

CITY OFFICIALS
W. Greg Nelson, Mayor
Richard Cardoza, Council President
Briana Buban-Vonder Haar, Council Member
Pat Jones, Council Member
Joe Stear, Council Member

CITY OF KUNA

City Council Meeting

AGENDA

Tuesday, August 18, 2015

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

7:00 P.M. REGULAR CITY COUNCIL

1. Call to Order and Roll Call

2. Invocation: Chris Bent, Calvary Chapel

3. Pledge of Allegiance: Mayor Nelson

4. Consent Agenda:

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

A. City Council Meeting Minutes:

- 1. City Council Workshop - ACHD Minutes August 4, 2015**
- 2. City Council Workshop – Personnel Manual Minutes August 4, 2015**
- 3. Regular City Council Minutes August 4, 2015**

B. Accounts Payable Dated August 13, 2015 in the Amount of \$447,426.22

C. Alcohol Licenses:

D. Findings of Facts and Conclusions of Law:

5. Reports or Requests:

- A. Consideration to Approve Resolution R48-2015 approving a Memorandum of Understanding with Community Planning Association of Southwest Idaho for pedestrian/bicycle counters – Carl Miller, COMPASS and Wendy Howell, P & Z Director**

A RESOLUTION OF THE CITY OF KUNA, IDAHO APPROVING THE MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF KUNA, IDAHO AND THE COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS) GRANTING A LIMITED LICENSE TO COMPASS TO INSTALL PEDESTRIAN AND BICYCLE COUNTERS IN THE GREENBELT; AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME AND THE CLERK TO ATTEST TO SAID EXECUTION.

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

- A.** Consideration to Approve P & Z Case No. 15-01-ZC – Profile Ridge Rezone, A rezone request for the Profile Ridge Subdivision – Troy Behunin, Senior Planner

A request by Iron Mountain Real Estate to rezone approximately 6.81 acres located at the southwest corner (SWC) of Meridian Road and Deer Flat Roads. Request includes changing the current zoning, R-6 (Medium Density Residential), to C-1 (Neighborhood Business District) within the previously approved Profile Ridge Subdivision.

- B.** Consideration to Approve amended Kuna Comprehensive Plan – Wendy Howell, P & Z Director

(Full Comprehensive Plan is too large for the Packet. The plan can be obtained on our website at : <http://www.kunacity.id.gov/DocumentCenter/View/2040>)

This request is to amend the Kuna Comprehensive Plan that includes data updates that reflect the 2010 census or more current information in the Plan; update the Capital Plan; update the maps with the proposed planning area extension to the east (this does not include an update to the impact area map); and other clerical and grammar modifications. The Planning and Zoning Commission recommended approval of the plan to the City Council on April 14, 2015.

- C.** Consideration to Approve amended Planning Area Map – Wendy Howell P & Z Director

This request is to amend the Planning Area Map on the most easterly planning area boundary from S Cole Road to S Pleasant Valley Road. The extension of the easterly boundary begins at the intersection of E Poen Road and S Cole Road, which is the southern boundary for the Kuna Planning Boundary; Thence continuing south along the southerly boundary approximately 0.25 miles along the alignment of S Cole Road; Thence east approximately 0.50 miles; Thence north approximately 0.25 miles; Thence east approximately 1.5 miles to the centerline of S Pleasant Valley Road; Thence north approximately 5.07 miles along the centerline of S Pleasant Valley Road, also being the eastern boundary of the Kuna Planning Boundary, to the centerline of W Ten Mile Creek Road; Thence northwesterly along said W Ten Mile Creek Road approximately 1.0 miles to the centerline of S Cole Road.

7. Business Items:

- A.** Consideration to Approve the release of Case No. 08-05-SUP (Special Use Permit) and 08-08-DA (Development Agreement); Linder Farms Agri-tainment – Troy Behunin, Senior Planner.

A request from Randy and Sherrie Feist in connection with Linder Farms

- B.** Consideration to Approve Resolution R45-2015 waiving the remaining lease payments with Boise Disc Golf LLC (*continued from August 4, 2015*) – Richard Roats, City Attorney

Boise Disc Golf LLC was a victim of a burglary that occurred on or around July 29, 2015 at the city owned building that serves as a park amenity concession stand.

A RESOLUTION OF THE CITY OF KUNA, IDAHO WAIVING THE REMAINING LEASE PAYMENTS PAYABLE PURSUANT TO THE LEASE AGREEMENT WITH BOISE DISC GOLF, LLC (LESSEE) TO LEASE PROPERTY AT 415 W. 2ND STREET, KUNA, IDAHO FOR A CONCESSION STAND

- C.** Consideration to Approve Resolution R49-2015 Reimbursement Agreement with Timbermist, LLC for Oversized Sewer Main and Repealing Resolution R41-2015 – Gordon Law, City Engineer

RESOLUTION AUTHORIZING EXECUTION OF A REIMBURSEMENT AGREEMENT IN THE AMOUNT OF \$212,519.51 WITH TIMBERMIST, LLC AND REPEALING RESOLUTION NO. R41-2015.

- D.** Consideration to Approve Resolution R51-2015 to adopt Step and Grade Policy for City Directors – Richard Roats, City Attorney

A RESOLUTION OF THE CITY OF KUNA, IDAHO ADOPTING THE STEP AND GRADE POLICY FOR THE DIRECTORS FOR THE CITY OF KUNA, IDAHO AS ATTACHED HERETO; REPEALING THOSE SECTIONS OF RESOLUTION R9-2007 THAT ARE INCONSISTENT WITH THE ADOPTION OF R51-2015; AND DECLARING THE EFFECTIVE DATE.

- E.** Consideration to Approve Resolution R52-2015 Park Impact Fee and Committee Members appointment – Richard Roats, City Attorney

APPROVING IDAHO DEVELOPMENT IMPACT FEE ACT ADVISORY COMMITTEE

- F.** Discussion of Idaho Power Franchise Agreement term of five or ten years – Richard Roats, City Attorney

G. Update on P & Z Projects (*no action required*) – Wendy Howell, P & Z Director

8. Ordinances:

First Reading of Ordinance No 2015-14 Timbermist Nos. 1 and 2 Irrigation Annexation

Consideration to waive three readings

Consideration to approve ordinance

Consideration to approve a summary publication of the ordinance

AN ORDINANCE OF THE CITY OF KUNA, IDAHO, ANNEXING THE REAL PROPERTY DESCRIBED IN EXHIBIT A AND EXHIBIT B, AND COMMONLY REFERRED TO AS TIMBERMIST NOS. 1 AND 2, INTO THE KUNA MUNICIPAL IRRIGATION DISTRICT FROM THE NEW YORK IRRIGATION DISTRICT AND CHANGING THE BOUNDARIES THEREOF; DECLARING WATER RIGHTS APPURTENANT THERETO ARE POOLED FOR DELIVERY PURPOSES; DIRECTING THAT COPIES OF THIS ORDINANCE BE RECORDED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

9. Mayor/Council Discussion Items:

10. Announcements:

Adjourn to Executive Session Pursuant to Idaho Code 74-206(d) for the Purpose of Discussing Personnel Records

11. Executive Session:

12. Adjournment:

CITY OFFICIALS

W. Greg Nelson, Mayor
 Richard Cardoza, Council President
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CITY OF KUNA

**City Council Workshop
 MINUTES
 Tuesday, August 4, 2015**

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

5:30 P.M. CITY COUNCIL WORKSHOP – Linder and Main Street discussion with ACHD

Call to Order and Roll Call

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

CITY STAFF PRESENT: John Marsh, City Treasurer
 Chris Engels, City Clerk
 Richard Roats, City Attorney
 Wendy Howell, P & Z Director
 Bob Bachman, Fleet/Facilities Manager
 Bobby Withrow, Parks Supervisor

Ryan Cutler, Project Engineer, ACHD- Mr. Cutler explained that the project is fully funded and the design stage is completed. Currently the design stage is at 99% completion. There have been multiple opportunities to meet with property owners as well as public meetings for input.

There are 3 projects combined. The roundabout with a pedestrian crossing at 4th St, a sidewalk along the frontage of the baseball fields with an intersection improvement at Ave A and a signaled pedestrian crossing at 2nd St.

Mr. Cutler stood for questions.

Mayor Nelson asked when construction starts.

Mr. Cutler said after January 1, 2016. Approximately the first or second week.

Council Member Jones said the downtown corridor plan didn't include the center of the roundabout where it is currently located in the plans. He stated that he is frustrated that when the plans were begun, it wasn't brought to Council.

Mr. Cutler stated that public concept meetings were held. As concepts are developed, some things can be changed. There has been participation from city staff and the intent of the city member's participation was they would report back to Council. Comments are received during the concept stages.

Council Member Jones asked which changes were made after comment cards had been circulated in May.

Mr. Cutler directed Council's attention to a power point slide of comments received.

Council Member Jones voiced concerns about the safety of the roundabout bike lanes.

Mr. Cutler explained the bike lanes were much more intuitive than could be drawn on paper. There are also Community Outreach specialists that can produce documents for the community addressing how to use a roundabout.

Council Member Jones asked if there is an option for nicer landscaping in the center of the roundabout.

Mr. Cutler explained that is an option if the city were responsible for the landscaping. In the meetings regarding the landscaping, the conclusion was there was not a desire for landscaping.

P & Z Director Wendy Howell explained that the discussion was that the cost for irrigation wasn't affordable.

Council Member Jones asked when that discussion took place.

Ms. Howell responded she believed it took place before Council Member Jones took office.

Council Member Buban-Vonder Haar said she did not recall that discussion.

Ms. Howell responded the matter was discussed with the Mayor.

Mayor Nelson asked if the landscaping could be changed in future years.

Mr. Cutler responded there could be sleeves installed now for future changes that would require irrigation.

Council Member Buban-Vonder Haar asked if everything on the plans was landscaping rock.

Mr. Cutler said that would all be landscaping rock. If landscaping is put in, an agreement between the city and ACHD would be needed.

Council Member Buban-Vonder Haar asked how long the construction will last.

Mr. Cutler said it is scheduled for 4 months and the intersection will be closed down.

Council Member Jones asked if there were crosswalks at the North South intersections of the roundabout and N Linder Rd.

Mr. Cutler responded yes, there will be crosswalks with pedestrian ramps.

Council Member Jones asked what type of fence will be re-installed around the park.

Mr. Cutler said it will be chain link.

Council Member Jones asked about the time window for the city to decide if sleeves needed to be added to the roundabout or if the fencing could be upgraded to wrought iron.

Mr. Cutler responded it would need to be decided within a month.

Council President Cardoza said it would be a good time to make a truck route down Swan Falls to Shortline.

Mr. Cutler said the traffic team analyzes those situations. This roundabout was designed with truck traffic in mind.

Council President Cardoza confirmed a triple trailer truck will be able to get through the roundabout.

Mr. Cutler explained there is a truck apron to allow the truck to go through the intersection.

Council President Cardoza asked what is the structure impact notation on the design plans refers to.

Mr. Cutler explained in one location there is shed built on the right away that will be removed or shifted. The other is the auto body shop and the owner is negotiating with them on the removal.

Council Member Stear thanked Mr. Cutler for coming out.

Council Member Stear moved to adjourn the meeting at 6:15 p.m. Seconded by Council Member Jones, all voting aye. Motion carried 4-0.

W. Greg Nelson, Mayor

ATTEST:

Chris Engels, City Clerk

Minutes prepared by Dawn Stephens
Date Approved: CCM 08.18.2015

CITY OFFICIALS

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CITY OF KUNA

City Council Workshop

MINUTES

Tuesday, August 4, 2015

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

6:00 P.M. CITY COUNCIL WORKSHOP – Personnel Manual (continued from July 21, 2015)

Council Member Stear moved to begin the Personnel Manual Workshop. Seconded by Council Member Jones, all voting aye. Motion carried 4-0.

Richard Roats City Attorney opened the review of the manual with comp time accrual.

Council Member Stear asked if any input was received from the directors and supervisors.

Mr. Roats said the directors will be responsible and will work with the supervisors.

Council Member Jones asked Mr. Roats to look into the current comp. time accruals before implementing any caps.

Council Member Jones asked about overtime pay and if holidays accrue toward overtime.

City Treasurer John Marsh said under the current policy they do if staff is on call but not for regular staff.

Council Member explained his concern that the accrual of time could amount to three and half times on a holiday.

Mr. Roats said he would work with Mr. Marsh on establishing the policy.

Council President Cardoza asked what had become of the employee manual that was supposed to have been produced several years ago.

Mr. Roats responded the manual was adopted by Resolution in 2006 and is the base of the current manual being worked on today.

Council Member Stear asked if there are any foreseeable problems in specific departments such as P & Z where using comp time could stop a process.

Mr. Roats responded allowing flexibility for comp time usage would solve any problems.

Mr. Roats moved to the topic of vacation.

Council Member Jones said he has concerns with the how fast a new employee accrues vacation time compared to an existing employee. He would like to see it spread out more and wondered what other Council members thought.

Mr. Roats said it reflects what other jurisdictions do.

Mayor Nelson said it reflects what the state does and was adopted when PERSI was brought on.

Mr. Roats explained the hope is to keep the benefits similar to other jurisdictions. New employees could be greatly impacted in the event of an unexpected emergency with no leave available to them.

Council Member Jones responded he would not expect anyone to be denied leave but is questioning whether they would receive a paid leave.

City Clerk, Chris Engels commented; as a hiring supervisor, she understands Council Member Jones perception for entry level positions. However, a lot of our positions are not entry level. We are recruiting from other agencies and hire employees that have 10 or 15 years of experience and equitable vacation time. Those employees would have one week vacation time after one year and maybe there has to be consideration for that.

Council Member Jones said he can understand that perspective as well.

Ms. Engels clarified that recruited, experienced employees accrue 2 weeks of vacation time in their first year.

Mayor Nelson asked Mr. Marsh if there has been any problems.

Mr. Marsh said there hadn't been any problems but the issue has been comp time accrual pushes up the balances on vacation time. The caps will help with the situation.

Mr. Roats suggested allowing one year for directors and supervisors to bring comp time and vacation time balances to workable levels then revisit the subject next year and decide if the plan is working.

Council Member Jones asked what the rehire policy is. Do rehired employees retain their vacation levels?

Mr. Roats said he isn't aware of that situation occurring.

Mr. Marsh said there were layoffs and there was an employee that returned in a different role but otherwise, there hasn't been.

Council Member Jones would like to see something in place if an employee resigns.

Mr. Roats will work on a policy.

Council Member Buban-Vonder Haar said that perhaps earned vacation time should reflect what the state does and likes the idea of having an extra step at 15 years.

Council Member Stear also liked the idea of adding an extra step.

Council Member Jones is concerned about sick pay. Sick pay is for people to stay home, not infect others and to give the employee time to recuperate. He recalls the average employee takes 6 days per year and also recalls the original request for an unused sick leave rate of 1 hour for every 3 hours of accumulated sick leave toward their retirement. At that time he offered at rate of 1 hour to 1 hour toward retirement if the number of sick leave days per year were to be reduced.

He is open to looking at short term disability versus so much sick time. Council Member Jones is concerned about sick time being used to take family members to the doctor. The extra time toward retirement is a benefit yet sick days have not been reduced. If the average is 6 sick days per year, why are we giving employees 12?

Mayor Nelson thinks care needs to be taken when talking about taking benefits away that are standard with State agencies.

Council Member Stear said if the city is staying with a standard of what the State is doing, he would hate to see removing a benefit that allows an employee to take their child or family member to the doctor. We need to be supportive of our employees and their family priority.

Council Member Buban-Vonder Haar checked on the state policy. The accrual is .04615 per hour worked; equivalent to 3.7 hours per 80 hour pay period, approximately 96 hours per year which is 12 days.

Council Member Jones said he has concerns about employees taking 8 hours of sick leave for a 2 hour appointment or assuming that because they have 12 days of sick leave they can take all 12 days per year.

Council Member Buban-Vonder Haar responded that there could be sick leave certification put in place if there was a pattern of leave abuse.

Mr. Roats clarified that currently employees can use sick leave to take family members to the Dr. Is that staying in the manual?

Council Member Jones responded the supervisors, directors and HR can monitor sick leave as it is written.

Council Member Buban-Vonder Haar asked if vacation time accrual should mimic the State's hourly accrual rate as well.

Mr. Roats said he would need to review the numbers but perhaps a cap should be considered on unused sick leave accrual.

Council President Cardoza asked if there has been a comparison between the public and private sector benefits.

Mr. Marsh said some of that information is available for insurance benefits but for leave time, he hasn't identified a source for the data.

Mr. Roats asked if there was a need for another session or just send out the changes.

Council agreed to have the changes sent out.

Adjournment: The meeting was adjourned at 7:01 p.m.

Council Member Stear moved to adjourn the Personnel Manual Workshop. Seconded by Council President Cardoza, all voting aye. Motion carried 4-0.

W. Greg Nelson, Mayor

ATTEST:

Chris Engels, City Clerk

*Minutes prepared by Dawn Stephens
Date Approved: CCM 08.18.2015*

CITY OFFICIALS

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CITY OF KUNA

**Regular City Council Meeting
 MINUTES
 Tuesday, August 4, 2015**

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

7:00 P.M. REGULAR CITY COUNCIL**1. Call to Order and Roll Call**

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

CITY STAFF PRESENT: John Marsh, City Treasurer
 Chris Engels, City Clerk
 Richard Roats, City Attorney
 Wendy Howell, P & Z Director
 Bob Bachman, Fleet/Facilities Manager
 Bobby Withrow, Parks Supervisor

2. Invocation: None**3. Pledge of Allegiance:** Mayor Nelson

Mayor Nelson welcomed the boy scouts in attendance.

4. Consent Agenda:
 (Timestamp 00:02:09)

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

- A. City Council Meeting Minutes:**
1. City Council Workshop Minutes July 21, 2015

2. Regular City Council Minutes July 21, 2015
3. City Council Budget Workshop Minutes July 27, 2015

B. Accounts Payable Dated July 30, 2015 in the Amount of \$231,188.01

C. Alcohol Licenses:

D. Findings of Facts and Conclusions of Law:

Council Member Stear moved to approve the consent agenda as presented. Seconded by Council Member Buban-Vonder Haar. Motion carried 4-0.

5. Citizen's Reports or Requests:

(Timestamp 00:02:40)

Kelli Fairless - VRT Annual Update and Budget Request of \$6,569.

Ms. Fairless reported on the mission of VRT and the partnerships. She expressed appreciation for Mayor Nelson's participation on the board. They have been innovative with partnerships and leveraging funds. A pilot project has been established with Senior Association and funding is forthcoming. Kuna's association will benefit with reimbursements. Ms. Fairless reviewed other successful partnership opportunities.

Mayor Nelson asked what the outreach was for the veterans.

Ms. Fairless said they work with CWI, VA, BSU, Idaho Dept. of Labor, Boise Rescue Mission and Supportive Housing and Innovation Partnerships to assist homeless veterans.

Ms. Fairless covered some of the initiatives VRT can participate in to assist in transportation to medical care. The projects come from federal funding and private investment. Not much of the funding comes from local government.

The dues are based on population and VRT is requesting \$6,569 from Kuna.

Ms. Fairless reviewed a recent rider survey and noted that 7 out of 10 riders depend on VRT for transportation. Half of riders don't have a driver's license, 38% have been using VRT for less than a year and 66% indicate their use of VRT will continue or increase. Ada and County demographics are 18-34 in age and income is lower. The non-rider survey was reviewed with the note the majority supported public transportation, would like to see more services and would use the services for some of their needs.

Ms. Fairless stood for questions.

Council President Cardoza asked about the progression of service out to Kuna.

Ms. Fairless said it hasn't progressed beyond planning because of lack of funding. Without a local match, the state won't extend the funds.

Council Member Jones asked what services are available to seniors in Kuna.

Ms. Fairless said currently there is a van the senior center operates. There are plans to expand that service.

Council Member Jones asked if the seniors were in need of or had asked for any services that were not currently provided.

Ms. Fairless responded she was not aware of anything from Kuna specifically.

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

7. Business Items:

- A.** Consideration to Approve Resolution R31-2015 approving an agreement with ACHD for the Linder/Main Roundabout – Richard Roats, City Attorney
(Timestamp 00:22:50)

Council Member Jones reiterated that he was interested in the opportunity for landscaping, fence and piping.

Rodney Ashby, ACHD – A decision would need to be made within the next month.

A RESOLUTION OF THE CITY OF KUNA, IDAHO APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THE ACQUISITION DOCUMENTS RELATED TO THE CONSTRUCTION OF THE ROUNDABOUT AT LINDER/MAIN/3RD STREETS, KUNA, IDAHO WITH THE ADA COUNTY HIGHWAY DISTRICT PROJECT NO. 313043

**Council Member Stear moved to approve Resolution R31-2015. Seconded by Council Member Buban-Vonder Haar with the following roll call vote:
Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar and Stear
Voting No: None**

- B.** Consideration to Approve Resolution R43-2015 for the purchase of a Thermal Imaging Camera for Fleet/Facilities Department.
(Timestamp 00:26:23)

Bob Bachman Fleet/Facilities explained the purpose of the camera.

Council President Cardoza asked if regular citizens can call and ask to have it used.

Mr. Bachman said he would do as he was directed and it could be helpful especially in the downtown businesses.

Council Member Buban-Vonder Haar was somewhat concerned about that option potentially getting out of control as far as requiring Mr. Bachman's time.

A RESOLUTION OF THE CITY OF KUNA, IDAHO AUTHORIZING THE CITY OF KUNA, IDAHO'S FLEET/FACILITIES MANAGER BOB BACHMAN TO NEGOTIATE THE PURCHASE OF THE THERMAL IMAGING CAMERA MODEL #FLIR E40 FROM PLATT ELECTRIC AS PER THE INVOICE; AND AUTHORIZING THE CITY OF KUNA, IDAHO'S TREASURER, JOHN MARSH TO PAY THE INVOICE FOR THE FLIR E40 THERMAL IMAGING CAMERA IN THE AMOUNT OF \$3,995.00.

Council Member Stear moved to approve Resolution R43-2015 to expend funds from contingency. Seconded by Council Member Buban-Vonder Haar with the following roll call vote:

**Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar and Stear
Voting No: None**

- C. Consideration to Approve Resolution R44-2015 authorizing the Mayor to execute a letter to obtain dot gov domain – Richard Roats, City Attorney
(Timestamp 00:31:36)

Council President Cardoza asked if new business cards would need to be purchased.

City Treasurer John Marsh explained the current address will forward from the new one.

A RESOLUTION OF THE CITY OF KUNA, IDAHO APPROVING THE LETTER TO .GOV DOMAIN REGISTRATION TO OBTAIN AUTHORITY OVER THE DOMAIN NAME CITYOFKUNA.GOV, AUTHORIZING THE CITY TREASURER TO PAY \$125.00 FOR THE SAME, AND AUTHORIZING THE MAYOR TO EXECUTE THE LETTER.

Council Member Buban-Vonder Haar moved to approve Resolution R44-2015. Seconded by Council Member Jones with the following roll call vote:

**Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar and Stear
Voting No: None**

- D. Consideration to Approve Resolution R45-2015 waiving the remaining lease payments with Boise Disc Golf LLC – Richard Roats, City Attorney
(Timestamp 00:34:23)

Boise Disc Golf LLC suffered significant loss as a result of a burglary that occurred on or around July 29, 2015 at the city owned building that serves as a park amenity concession stand.

City Attorney Richard Roats reviewed this would be a waiver for the months of September and October to help Mr. Lindstrom get back on his feet and reopen the business.

Council Member Jones clarified that the city was not accepting responsibility for the burglary. He also asked if Mr. Roats knew if Mr. Lindstrom had insurance.

Mr. Roats responded the city is not accepting responsibility for the burglary. Mr. Lindstrom did have insurance but Mr. Roats is not aware of the specifics of policy.

Council Member Jones expressed concerns about the message that is being sent to the community.

Council Member Buban-Vonder Haar said a citizen has asked her if this would be standard for any business that is burglarized.

Mr. Roats responded the message the city wants to send is we care about the businesses, especially the ones interacting with and providing a service to our kids. Also, Mr. Lindstrom is acting as a role model and adult presence in an area of the community that has had problems.

Council Member Stear commented he has had several citizens tell him what a positive influence Mr. Lindstrom has been on their children. His thought would be to reduce the rate of rent.

Council Member Buban-Vonder Haar asked Council Member Jones if he would be more comfortable with reducing by the amount of the deductible.

Council Member Jones is in agreement with Council Member Stear's comments but is concerned about setting a precedent.

Mayor Nelson said he doesn't think it sets a precedent because it is a city owned building. He was hoping the gesture would keep Mr. Lindstrom open.

Council Member Stear said it is his hope that Mr. Lindstrom stays in Kuna and reopens his business in the same location.

Council Member Jones commented he doesn't know how offering a waiver cannot set a precedent.

Council Member Stear responded the rent for the business could be reevaluated without setting a precedent.

Mr. Roats stated he could meet with Mr. Lindstrom and discuss the business sales vs. rent cost. The rent could be adjusted somewhere in the middle.

Council Member Jones responded a compromise on rent cost would be better.

Council President Cardoza asked if his business in Kuna were to be burglarized, would the city pro rate his taxes in fairness to him. He does not rent from the city. He further commented taxpayers should not be obligated to take care of a business owner.

Mayor Nelson said a vote was needed.

Council Member Buban-Vonder Haar clarified the renegotiation of the rent is to reflect an amount that is fair for the space he is renting.

Council Member Stear stated that was also his intent.

Council President Cardoza asked if Mr. Lindstrom agreed to the rent amount and lease term.

Council Member Stear stated his intent is to keep the business in Kuna.

Council Member Cardoza asked if there had been any other interest to rent the space previously.

Mr. Roats responded, no.

Council Member Cardoza asked who set the amount of the monthly rent. The city or Mr. Lindstrom?

City Clerk, Chris Engels responded Mr. Lindstrom. The amount was based on a similar park space in Boise and the revenue generated there. This location did not generate the same revenue.

A RESOLUTION OF THE CITY OF KUNA, IDAHO WAIVING THE REMAINING LEASE PAYMENTS PAYABLE PURSUANT TO THE LEASE AGREEMENT WITH BOISE DISC GOLF, LLC (LESSEE) TO LEASE PROPERTY AT 415 W. 2ND STREET, KUNA, IDAHO FOR A CONCESSION STAND

Council Member Stear moved to table R45-2015 and instruct the City Attorney to meet with Mr. Lindstrom re: lease terms. Seconded by Council Member Buban-Vonder Haar with the following roll call vote:

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

Voting No: None

- E. Consideration to Approve Resolution R38-2015 Approving an agreement with Kuna Police Activities League (KPAL) for field use – Richard Roats, City Attorney
(Timestamp 00:53:52)

City Attorney Richard Roats reviewed a few changes from Kody Aldrich of 2.2, 2.3, 2.8.

Council Member Buban-Vonder Haar asked if there should be a modification in the termination portion to read termination for cause during the season.

Council Member Jones asked if there are city supplied portable bathrooms at that location, is the intent to have KPAL portable bathrooms brought in only on the weekends.

Kody Aldrich, KPAL – Said that during the season the bathrooms stay at the fields all the time. He wanted to thank the Mayor and Council for helping with these types of projects.

Council Member Buban-Vonder Haar asked what the utility costs mentioned refer to exactly.

Mr. Roats explained the reference would be for portable electronic signs and /or scoreboards. In the future, with expansion of the program, night lighting would also fall under utilities.

Council President Cardoza asked about the reference to \$7,000.

Mr. Aldrich explained the original intent was to create a facility that could be used by Soccer Express for high level soccer tournaments. KPAL would run the rec. league and help with labor and some excavation work donations. The scope of work was far greater than anticipated so they were unable to secure donated excavation. The \$7000 reference came from KPAL believing they could raise \$7000 based on conversations with other non- profits. Initially the intent was there would be a long term usage agreement for the rec. league and the competition league that would not be open to the public. At this time the fields are community fields with scheduling privileges.

Council Member Jones asked if any kids have been turned away.

Mr. Aldrich said no one has been turned away.

Council Member Jones asked what the registration cost is.

Mr. Aldrich responded depending on the age level the cost is \$65 - \$85 which includes the uniform and personal equipment.

A RESOLUTION OF THE CITY OF KUNA, IDAHO APPROVING THE PARK USE AGREEMENT BY AND BETWEEN THE CITY OF KUNA, IDAHO AND THE KUNA POLICE ACTIVITIES LEAGUE (KPAL) AT ARBOR RIDGE PARK PURSUANT TO THE TERMS OF THE AGREEMENT; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT.

Council Member Stear moved to approve Resolution R38-2015 with the described changes. Seconded by Council Member Buban-Vonder Haar with the following roll call vote:

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

Voting No: None

- F. Consideration to Approve Resolution R46-2015 Approving expenditure for reward for Kuna Disc Golf and Rec building burglary at 415 W 2nd St – Richard Roats, City Attorney
(Timestamp 01:10:56)

City Attorney Richard Roats reviewed the matter for Council.

Council Member Buban-Vonder Haar asked if the building should have been secured in a better way which may have contributed to the burglary in some way.

Mr. Roats responded no, the building was secured. The burglar(s) literally kicked in and broke out the door frame.

Council Member Jones said he thinks if the city offers a reward for this incident, the city needs to do the same for every incident.

Council Member Stear said that the distinction for him is that it is a city owned building.

Council Member Buban-Vonder Haar asked if the person(s) are caught, would restitution be required and would the city be a part of that due to damages to the city owned building.

Police Chief Justin Dusseau responded that would be correct.

A RESOLUTION OF THE CITY OF KUNA, IDAHO AUTHORIZING THE CITY TREASURER TO ESTABLISH A REWARD FUND AND TRANSFER FROM THE CONTINGENCY FUND, ONE HUNDRED DOLLARS (\$100.00) TO BE PAID TO THE PERSON(S) WHO PROVIDE INFORMATION LEADING TO THE ARREST OF THE SUSPECTS(S) RESPONSIBLE FOR THE BURGLARY OF THE BUSINESS KNOWN AS KUNA DISC AND REC. LOCATED AT 415 W. 2ND STREET, KUNA, IDAHO.

Council Member Stear moved to approve Resolution R46-2015. Seconded by Council Member Buban-Vonder Haar with the following roll call vote:

Voting Aye: Council Members Buban-Vonder Haar and Stear

Voting No: Council Members Cardoza and Jones

Breaking the tie: Mayor Nelson, Aye

- G.** Consideration to Approve Resolution R47-2015 Amending R22-2010 to update Annexation Fee – Richard Roats, City Attorney
(Timestamp 01:18:56)

City Attorney Richard Roats reviewed the changes in the resolution.

Council Member Stear asked if an annexation is generally one large area with one owner or many small parcels and owners making up a large area. Is the amended fee enough to cover staff's time for large annexations?

Mr. Roats responded he believes the proposed fee schedule is sufficient to cover staff time.

Council President Cardoza asked if the cost of providing utilities to the proposed areas need to be considered.

Mr. Roats responded the developers would be responsible for providing utilities. This resolution is for annexation fees, not for recouping funds for utility services.

A RESOLUTION OF THE CITY OF KUNA, IDAHO AMENDING RESOLUTION NO. R22-2010 TO UPDATE THE ANNEXATION FEE CHARGED PURSUANT TO THE PLANNING AND ZONING FEE SCHEDULE PURSUANT TO KUNA MUNICIPAL CODE TITLE 5, CHAPTER 12, SECTION 6; THE FEE FOR ANNEXATIONS SHALL BE REDUCED TO THE FEE OF \$1,200.00 PLUS \$30.00 PER ACRE FOR A MAXIMUM FEE OF \$2,500.00, AND SAID FEE MAY BE REDUCED BY RESOLUTION OF THE CITY COUNCIL.

**Council Member Stear moved to approve Resolution R47-2015. Seconded by Council Member Buban-Vonder Haar with the following roll call vote:
Voting Aye: Council Members Cardoza, Jones, Buban-Vonder Haar and Stear
Voting No: None**

- H.** Update of July Construction Report (*no action required*) – Gordon Law, City Engineer
(Timestamp 00:00:00)
- I.** FY2016 Tentative Budget Workshop (*no attachment*) –John Marsh, City Treasurer
(Timestamp 01:24:44)

City Treasurer John Marsh reviewed the 2016 Tentative Budget from the July 27, 2015 Budget Workshop.

Council President Cardoza asked why the appointed employee longevity has no allotment from the general fund.

Mr. Marsh clarified the total does have some allocation from the general fund.

Mr. Marsh stated the Council had expressed interest in several requests from the Parks and Recreation Superintendent, Bobby Withrow during the workshop. Mr. Marsh moved those items into the budget.

Mr. Marsh stated he has a list of other items that were not currently in the budget if Council would like to continue with those tonight.

Council Member Jones asked if Council should establish a dollar amount to remain in contingency before approving further items.

Council Member Stear responded generally in this sector, a cushion is recommended in case of emergency situations.

Mr. Marsh reviewed the remaining requests not currently budgeted.

Council Member Buban-Vonder Haar said she would like to see a wrought iron fence around Bernie Fisher Park when the roundabout is complete. Do we have any idea what the cost would be.

Facilities Superintendent, Bob Bachman responded the cost above the ACHD provided funds would be approximately \$4000-\$5000.

Council President Cardoza said he would like to see the roundabout landscaped.

Mayor Nelson said the city should have power and water installed now and make decisions on landscaping later.

Mr. Marsh confirmed with Council that funds are to be allocated toward wrought iron fencing, power, irrigation and landscaping of the roundabout. Also funds are to be allocated toward a community garden greenhouse, purchase of a bucket truck and two small park shelters.

Council Member Buban-Vonder Haar Stear moved to approve the tentative Fiscal Year 2016 Budget and set a Public Hearing for September 1, 2015. Seconded by Council Member Stear with the following roll call vote:

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

Voting No: None

8. Ordinances:

(Timestamp 02:14:34)

A. First Reading of Ordinance No 2015-12 Idaho Power Franchise Agreement

Consideration to waive three readings

Consideration to approve ordinance

Consideration to approve a summary publication of the ordinance

AN ORDINANCE IN ACCORDANCE WITH IDAHO CODE SECTIONS 50-328, 50-329 AND 50-329A GRANTING A FRANCHISE TO IDAHO POWER COMPANY, AN IDAHO CORPORATION, AND TO ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, MAINTAIN AND OPERATE IN AND UPON THE PRESENT AND FUTURE STREETS, HIGHWAYS AND OTHER PUBLIC PLACES WITHIN THE CORPORATE LIMITS OF THE CITY OF KUNA, IDAHO, ELECTRIC UTILITY PROPERTY AND FACILITIES FOR SUPPLYING ELECTRICITY AND ELECTRIC SERVICE TO THE CITY, THE INHABITANTS THEREOF, AND OTHERS FOR A TERM OF 20 YEARS, INCLUDING THE NONEXCLUSIVE RIGHT TO PHYSICALLY LOCATE AND MAINTAIN TELEPHONE, CABLE, FIBER OPTICS OR OTHER COMMUNICATIONS FACILITIES; SETTING FORTH AN AGREEMENT NOT TO COMPETE, RESERVING POWER OF EMINENT DOMAIN; PROVIDING FOR THE PAYMENT OF FRANCHISE FEES; AND SPECIFYING OTHER LIMITATIONS, TERMS AND CONDITIONS GOVERNING THE EXERCISE OF SAID FRANCHISE.

City Attorney, Richard Roats stood for questions.

Council President Cardoza asked the purpose of the agreement if we are not imposing a franchise fee.

Mr. Roats responded one of the items in the agreement is the ability for the city to utilize their poles to run fiber optics for city use.

Mr. Roats clarified the term of the agreement should read 10 years not 20 years. The city could ask for a term of 5 years of that would be Council's preference.

Council's agreed they preferred a term of 5 years.

9. Mayor/Council Discussion Items:

Police Chief Justin Dusseau gave an update on the burglary and the progress of finding the person who committed the crime. He also discussed a car theft that was resolved.

The skate park lack of lighting needs to be looked into.

Chief Dusseau discussed Mountain Steel and the multiple complaints that are occurring. There are some meetings scheduled to try to resolve the issues.

10. Announcements:

11. Executive Session:

12. Adjournment: Meeting adjourned at 9:30

Council Member Stear moved to adjourn the meeting at 9:30 p.m. Seconded by Council President Cardoza, all voting aye. Motion carried 4-0.

W. Greg Nelson, Mayor

ATTEST:

Chris Engels, City Clerk

Minutes prepared by Dawn Stephens
Date Approved: CCM 08.18.2015

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Report Criteria:

Detail report.

Invoices with totals above \$0.00 included.

Paid and unpaid invoices included.

Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
2M COMPANY, INC.												
1461	2M COMPANY, INC.	4098320000	3200	RAINBIRD DRIP LINE FOR INDIAN CREEK COMMUNITY GARDEN, P KAUFMAN, PARKS, JULY 15	07/31/2015	57.33	.00	01-6020 CAPITAL IMPROVEMENTS	1004	8/15		
Total 4098320000:						57.33	.00					
Total 2M COMPANY, INC.:						57.33	.00					
ADA COUNTY HIGHWAY DISTRICT (IMPACT)												
5	ADA COUNTY HIGHWAY DISTRICT (IMPACT)	JULY2015		ACHD IMPACT FEE TRANSFER, JULY '15	08/07/2015	32,934.00	32,934.00	01-2510 ACHD IMPACT FEE TRANSFER	0	8/15	08/07/2015	
Total JULY2015:						32,934.00	32,934.00					
Total ADA COUNTY HIGHWAY DISTRICT (IMPACT):						32,934.00	32,934.00					
ADA COUNTY HIGHWAY DISTRICT (RENT)												
1037	ADA COUNTY HIGHWAY DISTRICT (RENT)	13306		ACHD SHOP RENT, SEPT 15, PARKS	08/12/2015	148.50	.00	01-6211 RENT- BUILDINGS & LAND	1004	8/15		
1037	ADA COUNTY HIGHWAY DISTRICT (RENT)	13306		ACHD SHOP RENT, SEPT 15, WATER	08/12/2015	126.00	.00	20-6211 RENT- BUILDINGS & LAND	0	8/15		
1037	ADA COUNTY HIGHWAY DISTRICT (RENT)	13306		ACHD SHOP RENT, SEPT 15, SEWER	08/12/2015	121.50	.00	21-6211 RENT - BUILDINGS & LAND	0	8/15		
1037	ADA COUNTY HIGHWAY DISTRICT (RENT)	13306		ACHD SHOP RENT, SEPT 15, PI	08/12/2015	54.00	.00	25-6211 RENT - BUILDINGS & LAND	0	8/15		
Total 13306:						450.00	.00					
Total ADA COUNTY HIGHWAY DISTRICT (RENT):						450.00	.00					

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ADA COUNTY PROSECUTING ATTORNE												
176	ADA COUNTY PROSECUTING ATTORNE	092015		<u>PROSECUTORIAL SERVICES SEPT '15</u>	08/05/2015	4,475.00	.00	01-6203 <u>PROSECUTORIAL SERVICES</u>	0	8/15		
Total 092015:						4,475.00	.00					
Total ADA COUNTY PROSECUTING ATTORNE:						4,475.00	.00					
ADA COUNTY SHERIFF'S OFFICE												
6	ADA COUNTY SHERIFF'S OFFICE	5982		<u>SHERIFF SERVICES, AUG 15</u>	08/04/2015	127,095.67	.00	01-6000 LAW <u>ENFORCEMENT SERVICES</u>	0	8/15		
Total 5982:						127,095.67	.00					
Total ADA COUNTY SHERIFF'S OFFICE:						127,095.67	.00					
AMERICAN CONSTRUCTION SUPPLY, INC.												
1451	AMERICAN CONSTRUCTION SUPPLY, INC.	2147867	3175	<u>2 PART EPOXY FOR LAGOON CHAMBERS, C KNIGHT, SEWER, JULY 15</u>	07/27/2015	24.80	.00	21-6150 MAINT. & <u>REPAIRS - SYSTEM</u>	0	7/15		
Total 2147867:						24.80	.00					
Total AMERICAN CONSTRUCTION SUPPLY, INC.:						24.80	.00					
AUTOZONE, INC.												
1606	AUTOZONE, INC.	4126762188	2930	<u>TOOL TO REMOVE HEATER HOSE ON TRUCK #7 TO REPLACE PLASTIC END, B GILLOGLY, PARKS, MAY 15</u>	05/20/2015	6.12	.00	01-6175 SMALL <u>TOOLS</u>	1004	5/15		
1606	AUTOZONE, INC.	4126762188	2930	<u>TOOL TO REMOVE HEATER HOSE ON TRUCK #7 TO REPLACE PLASTIC END, B GILLOGLY, WATER, MAY 15</u>	05/20/2015	8.08	.00	20-6175 SMALL <u>TOOLS</u>	0	5/15		
1606	AUTOZONE, INC.	4126762188	2930	<u>TOOL TO REMOVE HEATER HOSE ON TRUCK #7 TO REPLACE PLASTIC END, B GILLOGLY, SEWER, MAY 15</u>	05/20/2015	8.08	.00	21-6175 SMALL <u>TOOLS</u>	0	5/15		

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1606	AUTOZONE, INC.	4126762188	2930	<u>TOOL TO REMOVE HEATER HOSE ON TRUCK #7 TO REPLACE PLASTIC END. B GILLOGLY, PI, MAY 15</u>	05/20/2015	2.21	.00	<u>25-6175 SMALL TOOLS</u>	0	5/15		
Total 4126762188:						24.49	.00					
1606	AUTOZONE, INC.	4126813829	3170	<u>CLEAR DIESEL (TO REMOVE WATER FROM FUEL), FOR FLEET. B.GILLOGLY, JUL.'15</u>	07/24/2015	22.18	.00	<u>01-6142 MAINT. & REPAIR - EQUIPMENT</u>	1004	8/15		
Total 4126813829:						22.18	.00					
Total AUTOZONE, INC.:						46.67	.00					
BOLEN'S CONTROL HOUSE, INC.												
617	BOLEN'S CONTROL HOUSE, INC.	S1243346.001	3110	<u>PHASE MONITOR ISOLATOR SWITCH FOR BIRDS OF PREY L.S., C KNIGHT, SEWER, JULY 15</u>	07/08/2015	330.85	.00	<u>21-6142 MAINT. & REPAIRS - EQUIPMENT</u>	0	7/15		
Total S1243346.001:						330.85	.00					
617	BOLEN'S CONTROL HOUSE, INC.	S1243705.001		<u>PHASE MONITOR ISOLATOR SWITCH (RETURNED) FOR BIRDS OF PREY L.S., C KNIGHT, SEWER, JULY 15</u>	07/17/2015	-330.85	.00	<u>21-6142 MAINT. & REPAIRS - EQUIPMENT</u>	0	7/15		
Total S1243705.001:						-330.85	.00					
Total BOLEN'S CONTROL HOUSE, INC.:						.00	.00					
BRADY INDUSTRIES OF IDAHO LLC												
1240	BRADY INDUSTRIES OF IDAHO LLC	4836021	3144	<u>2 CS SMALL TOILET PAPER ROLLS, 2 CS TRI FOLD PAPER TOWELS, B WITHROW, PARKS, JULY 15</u>	07/24/2015	108.96	.00	<u>01-6025 JANITORIAL</u>	1004	7/15		
Total 4836021:						108.96	.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 BRADY INDUSTRIES OF IDAHO LLC:						108.96	.00					
BUREAU OF OCCUPATIONAL LICENSE												
1091	BUREAU OF OCCUPATIONAL LICENSE	08182015BOL		<u>LICENSE RENEWAL FOR CLINTON A DEYOUNG, LICENSE # DWD2-13862, WWT1-12854, & WWC1-14921, EXPIRATION DATE 9/10/15, AUG.'15 - WATER</u>	08/18/2015	72.00	.00	20-6075 DUES & MEMBERSHIPS	0	8/15		
1091	BUREAU OF OCCUPATIONAL LICENSE	08182015BOL		<u>LICENSE RENEWAL FOR CLINTON A DEYOUNG, LICENSE # DWD2-13862, WWT1-12854, & WWC1-14921, EXPIRATION DATE 9/10/15, AUG.'15 - P.I</u>	08/18/2015	18.00	.00	25-6075 DUES & MEMBERSHIPS EXPENSE	0	8/15		
Total 08182015BOL:						90.00	.00					
Total BUREAU OF OCCUPATIONAL LICENSE:						90.00	.00					
BURKS TRACTOR COMPANY												
1736	BURKS TRACTOR COMPANY	NI81141		<u>ELEMENT FOR KUBOTA, B WITHROW, PARKS, MAY 15</u>	05/27/2015	146.40	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1004	5/15		
Total NI81141:						146.40	.00					
Total BURKS TRACTOR COMPANY:						146.40	.00					
BUSY BEE SAND & GRAVEL												
10	BUSY BEE SAND & GRAVEL	42422		<u>REJECT SAND, 3/4 MIX AND 3/4 CHIP, RESTOCK BACK-UP, B WITHROW, PARKS, AUG 15</u>	07/20/2015	903.19	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	8/15		
Total 42422:						903.19	.00					
Total BUSY BEE SAND & GRAVEL:						903.19	.00					
CALDWELL TRANSPORTATION COMPANY												

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1754	CALDWELL TRANSPORTATION COMPANY	21268		SCHOOL BUS CHARTER FOR RANGERS FROM BERNIE FISHER PARK TO NAMPA FISH HATCHERY AND RETURN, PARKS, B WITHROW, JULY 15	07/28/2015	180.00	.00	01-6265 TRAINING & SCH00LING	1004	7/15		
Total 21268:						180.00	.00					
1754	CALDWELL TRANSPORTATION COMPANY	21334		SCHOOL BUS CHARTER FROM BERNIE FISHER PARK TO BIRDS OF PREY AND RETURN, B WITHROW, PARKS, AUG 15	07/31/2015	210.00	.00	01-6265 TRAINING & SCH00LING	1004	8/15		
Total 21334:						210.00	.00					
Total CALDWELL TRANSPORTATION COMPANY:						390.00	.00					
CASELLE INC												
1239	CASELLE INC	080515		MONTHLY SOFTWARE SUPPORT FOR AUG 15, ADMIN	08/05/2015	459.86	.00	01-6052 CONTRACT SERVICES	0	8/15		
1239	CASELLE INC	080515		MONTHLY SOFTWARE SUPPORT FOR AUG 15, P&Z	08/05/2015	153.34	.00	01-6052 CONTRACT SERVICES	1003	8/15		
1239	CASELLE INC	080515		MONTHLY SOFTWARE SUPPORT FOR AUG 15, WATER	08/05/2015	376.22	.00	20-6052 CONTRACT SERVICES	0	8/15		
1239	CASELLE INC	080515		MONTHLY SOFTWARE SUPPORT FOR AUG 15, SEWER	08/05/2015	491.18	.00	21-6052 CONTRACT SERVICES	0	8/15		
1239	CASELLE INC	080515		MONTHLY SOFTWARE SUPPORT FOR AUG 15, PI	08/05/2015	159.40	.00	25-6052 CONTRACT SERVICES	0	8/15		
Total 080515:						1,640.00	.00					
Total CASELLE INC:						1,640.00	.00					

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CENTURYLINK												
62	CENTURYLINK	072515-08241		<u>DEDICATED LANDLINE, 07-25-15 TO 08-24-15, WATER, JULY 15</u>	07/25/2015	16.55	.00	<u>20-6255 TELEPHONE EXPENSE</u>	0	7/15		
62	CENTURYLINK	072515-08241		<u>DEDICATED LANDLINE, 07-25-15 TO 08-24-15, SEWER, JULY 15</u>	07/25/2015	21.61	.00	<u>21-6255 TELEPHONE EXPENSE</u>	0	7/15		
62	CENTURYLINK	072515-08241		<u>DEDICATED LANDLINE, 07-25-15 TO 08-24-15, PI, JULY 15</u>	07/25/2015	7.02	.00	<u>25-6255 TELEPHONE EXPENSE</u>	0	7/15		
Total 072515-08241S:						45.18	.00					
62	CENTURYLINK	072515-08241		<u>DEDICATED LANDLINE, 07-25-15 TO 08-24-15, SR CTR, JULY 15</u>	07/25/2015	12.97	.00	<u>01-6255 TELEPHONE</u>	1001	7/15		
Total 072515-08241SC:						12.97	.00					
Total CENTURYLINK:						58.15	.00					
CLOVERDALE NURSERY												
725	CLOVERDALE NURSERY	242548	3195	<u>BARBERRY BUSHES FOR AN EAGLE SCOUT/CITY PROJECT, N.PURKEY, PARKS, JUL.'15</u>	07/30/2015	750.00	.00	<u>01-6020 CAPITAL IMPROVEMENTS</u>	1004	7/15		
Total 242548:						750.00	.00					
Total CLOVERDALE NURSERY:						750.00	.00					
D & B SUPPLY												
75	D & B SUPPLY	001 64097 001	3155	<u>RAIN GEAR AND BOOTS FOR A COOK, C KNIGHT, SEWER, JULY 15</u>	07/21/2015	143.17	.00	<u>20-6285 UNIFORMS EXPENSE</u>	0	7/15		
Total 001 64097 001:						143.17	.00					
Total D & B SUPPLY:						143.17	.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
DIGLINE												
25	DIGLINE	0052062-IN		<u>DIG FEES, WATER, JULY 15</u>	07/31/2015	58.07	.00	20-6065 <u>DIG LINE EXPENSE</u>	0	7/15		
25	DIGLINE	0052062-IN		<u>DIG FEES, SEWER, JULY 15</u>	07/31/2015	69.10	.00	21-6065 <u>DIG LINE EXPENSE</u>	0	7/15		
25	DIGLINE	0052062-IN		<u>DIG FEES, PI, JULY 15</u>	07/31/2015	24.17	.00	25-6065 <u>DIG LINE EXPENSE</u>	0	7/15		
Total 0052062-IN:						151.34	.00					
Total DIGLINE:						151.34	.00					
DLT SOLUTIONS, LLC												
109	DLT SOLUTIONS, LLC	SI276775CR		<u>REFUND DUPLICATE PYMT OF INVOICE SI276775 DEPOSITED IN ERROR CK#1000723, AUG 15</u>	07/13/2015	38.40	.00	01-6175 <u>SMALL TOOLS</u>	1004	7/15		
Total SI276775CR:						38.40	.00					
Total DLT SOLUTIONS, LLC:						38.40	.00					
DMH ENTERPRISES												
1745	DMH ENTERPRISES	08072015D		<u>PLUMBING INSPECTION FEES, JULY '15</u>	08/07/2015	2,336.10	2,336.10	01-6202 <u>PROFESSIONAL SERVICES</u>	1003	7/15	08/07/2015	
Total 08072015D:						2,336.10	2,336.10					
Total DMH ENTERPRISES:						2,336.10	2,336.10					
EDMARK GM SUPERSTORE												
357	EDMARK GM SUPERSTORE	1070414	3169	<u>EMISSIONS TEST ON PARKS TRUCK (FORD), B.GILLOGLY, PARKS, JUL.'15</u>	07/24/2015	11.00	.00	01-6305 <u>VEHICLE MAINTENANCE & REPAIRS</u>	1004	7/15		
Total 1070414:						11.00	.00					

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Total EDMARK GM SUPERSTORE:						11.00	.00					
ELECTRICAL CONTROLS & INSTRUMENTATION												
1744	ELECTRICAL CONTROLS & INSTRUMENTATION	08072015E		<u>ELECTRICAL INSPECTION FEES, JUL.'15</u>	08/07/2015	2,869.02	2,869.02	01-6202 <u>PROFESSIONAL SERVICES</u>	1003	7/15	08/07/2015	
Total 08072015E:						2,869.02	2,869.02					
Total ELECTRICAL CONTROLS & INSTRUMENTATION:						2,869.02	2,869.02					
FERGUSON WATERWORKS #1701												
219	FERGUSON WATERWORKS #1701	0615028		<u>2 METER RISER UNITS, C DEYOUNG, WATER, JULY 15</u>	07/21/2015	118.50	.00	20-6150 MAINT. & <u>REPAIRS - SYSTEM</u>	0	7/15		
Total 0615028:						118.50	.00					
Total FERGUSON WATERWORKS #1701:						118.50	.00					
FLUID CONNECTOR PRODUCTS, INC. dba												
1083	FLUID CONNECTOR PRODUCTS, INC. dba	6102886	3192	<u>HOSE REBUILT FOR RV DUMP, B WITHROW, PARKS, JULY 15</u>	07/30/2015	18.44	.00	01-6150 <u>MAINTENANCE & REPAIRS - SYSTEM</u>	1004	7/15		
Total 6102886:						18.44	.00					
Total FLUID CONNECTOR PRODUCTS, INC. dba:						18.44	.00					
GREENHURST NURSERY & GARDEN CE												
238	GREENHURST NURSERY & GARDEN CE	7750		<u>4PK ANNUAL SPECIALTY PLANTS, VEGGIES, INDIAN CREEK COMMUNITY GARDEN, N PURKEY, PARKS, JULY 15</u>	07/30/2015	31.06	.00	01-6020 CAPITAL <u>IMPROVEMENTS</u>	1004	7/15		
Total 7750:						31.06	.00					
Total GREENHURST NURSERY & GARDEN CE:						31.06	.00					

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HD SUPPLY WATERWORKS LTD												
63	HD SUPPLY WATERWORKS LTD	E209627	3154	<u>12 EA. WATER METERS FOR STOCK, C.DEYOUNG, WATER, JUL.'15</u>	07/22/2015	2,254.56	.00	<u>20-6020 CAPITAL IMPROVEMENTS</u>	0	7/15		
Total E209627:						2,254.56	.00					
63	HD SUPPLY WATERWORKS LTD	E280104	3185	<u>WIRE CONNECTORS FOR THE METERS, INSTALLS AND FIX ITS, C.DEYOUNG, WATER, JUL.'15</u>	07/30/2015	119.00	.00	<u>20-6150 MAINT. & REPAIRS - SYSTEM</u>	0	7/15		
Total E280104:						119.00	.00					
63	HD SUPPLY WATERWORKS LTD	E292210	3213	<u>HYDRANT FLOW METER TO RENT OUT TO CONTRACTORS FOR WATER, C DEYOUNG, AUG 15</u>	08/06/2015	1,196.00	.00	<u>20-6150 MAINT. & REPAIRS - SYSTEM</u>	0	8/15		
Total E292210:						1,196.00	.00					
Total HD SUPPLY WATERWORKS LTD:						3,569.56	.00					
IDAHO FIRST AID & SAFETY, INC. DBA												
1576	IDAHO FIRST AID & SAFETY, INC. DBA	53856	3199	<u>COLD SINUSE, BURN FREE UNIT DOSE, LENS CLEANER, ALLERGY RELIEF AND MEDITROXEN, D CROSLY, SEWER, JULY 15</u>	07/31/2015	26.90	.00	<u>21-6230 SAFETY TRAINING & EQUIPMENT</u>	0	7/15		
1576	IDAHO FIRST AID & SAFETY, INC. DBA	53856	3199	<u>COLD SINUSE, BURN FREE UNIT DOSE, LENS CLEANER, ALLERGY RELIEF AND MEDITROXEN, D CROSLY, WATER, JULY 15</u>	07/31/2015	26.90	.00	<u>20-6230 SAFETY TRAINING & EQUIPMENT</u>	0	7/15		
1576	IDAHO FIRST AID & SAFETY, INC. DBA	53856	3199	<u>COLD SINUSE, BURN FREE UNIT DOSE, LENS CLEANER, ALLERGY RELIEF AND MEDITROXEN, D CROSLY, PL, JULY 15</u>	07/31/2015	10.24	.00	<u>25-6230 SAFETY TRAINING & EQUIPMENT</u>	0	7/15		

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				WINTERTON, #S5103064 JORDAN ABNEZ, S5103065 DANIEL IVANOV, S5103066 JEFFREY WILCOCK, ADMIN, JULY 15	07/27/2015	198.75	.00	01-2075 UNEARNED REVENUE	0	7/15		
1509	IDAHO STATE POLICE	072715		FINGERPRINTING, S5104154 ALEX CUNNINGHAM, ADMIN, JULY 15	07/27/2015	39.75	.00	01-6202 PROFESSIONAL SERVICES	1004	7/15		
1509	IDAHO STATE POLICE	072715		WIN FINGERPRINTING, S6002376 ANDREW COOK, SEWER, JULY 15	07/27/2015	25.00	.00	21-6202 PROFESSIONAL SERVICES	0	7/15		
Total 072715:						263.50	.00					
1509	IDAHO STATE POLICE	S5103062		FINGER PRINTING, TRAVIS JACK HARWOOD, JULY 15	07/27/2015	39.75	.00	01-2075 UNEARNED REVENUE	0	7/15		
Total S5103062:						39.75	.00					
Total IDAHO STATE POLICE:						303.25	.00					
IDAHO TRACTOR INC												
34	IDAHO TRACTOR INC	PI03904	3183	STARTER FOR MOWER AND IDLER WHEEL, KUBOTA MOWER, B.GILLOGLY, PARKS, JUL.'15	07/29/2015	551.48	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1004	7/15		
Total PI03904:						551.48	.00					
34	IDAHO TRACTOR INC	PI04009	3229	REPLACEMENT CAP FOR THE KUBOTA, AND A SWITCH FOR A RT. B.WITHROW, PARKS, AUG.'15	08/10/2015	97.67	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1004	8/15		
Total PI04009:						97.67	.00					
Total IDAHO TRACTOR INC:						649.15	.00					

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INTEGRA TELECOM												
1411	INTEGRA TELECOM	13177091		<u>MONTHLY TELEPHONE, NETWORK, ADMIN , AUG 15</u>	08/01/2015	593.57	.00	<u>01-6255 TELEPHONE</u>	0	8/15		
1411	INTEGRA TELECOM	13177091		<u>MONTHLY TELEPHONE, NETWORK, P&Z , AUG 15</u>	08/01/2015	197.93	.00	<u>01-6255 TELEPHONE</u>	1003	8/15		
1411	INTEGRA TELECOM	13177091		<u>MONTHLY TELEPHONE, NETWORK, WATER , AUG 15</u>	08/01/2015	485.61	.00	<u>20-6255 TELEPHONE EXPENSE</u>	0	8/15		
1411	INTEGRA TELECOM	13177091		<u>MONTHLY TELEPHONE, NETWORK, SEWER , AUG 15</u>	08/01/2015	634.00	.00	<u>21-6255 TELEPHONE EXPENSE</u>	0	8/15		
1411	INTEGRA TELECOM	13177091		<u>MONTHLY TELEPHONE, NETWORK, PI , AUG 15</u>	08/01/2015	205.76	.00	<u>25-6255 TELEPHONE EXPENSE</u>	0	8/15		
Total 13177091:						2,116.87	.00					
Total INTEGRA TELECOM:						2,116.87	.00					
INTEGRINET SOLUTIONS, INC.												
1595	INTEGRINET SOLUTIONS, INC.	85052		<u>PRO ACTION AND MAINTENANCE, MONITORING BOTH SERVERS, ADMIN, AUG 15</u>	07/15/2015	234.97	.00	<u>01-6142 MAINT. & REPAIR - EQUIPMENT</u>	0	8/15		
1595	INTEGRINET SOLUTIONS, INC.	85052		<u>PRO ACTION AND MAINTENANCE, MONITORING BOTH SERVERS, P&Z, AUG 15</u>	07/15/2015	78.35	.00	<u>01-6142 MAINT. & REPAIR - EQUIPMENT</u>	1003	8/15		
1595	INTEGRINET SOLUTIONS, INC.	85052		<u>PRO ACTION AND MAINTENANCE, MONITORING BOTH SERVERS, WATER, AUG 15</u>	07/15/2015	192.23	.00	<u>20-6142 MAINT. & REPAIRS- EQUIPMENT</u>	0	8/15		
1595	INTEGRINET SOLUTIONS, INC.	85052		<u>PRO ACTION AND MAINTENANCE, MONITORING BOTH SERVERS, SEWER, AUG 15</u>	07/15/2015	250.98	.00	<u>21-6142 MAINT. & REPAIRS - EQUIPMENT</u>	0	8/15		
1595	INTEGRINET SOLUTIONS, INC.	85052		<u>PRO ACTION AND MAINTENANCE, MONITORING BOTH SERVERS, PI, AUG 15</u>	07/15/2015	81.47	.00	<u>25-6142 MAINT. & REPAIRS - EQUIPMENT</u>	0	8/15		

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Total 85052:						838.00	.00					
1595	INTEGRINET SOLUTIONS, INC.	85292		<u>1 YEAR DOMAIN NAME RENEWAL, ADMIN, JULY 15</u>	07/30/2015	13.46	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	0	7/15		
1595	INTEGRINET SOLUTIONS, INC.	85292		<u>1 YEAR DOMAIN NAME RENEWAL, P&Z, JULY 15</u>	07/30/2015	4.49	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1003	7/15		
1595	INTEGRINET SOLUTIONS, INC.	85292		<u>1 YEAR DOMAIN NAME RENEWAL, WATER, JULY 15</u>	07/30/2015	11.01	.00	20-6142 MAINT. & REPAIRS - EQUIPMENT	0	7/15		
1595	INTEGRINET SOLUTIONS, INC.	85292		<u>1 YEAR DOMAIN NAME RENEWAL, SEWER, JULY 15</u>	07/30/2015	14.37	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	7/15		
1595	INTEGRINET SOLUTIONS, INC.	85292		<u>1 YEAR DOMAIN NAME RENEWAL, PI, JULY 15</u>	07/30/2015	4.67	.00	25-6142 MAINT. & REPAIRS - EQUIPMENT	0	7/15		
Total 85292:						48.00	.00					
1595	INTEGRINET SOLUTIONS, INC.	85472		<u>SET UP EMAIL DISTRIBUTION GROUP ON DOMAIN REGISTRATION, ADMIN, JULY 15</u>	07/31/2015	20.86	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	0	7/15		
1595	INTEGRINET SOLUTIONS, INC.	85472		<u>SET UP EMAIL DISTRIBUTION GROUP ON DOMAIN REGISTRATION, P&Z, JULY 15</u>	07/31/2015	6.95	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1003	7/15		
1595	INTEGRINET SOLUTIONS, INC.	85472		<u>SET UP EMAIL DISTRIBUTION GROUP ON DOMAIN REGISTRATION, WATER, JULY 15</u>	07/31/2015	17.06	.00	20-6142 MAINT. & REPAIRS - EQUIPMENT	0	7/15		
1595	INTEGRINET SOLUTIONS, INC.	85472		<u>SET UP EMAIL DISTRIBUTION GROUP ON DOMAIN REGISTRATION, SEWER, JULY 15</u>	07/31/2015	22.28	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	7/15		
1595	INTEGRINET SOLUTIONS, INC.	85472		<u>SET UP EMAIL DISTRIBUTION GROUP ON DOMAIN REGISTRATION, PI, JULY 15</u>	07/31/2015	7.25	.00	25-6142 MAINT. & REPAIRS - EQUIPMENT	0	7/15		

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Total 85472:						74.40	.00					
Total INTEGRINET SOLUTIONS, INC.:						960.40	.00					
INTERMOUNTAIN GAS CO												
37	INTERMOUNTAIN GAS CO	062715-07281		<u>NATURAL GAS CONSUMPTION NWWTP, 06-27-15 TO 07-28-15, NWWTP, JULY 15</u>	07/29/2015	5.85	.00	<u>21-6290 UTILITIES EXPENSE</u>	0	7/15		
Total 062715-072815NW:						5.85	.00					
Total INTERMOUNTAIN GAS CO:						5.85	.00					
J & M SANITATION, INC.												
230	J & M SANITATION, INC.	072015		<u>DISPOSAL/REMOVAL OF SLUDGE, 06-26-15 TO 07-20-15, JULY 15</u>	07/20/2015	2,520.00	.00	<u>21-6150 MAINT. & REPAIRS - SYSTEM</u>	0	7/15		
Total 072015:						2,520.00	.00					
230	J & M SANITATION, INC.	072415-07301		<u>SANITATION RECEIPT TRANSFER 07-24-15 TO 07-30- 15, JULY 15</u>	07/31/2015	11,470.86	11,470.86	<u>26-7000 SOLID WASTE SERVICE FEES</u>	0	7/15	07/31/2015	
230	J & M SANITATION, INC.	072415-07301		<u>SANITATION RECEIPT TRANSFER LESS FRANCHISE FEE, 07-24-15 TO 07-30-15, JULY 15</u>	07/31/2015	-1,133.32	-1,133.32	<u>01-4170 FRANCHISE FEES</u>	0	7/15	07/31/2015	
Total 072415-073015:						10,337.54	10,337.54					
230	J & M SANITATION, INC.	07312015-080		<u>SANITATION RECEIPT TRANSFER 07/31/15-8/6/2015</u>	08/07/2015	25,070.46	25,070.46	<u>26-7000 SOLID WASTE SERVICE FEES</u>	0	8/15	08/07/2015	
230	J & M SANITATION, INC.	07312015-080		<u>SANITATION RECEIPT TRANSFER MINUS FRANCHISE FEES, 7/31/15-8/6/15, AUG.'15</u>	08/07/2015	-2,476.96	-2,476.96	<u>01-4170 FRANCHISE FEES</u>	0	8/15	08/07/2015	

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				G LAW, JULY 15	07/28/2015	1,966.58	.00	21-6020 CAPITAL IMPROVEMENTS	0	7/15		
Total 0095418:						1,966.58	.00					
Total J-U-B ENGINEERS, INC.:						4,609.73	.00					
KNIFE RIVER CORPORATION - NORTHWEST												
1524	KNIFE RIVER CORPORATION - NORTHWEST	073015 #2		DEERHORN SEWER MAIN PROJECT, G LAW, JULY 15	07/30/2015	95,636.50	.00	21-6020 CAPITAL IMPROVEMENTS	0	7/15		
Total 073015 #2:						95,636.50	.00					
Total KNIFE RIVER CORPORATION - NORTHWEST:						95,636.50	.00					
KUNA LUMBER												
499	KUNA LUMBER	A76087	3176	40 3 1/2 IN LAG BOLTS, 4EA 2X8 12FT BOARDS, RECONSTRUCITON OF HORSE SHOE PITS, P KAUFMAN, PARKS, JULY 15	07/27/2015	90.25	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	7/15		
Total A76087:						90.25	.00					
499	KUNA LUMBER	B79252	3142	4 EA. 80LB BAGS OF CONCRETE, FOR THE RANGER PROGRAM, N.PURKEY, JUL.'15	07/17/2015	15.16	.00	01-6265 TRAINING & SCH00LING	1004	7/15		
Total B79252:						15.16	.00					
499	KUNA LUMBER	B79566	3174	MATERIALS FOR THE KIOSK, INFORMATION CENTERS AT THE VOLLEYBALL COURTS, HORSESHOE PIT RENOVATION, B.GILLOGLY, PARKS, JUL.'15	07/27/2015	80.88	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	7/15		
Total B79566:						80.88	.00					

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Total KUNA LUMBER:						186.29	.00					
KUNA TRUE VALUE HARDWARE												
43	KUNA TRUE VALUE HARDWARE	140034	3118	<u>1 FEMALE HOSE END, 2 MALE HOSE ENDS, 1 HOSE SPLICE, 4 PK OF AAA BATTERIES, PLANT HOSE REPAIRS, BATTERIES FOR REMOTE AC CONTROLLERS, M NADEAU, SEWER, JULY 15</u>	07/09/2015	11.75	.00	<u>21-6142 MAINT. & REPAIRS - EQUIPMENT</u>	0	7/15		
Total 140034:						11.75	.00					
43	KUNA TRUE VALUE HARDWARE	140838		<u>1 SECURITY BILL SET, 1 4PK "C" BATTERIES, 1 TRAILER ADAPTER, C DEYOUNG, WATER, JULY 15</u>	07/28/2015	38.97	.00	<u>20-6175 SMALL TOOLS</u>	0	7/15		
Total 140838:						38.97	.00					
43	KUNA TRUE VALUE HARDWARE	140839		<u>1/2 PB SCREWS FOR GRAVITY BOX ON LINDER, C DEYOUNG, GRAVITY IRR. JULY 15</u>	07/28/2015	2.00	.00	<u>25-6150 MAINT. & REPAIRS - SYSTEM (PI)</u>	0	7/15		
Total 140839:						2.00	.00					
43	KUNA TRUE VALUE HARDWARE	140840	3181	<u>PVC COUPLER, 1 SAW, SPINKLER BOX, 21 PIECE BLACK OXIDE BIT, COBALT BITS, DRILL BITS, PI, C DEYOUNG, J.MORFIN, JUL.15</u>	07/28/2015	85.49	.00	<u>25-6175 SMALL TOOLS</u>	0	7/15		
Total 140840:						85.49	.00					
43	KUNA TRUE VALUE HARDWARE	140920	3194	<u>MAINTENANCE / REPAIR OF PARK EQUIPMENT, 4 PK STRAPS REPLACEMENTS, RECIP SAW BLADES, CARPENTER PENCIL, COUNTERSINK SET, TAPE MEASURE, PARKS, JUL.15</u>	07/30/2015	40.24	.00	<u>01-6175 SMALL TOOLS</u>	1004	7/15		

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43	KUNA TRUE VALUE HARDWARE	140920	3194	<u>MAINTENANCE / REPAIR OF PARK EQUIPMENT, 2 CYCLE OIL, HITCH PIN, PARKS, JUL.'15</u>	07/30/2015	17.92	.00	<u>01-6142 MAINT. & REPAIR - EQUIPMENT</u>	1004	7/15		
43	KUNA TRUE VALUE HARDWARE	140920	3194	<u>MAINTENANCE / REPAIR OF PARK EQUIPMENT, EBONY STAIN, FENDER WASHER FOR HORSESHOE PITS, DECK SCREWS, PAINT BRUSHES, PARKS, JUL.'15</u>	07/30/2015	27.00	.00	<u>01-6150 MAINTENANCE & REPAIRS - SYSTEM</u>	1004	7/15		
Total 140920:						85.16	.00					
43	KUNA TRUE VALUE HARDWARE	140931	3196	<u>RAKE FOR LAGOONS, MARKING FLAGS, ORANGE PAINT, C MCDANIEL, SEWER, JULY 15</u>	07/30/2015	51.95	.00	<u>21-6090 FARM EXPENDITURES</u>	0	7/15		
Total 140931:						51.95	.00					
43	KUNA TRUE VALUE HARDWARE	140932	3197	<u>BOX OF D CELL BATTERIES FOR LOCATOR, T FLEMING, SEWER, JULY 15</u>	07/30/2015	13.99	.00	<u>21-6150 MAINT. & REPAIRS - SYSTEM</u>	0	7/15		
Total 140932:						13.99	.00					
43	KUNA TRUE VALUE HARDWARE	140975	3193	<u>STEP BIT DRILL, BIT DRIVERS, RV DUMP REPAIRS, B WITHROW, PARKS, JULY 15</u>	07/31/2015	23.95	.00	<u>01-6175 SMALL TOOLS</u>	1004	7/15		
43	KUNA TRUE VALUE HARDWARE	140975	3193	<u>3/8 BALL VALVE, 10 FT HOSE, STEEL ELBOW, BARB INSERT, HOSE CLAMP, GARDEN HOSE ADAPTER, GALV BUSHING, TEFLON PASTE, B WITHROW, PARKS, JULY 15</u>	07/31/2015	38.42	.00	<u>01-6150 MAINTENANCE & REPAIRS - SYSTEM</u>	1004	7/15		
43	KUNA TRUE VALUE HARDWARE	140975	3193	<u>FIX A FLAT, KUBOTA RTV REPAIR, B WITHROW, PARKS, JULY 15</u>	07/31/2015	7.99	.00	<u>01-6142 MAINT. & REPAIR - EQUIPMENT</u>	1004	7/15		
43	KUNA TRUE VALUE HARDWARE	140975	3193	<u>5 HOSE CLAMPS FOR DRIP SYSTEM AT INDIAN CREEK COMMUNITY GARDEN, B WITHROW, PARKS, JULY 15</u>	07/31/2015	4.45	.00	<u>01-6020 CAPITAL IMPROVEMENTS</u>	1004	7/15		

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Total 140975:						74.81	.00					
43	KUNA TRUE VALUE HARDWARE	141155	3201	ROTARY FILE SHARPENING TOOL, PIPE CUTTER REPLACEMENT, 3 REPLACEMENT RAKES, B BACHMAN, PARKS, AUG 15	08/05/2015	52.95	.00	01-6175 SMALL TOOLS	1004	8/15		
43	KUNA TRUE VALUE HARDWARE	141155	3201	INFLATION NEEDLES- BALLOONS, DOWELS FOR FLOAT, RANGERS, B BACHMAN, PARKS, AUG 15	08/05/2015	9.97	.00	01-6265 TRAINING & SCHOOLING	1004	8/15		
43	KUNA TRUE VALUE HARDWARE	141155	3201	HOSE CLAMPS FOR INDIAN CRK COMMUNITY GARDEN REPAIR, 1 FT POLY INDIAN CREEK REPAIR, 1" UNION, 20 AMP BREAKER FOR POWER ALONG BALL FIELDS, 12 PK BATTERIES FOR OPERATED CLOCKS, B BACHMAN, PARKS, AUG 15	08/05/2015	64.19	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	8/15		
43	KUNA TRUE VALUE HARDWARE	141155	3201	S HOOKS- SO CHAINS WILL REMAIN ON TRUCK, B BACHMAN, PARKS, AUG 15	08/05/2015	2.38	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1004	8/15		
Total 141155:						129.49	.00					
Total KUNA TRUE VALUE HARDWARE:						493.61	.00					
LES SCHWAB TIRES												
221	LES SCHWAB TIRES	12800155868	3095	1 EA. NEW BATTERY FOR TRUCK #3, T.FLEMING, SEWER, JUL '15	07/06/2015	125.50	.00	21-6305 VEHICLE MAINTENANCE & REPAIRS	0	7/15		
Total 12800155868:						125.50	.00					
Total LES SCHWAB TIRES:						125.50	.00					
LYNCH OIL, INC. dba												
1670	LYNCH OIL, INC. dba	22504	3040	1497 GAL UNLEADED @2.61549 PER GAL, PLUS TAXES, T SHAFER, NWWTP, JUNE 15	06/24/2015	4,307.17	.00	21-6300 FUEL	0	6/15		

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Total 22504:						4,307.17	.00					
Total LYNCH OIL, INC. dba:						4,307.17	.00					
MISCELLANEOUS VENDORS												
285	MISCELLANEOUS VENDORS	10113		OVERPAYMENT PERMIT#10113. MARIA NONITA BAKERY. AUG 15	08/01/2015	45.00	.00	01-4360 BUILDING PERMITS	1003	8/15		
Total 10113:						45.00	.00					
Total MISCELLANEOUS VENDORS:						45.00	.00					
PACIFIC PUBLISHING COMPANY INC												
1732	PACIFIC PUBLISHING COMPANY INC	72863		AD#156138. FILE #15-01-ZOA. JUL.'15 - AD RUN DATE 7/1/15	07/31/2015	67.61	.00	01-6125 LEGAL PUBLICATIONS	1003	7/15		
Total 72863:						67.61	.00					
1732	PACIFIC PUBLISHING COMPANY INC	72863-A	3148	AD# 156625. SPECIAL USE PERMIT - SOLAR FARM PROJECT. T.BEHUNIN, P & Z. JUL.'15	07/31/2015	48.00	.00	01-6125 LEGAL PUBLICATIONS	1003	7/15		
Total 72863-A:						48.00	.00					
1732	PACIFIC PUBLISHING COMPANY INC	72863-B	3106	AD# 155810. LEGAL PUBLISHING. AMENDING PARK FEES. C.ENGELS. JUL.'15 - AD RUN DATE 7/15/15	07/31/2015	188.35	.00	01-6125 LEGAL PUBLICATIONS	0	7/15		
1732	PACIFIC PUBLISHING COMPANY INC	72863-B	3106	AD #156348. LEGAL PUBLISHING. AMENDING PARK FEES. C.ENGELS. JUL.'15 - AD RUN DATE 7/8/15	07/31/2015	215.26	.00	01-6125 LEGAL PUBLICATIONS	0	7/15		
Total 72863-B:						403.61	.00					

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1732	PACIFIC PUBLISHING COMPANY INC	72863-D	3163	<u>AD#156701. PUBLIC HEARING NOTICE, PROFILE RIDGE REZONE, T BEHUNIN, P&Z, JULY 15 - AD RUN DATE 7/29/15</u>	07/31/2015	51.52	.00	<u>01-6125 LEGAL PUBLICATIONS</u>	1003	7/15		
Total 72863-D:						51.52	.00					
1732	PACIFIC PUBLISHING COMPANY INC	72863-E		<u>AD#156700. SUMMARY OF ORDINANCE 2015-14 - AD RUN DATE 7/29/15</u>	07/31/2015	31.28	.00	<u>01-6125 LEGAL PUBLICATIONS</u>	0	7/15		
1732	PACIFIC PUBLISHING COMPANY INC	72863-E		<u>AD#156626.CASE 15-02-AN, 15- 02-ZC, & 15-02-S - RUN DATE 7/22/15</u>	07/31/2015	54.72	.00	<u>01-6125 LEGAL PUBLICATIONS</u>	1003	7/15		
1732	PACIFIC PUBLISHING COMPANY INC	72863-E		<u>AD#156698. SUMMARY OF ORDINANCE NO. 2015-09, AD RUN DATE 7/29/15</u>	07/31/2015	25.76	.00	<u>01-6125 LEGAL PUBLICATIONS</u>	0	7/15		
1732	PACIFIC PUBLISHING COMPANY INC	72863-E		<u>AD#156699. SUMMARY OF ORDINANCE NO. 2015-10, AD RUN DATE 7/29/15</u>	07/31/2015	29.44	.00	<u>01-6125 LEGAL PUBLICATIONS</u>	0	7/15		
Total 72863-E:						141.20	.00					
1732	PACIFIC PUBLISHING COMPANY INC	72863-F	3064	<u>AD#156287. LEGAL PUBLISHING, FALCON CREST ANNEX ATION, 15-01-AN, T.BEHUNIN, P & Z, JUL.15 - AD RUN DATE 7/8/15</u>	07/31/2015	51.55	.00	<u>01-6125 LEGAL PUBLICATIONS</u>	1003	7/15		
Total 72863-F:						51.55	.00					
1732	PACIFIC PUBLISHING COMPANY INC	72963-C	3108	<u>AD# 156476. 14-01-CPM, COMPREHENSIVE AREA MAP AMENDMENT, T.KESNER, P & Z, JUL.'15 - AD RUN DATE 7/15/15</u>	07/31/2015	40.48	.00	<u>01-6125 LEGAL PUBLICATIONS</u>	1003	7/15		
1732	PACIFIC PUBLISHING COMPANY INC	72963-C	3108	<u>AD# 156477. 14-01-CPM, COMPREHENSIVE AREA MAP AMENDMENT, T.KESNER, P & Z, JUL.'15 - AD RUN DATE 7/22- 29/15</u>	07/31/2015	70.84	.00	<u>01-6125 LEGAL PUBLICATIONS</u>	1003	7/15		

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1732	PACIFIC PUBLISHING COMPANY INC	72963-C	3108	<u>AD#156475, 15-01-CPA, COMPREHENSIVE PLAN AMENDMENT, T.KESNER, P & Z, JUL.'15 - AD RUN DATE 7/15/15</u>	07/31/2015	29.44	.00	<u>01-6125 LEGAL PUBLICATIONS</u>	1003	7/15		
1732	PACIFIC PUBLISHING COMPANY INC	72963-C	3108	<u>AD# 156478, 15-01-CPA, COMPREHENSIVE PLAN AMENDMENT, T.KESNER, P & Z, JUL.'15 - AD RUN DATE 7/22- 29/15</u>	07/31/2015	51.52	.00	<u>01-6125 LEGAL PUBLICATIONS</u>	1003	7/15		
Total 72963-C:						192.28	.00					
Total PACIFIC PUBLISHING COMPANY INC:						955.77	.00					
PARTS, INC.												
470	PARTS, INC.	086363	2997	<u>2 STROKE OIL FOR THE WEED EATERS, B.GILLOGLY, PARKS, JUN.'15</u>	06/10/2015	33.66	.00	<u>01-6142 MAINT. & REPAIR - EQUIPMENT</u>	1004	6/15		
Total 086363:						33.66	.00					
470	PARTS, INC.	089593	3160	<u>ANTI-FREEZE, FOR ALL PARK VEHICLES, P.KAUFMAN, PARKS, JUL.'15</u>	07/22/2015	12.21	.00	<u>01-6305 VEHICLE MAINTENANCE & REPAIRS</u>	1004	7/15		
Total 089593:						12.21	.00					
470	PARTS, INC.	090102	3184	<u>2 EA. FAN BELTS FOR SEGO PRAIRIE PUMP STATION, J.COX, WATER, JUL.'15</u>	07/29/2015	18.34	.00	<u>25-6150 MAINT. & REPAIRS - SYSTEM (PI)</u>	0	7/15		
Total 090102:						18.34	.00					
470	PARTS, INC.	090301	3198	<u>TAIL LIGHTS FOR BLACK PARKS TRAILER, B GILLOGLY, PARKS, JULY 15</u>	07/31/2015	17.98	.00	<u>01-6142 MAINT. & REPAIR - EQUIPMENT</u>	1004	7/15		
Total 090301:						17.98	.00					

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470	PARTS, INC.	090653	3216	<u>TRAILER LIGHT ADAPTER REPLACEMENT, B BACHMAN, PARKS, AUG 15</u>	08/05/2015	24.99	.00	<u>01-6305 VEHICLE MAINTENANCE & REPAIRS</u>	1004	8/15		
Total 090653:						24.99	.00					
470	PARTS, INC.	090723	3220	<u>OIL FILTER FOR THE SEWER TRUCK, FORD F550, B.GILLOGLY, SEWER, AUG.'15</u>	08/06/2015	26.99	.00	<u>21-6305 VEHICLE MAINTENANCE & REPAIRS</u>	0	8/15		
Total 090723:						26.99	.00					
Total PARTS, INC.:						134.17	.00					
PAULS MARKET												
56	PAULS MARKET	007002060743		<u>SNACKS FOR THE RANGER PROGRAM, N.PURKEY, JUL.'15</u>	07/15/2015	8.74	.00	<u>01-6265 TRAINING & SCH00LING</u>	1004	7/15		
Total 00700206074300209:						8.74	.00					
56	PAULS MARKET	007006260833		<u>SNACKS FOR THE RANGER PROGRAM, N.PURKEY, JUL.'15</u>	07/16/2015	4.67	.00	<u>01-6265 TRAINING & SCH00LING</u>	1004	7/15		
Total 00700626083300209:						4.67	.00					
56	PAULS MARKET	007022080814		<u>SNACKS FOR THE RANGER PROGRAM, N.PURKEY, JUL.'15</u>	07/20/2015	12.19	.00	<u>01-6265 TRAINING & SCH00LING</u>	1004	7/15		
Total 00702208081400209:						12.19	.00					
56	PAULS MARKET	007022090815		<u>SNACKS FOR THE RANGER PROGRAM, N.PURKEY, JUL.'15</u>	07/20/2015	1.18	.00	<u>01-6265 TRAINING & SCH00LING</u>	1004	7/15		
Total 00702209081500209:						1.18	.00					
56	PAULS MARKET	007026300747		<u>SNACKS FOR THE RANGER PROGRAM, N.PURKEY, JUL.'15</u>	07/21/2015	11.54	.00	<u>01-6265 TRAINING & SCH00LING</u>	1004	7/15		

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Total 00702630074700204:						11.54	.00					
56	PAULS MARKET	007029520846		<u>SNACKS FOR THE RANGER PROGRAM, N.PURKEY, JUL.'15</u>	07/22/2015	12.45	.00	<u>01-6265 TRAINING & SCH00LING</u>	1004	7/15		
Total 00702952084600204:						12.45	.00					
56	PAULS MARKET	007032820809		<u>SNACKS FOR THE RANGER PROGRAM, N.PURKEY, JUL.'15</u>	07/23/2015	7.54	.00	<u>01-6265 TRAINING & SCH00LING</u>	1004	7/15		
Total 00703282080900204:						7.54	.00					
56	PAULS MARKET	007049700746	3121	<u>SNACKS FOR THE RANGER PROGRAM, N.PURKEY, JUL.'15</u>	07/01/2015	3.25	.00	<u>01-6265 TRAINING & SCH00LING</u>	1004	7/15		
Total 00704970074600204:						3.25	.00					
56	PAULS MARKET	007049870808		<u>SNACKS FOR THE RANGER PROGRAM, N.PURKEY, JUL.'15</u>	07/27/2015	25.07	.00	<u>01-6265 TRAINING & SCH00LING</u>	1004	7/15		
Total 00704987080800108:						25.07	.00					
56	PAULS MARKET	007053360823	3121	<u>SNACKS FOR THE RANGER PROGRAM, N.PURKEY, JUL.'15</u>	07/02/2015	4.13	.00	<u>01-6265 TRAINING & SCH00LING</u>	1004	7/15		
Total 00705336082300204:						4.13	.00					
56	PAULS MARKET	007068940825	3121	<u>SNACKS FOR THE RANGER PROGRAM, N.PURKEY, JUL.'15</u>	07/06/2015	11.22	.00	<u>01-6265 TRAINING & SCH00LING</u>	1004	7/15		
Total 00706894082500108:						11.22	.00					
56	PAULS MARKET	007075360737	3121	<u>SNACKS FOR THE RANGER PROGRAM, N.PURKEY, JUL.'15</u>	07/06/2015	24.16	.00	<u>01-6265 TRAINING & SCH00LING</u>	1004	7/15		

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Total 00707536073700204:						24.16	.00					
56	PAULS MARKET	007077121850		<u>SNACKS FOR THE RANGER PROGRAM, N.PURKEY, JUL.'15</u>	07/08/2015	7.88	.00	<u>01-6265 TRAINING & SCHOOLING</u>	1004	7/15		
Total 007077121850000211:						7.88	.00					
Total PAULS MARKET:						134.02	.00					
RENTAL CONNECTION												
893	RENTAL CONNECTION	37766		<u>1 EA. CYLINDER REFILL FOR THE WELDER, ARGON, PARKS, JUL.'15</u>	07/28/2015	7.75	.00	<u>01-6142 MAINT. & REPAIR - EQUIPMENT</u>	1004	7/15		
Total 37766:						7.75	.00					
Total RENTAL CONNECTION:						7.75	.00					
RIDLEY'S FOOD CORP dba												
1673	RIDLEY'S FOOD CORP dba	009000281158	3117	<u>COMBO LOCK FOR RV DUMP, B.BACHMAN, PARKS, JUL.'15</u>	07/31/2015	16.99	.00	<u>01-6150 MAINTENANCE & REPAIRS - SYSTEM</u>	1004	7/15		
1673	RIDLEY'S FOOD CORP dba	009000281158	3117	<u>1 EA. PADLOCK AND 1 EA. OUTLET COVER FOR THE SENIOR CENTER BUILDING, B.BACHMAN, SENIOR CENTER, JUL.'15</u>	07/31/2015	16.98	.00	<u>01-6140 MAINT. & REPAIR BUILDING</u>	1001	7/15		
Total 009000281158-448:						33.97	.00					
Total RIDLEY'S FOOD CORP dba:						33.97	.00					
SANCO INC												
1747	SANCO INC	199	3146	<u>46,000LB ALUMINUM SULFATE, T.SHAFER, SEWER, JULY 15</u>	07/22/2015	4,891.74	.00	<u>21-6150 MAINT. & REPAIRS - SYSTEM</u>	0	8/15		

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Total 199:						4,891.74	.00					
Total SANCO INC:						4,891.74	.00					
SHARP ELECTRONICS CORPORATION												
1734	SHARP ELECTRONICS CORPORATION	5002375363		COPIER LEASE FOR 8/1/15-8/31/15, MODEL #MX2615N AT NWWTP - WATER	08/05/2015	35.27	.00	20-6212 RENT - EQUIPMENT	0	8/15		
1734	SHARP ELECTRONICS CORPORATION	5002375363		COPIER LEASE FOR 8/1/15-8/31/15, MODEL #MX2615N AT NWWTP- SEWER	08/05/2015	46.05	.00	21-6212 RENT- EQUIPMENT	0	8/15		
1734	SHARP ELECTRONICS CORPORATION	5002375363		COPIER LEASE FOR 8/1/15-8/31/15, MODEL #MX2615N AT NWWTP - PI	08/05/2015	14.94	.00	25-6212 RENT - EQUIPMENT	0	8/15		
Total 5002375363:						96.26	.00					
Total SHARP ELECTRONICS CORPORATION:						96.26	.00					
ST. LUKE'S REGIONAL MEDICAL CENTER												
1441	ST. LUKE'S REGIONAL MEDICAL CENTER	410828590		EMPLOYEE DRUG SCREEN, JUL.'15 - ADMIN	07/06/2015	10.00	.00	01-6202 PROFESSIONAL SERVICES	0	7/15		
1441	ST. LUKE'S REGIONAL MEDICAL CENTER	410828590		EMPLOYEE DRUG SCREEN, JUL.'15 - WATER	07/06/2015	13.33	.00	20-6202 PROFESSIONAL SERVICES	0	7/15		
1441	ST. LUKE'S REGIONAL MEDICAL CENTER	410828590		EMPLOYEE DRUG SCREEN, JUL.'15 - SEWER	07/06/2015	13.33	.00	21-6202 PROFESSIONAL SERVICES	0	7/15		
1441	ST. LUKE'S REGIONAL MEDICAL CENTER	410828590		EMPLOYEE DRUG SCREEN, JUL.'15 - P.I	07/06/2015	3.34	.00	25-6202 PROFESSIONAL SERVICES	0	7/15		
Total 410828590:						40.00	.00					
1441	ST. LUKE'S REGIONAL MEDICAL CENTER	411071594		HEPA/HEPB VACCINE, IMMUNIZATIONS ADMIN., NEW EMPLOYEE, SEWER, JUL.'15	07/27/2015	152.32	.00	21-6202 PROFESSIONAL SERVICES	0	7/15		

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Total 411071594:						152.32	.00					
Total ST. LUKE'S REGIONAL MEDICAL CENTER:						192.32	.00					
STAPLES ADVANTAGE												
1292	STAPLES ADVANTAGE	3273628631	3187	2 EA 1X2 POST IT, 1 EA LETTER SIZE LEGAL PADS, 1 BX SMEAD EXPANSION FOLDERS, ADMIN, AUG.'15	08/01/2015	81.58	.00	01-6165 OFFICE SUPPLIES	0	8/15		
1292	STAPLES ADVANTAGE	3273628631	3187	1 BX COPIER PAPER, P&Z, AUG.'15	08/01/2015	39.60	.00	01-6165 OFFICE SUPPLIES	1003	8/15		
Total 3273628631:						121.18	.00					
Total STAPLES ADVANTAGE:						121.18	.00					
TATES RENTS, INC.												
59	TATES RENTS, INC.	795363-5	3166	WEED EATER LINE AND REPLACEMENT GAS CAPS FOR WEED EATERS (4), P.KAUFMAN, PARKS, JUL.'15	07/23/2015	79.75	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1004	7/15		
Total 795363-5:						79.75	.00					
Total TATES RENTS, INC.:						79.75	.00					
THE JORDEL COMPANY dba												
1523	THE JORDEL COMPANY dba	00000008411	3119	PRINT JOB FOR THE BICYCLE REGISTRATIONS, C.ENGELS, JUL.'15	07/09/2015	250.00	.00	01-6165 OFFICE SUPPLIES	0	7/15		
Total 00000008411:						250.00	.00					
Total THE JORDEL COMPANY dba:						250.00	.00					
TITAN TECHNOLOGIES INC												

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				D.STEPHENS, JUL.'15	07/03/2015	55.35	.00	01-6155 MEETINGS/COMMI TEES	0	7/15		
Total 27335183720005085094:						55.35	.00					
1444	U.S. BANK (VISA)	378951822065	3075	BUREAU OF OCCUPATIONAL LICENSES. M. DAVILA RENEWAL OF LICENSE # DWD1 -19678. CONTAINS A LATE FEE OF \$25. DEDUCTED FROM EMPLOYEE PAYROLL.	07/02/2015	55.00	.00	20-6075 DUES & MEMBERSHIPS	0	7/15		
Total 37895182206516200110:						55.00	.00					
1444	U.S. BANK (VISA)	411251764932	3055	ORIENTAL TRADING, RANGER SUPPLIES (BACKPACKS, BINOCULARS, MAGNIFYING GLASS, COMPASSES), N.PURKEY, JUN.'15	06/26/2015	99.99	.00	01-6265 TRAINING & SCH00LING	1004	6/15		
Total 41125176493200037704:						99.99	.00					
1444	U.S. BANK (VISA)	411251764932	3055	ORIENTAL TRADING, RANGER SUPPLIES (BACKPACKS, BINOCULARS, MAGNIFYING GLASS, COMPASSES), N.PURKEY, JUN.'15	06/26/2015	410.72	.00	01-6265 TRAINING & SCH00LING	1004	6/15		
Total 41125176493200067651:						410.72	.00					
1444	U.S. BANK (VISA)	450051992001	3143	HOBBY LOBBY, MATERIALS TO MAKE STEPPING STONES, RANGER PROGRAM, N.PURKEY, JUL.'15	07/20/2015	45.99	.00	01-6265 TRAINING & SCH00LING	1004	7/15		
Total 45005199200141305283:						45.99	.00					
1444	U.S. BANK (VISA)	476051882001	3100	DISPLAYS - 2 - GO, DISPLAY CASES FOR PARKS/REC, D.STEPHENS, JUL.'15	07/08/2015	509.84	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	7/15		

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Total 47605188200146363758:						509.84	.00					
1444	U.S. BANK (VISA)	554251891218	3101	<u>BOTANICAL GARDENS, ADMISSION FOR THE RANGER PROGRAM, N.PURKEY, JUL.'15</u>	07/08/2015	20.00	.00	<u>01-6265 TRAINING & SCH00LING</u>	1004	7/15		
Total 55425189121894263675:						20.00	.00					
1444	U.S. BANK (VISA)	554251901219	3101	<u>BOTANICAL GARDENS, ADMISSION FOR THE RANGER PROGRAM, N.PURKEY, JUL.'15</u>	07/09/2015	42.00	.00	<u>01-6265 TRAINING & SCH00LING</u>	1004	7/15		
Total 55425190121903719847:						42.00	.00					
1444	U.S. BANK (VISA)	640752008680	3143	<u>DOLLAR TREE, MATERIALS TO MAKE STEPPING STONES, RANGER PROGRAM, N.PURKEY, JUL.'15</u>	07/20/2015	22.26	.00	<u>01-6265 TRAINING & SCH00LING</u>	1004	7/15		
Total 64075200868036890004:						22.26	.00					
1444	U.S. BANK (VISA)	921651880002	3092	<u>AMAZON, FLOAT DECORATIONS FOR KUNA DAYS & DOWN AND DIRTY OBSTACLE COURSE, HIGH 5 GRANT, D.STEPHENS, JUL.'16</u>	07/08/2015	244.14	.00	<u>03-6360 EXPEND.- BLUE CROSS HIGH FIVE</u>	0	7/15		
Total 92165188000250531264:						244.14	.00					
1444	U.S. BANK (VISA)	921651890008		<u>AMAZON.COM, 2 KIDDIE POOLS FOR THE DOWN AND DIRTY RINSE STATIONS, D.STEPHENS, JUL.'15</u>	07/09/2015	8.37	.00	<u>03-6360 EXPEND.- BLUE CROSS HIGH FIVE</u>	0	7/15		
1444	U.S. BANK (VISA)	921651890008		<u>AMAZON.COM, FLOAT PROPS FOR THE KUNA DAYS FLOAT, RANGERS, D.STEPHENS, JUL.'15</u>	07/09/2015	13.05	.00	<u>01-6265 TRAINING & SCH00LING</u>	1004	7/15		

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Total 92165189000843680130:						21.42	.00					
1444	U.S. BANK (VISA)	921651900000		<u>AMAZON.COM, FLOAT PROPS FOR THE KUNA DAYS PARADE, RANGER PROGRAM, D.STEPHENS, JUL.'15</u>	07/09/2015	32.85	.00	01-6265 TRAINING & SCHOOLING	1004	7/15		
Total 92165190000024016341:						32.85	.00					
1444	U.S. BANK (VISA)	921651980001	3138	<u>AMAZON.COM, CAR CHARGERS AND CABLES FOR IPHONES, L.MAYHUGH, JUL.'15</u>	07/20/2015	359.60	.00	01-6255 TELEPHONE	0	7/15		
Total 92165198000159010525:						359.60	.00					
1444	U.S. BANK (VISA)	921652040007	3157	<u>AMAZON.COM, OTTERBOX DEFENDER PHONE CLIP, L.MAYHUGH, JUL.'15</u>	07/23/2015	54.00	.00	01-6255 TELEPHONE	0	7/15		
Total 92165204000729661395:						54.00	.00					
Total U.S. BANK (VISA):						2,097.34	.00					
UNITED OIL												
316	UNITED OIL	0452366	3076	<u>OIL FOR THE FARM FOR THE WEST WELL, CHARGE AND RETURN OF DRUM FEES, T.FLEMING, JUN.'15</u>	07/02/2015	729.15	.00	20-6150 MAINT. & REPAIRS - SYSTEM	0	7/15		
Total 0452366:						729.15	.00					
316	UNITED OIL	0453002	3136	<u>4 EA. 5 GAL BUCKET OF MEROPA, 1 EA. 5 GAL BUCKET OF ISO68 RANDO, M.NADEAU, SEWER, JUL.'15</u>	07/16/2015	357.69	.00	21-6150 MAINT. & REPAIRS - SYSTEM	0	7/15		
Total 0453002:						357.69	.00					

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Total UNITED OIL:						1,086.84	.00					
USA BLUE BOOK												
265	USA BLUE BOOK	696663	3132	<u>1 EA. PUMP TUBE, FOR THE CHEMICAL TRANSFER PUMP, WATER, JUL.'15</u>	07/14/2015	463.95	.00	<u>20-6175 SMALL TOOLS</u>	0	7/15		
Total 696663:						463.95	.00					
Total USA BLUE BOOK:						463.95	.00					
VALLI INFORMATION SYSTEMS, INC												
857	VALLI INFORMATION SYSTEMS, INC	31146		<u>LOCKBOX TRANSACTIONS, LOCKBOX POSTAGE, AND ESTATEMENT MAINTENANCE, JUL.'15 - ADMIN</u>	07/31/2015	73.46	.00	<u>01-6190 POSTAGE & BILLING</u>	0	7/15		
857	VALLI INFORMATION SYSTEMS, INC	31146		<u>LOCKBOX TRANSACTIONS, LOCKBOX POSTAGE, AND ESTATEMENT MAINTENANCE, JUL.'15 - WATER</u>	07/31/2015	102.40	.00	<u>20-6190 POSTAGE & BILLING</u>	0	7/15		
857	VALLI INFORMATION SYSTEMS, INC	31146		<u>LOCKBOX TRANSACTIONS, LOCKBOX POSTAGE, AND ESTATEMENT MAINTENANCE, JUL.'15 - SEWER</u>	07/31/2015	133.66	.00	<u>21-6190 POSTAGE & BILLING</u>	0	7/15		
857	VALLI INFORMATION SYSTEMS, INC	31146		<u>LOCKBOX TRANSACTIONS, LOCKBOX POSTAGE, AND ESTATEMENT MAINTENANCE, JUL.'15 - P.I</u>	07/31/2015	43.33	.00	<u>25-6190 POSTAGE & BILLING</u>	0	7/15		
Total 31146:						352.85	.00					
857	VALLI INFORMATION SYSTEMS, INC	31227		<u>ESTATEMENT AND POSTAGE, FOR JUL.'15 - ADMIN</u>	07/31/2015	775.41	.00	<u>01-6190 POSTAGE & BILLING</u>	0	7/15		
857	VALLI INFORMATION SYSTEMS, INC	31227		<u>ESTATEMENT AND POSTAGE, FOR JUL.'15 - WATER</u>	07/31/2015	1,080.81	.00	<u>20-6190 POSTAGE & BILLING</u>	0	7/15		
857	VALLI INFORMATION SYSTEMS, INC	31227		<u>ESTATEMENT AND POSTAGE, FOR JUL.'15 - SEWER</u>	07/31/2015	1,410.79	.00	<u>21-6190 POSTAGE & BILLING</u>	0	7/15		

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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
857	VALLI INFORMATION SYSTEMS, INC	31227		<u>ESTATEMENT AND POSTAGE FOR JUL.'15 - P.I</u>	07/31/2015	457.35	.00	<u>25-6190_POSTAGE & BILLING</u>	0	7/15		
Total 31227:						3,724.36	.00					
Total VALLI INFORMATION SYSTEMS, INC:						4,077.21	.00					
VERIZON WIRELESS												
1575	VERIZON WIRELESS	9749800596		<u>CELL PHONE SERVICE FOR 6/29/15-7/28/15 - PARKS</u>	07/28/2015	341.17	.00	<u>01-6255 TELEPHONE</u>	1004	7/15		
1575	VERIZON WIRELESS	9749800596		<u>CELL PHONE SERVICE FOR 6/29/15-7/28/15 - BUILDING INSPECTION</u>	07/28/2015	96.42	.00	<u>01-6255 TELEPHONE</u>	1005	7/15		
1575	VERIZON WIRELESS	9749800596		<u>CELL PHONE SERVICE FOR 6/29/15-7/28/15 - WATER</u>	07/28/2015	712.45	.00	<u>20-6255 TELEPHONE EXPENSE</u>	0	7/15		
1575	VERIZON WIRELESS	9749800596		<u>CELL PHONE SERVICE FOR 6/29/15-7/28/15 - SEWER</u>	07/28/2015	621.34	.00	<u>21-6255 TELEPHONE EXPENSE</u>	0	7/15		
1575	VERIZON WIRELESS	9749800596		<u>CELL PHONE SERVICE FOR 6/29/15-7/28/15 - P.I</u>	07/28/2015	177.91	.00	<u>25-6255 TELEPHONE EXPENSE</u>	0	7/15		
Total 9749800596:						1,949.29	.00					
1575	VERIZON WIRELESS	9749878649		<u>CELL - TABLET SERVICES FOR 7/2/15-8/1/15 - PARKS</u>	08/01/2015	20.01	.00	<u>01-6255 TELEPHONE</u>	1004	7/15		
1575	VERIZON WIRELESS	9749878649		<u>CELL - TABLET SERVICES FOR 7/2/15-8/1/15 - WATER</u>	08/01/2015	41.05	.00	<u>20-6255 TELEPHONE EXPENSE</u>	0	7/15		
1575	VERIZON WIRELESS	9749878649		<u>CELL - TABLET SERVICES FOR 7/2/15-8/1/15 - SEWER</u>	08/01/2015	69.41	.00	<u>21-6255 TELEPHONE EXPENSE</u>	0	7/15		
1575	VERIZON WIRELESS	9749878649		<u>CELL - TABLET SERVICES FOR 7/2/15-8/1/15 - P.I</u>	08/01/2015	26.43	.00	<u>25-6255 TELEPHONE EXPENSE</u>	0	7/15		

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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 9749878649:						156.90	.00					
Total VERIZON WIRELESS:						2,106.19	.00					
VICTORY GREENS												
364	VICTORY GREENS	364041	3190	<u>REPLACEMENT TREES FOR THE ONES THAT DIED AT PIZZA HUT LOCATION AND SEGO PRAIRIE POND, P. KAUFMAN, PARKS. JUL. 15</u>	07/30/2015	1,052.61	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	7/15		
Total 364041:						1,052.61	.00					
364	VICTORY GREENS	364673	3212	<u>PLAYGROUND BARK FOR BERNIE FISHER PARK FOR PLAYGROUND EQUIPMENT, P KAUFMAN, PARKS. AUG 15</u>	08/04/2015	1,023.75	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	8/15		
Total 364673:						1,023.75	.00					
Total VICTORY GREENS:						2,076.36	.00					
W.W. GRAINGER												
162	W.W. GRAINGER	9796637594	3151	<u>3 EA HOUR METERS, FOR SEGO PRAIRIE PL. R FORD, PL. JULY 15</u>	07/21/2015	177.60	.00	25-6150 MAINT. & REPAIRS - SYSTEM (PI)	0	7/15		
Total 9796637594:						177.60	.00					
Total W.W. GRAINGER:						177.60	.00					
WATER DEPOSIT REFUNDS #9												
1737	WATER DEPOSIT REFUNDS #9	121700.02		<u>121700.02, JODIE L ANDERSON, WATER OVERPAYMENT</u>	08/05/2015	65.50	.00	99-1075 Utility Cash Clearing	0	8/15		
Total 121700.02:						65.50	.00					

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Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
1737	WATER DEPOSIT REFUNDS #9	150330.02		<u>150330.02. ROBERT KEELE, WATER OVERPAYMENT</u>	08/05/2015	60.94	.00	99-1075 Utility Cash Clearing	0	8/15		
Total 150330.02:						60.94	.00					
1737	WATER DEPOSIT REFUNDS #9	151070.01		<u>151070.01. SHANE SIX, WATER OVERPAYMENT</u>	08/06/2015	74.01	.00	99-1075 Utility Cash Clearing	0	8/15		
Total 151070.01:						74.01	.00					
1737	WATER DEPOSIT REFUNDS #9	190335.01		<u>190335.01. COURTNEY W FRY, WATER OVERPAYMENT</u>	07/31/2015	73.88	.00	99-1075 Utility Cash Clearing	0	7/15		
Total 190335.01:						73.88	.00					
1737	WATER DEPOSIT REFUNDS #9	190390.02		<u>190390.02. CHEYENNE JONES, WATER OVERPAYMENT</u>	08/05/2015	118.40	.00	99-1075 Utility Cash Clearing	0	8/15		
Total 190390.02:						118.40	.00					
1737	WATER DEPOSIT REFUNDS #9	201530.02		<u>201530.02. LARRY BURCH, WATER OVERPAYMENT</u>	07/31/2015	88.55	.00	99-1075 Utility Cash Clearing	0	7/15		
Total 201530.02:						88.55	.00					
1737	WATER DEPOSIT REFUNDS #9	203010.02		<u>203010.02. RYAN HARDY, WATER OVERPAYMENT</u>	08/06/2015	73.36	.00	99-1075 Utility Cash Clearing	0	8/15		
Total 203010.02:						73.36	.00					
1737	WATER DEPOSIT REFUNDS #9	230330.03-A		<u>230330.03. CAROL BRENNAN, 555 S RED OAK AVE, 2ND REFUND, WATER OVERPAYMENT</u>	08/03/2015	86.17	.00	99-1075 Utility Cash Clearing	0	8/15		
Total 230330.03-A:						86.17	.00					

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Vendor #	Vendor Name	Invoice Number	PO #	Description	Invoice Date	Net Invoice Amount	Amount Paid	GL Account and Title	GL Activity #	GL Period	Date Paid	Voided
1737	WATER DEPOSIT REFUNDS #9	250610.02		<u>250610.02. ROBERT MARTZ, 151 W TEHUTI CT, WATER OVERPAYMENT</u>	07/31/2015	37.27	.00	99-1075 Utility Cash Clearing	0	7/15		
Total 250610.02:						37.27	.00					
1737	WATER DEPOSIT REFUNDS #9	260585.01		<u>260585.01. TYLER OELKERS, 1702 N FIREBRICK DR, WATER OVERPAYMENT</u>	07/31/2015	104.49	.00	99-1075 Utility Cash Clearing	0	7/15		
Total 260585.01:						104.49	.00					
1737	WATER DEPOSIT REFUNDS #9	263035.02		<u>263035.02. JAMES FLAVIN, 2594 W BURLEYWOOD PATH, WATER OVERPAYMENT</u>	08/03/2015	61.00	.00	99-1075 Utility Cash Clearing	0	8/15		
Total 263035.02:						61.00	.00					
1737	WATER DEPOSIT REFUNDS #9	276032.01		<u>276032.01. CBH, 423 W BUTTONBUSH DR, WATER OVERPAYMENT</u>	08/06/2015	57.78	.00	99-1075 Utility Cash Clearing	0	8/15		
Total 276032.01:						57.78	.00					
1737	WATER DEPOSIT REFUNDS #9	280070.01		<u>280070.01. SCHROEDER HOMES, 1017 W TANZANITE DR, WATER OVERPAYMENT</u>	08/05/2015	58.78	.00	99-1075 Utility Cash Clearing	0	8/15		
Total 280070.01:						58.78	.00					
1737	WATER DEPOSIT REFUNDS #9	300870.01		<u>300870.01. HUBBLE HOMES, 1103 E WHITBECK DR - WATER OVERPAYMENT</u>	08/06/2015	112.84	.00	99-1075 Utility Cash Clearing	0	8/15		
Total 300870.01:						112.84	.00					
1737	WATER DEPOSIT REFUNDS #9	300970.01		<u>300970.01. HUBBLE HOMES, 973 E WHITBECK DR., WATER OVERPAYMENT</u>	08/05/2015	93.98	.00	99-1075 Utility Cash Clearing	0	8/15		

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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 300970.01:						93.98	.00					
1737	WATER DEPOSIT REFUNDS #9	30430.01		<u>30430.01, CURT P GARDNER, WATER OVERPAYMENT</u>	08/06/2015	171.99	.00	99-1075 Utility Cash Clearing	0	8/15		
Total 30430.01:						171.99	.00					
1737	WATER DEPOSIT REFUNDS #9	92150.01		<u>92150.01, DAVID KAREL, WATER OVERPAYMENT</u>	08/05/2015	142.90	.00	99-1075 Utility Cash Clearing	0	8/15		
Total 92150.01:						142.90	.00					
Total WATER DEPOSIT REFUNDS #9:						1,481.84	.00					
WATERBOY PUMP LLC												
1475	WATERBOY PUMP LLC	1535	3240	<u>HORSESHOE PIT SUPPLIES FOR B.FISHER PARK, HIGH 5 GRANT, C.ENGELS, AUG.'15</u>	08/12/2015	417.80	.00	03-6360 EXPEND.- BLUE CROSS HIGH FIVE	0	8/15		
Total 1535:						417.80	.00					
Total WATERBOY PUMP LLC:						417.80	.00					
WESTERN PLANNING RESOURCES												
1625	WESTERN PLANNING RESOURCES	0112-2015.S45		<u>1 YEAR SUBSCRIPTION TO THE WESTERN PLANNER, W.HOWELL, P & Z</u>	01/12/2015	30.00	30.00	01-6075 DUES & MEMBERSHIPS	1003	1/15	08/10/2015	
Total 0112-2015.S45:						30.00	30.00					
Total WESTERN PLANNING RESOURCES:						30.00	30.00					
WESTERN RECORDS DESTRUCTION, INC.												
1633	WESTERN RECORDS DESTRUCTION, INC.	0286728		<u>RECORDS DESTRUCTION SERVICES FOR JULY - ADMIN</u>	08/01/2015	9.35	.00	01-6052 CONTRACT SERVICES	0	7/15		

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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
1633	WESTERN RECORDS DESTRUCTION, INC.	0286728		<u>RECORDS DESTRUCTION SERVICES FOR JULY - WATER</u>	08/01/2015	5.75	.00	<u>20-6052 CONTRACT SERVICES</u>	0	7/15		
1633	WESTERN RECORDS DESTRUCTION, INC.	0286728		<u>RECORDS DESTRUCTION SERVICES FOR JULY - SEWER</u>	08/01/2015	7.50	.00	<u>21-6052 CONTRACT SERVICES</u>	0	7/15		
1633	WESTERN RECORDS DESTRUCTION, INC.	0286728		<u>RECORDS DESTRUCTION SERVICES FOR JULY - P.I</u>	08/01/2015	2.40	.00	<u>25-6052 CONTRACT SERVICES</u>	0	7/15		
Total 0286728:						25.00	.00					
Total WESTERN RECORDS DESTRUCTION, INC.:						25.00	.00					
WEX BANK												
1234	WEX BANK	41705992		<u>FUEL, JUL.'15 - PARKS</u>	07/31/2015	261.43	.00	<u>01-6300 FUEL</u>	1004	7/15		
1234	WEX BANK	41705992		<u>FUEL, JUL.'15 - BUILDING INSPECTION</u>	07/31/2015	124.59	.00	<u>01-6300 FUEL</u>	1005	7/15		
1234	WEX BANK	41705992		<u>FUEL, JUL.'15 - SEWER</u>	07/31/2015	326.44	.00	<u>21-6300 FUEL</u>	0	7/15		
Total 41705992:						712.46	.00					
Total WEX BANK:						712.46	.00					
Grand Totals:						447,426.22	71,100.16					

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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. R48-2015**CITY OF KUNA, IDAHO
PEDESTRIAN/BICYCLE COUNTERS ON GREENBELT**

A RESOLUTION OF THE CITY OF KUNA, IDAHO APPROVING THE MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF KUNA, IDAHO AND THE COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS) GRANTING A LIMITED LICENSE TO COMPASS TO INSTALL PEDESTRIAN AND BICYCLE COUNTERS IN THE GREENBELT; AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME AND THE CLERK TO ATTEST TO SAID EXECUTION.

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

Section 1. The Memorandum of Understanding (MOU) by and between the city of Kuna, Idaho and COMPASS, in substantially the form of the copy of said MOU, as attached hereto and hereby incorporated herein by reference, is hereby authorized and approved; and

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 authorize and approved for on behalf of the City of Kuna, Idaho.

PASSED BY THE COUNCIL of Kuna, Idaho this ____day of August 2015.

APPROVED BY THE MAYOR of Kuna, Idaho this ____ day of August 2015.

W. Greg Nelson, Mayor

ATTEST:

Chris Engels, City Clerk

Memorandum of Understanding

This memorandum of understanding (MOU) for installation and maintenance of pedestrian/bicycle counters between Community Planning Association of Southwest Idaho (COMPASS) and the City of Kuna. The undersigned agree to the following terms and conditions.

1. Designated Contacts

COMPASS: Tom Laws
 700 NE 2nd Street, #200
 Meridian, ID 83642
 208-475-2233
tlaws@compassidaho.org

City of Kuna Name _____
 Address _____
 City, State _____
 Phone _____
 Email _____

2. Purpose

By this MOU, City of Kuna grants a limited, non-exclusive license to COMPASS to install, and control the size, placement, operation and maintenance of pedestrian and/or bicycle counters (Counters) as described in Appendices A and B, within the surface of City of Kuna's public right of way.

3. Effective Date

The Effective Date of the agreement is the latest date upon which it was signed by either of the parties to the agreement.

4. Term of Agreement

The Initial Term of the agreement commences on the Effective Date and shall continue in effect for five years. The Initial Term will be automatically extended for successive one year periods (Renewal Terms) unless either party notifies the other in writing at least 30 days before the expiration of the Initial Term or any Renewal Term that it does not wish to extend the agreement.

Notwithstanding the above, this MOU may be terminated by either party with 30 days written notice. Upon termination, COMPASS will remove the counters as described in Section 9, Removal of Counters.

5. Permanent Counters

If your agency is currently not scheduled to receive permanent counters please proceed to section 6. Portable Counters. The specific locations for installation of the Permanent Counters are described in Appendix A.

City of Kuna certifies that it has reviewed the selected sites listed in Appendix A and further certifies that as of the date of this agreement, City of Kuna has no planned or programmed projects for the selected site that would necessitate removal of any of the Permanent Counters listed in Appendix A within the next five years. Due to the high demand for the Permanent Counters and the cost of installation and removal, COMPASS seeks to avoid installation at any locations where projects are planned or programmed within the next five years.

City of Kuna agrees to notify COMPASS in writing at least 90 days in advance should removal of installed Permanent Counters become necessary. COMPASS will be responsible for removal of the Permanent Counters as described in Section 9, Removal of Counters below.

6. Portable Counters

If your agency is currently not scheduled to receive portable counters please proceed to section 7. Maintenance. The initial locations for the temporary installation of the Portable Counters, the date of installation of the Portable Counters, and the dates by which the Portable Counters shall be removed are listed in Appendix B.

City of Kuna certifies that it has reviewed the selected sites listed in Appendix B and further certifies that as of the date of this agreement, City of Kuna has no activities planned for the selected sites that will interfere with the operation of the portable counters during the date range specified in Appendix B.

Portable Counters may be installed at sites not listed in Appendix B. The COMPASS designated contact or his/her designated assignee will provide a written request to the City of Kuna designated contact or his/her designated assignee to install the Portable Counters at a specific location. The written request will be provided no later than 10 days prior to the desired installation date. The request shall include the specific site location for installation, the date of installation and the date of removal and the purpose for which the data is being collected. City of Kuna will provide written approval for installation of the Portable Counters. The approved request will become part of and subject to the terms of this MOU.

City of Kuna agrees to notify COMPASS in writing at least 5 days in advance should removal of portable counters prior to the scheduled removal date listed in Appendix B become necessary. COMPASS will be responsible for removal of the counters as described in Section 9, Removal of Counters below.

7. Maintenance

COMPASS shall be responsible for, and shall control the placement, removal, operation, maintenance and repair of all Counters which it places in the public right of way controlled by City of Kuna, except to the extent any repairs are necessitated by damage caused by City of Kuna, its agents, contractors or employees. City of Kuna shall be responsible for any repairs necessitated by damaged caused by its agents, contractors, or employees.

City of Kuna shall maintain the area around the installation site of the Counters such that the operation of the Counters is not impeded. This includes but is not limited to keeping bushes and grass trimmed back, away from the Counter, so as not to impair the counting functionality.

8. Insurance

COMPASS shall carry general liability insurance covering personal injuries or property damage occurring on property within the public right of way where COMPASS has installed Counters in a sum equal to \$500,000. COMPASS agrees to provide City of Kuna notice of such coverage.

9. Removal of Counters

If City of Kuna determines that a public facility adjacent to a public right of way requires widening, realignment, redesign, improvement and/or reconstruction that would necessitate the relocation, modification or other adaptation of any Permanent Counters, City of Kuna will provide 90 days written notice to COMPASS of the need to relocate, modify or otherwise adapt the Permanent Counters as required. COMPASS shall be responsible at its sole expense for relocating, modifying or adapting the Permanent Counters. COMPASS may elect to remove the affected Permanent Counters in lieu of relocation, modification or adaptation. Removal, relocation, modification or adaptation of the Permanent Counters will include installation of hardscape replacement where required.

COMPASS, at its sole discretion may remove the Permanent Counters if it elects to no longer operate the Permanent Counters at an installed location. COMPASS shall be responsible at its sole expense for removing the Permanent Counters in this circumstance. Removal of the Permanent Counters will include installation of hardscape replacement where required.

10. Written Notification

Written notifications described in this agreement may be delivered by email, facsimile, US Mail or hand delivery. Written notification is considered received on the next day following its submission by any one of the above described methods.

11. Data Sharing

City of Kuna and COMPASS agree that compiled data will be made publicly available and posted online through the COMPASS Dashboard for download.

Community Planning Association
of Southwest Idaho
("COMPASS")

City of Kuna

By: _____

By: _____

Matthew J. Stoll
Executive Director

Name: _____

Title: _____

Date: _____

Date: _____

Appendix A

Permanent Counter Technologies and proposed Installation Locations

On-Street Permanent Counter: Jamar Hi-Trac CMU

Measures speed, direction, and general counts of pedestrians (pyroelectric infrared sensors) and bicyclists (piezoelectric sensors). The CMU is powered by an external battery pack mounted to the unit and requires two small straight-line cuts across the segment being counted.



Off-Street Permanent Counter: Eco Counter ECO-MULTI System

Measures direction and general counts of pedestrians (infrared sensor) and bicyclists (inductive loops). The ECO-MULTI System is powered by an external battery pack mounted to the unit and requires two-to-three diamond cuts across the segment being counted.



Calibration: Day6 Outdoors Plot Watcher Pro Time-lapse Camera

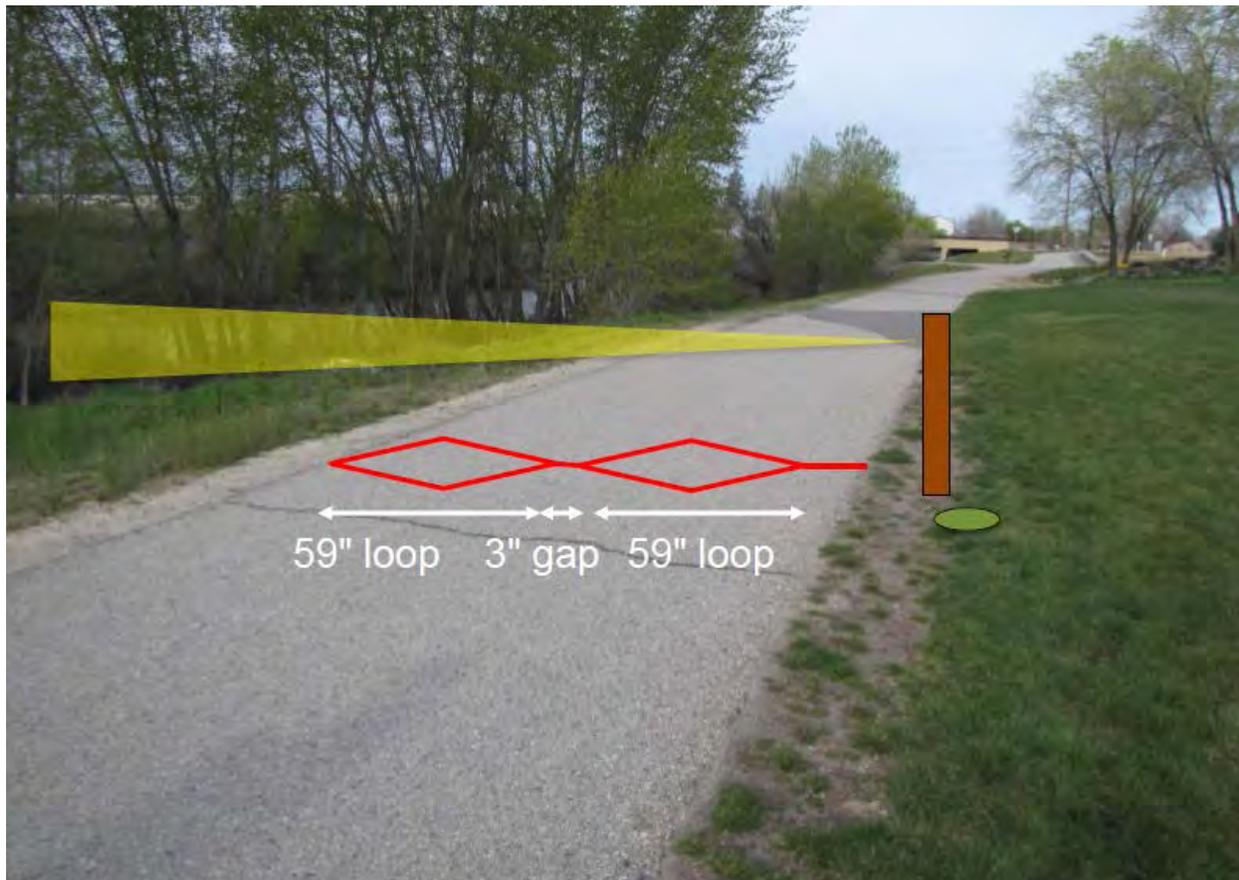
Calibrates automated bicycle and pedestrians counts by comparing totals with the time-lapsed actual counts. The Plot Watcher Pro is powered by eight AA batteries and can be strapped/mounted to nearby posts or vegetation.



Proposed Permanent Locations



Indian Creek Pathway – Kuna



Appendix B

Portable Counter Technologies and Potential Installation Locations

On-Street Portable Counter: TRAX Cycles Plus

Measures speed, direction, and general counts of bicyclists (pneumatic tubes). The TRAX Cycles Plus is powered by an internal battery pack and requires two tubes to be laid across the segment being counted.



Off-Street Permanent Counter: Eco Counter PYRO-Box and Tube Cyclist Counter

Measures direction and general counts of pedestrians (infrared sensor) and bicyclists (pneumatic tubes). The PYRO-Box and Tube counter are powered by internal battery packs and for the tubes requires two tubes to be laid across the segment being counted, for the pedestrian counter must be strapped/mounted to nearby posts or vegetation.



Calibration: Day6 Outdoors Plot Watcher Pro Time-lapse Camera

Calibrates automated bicycle and pedestrians counts by comparing totals with the time-lapsed actual counts. The Plot Watcher Pro is powered by eight AA batteries and can be strapped/mounted to nearby posts or vegetation.



Proposed Portable Locations



Install by August, 2015 and remove by October, 2015



City of Kuna

City Council Staff Report

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

To: City Council
File Numbers: 15-01-ZC (Zone Change), 07-03-DA (Modification / Release) Profile Ridge So. 1/2
Location: 1403 N. Meridian Road, Kuna, Idaho
Planner: Troy Behunin, Senior Planner
Hearing date: August 18, 2015
Applicant: Iron Mountain Real Estate, Inc. – Jeremy Amar
3681 N. Locust Grove Rd. Ste. 100
Meridian, ID, 83646
208.895.0500
Jeremy@biltmoreco.com
Representative: Kent Brown
3161 E. Springwood Dr.
Meridian, ID 83642
208.871.6842
Kentkb@gmail.com

Table of Contents:

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

A. Course of Proceedings:

1. Kuna City Code 1-14-3 (KCC), states a Rezone is designated as a public hearing, with the Commission as a recommending body and the City Council as the decision making body. This land use was given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65, Local Planning Act.

a. Notifications

- i. Neighborhood Meeting May 7, 2015 (four persons attended)
ii. Agency Comment Request June 2, 2015
iii. 300' Property Owners June 23, 2015
iv. Kuna, Melba Newspaper July 29, 2015
v. Site Posted August 7, 2015

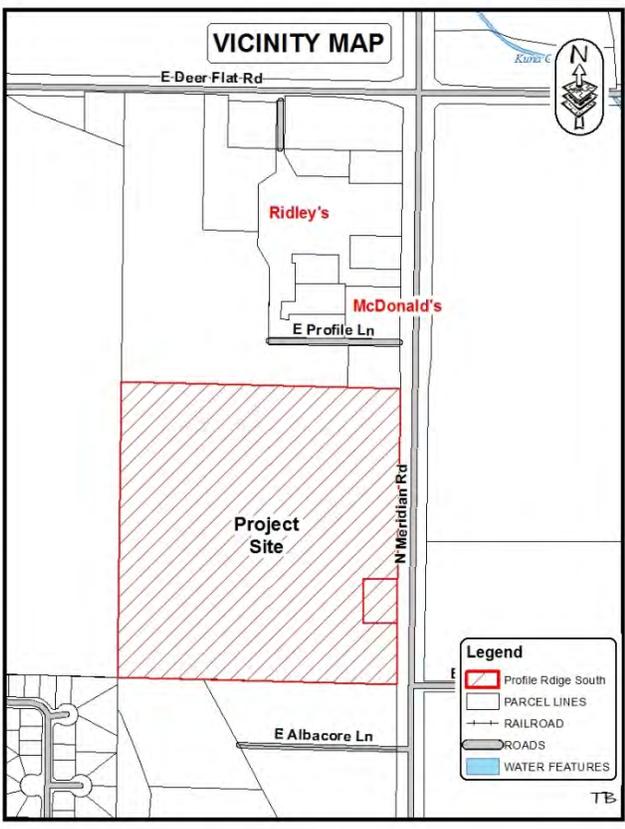
- 2. Case No. (15-01-ZC – Profile Ridge [South ½] Rezone) and 07-03-DA (Mod.), and the supplementary documents for this application are available for review in the Planning and Zoning Department. The public is invited to make arrangements for copies by calling (208) 922-5274, or visiting Planning and Zoning located at 763 W. Avalon Street, Kuna, Idaho, during normal business hours.

B. Applicants Request:

1. Request:

- A request by Iron Mountain Real Estate for a rezone of approximately 6.81 acres located at the southwest corner (SWC) of Meridian Road and Deer Flat Roads. This is a request to change the current zoning, R-6 (Medium Density Residential) in the City, to C-1 (Neighborhood Business District) within the previously approved Profile Ridge Subdivision.

C. Vicinity and Aerial Maps:





D. History:

This site historically has been farmed. In 2007, a Master Plan for approximately 76 acres named the Profile Ridge Subdivision was approved by Council and included approximately 39 acres of commercial area with remainder to be developed as residential homes. In 2013 construction began on the north half for the Ridley’s Family Market subdivision adding the first new commercial uses to the area. The south half has remained as a farmed field. The rezone of these lands is preparatory to attracting additional commercial business to this area of the City.

E. General Projects Facts:

1. **Legal Description:** A legal description was included with the submitted request.
2. **Comprehensive Plan Designation:** The Future Land Use Map (FLU) identifies this site as Mixed-Use General.
3. **Surrounding Land Uses:**

North	C -1	Neighborhood Commercial – Kuna City
South	RUT	Rural Urban Transition – Ada County
East	RUT, Ag	Rural Urban Transition & Agriculture (Ag) – Ada County
West	RUT	Rural Urban Transition – Ada County

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

- Parcel Size: 37.23 acres (Approximately)
- Zoning: Neighborhood Commercial District; (C-1) & R-6 Med. Res. Density.
- Parcel #: S1324141801

5. **Services:**

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

6. Existing Structures, Vegetation and Natural Features:

There are no structures on site. The vegetation is crops typically associated with farming.

7. Transportation / Connectivity:

The site has frontage along Highway 69 on the east side of the property, and E. Profile Lane on the north side.

8. Environmental Issues:

Staff is not aware of any environmental issues, health or safety conflicts. This site's topography is generally flat.

9. Comprehensive Future Land Use Map:

The site is identified as Mixed-Use Commercial on Kuna's Future Land Use Map (FLU). Staff views this proposed land use request to be consistent with the surrounding area land uses and approved FLU map designations.

10. Agency Responses:

The following agencies returned comments: City Engineer (Gordon Law, P.E.), Idaho Transportation Department (ITD). The responding agency comments are included with this case file and are included with this report.

F. Staff Analysis:

This property was part of a greater master planned project, approved in 2007. During the 2008 economic downturn, ownership for several properties changed while others retained their lands. A development agreement (DA) was recorded for the project as a whole with several project wide improvements (including a pathway from Deer Flat Road to Kay Ave. and a road down the west side of Profile Ridge, among others). The DA has been modified twice through the public hearing process since it was originally approved. The original Profile Ridge development no longer has the same owner composition for the 76 acres. Additionally, buildable lots within the Ridley's Family Center No.1 Subdivision are being sold/leased to other businesses, including McDonalds who were successfully released from the DA in 2014.

What started out as a unified project has now split into multiple owners that were not involved in the projects creation in 2007, this number will continue to increase with time. With the exception of the pathway on Deer Flat Road, the DA deals with Code related requirements. It is staff's recommendation that the City consider releasing the DA for the entire project, rather than modifying the recorded DA several more times in order to hold developers to the standards already required in Kuna City Code.

Staff has determined this application complies with Title 5 of the Kuna City Code; Idaho Statute §50-222; and the Kuna Comprehensive Plan; and forwards a recommendation of approval for Case # 15-01-ZC, subject to the recommended conditions of approval.

G. Applicable Standards:

1. City of Kuna Zoning Ordinance No. 230
2. City of Kuna Comprehensive Plan
3. Idaho Code, Title 67, Chapter 65, Local Land Use Planning Act

H. Comprehensive Plan Analysis:

The Kuna planning commission accepts the Comprehensive Plan components as described below:

1. The proposed zone change for the site is consistent with the following Comprehensive Plan components:

GOALS AND POLICIES – Property Rights

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

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

GOALS AND POLICIES – Economic Development

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

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

GOALS AND POLICIES – Land Use

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

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

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

I. Proposed Findings of Fact:

1. The site is physically suitable for a commercial use.
2. The commercial use is not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.
3. The commercial use is not likely to cause adverse public health problems.
4. The commercial use appears to be in compliance with all ordinances and laws of the City.
5. The commercial use appears to not be detrimental to the present and potential surrounding uses; to the health, safety, and general welfare of the public taking into account the physical features of the site, public facilities and existing adjacent uses.
6. The existing and proposed street and utility services in proximity to the site are suitable and adequate for commercial purposes.
7. The Commission accepts the facts as outlined in the staff report, any public testimony and the supporting evidence list as presented.
8. The Commission, has the authority to recommend approval or denial of this application.
9. The neighborhood meeting was held and the public notice requirements were met.
10. The public hearing was conducted within the guidelines of applicable Idaho Code and City Ordinances.

J. Proposed Conclusions of Law:

1. Based on the evidence contained in Case No. 15-01-ZC, Commission finds Case No. 15-01-ZC complies with Kuna City Code.
2. Based on the evidence contained in Case No. 15-01-ZC, Commission finds Case No. 15-01-ZC are consistent with Kuna’s Comprehensive Plan.
3. The public notice requirements have been met and the neighborhood meeting was conducted within the guidelines of applicable Idaho Code and City Ordinances.

K. Recommendation by the Planning and Zoning Commission:

On July 14, 2015, the Planning and Zoning Commission voted 4-0, to recommend approval for Case No. 15-01-ZC, based on the facts outlined in staff's report and the public testimony during the public hearing by the Planning and Zoning Commission of Kuna, Idaho, the Commission hereby recommends approval for Case No. 15-01-ZC, a rezone request from Iron Mountain Real Estate, with the following conditions of approval to Council:

Follow all staff recommended conditions of approval in the staff report,

L. Proposed Decision by the Council:

15-01-ZC, Note: *This proposed motion is to approve, conditionally approve, or deny this request. If the Council wishes to approve or deny specific parts of the requests as detailed in this report, those changes must be specified.*

Based on the facts outlined in staff's report and the public testimony during the public hearing by the City Council of Kuna, Idaho, the Council hereby (*approves/conditional approves/denies*) Case No. 15-01-ZC, a rezone request from Iron Mountain Real Estate, (*with or without*) the following conditions of approval:

At the time of development:

1. The applicant and/or owner shall obtain written approval on letterhead or may be written/stamped on the approved plans of the construction plans from the agencies noted below. All submittals are required to include the lighting, landscaping, drainage, and development plans. All site improvements are prohibited prior to approval of the following agencies:
 - a. The City Engineer shall approve the sewer hook-ups.
 - b. The City Engineer shall approve the drainage and grading plans. Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, "Catalog for Best Management Practices for Idaho Cities and Counties". No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
 - c. The Kuna Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Fire District is required.
 - d. The *Boise-Kuna* Irrigation District shall approval any modifications to the existing irrigation system.
 - e. Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to *issuance* of any building permit(s).
2. All public rights-of-way shall be dedicated and constructed to standards of the City, Ada County Highway District and Idaho Transportation Department. No public street construction may commence without the approval and permit from Ada County Highway District and/or Idaho Transportation Department.
 - 2.1- With development and as necessary, dedicate right-of-way in sufficient amounts to follow City and ACHD standards and widths.
3. Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see **KCC 6-4-2-W**.
4. Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
5. When required, submit a petition to the City (as necessary, confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and requesting to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Pressure Irrigation system of the City (KMID).
6. Lighting within the site shall comply with Kuna City Code and established Dark Skies practices.
7. Parking within the site shall comply with Kuna City Code. (Unless specifically approved otherwise).
8. Fencing within and around the site shall comply with Kuna City Code (Unless specifically approved otherwise and permitted).

9. All signage within the site shall comply with Kuna City Code.
10. All required landscaping shall be permanently maintained in a healthy growing condition. The property owner shall remove and replace unhealthy or dead plant material within 3 days or as the planting season permits as required to meet the standards of these requirements. Maintenance and planting within public rights-of-way shall be with approval from the public entities owning the property.
11. The land owner/applicant/developer, and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the City Council, or seek amending them through public hearing processes.
12. Any development will be subject to landscaping, parking lot and building design reviews, among other possible land use applications as applicable, at time of development.
13. Applicant shall follow staff, City engineers and other agency recommended requirements as applicable.
14. Developer/Owner/Applicant shall comply with all local, state and federal laws.

DATED this ____, day of _____, 2015

RECEIVED
MAY 14 2015
CITY OF KUNA



Commission & Council Review Application

Note: Engineering fees shall be paid by the applicant if required.
 *Please submit the appropriate checklist (s) with application.
Type of Review (check all that apply):

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

For Office Use Only	
File Number (if)	15-01-2C
Project name	30.1/2 Profile Plaza
Date Received	5.14.2015
Date Accepted/Complete	May 18, 2015
Gross Reference Files	
Commission Hearing Date	July 14, 2015
City Council Hearing Date	Aug. 18, 2015

Contact/Applicant Information

Owners of Record: IDAHO MUTUAL TRUST
 Address: 12594 W EXPLORER DR STE 100
 City, State, Zip: BOISE ID 83713
 Phone Number: 895-0500
 E-Mail: jeremy@biltmoreco.com
 Fax #: _____

Applicant (Developer): Iron Mountain Real Estate LLC
 Address: 3687 N. Locust Grove Rd Ste 100
 City, State, Zip: Meridian ID 83646
 Phone Number: 895-0500
 E-Mail: jeremy@biltmoreco.com
 Fax #: _____

Engineer/Representative: Kent Brown
 Address: 3161 E Springwood Dr
 City, State, Zip: Meridian ID 83642
 Phone Number: 871-6842
 E-Mail: kentkb@gmail.com
 Fax #: _____

Subject Property Information

Site Address: 817 N MERIDIAN ROAD KUNA ID
 Site Location (Cross Streets):
 Parcel Number (s):
 Section, Township, Range: SECTION 24, T2N; R1W
 Property size:
 Current land use: Vacant
 Proposed land use: Commercial
 Current zoning district: R-6
 Proposed zoning district: C-1

Project Description
 Project / subdivision name _____
 General description of proposed project / request: _____
 Type of use proposed (check all that apply):
 Residential
 Commercial
 Office
 Industrial
 Other _____
 Amenities provided with this development (if applicable): n/a

Residential Project Summary (if applicable)
 Are there existing buildings? Yes No
 Please describe the existing buildings: _____
 Any existing buildings to remain? Yes No
 Number of residential units: n/a
 Number of common and/or other lots: n/a
 Number of building lots: _____
 Type of dwellings proposed:
 Single-Family
 Townhouses
 Duplexes
 Multi-Family
 Other _____
 Minimum square footage of structure (s): _____
 Gross density (DU/acre-total property): _____ Net density (DU/acre-excluding roads): _____
 Percentage of open space provided: _____ Acreage of open space: _____
 Type of open space provided (i.e. landscaping, public, common, etc.): _____

Non-Residential Project Summary (if applicable) N/A
 Number of building lots: _____ Other lots: _____
 Gross floor area square footage: _____ Existing (if applicable): _____
 Hours of operation (days & hours): _____ Building height: _____
 Total number of employees: _____ Max. number of employees at one time: _____
 Number and ages of students/children: _____ Seating capacity: _____
 Fencing type, size & location (proposed or existing to remain): _____
 Proposed Parking:
 a. Handicapped spaces: _____ Dimensions: _____
 b. Total Parking spaces: _____ Dimensions: _____
 c. Width of driveway aisle: _____
 Proposed Lighting: _____
 Proposed Landscaping (berms, buffers, entrances, parking areas, common areas, etc.): _____
 Applicant's Signature: _____ Date: _____



City of Kuna
 Planning & Zoning
 Department
 P.O. Box 13
 Kuna, Idaho 83804
 Fax: 208-822-3688
 Website: www.kunacity.id.gov

Rezoning Checklist

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

Project name: Meridian Road
REZONE
 Applicant: IRON MOUNTAIN REAL ESTATE INC

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

Applicant (Y)	Description	Staff (Y)
X	Completed and signed Commission & Council Review Application	
X	Letter of Intent indicating reasons for proposed rezoning. If reason for rezoning is development, also submit a conceptual plan.	
X	Vicinity map drawn to scale, showing the location of the subject property. Map shall contain the following information: Shaded area showing the rezoning property, Street names and names of surrounding subdivisions.	
X	Legal description of the rezoning area. Include a metes & bounds description to the section line of all adjacent roadways stamped & signed by a registered professional land surveyor with a calculated closure sheet & a map showing the boundaries of the legal description.	
X	Development Agreement & Development Agreement Checklist:	
X	Recorded warranty deed for the property.	
X	Proof of ownership—A copy of your deed and Affidavit of Legal Interest. (All parties involved)	
X	Neighborhood meeting certification (certification & neighborhood meeting list forms shall accompany this application).	
X	Commitment of Property Posting form signed by the applicant/agent.	

Note: Only one copy of the above items need to be submitted when applying for multiple applications.

This application shall not be considered complete (nor will a Public Hearing be set) until staff has received all required information. Once the application is deemed complete, staff will notify the applicant of the scheduled hearing date, fees due, additional copies needed, etc.



City of Kuna
 Planning & Zoning
 Department
 P.O. Box 13
 Kuna, Idaho 83804
 Fax: 208-822-3688
 Website: www.kunacity.id.gov

Development Agreement Checklist

A Development Agreement requires a public hearing with the Planning & Zoning Commission and the City Council. A public hearing sign will be required to be posted by the applicant for both meetings. Development Agreements are required to accompany annexation and/or rezoning applications. Sign posting regulations and a Development Agreement template are available online.

Project name: _____ Applicant: _____

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

Applicant (Y)	Description	Staff (Y)
	Completed and signed Commission & Council Review Application	
	The proposed Development Agreement shall include the following information: ◊ The specific use or uses of the parcel for which the development agreement is sought ◊ The allowed or conditional use in the conditional zone for which application has been made. ◊ A concept plan of the project to be developed on the parcel. The concept plan shall include a description of the density allowed or sought and maximum height, size and location of any structures on the property. ◊ The time required to begin the use on the property. ◊ A statement by the owner of the parcel that failure to comply with the commitments in the development agreement shall be deemed consent to rezoning the use to the rezoning zone or, in the case of an initial zone at annexation, a zone deemed appropriate by the council. ◊ Any other matter mutually agreeable to the parties. Commitment of Property Posting form signed by the applicant/agent.	
	Neighborhood meeting certification (certification & neighborhood meeting list forms shall accompany this application)	
	Affidavit of Legal Interest (All parties involved)	

Note: Only one copy of the above items need to be submitted when applying for multiple applications.

This application shall not be considered complete (nor will a Public Hearing be set) until staff has received all required information. Once the application is deemed complete, staff will notify the applicant of the scheduled hearing date, fees due, additional copies needed, etc.

**KENT BROWN
PLANNING SERVICES**

RECEIVED
MAY 14 2015
CITY OF KUNA

May 11, 2015

Planning and Zoning,
City Council
PO Box 13
Kuna, ID 83634

RE: Application for Rezone & Development Agreement of Profile Ridge

Dear Commissioners and Council Members:

On behalf of Iron Mountain Real Estate Inc., please accept this request to rezone to rezone off 14.55 acres in the Profile Ridge Development. The site is located 1300 feet south of intersection of Deer Flat and Meridian.

The purpose of this Rezone & Development Agreement request is to increase the size of the C-1 zoning to match the size of the existing commercial development to the north.

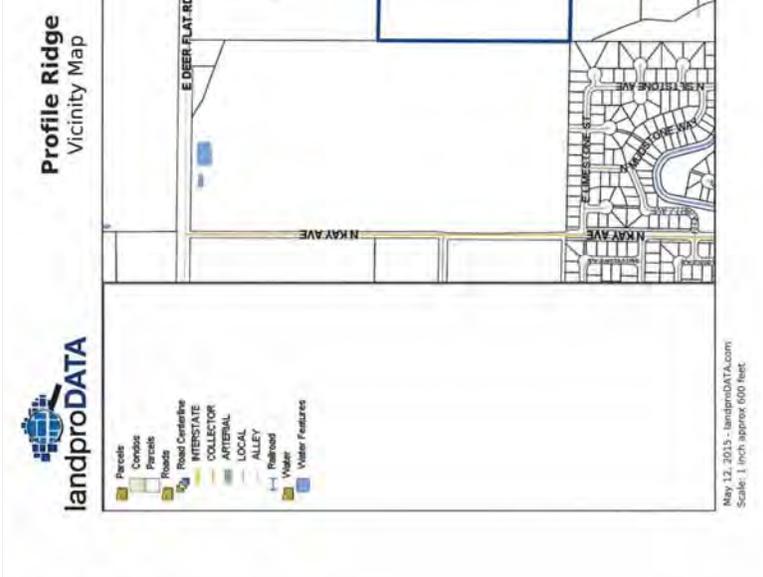
In Iron Mountain Real Estates effort to move the Profile Ridge development forward it became very clear that the existing C-1 zoning was not large enough to really do any commercial development on that portion of overall development. Therefore after working with many interested parties. The decision was made to increase the size of the commercial zoning in this development to match buyers concerns.

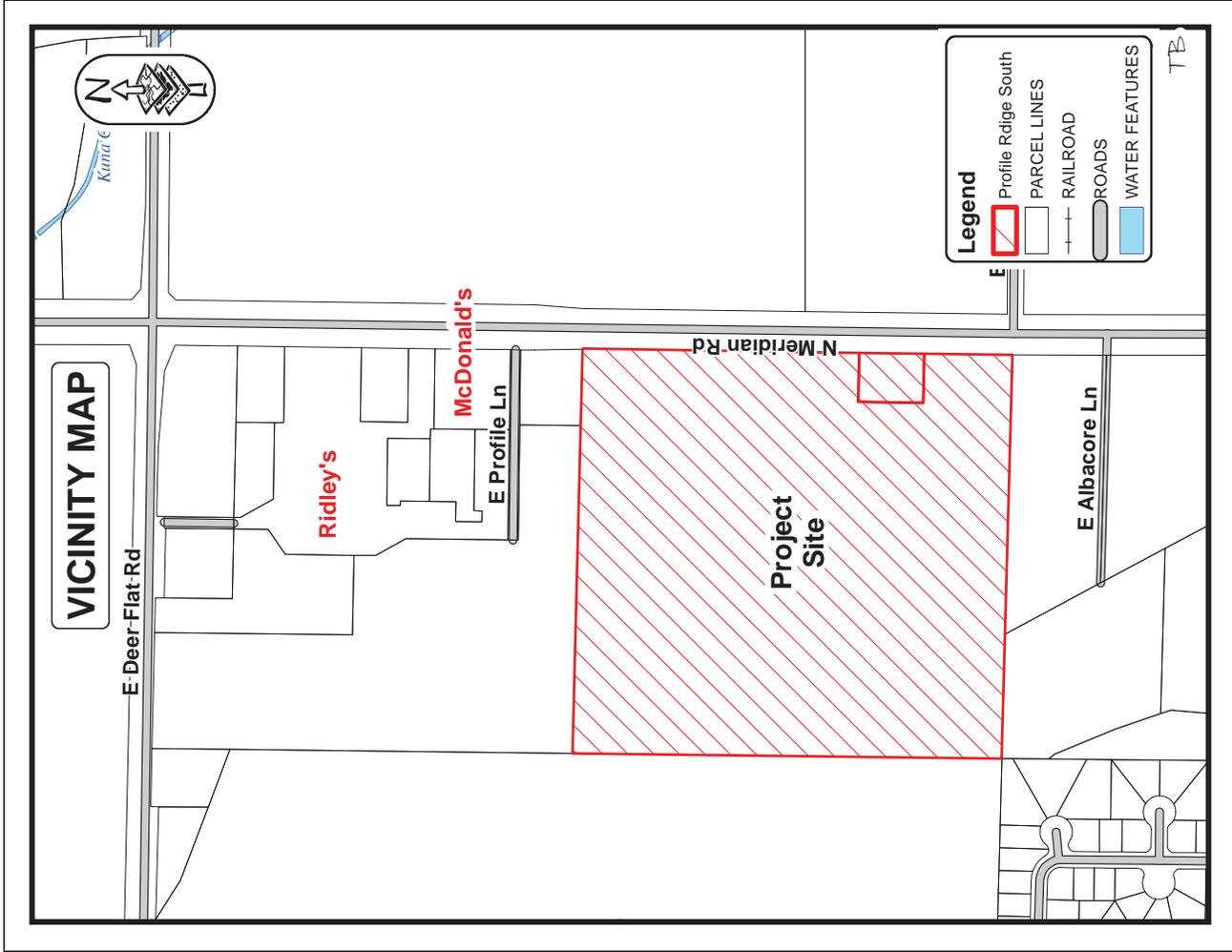
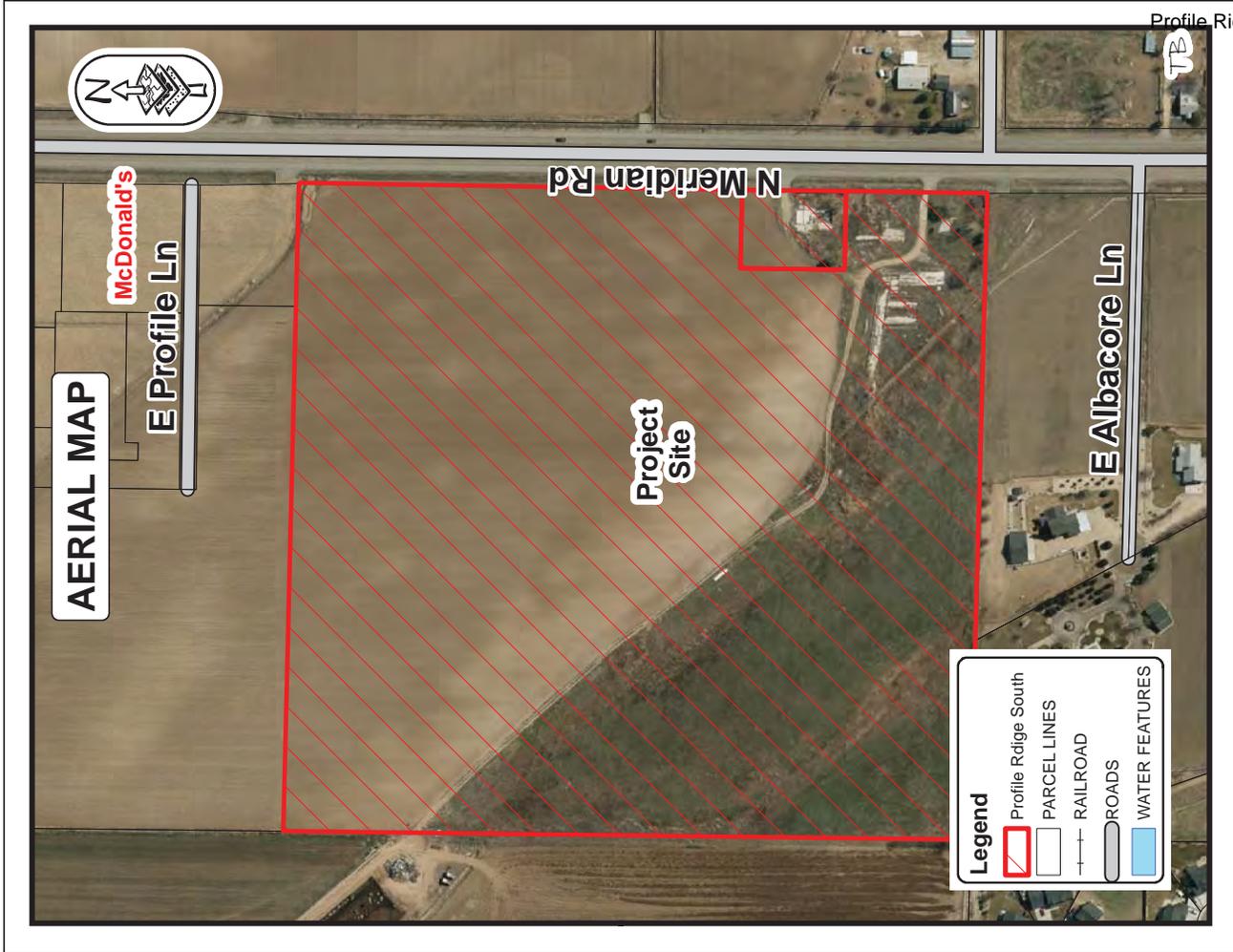
We look forward to your approval of this Rezone & Development Agreement Applications.

Sincerely,



Kent Brown
Planner





RECEIVED
MAY 14 2015
CITY OF KUNA

May 1, 2015

PROFILE RIDGE PROJECT
COMMERCIAL PARCEL DESCRIPTION

A portion of the Southeast 1/4 of the Northeast 1/4 of Section 24, Township 2 North, Range 1 West, Boise Meridian, City of Kuna, Ada County, Idaho being more particularly described as follows:

Commencing at the East 1/4 corner of said Section 24 from which the Northeast corner of said Section 24 bears North 00°46'12" East, 2,649.30 feet; Thence along the East boundary line of said Section 24 North 00°46'12" East, 1,324.65 feet to the Northeast corner of the Southeast 1/4 of the Northeast 1/4 of said Section 24; Thence along the North boundary line of the Southeast 1/4 of the Northeast 1/4 of said Section 24 North 88°36'31" West, 70.00 feet to the West right-of-way line of North Kuna-Meridian Road (St. Hwy. 69) said point being the **REAL POINT OF BEGINNING**;

Thence leaving said North boundary line and along said West right-of-way line South 00°46'12" West, 1,284.45 feet;

Thence leaving said West right-of-way line North 88°28'50" West, 546.26 feet;

Thence 31.14 feet along the arc of a curve to the right having a radius of 20.00 feet, a central angle of 89°13'02" and a long chord which bears North 43°50'18" West, a distance of 28.09 feet;

Thence North 00°46'12" East, 70.22 feet;

Thence 59.32 feet along the arc of a curve to the left having a radius of 74.00 feet, a central angle of 45°55'52" and a long chord which bears North 22°11'44" West, a distance of 57.75 feet;

Thence 57.25 feet along the arc of a non-tangent curve to the right having a radius of 70.00 feet, a central angle of 46°51'46" and a long chord which bears North 68°06'56" East, a distance of 55.67 feet;

Thence South 88°27'11" East, 37.77 feet;

Thence 36.02 feet along the arc of a curve to the left having a radius of 24.00 feet, a central angle of 60°46'37" and a long chord which bears North 46°09'30" East, a distance of 34.17 feet;

Thence North 00°46'12" East, 1,093.82 feet to a point on the North boundary line of the Southeast 1/4 of the Northeast 1/4 of said Section 24;

Thence along said North boundary line South 88°36'31" East, 475.03 feet to the **REAL POINT OF BEGINNING**. Containing an area of 14.35 acres, more or less.



RECEIVED
MAY 14 2015
CITY OF KUNA

May 1, 2015

**PROFILE RIDGE PROJECT
R-6 TO C-1 REZONE DESCRIPTION**

A portion of the Southeast 1/4 of the Northeast 1/4 of Section 24, Township 2 North, Range 1 West, Boise Meridian, City of Kuna, Ada County, Idaho being more particularly described as follows:

Commencing at the East 1/4 corner of said Section 24 from which the Northeast corner of said Section 24 bears North 00°46'12" East, 2,649.30 feet; Thence along the East boundary line of said Section 24 North 00°46'12" East, 1,324.65 feet to the Northeast corner of the Southeast 1/4 of the Northeast 1/4 of said Section 24; Thence along the North boundary line of the Southeast 1/4 of the Northeast 1/4 of said Section 24 North 88°36'31" West, 273.02 feet to the **REAL POINT OF BEGINNING**;

Thence South 00°46'12" West, 1,060.57 feet;

Thence South 79°53'38" West, 391.07 feet;

Thence 55.22 feet along the arc of a non-tangent curve to the right having a radius of 70.00 feet, a central angle of 45°12'03" and a long chord which bears North 68°56'48" East, a distance of 53.80 feet;

Thence South 88°27'11" East, 37.77 feet;

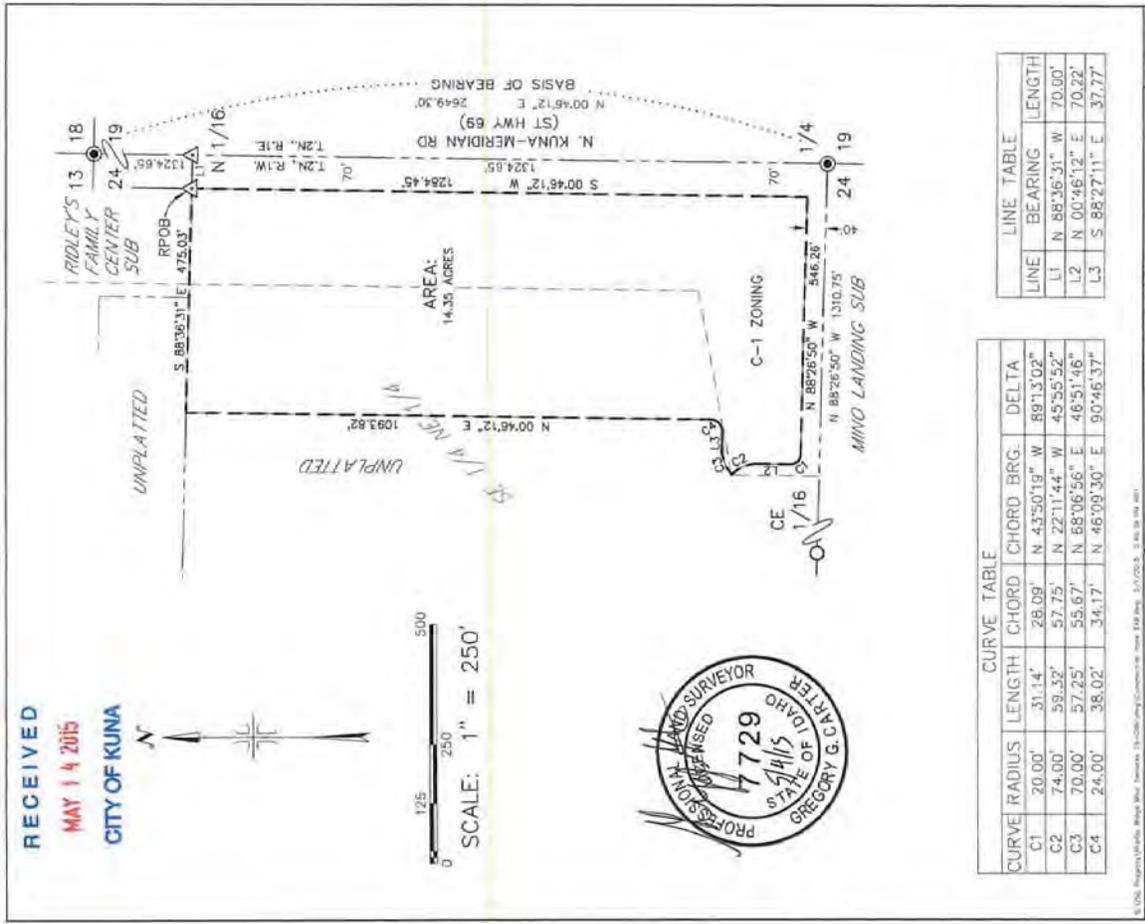
Thence 38.02 feet along the arc of a curve to the left having a radius of 24.00 feet, a central angle of 90°46'37" and a long chord which bears North 46°09'30" East, a distance of 34.17 feet;

Thence North 00°46'12" East, 1,093.82 feet to the North boundary line of the Southeast 1/4 of the Northeast 1/4 of said Section 24;

Thence along said North boundary line South 88°36'31" East, 272.02 feet to the **REAL POINT OF BEGINNING**. Containing an area of 6.81 acres, more or less.



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MAY 14 2015
CITY OF KUNA



SCALE: 1" = 250'



LINE TABLE		
LINE	BEARING	LENGTH
L1	N 88°36'31" W	70.00'
L2	N 00°46'12" E	70.22'
L3	S 88°27'11" E	37.77'

CURVE TABLE			
CURVE	RADIUS	CHORD	CHORD BRG.
C1	20.00'	31.14'	28.09°
C2	74.00'	59.32'	57.75°
C3	70.00'	57.25'	55.67°
C4	24.00'	36.02'	34.17°

IDAHO SURVEY GROUP, P.C.

REGISTERED PROFESSIONAL SURVEYOR
STATE OF IDAHO
MERRILL D. HANCOCK
PROF. 54862

EXHIBIT FOR
COMMERCIAL PARCEL
PROFILE RIDGE PROJECT

LOCATED IN A PORTION OF THE SE 1/4 OF THE NE 1/4 OF SECTION 24,
T.2N, R.1W, S.4M, ADA COUNTY, IDAHO

JOB NO. 15-008
SHEET NO. 1
DATE: 5/14/15

© 2015, Registered Professional Surveyor, Merrill D. Hancock, PLS, 54862, Ada County, Idaho

City of Kuna

P&Z Findings of Fact & Conclusions of Law

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

To: Planning and Zoning Commission

File Numbers: 15-01-ZC (Zone Change), 07-03-DA (Modification / Release) Profile Ridge So. 1/2

Location: 1403 N. Meridian Road, Kuna, Idaho

Planner: Troy Behunin, Senior Planner

Hearing date: July 14, 2015
Findings of Fact: July 28, 2015

Applicant: Iron Mountain Real Estate, Inc. - Jeremy Amar
3681 N. Locust Grove Rd. Ste. 100
Meridian, ID, 83646
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Representative: Kent Brown
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Meridian, ID 83642
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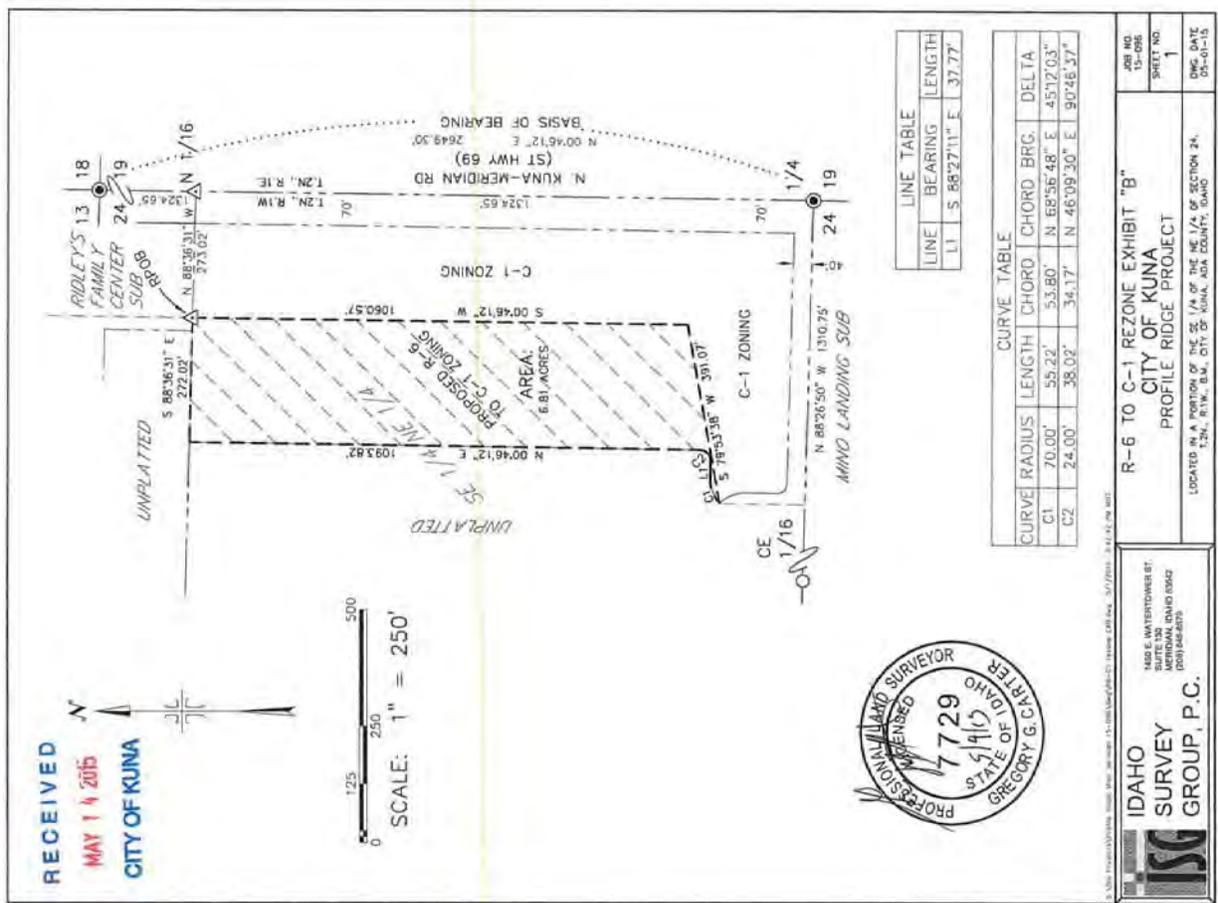
- A. Course Proceedings
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- D. History
- E. General Project Facts
- F. Staff Analysis
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- I. Findings of Fact
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A. Course of Proceedings:

- I. Kuna City Code 1-14-3 (KCC), states a Rezone is designated as a public hearing, with the Commission as a recommending body and the City Council as the decision making body. This land use was given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65, Local Planning Act.
 - a. **Notifications**
 - i. Neighborhood Meeting: May 7, 2015 (four persons attended)
 - ii. Agency Comment Request: June 2, 2015
 - iii. 300' Property Owners: June 23, 2015
 - iv. Kuna, Melba Newspaper: June 24, 2015
 - v. Site Posted: July 6, 2015

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07/08/15

Case No. #'s 15-01-ZC (Zone Change), 07-03-DA
Profile Ridge South 1/2 Rezone
PLANNING AND ZONING COMMISSION 15-01-ZC Profile Ridge South 1/2



2. Case No. (15-01-2C – Profile Ridge [South 1/2] Rezone) and 07-03-DA (Mod.), and the supplementary documents for this application are available for review in the Planning and Zoning Department. The public is invited to make arrangements for copies by calling (208) 922-5274, or visiting Planning and Zoning located at 763 W. Avalon Street, Kuna, Idaho, during normal business hours.

B. Applicants Request:

1. **Request:**
 - A request by Iron Mountain Real Estate for a rezone of approximately 6.81 acres located at the southwest corner (SWC) of Meridian Road and Deer Flat Roads. This is a request to change the current zoning, R-6 (Medium Density Residential) in the City, to C-1 (Neighborhood Business District) within the previously approved Profile Ridge Subdivision.

C. Vicinity and Aerial Maps:



D. History:

This site historically has been farmed. In 2007, a Master Plan for approximately 76 acres named the Profile Ridge Subdivision was approved by Council and included approximately 39 acres of commercial area with remainder to be developed as residential homes. In 2013 construction began on the north half for the Ridley's Family Market subdivision adding the first new commercial uses to the area. The south half has remained as a farmed field. The rezone of these lands is preparatory to attracting additional commercial business to this area of the City.

E. General Projects Facts:

1. **Legal Description:** A legal description was included with the submitted request.
2. **Comprehensive Plan Designation:** The Future Land Use Map (FLU) identifies this site as Mixed-Use General.

3. Surrounding Land Uses:

North	C-1	Neighborhood Commercial – Kuna City
South	RUT	Rural Urban Transition – Ada County
East	RUT, Ag	Rural Urban Transition & Agriculture (Ag) – Ada County
West	RUT	Rural Urban Transition – Ada County

4. Parcel Sizes, Current Zoning, Parcel Numbers:

- Parcel Size: 37.23 acres (Approximately)
- Zoning: Neighborhood Commercial District; (C-1) & R-6 Med. Res. Density.
- Parcel #: S1324141801

5. Services:

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

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

There are no structures on site. The vegetation is crops typically associated with farming.

7. **Transportation / Connectivity:**

The site has frontage along Highway 69 on the east side of the property, and E. Profile Lane on the north side.

8. **Environmental Issues:**

Staff is not aware of any environmental issues, health or safety conflicts. This site's topography is generally flat.

9. **Comprehensive Future Land Use Map:**

The site is identified as Mixed-Use Commercial on Kuna's Future Land Use Map (FLU). Staff views this proposed land use request to be consistent with the surrounding area land uses and approved FLU map designations.

10. **Agency Responses:**

The following agencies returned comments: City Engineer (Gordon Law, F.E.), Idaho Transportation Department (ITD). The responding agency comments are included with this case file and are included with this report.

F. **Staff Analysis:**

This property was part of a greater master planned project, approved in 2007. During the 2008 economic downturn, ownership for several properties changed while others retained their lands. A development agreement (DA) was recorded for the project as a whole with several project wide improvements (including a pathway from Deer Flat Road to Kay Ave, and a road down the west side of Profile Ridge, among others). The DA has been modified twice through the public hearing process since it was originally approved. The original Profile Ridge development no longer has the same owner composition for the 76 acres. Additionally, buildable lots within the Ridley's Family Center No.1 Subdivision are being sold/leased to other businesses, including McDonalds who were successfully released from the DA in 2014.

What started out as a unified project has now split into multiple owners that were not involved in the projects creation in 2007, this number will continue to increase with time. With the exception of the pathway on Deer Flat Road, the DA deals with Code related requirements. It is staff's recommendation that the City consider releasing the DA for the entire project, rather than modifying the recorded DA several more times in order to hold developers to the standards already required in Kuna City Code.

Staff has determined this application complies with Title 5 of the Kuna City Code; Idaho Statute §50-222; and the Kuna Comprehensive Plan; and forwards a recommendation of approval for Case # 15-01-ZC, subject to the recommended conditions of approval.

G. **Applicable Standards:**

1. City of Kuna Zoning Ordinance No. 230
2. City of Kuna Comprehensive Plan
3. Idaho Code, Title 67, Chapter 65, Local Land Use Planning Act

H. **Comprehensive Plan Analysis:**

The Kuna planning commission accepts the Comprehensive Plan components as described below:

1. The proposed zone change for the site is consistent with the following Comprehensive Plan components:

GOALS AND POLICIES – Property Rights

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

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

GOALS AND POLICIES – Economic Development

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

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

GOALS AND POLICIES – Land Use

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

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

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

I. **Findings of Fact:**

1. The site is physically suitable for a commercial use.
2. The commercial use is not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.
3. The commercial use is not likely to cause adverse public health problems.
4. The commercial use appears to be in compliance with all ordinances and laws of the City.
5. The commercial use appears to not be detrimental to the present and potential surrounding uses; to the health, safety, and general welfare of the public taking into account the physical features of the site, public facilities and existing adjacent uses.
6. The existing and proposed street and utility services in proximity to the site are suitable and adequate for commercial purposes.
7. The Commission accepts the facts as outlined in the staff report, any public testimony and the supporting evidence list as presented.
8. The Commission, has the authority to recommend approval or denial of this application.
9. The neighborhood meeting was held and the public notice requirements were met.
10. The public hearing was conducted within the guidelines of applicable Idaho Code and City Ordinances.

J. **Conclusions of Law:**

1. Based on the evidence contained in Case No. 15-01-ZC, Commission finds Case No. 15-01-ZC complies with Kuna City Code.
2. Based on the evidence contained in Case No. 15-01-ZC, Commission finds Case No. 15-01-ZC are consistent with Kuna's Comprehensive Plan.
3. The public notice requirements have been met and the neighborhood meeting was conducted within the guidelines of applicable Idaho Code and City Ordinances.

- 11. The land owner/applicant/developer, and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the City Council, or seek amending them through public hearing processes.
- 12. Any development will be subject to landscaping, parking lot, and building design reviews, among other possible land use applications as applicable, at time of development.
- 13. Applicant shall follow staff, City engineers and other agency recommended requirements as applicable.
- 14. Developer/Owner/Applicant shall comply with all local, state and federal laws.

DATED this 28th, day of July, 2015


 Lee Young
 P&Z Chairman

ATTEST:

 Troy Behunin
 Senior Planner
 Kuna Planning and Zoning Dept.

- K. **Decision by the Commission:**
 On July 14, 2015, the Planning and Zoning Commission voted 4-0, to recommend approval for Case No. 15-01-2C, based on the facts outlined in staff's report and the public testimony during the public hearing by the Planning and Zoning Commission of Kuna, Idaho, the Commission hereby recommends approval for Case No. 15-01-2C, a rezoning request from Iron Mountain Real Estate, with the following conditions of approval:
 - Follow all staff recommended conditions of approval in the staff report.

At the time of development:

1. The applicant and/or owner shall obtain written approval on letterhead or may be written/stamped on the approved plans of the construction plans from the agencies noted below. All submittals are required to include the lighting, landscaping, drainage, and development plans. All site improvements are prohibited prior to approval of the following agencies:
 - a. The City Engineer shall approve the sewer hook-ups.
 - b. The City Engineer shall approve the drainage and grading plans. Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, "Catalog for Best Management Practices for Idaho Cities and Counties": No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
 - c. The Kuna Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Fire District is required.
 - d. The Boise-Kuna Irrigation District shall approve any modifications to the existing irrigation system.
 - e. Approval from Ada County Highway District (ACHD) shall be obtained and impact fees must be paid prior to issuance of any building permit(s).
2. All public rights-of-way shall be dedicated and constructed to standards of the City, Ada County Highway District and Idaho Transportation Department. No public street construction may commence without the approval and permit from Ada County Highway District and/or Idaho Transportation Department.
 - 2.1- With development and as necessary, dedicate right-of-way in sufficient amounts to follow City and ACHD standards and widths.
3. Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see **KCC 6-4-2-W**.
4. Compliance with Idaho Code, Section 531-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
5. When required, submit a petition to the City (as necessary, confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and requesting to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Pressure Irrigation system of the City (KMID).
6. Lighting within the site shall comply with Kuna City Code and established Dark Skies practices.
7. Parking within the site shall comply with Kuna City Code. (Unless specifically approved otherwise)
8. Fencing within and around the site shall comply with Kuna City Code. (Unless specifically approved otherwise and permitted).
9. All signage within the site shall comply with Kuna City Code.
10. All required landscaping shall be permanently maintained in a healthy growing condition. The property owner shall remove and replace unhealthy or dead plant material within 3 days or as the planting season permits as required to meet the standards of these requirements. Maintenance and planting within public rights-of-way shall be with approval from the public entities owning the property.

CITY OF KUNA
REGULAR PLANNING & ZONING COMMISSION

MEETING MINUTES
Tuesday, July 14, 2015

PZ COMMISSION MEMBER	PRESENT	CITY STAFF PRESENT:	PRESENT
Chairman Lee Young	X	Wendy Howell, Planning Director	X
Vice-Chairman Stephanie Wierschem	X	Troy Behunin, Senior Planner	X
Commissioner Dana Hennis	X	Trevor Kesner, Planner I	Absent
Commissioner Cathy Gealy	Absent		
Commissioner Joan Gay	X		

6:00 pm – COMMISSION MEETING & PUBLIC HEARING

Call to Order and Roll Call

Chairman Young called the meeting to order at 6:03 pm.

1. CONSENT AGENDA

- a. Planning and Zoning Meeting Minutes for June 23, 2015

Commissioner Hennis motioned to approve the consent agenda;
Commissioner Wierschem seconds, all aye and motioned carried 4-0.

2. NEW BUSINESS:

- a. **15-01-ZC** – (Profile Ridge [South ½] Rezone) and **07-03-DA** – Development Agreement (Modification): A request by Iron Mountain Real Estate for a rezone of approximately 6.81 acres located at the southwest corner (SWC) of Meridian Road and Deer Flat Roads. This is a request to change the current zoning, R-6 (Medium Density Residential) in the City, to C-1 (Neighborhood Business District) within the previously approved Profile Ridge Subdivision.

Chairman Young asked if the applicant would like to present testimony.

Kent Brown: My name is Kent Brown, my address is 3161 E. Springwood in Meridian, Idaho. We are proposing a rezone of the portion of the site. The commercial zoning that was out there was very small, and as we started looking at the true commercial uses that the Ridley's has to the north of us, it needed to be wider and deeper along Meridian Road; the highway, and so we've expanded that similar to the depth that the Ridley's store is. We'll still have the residential zoning behind that. We met with the neighbors and basically the only thing of concern that was ever brought to our attention was that they wanted to make sure the road continued along to the south which is a condition that the city has had; they want the mid-mile road to extend along the southerly boundary of the site and that wasn't proposed to be changed. I will stand for any questions that you might have.

C/Young: Ok. Does anyone have any questions for the applicant at this time?

C/Wierschem: I don't

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Tuesday, July 14, 2015

C/Hennis: Not at this time, no.

C/Young: Ok, thank you. Now we will hear from staff.

Troy Behunin: Chairman Young, and fellow Commissioners, for the record, Troy Behunin: Planning and Zoning staff. The application before you tonight: 15-01-ZC which is a zone change and also 07-03-DA, development agreement modification and possible release of the development agreement. The applicant has provided all of the necessary materials to city staff and those have been included with your packets. Hopefully you have had a chance to review all of that. The applicant has also held all of the necessary neighborhood meetings as the applicant mentioned. The site has been posted and letters have been sent to land owners within 300 feet of the subject property and it has been advertised in the Kuna-Melba news, so all of those requirements have been fulfilled. So far, everything is proceeding the way that it should be according to city code and state code. Iron Mountain real estate is looking for this rezone to make it deeper and more sufficient for commercial development on the south. They're adding approximately 6.5 acres to the existing C-1 zone. Right now the land is already approved for R-6 which is residential-commercial; 6 units to the acre, but they want to increase that to attract these commercial businesses and be effective along that corridor.

The one good thing about adding commercial space to the existing is that it does provide a way to further the overlay district requirement, which is that there is not to be a road within 660 feet of the centerline of highway 69 though because there is going to be businesses there, they need to be a considerable distance away from the centerline of the highway 69. Staff is generally supportive of this and we don't see any problems with the request. The one thing that staff would encourage is that we not only begin discussions, but we begin releasing the development agreement from the Profile Ridge subdivision; and the reasons are complex, but yet simple to understand. Back in 2007, this property actually came in as a PUD (planned unit development), and it was granted what it needed to have at that time; however, there were far fewer land owners and there was a controller who was guiding the development, and there was a unified approach to this development. And then the economic down-turn hit and some of the properties were lost and the bank took some of the properties back. So what started as a unified approach has now splintered into several different property owners; none of whom were really part of the original development in the beginning except for one. Since the development agreement's creation back in 2007, it has actually been modified two different times; most recently, by Ridley's. It really is only about 20% developed or maybe more, but it's got a lot more developing left to come this way. Rather than bogging development down and putting some of these already "code required" conditions, staff just recommends doing away with the development agreement and releasing the property just like we did for McDonalds for their portion of the site. Mainly, because with the exception of the pathway along Deer Flat Road, most of the major things that are required within the development agreement that are required in the staff reports that have been approved not once, not twice, but three and four times and they are already required in city code and those have been changed.

For those reasons, staff would seek that the development agreement actually be released from the property and that sometime between today and when this project moves forward with some of these other developments, that staff and land owners –all of us get together and discuss ways, including talking to ACHD about how we can get that pathway along Deer Flat Road taken care of. Ridley's has already contributed a considerable amount for its construction in the form of a bond and so we just need to preserve that. I spoke with my Director and the city attorney and we believe there is some sort of mechanism or method that we can secure with ACHD or with the other landowners to finish its construction. So, with that, I would stand for any questions you might have.

CITY OF KUNA
REGULAR PLANNING & ZONING COMMISSION

MEETING MINUTES
Tuesday, July 14, 2015

C/Young: I guess I don't have a copy of the old development agreement, but I'm looking at some of the proposed staff requirements; and I might miss it but was extending irrigation when it became available to the site a part of the old development agreement? How are we going to approach some of that?

Troy Behunin: Well, probably an identical way in which we approached it with Ridley's. It's a considerable distance away from the site and even if this site is closer to existing pressurized irrigation; then at that time we will determine with the city engineer just how far away it is. My estimation is that we will do exactly what we did with Ridley's. They will basically double-plumb pipe for irrigation, but it will be connected to potable water until that time that pressurized irrigation close enough and then it would be switched over. They wouldn't run two pipes, but they would run a pipe that would be used for potable water at first, in the beginning and then when it gets closer, it would be converted to pressurized irrigation.

C/Young: And then Ridley's would then tap out...?

Troy Behunin: And then Ridley's would tie into that, yes.

C/Young: So I guess what I'm saying is I don't see those types of additions in here but the staff's recommendations so...

Troy Behunin: You can certainly add that. That is already an existing condition in previous staff reports and it's also in city code that it must be taken care of. Pressure irrigation must be provided to and through your property, but you could certainly outline that.

C/Young: When it becomes available. Ok. Does anyone else have any questions for Troy?

C/Hennis: That may be what you're talking about in ... it's addressed in number three too so... no, I don't have anything further.

C/Young: Ok thank you. At this point I can open up the public hearing at 6:17 pm. I will just ask; is everybody signed up that would like to say anything? Is there anybody that would like to add their name to the list? Ok, then I will just go ahead and start with Sid Anderson.

Sid Anderson: I thought I signed up to speak to the zoning ordinance; the other case.

C/Young: Oh I looked at the wrong list. I apologize. Ok. Then I will ask Kent Brown, and I see that you've already done yours, so no others neutral or in opposition so I will go ahead and close the public testimony at 6:18 pm. Now that leads us to our discussion. I don't see anything in here that would give me any pause. I think it is pretty straight-forward.

C/Hennis: I think the only thing I would ... just now thought of it; how is this area addressed in the comprehensive land use plan? Because we've got commercial down on the corner as Meridian wraps down around, and then the commercial up there so that would be a lot of commercial area.

C/Young: Maybe Troy can address that? I believe its part of the overlay district but...

CITY OF KUNA
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MEETING MINUTES
Tuesday, July 14, 2015

C/Hennis: How does this play into the fact that on the comprehensive plan, the map, future land use on commercial where Ridley's is currently and then commercial down as it turns the corner on Meridian? Has this been slated for future residential or is this just kind of a mixture of the neighborhood?

Troy Behunin: Good question. Much of Profile Ridge and the Merlin Point, which is the Kuna curve; much of that area on the comprehensive future land use map as mixed use or commercial including both sides of Highway 69/Meridian Road. Not all of it, but again, mixed use can be a mixture of residential and commercial. It doesn't have to be but it allows for it and future land use map is really just a planning designation; it doesn't represent actual zoning. But tonight we're setting the actual zoning.

C/Hennis: No, I know that but as far what is planned for the city, I wanted to make sure that we weren't grouping too much in one area that was thought to be a little more mixed. But as long as it's in conformance, then that is fine.

Troy Behunin: And that's the intent of both of the subdivisions that you've brought up: Merlin Point, the Kuna curve and Profile Ridge, there's going to be a mix of both.

C/Hennis: Ok.

Troy Behunin: Which is exactly what we had hoped for when the map was completed in 2008-2009.

C/Hennis: Ok. Thank you.

C/Gay: Just so that I understand about the pressure irrigations; I understand what you've said so we could make that another condition in writing, but is number five referring to... is that saying what we need it to say? Do I understand that correctly?

C/Hennis: No, that's surface water so that's a little different.

C/Gay: Well then it goes on to say: "...and requesting to annex the irrigation ...oh, surface water ... over to the Kuna municipal irrigation, ok. Ok. I got it, thank you.

C/Young: Ok.

Troy Behunin: Number five deals with water rights.

Commissioner Hennis motions to approve 15-01-ZC (Zone Change) for Profile Ridge Subdivision based on the findings in the staff report and recommends the release of 07-03-DA (Development Agreement) based on all of the information provided in the Development Agreement, City Code and the staff report; Commissioner Wierschem Seconds, all aye and motion carried 4-0.

b. 15-01-ZOA - (Lot Split Ordinance Amendment): A request to amend Kuna City Code (KCC), Title 5, Chapter 16, Section 3 entitled, "Lot Split" to amend the requirements of sidewalk construction; modify the sewer, water, and storm drainage requirements; deletion of septic tanks and private well placement requirement; and provide an effective date.

Recording Requested By and
When Recorded Return to:

ADM COUNTY RECORDER, DAVID NAVARRO AMOUNT .00 15
BOBE IDAHO 06/23/08 11:46 AM
DEPUTY Bennie Oberholting
RECORDED - REQUEST OF
Kuna City
109873648

For Recording Purposes Do
Not Write Above This Line.

DEVELOPMENT AGREEMENT

This Development Agreement entered into by and between, the City of Kuna, a municipal corporation in the State of Idaho, hereinafter referred to as "City", and Red Cliff Development whose address is 2060 South Eagle Road, Meridian, Idaho 83642 the owner of the real properties described herein and applicant(s) for Profile Ridge Subdivision, hereinafter referred to as "Developer".

WHEREAS, the developer has applied to the City for a zone change from Agriculture (A) and Rural Urban Transition (RUT) to Light Commercial (C-1) and Residential, medium density (R-6) of the property described as and attached hereto and incorporated by reference herein on Exhibit A ("Property") to develop a Commercial and Residential Subdivision. The Property is currently zoned Agricultural (A - City of Kuna) and Rural Urban Transition (RUT - Ada County). Pursuant to their discussion at the February 19, 2008 meeting the City is requiring a C-1 and R-6 zone. The Developer has also applied for a subdivision plat for the same property. The Preliminary Plat as approved by the City Council is attached hereto as Exhibit B.

WHEREAS, the City, pursuant to Section 67-6511A, Idaho Code, has the authority to conditionally rezone the property and to enter into a development agreement for the purpose of allowing, by agreement, a specific development to proceed in a specific area and for a specific purpose or use which is appropriate in the area, but for which all allowed uses for the requested zoning may not be appropriate pursuant to the Idaho Code and the Kuna City Code.

WHEREAS, the City of Kuna and The Developer do enter into this Agreement and for and in consideration of the mutual covenants, duties and obligations herein set forth, it is agreed as follows:

**ARTICLE I
LEGAL AUTHORITY**

1.1 This Development Agreement is made pursuant to and in accordance with the provisions of Idaho Code Section 67-6511A and Kuna City Code, Title 5, Chapter 14.

**ARTICLE II
ANNEXATION ORDINANCE**

2.1 The City will adopt an ordinance to annex parcel #S1324142204 with a zoning designation of Light Commercial (C-1). The Ordinance will become effective after its passage, approval, and publication and the execution and recordation of the Development Agreement.

**ARTICLE III
ZONING ORDINANCE AMENDMENT**

3.1 The City will adopt an ordinance amending the Kuna Zoning Ordinance to rezone the properties to C-1 and R-6. The Ordinance will become effective after its passage, approval, and publication and the execution and recordation of the Development Agreement.

**ARTICLE IV
CONDITIONS ON DEVELOPMENT**

4.1 The sole use(s) allowed and restrictions pursuant to this conditional rezone as reflected in this Agreement are as follows:

- 4.1.1 Developer shall develop the Property subject to the conditions and limitations set forth in this Agreement.
- 4.1.2 Developer agrees to the construction and development of up to 143 Single-family residential lots, approximately 39.04-acres of commercial/retail/office, and/or 22 Multi-family residential lots within Lot 1 Block 15, on the 75.08-acres of the Property located on the southwest corner of Deer Flat Road and Kuna/Meridian (Hwy 69) Road as shown in Exhibit A. Development is to be done in four (4) phases.
- 4.1.3 Developer agrees to submit a Special Use Permit in the event that multi-family housing is developed on Lot 1, Block 15.
- 4.1.4 Developer agrees to submit a Design Review application for any proposed commercial buildings, landscape, parking and signage use; multi-family dwellings, or subdivision entry/exit location, round-about, common area, and signage use.
- 4.1.4.1 Developer agrees to meet in a work session with the City Council regarding Design Review of corner entrance/entry at Deer Flat and Kuna Meridian Road (Hwy 69).
- 4.1.5 Developer agrees to meet requirements of Kuna City Code 6-3-4 for street right-of-way width specifications.
- 4.1.5.1 Developer agrees to maintain the integrity of the strip of property between the right-of-way and the property line through an agreement with ACHD and/or ITD.
- 4.1.6 Developer agrees to meet any requirements directed by Idaho Transportation District (ITD).
- 4.1.7 Developer agrees to meet any requirements directed by Ada County Highway District (ACHD).
- 4.1.7.1 Developer agrees to provide signage for sub streets stating that "THIS ROAD WILL BE EXTENDED IN THE FUTURE", this application shall apply to E Hennessey Street, E Rainbow Street and E Landmark Street, which are all sub streets.
- 4.1.7.2 Developer agrees to provide striping and signage stating "No Parking", to be placed on the east side of N Absolon Avenue.
- 4.1.8 Developer shall meet all of the underlying requirements of the C-1 and R-6 zoning districts with respect to the planned improvements to include maximum building heights of 35 feet and setback requirements unless these requirements are modified and the changes agreed to through this agreement.
- 4.1.9 Developer agrees to construct residential dwellings on lots ranging in size from 4,500 square feet to 8,619 square feet.
- 4.1.10 Developer agrees to construct commercial buildings on Lots 3-10, Block 12.
- 4.1.11 Developer has the option to construct commercial buildings or Multi-family residential dwellings on Lot 1, Block 15.
- 4.1.12 Developer agrees to construct a fifty-foot (50') landscaped buffer with ten-foot (10') wide sidewalk along the entire length of the project adjacent to Kuna/Meridian Road (Hwy 69) and follow the Highway 69 overlay prescriptions.
- 4.1.13 Developer agrees to construct a thirty-foot (30') landscaped buffer with eight foot (8') wide sidewalk along Deer Flat Road.
- 4.1.13.1 Developer agrees to construct a six (6) foot asphalt pedestrian/bicycle striped pathway along the south side of Deer Flat Road from Kay Street to N Chappelle Avenue at time of sewer and water line improvement installation.
- 4.1.14 Developer agrees to construct a twenty-foot (20') landscaped buffer with five foot (5') wide sidewalk along all collector streets (N Chappelle Avenue and E Meadowview Road)
- 4.1.15 Developer agrees to construct ten-foot (10') wide paved pathways with five-foot (5') wide sidewalk as shown throughout the development in Exhibit "B".

- 4.1.16 Developer agrees to construct a four-foot (4') solid/ two-foot (2') lattice (total six-foot high) vinyl fence along pedestrian pathways.
- 4.1.17 Developer agrees to construct a six-foot (6') vinyl fence along residential perimeters as shown in Exhibit "B".
- 4.1.18 Developer agrees to construct a six-foot (6') vinyl fence and/ or berm (3:1 ratio) with vinyl fence for a combined height not exceeding ten-feet (10') along the perimeter between the commercial and residential areas for noise reduction, specifically Lots 1 & 2, Block 12.
- 4.1.18.1 Developer agrees to any additional landscaping requirements on Lots 1 & 2, Block 12 as shown in Exhibit "B" for noise reduction purposes.
- 4.1.18.2 Developer agrees to work with adjacent property owner to the west if additional fencing or repair of fencing is needed because of site construction activity.
- 4.1.19 Developer agrees to construct the following Common Areas and Park Lands consisting of a minimum of 7.27-acres or more as follows:
 - 4.1.19.1 A 1.91-acre Park to be located on Lot 1, Block 8
 - 4.1.19.2 The 1.91-acre Park shall include playground equipment, picnic area, volleyball and basketball courts, barbecue area and open space for free play.
 - 4.1.19.3 Open space/common lots to be located on Lots 1 & 2, Block 12, consisting of 21,194 square feet and 22,031 square feet respectively.
 - 4.1.19.4 A landscaped right-in only entrance at E Profile Street from Kincaid Meridian Road (Hwy 69) as shown in Exhibit "B".
 - 4.1.19.5 A landscaped round-about with water features located at E Profile Street and N Abstein Avenue.
 - 4.1.19.6 A bicycle parking rack that can accommodate at least ten (10) bicycles in the park area as shown as Lot 1, Block 8 on Exhibit "B".
- 4.1.20 Elevations of homes are to be submitted with final plat(s) applications.
- 4.1.21 Developer agrees to provide detailed landscaping plans with each phase submittal that conform to the Landscaping requirements. (KCC 5-17)
- 4.1.22 Developer agrees to install street lights at all intersections and near the fire hydrants, with a maximum spacing of 250' throughout the interior and exterior of the subdivision. The applicant agrees to submit a detailed lighting plan in accordance with KCC 6-4-2-N.
- 4.1.23 Developer agrees to submit a street name plan to the Planning and Zoning Department and the Ada County Street Name Committee for their written approval.
- 4.1.24 Developer agrees to show all utility and/or other easements on the final plat(s).
- 4.1.25 Developer agrees to show building footprint on alley-loaded lots and setbacks on all lots of the final plat(s).
- 4.1.26 Developer agrees to comply with applicable federal, state, local and special purpose district standards as they may apply to this project.
- 4.1.27 Developer agrees to acquire all permits and pay all applicable fees as they pertain to this project.
- 4.1.28 Developer agrees that all future uses shall involve uses, activities, processes, materials, equipment and conditions of operation that will not be detrimental to persons, resulting from excessive production of traffic, noise, smoke, fumes, glare and odors.
- 4.1.29 Developer agrees to be responsible for the control and removal of noxious weeds if present on the property until the development is complete.
- 4.1.30 Developer agrees that all future development of the property shall be constructed in accordance with City of Kama ordinances in effect at the time of development.
- 4.1.31 Developer agrees to be responsible for all costs associated with the sewer and water service extensions.
- 4.1.31.1 There is a late-comer fee/reimbursement associated with the project.
- 4.1.32 Developer agrees to install the following public and other improvements in accordance with the conditions and specifications of KCC 6-4-2 and particularly the provisions of 4.1.34.1 - 4.1.34.19: *Unless otherwise noted below, the applicant has met the requirement.*
 - 4.1.32.1 Monuments: Monuments shall be set in accordance with section 50-1305, Idaho Code.

- 4.1.32.2 Streets and Alleys: All streets and alleys shall be constructed in accordance with the standards and specifications adopted by the Council and ACHD.
- 4.1.32.3 Curbs and Gutters: Vertical curbs and gutters shall be constructed on collector streets. Vertical curbs and gutters may be required to be constructed on arterial streets according to ACHD and Council discretion. Roller curbs and gutters or other landscaping and drainage as may be established by ACHD and the Council and consistent with subsection G of this section shall be required on minor streets. All construction shall be in accordance with the standards and specifications adopted by ACHD and the Council.
- 4.1.32.4 Bicycle/ Walking Pathways: A bicycle/ walking pathway shall be provided within all subdivisions, as part of the public right-of-way or separate easement, as may be specified in an overall bicycle plan as adopted by the Council.
- 4.1.32.5 Installation of Public Utilities: Underground utilities are required unless determined not to be feasible by the owner of the utility, City Engineer and/ or the City Council.
- 4.1.32.6 Driveways: All driveway openings in curbs shall be as specified by the public works department, ACHD or ITD.
- 4.1.32.7 Storm Drainage: An adequate storm drainage system shall be required in the subdivision. Construction shall follow the specifications and procedures established by the Council.
- 4.1.32.7.1 The City Engineer has listed additional requirements in Exhibit 7 as follows:
 - 4.1.32.7.1.1 Runoff from public right-of-way is regulated by ACHD.
 - 4.1.32.7.1.2 Any private storm drainage facility proposed as a part of this development must be reviewed and approved by the City Engineer.
 - 4.1.32.7.1.3 If offsite storm water disposal is proposed in this development, plan approvals and license agreements from the affected irrigation ditch companies will be required.
- 4.1.32.7.2 Boise Project Board of Control has listed additional requirements in Exhibit 10 as follows:
 - 4.1.32.7.2.1 Storm Drainage and/ or Street Runoff must be retained on site.
 - 4.1.32.7.2 Central District Health has listed additional requirements as follows:
 - 4.1.32.7.2.1 Run-off is not to create a mosquito breeding problem. Public Water Supply and Sewer Systems: All public water supply or sewer systems (serving 2 or more separate premises or households) shall be constructed in accordance with any adopted local plans and specifications. All new public water supply or sewer systems shall be an extension of an existing public system. In the event that the proposed public water supply or sewer system is not an extension of an existing public system, City Council may grant approval to an applicant only upon a showing of undue hardship because of characteristics of the site and that the request is not in conflict with the public's interest.
 - Section 50-1326, Idaho Code, requires that all water and sewer plans be submitted to the state department of environmental and community services or its authorized agent for approval purpose.
 - 4.1.32.9.1 The City Engineer has listed additional requirements in Exhibit 7 as follows:
 - 4.1.32.9.1.1 If the applicant is a participant in the local improvement district (LID) funding the new waste water treatment plant (WWTP), the applicant will be eligible to compete on a first come first serve basis for approximately 1500 EDU

connections in the existing lagoon WWTTP that have been set aside for LID participants.

4.1.32.9.2 Central District Health has listed additional requirements in Exhibit 9 as follows:

4.1.32.9.2.1 Central sewage plans must be submitted to and approved by the Idaho Department of Environmental Quality (DEQ).

4.1.32.10 Maintenance and Operation of Public Water Supply and Sewer Systems: The subdivision shall provide for a perpetual method of maintenance and operation of the public water supply or sewer system (serving 2 or more separate premises or households) to ensure the continued usefulness of the system.

4.1.32.11 Fire Hydrants and Water Mains: Adequate fire protection shall be required in accordance with the appropriate fire district standards.

4.1.32.11.1 Applicant shall meet any requirements directed by the Kuna Rural Fire District.

4.1.32.12 Street Name Signs: Street name signs shall be installed in the appropriate locations at each street intersection in accordance with the local standards. A street signage fee established by ACHD shall be paid by the subdivision.

4.1.32.13 Sidewalks and Pedestrian Walkways: Sidewalks shall be required on both sides of the street, except that where the average width of lots, as measured at the street frontage line or at the building setback line, is over one hundred feet (100'), sidewalks on only one side of the street may be allowed. Minimum width of any sidewalk shall be five feet (5'). Pedestrian walkways which are not adjacent to a public street, when required, shall have easements at least ten feet (10') in width and include a paved walk at least five feet (5') in width. Sidewalks and crosswalks shall be constructed in accordance with the standards and specifications as adopted by the Council. Both sides of an arterial and collector street shall be constructed with a five foot (5') to eight foot (8') detached sidewalk.

4.1.32.14 Greenbelt: Greenbelts or landscaping screening may be required for the protection of residential properties from adjacent major arterial streets, waterways, railroad rights of way or other features. Subdivision plats shall show the location of any greenbelt arets.

4.1.32.15 Street Lighting: Streetlights shall be required to be installed at intersections, near all fire hydrants, and have a maximum spacing of two hundred fifty feet (250') throughout the interior and exterior of the subdivision. A subdivision shall conform to the requirements of the city and the public utility providing such lighting.

4.1.32.15.1 As conditioned, the applicant is required to meet these standards. The preliminary plat stamp dated January 4, 2008 shows street lights meeting the 250-foot maximum requirement.

4.1.32.16 Pressurized Irrigation System: In each subdivision the subdivision shall provide an underground conduit to provide pressurized irrigation water to each and every lot within the subdivision. The City Engineer is hereby authorized and directed to establish rules, regulations and standards for pressurized irrigation systems and that all pressurized irrigation systems shall comply with those standards, rules and regulations.

4.1.32.16.1 The City Engineer has listed additional requirements in Exhibit 7 as follows:

4.1.32.16.1.1 The City requires, with every new subdivision, a documentation map illustrating the surface water irrigation supply as well as drainage ditches that exist in and around the proposed development.

4.1.32.16.1.2 The City requires a layout of the existing irrigation ditches within a half-mile radius around the development, both within and outside the subdivision

showing historic flow routes and existing features. Piped and open canals should be noted.

4.1.32.17 Landscaping: All entrances to and exits from subdivisions shall be landscaped in a manner approved by Kuna City Planning And Zoning Commission and/or urban forestry committee.

4.1.32.17.1 Developer agrees that the commercial areas and entrances to the subdivision are subject to the Design Review Standards.

4.1.32.18 Right Of Way Fencing: A fence that abuts an arterial or collector road should be uniform from intersection to intersection and must include a landscaped berm and fence, six feet (6') in height (measured from the crest of the road) that is permanent and maintenance free unless otherwise noted in these conditions. Acceptable fencing would include metal, rock, vinyl and the posts must be installed in concrete. No wood fencing is allowed and open fence may be required around parks (for safety reasons). A fence plan must be submitted with the preliminary plat application.

4.1.32.18.1 Developer agrees to install a fence of the acceptable materials listed above. Cedar fencing is not allowed.

4.1.32.18.2 Developer agrees to install a fence or a berm and fence along Hwy 69 that meets the standards of the Overlay District for Highway 69 (KCC 5-2A) as it pertains to the use of the property.

4.1.32.19 Piping of Ditches: All irrigation ditches and laterals, excluding major canals and natural waterways located within the development boundaries, shall be tiled. Major canals and natural waterways located within or adjacent to the development boundaries shall be fenced or tiled. Any improvements involving the distribution system of any irrigation district shall have the prior written approval of that affected district.

4.1.32.19.1 Developer agrees to the additional requirements the Boise Project Board of Control has listed in Exhibit 10 of the staff report as follows:

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

4.1.32.19.1.2 If the irrigation system will be incorporated into the City of Kuna's pressure irrigation system, The Irrigation District Board will require confirmation from both the City of Kuna and the Boise-Kuna Irrigation District prior to review and approval of an irrigation plan.

4.1.32.19.1.3 This development is subject to Idaho Code 31-3805, and accordingly, Boise Project Board of Control is requesting a copy of the irrigation and drainage plans.

4.1.32.20 Developer agrees to plant a minimum of one tree per lot. Each tree shall be a minimum two inch (2") caliper.

4.1.32.21 Developer agrees to meet the large scale development requirements in accordance with KCC 6-5-4.

4.1.33 Developer agrees that the following list details the tasks (in order) that must be completed before the approval of Profile Ridge Subdivision shall be considered final. (Please note that the applicant has one year from the date of the written decision of the Council to complete these tasks and submit a final plat for the first phase of the development unless a time extension is granted.)

4.1.34.1 The applicant and/or owner agree to obtain written approval of the plat from the agencies noted below. The approval may be either on agency letterhead referring to the approved use or may be written/ stamped upon a copy of the

- approved plat. All site improvements are prohibited prior to approval of these agencies.
- 4.1.34.1.1 The City Engineer must approve the sewer hook-up.
- 4.1.34.1.2 The Kuna Fire District must approve all fire flow requirements and/or building plans.
- 4.1.34.1.3 The Boise-Kuna Irrigation District must approve all proposed modifications to the existing irrigation system.
- 4.1.34.1.4 The City Engineer must approve a surface drainage run-off plan. The plan should be designed and constructed in conformance with The Central District Health Department standards contained in "Catalog for Best Management Practices for Idaho Cities and Counties".
- 4.1.35 The Developer agrees to meet the final plat specifications listed in Section 6-2-4 of the Kuna City Code.
- 4.1.36 The Developer agrees the final plat shall be in substantial conformance with the approved preliminary plat.
- 4.1.37 Prior to approval by the Kuna City Council, the plat(s) shall contain the following certificates and/or endorsements:
 - 4.1.37.1.1 signature of the owner(s),
 - 4.1.37.1.2 certificate of the plat surveyor,
 - 4.1.37.1.3 certificate of the County Surveyor,
 - 4.1.37.1.4 endorsement of the Central District Health Department,
 - 4.1.37.1.5 endorsement of the Ada County Highway District (ACHD).
- 4.1.38 The following statements shall appear on the face of the final plat(s):
 - 4.1.38.1 This development recognizes Idaho Code §22-4503, Right to Farm Act, which states: "No agricultural operation or an appearance to it shall be or become a nuisance, private or public, by any changed conditions in or about the surrounding nonagricultural activities after the same has been in operation for more than one (1) year, when the operation was not a nuisance at the time the operation began; provided, that the provisions of this section shall not apply whenever a nuisance results from the improper or negligent operation of any agricultural operation or appearance to it."
 - 4.1.38.2 Any re-subdivision of this plat shall comply with the applicable regulations in effect at the time of the re-subdivision.
 - 4.1.38.3 Building setbacks and dimensional standards in this subdivision shall be in compliance with the applicable subdivision and zoning regulations of the City of Kuna and this approval.
 - 4.1.38.4 Direct lot access to Deer Flat Road, Kuna/ Meridian Road (Hwy 69), E Meadowview Street, and N Chappelle Avenue is prohibited.
 - 4.1.38.5 Direct lot access from residential lots on N Ableson Avenue is prohibited. Designated along the exterior boundary and a five (5) foot wide drainage, irrigation and public utility easement on the interior boundary of all lots.
 - 4.1.40 Access and use of all parking spaces will be provided in accordance with a cross-access agreement to all commercial lots. Maintenance for said parking spaces is as provided for in the covenants, conditions and restrictions provided for this subdivision. All parking areas will have a blanket easement for public utility, irrigation and drainage.
 - 4.1.41 No building permits will be issued until a final plat(s) is recorded through the County Recorder's Office and parcel numbers have been issued by the County Assessor's Office.
 - 4.1.42 All public rights of way shall be dedicated and constructed to standards of the Ada County Highway District. No public street construction may be commenced without the approval of the Ada County Highway District. Any work within the Ada County Highway District rights of way requires a permit. For information regarding the requirements to obtain a permit, contact Ada County Highway District Development Services at 387-6100.
 - 4.1.43 Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services.
 - 4.1.44 All utilities shall be installed underground.

- 4.1.45 Compliance with Section 31-3805 of the Idaho Code pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site.
- 4.1.46 Compliance with the specific requirements of the Boise Project Board of Control is required.
- 4.1.47 Installation of fire protection facilities as specifically required by the Kuna Fire District is required.
- 4.1.48 Developer agrees to provide easements for utilities, drainage, and irrigation abutting to all public street right-of-way and subdivision boundaries, and where considered necessary, conveyed on the interior property lines. Said easements shall have a minimum width of ten feet (10').
- 4.1.49 All submittals of required compliance letters and plans (lighting, landscaping, drainage, and development) must be accompanied by your application file numbers.
- 4.1.50 No construction, grading, filling, clearing, or excavation of any kind shall be initiated until the applicant has received approval of a drainage design plan from the Kuna City Engineer. The drainage design plan shall include all proposed site grading.
- 4.1.51 Individual lot pressurized irrigation shall be provided. The Kuna City Engineer must approve an irrigation plan prior to submitting the final plat for approval.
- 4.1.52 Lighting within the development shall comply with the Kuna City Code.
- 4.1.53 All surety agreements shall comply with the City Engineer.
- 4.1.54 Any additional requirements directed by the Public Works Director.
- 4.1.55 Any additional requirements directed by Central District Health.
- 4.1.56 Developer agrees to participate in the cost to install a four-way traffic light (full intersection) at Meadowview Road and Kuna/Meridian Road (Hwy 69) when traffic warrants prompt that consideration.
- 4.1.57 The City Council grants a right-in only for the entry from Kuna/Meridian Road (Hwy 69) into the project at E Profile Street located at the quarter mile.
- 4.2 The Developer agrees to establish a Home Owners Association (HOA), which articles will be reviewed by the City of Kuna for content and terms.
- 4.3 No change in the use or restriction specified in this Agreement shall be allowed or changed without modification of this Agreement pursuant to the requirements of the Kuna City Code. In the event Developer changes or expands the use permitted by this Agreement or fails to comply with the restrictions without formal modification of this Agreement as allowed by the Kuna City Code, Developer shall be in default of this Agreement.
- 4.4 Developer agrees the Profile Ridge Subdivision shall be constructed in substantial conformance, not to exceed 10% (ten-percent) of the development's total land area as noted on plans dated January 4, 2008, as shown on the plan attached hereto and incorporated herein as Exhibit "B". Deviation beyond 10% (ten-percent) will be subject to the City's public hearing process. Failure to construct the development consistent with this Agreement and the plan and conditions included as Exhibit "B" or construction in accordance with this Agreement and the plan and conditions included as exhibits without formal modification of the plan consistent with Kuna City Code, including the amendment of this Agreement, shall result in a default of this Agreement by the Developer.
- 4.4 **Conditions, bonding for Completion:** All of the conditions set forth herein shall be complied with or shall be bonded for completion by the Developer before a Final Plat Approval or Occupancy permit will be granted. Failure to comply or bond for completion of the conditions within the time frame established in the subdivision plat approval conditions, the Kuna City Code or the terms of this Agreement shall result in a default of this Agreement by the Developer. The Developer may be allowed to bond for certain conditions at one hundred and twenty-five percent (125%) of the estimated cost of completion pursuant to Kuna City Code.
- 4.5 **Commencement of Construction:** The Developer shall commence construction within 365 days of the effective date of this Agreement. In the event the Developer fails to commence construction within the time periods herein stated, the Developer shall be in default of this Agreement.

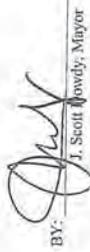
ARTICLE IX
GENERAL MATTERS

- 9.1 **Amendments.** Any alteration or change to this Development Agreement shall be made only after complying with the notice and hearing provision of Idaho Code Section 67-6509, as required by Kuna City Code, Title 5, Chapter 14.
- 9.2 **Paragraph Headings.** This Development Agreement shall be construed according to its fair meaning and as if prepared by both parties hereto. Title and captions are for convenience only and shall not constitute a portion of this Development Agreement. As used in this Development Agreement, masculine, feminine or neuter gender and the singular or plural number shall each be deemed to include the others wherever and whenever the context so dictates.
- 9.3 **Choice of Law.** This Development Agreement shall be construed in accordance with the laws of the State of Idaho in effect at the time of the execution of this Development Agreement. Any action brought in connection with this Development Agreement shall be brought in a court of competent jurisdiction located in Ada County, Idaho.
- 9.4 **Notice.** Any notice which a party may desire to give to another party must be in writing and may be given by personal delivery, by mailing the same be registered or certified mail, return receipt requested postage prepaid, or by Federal Express or other reputable overnight delivery service, to the party to whom the notice is directed at the address of such party set forth below,
 - Kuna: City Clerk
City of Kuna
P.O. Box 13
Kuna, Idaho 83634
 - Developer: Red Cliff Development
2060 S Eagle Road
Meridian, Idaho 83642
- 9.5 **Effective Date.** This Development Agreement shall be effective after delivery to each of the parties hereto of a fully executed copy of the Development Agreement.

IN WITNESS WHEREOF, the parties have hereunto caused this Agreement to be executed, on the day and year first above written.

CITY: DEVELOPER: Red Cliff Development
2060 S Eagle Road
Meridian, Idaho 83642

BY: 

BY: 
J. Scott Rowdy, Mayor

ARTICLE V
AFFIDAVIT OF PROPERTY OWNERS

5.1 An affidavit of all owners of the Property agreeing to submit the Property to this Development Agreement and to the provisions set forth in Idaho Code Section 67-6511A and Kuna City Code shall be provided and is incorporated herein by reference.

ARTICLE VI
DEFAULT

6.1 In the event the Developer, her/his heirs or assigns or subsequent owners of the property or any other person acquiring an interest in the property, fail to faithfully comply with all of the terms and conditions included in the Agreement, this Agreement may be modified or terminated by the Kuna City Council upon finding of non-compliance with the requirements of Kuna City Code. In the event City Council determines that this Agreement shall be modified, the terms of this Agreement shall be amended and the Developer shall comply with the amended terms. Failure to comply with the amended terms shall result in default and the agreement shall divest. In the event City Council, after compliance with the requirements of the Kuna City Code, determines that this Agreement shall be terminated, the zoning of the property shall revert to Agricultural (A) Zoning and the land limited to its uses and provisions. All uses of property, which are not consistent with Agricultural (A) Zoning, shall cease. Nothing herein shall prevent the Developer from applying for any land use consistent with Agricultural (A) Zoning. A waiver by City of Kuna for any default by the Developer of any one or more of the covenants or conditions hereof shall apply solely to the breach and breaches waived and shall not bar any other rights or remedies of the City or apply to any subsequent breach of any such or other covenants and conditions.

6.2 **Consent to Rezone.** The Developer, by entering into the Development Agreement, does hereby agree that in the event there shall be a default in the terms and conditions of this Agreement that this Agreement shall serve as consent to a reversion of the subject property to Agricultural (A) zoning as provided in Idaho Code.

ARTICLE VII
UNENFORCEABLE PROVISIONS

7.1 If any term, provision, commitment or restriction of this Development Agreement or the application thereof to any party or circumstances shall, to any extent be held invalid or unenforceable; the remainder of this instrument shall remain in full force and effect.

ARTICLE VIII
ASSIGNMENT AND TRANSFER

8.1 After its execution, the Development Agreement shall be recorded in the office of the County Recorder at the expense of the Applicant. Each commitment and restriction on the development subject to this Agreement, shall be a burden on the Property, shall be appurtenant to and for the benefit of the Property, adjacent property and other residential property near the Property and shall run with the land. This Development Agreement shall be binding on the City and the Applicant and owners, and their respective heirs, administrators, executors, agents, legal representatives, successors and assigns, provided, however, that if all or any portion of the Property is divided and each owner of a legal lot shall only be responsible for duties and obligations associated with an owner's parcel and shall not be responsible for duties and obligations or defaults as to other parcels of lots within the Property, except as their participation is required by the HOA. The new owner of the Property or any portion thereof (including, without limitation, any owner who acquires its interest by foreclosure, trustee's sale or otherwise) shall be liable for all commitments and other obligations arising under this Agreement with respect only to such owner's lot or parcel.

DESCRIPTION FOR
PROPOSED PROFILE RIDGE SUBDIVISION
MARCH 6, 2007

A PARCEL OF LAND BEING A PORTION OF THE EAST 1/2 OF THE NE 1/4 OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 1 WEST OF THE BOISE MERIDIAN, ADA COUNTY, IDAHO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 24, T. 2 N., R. 1 W., B.M.,

THENCE S 00°46'09" W 69.43 FEET ALONG THE EAST LINE OF SAID SECTION 24 TO A POINT;

THENCE N 89°13'51" W 70.00 FEET TO A POINT ON THE WEST RIGHT OF WAY OF STATE HIGHWAY 69, THE REAL POINT OF BEGINNING OF THIS DESCRIPTION;

THENCE S 00°46'09" W 2578.92 FEET ALONG SAID RIGHT OF WAY TO A POINT ON THE SOUTH LINE OF THE EAST 1/2 OF THE NE 1/4;

THENCE N 88°27'14" W 1240.40 FEET TO THE SOUTHWEST CORNER OF THE EAST 1/2 OF SAID NE 1/4;

THENCE N 00°39'34" E 2642.32 FEET TO THE NORTHWEST CORNER OF THE EAST 1/2 OF SAID NE 1/4;

THENCE S 88°45'40" E 716.50 FEET ALONG THE NORTH LINE OF SAID NE 1/4 TO A POINT;

THENCE S 00°46'09" W 25.00 FEET TO A POINT;

THENCE S 88°45'40" E 213.69 FEET TO A POINT;

THENCE S 85°06'41" E 235.80 FEET TO A POINT;

THENCE S 68°16'04" E 85.67 FEET TO THE REAL POINT OF BEGINNING OF THIS DESCRIPTION, COMPRISING 75.08 ACRES, MORE OR LESS.



RECEIVED
MAY 20 2008
CITY OF KUNA

EXHIBIT
07-03-DA
A

1922-48UB

ATTEST:

BY: Lynda Burgess
Lynda Burgess, City Clerk



CITY NOTARY:

State of Idaho)

County of Ada)

Subscribed and sworn to (or affirmed) before me this 11th day of June, 2008

And who personally appeared before me

Scott Dandy



Notary Public Shannon Maez
My Commission Expires on 01/01/08

DEVELOPER NOTARY:

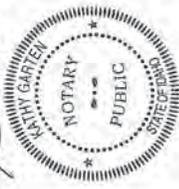
State of Idaho)

County of Ada)

Subscribed and sworn to (or affirmed) before me this 14 day of May, 2008

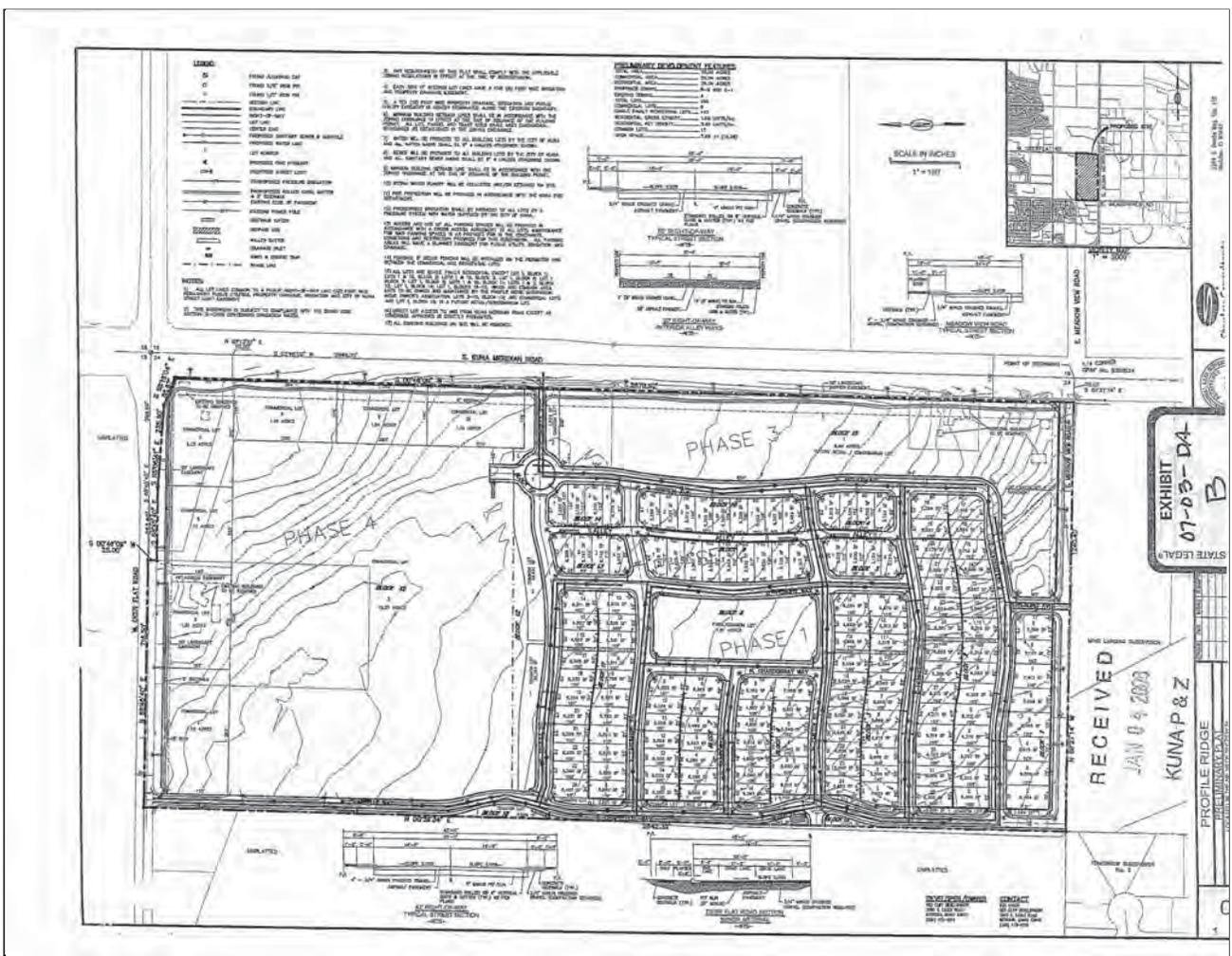
And who personally appeared before me

Cory Swain



Notary Public Kelly Gatten
My Commission Expires on 07/15/07







City of Kuna

City Council Staff Report

PO Box 13
Kuna, ID 83634
Phone: (208) 922-5274
Fax: (208) 922-5989
Web: www.cityofkuna.com

To: Kuna City Planning and Zoning Commission

File Number: 15-01-CPA (Comprehensive Plan Amendment)

Planner: Wendy I. Howell, Planning & Zoning Director

Hearing date: August 18, 2015

Applicant: Kuna Planning & Zoning Department
763 W. Avalon Road
Kuna, Idaho 83634

Table of Contents:

- A. Course Proceedings
- B. Request
- C. History
- D. General Project Facts
- E. Plan Adoption Process
- F. Staff Analysis
- G. Applicable Standards
- H. Proposed Findings of Fact
- I. Proposed Conclusions of Law
- J. Proposed Recommendation by Planning and Zoning Commission

A. Course of Proceedings:

A Comprehensive Plan amendment (text and maps), proposal is designated in Kuna City Code (KCC), Title 5, as a public hearing, with Planning and Zoning Commission as the recommending body and City Council as the decision-making body. This land use was given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65, Local Planning Act.

a. Notifications

- | | |
|---------------------------|---|
| i. Agencies | July 14, 2015 |
| ii. Kuna, Melba Newspaper | July 15, 2015/July 22, 2015/July 29, 2015 |

B. Request:

A public hearing to amend the Kuna Comprehensive Plan that includes data updates which reflect the 2010 census or more current information in the Plan; updates to the Capital Improvement Plan; updated maps with the proposed planning area extension to the east (this does not include the impact area map); and other clerical changes. The Planning and Zoning Commission recommended approval of the plan amendments to the City Council on April 14, 2015.

C. History:

The current Comprehensive Plan was approved in October, 2009 by Kuna's City Council prior to compilation and publication of 2010 Census data results.

The current Future Land Use (FLU) map was approved April 2010. Idaho State Law provides for Comprehensive Plan Future Land Use map updates as needed to reflect development trends necessitating its modification.

The original application was initiated by staff on September 13, 2010 at the request to Ada County to expand the current Area of City Impact (ACI) boundaries.

D. General Project Facts:

The City was working in conjunction with Ada County to increase the existing ACI boundary since 2008. As a result of on-going negotiations, Ada County requested that the City make amendments to the existing Comprehensive Plan to clarify and/or amend the Plan for consistency. By doing so, this will aid Ada County in their decisions for future proposed land use requests within Kuna's ACI. As this process moved forward, Ada County then requested that Kuna submit a new application and negotiate the northernmost Kuna ACI boundary line with the City of Meridian. To date, an agreement has not been reached between the two cities.

The Comprehensive Plan amendment, which was a part of the ACI negotiations with Meridian, was still in process when the results of the 2010 Census data became available. This provided an opportunity to update the data available from the 2010 Census results and in some cases more current data. The context of the plan was not revised in order to sustain community desires. Unnecessary duplication of text within the Plan was either deleted and/or clarification added for ease of reading and understanding.

E. Plan Adoption Process:

1. The Plan adoption process has two parts: First, the Kuna Planning and Zoning Commission will hold a public hearing and after public input has been considered, arrive at a recommendation which is forwarded to the Kuna City Council, who will then act upon the recommendation(s). *Completed*
2. The Commission must give public notice prior to the hearing to include a summary, date, time and place of the public hearing. The first publication shall be done at least 15 days prior to the Commission's public hearing. *Completed*
3. Notice of the Plan amendment is sent to affected political jurisdictions providing services within the planning jurisdiction, including the school district, at least 15 days prior to the Commission's public hearing. *Completed*
4. After the Commission has concluded the public hearing process, they may make a recommendation to the City Council. *Completed*
5. The second part of the plan adoption includes a public hearing by the City Council to act upon the Commission's recommendation(s).
6. The Council's noticing requirements are the same as the Commission's except that it must include the Commission's recommendation(s) in the public notification process. *Completed*

7. Following the Council's public hearing, if the council makes material changes to the comprehensive plan amendment application, further notice and additional hearings are required.
8. The Plan is not effective until the governing board approves a resolution adopting it. A copy of the amended maps shall accompany the resolution and will be kept on file with the City Clerk Office.

F. Staff Analysis:

The comprehensive plan is a living document, intended for use as a guide by governmental bodies. The plan is not law that must be adhered to in the most stringent sense; it is to be used by public officials to guide their decision making for the City. The Plan may be amended as the need arises. Factors which necessitate changes to the Comprehensive Plan include, but are not limited to growth, changing social and economic policy conditions or updates of statistical data.

This proposal is intended to amend the Comprehensive Plan and to reflect changes that Ada County has requested in relation to the original application for expansion of the Area of City Impact (ACI) boundary line. Also included in this Comprehensive Plan amendment are deletions of duplicate language throughout the document, clarifications, data updates and clerical modifications.

The City Engineer updated the Capital Improvement Plan located in Appendix B of the Plan.

The Planning and Zoning Commission recommended approval in May, 2015 of the proposed document. Some revisions include verbiage supporting the proposed expansion of the planning area boundary.

After a thorough review of this Comprehensive Plan, staff is recommending approval of the Comprehensive Plan text amendment and the following map modifications which are included as part of the Comprehensive Plan:

- ▶ Location Map
- ▶ School District Map showing both Ada and Canyon County boundaries
- ▶ Zoning Map
- ▶ Bedrock Depth Map
- ▶ Topographic Map
- ▶ Slopes & Soil Map
- ▶ Hydrologic Group-Soils Map
- ▶ Natural Hazards Map
- ▶ Kuna Municipal Irrigation District
- ▶ Existing Served Area-Irrigation Map
- ▶ Existing Served Area-Sewer Map
- ▶ Existing Served Area-Potable Water Map
- ▶ 2035 Street Circulation Map
- ▶ Recreation and Pathways Master Plan
- ▶ Protected Areas Map
- ▶ Public Parks Map
- ▶ Cemetery Districts Map
- ▶ Points of Interest Map
- ▶ Library District Map
- ▶ Building Permit Locations Map

- ▶ Eastern Treasure Valley Electric Plan
- ▶ Central Business District Map
- ▶ Fire & Rescue Map
- ▶ Future Acquisitions Map

G. Applicable Standards:

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

H. Proposed Findings of Fact:

1. The Kuna City Council accepts the facts as outlined in the staff report, any public testimony and the supporting evidence list as presented.
2. Planning and Zoning Commissioners recommended approval May 12, 2015.
3. Public notices were published in the Kuna Melba News on July 15, 2015, July 22, 2015 and July 29, 2015.
4. All procedural items have been followed in accordance with Idaho Code and Kuna City Code.
5. The Comprehensive Plan maps have been updated to reflect the proposed adjustment of the eastern planning area boundary.
6. The Comprehensive Plan Future Land Use map of the City of Kuna was last updated in April 2010.
7. The City of Kuna last updated the Comprehensive Plan in 2009.
8. Kuna is requesting this amendment due to increasing population and development.
9. The amended plan includes updated statistical data which reflects current, relevant information.

I. Proposed Conclusions of Law:

Based on the foregoing findings, staff report and testimony provided the Kuna Planning and Zoning Commission found:

1. This amendment action does not appear to be detrimental to the health, safety and general welfare of the public.
2. The maps contained in the Comprehensive Land Use Plan amendment appear to be consistent with the Comprehensive Plan.
3. The Comprehensive Plan amendment will advance the public interest and benefit the City of Kuna.

J. Proposed Order of Decision:

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

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

Based on the facts outlined in the staff report and the public testimony as presented (if any), the City Council of Kuna, Idaho, hereby (approves or denies) Case No. 15-01-CPA, Comprehensive Plan text amendment and the maps located throughout the Plan as detailed in the staff report dated August 18, 2015.

This recommended approval includes updated data from its original approval in 2009; Ada County Development Services' revision requests, and includes the amended maps that are located throughout the Comprehensive Plan and listed in the staff report.



Megan M. Leatherman, MCRP
Director

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Fax 208.287.7909
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Department Divisions
Building
Engineering & Surveying
Permitting
Planning & Zoning

Ada County Commissioners
Jim Tibbs, First District
Rick Yzaguirre, Second District
David L. Case, Third District

ADA COUNTY Development Services Department

March 3, 2015

City of Kuna
Wendy Howell, Planning and Zoning Director
763 W. Avalon St.
P.O. Box 13
Kuna, ID 83634

RE: Kuna Planning Area Expansion and Proposed Comprehensive Plan Amendments

Dear Ms. Howell,

Thank you for this opportunity to comment on the City of Kuna's proposed planning area boundary expansion and comprehensive plan amendments. Currently, pursuant to County Ordinance 378, the County adopted Kuna's comprehensive plan and an area of city impact boundary for Kuna in 1999. Ordinance 378 also created a referral area but it does not recognize a "planning area". Several years ago the County and Kuna began renegotiating on the Kuna area of city impact. Those negotiations included amendments to the adopted Kuna Comprehensive Plan applicable in the Kuna area of city impact as well as an area of city impact boundary expansion. But for several years now the renegotiations have been inactive.

The proposed planning area we have received does not match the boundaries of what Kuna had proposed during the prior negotiations for an area of city impact boundary. While we see some value in having a conceptual planning boundary for internal planning discussions, we do not believe that it is necessary for Kuna to adopt a "planning area" that exceeds the proposed area of city impact boundary. Furthermore, LLUPA does not recognize a "planning area" and as such such planning area would not carry the same legal significance as an officially adopted area of city impact, along with the adopted comprehensive plan and future land use map, with regard to future development occurring in such "planning area" but outside of an adopted area of city impact.

Given that the city desires to continue forward with two planning boundaries – the area of city impact and a planning area – we have the following comments on the expansion of the planning area and proposed comprehensive plan amendments:

First, a planning area should not expand into another city's County approved, area of city impact. Kuna's proposed planning area should be moved to not encroach into Meridian's adopted area of city impact. The intent of IC 67-6526 is that area of city impact boundaries do not overlap and IC 67-6526(3)(c) provides for a process to remedy those that do overlap. Therefore, the County cannot support a planning area that overlaps with another city's area of city impact boundary.

Second, the existing area of city impact for Kuna includes approximately 100 years of room for future growth¹. So, it is unclear from Ada County's perspective if an expansion of the current area of city impact could be justified. It would seem beneficial, however, to the city and its residents to seek expansion of the area of city impact in conformance with statutory requirements.

Third, while several years ago, Kuna and the County were in negotiations on proposed comprehensive plan amendments and area of city impact boundary expansion, it has been over two years since Ada County last reviewed Kuna's proposed comprehensive plan amendments and it is unclear whether or not the last version we have is the same as what is currently proposed. Further, the proposed amendments will need to be reviewed in light of current development conditions. Therefore, this letter is to inform you that the County disapproves of the proposed comprehensive plan amendments since we have not had sufficient time to review the documents. That review will come during negotiations as required under IC 67-6526.

Ada County looks forward to working with you to find the optimal solution for our community. When you are ready to begin renegotiations regarding Kuna's area of city impact agreement with the County, please send a letter to the County to that effect.

Sincerely,



Megan M. Leatherman, MCRP

Cc: BOCC

¹ Based upon the average net residential units permitted from 2001 to 2014, the build-out of the officially adopted area of city impact would take 108 years.



Working together to plan for the future

February 20, 2015

Megan Leatherman, Director
Ada County Development Services
200 W. Front Street
Boise, Idaho 83706

Re: Kuna Area of City Impact

Dear Ms. Leatherman:

The Community Planning Association of Southwest Idaho (COMPASS) has received City of Kuna's request to modify its area of city impact boundary. COMPASS provides information on historic and projected growth in the area that may be helpful to Ada County in reviewing this application. The attachment contains information and analysis done by COMPASS regarding demographic forecasting and residential construction in the existing, approved, and proposed Kuna area of city impact.

For reference, the buildout forecast quantifies future population, households, and jobs based on densities and locations established by local comprehensive plans. This evaluation was conducted in 2012 based on local comprehensive plans that existed at the time. If changes have occurred, the information will need to be provided to COMPASS and the buildout figures recalculated. It is important to note when reviewing this information while the *Communities in Motion 2040* Vision has a horizon year of 2040, there is no horizon year on the buildout. Also, demographic forecasts are conducted to align with Traffic Analysis Zones (TAZ) and they do not always match city limits, areas of city impact, or other political boundaries.

Included in the attachment are the historical net residential units, from 2001 to 2014, permitted within the City of Kuna and existing, approved, and proposed area of impact since 2001. Estimating the years to reach the 2040 household forecasts for each of the three areas of impact can be calculated using an average of the net residential units, provided below, and the 2040 household forecast information provided. However, many factors influence the rate of "absorption" such as level of construction activity, market conditions, local policies and the size of the impact area.

Please do not hesitate to contact Carl Miller at cmiller@compassidaho.org or (208) 475-2239 if you have any questions regarding the attached information or if you would like additional information.

Sincerely,

Sabrina C. Anderson
Director of Planning

Attachment: Kuna Area of City Impact Growth Tracking

pc: Wendy Howell, Planning Director, City of Kuna
Justin Lucas, Planning Manager, ACHD

CM:\nb T:\FY15\700 Services\701 General Membership Services\Ada County\Kuna Area of Impact area.docx

Exhibit
C-2

Kuna Area of City Impact Demographics (2012 Assessment)

Note: The data is presented for the "existing" area of impact which Ada County recognizes, the "approved" area of impact which the City of Kuna recognizes and "proposed" area of city impact under consideration now.

Kuna Area of City Impact Demographics									
	POPULATION 2010	HOUSEHOLDS 2010	JOBS 2010	POPULATION 2040	HOUSEHOLDS 2040	JOBS 2040	POPULATION BUILDOUT	HOUSEHOLDS BUILDOUT	JOBS BUILDOUT
Kuna Existing Area of Impact	13,334	4,264	1,806	26,025	10,257	5,336	50,086	17,952	13,870
Kuna Approved Area of Impact	20,386	6,506	2,493	55,520	21,605	13,730	361,780	130,434	123,073
Kuna Proposed Area of Impact	22,549	6,524	3,920	55,670	21,660	14,340	362,190	130,566	124,749

Net Residential Units Permitted				
	Kuna City Limits	Kuna Existing Area of Impact	Kuna Approved Area of Impact	Kuna Proposed Area of Impact
2001	321	326	376	386
2002	410	322	447	448
2003	232	230	280	294
2004	227	200	260	271
2005	563	418	625	642
2006	297	190	343	372
2007	359	141	389	408
2008	230	38	233	233
2009	236	121	246	248
2010	92	43	95	96
2011	56	25	60	60
2012	103	81	106	106
2013	136	91	143	144
2014	116	94	124	129
Average 2001-2014	241.3	165.7	266.2	274.1

**IDAHO TRANSPORTATION DEPARTMENT**

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

(208) 334-8300
itd.idaho.gov

RECEIVED**JUL 23 2015****CITY OF KUNA**

July 23, 2015

Wendy Howell
City of Kuna, Planning and Zoning Department
P.O. Box 13
Kuna, ID 83634

VIA EMAIL

RE: 15-01-CPA KUNA COMPREHENSIVE PLAN AMENDMENT

The Idaho Transportation Department has reviewed the referenced comprehensive plan amendment application for the City of Kuna. ITD has the following comments:

1. ITD has no objection to the changes indicated on the September 1, 2015 plan amendment as shown on July 23, 2015.

If you have any questions, you may contact Shona Tonkin at 334-8341 or me at 332-7191.

Sincerely,

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

James K. Morrison
Development Services Manager
jim.morrison@itd.idaho.gov



Megan M. Leatherman, MCRP
Director

Ada County Courthouse
200 West Front Street
Boise ID 83702
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Department Divisions
Building
Engineering & Surveying
Permitting
Planning & Zoning

Ada County Commissioners
Jim Tibbs, First District
Rick Yzaguirre, Second District
David L. Case, Third District

ADA COUNTY
Development Services Department

August 4, 2015

City of Kuna
Mayor and Councilmembers
763 W. Avalon St.
P.O. Box 13
Kuna, ID 83634

RECEIVED
AUG 0 2015
CITY OF KUNA

RE: Kuna Planning Area Expansion and Proposed Comprehensive Plan Amendments

Dear Mayor Nelson and Councilmembers,

Thank you for this opportunity to comment on the City of Kuna's proposed planning area boundary expansion and comprehensive plan amendments. Currently, pursuant to County Ordinance 378, the County adopted Kuna's comprehensive plan and an area of city impact boundary for Kuna in 1999. Ordinance 378 also created a referral area but it does not recognize a "planning area". Several years ago the County and Kuna began renegotiating on the Kuna area of city impact. Those negotiations included amendments to the adopted Kuna Comprehensive Plan applicable in the Kuna area of city impact as well as an area of city impact boundary expansion. But for several years now the renegotiations have been inactive.

The proposed planning area we have received does not match the boundaries of what Kuna had proposed during the prior negotiations for an area of city impact boundary. While we see some value in having a conceptual planning boundary for internal planning discussions, we do not believe that it is necessary for Kuna to adopt a "planning area" that exceeds the proposed area of city impact boundary. Furthermore, LLUPA does not recognize a "planning area" and as such planning area would not carry the same legal significance as an officially adopted area of city impact along with the adopted comprehensive plan and future land use map, with regard to future development occurring in such "planning area" but outside of an adopted area of city impact.

Given that the city desires to continue forward with two planning boundaries – the area of city impact and a planning area – we have the following comments on the expansion of the planning area and proposed comprehensive plan amendments:

Exhibit

C.4

First, a planning area should not expand into another city's County approved, area of city impact. Kuna's proposed planning area should be moved to not encroach into Meridian's adopted area of city impact. The intent of IC 67-6526 is that area of city impact boundaries do not overlap and IC 67-6526(3)(c) provides for a process to remedy those that do overlap. Therefore, the County cannot support a planning area that overlaps with another city's area of city impact boundary.

Second, the existing area of city impact for Kuna includes approximately 100 years of room for future growth¹. So it is unclear from Ada County's perspective if an expansion of the current area of city impact could be justified. It would seem beneficial, however, to the city and its residents, to seek expansion of the area of city impact in conformance with statutory requirements.

Third, while several years ago, Kuna and the County were in negotiations on proposed comprehensive plan amendments and area of city impact boundary expansion, it has been over two years since Ada County last reviewed Kuna's proposed comprehensive plan amendments and it is unclear whether or not the last version we have is the same as what is currently proposed. Further the proposed amendments will need to be reviewed in light of current development conditions. Therefore, this letter is to inform you that the County disapproves of the proposed comprehensive plan amendments since we have not had sufficient time to review the documents. That review will come during negotiations as required under IC 67-6526.

Ada County looks forward to working with you to find the optimal solution for our community. When you are ready to begin renegotiations regarding Kuna's area of city impact agreement with the County, please send a letter to the County to that effect.

Sincerely,



Megan M. Leatherman, MCRP

Cc: BOCC
Mayor DeWeerd, Meridian City
Wendy Howell, Planning and Zoning Director

¹ Based upon the average net residential units permitted from 2001 to 2014, the build-out of the officially adopted area of city impact would take 108 years.



City of Kuna

City Council Staff Report

PO Box 13
Kuna, ID 83634
Phone: (208) 922-5274
Fax: (208) 922-5989
Web: www.cityofkuna.com

To: Kuna City Council

File Number: 14-01-CPMA Planning Area Map Amendment aka Referral Area

Planner: Wendy I. Howell, Planning & Zoning Director

Hearing date: August 18, 2015

Applicant: Kuna Planning & Zoning Department
763 W. Avalon Road
Kuna, Idaho 83634

Table of Contents:

- A. Course Proceedings
- B. Request
- C. History
- D. General Project Facts
- E. Plan Adoption Process
- F. Staff Analysis
- G. Applicable Standards
- H. Proposed Findings of Fact
- I. Proposed Conclusions of Law
- J. Proposed Recommendation by Planning and Zoning Commission

A. Course of Proceedings:

A Planning Area Map amendment proposal is a public hearing with Planning and Zoning Commission as the recommending body and City Council as the decision-making body. This land use was given proper public notice and followed the requirements set forth in Kuna City Code (KCC), Title 5 and Idaho Code, Chapter 65, Local Planning Act.

a. Notifications

- i. Agencies July 14, 2015
- ii. Kuna, Melba Newspaper July 15, 2015
- iii. Kuna, Melba Newspaper July 22, 2015
- iv. Kuna, Melba Newspaper July 29, 2015

- B. Request:** This request is to amend the Planning Area Map on the most easterly planning area boundary from S Cole Road to S Pleasant Valley Road. The extension of the easterly boundary begins at the intersection of E Poen Road and S Cole Road, which is the southern boundary for the Kuna Planning Boundary; thence, continuing south along the southerly boundary approximately 0.25 miles along the alignment of S Cole Road; thence east approximately 0.50 miles; thence north approximately 0.25 miles; thence east approximately 1.5 miles to the centerline of S Pleasant Valley Road; thence north approximately 5.07 miles along the centerline of S Pleasant Valley Road, also being the eastern boundary of the Kuna Planning Boundary, to the centerline of W Ten Mile Creek Road; thence northwesterly along said W Ten Mile Creek Road approximately 1.0 miles to the centerline of S Cole Road. The extension of this boundary in no way affects the current use or zoning of any individual properties and is solely for the purpose of planning.

C. History:

The current Comprehensive Plan, Future Land Use Map, and Planning Area Map was recommended approved by the Planning and Zoning Commission and the Findings of Fact was signed by Planning and Zoning Chairman, David Case on May 14, 2009. In October 2009 Kuna's City Council approved the above listed items.

The Planning and Zoning Commissioners recommended approval on this request on May 12, 2015.

D. General Project Facts:

The City had been working in conjunction with various developers that have proposed an industrial park generally located between South Cole Road and South Pleasant Valley Road. The developer has been working on an annexation path as well as marketing for the industrial park. The City is anticipating sewer being extended to the area. Prior to submitting an application for annexation, the planning area needs to be extended.

E. Plan Adoption Process:

1. The amendment adoption process has two parts: 1) Kuna Planning and Zoning Commission will hold a public hearing and after public input has been considered, arrive at a recommendation 2) Kuna City Council will act upon the recommendation to make a final decision.
2. Public notice which includes a summery, date, time and place of the public hearing must be noticed in the official paper of the City. The publication shall be published at least 15 days prior to the Commission's public hearing. *Completed*
3. Notice of the amendment is sent to affected agencies that provide services within the planning jurisdiction, including the school district, at least 15 days prior to the public hearing. *Completed*
4. After the Commission has concluded the public hearing process, they will make a recommendation to the City Council. *Completed*
5. The Council's notification process is the same as the Commission's except, the legal notification must include the Commission's recommendation. *Completed*
6. If the council makes a material change to the Commission's recommendation or to the amendment, further notice and hearing is required.
7. The amendment is not effective until the Council approves a resolution adopting it. A copy of the amended map shall accompany the resolution and be kept on file with the City Clerk.

F. Staff Analysis:

The current Planning Area Map was approved in October 2009. The Planning Area needs to be approved by City Council. The Comprehensive Plan Map that identifies the area of city impact will need to go to the Ada County Commissioners for approval. Factors that may necessitate change to the map is development activities that occur outside the impact area but within the planning area. The planning area is a part of the Comprehensive Plan.

The current planning area ends at South Cole Road. Staff is requesting that the planning area be extended from South Cole Road to South Pleasant Valley Road. The purpose for the expansion is to provide a method for proposed development to annex into the City of Kuna.

The Planning Area Map, if approved will allow development to occur outside the City's existing approved impact area thus accommodating those who have expressed interest to annex and develop prior to the approval of the city impact area by Ada County, to be allowed to annex as long as they are contiguous.

Staff is recommending approval of the eastern extension of the planning area boundary from South Cole Road to South Pleasant Valley Road.

G. Applicable Standards:

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

H. Proposed Findings of Fact:

1. The Kuna City Council accepts the facts outlined in the staff report, any public testimony and the supporting evidence list as presented.
2. Public notices were published in the Kuna Melba News on July 15, 2015 and July 22, 2015, and July 29, 2015 in anticipation of the City Council's meeting. The notices providing a summary of the amendment, date, time, place of the public hearing, and the Commission's recommendation of approval.
3. Affected agencies were notified February 3, 2015, March 30, 2015, and July 14, 2015.
4. All procedural items have been completed in accordance with Idaho Code and Kuna City Code.
5. Planning and Zoning Commissioners recommended approval on May 12, 2015.
6. The maps within the amended Comprehensive Plan have been updated to reflect the proposed eastern planning boundary extension.
7. The Planning Area Map for the City of Kuna was last updated in October 2009.
8. The Planning Area Map extension if approved, will allow properties currently outside the City's existing impact area that have expressed interest in annexation to develop.
9. The Planning Area Map identifies projected land uses.
10. The reason Kuna is requesting an amendment of the planning area is due to proposed development within that area.
11. The extension of this boundary in no way affects the current use or zoning of any individual properties and is solely for the purpose of planning.

I. Proposed Conclusions of Law:

Based on the foregoing findings, staff report and testimony provided the Kuna Planning and Zoning Commission found...

1. The Planning Area Map has been prepared indicating projected land uses for the extension.
2. This extension amendment appears not detrimental to the health, safety and general welfare of the public.
3. The map amendment appears to be consistent with the Comprehensive Plan.
4. The planning area extension amendment will advance the public interest and be a benefit to the City of Kuna.

J. Proposed Order of Decision:

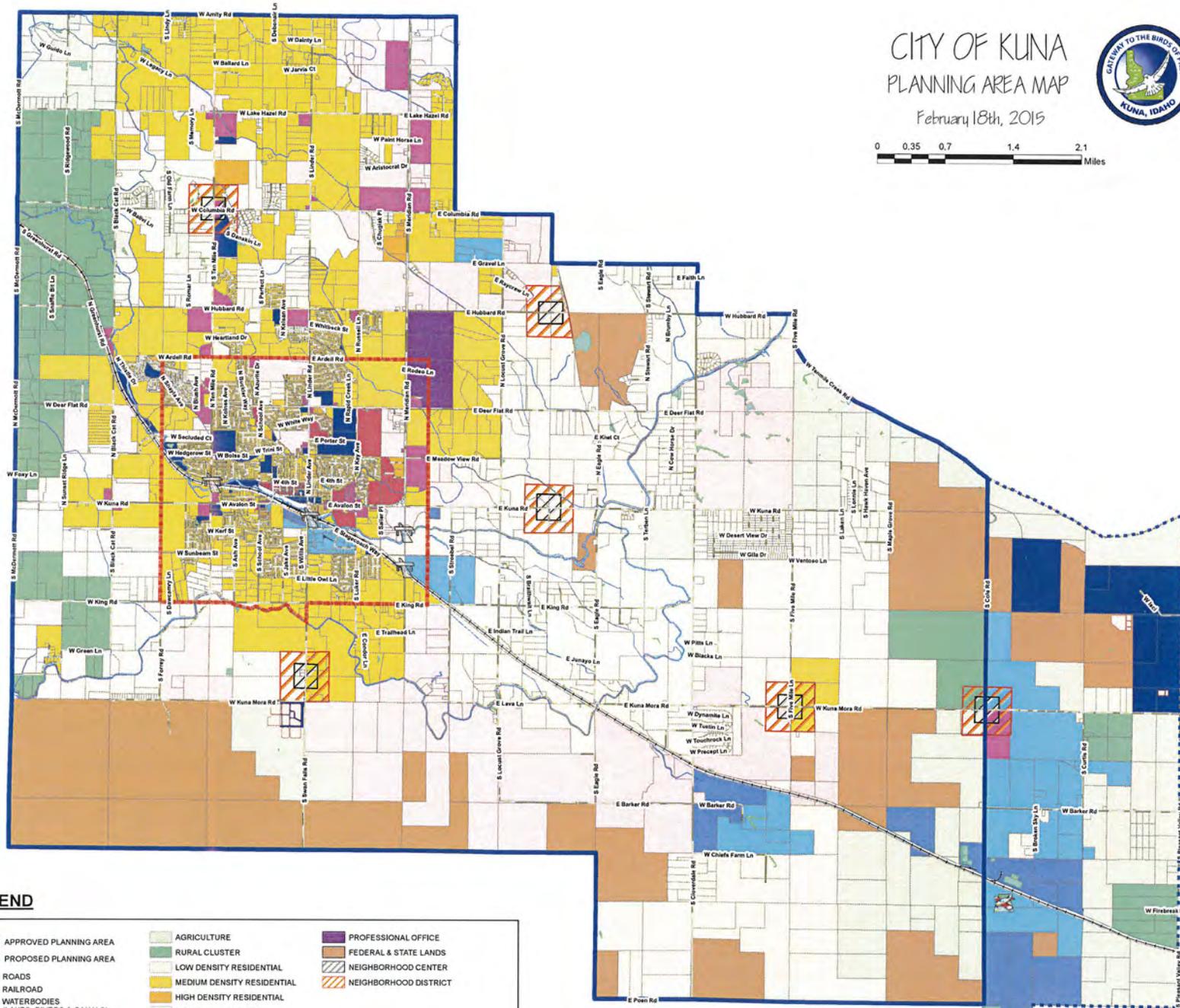
The Council should consider the evidence and testimony presented at the meeting prior to rendering its decision.

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

Based on the facts outlined in staff's report and the public testimony (if any), the City Council of Kuna, Idaho, hereby (approves or denies) Case No. 15-01-CPMA, a Planning Area Map amendment on the most easterly planning area boundary from S Cole Road to S Pleasant Valley Road. The extension of the easterly boundary begins at the intersection of E Poen Road and S Cole Road, which is the southern boundary for the Kuna Planning Boundary; thence continuing south along the southerly boundary approximately 0.25 miles along the alignment of S Cole Road; thence east approximately 0.50 miles; thence north approximately 0.25 miles; thence east approximately 1.5 miles to the centerline of S Pleasant Valley Road; thence north approximately 5.07 miles along the centerline of S Pleasant Valley Road, also being the eastern boundary of the Kuna Planning Boundary, to the centerline of W Ten Mile Creek Road; Thence northwesterly along said W Ten Mile Creek Road approximately 1.0 miles to the centerline of S Cole Road.

CITY OF KUNA PLANNING AREA MAP

February 18th, 2015



LEGEND

	APPROVED PLANNING AREA		AGRICULTURE		PROFESSIONAL OFFICE
	PROPOSED PLANNING AREA		RURAL CLUSTER		FEDERAL & STATE LANDS
	ROADS		LOW DENSITY RESIDENTIAL		NEIGHBORHOOD CENTER
	RAILROAD		MEDIUM DENSITY RESIDENTIAL		NEIGHBORHOOD DISTRICT
	WATERBODIES (LAKES, RIVERS & CANALS)		HIGH DENSITY RESIDENTIAL		
	PROPOSED AIR STRIP		MIXED USE GENERAL***		
	PROPOSED OVERPASS		MIXED USE CITY CENTER		
			COMMERCIAL (NEIGHBORHOOD & COMMUNITY)		
			LIGHT INDUSTRIAL		
			HEAVY INDUSTRIAL		
			PUBLIC		

*** MIXED USE GENERAL EXPECTED RESIDENTIAL DENSITIES CAN RANGE FROM 2 TO 20 UNITS PER ACRE



Megan M. Leatherman, MCRP
Director

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Building
Engineering & Surveying
Permitting
Planning & Zoning

Ada County Commissioners
Jim Tibbs, First District
Rick Yzaguirre, Second District
David L. Case, Third District

ADA COUNTY Development Services Department

March 3, 2015

City of Kuna
Wendy Howell, Planning and Zoning Director
763 W. Avalon St.
P.O. Box 13
Kuna, ID 83634

RE: Kuna Planning Area Expansion and Proposed Comprehensive Plan Amendments

Dear Ms. Howell,

Thank you for this opportunity to comment on the City of Kuna’s proposed planning area boundary expansion and comprehensive plan amendments. Currently, pursuant to County Ordinance 378, the County adopted Kuna’s comprehensive plan and an area of city impact boundary for Kuna in 1999. Ordinance 378 also created a referral area but it does not recognize a “planning area”. Several years ago the County and Kuna began renegotiating on the Kuna area of city impact. Those negotiations included amendments to the adopted Kuna Comprehensive Plan applicable in the Kuna area of city impact as well as an area of city impact boundary expansion. But for several years now the renegotiations have been inactive.

The proposed planning area we have received does not match the boundaries of what Kuna had proposed during the prior negotiations for an area of city impact boundary. While we see some value in having a conceptual planning boundary for internal planning discussions, we do not believe that it is necessary for Kuna to adopt a “planning area” that exceeds the proposed area of city impact boundary. Furthermore, LLUPA does not recognize a “planning area” and as so such planning area would not carry the same legal significance as an officially adopted area of city impact, along with the adopted comprehensive plan and future land use map, with regard to future development occurring in such “planning area” but outside of an adopted area of city impact.

Given that the city desires to continue forward with two planning boundaries – the area of city impact and a planning area – we have the following comments on the expansion of the planning area and proposed comprehensive plan amendments:

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Second, the existing area of city impact for Kuna includes approximately 100 years of room for future growth¹. So, it is unclear from Ada County's perspective if an expansion of the current area of city impact could be justified. It would seem beneficial, however, to the city and its residents to seek expansion of the area of city impact in conformance with statutory requirements.

Third, while several years ago, Kuna and the County were in negotiations on proposed comprehensive plan amendments and area of city impact boundary expansion, it has been over two years since Ada County last reviewed Kuna's proposed comprehensive plan amendments and it is unclear whether or not the last version we have is the same as what is currently proposed. Further, the proposed amendments will need to be reviewed in light of current development conditions. Therefore, this letter is to inform you that the County disapproves of the proposed comprehensive plan amendments since we have not had sufficient time to review the documents. That review will come during negotiations as required under IC 67-6526.

Ada County looks forward to working with you to find the optimal solution for our community. When you are ready to begin renegotiations regarding Kuna's area of city impact agreement with the County, please send a letter to the County to that effect.

Sincerely,



Megan M. Leatherman, MCRP

Cc: BOCC

¹ Based upon the average net residential units permitted from 2001 to 2014, the build-out of the officially adopted area of city impact would take 108 years.

Wendy Howell

From: Lori Badigian <LBadigia@cdhd.idaho.gov>
Sent: Wednesday, February 04, 2015 9:01 AM
To: Wendy Howell
Subject: RE: Agency Notification

Wendy,

Due to the lack of infrastructure in this area, we assume that development will be utilizing onsite sewage disposal as a method of taking care of the wastewater needs. Soils in this area are typically shallow in depth and utilizing septic systems for large volumes of wastewater disposal could be a challenge.

Lori Badigian, REHS | Sr. Environmental Health Specialist
Central District Health
707 N. Armstrong Place | Boise, ID 83704
P: (208) 327-8517 | F: (208) 327-8553 | C: (208) 869-9118

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CDHD: Healthy People in Healthy Communities

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Exhibit
C-2



IDAHO TRANSPORTATION DEPARTMENT

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

(208) 334-8300
itd.idaho.gov

July 24, 2015

Wendy Howell
City of Kuna, Planning and Zoning Department
P.O. Box 13
Kuna, ID 83634

RECEIVED

JUL 28 2015

CITY OF KUNA

VIA EMAIL

RE: 14-01-CPM KUNA PLANNING AREA MAP AMENDMENT

The Idaho Transportation Department has reviewed the referenced planning area map amendment application for the City of Kuna. ITD has the following comments:

1. ITD has no objection to extending the easterly planning are boundary from S. Cole Rd. to S. Pleasant Valley Rd.

If you have any questions, you may contact Shona Tonkin at 334-8341 or me at 332-7191.

Sincerely,

James K. Morrison
Development Services Manager
jim.morrison@itd.idaho.gov

Exhibit
C3



Megan M. Leatherman, MCRP
Director

Ada County Courthouse
200 West Front Street
Boise ID 83702
208.287.7900
Fax 208.287.7909
www.adacounty.id.gov

Department Divisions
Building
Engineering & Surveying
Permitting
Planning & Zoning

Ada County Commissioners
Jim Tibbs, First District
Rick Yzaguirre, Second District
David L. Case, Third District

ADA COUNTY Development Services Department

August 4, 2015

City of Kuna
Mayor and Councilmembers
763 W. Avalon St.
P.O. Box 13
Kuna, ID 83634

RECEIVED

AUG 0 2015

CITY OF KUNA

RE: Kuna Planning Area Expansion and Proposed Comprehensive Plan Amendments

Dear Mayor Nelson and Councilmembers,

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The proposed planning area we have received does not match the boundaries of what Kuna had proposed during the prior negotiations for an area of city impact boundary. While we see some value in having a conceptual planning boundary for internal planning discussions, we do not believe that it is necessary for Kuna to adopt a "planning area" that exceeds the proposed area of city impact boundary. Furthermore, LLUPA does not recognize a "planning area" and as such such planning area would not carry the same legal significance as an officially adopted area of city impact along with the adopted comprehensive plan and future land use map, with regard to future development occurring in such "planning area" but outside of an adopted area of city impact.

Given that the city desires to continue forward with two planning boundaries – the area of city impact and a planning area – we have the following comments on the expansion of the planning area and proposed comprehensive plan amendments:

Exhibit

C-4

First, a planning area should not expand into another city's County approved, area of city impact. Kuna's proposed planning area should be moved to not encroach into Meridian's adopted area of city impact. The intent of IC 67-6526 is that area of city impact boundaries do not overlap and IC 67-6526(3)(c) provides for a process to remedy those that do overlap. Therefore, the County cannot support a planning area that overlaps with another city's area of city impact boundary.

Second, the existing area of city impact for Kuna includes approximately 100 years of room for future growth¹. So it is unclear from Ada County's perspective if an expansion of the current area of city impact could be justified. It would seem beneficial, however, to the city and its residents, to seek expansion of the area of city impact in conformance with statutory requirements.

Third, while several years ago, Kuna and the County were in negotiations on proposed comprehensive plan amendments and area of city impact boundary expansion, it has been over two years since Ada County last reviewed Kuna's proposed comprehensive plan amendments and it is unclear whether or not the last version we have is the same as what is currently proposed. Further the proposed amendments will need to be reviewed in light of current development conditions. Therefore, this letter is to inform you that the County disapproves of the proposed comprehensive plan amendments since we have not had sufficient time to review the documents. That review will come during negotiations as required under IC 67-6526.

Ada County looks forward to working with you to find the optimal solution for our community. When you are ready to begin renegotiations regarding Kuna's area of city impact agreement with the County, please send a letter to the County to that effect.

Sincerely,



Megan M. Leatherman, MCRP

Cc: BOCC
Mayor DeWeerd, Meridian City
Wendy Howell, Planning and Zoning Director

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STATE OF IDAHO
 DEPARTMENT OF ENVIRONMENTAL QUALITY
 BOISE REGIONAL OFFICE
 1445 North Orchard Street • Boise, ID 83706-2239 • (208) 373-0550

DEQ Response to Request for Environmental Comment

Date: 08/13/2015
 Agency Requesting Comments: City of Kuna Planning and Zoning
 Date Request Received: 07/15/2015
 Applicant/Description: 14-01-CPM Planning Area Map Amendment

Thank you for the opportunity to respond to your request for comment. While DEQ does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at <http://www.deq.idaho.gov/ieg/>.

The following information does not cover every aspect of this project; however, we have the following general comments to use as appropriate:

1. Air Quality

- *Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), trade waste burning (58.01.01.600-617), and odor control plans (58.01.01.776).*

For questions, contact David Luft, Air Quality Manager, at 373-0550.

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For questions, contact the DEQ Air Quality Permitting Hotline at 1-877-573-7648.

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- *DEQ recommends verifying that there is adequate sewer to serve this project prior to approval. Please contact the sewer provider for a capacity statement, declining balance report, and willingness to serve this project.*
- *IDAPA 58.01.16 and IDAPA 58.01.17 are the sections of Idaho rules regarding wastewater and recycled water. Please review these rules to determine whether this or future projects will require DEQ approval. IDAPA 58.01.03 is the section of Idaho rules regarding subsurface disposal of wastewater. Please review this rule to determine whether this or future projects will require permitting by the district health department.*

All projects for construction or modification of wastewater systems require preconstruction approval. Recycled water projects and subsurface disposal projects require separate permits as well.

- *DEQ recommends that projects be served by existing approved wastewater collection systems or a centralized community wastewater system whenever possible. Please contact DEQ to discuss potential for development of a community treatment system along with best management practices for communities to protect ground water.*
- *DEQ recommends that cities and counties develop and use a comprehensive land use management plan, which includes the impacts of present and future wastewater management in this area. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.*

For questions, contact Todd Crutcher, Engineering Manager, at 373-0550.

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- *DEQ recommends verifying that there is adequate water to serve this project prior to approval. Please contact the water provider for a capacity statement, declining balance report, and willingness to serve this project.*
- *IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval.*

All projects for construction or modification of public drinking water systems require preconstruction approval.

- *DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system (refer to the DEQ website at <http://www.deq.idaho.gov/water-quality/drinking-water.aspx>). For non-regulated systems, DEQ recommends annual testing for total coliform bacteria, nitrate, and nitrite.*
- *If any private wells will be included in this project, we recommend that they be tested for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.*
- *DEQ recommends using an existing drinking water system whenever possible or construction of a new community drinking water system. Please contact DEQ to discuss this project and to explore options to both best serve the future residents of this development and provide for protection of ground water resources.*
- *DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.*

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- *A DEQ short-term activity exemption (STAE) from this office is required if the project will involve de-watering of ground water during excavation and discharge back into surface water, including a description of the water treatment from this process to prevent excessive sediment and turbidity from entering surface water.*

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- The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call 208-334-2190 for more information. Information is also available on the IDWR website at: <http://www.idwr.idaho.gov/WaterManagement/StreamsDams/Streams/AlterationPermit/AlterationPermit.htm>
- The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.

For questions, contact Lance Holloway, Surface Water Manager, at 373-0550.

5. Hazardous Waste And Ground Water Contamination

- **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource Conservation and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.
- No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards, Rules and Regulations for Hazardous Waste, and Rules and Regulations for the Prevention of Air Pollution.
- **Water Quality Standards.** Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852).

Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.

Page 4 of 4

- **Ground Water Contamination.** DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."

For questions, contact Dean Ehlert, Waste & Remediation Manager, at 373-0550.

6. Additional Notes

- If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, the site should be evaluated to determine whether the UST is regulated by DEQ. EPA regulates ASTs. UST and AST sites should be assessed to determine whether there is potential soil and ground water contamination. Please call DEQ at 373-0550, or visit the DEQ website (<http://www.deq.idaho.gov/waste-mgmt-remediation/storage-tanks.aspx>) for assistance.
- If applicable to this project, DEQ recommends that BMPs be implemented for any of the following conditions: wash water from cleaning vehicles, fertilizers and pesticides, animal facilities, composted waste, and ponds. Please contact DEQ for more information on any of these conditions.

We look forward to working with you in a proactive manner to address potential environmental impacts that may be within our regulatory authority. If you have any questions, please contact me, or any of our technical staff at 208-373-0550.

Sincerely,

Danielle Robbins

Danielle Robbins
danielle.robbs@deq.idaho.gov
Boise Regional Office
Idaho Department of Environmental Quality

C: File # 2079



Megan M. Leatherman, MCRP
Director

Ada County Courthouse
200 West Front Street
Boise ID 83702
208.287.7900
Fax 208.287.7909
www.adacounty.id.gov

Department Divisions
Building
Engineering & Surveying
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Ada County Commissioners
Jim Tibbs, First District
Rick Yzaguirre, Second District
David L. Case, Third District

ADA COUNTY Development Services Department

March 3, 2015

City of Kuna
Wendy Howell, Planning and Zoning Director
763 W. Avalon St.
P.O. Box 13
Kuna, ID 83634

RE: Kuna Planning Area Expansion and Proposed Comprehensive Plan Amendments

Dear Ms. Howell,

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Second, the existing area of city impact for Kuna includes approximately 100 years of room for future growth¹. So, it is unclear from Ada County's perspective if an expansion of the current area of city impact could be justified. It would seem beneficial, however, to the city and its residents to seek expansion of the area of city impact in conformance with statutory requirements.

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Megan M. Leatherman, MCRP

Cc: BOCC

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From: Lori Badigian <LBadigia@cdhd.idaho.gov>
Sent: Wednesday, February 04, 2015 9:01 AM
To: Wendy Howell
Subject: RE: Agency Notification

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Central District Health
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July 24, 2015

Wendy Howell
City of Kuna, Planning and Zoning Department
P.O. Box 13
Kuna, ID 83634

RECEIVED

JUL 28 2015

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VIA EMAIL

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August 4, 2015

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P.O. Box 13
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RECEIVED

AUG 0 - 2015

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STATE OF IDAHO
 DEPARTMENT OF ENVIRONMENTAL QUALITY
 BOISE REGIONAL OFFICE
 1445 North Orchard Street • Boise, ID 83706-2239 • (208) 373-0550

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Date: 08/13/2015
Agency Requesting Comments: City of Kuna Planning and Zoning
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- **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource Conservations and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.
- No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards, Rules and Regulations for Hazardous Waste, and Rules and Regulations for the Prevention of Air Pollution.
- **Water Quality Standards.** Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852).

Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.

Page 4 of 4

- **Ground Water Contamination.** DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."

For questions, contact Dean Ehlert, Waste & Remediation Manager, at 373-0550.

6. Additional Notes

- If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, the site should be evaluated to determine whether the UST is regulated by DEQ. EPA regulates ASTs. UST and AST sites should be assessed to determine whether there is potential soil and ground water contamination. Please call DEQ at 373-0550, or visit the DEQ website (<http://www.deq.idaho.gov/waste-mgmt-remediation/storage-tanks.aspx>) for assistance.
- If applicable to this project, DEQ recommends that BMPs be implemented for any of the following conditions: wash water from cleaning vehicles, fertilizers and pesticides, animal facilities, composted waste, and ponds. Please contact DEQ for more information on any of these conditions.

We look forward to working with you in a proactive manner to address potential environmental impacts that may be within our regulatory authority. If you have any questions, please contact me, or any our technical staff at 208-373-0550.

Sincerely,

Danielle Robbins

Danielle Robbins
danielle.robbsins@deq.idaho.gov
Boise Regional Office
Idaho Department of Environmental Quality

C: File # 2079



City of Kuna

City Council Staff Report

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

To: City Council
File name: Linder Farms Special Use Permit (08-05-SUP) and Development Agreement (08-08-DA)
Location: 700 South Luker Road, Kuna, Idaho
Legal description: See EXHIBIT A.
Owners/developers: Linder Farms – Agri-tainment, Randall & Sherrie Feist
7165 S. Linder Road
Meridian, ID, 83643
208.371.9005
fandy@linderfarms.com

Hearing date: August 18, 2015

Factual background:

On August 5, 2008 14.72 +/- acres were approved for annexation, a Special Use Permit (SUP), Development Agreement (DA) and rezone from RR (Rural Residential – County) to A (Agriculture) zone classification in the city of Kuna. Further, as part of the annexation and rezone, the DA was a discretionary prerequisite for City approval.

In 2008, it was required that an applicant apply for a SUP to locate an "Agri-tainment" business in the Agriculture (Ag) zone within Kuna. However, code requiring the SUP has been changed to allow Agri-tainment businesses in the Ag zone as a permitted use; this means that an Agri-tainment business no longer requires an SUP. A copy of the original (2008) Findings of Fact and the Development Agreement are attached hereto as EXHIBIT B and C respectively.

Owner's 2015 request:

The owner requests the SUP and the DA be released for their property, as a SUP is no longer required for this type of business in the Agriculture zone.

Legal Requirements:

- 1. Idaho Code Section 67-6511A provides that each governing board, may, by ordinance adopted or amended in accordance with the notice and hearing provisions as provided for in Idaho Code Section 67-6509, that requires or permits as a condition of rezoning that an owner or developer make a written commitment concerning the use or development of the subject parcel; it further provides that the governing board shall adopt ordinance provisions governing the creation, form, recording, modification, enforcement and termination of conditional commitments.

- 2. The City of Kuna has adopted Title 5, Chapter 14 Development Agreements in compliance with Idaho Code Section 67-6511A.

2.1. Kuna City Code, Section 5-14-7 provides that development agreements may be modified by the city council only after complying with the notice and public hearing provisions of Idaho Code Section 67-6509.

Recommendation and Conclusions:

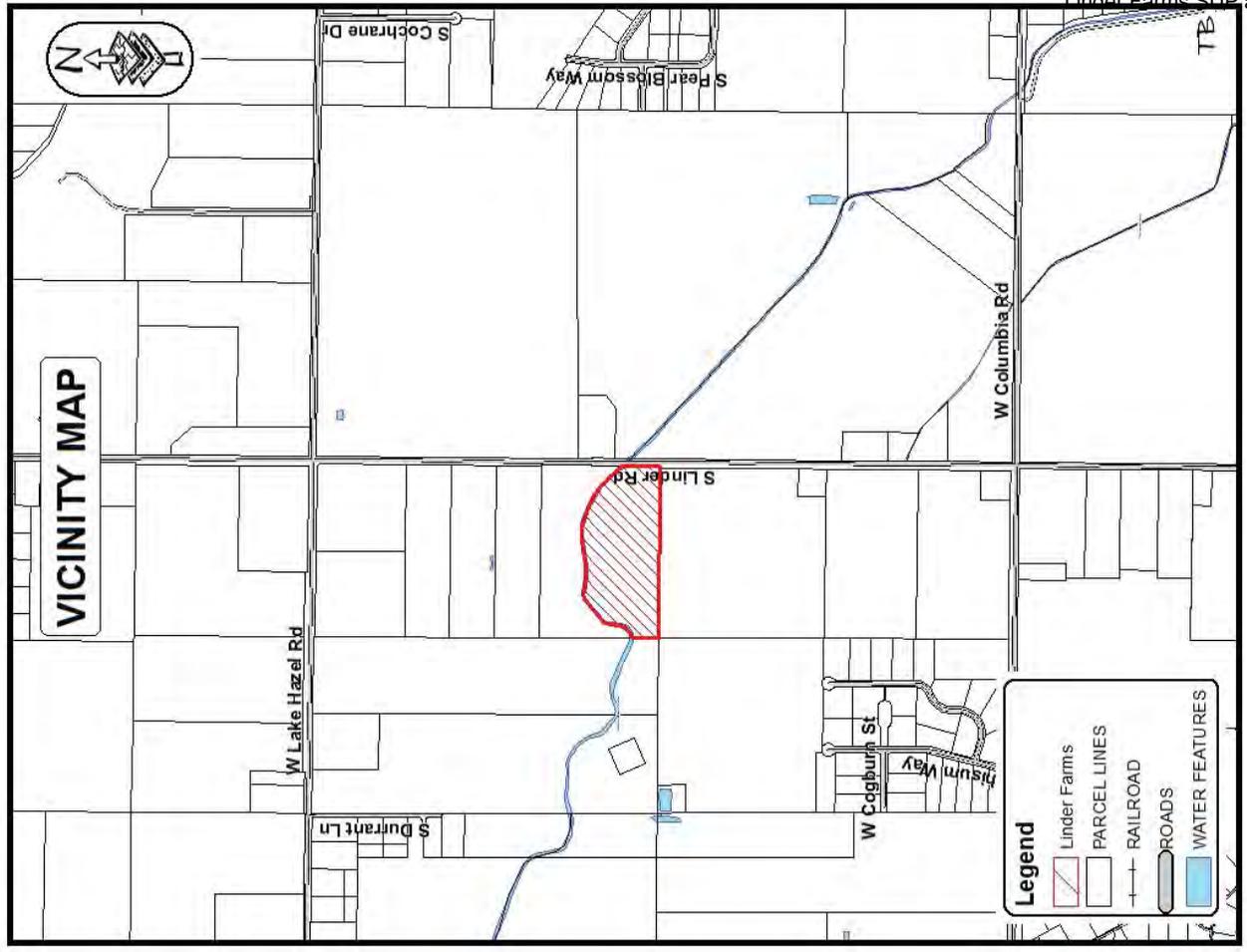
- 1. Kuna City Code does not expressly provide for the procedure to release of a development agreement after the conditions have been satisfied, or if the property should no longer be subject to the development agreement. However, Kuna City Code does provide for the procedure to modify a development agreement, and implicit in this process would be to use the modification procedure to remove certain conditions and/or release the property from the encumbrance. As the modification procedure follows the more stringent notice and public hearing process, in this case the noticing requirements have been complied with in regard to the modification (removal of conditions) and the release of the development agreement. Finally, as discussed above, the project exists in a zone that no longer requires a SUP. It is the recommendation of City staff that the Special Use Permit and the Development Agreement be released from the affected property.

Dated this ___ day of August 2015.

W. Greg Nelson, Kuna Mayor

ATTEST:

Chris Engels
Kuna City Clerk



25 June 2015

Re: Linder Farms (Randall and Sherrie Feist) Development Agreement and Special Use Permit

Dear Kuna P&Z,

We are requesting the release of the existing Special Use Permit and Development Agreement that we entered into when annexed into the City of Kuna. As AGRITAINMENT is now an ALLOWED use on AG property, these agreements are redundant.

Attached are maps, the letter sent to neighbors about the neighborhood meeting and minutes from that meeting.

Sincerely,




RECEIVED
 JUN 29 2015
 CITY OF KUNA

Randall Feist and Sherrie Feist,
 7165 S Linder Rd
 Meridian, ID 83642
 (208) 371-9005
 randy@linderfarms.com

29 May 2015

Re: Linder Farms Development Agreement and Special Use Permit

Dear Neighbor,

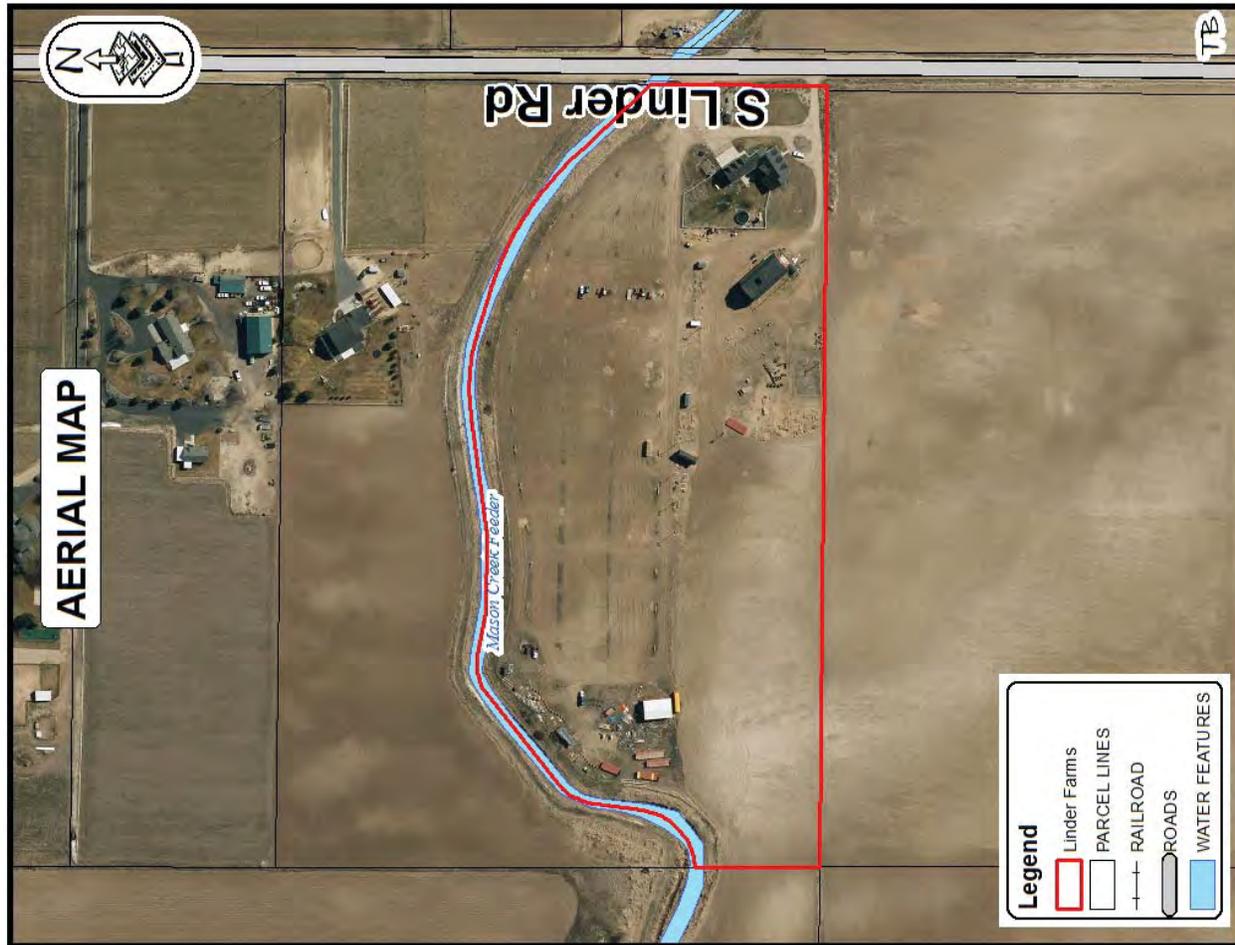
Shemie and I are applying to the city of Kuna for a release of our property's existing Development Agreement and its accompanying Special Use Permit. The city code requires that we invite you to a neighborhood meeting.

You are invited to a Neighborhood Meeting to answer any questions regarding this application:

When: Saturday, 6 June 2015, 10:00am
Where: Our back yard - 7165 S Linder Rd. Meridian, ID 83642

Sincerely,

Randy Feist,
7165 S Linder Rd
Meridian, ID 83642
(208) 371-9005
randy@linderfarms.com



LEGAL DESCRIPTION

EXHIBIT 'A'

Order Number: 01012711

A TRACT OF LAND LOCATED IN THE SE1/4 NE1/4 SECTION 2, T.2E., R.1W., S.M., B.M. ADA COUNTY, IDAHO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SE CORNER OF THE SAID SE1/4 NE1/4 SECTION 2, T.2E., R.1W., S.M., B.M. SAID POINT BEING THE REAL POINT OF BEGINNING;

THENCE S 89°58'38" W, 1314.70 FEET TO A POINT ON THE CENTERLINE OF THE MASON CREEK FERRER CANAL, N. 205.00 FEET TO THE LEFT, SAID CANAL HAVING AN EASEMENT OF 37 FEET TO THE SOUTH AND 35 FEET TO THE NORTH OF THE CENTERLINE; THENCE ALONG THE ARC OF THE SAID CURVE TO THE LEFT 149.08 FEET TO A POINT ON THE CENTERLINE OF SAID CANAL. SAID CURVE HAVING A RADIUS OF 59.51 FEET, A CHORD OF N 47°04'14" E, 128.89 FEET, AND A TANGENT OF S 84°33' FEET; THENCE N 6°54'11" E, 76.25 FEET TO A POINT ON THE CENTERLINE OF SAID CANAL AND THE BEGINNING OF A CURVE TO THE RIGHT; THENCE ALONG THE ARC OF THE SAID CURVE TO THE RIGHT 76.02 FEET TO A POINT ON THE CENTERLINE OF SAID CANAL, SAID CURVE HAVING A RADIUS OF 84.86 FEET, A CHORD OF S 28°58'32" E, 74.18 FEET, AND A TANGENT OF S 81°00' FEET; THENCE S 50°37'34" E, 20.00 FEET TO THE RIGHT; THENCE ALONG THE ARC OF THE SAID CURVE TO THE RIGHT 55.43 FEET TO A POINT ON THE CENTERLINE OF SAID CANAL, SAID CANAL HAVING A RADIUS OF 75.19 FEET, A CHORD OF N 75°55'11" E, 63.46 FEET, AND A TANGENT OF S 45.90 FEET; THENCE S 79°07'11" E, 75.12 FEET TO AN ANGLE POINT ON THE CENTERLINE OF SAID CANAL; THENCE S 89°13'57" E, 125.64 FEET TO AN ANGLE POINT ON THE CENTERLINE OF SAID CANAL; THENCE N 81°20'20" E, 134.86 FEET TO A POINT ON THE CENTERLINE OF SAID CANAL AND THE BEGINNING OF A CURVE TO THE RIGHT; THENCE ALONG THE ARC OF THE SAID CURVE TO THE RIGHT 147.43 FEET TO A POINT ON THE CENTERLINE OF SAID CANAL, SAID CURVE HAVING A RADIUS OF 325.71 FEET, A CHORD OF S 85°41'39" E, 146.17 FEET, AND A TANGENT OF 75.00 FEET; THENCE S 72°43'37" E, 61.00 FEET TO A POINT ON THE CENTERLINE OF SAID CANAL AND THE BEGINNING OF A CURVE TO THE RIGHT; THENCE ALONG THE ARC OF THE SAID CURVE TO THE RIGHT 284.37 FEET TO A POINT ON THE CENTERLINE OF SAID CANAL, SAID CURVE HAVING A RADIUS OF 550.80 FEET, A CHORD OF S 87°55'46" E, 281.42 FEET, AND A TANGENT OF S 45.54 FEET; THENCE S 43°07'53" E, 198.33 FEET TO THE INTERSECTION OF THE CENTERLINE OF SAID CANAL AND THE EAST LINE OF SAID SECTION 2, FROM WHICH THE NE CORNER OF SAID SECTION BEARS N 0°05'49" W, 2358.21 FEET; THENCE S 0°03'48" E, 356.41 FEET TO THE REAL POINT OF BEGINNING.

EXCEPT THE FOLLOWING DESCRIBED PARCEL:

A TRACT OF LAND LOCATED IN THE SE1/4 NE1/4 SECTION 2 T.2N, R.1W, S.M., ADA COUNTY, IDAHO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE SE CORNER OF THE SAID SE1/4 NE1/4 SECTION 2 T.2N, R.1W, S.M., THENCE N 0°05'48" W, 3.47 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 2, THENCE S 89°54'13" W, 25.00 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF BINDER ROAD AND THE REAL POINT OF BEGINNING; THENCE CONTINUING S 89°54'13" W, 9.00 FEET TO A POINT; THENCE PARALLEL WITH THE EAST LINE OF SAID SECTION 2, N 0°05'48" W, 265.07 FEET TO A POINT ON THE CENTERLINE OF THE MASON CREEK FERRER CANAL; THENCE ALONG THE CENTERLINE OF SAID CANAL S 43°07'52" E, 7.13 FEET TO A POINT; THENCE S 0°03'48" E, 273.72 FEET TO THE REAL POINT OF BEGINNING.

TOGETHER WITH ALL WATER RIGHTS AND EASEMENTS OF RECORD OR IN USE.

SA ROR GOM HM

RECEIVED

EXHIBIT A
KUNA P & Z

ORDINANCE NO. 2008-24

Minutes from 6 June 2015 Neighborhood Meeting.

Time: 10am
Place 7165 S Linder Rd (our back yard).

Deb Johnson along with John and Cherie Tucker arrived right at 10am

Wendy Hamlin showed up about 15 minutes later.

Some key points.

General questions about what we are applying for - I explained that because AGRITAINMENT was a permitted use on AG property according to Kuna City code, the development agreement was redundant and confusing. Therefore we are asking to have it removed.

It was asked if we are adding any new attractions this year. Our response was that we are just doing maintenance and replacement of some things that have deteriorated. No new stuff.

The Tuckers wanted to know if we would consider relocating. Our response was no.

The Tuckers asked if we consider neighbors when making decisions about the operation. Our response was yes, but not above our consideration for staying within the law and providing a good experience for attendees.

Wendy Hamlin voiced her support for the Linder Farms operation. She said it is only 5 weeks and although an intrusion to her, she enjoys what it does for the community and is fun.

Cherie asked if we would consider closing earlier each night. We said that we would consider it, but it would drastically cut into the only 2 or 3 hours of dark that the Haunt operates in. So probably not.

John voiced frustration from the loud noises.

1. Engine revving (likely from the haunt - we modified that mid season last year)
2. People arming car alarms or worse using the "panic" button to help them locate their car.

The Tuckers are frustrated that the city does not have a noise ordinance and does not enforce the County's 10pm ordinance.

The Tuckers feel the city has not paid attention to their complaints.

EXHIBIT 'B'

Section	Subject
A	Existing Site Conditions
B	Procedural Items
C	Staff Analysis, Findings & Conditions
D	Government Requirements
F	Exhibits
E	Standard Conditions of Approval
F	Applicable Legal Standards

NOTE:
The following conditions are based upon agency reviews at the time of report construction. In the event additional information is received, the applicant will be obligated to those further requirements.

A. Existing Site Conditions

1. Surrounding Land Use and Zoning: Boise & Linder

North	RR	Rural Residential Ada County
South	A	Agricultural
West	A	Agricultural
East	R-6	Medium Density Residential

2. Parcel Number:

S1302142020

3. Property Size:

Approximately 14.67 acres

4. Existing Structures:

House, Shed, Barn

5. Existing Vegetation:

Agricultural

6. Comprehensive Future Land Use Map:

The site is identified as Low Residential on the Comprehensive Future Land Use Map.

B. Procedural Items:

EXHIBIT 1 Feist Properties 08-07-AN, 08-08-DA City Council 6-25-08

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Received Application	Accepted Application	Gov't Agency Notification	Property owners 300-ft. notification	Legal Hearing Publication	Posted Public hearing sign
3-11-08	4-23-08	5-16-08	5-16-08 6-30-08	7-4-08 7-9-08	7-14-08 7-25-08

C. Staff Analysis/Findings and Conditions:

Annexation – Kuna City Code

1. Transmittal to Commission and Council(KCC 5-13-4, 5-13-5 and 5-13-8)

- A. Requests for an amendment to this zoning title shall be submitted to the planning and zoning commission which shall evaluate the request to determine the extent and nature of the amendment request.
- B. If the request is in accordance with the adopted comprehensive plan, the commission may recommend and the council may adopt or reject the ordinance amendment under the notice and hearing procedures provided in section 5-6-6 of this title.
- C. If the request is not in accordance with the adopted comprehensive plan, the request shall be submitted to the planning and zoning commission or, in its absence, the council, which shall recommend and the council may adopt or reject an amendment to the comprehensive plan under the notice and hearing procedures provided in section 67-6509, Idaho Code. After the comprehensive plan has been amended, the zoning regulations may then be amended.

Annexation, Area of Impact (KCC 5-15-2) (Idaho Statute 50-222)

Kuna City Code requires that all annexations by the city of Kuna shall be in compliance with Idaho Code Section 50-222 and its amendments. Idaho Statute 50-222 requires lands lying contiguous or adjacent (with the exception of lots or blocks that will connect only by a shoestring or strip of land which comprises a railroad or highway right-of-way, which are prohibited) to any city in the state of Idaho may be annexed by the City if the proposed annexation meets the requirements of the category "A" annexation process.

Staff Comments:

- The Commission evaluated the annexation from "RR" to "A" request and determined the extent and nature of the amendment request.
- The annexation request is in accordance with the adopted Comprehensive Plan.
- A request for a Comprehensive Plan map amendment is not necessary due to the fact the zone the applicant is applying for is in accordance with the adopted Comprehensive Plan map.
- Public notice and procedural items have been completed as required by Kuna City Code.

EXHIBIT 1 Feist Properties 08-07-AN, 08-08-DA City Council 6-25-08

Page 4 of 26

EXHIBIT 'B'

- Any employee preparing food for the concessions will be required to have a food handler's license from Central District Health.
- Food products offered for sale will be limited to popcorn, soda, nachos, suckers, hot chocolate, coffee, hot apple cider, mini doughnuts, burgers, fries, hot dogs, cotton candy, pizza slices, BBQ sandwiches, ice cream cones, caramel and fresh apples, corn on the cob and fresh apple cider.
- Additional food items may be requested at any time.
- Hours of operation: _____

3.1.2.2 Farmers Market

- Hours to be open _____
- Apply appropriate food handling methods to ensure against food contamination and /or produce exposure to insects, rodents and other animals.
- Store empty crates, buckets, and/or baskets in clean and sanitary manner.
- Ensure that garbage/produce waste is properly disposed.
- Keep all food stuff/produce off of the ground.
- Assure perishable foods are properly refrigerated.
- Provide customers adequate sanitary waste facilities.
- Sounds emanating from the farmers market/ agritainment shall be inaudible at the property boundary.

3.1.3: Building Permits:

- 3.1.3.1: Acquire all necessary building permits, complying with all building code requirements and inspection processes.

3.1.4: Comprehensive Plan:

- 3.1.4.1: All development activity shall be initiated consistent with the provisions City of Kuna's Comprehensive Plan.

3.1.5: Construction Etiquette:

- 3.1.5.1: In the event the applicant shall engage in permitted operation expansions the applicant shall post and maintain a "rules and regulation sign" at the entryways to the site during construction. The signs would be intended for the subcontractors performing the work and should include: 1) no dogs; 2) no loud music; 3) no alcohol or drugs; 4) no abusive language; 5) dispose of personal trash and site debris; 6) clean up any mud and/or dirt that is deposited from the construction site onto the public street; 7) installation of temporary construction fence that would keep debris from blowing off site; 8) no burning of construction or other debris on the property.

3.1.6: Design Review:

EXHIBIT 'B'

- The Planning and Zoning Commission has made a recommendation to Kuna City Council with a decision regarding the rezoning request as required by Kuna City Code along with a development agreement.
- The City Council shall consider the Planning and Zoning Commission's recommendations and either accept or reject them by a vote of one-half (1/2) plus one of the council members.
- Upon granting or denying the annexation application, the City Council shall specify: a) The ordinance and standards used in evaluation the application; b) The reasons for approval or denial; and c) The actions, if any, that the applicant could take to obtain a permit if denied.

Development Agreement:

- 3.1: The use(s) allowed and restricted pursuant to this conditional annexation and rezoning as reflected in this Agreement are as follows:

- 3.1.1: The Order of Decision for the annexation and land use zone classification, including all conditions of approval, is hereby made a part of the development agreement. In the event there is competing conditional language, the stricter condition shall apply unless specifically stated otherwise in this development agreement.

3.1.2 Agricultural/Agritainment Uses

- 3.1.2.1: The following agritainment activities are permitted September 1 through November 15 of each year:

- Straw Bale Maze
- Corn Maze
- Hayrides
- Inflatable's (Astro Jumps, Slides)
- Barrel Train Rides
- Pumpkin Slingshot
- Petting Zoo
- Food Concessions
- These activities will be placed on the property in such a manner as not to interfere with street traffic.
- The land use activities will be supported by adequate parking areas.
- The uses will be placed and arranged as to not interfere with the adjoining neighbor's privacy and use of their land.
- Signage indicating activities is subject to City approval.
- The driveway entrance shall be adequately marked and lighted after dusk to assist entry and exit.

3.2.1. A. Food Concessions

- Food Concessions area where food is prepared and sold on site will be inspected and certified by Central District Health on an annual basis or as needed.

EXHIBIT 'B'

- 3.1.6.1: Developer agrees to submit a Design Review application for any proposed commercial buildings, landscape, parking and signage use; multi-family dwellings; or subdivision entry/exit location, common area, and signage use along with the associated land use permitting.
- 3.1.7: Engineering Calculations / Drawings / Plans / Reports:
 - 3.1.7.1: The application shall obtain a letter from the City Engineer recommending engineering approval of construction drawings, drainage and stormwater plans, final plat and lighting plans where applicable.
 - 3.1.7.2: The applicant shall provide the City engineer with fire flow, water distribution and wastewater calculations and acquire all necessary permits and pay all associated fees where applicable.
- 3.1.8: Fencing:
 - 3.1.8.1: Any fencing that is installed on the site shall be constructed and placed according to the City's Zoning Standards; no wood fencing is permitted.
- 3.1.9: Federal, State, Local and Special purpose standards:
 - 3.1.9.1: The applicant shall comply with all applicable federal, state, local and special purpose standards as they apply to the agricultural operation and accessory uses.
- 3.1.10: Fire:
 - 3.1.10.1: Fire Hydrants and Water Mains: Adequate fire protection shall be required in accordance with the appropriate fire district standards.
 - 3.1.10.2: The Kuna Fire District must approve all fire flow requirements and/or building plans.
- 3.1.11: Irrigation:
 - 3.1.11.1: The applicant is to comply with Section §31-3805 of the Idaho Code pertaining to irrigation water. Irrigation / drainage waters shall not be impeded by site construction. Compliance with the specific requirements of the Boise Project Board of Control is required.
 - 3.1.11.2: The applicant shall provide the City Engineer an irrigation plan for his review and approval. The applicant shall acquire all of the permits and inspections necessary to connect the irrigation system to the City water utility. The irrigation system shall be constructed to City standards. The applicant shall pay for any offsite improvements necessary to connect into the City's water utility.

EXHIBIT 'B'

- 3.1.12: Land Use Requirements:
 - 3.1.12.1: Comply with Kuna City's land use requirements unless otherwise modified by this agreement.
 - 3.1.12.2: No other uses, other than those identified as existing or requested shall be introduced to the operation without public review.
 - 3.1.12.3: The applicant shall meet all requirements set forth in the City of Kuna Zoning Ordinance.
 - 3.1.12.4: Owner hereby voluntarily, knowing and intentionally waives the rights and privileges set out in Idaho Code §67-6511(d) that might prohibit the City from rezoning the property over the Owner's objection within four (4) years after granting the zone designation(s) sought in this current application.
- 3.1.13: Landscape:
 - 3.1.13.1: Further site improvements shall be subject to the City's landscape ordinance as well as the City's design review process (which may differ from the City's landscape ordinance). The landscape plan shall be accompanied by an irrigation plan as all landscape needs to be supported by a water source.
- 3.1.14: Maps:
 - 3.1.14.1: The applicant shall provide map(s) showing the location of all existing sewer, water mains, culverts, drain pipes, gas and electric conduits or telephone lines that service or proposed services to the property. The applicant shall also provide a map(s) showing all easements by use such as, but not limited to, roads, driveways, buried or overhead utilities, and drainage.
- 3.1.15: Outdoor Lighting:
 - 3.1.15.1: All outdoor lighting shall be installed to the City's standards and be designed so it does not shine on the adjoining properties.
- 3.1.16: Parking and Driveway:
 - 3.1.16.1: All parking shall be installed to City standards.
 - 3.1.16.2: The applicant shall submit a parking plan in accordance with the site plan. The parking plan will reflect the placement of the required parking spaces. Under no circumstances shall the development's parking demands be satisfied off the site to include use

EXHIBIT 'B'

of City streets for parking purpose. The parking plan is subject to engineering approval.

3.1.16.2.1 The applicant shall have the farmer's market driveway entrances lighted. The applicant shall adhere to the dark skies concept and to City's standards for lighting. The applicant is installing a pole 12 feet high with two (2) 500 watt lights on it to light the entrance, but is still maintaining the dark sky concept.

3.1.16.2.2 The parking lot and ingress/ egress shall be graveled and the parking stalls demarked. The applicant has graveled and demarked with marking paint 12 parking spots and designated two (2) for handicap.

3.1.16.2.3 Dirt or debris from the parking lot shall not be tracked onto City streets. If debris is tracked on the roadway the applicant will be responsible for its safe removal.

3.1.16.2.4 The driveway entrance shall be approve and be a minimum of 40 feet wide.

3.1.17: Permits and Applicable Fees:

3.1.17.1: The applicant shall acquire all permits and pay all applicable fees.

3.1.18: Plat Map / Deed / Title Report

3.1.18.1: The applicant shall provide the City a recorded plat map and deed for the property. The applicant shall furnish a title report issued by the title insurance company verifying ownership of real property that is to be dedicated to the public.

3.1.19: Roads / Ada County Highway District (ACHD) / Idaho Transportation Department (ITD).

3.1.19.1: Comply with ACHD and ITD and with Kuna City Code road improvements requirements.

3.1.19.2: Should any agency requirements conflict, the more stringent standards shall apply.

3.1.20: Sanitary Sewer:

3.1.20.1: The applicant shall connect to the City's sanitary sewer system at time of development or redevelopment. The applicant shall provide a sanitary sewer design to the City engineer for review and corrections. The applicant shall acquire all of the permits and inspections necessary to connect into the City's sewer utility. The

EXHIBIT 'B'

sewer system shall be constructed to City utility district standards. The applicant shall pay for any offsite improvements necessary to connect into the City's sewer utility.

3.1.21.2: The applicant will need to provide portable toilet facilities during the time period September through November as that being the time of active agtainment.

3.1.22: Site Plans:

3.1.22.1: The overall site/handscape plan drawn by _____ and dated _____ shall be considered a binding site plan for purposes of this land use application. Any deviation of this site plan by more than five percent (5%) will require another neighborhood meeting and public hearings for review and approval purpose.

3.1.23: Signage:

3.1.23.1: Any signage placed at the site is subject to the City's design review process. No signs shall be placed on fences, buildings or other structures for advertising or promotion purpose unless approved through the City's design review process and in compliance with any signage requirements in place at the time the applicant seeks a signage permit.

3.1.23.2: All site signage and/or monument placement is subject to design review to include building identification signage. If site signage or monuments are lighted they must be designed according to the City's outdoor lighting standards.

3.1.24: Sidewalks and Pathways:

3.1.24.1: Upon further development of property the applicant is subject to Kuna City Code, ACHD, and ITD improvements required and possible roadway dedications.

3.1.25: Stormwater / Drainage:

3.1.25.1: Stormwater impacts associated with property expansion shall be mitigated in accordance with the City's stormwater management policy. The engineer of record is to provide calculations, which indicated that the assumptions in their stormwater drainage plan comply with the requirements of the City's stormwater policy. Any off-site discharge will require written approval from the City and other Agencies responsible for receiving the fugitive stormwater.

3.1.25.2: At time of further development the applicant shall provide the City Engineer stormwater management plans and a drainage report showing how drainage flows from impervious surfaces will be addresses through surrace and subsurface stormwater

EXHIBIT 'B'

detention/retention features and retained on-site. Upstream and downstream drainage investigation is recommended to determine the extent of contributing and affected drainage areas and appropriate temporary and permanent drainage structure improvement. The drainage plan shall conform to the City's Drainage Management Guidelines. Stormwater detention/retention facilities will be designed to cover a 100-year storm event, the drainage report shall include an erosion control plan.

3.1.25.3: The City Engineer must approve a surface drainage run-off plan. As recommended by Central District Health Department (CDHD), the plan should be designed and constructed in conformance with standards contained in "Catalog for Best Management Practices for Idaho Cities and Counties".

3.1.25.4: Storm Drainage and/or Street Runoff must be retained on-site.

3.1.25.5: Surface drainage shall be designed so that it minimizes "ponding" issues to lessen mosquito breeding problem.

3.1.26: Trees:

3.1.26.1: Applicant is not to remove any mature trees from the site (if any exist) unless that action is approved by City staff and is in accordance with City Code.

3.1.26.2: The applicant shall provide a tree replacing strategy to compensate for tree removal that provides no net tree loss. The applicant is encouraged to retain trees with a six inch (6") or greater caliper. The applicant's tree removal and replanting strategy is subject to the City's arborist's and tree committee's review and approval. The applicant will need to show tree plantings and method of their planning on the landscape plan. The applicant will need to provide for a variety of trees that are compatible to the area.

3.1.27: Underground Utilities:

3.1.27.1: Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services.

3.1.27.2: All public utilities shall be placed underground if possible. A utility easement of sufficient width as determined by the City Engineer shall be placed around the exterior subdivision boundary for utility and drainage easement purpose.

3.1.28: Underground Storage Tanks, Utilities, Wells or Septic Systems:

3.1.28.1: If underground storage tanks, underground utilities, wells or septic systems are discovered during construction, they shall be

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removed or abandoned in accordance with federal, state, and local agency requirements.

3.1.29: Water:

3.1.29.1: At time of development, the applicant shall connect to the City's Water system. The applicant shall provide its potable water design to the City Engineer for review and corrections. The applicant shall acquire all of the permits and inspections necessary to connect into the City's water utility. The water lines, meter locations and waterline valves will need to be reviewed by the City's public works staff and shall be constructed to City standards. Water lines are to be looped though the property. The applicant shall pay for any off-site improvements necessary to connect into the City's water utility.

3.1.29.2: Water Rights:

3.1.29.2.1: Water rights appurtenant to a tract of land, subject to annexation, shall remain with the land or be dedicated to the City. The water rights associated with annexation process may not be sold, abandoned, or transferred off the land (except to the City).

3.1.30: Weeds:

3.1.30.1: Developer agrees to be responsible for the control and removal of noxious weeds.

3.1.31: Zoning:

3.1.31.1: Developer shall meet all of the underlying requirements of the A (Agricultural) district with respect to the future planned improvements to include maximum building height of forty- five feet (45) for "A" and the zoning setback requirements, unless these requirements are modified and the changes agreed to through this agreement.

Special Use

3. General Applicable Special Use Standards (KCC 5-6-3 A-1)

The Planning & Zoning Commission shall review the particular facts and circumstances of each proposed Special Use Permit in terms of the following standards and shall find adequate evidence showing that such use at the proposed location:

- a. Will, in fact, constitute a Special Use as established on the official schedule of district regulations for the zoning district involved.
- b. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the comprehensive plan and/or these zoning regulations.
- c. Will be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of

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the general vicinity and that such use will not change the essential character of the same area.

- d. Will not be hazardous or disturbing to existing or future neighboring uses.
- e. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage, structures, refuse disposal, water and sewer and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.
- f. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
- g. Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.
- h. Will have vehicular driveway approaches to the property, which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.
- i. Will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

D. Government Agency Requirements:

**3. Government Agency Review
3.1: Ada County Highway District (ACHD): Existing Roadway Improvements and Right-of-Way Adjacent To and Near the Site**

- Linder Road is currently improved with 2 traffic lanes, and no curb, gutter or sidewalk abutting or across from the site. There is 60-feet of right-of-way existing for Linder Road (30-feet from centerline abutting the site)
1. **Existing Access:**
There are currently two defined access points to this property. The first access intersecting Linder Road is 22-feet in width and located approximately 57-feet south of the northern property boundary (measured property line to near edge). The second access intersecting Linder Road is 16-feet in width and located approximately 10-feet from the southernmost property line (measured property line to near edge).
 2. **Site History:** ACHD has not previously reviewed this site.

Development Impacts:

3. **Trip Generation:**

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This development is estimated to generate **xxx** additional vehicle trips per day (10 existing) based on the Institute of Transportation Engineers Trip Generation Manual.

4. **Impact Fees:**
There will be an impact fee that is assessed and due prior to issuance of a building permit. The assessed impact fee will be based on the impact fee ordinance that is in effect at that time.
5. **Traffic Impact Study:**
A traffic impact study was not required with this application.
6. **Capital Improvements Plan/Five Year Work Program**
There are no improvements currently scheduled in the Capital Improvements Plan (CIP) or the Five Year Work Plan in the vicinity of the proposed site.

A. Findings for Consideration

1. **Linder Road**
Right-of-Way Policy: District policy requires 96-feet of right-of-way on arterial roadways (Figure 72-F1B). This right-of-way allows for the construction of a 5-lane roadway with curb, gutter, 5-foot concrete detached sidewalks and bike lanes.
Sidewalk Policy: District policy requires 7-foot wide attached (or 5-foot detached) concrete sidewalk on all collector roadways and arterial roadways (7204.7.2).
Applicant's Proposal: The applicant is not proposing any improvements to Linder Road.
Staff Comment/Recommendations: The applicant will be required to dedicate 48-feet of right-of-way from the centerline of Linder Road abutting the site. The applicant will be required to construct 5-foot concrete sidewalk, a minimum of 41-feet from the centerline of the roadway abutting the site.
2. **Driveways**
Arterial/Collector Roadway Access Policy: District policy 7207.8 states that direct access to arterials and collectors is normally restricted. The developer shall try to use combined access points. If the developer can show that the use of a combined access point to a collector or arterial street is impractical, the District may consider direct access points. Access points for proposed developments at intersections should be located as far from the intersection as practical, and in no case closer than as illustrated on Figure 72-F4, unless a waiver for the access point has been approved by the District Commission.

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Successive Driveway Policy: District policy 72-F5, requires driveways located on collector or arterial roadways with a speed limit of 50 to align or offset a minimum of 255-feet from any existing or proposed driveway.

Driveway Paving Policy: Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7207.9.1, the applicant should be required to pave the driveway its full width and at least 30-feet into the site beyond the edge of pavement of the roadway and install pavement tapers with 15-foot radii abutting the existing roadway edge.

Commercial Driveway Width Policy: District policy 7207.9.3 restricts commercial driveways with daily traffic volumes over 1,000 vehicles to a maximum width of 36-feet. Most commercial driveways will be constructed as curb-cut type facilities if located on local streets. Curb return type driveways with 15-foot radii will be required for driveways accessing collector and arterial roadways.

Applicant's Proposal: The applicant is proposing one 50-foot driveway access to intersect Linder Road next to the northernmost property line.

Staff Comment/Recommendations: The location of the driveway meet's District policy. The width of the proposed driveway access to intersect Linder Road does not meet District policy, and will not be approved as proposed. The applicant will be required to construct the driveway to a maximum width of 36-feet. The applicant shall pave the driveway its full widths and at least 30-feet into the site beyond the edge of pavement of the roadway and install pavement tapers with 15-foot radii abutting the existing roadway edge.

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

4. **Other Access**
Linder Road is classified as a minor arterial roadway. Other than the access specifically approved with this application, direct lot access is prohibited to this roadway.

B. Site Specific Conditions of Approval (Revised 7-28-08)

1) Dedicate 48 feet of right-of-way from the centerline of Linder Road abutting the parcel.

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2) Other than the access specifically approved with this application, direct lot access is prohibited to Linder Road.

3) Comply with all Standard Conditions of Approval.

D. Standard Conditions of Approval

1. Any existing irrigation facilities shall be relocated outside of the right-of-way.

2. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.

3. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.

4. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.

5. All design and construction shall be in accordance with the Ada County Highway District Policy Manual, IS-PWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Ordinances unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.

6. The applicant shall submit revised plans for staff approval, prior to issuance of building permit (or other required permits), which incorporates any required design changes.

7. Construction, use and property development shall be in conformance with all applicable requirements of the Ada County Highway District prior to District approval for occupancy.

8. Payment of applicable road impact fees is required prior to building construction in accordance with Ordinance #200, also known as Ada County Highway District Impact Fee Ordinance.

9. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-800-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.

10. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of the Ada County Highway District. The burden shall be upon the applicant to

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obtain written confirmation of any change from the Ada County Highway District.

- 11. Any change by the applicant in the planned use of the property which is the subject of this application, shall require the applicant to comply with all rules, regulations, ordinances, plans, or other regulatory and legal restrictions in force at the time the applicant or its successors in interest advises the Highway District of its intent to change the planned use of the subject property unless a waiver/variance of said requirements or other legal relief is granted pursuant to the law in effect at the time the change in use is sought.

E. Conclusions of Law

- 1. The proposed site plan is approved, if all of the Site Specific and Standard Conditions of Approval are satisfied.

- 2. ACHD requirements are intended to assure that the proposed use/development will not place an undue burden on the existing vehicular transportation system within the vicinity impacted by the proposed development.

3.2: Ada County Assessor- no response

3.3: Boise – Kuna Irrigation District: This property is under New York Irrigation District, no comment.

3.4: Boise Project Board of Control: The United States Mason Creek Canal lies within the boundary of the above mentioned location. The easement for this canal is held in the name of the United States through the Bureau of Reclamation under the authority of the Act of August 30, 1890 (26 Stat. 391; 43 U.S.C 945).

The Boise Project Board of Control is contracted to operate and maintain this canal. We assert this federal easement 37 feet north and 35 feet south of the canal centerline. Whereas this area is for the operation and maintenance of our facility, no activity should hinder our ability to do so.

Fencing (as may be required) must be constructed just off the canal easement, to ensure public safety and prevent encroachments.

The construction of any roadway crossings must be conducted only during the non-irrigation season when the lateral is dewatered. In any case no work shall take place within the easement before the proper crossing agreements have been secured through the Bureau of Reclamation and the Boise Project Board of Control.

Utilities planning to cross any project facility must do so in accordance with the master policies now held between the Bureau of Reclamation and most of the utilities. In any case, no work shall take place within the easement before proper crossing agreements have been secured through both the Bureau Reclamation and the Boise Project Board of Control. Crossing agreements must be secured

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and signed by all parties prior to March 1st of each year. A time schedule for the construction to be done during the non-irrigation season must be approved by Boise Project prior to any activity within Project easements. No construction will be allowed within the easement boundaries of the Boise Project Board of Control and utilities boring underneath a Project facility may be allowed after March 15th if reviewed and approved by the Boise Project.

Storm drainage and/or street runoff must be retained on site.

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

This development must adhere to Idaho Statutes, Title 42-1209.

3.6: City Engineer –Gordon Law

The City Engineer has reviewed the annexation request of the above applicant dated May 16, 2008, notes that specific development plans are largely a continuation of its present single family residence and agritainment/farmers market use, and provides the following comments:

- 1. Water and Sewer Capacity

The City has treatment capacity in its existing lagoon treatment plant and is in the process of providing additional capacity by constructing a new MBR facility north of the City. Treatment capacity could be secured at this site from the LID EDU Transfer Registry by the payment of appropriate fees. Potable water supply capacity is also available with payment of appropriate fees.

- 2. Sanitary Sewer System

The following comments presume the present uses continue without enlargement to demand for sewer treatment service and as provided by the existing site septic system. Specifically, only the existing single family residence is connected to the site septic system and connection of anything else would be considered an enlargement.

a) A sewer main does not exist within 300 feet of this site but may be extended within the near future. When connecting to or extending the main, the applicant will need to conform to the sewer master plan, the newer sewer reimbursement policy and any relevant connection fees.

b) It is the recommendation of the City Engineer, the existing use be allowed to continue use of the existing septic system, but at the commencement of any enlargement or any new or modified use, then connection to City sewer service is necessary. For assistance in locating existing facilities and understanding issues associated with connection, please contact the City Engineer at

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City Hall. Please designate a location for connection on development plans at the time of its submittal.

c) The City Engineer is informed the SUP contemplates the use of temporary sewer facilities during the fall/Halloween season and does not consider this an enlargement.

3. Potable Water System

The following comments presume the present uses continue without enlargement to demand for potable water service and as provided by the existing domestic well. Specifically, only the existing single family residence is connected to the domestic well and connection of anything else would be considered an enlargement.

a) A water main does not exist within 300 feet of this site but may be extended in the near future. When connecting to or extending the main, the applicant will need to conform to the water master plan, to the new water reimbursement policy and any relevant connection fees.

b) Improvements necessary to provide adequate fire protection as required by Kuna Fire District will be required of the development for any new, modified, or expanded use.

c) It is recommendation of the City Engineer, the existing use be allowed to continue use of the existing water system, but at the commencement of any enlargement or any new or modified, then connection to the City water service is necessary, particularly if reliance on the City system is indicated by the Fire District. For assistance in locating existing facilities and understanding issues associated with this requirement, please contact the City Engineer at City Hall. Please designate a location for connection on development plans at time of its submittal.

d) Please verify there is adequate separation between potable water service lines and all non potable water sources (storm drains, sewer services, etc.) if applicable.

e) Please designate a water service size that will be adequate for this development when applicable.

f) The City Engineer is informed the SUP contemplates the use of temporary potable water facilities during the fall/ Halloween season and does not consider this an enlargement.

4. Pressure Irrigation

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The following comments presume the present uses continue without enlargement to demand for irrigation water service and as provided by the existing irrigation system. Specifically, the following comments do not initiate any change to the existing conditions until there is an enlargement or any proposed new or modified use.

a) A pressure irrigation main does not exist adjacent to this site, the nearest point of connection being in excess of 300 feet away, but may be extended in the near future. When connecting to our extending any main, the applicant will need to conform to the master plan, to the new pressure irrigation reimbursement policy and any relevant connection fees.

b) It is the recommendation of the City Engineer, at the commencement of any enlargement or any new or modified use, ten foot easements for irrigation be required if necessary to facilitate future extension of the City's pressure irrigation system.

c) It is the recommendation of the City Engineer, the existing use be allowed to continue use of the gravity irrigation system, but at the commencement of any enlargement or any new or modified use, and at such time as the City pressure irrigation main is within 300 feet of the applicant's property, connection to the City Pressure Irrigation System is required.

d) As a condition related to Item 4 (c), approval of the new, modified or expanded use shall constitute an automatic petition for inclusion in the municipal irrigation system. agreement to the pooling of water rights for billing purposes and agreement to pay all applicable connection fees when the City pressure irrigation main is within 100 feet of the applicant's property.

5. Grading and Storm Drainage.

The following is required only if any alteration of surface features is purposed (such as grading, paving or increase in impervious area) as part of, or result of, this application:

a) Please provide a site grading plan showing all existing site features, utilities and one-foot contour elevations.

b) Please provide a drainage report and detail drawings of drainage facilities for review.

c) Show vegetative cover over drainage swales.

d) Provide for conveyance or disposal of roof drainage.

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- e) Any increase in quantity or rate of runoff or decrease in quality of runoff compared to historical conditions must be detained, treated and released at rates no greater than historical amounts.
- f) If offsite disposal of storm water in excess of historical rates or conditions is proposed, or disposed at locations different than provided historically, the approval of the operating entity is required.

6. Gravity Irrigation

The following is required only if a new subdivision or re-subdivision is proposed or if an alteration or the irrigation delivery or drainage disposal system is proposed.

- a) The City is now requiring with every new subdivision a documentation map that illustrates the surface water irrigation supply as well as drainage ditches that exist in and around the proposed development. The map must include a layout and essential features of existing irrigation ditches and drainage ditches within 1/2 mile of the proposed development. Open and piped facilities should be noted.
- b) The map should include any proposed changes.

7. General

The following comments do not initiate any change to the existing conditions until there is an enlargement or any proposed new or modified use.

- a) With the addition of this property into the corporate limits of Kuna and its potential connection to water and irrigation services, this property will be placing demand not only on constructed facilities but on water rights provided by others. It is the reasonable expectation, in return, that this property transfer to the City any conveyable water rights by deed and "Change of Ownership" form from IDWR. The water right associated solely with a residence and 1/2 acres or less, or right held in trust by an irrigation district, are not conveyable.
- b) A plan approval letter will be required if this project affects any local irrigation districts.
- c) Verify that existing and proposed elevations match at property boundaries.
- d) State the vertical datum used for elevations.
- e) Provide engineering certification on all final engineering drawings.

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8. Inspection Fees

An inspection fee is not required for a continuation of the present use. However, at the commencement of an enlarged or any proposed new or modified use, an inspection fee will be required for any public water, sewer and irrigation construction work associated with this development. The developer will still require a qualified responsible engineer to do sufficient inspection to justly certify to DEQ the project was completed in accordance with approved plans and specifications and to provide accurate as-built drawings to the City. The developer's engineer and the City's inspector are permitted to coordinate inspections as much as possible. The inspection fee is \$1.00 per lineal foot of sewer, water and pressure irrigation pipe and payment is due and payable prior to City's approval of final construction plans.

9. Sewer Connection Fees

This comment applies only if, or when, connection is made to the City system. The current sewer treatment connection fee is \$4200 and sewer interceptor fee is \$829 per equivalent dwelling unit (Resolution R12-2007). Per Resolution 228, "sewer connection fees are hereby due and payable no later sixty (60) days after receiving an unconditional letter of serviceability from the City Engineer," or receiving a building or plumbing permit, which ever occurs first.

10. Water Connection Fee

This comment applies only if, or when, connection is made to the City system. The current water connection fee is \$1,085 for supply per equivalent dwelling unit, \$1,173 for mains (Resolution R12-2007) and \$320 for the meter.

11. Pressure Irrigation Connection Fee

This comment applies only if, or when, connection is made to the City system. The current Pressure Irrigation connection fee is \$900 for supply per equivalent dwelling unit, \$1,173 for mains (Resolution R12-2007).

12. Right-of-Way

A dedication of right-of-way is not required for a continuation of the present use. However, at the commencement of an enlarged use or any proposed new or modified use, the following conditions will apply.

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- 3.10: **J & M Sanitation Department**- no response
- 3.11: **Kuna Post Office**- no response
- 3.12: **Kuna Fire & Ambulance Department**: Kuna Rural Fire District has no objections to this proposal, provided that parking does not deter ingress/egress to existing structures.
- 3.13: **Qwest**-no response
- 3.14: **Soil Conservation District**- no response
- 3.15: **I.T.D.**: Have no comment on application.
- 3.16: **CDHD**: We will require plans to be submitted for a plan review for any grocery store, an accessory use permit to operate food sales and evaluate the septic system for use as a commercial business must be approved by CDHD. CDHD has no objection to the annexation.

E. All exhibits received are as shown:

Exhibit 1	City Council Staff Report
Exhibit 2	Commission and Council Review Application
Exhibit 3	Applicant letter of intent
Exhibit 4	Vicinity Map
Exhibit 5	Development Agreement
Exhibit 6	Boise-Kuna Irrigation
Exhibit 7	Boise Project Board of Control
Exhibit 8	Kuna Rural Fire District
Exhibit 9	Central District Health Department
Exhibit 10	Gordon Law, City Engineer
Exhibit 11	DEQ
Exhibit 12	ITD
Exhibit 13	Site Plan
Exhibit 14	11 X 17 Site Plan
Exhibit 15	ACHD Draft Report

F. Standard Conditions of Approval:

- 1. The applicant and/or owner shall obtain written approval of the construction plans from the agencies noted below. The approval may be either on agency letterhead referring to the approved use or may be written or stamped upon a copy of the approved plan. All site improvements are prohibited prior to approval of these agencies.
 - a.) The City Engineer must approve the sewer hook-ups.
 - b.) The Kuna Fire District must approve all fire flow requirements and/or building plans.
 - c.) The Boise-Kuna Irrigation District must approve all proposed modifications to the existing irrigation system.

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- a) Sufficient right-of-way on Linder Road and the future mid-mile collector for arterial or collector streets is required consistent with City requirements and pursuant to ACHD standards.
- b) It is recommended approaches onto Linder and the mid-mile collector, in the vicinity of the intersection, be placed as far as reasonably possible from the intersection and consistent with ACHD standards to minimize disruption to sight and queuing traffic.

13. As-Built Drawings

As-built drawings are not required for a continuation of the present use. However, in connection with improvement plans related to an enlarged use or any proposed new or modified use, as-built drawings are required at the conclusion of any public facility (public street, sewer, water, etc.) construction project and are the responsibility of the developer's engineer. The City may help track changes, but will not be responsible for the finished project. As-built drawings will be required before final plat approval is granted.

14. Property Description

- a) **A property description was not provided to the City Engineer, and it is necessary that a description meeting the requirements of the Idaho Tax Commission be provided a condition of the annexation.**
- b) The property descriptions closure was not checked.

3.7: DEQ: DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe and sustainable drinking water and included the impacts of present and future waste water management in this area.

DEQ also recommends verifying that there is adequate water and sewer to serve the projects in the rezone area. Please contact the water and sewer providers for a capacity statement, declining balance report and willingness to serve proposed projects. If the waste or drinking water systems are a septic system and/or well, please contact the local health department with the population type information for verification of any additional system requirements.

We request that all projects in this rezone consider the state and federal rules and regulations for air, water, waste and the overall environment.

3.8: **Idaho Power Company**-no response

3.9: **Intermountain Gas Company**- no response

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- d.) Approval from Ada County Highway District and Idaho Department of Transportation/ Impact fees, if any shall be paid prior to building permit approval.
- e.) The City Engineer must approve a surface drainage run-off plan. As recommended by Central District Health Department, the plan should be designed and constructed in conformance with standards contained in "Catalog for Best Management Practices for Idaho Cities and Counties"
2. All public rights of way shall be dedicated and constructed to standards of the Ada County Highway District. No public street construction may be commenced without the approval of the Ada County Highway District. Any work within the Ada County Highway District rights of way requires a permit. For information regarding the requirements to obtain a permit, contact Ada County Highway District Development Services at 387-6100.
3. Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground.
4. Compliance with Section 31-3805 of the Idaho Code pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the specific requirements of the Boise Project Board of Control is required.
5. Installation of fire protection facilities as specifically required by the Kuna Fire District.
6. The applicant shall provide public easements for utilities, drainage, and irrigation abutting to all centered on the interior property lines. The easements shall have a minimum width of ten feet (10').
7. All submittals of required compliance letters and plans landscaping, drainage, and development) accompany the application File# 08-07-AN, 08-08-DA.
8. No construction, grading, filling, clearing, or excavation of any kind shall be initiated until the applicant has received drainage design plan approval from the Kuna City Engineer. The drainage design plan shall include all proposed site grading.
9. Lighting within the site shall comply with the Kuna City Code as well as the dark skies concept.
10. Parking within the site shall comply with the Kuna City Code.
11. Fencing within the site shall comply with the Kuna City Code (The applicant shall apply for a fence permit prior to fence construction).
12. Signage within the site shall comply with the Kuna City Code (The applicant shall apply for a sign permit prior to sign installation).

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13. Maintenance of all traffic, parking, lighting, and landscaping systems are the owner's responsibility.
 14. The City Forester must approve landscaping installation or removal of vegetation.
- G. Applicable Legal Standards**
1. City of Kuna Zoning Ordinance No. 230, as amended.
 2. City of Kuna Comprehensive Plan, as amended.
 3. Idaho Code, Title 67, Chapter 65, Local Planning Act.
 4. City of Kuna Annexation Ordinance 349, 8-7, 1990, as amended.
 5. City of Kuna Development Agreement Ordinance 525, 1-24, 2000, as amended.

H. Planning and Zoning Commission Decision:

On June 24, 2008, the Kuna Planning and Zoning Commission approves of the Special Use Permit, 08-05-SUP, and **recommends to City Council** approval for the annexation, and development agreement for the file #08-07-AN, 08-08-DA, with the following conditions:

1. Meet all staff and agency requirements.
2. Strike section 3.1.22 in the Development Agreement.
3. Work with staff on the lighting for the entrance and the demarking of the gravel parking area.

I. Kuna City Council Decision:

On August 5, 2008 the Kuna City Council approved the proposed annexation and development agreement, for the file #08-07-AN, 08-08-DA, 4-0 with the following conditions:

- Meet all staff and agency requirements.
- Integrate July 28 ACHD report with amended changes showing the dedication of the 48-feet of right-of-way from the centerline of Linder Road abutting the parcel

J. Scott Dowdy
Mayor

Attest:

Lynda Burgess
Kuna City Clerk

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4G

Recording Requested By and When Recorded Return to:

ADA COUNTY RECORDER J. DAVID INVARRO AMOUNT .00 12
BOISE IDAHO 11/25/08 02:54 PM
DEPUTY Bonnie Oberling
RECORDED - REQUEST OF
Kuna City
198127266

City Clerk
City of Kuna
P.O. Box 13
Kuna, Id 83634

For Recording Purposes Do Not Write Above This Line

DEVELOPMENT AGREEMENT

This Development Agreement entered into by and between the City of Kuna, a municipal corporation in the State of Idaho, hereinafter referred to as "City", and Randall and Sherrie Feist whose address is 7165 S Linder Rd., Meridian ID, the owner of the real property described herein and applicant(s) for 7165 s Linder Road, Meridian ID hereafter referred to as "Developer".

WHEREAS, the developer has applied to the City for an annex and a zone change from RR to A (Agricultural) of the property described as attached hereto and incorporated by reference herein on Exhibit A ("Property"). The Property is currently zoned RR Ada County.

WHEREAS, the City, pursuant to Section 67-6511A, Idaho Code, has the authority to conditionally rezone the property and to enter into a development agreement for the purpose of allowing, by agreement, a specific development to proceed in a specific area and for a specific purpose or use which is appropriate in the area, but for which all allowed uses for the requested zoning may not be appropriate pursuant to the Idaho Code and the Kuna City Code.

WHEREAS, the City of Kuna and The Developer do enter into this Agreement and for and in consideration of the mutual covenants, duties and obligations herein set forth, it is agreed as follows:

ARTICLE I
LEGAL AUTHORITY

1.1 This Development Agreement is made pursuant to and in accordance with the provisions of Idaho Code Section 67-6511A and Kuna City Code, Title 5, Chapter 14.

ARTICLE II
ZONING ORDINANCE AMENDMENT

2.1 The City will adopt an ordinance amending the Kuna Zoning Ordinance to rezone the property to A (Agricultural). The Ordinance will become effective after its passage, approval, and publication and the execution and recordation of the Development Agreement.

ARTICLE III
CONDITIONS ON DEVELOPMENT

3.1 The use(s) allowed and restricted pursuant to this conditional annexation and rezone as reflected in this Agreement are as follows:

3.1.1: The Order of Decision for the annexation and land use zone classification, including all conditions of approval, is hereby made a part of the development agreement. In the event there is compelling conditional language, the stricter condition shall apply unless specifically stated otherwise in this development agreement.

EXHIBIT 'C'

3.1.2 Agricultural /Agritainment Uses

3.1.2.1: The following agritainment activities are permitted September 1 through November 15 of each year:

- Straw Bale Maze
Corn Maze
Hayrides
Inflatable's (Astro Jumps, Slides)
Barrel Train Rides
Pumpkin Slingshot
Petting Zoo
Food Concessions
These activities will be placed on the property in such a manner as not to interfere with street traffic.
The land use activities will be supported by adequate parking areas.
The uses will be placed and arranged as to not interfere with the adjoining neighbor's privacy and use of their land.
Signage indicating activities is subject to City approval.
The driveway entrance shall be adequately marked and lighted after dusk to assist entry and exit.

3.2.1. A. Food Concessions

- Food Concessions area where food is prepared and sold on site will be inspected and certified by Central District Health on an annual basis or as needed.
Any employee preparing food for the concessions will be required to have a food handler's license from Central District Health.
Food products offered for sale will be limited to popcorn, soda, nachos, suckers, hot chocolate, coffee, hot apple cider, mini doughnuts, burgers, fries, hot dogs, cotton candy, pizza slices, BBQ sandwiches, ice cream cones, caramel and fresh apples, corn on the cob and fresh apple cider.
Additional food items may be requested at any time.
Hours of operation: _____

3.1.2.2 Farmers Market

- Hours to be open
Apply appropriate food handling methods to ensure against food contamination and /or produce exposure to insects, rodents and other animals.
Store empty crates, buckets, and/or baskets in clean and sanitary manner.
Ensure that garbage/produce waste is properly disposed.
Keep all food stuff/produce off of the ground.
Assure perishable foods are properly refrigerated.
Provide customers adequate sanitary waste facilities.
Sounds emanating from the farmers market/ agritainment shall be inaudible at the property boundary.

3.1.3: Building Permits:

3.1.3.1: Acquire all necessary building permits, complying with all building code requirements and inspection processes.

EXHIBIT 'C'

- 3.1.4: Comprehensive Plan:
- 3.1.4.1: All development activity shall be initiated consistent with the provisions City of Kuna's Comprehensive Plan.
- 3.1.5: Construction Etiquette:
- 3.1.5.1: In the event the applicant shall engage in permitted operation expansions the applicant shall post and maintain a "rules and regulation sign" at the entryways to the site during construction. The signs would be intended for the subcontractors performing the work and should include: 1) no dogs; 2) no loud music; 3) no alcohol or drugs; 4) no abusive language; 5) dispose of personal trash and site debris; 6) clean up any mud and/or dirt that is deposited from the construction site onto the public street; 7) installation of temporary construction fence that would keep debris from blowing off site; 8) no burning of construction or other debris on the property.
- 3.1.6: Design Review:
- 3.1.6.1: Developer agrees to submit a Design Review application for any proposed commercial buildings, landscapes, parking and signage use; multi-family dwellings; or subdivision entry/exit location, common area, and signage use along with the associated land use permitting.
- 3.1.7: Engineering Calculations / Drawings / Plans / Reports:
- 3.1.7.1: The application shall obtain a letter from the City Engineer recommending engineering approval of construction drawings, drainage and stormwater plans, final plat and lighting plans where applicable.
- 3.1.7.2: The applicant shall provide the City engineer with fire flow, water distribution and wastewater calculations and acquire all necessary permits and pay all associated fees where applicable.
- 3.1.8: Fencing:
- 3.1.8.1: Any fencing that is installed on the site shall be constructed and placed according to the City's Zoning Standards; no wood fencing is permitted.
- 3.1.9: Federal, State, Local and Special purpose standards:
- 3.1.9.1: The applicant shall comply with all applicable federal, state, local and special purpose standards as they apply to the agricultural operation and accessory uses.
- 3.1.10: Fire:
- 3.1.10.1: Fire Hydrants and Water Mains: Adequate fire protection shall be required in accordance with the appropriate fire district standards.

EXHIBIT 'C'

- 3.1.10.2: The Kuna Fire District must approve all fire flow requirements and/or building plans.
- 3.1.11: Irrigation:
- 3.1.11.1: The applicant is to comply with Section §31-3805 of the Idaho Code Code pertaining to irrigation water. Irrigation / drainage waters shall not be impeded by site construction. Compliance with the specific requirements of the Boise Project Board of Control is required.
- 3.1.11.2: The applicant shall provide the City Engineer an irrigation plan for his review and approval. The applicant shall acquire all of the permits and inspections necessary to connect the irrigation system to the City water utility. The irrigation system shall be constructed to City standards. The applicant shall pay for any offsite improvements necessary to connect into the City's water utility.
- 3.1.12: Land Use Requirements:
- 3.1.12.1: Comply with Kuna City's land use requirements unless otherwise modified by this agreement.
- 3.1.12.2: No other uses, other than those identified as existing or requested shall be introduced to the operation without public review.
- 3.1.12.3: The applicant shall meet all requirements set forth in the City of Kuna Zoning Ordinance.
- 3.1.12.4: Owner hereby voluntarily, knowing and intentionally waives the rights and privileges set out in Idaho Code §67-6511(d) that might prohibit the City from rezoning the property over the Owner's objection within four (4) years after granting the zone designation(s) sought in this current application.
- 3.1.13: Landscape:
- 3.1.13.1: Further site improvements shall be subject to the City's landscape ordinance as well as the City's design review process (which may differ from the City's landscape ordinance). The landscape plan shall be accompanied by and irrigation plan as all landscape needs to be supported by a water source.
- 3.1.14: Maps:
- 3.1.14.1: The applicant shall provide map(s) showing the location of all existing sewer, water mains, culverts, drain pipes, gas and electric conduits or telephone lines that service or proposed services to the property. The applicant shall also provide a map(s) showing all easements by use such as, but not limited to, roads, driveways, buried or overhead utilities, and drainage.
- 3.1.15: Outdoor Lighting:

EXHIBIT 'C'

- 3.1.15.1: All outdoor lighting shall be installed to the City's standards and be designed so it does not shine on the adjoining properties.
- 3.1.16: **Parking and Driveway:**
 - 3.1.16.1: All parking shall be installed to City standards.
 - 3.1.16.2: The applicant shall submit a parking plan in accordance with the site plan. The parking plan will reflect the placement of the required parking spaces. Under no circumstances shall the development's parking demands be satisfied off the site to include use of City streets for parking purpose. The parking plan is subject to engineering approval.
 - 3.1.16.2.1 The applicant shall have the farmer's market driveway entrances lighted. The applicant shall adhere to the dark skies concept and to City's standards for lighting.
 - 3.1.16.2.2 The parking lot and ingress/ egress shall be graveled and the parking stalls demarked.
 - 3.1.16.2.3 Dirt or debris from the parking lot shall not be tracked onto City streets. If debris is tracked on the roadway the applicant will be responsible for its safe removal
 - 3.1.16.2.4 The driveway entrance shall be approve and be a minimum of 40 feet wide.
- 3.1.17: **Permits and Applicable Fees:**
 - 3.1.17.1: The applicant shall acquire all permits and pay all applicable fees.
- 3.1.18: **Plat Map / Deed / Title Report**
 - 3.1.18.1: The applicant shall provide the City a recorded plat map and deed for the property. The applicant shall furnish a title report issued by the title insurance company verifying ownership of real property that is to be dedicated to the public.
- 3.1.19: **Roads / Ada County Highway District (ACHD) / Idaho Transportation Department (ITD):**
 - 3.1.19.1: Comply with ACHD and ITD and with Kuna City Code road improvements requirements.
 - 3.1.19.2: Should any agency requirements conflict, the more stringent standards shall apply.
- 3.1.20: **Sanitary Sewer.**
 - 3.1.20.1: The applicant shall connect to the City's sanitary sewer system at time of development or redevelopment. The applicant shall provide a sanitary sewer

EXHIBIT 'C'

- design to the City engineer for review and corrections. The applicant shall acquire all of the permits and inspections necessary to connect into the City's sewer utility. The sewer system shall be constructed to City utility district standards. The applicant shall pay for any offsite improvements necessary to connect into the City's sewer utility.
- 3.1.21.2: The applicant will need to provide portable toilet facilities during the time period September through November as that being the time of active agritainment.
 - 3.1.22: **Signage:**
 - 3.1.22.1: Any signage placed at the site is subject to the City's design review process. No signs shall be placed on fences, buildings or other structures for advertising or promotion purpose unless approved through the City's design review process and in compliance with any signage requirements in place at the time the applicant seeks a signage permit.
 - 3.1.22.2: All site signage and/or monument placement is subject to design review to include building identification signage. If site signage or monuments are lighted they must be designed according to the City's outdoor lighting standards.
 - 3.1.23: **Sidewalks and Pathways:**
 - 3.1.23.1: Upon further development of property the applicant is subject to Kuna City Code, ACHD, and ITD improvements required and possible roadway dedications.
 - 3.1.24: **Stormwater / Drainage:**
 - 3.1.24.1: Stormwater impacts associated with property expansion shall be mitigated in accordance with the City's stormwater management policy. The engineer of record is to provide calculations, which indicated that the assumptions in their stormwater drainage plan comply with the requirements of the City's stormwater policy. Any off-site discharge will require written approval from the City and other Agencies responsible for receiving the fugitive stormwater.
 - 3.1.24.2: At time of further development the applicant shall provide the City Engineer stormwater management plans and a drainage report showing how drainage flows from impervious surfaces will be addresses through surface and subsurface stormwater detention/retention features and retained on-site. Upstream and downstream drainage investigation is recommended to determine the extent of contributing and affected drainage areas and appropriate temporary and permanent drainage structure improvement. The drainage plan shall conform to the City's Drainage Management Guidelines. Stormwater detention/retention facilities will be designed to cover a 100-year storm event; the drainage report shall include an erosion control plan.
 - 3.1.24.3: The City Engineer must approve a surface drainage run-off plan. As recommended by Central District Health Department (CDHD), the plan should

EXHIBIT 'C'

be designed and constructed in conformance with standards contained in "Catalog for Best Management Practices for Idaho Cities and Counties".

3.1.24.4: Storm Drainage and/or Street Runoff must be retained on-site.

3.1.24.5: Surface drainage shall be designed so that it minimizes "ponding" issues to lessen mosquito breeding problem.

3.1.25: Trees:

3.1.25.1: Applicant is not to remove any mature trees from the site (if any exist) unless that action is approved by City staff and is in accordance with City Code.

3.1.25.2: The applicant shall provide a tree replacing strategy to compensate for tree removal that provides no net tree loss. The applicant is encouraged to retain trees with a six inch (6") or greater caliper. The applicant's tree removal and replanting strategy is subject to the City's arborist's and tree committee's review and approval. The applicant will need to show tree plantings and method of their planting on the landscape plan. The applicant will need to provide for a variety of trees that are compatible to the area.

3.1.26: Underground Utilities:

3.1.26.1: Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services.

3.1.26.2: All public utilities shall be placed underground if possible. A utility easement of sufficient width as determined by the City Engineer shall be placed around the exterior subdivision boundary for utility and drainage easement purpose.

3.1.27: Underground Storage Tanks, Utilities, Wells or Septic Systems:

3.1.27.1: If underground storage tanks, underground utilities, wells or septic systems are discovered during construction, they shall be removed or abandoned in accordance with federal, state, and local agency requirements.

3.1.28: Water:

3.1.28.1: At time of development, the applicant shall connect to the City's Water system. The applicant shall provide its potable water design to the City Engineer for review and corrections. The applicant shall acquire all of the permits and inspections necessary to connect into the City's water utility. The water lines, meter locations and waterline valves will need to be reviewed by the City's public works staff and shall be constructed to City standards. Water lines are to be looped though the property. The applicant shall pay for any off-site improvements necessary to connect into the City's water utility.

3.1.29.2: Water Rights:

3.1.29.2.1: Water rights appurtenant to a tract of land, subject to annexation, shall remain with the land or be dedicated to the City. The water rights

EXHIBIT 'C'

associated with annexation process may not be sold, abandoned, or transferred off the land (except to the City).

3.1.30: Weeds:

3.1.30.1: Developer agrees to be responsible for the control and removal of noxious weeds.

3.1.31: Zoning:

3.1.31.1: Developer shall meet all of the underlying requirements of the A (Agricultural) district with respect to the future planned improvements to include maximum building height of forty- five feet (45') for "A" and the zoning setback requirements, unless these requirements are modified and the changes agreed to through this agreement.

3.2 No change in the use or restriction specified in this Agreement shall be allowed or changed without modification of this Agreement pursuant to the requirements of the Kuna City Code. In the event Developer changes or expands the use permitted by this Agreement or fails to comply with the restrictions without formal modification of this Agreement as allowed by the Kuna City Code, Developer shall be in default of this Agreement.

3.3 Conditions, bonding for Completion: All of the conditions set forth herein shall be complied with or shall be bonded for completion by the Developer before a Approval or Occupancy permit will be granted. Failure to comply or bond for completion of the conditions within the time frame established in the rezoning approval conditions, the Kuna City Code or the terms of this Agreement shall result in a default of this Agreement by the Developer. The Developer may be allowed to bond for certain conditions at one hundred and twenty five percent (125%) of the estimated cost of completion as determined by the City Engineer.

ARTICLE IV AFFIDAVIT OF PROPERTY OWNERS

4.1 An affidavit of all owners of the Property agreeing to submit the Property to this Development Agreement and to the provisions set forth in Idaho Code Section 67-6511A and Kuna City Code shall be provided and is incorporated herein by reference.

ARTICLE V DEFAULT

5.1 In the event the Developer, her/his heirs or assigns or subsequent owners of the property or any other person acquiring an interest in the property, fail to faithfully comply with all of the terms and conditions included in the Agreement, this Agreement may be modified or terminated by the Kuna City Council. In the event City Council determines that this Agreement shall be modified, the terms of this Agreement shall be amended and the Developer shall comply with the amended terms. Failure to comply with the amended terms shall result in default. In the event City Council determines that this Agreement shall be terminated, the zoning of the

EXHIBIT 'C'

property shall revert to A (Agricultural) Zoning. All uses of property, which are not consistent with A Zoning, shall cease. Nothing herein shall prevent the Developer from applying for any land use consistent with A Zoning.

5.2 **Consent to Rezone:** The Developer, by entering into the Development Agreement, does hereby agree that in the event there shall be a default in the terms and conditions of this Agreement that this Agreement shall serve as consent to a reversion of the subject property to A (Agricultural) zoning as provided in Idaho Code.

ARTICLE VI
UNENFORCEABLE PROVISIONS

6.1 If any term, Provision, commitment or restriction of this Development Agreement or the application thereof to any party or circumstances shall, to any extent be held invalid or unenforceable, the remainder of this instrument shall remain in full force and effect.

ARTICLE VII
ASSIGNMENT AND TRANSFER

7.1 After its execution, the Development Agreement shall be recorded in the office of the County Recorder at the expense of the Applicant. Each commitment and restriction on the development subject to this Agreement, shall be a burden on the Property, shall be appurtenant to and for the benefit of the Property, adjacent property and other residential property near the Property and shall run with the land. This Development Agreement shall be binding on the City and the Applicant and owners, and their respective heirs, administrators, executors, agents, legal representatives, successors and assigns; provided, however, that if all or any portion of the Property is divided and each owner of a legal lot shall only be responsible for duties and obligations associated with an owner's parcel and shall not be responsible for duties and obligations or defaults as to other parcels of lots within the Property. The new owner of the Property or any portion thereof (including, without limitation, any owner who acquires its interest by foreclosure, trustee's sale or otherwise) shall be liable for all commitments and other obligations arising under this Agreement with respect only to such owner's lot or parcel.

ARTICLE VIII
GENERAL MATTERS

8.1 **Amendments.** Any alteration or change to this Development Agreement shall be made only after complying with the notice and hearing provision of Idaho Code Section 67-6509, as required by Kuna City Code, Title 5, Chapter 14.

8.2 **Paragraph Headings.** This Development Agreement shall be construed according to its fair meaning and as if prepared by both parties hereto. Title and captions are for convenience only and shall not constitute a portion of this Development Agreement. As used in this Development Agreement, masculine, feminine or neuter gender and the singular or plural number shall each be deemed to include the others wherever and whenever the context so dictates.

EXHIBIT 'C'

8.3 **Choice of Law.** This Development Agreement shall be construed in accordance with the laws of the State of Idaho in effect at the time of the execution of this Development Agreement. Any action brought in connection with this Development Agreement shall be brought in a court of competent jurisdiction located in Ada County, Idaho.

8.4 **Notice.** Any notice which a party may desire to give to another party must be in writing and may be given by personal delivery, by mailing the same be registered or certified mail, return receipt requested postage prepaid, or by Federal Express or other reputable overnight delivery service, to the party to whom the notice is directed at the address of such party set forth below.

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

Developer:
Randall and Sherrie Fiest
7165 S Linder Road
Meridian ID 83642

or such other address and to such other persons as the parties may hereafter designate in writing to the other parties. Any such notice shall be deemed given upon delivery if by personal delivery, upon deposit in the United States mail, if sent by mail pursuant to the foregoing.

8.5 **Effective Date.** This Development Agreement shall be effective after delivery to each of the parties hereto of a fully executed copy of the Development Agreement.

IN WITNESS WHEREOF, the parties have hereunto caused this Agreement to be executed, on the day and year first above written.

DEVELOPER:

EXHIBIT 'C'

State of Idaho)
 County of Ada
 Subscribed and sworn to (or affirmed) before me this 11th day of November 2008
 And who personally appeared before me
J. Scott Dewey
 Notary Public Shannon Mabe
 My Commission Expires on 8/13/2014



EXHIBIT 'C'

BY: [Signature] J. Scott Dewey, Mayor
 BY: Randall B. Brust
 ATTEST:
[Signature] Lynda Burgess, City Clerk
 CITY NOTARY:
 State of Idaho)
 County of ADA
 Subscribed and sworn to (or affirmed) before me this 10th day of NOVEMBER 2008
 And who personally appeared before me
RANDALL DEM FEIST
 Notary Public Tracy Behrman
 My Commission Expires on NOV. 7, 2014



DEVELOPER NOTARY:

EXHIBIT 'C'



Memorandum

To: Kuna City Council
From: Richard T. Roats, City Attorney
Re: Boise Disc Golf, LLC

At the Council meeting on August 4, 2015, Council had several questions regarding the lease agreement with Boise Disc Golf, LLC.

On August 6, 2015, Chris Engels and I met with Travis Lindstrom of Boise Disc Golf, LLC; Travis provided the following information regarding his business in Kuna- Kuna Disc Golf and Rec.

Insurance: Travis had liability and content insurance on the property with a \$500 deductible. He has been compensated \$7,000.00 for his losses.

Profit: Travis has not made a profit, although he did not expect to make a profit the first year. Although he runs a similar business in Boise, it is a start up here in Kuna, with much different dynamics. (I would note that Travis, in addition to the time spent at the Kuna Disc Golf and Rec., he donated his time and efforts design the disc golf course, and more importantly, he is the eyes in the park).

Richard T. Roats
City Attorney

RESOLUTION NO. R45-2015**CITY OF KUNA, IDAHO
WAIVER OF THE REMAINING LEASE PAYMENTS RE: LEASE
AGREEMENT WITH BOISE DISC GOLF, LLC**

A RESOLUTION OF THE CITY OF KUNA, IDAHO WAIVING THE REMAINING LEASE PAYMENTS PAYABLE PURSUANT TO THE LEASE AGREEMENT WITH BOISE DISC GOLF, LLC (LESSEE) TO LEASE PROPERTY AT 415 W. 2ND STREET, KUNA, IDAHO FOR A CONCESSION STAND

WHEREAS, On April 7, 2015, the Lessee entered into a lease agreement with the city of Kuna, Idaho to lease the building located at 415 W. 2nd Street, Kuna Idaho, a copy is attached hereto as EXHIBIT A, approved by Resolution No. R19-2015; and

WHEREAS, On July 29, 2015, the Lessee's business, Kuna Disc Golf and Rec. located at 415 W. 2nd Street, Kuna, Idaho was burglarized; and

WHEREAS, The Lessee suffered significant financial loss as a result of the crime; and

WHEREAS, The Lessee provides a benefit to the community, and in the interests of the community, the City Council has determined that it is appropriate to waive the remaining lease payments under the terms of the Lease Agreement.

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

Section 1. The lease payments for September and October 2015, due pursuant to the terms of the Real Estate Lease Agreement with Boise Disc Golf, LLC are hereby waived.

PASSED BY THE COUNCIL of Kuna, Idaho this ___ day of August 2015.

APPROVED BY THE MAYOR of Kuna, Idaho this ___ day of August 2015.

W. Greg Nelson, Mayor

ATTEST:

Chris Engels, City Clerk



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

GORDON N. LAW
CITY ENGINEER

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

MEMORANDUM

TO: Mayor Nelson and Members of City Council

FROM: Gordon N. Law
Kuna City Engineer

RE: Reimbursement Agreements Sewer Trunk
Timbermist Project
Oversized Facilities

DATE: August 4, 2015

REQUEST: Approve Reimbursement Agreement by Resolution

Attached hereto is a proposed reimbursement agreement (w/ exhibits) related to over-sizing of sewer facilities by the developer of Timbermist Subdivision. The reimbursement methodology relies on policies adopted by Council in January 21, 2014 (Resolution R09-2014). Total reimbursement has been increased from \$198,517.80 to \$212,519.51 to include legitimate expenses left out of the original reimbursement request. The agreement is payable over ten years.

Also attached is a resolution which, if approved, authorizes the Mayor and Clerk to sign the agreement. The City Engineer recommends approval of the resolution.

Attachments

RESOLUTION NO. R49-2015**RESOLUTION AUTHORIZING EXECUTION OF A REIMBURSEMENT AGREEMENT IN THE AMOUNT OF \$212,519.51 WITH TIMBERMIST, LLC AND REPEALING RESOLUTION NO. R41-2015.**

BE IT HEREBY RESOLVED by the Mayor and Council of the City of Kuna, Idaho, that the Mayor and Clerk of said city are hereby authorized to execute that certain Agreement titled "Reimbursement Agreement – Timbermist Subdivision-Kuna Project" regarding cost recovery for construction of sewer facilities related to Timbermist Subdivision and in the amount of two hundred twelve thousand five hundred nineteen dollars and fifty-one cents (\$212,519.51); by and between said city and TIMBERMIST, LLC, which Agreement is attached hereto, and made a part hereof, as if set forth in full.

BE IT FURTHER RESOLVED by the Mayor and Council of the City of Kuna, Idaho, that City Resolution No. R41-2015 previously approved the 21st day of July 2015 by said City is hereby repealed.

PASSED BY THE COUNCIL of Kuna, Idaho this 18th day of August 2015.

APPROVED BY THE MAYOR of Kuna, Idaho this 18th day of August 2015.

W. Greg Nelson, Mayor

ATTEST:

Chris Engels, City Clerk

REIMBURSEMENT AGREEMENT

Timbermist Subdivision-Kuna Project

THIS AGREEMENT made this 31st day of August 2015, by and between the CITY OF KUNA, a municipal corporation, hereinafter called CITY, and TIMBERMIST, LLC, hereinafter called DEVELOPER:

WITNESSETH:

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

WHEREAS, on January 21, 2014 CITY adopted Resolution Number R09-2014 outlining the Sewer Facilities Reimbursement Policy for sewer facilities construction conforming to the Kuna Sewer System Master Plan; and

WHEREAS, in implementing the updated Kuna Sewer System Master Plan, it is the further declared policy of CITY to extend the Kuna City Sewer System to areas inside the corporate limits of CITY not now served by a sewer 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 sewer system to the property known as, Timbermist Subdivision-Kuna Project, as shown on Exhibit "A," and has requested reimbursement for certain portions of the sewer 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 sewer system, shown on Exhibit "A," including rights-of-way, grades and elevation, and materials to be used in the construction and installation of said sewer system.

B. Construction of Sewer System.
(1) DEVELOPER did install, construct and erect the sewer 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 sewer 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 sewer 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 two hundred twelve thousand five hundred nineteen dollars and fifty-one cents (\$212,519.51). Reimbursement shall be provided from the funds and in the manner described in the City of Kuna Sewer 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 Sewer 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 sewer 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 sewer, DEVELOPER agrees to abide by all applicable Kuna City laws, rules and regulations pertaining to sewer 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 sewer 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 Timbermist, LLC, 3103 W. Sheryl Drive #100, Meridian, Idaho, 83642.

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:

MAYOR

CITY CLERK

TIMBERMIST, LLC

Thomas Coleman

STATE OF IDAHO)
) ss.

COUNTY OF ADA)

On this _____ day of _____, 2015, before me, a notary public in and for said state, personally appeared _____ known to be to be the _____ of _____, 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.

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

STATE OF IDAHO)

) ss.

COUNTY OF ADA)

On this _____ day of _____, 2015, before me, the undersigned, personally appeared W. GREG NELSON and _____ 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: _____

**RESOLUTION NO. R51-2015
CITY OF KUNA, IDAHO
STEP AND GRADE- DIRECTORS**

A RESOLUTION OF THE CITY OF KUNA, IDAHO ADOPTING THE STEP AND GRADE POLICY FOR THE DIRECTORS FOR THE CITY OF KUNA, IDAHO AS ATTACHED HERETO; REPEALING THOSE SECTIONS OF RESOLUTION R9-2007 THAT ARE INCONSISTENT WITH THE ADOPTION OF R51-2015; AND DECLARING THE EFFECTIVE DATE.

BE IT HEREBY RESOLVED by the Mayor and Council of the City of Kuna, Idaho that the Step and Grade Policy for the Directors for the City of Kuna, Idaho is hereby adopted.

BE IT FURTHER RESOLVED that those sections of Resolution R9-2007 that are inconsistent with this Step and Grade Policy are hereby repealed.

PASSED BY THE COUNCIL of Kuna, Idaho this ____ day of August 2015.

APPROVED BY THE MAYOR of Kuna, Idaho this ____ day of August 2015.

W. Greg Nelson, Mayor

ATTEST:

Chris Engels, City Clerk

Employee Pay Grade Chart

Directors

PAY GRADE	ADMINISTRATION
13	City Engineer/Public Works Director City Attorney/Human Resource Director
12	
11	City Treasurer
10	City Clerk Planning and Zoning Director Parks Director Fleet and Facilities Director
9	
8	
7	
6	
5	
4	
3	
2	
1	

RESOLUTION NO. R52-2015**CITY OF KUNA, IDAHO
APPROVING IDAHO DEVELOPMENT IMPACT FEE ACT ADVISORY
COMMITTEE****A RESOLUTION OF THE CITY OF KUNA, IDAHO**

WHEREAS Idaho Code Title 67, Chapter 82; sets forth the *Idaho Development Impact Fee Act*, which provides for the establishment for planning and financing public facilities needed to serve new growth and development; and

WHEREAS §67-8205 provides that a governmental entity that is considering, or which has adopted a development impact fee ordinance shall establish a development impact fee advisory committee; and

WHEREAS the City of Kuna, Idaho (CITY) desired to establish a development impact fee ordinance; and

WHEREAS §67-8205(2) provides that the committee shall be composed of not fewer than five (5) members appointed by the CITY; and

WHEREAS §67-8205(3) provides that the development impact fee advisory committee shall serve in an advisory capacity and is established to:

- (a) Assist the governmental entity in adopting land use assumptions;
- (b) Review the capital improvements plan, and proposed amendments, and file written comments;
- (c) Monitor and evaluate implementation of the capital improvements plan;
- (d) File periodic reports, at least annually, with respect to the capital improvements plan and report to the governmental entity any perceived inequities in implementing the plan or imposing the development impact fees; and
- (e) Advise the governmental entity of the need to update or revise land use assumptions, capital improvements plan and development impact fees.

BE IT HEREBY RESOLVED by the Mayor and Council of the City of Kuna, Idaho that the following persons are appointed to the Development Impact Fee Committee:

1. David Gronbeck- realtor
2. Lloyd Stubbs- realtor
3. Kellie Goicoechea
4. Trevor Kesner- city of Kuna (planner I)
5. Curtis James

BE IT FURTHER RESOLVED that the advisory committee shall be called the KUNA DEVELOPMENT IMPACT FEE ADVISORY COMMITTEE, and it shall serve in an advisory capacity to the City Council, and it is established to:

- (a) Assist the governmental entity in adopting land use assumptions;
- (b) Review the capital improvements plan, and proposed amendments, and file written comments;
- (c) Monitor and evaluate implementation of the capital improvements plan;
- (d) File periodic reports, at least annually, with respect to the capital improvements plan and report to the governmental entity any perceived inequities in implementing the plan or imposing the development impact fees; and
- (e) Advise the governmental entity of the need to update or revise land use assumptions, capital improvements plan and development impact fees.

PASSED BY THE COUNCIL of Kuna, Idaho this ___ day of August 2015.

APPROVED BY THE MAYOR of Kuna, Idaho this ___ day of August 2015.

W. Greg Nelson, Mayor

ATTEST:

Chris Engels, City Clerk



City of Kuna
Planning and Zoning Department

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

MEMO

To: Kuna City Council
From: Wendy I. Howell, PCED
Date: August 18, 2015
Re: Planning and Zoning Department
Project Report for July/August 2015

The Planning and Zoning Department meets with walk-in customers and take numerous calls daily. Larger projects are listed below:

Land Use Projects:

1. **Ardell Estates** (aka: Watersedge): Public hearing is set on August 25, 2015.
2. **Falcon Crest Golf Course:** P&Z Findings of Fact pending.
3. **Journey's End (aka Merlin Pointe South):** P&Z hearing scheduled for August 25, 2015. Design Review forthcoming as developer has yet to choose an architect. ACHD is pushing for a connection to Sailer Shores – Unwanted due to historically unpleasant interactions between adjacent property owners.
4. **Linder Farms Development Agreement and Special Use Permit Release:** Processing their request for hearing on August 18, 2015.
5. **Memory Ranch:** Public hearing with P&Z Commission set for August 11, 2015.
6. **Merlin Pointe Right-of-Way Vacation:** Vacation should be completed by August 18, 2015
7. **Patagonia:** Construction drawings nearly approved.
8. **Profile Ridge Rezone:** Council hearing on August 18, 2015.
9. **Gina and Daniel Safford:** Annexation and lot split to Council on September 18, 2015.
10. **Shayla's Paw-fecttion:** Finding of Fact approval pending.
11. **Sorrel Subdivision (Affordable Housing buildings):** Final Plat submitted for approval.
12. **Timbermist 2:** Final plat #2 is anticipated soon.
13. **Timbermist No. 1 & 2 Entry Monument Sign DR** – Goes to P&Z August 11, 2015.
14. **Timbermist No. 1 Bonding–Early Permits:** Plat recorded Tues Aug 4, 2015.
15. **Solar Project – Boise City Solar** – Goes to P&Z Aug 11, 2015.
16. **Methodist Church Staff Level DR** – will be staff approved by Wed Aug 12, 2015.
17. **Sailer Shores Meadows Sub** – Time Extension request # 1.
18. **Angus Hill Property Annex & Zone change** – Discussed with David Gronbeck & Gus.

Generic Developments (waiting on formal application):

1. **Annexation:** Discuss annexation with owner and went over location of utilities, access, and process...pending.
2. **Annexation:** Answer numerous questions to realtor and others, and staff, too.
3. **Coffee Shop/Deli:** New owners are interested in bringing non-franchised coffee shop/deli business.
4. **Commercial discussions:** Discussed requirements for a specific site.
5. **Danskin (New phase):** Waiting for application that is anticipated within the month.

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6. **David Gronbeck:** Met with property owner off of Deer Flat to discuss annexation, access, and potential lot line adjustment, for a commercial/residential development.
7. **Debbie Eggiman** (333 N Ave C): 'Lasting Beauty' salon with permanent make-up (facial tattooing only) and 'gel' nails. Suite inspected by Jerry, Fire Chief and P&Z approved business license application. Debbie plans to partner with a tattoo artist for body art; she is aware that a Special Use Permit is required and anticipates application soon.
8. **Derek Marine:** Discussing ways to get this commercial business to Kuna, Looking at a C-1 site on Ten Mile & Deer Flat, talked with ACHD & staff about access.
9. **Industrial Business:** Discussed ways to get plant located on 60 acres in Kuna.
10. **Infill Project:** Discuss infill development, including commercial, residential, and potential splitting of a site for the general location on Deerflat and School including layout options about the site. This will need to be annexed, preliminary plat and design review approval. Several realtors inquire about 'what if' scenarios.
11. **Luana Lane.:** Worked with planner to arrange lots for a multi-family project and timeline. They will need a rezone.
12. **Maria's Mexican Bakery:** Review and approval of new signage.
13. **New Commercial (Service):** Looking for a 2-3 acre site with good access. Met one time with land broker.
14. **New Project on Deer Flat:** Worked on site plan for apartments with engineer, requires annexation, and comprehensive plan map change. Waiting for application.
15. **Northern impact area:** Negotiations with Meridian.
16. **Palomar Drain (Crimson Point 5):** On-going lengthy discussions with patrons and staff regarding the drain.
17. **Park Avenue Building Permit Questions:** Questions and more questions from owners, contractors, realtors, etc.; discussions with staff about the sewer and water connect fees, etc. Some discussion with the land owner this month regarding 'splitting' portions of the parcel as residential and selling off the rest. Several realtor inquiries about 'what is possible'
18. **Ridley's #2:** Two new commercial sites are working through details with staff.
19. **Ridley's proximity** – Meeting to discuss concept plan for pre application preview for comments, no application yet.
20. **Sable Ridge Final Phase:** Met and discussed moving forward on her site to develop, including a road on the east side.
21. **Sandstone Plaza (NE Corner):** Tenant Improvement permit application to open a non-franchised 'frozen yogurt' shop coming soon.
22. **Silvertrail #2:** Final plat application anticipated soon.
23. **Solar Project:** P&Z Commission on August 11, 2015.
24. **Subdivision (near School House Subdivision):** Met with applicant and his planner multiply times; these four acres will close out the School House Subdivision. Several phone calls to each.

Internal Projects:

1. **Assist Attorney:** Create maps and did research as needed.
2. **Building Permits:** This involves checking setbacks, review plans, and permit processing
 - a. Total: 88 (July only)
 - b. New dwellings: 14
 - i. 8 of the 14 new dwellings included electrical, plumbing and mechanical permits that are not included in the following count.
 - ii. Total square footage for new dwellings: 30,317
 - iii. Total value: \$33,264,914
 - c. Commercial: 1 (Timbermist Sub/Coleman Community Center Pool)
 - d. Electrical: 25
 - e. Mechanical: 9
 - f. Plumbing: 22
 - g. Misc. building permits: 12

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3. **Code Enforcement:** Code Enforcement involves taking complaints, site visit to photograph violations, researching property, writing letters to home owners, follow-up site visit, and possibly another letter or close of the file.
 - Zoning Compliance Issues: 1
 - Weed Complaints: 3
 - Junk/Debris: 5 (316 E 3rd St. is a chronic problem—Final Notice stage for 3rd year in a row.)
 - Animals: 0
 - Vehicles (standing/abandoned/RV/improper parking/blocking sidewalk): 9 –HOA management companies are inundating staff with traffic/parking issues.
 - Misc. Dispute Resolution/Civil Complaints: 3
4. **Committees**
 - Active Transportation Committee
 - Due to time/workload, unable to attend this meeting.
 - ACHD Capital Investment Citizens Advisory Committee
 - Kuna’s functional classification map for roadways has been added to the ACHD Master Street Map (MSM) for first time in years.
 - Ada County Street Naming Committee
 - (Staff did not attend due to time/workload constraints and no Kuna projects under review.)
 - Economic Development Committee
 - Downtown Revitalization
 - FACTS (Pathway/Parks)
 - Park Impact Fees
 - (Trevor is designated member. First meeting August 11, 2015)
 - Regional Transportation Advisory Committee
5. **Comprehensive Plan:** Council on August 18, 2015.
6. **I-pads:** Waiting for setup of I-pads previously purchased for P&Z Commission. Deploying them for P&Z meetings will save on printing costs, home-delivery time and gas.
7. **Maps**
 - a. **Future Land Use Map:** Ready for notification and presentation to P&Z Commission once the impact boundary decision has negotiated with Meridian.
 - b. **Planning Area Map:** Council on August 18, 2015.
8. **Permitting Software:** Determining best software for the building department.
9. **Text Amendments**
 - **Lot Split Ordinance:** Completed.
 - **Septic Tank Ordinance:** P&Z Commission recommended approval to City Council.

(Space above reserved for recording)

ORDINANCE NO. 2015-14

AN ORDINANCE OF THE CITY OF KUNA, IDAHO, ANNEXING THE REAL PROPERTY DESCRIBED IN EXHIBIT A AND EXHIBIT B, AND COMMONLY REFERRED TO AS TIMBERMIST NOS. 1 AND 2, INTO THE KUNA MUNICIPAL IRRIGATION DISTRICT FROM THE NEW YORK IRRIGATION DISTRICT AND CHANGING THE BOUNDARIES THEREOF; DECLARING WATER RIGHTS APPURTENANT THERETO ARE POOLED FOR DELIVERY PURPOSES; DIRECTING THAT COPIES OF THIS ORDINANCE BE RECORDED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Kuna operates a municipal irrigation system, generally referred to as Kuna Municipal Irrigation District (KMID), as authorized by Title 50, Chapter 18, Idaho Code; and

WHEREAS, the above mentioned parcels are connected to the Kuna Municipal Irrigation District system; and

WHEREAS, the Kuna City Council has deemed annexation of said properties into the Kuna Municipal Irrigation District to be in the best interest of the City of Kuna;

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

Section 1: That the following described real properties be and the same hereby are annexed into the Kuna Municipal Irrigation District of the City of Kuna, State of Idaho and the boundaries adjusted accordingly, said property being described as follows in Exhibit A and Exhibit B.

Section 2: Declaring the water rights appurtenant thereto are hereby pooled for delivery purposes

Section 3: The City Clerk is hereby directed to record, in the office of the recorder for Ada County, a certified copy of this ordinance as required by Section 50-1832, Idaho Code.

Section 4: The City Engineer is hereby directed to give notice of this action by forwarding a certified copy of this Ordinance to New York Irrigation District.

Section 5: That this Ordinance, or a summary thereof in compliance with Section 50-901A, Idaho Code, shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

DATED this 18st day of August 2015.

ATTEST:

CITY OF KUNA, Ada County, Idaho

W. Greg Nelson, Mayor

Chris Engels, City Clerk

**EXHIBIT A
LEGAL DESCRIPTION FOR WATER RIGHTS ON
TIMBERMIST SUBDIVISION 1**

A PARCEL LOCATED IN THE S ½ OF THE SW ¼ OF SECTION 12, TOWNSHIP 2 NORTH, RANGE 1 WEST, BOISE MERIDIAN, CITY OF KUNA, ADA COUNTY, IDAHO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN ALUMINUM CAP MONUMENT MARKING THE SOUTHWEST CORNER OF SAID S ½ OF THE SW ¼, FROM WHICH A 5/8 INCH DIAMETER IRON PIN MARKING THE SOUTHEAST CORNER OF SAID S ½ OF THE SW ¼ BEARS S 88°53'10" E A DISTANCE OF 2642.80 FEET;

THENCE S 88°53'10" E ALONG THE SOUTHERLY BOUNDARY OF SAID S ½ OF THE SW ¼ A DISTANCE OF 1395.26 FEET TO A POINT;

THENCE LEAVING SAID SOUTHERLY BOUNDARY N 1°06'50" E A DISTANCE OF 48.00 FEET TO A 5/8 INCH DIAMETER IRON PIN ON THE NORTHERLY RIGHT-OF-WAY OF W. HUBBARD ROAD AND THE POINT OF BEGINNING;

THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY N 32°57'36" W A DISTANCE OF 686.53 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE N 57°02'24" E A DISTANCE OF 120.00 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE N 32°57'36" W A DISTANCE OF 70.00 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE N 77°57'36" W A DISTANCE OF 28.28 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE N 32°57'36" W A DISTANCE OF 50.00 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE N 12°02'24" E A DISTANCE OF 28.28 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE N 32°57'36" W A DISTANCE OF 65.00 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE S 57°02'24" W A DISTANCE OF 120.00 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE N 32°57'36" W A DISTANCE OF 174.29 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE N 24°26'44" W A DISTANCE OF 106.47 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE N 6°23'13" W A DISTANCE OF 96.60 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE N 8°02'36" E A DISTANCE OF 73.51 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE N 11°22'29" E A DISTANCE OF 35.59 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE N 21°39'52" E A DISTANCE OF 81.49 FEET TO A 5/8 INCH DIAMETER IRON PIN

ON THE NORTHERLY BOUNDARY OF SAID S ½ OF THE SW ¼;

THENCE S 88°41'55" E ALONG SAID NORTHERLY BOUNDARY A DISTANCE OF 872.06 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE LEAVING SAID NORTHERLY BOUNDARY S 1°18'05" W A DISTANCE OF 149.71 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE S 28°28'35" E A DISTANCE OF 50.00 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE S 59°34'39" E A DISTANCE OF 36.81 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE S 0°28'59" W A DISTANCE OF 284.00 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE S 89°31'01" E A DISTANCE OF 10.00 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE S 18°29'19" E A DISTANCE OF 121.02 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE A DISTANCE OF 54.24 FEET ALONG THE ARC OF A 325.00 FOOT RADIUS NON-TANGENT CURVE RIGHT, SAID CURVE HAVING A CENTRAL ANGLE OF 9°33'45" AND A LONG CHORD BEARING N 78°48'21" E A DISTANCE OF 54.18 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE N 42°02'06" E A DISTANCE OF 26.53 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE N 88°15'35" E A DISTANCE OF 50.04 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE S 44°10'32" E A DISTANCE OF 28.12 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE S 1°09'58" W A DISTANCE OF 50.00 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE N 88°50'02" W A DISTANCE OF 44.47 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE A DISTANCE OF 4.65 FEET ALONG THE ARC OF A 275.00 FOOT RADIUS CURVE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 0°58'04" AND A LONG CHORD BEARING N 89°19'04" W A DISTANCE OF 4.65 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE S 1°09'58" W A DISTANCE OF 112.50 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE S 43°32'03" E A DISTANCE OF 10.49 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE S 0°28'59" W A DISTANCE OF 507.95 FEET TO A 5/8 INCH DIAMETER IRON PIN ON THE NORTHERLY RIGHT-OF-WAY OF W. HUBBARD ROAD;

THENCE N 88°53'10" W ALONG SAID NORTHERLY RIGHT-OF-WAY A DISTANCE OF 462.97 FEET TO THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 22.48 ACRES.

EXHIBIT B
LEGAL DESCRIPTION FOR WATER RIGHTS ON
TIMBERMIST SUBDIVISION 2

A parcel located in the S ½ of the SW ¼ of Section 12, Township 2 North, Range 1 Meridian, City of Kuna, Ada County, Idaho, and more particularly described as follows:

Commencing at an aluminum cap monument marking the southwest corner of said S ½ of the SW ¼, from which a 5/8 inch diameter iron pin marking the southeast corner of said S ½ of the SW ¼ bears S 88°53'10" E a distance of 2642.80 feet;

Thence N 00°29'26" E along the westerly boundary of said S ½ of the SW ¼ a distance of 1326.17 feet to the northwest corner of said S ½ of the SW ¼;

Thence leaving said westerly boundary and along the northerly boundary of said S ½ of the SW ¼ S 88°41'55" E a distance of 48.00 feet to a 5/8 inch diameter iron pin on the easterly right-of-way of S. Linder Road and the **POINT OF BEGINNING**;

Thence leaving said easterly right-of-way and continuing along said northerly boundary S 88°41'55" E a distance of 738.61 feet to a 5/8 inch diameter iron pin marking the northwesterly corner of Timbermist Subdivision No. 1, as filed for record in Book ____ of Plats at Page _____, records of Ada County, Idaho;

Thence leaving said northerly boundary and along the westerly boundary of said Timbermist Subdivision No. 1:

Thence S 21°39'52" W a distance of 81.49 feet to a 5/8 inch diameter iron pin;

Thence S 11°22'29" W a distance of 35.59 feet to a 5/8 inch diameter iron pin;

Thence S 8°02'36" W a distance of 73.51 feet to a 5/8 inch diameter iron pin;

Thence S 6°23'13" E a distance of 96.60 feet to a 5/8 inch diameter iron pin;

Thence S 24°26'44" E a distance of 106.47 feet to a 5/8 inch diameter iron pin;

Thence S 32°57'36" E a distance of 174.29 feet to a 5/8 inch diameter iron pin;

Thence N 57°02'24" E a distance of 120.00 feet to a 5/8 inch diameter iron pin;

Thence S 32°57'36" E a distance of 65.00 feet to a 5/8 inch diameter iron pin;

Thence S 12°02'24" W a distance of 28.28 feet to a 5/8 inch diameter iron pin;

Thence S 32°57'36" E a distance of 50.00 feet to a 5/8 inch diameter iron pin;

Thence S 77°57'36" E a distance of 28.28 feet to a 5/8 inch diameter iron pin;

Thence S 32°57'36" E a distance of 70.00 feet to a 5/8 inch diameter iron pin;

Thence partially along said northerly boundary, and leaving said boundary, S 57°02'24" W a distance of 196.00 feet to a 5/8 inch diameter iron pin;

Thence N 32°57'36" W a distance of 20.00 feet to a 5/8 inch diameter iron pin;

Thence S 57°02'24" W a distance of 164.00 feet to a 5/8 inch diameter iron pin;

Thence N 32°57'36" W a distance of 12.08 feet to a 5/8 inch diameter iron pin;

Thence S 57°02'24" W a distance of 110.00 feet to a 5/8 inch diameter iron pin;

Thence S 79°11'59" W a distance of 49.19 feet to a 5/8 inch diameter iron pin;

Thence N 88°53'10" W a distance of 110.00 feet to a 5/8 inch diameter iron pin;

Thence N 84°52'02" W a distance of 191.96 feet to a 5/8 inch diameter iron pin;

Thence N 0°29'26" E a distance of 275.00 feet to a 5/8 inch diameter iron pin;

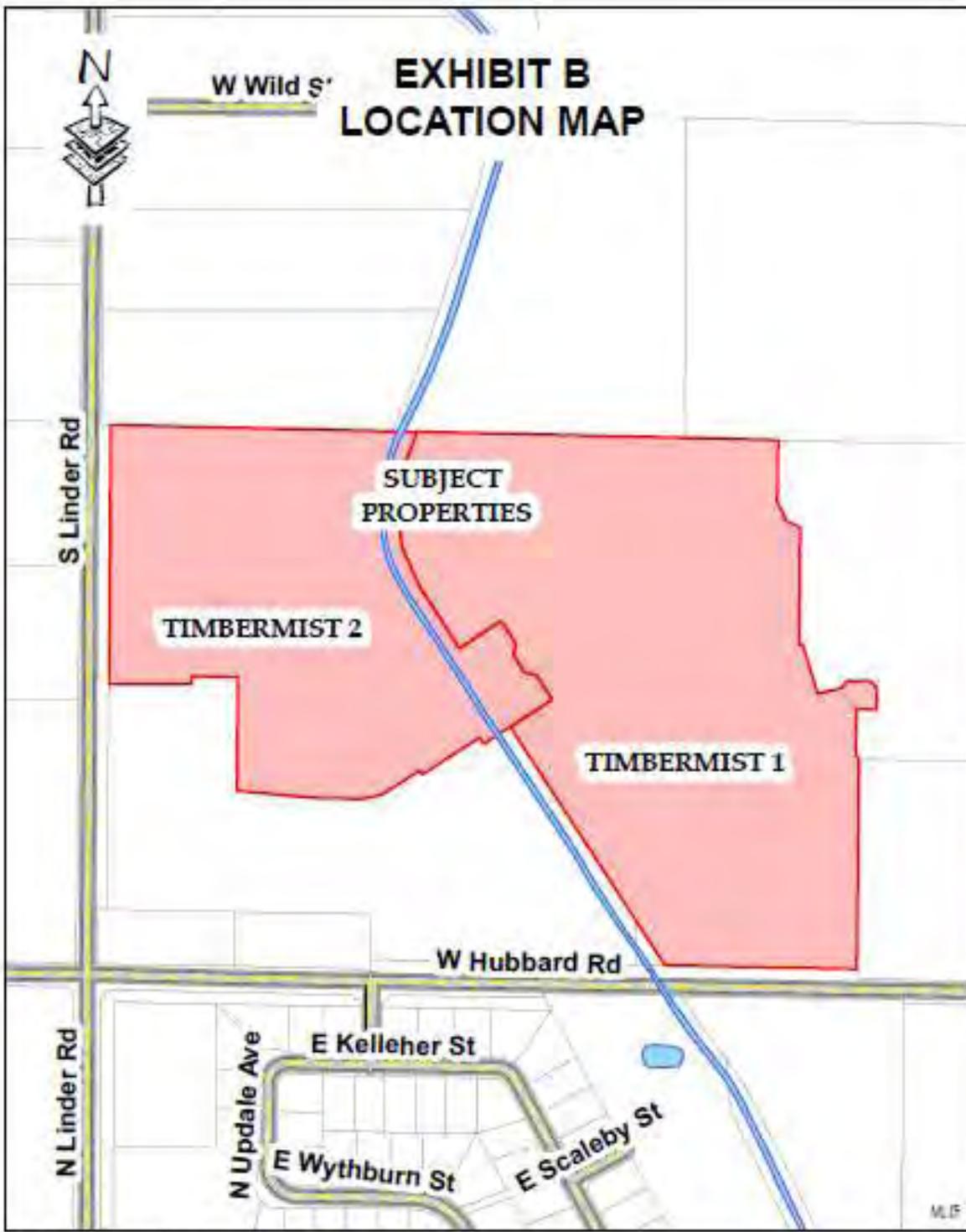
Thence N 89°30'34" W a distance of 110.00 feet to a 5/8 inch diameter iron pin;

Thence S 0°29'26" W a distance of 19.38 feet to a 5/8 inch diameter iron pin;

Thence N 89°30'34" W a distance of 200.00 feet to a 5/8 inch diameter iron pin on the easterly right-of-way of S. Linder Road;

Thence N 0°29'26" E along said easterly right-of-way a distance of 623.29 feet to the **POINT OF BEGINNING**;

This parcel contains 14.58 acres.



Ord. 2015-14 Timbermist Subdivision 1 & 2 Irrigation Annexation
Page 5 of 5