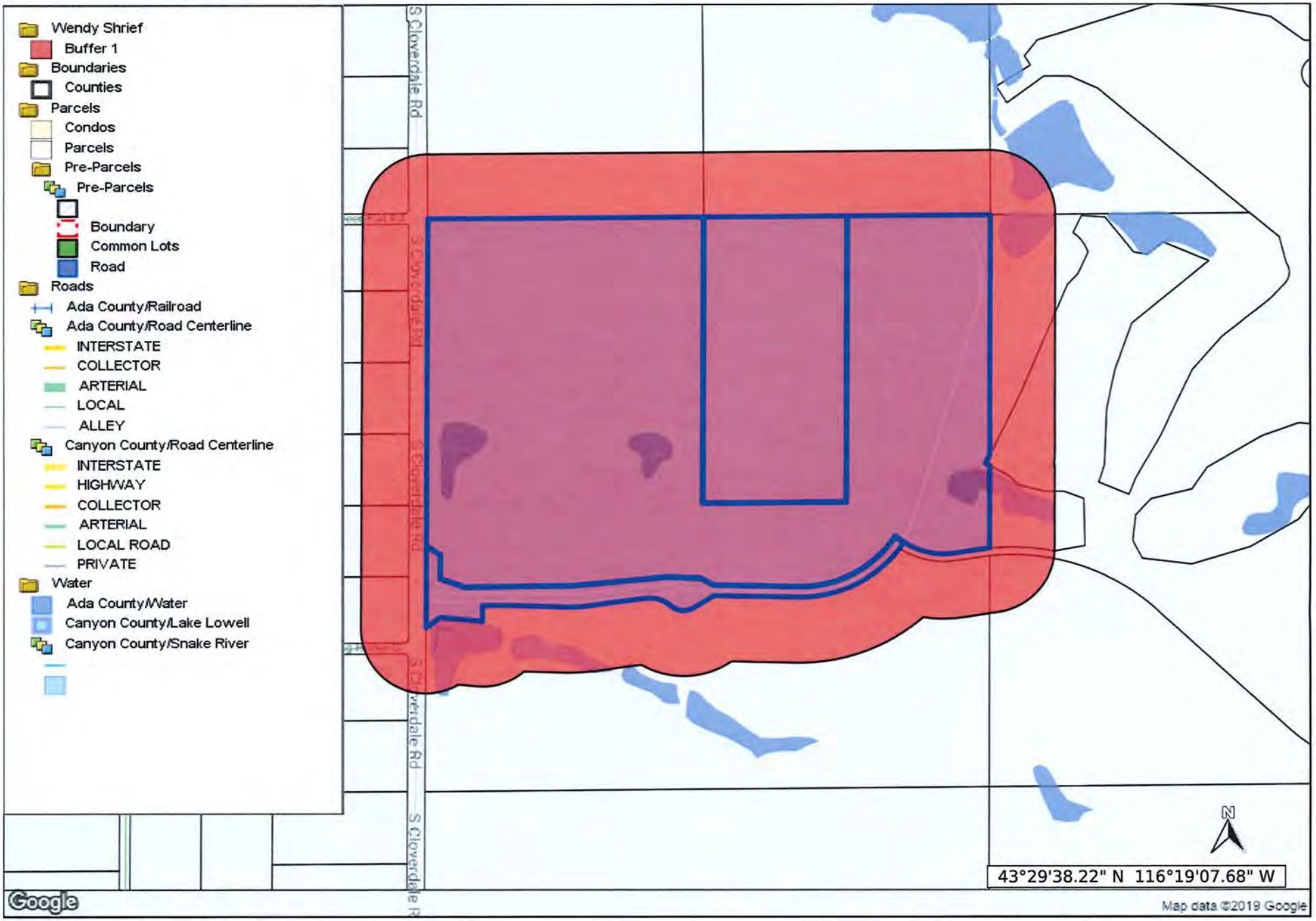


Robin Hood Subdivision—Vicinity Map

☆ Neighborhood Meeting Location

landproDATA

landproDATA PDF



May 10, 2019 - landproDATA.com
Scale: 1 inch approx 600 feet

The materials available at this website are for informational purposes only and do not constitute a legal document

County	Parcel	Primary Owner	Property Address	Subdivision	Property City	Owner Address
Ada	R1479650090	HULSEY DALLAS ANDREW	11985 S CLOVERDALE RD	CLOVERDALE RIDGE ESTATES	KUNA, ID 83634-0000	11985 S CLOVERDALE RD
Ada	R1479650300	KULCHAK JAMES MICHAEL	11671 S CLOVERDALE RD	CLOVERDALE RIDGE ESTATES	KUNA, ID 83634-0000	11671 S CLOVERDALE RD
Ada	R1479660050	JOHNSON RODNEY D	11225 S CLOVERDALE RD	CLOVERDALE RIDGE ESTATES NO 02 BL	KUNA, ID 83634-0000	11225 S CLOVERDALE RD
Ada	R1479660000	VICK RICHARD S	11457 S CLOVERDALE RD	CLOVERDALE RIDGE ESTATES NO 02 BL	KUNA, ID 83634-0000	11457 S CLOVERDALE RD
Ada	R1479660025	MEZIN FAMILY TRUST	11325 S CLOVERDALE RD	CLOVERDALE RIDGE ESTATES NO 02 BL	KUNA, ID 83634-0000	11325 S CLOVERDALE RD
Ada	R1479660075	HISEL JOHN E JR	6225 E DEER FLAT RD	CLOVERDALE RIDGE ESTATES NO 02 BL	KUNA, ID 83634-0000	6225 E DEER FLAT RD
Ada	R1479650240	HENNINGFELD BRADLEY J	11893 S CLOVERDALE RD	CLOVERDALE RIDGE ESTATES	KUNA, ID 83634-0000	11893 S CLOVERDALE RD
Ada	R1479650330	RUHS JOHN F	11589 S CLOVERDALE RD	CLOVERDALE RIDGE ESTATES	KUNA, ID 83634-0000	11589 S CLOVERDALE RD
Ada	R1479680000	BENTLEY E B	6388 E DEER FLAT RD	CLOVERDALE RIDGE ESTATES NO 02 BL	KUNA, ID 83634-0000	6388 E DEER FLAT RD
Ada	R1479650270	PETERSON DANIEL L	6303 E CUTTING HORSE DR	CLOVERDALE RIDGE ESTATES	KUNA, ID 83634-0000	6303 E CUTTING HORSE DR
Ada	S1415341100	FALCON CREST LLC	11102 S CLOVERDALE RD	2N 1E 15	KUNA, ID 83634-0000	2528 N CLOVERDALE RD
Ada	S1415336000	FALCON CREST LLC	11102 S CLOVERDALE RD	2N 1E 15	KUNA, ID 83634-0000	2528 N CLOVERDALE RD
Ada	S1422417300	FALCON CREST LLC	S FIVE MILE RD	2N 1E 22	KUNA, ID 83634-0000	2528 N CLOVERDALE RD
Ada	S1415430000	FALCON CREST LLC	11102 S CLOVERDALE RD	2N 1E 15	KUNA, ID 83634-0000	2528 N CLOVERDALE RD
Ada	S1422110050	FALCON CREST LLC	11102 S CLOVERDALE RD	2N 1E 22	KUNA, ID 83634-0000	2528 N CLOVERDALE RD
Ada	S1422314810	FALCON CREST LLC	E KUNA RD	2N 1E 22	KUNA, ID 83634-0000	2528 N CLOVERDALE RD
Ada	S1422212000	FALCON CREST LLC	11102 S CLOVERDALE RD	2N 1E 22	KUNA, ID 83634-0000	2528 N CLOVERDALE RD
Ada	S1422212400	FALCON CREST LLC	11102 S CLOVERDALE RD	2N 1E 22	KUNA, ID 83634-0000	2528 N CLOVERDALE RD

City of Kuna
Planning & Zoning
Department
PO. Box 13
Kuna, ID 83634
208.922.5274
www.kunacity.id.gov

City of Kuna
COMMITMENT TO PROPERTY POSTING

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

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

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

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

WJ N 2l — 5/9/19

Applicant/agent signature — Date

received
5.16.19

Exhibit A2g

DECLARATION OF

COVENANTS, CONDITIONS AND RESTRICTIONS

FOR

FALCON CREST

THIS MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR FALCON CREST is made effective as of the ____ day of _____, 2018, by M3 Acquisitions, L.L.C., an Arizona limited liability company ("Grantor" and "Class B Member").

received
5.16.19

Exhibit
A2c

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ARTICLE I: RECITALS

1.1 Property Covered. The property potentially subject to this Declaration of Covenants, Conditions and Restrictions for Falcon Crest ("Declaration") is the property legally described on **Exhibit A** attached hereto and made a part hereof ("Property"). Grantor intends to develop the Property in multiple phases. The first phase of Falcon Crest, as reflected on the final plat attached hereto as **Exhibit B**, is hereby made subject to the terms of this Declaration. Future phases may be made subject to the terms of this Declaration by subsequent amendment identifying each final phase upon recording of the final plat therefor.

1.2 Residential Development. Falcon Crest is a residential development, which Grantor currently intends to develop into several unique residential neighborhoods. The Property may contain parcels of Common Area. Development plans for the Property in existence prior to or following the effective date of this Declaration are subject to change at any time by Grantor, and impose no obligation on Grantor as to how the Property is to be developed or improved. Within the residential development, limited purpose sub-associations may be formed where appropriate.

1.3 Purpose of Declaration. The purpose of this Declaration is to set forth the basic restrictions, covenants, limitations, easements, conditions and equitable servitudes (collectively "Restrictions") that will apply to the entire development and use of all portions of the Property. The Restrictions are designed to preserve the Property's value, desirability and attractiveness, to ensure a well-integrated, high-quality development, and to guarantee adequate maintenance of the Common Area, and the Improvements located thereon in a cost effective and administratively efficient manner.

ARTICLE II: DECLARATION

Grantor hereby declares that the Property, and each lot, parcel or portion thereof, is and/or shall be held, sold, conveyed, encumbered, hypothecated, leased, used, occupied and improved subject to the following terms, covenants, conditions, easements and restrictions, all of which are declared and agreed to be in furtherance of a general plan for the protection, maintenance, subdivision, improvement and sale of the Property, and to enhance the value, desirability and attractiveness of the Property. The terms, covenants, conditions, easements and restrictions set forth herein: shall run with the land constituting the Property, and with each estate therein, and shall be binding upon all persons having or acquiring any right, title or interest in the Property or any lot, parcel or portion thereof; shall inure to the benefit of every lot, parcel or portion of the Property and any interest therein; and shall inure to the benefit of and be binding upon Grantor, Grantor's successors in interest and each grantee or Owner and such grantee's or Owner's respective successors in interest, and may be enforced by Grantor, by any Owner or such Owner's successors in interest, or by the Association.

Notwithstanding the foregoing, no provision of this Declaration shall be construed as to prevent or limit Grantor's right to complete development of the Property and to construct improvements thereon, nor Grantor's right to maintain model homes, construction, sales or leasing offices or similar facilities on any portion of the Property, including the Common Area or

any public right-of-way, nor Grantor's right to post signs incidental to construction, sales or leasing.

ARTICLE III: DEFINITIONS

3.1 "Architectural Design Guidelines" shall mean guidelines established by Grantor governing residential design and landscaping within the Property, to be administered and amended by the Design Review Committee.

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

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

3.4 "Association" shall mean the corporation or limited liability company, its successors and assigns, established by Grantor to exercise the powers and to carry out the duties set forth in this Declaration or any Supplemental Declaration. Grantor shall have the power, in its discretion, to name the Association the "Falcon Crest Homeowners Association, Inc.," or any similar name which fairly reflects its purpose.

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

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

3.7 "Building Lot" shall mean one or more lots within the Property as specified or shown on any Plat and/or by Supplemental Declaration, upon which Improvements may be constructed. The term "Building Lot" shall include single-family residential lots, but shall not include the Common Area.

3.8 "Bylaws" shall mean the Bylaws of an Association.

3.9 "Common Area" shall mean any or all parcels of Falcon Crest Common Area, and shall include, without limitation, all such parcels that are designated as private streets or drives, common open space, common landscaped areas as reflected on final plats for each phase.

3.10 "Declaration" shall mean this Declaration as it may be amended from time to time.

3.11 "Design Review Committee" shall mean the committee created by the Grantor or an Association pursuant to Article XII hereof.

3.12 "Grantor" shall mean M3 Acquisitions, L.L.C., an Arizona limited liability company, or its successor(s) in interest, or any person or entity to whom the rights under this Declaration are expressly transferred by M3 Acquisitions, L.L.C., an Arizona limited liability company, or its successor(s).

3.13 "Improvement" shall mean any structure, facility or system, or other improvement or object, whether permanent or temporary, which is erected, constructed or placed upon, under or in any portion of the Property, including but not limited to buildings, fences, streets, drives, driveways, sidewalks, bicycle paths, curbs, landscaping, wildlife habitat improvements, signs, lights, mail boxes, electrical lines, pipes, pumps, ditches, recreational facilities, and fixtures of any kind whatsoever.

3.14 "Limited Assessment" shall mean a charge against a particular Owner and such Owner's Building Lot, directly attributable to the Owner, equal to the cost incurred by the Association for corrective action performed pursuant to the provisions of this Declaration or any Supplemental Declaration, including interest thereon as provided in this Declaration or a Supplemental Declaration.

3.15 "Member" shall mean each person or entity holding a membership in the Association.

3.16 "Owner" shall mean the person or other legal entity holding fee simple interest of record to a Building Lot which is a part of the Property, and sellers under executory contracts of sale, but excluding those having such interest merely as security for the performance of an obligation.

3.17 "Person" shall mean any individual, partnership, corporation or other legal entity.

3.18 "Plat" shall mean any subdivision plat covering any portion of the Property as recorded at the office of the County Recorder, Ada County, Idaho, as the same may be amended by duly recorded amendments thereof.

3.19 "Property" shall mean those portions of the Property described on **Exhibit A** attached hereto and incorporated herein by this reference, including each lot, parcel and portion thereof and interest therein, including all necessary water rights associated with or appurtenant to such property.

3.20 "Regular Assessment" shall mean the portion of the cost of maintaining, improving, repairing, managing and operating the Common Areas and all Improvements located thereon, and the other costs of an Association which is to be levied against the Property of and paid by each Owner to the Association, pursuant to the terms hereof or the terms of this Declaration or a Supplemental Declaration.

3.21 "Special Assessment" shall mean the portion of the costs of the capital improvements or replacements, equipment purchases and replacements or shortages in Regular Assessments which are authorized and to be paid by each Owner to the Association pursuant to the provisions of this Declaration or a Supplemental Declaration.

3.22 "Supplemental Declaration" shall mean any supplemental declaration including additional covenants, conditions and restrictions that might be adopted with respect to any portion of the Property.

3.23 "Falcon Crest" shall mean the Property.

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

ARTICLE IV: GENERAL AND SPECIFIC RESTRICTIONS

4.1 Structures – Generally. All structures are to be designed, constructed and used in such a manner as to promote compatibility between the types of use contemplated by this Declaration.

4.1.1 Use, Size and Height of Dwelling Structure. All Building Lots shall be used exclusively for purposes allowed on the final plat which includes said lot.

4.1.2 Design Review Committee Review. No Improvements which will be visible above ground or which will ultimately affect the visibility of any above ground Improvement shall be built, erected, placed or materially altered on or removed from the Property unless and until the building plans, specifications, and plot plan have been reviewed in advance by the Design Review Committee and the same have been approved in writing. The review and approval or disapproval may be based upon the following factors: design and style elements, mass and form, topography, setbacks, finished ground elevations, architectural symmetry, drainage, color, materials, physical or aesthetic impacts on other properties, including Common Areas, artistic conformity to the terrain and the other Improvements on the Property, and any and all other factors which the Design Review Committee, in its reasonable discretion, deem relevant. Said requirements as to the approval of the architectural design shall apply only to the exterior appearance of the Improvements. This Declaration is not intended to serve as authority for the Design Review Committee to control the interior layout or design of residential structures except to the extent incidentally necessitated by use, size and height restrictions.

4.1.3 Setbacks and Height. No residential or other structure shall be placed nearer to the Building Lot lines or built higher than permitted by the Plat in which the Building Lot is located, by any applicable zoning restriction, by any conditional use permit, or by a building envelope designated either by Grantor or the applicable Design Review Committee whichever is more restrictive. Please refer to the Architectural Design Guidelines for specific setback requirement for each neighborhood.

4.1.4 Accessory Structures. Detached Garages, outbuildings, and storage sheds shall not be more than 150 sq. ft. in size and no higher than 8 ft. in height, unless approved by the Design Review Committee. The locations of such structures are subject to approval of the Design Review Committee. Detached garages built after the initial construction of the home must conform to the Architectural Design Guidelines and shall be submitted to the Design Review Committee for review and approval prior to construction. Permanent Basketball Standards are not permitted on the roof or walls of the dwelling, and Temporary Standards shall be stored indoors overnight. No playhouses, playground equipment, pools, pool slides, diving boards, hot tubs, spas, or similar items shall extend higher than five (5) feet above the finished graded surface of the Building Lot upon which such item(s) are located unless approved in advance.

4.1.5 Driveways. All access driveways shall be constructed in accordance with the Architectural Design Guidelines.

4.1.6 Sidewalks. Sidewalks shall be set back from the edge of the right-of-way in accordance with local ordinances. Owners shall be responsible for maintenance of landscaping between the street and the sidewalk adjacent to their lots.

4.1.7 Mailboxes. Grantor shall provide community designated mailboxes and stands. All Mailboxes shall be installed in conformance with Postal Service Requirements, and shall be of consistent design and material. Mailbox maintenance shall be the responsibility of the Association.

4.1.8 Fencing. All fencing will be reviewed and approved in advance by the Design Review Committee and be constructed in accordance with the Architectural Design Guidelines.

4.1.9 Lighting. Fixtures, standards and all exposed accessories shall be harmonious with building design, and shall be as approved by the applicable Design Review Committee in accordance with the Architectural Design Guidelines. Other approved exterior lighting shall include normal front door entry, garage and other entries to the home providing they do not exceed 100 watts each and do not otherwise illuminate neighboring properties, as more specifically described in the Architectural Design Guidelines.

4.1.10 Garages. Each dwelling unit shall have an attached or detached fully enclosed garage adequate for a minimum of two (2), and a maximum of five (5) standard size automobiles. For specific criteria, see the Architectural Design Guidelines.

4.2 Antennae. No exterior radio antenna, television antenna, satellite dish antenna or other antenna of any type are permitted. Satellite dishes are to be placed in consideration of neighbors and neighboring views. It is required, whenever possible as deemed by the Design Review Committee that satellite dishes be placed on the far back corner of the dwelling

4.3 Insurance Rates. Nothing shall be done or kept on any Building Lot which will increase the rate of insurance on any other portion of the Property without the approval of the

Owner of such other portion, nor shall anything be done or kept on the Property or a Building Lot which would result in the cancellation of insurance on any property owned or managed by any such Association or which would be in violation of any law.

4.4 No Further Subdivision. No Building Lot may be further subdivided.

4.5 Signs. No sign of any kind shall be displayed to the public view without the approval of the applicable Design Review Committee, except: (1) such signs as may be used by Grantor in connection with the development of the Property and sale of Building Lots; (2) "For Sale" signs shall be limited to one sign per residence, not to exceed six square feet; (3) temporary signs naming the contractors, the architect, and the lending institution for a particular construction operation; (4) such signs identifying Falcon Crest, or informational signs, of customary and reasonable dimensions as prescribed by the Design Review Committee may be displayed on or from the Common Area; Streamers flags and other similar advertising or attention attracting devices are expressly prohibited. "For Rent" and "For Lease" signs shall not be permitted. Without limiting the foregoing, no sign shall be placed in the Common Area without the prior written approval of the Board. Additioanlly, Grantor may have owners remove signs for any reason. If Grantor has a standard marketing or sale sign, Owner is required to use the standard sign in lieu of individual builder or sales sign.

4.6 Nuisances. No rubbish or debris of any kind shall be placed or permitted to accumulate anywhere upon the Property, including Common Area or vacant Building Lots, and no odor shall be permitted to arise there from so as to render the Property or any portion thereof unsanitary, unsightly, offensive or detrimental to the Property or to its occupants, or to any other property in the vicinity thereof or to its occupants. No noise or other nuisance shall be permitted to exist or operate upon any portion of the Property so as to be offensive or detrimental to the Property or to its occupants or to other property in the vicinity or to its occupants. Without limiting the generality of any of the foregoing provisions, no exterior speakers, horns, whistles, bells or other sound devices (other than security devices used exclusively for security purposes which have been approved by the Association), flashing lights or search lights, shall be located, used or placed on the Property without the prior written approval of the Association.

4.7 Exterior Maintenance; Owner's Obligations. No Improvement shall be permitted to fall into disrepair, and each Improvement shall at all times be kept in good condition and repair. In the event that any Owner shall permit any Improvement, including trees and landscaping, which is the responsibility of such Owner to maintain, to fall into disrepair so as to create a dangerous, unsafe, unsightly or unattractive condition, or damages property or facilities on or adjoining their Building Lot which would otherwise be the Associations' responsibility to maintain, the Board of the Association, upon fifteen (15) days prior written notice to the Owner of such property, shall have the right to correct such condition, and to enter upon such Owner's Building Lot for the purpose of doing so, and such Owner shall promptly reimburse the Association, as the case may be, for the cost thereof. Such cost shall be a Limited Assessment and shall create a lien enforceable in the same manner as other Assessments set forth in Article IX of this Declaration. The Owner of the offending property shall be personally liable, and such Owner's property may be subject to a mechanic's lien for all costs and expenses incurred by the Association in taking such corrective acts, plus all costs incurred in collecting the amounts due.

Each Owner shall pay all amounts due for such work within ten (10) days after receipt of written demand therefore, or the amounts may, at the option of the Board, be added to the amounts payable by such Owner as Regular Assessments. Each Owner shall have the remedial rights set forth herein if the applicable Associations fail to exercise their rights within a reasonable time following written notice by such Owner.

4.8 Grading and Drainage. Lot grading shall be kept to a minimum and Buildings are to be located for preservation of the existing grade(s) except for natural lots (lots which were not mass graded by the Grantor). For natural lots the Builder shall submit a grading plan for review and approval of the Design Review Committee. Builder is expressly responsible to ensure proper drainage and run off from said Building Lot. Builders are required to retain drainage on the lot or toward the street, with no drainage to adjoining lots. Exposed gutters and downspouts shall be painted to match the surfaces to which they are attached, unless otherwise approved in writing by the Design Review Committee. The use of decorative copper gutters and downspouts is subject to the approval of the Design Review Committee.

4.9 No Hazardous Activities. No activities shall be conducted on the Property, and no Improvements constructed on any property which are or might be unsafe or hazardous to any person or property.

4.10 Unsightly Articles. No unsightly articles shall be permitted to remain on any Building Lot so as to be reasonably visible from any other portion of the Property. Without limiting the generality of the foregoing, refuse, garbage, recyclables, and trash shall be kept at all times in such containers and in areas approved by the applicable Design Review Committee. No clothing or fabrics shall be hung, dried or aired in such a way as to be visible to other property, and no equipment, heat pumps, compressors, containers, lumber, firewood, grass, shrub or tree clippings, plant waste, metals, bulk material, scrap, refuse or trash shall be kept, stored or allowed to accumulate on any Building Lot except within an enclosed structure or as appropriately screened from view. No vacant residential structures shall be used for the storage of building materials other than for the construction of that residential structure.

4.11 No Temporary Structures. No house trailer, mobile home, tent (other than for short term individual use), shack or other temporary building, improvement or structure shall be placed upon any portion of the Property, except temporarily as may be required by construction activity undertaken on the Property.

4.12 No Unscreened Boats, Campers and Other Vehicles. No boats, trailers, campers, all-terrain vehicles, motorcycles, recreational vehicles, bicycles, dilapidated or unrepaired and unsightly vehicles or similar equipment shall be placed upon any portion of the Property (including, without limitation, streets, parking areas and driveways) unless the same are enclosed by a structure concealing them from view in a manner approved by the applicable Design Review Committee. To the extent possible, garage doors shall remain closed at all times.

4.13 Sewage Disposal Systems. No individual sewage disposal system shall be used on the Property. Each Owner shall connect the appropriate facilities on such Owner's Building Lot to the Kuna City Sewer System and pay all charges assessed therefore.

4.14 No Mining or Drilling. No portion of the Property shall be used for the purpose of mining, quarrying, drilling, boring or exploring for or removing water, oil, gas or other hydrocarbons, minerals, rocks, stones, sand, gravel or earth other than by the Grantor. This paragraph shall not prohibit exploratory drilling or coring which is necessary to construct a residential structure or Improvements or irrigation water wells, or excavation and removal of materials during the course of construction by the Grantor.

4.15 Energy Devices, Outside. No energy production devices, including but not limited to generators of any kind and solar energy devices, shall be constructed or maintained on any portion of the Property without the written approval of the applicable Design Review Committee, except for heat pumps shown in the plans approved by the Design Review Committee. This paragraph shall not apply to passive solar energy systems incorporated into the approved design of a residential structure , subject to the review and approval of the Design Review Committee.

4.16 Vehicles. The use of all vehicles within areas other than public streets, including but not limited to trucks, automobiles, bicycles, motorcycles and snowmobiles, shall be subject to all Association Rules, which may prohibit or limit the use thereof within Falcon Crest. On-street parking shall be permitted except where expressly prohibited. No parking spot or stall shall be permitted in any side, front or backyard. Vehicles parked on a driveway shall not extend into any sidewalk or bike path or pedestrian path.

4.17 Animals/Pets. No animals, birds, insects, pigeons, poultry, reptiles, or livestock shall be kept on the Property unless the presence of such creatures does not constitute a nuisance. This paragraph does not apply to the keeping of up to two (2) domesticated dogs, up to two (2) domesticated house cats, and other household pets which do not unreasonably bother or constitute a nuisance to others. Without limiting the generality of the foregoing, consistent and/or chronic barking by dogs shall be considered a nuisance. Each dog in Falcon Crest shall be kept on a leash, curbed, and otherwise controlled at all times when such animal is off the premises of its owner. Such owner shall clean up any animal defecation immediately from the Common Area or public right-of-way. Failure to do so may result, at the Board's discretion, with a Limited Assessment levied against such animal owner. The construction of dog runs or other pet enclosures shall be subject to applicable Design Review Committee approval, shall be appropriately screened, and shall be maintained in a sanitary condition. Dog runs or other pet enclosures shall be placed a minimum of ten (10) feet from the side and/or rear Building Lot line, shall not be placed in any front yard of a Building Lot, and shall be screened from view so as not to be visible from Common Area or an adjacent Building Lot. The keeping of animals shall at all times comply with Kuna City Ordinances.

4.18 Landscaping. Builders shall be responsible for front yard landscapes and individual automatic sprinkler systems. Landscaping on said Building Lot shall be in conformance with the landscape plan approved by the Association, and as approved by the applicable Design Review Committee. The minimum front, rear, and side yard landscaping set forth shall be installed within thirty (30) days of substantial completion of the home on said Building Lot, weather permitting. Rear yard landscaping on Building Lots abutting community open space shall be installed within sixty 60 days of closing, weather permitting. Prior to

construction of Improvements, the Owner (or any Association to which such responsibility has been assigned) shall provide adequate irrigation and maintenance of existing trees and landscaping, shall control weeds, and maintain the Owner's (or Association's) property in a clean and safe condition free of debris or any hazardous condition. All trees located on common Building Lot lines shall be the joint responsibility of the adjoining Building Lot owners. All landscaped Common Areas shall be irrigated by an underground sprinkler system.

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

Following commencement of any construction of any Improvement, construction shall be diligently pursued and completed as soon as reasonably practical. All front yard landscaping on a Building Lot, unless otherwise specified by the applicable Design Review Committee, shall be completed as soon as reasonably practical, and not to exceed thirty (30) days following completion of the residential structure on such Building Lot. Gravel, lava rock or extensive paved surfaces (excluding normal driveway access and entry pathways) will not be permitted. Landscaping minimums are more specifically described in the Architectural Design Guidelines.

Owners of lots that have not been built upon are required to keep the lot free of debris, regardless of the source of the debris. Owners must additionally spray weeds in accordance with local ordinances and mow the lot if necessary. Failure to comply with this requirement may result in the work being accomplished by the HOA, which may then bill and lien the lot to cover the cost of compliance with this landscaping requirement.

4.19 Exemption of Grantor. Nothing contained herein shall limit the right of Grantor to subdivide or re-subdivide any portion of the Property, to grant licenses, to reserve rights-of-way and easements with respect to Common Area to utility companies, public agencies or others, or to complete excavation, grading and construction of Improvements to and on any portion of the Property owned by Grantor, or to alter the foregoing and its construction plans and designs, or to construct such additional Improvements as Grantor deems advisable in the course of development of the Property so long as any Building Lot in the Property remains unsold. Such right shall include, but shall not be limited to, erecting, constructing and maintaining on the Property such structures and displays as may be reasonably necessary for the conduct of Grantor's business of completing the work and disposing of the same by sales lease or otherwise. Grantor shall have the right at any time prior to acquisition of title to a Building Lot by a purchaser from Grantor to grant, establish and/or reserve on that Building Lot additional licenses, reservations and rights-of-way to Grantor, to utility companies, or to others as may from time to time be reasonably necessary to the proper development and disposal of the Property. Grantor may use any structures owned by Grantor on the Property as model home complexes or real estate sales or leasing offices. Grantor need not seek or obtain Design Review

Committee approval of any Improvement constructed or placed by Grantor on any portion of the Property owned by Grantor. The rights of Grantor hereunder may be assigned by Grantor to any successor in interest in connection with Grantor's interest in any portion of the Property, by an express written assignment recorded in the Office of the Ada County Recorder.

4.20 Water Rights Appurtenant to Subdivision Lands. Within one hundred twenty (120) days of the date of the recording of this Declaration, Grantor shall transfer from the Property subject to this Declaration, and within the boundaries of an irrigation entity, as defined in said Section 31-3805, Idaho Code, all necessary water rights and assessment obligations appurtenant to the Property to the Association.

4.21 Commencement of Construction. Any Owner of a Building Lot shall, within a period of nine (9) months following the date of purchase of a Building Lot from Grantor, commence the construction of a dwelling structure in compliance with the restrictions herein, and such construction shall be completed within six (6) months thereafter. The term "commence the construction" as used in this paragraph, shall require actual physical construction activities upon such dwelling structure upon such Building Lot.

4.22 Roof Material. All roofing materials to be as referenced in the Architectural Design Guidelines. Color to be approved by the Design Review Committee.

4.23 Design Criteria. The general and specific restrictions contained in this Article IV are detailed in the Architectural Design Guidelines. In the event of a conflict between specific restrictions in this Article IV and the Architectural Design Guidelines, the Architectural Design Guidelines shall take precedence.

ARTICLE V: FALCON CREST HOMEOWNERS ASSOCIATION

5.1 Organization of Falcon Crest Homeowners Association. Falcon Crest Homeowners Association, Inc. ("Association") shall be initially organized by Grantor as a non-profit corporation under the provisions of the Idaho Code relating to non-profit corporations and shall be charged with the duties and invested with the powers prescribed by law and set forth in the Articles, Bylaws and this Declaration. Neither the Articles nor the Bylaws shall be amended or otherwise changed or interpreted so as to be inconsistent with this Declaration.

5.2 Membership. Each Owner, by virtue of being an Owner and for so long as such ownership is maintained, shall be a Member of the Association and no Owner shall have more than one membership in the Association per residence. Memberships in the Association shall be appurtenant to the Building Lot or other portion of the Property owned by such Owner. The memberships in the Association shall not be transferred, pledged, assigned or alienated in any way except upon the transfer of Owner's title and then only to the transferee of such title. Any attempt to make a prohibited membership transfer shall be void and will not be reflected on the books of the Association.

5.3 Voting. Voting in the Association shall be carried out by Members who shall cast the votes attributable to the Building Lots which they own, or attributable to the Building Lots

owned by Grantor. The number of votes any Member may cast on any issue is determined by the number of Building Lots which the Member, including Grantor, owns. When more than one person holds an interest in any Building Lot, all such persons shall be Members but shall share the votes attributable to the Building Lot. For voting purposes, the Association shall have two (2) classes of Members as described below.

5.3.1 Class A Members. Owners other than Grantor shall be known as Class A Members. Each Class A Member shall be entitled to cast one (1) vote for each Building Lot owned by such Class A Member on the day of the vote.

5.3.2 Class B Members. The Grantor shall be known as the Class B Member, and shall be entitled to one thousand (1,000) votes for each Building Lot of which Grantor is the Owner. The Class B Member shall cease to be a voting Member in the Association when all Building Lots within the Property have been sold.

Fractional votes shall not be allowed. In the event that joint Owners are unable to agree among themselves as to how their vote or votes shall be cast, they shall lose their right to vote on the matter being put to a vote. When an Owner casts a vote, it will thereafter be presumed conclusively for all purposes that such Owner was acting with authority and consent of all joint Owners of the Building Lot(s) from which the vote derived. The right to vote may not be severed or separated from the ownership of the Building Lot to which it is appurtenant, except that any Owner may give a revocable proxy, or may assign such Owner's right to vote to a lessee, mortgagee, beneficiary or contract purchaser of the Building Lot concerned, for the term of the lease, mortgage, deed of trust or contract. Any sale, transfer or conveyance of such Building Lot to a new Owner shall operate automatically to transfer the appurtenant voting right to the Owner, subject to any assignment of the right to vote to a lessee, mortgagee, or beneficiary as provided herein.

5.4 Board of Directors and Officers. The affairs of the Association shall be conducted and managed by a Board of Directors ("Board") and such officers as the Board may elect or appoint, in accordance with the Articles and Bylaws, as the same may be amended from time to time. The Board of the Association shall be elected in accordance with the provisions set forth in the Association Bylaws.

5.5 Power and Duties of the Association.

5.5.1 Powers. The Association shall have all the powers of a corporation organized under the general corporation laws of the State of Idaho subject only to such limitations upon the exercise of such powers as are expressly set forth in the Articles, the Bylaws, and this Declaration. The Association shall have the power to do any and all lawful things which may be authorized, required or permitted to be done by the Association under Idaho law and under this Declaration, and the Articles and Bylaws, and to do and perform any and all acts which may be necessary to, proper for, or incidental to the proper management and operation of the Common Area and the Declaration's other assets, including water rights when and if received from Grantor, and affairs and the performance of the other responsibilities herein assigned, including without limitation:

5.5.1.1 Assessments. The power to levy Assessments on any Owner or any portion of the Property and to force payment of such Assessments, all in accordance with the provisions of this Declaration. An Association set up fee of $250.00 shall be charged upon the initial closing of each Building Lot, and an Association transfer fee of $400.00 shall be charged upon each subsequent sale of each Building Lot. The initial Assessment shall be $225.00 per quarter, due on the first day of each calendar quarter, which amount is subject to change by the Board of Directors of the Association. The Board has the authority to raise dues annually by no more than 20% (excluding Special Assessments and Limited Assessments); any dues increase of more than 20% shall require affirmative majority vote of the Members.

5.5.1.2 Right of Enforcement. The power and authority from time to time in its own name, on its own behalf, or on behalf of any Owner who consents thereto, to commence and maintain actions and suits to restrain and enjoin any breach or threatened breach of this Declaration or the Articles or the Bylaws, including the Association Rules adopted pursuant to this Declaration, and to enforce by injunction or otherwise, all provisions hereof.

5.5.1.3 Delegation of Powers. The authority to delegate its power and duties to committees, officers, employees, or to any person, firm or corporation to act as manager, and to contract for the maintenance, repair, replacement and operation of the Common Area.

5.5.1.4 Association Rules. The Association has the power to adopt, amend and repeal by majority vote of the Board such rules and regulations as the Association deems reasonable. The Association may govern the use of the Common Areas, including but not limited to the use of private streets by the Owners, their families, invitees, licensees, lessees or contract purchasers; provided, however, that any Association Rules shall apply equally to all Owners and shall not be inconsistent with this Declaration, the Articles or Bylaws. A copy of the Association Rules as they may from time to time be adopted, amended or repealed, shall be mailed or otherwise delivered to each Owner. Upon such mailing or delivery, the Association Rules shall have the same force and effect as if they were set forth in and were a part of this Declaration. In the event of any conflict between such Association Rules and any other provisions of this Declaration, or the Articles or Bylaws, the provisions of the Association Rules shall be deemed to be superseded by the provisions of this Declaration, the Articles or the Bylaws to the extent of any such inconsistency. The rules may include the right to assess and collect fines for violation of the Rules.

5.5.1.5 Emergency Powers. The power, exercised by the Association or by any person authorized by it, to enter upon any property (but not inside any building constructed thereon) in the event of any emergency involving illness or potential danger to life or property or when necessary in connection with any maintenance or construction for which the Association is responsible. Such entry

shall be made with as little inconvenience to the Owner as practicable, and any damage caused thereby shall be repaired by the Association.

5.5.1.6 Licenses, Easements and Rights-of-Way. The power to grant and convey to any third party such licenses, easements and rights-of-way in, on or under the Common Area as may be necessary or appropriate for the orderly maintenance, preservation and enjoyment of the Common Area, and for the preservation of the health, safety, convenience and the welfare of the Owners, for the purpose of constructing, erecting, operating or maintaining:

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

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

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

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

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

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

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

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

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

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

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

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

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

5.5.2.6.2 Comprehensive public liability insurance insuring the Board, the Association, the Grantor and the individual grantees and agents and employees of each of the foregoing against any liability incident to the ownership and/or use of Falcon Crest Common Area. Limits of liability of such coverage shall be as follows: Not less than One Million and No/100 Dollars ($1,000,000.00) per person and One Million

and No/100 Dollars ($1,000,000.00) per occurrence with respect to personal injury or death, and One Million and No/100 Dollars ($1,000,000.00) per occurrence with respect to property damage.

5.5.2.6.3 Full coverage directors' and officers' liability insurance with a limit of at least One Million and No/100 Dollars ($1,000,000.00).

5.5.2.6.4 Such other insurance, including motor vehicle insurance and Workmen's Compensation insurance, to the extent necessary to comply with all applicable laws and indemnity, faithful performance, fidelity and other bonds as the Board shall deem necessary or required to carry out the Association functions or to insure the Association against any loss from malfeasance or dishonesty of any employee or other person charged with the management or possession of any Association funds or other property.

5.5.2.6.5 The Association shall be deemed trustee of the interests of all Owners in connection with any insurance proceeds paid to the Association under such policies, and shall have full power to receive such Owner's interests in such proceeds and to deal therewith.

5.5.2.6.6 Insurance premiums for the above insurance coverage shall be deemed a common expense to be included in the Regular Assessments levied by the Association.

5.5.2.7 Rule Making. Make, establish, promulgate, amend and repeal such Association Rules as the Board shall deem advisable.

5.5.2.8 Newsletter. If it so elects, prepare and distribute a newsletter in paper or electronic form on matters of general interest to Association Members, the cost of which shall be included in Regular Assessments.

5.5.2.9 Design Review Committee. Appoint and remove members of the Design Review Committee, subject to the provisions of this Declaration.

5.5.2.10 Enforcement of Restrictions and Rules. Perform such other acts, whether or not expressly authorized by this Declaration, as may be reasonably advisable or necessary to enforce any of the provisions of the Declaration, or of the Articles or Bylaws, including, without limitation, the recordation of any claim of lien with the Ada County Recorder, as more fully provided herein.

5.6 Personal Liability. No Member of the Board, or member of any committee of the Association, or any officer of the Association, or the Grantor, or the manager, if any, shall be personally liable to any Owner, or to any other party, including the Association, for any damage, loss or prejudice suffered or claimed on the account of any act, omission, error or negligence of

the Association, the Board, the manager, if any, or any other representative or employee of the Association, the Grantor, or the Design Review Committee, or any other committee, or any officer of the Association, or the Grantor, provided that such person, upon the basis of such information as may be possessed by such person, has acted in good faith without willful or intentional misconduct.

5.7 Budgets and Financial Statements. Financial statements for the Association shall be prepared regularly and copies shall be distributed to each Member of the Association as follows:

5.7.1 A pro forma operating statement or budget, for each fiscal year shall be distributed not less than thirty (30) days before the beginning of each fiscal year. The operating statement shall include a schedule of Assessments received and receivable, identified by the Building Lot number and the name of the person or entity assigned.

5.7.2 Within ninety (90) days after the close of each fiscal year, the Association shall cause to be prepared and delivered to each Owner, a balance sheet as of the last day of the Association's fiscal year and annual operating statements reflecting the income and expenditures of the Association for its last fiscal year.

5.8 Meetings of Association. Each year the Association shall hold at least one meeting of the Members, according to the schedule for such meetings established by the Bylaws; provided, that such meeting shall occur no earlier than January 15 and no later than May 31 each year. Only Members shall be entitled to attend Association meetings, and all other persons may be excluded. Notice for all Association meetings, regular or special, shall be given by regular mail to all Members, and any person in possession of a Building Lot, not less than ten (10) days nor more than thirty (30) days before the meeting and shall set forth the place, date and hour of the meeting and the nature of the business to be conducted. All meetings shall be held within the Property or as close thereto as practical at a reasonable place selected by the Board. The presence at any meeting in person of the Class B Member where there is such a Member, and of any Class A Members representing Owners holding at least thirty percent (30%) of the total votes of all Class A Members, shall constitute a quorum. If any meeting cannot be held because a quorum is not present, the Members present may adjourn the meeting to a time not less than ten (10) days nor more than thirty (30) days from the time the original meeting was scheduled. A second meeting may be called as the result of such an adjournment, provided notice is given as provided above. At any such meeting properly called, the presence of any Member shall constitute a quorum.

ARTICLE VI: LIGHT MAINTENANCE OF STORM WATER FACILITIES

6.1 Maintenance Manual. Operation and maintenance of the storm water facilities at Falcon Crest shall be governed in accordance with a maintenance manual that may be modified from time to time at the direction of the Board of the Association.

6.2 ACHD Storm Water Drainage System. Lots for ACHD facilities and easements are as reflected on the Final Plat for Falcon Crest Subdivision No. 1. The Ada County Highway District ("ACHD") storm water drainage system in Falcon Crest encumbered by that certain First

Amended Master Perpetual Storm Water Drainage Easement recorded on November 10, 2015, as Instrument No. 2015-103256, official records of Ada County, Idaho, and incorporated herein by this reference as if set forth in full ("Master Easement"). The Master Easement and the storm water drainage system are dedicated to ACHD pursuant to Section Idaho Code Section 40-2302. The Master Easement is for the operation and maintenance of the storm water drainage system. Said easement shall remain free of all encroachments and obstructions (including fences and trees) which may adversely affect the operation and maintenance of the storm drainage facilities.

6.3 Drainage. There shall be no interference with the established drainage pattern over any portion of the Property, unless an adequate alternative provision is made for proper drainage, and is first approved in writing by the Design Review Committee and ACHD. For the purposes hereof, "established" drainage is defined as the system of drainage, whether natural or otherwise, which exists at the time the overall grading of any portion of the Property is completed by Grantor, or that drainage which is shown on any plans approved by the Design Review Committee and/or ACHD, which may include drainage from Common Area over any Building Lot in the Property.

6.4 ACHD Assessment and Lien Rights. ACHD shall be entitled to levy assessments to the Association for the reasonable costs of all required maintenance and repairs to the storm water drainage system. ACHD shall be entitled to a continuing pro rata lien on all lots for such unpaid assessments for maintenance and repair to the storm water drainage system.

ARTICLE VII: PRIVATE STREETS

7.1 Private Streets and Gates. Declarant hereby elects to provide access to the Lots in the Subdivision by a system or systems of private streets and control gates ("Private Streets") to be constructed by Declarant and owned and operated by the Association. The Private Streets are designated on the Plat for _____ and shall hereafter be dedicated and restricted to the perpetual and indefeasible right of ingress and egress over and across the same for the exclusive use and benefit of the Owners and occupants of Phase 1, their guests, and their invitees. The Private streets shall be owned, maintained, and controlled by the Association for the benefit of each Lot and Owner, and to provide access to public streets.

7.2 Easement for Private Streets. There is hereby reserved for the use and benefit of the Declarant and granted for the use and benefit of each Lot, and for the use and benefit of each Owner and Occupant, and for the use and benefit of the Association, and their successors and assigns, for the purposes incident to such use, development and maintenance of the Subdivision, the following permanent, perpetual, non-exclusive easement, for common ingress and egress over and across the private street serving the Subdivision located entirely on Lot ___ of the Subdivision providing common access within the Subdivision to the public streets, as depicted on the Plat for ingress and egress to all of the Lots benefited thereby.

7.3 Maintenance of Private Streets. In addition to the powers delegated to it by the Articles, Bylaws and this Declaration, without limiting the generality thereof, the Association or its authorized agents, if any, shall have the obligation to conduct all business affairs of common interest to all Owners in Phase 1 and to maintain, repair and clean the Private Streets. Such

maintenance obligation shall include snow removal, resealing and patching as and when necessary, replacing and repaving when necessary to the same standard as adjacent public streets, and replacement of all gates. The Owners Phase 1 shall be assessed for the costs of maintaining the Private Streets.

ARTICLE VIII: RIGHTS TO COMMON AREAS

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

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

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

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

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

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

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

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

8.4 Storm Water Swales. Stormwater swales may be located within Ada County Highway District right-of-way. Any swale shall be maintained by Owners' Association in a common lot. Any planting in or tampering with the swales is expressly prohibited.

8.5 Commercial Area Sign Easement. Lot Owners in the commercial mixed-use area shall be entitled to place signage in the Common Area adjacent to their properties along Cloverdale Road subject to Association approval of the plans and required approvals from local government authorities.

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

ARTICLE IX: PRESSURIZED IRRIGATION

9.1 Irrigation District Service. Grantor will construct on the Common Area a pressurized irrigation pond and pumping station to be owned and operated by the Association. WATER FROM THE IRRIGATION WATER SYSTEM IS NOT DRINKABLE; EACH LOT OWNER SHALL BE RESPONSIBLE TO ENSURE THAT IRRIGATION WATER WITHIN THE BOUNDARIES OF SUCH OWNER'S LOT IS NOT CONSUMED BY ANY PERSON OR USED FOR CULINARY PURPOSES.

9.2 Pressurized Irrigation for Commercial Area. The Association shall provide access to the pressurized irrigation system for the benefit of Owners in the adjacent commercial area, and shall be entitled to charge reasonable rates to Owners in the commercial area for access and use to the pressurized irrigation system.

ARTICLE X: ASSESSMENTS

10.1 Covenant to Pay Assessments. By acceptance of a deed to any property in Falcon Crest, each Owner of such property hereby covenants and agrees to pay when due all Assessments or charges made by the Association, including all Regular, Special and Limited Assessments and charges made against such Owner pursuant to the provisions of this Declaration or other applicable instrument. Grantor is specifically excluded from any obligation to pay Assessments; however, Grantor intends to provide operational funds to the Association on an as-needed basis, in Grantor's absolute discretion, until such time as the Property has been developed.

10.1.1 Assessment Constitutes Lien. Such Assessments and charges together with interest, costs and reasonable attorneys' fees which may be incurred in collecting the same, shall be a charge on the land and shall be a continuing lien upon the property against which each such Assessment or charge is made.

10.1.2 Assessment is Personal Obligation. Each such Assessment, together with interest, costs and reasonably attorneys' fees, shall also be the personal obligation of the Owner of such property beginning with the time when the Assessment falls due. The personal obligation for delinquent Assessments shall not pass to such Owner's successors

in title unless expressly assumed by them but shall remain such Owner's personal obligation regardless of whether he remains an Owner.

10.2 Regular Assessments. All Owners, specifically excluding the Grantor, are obligated to pay Regular Assessments to the treasurer of the Association on a schedule of payments established by the Board.

10.2.1 Purpose of Regular Assessments. The proceeds from Regular Assessments are to be used to pay for all costs and expenses incurred by the Association, including legal and attorneys' fees and other professional fees, for the conduct of its affairs, including without limitation the costs and expenses of construction, improvement, protection, maintenance, repair, management and operation of the Common Areas, including all Improvements located on such areas owned and/or managed and maintained by such Association, and an amount allocated to an adequate reserve fund to be used for repairs, replacement, maintenance and improvement of those elements of the Common Area, or other property of the Association that must be replaced and maintained on a regular basis (collectively "Expenses").

10.2.2 Computation of Regular Assessments. The Association shall compute the amount of its Expenses on an annual basis. The Board shall compute the amount of Regular Assessments owed beginning the first day of the third month following the month in which the closing of the first sale of a Building Lot occurred in Falcon Crest for the purposes of the Association's Regular Assessment ("Initiation Date"). Thereafter, the computation of Regular Assessments shall take place not less than thirty (30) or more than sixty (60) days before the beginning of each fiscal year of the Association. The computation of the Regular Assessment for the period from the Initiation Date until the beginning of the next fiscal year shall be reduced by an amount which fairly reflects the fact that such period was less than one year.

10.2.3 Amounts Paid by Owners. The Board can require, in its discretion or as provided in the Articles or Bylaws, payment of Regular Assessments in monthly, quarterly, semi-annual or annual installments. The Regular Assessment to be paid by any particular Owner, but specifically excluding Grantor, for any given fiscal year shall be computed as follows:

10.2.3.1 As to the Association's Regular Assessment, each Owner shall be assessed and shall pay an amount computed by multiplying the Association's total advance estimate of Expenses by the fraction produced by dividing the Building Lots attributable to the Owner by the total number of Building Lots in the Property.

10.3 Special Assessments.

10.3.1 Purpose and Procedure. In the event that the Board of the Association shall determine that its respective Regular Assessment for a given calendar year is or will be inadequate to meet the Expenses of such Association for any reason, including but not limited to costs of construction, reconstruction, unexpected repairs or replacement of

capital improvements upon the Common Area, attorney's fees and/or litigation costs, other professional fees, or for any other reason, the Board thereof shall determine the approximate amount necessary to defray such Expenses and levy a Special Assessment against the portions of the Property within its jurisdiction which shall be computed in the same manner as Regular Assessments. No Special Assessment shall be levied which exceeds twenty percent (20%) of the budgeted gross Expenses of such Association for that fiscal year, without the vote or written assent of a majority of the Owners voting on such Special Assessment . The Board shall, in its discretion, determine the schedule under which such Special Assessment will be paid.

10.3.2 Consistent Basis of Assessment. Every Special Assessment levied by and for the Association shall be levied and paid upon the same basis as that prescribed for the levying and payment of Regular Assessments for such Association.

10.4 Limited Assessments. Notwithstanding the above provisions with respect to Regular and Special Assessments, a Board may levy a Limited Assessment and/or a fine against a Member as a remedy to reimburse the Association for costs incurred in bringing the Member and/or such Member's Building Lot into compliance with the provisions of the governing instruments for Falcon Crest. No Limited Assessments and/or fines may be imposed upon a Member for a violation of the terms of this Declaration by a Member unless the following requirements are complied with by the Board:

10.4.1 A majority vote by the Board shall be required prior to imposing any Limited Assessment or fine on a Member for a violation of any covenants and restrictions pursuant to the rules and regulations of the Association;

10.4.2 Written notice by personal service or certified mail of the meeting during which such vote is to be taken shall be made to the Member at least thirty (30) days prior to the meeting;

10.4.3 In the event the Member begins resolving the violation prior to the meeting, no Limited Assessment and/or fine shall be imposed so long as the Member continues to address the violation in good faith until fully resolved; and

10.4.4 No portion of any Limited Assessment and/or fine may be used to increase the remuneration of any Member of the Board or an agent of the Board.

10.5 Uniform Rate of Assessment. Unless otherwise specifically provided herein, Regular and Special Assessments shall be fixed at a uniform rate per Building Lot for all Members of the Association.

10.6 Assessment Period. Unless otherwise provided in the Articles or Bylaws, the Assessment period shall commence on January 1 of each year and terminate December 31 of the year in which the Initiation Date occurs. The first Assessment shall be pro-rated according to the number of months remaining in the fiscal year and shall be payable in installments as determined by the Board.

10.7 Notice and Assessment Due Date. Ten (10) days prior written notice of Regular and Special Assessments shall be sent to the Owner of every Building Lot subject thereto, and to any person in possession of such Building Lot. The due dates for installment payment of Regular Assessments and Special Assessments shall be the first day of each month unless some other due date is established by the Board. Each installment of the Regular Assessment or Special Assessment shall become delinquent if not paid within ten (10) days after the levy thereof. The Association may bring an action against the delinquent Owner and may foreclose the lien against such Owner's Building Lot as more fully provided herein. Each Owner is personally liable for Assessments, together with all interest, costs and attorneys' fees, and no Owner may exempt such Owner from such liability by a waiver of the use and enjoyment of the Common Areas, or by lease or abandonment of such Owner's Building Lot.

10.8 Estoppel Certificate. The Association, upon at least ten (10) days prior written request, shall execute, acknowledge and deliver to the party making such request, a statement in writing stating whether or not, to the knowledge of the Association, a particular Building Lot Owner is in default under the provisions of this Declaration, and further stating the dates to which any Assessments have been paid by the Owner. Any such certificate delivered pursuant to this paragraph may be relied upon by any prospective purchaser or mortgagee of the Owner's Building Lot. Reliance on such Certificate may not extend to any default as to which the signor shall have had no actual knowledge.

10.9 Special Notice and Quorum Requirements. Notwithstanding anything to the contrary contained in either the Bylaws or the Articles, written notice of any meeting called for the purpose of levying a Special Assessment, or for the purpose of obtaining a membership vote in connection with an increase in the Regular Assessment, shall be sent to all Members of the Association and to any person in possession of a Building Lot in the applicable Tract, not less than fifteen (15) days nor more than thirty (30) days before such meeting. At the first such meeting called, the presence of Members or of proxies entitled to cast sixty percent (60%) of the total votes of the Association shall constitute a quorum. If such quorum is not present, subsequent meetings may be called subject to the same notice requirement, and the required quorum at the subsequent meetings shall be fifty percent (50%) of the quorum required at the preceding meeting. No such subsequent meeting shall be held more than thirty (30) days following the preceding meeting.

ARTICLE XI: ENFORCEMENT OF ASSESSMENTS; LIENS

11.1 Right to Enforce. The Association has the right to collect and enforce its Assessments pursuant to the provisions hereof. Each Owner of a Building Lot, upon becoming an Owner of such Building Lot, shall be deemed to covenant and agree to pay each and every Assessment provided for in this Declaration and agrees to the enforcement of all Assessments in the manner herein specified. In the event an attorney or attorneys are employed for the collection of any Assessment, whether by suit or otherwise, or to enforce compliance with or specific performance of the terms and conditions of this Declaration, each Owner agrees to pay reasonable attorney's fees in addition to any other relief or remedy obtained against such Owner. The Board or its authorized representative may enforce the obligations of the Owners to pay such Assessments by commencement and maintenance of a suit at law or in equity, or the Board may

exercise the power of foreclosure and sale pursuant to paragraph 10.3 to enforce the liens created hereby. A suit to recover a money judgment for an unpaid Assessment shall be maintainable without foreclosing or waiving the lien hereinafter provided.

11.2 Assessment Liens.

11.2.1 Creation. There is hereby created a claim of lien with power of sale on each and every Building Lot to secure payment of any and all Assessments levied against such Building Lot pursuant to this Declaration together with interest thereon at the maximum rate permitted by law and all costs of collection which may be paid or incurred by the Association making the Assessment in connection therewith, including reasonable management and attorneys' fees. All sums assessed in accordance with the provisions of this Declaration shall constitute a lien on such respective Building Lots upon recordation of a claim of lien with the Ada County Recorder. Such lien shall be prior and superior to all other liens or claims created subsequent to the recordation of the notice of delinquency and claim of lien except for tax liens for real property taxes on any Building Lot and Assessments on any Building Lot in favor of any municipal or other governmental assessing body which, by law, would be superior thereto.

11.2.2 Claim of Lien. Upon default of any Owner in the payment of any Regular, Special or Limited Assessment issued hereunder, the Association may cause to be recorded in the office of the Ada County Recorder a claim of lien. The claim of lien shall state the amount of such delinquent sums and other authorized charges (including the cost of recording such notice), a sufficient description of the Building Lot(s) against which the same have been assessed, and the name of the record Owner thereof. Each delinquency shall constitute a separate basis for a notice and claim of lien, but any number of defaults may be included within a single notice and claim of lien. Upon payment to the Association of such delinquent sums and charges in connection therewith or other satisfaction thereof, the Association shall cause to be recorded a further notice stating the satisfaction of relief of such delinquent sums and charges. The Association may demand and receive the cost of preparing and recording such release before recording the same.

11.3 Method of Foreclosure. Such lien may be foreclosed by appropriate action in court or by sale by the Association establishing the Assessment, its attorney or other person authorized to make the sale. Such sale shall be conducted in accordance with the provisions of the Idaho Code applicable to the exercise of powers of sale permitted by law. The Board is hereby authorized to appoint its attorney, any officer or director of the Association, or any title company authorized to do business in Idaho as trustee for the purpose of conducting such power of sale or foreclosure.

11.4 Required Notice. Notwithstanding anything contained in this Declaration to the contrary, no action may be brought to foreclose the lien created by recordation of the notice of delinquency and claim of lien, whether judicially, by power of sale or otherwise, until the expiration of thirty (30) days after a copy of such claim of lien has been deposited in the United States mail, certified or registered, postage prepaid, to the Owner of the Building Lot(s) described in such notice of delinquency and claim of lien, and to the person in possession of such

Building Lot(s), and a copy thereof is recorded by the Association in the Office of the Ada County Recorder.

11.5 Subordination to Certain Trust Deeds. The lien for the Assessments provided for herein in connection with a given Building Lot shall not be subordinate to the lien of any deed of trust or mortgage except the lien of a first deed of trust or first mortgage given and made in good faith and for value that is of record as an encumbrance against such Building Lot prior to the recordation of a claim of lien for the Assessments. Except as expressly provided in paragraph 10.6 with respect to a first mortgagee who acquires title to a Building Lot, the sale or transfer of any Building Lot shall not affect the Assessment lien provided for herein, nor the creation thereof by the recordation of a claim of lien, on account of the Assessments becoming due whether before, on, or after the date of such sale or transfer, nor shall such sale or transfer diminish or defeat the personal obligation of any Owner for delinquent Assessments as provided for in this Declaration.

11.6 Rights of Mortgagees. Notwithstanding any other provision of this Declaration, no amendment of this Declaration shall operate to defeat the rights of the Beneficiary under any deed of trust upon a Building Lot made in good faith and for value, and recorded prior to the recordation of such amendment, provided that after the foreclosure of any such deed of trust such Building Lot shall remain subject to this Declaration as amended.

ARTICLE XII: INSPECTION OF ASSOCIATION'S BOOKS AND RECORDS

12.1 Member's Right of Inspection. The membership register, books of account and minutes of meetings of the Board and committees of the Association shall be made available for inspection and copying by any Member of the Association or by such Member's duly appointed representatives, at any reasonable time and for a purpose reasonably related to such Member's interest as a Member at the office of the Association or at such other place as the Board of such Association shall prescribe. No Member or any other person shall copy the membership register for the purposes of solicitation of or direct mailing to any Member of the Association.

12.2 Rules Regarding Inspection of Books and Records. The Board shall establish reasonable rules with respect to:

12.2.1 Notice to be given to the custodians of the records by the persons desiring to make the inspection.

12.2.2 Hours and days of the week when such an inspection may be made.

12.2.3 Payment of the cost of reproducing copies of documents requested pursuant to this Article XI.

ARTICLE XIII: DESIGN REVIEW COMMITTEE

13.1 Creation. Within thirty (30) days of the date on which the Grantor first conveys a Building Lot to an Owner, Grantor shall appoint three (3) individuals to serve on Falcon Crest Design Review Committee. Each member shall hold office until such time as such member has

resigned or has been removed, or such member's successor has been appointed, as provided herein. A member of the Design Review Committee need not be an Owner. Members of the Design Review Committee may be removed by the person or entity appointing them at any time without cause.

13.2 Grantor's Right of Appointment . At any time, and from time to time, prior to fifteen (15) years after the recording date of this Declaration in which Grantor is the Owner of any of the Property, Grantor shall have the exclusive right to appoint and remove all members of the Design Review Committee. At all other times, the Association Board shall have the right to appoint and remove all members of the Design Review Committee. If a vacancy on the Design Review Committee occurs and a permanent replacement has not yet been appointed, Grantor or the Board, as the case may be, may appoint an acting member to serve for a specified temporary period not to exceed one (1) year.

13.3 Review of Proposed Construction. The Design Review Committee shall consider and act upon any and all proposals or plans and specifications submitted for its approval pursuant to this Declaration, and perform such other duties as from time to time shall be assigned to it by the Board, including the inspection of construction in progress to assure its conformance with plans approved by the Design Review Committee. The Board shall have the power to determine, by rule or other written designation consistent with this Declaration, which types of Improvements shall be submitted for Design Review Committee review and approval. The Design Review Committee shall have the power to hire an architect or engineer, licensed with the State of Idaho, or other design consultant in its discretion, to assist the Design Review Committee in its review of proposals or plans and specifications submitted to the Design Review Committee. The Design Review Committee shall approve proposals or plans and specifications submitted for its approval only if it deems that the construction, alterations or additions contemplated thereby in the locations indicated will not be detrimental to the habitat of the Common Areas, or appearance of the surrounding area of the Property as a whole, that the appearance of any structure affected thereby will be in harmony with the surrounding structures, and that the upkeep and maintenance thereof will not become a burden on the Association.

13.3.1 Conditions on Approval. The Design Review Committee may condition its approval of proposals or plans and specifications upon such changes therein as it deems appropriate, and/or upon the agreement of the Owner submitting the same ("Applicant") to grant appropriate easements to the Association for the maintenance thereof, and/or upon the agreement of the Applicant to reimburse the Association for the cost of maintenance, and may require submission of additional plans and specifications or other information before approving or disapproving material submitted.

13.3.2 Design Review Committee Rules and Fees. The Design Review Committee also may establish rules and/or guidelines setting forth procedures for and the required content of the applications and plans submitted for approval. Such rules may require a fee to accompany each application for approvals or additional factors which it will take into consideration in reviewing submissions. The Design Review Committee shall determine the amount of such fee in a reasonable manner. Such fees shall be used to defray the costs and expenses of the Design Review Committee, including the cost and

expense of hiring an architect or engineer licensed by the State of Idaho, as provided above, or for such other purposes as established by the Board, and such fee shall be refundable to the extent not expended for the purposes herein stated.

Such rules and guidelines may establish, without limitation, specific rules and regulations regarding design and style elements, landscaping and fences and other structures such as animal enclosures as well as special architectural guidelines applicable to Building Lots located adjacent to public and/or private open space. The Design Review Committee may amend or revise the rules and regulations from time to time, only with board approval and notice to homeowners.

13.3.3 Detailed Plans. The Design Review Committee may require such detail in plans and specifications submitted for its review as it deems proper, including, without limitation, floor plans, site plans, landscaping plans, drainage plans, elevation drawings and descriptions or samples of exterior material and colors. Until receipt by the Design Review Committee of any required plans and specifications, the Design Review Committee may postpone review of any plan submitted for approval.

13.3.4 Design Review Committee Decisions. Decisions of the Design Review Committee and the reasons therefore shall be transmitted by the Design Review Committee to the Applicant at the address set forth in the application for approval within twenty-one (21) days after filing all materials required by the Design Review Committee. Any materials submitted pursuant to this Article XII shall be deemed approved unless written disapproval by the Design Review Committee shall have been mailed to the Applicant within twenty-one (21) days after the date of filing said materials with the Design Review Committee. Final approval of any plans by the Design Review Committee shall be valid for a period of one (1) year, after which period the approval shall expire.

13.4 Meetings of the Design Review Committee. The Design Review Committee shall meet from time to time as necessary to perform its duties hereunder. The Design Review Committee may from time to time by resolution unanimously adopted in writing, designate an Design Review Committee representative (who may, but need not be one of its members) to take any action or perform any duties for and on behalf of the Design Review Committee, except the granting of variances pursuant to paragraph 12.9. In the absence of such designation, the vote of any two (2) members of the Design Review Committee, or the written consent of any two (2) members of the Design Review Committee taken without a meeting, shall constitute an act of the Design Review Committee.

13.5 No Waiver of Future Approvals. The approval of the Design Review Committee of any proposals or plans and specifications or drawings for any work done or proposed, or in connection with any other matter requiring the approval and consent of the Design Review Committee, shall not be deemed to constitute a waiver of any right to withhold approval or consent as to any similar proposals, plans and specifications, drawings or matter whatever subsequently or additionally submitted for approval or consent.

13.6 Compensation of Members. The members of the Design Review Committee shall receive no compensation for services rendered, other than reimbursement for expenses incurred

by them in the performance of their duties hereunder and except as otherwise agreed by the Board.

13.7 Inspection of Work. Inspection of work and correction of defects therein shall proceed as follows:

13.7.1 Upon the completion of any work for which approved plans are required under this Article XII, the Owner shall give written notice of completion to the Design Review Committee.

13.7.2 Within sixty (60) days thereafter, the Design Review Committee or its duly authorized representative shall inspect such Improvement. If the Design Review Committee finds that such work was not done in substantial compliance with the approved plans, it shall notify the Owner in writing of such non-compliance within such sixty (60) day period, specifying the particular noncompliance, and shall require the Owner to remedy the same.

13.7.3 If upon the expiration of thirty (30) days from the date of such notification, or any longer time the Design Review Committee determines to be reasonable, the Owner shall have failed to remedy such noncompliance, the Design Review Committee shall notify the Board in writing of such failure. Upon notice and hearing, as provided in the Bylaws, the Board shall determine whether there is a noncompliance and, if so, the nature thereof and the estimated cost of correcting or removing the same. If a noncompliance exists, the Owner shall remedy or remove the same within a period of not more than forty-five (45) days from the date of the announcement of the Board ruling unless the Board specifies a longer time as reasonable. If the Owner does not comply with the Board ruling within such period, the Board, at its option, may either remove the non-complying improvement or remedy the non-compliance, and the Owner shall reimburse the Association, upon demand, for all expenses incurred in connection therewith. If such expenses are not promptly repaid by the Owner to the Association, the Board shall levy a Limited Assessment against such Owner for reimbursement pursuant to this Declaration.

13.7.4 If for any reason the Design Review Committee fails to notify the Owner of any noncompliance within sixty (60) days after receipt of the written notice of completion from the Owner, the work shall be deemed to be in accordance with the approved plans.

13.8 Non-Liability of Design Review Committee Members. Neither the Design Review Committee nor any member thereof, nor its duly authorized Design Review Committee representative, shall be liable to the Association, or to any Owner or Grantee for any loss, damage or injury arising out of or in any way connected with the performance of the Design Review Committee's duties hereunder, unless due to the willful misconduct or bad faith of the Design Review Committee. The Design Review Committee shall review and approve or disapprove, at its discretion, all plans submitted to it for any proposed improvement, alteration or addition, solely on the basis of aesthetic considerations and the overall benefit or detriment which would result to the immediate vicinity and to the Property generally. The Design Review

Committee shall take into consideration the aesthetic aspects of the architectural designs, placement of building, landscaping, color schemes, exterior finishes and materials and similar features, but shall not be responsible for reviewing, nor shall its approval of any plan or design be deemed approval of any plan or design from the standpoint of structural safety or conformance with building or other codes.

13.9 Variances. The Design Review Committee, at its discretion, may authorize variances from compliance with any of the architectural provisions of this Declaration, including restrictions upon height, size, floor area or placement of structures, or similar restrictions, when circumstances such as topography, natural obstructions, hardship, aesthetic or environmental considerations may require. However no variances will be granted for construction of structures or Improvements, including without limitation manicured lawns, in the Common Areas. Such variances must be evidenced in writing, must be signed by at least two (2) members of the Design Review Committee, and shall become effective upon recordation in the office of the County Recorder of Ada County. If such variances are granted, no violation of the covenants, conditions or restrictions contained in this Declaration shall be deemed to have occurred with respect to the matter for which the variance was granted. The granting of such a variance shall not operate to waive any of the terms and provisions of this Declaration for any purpose except as to the particular Building Lot and particular provision hereof covered by the variance, nor shall it affect in any way the Owner's obligation to comply with all governmental laws and regulations affecting such Owner's use of the Building Lot, including but not limited to zoning ordinances or requirements imposed by any governmental or municipal authority.

ARTICLE XIV: EASEMENTS

14.1 Easements of Encroachment. There shall be reciprocal appurtenant easements of encroachment as between each Building Lot and such portion or portions of the Common Area adjacent thereto or as between adjacent Building Lots due to the unwillful placement or settling or shifting of the Improvements including but not limited to structures, walkways, bike paths, sidewalks and driveways constructed, reconstructed or altered thereon in accordance with the terms of this Declaration. Easements of encroachment shall be valid only so long as they exist, and the rights and obligations of Owners shall not be altered in any way because of encroachments, settling or shifting of the Improvements; provided, however, that in no event shall a valid easement for encroachment occur due to the willful act or acts of an Owner. In the event a structure on any Building Lot is partially or totally destroyed, and then repaired or rebuilt, the Owners of each Building Lot agree that minor encroachments over adjoining Building Lots that existed prior to the encroachment may be reconstructed pursuant to the easement granted by this paragraph.

14.2 Easements of Access. Grantor expressly reserves for the benefit of all the Property reciprocal easements of access, ingress and egress for all Owners to and from their respective Building Lots for installation and repair of utility services, for drainage of water over, across and upon adjacent Building Lots, and Common Areas, resulting from the normal use of adjoining Building Lots or Common Areas, and for necessary maintenance and repair of any Improvement including fencing, retaining walls, lighting facilities, mailboxes and sidewalk abutments, trees and landscaping. Such easements may be used by Grantor, and by all Owners,

their guests, tenants and invitees, residing on or temporarily visiting the Property, for pedestrian walkways, vehicular access and such other purposes reasonably necessary for the use and enjoyment of a Building Lot or Common Area.

14.3 Drainage and Utility Easements. Notwithstanding anything expressly or impliedly contained herein to the contrary, this Declaration shall be subject to all easements heretofore or hereafter granted by Grantor for the installation and maintenance of utilities and drainage facilities that are required for the development of the Property. In addition, Grantor hereby reserves for the benefit of any Association the right to grant additional easements and rights-of-way over the Property and/or a Tract, as appropriate, to utility companies and public agencies as necessary or expedient for the proper development of the Property until close of escrow for the sale of the last Building Lot in the Property to a purchaser.

14.3.1 Improvement of Drainage and Utility Easement Areas. The Owners of Building Lots are hereby restricted and enjoined from constructing any Improvements upon any drainage or utility easement areas as shown on the Plat of Falcon Crest or otherwise designated in any recorded document which would interfere with or prevent the easement from being used for such purpose; provided, however that the Owner of such Building Lots and the Grantor, Association or designated entity with regard to the landscaping easement described in this Article XIII, shall be entitled to install and maintain landscaping on such easement areas, and also shall be entitled to build and maintain fencing on such easement areas subject to approval by the Association Design Review Committee, so long as the same would not interfere with or prevent the easement areas from being used for their intended purposes; provided, that any damage sustained to Improvements on the easement areas as a result of legitimate use of the easement area shall be the sole and exclusive obligation of the Owner of the Building Lot whose Improvements were so damaged.

14.4 Rights and Duties Concerning Utility Easements. The rights and duties of the Owners of the Building Lots within the Property with respect to utilities shall be governed by the following:

14.4.1 Wherever utility house connections are installed within the Property, which connections or any portions thereof lie in or upon Building Lots owned by an Owner other than the Owner of the Building Lot served by the connections, the Owner of the Building Lot served by the connections shall have the right, and is hereby granted an easement to the full extent necessary therefore, to enter upon any Building Lot or to have their agent enter upon any Building Lot within the Property in or upon which said connections or any portion thereof lie, to repair, replace and generally maintain the connections as and when it may be necessary.

14.4.2 Whenever utility house connections are installed within the Property, which connections serve more than one Building Lot, the Owner of each Building Lot served by the connections shall be entitled to full use and enjoyment of such portions of said connections as service such Owner's Building Lot.

14.5 Driveway Easements. Whenever a driveway is installed within the Property which in whole or in part lies upon a Building Lot owned by an Owner other than the Owner of the Building Lot served, or installed to serve more than one Building Lot, the Owner of each Building Lot served or to be served by such driveway shall be entitled to full use and enjoyment of such other Building Lot as required to service such Owner's Building Lot or to repair, replace or maintain such driveway.

14.6 Disputes as to Sharing of Costs. In the event of a dispute between Owners with respect to the repair or rebuilding of utility connections or driveways, or with respect to the sharing of the cost therefore, upon written request of one of such Owners addressed to the Association, the matter shall be submitted to the Board which shall decide the dispute and, if appropriate, make an appropriate Assessment against any or all of the Owners involved on behalf of the prevailing Owner(s), which Assessment shall be collected and enforced in the manner provided by this Declaration for Limited Assessments.

14.7 General Landscape Easement. An easement is hereby reserved to each appropriate Association, its contractors and agents, to enter those portions of Building Lots, for the purpose of installing, maintaining, replacing and restoring exterior landscaping, and natural vegetation and habitat. Such landscaping activity shall include, by way of illustration and not of limitation, the mowing of lawns, irrigation, sprinkling, tree and shrub trimming and pruning, walkway improvement, seasonal planting and such other landscaping activities within the Property as such Association shall determine to be necessary from time to time.

14.8 Overhang Easement. There shall be an exclusive easement appurtenant to each Building Lot over the Common Areas for overhanging eaves, and for any projections from the buildings, which projections shall not extend beyond the eave line.

14.9 Maintenance and Use Easement Between Walls and Lot Lines. Whenever the wall of a structure, or a fence or retaining wall, constructed on a Building Lot under plans and specifications approved by the Design Review Committee is located within three (3) feet of the lot line of such Building Lot, the Owner of such Building Lot is hereby granted an easement over and on the adjoining Building Lot (not to exceed 3 feet from the Building Lot line) for purposes of maintaining and repairing such wall or fence and eaves or other overhangs, and the Owner of such adjoining Building Lot is hereby granted an easement for landscaping purposes over and on the area lying between the lot line and such structure or fence so long as such use does not cause damage to the structure or fence. The Association has the right to enter onto any Building Lot to repair and/or replace any fencing located along the Common Area boundary line, and the Association is granted an easement (not to exceed 5 feet from the Building Lot line) for such purposes. Owners are prohibited from repairing or replacing any Common Area boundary fencing, and the Association may bill an Owner for such Owner's proportionate share of fencing maintenance performed by the Association.

ARTICLE XV: MISCELLANEOUS

15.1 Term. The easements created hereunder shall be perpetual, subject only to extinguishment by the holders of such easements as provided by law. The covenants, conditions, restrictions and equitable servitudes of this Declaration shall run until December 31, 2040, unless

amended as herein provided. After December 31, 2040, such covenants, conditions and restrictions shall be automatically extended for successive periods of ten (10) years each, unless extinguished by a written instrument executed by Members holding at least three-fourths (3/4) of the voting power of the Association and such written instrument is recorded with the Ada County Recorder. Further provided that the Association shall not be dissolved without the prior written approval of the City of Kuna and Ada County Highway District, such consent not to be unreasonably withheld provided that a responsible successor organization shall agree to perform those maintenance responsibilities arising from applicable city and county governmental requirements.

15.2 Amendment.

15.2.1 By Grantor. Except as provided in paragraph 14.3 below, until the recordation of the first deed to a Building Lot in the Property, the provisions of this Declaration may be amended, modified, clarified, supplemented, added to (collectively, "amendment") or terminated by Grantor by recordation of a written instrument setting forth such amendment or termination. Any amendment affecting only a particular Tract may be made by Grantor by an amendment to this Declaration at any time up to the recordation of the first deed to a Building Lot in such Tract.

15.2.2 By Owners. Except where a greater percentage is required by express provision in this Declaration, the provisions of this Declaration, other than this Article XIV, any amendment shall be by an instrument in writing signed and acknowledged by the president and secretary of the Association certifying and attesting that such amendment has been approved by the vote or written consent of Owners representing more than fifty percent (50%) of the votes in the Association, and such amendment shall be effective upon its recordation with the Ada County Recorder. Any amendment to this Article XIV shall require the vote or written consent of Members holding ninety-five percent (95%) of the voting power of the Association.

15.2.3 Effect of Amendment. Any amendment of this Declaration approved in the manner specified above shall be binding on and effective as to all Owners and their respective properties notwithstanding that such Owners may not have voted for or consented to such amendment. Such amendments may add to and increase the covenants, conditions, restrictions and easements applicable to the Property but shall not prohibit or unreasonably interfere with the allowed uses of such Owner's property which existed prior to the said amendment.

15.3 Mortgage Protection. Notwithstanding any other provision of this Declaration, no amendment of this Declaration shall operate to defeat or render invalid the rights of the beneficiary under any first deed of trust upon a Building Lot made in good faith and for value, and recorded prior to the recordation of such amendment, provided that after foreclosure of any such first deed of trust such Building Lot shall remain subject to this Declaration, as amended.

15.4 Notices. Any notices permitted or required to be delivered as provided herein shall be in writing and may be delivered either personally or by mail. If delivery is made by mail, it shall be deemed to have been delivered seventy-two (72) hours after the same has been

deposited in the United States mail, postage prepaid, addressed to any person at the address given by such person to the Association for the purpose of service of such notice, or to the residence of such person if no address has been given to the Association. Such address may be changed from time to time by notice in writing to the Association, as provided in this paragraph.

15.5 Enforcement and Non-Waiver.

15.5.1 Right of Enforcement. Except as otherwise provided herein, any Owner of any Building Lot shall have the right to enforce any or all of the provisions hereof against any property within the Property and Owners thereof.

15.5.2 Violations and Nuisances. The failure of any Owner of a Building Lot to comply with any provision hereof, or with any provision of the Articles or Bylaws of any Association, is hereby declared a nuisance and will give rise to a cause of action in the Grantor, the Association or any Owner Building Lot(s) within the Property for recovery of damages or for negative or affirmative injunctive relief or both. However, any other provision to the contrary notwithstanding, only Grantor, the Association, the Board, or a duly authorized agent of any of them, may enforce by self-help any of the provisions hereof only if such self-help is preceded by reasonable notice to the Owner.

15.5.3 Violation of Law. Any violation of any state, municipal or local law, ordinance or regulation pertaining to the ownership, occupation or use of any property within the Property is hereby declared to be a violation of this Declaration and subject to any or all of the enforcement procedures set forth in this Declaration and any or all enforcement procedures in law and equity.

15.5.4 Remedies Cumulative. Each remedy provided herein is cumulative and not exclusive.

15.5.5 Non-Waiver. The failure to enforce any of the provisions herein at any time shall not constitute a waiver of the right to enforce any such provision.

15.6 Interpretation. The provisions of this Declaration shall be liberally construed to effectuate its purpose of creating a uniform plan for the development and operation of the Property. This Declaration shall be construed and governed under the laws of the State of Idaho.

15.6.1 Restrictions Construed Together. All of the provisions hereof shall be liberally construed together to promote and effectuate the fundamental concepts of the development of the Property as set forth in the recitals of this Declaration.

15.6.2 Restrictions Severable. Notwithstanding the provisions of the foregoing paragraph 14.6.1, each of the provisions of this Declaration shall be deemed independent and severable, and the invalidity or partial invalidity of any provision or portion thereof shall not affect the validity or enforceability of any other provision herein.

15.6.3 Singular Includes Plural. Unless the context requires a contrary construction, the singular shall include the plural and the plural the singular; and the masculine, feminine or neuter shall each including the masculine, feminine and neuter.

15.6.4 Captions. All captions and titles used in this Declaration are intended solely for convenience of reference and shall not affect that which is set forth in any of the provisions hereof.

15.7 Successors and Assigns. All references herein to Grantor, Owners, any Association or person shall be construed to include all successors, assigns, partners and authorized agents of such Grantor, Owners, Association or person.

[remainder of page is intentionally blank]

IN WITNESS WHEREOF, Grantor has set its hand this ___ day of _____, 2018.

M3 Acquisitions, L.L.C.,
an Arizona limited liability company

By: M3 Builders, L.L.C.,
an Arizona limited liability company
Its: Manager

By: The M3 Companies, L.L.C.,
an Arizona limited liability company
Its: Sole member

By: _____
William I. Brownlee, Manager

STATE OF _____)
) ss.
County of _____)

On this ____ day of _____, 2018, before me, the undersigned, a Notary Public in and for said state, personally appeared William I. Brownlee, known or identified to me to be the Manager of The M3 Companies, L.L.C., the limited liability company that is the Sole Member of M3 Builders, L.L.C., the limited liability company that is the Manager of **M3 Acquisitions, L.L.C.**, the limited liability company that executed the within and foregoing instrument, or the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that such limited liability company executed the same.

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

_____
Notary Public for _____
Residing at:_____
My Commission Expires:_____

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY POTENTIALLY SUBJECT TO THIS DECLARATION

EXHIBIT B

FINAL PLAT FOR FALCON CREST
PHASE 1

City of Kuna
AFFIDAVIT OF LEGAL INTEREST

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

State of Idaho)
)
County of Ada)

I, Falcon Crest Holdings LLC (Name), 4222 E Camelback Rd, Ste H100 (Address)

Phoenix (City), AZ (State) 85018 (Zip Code)

being first duly sworn upon oath, depose and say:

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

A. That I am the record owner of the property described on the attached, and I grant my permission to JUB Engineers, Inc. (Name) 250 S Beechwood Ave, Boise, ID 83709 (Address) to submit the accompanying application pertaining to that property.

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

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

Dated this 15th day of May, 2019

Signature

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

MARIANNE ARKO
Notary Public - Arizona
Maricopa County
Commission # 547767
My Comm. Expires Jun 17, 2022

Notary Public for ~~Idaho~~ Arizona

Residing at: Maricopa, Arizona

My commission expires: 06/17/2022

received
5.16.19

Exhibit
A2e

J-U-B COMPANIES | THE LANGDON GROUP | GATEWAY MAPPING INC.

J-U-B ENGINEERS, INC.

September 12, 2019

Wendy Howell, PCED
Planning and Zoning Director
City of Kuna
751 W. 4th Street
Kuna, Idaho 83634

RE: ROBINHOOD SUBDIVISION –REZONE

Dear Ms. Howell:

On behalf of our client, M3 ID Falcon Crest, LLC, please accept this request for a Rezone Application to rezone a portion of Robinhood Subdivision to R-6 from R-12. The proposed development is located on the east side of S. Cloverdale Road immediately adjacent to the existing Falcon Crest Golf Course. The subject property has been annexed into the City of Kuna. The address for the subject property is 11102 S Cloverdale Rd, Kuna, Idaho.

Rezone Application

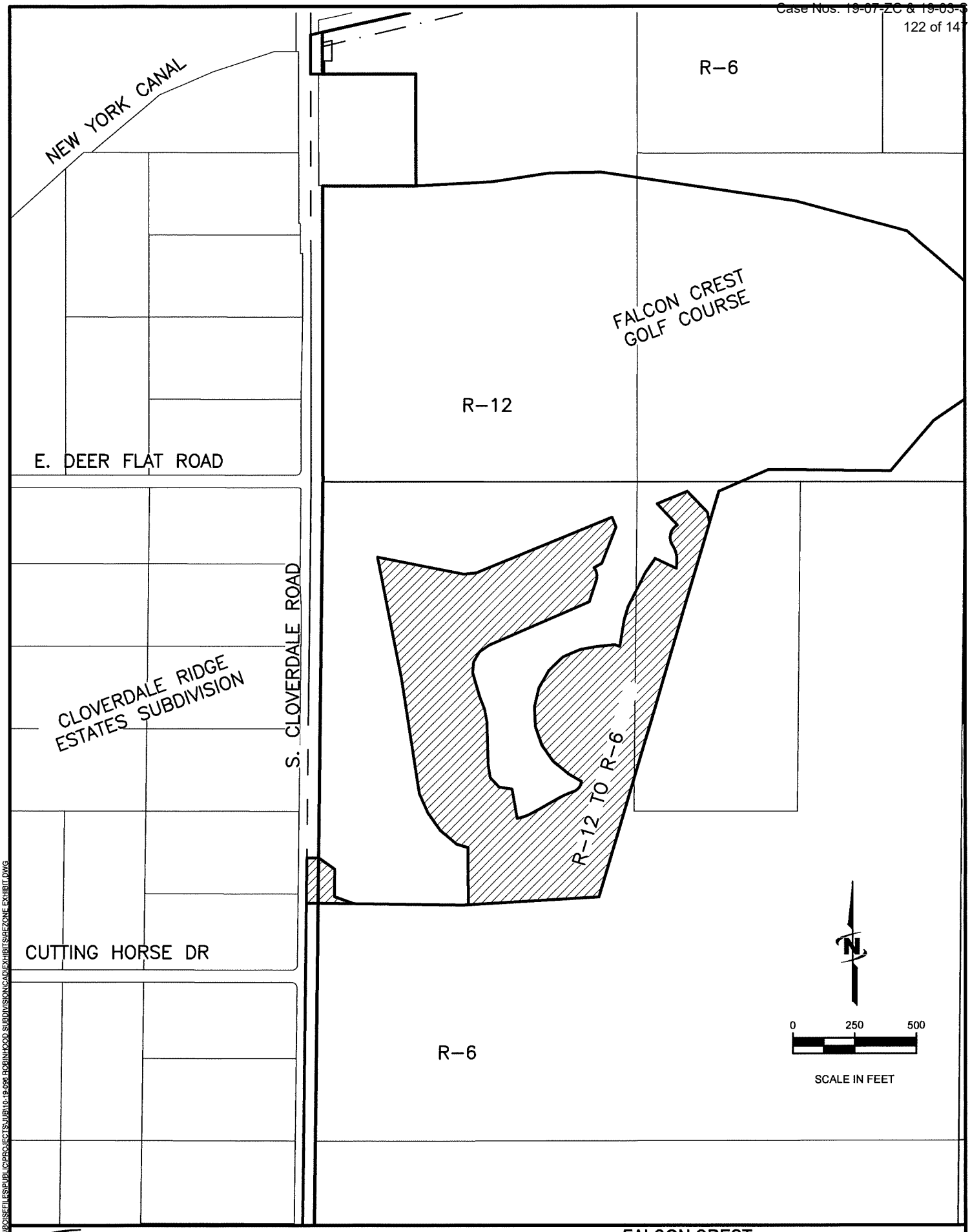
Our client is proposing to rezone an approximately 25.08 acre parcel in Robinhood Subdivision which is currently zoned R-12 to R-6 zoning. The rezone will result in a decrease in allowable density. An exhibit showing the location of the area to be rezoned is attached as a part of this application.

A Neighborhood Meeting notice was sent to all neighbors within 450' of the project boundaries. The Neighborhood Meeting was held on September 11, 2019.

The enclosed applications have been submitted in accordance with the requirements of the City of Kuna and will comply with all applicable local, state and federal requirements. The development has been designed in accordance with the City of Kuna's Code and Comprehensive Plan. Please contact me at 376-7330 if you have any questions regarding this application.

Sincerely,
J-U-B ENGINEERS, Inc.

Wendy Shrief, AICP



Plot Date:9/11/2019 11:04 AM Plotted By: Everett Earnest
Date Created:9/11/2019 \\BOISEFILES\PUBLIC\PROJECTS\JUB\10-19-096 ROBINHOOD SUBDIVISION\CAD\EXHIBITS\REZONE EXHIBIT.DWG

J-U-B ENGINEERS, INC.
LAST UPDATE: 9/11/2019
FILE: REZONE EXHIBIT

FALCON CREST
KUNA, IDAHO
REZONE VICINITY MAP

J-U-B ENGINEERS, INC.

J-U-B COMPANIES THE LANGDON GROUP GATEWAY MAPPING INC.

ROBINHOOD SUBDIVISION
ZONE R-12 TO R-6
LEGAL DESCRIPTION

That portion of the Northwest Quarter of Section 22, Township 2 North, Range 1 East, Boise Meridian, in the City of Kuna, Ada County, Idaho, particularly described as follows:

COMMENCING at the southwest corner of said Section 22, from which the south quarter-corner of said Section 22 bears South 89°57'42" East, 2660.56 feet; Thence along the west line of said Section 22, North 00°42'47" East, 2650.93 feet to the west quarter-corner of said Section 22; Thence continuing along said west line, North 00°42'27"East, 1142.35 feet; Thence departing from said west line, South 89°17'33" East, 48.00 feet to the easterly right-of-way line of South Cloverdale Road as described in that Warranty Deed to the Ada County Highway District recorded under Instrument No. 108003131, Ada County Records; Thence departing from said easterly right-of-way line, South 55°00'22" East, 79.02 feet; Thence South 00°42'27" West, 110.67 feet; Thence South 70°31'04" East, 85.38 feet; Thence South 89°17'33" East, 440.03 feet; Thence North 86°39'34" East, 21.08 feet to the **POINT OF BEGINNING;**

Thence N 00°36'05" W, 230.04 feet;
Thence N 73°23'45" W, 47.82 feet;
Thence N 49°58'04" W, 84.86 feet;
Thence N 35°04'13" W, 85.12 feet;
Thence N 24°40'27" W, 85.69 feet;
Thence N 08°49'29" W, 460.11 feet;
Thence N 11°08'36" W, 506.18 feet;
Thence S 78°48'01" E, 355.07 feet;
Thence N 84°05'51" E, 51.29 feet;
Thence N 68°00'12" E, 596.38 feet;
Thence S 21°59'48" E, 42.82 feet;
Thence S 21°40'51" W, 156.06 feet;
Thence S 60°39'42" W, 36.71 feet to the beginning of a non-tangent curve;
Thence along said non-tangent curve to the right an arc length of 54.81 feet, having a radius of 56.00 feet, a central angle of 56°04'34", a chord bearing of S 09°45'34" E and a chord length of 52.65 feet;
Thence S 18°16'43" W, 89.69 feet;
Thence S 66°51'30" W, 442.48 feet;
Thence S 56°08'46" W, 49.18 feet;
Thence S 30°17'23" W, 46.37 feet;

a 250 S. Beechwood Avenue, Suite 201, Boise, ID 83709 p 208-376-7330 w www.jub.com

Thence S 06°02'31" W, 43.10 feet;
Thence S 15°29'35" E, 51.49 feet;
Thence S 18°26'47" E, 52.22 feet;
Thence S 22°02'23" E, 53.33 feet;
Thence S 10°19'47" E, 50.57 feet;
Thence S 01°41'08" E, 170.00 feet;
Thence S 08°36'49" E, 54.53 feet;
Thence S 43°41'14" E, 52.60 feet;
Thence S 81°20'14" E, 52.60 feet;
Thence S 10°09'44" E, 120.00 feet to the beginning of a non-tangent curve;
Thence along said non-tangent curve to the left an arc length of 66.95 feet, having a radius of 201.50 feet, a central angle of 19°02'10", a chord bearing of N 70°19'11" E and a chord length of 66.64 feet;
Thence N 60°48'05" E, 116.36 feet to the beginning of a curve;
Thence along said curve to the right an arc length of 69.03 feet, having a radius of 373.50 feet, a central angle of 10°35'23", a chord bearing of N 66°05'47" E and a chord length of 68.93 feet to the beginning of a reverse curve;
Thence along said reverse curve to the left an arc length of 56.49 feet, having a radius of 50.00 feet, a central angle of 64°43'56", a chord bearing of N 39°01'31" E and a chord length of 53.53 feet;
Thence N 60°29'17" W, 61.32 feet;
Thence N 50°32'11" W, 79.42 feet;
Thence N 35°20'42" W, 79.20 feet;
Thence N 19°05'05" W, 79.20 feet;
Thence N 02°49'29" W, 79.20 feet;
Thence N 13°26'08" E, 79.20 feet;
Thence N 29°41'45" E, 79.20 feet;
Thence N 45°57'22" E, 79.20 feet;
Thence N 67°22'53" E, 78.51 feet;
Thence N 79°51'40" E, 67.05 feet;
Thence N 84°25'44" E, 73.72 feet;
Thence S 72°04'52" E, 21.37 feet;
Thence N 09°23'47" E, 106.17 feet;
Thence N 17°05'11" E, 58.67 feet;
Thence N 27°05'58" E, 152.56 feet;
Thence N 34°44'51" E, 68.61 feet;
Thence S 65°29'46" E, 95.99 feet;
Thence N 03°19'30" E, 30.03 feet to the beginning of a curve;
Thence along said curve to the left an arc length of 65.73 feet, having a radius of 100.00 feet, a central angle of 37°39'30", a chord bearing of N 15°30'15" W and a chord length of 64.55 feet to the beginning of a reverse curve;

a 250 S. Beechwood Avenue, Suite 201, Boise, ID 83709 p 208-376-7330 w www.jub.com

Thence along said reverse curve to the right an arc length of 94.26 feet, having a radius of 56.00 feet, a central angle of 96°26'19", a chord bearing of N 13°53'09" E and a chord length of 83.52 feet;
Thence N 43°58'57" W, 119.64 feet;
Thence N 68°00'12" E, 133.72 feet;
Thence S 43°58'57" E, 117.87 feet;
Thence S 10°05'24" E, 42.36 feet;
Thence S 16°42'00" W, 1,569.30 feet;
Thence S 86°39'34" W, 532.21 feet to the **POINT OF BEGINNING**.

TOGETHER WITH that portion of the Northwest Quarter of Section 22, Township 2 North, Range 1 East, Boise Meridian, in the City of Kuna, Ada County, Idaho, particularly described as follows:

COMMENCING at the southwest corner of said Section 22, from which the south quarter-corner of said Section 22 bears South 89°57'42" East, 2660.56 feet; Thence along the west line of said Section 22, North 00°42'47" East, 2650.93 feet to the west quarter-corner of said Section 22; Thence continuing along said west line, North 00°42'27"East, 1142.35 feet; Thence departing from said west line, South 89°17'33" East, 48.00 feet to the easterly right-of-way line of South Cloverdale Road as described in that Warranty Deed to the Ada County Highway District recorded under Instrument No. 108003131, Ada County Records and the **POINT OF BEGINNING**;

Thence departing from said easterly right-of-way line, South 55°00'22" East, 79.02 feet;
Thence South 00°42'27" West, 110.67 feet; Thence South 70°31'04" East, 85.38 feet;
Thence North 89°17'33" West, 146.13 feet to said easterly right-of-way line;
Thence North 00°42'27" East, 182.66 feet to the **POINT OF BEGINNING.**

The above-described parcel of land contains 25.08 acres, more or less.

Robert L. Kazarinoff, PLS



09/11/2019

a 250 S. Beechwood Avenue, Suite 201, Boise, ID 83709 p 208-376-7330 w www.jub.com

Neighborhood Meeting Certification

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

GENERAL INFORMATION:

You must conduct a neighborhood meeting prior to application for variance, conditional use, zoning ordinance map amendment, expansion or extension of a nonconforming use, and/or a subdivision. Please see Section 5-1A-2 of the Kuna City Code or ask one of our planners for more information on neighborhood meetings.

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

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

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

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

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

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

Description of proposed project: Rezone Application

Date and time of neighborhood meeting: September 11, 2019 6:00 - 7:00

Location of neighborhood meeting: Falcon Crest Golf Course Event Tent

SITE INFORMATION:

Location: Quarter: ____ Section: 22 Township: 2N Range: 1E Total Acres: 36.72

Subdivision Name: Robinhood Subdivision Lot: ____ Block: ____

Site Address: S. Cloverdale
Adjacent to Falcon Crest Golf Course

Tax Parcel Number(s): S142212410; S142212000
S142233700

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

CURRENT PROPERTY OWNER:

Name: Falcon Crest LLC

Address: 11102 S. Cloverdale City: Kuna State: ID Zip: 83634

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

Name: Wendy Shrief Business (if applicable): JUB Engineers

Address: 250 S. Beechwood Ave. City: Boise State: ID Zip: 83709

PROPOSED USE:

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

Application Type	***Brief Description***
Annexation	
Re-zone	
Subdivision (Sketch Plat and/or Prelim. Plat)	Rezone from R-12 to R-6
Special Use	
Variance	
Expansion of Extension of a Nonconforming Use	
Zoning Ordinance Map Amendment	

APPLICANT:

Name: JUB Engineers / Wendy Shrief

Address: 250 S. Beechwood Ave.

City: Boise State: ID Zip: 83709

Telephone: 208.376.7330 Fax:

I certify that a neighborhood meeting was conducted at the time and location noted on this form and in accord with Section 5-1A-2 of the Kuna City Code

Signature: (Applicant) WgN20 Date 9/12/19

NEIGHBORHOOD MEETING MINUTES

Meeting Date: 9/12/19 Number of Attendees: 4

Meeting Location: Falcon Crest Golf Course

Description of Project Presented:

- Presented map showing proposed zoning change from R-2 to R-6

Attendee's comments:

Questions on timing of construction of project; impacts on traffic; impacts on existing wells; prices of homes in subdivision

I hereby certify that the above information is complete and correct to the best of by knowledge.

Wendy Shriet

Printed Name

Wy n2D

Signature

9/12/19

Date

SIGN IN SHEET

PROJECT NAME: Robinhood Subdivision Rezone

Date: 9/11/19

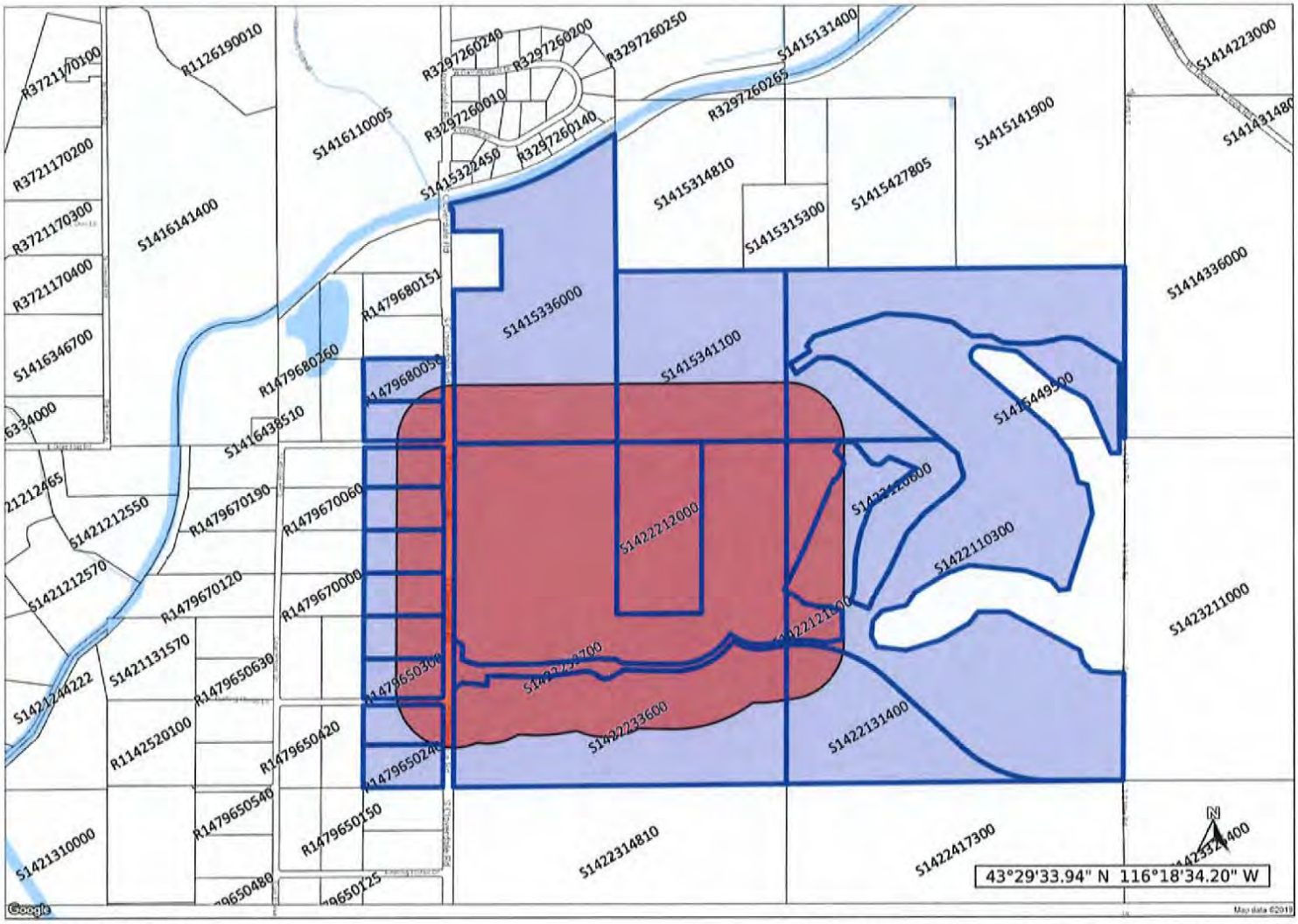
	Name	Address	Zip	Phone
1	Donna Young	6388 E. Deer Flat	83634	208 921-7172
2	Jay Young	" "	"	" "
3	~~Amy Ruhs.~~	~~[illegible]~~ youngdm63@gmail.com		
4	Amy Ruhs.	11589 S cloverdale Rd		775-293-2107
5	John Ruhs.	" "	"	775-293-2109
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landproDATA

Robin Hood Neighborhood Meeting

450' Buffer

JUB



Sep 04, 2019 - landproDATA.com
Scale: 1 inch approx 1000 feet

The materials available at this website are for informational purposes only and do not constitute a legal document.

City of Kuna
COMMITMENT TO PROPERTY POSTING

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

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

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

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

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

Wyatt Lee — 9/12/19

Applicant/agent signature — Date

Jim and Michelle Tucker
12131 W. Precept, Kuna, Idaho 83634

August 15, 2019

City of Kuna

Planning and Zoning
751 W 4th St, Kuna, ID 83634

RE: Robinhood Subdivision

We are writing to comment on the proposed **Robinhood Subdivision** at Falcon Crest Development. We live in Arrowrock Subdivision at the intersection of Kuna Mora and Cloverdale Road. We commute to State Street in Garden Valley each day for work. We make our comments without the benefit of seeing a plat or detailed proposal information.

We strongly encourage the City to consider the transportation plan for this 300-home development. Access currently on Cloverdale Road is backed up for many street crossings during commuter hours. Turning lanes and pull outs don't exist and the speed limit is 50 mph. The crossroad adjacent to the proposal, Kuna Road is a dead end and no other outlet exists than Cloverdale. Increasing traffic counts in this area will negatively impact the existing residents and commuters if this is not taken into consideration. We ask that the Developer be required to provide an alternative outlet, turning lanes and/or other solution to this problem.

As our community continues to grow, we must be proactive in protecting our citizens who have invested in their existing properties. Kuna is a great place to live and is a great place for potential growth, if planning is conducted in a strategic manner and the onus for change is placed on the parties profiting from development, rather than the existing homeowners.

Thank you,

Michelle Tucker

Cc: Ada County Highway District

received
8.15.17

CITY OF KUNA
PLANNING & ZONING COMMISSION

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Tuesday, October 22, 2019

PZ COMMISSION MEMBER	PRESENT	CITY STAFF PRESENT:	PRESENT
Chairman Lee Young	X	Wendy Howell, Planning Director	X
Commissioner Dana Hennis	X	Troy Behunin, Senior Planner	N/A
Commissioner Cathy Gealy	X	Jace Hellman, Planner II	X
Commissioner Stephen Damron	X	Sam Weiger, Planner I	N/A
Commissioner John Laraway	X	Doug Hanson, Planner I	X

6:00 pm – COMMISSION MEETING

Chairman Young called the meeting to order at **6:00 pm**.

Call to Order and Roll Call

1. **CONSENT AGENDA**
   Meeting Minutes for October 8, 2019.
   Findings of Fact and Conclusions of Law for 19-26-DR (Design Review) & 19-11-SN (Sign)

   Commissioner Hennis motions to approve the consent agenda; Commissioner Damron seconds, all aye and motion carried 4-0.

2. **PUBLIC HEARING**

   19-03-AN (Annexation), 19-02-S (Preliminary Plat) & 19-09-DR (Design Review) – Chotika Subdivision; Don Veasey (owner) requests to annex two parcels consisting of approximately 7.67 acres into Kuna City Limits with an R-6 (Medium Density Residential) zone and to subdivide the 7.67 acres into 38 total lots (33 buildable lots, 5 common lots). The subject sites are located at 642 S. Ash St. and S. Ash St., Kuna, ID 83634, within Section 26, Township 2 North, Range 1 West; (APNs: R5070503050 and R5070502835).

   Commissioner Gealy motions to table Case No. 19-07-ZC (Rezone), 19-03-S (Preliminary Plat) & 19-14-DR (Design Review); Commissioner Hennis seconds, all aye and motion carried 4-0.

   19-07-ZC (Rezone), 19-03-S (Preliminary Plat) & 19-14-DR (Design Review) – Robinhood Subdivision; The applicant, JUB Engineers, on behalf of M3 Companies (Owner), requests approval to rezone approx. 25.08 acres and subdivide approx. 37.61 acres into 137 total lots. This site is located near the NEC of Cloverdale and Kuna Roads, Kuna, Idaho, in Section 22, Township 2 North, Range 1 East (APN #'s S1422212410; S1422212000; S1422233700).

   Troy Behunin: Good evening Commissioners, for the record Troy Behunin, Planner III, Kuna Planning and Zoning Staff, 751 W. 4th St., Kuna ID 83634. The applications before you tonight Case No.19-07-ZC (Rezone), 19-03-S (Preliminary Plat) are presented for your vote to recommend approval, conditional approval or denial to the City Council. Application 19-14-DR (Design Review) is before you tonight for your decision. The project is located near the northeast corner of Cloverdale and Kuna Roads. This project is approximately 37.61 acres in size. The applicant is seeking a rezone for the portion of area that is going to make up the Robin Hood Subdivision approximately 25.08 acres, which is already zoned R-12, high density residential. The applicant seeks to change that from R-12 to R-6, medium density residential for the subdivision. As this is a small portion of the entire Falcon Crest PUD Master Plan Project, it was approved as a mixed-use general designation. Staff reviews the request to be consistent with the

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Future Land Use Map of the City of Kuna. The preliminary plat also appears to meet all of City of Kuna standards and/or meet the requirements of the Falcon Crest Development Agreement. The applicant is proposing public streets rather than private streets for the project. Staff recommends that the applicant be conditioned to follow all standards approved in the development agreement and/or any items that were discussed and approved through the PUD public hearing process. The landscape plan does appear to meet all of the City of Kuna standards, those listed in the development agreement and PUD approvals. Staff notes that a subdivision monument sign was not a part of the design review application and reminds that applicant all subdivision signs must go through design review as well. The applicant has submitted everything required, and staff finds this application to be complimentary to the Comprehensive Plan Goals, Comprehensive Plan Map and the development agreement that was approved before City Council earlier this year. I will stand for any questions that you may have? **C/Gealy**: In the staff report there was a statement that there will be 2.76 acres of golf course lots, can you explain for the record what a golf course lot is? **Troy Behunin**: Lots that will be adjacent to one of the holes for the golf course. The back or side property line will be adjacent to a hole of the golf course. **C/Gealy**: It is not the actual golf course itself? **Troy Behunin**: Correct, they will be private lots that abut up against it, or share a property line. **C/Laraway**: Does the golf course count towards the open space requirement? **Troy Behunin**: The golf course does count towards open space. There is also a significant amount of open space along the entry road and inside the subdivision itself. There is going to be a significant amount of open space and yes, the golf course will count towards a portion of that. **C/Gealy**: In the staff report there was mention of a connection through one lot to another for the Fire District and that staff will support a no connection if approved by the Kuna Rural Fire District? **Troy Behunin**: If you look at the site plan for the subdivision in the packet block 1 lot 48 and near block 7 lot 24 there was a discussion in the pre plat application meeting about a possible need for a connection for the fire department, EMS only. If Kuna Rural Fire District doesn't see the need for that because the developer meets the street turn around requirements than staff will support the road between those lots being removed. I am not aware of any change of decision by the fire department, however there was a change at the fire chief position. The fire department will have another chance to look at this during the final plat stage of the project. Staff is unaware if the applicant has had any meeting with the fire department in between the time of the pre-application meeting and tonight. The applicant may be able to address the question at the end of their presentation. **C/Gealy**: In the staff report you suggested including a condition that the roads meet Kuna and ACHD standards, but in the ACHD report there was quite a bit of discussion that some of the roads as presented aren't meeting standards, will they work with the applicant? **Troy Behunin**: Well, for example the entry road as it is currently built does not meet anyone's standards because it is a private drive. However, when it does get converted to a public road then there will be a chance for the applicant to meet the standards from the City and ACHD. **C/Gealy**: to your knowledge is the applicant willing to do that? **Troy Behunin**: Yes. **C/Hennis**: The only thing that seemed like it was a major point of contention was the curbing. **Troy Behunin**: Yes, that is actually a very unique situation, having a private drive that is being converted to a public road with some curbing that ACHD's maintenance department and policy does not support. However, at the request of the applicant and in order to preserve the true nature of what makes a planned unit development a unique subdivision, staff did issue a letter of support for keeping the hand cut sand stones for curbing. The maintenance and repair will be the exclusive responsibility of the HOA. **C/Gealy**: Did ACHD agree to that? **Troy Behunin**: Reluctantly, they did. There are a few things that an applicant can do to make a subdivision unique and that was one that staff supported. **C/Young**: In previous meetings there was a lot of concern for water and wells. It is my understanding that the developer is now piping in from Kuna, not sinking new wells? **Troy Behunin**: That is my understanding. Perhaps the applicant Mark Tate with the M3 Companies can elaborate on that in his presentation tonight. He has been working very closely with the Public Works Department and City Engineer. **C/Young**: We will now have the applicant come forward, state your name and address for the record. **Mark Tate**: Good evening, Mark Tate with M3 Companies 1087 E. River St. Boise, ID 83702. There is a PowerPoint presentation forthcoming, but to answer your question about the water that is correct, we are planning a water main extension from Kuna all the way down Kuna Rd to serve the property. That will also include a water reservoir along Kuna Rd. and a booster station to serve the project. That is not to say that someday a well won't be drilled out in that area, ultimately as things grow around the project there is going to be another domestic well out

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there, but for the foreseeable future that won't be necessary. **C/Gealy:** As I recall there are two wells out there now for the golf course, so those will continue to operate? **Mark Tate:** Yes, and the staff report did get into this but the pressurized irrigation system will be run off of those existing wells and we have done studies on the existing water quality and water volume monitoring the wells there really hasn't been draw down that we have been able to see over a long term period, the water quality is exceptional and the volume quality of those wells is on par with a municipal well. Over 2,000 gallons per minute with one well and 1,800 gallons per minute with the other, really big substantial wells. Interestingly it is being farmed as sod right now which uses a tremendous amount of water so as we develop the property there will actually be less water being used because we are taking more sod out of production turning it into roads, houses and that sort of thing. Just as a refresher I think that everybody remembers the property where it is at. There are 36 holes of golf out there complete with driving range, tees, greens and practice greens. The facilities they are basically converted farmhouses out there so we are excited to be able to start upgrading a lot of those facilities along with it. This is the master plan from the development agreement and it is basically a bubble plan showing the different densities. The area that the subdivision is called Golf Village A. Its that tan color that you see there, it was zoned R-12 knowing that it was going to be a higher density type of product, but they weren't sure exactly at the time what it was going to be. We have chosen to go with a small mod residential around a rebuilt golf course. That line that you see between the green driving range area and the yellow, was an arbitrary line and that is why we are doing a rezone actually, it cuts through a couple of the lots, otherwise we wouldn't have needed to rezone it we just didn't want half of a bunch of lots to be R-12 and half to be R-6. We are down zoning the whole thing from R-12 to R-6 because it does meet the R-6 standards so the rezone in front of you right now is actually a decrease in the allowable density. On the trail plan the dotted lines you see are kind of the backbone trail infrastructure along Cloverdale Rd. and through the PUD process we've enhanced our requirements for wider pedestrian pathways so we have gone over the minimum standard, so what we expect to do along the entry road is an 8 ft trail along Cloverdale. We did have some discussion with ACHD and there were two points of contention that we were talking about. One being the sandstone, two being the park path on the south side of the road which was an 8 ft trail plus a five-foot sidewalk. We were talking at one point about doing a shared multi-use path, golf and pedestrian. It seemed a little duplicative and confusing to have two parallel paths but that was the non-win with ACHD so we will be building an 8-foot path on the north side, a 5-foot sidewalk on the south side of the entry road and a cart path parallel to the sidewalk. There are some crossings at the entry but it should be a pretty straightforward result. This is an aerial of the area. We are proposing to take the current existing road basically where you see the end of the medians as you come into the project we are going to put a round a bout and the round a bout will have a leg that goes to the south that will be the main entry to the active adult age restricted area portion of the project that's going to be private streets and gated. On the north side of that round about is going to be the access to the new Robin Hood Subdivision. So you can see the area that we are developing is currently golf course. We are actually planning on building a new 9-hole golf course as part of this. The plan is as you can see the development lots, the golf generally is not part of the plat. The golf lots that were being discussed is right at the entry to the community coming off of that round a bout there are two large lots proposed to have golf holes on them. The rest of the golf lots are actually not part of the plat, the plat has a weird boundary that just includes the allotted areas. This is a kind of conceptual rendering of our club facilities, we are planning a huge number of amenities up there. A bar and grill are going to be built up there as part of our first plan for the area that would have outdoor dining, indoor dining, bar, grille, and sports events which I think is something that the south valley is really missing. It could be very successful for not only golf course use but for the neighborhood and everybody around it. I think we will see a lot of good traffic. There will be a new pro shop eventually, cart storage and a social club is planned which would kind of he pickle ball, tennis, swimming pools and workout facilities. A full on country club type atmosphere for the community. This shows more of the boundaries of the plat. It does include the entry road. Right at the entry there is a lot of beautiful, mature landscaping as you come into the project. From the landscape plan standpoint, we plan to retain the trees and the medians. Even without most of the golf course being as part of the plat we have open space and pocket parks within there so we are not short on open space throughout the project. There was a question about emergency access from the end of the cul-de-sacs. We will

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work with the fire department if they decide they need to have emergency access between the end of the cul-de-sacs and the eastern cul-de-sac up to the club, we are planning to accommodate that, so we will need to sit down with them to confirm exactly what they want there. It wouldn't be vehicular the reason for that is it is a golf course and the fewer amount of times you send cars across the golf course the better. This is a photo of the entry and that sandstone curbing. It was a really interesting discussion with ACHD and they very reluctantly accepted the possibility of sandstone, so that is where we are at right now. We want to get their maintenance people on sight to look at the sandstone that has been there for 20 to 30 years and see that the road is not falling apart because of the sandstone. It is in really good shape considering the age of the road. You can see that this is hand cut sandstone quarried from Table Rock. The owner of the golf course the Barbonas family who owns the quarry out there and has for many years. It is kind of a fun historical thing to do but ACHD's initial reaction was to rip it all out and pour a vertical concrete curb and we asked that they use a little bit of common sense. We are glad to see that there is a glimmer of hope out there, but it is nice because the landscaping is matured, the trees are mature, there's ponds, nice views and golf right along the corridor. We will basically be rebuilding the road bed itself, adding pedestrian facilities and bringing it up to the ACHD standard up to the round a bout. At the end of the round a bout is when it becomes a private road. As we continue development beyond the round a bout, we will come through with the same process to rebuild the road and bring it up to the public road standards. Another view, this is looking to the southeast that initial lake as you come in there. The entry road, this is not the final version this was the second to final version which showed a shared multi-use pathway, so picture that but with an extra sidewalk. That was really it. I did have one comment on City memorandum from the City Engineer there was a comment in Exhibit B. Section 3 D., that says Robin Hood Subdivision is part of a PUD, streets shall be constructed, owned and maintained by the Falcon Crest Development, it's successors, heirs and assigns. These streets are proposed to be public so I did just want to clarify that on the record, it was a little bit confusing. From the south side of that entry road is going to be private streets, but this we are proposing to be public. Other than that, we are excited to get moving on this project, as Trot eluded to, we spent a lot of time with Public Works and the City Engineer on the offsite utilities. That is the biggest time commitment, getting all of that squared away, but we are planning on starting utilities this winter to get the project going. It is a big, huge commitment on our part with this amount of infrastructure, that will not only benefit this project but all of Kuna along that corridor, those utilities will benefit a lot of other people. With that I will stand for any questions. **C/Young**: Are there any questions for the applicant at this time? **C/Gealy**: I have one question, it is more for clarification to help me understand. Staff in their report asked for a condition that you provide sod wherever turf was indicated and I have to be honest I don't know the difference between sod and turf and I don't know what the implications are for a golf course? **Mark Tate**: I'm not completely sure either. **C/Gealy**: Somebody must know? That condition was not actually included in the staff report it was suggested. I wanted to find out if you had an opinion. **Mark Tate**: I didn't see that, I figured it was a clarification in the staff report wanting to make sure that it was turf grass sod. I did have this argument with somebody on a design review capacity that put artificial turf in the front yard that said your design guidelines let you do turf, and this is turf. We then had to go back and tell them no, we talked about live plants, not Astroturf. **C/Gealy**: I apologize to staff for not asking while you were up here since it is more of a question for staff. **Troy Behunin**: Commissioner Gealy, fellow commissioners, again **Troy Behunin**, Kuna Planning and Zoning Staff. The reason I put that in there is if you remember last year about this time we had another project come through and they labeled an open area as grass, what they wanted to do was put seed in rather than put sod in and it didn't meet the standards so we just wanted to make sure that we dot that I and cross that T and make sure that areas are either sod or proposing seed. **C/Gealy**: In this case they are proposing turf. **Troy Behunin**: Yes, and it sounds like the applicant indeed does mean sod. **C/Gealy**: Do you see that as a need to add a condition, or do you think this clarification is sufficient? **Troy Behunin**: I don't think so at this point. I just wanted to make sure that it came up during this discussion. **C/Gealy**: Thank you. **C/Young**: We open up public testimony at 6:34 pm. I don't see anybody signed in that is listed to testify. I have one person signed in but he's marked not to. Is there anybody here who has not signed in that would like to testify? Please sign in and after that state your name and address for the record. **Richard Leonard**: Richard D. Leonard, 10863 S. Cloverdale Rd. I don't know if this is pertinent to the subdivision or not. I am concerned and thought maybe I could find out how much

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land I am going to lose across the road, when all of the bare land and all of the profit is being made on the other side? I understand that there is supposed to be 21 feet of our front property taken for the highway. I think it is very unjust and unfair that folks living on the highway, some within short distance of their bedrooms. If this is true, I know that there are already 4 or 5 people that have moved out and people are selling their homes like crazy. Does anybody have any answers on that highway? If this is passed its going to be too late. On the frontage I realize they have 13 steel poles with that new high-rise electricity and it is going to be costly to move them. It is also going to be costly for eminent domain to buy the property on the other side also. I have lived on the other side for 42 years and have been in Kuna for 44. I was a deputy sheriff with the county and am pretty well known in Kuna. I could see this coming, the highway and I just thought that maybe I could find out tonight if anybody had an answer? **C/Young:** The applicant will address that in just a moment. Any other questions? Richard Leonard: That is all. C/ Young: Seeing nobody else signed up I will have the applicant come back up and see if we can address the question. **Mark Tate**: That is an absolutely fair question regarding the Cloverdale widening. I believe that the current right of way can accommodate a 5-lane road and that is what the long-term plan for ACHD calls for. That is also what our traffic study has indicated for long term widening. Cloverdale is considered a major arterial for ACHD so the work along that is covered in their long-term transportation plan. ACHD does have a lot of projects slated along Cloverdale Rd. coming in the 5-year work schedule, starting up north and working their way down. ACHD's process is every 5 years, minimum 5 years but more like 3 years, they go through and reprioritize the projects. If you are seeing more growth in a certain area or higher traffic counts and needs, they are able to reshuffle the order of those projects. I anticipate that Cloverdale Rd. won't continue to move u the list in priority as growth comes along that corridor. Back to his original question about needing to take that right of way, it would be a very long time if ever that they would need to take right of way along that corridor, given that they already have the right of way as a section line road. Those section line road right of ways go back a very long time to when they mapped the valley and took the right of way along the section line. It certainly can accommodate a 5-lane road, anything beyond that would be discussed in the future. **C/Young**: With that I will close the public testimony at 6:41 pm which brings up our discussion. **C/Hennis**: I think the rezone is a good idea because it is dropping the density in half. Ultimately, I like the idea of the single-family development there versus the multi-family that we have seen prior. I like the layout, it's different, not the standard boxy design. I like the way it runs, the landscaping looks nice they are probably going to do nice work along there. I don't see any issues from my point of view. I think they have done a nice job and reduced it quite a bit. The points I want to get across if you didn't get my voice before are: the density reduction is good, the non-linear layout seems nice it is something different than we have been seeing, the landscaping seems far more than what is standard. I like what they have done. **C/Laraway**: I agree with what you are saying. What I like about the concept is it seems like the R-6 just is wonderful for me, but being that it is the first phase I don't see the bar being lowered for the other phases down the road. I think the concept will outdo the one previous and that is what I am excited for. I think it is a good idea, I like what they have done and I like the layout, the future for that area. **C/Young**: As far as the streets are laid out, it is nice to see that they are accommodating topography to a degree. Even as the fairways run through there, the streets are curved so as you look down a street you are not looking from one end to the other. It's a relief that there isn't that whole linear path that happens too often. I agree as far as landscape, given the nature of what is existing that the golf course and the landscaping and the design of that is good. It seems like through ACHD recommendations that they will be addressing some of the deceleration lanes and widening issues as well. I don't have any issues with it as it is laid out currently. **C/Damron**: My only concern would be as future development comes down with the size of this one, where the neighbors that live across Cloverdale that would lose property due to increased traffic and the increased size of the subdivision. Do we have any indication Troy from ACHD what their 5-year plan on that was? How wide they are going to make it or if they are going to look at expanding on the other side of the road? **Troy Behunin**: With an expansion that goes beyond 5 lanes is something beyond a 5-year window. That would be more like a 20-year window. Typically, what happens is that any development, whether it is this size or one tenth of this size, ACHD and the City both require that they improve their half plus 12 feet. The developer must focus the improvements on their half of the road. Sometimes you do have a shift in right of way and I think we have all been down roads where they kind of go back and forth and that is a result

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of that. In the ACHD staff report, on page 2 of their report or 73 of the packet, item number 8 under capital improvement plan or the integrated 5-year work plan, Cloverdale Rd. is listed in the CIP or Capital Improvement Plan to be widened to 3 lanes from Columbia Rd. to Kuna Rd. between 2031 and 2035. The intersection of Cloverdale Rd. and Columbia Rd. is listed in the CIP to be reconstructed as a single lane round a bout, with a westbound right turn pass lane between 2036 and 2030. As Mark Tate indicated ACHD revisits these integrated 5-year work plans and the CIP projects regularly, even yearly. As the need changes and more subdivisions happen at this size or any size, as the impact hits Cloverdale Rd. ACHD will reevaluate that and they will handle it the best that they can. Sometimes they make the developers take care of more than their portion because the impact is so great. **C/Damron**: That is what I am looking at right now, if we can mitigate that before something happens, because across the street they have the high power lines and it is not only the road that they will encroach you will have to move the power lines back so there is another 30-60 foot easement for the power lines. That was my concern and my question. **Troy Behunin**: that is something that ACHD would have to work out with the applicant and would have to workout with Idaho Power. Typically, we all know many of the very expensive capital improvement projects happen as a result of a project, not leading up to it. So, there are very few projects that actually get out in front of anticipated traffic because they won't be able to build it unless they come. **C/Damron**: Yes, that is what we have been through before and that is what I would like to prevent for those people. **Troy Behunin**: That is not our call. **C/Hennis**: Inevitably it is going to be more later than it is sooner, but they won't be widening that road too much. **C/Young**: From what I got from Mr. Tate, if they can build a 5-lane road in the existing right of way area, that much like Meridian Rd. **C/Damron**: It shouldn't be any larger than that. **C/Hennis**: We are only talking 3 lanes out to 2031, I don't think that they are going to be digging too much too soon. **C/Damron**: I just wanted to make sure that we were in the clear. **C/Young**: Any other thoughts? **C/Gealy**: I appreciate reduction in density. I did note that in their letter that they said when they come back and ask for an increase in density in another part of the project at a later date, so we need to bear that in mind. From what I recall from the annexation hearing one of the biggest concerns was water and the impact on people's wells and it seems like that concern has been addressed. By bringing in a water line, that takes care of all of those concerns until a later date when we can perhaps have ore information about exactly how much water is available and what the impacts might be. I appreciate that solution to the concern as well. It looks like a beautiful property. It looks like every lot has access to open space, it looks like a place where people will want to live.

Commissioner Hennis motions to recommend approval of Case No. 19-07-ZC (Rezone), 19-03-S (Preliminary Plat) & approve 19-14-DR (Design Review); Commissioner Damron seconds, all aye and motion carried 4-0.

3 **COMMISSION REPORTS**

4 **ADJOURNMENT**

Commissioner Gealy motions to adjourn; Commissioner Laraway Seconds, all aye and motion carried 4-0.

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PLANNING & ZONING COMMISSION

MEETING MINUTES
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Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:

Wendy I. Howell, Planning and Zoning Director
Kuna Planning and Zoning Department

City of Kuna

Planning and Zoning Commission
Findings of Fact & Conclusions of Law

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To: **P & Z Commission**

Case No's: **19-07-ZC** (Rezone)
19-03-S (Preliminary Plat) and
19-14-DR (Sub Design Review)

Location: Southeast Corner of Cloverdale and Deer Flat Roads, Kuna, ID.

Planner: Troy Behunin, Planner III

Hearing Date: October 22, 2019
Findings Date: ***November 26, 2019***

Owner: **M3 Companies** - *Mark Tate*
1087 W. River Street, Ste. 310
Boise, ID 83702
208.939.6263
MTate@m3companiesllc.com

Engineer: **JUB Engineers** – *Wendy Shrief*
250 S. Beechwood Ave. S. 201
Boise, ID 83709
208.323.9336
Wshrief@jub.com

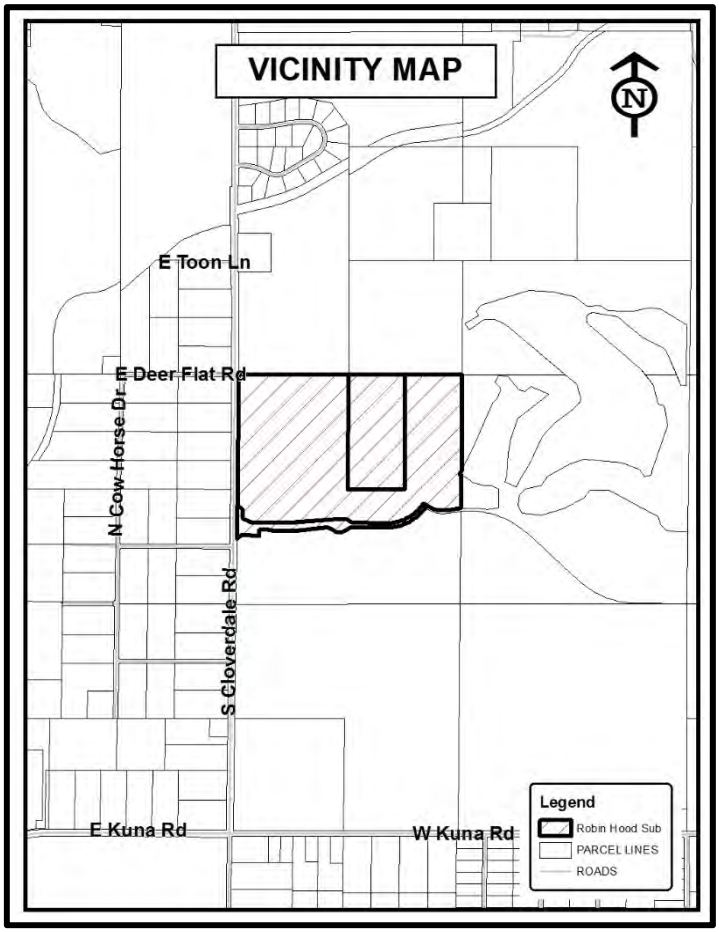


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A. Process and Noticing:

1. Kuna City Code 1-14-3 (KCC), Title 1, Chapter 14, Section 3, states that Annexation, Comprehensive Plan Map Changes, P.U.D.'s, Rezones and Preliminary Plats are designated as public hearings, with the Commission as the recommending body, and City Council as the decision making body, and the Commission as the decision making body for the Design Review. These land use applications were given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65 Local Planning Act.

a. Notifications

i.	Neighborhood Meeting	April 1, 2019 (twenty five (25) persons attended)
ii.	Agency Comment Request	June 18, 2019
iii.	450' Notice to Property Owners	October 11, 2019
iv.	*Emails sent to Citizens*	October 11, 2019

v.	Kuna, Melba Newspaper	July 24, 2019 and October 2, 2019
vi.	Site Posted	October 5, 2019

B. Applicants Request:

1. **Request:**

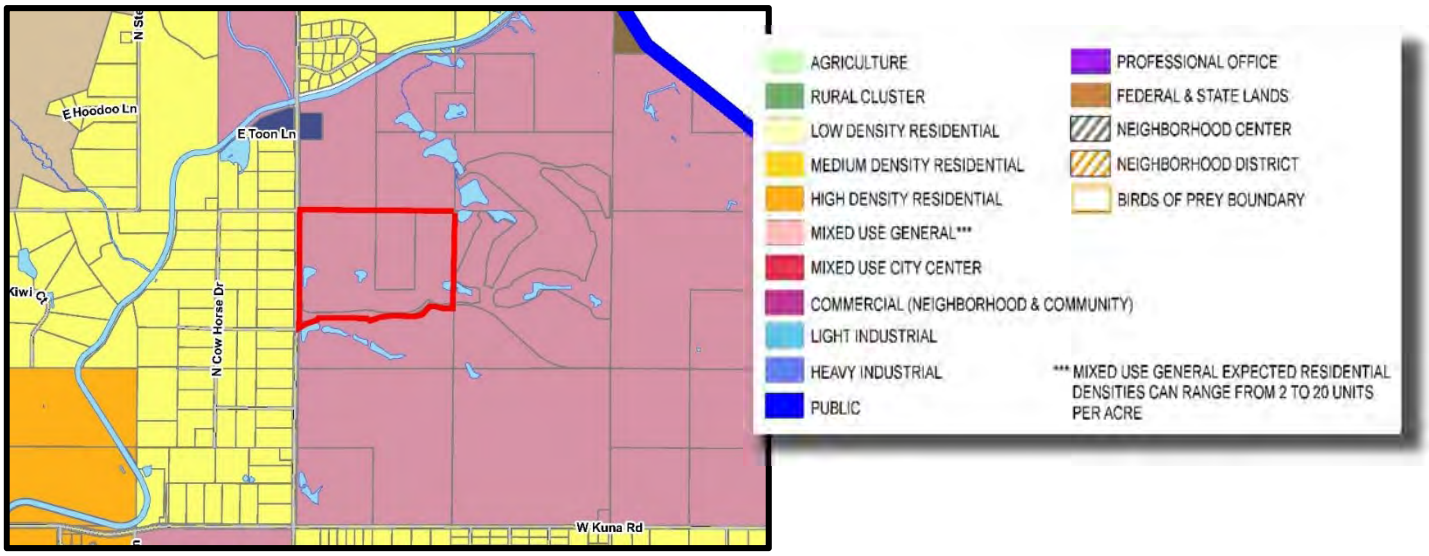
The applicant, JUB Engineers, on behalf of M3 Companies (Owner), requests approval to rezone approx. 25.08 acres and subdivide approx. 37.61 acres into 137 total lots. This site is located near the NEC of Cloverdale and Kuna Roads, Kuna, Idaho, in Section 22, Township 2 North, Range 1 East (APN #'s S1422212410; S1422212000; S1422233700).

C. Site History:

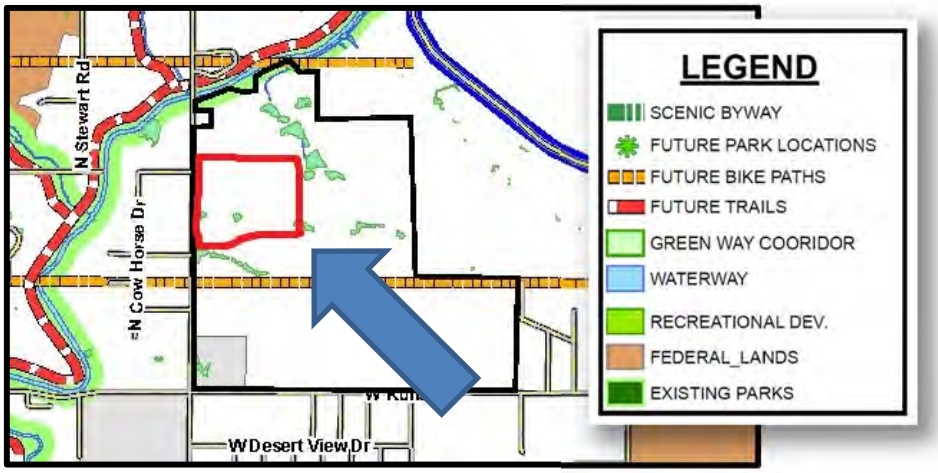
These lands historically have been used for golf course and agricultural purposes for many years. The lands in this application are a smaller part of the Planned Unit Development (PUD) for the Falcon Crest Golf Course and were annexed into Kuna, on February 5, 2019, (Case No. 18-03-AN).

D. General Projects Facts:

1. **Comprehensive Plan Map:** The Comp Plan Map designation for this site is Mixed-Use, and staff notes as a reminder, this is only a part of a larger PUD. The Future Land Use Map (Comprehensive Plan Map) is intended to serve as a guide for the decision making body. This map indicates land use designations, it is not actual zoning.



2. **Recreation and Pathways Map:** The Rec. & Path Master Plan Map indicates a future trail along the north side of the New York Canal, which is off-site. The PUD approved by Council in early 2019 includes many walking trails throughout the subdivision and this subdivision complies. Staff finds that the applicant has incorporated green/open spaces throughout the project.



3. **Surrounding Land Uses:**

North	R-6, R-12	Medium & High Density Residential – Golf Course -Kuna City
South	R-6	Medium Density Residential – Kuna City
East	R-6	Medium Density Residential – Kuna City
West	RR	Rural Residential – Ada County

4. **Lot Sizes, Current Zoning, Parcel No's, and L & B No's:**

Lot Size (Approximately)	**Current Zone:**	**Parcel Number(s)**
20 acres	R-6, Med. Density Residential	S1422212000
79.03 acres	R-6, Med. Density Residential	S1422212410
4.80 acres	R-6, Med. Density Residential	S1422233700

5. **Services (at time of development):**

Sanitary Sewer– City of Kuna
Potable Water – City of Kuna
Pressurized Irrigation – Developer Built and Owned/Maintained
Fire Protection – Kuna Rural Fire District
Police Protection – Ada County Sheriff's office; Kuna Police
Sanitation Services – J & M Sanitation

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

The site has multiple structures that typically are associated with a golf course and maintenance facilities and vegetation that is generally associated with a golf course and other Agricultural uses.

7. **Transportation / Connectivity:**

The site has significant Cloverdale and Kuna Road frontages. The applicant proposes one point of ingress/egress on Cloverdale Road for phase one, approximately 2,000 feet north of Kuna Road to line up with Reining Horse Drive. This subdivision will also connect to proposed stub streets within the Falcon Crest Subdivision approved in February 2019. All points of access must follow City & ACHD standards.

8. **Environmental Issues:**

Staff is not aware of any environmental issues, health or safety conflicts. Most of the sites' topography is generally flat with less than 3 percent slope. However, north of this site, there are rolling hills and some grades greater than 3 percent and these are areas within the existing golf course. This site is not within the Nitrate Priority Area (NPA), however, the project will be required to connect to Kuna City sanitary sewer, potable water and provide for a pressure irrigation water system to the project as a whole.

9. **Agency Responses:**

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

- City Engineer *Exhibit B 1*
- *Ada County Highway District (ACHD)* *Exhibit B 2*
- *Boise Project Board of Control* *Exhibit B 3*
- *Central District Heath Department* *Exhibit B 4*
- *COMPASS* *Exhibit B 5*
- *Dept. of Environmental Quality (DEQ)* *Exhibit B 6*
- *ID Transportation Dept. (ITD)* *Exhibit B 7*
- *Kuna Rural Fire District* *Exhibit B 8*

E. Staff Analysis:

The subject site is at the southeast corner (SEC) of Cloverdale and Deer Flat Roads. The site was approved for residential development in early 2019 as a smaller part of the greater Falcon Crest PUD whole. If approved, this request will integrate single family homes around the Falcon Crest golf course while providing continuity for this multi-phased project. The Robin Hood Subdivision make's up approximately 37.61 acres of the approximately 1,028 acres PUD.

The applicant seeks to rezone approximately 25.08 acres of previously zoned R-12 (High Density Residential) land, *TO* an R-6 (Med. Den. Res.) zone. If approved, this down-zoning will be a reduction for a part of the previously approved R-12 zoning designation.

In concert with the previously approved PUD, the applicant proposes various activities within the project to include; walking and cart pathways, recreational activities, approximately 4.89 open space and approximately 2.76 acres of golf course lots. Staff finds that the preliminary plat follows current City Code and any previously approved PUD standards which allows the applicant relief from certain development standards to provide a unique development in Kuna. The applicant proposes one shared driveway which staff will support provided the permanent maintenance, care and responsibility of the shared driveways is detailed in the CC&R's. Staff recommends that the applicant be conditioned to demonstrate shared driveway responsibility as explained. During the pre-application meeting there was discussion about connecting the cul-de-sacs for EMS between lot 48, Block 1 and Lot 24, Block 7, however, staff was unable to find that connection. Staff will support a no connection if it is first approved by the Kuna Rural Fire District (KRFD).

All Robin Hood Sub roads are proposed as public roads. Staff also notes that along arterial roads, KCC calls for full roadway improvements, including curb/gutter, road widening, and sidewalks at eight feet (either separated or attached). Staff recommends that all Kuna and ACHD standards for roads be conditioned on the applicant. All open spaces will be built and maintained by the Home Owners Association (HOA). Staff notes that the proposed preliminary plat appears to be in substantial compliance with KCC and the approved PUD.

This application includes a request for subdivision landscape design review. Staff finds the proposed landscaping for common areas appears to be in substantial conformance with KCC Title 5 chapter 17, Kuna's Landscaping Ordinance (KCC 5-17). Staff recommends that the applicant be conditioned to provide sod in areas labeled as 'Turf'. Staff notes if approved, this landscape plan will be considered a binding plan, and shall be followed as presented and not changed or substitutions made without *prior* approval. Staff also notes the planting details should be changed to reflect KCC; which are requested in the proposed conditions of approval (Condition #12). Staff recommends that the applicant resubmit an 11 X 17" plan bearing these changes. Design Review for a subdivision monument(s) was not applied for, with this project, however, if monument signs are desired, Design Review with the Committee is required.

Staff has determined the rezone, preliminary plat and design review generally complies with the goals and policies for Kuna City, Title 5 and Title 6 of the Kuna City Code; Idaho Statute § 67-6511; and the Kuna Comprehensive Plan. Staff recommends that if the Planning and Zoning Commission recommends approval of Case No's 19-07-ZC (Rezone) and 19-03-S (Preliminary Plat) and approves Case No. 19-14-DR (Design Review), the applicant be subject to the conditions of approval listed in section "I" of this report, as well as any additional conditions requested by the Planning and Zoning Commission detailed at the public hearing.

F. Applicable Standards:

1. City of Kuna Zoning Ordinance Title 5,
2. City of Kuna Subdivision Ordinance Title 6,
3. City of Kuna Comprehensive Plan and Map, adopted September 1, 2009,
4. Idaho Code, Title 67, Chapter 65- the Local Land Use Planning Act,
5. Planned Unit Development Council approvals, February 5, 2019 (18-02-PUD).

G. Comprehensive Plan Analysis:

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

The designations of Mixed-Use shown on the Planning Map (See Map above) for these parcels were approved by Council. This application for an R-6 (Med. Den. Res.) subdivision is supported by way of the application being a smaller part of a larger whole known as the *Falcon Crest PUD* (Approved by Council 02.05.19) and staff views this request to be consistent with the following Comprehensive Plan components:

Goal Area 3: Kuna's land uses will support a desirable, distinctive and well-designed community.

- Goal 3.D: Encourage development of housing options and strong neighborhoods.
  - Objective 3.D.1: Encourage development of housing options for all citizens.
    - Policy 3.D.1.a: Encourage preservation and development of housing that meets demand for household sizes, lifestyles and settings.
- Goal 3.G: Respect and protect private property rights.
  - Objective 3.G.1: Ensure land use policies, restrictions, and fees do not violate private property rights.
    - Policy 3.G.1.b: Ensure City land use actions, decisions and regulations will not cause an unconstitutional regulatory taking of private property; and do not effectively eliminate all economic value of the subject property.
    - Policy 3.G.1.c: Ensure City land use actions, decisions and regulations do not prevent a private property owner from taking advantage of a fundamental property right. Ensure city actions do not impose a substantial and significant limitation on the use of the property.

Goal Area 4: Kuna will be a connected community through strong transportation and infrastructure systems.

- Goal 4.D: Promote a connected street network that incorporates mid-mile collectors and crossing for improved neighborhood connectivity.
  - Objective 4.D.2: Ensure the continued expansion/development of mid-mile collector system throughout the community.
    - Policy 4.D.2.a: Extend and expand mid-mile roads as growth occurs.
    - Policy 4.D.1.b: Preserve adequate right-of-way along all mid-mile roads or other approved alternative locations to align roads.

H. Kuna City Code Analysis:

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

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

2. The site is physically suitable for the proposed new subdivision and site development.

Comment: *The 37.61 acre (approximate) project includes a request for subdividing a portion of the lands into 116 buildable lots and 21 common lots. The site appears to be compatible with the proposal.*

3. The applications **are not** likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.

Comment: *The land to be annexed, rezoned and subdivided is not used as wildlife habitat. Future roads, dwelling units and open spaces must be designed and planned for construction according the City and ACHD requirements and best practices and will therefore not cause environmental damage or loss of habitat.*

4. The development proposal **is not** likely to cause adverse public health problems.

   Comment: *The proposed subdivision of the property appears to follows Kuna City Codes. All development requires connection to public sewer and potable water systems, therefore eliminating the occurrence of adverse public health problems.*

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

   Comment: *The Commission did consider the location of the property and adjacent uses. The subject property is in Kuna City and will be required to connect to the Kuna City central sewer and potable water systems, and create their own Pressure Irrigation System. The current adjacent uses are large lots in the County, and agricultural in nature and the site it adjacent to two Principle arterial roads.*

6. Based on the evidence contained in Case No's 19-07-ZC, 19-03-S, and 19-14-DR, adequately complies with Kuna City Code.

7. Based on the evidence contained in Case No's 19-07-ZC, 19-03-S, and 19-14-DR generally complies with Kuna's Zoning Code.

I. Recommendation of the Commission:

19-07-ZC (Rezone), and **19-03-S (Preliminary Plat)**, Based on the facts outlined in staff's memo, the Comp Plan, City Code, the record before the Commission, the applicant's presentation, public testimony and discussion during the public hearing by the Planning and Zoning Commission of Kuna, Idaho, the Commission hereby recommends **approval** to City Council for Case No's 19-07-ZC and 19-03-S, a Rezone and Preliminary Plat *request* by J-U-B Engineers, on behalf of M3 Companies, with the following conditions of approval *at time of development in the future*:

- Applicant shall follow all conditions of approval as outlined in the Staff Report.

19-14-DR (Design Review), Based on the facts outlined in staff's memo, the Comp Plan, City Code, the record before the Commission, the applicant's presentation, public testimony and discussion during the public hearing by the Planning and Zoning Commission of Kuna, Idaho, the Commission hereby ***approves*** *Case No. 19-14-DR, a Design Review request* by J-U-B Engineers, on behalf of M3 Companies, with the following conditions of approval *at time of development in the future*:

- Applicant shall follow all conditions of approval as outlined in the Staff Report.

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

d. The *Boise-Kuna* Irrigation District shall approval any modifications to the existing irrigation system.
e. Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to *issuance* of any building permit(s).

2. All public rights-of-way shall be dedicated and constructed to standards of the City, Ada County Highway District and Idaho Transportation Department. No public street construction may commence without the approval and permit from Ada County Highway District and/or Idaho Transportation Department.
   2.1– At time of development and as necessary, dedicate right-of-way in sufficient amounts to follow City and ACHD standards and widths, *except as otherwise approved through the PUD process.*
3. Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see **KCC 6-4-2-W**.
4. Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
5. When required, submit a petition to the City (as necessary, confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and requesting to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Pressure Irrigation system of the City (KMID).
6. All street lighting within and for the site shall be LED lighting and must comply with Kuna City Code, *except as otherwise approved through the PUD process.*
7. Parking within the site shall comply with Kuna City Code, *except as otherwise approved through the PUD process.*
8. Fencing within and around the site shall comply with Kuna City Code (Unless specifically approved otherwise and permitted). Perimeter fencing (and permit) is required prior to requesting final plat signatures from Kuna City Clerk and Engineer.
9. All signage within/for the project shall comply with Kuna City Code and go through Design Review for those approvals.
10. All required landscaping shall be permanently maintained in a healthy growing condition. The property owner shall remove and replace unhealthy or dead plant material within 3 days or as the planting season permits as required to meet the standards of these requirements. Maintenance and planting within public rights-of-way shall be with approval from the public entities owning the property.
11. The land owner/applicant/developer, and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the City Council, or seek amending them through public hearing processes.
12. Applicant is conditioned to follow the these planting notes for all trees on site:
    12.1 – *Landscape contractor shall remove all twine/ropes and burlap from root balls.*
    12.2 – *Landscape contractor shall remove the wire basket from the top 1/2 of the root ball.*
13. The applicant's proposed landscape plan (dated 10.30.2018) shall be considered binding site plans, or as modified and approved through the proper process.
14. The applicant's proposed preliminary plat (dated 5.18.2018) shall be considered binding site plans, or as modified and approved through the public hearing process
15. Applicant shall follow staff, City engineers and other agency recommended requirements as applicable.
16. Developer/owner/applicant shall comply with all local, state and federal laws.

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Planning and Zoning Commission
Findings of Fact and Conclusions of Law

Based upon the record contained in Case No's 19-07-ZC and 19-03-S, 19-14-DR, including the Comprehensive Plan, Kuna City Code, Staff's Memorandums, including the exhibits, and the testimony during the public hearing, the Kuna Commission hereby ***approves*** *Case No. 19-14-DR, and* recommends ***approval*** *of* the Findings of Fact and Conclusions of Law, and conditions of approval for Case No's 19-07-ZC and 19-03-S, a request for a rezone, preliminary plat approval by J-U-B Engineers, on behalf of M3 Companies, LLC to rezone approximately 25.08 acres from R-12 (HDR) to R-6 (MDR) and to subdivide approximately 37.61 acres into 137 lots (116 buildable lots and 21 common lots).

1. *The Kuna Planning and Zoning Commission* ***approves*** *the facts as outlined in the staff report, the public testimony and the supporting evidence list presented.*

   Comment: *The Kuna Planning and Zoning Commission held a public hearing on the subject applications on October 22, 2019, to hear from City staff, the applicant and to accept public testimony. The decision by the Commission is based on the application, staff report and public testimony, both oral and written.*

2. *Based on the evidence contained in Case No's* 19-07-ZC, 19-03-S, and 19-14-DR, *this proposal generally complies with the Comprehensive Plan and City Code.*

   Comment: *The Comp Plan has listed numerous goals for promoting and supporting a diverse and sustainable economy that will allow more Kuna residents to work in their community and encouraging a balance of land uses to ensure that Kuna remains desirable, stable and a self-sufficient community.*

3. *Based on the evidence contained in Case No's* 19-07-ZC, 19-03-S, and 19-14-DR, *this proposal generally complies with the City Code.*

   Comment: *The applicant has submitted a complete application, and following staff review the application appears to be in general compliance with the design requirements, public improvement requirements, objectives and considerations listed in Kuna City Code Title 5 and Title 6.*

4. *The Kuna Planning and Zoning Commission has the authority to* ***approve*** *Case No. 19-14-DR and to recommend* ***approval*** *to Council for Case No's* 19-07-ZC and 19-03-S.

   Comment: *On October 22, 2019, the Commission voted to* ***approve*** *Case No. 18-14-DR and to recommend* ***approval*** *of Case No's* 19-07-ZC and 19-03-S.

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

   Comment: *Neighborhood Notices were mailed out to residents within 450-FT of the proposed project site on October 11th, 2019 and a legal notice was in the Kuna Melba Newspaper on July 24, and October 2, 2019. Emails to requesting citizens were sent October 11, 2019. The applicant placed a sign on the property on October 5, 2019.*

DATED this 12th day of November, 2019,

Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:

Troy Behunin, Planner III
Kuna Planning and Zoning Department

CITY OF KUNA
P.O. BOX 13
KUNA, ID 83634
www.kunacity.id.gov
Email: bbachman@kunaid.gov

Bob Bachman, BOC 1, IBC
Public Works Director
City of Kuna

MEMO

Date: **January 16, 2020**

From: **Bob Bachman**, Public Works Director

To: **Mayor and Council**

RE: **Requesting Funds for Vehicle**

Mayor and Council,

I am requesting money from contingency to purchase a vehicle for the staff at City Hall to use. There has been some overlap and borrowing of vehicles between departments, so we just want to make sure there is an option for when someone needs it. My request is $24,000 for the designated City Hall vehicle.

Please let me know if you have any questions,

Bob Bachman
Public Works Director

(Space above reserved for recording)

ORDINANCE NO. 2020-04
CITY OF KUNA, IDAHO

ORDINANCE AMENDING THE EXTERIOR BOUNDARIES OF THE KUNA MUNICIPAL IRRIGATION SYSTEM [GREYHAWK LAND COMPANY LLC. real property]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:

- **MAKING CERTAIN FINDINGS; and**
- **ENLARGING THE BOUNDARIES OF THE KUNA MUNICIPAL IRRIGATION SYSTEM BY THE INCLUSION OF ADA COUNTY ASSESSOR'S GREYHAWK LAND COMPANY LLC.; AND**
- **DECLARING WATER RIGHTS APPURTENANT THERETO ARE POOLED FOR DELIVERY PURPOSES; and**
- **DIRECTING THE CITY CLERK TO RECORD THIS ORDINANCE AS PROVIDED BY LAW; and**
- **DIRECTING THE CITY ENGINEER TO PROVIDE NOTICE OF THIS ORDINANCE TO THE NEW YORK IRRIGATION DISTRICT, THE OWNERS AND UPDATE THE IRRIGATION SYSTEM MAP; and**
- **PROVIDING AN EFFECTIVE DATE.**

The City Council findings: The City Council makes the following findings of its authority, purpose and the history of the enactment of this ordinance:

1.1 The City of Kuna has established and operates, as authorized by Title 50, Chapter 18, Idaho Code, a municipal irrigation system, known and referred to as *Kuna Municipal Irrigation System* (the "KMIS"); and

1.2 Commencing with the establishment of the KMIS and with every additional real property enlarging KMIS, the City Council has passed and enacted an ordinance pursuant to Idaho Code Section 50-1832 describing and enlarging the exterior boundaries of KMIS; and

1.3 It is the intention of the City Council to include that certain real property identified by the Ada County Assessor's office as GREYHAWK LAND COMPANY LLC. [legally described in **Exhibit A** attached to this Ordinance and by this reference incorporated herein] (the "SUBJECT REAL PROPERTIES") within the boundaries of KMIS and which SUBJECT REAL PROPERTIES are depicted on the attached **Exhibit B** Location Map; and

1.4 It is therefore necessary as required by Idaho Code Section 50-1832 to approve and enact this Ordinance in order to include the Subject Real Properties within the boundaries of KMIS.

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

Section 1: The boundaries of the Kuna Municipal Irrigation System are enlarged by the inclusion of the SUBJECT REAL PROPERTIES and the boundaries thereof are adjusted accordingly, said SUBJECT REAL PROPERTY being described as follows in **Exhibit A** attached hereto this Ordinance.

Section 2: Declaring the water rights appurtenant thereto are hereby pooled for delivery purposes.

Section 3: The City Clerk is hereby directed to record, in the office of the recorder for Ada County, a certified copy of this ordinance as required by Section 50-1832, Idaho Code.

Section 4: The City Engineer is hereby directed to give notice of this action by forwarding a certified copy of this Ordinance to New York Irrigation District, the owner of the SUBJECT REAL PROPERTIES and to update the official City map of the exterior boundaries of KMIS.

Section 5: Effective Date: This Ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law.

DATED this 21st day of January, 2020.

CITY OF KUNA

_____
Joe L. Stear, Mayor

ATTEST:

_____
Chris Engels, City Clerk

EXHIBIT A

LEGAL DESCRIPTION FOR WATER RIGHTS ON GREYHAWK LAND COMPANY LLC. GREYHAWK SUBDIVISION NO. 9

A parcel of land located in the E 1/2 of the NW 1/4 of Section 13, T.2N., R.1W., B.M., Kuna, Ada County, Idaho, more particularly described as follows:

Commencing at the North 1/4 corner of said Section 13 from which the NW corner of said Section 13 bears North 88°53'13" West, 2642.77 feet;

thence along the West boundary line of Greyhawk Subdivision No. 1, as filed in Book 99 of Plats at Pages 12854-12858, records of Ada County, Idaho, and along the West boundary line of Greyhawk Subdivision No. 2, as filed in Book 106 of Plats at Pages 14699-14701, records of Ada County, Idaho, South 00°11'49" West, 1,084.25 feet to the **REAL POINT OF BEGINNING**;

thence continuing along the West boundary line of said Greyhawk Subdivision No. 2 and along the West boundary lines of Greyhawk Subdivision No. 4, as filed in Book 109 of Plats at Pages 15482-15484, records of Ada County, Idaho, Greyhawk Subdivision No. 6, as filed in Book 112 of Plats at Pages 16292-16294 and Greyhawk Subdivision No. 8, as filed in Book 115 of Plats at Pages 17281-17284, records of Ada County, Idaho South 00°11'49" West, 1,198.93 feet;

thence leaving the West boundary line of said Greyhawk Subdivision No. 8 North 89°48'11" West, 143.00 feet;

thence South 68°52'28" West, 62.26 feet;

thence North 89°48'11" West, 100.00 feet;

thence North 00°11'49" East, 280.00 feet;

thence North 06°11'00" West, 89.99 feet;

thence North 00°11'49" East, 115.00 feet;

thence North 13°50'21" West, 51.54 feet;

thence North 00°11'49" East, 230.00 feet;

thence North 14°13'59" East, 51.54 feet;

thence North 00°11'49" East, 230.00 feet;

thence North 02°45'19" East, 67.21 feet;

thence North 00°11'49" East, 122.00 feet;

thence South 89°48'11" East, 115.00 feet;

thence South 76°18'26" East, 51.42 feet;

thence South 89°48'11" East, 143.00 feet to the **REAL POINT OF BEGINNING**. Containing 8.67 acres, more or less.


EXHIBIT B
LOCATION MAP
N
N Kristy Ave
E Yankee Basin Dr
N Russell Ln
E Whitbeck Dr
E Shady Ridge Dr
SUBJECT PROPERTY
Kuna Canal
N Snow Hawk Ave
E Firestone Dr
N Greenville Ave
N Destiny Ave
N Kay Ave
E Brush Creek St
E Ardell Rd
E
LEGEND
SUBJECT PROPERTY
KUNA MUNICIPAL IRRIGATION SYSTEM
NEW YORK IRRIGATION DISTRICT
BOISE KUNA IRRIGATION DISTRICT
ML3

(Space above reserved for recording)

ORDINANCE NO. 2020-05
CITY OF KUNA, IDAHO

ORDINANCE AMENDING THE EXTERIOR BOUNDARIES OF THE KUNA MUNICIPAL IRRIGATION SYSTEM [PATAGONIA DEVELOPMENT LLC. real property]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:

- **MAKING CERTAIN FINDINGS; and**
- **ENLARGING THE BOUNDARIES OF THE KUNA MUNICIPAL IRRIGATION SYSTEM BY THE INCLUSION OF ADA COUNTY ASSESSOR'S PATAGONIA DEVELOPMENT LLC.; AND**
- **DECLARING WATER RIGHTS APPURTENANT THERETO ARE POOLED FOR DELIVERY PURPOSES; and**
- **DIRECTING THE CITY CLERK TO RECORD THIS ORDINANCE AS PROVIDED BY LAW; and**
- **DIRECTING THE CITY ENGINEER TO PROVIDE NOTICE OF THIS ORDINANCE TO THE NEW YORK IRRIGATION DISTRICT, THE OWNERS AND UPDATE THE IRRIGATION SYSTEM MAP; and**
- **PROVIDING AN EFFECTIVE DATE.**

The City Council findings: The City Council makes the following findings of its authority, purpose and the history of the enactment of this ordinance:

1.1 The City of Kuna has established and operates, as authorized by Title 50, Chapter 18, Idaho Code, a municipal irrigation system, known and referred to as *Kuna Municipal Irrigation System* (the "KMIS"); and

1.2 Commencing with the establishment of the KMIS and with every additional real property enlarging KMIS, the City Council has passed and enacted an ordinance pursuant to Idaho Code Section 50-1832 describing and enlarging the exterior boundaries of KMIS; and

1.3 It is the intention of the City Council to include that certain real property identified by the Ada County Assessor's office as PATAGONIA DEVELOPMENT LLC. [legally described in **Exhibit A** attached to this Ordinance and by this reference incorporated herein] (the "SUBJECT REAL PROPERTIES") within the boundaries of KMIS and which SUBJECT REAL PROPERTIES are depicted on the attached **Exhibit B** Location Map; and

1.4 It is therefore necessary as required by Idaho Code Section 50-1832 to approve and enact this Ordinance in order to include the Subject Real Properties within the boundaries of KMIS.

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

Section 1: The boundaries of the Kuna Municipal Irrigation System are enlarged by the inclusion of the SUBJECT REAL PROPERTIES and the boundaries thereof are adjusted accordingly, said SUBJECT REAL PROPERTY being described as follows in **Exhibit A** attached hereto this Ordinance.

Section 2: Declaring the water rights appurtenant thereto are hereby pooled for delivery purposes.

Section 3: The City Clerk is hereby directed to record, in the office of the recorder for Ada County, a certified copy of this ordinance as required by Section 50-1832, Idaho Code.

Section 4: The City Engineer is hereby directed to give notice of this action by forwarding a certified copy of this Ordinance to New York Irrigation District, the owner of the SUBJECT REAL PROPERTIES and to update the official City map of the exterior boundaries of KMIS.

Section 5: Effective Date: This Ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law.

DATED this 21st day of January, 2020.

CITY OF KUNA

_____
Joe L. Stear, Mayor

ATTEST:

_____
Chris Engels, City Clerk

EXHIBIT A

LEGAL DESCRIPTION FOR WATER RIGHTS ON PATAGONIA DEVELOPMENT LLC. PATAGONIA ESTATES NO. 5

A PARCEL LOCATED IN THE S ½ OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 1 EAST, BOISE MERIDIAN, CITY OF KUNA, ADA COUNTY, IDAHO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN ALUMINUM CAP MONUMENT MARKING THE SOUTHEAST CORNER OF THE SE ¼ OF SAID SECTION 7, FROM WHICH AN ALUMINUM CAP MONUMENT MARKING THE SOUTHWEST CORNER OF SAID SE ¼ OF SECTION 7 BEARS N 89°25'45" W A DISTANCE OF 2651.45 FEET;

THENCE N 89°25'45" W ALONG THE SOUTHERLY BOUNDARY OF SAID SE ¼ A DISTANCE OF 1325.73 FEET TO A POINT MARKING THE SOUTHEAST CORNER OF THE SW ¼ OF THE SE ¼ OF SAID SECTION 7;

THENCE N 0°28'57" E ALONG THE EASTERLY BOUNDARY OF SAID SW ¼ OF THE SE ¼ AND ALSO PARTIALLY ALONG THE EASTERLY BOUNDARY OF PATAGONIA SUBDIVISION NO. 2, AS FILED FOR RECORD IN BOOK 112 OF PLATS AT PAGES 16476 THROUGH 16480, RECORDS OF ADA COUNTY, IDAHO, A DISTANCE OF 392.50 FEET TO A 5/8 INCH DIAMETER REBAR MARKING THE NORTHEASTERLY CORNER OF SAID SUBDIVISION AND THE POINT OF BEGINNING;

THENCE ALONG THE NORTHERLY BOUNDARY OF SAID SUBDIVISION THE FOLLOWING COURSES AND DISTANCES:

THENCE N 89°25'45" W A DISTANCE OF 437.34 FEET TO A POINT;

THENCE N 55°36'52" W A DISTANCE OF 1687.57 FEET TO THE SOUTHEASTERLY CORNER OF PATAGONIA SUBDIVISION NO. 4, AS FILED FOR RECORD IN BOOK 117 OF PLATS AT PAGES 17902 THROUGH 17904, RECORDS OF ADA COUNTY, IDAHO;

THENCE LEAVING THE BOUNDARY OF SAID PATAGONIA SUBDIVISION NO. 2, AND ALONG THE EASTERLY BOUNDARY OF SAID PATAGONIA SUBDIVISION NO. 4 N 38°27'29" E A DISTANCE OF 551.18 FEET TO A POINT;

THENCE LEAVING SAID BOUNDARY S 55°26'08" E A DISTANCE OF 303.63 FEET TO A POINT;

THENCE S 34°23'08" W A DISTANCE OF 60.00 FEET TO A POINT;

THENCE S 34°33'52" W A DISTANCE OF 69.00 FEET TO A POINT;

THENCE N 55°26'08" W A DISTANCE OF 40.83 FEET TO A POINT;

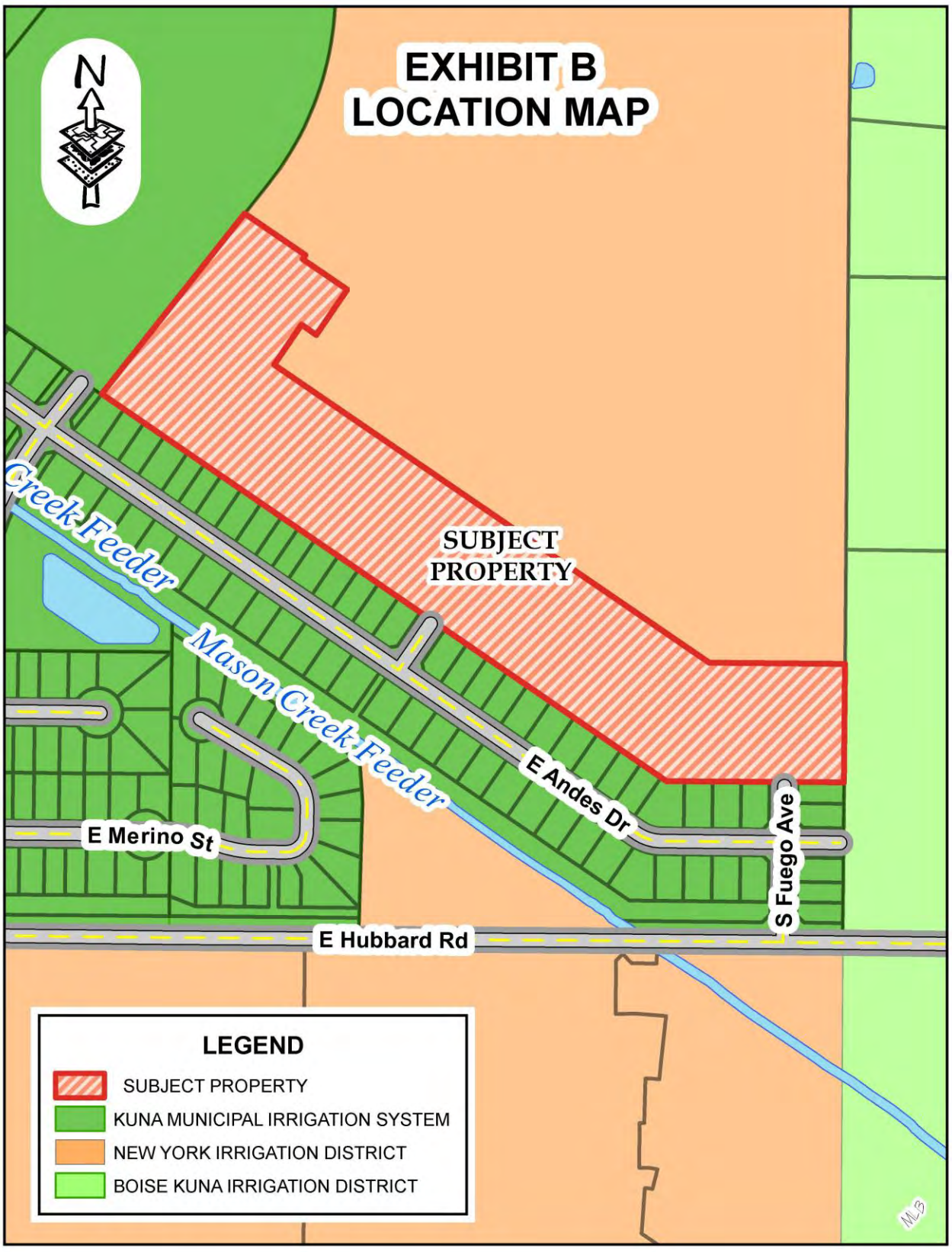
THENCE S 34°33'52" W A DISTANCE OF 125.97 FEET TO A POINT;

THENCE S 55°36'52" E A DISTANCE OF 1296.86 FEET TO A POINT;

THENCE S 89°25'45" E A DISTANCE OF 347.52 FEET TO A POINT ON THE EASTERLY BOUNDARY OF THE SW ¼ OF THE SE ¼ OF SAID SECTION 7;

THENCE S 0°28'57" W ALONG SAID EASTERLY BOUNDARY A DISTANCE OF 294.00 FEET TO THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 15.38 ACRES.


EXHIBIT B
LOCATION MAP
N
SUBJECT PROPERTY
Creek Feeder
Mason Creek Feeder
E Andes Dr
S Fuego Ave
E Merino St
E Hubbard Rd
LEGEND
SUBJECT PROPERTY
KUNA MUNICIPAL IRRIGATION SYSTEM
NEW YORK IRRIGATION DISTRICT
BOISE KUNA IRRIGATION DISTRICT

(Space above reserved for recording)

ORDINANCE NO. 2020-06
CITY OF KUNA, IDAHO

ORDINANCE AMENDING THE EXTERIOR BOUNDARIES OF THE KUNA MUNICIPAL IRRIGATION SYSTEM [THOMAS PETERSON & TAMELA WHITE real property]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:

- **MAKING CERTAIN FINDINGS; and**
- **ENLARGING THE BOUNDARIES OF THE KUNA MUNICIPAL IRRIGATION SYSTEM BY THE INCLUSION OF ADA COUNTY ASSESSOR'S THOMAS PETERSON & TAMELA WHITE; AND**
- **DECLARING WATER RIGHTS APPURTENANT THERETO ARE POOLED FOR DELIVERY PURPOSES; and**
- **DIRECTING THE CITY CLERK TO RECORD THIS ORDINANCE AS PROVIDED BY LAW; and**
- **DIRECTING THE CITY ENGINEER TO PROVIDE NOTICE OF THIS ORDINANCE TO THE BOISE~KUNA IRRIGATION DISTRICT, THE OWNERS AND UPDATE THE IRRIGATION SYSTEM MAP; and**
- **PROVIDING AN EFFECTIVE DATE.**

The City Council findings: The City Council makes the following findings of its authority, purpose and the history of the enactment of this ordinance:

1.1 The City of Kuna has established and operates, as authorized by Title 50, Chapter 18, Idaho Code, a municipal irrigation system, known and referred to as *Kuna Municipal Irrigation System* (the "KMIS"); and

1.2 Commencing with the establishment of the KMIS and with every additional real property enlarging KMIS, the City Council has passed and enacted an ordinance pursuant to Idaho Code Section 50-1832 describing and enlarging the exterior boundaries of KMIS; and

1.3 It is the intention of the City Council to include that certain real property identified by the Ada County Assessor's office as THOMAS PETERSON & TAMELA WHITE [legally described in **Exhibit A** attached to this Ordinance and by this reference incorporated herein] (the "SUBJECT REAL PROPERTIES") within the boundaries of KMIS and which SUBJECT REAL PROPERTIES are depicted on the attached **Exhibit B** Location Map; and

1.4 It is therefore necessary as required by Idaho Code Section 50-1832 to approve and enact this Ordinance in order to include the Subject Real Properties within the boundaries of KMIS.

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

Section 1: The boundaries of the Kuna Municipal Irrigation System are enlarged by the inclusion of the SUBJECT REAL PROPERTIES and the boundaries thereof are adjusted accordingly, said SUBJECT REAL PROPERTY being described as follows in **Exhibit A** attached hereto this Ordinance.

Section 2: Declaring the water rights appurtenant thereto are hereby pooled for delivery purposes.

Section 3: The City Clerk is hereby directed to record, in the office of the recorder for Ada County, a certified copy of this ordinance as required by Section 50-1832, Idaho Code.

Section 4: The City Engineer is hereby directed to give notice of this action by forwarding a certified copy of this Ordinance to Boise~Kuna Irrigation District, the owner of the SUBJECT REAL PROPERTIES and to update the official City map of the exterior boundaries of KMIS.

Section 5: Effective Date: This Ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law.

DATED this 21st day of January, 2020.

CITY OF KUNA

_____
Joe L. Stear, Mayor

ATTEST:

_____
Chris Engels, City Clerk

EXHIBIT A

LEGAL DESCRIPTION FOR WATER RIGHTS ON THE THOMAS PETERSON & TAMELA WHITE PROPERTY

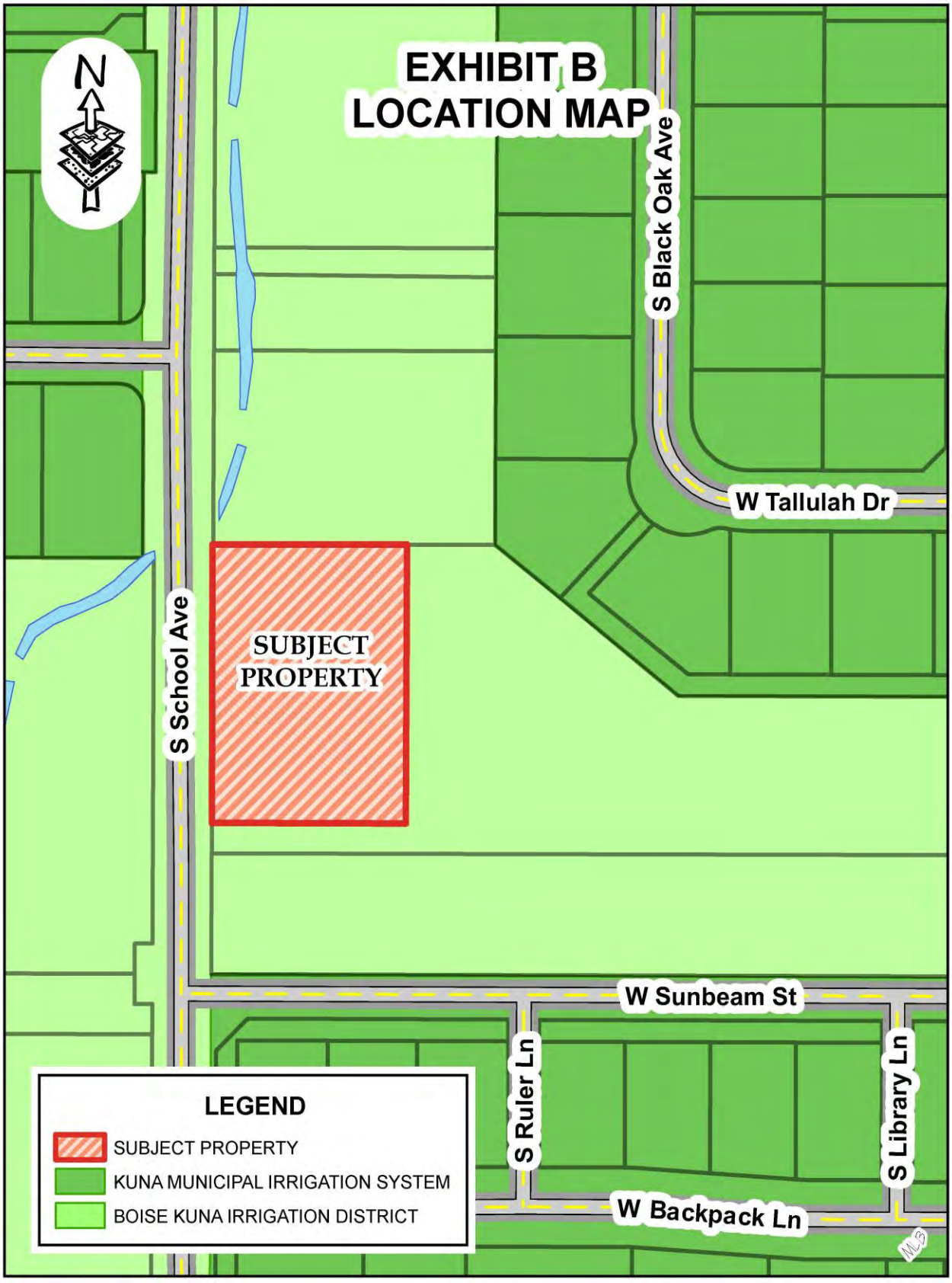
A parcel of land located in the SW ¼ of the NE ¼ of Township 2 North, Range 1 West, Section 26, Boise Meridian, Kuna, Ada County, Idaho, more particularly described as follows;

Commencing at the North ¼ of said section 26, thence South 00°15'14" West, 2293.36 feet along the North-South Centerline of said section;

Thence leaving North-South Centerline of said Section 26 to the easterly right-of-way of S School Ave, South 89°53'44" East, 25.00 feet to the **POINT OF BEGINNING**;

Thence, South 89°53'44" East, 164.53 feet;
Thence, South 00°15'14" West, 230.00 feet;
Thence, North 89°53'39" West, 164.53 feet;
Thence, North 00°15'14" East, 230.00 feet to the POINT OF BEGINNING;

Said parcel contains 0.87 acres more or less.


EXHIBIT B
LOCATION MAP
N
S Black Oak Ave
W Tallulah Dr
SUBJECT PROPERTY
S School Ave
W Sunbeam St
S Ruler Ln
S Library Ln
W Backpack Ln
LEGEND
SUBJECT PROPERTY
KUNA MUNICIPAL IRRIGATION SYSTEM
BOISE KUNA IRRIGATION DISTRICT

(Space above reserved for recording)

ORDINANCE NO. 2020-07
CITY OF KUNA, IDAHO

STADNITSKY
MUNICIPAL REZONE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:

- **MAKING CERTAIN FINDINGS; AND**
- **REZONING CERTAIN REAL PROPERTY, TO WIT: ADA COUNTY PARCEL NO. S1419333450 OWNED BY SERGEY STADNITSKY JR, SITUATED WITHIN THE CORPORATE LIMITS OF THE CITY OF KUNA, ADA COUNTY, IDAHO; AND**
- **AMENDING THE ZONING MAP; AND**
- **DIRECTING THE CITY ENGINEER AND THE CITY CLERK; AND**
- **PROVIDING AN EFFECTIVE DATE.**

Section 1: The City Council Finds:

1.1 **WHEREAS**, City of Kuna, Idaho is a municipal corporation organized and operating under the laws of the State of Idaho and is authorized under the provisions of 67-6511, Idaho Code, to establish within its jurisdiction one or more zones or zoning districts where appropriate which zoning districts are established in Kuna City Code § 5-2-2; and

1.2 **WHEREAS**, SERGEY STADNITSKY JR (the "Owner") is the owner of the certain real property which has been designated by the Ada County Assessor's office as Parcel No. **S1419333450** and which is more particularly described in "**Exhibit A**" – Legal Description and "**Exhibit B**" – Location Map, attached to this Ordinance and incorporated herein by reference (the "Subject Real Property") and has requested that the Subject Real Property be rezoned from the City's **A. – AGRICULTURE ZONING DISTRICT TO C-2 – AREA COMMERCIAL (the "Rezone")**; and

1.3 **WHEREAS**, the Planning and Zoning Commission of the City, pursuant to public notice as required by law, held a public hearing on September 10, 2019 as required by Section 67-6525, Idaho Code, made findings (approved by the Commission on September 24, 2019) where it was recommended to the Mayor and Council that the rezoning for the lands described in Exhibit A from Agriculture (A) to Area Commercial (C-2) be approved; and

1.4 **WHEREAS**, the Kuna City Council, pursuant to public notice as required by law, held a public hearing on November 6, 2019 on the Rezone, as required by Section 67-6525, Idaho Code, and in accordance with the provisions of Kuna City Code Section 5-1A-7 made

findings (November 6, 2019) and determined that the requested rezone should be granted with a zoning classification C-2 (Area Commercial); and

1.5 **WHEREAS**, it is necessary that the City Council adopt this Ordinance, as required by Section 67-6511 (2) Idaho Code and Kuna City Code § 5-1A-7 G, to complete the process of implementing the decision of the Kuna City Council to Rezone the Subject Real Property.

Section 2: Action:

2.1 The Subject Real Property is rezoned from **A. – AGRICULTURE ZONING DISTRICT TO C-2 – AREA COMMERCIAL (the "Rezone")**;

2.2 The Zoning Map of the City of Kuna is hereby amended to comply with this Rezone.

Section 3: Directing the City Engineer and City Clerk:

3.1 The City Engineer is directed to change the zoning district depictions of the Subject Real Property on the Zoning Map of the City in accordance with this Rezone ordinance; and

3.2 The City Clerk is directed to file, this Ordinance in the official records of the City and to provide a conformed copy to the City Engineer, Planning and Zoning Director and Owner.

Section 4: Effective Date

4.1 This Ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law and at the discretion of the City Clerk and In lieu of publication of the entire ordinance, a summary thereof in compliance with Section 50-901A, Idaho Code, may be published.

DATED this 21st day of January, 2020.

CITY OF KUNA

_____
Joe L. Stear, Mayor

ATTEST:

_____
Chris Engels, City Clerk

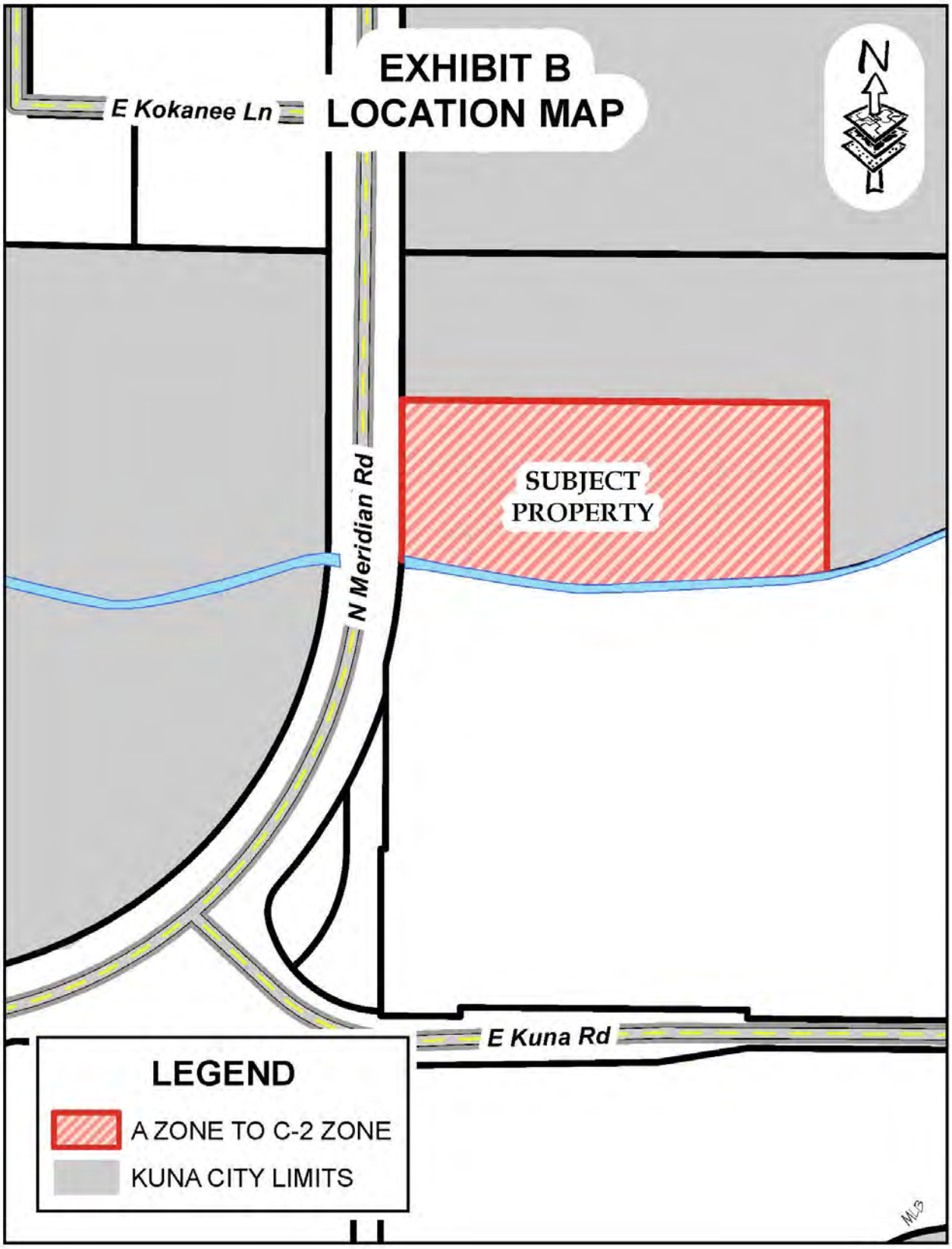
EXHIBIT A

STADNITSKY
REZONE TO C-2

LEGAL DESCRIPTION

A parcel of land located in Government Lot 4 in Section 19, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho, lying North of the Teed Lateral, more particularly described as follows:

Commencing at the Northwest corner of said Government Lot 4, the South sixteenth corner, common to Section 19, Township 2 North, Range 1 East, Boise Meridian and Section 24, Township 2 North, Range 1 West, Boise Meridian, marked with a 5/8 inch pin with plastic cap; thence
North 89°49'04" East, a distance of 60.00 feet to a 5/8 inch diameter by 30 inch long rebar with plastic cap on the Easterly side of State Highway 69; thence
South 00°30'25" East, a distance of 250.08 feet to a 1/2 inch diameter by 24 inch long rebar with plastic cap, the REAL POINT OF BEGINNING; thence
North 89°49'04" East a distance of 721.70 feet to a 1/2 inch diameter by 24 inch long rebar with plastic cap; thence
South 00°30'25" East a distance of 290.02 feet to a point at the centerline of the Teed Lateral, said point bearing South 00°30'25" East a distance of 30.00 feet from a 1/2 inch diameter by 24 inch long rebar with plastic cap witness corner on the Northerly 30.00 feet easement line for the Teed Lateral; thence along the centerline of the Teed Lateral 69.91 feet along a curve to the right, said curve having a radius of 549.84 feet, an interior angle of 7°17'05", and a long chord of 69.86 feet with a chord bearing of South 82°49'01" West, to a point; thence continuing along the centerline of the Teed Lateral
South 86°27'32" West a distance of 282.17 feet to a point; thence along the centerline of the Teed Lateral 148.01 feet along curve having a radius of 692.26 feet, an interior angle of 12°15'01", and a long chord of 147.73 feet with a chord bearing North 87°24'57" West to a point; thence continuing along the centerline of the Teed Lateral
North 81°17'27" West a distance of 174.40 feet to a point; thence continuing along the centerline of the Teed Lateral
North 78°50'05" West a distance of 52.78 feet to a point on a curve on the Easterly side of State Highway 69; thence along the Easterly side of State Highway 69 38.07 feet along a curve t ft, said curve having a radius of 883.51 feet, an interior angle of 2°28'07", and a long chord of 38.07 feet with a chord bearing of North 00°43'38" East to a 1/2 inch diameter by 24 inch long rebar with plastic cap; thence continuing along the Easterly side of State Highway 69
North 00°30'25" West a distance of 232.54 feet to a 1/2 inch diameter by 24 inch long rebar with plastic cap, the REAL POINT OF BEGINNING.


EXHIBIT B
LOCATION MAP
N
E Kokanee Ln
N Meridian Rd
SUBJECT
PROPERTY
E Kuna Rd
LEGEND
A ZONE TO C-2 ZONE
KUNA CITY LIMITS

ORDINANCE NO. 2020-08
CITY OF KUNA

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:

- **AMENDING SECTION 4 OF CHAPTER 1 OF TITLE 3 KUNA CITY CODE AMENDING THE ALCOHOLIC BEVERAGES LICENSE REDUCED FEES DATES; AND**
- **AMENDING SECTION 13 OF CHAPTER 1 OF TITLE 3 KUNA CITY CODE AMENDING THE ALCOHOLIC BEVERAGES LICENSE EXPIRATION DATE; AND**
- **DIRECTING THE CITY CLERK; AND**
- **PROVIDING AN EFFECTIVE DATE.**

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Kuna, Ada County, Idaho:

Section 1: That Section 4 of Chapter 1 of Title 3 of the Kuna City Code be amended to read as follows:

3-1-4: - REDUCED FEE FOR PORTIONS OF A YEAR:

Applications submitted on or after ~~August~~ October 1 but before ~~November~~ January 1 shall carry a fee of seventy-five percent (75%) of the annual fee adopted by the city council for the particular license sought. Applications submitted on or after ~~November~~ January 1 shall carry a fee of fifty percent (50%) of the annual fee. As renewal licenses shall be granted for a one-year period there shall be no reduction in fees for renewals. Nor shall there be a reduction in, or rebate of, fees for licenses which have been canceled, suspended, revoked, forfeited or abandoned.

Section 2: That Section 13 of Chapter 1 of Title 3 of the Kuna City Code be amended to read as follows:

3-1-13: - TERM OF LICENSES AND EXPIRATION:

All licenses issued under this chapter shall be valid for a maximum of one (1) year. Each license shall expire at 2:00 a.m. on ~~May~~ July 1 following the date the license is issued. ~~For example, a license issued on May 1, 2020, and a license issued January 3, 2021, would both expire on May 1, 2021, at 2:00 a.m.~~ License renewals issued May 1, 2020 will expire July 1, 2021.

Section 3: Directing the City Clerk

The City Clerk is directed to file, this Ordinance in the official records of the City and to provide the same to the City's codifier for inclusion and publication in the Kuna City Code.

Section 4: Effective Date

This Ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law and at the discretion of the City Clerk and in lieu of publication of the entire ordinance, a summary thereof in compliance with Section 50-901A, Idaho Code, may be published.

DATED this 21st day of January, 2020

CITY OF KUNA

_____
Joe L. Stear, Mayor

ATTEST:

_____
Chris Engels, City Clerk

ORDINANCE NO. 2020-08
CITY OF KUNA

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:

- **AMENDING SECTION 4 OF CHAPTER 1 OF TITLE 3 KUNA CITY CODE AMENDING THE ALCOHOLIC BEVERAGES LICENSE REDUCED FEES DATES; AND**
- **AMENDING SECTION 13 OF CHAPTER 1 OF TITLE 3 KUNA CITY CODE AMENDING THE ALCOHOLIC BEVERAGES LICENSE EXPIRATION DATE; AND**
- **DIRECTING THE CITY CLERK; AND**
- **PROVIDING AN EFFECTIVE DATE.**

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Kuna, Ada County, Idaho:

Section 1: That Section 4 of Chapter 1 of Title 3 of the Kuna City Code be amended to read as follows:

3-1-4: - REDUCED FEE FOR PORTIONS OF A YEAR:

Applications submitted on or after October 1 but before January 1 shall carry a fee of seventy-five percent (75%) of the annual fee adopted by the city council for the particular license sought. Applications submitted on or after January 1 shall carry a fee of fifty percent (50%) of the annual fee. As renewal licenses shall be granted for a one-year period there shall be no reduction in fees for renewals. Nor shall there be a reduction in, or rebate of, fees for licenses which have been canceled, suspended, revoked, forfeited or abandoned.

Section 2: That Section 13 of Chapter 1 of Title 3 of the Kuna City Code be amended to read as follows:

3-1-13: - TERM OF LICENSES AND EXPIRATION:

All licenses issued under this chapter shall be valid for a maximum of one (1) year. Each license shall expire at 2:00 a.m. on July 1 following the date the license is issued. License renewals issued May 1, 2020 will expire July 1, 2021.

Section 3: Directing the City Clerk

The City Clerk is directed to file, this Ordinance in the official records of the City and to provide the same to the City's codifier for inclusion and publication in the Kuna City Code.

Section 4: Effective Date

This Ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law and at the discretion of the City Clerk and in lieu of publication of the entire ordinance, a summary thereof in compliance with Section 50-901A, Idaho Code, may be published.

DATED this 21st day of January, 2020

CITY OF KUNA

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Joe L. Stear, Mayor

ATTEST:

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Chris Engels, City Clerk