



OFFICIALS

Joe Stear, Mayor
Greg McPherson, Council President
Richard Cardoza, Council Member
Warren Christensen, Council Member
John Laraway, Council Member

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

City Council Meeting
AGENDA
Tuesday, November 17, 2020

6:00 P.M. REGULAR CITY COUNCIL

*Per the Order issued by Central District Health on July 14, 2020,
Social distancing and face masks will be required.*

*Due to social distancing protocol,
the **Council Chambers Audience Occupancy Capacity is 15.***

***The first 15 persons** who appear, in addition to Mayor, City Council, and staff, will be allowed
in Council Chambers. All other persons may access the meeting via Live Streaming.*

Live Streaming Instructions:

Members of the public may watch the November 17, 2020 Council Meeting via Facebook Live.

Live feed will start at **6:00 P.M.** on the City of Kuna Idaho Facebook page linked below:

<https://www.facebook.com/CityofKunaIdaho/>

For questions please call the Kuna City Clerk's Office at (208) 387-7726.

***Public testimony will be received on the cases listed under Public Hearings within this Agenda.
The instructions and options available for public testimony are listed below.***

APPLICANT/PUBLIC ORAL PUBLIC HEARING TESTIMONY PROCESS:

Written – Up to noon the day of the Public Hearing

1. Submit any below stated option **prior to noon the day of the Public Hearing meeting.**
Late submissions will not be included.
2. Submit testimony via our website on the [Public Testimony Form](#).
Kunacity.id.gov > Doing Business > Forms and Applications > Frequently Requested Applications and Forms > ONLINE Public Testimony Form
3. Submit testimony via email to PublicHearingTestimony@KunaID.gov
4. Submit via mail to:
City of Kuna
Attention: City Clerk's Office
PO Box 13
Kuna, ID 83634

Oral – Via electronic call during the Public Hearing

1. Submit request **no later than noon the day of the Public Hearing meeting.**
2. Email PublicHearingTestimony@KunaID.gov

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 (208) 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.

- ✓ Your name
 - ✓ Address
 - ✓ Phone Number you will be calling from to give testimony
 - ✓ Email Address
 - ✓ Date of Public Hearing
 - ✓ Case number or Identification of Public Hearing
3. Watch your email for a reply email with the information to join the meeting electronically. (Check your spam/junk folder as a precaution)
 4. Follow the dial in information.
 5. Call into the virtual lobby a minimum of 5 minutes prior to the meeting.

Oral – In Person Testimony during the Public Hearing.

All persons wishing to testify must, state their name and residential address. No person shall speak until recognized by the Mayor. A three (3) minute time limit will be placed on all testimonies.

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*If you have questions regarding public testimony,
please call the Kuna City Clerk’s Office at (208) 387-7726.*

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 Dated November 4, 2020
- B. Accounts Payable Dated November 12, 2020 in the amount of \$588,606.36
- C. Resolutions:

I. Resolution No. R67-2020

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE WATER TRUNK REIMBURSEMENT AGREEMENT FOR LETE COMMERCIAL NO. 1; AUTHORIZING THE MAYOR TO EXECUTE THE

AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE; AND AUTHORIZING THE CITY TREASURER TO PAY KUNA CAVES STORAGE, LLC THE AMOUNT OF SIX THOUSAND ONE HUNDRED SEVENTY-SIX DOLLARS AND FORTY-ONE CENTS (\$6,176.14) PURSUANT TO THE TERMS OF SAID AGREEMENT.

2. Resolution No. R68-2020

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE PRESSURIZED IRRIGATION TRUNK REIMBURSEMENT AGREEMENT FOR LETE COMMERCIAL NO. 1; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE; AND AUTHORIZING THE CITY TREASURER TO PAY KUNA CAVES STORAGE, LLC THE AMOUNT OF THIRTEEN THOUSAND THREE HUNDRED SEVENTY-ONE DOLLARS AND FORTY-SIX CENTS (\$13,371.46) PURSUANT TO THE TERMS OF SAID AGREEMENT.

3. Resolution No. R69-2020

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY GREYHAWK LAND COMPANY, LLC FOR GREYHAWK SUBDIVISION NO. 11 FOR UNCOMPLETED WORK INCLUDING LANDSCAPING, STREET LIGHTING, AND FENCING PURSUANT TO THE TERMS OF THIS RESOLUTION.

D. Findings of Fact and Conclusions of Law

1. Case No. 20-01-CPF (Combination Preliminary and Final Plats) Ensign No. 1
2. Case No. 20-01-S (Preliminary Plat) Fossil Creek
3. Case No. 19-08-AN (Annexation) Black Rock Marketplace-Village

5. External Reports or Requests: None

6. Public Hearings:

Due to current health precautions associated with the Coronavirus, the City of Kuna is providing alternative ways for the community to submit comments at public hearings. To learn more about the process for written and oral testimony please follow the directions above or call the City of Kuna Clerk's Office at (208) 387-7726.

- A. Public Hearing and consideration to approve Findings of Fact and Conclusions of Law for Case Nos. 19-14-AN (Annexation) & 19-11-S (Preliminary Plat) Patagonia East, Ridge and Lakes – Troy Behunin, Planner III, Bonnie Layton, Representative
ACTION ITEM

- B.** Public Hearing and consideration to approve Ordinance No. 2020-32 for the Kuna Urban Renewal Plan for the Kuna West Urban Renewal Project – Lisa Holland, Economic Development Director **ACTION ITEM**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA, IDAHO, APPROVING THE URBAN RENEWAL PLAN FOR THE KUNA WEST URBAN RENEWAL PROJECT, WHICH PLAN INCLUDES REVENUE ALLOCATION FINANCING PROVISIONS; AUTHORIZING THE CITY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO COUNTY AND STATE OFFICIALS AND OTHER TAXING ENTITIES; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING AN EFFECTIVE DATE.

Please follow the link below to view the Kuna West Urban Renewal Plan:

<https://www.kunacity.id.gov/DocumentCenter/View/7234/Exhibit-3-Kuna-West-Plan-w-exhibits-11102020-PDF>

Open Public Re-Hearing

Receive evidence

Potential Motion:

Consideration to close evidence presentation and proceed to deliberation

Consideration to waive three readings

Consideration to approve ordinance

- C.** Public Hearing and consideration to approve Case Nos. 19-08-ZC (Rezone) and 19-10-S (Preliminary Plat) for the Monarch Landing Subdivision – Troy Behunin, Planner III and Mason and Associates, Applicant **ACTION ITEM**

Mason & Associates, Inc. (applicant) requests Rezone and Preliminary Plat approvals for the Monarch Landing Subdivision. Applicant requests a rezone for approximately 17.34 total acres from Agriculture (AG) to a C-3 Commercial (Service Commercial) zone. Applicant also requests preliminary plat approval in order to re-subdivide Lot 1, Block 1 of Tukila Meadow Sub into 15 total lots, and requests a SUP to place an approximate 5-acre self-storage facility on the same site. The subject site is at the SWC Linder and Hubbard Roads, Kuna, ID 83634, within Section 14, Township 2 North, Range 1 West (APN R8555340170).

Please follow the link below to view the Staff Report and Packet for Case Nos. 19-08-ZC (Rezone) and 19-10-S (Preliminary Plat):

<https://www.kunacity.id.gov/DocumentCenter/View/7239/6C-19-08-ZC-19-10-S-Monarch-Landing-Sub-Packet-PDF>

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

Potential Motions:

Consideration to either:

Option 1: *Approve or Deny Case Nos. 19-08-ZC (Rezone) & 19-10-S (Preliminary Plat) and Close the Public Hearing.*

Option 2: *Continue the Public Hearing to a time and date certain.*

- D.** Public Hearing and Consideration to approve Case Nos. 20-01-ZC (Rezone) and 20-02-S (Preliminary Plat) for Sera Sole Subdivision – Troy Behunin, Planner III and Riley Planning, LLC, Applicant **ACTION ITEM**

Riley Planning, LLC requests to rezone two parcels consisting of approximately 19.22-ac in Kuna City, from Agriculture (Ag.) **TO** the R-6 MDR (Medium Density Residential) zone and to subdivide the same lands into 89 total lots (78 buildable lots and 11 common lots). The subject site is located near the NWC of Swan Falls Road and Sunbeam Street within Section 26, Township 2 North, Range 1 West; (APNs: S1326141870 & S1326142025.).

Please follow the link below to view the Staff Report and Packet for Case Nos. 20-01-ZC (Rezone) and 20-02-S (Preliminary Plat):

<https://www.kunacity.id.gov/DocumentCenter/View/7240/6D-Sera-Sole-Subdivision-CC-Packet-PDF>

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

Potential Motions:

Consideration to either:

Option 1: *Approve or Deny Case Nos. 20-01-ZC (Rezone) and 20-02-S (Preliminary Plat) and Close the Public Hearing*

Option 2: *Continue the Public Hearing to a time and date certain.*

7. Business Items: None

8. Ordinances: None

9. Executive Session: None

10. Mayor/Council Announcements:

11. Adjournment:

**OFFICIALS**

Joe Stear, Mayor
 Greg McPherson, Council President
 Richard Cardoza, Council Member
 Warren Christensen, Council Member
 John Laraway, Council Member

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

City Council Meeting
MINUTES

Wednesday, November 4, 2020

Note: The regular City Council Meeting is moved to Wednesday to accommodate the election held on the first Tuesday of this November, the regular meeting date for Council.

6:00 P.M. REGULAR CITY COUNCIL

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1. Call to Order and Roll Call**COUNCIL MEMBERS PRESENT:**

Mayor Joe Stear – In Person
 Council President Greg McPherson – In Person
 Council Member Richard Cardoza – In Person
 Council Member Warren Christensen – In Person
 Council Member John Laraway – In Person

CITY STAFF PRESENT:

Chris Engels, City Clerk – In Person
 Jared Empey, City Treasurer – In Person
 Bill Gigray, City Attorney – In Person
 Nancy Stauffer, Human Resources Director – In Person
 Paul Stevens, Public Works Director – In Person
 Bobby Withrow, Parks Director – In Person
 Mike Fratusco, Kuna Police Chief – In Person
 Troy Behunin, Planner III – In Person
 Jace Hellman, Planner II – In Person

2. Invocation: None

3. *Pledge of Allegiance:* Mayor Stear

Consideration to Amend the Agenda

(Council must move to amend the agenda per IC 74-204(4)(b))

(Timestamp 00:00:55)

Add new Section 10, Business Continued, with the following items:

- 10A Report on Mayor's removal of appointed officer,
- 10B Consideration to affirm Mayor's removal of appointed officer,
- 10C Report on appointment of officer on interim basis, and
- 10D Consideration to consent to Mayor's appointment of officer on interim basis

And changing Mayor/Council Announcements to Section 11 and Adjournment to Section 12.

Motion To: Amend the Agenda to add new Section 10, Business Continued, with items 10A, 10B, 10C, and 10D and change Mayor/Council Announcements to Section 11 and Adjournment to Section 12

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Motion Passed: 4-0

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

(Timestamp 00:01:45)

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- A. Regular City Council Meeting Minutes Dated October 20, 2020
- B. Accounts Payable Dated October 29, 2020 in the amount of \$582,675.04
- C. Resolutions:
 - I. Resolution No. R51-2020

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO REPEALING AND REPLACING RESOLUTION NOS. R9-2007 AND R43-2014; ADOPTING THE STEP AND GRADE POLICY FOR THE PUBLIC WORKS AND PARKS DEPARTMENTS AS ATTACHED HERETO; AND DECLARING AN EFFECTIVE DATE.

2. Resolution No. R59-2020

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING A PERFORMANCE BOND BY TOLL ID I, LLC, FOR THE WINDFIELD SPRINGS SUBDIVISION NO. 6 FOR UNCOMPLETED WORK INCLUDING LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

3. Resolution No. R60-2020

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING A PERFORMANCE BOND BY TOLL ID I, LLC, FOR THE WINDFIELD SPRINGS SUBDIVISION NO. 6 FOR UNCOMPLETED WORK INCLUDING FENCING PURSUANT TO THE TERMS OF THIS RESOLUTION.

4. Resolution No. R61-2020

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING A PERFORMANCE BOND BY TOLL ID I, LLC, FOR THE WINDFIELD SPRINGS SUBDIVISION NO. 7 FOR UNCOMPLETED WORK INCLUDING FENCING PURSUANT TO THE TERMS OF THIS RESOLUTION.

5. Resolution No. R62-2020

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING A PERFORMANCE BOND BY TOLL ID I, LLC, FOR THE WINDFIELD SPRINGS SUBDIVISION NO. 7 FOR UNCOMPLETED WORK INCLUDING LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

6. Resolution No. R65-2020

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO SETTING FORTH FEES, ASSESSMENTS AND POLICIES FOR THE KUNA MUNICIPAL IRRIGATION DISTRICT FOR THE 2021 IRRIGATION SEASON; RECEIVING AND ACCEPTING THE ASSESSMENT BOOK FOR THE 2021 IRRIGATION SEASON; RECEIVING AND ACCEPTING THE ESTIMATE OF EXPENSES FOR THE 2021 IRRIGATION SEASON; SETTING THE TIME AND PLACE FOR THE MEETING OF THE BOARD OF CORRECTION FOR 2021 ASSESSMENTS; SETTING FEES FOR CONNECTING TO SAID IRRIGATION SYSTEM; SETTING UNIFORM METHOD OF ALLOCATING ASSESSMENTS FOR THE 2021 IRRIGATION SEASON; ESTABLISHING BILLING POLICIES; SETTING CUSTOMER SERVICE CHARGES; SETTING SYSTEM POLICIES; REPEALING EXISTING FEES AND POLICIES AS PREVIOUSLY SET BY RESOLUTION, AND SETTING AN EFFECTIVE DATE.

D. Final Approval of Findings of Fact, Conclusions of Law, and Order of Approval for Case Nos. 19-11-AN (Annexation) & 19-08-S (Preliminary Plat) Ashton Estates East Subdivision

Motion To: Approve the Consent Agenda as published

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Approved by the Following Roll Call Vote:

Voting Aye: Council Members Cardoza, Christensen, Laraway, and McPherson

Voting No: None

Absent: None

Motion Passed: 4-0

5. *External Reports or Requests: None*

6. *Public Hearings:*

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A. Ledgestone South Case Nos. 20-01-AN (Annexation) and 20-03-S (Preliminary Plat) –
Public Hearing continued from October 20, 2020
(Timestamp 00:02:31)

I. Consideration to approve Findings of Fact & Conclusions of Law and close the Public Hearing– Jace Hellman, Planner II and Bill Gigray, City Attorney **ACTION ITEM**

Planner II Jace Hellman had nothing to add to the Findings.

City Attorney Bill Gigray reviewed this was continued by Council as they took a deliberation action at the last meeting to deny the application for annexation in this matter. Mr. Hellman prepared the Findings of Fact and Conclusions of Law as part of the public hearing. In his mind there was nothing to reconsider at that point because that would require re-opening the public hearing for more testimony with regards to the merit of this particular application. That was why this was placed on the agenda ahead of the request for reconsideration. If Council decided they wanted to reconsider and have more testimony in regards to this they could advertise a hearing and go back through the process. They would say they were going to reconsider and tell the public they would continue the hearing for reconsideration and note what evidence they were willing to listen to. Council could go either way but this was the first order of the day.

Mayor Stear understood it as such. He clarified other than taking testimony on the request for reconsideration they would not take further testimony on it that night because the public had not been informed there would be more testimony. Beyond the fact of the request for reconsideration there would be no testimony.

Mr. Gigray said that would be his recommendation. Council could decide if they wanted to get into it or not. If Council did want to get into it, he recommended they continue the hearing to a date and time certain and announce what issues testimony would be taken on in regards to the reconsideration. Then everyone would be aware they were reconsidering because at the last hearing Council was in deliberation and had closed the record of proceedings for additional testimony and evidence. Everyone was on notice that the hearing was continued but only to receive findings which was an action Council took on their own. If they decided there was merit to the request for reconsideration after listening to what they wanted, they would need to re-open the hearing for more testimony and information and continue it to the next hearing date.

Mayor Stear asked, if they approved the findings, would it be a new public hearing because they would close the public hearing with that item.

Mr. Gigray explained, if they approved the findings, they would have to take it up again. If they didn't want to re-notice it, he suggested they take up the reconsideration then and the only decision would be to reconsider and reopen the hearing or not to reconsider and proceed to adopt the findings. They could do it either way. In either event there was not a statutory requirement.

Mayor Stear's preference was to finish out item one and, if Council choose to reconsider, they republish so the public knew it was coming up in consideration of the people who left the meeting thinking it was over and now it wasn't.

Mr. Gigray thought that was a very appropriate procedure and the path they followed in the past.

Motion To: Approve Findings of Fact & Conclusions of Law and close the Public Hearing for Case Nos. 20-01-AN (Annexation) and 20-03-S (Preliminary Plat)

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion:

Council Member Cardoza chose to abstain from voting since he had been absent for the previous discussion.

Motion Passed: 2-0-2

Recused: Council Member Laraway

Abstained: Council Member Cardoza

2. Consideration to reconsider denial of Case No. 20-01-AN (Annexation) **ACTION ITEM**

Mayor Stear noted there was a letter on behalf of Trilogy Development from Jane Suggs in the packet. Ms. Suggs was there if they wanted to ask any questions. In his mind this had a lot to do with the waste water treatment and the ability to serve. There were still many questions there. He knew they were offering to do what was needed

to assist the City with sewer and that infrastructure, however, they didn't know what that was. At that point, he didn't see that there was anything to reconsider but, that was up to Council to make that determination.

Council President McPherson was of the same opinion. Until they had a better grasp on what the plan was moving forward with the removal of waste water from a new area or addition to a current subdivision, they should put the breaks on while they figured it out. Then they could move forward so when they could get it developed developers could receive their will serve letter and not be held up in their progress.

Council Member Christensen had nothing to add. He felt they were all on the same page.

Mayor Stear noted Ms. Suggs was wanting to say something. He asked if Council was okay with her coming up to present.

Ms. Suggs thanked Council. She asked that they reconsider the denial based on some things that happened since the last meeting. Mayor Stear had received an email from the Public Works Director explaining they had met yet again to discuss the sewer capacity. They agreed to partner with the other developers impacted by this and work with the City to make the improvements to the lift stations and possibly do a whole Mason Creek pump line so these areas that were so important on the east side of Meridian Road could be sewerred. Other projects with the same concerns would be coming forward. As for the timing, they thought the approval of the annexation and the preliminary plat was the incentive they needed to work together. At that point the developer had not purchased the majority of the property and could still walk away. It didn't really give him the incentive to participate in the solutions and she felt they needed everybody to come to the table. Also, in her letter she mentioned some commercial development that was forthcoming. It was very important to the City to bring in commercial lots. This piece, Ledgestone South, was part and parcel to the next piece of development coming from the same developer that would provide some great incentive to connect the residential areas to Highway 69. She mentioned that in the letter. She asked again that they reconsider. This was an annexation and preliminary plat. The will serve letters would come later during final plat. There was clearly some time between what they could do as far as construction and getting this improvement process going. They really wanted to partner with the City on this. She asked that they reconsider and set a date to let them bring the information. At that point they could decide if the reconsideration was valid. She stood for questions.

Mayor Stear said the main issue they had was there had been some development. The original thought on developments was the infrastructure size was based on 3.5 homes per acre and some of these developments had been greatly exceeding that. The City Engineer had already put out for some fact finding from an outside source to see what they needed to do to make it work or if they could make it work. It was a few weeks out before it would be done. That was what they were working with and they weren't sure what it would take to serve it and what capacities would be.

Mr. Gigray explained, listening to what was presented and discussed, an option would be to offer a reconsideration subject to this matter being remanded back to staff. Any rescheduling and reconsideration of a public hearing would only be when staff was prepared to make a resubmittal of this application with the additional information needed in regards to sewer capacity for this development and any other associated things when staff felt this was definitive enough to include in sufficient conditions of approval to ensure this project could be served by City services. That would mean the applicant would retain their application date for their rights under the City's code. That would facilitate it not being back until it was ready to go and there was a complete staff report that staff was comfortable with. It would be subject to rescheduling and re-notification at the cost of the applicant since it was their request. Or they could let it stand as it was and they would be under the ordinance requirements regarding reapplication sometime in the future.

Mayor Stear asked if reapplication, since it was denied, would mean a substantial rewrite of the project.

Mr. Gigray thought it was a time period. If they got a denial, he thought it was a year before they could reapply. Then their rights would accrue at the time of reapplication. On the other hand, if there was merit in what was being asked on the part of the applicant and it really was an infrastructure issue, he suggested the City remand it back to Planning & Zoning, specifically Mr. Hellman since he staffed it. They would want to define on the reconsideration that those issues be addressed specifically with the staff's determination in their report that a) no they couldn't have sufficient assurances and conditions and it be resubmitted with a recommendation that the annexation be denied or b) they determine that they could have those conditions they were comfortable with, recommend approval and it not be re-noticed until they reached that determination. That meant a complete staff report with recommendations staff was comfortable with so Council didn't end up in a meeting with incomplete information or they were uncomfortable with it and would require them to keep continuing it. If they chose to go that way, he suggested they call the applicant's representative to see if they would agree to that. At that point, they had a final determination on the denial of annexation so any timetable under City ordinance had been met. They were safe on that standpoint. However, if it was remanded to staff and kept open for reconsideration, he wanted to make sure they weren't going to complain about any timetable. He didn't know why they would though. That was a way to approach the reconsideration if there was any merit in it.

Mayor Stear asked what Council wished.

Council Member Christensen appreciated Mr. Gigray letting them know all of that but, looking at this scenario, he thought the infrastructure was the primary concern with annexing this. However, when it came to approving something for a future set date just to hold their place in line, he couldn't say that was a great idea because it was going to cause a back up if things couldn't get taken care of. When they denied an annexation, it was for good cause at that given point in time. He struggled with

reconsidering just to set a future date to get more facts and ideas from staff. Those were things that should be presented from the beginning.

Council Member Cardoza disagreed. He thought there should be some sort of priority order for the people who were rejected that would allow them to get back in line. It was a prerogative they had. If they didn't want to reapply, they would forfeit their place in line. This would be wide open if they didn't give some priority to anything they rejected as they came back to Council.

Council Member Christensen agreed with that concept. His concern was they were presented the facts to these cases at a given point in time and they were supposed to make a decision based on those facts but, they were saying approve everything before a final plat because they could put in a list of conditions. He understood what Council Member Cardoza was saying but, at some point there would be a back log of everything with a build up of findings for each case. By approving everything to hold places in line, moving down the road he was concerned about when something was presented and the City wasn't ready. He asked at what point would they stop the procedure.

Council Member Cardoza said that was not the point he was trying to make. He thought they denied it based on the inadequacy of the City. It had nothing to do with the developer at that time. If they didn't give some priority to these developers as they denied them, when they opened the lift stations and the waste water treatment plant, he thought they would be opening themselves to litigation due to fights over the EDUs coming available. He asked how they could have an orderly distribution of those EDUs in the waste water treatment plant and the lift stations.

Mr. Gigray explained, in this instance, the property was not in City limits. It was being annexed so he was not worried about that issue. In his mind, the only issue and only clarification for the agent representing the applicant was, if they did suspend their approval of the findings that denied the annexation, they might get into a timetable issue with some of the permits. He wanted to make sure they waived any rights, if they had any, in that regard. His thought was, if it went back to staff, it would be narrowed down to a specific issue. Council was not committing to anything. The hearing would still be open. Council would not have approved anything at that point. Staff would come back with a recommendation when they went as far as they could with it in terms of their investigation and analysis. They would notice it and it would be reheard with everyone being aware and able to address the new staff report. Council would again go through to determine if they were going to deny or grant annexation and zone it. Then there would be the issue of the preliminary plat and then they would get in line in regards to will serve. In terms of the original question, he did not see it as a liability issue if they stayed with the decision as it was because it was not in city limits.

Council Member Cardoza said, once the City had the capacity and capability, there would be no priority. Whoever happened to have something in front of Council would get approved because the capacity would be available at that time.

Mr. Gigray noted plats that had already been approved would be ahead of it.

Council Member Cardoza said everybody who had been denied would have no priority. Someone who came in four months from now could possibly be in line before someone who had come in four months prior with no priority set for denials.

Mr. Gigray stated the process staff had been following, which he had recommended and Council had approved, was when someone who was already annexed into the city and applied for a preliminary plat, the preliminary plat was approved subject to conditions. When they had will serve issues with any parcels in the plat, the policy, or at least the direction they had been following, was one of the conditions of preliminary plat approval be the developer was not eligible to file for final plat until the Public Works Director certified they could serve all the lots subject to that preliminary plat condition. At that point they could file for the final plat. That was when they actually put in all the infrastructure and improvements and got it ready for final plat and approval. Then they could sell the lots. It was also included, as a condition, in the event certification did not come about in the two-year time period in which they had to file for a final plat, they had reason to request an extension which could be done under Kuna City Code. That was when they got in line. Until the preliminary plat was approved, and they already had to be annexed into the city, they weren't in line. In this instance, on reconsideration, should Council grant annexation and preliminary plat, they would be in line but, they would not get final plat until they had a will serve. Public Works would have to know who was in line in what place and they would not certify an ability to serve until they were aware of that ability and everyone ahead of them had been serviced. That would be taken into consideration. That was how they were processing them at that point in time.

Mayor Stear clarified the question before them was do they let the applicant put this on hold for now so they could come back after staff made some changes to provide information that would indicate the City could provide service at some point in the future or did they deny and when they came back again, if they came back again, it would be a substantially different project. Council would be asking them to completely redesign what was brought forth in the first place because it was denied. That would be a year from then before it could happen. The question was do they allow them to, in essence, table it so staff could go back and look at it and let the engineer process and review happen so they could see if the infrastructure could be made to work to serve the project. It could have to be changed substantially anyways. He thought that was the question rather than anybody being in line to save EDUs. There was a lot of capacity at the waste water treatment plant. He didn't think that was the problem. The capacity issues were more about line sizes and lift stations.

Council President McPherson said it wasn't their fault but, it kind of was their fault they couldn't serve them. The City didn't have the ability to service the sewer at that location due to probably no one in the last ten years seeing development going that way; especially as quick as it did. The applicant did put a lot of effort and resources into this and they did their homework with public meetings and neighborhood meetings. Council could deny it or table to a date certain he believed.

Mayor Stear clarified a date certain wasn't necessary. It would just be remanded back to staff and it would be readvertised.

Council President McPherson was inclined to do that as opposed to making them start over. They had done their due diligence and the City couldn't service them. He saw both Council Members Cardoza and Christensen's sides. He wasn't sure which way to throw the ball. He wasn't opposed to tabling it until relooking at the infrastructure was done. He wanted to confirm that the applicant would have to significantly change the development if it was denied.

Mayor Stear believed that was the case. He asked if Mr. Hellman or Planner III Troy Behunin knew for sure.

Mr. Gigray understood, according to the ordinance, that would be up to the applicant. The issue was the applicant was prohibited from filing the application for one year. They could decide to change it but that was up to them.

Mr. Behunin added the requirement was the applicant had to wait one year from the date of denial to bring back an application. It was not specific enough to say they had to change it. There were no conditions to follow if there was a denial but, they did have one calendar year from the date of the signing of the Findings of Fact or the decision. Changing it was up to the applicant.

Mayor Stear said they needed to decide if they were going to make them wait a whole year or not.

Mr. Gigray restated his procedural recommendations for denying the reconsideration or granting it. He added, if they granted it, they would suspend the decision of the approval of the FCOs and it would remand to Planning & Zoning with the direction to restaff it with the major concern being the ability to serve the area with sewer and, until staff was ready with a final report and recommendation, the matter would stay with them. The hearing would need to be re-noticed to go back to Council and would not have to go to Planning & Zoning.

City Clerk Chris Engels asked, if the reconsideration was denied that night, was there anything that stopped the applicant from filing another reconsideration of the denial in two or three months.

Mr. Gigray replied you could never stop someone from filing something but, with annexation there was no legal right to reconsideration. They could determine whether to put it on the agenda or not and he believed the Clerk always conferred with the Mayor in regards to that. They could put it on the agenda for denial at that point but, that seemed kind of silly. They already approved the Findings so the action was complete. Until that was undone, they couldn't reapply for one year because of City ordinance. It made sense because otherwise they would just be regurgitating the same things over and over again.

Mayor Stear asked if they even needed to decide anything at that point if he was saying it was a year before they could bring it back.

Mr. Gigray clarified, if Council decided to reconsider and suspend the Findings they just approved, then they would be on the same track they were on. It just wouldn't be heard until staff was ready.

Council Member Christensen said he was miffed with the situation. He felt they made the decision to deny it and approved the denial that night and if they decided to reconsider the case and left it open ended until staff could figure it out and present something new for them to look at for approval or denial, it opened the door to any denial they do on an annexation for any reason whatsoever. He felt maybe Council Member Cardoza looked at it like it was the City's fault but, when it came down to it, it opened the door for everyone who asked for a reconsideration on annexation denials in the future based on the standard they were setting that night to hold it and send it back so they could think of a better idea. It was almost opening the door for setting a standard for the City. In his view, it was a dangerous standard to be setting.

Council Member Cardoza responded he was looking at if they denied and the applicant had to wait a year to come back but the City got the lift stations up to capacity in three months, anyone coming before them would be annexed and allowed to develop but this developer would have to wait a year to reapply. If there was not some kind of priority, the City would be fixing the problem and annexing new development and those that were denied would not be able to develop. He did believe it was a fault of the City. Maybe years ago the City should have anticipated the growth when it started. He didn't want to point fingers at the City but, it seemed to be a City fault they were underdeveloped on lift stations so should they punish the developers coming before them until they solved the problem and then start opening the door to everyone else while the denied applicant had to wait a year. He did not think it was fair to developers who were willing to work with the City. He asked how they could be fair to both sides.

Council Member Christensen understood what he was saying. It made sense but he had to look at the bigger picture. If it was the City's fault, the school district's fault, ACHD's fault, xyz's fault, it would never be the developer's fault, that was just the unfortunate way of life when going through this process. What Council Member Cardoza was saying was they had to be fair, it wasn't their fault, so they should let them hold their place by approving it anyway and leaving it on the table for new ideas. That opened the door for tabling cases when schools were at capacity or roads were in bad shape because it wasn't the developer's fault and it could be corrected in a few months. Looking at it from that generalized perspective was the point he was trying to make.

Council Member Cardoza said they weren't wanting to approve it. They just wanted to give them some reapplying seniority.

Council Member Christensen said he spoke wrong. They would be withdrawing their denial, reopening it, and keeping it open but the same concept still applied.

Council Member Cardoza thought they weren't working with the situation due to their incapacity. It was no one's fault so to speak but it definitely wasn't the developer's fault that the infrastructure wasn't in place. The City had a treatment plant that was good for another ten years at the current growth yet the City did not have the capacity to get the brown stuff to the plant. If the developer was willing to work with them, they should have some seniority to come back to the City when capacity was open. He wasn't saying they should approve it. They should just give them a place in line so when they had capacity the next developer coming before Council wouldn't have priority over someone who had already been rejected.

Mayor Stear said this was a new problem. They were finding out, now that Paul Stevens was the engineer and was looking deep into these things, a lot of these developments were scaled to be 3.5 residents per acre. The more R-6 and R-8 that came along, the more that entire plan was messed up. Now they were in a situation with the inability to serve at the moment but, they were looking into what it would take or if it was possible to get it fixed. Both Council Members were making good points. They couldn't keep things in the hopper because something couldn't be served but might be serviceable in a few weeks yet send people off to come back in a year because in six months they could be served. Other people could come in but, these people couldn't because they came in at the wrong place and time. They were both good points.

Council President McPherson added they were talking about priorities. He gave an example of Developer A who came in two years ago and started a project with phases and Developer B came in wanting to annex. They were going to add all that too and that screws up the works so that Developer A couldn't finish Phases 2, 3, 4, and 5 because they wanted their share of the pipeline which put them both in a halt. So, he asked, would they give priority to the developer who did their homework and laid it all out or do they bump the other applicant in line that now wanted in but wasn't even annexed into the city. That opened another whole can of worms. He asked how should they prioritize. They had developments that were only in Phase 1 of 5 or 6 but they should allow another huge several hundred development to take a whack at the pipeline too. He asked where they should draw the line there.

Council Member Cardoza wasn't sure. He thought Mr. Stevens had figures on development in different phases already anticipated for EDUs. He asked if he accounted for each phase when they came in for the capacity of the plant and lift stations. He thought the capacity was already in motion.

Council President McPherson said to an extent. The development they were discussing was up against another development that was already in and developed and EDUs were there but, now they were trying to add to it when it wasn't even part of the city.

City Engineer Paul Stevens stated yes and no. This had all been mapped out and planned out at 3.5 dwelling units per acre and not necessarily including unincorporated areas. They had a bit of a short fall on that. They were working with an outside engineering firm to get a disinterested third party's opinion on the capacities and what could be done to increase those capacities. When capacity was available, they were happy to distribute it any way Council wanted them to.

Council Member Cardoza asked when a developer came in with 400 homes divided into four phases did Mr. Stevens anticipate those 400 in advance for that lift station.

Mr. Stevens replied mostly. There were quite a few already accounted for, for example, Crimson and all those were all laid out but not built yet and were all accounted for in that list.

Council Member Cardoza clarified, if someone came in to be annexed, those EDUs Council was looking at would not be accountable because they were already accountable by prior developers on their lift stations in a certain area.

Mr. Stevens said, as Council President McPherson stated regarding ones that had phases 1, 2, 3, and 4 lined out, those were already in the accounting but, the additions of the rather large ones were not.

Council Member Cardoza asked if there were bought EDUs floating out there that were unaccounted for.

Mr. Stevens said not that he knew of.

Council Member Cardoza was thinking of a specific developer or contractor. He asked if he had used up all his EDUs.

Mr. Stevens said he still had some but they were earmarked for certain developments.

Council Member Cardoza asked if they were accounted in those lift stations.

Mr. Stevens replied to the best of his knowledge he believed they were.

Mr. Gigray advised the Council he did not think it was a good idea for them to approve final plats of subdivision the City was unable to serve with sewer and water because once a final plat was approved, they had a legal lot that could be sold. Once it was sold people would want to develop the property. He reiterated the process he had outlined earlier that evening regarding capacity issues and approvals.

Council Member Laraway asked if he was allowed to make a comment.

Mayor Stear thought, in that case, they were talking about a different issue so it was his opinion that Council Member Laraway could comment.

Council Member Laraway said they seemed to be at an impasse over denial or approval. They kept running into this timeframe on a denial. He asked if it was possible to put in a waiver on the one year since the City was responsible for holding this up.

Mr. Gigray replied they would have to amend the ordinance. It was pretty definitive as it stood.

Council Member Laraway asked if this was a stalemate.

Mayor Stear said it looked like it was two to one.

Ms. Suggs believed the issue was, if they did approve the reconsideration, they would be faced with a time schedule to take up that reconsideration at a public hearing. They could agree to not challenge Council on that time schedule and to delay it to work with staff to come up with a reasonable condition that would allow the annexation and preliminary plat to proceed. It was not so much about getting in line as it was about capacity and capability of accepting those EDUs. She understood, in their work with Mr. Stevens, given the opportunity to have the potential approval of preliminary plat put them in the same room with Mr. Stevens and the third-party engineer to help fix the problem. They could come up with solutions but it would cost tens and hundreds of thousands of dollars or more to make those improvements and they wanted the development community to pony up. To do that, they felt they needed some lots or EDUs. The City had been through this before back in the sewage treatment plant days. It was not just about getting a permit. It was also about partnering with the City to make improvements. They were willing to do that and she thought there were other developers willing to do that as well. They had talked about the model for sewer being at 3.5 units per acre. Yes, they were asking for some R-6 and R-8 zoning designations but their density for the 97 acres was 4.07. They were just over the 3.5. Again the 3.5 model was typically used through the comprehensive plan and not just the annexation area because the comprehensive plan did require the City to provide services. The area of impact should be modeled at that as well.

Mayor Stear said a review would show that if they got there. He asked her get to the point if she had one. They needed to move on.

Ms. Suggs said she did. She stated they already agreed to the preliminary plat conditions that were added about will serves. They requested Council reconsider the denial and accept the request without a date certain with direction to staff to work with them to determine the best time for them to come forward with the same plat and different conditions staff, public works, and the developer could meet and Council would be comfortable with. She also asked that Council treat them fairly; like other projects that might come in for annexation.

Mayor Stear thanked Ms. Suggs. He stated they had hashed this out quite a bit and asked for a motion. They would see where they ended up with a vote.

Motion To: Deny reconsideration of Case No. 20-01-AN

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Motion Passed: 2-0-2

Recused: Council Member Laraway

Abstained: Council Member Cardoza

- B.** Public Hearing and consideration to approve Case Nos. 19-14-AN (Annexation) & 19-11-S (Subdivision) for the Patagonia East, Lakes, Ridge Subdivisions. – Troy Behunin, Planner III and Bonnie Layton, WHPacific Applicant **ACTION ITEM**
(Timestamp 01:06:26)

Applicant, WHPacific–NV5 requests approval for Annexation and Preliminary Plat. Applicant requests to annex approximately 173.80 ac into Kuna City limits, with three (3) zones throughout the project; the R-8 (Medium Density Residential [MDR]), R-6 and R-4 (MDR), zones. Applicant proposes a multi-phased master-planned development to be known as Patagonia East, Lakes and Ridge Subdivisions (Patagonia East). Applicant requests Preliminary Plat approval in order to subdivide approx 173.80 ac into 561 Single family buildable lots, 54 common lots and one 10-acre school lot for Kuna School District. The project site is in Sections 7, 8 & 17, all in Township 2 North, Range 1 East (T2N,R1E), all three projects are at the intersection of Locust Grove and Hubbard Roads.

Planner III Troy Behunin presented the staff report. He passed out an email from the City Engineer certifying Taylor Merrill's willingness to pay a proportional share of sewer upgrades to make sewerage possible as well as a hand delivered letter from Kenneth and Linda Jantz that was brought in after the packet was submitted to the Clerk's Office for the agenda. The Jantz's letter appeared to be identical to the one they submitted in July 2020 which was included in the packet. He also noted a recent development with the Kuna School District and the developer. The developer worked with the school district to solidify the plans for the school and what the needs of the school district were and they agreed with the Principal to purchase the property. However, it had been proposed as a 50/50 meaning 50% of the property would be purchased and the developer would donate 50% of the property to the school district and the community. It was now going to be 60/40 meaning 60% donated and 40% purchased. He stood for questions.

Mayor Stear asked Mr. Behunin if, when he said donated to the school district and the community, was it for two separate uses or was he saying community because it was the school district.

Mr. Behunin explained he said that because anytime the school district benefited from a cooperative developer it relieved some of the pressure on residents as well as part of the grounds would be allowed as usable open space for the public because it was a public facility.

Mayor Stear asked City Attorney Bill Gigray, as a matter of procedure, since this project was in the same waste water system as the issue Council just discussed and, knowing

what they just went through and not being sure this would go anywhere, was there an appropriate way to bypass going through the motions and give the developer a chance to change the presentation or something. He was okay with going through the motions again but, he was afraid Council would come to the same decision in the end.

Mr. Gigray explained this was a public hearing. The application had been made, the staff report had been prepared, and the hearing was open. The best course was to listen to the evidence and make a decision. They couldn't shortcut it. They could direct applicants and other persons to address specific concerns Council had so they had the best information they needed in order to make a decision. They could certainly make those requests and ask questions. He encouraged them to do so but they needed to go through the hearing.

Bonnie Layton, WHPacific and NV5, 690 S Industry Way Suite 10, Meridian, Idaho 83642, representing Westpark Companies and Greg Johnson, the applicant, passed out a presentation to Council and the Clerk. She thanked Council for their time and hoped to provide some additional information for their decision that evening. She reviewed the application and noted their gross density was generally at 3.23 dwelling units per acre the whole project which was below the previously discussed 3.5 threshold over. Also, the school site and resolving that issue was one of the conditions of approval with Planning & Zoning. She gave some history regarding working with the school district on a school site in the original Patagonia location. That site was rejected and they worked closely with the district to relocate the site and provide a much-needed amenity for the area and the citizens of Kuna. She knew there had been a lot of discussion that evening regarding sewer capacity in that area. When their original Patagonia project was developed back in 2015 there was a lift station designed, the Patagonia Lift Station, that contemplated the future capacity. She received a letter from their engineer who was on the project at the time. Mr. Behunin passed a copy of the letter out. He just had the letter but they also had supplemental sewer/pump station calculations that were approved by the City and DEQ for Council's review and consideration that she could submit into the record. Initially, they submitted the application at the end of 2019 and were scheduled to be heard at the end of March 2020 but were delayed by COVID and in that time frame this issue arose. They did not believe it to be an insurmountable situation. Their original Patagonia project was very successful. In the development of that project, and she would defer to her client to speak in further detail but, generally speaking, they built a lift station that could serve 1,500 homes. The City eventually reimbursed them for 2/3rds of that. They built more capacity than they needed and the reimbursement happened ahead of schedule. By 2021 they would be approaching 500 units of the 1,500 that lift station contemplated. Ms. Layton read into record a letter Mr. Behunin had passed out to Council from the engineer on the project, Ben Thomas, and is attached to these minutes. She explained it had been their belief and intention all along to develop this infrastructure with a plan in place to add additional lots in the area. They were agreeable to what was in the staff report including the additional conditions 15 and 16. She requested approval and stood for questions.

Council Member Cardoza asked if the 21.93 acres of open space included the school site.

Ms. Layton responded it did.

Council Member Cardoza said the 21.93 acres was in essence 11.93 acres of open space.

Ms. Layton believed that was correct but didn't have the exhibit from the staff report in front of her.

Council Member Cardoza asked what the purpose of the 31 pictures submitted of fields and what not was. The pictures were all dated 10.24.2019. He thought, if they were trying to show Council what it looked like, the photos should be current, not a year old.

Ms. Layton explained those pictures were submitted in December 2019. They were scheduled to be heard in March of 2020 but were delayed due to COVID and noticing errors. If they had been heard sooner instead of being pushed back, the pictures would have been current.

Greg Johnson, the applicant, 2037 E Terza Street, Meridian, Idaho 83642, purchased some of this land as early as 2003 and had been working on this development ever since. Some of these parcels were auctioned at the time they submitted the first Patagonia and they spent five years getting through ACHD with traffic studies and other things to get this in front of City Council. It had been a long and brutal process. They had been developing in Kuna since 1985 and it usually wasn't this difficult. They had been a little frustrated with the process. In 2014 he met with Gordon Law regarding this latest development of Patagonia, the one currently under construction. After several months they agreed it would be in his and the City's best interest to build the lift station Ms. Layton mentioned. It had, at that time, the capacity to service 500 homes. They had used approximately 300 of those and other developments that had hooked on were using about 50. The Patagonia Lift Station was not at capacity. All it needed when they hit 500 homes was to add two larger pumps. That should cost about \$100,000. That was calculated when it was first built. The initial cost of the lift station and pressure lines and boring into Meridian Road for both water and sewer was well over \$2 million. They launched that in 2014 when the market was just barely turning around in response to requests to build a project in Kuna for move up buyers. They had done that by having homes ranging from \$625,000 to \$350,000.

Mayor Stear thanked Mr. Johnson and asked if there were any questions for him.

Mr. Johnson begged for at least a minute to explain a commitment given him by Gordon Law in 2014 when he agreed to put \$2 million up front into infrastructure.

Mayor Stear asked if he would like to explain during rebuttal.

Mr. Johnson said he could do that.

Council Member Cardoza asked who was supposed to pay for the larger pumps and starter switches and if he thought the City should be imposed with that.

Mr. Johnson explained they paid a fee of \$3,233 with every house that was built for an LID to Key Bank. They paid a fee for an LID for the treatment expansion which would

be for the filtration system; \$1,092 for each house. They paid \$1,329 for a trunk line, collection and pump lift station improvements. There should be millions of dollars sitting there to pay for them. If they weren't there, they would be glad to pay for them but they did front the first costs because at that time the City had no money. Mr. Law was trying to generate income for the City and get things going after the recession.

Council Member Cardoza asked if he had been receiving late comer fees on that lift station.

Mr. Johnson responded \$1,200,000. That was the total reimbursement. The rest of the cost was applied to their project for the capacity of the 450 homes in Patagonia.

Council Member Cardoza asked again who Mr. Johnson thought should pay for the installment of larger pumps and starts; development or the City.

Mr. Johnson said it didn't matter. Development paid for it either way. Either with fees at connection or upfront. They preferred upfront.

Mayor Stear opened the public hearing. He had two people signed up to testify in this matter. He asked if there was anyone else who wished to testify.

There were none.

Support:

Sherry Huber, Neighborhood Representative, 2601 E Hubbard Road, Kuna, Idaho 83634, gave a hand out to Council, the City Clerk, and Planning & Zoning. She said it was interesting listening that night because part of the reason the neighbors had been frustrated was the facts were not consistent between agencies or engineers or within agencies. That night the facts seemed to be consistent but she had just received a report on September 10, 2020 that showed something different. She assumed the numbers and acres discussed that night were the numbers and acres they were talking about. She skipped her first three items on the hand out and moved on to her fourth item. In order for the school site to be included in the annexation, the number of acres should be 173.79 or 177.24 according to Land Solutions surveys of December 12, 2019 and June 9, 2020. The reason this was so important was because during the August 11, 2020 Planning & Zoning meeting, Troy Behunin stated "without the school, the open space requirements would not be met, so there would essentially not be a project." Additionally, in the same meeting Bonnie Layton of WH Pacific stated with the school site there would be 29.93 acres open space or 16.59%. The Planning & Zoning notification she received in the mail showed only 12.4% open space. She felt Council Member Cardoza hit it on the nose when he deducted the ten-acre school site. Her fifth item stated the original Patagonia was west of Locust Grove on Hubbard. The ACHD report of October 21, 2014 showed 150.35 acres with all boundaries touching, 470 lots, and 18 common lots. The new Patagonias were three separate neighborhoods divided by arterials. The acres that night showed 163.6 with 574 lots which was changed again to 561. The difference from the

original Patagonia was 13.25 extra acres and 104 extra lots. This was a materially higher density than the original Patagonia.

Ms. Huber asked, when the timer buzzed, for more time since she was representing her neighborhood.

Mayor Stear gave her an extra minute to wrap up.

Ms. Huber explained the density between the north and south side of Hubbard Road was a 38.5% increase. There was a difference in density. As she had said, the projects were divided by arterial roads and there was no insurance that each parcel had adequate green space. The Kuna staff indicated the comprehensive plan was not something the City followed; it was a guide. Everyone living in the area east of Locust Grove had looked at the comp plan and saw two to four units per acre was planned. This was not following the comprehensive plan passed in July 2019. To make it worse, the developer had started his development and had the opportunity during the comprehensive plan update to apply for a higher density east of Locust Grove but, apparently, he did not. If Council allowed this development as planned, they would be allowing 104 more lots with only 13.25 more acreage. Something was drastically wrong, inconsistent, misleading, and inaccurate. She asked Council to require the developer redesign to comply with the existing 2019 comprehensive plan east of Locust Grove and adequate green space be ensured for each parcel. Once Council changed it and opened the door to a higher density, they wouldn't be able to close it. It also just came to her attention this developer was purchasing or had just purchased another 30 to 100 acres in that same low-density residential area.

Mayor Stear thanked her. He noted she had marked in favor on the sign-up sheet. He asked if she was in favor of it as long as they made some changes.

She thought the people she was representing would say they weren't in favor of it but, when they had discussed it, they felt there was no stopping it.

Joe Randall, 2210 E Hubbard Road, Kuna, Idaho 83634, was surrounded by this proposed subdivision. From what he had seen of the Patagonia Subdivision, it was certainly a quality development. His purpose was to just ask some questions. When the preliminary plat was applied for, he had a question about the alignment of the road that came out of the south property. The road would allow at night for car lights to shine directly into his window. He did ask them to move the alignment about 100 feet or so. He did not receive a reply back and could not tell from the picture if that had occurred. He also noted he had a quarter mile of fence that would be adjacent to this. He asked if there would be a privacy fence put up there. He knew most of this developer's subdivisions had a privacy fence.

Mr. Johnson nodded yes.

Mr. Randall had a three-rail polyvinyl fence he would be happy to remove but it also was in conjunction with an irrigation system. He would work with the developer on that. He

asked, at the time they put in the sewer, if there was a way he could connect his two homes to that sewer line if he decided to annex into the city.

Mayor Stear replied it would depend on if it was a forced main in Mr. Randall's spot. It would be a buy into the sewer system. He thanked Mr. Randall.

Mayor Stear had no one else signed up to testify. He asked if there was anyone who wished to testify that had not signed up.

There were none.

Against: None

Neutral: None

Rebuttal:

Greg Johnson, the applicant, explained if a road was stubbed to someone's property there would be sewer and water in that road. Mr. Randall would just need to meet with the City Engineer. Most of it was buried and would probably serve him. He explained, when he was making the decision to upfront a couple million for a lift station and pressure lines down Hubbard Road to serve this part of the valley with sewer, he was the first to move across Meridian Road. He spent \$600,000 just boring because Meridian Road couldn't be cut. Anything going through it had to be bored. He was making a choice between a parcel of land in Meridian and this one. The land in Meridian had a little less upfront costs but he felt the market potential with this one was very good. That turned out to be the right decision but it was difficult to choose to spend \$2 million upfront to get these facilities in place before anything came in as revenue. He knew Mr. Law was not the current City Engineer but, at that time he had said the Danskin Lift Station was built to handle all of this capacity. The only thing it needed was pumps added; just like theirs. The pressure lines down Ten Mile were very adequate to handle all of that sewage. Pumps were all that was needed. If that was all that was holding this up, if the treatment plant had capacity, adding pumps to a lift station was a very minor deal. He would be glad to pay for them or other developers. They just wanted to move forward. Mr. Law had said at that time everything was ready to go and they just needed to order the pumps when it was time. He didn't know if that had all been lost but, that was the comment he made at that time. Mr. Johnson went ahead and invested the money. They had great success with Patagonia and wanted to continue on with this part of the project. They had initially designed the lift station for 1,500 homes because it would be a third more than the original with this land added to it. The original Patagonia with this one was about 1,000 homes. That left about 500 for other developers on that lift station. Then the plan was for the Mason Creek Collector to be built from the sewer plant up Mason Creek and take this station off the line. Currently Mr. Eck was building Spring Hill and that portion of the trunkline which would get it almost to Columbia. It would cross Columbia and follow approximately the Mason Creek drain over to Meridian Road. It would cross Meridian Road and connect into this lift station which was at the best edge of the Patagonia project approximately 150 yards south of the Mason Creek. That area was all pretty flat and would pick that

drainage up. At that time, all of this would then flow to the lift station at Linder on Mason Creek and out to the treatment plant. The main issue he thought Council was aware of and should be aware of, was at the time the acting City Council purchased the land the treatment plant was on; they did not acquire from the Durrants easements for the trunklines. Mr. Johnson had talked to the Durrants for a bit. He had gone with the Mayor to visit with them. Richard Durrant was very adamant that he did not farm with animals across his farm. It was doable. It would not affect his pivot and he knew the City would need easements across their property but for some reason that was not negotiated. Mr. Johnson recommended someone start working on that and, if it had to be condemned by eminent domain, the City needed that trunkline built within five years. That was the real resolution; getting off the lift stations and letting it flow. Those were his thoughts. He thanked Council.

Mayor Stear asked if there were any questions for the applicant.

Council President McPherson asked City Engineer Paul Stevens if they were able, in a joint venture with a developer or on their own, to upsize Patagonia to pump to Danskin. The issue would then be from Danskin to the plant. He wanted to know where they were at with capacity in that aspect; would it overload it or was it acceptable to add that much more allotment to it.

Mr. Stevens replied they didn't know the right answer yet. They were evaluating Danskin, Patagonia, and the force mains to see what could be put on those. That was being done by the outside engineer. Then they would have an adequate answer they could rely on. They did know there was a place for a third pump in Danskin and the pumps in Patagonia were designed to be upgraded but they didn't know if all the force mains were adequately sized or the correct material to take on the additional velocity and pressures. They were just verifying before moving forward so they didn't make a bigger problem than they already had.

Council Member Cardoza said, looking back at the other case that just came before this one, they had no choice. They just discussed this. They couldn't okay a subdivision with the potential of fixing the problem without knowing what the answer to the problem was. He thought they would be opening themselves to litigation by the previous case if they okayed this.

City Attorney Bill Gigray asked if that was a question.

Council Member Cardoza said it was.

Mr. Gigray explained annexation was a matter of discretion but, they would want to exercise that discretion because it was a legislative matter not a quasi-judicial matter. They needed to decide what they felt was in the best interest of the city. If they felt there was a problem and they didn't want to annex in a certain area because of the same issues, then it maybe the same reason for denying the annexation. They should treat each one as they came before Council with the facts in front of them at that point in time in that hearing.

Mayor Stear thought the point Council Member Cardoza was making was not only was it in the same area; it was the same system.

Mr. Gigray said they were making their decision based on the evidence they had in this particular matter and if it was a persuading fact it could be a persuading fact again in their decision.

Council Member Cardoza clarified Mr. Gigray was saying they needed to look at it individually not collectively.

Mr. Gigray said yes, each case stood on its own record unless they were taking judicial notice of certain facts which they liked to do that deliberately. Council had the staff report, the reports from the applicant, and the other exhibits before them as well as the information received at the hearing so they could make that decision. If they determine to deny annexation as in the past, that meant the other applications for zoning and preliminary plat were moot. That was the process they followed before.

Council Member Christensen stated that was a great question on Council Member Cardoza's part and he had nothing to add.

Council Member Laraway recused himself.

Mr. Johnson didn't want to offend anyone but, something had really gone amiss in the transfer from one City Engineer to another. This was all figured out and in place three or four years ago. He didn't know why it hadn't been done; maybe all the records were lost. He felt that he was being held at bay on something he had invested a lot into over the last four years. In his conversations with Mr. Stevens he indicated JUB should have the report to him in a month or two or at least early next year. That part could be resolved and he was happy to pay for those improvements. Those could be installed by September of the next year and if Council approved this plat and they went forward as fast as they could, they would not need sewer until after September of 2021. If Council decided to do as they had with the previous plat, it would put him in a position of having to resubmit a year later and go through a whole new deal with Ada County on roads and a traffic study. The traffic studies alone took a about a year to get through with Ada County and Kuna didn't accept applications until they were done. He asked that they please not deny him because of lack of sewer. The sewer would be there by the time it was needed.

Mayor Stear said, since he called out Mr. Stevens, he came into a system that was already set up. He did not design the system and had nothing to do with the original design of the system. He was merely saying there were some short comings and they needed to look into those further. He had already set the wheels in motion to get that done. He certainly did not deserve to be called out on the floor as Mr. Johnson just did. Mr. Stevens was doing an outstanding job and trying to do what was in the best interest of the City which was his job.

Council Member Cardoza asked if, on page 37 of 250 in section 4g, the negative 264 remaining capacity for the lift station was accurate.

Mr. Stevens said that was based on commitments.

Council Member Cardoza asked how much of that commitment had been honored.

Mr. Stevens did not now.

Motion To: Close evidence presentation and proceed to deliberation

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Motion Passed: 3-0-1

Recused: Council Member Laraway

Motion To: Deny Case Nos. 19-14-AN (Annexation)

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion:

Bonnie Layton, WHPacific and NV5, requested Council table the hearing until more information could be received from JUB.

Mayor Stear asked Mr. Gigray what the manner of procedure should be.

Mr. Gigray said they had closed the hearing for the receipt of evidence. That was a procedural motion so, if they decided to table it for more information, they would want to rescind the motion. They would reopen the hearing and entertain a motion to table the hearing to a time certain with direction on the specific information to be provided.

Mayor Stear asked if Council wished to carry forward with the motion that was on the floor or if there was a subsequent motion.

Council Member Cardoza said it didn't seem fair to stop this one when they already made a decision on the other. He didn't know what the consequences would be if they treated these separately since they were different annexations.

Mayor Stear said that was what he attempted to do at the start of the hearing but they had to carry on.

Mr. Gigray said these were two separate matters and had to be taken up separately. The motion was a matter of their discretion. They could motion to amend the original motion and if there was no motion to amend the motion, they would proceed with the motion that was before them. If they proceeded with that motion, he recommended they continue the public hearing and direct the Findings of Fact Conclusions of Law be prepared for their consideration as they had done in the past.

Council President McPherson amended his motion.

Amended Motion To: Deny Case Nos. 19-14-AN (Annexation) and continue the Public Hearing for the receipt of the Findings of Fact and Conclusions of Law

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Motion Passed: 2-1-1.

Voting No: Council Member Cardoza

Recused: Council Member Laraway

- C. Public Hearing and Consideration to approve Case No. 19-08-AN (Annexation) for Black Rock Market Place – Troy Behunin, Planner III and TJ Angstman, Applicant **ACTION ITEM**

(Timestamp 2:16:43)

Council took a brief recess.

(Timestamp 2:24:50)

SH69 Holdings, LLC requests approval to annex approximately (approx) 40.82 acres (ac) into Kuna City limits in order to develop the same lands utilizing two separate zones; the R-20, High Density Residential (HDR) & C-2 (Area Commercial) zones. The R-20 HDR is proposed to be approx 13.22 ac in size, and the C-2 (Commercial) is proposed to be approx 27.45 ac. The applicant will propose multi-family housing units within the R-20 zone in the future, and Commercial uses will be proposed within the C-2 zone, in the future. The site is located at the hard-northwest corner of Meridian and Deer Flat Roads in Kuna, ID 83634, Section 13, Township 2 North, Range 1 West; (APN: S1313449900).

Planner III Troy Behunin presented the staff report and stood for questions.

Council Member Christensen recalled that parcel of land in the comprehensive plan had no residential right along the Meridian Road corridor right there. He asked if the R-20 portion was in addition to the C-2 just to stick with that.

Mr. Behunin explained it was in the comprehensive plan as mixed use which did require something other than just commercial or just residential. Staff worked with the applicant on multiple versions of their plan. They were very willing to comply with the City's designation for the area. They followed staff's recommendation to move the proposed R-20 from fronting onto Meridian Road to the back of their property so the commercial would have the entire frontage. It was actually a very small portion that had residential uses.

Mayor Stear couldn't find the reduction in R-20s in the packet.

Mr. Behunin didn't know what page in the staff report but it was in a legal description.

Mayor Stear asked if it went that way to Planning & Zoning.

Mr. Behunin replied the reduction was discussed and presented at Planning & Zoning. It was originally 13.22 acres but now was between five and six so it was less than half of what was originally proposed with the submittal.

Mayor Stear opened the public hearing. He did not have anyone signed up to testify in this matter. He asked if there was anyone who wished to testify.

There were none.

TJ Angstman, the applicant, reviewed the application and their plans. He enjoyed working with staff and stood for questions.

Mayor Stear said the only negative thing he saw was the Fire Department didn't like the residential so close to the front and it sounded like that had been worked through. He asked if Mr. Angstman felt better about it after that.

Mr. Angstman said yes. It was better to get the input in advance than someone getting hurt.

Planner II Jace Hellman notified Council Economic Development Director Lisa Holland had just sent him a message that she was available for questions by phone.

Mayor Stear stated this was a simple annexation and zoning. There wasn't anything set in stone beyond that.

Council Member Christensen noted the Fire Chief really made an emphasis on the recommendation to not have any residential within a quarter mile of Meridian Road. He asked how far into land did this go from Meridian Road.

Mr. Angstman explained the entirety of their property would be within 1,300 feet of Meridian Road. It was a requirement of mixed use to have a residential component; not just two different kinds of commercial uses. It was the designation; which was why they worked so hard on their design and reduced it significantly. They thought they had found a way to take one of the stub streets from the Toll Brothers' subdivision and do an "L" shape out to Ardell. They hired a traffic engineer that seemed very knowledgeable and they were making changes to their design based on their recommendation to move from 330 feet from Meridian Road to 440 feet with only a single access on Ardell instead of two. Council would see all of these things later but he wanted them to know he had thought about it. It would be a public road connecting to Toll Brothers out to Ardell and there would probably be a bus stop there. That would be the only access on Ardell. They devised a roadway system with a nub on the road that would block traffic from going one direction so everyone coming from the townhouse side would have to go out to Ardell; not Meridian Road. Otherwise, the real risk to them was all of their accesses to Meridian Road being shut off. They had three deeded accesses and, in their site plan submitted to City staff, they reduced that to two. It was rare to have deeded accesses but they weren't going to use them. He noted they had closed on the property and owned it. They really wanted to be part of the city and the community.

Council President McPherson asked if Council Member Laraway was out on this one too.

Council Member Laraway shook his head yes.

Council Member Cardoza called attention to page 4 of 157. Staff was asking them to add the proposed 18 and 19. This was an annexation. On page 30 of 157, City Engineer Paul Stevens was saying they were meeting capacity at Danskin. Proposal 18 and 19 looked like what was brought up to them on every annexation with the potential of the will serve not being issued within the time the applicant was required to file the final plat. It seemed like they were back to denials by putting this in. They had denied others but here they were giving them the opportunity to proceed waiting for the availability of the will serve. He asked if City Attorney Bill Gigray read it the same way.

Council President McPherson said they had the same in the last ones too.

Council Member Cardoza said he did not see 18 and 19 in the other ones.

Council President McPherson replied they were 15 and 16 in the most recent one. He didn't know what they were in the first but he could look back if needed.

Council Member Cardoza asked why they didn't just proceed with those proposed additions assuming they wouldn't proceed until they got permission from the director. He asked why they were denying some and proceeding with others.

Council Member Christensen thought a lot of those were going to come into play after the annexation. They had seen those will serves in the previous preliminary plat approvals. Will serve came into play after the annexation. He thought that was the difference Council Member Cardoza was seeing. He could be completely off on that but, it was how he made sense of the will serve condition.

Council Member Cardoza asked if they were going to base acceptance on those two proposed conditions and if they were available to the others, why would they deny when given the latitude to proceed just waiting for the will serve. They were giving the permission to annex with the assumption that they would meet the conditions Council was setting yet they turned down others with the same conditions because of capacity. He read 4e from page 512 of the overall packet. "Sewer flows from this development are expected to meet or exceed the capacity of the receiving sewer lift station. It is expected that the development shall provide the additional lift station capacity and infrastructure/force main capacity needed to serve the property." In his discussion with the developer, Mr. Johnson, he was telling them how much he had spent and that the City should pay for it but, given the expense of a development, Council Member Cardoza was sure Mr. Johnson would pay it and end up with late comers' fees. He asked if they were to agree to annexation with the probability of a future settlement with the developer when they didn't know what that settlement would be. If they annexed this, it would be on the condition that they would work with the City Engineer but not saying what the conditions were so they were wide open on who would pay. He asked how they could ok an annexation without knowing there was capacity.

Council Member Christensen did not disagree with anything Council Member Cardoza said.

Council Member Cardoza stated this one said they could work with the developer and the others didn't. He didn't understand that.

Council Member Christensen explained the sewer talk was the breaking point for what they discussed that day in the denials but, there was a lot of other things in residential that swayed that decision as well outside of what they might see with a small commercial development. They talked about the added traffic and safety concerns, road capacity, and schools which were not as relevant with commercial. He thought it was important to look at these individually. He could not disagree with Council Member Cardoza on the sewer point alone. He needed to dwell on it over the next couple of minutes while they discussed.

Council Member Cardoza thought this should be worked out before coming to Council's desk. There should be an agreement on what the developer was going to do with the City Engineer to solve the problem in the area instead of bringing options to Council. There shouldn't be any options. If Council denied one, they should deny them all until they came with a presentation that solved the problem. That should be presented to Council primary not secondary at another meeting or decision making.

Mr. Behunin stated any of the conditions listed in the staff report could be added to or removed. This was only an annexation. They weren't really talking about sewer yet. Yes, that was the first step in development but, it wasn't really the question. He read some information he got from Ms. Holland. "Larger commercial projects are able to pay for infrastructure more easily than residential projects. This annexation just gets them into the city but doesn't approve their development plan." He noted the development plan still needed to come before Planning & Zoning and Council. He continued reading Ms. Holland's comments. "It gives them the ability to market the commercial property to try and find a larger user that would be able to help the city with sewer challenges." He added a developer had to have something to bring them willingly to the table. Ms. Holland also noted, "Commercial helped adjust the tax base away from residential and that it typically used less sewer and water than residential." He explained the reason they could afford a little more on the infrastructure side was they were revenue generators. Residential uses just paid for themselves and did not generate revenue. Ms. Holland had also stated, "Kuna is in need of more commercial services. She had worked with this developer on their mixed-use plans. These reduce the tax burden from the residential population and, typically, you want to see a transition of commercial to single family homes." He noted it sounded, based on what Mr. Angstman said, they were proposing for sale products and it was greatly reduced from what they originally proposed. Council did not have to live with those conditions. They could revoke them because it would come up at a preliminary plat public hearing just like this.

Mr. Gigray addressed Council Member Cardoza's question. It was his recollection, when they denied the Spring Rock annexation, one of the big reasons for it was the annexation was one that would not constitute an orderly development and would contribute to urban

sprawl. The proximity and location of those particular requests weighed in Council's discussion and decision not to annex. It was not just centered on sewer capacity. That was an issue as well as sprawl and the extension of city services out a long distance and the stress that put on them. That was how he understood those proceedings and it was in the findings. In regards to the matter before Council, annexation would be whether or not the subject land would be included in Kuna's corporate limits. Then the land use that would be allowed in that area. The conditions were like a development agreement. They were conditioning the zoning designation. With regards to infrastructure, those conditions usually came in with preliminary and final platting. In this instance, they were not seeking the platting yet. It was his opinion annexation was a discretionary matter but he wanted to bring to their attention that orderly development of the community and urban sprawl was a factor in their other decisions.

Mayor Stear added to what Ms. Holland had stated. An issue they had with bringing commercial development to Kuna was they didn't have properties that were already annexed and zoned commercial. That was a process that took a while and most commercial entities looking to build somewhere were ready to buy; not hang out and decide what people wanted to do later. If there were properties already set up and zoned that the City knew they could serve at some level, that was how to get those in. It was probably why there wasn't a set plan as to what would go in this. They didn't know exactly who would have an interest in this. They probably had some people on the hook but he didn't know. They had to have something already zoned commercial before they could show or sell it as such. He thought that was the major difference in this versus the others.

Mr. Angstman stated they were not going to ask the City to pay for sewer. They were going to participate and might have to have late comers' fees. Unfortunately, they were probably at the end of the line and no one would be connecting behind them if they put in a lift station. He would like Council to approve some of the other developments with the same conditions so their developers would pay some of it too. They would like to see contributions from everyone that would benefit from upgrading the Danskin Lift Station. The best way to do that was to get them teed up but not ready to go until this was solved. It was not a word problem. It was a money problem. Sewer would move down hill with money. They just needed enough people with economic interest to support upgrading these. The money was what would solve the problem. It wouldn't be words, talking, or hearings. He agreed with Council Member Cardoza that this really shouldn't be at Council's level. It was something they solved all the time on their projects; infrastructure. It was difficult to work with people but they had to. What it came down to usually was money. He wasn't trying to criticize Council's denial of the other projects. Theirs was different because they only included annexation and zoning; not a preliminary plat. They would come back later for the preliminary plat after the problem was solved. He wouldn't come back again and he couldn't leave with a denial. It would give him a 12-month time out and he would have to withdraw his application if he thought they were going to deny him. He filed this application a year ago. It was important to get the zoning in before getting in front a tenant because, if they heard the City was out, they would go elsewhere. His biggest fear for Kuna was the commercial center would go a bit north and the town

would get spread out with two cores. There were places around where that happened and it hurt the community's sense of place. Kuna had that.

Support: None

Against: None

Neutral: None

Rebuttal: None

Motion To: Close evidence presentation and proceed to deliberation

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Motion Passed: 3-0-1.

Recused: Council Member Laraway

Council President McPherson asked what Council Member Cardoza thought.

Council Member Cardoza didn't have a problem. The only thing he would contend with Ms. Holland was a restaurant would traditionally use up 200,000 gallons of water. If the average house used 3,000, that was about 1,000 homes in the equivalent of a good restaurant. It was definitely a burden on the system. His biggest problem was not with developers. The City had a problem. He wanted to see the City Engineer and Planning & Zoning solve the problem before it came to Council. It would make their decision so much easier and they didn't put conditions back on them. The conditions should already be met when it came to Council. It made it hard for him to make a decision on a denial or acceptance when he didn't know what was going to happen later. Once they were in the City, they had the City's (*unintelligible*) in their hand. He would love to see the decision making made easier because every condition was already discussed as to who was paying and who was not paying for it. Then he wouldn't have City Engineer Paul Stevens coming to him with things needing to be done at the lift station and asking for money out of contingency funds. Growth should pay for itself; not the City.

Mayor Stear agreed. This was one of those situations where they rolled into a divot in the road. Mr. Stevens was working diligently to resolve it and there would be some changes in the Planning & Zoning Department and the way things worked. They would actually be able to put their finger on what exactly needed to be done and how to get there when things came to Council. They had just gotten into an unfortunate position and he understood his frustration.

Council Member Cardoza stated he did want commercial. Kuna needed to get away from roof tops and get to commercial. He would love to see everything down Meridian Road as commercial.

Mr. Gigray added, with regards to the City's infrastructure, they could not enlarge or expand that system using funds the City already had. It had to be done through the development and the developers had to pay for it. That was the reason for late comer fees and surcharges. Otherwise, they would be in violation of Supreme Court decisions. He reviewed Council's options with conditions, approval, denial, or tabling.

Mayor Stear stated they were looking at a rezone and annexation. He didn't think there was anything to send back to staff to look at but, if Council wanted to send it back to staff, they certainly could do so.

Motion To: Approve Case No. 19-08-AN (Annexation) and Close the Public Hearing.

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Motion Passed: 3-0-1.

Recused: Council Member Laraway

7. Business Items:

A. J&M Sanitation Franchise – Chad Gordon, J & M Sanitation (Timestamp 03:22:01)

1. Consideration to approve Ordinance No. 2020-30 ACTION ITEM

AN ORDINANCE OF THE CITY COUNCIL OF KUNA, IDAHO:

- REPEALING ORDINANCE NOS. 578, 679 AND 2014-04; AND
- REPEALING CHAPTER 4 OF TITLE 8 KUNA CITY CODE; AND
- AMENDING TITLE 8 KUNA CITY CODE BY THE ADDITION THERETO OF A NEW CHAPTER 4 PROVIDING A SHORT TITLE, STATING AUTHORITY, PROVIDING DEFINITIONS, STATING FINDINGS OF PURPOSE AND INTENT, ESTABLISHING A SOLID WASTE COLLECTION SYSTEM AND SERVICE, PROVIDING FOR CONTRACTOR FRANCHISE AGREEMENT AND CONDITIONS FOR SOLID WASTE COLLECTION SYSTEM AND SERVICES, PROVIDING FOR CONTRACTOR SERVICES SCHEDULE AND FEES, ESTABLISHING COMPULSORY SOLID WASTE COLLECTION SYSTEM AND SERVICE USE BY PREMISES OWNERS AND OCCUPIERS, ALLOWANCE OF PERSONAL HAULING OF SOLID RECYCLABLE WASTE, PROVIDING FOR SOLID WASTE SANITARY CONTAINER REGULATIONS, PROVIDING FOR VOLUNTARY SUBSCRIPTION FOR COLLECTION OF RECYCLABLE WASTE, PROHIBITING AND DECLARING UNLAWFUL IDENTIFIED TYPES OF SOLID WASTE FROM COLLECTION, DEFINING AND DECLARING THEFT OF COLLECTION SERVICES AS UNLAWFUL, PROVIDING THAT THIS ORDINANCE APPLIES TO ALL CITY ANNEXATIONS, DECLARING DESCRIBING CIRCUMSTANCES WHERE THE PLACEMENT OF SOLID WASTE AND RECYCLABLE WASTE IS PUBLIC NUISANCE, PROVIDING FOR NOTICE TO VIOLATORS AND DECLARING A CONTINUED VIOLATION AS A

MISDEMEANOR, PROVIDING FOR A PENALTY FOR VIOLATIONS OF CHAPTER 4 OF TITLE 8; AND

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

Motion To: Waive three readings of Ordinance No. 2020-30

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Motion Passed: 4-0

Motion To: Approve Ordinance No. 2020-30

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Approved by the Following Roll Call Vote:

Voting Aye: Council Members Cardoza, Christensen, Laraway, and McPherson

Motion Passed: 4-0

Motion To: Approve Summary Publication of Ordinance No. 2020-30

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Motion Passed: 4-0

2. Consideration to approve Ordinance No. 2020-31 **ACTION ITEM**

AN ORDINANCE OF THE CITY COUNCIL OF KUNA, IDAHO:

- FINDINGS OF HISTORY, AUTHORITY, PURPOSE AND INTENT; AND
- GRANTING TO J & M SANITATION, INC. A FRANCHISE FOR SOLID WASTE AND RECYCLABLE WASTE COLLECTION SERVICE AND AUTHORIZING THE THIRD AMENDED AND REFORMED FRANCHISE AGREEMENT; AND
- DIRECTING THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Motion To: Waive three readings of Ordinance No. 2020-31

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Motion Passed: 4-0

Motion To: Approve Ordinance No. 2020-31

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Approved by the Following Roll Call Vote:

Voting Aye: Council Members Cardoza, Christensen, Laraway, and McPherson

Motion Passed: 4-0

Motion To: Approve Summary Publication of Ordinance No. 2020-31

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Motion Passed: 4-0

3. Consideration to approve Resolution No. R58-2020 **ACTION ITEM**

A RESOLUTION OF THE CITY COUNCIL OF THE KUNA, IDAHO:

- SETTING FORTH CERTAIN FINDINGS; AND
- AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ON BEHALF OF THE CITY THE CITY OF KUNA ADMINISTRATIVE BILLING AGREEMENT WITH J & M SANITATION, INC.; AND
- DIRECTING THE CITY CLERK; AND
- SETTING AN EFFECTIVE DATE.

Motion To: Approve Resolution No. R58-2020

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Approved by the Following Roll Call Vote:

Voting Aye: Council Members Cardoza, Christensen, Laraway, and McPherson

Motion Passed: 4-0

B. Consideration to appoint Tyson Garten's to the Planning and Zoning Commission – **Jace Hellman, Planner II** **ACTION ITEM**
(Timestamp 03:28:30)

Planner II Jace Hellman presented the request to appoint Tyson Garten to the Planning & Zoning Commission and stood for questions.

Mayor Stear noted he was the one who suggested Tyson Garten talk to Planning & Zoning. He had talked to Mr. Garten a bit. He was quite capable and interested in being involved in City operations. He felt he would be a good fit and Planning & Zoning felt the same way. He recommended appointing him.

Motion To: Appoint Tyson Garten to the Planning & Zoning Commission

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Motion Passed: 4-0

8. Ordinances: None

9. Executive Session:*(Timestamp 03:31:37)*

Convene Executive Session pursuant to:

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

- (b) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public-school student

Mayor Stear indicated he, Council, City Attorney Bill Gigray, and Human Resources Director Nancy Stauffer would stay for the Executive Session.

Motion To: Convene Executive Session pursuant to Idaho Code Section 74-206 (1)(b) with full Council, legal staff, and Nancy Stauffer

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Approved by the Following Roll Call Vote:

Voting Aye: Council Members Cardoza, Christensen, Laraway, and McPherson

Motion Passed: 4-0

Executive Session City Council Regular Meeting of November 4, 2020 – The City Council, upon a unanimous vote, convened into the Executive Session, pursuant to Idaho Code Section 74-206 (1)(b) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public-school student. The executive session was convened at 9:34 p.m. In attendance was Mayor Joe Stear, Council President Greg McPherson, Council Member Richard Cardoza, Council Member Warren Christensen, and Council Member John Laraway. Also, in attendance, by request of the Mayor and Council, was City Attorney Bill Gigray, and Human Resources Director Nancy Stauffer. Mrs. Stauffer was appointed as special clerk to take the minutes of this executive session. Information was then provided to the Mayor and the members of the City Council regarding the subject of the executive session. At 10:01 p.m. Council President Greg McPherson moved and Council Member Christensen seconded to come out of executive session and to reconvene into open session which motion passed unanimously.

Nancy Stauffer, Clerk of Executive Sessions

Open session resumed

10. Business Continued

A. Report on Mayor’s removal of appointed officer – Mayor Stear

Mayor Stear reported to the City Council pursuant to his authority and responsibility [I.C. § 50-602] as chief administrative official of the City and with superintending control of the officers of the City; he determined to remove Wendy Howell as the Director of the City’s Planning & Zoning Department and to immediately relieve her from active duty status and terminate her employment with the City effective this 4th day of November, 2020. This action was based upon his discretion that it was in the best interests of the City and the Planning & Zoning Department in order to maintain a cooperative working environment in that department.

Mayor Stear requested and entertained a motion of the City Council affirming this action pursuant to Idaho Code Section 50-206.

B. Consideration to affirm Mayor’s removal of appointed officer ACTION ITEM

Motion To: Affirm Mayor’s removal of appointed official Wendy Howell

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Voting No: None

Absent: None

Motion Passed: 4-0.

C. Report on appointment of officer on interim basis. – Mayor Stear

Mayor Stear reported, as Mayor of the City of Kuna, to the City Council that, pursuant to his authority and responsibility to appoint officers of the City [I.C. § 50-204]; he appointed Jace Hellman to the office of Planning & Zoning Director on an interim basis, pending further action by the Mayor and the Council regarding the appointment to this office. This appointment was with the condition that, in the event Jace Hellman was subsequently not appointed by the Mayor and Council as the Planning & Zoning Director, he should resume his current position as Planner II with the Planning & Zoning Department.

Mayor Stear requested and entertained a motion of the City Council consenting this action pursuant to Idaho Code Section 50-204.

D. Consideration to consent to Mayor’s appointment of officer on interim basis. ACTION ITEM

Motion To: Consent to Mayor’s appointment of Jace Hellman on an interim basis as director of Planning & Zoning

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Voting No: None
Absent: None
Motion Passed: 4-0.

11. Mayor/Council Announcements:

12. Adjournment:

Joe L. Stear, Mayor

ATTEST:

Chris Engels, City Clerk

Minutes prepared by Ariana Welker, Deputy City Clerk

Date Approved: CCM 11.17.2020

IN FAVOR

NEUTRAL

IN OPPOSITION

Testify **Not Testify**

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Troy Behunin

From: Paul Stevens
Sent: Wednesday, November 4, 2020 5:00 PM
To: Mayor Stear; Troy Behunin
Cc: Taylor Merrill; Catherine Feistner; Mike Borzick
Subject: Patagonia East Subdivision

Good evening, Mayor and Troy:

Taylor Merrill represents Patagonia East et. al. Taylor requested certification that he is willing to pay a proportional share of sewer upgrades to make sewerage the proposed subdivisions possible. Proportional share is yet to be defined and could include sewer main line, lift station improvements, and force main improvements.

The evaluations of Dan Skin and Patagonia Lift Stations is underway and should be available in a few weeks. At the moment we have not got enough information to determine how many additional equivalent dwelling units can be made available. We also have not got enough information to estimate costs.

Respectfully,

Paul A. Stevens, PE

CITY OF KUNA - ENGINEER
PHONE 208-287-1727



751 W 4TH ST
PO Box 13
KUNA, ID 83634

received
10-30-20 10:24AM

November 4, 2020

City of Kuna
Kuna Planning and Zoning Department

RE: Patagonia East, Lakes, Ridge Subdivision(s)

Do not approve this request! These Subdivisions are not compatible with the properties in the surrounding area.

LOT SIZES

High density housing of 8, 6, 4, and even 2 houses per acre is not reasonable when existing houses are on lots of 1, 5, 10, 20 acres and larger. The quality and the benefits of Kuna's rural life will be changed forever. Does Kuna really want to focus on tiny low income housing causing an insufficient tax base?

TRAFFIC

Thanks to Patagonia (West), Brighton Homes, Meridian Dump and other planned developments, Locust Grove Road, a slightly improved farm road, is now overrun with unsafe drivers and unsafe driving conditions and in need of improvement. NOW! Our Property line goes to the center of the road, so we are obligated to pay property tax on 1/2 the road.

INCREASED TAXES

Don't expect current property owners to pay for increased school, fire and police services. We have already said no to more property taxes for the fire district. Make developers responsible.

Please consider these very serious issues



Kenneth M. and Linda R. Jantz

Patagonia ~ East, Ridge, Lakes

Annexation, Zone & Preliminary Plat Application

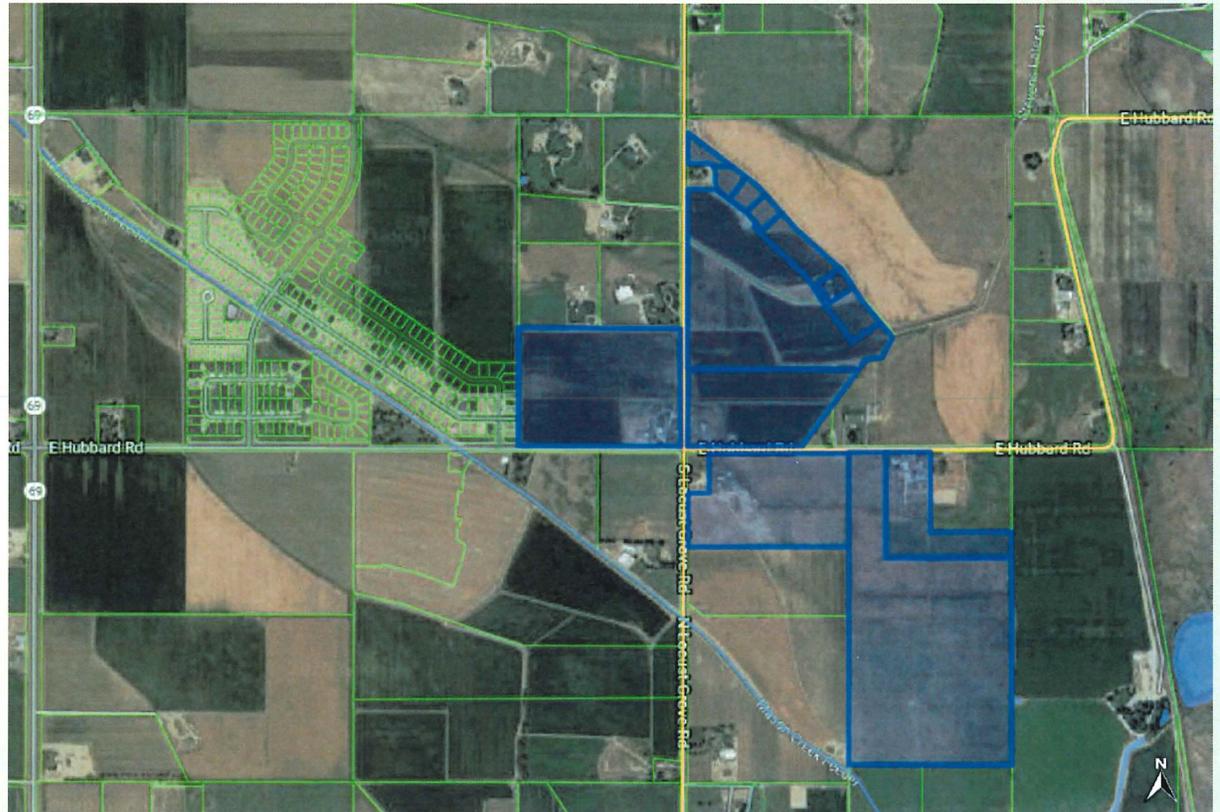
Kuna City Council Hearing

November 4, 2020





Vicinity Map





Illustrative Site Plan & Project Details

173.80 Acres

561 Residential Lots
Gross Density: 3.23 du/acre
Net Density: 4.23 du/acre

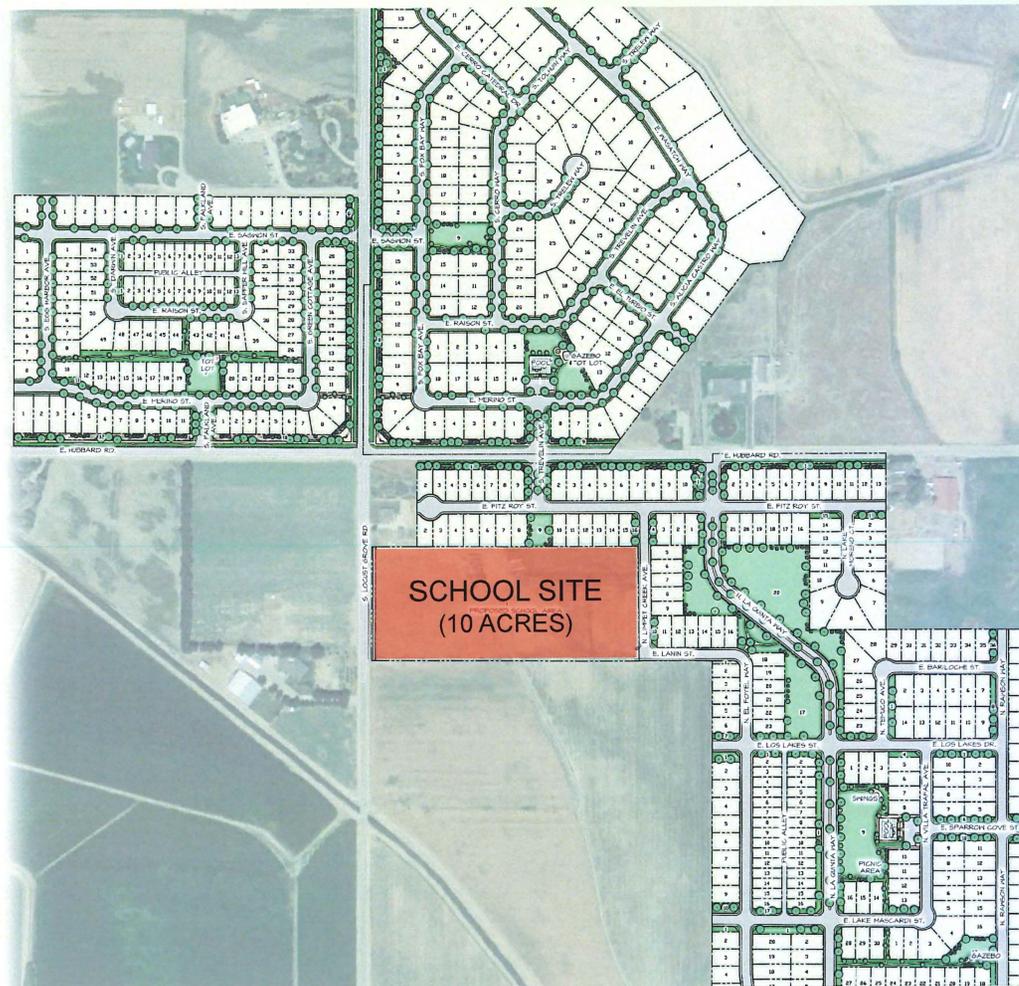
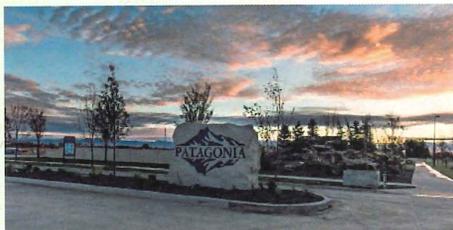
Open Space
21.93 acres
16.59%

10 Acre School Site



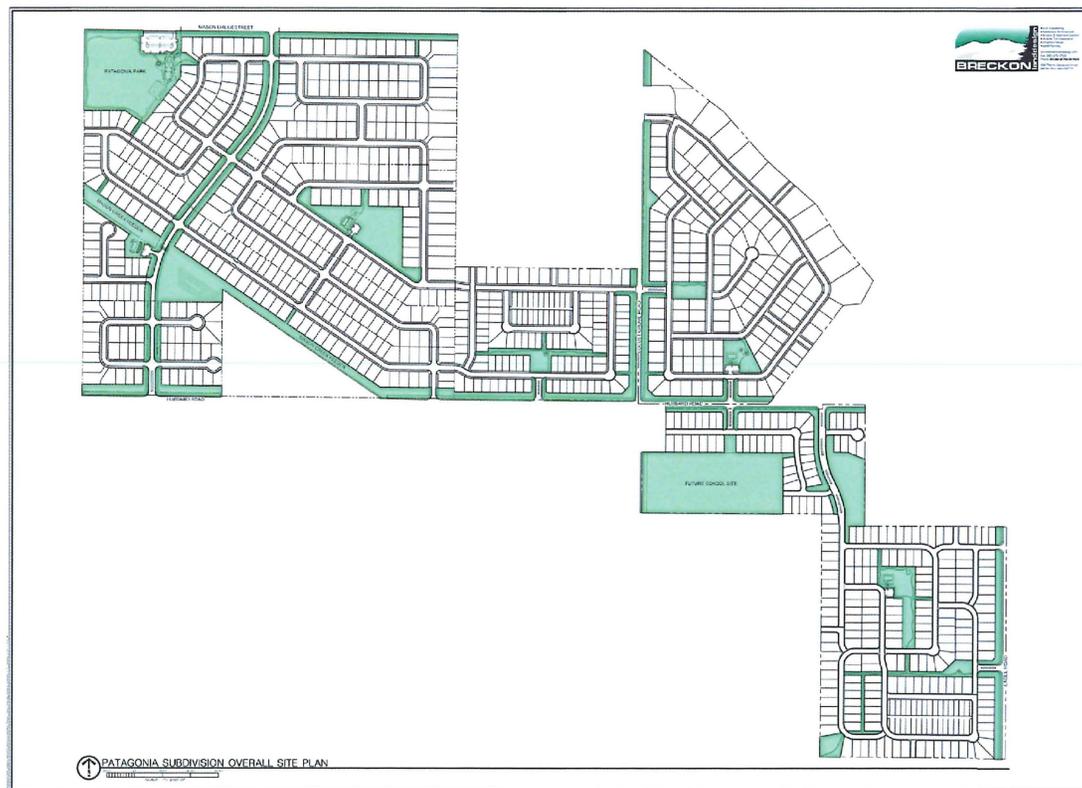


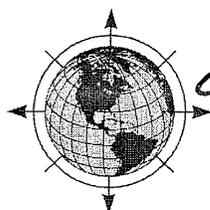
Parks & School Site





Overall Connectivity





CIVIL INNOVATIONS, PLLC
PROFESSIONAL ENGINEERING

1043 E. Park Blvd. Ste. 101
Boise, ID 83712
Phone: (208) 884-8181
www.civil-innovations.com

November 4, 2020

Mr. Paul Stevens, PE
City of Kuna
6950 N. Ten Mile Road
Kuna, ID 83634

Re: Patagonia Subdivision – Sewer lift station

Dear Paul:

There appears to be some confusion regarding the design capacity of the Patagonia Subdivision sewer lift station. As the design engineer I can tell you what was constructed after being reviewed and approved by the City of Kuna and the DEQ.

As requested by the City Engineer at the time, Gordon Law, the station was designed to initially serve 500 lots with the ability to upgrade the system in the future to serve a total of 1,500 lots. The wet well, force main, and all of the other piping and valves are currently sized to serve 1,500 lots while the existing pumps were intended to serve only 500 lots. The sizing calculations as approved by DEQ are enclosed.

It was always anticipated that the two submersible pumps would need to be replaced with larger pumps at some point as more homes connected to the system. By simply installing larger pumps and new starter switches the capacity of this pump station can be increased to serve up to 1,500 lots.

If you have questions regarding how this station was designed, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Thomas". The signature is fluid and cursive.

Ben Thomas, PE
Enclosure: Sewer Pump Station Calculations

November 4, 2020

Patagonia East, Ridge, Lakes

I am not against this annexation and development.

I have spent a great deal of time trying to verify facts, calculations, and acres. **Facts between agencies are not consistent; facts between engineers are not consistent, and facts within an agency are not consistent.**

The following are nine examples of what I am concerned about:

1. The ACHD report of 2020 shows 174 acres and 561 lots.
2. The 9-10-20 email I received from P&Z staff shows 177.24 acres 574 lots.....a difference from the ACHD report....**an increase of 13 lots or 130 vehicle trips per day.** Why?
3. The P&Z notification I received for tonight shows 163.60 acres 574 lots which includes a 10 acre school site. 8-11-20 P&Z Troy Benhunin testified 173.8 acres, 561 lots, 54 common lots plus school site. **The acres decreased and the lots increased.** Why?
4. In order for the school site to be included in the annexation the number of acres should be 173.79 or 177.24 according to Land Solutions surveys of 12-12-19 and 6-9-20. The reason this is so important is because during the 8-11-20 P&Z meeting (see minutes), Troy Benhunin stated **“without the school, the open space requirements would not be met, so there would essentially not be a project.”** Additionally, in the same meeting Bonnie Layton of WH Pacific stated with the school site there would be 29.93 acres open space (16.59%). The 11-4-20 P&Z notification indicates only 12.4% open space. Which is correct? What has changed? (attachment#1).
5. The original Patagonia is west of Locust Grove on Hubbard. The ACHD report of **10-21-14** shows 150.35 acres (**ALL BOUNDARIES TOUCHING**), 470 lots, and 18 common lots. The new PATAGONIAS are THREE SEPARATE NEIGHBORHOODS DIVIDED BY ARTERIALS (attachment #4).
6. The acres tonight show 163.60 acres with 574 lots. A difference from the original Patagonia of **13.25 extra acres and 104 extra lots.** THIS IS A MATERIALLY HIGHER DENSITY THAN THE ORIGINAL PATAGONIA. Why?
7. The density North of Hubbard Road (Ridge) is 3.68 lots per acre (see attachment #1). The density on the South of Hubbard Road (Lakes) is 5.55 lots per acre or a **38.5% increase between North and South sides of Hubbard Road.** The North side of Hubbard Road complies with the existing July 2019 Comprehensive Plan, the South side does not comply (see attachment#1). Why?
8. The projects have been treated as one but are actually **three separate parcels divided by two arterial roads and the boundaries of these three parcels do not touch** (attachment #4). Arterial roads are 50mph, 2 lane roads which will eventually become 4 lane roads. Three different names do not make the project “feel” or physically appear like one neighborhood. These parcels/projects will be built in phases, so that is even more of a reason to **ensure each parcel has adequate green space.**

9. According to minutes of the 8-11-20 P&Z meeting the staff stated this project “generally conforms” or “generally speaking” conforms to the Plan without giving any information, facts, data or reasonable transparent information for the general public to see how it does or does not conform to the 2019 CP.

Kuna City staff has consistently indicated that the 2019 Comprehensive Plan is not something the City follows but is rather a guide. Why it isn't reasonable to believe low density residential are 2-4 units per acre? If you allow this project to increase the density then the July 2019 Comprehensive Plan is meaningless for the area East of Locust Grove. **Once the door is opened for a higher density the door will never get shut.**

To make the issue of density even more perplexing.....this developer started this project during the 2019 Comprehensive Plan update; therefore, he had adequate time to lobby for the higher density he wanted East of Locust Grove. Why is he assuming he can have higher density without a CP amendment?

We were told by the developer and his engineers that the development would be similar to the original Patagonia (attachment #2). If you allow this development as presented **you are allowing 104 more lots with only 13.25 more acres than the original Patagonia.** Something is drastically wrong, inconsistent, misleading and inaccurate.

I would respectfully request the following:

1. Require the developer to redesign the project to comply with the existing 2019 Comprehensive Plan East of Locust Grove AND ensure adequate green space is provided for each parcel (attachment #1). It is disappointing this developer has represented that these projects would have the similar amenities as the original Patagonia and they do not (see attachment #2).
2. Please direct your staff to be more specific about how a development conforms to existing Plans, and to provide a factual basis for recommendations that would be legally compliant with the 2019 CP. Statements such as “appears to follow” or “generally comply with” do not help support the 2019 CP but rather makes one believe the staff is arbitrarily making a decision.
3. Please have staff provide documents that the Kuna School District owns the 10 acre school site East of Locust Grove; **if documents are not provided refer to item #4.**

I AM NOT AGAINST THE ANNEXATION OR THE DEVELOPMENT..... I just want to be provided accurate, reliable, and consistent information.

One more thing, on 9-24-19 I sent a letter to Kuna City Sewer Department regarding access to the sewer line. My letter of 9-24-19 explains in detail our concerns (see attachment #3).

Do you have any questions?

Thank You,

Sherry Huber

2601 E Hubbard Rd / Kuna

208-888-4247

Attachments:

- 1 Calculations for density
- 2 Summary Neighborhood meetings
- 3 Letter dated 9-24-19
- 4 Site Plan

ATTACHMENT #1

CALCULATIONS FOR DENSITY (12.5% open space; 20% roads and r/w=32.5% decrease in acres)

East

127 lots 28.09 acres decrease to 19.17 acres divide number of lots=6.62 lots per acre

12.5% open space=3.51 acres

Ridge

146 lots 58.78 acres decrease to 39.68 acres divide number of lots=3.68 lots per acre

12.5% open space=7.35 acres

Lakes

288 lots 86.92 (10 acres decrease due to school site)=76.92 decrease to 51.92 acres divide by number of lots=5.55 lots per acre.

12.5%=9.62 acres

Total 12.5% =20.48 acres

CONCLUSION:

Patagonia East complies with Comprehensive Plan

Patagonia Ridge complies with Comprehensive Plan

Patagonia Lake DOES NOT comply with Comprehensive Plan. ***Density is increase by 38.5% over 2-4 low residential density SHOWN IN PATAGONIA RIDGE***

None of the three parcels have a club house or swimming pool.

8-11-20 P&Z meeting: Bonnie Layton, testimony:

Total open space=28.83 (includes 10 acre school site). Common areas are 19 acres=16.59%. Usable open space =12 acres gives total of 29.93 acres.

Comment: 12 acres is approximately 10.83% of usable land but nothing shows the acre distribution on the three different parcels. 12 acres does not comply with the 12.4 or 12.5% Kuna City required open space.

SUMMARY OF NEIGHBORHOOD MEETINGS- & P&Z---ATTACHMENT #2

1. 8-30-17 Greg Johnson, Developer Kent Brown, WH Pacific present-Given a handout of preliminary plat and idea of general concept of development. 173.8 acres 603 lots R-6
2. 9-17-19 Jane Sluggs, WH Pacific present-Neighborhood letter stated new Patagonia would be similar to original.....club houses, swimming pool, open space, parks, and potential elementary school site. Discussion similar to 8-30-17 concept. 154 acres 540 lots
3. 6-4-20 Bonnie Layton, WH Pacific-No handouts....told to take pictures of project plat maps. Indicated the only reason for meeting was to let us know additional 10 acres acquired. However, 8-30-17 plat shows that the (Woods) ten acres was already part of project.
4. 8-11-20 P&Z meeting-163.60 acres 574 lots. R-4, R-6, R-8.

Note: The same land has been shown since 2017 but acres have varied, lots have changed, density has changed (see plat provided at 8-30-17 meeting).

Not one neighborhood meeting has provided the same information as presented tonight, 11-4-20.

September 24, 2019

City of Kuna

Mike. Public Works Department

Reference: Phone conversation of 9/18/19 with Mike and Sherry Huber regarding Main Sewer Line Hubbard Road

This will confirm my conversation with Mike, and my concern that the developer of Patagonia East is showing the main Kuna sewer line east of the canal on Hubbard Road continuing on his private property which includes property starting east of the canal and continuing to the NW corner of Hubbard and Locust Grove and the NE corner of Hubbard and Locust Grove (formerly Bridges and Ray properties).

As you know, the main sewer line is currently in Hubbard Road west of the canal on Hubbard. If the sewer line is allowed on private property it gives the developer an unfair ability to control the timing of development to the east on Hubbard. Additionally, it could also allow him to dictate values of properties to the east if the main sewer line is on his property. Although we do not plan on developing our property at 2601 E. Hubbard Road, we certainly do not want any developer determining the timing of when we do develop by having a public sewer line on his private property. It appears to me that the only fair way for all property owners is to have the main Kuna sewer line in Hubbard Rd the same way it is to the west of the canal on Hubbard.

This letter would be my formal objection to allowing the developer of Patagonia East to place the Kuna main sewer line on his private property, rather than in the public rights-of-way on Hubbard Road.

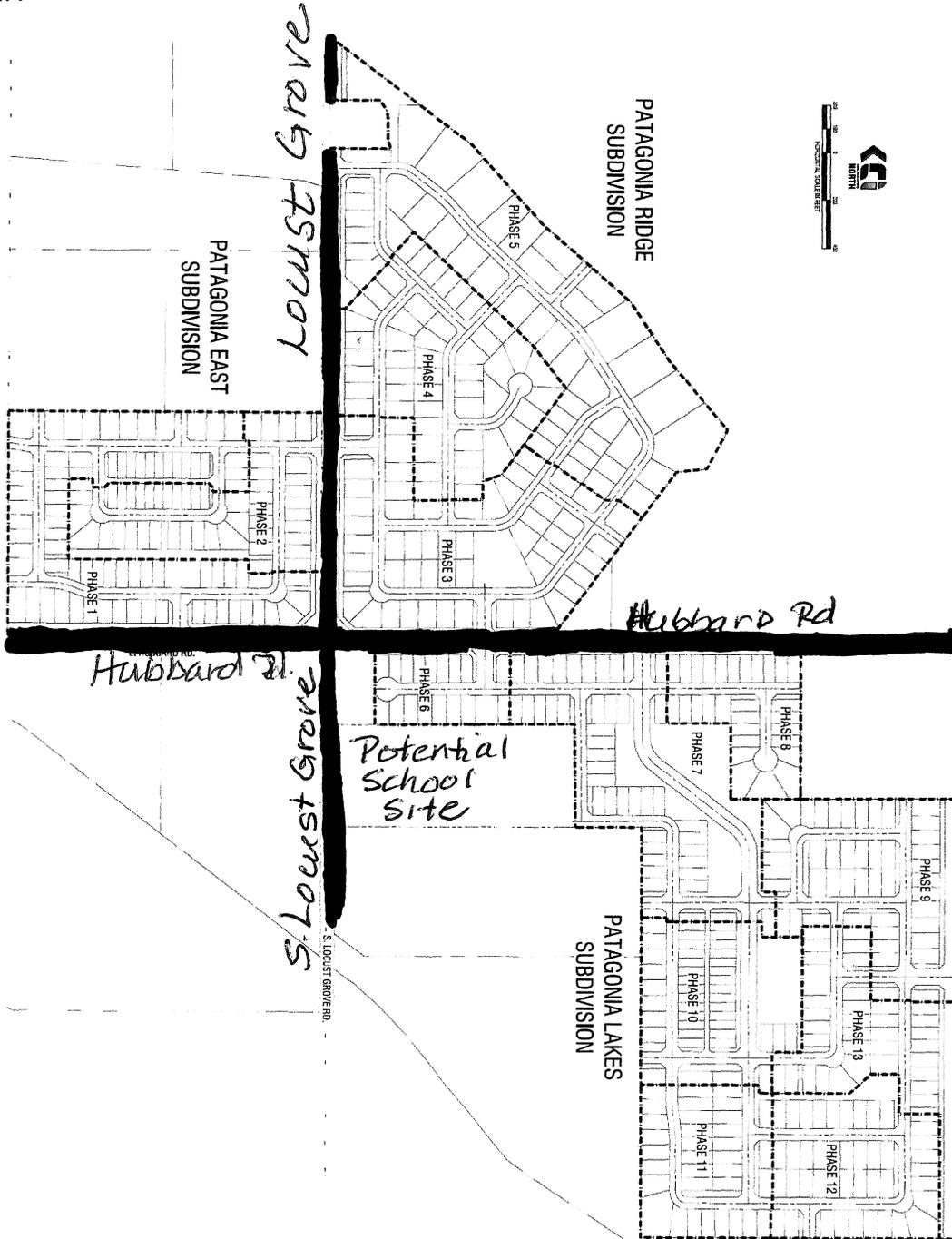
In my discussions with you it appeared you understood my concerns and assured me you would be fair to all parties. I appreciate your expertise and patience answering my questions and concerns. If you should have any questions, please feel free to contact me. I would appreciate being notified of your final decision regarding the placement of the main sewer line on Hubbard to the east of the canal.

Thank you for your time.

Respectfully,

Sherry R. Huber
2601 E Hubbard Road
Kuna, Idaho 83634
208/888-4247

SITE PLAN



Planning has not recognized the unique characteristics of this Project.



CITY OF KUNA
751 W. 4th Street • Kuna, Idaho • 83634 • Phone (208) 922-5274
Fax: (208) 922-5989 • www.Kunacity.Id.gov

SIGN-UP SHEET
November 4, 2020 – City Council, Public Hearing

Case Name: **BlackRock Market Place.**

Case Type: Annexation.

Case No.: 19-08-ZC (Annexation).

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

IN FAVOR		NEUTRAL		IN OPPOSITION	
<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>	<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>	<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>
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Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
				BI-WEEKLY SERVICE, 10/12-11/08/20 - SADIE CREEK PARK	11/09/2020	163.02	.00	01-6212 RENT-EQUIPMENT	1004	11/20		
				Total 114-11192956:		163.02	.00					
1463	A COMPANY, INC.	114-11192959		ADA WHEELCHAIR ACCESSIBLE PORTABLE RESTROOM RENTAL, #ADA412, WEEKLY SERVICE, 10/12-11/08/20 - NICHOLSON PARK	11/09/2020	206.22	.00	01-6212 RENT-EQUIPMENT	1004	11/20		
				Total 114-11192959:		206.22	.00					
1463	A COMPANY, INC.	114-11192963		ADA WHEELCHAIR ACCESSIBLE PORTABLE RESTROOM RENTAL, #ADA397, BI-WEEKLY SERVICE, 10/12-11/08/20 - WINCHESTER PARK	11/09/2020	163.02	.00	01-6212 RENT-EQUIPMENT	1004	11/20		
				Total 114-11192963:		163.02	.00					
				Total A COMPANY, INC.:		1,338.78	.00					
ABSOLUTE CONSTRUCTION AND CONSULTING												
2058	ABSOLUTE CONSTRUCTION AND CONSULTING	1184		BUILDING INSPECTION SERVICES 10/7-10/16/2020, NOV. '20	11/04/2020	1,755.00	.00	01-6052 CONTRACT SERVICES	1005	11/20		
				Total 1184:		1,755.00	.00					
				Total ABSOLUTE CONSTRUCTION AND CONSULTING:		1,755.00	.00					
ADA COUNTY HIGHWAY DISTRICT (IMPACT)												
5	ADA COUNTY HIGHWAY DISTRICT (IMPACT)	10312020ACH		ACHD IMPACT FEES, OCT. '20	10/31/2020	117,498.00	117,498.00	01-2510 ACHD IMPACT FEE TRANSFER	0	11/20	11/06/2020	
				Total 10312020ACHDI:		117,498.00	117,498.00					

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 ADA COUNTY HIGHWAY DISTRICT (IMPACT):						117,498.00	117,498.00					
ADA COUNTY SHERIFF'S OFFICE												
6	ADA COUNTY SHERIFF'S OFFICE	075326		<u>SHERIFF SERVICE CONTRACT FOR NOVEMBER 2020</u>	11/03/2020	213,244.00	.00	<u>01-6000 LAW ENFORCEMENT SERVICES</u>	0	11/20		
Total 075326:						213,244.00	.00					
Total ADA COUNTY SHERIFF'S OFFICE:						213,244.00	.00					
ADVANCED COMMUNICATIONS, INC.												
1566	ADVANCED COMMUNICATIONS, INC.	000010231101		<u>INTERNET SERVICE AT THE PARKS OFFICE, 11/1-30/20</u>	11/01/2020	164.75	.00	<u>01-6290 UTILITIES</u>	1004	11/20		
Total 0000102311012020:						164.75	.00					
Total ADVANCED COMMUNICATIONS, INC.:						164.75	.00					
ALLSTREAM BUSINESS US, INC												
1411	ALLSTREAM BUSINESS US, INC	17141854		<u>TELEPHONE, DATA AND NETWORK SERVICES, 11/1-11/30/2020-ADMIN</u>	11/01/2020	337.36	.00	<u>01-6255 TELEPHONE</u>	0	11/20		
1411	ALLSTREAM BUSINESS US, INC	17141854		<u>TELEPHONE, DATA AND NETWORK SERVICES, 11/1-11/30/2020-WATER</u>	11/01/2020	313.26	.00	<u>20-6255 TELEPHONE EXPENSE</u>	0	11/20		
1411	ALLSTREAM BUSINESS US, INC	17141854		<u>TELEPHONE, DATA AND NETWORK SERVICES, 11/1-11/30/2020-SEWER</u>	11/01/2020	313.26	.00	<u>21-6255 TELEPHONE EXPENSE</u>	0	11/20		
1411	ALLSTREAM BUSINESS US, INC	17141854		<u>TELEPHONE, DATA AND NETWORK SERVICES, 11/1-11/30/2020</u>	11/01/2020	120.49	.00	<u>25-6255 TELEPHONE EXPENSE</u>	0	11/20		
1411	ALLSTREAM BUSINESS US, INC	17141854		<u>TELEPHONE, DATA AND NETWORK SERVICES, 11/1-11/30/2020-P&Z</u>	11/01/2020	120.49	.00	<u>01-6255 TELEPHONE</u>	1003	11/20		
Total 17141854:						1,204.86	.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 ALLSTREAM BUSINESS US, INC:						1,204.86	.00					
BRUCE L GILLOGY												
2024	BRUCE L GILLOGY	0128		<u>POWDER COATING, 197' FENCING, BERNIE FISHER PARK, B.GILLOGLY, NOV.'20</u>	10/26/2020	1,970.00	1,970.00	03-6370 EXP - DOWNTOWN REVITALIZATION	0	11/20	11/06/2020	
Total 0128:						1,970.00	1,970.00					
Total BRUCE L GILLOGY:						1,970.00	1,970.00					
BUYWYZ LLC												
1795	BUYWYZ LLC	160231	10772	<u>2 EA CHAIRS, UTILITY BILLING, OCT.'20 - SEWER</u>	10/29/2020	228.25	.00	21-6175 SMALL TOOLS	0	11/20		
1795	BUYWYZ LLC	160231	10772	<u>2 EA CHAIRS, UTILITY BILLING, OCT.'20 - P.I</u>	10/29/2020	62.24	.00	25-6175 SMALL TOOLS	0	11/20		
1795	BUYWYZ LLC	160231		<u>RULER, TONER CARTIDGE, N.STAUFFER, OCT. '20 - WATER</u>	10/29/2020	30.51	.00	20-6165 OFFICE SUPPLIES	0	11/20		
1795	BUYWYZ LLC	160231		<u>RULER, TONER CARTIDGE, N.STAUFFER, OCT. '20 - SEWER</u>	10/29/2020	30.51	.00	21-6165 OFFICE SUPPLIES	0	11/20		
1795	BUYWYZ LLC	160231		<u>RULER, TONER CARTIDGE, N.STAUFFER, OCT. '20 - P.I</u>	10/29/2020	8.31	.00	25-6165 OFFICE SUPPLIES	0	11/20		
1795	BUYWYZ LLC	160231		<u>1 EA (6 PKG) KLEENEX, CITY HALL, OCT.'20</u>	10/29/2020	13.28	.00	01-6025 JANITORIAL	0	11/20		
1795	BUYWYZ LLC	160231	10772	<u>CARD STOCK, D. STEPHENS, OCT. '20</u>	10/29/2020	38.90	.00	01-6165 OFFICE SUPPLIES	1005	11/20		
1795	BUYWYZ LLC	160231	10772	<u>2 EA CHAIRS, UTILITY BILLING, OCT.'20 - ADMIN</u>	10/29/2020	172.92	.00	01-6175 SMALL TOOLS	0	11/20		
1795	BUYWYZ LLC	160231	10772	<u>1 EA FELT TIP MARKER, OCT.'20</u>	10/29/2020	1.39	.00	01-6165 OFFICE SUPPLIES	0	11/20		
1795	BUYWYZ LLC	160231	10772	<u>RULER, TONER CARTIDGE, N.STAUFFER, OCT. '20 - ADMIN</u>	10/29/2020	23.11	.00	01-6165 OFFICE SUPPLIES	0	11/20		
1795	BUYWYZ LLC	160231	10772	<u>2 EA CHAIRS, UTILITY BILLING, OCT.'20 - WATER</u>	10/29/2020	228.25	.00	20-6175 SMALL TOOLS	0	11/20		

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 160231:						837.67	.00					
1795	BUYWYZ LLC	160502	10803	<u>4 PKGS PRINTABLE INSERTS, 6 EA BINDERS, 2 CTS PAPER, D.CROSSLEY, NOV.'20 - WATER</u>	11/06/2020	65.63	.00	<u>20-6165 OFFICE SUPPLIES</u>	0	11/20		
1795	BUYWYZ LLC	160502	10803	<u>4 PKGS PRINTABLE INSERTS, 6 EA BINDERS, 2 CTS PAPER, D.CROSSLEY, NOV.'20 - SEWER</u>	11/06/2020	65.63	.00	<u>21-6165 OFFICE SUPPLIES</u>	0	11/20		
1795	BUYWYZ LLC	160502	10803	<u>4 PKGS PRINTABLE INSERTS, 6 EA BINDERS, 2 CTS PAPER, D.CROSSLEY, NOV.'20 - P.I</u>	11/06/2020	25.01	.00	<u>25-6165 OFFICE SUPPLIES</u>	0	11/20		
1795	BUYWYZ LLC	160502	10803	<u>20 SETS DIVIDERS, UTILITY BILLING, G.SMITH, NOV.'20</u>	11/06/2020	5.50	.00	<u>01-6165 OFFICE SUPPLIES</u>	0	11/20		
1795	BUYWYZ LLC	160502	10803	<u>2 EA OFFICE CHAIRS, UTILITY BILLING, NOV.'20 - P.I</u>	11/06/2020	63.92	.00	<u>25-6175 SMALL TOOLS</u>	0	11/20		
1795	BUYWYZ LLC	160502	10803	<u>20 SETS DIVIDERS, UTILITY BILLING, G.SMITH, NOV.'20 - WATER</u>	11/06/2020	7.26	.00	<u>20-6165 OFFICE SUPPLIES</u>	0	11/20		
1795	BUYWYZ LLC	160502	10803	<u>20 SETS DIVIDERS, UTILITY BILLING, G.SMITH, NOV.'20 - SEWER</u>	11/06/2020	7.26	.00	<u>21-6165 OFFICE SUPPLIES</u>	0	11/20		
1795	BUYWYZ LLC	160502	10803	<u>20 SETS DIVIDERS, UTILITY BILLING, G.SMITH, NOV.'20 - P.I</u>	11/06/2020	1.98	.00	<u>25-6165 OFFICE SUPPLIES</u>	0	11/20		
1795	BUYWYZ LLC	160502	10803	<u>2 EA OFFICE CHAIRS, UTILITY BILLING, NOV.'20 - ADMIN</u>	11/06/2020	177.57	.00	<u>01-6175 SMALL TOOLS</u>	0	11/20		
1795	BUYWYZ LLC	160502	10803	<u>2 EA OFFICE CHAIRS, UTILITY BILLING, NOV.'20 - WATER</u>	11/06/2020	234.40	.00	<u>20-6175 SMALL TOOLS</u>	0	11/20		
1795	BUYWYZ LLC	160502	10803	<u>2 EA OFFICE CHAIRS, UTILITY BILLING, NOV.'20 - SEWER</u>	11/06/2020	234.40	.00	<u>21-6175 SMALL TOOLS</u>	0	11/20		
Total 160502:						888.56	.00					
Total BUYWYZ LLC:						1,726.23	.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
CAMPBELL TRACTOR & IMPLEMENT COMPANY												
135	CAMPBELL TRACTOR & IMPLEMENT COMPANY	N68431	10817	3 EA WIRE, 3 EA SPARK PLUG, 2 EA FILTERS, 1 EA OIL FILTER, GATOR TUNE UP, NOV'20	11/06/2020	119.64	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1004	11/20		
Total N68431:						119.64	.00					
Total CAMPBELL TRACTOR & IMPLEMENT COMPANY:						119.64	.00					
CASELLE INC												
1239	CASELLE INC	105714		CONTRACT SUPPORT AND MAINTENANCE FOR 12/01-12/31/20 -ADMIN	11/01/2020	625.30	.00	01-6052 CONTRACT SERVICES	0	11/20		
1239	CASELLE INC	105714		CONTRACT SUPPORT AND MAINTENANCE FOR 12/01-12/31/20 -WATER	11/01/2020	447.85	.00	20-6052 CONTRACT SERVICES	0	11/20		
1239	CASELLE INC	105714		CONTRACT SUPPORT AND MAINTENANCE FOR 12/01-12/31/20 -SEWER	11/01/2020	447.85	.00	21-6052 CONTRACT SERVICES	0	11/20		
1239	CASELLE INC	105714		CONTRACT SUPPORT AND MAINTENANCE FOR 12/01-12/31/20 -PI	11/01/2020	169.00	.00	25-6052 CONTRACT SERVICES	0	11/20		
Total 105714:						1,690.00	.00					
Total CASELLE INC:						1,690.00	.00					
CENTURYLINK												
62	CENTURYLINK	208922113658		DEDICATED LANDLINE TO SCADA,10/25-11/24/20-PI	10/25/2020	8.64	8.64	25-6255 TELEPHONE EXPENSE	0	11/20	11/06/2020	
62	CENTURYLINK	208922113658		DEDICATED LANDLINE TO SCADA,10/25-11/24/20-SEWER	10/25/2020	22.65	22.65	21-6255 TELEPHONE EXPENSE	0	11/20	11/06/2020	
62	CENTURYLINK	208922113658		DEDICATED LANDLINE TO SCADA,10/25-11/24/20-WATER	10/25/2020	22.65	22.65	20-6255 TELEPHONE EXPENSE	0	11/20	11/06/2020	

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				NOV'20	11/09/2020	85.00	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	11/20		
	Total 8532:					85.00	.00					
	Total CUSTOM ELECTRIC, INC.:					85.00	.00					
D & B SUPPLY												
75	D & B SUPPLY	30363	10815	LAWN LEAF BAGS FOR "RAKE UP KUNA" . B. WITHROW. NOV '20	11/06/2020	31.92	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	11/20		
	Total 30363:					31.92	.00					
75	D & B SUPPLY	44306	10823	6" DROP HITCH FOR TOWING, TRUCK #24, M.MEADE, NOV.'20	11/09/2020	149.99	.00	01-6305 VEHICLE MAINTENANCE & REPAIRS	1004	11/20		
	Total 44306:					149.99	.00					
75	D & B SUPPLY	44456	10827	STRAPS FOR THE FLAG, B.WITHROW, NOV.'20	11/10/2020	11.58	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	0	11/20		
	Total 44456:					11.58	.00					
75	D & B SUPPLY	55047	10776	FENCE PANEL FOR WELL #6, J.COX, OCT. '20	10/29/2020	179.99	.00	20-6140 MAINT. & REPAIR BUILDING	0	11/20		
	Total 55047:					179.99	.00					
75	D & B SUPPLY	55154	10782	WORK BOOTS, J.OSBORN, OCT.'20-WATER	10/30/2020	139.99	.00	20-6285 UNIFORMS EXPENSE	0	11/20		
75	D & B SUPPLY	55154	10782	WORK BOOTS, J.OSBORN, OCT.'20-PI	10/30/2020	35.00	.00	25-6285 UNIFORMS EXPENSE	0	11/20		

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 55154:						174.99	.00					
75	D & B SUPPLY	62312	10791	<u>PAIN</u> T BRUSH FOR <u>WASTEWATER TREATMENT</u> <u>PLANT REPAIR, S. HOWELL,</u> <u>NOV. '20-WATER</u>	11/02/2020	4.19	.00	<u>20-6150 M & R -</u> <u>SYSTEM</u>	0	11/20		
75	D & B SUPPLY	62312	10791	<u>PAIN</u> T BRUSH FOR <u>WASTEWATER TREATMENT</u> <u>PLANT REPAIR, S. HOWELL,</u> <u>NOV. '20-SEWER</u>	11/02/2020	4.19	.00	<u>21-6150 M & R -</u> <u>SYSTEM</u>	0	11/20		
75	D & B SUPPLY	62312	10791	<u>PAIN</u> T BRUSH FOR <u>WASTEWATER TREATMENT</u> <u>PLANT REPAIR, S. HOWELL,</u> <u>NOV. '20-PI</u>	11/02/2020	1.61	.00	<u>25-6150 MAINT. &</u> <u>REPAIRS - SYSTEM</u> <u>(PI)</u>	0	11/20		
Total 62312:						9.99	.00					
75	D & B SUPPLY	62388	10798	<u>TARP FOR CITY HALL</u> <u>TRACTOR, B.WITHROW, OCT,</u> <u>'20</u>	11/03/2020	52.99	.00	<u>01-6175 SMALL</u> <u>TOOLS</u>	1004	11/20		
Total 62388:						52.99	.00					
Total D & B SUPPLY:						611.45	.00					
DELL MARKETING L.P.												
1466	DELL MARKETING L.P.	10435245360		<u>LAPTOP PURCHASES, COVID,</u> <u>NOV. '20-ADMIN</u>	11/02/2020	2,201.62	.00	<u>01-6141 IT SMALL</u> <u>EQUIPMENT</u>	0	11/20		
1466	DELL MARKETING L.P.	10435245360		<u>LAPTOP PURCHASES, COVID,</u> <u>NOV. '20-WATER</u>	11/02/2020	2,906.14	.00	<u>20-6141 IT SMALL</u> <u>EQUIPMENT</u>	0	11/20		
1466	DELL MARKETING L.P.	10435245360		<u>LAPTOP PURCHASES, COVID,</u> <u>NOV. '20-SEWER</u>	11/02/2020	2,906.14	.00	<u>21-6141 IT SMALL</u> <u>EQUIPMENT</u>	0	11/20		
1466	DELL MARKETING L.P.	10435245360		<u>LAPTOP PURCHASES, COVID,</u> <u>NOV. '20-PI</u>	11/02/2020	792.60	.00	<u>25-6141 IT SMALL</u> <u>EQUIPMENT</u>	0	11/20		
Total 10435245360:						8,806.50	.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 DELL MARKETING L.P.:						8,806.50	.00					
DIGLINE												
25	DIGLINE	0064426-IN		<u>DIG FEES, OCT. '20 - PI</u>	10/31/2020	149.10	.00	<u>25-6065 DIG LINE EXPENSE</u>	0	11/20		
25	DIGLINE	0064426-IN		<u>DIG FEES, OCT. '20-SEWER</u>	10/31/2020	391.37	.00	<u>21-6065 DIG LINE EXPENSE</u>	0	11/20		
25	DIGLINE	0064426-IN		<u>DIG FEES, OCT. '20-WATER</u>	10/31/2020	391.37	.00	<u>20-6065 DIG LINE EXPENSE</u>	0	11/20		
Total 0064426-IN:						931.84	.00					
Total DIGLINE:						931.84	.00					
DMH ENTERPRISES												
1745	DMH ENTERPRISES	10312020DMH		<u>PLUMBING PERMITS, OCT. '20</u>	10/31/2020	16,590.00	16,590.00	<u>01-6052 CONTRACT SERVICES</u>	1005	11/20	11/06/2020	
Total 10312020DMH:						16,590.00	16,590.00					
Total DMH ENTERPRISES:						16,590.00	16,590.00					
ED STAUB & SONS PETROLEUM, INC												
1731	ED STAUB & SONS PETROLEUM, INC	3636408		<u>PROPANE FOR BERNIE FISHER PARK DEPT @ WATER TOWER (HEATER) OCT. '20</u>	11/02/2020	118.13	.00	<u>01-6290 UTILITIES</u>	1004	11/20		
Total 3636408:						118.13	.00					
Total ED STAUB & SONS PETROLEUM, INC:						118.13	.00					
EDNETICS INC												
2061	EDNETICS INC	102297		<u>CRADLEPOINT SETUP FOR SCADA NETWORK-WATER</u>	10/28/2020	157.50	.00	<u>20-6166 PP&E PURCHASES OPERATIONS</u>	1228	11/20		
2061	EDNETICS INC	102297		<u>CRADLEPOINT SETUP FOR SCADA NETWORK-SEWER</u>	10/28/2020	157.50	.00	<u>21-6166 PP&E PURCHASES - OPERATIONS</u>	1228	11/20		

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
2061	EDNETICS INC	102297		<u>CRADLEPOINT SETUP FOR SCADA NETWORK-PI</u>	10/28/2020	60.00	.00	<u>25-6166 PP&E PURCHASES - OPERATIONS</u>	1228	11/20		
Total 102297:						375.00	.00					
Total EDNETICS INC:						375.00	.00					
ELAM & BURKE												
796	ELAM & BURKE	188088		<u>PROFESSIONAL SERVICES, URBAN RENEWAL, GENERAL REPRESENTATION, L.HOLLAND, OCT.'20</u>	10/31/2020	9,334.40	.00	<u>52-6045 CONTINGENCY</u>	1217	11/20		
Total 188088:						9,334.40	.00					
Total ELAM & BURKE:						9,334.40	.00					
ELECTRICAL CONTROLS & INSTRUMENTATION												
1744	ELECTRICAL CONTROLS & INSTRUMENTATION	10312020ECI		<u>ELECTRICAL PERMITS, OCT. '20</u>	10/31/2020	15,718.81	15,718.81	<u>01-6052 CONTRACT SERVICES</u>	1005	11/20	11/06/2020	
Total 10312020ECI:						15,718.81	15,718.81					
Total ELECTRICAL CONTROLS & INSTRUMENTATION:						15,718.81	15,718.81					
FATBEAM LLC												
1831	FATBEAM LLC	14779		<u>MONTHLY RECURRING CHARGE FOR CONNECT INTERNET SERVICES 100 MB, NOV. '20-ADMIN</u>	11/01/2020	62.50	.00	<u>01-6052 CONTRACT SERVICES</u>	0	11/20		
1831	FATBEAM LLC	14779		<u>MONTHLY RECURRING CHARGE FOR CONNECT INTERNET SERVICES 100 MB, NOV. '20-WATER</u>	11/01/2020	82.50	.00	<u>20-6052 CONTRACT SERVICES</u>	0	11/20		
1831	FATBEAM LLC	14779		<u>MONTHLY RECURRING CHARGE FOR CONNECT INTERNET SERVICES 100 MB, NOV. '20-SEWER</u>	11/01/2020	82.50	.00	<u>21-6052 CONTRACT SERVICES</u>	0	11/20		

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
1831	FATBEAM LLC	14779		<u>MONTHLY RECURRING CHARGE FOR CONNECT INTERNET SERVICES 100 MB. NOV. '20-PI</u>	11/01/2020	22.50	.00	<u>25-6052 CONTRACT SERVICES</u>	0	11/20		
Total 14779:						250.00	.00					
Total FATBEAM LLC:						250.00	.00					
H & E EQUIPMENT SERVICES, INC.												
1561	H & E EQUIPMENT SERVICES, INC.	95490843	10703	<u>LANDSCAPE RAKE FOR THE BOBCAT. B. WITHROW. OCT.'20</u>	11/05/2020	8,797.20	.00	<u>40-6020 CAPITAL IMPROVEMENTS</u>	1241	11/20		
Total 95490843:						8,797.20	.00					
Total H & E EQUIPMENT SERVICES, INC.:						8,797.20	.00					
HUBER TECHNOLOGY, INC.												
1611	HUBER TECHNOLOGY, INC.	CD10020301		<u>4 EACH REPLACEMENT RUBBER SLEEVE, T. SHAFFER, NOV. '20</u>	09/10/2020	71.20	.00	<u>21-6140 MAINT & REPAIR BUILDING</u>	0	11/20		
Total CD10020301:						71.20	.00					
1611	HUBER TECHNOLOGY, INC.	CD10020532	10800	<u>15 PCS EXTRA LONG PACK-BAG FOR SEWER DUMP. T. SHAFFER. NOV'20</u>	11/05/2020	1,915.00	.00	<u>21-6150 M & R - SYSTEM</u>	0	11/20		
Total CD10020532:						1,915.00	.00					
Total HUBER TECHNOLOGY, INC.:						1,986.20	.00					
IDAHO POWER CO												
38	IDAHO POWER CO	10282020IP		<u>ELECTRIC SERVICE FOR STREET LIGHTS 09/12-10/13/2020</u>	10/28/2020	1,494.56	1,494.56	<u>01-6290 UTILITIES</u>	1002	11/20	11/06/2020	

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
Total 10282020IP:						1,494.56	1,494.56					
Total IDAHO POWER CO:						1,494.56	1,494.56					
IDAHO PRESS TRIBUNE, LLC												
1802	IDAHO PRESS TRIBUNE, LLC	4917	10742	AD# 43593, LEGAL PUBLICATION, # 20-02-OA HOME OCCUPATION ORDINANCE AMENDMENT, J. HELLMAN, OCT. '20	11/04/2020	297.96	.00	01-6165 OFFICE SUPPLIES	1003	11/20		
Total 4917:						297.96	.00					
1802	IDAHO PRESS TRIBUNE, LLC	4918		AD#43608, LEGAL PUBLICATION, PLANNING & ZONING DEPARTMENT FEE SCHEDULE RESOLUTION, J HELLMAN, OCT. '20	11/04/2020	279.18	.00	01-6125 LEGAL PUBLICATIONS	1003	11/20		
Total 4918:						279.18	.00					
Total IDAHO PRESS TRIBUNE, LLC:						577.14	.00					
IDAHO STATE POLICE												
1509	IDAHO STATE POLICE	10262020ISP		FBI FINGERPRINT PROCESSING, PHILIP OLIVER, EGT SOLAR, OCT. '20	10/26/2020	33.25	33.25	01-2075 UNEARNED REVENUE	0	10/20	10/30/2020	
Total 10262020ISP:						33.25	33.25					
Total IDAHO STATE POLICE:						33.25	33.25					
INTERMOUNTAIN GAS CO												
37	INTERMOUNTAIN GAS CO	482135196102		NATURAL GAS CONSUMPTION AT SENIOR CENTER, 09/29-10/26/2020	10/27/2020	185.04	185.04	01-6290 UTILITIES	1001	11/20	11/06/2020	
Total 48213519610272020:						185.04	185.04					

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	482195000106		<u>NATURAL GAS CONSUMPTION AT WASTEWATER TREATMENT PLANT, 10/06-11/02/2020-WATER</u>	11/03/2020	138.70	.00	<u>20-6290 UTILITIES EXPENSE</u>	0	11/20		
37	INTERMOUNTAIN GAS CO	482195000106		<u>NATURAL GAS CONSUMPTION AT WASTEWATER TREATMENT PLANT, 10/06-11/02/2020- SEWER</u>	11/03/2020	138.70	.00	<u>21-6290 UTILITIES EXPENSE</u>	0	11/20		
37	INTERMOUNTAIN GAS CO	482195000106		<u>NATURAL GAS CONSUMPTION AT WASTEWATER TREATMENT PLANT, 10/06-11/02/2020-PI</u>	11/03/2020	52.85	.00	<u>25-6290 UTILITIES EXPENSE</u>	0	11/20		
Total 4821950001062011220:						330.25	.00					
37	INTERMOUNTAIN GAS CO	482327707102		<u>NATURAL GAS CONSUMPTION AT THE ORCHARD PARKS OFFICE, 09/29-10/26/2020</u>	10/27/2020	19.54	19.54	<u>01-6290 UTILITIES</u>	1004	11/20	11/06/2020	
Total 48232770710272020:						19.54	19.54					
37	INTERMOUNTAIN GAS CO	482634665102		<u>NATURAL GAS CONSUMPTION AT CITY HALL, 09/29-10/26/2020- ADMIN</u>	10/27/2020	20.01	20.01	<u>01-6290 UTILITIES</u>	0	11/20	11/06/2020	
37	INTERMOUNTAIN GAS CO	482634665102		<u>NATURAL GAS CONSUMPTION AT CITY HALL, 09/29-10/26/2020- WATER</u>	10/27/2020	13.69	13.69	<u>20-6290 UTILITIES EXPENSE</u>	0	11/20	11/06/2020	
37	INTERMOUNTAIN GAS CO	482634665102		<u>NATURAL GAS CONSUMPTION AT CITY HALL, 09/29-10/26/2020- SEWER</u>	10/27/2020	13.69	13.69	<u>21-6290 UTILITIES EXPENSE</u>	0	11/20	11/06/2020	
37	INTERMOUNTAIN GAS CO	482634665102		<u>NATURAL GAS CONSUMPTION AT CITY HALL, 09/29-10/26/2020- PI</u>	10/27/2020	5.29	5.29	<u>25-6290 UTILITIES EXPENSE</u>	0	11/20	11/06/2020	
Total 48263466510272020:						52.68	52.68					
Total INTERMOUNTAIN GAS CO:						587.51	257.26					

J & M SANITATION, INC.

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				SHRINK TUBE, S. HOWELL, OCT. '20-SEWER	10/30/2020	20.58	.00	21-6150 M & R - SYSTEM	0	11/20		
499	KUNA LUMBER	A117761	10784	2 PK TUBE, 4 PK AA SOLAR BATTERIES, 2 PK 18V WORKLIGHT BULB, 1 EA CHANNELLOCK REEL, 2 EA 3V WATCH BATTERY, 1 EA 16 PK AAA BATTERY, 1 EA HEAT SHRINK TUBE, S. HOWELL, OCT. '20-PI	10/30/2020	7.94	.00	25-6150 MAINT. & REPAIRS - SYSTEM (PI)	0	11/20		
499	KUNA LUMBER	A117761	10784	1 EA LEATHER GLOVE, 5 EA 50 PC LATH, 1 EA METAL WHEEL, 1 EA WEDGE ANCHOR, 3 EA HEX WASHER, 1 EA 3/8 NUT, 5 EA STD/BTR LUMBER, 2 EA BLACK SPRAY PAINT, OCT. '20, BERNIE FISHER FENCE, PHASE II	10/30/2020	120.45	.00	03-6370 EXP. - DOWNTOWN REVITALIZATION	0	11/20		
499	KUNA LUMBER	A117761	10784	1 EA UTILITY KNIVE, S. HOWELL, OCT. '20-ADMIN	10/30/2020	1.87	.00	01-6175 SMALL TOOLS	0	11/20		
499	KUNA LUMBER	A117761	10784	1 EA UTILITY KNIVE, S. HOWELL, OCT. '20-WATER	10/30/2020	1.28	.00	20-6175 SMALL TOOLS	0	11/20		
499	KUNA LUMBER	A117761	10784	1 EA UTILITY KNIVE, S. HOWELL, OCT. '20-SEWER	10/30/2020	1.28	.00	21-6175 SMALL TOOLS	0	11/20		
499	KUNA LUMBER	A117761	10784	1 EA UTILITY KNIVE, S. HOWELL, OCT. '20-PI	10/30/2020	.51	.00	25-6175 SMALL TOOLS	0	11/20		
Total A117761:						204.58	.00					
499	KUNA LUMBER	A118319	10760	1 EA BRASS SWEEPER NOZZLE, R.DAVILA, OCT.'20	10/26/2020	9.44	.00	21-6150 M & R - SYSTEM	0	11/20		
Total A118319:						9.44	.00					
499	KUNA LUMBER	A118349	10767	BATHROOM FAN, M. MEADE, OCT. '20	10/27/2020	17.99	.00	01-6140 MAINT. & REPAIR BUILDING	1004	11/20		

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Total A118349:						17.99	.00					
499	KUNA LUMBER	A118399	10775	<u>8 EA HAMMER ANCHORING CORD FOR WELL #6, J. OSBORN, OCT'20</u>	10/29/2020	16.92	.00	<u>20-6140 MAINT. & REPAIR BUILDING</u>	0	11/20		
Total A118399:						16.92	.00					
499	KUNA LUMBER	B144700	10709	<u>1 GALLON BUG SPRAY FOR LIFT STATION J.PEREZ, OCT.'20</u>	10/12/2020	8.79	.00	<u>21-6150 M & R - SYSTEM</u>	0	11/20		
Total B144700:						8.79	.00					
499	KUNA LUMBER	B144728	10712	<u>1 EA ZINC PISTOL NOZZLE, 1 EA NEVERKINK HOSE, TEN MILE LIFT STATION, J.PEREZ, OCT.'20</u>	10/13/2020	32.65	.00	<u>21-6150 M & R - SYSTEM</u>	0	11/20		
Total B144728:						32.65	.00					
499	KUNA LUMBER	B145254	10757	<u>SET OF KEYS FOR WELL HOUSE & PI, M. DAVILA, OCT. '20-WATER</u>	10/26/2020	5.46	.00	<u>20-6150 M & R - SYSTEM</u>	0	11/20		
499	KUNA LUMBER	B145254	10757	<u>SET OF KEYS FOR WELL HOUSE & PI, M. DAVILA, OCT. '20-PI</u>	10/26/2020	1.37	.00	<u>25-6150 MAINT. & REPAIRS - SYSTEM (PI)</u>	0	11/20		
Total B145254:						6.83	.00					
499	KUNA LUMBER	B145387	10777	<u>IRRIGATION BOX AND LID, B. BURR, OCT. '20</u>	10/29/2020	29.66	.00	<u>25-6150 MAINT. & REPAIRS - SYSTEM (PI)</u>	0	11/20		
Total B145387:						29.66	.00					
Total KUNA LUMBER:						326.86	.00					

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KUNA RURAL FIRE DISTRICT (IMPACT)												
1944	KUNA RURAL FIRE DISTRICT (IMPACT)	10312020KRF		<u>KRFD IMPACT FEES, OCT. '20</u>	10/31/2020	43,672.00	43,672.00	<u>01-2511 KRFD IMPACT FEE TRANSFER</u>	0	11/20	11/06/2020	
Total 10312020KRFDI:						43,672.00	43,672.00					
Total KUNA RURAL FIRE DISTRICT (IMPACT):						43,672.00	43,672.00					
KUNA WELDING												
46	KUNA WELDING	6237	10780	<u>AUGER REPAIR FOR TEN MILE LIFT STATION, T. FLEMING, OCT'20</u>	10/29/2020	210.00	.00	<u>21-6142 MAINT. & REPAIRS - EQUIPMENT</u>	0	11/20		
Total 6237:						210.00	.00					
Total KUNA WELDING:						210.00	.00					
LOCAHAN LLC												
1619	LOCAHAN LLC	AR876274		<u>MONTHLY COPYCARE INCLUDES PARTS, LABOR & TONER, CONTRACT BASE RATE CHARGE 08/03-09/02/2020.MODEL #MPC4504EX, SERIAL #C737M540155 & SERIAL # C737M540938, -ADMIN</u>	08/27/2020	102.20	102.20	<u>01-6142 MAINT. & REPAIR - EQUIPMENT</u>	0	10/20	10/30/2020	
1619	LOCAHAN LLC	AR876274		<u>MONTHLY COPYCARE INCLUDES PARTS, LABOR & TONER, CONTRACT BASE RATE CHARGE 08/03-09/02/2020.MODEL #MPC4504EX, SERIAL #C737M540155 & SERIAL # C737M540938, -WATER</u>	08/27/2020	94.90	94.90	<u>20-6142 MAINT. & REPAIRS- EQUIPMENT</u>	0	10/20	10/30/2020	
1619	LOCAHAN LLC	AR876274		<u>MONTHLY COPYCARE INCLUDES PARTS, LABOR & TONER, CONTRACT BASE RATE CHARGE 08/03-09/02/2020.MODEL #MPC4504EX, SERIAL #C737M540155 & SERIAL # C737M540938, -SEWER</u>	08/27/2020	94.90	94.90	<u>21-6142 MAINT. & REPAIRS - EQUIPMENT</u>	0	10/20	10/30/2020	

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				PHASE II, OCT.'20	10/15/2020	117.12	.00	03-6370 EXP - DOWNTOWN REVITALIZATION	0	11/20		
Total 30445269:						117.12	.00					
222	NORCO, INC.	30536131	10771	WIRE FOR BERNIE FISHER PARK FENCE, CITY MATCH, DOWNTOWN REVITALIZATION PHASE II, OCT.'20	10/28/2020	135.79	.00	03-6370 EXP - DOWNTOWN REVITALIZATION	0	11/20		
Total 30536131:						135.79	.00					
Total NORCO, INC.:						252.91	.00					
PACIFIC STEEL												
584	PACIFIC STEEL	7402049		TUBING FOR BERNIE FISHER PARK FENCE, DOWNTOWN REVITALIZATION PHASE II, OCT.'20	10/02/2020	374.55	.00	03-6370 EXP - DOWNTOWN REVITALIZATION	0	11/20		
Total 7402049:						374.55	.00					
Total PACIFIC STEEL:						374.55	.00					
PARTS, INC.												
470	PARTS, INC.	103120		SERVICE CHARGES, INVOICE 221897	10/31/2020	1.50	.00	01-6505 BANK FEES	0	11/20		
Total 103120:						1.50	.00					
470	PARTS, INC.	223608	10754	CLAMPS FOR STREET LIGHT REPAIRS, S.HOWELL, OCT.'20	10/23/2020	5.56	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1002	11/20		
Total 223608:						5.56	.00					
470	PARTS, INC.	223782	10766	1 EA OIL FILTER FOR TRUCK 39, S.HOWELL, OCT.'20 - WATER	10/27/2020	15.96	.00	20-6305 VEHICLE MAINTENANCE & REPAIRS	0	11/20		

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470	PARTS, INC.	223782	10766	<u>1 EA OIL FILTER FOR TRUCK 39, S.HOWELL, OCT.'20 - P.I</u>	10/27/2020	3.99	.00	<u>25-6305 VEHICLE MAINTENANCE & REPAIR</u>	0	11/20		
470	PARTS, INC.	223782	10766	<u>CABLE TIES FOR FLEET, S.HOWELL, OCT.'20 - ADMIN</u>	10/27/2020	7.77	.00	<u>01-6150 MAINTENANCE & REPAIRS - SYSTEM</u>	0	11/20		
470	PARTS, INC.	223782	10766	<u>CABLE TIES FOR FLEET, S.HOWELL, OCT.'20 - WATER</u>	10/27/2020	3.11	.00	<u>20-6150 M & R - SYSTEM</u>	0	11/20		
470	PARTS, INC.	223782	10766	<u>CABLE TIES FOR FLEET, S.HOWELL, OCT.'20 - SEWER</u>	10/27/2020	3.11	.00	<u>21-6150 M & R - SYSTEM</u>	0	11/20		
470	PARTS, INC.	223782	10766	<u>CABLE TIES FOR FLEET, S.HOWELL, OCT.'20 - P.I</u>	10/27/2020	1.55	.00	<u>25-6150 MAINT. & REPAIRS - SYSTEM (PI)</u>	0	11/20		
Total 223782:						35.49	.00					
470	PARTS, INC.	224523	10818	<u>1 EA WIPER BLADE, FOR PARKS GATOR, NOV'20</u>	11/17/2020	5.54	.00	<u>01-6142 MAINT. & REPAIR - EQUIPMENT</u>	1004	11/20		
Total 224523:						5.54	.00					
Total PARTS, INC.:						48.09	.00					
QUADIENT LEASING USA, INC												
615	QUADIENT LEASING USA, INC	N8564988		<u>MAIL METERING LEASE PAYMENT, 9/2-12/1/20 - ADMIN</u>	10/31/2020	121.99	.00	<u>01-6190 POSTAGE & BILLING</u>	0	11/20		
615	QUADIENT LEASING USA, INC	N8564988		<u>MAIL METERING LEASE PAYMENT, 9/2-12/1/20 - P & Z</u>	10/31/2020	17.43	.00	<u>01-6190 POSTAGE & BILLING</u>	1003	11/20		
615	QUADIENT LEASING USA, INC	N8564988		<u>MAIL METERING LEASE PAYMENT, 9/2-12/1/20 - WATER</u>	10/31/2020	185.88	.00	<u>20-6190 POSTAGE & BILLING</u>	0	11/20		
615	QUADIENT LEASING USA, INC	N8564988		<u>MAIL METERING LEASE PAYMENT, 9/2-12/1/20 - SEWER</u>	10/31/2020	185.88	.00	<u>21-6190 POSTAGE & BILLING</u>	0	11/20		
615	QUADIENT LEASING USA, INC	N8564988		<u>MAIL METERING LEASE PAYMENT, 9/2-12/1/20 - P.I</u>	10/31/2020	69.71	.00	<u>25-6190 POSTAGE & BILLING</u>	0	11/20		

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Total N8564988:						580.89	.00					
Total QUADIENT LEASING USA, INC:						580.89	.00					
RAIN FOR RENT												
144	RAIN FOR RENT	1547875	10793	<u>12 EA GASKETS. NOV'20</u>	11/02/2020	24.00	.00	<u>21-6150 M & R - SYSTEM</u>	0	11/20		
Total 1547875:						24.00	.00					
144	RAIN FOR RENT	1548157	10793	<u>5 EA HOSES. T.FLEMING, NOV.'20</u>	11/03/2020	2,172.94	.00	<u>21-6150 M & R - SYSTEM</u>	0	11/20		
Total 1548157:						2,172.94	.00					
144	RAIN FOR RENT	1549699		<u>PIPE FOR TRANSFER PUMP, T.FLEMING. NOV.'20</u>	11/09/2020	1,534.24	.00	<u>21-6150 M & R - SYSTEM</u>	0	11/20		
Total 1549699:						1,534.24	.00					
Total RAIN FOR RENT:						3,731.18	.00					
REXEL USA, INC.												
1613	REXEL USA, INC.	0W18909	10698	<u>10 LED REPLACEMENT LIGHTS STREETS, S. HOWELL, OCT. '20</u>	10/22/2020	540.40	.00	<u>01-6142 MAINT. & REPAIR - EQUIPMENT</u>	1002	11/20		
Total 0W18909:						540.40	.00					
1613	REXEL USA, INC.	0W47607	10756	<u>FUSES FOR IRR STATIONS, S.HOWELL, OCT.20</u>	10/27/2020	139.32	.00	<u>25-6150 MAINT. & REPAIRS - SYSTEM (PI)</u>	0	11/20		
Total 0W47607:						139.32	.00					
Total REXEL USA, INC.:						679.72	.00					

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RICK POULTON												
2060	RICK POULTON	062203		TRACTOR PREP AND PAINTING, CITY HALL TRACTOR ART PIECE, ARTS COMMISSION, OCT.'20	10/27/2020	500.00	500.00	01-6070 DONATIONS EXPENSE	0	10/20	10/30/2020	
Total 062203:						500.00	500.00					
Total RICK POULTON:						500.00	500.00					
RICOH USA, INC. (MAINTENANCE)												
1422	RICOH USA, INC. (MAINTENANCE)	5060704011		COPY CHARGES, MODEL #IMC2000, SERIAL #C86262110, PARKS OFFICE, 10/1-31/20	11/01/2020	6.91	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1004	11/20		
Total 5060704011:						6.91	.00					
Total RICOH USA, INC. (MAINTENANCE):						6.91	.00					
RIMI INC												
1991	RIMI INC	10312020RMI		COMMERCIAL MECHANICAL PERMIT FEES, OCT. '20	10/31/2020	520.68	520.68	01-6052 CONTRACT SERVICES	1005	11/20	11/06/2020	
Total 10312020RMI:						520.68	520.68					
Total RIMI INC:						520.68	520.68					
SAGE SUPPLY INC												
1854	SAGE SUPPLY INC	20-27444		ANNUAL TANK LEASE RENEWAL, B.WITHROW, NOV.'20	11/04/2020	1.00	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	11/20		
Total 20-27444:						1.00	.00					
Total SAGE SUPPLY INC:						1.00	.00					
SEID CRANE SERVICE, INC												

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1766	SEID CRANE SERVICE, INC	11042020SCS	10825	<u>WORK ON THE TEN MILE LIFT STATION SCREEN, R.DAVILA, NOV.'20</u>	11/04/2020	255.00	.00	<u>21-6150 M & R - SYSTEM</u>	0	11/20		
Total 11042020SCS:						255.00	.00					
Total SEID CRANE SERVICE, INC:						255.00	.00					
SIMPLOT PARTNERS												
491	SIMPLOT PARTNERS	216051109		<u>10,000 LBS SULFUR, B.WITHROW, NOV.'20</u>	11/03/2020	2,433.60	.00	<u>01-6150 MAINTENANCE & REPAIRS - SYSTEM</u>	1004	11/20		
Total 216051109:						2,433.60	.00					
Total SIMPLOT PARTNERS:						2,433.60	.00					
TAYLOR CORPORATION												
1435	TAYLOR CORPORATION	203983532	10787	<u>250 EA BUSINESS CARDS, B.BURR, NOV.'20</u>	11/03/2020	30.79	.00	<u>20-6165 OFFICE SUPPLIES</u>	0	11/20		
1435	TAYLOR CORPORATION	203983532	10787	<u>250 EA BUSINESS CARDS, B.BURR, NOV.'20</u>	11/03/2020	7.70	.00	<u>25-6165 OFFICE SUPPLIES</u>	0	11/20		
Total 203983532:						38.49	.00					
Total TAYLOR CORPORATION:						38.49	.00					
TECHNOLOGY SOLUTIONS LLC												
1823	TECHNOLOGY SOLUTIONS LLC	4040		<u>PARK RESTROOMS ACCESS CONTROL SETUP, OCT'20</u>	10/29/2020	9,984.99	.00	<u>40-6166 PP&E PURCHASES OPERATIONS</u>	1235	11/20		
Total 4040:						9,984.99	.00					
1823	TECHNOLOGY SOLUTIONS LLC	4050		<u>CITY HALL OFFICE, ANNUAL CLOUD SUBSCRIPTION FOR ACCESS CONTROL, 11/1/20- 10/31/21 - ADMIN</u>	11/01/2020	230.30	.00	<u>01-6140 MAINT. & REPAIR BUILDING</u>	0	11/20		

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1823	TECHNOLOGY SOLUTIONS LLC	4050		<u>CITY HALL OFFICE, ANNUAL CLOUD SUBSCRIPTION FOR ACCESS CONTROL, 11/1/20-10/31/21 - P & Z</u>	11/01/2020	82.25	.00	<u>01-6140 MAINT. & REPAIR BUILDING</u>	1003	11/20		
1823	TECHNOLOGY SOLUTIONS LLC	4050		<u>CITY HALL OFFICE, ANNUAL CLOUD SUBSCRIPTION FOR ACCESS CONTROL, 11/1/20-10/31/21 - WATER</u>	11/01/2020	213.85	.00	<u>20-6140 MAINT. & REPAIR BUILDING</u>	0	11/20		
1823	TECHNOLOGY SOLUTIONS LLC	4050		<u>CITY HALL OFFICE, ANNUAL CLOUD SUBSCRIPTION FOR ACCESS CONTROL, 11/1/20-10/31/21 - SEWER</u>	11/01/2020	213.85	.00	<u>21-6140 MAINT & REPAIR BUILDING</u>	0	11/20		
1823	TECHNOLOGY SOLUTIONS LLC	4050		<u>CITY HALL OFFICE, ANNUAL CLOUD SUBSCRIPTION FOR ACCESS CONTROL, 11/1/20-10/31/21 - P.I</u>	11/01/2020	82.25	.00	<u>25-6140 MAINT & REPAIR BUILDING</u>	0	11/20		
Total 4050:						822.50	.00					
Total TECHNOLOGY SOLUTIONS LLC:						10,807.49	.00					
THE JORDEL COMPANY												
1523	THE JORDEL COMPANY	00000005080A		<u>REISSUE CHECK FOR INVOICE #5080, LAMINATING/BINDING</u>	11/06/2020	158.00	158.00	<u>01-6165 OFFICE SUPPLIES</u>	1005	11/20	11/06/2020	
Total 00000005080A:						158.00	158.00					
1523	THE JORDEL COMPANY	00000005414	10706	<u>COPIES, LAMINATING AND BINDING, URBAN RENEWAL BINDERS, N.STANLEY, NOV.'20</u>	10/09/2020	855.73	.00	<u>01-6165 OFFICE SUPPLIES</u>	1217	11/20		
Total 00000005414:						855.73	.00					
1523	THE JORDEL COMPANY	00000005468	10753	<u>150 EA LABELS FOR J. COULTER, OCT'20</u>	10/23/2020	225.00	.00	<u>01-6165 OFFICE SUPPLIES</u>	1005	11/20		
Total 00000005468:						225.00	.00					

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				OFFICE	11/06/2020	24.40	.00	01-6165 OFFICE SUPPLIES	1004	11/20		
Total 2160:07043334:						24.40	.00					
Total TREASURE VALLEY COFFEE:						190.90	.00					
U.S. BANK (VISA)												
1444	U.S. BANK (VISA)	064102901050	10733	THE INVERTOR STORE, POWER INVERTOR FOR WATER TRUCK , S.HOWELL, OCT.'20 - WATER	10/16/2020	799.28	.00	20-6305 VEHICLE MAINTENANCE & REPAIRS	0	11/20		
1444	U.S. BANK (VISA)	064102901050	10733	THE INVERTOR STORE, POWER INVERTOR FOR WATER TRUCK , S.HOWELL, OCT.'20 - P.I	10/16/2020	199.82	.00	25-6305 VEHICLE MAINTENANCE & REPAIR	0	11/20		
Total 06410290105042123440:						999.10	.00					
1444	U.S. BANK (VISA)	128902820300		IDAHO MARINE INC. OAR AND O CLAMP, LAGOONS, OCT.'20	10/07/2020	119.97	.00	21-6150 M & R - SYSTEM	0	11/20		
Total 12890282030021733649:						119.97	.00					
1444	U.S. BANK (VISA)	170502752727	10654	VRSN, RENEWAL OF DOMAIN FOR KUNAID.GOV, J. EMPEY, OCT'20 - ADMIN	10/01/2020	100.00	.00	01-6075 DUES & MEMBERSHIPS	0	11/20		
1444	U.S. BANK (VISA)	170502752727	10654	VRSN, RENEWAL OF DOMAIN FOR KUNAID.GOV, J. EMPEY, OCT'20 - WATER	10/01/2020	132.00	.00	20-6075 DUES & MEMBERSHIPS	0	11/20		
1444	U.S. BANK (VISA)	170502752727	10654	VRSN, RENEWAL OF DOMAIN FOR KUNAID.GOV, J. EMPEY, OCT'20 - SEWER	10/01/2020	132.00	.00	21-6075 DUES & MEMBERSHIPS	0	11/20		
1444	U.S. BANK (VISA)	170502752727	10654	VRSN, RENEWAL OF DOMAIN FOR KUNAID.GOV, J. EMPEY, OCT'20 - P.I	10/01/2020	36.00	.00	25-6075 DUES & MEMBERSHIPS EXPENSE	0	11/20		

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Total 170502752727584979757:						400.00	.00					
1444	U.S. BANK (VISA)	273302817202	10702	<u>RIDLEYS, DOUBLE SIDED TAPE, CITY HALL EXPANSION, B.WITHROW, OCT.'20</u>	10/07/2020	55.08	.00	<u>01-6140 MAINT. & REPAIR BUILDING</u>	0	11/20		
Total 27330281720202950936:						55.08	.00					
1444	U.S. BANK (VISA)	273302897202	10719	<u>RIDLEYS, LAUNDRY SOAP, DRYER SHEETS, BLEACH, FOR TREATMENT PLANT, D. CROSSLEY, OCT. 20 - WATER</u>	10/15/2020	8.76	.00	<u>20-6150 M & R - SYSTEM</u>	0	11/20		
1444	U.S. BANK (VISA)	273302897202	10719	<u>RIDLEYS, LAUNDRY SOAP, DRYER SHEETS, BLEACH, FOR TREATMENT PLANT, D. CROSSLEY, OCT. 20 - SEWER</u>	10/15/2020	8.76	.00	<u>21-6150 M & R - SYSTEM</u>	0	11/20		
1444	U.S. BANK (VISA)	273302897202	10719	<u>RIDLEYS, LAUNDRY SOAP, DRYER SHEETS, BLEACH, FOR TREATMENT PLANT, D. CROSSLEY, OCT. 20 - P.I</u>	10/15/2020	3.33	.00	<u>25-6150 MAINT. & REPAIRS - SYSTEM (PI)</u>	0	11/20		
Total 27330289720203052536:						20.85	.00					
1444	U.S. BANK (VISA)	310502756360	10647	<u>IMC TEN MILE, SAND FOR BERNIE FISHER PARK, DOWNTOWN REVITALIZATION, D. ABBOTT, OCT'20</u>	10/01/2020	63.20	.00	<u>01-6150 MAINTENANCE & REPAIRS - SYSTEM</u>	1004	11/20		
Total 31050275636000148448:						63.20	.00					
1444	U.S. BANK (VISA)	310602982005	10751	<u>1000 LED, LIGHTING FOR ART PROJECT, J.MORFIN, OCT.'20</u>	10/23/2020	109.26	.00	<u>01-6070 DONATIONS EXPENSE</u>	0	11/20		
Total 31060298200555000017:						109.26	.00					
1444	U.S. BANK (VISA)	330902764007		<u>IDAHO.GOV, WATER LICENSE RENEWAL, J.OSBORN, OCT.'20 - WATER</u>	10/01/2020	80.00	.00	<u>20-6265 TRAINING & SCHOOLING EXPENSE</u>	0	11/20		

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1444	U.S. BANK (VISA)	330902764007		<u>IDAHO.GOV. WATER LICENSE RENEWAL, J.OSBORN, OCT.'20 - P.I</u>	10/01/2020	20.00	.00	<u>25-6265 TRAINING & SCHOOLING EXPENSE</u>	0	11/20		
Total 33090276400746000128:						100.00	.00					
1444	U.S. BANK (VISA)	330902804005		<u>IDAHO.GOV. REGISTRATION FOR LICENSE RENEWAL, J.OSBORN, OCT.'20 - WATER</u>	10/05/2020	24.00	.00	<u>20-6075 DUES & MEMBERSHIPS</u>	0	11/20		
1444	U.S. BANK (VISA)	330902804005		<u>IDAHO.GOV. REGISTRATION FOR LICENSE RENEWAL, J.OSBORN, OCT.'20 - P.I</u>	10/05/2020	6.00	.00	<u>25-6075 DUES & MEMBERSHIPS EXPENSE</u>	0	11/20		
Total 33090280400548003670:						30.00	.00					
1444	U.S. BANK (VISA)	356502822001	10695	<u>LIGHTMART.COM STREET LIGHT POLE FOR HUBBARD RD, S. HOWELL, OCT'20</u>	10/08/2020	795.00	.00	<u>01-6142 MAINT. & REPAIR - EQUIPMENT</u>	1002	11/20		
Total 35650282200160000347:						795.00	.00					
1444	U.S. BANK (VISA)	365402840112	10700	<u>BLUEBEAM, LICENSING FOR PDF REVIEWING, D.WALTMAN, OCT.'20 - WATER</u>	10/09/2020	293.16	.00	<u>20-6075 DUES & MEMBERSHIPS</u>	0	11/20		
1444	U.S. BANK (VISA)	365402840112	10700	<u>BLUEBEAM, LICENSING FOR PDF REVIEWING, D.WALTMAN, OCT.'20 - SEWER</u>	10/09/2020	293.16	.00	<u>21-6075 DUES & MEMBERSHIPS</u>	0	11/20		
1444	U.S. BANK (VISA)	365402840112	10700	<u>BLUEBEAM, LICENSING FOR PDF REVIEWING, D.WALTMAN, OCT.'20 - P.I</u>	10/09/2020	111.68	.00	<u>25-6075 DUES & MEMBERSHIPS EXPENSE</u>	0	11/20		
Total 36540284011260970200:						698.00	.00					
1444	U.S. BANK (VISA)	365402870112	10700	<u>BLUEBEAM, LICENSING FOR PDF REVIEWING, D.WALTMAN, OCT.'20 - WATER</u>	10/12/2020	146.58	.00	<u>20-6075 DUES & MEMBERSHIPS</u>	0	11/20		
1444	U.S. BANK (VISA)	365402870112	10700	<u>BLUEBEAM, LICENSING FOR PDF REVIEWING, D.WALTMAN, OCT.'20 - SEWER</u>	10/12/2020	146.58	.00	<u>21-6075 DUES & MEMBERSHIPS</u>	0	11/20		

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1444	U.S. BANK (VISA)	365402870112	10700	<u>BLUEBEAM, LICENSING FOR PDF REVIEWING, D.WALTMAN, OCT.'20 - P.I</u>	10/12/2020	55.84	.00	<u>25-6075 DUES & MEMBERSHIPS EXPENSE</u>	0	11/20		
Total 36540287011263888570:						349.00	.00					
1444	U.S. BANK (VISA)	374702950000	10738	<u>PREP BLAST CWI, WATER DISTRIBUTION CLASS II EXAM REGISTRATION, B.BURR, OCT.'20 - P.I</u>	10/20/2020	5.00	.00	<u>25-6265 TRAINING & SCHOOLING EXPENSE</u>	0	11/20		
1444	U.S. BANK (VISA)	374702950000	10738	<u>PREP BLAST CWI, WATER DISTRIBUTION CLASS II EXAM REGISTRATION, B.BURR, OCT.'20 - WATER</u>	10/20/2020	20.00	.00	<u>20-6265 TRAINING & SCHOOLING EXPENSE</u>	0	11/20		
Total 37470295000016193042:						25.00	.00					
1444	U.S. BANK (VISA)	440002829000	10686	<u>TN NURSERY.NET, GROUND COVER, J. LORENTZ, OCT'20</u>	10/08/2020	218.60	.00	<u>01-6150 MAINTENANCE & REPAIRS - SYSTEM</u>	1004	11/20		
Total 44000282900011850436:						218.60	.00					
1444	U.S. BANK (VISA)	710502836271	10694	<u>IDAHO RURAL WATER ASSOCIATION, WATER TREATMENT I & II CERTIFICATION REVIEW, J.OSBORN, OCT.'20 - WATER</u>	10/09/2020	167.20	.00	<u>20-6265 TRAINING & SCHOOLING EXPENSE</u>	0	11/20		
1444	U.S. BANK (VISA)	710502836271	10694	<u>IDAHO RURAL WATER ASSOCIATION, WATER TREATMENT I & II CERTIFICATION REVIEW, J.OSBORN, OCT.'20 - P.I</u>	10/09/2020	41.80	.00	<u>25-6265 TRAINING & SCHOOLING EXPENSE</u>	0	11/20		
Total 71050283627107593235:						209.00	.00					
1444	U.S. BANK (VISA)	921502767199	10662	<u>COLLAGE.COM, RETIREMENT GIFT FOR CHIEF MCDANIEL, OCT.'20</u>	10/02/2020	34.07	.00	<u>01-6155 MEETINGS/COMMI ITEES</u>	1032	11/20		

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Total 92150276719921850087:						34.07	.00					
1444	U.S. BANK (VISA)	921602691004	10622	<u>LOWES, BOOKSHELVES, CITY HALL EXPANSION, N.STAUFFER, SEPT.'20</u>	09/25/2020	60.87	.00	<u>01-6165 OFFICE SUPPLIES</u>	0	11/20		
Total 92160269100427297873:						60.87	.00					
1444	U.S. BANK (VISA)	921602721000	10619	<u>AMAZON.COM, SOUND PROOFING MATERIALS FOR CITY HALL OFFICES, CITY HALL EXPANSION, N.STAUFFER, SEPT.'20</u>	09/28/2020	360.92	.00	<u>01-6140 MAINT. & REPAIR BUILDING</u>	0	11/20		
Total 92160272100059877716:						360.92	.00					
1444	U.S. BANK (VISA)	921602791001	10658	<u>AMAZON, SOUND PROOF PANELS FOR MAYORS OFFICE, CITY HALL EXPANSION, N.STAUFFER, OCT. '20</u>	10/05/2020	242.53	.00	<u>01-6140 MAINT. & REPAIR BUILDING</u>	0	11/20		
Total 92160279100166508280:						242.53	.00					
1444	U.S. BANK (VISA)	921602801001	10671	<u>AMAZON, OFFICE CHAIR, D.STEPHENS, OCT. '20</u>	10/06/2020	180.40	.00	<u>01-6165 OFFICE SUPPLIES</u>	1005	11/20		
Total 92160280100187740166:						180.40	.00					
1444	U.S. BANK (VISA)	921602821003	10672	<u>AMAZON.COM, 7 CASES OF DOG WASTE BAGS, J.LORENTZ, OCT.'20</u>	10/08/2020	272.93	.00	<u>01-6150 MAINTENANCE & REPAIRS - SYSTEM</u>	1004	11/20		
Total 92160282100366212902:						272.93	.00					
1444	U.S. BANK (VISA)	921602951004	10741	<u>AMAZON.COM, SOUND PROOF TILES, N.STAUFFER, OCT.'20</u>	10/21/2020	131.98	.00	<u>01-6140 MAINT. & REPAIR BUILDING</u>	0	11/20		

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 92160295100436063611:						131.98	.00					
1444	U.S. BANK (VISA)	921902831006	10689	<u>AMAZON, DISENFECTING FOAM CLEANER, J. LORENTZ, OCT'20</u>	10/08/2020	213.30	.00	<u>01-6165 OFFICE SUPPLIES</u>	1004	11/20		
Total 92190283100677652712:						213.30	.00					
Total U.S. BANK (VISA):						5,689.06	.00					
ULTIMATE HEATING & AIR, INC.												
1538	ULTIMATE HEATING & AIR, INC.	92938		<u>SERVICE ON THE DANSKIN LIFT STATION COMPRESSOR, JUL.'20</u>	07/29/2020	119.00	.00	<u>21-6150 M & R - SYSTEM</u>	0	11/20		
Total 92938:						119.00	.00					
Total ULTIMATE HEATING & AIR, INC.:						119.00	.00					
UNIVAR SOLUTIONS USA, INC.												
1410	UNIVAR SOLUTIONS USA, INC.	48794332	10761	<u>2 DR SODIUM BISULFITE TECH LIQ. OCT'20</u>	10/27/2020	228.00	.00	<u>21-6151 M & R - PROCESS CHEMICALS</u>	0	11/20		
Total 48794332:						228.00	.00					
1410	UNIVAR SOLUTIONS USA, INC.	48796227	10761	<u>CITRIC ACID 5400 LBS. SODIUM HYPO LIQUICHLOR. T. SHAFFER, OCT'20</u>	10/28/2020	6,370.98	.00	<u>21-6151 M & R - PROCESS CHEMICALS</u>	0	11/20		
1410	UNIVAR SOLUTIONS USA, INC.	48796227	10761	<u>2 EA CONTAINER DEPOSITS, OCT'20</u>	10/28/2020	1,400.00	.00	<u>21-6097 DEPOSITS ON ACCOUNT</u>	0	11/20		
Total 48796227:						7,770.98	.00					
Total UNIVAR SOLUTIONS USA, INC.:						7,998.98	.00					

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265	USA BLUE BOOK	399608	10762	1 EA MASK, 1 EA HEARING PROTECTION, 1 EA AMMONIA, 2 EA AMMONIA TESTS, 2 EA FACE SHIELD, 6 EA PIPET TIPS, 4 EA NITRILE GLOVES, 3 EA KNIT LINER, 3 EA ORION PH SOLUTION, 1 COD REAGENT, T. SHAFFER, OCT'20	10/26/2020	130.46	.00	21-6230 SAFETY TRAINING & EQUIPMENT	0	11/20		
265	USA BLUE BOOK	399608	10762	1 EA MASK, 1 EA HEARING PROTECTION, 1 EA AMMONIA, 2 EA AMMONIA TESTS, 2 EA FACE SHIELD, 6 EA PIPET TIPS, 4 EA NITRILE GLOVES, 3 EA KNIT LINER, 3 EA ORION PH SOLUTION, 1 COD REAGENT, T. SHAFFER, OCT'20	10/26/2020	603.41	.00	21-6152 M & R - LABORATORY COSTS	0	11/20		
Total 399608:						733.87	.00					
265	USA BLUE BOOK	400716	10755	1 EA MANHOLE LID LIFTER 42"L, D.CROSSLEY, OCT.'20 - WATER	10/26/2020	87.21	.00	20-6175 SMALL TOOLS	0	11/20		
265	USA BLUE BOOK	400716	10755	1 EA MANHOLE LID LIFTER 42"L, D.CROSSLEY, OCT.'20 - PI	10/26/2020	33.22	.00	25-6175 SMALL TOOLS	0	11/20		
265	USA BLUE BOOK	400716	10755	1 EA MANHOLE LID LIFTER 42"L, D.CROSSLEY, OCT.'20 - SEWER	10/26/2020	87.21	.00	21-6175 SMALL TOOLS	0	11/20		
Total 400716:						207.64	.00					
265	USA BLUE BOOK	401685	10762	5 EA POLYESTER DUFFLE BAG BLK LARGE, T. SHAFFER, OCT'20	10/27/2020	209.75	.00	21-6230 SAFETY TRAINING & EQUIPMENT	0	11/20		
Total 401685:						209.75	.00					
Total USA BLUE BOOK:						1,151.26	.00					
UTILITY REFUND #10												
2044	UTILITY REFUND #10	150750.03		NICHOLAS F PIPER, 1330 N TUMBLER DR, UTILITY REFUND	11/06/2020	29.35	.00	20-4500 METERED WATER SALES	0	11/20		

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2044	UTILITY REFUND #10	150750.03		<u>NICHOLAS F PIPER, 1330 N TUMBLER DR, UTILITY REFUND</u>	11/06/2020	41.44	.00	<u>21-4600 SEWER USER FEES</u>	0	11/20		
2044	UTILITY REFUND #10	150750.03		<u>NICHOLAS F PIPER, 1330 N TUMBLER DR, UTILITY REFUND</u>	11/06/2020	26.72	.00	<u>26-4975 SOLID WASTE USER FEES</u>	0	11/20		
Total 150750.03:						97.51	.00					
2044	UTILITY REFUND #10	170790.01		<u>CHRISTOPHER RAMOS, 561 S IRON SPRINGS AVE, UTILITY REFUND</u>	11/06/2020	27.29	.00	<u>20-4500 METERED WATER SALES</u>	0	11/20		
2044	UTILITY REFUND #10	170790.01		<u>CHRISTOPHER RAMOS, 561 S IRON SPRINGS AVE, UTILITY REFUND</u>	11/06/2020	30.66	.00	<u>21-4600 SEWER USER FEES</u>	0	11/20		
2044	UTILITY REFUND #10	170790.01		<u>CHRISTOPHER RAMOS, 561 S IRON SPRINGS AVE, UTILITY REFUND</u>	11/06/2020	27.41	.00	<u>26-4975 SOLID WASTE USER FEES</u>	0	11/20		
Total 170790.01:						85.36	.00					
2044	UTILITY REFUND #10	171015.02		<u>RYAN MITCHELL, 734 S CUPRUM AVE, UTILITY REFUND</u>	11/06/2020	7.76	.00	<u>21-4600 SEWER USER FEES</u>	0	11/20		
2044	UTILITY REFUND #10	171015.02		<u>RYAN MITCHELL, 734 S CUPRUM AVE, UTILITY REFUND</u>	11/06/2020	5.82	.00	<u>26-4975 SOLID WASTE USER FEES</u>	0	11/20		
2044	UTILITY REFUND #10	171015.02		<u>RYAN MITCHELL, 734 S CUPRUM AVE, UTILITY REFUND</u>	11/06/2020	6.26	.00	<u>20-4500 METERED WATER SALES</u>	0	11/20		
Total 171015.02:						19.84	.00					
2044	UTILITY REFUND #10	172040.02		<u>ADAM J ISLA, 763 S CUPRUM AVE, UTILITY REFUND</u>	10/28/2020	11.54	.00	<u>20-4500 METERED WATER SALES</u>	0	11/20		
2044	UTILITY REFUND #10	172040.02		<u>ADAM J ISLA, 763 S CUPRUM AVE, UTILITY REFUND</u>	10/28/2020	22.84	.00	<u>21-4600 SEWER USER FEES</u>	0	11/20		
2044	UTILITY REFUND #10	172040.02		<u>ADAM J ISLA, 763 S CUPRUM AVE, UTILITY REFUND</u>	10/28/2020	17.19	.00	<u>26-4975 SOLID WASTE USER FEES</u>	0	11/20		

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Total 172040.02:						51.57	.00					
2044	UTILITY REFUND #10	173445.02		<u>YAN C RODRIGUES, 1966 W SAHARA DR. UTILITY REFUND</u>	10/28/2020	5.08	.00	<u>21-4600 SEWER USER FEES</u>	0	11/20		
2044	UTILITY REFUND #10	173445.02		<u>YAN C RODRIGUES, 1966 W SAHARA DR. UTILITY REFUND</u>	10/28/2020	6.43	.00	<u>26-4975 SOLID WASTE USER FEES</u>	0	11/20		
2044	UTILITY REFUND #10	173445.02		<u>YAN C RODRIGUES, 1966 W SAHARA DR. UTILITY REFUND</u>	10/28/2020	9.77	.00	<u>20-4500 METERED WATER SALES</u>	0	11/20		
Total 173445.02:						21.28	.00					
2044	UTILITY REFUND #10	180670.03		<u>SELINA D PAUL, 1277 N CABRILLO AVE. UTILITY REFUND</u>	10/28/2020	16.64	.00	<u>20-4500 METERED WATER SALES</u>	0	11/20		
2044	UTILITY REFUND #10	180670.03		<u>SELINA D PAUL, 1277 N CABRILLO AVE. UTILITY REFUND</u>	10/28/2020	33.22	.00	<u>21-4600 SEWER USER FEES</u>	0	11/20		
2044	UTILITY REFUND #10	180670.03		<u>SELINA D PAUL, 1277 N CABRILLO AVE. UTILITY REFUND</u>	10/28/2020	20.81	.00	<u>26-4975 SOLID WASTE USER FEES</u>	0	11/20		
Total 180670.03:						70.67	.00					
2044	UTILITY REFUND #10	182450.02		<u>ROBERT BOXALL, 1200 W CRENSHAW ST. UTILITY REFUND</u>	11/06/2020	8.11	.00	<u>21-4600 SEWER USER FEES</u>	0	11/20		
2044	UTILITY REFUND #10	182450.02		<u>ROBERT BOXALL, 1200 W CRENSHAW ST. UTILITY REFUND</u>	11/06/2020	6.40	.00	<u>26-4975 SOLID WASTE USER FEES</u>	0	11/20		
2044	UTILITY REFUND #10	182450.02		<u>ROBERT BOXALL, 1200 W CRENSHAW ST. UTILITY REFUND</u>	11/06/2020	6.99	.00	<u>20-4500 METERED WATER SALES</u>	0	11/20		

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 182450.02:						21.50	.00					
2044	UTILITY REFUND #10	200925.02		<u>IDAHO NEIGHBORHOOD SOLUTIONS INC. 311 E BAY OWL DR. UTILITY REFUND</u>	10/28/2020	35.42	.00	<u>21-4600 SEWER USER FEES</u>	0	11/20		
2044	UTILITY REFUND #10	200925.02		<u>IDAHO NEIGHBORHOOD SOLUTIONS INC. 311 E BAY OWL DR. UTILITY REFUND</u>	10/28/2020	22.24	.00	<u>26-4975 SOLID WASTE USER FEES</u>	0	11/20		
2044	UTILITY REFUND #10	200925.02		<u>IDAHO NEIGHBORHOOD SOLUTIONS INC. 311 E BAY OWL DR. UTILITY REFUND</u>	10/28/2020	18.94	.00	<u>20-4500 METERED WATER SALES</u>	0	11/20		
Total 200925.02:						76.60	.00					
2044	UTILITY REFUND #10	20320.01		<u>DUSTIN C NELSON. 660 E BLUE SKY DR. UTILITY REFUND</u>	11/04/2020	7.09	.00	<u>21-4600 SEWER USER FEES</u>	0	11/20		
2044	UTILITY REFUND #10	20320.01		<u>DUSTIN C NELSON. 660 E BLUE SKY DR. UTILITY REFUND</u>	11/04/2020	5.38	.00	<u>26-4975 SOLID WASTE USER FEES</u>	0	11/20		
2044	UTILITY REFUND #10	20320.01		<u>DUSTIN C NELSON. 660 E BLUE SKY DR. UTILITY REFUND</u>	11/04/2020	6.46	.00	<u>20-4500 METERED WATER SALES</u>	0	11/20		
Total 20320.01:						18.93	.00					
2044	UTILITY REFUND #10	240235.01		<u>JASON RICHIE. 858 E LIMESTONE ST. UTILITY REFUND</u>	10/28/2020	35.11	.00	<u>20-4500 METERED WATER SALES</u>	0	11/20		
2044	UTILITY REFUND #10	240235.01		<u>JASON RICHIE. 858 E LIMESTONE ST. UTILITY REFUND</u>	10/28/2020	40.19	.00	<u>21-4600 SEWER USER FEES</u>	0	11/20		
2044	UTILITY REFUND #10	240235.01		<u>JASON RICHIE. 858 E LIMESTONE ST. UTILITY REFUND</u>	10/28/2020	40.28	.00	<u>26-4975 SOLID WASTE USER FEES</u>	0	11/20		
Total 240235.01:						115.58	.00					

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2044	UTILITY REFUND #10	240285.02		JAMES R ULTIS, 626 N MUDSTONE WAY, UTILITY REFUND	10/28/2020	41.94	.00	21-4600 SEWER USER FEES	0	11/20		
2044	UTILITY REFUND #10	240285.02		JAMES R ULTIS, 626 N MUDSTONE WAY, UTILITY REFUND	10/28/2020	22.58	.00	26-4975 SOLID WASTE USER FEES	0	11/20		
2044	UTILITY REFUND #10	240285.02		JAMES R ULTIS, 626 N MUDSTONE WAY, UTILITY REFUND	10/28/2020	19.21	.00	20-4500 METERED WATER SALES	0	11/20		
Total 240285.02:						83.73	.00					
2044	UTILITY REFUND #10	254035.02		DEVYN WEAVER, 1198 S RULER PL, UTILITY REFUND	11/06/2020	29.28	.00	20-4500 METERED WATER SALES	0	11/20		
2044	UTILITY REFUND #10	254035.02		DEVYN WEAVER, 1198 S RULER PL, UTILITY REFUND	11/06/2020	35.80	.00	21-4600 SEWER USER FEES	0	11/20		
2044	UTILITY REFUND #10	254035.02		DEVYN WEAVER, 1198 S RULER PL, UTILITY REFUND	11/06/2020	29.06	.00	26-4975 SOLID WASTE USER FEES	0	11/20		
Total 254035.02:						94.14	.00					
2044	UTILITY REFUND #10	260465.01		CHARLES BRADLEY JONES, 1715 N FIREBRICK DR, UTILITY REFUND	11/03/2020	-64.43	.00	21-4600 SEWER USER FEES	0	11/20		
2044	UTILITY REFUND #10	260465.01		CHARLES BRADLEY JONES, 1715 N FIREBRICK DR, UTILITY REFUND	11/03/2020	-8.26	.00	26-4975 SOLID WASTE USER FEES	0	11/20		
2044	UTILITY REFUND #10	260465.01		CHARLES BRADLEY JONES, 1715 N FIREBRICK DR, UTILITY REFUND	11/03/2020	85.00	.00	20-4500 METERED WATER SALES	0	11/20		
Total 260465.01:						12.31	.00					
2044	UTILITY REFUND #10	264025.02		MARLENE C MCCARTHY, 2258 W GAINSBORO DR, UTILITY REFUND	10/28/2020	47.49	.00	21-4600 SEWER USER FEES	0	11/20		

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				REFUND	10/21/2020	40.33	.00	21-4600 SEWER USER FEES	0	11/20		
				Total 281010.00:		80.16	.00					
2044	UTILITY REFUND #10	302333.00		KW HOMES, 8936 S FORMOSA WAY, UTILITY REFUND	10/28/2020	3.22	.00	20-4500 METERED WATER SALES	0	11/20		
2044	UTILITY REFUND #10	302333.00		KW HOMES, 8936 S FORMOSA WAY, UTILITY REFUND	10/28/2020	-2.03	.00	21-4600 SEWER USER FEES	0	11/20		
				Total 302333.00:		1.19	.00					
2044	UTILITY REFUND #10	302340.00		KW HOMES, 676 E TUCMAN ST, UTILITY REFUND	10/21/2020	47.20	.00	20-4500 METERED WATER SALES	0	11/20		
2044	UTILITY REFUND #10	302340.00		KW HOMES, 676 E TUCMAN ST, UTILITY REFUND	10/21/2020	54.67	.00	21-4600 SEWER USER FEES	0	11/20		
				Total 302340.00:		101.87	.00					
2044	UTILITY REFUND #10	310351.02		DANIALLE ROOK, 9367 S FIDALGO AVE, UTILITY REFUND	10/28/2020	22.42	.00	20-4500 METERED WATER SALES	0	11/20		
2044	UTILITY REFUND #10	310351.02		DANIALLE ROOK, 9367 S FIDALGO AVE, UTILITY REFUND	10/28/2020	39.08	.00	21-4600 SEWER USER FEES	0	11/20		
2044	UTILITY REFUND #10	310351.02		DANIALLE ROOK, 9367 S FIDALGO AVE, UTILITY REFUND	10/28/2020	27.26	.00	26-4975 SOLID WASTE USER FEES	0	11/20		
				Total 310351.02:		88.76	.00					
2044	UTILITY REFUND #10	80470.02		SABRINA M JIMENEZ, 846 N STRIKE WAY, UTILITY REFUND	11/04/2020	29.44	.00	20-4500 METERED WATER SALES	0	11/20		
2044	UTILITY REFUND #10	80470.02		SABRINA M JIMENEZ, 846 N STRIKE WAY, UTILITY REFUND	11/04/2020	35.36	.00	21-4600 SEWER USER FEES	0	11/20		
2044	UTILITY REFUND #10	80470.02		SABRINA M JIMENEZ, 846 N STRIKE WAY, UTILITY REFUND	11/04/2020	32.60	.00	26-4975 SOLID WASTE USER FEES	0	11/20		

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Total 80470.02:						97.40	.00					
Total UTILITY REFUND #10:						1,470.27	.00					
UTILITY REFUND #9												
2004	UTILITY REFUND #9	10/19/2020		<u>TODD CAMPBELL CUSTOM HOMES, 1763 N ROCKDALE AVE, UTILITY REFUND</u>	10/19/2020	35.41	.00	<u>20-4500 METERED WATER SALES</u>	0	11/20		
2004	UTILITY REFUND #9	10/19/2020		<u>TODD CAMPBELL CUSTOM HOMES, 1763 N ROCKDALE AVE, UTILITY REFUND</u>	10/19/2020	27.12	.00	<u>21-4600 SEWER USER FEES</u>	0	11/20		
Total 10/19/2020:						62.53	.00					
2004	UTILITY REFUND #9	11052020UBR		<u>UTILITY REFUNDS, MULTIPLE ACCOUNT REFUNDS, SEE ATTACHMENTS, G.SMITH, NOV.'20</u>	11/05/2020	3,323.67	.00	<u>20-4500 METERED WATER SALES</u>	0	11/20		
Total 11052020UBR:						3,323.67	.00					
2004	UTILITY REFUND #9	280226.01		<u>SUNRISE HOMES, 2271 N AZURITE PL, UTILITY REFUND</u>	10/28/2020	17.66	.00	<u>21-4600 SEWER USER FEES</u>	0	11/20		
2004	UTILITY REFUND #9	280226.01		<u>SUNRISE HOMES, 2271 N AZURITE PL, UTILITY REFUND</u>	10/28/2020	45.04	.00	<u>20-4500 METERED WATER SALES</u>	0	11/20		
Total 280226.01:						62.70	.00					
2004	UTILITY REFUND #9	292124.00		<u>CBH, 8729 S HOBAN AVE, UTILITY REFUND</u>	10/28/2020	43.41	.00	<u>20-4500 METERED WATER SALES</u>	0	11/20		
2004	UTILITY REFUND #9	292124.00		<u>CBH, 8729 S HOBAN AVE, UTILITY REFUND</u>	10/28/2020	27.76	.00	<u>21-4600 SEWER USER FEES</u>	0	11/20		
Total 292124.00:						71.17	.00					

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				UTILITY REFUND	10/28/2020	33.01	.00	20-4500_METERED WATER SALES	0	11/20		
	Total 323086.00:					55.94	.00					
2004	UTILITY REFUND #9	330206.00		TOLL BROS INC, 1193 E TIMBER TRAIL DR, UTILITY REFUND	10/21/2020	84.70	.00	20-4500_METERED WATER SALES	0	11/20		
2004	UTILITY REFUND #9	330206.00		TOLL BROS INC, 1193 E TIMBER TRAIL DR, UTILITY REFUND	10/21/2020	29.78	.00	21-4600_SEWER USER FEES	0	11/20		
	Total 330206.00:					114.48	.00					
2004	UTILITY REFUND #9	330303.00		TOLL BROS INC, 1317 E TIMBER TRAIL DR, UTILITY REFUND	10/28/2020	21.87	.00	21-4600_SEWER USER FEES	0	11/20		
2004	UTILITY REFUND #9	330303.00		TOLL BROS INC, 1317 E TIMBER TRAIL DR, UTILITY REFUND	10/28/2020	34.14	.00	20-4500_METERED WATER SALES	0	11/20		
	Total 330303.00:					56.01	.00					
2004	UTILITY REFUND #9	330327.00		TOLL BROS INC, 2187 N HOSE GULCH AVE, UTILITY REFUND	10/28/2020	34.73	.00	20-4500_METERED WATER SALES	0	11/20		
2004	UTILITY REFUND #9	330327.00		TOLL BROS INC, 2187 N HOSE GULCH AVE, UTILITY REFUND	10/28/2020	19.54	.00	21-4600_SEWER USER FEES	0	11/20		
	Total 330327.00:					54.27	.00					
2004	UTILITY REFUND #9	330344.00		TOLL BROS INC, 2037 N THORNDALE AVE, UTILITY REFUND	10/19/2020	138.66	.00	20-4500_METERED WATER SALES	0	11/20		
2004	UTILITY REFUND #9	330344.00		TOLL BROS INC, 2037 N THORNDALE AVE, UTILITY REFUND	10/19/2020	83.25	.00	21-4600_SEWER USER FEES	0	11/20		

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Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
Total 330344.00:						221.91	.00					
2004	UTILITY REFUND #9	340020.01		<u>CBH, 7052 S CATFISH CREEK AVE, UTILITY REFUND</u>	10/28/2020	24.31	.00	<u>20-4500 METERED WATER SALES</u>	0	11/20		
2004	UTILITY REFUND #9	340020.01		<u>CBH, 7052 S CATFISH CREEK AVE, UTILITY REFUND</u>	10/28/2020	19.55	.00	<u>21-4600 SEWER USER FEES</u>	0	11/20		
Total 340020.01:						43.86	.00					
2004	UTILITY REFUND #9	341035.00		<u>CBH, 3308 W ZAREA DR, UTILITY REFUND</u>	10/21/2020	59.40	.00	<u>20-4500 METERED WATER SALES</u>	0	11/20		
Total 341035.00:						59.40	.00					
2004	UTILITY REFUND #9	341061.00		<u>CBH, 5908 S ALISO AVE, UTILITY REFUND</u>	10/28/2020	22.87	.00	<u>21-4600 SEWER USER FEES</u>	0	11/20		
2004	UTILITY REFUND #9	341061.00		<u>CBH, 5908 S ALISO AVE, UTILITY REFUND</u>	10/28/2020	36.47	.00	<u>20-4500 METERED WATER SALES</u>	0	11/20		
Total 341061.00:						59.34	.00					
Total UTILITY REFUND #9:						4,449.20	.00					
VERIZON WIRELESS												
1575	VERIZON WIRELESS	9865920547		<u>DEDICATED LINES TO LIFT STATIONS, WELLS, MODEMS, AND ONLINE MEETINGS, 9/29- 10/28/20 - WATER</u>	10/28/2020	130.26	.00	<u>20-6255 TELEPHONE EXPENSE</u>	0	11/20		
1575	VERIZON WIRELESS	9865920547		<u>DEDICATED LINES TO LIFT STATIONS, WELLS, MODEMS, AND ONLINE MEETINGS, 9/29- 10/28/20 - SEWER</u>	10/28/2020	185.34	.00	<u>21-6255 TELEPHONE EXPENSE</u>	0	11/20		
1575	VERIZON WIRELESS	9865920547		<u>DEDICATED LINES TO LIFT STATIONS, WELLS, MODEMS, AND ONLINE MEETINGS, 9/29- 10/28/20 - P.I</u>	10/28/2020	42.41	.00	<u>25-6255 TELEPHONE EXPENSE</u>	0	11/20		

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1575	VERIZON WIRELESS	9865920547		<u>DEDICATED LINES TO LIFT STATIONS, WELLS, MODEMS, AND ONLINE MEETINGS. 9/29-10/28/20 - ADMIN</u>	10/28/2020	13.78	.00	<u>01-6255 TELEPHONE</u>	0	11/20		
Total 9865920547:						371.79	.00					
1575	VERIZON WIRELESS	9866062320		<u>TABLET/IPAD SERVICE, 10/2-11/1/20 - ADMIN</u>	11/01/2020	99.57	.00	<u>01-6255 TELEPHONE</u>	0	11/20		
1575	VERIZON WIRELESS	9866062320		<u>TABLET/IPAD SERVICE, 10/2-11/1/20 - P & Z</u>	11/01/2020	80.20	.00	<u>01-6255 TELEPHONE</u>	1003	11/20		
1575	VERIZON WIRELESS	9866062320		<u>TABLET/IPAD SERVICE, 10/2-11/1/20 - PARKS</u>	11/01/2020	24.87	.00	<u>01-6255 TELEPHONE</u>	1004	11/20		
1575	VERIZON WIRELESS	9866062320		<u>TABLET/IPAD SERVICE, 10/2-11/1/20 - BUILDING INSPECTION</u>	11/01/2020	33.71	.00	<u>01-6255 TELEPHONE</u>	1005	11/20		
1575	VERIZON WIRELESS	9866062320		<u>TABLET/IPAD SERVICE, 10/2-11/1/20 - WATER</u>	11/01/2020	84.72	.00	<u>20-6255 TELEPHONE EXPENSE</u>	0	11/20		
1575	VERIZON WIRELESS	9866062320		<u>TABLET/IPAD SERVICE, 10/2-11/1/20 - SEWER</u>	11/01/2020	94.35	.00	<u>21-6255 TELEPHONE EXPENSE</u>	0	11/20		
1575	VERIZON WIRELESS	9866062320		<u>TABLET/IPAD SERVICE, 10/2-11/1/20 - P.I</u>	11/01/2020	24.63	.00	<u>25-6255 TELEPHONE EXPENSE</u>	0	11/20		
Total 9866062320:						442.05	.00					
1575	VERIZON WIRELESS	9866062321		<u>CELL SERVICE, 10/2-11/1/20 - PARKS</u>	11/01/2020	112.15	.00	<u>01-6255 TELEPHONE</u>	1004	11/20		
1575	VERIZON WIRELESS	9866062321		<u>CELL SERVICE, 10/2-11/1/20 - WATER</u>	11/01/2020	115.31	.00	<u>20-6255 TELEPHONE EXPENSE</u>	0	11/20		
1575	VERIZON WIRELESS	9866062321		<u>CELL SERVICE, 10/2-11/1/20 - SEWER</u>	11/01/2020	110.44	.00	<u>21-6255 TELEPHONE EXPENSE</u>	0	11/20		

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1575	VERIZON WIRELESS	9866062321		<u>CELL SERVICE, 10/2-11/1/20 - P.I</u>	11/01/2020	29.01	.00	<u>25-6255 TELEPHONE EXPENSE</u>	0	11/20		
1575	VERIZON WIRELESS	9866062321		<u>CELL SERVICE, 10/2-11/1/20 - ECONOMIC DEVELOPMENT</u>	11/01/2020	24.38	.00	<u>01-6255 TELEPHONE</u>	4000	11/20		
1575	VERIZON WIRELESS	9866062321		<u>CELL SERVICE, 10/2-11/1/20 - ADMIN</u>	11/01/2020	10.97	.00	<u>01-6255 TELEPHONE</u>	0	11/20		
1575	VERIZON WIRELESS	9866062321		<u>CELL SERVICE, 10/2-11/1/20 - P & Z</u>	11/01/2020	12.19	.00	<u>01-6255 TELEPHONE</u>	1003	11/20		
Total 9866062321:						414.45	.00					
1575	VERIZON WIRELESS	9866062322		<u>CELL PHONE SERVICE, 10/2- 11/1/20 - ADMIN</u>	11/01/2020	52.71	.00	<u>01-6255 TELEPHONE</u>	0	11/20		
1575	VERIZON WIRELESS	9866062322		<u>CELL PHONE SERVICE, 10/2- 11/1/20 - P & Z</u>	11/01/2020	20.65	.00	<u>01-6255 TELEPHONE</u>	1003	11/20		
1575	VERIZON WIRELESS	9866062322		<u>CELL PHONE SERVICE, 10/2- 11/1/20 - PARKS</u>	11/01/2020	151.93	.00	<u>01-6255 TELEPHONE</u>	1004	11/20		
1575	VERIZON WIRELESS	9866062322		<u>CELL PHONE SERVICE, 10/2- 11/1/20 - BUILDING INSPECTION</u>	11/01/2020	46.04	.00	<u>01-6255 TELEPHONE</u>	1005	11/20		
1575	VERIZON WIRELESS	9866062322		<u>CELL PHONE SERVICE, 10/2- 11/1/20 - WATER</u>	11/01/2020	123.43	.00	<u>20-6255 TELEPHONE EXPENSE</u>	0	11/20		
1575	VERIZON WIRELESS	9866062322		<u>CELL PHONE SERVICE, 10/2- 11/1/20 - SEWER</u>	11/01/2020	169.47	.00	<u>21-6255 TELEPHONE EXPENSE</u>	0	11/20		
1575	VERIZON WIRELESS	9866062322		<u>CELL PHONE SERVICE, 10/2- 11/1/20 - P.I</u>	11/01/2020	34.27	.00	<u>25-6255 TELEPHONE EXPENSE</u>	0	11/20		
Total 9866062322:						598.50	.00					
Total VERIZON WIRELESS:						1,826.79	.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
WESTERN RECORDS DESTRUCTION, INC.												
1633	WESTERN RECORDS DESTRUCTION, INC.	0508830		<u>RECORDS DESTRUCTION, 10/1 -31/20 - ADMIN</u>	11/01/2020	11.78	.00	<u>01-6052 CONTRACT SERVICES</u>	0	11/20		
1633	WESTERN RECORDS DESTRUCTION, INC.	0508830		<u>RECORDS DESTRUCTION, 10/1 -31/20 - WATER</u>	11/01/2020	8.06	.00	<u>20-6052 CONTRACT SERVICES</u>	0	11/20		
1633	WESTERN RECORDS DESTRUCTION, INC.	0508830		<u>RECORDS DESTRUCTION, 10/1 -31/20 - SEWER</u>	11/01/2020	8.06	.00	<u>21-6052 CONTRACT SERVICES</u>	0	11/20		
1633	WESTERN RECORDS DESTRUCTION, INC.	0508830		<u>RECORDS DESTRUCTION, 10/1 -31/20 - P.I</u>	11/01/2020	3.10	.00	<u>25-6052 CONTRACT SERVICES</u>	0	11/20		
Total 0508830:						31.00	.00					
Total WESTERN RECORDS DESTRUCTION, INC.:						31.00	.00					
WEX BANK												
1234	WEX BANK	68408067		<u>FUEL, OCT.'20 - ADMIN</u>	10/31/2020	3.85	.00	<u>01-6300 FUEL</u>	0	11/20		
1234	WEX BANK	68408067		<u>FUEL, OCT.'20 - PARKS</u>	10/31/2020	648.94	.00	<u>01-6300 FUEL</u>	1004	11/20		
1234	WEX BANK	68408067		<u>FUEL, OCT.'20 - BUILDING INSPECTION</u>	10/31/2020	181.48	.00	<u>01-6300 FUEL</u>	1005	11/20		
1234	WEX BANK	68408067		<u>FUEL, OCT.'20 - WATER</u>	10/31/2020	165.84	.00	<u>20-6300 FUEL</u>	0	11/20		
1234	WEX BANK	68408067		<u>FUEL, OCT.'20 - SEWER</u>	10/31/2020	27.87	.00	<u>21-6300 FUEL</u>	0	11/20		
1234	WEX BANK	68408067		<u>FUEL, OCT.'20 - P.I</u>	10/31/2020	45.58	.00	<u>25-6300 FUEL</u>	0	11/20		
Total 68408067:						1,073.56	.00					
Total WEX BANK:						1,073.56	.00					
WHITE, PETERSON, GIGRAY, & NICHOLS P.A.												
1958	WHITE, PETERSON, GIGRAY, & NICHOLS P.A.	10312020WPG		<u>LEGAL SERVICES, GENERAL - OCT.'20</u>	10/31/2020	8,259.35	.00	<u>01-6202 PROFESSIONAL</u>				

Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
								SERVICES	0	11/20		
1958	WHITE, PETERSON, GIGRAY, & NICHOLS P.A.	10312020WPG		<u>LEGAL SERVICES, P & Z - OCT.'20</u>	10/31/2020	216.00	.00	01-6202 PROFESSIONAL SERVICES	1003	11/20		
1958	WHITE, PETERSON, GIGRAY, & NICHOLS P.A.	10312020WPG		<u>LEGAL SERVICES, SEWER - OCT.'20</u>	10/31/2020	135.00	.00	21-6202 PROFESSIONAL SERVICES	0	11/20		
1958	WHITE, PETERSON, GIGRAY, & NICHOLS P.A.	10312020WPG		<u>LEGAL SERVICE, P.I. - OCT.'20</u>	10/31/2020	567.00	.00	25-6202 PROFESSIONAL SERVICES	0	11/20		
1958	WHITE, PETERSON, GIGRAY, & NICHOLS P.A.	10312020WPG		<u>LEGAL SERVICES, UPR - EMINENT DOMAIN, OCT.'20</u>	10/31/2020	1,111.00	.00	40-6020 CAPITAL IMPROVEMENTS	1207	11/20		
1958	WHITE, PETERSON, GIGRAY, & NICHOLS P.A.	10312020WPG		<u>LEGAL SERVICES, SOLID WASTE SYSTEM FRANCHISE, OCT.'20</u>	10/31/2020	1,087.50	.00	01-6202 PROFESSIONAL SERVICES	0	11/20		
Total 10312020WPGN:						11,375.85	.00					
Total WHITE, PETERSON, GIGRAY, & NICHOLS P.A.:						11,375.85	.00					
Grand Totals:						588,606.36	247,650.86					

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Dated: _____

Mayor: _____

City Council: _____

City Treasurer: _____

Report Criteria:

Detail report.

Invoices with totals above \$0.00 included.

Paid and unpaid invoices included.

**RESOLUTION NO. R67-2020
CITY OF KUNA, IDAHO**

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE WATER TRUNK REIMBURSEMENT AGREEMENT FOR LETE COMMERCIAL NO. 1; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE; AND AUTHORIZING THE CITY TREASURER TO PAY KUNA CAVES STORAGE, LLC THE AMOUNT OF SIX THOUSAND ONE HUNDRED SEVENTY-SIX DOLLARS AND FORTEEN CENTS (\$6,176.14) PURSUANT TO THE TERMS OF SAID AGREEMENT.

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

Section 1. The Water Trunk Reimbursement Agreement for Lete Commerical No. 1, as attached hereto as “**EXHIBIT A**”, is hereby approved pursuant to the City Potable Water Facilities Reimbursement Policy approved by Resolution No. R86-2019 on November 6, 2019.

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

Section 3. The City Treasurer is authorized to pay KUNA CAVES STORAGE, LLC six thousand one hundred seventy-six dollars and fourteen cents (\$6,176.14) as calculated pursuant to the terms of the reimbursement agreement.

PASSED BY THE COUNCIL of Kuna, Idaho this 17th day of November, 2020.

APPROVED BY THE MAYOR of Kuna, Idaho this 17th day of November, 2020.

Joe L. Stear, Mayor

ATTEST:

Chris Engels, City Clerk

REIMBURSEMENT AGREEMENT
Lete Commercial No. 1 Water Trunk Project

THIS AGREEMENT made this ____ day of _____ 2020, by and between the CITY OF KUNA, a municipal corporation, hereinafter called CITY, and KUNA CAVES STORAGE, LLC, hereinafter called DEVELOPER:

WITNESSETH:

WHEREAS, CITY has prepared, adopted and updated a Kuna Water System Master Plan to guide the sizing, elevation and location of water system facility extensions; and

WHEREAS, on November 6, 2019 CITY adopted Resolution Number R86-2019 outlining the Water Facilities Reimbursement Policy for Water facilities construction conforming to the Kuna Water System Master Plan; and

WHEREAS, in implementing the updated Kuna Water System Master Plan, it is the further declared policy of CITY to extend the Kuna City Water System to areas inside the corporate limits of CITY not now served by a water system, subject to the owner of property in such areas being bound by and complying with all ordinances of CITY and all rules and regulations promulgated by CITY now in effect or hereinafter to be enacted; and

WHEREAS, DEVELOPER did construct a water system to the property known as, Lete Commercial No. 1, as shown on **Exhibit A**, and has requested reimbursement for certain portions of the water system; and

WHEREAS, the constructed facilities are now included as a component of the CITY system and are now utilized by said CITY for their intended purpose; and

WHEREAS, CITY upon recommendation of the City Engineer, accepts and approves the proposal of DEVELOPER for reimbursement, subject to all the conditions hereinafter provided by this Agreement.

NOW THEREFORE, in consideration of the foregoing premises, it is agreed:

- A. Preparation of Plans. DEVELOPER did cause to be prepared plans and specifications, drawings, instructions, bid proposal and all other contract documents for the construction and installation of the water system, shown on **Exhibit A**, including rights-of-way, grades and elevation, and materials to be used in the construction and installation of said water system.

B. Construction of Water System.

- (1) DEVELOPER did install, construct and erect the water system and appurtenances as shown on **Exhibit A**, subject to the conditions hereinafter provided.
- (2) DEVELOPER did provide all engineering and surveying and contract administration for the construction of the water system described on **Exhibit A**.
- (3) DEVELOPER did satisfactorily complete the project in conformance with approved plans and did provide evidence bills of the general contractor and engineer have been paid.

C. Reimbursement to DEVELOPER. In recognition of the fact that DEVELOPER did install, construct and erect a water system as shown on **Exhibit A** for the amounts shown in **Exhibit C**, CITY shall reimburse to DEVELOPER, as directed in Paragraph M herein, up to six thousand one hundred seventy-six dollars and fourteen cents (\$6,176.14). Reimbursement shall be provided from the funds and in the manner described in the City of Kuna Water Facilities Reimbursement Policy attached hereto as **Exhibit B**.

D. Audit Period. CITY will make an audit of this agreement on an annual basis in conformance with the Reimbursement Policy of said CITY, and refund applicable fees collected during the audit period.

E. Term of Agreement. The audit and payment of reimbursement shall be for a period not to exceed ten (10) annual payments in conformance with the Reimbursement Policy of said CITY or until such time as reimbursement has been fully paid, whichever comes first.

F. Cost of Water Lines on DEVELOPER'S Property. All costs and expenses, including the construction, engineering, advertising, clerical, legal and licenses and permits which were required for the construction and installation of the water system upon and within DEVELOPER'S property not eligible for reimbursement as defined in the Reimbursement Policy, shall be at DEVELOPER'S sole expense.

G. Compliance with Laws. Upon connection to water, DEVELOPER agrees to abide by all applicable Kuna City laws, rules and regulations pertaining to water systems.

H. Indemnification and Insurance. DEVELOPER shall indemnify and save and hold harmless CITY from and for any and all losses, claims, actions, judgments for damages, or injury to persons or property and losses and expenses caused or incurred by DEVELOPER related to the design, construction and otherwise providing of the facilities described in paragraphs B.1, B.2 and B.3, its servants, agents, employees,

guests, and business invitees, and not caused by or arising out of the tortious conduct of CITY or its employees.

I. No Assignment. DEVELOPER shall not assign any portion of this Agreement or any privilege hereunder, either voluntarily or involuntarily, without the prior written consent of CITY, which consent shall not be unreasonably withheld.

J. Definition of DEVELOPER'S Property. The term "DEVELOPER'S PROPERTY" in this Agreement shall mean the parcels described on **Exhibit A** attached hereto.

K. Representations.

(1) DEVELOPER, as defined above, represents that it is the only bona fide claimant to the reimbursements referenced in this agreement. Further, DEVELOPER represents it will indemnify CITY from all other claims as outlined in Paragraph H above.

(2) DEVELOPER, as defined above, represents that the General Contractor(s) for the construction of facilities described in **Exhibit A** have been fully paid. Further, DEVELOPER represents it will indemnify CITY from all claims of General Contractor(s) as outlined in Paragraph H above.

(3) DEVELOPER, as defined above, represents that in constructing and installing the water system referenced in this Agreement, it has complied with all laws, orders and regulations of Federal, State and Municipal authorities and has all licenses or permits which are required for the construction and installation of said system.

L. Binding Effect. The terms and conditions of this Agreement shall be binding upon all of DEVELOPER'S assigns, or successors in interest to this Agreement.

M. Payments under terms of this agreement are to be made and addressed to: KUNA CAVES STORAGE, LLC; 1795 W Deer Flat Road, Kuna, ID, 83634.

IN WITNESS WHEREOF, the parties shall cause this Agreement to be executed by their duly authorized officers, members and/or partners the day and year first above written.

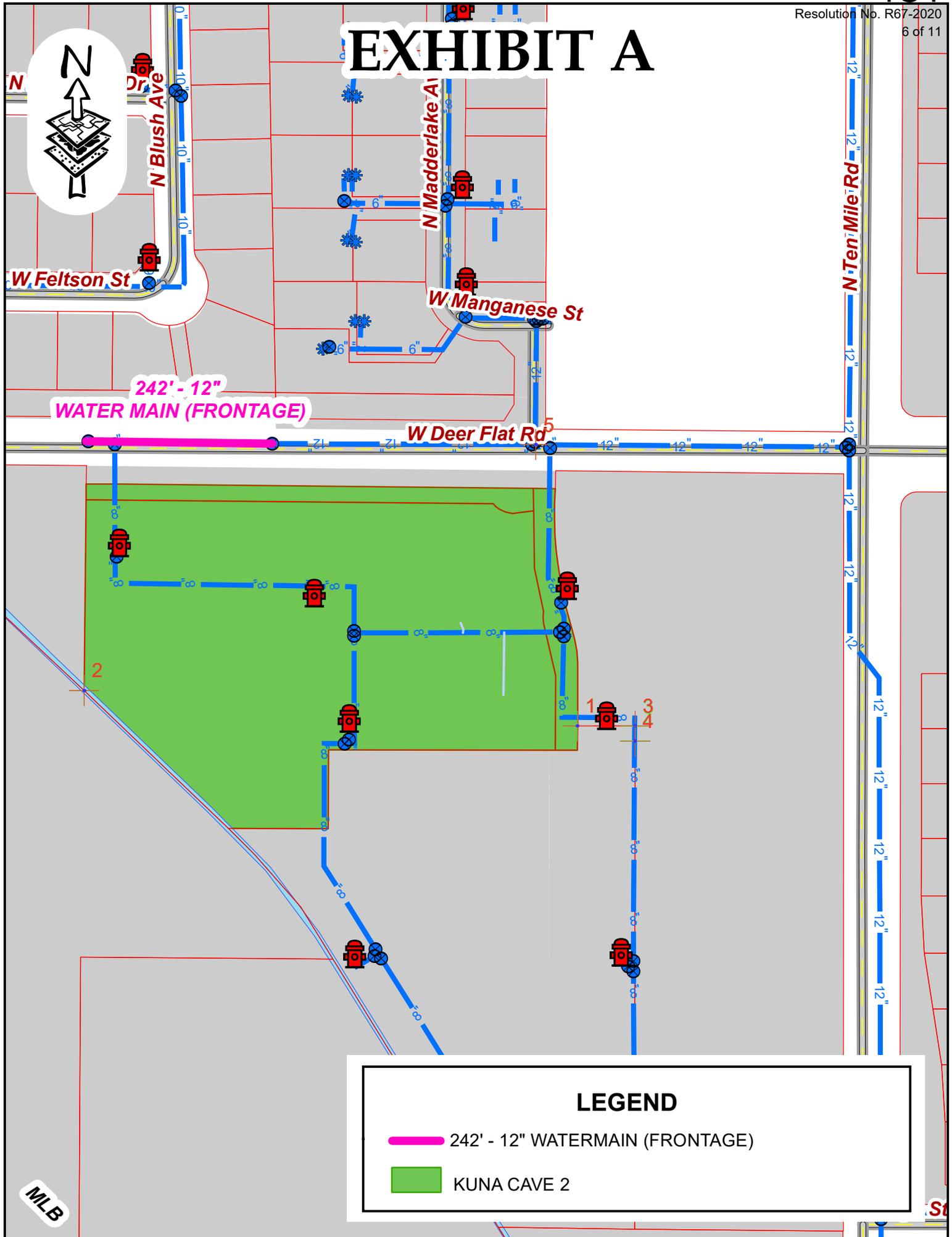
CITY OF KUNA

ATTEST:

Joe L. Stear
MAYOR

Chris Engels
CITY CLERK

EXHIBIT A



LEGEND

- 242' - 12" WATERMAIN (FRONTAGE)
- KUNA CAVE 2

MLB

St

Exhibit B

RESOLUTION NO. R86-2019 CITY OF KUNA, IDAHO

CITY POTABLE WATER REIMBURSEMENT POLICY

1. PURPOSE

- 1.1. A resolution of the City of Kuna (City) setting forth a reimbursement policy that repeals and replaces Resolution No. R80-2017 and provides a cost sharing mechanism between a Sponsoring Developer and the City of Kuna. Reimbursements are limited to the direct material cost of installing potable water master plan trunk line pipe, potable water pump (booster) stations and potable water reservoirs with nominal capacities greater than required by the Sponsoring Developer's project.

2. DEFINITIONS

- 2.1. Sponsoring Developer: a company or individual responsible for the development.
- 2.2. City: a municipal organization named City of Kuna, located in Kuna, Idaho.
- 2.3. To and Through: utilities shall be extended to the furthest part of the development and terminated to accommodate extension by subsequent developments.
- 2.4. Equivalent Dwelling Unit (EDU): the average day potable water demand from an average residence. Listed as 207 GPD in the 2017 Water Master Plan.
- 2.5. Average Day Demand (ADD): the average potable water use or projected use, of the Sponsoring Developer's project.
- 2.6. Peak Day Demand (PDD): Peak Day Demand is the Average Day Demand multiplied by a peaking factor determined by the City Engineer. Current potable water peaking factor is 2.82, 2017 City of Kuna, Idaho Water Master Plan.
- 2.7. Nominal (pipe) Diameter Needed: the minimum standard pipe diameter with sufficient transmission capacity to carry the Sponsoring Developer's Peak Day Demand and fire flow.
 - 2.7.1. The Nominal Pipeline Diameter shall be determined by an Idaho registered Professional Engineer utilizing a water modeling program compatible with the City of Kuna's potable water model.
 - 2.7.2. Nominal capacity- pump (booster) station: the capacity of a potable water pump (booster) station required to satisfactorily supply pressure and volume to the sponsoring developers project as determined by an Idaho registered Professional Engineer in accordance with the Idaho Department of Environmental Quality (IDEQ) requirements.
 - 2.7.3. Nominal Capacity - water storage reservoir: The capacity of a water storage reservoir to satisfy the IDEQ water storage volumes as listed in IDAPA 58.01.08 and calculated by an Idaho registered Professional Engineer for the Sponsoring Developer's project.
- 2.8. Potable water pump station: a pump station that adds pressure head to the potable water distribution system.

- 2.9. Potable water storage tank/reservoir: a mechanical impoundment designed to contain potable water and provide capacity to satisfy peak day demands and fire flow demands that exceed the potable water distribution system supply capacity.
- 2.10. Master Plan Trunk Line: a potable water main, 12 inches or larger diameter, identified in the Master Plan to be part of the major distribution grid.
- 2.11. Water (potable) Main Line Fee (WMLF): the fee collected when a connection is made to the City of Kuna potable water system.
- 2.12. Property: property of the Sponsoring Developer that shall include the present project phase and future phases of the project identified in the comprehensive project preliminary plat.
- 2.13. Direct Construction Costs: the cost to construct potable water mainline distribution system pipe, the cost to construct a pump station, the cost to construct a water reservoir. Limited to materials and labor only.

3. ELIGIBILITY REQUIREMENTS

- 3.1. Reimbursement requests must comply with this resolution.
- 3.2. Reimbursement requests must be submitted to the City at or before the preconstruction meeting.
 - 3.2.1. Reimbursement requests submitted after construction commences may be delayed or denied.
- 3.3. The reimbursement request shall:
 - 3.3.1. Provide at least three (3) verifiable quotes/bids.
 - 3.3.2. Unit costs
 - 3.3.3. Quantities
 - 3.3.4. Provide a comprehensive breakdown of the items included in lump sum items with unit prices
- 3.4. The nominal diameter must be established with an engineered model compatible with the City's potable water model. Engineering work shall be completed by a competent Idaho registered Professional Engineer with verifiable potable water modeling experience.

4. ELIGIBLE REIMBURSEMENT COSTS

- 4.1. Material (pipe) of greater capacity than required by the development's Peak Day Demand and fire flow.
- 4.2. Potable water pump stations with more capacity than required by the development's Peak Day Demand and IDEQ required capacities.
- 4.3. Potable water storage reservoirs with more capacity than required by the development's Peak Day Demand and IDEQ required capacities.
- 4.4. Pipe reimbursement shall be the direct cost of the pipe provided minus the direct cost of the development's nominal pipe size.
- 4.5. Pump station and potable water storage reservoir capacities shall be evaluated by an Idaho registered Professional Engineer. The capacity shall be listed in Equivalent Dwelling Units (EDU). The reimbursement amount shall be the total number of EDUs

available minus the development's required number of EDUs (but not less than zero).
The City shall pay the direct construction costs of the surplus EDUs to the Sponsoring Developer.

4.6. Capacity evaluation calculations shall be provided to the City for verification.

5. INELIGIBLE COSTS

- 5.1. Engineering
- 5.2. Project management
- 5.3. Rock excavation
- 5.4. Connections to existing system
- 5.5. Temporary potable water apparatus
- 5.6. Mechanical and biological testing

6. REIMBURSEMENT

- 6.1. Reimbursements for potable water components shall be the cost difference between the nominal pipe diameter, nominal pump station capacity and/or nominal potable water storage reservoir capacity and the diameters and capacities provided.
- 6.2. Payments shall be amortized over ten years with 4% simple interest.
- 6.3. Payments shall be made at the full annual payment amount each year, unless sufficient funds are not accrued as described in Sections 7 and 8 of this resolution.
- 6.4. If sufficient funds are not available, the available funds shall be distributed proportionally to all reimbursement recipients until available funds are exhausted.
- 6.5. No payments shall be made beyond the ten (10) year reimbursement time frame.
- 6.6. The City reserves the right to accelerate reimbursement payments.

7. FINANCING POTABLE WATER FACILITIES

- 7.1. The City generates revenue for financing potable water facilities by assessing each EDU a (potable) Water Main Line Fee (WMLF) at time of connection or upon issuance of a building permit. The City will evaluate the WMLF amount annually and adjust the fee as necessary to fund current and projected potable water facilities reimbursement costs.
- 7.2. The City retains 10% of WMLF to fund administration and developer support.

8. REIMBURSEMENT AGREEMENTS AND METHODS OF REIMBURSEMENT

- 8.1. Reimbursements shall be paid through a reimbursement agreement (RA).
 - 8.1.1. The RA shall be between the City of Kuna and the Sponsoring Developer.
 - 8.1.2. RA shall be completed within 180 days of project completion and acceptance of the development by the City of Kuna City Council.
 - 8.1.3. The RA shall be evaluated by the Public Works Director, City Engineer and/or qualified designee and presented to the Kuna City Council for approval.
 - 8.1.4. Decisions regarding reimbursement eligibility and the associated amount of reimbursement by the Public Works Director and/or City Engineer shall be final.
- 8.2. City sponsored extensions and expansions are presumed to exclusively benefit existing and future users and the public in general. As a Sponsoring Developer, the City is not

required to enter into an agreement with itself, is not limited in number of annual payments and the costs of its projects are fully reimbursable.

- 8.3. No reimbursement agreement shall reimburse a Sponsoring Developer for construction costs that exceed the eligible reimbursement amounts.
- 8.4. The City retains 10% of WMLF (as defined in paragraph 2.11.) to fund administration and developer support.
- 8.5. The Reimbursement Agreement will terminate when the sooner of either occurs: The Sponsoring Developer has been fully reimbursed for the agreed upon reimbursement amount at or prior to the end of the term of the agreement, or the City has tendered the tenth (10th) annual payment whether or not the eligible reimbursement amount is paid in full. In no event shall the Reimbursement Agreement be extended beyond the initial ten (10) year term.
- 8.6. Reimbursements will be distributed for ten (10) annual payments after final acceptance of the project.
- 8.7. Depending on the WMLF collected within the ten-year Agreement period, and the number of claimants to those Fees, the Eligible Reimbursement amount may or may not be fully reimbursed. If a funding shortfall occurs, available funds shall be distributed proportionally. Reimbursement amounts to each Sponsoring Developer shall not exceed the total eligible reimbursement amount.
- 8.8. Reimbursement Agreements or City sponsored projects completed on or before August 31st of one year will become eligible for the first payment of reimbursement funds on September 1st the following year.

Adopted by the City of Kuna this 6th day of November, 2019.

Joe L. Stear, Mayor

ATTEST:

Chris Engels, City Clerk



EXHIBIT C
WATER COST RECOVERY SUMMARY
LETE COMMERCIAL NO. 1 SUBDIVISION

oversized utility	total recoverable project cost	annual payment based on 4% interest and 10 annual, equal payments	total estimated interest over life of loan @ 4%	total estimated cost for ten year duration
water	\$5,009.40	\$617.61	\$1,166.74	\$6,176.14

**RESOLUTION NO. R68-2020
CITY OF KUNA, IDAHO**

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE PRESSURIZED IRRIGATION TRUNK REIMBURSEMENT AGREEMENT FOR LETE COMMERCIAL NO. 1; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE; AND AUTHORIZING THE CITY TREASURER TO PAY KUNA CAVES STORAGE, LLC THE AMOUNT OF THIRTEEN THOUSAND THREE HUNDRED SEVENTY-ONE DOLLARS AND FORTY-SIX CENTS (\$13,371.46) PURSUANT TO THE TERMS OF SAID AGREEMENT.

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

Section 1. The PI Trunk Reimbursement Agreement for Lete Commercial No. 1, as attached hereto as “**EXHIBIT A**”, is hereby approved pursuant to the Pressure Irrigation Facilities Reimbursement Policy approved by Resolution No. R83-2019 on November 6, 2019.

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

Section 3. The City Treasurer is authorized to pay KUNA CAVES STORAGE, LLC thirteen thousand three hundred seventy-one dollars and forty-six cents (\$13,371.46) as calculated pursuant to the terms of the reimbursement agreement.

PASSED BY THE COUNCIL of Kuna, Idaho this 17th day of November, 2020.

APPROVED BY THE MAYOR of Kuna, Idaho this 17th day of November, 2020.

Joe L. Stear, Mayor

ATTEST:

Chris Engels, City Clerk

REIMBURSEMENT AGREEMENT
Lete Commercial No. 1 Pressurized Irrigation

THIS AGREEMENT made this _____ day of _____ 2020, by and between the CITY OF KUNA, a municipal corporation, hereinafter called CITY, and KUNA CAVES STORAGE, LLC hereinafter called DEVELOPER:

WITNESSETH:

WHEREAS, CITY has prepared, adopted and updated a Kuna Pressurized Irrigation System Master Plan to guide the sizing, elevation and location of its municipal Pressurized Irrigation system facility additions and extensions; and

WHEREAS, on November 6, 2019 City adopted Resolution Number R83-2019 outlining the Pressurized Irrigation Facilities Reimbursement Policy for Pressurized Irrigation facilities construction conforming to the Kuna Pressurized Irrigation System Master plan; and

WHEREAS, in implementing the updated Kuna Pressurized Irrigation System Master Plan, it is the further declared policy of CITY to extend the Kuna City Pressurized Irrigation System to areas inside the corporate limits of CITY not now served by its Pressurized Irrigation system, subject to the owner of property in such areas being bound by and complying with all ordinances of CITY and all rules and regulations promulgated by CITY now in effect or hereinafter to be enacted; and

WHEREAS, DEVELOPER did construct a pressurized irrigation system to the property known as Lete Commercial No. 1, as shown on **Exhibit A**, and has requested reimbursement for certain portions of the pressurized irrigation system; and

WHEREAS, the constructed facilities are now included as a component of the CITY system and are now utilized by said CITY for their intended purpose; and

WHEREAS, CITY upon recommendation of the City Engineer, accepts and approves the proposal of DEVELOPER for reimbursement, subject to all the conditions hereinafter provided by this Agreement.

NOW THEREFORE, in consideration of the foregoing premises, it is agreed:

- A. Preparation of Plans. DEVELOPER did cause to be prepared plans and specifications, drawings, instructions, bid proposal and all other contract documents for the construction and installation of the regional Pressurized Irrigation system, shown on **Exhibit A**, including rights-of-way, grades and elevation, and materials to be used in the construction and installation of said Pressurized Irrigation system.

B. Construction of Regional Pressurized Irrigation System.

- (1) DEVELOPER did install, construct and erect the Pressurized Irrigation system and appurtenances as shown on **Exhibit A**, subject to the conditions hereinafter provided.
- (2) DEVELOPER did provide all engineering and surveying and contract administration for the construction of the Pressurized Irrigation system described on **Exhibit A**.
- (3) DEVELOPER did satisfactorily complete the project in conformance with approved plans and did provide evidence bills that the general contractor and engineer have been paid.

C. Reimbursement to DEVELOPER. In recognition of the fact that DEVELOPER did install, construct and erect a Pressurized Irrigation system as shown on **Exhibit A** for the amounts shown in **Exhibit C**, CITY shall reimburse to DEVELOPER thirteen thousand three hundred seventy-one dollars and forty-six cents (\$13,371.46). Reimbursement shall be provided from the funds and in the manner described in the City of Kuna Pressurized Irrigation Facilities Reimbursement Policy attached hereto as **Exhibit B**.

D. Audit Period. CITY will make an audit of this agreement on an annual basis in conformance with the Reimbursement Policy of said CITY, and refund applicable fees collected during the audit period.

E. Term of Agreement. The audit and payment of reimbursement shall be for a period not to exceed ten (10) annual payments in conformance with the Reimbursement Policy of said CITY until such time as reimbursement has been fully paid, whichever comes first.

F. Cost of Pressurized Irrigation Lines on DEVELOPER'S Property. All costs and expenses, including the construction, engineering, advertising, clerical, legal and licenses and permits which were required for the construction and installation of the Pressurized Irrigation system upon and within DEVELOPER'S property not eligible for reimbursement as defined herein, shall be at DEVELOPER'S sole expense.

G. Compliance with Laws. Upon connection to Pressurized Irrigation, DEVELOPER agrees to abide by all applicable Kuna City laws, rules and regulations pertaining to Pressurized Irrigation systems.

H. Indemnification and Insurance. DEVELOPER shall indemnify and save and hold harmless CITY from and for any and all losses, claims, actions, judgments for damages, or injury to persons or property and losses and expenses caused or incurred

by DEVELOPER related to the design, construction and otherwise providing of the facilities described in paragraphs B.1, B.2 and B.3, its servants, agents, employees, guests, and business invitees, and not caused by or arising out of the tortious conduct of CITY or its employees.

- I. No assignment. Developer shall not assign any portion of this agreement or any privilege hereunder, either voluntarily or involuntarily, without the prior written consent of city, which consent shall not be unreasonably withheld.
- J. Definition of DEVELOPER’S Property. The term “DEVELOPER’S PROPERTY” in this Agreement shall mean the parcels described on **Exhibit A** attached hereto.
- K. Representations.
- (1) DEVELOPER, as defined above, represents that it is the only bona fide claimant to the reimbursements referenced in this agreement. Further, DEVELOPER represents it will indemnify CITY from all other claims as outlined in Paragraph H above.
 - (2) DEVELOPER, as defined above, represents that the General Contractor(s) for the construction of facilities described in **Exhibit A** have been fully paid. Further, DEVELOPER represents it will indemnify CITY from all claims of General Contractor(s) as outlined in Paragraph H.
 - (3) DEVELOPER, as defined above, represents that in constructing and installing the Pressurized Irrigation system referenced in this Agreement, it has complied with all laws, orders and regulations of Federal, State and Municipal authorities and has all licenses or permits which are required for the construction and installation of said system.
- L. Binding Effect. The terms and conditions of this Agreement shall be binding upon all of DEVELOPER’S assigns, or successors in interest to this Agreement.
- M. Payment under terms of this agreement is to be made and addressed to: KUNA CAVES STORAGE, LLC; 1795 W Deer Flat Road, Kuna, ID, 83634.

IN WITNESS WHEREOF, the parties shall cause this Agreement to be executed by their duly authorized officers, members and/or partners the day and year first above written.

CITY OF KUNA

ATTEST:

Joe L. Stear
MAYOR

Chris Engels
CITY CLERK

KUNA CAVES STORAGE, LLC

Inaki Lete
Inaki Lete
COMPANY OWNER

STATE OF IDAHO)
) ss.
COUNTY OF *Canyon* ADA)

On this 9th day of November, 2020, before me, a notary public in and for said state, personally appeared INAKI LETE known to be the Company Owner of KUNA CAVES STORAGE, LLC, and the person who subscribed said name to the foregoing instrument, and acknowledged to me that they executed the same.

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



Angelene Cuellar
Notary Public for Idaho
Residing at Middleton, Idaho
My commission expires: January 30, 2025

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

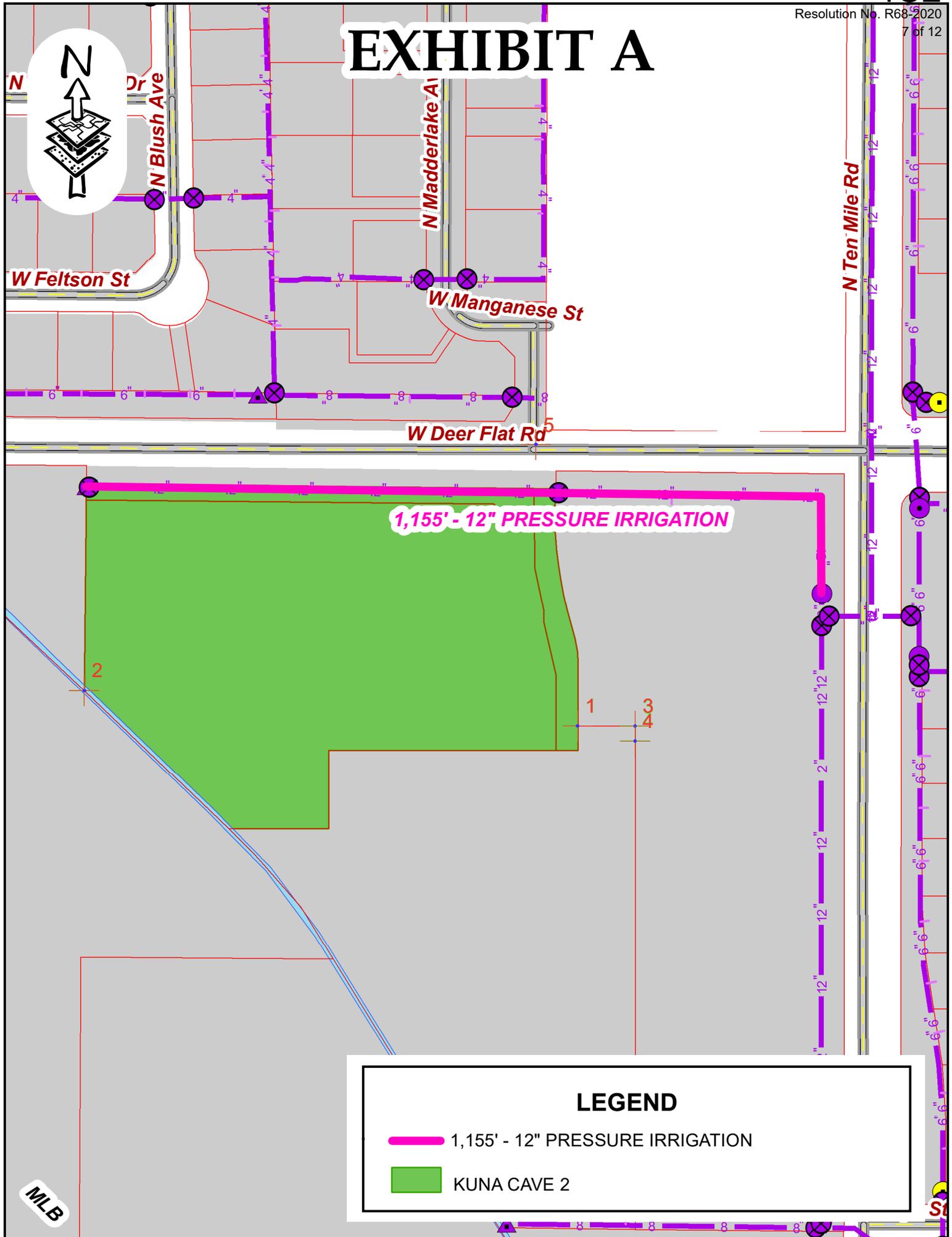
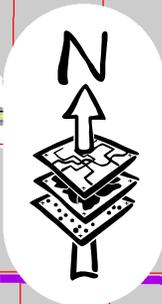
On this _____ day of _____, 2020, before me, the undersigned, personally appeared JOE L. STEAR and CHRIS ENGELS Mayor and City Clerk

respectively of KUNA CITY, a municipal corporation, known to be to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same for and on behalf of said corporation.

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

Notary Public for Idaho
Residing at _____, Idaho
My commission expires: _____

EXHIBIT A



LEGEND

- 1,155' - 12" PRESSURE IRRIGATION
- KUNA CAVE 2

MLB

Exhibit B

RESOLUTION NO. R83-2019 CITY OF KUNA, IDAHO

CITY PRESSURIZED IRRIGATION REIMBURSEMENT POLICY

1. PURPOSE

- 1.1. A resolution of the City of Kuna (City) setting forth a reimbursement policy that repeals and replaces Resolution No. R78-2017 and provides a cost sharing mechanism between a Sponsoring Developer and the City of Kuna. Reimbursements are limited to the direct material cost of installing irrigation master plan trunk line pipe, irrigation pump stations and irrigation retaining ponds with nominal capacities greater than required by the Sponsoring Developer's project.

2. DEFINITIONS

- 2.1. Sponsoring Developer: a company or individual responsible for the development.
- 2.2. City: a municipal organization named City of Kuna, located in Kuna, Idaho.
- 2.3. To and Through: utilities shall be extended to the furthest part of the development and terminated to accommodate extension by subsequent developments.
- 2.4. Equivalent Dwelling Unit (EDU): the average day irrigation demand from an average residence. Currently estimated as 1,116 gpd/EDU
- 2.5. Average Day Demand (ADD): the average irrigation use or projected use, of the Sponsoring Developer's project.
- 2.6. Peak Day Demand (PDD): Peak Day Demand is the Average Day Demand multiplied by a peaking factor determined by the City Engineer. Currently listed as 2.1 in the City of Kuna Pressurized Irrigation Master Plan.
- 2.7. Nominal (pipe) Diameter Needed: the minimum standard pipe diameter with sufficient transmission capacity to carry the Sponsoring Developer's Peak Day Demand.
 - 2.7.1. The Nominal Pipeline Diameter shall be determined by an Idaho registered Professional Engineer utilizing a water modeling program compatible with the City of Kuna's pressurized irrigation model.
 - 2.7.2. Nominal capacity: the capacity of an irrigation pump station and or irrigation pond required to satisfactorily service the Peak Day Demand of the Sponsoring Developer's project.
- 2.8. Irrigation pump station: a pump station that adds pressure head to the irrigation distribution system.
- 2.9. Irrigation storage pond: a pond designed to contain irrigation water and provide capacity to satisfy Peak Day Demands and other demands exceeding irrigation supply capacity.
- 2.10. Master Plan Trunk Line: a pressurized irrigation main, 12 inches or larger, identified in the Master Plan to be part of the major distribution grid.
- 2.11. PIMLF (Pressurized Irrigation Main Line Fee): the fee collected when a connection is made to the City's pressurized irrigation system.

- 2.12. Property: The Property of the Sponsoring Developer that shall include the present project phase and future phases of the project identified in the comprehensive project preliminary plat.
- 2.13. Direct Construction Costs: the cost to construct pressurized irrigation mainline distribution system pipe, the cost to construct a pump station, the cost to construct a water reservoir. Limited to materials and labor only.

3. ELIGIBILITY REQUIREMENTS

- 3.1. Reimbursement requests must comply with this resolution.
- 3.2. Reimbursement requests must be submitted to the City at or before the preconstruction meeting.
 - 3.2.1. Reimbursement requests submitted after construction commences may be delayed or denied.
- 3.3. The reimbursement request shall:
 - 3.3.1. Provide at least three (3) verifiable quotes/bids.
 - 3.3.2. Unit costs
 - 3.3.3. Quantities
 - 3.3.4. Provide a comprehensive breakdown of the items included in lump sum items with unit prices
- 3.4. The nominal diameters and capacities must be established with an engineered model compatible with the City's pressurized irrigation model. Engineering work shall be completed by a competent Idaho registered Professional Engineer with verifiable irrigation modeling experience.

4. ELIGIBLE REIMBURSEMENT COSTS

- 4.1. Material (pipe) of greater capacity than required by the development's peak day demand.
- 4.2. Irrigation pump stations with more capacity than required by the development's Peak Day Demand.
- 4.3. Irrigation storage ponds with more capacity than required by the development's Peak Day Demand.
- 4.4. Pipe reimbursement shall be the direct cost of the pipe provided minus the direct cost of the development's nominal pipe size.
- 4.5. Pump station and irrigation storage pond capacities shall be evaluated by an Idaho registered Professional Engineer. The capacity shall be listed in Equivalent Dwelling Units (EDU). The reimbursement amount shall be the total number of EDUs available minus the development's required number of EDUs (but not less than zero). The City shall pay the direct construction costs of the surplus EDUs to the Sponsoring Developer.
- 4.6. Capacity evaluation calculations shall be provided to the City for verification.

5. INELIGIBLE COSTS

- 5.1. Engineering

- 5.2. Project management
- 5.3. Rock excavation
- 5.4. Connections to existing system
- 5.5. Temporary irrigation apparatus

6. REIMBURSEMENT

- 6.1. Reimbursements for irrigation components shall be the cost difference between the nominal pipe diameter, nominal pump station capacity, and/or nominal irrigation storage pond capacity and the diameters and capacities provided.
- 6.2. Payments shall be amortized over ten years with 4% simple interest.
- 6.3. Payments shall be made at the full annual payment amount each year, unless sufficient funds are not accrued as described in Sections 7 and 8 of this resolution.
- 6.4. If sufficient funds are not available, the available funds shall be distributed proportionally to all reimbursement recipients until available funds are exhausted.
- 6.5. No payments shall be made beyond the ten (10) year reimbursement time frame.
- 6.6. The City reserves the right to accelerate reimbursement payments.

7. FINANCING PRESSURIZED IRRIGATION FACILITIES

- 7.1. The City generates revenue for financing Pressurized Irrigation facilities by assessing each EDU a PIMLF, at time of connection or upon issuance of a building permit. The City will evaluate the PIMLF amount annually and adjust the fee as necessary to fund current and projected irrigation facilities reimbursement costs.

8. REIMBURSEMENT AGREEMENTS AND METHODS OF REIMBURSEMENT

- 8.1. Reimbursements shall be paid through a reimbursement agreement (RA).
 - 8.1.1. The RA shall be between the City of Kuna and the Sponsoring Developer.
 - 8.1.2. RA shall be completed within 180 days of project completion and acceptance of the development by the City of Kuna City Council.
 - 8.1.3. The RA shall be evaluated by the Public Works Director, City Engineer and/or qualified designee and presented to the Kuna City Council for approval.
 - 8.1.4. Decisions regarding reimbursement eligibility and the associated amount of reimbursement by the Public Works Director and/or City Engineer shall be final.
- 8.2. City sponsored extensions and expansions are presumed to exclusively benefit existing and future users and the public in general. As a Sponsoring Developer, the City is not required to enter into an agreement with itself, is not limited in number of annual payments and the costs of its projects are fully reimbursable.
- 8.3. No reimbursement agreement shall reimburse a Sponsoring Developer for construction costs that exceed the eligible reimbursement amounts.
- 8.4. The City retains 10% of PIMLF (as defined in paragraph 2.11.) to fund administration and developer support.
- 8.5. The Reimbursement Agreement will terminate when the sooner of either occurs: The Sponsoring Developer has been fully reimbursed for the agreed upon reimbursement amount at or prior to the end of the term of the agreement, or the City has tendered the

tenth (10th) annual payment whether or not the eligible reimbursement amount is paid in full. In no event shall the Reimbursement Agreement be extended beyond the initial ten (10) year term.

- 8.6. Reimbursements will be distributed for ten (10) annual payments after final acceptance of the project.
- 8.7. Depending on the PIMLF collected within the ten-year Agreement period, and the number of claimants to those Fees, the Eligible Reimbursement amount may or may not be fully reimbursed. If a funding shortfall occurs, available funds shall be distributed proportionally. Reimbursement amounts to each Sponsoring Developer shall not exceed the total eligible reimbursement amount.
- 8.8. Reimbursement Agreements or City sponsored projects completed on or before August 31st of one year will become eligible for the first payment of reimbursement funds on September 1st the following year.

Adopted by the City of Kuna this 6th day of November, 2019.



Joe L. Stear, Mayor

ATTEST:


Chris Engels, City Clerk



EXHIBIT C
PRESSURIZED IRRIGATION COST RECOVERY SUMMARY
LETE COMMERCIAL NO. 1 SUBDIVISION

oversized utility	total recoverable project cost	annual payment based on 4% interest and 10 annual, equal payments	total estimated interest over life of loan @ 4%	total estimated cost for ten year duration
Pressurized irrigation	\$10,845.45	\$1,337.15	\$2,526.01	\$13,371.46

**RESOLUTION NO. R69-2020
CITY OF KUNA, IDAHO**

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY GREYHAWK LAND COMPANY, LLC FOR GREYHAWK SUBDIVISION NO. 11 FOR UNCOMPLETED WORK INCLUDING LANDSCAPING, STREET LIGHTING, AND FENCING PURSUANT TO THE TERMS OF THIS RESOLUTION.

WHEREAS, Greyhawk Subdivision No. 11 exists as part of an approved preliminary plat; and

WHEREAS, construction plans for Greyhawk Subdivision No. 11 were approved by the Kuna City Engineer on June 11, 2020; and

WHEREAS, construction was commenced but not completed for certain items, per the approved plans; and

WHEREAS, the landscaping, street lighting, and fencing have not been completed for Greyhawk Subdivision No. 11 according to the approved construction plans and developer seeks to bond for the unfinished work; and

WHEREAS, the landscaping completion has been estimated at one hundred thirteen thousand seven hundred fifty-seven dollars and eighteen cents (\$113,757.18) adding 25% for a total of one hundred forty-two thousand one hundred ninety-six dollars and forty-eight cents (\$142,196.48); and

WHEREAS, the street lighting completion has been estimated at twenty-five thousand seven hundred eighty dollars and zero cents (\$25,780.00) adding 25% for a total of thirty-two thousand two hundred twenty-five dollars and zero cents (\$32,225.00); and

WHEREAS, the fencing completion has been estimated at sixty-one thousand four hundred thirty-four dollars and forty-seven cents (\$61,434.47) adding 25% for a total of seventy-six thousand seven hundred ninety-three dollars and nine cents (\$76,793.09); and

WHEREAS, developer desires to record the final plat for Greyhawk Subdivision No. 11 prior to completion of construction; and

WHEREAS, Kuna City Code 6-2-4 and 6-4-3 allows for and sets the conditions for recording a final plat prior to the completion of construction:

BE IT HEREBY RESOLVED by the Mayor and Council of the City of Kuna, Idaho, that the Kuna City Engineer is hereby authorized to accept a bond check, surety bond or an irrevocable standby Letter of Credit in lieu of construction for **Greyhawk Subdivision No. 11** under the following terms and conditions:

1. All bid amounts submitted for unfinished construction are valid for the life of the Performance Bond Agreement; and

2. The face amount of the bond check is at least two hundred fifty-one thousand two hundred fourteen dollars and fifty-seven cents (\$251,214.57); and
3. No more than fifty percent of available permits can be claimed during the life of the Performance Bond Agreement and if improvements are not completed within 120 days of recordation of the final plat, no further building permits can be issued.

PASSED BY THE COUNCIL of Kuna, Idaho this 17th day of November, 2020.

APPROVED BY THE MAYOR of Kuna, Idaho this 17th day of November, 2020.

Joe L. Stear, Mayor

ATTEST:

Chris Engels, City Clerk

CITY OF KUNA IMPROVEMENT AGREEMENT (CASH BOND)

THIS AGREEMENT is made by and between GREYHAWK LAND COMPANY, LLC, (hereinafter “Developer”); whose address is 701 S. Allen St. Suite 104, Meridian, ID 83642, and CITY OF KUNA, a municipal corporation of the State of Idaho, (hereinafter “City”); whose address is Post Office Box 13, Kuna, Idaho 83634.

WHEREAS, Developer desires to record its final plat for phase eleven of the development known as Greyhawk Subdivision, (“Development”) located in the City of Kuna; and

WHEREAS, City will not sign the final plat unless Developer promises to install and warrant certain Improvements as herein provided and security is provided for that promise as set forth herein.

NOW, THEREFORE, THE PARTIES HEREBY AGREE AS FOLLOWS:

1. Installation of Improvements. Developer agrees to complete and pay the total costs of all Improvements required by City and those specified in the following:
 - a. Approved Landscape Plan for Greyhawk No. 11 and the associated Bid for landscaping by Power Enterprises, and;
 - b. Approved Street Light Plan for Greyhawk No. 11 and the associated Bid for street lighting by Alloway Electric Co., Inc., and;
 - c. Approved Fence Plan for Greyhawk No. 11 and the associated Bid for fencing by Meridian Fence.

The bids for said Improvements are attached hereto as **Exhibit A**. The required Improvements are shown on the plans, drawings and specifications previously reviewed and approved by City in connection with the above described Development, and in accordance with the standards and specifications established by the City and adopted by the City Council.

2. Cash Deposit. Developer has executed and delivered to City cash, cashier’s check or wired funds (City to provide financial institution information upon execution of agreement) to the City’s trust account in the aggregate amount of two hundred fifty-one thousand two hundred fourteen dollars and fifty-seven cents (\$251,214.57), for deposit with City in its accounts (the “Cash Deposit”), which includes:
 - a. The initial City Engineer or Public Works Director’s estimated cost of the remaining work shall as determined, in part, from the detailed bids provided by the sub-divider's contractors in an amount, plus twenty-five (25) percent, for an amount of one hundred twenty-five (125) percent;
 - b. To that total, the following additional sums may be added upon the following considerations:

- i. Three (3) to ten (10) percent for inflation; ten (10) to fifteen (15) percent for the City's bidding disadvantage; and twelve (12) percent to twenty (20) percent for city project management as determined by the City Engineer or Public Works Director.
3. The Developer and City stipulate the amount to be a reasonable estimate, pursuant to Kuna City Code.
4. If construction of all financially pledged improvements are not completed within one hundred twenty (120) days following the date of recordation of the final plat, no further building permits shall be issued by the City until final completion of all improvements has occurred and the City has inspected and approved them. However, if the remaining improvements are not completed within the one hundred twenty-day period, through no fault of the Developer, the City Engineer or Public Works Director may grant a one-time, one hundred twenty-day (120) time extension. The determination of what may be considered a "no fault circumstance" shall be determined by the City Engineer or Public Works Director.
5. Refund or Withdrawal. City may withdraw funds from Cash Deposit if (1) Improvements are not completed as required by this Agreement within the time period specified in Paragraph 6, or if (2) Improvements are not installed strictly in accordance with Paragraph 1 and written notice of the deficiency has been given to Developer, who has failed to remedy the deficiency within ten (10) days after the notice is sent. In said event, City may withdraw funds from Cash Deposit both (1) those amounts necessary to either complete Improvements as required herein or alter or repair Improvements to conform to the requirements hereof, and (2) City's cost of administration incurred in obtaining Cash Deposit, including attorney's fees and court costs, which shall be deducted from any Cash Deposit. If the amount of Cash Deposit is inadequate to pay the cost of the completion of Improvements according to City's standards or specifications for whatever reason, including previous reductions, Developer shall be responsible for the deficiency and no further building permits shall be issued in the subdivision or development until Improvements are completed or, with City Council approval, a new, satisfactory security has been executed and delivered to City or other satisfactory arrangements have been made to insure completion of the remaining improvements.
6. Preliminary Release. At the time herein provided, but no later than at the time of final inspection and acceptance of all Improvements by City, City will authorize release of all funds comprising Cash Deposit. The release provided for in this paragraph shall occur when City certifies that Improvements are complete, which shall be when Improvements have been installed as required and fully inspected and approved by City, and after as-built drawings have been supplied as required.
7. Non-Release of Developer's Obligations. It is understood and agreed between the parties that the establishment and availability to City of Cash Deposit as herein provided, and any withdrawals there from by City shall not constitute a waiver or estoppel against City and shall not release or relieve Developer from its obligation to install and fully pay for Improvements as required in Paragraph 1 above, and the right of City to withdraw from

Cash Deposit shall not affect any rights and remedies of City against Developer for breach of any covenant herein, including the covenants of Paragraph 1 of this Agreement. Further, Developer agrees that if City withdraws from Cash Deposit and performs or causes to be performed the installation or warranty work required of Developer hereunder, then any and all costs incurred by City in so doing which are not collected by City by withdrawing from Cash Deposit shall be paid by Developer, including administrative, engineering, legal, labor and materials and other procurement fees and costs.

8. Upon satisfaction of this Agreement, Developer shall provide the City with its financial institution information including account wire transfer information.
9. Binding Effect and Assignment. This Agreement shall be binding upon, and inure to the benefit of, the heirs, officers, agents, legal representatives, successors and assigns of the parties hereto. No party shall assign or transfer any rights under this Agreement without the prior written consent of the other first obtained, which consent shall not be unreasonably withheld.
10. Notices. Any notice required or desired to be given hereunder as shall be deemed sufficient if sent by certified mail, postage prepaid, addressed to the respective parties at the addresses shown in the preamble.
11. Severability. Should any portion of this Agreement for any reason be declared invalid or unenforceable, the invalidity of such portion shall not affect the validity of any of the remaining portions and the same shall be deemed in full force and effect as if this Agreement had been executed with the invalid portions eliminated.
12. Governing Law. This Agreement and the performances hereunder shall be governed by the laws of the State of Idaho.
13. Counterparts. The fact that the parties hereto execute multiple but identical counterparts of this Agreement shall not affect the validity or efficacy of their execution, and such counterparts, taken together, shall constitute one and the same instrument, and each counterpart shall be deemed an original.
14. Waiver. No waiver of any of the provisions of this Agreement shall operate as a waiver of any other provision, regardless of any similarity that may exist between such provisions, nor shall a waiver in one instance operate as a waiver in any future event. No waiver shall be binding unless executed in writing by the waiving party.
15. Captions. The captions preceding the paragraphs of this Agreement are for convenience only and shall not affect the interpretation of any provision herein.
16. Entire Agreement. This Agreement, together with its exhibits and the approved plans and specifications referred to, contains the entire and integrated agreement of the parties with respect to the subject matter hereof, and no prior or contemporaneous promises, representations, warranties, inducements, or understandings between the parties pertaining to the subject matter hereof which are not contained herein shall be of any force or effect.

- 17. Default. In the event either party hereto defaults in any of the covenants or agreements contained herein, the defaulting party shall pay all costs and expenses, including a reasonable attorney's fee, incurred by the other party in enforcing its rights hereunder whether incurred through litigation or otherwise.
- 18. Time of Essence. The parties agree that time is of the essence in the performance of all duties herein.
- 19. Exhibits. Any exhibit(s) to this Agreement are incorporated herein by this reference, and failure to attach any such exhibit shall not affect the validity of this Agreement or of such exhibit. An unattached exhibit is available from the records of the parties.
- 20. Amendment. Any amendment or modifications of this Agreement shall be made in writing, signed by the parties, and attached hereto.
- 21. Extension. The Bond Agreement and security for completion of Improvements described in Paragraph 1 may be extended by written modification of this Agreement only.
- 22. Change of Address. It is the obligation of Developer to provide an updated address should it change during the pendency of this agreement.

IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed this 9th day of November, 2020.

Mitchell Armuth

GREYHAWK LAND COMPANY, LLC

By Mitchell Armuth
VP Land Development

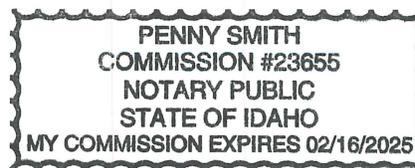
On this 9th day of November, 2020, before me Penny Smith, personally appeared MITCHELL ARMUTH known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same as the VP Land Development and on behalf of the GREYHAWK LAND COMPANY, LLC.

S
E
A
L

Penny Smith

Notary Public for Idaho

My commission expires on 2-16-2025



City of Kuna, Idaho

(seal)

By Joe Stear
Mayor

Attest:

Chris Engels, *City Clerk*

STATE OF IDAHO)
 : SS
County of Ada)

Proposal POWER ENTERPRISES 16131 Franklin Road Nampa, ID 83687 Phone (208) 461-4670 Fax (208) 461-4354						
PROPOSAL SUBMITTED TO: Hubble Homes			PHONE: Andy Cабianca 208-870-8385		DATE: 5/12/2020	
STREET:			JOB NAME/LOCATION: Greyhawk 11 Proposal			
CITY, STATE and ZIP CODE:			DATE OF PLANS: 3/9/2020 no revisions			
			ID Bureau of Occupational License #		RCE-616	
			State of ID Public Works License #		040689 - C - 4	
Item	Description	Quantity	Unit	Unit Cost	Sub-Total	
1	Sprinkler System	1	ls	\$36,157.00	\$36,157.00	
2	Sleeving	1	ls	\$1,580.00	\$1,580.00	
3	Machine/Crew Grading	1	ls	\$8,239.00	\$8,239.00	
4	Sod	77,994	sf	\$0.43	\$33,537.42	
5	Bed Areas: Perma Bark with w/fabric	20	cy	\$115.00	\$2,300.00	
6	Trees: 1.5" Deciduous	9	ea	\$310.00	\$2,790.00	
7	Trees: 2" Deciduous	41	ea	\$345.00	\$14,145.00	
8	Trees: 6' Conifer	16	ea	\$325.00	\$5,200.00	
9	Plants: 5 gallon Blue Shag Eastern White Pine	4	ea	\$105.00	\$420.00	
10	Plants: 2 gallon	10	ea	\$36.00	\$360.00	
11	Plants: 1 gallon	128	ea	\$16.00	\$2,048.00	
12	Boulders	15,000	lb	\$0.11	\$1,650.00	
13	1' Mow Strip (non-irrigated along grass fence lines)	24	cy	\$115.00	\$2,760.00	
14	Hydroseeding	14,282	sf	\$0.18	\$2,570.76	
15	Option: 1 year Maintenance = \$12554 (billed in 9 monthly installments of \$1,394.85 each)					
16						
17						
18						
19						
20	Exclusions: Soil amendments and topsoil import.					
21	Notes: 1. Topsoil from onsite stockpiles shall be placed and rough graded to 2/10 by site contractor. 2. 1 year maintenance option excludes Winter months. 3. Cost increases will be added to the contract if landscape is installed after 2020.					
22						
					Total	\$113,757.18
QUALIFICATIONS						
If additional off-site topsoil is required, cost will be \$42.00 / CY						
Rough Grade within 2/10						
Bond not included, but can be provided upon request at an additional cost to customer						
Plant material warranted 1 year						
No Signage						
Adequate pressure and volume of water to be supplied by Developer/General Contractor/Owner						
All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance.				Tami McCollum 208-697-2618 Note: This proposal may be withdrawn by Power if not accepted within 30 days.		
Acceptance of Proposal —The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.				Signature _____ Signature _____		
Date of Acceptance: _____						

*Alloway Electric Co., Inc.**"Green Before Green Was Cool"*502 E. 45th St.

Boise, Idaho 83714

Tel. (208) 344-2508 Fax (208) 345-9844

www.allowayelectric.com

Date: May 7, 2020

To: Hubble Homes
 701 S. Allen St. Suite 104
 Meridian, Idaho 83642

Attn: Mitch Armuth email marmuth@hubblehomes.com
 Andy Cabianca email acabianca@hubblehomes.com

Bid for Hubble homes to provide street lighting for Greyhawk Subdivision #11 located in Kuna, ID. This work is per sheet C4.7 by CK Engineering dated 1/31/20. Scope of work to include the following:

- (1) Provide and install (7 ea.) 25 ft. black 4" straight square steel anchor base poles fitted with USSL C01 LED luminaires (3000K). Each street light will be mounted on a 24" diameter reinforced concrete base at finish grade.
- (2) Provide approximately 475 lineal ft. of trench, conduit, wire, and backfill to extend power to each of these poles, including all required ground service junction boxes.
- (3) This agreement excludes excavation of rock or other excavation requiring specialized tools or equipment including but not limited to rock saws, jack hammers, boring equipment and drilling equipment.
- (4) Provide City of Kuna electrical permit.
- (5) This agreement is contingent upon the city approval of street light design as constituted in the noted plan set. Please forward approved plans to joe@allowayelectric.com once they are available.

Labor and Materials-\$25,780.00

Thank you for considering Alloway!

Joe Deaver

Signature: Please sign and return when accepted.

Quote is valid close of business on 5/21/2020.

Excludes: SWPPP, traffic control, IPCO connections/fees, rock excavation.

Estimate

Meridian Fence LLC
 PO Box 479
 Star, ID 83669
 (208) 888-6131



Date	Estimate #
11/4/2020	20290

Name / Address
Hubble Homes 701 S. Allen St Ste. 104 Meridian, Id 83642

Description	Qty	Rate	Total
*****Location: Grayhawk Sub #11			
**Lattice top Tan vinyl section			
5X5X96 Tan Blank Post	222	20.10009	4,462.22
Ends:0			
Corner:0			
Lines: 0			
5" Flat Cap Tan	222	1.02005	226.45
Premixed concrete delivered and poured by concrete truck.	222	4.2509	943.70
1-1/2" x 5-1/2" x 72 Rail Tan	442	9.72	4,296.24
2"x 3-1/2"x 72" Tan	221	8.5995	1,900.49
7/8" x 6" x 45" T&G Picket Tan	2,652	4.0524	10,746.96
7/8" x 57" U-Channel Tan	221	1.88502	416.59
Lattice U-Channel Tan	56	5.46	305.76
48" x 96 Lattice Panel Tan	74	57.98257	4,290.71
Installation of fence	1,326	7.50	9,945.00
***5' tall Iron section of fence			
2 x 2 x 84 Iron Fence Post	132	17.84	2,354.88
2" Black Iron Flat Post Cap	132	1.13598	149.95
Premixed concrete delivered and poured by concrete truck.	132	4.45	587.40
58 x 94 Western 3 Rail	130	97.60	12,688.00
1" Black Iron Mounting Bracket	780	1.104	861.12
Professional installation of iron fencing	1,037	7.00	7,259.00
Total			\$61,434.47

**BEFORE THE CITY COUNCIL
OF THE
CITY OF KUNA**

IN THE MATTER OF THE APPLICATIONS OF) **Case Nos. 20-01-CPF (Combo**
 Emmett Partners, LLC) **Preliminary & Final Plats)**
 For Subdivision development for the Ensign)
Subdivision No. 1 Re-plat.) **FINDINGS OF FACT,**
) **CONCLUSIONS OF LAW,**
) **AND ORDER OF APPROVAL**
) **OF COMBINATION OF**
) **PRELIMINARY & FINAL**
) **PLAT APPLICATION.**

THESE MATTERS came before the City Council for public hearing on October 6, 2020 for receipt and consideration by the City Council of these Findings of Fact, Conclusions of Law and Order of Decision for the above referenced Application. The City Council does now hereby make and set forth the Record of Proceedings, and these Findings of Fact, Conclusions of Law, and Order of Decision.

**I
RECORD OF PROCEEDINGS**

The record of proceedings of the above-referenced matter consists of the follow, to-wit:

1.1 Exhibits:

<i>DESCRIPTION OF EVIDENCE</i>		Withdrawn	Refused	Admitted
1	PnZ Minutes from 06/09/20			X
2	PnZ Findings Of Fact & Conclusions of Law 06/23/20			X
3	CC Staff Report			X
4	Letter of Intent 03.09.2020			X
5	Commission and Council Review Packet 11.25.19			X

6	Final Plat Document			X
7	Preliminary Plat			X
8	Boundary Legal Description & Sketch 09.08.16			X
9	City Engineer Letter 04.08.20			X
10	ACHD Report 03.27.20			X
11	Central District Health Dept. Letter 04.07.20			X
12	DEQ Letter 03.27.20			X
13	ITD Email 04.01.20			X
14	Kuna Rural Fire District Email 03.23.20			X
15	CC&R's 09.02.16			X
16	Neighborhood Meeting Minutes, Letter & List of Attendees 06.29.20			X

1.2 Hearings

1.2.1 Planning and Zoning Commission heard this on June 9, 2020 and due to a noticing error continued the hearing until July 14, 2020. The Council heard this on October 6, 2020. The FCO's have been requested to go to the Council November 17, 2020.

1.3 Witness Testimony

1.3.1 Those who testified at the Commissions July 14, 2020 hearing are as follows, to-wit:

1.3.1.1 City Staff:
Troy Behunin, Planner III

1.3.2 Those who testified at the Council's October 6, 2020 hearing are as follows, to-wit:

1.3.2.1 City Staff:
Troy Behunin, Planner III

1.3.3 No other witnesses appeared at the hearing on October 6, 2020, and the hearing was then closed for the receipt of evidence and testimony.

II DECISION

WHEREUPON THE CITY COUNCIL being duly informed upon the premises and having reviewed the record, evidence, and testimony received and being fully advised in the premises, DO HEREBY MAKE THE FOLLOWING FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER, to-wit:

III FINDINGS OF FACT

3.1 Findings Regarding Notice

3.1.1 Notice Required: Notice has been given in accordance with the City Code and Idaho Statutes.

3.1.2 Notice Provided

3.1.2.1 Notice was published for the October 6, 2020 hearing on the preliminary plat for Ensign No. 1 Re-pat Subdivision in the *Kuna Melba Newspaper*, the official City of Kuna newspaper, which has general circulation within the boundaries of the City and in Ada County and Canyon County.

<i>Newspaper</i>	<i>Date Published</i>
<i>Kuna Melba Newspaper</i>	September 16, 2020

3.1.2.2 Notice for the October 6, 2020 hearing containing the legal description of the property proposed to be developed was mailed on the 25 September, 2020 to all known and affected property owners within three hundred (300) feet of the boundaries of the area described in the application.

3.1.2.3 Notice for the October 6, 2020 hearing was posted in conspicuous places within City Hall on the Foyer Bulletin Boards, City Website, and Post Office.

3.2 Findings Regarding Annexation

3.2.1 The land for proposed re-subdivision is comprised of one (1) lot totaling approximately 3.095 acres as follows:

Property Owner	Parcel Size – Approx.	Current Zone	Parcel Number
Emmett Partners, LLC	3.095 acres	C-1; Neighborhood Comm.	R2404320010

3.2.2 The landowner of the parcel at issue did not oppose subdividing the land.

3.2.3 The parcel is located near the southwest corner of Meridian Rd. and Deer Flat Rd..

3.2.4 The subject parcel is in Kuna City Limits and has a zoning designation of C-1 (Neighborhood Commercial).

- 3.2.5** The existing land uses and zoning designations for lands surrounding the subject parcels is as follows:

North	C-1	Commercial – Kuna City
South	C-1	Commercial – Kuna City
East	C-1	Commercial – Kuna City
West	R-6	Med. Den. Residential – Kuna City

- 3.2.6** The parcel is in Kuna City boundaries, and the parcel has been a vacant commercial lot for the last four (4) years.
- 3.2.7** There are no residences or outbuildings on the parcel, it is a vacant lot.
- 3.2.8** There is topographical variation in the area where a retention pond is, located in the northeast corner. The majority of the land in the parcels is relatively flat.
- 3.2.9** The parcel is in Kuna City boundaries and is a short distance from the core of the City and is adjacent (on the north and south) to commercial uses. The development of the parcel should be considered commercial in-fill and will contribute to orderly development.

3.3 Findings Regarding Planned Unit Development and Subdivision Applications

- 3.3.1** The proposal is for a re-subdivision development that would include adding up to two (2) building lots for commercial development.
- 3.3.2** The applicant has not requested a zoning change in their application and will utilize the existing C-1 (Neighborhood Commercial).
- 3.3.3** Applicant requested to divide the 3.095 acres into two (2) new commercial lots.
- 3.3.4** No improvements and/or changes to existing roadways will be required with the proposed project.

3.3 Testimony of the City Planner

- 3.3.1 Conclusions:** The City Planner, in a memo to the council dated October 6, 2020, confirmed that a review of the site and records on file at the City of Kuna has been completed with the following conclusions:
- 3.3.1.1** This project involves one (1) lot, listed in the packet that is in Kuna City. The Case No. for this app is: 20-01-CPF (Combo, Preliminary and Final Plat), and is known as the Ensign No. 1 Re- Subdivision.
- 3.3.1.2** The application is a request for approval of the following application: Combination of Preliminary and Final Plat. Applicant requests to

subdivide approximately 3.095 ac. in Kuna City limits, proposing *up to* two (2) building lots.

3.3.1.3 Applicant requests a Combined Preliminary and Final Plat approval in order to subdivide approximately 3.095 acres into two (2) building lots.

3.3.1.4 Kuna's Comprehensive Plan (Comp Plan), Encourage development of commercial areas with good connectivity and character.

3.3.1.5 Applicants Combo plat appears to follow KCC.

3.3.2 Staff Recommendations: As a result of the review, the City Planner III, Troy Behunin, recommended approval of the applications with the following conditions:

3.3.2.1 The applicant and/or owner would be required to 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 must include the lighting, landscaping, drainage, and development plans. All site improvements would be prohibited prior to approval from the following agencies:

3.3.2.1.1 The City Engineer shall approve the sewer hook-ups.

3.3.2.1.2 The City Engineer shall approve drainage and grading plans.

3.3.2.1.3 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".

3.3.2.1.4 No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.

3.3.2.1.5 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.

3.3.2.1.6 The *Boise Project and Board of Control* shall approval any modifications to the existing irrigation system.

3.3.2.1.7 Approval from Ada County Highway District shall be obtained and Impact Fees must be paid prior to issuance of any building permit.

- 3.3.2.1.8** Idaho Transportation Department. No public street construction may be commenced without the approval and permit from Ada County Highway District and Idaho Transportation Department.
- 3.3.2.1.9** All public rights-of-way shall be dedicated and constructed to standards of the City and Ada County Highway District.
- 3.3.2.2** Installation of utility service facilities shall comply with requirements of the public utility or irrigation district providing services. All utilities shall be installed underground, see KCC 6-4-2-W.
- 3.3.2.3** 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.
- 3.3.2.4** Street lighting shall use LED lights, with spacing and wattages meeting KCC 5-4-6; applicant shall coordinate a street light plan for P & Z approval in concert with the prepared construction drawings for the project.
- 3.3.2.5** Parking within the site shall comply with KCC 5-9-3.
- 3.3.2.6** Fencing within and around the site shall comply with Kuna City standards – KCC 5-5-5- A-J and KCC 6-4-2-E.
- 3.3.2.7** 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 three days or as the planting season permits as required to meet KCC 5-17-7 standards. Maintenance and planting within public rights-of-way shall be approved from the public entities owning the property.
- 3.3.2.8** Submit a petition to the City 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 to the Kuna Municipal Pressure Irrigation System of the City (KMIS) prior to requesting final plat signature from the City Engineer.
- 3.3.2.9** Connection to City Services (Sewer, Water, Pressurized Irrigation) is required. The applicant shall conform all corresponding Master Plans.
- 3.3.2.10** The land owner/applicant/developer and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the Commission and/or Council, or seek amending them through public hearing processes.

- 3.3.2.11** The applicant's proposed combination plat shall be considered a binding site plan, or as modified and approved through the public hearing process.
- 3.3.2.12** Applicant shall work with staff in order to provide locations of street lights as required by Kuna City Code. Street lights for the site shall be LED lighting and must comply with Kuna City Code and established Dark Skies practices.
- 3.3.2.13** Any revisions of the plat are subject to administrative determination to rule if the revision is substantial.
- 3.3.2.14** Applicant is conditioned to provide connection to adjacent lots and parcels for future internal circulation for all types of traffic without limit.
- 3.3.2.15** Applicant shall follow staff, city engineer and other agency recommended requirements as applicable.
- 3.3.2.16** Compliance with all local, state and federal laws is required.

3.4 Other Testimony

- 3.4.1** 10.06.2020 Public Hearing – No additional public testimony was given or received.

IV

CONCLUSIONS OF LAW

RE: POWERS AND DUTIES OF THE CITY COUNCIL

- 4.1** City of Kuna is a duly formed Municipal Corporation organized and existing by virtue of the laws of the State of Idaho and is organized, existing and functioning pursuant to Chapter 1, Title 50, Idaho Code.
- 4.2** The power of the City of Kuna lies in the city council to hear this matter as provided in Idaho Code §§ 50-13 & 67-65, and Kuna City Code § title 6-1-2.
- 4.3** The Kuna City Council has the exclusive general supervisory authority over all plat approvals and certification under their jurisdiction as provided in Idaho Code § 50-1308.
- 4.4** The Kuna City Council cannot exercise extraterritorial jurisdiction and give final approval on land use applications for lands outside of the Kuna City boundaries unless said lands are first annexed into the city boundaries. *See Casteneda v. Brighton Corp.*, 130 Idaho 923 (1997); *see also* Article XII, § 2, of the Idaho Constitution.

V
CONCLUSIONS OF LAW
RE: APPLICATION FOR PRELIMINARY PLAT

- 5.1** The City of Kuna has authority to approve preliminary and final plats within its boundaries pursuant to Idaho Code §§ 50-13 & 67-65, and Kuna City Code § title 6-1-2.

VI
ORDER OF APPROVAL OF APPLICATION FOR PRELIMINARY PLAT

The Kuna City Council, having reviewed the above entitled record, having listened to the arguments and presentations at the hearing, and being fully informed in the premises and further based upon the Findings of Fact and Conclusions of Law hereinabove set forth, DO HEREBY ORDER AND THIS DOES ORDER:

- 6.1** That the Combined Preliminary and Final Plat application (Case No. 20-01-CPF) is hereby *approved*.

BY ACTION OF THE CITY COUNCIL of the City of Kuna at its regular meeting held on the 17th day of November 2020.

Joe Stear, Mayor

6	UPDATED Pre-Plat per P&Z Request			X
7	Illustrative Site Plan 02.13.20			X
8	Original Pre-Plat 02.11.20			X
9	Phasing Plan 02.11.20			X
10	Legal Description 02.19.20			X
11	Site Photos			X
8	City Engineer Memo 06.29.20			X
9	ACHD Staff Report 04.24.20			X
10	Boise Project Board of Control Letter 03.30.20			X
11	Central District Health Dept. Letter 04.07.20			X
12	COMPASS Letter			X
13	DEQ Letter 04.03.20			X
14	Dept. of Water Resources Letter 04.06.20			X
15	ITD Letter 04.03.20			X
16	Kuna Rural Fire District (KRFD) Email 03.30.20			X
17	Traffic Impact Study (TIS) Executive Summary 11.2019			X
18	Traffic Impact Study Addendum #1 03.2020			
19	CC&R's			X
20	Neighborhood Meeting Certification & Noticing Map			X
21	Curtis Krohn Letter 09.8.20			X
22	John & Clare Marsala Letter 07.8.20			X
23	John & Clare Marsala Letter 09.15.20			X
24	Clare Marsala Email 09.15.20			X
25	John & Paula Serna Email 09.8.20			X
26	Jim & Dee Wuehler Letter 07.13.20			X
27	P&Z Commission Findings of Fact & Conclusions of Law			X
28	P&Z Commission Minutes from 07.14.20			X

1.2 Hearings

1.2.1 Planning and Zoning Commission heard this on July 14, 2020. The Council heard this on October 6, 2020 for receipt and consideration by the City Council of these Findings of Fact, Conclusions of Law and Order of Decision for the above referenced Applications. Due to a noticing error and at the applicants' request, Council continued the public hearing until October 20, 2020. The City Council does now hereby make and set forth the Record of Proceedings, and these Findings of Fact, Conclusions of Law (FCO's), and Order of Decision. The FCO's have been requested to go to the Council November 17, 2020.

1.3 Witness Testimony

1.3.1 Those who testified at the Planning & Zoning Commissions July 14, 2020 hearing are as follows, to-wit:

1.3.1.1 City Staff:
Troy Behunin, Planner III

1.3.1.2 Appearing for the Applicant:
Jane Suggs, Gem State Planning, LLC
9840 W. Overland Road, Ste. 120
Boise, Idaho, 83709

1.3.1.3 Neighboring Property Owners appearing in opposition:
John Marsala – Testified
2150 Secluded Court
Kuna, Idaho, 83634

Clare Marsala – Testified
2150 Secluded Court
Kuna, Idaho, 83634

1.3.1.4 Neighboring Property Owners appearing in Neutral:
Robin Douglas
1809 N. Thistle Drive
Kuna, Idaho, 83634

1.3.1.5 No persons testified in support of the application.

1.3.2 Without testimony, the Council’s October 6, 2020 hearing was continued to October 20, 2020.

1.3.3 Those who testified at the Council’s October 20, 2020 hearing are as follows, to-wit:

1.3.3.1 City Staff:
Troy Behunin, Planner III

1.3.3.2 Appearing for the Applicant:
Jane Suggs, Gem State Planning, LLC.
9840 W. Overland Road, Ste. 120
Boise, Idaho, 83709

1.3.3.3 Neighboring Property Owners appearing in opposition:
John Marsala – Testified
2150 Secluded Court
Kuna, Idaho, 83634

Clare Marsal – Testified
 2150 Secluded Court
 Kuna, Idaho, 83634

- 1.3.3.4** No persons testified in support of the application.
- 1.3.3.5** No persons testified Neutral of the application.
- 1.3.6** No other witnesses appeared at the hearing on October 20, 2020, and the hearing was then closed for the receipt of evidence and testimony.

II DECISION

WHEREUPON THE CITY COUNCIL being duly informed upon the premises and having reviewed the record, evidence, and testimony received and being fully advised in the premises, DO HEREBY MAKE THE FOLLOWING FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER, to-wit:

III FINDINGS OF FACT

3.1 Findings Regarding Notice

3.1.1 Notice Required: Notice has been given in accordance with the City Code and Idaho Statutes.

3.1.2 Notice Provided

3.1.2.1 Notice was published for the October 20, 2020 hearing on the Preliminary Plat for Fossil Creek Subdivision in the *Kuna Melba Newspaper*, the official City of Kuna newspaper, which has general circulation within the boundaries of the City and in Ada County and Canyon County.

<i>Newspaper</i>	<i>Date Published</i>
<i>Kuna Melba Newspaper</i>	September 16, 2020

3.1.2.2 Notice for the October 6, 2020 hearing containing the legal description of the property proposed to be developed was mailed September 25, 2020 to all known and affected property owners within four hundred (400) feet of the boundaries of the area described in the application.

- 3.1.2.3** Notice for the October 6, 2020 and the October 20, 2020 hearing was posted in conspicuous places within City Hall on the Foyer Bulletin Boards, City Website, and Post Office.

3.2 Findings Regarding Preliminary Plat Application

- 3.2.1** The applicant has submitted a complete application, and following staff review, the application appears to be in general compliance with the requirements, public improvement requirements, objectives and considerations listed in KCC 6-2-3 and Comprehensive Plan.
- 3.2.2** The proposal is for a multi-phased Subdivision on approximately 66.75 acres, that would include 272 single-family residential lots and 11 common lots. The applicant has not requested a zoning change in their application and will utilize the existing R-5 (Medium Density Residential) zoning. The land for proposed Subdivision is comprised of four (4) parcels, all within Kuna City Limits. The parcels are located approximately one quarter mile from the southwest corner of Ten Mile Road & Deer Flat Road.
- 3.2.3** Historically, the parcels have been used for Agricultural purposes. The parcels are generally flat and on-site vegetation is consistent with typical Agriculture fields. There are no residences on these lands.
- 3.2.3** The existing land uses and zoning designations for lands surrounding the subject parcels is as follows:

North	R-3 R-6 RUT	Low Density Residential: Kuna City Medium Density Residential: Kuna City Rural Urban Transition: Ada County
South	RR RUT	Rural Residential: Ada County Rural Urban Transition: Ada County
East	C-1 R-4	Neighborhood Commercial: Kuna City Medium Density Residential: Kuna City
West	R-6 RR	Medium Density Residential: Kuna City Rural Residential: Ada County

- 3.2.4** Improvements and changes to existing roadways will need to be made as part of the proposed project. The applicant testified to their willingness to make these improvements.
- 3.2.5** The Kuna Comprehensive Plan has listed numerous goals for providing a variety of housing densities and types to accommodate various lifestyles, ages and economic groups.

3.3 Testimony of the City Planner

- 3.3.1 Conclusions:** The City Planner, in a memo to the council dated October 6, 2020, and October 20, 2020, confirmed that a review of the site and records on file at the City of Kuna has been completed with the following conclusions:

- 3.3.1.1 The applicant proposes to subdivide approximately 66.75 acres to create a subdivision known as *Fossil Creek Subdivision*. The site is within Kuna City Limits and is currently zoned R-5 (Medium Density Residential). The property was zone with the original Preliminary Plat in 2003.
 - 3.3.1.2 The City of Kuna Future Land Use Map (FLUM) and the Comprehensive Plan for Kuna identifies this parcel as MDR, which equals four (4) to eight (8) dwelling units per acre (DUA).
 - 3.3.1.3 This application requests an approximate 4.07 Gross DUA.
 - 3.3.1.4 This subdivision proposes 8.4 acres (12.5%) of useable open space including trails along the Ramsey Lateral, and a future open space segment along Indian Creek, plus other internal open spaces and trails. Staff views this proposal to be in concert with the FLUM and Comprehensive Plan.
 - 3.3.1.5 Applicant proposes 272 home lots and 11 common lots (283 total).
 - 3.3.1.6 Staff has determined this application complies with Title 5 of Kuna City Code; Idaho Statute §50-222; Comprehensive Plan; and FLUM.
- 3.3.2 Staff Recommendations:** As a result of the review, Senior Planner, Troy Behunin, recommended approval of the applications with the following conditions:
- 3.3.2.1 The applicant and/or owner would be required to 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 must include the lighting, landscaping, drainage, and development plans. All site improvements would be prohibited prior to approval from the following agencies:
 - 3.3.2.1.1 The City Engineer shall approve all sewer connections and grading plans.
 - 3.3.2.1.2 The City Engineer shall approve drainage and grading plans.
 - 3.3.2.1.3 Central District Health Department requires the plan be designed and constructed in conformance with standards contained in, “Catalog for Best Management Practices for Idaho Cities and Counties”.
 - 3.3.2.1.4 No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan by the City Engineer.

- 3.3.2.1.5** 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.
- 3.3.2.1.6** The *Boise Project and Board of Control* shall approval any modifications to the existing irrigation system.
- 3.3.2.1.7** No public street construction may shall be commenced without approval and permit from Ada County Highway District and Idaho Transportation Department.
- 3.3.2.1.8** All public rights-of-way shall be dedicated and constructed to standards of the City and Ada County Highway District.
- 3.3.2.1.9** Approval from Ada County Highway District shall be obtained and Impact Fees must be paid prior to issuance of any building permit.
- 3.3.2.2** Installation of utility service facilities shall comply with requirements of the public utility or irrigation district providing services. All utilities shall be installed underground, see KCC 6-4-2-W.
- 3.3.2.3** 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.
- 3.3.2.4** Street lighting shall use LED lights, with spacing and wattages meeting KCC 5-4-6; applicant shall coordinate a street light plan for Council approval in concert with the prepared construction drawings for the project. Place street lighting at all intersections and near all fire hydrants.
- 3.3.2.5** Parking within the site shall comply with KCC 5-9-3.
- 3.3.2.6** Fencing within and around the site shall comply with Kuna City standards – KCC 5-5-5- A-J and KCC 6-4-2-E.
- 3.3.2.7** 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 three days or as the planting season permits as required to meet KCC 5-17-7 standards. Maintenance and planting within public rights-of-way shall be approved and permitted by the public entities owning the property.
- 3.3.2.8** Submit a petition to the City 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 to the Kuna

Municipal Pressure Irrigation System of the City (KMIS) prior to requesting final plat signature from the City Engineer.

- 3.3.2.9** Applicant shall work with the Public Works Department to bring utilities to and thru the site and provide stubs to adjacent properties in conformance with KCC.
- 3.3.2.10** Applicant shall improve and widen Deer Flat Road with curb, gutter and sidewalk at the appropriate width.
- 3.3.2.11** The land owner/applicant/developer and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the Commission and/or Council, or seek amending them through public hearing processes.
- 3.3.2.12** The applicant's proposed preliminary plat (dated 02/11/20) shall be considered a binding site plan, or as modified and approved through the public hearing process.
- 3.3.2.13** The applicant's proposed landscape plan (dated 02/13/20) shall be considered a binding site plan, or as modified and approved through the public hearing process.
- 3.3.2.14** Applicant shall remedy any outstanding code enforcement items prior to recordation of Final Plat.
- 3.3.2.15** All streets shall be improved and dedicated as public roads.
- 3.3.2.16** Applicant shall work with KRFD to accommodate EMS access and all other requirements of the KRFD
- 3.3.2.17** Applicant shall keep the subdivision name as presented and approved by Council and may not change it for marketing purposes unless approved by Council.
- 3.3.2.18** Applicant shall follow staff, City Engineer and other agency recommended requirements as applicable.
- 3.3.2.15** Compliance with all local, state and federal laws is required.
- 3.3.2.16** Applicant shall not request final plat approval until the City's Public Works Director issues the Will-Serve Letter to the applicant that states the City's Ten Mile Lift Station or some other City appurtenance has capacity to accept the wastewater discharged from the proposed subdivision.
- 3.3.2.17** In the event a Will-Serve Letter is not issued within the time the Applicant is required to record a final plat, the Applicant shall have good cause and be eligible to receive, pursuant to KCC § 6-2-3 (J), a time

extension to file a final plat up to and until a Will-Serve Letter has been issued.

3.4 Other Testimony

- 3.4.1** August 18, 2020 Public Hearing: Gary McAllister testified the project was varied in-home sizes and felt it would fit in nicely in the area. Mr. McAllister spoke with the irrigation district to find out if they wanted fences installed, they did not want fences in the right-of-way whatsoever. The applicant also spoke to the neighbor on the north about connecting to the pressurized irrigation system and indicated they would probably work that out. Mr. McAllister also testified the owners were okay with the cul-de-sac but had preferred the “Snoopy”; ACHD preferred the cul-de-sac since it would be a public road.
- 3.4.2** September 1, 2020 Public Hearing: No additional public testimony was given or received.
- 3.4.3** September 15, 2020 Public Hearing: No additional public testimony was given or received.
- 3.4.4** October 6, 2020 Public Hearing: No additional public testimony was given or received.

IV

CONCLUSIONS OF LAW

RE: POWERS AND DUTIES OF THE CITY COUNCIL

- 4.1** City of Kuna is a duly formed Municipal Corporation organized and existing by virtue of the laws of the State of Idaho and is organized, existing and functioning pursuant to Chapter 1, Title 50, Idaho Code.
- 4.2** The power of the City of Kuna lies in the City Council to hear this matter as provided in Idaho Code §50-13 & §67-65, and Kuna City Code 6-1-2.
- 4.3** The Kuna City Council has the exclusive general supervisory authority over all plat approvals and certification under their jurisdiction as provided in Idaho Code §50-1308.
- 4.4** The Kuna City Council cannot exercise extraterritorial jurisdiction and give final approval on land use applications for lands outside of the Kuna City boundaries unless said lands are first annexed into the city boundaries. *See Casteneda v. Brighton Corp.*, 130 Idaho 923 (1997); *see also* Article XII, § 2, of the Idaho Constitution.

V

CONCLUSIONS OF LAW

RE: APPLICATION FOR PRELIMINARY PLAT

- 5.1** The City of Kuna has authority to approve preliminary plats within its boundaries pursuant to Idaho Code §50-13 & §67-65, and Kuna City Code 6-1-2.

VI**ORDER OF APPROVAL OF APPLICATION FOR PRELIMINARY PLAT**

The Kuna City Council, having review the above entitled record, having listened to the arguments and presentations at the hearing, and being fully informed in the premises and further based upon the Findings of Fact and Conclusions of Law hereinabove set forth, DO HEREBY ORDER AND THIS DOES ORDER:

6.1 That the Preliminary Plat application (Case No. 20-01-S) is hereby *approved*.

BY ACTION OF THE CITY COUNCIL of the City of Kuna at its regular meeting held on the 17th day of November 2020.

Joe Stear, Mayor

**BEFORE THE CITY COUNCIL
OF THE
CITY OF KUNA**

IN THE MATTER OF THE APPLICATIONS OF) **Case Nos. 19-08-AN (Annexation)**
)
)
TRILOGY DEVELOPMENT, INC)
)
) **FINDINGS OF FACT,**
) **CONCLUSIONS OF LAW,**
) **AND ORDER OF APPROVAL**
 For Annexation of *Black Rock Market Place-*) **OF ANNEXATION**
Village.) **APPLICATION.**

THESE MATTERS came before the City Council for public hearing on November 4, 2020 for receipt and consideration by the City Council of these Findings of Fact, Conclusions of Law and Order of Decision for the above referenced Applications. The City Council does now hereby make and set forth the Record of Proceedings, and these Findings of Fact, Conclusions of Law, and Order of Decision.

**I
RECORD OF PROCEEDINGS**

The record of proceedings of the above-referenced matter consists of the follow, to-wit:

1.1 Exhibits:

<i>DESCRIPTION OF EVIDENCE</i>		<i>Withdrawn</i>	<i>Refused</i>	<i>Admitted</i>
1	CC Staff Memo			X
2	Letter of Intent			X
3	Commission Council Review Application			X
4	Vicinity Map			X
5	Original Legal Description for R-20			X
6	Original Legal Description for C-2			X
7	Black & White Proposed Zoning Assignments			X

8	Colored Proposed Zoning Assignments			X
9	P&Z Proposed Changes to R-20			X
10	P&Z Proposed Changes to C-2			X
11	City Engineer memo			X
12	ACHD Staff Report			X
13	Boise Proj. Board of Control Report			X
14	COMPASS Report			X
15	Kuna Rural Fire Dist. (KRFD)			X
16	Site Photos			X
17	Neighborhood Meeting Certification and Mtg. Minutes			X
18	Affidavit of Legal Interest			X
19	Proof of Ownership			X
20	Commission Findings of Fact			X
21	Commission Mtg. Minutes 8.11.2020			X

1.2 Hearings

1.2.1 Planning and Zoning Commission heard this on June 23rd and staff requested the application be tabled until August 11, 2020 due to a noticing violation. The Council heard this on November 4, 2020. The FCO's have been requested to go to the Council November 17, 2020.

1.3 Witness Testimony

1.3.1 Those who testified at the Commission's June 23, 2020 hearing are as follows, to-wit:

1.3.1.1 City Staff:
Troy Behunin, Planner III

1.3.2 Those who testified at the Commission's August 11, 2020 hearing are as follows, to-wit:

1.3.2.1 City Staff:
Troy Behunin, Planner III

1.3.2.2 Appearing for the Applicant:
TJ Angstman, Liquid Realty Investments

1.3.2.3 Neighboring Property Owners appearing neutral:

1.3.2.4 Neighboring Property Owners appearing in opposition:
Daniel McDonald, 1867 N. Siltstone Way; Signed up and testified.

Michelle Sheffield, 1935 N. Meadowfield Ave; Signed up but did not testify.

Charles Sheffield, 1935 N. Meadowfield Ave; Signed up but did not testify.

1.3.2.5 Neighboring Property Owners appearing in support:
David Gronbeck, 1400 E Kokanee Lane; Signed up but did not testify.

1.3.3 Those who testified at the Council's November 4, 2020 hearing are as follows, to-wit:

1.3.3.1 City Staff:
Troy Behunin, Planner III

1.3.3.2 Appearing for the Applicant:
TJ Angstman, Liquid Realty Investments

1.3.3.3 Neighboring Property Owners appearing neutral:

1.3.3.4 Neighboring Property Owners appearing in opposition:

1.3.3.5 Neighboring Property Owners appearing in support:
David Gronbeck, 1400 E Kokanee Lane; Signed up but did not testify.

1.3.4 No other witnesses appeared at the hearing on November 20, 2020, and the hearing was then closed for the receipt of evidence and testimony.

II DECISION

WHEREUPON THE CITY COUNCIL being duly informed upon the premises and having reviewed the record, evidence, and testimony received and being fully advised in the premises, DO HEREBY MAKE THE FOLLOWING FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER, to-wit:

III FINDINGS OF FACT

3.1 Findings Regarding Notice

3.1.1 Notice Required: Notice has been given in accordance with the City Code and Idaho Statutes.

3.1.2 Notice Provided

- 3.1.2.1** Notice was published for the November 4, 2020 hearing on the annexation for Black Rock Marketplace-Village was published in the *Kuna Melba Newspaper*, the official City of Kuna newspaper, which has general circulation within the boundaries of the City and in Ada County and Canyon County.

<i>Newspaper</i>	<i>Dates Published</i>
<i>Kuna Melba Newspaper</i>	October 14, 2020

- 3.1.2.2** Notice for the November 4, 2020 hearing containing the legal description of the property proposed to be developed was mailed on the October 23, 2020 to all known and affected property owners within four hundred (400) feet of the boundaries of the area described in the application.

- 3.1.2.3** Notice for the November 4, 2020 hearing was posted in conspicuous places within City Hall on the Foyer Bulletin Boards and City Website.

3.2 Findings Regarding Annexation

- 3.2.1** The land for proposed annexation is comprised of multiple parcels totaling approximately 97 acres. The parcels include the following:

Property Owner	Parcel Size – Approx.	Current Zone	Parcel Number
Hill, Margaret Family LP	40.82 acres	RUT (Rural Urban Transition)	S1313449902

- 3.2.2** All private landowners have consented to annexation.

- 3.2.3** The parcel is located at the northwest corner of Meridian and Deer Flat Roads in Kuna, ID 83634, Section 13, Township 2 North, Range 1 West.

- 3.2.4** The parcel is currently in Ada County and has a county zoning designation of Rural Urban Transition (RUT).

- 3.2.5** The existing land uses and zoning designations for lands surrounding the subject parcels is as follows:

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

- 3.2.6** The parcel is contiguous to Kuna City boundaries on the Southern, Eastern and Western sides, and has historically been used for agricultural purposes.
- 3.2.7** There is currently two (2) residences and a number of outbuildings spread throughout the parcel. Otherwise, the land is agricultural in nature.
- 3.2.8** The parcels have an estimated slope of 1% to 1.4%. According to the USDA Soil Survey for Ada County, bedrock depth is estimated to be greater than 60 inches across a majority of the proposed development area, however, there are some areas where bedrock depth is estimated between 20” and 40” along the northern boundaries.
- 3.2.9** This proposal generally complies with the Kuna Comprehensive Plan. The proposed zoning districts are C-2 (Area Commercial) and R-20 (High Density Residential). The Comprehensive Plan Map designates the properties as Mixed-use.

3.3 Testimony of the City Planner

- 3.3.1 Conclusions:** The City Planner, in a memo to the council dated November 4, 2020, confirmed that a review of the site and records on file at the City of Kuna has been completed with the following conclusions:
- 3.3.1.1** On September 26, 2019 Planning and Zoning staff held a pre-application meeting with the applicant, Public Works, the Parks Department, the Kuna School District, Kuna Rural Fire District and Kuna Police Department to discuss the project. The applicant held a neighborhood meeting with neighboring land owners within 400 ft of the proposed project area on October 16, 2019 where two persons attended. The meeting minutes as well as mailed materials have been included as an exhibit within this application.
- 3.3.1.2** The applicant is proposing to annex the approximately 40.82-ac into Kuna City Limits. As the parcel touches Kuna City Limits on the west, and south sides of the site; with the land owner consenting to the annexation, the land is eligible for a category “A” annexation. In accordance with the Mixed-Uses shown on the FLUM, the applicant proposes to incorporate a mixture of Multi-family housing and Commercial uses within the project area. The applicant proposes to zone approx. 13.22 acres of the development to R-20 HDR. The remaining development area, approx. 27.45 ac is proposed to be zoned C-2 (Area Commercial).
- 3.3.1.3** This request is limited to the annexation of the land into Kuna City Limits, and assigning a zone to the property upon annexation. The applicant intends to follow Kuna City Code (KCC) and is requesting the

R-20 zone to place a multi-family project onsite. If approved by Council, the R-20 zone will only require a Design Review application for the buildings, parking, landscaping and street lights for a Multi-family (MF) project within the HDR. If the applicant intends to subdivide the land for each of the Multi-Family units, then the applicant will be required to submit a preliminary plat for approval by Council. Based on future Commercial uses, the applicant may need to apply for additional approvals which may include Special Use Permits and will require Design Review for all Commercial uses. The applicant will also be required to submit a preliminary plat in order to subdivide for Commercial uses which will be subject to Councils approval. Applicant is hereby notified that KCC 5-17 requires developments provide a certain percentage of useable open space for the residents along with a certain number of parking stalls, based entirely on the number of dwelling units. A dwelling unit is defined in KCC.

3.3.1.4 Staff notes the City Engineer states in his memo that Danskin Lift Station is nearing capacity, and staff recommends that the applicant be conditioned to/shall work with the City Engineer to ensure proper capacity. In between the Commission meeting and this Council meeting and in response to discussions with the City attorney and Public works director, staff recommends the Council add two new conditions to the Conditions of Approval listed as No's 18 and 19.

- **New Proposed 18** - Applicant shall not request final plat approval until the City's Public Works Director issues the Will-Serve Letter to the applicant that states the City's Ten Mile Lift Station or some other City appurtenance has capacity to accept the wastewater discharged from the proposed subdivision.
- **New Proposed 19** - In the event a Will-Serve Letter is not issued within the time the Applicant is required to record a final plat, the Applicant shall have good cause and be eligible to receive, pursuant to KCC § 6-2-3 (J), a time extension to file a final plat up to and until a Will-Serve Letter has been issued.

3.3.1.5 With this proposed project, the applicant is proposing five (5) connections to classified roads. Two points on Ardell Road, an east-west major collector; one access on Deer Flat Road an east-west minor arterial; and three connections to Meridian Road a principal arterial also known as Kuna's Entry Corridor, and it is within the Overlay District. Additionally, the project proposes two connections to Winfield Springs Subdivision (See above for locations). The applicant is proposing two full ingress/egress *and* a Right-in/Right-out along their one-half mile of frontage. Staff notes that with future development the applicant shall be

required to install sidewalks street lights, roadway-improvements and other items in accordance with KCC 5-17-13 and 6-4-2.

3.3.1.6 Kuna's Comprehensive Plan (Comp Plan) encourages a variety of all commercial types, housing types for all income levels, open space and pathways numerous times throughout the document. Pertinent sections of the Comp Plan that address the above listed items are included below in Section 'H' of this staff report. Staff has reviewed the proposed annexation request and finds the annexation and zoning requests are in compliance with KCC Title 5 and Title 6 of the Kuna City Code; Idaho Statute § 67-6511; the Kuna Comprehensive Plan and FLUM. The applicant shall be required to work with Kuna's staff, Ada County Highway District (ACHD), the Kuna Rural Fire District (KRFD) and any other applicable agencies to ensure conformance to each agency's requirements. Staff recommends that if the Council approves Case No. 19-08-AN (Annexation), the applicant shall be subject to the conditions of approval listed in section 'K' of this report, as well as any additional conditions requested by the Planning and Zoning Commission.

3.4.2 Staff Recommendations: As a result of the review, the City Planner III, Troy Behunin, recommended that if the City Council approves case no. 19-08-AN, the applicant be subject to the following conditions of approval, including two additional recommended conditions:

- *Applicant shall not request final plat approval until the City's Public Works Director issues the Will-Serve Letter to the applicant that states the City's Ten Mile Lift Station or some other City appurtenance has capacity to accept the wastewater discharged from the proposed subdivision.*
- *In the event a Will-Serve Letter is not issued within the time the Applicant is required to record a final plat, the Applicant shall have good cause and be eligible to receive, pursuant to KCC § 6-2-3 (J), a time extension to file a final plat up to and until a Will-Serve Letter has been issued.*

3.4.2.1 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:

3.4.2.1.1 The City Engineer shall approve the sewer hook-ups.

3.4.2.1.2 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.

- 3.4.2.1.3** 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”.
- 3.4.2.1.4** 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.
- 3.4.2.1.5** The Kuna Municipal Irrigation System and Boise Project Board of Control shall approve any modifications to the existing irrigation system.
- 3.4.2.1.6** Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to *issuance* of any building permit(s).
- 3.4.2.1.7** 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.
- 3.4.2.2** 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**.
- 3.4.2.3** 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.
- 3.4.2.4** 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 (KMIS).
- 3.4.2.5** Connection to City Services (Sewer, Water, Pressurized Irrigation) is required. The applicant shall conform all corresponding Master Plans.
- 3.4.2.6** Curb, gutter and sidewalk (attached and detached) shall be installed in accordance with Kuna City Code Title 5 Chapter 17 and Title 6 Chapter 4.

- 3.4.2.7** Street lights for the site shall be LED lighting and must comply with Kuna City Code and established Dark Sky practices.
- 3.4.2.8** Fencing within and around the site shall comply with Kuna City Code (Unless specifically approved otherwise and permitted).
- 3.4.2.9** All required landscaping shall be permanently maintained in a healthy growing condition. The property owner shall remove and replace unhealthy or dead plant material within 3 days or as the planting season permits as required to meet the standards of these requirements. Maintenance and planting within public rights-of-way shall be with approval from the public entities owning the property.
- 3.4.2.10** Landscaping shall not be placed within ten (10) feet of any and all meter pits, pressurized irrigation valves and/or ACHD underground facilities and must honor all vision triangles.
- 3.4.2.11** All signage within/for the project shall comply with Kuna City Code, and shall be approved through the applicable sign approval process listed in KCC 5-10.
- 3.4.2.12** Applicant shall follow KCC 5-17 and provide the require percentage of useable open space for the residents which is based on the number of dwelling units.
- 3.4.2.13** Applicant shall follow KCC 5-17 and provide the require number of parking stalls, based on the number of dwelling units.
- 3.4.2.14** 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.
- 3.4.2.15** Developer/owner/applicant shall follow staff, City engineers and other agency recommended requirements as applicable.
- 3.4.2.16** Developer/owner/applicant shall comply with all local, state and federal laws.
- 3.4.2.17** Applicant shall work with the City Engineer to ensure sewer lift station in the Danskin lift station and possibly work with the City Engineer for solutions as needed.
- 3.4.2.18** Applicant shall not request final plat approval until the City's Public Works Director issues the Will-Serve Letter to the applicant that states the City's Ten Mile Lift Station or some other City appurtenance has

capacity to accept the wastewater discharged from the proposed subdivision.

- 3.4.2.19** In the event a Will-Serve Letter is not issued within the time the Applicant is required to record a final plat, the Applicant shall have good cause and be eligible to receive, pursuant to KCC § 6-2-3 (J), a time extension to file a final plat up to and until a Will-Serve Letter has been issued.

3.5 Other Testimony

- 3.5.1** 08/11/2020 Public Hearing – TJ Angstman, testified about their intentions for future development; providing a mix of uses, and have adjusted the residential component down to 5.18 acres based on comments from Kuna Rural Fire District.
- 3.5.2** 08/11/2020 Public Hearing – Daniel McDonald, 1867 N. Siltstone Way, Kuna, ID 83634, Adding high density to this project is concerning because schools are overcrowded. Understood that the NWC of Meridian Road and Deerflat was to be a park location, but agreed would be a great place for commercial. Multiple accesses onto Ardell provides will create a hazard problem.
- 3.5.3** 08/11/2020 Public Hearing – TJ Angstman (rebuttal) Believes those were all fair comments, and would share the same concern if he lived in that neighborhood. They do not have users yet, which makes mitigation difficult at this time, but they will follow the policies that are established by the City and ACHD.
- 3.5.4** 11/4/2020 Public Hearing – TJ Angstman, testified about the intentions for future development; the entirety of their property would be within 1,300 feet of Meridian Road. It was a requirement of mixed use to have a residential component; not just two different kinds of commercial uses. It was the designation which was why they worked so hard on their design and reduced it significantly. They thought they had found a way to take one of the stub streets from the Toll Brother's subdivision and do an L shape out to Ardell. They hired a traffic engineer that seemed very knowledgeable and they were making changes to their designed based on their recommendation to move from 330 feet from Meridian Road to 440 feet with only a single access on Ardell instead of two. Council would see all of these things later but he wanted them to know he had thought about it. It would be a public road connecting to Toll Brothers out to Ardell and there would probably be a bus stop there. That would be the only access on Ardell. They devised a roadway system with a nub on the road that would block traffic from going one direction so everyone coming from the townhouse side would have to go out to Ardell; not Meridian Road. Otherwise, the real risk to them was all of their accesses to Meridian Road being shut off. They had three deeded accesses, and in their site plan submitted to City staff they reduced that to two. It was rare to have deeded accesses but they weren't going to use them. He noted they had closed on the property and owned it. They really wanted to be part of the city and the community.

3.5.5 11/4/2020 Public Hearing – TJ Angstman (Rebuttal), stated they were not going to ask the City to pay for sewer. They were going to participate and might have to have late comers’ fees. Unfortunately, they were probably at the end of the line and no one would be connecting behind them if they put in a lift station. He would like Council to approve some of the other developments with the same conditions so their developers would pay some of it too. They would like to see contributions from everyone that would benefit from upgrading the Danskin Lift Station. The best way to do that was to get them teed up but not ready to go until this was solved. It was not a word problem. It was a money problem. Sewer would move downhill with money. They just needed enough people with economic interest to support upgrading these. The money is what will solve the problem. It wouldn’t be words, talking, or hearings. He agreed with Council Member Cardoza that this wasn’t really shouldn’t be at Council’s level. It was something they solved all the time on their projects; infrastructure. It was difficult to work with people but they had to. What it came down to usually was money. He wasn’t trying to criticize Council’s denial of the other projects. Theirs was different because they only included annexation and zoning; not a preliminary plat. They would come back later for the preliminary plat after the problem was solved. He wouldn’t come back again and he couldn’t leave with a denial. It would give him a 12-month time out and he would have to withdraw his application if he thought they were going to deny him. They filed this application a year ago. It was important to get the zoning in before getting in front a tenant because if they heard the City was out, they would go elsewhere. His biggest fear for Kuna was the commercial center would go a bit north and the town would get spread out with two cores. They were places around where that happened and it hurt the community’s sense of place. Kuna had that.

IV

CONCLUSIONS OF LAW

RE: POWERS AND DUTIES OF THE CITY COUNCIL

- 4.1 City of Kuna is a duly formed Municipal Corporation organized and existing by virtue of the laws of the State of Idaho and is organized, existing and functioning pursuant to Chapter 1, Title 50, Idaho Code.
- 4.2 The power of the City of Kuna lies in the city council to hear this matter as provided in Chapter 2, Title 50, Idaho Code and Chapter 65, Title 67, Idaho Code, and Kuna City Code § 6-2-3 (F).
- 4.3 The Kuna City Council cannot exercise extraterritorial jurisdiction and give final approval on land use applications for lands outside of the Kuna City boundaries unless said lands are first annexed into the city boundaries. *See Casteneda v. Brighton Corp.*, 130 Idaho 923 (1997); *see also* Article XII, § 2, of the Idaho Constitution.
- 4.5 “Annexation” is legislative act of city government accomplished by enactment of ordinance. I.C. § 50-222; *Crane Creek Country Club v. City of Boise*, 1990, 121 Idaho 485 (1990) (on rehearing).

- 4.6** Annexation ordinances are not creatures of Local Planning Act, I.C. § 67-6501 et seq.; rather, annexation authority flows from statute antedating Local Planning Act which broadly authorizes a city to annex adjacent territory and by ordinance to declare the annexed area part of city. I.C. § 50-222; *Coeur D'Alene Indus. Park Property Owners Ass'n, Inc. v. City of Coeur D'Alene*, 108 Idaho 843 (1985).

V

CONCLUSIONS OF LAW RE: APPLICATION FOR ANNEXATION

- 5.1** The City of Kuna has authority to annex lands into its boundaries pursuant to I.C. § 50-222.
- 5.2** I.C. § 50-222(1) provides that:

[C]ities of the state should be able to annex lands which are reasonably necessary to assure the orderly development of Idaho's cities in order to allow efficient and economically viable provision of tax-supported and fee-supported municipal services, *to enable the orderly development of private lands* which benefit from the cost-effective availability of municipal services in urbanizing areas and to equitably allocated the costs of public services in management of development on the urban fringe.

- 5.3** The proposed annexation is a Category A annexation as described in I.C. § 50-222(3)(a), because all private landowners of the parcels at issue have consented to the proposed annexation.

VI

ORDER OF APPROVAL OF APPLICATION FOR ANNEXATION

The Kuna City Council, having review the above entitled record, having listened to the arguments and presentations at the hearing, and being fully informed in the premises and further based upon the Findings of Fact and Conclusions of Law hereinabove set forth, DO HEREBY ORDER AND THIS DOES ORDER:

- 6.1** That the annexation application (Case No. 19-08-AN) is Approved, subject to the conditions of approval outlined in 3.4.2.

BY ACTION OF THE CITY COUNCIL of the City of Kuna at its regular meeting held on the 17th day of November, 2020.

Joe Stear, Mayor

8	Preliminary Plat			X
9	Parcel Legal Descriptions			X
10	City Engineer Memo			X
11	ACHD Staff Report			X
12	COMPASS Report			X
13	Dept. of Environmental Quality (DEQ)			X
14	Idaho Transportation Department (ITD)			X
15	UPDATED Idaho Transportation Department (ITD)			X
16	Kuna Rural Fire District (KRFD)			X
17	Kuna School District Email 8.11.20			X
18	Subdivision Name Reservation			X
19	Site Photos			X
20	Traffic Impact Study (TIS) Thompson Engineers			X
21	Traffic Impact Study Memo (TIS) Horrocks Engineers			X
22	CC&R's Maintenance Agreement			X
23	Sarah Gates Email 7.9.20			X
24	Chad Horton Email 7.9.20			X
25	Christi Horton Email 7.9.20			X
26	Danny S. Horton Email 7.9.20			X
27	Ken and Linda Jantz Letter 7.14.20			X
28	Joe Randall Email 7.8.20			X
29	Henry and Sherry Huber 6.18.20			X
30	Sherry Huber Email 6.4.20			X
31	Sherry Huber Email 6.5.20			X
32	Sandra Martin Letter 7.9.20			X
33	Sherry Huber Letter 8.31.20			X
34	Sherry Huber Letter 9.3.20			X
35	Planning and Zoning Commission Findings of Fact			X
36	Commission Meeting Minutes 8.11.20			X

1.2 Hearings

1.2.1 Planning and Zoning Commission heard this on July 28, 2020 and it was tabled to August 11, 2020. The Council heard this on November 4, 2020 The Findings of Fact have been requested to go to the Council November 17, 2020.

1.3 Witness Testimony

1.3.1 Those who testified at the Planning and Zoning Commission's July 28, 2020 hearing are as follows, to-wit:

**II
DECISION**

WHEREUPON THE CITY COUNCIL being duly informed upon the premises and having reviewed the record, evidence, and testimony received and being fully advised in the premises, DO HEREBY MAKE THE FOLLOWING FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER, to-wit:

**III
FINDINGS OF FACT**

3.1 Findings Regarding Notice

3.1.1 Notice Required: Notice has been given in accordance with the City Code and Idaho Statutes.

3.1.2 Notice Provided

3.1.2.1 Notice was published for the November 4, 2020 hearing on the annexation for Patagonia East, Ridge, Lakes Subdivision was published in the *Kuna Melba Newspaper*, the official City of Kuna newspaper, which has general circulation within the boundaries of the City and in Ada County and Canyon County.

<i>Newspaper</i>	<i>Dates Published</i>
<i>Kuna Melba Newspaper</i>	October 14, 2020

3.1.2.2 Notice for the November 4, 2020 hearing containing the legal description of the property proposed to be developed was mailed on the October 23, 2020 to all known and affected property owners within four hundred-fifty (450) feet of the boundaries of the area described in the application.

3.1.2.3 Notice for the November 4, 2020 hearing was posted in conspicuous places within City Hall on the foyer bulletin boards and City Website.

3.2 Findings Regarding Annexation

3.2.1 The land for proposed annexation is comprised of multiple parcels totaling approximately 97 acres. The parcels include the following:

Property Owner	Parcel Size – Approx.	Current Zone	Parcel Number
Wood Properties, LLC	.98 acres	RR - Rural Residential	S1407449560
Roeder Holdings, LLC	17.00 acres	RR - Rural Residential	S1408336300
Roeder Holdings, LLC	31.86 acres	RR - Rural Residential	R9237170650
Roeder Holdings, LLC	.98 acre	RR - Rural Residential	R9237170100
Roeder Holdings, LLC	.99 acre	RR - Rural Residential	R9237170300
Roeder Holdings, LLC	.95 acre	RR - Rural Residential	R9237170400
Roeder Holdings, LLC	.95 acre	RR - Rural Residential	R9237170500
Jill S. Ray	5.69 acres	RR - Rural Residential	R9237170610
Jill S. Ray	.92 acre	RR - Rural Residential	R9237170700
Roeder Holdings, LLC	20.82 acres	RR - Rural Residential	R9321840100
Wood Properties, LLC	55.89 acres	RR - Rural Residential	S1417212700
EE-DA-HOW Farms, LLC	10 acres	RR - Rural Residential	S1417212650

- 3.2.2 All private landowners have consented to annexation.
- 3.2.3 The parcels are located along Locust Grove Road and Hubbard Road, within Sections 7, 8 & 17, all in Township 2 North, Range 1 East.
- 3.2.4 All parcels are currently in Ada County and have a county zoning designation of Rural Residential (RR).
- 3.2.5 The existing land uses and zoning designations for lands surrounding the subject parcels is as follows:

North	RR	Rural Residential: Ada County
South	RR	Rural Residential: Ada County
East	RR	Rural Residential: Ada County
West	R-6	Medium Density Residential: Kuna City
	RR	Rural Residential: Ada County

- 3.2.6 The parcels are contiguous to Kuna City boundaries to the West; the parcels have historically been used for single family and agricultural purposes.
- 3.2.7 There is currently six (6) residences and approximately ten (10) outbuildings spread throughout the parcels. Otherwise, the land is agricultural in nature.
- 3.2.8 There is some topographical variation that appears to run east-west. The vast majority of the site appears to be relatively flat and suitable for development.
- 3.2.9 This proposal generally complies with the Kuna Comprehensive Plan. The proposed zoning districts are R-4, R-6 and R-8 (Medium Density Residential). The Comprehensive Plan Map designates the properties as Medium Density.

3.3 Findings Regarding Preliminary Plat Application

- 3.3.1 All technical requirements listed in KCC 6-2-3 were provided on the Preliminary Plat.
- 3.3.2 The proposal was for a multi-phased, Subdivision that would include 561 single-family dwelling units.
- 3.3.3 The applicant requested multiple zoning designations in their application including R-4 (Medium Density Residential) R-6 (Medium Density Residential) and R-8 (Medium Density Residential).
- 3.3.4 Applicant requested to divide 173.80 acres into 561 single-family lots, 54 common lots, and one (1) 10-acre school lot for the Kuna School District.
- 3.3.5 Wastewater from the proposed development is anticipated to flow to Patagonia Lift Station, and then to be subsequently lifted at Danskin Lift Station. Patagonia and Danskin Lift Stations are operating at above capacity (including existing EDUs and current “Will Serve” EDUs). As result, there is no capacity in either lift station to service this proposed subdivision. The City will be unable to issue a “Will Serve” Letter to receive and process the wastewater from any residential structure constructed within Ledgestone South Subdivision. The City of Kuna is actively working to obtain additional capacity in the Patagonia and Danskin Lift Stations, but it is unknown at this time how long that will take. Therefore, the objective that public services are available to accommodate the proposed subdivision [see Kuna City Code Title 6 at section 6-2-3 (F)] cannot currently be met.
- 3.3.6 The Comprehensive Plan has listed numerous goals for providing a variety of housing densities and types to accommodate various lifestyles, ages and economic group in Kuna, as well as the installation of pathways and open space.
- 3.3.7 Several improvements and changes to existing roadways would need to be made as part of the proposed project. The applicant testified to their willingness to make these improvements.

3.4 Testimony of the City Planner

- 3.4.1 **Conclusions:** The City Planner, in a memo to the council dated November 4, 2020, confirmed that a review of the site and records on file at the City of Kuna has been completed with the following conclusions:

- 3.4.1.1 The subject site straddles the intersection of Hubbard and Locust Grove Roads and involves 12 parcels, seven (7) of these parcels are lots within the Wasatch Subdivision. This application proposes a multi-phased master planned community and generally speaking the project as a whole is in line with the Comprehensive Plan (Comp Plan) and the Comprehensive Plan Map (CPM) designation of LDR, MDR and

Mixed-Use by proposing three residential zones throughout the subject site with an accompanying public school site. This request will complement the two developments to the west and will provide project wide continuity as a multi-phased master planned community, consisting of approximately (Approx.) 163.56 ac.

3.4.1.2 The applicant requests annexation into Kuna City limits applying the Category “A” process for the approx. 163.56 ac. The lands in this application touch City limits on the west side of the site with contiguous land touches moving east and are therefore eligible for annexation. Applicant has submitted an application for annexation for approximately 163.56 acres and is seeking three (3) different zoning designations for these proposed annexing parcels as follows:

- Approx. 59.75 acres are proposed to be annexed with a zone change from Rural Residential (RR) TO R-4 MDR,
- Approx. 86.92 acres are proposed to be annexed with a zone change from RR TO R-6 MDR,
- Approx. 7.54 acres from RR, TO R-8, MDR,
- Approx. 10.2 acres will become an elementary school site.

3.4.1.3 Kuna’s Comp Plan, encourages a variety of housing types for all income levels numerous times throughout the document. Additionally, the City attempts to balance all housing types within the City. Pertinent sections of the Comp Plan that address housing types are included in Section G (Comp Plan Analysis) of this report.

3.4.1.4 The applicant seeks approval for a mix of various uses throughout the project to include multiple zones for residential uses, (MDR all single family); a public school site; open spaces including a possible City park, multiple private parks; and a considerable pathway network (*21.93 acres of open space, or 16.59%*). The applicant proposes a master-planned community for all ages. The applicant is proposing all public streets that will be built to Kuna and ACHD standards (curb, gutters & sidewalks) and must meet Kuna Rural Fire District requirements. Proposing a large network of biking and walking pathways will help reduce vehicle trips for the residents. Since the applicant has proposed multiple residential zones, a school site, and a possible City public park, staff views the overall project to conform to the FLUM designations and Comp Plan document.

3.4.1.5 Staff has reviewed the preliminary plat application and it appears to follow KCC standards and requirements. All roads will be public and will be built to Kuna City and ACHD standards. Staff highlights that along all classified roads, KCC calls for full roadway improvements, including curb/gutter, road widening, and sidewalks at appropriate widths. The City does not allow for borrow ditches for any roads, unless a classified road does not meet the ACHD standards/policies for

vertical curb. If the need arises for borrow ditches on classified roads *and* if ACHD does not specifically allow vertical curb, the applicant shall be conditioned to obtain a license agreement from ACHD to provide grass and watering source in the borrow ditches as allowed. Gravel and bare ground are not an allowed Kuna City ground cover. Staff notes that the subject property will need to be connected to the City's public sewer facilities, potable water and the Kuna Municipal Irrigation System (KMIS). According to the City Engineer, "sewer flows from this development will add a considerable burden to Patagonia Lift Station. The developer will be requested to participate in an engineered evaluation of Patagonia Lift Station and proposed improvements to expand the lift station & force main capacity" – See City Engineer Memo:" 4. *Sanitary Sewer*. Staff has confirmed with the City Engineer that the applicant has agreed to work with the City Engineer for a solution with the Danskin Lift Station upgrade needs. In between the Commission meeting and this Council meeting and in response to discussions with the City Attorney and Public Works Director, staff recommends the Council add two new conditions to the Conditions of Approval listed as No's 15 and 16.

***New Proposed 15** - Applicant shall not request final plat approval until the City's Public Works Director issues the Will-Serve Letter to the applicant that states the City's Ten Mile Lift Station or some other City appurtenance has capacity to accept the wastewater discharged from the proposed subdivision.*

***New Proposed 16** - In the event a Will-Serve Letter is not issued within the time the Applicant is required to record a final plat, the Applicant shall have good cause and be eligible to receive, pursuant to KCC § 6-2-3 (J), a time extension to file a final plat up to and until a Will-Serve Letter has been issued.*

Staff has visited with the applicant and they are aware of these changes to staff's recommendation added in between the Commission and Council meetings, supports their inclusion and is eager to work with the City on a solution for the lift station upgrades.

3.4.1.6 Staff has determined the annexation and preliminary plat 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 Comprehensive Plan. The applicant will be required to work with Kuna's staff, ACHD, Kuna Rural Fire District and any other applicable agencies to ensure conformance to each agency's requirements.

3.4.2 Staff Recommendations: As a result of the review, the City Planner III, Troy Behunin, recommended that if the City Council approves Case Nos. 19-14-AN and

19-11-S, the applicant be subject to the following conditions of approval, including two additional recommended conditions:

- *Applicant shall work with the neighbor regarding the well and driveway and keep staff apprised of these conversations.*
- *Applicant shall work with the School District to resolve the 10-acres that may or may not become a school site, prior to the next City Council meeting.*

3.4.2.1 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:

3.4.2.1.1 The City Engineer shall approve the sewer hook-ups.

3.4.2.1.2 The City Engineer shall approve drainage and grading plans.

3.4.2.1.3 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".

3.4.2.1.4 No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.

3.4.2.1.5 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.

3.4.2.1.6 The Boise Project Board of Control shall approve any modifications to the existing irrigation system.

3.4.2.1.7 Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to *issuance* of any building permit(s).

3.4.2.1.8 No public street construction may be commenced without the approval and permit from da County Highway District and Idaho Transportation Department.

3.4.2.1.9 All public rights-of-way shall be dedicated and constructed to standards of the City and Ada County Highway District.

- 3.4.2.1.10** No public street construction may commence without the approval and permit from Ada County Highway District.
- 3.4.2.2** 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**.
- 3.4.2.3** 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.
- 3.4.2.4** Street lighting shall use LED lights, with spacing and wattages meeting KCC 5-4-6; applicant shall coordinate a street plan for P&Z approval in concert with the prepared construction drawings for the project.
- 3.4.2.5** Parking within the site shall comply with KCC 5-9-3.
- 3.4.2.6** Fencing within and around the site shall comply with Kuna City standards – KCC 5-5-5 A-J and KCC 6-4-2-E.
- 3.4.2.7** A sign permit is required prior to subdivision entrance sign construction and shall comply with KCC 5-10-4.
- 3.4.2.8** 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 three days or as the planting season permits as required to meet KCC 5-17-7 standards. Maintenance and planting within public rights-of-way shall be approved from the public entities owning the property.
- 3.4.2.9** The land owner/applicant/developer and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the Commission and/or Council, or seek amending them through public hearing processes.
- 3.4.2.10** The applicant’s proposed preliminary plat (dated May 2019) shall be considered a binding site plan, or as modified and approved through the public hearing process.
- 3.4.2.11** The applicant’s proposed Landscape Plan (dated 07.01.2019) shall be considered a binding site plan, or as modified and approved through the public hearing process.
- 3.4.2.12** Applicant shall work with the City Engineer to find a solution for the Sewer lift station concerns.

- 3.4.2.13** Compliance with all local, state and federal laws is required.
- 3.4.2.14** Applicant shall follow staff, city engineer and other agency recommended requirements as applicable.
- 3.4.2.15** Applicant shall not request final plat approval until the City's Public Works Director issues the Will-Serve Letter to the applicant that states the City's Ten Mile Lift Station or some other City appurtenance has capacity to accept the wastewater discharged from the proposed subdivision.
- 3.4.2.16** In the event a Will-Serve Letter is not issued within the time the Applicant is required to record a final plat, the Applicant shall have good cause and be eligible to receive, pursuant to KCC § 6-2-3 (J), a time extension to file a final plat up to and until a Will-Serve Letter has been issued.

3.5 Other Testimony

- 3.5.1** 08/11/2020 Public Hearing – Bonnie Layton, WH Pacific, presented an illustrative site plan with aerial photo and a connectivity plan. She reiterated the project met the standards of the Comprehensive Plan and Kuna City Code. Bonnie testified about the history of the project and the specifics of the development; the number of home lots, common lots, the high density lots and the school site. Bonnie stated they were in agreement with the staff report. Bonnie notified the Commission that her client had acquired another 10 (ten) acres which were added to the project and how it addressed some of the traffic concerns raised by the public at the neighborhood meeting, due to a better layout. She also addressed Commissioners concerns and assured them that the project would be developed to ACHD's and the city's standards. Bonnie explained the connectivity between Patagonia projects via walkway/bike pathways. Bonnie also testified that they agreed with the conditions of approval in the ACHD staff report and that they would work with city staff regarding the Lift Stations.
- 3.5.2** 08/11/2020 Christi Horton – Christi questioned if the area was prepared for rapid growth and addressed some of her concerns as well as some of the concerns of outlying neighbors of the project. Christi questioned the differences in destiny on the North and South side of Hubbard Road, what plans were provided for runoff water, possible issues with emergency response times and the increase in traffic. Christi testified regarding the need to preserve agricultural lands.
- 3.5.3** 08/11/2020 Bonnie Layton – (Rebuttal) Bonnie reiterated the project was in compliance with the Comprehensive Plan and traffic concerns had been addressed with ACHD. Bonnie testified that they would work with agencies to resolve any outstanding issues or to meet any requirements.

- 3.5.4** 11/4/2020 Bonnie Layton – Bonnie reviewed the application noting their Gross density was generally 3.23 DU per acre thus bringing them under the previous 3.5. She testified they had worked with the school district in relocating the school site. Bonnie addressed the sewer issues that had arisen between March 2020 and now and provided a letter from their engineer, Ben Thomas, regarding his calculations on the Patagonia Lift Station capacity. Bonnie testified they were in agreement with the staff report and the additional conditions, Nos. 15 and 16.
- 3.5.5** 11/04/2020 Greg Johnson (Applicant) – Greg testified they had been developing properties in Kuna since 1985. He stated they had spent 5 (five) years working through traffic studies with ACHD on this project as well as other things so it could go before Council. Mr. Johnson reviewed history on the project stating he had met with the City Engineer, Gordon Law, in 2014 which resulted in the building of the Patagonia Lift Station which would serve 500 homes; he stated the Lift Station was not at capacity as it was only serving 350 homes. Mr. Johnson testified that only another pump needed to be added to increase the capacity.
- 3.5.6** 11/4/2020 Sherry Huber – Mrs. Huber testified regarding her issues with what she believed to be inconsistent information being provided and pointed out that without the school site, the open space requirements would not be met. Mrs. Huber addressed the changes in the neighborhoods as they were now separated by arterials instead of them being neighborhoods that touched in 2014. Mrs. Huber testified she believed the density between the north and south side of Hubbard Road was a 38.5% increase.
- 3.5.7** 11/04/2020 Joe Randall – Mr. Randall reviewed some of his questions regarding alignment of the road coming south out of the property and his concern that lights would shine into his windows; he requested the street be realigned by 100-feet. Mr. Randall also addressed the fencing and asked if a privacy fence would be installed along his property. Mr. Randall inquired if his property could be connected to sewer services if he annexed his property in the future.
- 3.5.8** 11/04/2020 Greg Johnson – (Rebuttal) Mr. Johnson testified that if a road was stubbed to someone’s property there would be sewer and water available in that area. Mr. Johnson reviewed additional history regarding installation of the Patagonia Lift Station and its projected capacity at that time. Mr. Johnson testified on the history of the Mason Creek trunk lines.

**IV
CONCLUSIONS OF LAW
RE: POWERS AND DUTIES OF THE CITY COUNCIL**

- 4.1** City of Kuna is a duly formed Municipal Corporation organized and existing by virtue of the laws of the State of Idaho and is organized, existing and functioning pursuant to Chapter 1, Title 50, Idaho Code.

- 4.2 The power of the City of Kuna lies in the city council to hear this matter as provided in Idaho Code §§ 50-222, 67-6513, & 67-6615, and Kuna City Code § 6-2-3 (F).
- 4.3 The Kuna City Council has the exclusive general supervisory authority over all plat approvals and certification under their jurisdiction as provided in Idaho Code § 50-1308.
- 4.4 The Kuna City Council cannot exercise extraterritorial jurisdiction and give final approval on land use applications for lands outside of the Kuna City boundaries unless said lands are first annexed into the city boundaries. *See Casteneda v. Brighton Corp.*, 130 Idaho 923 (1997); *see also* Article XII, § 2, of the Idaho Constitution.
- 4.5 “Annexation” is legislative act of city government accomplished by enactment of ordinance. I.C. § 50-222; *Crane Creek Country Club v. City of Boise*, 1990, 121 Idaho 485 (1990) (on rehearing).
- 4.6 Annexation ordinances are not creatures of Local Planning Act, I.C. § 67-6501 et seq.; rather, annexation authority flows from statute antedating Local Planning Act which broadly authorizes a city to annex adjacent territory and by ordinance to declare the annexed area part of city. I.C. § 50-222; *Coeur D'Alene Indus. Park Property Owners Ass'n, Inc. v. City of Coeur D'Alene*, 108 Idaho 843 (1985).

V
CONCLUSIONS OF LAW
RE: APPLICATION FOR ANNEXATION

- 5.1 The City of Kuna has authority to annex lands into its boundaries pursuant to I.C. § 50-222.
- 5.2 I.C. §50-222(1) provides that:

[C]ities of the state should be able to annex lands which are reasonably necessary to assure the orderly development of Idaho’s cities in order to allow efficient and economically viable provision of tax-supported and fee-supported municipal services, *to enable the orderly development of private lands* which benefit from the cost-effective availability of municipal services in urbanizing areas and to equitably allocated the costs of public services in management of development on the urban fringe.
- 5.3 The proposed annexation is a Category A annexation as described in I.C. § 50-222(3)(a), because all private landowners of the parcels at issue have consented to the proposed annexation.
- 5.4 The annexation, proposed by the Annexation Application in Case No. 20-01-AN, is unable to connect to City sewer facilities, as the Patagonia and Danskin Lift Stations are both currently operating above capacity (including existing EDUs and current “Will Serve” EDUs).

VI
ORDER OF DENIAL OF APPLICATION FOR ANNEXATION

The Kuna City Council, having review the above entitled record, having listened to the arguments and presentations at the hearing, and being fully informed in the premises and further based upon the Findings of Fact and Conclusions of Law hereinabove set forth, DO HEREBY ORDER AND THIS DOES ORDER:

- 6.1** That the annexation application (Case No. 19-14-AN) is denied.
- 6.2** That the application for Preliminary Plat (Case No. 19-11-S) is rendered moot by the denial of the Annexation Application (Case No. 19-14-AN).

BY ACTION OF THE CITY COUNCIL of the City of Kuna at its regular meeting held on the 17th day of November, 2020.

Joe Stear, Mayor



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

MEMO

Date: November 17, 2020
From: Lisa Holland, Economic Development Director
To: Mayor & City Council Members
RE: Kuna West Urban Renewal Plan

Mayor and City Council Members,

Attached are several items this evening for your review in consideration of an Urban Renewal District for Kuna. We will go through a presentation to highlight the main elements of the plan, but I also wanted to give background on the timeline of the process and public input this plan has received.

The City has explored establishing an Urban Renewal District several times in the last twenty years. An Urban Renewal Agency (URA) was formed in 2011, but a formal plan and district were never formed. In June 2019, the City held a public financing workshop to explore economic development tools available. In October 2019, the City held an Economic Development Strategic Planning workshop where we received input on priorities the community would like to see a focus on. Since that time, the City Council appointed commissioners to the URA on March 17th, 2020 and they have been working on the plan that is before you for consideration.

The Urban Renewal Agency (URA) approved an eligibility study on April 24th, 2020 and the Kuna City Council adopted the eligibility study on May 19th, 2020. The council then directed the URA to work on a District Plan. The agency made some minor modifications to the eligibility study in a Special meeting on August 27th, which was also adopted by City Council on September 1st, 2020.

We have worked hard to keep the plan and process transparent to the public. We have a detailed record of the outreach efforts in the plan including communication with local agencies, information available on the City's website, sending a letter to each property owner within the District boundary, and establishing a partnership with ACHD and the Ada County Board of Commissioners on the plan. The City also held two public workshops in August 2020 to gather community input on the priorities for the plan and give an overview of how Urban Renewal works. There was also coverage of the Urban Renewal efforts by Kuna Melba News and social media outlets.

The plan was also reviewed by the Kuna Planning & Zoning Commission for its conformance with the City's Comprehensive Plan on October 27th, 2020 with a recommendation of approval to City Council. State code requires as a final step that the plan is reviewed by City Council in a public hearing.

This Urban Renewal District will enable Kuna to focus funds from future developments (increment) on infrastructure needs in the core of the City. The hope is that we can work to expedite several needed roadway projects in collaboration with ACHD, help provide infrastructure needed to attract more commercial development, and assist in giving Kuna tools to help growth pay for itself.

Thanks for your consideration and we look forward to bringing new opportunities to the City of Kuna.

Best Regards,

Lisa Holland
Economic Development Director
Kuna Urban Renewal Agency Administrator
lholland@kunaid.gov
208-559-5926

**ORDINANCE NO. 2020-32
CITY OF KUNA**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA, IDAHO, APPROVING THE URBAN RENEWAL PLAN FOR THE KUNA WEST URBAN RENEWAL PROJECT, WHICH PLAN INCLUDES REVENUE ALLOCATION FINANCING PROVISIONS; AUTHORIZING THE CITY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO COUNTY AND STATE OFFICIALS AND OTHER TAXING ENTITIES; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council (the “City Council”) and Mayor of the City of Kuna (the “City”), on or about May 3, 2011, adopted and approved Resolution No. R21-2011, recreating the Urban Renewal Agency of the City of Kuna, Idaho, also known as the Kuna Urban Renewal Agency (the “Agency”), an independent public body, corporate and politic, authorizing it to transact business and exercise the powers granted by the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended (the “Law”) and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the “Act”), making the findings of necessity required for creating the Agency, and authorizing the Agency to commence the planning process to prepare an urban renewal plan;

WHEREAS, since the adoption of Resolution No. R21-2011, there have been meetings and considerations by and between City Officials, City Staff and stakeholders, as to how best to use the tools under the Law and the Act;

WHEREAS, pursuant to Idaho Code § 50-2008, an urban renewal project may not be planned or initiated unless the local governing body has, by resolution, determined such area to be a deteriorated area or deteriorating area, or combination thereof, and designated such area as appropriate for an urban renewal project;

WHEREAS, an urban renewal plan shall (a) conform to the general plan for the municipality as a whole, except as provided in § 50-2008(g), Idaho Code; and (b) shall be sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the urban renewal area, zoning and planning changes, if any, land uses, maximum densities, building requirements, and any method or methods of financing such plan, which methods may include revenue allocation financing provisions;

WHEREAS, Idaho Code § 50-2906, also requires that in order to adopt an urban renewal plan containing a revenue allocation financing provision, the local governing body must make a finding or determination that the area included in such plan is a deteriorated area or deteriorating area;

WHEREAS, based on inquiries and information presented by certain interested parties and property owners, the City commenced certain discussions concerning examination of an area as appropriate for an urban renewal project;

WHEREAS, in the fall of 2019, the City authorized J-U-B Engineers, Inc. to commence an eligibility study and preparation of an eligibility report of an area located at the southernmost portion of Highway 69/Meridian Road and extending south to the Union Pacific Rail Line and west along West Avalon Street to encompass portions of Linder Avenue and Franklin Avenue. The area continues west to include all properties from Linder Avenue to Ten Mile Road and from 4th Street to West Avalon Street. Additional properties are also included on the south side of the Union Pacific Rail Line along West Shortline Street and East Stagecoach Way. The area studied consists of both properties located within the City limits as well as within the City's area of operation, in unincorporated Ada County (the "Study Area");

WHEREAS, the Agency obtained the Kuna Urban Renewal District Eligibility Study, Kuna West District (the "2020 Report"), which examined the Study Area, also now referred to as the Kuna West District Study Area, which area also included real property located within unincorporated Ada County for the purpose of determining whether such area was a deteriorating area and/or a deteriorated area as defined by Idaho Code §§ 50-2018(9) and 50-2903(8);

WHEREAS, the Agency Board, on April 24, 2020, adopted Resolution No. URA02-2020 accepting the 2020 Report and authorizing the Chair of the Agency to transmit the 2020 Report to the Kuna City Council requesting its consideration for designation of an urban renewal area and requesting the City Council to direct the Agency to prepare an urban renewal plan for the Study Area, which plan may include a revenue allocation provision as allowed by the Act;

WHEREAS, the Agency also authorized transmittal of the 2020 Report to the Ada County Board of County Commissioners for purposes of obtaining a resolution determining such areas outside the boundaries of the City and within unincorporated Ada County to be deteriorated and/or deteriorating and finding the need for an urban renewal project for the proposed Study Area;

WHEREAS, Idaho Code § 50-2018(18) provides that an urban renewal agency cannot exercise jurisdiction over any area outside the city limits and within its area of operation without the approval by resolution of the other city or county declaring the need for an urban renewal plan for the proposed area;

WHEREAS, the 2020 Report was submitted to the Ada County Board of County Commissioners and the Commissioners were asked to adopt a resolution finding the need for an urban renewal project for the proposed Study Area;

WHEREAS, the Ada County Board of County Commissioners declined to adopt a resolution, in part, for the reason that several of the parcels located in unincorporated Ada County were considered to be prime agricultural land and their preference was to see urban

renewal efforts focused more closely on the core of the City limits;

WHEREAS, the City Council, by Resolution No. R29-2020, dated May 19, 2020, declared the Study Area described in the 2020 Report to be a deteriorated area and/or a deteriorating area as defined by Chapters 20 and 29, Title 50, Idaho Code, as amended, that such area is appropriate for an urban renewal project, that should the Ada County Board of County Commissioners fail to adopt the necessary resolution, then those parcels located within unincorporated Ada County shall not be included in any proposed urban renewal plan or project area unless or until such parcels are annexed into the City and directed the Agency to commence preparation of an urban renewal plan;

WHEREAS, the Agency commenced planning efforts in support of an urban renewal plan, including continued negotiations with the Ada County Board of County Commissioners and its staff concerning inclusion of some of the parcels located within unincorporated Ada County into a future proposed project area;

WHEREAS, as planning continued and pursuant to continued conversations with individual property owners and representatives of local agencies, it became apparent that the Study Area would need to be supplemented to 1) account for boundary adjustments to align to full parcel lines (to avoid lot splits) and to include adjacent right-of-way and 2) to add three (3) additional parcels totaling approximately 19.6 acres adjacent and contiguous to the Study Area that was not previously analyzed;

WHEREAS, in July 2020, the Agency authorized J-U-B Engineers to review such boundary changes and the additional areas within unincorporated Ada County and the City and requested preparation of a supplemental eligibility report;

WHEREAS, the Agency obtained the Supplement to the Kuna Urban Renewal District Eligibility Study, dated August 2020 (the "Supplemental 2020 Report"), which examined additional property within unincorporated Ada County and the City that is adjacent and contiguous to the Study Area as described in the 2020 Report and clarified the Study Area boundary (the "Revised Study Area"), for the purposes of determining whether such areas are deteriorating areas and/or deteriorated areas as defined by Idaho Code §§ 50-2018(9) and 50-2903(8);

WHEREAS, pursuant to Idaho Code §§ 50-2018(9) and 50-2903(8), which define a deteriorating area and deteriorated area, many of the conditions necessary to be present in such areas to be deemed eligible are found in the Study Area, as supplemented by the Supplemental 2020 Report, i.e. substantial number of deteriorating or deteriorated structures; deterioration of site; defective street layout; inadequate street layout; faulty lot layout; obsolete platting; insanitary or unsafe conditions; diversity of ownership; and the existence of conditions which endanger life or property by fire and other causes; and the findings would not change with the Revised Study Area boundary, specifically, the Supplemental 2020 Report found predominance of defective or inadequate street layout, diversity of ownership, and existence of conditions

which endanger life or property by fire and other causes;

WHEREAS, under the Act, a deteriorated area includes any area which is predominantly open and which, because of obsolete platting, diversity of ownership, deterioration of structures or improvements, or otherwise, results in economic underdevelopment of the area or substantially impairs or arrests the sound growth of a municipality. *See*, Idaho Code § 50-2903(8)(c);

WHEREAS, the Revised Study Area includes a substantial amount of open land;

WHEREAS, Idaho Code §§ 50-2018(9), 50-2903(8) and 50-2008(d) list the additional conditions applicable to open land areas, including open land areas to be potentially acquired by the Agency, which are the same or similar to the conditions set forth above;

WHEREAS, the 2020 Report as supplemented by the Supplemental 2020 Report addresses the necessary findings concerning including open land within any urban renewal area as defined in Idaho Code §§ 50-2018(9), 50-2903(8)(c), and 50-2008(d);

WHEREAS, the effects of the listed conditions cited in the 2020 Report, as supplemented by the Supplemental 2020 Report, result in economic underdevelopment of the area, substantially impairs or arrests the sound growth of a municipality, constitutes and economic or social liability, and is a menace to the public health, safety, morals, or welfare in its present condition or use;

WHEREAS, the Agency Board, on August 27, 2020, adopted Resolution No. URA08-2020 accepting the Supplemental 2020 Report to be appended to the 2020 Report, and authorized the Agency Chair to transmit the Supplemental 2020 Report to the City Council requesting its consideration for designation of an urban renewal area and requesting the City Council to direct the Agency to prepare an urban renewal plan for the Revised Study Area, which plan may include a revenue allocation provision as allowed by law;

WHEREAS, based on ongoing discussions and planning efforts since the Ada County Board of County Commissioners first considered a resolution pursuant to Idaho Code § 50-2018(18), the proposed project area was contemplated to be smaller than the Revised Study Area, alleviating many of the Commissioners' concerns;

WHEREAS, certain parcels outside the City limits, but within its area of operation and located within unincorporated Ada County in and around the Meridian and Kuna Road/Avalon intersection and the railroad right-of-way are in need of an urban renewal project;

WHEREAS, the Ada County Board of County Commissioners was asked to adopt a resolution finding the need for an urban renewal project for a portion of the unincorporated Ada County parcels within the boundaries of the Revised Study Area;

WHEREAS, on August 31, 2020, the Ada County Board of County Commissioners adopted the Agency’s findings concerning the proposed Revised Study Area; however, the Commissioners specifically limited the unincorporated County parcels to be included in any proposed Kuna West project area to those certain parcels in and around the Meridian and Kuna Road/Avalon intersection and the railroad right-of-way. The Ada County Board of County Commissioners agreed to adopt a resolution;

WHEREAS, the City Council, by Resolution No. R47-2020, dated September 1, 2020, declared the Revised Study Area described in the Supplemental 2020 Report to be appended to the 2020 Report to be a deteriorated area and/or a deteriorating area as defined by the Law and the Act, that such area is appropriate for an urban renewal project, that the Ada County Board of County Commissioners would need to adopt the necessary resolution and directed the Agency to commence preparation of an urban renewal plan for the area designated;

WHEREAS, under the Law and Act, Idaho Code §§ 50-2903(8)(f) and 50-2018(8) and (9), the definition of a deteriorating area shall not apply to any agricultural operation as defined in section 22-4502(2), Idaho Code, absent the consent of the owner of the agricultural operation except for an agricultural operation that has not been used for three (3) consecutive years;

WHEREAS, the 2020 Report, as supplemented by the Supplemental 2020 Report setting forth the Revised Study Area boundary, includes parcels subject to such consent;

WHEREAS, following multiple communications with property owners and/or their representatives, the owner of the parcels located within unincorporated Ada County and generally located in and around the Meridian and Kuna Road/Avalon intersection did not submit the required consents;

WHEREAS, based on continued discussions and planning efforts, the proposed project area was further reduced to approximately 473 acres of parcels and includes only those parcels within the City limits. The necessary agricultural operation consent has been obtained by the owner of the agricultural operation within the proposed project area;

WHEREAS, the Agency embarked on the planning of an urban renewal project referred to as the Urban Renewal Plan for the Kuna West Urban Renewal Project (the “Kuna West Plan”) to develop and/or redevelop a portion of the City pursuant to the Law and the Act, as amended;

WHEREAS, the Kuna West Plan proposes to create an urban renewal area commonly known as the Kuna West Project Area, which area is shown on the Boundary Map of Urban Renewal Project Area and Revenue Allocation Area and described in the Description of Urban Renewal Project Area and Revenue Allocation Area, which are attached to the Kuna West Plan as Attachments 1 and 2 respectively;

WHEREAS, the area included in the Kuna West Project Area is smaller than the area assessed in the Revised Study Area and does not include the parcels located within

unincorporated Ada County;

WHEREAS, in order to implement the provisions of the Act and the Law, either the Agency may prepare a plan or any person, public or private, may submit such plan to the Agency;

WHEREAS, the Act authorizes urban renewal agencies to adopt revenue allocation financing provisions as part of their urban renewal plans;

WHEREAS, the Kuna West Plan contains revenue allocation financing provisions as allowed by the Act;

WHEREAS, the Agency Board, at several Agency Board meetings in 2020, and two virtual public workshops held on August 27, 2020, considered public improvements related to the Kuna West Project Area;

WHEREAS, on October 7, 2020, the Agency Board passed Resolution No. URA 09-2020 proposing and recommending the approval of the Kuna West Plan;

WHEREAS, the Agency submitted the Kuna West Plan to the Mayor and City Council;

WHEREAS, the Mayor and City Clerk have taken the necessary action to process the Kuna West Plan consistent with the requirements set forth in Idaho Code §§ 50-2906 and 50-2008;

WHEREAS, pursuant to the Law, at a meeting held on October 27, 2020, the City of Kuna Planning and Zoning Commission considered the Kuna West Plan and found that the Kuna West Plan is in all respects in conformity with The City of Kuna 2019 Comprehensive Plan, *Envision Kuna* (“Comprehensive Plan”) and forwarded its findings to the City Council, a copy of which is attached hereto as **Exhibit 1**;

WHEREAS, notice of the public hearing of the Kuna West Plan was caused to be published by the City Clerk of Kuna, Idaho, in its official newspaper the *Kuna Melba News*, on October 14 and 28, 2020, a copy of said notice being attached hereto as **Exhibit 2**;

WHEREAS, as of October 16, 2020, the Kuna West Plan was submitted to the affected taxing entities and separately to the Ada County Highway District (“ACHD”) (collectively the “Taxing Districts”), available to the public, and under consideration by the City Council;

WHEREAS, the City Council, during its regular meeting of November 17, 2020, held the public hearing as noticed;

WHEREAS, as required by Idaho Code §§ 50-2905 and 50-2906, the Kuna West Plan contains the following information with specificity which was made available to the general

public and all taxing districts prior to the public hearing on November 17, 2020, the regular meeting of the Council, at least thirty (30) days but no more than sixty (60) days prior to the date set for final reading of the ordinance: (1) a statement describing the total assessed valuation of the base assessment roll of the revenue allocation area and the total assessed valuation of all taxable property within the municipality; (2) the kind, number, and location of all proposed public works or improvements within the revenue allocation area; (3) an economic feasibility study; (4) a detailed list of estimated project costs; (5) a fiscal impact statement showing the impact of the revenue allocation area, both until and after the bonds, notes and/or other obligations are repaid, upon all taxing districts levying taxes upon property in the revenue allocation area; (6) a description of the methods of financing all estimated project costs and the time when related costs or monetary obligations are to be incurred; (7) a termination date for the plan and the revenue allocation area, as provided for in section 50-2903(20), Idaho Code. In determining the termination date, the plan shall recognize that the agency shall receive allocation of revenues in the calendar year following the last year of the revenue allocation provision described in the urban renewal plan; and (8) a description of the disposition or retention of any assets of the agency upon the termination date. Provided however, nothing herein shall prevent the agency from retaining assets or revenues generated from such assets as long as the agency shall have resources other than revenue allocation funds to operate and manage such assets;

WHEREAS, the Kuna West Plan authorizes certain projects to be financed by proceeds from revenue allocation;

WHEREAS, appropriate notice of the Kuna West Plan and revenue allocation provision contained therein has been given to the Taxing Districts and to the public as required by Idaho Code §§ 50-2008 and 50-2906;

WHEREAS, it is necessary and in the best interest of the citizens of the City, to adopt the Kuna West Plan and to adopt, as part of the Kuna West Plan, revenue allocation financing provisions that will help finance urban renewal projects to be completed in accordance with the Kuna West Plan, in order to: (1) encourage private development in the urban renewal area; (2) to prevent and arrest decay of the Kuna West Project Area due to the inability of existing financing methods to provide needed public improvements; (3) to encourage Taxing Districts to cooperate in the allocation of future tax revenues arising in the Kuna West Project Area in order to facilitate the long-term growth of their common tax base; (4) to encourage the long-term growth of their common tax base; (5) to encourage private investment within the City and (6) to further the public purposes of the Agency;

WHEREAS, the City Council finds that the equalized assessed valuation of the taxable property in the Kuna West Project Area is likely to increase, and continue to increase, as a result of initiation and continuation of urban renewal projects in accordance with the Kuna West Plan;

WHEREAS, under the Law and Act any such plan should provide for: (1) a feasible method for the location of families who will be displaced from the urban renewal area in decent, safe, and sanitary dwelling accommodations within their means and without undue hardship to

such families; (2) conform to the general plan of the municipality as a whole; (3) give due consideration to the provision of adequate park and recreational areas and facilities that may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of the children residing in the general vicinity of the site covered by the plan; and (4) afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise;

WHEREAS, if the urban renewal area consists of an area of open land to be acquired by the urban renewal agency, such area shall not be so acquired unless (1) if it is to be developed for residential uses, the local governing body shall determine that a shortage of housing of sound standards and design which is decent, safe, and sanitary exists in the municipality; that the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas; that the conditions of blight in the area and the shortage of decent, safe, and sanitary housing cause or contribute to an increase in and spread of disease and crime and constitute a menace to the public health, safety, morals, or welfare; and that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality; or (2) if it is to be developed for nonresidential uses, the local governing body shall determine that such nonresidential uses are necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives, which acquisition may require the exercise of governmental action, as provided in the Law, because of defective or unusual conditions of title, diversity of ownership tax delinquency, improper subdivisions, outmoded street patterns, deterioration of site, economic disuse, unsuitable topography or faulty lot layouts, the need for the correlation of the area with other areas of a municipality by streets and modern traffic requirements, or any combination of such factors or other conditions which retard development of the area;

WHEREAS, under the Law and the Act (specifically §§ 50-2018(9) and 50-2903(8)(f)), a deteriorating area may not include an agricultural operation, as defined in Idaho Code § 22-4502(2), absent the consent of the owner of the agricultural operation except for an agricultural operation that has not been used for three (3) consecutive years;

WHEREAS, the Agency obtained written consents concerning certain properties within the Kuna West Project Area, which may have been deemed an agricultural operation, as stated above. A true and correct copy of the agricultural operation consents are included as Attachment 6 to the Kuna West Plan;

WHEREAS, pursuant to Chapter 14, Title 40, Idaho Code, ACHD is granted certain authority and jurisdiction over public rights-of-way within the Kuna West Project Area as that term is defined in the Kuna West Plan;

WHEREAS, ACHD also has the opportunity to provide comments on the proposed Kuna West Plan;

WHEREAS, the base assessment rolls of the Kuna West Project Area cannot exceed ten

percent (10%) of the current assessed values of all the taxable property in the City;

WHEREAS, it is necessary, and in the best interests of the citizens of the City to adopt the Kuna West Plan;

WHEREAS, the City Council at its regular meeting held on November 17, 2020, considered the Kuna West Plan, as proposed, and made certain comprehensive findings.

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

SECTION 1: It is hereby found and determined that:

- (a) The Kuna West Project Area, as defined in the Kuna West Plan, is a deteriorated area or a deteriorating area, as defined in the Law and the Act, and qualifies as an eligible urban renewal area under the Law and Act.
- (b) The rehabilitation, conservation, development and redevelopment of the urban renewal area pursuant to the Kuna West Plan are necessary in the interests of public health, safety, and welfare of the residents of the City.
- (c) There continues to be a need for the Agency to function in the City.
- (d) The Kuna West Plan conforms to the Comprehensive Plan.
- (e) The Kuna West Plan gives due consideration to the provision of adequate park and recreation areas and facilities that may be desirable for neighborhood improvement (recognizing the industrial and commercial components of the Kuna West Plan and the need for overall public improvements and the proposed public open space), and shows consideration for the health, safety, and welfare of any residents or businesses in the general vicinity of the urban renewal area covered by the Kuna West Plan.
- (f) The Kuna West Plan affords maximum opportunity consistent with the sound needs of the City, as a whole, for the rehabilitation, development, and redevelopment of the urban renewal area by private enterprises.
- (g) Pursuant to Idaho Code §§ 50-2007(h) and 50-2008(d)(1), the Kuna West Plan provides a feasible method for relocation obligations of any displaced families residing within the Kuna West Project Area and there is not anticipated to be any activity by the Agency that would result in relocation.
- (h) The base assessment roll for the Kuna West Project Area does not exceed ten percent (10%) of the assessed values of all the taxable property in the City.

- (i) The Kuna West Plan includes the requirements set out in Idaho Code § 50-2905 with specificity.
- (j) The Kuna West Plan is sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the urban renewal area, zoning and planning changes, if any, land uses, maximum densities, building requirements, and any method or methods of financing such plan, which methods may include revenue allocation financing provisions.
- (k) The urban renewal area, which includes the deteriorating area, as defined in Idaho Code §§ 50-2018(9) and 50-2903(8)(f), does include agricultural operations for which the Agency has received written consents, or which have not been used for agricultural purposes for three (3) consecutive years.
- (l) The portion of the Kuna West Project Area which is identified for non-residential uses is necessary and appropriate to facilitate the proper growth and development standards in accordance with the objectives of the Comprehensive Plan to overcome economic disuse, the need for improved traffic patterns, and the need for the correlation of this area with other areas of the City.
- (m) The portion of the Kuna West Project Area which is identified for residential uses is necessary and appropriate as there is a shortage of housing of sound standards and design which is decent, safe and sanitary in the City; that the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas; that the conditions of blight in the area and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime and constitute a menace to the public health, safety, morals, or welfare; and that the acquisition of the area for residential uses is an integral part of and essential to the program of the City.

SECTION 2: The City Council finds that the Kuna West Project Area has a substantial portion of open land, that the Agency may acquire any open land within the Kuna West Project Area, but does not intend to do so on any widespread basis, and that the Kuna West Project Area is planned to be developed and/or redeveloped in a manner that will include both residential and nonresidential uses. The City Council finds that for the portions of the Kuna West Project Area deemed to be “open land,” the criteria set forth in the Law and Act have been met.

SECTION 3: The Kuna West Plan, a copy of which is attached hereto and marked as **Exhibit 3** and made a part hereof by attachment, be, and the same hereby is, approved. As directed by the City Council, the City Clerk and/or the Agency may make certain technical corrections or revisions in keeping with the information and testimony presented at the November 17, 2020, hearing and incorporate changes or modifications, if any.

SECTION 4: That the City Council declares that nothing within the Kuna West Plan is intended or shall be interpreted to usurp the jurisdiction and authority of ACHD as defined in Chapter 14, Title 40, Idaho Code. Further, pursuant to Idaho Code § 40-1415, ACHD has authority over the planning, location, design, construction, reconstruction, and maintenance of the City rights-of-way and accompanying curbs, gutters, culverts, sidewalks, paved medians, bulkheads, and retaining walls. In the planning process, ACHD shall take into consideration the planning principles contained in the Kuna West Plan.

SECTION 5: No direct or collateral action challenging the Kuna West Plan shall be brought prior to the effective date of this Ordinance or after the elapse of thirty (30) days from and after the effective date of this Ordinance adopting the Kuna West Plan.

SECTION 6: Upon the effective date of this Ordinance, the City Clerk is authorized and directed to transmit to the County Auditor and Tax Assessor of Ada County and to the appropriate officials of the Ada County Board of County Commissioners, City of Kuna, Ada County Emergency Medical Services District, Kuna Joint School District #3, Kuna Library District, College of Western Idaho, ACHD, Ada County Mosquito Abatement District, Kuna Rural Fire District, Kuna Cemetery District and the State Tax Commission a copy of this Ordinance, a copy of the legal description of the boundaries of the Revenue Allocation Area, and a map or plat indicating the boundaries of the Kuna West Project Area.

SECTION 7: The City Council hereby finds and declares that the Revenue Allocation Area as defined in the Kuna West Plan, the equalized assessed valuation of which the City Council hereby determines is in and is part of the Kuna West Plan, is likely to increase as a result of the initiation and completion of urban renewal projects pursuant to the Kuna West Plan.

SECTION 8: The City Council hereby approves and adopts the following statement policy relating to the appointment of City Council members as members of the Agency's Board of Commissioners: If any Council members are appointed to the Board, they are not acting in an ex officio capacity but, rather, as private citizens who, although they are also members of the City Council, are exercising their independent judgment as private citizens when they sit on the Board. Except for the powers to appoint and terminate Board members and to adopt the Kuna West Plan, the City Council recognizes that it has no power to control the powers or operations of the Agency.

SECTION 9: So long as any Agency bonds, notes or other obligations are outstanding, the City Council will not exercise its power under Idaho Code § 50-2006 to designate itself as the Agency Board.

SECTION 10: So long as any Agency bonds, notes or other obligations are outstanding, the City Council will not modify the Kuna West Plan in a manner that would result in a reset of the base assessment value for the year immediately following the year in which the modification occurs to include the current year's equalized assessed value of the taxable property as further set forth in the Act.

SECTION 11: This Ordinance shall be in full force and effect immediately upon its passage, approval, and publication and shall be retroactive to January 1, 2020, to the extent permitted by the Act.

SECTION 12: The provisions of this Ordinance are severable, and if any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of remaining portions of this Ordinance.

SECTION 13: The Summary of this Ordinance, a copy of which is attached hereto as **Exhibit 4**, is hereby approved.

SECTION 14: All ordinances, resolutions, orders or parts thereof in conflict herewith are hereby repealed, rescinded and annulled.

SECTION 15: Savings Clause. This Ordinance does not affect an action or proceeding commenced or right accrued before this Ordinance takes effect.

PASSED by the City Council of the City of Kuna, Idaho, on this 17th day of November 2020.

APPROVED by the Mayor of the City of Kuna, Idaho, on this 17th day of November 2020.

Mayor Joe Stear

ATTEST:

Chris Engels, City Clerk

EXHIBIT 1

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION FOR THE CITY OF KUNA, IDAHO, VALIDATING CONFORMITY OF THE URBAN RENEWAL PLAN FOR THE KUNA WEST URBAN RENEWAL PROJECT WITH THE CITY OF KUNA'S COMPREHENSIVE PLAN

**RESOLUTION NO. PZC01-2020
CITY OF KUNA**

**BY THE PLANNING AND
ZONING COMMISSION**

**A RESOLUTION OF THE PLANNING AND ZONING COMMISSION FOR THE CITY
OF KUNA, IDAHO, VALIDATING CONFORMITY OF THE URBAN RENEWAL PLAN
FOR THE KUNA WEST URBAN RENEWAL PROJECT WITH THE CITY OF KUNA'S
COMPREHENSIVE PLAN**

WHEREAS, the Urban Renewal Agency of the City of Kuna (the "City"), Idaho, also known as Kuna Urban Renewal Agency (hereinafter "Agency"), the duly constituted and authorized urban renewal agency of the City, has submitted the proposed Urban Renewal Plan for the Kuna West Urban Renewal Project (the "Kuna West Plan") to the City; and

WHEREAS, the Mayor and the Kuna City Council referred the Kuna West Plan to the City Planning and Zoning Commission for review and recommendations concerning the conformity of said Kuna West Plan with the City's Comprehensive Plan, as amended (the "Comprehensive Plan"); and

WHEREAS, on October 27, 2020, the City Planning and Zoning Commission met to consider whether the Kuna West Plan conforms with the Comprehensive Plan as required by Idaho Code § 50-2008(b); and

WHEREAS, the City Planning and Zoning Commission has reviewed said Kuna West Plan in view of the Comprehensive Plan; and

WHEREAS, the City Planning and Zoning Commission has determined that the Kuna West Plan is in all respects in conformity with the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION FOR THE CITY OF KUNA, IDAHO:

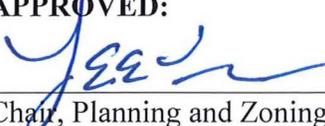
Section 1. That the Kuna West Plan, submitted by the Agency and referred to this Commission by the Mayor and City Council for review, is in all respects in conformity with the City's Comprehensive Plan.

Section 2. That **Exhibit A**, outlining the findings supporting the determination that the Kuna West Plan is in conformity with the City's Comprehensive Plan, is hereby adopted and incorporated as part of this Resolution.

Section 3. That the Chair of the Planning and Zoning Commission is hereby authorized and directed to provide the Mayor and Kuna City Council with a signed copy of this Resolution relating to said Kuna West Plan.

Section 4. That this Resolution shall be in full force and effect immediately upon its adoption and approval.

ADOPTED by the Planning and Zoning Commission of the City of Kuna, Idaho, this 27th day of October 2020.

APPROVED:  _____ Chair, Planning and Zoning Commission	ATTEST:  _____ City Clerk
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4834-6087-9560, v. 1



EXHIBIT A TO RESOLUTION PZC01-2020
CITY OF KUNA
KUNA WEST PLAT FINDING OF CONFORMITY WITH
THE COMPREHENSIVE PLAN



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

MEMO

Date: October 27, 2020
From: Lisa Holland, Economic Development Director
To: Planning & Zoning Commission
RE: Urban Renewal District Plan

Planning & Zoning Commissioners,

As one of the initiatives in the Comprehensive Plan for Kuna, the City went through an education process in 2019 and 2020 to talk about what financing tools were available to cities to help with economic development. In June 2019, the City partnered with JUB Engineers to put on an education workshop as well as several outreach events with public partners to explore options. In October 2019, the City hosted an Economic Development Strategic Planning Workshop which also prioritized considering an Urban Renewal District for Kuna.

The City of Kuna originally established an Urban Renewal Agency (URA) on April 3, 2011. The City of Kuna explored the concept of establishing a district several times in the last twenty years, but never formalized a District. City Council officially appointed a Board of Commissioners to this agency effective March 17th, 2020 (Resolution R23-2020).

The Urban Renewal Agency approved an eligibility study on April 24th and the Kuna City Council adopted the eligibility study on May 19th, 2020. The Urban Renewal Agency has now crafted and recommended approval of a district plan for consideration.

While the Urban Renewal District formation doesn't require any formal public outreach, the City has worked diligently to give the community time to give input to the planning process. We held a public workshop on August 27th to collect community feedback, we sent a letter to every property owner within the District boundary with a survey, and we have reached out to dozens of partner agencies, developers, and the economic development committee for guidance and feedback throughout the process.

The plan in front of you tonight is for your review of how the plan conforms to the needs and desires of the Comprehensive Plan of the City. We have worked hard to take the community feedback we've received from the Comprehensive Planning process and the public outreach to create a plan that focuses on the core of Kuna for infrastructure needs.

An Urban Renewal District is essentially a planning boundary that allows the City to focus dollars from new developments that take place within the District into infrastructure projects. There is no financial impact or restriction to property owners, and there are no taxes added to property owners for being a part of the district. Taxing entities will continue to receive the amount of property taxes they have budgeted, the Urban Renewal Agency would only collect increment of property taxes from new developments and increased values that take place. School districts are exempt from the collection of increment from their budget, agencies are still allowed to collect impact fees, and we have also coordinated closely with Ada County and ACHD on how to prioritize projects and partner together on initiatives. The funds will be managed by the Urban Renewal agency and utilized for projects as outlined within the proposed plan in front of you tonight.

Staff is in favor of supporting the Urban Renewal Plan as presented as it meets the needs and many goals as outlined in the Comprehensive Plan, specifically:

- Goal Area 1: Kuna will be economically diverse and vibrant
 - o 1.A. Ensure land use in Kuna will support economic development
 - o *Economic Development Comments: This plan gives the URA the opportunity to purchase blighted structures for redevelopment, assist interested landowners with greenfield properties on development possibilities and infrastructure improvements to help attract commercial projects. Ultimately, we hope to see more shovel-ready properties*
- Goal Area 2: Kuna will be a healthy, safe community
 - o 2.A Maintain and expand an interconnected greenbelt, pathways and trail system.
 - o 2.B Maintain and expand parks and public gathering spaces.
 - o *Economic Development Comments: The plan includes the option for the URA to help assist with improving public amenities, pathways, and gathering spaces for the community.*
- Goal Area 3: Kuna's land uses will support a desirable, distinctive and well-designed community
 - o 3.A. Ensure community design directs growth and implement sustainable land use patterns.
 - o 3.B Preserve and enhance areas of interest within the community.
 - o 3.C Encourage development of commercial areas with good connectivity and character.
 - o 3.E Strategically locate and develop industrial areas.
 - o 3.G Respect and protect private property rights.
 - o *Economic Development Comments: The plan focuses primarily on the downtown core as well as the welcoming corridors entering downtown Kuna. The plan integrates the future land use map that was part of the comprehensive plan, and includes several potential greenfield sites for commercial development. There is also the ability to support the existing industrial park in Kuna with improvements. No property owner will be forced to redevelop as part of the Urban Renewal District, and there is no addition of taxes or fees that will be assessed to landowners within the planning boundary. We will work to respect and protect private property rights while integrating projects.*
- Goal Area 4: Kuna will be a connected community through strong transportation and infrastructure systems
 - o 4.A Use overlay districts to create mixed-use entryway corridors with strong character and managed access.
 - o 4.B Increase sidewalk coverage and connectivity and invest in pedestrian facilities to increase walkability.

- 4.C Increase pathway, trail and on-street bicycle facilities to create an expanded and connected bicycle network.
- 4.D Promote a connected street network that incorporates mid-mile collectors and crossings for improved neighborhood connectivity
- 4.F Ensure water, sewer, irrigation, street lighting, storm water and solid waste systems are capable of serving the current and future population.
- 4.G Maintain serviceability of communication systems including broadband internet, phone and cable
- ***Economic Development Comments:*** *There are significant roadway, pathway, sidewalks, public infrastructure, and broadband projects within the proposed plan. Many of these improvements are needed but lack a source of funding to take place in a reasonable timeline. By including these projects within the District plan, we hope to expedite the timing of when improvements could take place.*
- Goal Area 5: Kuna will invest appropriately in education, community facilities and cultural heritage.
 - 5.C Identify and develop cultural and community facilities.
 - 5.D Identify specific strategies to preserve Kuna’s open space, agricultural lands and heritage.
 - ***Economic Development Comments:*** *There are many aspects in the plan that give the URA the flexibility to help preserve open space, and partner with developers to create community facilities.*
- Goal Area 6: Kuna will govern collaboratively and effectively in the best interest of its citizens.
 - 6.A. Involve citizens in decisions about Kuna’s future.
 - 6.B Maintain adequate organizational capacity to efficiently manage city government and implement this plan.
 - 6.C Engage in regional collaboration to leverage city and partner agency resources on behalf of the community.
 - 6.D Maintain sustainable and transparent financial operations and proactively manage city budgets and investments.
 - ***Economic Development Comments:*** *The City of Kuna and the URA have worked hard to go above and beyond the requirements needed for public participation in the planning efforts. The City also has a webpage specifically focused on Urban Renewal so the community can keep informed on what’s happening:
<http://www.kunacity.id.gov/518/Kuna-Urban-Renewal-Agency>. All of the URA meetings are open to the public to attend and live streamed on the Kuna Economic Development Facebook page. The URA reached out to regional city and partner agencies for feedback and involvement in the crafting of the plan, and every year, the URA will hold it’s own budget hearing process.*

Any of the projects referenced in the District plan are conceptual in nature and would each need to go through individual approval processes. The District will be set to go no longer than 20 years, and the Urban Renewal Agency will work with coordinating agencies and committees to implement projects based on the proposed District plan (and in compliance with the City’s comprehensive plan).

Thanks for your consideration.

Best Regards,

Lisa Holland
Economic Development Director
lholland@kunaid.gov
208-559-5926

EXHIBIT 2

NOTICE PUBLISHED IN THE *KUNA MELBA NEWS*

ADVERTISING PROOF



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 1618 N Midland Blvd, 83651,
 Nampa, ID 83652
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10/12/20	21880

NATHAN STANLEY
 1 KUNA, CITY OF
 P.O. BOX 13
 KUNA, ID 83634

AD #	DESCRIPTION	START	STOP	TIMES	AMOUNT
40022	PH 11/17/20 - URBAN	10/14/20	10/28/20	2	\$1,996.00

Payments:

Date	Method	Card Type	Last 4 Digits	Check	Amount
Discount:					\$0.00
Surcharge:					\$0.00
Credits:					\$0.00
				Gross:	\$1,996.00
				Paid Amount:	\$0.00
				Amount Due:	\$1,996.00

We Appreciate Your Business!

LEGAL NOTICE

NOTICE OF REGULAR MEETING AND PUBLIC HEARING BY THE CITY COUNCIL OF THE CITY OF KUNA, IDAHO, TO CONSIDER AN URBAN RENEWAL PLAN FOR THE KUNA WEST URBAN RENEWAL PROJECT OF THE URBAN RENEWAL AGENCY OF THE CITY OF KUNA, IDAHO (continued)

thence coincident with the respective westerly, northwesterly, and northerly lines of said Zatica Subdivision No. 2, the following three (3) consecutive courses and distances:
1. North 00°38'45" East, a distance of 311.0 feet,
2. North 53°55'25" East, a distance of 533.05 feet, and
3. South 88°24'48" East, a distance of 145.26 feet to the northeasterly corner of said Zatica Subdivision No. 2, said corner being hereinafter referred to as Point "A"; thence leaving said northerly line, continuing South 88°24'49" East, a distance of 45.00 feet to a point on the easterly right-of-way of N. Kay Avenue as shown on the Plat of Tomorrow Subdivision No. 3 (Book 97, Pages 12234 - 12236, Ada County Records); thence coincident with said easterly right-of-way, the following seven (7) consecutive courses and distances:
1. South 00°38'42" West, a distance of 144.66 feet,
2. South 88°38'23" East, a distance of 5.00 feet,
3. South 00°38'42" West, a distance of 126.19 feet,
4. South 33°50'52" East, a distance of 172.22 feet,
5. South 00°04'23" West, a distance of 50.01 feet,
6. South 36°16'57" West, a distance of 19.31 feet, and
7. South 00°38'42" West, a distance of 288.81 feet to a point on the south line of said Tomorrow Subdivision No. 3; thence North 88°37'59" West, a distance of 4.00 feet to a point on the easterly right-of-way of said N. Kay Avenue as shown on the Plat of Sunbird Village Subdivision No. 2 (Book 89, Pages 9407-9408, Ada County Records); thence South 00°38'42" West, coincident with said easterly right-of-way, a distance of 175.09 feet to a point on the southerly line of said Sunbird Village Subdivision No. 2; thence continuing South 00°38'42" West, coincident with the southerly projection of said easterly right-of-way and with the easterly right-of-way of said N. Kay Avenue as shown on the Plat of Sunbird Village Subdivision No. 1 (Book 10 of Plats, Pages 7235-7233, Ada County Records), a distance of 154.74 feet, more or less to the northwest corner of Lot 1 of Block-2 as shown on said Sunbird Village Subdivision No. 1; thence South 88°37'46" East, coincident with the northerly line of said Lot 1, a distance of 256.21 feet to a point on the westerly line of Lot 7 of said Block-2; thence coincident with the boundary lines of said Lot 7, the following seven (7) consecutive courses and distances:
1. North 01°18'54" East, a distance of 80.02 feet,
2. South 88°37'34" East, a distance of 10.00 feet,
3. South 01°18'54" West, a distance of 80.01 feet,
4. South 88°37'46" East, a distance of 155.00 feet,
5. South 01°18'54" West, a distance of 149.80 feet,
6. North 88°37'34" West, a distance of 70.21 feet, and
7. South 01°18'54" West, a distance of 40.00 feet to the southwest corner of Lot 16 of said Block-2; thence coincident with the southerly and easterly lines of said Lot 16, the following three (3) consecutive courses and distances:
1. South 88°37'34" East, a distance of 125.03 feet,
2. along the arc of a tangent curve to the right, concave southwesterly, having a radius of 25.00 feet, through a central angle of 89°56'28"; an arc length of 39.24 feet, and a chord bearing South 43°39'20" East, a distance of 35.34 feet, and
3. North 01°18'54" West, a distance of 34.98 feet; thence leaving said easterly line, North 88°37'34" East, a distance of 50.00 feet to the northwest corner of Lot 1 of Block-1 as shown on said Sunbird Village Subdivision No. 1; thence continuing South 88°37'34" East, coincident with the northerly line of said Lot 1, a distance of 80.00 feet to a point on the westerly line of Block 1 as shown on the Plat of Block 1 as shown on the Plat of Block 1 (Book 115 of Plats, Pages 17375 - 17378, Ada County Records); thence coincident with the respective westerly, and northerly lines of said Lot 5, the following five (5) consecutive courses and distances:
1. North 01°18'54" East, a distance of 389.54 feet to the northwest corner thereof,
2. South 88°41'05" East, a distance of 115.40 feet,
3. North 01°18'54" West, a distance of 21.01 feet,
4. along the arc of a non-tangent curve to the left, concave northerly, having a radius of 75.50 feet, through a central angle of 38°11'28"; an arc length of 50.33 feet, and a chord bearing South 69°35'21" East, a distance of 40.40 feet, and
5. South 88°41'05" East, a distance of 448.14 feet; thence leaving said northerly line, North 01°18'55" East, a distance of 51.00 feet to a point on the southeasterly line of Block 2 as shown on said Merlin Point Subdivision No. 1; thence coincident with the respective southwesterly, easterly, northerly, and northerly lines of said Block 2, the following six (6) consecutive courses and distances:
1. North 42°30'04" East, a distance of 28.58 feet,
2. North 01°18'55" East, a distance of 359.89 feet,
3. North 07°15'43" East, a distance of 48.26 feet,
4. North 01°18'55" East, a distance of 75.00 feet,
5. along the arc of a tangent curve to the left, concave southwesterly, having a radius of 74.50 feet, through a central angle of 90°00'00"; an arc length of 117.02 feet, and a chord bearing North 43°41'05" West, a distance of 105.36 feet, and
6. North 88°41'05" West, a distance of 121.64 feet; thence leaving said north line, North 01°18'55" East, a distance of 51.00 feet to the southwest corner of Lot 10 of Block 4 as shown on said Merlin Point Subdivision No. 1; thence North 01°18'55" East, coincident with the westerly line of said Lot 10, a distance of 100.06 feet to a point on the northerly boundary line of said Merlin Point Subdivision No. 1; thence leaving said westerly line, coincident with the northerly and easterly boundary lines of said Merlin Point Subdivision No. 1, the following eight (8) consecutive courses and distances:
1. South 88°38'35" East, a distance of 433.56 feet,
2. South 01°18'55" West, a distance of 317.76 feet,
3. North 88°41'05" West, a distance of 163.92 feet,
4. South 01°18'55" West, a distance of 61.00 feet,
5. South 88°41'05" East, a distance of 202.50 feet,
6. South 01°18'55" West, a distance of 579.89 feet,
7. South 88°41'05" East, a distance of 125.92 feet, and
8. South 01°18'55" West, a distance of 300.39 feet to the southeast corner of said Merlin Point Subdivision No. 1, said corner also being a point on the northerly right-of-way of E. Kuna Road; thence leaving said northerly right-of-way, continuing South 01°18'55" West, a distance of 125.63 feet to a point on the southerly right-of-way of said E. Kuna Road; thence North 88°37'34" West, coincident with said southerly right-of-way, a distance of 513.00 feet, more or less, to the northeast corner of the Plat of Empty Pockets Subdivision (Book 84 of Plats, Pages 8033, 9304, Ada County Records); thence South 00°16'46" East, coincident with the easterly line of said Empty Pockets Subdivision, a distance of 220.22 feet to a point on the northerly boundary of the Plat of Sailor Shores Meadows Subdivision (Book 111 of Plats, Pages 15961 -15963, Ada County Records); thence South 88°37'34" East, coincident with said northerly boundary, a distance of 106.04 feet to the northeast corner thereof; thence leaving said northerly boundary, continuing South 88°37'34" East, a distance of 40.00 feet to a point on the easterly right-of-way of S. Sailor Place; thence South 00°16'46" East, coincident with said easterly right-of-way, a distance of 1,482.71 feet, more or less, to a point on the northerly line of Indian Creek; thence leaving said easterly right-of-way, South 89°43'14" West, a distance of 40.00 feet to a point of intersection of the westerly right-of-way of said S. Sailor Place with the southerly line of the tract of land surveyed on the Record of Survey No. 1109, Ada County Records; thence coincident with said southerly line, the following ten (10) consecutive courses and distances:
1. South 89°21'21" West, a distance of 115.42 feet,
2. North 84°04'48" West, a distance of 228.72 feet,
3. North 88°22'25" West, a distance of 123.10 feet,
4. North 75°17'17" West, a distance of 116.43 feet,
5. North 62°59'51" West, a distance of 318.00 feet,
6. North 46°48'00" West, a distance of 144.11 feet,
7. North 30°48'17" West, a distance of 149.70 feet,
8. North 48°14'07" West, a distance of 129.78 feet,
9. North 64°47'35" West, a distance of 112.88 feet, and
10. North 83°58'57" West, a distance of 42.97 feet to the southwest corner thereof; thence leaving said southerly line, South 89°54'48" West, a distance of 20.14 feet, more or less, to a point on the north-south centerline of the aforesaid Section 25; thence South 00°21'55" East, coincident with said centerline, a distance of 101.38 feet, more or less, to the northeast corner of the northeast quarter of said Section 25; thence North 89°17'43" West, coincident with the north line of the southeast quarter of the northwest quarter of said Section 25, a distance of 072.00 feet, more or less, to a point of intersection of said north line with the northeasterly boundary line of the Plat of Shortline Park No. 1 (Book 84 of Plats, Pages 9252, 9253, Ada County Records); thence coincident with the respective northeasterly, and easterly boundary lines of said Shortline Park No. 1, the following three (3) consecutive courses and distances:
1. South 66°03'29" East, a distance of 857.88 feet,
2. along the arc of a tangent curve to the right, concave southwesterly, having a radius of 8,494.42 feet, through a central angle of 02°11'40"; an arc length of 325.34 feet, and a chord bearing South 64°57'26" East, a distance of 325.32 feet to a point on the north-south centerline of said Section 25;
3. South 00°57'04" East, coincident with said centerline, a distance of 55.54 feet to the most northerly corner of the Plat of Sadie Creek Subdivision No. 1 (Book 100 of Plats, Pages 12931 - 12935, Ada County Records), said corner being hereinafter referred to as Point "B"; thence leaving said centerline, coincident with the northeasterly boundary of said Sadie Creek Subdivision No. 1, along the arc of a non-tangent curve to the right, concave southwesterly, having a radius of 8,462.97 feet, through a central angle of 10°10'00"; an arc length of 1,501.69 feet, and a chord bearing South 58°36'32" East, a distance of 1,499.72 feet to the southeast corner of Lot 1 of Block 1 as shown on said Sadie Creek Subdivision No. 1; thence South 89°35'39" West, coincident with the southerly line of said Lot 1 and the southerly line of Lot 2 of said Block 1, a distance of 986.02 feet to a point on the easterly line of Lot 4 of said Block 1; thence coincident with the respective easterly, southerly, and westerly lines of said Lot 4, the following three (3) consecutive courses and distances:
1. South 00°24'21" East, a distance of 180.30 feet to the southeast corner thereof,
2. South 89°02'56" West, a distance of 271.37 feet, more or less, to the southwest corner thereof, and
3. North 00°57'04" West, a distance of 182.89 feet, more or less, to a point on the south line of the northeast quarter of said Section 25; thence South 89°35'39" West, coincident with said south line, a distance of 86.13 feet to the southeast corner of the northeast quarter of said Section 25; thence North 88°51'00" West, coincident with the south line of the northwest quarter of said Section 25, a distance of 2,635.93 feet to the west quarter corner of said Section 25; thence North 89°48'50" West, coincident with the south line of the northeast quarter of the aforesaid Section 26, a distance of 45.06 feet to a point on the westerly right-of-way of S. Swan Falls Road, as shown on the Plat of Ryan Meadows Subdivision (Book 87 of Plats, Pages 10012, 10013, Ada County Records); thence coincident with said westerly right-of-way the following two (2) consecutive courses and distances:
1. North 45°06'23" East, a distance of 28.34 feet, and
2. North 00°01'37" East, a distance of 151.40 feet; thence continuing North 00°01'37" East, coincident with the westerly right-of-way of S. Swan Falls Road, a distance of 621.92 feet; thence leaving said westerly right-of-way, South 89°58'23" East, a distance of 58.00 feet to the northerly corner of the tract of land described in the deed recorded as Instrument No. 2017-036458, Official Records of Ada County; thence coincident with the respective northerly, and easterly lines of said tract, the following two (2) consecutive courses and distances:
1. continuing South 89°58'23" East, a distance of 204.63 feet to the northerly corner thereof, and
2. South 00°01'37" West, a distance of 217.87 feet to the southeasterly corner thereof, said corner also being the most southwesterly corner of the tract of land surveyed on the Record of Survey No. 12382, Ada County Records; thence South 89°58'23" East, coincident with the southerly line of said tract, a distance of 86.13 feet to the southeasterly corner of the tract of land surveyed on the Record of Survey No. 12487, Ada County Records; thence coincident with the westerly lines of said tract shown on said Record of Survey, the following four (4) consecutive courses and distances:
1. along the arc of a tangent curve to the left, concave northwesterly, having a radius of 30.00 feet, through a central angle of 45°15'48"; an arc length of 23.70 feet, and a chord bearing North 67°23'34" East, a distance of 23.09 feet,
2. North 44°45'40" East, a distance of 287.14 feet,
3. North 89°58'23" West, a distance of 142.51 feet, and
4. North 00°01'37" East, a distance of 252.06 feet, more or less, to a point on the southerly line of Parcel "A" as shown on the Record of Survey No. 0615, Ada County Records; thence leaving said easterly line, North 65°19'38" West, coincident with said southerly line, a distance of 143.82 feet, more or less, to a point on the easterly line of the tract of land surveyed on Record of Survey No. 64 (Book "C" of Surveys, Page 64), Ada County Records; thence coincident with the respective easterly and southerly lines of said tract, the following two (2) consecutive courses and distances:

1. South 01°29'20" West, a distance of 137.63 feet, more or less, to the southeasterly corner thereof, and
2. North 87°44'08" West, a distance of 270.65 feet, more or less, to the southwesterly corner thereof, said corner also being a point on the centerline of S. Swan Falls Road (shown as Falls Road on said Record of Survey); thence leaving said southerly line, continuing North 87°44'08" West, a distance of 26.00 feet to a point on the westerly right-of-way of said S. Swan Falls Road; thence North 00°01'37" East, coincident with said westerly right-of-way, a distance of 357.04 feet to a point on the south line of the north half of the northeast quarter of said Section 26; thence North 89°55'51" West, coincident with said south line, a distance of 206.25 feet to the northeast corner of the northeast quarter of said Section 26; said corner also being a point on the easterly boundary of the Plat of Willow Glen Subdivision No. 3 (Book 103, Pages 13819 - 13821, Ada County Records); thence coincident with the respective westerly, and northerly lines of said Willow Glen Subdivision No. 3, the following six (6) consecutive courses and distances:
1. North 00°06'18" East, a distance of 16.60 feet to the northeasterly corner thereof,
2. South 89°52'12" West, a distance of 88.79 feet,
3. North 85°18'47" West, a distance of 146.47 feet,
4. North 89°52'12" West, a distance of 257.26 feet,
5. South 67°35'46" West, a distance of 54.10 feet, and
6. North 89°54'22" West, a distance of 116.57 feet to a point on the west line of the east half of the northwest quarter of the northeast quarter of said Section 26; thence North 00°12'03" East, coincident with said west line, a distance of 1,291.26 feet to a point on the southerly right-of-way of W. Avalon Street; thence coincident with said southerly right-of-way, the following four (4) consecutive courses and distances:
1. North 89°59'01" West, a distance of 152.39 feet,
2. along the arc of a non-tangent curve to the right, concave northerly, having a radius of 334.51 feet, through a central angle of 12°33'44"; an arc length of 73.34 feet, and a chord bearing South 83°44'29" West, a distance of 73.19 feet,
3. North 89°59'01" West, a distance of 432.48 feet, and
4. North 89°54'56" West, a distance of 1,533.28 feet to a point on the easterly line of the tract of land described in the warranty deed to Ada County Highway District recorded as Instrument No. 97067556, Official Records of Ada County; thence South 00°18'18" West, coincident with said easterly line, a distance of 15.00 feet to the southeast corner thereof, said corner also being a point on the southerly right-of-way of W. Avalon Street; thence coincident with said southerly right-of-way, the following four (4) consecutive courses and distances:
1. North 89°54'55" West, a distance of 99.14 feet,
2. along the arc of a non-tangent curve to the left, concave southerly, having a radius of 282.50 feet, through a central angle of 02°31'20"; an arc length of 12.44 feet, and a chord bearing South 72°11'57" West, a distance of 12.43 feet,
3. along the arc of a compound curve to the left, concave southwesterly, having a radius of 102.50 feet, through a central angle of 19°23'00"; an arc length of 34.68 feet, and a chord bearing South 61°14'47" West, a distance of 34.51 feet,
4. along the arc of a compound curve to the left, concave southeasterly, having a radius of 64.50 feet, through a central angle of 04°10'29"; an arc length of 4.70 feet, and a chord bearing South 49°28'03" West, a distance of 4.70 feet to a point on the easterly right-of-way of S. Ten Mile Road; thence leaving said right-of-way, North 89°38'38" West, a distance of 48.86 feet to a point on west line of said Section 26; thence leaving said west line, North 89°19'18" West, a distance of 25.00 feet to a point on a line lying 25.00 feet westerly of and parallel with the east line of the aforesaid Section 27; thence North 00°20'22" East, coincident with said parallel line, a distance of 71.39 feet to the Point of Beginning.

EXCEPTING THEREFROM, a tract of land situated in the southwest quarter of the aforesaid Section 24, being all of Lot 5, all of Lot 6, and a portion of Lot 2, Block 1, as shown on the Plat of Zatica No. 1 Subdivision (Book 76 of Plats, Pages 7872, 7873, Ada County Records), said Lots being further described as follows: Commencing at the aforesaid Point "A" said point being the Point of Beginning of the aforesaid Zatica Subdivision No. 2; thence from said Point of Commencement, South 00°38'41" West, coincident with the easterly line of said Zatica Subdivision No. 2, a distance of 530.85 feet to the northeasterly corner of said Zatica No. 1 Subdivision; thence leaving said easterly line, coincident with the respective northerly line of said Zatica No. 1 Subdivision, and the westerly line of Lot 2, Block 1 of said Zatica No. 1 Subdivision, the following two (2) consecutive courses and distances:
1. North 89°21'19" West, a distance of 147.00 feet, and
2. South 00°38'41" West, a distance of 194.00 feet to the northeasterly corner of Lot 6, Block 1 of said Zatica No. 1 Subdivision, said corner being the Point of Beginning of this Exception; thence from said Point of Beginning, North 89°21'19" West, coincident with the northerly line of said Lot 6, a distance of 120.00 feet to the northerly corner common to said Lot 6, and Lot 5, Block 1 of said Zatica No. 1 Subdivision; thence coincident with the respective northerly, westerly, southerly, and easterly lines of said Lot 5, the following six (6) consecutive courses and distances:
1. North 89°21'19" East, a distance of 257.39 feet, to the southeasterly corner thereof, and
2. North 00°38'41" East, a distance of 36.67 feet,
3. North 89°21'19" West, a distance of 178.66 feet to the northwesterly corner thereof,
4. South 00°38'41" West, a distance of 201.34 feet, more or less, to the southwesterly corner thereof,
5. North 89°21'19" East, a distance of 257.39 feet, to the southeasterly corner thereof, and
6. North 00°38'41" East, a distance of 5.26 feet to the southwesterly corner of the lot line adjustment shown on the Record of Survey No. 4780, Ada County Records; thence leaving said easterly line, coincident with the adjusted line as shown on said Record of Survey, the following four (4) consecutive courses and distances:
1. South 89°21'19" East, a distance of 93.39 feet,
2. North 55°34'19" East, a distance of 88.27 feet,
3. North 00°38'41" East, a distance of 108.69 feet, and
4. North 89°21'19" West, a distance of 45.63 feet to the Point of Beginning.

FURTHER EXCEPTING THEREFROM, a tract of land situated in the northeast quarter of the aforesaid Section 25, being a portion of the tract of land described in the deed recorded as 104073384, Official Records of Ada County, and being further described as follows: Commencing at the aforesaid Point "B" said point being the most northerly corner of the aforesaid Sadie Creek Subdivision No. 1, and being on the north-south centerline of said Section 25; thence from said Point of Commencement, South 00°37'04" East, coincident with said centerline, and the westerly line of said Sadie Creek Subdivision No. 1, a distance of 145.05 feet to an angle point on said westerly line, said angle point being the Point of Beginning of this Exception; thence from said Point of Beginning, coincident with the westerly boundary lines of said Sadie Creek Subdivision No. 1, the following four (4) consecutive courses and distances:
1. South 60°52'43" East, a distance of 28.89 feet, more or less, to a point on a line lying 25.00-foot easterly of and parallel with the north-south centerline of said Section 25,
2. leaving said parallel line, continuing South 60°52'43" East, a distance of 260.18 feet,
3. South 53°08'43" East, a distance of 138.71 feet, and
4. South 89°04'18" West, a distance of 334.75 feet to a point on a line lying 25.00-foot easterly of and parallel with the north-south centerline of said Section 25; thence leaving said westerly boundary lines, North 00°57'04" West, coincident with said parallel line, a distance of 215.27 feet to the Point of Beginning. The above-described tract of land contains a net area of 597.42 acres of land, more or less.

The Project Area is also depicted in the map below.



Copies of the proposed Plan are on file for public inspection and copying at the office of the City Clerk, 751 W. 4th Street, Kuna, Idaho, 83634 between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday, exclusive of holidays. The Plan can also be accessed online at https://kuna.id.gov/DocumentCenter/View/117170-view-the-draft-of-the-Urban-Renewal-District-planning-process-click-here-hdtdc. For additional assistance in obtaining a copy of the Plan in the event of business office interruptions, contact the office of the City Clerk at 208-387-7726.

At the hearing date, time, and place noted above (November 17, 2020, at 6:00 p.m.), all persons interested in the above matters may appear and be heard. Because social distancing orders may in effect be the time of the hearing, written testimony is encouraged. Written testimony must be submitted at least five working days prior to the hearing. Oral testimony may be limited to virtual (internet) or telephonic means, and may be restricted to no more than 30 minutes per person. Information on accessing the meeting remotely and participating in the virtual meeting can be found at https://www.facebook.com/CityOfKunaIdaho. Additional information regarding providing testimony in compliance with any social distancing orders in effect may be obtained by calling 208-387-7726 or by email at CityClerk@KunaIdaho.gov.

Kuna City Hall is accessible to persons with disabilities. All information presented in the hearing shall also be available upon advance request in a form usable by persons with hearing or visual impairments, individuals with other disabilities may receive assistance by contacting the City 24 hours prior to the hearing.

DATED: October 8, 2020.

Chris Engels, City Clerk

October 14, 28, 2020

40022

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AD #	DESCRIPTION	START	STOP	TIMES	AMOUNT
40019	PH 11/17/20 - URBAN	10/14/20	10/28/20	2	\$1,996.00

Payments:

Date	Method	Card Type	Last 4 Digits	Check	Amount
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Discount:	\$0.00	Gross:	\$1,996.00
Surcharge:	\$0.00	Paid Amount:	\$0.00
Credits:	\$0.00		

Amount Due: \$1,996.00

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LEGAL NOTICE	
<p>NOTICE OF REGULAR MEETING AND PUBLIC HEARING BY THE CITY COUNCIL OF THE CITY OF KUNA, IDAHO, TO CONSIDER THE URBAN RENEWAL PLAN FOR THE KUNA WEST URBAN RENEWAL PROJECT OF THE URBAN RENEWAL AGENCY OF THE CITY OF KUNA, IDAHO</p> <p>NOTICE IS HEREBY GIVEN that on Tuesday, November 17, 2020, at 6:00 p.m. in the Council Chamber, at the Kuna City Hall, 751 W. 4th Street, Kuna, Idaho, the City Council (the "City" or the "City") will hold, during its regular meeting, a public hearing to consider for adoption the proposed Urban Renewal Plan for the Kuna West Urban Renewal Project (the "Plan"), of the Urban Renewal Agency of the City of Kuna, Idaho (the "Agency"). The Urban Renewal Agency allocation area boundary is hereafter described. The Plan proposes that the Agency undertake urban renewal projects, including identifying public facilities for funding, pursuant to the Idaho Urban Renewal Law of 1965, Title 50, Chapter 20, Idaho Code, as amended. The Plan being considered is a renewal plan that provides for the following: the Agency shall use the local Economic Development Act, Title 50, Chapter 29, Idaho Code, as amended, that will cause property taxes resulting from any increase in equalized assessed valuation in excess of the equalized assessed valuation shown on the base assessment roll as of January 1, 2020, to be allocated to the Agency for urban renewal purposes. The Agency has adopted and recommended approval of the Plan.</p> <p>The general scope and objectives of the Plan are:</p> <ol style="list-style-type: none"> The engineering, design, installation, construction, and/or reconstruction of storm water management infrastructure to support compliance with federal, state and local regulations for storm water discharge and to support private development; The provision for participation by property owners and developers within the Project Area to achieve the objectives of this Plan; The engineering, design, installation, construction, and/or reconstruction of streets and streetscapes, including but not limited to improvements to portions of Ten Mile Road, Linder Road, Avalon Street, 4th Street, avenues A, B, C, and D, the Bridge Avenue roundabout, and related pedestrian facilities, curb and gully, intersection and rail crossing improvements, and traffic signals; The engineering, design, installation and/or construction of a new overpass, with preliminary discussions centered around siting at Ten Mile Road or Swan Falls Road/Linder Road; The engineering, design, installation, construction, and/or reconstruction of utilities (within and outside of the Project Area) including but not limited to improvements and upgrades to the water distribution system, including extension of the water capacity improvements, water storage upgrades, water supply system, sewer system improvements and upgrades, including extension of the sewer collection system, lift station, and improvements, and upgrades to power, gas, fiber optics, communications and other such facilities. To the extent construction of utilities outside of the Project Area is anticipated such improvements are directly related to the growth and development within the Project Area, but cannot be sited within the Project Area; Removal, burying, or relocation of overhead utilities; removal or relocation of underground utilities; extension of electrical distribution lines and transformers; improvement of irrigation and drainage ditches and laterals; undergrounding or pipe encasement, addition of fiber optic communication systems; public parking facilities, and other public improvements, including but not limited to, fire protection systems, roadways, curbs, gutters, and streetscapes, which for purposes of this Plan, the term streetscapes includes sidewalks, lighting, landscaping, benches, bike racks, public art, and similar amenities between the curb and right-of-way line; and other public improvements, including public open spaces, such as improvements to Berrie Fisher Park and Helen Zampark Park, that may be deemed appropriate by the Board; The acquisition of real property for public right-of-way improvements, public parks, pedestrian facilities, pathways and trails, recreational access points and to encourage development opportunities consistent with the Plan, including but not limited to future disposition to qualified developers; The acquisition of real property for utility undergrounding and streetscape improvements to create development opportunities consistent with the Plan, including but not limited to future disposition to qualified developers and for qualified developments, including economic development; The disposition of real property through a competitive process in accordance with this Plan, Idaho law, including Idaho Code § 50-2905, and any disposition policies adopted by the Agency; The demolition or removal of certain buildings and/or improvements for public rights-of-way, pedestrian facilities, utility undergrounding and streetscape improvements to encourage and enhance transportation and mobility options, decrease, eliminate, unhealthful, unsanitary, or unsafe conditions, eliminate obsolete or other uses detrimental to the public welfare or otherwise to remove or to prevent the spread of deteriorating or deteriorated conditions; The management of any property acquired by and under the ownership and control of the Agency; The development or redevelopment of land by private enterprise or public agencies for uses in accordance with this Plan; The construction and financial support of infrastructure necessary for the provision of improved transit and alternative transportation; The engineering, design, installation, construction, and/or reconstruction of below ground infrastructure to support the construction of certain municipal buildings pursuant to Idaho Code § 50-2905A, including but not limited to library, fire district, school district, and recreational facilities; The provision of financial and other assistance to encourage and attract business enterprise including but not limited to start-ups and microbusinesses, mid-sized companies and large-scale corporations and industries; The provision of financial and other assistance to encourage greater density; The rehabilitation of structures and improvements by present owners, their successors, and the Agency; The preparation and assembly of adequate sites for the development and construction of facilities for industrial, commercial, office, retail, residential, and governmental use; In collaboration with property owners and other stakeholders, working with the City to amend zoning regulations (if necessary) and standards and guidelines for the design of streetscape, festival streets, plazas, a downtown archway, multi-use pathways, parks and open space and other like public spaces applicable to the Project Area as needed to support implementation of this Plan; In conjunction with the City, the establishment and implementation of performance criteria to assure high site design standards and environmental quality and other design elements which provide utility and integrity to the entire Project Area, including, but not limited to, future site planning standards, achieving high standards of development, and leveraging such development to achieve public objectives and efficient use of scarce resources; To the extent allowed by law, lend or invest federal funds to facilitate development and/or redevelopment; The provision for relocation assistance to displaced Project Area occupants, as required by law, or within the discretion of the Agency Board for displaced businesses; Agency and/or owner-developer construction, participation in the construction and/or management of public parking facilities and/or surface lots that support a desired level and form of development to enhance the vitality of the Project Area; Other related improvements to those set forth above as further set forth in Attachment 5. <p>Any such land uses as described in the Plan will be in conformance with zoning for the City and The City of Kuna 2019 Comprehensive Plan, Envision Kuna, as adopted by the City Council. Land made available will be developed by private enterprises or public agencies as authorized by law. The Plan identifies various public and private improvements which may be made within the Project Area.</p> <p>The Urban Renewal Project Area and Renewal Allocation Area herein referred to is generally described as follows:</p> <p>An area within the City consisting of approximately 473 acres of parcels including the City's core business district, generally located on the southerly portion of Highway 89/Meridian Road and extending south to the Union Pacific Rail Line and west along West Avalon Street to encompass portions of Linder Avenue and Franklin Avenue. The Project Area continues west to include all properties from Linder Avenue to Ten Mile Road and from 4th Street to West Avalon Street. Additional properties are also included on the south side of the Union Pacific Rail Line along West Shoreline Street and East Stagecoach Way.</p> <p>The Project Area is more particularly described as follows:</p> <ol style="list-style-type: none"> A tract of land situated in portions of Sections 22, 23, 24, 25, 26, and 27 of Township 2 North, Range 1 West, Boise Meridian, County of Ada, State of Idaho, and being more particularly described as follows: Commencing at the Section corner common to said Sections 22, 23, 26, and 27; thence from said Point of Commencement, North 89°29'18" West, a distance of 100.00 feet to the south line of said Section 22, a distance of 25.00 feet to a point on a line lying 25.00 feet westerly of and parallel with the east line of said Section 22 said point being the Point of Beginning of this description; thence from said Point of Beginning, North 00°40'49" East, coincident with said parallel line, a distance of 169.24 feet to a point on the southerly line of the Plat of Congesta Subdivision No. 1 (Book 66 of Plats, Pages 6799, 6800, Ada County Records); thence coincident with said southerly line, the following two (2) consecutive courses and distances: <ol style="list-style-type: none"> North 44°11'11" West, a distance of 12.96 feet, and North 69°34'16" West, a distance of 754 feet to a point on the westerly right-of-way line of N. Ten Mile Road as shown on said Plat of Discovery Creek No. 1; thence North 00°40'49" East, coincident with said right-of-way line, and its northerly projection, a distance of 257.14 feet; thence leaving said right-of-way line, South 89°57'44" East, a distance of 80.00 feet to the northwest corner of Lot 20, Block 1, as shown on said Plat of Hayfield Subdivision (Book 72 of Plats, Pages 1370, 1371, Ada County Records); thence coincident with the northerly lines of respective Lots 20, 19, 18, 17, 16, and 2 of said Block 2, the following eleven (11) consecutive courses and distances: <ol style="list-style-type: none"> continuing South 89°57'44" East, a distance of 73.61 feet, North 02°25'14" East, a distance of 22.61 feet, along the arc of a non-tangent curve to the left, concave northerly, having a radius of 50.00 feet, through a central angle of 104°51'18"; an arc length of 91.50 feet, and a chord bearing North 87°31'46" East, a distance of 79.26 feet, along the arc of a reverse curve to the right, concave southeasterly, having a radius of 20.00 feet, through a central angle of 49°59'06"; an arc length of 17.45 feet, and a chord bearing North 65°02'32" East, a distance of 16.90 feet, South 89°57'44" East, a distance of 279.62 feet, along the arc of a tangent curve to the right, concave southeasterly, having a radius of 20.00 feet, through a central angle of 49°59'06"; an arc length of 17.45 feet, and a chord bearing South 64°57'53" East, a distance of 16.90 feet, along the arc of a reverse curve to the left, concave northerly, having a radius of 50.00 feet, through a central angle of 106°47'45"; an arc length of 93.20 feet, and a chord bearing North 86°30'11" East, a distance of 80.28 feet, South 39°18'43" East, a distance of 16.30 feet, South 89°57'44" East, a distance of 76.40 feet, North 00°02'16" East, a distance of 5.00 feet, and North 89°57'44" East, a distance of 100.00 feet to a point on the westerly right-of-way line of N. Thornley Avenue as shown on said Plat of Hayfield Subdivision; thence South 00°02'16" West, coincident with said right-of-way line, a distance of 10.93 feet; thence leaving said right-of-way line of N. Thornley Avenue, thence continuing South 89°57'44" East, coincident with the northerly line of said Section 22, a distance of 101.15 feet to the northeast corner of said Lot 2, said corner also being a point on the westerly boundary line of the Plat of Congesta Subdivision (Book 68 of Plats, Pages 6929, 6930, Ada County Records); thence North 00°50'18" East, coincident with said westerly boundary line of the northeast corner of Lot 2, Block 1, as shown on said Plat of Congesta Subdivision (Book 68 of Plats, Pages 6929, 6930, Ada County Records); thence North 00°50'18" East, coincident with the northerly lines of respective Lots 20, 19, 18, 17, 16, and 2 of said Block 2, the following eleven (11) consecutive courses and distances: <ol style="list-style-type: none"> continuing South 89°57'44" East, a distance of 229.85 feet to a point on the westerly right-of-way line of N. Ash Avenue as shown on said Subdivision; thence North 88°44'09" East, a distance of 50.03 feet to the northwest corner of Lot 1, Block 2, as shown on said Subdivision; thence North 89°09'42" East, coincident with the northerly line of said Lot 1, Block 2, a distance of 100.00 feet to the northeast corner of said Lot 1, Block 2; thence North 00°49'57" East, coincident with the easterly boundary line of said Plat of Congesta Subdivision, a distance of 86.12 feet to the southeast corner of Block 1, as shown on said Plat of Congesta Subdivision (Book 74 of Plats, Pages 7625, 7626, Ada County Records); thence coincident with the southerly and westerly lines of said Block 1, the following two (2) consecutive courses and distances: <ol style="list-style-type: none"> South 89°57'44" East, a distance of 120.00 feet, and South 00°49'57" West, a distance of 158.43 feet to the southwest corner of Lot 2 of said Block 1; thence South 89°10'03" East, coincident with the southerly line of said Lot 2 and its easterly projection, a distance of 151.98 feet to the easterly right-of-way of N. Oak Oaks Avenue as shown on said Plat of Roeder Meadows Subdivision; thence South 00°49'57" West, coincident with said right-of-way, a distance of 30.36 feet to the southwest corner of Lot 2, Block 2 of said Subdivision; thence South 89°10'03" East, coincident with the easterly line of said Lot 2, a distance of 97.65 feet to the southeast corner of said Lot 2, said corner also being a point on the westerly boundary line of the Plat of Begonia Fields Subdivision (Book 87 of Plats, Pages 9956, 9957, Ada County Records); thence South 00°55'45" West, coincident with said westerly boundary line, a distance of 24.14 feet to the southwest corner of Lot 2, Block 1, as shown on said Plat of Begonia Fields Subdivision; thence coincident with the respective southerly and easterly lines of said Lot 2, Block 1, the following two (2) consecutive courses and distances: 	<ol style="list-style-type: none"> South 89°04'10" East, a distance of 83.91 feet, and North 00°55'45" East, a distance of 55.30 feet; thence South 86°49'31" East, a distance of 50.04 feet to the southwest corner of Lot 2, Block 2, as shown on said Subdivision; thence coincident with the respective southerly and easterly lines of said Block 2, the following two (2) consecutive courses and distances: <ol style="list-style-type: none"> South 89°57'44" East, a distance of 155.00 feet, and North 00°59'11" East, a distance of 53.16 feet to the southwest corner of the tract of land described in the deed recorded as Instrument No. 2019-008714, Official Records of Ada County; thence coincident with the respective southerly, easterly, and northerly lines of said tract, the following four (4) consecutive courses and distances: <ol style="list-style-type: none"> South 88°08'35" East, a distance of 25.00 feet, continuing South 88°08'35" East, a distance of 89.25 feet to the southeast corner thereof, North 00°00'50" West, a distance of 99.17 feet to the northeast corner thereof, and North 88°06'32" West, a distance of 87.60 feet to the most westerly southwest corner of the tract of land described in the deed recorded as Instrument No. 2018-07454, Official Records of Ada County; thence coincident with the respective westerly and northerly lines of said tract, the following two (2) consecutive courses and distances: <ol style="list-style-type: none"> North 00°45'57" West, a distance of 98.07 feet, and North 88°43'19" East, a distance of 189.79 feet to the northwest corner of Parcel "B" as shown on the Record of Survey No. 11041, Ada County Records; thence coincident with the northerly line of said Parcel "B", the following two (2) consecutive courses and distances: <ol style="list-style-type: none"> South 89°52'04" East, a distance of 20.96 feet, and South 89°09'42" East, a distance of 95.52 feet to the northeast corner thereof, said corner being a point on the southwesterly lines of Parcel "A" as shown on said Record of Survey; thence coincident with said southwesterly lines, the following three (3) consecutive courses and distances: <ol style="list-style-type: none"> South 00°57'30" West, a distance of 59.06 feet, South 89°57'44" East, a distance of 63.00 feet, and South 00°57'30" West, a distance of 21.00 feet to the northwest corner of Parcel 1 as shown on the Record of Survey No. 7063, Ada County Records; thence coincident with the respective westerly and southerly lines of said Parcel 1, the following two (2) consecutive courses and distances: <ol style="list-style-type: none"> South 00°57'30" West, a distance of 89.50 feet, and North 89°57'44" East, a distance of 236.11 feet more or less to a point on the westerly right-of-way of N. School Avenue, thence continuing South 89°57'44" East, a distance of 60.00 feet to a point on the easterly right-of-way line of N. School Avenue; thence South 00°59'32" West, coincident with said right-of-way line, a distance of 8.78 feet to the southwest corner of Lot 3 as shown on Lawlanders Subdivision (Book 30 of Plats, Pages 1968, 1969, Ada County Records); thence coincident with the respective northerly and easterly lines of said Lot 3, the following two (2) consecutive courses and distances: <ol style="list-style-type: none"> North 89°02'49" East, a distance of 300.79 feet, and South 00°59'00" West, a distance of 102.39 feet more or less to the northwest corner of Parcel 2 as described in the deed recorded as Instrument No. 111036131, Official Records of Ada County; thence North 89°49'33" East, coincident with the northerly line of said Parcel 2, a distance of 15.52 feet more or less to a point on the northwesterly line of the northeast corner of Parcel 2 as described in the deed recorded as 2014-07011, Official Records of Ada County; thence North 00°36'31" East, coincident with said westerly line, a distance of 68.77 feet to a point on the northerly line of the lands surveyed on Record of Survey No. 4221, Ada County Records; thence coincident with the respective northerly and easterly lines of said Record of Survey the following two (2) consecutive courses and distances: <ol style="list-style-type: none"> North 89°49'33" East, a distance of 180.13 feet, and South 00°59'33" West, a distance of 148.95 feet more or less to a point on the northerly line of the lands surveyed on Record of Survey No. 1671, Ada County Records; thence North 89°54'42" East, coincident with said northerly line, a distance of 136.61 feet to a point on the westerly right-of-way of N. Maple Avenue; thence North 00°59'03" East, coincident with said right-of-way, a distance of 324.82 feet; thence leaving said right-of-way, North 89°54'41" East, a distance of 41.60 feet more or less to the northeast corner of Parcel 2 as shown on the Record of Survey No. 4434, Ada County Records; thence continuing North 89°54'41" East, coincident with the northerly line of said Parcel 2 and of Parcel 1, as shown on said Record of Survey, a distance of 278.14 feet; thence North 00°59'03" East, coincident with said right-of-way, a distance of 20.00 feet to the northeast corner of Parcel 2 as shown on the Record of Survey No. 4434, Ada County Records; thence North 89°54'41" East, a distance of 50.00 feet to a point on the easterly right-of-way of N. Locust Avenue; thence South 01°03'08" West, coincident with said right-of-way, a distance of 324.83 feet to a point on the south line of the north half of the southeast quarter of Section 23, the following two (2) consecutive courses and distances: <ol style="list-style-type: none"> North 89°49'42" East, coincident with said south line, a distance of 447.04 feet more or less to a point on the westerly line of the tract of land described in the deed recorded as Instrument No. 2017-059309; thence North 00°05'18" West, coincident with said westerly line, a distance of 28.89 feet to the northeast corner thereof; thence North 89°57'42" East, coincident with the northerly line of said tract and the northerly line of the tract of land described in the deed recorded as Instrument No. 10712550, Official Records of Ada County, a distance of 148.74 feet more or less to a point on the westerly right-of-way of N. Elm Avenue; thence continuing North 89°54'21" East, a distance of 50.00 feet to a point on the easterly right-of-way of N. Elm Avenue; thence South 01°02'21" West, coincident with said right-of-way, a distance of 28.92 feet more or less to a point on the south line of the north half of the southeast quarter of said Section 23, said point also being the southwest corner of Block 1, as shown on the Plat of Carrington Meadows Subdivision (Book 68 of Plats, Pages 7017, 7018, Ada County Records); thence North 89°54'42" East, coincident with said south line and the southerly line of said Block 1, a distance of 173.69 feet to the southwest corner of Lot 7 of said Block 1; thence coincident with the respective westerly and northerly lines of said Lot 7, the following two (2) consecutive courses and distances: <ol style="list-style-type: none"> North 01°13'32" East, a distance of 70.84 feet more or less to the northwest corner thereof, and South 89°55'33" East, a distance of 103.65 feet to the northeast corner thereof, said corner being a point on the westerly right-of-way of N. Franklin Avenue; thence North 01°13'32" East, coincident with said right-of-way, a distance of 1,241.42 feet to the northeast corner of said right-of-way, with the southerly right-of-way of W. Boise Street; thence coincident with said southerly right-of-way, the following two (2) consecutive courses and distances: <ol style="list-style-type: none"> along the arc of a non-tangent curve to the left, concave southerly, having a radius of 66700 feet, through a central angle of 04°50'55"; an arc length of 56.45 feet, and a chord bearing North 87°44'55" West, a distance of 56.43 feet, and South 89°49'41" West, a distance of 131.04 feet; thence leaving said right-of-way, North 42°14'42" West, a distance of 84.60 feet to the southwest corner of Parcel 1-B as shown on the Record of Survey No. 9560, Ada County Records; thence coincident with the respective southwesterly lines of said Parcel 1-B, and the respective southerly and northerly line of Parcel 2-B as shown on said Record of Survey, the following eight (8) consecutive courses and distances: <ol style="list-style-type: none"> North 35°08'19" West, a distance of 243.62 feet, North 48°42'27" West, a distance of 174.53 feet, along the arc of a tangent curve to the right, concave northeasterly, having a radius of 45124 feet, through a central angle of 7°38'35"; an arc length of 60.19 feet, and a chord bearing North 44°53'10" West, a distance of 60.15 feet, South 41°05'08" West, a distance of 19.30 feet, North 24°59'25" West, a distance of 408.08 feet, North 30°01'15" West, a distance of 138.50 feet, North 40°19'58" West, a distance of 4761 feet to a point on the north line of the south half of the northeast quarter of said Section 23, and North 89°58'19" East, coincident with said north line, a distance of 1,956.36 feet to the northeast corner of said Parcel 2-B; thence continuing along said north line, continuing North 89°58'19" East, a distance of 25.00 feet to the northeast corner of the south half of the northeast quarter of said Section 23; thence South 00°02'30" West, coincident with the east line of said Section 23, a distance of 12.45 feet to the northwest corner of the tract of land described in the deed recorded as Instrument No. 9390742, Official Records of Ada County, as said tract is shown on the plat of the northeast corner of Parcel 1; a distance of 159.65 feet to a point on the easterly and easterly lines of said tract the following two (2) consecutive courses and distances: <ol style="list-style-type: none"> South 89°36'28" East, a distance of 193.05 feet, and South 00°31'34" West, a distance of 424.67 feet to a point on the northerly right-of-way of E. Porter Street; thence leaving said right-of-way, continuing South 00°31'34" West, a distance of 60.00 feet to a point on the southerly right-of-way line of said E. Porter Street, said point also being on the northerly boundary of the Plat of Parkland Estates Subdivision (Book 66 of Plats, Pages 6797, 6798, Ada County Records); thence North 87°52" West, coincident with the northerly boundary of said Subdivision, a distance of 159.65 feet to a point on the easterly right-of-way of N. Linder Road as shown on said Parkland Estates Subdivision; thence coincident with said right-of-way, the following six (6) consecutive courses and distances: <ol style="list-style-type: none"> South 00°07'21" West, a distance of 387.20 feet, along the arc of a tangent curve to the left, concave northeasterly, having a radius of 20.00 feet, through a central angle of 90°09'56"; an arc length of 31.47 feet and a chord bearing South 44°57'37" East, a distance of 28.33 feet, South 00°14'42" West, a distance of 54.00 feet, along the arc of a non-tangent curve to the left, concave southeasterly, having a radius of 20.00 feet, through a central angle of 89°00'04"; an arc length of 31.36 feet, and a chord bearing South 45°02'22" West, a distance of 28.24 feet, and South 00°07'21" West, a distance of 89.36 feet to a point on the southwesterly boundary of said Parkland Estates Subdivision; thence coincident with said southwesterly boundary, the following two (2) consecutive courses and distances: <ol style="list-style-type: none"> South 88°28'47" East, a distance of 332.34 feet, and North 88°57'15" West, a distance of 231.98 feet to a point on the north line of the southwest quarter of the aforesaid Section 24; thence North 88°27'58" West, coincident with said north line, a distance of 4.00 feet to the northwest corner of the Plat of Spice Wood No. 3 Subdivision (Book 73 of Plats, Pages 7503, 7504, Ada County Records); thence coincident with the westerly boundary of said Spice Wood No. 3 Subdivision, the following six (6) consecutive courses and distances: <ol style="list-style-type: none"> South 01°13'40" West, a distance of 459.56 feet, South 43°53'44" East, a distance of 78.72 feet, along the arc of a tangent curve to the right, concave westerly, having a radius of 270.00 feet, through a central angle of 53°30'00"; an arc length of 252.11 feet, and a chord bearing South 17°08'44" East, a distance of 243.05 feet, South 09°36'16" West, a distance of 174.00 feet, along the arc of a tangent curve to the left, concave easterly, having a radius of 145.00 feet, through a central angle of 34°40'00"; an arc length of 87.73 feet, and a chord bearing South 07°43'44" East, a distance of 86.40 feet, and South 25°03'44" East, a distance of 44.29 feet; thence leaving said boundary, North 86°39'23" West, a distance of 54.57 feet to the northeast corner of the Raposa Park as shown on the Record of Survey No. 6676, Ada County Records; thence coincident with the respective northerly line of said Raposa Park and northerly lines of the Raposa Park and Bell Parcel as shown on said Record of Survey, the following two (2) consecutive courses and distances: <ol style="list-style-type: none"> continuing North 86°39'23" West, a distance of 265.11 feet, and North 86°57'15" West, a distance of 231.98 feet to the southwest corner of said Bell Parcel; thence leaving said northerly lines, South 01°09'29" West, coincident with the westerly line of said Bell Parcel, a distance of 270.01 feet to the southwest corner thereof; thence leaving said westerly line, continuing South 01°09'29" West, a distance of 159.65 feet to a point on the north line of the south half of the southwest quarter of said Section 24; thence South 01°10'57" West, a distance of 33.27 feet more or less to a point of intersection of the southerly right-of-way of E. 4th Street with the centerline of the alley of Block 3 as shown on the Plat of Avalon Addition to Kuna, Idaho (Book 5 of Plats, Page 239, Ada County Records); thence South 01°13'41" West, coincident with the easterly centerline of said Block 3, a distance of 159.65 feet to the northeast corner of said Section 24; thence South 01°13'41" West, a distance of 80.00 feet to a point on the centerline of the southerly right-of-way of E. 3rd Street with the centerline of the alley of Block 4 as shown on the Plat of Avalon Addition to Kuna, Idaho (Book 5 of Plats, Page 239, Ada County Records); thence South 01°13'41" West, a distance of 299.78 feet more or less to the northerly right-of-way of E. 2nd Street; thence North 88°37'36" East, coincident with said northerly right-of-way, a distance of 1,087.22 feet to the southeast corner of Block 6 of Parcel No. 3343, Ada County Records; thence continuing South 88°37'36" East, a distance of 50.00 feet to a point on the easterly right-of-way of N. Orchard Avenue; thence South 00°56'26" West, coincident with said right-of-way, a distance of 40.00 feet to the most westerly northwest corner of Parcel 2 as shown on the Record of Survey No. 3343, Ada County Records; thence coincident with the northwesterly boundary line of said Parcel 2, the following five (5) consecutive courses and distances: <ol style="list-style-type: none"> North 88°37'34" East, a distance of 368.00 feet, North 00°56'26" East, a distance of 50.00 feet, South 88°37'34" East, a distance of 143.82 feet, North 00°56'26" East, a distance of 358.55 feet, and North 53°55'26" East, a distance of 2373.57 feet to a point on the westerly line of the Plat of Zatica Subdivision No. 2 (Book 104 of Plats, Pages 14013, 14014, Ada County Records);
	<p>October 14, 2020, 28, 2820 40019</p>



LEGAL NOTICE

NOTICE OF REGULAR MEETING AND PUBLIC HEARING BY THE CITY COUNCIL OF THE CITY OF KUNA, IDAHO, TO CONSIDER THE URBAN RENEWAL PLAN FOR THE KUNA WEST URBAN RENEWAL PROJECT OF THE URBAN RENEWAL AGENCY OF THE CITY OF KUNA, IDAHO (continued)

thence coincident with the respective westerly, northwesterly, and northerly lines of said Zatica Subdivision No. 2, the following three (3) consecutive courses and distances:

- 1. North 00°38'45" East, a distance of 31.19 feet,
2. North 53°55'26" East, a distance of 533.05 feet, and
3. South 88°24'49" East, a distance of 145.26 feet to the northeasterly corner of said Zatica Subdivision No. 2, said corner being hereinafter referred to as Point "A"; thence leaving said northerly line, continuing South 88°24'49" East, a distance of 45.00 feet to a point on the easterly right-of-way of N. Kay Avenue as shown on the Plat of Tomorrow Subdivision No. 3 (Book 97, Pages 12234 - 12236, Ada County Records); thence coincident with said easterly right-of-way, the following seven (7) consecutive courses and distances:

- 1. South 00°38'42" West, a distance of 144.66 feet,
2. South 88°38'23" East, a distance of 5.00 feet,
3. South 00°38'42" West, a distance of 126.19 feet,
4. South 33°50'52" East, a distance of 17.22 feet,
5. South 00°04'23" West, a distance of 50.01 feet,
6. South 36°16'57" West, a distance of 19.31 feet, and
7. South 00°38'42" West, a distance of 288.81 feet to a point on the south line of said Tomorrow Subdivision No. 3; thence North 88°37'59" West, a distance of 4.00 feet to a point on the easterly right-of-way of said N. Kay Avenue as shown on the Plat of Sunbird Village Subdivision No. 2 (Book 89 of Plats, Pages 9407, 9408, Ada County Records); thence South 00°38'42" West, coincident with said easterly right-of-way, a distance of 175.09 feet to a point on the southerly line of said Sunbird Village Subdivision No. 2; thence continuing South 00°38'42" West, coincident with the southerly projection of said easterly right-of-way and with the easterly right-of-way of said N. Kay Avenue as shown on the Plat of Sunbird Village Subdivision No. 1 (Book 70 of Plats, Pages 7232, 7233, Ada County Records), a distance of 154.74 feet, more or less to the northwest corner of Lot 1 of Block-2 as shown on said Sunbird Village Subdivision No. 1; thence South 88°37'46" East, coincident with the northerly line of said Lot 1, a distance of 256.31 feet to a point on the westerly line of Lot 7 of said Block-2; thence coincident with the boundary lines of said Lot 7, the following seven (7) consecutive courses and distances:

- 1. North 01°18'54" East, a distance of 80.02 feet,
2. South 88°37'34" East, a distance of 10.00 feet,
3. South 01°18'54" West, a distance of 80.01 feet,
4. South 88°37'46" East, a distance of 155.00 feet
5. South 01°18'54" West, a distance of 149.80 feet,
6. North 88°37'34" West, a distance of 70.00 feet, and
7. South 01°18'54" West, a distance of 40.00 feet to the southwest corner of Lot 16 of said Block-2; thence coincident with the southerly and easterly lines of said Lot 16, the following three (3) consecutive courses and distances:

- 1. South 88°37'34" East, a distance of 125.03 feet,
2. along the arc of a tangent curve to the right, concave southwesterly, having a radius of 25.00 feet, through a central angle of 89°56'28"; an arc length of 39.24 feet, and a chord bearing South 43°39'20" East, a distance of 35.34 feet, and
3. North 01°18'54" East, a distance of 34.98 feet; thence leaving said easterly line, South 88°37'34" East, a distance of 50.00 feet to the northwest corner of Lot 1 of Block-1 as shown on said Sunbird Village Subdivision No. 1; thence continuing South 88°37'34" East, coincident with the northerly line of said Lot 1, a distance of 80.00 feet to a point on the westerly line of Lot 3 of Block 1 as shown on the Plat of Merlin Pointe Subdivision No. 1 (Book 115 of Plats, Pages 17375 - 17378, Ada County Records); thence coincident with the respective westerly, and northerly lines of said Lot 3, the following five (5) consecutive courses and distances:

- 1. North 01°18'54" East, a distance of 389.54 feet to the northwest corner thereof,
2. South 88°41'05" East, a distance of 115.40 feet,
3. North 41°01'15" East, a distance of 21.01 feet,
4. along the arc of a non-tangent curve to the left, concave northerly, having a radius of 75.50 feet, through a central angle of 38°11'28"; an arc length of 50.33 feet, and a chord bearing South 69°35'21" East, a distance of 49.40 feet, and
5. South 88°41'05" East, a distance of 448.14 feet; thence leaving said northerly line, North 01°18'55" East, a distance of 51.00 feet to a point on the southeasterly line of Block 2 as shown on said Merlin Pointe Subdivision No. 1; thence coincident with the respective southeasterly, easterly, northeasterly, and northerly lines of said Block 2, the following six (6) consecutive courses and distances:

- 1. North 42°30'04" East, a distance of 26.58 feet,
2. North 01°18'55" East, a distance of 359.89 feet,
3. North 07°15'43" East, a distance of 48.26 feet,
4. North 01°18'55" East, a distance of 75.00 feet,
5. along the arc of a tangent curve to the left, concave southwesterly, having a radius of 74.50 feet, through a central angle of 90°00'00"; an arc length of 117.02 feet, and a chord bearing North 43°41'05" West, a distance of 105.36 feet, and
6. North 88°41'05" West, a distance of 121.64 feet; thence leaving said north line, North 01°18'55" East, a distance of 51.00 feet to the southwest corner of Lot 10 of Block 4 as shown on said Merlin Pointe Subdivision No. 1; thence North 01°18'55" East, coincident with the westerly line of said Lot 10, a distance of 100.08 feet to a point on the northerly boundary line of said Merlin Pointe Subdivision No. 1; thence leaving said westerly line, coincident with the northerly and easterly boundary lines of said Merlin Pointe Subdivision No. 1, the following eight (8) consecutive courses and distances:

- 1. South 88°38'35" East, a distance of 433.56 feet,
2. South 01°18'55" West, a distance of 317.76 feet,
3. North 88°41'05" West, a distance of 163.92 feet,
4. South 01°18'55" West, a distance of 61.00 feet,
5. South 88°41'05" East, a distance of 202.50 feet,
6. South 01°18'55" West, a distance of 579.89 feet,
7. South 88°41'05" East, a distance of 125.82 feet, and
8. South 01°18'55" West, a distance of 300.39 feet to the southeast corner of said Merlin Pointe Subdivision No. 1, said corner also being a point on the northerly right-of-way of E. Kuna Road; thence leaving said northerly right-of-way, continuing South 01°18'55" West, a distance of 125.63 feet to a point on the southerly right-of-way of said E. Kuna Road; thence North 88°37'34" West, coincident with said southerly right-of-way, a distance of 513.00 feet, more or less, to the northeast corner of the Plat of Empty Pockets Subdivision (Book 84 of Plats, Pages 9303, 9304, Ada County Records); thence South 00°16'46" East, coincident with the easterly line of said Empty Pockets Subdivision, a distance of 220.00 feet to a point on the northerly boundary of the Plat of Sailor Shores Meadows Subdivision (Book 111 of Plats, Pages 15961 - 15963, Ada County Records); thence South 88°37'34" East, coincident with said northerly boundary, a distance of 106.04 feet to the northeast corner thereof; thence leaving said northerly boundary, continuing South 88°37'34" East, a distance of 40.00 feet to a point on the easterly right-of-way of S. Sailor Place; thence South 00°16'46" East, coincident with said easterly right-of-way, a distance of 1,482.71 feet, more or less, to a point on the northerly line of Indian Creek; thence leaving said easterly right-of-way, South 89°43'14" West, a distance of 40.00 feet to a point of intersection of the westerly right-of-way of said S. Sailor Place with the southerly line of the tract of land surveyed on the Record of Survey No. 1109, Ada County Records; thence coincident with said southerly line, the following ten (10) consecutive courses and distances:

- 1. South 88°21'21" West, a distance of 115.42 feet,
2. North 84°04'48" West, a distance of 228.72 feet,
3. North 88°22'25" West, a distance of 123.10 feet,
4. North 75°17'17" West, a distance of 116.43 feet,
5. North 62°59'31" West, a distance of 318.00 feet,
6. North 46°48'00" West, a distance of 144.11 feet,
7. North 30°48'17" West, a distance of 149.70 feet,
8. North 48°14'07" West, a distance of 129.78 feet,
9. North 64°47'35" West, a distance of 112.88 feet, and
10. North 83°58'57" West, a distance of 42.97 feet to the southwest corner thereof; thence leaving said southerly line, South 89°35'48" West, a distance of 20.13 feet, more or less to a point on the north-south centerline of the aforesaid Section 25; thence South 00°21'55" East, coincident with said centerline, a distance of 101.38 feet, more or less, to the northeast corner of the southeast quarter of the northwest quarter of said Section 25; thence North 89°17'43" West, coincident with the north line of the southeast quarter of the northwest quarter of said Section 25, a distance of 1,072.00 feet, more or less, to a point of intersection of said north line with the northeasterly boundary line of the Plat of Shortline Park No. 1 (Book 84 of Plats, Pages 9252, 9253, Ada County Records); thence coincident with the respective northeasterly, and easterly boundary lines of said Shortline Park No. 1, the following three (3) consecutive courses and distances:

- 1. South 66°03'26" East, a distance of 857.88 feet,
2. along the arc of a tangent curve to the right, concave southwesterly, having a radius of 8,494.42 feet, through a central angle of 02°11'40"; an arc length of 325.34 feet, and a chord bearing South 64°57'36" East, a distance of 325.32 feet to a point on the north-south centerline of said Section 25, and
3. South 00°57'04" East, coincident with said centerline, a distance of 55.54 feet to the most northerly corner of the Plat of Sadie Creek Subdivision No. 1 (Book 100 of Plats, Pages 12931 - 12935, Ada County Records), said corner being hereinafter referred to as Point "B"; thence leaving said centerline, coincident with the northeasterly boundary of said Sadie Creek Subdivision No. 1, along the arc of a non-tangent curve to the right, concave southwesterly, having a radius of 8,462.97 feet, through a central angle of 10°10'00"; an arc length of 1,501.69 feet, and a chord bearing South 58°36'32" East, a distance of 1,499.72 feet to the southeast corner of Lot 1 of Block 1 as shown on said Sadie Creek Subdivision No. 1; thence South 89°35'39" West, coincident with the southerly line of said Lot 1 and the southerly line of Lot 2 of said Block 1, a distance of 986.02 feet to a point on the easterly line of Lot 4 of said Block 1; thence coincident with the respective easterly, southerly, and westerly lines of said Lot 4, the following three (3) consecutive courses and distances:

- 1. South 00°24'21" East, a distance of 180.30 feet to the southeast corner thereof,
2. South 89°02'56" West, a distance of 271.37 feet, more or less, to the southwest corner thereof, and
3. North 00°57'04" West, a distance of 182.89 feet, more or less, to a point on the south line of the northeast quarter of said Section 25; thence South 89°35'39" West, coincident with said south line, a distance of 8.00 feet to the southwest corner of the northeast quarter of said Section 25; thence North 88°51'00" West, coincident

- 1. South 01°29'20" West, a distance of 137.63 feet, more or less, to the southeasterly corner thereof, and
2. North 87°44'08" West, a distance of 270.65 feet, more or less, to the southwesterly corner thereof, said corner also being a point on the centerline of S. Swan Falls Road (shown as Falls Road on said Record of Survey); thence leaving said southerly line, continuing North 87°44'08" West, a distance of 25.00 feet to a point on the westerly right-of-way of said S. Swan Falls Road; thence North 00°01'37" East, coincident with said westerly right-of-way, a distance of 357.04 feet to a point on the south line of the north half of the northeast quarter of said Section 26; thence North 89°55'51" West, coincident with said south line, a distance of 1,292.85 feet to the southwest corner of the northeast quarter of the northeast quarter of said Section 26, said corner also being a point on the easterly boundary of the Plat of Willow Glenn Subdivision No. 3 (Book 103, Pages 13819 - 13821, Ada County Records); thence coincident with the respective westerly, and northerly lines of said Willow Glenn Subdivision No. 3, the following six (6) consecutive courses and distances:

- 1. North 00°06'19" East, a distance of 16.60 feet to the northeasterly corner thereof,
2. South 89°52'12" West, a distance of 88.79 feet,
3. North 85°18'47" West, a distance of 146.47 feet,
4. North 89°57'37" West, a distance of 257.36 feet,
5. South 67°35'46" West, a distance of 54.10 feet, and
6. North 89°54'22" West, a distance of 116.57 feet to a point on the west line of the east half of the northwest quarter of the northeast quarter of said Section 26; thence North 00°12'03" East, coincident with said west line, a distance of 1,291.26 feet to a point on the southerly right-of-way of W. Avalon Street; thence coincident with said southerly right-of-way, the following four (4) consecutive courses and distances:

- 1. North 89°59'01" West, a distance of 152.39 feet
2. along the arc of a non-tangent curve to the right, concave northerly, having a radius of 334.51 feet, through a central angle of 12°33'44"; an arc length of 73.34 feet, and a chord bearing South 83°44'29" West, a distance of 73.19 feet,
3. North 89°59'01" West, a distance of 432.48 feet, and
4. North 89°54'56" West, a distance of 1,533.28 feet to a point on the easterly line of the tract of land described in the warranty deed to Ada County Highway District recorded as Instrument No. 97067556, Official Records of Ada County; thence South 00°18'18" West, coincident with said easterly line, a distance of 15.00 feet to the southeast corner thereof, said corner also being a point on the southerly right-of-way of W. Avalon Street; thence coincident with said southerly right-of-way, the following four (4) consecutive courses and distances:

- 1. North 89°54'55" West, a distance of 999.14 feet,
2. along the arc of a non-tangent curve to the left, concave southerly, having a radius of 282.50 feet, through a central angle of 02°31'20"; an arc length of 12.44 feet, and a chord bearing South 72°11'57" West, a distance of 12.43 feet,
3. along the arc of a compound curve to the left, concave southeasterly, having a radius of 102.50 feet, through a central angle of 19°23'00"; an arc length of 34.68 feet, and a chord bearing South 61°14'47" West, a distance of 34.51 feet,
4. along the arc of a compound curve to the left, concave southeasterly, having a radius of 64.50 feet, through a central angle of 04°10'29"; an arc length of 4.70 feet, and a chord bearing South 49°28'03" West, a distance of 4.70 feet to a point on the easterly right-of-way of S. Ten Mile Road; thence leaving said right-of-way, North 89°39'38" West, a distance of 48.68 feet to a point on west line of said Section 26; thence leaving said west line, North 89°39'19" West, a distance of 25.00 feet to a point on a line lying 25.00 feet westerly of and parallel with the east line of the aforesaid Section 27; thence North 00°20'22" East, coincident with said parallel line, a distance of 71.39 feet to the Point of Beginning.

EXCEPTING THEREFROM, a tract of land situated in the southwest quarter of the aforesaid Section 24, being all of Lot 5, all Lot 6, and a portion of Lot 2, Block 1, as shown on the Plat of Zatica No. 1 Subdivision (Book 76 of Plats, Pages 7872, 7873, Ada County Records), said Lots being further described as follows: Commencing at the aforesaid Point "A", said point being the northeasterly corner of the aforesaid Zatica Subdivision No. 2; thence from said Point of Commencement, South 00°38'41" West, coincident with the easterly line of said Zatica Subdivision No. 2, a distance of 530.85 feet to the northeasterly corner of said Zatica No. 1 Subdivision; thence leaving said easterly line, coincident with the respective northerly line of said Zatica No. 1 Subdivision, and the westerly line of Lot 2, Block 1 of said Zatica No. 1 Subdivision, the following two (2) consecutive courses and distances:

- 1. North 89°21'19" West, a distance of 147.00 feet, and
2. South 00°38'41" West, a distance of 194.00 feet to the northeasterly corner of Lot 6, Block 1 of said Zatica No. 1 Subdivision, said corner being the Point of Beginning of this Exception; thence from said Point of Beginning, North 89°21'19" West, coincident with the northerly line of said Lot 6, a distance of 120.00 feet to the northerly corner common to said Lot 6, and Lot 5, Block 1 of said Zatica No. 1 Subdivision; thence coincident with the respective northerly, westerly, southerly, and easterly lines of said Lot 5, the following six (6) consecutive courses and distances:

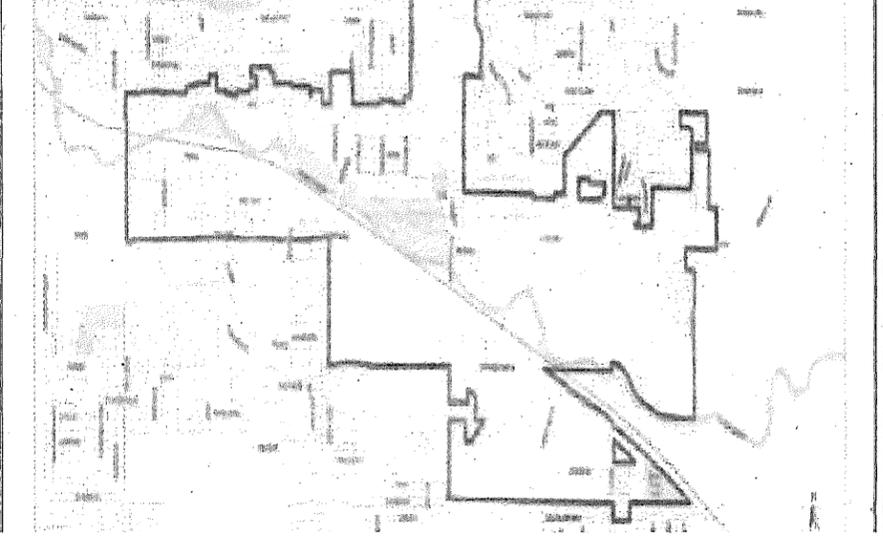
- 1. continuing North 89°21'19" West, a distance of 78.67 feet,
2. North 00°38'41" East, a distance of 36.67 feet,
3. North 89°21'19" West, a distance of 178.66 feet to the northwesterly corner thereof,
4. South 00°38'41" West, a distance of 201.34 feet, more or less, to the southwesterly corner thereof,
5. South 89°21'19" East, a distance of 257.33 feet, to the southeasterly corner thereof, and
6. North 00°38'41" East, a distance of 5.26 feet to the southwesterly corner of the lot line adjustment shown on the Record of Survey No. 4780, Ada County Records; thence leaving said easterly line, coincident with the adjusted lines as shown on said Record of Survey, the following four (4) consecutive courses and distances:

- 1. South 89°21'19" East, a distance of 93.39 feet,
2. North 55°34'19" East, a distance of 88.27 feet,
3. North 00°38'41" East, a distance of 108.69 feet, and
4. North 89°21'19" West, a distance of 45.63 feet to the Point of Beginning.

FURTHER EXCEPTING THEREFROM, a tract of land situated in the northeast quarter of the aforesaid Section 25, being a portion of the tract of land described in the deed recorded as 104073384, Official Records of Ada County, and being further described as follows: Commencing at the aforesaid Point "B", said point also being the most northerly corner of the aforesaid Sadie Creek Subdivision No. 1, and being on the north-south centerline of said Section 25; thence from said Point of Commencement, South 00°57'04" East, coincident with said centerline, and the westerly line of said Sadie Creek Subdivision No. 1, a distance of 145.05 feet to an angle point on said westerly line, said angle point being the Point of Beginning of this exception; thence from said Point of Beginning, coincident with the westerly boundary lines of said Sadie Creek Subdivision No. 1, the following four (4) consecutive courses and distances:

- 1. South 60°52'43" East, a distance of 28.89 feet, more or less, to a point on a line lying 25.00-feet easterly of and parallel with the north-south centerline of said Section 25,
2. leaving said parallel line, continuing South 60°52'43" East, a distance of 260.18 feet,
3. South 53°08'43" East, a distance of 138.71 feet, and
4. South 89°04'18" West, a distance of 334.75 feet to a point on a line lying 25.00-feet easterly of and parallel with the north-south centerline of said Section 25; thence leaving said westerly boundary lines, North 00°57'04" West, coincident with said parallel line, a distance of 215.27 feet to the Point of Beginning. The above-described tract of land contains a net area of 597.42 acres of land, more or less.

The Project Area is also depicted in the map below.



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LEGAL NOTICE

NOTICE OF REGULAR MEETING AND PUBLIC HEARING BY THE CITY COUNCIL OF THE CITY OF KUNA, IDAHO, TO CONSIDER THE URBAN RENEWAL PLAN FOR THE KUNA WEST URBAN RENEWAL PROJECT OF THE URBAN RENEWAL AGENCY OF THE CITY OF KUNA, IDAHO (continued)

thence coincident with the respective westerly, northwesterly, and northerly lines of said Zatica Subdivision No. 2, the following three (3) consecutive courses and distances:

- 1. North 00°38'45" East, a distance of 31.19 feet,
2. North 53°55'26" East, a distance of 533.05 feet, and
3. South 88°24'49" East, a distance of 145.26 feet to the northeasterly corner of said Zatica Subdivision No. 2, said corner being hereinafter referred to as Point "A"; thence leaving said northerly line, continuing South 88°24'49" East, a distance of 45.00 feet to a point on the easterly right-of-way of N. Kay Avenue as shown on the Plat of Tomorrow Subdivision No. 3 (Book 97, Pages 12234 - 12236, Ada County Records); thence coincident with said easterly right-of-way, the following seven (7) consecutive courses and distances:

- 1. South 00°38'42" West, a distance of 144.66 feet,
2. South 88°38'23" East, a distance of 5.00 feet,
3. South 00°38'42" West, a distance of 126.19 feet,
4. South 33°50'52" East, a distance of 17.22 feet,
5. South 00°04'23" West, a distance of 50.01 feet,
6. South 36°16'57" West, a distance of 19.31 feet, and
7. South 00°38'42" West, a distance of 288.81 feet to a point the south line of said Tomorrow Subdivision No. 3; thence North 88°37'59" West, a distance of 4.00 feet to a point on the easterly right-of-way of said N. Kay Avenue as shown on the Plat of Sunbird Village Subdivision No. 2 (Book 89 of Plats, Pages 9407, 9408, Ada County Records); thence South 00°38'42" West, coincident with said easterly right-of-way, a distance of 175.09 feet to a point on the southerly line of said Sunbird Village Subdivision No. 2; thence continuing South 00°38'42" West, coincident with the southerly projection of said easterly right-of-way and with the easterly right-of-way of said N. Kay Avenue as shown on the Plat of Sunbird Village Subdivision No. 1 (Book 70 of Plats, Pages 7232, 7233, Ada County Records), a distance of 154.74 feet, more or less to the northwest corner of Lot 1 of Block-2 as shown on said Sunbird Village Subdivision No. 1; thence South 88°37'46" East, coincident with the northerly line of said Lot 1, a distance of 256.31 feet to a point on the westerly line of Lot 7 of said Block-2; thence coincident with the boundary lines of said Lot 7, the following seven (7) consecutive courses and distances:

- 1. North 01°18'54" East, a distance of 80.02 feet,
2. South 88°37'34" East, a distance of 10.00 feet,
3. South 01°18'54" West, a distance of 80.01 feet,
4. South 88°37'46" East, a distance of 155.00 feet,
5. South 01°18'54" West, a distance of 149.80 feet,
6. North 88°37'34" West, a distance of 70.00 feet, and
7. South 01°18'54" West, a distance of 40.00 feet to the southwest corner of Lot 16 of said Block-2; thence coincident with the southerly and easterly lines of said Lot 16, the following three (3) consecutive courses and distances:

- 1. South 88°37'34" East, a distance of 125.03 feet,
2. along the arc of a tangent curve to the right, concave southwesterly, having a radius of 25.00 feet, through a central angle of 89°56'28"; an arc length of 39.24 feet, and a chord bearing South 43°39'20" East, a distance of 35.34 feet, and
3. North 01°18'54" East, a distance of 34.98 feet; thence leaving said easterly line, South 88°37'34" East, a distance of 50.00 feet to the northwest corner of Lot 1 of Block-1 as shown on said Sunbird Village Subdivision No. 1; thence continuing South 88°37'34" East, coincident with the northerly line of said Lot 1, a distance of 80.00 feet to a point on the westerly line of Lot 3 of Block 1 as shown on the Plat of Merlin Pointe Subdivision No. 1 (Book 115 of Plats, Pages 17375 - 17378, Ada County Records); thence coincident with the respective westerly, and northerly lines of said Lot 3, the following five (5) consecutive courses and distances:

- 1. North 01°18'54" East, a distance of 389.54 feet to the northwest corner thereof,
2. South 88°41'05" East, a distance of 115.40 feet,
3. North 41°01'15" East, a distance of 21.01 feet,
4. along the arc of a non-tangent curve to the left, concave northerly, having a radius of 75.50 feet, through a central angle of 38°11'28"; an arc length of 50.33 feet, and a chord bearing South 69°35'21" East, a distance of 49.40 feet, and
5. South 88°41'05" East, a distance of 448.14 feet; thence leaving said northerly line, North 01°18'55" East, a distance of 51.00 feet to a point on the southeasterly line of Block 2 as shown on said Merlin Pointe Subdivision No. 1; thence coincident with the respective southeasterly, easterly, northeasterly, and northerly lines of said Block 2, the following six (6) consecutive courses and distances:

- 1. North 42°30'04" East, a distance of 26.58 feet,
2. North 01°18'55" East, a distance of 359.89 feet,
3. North 07°15'43" East, a distance of 48.26 feet,
4. North 01°18'55" East, a distance of 75.00 feet,
5. along the arc of a tangent curve to the left, concave southwesterly, having a radius of 74.50 feet, through a central angle of 90°00'00"; an arc length of 117.02 feet, and a chord bearing North 43°41'05" West, a distance of 105.36 feet, and
6. North 88°41'05" West, a distance of 121.64 feet; thence leaving said north line, North 01°18'55" East, a distance of 51.00 feet to the southwest corner of Lot 10 of Block 4 as shown on said Merlin Pointe Subdivision No. 1; thence North 01°18'55" East, coincident with the westerly line of said Lot 10, a distance of 100.08 feet to a point on the northerly boundary line of said Merlin Pointe Subdivision No. 1; thence leaving said westerly line, coincident with the northerly and easterly boundary lines of said Merlin Pointe Subdivision No. 1, the following eight (8) consecutive courses and distances:

- 1. South 88°38'35" East, a distance of 433.56 feet,
2. South 01°18'55" West, a distance of 317.76 feet,
3. North 88°41'05" West, a distance of 163.92 feet,
4. South 01°18'55" West, a distance of 61.00 feet,
5. South 88°41'05" East, a distance of 202.50 feet,
6. South 01°18'55" West, a distance of 579.89 feet,
7. South 88°41'05" East, a distance of 125.82 feet, and
8. South 01°18'55" West, a distance of 300.39 feet to the southeast corner of said Merlin Pointe Subdivision No. 1, said corner also being a point on the northerly right-of-way of E. Kuna Road; thence leaving said northerly right-of-way, continuing South 01°18'55" West, a distance of 125.63 feet to a point on the southerly right-of-way of said E. Kuna Road; thence North 88°37'34" West, coincident with said southerly right-of-way, a distance of 513.00 feet, more or less, to the northeast corner of the Plat of Empty Pockets Subdivision (Book 84 of Plats, Pages 9303, 9304, Ada County Records); thence South 00°16'46" East, coincident with the easterly line of said Empty Pockets Subdivision, a distance of 220.00 feet to a point on the northerly boundary of the Plat of Sailor Shores Meadows Subdivision (Book 111 of Plats, Pages 15961 - 15963, Ada County Records); thence South 88°37'34" East, coincident with said northerly boundary, a distance of 106.04 feet to the northeast corner thereof; thence leaving said northerly boundary, continuing South 88°37'34" East, a distance of 40.00 feet to a point on the easterly right-of-way of S. Sailor Place; thence South 00°16'46" East, coincident with said easterly right-of-way, a distance of 1,482.71 feet, more or less, to a point on the northerly line of Indian Creek; thence leaving said easterly right-of-way, South 89°43'14" West, a distance of 40.00 feet to a point of intersection of the westerly right-of-way of said S. Sailor Place with the southerly line of the tract of land surveyed on the Record of Survey No. 1109, Ada County Records; thence coincident with said southerly line, the following ten (10) consecutive courses and distances:

- 1. South 88°21'21" West, a distance of 115.42 feet,
2. North 84°04'48" West, a distance of 228.72 feet,
3. North 88°22'25" West, a distance of 123.10 feet,
4. North 75°17'17" West, a distance of 116.43 feet,
5. North 62°59'31" West, a distance of 318.00 feet,
6. North 46°48'00" West, a distance of 144.11 feet,
7. North 30°48'17" West, a distance of 149.70 feet,
8. North 48°14'07" West, a distance of 129.78 feet,
9. North 64°47'35" West, a distance of 112.88 feet, and
10. North 83°58'57" West, a distance of 42.97 feet to the southwest corner thereof; thence leaving said southerly line, South 89°35'48" West, a distance of 20.13 feet, more or less to a point on the north-south centerline of the aforesaid Section 25; thence South 00°21'55" East, coincident with said centerline, a distance of 101.38 feet, more or less, to the northeast corner of the southeast quarter of the northwest quarter of said Section 25; thence North 89°17'43" West, coincident with the north line of the southeast quarter of the northwest quarter of said Section 25, a distance of 1,072.00 feet, more or less, to a point of intersection of said north line with the northeasterly boundary line of the Plat of Shortline Park No. 1 (Book 84 of Plats, Pages 9252, 9253, Ada County Records); thence coincident with the respective northeasterly, and easterly boundary lines of said Shortline Park No. 1, the following three (3) consecutive courses and distances:

- 1. South 66°03'26" East, a distance of 857.88 feet,
2. along the arc of a tangent curve to the right, concave southwesterly, having a radius of 8,494.42 feet, through a central angle of 02°11'40"; an arc length of 325.34 feet, and a chord bearing South 64°57'36" East, a distance of 325.32 feet to a point on the north-south centerline of said Section 25, and
3. South 00°57'04" East, coincident with said centerline, a distance of 55.54 feet to the most northerly corner of the Plat of Sadie Creek Subdivision No. 1 (Book 100 of Plats, Pages 12931 - 12935, Ada County Records), said corner being hereinafter referred to as Point "B"; thence leaving said centerline, coincident with the northeasterly boundary of said Sadie Creek Subdivision No. 1, along the arc of a non-tangent curve to the right, concave southwesterly, having a radius of 8,462.97 feet, through a central angle of 10°10'00"; an arc length of 1,501.69 feet, and a chord bearing South 58°36'32" East, a distance of 1,499.72 feet to the southeast corner of Lot 1 of Block 1 as shown on said Sadie Creek Subdivision No. 1; thence South 89°35'39" West, coincident with the southerly line of said Lot 1 and the southerly line of Lot 2 of said Block 1, a distance of 986.02 feet to a point on the easterly line of Lot 4 of said Block 1; thence coincident with the respective easterly, southerly, and westerly lines of said Lot 4, the following three (3) consecutive courses and distances:

- 1. South 00°24'21" East, a distance of 180.30 feet to the southeast corner thereof,
2. South 89°02'56" West, a distance of 271.37 feet, more or less, to the southwest corner thereof, and
3. North 00°57'04" West, a distance of 182.89 feet, more or less, to a point on the south line of the northeast quarter of said Section 25; thence South 89°35'39" West, coincident with said south line, a distance of 8.00 feet to the southwest corner of the northeast quarter of said Section 25; thence North 88°51'00" West, coincident

- 1. South 01°29'20" West, a distance of 137.63 feet, more or less, to the southeasterly corner thereof, and
2. North 87°44'08" West, a distance of 270.65 feet, more or less, to the southwesterly corner thereof, said corner also being a point on the centerline of S. Swan Falls Road (shown as Falls Road on said Record of Survey); thence leaving said southerly line, continuing North 87°44'08" West, a distance of 25.00 feet to a point on the westerly right-of-way of said S. Swan Falls Road; thence North 00°01'37" East, coincident with said westerly right-of-way, a distance of 357.04 feet to a point on the south line of the north half of the northeast quarter of said Section 26; thence North 89°55'51" West, coincident with said south line, a distance of 1,292.85 feet to the southwest corner of the northeast quarter of the northeast quarter of said Section 26, said corner also being a point on the easterly boundary of the Plat of Willow Glenn Subdivision No. 3 (Book 103, Pages 13819 - 13821, Ada County Records); thence coincident with the respective westerly, and northerly lines of said Willow Glenn Subdivision No. 3, the following six (6) consecutive courses and distances:

- 1. North 00°06'19" East, a distance of 16.60 feet to the northeasterly corner thereof,
2. South 89°52'12" West, a distance of 88.79 feet,
3. North 85°18'47" West, a distance of 146.47 feet,
4. North 89°57'37" West, a distance of 257.36 feet,
5. South 67°35'46" West, a distance of 54.10 feet, and
6. North 89°54'22" West, a distance of 116.57 feet to a point on the west line of the east half of the northwest quarter of the northeast quarter of said Section 26; thence North 00°12'03" East, coincident with said west line, a distance of 1,291.26 feet to a point on the southerly right-of-way of W. Avalon Street; thence coincident with said southerly right-of-way, the following four (4) consecutive courses and distances:

- 1. North 89°59'01" West, a distance of 152.39 feet
2. along the arc of a non-tangent curve to the right, concave northerly, having a radius of 334.51 feet, through a central angle of 12°33'44"; an arc length of 73.34 feet, and a chord bearing South 83°44'29" West, a distance of 73.19 feet,
3. North 89°59'01" West, a distance of 432.48 feet, and
4. North 89°54'56" West, a distance of 1,533.28 feet to a point on the easterly line of the tract of land described in the warranty deed to Ada County Highway District recorded as Instrument No. 97067556, Official Records of Ada County; thence South 00°18'18" West, coincident with said easterly line, a distance of 15.00 feet to the southeast corner thereof, said corner also being a point on the southerly right-of-way of W. Avalon Street; thence coincident with said southerly right-of-way, the following four (4) consecutive courses and distances:

- 1. North 89°54'55" West, a distance of 999.14 feet,
2. along the arc of a non-tangent curve to the left, concave southerly, having a radius of 282.50 feet, through a central angle of 02°31'20"; an arc length of 12.44 feet, and a chord bearing South 72°11'57" West, a distance of 12.43 feet,
3. along the arc of a compound curve to the left, concave southeasterly, having a radius of 102.50 feet, through a central angle of 19°23'00"; an arc length of 34.68 feet, and a chord bearing South 61°14'47" West, a distance of 34.51 feet,
4. along the arc of a compound curve to the left, concave southeasterly, having a radius of 64.50 feet, through a central angle of 04°10'29"; an arc length of 4.70 feet, and a chord bearing South 49°28'03" West, a distance of 4.70 feet to a point on the easterly right-of-way of S. Ten Mile Road; thence leaving said right-of-way, North 89°39'38" West, a distance of 48.68 feet to a point on west line of said Section 26; thence leaving said west line, North 89°39'19" West, a distance of 25.00 feet to a point on a line lying 25.00 feet westerly of and parallel with the east line of the aforesaid Section 27; thence North 00°20'22" East, coincident with said parallel line, a distance of 71.39 feet to the Point of Beginning.

EXCEPTING THEREFROM, a tract of land situated in the southwest quarter of the aforesaid Section 24, being all of Lot 5, all Lot 6, and a portion of Lot 2, Block 1, as shown on the Plat of Zatica No. 1 Subdivision (Book 76 of Plats, Pages 7872, 7873, Ada County Records), said Lots being further described as follows: Commencing at the aforesaid Point "A", said point being the northeasterly corner of the aforesaid Zatica Subdivision No. 2; thence from said Point of Commencement, South 00°38'41" West, coincident with the easterly line of said Zatica Subdivision No. 2, a distance of 530.85 feet to the northeasterly corner of said Zatica No. 1 Subdivision; thence leaving said easterly line, coincident with the respective northerly line of said Zatica No. 1 Subdivision, and the westerly line of Lot 2, Block 1 of said Zatica No. 1 Subdivision, the following two (2) consecutive courses and distances:

- 1. North 89°21'19" West, a distance of 147.00 feet, and
2. South 00°38'41" West, a distance of 194.00 feet to the northeasterly corner of Lot 6, Block 1 of said Zatica No. 1 Subdivision, said corner being the Point of Beginning of this Exception; thence from said Point of Beginning, North 89°21'19" West, coincident with the northerly line of said Lot 6, a distance of 120.00 feet to the northerly corner common to said Lot 6, and Lot 5, Block 1 of said Zatica No. 1 Subdivision; thence coincident with the respective northerly, westerly, southerly, and easterly lines of said Lot 5, the following six (6) consecutive courses and distances:

- 1. continuing North 89°21'19" West, a distance of 78.67 feet,
2. North 00°38'41" East, a distance of 36.67 feet,
3. North 89°21'19" West, a distance of 178.66 feet to the northwesterly corner thereof,
4. South 00°38'41" West, a distance of 201.34 feet, more or less, to the southwesterly corner thereof,
5. South 89°21'19" East, a distance of 257.33 feet, to the southeasterly corner thereof, and
6. North 00°38'41" East, a distance of 5.26 feet to the southwesterly corner of the lot line adjustment shown on the Record of Survey No. 4780, Ada County Records; thence leaving said easterly line, coincident with the adjusted lines as shown on said Record of Survey, the following four (4) consecutive courses and distances:

- 1. South 89°21'19" East, a distance of 93.39 feet,
2. North 55°34'19" East, a distance of 88.27 feet,
3. North 00°38'41" East, a distance of 108.69 feet, and
4. North 89°21'19" West, a distance of 45.63 feet to the Point of Beginning.

FURTHER EXCEPTING THEREFROM, a tract of land situated in the northeast quarter of the aforesaid Section 25, being a portion of the tract of land described in the deed recorded as 104073384, Official Records of Ada County, and being further described as follows: Commencing at the aforesaid Point "B", said point also being the most northerly corner of the aforesaid Sadie Creek Subdivision No. 1, and being on the north-south centerline of said Section 25; thence from said Point of Commencement, South 00°57'04" East, coincident with said centerline, and the westerly line of said Sadie Creek Subdivision No. 1, a distance of 145.05 feet to an angle point on said westerly line, said angle point being the Point of Beginning of this exception; thence from said Point of Beginning, coincident with the westerly boundary lines of said Sadie Creek Subdivision No. 1, the following four (4) consecutive courses and distances:

- 1. South 60°52'43" East, a distance of 28.89 feet, more or less, to a point on a line lying 25.00-feet easterly of and parallel with the north-south centerline of said Section 25,
2. leaving said parallel line, continuing South 60°52'43" East, a distance of 260.18 feet,
3. South 53°08'43" East, a distance of 138.71 feet, and
4. South 89°04'18" West, a distance of 334.75 feet to a point on a line lying 25.00-feet easterly of and parallel with the north-south centerline of said Section 25; thence leaving said westerly boundary lines, North 00°57'04" West, coincident with said parallel line, a distance of 215.27 feet to the Point of Beginning.

The above-described tract of land contains a net area of 597.42 acres of land, more or less.

The Project Area is also depicted in the map below.

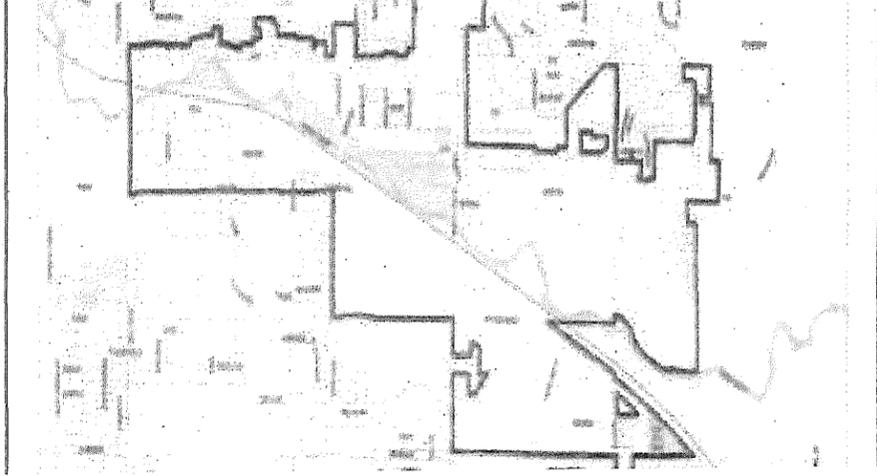


EXHIBIT 3

**URBAN RENEWAL PLAN FOR THE
KUNA WEST URBAN RENEWAL PROJECT**

Please follow the link below to view the
Urban Renewal Plan for the Kuna West Urban Renewal Project:

<https://www.kunacity.id.gov/DocumentCenter/View/7234/Exhibit-3-Kuna-West-Plan-w-exhibits-11102020-PDF>

EXHIBIT 4

SUMMARY OF ORDINANCE NO. 2020-32

**ORDINANCE NO. 2020-32
CITY OF KUNA**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA, IDAHO, APPROVING THE URBAN RENEWAL PLAN FOR THE KUNA WEST URBAN RENEWAL PROJECT, WHICH PLAN INCLUDES REVENUE ALLOCATION FINANCING PROVISIONS; AUTHORIZING THE CITY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO COUNTY AND STATE OFFICIALS AND OTHER TAXING ENTITIES; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING AN EFFECTIVE DATE.

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

SECTION 1: It is hereby found and determined that:

- (a) The Kuna West Project Area, as defined in the Kuna West Plan, is a deteriorated area or a deteriorating area, as defined in the Law and the Act, and qualifies as an eligible urban renewal area under the Law and Act.
- (b) The rehabilitation, conservation, development and redevelopment of the urban renewal area pursuant to the Kuna West Plan are necessary in the interests of public health, safety, and welfare of the residents of the City.
- (c) There continues to be a need for the Agency to function in the City.
- (d) The Kuna West Plan conforms to the Comprehensive Plan.
- (e) The Kuna West Plan gives due consideration to the provision of adequate park and recreation areas and facilities that may be desirable for neighborhood improvement (recognizing the industrial and commercial components of the Kuna West Plan and the need for overall public improvements and the proposed public open space), and shows consideration for the health, safety, and welfare of any residents or businesses in the general vicinity of the urban renewal area covered by the Kuna West Plan.
- (f) The Kuna West Plan affords maximum opportunity consistent with the sound needs of the City, as a whole, for the rehabilitation, development, and redevelopment of the urban renewal area by private enterprises.
- (g) Pursuant to Idaho Code §§ 50-2007(h) and 50-2008(d)(1), the Kuna West Plan provides a feasible method for relocation obligations of any displaced families residing within the Kuna West Project Area and there is not anticipated to be any activity by the Agency that would result in relocation.

- (h) The base assessment roll for the Kuna West Project Area does not exceed ten percent (10%) of the assessed values of all the taxable property in the City.
- (i) The Kuna West Plan includes the requirements set out in Idaho Code § 50-2905 with specificity.
- (j) The Kuna West Plan is sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the urban renewal area, zoning and planning changes, if any, land uses, maximum densities, building requirements, and any method or methods of financing such plan, which methods may include revenue allocation financing provisions.
- (k) The urban renewal area, which includes the deteriorating area, as defined in Idaho Code §§ 50-2018(9) and 50-2903(8)(f), does include agricultural operations for which the Agency has received written consents, or which have not been used for agricultural purposes for three (3) consecutive years.
- (l) The portion of the Kuna West Project Area which is identified for non-residential uses is necessary and appropriate to facilitate the proper growth and development standards in accordance with the objectives of the Comprehensive Plan to overcome economic disuse, the need for improved traffic patterns, and the need for the correlation of this area with other areas of the City.
- (m) The portion of the Kuna West Project Area which is identified for residential uses is necessary and appropriate as there is a shortage of housing of sound standards and design which is decent, safe and sanitary in the City; that the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas; that the conditions of blight in the area and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime and constitute a menace to the public health, safety, morals, or welfare; and that the acquisition of the area for residential uses is an integral part of and essential to the program of the City.

SECTION 2: The City Council finds that the Kuna West Project Area has a substantial portion of open land, that the Agency may acquire any open land within the Kuna West Project Area, but does not intend to do so on any widespread basis, and that the Kuna West Project Area is planned to be developed and/or redeveloped in a manner that will include both residential and nonresidential uses. The City Council finds that for the portions of the Kuna West Project Area deemed to be “open land,” the criteria set forth in the Law and Act have been met.

SECTION 3: The Kuna West Plan, a copy of which is attached hereto and marked as Exhibit 3 and made a part hereof by attachment, be, and the same hereby is, approved. As directed by the City Council, the City Clerk and/or the Agency may make certain technical corrections or revisions in keeping with the information and testimony presented at the November 17, 2020, hearing and incorporate changes or modifications, if any.

SECTION 4: That the City Council declares that nothing within the Kuna West Plan is intended or shall be interpreted to usurp the jurisdiction and authority of the Ada County Highway District (“ACHD”) as defined in Chapter 14, Title 40, Idaho Code. Further, pursuant to Idaho Code § 40-1415, ACHD has authority over the planning, location, design, construction, reconstruction, and maintenance of the City rights-of-way and accompanying curbs, gutters, culverts, sidewalks, paved medians, bulkheads, and retaining walls. In the planning process, ACHD shall take into consideration the planning principles contained in the Kuna West Plan.

SECTION 5: No direct or collateral action challenging the Kuna West Plan shall be brought prior to the effective date of this Ordinance or after the elapse of thirty (30) days from and after the effective date of this Ordinance adopting the Kuna West Plan.

SECTION 6: Upon the effective date of this Ordinance, the City Clerk is authorized and directed to transmit to the County Auditor and Tax Assessor of Ada County and to the appropriate officials of the Ada County Board of County Commissioners, City of Kuna, Ada County Emergency Medical Services District, Kuna Joint School District #3, Kuna Library District, College of Western Idaho, ACHD, Ada County Mosquito Abatement District, Kuna Rural Fire District, Kuna Cemetery District and the State Tax Commission a copy of this Ordinance, a copy of the legal description of the boundaries of the Revenue Allocation Area, and a map or plat indicating the boundaries of the Kuna West Project Area.

SECTION 7: The City Council hereby finds and declares that the Revenue Allocation Area as defined in the Kuna West Plan, the equalized assessed valuation of which the City Council hereby determines is in and is part of the Kuna West Plan, is likely to increase as a result of the initiation and completion of urban renewal projects pursuant to the Kuna West Plan.

SECTION 8: The City Council hereby approves and adopts the following statement policy relating to the appointment of City Council members as members of the Agency’s Board of Commissioners: If any Council members are appointed to the Board, they are not acting in an ex officio capacity but, rather, as private citizens who, although they are also members of the City Council, are exercising their independent judgment as private citizens when they sit on the Board. Except for the powers to appoint and terminate Board members and to adopt the Kuna West Plan, the City Council recognizes that it has no power to control the powers or operations of the Agency.

SECTION 9: So long as any Agency bonds, notes or other obligations are outstanding, the City Council will not exercise its power under Idaho Code § 50-2006 to designate itself as the Agency Board.

SECTION 10: So long as any Agency bonds, notes or other obligations are outstanding, the City Council will not modify the Kuna West Plan in a manner that would result in a reset of the base assessment value for the year immediately following the year in which the modification occurs to include the current year’s equalized assessed value of the taxable property as further set forth in the Act.

SECTION 11: This Ordinance shall be in full force and effect immediately upon its passage, approval, and publication and shall be retroactive to January 1, 2020, to the extent permitted by the Act.

SECTION 12: The provisions of this Ordinance are severable, and if any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of remaining portions of this Ordinance.

SECTION 13: The Summary of this Ordinance, a copy of which is attached hereto as Exhibit 4, is hereby approved.

SECTION 14: All ordinances, resolutions, orders or parts thereof in conflict herewith are hereby repealed, rescinded and annulled.

SECTION 15: Savings Clause. This Ordinance does not affect an action or proceeding commenced or right accrued before this Ordinance takes effect.

PASSED by the City Council of the City of Kuna, Idaho, on this 17th day of November, 2020.

APPROVED by the Mayor of the City of Kuna, Idaho, on this 17th day of November, 2020.

EXHIBITS TO THE ORDINANCE

- Exhibit 1 A Resolution of the Planning and Zoning Commission for the City of Kuna, Idaho, Validating Conformity of the Urban Renewal Plan for the Kuna West Urban Renewal Project with the City of Kuna’s Comprehensive Plan
- Exhibit 2 Notice Published in the *Kuna Melba News*
- Exhibit 3 Urban Renewal Plan for the Kuna West Urban Renewal Project
- Exhibit 4 Ordinance Summary

SUMMARY OF KUNA WEST PLAN

The Urban Renewal Plan for the Kuna West Urban Renewal Project (“Kuna West Plan”) was prepared by the Urban Renewal Agency of the City of Kuna, Idaho, also known as the Kuna Urban Renewal Agency (“Agency”) pursuant to the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended (the “Law”), the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the “Act”), and all applicable laws and ordinances and was approved by the Agency. The Kuna West Plan provides for the Agency to undertake urban renewal projects pursuant to the Law and the Act. The Kuna West Plan contains a revenue allocation financing provision pursuant to the Act that will cause property taxes resulting from any increases in equalized assessed valuation in excess of the equalized assessed

valuation as shown on the original base assessment roll as of January 1, 2020, to be allocated to the Agency for the urban renewal purposes.

The general scope and objectives of the Plan are:

- a. The engineering, design, installation, construction, and/or reconstruction of storm water management infrastructure to support compliance with federal, state and local regulations for storm water discharge and to support private development;
- b. The provision for participation by property owners and developers within the Project Area to achieve the objectives of this Plan;
- c. The engineering, design, installation, construction, and/or reconstruction of streets and streetscapes, including but not limited to improvements to portions of Ten Mile Road, Linder Road, Avalon Street, 4th Street, Avenues A, B, C, and D, the Bridge Avenue roundabout, and related pedestrian facilities, curb and gutter, intersection and rail crossing improvements, and traffic signals;
- d. Then engineering, design, installation and/or construction of a new overpass, with preliminary discussions centered around siting at Ten Mile Road or Swan Falls Road/Linder Road;
- e. The engineering, design, installation, construction, and/or reconstruction of utilities (within and outside of the Project Area) including but not limited to improvements and upgrades to the water distribution system, including extension of the water distribution system, water capacity improvements, water storage upgrades, sewer system improvements and upgrades, including extension of the sewer collection system, lift station, and improvements, and upgrades to power, gas, fiber optics, communications and other such facilities. To the extent construction of utilities outside of the Project Area are identified, such improvements are directly related to the growth and development within the Project Area, but cannot be sited within the Project Area;
- f. Removal, burying, or relocation of overhead utilities; removal or relocation of underground utilities; extension of electrical distribution lines and transformers; improvement of irrigation and drainage ditches and laterals; undergrounding or piping of laterals; addition of fiber optic lines or other communication systems; public parking facilities, and other public improvements, including but not limited to, fire protection systems, roadways, curbs, gutters, and streetscapes, which for purposes of this Plan, the term streetscapes includes sidewalks, lighting, landscaping, benches, signage, way-finding, bike racks, public art, and similar amenities between the curb and right-of-way line; and other public improvements, including public open spaces, such as improvements to Bernie Fisher Park and Helen Zamzow Park, that may be deemed appropriate by the Board;
- g. The acquisition of real property for public right-of-way improvements, public parks, pedestrian facilities, pathways and trails, recreational access points and to encourage

- development opportunities consistent with the Plan, including but not limited to future disposition to qualified developers;
- h. The acquisition of real property for utility undergrounding and streetscape improvements to create development opportunities consistent with the Plan, including but not limited to future disposition to qualified developers and for qualified developments, including economic development;
 - i. The disposition of real property through a competitive process in accordance with this Plan, Idaho law, including Idaho Code § 50-2011, and any disposition policies adopted by the Agency;
 - j. The demolition or removal of certain buildings and/or improvements for public rights-of-way, pedestrian facilities, utility undergrounding and streetscape improvements to encourage and enhance transportation and mobility options, decrease underutilized parcels, to eliminate unhealthful, unsanitary, or unsafe conditions, eliminate obsolete or other uses detrimental to the public welfare or otherwise to remove or to prevent the spread of deteriorating or deteriorated conditions;
 - k. The management of any property acquired by and under the ownership and control of the Agency;
 - l. The development or redevelopment of land by private enterprise or public agencies for uses in accordance with this Plan;
 - m. The construction and financial support of infrastructure necessary for the provision of improved transit and alternative transportation;
 - n. The engineering, design, installation, construction, and/or reconstruction of below ground infrastructure to support the construction of certain municipal buildings pursuant to Idaho Code § 50-2905A, including but not limited to: library, fire district, school district, and recreational facilities;
 - o. The provision of financial and other assistance to encourage and attract business enterprise including but not limited to start-ups and microbusinesses, mid-sized companies and large-scale corporations and industries;
 - p. The provision of financial and other assistance to encourage greater density;
 - q. The rehabilitation of structures and improvements by present owners, their successors, and the Agency;
 - r. The preparation and assembly of adequate sites for the development and construction of facilities for industrial, commercial, office, retail, residential, and governmental use;

- s. In collaboration with property owners and other stakeholders, working with the City to amend zoning regulations (if necessary) and standards and guidelines for the design of streetscape, festival streets, plazas, a downtown archway, multi-use pathways, parks and open space and other like public spaces applicable to the Project Area as needed to support implementation of this Plan;
- t. In conjunction with the City, the establishment and implementation of performance criteria to assure high site design standards and environmental quality and other design elements which provide unity and integrity to the entire Project Area, including commitment of funds for planning studies, achieving high standards of development, and leveraging such development to achieve public objectives and efficient use of scarce resources;
- u. To the extent allowed by law, lend or invest federal funds to facilitate development and/or redevelopment;
- v. The provision for relocation assistance to displaced Project Area occupants, as required by law, or within the discretion of the Agency Board for displaced businesses;
- w. Agency and/or owner-developer construction, participation in the construction and/or management of public parking facilities and/or surface lots that support a desired level and form of development to enhance the vitality of the Project Area;
- x. Other related improvements to those set forth above as further set forth in Attachment 5.

Any such land uses as described in the Plan will be in conformance with zoning for the City and The City of Kuna 2019 Comprehensive Plan, *Envision Kuna*, as adopted by the City Council. Land made available will be developed by private enterprises or public agencies as authorized by law. The Plan identifies various public and private improvements which may be made within the Project Area.

The Urban Renewal Project Area and Revenue Allocation Area herein referred to is generally described as follows:

An area within the City consisting of approximately 473 acres of parcels including the City’s core business district, generally located at the southernmost portion of Highway 69/Meridian Road and extending south to the Union Pacific Rail Line and west along West Avalon Street to encompass portions of Linder Avenue and Franklin Avenue. The Project Area continues west to include all properties from Linder Avenue to Ten Mile Road and from 4th Street to West Avalon Street. Additional properties are also included on the south side of the Union Pacific Rail Line along West Shortline Street and East Stagecoach Way.

The Project Area is more particularly described as follows:

A tract of land situated in portions of Sections 22, 23, 24, 25, 26, and 27 of Township 2 North, Range 1 West, Boise Meridian, County of Ada, State of Idaho, and being more particularly described as follows:

Commencing at the Section corner common to said Sections 22, 23, 26, and 27; thence from said Point of Commencement, North 89°28'15" West, coincident with the south line of said Section 22, a distance of 25.00 feet to a point on a line lying 25.00 feet westerly of and parallel with the east line of said Section 22 said point being the **Point of Beginning** of this description;

thence from said **Point of Beginning**, North 00°40'49" East, coincident with said parallel line, a distance of 1,169.24 feet to a point on the southerly line of the Plat of Discovery Creek Subdivision No. 1 (Book 66 of Plats, Pages 6799, 6800, Ada County Records); thence coincident with said southerly line, the following two (2) consecutive courses and distances:

1. North 84°11'11" West, a distance of 12.96 feet, and
2. North 69°34'16" West, a distance of 7.54 feet to a point on the westerly right-of-way line of N. Ten Mile Road as shown on said Plat of Discovery Creek No. 1;

thence North 00°40'49" East, coincident with said right-of-way line, and its northerly projection, a distance of 257.14 feet; thence leaving said right-of-way line, South 89°57'44" East, a distance of 90.00 feet to the northwest corner of Lot 20, Block 2 as shown on the Plat of Hayfield Subdivision (Book 72 of Plats, Pages 1370, 1371, Ada County Records); thence coincident with the northerly lines of respective Lots 20, 19, 18, 17, 16, and 2 of said Block 2, the following eleven (11) consecutive courses and distances:

1. continuing South 89°57'44" East, a distance of 73.61 feet,
2. North 40°25'14" East, a distance of 22.61 feet
3. along the arc of a non-tangent curve to the left, concave northerly, having a radius of 50.00 feet, through a central angle of 104°51'18", an arc length of 91.50 feet, and a chord bearing South 87°31'46" East, a distance of 79.26 feet
4. along the arc of a reverse curve to the right, concave southeasterly, having a radius of 20.00 feet, through a central angle of 49°59'36", an arc length of 17.45 feet, and a chord bearing North 65°02'32" East, a distance of 16.90 feet,
5. South 89°57'44" East, a distance of 279.62 feet,
6. along the arc of a tangent curve to the right, concave southwesterly, having a radius of 20.00 feet, through a central angle of 49°59'06", an arc length of 17.45 feet, and a chord bearing South 64°57'53" East, a distance of 16.90 feet,
7. along the arc of a reverse curve to the left, concave northerly, having a radius of 50.00 feet, through a central angle of 106°47'45", an arc length of 93.20 feet, and a chord bearing North 86°38'01" East, a distance of 80.28 feet,
8. South 39°18'43" East, a distance of 16.33 feet,
9. South 89°57'44" East, a distance of 76.40 feet,
10. North 00°02'16" East, a distance of 5.00 feet, and

11. South 89°57'44" East, a distance of 100.00 feet to a point on the westerly right-of-way of N. Thornley Avenue as shown on said Plat of Hayfield Subdivision;

thence South 00°02'16" West, coincident with said right-of-way line, a distance of 10.93 feet; thence leaving said right-of-way, South 89°57'44" East, a distance of 50.00 feet to the northwest corner of Lot 2, Block 1 as shown on said Plat of Hayfield Subdivision; thence continuing South 89°57'44" East, coincident with the northerly line of said Lot 2, a distance of 101.55 feet to the northeast corner of said Lot 2, said corner also being a point on the westerly boundary line of the Plat of Conestoga Subdivision (Book 68 of Plats, Pages 6929, 6930, Ada County Records); thence North 00°50'18" East, coincident with said westerly boundary line a distance of 63.93 feet to the northwest corner of Lot 2, Block 1 as shown on said Plat of Conestoga Subdivision; thence North 80°33'55" East, coincident with the northerly lines of said Lot 2 and Lot 3, Block 1 of said Subdivision, a distance of 229.85 feet to a point on the westerly right-of-way line of N. Ash Avenue as shown on said Subdivision; thence North 88°44'09" East, a distance of 50.03 feet to the northwest corner of Lot 1, Block 2 as shown on said Subdivision; thence South 89°09'42" East, coincident with the northerly line of said Lot 1, Block 2, a distance of 100.00 feet to the northeast corner of said Lot 1, Block 2; thence North 00°49'57" East, coincident with the easterly boundary line of said Plat of Conestoga Subdivision, a distance of 86.12 feet to the southwest corner of Lot 5, Block 1 as shown on the Plat of Roeder Meadows Subdivision (Book 74 of Plats, Pages 7625, 7626, Ada County Records); thence coincident with the southerly and westerly lines of said Block 1, the following two (2) consecutive courses and distances:

1. South 89°57'44" East, a distance of 120.00 feet, and
2. South 00°49'57" West, a distance of 158.43 feet to the southwest corner of Lot 2 of said Block 1;

thence South 89°10'03" East, coincident with the southerly line of said Lot 2 and its easterly projection, a distance of 151.98 feet to the easterly right-of-way of N. Great Oaks Avenue as shown on said Plat of Roeder Meadows Subdivision; thence South 00°49'57" West, coincident with said right-of-way, a distance of 30.36 feet to the southwest corner of Lot 2, Block 2 of said Subdivision; thence South 89°10'03" East, coincident with the southerly line of said Lot 2, a distance of 97.65 feet to the southeast corner of said Lot 2, said corner also being a point on the westerly boundary line of the Plat of Begonia Fields Subdivision (Book 87 of Plats, Pages 9956, 9957, Ada County Records); thence South 00°55'45" West, coincident with said westerly boundary line, a distance of 24.14 feet to the southwest corner of Lot 2, Block 1 as shown on said Plat of Begonia Fields Subdivision; thence coincident with the respective southerly and easterly lines of said Lot 2, Block 1, the following two (2) consecutive courses and distances:

1. South 89°04'10" East, a distance of 83.91 feet, and
2. North 00°55'45" East, a distance of 55.30 feet;

thence South 86°49'31" East, a distance of 50.04 feet to the southwest corner of Lot 2, Block 2 as shown on said Subdivision; thence coincident with the respective southerly and easterly lines of said Block 2, the following two (2) consecutive courses and distances:

1. South 89°57'44" East, a distance of 155.00 feet, and
2. North 00°59'11" East, a distance of 53.16 feet to the southwest corner of the tract of land described in the deed recorded as Instrument No. 2019-008714, Official Records of Ada County;

thence coincident with the respective southerly, easterly, and northerly lines of said tract, the following four (4) consecutive courses and distances:

1. South 88°08'35" East, a distance of 25.00 feet,
2. continuing South 88°08'35" East, a distance of 89.25 feet to the southeast corner thereof,
3. North 00°00'50" West, a distance of 99.17 feet to the northeast corner thereof, and
4. North 88°06'32" West, a distance of 87.60 feet to the most westerly southwest corner of the tract of land described in the deed recorded as Instrument No. 2018-072454, Official Records of Ada County;

thence coincident with the respective westerly and northerly lines of said tract, the following two (2) consecutive courses and distances:

1. North 00°04'57" West, a distance of 98.07 feet, and
2. North 88°43'19" East, a distance of 189.79 feet to the northwest corner of Parcel "B" as shown on the Record of Survey No. 11041, Ada County Records;

thence coincident with the northerly line of said Parcel "B", the following two (2) consecutive courses and distances:

1. South 89°57'54" East, a distance of 20.96 feet, and
2. South 89°09'42" East, a distance of 95.52 feet to the northeast corner thereof, said corner being a point on the southwesterly lines of Parcel "A" as shown on said Record of Survey;

thence coincident with said southwesterly lines, the following three (3) consecutive courses and distances:

1. South 00°57'30" West, a distance of 59.06 feet,
2. South 89°57'44" East, a distance of 63.00 feet, and
3. South 00°57'30" West, a distance of 21.00 feet to the northwest corner of Parcel 1 as shown on the Record of Survey No. 7063, Ada County Records;

thence coincident with the respective westerly and southerly lines of said Parcel 1, the following two (2) consecutive courses and distances:

1. South 00°57'30" West, a distance of 89.50 feet, and

2. South 89°57'44" East, a distance of 236.11 feet more or less to a point on the westerly right-of-way of N. School Avenue;

thence continuing South 89°57'44" East, a distance of 60.00 feet to a point on the easterly right-of-way line of N. School Avenue; thence South 00°59'33" West, coincident with said right-of-way line, a distance of 32.78 feet to the southwest corner of Lot 3 as shown on Lawanderson Subdivision (Book 30 of Plats, Pages 1868, 1869, Ada County Records); thence coincident with the respective northerly and easterly lines of said Lot 3, the following two (2) consecutive courses and distances:

1. North 89°49'28" East, a distance of 300.79 feet, and
2. South 00°59'00" West, a distance of 102.39 feet more or less to the northwest corner of Parcel 2 as described in the deed recorded as Instrument No. 111036131, Official Records of Ada County;

thence North 89°49'33" East, coincident with the northerly line of said Parcel 2, a distance of 15.52 feet more or less to a point on the westerly line of the tract of land described in the deed recorded as 2014-070114, Official Records of Ada County; thence North 00°36'31" East, coincident with said westerly line, a distance of 68.77 feet to a point on the northerly line of the lands surveyed on Record of Survey No. 4221, Ada County Records; thence coincident with the respective northerly and easterly lines of said Record of Survey the following two (2) consecutive courses and distances:

1. North 89°49'33" East, a distance of 180.13 feet, and
2. South 00°59'33" West, a distance of 148.93 feet more or less to a point on the northerly line of the lands surveyed on Record of Survey No. 1671, Ada County Records;

thence North 89°54'42" East, coincident with said northerly line, a distance of 135.61 feet to a point on the westerly right-of-way of N. Maple Avenue; thence North 00°59'03" East, coincident with said right-of-way, a distance of 324.82 feet; thence leaving said right-of-way, North 89°54'41" East, a distance of 41.60 feet more or less to the northwest corner of Parcel 2 as shown on the Record of Survey No. 4434, Ada County Records; thence continuing North 89°54'41" East, coincident with the northerly line of said Parcel 2 and of Parcel 1 as shown on said Record of Survey, a distance of 278.14 feet more or less to the northeast corner of said Parcel 1; thence continuing North 89°54'41" East, a distance of 50.00 feet to a point on the easterly right-of-way of N. Locust Avenue; thence South 01°03'08" West, coincident with said right-of-way, a distance of 324.83 feet to a point on the south line of the north half of the southeast quarter of the aforesaid Section 23; thence North 89°54'42" East, coincident with said south line, a distance of 447.04 feet more or less to a point on the westerly line of the tract of land described in the deed recorded as Instrument No. 2017-059309; thence North 00°05'18" West, coincident with said westerly line, a distance of 28.89 feet to the northwest corner thereof; thence North 89°54'21" East, coincident with the northerly line of said tract and the northerly line of the tract of land described in the deed recorded as Instrument No. 107112550, Official Records of Ada County, a distance of 148.74 feet more or less to a point on the westerly right-of-way of N. Elm Avenue; thence continuing North 89°54'21" East, a distance of 50.00 feet to a point on the easterly right-of-way of N. Elm Avenue;

thence South $01^{\circ}02'21''$ West, coincident with said right-of-way, a distance of 28.92 feet more or less to a point on the south line of the north half of the southeast quarter of said Section 23, said point also being the southwest corner of Block 1 as shown on the Plat of Carrington Meadows Subdivision (Book 68 of Plats, Pages 7017, 7018, Ada County Records); thence North $89^{\circ}54'42''$ East, coincident with said south line and the southerly line of said Block 1, a distance of 173.69 feet to the southwest corner of Lot 7 of said Block 1; thence coincident with the respective westerly and northerly lines of said Lot 7, the following two (2) consecutive courses and distances:

1. North $01^{\circ}13'32''$ East, a distance of 70.84 feet more or less to the northwest corner thereof, and
2. South $89^{\circ}55'33''$ East, a distance of 103.65 feet to the northeast corner thereof, said corner being a point on the westerly right-of-way of N. Franklin Avenue;

thence North $01^{\circ}13'32''$ East, coincident with said right-of-way, a distance of 1,241.42 feet to the point of intersection of said right-of-way, with the southerly right-of-way of W. Boise Street; thence coincident with said southerly right-of-way, the following two (2) consecutive courses and distances:

1. along the arc of a non-tangent curve to the left, concave southerly, having a radius of 667.00 feet, through a central angle of $04^{\circ}50'55''$, an arc length of 56.45 feet, and a chord bearing North $87^{\circ}44'55''$ West, a distance of 56.43 feet, and
2. South $89^{\circ}49'41''$ West, a distance of 131.04 feet;

thence leaving said right-of-way, North $42^{\circ}14'43''$ West, a distance of 84.60 feet to the southwest corner of Parcel 1-B as shown on the Record of Survey No. 9560, Ada County Records; thence coincident with the respective southwesterly lines of said Parcel 1-B, and the respective southwesterly and northerly line of Parcel 2-B as shown on said Record of Survey, the following eight (8) consecutive courses and distances:

1. North $35^{\circ}08'19''$ West, a distance of 243.62 feet,
2. North $48^{\circ}42'27''$ West, a distance of 774.53 feet,
3. along the arc of a tangent curve to the right, concave northeasterly, having a radius of 451.24 feet, through a central angle of $7^{\circ}38'35''$, an arc length of 60.19 feet, and a chord bearing of North $44^{\circ}53'10''$ West, a distance of 60.15 feet,
4. South $41^{\circ}05'08''$ West, a distance of 19.30 feet,
5. North $24^{\circ}59'25''$ West, a distance of 408.08 feet,
6. North $30^{\circ}01'15''$ West, a distance of 138.50 feet,
7. North $43^{\circ}19'56''$ West, a distance of 47.61 feet to a point on the north line of the south half of the northeast quarter of said Section 23, and
8. North $89^{\circ}58'19''$ East, coincident with said north line, a distance of 1,956.36 feet to the northeast corner of said Parcel 2-B;

thence continuing along said north line, continuing North 89°58'19" East, a distance of 25.00 feet to the northeast corner of the south half of the northeast quarter of said Section 23; thence South 00°06'32" West, coincident with the east line of said Section 23, a distance of 12.45 feet to the northwest corner of the tract of land described in the deed recorded as Instrument No. 9390742, Official Records of Ada County, as said tract is shown on the Record of Survey No. 11657, Ada County Records; thence along the respective northerly and easterly lines of said tract the following two (2) consecutive courses and distances:

1. South 89°36'28" East, a distance of 193.05 feet, and
2. South 00°31'34" West, a distance of 424.67 feet to a point on the northerly right-of-way of E. Porter Street;

thence leaving said right-of-way, continuing South 00°31'34" West, a distance of 60.00 feet to a point on the southerly right-of-way line of said E. Porter Street, said point also being on the northerly boundary of the Plat of Parkland Estates Subdivision (Book 66 of Plats, Pages 6797, 6798, Ada County Records); thence North 88°27'55" West, coincident with said northerly boundary, a distance of 129.65 feet to a point on the easterly right-of-way of N. Linder Road as shown on said Parkland Estates Subdivision; thence coincident with said right-of-way, the following six (6) consecutive courses and distances:

1. South 45°49'43" West, a distance of 20.95 feet,
2. South 00°07'21" West, a distance of 387.20 feet,
3. along the arc of a tangent curve to the left, concave northeasterly, having a radius of 20.00 feet, through a central angle of 90°09'56", an arc length of 31.47 feet and a chord bearing South 44°57'37" East, a distance of 28.33 feet,
4. South 00°14'42" West, a distance of 54.00 feet,
5. along the arc of a non-tangent curve to the left, concave southeasterly, having a radius of 20.00 feet, through a central angle of 89°50'04", an arc length of 31.36 feet, and a chord bearing South 45°02'23" West, a distance of 28.24 feet, and
6. South 00°07'21" West, a distance of 89.36 feet to a point on the southwesterly boundary of said Parkland Estates Subdivision;

thence coincident with said southwesterly boundary, the following two (2) consecutive courses and distances:

1. South 88°28'47" East, a distance of 332.34 feet, and
2. South 00°57'13" West, a distance of 231.96 feet to a point on the north line of the southwest quarter of the aforesaid Section 24;

thence North 88°27'58" West, coincident with said north line, a distance of 4.00 feet to the northwest corner of the Plat of Spice Wood No. 3 Subdivision (Book 73 of Plats, Pages 7503, 7504, Ada County Records);

thence coincident with the westerly boundary of said Spice Wood No. 3 Subdivision, the following six (6) consecutive courses and distances:

1. South $01^{\circ}13'40''$ West, a distance of 459.56 feet,
2. South $43^{\circ}53'44''$ East, a distance of 78.72 feet,
3. along the arc of a tangent curve to the right, concave westerly, having a radius of 270.00 feet, through a central angle of $53^{\circ}30'00''$, an arc length of 252.11 feet, and a chord bearing South $17^{\circ}08'44''$ East, a distance of 243.05 feet,
4. South $09^{\circ}36'16''$ West, a distance of 174.00 feet,
5. along the arc of a tangent curve to the left, concave easterly, having a radius of 145.00 feet, through a central angle of $34^{\circ}40'00''$, an arc length of 87.73 feet, and a chord bearing South $07^{\circ}43'44''$ East, a distance of 86.40 feet, and
6. South $25^{\circ}03'44''$ East, a distance of 44.29 feet;

thence leaving said boundary, North $86^{\circ}39'23''$ West, a distance of 54.57 feet to the northeast corner of the Rapoza Parcel as shown on the Record of Survey No. 6576, Ada County Records; thence coincident with the respective northerly line of said Rapoza Parcel and northerly lines of the West Parcel and Bell Parcel as shown on said Record of Survey, the following two (2) consecutive courses and distances:

1. continuing North $86^{\circ}39'23''$ West, a distance of 265.11 feet, and
2. North $88^{\circ}40'25''$ West, a distance of 1.02 feet to the northwest corner of said Bell Parcel;

thence leaving said northerly lines, South $01^{\circ}09'29''$ West, coincident with the westerly line of said Bell Parcel, a distance of 270.01 feet to the southwest corner thereof; thence leaving said westerly line, continuing South $01^{\circ}09'29''$ West, a distance of 26.73 feet more or less to a point on the north line of the south half of the southwest quarter of said Section 24; thence South $01^{\circ}10'57''$ West, a distance of 33.27 feet more or less to a point of intersection of the southerly right-of-way of E. 4th Street with the centerline of the alley of Block 3 as shown on the Plat of Avalon Addition to Kuna, Idaho (Book 5 of Plats, Page 239, Ada County Records); thence South $01^{\circ}13'41''$ West, coincident with the alley centerline of said Block 3, a distance of 474.64 feet more or less to a point on the northerly right-of-way of E. 3rd Street; thence continuing South $01^{\circ}13'41''$ West, a distance of 80.00 feet to a point of intersection of the southerly right-of-way of E. 3rd Street with the centerline of the alley of Block 4 as shown on said Plat of Avalon Addition; thence continuing South $01^{\circ}13'41''$ West, coincident with the alley centerline of said Block 4, a distance of 299.78 feet more or less to the northerly right-of-way of E. 2nd Street; South $88^{\circ}37'36''$ East, coincident with said northerly right-of-way, a distance of 1,087.22 feet to the southeast corner of Block 6 as shown on said Plat of Avalon Addition; thence continuing South $88^{\circ}37'36''$ East, a distance of 50.00 feet to a point on the easterly right-of-way of N. Orchard Avenue; thence South $00^{\circ}56'26''$ West, coincident with said right-of-way, a distance of 40.00 feet to the most westerly northwest corner of Parcel 2 as shown on the Record of Survey No. 3348, Ada County Records; thence coincident with the northwesterly boundary lines of said Parcel 2, the following five (5) consecutive courses and distances:

1. South $88^{\circ}37'34''$ East, a distance of 358.00 feet,
2. North $00^{\circ}56'26''$ East, a distance of 50.00 feet,
3. South $88^{\circ}37'34''$ East, a distance of 143.82 feet,
4. North $00^{\circ}56'26''$ East, a distance of 358.55 feet, and

5. North 53°55'26" East, a distance of 237.93 feet to a point on the westerly line of the Plat of Zatica Subdivision No. 2 (Book 104 of Plats, Pages 14013, 14014, Ada County Records);

thence coincident with the respective westerly, northwesterly, and northerly lines of said Zatica Subdivision No. 2, the following three (3) consecutive courses and distances:

1. North 00°38'45" East, a distance of 31.19 feet,
2. North 53°55'26" East, a distance of 533.05 feet, and
3. South 88°24'49" East, a distance of 145.26 feet to the northeasterly corner of said Zatica Subdivision No. 2, said corner being hereinafter referred to as Point "A";

thence leaving said northerly line, continuing South 88°24'49" East, a distance of 45.00 feet to a point on the easterly right-of-way of N. Kay Avenue as shown on the Plat of Tomorrow Subdivision No. 3 (Book 97, Pages 12234 – 12236, Ada County Records); thence coincident with said easterly right-of-way, the following seven (7) consecutive courses and distances:

1. South 00°38'42" West, a distance of 144.66 feet,
2. South 88°38'23" East, a distance of 5.00 feet,
3. South 00°38'42" West, a distance of 126.19 feet,
4. South 33°50'52" East, a distance of 17.22 feet,
5. South 00°04'23" West, a distance of 50.01 feet,
6. South 36°16'57" West, a distance of 19.31 feet, and
7. South 00°38'42" West, a distance of 288.81 feet to a point the south line of said Tomorrow Subdivision No. 3;

thence North 88°37'59" West, a distance of 4.00 feet to a point on the easterly right-of-way of said N. Kay Avenue as shown on the Plat of Sunbird Village Subdivision No. 2 (Book 89 of Plats, Pages 9407, 9408, Ada County Records); thence South 00°38'42" West, coincident with said easterly right-of-way, a distance of 175.09 feet to a point on the southerly line of said Sunbird Village Subdivision No. 2; thence continuing South 00°38'42" West, coincident with the southerly projection of said easterly right-of-way and with the easterly right-of-way of said N. Kay Avenue as shown on the Plat of Sunbird Village Subdivision No. 1 (Book 70 of Plats, Pages 7232, 7233, Ada County Records), a distance of 154.74 feet, more or less to the northwest corner of Lot 1 of Block-2 as shown on said Sunbird Village Subdivision No. 1; thence South 88°37'46" East, coincident with the northerly line of said Lot 1, a distance of 256.31 feet to a point on the westerly line of Lot 7 of said Block-2; thence coincident with the boundary lines of said Lot 7, the following seven (7) consecutive courses and distances:

1. North 01°18'54" East, a distance of 80.02 feet,
2. South 88°37'34" East, a distance of 10.00 feet,
3. South 01°18'54" West, a distance of 80.01 feet,
4. South 88°37'46" East, a distance of 155.00 feet
5. South 01°18'54" West, a distance of 149.80 feet,
6. North 88°37'34" West, a distance of 70.00 feet, and

7. South 01°18'54" West, a distance of 40.00 feet to the southwest corner of Lot 16 of said Block-2;

thence coincident with the southerly and easterly lines of said Lot 16, the following three (3) consecutive courses and distances:

1. South 88°37'34" East, a distance of 125.03 feet,
2. along the arc of a tangent curve to the right, concave southwesterly, having a radius of 25.00 feet, through a central angle of 89°56'28", an arc length of 39.24 feet, and a chord bearing South 43°39'20" East, a distance of 35.34 feet, and
3. North 01°18'54" East, a distance of 34.98 feet;

thence leaving said easterly line, South 88°37'34" East, a distance of 50.00 feet to the northwest corner of Lot 1 of Block-1 as shown on said Sunbird Village Subdivision No. 1; thence continuing South 88°37'34" East, coincident with the northerly line of said Lot 1, a distance of 80.00 feet to a point on the westerly line of Lot 3 of Block 1 as shown on the Plat of Merlin Pointe Subdivision No. 1 (Book 115 of Plats, Pages 17375 – 17378, Ada County Records); thence coincident with the respective westerly, and northerly lines of said Lot 3, the following five (5) consecutive courses and distances:

1. North 01°18'54" East, a distance of 389.54 feet to the northwest corner thereof,
2. South 88°41'05" East, a distance of 115.40 feet,
3. North 41°01'15" East, a distance of 21.01 feet,
4. along the arc of a non-tangent curve to the left, concave northerly, having a radius of 75.50 feet, through a central angle of 38°11'28", an arc length of 50.33 feet, and a chord bearing South 69°35'21" East, a distance of 49.40 feet, and
5. South 88°41'05" East, a distance of 448.14 feet;

thence leaving said northerly line, North 01°18'55" East, a distance of 51.00 feet to a point on the southeasterly line of Block 2 as shown on said Merlin Pointe Subdivision No. 1; thence coincident with the respective southeasterly, easterly, northeasterly, and northerly lines of said Block 2, the following six (6) consecutive courses and distances:

1. North 42°30'04" East, a distance of 26.58 feet,
2. North 01°18'55" East, a distance of 359.89 feet,
3. North 07°15'43" East, a distance of 48.26 feet,
4. North 01°18'55" East, a distance of 75.00 feet,
5. along the arc of a tangent curve to the left, concave southwesterly, having a radius of 74.50 feet, through a central angle of 90°00'00", an arc length of 117.02 feet, and a chord bearing North 43°41'05" West, a distance of 105.36 feet, and
6. North 88°41'05" West, a distance of 121.64 feet;

thence leaving said north line, North 01°18'55" East, a distance of 51.00 feet to the southwest corner of Lot 10 of Block 4 as shown on said Merlin Pointe Subdivision No. 1; thence North 01°18'55" East, coincident with the westerly line of said Lot 10, a distance of 100.08 feet to a point on the northerly boundary line of said Merlin Pointe Subdivision No. 1; thence leaving said westerly line, coincident with the northerly and easterly boundary lines of said Merlin Pointe Subdivision No. 1, the following eight (8) consecutive courses and distances:

1. South 88°38'35" East, a distance of 433.56 feet,
2. South 01°18'55" West, a distance of 317.76 feet,
3. North 88°41'05" West, a distance of 163.92 feet,
4. South 01°18'55" West, a distance of 61.00 feet,
5. South 88°41'05" East, a distance of 202.50 feet,
6. South 01°18'55" West, a distance of 579.89 feet,
7. South 88°41'05" East, a distance of 125.82 feet, and
8. South 01°18'55" West, a distance of 300.39 feet to the southeast corner of said Merlin Pointe Subdivision No. 1, said corner also being a point on the northerly right-of-way of E. Kuna Road;

thence leaving said northerly right-of-way, continuing South 01°18'55" West, a distance of 125.63 feet to a point on the southerly right-of-way of said E. Kuna Road; thence North 88°37'34" West, coincident with said southerly right-of-way, a distance of 513.00 feet, more or less, to the northeast corner of the Plat of Empty Pockets Subdivision (Book 84 of Plats, Pages 9303, 9304, Ada County Records); thence South 00°16'46" East, coincident with the easterly line of said Empty Pockets Subdivision, a distance of 220.00 feet to a point on the northerly boundary of the Plat of Sailor Shores Meadows Subdivision (Book 111 of Plats, Pages 15961 – 15963, Ada County Records); thence South 88°37'34" East, coincident with said northerly boundary, a distance of 106.04 feet to the northeast corner thereof; thence leaving said northerly boundary, continuing South 88°37'34" East, a distance of 40.00 feet to a point on the easterly right-of-way of S. Sailor Place; thence South 00°16'46" East, coincident with said easterly right-of-way, a distance of 1,482.71 feet, more or less, to a point on the northerly line of Indian Creek; thence leaving said easterly right-of-way, South 89°43'14" West, a distance of 40.00 feet to a point of intersection of the westerly right-of-way of said S. Sailor Place with the southerly line of the tract of land surveyed on the Record of Survey No. 1109, Ada County Records; thence coincident with said southerly line, the following ten (10) consecutive courses and distances:

1. South 88°21'21" West, a distance of 115.42 feet,
2. North 84°04'48" West, a distance of 228.72 feet,
3. North 88°22'25" West, a distance of 123.10 feet,
4. North 75°17'17" West, a distance of 116.43 feet,
5. North 62°59'31" West, a distance of 318.00 feet,
6. North 46°48'00" West, a distance of 144.11 feet,
7. North 30°48'17" West, a distance of 149.70 feet,
8. North 48°14'07" West, a distance of 129.78 feet,
9. North 64°47'35" West, a distance of 112.88 feet, and
10. North 83°58'57" West, a distance of 42.97 feet to the southwest corner thereof;

thence leaving said southerly line, South $89^{\circ}35'48''$ West, a distance of 20.13 feet, more or less to a point on the north-south centerline of the aforesaid Section 25;

thence South $00^{\circ}21'55''$ East, coincident with said centerline, a distance of 101.38 feet, more or less, to the northeast corner of the southeast quarter of the northwest quarter of said Section 25; thence North $89^{\circ}17'43''$ West, coincident with the north line of the southeast quarter of the northwest quarter of said Section 25, a distance of 1,072.00 feet, more or less, to a point of intersection of said north line with the northeasterly boundary line of the Plat of Shortline Park No. 1 (Book 84 of Plats, Pages 9252, 9253, Ada County Records); thence coincident with the respective northeasterly, and easterly boundary lines of said Shortline Park No. 1, the following three (3) consecutive courses and distances:

1. South $66^{\circ}03'26''$ East, a distance of 857.88 feet,
2. along the arc of a tangent curve to the right, concave southwesterly, having a radius of 8,494.42 feet, through a central angle of $02^{\circ}11'40''$, an arc length of 325.34 feet, and a chord bearing South $64^{\circ}57'36''$ East, a distance of 325.32 feet to a point on the north-south centerline of said Section 25, and
3. South $00^{\circ}57'04''$ East, coincident with said centerline, a distance of 55.54 feet to the most northerly corner of the Plat of Sadie Creek Subdivision No. 1 (Book 100 of Plats, Pages 12931 – 12935, Ada County Records), said corner being hereinafter referred to as Point “B”;

thence leaving said centerline, coincident with the northeasterly boundary of said Sadie Creek Subdivision No. 1, along the arc of a non-tangent curve to the right, concave southwesterly, having a radius of 8,462.97 feet, through a central angle of $10^{\circ}10'00''$, an arc length of 1,501.69 feet, and a chord bearing South $58^{\circ}36'32''$ East, a distance of 1,499.72 feet to the southeast corner of Lot 1 of Block 1 as shown on said Sadie Creek Subdivision No. 1; thence South $89^{\circ}35'39''$ West, coincident with the southerly line of said Lot 1 and the southerly line of Lot 2 of said Block 1, a distance of 986.02 feet to a point on the easterly line of Lot 4 of said Block 1; thence coincident with the respective easterly, southerly, and westerly lines of said Lot 4, the following three (3) consecutive courses and distances:

1. South $00^{\circ}24'21''$ East, a distance of 180.30 feet to the southeast corner thereof,
2. South $89^{\circ}02'56''$ West, a distance of 271.37 feet, more or less, to the southwest corner thereof, and
3. North $00^{\circ}57'04''$ West, a distance of 182.89 feet, more or less, to a point on the south line of the northeast quarter of said Section 25;

thence South $89^{\circ}35'39''$ West, coincident with said south line, a distance of 8.00 feet to the southwest corner of the northeast quarter of said Section 25; thence North $88^{\circ}51'00''$ West, coincident with the south line of the northwest quarter of said Section 25, a distance of 2,635.93 feet to the west quarter corner of said Section 25; thence North $89^{\circ}48'50''$ West, coincident with the south line of the northeast quarter of the aforesaid Section 26, a distance of 45.06 feet to a point on the westerly right-of-way of S. Swan Falls Road, as shown on the Plat of Ryan Meadows

Subdivision (Book 87 of Plats, Pages 10012, 10013, Ada County Records); thence coincident with said westerly right-of-way the following two (2) consecutive courses and distances:

1. North 45°06'23" East, a distance of 28.34 feet, and
2. North 00°01'37" East, a distance of 151.40 feet;

thence continuing North 00°01'37" East, coincident with the westerly right-of-way of S. Swan Falls Road, a distance of 621.82 feet; thence leaving said westerly right-of-way, South 89°58'23" East, a distance of 58.00 feet to the northwesterly corner of the tract of land described in the deed recorded as Instrument No. 2017-036458, Official Records of Ada County; thence coincident with the respective northerly, and easterly lines of said tract, the following two (2) consecutive courses and distances:

1. continuing South 89°58'23" East, a distance of 204.63 feet to the northeasterly corner thereof, and
2. South 00°01'37" West, a distance of 217.87 feet to the southeasterly corner thereof, said corner also being the most southwesterly corner of the tract of land surveyed on the Record of Survey No. 12382, Ada County Records;

thence South 89°58'32" East, coincident with the southerly line of said tract, a distance of 86.13 feet to the southwesterly corner of the tract of land surveyed on the Record of Survey No. 12487, Ada County Records; thence coincident with the westerly lines of said tract shown on said Record of Survey, the following four (4) consecutive courses and distances:

1. along the arc of a tangent curve to the left, concave northwesterly, having a radius of 30.00 feet, through a central angle of 45°15'48", an arc length of 23.70 feet, and a chord bearing North 67°23'34" East, a distance of 23.09 feet,
2. North 44°45'40" East, a distance of 287.14 feet,
3. North 89°58'23" West, a distance of 142.51 feet, and
4. North 00°01'37" East, a distance of 252.06 feet, more or less, to a point on the southerly line of Parcel "A" as shown on the Record of Survey No. 6615, Ada County Records;

thence leaving said westerly lines, North 65°19'38" West, coincident with said southerly line, a distance of 143.82 feet, more or less, to a point on the easterly line of the tract of land surveyed on Record of Survey No. 64 (Book "C" of Surveys, Page 64), Ada County Records; thence coincident with the respective easterly and southerly lines of said tract, the following two (2) consecutive courses and distances:

1. South 01°29'20" West, a distance of 137.63 feet, more or less, to the southeasterly corner thereof, and
2. North 87°44'08" West, a distance of 270.65 feet, more or less, to the southwesterly corner thereof, said corner also being a point on the centerline of S. Swan Falls Road (shown as Falls Road on said Record of Survey);

thence leaving said southerly line, continuing North 87°44'08" West, a distance of 25.00 feet to a point on the westerly right-of-way of said S. Swan Falls Road; thence North 00°01'37" East,

coincident with said westerly right-of-way, a distance of 357.04 feet to a point on the south line of the north half of the northeast quarter of said Section 26; thence North 89°55'51" West, coincident with said south line, a distance of 1,292.85 feet to the southwest corner of the northeast quarter of the northeast quarter of said Section 26, said corner also being a point on the easterly boundary of the Plat of Willow Glenn Subdivision No. 3 (Book 103, Pages 13819 – 13821, Ada County Records); thence coincident with the respective westerly, and northerly lines of said Willow Glenn Subdivision No. 3, the following six (6) consecutive courses and distances:

1. North 00°06'19" East, a distance of 16.60 feet to the northeasterly corner thereof,
2. South 89°52'12" West, a distance of 88.79 feet,
3. North 85°18'47" West, a distance of 146.47 feet,
4. North 89°57'37" West, a distance of 257.36 feet,
5. South 67°35'46" West, a distance of 54.10 feet, and
6. North 89°54'22" West, a distance of 116.57 feet to a point on the west line of the east half of the northwest quarter of the northeast quarter of said Section 26;

thence North 00°12'03" East, coincident with said west line, a distance of 1,291.26 feet to a point on the southerly right-of-way of W. Avalon Street; thence coincident with said southerly right-of-way, the following four (4) consecutive courses and distances:

1. North 89°59'01" West, a distance of 152.39 feet
2. along the arc of a non-tangent curve to the right, concave northerly, having a radius of 334.51 feet, through a central angle of 12°33'44", an arc length of 73.34 feet, and a chord bearing South 83°44'29" West, a distance of 73.19 feet,
3. North 89°59'01" West, a distance of 432.48 feet, and
4. North 89°54'56" West, a distance of 1,533.28 feet to a point on the easterly line of the tract of land described in the warranty deed to Ada County Highway District recorded as Instrument No. 97067556, Official Records of Ada County;

thence South 00°18'18" West, coincident with said easterly line, a distance of 15.00 feet to the southeast corner thereof, said corner also being a point on the southerly right-of-way of W. Avalon Street; thence coincident with said southerly right-of-way, the following four (4) consecutive courses and distances:

1. North 89°54'55" West, a distance of 999.14 feet,
2. along the arc of a non-tangent curve to the left, concave southerly, having a radius of 282.50 feet, through a central angle of 02°31'20", an arc length of 12.44 feet, and a chord bearing South 72°11'57" West, a distance of 12.43 feet,
3. along the arc of a compound curve to the left, concave southeasterly, having a radius of 102.50 feet, through a central angle of 19°23'00", an arc length of

34.68 feet, and a chord bearing South 61°14'47" West, a distance of 34.51 feet,

4. along the arc of a compound curve to the left, concave southeasterly, having a radius of 64.50 feet, through a central angle of 04°10'29", an arc length of 4.70 feet, and a chord bearing South 49°28'03" West, a distance of 4.70 feet to a point on the easterly right-of-way of S. Ten Mile Road;

thence leaving said right-of-way, North 89°39'38" West, a distance of 48.68 feet to a point on west line of said Section 26; thence leaving said west line, North 89°39'19" West, a distance of 25.00 feet to a point on a line lying 25.00 feet westerly of and parallel with the east line of the aforesaid Section 27; thence North 00°20'22" East, coincident with said parallel line, a distance of 71.39 feet to the **Point of Beginning**.

EXCEPTING THEREFROM, a tract of land situate in the southwest quarter of the aforesaid Section 24, being all of Lot 5, all Lot 6, and a portion of Lot 2, Block 1, as shown on the Plat of Zatica No. 1 Subdivision (Book 76 of Plats, Pages 7872, 7873, Ada County Records), said Lots being further described as follows:

Commencing at the aforesaid Point "A", said point being the northeasterly corner of the aforesaid Zatica Subdivision No. 2; thence from said Point of Commencement, South 00°38'41" West, coincident with the easterly line of said Zatica Subdivision No. 2, a distance of 530.85 feet to the northeasterly corner of said Zatica No. 1 Subdivision; thence leaving said easterly line, coincident with the respective northerly line of said Zatica No. 1 Subdivision, and the westerly line of Lot 2, Block 1 of said Zatica No. 1 Subdivision, the following two (2) consecutive courses and distances:

1. North 89°21'19" West, a distance of 147.00 feet, and
2. South 00°38'41" West, a distance of 194.00 feet to the northeasterly corner of Lot 6, Block 1 of said Zatica No. 1 Subdivision, said corner being the **Point of Beginning** of this Exception;

thence from said **Point of Beginning**, North 89°21'19" West, coincident with the northerly line of said Lot 6, a distance of 120.00 feet to the northerly corner common to said Lot 6, and Lot 5, Block 1 of said Zatica No. 1 Subdivision; thence coincident with the respective northerly, westerly, southerly, and easterly lines of said Lot 5, the following six (6) consecutive courses and distances:

1. continuing North 89°21'19" West, a distance of 78.67 feet,
2. North 00°38'41" East, a distance of 36.67 feet,
3. North 89°21'19" West, a distance of 178.66 feet to the northwesterly corner thereof,
4. South 00°38'41" West, a distance of 201.34 feet, more or less, to the southwesterly corner thereof,
5. South 89°21'19" East, a distance of 257.33 feet, to the southeasterly corner thereof, and
6. North 00°38'41" East, a distance of 5.26 feet to the southwesterly corner of the lot line adjustment shown on the Record of Survey No. 4780, Ada County Records;

thence leaving said easterly line, coincident with the adjusted lines as shown on said Record of Survey, the following four (4) consecutive courses and distances:

1. South 89°21'19" East, a distance of 93.39 feet,
2. North 55°34'19" East, a distance of 88.27 feet,
3. North 00°38'41" East, a distance of 108.69 feet, and
4. North 89°21'19" West, a distance of 45.63 feet to the **Point of Beginning**.

FURTHER EXCEPTING THEREFROM, a tract of land situate in the northeast quarter of the aforesaid Section 25, being a portion of the tract of land described in the deed recorded as 104073384, Official Records of Ada County, and being further described as follows:

Commencing at the aforesaid Point "B", said point also being the most northerly corner of the aforesaid Sadie Creek Subdivision No. 1, and being on the north-south centerline of said Section 25; thence from said Point of Commencement, South 00°57'04" East, coincident with said centerline, and the westerly line of said Sadie Creek Subdivision No. 1, a distance of 145.05 feet to an angle point on said westerly line, said angle point being the **Point of Beginning** of this exception;

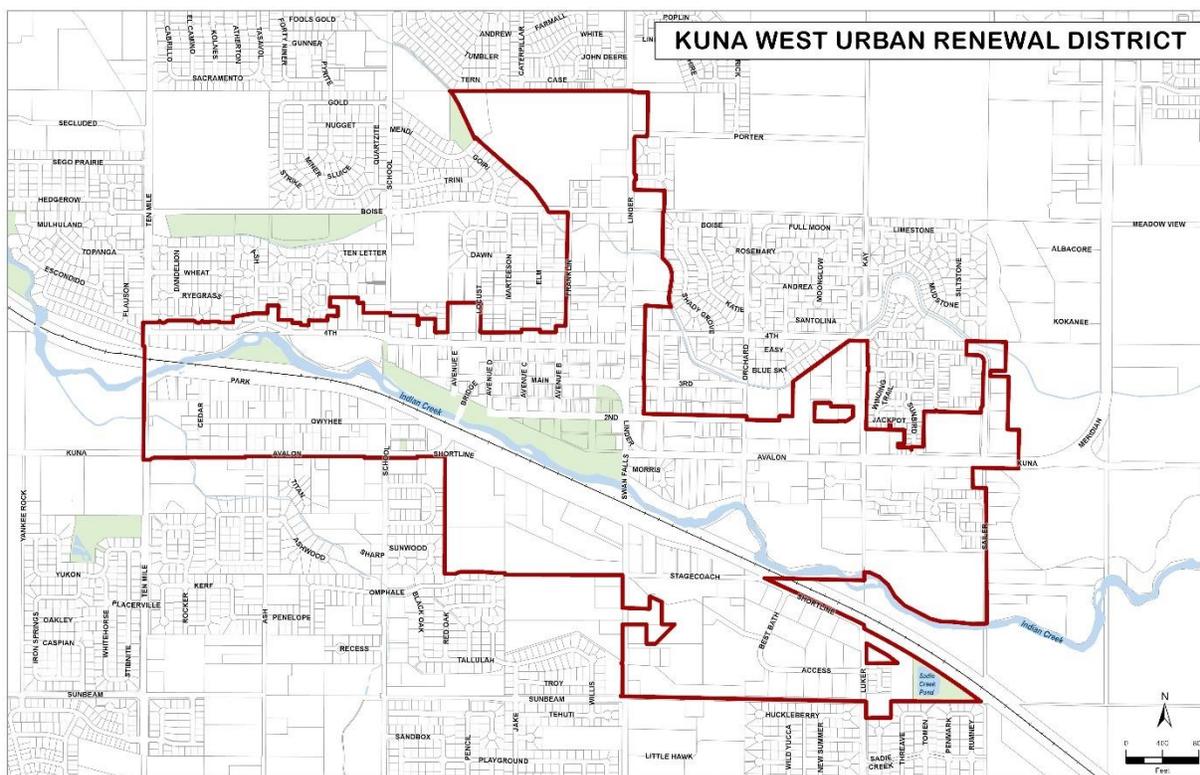
thence from said **Point of Beginning**, coincident with the westerly boundary lines of said Sadie Creek Subdivision No. 1, the following four (4) consecutive courses and distances:

1. South 60°52'43" East, a distance of 28.89 feet, more or less, to a point on a line lying 25.00-feet easterly of and parallel with the north-south centerline of said Section 25,
2. leaving said parallel line, continuing South 60°52'43" East, a distance of 260.18 feet,
3. South 53°08'43" East, a distance of 138.71 feet, and
4. South 89°04'18" West, a distance of 334.75 feet to a point on a line lying 25.00-feet easterly of and parallel with the north-south centerline of said Section 25;
- 5.

thence leaving said westerly boundary lines, North 00°57'04" West, coincident with said parallel line, a distance of 215.27 feet to the **Point of Beginning**.

The above-described tract of land contains a net area of 597.42 acres of land, more or less.

The Project Area is also depicted in the map below.



Section 300 discusses the proposed redevelopment actions, participation opportunities and agreements, cooperation with public bodies, property acquisition standards and requirements, relocation, demolition, and property disposition.

Section 400 discusses the type of land uses authorized in the Project Area; provides the real property in the Project Area is subject to the controls and requirements of the Kuna West Plan and construction shall comply with applicable federal, state and local laws and ordinances and Agency development standards; and provides design guidance for development.

Section 500 outlines the general description of the proposed financing methods. Among other sources, the Kuna West Plan will utilize revenue allocation financing, authorized by the Act. This statute was approved in 1988 by the Idaho Legislature. Section 502 and Attachment 5 discuss revenue allocation financing and show how such financing has worked and would work in the Project Area in the future if certain new private developments occur as estimated.

Increases in assessed valuation of real and personal property in the Project Area that occur after January 1, 2020, will generate revenue for the Agency to pay project costs. Project costs include street improvements, water and sewer improvements, and other public improvement costs. The assessed valuation of real and personal property on the base assessment roll is still available for use by the other taxing districts, Ada County, City of Kuna, Ada County Emergency Medical Services District, Kuna Joint School District #3, Kuna Library District, College of Western Idaho, Ada County Highway District, Ada County Mosquito Abatement District, Kuna Rural Fire District, and Kuna Cemetery District to finance their operations. The

Kuna West Plan authorizes the Agency to sell revenue bonds to finance project costs, developer and/or public entity reimbursement and to use annual revenue allocations to pay the debt service.

The program outlined in the Kuna West Plan emphasizes the installation of needed public improvements, street improvements, utility work, and other costs to encourage private development.

Attachment 5 describes in detail the cost and financing methods for complete repayment of the debt incurred used to finance projects and to also fund the additional described activities.

The Kuna West Plan follows the underlying zoning classifications of the city of Kuna.

Sections 600 and 700 describe cooperative activities by the Agency with the City to carry out the Kuna West Plan.

Sections 800 – 1100 provides that the duration of the Kuna West Plan is for twenty (20) years; provides a termination process of the Kuna West Plan; provides the requirement of the Agency to prepare an annual report each year describing its activities during the previous year and to comply with certain other reporting requirements.

ATTACHMENTS TO THE KUNA WEST PLAN

- Attachment 1 Boundary Map of Urban Renewal Project Area and Revenue Allocation Area
- Attachment 2 Legal Description of Urban Renewal Project Area and Revenue Allocation Area
- Attachment 3 Private Properties Which May be Acquired by the Agency
- Attachment 4 Map Depicting Expected Land Use and Current Zoning Map of the Project Area
- Attachment 5 Economic Feasibility Study
- Attachment 6 Agricultural Operation Consent
- Attachment 7 Public Input Survey, August 2020

The full text of the Ordinance 2020-32 is available at the offices of the City Clerk, 751 W. 4th Street, Kuna, Idaho, 83634.

This summary is approved by the Kuna City Council at its meeting of November 17, 2020.

Joe Stear, Mayor

ATTEST:

Chris Engels, City Clerk

I, _____, City Attorney for the city of Kuna, Idaho, hereby declare and certify that in my capacity as City Attorney of the city of Kuna, pursuant to Idaho Code Section 50-901A(3) of the Idaho Code as amended, I have reviewed a copy of the above Summary of Ordinance, have found the same to be true and complete, and said Summary of Ordinance provides adequate notice to the public of the contents, including the exhibits, of Ordinance No. 2020-32.

DATED this 17th day of November, 2020.

_____, City Attorney
Kuna, Idaho

PUBLISHED: November 25, 2020



URBAN RENEWAL DISTRICT PUBLIC HEARING

Kuna City Council • November 17, 2020

INTRODUCTIONS

CITY OF KUNA

Lisa Holland • Economic Development Director

CONSULTANTS

Lisa Bachman, AICP, PCED (J-U-B Engineers)

Meghan Conrad, Attorney (Elam & Burke)

Alivia Metts, Economist (The Metts Group)





PUBLIC OUTREACH & PROCESS

Public Outreach

- June 2019 Financing Tools Workshop
- October 2019 Economic Development Strategic Planning
- Kuna Urban Renewal Website
- Letter to Each Property Owner
- Outreach to Taxing Entities & Planning Organizations
- Partnership with ACHD & Ada County
- August 2020 Public Workshops



<https://kunacity.id.gov/518/Kuna-Urban-Renewal-Agency>

What is the Process to Form a URD?

Oct 19 – Apr 2020



Eligibility Study

May 2020



**City Council Directed
URA To Create Plan**

Aug/Sept 2020



**Urban Renewal
Plan/Feasibility Study**

Oct 27th / Nov 17th
2020



**Plan Review – P&Z
Commission & City
Council**

Dec 2020



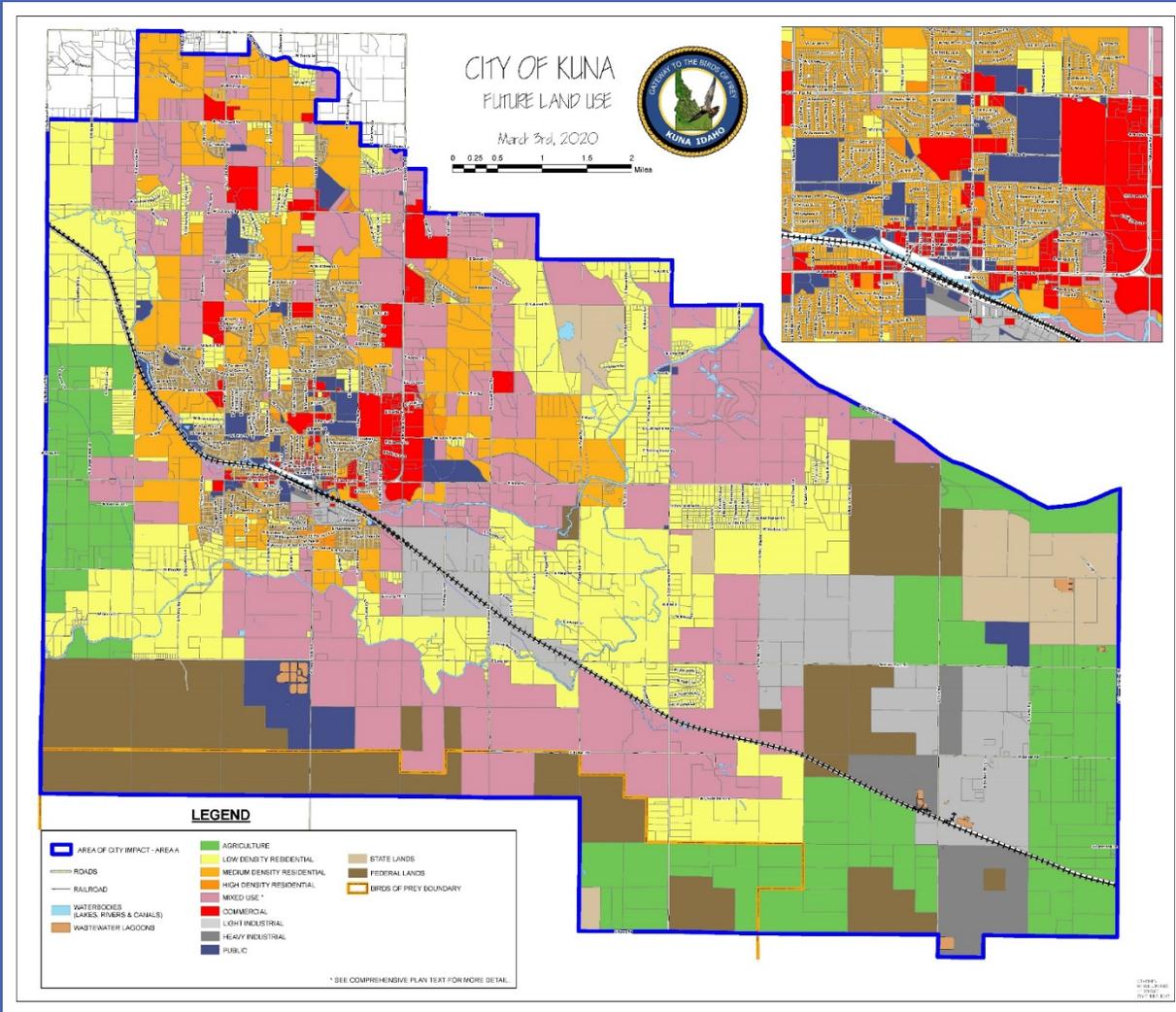
**Adopt City Council
Ordinance – Approving
the Plan**



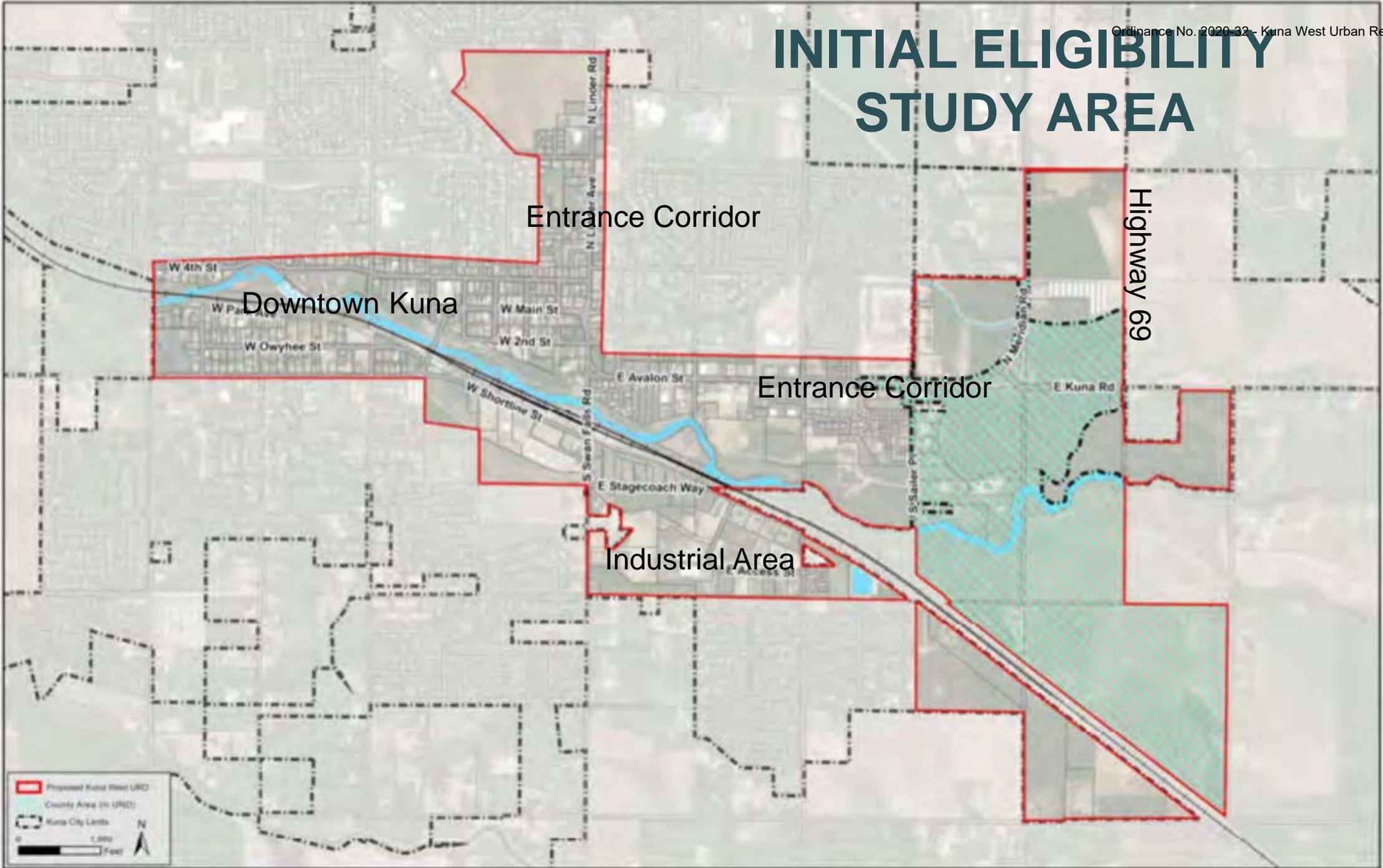


MAPS AND PLANNING AREA

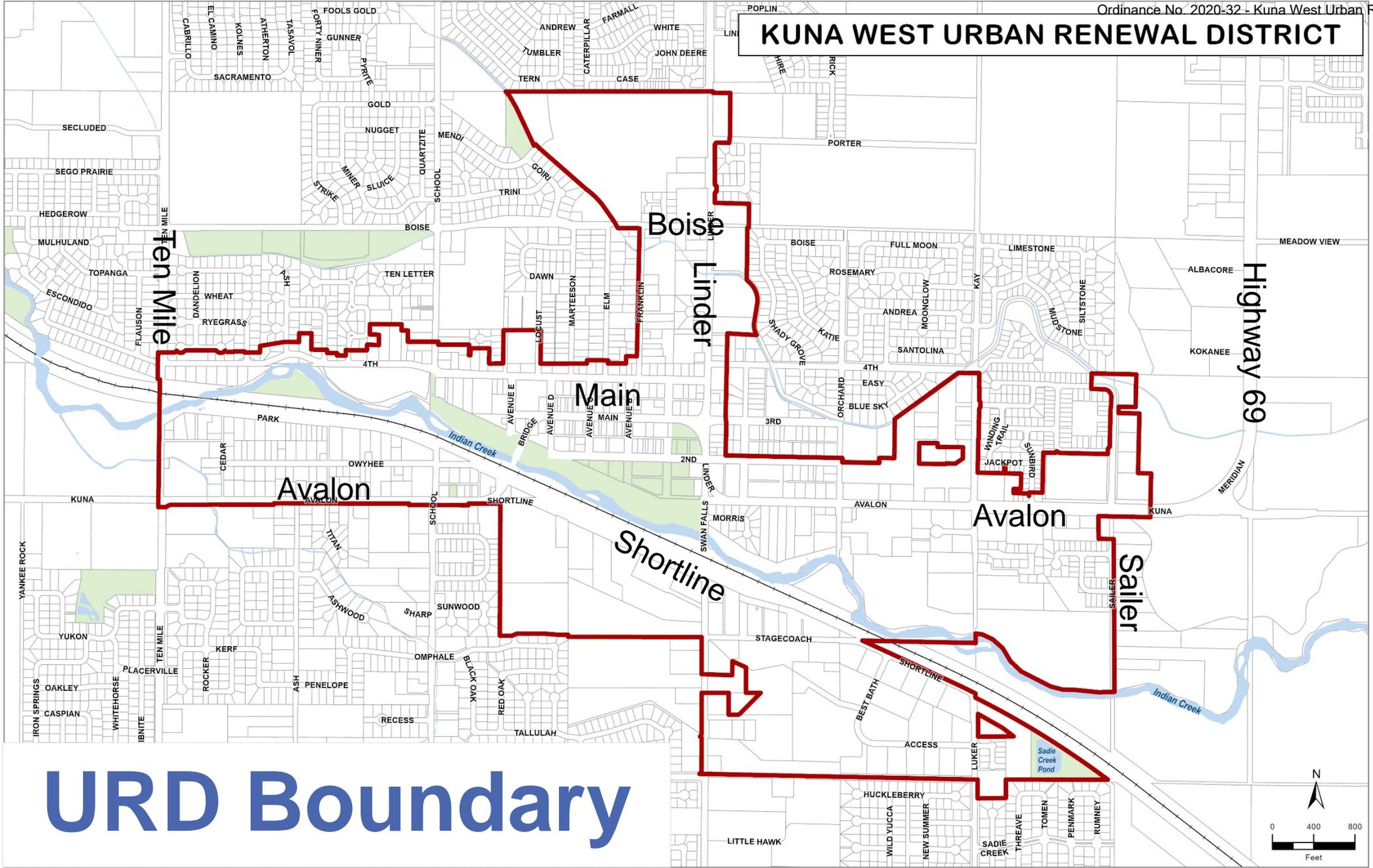
How Did We Create The Boundary?



INITIAL ELIGIBILITY STUDY AREA



KUNA WEST URBAN RENEWAL DISTRICT



URD Boundary

Transportation & Pathways

PROPOSED PROJECTS

- **Avalon & Kay Intersection Signal**
- **Overpass**
- **Avalon, Ten Mile, Linder & Avalon Streetscape/Pathway Improvements**
- **Greenbelt & Indian Creek Pathway Extensions**

Public Infrastructure

PROPOSED PROJECTS

- Fiber & Broadband Improvements
- Sewer, Water & Pressurized Irrigation Upgrades
- Street Lighting
- Sidewalks
- Public Parking



Downtown Projects



PROPOSED PROJECTS

- 4th Street Improvements
- Avenue A-D Improvements
- Public Alley Improvements
- Purchase of Blighted Structures for Redevelopment
- 4th Street Gym – Community Gathering Space/Kuna Market Village

Greenfield/Redevelopment



Example: Mixed-Use Retail & Plaza

PROPOSED PROJECTS

- Boise Ave & Linder Area
- Avalon/Indian Creek Frontage Properties
- Industrial – Flex Space

Note: Urban Renewal funds will not be used to build any buildings, but can help with the infrastructure needs related to those projects coming in.



Example: Flex Space - Manufacturing



Example: Office or Medical Buildings



Economic Feasibility

Nampa

Kuna

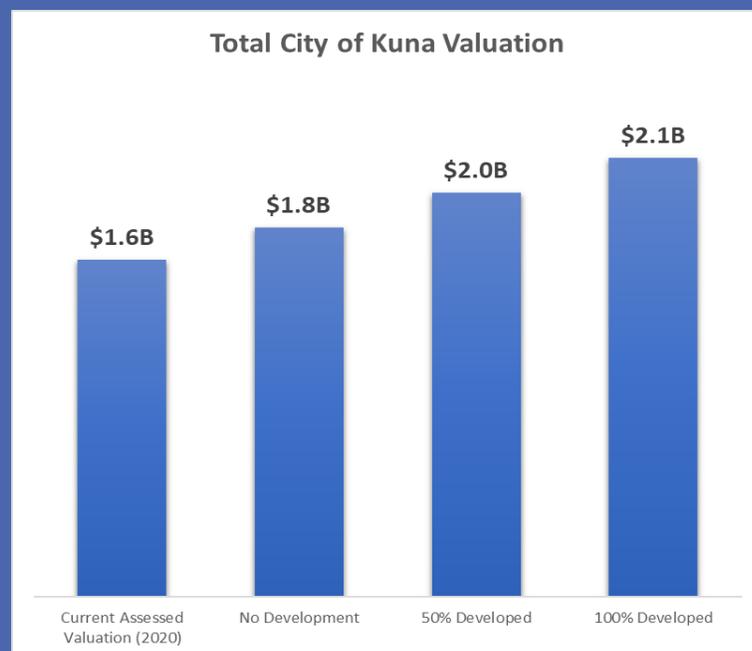
An Economic Feasibility Study conducted by:  TheMettsGroup

Prepared for: 

Economic Feasibility

KEY ELEMENTS

- Anticipated revenue Generation Scenarios
- Priority level project implementation & timing



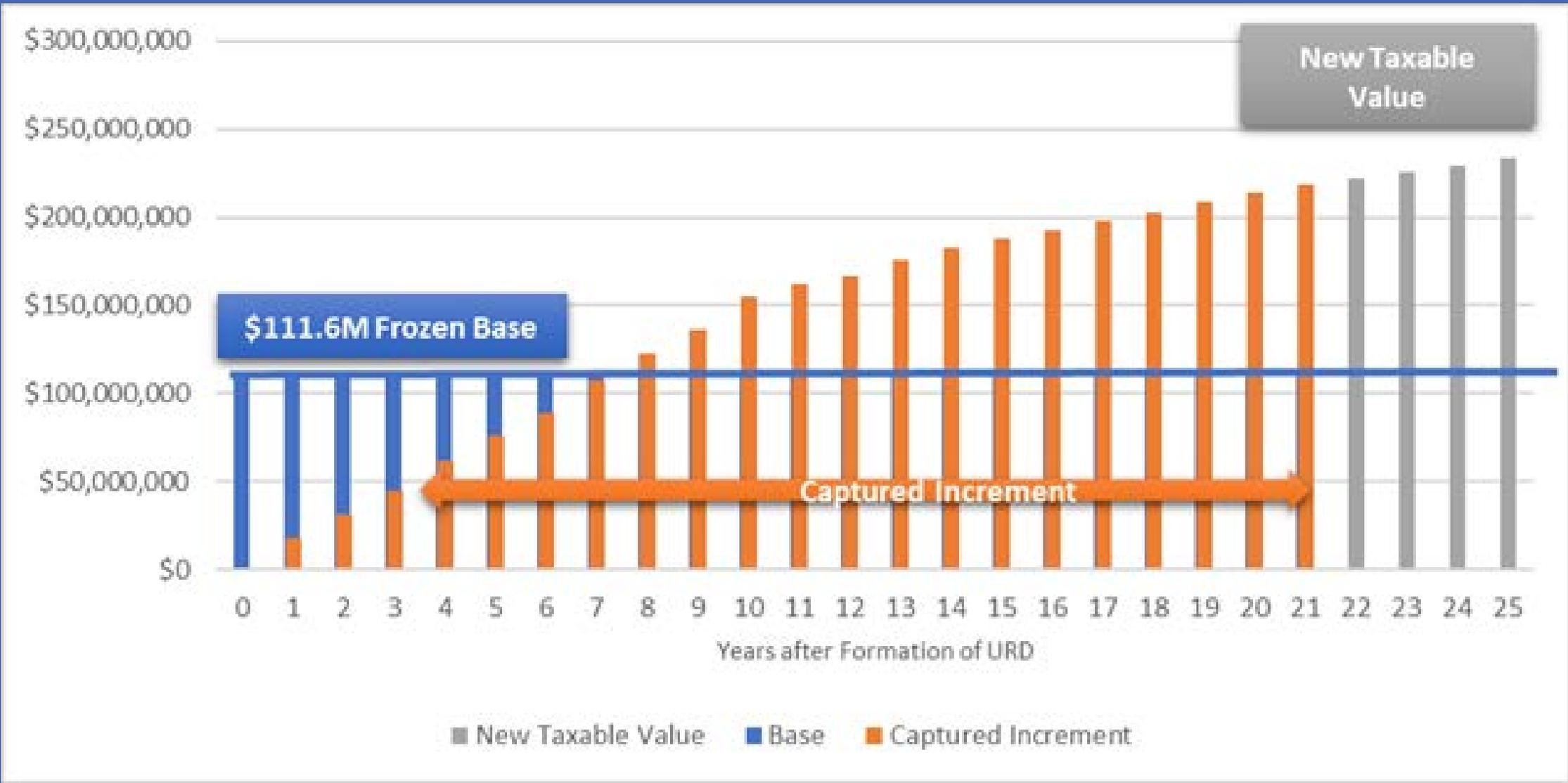
Cumulative Estimated Tax Increment Revenue Generated by End of District Life

No Development	50% Developed	100% Developed
\$3,448,569	\$20,593,297	\$37,738,025

Total JOB IMPACTS

	Direct	Indirect + Induced	Total
Commercial	3,321	199	3,520
Industrial	1,255	75	1,330
Total	4,576	275	4,850

Economic Feasibility



URBAN RENEWAL PLAN FOR THE
KUNA WEST URBAN RENEWAL PROJECT
THE URBAN RENEWAL AGENCY OF THE CITY OF KUNA
CITY OF KUNA, IDAHO

Ordinance No. _____
Adopted _____
Effective _____

URD Plan Legal Elements

URD Plan

Idaho Code § 50-2905 identifies what information the Plan must include with specificity as follows:

- (1) A statement describing the total assessed valuation of the base assessment roll of the revenue allocation area and the total assessed valuation of all taxable property within the municipality;
Section 502.3
- (2) A statement listing the kind, number, and location of all proposed public works or improvements within the revenue allocation area;
Section 301 and Attachment 5
- (3) An economic feasibility study;
Attachment 5
- (4) A detailed list of estimated project costs;
Attachment 5
- (5) A fiscal impact statement showing the impact of the revenue allocation area, both until and after the bonds are repaid, upon all taxing districts levying taxes upon property on the revenue allocation area;
Section 502.8 and Attachment 5
- (6) A description of the methods of financing all estimated project costs and the time when related costs or monetary obligations are to be incurred;
Sections 303, 304, 309, 501, 502, 504 and Attachment 5
- (7) A termination date for the plan and the revenue allocation area as provided for in section 50-2903(20), Idaho Code. In determining the termination date, the plan shall recognize that the agency shall receive allocation of revenues in the calendar year following the last year of the revenue allocation provision described in the urban renewal plan; and
Section 800
- (8) A description of the disposition or retention of any assets of the agency upon the termination date. Provided however, nothing herein shall prevent the agency from retaining assets or revenues generated from such assets as long as the agency shall have resources other than revenue allocation funds to operate and manage such assets.
Section 800

Post-July 1, 2016, Plan and RAA

Limitations on Amendments to the Plan – I.C. 50-2903A

- Base reset
- Exceptions

Plan Approval Process

- April 24, 2020– Agency Board adopted Resolution No. URA02-2020 accepting the Kuna Urban Renewal District Eligibility Study, Kuna West District prepared by J-U-B Engineers, Inc. (the “2020 Report”) and forwards to the City Council for consideration
- May 19, 2020– City Council adopts R29-2020, adopting the 2020 Report and directs Agency to commence preparation of a plan
- Stakeholder and Public Outreach
- August 27, 2020– Agency Board adopted Resolution No. URA08-2020 accepting the Supplement to the Kuna Urban Renewal District Eligibility Study, dated August 2020, prepared by J-U-B Engineers, Inc. (the “Supplemental 2020 Report”) and forwards to the City Council for consideration
- August 27, 2020– Two Virtual Workshops
- September 1, 2020– City Council adopts R47-2020, adopting the Supplemental 2020 Report and directs Agency to commence preparation of a plan
- October 7, 2020– Agency Board adopts Resolution No. URA 09-2020 approving the Urban Renewal Plan for the Kuna West Urban Renewal Project recommending approval of the Plan and directing transmittal of the Plan to Mayor and City Clerk to take the necessary action to process the Plan
- October 14, 2020– Notice of public hearing published in the *Kuna Melba News* and the Plan was submitted to the affected taxing districts and separately to ACHD
- October 27, 2020– City Planning and Zoning Commission found the proposed Plan conforms to the City’s Comprehensive Plan (Resolution No. PZC01-2020)
- October 28, 2020– Second notice of public hearing published in the *Kuna Melba News*
- November 17, 2020– City Council public hearing, consider public comment, and first reading of the City Council Ordinance approving the Plan
- Note– Eligibility Study also considered by BOCC when Study Area included parcels within unincorporated Ada County.

Additional Plan Requirements

10% valuation limitation

- Kuna West RAA is approximately 6.8% of the total taxable value of the City:
- \$111,638,700.00 estimated base assessment roll values as of January 1, 2020
- Total Taxable Value of the City, less homeowner's exemptions is \$1,637,987,068.00
- 10% limit is \$163,798,706.80
- ACHD-Kuna URA Agreement
- Idaho Code § 50-2908

Next Steps

November 17th - City Council Meeting

Public Hearing on the Plan;

If Council supports the Plan, the readings can be waived and approved and adopted through Reading of the ordinance

Thereafter

Publication of the ordinance summary; recordation of ordinance and separately recorded map/legal; transmittal of documents to County officials, STC and affected taxing districts.

Deadline to complete tasks 12/31/2020

THANK YOU!

QUESTIONS?

Three horizontal lines in green, purple, and orange colors are positioned below the 'QUESTIONS?' text.

ATTACHMENTS

REFERENCE SLIDES



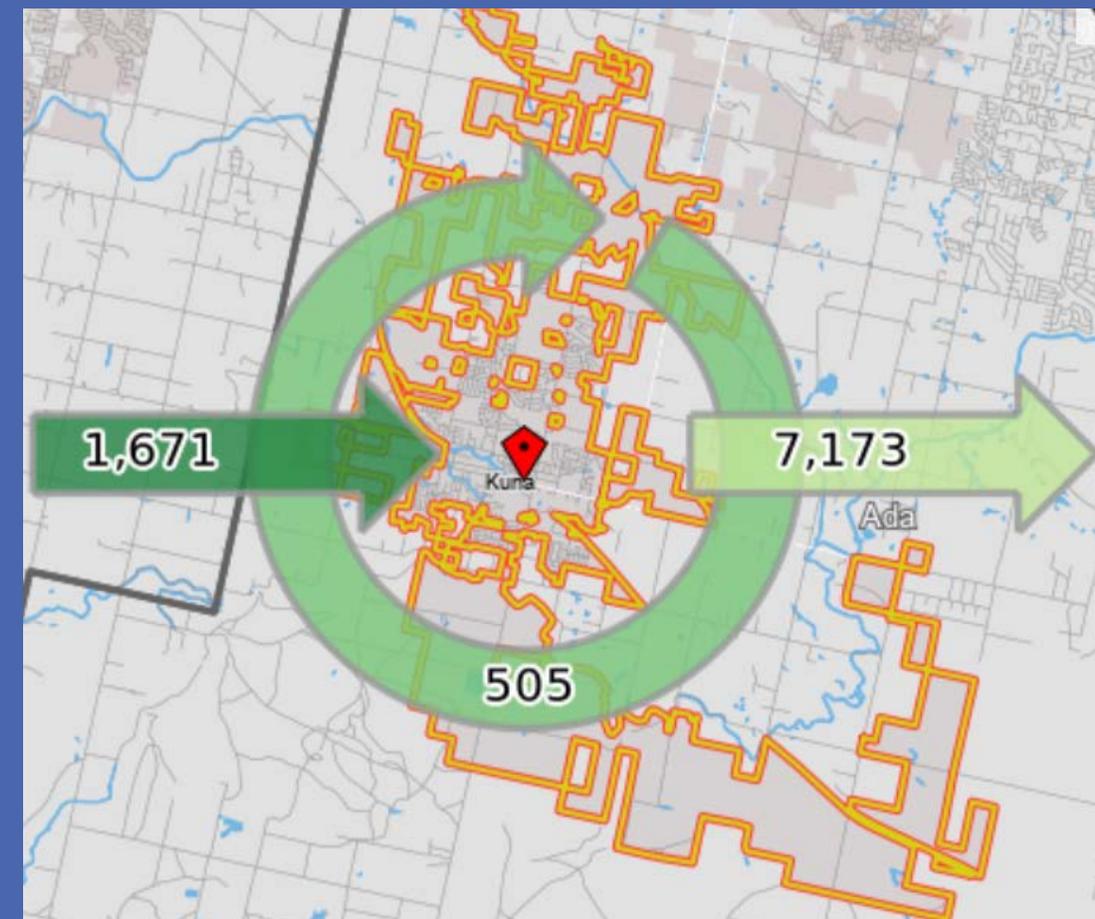
Urban Renewal



Urban Renewal –
Ability to Focus Dollars
Into a Specific Area For
Infrastructure
Improvements

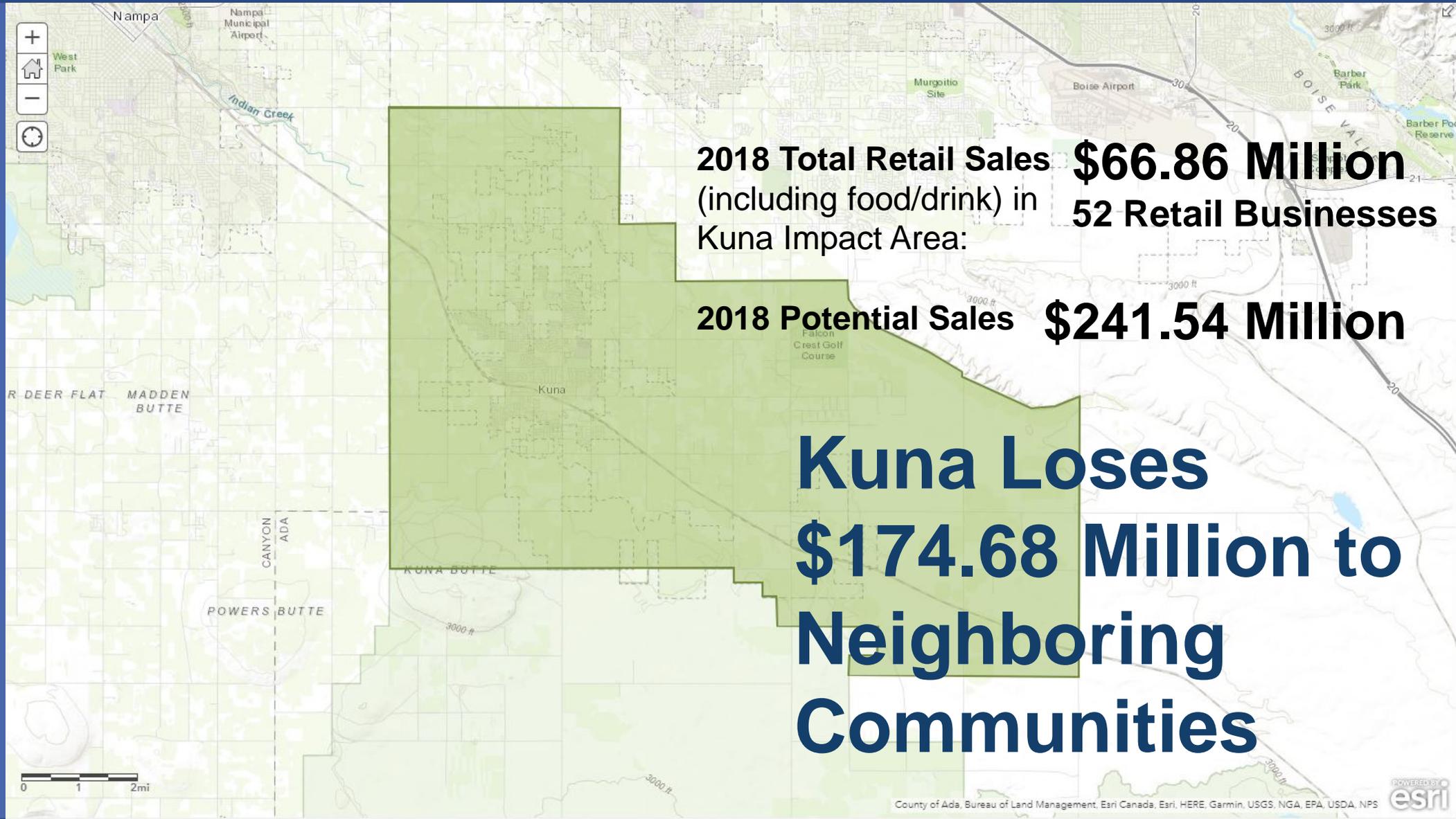
Why Kuna?

- **Background**
 - Urban Renewal Conversations Since 2001
 - Urban Renewal Agency Established in 2011
- **Why Urban Renewal for Kuna?**
 - 93% Leave to Work Elsewhere
 - Infrastructure Challenges (Roadways, Sewer, Water, Shovel-Ready Properties for Commercial)



Source: US Census Bureau (2017 data)

Commercial Opportunity



Example: Caldwell (1998-2017)

- Indian Creek Restoration & Downtown Plaza
- Redevelopment Partnerships: Theatre, YMCA, TVCC
- Parks, Roadway Projects & Infrastructure Improvements
- Sky Ranch Business Center
 - \$40 Million of Investment (14 new buildings)
 - 400+ jobs





WHAT IS AN URBAN RENEWAL DISTRICT?

Urban Renewal District (URD)

WHAT IT IS...

Planning Boundary to Re-Invest taxes from NEW developments in an area into infrastructure projects.

- Roadway & Pedestrian Improvements
- Public Infrastructure
- Redevelopment (i.e., downtown)
- Greenfield Development (i.e., Business/Industrial Park)

A URD/TIF does not raise property taxes or affect impact fees.



How it Works

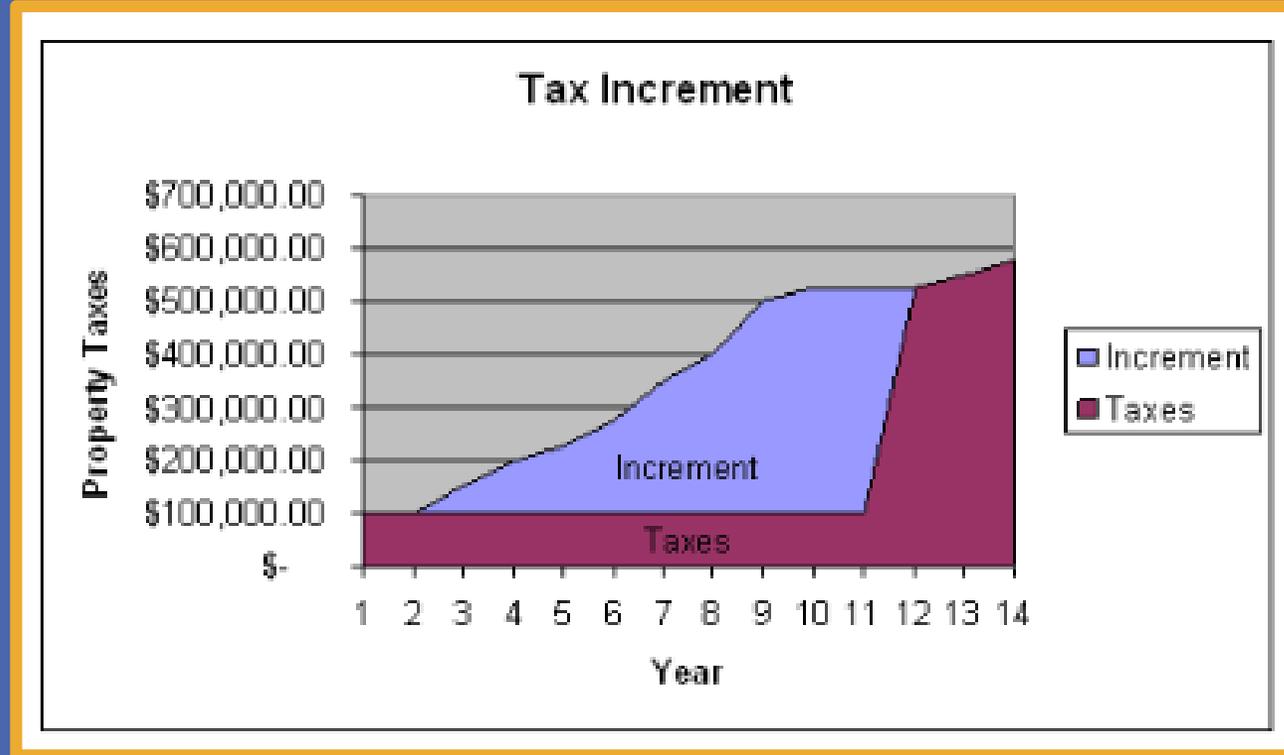
Example: 1 Acre of Undeveloped Ground in District is Worth \$100,000



A New Retail Development is Built on That Ground and Increases the Value to \$1 Million

The URD Can Use the Property Taxes Collected on the \$900,000 (Increment) for Infrastructure Projects Within the Planning Area

What About Taxing Entities?



- Taxing Entities Will Collect the Amount they Budget
- Fire/Police/Parks/ACHD will Still Collect Impact Fees
- When the District Closes (20 Years Max), the Increment is Returned to the Regular Tax Rolls and to the New Construction Roll. Taxing Entities may Increase Budget Capacity.