

OFFICIALS

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



CITY OF KUNA

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

City Council Meeting AGENDA Tuesday, June 21, 2016

6:00 P.M. REGULAR CITY COUNCIL

1. **Call to Order and Roll Call**
2. **Invocation:** Stan Johnson, Kuna Life Church
3. **Pledge of Allegiance:** Mayor Stear
4. **Consent Agenda:**

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

A. City Council Meeting Minutes:

1. Regular City Council Minutes, June 7, 2016

B. Accounts Payable Dated June 16, 2016 in the Amount of \$373,450.34

C. Alcohol Licenses:

D. Resolutions

E. Findings of Fact and Conclusions of Law

1. 16-02-AN (Annexation) Gerald & Evelyn Butler/Jayne Butler

Annexation of approximately 1.145 acres parcel located at 7945 S. Linder Road into the City of Kuna with a 'C-1' (Commercial) zoning designation

5. **Community Reports or Requests:**

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

- A. Ada County Prosecutor's Fiscal Year 2017 Budget Request – Tamera Kelly, Deputy Prosecutor
- B. Kuna City Police Fiscal Year 2017 Budget Presentation- Police Chief Justin Dusseau

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

- A. Consideration to approve 16-03-AN (Annexation) Patrick and Lisa Lee – Trevor Kesner, Planner II

Applicants request approval to annex an approximately 0.9 acre parcel located at 80 S. Sailer Place into the City of Kuna with an 'R-4' (Residential) zoning designation.

- B. Consideration to approve 16-01-AN (Annexation) and 16-01-CPM (Comp Plan Map amendment) – Troy Behunin, Senior Planner

A request from Scott Stanfield to annex approximately 4.70 acres into the city of Kuna with an R-12 High Density Residential zoning, and amend the Comprehensive Plan Map for said parcel, from Medium Density Residential to High Density Residential in preparations to develop the site as a multi-family project

- C. Consideration to approve Ordinance No. 2016-12 and Resolution No. R45-2016 Park Impact Fee – Bobby Withrow, Parks Director and Richard Roats, City Attorney

1. Public Hearing on Ordinance No. 2016-12 Park Impact Fees

AN ORDINANCE OF THE CITY OF KUNA, IDAHO, AMENDING THE CITY OF KUNA'S MUNICIPAL CODE BY ADDING A NEW TITLE, ENTITLED "DEVELOPMENT FEES" AND CREATING A NEW CHAPTER ENTITLED "PARK IMPACT FEES"; SETTING FORTH ITS AUTHORITY, FINDINGS, PURPOSE, DEFINITIONS, EXEMPTIONS, CALCULATION OF DEVELOPMENT FEES AND METHODOLOGY, DEVELOPER'S ELECTION FOR PAYMENT, SCHEDULE FOR CALCULATION OF FEES, PROCEDURE TO CALCULATE FEES, EXEMPTION FROM FEES, CALCULATING INDIVIDUAL FEES, DETERMINING EXTRAORDINARY IMPACTS, CERTIFICATION OF FEES, CREDITS AND REIMBURSEMENTS, DETERMINING REFUNDS, COLLECTION AND ADMINISTRATION OF IMPACT FEES INCLUDING DEPOSITS AND TRUST FUND ACCOUNTING, USE OF DEVELOPMENT FEES, APPEALS PROTESTS AND MEDIATION OF FEE DISPUTES, PERIODIC REVIEWS, CONSIDERATION OF DEVELOPMENT IMPACT FEE COMMITTEE REVISIONS TO ORDINANCE, ENFORCEMENT AND COLLECTION OF FEES, CERTAIN MISCELLANEOUS PROVISIONS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

Consideration to waive three readings
Consideration to approve ordinance
Consideration to approve a summary publication of the ordinance

2. Public Hearing and consideration to approve Resolution No. R45-2016 Park Impact Fee Study

A RESOLUTION OF THE CITY OF KUNA, IDAHO ADOPTING THE CITY OF KUNA, IDAHO PARK IMPACT FEE AND CAPITAL IMPROVEMENTS PLAN

7. Business Items:

- A. Resolution R40-2016 Park Use Agreement – Richard Roats, City Attorney

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE PARK USE AGREEMENT FOR BERNIE FISHER PARK WHERE THE FEE IS WAIVED IN CONSIDERATION OF THE NON-PROFIT ENTITY PERFORMING A COMMUNITY SERVICE AT A CITY PARK AND THE EVENT IS FREE AND OPEN TO THE GENERAL PUBLIC; AND AUTHORIZING THE CITY CLERK TO SIGN THE PARK USE AGREEMENT FORM.

- B. Resolution R44-2016 Approve Agreement with B&A Engineers for Lake Hazel Sewer Trunk Design – Gordon Law, City Engineer

RESOLUTION AWARDING CONTRACT FOR CONSULTING SERVICES TO B & A ENGINEERS, INC. IN THE AMOUNT OF \$35,995.00 FOR DESIGN OF THE LAKE HAZEL SEWER TRUNK PROJECT; DIRECTING EXPENDITURE OF FUNDS FROM THE SEWER FUND FOR SAID WORK; AND AUTHORIZING THE MAYOR, CITY CLERK AND CITY ENGINEER TO EXECUTE CONTRACT DOCUMENTS WITH SAID CONSULTANT.

- C. Resolution R46-2016 Approve Agreement with Keller Associates for Preparation of Sewer Lift Station Controls and Equipment Standards – Gordon Law, City Engineer

RESOLUTION AWARDING CONTRACT FOR CONSULTING SERVICES TO KELLER ASSOCIATES IN THE AMOUNT OF \$19,500.00 FOR PREPARATION OF CONTROL AND EQUIPMENT STANDARDS FOR SEWER LIFT STATIONS; DIRECTING EXPENDITURE OF FUNDS FROM THE SEWER FUND FOR SAID WORK; AND AUTHORIZING THE MAYOR, CITY CLERK AND CITY ENGINEER TO EXECUTE CONTRACT DOCUMENTS WITH SAID CONSULTANT.

8. Ordinances:

A. Consideration to Approve Ordinance No. 2016-17 Annexing Certain Real Property for Gerald and Evelyn Butler

Consideration to waive three readings

Consideration to approve ordinance

Consideration to approve a summary publication of the ordinance

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY, TO WIT: PARCEL NO. R1693860270 SITUATED IN THE UNINCORPORATED AREA OF ADA COUNTY, IDAHO AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF KUNA INTO THE CITY OF KUNA, IDAHO; ESTABLISHING THE ZONING CLASSIFICATION OF SAID REAL PROPERTY; DIRECTING THAT COPIES OF THIS ORDINANCE BE FILED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

B. Third Reading of Ordinance No. 2016-09A Amending Ordinance No. 2016-09 to Modify and Re-Number Certain Sections

Consideration to approve ordinance

Consideration to approve a summary publication of the ordinance

AN ORDINANCE OF THE CITY COUNCIL FOR KUNA, IDAHO AMENDING ORDINANCE NO. 2016-09- THE KUNA CITY MUNICIPAL UTILITIES SYSTEM BILLING CODE TO MODIFY, DELETE AND RE-NUMBER CERTAIN SECTIONS, SPECIFICALLY: SECTION 7-7-6a ENTITLED “THIRD PARTY BILLING AGENT” TO ALLOW THE CITY TO PROVIDE THE FORM FOR THE THIRD PARTY AGENT; SECTION 7-7-6b ENTITLED “SECONDARY RECIPIENT OF BILLS” TO PROVIDE FOR AN ONLINE BILLING PROCESS WHEN AVAILABLE, METHODS OF TRANSMISSION OF THE SHUT OFF WARNING TO SECONDARY RECIPIENTS OF BILLS AS SET UP BY ACCOUNT OWNER; SECTION 7-7-9 ENTITLED “INDIGENCY ASSISTANCE” TO CLARIFY THAT THE PROGRAM IS AVAILABLE ONLY IF THE FUNDS ARE APPROPRIATED BY THE CITY COUNCIL; SECTION 7-7-12 ENTITLED “LATE FEE” TO PROVIDE THAT THE LATE FEE WILL BE ASSESSED IF PAYMENT IS NOT RECEIVED BY THE FIFTEENTH (15TH) OF THE MONTH FOLLOWING THE BILL’S ORIGINAL DUE DATE; SECTION 7-7-13 ENTITLED ACCOUNT SHUT OF WARNING” TO ADD SEPARATE NOTICE ALSO BEING PROVIDED BY AUTOMATED DIALER; SECTION 7-7-14 ENTITLED “ACCOUNT SHUT OFF” TO PROVIDE AN EFFECTIVE DATE ON OR AFTER NOVEMBER 16, 2016 FOR SHUTOFFS OF ACCOUNTS TWO (2) BILLING CYCLES PAST DUE; SECTION 7-7-15 ENTITLED “ACCOUNT TURN ON- WATER SERVICE” TO PROVIDE AN EFFECTIVE DATE ON OR AFTER NOVEMBER 16, 2016 FOR ACCOUNT WATER TURN ON SERVICE AND CHARGES INCLUDE ALL CHARGES OR FEES THAT HAVE ACCRUED SINCE THE LAST BILL; SECTION 7-7-16 ENTITLED “NOTICE OF SHUT OFF-WATER SERVICE” TO PROVIDE THAT NOTICE OF SHUT OFF MAY

BE TRANSMITTED BY ELECTRONIC DELIVERY OR AUTOMATED DIALER IN LIEU OF POSTING ON THE PROPERTY; DELETING SECTION 7-7-17 ENTITLED "PAYMENT ARRANGEMENTS"; DELETING SECTION 7-7-18 ENTITLED "HARDSHIP ARRANGEMENTS"; RENUMBERING THE REMAINING SECTIONS; AND CHANGING THE EFFECTIVE DATE TO AUGUST 31, 2016.

9. Mayor/Council Discussion Items:

10. Announcements:

11. Executive Session:

12. Adjournment:

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 Richard Cardoza, Council Member
 Greg McPherson, Council Member

**CITY OF KUNA**

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

**City Council Meeting
 MINUTES**

Tuesday, June 7, 2016

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

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

CITY STAFF PRESENT: Richard Roats, City Attorney
 Chris Engels, City Clerk
 Wendy Howell, P & Z Director
 Gordon Law, City Engineer
 John Marsh, City Treasurer
 Bob Bachman, Fleet/Facilities Director

2. Invocation: Karen Hernandez, United Methodist Church

3. Pledge of Allegiance: Mayor Stear

Consideration to Amend the Agenda

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

(Timestamp 00:02:00)

City Clerk Chris Engels requests to amend the agenda that was originally posted on June 3, 2016 to add item 7E.

The matter came to the attention of the Clerk's office on 06.07.2016.

Council Member Buban-Vonder Haar moved to amend the agenda to include item 7E. Seconded by Council President Jones. Motion carried 4-0.

4. Consent Agenda:
(Timestamp 00:02:30)

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A. City Council Meeting Minutes:

1. Regular City Council Minutes, March 18, 2016

B. Accounts Payable Dated June 2, 2016 in the Amount of \$329,191.31

C. Resolutions

1. Resolution R42-2016 NE Kuna Farms EDU Transfer

A RESOLUTION OF THE CITY OF KUNA, IDAHO APPROVING THE TRANSFER OF 621 KUNA NORTH SEWER TREATMENT CONNECTION CERTIFICATES FROM COREY D. BARTON TO NE KUNA FARMS, LLC; AND AUTHORIZING THE MAYOR, THE CITY ATTORNEY AND THE CITY ENGINEER TO EXECUTE THE TRANSFER DOCUMENT.

D. The Findings of Fact

1. A request by P & F Development to change to the Comprehensive Plan Map (Comp Plan) designation for lot 2, block 6 within the Mineral Springs No. 2 Subdivision, from commercial to residential. The applicant also requests to rezone approximately 6.50 acres (lot 2, block 6) from C-1 (Neighborhood Business District) to R-4 (Low Density Residential) and Preliminary Plat approval for 12 buildable lots within the previously constructed Mineral Springs Subdivision No. 2.

Council Member Buban-Vonder Haar moved to approve the consent agenda. Seconded by Council President Jones. Motion carried 4-0.

5. Community Reports or Requests:

(Timestamp 00:2:55)

- A. Shane and Cathy Summers, Freedom Fitness – Discussion on proposed partnership for pool and fitness facility.**

Shane and Cathy Summers have secured funding for a pool and fitness facility and would like to partner with the City of Kuna on the possibility of a long term lease of 7 acres on city owned property to build the proposed pool and fitness facility.

Shane and Cathy Summers, Freedom Fitness, 693 E Wythe Creek Ct. Mr. Summers explained he and Mrs. Summers were interested in a possible partnership with the City and a long term lease for property to install a facility with a pool. Mrs. Summers stated that she is a long time Kuna resident and that the community would like a pool. The Summers would like to explore the possible ways of accomplishing this. They are looking to expand their facility and include a pool. The costs are not cheap but they have had some preliminary discussions and done some research. They stood for questions.

Mayor Stear said there were still some legal items to work through.

Council Member Buban-Vonder Haar asked how they envisioned it working.

Mr. Summers explained how a facility in Eagle worked when he was involved. There was pool sharing and the facility worked with the city on family nights, as well as sharing it with the high schools. The pool they are proposing for Kuna is high school regulation so sharing with the high school would be a possibility. They aren't requesting a tax increase. They only need help with the land. They are interested in kids' events and do a good number of them already through Freedom Fitness. Healthier lifestyles for kids, families and seniors could be incorporated with the pool. Passes and other details could be worked out.

Council Member Buban-Vonder Haar said she was open to details.

Mr. Summers would be able to afford a pool and facility at 3-4 million dollars. He had previously thought to purchase the land and looked at building when financially feasible. The land isn't affordable and that is why he is looking at a partnership. They are asking for help with land and nothing else; no upkeep, no maintenance, no financial help for events on the part of the City. The current plan would include a saltwater pool to cut down on costs.

Mrs. Summers said people wouldn't have to be members of the gym to have access to the pool. Community members could get day passes.

Mr. Summers said he has spoken to the school about swim meets and would include bleachers to accommodate that. It would help keep the community healthier and involved.

Council President Jones said his concerns are the amount of open time available to the public because of events and would like to see how that would be structured. His other concern is the location of youth crossing the highway. The cost of making that crossing safe would be large and he would like to see how that plan could be implemented.

Mr. Summers agreed that could be an issue. The expansion in the future would include ball courts. This would create an increase in usage adding to that issue.

Mayor Stear thanked them for their time.

6. Public Hearings: (6:00 p.m. or as soon thereafter as matters may be heard.)
(Timestamp 00:13:39)

A. 16-02-AN (Annexation) Gerald & Evelyn Butler/Jayne Butler – Trevor Kesner, Planner II

Applicant is requesting approval to annex an approximately 1.145 acres parcel located at 7945 S. Linder Road into the City of Kuna with a 'C-1' (Commercial) zoning designation in order to continue operating an existing HVAC business.

Planner II Trevor Kesner pointed out some erroneous notification dates on the front page of the Staff Report. He noted that, in section A. Course Proceedings, Item 1-a. Notifications, agencies were actually notified again of the Council's proposed action on May 16, property owners within 300 feet of the site were mailed notice of this public hearing on May 23, the site was posted to reflect this hearing on May 23, and the hearing notification was published in Kuna Melba News on May 25. These corrections will be made and will be on the Findings report when brought to Council. The Comprehensive Plan's future land use map identifies this parcel as commercial. There is no onsite customer facilities and only one (1) staff member on site. It is intended for a dispatch center. There are no site improvements proposed and a C-1 zone is certainly appropriate for this type of business. There is no equipment sold or stored on site. The applicant said there should only be two (2) trucks on site. All conditions have been complied with. The City Engineer has concurred with any conditions for future site improvements. Staff recommends approval. The applicants were present for the hearing. Mr. Kesner stood for questions.

Council President Jones asked why the sign size was changed.

Mr. Kesner said an 11 x 17 can be used on spaces under five (5) acres.

Council Member Cardoza asked if the city limits extend farther north than the area shown in the staff report.

Mr. Kesner responded that the city limits do go further north. This is just making a statement that, in order to annex this parcel, it is actually contiguous to other parcels that are in city limits.

Council Member Cardoza asked about the section stating this is to allow an existing business to continue to operate and in another section it says it is residential. He inquired if they had been operating illegally as commercial in a residential area.

Mr. Kesner said he did not know the history of this parcel and the county. Staff did due diligence to get in touch with Ada County to see if there were any code

violations or any potential issues with commercial use in that zone when it was in the county but received no information.

Council Member Cardoza asked if this should have any effect on Council's decision or if annexing the parcel as commercial could give the City any trouble with the county.

Mr. Kesner said no and that, as part of the notification process, Ada County Development Services was notified of the annexation and no response was given. This parcel is also specifically called out as commercial in the City's Future Land Use Map for the City's Comprehensive Plan.

Mayor Stear opened the public hearing.
(Timestamp 00:20:43)

Support: None

Neutral: None

Against: None

Mayor Stear closed the public hearing.
(Timestamp 00:21:06)

Council President Jones moved to approve 16-02-AN (Annexation). Seconded by Council Member Buban-Vonder Haar. Motion carried 4-0.

- B.** Ordinance No. 2016-16 Amending KCC Title 5 – Zoning Regulations – Wendy Howell – Planning & Zoning Director
(Timestamp 00:21:47)

Consideration to waive three readings
Consideration to approve ordinance
Consideration to approve a summary publication of the ordinance

AN ORDINANCE OF THE CITY COUNCIL FOR KUNA, IDAHO AMENDING KCC 5-1-6-2 "COMMENCEMENT OF CONSTRUCTION" TO INCLUDE THE PREPAYMENT OF PREPAID SEWER HOOK UPS OR LID EDU'S; AMENDING KCC 6-2-3 ENTITLED "PRELIMINARY PLAT" TO CLARIFY CERTAIN SECTIONS REGARDING THE APPROVAL PERIOD FOR A PRELIMINARY PLAT, REMOVING LANGUAGE REGARDING CONSTRUCTION PHASING AND THE REQUIREMENT THAT THE DEVELOPER PROVIDE A TIME SCHEDULE WITH START AND COMPLETION DATES, ADDING LANGUAGE TO REQUIRE SIXTY (60) DAYS NOTICE PRIOR TO A PLAT EXPIRING, ADDING LANGUAGE THAT A DEVELOPER MAY RECEIVE A PRELIMINARY PLAT REINSTATEMENT IF THERE HAS BEEN COMMENCEMENT OF CONSTRUCTION, SETTING

FORTH CONDITIONS FOR MAKING APPLICATION FOR A PRELIMINARY PLAT EXTENSION APPLICATION INCLUDING PAYMENT OF PAST DUE FEES, REQUIRING PRELIMINARY PLATS THAT HAVE BEEN EXTENDED WHERE THE DEVELOPER ALSO REQUEST A CHANGE IN PHASING TO RECEIVE CITY COUNCIL APPROVAL IF THE PHASING HAS A REQUIREMENT SUCH AS A SWIMMING POOL OR OTHER AMENITY; AMENDING KCC 6-2-4 ENTITLED "FINAL PLAT" TO MAKE CERTAIN CHANGES TO CLARIFY THE APPROVAL PROCESS, ADDING A REQUIREMENT THAT ALL EASEMENTS BE SHOWN ON ALL LOT LINES, AND ADDING TO THE PLAT NOTES THAT HOA COMMON LOTS IRRIGATION ASSESSMENTS ARE FRACTIONALLY ASSESSED TO THE INDIVIDUAL IMPROVED LOTS; AND PROVIDING AN EFFECTIVE DATE.

Planning and Zoning Director Wendy Howell explained that the ordinance clarifies and refines the approval process for platting. The time frame required for the phased applications will now have an identified application process to request time extensions. The requirement for easements on final plats has also been added because of troubles in the field. She stood for questions.

Mayor Stear asked City Attorney Richard Roats if the ordinance should be on the slow track.

Mr. Roats explained that the changes were made by staff decision and can be passed that night because the most significant changes are to procedures.

Ms. Howell stated she would like to see this passed sooner rather than later.

Council Member Buban-Vonder Haar moved to waive the three (3) readings of Ordinance No. 2016-16. Seconded by Council President Jones. Motion carried 4-0.

Council Member Buban-Vonder Haar moved to approve Ordinance No. 2016-16. Seconded by Council President Jones. Approved by the following roll call vote:

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

Voting No: None

Motion carried 4-0.

Council Member Buban-Vonder Haar moved to approve publication of Ordinance No. 2016-16. Seconded by Council President Jones. Motion carried 4-0.

- C. Request to table the public hearing until June 21, 2016 for Ordinance No. 2016-12, Park Impact Fees
(Timestamp 00:25:18)

Council Member Buban-Vonder Haar moved to table the public hearing of Ordinance No. 2016-12 Park Impact Fees until June 21, 2016. Seconded by Council President Jones. Motion carried 4-0.

- D.** Resolution R16-2016 City Parks and Public Property Amended Fees – Chris Engels, City Clerk
(Timestamp 00:25:46)

CITY PARKS AND CITY PUBLIC PROPERTY FEES- AMENDING FEE SCHEDULE. A RESOLUTION OF THE CITY OF KUNA, IDAHO AMENDING RESOLUTION NO. R26-2015 TO AMEND THE RENTAL FEES FOR THE SENIOR CENTER ON THE CITY PARK AND CITY PUBLIC PROPERTY PARK USE FEE SCHEDULE, AND PROVIDING AN EFFECTIVE DATE

City Clerk Chris Engels explained that Resolution R16-2016 is in response to previous committee meetings, Council discussion, and cost analysis of the Senior Center. Bob Bachman, Facilities Director, has diligently gone through the costs of renting out the Senior Center. The recommendation is to amend the rental fees for the Senior Center with \$50 remaining for the first hour and each individual additional hour changed to \$25 per hour. She stood for questions.

Council President Jones asked if any thought had been given to charging \$75 for the first two (2) hours instead of doing it on an hourly basis.

Ms. Engels said that if that is Council's direction it can certainly be done. Most rentals do go at least two (2) hours.

Council President Jones felt having a commitment for a minimum of two (2) hours would give the City more incentive to rent out the Senior Center.

Council felt that was reasonable.

Council President Jones wanted some clarification on the other park fees. He has no issue with the fees themselves but was not sure on the afterhours park permit. He wanted to know if that was per day or per event and does it apply to both public and private events. He is assuming that clarification will need to be made at some point. He asked if that should be done at this time with the fees for the Senior Center or at a later date.

Mayor Stear said that sounds like it might get a little more complicated and it would be best to address that when a rewrite is done.

Council President Jones asked how the motion should be worded to reflect that.

City Attorney Richard Roats said that because it is a significant change it should be republished and then the new changes brought forward at the next meeting.

Ms. Engels said it would have to be the first meeting in July because it has to publish twice before the fee increase.

Council Member Cardoza asked if it was still going to be \$50 for the first hour and \$25 an hour after that.

Council President Jones said what he is proposing is \$75 for the first two (2) hours and then \$25 for every hour after that. This creates a two (2) hour minimum for renting the Senior Center. The average rental is for three (3) hours anyways.

Council Member Cardoza was concerned that would cause a drop in Senior Center rentals, sending people to the Community Hall instead.

Council President Jones explained that the Community Hall is rented by the day and costs \$150 per level, meaning the whole building is \$300. What he is proposing for the Senior Center rental fees doesn't actually change the cost of renting it for two (2) hours, it just creates a two (2) hour minimum. He asked Ms. Engels how often it is reserved for only one (1) hour.

Ms. Engels said those instances are few and far between.

Council member Cardoza said that if it will not deter people from renting the Senior Center he does not have a problem with Council President Jones' proposal.

Council President Jones asked if half hour increments are allotted.

Ms. Engels said it is \$25 for each additional hour or fraction thereafter.

Council President Jones moved to change the fee schedule in Resolution R16-2016 to reflect the Senior Center Rental Fees at \$75 for the first two (2) hours and \$25 for each additional hour, to republish, and to bring it back before the Council on July 5, 2016. Seconded by Council Member Buban-Vonder Haar. Motion carried 4-0.

7. Business Items:

(Timestamp 00:35:01)

A. Discussion regarding Temporary/Special Event Vendors – Pat Jones, Council President

Council President Jones said he has had some concerns regarding temporary and special event vendors brought to him and is looking for clarification. He reviewed that, before he became a council member, he came to council seeking protection of special events. Special Events require a substantial amount of money to put on. There have been incidents where vendors have come in and set up across the street from special events, piggy backing off the event and reaping benefits without contributing. He explained that the Kuna City Code 3-9-11A states any vendor within a 750 ft. radius of a special event would have to pay the special event their

vendor fee or pay the City one and a half (1 ½) times their vendor fee. What he wanted clarified was whether or not that is still in effect and if it applies to all types of vendors.

Council Member Cardoza asked if there were any exceptions to that section of code and the 750 ft. radius.

Council President Jones deferred to City Attorney Richard Roats.

Mr. Roats said there are no exceptions to that specifically. There are exceptions listed under 3-9-3 where the provisions of the chapter do not apply.

Council President Jones asked if that meant anyone falling within those exceptions does not have to follow any of the rules regarding vendors.

Mr. Roats said, based on how that section reads, yes.

Council President Jones asked if that means there is no provision to verify a vendor is actually tax exempt.

Mr. Roats said he did not believe there would be an opportunity to request that proof.

Council Member Buban-Vonder Haar said she would assume it would be handled by complaints. If someone complains about a vendor who claims to be tax exempt the police would go and check that out.

Council President Jones if Council would be opposed to, at some point, implementing a law requiring everyone, including tax exempt groups, to get a permit, but tax exempt permits would be free, thus enforcing all other vendor rules.

Council Member Buban-Vonder Haar asked if that meant Girl Scouts, Boy Scouts, and children's lemonade stands would have to get permits.

Council President Jones said no. It would just apply to any type of food or retail vendors.

Council Member Buban-Vonder Haar said that would apply to those she listed and yard sales.

Council President Jones said he just wants to know what is in place to keep people from setting up outside stores and events without proper permitting when all they have to do is claim tax exempt. He wanted to know how that tax exempt status would be proved.

Council Member Buban-Vonder Haar thought the police would probably site them and the vendor would be required to provide some sort of proof of their tax exempt status.

City Clerk Chris Engels said if someone was to set up across the street from a special event and the City was made aware of that the City makes contact with them or asks the Kuna Police Department to make contact. The vendor's choice is to get with the event and pay the fee if they do not fall under any of the exceptions or they have to pay the penalty fee to the City. If the vendor refuses to do either of those options they are cited. If it is an organization that falls under the exceptions, they are still required to do a special event plan at which point it can be determined where they are from and what they are doing.

Council President Jones gave the example of the Lions Club's car show. They bring a decent amount of people in. They pay for all their permits, portable restrooms, insurance, advertising, etc. and then another nonprofit club comes along and sets up across the street. He wanted to know if that is ok.

Council Member Buban-Vonder Haar said, based on section 3-9-3, none of this section applies to those listed, including nonprofit clubs.

Mr. Roats suggested changing the paragraph to separate the nonprofits who should be abiding by these rules from the entities like the Girl Scouts. The four (4) or five (5) that should have the permit but not have to pay the fee can be outlined.

Council President Jones said he would be ok with that if the rest of the Council is.

Council agreed.

Council President Jones asked that this apply to special event vendor permits and temporary vendor permits.

Mr. Roats will make those changes and bring it before Council.

B. Resolution R40-2016 Park Use Agreement – Richard Roats, City Attorney
(Timestamp 00:47:27)

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE PARK USE AGREEMENT FOR BERNIE FISHER PARK WHERE THE FEE IS WAIVED IN CONSIDERATION OF THE NON-PROFIT ENTITY PERFORMING A COMMUNITY SERVICE AT A CITY PARK AND THE EVENT IS FREE AND OPEN TO THE GENERAL PUBLIC; AND AUTHORIZING THE CITY CLERK TO SIGN THE PARK USE AGREEMENT FORM.

City Attorney Richard Roats reminded Council that the option of a park use agreement with community service provision in lieu of fees was previously discussed. He had also asked if Council would allow the City Clerk to sign the agreements instead of coming to city council. He stood for questions.

Council President Jones asked why the Park Supervisor wouldn't sign the agreements.

Mr. Roats explained that it could be done that way. However, all the paperwork goes through the Clerk's Office anyways and it is not always easy to track down the Parks Supervisor at the time the paperwork is being processed.

Council President Jones said he would prefer to continue with yearly contracts for the two (2) youth groups that use park use agreements.

Council Member Buban-Vonder Haar said this is not about those two (2) youth groups specifically. There are other organizations that request fee waivers.

Mr. Roats explained that groups like the Baptist church that came in recently to reserve the park for a couple events would like to do park use agreements that allow them to use the park in exchange for some community service instead of fee waivers. The park use agreement provides a way to do that.

Council Member Buban-Vonder Haar had some concerns about determining if an event was really open to the public.

City Clerk Chris Engels explained that the two (2) events that are waiting are the two (2) that happen every year. The sports camp is open to the youth and there is no participation fee. The Vacation Bible School is like a day camp.

Council Member Buban-Vonder Haar asked if there are established criteria to determine which events are truly open to the public.

Ms. Engels said, based on the requests that have come in, her opinion is that it would be appropriate for the Council to consider these events truly open to the public and to establish criteria to define that if they choose to.

Council Member Buban-Vonder Haar felt that it would be good to anticipate these events and to establish a definition for public events in order to be fair.

Mr. Roats said that Council has been helpful over the last four years or so in determining what is really open to the public. He says something with stipulations, such as everyone is welcome but need to be baptized in order to participate, would not be considered a public event.

Mayor Stear brought up the fact that, with the Park Use Agreement, the event organizers may not be paying a fee but they are performing a service that benefits the City. He suggests looking at what it means to be open to the public at some point, but it does not seem necessary for this particular agreement.

Council President Jones asked if the intent of this agreement was to use it for any request that comes in with a public event.

Mr. Roats explained that those providing for the public that would like to contribute would be able to complete this application.

Council President Jones said, with that being the case, he agrees with Council Member Buban-Vonder Haar about setting guidelines to determine what a public event truly is, as well as how to determine a group is really nonprofit.

Council Member Buban-Vonder Haar asked if the group would have to be registered as a 501-C-3 or is the fact that it is a no charge event that no one will make money off of enough. She said since the insurance requirement is not waived she would not care if they are registered.

Council President Jones said that, if no money is being made, he is fine with it as well. He did want to know why the insurance required is being change from \$500,000 to \$1 million.

Ms. Engels explained that in the special event rewrite that is in process the insurance required will be \$1 million and almost all special events come in with a \$1 million policy even though, at the moment, all that is required is \$500,000.

Council President Jones asked if there were still issues acquiring seasonal parks employees.

Facilities Director Bob Bachman said it has been challenging.

Council President Jones made the request that, if an event will be using a park, their community service help the park systems.

Mayor Stear said that is something Ms. Engels could definitely get with the Parks Director on.

Council President Jones asked if there was a way to document the amount of fees being waived on the agreement.

Ms. Engels said certainly.

Council Member Buban-Vonder Haar asked how to address the definition of a public event in the passing of this resolution.

Mr. Roats offered to redraft the Park Use Agreement and bring it back before Council at the next meeting.

Ms. Engels said, if it is Council's intent to allow these use agreements with the events she had just talked about, she would like Council's approval to negotiate with them, especially the sports camp since theirs is dated before the next Council Meeting.

Council Member Buban-Vonder said she was fine with that.

Council President Jones asked if these events had done community service in exchange for using the parks before.

Ms. Engels said no but she has made them aware of the fact that they may have to this year. They let her know what their intent for community service would be. She will go over it with the Parks Director.

Council President Jones asked if Ms. Engels wanted this resolution approved now instead of waiting for the next meeting.

Ms. Engels said she is asking for a one time approval just for the sports camp.

Council President Jones moved to allow the youth sports camp a fee waiver in exchange for community service for their event planned for June 2016. Seconded by Council Member Buban-Vonder Haar. Motion carried 4-0.

Council Member Cardoza asked if the community service provided by these events would only be done at the park they use or could it be done at any Kuna park.

Mr. Roats and Council President Jones both said any park.

Council member Cardoza asked about some of the wording in the Park Use Agreement. He would like it changed to express that work could be done at any of the parks.

Mr. Roats said he would make that change.

- C. Resolution R41-2016 ACHD Agreement for Main St. Improvements - Chris Engels, City Clerk
(Timestamp 01:03:05)

A RESOLUTION OF THE CITY OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE INTERAGENCY AGREEMENT BETWEEN THE ADA COUNTY HIGHWAY DISTRICT AND THE CITY OF KUNA FOR ROADWAY IMPROVEMENTS ALONG MAIN STREET BETWEEN AVENUE C AND AVENUE E.

City Clerk Chris Engels explained that, as part of the Downtown Revitalization Funding Package that has been assembled, this request is for consideration of Resolution R41-2016 which is the agreement between the City of Kuna and Ada County Highway District (ACHD) providing the conditions and responsibilities of both parties for up to \$200,000 of costs associated with design, construction, and the installation of Phase 1 of the Downtown Project. This would be along Avenue E and down Main Street to Avenue C. She stood for questions.

Mayor Stear stated that this agreement has been vetted back and forth to insure that it works for all entities involved. This is ACHD's agreement to support and provide funding for Downtown Revitalization.

Council Member Cardoza asked where the \$200,000 would be coming from.

Ms. Engels explained that ACHD has committed those funds to the City for that project.

Council Member Cardoza asked City Attorney Richard Roats if the agreement was specific enough as to who was putting forth the \$200,000.

Mr. Roats said it is clear the money is coming from ACHD.

Council Member Buban-Vonder Haar moved to approve Resolution R41-2016. Seconded by Council President Jones. Motion carried 4-0.

- D.** Resolution No. R43-2016 Approve Agreement with Bailey Engineering, Inc. for Design of Memory Ranch Regional Lift Station – Gordon Law, City Engineer
(Timestamp 01:06:24)

RESOLUTION AWARDING CONTRACT FOR CONSULTING SERVICES TO BAILEY ENGINEERING, INC. IN THE AMOUNT OF \$13,600.00 FOR DESIGN OF THE MEMORY RANCH REGIONAL LIFT STATION PROJECT; DIRECTING EXPENDITURE OF FUNDS FROM THE SEWER FUND FOR SAID WORK; AND AUTHORIZING THE MAYOR, CITY CLERK AND CITY ENGINEER TO EXECUTE CONTRACT DOCUMENTS WITH SAID CONSULTANT.

City Engineer Gordon Law explained that this is an item that was discussed in the previous Council Meeting. He did not have anything to add to what had been discussed and stood for questions.

Council Member Buban-Vonder Haar moved to approve Resolution R43-2016. Seconded by Council Member McPherson. Motion carried 4-0.

- E.** Request to waive 30 and/or 20 day submittal requirement for the Special Event Plan for Ride For Hope Cycle Charity Event – Chris Engels, City Clerk
(Timestamp 01:07:45)

This is the second year for this event and due to family responsibilities of one of the organizer; the actual application for the special event was not submitted prior to the 30 day guideline or 20 day exception. All requirements are being met with Citizen Use Permits for all impacted counties and cities, City of Kuna named insured and park reservation with fees was paid in February 2016.

City Clerk Chris Engels explained that the organizer for the event had some family issues and was unable to turn in the special events application before the cutoff date but has met all other requirements. She asked that the 30 and/or 20 day submittal requirement in the special event plan be waived so the event can be allowed. She stood for questions.

Council Member Buban-Vonder Haar asked when the event will be held.

Ms. Engels said it is scheduled for June 25, 2016.

Council Member Buban-Vonder Haar asked where the event would be held.

Ms. Engels explained that the event starts at 6:00 am and goes until 4:00 pm. They congregate on the Green Belt at the parking lot by Swan Falls Road. It is a county bicycle ride that people have registered and paid fees to in order to participate. All the required paperwork for all the different roads in all the different counties and cities has been obtained. They like to start and end in Kuna because they like it here. After the ride they go the Band Shell at Bernie Fisher Park to pass out awards and have some food for those involved.

Council Member Buban-Vonder Haar asked how much of the day the event would be in the park. She wanted to be sure there would be no conflict with other events taking place in the park.

Ms. Engels explained this has all been coordinated with other events. All parties are aware of when all events are taking place that day.

Council President Jones asked if this was just a duplicate of the event they did last year.

Ms. Engels said yes and they have paid all the fees for this year's event.

Council Member Buban-Vonder Haar asked if this was not brought before Council last year because it is a paid event.

Ms. Engels said yes and they completed all other paperwork before the dead line as well.

Mayor Stear stated that due to extenuating circumstances they did not make the deadline for the event plan this year.

Ms. Engels confirmed Mayor Stear's statement and added that no fee waivers are requested either.

Council Member Cardoza asked about the paperwork submitted in February.

Ms. Engels explained that the park reservation was done in February, at which point it was explained that they needed to complete a special event plan with the City and when it was due. All the paperwork was provided; the organizer simply was unable to complete it in time.

Council Member Cardoza asked if the park reservation fees were paid in February as well as the insurance and if the only thing they had been lacking was the special event plan.

Ms. Engels explained that the park reservation fee was paid in February, but the insurance was not turned in until that day, when the special event application was turned in.

Council Member Cardoza asked the Chief of Police if the police department incurred expenses from these bicycle ride events.

Chief of Police Justin Dusseau said they do not but they are on stand by in case of emergencies. The events are usually responsible to provide their own flaggers and even motor escorts. Event planners always make sure to share their plans with the police department and the police department always coordinates with the City Clerk's Office to be aware of where there could be problems. They do not usually staff these events and they do not usually incur extra expenses.

Council President Jones asked if Ada County Highway District (ACHD) changed any of their requirements this year.

Ms. Engels shared that this event brought on an outside company to handle flaggers, the chase vehicles, and the like. They have been working with ACHD, Nampa, and Canyon County to make sure everything is as it should be.

Council Member Buban-Vonder Haar moved to waive the 30 and/or 20 day submittal requirement for the Special Event Plan for Ride For Hope Cycle Charity Event to occur on June 25, 2016. Seconded by Council Member McPherson. Motion carried 4-0.

8. Ordinances:

- A. Ordinance No. 2016-14 (14-02-AN) Annexing Certain Real Property for Yvonne & Mark Kirkpatrick**
(Timestamp 01:14:32)

Consideration to waive three readings

Consideration to approve ordinance

Consideration to approve a summary publication of the ordinance

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY, TO WIT: PARCEL NO. S1315427802 AND PARCEL NO. S1315427820 SITUATED IN THE UNINCORPORATED AREA OF ADA COUNTY, IDAHO AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF KUNA INTO THE CITY OF KUNA, IDAHO; ESTABLISHING THE ZONING CLASSIFICATION OF SAID REAL PROPERTY; DIRECTING THAT COPIES OF THIS ORDINANCE BE FILED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

Planning and Zoning Director Wendy Howell explained that all information for this annexation was provided in the attached memo and she has nothing to add unless there are questions.

Mayor Stear read the portion of the memo stating, "The annexation ordinance before the Council on June 7th, 2016 is a late-coming document needing final approval. The annexation request for case # 14-02-AN was approved by City Council on September 2, 2014; findings were made by the Council on September 16, 2014. It was discovered that the document had not yet come back to City Council for final ordinance approval, as it was overlooked due to a change in planning staff in June, 2014. Staff requests approval of said ordinance at this time."

Council Member Buban-Vonder Haar moved to waive the three (3) readings of Ordinance No. 2016-14. Seconded by Council Member McPherson. Motion carried 4-0.

Council Member Buban-Vonder Haar moved to approve Ordinance No. 2016-14. Seconded by Council Member McPherson. Approved by the following roll call vote:

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

Voting No: None

Motion carried 4-0.

Council Member Buban-Vonder Haar moved to approve summary publication of Ordinance No. 2016-14. Seconded by Council Member McPherson. Motion carried 4-0.

**B. Ordinance No. 2016-15 Rezoning Part of Mineral Springs No. 2 Subdivision
(Timestamp 01:17:45)**

Consideration to waive three readings

Consideration to approve ordinance

Consideration to approve a summary publication of the ordinance

AN ORDINANCE REZONING PARCEL R5741281000, PART OF THE MINERAL SPRINGS NO. 2 SUBDIVISION, FROM C-1 TO R-4; SITUATED WITHIN THE CORPORATE LIMITS OF THE CITY OF KUNA, ADA COUNTY, IDAHO; DIRECTING THAT COPIES OF THIS ORDINANCE BE RECORDED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

Council Member Buban-Vonder Haar moved to waive the three (3) readings of Ordinance No. 2016-15. Seconded by Council Member McPherson. Motion carried 4-0.

Council Member Buban-Vonder Haar moved to approve Ordinance No. 2016-15. Seconded by Council Member McPherson. Approved by the following roll call vote:

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

Voting No: None

Motion carried 4-0.

Council Member Buban-Vonder Haar moved to approve summary publication of Ordinance No. 2016-15. Seconded by Council Member McPherson. Motion carried 4-0.

- C. *Second Reading of Ordinance No. 2016-09A Amending Ordinance No. 2016-09 to Modify and Re-Number Certain Sections*
(Timestamp 01:19:21)

Consideration to waive third reading

Consideration to approve ordinance

Consideration to approve a summary publication of the ordinance

AN ORDINANCE OF THE CITY COUNCIL FOR KUNA, IDAHO AMENDING ORDINANCE NO. 2016-09- THE KUNA CITY MUNICIPAL UTILITIES SYSTEM BILLING CODE TO MODIFY AND RE-NUMBER CERTAIN SECTIONS, SPECIFICALLY: SECTION 7-7-6a ENTITLED "THIRD PARTY BILLING AGENT" TO ALLOW THE CITY TO PROVIDE THE FORM FOR THE THIRD PARTY AGENT; SECTION 7-7-6b ENTITLED "SECONDARY RECIPIENT OF BILLS" TO PROVIDE FOR THE BILLING PROCESS TO BE PERFORMED BY THE CITY WHEN IMPLEMENTED AND THE NOTICING OF THE SHUT OFF WARNING; SECTION 7-7-9 ENTITLED "INDIGENCY DISCOUNT" TO CLARIFY THAT THE PROGRAM IS AVAILABLE ONLY IF THE FUNDS ARE APPROPRIATED BY THE CITY COUNCIL; SECTION 7-7-12 ENTITLED "LATE FEE" TO PROVIDE THAT THE LATE FEE WILL BE ASSESSED IF PAYMENT IS NOT RECEIVED BY THE LAST DAY OF THE MONTH; SECTION 7-7-14 ENTITLED "ACCOUNT SHUT OFF" TO PROVIDE

AN EFFECTIVE DATE ON OR AFTER NOVEMBER 16, 2016 FOR SHUTOFFS OF ACCOUNTS PAST DUE SIXTY (60) DAYS; SECTION 7-7-15 ENTITLED "ACCOUNT TURN ON- WATER SERVICE" TO PROVIDE AN EFFECTIVE DATE ON OR AFTER NOVEMBER 16, 2016 FOR ACCOUNT WATER TURN ON SERVICE AND CHARGES INCLUDE ALL CHARGES OR FEES THAT HAVE ACCRUED SINCE THE LAST BILL; SECTION 7-7-16 ENTITLED "NOTICE OF SHUT OFF-WATER SERVICE" TO PROVIDE THAT NOTICE OF SHUT OFF MAY BE TRANSMITTED BY ELECTRONIC DELIVERY OR AUTOMATED DIALER IN LIEU OF POSTING ON THE PROPERTY; SECTION 7-7-17 ENTITLED "PAYMENT ARRANGEMENTS" TO PROVIDE THAT THE LATE FEE SHALL BE SUSPENDED IF THE PAYMENT AGREEMENT IS COMPLIED WITH OR IMPOSED IF IT IS NOT COMPLIED WITH; SECTION 7-7-18 ENTITLED "HARDSHIP ARRANGEMENTS" TO ALLOW THE CITY TO PROVIDE THE FORM FOR HARDSHIP REQUEST AND FOR THE SUSPENSION OF ANY LATE FEES IF THE PAYMENT AGREEMENT IS COMPLIED WITH; ADDING SECTION 7-7-13 ENTITLED "ACCOUNT SHUT OFF WARNING" TO ADD A SECTION TO PROVIDE FOR A SHUT OFF WARNING; AND CHANGING THE EFFECTIVE DATE TO AUGUST 31, 2016.

City Attorney Richard Roats explained that the changes requested at the first reading of this ordinance have been made. He stood for questions.

Council Member Cardoza asked if the late fee is supposed to be assessed on the 15th of the following month and not the last day of the month as it says in the agenda.

Mr. Roats says he will see that is changed.

Mayor Stear read the ordinance.

Council Member Buban-Vonder Haar asked about accounts set up for electronic deliveries. The ordinance says these accounts *may* be notified by e-mail instead of posting shut offs on the properties. She was wondering if there is value in still physically posting shut off notifications on the properties.

City Engineer Gordon Law said they are trying to avoid multiple trips out to repeat offenders' properties. It causes significant expenses to the City.

Council member Buban-Vonder Haar asked how to ensure people receive their electronic notices.

Mr. Roats clarified that the e-mails go out after the water is shut off so the account holder will know about the shut off.

Council President Jones asked if something was being posted before the water is shut off.

Mr. Roats said it is on the billing statement.

Council Member Buban-Vonder Haar expressed concern that some people only receive their statements electronically and may miss the notifications on the statements, just like they may miss the notification e-mail.

Mr. Roats explained that if for some reason someone was not receiving their electronic statements, this would not be the stage at which to notify them in person. He asked John Marsh, City Treasurer, if a paper notification could be mailed to electronic accounts.

Mr. Marsh said it can be done but, in regards to electronic accounts, customers set up their own accounts so it is assumed that the e-mail information is correct and any changes made would have rerouting set up or notification. Also, to avoid the secondary printing and going out to the site, an auto dialer is being looked at. An account holder would provide a phone number as a second contact for notification.

Council member Buban-Vonder Haar said that was what she was wanting; some sort of safe guard to make sure people are actually aware.

Mr. Marsh explained that the auto dialer would be linked into the City's PBX system as long as phone numbers for accounts are provided which would be part of the sign up process.

Council Member Buban-Vonder Haar asked how people who are already signed up for electronic billing would get signed up for the auto dialer. She asked if existing electronic accounts would be prompted to provide a phone number when logging in at some point or is a whole new system being put in place that would cause everyone to re-enroll.

Mr. Marsh said yes, a marketing piece will go out specifically for those who are already on electronic formats before the system changes with instructions on how to switch over to the new system.

Council President Jones asked if the auto dialer would be voice or text.

Mr. Marsh said at this point it would be voice, but text may be available later.

Mr. Roats suggested that, in section 7-7-13 on the third line after the word e-mail, the code read "or other method set up by the account owner".

Council Member Buban-Vonder Haar felt that would work.

Council President Jones asked Mr. Marsh if people would have the option to opt out of the auto dialer. He was concerned that if someone opted out of it they could say they don't have that service so it doesn't apply to them.

Council Member Buban-Vonder Haar suggested putting in the sign up information exactly what the phone number or auto dialer would be used for.

Council President Jones felt that would work.

Mr. Marsh said that would work or it could be required to have that information with a notification listed that an account holder may or may not receive a second notification and that the information will only be used for those notifications.

Mr. Law asked to be sure this would not create a mandatory obligation for the City to excuse someone from paying their bills because they did not receive their notice.

Council Member Buban-Vonder Haar said that is the point of the secondary form of notification; to remove the excuse of not receiving a notice.

Mayor Stear confirmed that this would be advertised one (1) more time.

Council Member Cardoza noted that the end of the late period was also incorrect in the body of the ordinance.

Mr. Roats said it would be changed for the third reading.

D. *Third Reading* and consideration to approve Ordinance No. 2016-11 Amending Business License Code
(Timestamp 01:39:04)

Consideration to approve ordinance

Consideration to approve a summary publication of the ordinance

AN ORDINANCE OF THE CITY COUNCIL FOR KUNA, IDAHO AMENDING THE CITY OF KUNA, IDAHO'S BUSINESS LICENSING CODE TO CLARIFY THAT IT APPLIES TO A COMMERCIAL BUSINESS OR HOME OCCUPATION OPERATING WITHIN THE CITY LIMITS; STRIKING THE EXCEPTIONS TO LICENSE REQUIREMENT; PROVIDING THAT THE CLERK OR DESIGNEE MAY ISSUE THE LICENSE; STRIKING THE FEE AMOUNT AND PROVIDING THAT THE FEE SHALL BE SET BY RESOLUTION OF THE CITY COUNCIL; PROVIDING THAT LICENSE FEES SHALL BE PAID IN FULL; PROVIDING THE APPLICATION FOR LICENSE SHALL BE SUBMITTED TO THE CLERK AND PAID IN FULL; PROVIDING FOR SUSPENSION OF LICENSES; PROVIDING A LICENSE SHALL BE VALID FOR A DURATION OF TWELVE (12) MONTHS; PROVIDING THAT FAILURE TO PROCURE A LICENSE SHALL BE PUNISHABLE AS AN INFRACTION IN THE AMOUNT OF TWENTY-FIVE DOLLARS (\$25.00) FOR EACH VIOLATION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Council President Jones asked about 3-4-7 being stricken from the ordinance since there is no description for that section.

Ms. Engels said yes it should be stricken and will be from the final copy and under duration of license “any license that is not renewed by the expiration date, a new license with corresponding fees and approvals is required” has been added as per last Council Meeting.

Council Member Buban-Vonder Haar moved to approve Ordinance No. 2016-11 with the notation that section 3-4-7 is stricken and other numbering shall be adjusted accordingly. Seconded by Council Member McPherson. Approved by the following roll call vote:

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

Voting No: None

Motion carried 4-0.

Council Member Buban-Vonder Haar moved to approve summary publication of Ordinance No. 2016-11. Seconded by Council President Jones. Motion carried 4-0.

Council President Jones asked how home businesses will be contacted in regards to the change.

Ms. Engels said a list of businesses and address has been compiled based on what is in City records and a mail out will be done. The Chamber of Commerce will also be asked to post something on their website. The City will put notice in the newspaper, social media, and the City website.

Council Member Buban-Vonder Haar felt that, as the education process goes on, more businesses will become known to the City and the City will work with them to help them comply with the new code.

Council President Jones asked if the information could be put on the utility billing statements.

Ms. Engels said she could look into it.

Council Member Buban-Vonder Haar suggested waiting to put information about business licensing in with the billing statements until after education on the changes in the utility billing process has finished.

Council Member Cardoza asked City Attorney Richard Roats if business licenses should be posted somewhere visible.

Council Member Buban-Vonder Haar added that, if that is the case, how would that work for home based businesses since it is a requirement to not have customers in the owner's place of residence.

Mr. Roats said it may not need to be done but it could be accomplished by posting the licenses on doors, providing a sticker, or having it hung on the wall of the business. The thing to focus on now is the record keeping process.

9. Mayor/Council Discussion Items:

(Timestamp 01:47:02)

Mayor Stear stated there is an ongoing issue about floaters exiting the creek on to private property. Mayor Stear will work with Richard Roats and Chief Dusseau on the best solutions.

Council Member Buban-Vonder brought up posting the parks job vacancy on social media.

City Clerk Chris Engels said that it was posted on social media but it has been taken down since the position has been filled. Job listings do go out on social media. The City is in the process of combining all department Facebook pages to the City Clerk Facebook page. Information is also cross posted to other community pages and Nextdoor.

Council Member Buban-Vonder Haar suggested posting about the consolidation of the City Facebook pages.

Mayor Stear suggested putting that information on the City webpage once the consolidation is complete.

Council President Jones asked about the timeline for moving to the new city hall.

Mayor Stear said everything is on track so far.

Council Member Buban-Vonder Haar asked about getting a timeline.

Mayor Stear said one thing that was a variable was Augustine moving Lima Limon. That appears to be on track which will help keep everything else on track.

Council Member Buban-Vonder Haar asked if demo would start the next week.

Facilities Director Bob Bachman said a plan review will be done in the next week or so and permits and everything else should be ready to go by June 15, 2016.

Council Member Buban-Vonder Haar asked that a little update about where things are at with the remodel and move be included in each agenda as long as it is not too much trouble.

Council Member Buban-Vonder Haar suggested putting a designated Craigslist/internet sales exchange site in the parking lot of the New City Hall.
Mr. Bachman said he would get with her on that.

10. Announcements:

11. Executive Session:

12. Adjournment: 7:54 pm

Joe L. Stear, Mayor

ATTEST:

Chris Engels, City Clerk

Minutes prepared by Ariana Welker, Customer Service Specialist
Date Approved: CCM 06.21.2016

City of Kuna

Payment Approval Report - City Council Approval

Report dates: 6/3/2016-6/16/2016

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Page: 1

Jun 16, 2016 05:29PM

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.	4107719-000	4306	REPLACEMENT SPRINKLERS FOR PARK MAINTENANCE. P.KAUFMAN, JUN.'16	06/09/2016	353.81	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	6/16		
Total 4107719-000:						353.81	.00					
Total 2M COMPANY, INC.:						353.81	.00					
ADA COUNTY HIGHWAY DISTRICT (IMPACT)												
5	ADA COUNTY HIGHWAY DISTRICT (IMPACT)	06012016		ACHD IMPACT FEE TRANSFER, JUNE 16	06/03/2016	112,628.00	112,628.00	01-2510 ACHD IMPACT FEE TRANSFER	0	6/16	06/03/2016	
Total 06012016:						112,628.00	112,628.00					
Total ADA COUNTY HIGHWAY DISTRICT (IMPACT):						112,628.00	112,628.00					
ADA COUNTY HIGHWAY DISTRICT (RENT)												
1037	ADA COUNTY HIGHWAY DISTRICT (RENT)	13789		ACHD SHOP RENT, PARKS, JULY 16	06/16/2016	112.50	.00	01-6140 MAINT. & REPAIR BUILDING	1004	7/16		
1037	ADA COUNTY HIGHWAY DISTRICT (RENT)	13789		ACHD SHOP RENT, WATER, JULY 16	06/16/2016	148.50	.00	20-6140 MAINT. & REPAIR BUILDING	0	7/16		
1037	ADA COUNTY HIGHWAY DISTRICT (RENT)	13789		ACHD SHOP RENT, SEWER, JULY 16	06/16/2016	148.50	.00	21-6140 MAINT. & REPAIR BUILDING	0	7/16		
1037	ADA COUNTY HIGHWAY DISTRICT (RENT)	13789		ACHD SHOP RENT, PI, JULY 16	06/16/2016	40.50	.00	25-6140 MAINT. & REPAIR BUILDING	0	7/16		
Total 13789:						450.00	.00					
Total ADA COUNTY HIGHWAY DISTRICT (RENT):						450.00	.00					

City of Kuna

Payment Approval Report - City Council Approval

Report dates: 6/3/2016-6/16/2016

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Page: 2

Jun 16, 2016 05:29PM

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
ADA COUNTY SHERIFF'S OFFICE												
6	ADA COUNTY SHERIFF'S OFFICE	6505		SHERIFF SERVICES, JUNE 16	06/01/2016	130,825.29	.00	01-6000 LAW ENFORCEMENT SERVICES	0	6/16		
Total 6505:						130,825.29	.00					
Total ADA COUNTY SHERIFF'S OFFICE:						130,825.29	.00					
BENDER ELECTRIC LLC												
1751	BENDER ELECTRIC LLC	2016-77		EXTENDED CIRCUIT IN ROUNDAABOUT UNDERGROUND FLAGPOLE LIGHT AND OUTLET, PARKS, JUNE 16	06/06/2016	1,424.00	.00	40-6020 CAPITAL IMPROVEMENTS	1021	6/16		
Total 2016-77:						1,424.00	.00					
Total BENDER ELECTRIC LLC:						1,424.00	.00					
BUYWYZ LLC												
1795	BUYWYZ LLC	88141	4276	2 BX COPIER PAPER, P&Z, JUNE 16	06/01/2016	65.98	.00	01-6165 OFFICE SUPPLIES	1003	6/16		
1795	BUYWYZ LLC	88141	4276	SEVERAL BOXES PENS, 2 BX COPIER PAPER, HANGING FILE FOLDERS, PLANT, JUNE 16	06/01/2016	68.90	.00	20-6165 OFFICE SUPPLIES	0	6/16		
1795	BUYWYZ LLC	88141	4276	SEVERAL BOXES PENS, 2 BX COPIER PAPER, HANGING FILE FOLDERS, SEWER, JUNE 16	06/01/2016	68.90	.00	21-6165 OFFICE SUPPLIES	0	6/16		
1795	BUYWYZ LLC	88141	4276	SEVERAL BOXES PENS, 2 BX COPIER PAPER, HANGING FILE FOLDERS, PL, JUNE 16	06/01/2016	26.25	.00	25-6165 OFFICE SUPPLIES	0	6/16		
Total 88141:						230.03	.00					
1795	BUYWYZ LLC	88158	4276	NOTARY STAMP FOR ARIANA WELKER, ADMIN, JUNE 16	06/06/2016	37.56	.00	01-6075 DUES & MEMBERSHIPS	0	6/16		

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1795	BUYWYZ LLC	88158	4276	<u>NOTARY STAMP FOR ARIANA WELKER, WATER, JUNE 16</u>	06/06/2016	.95	.00	<u>20-6075 DUES & MEMBERSHIPS</u>	0	6/16		
1795	BUYWYZ LLC	88158	4276	<u>NOTARY STAMP FOR ARIANA WELKER, SEWER, JUNE 16</u>	06/06/2016	.95	.00	<u>21-6065 DIG LINE EXPENSE</u>	0	6/16		
1795	BUYWYZ LLC	88158	4276	<u>NOTARY STAMP FOR ARIANA WELKER, PI, JUNE 16</u>	06/06/2016	.49	.00	<u>25-6075 DUES & MEMBERSHIPS EXPENSE</u>	0	6/16		
Total 88158:						39.95	.00					
Total BUYWYZ LLC:						269.98	.00					
CAMPBELL TRACTOR & IMPLEMENT COMPANY												
135	CAMPBELL TRACTOR & IMPLEMENT COMPANY	N36017		<u>V BELT, REPLACEMENT BELT FOR JOHN DEERE MOWER DECK, B WITHROW, PARKS, MAY 16</u>	05/03/2016	110.00	.00	<u>01-6142 MAINT. & REPAIR - EQUIPMENT</u>	1004	5/16		
Total N36017:						110.00	.00					
Total CAMPBELL TRACTOR & IMPLEMENT COMPANY:						110.00	.00					
CENTURYLINK												
62	CENTURYLINK	052520160624		<u>DEDICATED LANDLINE, SCADA, 05-25-16 TO 06-24-16-16, WATER, JUNE 16</u>	05/25/2016	16.56	.00	<u>20-6255 TELEPHONE EXPENSE</u>	0	6/16		
62	CENTURYLINK	052520160624		<u>DEDICATED LANDLINE, SCADA, 05-25-16 TO 06-24-16-16, SEWER, JUNE 16</u>	05/25/2016	21.62	.00	<u>21-6255 TELEPHONE EXPENSE</u>	0	6/16		
62	CENTURYLINK	052520160624		<u>DEDICATED LANDLINE, SCADA, 05-25-16 TO 06-24-16-16, PI, JUNE 16</u>	05/25/2016	7.01	.00	<u>25-6255 TELEPHONE EXPENSE</u>	0	6/16		
Total 0525201606242016SC:						45.19	.00					
Total CENTURYLINK:						45.19	.00					

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COASTLINE EQUIPMENT COMPANY												
1788	COASTLINE EQUIPMENT COMPANY	W24018	4070	REPAIRS ON 310 BACKHOE, REPLACED SEAL ON FRONT BUCKET OF BACKHOE, PARKS, APR 16	04/13/2016	232.28	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1004	4/16		
1788	COASTLINE EQUIPMENT COMPANY	W24018	4070	REPAIRS ON 310 BACKHOE, REPLACED SEAL ON FRONT BUCKET OF BACKHOE, WATER, APR 16	04/13/2016	306.61	.00	20-6142 MAINT. & REPAIRS- EQUIPMENT	0	4/16		
1788	COASTLINE EQUIPMENT COMPANY	W24018	4070	REPAIRS ON 310 BACKHOE, REPLACED SEAL ON FRONT BUCKET OF BACKHOE, SEWER, APR 16	04/13/2016	306.61	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	4/16		
1788	COASTLINE EQUIPMENT COMPANY	W24018	4070	REPAIRS ON 310 BACKHOE, REPLACED SEAL ON FRONT BUCKET OF BACKHOE, PI, APR 16	04/13/2016	83.65	.00	25-6142 MAINT. & REPAIRS - EQUIPMENT	0	4/16		
Total W24018:						929.15	.00					
Total COASTLINE EQUIPMENT COMPANY:						929.15	.00					
CONCRETE CONSTRUCTION SUPPLY, INC.												
1531	CONCRETE CONSTRUCTION SUPPLY, INC.	437172	4212	TUBE FOR THE FLAG POLE FOR THE ROUND ABOUT ADDITION, B.BACHMAN, MAY'16	05/17/2016	31.00	.00	40-6020 CAPITAL IMPROVEMENTS	1021	5/16		
Total 437172:						31.00	.00					
Total CONCRETE CONSTRUCTION SUPPLY, INC.:						31.00	.00					
CORWIN AUTO IDAHO LLC												
442	CORWIN AUTO IDAHO LLC	87604		REPLACED BOTH BATTERIES, MISC ELECTRICLA SYSTEM DIAGNOSIS, 2 BXT BATTERIES, FORD F550, SEWER, MAR 16	03/29/2016	302.52	.00	21-6305 VEHICLE MAINTENANCE & REPAIRS	0	5/16		
Total 87604:						302.52	.00					

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Total CORWIN AUTO IDAHO LLC:						302.52	.00					
D & B SUPPLY												
75	D & B SUPPLY	003 98683 001	4264	REPLACEMENT ROSES AND "SPOOLS" FOR ROSE GARDEN, B.WITHROW, MAY'16	05/31/2016	174.90	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	6/16		
Total 003 98683 001:						174.90	.00					
Total D & B SUPPLY:						174.90	.00					
DATA MANAGEMENT, INC												
1748	DATA MANAGEMENT, INC	392134		TIME CLOCK PLUS SUPPORT SERVICES, 6-10-16 TO 6-9-17, ADMIN, JUNE 16	06/10/2016	230.73	.00	01-6052 CONTRACT SERVICES	0	6/16		
1748	DATA MANAGEMENT, INC	392134		TIME CLOCK PLUS SUPPORT SERVICES, 6-10-16 TO 6-9-17, P&Z, JUNE 16	06/10/2016	74.16	.00	01-6052 CONTRACT SERVICES	1003	6/16		
1748	DATA MANAGEMENT, INC	392134		TIME CLOCK PLUS SUPPORT SERVICES, 6-10-16 TO 6-9-17, WATER, JUNE 16	06/10/2016	189.52	.00	20-6052 CONTRACT SERVICES	0	6/16		
1748	DATA MANAGEMENT, INC	392134		TIME CLOCK PLUS SUPPORT SERVICES, 6-10-16 TO 6-9-17, SEWER, JUNE 16	06/10/2016	247.21	.00	21-6052 CONTRACT SERVICES	0	6/16		
1748	DATA MANAGEMENT, INC	392134		TIME CLOCK PLUS SUPPORT SERVICES, 6-10-16 TO 6-9-17, PI, JUNE 16	06/10/2016	82.40	.00	25-6052 CONTRACT SERVICES	0	6/16		
Total 392134:						824.02	.00					
Total DATA MANAGEMENT, INC:						824.02	.00					
DIGLINE												
25	DIGLINE	0054153-IN		DIG FEES, WATER, MAY 16	05/31/2016	121.72	.00	20-6065 DIG LINE EXPENSE	0	5/16		
25	DIGLINE	0054153-IN		DIG FEES, SEWER, MAY 16	05/31/2016	121.72	.00	21-6065 DIG LINE EXPENSE	0	5/16		

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25	DIGLINE	0054153-IN		<u>DIG FEES, PI, MAY 16</u>	05/31/2016	46.36	.00	<u>25-6065 DIG LINE EXPENSE</u>	0	5/16		
Total 0054153-IN:						289.80	.00					
Total DIGLINE:						289.80	.00					
DMH ENTERPRISES												
1745	DMH ENTERPRISES	053116		<u>PLUMBING INSPECTION FEES, MAY 16</u>	05/31/2016	6,491.94	6,491.94	<u>01-6202 PROFESSIONAL SERVICES</u>	1003	5/16	06/03/2016	
Total 053116:						6,491.94	6,491.94					
Total DMH ENTERPRISES:						6,491.94	6,491.94					
EDMARK GM SUPERSTORE												
357	EDMARK GM SUPERSTORE	497157	4250	<u>EMERGENCY BRAKE PEDAL FOR TRUCK #1, B.GUILLOGLY, SEWER, MAY 16</u>	05/24/2016	65.75	.00	<u>21-6305 VEHICLE MAINTENANCE & REPAIRS</u>	0	5/16		
Total 497157:						65.75	.00					
Total EDMARK GM SUPERSTORE:						65.75	.00					
ELECTRICAL CONTROLS & INSTRUMENTATION												
1744	ELECTRICAL CONTROLS & INSTRUMENTATION	053116		<u>ELECTRICAL INSPECTION FEES, MAY 16</u>	06/03/2016	5,721.00	5,721.00	<u>01-6202 PROFESSIONAL SERVICES</u>	1003	5/16	06/03/2016	
Total 053116:						5,721.00	5,721.00					
Total ELECTRICAL CONTROLS & INSTRUMENTATION:						5,721.00	5,721.00					
FERGUSON WATERWORKS #1701												
219	FERGUSON WATERWORKS #1701	0631428	4116	<u>2 ROLLS OF SEWER BURY TAPE, 4FT LEVEL, TORPEDO LEVEL, SHOVEL, 48 ALUM LVL I BEAM WITH SCALE, PIPE REPAIR AT 720 SWAN FALLS,</u>								

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				T FLEMING, SEWER, APR 16	04/25/2016	156.50	.00	21-6150 MAINT. & REPAIRS - SYSTEM	0	6/16		
Total 0631428:						156.50	.00					
219	FERGUSON WATERWORKS #1701	0631539	4122	16 EA ANGLE VALVES, GLUE, & PRIMER FOR PI REPAIRS. C.DEYOUNG, APR.'16 - P.I	04/26/2016	1,757.61	.00	25-6150 MAINT. & REPAIRS - SYSTEM (PI)	0	6/16		
Total 0631539:						1,757.61	.00					
219	FERGUSON WATERWORKS #1701	0633437		PROSPECTOR PI, 4-8 LG HOT TAP CHG, C DEYOUNG, PI, MAY 16	05/19/2016	600.00	.00	25-6020 CAPITAL IMPROVEMENTS	1056	5/16		
Total 0633437:						600.00	.00					
219	FERGUSON WATERWORKS #1701	0633438		PROSPECTOR PI, DAWN CT PI MAIN, C DEYOUNG, PI, MAY 16	05/19/2016	116.47	.00	25-6020 CAPITAL IMPROVEMENTS	1052	5/16		
Total 0633438:						116.47	.00					
Total FERGUSON WATERWORKS #1701:						2,630.58	.00					
FLUID CONNECTOR PRODUCTS, INC.												
1083	FLUID CONNECTOR PRODUCTS, INC.	6375799	4292	3 IN TO 2 IN CAM LOC REDUCER, IN CHEMICAL TRANSFER, T SHAFER, SEWER, JUNE 16	06/07/2016	61.15	.00	21-6175 SMALL TOOLS	0	6/16		
Total 6375799:						61.15	.00					
Total FLUID CONNECTOR PRODUCTS, INC.:						61.15	.00					
HD SUPPLY WATERWORKS LTD												
63	HD SUPPLY WATERWORKS LTD	F278212	3974	CLEAR WATER SCREEN, P.I. SUTTERS MILL SITE, C.DEYOUNG, MAR.'16	04/21/2016	1,226.04	.00	25-6142 MAINT. & REPAIRS - EQUIPMENT	0	5/16		

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Total F278212:						1,226.04	.00					
63	HD SUPPLY WATERWORKS LTD	F529178	4263	PIPE CAPS FOR A REPAIR ON WATER LINE AT COOL SPRINGS. TO CLEAN PI SCREENS. M.FISETTE. MAY'16	05/27/2016	272.56	.00	25-6150 MAINT. & REPAIRS- SYSTEM (PI)	0	6/16		
Total F529178:						272.56	.00					
Total HD SUPPLY WATERWORKS LTD:						1,498.60	.00					
IDAHO PRESS TRIBUNE, LLC												
1802	IDAHO PRESS TRIBUNE, LLC	982067	4233	AD#1463200, LEGAL PUBLICATION, 16-02-CPM, FOR SCHOOL HOUSE MULTI FAMILY PUBLIC HEARING NOTICE, T BEHUNIN. P&Z. MAY'16	05/25/2016	64.20	.00	01-6125 LEGAL PUBLICATIONS	1003	5/16		
Total 982067:						64.20	.00					
1802	IDAHO PRESS TRIBUNE, LLC	982067A	4241	AD# 1463287 LG, LEGAL PUBLICATION, LEGAL NOTICE TO AMEND TITLE 7, CHAPTER 3, SECTION 17, ADMIN, MAY 16	05/25/2016	68.64	.00	01-6125 LEGAL PUBLICATIONS	0	5/16		
Total 982067A:						68.64	.00					
1802	IDAHO PRESS TRIBUNE, LLC	982067B	4230	AD# 1463293 LG, LEGAL PUBLICATION, 16-02-AN BUTLER ANNEXATION, PUBLIC NOTICE, P&Z, MAY 16	05/25/2016	59.02	.00	01-6125 LEGAL PUBLICATIONS	1003	5/16		
Total 982067B:						59.02	.00					
1802	IDAHO PRESS TRIBUNE, LLC	984331	4243	AD#1463231 LG, LEGAL PUBLICATION, PROPOSAL REQUEST FOR ENGINEERING SVCS, C ENGELS, JUNE 16	06/01/2016	91.94	.00	01-6125 LEGAL PUBLICATIONS	0	6/16		

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Total 984331:						91.94	.00					
1802	IDAHO PRESS TRIBUNE, LLC	984331A	4239	AD#1463254 LG. LEGAL PUBLICATION. PUBLIC NOTICE TO CONSIDER ADOPTING RESOLUTION R16-2016, PARKS, JUNE 16	06/01/2016	439.81	.00	01-6125 LEGAL PUBLICATIONS	1004	6/16		
Total 984331A:						439.81	.00					
1802	IDAHO PRESS TRIBUNE, LLC	984331B	4240	AD#1463323 LG. LEGAL PUBLICATION. CONSIDER ADOPTING PROPOSED ORDINANCE 2016-12 TO AMEND CITY OF KUNA'S MUNICIPAL CODE. ADMIN. JUNE 16	06/01/2016	282.38	.00	01-6125 LEGAL PUBLICATIONS	0	6/16		
Total 984331B:						282.38	.00					
1802	IDAHO PRESS TRIBUNE, LLC	984331C	4242	AD#1463342 LG. LEGAL PUBLICATION. REQUEST FOR PROPOSAL. OPERATIONS FOR RETAIL KIOSK. ADMIN. JUNE 16	06/01/2016	45.02	.00	01-6125 LEGAL PUBLICATIONS	0	6/16		
Total 984331C:						45.02	.00					
1802	IDAHO PRESS TRIBUNE, LLC	984331D	4259	AD#1466198 LG. LEGAL PUBLICATION. CASE #16-01-AN & 16-01-CPM. SCOTT STANSFIELD ANNEXATION, T BEHUNIN. JUNE 16	06/01/2016	61.98	.00	01-6125 LEGAL PUBLICATIONS	1003	6/16		
1802	IDAHO PRESS TRIBUNE, LLC	984331D	4259	LEGAL PUBLICATION. SCOTT STANSFIELD ANNEXATION, T BEHUNIN. MAY 16	06/01/2016	2.22	.00	01-6125 LEGAL PUBLICATIONS	1003	6/16		
Total 984331D:						64.20	.00					
1802	IDAHO PRESS TRIBUNE, LLC	985209	4280	AD# 1469206 LG. LEGAL PUBLICATION. LEE ANNEXATION 16-03-AN.								

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				T.KESNER, P & Z, JUN.'16	06/08/2016	53.10	.00	01-6125 LEGAL PUBLICATIONS	1003	6/16		
Total 985209:						53.10	.00					
Total IDAHO PRESS TRIBUNE, LLC:						1,168.31	.00					
IDAHO STATE POLICE												
1509	IDAHO STATE POLICE	S6090462		S6090462, FINGERPRINT JESSICA LEE REID, PARKS, MAY 16	05/25/2016	10.00	.00	01-6202 PROFESSIONAL SERVICES	1004	5/16		
1509	IDAHO STATE POLICE	S6090462		S6085399, DUSTIN POLENTZ, BACKGROUND CHECK, PARKS, MAY 16	05/25/2016	39.75	.00	01-6202 PROFESSIONAL SERVICES	1004	5/16		
1509	IDAHO STATE POLICE	S6090462		S6086136 JACON BLACK, S6086137 JOSHUA BLACK, S6087402 ROBERT CLEAVER, S6087403 LEANN CASTILLO, S6089626 JULIANNA QUINTANA, SOLICITOR LICENSES, MAY 16	05/25/2016	198.75	.00	01-2075 UNEARNED REVENUE	0	5/16		
Total S6090462:						248.50	.00					
Total IDAHO STATE POLICE:						248.50	.00					
INTEGRA TELECOM												
1411	INTEGRA TELECOM	13900840		MONTHLY TELEPHONE, DATA, NETWORK, ADMIN, JUNE 16	06/01/2016	589.02	.00	01-6255 TELEPHONE	0	6/16		
1411	INTEGRA TELECOM	13900840		MONTHLY TELEPHONE, DATA, NETWORK, P&Z, JUNE 16	06/01/2016	210.37	.00	01-6255 TELEPHONE	1003	6/16		
1411	INTEGRA TELECOM	13900840		MONTHLY TELEPHONE, DATA, NETWORK, WATER, JUNE 16	06/01/2016	546.97	.00	20-6255 TELEPHONE EXPENSE	0	6/16		
1411	INTEGRA TELECOM	13900840		MONTHLY TELEPHONE, DATA, NETWORK, SEWER, JUNE 16	06/01/2016	546.97	.00	21-6255 TELEPHONE EXPENSE	0	6/16		

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1411	INTEGRA TELECOM	13900840		<u>MONTHLY TELEPHONE, DATA, NETWORK, PI, JUNE 16</u>	06/01/2016	210.37	.00	<u>25-6255 TELEPHONE EXPENSE</u>	0	6/16		
Total 13900840:						2,103.70	.00					
Total INTEGRA TELECOM:						2,103.70	.00					
INTEGRINET SOLUTIONS, INC.												
1595	INTEGRINET SOLUTIONS, INC.	92379		<u>APC DESKTOP UPS FOR THE CHAMBERS, JUNE 16</u>	05/30/2016	69.00	.00	<u>01-6142 MAINT. & REPAIR - EQUIPMENT</u>	0	5/16		
Total 92379:						69.00	.00					
Total INTEGRINET SOLUTIONS, INC.:						69.00	.00					
INTERMOUNTAIN GAS CO												
37	INTERMOUNTAIN GAS CO	482195000042		<u>NATURAL GAS CONSUMPTION, NWWTP, 04-27-16 TO 05-26-16, MAY 16</u>	05/27/2016	263.86	.00	<u>21-6290 UTILITIES EXPENSE</u>	0	6/16		
Total 48219500004271605261:						263.86	.00					
Total INTERMOUNTAIN GAS CO:						263.86	.00					
J & M SANITATION, INC.												
230	J & M SANITATION, INC.	05312016		<u>DISPOSAL/REMOVAL OF SLUDGE, 4-29-16 TO 5-25-16, SEWER, MAY 16</u>	05/31/2016	2,880.00	.00	<u>21-6150 MAINT. & REPAIRS - SYSTEM</u>	0	5/16		
Total 05312016:						2,880.00	.00					
230	J & M SANITATION, INC.	060316		<u>SANITATION RECEIPT TRANSFER 05-27-16 TO 06-02- 16, MAY 16</u>	06/03/2016	11,879.04	11,879.04	<u>26-7000 SOLID WASTE SERVICE FEES</u>	0	6/16	06/03/2016	
230	J & M SANITATION, INC.	060316		<u>SANITATION RECEIPT TRANSFER LESS FRANCHISE FEE, 05-27-16 TO 06-02-16, MAY 16</u>	06/03/2016	-1,173.64	-1,173.64	<u>01-4170 FRANCHISE FEES</u>	0	6/16	06/03/2016	

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Total 060316:						10,705.40	10,705.40					
230	J & M SANITATION, INC.	06032016-060		<u>SANITATION RECEIPT</u> <u>TRANSFER 06/03/16-06/09/16,</u> <u>JUN.'16</u>	06/10/2016	31,396.80	31,396.80	<u>26-7000 SOLID</u> <u>WASTE SERVICE</u> <u>FEES</u>	0	6/16	06/10/2016	
230	J & M SANITATION, INC.	06032016-060		<u>SANITATION RECEIPT</u> <u>TRANSFER 06/03/16-06/09/16</u> <u>MINUS FRANCHISE FEE,</u> <u>JUN.'16</u>	06/10/2016	-3,102.00	-3,102.00	<u>01-4170</u> <u>FRANCHISE FEES</u>	0	6/16	06/10/2016	
Total 06032016-06092016:						28,294.80	28,294.80					
Total J & M SANITATION, INC.:						41,880.20	39,000.20					
JACK HENRY & ASSOCIATES, INC.												
1328	JACK HENRY & ASSOCIATES, INC.	2286795		<u>BANK FEES, ADMIN, JUNE 16</u>	05/31/2016	61.67	.00	<u>01-6505 BANK</u> <u>FEES</u>	0	6/16		
1328	JACK HENRY & ASSOCIATES, INC.	2286795		<u>BANK FEES, P&Z, JUNE 16</u>	05/31/2016	3.06	.00	<u>01-6505 BANK</u> <u>FEES</u>	1003	6/16		
1328	JACK HENRY & ASSOCIATES, INC.	2286795		<u>BANK FEES, WATER, JUNE 16</u>	05/31/2016	101.75	.00	<u>20-6505 BANK</u> <u>FEES</u>	0	6/16		
1328	JACK HENRY & ASSOCIATES, INC.	2286795		<u>BANK FEES, SEWER, JUNE 16</u>	05/31/2016	101.75	.00	<u>21-6505 BANK</u> <u>FEES</u>	0	6/16		
1328	JACK HENRY & ASSOCIATES, INC.	2286795		<u>BANK FEES, PI, JUNE 16</u>	05/31/2016	40.09	.00	<u>25-6505 BANK</u> <u>FEES</u>	0	6/16		
Total 2286795:						308.32	.00					
Total JACK HENRY & ASSOCIATES, INC.:						308.32	.00					
J-U-B ENGINEERS, INC.												
1236	J-U-B ENGINEERS, INC.	0101300		<u>PROFESSIONAL SERVICES</u> <u>FROM APR 3, 2016 TO APR 30,</u> <u>2016, KUNA DOWNTOWN</u> <u>REVITALIZATION GRANT</u> <u>WRITING, MAY 16</u>	05/31/2016	3,057.00	.00	<u>40-6020 CAPITAL</u> <u>IMPROVEMENTS</u>	1010	5/16		

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Total 0101300:						3,057.00	.00					
Total J-U-B ENGINEERS, INC.:						3,057.00	.00					
KUNA LUMBER												
499	KUNA LUMBER	A82603	4286	ROUND ABOUT ITEMS, WASHERS, NUTS, SCREWS, GALV PIPE, BANDSAW BLADE, CONCRETE, "K" IN ROUNDAABOUT, CONCRETE FOR FLAG POLE, B.BACHMAN, JUN.'16	06/03/2016	475.79	.00	40-6020 CAPITAL IMPROVEMENTS	1021	6/16		
Total A82603:						475.79	.00					
499	KUNA LUMBER	A82681	4237	100 LB SILICA SAND FOR ROUNDAABOUT FLAGPOLE, J CRUMPTON, PARK, MAY 16	05/23/2016	6.99	.00	40-6020 CAPITAL IMPROVEMENTS	1021	5/16		
Total A82681:						6.99	.00					
499	KUNA LUMBER	A82726	4247	8 BAGS OF CONCRETE FENCING AT BERNIE FISHER PARKS, J CRUMPTON, PARKS, MAY 16	05/24/2016	30.32	.00	40-6020 CAPITAL IMPROVEMENTS	1022	5/16		
Total A82726:						30.32	.00					
499	KUNA LUMBER	B88937	4270	4 BAGS OF CONCRETE FOR WATER, CRENSHAW WATER BREAK, CRENSHAW, J MORPHIN, WATER, MAY 16	05/31/2016	15.16	.00	20-6150 MAINT. & REPAIRS - SYSTEM	0	5/16		
Total B88937:						15.16	.00					
499	KUNA LUMBER	B88955	4271	SOLID BLOCK, WATER LEAK, CRENSHAW, J MORFIN, WATER, MAY 16	05/31/2016	8.66	.00	20-6150 MAINT. & REPAIRS - SYSTEM	0	5/16		

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Total B88955:						8.66	.00					
Total KUNA LUMBER:						536.92	.00					
KUNA MACHINE LLC												
1775	KUNA MACHINE LLC	313	4335	9 ALL STEEL PARK BENCHES, PC BLACK WITH ARM RESTS, KEY STYLE BIKE POST, 3 ROYAL BLUE, C ENGELS, APR 16	04/25/2016	5,100.00	.00	03-6370 EXP. - DOWNTOWN REVITALIZATION	0	4/16		
Total 313:						5,100.00	.00					
Total KUNA MACHINE LLC:						5,100.00	.00					
KUNA TRUE VALUE HARDWARE												
43	KUNA TRUE VALUE HARDWARE	152656	4165	VALVE KEY, FORKED WRENCH TO TURN GATE VALVES, J CRUMPTON, PARKS, MAY 16	05/12/2016	6.99	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	5/16		
43	KUNA TRUE VALUE HARDWARE	152656	4165	9 V BATTERIES, DUCT TAPE, NUT, BOLTS, WASHERS, CARRIAGE BOLTS TO REPAIR AND BOLT DOWN BENCHES ON MAIN ST., J CRUMPTON, PARKS, MAY 16	05/12/2016	45.75	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	5/16		
43	KUNA TRUE VALUE HARDWARE	152656	4165	4 PK LIGHT BULBS FOR CITY HALL, J CRUMPTON, PARKS, MAY 16	05/12/2016	9.99	.00	01-6140 MAINT. & REPAIR BUILDING	0	5/16		
Total 152656:						62.73	.00					
43	KUNA TRUE VALUE HARDWARE	152813	4206	REPLACEMENT TORCH, CUTTERS, B BOBBY, PARKS, MAY 16	05/16/2016	39.98	.00	01-6175 SMALL TOOLS	1004	5/16		
43	KUNA TRUE VALUE HARDWARE	152813	4206	GLUE, PRIMER, TFE PASTE, POLY ADAPTER, CLAMPS, POLY PIPE, WASHERS, NUTS, MISC REPAIRS, B BOBBY, PARKS, MAY 16	05/16/2016	36.24	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	5/16		

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Total 152813:						76.22	.00					
43	KUNA TRUE VALUE HARDWARE	153224	4207	<u>NEW RAKE, PITCH FORK, HOE, DRILL SET ALL REPLACEMENTS, B WITHROW, PARKS, MAY 16</u>	05/25/2016	83.92	.00	<u>01-6175 SMALL TOOLS</u>	1004	5/16		
43	KUNA TRUE VALUE HARDWARE	153224	4207	<u>3/4 ELBOW, BUTLER FIX, 1/2 PVC CAP, 3/4 PVC CAP FOR BALL FIELDS REPAIR, TRIAICIDE BUG KILLER FOR ROSES, B WITHROW, PARKS, MAY 16</u>	05/25/2016	15.83	.00	<u>01-6150 MAINTENANCE & REPAIRS - SYSTEM</u>	1004	5/16		
43	KUNA TRUE VALUE HARDWARE	153224	4207	<u>PAINT ROLLER SET, 2" PAINT BRUSH PAINTING "K" IN ROUNDAABOUT, B WITHROW, PARKS, MAY 16</u>	05/25/2016	17.96	.00	<u>40-6020 CAPITAL IMPROVEMENTS</u>	1021	5/16		
43	KUNA TRUE VALUE HARDWARE	153224	4207	<u>2 CYCLE OIL, B WITHROW, PARKS, MAY 16</u>	05/25/2016	3.99	.00	<u>01-6142 MAINT. & REPAIR - EQUIPMENT</u>	1004	5/16		
43	KUNA TRUE VALUE HARDWARE	153224	4207	<u>KEYS FOR NEW SEASONAL, B WITHROW, PARKS, MAY 16</u>	05/25/2016	11.94	.00	<u>01-6140 MAINT. & REPAIR BUILDING</u>	1004	5/16		
Total 153224:						133.64	.00					
43	KUNA TRUE VALUE HARDWARE	153513	4265	<u>PACKAGE ZIP TIES, 100 FT HOSE, TOOL BOX, WATER, METER SUPPLIES, J WEBB, MAY 16</u>	05/31/2016	75.97	.00	<u>20-6175 SMALL TOOLS</u>	0	6/16		
Total 153513:						75.97	.00					
43	KUNA TRUE VALUE HARDWARE	153516	4266	<u>1 1/2 IN POLY COUPLER, 1 IN POLY T, 8 HOSE CLAMPS, 2 BOLTS, 1 COUPLER NUT, FOR PROSPECTOR PI 2" SERVICE, J WEBB, PI, MAY 16</u>	05/31/2016	43.98	.00	<u>25-6020 CAPITAL IMPROVEMENTS</u>	1056	6/16		
Total 153516:						43.98	.00					

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43	KUNA TRUE VALUE HARDWARE	153591	4254	<u>PAINT CUPS, YELLOW PAINT TO PAINT K IN ROUNDABOUT P.KAUFMAN, MAY'16</u>	06/01/2016	63.96	.00	<u>40-6020 CAPITAL IMPROVEMENTS</u>	1021	6/16		
43	KUNA TRUE VALUE HARDWARE	153591	4254	<u>3/16 DRILL BIT, FENCE IN PARK, 3/8 SOCKET EXTENSION, FENCE IN PARK REPAIR, P.KAUFMAN, MAY'16</u>	06/01/2016	19.57	.00	<u>40-6020 CAPITAL IMPROVEMENTS</u>	1022	6/16		
43	KUNA TRUE VALUE HARDWARE	153591	4254	<u>2" PVC CAP, P.KAUFMAN, MAY'16</u>	06/01/2016	14.90	.00	<u>40-6020 CAPITAL IMPROVEMENTS</u>	1016	6/16		
43	KUNA TRUE VALUE HARDWARE	153591	4254	<u>WHEEL BARROW TIRE, REPLACEMENT, FUSES FOR MOWER, P.KAUFMAN, MAY'16</u>	06/01/2016	43.78	.00	<u>01-6142 MAINT. & REPAIR - EQUIPMENT</u>	1004	6/16		
43	KUNA TRUE VALUE HARDWARE	153591	4254	<u>SCREWS FOR FRISBEE GOLF SIGN, SNAP FOR FLAG POLE, P.KAUFMAN, MAY'16</u>	06/01/2016	30.70	.00	<u>01-6150 MAINTENANCE & REPAIRS - SYSTEM</u>	1004	6/16		
43	KUNA TRUE VALUE HARDWARE	153591	4254	<u>NEW RESPIRATOR, P.KAUFMAN, MAY'16</u>	06/01/2016	41.99	.00	<u>01-6230 SAFETY TRAINING & EQUIPMENT</u>	1004	6/16		
Total 153591:						214.90	.00					
43	KUNA TRUE VALUE HARDWARE	153999	4303	<u>BUSHINGS, HOSE ADAPTER, 1" COUPLING, DAWN, BALL VALVE, DEGREASER, P.KAUFMAN, BOBBY TO EMAIL.</u>	06/08/2016	27.83	.00	<u>40-6020 CAPITAL IMPROVEMENTS</u>	1021	6/16		
43	KUNA TRUE VALUE HARDWARE	153999	4303	<u>PAINT FOR BOXES, PADLOCK FOR SHED, STAKES, FOR RANGER PROGRAM, P.KAUFMAN, BOBBY TO EMAIL.</u>	06/08/2016	22.47	.00	<u>01-6265 TRAINING & SCHOOLING</u>	1004	6/16		
43	KUNA TRUE VALUE HARDWARE	153999	4303	<u>TARP FOR DIG JOBS, WHITE MARKING PAINT TO MARK SPRINKLERS, P.KAUFMAN, BOBBY TO EMAIL.</u>	06/08/2016	33.48	.00	<u>01-6150 MAINTENANCE & REPAIRS - SYSTEM</u>	1004	6/16		
Total 153999:						83.78	.00					
Total KUNA TRUE VALUE HARDWARE:						691.22	.00					

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KUNA WELDING												
46	KUNA WELDING	2717		SEAL TAIL GATE ON DUMP TRUCK, PARKS, APR16	04/12/2016	11.94	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1004	4/16		
46	KUNA WELDING	2717		SEAL TAIL GATE ON DUMP TRUCK, WATER, APR16	04/12/2016	15.76	.00	20-6142 MAINT. & REPAIRS- EQUIPMENT	0	4/16		
46	KUNA WELDING	2717		SEAL TAIL GATE ON DUMP TRUCK, SEWER, APR16	04/12/2016	15.76	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	4/16		
46	KUNA WELDING	2717		SEAL TAIL GATE ON DUMP TRUCK, PI, APR16	04/12/2016	4.30	.00	25-6142 MAINT. & REPAIRS - EQUIPMENT	0	4/16		
Total 2717:						47.76	.00					
Total KUNA WELDING:						47.76	.00					
LAKESIDE EQUIPMENT CORPORATION												
113	LAKESIDE EQUIPMENT CORPORATION	16-1252	4013	NEW GEAR BOX FOR 10 MILE LIFTSTATION PROJECT, T FLEMING, SEWER, MAR 16	05/04/2016	6,392.00	.00	21-6166 PP&E PURCHASES - OPERATIONS	1051	6/16		
Total 16-1252:						6,392.00	.00					
Total LAKESIDE EQUIPMENT CORPORATION:						6,392.00	.00					
LAYNE OF IDAHO, INC.												
1322	LAYNE OF IDAHO, INC.	16408		WELL #9 (CEDAR WELL) REHAB - PUMP INSPECTION	06/01/2016	1,180.00	.00	20-6166 PP&E PURCHASES OPERATIONS	1044	6/16		
Total 16408:						1,180.00	.00					
1322	LAYNE OF IDAHO, INC.	16416		WELL 4 (WEST WELL) REHAB - PUMP INSPECTION, BOOSTER PUMP @ WEST WELL, C DEYOUNG, JUNE 16	06/03/2016	2,378.13	.00	21-6090 FARM EXPENDITURES	0	6/16		

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Total 16416:						2,378.13	.00					
Total LAYNE OF IDAHO, INC.:						3,558.13	.00					
LES SCHWAB TIRES												
221	LES SCHWAB TIRES	12800197227	4191	2 TIRES FOR GRASSHOPPER LAWN MOWER, B BACHMAN, PARKS, MAY 16	05/09/2016	39.64	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1004	5/16		
Total 12800197227:						39.64	.00					
221	LES SCHWAB TIRES	12800201424	4320	BRAKES ON BACK OF #23 AND TIRES ON FRONT, B GUILLOGLY, SEWER, JUNE 16	06/13/2016	1,539.41	.00	21-6305 VEHICLE MAINTENANCE & REPAIRS	0	6/16		
Total 12800201424:						1,539.41	.00					
Total LES SCHWAB TIRES:						1,579.05	.00					
METROQUIP, INC.												
196	METROQUIP, INC.	00031795	4115	1/2" Router Hose/Nozzle/Fittings for Vac Truck; T Fleming; April '16	04/26/2016	615.73	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	4/16		
Total 00031795:						615.73	.00					
Total METROQUIP, INC.:						615.73	.00					
MISCELLANEOUS VENDORS												
285	MISCELLANEOUS VENDORS	06102016		REFUND ALCOHOL CATERING PERMIT, ADMIN, JUNE 16	06/10/2016	20.00	20.00	01-4190 PERMITS / CATERING	0	6/16	06/10/2016	
Total 06102016:						20.00	20.00					
285	MISCELLANEOUS VENDORS	061516		REIMBURSE M NADEAU, WASTEWATER COLLECTION CLASS IV EXAM, JUNE 16	06/15/2016	62.00	.00	21-6265 TRAINING & SCHOOLING EXPENSE	0	6/16		

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Total 061516:						62.00	.00					
285	MISCELLANEOUS VENDORS	COLE022916C		<u>REFUND OVERPAYMENT</u> <u>WATER USAGE, TIMBERMIST</u> <u>#1, LOT 2 BLOCK 1, ADMIN,</u> <u>JUNE 16</u>	06/08/2016	205.14	.00	<u>20-1205 ACCTS</u> <u>RECEIVABLE/</u> <u>OTHER</u>	0	6/16		
Total COLE022916CM:						205.14	.00					
Total MISCELLANEOUS VENDORS:						287.14	20.00					
NORTHWEST COMMUNITY DEVELOPMENT INSTITUT												
1473	NORTHWEST COMMUNITY DEVELOPMENT INSTITUT	06172016NWC		<u>18235359, T.BEHUNIN 3RD</u> <u>YEAR CLASS, IDAHO POWER</u> <u>GRANT, JUN.'16</u>	06/14/2016	350.00	350.00	<u>03-6359</u> <u>EXPENDITURE-</u> <u>IDPCO ECONOMIC</u> <u>DV</u>	0	7/16	06/15/2016	
1473	NORTHWEST COMMUNITY DEVELOPMENT INSTITUT	06172016NWC		<u>18676197- N.STAUFFER - 1ST</u> <u>YR CLASS, IDAHO POWER</u> <u>GRANT, JUN.'16</u>	06/14/2016	400.00	400.00	<u>03-6359</u> <u>EXPENDITURE-</u> <u>IDPCO ECONOMIC</u> <u>DV</u>	0	7/16	06/15/2016	
1473	NORTHWEST COMMUNITY DEVELOPMENT INSTITUT	06172016NWC		<u>18676197, N.STAUFFER - 1ST</u> <u>YR CLASS, JUN.'16</u>	06/14/2016	175.00	175.00	<u>01-6265 TRAINING</u> <u>& SCH00LING</u>	1003	7/16	06/15/2016	
Total 06172016NWCDI:						925.00	925.00					
Total NORTHWEST COMMUNITY DEVELOPMENT INSTITUT:						925.00	925.00					
PARTS, INC.												
470	PARTS, INC.	109716	4147	<u>HYDRAULIC HOSES FOR</u> <u>WHEEL LINES, C.MCDANIEL,</u> <u>MAY'16 - FARM</u>	05/02/2016	54.20	.00	<u>21-6090 FARM</u> <u>EXPENDITURES</u>	0	5/16		
Total 109716:						54.20	.00					
470	PARTS, INC.	109949	4163	<u>HYDRAULIC HOSE FOR WHEEL</u> <u>LINE AT FARM, C MCDANIEL,</u> <u>FARM, MAY 16</u>	05/05/2016	23.96	.00	<u>21-6142 MAINT. &</u> <u>REPAIRS -</u> <u>EQUIPMENT</u>	0	5/16		

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Total 109949:						23.96	.00					
470	PARTS, INC.	110594	4199	BATTERY FOR GRASSHOPPER MOWER, B GILLOGLY, PARKS, MAY 16	05/13/2016	104.00	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1004	5/16		
Total 110594:						104.00	.00					
470	PARTS, INC.	111056	4224	BLINKER LIGHTBULB FOR TRUCK#20, B GILLOGLY, MAY 16 - P & Z	05/19/2016	1.00	.00	01-6305 VEHICLE MAINTENANCE & REPAIRS	1003	5/16		
470	PARTS, INC.	111056	4224	BLINKER LIGHTBULB FOR TRUCK#20, B GILLOGLY, MAY 16 - WATER	05/19/2016	1.32	.00	20-6305 VEHICLE MAINTENANCE & REPAIRS	0	5/16		
470	PARTS, INC.	111056	4224	BLINKER LIGHTBULB FOR TRUCK#20, B GILLOGLY, MAY 16 - SEWER	05/19/2016	1.32	.00	21-6305 VEHICLE MAINTENANCE & REPAIRS	0	5/16		
470	PARTS, INC.	111056	4224	BLINKER LIGHTBULB FOR TRUCK#20, B GILLOGLY, MAY 16 - P.I	05/19/2016	.35	.00	25-6305 VEHICLE MAINTENANCE & REPAIR	0	5/16		
Total 111056:						3.99	.00					
470	PARTS, INC.	111058	4226	HYDRAULIC HOSE FOR WHEEL LINES, FARM, C MCDANIELS, MAY 16	05/19/2016	23.08	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	5/16		
Total 111058:						23.08	.00					
470	PARTS, INC.	111141	4229	TAIL LIGHT FOR TRUCK#07, B GILLOGLY, WATER, MAY 16	05/20/2016	86.85	.00	20-6305 VEHICLE MAINTENANCE & REPAIRS	0	5/16		
Total 111141:						86.85	.00					
470	PARTS, INC.	111555		TAIL LIGHT LENSE ASSEMBLY FOR TRUCK #7 (RE-ORDER), B.GILLOGLY, WATER, MAY 16	05/25/2016	86.85	.00	20-6305 VEHICLE MAINTENANCE & REPAIRS	0	5/16		

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470	PARTS, INC.	111555		<u>RETURNED TAIL LIGHT LENSE ASSEMBLY FOR TRUCK #7 (WRONG LENSE), B.GILLOGLY, WATER, MAY'16</u>	05/25/2016	-86.85	.00	<u>20-6305 VEHICLE MAINTENANCE & REPAIRS</u>	0	5/16		
470	PARTS, INC.	111555		<u>SHIPPING FOR TAIL LIGHT LENSE ASSEMBLY FOR TRUCK #7 (RE-ORDERED), B.GILLOGLY, WATER, MAY'16</u>	05/25/2016	12.13	.00	<u>20-6305 VEHICLE MAINTENANCE & REPAIRS</u>	0	5/16		
Total 111555:						12.13	.00					
470	PARTS, INC.	112554	4295	<u>TAIL LIGHT BULBS FOR TRUCK#9, B.WITHROW, JUN.'16</u>	06/07/2016	2.58	.00	<u>01-6305 VEHICLE MAINTENANCE & REPAIRS</u>	1004	6/16		
Total 112554:						2.58	.00					
Total PARTS, INC.:						310.79	.00					
POST DRILLING, INC.												
1679	POST DRILLING, INC.	275		<u>REPLACE FAILED PUMPING PLANT, WELL #9, G LAW, JUNE 16</u>	06/08/2016	7,400.00	.00	<u>20-6166 PP&E PURCHASES OPERATIONS</u>	1044	6/16		
Total 275:						7,400.00	.00					
Total POST DRILLING, INC.:						7,400.00	.00					
PRECISION PUMPING SYSTEMS												
952	PRECISION PUMPING SYSTEMS	16778		<u>REPAIR PARTS FOR TOMORROW & CHAPPAROSA PI STATIONS, C.DEYOUNG, P.I, MAY'16</u>	05/19/2016	621.99	.00	<u>25-6150 MAINT. & REPAIRS - SYSTEM (PI)</u>	0	5/16		
Total 16778:						621.99	.00					
Total PRECISION PUMPING SYSTEMS:						621.99	.00					

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RAIN FOR RENT												
144	RAIN FOR RENT	096546141	4288	<u>RIMS & CHAINS FOR WHEEL LINES, C.MCDANIEL, FARM, JUN.'16</u>	06/06/2016	792.00	.00	<u>21-6090 FARM EXPENDITURES</u>	0	6/16		
Total 096546141:						792.00	.00					
Total RAIN FOR RENT:						792.00	.00					
RENTAL CONNECTION												
893	RENTAL CONNECTION	39957	4245	<u>AUGER FOR PARKS INSTALLATION OF NEW FENCE, J CRUMPTON, PARKS, MAY 16</u>	05/24/2016	42.18	.00	<u>40-6020 CAPITAL IMPROVEMENTS</u>	1022	5/16		
Total 39957:						42.18	.00					
893	RENTAL CONNECTION	40048	4267	<u>AUGER FOR FENCE LINE, P.KAUFMAN, MAY'16 - PARKS</u>	05/31/2016	59.57	.00	<u>40-6020 CAPITAL IMPROVEMENTS</u>	1022	5/16		
Total 40048:						59.57	.00					
893	RENTAL CONNECTION	40100	4284	<u>RENTAL OF POST HOLE DIGGER, FOR THE FRISBEE GOLF COURSE, P.KAUFMAN, JUN.'16 - PARKS</u>	06/02/2016	59.00	.00	<u>01-6150 MAINTENANCE & REPAIRS - SYSTEM</u>	1004	6/16		
Total 40100:						59.00	.00					
Total RENTAL CONNECTION:						160.75	.00					
RIDLEY'S FOOD CORP												
1673	RIDLEY'S FOOD CORP	012000241047	4195	<u>WEDGE ANCHOR BOLTS FOR BENCHES DOWNTOWN, J ADAMS, DOWNTOWN REVITALIZATION, HIGH 5 GRANT, MAY 16</u>	05/12/2016	29.67	.00	<u>03-6360 EXPEND.- BLUE CROSS HIGH FIVE</u>	1004	6/16		
Total 012000241047:						29.67	.00					

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Total RIDLEY'S FOOD CORP:						29.67	.00					
SHARP ELECTRONICS CORP -LEASE												
1734	SHARP ELECTRONICS CORP - LEASE	5003123007		COPIER LEASE, MODEL MX2615N, TREATMENT, PLANT, 6-1-16-6-30-16, PARKS	06/04/2016	17.33	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1004	6/16		
1734	SHARP ELECTRONICS CORP - LEASE	5003123007		COPIER LEASE, MODEL MX2615N, TREATMENT, PLANT, 6-1-16-6-30-16, WATER	06/04/2016	27.92	.00	20-6142 MAINT. & REPAIRS- EQUIPMENT	0	6/16		
1734	SHARP ELECTRONICS CORP - LEASE	5003123007		COPIER LEASE, MODEL MX2615N, TREATMENT, PLANT, 6-1-16-6-30-16, SEWER	06/04/2016	34.65	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	6/16		
1734	SHARP ELECTRONICS CORP - LEASE	5003123007		COPIER LEASE, MODEL MX2615N, TREATMENT, PLANT, 6-1-16-6-30-16, P.I	06/04/2016	16.36	.00	25-6142 MAINT. & REPAIRS - EQUIPMENT	0	6/16		
Total 5003123007:						96.26	.00					
Total SHARP ELECTRONICS CORP -LEASE:						96.26	.00					
SHARP ELECTRONICS CORP-METERED												
1806	SHARP ELECTRONICS CORP- METERED	10845520		EXCESS METER READING/USAGE, MODEL #MX2615N AT TREATMENT PLANT, 4/1/16-5/1/16 - PARKS	05/31/2016	17.09	.00	01-6142 MAINT. & REPAIR - EQUIPMENT	1004	4/16		
1806	SHARP ELECTRONICS CORP- METERED	10845520		EXCESS METER READING/USAGE, MODEL #MX2615N AT TREATMENT PLANT, 4/1/16-5/1/16 - WATER	05/31/2016	27.54	.00	20-6142 MAINT. & REPAIRS- EQUIPMENT	0	4/16		
1806	SHARP ELECTRONICS CORP- METERED	10845520		EXCESS METER READING/USAGE, MODEL #MX2615N AT TREATMENT PLANT, 4/1/16-5/1/16 - SEWER	05/31/2016	34.19	.00	21-6142 MAINT. & REPAIRS - EQUIPMENT	0	4/16		
1806	SHARP ELECTRONICS CORP- METERED	10845520		EXCESS METER READING/USAGE, MODEL #MX2615N AT TREATMENT PLANT, 4/1/16-5/1/16 - P.I	05/31/2016	16.14	.00	25-6142 MAINT. & REPAIRS - EQUIPMENT	0	4/16		

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Total 10845520:						94.96	.00					
Total SHARP ELECTRONICS CORP-METERED:						94.96	.00					
SILVER CREEK SUPPLY												
1786	SILVER CREEK SUPPLY	S1572975.002		<u>40 CHECK VALVES TO HELP WITH LEAKING HEADS. P.KAUFMAN, MAY'16 - PARKS</u>	05/12/2016	7.68	.00	<u>01-6150 MAINTENANCE & REPAIRS - SYSTEM</u>	1004	5/16		
Total S1572975.002:						7.68	.00					
1786	SILVER CREEK SUPPLY	S1586871.001	4256	<u>REPLACEMENT SPRINKLERS FOR ARBOR RIDGE AND GREENBELT. REPLACEMENT VALVE BOXES. P.KAUFMAN, PARKS, MAY'16</u>	05/25/2016	799.56	.00	<u>01-6150 MAINTENANCE & REPAIRS - SYSTEM</u>	1004	6/16		
Total S1586871.001:						799.56	.00					
Total SILVER CREEK SUPPLY:						807.24	.00					
SIMPLOT PARTNERS												
491	SIMPLOT PARTNERS	216024406	4252	<u>1700 LBS OF GRASS SEED FOR ARBOR RIDGE. SEEDING DIRT SECTION AND RESEEDING GRASS AREAS. B WITHROW, PARKS, MAY 16</u>	05/25/2016	3,604.00	.00	<u>40-6020 CAPITAL IMPROVEMENTS</u>	1016	5/16		
Total 216024406:						3,604.00	.00					
Total SIMPLOT PARTNERS:						3,604.00	.00					
STAPLES BUSINESS ADVANTAGE												
1292	STAPLES BUSINESS ADVANTAGE	3304730413	4274	<u>REPLACEMENT DRUM AND TONER, R.ROATES, JUN.'16 - ADMIN</u>	06/04/2016	91.00	.00	<u>01-6165 OFFICE SUPPLIES</u>	0	6/16		
1292	STAPLES BUSINESS ADVANTAGE	3304730413	4274	<u>REPLACEMENT DRUM AND TONER, R.ROATES, JUN.'16 - WATER</u>	06/04/2016	74.46	.00	<u>20-6165 OFFICE SUPPLIES</u>	0	6/16		

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1292	STAPLES BUSINESS ADVANTAGE	3304730413	4274	REPLACEMENT DRUM AND TONER, R.ROATES, JUN.'16 - SEWER	06/04/2016	82.73	.00	21-6165 OFFICE SUPPLIES	0	6/16		
1292	STAPLES BUSINESS ADVANTAGE	3304730413	4274	REPLACEMENT DRUM AND TONER, R.ROATES, JUN.'16 - P.I	06/04/2016	27.58	.00	25-6165 OFFICE SUPPLIES	0	6/16		
Total 3304730413:						275.77	.00					
Total STAPLES BUSINESS ADVANTAGE:						275.77	.00					
TIM GORDON												
997	TIM GORDON	JULY 2016		CITY HALL RENT, ADMIN, JULY 16	06/13/2016	1,308.89	.00	01-6211 RENT- BUILDINGS & LAND	0	7/16		
997	TIM GORDON	JULY 2016		CITY HALL RENT, P&Z, JULY 16	06/13/2016	467.46	.00	01-6211 RENT- BUILDINGS & LAND	1003	7/16		
997	TIM GORDON	JULY 2016		CITY HALL RENT, WATER, JULY 16	06/13/2016	1,215.40	.00	20-6211 RENT- BUILDINGS & LAND	0	7/16		
997	TIM GORDON	JULY 2016		CITY HALL RENT, SEWER, JULY 16	06/13/2016	1,215.40	.00	21-6211 RENT - BUILDINGS & LAND	0	7/16		
997	TIM GORDON	JULY 2016		CITY HALL RENT, PI, JULY 16	06/13/2016	467.48	.00	25-6211 RENT - BUILDINGS & LAND	0	7/16		
Total JULY 2016:						4,674.63	.00					
Total TIM GORDON:						4,674.63	.00					
UNITED OIL												
316	UNITED OIL	0464175	4227	55 GAL DRUM OF HYDRAULIC OIL FOR WHEEL LINES, B.WITHROW, FARM, MAY'16	05/20/2016	574.45	.00	21-6090 FARM EXPENDITURES	0	5/16		
Total 0464175:						574.45	.00					
Total UNITED OIL:						574.45	.00					

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UNIVAR USA, INC.												
1410	UNIVAR USA, INC.	NA575439	4255	96 BUCKETS HYPOCHLORITE TABLETS, T.SHAFFER, SEWER, MAY'16	05/26/2016	10,560.83	.00	21-6150 MAINT. & REPAIRS - SYSTEM	0	5/16		
Total NA575439:						10,560.83	.00					
Total UNIVAR USA, INC.:						10,560.83	.00					
VALLI INFORMATION SYSTEMS, INC												
857	VALLI INFORMATION SYSTEMS, INC	35840		ESTATEMENT AND POSTAGE FOR MAY'16 - ADMIN	05/31/2016	790.00	.00	01-6190 POSTAGE & BILLING	0	5/16		
857	VALLI INFORMATION SYSTEMS, INC	35840		ESTATEMENT AND POSTAGE FOR MAY'16 - WATER	05/31/2016	1,241.43	.00	20-6190 POSTAGE & BILLING	0	5/16		
857	VALLI INFORMATION SYSTEMS, INC	35840		ESTATEMENT AND POSTAGE FOR MAY'16 - SEWER	05/31/2016	1,241.43	.00	21-6190 POSTAGE & BILLING	0	5/16		
857	VALLI INFORMATION SYSTEMS, INC	35840		ESTATEMENT AND POSTAGE FOR MAY'16 - P.I	05/31/2016	489.05	.00	25-6190 POSTAGE & BILLING	0	5/16		
Total 35840:						3,761.91	.00					
857	VALLI INFORMATION SYSTEMS, INC	35841		LOCKBOX TRANSACTIONS AND POSTAGE FOR MAY'16 - ADMIN	05/31/2016	74.96	.00	01-6190 POSTAGE & BILLING	0	6/16		
857	VALLI INFORMATION SYSTEMS, INC	35841		LOCKBOX TRANSACTIONS AND POSTAGE FOR MAY'16 - WATER	05/31/2016	117.79	.00	20-6190 POSTAGE & BILLING	0	5/16		
857	VALLI INFORMATION SYSTEMS, INC	35841		LOCKBOX TRANSACTIONS AND POSTAGE FOR MAY'16 - SEWER	05/31/2016	117.78	.00	21-6190 POSTAGE & BILLING	0	5/16		
857	VALLI INFORMATION SYSTEMS, INC	35841		LOCKBOX TRANSACTIONS AND POSTAGE FOR MAY'16 - P.I	05/31/2016	46.40	.00	25-6190 POSTAGE & BILLING	0	5/16		
Total 35841:						356.93	.00					

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Total VALLI INFORMATION SYSTEMS, INC:						4,118.84	.00					
VERIZON WIRELESS												
1575	VERIZON WIRELESS	9766210120		CELL PHONE SERVICE, 4/29/16-5/28/16 - ADMIN	05/31/2016	33.49	33.49	01-6255 TELEPHONE	0	5/16	06/15/2016	
1575	VERIZON WIRELESS	9766210120		CELL PHONE SERVICE, 4/29/16-5/28/16 - PARKS	05/31/2016	217.09	217.09	01-6255 TELEPHONE	1004	5/16	06/15/2016	
1575	VERIZON WIRELESS	9766210120		CELL PHONE SERVICE, 4/29/16-5/28/16 - BUILDING INSPECTION	05/31/2016	52.73	52.73	01-6255 TELEPHONE	1005	5/16	06/15/2016	
1575	VERIZON WIRELESS	9766210120		CELL PHONE SERVICE, 4/29/16-5/28/16 - WATER	05/31/2016	345.14	345.14	20-6255 TELEPHONE EXPENSE	0	5/16	06/15/2016	
1575	VERIZON WIRELESS	9766210120		CELL PHONE SERVICE, 4/29/16-5/28/16 - SEWER	05/31/2016	328.78	328.78	21-6255 TELEPHONE EXPENSE	0	5/16	06/15/2016	
1575	VERIZON WIRELESS	9766210120		CELL PHONE SERVICE, 4/29/16-5/28/16 - P.I	05/31/2016	86.53	86.53	25-6255 TELEPHONE EXPENSE	0	5/16	06/15/2016	
Total 9766210120:						1,063.76	1,063.76					
1575	VERIZON WIRELESS	9766287409		TABLET SERVICE, 5/2/16-6/1/16, PARKS	05/31/2016	11.16	11.16	01-6255 TELEPHONE	1004	5/16	06/15/2016	
1575	VERIZON WIRELESS	9766287409		TABLET SERVICE, 5/2/16-6/1/16, BUILDING INSPECTION	05/31/2016	13.69	13.69	01-6255 TELEPHONE	1005	5/16	06/15/2016	
1575	VERIZON WIRELESS	9766287409		TABLET SERVICE, 5/2/16-6/1/16, WATER	05/31/2016	31.02	31.02	20-6255 TELEPHONE EXPENSE	0	5/16	06/15/2016	
1575	VERIZON WIRELESS	9766287409		TABLET SERVICE, 5/2/16-6/1/16, SEWER	05/31/2016	54.28	54.28	21-6255 TELEPHONE EXPENSE	0	5/16	06/15/2016	
1575	VERIZON WIRELESS	9766287409		TABLET SERVICE, 5/2/16-6/1/16, P.I	05/31/2016	16.81	16.81	25-6255 TELEPHONE EXPENSE	0	5/16	06/15/2016	

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Total 9766287409:						126.96	126.96					
Total VERIZON WIRELESS:						1,190.72	1,190.72					
VICTORY GREENS												
364	VICTORY GREENS	384404	4236	2 YDS BLACK LAVA ROCK FOR ROUNDAABOUT. J ADAMS. PARKS. MAY 16	05/23/2016	87.90	.00	40-6020 CAPITAL IMPROVEMENTS	1021	5/16		
Total 384404:						87.90	.00					
364	VICTORY GREENS	385355	4275	PLAYGROUND CHIPS FOR UNDER THE PLAY EQUIPMENT IN THE CITY PARKS. J.ADAMS. JUN'16 - PARKS	06/01/2016	819.00	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	6/16		
Total 385355:						819.00	.00					
364	VICTORY GREENS	385357	4275	PLAYGROUND CHIPS FOR UNDER THE PLAY EQUIPMENT IN THE CITY PARKS. J.ADAMS. JUN'16 - PARKS	06/01/2016	286.65	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	6/16		
Total 385357:						286.65	.00					
364	VICTORY GREENS	386258	4275	PLAYGROUND CHIPS FOR UNDER THE PLAY EQUIPMENT IN THE CITY PARKS. J.ADAMS. JUN'16 - PARKS	06/01/2016	245.70	.00	01-6150 MAINTENANCE & REPAIRS - SYSTEM	1004	6/16		
Total 386258:						245.70	.00					
Total VICTORY GREENS:						1,439.25	.00					
WATER DEPOSIT REFUND #10												
1776	WATER DEPOSIT REFUND #10	160560.01		TERRI GOOCH, 1337 N CATERPILLAR AVE, WATER OVERPAYMENT	06/13/2016	33.18	.00	99-1075 Utility Cash Clearing	0	6/16		

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Total 160560.01:						33.18	.00					
1776	WATER DEPOSIT REFUND #10	173305.01		<u>RICH BEAMAN, 456 S RETORT AVE, WATER OVERPAYMENT</u>	06/13/2016	59.70	.00	99-1075 Utility Cash Clearing	0	6/16		
Total 173305.01:						59.70	.00					
1776	WATER DEPOSIT REFUND #10	173315.01		<u>RICH BEAMAN, 502 S RETORT PL, WATER OVERPAYMENT</u>	06/08/2016	22.91	.00	99-1075 Utility Cash Clearing	0	6/16		
Total 173315.01:						22.91	.00					
1776	WATER DEPOSIT REFUND #10	180640.02		<u>JAMES SCOTT CARNATHAN, 1329 N CABRILLO AVE, WATER OVERPAYMENT</u>	06/08/2016	4.29	.00	99-1075 Utility Cash Clearing	0	6/16		
Total 180640.02:						4.29	.00					
1776	WATER DEPOSIT REFUND #10	181500.01		<u>EMILY WOOD, 1271 N KOLNES AVE, WATER OVERPAYMENT</u>	06/08/2016	86.03	.00	99-1075 Utility Cash Clearing	0	6/16		
Total 181500.01:						86.03	.00					
1776	WATER DEPOSIT REFUND #10	220460.04		<u>JULIE M CARR, 605 E WILD LILAC ST, WATER OVERPAYMENT</u>	06/10/2016	89.08	.00	99-1075 Utility Cash Clearing	0	6/16		
Total 220460.04:						89.08	.00					
1776	WATER DEPOSIT REFUND #10	230130.01		<u>KATHRYN NOBLE, 622 S CASSANDRA AVE, WATER OVERPAYMENT</u>	06/13/2016	70.73	.00	99-1075 Utility Cash Clearing	0	6/16		
Total 230130.01:						70.73	.00					
1776	WATER DEPOSIT REFUND #10	260610.01		<u>CHRISTOPHER M ROACH, 1808 N FIREBRICK DR, WATER OVERPAYMENT</u>	06/08/2016	70.76	.00	99-1075 Utility Cash Clearing	0	6/16		

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Total 260610.01:						70.76	.00					
1776	WATER DEPOSIT REFUND #10	264380.01		<u>CBH, 1924 W TURQUOISE DR, WATER OVERPAYMENT</u>	06/08/2016	8.65	.00	99-1075 Utility Cash Clearing	0	6/16		
Total 264380.01:						8.65	.00					
1776	WATER DEPOSIT REFUND #10	271085.02		<u>CORY STOKESBERRY, 2101 W SAGWON DR, WATER OVERPAYMENT</u>	06/10/2016	16.78	.00	99-1075 Utility Cash Clearing	0	6/16		
Total 271085.02:						16.78	.00					
1776	WATER DEPOSIT REFUND #10	274895.03		<u>REQ. 9110 S ROYAL GALA PL, WATER OVERPAYMENT</u>	06/13/2016	151.92	.00	99-1075 Utility Cash Clearing	0	6/16		
Total 274895.03:						151.92	.00					
1776	WATER DEPOSIT REFUND #10	274995.02		<u>BENJAMIN HUFF, 9433 S CHERRY APPLE AVE, WATER OVERPAYMENT</u>	06/08/2016	76.89	.00	99-1075 Utility Cash Clearing	0	6/16		
Total 274995.02:						76.89	.00					
1776	WATER DEPOSIT REFUND #10	278032.01		<u>CBH, 2914 W PEAR APPLE ST, WATER OVERPAYMENT</u>	06/13/2016	61.03	.00	99-1075 Utility Cash Clearing	0	6/16		
Total 278032.01:						61.03	.00					
1776	WATER DEPOSIT REFUND #10	278060.01		<u>CBH, 8937 S PINOVA AVE, WATER OVERPAYMENT</u>	06/08/2016	34.14	.00	99-1075 Utility Cash Clearing	0	6/16		
Total 278060.01:						34.14	.00					
1776	WATER DEPOSIT REFUND #10	301016.01		<u>HUBBLE HOMES, 1225 E WHITBECK DR, WATER</u>								

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				OVERPAYMENT	06/14/2016	23.59	.00	99-1075 Utility Cash Clearing	0	6/16		
Total 301016.01:						23.59	.00					
1776	WATER DEPOSIT REFUND #10	310005.01		COLEMAN HOMES, 9327 S MACADAN WAY, WATER OVERPAYMENT	06/08/2016	48.06	.00	99-1075 Utility Cash Clearing	0	6/16		
Total 310005.01:						48.06	.00					
1776	WATER DEPOSIT REFUND #10	40321.03A		TRUST REALTY, 724 N MARTEESON AVE, WATER OVERPAYMENT	06/03/2016	2.29	.00	99-1075 Utility Cash Clearing	0	6/16		
Total 40321.03A:						2.29	.00					
1776	WATER DEPOSIT REFUND #10	90790.02		PATTY THIES, 1088 N QUARTZITE AVE, WATER OVERPAYMENT	06/08/2016	92.52	.00	99-1075 Utility Cash Clearing	0	6/16		
Total 90790.02:						92.52	.00					
Total WATER DEPOSIT REFUND #10:						952.55	.00					
WESTERN RECORDS DESTRUCTION, INC.												
1633	WESTERN RECORDS DESTRUCTION, INC.	0317203		RECORDS DESTRUCTION, 5/1/16-5/31/16 - ADMIN	06/01/2016	7.00	.00	01-6052 CONTRACT SERVICES	0	5/16		
1633	WESTERN RECORDS DESTRUCTION, INC.	0317203		RECORDS DESTRUCTION, 5/1/16-5/31/16 - P & Z	06/01/2016	2.25	.00	01-6052 CONTRACT SERVICES	1003	5/16		
1633	WESTERN RECORDS DESTRUCTION, INC.	0317203		RECORDS DESTRUCTION, 5/1/16-5/31/16 - WATER	06/01/2016	6.63	.00	20-6052 CONTRACT SERVICES	0	5/16		
1633	WESTERN RECORDS DESTRUCTION, INC.	0317203		RECORDS DESTRUCTION, 5/1/16-5/31/16 - SEWER	06/01/2016	6.63	.00	21-6052 CONTRACT SERVICES	0	5/16		

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1633	WESTERN RECORDS DESTRUCTION, INC.	0317203		<u>RECORDS DESTRUCTION, 5/1/16-5/31/16 - P.I</u>	06/01/2016	2.49	.00	<u>25-6052 CONTRACT SERVICES</u>	0	5/16		
Total 0317203:						25.00	.00					
Total WESTERN RECORDS DESTRUCTION, INC.:						25.00	.00					
WESTERN STATES CHEM												
274	WESTERN STATES CHEM	161005		<u>CLEANING SUPPLIES FOR THE CITY PARK BATHROOMS, B.WITHROW, MAY.'16 - PARKS</u>	05/23/2016	569.46	.00	<u>01-6025 JANITORIAL</u>	1004	6/16		
Total 161005:						569.46	.00					
Total WESTERN STATES CHEM:						569.46	.00					
WEX BANK												
1234	WEX BANK	45591171		<u>FUEL, MAY.'16 - ADMIN</u>	05/31/2016	18.38	18.38	<u>01-6300 FUEL</u>	0	5/16	06/15/2016	
1234	WEX BANK	45591171		<u>FUEL, MAY.'16 - P & Z</u>	05/31/2016	4.79	4.79	<u>01-6300 FUEL</u>	1003	5/16	06/15/2016	
1234	WEX BANK	45591171		<u>FUEL, MAY.'16 - PARKS</u>	05/31/2016	395.40	395.40	<u>01-6300 FUEL</u>	1004	5/16	06/15/2016	
1234	WEX BANK	45591171		<u>FUEL, MAY.'16 - BLDG INSPECTION</u>	05/31/2016	191.49	191.49	<u>01-6300 FUEL</u>	1005	5/16	06/15/2016	
1234	WEX BANK	45591171		<u>FUEL, MAY.'16 - WATER</u>	05/31/2016	69.44	69.44	<u>20-6300 FUEL</u>	0	5/16	06/15/2016	
1234	WEX BANK	45591171		<u>FUEL, MAY.'16 - SEWER</u>	05/31/2016	204.10	204.10	<u>21-6300 FUEL</u>	0	5/16	06/15/2016	
1234	WEX BANK	45591171		<u>FUEL, MAY.'16 - P.I</u>	05/31/2016	17.36	17.36	<u>25-6300 FUEL</u>	0	5/16	06/15/2016	
Total 45591171:						900.96	900.96					
Total WEX BANK:						900.96	900.96					

Whistle Stop Garden

City of Kuna

Payment Approval Report - City Council Approval

Report dates: 6/3/2016-6/16/2016

33 of 34
Page: 33

Jun 16, 2016 05:29PM

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
1800	Whistle Stop Garden	11	4278	<u>FLOWERS FOR MAIN ST PLANTERS, N.PURKEY, PARKS, JUN.'16</u>	06/01/2016	19.95	.00	<u>01-6150 MAINTENANCE & REPAIRS - SYSTEM</u>	1004	6/16		
Total 11:						19.95	.00					
1800	Whistle Stop Garden	2	4268	<u>FLOWERS FOR CITY HALL AND FOR THE PLANTERS ON MAIN ST, N.PURKEY, MAY'16 - PARKS</u>	05/31/2016	150.83	.00	<u>01-6150 MAINTENANCE & REPAIRS - SYSTEM</u>	1004	5/16		
Total 2:						150.83	.00					
Total Whistle Stop Garden:						170.78	.00					
ZAMZOWS												
66	ZAMZOWS	1023315	4261	<u>FUNGICIDE AND BUG CONTROL, N.PURKEY, PARKS, MAY'16</u>	05/26/2016	26.98	.00	<u>01-6150 MAINTENANCE & REPAIRS - SYSTEM</u>	1004	5/16		
Total 1023315:						26.98	.00					
66	ZAMZOWS	1023337	4290	<u>PLANTS FOR COMMUNITY GARDEN, RANGER PROGRAM, N.PURKEY, JUN.'16</u>	06/06/2016	26.97	.00	<u>01-6265 TRAINING & SCH00LING</u>	1004	6/16		
66	ZAMZOWS	1023337	4290	<u>INSECT AND WEED SPRAY FOR THE ROSE GARDEN, N.PURKEY, JUN.'16</u>	06/06/2016	41.98	.00	<u>01-6150 MAINTENANCE & REPAIRS - SYSTEM</u>	1004	6/16		
Total 1023337:						68.95	.00					
66	ZAMZOWS	1023348	4317	<u>SOIL FOR RANGERS, N.PURKEY, JUN.'16</u>	06/13/2016	24.99	.00	<u>01-6265 TRAINING & SCH00LING</u>	1004	6/16		
Total 1023348:						24.99	.00					

City of Kuna

Payment Approval Report - City Council Approval
Report dates: 6/3/2016-6/16/2016

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 ZAMZOWS:						120.92	.00					
Grand Totals:						373,450.34	166,877.82					

Dated: _____

Mayor: _____

City Council: _____

City Treasurer: _____

Report Criteria:

- Detail report.
- Invoices with totals above \$0.00 included.
- Paid and unpaid invoices included.



City of Kuna

Findings of Fact and Conclusions of Law

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

To: Kuna City Council

Case Number(s): 16-02-AN (Annexation) *Butler Annexation*

Location: 7945 S. Linder Rd.
Kuna, Idaho 83634

Planner: Trevor Kesner, Planner II

Hearing Date: June 7, 2016
Council Findings: June 21, 2016

Applicant: Gerald & Evelyn Butler
C/o Jayme Butler
7945 S Linder Rd.
Kuna, Idaho 83634
butlerheating_hvac@hotmail.com

Table of Contents:

- A. Course Proceedings
- B. Applicant Request
- C. Vicinity and 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. Proposed Decision by the Commission

A. Course of Proceedings

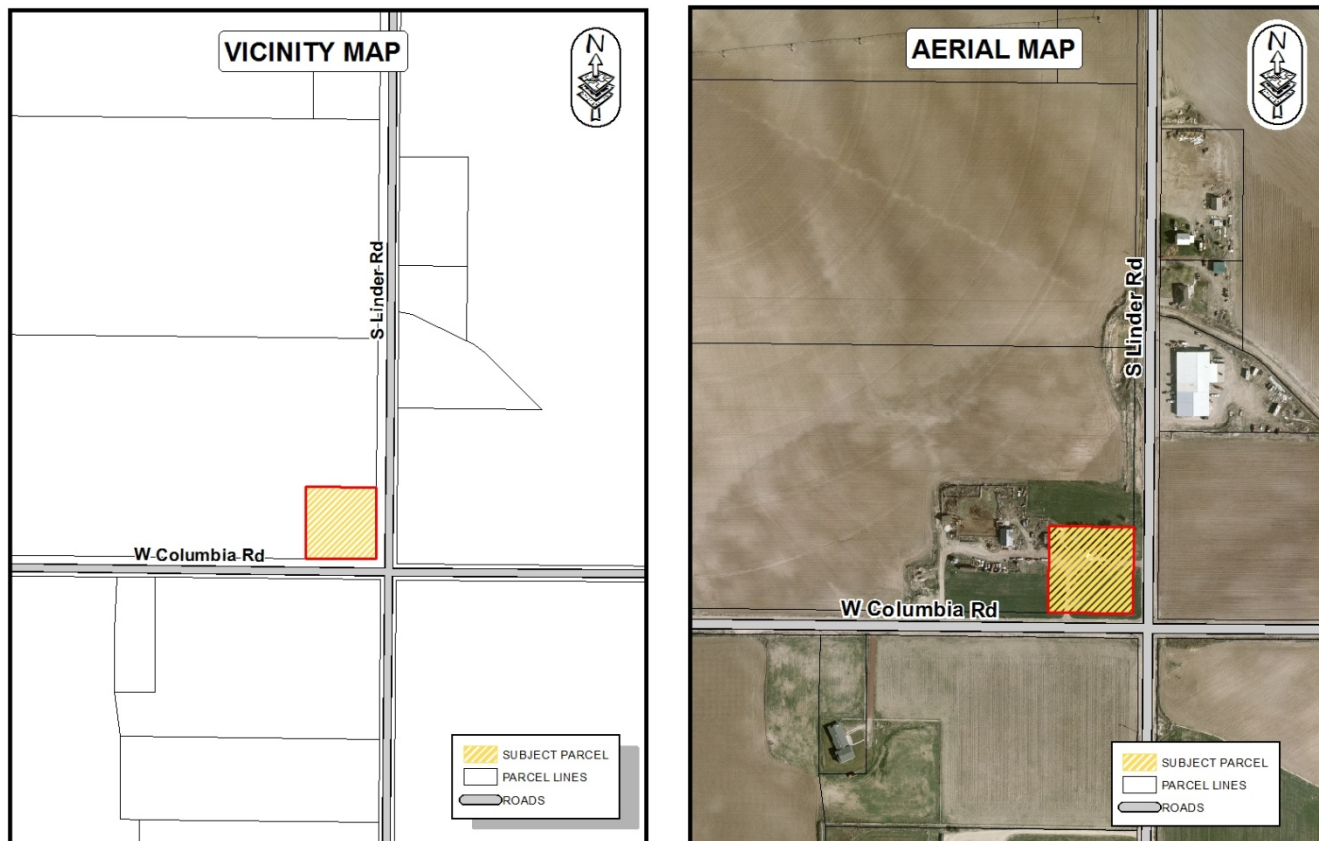
1. Kuna City Code (KCC), Title 1, Chapter 14, Section 3, states annexation is designated as a public hearing with the Planning and Zoning Commission as the recommending body and the City Council as the decision-making body. This proposed land use action was given proper public notice and followed the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

a. Notifications

- | | |
|---------------------------|---------------------------------|
| i. Neighborhood Meeting | March 12, 2016 (No attendees) |
| ii. Agencies Notified | March 30, 2016 and May 16, 2016 |
| iii. 300' Property Owners | May 23, 2016 |
| iv. Kuna, Melba Newspaper | May 25, 2016 |
| v. Site Posted | May 23, 2016 |

B. Applicant Request:

1. The applicant is requesting approval to annex an approximately 1.145 acres parcel located at 7945 S. Linder Road into the City of Kuna with a 'C-1' (Commercial) zoning designation. The applicant intends to continue to operate an existing commercial business at this location.

C. Vicinity and Aerial Maps:

D. History: The parcel is currently zoned RR (Rural Residential) in Ada County, and is contiguous to City limits to the south and to the east. A residence and one (1) accessory structure are currently situated on the subject parcel. The majority of the surrounding grounds have historically been farmed.

E. General Projects Facts:

1. **Comprehensive Plan Designation:** The Future Land Use Map identifies this site as Commercial. Staff views this land use request to be consistent with the approved Future Land Use Map.

2. Surrounding Land Uses:

North	RR	Rural Residential – Ada County
South	A	Agricultural – Kuna City
East	A	Agricultural – Kuna City
West	RR	Rural Residential – Ada County

3. Parcel Sizes, Current Zoning, Parcel Numbers:

- Approx. 1.145 total acres
- RR, Rural Residential (Ada County)
- Parcel # - R1693860270

4. Services:

Sanitary Sewer – Existing Private Septic System
Potable Water – Existing Domestic Source (well)

Irrigation District – Boise-Kuna Irrigation District
 Future Pressurized Irrigation – City of Kuna (KMID)
 Fire Protection – Kuna Fire District
 Police Protection – Kuna City Police (Ada County Sheriff's office)
 Sanitation Services – Republic Sanitation Services

5. **Existing Structures, Vegetation and Natural Features:** Currently there is a home on the existing parcel which the applicant uses to operate a commercial Heating, Ventilation, Air Conditioning (HVAC) service business office with no on-site customer facilities. There is currently one additional outbuilding (accessory structure) on the subject parcel. The site has historically been used as the primary residential dwelling for the surrounding farm lands to the north and west of the subject site, which is also owned by the applicant's family. The applicant has not indicated an intention to make any structural or site improvements to accommodate existing business operations at this location.
6. **Transportation / Connectivity:** The parcel is not currently improved with any curb, gutter, sidewalks, or surface drainage improvements. The site currently takes primary access from W. Columbia Road and will remain the primary access for the business. An additional driveway access is located along S. Linder Road. Ada County Highway District (ACHD) shall provide direction and ultimate approvals for any future street frontage improvements, proposed driveway approaches or site access modifications.
7. **Environmental Issues:** Staff is not aware of any environmental issues, health or safety conflicts resulting from this application. This site's topography is generally flat.
8. **Agency Responses:** The following agencies returned comments: Central District Health Department (CDHD) Boise Project Board of Control (BPOC), Idaho Transportation Department (ITD). The responding agency comments are included as exhibits with this case file.

F. Staff Analysis:

The subject site is located on the northwest corner of S. Linder and W. Columbia Roads. The applicant requests to annex the 1.145 parcel into Kuna City limits as a 'C-1' (Commercial) zoning designation. The applicant will continue to utilize the existing functional septic system and private domestic well until such time as city services are within 300' feet of the subject site; at which time the property owner will be required to abandon the septic system and hook up to city services.

Staff has determined this application complies with Title 5 of the Kuna City Code; Idaho Statute §50-222; and Kuna Comprehensive Plan; and recommends approval for Case # 16-02-AN, subject to the recommended conditions of approval.

G. Applicable Standards:

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

H. Comprehensive Plan Analysis:

The Kuna City Council accepts the Comprehensive Plan components as described below.

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

Community Vision Statement:

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

GOALS AND POLICY – Property Rights

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

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

GOALS AND POLICY – Economic Development

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

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

GOALS AND POLICY – Land Use

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

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

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

I. Findings of Fact:

1. This request appears to be in compliance with all ordinances and laws of the City, including Kuna City Code (KCC).
2. The site is physically suitable for annexation.
3. The annexation is not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.
4. The annexation application is not likely to cause adverse public health problems.
5. The application appears to avoid detriment to the present and potential surrounding uses; to the health, safety, and general welfare of the public taking into account the physical features of the site, public facilities and existing adjacent uses.
6. The existing street and utility services in proximity to the site appear to be adequate for the proposed commercial uses; however, any site development improvements (excluding, but not exclusively limited to electrical, plumbing, HVAC/mechanical or fencing and landscape) as determined by the Planning and Zoning Director, shall comply with the provisions set forth in Kuna City Code (KCC)
7. The Kuna City Council accepts the facts as outlined in the staff report, any public testimony and the supporting evidence as presented.
8. Based on the evidence contained in Case No. 16-02-AN, this proposal appears to comply with the Comprehensive Plan and the Kuna Comprehensive Future Land Use Map.

9. The Kuna Planning and Zoning Commission has the authority to recommend approval or denial for the annexation application.
10. The public notice requirements were adhered to and the public hearing was conducted within the guidelines of applicable Idaho Code and Kuna City Ordinances.

J. Conclusions of Law:

1. Based on the evidence contained in Case No 16-02-AN, the Kuna City Council finds Case No. 16-02-AN complies with Kuna City Code.
2. Based on the evidence contained in Case No 16-02-AN, the Kuna City Council finds Case No. 16-02-AN is consistent with Kuna's Comprehensive Plan.
3. The public notice requirements have been met and the neighborhood meeting was conducted within the guidelines of applicable Idaho Code and Kuna City Ordinances.

K. Decision by the City Council:

Note: This motion is for approval of this request. However, if the City Council approves or denies specific parts of the request as detailed in this report, they are specified below.

Based on the facts outlined in staff's report and any public testimony at the public hearing, the City Council of Kuna, Idaho, hereby *Approves* Case No. 16-02-AN, a request for annexation from Jayme Butler, with the following conditions of approval:

1. All development submittals are required to include the lighting, landscaping, drainage and development plans as required by Planning and Zoning. All site improvements are prohibited prior to approval of the following agencies. The applicant/owner shall obtain written approval on letterhead or may be written/stamped on the approved construction plans from the agencies noted-
 - a. Central District Health Department (CDHD); furnish a copy of Central District Health Department (CDHD) approval for the *non-residential accessory use* of the existing septic system prior to annexation approval.
 - b. The City Engineer shall approve the future sewer hook-ups.
 - c. The Kuna Fire District shall approve the commercial use and all building plans.
 - d. The *Boise-Kuna* Irrigation District shall approval any modifications to the existing irrigation system.
 - e. Approval from Ada County Highway District must be obtained and Impact Fees must be paid prior to the issuance of any building permits.
2. All public rights-of-way shall be dedicated to the City and/or Ada County Highway District. No public street construction may be commenced without the approval and permit from Ada County Highway District:
 - 2.1- With future development and as necessary, dedicate right-of-way in sufficient amounts to follow City and ACHD standards and widths.
3. With the exception of existing facilities, 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. Any site improvements other than mechanical, electrical, plumbing or fencing which alters, modifies or expands upon the existing use shall require the applicant/owner to comply with the provisions set forth in Kuna City Code (KCC)
6. Submit a petition to the City (as necessary and confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and requesting to annex the irrigation surface water rights appurtenant to the property to the Kuna Municipal Pressure Irrigation system of the City (KMID).
7. Applicant shall follow all staff, City engineer and other jurisdictional agency recommended requirements as applicable.

8. Applicant shall abide by all applicable federal, state and local laws and ordinances.

DATED this 21st, day of June, 2016.

Joe Stear, Mayor
Kuna City

ATTEST:

Chris Engles
Kuna City Clerk



**ADA COUNTY PROSECUTING ATTORNEY
JAN M. BENNETTS**

Criminal Division
200 W. Front Street, Rm 3191
Boise, Idaho 83702

Phone (208) 287-7700
Fax (208) 287-7709

Civil Division
200 W. Front Street, Rm 3191
Boise, Idaho 83702

Phone (208) 287-7700
Fax (208) 287-7719

Juvenile Division
6300 Denton Street
Boise, Idaho 83704

Phone (208) 577-4900
Fax (208) 577-4909

June 14, 2016

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

RE: Prosecution Services Funding Request for Fiscal Year 2017

Dear Mayor and City Council Members:

This letter is intended to update you on the fiscal year 2017 cost of prosecution services as part of the Security Services Agreement between Kuna City and Ada County.

During the past fiscal year (2014-15), the magistrate division handled a total of 3942 cases. This number constitutes all misdemeanors and infractions where our office opened a file or appeared in court within that time period. This number does not reflect infraction or misdemeanor cases resolved without our involvement, cases that were submitted but prosecution was declined, probation violations, or contempt proceedings.

Of those 3942 cases, 283 of them came from Kuna, which amounts to about 7.1% of the total caseload in the Magistrate Division. The cost of prosecution services for the city of Kuna is determined by multiplying the percentage of the overall magistrate caseload by the salary and benefit cost of the attorney staff needed to maintain the division, which amounted to \$715,404.00 over the same fiscal year. Thus, **the cost to the city of Kuna for its prosecution services for Fiscal Year 2015 will be \$50,793.68.**

As always, we welcome your suggestions and inquiries into our office practices and policies that affect your community. I expect to attend the Kuna City Council Budget Planning meeting on the 21st of June, where I will be happy to answer any questions you might have. In the meantime and following the meeting, I can be reached directly at 287-7815. Thank you for your partnership in maintaining a safe and secure community.

Sincerely,

JAN M. BENNETTS

Ada County Prosecuting Attorney



By: Tamera Kelly
Supervising Attorney, Magistrate Division

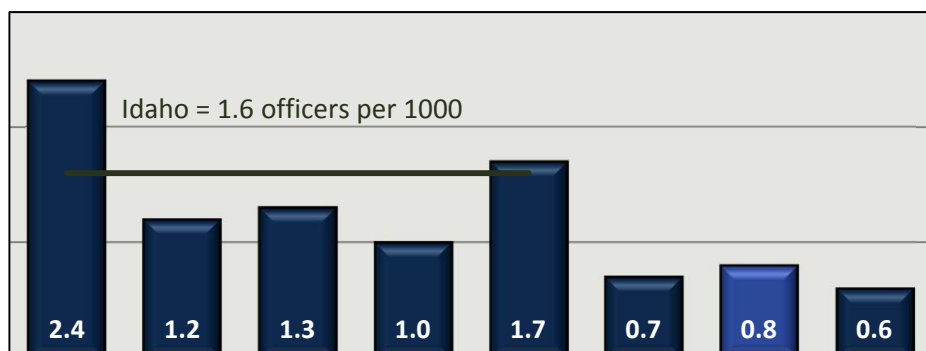


Kuna City Police FY17 Proposed Budget

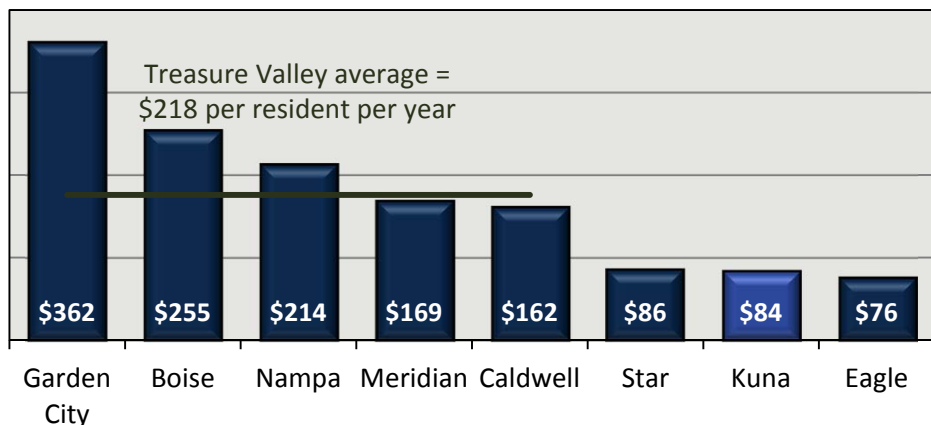
	FY16 Current	FY17 Proposed	FY17 with 3% COLA
Total Cost	\$ 1,686,054	\$1,675,428	\$1,714,140
Personnel	1,485,661	1,483,287	1,521,999
Vehicles	108,204	98,414	98,414
Operating Expenses	35,710	36,339	36,339
Equipment	38,208	38,208	38,208
Support Services	18,270	19,180	19,180
Shared Services Credit¹	- \$ 116,149	- \$ 128,139	-\$131,100
Total Contract	\$ 1,569,904	\$ 1,547,289	\$1,583,040

¹The Shared Services Credit encourages County and Kuna deputies to respond to calls for service in each other's jurisdiction when they are the closest unit.

Officers per 1,000 Residents 2014



Cost per Resident FY2016



Sources: COMPASS population estimates, # of peace officers from *Crime in Idaho 2014* and FY16 proposed budgets published on city websites

Kuna City Police Cost per Resident



Proactive Policing

Just as important as our response to citizens' requests for help is the time Kuna deputies spend on proactive policing - conducting traffic stops, checking businesses or construction sites for suspicious activity and educating the community about ways to prevent crime and protect themselves. In 2015, Kuna deputies made more than 8,800 proactive contacts when not busy on citizen calls.





City of Kuna

P&Z Staff Report

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

To: Kuna City Council

Case Number(s): 16-03-AN (Annexation) *Lee Annexation*

Location: 80 S. Sailer Place
Kuna, Idaho 83634

Planner: Trevor Kesner, Planner II

Hearing Date: June 21, 2016

Applicant: Patrick and Lisa Lee
80 S. Sailer Place
Kuna, Idaho 83634

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- H. Comprehensive Plan Analysis
- I. Proposed Findings of Fact
- J. Proposed Conclusions of Law
- K. Proposed Decision by the Council

A. Course of Proceedings

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

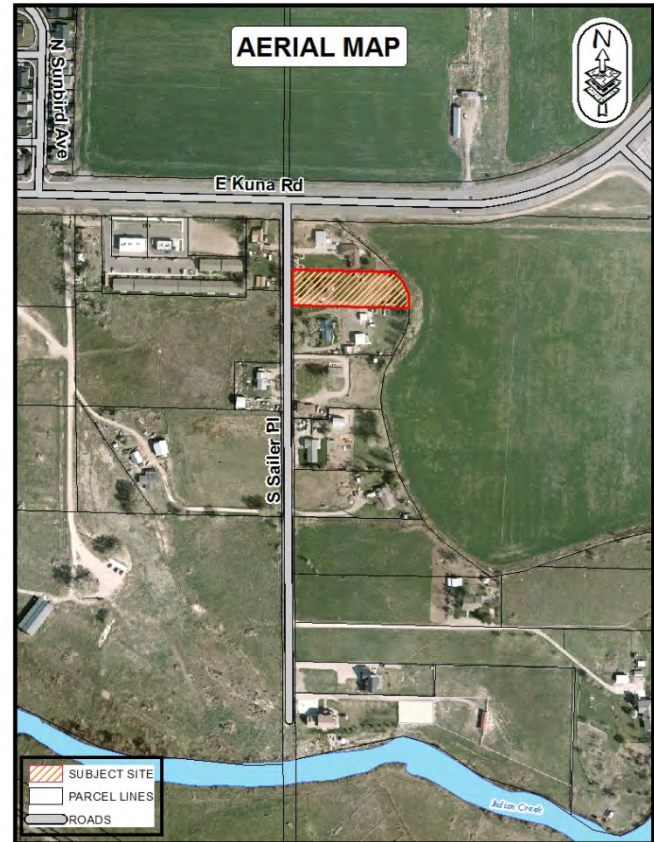
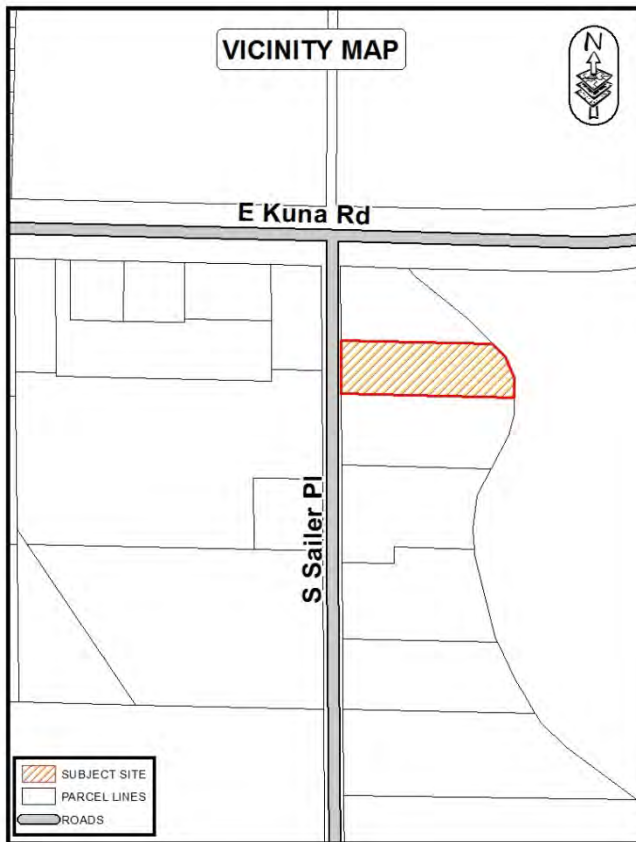
a. Notifications

- | | |
|---------------------------|----------------|
| i. Neighborhood Meeting | March 18, 2016 |
| ii. Agencies Notified | April 25, 2016 |
| iii. 300' Property Owners | June 6, 2016 |
| iv. Kuna, Melba Newspaper | June 8, 2016 |
| v. Site Posted | June 12, 2016 |

B. Applicant Request:

1. The applicant is requesting approval to annex an approximately 0.9 acre parcel located at 80 S. Sailer Place into the City of Kuna with an 'R-4' (Residential) zoning designation. The applicant intends to continue living at their residence on the subject site.

C. Vicinity and Aerial Maps:



- D. History:** The parcel is contiguous to City limits and is currently zoned RUT (Rural-Urban Transitional) in Ada County. The applicant's primary residence and one (1) accessory structure are currently situated on the subject parcel. This parcel has historically been used as a residential home site.

E. General Projects Facts:

1. **Comprehensive Plan Designation:** The Future Land Use Map identifies this site as 'Mixed Use General'. Staff views this land use request to be consistent with the approved Future Land Use Map.

2. Surrounding Land Uses:

North	RUT	Rural Urban Transitional – Ada County
South	RUT	Rural Urban Transitional – Ada County
East	RUT	Rural Urban Transitional – Ada County
West	R-1/R-6	Estate Residential (Ada County) / Medium Density Residential (Kuna)

3. Parcel Sizes, Current Zoning, Parcel Numbers:

- Approx. 0.9 total acres
- RUT, Rural Urban Transitional (Ada County)
- Parcel # - R0615251450

4. **Services:**

Sanitary Sewer – Existing Private Septic System
 Potable Water – Existing Domestic Source (well)
 Irrigation District – Boise-Kuna Irrigation District
 Future Pressurized Irrigation – City of Kuna (KMID)
 Fire Protection – Kuna Fire District
 Police Protection – Kuna City Police (Ada County Sheriff's office)
 Sanitation Services – J&M Sanitation Services

5. **Existing Structures, Vegetation and Natural Features:** The applicant's primary residence is situated on the subject parcel. There is currently one additional outbuilding (accessory structure) on the subject parcel. The site's topography is generally flat with existing residential landscaping and sod. The applicant has not indicated any intention to develop the property in the future or use it for any other purpose other than their primary residence.
6. **Transportation / Connectivity:** The parcel is not currently improved with any curb, gutter, sidewalks, or surface drainage improvements. The site currently takes access from S. Sailer Place, and will remain the ultimate access point for the parcel. Ada County Highway District (ACHD) shall provide direction and ultimate approvals for any future street frontage improvements or access modifications.
7. **Environmental Issues:** Staff is not aware of any environmental issues, health or safety conflicts resulting from this application. No portion of the subject site lies within a flood zone.
8. **Agency Responses:** The following agencies returned comments: Central District Health Department (CDHD) Boise Project Board of Control (BPOC), Idaho Transportation Department (ITD). The responding agency comments are included as exhibits with this case file.

F. **Staff Analysis:**

The applicant requests to annex a 0.9 acre parcel into Kuna City limits as a R-4 zoning designation. The subject property has functional on-site water sources and a viable septic system. The City engineer has indicated that as long as these private services continue functioning, there will be no obligation to connect to City services.

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 # 16-03-AN, subject to the recommended conditions of approval.

G. **Applicable Standards:**

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

H. **Comprehensive Plan Analysis:**

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

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

GOALS AND POLICY – Property Rights

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

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

Policy 3.1: Promote developments with a variety of lot sizes.

GOALS AND POLICY – Land Use

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

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

I. Proposed Findings of Fact:

1. This request appears to be in compliance with all ordinances and laws of the City, including Kuna City Code (KCC).
2. The site is physically suitable for annexation.
3. The annexation is not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.
4. The annexation application is not likely to cause adverse public health problems.
5. The application appears to avoid detriment to the present and potential surrounding uses; to the health, safety, and general welfare of the public taking into account the physical features of the site, public facilities and existing adjacent uses.
6. The existing street and utility services in proximity to the site appear to be adequate for residential use.
7. The Kuna City Council accepts the facts as outlined in the staff report, any public testimony and the supporting evidence as presented.
8. Based on the evidence contained in Case No. 16-03-AN, this proposal complies with the Kuna Comprehensive Plan and the Kuna Comprehensive Future Land Use Map.
9. The City Council has the authority to recommend approval or denial for the annexation application.
10. The public notice requirements were strictly adhered to and the public hearing was conducted within the guidelines of applicable Idaho State Code and Kuna City Ordinances.

J. Proposed Conclusions of Law:

1. Based on the evidence contained in Case No 16-03-AN, the Kuna City Council finds Case No. 16-03-AN complies with Kuna City Code.
2. Based on the evidence contained in Case No 16-03-AN, the Kuna City Council finds Case No. 16-03-AN is consistent with Kuna's Comprehensive Plan.
3. The public notice requirements have been met and the neighborhood meeting was conducted within the guidelines of applicable Idaho State Code and Kuna City Ordinances.

K. Proposed Decision by the Council:

Note: This proposed motion is for approval or denial of this land use action 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 staff's report and any public testimony at the public hearing, the City Council of Kuna, Idaho, hereby recommends *approval/denial* of Case No. 16-03-AN, a request for annexation from Patrick and Lisa Lee with the following conditions of approval:

1. Any future development submittals are required to include the lighting, landscaping, drainage and development plans as required by Planning and Zoning. All site improvements are prohibited prior to approval of the following agencies. The applicant/owner shall obtain written approval on letterhead or may be written/stamped on the approved construction plans from the agencies noted:
 - a. Central District Health Department (CDHD).
 - b. The City Engineer shall approve the future sewer hook-ups.
 - c. The Kuna Fire District shall approve the commercial use and all building plans.
 - 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 any fees due must be paid prior to the issuance of any building permits.
2. Any public rights-of-way shall be dedicated to the City and/or Ada County Highway District. No public street construction may be commenced without the approval and permit from the Ada County Highway District:
 - 2.1– With future development and as necessary, dedicate right-of-way in sufficient amounts to follow City and ACHD standards and widths.
3. Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
4. Any site improvements shall require the property owner to comply with the provisions set forth in Kuna City Code (KCC)
5. Submit a petition to the City (as necessary and confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and requesting to annex the irrigation surface water rights appurtenant to the property to the Kuna Municipal Pressure Irrigation system of the City (KMID).
6. Applicant shall follow all staff, City engineer and other agency recommended requirements as applicable.
7. Applicant shall abide by all applicable federal, state and local laws and ordinances.



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

Annexation Checklist

Annexation 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:	Applicant:
<i>Annexation</i>	<i>Lisa Lee</i>

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

Applicant (✓)	Description	Staff (✓)
✓	Completed and signed Commission & Council Review Application.	✓
✓	Letter of Intent indicating reasons for proposed annexation and the availability of public services. If reason for annexation is development, also submit a conceptual plan.	✓
✓	Vicinity map drawn to scale, showing the location of the subject property. Map shall contain the following information: Shaded area showing the annexation property, Street names and names of surrounding subdivisions.	✓
✓	Legal description of the annexation 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.	✓
✓	Recorded warranty deed for the property.	✓
✓	Proof of ownership—A copy of your deed <u>and</u> Affidavit of Legal Interest (All parties involved)	✓
N/A	Development Agreement & Development Agreement Checklist	N/A
✓	Neighborhood meeting certification (certification & neighborhood meeting list forms shall accompany this application).	✓
✓	Commitment of Property Posting form signed by the applicant/agent.	✓

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

Exhibit

A-2

4.14.16

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



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

Commission & Council Review Application

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

*Please submit the appropriate checklist (s) with application

Type of Review (check all that apply):

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

For Office Use Only	
File Number (s)	16-03-AN
Project name	LEE, LISA
Date Received	4/11/16
Date Accepted/ Complete	
Cross Reference Files	N/A
Commission Hearing Date	
City Council Hearing Date	

Contact/Applicant Information

Owners of Record: <u>Lisa Lee</u>	Phone Number: <u>907-354-4846</u>
Address: <u>80 S. Sailer Place</u>	E-Mail: <u>lisadlee@hotmail.com</u>
City, State, Zip: <u>Kuna Id 83634</u>	Fax #: <u>907-581-2951</u>
Applicant (Developer): <u>Lisa Lee</u>	Phone Number: <u>907-354-4846</u>
Address: <u>80 S. Sailer Place</u>	E-Mail: <u>lisadlee@hotmail.com</u>
City, State, Zip: <u>Kuna Id 83634</u>	Fax #: <u>907-581-2951</u>
Engineer/Representative: _____	Phone Number: _____
Address: _____	E-Mail: _____
City, State, Zip: _____	Fax #: _____

Subject Property Information

Site Address: <u>80 S. Sailer Place Kuna Id. 83634</u>
Site Location (Cross Streets): _____
Parcel Number (s): _____
Section, Township, Range: _____
Property size : _____
Current land use: _____ Proposed land use: _____
Current zoning district: _____ Proposed zoning district: _____

Project Description

Project / subdivision name: _____

General description of proposed project / request: Annexation to Kuma City Water

Type of use proposed (check all that apply):

☐ Residential _____

☐ Commercial _____

☐ Office _____

☐ Industrial _____

☐ Other _____

Amenities provided with this development (if applicable): _____

Residential Project Summary (if applicable)

Are there existing buildings? ☐ Yes ☐ No

Please describe the existing buildings: _____

Any existing buildings to remain? ☐ Yes ☐ No

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

Number of common and/or other 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)

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: [Signature] Date: 4-14-16

*Patrick & Lisa Lee
80 S. Sailer Place
Kuna, Idaho 83634
Phone: 907-359-4846*

Letter of intent:

We are on the border of rural and residential Kuna. We noticed the new construction going on across our street and thought it may be a good time to connect to the City. We are remodeling our home and we are currently on a shared well and we can see the damage well water does to everything and so we considered our options and believe getting a connection to City would be an asset to our property. We also thought because of the new construction going on it would be easier to connect at the same time. So for us our plan to make the following changes to our property:

- 1. Annexation into the City of Kuna*

Sincerely

Patrick & Lisa Lee



Exhibit

A-2b

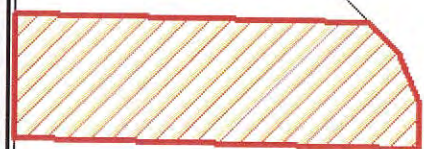
RECEIVED
APR 11 2016
CITY OF KUNA

VICINITY MAP



E Kuna Rd

S Sailer Pl



 SUBJECT SITE

 PARCEL LINES

 ROADS

Exhibit
A-2c

AERIAL MAP



N Sunbird Ave

E Kuna Rd

S Sailer Pl



SUBJECT SITE



PARCEL LINES



ROADS

Exhibit

A-2C

Indian Creek

Exhibit A

Tract B of that certain survey filed in Book E of Surveys at Page 216 and recorded as Instrument No. 8110596, records of Ada County, Idaho, and being more particularly described as follows:

That portion of Lot 2 in Block 9 of The Amended Plat of Avalon Orchard Tract, according to the official plat thereof, filed in Book 6 of Plats at Page 254, official Records of Ada County, Idaho, more particularly described as follows:

Commencing at a brass cap monumenting the Northwest corner of Section 25, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho; thence along the centerline of State Highway 69
South 89°14'00" East, a distance of 2,618.78 feet to a found 5/8 inch steel pin; thence continuing
South 89°14'00" East, a distance of 24.43 feet to a found 1/2 inch steel pin; thence continuing
South 89°14'00" East, a distance of 1,300.39 feet to a set P.K. Nail; thence
South 0°53'26" East, a distance of 331.30 feet to a point; thence
South 89°14'00" East, a distance of 20.00 feet to a steel pin, said pin being the Real Point of Beginning; thence
South 89°14'00" East, a distance of 361.02 feet to a steel pin; thence
North 0°02'39" West, a distance of 42.27 feet to a steel pin; thence
North 24°52'18" West, a distance of 48.54 feet to a steel pin; thence
North 45°42'55" West, a distance of 37.95 feet to a steel pin; thence
North 89°14'00" West, a distance of 315.14 feet to a steel pin; thence
South 0°53'26" East, a distance of 112.20 feet to the Real Point of Beginning.

Exhibit

A-2d



ADA COUNTY RECORDER Christopher D. Rich AMOUNT 13.00 2
BOISE IDAHO 05/24/2013 04:18 PM
DEPUTY Bonnie Oberbillig
Simplifile Electronic Recording
RECORDED-REQUEST OF
TITLONE BOISE



Order Number: 13223208

Warranty Deed

For value received,

Joey Henson Echevarria and Tricia Echevarria, husband and wife

the grantor, does hereby grant, bargain, sell, and convey unto

Patrick E. Lee and Lisa D. Lee, husband and wife

whose current address is PO Box 921534 Dutch Harbor, AK 99692

the grantees, the following described premises, in Ada County, Idaho, to wit:

Tract B of that certain survey filed in Book E of Surveys at Page 216 and recorded as Instrument No. 8110596, records of Ada County, Idaho, and being more particularly described as follows:

That portion of Lot 2 in Block 9 of The Amended Plat of Avalon Orchard Tract, according to the official plat thereof, filed in Book 6 of Plats at Page 254, official Records of Ada County, Idaho, more particularly described as follows:

Commencing at a brass cap monumenting the Northwest corner of Section 25, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho; thence along the centerline of State Highway 69 South 89°14'00" East, a distance of 2,618.78 feet to a found 5/8 inch steel pin; thence continuing South 89°14'00" East, a distance of 24.43 feet to a found 1/2 inch steel pin; thence continuing South 89°14'00" East, a distance of 1,300.39 feet to a set P.K. Nail; thence South 0°53'28" East, a distance of 331.30 feet to a point; thence South 89°14'00" East, a distance of 20.00 feet to a steel pin, said pin being the Real Point of Beginning; thence South 89°14'00" East, a distance of 361.02 feet to a steel pin; thence North 0°02'39" West, a distance of 42.27 feet to a steel pin; thence North 24°52'18" West, a distance of 48.54 feet to a steel pin; thence North 45°42'55" West, a distance of 37.95 feet to a steel pin; thence North 89°14'00" West, a distance of 315.14 feet to a steel pin; thence South 0°53'26" East, a distance of 112.20 feet to the Real Point of Beginning.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

* *Joey Henson Echevarria*
Joey Henson Echevarria
Tricia Echevarria
Tricia Echevarria

Alaska
State of ~~Idaho~~ *Alaska*, County of ~~Ada~~ *Denali*
3rd Judicial District

On this 22 day of May in the year of 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared Joey Henson Echevarria and Tricia Echevarria, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Daniel Mason

Notary Public

My Commission Expires: 06/05/2014

(seal)



Exhibit

A-2e

INDIVIDUAL - JURAT

State of IDAHO)

County of ADA)

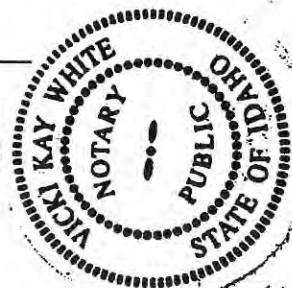
On this 24TH of May, 2013, before me, the undersigned, a notary public personally appeared, Tricia Echevarria, known to me or proven to me on the basis of satisfactory evidence to be the person (s) whose name(s) are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.



Notary Public

Residing In: NAMPA, IDAHO

Expires: 10-30-15





Phone: (208) 922-5274
Fax: (208) 922-5989
Web: www.cityofkuna.com

I, Lisa Lee, 80 S. Sailer Place
Name Address
Kuna, Idaho 83634
City State Zip Code

Dated this 25th day of March, 2016
David D. Hill
 Signature

My commission expires:

RACHEL PALMA
Notary Public, State of Alaska
Commission # 1310028
My Commission Expires
October 17, 2017



Neighborhood Meeting Certification

CITY OF KUNA PLANNING & ZONING * 763 W. Avalon, Kuna, Idaho, 83634 * www.kunacity.id.gov * (208) 922-5274 * Fax: (208) 922-5989

GENERAL INFORMATION:

You must conduct a neighborhood meeting prior to application for variance, conditional use, zoning ordinance map amendment, expansion or extension of a nonconforming use, and/or a subdivision. Please see Section 8-7A-3 of the Kuna City Code or ask one of our planners for more information on neighborhood meetings.

The meeting must be held either on a weekend between 10 a.m. and 7 p.m., or a weekday between 6 p.m. and 8 p.m. Meetings cannot be conducted on holidays, holiday weekends, or the day before or after a holiday or holiday weekend. The meeting must be held at one of the following locations:

- The Subject Property;
- The nearest available public meeting place (Examples include fire stations, libraries and community centers);
- An office space within a 1-mile radius of the subject property.

The meeting cannot take place more than 2 months prior to acceptance of the application and the application will not be accepted before the neighborhood meeting is conducted. You are required to send written notification of your meeting, allowing a reasonable amount of time before your meeting for property owners to plan to attend. Contacting and/or meeting individually with residents will not fulfill Neighborhood Meeting requirements.

You may request a list of the people you need to invite to the neighborhood meeting from our department. This list includes property owners within 300 feet of the subject property. Once you have held your neighborhood meeting, please complete this certification form and include it with your application.

Please Note: The neighborhood meeting must be conducted in one location for attendance by all neighboring residents. Contacting and/or meeting individually with residents does not comply with the neighborhood meeting requirements.

Please include a copy of the sign-in sheet for your neighborhood meeting, so we have written record of who attended your meeting and the letter of intent sent to each recipient. In addition, provide any concerns that may have been addressed by individuals that attended the meeting.

Description of proposed project: Lee Annexation (80 S. Sailer Pl)

Date and time of neighborhood meeting: 3/18/16 - 6-7:00 pm

Location of neighborhood meeting: ON SITE (80 S. Sailer Pl.)

SITE INFORMATION:

Location: Quarter: / Section: 25 Township: 2N Range: 1W Total Acres: 0.9

Subdivision Name: Avalon Orchard Tracts AMD Lot: 2 Block: 9

Site Address: 80 S. Sailer Pl. Tax Parcel Number(s): R0615251450
Kuna, Id 83634

Please make sure to include **all** parcels & addresses included in your proposed use.

CURRENT PROPERTY OWNER:

Name: Lisa Lee & Patrick Lee

Address: 80 S. Silver Pl. City: Kuna State: Id Zip: 93634

CONTACT PERSON (Mail recipient and person to call with questions):

Name: _____ Business (if applicable): _____

Address: _____ City: _____ State: _____ Zip: _____

Exhibit

A-2h

PROPOSED USE:***Application Type***

Annexation
Re-zone
Subdivision (Sketch Plat and/or Prelim. Plat)
Special Use
Variance
Expansion of Extension of a Nonconforming Use
Zoning Ordinance Map Amendment

Brief Description

80 S Sailer Place - Annexation to Kuna City

APPLICANT:

Name: Patrick & Lisa Lee

Address: 80 S Sailer Place

City: Kuna

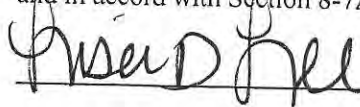
State: ID

Zip: 83634

Telephone: 907-359-4846

Fax: _____

I certify that a neighborhood meeting was conducted at the time and location noted on this form and in accord with Section 8-7A-3 of the Kuna City Code.



Signature: (Applicant)

Date 3/18/16



Patrick & Lisa Lee

Thursday, March 03, 2016

INVITATION TO NEIGHBORHOOD MEETING

To: Joan Henson

Kuna City Code requires an opportunity for a meeting between the applicant of a development proposal and all the residents of the neighborhood in which the development site is located. The meeting shall occur prior to formal submittal of this development application to the City. This letter is a notice of an opportunity to review and discuss our proposed annexation to Kuna City. This is not a public hearing; public officials will not be at the meeting. If you have any questions regarding this Kuna City Code neighborhood meeting requirement, please contact the Planning Division at 922-5274. If you have any questions about the proposed development please give me a call at 907-359-4846.

Purpose: To review and provide comments regarding the proposed Annexation.

When: March 18, 2016 at 6:00 -7:00 pm

Where: 80 S Sailer Place Kuna Id 83634

Project Description: The applicant is proposing to annex to Kuna City.

If you cannot attend the meeting and have questions concerning the application for Annexation, please feel free to call me at 907-359-4846.

Sincerely,

Patrick & Lisa Lee

80 S Sailer Place

Kuna, ID 83634



RECEIVED
MAR

To ATT.
Troy Behunin

SIGN IN SHEET

PROJECT NAME: 80 S. Sailer Pl - Annexation to City Kuna

Date: 3/18/16

6

	Name	Address	Zip	Phone
1	Joan Henson	120 S Sailer Pl	83634	208-922-1990
2	Bryan Byington	172 S. Sailer Pl	83634	208-412-4740
3	Rachael Byington	172 S Sailer Pl	83634	208-412-7166
4	Roberta Sailer	1185 E Kuna Rd	83634	208-922-1181
5	Michael Sailer	1185 E. Kuna RD	83634	208-922-1181
6				
7	Roberta & Michael's concerns are: they do not want to			
8	be forced into annexation because the property			
9	requesting annexation is close to theirs. (Roberta Sailer)			
10	nor do I. Joan Henson			
11	want to be			
12	forced into			
13	annexation!			
14				
15				
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23				
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27				
28				
29				
30				

Thank you

Exhibit
A-2h



City of Kuna
**COMMITMENT TO
PROPERTY POSTING**

City of Kuna
P.O. Box 13
Kuna, Idaho 83634

Phone: (208) 922-5274
Fax: (208) 922-5989
Web: www.cityofkuna.com

Per City Code 5-1A-8, the applicant for all applications requiring a public hearing shall post the subject property not less than ten (10) days prior to the hearing. The applicant shall post a copy of the public hearing notice or the application (s) on the property under consideration.

The applicant shall submit proof of property posting in the form of a notarized statement and a photograph of the posting to the City no later than seven (7) days prior to the public hearing attesting to where and when the sign (s) were posted. Unless such Certificate is received by the required date, the hearing will be continued.

The sign (s) shall be removed no later than three (3) days after the end of the public hearing for which the sign (s) had been posted.

I am aware of the above requirements and will comply with the posting requirements as stated in Kuna City Code 5-1A-8

Applicant/agent signature

Date



IDAHO PRESS TRIBUNE
EMMETT MESSENGER-INDEX
C/O ISJ PAYMENT PROCESSING CENTER
PO BOX 1570
POCATELLO ID 83204
(208) 467-9251

ORDER CONFIRMATION (CONTINUED)

Salesperson: LEGALS

Printed at 05/09/16 08:10 by sje14

Acct #: 345222

Ad #: 1456902

Status: N

LEGAL NOTICE

CITY OF KUNA
P.O. Box 13
Kuna, ID 83634
Phone: 922-5274
Fax: 922-5989

**Case # 16-03-AN
(Annexation)**

NOTICE IS HEREBY GIVEN, the Kuna Planning and Zoning Commission will hold a public hearing, Tuesday, May 24, 2016, at 6:00 pm, or as soon as can be heard at Kuna City Hall, 763 W. Avalon, Kuna, ID; in connection with a request from Patrick and Lisa Lee to annex approximately 0.9 acres into the Kuna City limits with a "R-4" (Residential) zoning designation. This parcel is located at 80 S. Sailer Place, Kuna, Idaho (APN #: R0615251450).

All persons wishing to testify must state his/her name and residential address for the record. No person shall speak until recognized by the Chairman. A three (3) minute time limit may be placed on all testimony.

The public is invited to present written and/or oral comments. Any written testimony must be received by 5:00 pm, May 23rd, 2016, or it may not be considered. Please mail any comments to P.O. Box 13 Kuna, ID 83634, or drop off at City Hall 763 W. Avalon.

Please do not contact anyone who would be involved in this decision making process, which would include the Planning & Zoning Commissioners, City Council Members, or the Mayor. Such private conversations would be considered ex parte (one sided) and could jeopardize the public hearing process.

If you have any questions or require special accommodations, please contact the Kuna Planning & Zoning Department prior to the meeting at 922-5274.

Kuna Planning & Zoning
Department

May 11, 2016

1456902



City of Kuna PROOF OF PROPERTY POSTING

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

This notice shall confirm that the Public Hearing Notice for 80 Sailer Place
(NAME OF SUBDIVISION OR ADDRESS) was posted as required per Kuna City Ordinance
5-1-5B. Sign posted June 12th 2016 (DAY OF THE WEEK, MONTH,
DATE AND YEAR). This form is required to be returned three (3) calendar days
subsequent to posting and signs are to be removed from the site three (3) calendar
days after the hearing.

DATED this 13th day of June, 2016

Signature,

[Signature]
Owner/Developer

STATE OF IDAHO)
County of ADA) ss

On this 13th day of JUNE, 2016, before me the
undersigned, a Notary Public in and for said State, personally appeared before me
(Owner, Developer).

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

[Signature]
Notary Public
Residing at 763. W. AVALOW KUNA, ID
Commission Expires 4 NOV. 2016







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: Director of Kuna Planning and Zoning

FROM: Gordon N. Law
Kuna City Engineer

RE: Patrick & Lisa Lee – 80 S. Sailer Place
Annexation and Rezone
16-03-AN

DATE: April 27, 2016

The City Engineer has reviewed the annexation request of the above applicant dated April 15, 2016. The City Engineer understands that this annexation request is in reference to an “already developed” property and the request does not contemplate any further development or re-development of the property. The existing development has functional on-site services, and as long as these services continue functioning, there is no obligation to connect to City services. Accordingly, the City Engineer provides the following comments:

1. Sanitary Sewer Needs

- a) The existing homestead appears to be served its own septic tank and drain field. It is further noted the nearest reachable and useable sewer main is located approximately 840 feet from the property (following right-of-way) in Empty Pockets Subdivision. Sailer Shores Meadows Subdivision is under construction, and when it is complete, the distance to sewer will be reduced to approximately 160 feet. Accordingly, the City Engineer recommends the continued utilization of the site facilities as long as the existing use is maintained, the site system remains viable or the property owner elects to connect.
- b) The closest sewer main discharges to the South Sewer Treatment Plant which has sufficient capacity to serve this site. When connecting to the sewer system, the applicant will need to abide by any relevant sewer reimbursement policies and agreements and any relevant connection fees.
- c) For assistance in locating existing facilities and understanding issues associated with connection to public facilities, please contact the City Engineer at 287-1727.

2. Potable Water Needs

- a) The existing homestead appears to be served by its own well. It is further noted the nearest reachable and useable water main is located approximately 840 feet from the property (following right-of-way) in Empty Pockets Subdivision. Sailer Shores Meadows Subdivision is under construction, and when it is complete, the distance to water will be reduced to approximately 10 feet. Accordingly, the City Engineer recommends the continued utilization of the site facilities as long as the existing use is maintained, the site system remains viable or the property owner elects to connect.
- b) The closest water trunk line has sufficient capacity to serve the site. When connecting to the water system, the applicant will need to abide by any relevant water reimbursement policies and agreements and any relevant connection fees.
- c) For assistance in locating existing facilities, please contact the City Engineer at 287-1727.

3. Pressure Irrigation

- a) The property's irrigation needs are presently served by its own well and the Boise-Kuna Irrigation District. It is further noted the nearest reachable and useable pressure irrigation main is located approximately 1000 feet from the property (following easements) on East Avalon. Sailer Shores Meadows Subdivision is under construction, and when it is complete, the distance to water will be reduced to approximately 50 feet. Accordingly, the City Engineer recommends the continued utilization of the site facilities as long as the existing use is maintained, the site system remains viable or the property owner elects to connect.
- b) When connecting to the pressure irrigation system, the applicant will need to abide by the Master Plan, any relevant reimbursement policies and agreements and any relevant connection fees.
- c) Connection to pressure irrigation shall constitute an automatic petition for inclusion in the municipal irrigation system and an agreement to the pooling of this property's water rights for delivery purposes.

4. Grading and Storm Drainage (Not applicable)

5. General (Not applicable)

6. Inspection Fees (Not applicable)

7. Right-of-Way (Not applicable)

8. As-Built Drawings (Not applicable)

9. Property Description

- a) The applicant provided a metes and bounds property description of the subject parcel.



CENTRAL DISTRICT HEALTH DEPARTMENT

Environmental Health Division

Return to:

- ☐ ACZ
- ☐ Boise
- ☐ Eagle
- ☐ Garden City
- ☒ Kuna
- ☐ Meridian
- ☐ Star

MAY 02 2016

CITY OF KUNA

Rezone # 16-03-AM

Conditional Use # _____

Preliminary / Final / Short Plat _____

Avalon Orchard
Tracts

- ☒ 1. We have No Objections to this Proposal.
- ☐ 2. We recommend Denial of this Proposal.
- ☐ 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.
- ☐ 4. We will require more data concerning soil conditions on this Proposal before we can comment.
- ☐ 5. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
 - ☐ high seasonal ground water
 - ☐ waste flow characteristics
 - ☐ bedrock from original grade
 - ☐ other _____
- ☐ 6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.
- ☐ 7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.
- ☐ 8. After written approval from appropriate entities are submitted, we can approve this proposal for:
 - ☐ central sewage
 - ☐ community sewage system
 - ☐ community water well
 - ☐ interim sewage
 - ☐ central water
 - ☐ individual sewage
 - ☐ individual water
- ☐ 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
 - ☐ central sewage
 - ☐ community sewage system
 - ☐ community water
 - ☐ sewage dry lines
 - ☐ central water
- ☐ 10. This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.
- ☐ 11. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
- ☐ 12. We will require plans be submitted for a plan review for any:
 - ☐ food establishment
 - ☐ swimming pools or spas
 - ☐ child care center
 - ☐ beverage establishment
 - ☐ grocery store
- ☐ 13. Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDHD.

☐ 14. _____ Reviewed By: Row Badij
Date: 4/27/16

Exhibit
B-2

**IDAHO TRANSPORTATION DEPARTMENT**

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

(208) 334-8300
itd.idaho.gov

May 3, 2016

RECEIVED
5-3-16

Trevor Kesner
City of Kuna, Planning and Zoning Department
P.O. Box 13
Kuna, ID 83634

VIA EMAIL

RE: 16-03-AN LISA LEE

The Idaho Transportation Department has reviewed the referenced annexation application for Lisa Lee located at 80 South Sailer Place south of SH-69. ITD has the following comments:

1. ITD has no objection to the annexation and does not require any mitigation.
2. This property does not abut the State highway system.
3. Applicant must apply for and receive an approved Right-of-Way use permit prior to doing any work or activity within the highway Right-of-Way. Please have the applicant contact Ken Couch at 332-7190 for more information.

If you have any questions, you may contact Ken Couch at 332-7190 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

Exhibit

B-3

05/11/2016 10:11 2083441437

BOISE PROJECT

Annexation 16-03-AN

PAGE 01/01 28 of 34

RON PLATT
CHAIRMAN OF THE BOARD

RICHARD MURGOITIO
VICE CHAIRMAN OF THE BOARD

TIMOTHY M. PAGE
PROJECT MANAGER

ROBERT D. CARTER
ASSISTANT PROJECT MANAGER

APRYL GARDNER
SECRETARY-TREASURER

JERRI FLOYD
ASSISTANT SECRETARY-
TREASURER

BOISE PROJECT BOARD OF CONTROL

(FORMERLY BOISE U.S. RECLAMATION PROJECT)

2455 OVERLAND ROAD
BOISE, IDAHO 83705-3133



OPERATING AGENCY FOR 167,000
ACRES FOR THE FOLLOWING
IRRIGATION DISTRICTS

NAMPA-MERIDIAN DISTRICT
BOISE-KUNA DISTRICT
WILDER DISTRICT
NEW YORK DISTRICT
BIG BEND DISTRICT

TEL: (208) 344-1141
FAX: (208) 344-1437

10 May 2016

City of Kuna
P.O. Box 13
Kuna, Idaho 83634

RE: Patrick & Lisa Lee 16-03-AN
80 S. Sailer Place
Boise-Kuna Irrigation District BK-1280-1B
Teed Lateral 34+60
Sec. 25, T2N, R1W, BM.

Trevor Kesner, Planner II:

There are no Project facilities located on the above-mentioned property; however, it does in fact possess a valid water right.

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.

If you have any further questions or comments regarding this matter, please do not hesitate to contact me at (208) 344-1141.

Sincerely,

Bob Carter
Assistant Project Manager, BPBC

bdc/bc

cc: Clint McCormick Watermaster, Div; 2 BPBC
Lauren Boehlke Secretary - Treasurer, BKID
File

Exhibit

B-4



Kent Goldthorpe, President
Paul Woods, Vice President
Rebecca W. Arnold, Commissioner
Sara M. Baker, Commissioner
Jim D. Hansen, Commissioner

May 12, 2016

To: Lisa Lee
80 S. Sailer Pl.
Kuna, ID 83634

Subject: KUNA16-0010 / 16-03-AN
80 S. Sailer Pl.
Annexation

The Ada County Highway District (ACHD) has reviewed the submitted application for the application referenced above and has determined that there are no improvements required to the adjacent streets as this is an annexation application. If the property is redeveloped, improvements may be required to Sailer Place. Please coordinate with ACHD prior to redevelopment.

A traffic impact fee may be assessed by ACHD and will be due prior to the issuance of a building permit by the lead agency. This is a separate review process and it is the applicant's responsibility to submit plans directly to ACHD.

If the City of Kuna requires roadway improvements, the applicant shall be required to:

1. Contact ACHD Planning staff to determine where the improvements should be located, and if any right-of-way dedication is necessary to accommodate the improvements.
2. Submit engineered plans to ACHD Development Review for review and approval prior to obtaining a permit to work in the right-of-way.
3. Comply with all ACHD Policies and ACHD Standard Conditions of Approval for any work or improvements within the right-of-way.
4. Obtain a permit for any work in the right-of-way prior to the construction, repair, or installation of any roadway improvements (curb, gutter, sidewalk, pavement widening, driveways, culverts, etc.).

If you have any questions, please feel free to contact me at (208) 387-6335.

Sincerely,

Austin Miller
Planner I
Development Services

cc: City of Kuna, via e-mail



City of Kuna

P&Z Findings of Fact and Conclusions of Law

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

To: Planning and Zoning Commission

Case Number(s): 16-03-AN (Annexation) *Lee Annexation*

Location: 80 S. Sailer Pl.
Kuna, Idaho 83634

Planner: Trevor Kesner, Planner II

Hearing Date: May 24, 2016
Findings: June 14, 2016

Applicant: Patrick and Lisa Lee
80 S. Sailer Pl.
Kuna, Idaho 83634

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- A. Course Proceedings
- B. Applicant Request
- C. Vicinity and 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. Proposed Decision by the Commission

A. Course of Proceedings

1. Kuna City Code (KCC), Title 1, Chapter 14, Section 3, states annexation is designated as a public hearing with the 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 Land Use Planning Act (LLUPA).

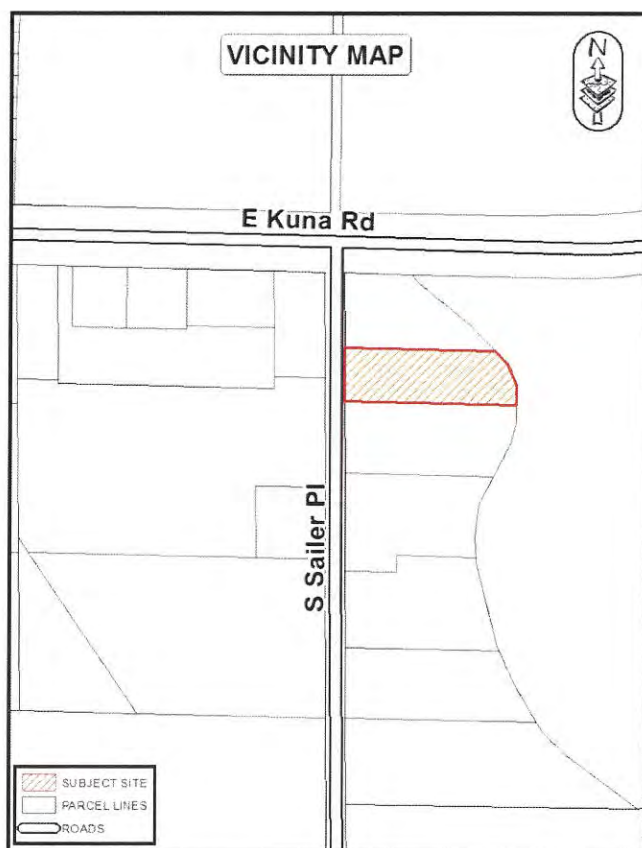
a. Notifications

- | | |
|---------------------------|----------------|
| i. Neighborhood Meeting | March 18, 2016 |
| ii. Agencies Notified | April 25, 2016 |
| iii. 300' Property Owners | March 25, 2016 |
| iv. Kuna, Melba Newspaper | May 11, 2016 |
| v. Site Posted | April 24, 2016 |

B. Applicant Request:

1. The applicant is requesting approval to annex an approximately 0.9 acre parcel located at 80 S. Sailer Place into the City of Kuna with a 'R-4' (Residential) zoning designation. The applicant intends to continue living at their residence on the subject site.

C. Vicinity and Aerial Maps:



D. History: The parcel is contiguous to City limits and is currently zoned RUT (Rural-Urban Transitional) in Ada County. The applicant's primary residence and one (1) accessory structure are currently situated on the subject parcel. This parcel has historically been used as a residential home site.

E. General Projects Facts:

1. **Comprehensive Plan Designation:** The Future Land Use Map identifies this site as 'Mixed Use General'. Staff views this land use request to be consistent with the approved Future Land Use Map.

2. **Surrounding Land Uses:**

North	RUT	Rural Urban Transitional – Ada County
South	RUT	Rural Urban Transitional – Ada County
East	RUT	Rural Urban Transitional – Ada County
West	R-1/R-6	Estate Residential (Ada County) / Medium Density Residential (Kuna)

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

- Approx. 0.9 total acres
- RUT, Rural Urban Transitional (Ada County)
- Parcel # - R0615251450

4. **Services:**

Sanitary Sewer – Existing Private Septic System
 Potable Water – Existing Domestic Source (well)
 Irrigation District – Boise-Kuna Irrigation District
 Future Pressurized Irrigation – City of Kuna (KMID)

Fire Protection – Kuna Fire District
Police Protection – Kuna City Police (Ada County Sheriff's office)
Sanitation Services – J&M Sanitation Services

5. **Existing Structures, Vegetation and Natural Features:** The applicant's current home is on the existing parcel. There is currently one additional outbuilding (accessory structure) on the subject parcel. The site has historically been used as the primary residential dwelling. The applicant has not indicated any intention to develop the property or use it for any other purpose other than their primary residence.
6. **Transportation / Connectivity:** The parcel is not currently improved with any curb, gutter, sidewalks, or surface drainage improvements. The site currently takes access from S. Sailer Place, and will remain the ultimate access for the parcel. Ada County Highway District (ACHD) shall provide direction and ultimate approvals for any future street frontage improvements or access modifications.
7. **Environmental Issues:** Staff is not aware of any environmental issues, health or safety conflicts resulting from this application. This site's topography is generally flat.
8. **Agency Responses:** The following agencies returned comments: Central District Health Department (CDHD) Boise Project Board of Control (BPOC), Idaho Transportation Department (ITD). The responding agency comments are included as exhibits with this case file.

F. Staff Analysis:

The subject site is located 80 S Sailer Place. The applicant requests to annex a 0.9 acre parcel into Kuna City limits as a R-4 zoning designation. The property has functional on-site water and sewer services, and as long as these services continue functioning, there will be no obligation to connect to City services

Staff has determined this application complies with Title 5 of the Kuna City Code; Idaho Statute §50-222; and Kuna Comprehensive Plan; and forwards a recommendation of approval for Case # 16-03-AN, subject to the recommended conditions of approval.

G. Applicable Standards:

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

H. Comprehensive Plan Analysis:

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

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

GOALS AND POLICY – Property Rights

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

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

Policy 3.1: Promote developments with a variety of lot sizes.

GOALS AND POLICY – Land Use

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

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

I. Findings of Fact:

1. This request appears to be in compliance with all ordinances and laws of the City, including Kuna City Code (KCC).
2. The site is physically suitable for annexation.
3. The annexation is not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.
4. The annexation application is not likely to cause adverse public health problems.
5. The application appears to avoid detriment to the present and potential surrounding uses; to the health, safety, and general welfare of the public taking into account the physical features of the site, public facilities and existing adjacent uses.
6. The existing street and utility services in proximity to the site appear to be adequate for the proposed residential use; however, any site development improvements (excluding, but not exclusively limited to electrical, plumbing, HVAC/mechanical or fencing and landscape) as determined by the Planning and Zoning Director, shall comply with the provisions set forth in Kuna City Code (KCC)
7. The Kuna Planning and Zoning Commission accepts the facts as outlined in the staff report, any public testimony and the supporting evidence as presented.
8. Based on the evidence contained in Case No. 16-03-AN, this proposal appears to comply with the Comprehensive Plan and the Kuna Comprehensive Future Land Use Map.
9. The Planning and Zoning Commission has the authority to recommend approval or denial for the annexation application.
10. The public notice requirements were adhered to and the public hearing was conducted within the guidelines of applicable Idaho Code and Kuna City Ordinances.

J. Conclusions of Law:

1. Based on the evidence contained in Case No 16-03-AN, the Kuna Planning and Zoning Commission finds Case No. 16-03-AN complies with Kuna City Code.
2. Based on the evidence contained in Case No 16-03-AN, the Kuna Planning and Zoning Commission finds Case No. 16-03-AN is consistent with Kuna's Comprehensive Plan.
3. The public notice requirements have been met and the neighborhood meeting was conducted within the guidelines of applicable Idaho Code and Kuna City Ordinances.

K. Decision by the Planning and Zoning Commission:

Note: This proposed motion is for approval of this request. However, if the Commission 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 any public testimony at the public hearing, the Planning and Zoning Commission of Kuna, Idaho, hereby recommends *approval* of Case No. 16-03-AN, a request for annexation from Patrick and Lisa Lee to the Kuna City Council with the following conditions of approval:

1. All development submittals are required to include the lighting, landscaping, drainage and development plans as required by Planning and Zoning. All site improvements are prohibited prior to approval of the following agencies. The applicant/owner shall obtain written approval on letterhead or may be written/stamped on the approved construction plans from the agencies noted:
 - a. Central District Health Department (CDHD).
 - b. The City Engineer shall approve the future sewer hook-ups.

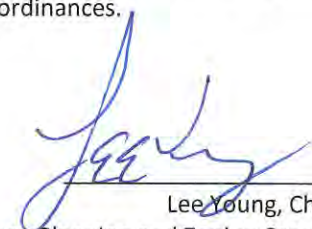
- c. The Kuna Fire District shall approve the commercial use and all building plans.
 - d. The *Boise-Kuna* Irrigation District shall approval any modifications to the existing irrigation system.
 - e. Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to issuance of any building permits.
2. All public rights-of-way shall be dedicated to the City and/or Ada County Highway District. No public street construction may be commenced without the approval and permit from Ada County Highway District:
 - 2.1- With future development and as necessary, dedicate right-of-way in sufficient amounts to follow City and ACHD standards and widths.
 3. 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. Any site improvements shall require the property owner to comply with the provisions set forth in Kuna City Code (KCC)
 6. Submit a petition to the City (as necessary and confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and requesting to annex the irrigation surface water rights appurtenant to the property to the Kuna Municipal Pressure Irrigation system of the City (KMID).
 7. Applicant shall follow all staff, City engineer and other agency recommended requirements as applicable.
 8. Applicant shall abide by all applicable federal, state and local laws and ordinances.

Dated this 14th day of June, 2016

ATTEST



Wendy I. Howell, PCED
Kuna Planning and Zoning Director


Lee Young, Chairman
Kuna Planning and Zoning Commission



City of Kuna

City Council Staff Report

To: **City Council**

File Numbers: **16-01-AN** (Annexation)
16-01-CPM (Comp Plan Map amendment)

Location: West Deer Flat Road & west of North Deerhorn Avenue, Kuna, Idaho

Planner: Troy Behunin, Senior Planner

Hearing date: June 21, 2016

Applicant: **Scott Stanfield**
2964 Stewart Rd.
Kuna, ID, 83634
208.870.8907
sstanfield@mseng.us

Owner: **Margie L. King**
4321 Blaine
New Plymouth, ID 83655

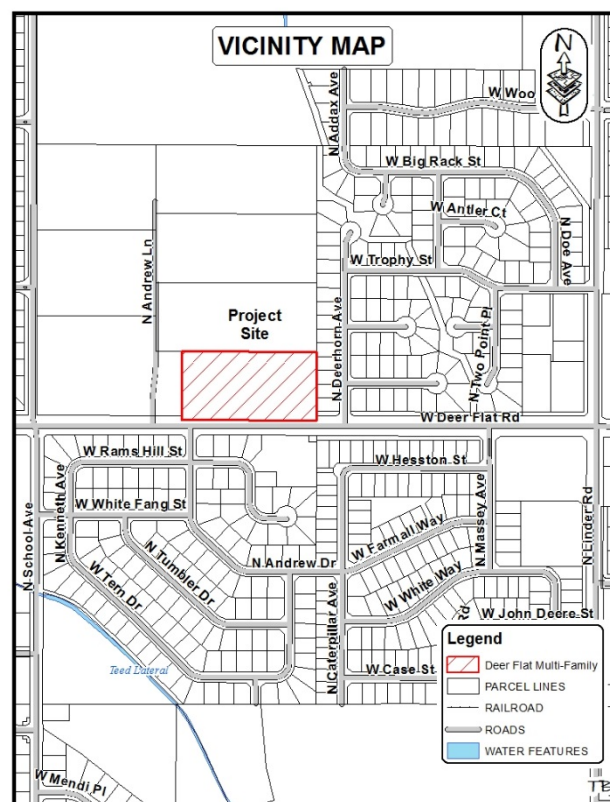


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| B. Applicants Request | L. Kuna City Code Analysis |
| C. Aerial map | M. Proposed Conclusions of Law |
| D. Site History | N. Recommendation of the Commission to City Council |
| E. General Project Facts | O. Recommended Conditions of Approval by Council |
| F. Staff Analysis | |
| G. Applicable Standards | |
| H. Proposed Procedural Background | |
| I. Proposed Findings of Fact for Council | |
| J. Proposed Factual Summary | |

A. Process and Noticing:

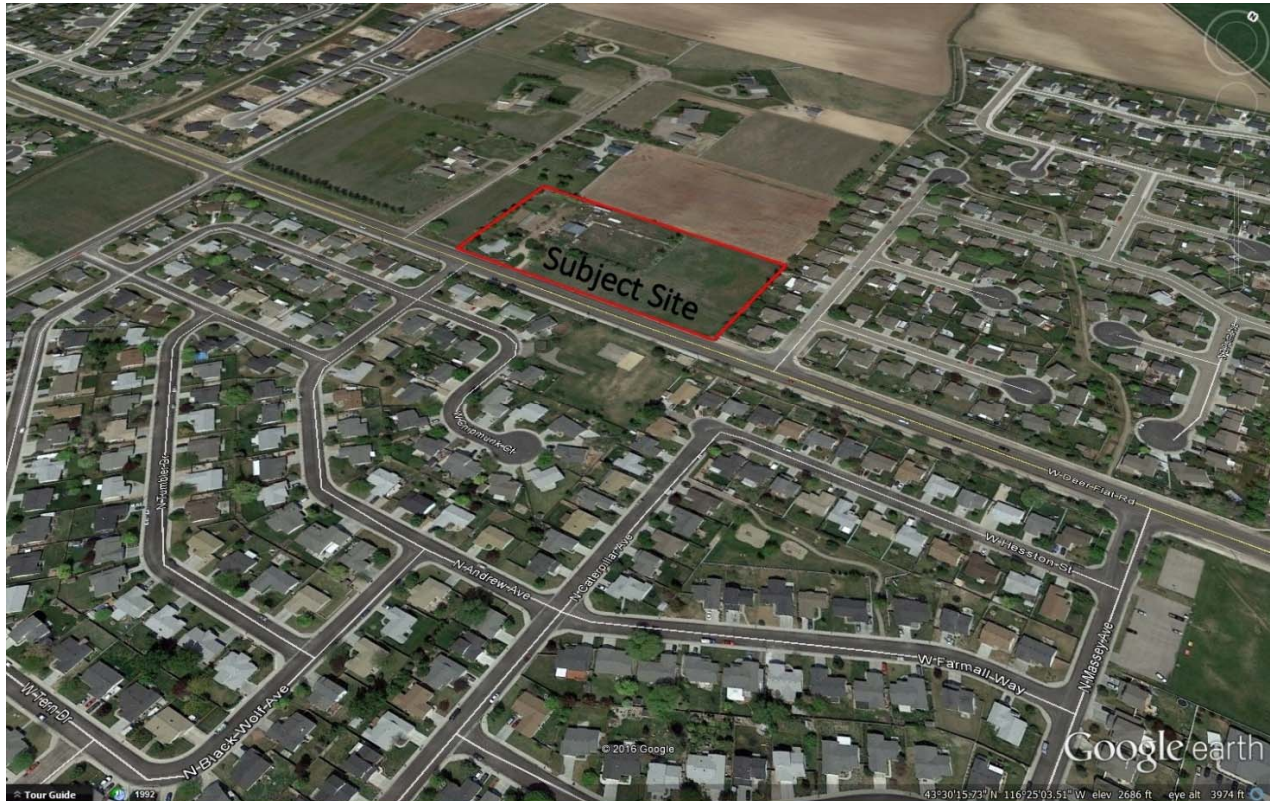
1. Kuna City Code 1-14-3 (KCC), states that Annexations and Comprehensive Plan Map Modifications are designated as a public hearing, with the City Council as the decision making body. These land use applications were given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65 Local Planning Act.

a. Notifications

- | | |
|----------------------------|--|
| i. Neighborhood Meeting | October 14, 2015 (seven people attended) |
| ii. Agency Comment Request | January 28, 2016 |
| iii. 300' Property Owners | May 27, 2016 |
| iv. Kuna, Melba Newspaper | June 1, 2016 |
| v. Site Posted | June 11, 2016 |

B. Applicants Request:**1. Request:**

The applicant, Scott Stanfield requests to annex the subject property (4.70 +/- acre) into the City limits and amend the Comprehensive Plan Map (Comp Plan Map) *designation* from Medium Density Residential to High Density Residential. The applicant requests to change the zone from RUT (Rural Urban Transition) in the County to R-12 (High Density Residential) in the City, in preparations to develop the site as a multi-family project. The site is located near the northeast corner (NEC) of Deer Flat Road and School Avenue.

C. Aerial Map:

©Copyrighted

D. Site History:

This site is a County parcel and used for small agricultural purposes and has been a rental property for many years. The site is surrounded by both City and County platted subdivisions.

E. General Projects Facts:

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

2. Surrounding Land Uses:

North	RUT	Rural Urban Transition – Ada County
South	R-6	Medium Density Residential – Kuna City
East	R-6	Medium Density Residential – Kuna City
West	RUT	Rural Urban Transition – Ada County

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

- Parcel Size: 4.70 acres (approximately)
- Zoning: Rural Residential – Ada County (RUT)
- Parcel #: S1314438920

4. **Services:**

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

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

There are several structures on site, including a home, large accessory building, trailers, and old sheds. The remaining site has vegetation that is generally associated with an open field.

6. **Transportation / Connectivity:**

The site is near the north east corner (NEC) of Deer Flat Road and School Avenue. Ingress / Egress is proposed to and from Deer Flat Road.

7. **Environmental Issues:**

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

8. **Agency Responses:**

The following agencies returned comments: City Engineer (Gordon Law, P.E.) Exhibit B-1, ACHD (Dawn Battles) Exhibit B-2, Boise-Kuna Irrigation Dist. (Lauren Boehlke) Exhibit B-3, Boise Project Board of Control (Bob Carter) Exhibit B-4, Central Dist. Health Dept. CDHD) Exhibit B-6, Idaho Transportation Department (ITD) Exhibit B-5. The responding agency comments are included with this case file and are included with this report.

F. **Staff Analysis:**

This annexation and Comp Plan Map amendment application involves a County parcel that is surrounded by Kuna City limits and platted City and County subdivisions. The parcel is adjacent to a minor arterial (Deer Flat Road) and all public utilities are near this site.

The applicant seeks annexation and a Comp Plan Map amendment for this parcel in order to permit development of the property for multi-family housing.

The applicant has expressed that some of the neighbors may be concerned about the project, and the applicant has responded with a written commitment to mitigate adjacent property impact associated with this request. The applicant will enhance landscaping, add berms, and place dwelling units at a maximum distance from neighboring subs, following the setback and other site design requirements.

Staff is aware this request differs from the Comp Plan Map designation. If approved, this map amendment request (from Medium Density (*up to 8 units/acre*) to High density (*12 units/acre*)), would result in an overall difference in the number of units allowed per acre, by four (4) units.

In accordance with the requirements of the Fair Housing Act, staff has reviewed the comprehensive plan. Kuna's comprehensive plan calls for and encourages a variety of housing types and income levels numerous times. The sections of the comprehensive plan that address multi-family are included below, in Section K (comp plan analysis) of this report. The City attempts to balance all of the housing types in the City. The City believes dense development brings vitality and life to specific areas which benefit the community as a whole.

The dominant housing type for Kuna and the Treasure Valley, is single-family housing. In Kuna, single-family homes comprise more than 97% of all housing types. From 2008 until April 15, 2016 there have been zero new multi-family building permits issued, while the city has grown from roughly 13,750 residents to a recent estimate at 18,430 (from COMPASS). This indicates that while single family home sales have increased dramatically, the multi-family market has fallen considerably behind and goals of the Comp Plan are not being met.

Most multi-family projects are typically more-dense than single-family projects and do not require the same acreage in terms of overall land used. Often times, multi-family units are placed in remnant lands, or left-over lands, which is typical for in-fill style development. This helps explain why there are typically pockets of multi-family units scattered throughout the City rather than placing all of them in one or two locations with the same land mass that most single-family projects occupy. As this site is surrounded by platted subdivisions or otherwise developed land, this application should be considered a candidate for infill development.

While it is not the standard or an absolute, multi-family units are known for being closer to daily service providers and/or schools. When staff evaluates the number of existing multi-family units in Kuna, and this sites proximity to daily service providers and schools coupled with the Comprehensive Plan goals, staff supports this project and notes that it complies with a number of goals and policies listed in the Comprehensive Plan.

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 No's 16-01-AN and 16-01-CPM subject to the recommended conditions of approval listed in Section 'N' of this report.

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. Proposed Procedural Background:

On June 21, 2016, Council considered the project, including the application, agency comments, staff's report, application exhibits and public testimony presented or given.

I. Proposed Findings of Fact for Councils Consideration:

1. **16-01-AN and 16-01-CPM:** Based on the record contained in Case No's 16-01-AN and 16-01-CPM, including the exhibits, staff's report and the public testimony at the public hearing, the City Council of Kuna, Idaho, hereby *approves/denies* the Findings of Fact and Conclusions of Law, and conditions of approval for Case No's 16-01-AN and 16-01-CPM, Annexation and Comprehensive Plan Map Amendment.
2. The Kuna Council accepts the facts as outlined in the staff report, the public testimony and the supporting evidence list presented.

Comment: *The Kuna Council held a public hearing on the subject applications on June 21, 2016, to hear from the City staff, the applicant and to accept public testimony. The decision by the Council is based on the application, staff report and public testimony, both oral and written.*

3. Based on the evidence contained in Case No's 16-01-AN and 16-01-CPM, this proposal appears to *generally* comply with the Comprehensive Plan and Comp Plan Map.

Comment: *The Comp Plan has listed numerous goals for providing multi-family housing in Kuna. The Comp Plan Map designates this property as Medium Density. As this is a proposed residential use the project generally follows the goals of the Comp Plan and the Comp Plan Map.*

4. The Kuna Council has the authority to approve or deny these applications.

Comment: *On June 21, 2016, Kuna Council will vote for approval or denial of applications 16- 01-AN and 16-01-CPM.*

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

Comment: *As noted in the process and noticing sections, notice requirements were met to hold a public hearing on June 21, 2016.*

J. Proposed Factual Summary:

This site is located near the north east corner (NEC) of Deer Flat Road and School Avenue. Applicant proposes annexation for approximately 4.7 acres into City limits with an R-12 zone. Applicant proposes and a Comprehensive Plan Map amendment for the site, from Medium Density to High Density Residential.

The site will take access from existing Deer Flat Road.

K. Comprehensive Plan Analysis:

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

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

Community Vision Statement:

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

Housing:

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

Comment: *The proposal follows the community vision and housing goals as stated and adopted.*

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

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

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

Economic Development Goals and Objectives - Section 5 - Summary:

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

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

Land Use Goals and Objectives - Section 6 - Summary:

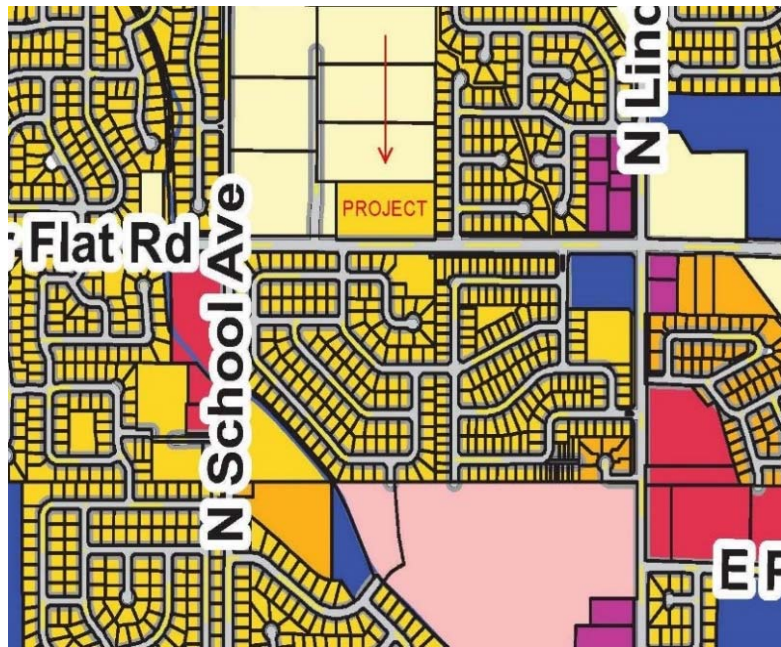
Adopt a future land use plan and map that includes natural and developed open spaces, while providing a variety of housing densities and types to accommodate various lifestyles, ages and economic groups. Protect existing neighborhoods and ensure new development is sustainable and keeps Kuna desirable.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

Neighborhood Core Concept:

The character of residential housing surrounding and within the core of a Neighbor Center is that of a close-knit, mixed-density community. The Neighborhood District provides close access to community services located within the core. The highest density housing should be located near the core service areas (schools, churches, parks, neighborhood commercial). Housing types may include multi-family dwellings, duplexes, town houses, row homes, and single-family residences (Page 81).

Medium Density Residential:

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



AGRICULTURAL	PROFESSIONAL OFFICE
RURAL CLUSTER	FEDERAL LAND
LOW DENSITY	NEIGHBORHOOD CENTER
MEDIUM DENSITY	NEIGHBORHOOD DISTRICT
HIGH DENSITY	WWTF
MIXED USE GENERAL***	CITY INTEREST
MIXED USE CITY CENTER	MIXED USE GENERAL WITH A MINIMUM EQUIVALENCE OF 3 UNITS PER ACRE
LIGHT INDUSTRIAL	GREEN WAY WATERWAYS
HEAVY INDUSTRIAL	GREENBELT OVERLAY
PUBLIC	
COMMERCIAL	

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

Legend

Neighborhood District:

The Neighborhood District can be characterized as residential housing within the core of a close-knit, mixed-density community. The Neighborhood District provides close access to the community services located within the core. The highest density housing should be located near the core service areas (schools, churches, parks, neighborhood commercial). Housing types may include *multi-family* dwellings, duplexes, town houses, row homes, and single-family residences (Page 93).

Comment: *The proposal complies with the land use plan as adopted by Kuna, by incorporating the following; non-typical housing densities and types in or near a neighborhood core while promoting in-fill methodologies and a quality housing project.*

Housing Goals and Objectives - Section 12 - Summary:

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

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

Comment: *Applicant proposes high density residential which will contribute to availability of varied types and home sizes in a logical and orderly manner with an infill style of development.*

Community Design Goals and Objectives - Section 13 - Summary:

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

Neighborhoods:

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

Existing Residential Subdivisions:

Residential placement is intended to increase social interactions at various times of the day. *Multi-family* residential uses should be located closer to the neighborhood cores and be interspersed with mixed-uses (Page 178).

Neighborhoods:

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

Comment: *This application promotes sound community and urban design principles.*

L. Kuna City Code Analysis:

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

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

2. The site is physically suitable for a subdivision.

Comment: *The 4.7 acre (approximate) project includes a request for an R-12 zone. The site appears to be compatible with the proposal.*

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

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

4. The Annexation and Comp Plan Map amendment applications are not likely to cause adverse public health problems.

Comment: *The annexation and Comp Plan Map amendment for the property requires a zoning designation per Kuna Code 5-13-9. The high density land use designation requires connection to public sewer and potable water systems, therefore eliminating the occurrence of adverse public health problems.*

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

Comment: *The annexation and Comprehensive Plan Map amendment did consider the location of the property and adjacent uses. The subject property is surrounded by existing City and Ada County subdivisions and will be connected to the Kuna City central sewer and potable and pressure irrigation water systems. The current adjacent uses are both small farms and residential uses and an minor arterial road.*

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

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

M. Proposed Conclusions of Law:

1. Based on the evidence contained in Case No's 16-01-AN and 16-01-CPM, Council finds Case No's 16-01-AN and 16-01-CPM generally comply with Kuna City Code.
2. Based on the evidence contained in Case No's 16-01-AN and 16-01-CPM, Council finds Case No's 16-01-AN and 16-01-CPM are generally 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.

N. Recommendation of the Commission to City Council:

On April 28, 2016, the Planning and Zoning Commission voted to recommend *approval* for Case No's 16-01-AN and 16-01-CPM, based on the facts outlined in staff's report and the public testimony during the public hearing by the Planning and Zoning Commission of Kuna, Idaho, the Commission hereby recommends approval for Case No's 16-01-AN and 16-01-CPM, an Annexation and Comp Plan Map amendment request from Scott Stanfield, with the following conditions of approval to Council:

- Applicant shall follow all conditions outlined in the staff report.
- During Design Review process, have discussions with staff to provide amenities that will not disturb neighbors unreasonably.

O. Recommended Conditions of Approval by Council:

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– At time of development and as necessary, dedicate right-of-way in sufficient amounts to follow City and ACHD standards and widths.
3. Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see **KCC 6-4-2-W**.
4. Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
5. When required, submit a petition to the City (as necessary, confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and requesting to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Pressure Irrigation system of the City (KMID).
6. All street lighting within and for the site shall be LED lighting and must comply with Kuna City Code and established Dark Skies practices.
7. Parking within the site shall comply with Kuna City Code. (Unless specifically approved otherwise).
8. Fencing within and around the site shall comply with Kuna City Code (Unless specifically approved otherwise and permitted). Perimeter fencing (and permit) is required prior to requesting final plat signatures from Kuna City Clerk and Engineer.
9. All signage within/for the project shall comply with Kuna City Code.
10. All required landscaping shall be permanently maintained in a healthy growing condition. The property owner shall remove and replace unhealthy or dead plant material within 3 days or as the planting season

permits as required to meet the standards of these requirements. Maintenance and planting within public rights-of-way shall be with approval from the public entities owning the property.

11. The land owner/applicant/developer, and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the City Council, or seek amending them through public hearing processes.
12. Applicant shall follow staff, City engineers and other agency recommended requirements as applicable.
13. Developer/owner/applicant shall comply with all local, state and federal laws.

DATED this ____, day of ____, 2016,

550 W. DEER FLAT

NARRATIVE

INTRODUCTION

We offer this narrative in hopes it will provide the City Council information necessary to gain support and approval for this project. We could not attend the meeting, as we are on vacation celebrating our 26th wedding anniversary. The meeting was initially scheduled for June 7, however, we were re-scheduled to tonight.

We have lived in the area for over 14 years and have developed a high regard for the community. Our daughters attended Kuna schools, and our son currently does as well. We previously shopped at Paul's Market (now prefer Ridley's and their exceptional pharmacy) and have enjoyed the local Arctic Circle (perhaps that's why we have yet to visit the new fast-food chain in town, sorry). We frequent Papa Murphy's and Dominos and Pizza Hut. We have met many nice people in Kuna. It is our intention to provide a nice place to live so that others can experience what Kuna has to offer.

REQUEST

We hereby request a comprehensive plan amendment and annexation/rezone of approximately 4.72 acres into the city of Kuna.

The request is to allow a multi-family project consisting of 52 residential units. The comprehensive plan map currently identifies the land as medium density residential, permitting up to 8 units per acre. A change to high density residential is requested, along with R-12 annexation request.

COMPARISON

The current comprehensive plan allows up to 8 units per acre. If the project was not seeking a comprehensive plan change, the parcel could be developed with up to 34 single-family units. With the request, 53 units are proposed.

We discussed the concept of a 34 lot, single-family project with neighbor along the northerly boundary. We felt that type of project would be detrimental to the neighbors. A typical single-family project would place 9-16 lots along his boundary. Design review would not be required, nor would a mechanism exist to require the project to install a berm with trees along portions of the common boundary. House placement would not be as controlled as with our multi-family proposal. He was not receptive to the idea of a typical single-family project, and preferred our proposal over the single-family concept.

The difference in the number of allowed units is relatively minor. Traffic counts, for example, are comparable. Peak-hour trips for 34 units are estimated at 34, and peak-hour trips for 53 units are estimated at 33. Total average daily trips for 34 units are estimated at 324, and 352 for 53 units. The difference is negligible.

DEMAND FOR THE PROJECT

The latest comprehensive plan is dated 2009. Since that time, the demand for multi-family units has grown throughout the Treasure Valley. Public demand for multi-family units in Kuna is steadily increasing. The supply within Kuna is low and our City will benefit from the added non-single-family residential types. This project will provide housing alternatives to residences wishing to stay in or relocate to Kuna.

In 2013, only 1.2% of Kuna's residential units were multi-family, while other Idaho communities averaged 10-15%. According to the US Census, 209 residential building permits were applied for in Kuna in 2015. 193 were single-family, and 16 were for 5-plex or greater. Duplex to Four plex units were non-existent. Freddie Mac's recent report on multi-family concludes the demand for multi-family units will remain strong.

TRAFFIC

The ACHD's report concludes the trips generated by the project will not decrease the level of service currently associated with W. Deer Flat.

The project will directly access W. Deer Flat. Unlike many traditional residential projects, the project will not route traffic through existing residential neighborhoods. Tenants will have easy access to both major roadways serving the city, Ten Mile Road and Meridian Road. Access to Linder is also available. ACHD is currently planning upgrades to the intersection of Linder and Deer Flat.

Many residences complain about the traffic along Deer Flat. The problems occur in the morning when kids are going to school and others are going to work. However, the traffic problems are very short-lived. We have been taking our kids to Kuna schools for 14 years. A simple adjustment in travel departure (plus or minus 10 minutes) will make your trip easier. Regardless, the traffic condition exists, with or without our request, and the project will not degrade the situation.

LOCATION

The location is appropriate for tri and four plexes. Schools and retail facilities are within walking distance as well. The newly constructed Kuna Caves Self Storage facility is nearby and will benefit from this project.

The project is akin to an infill project. All land surrounding the parcel has been platted. The project fits the following Comprehensive Plan statement:

“Residential placement is intended to increase social interactions at various times of the day. Multi-family residential uses should be located closer to the neighborhood cores and be interspersed with mixed uses. Residential infill should be encouraged to enhance density and maximize development. Infill promotes the preservation of natural open space by reducing sprawl.”

SITE LAYOUT

We developed many layouts and proudly offer the one included with our application. Two-story units, with entries at ground-level, are contemplated. The units will be rotated and positioned to avoid a continuous, linear look.

The layout has been carefully planned with the neighbors in mind and will provide an enjoyable setting for tenants. The parking fields are isolated internally with buildings located between the paved areas and the boundary wherever possible. This will minimize vehicle noise and lights trespassing onto adjacent parcels. The parking fields are arranged around a central island, thus avoiding a “cookie cutter” sea of asphalt. The three distinct parking fields will be assigned to a specific group of units, while the center circle area will be available to all. This will ensure maintenance responsibilities will be equally distributed.

The center island will be visually pleasing and will also accommodate emergency vehicles. Given the geometry of the island and the short length of the private drive isles, turn-arounds are not required. This avoids the “sea of asphalt” look associated with many multi-family projects.

The units are positioned as far as possible from the perimeter, maximizing the distance to neighboring parcels. A tree lined berm will be installed along portions of the northerly boundary. Trees will also be installed along the west boundary.

On-site parking will be provided. The stall count will exceed the amount required by City ordinance. Ample handi-cap accessible stalls will be provided.

Enclosed trash receptacles will be provided.

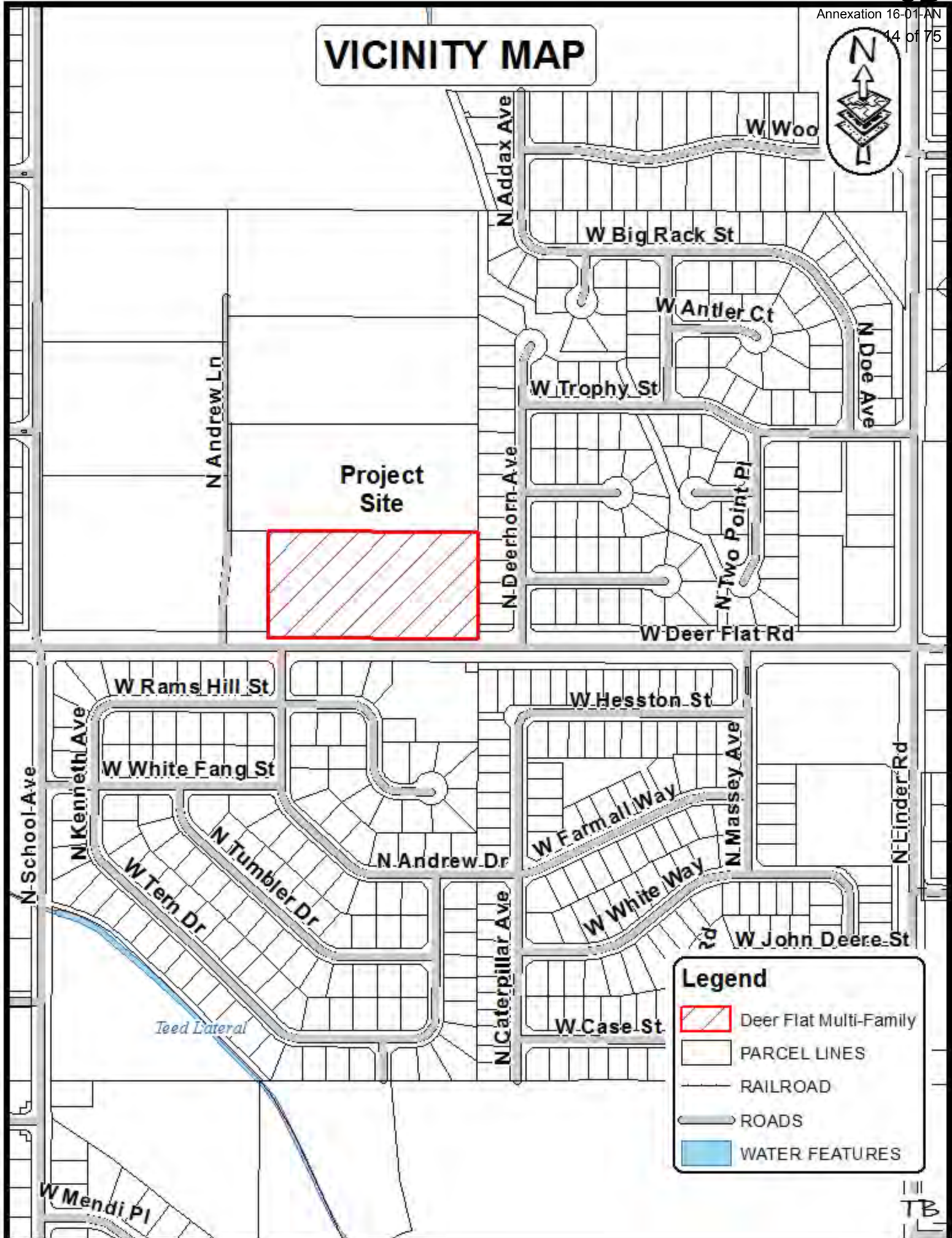
NEIGHBORHOOD INPUT

A neighborhood meeting was held and over 60 residences were invited. We notified more residences than required by Code. Seven attended the meeting, including two couples. All but one resided in the county subdivision adjoining the north and west boundary. Primary concerns included parking, lighting, gathering areas, and traffic. The current layout has additional parking areas. Lighting will be limited to wall-mounted fixtures. Typical 25’ tall pole mounted lights are not proposed. The original layout included a basketball court and a BBQ area. The neighbors were concerned that noise and light would be a nuisance. Therefore, these features were removed.

ENGINEERING ITEMS

As an engineer, I am compelled to discuss technical aspects of the project. This is a boring subject, so I will make it brief. Before submitting the application, we reviewed the layout with the City Engineer, Mr. Law. He had no concerns with the project at that time. He has since provided a letter detailing the engineering related requirements. We have no concerns with his letter.

VICINITY MAP



AERIAL MAP



N Andrew Ln

N Deerhorn Pl

W Mule Ct

N Deerhorn Ave

Project Site

W Deer Flat Rd

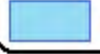
W Rams Hill St

N Misty Springs Ave

N Andrew Ave

N Andrew Dr

Legend

-  Deer Flat Multi-Family
-  PARCEL LINES
-  RAILROAD
-  ROADS
-  WATER FEATURES



Subject Site

N-Tumbler-Dr

W-Terr-Dr

N-Black-Wolf-Ave

N-Andrew-Ave

N-Caterpillar-Ave

W-Farmall-Way

W-Hesston-St

W-Deer-Flat-Rd

N-Massey-Ave

© 2016 Google

Google earth

550 W. DEER FLAT NARRATIVE

We hereby request a comprehensive plan amendment and annexation/rezone of approximately 4.72 acres into the city of Kuna.

The request is to allow a multi-family project consisting of 52 residential units. The comprehensive plan map currently identifies the land as medium density residential. A change to high density residential is requested. The land is currently zoned RUT in Ada County and an annexation request with an R-12 zone is also requested. The subject property is eligible for annexation since it adjoins city limits along the east boundary and south boundary.

The latest comprehensive plan is dated 2009. Since that time, the demand for multi-family units has grown throughout the Treasure Valley. Public demand for multi-family units in Kuna is steadily increasing. The supply within Kuna is low and our City will benefit from the added non-single-family residential types. This project will mitigate the low availability of multi-family dwellings. It will provide housing alternatives to residences wishing to stay in or relocate to Kuna.

In 2013, only 1.2% of Kuna's residential units were multi-family, while other Idaho communities averaged 10-15%. According to the US Census, 209 residential building permits were applied for in Kuna in 2015. 193 were single-family, and 16 were for 5-plex or greater. Duplex to Four plex units were non-existent. Freddie Mac's recent report on multi-family concludes the demand for multi-family units will remain strong.

The location is appropriate for tri and four plexes. Unlike many traditional residential projects, the project will not route traffic through existing residential neighborhoods. Direct access to Deer Flat will be provided. Tenants will have easy access to both major roadways serving the city, Ten Mile Road and Meridian Road. Access to Linder is also available. ACHD is currently planning upgrades to the intersection of Linder and Deer Flat. Schools and retail facilities are within walking distance as well. The newly constructed Kuna Caves Self Storage facility is nearby and will benefit from this project.

The project is akin to an infill project. All land surrounding the parcel has been platted. The project fits the following Comprehensive Plan statement:

"Residential placement is intended to increase social interactions at various times of the day. Multi-family residential uses should be located closer to the neighborhood cores and be interspersed with mixed uses. Residential infill should be encouraged to enhance density and maximize development. Infill promotes the preservation of natural open space by reducing sprawl."

All units will be two-story, with entries at ground-level. The units will be rotated to avoid a continuous, linear look.

The layout has been carefully planned with the neighbors in mind and will provide an enjoyable setting for tenants. The parking fields are isolated internally with buildings located between the paved areas and the boundary wherever possible. This will minimize vehicle noise and lights trespassing onto adjacent parcels. The parking fields are arranged around a central island, thus

Neighborhood Meeting Minutes highlighted in Yellow below.

avoiding a “cookie cutter” sea of asphalt. The three distinct parking fields will be assigned to a specific group of units, while the center circle area will be available to all. This will ensure maintenance responsibilities will be equally distributed.

The units are positioned as far as possible from the perimeter, maximizing the distance to neighboring parcels. A tree lined berm will be installed along most of the northerly boundary. Trees will also be installed along the west boundary.

A neighborhood meeting was held and over 60 residences were invited. Seven attended the meeting, including two couples. All but one reside in the county subdivision adjoining the north and west boundary. Primary concerns included parking, lighting, gathering areas, and traffic. The current layout has additional parking areas. Lighting will be limited to wall-mounted fixtures. Typical 25' tall pole mounted lights are not proposed. The original layout included a basketball court and a BBQ area. However, given the placement of the buildings, these amenities were placed behind the buildings. The neighbors were concerned that noise and light would be a nuisance. Therefore, these features were removed.

Other options for the land were considered. A project that complies with the comprehensive plan map can certainly be designed. Without a comprehensive plan amendment, it would have a greater probability of gaining city approval. However, after numerous layouts were generated, we determined that such a project would have a detrimental impact on the surrounding properties. Nine to eleven lots would back-up to the north boundary and a tree lined berm would not be provided. Five to six lots would adjoin the west and east boundaries. We do not believe this would better serve the neighbors nor the community. Single-family housing and single-family lots are readily available throughout town.

We have lived in the area for over 14 years and have developed a high regard for the community. Our daughters attended Kuna schools, and our son currently does as well. We shop at Paul's Market and have enjoyed Arctic Circle many nights (perhaps that's why we have yet to visit the new fast-food chain in town). We frequent Papa Murphy's and Dominos and Pizza Hut. We have met many nice people in Kuna. It is our intention to provide a nice place to live so that others can experience what Kuna has to offer.

RECEIVED
1/19/16



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

Commission & Council Review Application

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

*Please submit the appropriate checklist (s) with application

Type of Review (check all that apply):

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

For Office Use Only	
File Number (s)	16-01-AN 16-01-CPM
Project name	
Date Received	1.19.2016
Date Accepted/ Complete	1.26.2016
Cross Reference Files	
Commission Hearing Date	April 28, 2016
City Council Hearing Date	

~~APRIL 12, 16~~
CANCELLED

Contact/Applicant Information

Owners of Record: <u>Margie L. King</u>	Phone Number: _____
Address: <u>4321 BLAINE</u>	E-Mail: _____
City, State, Zip: <u>NEW ALBANY, IN 46055</u>	Fax #: _____
Applicant (Developer): <u>Scott Stanfield</u>	Phone Number: <u>724-3236 870.8907</u>
Address: <u>2964 Stewart rd</u>	E-Mail: <u>sstanfield@mseng.us</u>
City, State, Zip: <u>KUNA, ID 83634</u>	Fax #: _____
Engineer/Representative: <u>same as applicant</u>	Phone Number: _____
Address: _____	E-Mail: _____
City, State, Zip: _____	Fax #: _____

Subject Property Information

Site Address: <u>550 W DEER FLAT RD</u>	
Site Location (Cross Streets): <u>adjacent to north side of Deer Flat, west of Linder</u>	
Parcel Number (s): <u>S1314438920</u>	
Section, Township, Range: <u>SEC 14 2N 1W</u>	
Property size: <u>4.72 acres (5.08 acres)</u>	
Current land use: <u>res/pasture</u>	Proposed land use: <u>multi-family</u>
Current zoning district: <u>Ada County, RUT</u>	Proposed zoning district: <u>R-12</u>

Exhibit
A2a

Project Description

Project / subdivision name:
General description of proposed project / request: <u>construct 13 multi-family buildings (13 4-plex or 12 4-plex and 1 tri-plex), existing residential building to remain</u>
Type of use proposed (check all that apply):
☒ Residential <u>(1) single-family, (13) multi-family</u>
☐ Commercial
☐ Office
☐ Industrial
☐ Other
Amenities provided with this development (if applicable): <u>approx. 50% open space, parking stall count exceeds code, berm/trees along portion of north boundary, trees along west boundary, internal screened trash enclosures,</u>

Residential Project Summary (if applicable)

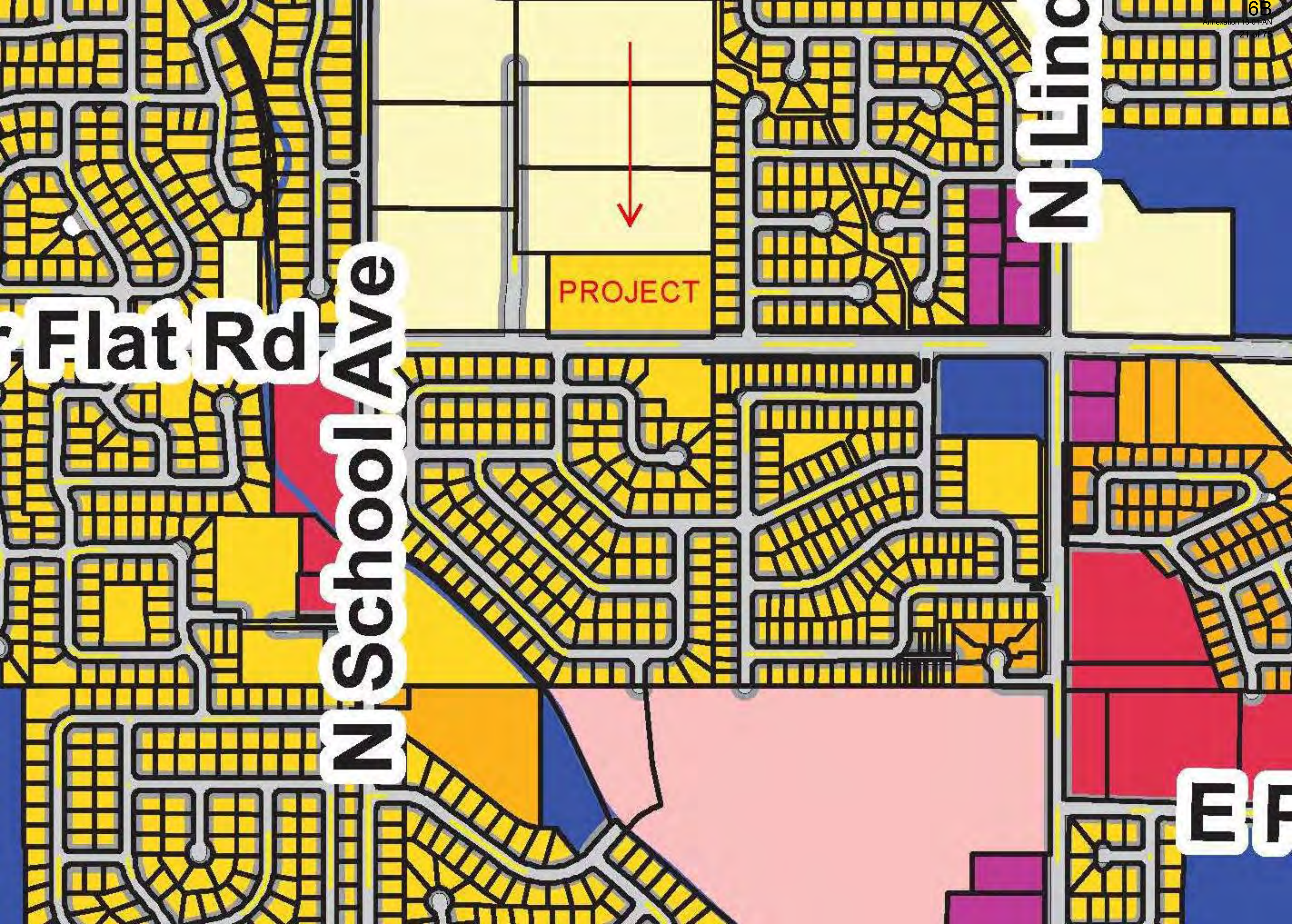
Are there existing buildings?	☒ Yes ☐ No
Please describe the existing buildings:	<u>residential building (to remain and out-buildings to be removed)</u>
Any existing buildings to remain?	☒ Yes ☐ No
Number of residential units:	<u>52</u>
Number of building lots:	<u>future condominium</u>
Number of common and/or other lots:	<u>n/a</u>
Type of dwellings proposed:	
☒ Single-Family	<u>one existing to remain</u>
☐ Townhouses	
☐ Duplexes	
☒ Multi-Family	<u>tri-plex and four-plex</u>
☐ Other	
Minimum Square footage of structure (s):	<u>3,500</u>
Gross density (DU/acre-total property):	<u>11</u>
Net density (DU/acre-excluding roads):	<u>12</u>
Percentage of open space provided:	<u>+/- 50% landscape</u>
Acreage of open space:	<u>+/- 2.2 acres (turf) 1 acre (parking)</u>
Type of open space provided (i.e. landscaping, public, common, etc.):	<u>common landscape and parking, walks</u>

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: [Signature] Date: 1/15/16



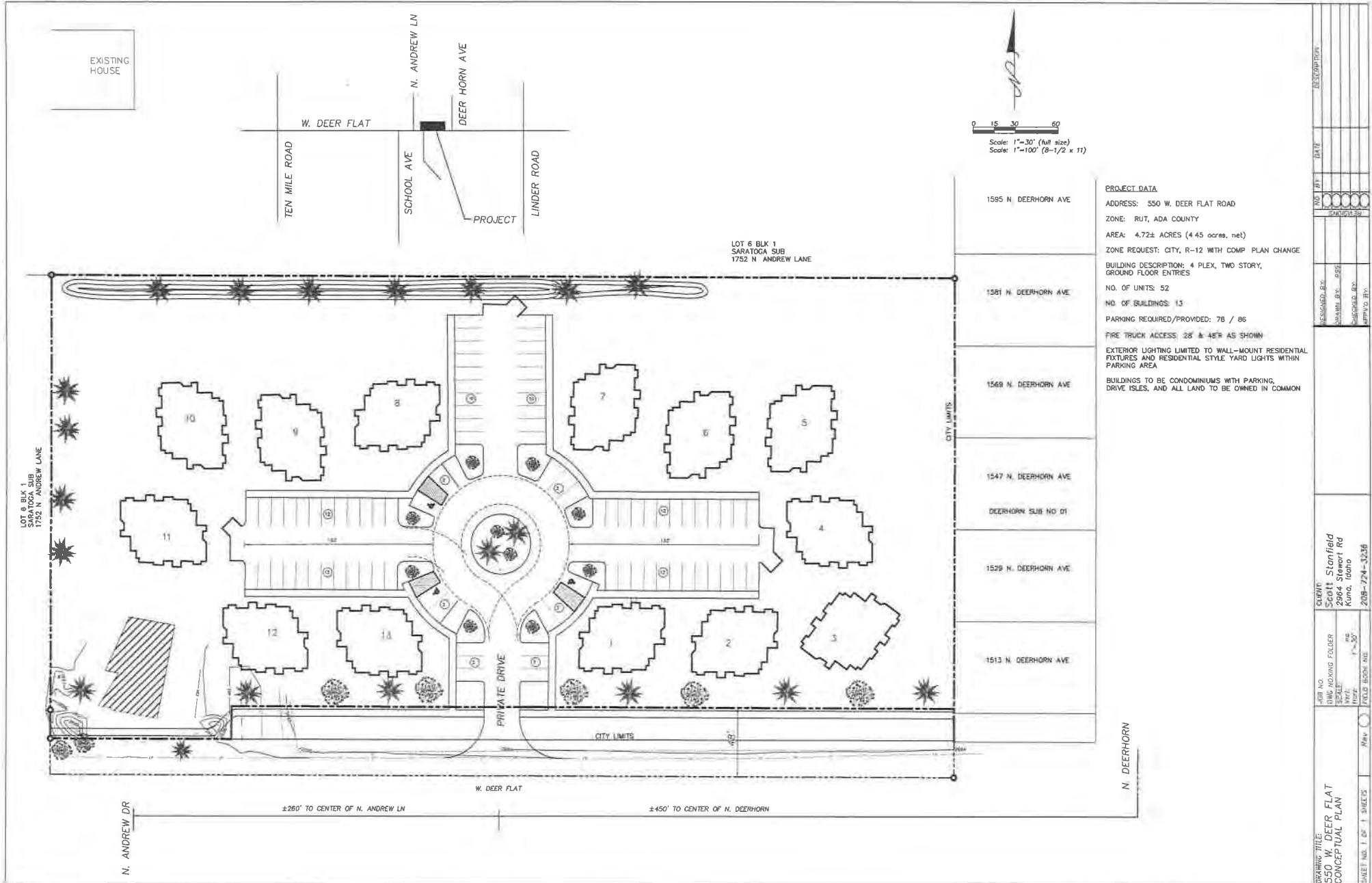
Flat Rd

School Ave

PROJECT

N

E





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: Director of Kuna Planning and Zoning

FROM: Gordon N. Law
Kuna City Engineer

RE: Deer Flat MultiFamily-Scott Stanfield
Annexation
16-01-CPM, 16-01-AN

DATE: January 29, 2016

The City Engineer has reviewed the annexation request of the above applicant dated January 29, 2016. It is noted that specific development plans are provided but these comments are restricted to a request for Comp Plan Amendment and annexation.. It is understood, however, the applicant intends to develop portions of this property under terms of future land-use actions. The applicant desires City services for these future developments.

The recommendation of the City Engineer is to proceed with this annexation and address any issues raised below in connection with the future land-use actions. Accordingly, the City Engineer provides the following comments:

1. Sanitary Sewer Needs

- a) The applicant's property to be annexed is presently used for a single family dwelling and presently is not connected to City services. As developed property, it will require municipal sewer service. The City Engineer recommends ultimate connection to City facilities.
- b) Wastewater from the applicant's property would be treated in the North Treatment Plant which has sufficient capacity to serve this site.
- c) The nearest point of connection for the property is an 8-inch sewer main in W. Deer Flat Road 120 feet east of the property. When connecting to the sewer system, the applicant will need to abide by any relevant sewer reimbursement policies and agreements and any relevant connection fees.
- d) The existing homestead appears to be served by its own septic tank and drain field. If the site system fails or the use of the property is changed or expanded beyond that proposed in this application, the City Engineer recommends connection to City facilities.

- e) For assistance in locating existing facilities and understanding issues associated with connection, please contact the City Engineer at 287-1727.

2. Potable Water Needs

- a) The applicant's property to be annexed is presently used for a single family dwelling and presently is not connected to City services. As developed property, it will require municipal water service for potable and fire protection needs.
- b) The nearest point of connection for the property is an 8-inch water main in W. Deer Flat Road along the property frontage. When connecting to the water system, the applicant will need to abide by any relevant water reimbursement policies and agreements and any relevant connection fees.
- c) Improvements necessary to provide adequate fire protection as required by Kuna Fire District will be required of the development.
- d) The existing homestead appear to be served by its own well. If the site system fails or the use of the property is changed or expanded beyond that proposed in this application, the City Engineer recommends connection to City facilities.
- e) For assistance in locating existing facilities, please contact the City Engineer at 287-1727.

3. Pressure Irrigation

- a) The property's irrigation needs are presently served by its own well and surface water rights held in trust by the Boise-Kuna Irrigation District.
- b) The nearest point of connection for the property is a 6-inch pressure irrigation main along the east boundary of the property in easements in Deerhorn Subdivision. When connecting to the pressure irrigation system, the applicant will need to abide by any relevant water reimbursement policies and agreements and any relevant connection fees.
- c) Upon development, the City Engineer recommends connection to the City Pressure Irrigation system including pooling of water rights and conformance with the Pressure Irrigation System Master Plan.
- d) For assistance in locating existing facilities, please contact the City Engineer at 287-1727.

4. Grading and Storm Drainage

The following is not required for annexation but will be required when alteration of surface features is proposed (such as grading or paving) in connection with future land use applications:

- a) Please provide a grading and drainage plan which supports and maintains all upstream drainage rights and all downstream irrigation delivery rights as they presently exist for this property.
- b) If impervious area is increased, please provide a storm water disposal plan acceptable to the City Engineer which accounts for the increased storm water drainage. Please provide detail drawings of drainage facilities for review.
- c) Any increase in quantity or rate of runoff or decrease in quality of runoff from the site compared to historical conditions must be detained, treated and released at rates no greater than historical amounts.

- d) 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 affected entities is required.

5. General

The following is not required for annexation but will be required in connection with future land use applications:

- a) With the addition of this property into the corporate limits of Kuna and its potential connection to water (and perhaps 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 at time of connection (ie development) any conveyable water rights by deed and “Change of Ownership” form from IDWR that are presently associated with the property. The domestic water right associated solely with a residence and ½ acre or less is not conveyable. The water right held in trust by an irrigation district is also not conveyable.
- 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 such that a slope burden is not imposed on adjacent properties.
- d) State the vertical datum used for elevations on all drawings.
- e) Provide engineering certification on all final engineering drawings.

6. Inspection Fees

An inspection fee will be required for City inspection of the construction of any **public** water, sewer and irrigation facility 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 current inspection fee is \$1.00 per lineal foot of sewer, water and pressure irrigation pipe and payment is due and payable prior to City’s approval of final construction plans. **If no public water, sewer and irrigation construction work is done (such as with a stand-alone annexation), no fees are required.**

7. Right-of-Way

The subject property fronts on its south side on existing section line street (W. Deer Flat Road). The following conditions are related to this classified street and applies at the time of development:

- a) Sufficient half right-of-way on the section line for the existing and future classified street should be provided pursuant to City and ACHD standards.
- b) It is recommended approaches onto the classified street complies with ACHD approach policies.
- c) It is recommended sidewalk, curb and gutter, street widening and any related storm drainage facilities, consistent with city code and policies, are provided at the time of land-use change or re-development.

8. As-Built Drawings

As-built drawings are required at the conclusion of any public facility construction project and are the responsibility of the developer's engineer. The city may help track changes, but will not be responsible for the finished product. As-built drawings will be required before occupancy or final plat approval is granted. **If no public facilities are constructed (such as with a stand-alone annexation) , no as-built drawings are required but may be required in connection with future development.**

9. Property Description

- a) The applicant should provide a metes and bounds property description of the subject parcel.



Kent Goldthorpe, President
 Paul Woods, Vice President
 Rebecca W. Arnold, Commissioner
 Sara M. Baker, Commissioner
 Jim D. Hansen, Commissioner

March 7, 2016

(Via email)

To: Scott Stanfield
 2964 Stewart Road
 Kuna, ID 83634

Subject: KUNA16-0003/ 16-01-CPM/16-01-AN
 550 W. Deer Flat Road
 Comprehensive Plan Amendment & Annexation

In response to your request for comment, the Ada County Highway District has reviewed the submitted application and site plan for the item referenced above. This application is for annexation and rezone only. The District may add additional findings for consideration when it reviews a specific development application. Site Specific Conditions will be established at that time; however, the findings below should be considered.

A. Findings of Fact

1. Right-of-Way

- a. Street Section and Right-of-Way Width Policy: District Policies 7205.2.1 & 7205.5.2 state that the standard 5-lane street section shall be 72-feet (back-of-curb to back-of-curb) within 96-feet of right-of-way. This width typically accommodates two travel lanes in each direction, a continuous center left-turn lane, and bike lanes on a minor arterial and a safety shoulder on a principal arterial.

- b. Staff Comments: The segment of Deer Flat abutting the site is listed in the Master Street Map (MSM) as a 5-lane minor arterial roadway. The standard 5-lane street section shall be 72-feet (back-of-curb to back-of-curb) within 96-feet of right-of-way (48-feet from centerline).

The right-of-way dedication will not be required until the development of the site. The segment of Deer Flat abutting the site is not listed in the adopted Capital Improvements Plan. Compensation will not be provided for the right-of-way.

2. Improvements

- a. Sidewalk Policy: District Policy 7205.5.7 requires a concrete sidewalk at least 5-feet wide to be constructed on both sides of all arterial streets. A parkway strip at least 6-feet wide between the back-of-curb and street edge of the sidewalk is required to provide increased safety and protection of pedestrians. Consult the District's planter width policy if trees are to be placed within the parkway strip. Sidewalks constructed next to the back-of-curb shall be a minimum of 7-feet wide. Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the

entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

- b. Staff Comments: The sidewalk improvements will be required with the development of the site.

3. Driveways

- a. Access Points Policy: District Policy 7205.4.1 states that all access points associated with development applications shall be determined in accordance with the policies in this section and Section 7202. Access points shall be reviewed only for a development application that is being considered by the lead land use agency. Approved access points may be relocated and/or restricted in the future if the land use intensifies, changes, or the property redevelops.
- b. Staff Comments: The preferred access location for this site should align with N. Andrew Avenue.

B. Traffic Information

Trip Generation

The figures below are based on possible uses this development may provide. These numbers are provided by the Institute of Transportation Engineers Trip Generation Manual, 9th edition.

Potential Uses	Average Daily	P.M. Peak Hour
Townhouse (unit)	5.81	0.52
Apartment (unit)	6.65	0.62
Single Family Detached (unit)	9.52	1.00

Condition of Area Roadways: *Traffic Count is based on Vehicles per hour (VPH)*

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
W. Deer Flat	635-feet	Minor Arterial	495	Better than "D"

* Acceptable level of service for a three-lane minor arterial is "D" (720 VPH)

Average Daily Traffic Count (VDT): *Average daily traffic counts are based on ACHD's most current traffic counts*

- The average daily traffic count for W. Deer Flat Road west of Linder was 8,480 on 4-30-2014.

If you have any questions, please feel free to contact me at (208) 387-6218.

Sincerely,

A handwritten signature in blue ink that reads "Dawn Battles". The signature is written in a cursive, flowing style.

Dawn Battles
Planner I
Development Services

cc: City of Kuna, via email
Margie L. King, owner

Standard Conditions of Approval

1. All proposed irrigation facilities shall be located outside of the ACHD right-of-way (including all easements). Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way (including all easements).
2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.
3. In accordance with District policy, 7203.6, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.
4. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.
5. A license agreement and compliance with the District's Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.
6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.
8. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.
9. All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.
11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.
12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

Request for Appeal of Staff Decision

1. **Appeal of Staff Decision:** The Commission shall hear and decide appeals by an applicant of the final decision made by the Development Services Manager when it is alleged that the Development Services Manager did not properly apply this section 7101.6, did not consider all of the relevant facts presented, made an error of fact or law, abused discretion or acted arbitrarily and capriciously in the interpretation or enforcement of the ACHD Policy Manual.
 - a. **Filing Fee:** The Commission may, from time to time, set reasonable fees to be charged the applicant for the processing of appeals, to cover administrative costs.
 - b. **Initiation:** An appeal is initiated by the filing of a written notice of appeal with the Secretary of Highway Systems, which must be filed within ten (10) working days from the date of the decision that is the subject of the appeal. The notice of appeal shall refer to the decision being appealed, identify the appellant by name, address and telephone number and state the grounds for the appeal. The grounds shall include a written summary of the provisions of the policy relevant to the appeal and/or the facts and law relied upon and shall include a written argument in support of the appeal. The Commission shall not consider a notice of appeal that does not comply with the provisions of this subsection.
 - c. **Time to Reply:** The Development Services Manager shall have ten (10) working days from the date of the filing of the notice of appeal to reply to the notice of the appeal, and may during such time meet with the appellant to discuss the matter, and may also consider and/or modify the decision that is being appealed. A copy of the reply and any modifications to the decision being appealed will be provided to the appellant prior to the Commission hearing on the appeal.
 - d. **Notice of Hearing:** Unless otherwise agreed to by the appellant, the hearing of the appeal will be noticed and scheduled on the Commission agenda at a regular meeting to be held within thirty (30) days following the delivery to the appellant of the Development Services Manager's reply to the notice of appeal. A copy of the decision being appealed, the notice of appeal and the reply shall be delivered to the Commission at least one (1) week prior to the hearing.
 - e. **Action by Commission:** Following the hearing, the Commission shall either affirm or reverse, in whole or part, or otherwise modify, amend or supplement the decision being appealed, as such action is adequately supported by the law and evidence presented at the hearing.

Exhibit B -3

Troy Behunin

From: Lauren Boehlke <laurenboehlke@yahoo.com>
Sent: Monday, February 01, 2016 12:11 PM
To: Troy Behunin
Subject: Re: Stanfield CPM & Annex - Multi-Family Proj.

No that was it.

Thanks,
Lauren

Lauren S Boehlke
Sec.-Treasurer
Boise-Kuna Irrigation District
Phone# 922-5608
Fax# 922-5659

On Monday, 1 February 2016, 11:05, Troy Behunin <TBehunin@cityofkuna.com> wrote:

Lauren,
Are you planning to provide additional comments or is this email the extent of your comments? ;-)
Have to ask.... ☺
Thanks,
Troy

From: Lauren Boehlke [mailto:laurenboehlke@yahoo.com]
Sent: Thursday, January 28, 2016 1:36 PM
To: Troy Behunin <TBehunin@cityofkuna.com>
Subject: Re: Stanfield CPM & Annex - Multi-Family Proj.

Good to know. Thank you!
Lauren

Lauren S Boehlke
Sec.-Treasurer
Boise-Kuna Irrigation District
Phone# 922-5608
Fax# 922-5659

On Thursday, 28 January 2016, 13:33, Troy Behunin <TBehunin@cityofkuna.com> wrote:

Lauren,

The water right would annex into the KMID (Kuna Dist.) upon platting/development. The applicant still needs to decide if they are going to plat it, or just development the entire parcel at once. Either at development or platting, we will require the water right transfer.

Troy

From: Lauren Boehlke [<mailto:laurenboehlke@yahoo.com>]
Sent: Thursday, January 28, 2016 12:44 PM
To: Troy Behunin <TBehunin@cityofkuna.com>
Subject: Re: Stanfield CPM & Annex - Multi-Family Proj.

Good Afternoon Troy,
This property does have a valid water right through Boise-Kuna. Are your plans to annex the water right at the same time?
Lauren

Lauren S Boehlke
Sec.-Treasurer
Boise-Kuna Irrigation District
Phone# 922-5608
Fax# 922-5659

On Thursday, 28 January 2016, 11:39, Troy Behunin <TBehunin@cityofkuna.com> wrote:

Good morning everyone,
Please review the PDF attached with this email for a proposed Comprehensive Plan Map change and annexation into Kuna city. Please send relevant project comments back to our office and we will include them with our staff report for our Commission and Council.

If your agency needs additional time for review or to return comments, please notify our office.

If you have questions, please let us know.

Thank you,
Have a great day.
Troy

Troy Behunin
Senior Planner
City of Kuna
763 W. Avalon
Kuna, ID 83634
208.387.7729 (Dir)
208.922.5274
TBehunin@cityofkuna.com

CONFIDENTIALITY NOTICE

This e-mail and any attachments may contain confidential or privileged information. If you are not the intended recipient, you are not authorized to use or distribute any information included in this e-mail or its attachments. If you receive this e-mail in error, please delete it from your system and contact the sender.

RON PLATT
CHAIRMAN OF THE BOARD

RICHARD MURGOITIO
VICE CHAIRMAN OF THE BOARD

TIMOTHY M. PAGE
PROJECT MANAGER

ROBERT D. CARTER
ASSISTANT PROJECT MANAGER

APRYL GARDNER
SECRETARY-TREASURER

JERRI FLOYD
ASSISTANT SECRETARY-
TREASURER
City of Kuna

P.O. Box 13
Kuna, Idaho 83634

BOISE PROJECT BOARD OF CONTROL

(FORMERLY BOISE U.S. RECLAMATION PROJECT)

2465 OVERLAND ROAD
BOISE, IDAHO 83705-3155

OPERATING AGENCY FOR 167,000
ACRES FOR THE FOLLOWING
IRRIGATION DISTRICTS

NAMPA-MERIDIAN DISTRICT
BOISE-KUNA DISTRICT
WILDER DISTRICT
NEW YORK DISTRICT
BIG BEND DISTRICT

16 February 2016

TEL: (208) 344-1141
FAX: (208) 344-1437

RE: Scott Stanfield **16-01-CPM and 16-01-AN**
Intersection of Deer Flat Rd. & School Ave.
Boise-Kuna Irrigation District BK-279A
Teed Lateral 182+00 Rot.
Sec. 14, T2N, R1W, BM.

Troy Behunin:

There are no Project facilities located on the above-mentioned property; however it does in fact possess a valid water right.

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

Should there be any small (neighborhood) irrigation/drainage ditches on this site, the developers and/or landowners will be obligated to protect them and allow water to pass to downstream neighbors.

This development is subject to Idaho Code 31-3805, in accordance, this office is requesting a copy of the irrigation and drainage plans.

Whereas this property lies within the Boise-Kuna Irrigation District it is important that representatives of this development contact the BKID office as soon as possible to discuss the assessment of the newly formed lots associated with the development of this property.

If you have any further questions or comments regarding this matter, please do not hesitate to contact me at (208) 344-1141.

Sincerely,



Bob Carter
Assistant Project Manager- BPBC
bdc/bc

cc: Clint McCormick Watermaster, Div; 2 BPBC
Lauren Boehlke Secretary – Treasurer, BKID
File

RECEIVED

FEB 19 2016

CITY OF KUNA



CENTRAL DISTRICT HEALTH DEPARTMENT

Environmental Health Division

Return to:

35 of 75

- ☐ ACZ
☐ Boise
☐ Eagle
☐ Garden City
☒ Kuna
☐ Meridian
☐ Star

Rezone # (SCOTT STANFIELD MULTI-FAM. PROJECT)Conditional Use # 16-01-CPM 16-01-AN

Preliminary / Final / Short Plat _____

City of Kuna

- ☒ 1. We have No Objections to this Proposal.
- ☐ 2. We recommend Denial of this Proposal.
- ☐ 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.
- ☐ 4. We will require more data concerning soil conditions on this Proposal before we can comment.
- ☐ 5. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
- ☐ high seasonal ground water
 - ☐ waste flow characteristics
 - ☐ bedrock from original grade
 - ☐ other _____
- ☐ 6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.
- ☐ 7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.
- ☐ 8. After written approval from appropriate entities are submitted, we can approve this proposal for:
- ☐ central sewage
 - ☐ community sewage system
 - ☐ community water well
 - ☐ interim sewage
 - ☐ central water
 - ☐ individual sewage
 - ☐ individual water
- ☐ 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
- ☐ central sewage
 - ☐ community sewage system
 - ☐ community water
 - ☐ sewage dry lines
 - ☐ central water
- ☐ 10. This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.
- ☐ 11. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
- ☐ 12. We will require plans be submitted for a plan review for any:
- ☐ food establishment
 - ☐ swimming pools or spas
 - ☐ child care center
 - ☐ beverage establishment
 - ☐ grocery store
- ☐ 13. Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDHD.
- ☐ 14. _____ Reviewed By: Row Bandy

RECEIVED

FEB 09 2016

CITY OF KUNA

Date: 2/3/16

Review Sheet

**IDAHO TRANSPORTATION DEPARTMENT**

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

(208) 334-8300
itd.idaho.gov

February 3, 2016

Troy Behunin
City of Kuna, Planning and Zoning Department
P.O. Box 13
Kuna, ID 83634

VIA EMAIL**RE: 16-01-CPM AND 16-01-AN DEER FLAT MULTI-FAMILY**

The Idaho Transportation Department has reviewed the referenced comprehensive plan map change and annexation application for the Deer Flat Multi-Family located north of W. Deer Flat Rd. between N. School Ave. and Linder Rd. west of SH-69. ITD has the following comments:

1. ITD has no objection to the requested application and does not require any mitigation.
2. This property does not abut the State highway system.

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



Neighborhood Meeting Certification

CITY OF KUNA PLANNING & ZONING * 763 W. Avalon, Kuna, Idaho, 83634 * www.kunacity.id.gov * (208) 922-5274 * Fax: (208) 922-5989

GENERAL INFORMATION:

You must conduct a neighborhood meeting prior to application for variance, conditional use, zoning ordinance map amendment, expansion or extension of a nonconforming use, and/or a subdivision. Please see Section 8-7A-3 of the Kuna City Code or ask one of our planners for more information on neighborhood meetings.

The meeting must be held either on a weekend between 10 a.m. and 7 p.m., or a weekday between 6 p.m. and 8 p.m. Meetings cannot be conducted on holidays, holiday weekends, or the day before or after a holiday or holiday weekend. The meeting must be held at one of the following locations:

- The Subject Property;
- The nearest available public meeting place (Examples include fire stations, libraries and community centers);
- An office space within a 1-mile radius of the subject property.

The meeting cannot take place more than 2 months prior to acceptance of the application and the application will not be accepted before the neighborhood meeting is conducted. You are required to send written notification of your meeting, allowing a reasonable amount of time before your meeting for property owners to plan to attend. Contacting and/or meeting individually with residents will not fulfill Neighborhood Meeting requirements.

You may request a list of the people you need to invite to the neighborhood meeting from our department. This list includes property owners within 300 feet of the subject property. Once you have held your neighborhood meeting, please complete this certification form and include it with your application.

Please Note: The neighborhood meeting must be conducted in one location for attendance by all neighboring residents. Contacting and/or meeting individually with residents does not comply with the neighborhood meeting requirements.

Please include a copy of the sign-in sheet for your neighborhood meeting, so we have written record of who attended your meeting and the letter of intent sent to each recipient. In addition, provide any concerns that may have been addressed by individuals that attended the meeting.

Description of proposed project: Annex/comp-plan amend. to R-12 & 550 W Deer Flat
Date and time of neighborhood meeting: 10/14/15 7:00 pm to 8:00 pm
Location of neighborhood meeting: Neighborhood Park, across the street

SITE INFORMATION:

Location: Quarter: SE Section: 14 Township: 2N Range: 1W Total Acres: 5.08 annex 4.72 parcel
Subdivision Name: N/A Lot: _____ Block: _____
Site Address: 550 W. DEER FLAT RD Tax Parcel Number(s): 5131438915

Please make sure to include all parcels & addresses included in your proposed use.

CURRENT PROPERTY OWNER:

Name: MARGIE KING
Address: 4321 BLAINE City: New Plymouth State: ID Zip: 83655

CONTACT PERSON (Mail recipient and person to call with questions):

Name: SCOTT STARRIS Business (if applicable): SE
Address: 2964 S. STEWART City: KUNA State: ID Zip: 83634

PROPOSED USE:

I request a neighborhood meeting list for the following proposed use of my property (check all that apply):

Application Type

Annexation

Re-zone

Subdivision (Sketch Plat and/or Prelim. Plat)

Special Use

Variance

Expansion or Extension of a Nonconforming Use

Zoning Ordinance Map Amendment

Brief DescriptionAmex R-12~~R~~ Medium Density → High Density**APPLICANT:**Name: SCOTT STANFIELDAddress: 2964 STEWART RDCity: KUNA State: ID Zip: 83634Telephone: 724-3236 Fax: _____

I certify that a neighborhood meeting was conducted at the time and location noted on this form and in accord with Section 8-7A-3 of the Kuna City Code

Signature: (Applicant)  Date 1/14/16

SIGN UP LIST

10/14/15

NAME

ADDRESS

CAR GUY
2082215221

Jaff Foots Leave message

Julia & Joe Ziegler

Dan & Leslie Beets

Tracy Osborn

1752 Andrew

1703 N. Andrew Lane

1850 N. Andrew Lane

454 W. Heston St.

Linda & Ed

Tony Price

SIGN IN SHEET

PROJECT NAME: 550 W DEER FLATDate: 10/14/15

	Name	Address	Zip	Phone
1	Jeff Fouts	1752 Andrew, KUNA	93634	208-221-5221
2	Jutta & Joe Ziegler	1703 " "	"	
3	Dan & Leslie Beets	1750 " "	"	
4	Tracy Osborn	454 W. Haysford	"	
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**ANNEXATION DESCRIPTION
FOR
550 W. DEER FLAT ROAD**

Purpose Statement: This metes and bounds description represents the land to be annexed into the city of Kuna. The city limits are currently along the centerline of W. Deer Flat Road, adjacent to the subject parcel's southerly boundary. This description is not intended for property conveyance.

Annexation Metes and Bounds Description:

A tract of land situated in the southwest corner of the southwest $\frac{1}{4}$ of the southeast $\frac{1}{4}$ of Section 14, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at a point being the Southwest corner of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 14, said point also being a point on the centerline of W. Deer Flat Road;

Thence leaving said point, continuing along the southerly line of said Section 14 and centerline of W. Deer Flat Road, S $89^{\circ}50'22''$ E, a distance of 685.47' to a point, said point being the Point of Beginning;

Thence leaving said southerly line of said Section 14, N $00^{\circ}04'46''$ E, a distance of 348.00' to a point;

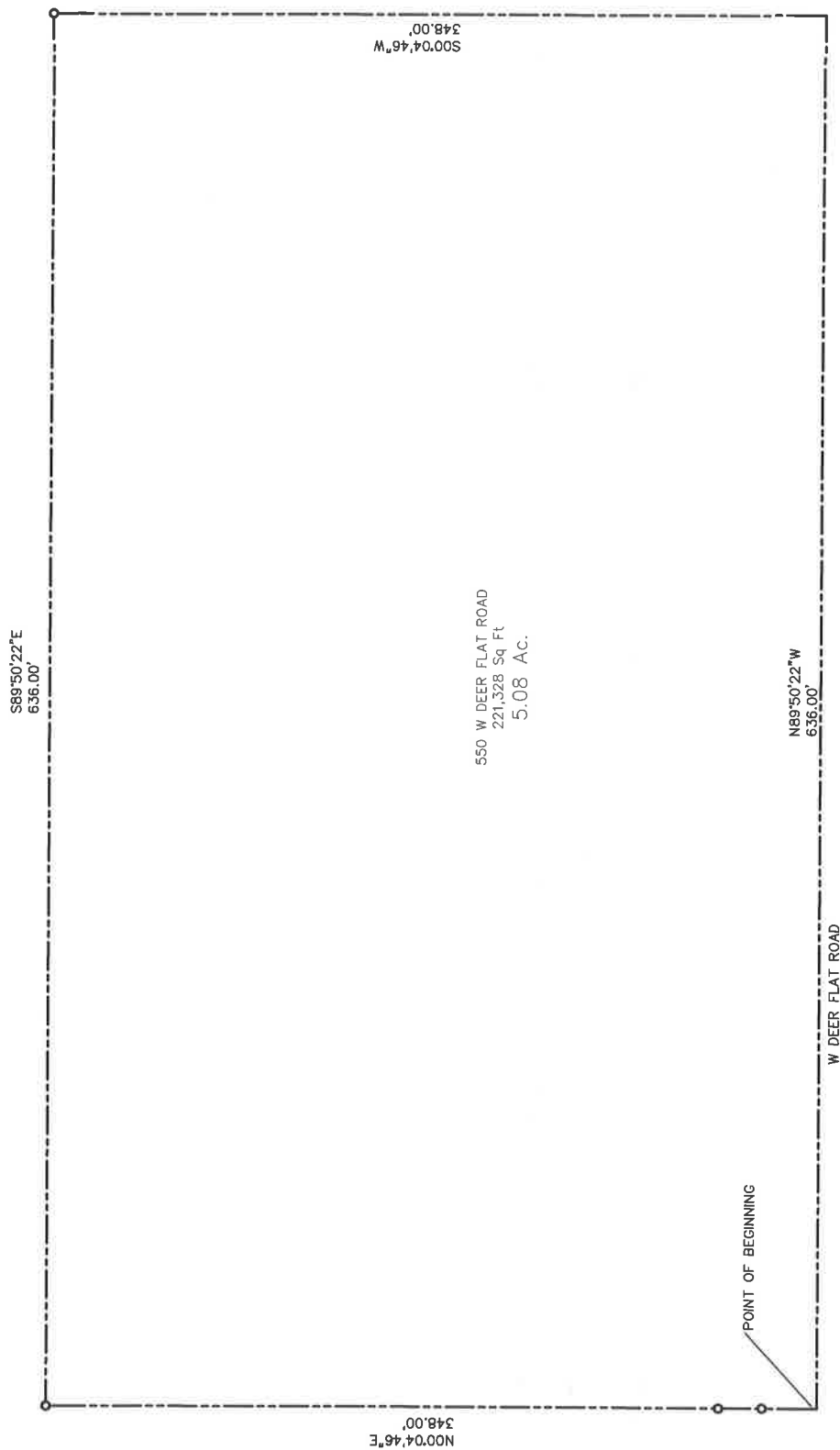
Thence, S $89^{\circ}50'22''$ E, a distance of 636.00' to a point;

Thence, S $00^{\circ}04'46''$ W, a distance of 348.00' to a point on the southerly line of said Section 14 and said centerline of W. Deer Flat Road;

Thence, N $89^{\circ}50'22''$ W, a distance of 636.00' to the Point of Beginning.

The above-described tract consists of 5.08 acres





April 19, 2016

Dear Kuna Planning & Zoning Commissioners,

Thank you for the opportunity to provide comment.

I am writing you in opposition to application number 15-01-AN/ 16-01-CPM, an application for a comprehensive plan map amendment, annexation, and rezone for 4.7 acres to allow for the development of a multi-family project.

While the applicant is requesting an annexation and rezone the City is required to find the proposal is consistent with the Kuna Comprehensive Plan. In this case, the city is unable to do so and thus the applicant is requesting that the City amend a community developed plan. Amending the City's comprehensive plan should not be an easy or swift process. The City's comprehensive plan is our shared vision and contract for how we, citizens and city, want our community to grow and mature. The comprehensive plan is the document that we as land owners use to ensure our property investment is safe, that our neighbors and us share a similar value and anticipated outcome. The applicant is proposing the change that vision. The City and applicants should be more direct when these changes are proposed. Comprehensive plans are adopted after multitudes of hours, meetings, and discussions and proposals to change our share vision should not be taken lightly.

Spot Zoning:

The current comprehensive plan and the existing zoning adjacent to this site, and within the City of Kuna, is single family/medium density residential. For nearly a mile on both the north and south side of Deer Flat Road the comprehensive plan, zoning, and approved development is medium density single family residential. The proposed density of 12 units per acre and multi-family is not consistent with the adjacent uses/zoning and will result in a 4.7 acre multifamily complex in a single family neighborhood.



If this parcel is allowed to increase its intensity what is the likelihood of the other RUT parcels along Andrew Lane wanting a change? If there is a true need to develop additional multi-family housing in Kuna the City should be evaluating the overall city not just a 4.7-acre parcel within and existing single family residential area. This proposal is not good planning it is piecemeal development.

Location:

The proposed change will place 56 units along Deer Flat Road but is this the best location? Walkability and affordability should be seen as partners. A walkable distance is $\frac{1}{4}$ mile. This site is located over $\frac{1}{4}$ mile from Kuna High School and Reed Elementary School. This development would require students, close to 100 from the proposed project, to walk nearly $\frac{1}{2}$ mile to school along (Deer Flat Road) and crossing (Linder Road) major arterials. There is no existing of planned future transit in this area. The proposed development will nearly double the trips generated from the site.

Consistent Planning:

According to the Kuna Comprehensive Plan and Comprehensive Plan Amendment application the applicant is to demonstrate:

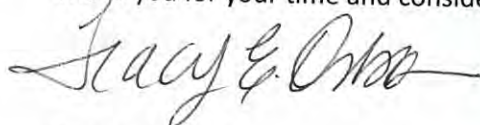
- The condition or situation which warrants a change being made in the plan.
- The **public need** for and benefit from such a change in the plan.
- **Documentation that no other solutions to the problem**, by the current policy of the plan, are possible or reasonable.
- Address how the proposed amendment **provides an improved guide** to future growth and development of the city.

In my opinion the applicant has not demonstrated the need, benefit, or improvement to the plan that is accomplished by approving this request. High density uses should be located in the Downtown area, in areas with existing or planned future transit service, and in areas where the uses are mutually beneficial. Again, if there is a true demand for multifamily housing the City of Kuna should initiate a city wide-planning process to identify the most viable and appropriate lands not rely on a developer who is trying to maximize profit without mid to the existing neighborhood fabric and design.

I ask that you deny this application and support the existing City Comprehensive Plan.

I love this little town, and while I know that growth is inevitable - smart growth is a necessity. Please do not let a developer impose this blight of high density zoning in the midst of medium density in the name of turning a profit. It's not our job to line his pockets, it's our job to do what is best for the community as a whole.

Thank you for your time and consideration.



Tracy E. Osborn,
454 W. Hesson St.
Kuna, ID 83616
City of Kuna resident for 22 years

5/4/2016

Ken and Jenai Erickson
1529 N Deerhorn Ave
Kuna, ID 83634

Kuna Planning & Zoning
PO Box 13
Kuna, ID 83634

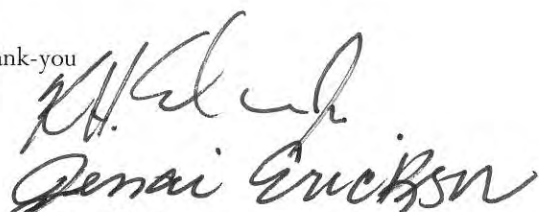
RE: 15-01-AN(Annexation) and 16-01-CPM (Comprehensive Plan Map Change)

To Whom It May Concern:

We were unable to attend the meeting that was held on April 28, 2016 regarding the above property. We approve the annexation of the property into the City limits of Kuna.

A request as a property owner that will be adjacent to the new proposed multi-family housing project, we currently have 4 foot fence, before building commences we would like a 6 foot fence installed along the property line.

Thank-you


Ken and Jenai Erickson
Property Owner
1529 N Deerhorn Ave
Kuna, ID 83634
922-9598 Home Phone

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MAY 09 2016

CITY OF KUNA



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Divorce rates drive demand for multifamily housing

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Divorce Rates Drive Demand for Multifamily Housing

How owners can cater to this growing demographic

When it comes to demand for multifamily communities, there are usually two demographics that come to mind: millennials and baby boomers. What most people don't realize, however, is that even though both groups drive demand for multifamily properties, there's a third subset of individuals doing the same—divorced people.

Marriage often signifies a step toward buying a home and starting a family, often preceded by newlywed renters leaving the multifamily market. When divorce occurs, the opposite often happens. During or after a divorce, one or both of the individuals involved are likely to move back into rental housing, on either a temporary or long-term

basis, due to a reduction in the amount of income formerly available as well as uncertainty regarding where to live.

As half the marriages in the country continue to fail, multifamily owners will want to develop properties with the newly divorced in mind.



Read what owners can do to cater to the growing divorce rates

Park Place leads the Treasure Valley in multifamily management. We've helped

CITY OF KUNA REGULAR PLANNING & ZONING COMMISSION

MEETING MINUTES Tuesday, April 28, 2016

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

6:00 pm – SPECIAL COMMISSION MEETING & PUBLIC HEARING

Call to Order and Roll Call

Chairman Young called the meeting to order at **6:00 pm**.

1. PUBLIC HEARING:

- a. **16-01-AN** (Annexation) and **16-01-CPM** (Comprehensive Plan Map) ; Scott Stanfield requests annexation of approximately 4.70 +/- acre into the City limits and to amend the Comprehensive Plan Map designation from Med. Density Residential to High Density Residential. Applicant requests a R-12 zone (High Density Residential), in preparations to develop the site as a multi-family project. The site is located near the northeast corner (NEC) of Deer Flat Road and School Avenue.

Scott Stanfield: Scott Stanfield, 2964 Stuart Road, Kuna, Idaho. I am representing myself in this application before you this evening; first of all, thank you for having this special meeting tonight. That really helps us out and keeps us on track time-wise, so I appreciate that you've taken time out of your nights to hear us this evening. This application as Chairman Lee pointed out, is a hearing for a comprehensive plan map amendment from a Medium-Density to a High-Density with an accompanying annexation and rezone request to an R-12 zoning of approximately 4.72 acres. Why high density housing? Currently, the demand is relatively high here in Kuna. I have spoken with Stubbs Realty, and in fact, there is a report that should be in your packet, last minute that Mr. Stubbs is cited in that report saying that the vacancy rates are quite low, somewhere around 2% so there is a high demand and not a lot of product out there for high density projects out in Kuna. In fact, as I looked at high-density land within the City, I can only find on your land use map two sites; both were under four acres that are zoned R-16 and both of those are fully developed and both are generally full all of time. That indicates there is not enough R-16 out there in our opinion. Both areas are adjacent to medium-density projects. There is one as you come into town on Meridian Highway as you swing into town on the south side, there is an apartment complex there and then there is one on the south of the intersection of Linder and Deer Flat on the west side, a little cul-de-sac just south of the medium-density subdivision that is north of that. Those are the only two R-16 that I could find. If you go back into the MLS or any other property for sale, there is not land for sale that is currently R-16 so I cannot go out and buy it elsewhere because it just isn't there. In 2013 only 1.2% of the units in the city of Kuna were multi-family and a healthy average is 10-15% and I pulled that off the Kuna website earlier this year so again a very low number of high density product was available. In 2015 Kuna building permits consisted of 193 single-family with no duplex permits pulled. Freddy-Mac reports stating demand for

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multi-family throughout the state of Idaho, particularly the Treasure Valley area... and for any city to survive and thrive, you need a mix of housing types and not just shoving them into one area of town and isolating them, you need to drive a good mix that can mingle with the rest of the city. Again, high-density just isn't readily available in the City of Kuna. The City of Kuna will benefit from this project by bringing in those people that want to have a place but don't want a big yard to take care of; they don't want to have the burdens that come with homeownership. Some of us call them burdens, but they just want to have a nice place to come home to and have somebody else take care of the lawn and the maintenance and the parking and all that stuff and just be able to enjoy life in the community. The current average rent; and this would be rent and mortgages in Kuna is just over \$1000 a month. A lot of people either don't want to pay that much or they just can't pay that much. So a multi-family project such as this; a four-plex will offer renters a variety of choices that are below that \$1000 range so again, you are opening the market to other people that otherwise wouldn't come to our town because that product doesn't exist for them to live in. Why here at this location? 550 Deer Flat; it's a great location. We are really close to the schools, we are probably just about half a mile from the high school, the junior high and the middle schools are really close and within walking distance. Anytime you drive down Deer Flat, you always see all kinds of kids walking so it is a great location for schools. It is easy access to the freeway via Ten Mile; you can take Meridian Road or Linder; there is all kinds of points of ingress/egress to leave Kuna. Most importantly, people in this complex won't have to traverse through an existing neighborhood and travel on local roads to get to an arterial road. They can just get right out of their parking lot and get on an arterial or a collector and head out of town to work in the morning, so it really takes advantage of the transportation networks that are in place now without taxing the traffic on the local roads. Utilities are readily available right here. I would consider this an infill even though it is not infill; it is surrounded by city limits to the east and to the south and a couple parcels to the north, so it is surrounded and it is just a good fit in that area. Again, we are isolated with a little five acre stretch and a direct shot to Deer Flat so you don't have to burden neighboring streets at all; it's on its own.

Other options; the comprehensive plan indicates what are the other options available for a piece of property. This one; if we were to meet the comprehensive plan, the net would be a typical cookie-cutter single family residential subdivision and I am not saying that is bad, but it would just be a street up the middle with a cul-de-sac on one end and approximately 24-28 single family lots with about twelve of those on the north boundary facing the north five acre parcel and about five or six of them on each end and then of course some on the south facing Deer Flat. So it is a balance... does someone want that bearing down on them or do they want a project like ours?

If someone came forward with a straight forward Medium-density project, the city wouldn't have any design review controls that you have with a project like this. Our next step, should we receive approval through City Council, we would come in with a design review and pick the site apart and get your two cents in and generate a really nice project with berms and trees and nice layout and central parking and all the stuff that you wouldn't get with a straight forward single family project. This project we envision ...and I will try not to get too much into site design because that is for the design review, but this project would have private internal driveways or service drives that would access their parking and we would place the parking in the center court with the buildings on the outside to shield the neighbors from the traffic that is inside so again, you wouldn't have those kind of controls with a straight-forward single family cookie cutter sub. This one really lends itself to a well thought out design being private with the flexibility to move the buildings around versus sixty foot wide lot that is all linear so there are some things that we can do that make it really attractive for the City.

Staff report did an excellent job of outlining the comprehensive plan and I will try not to repeat most of that because it does highlight a lot of good points in there. Again, to repeat; you do not have a healthy level of multi-family opportunities in the City of Kuna. I have been watching the listings for about two years now and as soon

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as one unit comes available in town, it is taken pretty quick and so that tells me that the market is strong for that and again, the location is wonderful for that; there is the neighborhood center... there's the gas station, the car wash in that little strip mall and the fitness center is there and the pizza place and Verizon store is all within walking distance. The schools and the open space that the schools offer. Demand is high and Stubbs said the phone is ringing off the hook is what his report says. Hopefully you guys have that exhibit.

I will share some things from that with you. It talks about the rental demand rate is very strong in multi-family and throughout the Treasure Valley. As Stubbs has said the vacancy rate is extremely low or well below a healthy average and basically that report it reiterates some of the facts that I went over earlier that you have a small percentage of your permits are from multi-family and yet the demand is there and the phones are ringing from the realtors, people asking to a; build these, to buy them, either the whole entire complex, or, just, I want to rent one unit, do you have anything, and that's just not available in the City of Kuna right now. My family has been here since 2000 and we have watched this city grow and change and our kids have been going through the school system and we want to offer a nice project to the town of Kuna, we have been here a long time, we have invested a lot of energy in this and we think it's a good project, and again, our goal is to move into design review should we make it, that's where we will really see where this project will lay out, and in your packet I believe you do have an example layout of what we're looking for and by all means, ask me any questions you want of that, but just know that we are going to come in with design review and we are going to have our elevation views and our color swatches and all the pretty pictures to help you make a decision during design review, and there is an existing house on this site and you might have seen that, in the southwest corner off of Deer Flat, it's really close to the road, I've talked to someone at the highway district and his response was " when you get to the point, when you getcome talk to the highway district and they would possibly allow us to draw the right of way around there, couple years ago this parcel gave right of way to present what the road is today and it's not within the five year plan to widen the roadway, so the highway district indicated that we could probably drive around the right of way with some kind of license agreement that would protect that existing house. At this point we have a couple of options, we have to stay in our density, our 12 units per acre so if we keep the house then our overall density we have to lose one unit, we can't just take the 4.76 X 12 and have that many units and keep the house, something's got to go, so if we keep the house, then we'll have a tri-plex versus a four-plex and that sight is laid out that if the highway district should also say you keep the house, drive around with the right of way but you have to access internal, the sight can accommodate that also. We would like to keep that house...if we keep the house, we would like to maintain access off of Deer Flat if we can't, that house can access the internal project, and so access will be taken care of on that as well. The highway district will require us to put in sidewalk along Deer Flat along our frontage and we would probably put that at either where they tell us to put that, or put it in our landscape buffer, which we are required by code to put in along our frontage. We would like to put in a meandering walk detached from the street, but anyway the highway district -apparently they will require us to put in sidewalk. They don't have you put in curb and gutter on the major roadways because they don't know exactly how wide they are going to make it so they just collect the impact fees and then when they have a project and build the road, then they'll do the curb and gutter a full length along there so there will be no pavement widening at this point. It's not required with the trip generations, but there will be a detached sidewalk that will be quite a ways from the edge of pavement. I think that is it in a nutshell. We think it's a good project and the demand is there from all of our research and all the realtors tell us the demand is there, yet there is nothing to offer citizens of Kuna. We think it is a good fit in the neighborhood. The traffic trip generation at peak hour compared to 24-26 single family residential lots compared to an R-12, we're about 15% higher, but it's not a huge impact; many people think it will double because you have twice as many doors but the trip generation manual that is used nationally by the transportation experts, it's not a 2:1 ratio... it's 0.6 or 0.65...it's in the ACHD staff report Which you have so the peak hour is not going to negatively impact Deer Flat and

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ACHD's staff report doesn't indicate that it will drop the level of service for Deer Flat so that is always a good thing and remember, none of this traffic will go through the local road network, so we are just focusing on the collectors which is a good thing. That's all I have. If you have any questions, I will attempt to answer them.

Oh, we did have a neighborhood meeting and we went further than the typical city requirements, because there are a lot of medium density houses around there. We mailed out I think 65-85 mailers and just a hand full of people showed up; predominantly the owners of the five acre parcels to the west and to the north of us and I think we had one individual that was outside of the subdivision that showed up. So I expected a much higher turnout. I was kind of surprised by the low level ... I wouldn't say I was disappointed, but I was kind of surprised because a lot of those people are homeowners and the owners who showed up were the same so it is mostly owner-occupied. We're talking homeowners, not renters in the area. So I don't know if that tells you anything or not but the signup sheet is in your packet as well so you can verify that in my submittal. There is a highlighted area in there that gives a brief summary of the comments and questions raised during the neighborhood meeting. So... That's it.

Cathy Gealy: I don't have any questions at this time.

Dana Hennis: I don't have anything.

Lee Young: Ok, I have a couple; so it is the intent to keep the driveway for the house at this time as well as the new access?

Scott Stanfield: Well, the intent is whatever the highway district allows us to keep. If we elect to keep the house and the renters here...he has been renting it for many, many years and he is here this evening, we are trying to figure out a way so we could keep that for him and he can purchase the house with some land and if that works with the project and we can drop a unit, well then we would go that route and then we would entertain that with the highway district and see if they would allow us to keep that approach. Honestly, Chairman and Commissioners, the end result is the highway district will probably require us to abandon that approach and come through the new approach that we will have and again; the site can accommodate that, but whatever the highway district tells us to do, we will do that.

Lee Young: Ok, and then I know you addressed the 48 foot setbacks for ACHD along the property line, then there is the city setbacks that would be from the private property edge of the sidewalk to a building and that zone designation would be 30 feet?

Scott Stanfield: Correct.

Lee Young: And...how do you plan on trying to deal with the city setback and not ACHD's setback?

Scott Stanfield: That is easy, because this is one parcel. The public sidewalk off of Deer Flat, we are going to be in excess of that because we have a landscape strip and then some land between that and the first tier of buildings on the south side. The internal site, there is no property lines, it is just the parking lot in front of the units, so if you are thinking that sidewalk internally would be the 30 feet off setback, then there isn't a property line right there. It's just one parcel.

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Lee Young: I guess I was addressing the street frontage setbacks

Scott Stanfield: Oh, off of Deer Flat?

Lee Young: From, at least the city's requirement is 30 feet from the back side of that sidewalk which the building or a piece of the building is not supposed to be a part of.

Scott Stanfield: Yeah, we'll be outside of that. The exception would be if the highway district and you folks allow the existing house to stay, then there would have to be a license agreement between the highway district and some considerations from the city for that existing house to stay in place.

Lee Young: OK. and then ...I know we'll go through design review, but as far as building heights in general, have you come up with a thought for an actual building height?

Scott Stanfield: Yeah, we are not going to exceed the maximum height that is allowed in the two stories, it's a similar product in a two story zone which I think is ...a ...single family you are 35 feet? But we won't exceed two stories. By two stories, I am not playing games with filling the site and then going up from there, it is from the ground level. Sometimes that is a trick that some people try to do.

Lee Young: I guess my next question is just general...the intent is to keep the septic system in tact with the existing structure? Is that right?

Scott Stanfield: I am kind of weighing this now so it's a genuine answer; but I believe Mr. Law's letter mandate us to do a couple of things and we will do those to comply with his letter. I think it might have said, when that septic system fails, and then they are required to hook up, so that will require us in our site design infrastructure to stub a sewer service to that parcel.

Lee Young: But the drain field doesn't go underneath or near or close to any of these...?

Scott Stanfield: If it does, then we are going to have to hook him up to city sewer; and maybe as we negotiate and if we do keep that house and we sell it to the renter, maybe he wants to hook up to the city sewer and I think for the water, Mr. Law indicated the same. Because that existing house is served by well and I believe he said that ...I've got it in here but he is not saying the well has to be abandoned but that existing house may have to get connected to city water before his well fails, he'll have to be hooked up at that point so ...

Lee Young: Yes, I think that is what the letter indicates as well. And then my last question... as far as the project goes, do you intend for the applicant to maintain ownership of the whole project or is the intent to break each building into its own parcel and try and develop those as buyers come along.

Scott Stanfield: My intent is whether me and my partner keep and develop it, remains to be seen; but what we do and if we keep it, it is going to be one project. City ordinance; the way we want to do this project ...wouldn't allow individual parcels to be created on this because we don't have a public street. So if you have a private street network inside it, so they can't be individual lots. That is where the control in design review comes under the city of Kuna versus a typical residential cookie cutter subdivision layout; the layout is what it is and there is really nothing that anybody can do about it. This project lends itself well since we don't have those individual

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lots and that further enhances the project in that all the common area is going to be maintained by one entity. Now, individual units could be condo-ed down the road by state statute. And I'm not telling you that we are going to do that, but years from now, anybody could condo unit these and go through the condominium process, but that won't change the overall make up because a condominium plat; the unit is the lot line and the land around it is common area so everybody would maintain the common area; therefore it would be maintained by one entity and the same look, the same feel, the same quality. So I think there are protections that are inherently built into this project as we propose it to keep it going for quite some time.

Lee Young: Ok. Thank you.

Troy Behunin: Good evening Commissioners and Chairman Young; for the record, Troy Behunin, Senior Planner from Kuna Planning and Zoning Department. The application before you tonight seeks to annex approximately 4.7 acres from Ada County jurisdiction into the city of Kuna and they are also seeking a comprehensive map amendment and that change would go from medium-density; which is between R-4 and R-8 and increasing it to high-density, which begins at R-8 and goes up to R-16. The applicant has provided all of the materials required for the submittal. They also held a neighborhood meeting which the applicant mentioned. They also posted the site for tonight's meeting. Staff has also sent out letters to land owners within I believe 400 feet; Kuna code only requires out to 300 feet but because of the nature of the project, through discussions with the applicant, we decided to increase that and so they exceeded the requirement. They wanted more feedback from the neighbors. Tonight's meeting was also published in the Kuna-Melba news and posted around town and at City Hall. All of the noticing procedures have been done that are required by state and city code. I think that the applicant has shared his vision for the project so I am not going to go into that a whole lot but I did want to discuss the finer points of the comprehensive plan. The comprehensive plan is a guide for the decision making bodies. It is not a commandment or a requirement, but serves as a guide for this body and for the final decision makers, City Council. So while it serves as a guide, it is intended to be changed from time to time. The decision makers and staff must find a balance between all of the goals and policies within the comprehensive plan and the applicant has demonstrated that there is a need in Kuna and that they are willing to follow all the rules that they are supposed to in order to accomplish what they want to do. They have gone through all of the procedural items and now they set it before you for a recommendation. What staff must struggle with is to find a balance between protecting neighborhoods and providing neighborhoods. The comprehensive plan states multiple times that we are to encourage and invite and work with those who seek a variety of housing style and not just single family lots or one acre lots or just apartments; there is to be a balance. The applicant is correct that since 2008, the city has issued zero multi-family building permits...not until April 15th of this year so that is quite a span. In that same time frame, the city has grown considerably from the mid 13,000's to well over 18,400 -so while single family projects have soared, the housing market for multi-family housing in essence gone retro-grade. So staff struggle with that balance as well. The applicant has met the goals of the comprehensive plan by providing another variety and style of housing for the market. Hopefully you have had a chance to review the comprehensive plan analysis and I will stand for any questions you have.

Lee Young: Any questions for staff?

Cathy Gealy: I do have a question, and I don't mean to put you on the spot; but I recall that we have seen some multi-family project some before Planning and Zoning and I assumed that they had moved forward, but it sounds like there have been no permits requested for those, is that correct?

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Troy Behunin: That is a very fair question. And you are correct. There have been two projects during my tenure here at the city that have come before design review and this body for a special use permit or some form of land use approvals; one of which is next to Paul's or what is now Alberstons market across the street and they've come in twice for a design review because they let it lapse and it expired. That project is moving forward but as of today, they have not requested a permit –but they could at any point in time.

Cathy Gealy: And there was another at I think Ardell and Ten Mile? Or Deer Flat and Ten Mile

Troy Behunin: Yes, at Deer Flat and Ten Mile there is another project. That was approved almost a year ago by this body for design review and the final plat was approved by City Council in July I think of last year. That is a multi-family project. They pulled permits on April 16th, so that project is moving forward, but again the timeline is that they got their approval 9 months ago and they just barely started pulling permits.

Cathy Gealy: Thank you.

Lee Young: Ok.

Dana Hennis: Most of the portion of the units in the development behind Les Schwabb was multi-family, was it not?

Cathy Gealy: I think that is what he was talking about across from the Paul's market?

Dana Hennis: No, because...

Troy Behunin: No, the ones that you are talking about was an R-16 and those have been there for a long, long time. They have been there for more than ten years.

Dana Hennis: No, no the one south of Avalon

Troy Behunin: Oh, you mean Journey's End?

Dana Hennis: Yes, off of Sailer Place

Troy Behunin: No, they just recently in the last few months they did get approval for some, yes. And the ones I am talking about are on Kay Street directly east of the Paul's market.

Dana Hennis: The two quads, ok. I don't have any other questions that I can think of.

Cathy Gealy: I am just clarifying for the record is all.

Lee Young: Ok, thank you. Then we will open the public hearing at 6:37 pm. I have the sign-up sheet and we'll go in favor, then neutral and then opposition. First, we have listed in favor a Greg Bullock? Please step forward and state your name and address for the record?

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Greg Bullock: Greg Bullock; I live at 504 Bayhill Drive, Nampa, Idaho and I would like to begin by thanking the city planners for their recommendations for approval. First I would like to give you a little history of this almost five acre piece of dirt out there; it has belonged to George and Margie King for a large number of years. George was a business partner of mine. He and I developed Star Pass Ridge in Canyon County at the end of S. Powerline Road. So if you cross over Deer Flat and kind of climb the hill, we put 20 one acre lots on the top of that and called it Star Pass Ridge and he and I were partners in that and he lived in this house on this property during that time and then my wife and I took the proceeds from that and we were the ones who developed Hunter's Point golf community over in Nampa on the southwest area there and then the financial cliff kind of put an end to that. But I bring that up to say that we have developed two very nice projects and this is George and Margie King's home where they lived for a number of years so that is just a little background to this piece of property. In 2000, George came before City Council to try and develop residential lots in there and he was told that it will be twenty years before sewer is north of Deer Flat so he was told no at that time being on that side. So he stayed there and owned that property and let the city kind of grow around him and in 2008, he came to me and said 'I've got cancer and I've got 90 days to live and we need to split up all of our business dealings' and so we did that—we split up all the lots at Star Pass and he took this property and then he passed away. His widow Margie, is now in an Alzheimer's clinic and the family pays about \$10,000 a month just to take care of her there—so they are at the point where they need to sell this property in order to take care of her in that facility. So there is a little bit of the history on this ground. The highest and best use with the estate and myself is to look at this and say 'where is the market' and 'where is the need and demand' 'how does this fit' and so the plan that is coming before you is birthed out of that and the history of it and being able to perhaps fulfill the King estates and have a really nice high-density four plex plan. So the product that we want to put in there is something that the city would be proud of with very nice landscaping and very nice berming; something very attractive with very nice buildings; there are a number of really nice four plex plans that are coming on the market, they are very sharp and something that the neighbors would be surprised at how nice it would look. With the demand that is here now for the rental market, we want to supply something nice. It is one parcel, so you can't split off just a four plex, find an investor, sell it and then that one guy is in charge of that one and then you have twelve different owners out there, whereas predominantly one owner that owns the whole project so it is going to be somebody that can provide for pretty substantial needs to even do it, so that gives credence to the value and the product that is going in there. I did provide an exhibit that I gave to the staff that you have a copy of—that is a publication from Idaho Housing and Finance that I receive about every quarter and just received it yesterday and that's why I made copies and brought it in today, but it does quote Mr. Stubbs here locally and in regards to the demand for rental properties... there is another article in there titled 'why I rent' which is a cross-section; this covers all of Idaho, but it does tend to point quite a bit to Ada County and the needs there in that periodical but I brought that for you as well. We just want to do a really good project for people who would like to rent and would enjoy the freedom from responsibility of ownership and that doesn't make them any less of an economic sphere; they just choose a lifestyle that they would like to have that. I think there is a misnomer about high-density; that you are going to get the lower economic sphere, that you are going to get blight, that you are going to get all kinds of these misnomers out there... and it's just not accurate with every project. This is going to be a very nice project and something that the city would be proud in providing housing for a very needed market so with that, I stand for questions.

Lee Young: Ok, any questions for this gentleman?

Cathy Gealy: None at this time.

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Lee Young: Ok. So since there are none listed to testify as neutral, we will go to those in opposition. First I have listed is Bruce Fox? Just making sure I wasn't reading it wrong.

Bruce Fox: Bruce Fox; I am at 1920 N. Andrew, and I represent six homeowners that all reside in Saratoga subdivision which is north Andrew Lane and I appreciate the comments from the applicant and the proponent that we just heard and we are opposed to this development. We are opposed to this annexation for the proposed development; let me say it that way. The comments by the city planner with regard the comprehensive plan; this project is inconsistent with the comprehensive plan. There have been a lot of taxpayer dollars and effort and time put into developing that plan and it just shouldn't be abandoned because a developer wants to come in and put in 13 units all for the sake of monetary gain. So, a small rental development in our opinion lacks the vision for the city's quality development. Emphasis on quality development. So that is why we are here; the residents of Saratoga. We're here to challenge and encourage this commission to be more thoughtful when considering actions such as this and items placed in front of them by various developers. You have a tremendous responsibility to review these things as planners and carefully look into the future of the community; when you advise and move motions forward to the City Council for approval and that encouragement and challenge is all in the context of considering what we, together want Kuna to look like five years from now, ten years from now, twenty years from now. What's the vision for the future of this community? So, we would encourage you to keep this in mind as we share our opposition to this annexation. So we are opposed to this development because it is inconsistent with the surrounding zoning. There are single family homes all around it. The applicant cited adjacent projects that were zoned similarly; they are not adjacent. So, N. Andrew zoning is Rural-Urban Transit – Single family residences. The zoning against other boundaries of this property and development is R-6; single family. This development is proposing a re-zoning to R-12 high density; completely contrary to the comprehensive plan and inconsistent with surrounding property residences. This proposed development introduces numerous traffic hazards; one egress from and back onto Deer Flat for 13 dwellings; 52 families. The parking within the proposed development is inadequate; there's 86 stalls shown on the development plan; that is 1.6 stalls per family. How many cars do you have at home? More than 1.6 I would imagine. There is no turn-around in the parking areas; parking will be full continually; people will be backing in and out continually, creating continual vehicle hazards. Trash receptacles; where are they planned? What is the plan for the trash truck access to these receptacles, entry and exit into and out of the development? It's just not thought through. It's not planned. This proposed development restricts emergency services access. With the limited parking, most certainly full on a continual basis, ambulance and fire vehicle access will be extremely limited, causing further congestion and inadequate service in case of emergencies; they won't be able to get in there. Inadequate resident parking will cause parking overflow on the round-about that is shown on the master plan and even out onto Deer Flat further increasing traffic hazards and impacting emergency services from proper and timely response. There was some discussion about berms and trees and landscape...the single family residences, especially on Saratoga, the five plus acre lots...those are geared towards quality, higher-quality and larger homes; what plan is in place? I realize you don't have a site plan, master plan yet, but what privacy barriers are planned: berms, plants, green space, others...whatever they might be; what is planned for insulating the existing properties around from this high density planned development? One of the proponents listed –what he called a misnomer about rental units; we do feel that rental units are often, most generally not maintained as a single family residence would be. So, we're concerned about decreased property values much like the Corey Barton development north of Saratoga subdivision that was pushed through and approved with our opposition last fall, this planned development is not doubt, again a starter type resident type community with rental units obviously. The applicant discussed and mentioned that the rental price would be lower than the average, so obviously that is geared toward highest occupancy rates possible. Low rent prices

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translate typically into low maintenance performed on the buildings, and grounds meaning quick deterioration of the property itself dragging down property value and as well, dragging down the values of the adjacent properties around it. So, we would like to understand what plan is in place for long term maintenance and upkeep of this facility to avoid decreased property values. The impact on municipal sewer and water supply systems –the applicant talked about an existing well with the rental house that is on the property; it's just not realistic for that single well that was designed for a single family home to service 52 families. That is just not realistic. It is going to have to hook onto city water. Same with the sewer.

Lee Young: Yes, it will.

Bruce Fox: Absolutely. So, the comprehensive plan was surely developed in consideration of the city's water and sewer infrastructure. What studies have been done with this proposed development to address those critical systems with respect to having adequate capacity to take on the additional loads from this high density development? Also there is an impact on city schools. Surely this development will draw families with school ages children. The schools here are nearly, if not at capacity so with this planned high density development, 52 families. What studies have been done and presented to the public on the impact of local schools? So, the applicant mentioned this is a great place for lower rent units; the problem with Kuna is, that is what we have here. And again, this gets back to encouraging you to have a vision and a plan for the future of Kuna. There are no –there are few, if not, no upgrade opportunities for starter families in this area. If people want to upgrade out of a starter home, they gotta move out of town. Is that what we want for Kuna? So, thank you for allowing us time to express our concerns and again, we just want the future of this community long-term, not short-term considered. Planning and Zoning by definition, is that; planning for the future and we hope we have given you some helpful thoughts to consider for a rejection of this annexation and development. Thank you.

Lee Young: Thank you. Next up, I'm not sure if I am going to say this correctly; Zelda? E-Z-I-E-D-E-O... did I say it right? 1203 Andrew Lane? Please step forward?

Joe Ziegler: I don't want to speak, I am just opposed.

Lee Young: Ok, then next since he doesn't wish to testify, next one doesn't say testify or not to but Brian Fouts?

Brian Fouts: Am I able to ask questions to the applicant?

Lee Young: Yes, you have three minutes to please state your name and address.

Brian Fouts: I am Brian Fouts, 1752 N. Andrew, which is next door. Obviously, I am opposed for obvious reasons. One of my questions to you guys was there is two other high density projects potentially? Am I correct in that?

Dana Hennis: Yes.

Brian Fouts: And one of them is Deer Flat and Ten Mile?

Dana Hennis: Yes, I believe that was where the permit was issued for.

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Brian Fouts: Ok, so you could be developing right there; so my concern is the traffic. And obviously, he gave you national statistics. I don't know if you guys have driven down that road at 7:30 in the morning, but it gets all the way backed up past Andrew Lane. I mean, when you have an influx of 52 units potentially two vehicles per unit and the majority of jobs that people work and living out here; he mentioned access to the interstate driving into Boise. That is a main artery to where everybody drives through. And if you have the potential of another project being developed at the end of Deer Flat, they are also all be going to school at the high school and the elementary right there. So my concern is the traffic and I don't know what was... I guess if there was a plan by the highway department or anything to I guess resolve that? I don't know if my concerns... are I guess, warranted on it, but I just want to know what they are going to do about the traffic and the influx through there. Especially the school zones, just because how backed up it does get.

Lee Young: All I can address is the ACHD report that says that their study of the project says it can handle the increased traffic flow.

Brian Fouts: Ok. Is that the potential for both of them? For the high density going in at the end of Deer Flat and Ten Mile as well?

Lee Young: It should have been for each of those. For each project, ACHD has responded those already.

Brian Fouts: Ok. So...

Lee Young: Each individual projects and the areas... all of them.

Brian Fouts: Ok, that was just one of my concerns. The influx of traffic, I mean as you guys know driving through there at 7:00 in the morning, it is absolutely terrible. It sounds like he knows what I am talking about. And if you haven't, I would encourage it because it is very dangerous as far as visibility for children walking up and down there, crossing the streets and obviously, how much traffic gets backed up there. But that was my main concern. Thank you.

Lee Young: Ok, thank you very much. I have one other listed, but not to testify. Is there anybody who has not signed up that would like to testify?

***inaudible** from audience*

Lee Young: Ok, just come forward and state your name for the record.

Bonnie Heinrich: Good evening Chairman and Commissioners, I'm Bonnie Heinrich; I live at 1672 N. Calaveras and I am a proud resident of Kuna for over 53 years. I lived here when a section of Deer Flat was dirt and so I have seen a lot of change and I'd like to add to Mr. Fox's encouragement and request for just thinking about the vision of our community and what we want it to look like. I am sure there is a demand for multi-family; I am in construction and we build a lot of multi-family units in the Treasure Valley and there is a demand there. I think it is going to peak and I think we are going to see...I think we are in a bubble so everybody wants to build and have a part of that. It sounds like there is other multi-family developments planned for our community in addition to this. Traffic on Deer Flat is a huge concern. My mom is Ruth Reid; she lives on the corner of Deer Flat and Linder and that is where I grew up and Deer Flat traffic is absolutely crazy trying to get off of School Street to Deer Flat

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from our development, Mineral Springs, is very tricky during high traffic areas, so I echo all the concerns related to traffic. The impact to schools is another concern. I think that as you plan and you discuss with the development, I think we need to be talking to our school district and making sure that we understand the impacts to our schools. So, just please... we have got an amazing community; I have got deep roots here and I would love to see... I am getting at the age where a big yard is not a big deal to me; I would love to have a smaller yard and some opportunities for a maintained development where somebody mows my yard, but more cottage-style living. Very high amenities and very high quality... um, I think we should think about things like that. Some other options other than just lower economic scenarios that really add to our community and our neighborhoods that will enhance property values. Thank you.

Lee Young: Thank you. Ok, I will ask one more time, is there anyone that has not signed up that would like to testify? Ok. We'll go ahead and ask the applicant to come forward and respond to the concerns brought up or any of those comments, but please no new information.

Scott Stanfield: Thank you Chairman Lee and members of the Commission. I will make this quick. I should have written names, but I will do them in order. The first gentleman that brought up a few things regarding the site; traffic hazards, I think ACHD pretty much included that in the report that it is not a negative impact generated by the project, again when compared to single family residential units that could go on this project without a comp plan amendment change, then that peak hours slightly increase and the overall number of lots either way, according to ACHD who is the jurisdictional authority over the roadways, has said that it does not negatively impact Deer Flat. Parking; the parking –and I know this is getting into site layout which you will see in the design review, but our plan should we get that far, we have a nexus in city code. Code gives a minimum requirement and we are going to exceed that with parking. Turnaround; the site is uniquely designed –again, this is layout stuff, but I am going to respond to his comments anyway; the layout lends itself perfectly for EMS turn-around. It incorporates a turn-around circle in the middle which doesn't look like a turn-around because we are going to landscape the center island, but still have the 28 and 48 foot radius minimum all the way around, so traffic or fire trucks or any vehicles can pull right in, and right out. Each of the legs going north, east and west; those do not exceed the emergency length distance for a 'T-type' turn-around or a hammerhead. So we have 'T-type' turn-a rounds inherently built in; we've got hammerhead type turn-a rounds, and we'll have a circle built in. So we have really beaten the emergency access to death on this project, literally. That was one of the concerns, was how do we keep emergency vehicles moving through here? And the site really lends itself to that. I did a whole lot of layouts and this one really thrives on that aspect. Trash enclosures are on the layout and that is in the city ordinance too so it's not an issue. In the comment about restricting emergency traffic; that is not going to be a problem, I think this is far better than most projects you see as far as emergency vehicle access goes because that was important to us. Again, that is a site detail issue. Five acre lots; the privacy that they have –we looked at a medium density project and we got with one of the land owners that owns property there or his son does, I'm not sure about the ownership but on the northerly boundary there, if we came in with a medium density project, he would have 11 or 12 or 13 single family homes with no controls bearing down on his lot. To me, that is not privacy. That is not doing the neighbor any favors. This project, we have worked with Jeff and we've worked with that gentleman, we've incorporated berms and when we get to the site development plans, you'll see this in design review. We talked to him and we moved our building away from his boundary; we've rotated them so that every unit doesn't bear down upon his five acres and we think this is much, much less privacy invasive than a single family, straight forward project and they would probably agree. I don't think they want to get out in their back yard and see that many homes, possibly all of them two-story, forty feet away from the boundary. I don't think that is a good project for this area. Again, the design review will go into that, should

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we get that far. The next gentleman; rental units not maintain –there are not studies out there that are fact-based which say, just because you have a rental unit, it's not maintained. I couldn't find any and in fact, I'm sure for every unit you find in a multi-family that isn't maintained, you can find an equal amount of single family units that are not maintained. It just depends on the neighborhood, how it reacts and how they get along with each other and don't get along. This project, unlike a straight forward single family medium-density project where you have different land owners, this will be one entity that will be in charge of the common area and landscaping. It's not going to be hodge-podge with some lousy grass and some with good grass; we just have them be one entity that is in charge of maintaining it. Again, that is so much more important than the level of maintenance. You're just going to see a higher level. Low rents; I didn't say these would be low income and I'm not saying they won't be. Who knows what they will be? But the rent is going to be structured to a) pay the mortgage, b) to pay the maintenance around the parking lot and drive aisles, the striping, the sidewalks, the trash, the typical utilities that come with that and the common space. But the net result is that it will be under the median in Kuna; just over \$1000. The reason why I brought that up originally was \$1000 obviously indicates that is a single family traditional home. That is not an apartment, it's not a duplex, and it's not a four plex or a tri-plex. That further tells you that you have a high relative number of one particular product type. You would see a lower number if you had, let's say a large number of multi-family and you would see a higher number if you were like the city of Eagle with higher tax assessments. But that number indicates you are at a flat point; you aren't offering citizens a variety in the city of Kuna. Again, common areas will be maintained by one entity.

The wells and the sewers; the question was asked, is if that existing house is being hooked up. We can't hook up the new units to that well. We can't hook up those new units to the septic system. Not only would that be foolish because it couldn't handle it, but it's not allowed by ordinance. So we have to put in sewer, water and pressure irrigation as well. That is all in Mr. Laws analysis. I did paw through it while I was waiting and he says in his letter when the well fails, if that house stays, he will be required to hook up to city water, and when septic fails provided we do not move it and we're forced to hook up if we keep that house, then that house shall hook up to city sewer. And health district would require that any time a drain field is within 300 feet of city sewer or public sewer, they will not permit a septic –you have to hook up to city sewer. That's an automatic built in protection. Critical systems were mentioned; that is why you remit to the city engineer; that is why you remit to ACHD; that is why you remit to Boise Project Board of Control and that is why you remit to ITD. None of those agencies had any negative comments regarding this project. Sewer capacity is just fine; no problems there. The water; no problems there. The pressure irrigation; no problems there. Those are the three critical systems that the city is in charge of and again, his letter stipulates that the city can handle that quite easily. ACHD –again, it does not negatively impact Deer Flat. Schools; I pay a lot of money to the schools every year on my property taxes and I'm surprised that they did not submit a negative letter –but they didn't. You must remit to the school district also so there is no negative response from the school district either. And the only way to combat that; if somebody doesn't want any more students to attend the school... then you put a moratorium across the city. No more building permits –is the only way to mitigate that problem, if it is a problem.

The gentleman was asking about the variety of housing here in Kuna –that there are no upgrades in Kuna; there are a few neighborhoods in Kuna that you can upgrade to. There is Denali Heights which comes to mind. It's a wonderful project and its turned out quite nice and I'm sure there are others. It's been a while since I've been in the area of town that is developing –typically they aren't around the school or downtown, but they are out there.

Traffic on Deer Flat; yes it is bad every day. But it is only for a short period of time. We drive by there every day ourselves, and we have for 14 years. We found that if you leave at 7:15, it's not a problem. If you leave at 7:45, there is not a problem. But there is just that small window and then when school gets out –so that problem;

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these users, should their daily jobs and lives allow it, will easily be able to come and go when they need to or they can turn north and go up to Linder or they can go to Deer Flat. They can completely miss –with the location of this project, they can turn left or right pulling out of their neighborhood and make another left or right and head north to get to the same place probably faster and not head down Deer Flat to Meridian Road like everybody else does. But again, that is short snapshot –not even peak hour really, it's like a peak 20 minutes. And again, this project will add trips, but it's not going to add to it appreciably greater than any straight forward single family, medium density project. And it won't add to it enough to drop it down a level of service. ACHD commented on that and they are the authority of the transportation systems. The only way to stop adding traffic on Deer Flat, because everybody in Kuna takes Deer Flat; is to put a moratorium on....and I don't think that is the answer either.

Lee Young: Alright. Thank you. Are there any other questions for the applicant?

Ron Herther: I am wondering about the adequate parking facility. Are there enough spaces to accommodate all of the residents?

Scott Stanfield: In the site design field, we feel there are. We did an analysis on the parking ratios and we are comfortable with that and we also exceed the city ordinance and there is a possibility that we can squeeze a couple more when we go through design review also and we will definitely talk about that should we get that far; I don't want to be presumptuous –we have to get your recommendation and then City Council's ultimate decision, but the very next step will be design review and that will be a fun process. I think you will like some of the design elements we have put into this. I am not sure who makes up the design review board these days...

Dana Hennis: It's us.

Scott Stanfield: Ok, so I think you will like that process and I don't know if it's public or not, but they can come and listen and give their input; particularly the neighbors to the north and the west and we've accommodated those folks when we started this layout but we can definitely talk about the parking when we get there. I have tried to squeeze as much as I can in there without getting out to the perimeters where the headlights and doors opening and closing won't be trespassing onto the neighbors. Does that help at all?

We're comfortable with the number of stalls we have based on the national averages and we exceed the city ordinance for parking stalls. And the opportunity exists to potentially add more.

Ron Herther: Ok. Thank you.

Cathy Gealy: I have a couple of questions; this might be new –am I allowed to ask something new?

Lee Young: Actually, why don't we wait until our discussion and then...

Cathy Gealy: I have a question for the applicant.

Scott Stanfield: For me? If she has a question, I can...

Lee Young: Well, we'll close the public testimony first and then come back. Thank you. So, with that, I will close the public testimony at 7:14 pm and I actually go the right time –so that is good.

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laughter

Lee Young: With that, it brings up our discussion and first of all, I would like to thank everybody that came to testify. We do listen to everyone and we take to heart everything that everyone brings on both sides and we take that into consideration. I would also like to mention to the rest of the Commission that all the comments – like I say, I appreciate all of those that are permitted and focused directly on the impacts of this development are the things that we need to focus on ourselves. So if any of the comments that may be considered which could potentially violate any provisions of federal law, let's make sure we keep that separate. So, having said that, who would like to go first?

Dana Hennis: I think the key thing that we need to look at here is what exactly the increases with regard to the comp plan because the whole premise behind this is that it is not –according to the opposition, is that we are not consistent with the comp plan. However, the comp plan puts this as medium-density residential, which is around and R-8. And so we are not increasing it by that much. It's not like it's still going to be another leg of the Saratoga subdivision where it is a large zoning like R-1 with large acreage residential. We have to look at the fact that we are only changing the amendment from basically one category. So, are we going to have a drastic effect over what the comp plan has already established by changing this amendment? Or does it just change it slightly? As well as the other impacts that have been brought up –those are always a concern, but the whole premise behind this is whether it is consistent with the comp plan and I do believe that it fits with the intent of the comp plan because the difference between medium-density residential subdivision and possibly and what appears to be –and what can be controlled or reviewed down the line which is a good quality, higher density development. But we're not even talking an R-16; we are talking a low R-12, or R-10. I think it is something in the interest of the way that the city is trying to grow and the needs for young professionals as well as older professionals that don't want to maintain certain things –we do need to provide in this city, some more quality common area subdivisions like this. You know, the family type, but of a quality nature and it appears that it will be and that is something that we can easily follow through with in design review as well, so I don't foresee it having a lot of issues in my eyes because it is not a huge increase from what is already designated in that area. If we were changing from like and R-2 up to an R-12, then yes that would be a big step, so...

Cathy Gealy: Or heavy industrial.

Dana Hennis: Exactly. So, unfortunately it is something that every neighborhood has to deal with. I think probably all of us have had to deal with it at some point as well, but whether we go in with a smaller R-8 medium density subdivision like he is saying is it's not going to be as –or may not be as high of quality as what we could maybe direct this one to be. Because we do have a need for these –I happen to know quite a few young professionals that are looking for a higher quality kind of apartment complex. They don't want the average one that is out there. And I think this is something, especially considered that it is a single parcel and its going to be a common area controlled by the owner instead of the possibility of it getting run down or what some of the smaller subdivisions can do with single ownership of the houses.

Cathy Gealy: I did want to discuss some of the concerns that were brought up, especially with respect to parking, trash, emergency vehicles, berms, trees, landscaping –those are all issues that will be considered in the design review process; so there is an opportunity for the public and for the commission to have a lot of input in regards to those issues. Don't think that we are discounting or not hearing those concerns, just as a side note. I did have

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a question... I do agree that the one owner of the common area is I think a benefit in this case but I thought I heard that the ownership of the parcel is not determined at this time. So my question is –is it the intent to develop it and then sell it or is it the intent to develop it and own it.

Lee Young: Can we have the applicant come up and respond to that?

Greg Bullock: Greg Bullock, 504 Bayhill Drive. Right now, we are under contract to purchase this and the contract is contingent upon approvals. This happens often; as you look to develop real estate, you don't go pay the price of an approved project, you make it contingent on that. Having said that, as we've gone through this process, which has been several months –there are people who would like to come on board with Mr. Stanfield and I who are in contract together to purchase this, who have the financial wear-with-all to partner in on the development itself and we would form additional partners in order to finance this or we would have the opportunity to sell this approved project to somebody who would like to come in and just own all of these units themselves. I think the control factor here is that it is one lot. It is not 13 different lots with 13 different owners and 13 different investors if you please, and 13 different maintenance possibilities out there. So, we are in contract to purchase it; if we get approvals, we will go ahead and close that and then we will look at the market as to whether we want to sell the project to another developer who would come in under the same guidelines of approval or if we would venture into that ourselves. So there is the future.

Cathy Gealy: Thank you. The second concern or question that I had and this may or may not be for the applicant, but in reading through the packet, there had been some common amenities that had been included in the plan that were removed based upon concerns from the neighbors that there might be lighting or noise –so at this point, there are no common amenities in the project. Would you address that please?

Scott Stanfield: Yes, I was wondering if someone was going to notice that. When we first laid this out –sorry; Scott Stanfield, 2964 Stuart Road, Kuna, Idaho. When we first laid this out at the neighborhood meeting, we discussed putting some gathering places for these users in the northeast and northwest corners away from Deer Flat and away from the units in the more open areas. That was immediately met with some dislike from the neighbor to the north and I think to the west. We had a basketball court up there and they didn't want any of that stuff –so we pulled those out. Again, in the design review phase, we can address that. I think the amenities we offer is really the product itself. The placement of the buildings are rotated and moved away –not at straight linear cookie cutter presentation, lots of grass space, units clustered as tight as we can, but not too tight –with some green space so the kids can run and play in the open areas versus running in between buildings. We've got some ample areas for those kids to go and not play in the parking lot. The layout with the landscaping in the middle island, I think that lends itself well to an amenity. So those are some things we looked in lieu of having active amenities versus a passive amenity because of the neighbors concerns. Does that help?

Cathy Gealy: Thank you.

Lee Young: Myself... when I first got the packet, I had grave concerns for the project because of the zero transition from an R-12 to an R-5; as I kind of dug into things and see the distance; I am looking at the proposed site plan here –I think with landscaping, berming and working with the applicant, I really think that we can make the people to the north and the west happy with the separation that they can feel from this project. Overall, I feel much better about it and actually, I think I have spent more time looking at this project than I have anything else in about a year. I really have.

CITY OF KUNA
REGULAR PLANNING & ZONING COMMISSION

MEETING MINUTES
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Dana Hennis: Yeah, I agree. I have had some of the same concerns and I think this layout is a lot better than what I expected to see in a similar project.

Lee Young: Any other thoughts or questions? Anything else?

Cathy Gealy: I actually thought that it might actually be a better buffer between the traffic on Deer Flat than an R-8 would be for the homes to the north –well for the community to the north. It's kind of a ... well better than any neighborhood commercial would be.

Dana Hennis: I like the fact that it is pulled away from the northern boundary the way that it is and with the centralized parking like they have, it really kind of centralizes this whole thing and keeps it like they said –away from the neighboring areas. It's designed a lot more user friendly than I thought it would be for the site.

Cathy Gealy: I am concerned about the lack of amenities and I am concerned that I feel like we have a sort of understanding and an agreement as to the quality and what we're expecting to see in the design review and if the... I want to make sure that the understandings are communicated should the ownership change.

Dana Hennis: Yes.

Cathy Gealy: That we would expect a plan for long-term maintenance; that we would expect a high quality development; that we would expect that the concerns of the neighbors would be addressed whether we see the same faces in the design review or not.

Lee Young: Right. If ownership did change, they still have to abide by the same provisions given in any approvals that we give here, so without coming in with a separate application or request, they couldn't modify what they are proposing here. We can certainly condition that when the design review comes, we can have amenities brought in as part of the design review and have discussions for those. So that could certainly be a condition of approval.

Dana Hennis: Like you just said, should a new owner take over this project, there is nothing in the conditions that could state the quality that we are looking for. How do we state that without being ... I mean, is there something that we can condition on that or do we just have to wait for the design review?

Lee Young: I think that what they are asking for at this point is the zone change and the comp plan map

Cathy Gealy: And so the additional...

Lee Young: ... yes, the design review process, we have control over that and we have the ability to dictate a little bit there.

Dana Hennis: Right, we aren't addressing that in this particular agenda. Ok.

Lee Young: Any other thoughts? Ok. I will stand for a motion.

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**MEETING MINUTES
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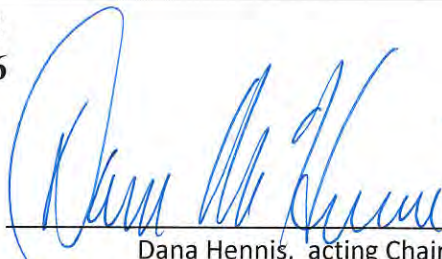
Commissioner Hennis motions to recommend approval of 16-01-AN and 16-01-CPM to the City Council with the conditions as stated in the staff report with additional considerations to be made regarding amenities presented during the design review, that a discussion take place about those amenities for residents which won't disturb the neighbors; Commissioner Gealy Seconds, all aye and motion carried 4-0.

2. ADJOURNMENT:

*Commissioner Gealy motions to adjourn at 7:32 **pm**; Commissioner Hennis Seconds, all aye and motion carried 4-0.*

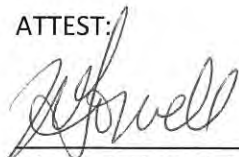
**CITY OF KUNA
REGULAR PLANNING & ZONING COMMISSION**

**MEETING MINUTES
Tuesday, April 28, 2016**



Dana Hennis, acting Chairman
Kuna Planning and Zoning Commission

ATTEST:



Wendy I. Howell, Planning and Zoning Director
Kuna Planning and Zoning Department



City of Kuna

Findings of Fact & Conclusions of Law – P & Z Comm.

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

To: **Planning and Zoning Commission**

File Numbers: **16-01-AN** (Annexation)
16-01-CPM (Comp Plan Map amendment)

Location: SWC of Ardell Road & School Avenue
Kuna, Idaho

Planner: Troy Behunin, Senior Planner

Hearing date: April 28, 2016 (*Special Meeting*)
Findings of Fact: **May 24, 2016**

Applicant: **Scott Stanfield**
2964 Stewart Rd.
Kuna, ID, 83634
208.870.8907
ssanfield@mseng.us

Owner: **Margie L. King**
4321 Blaine
New Plymouth, ID 83655

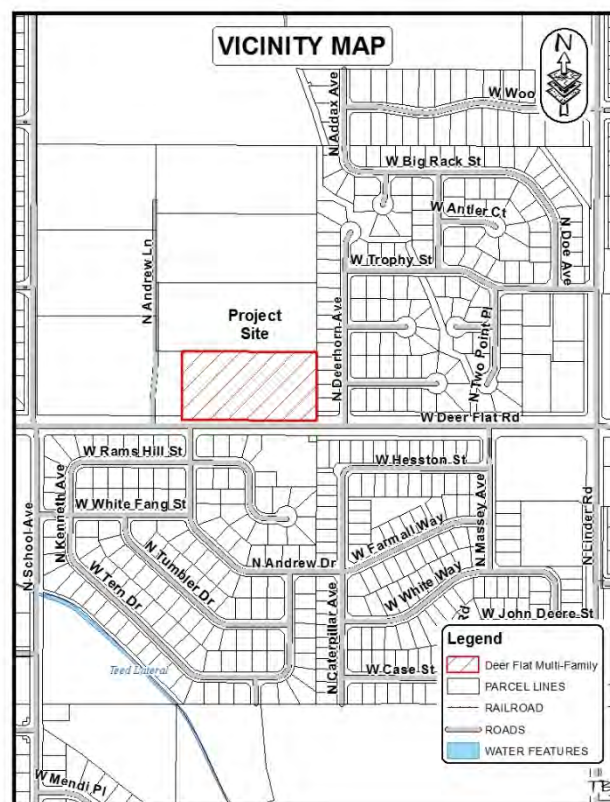


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A. Process and Noticing:

1. Kuna City Code 1-14-3 (KCC), states that Annexations and Comprehensive Plan Map Modifications are designated as a public hearing, with the Commission as a recommending body and the City Council as the decision making body. These land use applications were given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65 Local Planning Act.

a. Notifications

- | | |
|----------------------------|---|
| i. Neighborhood Meeting | October 14, 2015 (seven persons attended) |
| ii. Agency Comment Request | January 28, 2016 |
| iii. 300' Property Owners | April 14, 2016 |
| iv. Kuna, Melba Newspaper | April 13, 2016 |
| v. Site Posted | April 16, 2016 |

B. Applicants Request:**1. Request:**

The applicant, Scott Stanfield requests to annex the subject property (4.70 +/- acre) into the City limits and amend the Comprehensive Plan Map (Comp Plan Map) *designation* from Medium Density Residential to High Density Residential. The applicant requests to change the zone from RUT (Rural Urban Transition) in the County to R-12 (High Density Residential) in the City, in preparations to develop the site as a multi-family project. The site is located near the northeast corner (NEC) of Deer Flat Road and School Avenue.

C. Aerial Map:

©Copyrighted

D. Site History:

This site is a County parcel and used for small agricultural purposes and has been a rental property for many years. The site is surrounded by both City and County platted subdivisions.

E. General Projects Facts:

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

2. Surrounding Land Uses:

North	RUT	Rural Urban Transition – Ada County
South	R-6	Medium Density Residential – Kuna City
East	R-6	Medium Density Residential – Kuna City
West	RUT	Rural Urban Transition – Ada County

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

- Parcel Size: 4.70 acres (approximately)
- Zoning: Rural Residential – Ada County (RUT).
- Parcel #: S1314438920

4. **Services:**

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

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

There are several structures on site, including a home, large accessory building, trailers, and old sheds. The remaining site has vegetation that is generally associated with an open field.

6. **Transportation / Connectivity:**

The site is near the north east corner (NEC) of Deer Flat Road and School Avenue. Ingress / Egress is proposed to and from Deer Flat Road.

7. **Environmental Issues:**

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

8. **Agency Responses:**

The following agencies returned comments: City Engineer (Gordon Law, P.E.) page 20, ACHD (Dawn Battles) page 24, Boise-Kuna Irrigation Dist. (Lauren Boehlke) page 29, Boise Project Board of Control (Bob Carter) page 31, Central Dist. Health Dept. CDHD) page 32, Idaho Transportation Department (ITD) page 33. The responding agency comments are included with this case file and are included with this report.

F. **Staff Analysis:**

This annexation and Comp Plan Map amendment application involves a County parcel that is surrounded by Kuna City limits and platted City and County subdivisions. The parcel is adjacent to a minor arterial (Deer Flat Road) and all public utilities are near this site.

The applicant seeks annexation and a Comp Plan Map amendment for this parcel in order to permit development of the property for multi-family housing.

The applicant has expressed that some of the neighbors may be concerned about the project, and the applicant has responded with a written commitment to mitigate adjacent property impact associated with this request. The applicant will enhance landscaping, add berms, and place dwelling units at a maximum distance from neighboring subs, following the setback and other site design requirements.

Staff is aware this request differs from the Comp Plan Map designation. If approved, this map amendment request (from Medium Density (*up to 8 units/acre*) to High density (*12 units/acre*)), would result in an overall difference in the number of units allowed per acre, by four (4) units.

In accordance with the requirements of the Fair Housing Act, staff has reviewed the comprehensive plan. Kuna's comprehensive plan calls for and encourages a variety of housing types and income levels numerous

times. The sections of the comprehensive plan that address multi-family are included below, in Section K (comp plan analysis) of this report. The City attempts to balance all of the housing types in the City. The City believes dense development brings vitality and life to specific areas which benefit the community as a whole.

The dominant housing type for Kuna and the Treasure Valley, is single-family housing. In Kuna, single-family homes comprise more than 97% of all housing types. From 2008 until April 15, 2016 there have been zero new multi-family building permits issued, while the city has grown from roughly 13,750 residents to a recent estimate at 18,430 (from COMPASS). This indicates that while single family home sales have increased dramatically, the multi-family market has fallen considerably behind and goals of the Comp Plan are not being met.

Most multi-family projects are typically more-dense than single-family projects and do not require the same acreage in terms of overall land used. Often times, multi-family units are placed in remnant lands, or left-over lands, which is typical for in-fill style development. This helps explain why there are typically pockets of multi-family units scattered throughout the City rather than placing all of them in one or two locations with the same land mass that most single-family projects occupy. As this site is surrounded by platted subdivisions or otherwise developed land, this application should be considered a candidate for infill development.

While it is not the standard or an absolute, multi-family units are known for being closer to daily service providers and/or schools. When staff evaluates the number of existing multi-family units in Kuna, and this sites proximity to daily service providers and schools coupled with the Comprehensive Plan goals, staff supports this project and notes that it complies with a number of goals and policies listed in the Comprehensive Plan.

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 No's 16-01-AN and 16-01-CPM subject to the recommended conditions of approval listed in Section 'N' of this report.

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. Proposed Procedural Background:

On April 28, 2016, Commission considered the project, including the application, agency comments, staff's report, application exhibits and public testimony presented or given.

I. Findings of Fact for Commissions Consideration:

1. **16-01-AN and 16-01-CPM:** Based on the record contained in Case No's 16-01-AN and 16-01-CPM, including the exhibits, staff's report and the public testimony at the public hearing, the City Council of Kuna, Idaho, hereby *approves/denies* the Findings of Fact and Conclusions of Law, and conditions of approval for Case No's 16-01-AN and 16-01-CPM, Annexation and Comp Plan Map Amendment.
2. The Kuna Commission accepts the facts as outlined in the staff report, the public testimony and the supporting evidence list presented.

Comment: *The Kuna Commission held a special public hearing on the subject applications on April 28, 2016, to hear from the City staff and the applicant and to accept public testimony. The decision by the Commission is based on the application, staff report and public testimony, both oral and written.*

3. Based on the evidence contained in Case No's 16-01-AN and 16-01-CPM, this proposal appears to *generally* comply with the Comprehensive Plan and Comp Plan Map.

Comment: *The Comp Plan has listed numerous goals for providing multi-family housing in Kuna. The Comp Plan Map designates this property as Medium Density. As this is a proposed residential use the project generally follows the goals of the Comp Plan and the Comp Plan Map.*

4. The Kuna Commission has the authority to recommend approval or denial for these applications.

Comment: *On April 28, 2016, Kuna Commission will vote to recommend approval or denial of applications 16-01-AN and 16-01-CPM.*

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

Comment: *As noted in the process and noticing section, notice requirements were met to hold a special public hearing on April 28, 2016.*

J. **Factual Summary:**

This site is located near the north east corner (NEC) of Deer Flat Road and School Avenue. Applicant proposes annexation for approximately 4.7 acres into City limits with an R-12 zone. Applicant proposes and a Comprehensive Plan Map amendment for the site, from Medium Density to High Density Residential.

The site will take access from existing Deer Flat Road.

K. **Comprehensive Plan Analysis:**

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

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

Community Vision Statement:

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

Housing:

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

Comment: *The proposal follows the community vision and housing goals as stated and adopted.*

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

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

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

Economic Development Goals and Objectives - Section 5 - Summary:

Ensure an adequate supply of housing for all income levels and facilitate pedestrian connections, both visually and physically, to enhance pedestrian movement.

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

Land Use Goals and Objectives - Section 6 - Summary:

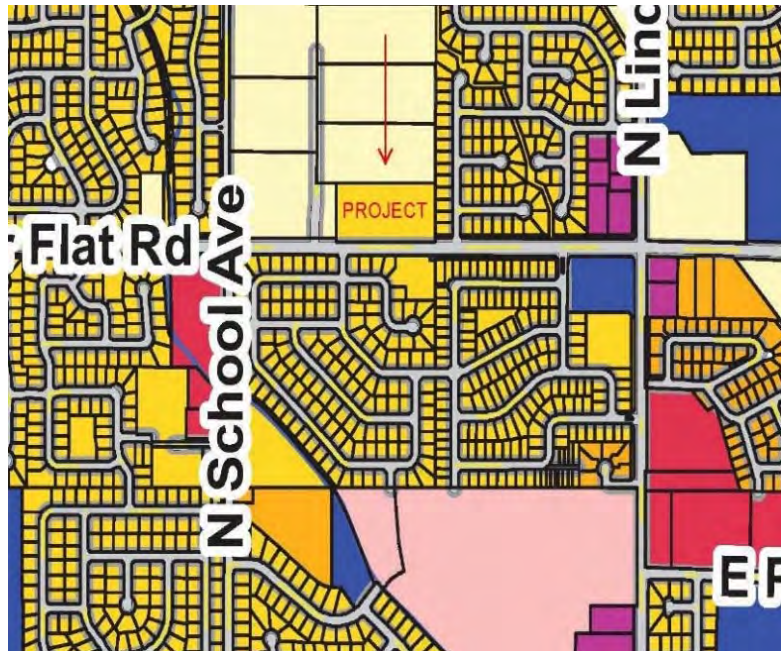
Adopt a future land use plan and map that includes natural and developed open spaces, while providing a variety of housing densities and types to accommodate various lifestyles, ages and economic groups. Protect existing neighborhoods and ensure new development is sustainable and keeps Kuna desirable.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

Neighborhood Core Concept:

The character of residential housing surrounding and within the core of a Neighbor Center is that of a close-knit, mixed-density community. The Neighborhood District provides close access to community services located within the core. The highest density housing should be located near the core service areas (schools, churches, parks, neighborhood commercial). Housing types may include multi-family dwellings, duplexes, town houses, row homes, and single-family residences (Page 81).

Medium Density Residential:

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



AGRICULTURAL	PROFESSIONAL OFFICE
RURAL CLUSTER	FEDERAL LAND
LOW DENSITY	NEIGHBORHOOD CENTER
MEDIUM DENSITY	NEIGHBORHOOD DISTRICT
HIGH DENSITY	WWTF
MIXED USE GENERAL***	CITY INTEREST
MIXED USE CITY CENTER	MIXED USE GENERAL WITH A MINIMUM EQUIVALENCE OF 3 UNITS PER ACRE
LIGHT INDUSTRIAL	GREEN WAY WATERWAYS
HEAVY INDUSTRIAL	GREENBELT OVERLAY
PUBLIC	
COMMERCIAL	

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

Legend

Neighborhood District:

The Neighborhood District can be characterized as residential housing within the core of a close-knit, mixed-density community. The Neighborhood District provides close access to the community services located within the core. The highest density housing should be located near the core service areas (schools, churches, parks, neighborhood commercial). Housing types may include *multi-family* dwellings, duplexes, town houses, row homes, and single-family residences (Page 93).

Comment: *The proposal complies with the land use plan as adopted by Kuna, by incorporating the following; non-typical housing densities and types in or near a neighborhood core while promoting in-fill methodologies and a quality housing project.*

Housing Goals and Objectives - Section 12 - Summary:

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

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

Comment: *Applicant proposes high density residential which will contribute to availability of varied types and home sizes in a logical and orderly manner with an infill style of development.*

Community Design Goals and Objectives - Section 13 - Summary:

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

Neighborhoods:

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

Existing Residential Subdivisions:

Residential placement is intended to increase social interactions at various times of the day. *Multi-family* residential uses should be located closer to the neighborhood cores and be interspersed with mixed-uses (Page 178).

Neighborhoods:

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

Comment: *This application promotes sound community and urban design principles.*

L. Kuna City Code Analysis:

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

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

2. The site is physically suitable for a subdivision.

Comment: *The 4.7 acre (approximate) project includes a request for an R-12 zone. The site appears to be compatible with the proposal.*

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

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

4. The Annexation and Comp Plan Map amendment applications are not likely to cause adverse public health problems.

Comment: *The annexation and Comp Plan Map amendment for the property requires a zoning designation per Kuna Code 5-13-9. The high density land use designation requires connection to public sewer and potable water systems, therefore eliminating the occurrence of adverse public health problems.*

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

Comment: *The annexation and Comprehensive Plan Map amendment did consider the location of the property and adjacent uses. The subject property is surrounded by existing City and Ada County subdivisions and will be connected to the Kuna City central sewer and potable and pressure irrigation water systems. The current adjacent uses are both small farms and residential uses and an minor arterial road.*

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

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

M. Conclusions of Law:

1. Based on the evidence contained in Case No's 16-01-AN and 16-01-CPM, Commission finds Case No's 16-01-AN and 16-01-CPM generally comply with Kuna City Code.
2. Based on the evidence contained in Case No's 16-01-AN and 16-01-CPM, Commission finds Case No's 16-01-AN and 16-01-CPM are generally 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.

N. Recommended Conditions of Approval:

16-01-AN and 16-01-CPM; *Note: This proposed motion is to approve, conditionally approve, or deny these requests. If the Commission wishes to approve or deny specific parts of the requests as detailed in this report, those changes must be specified.*

On April 28, 2016, the Planning and Zoning Commission voted to recommend *approval* for Case No's 16-01-AN and 16-01-CPM, based on the facts outlined in staff's report and the public testimony during the public hearing by the Planning and Zoning Commission of Kuna, Idaho, the Commission hereby recommends approval for Case No's 16-01-AN and 16-01-CPM, an Annexation and Comp Plan Map amendment request from Scott Stanfield, with the following conditions of approval to Council:

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

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

DATED this 24, day of May, 2016,

Lee Young - Chairman
Planning & Zoning Commission

ATTEST:

Troy Behunin
Senior Planner
Kuna Planning and Zoning Dept.

**ORDINANCE NO. 2016-12
CITY OF KUNA, IDAHO
PARK IMPACT FEES**

AN ORDINANCE OF THE CITY OF KUNA, IDAHO, AMENDING THE CITY OF KUNA'S MUNICIPAL CODE BY ADDING A NEW TITLE, ENTITLED "DEVELOPMENT FEES" AND CREATING A NEW CHAPTER ENTITLED "PARK IMPACT FEES"; SETTING FORTH ITS AUTHORITY, FINDINGS, PURPOSE, DEFINITIONS, EXEMPTIONS, CALCULATION OF DEVELOPMENT FEES AND METHODOLOGY, DEVELOPER'S ELECTION FOR PAYMENT, SCHEDULE FOR CALCULATION OF FEES, PROCEDURE TO CALCULATE FEES, EXEMPTION FROM FEES, CALCULATING INDIVIDUAL FEES, DETERMINING EXTRAORDINARY IMPACTS, CERTIFICATION OF FEES, CREDITS AND REIMBURSEMENTS, DETERMINING REFUNDS, COLLECTION AND ADMINISTRATION OF IMPACT FEES INCLUDING DEPOSITS AND TRUST FUND ACCOUNTING, USE OF DEVELOPMENT FEES, APPEALS PROTESTS AND MEDIATION OF FEE DISPUTES, PERIODIC REVIEWS, CONSIDERATION OF DEVELOPMENT IMPACT FEE COMMITTEE REVISIONS TO ORDINANCE, ENFORCEMENT AND COLLECTION OF FEES, CERTAIN MISCELLANEOUS PROVISIONS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

WHEREAS, Idaho Code § 67-8201 et seq. allows Idaho municipal corporations to enact ordinances allowing them to collect development impact fees;

WHEREAS, Idaho Code § 67-8201 et seq. allow such ordinances to collect development impact fees, including, in part, fees for the acquisition and development of parks, open space and recreation areas and related capital improvements;

WHEREAS, Kuna now desires to adopt a development impact fee ordinance to collect development impact fees for the creation acquisition and development of park land, open space and recreation facilities in accordance with Idaho Code §§ 67-8201 et seq.; and

WHEREAS, Kuna has adopted this impact fee ordinance in accordance with the procedural requirements of Idaho Code § 67-8206.

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

Section 1. ADOPTION. Kuna Municipal Code is amended by the addition of Title 12- Development Fees, Chapter 1, Park Impact Fees, with the following language:

TITLE 12- DEVELOPMENT FEES, CHAPTER 1- PARK IMPACT FEES

12-1-1: Short Title, Applicability, Findings and Purpose

A. Short Title

This ordinance shall be known and may be cited as the *Park Impact Fee Ordinance*.

B. Authority

This Ordinance is enacted pursuant to the City's general police power granted to the City by Chapter 82, Title 67, Idaho Code, and other applicable laws of the State of Idaho.

C. Applicability

Except as otherwise exempted in Section, this ordinance shall apply to the development of property located within the boundaries of the City of Kuna, Idaho.

D. Findings

1. Based on the City of Kuna's Comprehensive Plan adopted by the City, pursuant to Chapter 65, Title 67, Idaho Code, including but not limited to the Capital Improvements Element of the Comprehensive Plan, and based the general governmental goal of protecting the health, safety, and general welfare of the citizens of the City, it is necessary that the City provide for a new funding mechanism for public facilities for its obligation to provide for parks and recreation to meet the demand and growth occurring within the City.

2. The City has formed the Park Impact Fee Advisory Committee as required by Idaho Code §67-8205, and that Committee has performed the duties required of it pursuant to Idaho Code §§67-8205 and 67-8206(2). The City intends that the Committee continue to exist and to perform those duties identified in Idaho Code §67-8205 that occur following the adoption of this Park Impact Fees Ordinance.

3. New residential growth imposes and will impose increasing and excessive demands upon the City's existing park facilities.

4. The tax revenues generated from new residential growth often do not generate sufficient funds to provide the necessary improvements and expansion of the existing parks and recreational facilities to accommodate for new growth.

5. New growth is expected to continue, and will place ever-increasing demands on the City to provide and expand the City's parks and recreational facilities to serve new growth.

6. The City has planned for the improvement of the City's parks and recreational facilities in the Capital Improvements Element of the City of Kuna Comprehensive Plan.

7. Chapter 82, Title 67 of the Idaho Code (the Idaho Development Impact Fee Act) authorizes the City to adopt an impact fee system to offset, recoup, or reimburse the portion of the costs of needed improvements to the parks and recreational facilities caused by new development in the City.

8. The creation of an equitable impact fee system would promote the purposes set forth in the Idaho Development Impact Fee Act, in that it would (a) ensure that adequate public facilities are available to serve new growth and development, (b) promote orderly growth and development by establishing uniform standards by which the City may require that those who benefit from new growth and development pay a proportionate share of the cost of new public facilities needed to serve new growth and development, (c) establish minimum standards for the adoption of impact fees, (d) ensure that those who benefit from new growth and development are required to pay no more than their proportionate share of the cost of public facilities needed to serve new growth and development, and (e) prevent duplicate and ad hoc development requirements.

9. The creation of an equitable impact fee system would enable the City to accommodate new development, and would assist the City to implement the Capital Improvements Element of the Comprehensive Plan.

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

11. The methodology used in Study, when applied through this Ordinance, complies with all applicable provisions of Idaho law, including those set forth in Idaho Code §§67-8204(1), (2), (16) and (23), 67- 8207 and 67-8209. The incorporation of the Study by reference satisfies the requirement in Idaho Code Statute §67-8204(16) for a detailed description of the methodology by which the impact fees were calculated, and the requirement in Idaho Code §67-8204(24) for a description of acceptable levels of service for system improvements.

12. In determining the proportionate share of the cost of system improvements, the City has considered (a) the cost of the existing system improvements, (b) the means by which the existing system improvements have been financed, (c) the extent to which the new development will contribute to the cost of system improvements through taxation, assessment, or developer or landowner contributions, or has previously contributed to the cost of system improvements through developer or landowner contributions; (d) the extent to which the new development is required to contribute to the cost of existing system improvements in the future; (e) the extent to which the new development should be credited for providing system improvements, without charge to other properties within the service area or areas; (f) extraordinary costs, if any, incurred in serving the new development; (g) the time and price differential inherent in a fair comparison of fees paid at different times; and (h) the availability of other sources of funding system improvements including, but not limited to, user charges, general tax levies, intergovernmental transfers, and special taxation. The governmental entity shall develop a plan for alternative sources of revenue.

13. The Study contains the Capital Improvements Element of the City of Kuna Comprehensive Plan, and such element has been developed in conformance with the requirements of Chapters 65 and 82 of Title 67 of the Idaho Code.

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

15. In accordance with Idaho Code, the Study was based on actual system improvements costs or reasonable estimates of such costs. In addition, the Study uses a fee calculation methodology that is net of credits for the present value of revenues that will be generated by new growth and development based on historical funding patterns and that are anticipated to be available to pay for system improvements, including taxes, assessments, user fees, and intergovernmental transfers.

16. The Park Impact Fees described in this Ordinance are based on the Study, and do not exceed the costs of system improvements for parks and recreational facilities to serve new development that will pay the Park Impact Fees.

17. The facilities included in the calculation of fees in the Study will benefit all new residential development throughout the City, and it is therefore appropriate to treat all areas of the City as a single service area for purposes of calculating, collecting, and spending the Development Impact Fees collected from residential development.

18. There is both a rational nexus and a rough proportionality between development impacts created by each type of development covered by this Ordinance, the Development Impact Fees that such development covered by this Ordinance, and the Development Impact Fees that such development will be required to pay.
19. This Ordinance creates a system by which Development Impact Fees paid by new development will be used to finance, defray, or reimburse a portion of the costs incurred by the City to construct improvements for parks and recreational facilities in ways that benefit the development for which each Development Impact Fee was paid within a reasonable period of time after the Development Impact Fee is paid, and in conformance with Idaho Code §67-8210.
20. This Ordinance creates a system under which Development Impact Fees shall not be used to correct existing deficiencies for any capita facilities, or to replace or rehabilitate existing improvements, or to pay for routine operation or maintenance of those facilities.
21. This Ordinance creates a system under which there shall be no double payment of impact fees, in accordance with Idaho Code §67-8204(19).
22. This Ordinance is consistent with all applicable provisions of Chapter 82, Title 67, Idaho Code, concerning development impact fee ordinances.
- E. Purpose.
1. This Ordinance is adopted to be consistent with, and to help implement the City of Kuna Comprehensive Plan, particularly the Capital Improvements Element of the Comprehensive Plan.
 2. The intent of this Ordinance is to ensure that new residential development bears a proportionate share of the cost of improvements to the parks and recreational facilities; to ensure that such proportionate share does not exceed the cost of improvements to such facilities required to accommodate new development; and to ensure that funds collected from new development are actually used for improvements to the parks and recreational facilities in accordance with the Chapter 82, Title 67, Idaho Code.
 3. It is the further intent of this Ordinance to be consistent with those principles for allocating a fair share of the cost of new capital facilities to new development, and for adopting development impact fee ordinances, established by Chapter 82, Title 67 of the Idaho Code.
 4. It is not the intent of this Ordinance to collect any money from any new development in excess of the actual amount necessary to offset new demands for parks and recreational facilities created by such new development.

5. It is not the intent of this Ordinance that any monies collected from any development impact fee deposited in an impact fee account ever be commingled with monies from a different impact fee account, or ever be used for a development impact fee component different from that for which the fee was paid, or ever be used to correct current deficiencies in the parks and recreational facilities or ever be used to replace, rehabilitate, maintain or operate any City facility.

12-1-2: Definitions

As used in this chapter, the following words and terms shall have the following meanings, unless another meaning is plainly intended:

Accounts shall mean the developments Capital Facilities Account, established as development of the Park Impact Fee Trust Fund established in Section 9 of this Ordinance.

Appropriate shall mean to legally obligate by contract or otherwise commit to use by appropriation or other official act of a governmental entity.

Building Permit shall mean the permit required for foundations, new construction and additions pursuant to Kuna City Code § 15.08.

Capital Improvements shall mean improvements with a useful life of ten (10) years or more, by new construction or other action, which increases the service capacity of a Public Facility.

Capital Improvements Element shall mean a component of the City of Kuna Comprehensive Plan adopted pursuant to chapters 65 and 82, title 67, Idaho Code and as amended, which component meets the requirements of the Capital Improvements Plan.

Capital Improvements Plan shall mean a plan adopted pursuant to the Development Impact Fee Act, Idaho Code §§ 67-8201 et seq., that identifies Capital Improvements for which Development Impact Fees may be used as a funding source.

Developer shall mean any person or legal entity undertaking development including a development that undertakes the subdivision of property pursuant to Idaho Code §§ 50-1301 through 50-1334, as amended.

Development shall mean any construction or installation of a building or structure, or any change in use of a building or structure, or any change in the use, character or appearance of land, which creates additional demand and need for public facilities or the subdivision of property that would permit any change in the use, character or appearance of land.

Development Approval shall mean any written duly authorized document from the City which authorizes the commencement of a development.

Development Impact Fee or *Park Impact Fee* shall mean a payment of money imposed as condition of development approval to pay for a proportionate share of the costs of system improvements needed to serve development. In the context of this Ordinance, Development Impact Fee shall mean the impact fees defined for the parks and recreational facilities. The term may also be used interchangeably with Park Impact Fee. The term does not include the following:

1. A charge or fee to pay the administrative plan review, or inspection cost associated with permits required for development;
2. Connection or hookup charges;
3. Availability charges for drainage, sewer, water or transportation charges for services provided directly to the development; or
4. Amounts collected from a developer in a transaction in which the City has incurred expenses in constructing Capital Improvements for the development if the owner or developer has agreed to be financially responsible for the construction or installation of the Capital Improvements, unless a written agreement is made pursuant to Idaho Code § 67-8209(3), as amended, for credit or reimbursement.

Development Impact Fee Administrator shall mean the City Treasurer of the City of Kuna, Idaho, or his or her designee.

Development Impact Fee Study shall mean the document entitled *Park Impact Fees and Capital Improvements Plan* prepared by the City that sets forth reasonable methodologies and analyses for determining the impacts of various types of development on the parks and recreational facilities and determines the cost of expansions to those facilities necessary to meet the demands created by new development.

Development Impact Fee Trust Fund or *Trust Fund* shall mean the trust fund established by Section 9 of this Ordinance that contains the funds for the Parks and Recreation Development Capital Facilities Account.

Development Requirement shall mean a requirement attached to a developmental approval or other governmental action approving or authorizing a particular development project including, but not limited to a rezoning, which requirement compels the payment, dedication or contribution of goods, services, land or money as condition of approval.

Extraordinary Costs shall mean those costs incurred as result of an Extraordinary Impact.

Extraordinary Impact shall mean an impact which is reasonably determined by the City to (i) result in the need for system improvements, the cost of which will significantly exceed the sum of the Development Impact Fees to be generated from the project or the sum agreed to be paid pursuant to a development agreement as allowed by Idaho Code § 67-8214(2), as amended, or (ii) result in the need for system improvements which are not identified in the Capital Improvements Plan.

Fee Payer shall mean the person who pays or is required to pay a development Impact Fee. A Fee Payer may include a Developer.

Land Use Assumptions shall mean a description of the service area and projections of land uses, densities, intensities and population in the service area over at least a twenty (20) year period.

Level of Service shall mean a measure of the relationship between service capacity and service demand for Public Facilities.

Manufactured/Mobile Home shall mean a structure, constructed according to HUD/FHA mobile home construction and safety standards, transportable in one or more sections, which, in the traveling mode, is eight feet or more in width or is forty (40) body feet or more in length, or when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained in such structure, except that such term shall include any structure which meets all the requirements of this subsection except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of Housing and Urban development and complies with the standards established under 42 U.S.C. §§ 5401, et seq.

Modular Building shall mean any building or building component other than a Manufactured/Mobile Home, which is constructed according to the International Building Code, as adopted or any amendments thereto, which is of closed construction and is either entirely or substantially prefabricated or assembled at a place other than the building site.

Park Impact Fee shall mean the same as *Development Impact Fee*.

Parks and Recreation Capital Facilities shall mean open space lands, as well as buildings, improvements to land, and related equipment meeting the definition Capital Improvement, used for public developments, recreation, open space, and trail facilities included in the calculation of the Study, and specifically including those related costs included in the definition of System Improvement Costs, but not including maintenance, operations, or improvements that do not expand capacity.

Present Value shall mean the total current monetary value of past, present or future payments, contributions or dedications of goods, services, materials, construction or money.

Project shall mean a particular development on an identified parcel of land.

Project Improvements, in contrast to system improvements, shall mean site improvements and facilities that are planned and designed to provide service for a particular development project and that are necessary for the use and convenience of the occupants or users of the project.

Proportionate Share shall mean that portion of the cost of system improvements determined pursuant to Section 67-8207, Idaho Code, which reasonably relates to the service demands and needs of the project.

Public Facilities shall mean:

1. Water supply production, treatment, storage and distribution facilities;
2. Wastewater collection, treatment and disposal facilities;
3. Roads, streets, bridges, sidewalks and bike paths, including rights-of-way, traffic signals, landscaping and any local components of state or federal highways;
4. Stormwater collection, retention, detention, treatment and disposal facilities, flood control facilities, and bank and shore protection and enhancement improvements;
5. Developments, open space and recreation areas, and related Capital Improvements.

Recreational Vehicle shall mean a vehicular type unit primarily designed as temporary quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle.

Service Area shall mean any defined geographic area identified by the City in which specific Public Facilities provide service to development within the areas defined, on the basis of sound planning or engineering principles or both.

Service Unit shall mean a standardized measure of consumption, use, generation or discharge attributable to an individual unit of development calculated in accordance with generally accepted engineering or planning standards for a particular category of Capital Improvements.

System Improvements, in contrast to Project Improvements, shall mean Capital Improvements to Public Facilities which are designed to provide service to a Service Area including, without limitation, the type of improvements described in Idaho Code § 50-1703, as amended. For the purpose of this Ordinance, the system improvements are the Parks and Recreation Development Capital Facilities.

System Improvements Costs shall mean costs incurred for construction or reconstruction of system improvements, including design, acquisition, engineering and other costs, and also including, without limitation, the type of costs described in Idaho Code § 50-1702(h), as amended, to provide additional Public Facilities needed to service new growth and development. For clarification, System Improvement Costs do not include:

1. Construction, acquisition or expansion of Public Facilities other than Capital Improvements identified in the Capital Improvements Plan;
2. Improvements, repair, operation or maintenance of existing or new Capital;
3. Upgrading, updating, expanding or replacing existing Capital Improvements to serve existing development in order to meet stricter safety, efficiency, environmental or regulatory standards;

4. Upgrading, updating, expanding or replacing existing Capital Improvements to provide better service to existing development;
5. Administrative and operating costs of the City unless such costs are attributable to development of the Capital Improvements Plan, as provided in Idaho Code § 67-8208, as amended; and
6. Principal payments and interest or other finance charges on bonds or other indebtedness except financial obligations issued by or on behalf of the City to finance Capital Improvements identified in the Capital Improvements Plan.

12-1-3: Exemptions. The provisions of this Chapter shall not apply to the following:

- A. Rebuilding the same amount of floor space of a structure which is destroyed by fire or other catastrophe, provided the structure is rebuilt and ready for occupancy within two (2) years of its destruction;
- B. Remodeling or repairing a structure which does not increase the number of Service Units;
- C. Replacing a residential unit, including a Manufactured/Mobile Home, with another residential unit on the same lot; provided that, the number of Service Units does not increase;
- D. Placing a temporary construction trailer or office on a lot;
- E. Constructing an addition on a residential structure which does not increase the number of Service Units;
- F. Adding uses that are typically accessory to residential uses, such as tennis court or a clubhouse, unless it can be clearly demonstrated that the use creates a significant impact on the capacity of system improvements; or
- G. The installation of a Modular Building, Manufactured/Mobile Home or Recreational Vehicle if the Fee Payer can demonstrate by documentation such as utility bills and tax records that either (a) a Modular Building, Manufactured/Mobile Home or Recreational Vehicle was legally in place on the lot or space prior to the effective date of this Ordinance or (b) a development Impact Fee has been paid previously for the Modular Building, Manufactured/Mobile Home or Recreational Vehicle on that same lot or space.

12-1-4: Calculation of Development Impact Fees

A. General Provisions.

1. Accounting Principles. The calculation of a Development Impact Fee shall be in accordance with Generally Accepted Accounting Principles. A development Impact Fee shall not be deemed invalid because payment of the fee may result in an incidental benefit to owners or developers within the Service Area other than the person paying the fee.

2. Levels of Service. A Development Impact Fee shall be calculated on the basis of Levels of Service for Public Facilities adopted in this Ordinance that are applicable to existing development as well as new growth and development. The construction, improvement, expansion or enlargement of new or existing Public Facilities for which a development Impact Fee is imposed must be attributable to the capacity demands generated by the new development.

B. Methodology.

Proportionate Methodology. A Development Impact Fee shall not exceed a proportionate share of the cost of system improvements determined in accordance with Idaho Code § 67-8207, as amended. Development Impact Fees shall be based on actual System Improvement Costs or reasonable estimates of such costs. The amount of the Development Impact Fee shall be calculated using the methodology contained in the Study, attached as **Exhibit A**.

C. Proportionate Share Determination.

1. All Development Impact Fees shall be based on a reasonable and fair formula or method under which the Development Impact Fee imposed does not exceed a proportionate share of the costs incurred or to be incurred by the City in the provision of system improvements to serve the new development. The proportionate share is the costs attributable to the new development after the City considers the following:

- a. Any appropriate credit, offset or contribution of money, dedication of land or construction of system improvements;
- b. Payments reasonably anticipated to be made by or as a result of a new development in the form of user fees and debt service payments;
- c. That portion of general tax or other revenues allocated by the jurisdiction to system improvements; and
- d. All other available sources of funding such System Improvements.

2. In determining the proportionate share of the cost of system improvements to be paid by the Developer, the following factors shall be considered by the City and accounted for in the calculation of the development Impact Fee:

- a. The costs of existing system improvements within the Service Area;
- b. The means by which existing system improvements have been financed;
- c. The extent to which the new development will contribute to the cost of system improvements through taxation, assessments, or developer or landowner contributions, or has previously contributed to the cost of system improvements through developer or landowner contributions;
- d. The extent to which the new development is required to contribute to the cost of existing system improvements in the future;
- e. The extent to which the new development should be credited for providing system improvements, without charge to other properties within the Service Area;
- f. Extraordinary Costs, if any, incurred in serving the new development;

The time and price differential inherent in a fair comparison of fees paid at different times; and

g. The availability of other sources of funding System Improvements including, but not limited to, user charges, general tax levies, intergovernmental transfers and special taxation.

D. Developer's Election. A Developer shall have the right to elect to pay a project's proportionate share of System Improvement costs by payment of Development Impact Fees according to the fee schedule attached as **Exhibit A** as full and complete payment of the development project's proportionate share of System Improvement Costs, except as provided in Idaho Code § 67-8214(3), as amended.

E. Schedules. Development Impact Fees shall be calculated using the schedule attached as **Exhibit A** to this Ordinance, unless (a) the Fee Payer requests an individual assessment pursuant to Section or (b) the City finds an Extraordinary Impact for a proposed development in writing to the Fee Payer, in which case Section shall apply.

F. Procedures.

1. Building Permit. Upon submittal of complete Building Permit plans, the City shall calculate the Development Impact Fees in accordance with this Ordinance within thirty (30) days of submittal.

2. Exemption. An exemption must be claimed by the Fee Payer upon application for a Building Permit. Any exemption not so claimed shall be deemed waived by the Fee Payer. Applications for exemption shall be submitted to and determined by the City within ninety (90) days.

G. Using an Individual Assessment.

1. In lieu of calculating the amount of Development Impact Fees by reference to **Exhibit A**, a Fee Payer may request that the amount of the required Development Impact Fee be determined through an Individual Assessment for the proposed development. The Individual Assessment process shall permit consideration of studies, data, and any other relevant information submitted by the Fee Payer to adjust the amount of the fee. If a Fee Payer requests the use of an Individual Assessment, the Fee Payer shall be responsible for retaining a qualified professional to prepare the Individual Assessment that complies with the requirements of this Ordinance, at the Fee Payer's expense. The Fee Payer shall, at the Fee Payer's expense, bear the burden of proving by clear and convincing evidence that the resulting Individual Assessment complies with the requirements of this Ordinance. The Fee Payer shall bear the burden of proving by clear and convincing evidence that the resulting Individual Assessment is a more accurate measure of its proportionate share of the cost of City Capital Improvements, based on the City's adopted Levels of Service, than the Development Impact Fees that would otherwise be due pursuant to the schedule set forth in **Exhibit A**.

2. Each Individual Assessment shall be based on the same Level of Service standards and unit costs for system improvements used in the development Impact Fee Study, shall use an average cost (not a marginal cost) methodology, and shall document the relevant methodologies and assumptions used.

3. An application for an Individual Assessment may be submitted at any time that the number of dwelling units in the proposed development and the types and amounts of development in each non-residential category identified in **Exhibit A** are known. The City shall issue a decision within thirty (30) days following receipt of a completed application for Individual Assessment and supporting information from the applicant, so as not to unreasonably delay subsequent applications for or issuance of Building Permits.

4. Each Individual Assessment shall be submitted to the development Impact Fee Administrator, and may be accepted, rejected, or accepted with modifications by the development Impact Fee Administrator as the basis for calculating Development Impact Fees. The criteria for acceptance, rejection or acceptance with modifications shall be whether the Individual Assessment is more accurate measure of demand for the City Capital Improvements Element(s) created by the proposed development, or the costs of those facilities, than the applicable fee shown in **Exhibit A**.

5. The decision by the Development Impact Fee Administrator on an application for an Individual Assessment shall include an explanation of the calculation of the Development Impact Fee, shall specify the system improvement(s) for which the development Impact Fee is intended to be used, and shall include an explanation of those factors identified in Idaho Code §67-8207.

6. If an Individual Assessment is accepted or accepted with modifications by the Development Impact Fee Administrator then the Development Impact Fees due under this Ordinance for such development shall be calculated according to such Individual Assessment.

12-1-5 Extraordinary Impacts.

A. If the City determines that a proposed development generates Extraordinary Impacts that will result in Extraordinary Costs, the City will notify the Fee Payer of such determination within thirty (30) days after receipt for a Certification pursuant to Section or a request for a Building Permit of development approval, whichever occurs first. Such notice shall include a statement that the potential impacts of such development on system improvements are not adequately addressed by Development Impact Fee Study, and that a supplemental study at the Fee Payer's expense will be required.

B. Circumstances that may lead to a determination of Extraordinary Impacts include, but are not limited to: (a) an indication the assumptions used in the Development Impact Fee Study underestimate the level of activity or impact on parks and recreational facilities from the proposed development or activity.

C. Within thirty (30) days following the designation of a development with Extraordinary Impacts, the City shall meet with the Fee Payer to discuss whether the Fee Payer wants to (a) pay for the supplemental study necessary to determine the System Improvement Costs related to the proposed development, or (b) modify the proposal to avoid generating Extraordinary Impacts, or (c) withdraw the application for Certification, Building Permit or development approval.

D. If the Fee Payer agrees to pay for the supplemental study required to document the proposed development's proportionate share of System Improvement Costs, then the City and the Fee Payer shall jointly select an individual or organization acceptable to both to perform such study. The Fee Payer shall enter into a written agreement with such individual or organization to pay the costs of such study. Such agreement shall require the supplemental study to be completed within thirty (30) days of such written agreement, unless the Fee Payer agrees to a longer time.

E. Once the study has been completed, the Fee Payer may choose to (a) pay the proportionate share of System Improvement Costs documented by the supplemental study, or (b) modify the proposed development to reduce such costs, or (c) withdraw the application. If the Fee Payer agrees to pay the System Improvement Costs documented in the supplemental study, that agreement shall be reduced to writing between the City and the Fee Payer prior to review and consideration of any application for any development Approval or Building Permit related to the proposed development.

F. Notwithstanding any agreement by the Fee Payer to pay the proportionate share of System Improvement Costs documented by the supplemental study, nothing in this Ordinance shall obligate the City to approve development that results in an Extraordinary Impact.

G. Certification. After the Development Impact Fees due for a proposed development have been calculated pursuant to **Exhibit A** or the Individual Assessment, the Fee Payer may request the development Impact Fee Administrator or a designee for a certification of the amount of Development Impact Fees due for that development. Within thirty (30) days after receiving such request, the development Impact Fee Administrator shall issue a written certification of the amount of Development Impact Fees due for the proposed development. Such certification shall establish the development Impact Fee so long as there is no material change to the particular project as identified in the Individual Assessment Application, or the impact fee schedule set forth in **Exhibit A**. The certification shall include an explanation of the calculation of the impact fee including an explanation of factors considered under Idaho Code § 67-8207 and shall also specify the system improvement(s) for which the development Impact Fee is intended to be used.

12-1-6 Credits and Reimbursement.

A. Credits to be Issued. When a Developer or his or her predecessor in title or interest has constructed system improvements of the same category as a City Capital Improvement, or contributed or dedicated land or money towards the completion of system improvements of the same category as a City Capital Improvement, and the City has accepted such construction, contribution or dedication, the City shall issue a credit against the Development Impact Fees otherwise due for the same City Capital Improvements in connection with the proposed development, as set forth in this Section. Credit shall be issued regardless of whether the contribution or dedication to system improvements was required by the City as a condition of development approval or was offered by the Developer and accepted by the City in writing, and regardless of whether the contribution or dedication was contributed by the Developer or by a Local Improvement District controlled by the Developer.

B. Limitations. Credits against Development Impact Fees shall not be given for (a) Project Improvements, or (b) any construction, contribution or dedication not agreed to in writing by the City prior to commencement of the construction, contribution, or dedication. Credits issued for one City Capital Improvement may not be used to reduce Development Impact Fees due for a different Capital Improvement. No credits shall be issued for system improvements contributed or dedicated prior to the effective date of this Ordinance.

C. Valuation of Credit at Present Value.

1. Land. Credit for qualifying land dedications shall, at the Fee Payer's option, be valued at the present value of (a) one hundred percent (100%) of the most recent assessed value for such land as shown in the records of the County Assessor, or (b) that fair market value established by a private appraiser acceptable to the City in an appraisal paid for by the Fee Payer.

2. Improvements. Credit for qualifying acquisition or construction of system improvements shall be valued by the City at the present value of such improvements based on complete engineering drawings, specifications, and construction cost estimates submitted by the Fee Payer to the City. The City shall determine the amount of credit due based on the information submitted, or, if it determines that such information is inaccurate or unreliable, then on alternative engineering or construction costs acceptable to the City as a more accurate measure of the value of the offered system improvements to the City.

D. When Credits Become Effective.

1. Land. Approved credits for land dedications shall become effective when the land has been conveyed to the City in a form acceptable to the City, at no cost to the City, and has been accepted by the City. Upon request of the Fee Payer, the City shall issue a letter stating the amount of credit available.

2. Improvements. Approved credits for acquisition or construction of system improvements shall generally become effective when (a) all required construction has been completed and has been accepted by the City, (b) a suitable maintenance and warranty bond has been received and approved by the City, and (c) all design, construction, inspection, testing, bonding, and acceptance procedures have been completed in compliance with all applicable requirements of the City and the State of Idaho. Upon request of the Fee Payer, the City shall issue a letter stating the amount of credit available.

E. Application Procedures.

1. Request. In order to obtain a credit against Development Impact Fees otherwise due, a Fee Payer shall submit a written offer to dedicate to the Development Impact Fee Administrator for specific parcels of qualifying land or a written offer to contribute or construct specific system improvements to the parks and recreational facilities in accordance with all applicable State or City design and construction standards, and shall specifically request a credit against the type of Development Impact Fees for which the land dedication or System Improvement is offered. No request for a credit against Development Impact Fees shall be accepted unless a written offer to dedicate, contribute or construct has previously been approved in writing.

2. Review. After receipt of the request for credit, the Development Impact Fee Administrator shall review the request and determine whether the land or system improvements offered for credit will reduce the costs of providing parks and recreational facilities by an amount at least equal to the value of the credit. If the Development Impact Fee Administrator determines that the offered credit satisfies that criteria, then the credit shall be issued. The City shall complete its review and determination of an application within thirty (30) days after receipt of an application for credit.

3. Credits Exceeding Fee Amounts Due. If the credit due to a Fee Payer pursuant to Sections, above, exceeds the development Impact Fee that would otherwise be due from the Fee Payer pursuant to the Ordinance (whether calculated through **Exhibit A** or through an Independent Assessment), the Fee Payer may choose to receive such credit in the form of either (a) a credit against future Development Impact Fees due for the same Capital Improvements, or (b) a reimbursement from Development Impact Fees paid by future development that impacts the system improvements contributed or dedicated by the Fee Payer. Unless otherwise stated in an agreement with the Fee Payer, the City shall be under no obligation to use any City funds – other than Development Impact Fees paid by other development for the same City Capital Improvements – to reimburse the Fee Payer for any credit in excess of Development Impact Fees due.

4. Written Agreement Required. If credit or reimbursement is due to the Fee Payer pursuant to this Section, the City shall enter into a written agreement with the Fee Payer, negotiated in good faith, prior to the contribution, dedication, or funding of the system improvements giving rise to the credit. The agreement shall provide for the amount of credit or the amount, time and form of reimbursement, and shall have a term not exceeding ten (10) years.

12-1-7 Refunds.

A. Duty to Refund.

1. Development Impact Fees shall be refunded to the Fee Payer, or to a successor in interest, in the following circumstances:

- a. Service is available but never provided;
- b. A Building Permit, or permit for installation of a manufactured home, is denied or abandoned;
- c. The Fee Payer pays a Development Impact Fee under protest and a subsequent review of the fee paid or the completion of an Individual Assessment determines that the fee paid exceeded the proportionate share to which the City was entitled to receive; or
- d. The City has collected a development Impact Fee and has failed to appropriate or expend the collected fees pursuant to Section below.
- e. Failure to Commence Construction or Encumber Trust Funds.

2. Any Development Impact Fees paid shall be refunded if the City has failed to commence construction of system improvements in accordance with this Ordinance, or to appropriate funds for such construction, within five (5) years after the date on which such fee was paid. Any refund due shall be paid to the owner of record of the parcel for which the Development Impact Fees were paid. The City may hold Development Impact Fees for longer than five (5) years if it identifies in writing: (a) a reasonable cause why the fees should be held longer than five (5) years; and (b) an anticipated date by which the fees will be expended, but in no event greater than eight (8) years from the date they were collected. If the City complies with the previous sentence, then any Development Impact Fees identified in such writing shall be refunded to the Fee Payer if the City has failed to commence construction of system improvements in accordance with this Ordinance, or to appropriate funds for such construction on or before the date identified in such writing.

3. No Refund Due for subsequent reduction in size of development or Service Units. After a Development Impact Fee has been paid pursuant to this Ordinance and after a certificate of occupancy has been issued, no refund of any part of such fee shall be made if the project for which the fee was paid is later demolished, destroyed, or is altered, reconstructed, or reconfigured so as to reduce the size of the project or the number of units in the project.

4. Interest. Each refund shall include a refund of interest at one-half (1/2) the legal rate provided for in Idaho Code §28-22-104 from the date on which the Fee was originally paid.

5. Timing. The City shall make a determination of whether a refund is due within thirty (30) days after receipt of a written request for a refund from the owner of record of the property for which the fee was paid. When the right to a refund exists, the City shall send the refund to the owner of record within ninety (90) days after the City determines that a refund is due.

12-1-8 Collection and Administration of Impact Fees.

A. Payment of Fees. Development Impact Fees shall be paid to the City at the following times:

1. If a Building Permit or Manufactured/Mobile Home installation permit is required, then at the time such permit is issued;

2. If no Building Permit or Manufactured/Mobile Home installation permit is required, then at the time that construction commences; or

3. At such other time as the Developer and the City have agreed upon in writing.

B. Deposit of Development Impact Fees. All monies paid by a Fee Payer pursuant to this Ordinance shall be identified as Development Impact Fees and shall be promptly deposited in the appropriate Account.

12-1-9 Establishment of Trust Fund and Accounts. A Development Impact Fee Trust Fund (the Trust Fund) is hereby established for the purpose of ensuring that the Development Impact Fees collected pursuant to this Ordinance are used to address impacts reasonably attributable to new development for which the Development Impact Fees are paid. The Trust Fund shall be divided into the Accounts. The Trust Fund shall be maintained in an interest bearing account. The interest earned on each Account shall not be governed by Idaho Code § 57-127, as amended, but shall be considered funds of the Account and shall be subject to the same restrictions on uses of funds as the Development Impact Fees on which the interest is generated.

A. First-In/First-Out. Monies in each Account shall be spent in the order collected, on a first-in/first-out basis.

B. Deposit and Management of the Trust Fund.

C. Deposit. All Development Impact Fees collected by the City shall be promptly deposited into the appropriate Account.

D. Maintenance of Records. The City shall maintain and keep accurate financial records for each Account that shall show the source and disbursement of all revenues, that shall account for all monies received, that shall ensure that the disbursement of funds from each Account shall be used solely and exclusively for the provisions of projects specified in the Capital Improvements Plan, and that shall provide an annual accounting for each development Impact Fee Account showing the source and amount of all funds collected and the projects that were funded.

12-1-10 Use of Development Impact Fees.

A. Parks and Recreation Development Capital Facilities. The monies collected from the Development Impact Fees shall be used only to plan for and acquire or construct Development Capital Facilities, or to pay debt service on any portion of any future general obligation or revenue bond issue or similar instrument used to finance the acquisition or construction of Development Capital Facilities within the City, or to reimburse the City for such costs.

B. Capital Improvement Plan Reimbursement. The monies collected from the Capital Improvement Plan Development Impact Fees shall be used only to reimburse the City for the preparation of the Development Impact Fee Study.

C. Limitation on Use. Development Impact Fees shall not be used for any purpose other than System Improvement Costs to create additional improvements to serve new growth, or for reimbursement of the cost of the Development Impact Fee Study. The expenditure of Development Impact Fees is prohibited except in accordance with the requirements of Idaho Code § 67-8210, as amended.

12-1-11 Appeals, Protest and Mediation.

Appeals.

A. Any Fee Payer that is or may be obligated to pay a Development Impact Fee, or that claims a right to receive a refund, reimbursement, exemption or credit under this Ordinance, and who is dissatisfied with a decision made by development Impact Fee Administrator in applying this Ordinance, may appeal such decision to the City Council. The Fee Payer shall have the burden of proving by clear and convincing evidence that the decision was in error.

B. In order to pursue the appeal described in subsection, the Fee Payer shall file a written notice of the appeal with the Development Impact Fee Administrator within thirty (30) days after the date of the decision, or the date on which the Fee Payer submitted a payment of Development Impact Fees under protest, whichever is later. Such written application shall include a statement describing why the Fee Payer believes that the decision was in error, together with copies of any documents that the Fee Payer believes support the claim.

C. The City Council shall hear the appeal within sixty (60) days after receipt of a written notice of appeal. The Fee Payer shall have a right to be present and to present evidence in support of the appeal. The Development Impact Fee Administrator who made the decision under appeal or his or her representative shall likewise have the right to be present and to present evidence in support of the decision. The criteria to be used by the City Council in considering the appeal shall be whether (a) the decision or interpretation made by the Development Impact Fee Administrator, or (b) the alternative decision or interpretation offered by the Fee Payer, more accurately reflects the intent of this Ordinance that new development in the City pay its proportionate share of the costs of system improvements to parks and recreational facilities necessary to serve new development and whether the Ordinance has been correctly applied. The City Council shall issue a decision upholding, reversing, or modifying the decision being appealed within thirty (30) days after hearing the appeal.

D. Payment under Protest. A Fee Payer may pay a Development Impact Fee under protest in order not to delay in the issuance of a Building Permit. A Fee Payer making a payment under protest shall not be estopped from exercising the right to appeal provided herein, nor shall such Fee Payer be estopped from receiving a refund of any amount deemed to have been illegally collected.

E. Mediation.

1. Any Fee Payer that has a disagreement with the City regarding a Development Impact Fee that is or may be due for a proposed development pursuant to this Ordinance, may enter into a voluntary agreement with the City to subject the disagreement to mediation by a qualified independent party acceptable to both the Fee Payer and the City.

2. Mediation may take place at any time following the filing of a timely appeal pursuant to Section, or as an alternative to such appeal, provided that the request for mediation is filed no later than the last date on which a timely appeal could be filed pursuant to Section.

3. Participation in mediation does not preclude the Fee Payer from pursuing other remedies provided for in this Section.

4. If mediation is requested, any related mediation costs shall be shared equally by the Fee Payer and the City, and a written agreement regarding the payment of such costs shall be executed prior to the commencement of mediation.

5. In the event that mediation does not resolve the issues between the parties, the Fee Payer retains all rights to seek relief from a court of competent jurisdiction.

12-1-12 Periodic Reviews.

A. Review and Modification of Capital Improvement Plan. Unless the City Council deems some other period is appropriate, the City shall at least once every five (5) years commencing from the date of the original adoption of the Capital Improvements Plan, review the development potential and update the Capital Improvements Plan in accordance with the procedures set forth in Idaho Code §67-8206, as amended.

B. Annual Review. The City shall annually adopt a capital budget.

C. Audit. As part of its annual audit process, the City shall prepare an annual report (a) describing the amount of all Development Impact Fees collected, appropriated or spent during the preceding year by category of Public Facility and (b) describing the percentage of taxes and revenues from sources other than Development Impact Fees collected, appropriated or spent for System Improvement during the preceding year by category of Public Facility.

12-1-13 Development Impact Fee Advisory Committee.

The City Council shall consider the Development Impact Fee Advisory Committee recommended revision(s) to this Ordinance at least once every twelve (12) months. The Committee's recommendations and the City Council's actions are intended to ensure that the benefits to a development paying Development Impact Fees are equitable, in that the fee charged to the development shall not exceed a proportionate share of system improvements Costs, and that the procedures for administering Development Impact Fees remain efficient.

12-1-14 Enforcement and Collection.

A. When any Development Impact Fee is due pursuant to this Ordinance, or pursuant to the terms of any written agreement between a Fee Payer and the City, and such Development Impact Fee has not been paid in a timely manner, the City may exercise any or all of the following powers, in any combination, to enforce the collection of the Development Impact Fee:

B. Withhold Building Permits or other City approvals related to the development for which the Development Impact Fee is due until all Development Impact Fees due have been paid, and issue stop work orders, and revoke or suspend a Building Permit.

C. Withhold utility services from the development for which the Development Impact Fee is due until all Development Impact Fees due have been paid.

D. Add interest to the Development Impact Fee not paid in full at the legal rate provided for in Idaho Code § 28-22-104, as amended, plus five percent (5%) beginning on the date at which the payment of the Development Impact Fee was due until paid in full.

E. Impose a penalty of five percent (5%) of the total Development Impact Fee (not merely the portion dishonored, late or not paid in full) per month beginning on the date at which the payment of the Development Impact Fee was due until paid in full

F. Impose a lien for failure to timely pay a Development Impact Fee following the procedures contained in Chapter 5, Title 45, Idaho Code.

12-1-15 Miscellaneous Provisions.

A. Nothing in this Ordinance shall prevent the City from requiring a Developer to construct reasonable project improvements in conjunction with a development project.

B. Nothing in this Ordinance shall be construed to prevent or prohibit private agreements between property owners or Developers, the Idaho transportation department and governmental entities in regard to the construction or installation of system improvements or providing for credits or reimbursements for System Improvement Costs incurred by a Developer including inter-project transfers of credits or providing for reimbursement for project improvements which are used or shared by more than one (1) development project.

C. Nothing in this Ordinance shall obligate the City to approve development which results in an Extraordinary Impact.

D. Nothing in this Ordinance shall obligate the City to approve any development Request which may reasonably be expected to reduce Levels of Service below minimum acceptable levels established in this Ordinance.

E. Nothing in this Ordinance shall be construed to create any additional right to develop real property or diminish the City in regulating the orderly development of real property within its boundaries.

F. Nothing in this Ordinance shall work to limit the use by the City of the power of eminent domain or supersede or conflict with requirements or procedures authorized in the Idaho Code for local improvement districts or general obligation bond issues.

G. Nothing herein shall restrict or diminish the power of the City to annex property into its territorial boundaries or exclude property from its territorial boundaries upon request of a Developer or owner, or to impose reasonable conditions thereon, including the recovery of project or System Improvement Costs required as a result of such voluntary annexation.

H. The City shall develop a plan for alternative sources of revenue, which shall include but not necessarily be limited to plans generated during the City's annual budget process, lobbying efforts, tax increment financing, implementation of user fees, administrative and regulatory fees and other forms of revenue.

I. Notwithstanding any other provision of this Ordinance, that portion of a project for which a complete application for a Building Permit has been received by the City prior to the effective date of this Ordinance shall not be subject to the Development Impact Fees imposed by this Ordinance. If the resulting Building Permit is later revised or replaced after the effective date of this ordinance, and the new Building Permit(s) reflects a development density, intensity, development size or number of units more than ten percent (10%) higher than that reflected in the original Building Permit, then Development Impact Fees may be charged on the difference in density, intensity, development size or number of units between the original and the revised or replacement Building Permit.

J. Any monies, including any accrued interest not assigned to specific system improvements within such Capital Improvements program and not expended pursuant to Section or refunded pursuant to Section shall be retained in the same Account until the next fiscal year.

K. If the City discovers an error in the Development Impact Fee Study that results in assessment or payment of more than a proportionate share of System Improvement Costs on any proposed development, the City shall (a) adjust the Development Impact Fee to collect no more than a proportionate share or (b) discontinue the collection of any Development Impact Fees until the error is corrected by ordinance.

L. If Development Impact Fees are calculated and paid based on a mistake or misrepresentation, they shall be recalculated. Any amounts over paid by a Fee Payer shall be refunded by the City within thirty (30) days after the City's acceptance of the recalculated amount, with interest at the legal rate provided for in Idaho Code §28-22-104 from the date on which the Fee was paid. Any amounts underpaid by the Fee Payer shall be paid to the City within thirty (30) days after the City's acceptance of the recalculated amount, with interest at the legal rate provided for in Idaho Code §28-22-104 from the date on which the Fee was paid. In the case of an underpayment to the City, the City may withhold issuance of the Building Permits or development approvals for the project for which the Development Impact Fee was paid until such underpayment is corrected, and if amounts owed to the City are not paid within such thirty (30) day period, the City may also revoke any Building Permits or development approvals issued in reliance on the previous payment of such Development Impact Fee and refund such Fee to the Fee Payer.

M. The Development Impact Fee Advisory Committee established during the preparation of the Development Impact Fee Study shall continue in existence, and shall be composed of not fewer than five (5) members appointed by City Council. Two (2) or more members shall be active in the business of development, building, or real estate. The Committee shall serve in an advisory capacity and has been established to (a) assist the City 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 City any perceived inequities in implementing the plan or imposing the Development Impact Fees; and (e) advise the City of the need to update or revise the Land Use Assumptions, the Capital Improvements Plan, and Development Impact Fees.

12-1-16 Punishment

Any person who violates any provision of this Ordinance shall be guilty of a misdemeanor, punishable by up to one year in the county jail, and/or one thousand dollar (\$1,000.00) fine, or both. Knowingly furnishing false information to any official of the City charged with the administration of this Ordinance, including without limitation the furnishing of false information regarding the expected size, use or impacts from a proposed development, shall be a violation of this Ordinance.

12-1-17 Intent

All provisions, terms, phrases and expressions contained in this Ordinance shall be liberally construed in order that the true intent and meaning of the Idaho Development Impact Fee Act and the City Council may be fully carried out.

Section 2.

SEVERABILITY CLAUSE. If any section, paragraph, sentence or provision hereof or the application thereof to any particular circumstances shall ever be held invalid or unenforceable, such holding shall not affect the remainder hereof, which shall continue in full force and effect and applicable to all circumstances to which it may validly apply.

Section 3.

REPEALER CLAUSE. All Ordinances or Resolutions or parts thereof in conflict herewith are hereby repealed and rescinded.

Section 4.

EFFECTIVE DATE. This Ordinance shall be in full force and effect after its passage, approval and publication according to law.

PASSED AND ADOPTED BY THE KUNA CITY COUNCIL and approved by the Mayor this _____ day of June 2016.

Joe L. Stear, Mayor

ATTEST:

Chris Engels, City Clerk

Publish:

City of Kuna, Idaho Capital Improvements Plan, and Park Impact Fee Calculation Study

The purpose of this document is to establish a Park Impact Fee for the City of Kuna for public facilities authorized by Title 67, Chapter 82, Idaho Code, known as the Idaho Development Impact Fee Act (Impact Fee Act).

Summary of Impact Fee Rates

Impact fees are a one-time charge paid by new development to reimburse local governments for the capital cost of public facilities that are needed to serve new development and the people who occupy or use the new development. The term “developer” is used to describe anyone who is obligated to pay impact fees, including owners, developers or builders.

Types of Improvements

Impact fees can be used for the system improvements costs including construction or reconstruction of system improvements, including the cost of design studies, acquisition, engineering, land surveys, and land and right of way acquisition, engineering, permitting, financing, administrative expense, construction, applicable mitigation costs and capital equipment pertaining to capital improvements to maintain the level of service.

Impact fees can’t be used for construction, acquisition or expansion of public facilities not identified in the CIP; repair, operating or maintenance expenses; upgrading, updating or expanding or replacing existing capital improvements to meet stricter safety, efficiency, environmental or regulatory standards; upgrading, updating or expanding or replacing existing capital improvements to raise the level of service.

The capital expenses that raise the level of service in the park system must be from revenue sources other than impact fees.

Level of Service

LOS is a baseline parameter (such as valuation) which helps define the demand on service by new development. It is required by the Impact Fee Act that the capital improvement plan includes “a description of all system improvements and their costs necessitated by and attributable to new development in the service area based on the approved land use assumptions, to provide a level of service not to exceed the level of service adopted in the development impact fee ordinance.”¹

The LOS is the total calculation of capital facilities, including land, buildings and equipment that provide a service to given amount of development.

Parks and Recreation Service Level

Traditionally, the level of service is calculated in acres per 1,000 persons. This service level is based on one attribute of service; land acquisition to new development. In reality the level of service provided by the parks system can be enhanced by improvements to existing land as well as acquisition of new land. There will be periods of extensive land acquisition followed by

¹ See Section 67-8208(1)(f), Idaho Code

periods of focusing on the development of the land. The measure used to determine the level of service in the Kuna Park system is based on the replacement value of existing park and recreation land and facilities to the number of equivalent dwelling units in the City. (Population/homes)

The Kuna City Parks currently serve an estimated population of 18,430², according to Compass, with approximately 5,865 households. (Figure 1)

Figure 1

2016 Population and Housing Data		
Population	Residential Units	Average Per Unit
18,430	5,865	3.1

Parks Infrastructure Costs

Park impact fees are based on the current inventory of city parks and their replacement value. As required by Idaho Code 67-8204(2), the levels of service are applicable to the existing development as well as new growth and development. Since there has never been an Impact Fee assessed to new development, staff went through and established a base line cost on the current level of service. Currently the City has a cost of \$302.90 per person. Staff also calculated the acres per 1,000 residents, 6.53 acres per 1,000 residents of land and 3.15 acres per 1,000 residents of developed park space. (Figure 2)

² *Compass Demographics: Current and Historical Population Estimates*
Capital Improvements Plan and Park Impact Fee Calculation Study
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Figure 2

Park	Parking Lot	Pathways	Natural	Grass		
Arbor Ridge				7.2	City Owned	
Butler				1.14	City Owned	
Baseball Fields				2.7	City Owned	
Crimson Point			20.5		City Owned	
Nicholson	0.4		5	4.4	City Owned	
Discovery Creek			6.75		City Owned	
Well 5	0.19		4.3	0.17	City Owned	
Winchester	0.23			5.8	City Owned	
Sadie Creek				4.4	City Owned	
Chaparosa				1.14	City Owned	
East Greenbelt		2659		2.95	Working on getting it from ACHD	
West Greenbelt	0.93	3968		16.34	R.R. Right away, leasing	
Bernie Fisher Park				2.3	City Owned	
Farm	0.27			3	City Owned	
Avalon Comm. Garden				0.2	City Owned	
C.P. Comm. Garden				0.5	City Owned	
Indian Creek Comm. Garden				2.3	Lease with School District	
Meadowview Property			20		City Owned	
	2.02		56.55	54.54		
		6627				
			Total:	113.11		
			Population:	17320		
					Total Acres per 1,000	6.53
					Total Developed Acres per 1,000	3.15

Shown in Figure 3, is the current park assets and the replacement cost associated with each amenity. Staff went through and inventoried every park so we didn't leave anything out. Staff then got the prices from local contractors, staff and Playground equipment companies so we could get an accurate value for each amenity. All of these costs are a reflection of how much the City has invested in each park, it also gives a replacement value for each park.

Figure 3

	Arbor Ridge	Butler	B.B. Fields	Nichols on	Chapp	Well 5	Winchester	Sadie Creek	E. Greenbelt	W. Greenbelt	Bernie Fisher	Farm
Acres	7.2	1.14	2.7	4.4	1.14	0.17	6.03	4.4	2.95	16.34	2.3	3
Parking Lot	\$132,042.00		\$72,486.00	\$38,327.50		\$22,080.00	\$45,968.00	\$7,245.00		\$78,969.00	\$72,486.00	\$101,312.00
Playground Equip	\$37,250.00	\$30,822.00					\$27,906.00				\$67,520.00	
Sprinkler System	\$37,440.00	\$5,928.00	\$14,040.00	\$22,880.00	\$5,928.00	\$884.00	\$31,356.00	\$22,880.00	\$15,340.00	\$84,968.00	\$11,960.00	\$15,600.00
Picnic Tables	\$2,532.00	\$2,532.00		\$2,532.00			\$2,532.00	\$3,000.00		\$5,064.00	\$20,889.00	\$2,535.00
Benches	\$1,184.00	\$2,970.00		\$1,208.00						\$7,500.00	\$1,400.00	
Basketball Court											\$25,250.00	\$26,210.00
Swings		\$9,320.00					\$3,682.00				\$3,682.00	
Structures				\$3,600.00				\$3,600.00			\$43,200.00	
Electricity										\$35,000.00	\$33,000.00	
Restrooms										\$134,200.00	\$134,200.00	
Horse Shoe pits										\$1,000.00	\$500.00	
Volleyball court										\$4,500.00		
Frisbee golf									\$4,696.00	\$9,504.00		
Trees	\$22,000.00	\$10,600.00	\$6,400.00	\$3,600.00	\$7,200.00	\$1,600.00	\$30,400.00	\$7,200.00	\$10,000.00	\$51,600.00	\$18,800.00	\$2,800.00
Shrubs	\$1,380.00				\$380.00			\$130.00				
Trashcan Recpt		\$2,810.00		\$682.00			\$1,164.00				\$2,982.00	\$1,164.00
Bike Rack		\$800.00								\$700.00	\$800.00	
Pathways		\$16,735.00							\$83,758.50	\$107,136.00		
Skate Park										\$90,000.00		
Backstop			\$20,000.00									
Dugouts			\$2,100.00									
Dirt Work	\$70,600.00	\$9,120.00	\$21,600.00	\$35,200.00	\$9,120.00	\$1,500.00	\$48,240.00	\$35,200.00	\$33,360.00	\$145,370.00	\$18,400.00	\$24,000.00
Snack Shack			\$30,000.00									
Batting Cage			\$5,000.00									
Sod	\$94,089.60	\$14,897.52	\$32,670.00	\$57,499.20	\$14,897.52	\$2,221.56	\$78,800.04	\$57,499.20	\$28,749.60	\$202,423.32	\$30,056.40	\$39,204.00
Total Per Park	\$398,524.80	\$106,535.66	\$204,298.70	\$165,533.10	\$37,526.66	\$28,285.73	\$270,054.07	\$136,758.60	\$209,107.05	\$957,950.66	\$485,127.70	\$212,828.00
Price Per Acre												
Total	\$55,350.67	\$93,452.33	\$75,666.19	\$37,621.16	\$32,918.12	\$4,808.57	\$44,785.09	\$31,081.50	\$70,883.75	\$58,626.11	\$210,925.09	\$70,942.67

Average Price Per Park

Total	\$267,710.89
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Average

Average Price Per Acre

Total	\$62,053.91
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As shown in Figure 4, the City has a total of \$5,582,528.43 invested into the Park system. Included in the total is the cost of land at \$25,000 an acre. Also included is the percent of equity we used to calculate the level of service. The Parks that have all amenities rated at 100%, the parks with only unimproved land are rated at 41 %.

Figure 4

Park	Land Cost	Amenities	Replacement Value	% Equity	Amount to Include in Fee
Arbor Ridge (7.2 Acres)	\$252,000.00	\$389,524.80	\$637,524.80	100	\$650,524.80
Butler (1.14 Acres)	\$39,900.00	\$106,535.66	\$146,435.66	100	\$146,435.66
Baseball Fields (2.7 Acres)	\$67,500.00	\$204,298.70	\$261,798.00	100	\$271,798.70
Crimson Point (20.5 Acres Land Only)	\$512,500.00		\$512,500.00	41	\$512,500.00
Nicholson (4.4 Acres)	\$100,000.00	\$165,533.10	\$265,528.70	100	\$265,533.10
Discovery Creek(6.75 Acres Land Only)	\$168,750.00		\$168,750.00	41	\$168,750.00
Well 5 (4.66 Acres)	\$111,750.00	\$28,285.73	\$139,895.56	100	\$140,035.73
Winchester (7.06 Acres)	\$156,500.00	\$270,054.07	\$426,548.04	100	\$426,554.07
Sadie Creek (5.9 Acres)	\$110,000.00	\$136,758.60	\$243,757.00	100	\$246,758.60
Chapparosa (1.14 Acres)	\$28,500.00	\$37,526.66	\$66,035.52	100	\$66,026.66
East Greenbelt (2.95 Acres)	\$73,350.00	\$209,107.05	\$239,254.10	100	\$282,457.05
West Greenbelt (16.34 Acres) R.R. ROW		\$957,950.40	\$935,100.66	100	\$957,950.66
Bernie Fisher (2.3 Acres)	\$57,500.00	\$485,125.40	\$542,625.40	100	\$542,625.40
Farm (3.27 Acres)	\$81,750.00	\$212,828.00	\$294,578.00	100	\$294,578.00
Avalon Comm. Garden (.2 Acres)	\$5,000.00	\$5,000.00	\$9,000.00	100	\$10,000.00
C.P. Comm. Garden (.5 Acres)	\$12,500.00	\$5,000.00	\$17,500.00	100	\$17,500.00
Indian Creek Comm. Garden (2.3 Acres)	\$57,500.00	\$25,000.00	\$82,500.00	100	\$82,500.00
Meadow View Property	\$500,000.00		\$500,00.00	41	\$500,000.00
Total Replacement					\$5,582,528.43
			Price Per Resident		\$302.90

Calculation of Parks Impact Fee

The calculation of the Impact Fee, Figure 5 below, is based on the current value of level of service divided by the population. That will give us the price per resident, we multiply that by the average resident per unit (3.1) to get the Impact Fee of \$939.00 per equivalent dwelling unit.

Figure 5

Current Value of Level of Service	\$5,582,528.43
Population	18,340
Cost per Resident	\$302.90
Average Resident Per Unit	3.1
Residential	\$939.00
Commercial	\$0.00

Parks Capital Improvement Plan

Kuna's 10 year population growth, according to Compass³, is approximately eight thousand residents (8,000). Figure 6 below, shows the projected growth Kuna will have through twenty forty (2040). This would justify an increase of 52.24 acres of new park land and 25.2 acres of the 52.24 acres would be developed to maintain the 3.15 developed acres per one thousand residents. Figure 7 below shows the cost of land purchases, cost of construction of current undeveloped parks as well as new construction and equipment that will be needed.

Figure 6

Kuna Projected Growth Through 2040						
2010	2015	2020	2025	2030	2035	2040
17,850	20,311	22,397	28,192	35,961	46,079	50,992

The three items on the CIP, Figure 7 below, are the General Fund contributions, Grant Contributions and Impact Fee contributions. The General Fund contributions are a list of projects, staff and equipment that are going to be budgeted out of the general fund. Grant contributions will come from applying for connectivity with trails as well as walking paths in current parks. The Impact Fee contributions include cost of land, construction costs and equipment costs.

Park Values are calculated at \$85,273.20 per acre. This includes the price of land and development. These prices were from the average amount the City has invested in the current parks, \$60,273.20 and the price of land at \$25,000 an acre. Equipment needs are based on what we have currently and what we will need with growth.

³ *Compass Communities in Motion 2040 Vision Forecast by Demographic Areas*
Capital Improvements Plan and Park Impact Fee Calculation Study
Page 7 of 9

Figure 7

Total Parks CIP Summary 2025				
CIP Description	Grants	General Fund	Impact Fee	Amount
Park Land Acquisition			\$470,000.00	\$470,000.00
New Amenities/Green Up	\$100,000.00		\$550,000.00	\$650,000.00
Crimson Point Construction			\$250,000.00	\$250,000.00
Discovery Creek Construction			\$200,000.00	\$200,000.00
Pathway	\$199,800.00	\$67,000.00		\$266,800.00
Large Areal Mower		\$57,000.00		\$57,000.00
Picnic Shelters		\$22,500.00		\$22,500.00
Parking Lots Paved		\$150,000.00		\$150,000.00
Employee		\$45,000.00		\$45,000.00
Employee Arborist		\$50,000.00		\$50,000.00
Employee		\$45,000.00		\$45,000.00
Mini Excavator		\$35,000.00		\$35,000.00
Restroom		\$150,000.00		\$150,000.00
RTV		\$40,000.00		\$40,000.00
RTV			\$20,000.00	\$20,000.00
RTV			\$20,000.00	\$20,000.00
Truck		\$28,000.00		\$28,000.00
Truck		\$28,000.00		\$28,000.00
Truck			\$28,000.00	\$28,000.00
Trailer		\$8,000.00		\$8,000.00
Greenbelt Lighting		\$75,000.00		\$75,000.00
	\$299,800.00	\$800,500.00	\$1,583,000.00	\$2,638,300.00

Projected Impacted Fee Income

Based on the previous ten year population growth⁴, 2005-20015, the City has grown an average of 574.3 residents a year. From 2005 to 2010 the City saw a growth of 924.6 residents per year. That is an approx... 4,600 residents that moved to Kuna in five years. The average population growth from 2010 to 2015 was 224 residents per year. What these numbers signify are the population growths pre-recession and post-recession. Taking the ten year average will give us a more realistic number we can calculate how much impact fee monies will accumulate each year.

⁴ Compass Current and Historical Population Estimates
Capital Improvements Plan and Park Impact Fee Calculation Study
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	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
	10,587	12,647	14,261	14,830	15,900	15,210	15,470	15,650	15,960	16,070	17,320
Growth		2,060	1,614	569	1,070	-690	260	180	310	110	260
	Total Growth 05-10			4,623				Total Growth 11-15			1120
	Avg. over 5 years			924.6				Avg over 5 years			224
			Growth over ten years			5,743					
			10 Year Average			574.3	A Year				

The calculation of the Impact will give an annual budgeted number to budget with. In order to get that number we have to divide the average growth, 574.3, by the average number of residents per unit, 3.1, and we will get 185.26. We then multiply the 185.26 by the price per building permit, \$983.10, to get the annual anticipated income from Impact Fees at \$182,129.82 and \$1,821,298.22 over ten years.

KUNA PARKS



Legend

CITY PARKS

PARK_NAME

- ARBOR RIDGE PARK
- Avalon Comm. Garden
- BMX PARK
- BUTLER PARK
- CHARPOSA PARK
- COL. BERNIE FISHER PARK
- Crimson Point
- Crimson Point Comm Garden
- Discovery Creek
- East Greenbelt
- GREENBELT
- Indian Creek Comm Garden
- KUNA BALL PARK
- MeadowView
- NICHOLSON PARK
- SADIE CREEK
- SKATE PARK
- THE FARM PARK
- WINCHESTER PARK
- Well # 5



City of Kuna

Activity Connection Plan



*This plan made possible with funding provided by the City of Kuna
from a grant given by the Blue Cross Foundation of Idaho..*

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What is an Activity Connection Plan...

...an Activity Connection Plan or ACP, is a planning model that improves the physical activity rates in a community. Typically, this is done by assessing physical activity sites and the adjoining street network to suggest ways to improve or enhance both to improve safety and increase use. In the case of the Kuna Activity Connection Plan, the City opted to employ part of the model by looking solely at parks and to evaluate funding mechanisms, namely development impact fees, to help offset the anticipated costs. To achieve this goal, a plan was crafted that included several steps: 1. a physical inventory and field visit to each site. 2. a evaluation of a recently completed park and recreation public survey, 3. a public outreach effort held at Kuna Days, 4. an evaluation of on-line examples of current impact fee programs, and 5. a draft plan that was vetted and improved by City staff. The result of the effort is the herein produced plan. To illustrate the kinds of recommended improvements made for park settings, the following graphic is included though it is worth noting that not all of the sample images are included in the Kuna plan.

Sample Site Improvements



A.



B.



C.



D.



E.



F.



G.



H.



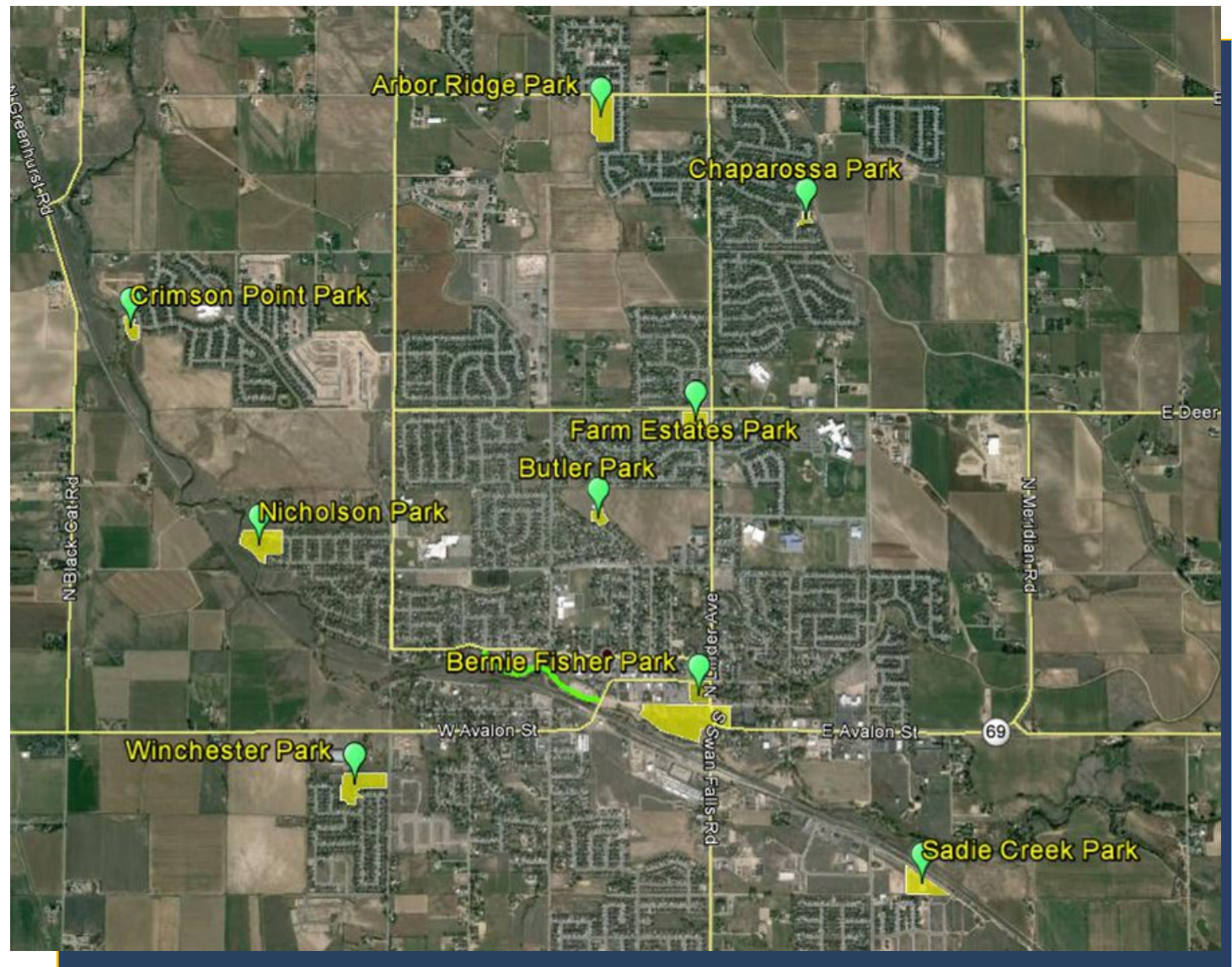
I.

A. Route map signage B. Full scale board games C. Adult workout stations D. Track lighting E. Community banners F. Public art G. Bike parking H. Promotional flags I. Modern children play equipment

Park Facility Map

Park & Acreage

Arbor Ridge	7.2
Chaparossa	3.0
Crimson Point	10.0
Farm Estates	4.0
Butler	3.0
Nicholson	9.9
Bernie Fisher	2.6
Winchester	6.0
Sadie Creek	8.7
Greenbelt	19.7



Arbor Ridge Park Primary Site

Site Assets

- Green Space
- Picnic Tables
- Play Ground Equipment
- Paved Parking Lot
- Port-a-Potty
- Soccer



Site Description– Arbor Ridge Park is a very large complex primarily utilized for soccer matches. The site has a play ground, picnic tables and a portable restroom. At 7.2 acres, the park holds significant opportunity to bring additional recreational opportunities to the community.

Recommended Site Improvements:

- Additional bicycle parking throughout, with some sheltered from sun exposure
- Additional shade trees are needed along the perimeter of the park and at a minimum in the vicinity of the child playground area.
- Given the nature of the park, age of soccer players (typically younger) and proximity to local neighborhoods, adding a perimeter chip trail or compacted rock fines trail would provide a .40 mile loop. The trail can be used by patrons while letting their kids play at the playground, or by the soccer players as a warm up space.
- The west side of the complex appear highly under utilized due to the separation caused by the irrigation ditch. With so many soccer matches being played, adding several covered awnings or gazebos, tables and charcoal barbeque stations would be valuable to give residents and match observers a place to meet, picnic, host parties, and have post game events.
- Improved area signage and promotional flags/banners.
- Consider adding a lifesize board game.



Chaparosa Park Secondary Site

Site Assets

- Green Space
- Picnic Area



Site Description– Chaparosa Park is a secondary facility and under three acres in total size. However, since the park acts as a retaining site for storm-water collection, given certain times of the year, much of the site is not functional due to flooding, saturated grass, or mosquito breeding. The proximity to a nearby Home Owners Association park means that improvements should be complimentary to the options at that park and not duplicative.

Recommended Site Improvements:

- One additional bike rack to encourage bicycle riding to the park
- One gazebo pad site with charcoal barbeque pit
- Consider a sand volleyball court
- Adding up to 3 Tetherball courts would help attract use by neighborhood children
- Improved area signage and promotional flags/banners.

A simple tetherball court adds a fun activity for kids and families and are generally a low cost investment.



Crimson Point Park Secondary Site

Site Assets

- Picnic Area
- Access to Indian Creek



Maintenance at the site is needed in the way of landscaping, and weed abatement as sizeable "goathead" patches have grown into the multiuse path.



Site Description– Currently, the improved portion of Crimson Point Park is a small space primarily used for city water functions and stormwater collection. However, the 10 acre park will eventually have a significant area fully landscaped adding to the limited existing space. The site accesses Indian Creek providing an opportunity to enhance the use of the creek for area residents.

Recommended Site Improvements:

- Improved area signage and promotional flags/banners.
- Develop small landing area for floaters of Indian Creek.
- Bike racks, especially if floating activities increase.

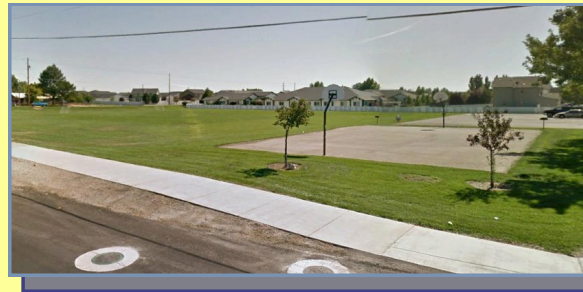


Clearly there is an existing desire to float Indian Creek and given the current and planned multiuse path and associated pedestrian bridge, Crimson Point Park could play a larger role in recreational activities in the western part of Kuna.

Farm Estates Park Primary Site

Site Assets

- Basketball Court
- Paved Parking Lot
- Green Space
- Charcoal BBQ
- Picnic Tables



Site Description– Farm Estates is a large park area in the north central part of Kuna and is mostly comprised of lawn space which is used for soccer. The park has significant potential given its four acres and close proximity to neighborhoods.

Recommended Site Improvements:

- Bike racks to accommodate the youth and adult soccer players.
- Consider adding a Bocce court, benches and shade trees (Proximity to Kuna Living Center)
- Shade trees are needed around the basketball court and soccer fields considering the park is in an open area without protection from summer sun and heat.
- Outdoor workout area would work in this space given the flat ground, proximity to numerous residential areas and distance away from the greenbelt (possible second site)



Butler Park Secondary Park

Site Assets

- Play ground equipment
- Swings
- Picnic Tables
- Open Green Space



Site Description– The three acres at Butler Park contain a mixture of a neighborhood activity park and a water well access site. The park has plenty of shade trees, playground equipment and swings, and picnic benches and green lawn space.

Recommended Site Improvements:

- Improved area signage and promotional flags/banners.
- Up to two tetherball courts would help augment the play area for kids.
- A grass volleyball court in the open green area would be a natural fit given the residential area surrounding the park.
- Water fountain in the playground area is recommended.



Placing significant wayfinding signage such as pictured, will help Kuna residents to both find existing Kuna parks and to be reminded of their presence as many are a challenge to find currently.

Nicholson Park Primary Site

Site Assets

- Fishing
- Parking Area
- Porta Potty
- Picnic area
- Indian Creek access



Site Description– One of the true potential gems of the Kuna Park system, Nicholson Park site on the western edge of the city and has a fully stocked pond, gazebo, lawn space and walking path around the perimeter. With additional amenities for all residents, significant signage updates, and continued programmatic improvements the park could be a model in the region.

Recommended Site Improvements:

- The park layout is perfect to establish a Frisbee golf course around the outside of the pond on the west side of the park grounds.
- Several large shade trees should be planted around the perimeter of the pond as it is currently highly exposed to sun and summer heat.
- Consider adding bike parking to foster active transportation to the pond.

The pond and park site is currently exposed to summer heat which can detract from the City asset. Adding several trees should help give users a more comfortable experience.



Winchester Park Primary Site

Site Assets

- Fishing
- Picnic tables
- Charcoal BBQ grills
- Porta potty
- Playground equipment
- Swings
- Rose garden
- Playing field



Site Description– Located on the far southwest part of Kuna, the six acre Winchester Park is full of activities for area residents. The park includes a pond, soccer fields and lawn space, playgrounds, rose garden and swings. With its numerous offerings, the park should be improved with modest upgrades with a continued focus on maintenance do in part to a low water table.

Recommended Site Improvements:

- With no other basketball courts existing in the immediate area and the park in a residential area, constructing a full court basketball court is possible and recommended.
- Promotional signage and celebratory banners/flags in the nearby area.
- Additional bike parking at the east and west end of park.
- Regularly treat the park for mosquitos.
- Consider adding a lifesize board game.

A well built, full court basketball court is a strong investment for Kuna, especially in the area of Winchester Park which doesn't have such a nearby facility.



Bernie Fisher Park Primary Site

Site Assets

- ADA Restrooms
- Covered Shelters
- Play Ground Equipment
- Swings, Picnic Tables
- Power
- Charcoal BBQ
- Hard Top Volleyball Court



Site Description– By far the most kid friendly and accommodating park in Kuna, Bernie Fisher Park houses several active play features like playgrounds, swings, half court basketball, picnic shelters, and other enhancements.

Recommended Site Improvements:

- Additional bike parking is needed throughout the park.
- Several additional water fountains should be considered.
- Repair picnic shelter roof shingles.
- Consider a modern marry-go-round, highly requested by area residents.
- Consider adding a lifesize board game like checkers.



Pictured: (Left) Shelter roof damage, (Above) Modern and modest merry-go-round

Sadie Creek Park Primary Site

Site Assets

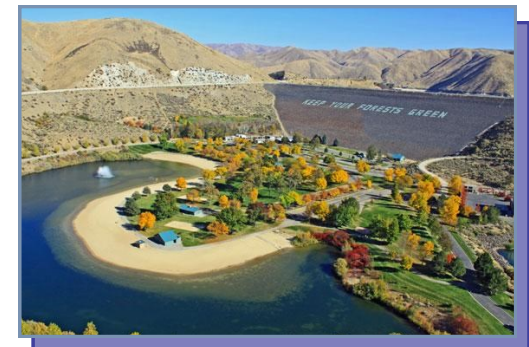
- Large Green Space
- Picnics Area
- Swimming pond
- Beach for sun bathing
- Parking lot,
- Porta Potty



Site Description– Sadie Creek Park has what could be considered the highest potential for success in the Kuna park network. The foundation of a swimming pond and beach gives a theme that if continued and bolstered could make for a highly unique and in demand space. Taking the “beach” or “lake” to Kuna in the form of a 8.7 acres park will give residents a park that they will relish. Considering the overwhelming success of Discovery State Park, a modest yet similar version could thrive in Kuna with improvements.

Recommended Site Improvements:

- Consider a splash pad beyond beach area, near the eastern lawn space.
- Add a center pond fountain to improve water quality and add appeal for swimmers.
- Consider several large shade trees to cool the pond temperature, minimize algae growth and provide respite from summer sun.
- Construct a beach volleyball court.
- Consider fire pits and picnic shelters to help draw users throughout the year.
- Adding a waterslide in later years would add yet another major attraction that does not exist in the public realm and has demonstrated demand.
- Outdoor showers would be another desired addition if the other improvements are made.



Sadie Creek Park Primary Site



A rendering of what adding shade trees and a fountain would add to the pond area of Sadie Creek Park.

Site Assets

- Large Green Space
- Picnics Area
- Swimming pond
- Beach for sun bathing
- Parking lot
- Porta Potty

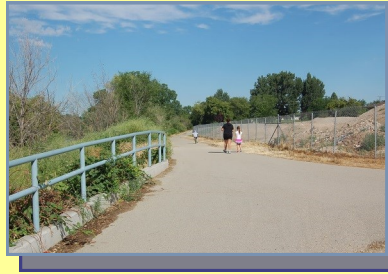
Adding a sand volleyball court, splash pad, possible waterslide and a large pond fountain extends the concept of “beach” or “lake” to Kuna and adds additional attractions to the park site.



Kuna Greenbelt Primary Site

Site Assets

- Restrooms
- Picnic Area
- Electricity
- Access to Indian Creek
- Walking Path
- Tables, Benches
- BMX Race Track
- Skate Board Park
- Little League Baseball Fields

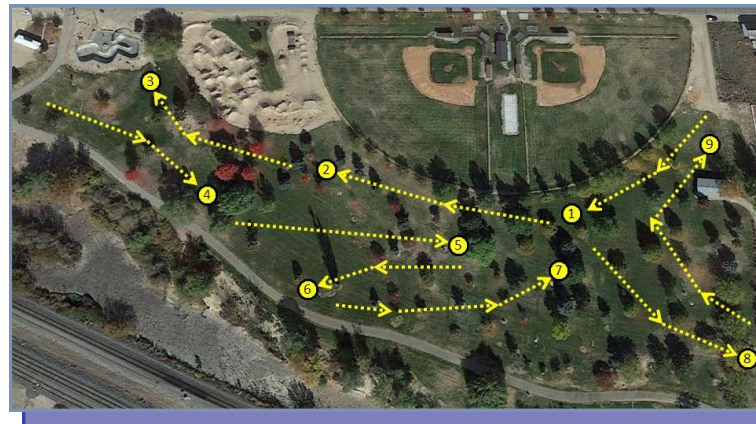


Site Description— At over 19 acres, the Kuna Greenbelt is more than a river side multi-use trail but also an open greenspace, creek access, activity site and cultural asset. The greenbelt is slated for significant expansion as opportunities along the creek present themselves, but several additions to the current site would improve the existing segment for area residents.

Recommended Site Improvements:

- Additional water fountains, benches, and bike racks along the trail route.
- A Frisbee golf course can be added throughout the green area, tree space without significant costs.
- Consider a rock wading/splash pool in the dirt section south of the skate park similar to what is pictured. This addition would act as an extension of the creek and draw more kids and families to the downtown area.

(Lower right) Building a rock splash pond along the creek adds another fun dimension to the greenbelt. (Below) Adding a Frisbee golf course south of the ball fields along the greenbelt trail would be relatively inexpensive and promote walking for participants.



Public Process Kuna Days

Perhaps due in part to the time of year when asked, but overwhelmingly, the most common answer by Kuna Days guests when asked what they would like to see in Kuna parks, was a public swimming pool.



Process Description— To attempt to capture the sentiment of local residents, a public outreach effort was made at the annual Kuna Days celebration. A table was staffed and included a simple fill-in-the-blank sheet of paper that sought to determine what residents wanted most in Kuna Parks. Over 50 people stopped and gave their opinions and had conversations about other elements, concerns and desires of the park system as a whole, 40 provided written comments. The results of the public process are summarized below:

Answers in order by total

- (24) Build a public swimming pool or splash pad*
- (4) Add more or bigger playground equipment*
- (3) Put back in merry-go-round*
- (2) Extend Indian Creek Greenbelt*
- (1) Expand BMX park*
- (1) Improve maintenance*
- (1) Improve handicapped options/access*
- (1) Better/permanent bathrooms*
- (1) More basketball courts*
- (1) Tot/toddler equipment*
- (1) A bounce house*

Impact Fee Analysis

Current Conditions

Population: 16,080

Total Park Acres: 53

Acres per 1,000 People: 3.3

(Assuming goal of 3 per 1,000)

Future Conditions

2040 Population: 25,991

Needed Park Acres: 78

Future Shortfall: 25

Idaho Code Requirements Summary:

- **Adopted Ordinance**
- **Capital Improvement Plan**
- **Annual Collection/Expenditure Report**
- **Fee Schedule**
- **Fees Spent w/in 8 years**
- **Fees Linked to Proportionate Share**
- **Fees Based on Adopted Level of Service**

As part of this project, a review of existing community parks impact fee ordinances was conducted to determine common practices, identify strengths or perspectives, and generate recommendations for the City to develop its own Parks and Recreation Impact Fee Ordinance. The follow pages give a brief summary of each of the six policies reviewed and is followed by a series of recommendations.

Idaho Communities

Driggs— the small town of Driggs has roughly 1600 residents and a calculated park acre rate of 13.9 acres per 1,000 people. Based on the projected 2017 population calculated when the plan was written in 2008, the City would need 22 new acres to maintain the current level of service. The calculation of impact fee need based on projected growth meant that each new residential unit would require a fee of \$4,891 to comply with the Capital improvement Plan requirements. A simple fee calculation is provided:

**Exhibit 11.
Parks and Recreation Capital Improvement Plan, 2008 through 2017**

Type of Capital Infrastructure	CIP Value	times	Growth Portion ⁽⁷⁾	times	Shared Facility (% in fee)	equals	Amount to Include in Fees
Community Parks (\$225,000/acre in land and development costs)							
New Community Park Acreage (1.0 acres) ⁽¹⁾	\$ 225,000		100%		100%		\$ 225,000
New 4 Diamond Baseball Complex (14.7 acres) ⁽²⁾	\$ 3,307,500		52%		100%		\$ 1,724,964
2 Field Soccer Complex (5.5 acres) ⁽³⁾	\$ 1,237,500		52%		100%		\$ 645,395
Gravel Yard/Disc Golf Course (8 acres) ⁽⁴⁾	\$ 1,200,000		0%		100%		\$ -
Additions to Existing Parks							
2 Tennis Courts ⁽⁵⁾	\$ 50,000		52%		100%		\$ 26,077
1 BMX Terrain Park ⁽⁶⁾	\$ 150,000		52%		100%		\$ 78,230
Equipment (with at least a ten year useful life)							
Additional Mower	\$ 65,000		100%		100%		\$ 65,000
Total Infrastructure	\$ 6,235,000						\$ 2,764,665
Plus Cost of Fee-Related Research							
Impact Fee Study	\$ 35,000		100%		33%		\$ 11,550
Grand Total	\$ 6,270,000						\$ 2,776,215

Impact Fee Analysis

Current Conditions

Population: 16,080

Total Park Acres: 53

Acres per 1,000 People: 3.3

(Assuming goal of 3 per 1,000)

Future Conditions

2040 Population: 25,991

Needed Park Acres: 78

Future Shortfall: 25

Idaho Communities (Cont.)

Meridian- Meridian is among the most populated cities in Idaho, and a neighbor of Kuna. As of 2006 when the Impact Fee report was written, the City maintained 183 acres of park space and based on the population at the time, the established level of service was 2.78 park acres per 1,000 residents. The level of investment stood at \$1,612 per residential unit. The calculated impact fee per unit necessary to maintain the level of service was \$1,384. The calculation was derived in part by using the following mechanism:

Calculation of Impact Fees	
Future Value of Parks & Recreation Capital Improvements ⁽¹⁾	\$18,172,783
Future Land Use Percentage	
Residential	100%
Nonresidential	0%
Allocated Value by Land Use Category	
Residential	\$18,172,783
Nonresidential	\$0
Growth to 2016	
Residential (total dwelling units)	13,134
Nonresidential (in square feet)	3,628,928
Impact Fee by Unit of Development (rounded)	
Residential (per dwelling unit)	\$1,384
Nonresidential (per square foot)	N/A

Sandpoint- The City of Sandpoint recently had a Citywide impact fee calculation report drafted in 2012. The City has over 93 acres of park space and an existing level of service of 10.7 acres per 1,000 residents, but an adopted level of service of 8 acres per 1,000. Full estimated costs for the CIP, totaled \$8.6 Million which was then calculated down to a per acre figure. Ultimately, the report determined improvement costs on a per person basis of \$1,147, which then bore a cost per housing type to determine a per unit impact fee. (Bottom)

Park	Current City Classification	Developed Acreage	Undeveloped Acreage	TOTAL Acreage	Baseball Softball Fields	Football Soccer Fields	Multisport Fields	Basketball Tennis Volleyball # of cts	Boating/Fishing #	Buildings	Restrooms	Miscellaneous & Infras* (dev acres)	Playground Equipment	TOTAL Value Improvements
1 City Beach	Community Park	22.10		22.1				6.00	2.00	\$250,000	\$175,000	22.10	1.00	\$1,960,000
2 3RD Avenue Pier	Neighborhood Park	0.26		0.3								0.26		\$13,000
3 Hickory Street Park	Neighborhood Park	2.29		2.3						\$11,500		2.29		\$126,000
4 Lakeview Park	Neighborhood Park	12.00		12.0					1.00	\$172,000	\$60,000	12.00	1.00	\$892,000
5 Cedars Park	Neighborhood Park		2.56	2.6								0.00		\$0
6 Main Street Right of Way	Neighborhood Park		5.00	5.0								0.00		\$0
7 Centennial Park	Special Use Area	7.3		7.3		2.00				\$6,200		7.26		\$619,200
8 Farmin Park	Special Use Area	0.3		0.3								0.28		\$14,000
9 Great Northern Park	Special Use Area	7.2		7.2		2.00					\$18,750	7.19		\$628,250
10 Jeff Jones Town Square	Special Use Area	0.3		0.3							\$160,000	0.30		\$175,000
11 Old 9th Grade Center Field	Special Use Area	1.5		1.5			1.00					1.54		\$107,000
12 Outdoor Shooting Range	Special Use Area	6.0		6.0						\$40,000		6.00		\$340,000
13 Pine Street Park	Special Use Area	1.9		1.9			1.00					1.93		\$126,500
14 Travers Park	Special Use Area	17.8		17.8	4.00	1.00		4.00		\$72,800	\$93,000	17.80	1.00	\$1,970,800
15 War Memorial Field	Special Use Area	4.6		4.6	1.00	1.00				\$1,162,148		4.64		\$1,644,148
16 Humbird Mill Park	Trailhead		2.0	2.0								0.00		\$0
Total Units		89.6	9.6	99.2										
					5.00	6.00	2.00	10.00	3.00	\$1,714,648	\$506,750	83.59	3.00	
					\$125,000	\$125,000	\$30,000	\$60,000	\$10,000			\$50,000	\$50,000	
					\$625,000	\$750,000	\$60,000	\$600,000	\$30,000	\$1,714,648	\$506,750	\$4,179,500	\$150,000	
					Unit Price Value (Units x Price)									
					Land									
					\$2,794,500									
					Improvements									
					\$8,615,898									
					Cost per Developed Acre									
					\$103,073									

* Miscellaneous site improvements includes such items as parking, roads, picnic tables, benches, drinking fountain, signage and landscaping. Infrastructure includes such items as irrigation, electricity, water, lighting, drainage and earth work. Sports fields calculate irrigation cost into field cost.

Parks and Recreation Impact Fee Schedule

Residential			Impact Fee per Housing Unit		
Unit Type	Number of Bedrooms	Persons per Housing Unit	Proposed Fee	Current Fee	Increase (Decrease)
Multifamily/Other	All Sizes	2.12	\$2,437.00	\$2,058.47	\$378.53
Single Family	0-3	1.97	\$2,256.00	\$2,058.47	\$197.53
Single Family	4+	2.95	\$3,378.00	\$2,058.47	\$1,319.53
Single Family	Avg	2.19	\$2,510.00	\$2,058.47	\$451.53

Impact Fee Analysis

Current Conditions

Population: 16,080

Total Park Acres: 53

Acres per 1,000 People: 3.3

(Assuming goal of 3 per 1,000)

Future Conditions

2040 Population: 25,991

Needed Park Acres: 78

Future Shortfall: 25

Out of Area Communities

Lakeland, Florida— When generating an LOS for their City park impact fee, the city determined that 5.98 acres per 1,000 residents was appropriate. An element different than all other cities reviewed is the inclusion of architecture & design fees into total asset calculation. As a rule the city uses a 10% estimate for such services when quantifying the total park costs. Additionally, the city calculated the square footage and total acreage of support facilities and equipment along with costs, the determine a cost per acre of the facilities within the actual site. The total impact fee includes land, equipment, support and maintenance facilities and design fees. A calculated impact fee of \$1,460 per residents and \$3,000 per single family household was established.

Land Replacement Value & Total Impact Cost per Resident	
Component	Figure
Land Replacement Cost per Acre ⁽¹⁾	\$100,000
Landscaping, Site Preparation, and Irrigation Costs (per acre) ⁽²⁾	\$10,000
Total Land Cost per Acre⁽³⁾	\$110,000
Facility & Equipment Cost per Acre ⁽⁴⁾	\$124,608
Total Land & Facility Cost per Acre⁽⁵⁾	\$234,608
Parks LOS (acres per 1,000 Residents) ⁽⁶⁾	6.21
Parks and Recreation Total Cost per Resident⁽⁷⁾	\$1,456.92

Atlanta, Georgia— In 1993, Atlanta decided not to include park facilities into their calculation and selected a lower level of service than what existed. This decision meant that the City had excess capacity for up to 7-8 years, lower impact fees, an ultimately more accommodating of growth. Several years later, this method was revised due to a population explosion and recalculating the figure to include facilities in acre equivalent, was used. After making the adjustment in the calculation

Table 43. Comparative Parks and Recreation Impact Fees						
Land Use Type	Northside			Southside & Westside		
	Current Fee	Potential Fee	Change	Current Fee	Potential Fee	Change
Single-Family Det. (All)	\$410	\$762	\$352	\$245	\$762	\$517
Less than 1,000 sf	\$410	\$656	\$246	\$245	\$656	\$411
1,000 to 1,499 sf	\$410	\$713	\$303	\$245	\$713	\$468
1,500 to 2,499 sf	\$410	\$759	\$349	\$245	\$759	\$514
2,500 sf or greater	\$410	\$842	\$432	\$245	\$842	\$597

Moraga, California— The California city is similar in population and growth expectations to Kuna, and has an adopted LOS of 3 acres per 1,000 resident. The most significant element of the impact fee is real estate costs (\$850,000 per acre), which are drastically different. The critical piece of there impact fee calculation is not a per person basis, but rather an assumption on the number of future single family homes, multifamily units, and senior housing units.

Assumptions:

- Additional acreage needed calculation, based on current LOS.
 - 19,366-16,818 = 2,548 increased population
 - 2,548 x 3 acres/1000 = 7.64 acres additional parks
- Land cost for parks is assumed to be \$850,000 per acre.
- Cost for park equipment & improvements is assumed to be \$300,000/acre
- Total new planned units are 624 sfdu's, 50 mfdu's, 20 mixed and 200 senior units.
- Multi-family, mixed commercial units and senior housing = 50% of a single-family unit
- Total equivalent dwelling units (edu) is 759 (624 plus 50% of 270)

**RESOLUTION NO. R45-2016
CITY OF KUNA, IDAHO**

**A RESOLUTION OF THE CITY OF KUNA, IDAHO ADOPTING THE CITY OF KUNA,
IDAHO PARK IMPACT FEE AND CAPITAL IMPROVEMENTS PLAN**

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

Section 1. The CITY OF KUNA, IDAHO PARK IMPACT FEE AND CAPITAL IMPROVEMENTS PLAN, as attached hereto as EXHIBIT A is hereby adopted.

PASSED BY THE COUNCIL of Kuna, Idaho this ____ day of June 2016.

APPROVED BY THE MAYOR of Kuna, Idaho this ____ day of June 2016.

Joe L. Stear, Mayor

ATTEST:

Chris Engels, City Clerk

City of Kuna, Idaho Capital Improvements Plan, and Park Impact Fee Calculation Study

The purpose of this document is to establish a Park Impact Fee for the City of Kuna for public facilities authorized by Title 67, Chapter 82, Idaho Code, known as the Idaho Development Impact Fee Act (Impact Fee Act).

Summary of Impact Fee Rates

Impact fees are a one-time charge paid by new development to reimburse local governments for the capital cost of public facilities that are needed to serve new development and the people who occupy or use the new development. The term “developer” is used to describe anyone who is obligated to pay impact fees, including owners, developers or builders.

Types of Improvements

Impact fees can be used for the system improvements costs including construction or reconstruction of system improvements, including the cost of design studies, acquisition, engineering, land surveys, and land and right of way acquisition, engineering, permitting, financing, administrative expense, construction, applicable mitigation costs and capital equipment pertaining to capital improvements to maintain the level of service.

Impact fees can't be used for construction, acquisition or expansion of public facilities not identified in the CIP; repair, operating or maintenance expenses; upgrading, updating or expanding or replacing existing capital improvements to meet stricter safety, efficiency, environmental or regulatory standards; upgrading, updating or expanding or replacing existing capital improvements to raise the level of service.

The capital expenses that raise the level of service in the park system must be from revenue sources other than impact fees.

Level of Service

LOS is a baseline parameter (such as valuation) which helps define the demand on service by new development. It is required by the Impact Fee Act that the capital improvement plan includes “a description of all system improvements and their costs necessitated by and attributable to new development in the service area based on the approved land use assumptions, to provide a level of service not to exceed the level of service adopted in the development impact fee ordinance.”¹

The LOS is the total calculation of capital facilities, including land, buildings and equipment that provide a service to given amount of development.

Parks and Recreation Service Level

Traditionally, the level of service is calculated in acres per 1,000 persons. This service level is based on one attribute of service; land acquisition to new development. In reality the level of service provided by the parks system can be enhanced by improvements to existing land as well as acquisition of new land. There will be periods of extensive land acquisition followed by

¹ See Section 67-8208(1)(f), Idaho Code

periods of focusing on the development of the land. The measure used to determine the level of service in the Kuna Park system is based on the replacement value of existing park and recreation land and facilities to the number of equivalent dwelling units in the City. (Population/homes)

The Kuna City Parks currently serve an estimated population of 18,430², according to Compass, with approximately 5,865 households. (Figure 1)

Figure 1

2016 Population and Housing Data		
Population	Residential Units	Average Per Unit
18,430	5,865	3.1

Parks Infrastructure Costs

Park impact fees are based on the current inventory of city parks and their replacement value. As required by Idaho Code 67-8204(2), the levels of service are applicable to the existing development as well as new growth and development. Since there has never been an Impact Fee assessed to new development, staff went through and established a base line cost on the current level of service. Currently the City has a cost of \$302.90 per person. Staff also calculated the acres per 1,000 residents, 6.53 acres per 1,000 residents of land and 3.15 acres per 1,000 residents of developed park space. (Figure 2)

² *Compass Demographics: Current and Historical Population Estimates*
Capital Improvements Plan and Park Impact Fee Calculation Study
Page 3 of 9

Figure 2

Park	Parking Lot	Pathways	Natural	Grass		
Arbor Ridge				7.2	City Owned	
Butler				1.14	City Owned	
Baseball Fields				2.7	City Owned	
Crimson Point			20.5		City Owned	
Nicholson	0.4		5	4.4	City Owned	
Discovery Creek			6.75		City Owned	
Well 5	0.19		4.3	0.17	City Owned	
Winchester	0.23			5.8	City Owned	
Sadie Creek				4.4	City Owned	
Chaparosa				1.14	City Owned	
East Greenbelt		2659		2.95	Working on getting it from ACHD	
West Greenbelt	0.93	3968		16.34	R.R. Right away, leasing	
Bernie Fisher Park				2.3	City Owned	
Farm	0.27			3	City Owned	
Avalon Comm. Garden				0.2	City Owned	
C.P. Comm. Garden				0.5	City Owned	
Indian Creek Comm. Garden				2.3	Lease with School District	
Meadowview Property			20		City Owned	
	2.02		56.55	54.54		
		6627				
			Total:	113.11		
			Population:	17320		
					Total Acres per 1,000	6.53
					Total Developed Acres per 1,000	3.15

Shown in Figure 3, is the current park assets and the replacement cost associated with each amenity. Staff went through and inventoried every park so we didn't leave anything out. Staff then got the prices from local contractors, staff and Playground equipment companies so we could get an accurate value for each amenity. All of these costs are a reflection of how much the City has invested in each park, it also gives a replacement value for each park.

Figure 3

	Arbor Ridge	Butler	B.B. Fields	Nichols on	Chapp	Well 5	Winchester	Sadie Creek	E. Greenbelt	W. Greenbelt	Bernie Fisher	Farm
Acres	7.2	1.14	2.7	4.4	1.14	0.17	6.03	4.4	2.95	16.34	2.3	3
Parking Lot	\$132,042.00		\$72,486.00	\$38,327.50		\$22,080.00	\$45,968.00	\$7,245.00		\$78,969.00	\$72,486.00	\$101,312.00
Playground Equip	\$37,250.00	\$30,822.00					\$27,906.00				\$67,520.00	
Sprinkler System	\$37,440.00	\$5,928.00	\$14,040.00	\$22,880.00	\$5,928.00	\$884.00	\$31,356.00	\$22,880.00	\$15,340.00	\$84,968.00	\$11,960.00	\$15,600.00
Picnic Tables	\$2,532.00	\$2,532.00		\$2,532.00			\$2,532.00	\$3,000.00		\$5,064.00	\$20,889.00	\$2,535.00
Benches	\$1,184.00	\$2,970.00		\$1,208.00						\$7,500.00	\$1,400.00	
Basketball Court											\$25,250.00	\$26,210.00
Swings		\$9,320.00					\$3,682.00				\$3,682.00	
Structures				\$3,600.00				\$3,600.00			\$43,200.00	
Electricity										\$35,000.00	\$33,000.00	
Restrooms										\$134,200.00	\$134,200.00	
Horse Shoe pits										\$1,000.00	\$500.00	
Volleyball court										\$4,500.00		
Frisbee golf									\$4,696.00	\$9,504.00		
Trees	\$22,000.00	\$10,600.00	\$6,400.00	\$3,600.00	\$7,200.00	\$1,600.00	\$30,400.00	\$7,200.00	\$10,000.00	\$51,600.00	\$18,800.00	\$2,800.00
Shrubs	\$1,380.00				\$380.00			\$130.00				
Trashcan Recpt		\$2,810.00		\$682.00			\$1,164.00				\$2,982.00	\$1,164.00
Bike Rack		\$800.00								\$700.00	\$800.00	
Pathways		\$16,735.00							\$83,758.50	\$107,136.00		
Skate Park										\$90,000.00		
Backstop			\$20,000.00									
Dugouts			\$2,100.00									
Dirt Work	\$70,600.00	\$9,120.00	\$21,600.00	\$35,200.00	\$9,120.00	\$1,500.00	\$48,240.00	\$35,200.00	\$33,360.00	\$145,370.00	\$18,400.00	\$24,000.00
Snack Shack			\$30,000.00									
Batting Cage			\$5,000.00									
Sod	\$94,089.60	\$14,897.52	\$32,670.00	\$57,499.20	\$14,897.52	\$2,221.56	\$78,800.04	\$57,499.20	\$28,749.60	\$202,423.32	\$30,056.40	\$39,204.00
Total Per Park	\$398,524.80	\$106,535.66	\$204,298.70	\$165,533.10	\$37,526.66	\$28,285.73	\$270,054.07	\$136,758.60	\$209,107.05	\$957,950.66	\$485,127.70	\$212,828.00
Price Per Acre												
Total	\$55,350.67	\$93,452.33	\$75,666.19	\$37,621.16	\$32,918.12	\$4,808.57	\$44,785.09	\$31,081.50	\$70,883.75	\$58,626.11	\$210,925.09	\$70,942.67

Average Price Per Park

Total	\$267,710.89
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Average Average Price Per Acre

Total	\$62,053.91
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As shown in Figure 4, the City has a total of \$5,582,528.43 invested into the Park system. Included in the total is the cost of land at \$25,000 an acre. Also included is the percent of equity we used to calculate the level of service. The Parks that have all amenities rated at 100%, the parks with only unimproved land are rated at 41 %.

Figure 4

Park	Land Cost	Amenities	Replacement Value	% Equity	Amount to Include in Fee
Arbor Ridge (7.2 Acres)	\$252,000.00	\$389,524.80	\$637,524.80	100	\$650,524.80
Butler (1.14 Acres)	\$39,900.00	\$106,535.66	\$146,435.66	100	\$146,435.66
Baseball Fields (2.7 Acres)	\$67,500.00	\$204,298.70	\$261,798.00	100	\$271,798.70
Crimson Point (20.5 Acres Land Only)	\$512,500.00		\$512,500.00	41	\$512,500.00
Nicholson (4.4 Acres)	\$100,000.00	\$165,533.10	\$265,528.70	100	\$265,533.10
Discovery Creek(6.75 Acres Land Only)	\$168,750.00		\$168,750.00	41	\$168,750.00
Well 5 (4.66 Acres)	\$111,750.00	\$28,285.73	\$139,895.56	100	\$140,035.73
Winchester (7.06 Acres)	\$156,500.00	\$270,054.07	\$426,548.04	100	\$426,554.07
Sadie Creek (5.9 Acres)	\$110,000.00	\$136,758.60	\$243,757.00	100	\$246,758.60
Chapparosa (1.14 Acres)	\$28,500.00	\$37,526.66	\$66,035.52	100	\$66,026.66
East Greenbelt (2.95 Acres)	\$73,350.00	\$209,107.05	\$239,254.10	100	\$282,457.05
West Greenbelt (16.34 Acres) R.R. ROW		\$957,950.40	\$935,100.66	100	\$957,950.66
Bernie Fisher (2.3 Acres)	\$57,500.00	\$485,125.40	\$542,625.40	100	\$542,625.40
Farm (3.27 Acres)	\$81,750.00	\$212,828.00	\$294,578.00	100	\$294,578.00
Avalon Comm. Garden (.2 Acres)	\$5,000.00	\$5,000.00	\$9,000.00	100	\$10,000.00
C.P. Comm. Garden (.5 Acres)	\$12,500.00	\$5,000.00	\$17,500.00	100	\$17,500.00
Indian Creek Comm. Garden (2.3 Acres)	\$57,500.00	\$25,000.00	\$82,500.00	100	\$82,500.00
Meadow View Property	\$500,000.00		\$500,00.00	41	\$500,000.00
Total Replacement					\$5,582,528.43
			Price Per Resident		\$302.90

Calculation of Parks Impact Fee

The calculation of the Impact Fee, Figure 5 below, is based on the current value of level of service divided by the population. That will give us the price per resident, we multiply that by the average resident per unit (3.1) to get the Impact Fee of \$939.00 per equivalent dwelling unit.

Figure 5

Current Value of Level of Service	\$5,582,528.43
Population	18,340
Cost per Resident	\$302.90
Average Resident Per Unit	3.1
Residential	\$939.00
Commercial	\$0.00

Parks Capital Improvement Plan

Kuna's 10 year population growth, according to Compass³, is approximately eight thousand residents (8,000). Figure 6 below, shows the projected growth Kuna will have through twenty forty (2040). This would justify an increase of 52.24 acres of new park land and 25.2 acres of the 52.24 acres would be developed to maintain the 3.15 developed acres per one thousand residents. Figure 7 below shows the cost of land purchases, cost of construction of current undeveloped parks as well as new construction and equipment that will be needed.

Figure 6

Kuna Projected Growth Through 2040						
2010	2015	2020	2025	2030	2035	2040
17,850	20,311	22,397	28,192	35,961	46,079	50,992

The three items on the CIP, Figure 7 below, are the General Fund contributions, Grant Contributions and Impact Fee contributions. The General Fund contributions are a list of projects, staff and equipment that are going to be budgeted out of the general fund. Grant contributions will come from applying for connectivity with trails as well as walking paths in current parks. The Impact Fee contributions include cost of land, construction costs and equipment costs.

Park Values are calculated at \$85,273.20 per acre. This includes the price of land and development. These prices were from the average amount the City has invested in the current parks, \$60,273.20 and the price of land at \$25,000 an acre. Equipment needs are based on what we have currently and what we will need with growth.

³ *Compass Communities in Motion 2040 Vision Forecast by Demographic Areas*
Capital Improvements Plan and Park Impact Fee Calculation Study
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Figure 7

Total Parks CIP Summary 2025				
CIP Description	Grants	General Fund	Impact Fee	Amount
Park Land Acquisition			\$470,000.00	\$470,000.00
New Amenities/Green Up	\$100,000.00		\$550,000.00	\$650,000.00
Crimson Point Construction			\$250,000.00	\$250,000.00
Discovery Creek Construction			\$200,000.00	\$200,000.00
Pathway	\$199,800.00	\$67,000.00		\$266,800.00
Large Areal Mower		\$57,000.00		\$57,000.00
Picnic Shelters		\$22,500.00		\$22,500.00
Parking Lots Paved		\$150,000.00		\$150,000.00
Employee		\$45,000.00		\$45,000.00
Employee Arborist		\$50,000.00		\$50,000.00
Employee		\$45,000.00		\$45,000.00
Mini Excavator		\$35,000.00		\$35,000.00
Restroom		\$150,000.00		\$150,000.00
RTV		\$40,000.00		\$40,000.00
RTV			\$20,000.00	\$20,000.00
RTV			\$20,000.00	\$20,000.00
Truck		\$28,000.00		\$28,000.00
Truck		\$28,000.00		\$28,000.00
Truck			\$28,000.00	\$28,000.00
Trailer		\$8,000.00		\$8,000.00
Greenbelt Lighting		\$75,000.00		\$75,000.00
	\$299,800.00	\$800,500.00	\$1,583,000.00	\$2,638,300.00

Projected Impacted Fee Income

Based on the previous ten year population growth⁴, 2005-20015, the City has grown an average of 574.3 residents a year. From 2005 to 2010 the City saw a growth of 924.6 residents per year. That is an approx... 4,600 residents that moved to Kuna in five years. The average population growth from 2010 to 2015 was 224 residents per year. What these numbers signify are the population growths pre-recession and post-recession. Taking the ten year average will give us a more realistic number we can calculate how much impact fee monies will accumulate each year.

⁴ Compass Current and Historical Population Estimates
Capital Improvements Plan and Park Impact Fee Calculation Study
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	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
	10,587	12,647	14,261	14,830	15,900	15,210	15,470	15,650	15,960	16,070	17,320
Growth		2,060	1,614	569	1,070	-690	260	180	310	110	260
	Total Growth 05-10			4,623				Total Growth 11-15			1120
	Avg. over 5 years			924.6				Avg over 5 years			224
			Growth over ten years			5,743					
			10 Year Average			574.3	A Year				

The calculation of the Impact will give an annual budgeted number to budget with. In order to get that number we have to divide the average growth, 574.3, by the average number of residents per unit, 3.1, and we will get 185.26. We then multiply the 185.26 by the price per building permit, \$983.10, to get the annual anticipated income from Impact Fees at \$182,129.82 and \$1,821,298.22 over ten years.

KUNA PARKS



Legend

CITY PARKS

PARK_NAME

-  ARBOR RIDGE PARK
-  Avalon Comm. Garden
-  BMX PARK
-  BUTLER PARK
-  CHARPOSA PARK
-  COL. BERNIE FISHER PARK
-  Crimsom Point
-  Crimson Point Comm Garden
-  Discovery Creek
-  East Greenbelt
-  GREENBELT
-  Indian Creek Comm Garden
-  KUNA BALL PARK
-  MeadowView
-  NICHOLSON PARK
-  SADIE CREEK
-  SKATE PARK
-  THE FARM PARK
-  WINCHESTER PARK
-  Well # 5



City of Kuna

Activity Connection Plan



*This plan made possible with funding provided by the City of Kuna
from a grant given by the Blue Cross Foundation of Idaho..*

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<i>Butler Park</i>	9
<i>Nicholson Park</i>	10
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What is an Activity Connection Plan...

...an Activity Connection Plan or ACP, is a planning model that improves the physical activity rates in a community. Typically, this is done by assessing physical activity sites and the adjoining street network to suggest ways to improve or enhance both to improve safety and increase use. In the case of the Kuna Activity Connection Plan, the City opted to employ part of the model by looking solely at parks and to evaluate funding mechanisms, namely development impact fees, to help offset the anticipated costs. To achieve this goal, a plan was crafted that included several steps: 1. a physical inventory and field visit to each site. 2. a evaluation of a recently completed park and recreation public survey, 3. a public outreach effort held at Kuna Days, 4. an evaluation of on-line examples of current impact fee programs, and 5. a draft plan that was vetted and improved by City staff. The result of the effort is the herein produced plan. To illustrate the kinds of recommended improvements made for park settings, the following graphic is included though it is worth noting that not all of the sample images are included in the Kuna plan.

Sample Site Improvements



A.



B.



C.



D.



E.



F.



G.



H.



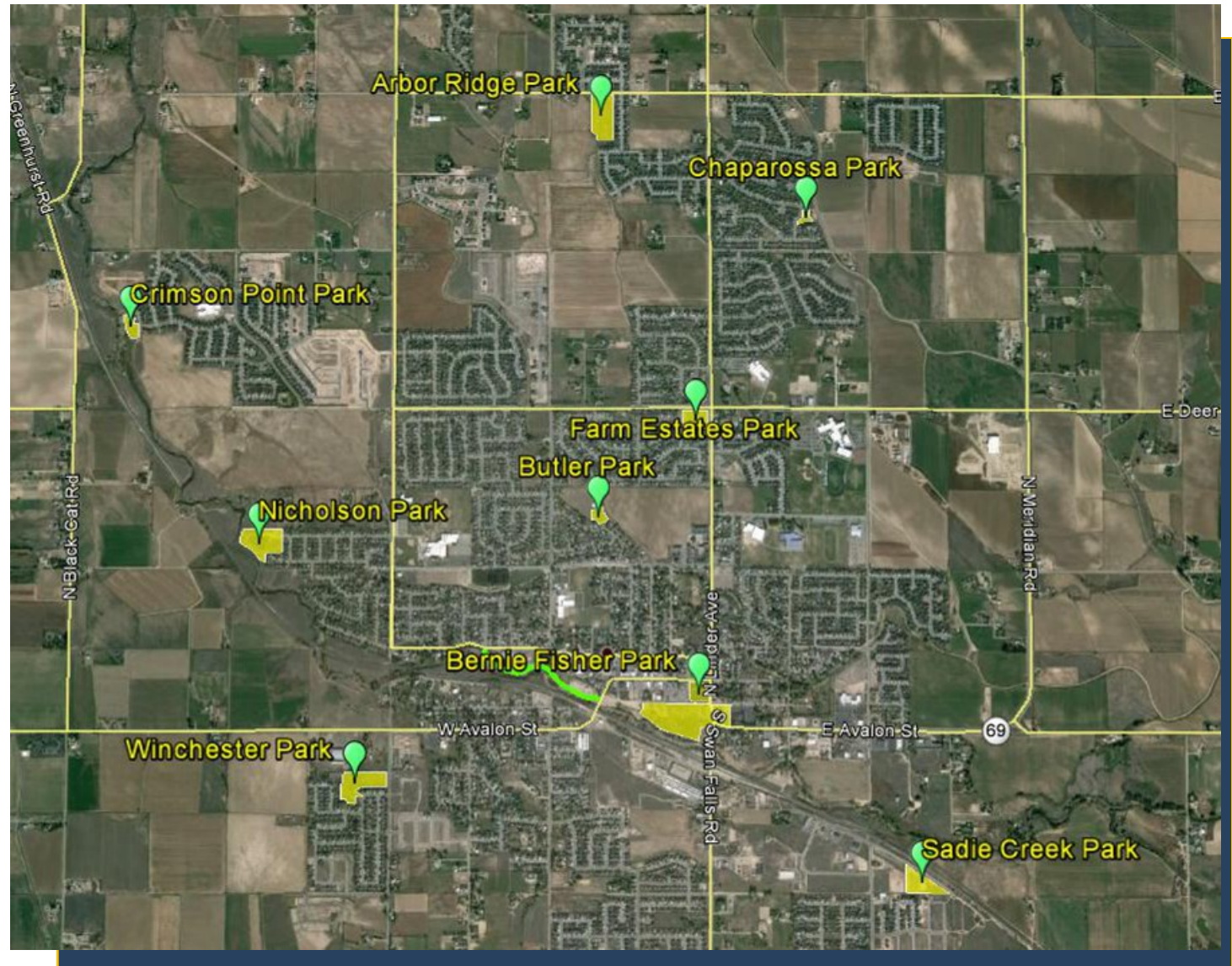
I.

A. Route map signage B. Full scale board games C. Adult workout stations D. Track lighting E. Community banners F. Public art G. Bike parking H. Promotional flags I. Modern children play equipment

Park Facility Map

Park & Acreage

Arbor Ridge	7.2
Chaparossa	3.0
Crimson Point	10.0
Farm Estates	4.0
Butler	3.0
Nicholson	9.9
Bernie Fisher	2.6
Winchester	6.0
Sadie Creek	8.7
Greenbelt	19.7



Arbor Ridge Park Primary Site

Site Assets

- Green Space
- Picnic Tables
- Play Ground Equipment
- Paved Parking Lot
- Port-a-Potty
- Soccer



Site Description– Arbor Ridge Park is a very large complex primarily utilized for soccer matches. The site has a play ground, picnic tables and a portable restroom. At 7.2 acres, the park holds significant opportunity to bring additional recreational opportunities to the community.

Recommended Site Improvements:

- Additional bicycle parking throughout, with some sheltered from sun exposure
- Additional shade trees are needed along the perimeter of the park and at a minimum in the vicinity of the child playground area.
- Given the nature of the park, age of soccer players (typically younger) and proximity to local neighborhoods, adding a perimeter chip trail or compacted rock fines trail would provide a .40 mile loop. The trail can be used by patrons while letting their kids play at the playground, or by the soccer players as a warm up space.
- The west side of the complex appear highly under utilized due to the separation caused by the irrigation ditch. With so many soccer matches being played, adding several covered awnings or gazebos, tables and charcoal barbeque stations would be valuable to give residents and match observers a place to meet, picnic, host parties, and have post game events.
- Improved area signage and promotional flags/banners.
- Consider adding a lifesize board game.



Chaparosa Park Secondary Site

Site Assets

- Green Space
- Picnic Area



Site Description– Chaparosa Park is a secondary facility and under three acres in total size. However, since the park acts as a retaining site for storm-water collection, given certain times of the year, much of the site is not functional due to flooding, saturated grass, or mosquito breeding. The proximity to a nearby Home Owners Association park means that improvements should be complimentary to the options at that park and not duplicative.

Recommended Site Improvements:

- One additional bike rack to encourage bicycle riding to the park
- One gazebo pad site with charcoal barbeque pit
- Consider a sand volleyball court
- Adding up to 3 Tetherball courts would help attract use by neighborhood children
- Improved area signage and promotional flags/banners.

A simple tetherball court adds a fun activity for kids and families and are generally a low cost investment.



Crimson Point Park Secondary Site

Site Assets

- Picnic Area
- Access to Indian Creek



Maintenance at the site is needed in the way of landscaping, and weed abatement as sizeable "goathead" patches have grown into the multiuse path.



Site Description– Currently, the improved portion of Crimson Point Park is a small space primarily used for city water functions and stormwater collection. However, the 10 acre park will eventually have a significant area fully landscaped adding to the limited existing space. The site accesses Indian Creek providing an opportunity to enhance the use of the creek for area residents.

Recommended Site Improvements:

- Improved area signage and promotional flags/banners.
- Develop small landing area for floaters of Indian Creek.
- Bike racks, especially if floating activities increase.

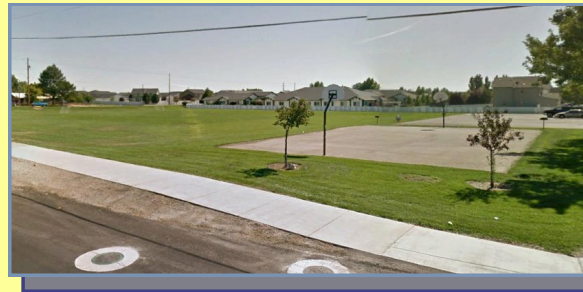


Clearly there is an existing desire to float Indian Creek and given the current and planned multiuse path and associated pedestrian bridge, Crimson Point Park could play a larger role in recreational activities in the western part of Kuna.

Farm Estates Park Primary Site

Site Assets

- Basketball Court
- Paved Parking Lot
- Green Space
- Charcoal BBQ
- Picnic Tables



Site Description– Farm Estates is a large park area in the north central part of Kuna and is mostly comprised of lawn space which is used for soccer. The park has significant potential given its four acres and close proximity to neighborhoods.

Recommended Site Improvements:

- Bike racks to accommodate the youth and adult soccer players.
- Consider adding a Bocce court, benches and shade trees (Proximity to Kuna Living Center)
- Shade trees are needed around the basketball court and soccer fields considering the park is in an open area without protection from summer sun and heat.
- Outdoor workout area would work in this space given the flat ground, proximity to numerous residential areas and distance away from the greenbelt (possible second site)



Butler Park Secondary Park

Site Assets

- Play ground equipment
- Swings
- Picnic Tables
- Open Green Space



Site Description– The three acres at Butler Park contain a mixture of a neighborhood activity park and a water well access site. The park has plenty of shade trees, playground equipment and swings, and picnic benches and green lawn space.

Recommended Site Improvements:

- Improved area signage and promotional flags/banners.
- Up to two tetherball courts would help augment the play area for kids.
- A grass volleyball court in the open green area would be a natural fit given the residential area surrounding the park.
- Water fountain in the playground area is recommended.



Placing significant wayfinding signage such as pictured, will help Kuna residents to both find existing Kuna parks and to be reminded of their presence as many are a challenge to find currently.

Nicholson Park Primary Site

Site Assets

- Fishing
- Parking Area
- Porta Potty
- Picnic area
- Indian Creek access



Site Description– One of the true potential gems of the Kuna Park system, Nicholson Park site on the western edge of the city and has a fully stocked pond, gazebo, lawn space and walking path around the perimeter. With additional amenities for all residents, significant signage updates, and continued programmatic improvements the park could be a model in the region.

Recommended Site Improvements:

- The park layout is perfect to establish a Frisbee golf course around the outside of the pond on the west side of the park grounds.
- Several large shade trees should be planted around the perimeter of the pond as it is currently highly exposed to sun and summer heat.
- Consider adding bike parking to foster active transportation to the pond.

The pond and park site is currently exposed to summer heat which can detract from the City asset. Adding several trees should help give users a more comfortable experience.



Winchester Park Primary Site

Site Assets

- Fishing
- Picnic tables
- Charcoal BBQ grills
- Porta potty
- Playground equipment
- Swings
- Rose garden
- Playing field



Site Description– Located on the far southwest part of Kuna, the six acre Winchester Park is full of activities for area residents. The park includes a pond, soccer fields and lawn space, playgrounds, rose garden and swings. With its numerous offerings, the park should be improved with modest upgrades with a continued focus on maintenance do in part to a low water table.

Recommended Site Improvements:

- With no other basketball courts existing in the immediate area and the park in a residential area, constructing a full court basketball court is possible and recommended.
- Promotional signage and celebratory banners/flags in the nearby area.
- Additional bike parking at the east and west end of park.
- Regularly treat the park for mosquitos.
- Consider adding a lifesize board game.

A well built, full court basketball court is a strong investment for Kuna, especially in the area of Winchester Park which doesn't have such a nearby facility.



Bernie Fisher Park Primary Site

Site Assets

- ADA Restrooms
- Covered Shelters
- Play Ground Equipment
- Swings, Picnic Tables
- Power
- Charcoal BBQ
- Hard Top Volleyball Court



Site Description– By far the most kid friendly and accommodating park in Kuna, Bernie Fisher Park houses several active play features like playgrounds, swings, half court basketball, picnic shelters, and other enhancements.

Recommended Site Improvements:

- Additional bike parking is needed throughout the park.
- Several additional water fountains should be considered.
- Repair picnic shelter roof shingles.
- Consider a modern marry-go-round, highly requested by area residents.
- Consider adding a lifesize board game like checkers.



Pictured: (Left) Shelter roof damage, (Above) Modern and modest merry-go-round

Sadie Creek Park Primary Site

Site Assets

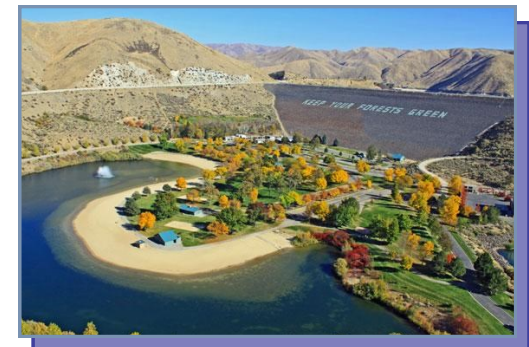
- Large Green Space
- Picnics Area
- Swimming pond
- Beach for sun bathing
- Parking lot,
- Porta Potty



Site Description– Sadie Creek Park has what could be considered the highest potential for success in the Kuna park network. The foundation of a swimming pond and beach gives a theme that if continued and bolstered could make for a highly unique and in demand space. Taking the “beach” or “lake” to Kuna in the form of a 8.7 acres park will give residents a park that they will relish. Considering the overwhelming success of Discovery State Park, a modest yet similar version could thrive in Kuna with improvements.

Recommended Site Improvements:

- Consider a splash pad beyond beach area, near the eastern lawn space.
- Add a center pond fountain to improve water quality and add appeal for swimmers.
- Consider several large shade trees to cool the pond temperature, minimize algae growth and provide respite from summer sun.
- Construct a beach volleyball court.
- Consider fire pits and picnic shelters to help draw users throughout the year.
- Adding a waterslide in later years would add yet another major attraction that does not exist in the public realm and has demonstrated demand.
- Outdoor showers would be another desired addition if the other improvements are made.



Sadie Creek Park Primary Site



A rendering of what adding shade trees and a fountain would add to the pond area of Sadie Creek Park.

Site Assets

- Large Green Space
- Picnics Area
- Swimming pond
- Beach for sun bathing
- Parking lot
- Porta Potty

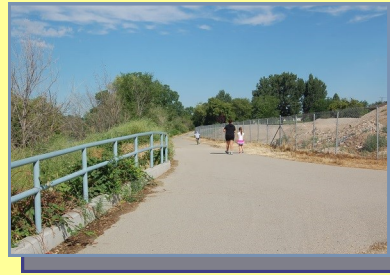
Adding a sand volleyball court, splash pad, possible waterslide and a large pond fountain extends the concept of “beach” or “lake” to Kuna and adds additional attractions to the park site.



Kuna Greenbelt Primary Site

Site Assets

- Restrooms
- Picnic Area
- Electricity
- Access to Indian Creek
- Walking Path
- Tables, Benches
- BMX Race Track
- Skate Board Park
- Little League Baseball Fields

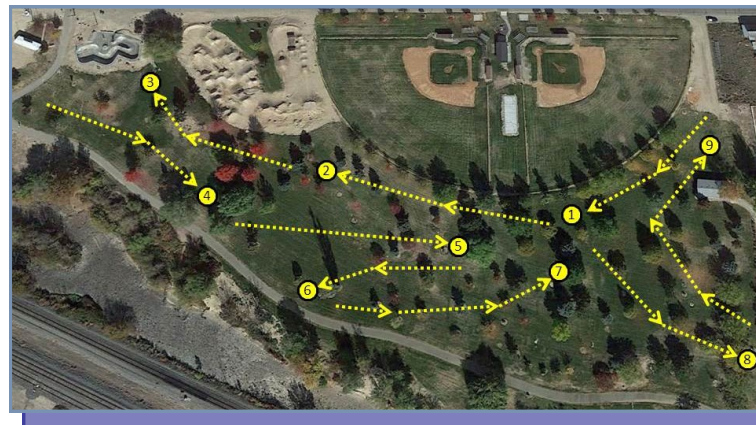


Site Description— At over 19 acres, the Kuna Greenbelt is more than a river side multi-use trail but also an open greenspace, creek access, activity site and cultural asset. The greenbelt is slated for significant expansion as opportunities along the creek present themselves, but several additions to the current site would improve the existing segment for area residents.

Recommended Site Improvements:

- Additional water fountains, benches, and bike racks along the trail route.
- A Frisbee golf course can be added throughout the green area, tree space without significant costs.
- Consider a rock wading/splash pool in the dirt section south of the skate park similar to what is pictured. This addition would act as an extension of the creek and draw more kids and families to the downtown area.

(Lower right) Building a rock splash pond along the creek adds another fun dimension to the greenbelt. (Below) Adding a Frisbee golf course south of the ball fields along the greenbelt trail would be relatively inexpensive and promote walking for participants.



Public Process Kuna Days

Perhaps due in part to the time of year when asked, but overwhelmingly, the most common answer by Kuna Days guests when asked what they would like to see in Kuna parks, was a public swimming pool.



Process Description— To attempt to capture the sentiment of local residents, a public outreach effort was made at the annual Kuna Days celebration. A table was staffed and included a simple fill-in-the-blank sheet of paper that sought to determine what residents wanted most in Kuna Parks. Over 50 people stopped and gave their opinions and had conversations about other elements, concerns and desires of the park system as a whole, 40 provided written comments. The results of the public process are summarized below:

Answers in order by total

- (24) Build a public swimming pool or splash pad*
- (4) Add more or bigger playground equipment*
- (3) Put back in merry-go-round*
- (2) Extend Indian Creek Greenbelt*
- (1) Expand BMX park*
- (1) Improve maintenance*
- (1) Improve handicapped options/access*
- (1) Better/permanent bathrooms*
- (1) More basketball courts*
- (1) Tot/toddler equipment*
- (1) A bounce house*

Impact Fee Analysis

Current Conditions

Population: 16,080

Total Park Acres: 53

Acres per 1,000 People: 3.3

(Assuming goal of 3 per 1,000)

Future Conditions

2040 Population: 25,991

Needed Park Acres: 78

Future Shortfall: 25

Idaho Code Requirements Summary:

- **Adopted Ordinance**
- **Capital Improvement Plan**
- **Annual Collection/Expenditure Report**
- **Fee Schedule**
- **Fees Spent w/in 8 years**
- **Fees Linked to Proportionate Share**
- **Fees Based on Adopted Level of Service**

As part of this project, a review of existing community parks impact fee ordinances was conducted to determine common practices, identify strengths or perspectives, and generate recommendations for the City to develop its own Parks and Recreation Impact Fee Ordinance. The follow pages give a brief summary of each of the six policies reviewed and is followed by a series of recommendations.

Idaho Communities

Driggs— the small town of Driggs has roughly 1600 residents and a calculated park acre rate of 13.9 acres per 1,000 people. Based on the projected 2017 population calculated when the plan was written in 2008, the City would need 22 new acres to maintain the current level of service. The calculation of impact fee need based on projected growth meant that each new residential unit would require a fee of \$4,891 to comply with the Capital improvement Plan requirements. A simple fee calculation is provided:

**Exhibit 11.
Parks and Recreation Capital Improvement Plan, 2008 through 2017**

Type of Capital Infrastructure	CIP Value	times	Growth Portion ⁽⁷⁾	times	Shared Facility (% in fee)	equals	Amount to Include in Fees
Community Parks (\$225,000/acre in land and development costs)							
New Community Park Acreage (1.0 acres) ⁽¹⁾	\$ 225,000		100%		100%		\$ 225,000
New 4 Diamond Baseball Complex (14.7 acres) ⁽²⁾	\$ 3,307,500		52%		100%		\$ 1,724,964
2 Field Soccer Complex (5.5 acres) ⁽³⁾	\$ 1,237,500		52%		100%		\$ 645,395
Gravel Yard/Disc Golf Course (8 acres) ⁽⁴⁾	\$ 1,200,000		0%		100%		\$ -
Additions to Existing Parks							
2 Tennis Courts ⁽⁵⁾	\$ 50,000		52%		100%		\$ 26,077
1 BMX Terrain Park ⁽⁶⁾	\$ 150,000		52%		100%		\$ 78,230
Equipment (with at least a ten year useful life)							
Additional Mower	\$ 65,000		100%		100%		\$ 65,000
Total Infrastructure	\$ 6,235,000						\$ 2,764,665
Plus Cost of Fee-Related Research							
Impact Fee Study	\$ 35,000		100%		33%		\$ 11,550
Grand Total	\$ 6,270,000						\$ 2,776,215

Impact Fee Analysis

Current Conditions

Population: 16,080

Total Park Acres: 53

Acres per 1,000 People: 3.3

(Assuming goal of 3 per 1,000)

Future Conditions

2040 Population: 25,991

Needed Park Acres: 78

Future Shortfall: 25

Idaho Communities (Cont.)

Meridian- Meridian is among the most populated cities in Idaho, and a neighbor of Kuna. As of 2006 when the Impact Fee report was written, the City maintained 183 acres of park space and based on the population at the time, the established level of service was 2.78 park acres per 1,000 residents. The level of investment stood at \$1,612 per residential unit. The calculated impact fee per unit necessary to maintain the level of service was \$1,384. The calculation was derived in part by using the following mechanism:

Calculation of Impact Fees	
Future Value of Parks & Recreation Capital Improvements ⁽¹⁾	\$18,172,783
Future Land Use Percentage	
Residential	100%
Nonresidential	0%
Allocated Value by Land Use Category	
Residential	\$18,172,783
Nonresidential	\$0
Growth to 2016	
Residential (total dwelling units)	13,134
Nonresidential (in square feet)	3,628,928
Impact Fee by Unit of Development (rounded)	
Residential (per dwelling unit)	\$1,384
Nonresidential (per square foot)	N/A

Sandpoint- The City of Sandpoint recently had a Citywide impact fee calculation report drafted in 2012. The City has over 93 acres of park space and an existing level of service of 10.7 acres per 1,000 residents, but an adopted level of service of 8 acres per 1,000. Full estimated costs for the CIP, totaled \$8.6 Million which was then calculated down to a per acre figure. Ultimately, the report determined improvement costs on a per person basis of \$1,147, which then bore a cost per housing type to determine a per unit impact fee. (Bottom)

Park	Current City Classification	Developed Acreage	Undeveloped Acreage	TOTAL Acreage	Baseball Softball Fields	Football Soccer Fields	Multiuse Fields	Basketball Tennis Volleyball # of cts	Boating/Fishing #	Buildings	Restrooms	Miscellaneous & Infras* (dev acres)	Playground Equipment	TOTAL Value Improvements
1 City Beach	Community Park	22.10		22.1				6.00	2.00	\$250,000	\$175,000	22.10	1.00	\$1,960,000
2 3RD Avenue Pier	Neighborhood Park	0.26		0.3								0.26		\$13,000
3 Hickory Street Park	Neighborhood Park	2.29		2.3						\$11,500		2.29		\$126,000
4 Lakeview Park	Neighborhood Park	12.00		12.0					1.00	\$172,000	\$60,000	12.00	1.00	\$892,000
5 Cedars Park	Neighborhood Park		2.56	2.6								0.00		\$0
6 Main Street Right of Way	Neighborhood Park		5.00	5.0								0.00		\$0
7 Centennial Park	Special Use Area	7.3		7.3		2.00				\$6,200		7.26		\$619,200
8 Farmin Park	Special Use Area	0.3		0.3								0.28		\$14,000
9 Great Northern Park	Special Use Area	7.2		7.2		2.00					\$18,750	7.19		\$628,250
10 Jeff Jones Town Square	Special Use Area	0.3		0.3							\$160,000	0.30		\$175,000
11 Old 9th Grade Center Field	Special Use Area	1.5		1.5			1.00					1.54		\$107,000
12 Outdoor Shooting Range	Special Use Area	6.0		6.0						\$40,000		6.00		\$340,000
13 Pine Street Park	Special Use Area	1.9		1.9			1.00					1.93		\$126,500
14 Travers Park	Special Use Area	17.8		17.8	4.00	1.00		4.00		\$72,800	\$93,000	17.80	1.00	\$1,970,800
15 War Memorial Field	Special Use Area	4.6		4.6	1.00	1.00				\$1,162,148		4.64		\$1,644,148
16 Humbird Mill Park	Trailhead		2.0	2.0								0.00		\$0
Total Units		89.6	9.6	99.2										
					5.00	6.00	2.00	10.00	3.00	\$1,714,648	\$506,750	83.59	3.00	
					\$125,000	\$125,000	\$30,000	\$60,000	\$10,000			\$50,000	\$50,000	
					\$625,000	\$750,000	\$60,000	\$600,000	\$30,000	\$1,714,648	\$506,750	\$4,179,500	\$150,000	
					Unit Price Value (Units x Price)									
					Land									
					\$2,794,500									
					Improvements									
					\$8,615,898									
					Cost per Developed Acre									
					\$103,073									

* Miscellaneous site improvements includes such items as parking, roads, picnic tables, benches, drinking fountain, signage and landscaping. Infrastructure includes such items as irrigation, electricity, water, lighting, drainage and earth work. Sports fields calculate irrigation cost into field cost.

Parks and Recreation Impact Fee Schedule

Residential			Impact Fee per Housing Unit		
Unit Type	Number of Bedrooms	Persons per Housing Unit	Proposed Fee	Current Fee	Increase (Decrease)
Multifamily/Other	All Sizes	2.12	\$2,437.00	\$2,058.47	\$378.53
Single Family	0-3	1.97	\$2,256.00	\$2,058.47	\$197.53
Single Family	4+	2.95	\$3,378.00	\$2,058.47	\$1,319.53
Single Family	Avg	2.19	\$2,510.00	\$2,058.47	\$451.53

Impact Fee Analysis

Current Conditions

Population: 16,080

Total Park Acres: 53

Acres per 1,000 People: 3.3

(Assuming goal of 3 per 1,000)

Future Conditions

2040 Population: 25,991

Needed Park Acres: 78

Future Shortfall: 25

Out of Area Communities

Lakeland, Florida— When generating an LOS for their City park impact fee, the city determined that 5.98 acres per 1,000 residents was appropriate. An element different than all other cities reviewed is the inclusion of architecture & design fees into total asset calculation. As a rule the city uses a 10% estimate for such services when quantifying the total park costs. Additionally, the city calculated the square footage and total acreage of support facilities and equipment along with costs, the determine a cost per acre of the facilities within the actual site. The total impact fee includes land, equipment, support and maintenance facilities and design fees. A calculated impact fee of \$1,460 per residents and \$3,000 per single family household was established.

Land Replacement Value & Total Impact Cost per Resident	
Component	Figure
Land Replacement Cost per Acre ⁽¹⁾	\$100,000
Landscaping, Site Preparation, and Irrigation Costs (per acre) ⁽²⁾	\$10,000
Total Land Cost per Acre⁽³⁾	\$110,000
Facility & Equipment Cost per Acre ⁽⁴⁾	\$124,608
Total Land & Facility Cost per Acre⁽⁵⁾	\$234,608
Parks LOS (acres per 1,000 Residents) ⁽⁶⁾	6.21
Parks and Recreation Total Cost per Resident⁽⁷⁾	\$1,456.92

Atlanta, Georgia— In 1993, Atlanta decided not to include park facilities into their calculation and selected a lower level of service than what existed. This decision meant that the City had excess capacity for up to 7-8 years, lower impact fees, an ultimately more accommodating of growth. Several years later, this method was revised due to a population explosion and recalculating the figure to include facilities in acre equivalent, was used. After making the adjustment in the calculation

Table 43. Comparative Parks and Recreation Impact Fees						
Land Use Type	Northside			Southside & Westside		
	Current Fee	Potential Fee	Change	Current Fee	Potential Fee	Change
Single-Family Det. (All)	\$410	\$762	\$352	\$245	\$762	\$517
Less than 1,000 sf	\$410	\$656	\$246	\$245	\$656	\$411
1,000 to 1,499 sf	\$410	\$713	\$303	\$245	\$713	\$468
1,500 to 2,499 sf	\$410	\$759	\$349	\$245	\$759	\$514
2,500 sf or greater	\$410	\$842	\$432	\$245	\$842	\$597

Moraga, California— The California city is similar in population and growth expectations to Kuna, and has an adopted LOS of 3 acres per 1,000 resident. The most significant element of the impact fee is real estate costs (\$850,000 per acre), which are drastically different. The critical piece of there impact fee calculation is not a per person basis, but rather an assumption on the number of future single family homes, multifamily units, and senior housing units.

Assumptions:

- Additional acreage needed calculation, based on current LOS.
 - 19,366-16,818 = 2,548 increased population
 - 2,548 x 3 acres/1000 = 7.64 acres additional parks
- Land cost for parks is assumed to be \$850,000 per acre.
- Cost for park equipment & improvements is assumed to be \$300,000/acre
- Total new planned units are 624 sfdu's, 50 mfdu's, 20 mixed and 200 senior units.
- Multi-family, mixed commercial units and senior housing = 50% of a single-family unit
- Total equivalent dwelling units (edu) is 759 (624 plus 50% of 270)

**RESOLUTION NO R40-2016
CITY OF KUNA, IDAHO**

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE USE AGREEMENT FOR CITY PARKS AND PUBLIC PROPERTY WHERE THE FEE IS WAIVED IN CONSIDERATION OF THE NON-PROFIT ENTITY PERFORMING A COMMUNITY SERVICE AT A CITY PARK AND THE EVENT IS FREE AND OPEN TO THE GENERAL PUBLIC; AND AUTHORIZING THE CITY CLERK TO SIGN THE USE AGREEMENT FORM.

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

1. The Use Agreement for the City Parks and Public Property, in substantially the form, as attached hereto as Exhibit A, is approved; and
2. The City Clerk for the City of Kuna, Idaho is hereby authorized to sign the Use Agreement for City Parks and Public Property where the user is a non-profit entity that has agreed to perform a community service at a City Park in lieu of the payment of the Park Use Fee and the event is free and open to the general public.

PASSED BY THE COUNCIL of Kuna, Idaho this ____ day of June 2016.

APPROVED BY THE MAYOR of Kuna, Idaho this ____ day of June 2016.

Joe L. Stear, Mayor

ATTEST:

Chris Engel, City Clerk

**RESOLUTION NO R40-2016
CITY OF KUNA, IDAHO**

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE ~~PARK~~-USE AGREEMENT FOR ~~BERNIE FISHER PARK~~ CITY PARKS AND PUBLIC PROPERTY WHERE THE FEE IS WAIVED IN CONSIDERATION OF THE NON-PROFIT ENTITY PERFORMING A COMMUNITY SERVICE AT A CITY PARK AND THE EVENT IS FREE AND OPEN TO THE GENERAL PUBLIC; AND AUTHORIZING THE CITY CLERK TO SIGN THE ~~PARK~~-USE AGREEMENT FORM.

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

1. The ~~Park~~-Use Agreement for the ~~Bernie Fisher Park~~ City Parks and Public Property, in substantially the form, as attached hereto as Exhibit A, is approved; and
2. The City Clerk for the City of Kuna, Idaho is hereby authorized to sign the ~~Park~~-Use Agreement for ~~Bernie Fisher Park~~ City Parks and Public Property where the user is a non-profit entity that has agreed to perform a community service at a City Park in lieu of the payment of the Park Use Fee and the event is free and open to the general public.

PASSED BY THE COUNCIL of Kuna, Idaho this ____ day of June 2016.

APPROVED BY THE MAYOR of Kuna, Idaho this ____ day of June 2016.

Joe L. Stear, Mayor

ATTEST:

Chris Engel, City Clerk

**CITY PARKS AND PUBLIC PROPERTY USE AGREEMENT
CITY OF KUNA, IDAHO
CITY PARKS AND PUBLIC PROPERTY**

This Use Agreement (AGREEMENT) is entered into by and between the city of Kuna, Idaho, (CITY), an Idaho municipal corporation and _____(USER), jointly referred to herein as the PARTIES.

WHEREAS, CITY owns and maintains City Parks and Public Property (PROPERTY) and certain amenities, including the band shell, gazebo and picnic shelters located at Kuna, Idaho; and

WHEREAS, USER, a non-profit organization, desires to reserve the PROPERTY or a certain amenity contained in the PROPERTY for exclusive use for an event that is:

- 1) Free of charge;
- 2) Open to the general public (the event must be open to all persons or if it is a children's event, open to all children, and there are no limitations on participation); and
- 3) There are no vendors operating during the event.

WHEREAS, CITY grants USER permission to use the PROPERTY in exchange for certain contributions including maintenance, care, and improvements at City owned property.

NOW, THEREFORE, in consideration of the above recitals, which recitals are contractual in nature, the mutual covenants herein contained and such other and further consideration as is hereby acknowledged, the parties agree as follows:

1. USE: USER agrees to use the PROPERTY for on _____, , ____ 2016 from ____:____ to ____: ____ .

2. RESPONSIBILITIES:

CITY Will:

2.1. Have the PROPERTY or the desired amenities reserved for USER's exclusive use.

USER Will:

2.2. _____.

Estimated costs of rental fee waived by CITY. \$_____.

3. USAGE FEE: In exchange for the contribution, paragraph 2.2, there will be no usage fee.

4. OTHER REQUIREMENTS: USER shall maintain oversight and control of the participants. Littering, vandalizing, destroying or otherwise damaging CITY property is prohibited.
5. COMPLIANCE WITH GOVERNING LAW: Each PARTY shall comply with all federal, state and local laws, rules and regulations, now in force or which may hereafter be in force pertaining to the use of the PROPERTY.
6. INDEMNIFICATION: USER shall indemnify, hold harmless and defend the CITY and its elected or appointed officials, employees and agents from and against all liabilities, claims, suits, losses and expenses, including reasonable attorney's fees and court costs, arising out of or in the course of the use contemplated by this AGREEMENT that is caused in whole or in part by any act or omission of USER, any act or omission of anyone directly or indirectly employed by USER, or any act or omission for which USER may be liable, whether or not it is caused in whole or in part by the party indemnified.
7. INSURANCE: USER shall, at all times, obtain, pay for, and maintain insurance for the coverages and amounts of coverage not less than those set forth as follows:
 - 7.1. Worker's Compensation – in compliance with the state and federal laws, if required.
 - 7.2. Comprehensive Premises Liability Policy- a minimum coverage of \$1,000,000.00 including the following coverage:
 - 7.2.1. Premises and operations; and
 - 7.2.2. Broad Form Commercial General Liability Endorsement to include blanket contractual liability (specifically covering but not limited to the contractual obligations assumed by the organization; and
 - 7.2.3. Personal injury (with employment and contractual exclusions deleted); and
 - 7.2.4. Broad Form Property Damages coverage.
 - 7.3. USER shall provide to CITY original Certificates of Insurance satisfactory to evidence such coverages before operations pursuant to this AGREEMENT commence.
 - 7.4. CITY shall be named as an additional insured on all policies related to this Agreement, excluding Workers Compensation. Such policies shall provide that there shall be no termination, non-renewal, modification, or expiration of such coverage without forty-five (45) calendar days written notice to the CITY.
 - 7.5. All insurance shall be written with a company having an A.M. Best rating of at least the "A" category and size categories of VII.

8. UTILITIES: CITY will provide general maintenance, including lawn mowing, fertilizing, seeding, irrigation and irrigation system maintenance.
9. RUBBISH: USER shall be responsible for garbage or refuse removal during its use of the PARK.
10. DAMAGE BY FIRE OR OTHER CASUALTY: If the PROPERTY, or any part thereof, is damaged by fire or other casualty to such an extent that it is rendered unusable, in whole or in part, the CITY shall have the option to terminate this AGREEMENT, or repair the premises. USER shall have no claim for any loss of use during the period that the PROPERTY is being repaired.
11. ASSIGNMENT: This AGREEMENT is not assignable without the written consent of CITY.
12. WAIVER: No failure of the CITY to enforce any term hereof shall be deemed to be a waiver.
13. ENTIRE AGREEMENT: This AGREEMENT contains the entire agreement between the parties and may be modified only by an addendum to this AGREEMENT or by a new AGREEMENT in writing, signed by CITY and USER.
14. ATTORNEY'S FEES: If either PARTY is required to commence any proceeding or legal action to enforce or interpret any term, covenant or condition of the AGREEMENT, the prevailing party in such proceeding or action shall be entitled to recover from the other PARTY its reasonable attorney's fees and legal costs.

In witness whereof, the parties hereto have set their hands and seals on the day and year first written above.

CITY OF KUNA, IDAHO

Dated this ____ day of _____ 2016.

BY: _____
Joe Stear, Mayor

USER.

Dated this ____ day of _____ 2016.

BY: _____

ATTEST:

Dated this____ day of _____, 2016.

BY: _____
Chris Engels, City Clerk

APPROVED AS TO FORM AND CONTENT:

BY: _____
Richard T. Roats, City Attorney for Kuna, Idaho

PARK-CITY PARKS AND PUBLIC PROPERTY USE AGREEMENT

CITY OF KUNA, IDAHO

BERNIE FISHER CITY PARKCITY PARKS AND PUBLIC PROPERTY

This ~~Park~~-Use Agreement (AGREEMENT) is entered into by and between the city of Kuna, Idaho, (CITY), an Idaho municipal corporation and _____(USER), jointly referred to herein as the PARTIES.

WHEREAS, CITY owns and maintains ~~Bernie Fisher Park~~City Parks and Public Property (~~PARK~~PROPERTY) and certain amenities, including the band shell, gazebo and picnic shelters located at Kuna, Idaho; and

WHEREAS, USER, a non-profit organization, desires to reserve the PROPERTY~~PARK~~ or a certain ~~amenities~~-amenity contained in the PROPERTY~~PARK~~ for exclusive use for an event that is:

- 1) Free of charge;
- 2) Open to the general public (the event must be open to all persons or if it is a children's event, open to all children, and there are no limitations on participation); and
- 3) There are no vendors operating during the event.

WHEREAS, CITY grants USER permission to use the PROPERTY~~PARK~~ in exchange for certain contributions including maintenance, care, and improvements at City owned property.

NOW, THEREFORE, in consideration of the above recitals, which recitals are contractual in nature, the mutual covenants herein contained and such other and further consideration as is hereby acknowledged, the parties agree as follows:

1. USE: USER agrees to use the PROPERTY~~PARK~~ for on _____, , ____ 2016 from ____:____ to ____: ____ .

2. RESPONSIBILITIES:

CITY Will:

- 2.1. Have the PROPERTY~~PARK~~ or the desired amenities reserved for USER's exclusive use.

USER Will:

- 2.2. _____.

Estimated costs of rental fee waived by CITY. \$_____.

3. USAGE FEE: In exchange for the contribution, paragraph 2.2, there will be no usage fee.
4. OTHER REQUIREMENTS: USER shall maintain oversight and control of the participants. Littering, vandalizing, destroying or otherwise damaging CITY property is prohibited.
5. COMPLIANCE WITH GOVERNING LAW: Each PARTY shall comply with all federal, state and local laws, rules and regulations, now in force or which may hereafter be in force pertaining to the use of the PROPERTY PARK.
6. INDEMNIFICATION: USER shall indemnify, hold harmless and defend the CITY and its elected or appointed officials, employees and agents from and against all liabilities, claims, suits, losses and expenses, including reasonable attorney's fees and court costs, arising out of or in the course of the use contemplated by this AGREEMENT that is caused in whole or in part by any act or omission of USER, any act or omission of anyone directly or indirectly employed by USER, or any act or omission for which USER may be liable, whether or not it is caused in whole or in part by the party indemnified.
7. INSURANCE: USER shall, at all times, obtain, pay for, and maintain insurance for the coverages and amounts of coverage not less than those set forth as follows:
 - 7.1. Worker's Compensation – in compliance with the state and federal laws, if required.
 - 7.2. Comprehensive Premises Liability Policy- a minimum coverage of \$1,000,000.00 including the following coverage:
 - 7.2.1. Premises and operations; and
 - 7.2.2. Broad Form Commercial General Liability Endorsement to include blanket contractual liability (specifically covering but not limited to the contractual obligations assumed by the organization; and
 - 7.2.3. Personal injury (with employment and contractual exclusions deleted); and
 - 7.2.4. Broad Form Property Damages coverage.
 - 7.3. USER shall provide to CITY original Certificates of Insurance satisfactory to evidence such coverages before operations pursuant to this AGREEMENT commence.
 - 7.4. CITY shall be named as an additional insured on all policies related to this Agreement, excluding Workers Compensation. Such policies shall provide that there shall be no termination, non-renewal, modification, or expiration of such coverage without forty-five (45) calendar days written notice to the CITY.

- 7.5. All insurance shall be written with a company having an A.M. Best rating of at least the "A" category and size categories of VII.
8. UTILITIES: CITY will provide general maintenance, including lawn mowing, fertilizing, seeding, irrigation and irrigation system maintenance.
9. RUBBISH: USER shall be responsible for garbage or refuse removal during its use of the PARK.
10. DAMAGE BY FIRE OR OTHER CASUALTY: If the ~~PROPERTY~~PARK, or any part thereof is damaged by fire or other casualty to such an extent that it is rendered unusable, in whole or in part, the CITY shall have the option to terminate this AGREEMENT, or repair the premises. USER shall have no claim for any loss of use during the period that the ~~PROPERTY~~PARK is being repaired.
11. ASSIGNMENT: This AGREEMENT is not assignable without the written consent of CITY.
12. WAIVER: No failure of the CITY to enforce any term hereof shall be deemed to be a waiver.
13. ENTIRE AGREEMENT: This AGREEMENT contains the entire agreement between the parties and may be modified only by an addendum to this AGREEMENT or by a new AGREEMENT in writing, signed by CITY and USER.
14. ATTORNEY'S FEES: If either PARTY is required to commence any proceeding or legal action to enforce or interpret any term, covenant or condition of the AGREEMENT, the prevailing party in such proceeding or action shall be entitled to recover from the other PARTY its reasonable attorney's fees and legal costs.

In witness whereof, the parties hereto have set their hands and seals on the day and year first written above.

CITY OF KUNA, IDAHO

Dated this ____ day of _____ 2016.

BY: _____
Joe Stear, Mayor

USER.

Dated this ____ day of _____ 2016.

BY: _____

ATTEST:

Dated this____ day of _____, 2016.

BY: _____
Chris Engels, City Clerk

APPROVED AS TO FORM AND CONTENT:

BY: _____
Richard T. Roats, City Attorney for Kuna, Idaho



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

GORDON N. LAW
CITY ENGINEER

Telephone (208) 287-1727; Fax (208) 287-1731
Email: glaw@kunaid.gov

MEMORANDUM

TO: Mayor Stear and Members of City Council

FROM: Gordon N. Law
Kuna City Engineer

RE: Kuna Public Works Projects
Lake Hazel Sewer Trunk Project – 2016-2017
Project Design - Consultant

DATE: June 15, 2016

REQUEST: Approve Resolution for B&A Engineers Agreement

The City Engineer proposes to extend sewer access to property in our corporate city limits north of Lake Hazel and also property south of Lake Hazel and east of Linder. All of the property lies in the Mason Creek drainage, but a necessary first step is to cross Mason Creek in two locations. This project includes design of the two crossings, extension of sewer trunk to both crossings and a limited amount of trunk extension beyond both crossings.

The City of Kuna has created a registry of qualified consultants to perform design on modest sized water, sewer and pressurized irrigation projects. Of the qualified firms from the registry, B&A Engineers was determined to be the best qualified for the above referenced project because they have greater familiarity with the soils and utility situation in vicinity of this particular project and they already have access to some topographical information that will not be expensed to the project. The work includes preparing and submitting plans, specifications and contract documents in preparation for bidding and construction.

B&A Engineers has provided a Professional Services Agreement and an estimate of costs in the amount of \$34,995.00 for the Scope of Work. In selecting a consultant, the Idaho State Code does not allow selection on the basis of the cost of consultant services – only on the basis of qualifications to provide the services. The City will continue to make consultant selection as required in state code, but does evaluate costs to make sure expenditures are appropriately controlled.

The City Engineer requests the attached Professional Services Agreement, Scope of Work and Estimate of Costs is approved and the services of B&A Engineers are secured for the work. A resolution is attached, which if approved, the Mayor, Clerk and City Engineer are authorized to execute the requisite documents.

The FY2015-16 budget has \$800,000 for the project from the Sewer Fund. The work also includes a regional lift station which is not within the scope of this consultant services agreement.

Attachments:

RESOLUTION NO. R44-2016

RESOLUTION AWARDDING CONTRACT FOR CONSULTING SERVICES TO B & A ENGINEERS, INC. IN THE AMOUNT OF \$35,995.00 FOR DESIGN OF THE LAKE HAZEL SEWER TRUNK PROJECT; DIRECTING EXPENDITURE OF FUNDS FROM THE SEWER FUND FOR SAID WORK; AND AUTHORIZING THE MAYOR, CITY CLERK AND CITY ENGINEER TO EXECUTE CONTRACT DOCUMENTS WITH SAID CONSULTANT.

WHEREAS, the City of Kuna, Idaho has determined it to be in said City's best interest to design and construct the Lake Hazel Sewer Trunk Project; and

WHEREAS, the City of Kuna, Idaho has prepared a registry of qualified sewer design consultants; and

WHEREAS, the City of Kuna, Idaho has selected B&A Engineers, Inc. from its registry of qualified consultants and proposes to contract with them for design services on the basis of their being best qualified to provide consultant services for design of the Lake Hazel Sewer Trunk Project:

BE IT HEREBY RESOLVED by the Mayor and Council of the City of Kuna, Idaho, that the Mayor, City Engineer and City Clerk of said city are hereby authorized to execute that certain agreement titled "Agreement for Professional Services", by and between said city and B&A Engineers, Inc., which Agreement is for consulting services related to designing the Lake Hazel Sewer Trunk Project and preparing contract documents for constructing the same, which agreement and associated scope of work is estimated to cost thirty-four thousand nine hundred ninety-five dollars (\$34,995) and which Agreement is attached hereto, and made a part hereof, as if set forth in full.

PASSED BY THE COUNCIL of Kuna, Idaho this 21st day of June, 2016.

APPROVED BY THE MAYOR of Kuna, Idaho this 21st day of June, 2016.

Joe L. Stear, Mayor

ATTEST:

Chris Engels, City Clerk

B & A ENGINEERS, Inc.
AGREEMENT FOR PROFESSIONAL SERVICES

This Agreement entered into and effective this _____ day of _____, _____ between City of Kuna, Idaho. Herein after referred to as the "CLIENT" and B&A ENGINEERS, Inc., an Idaho corporation, herein after referred to as "B&A"

WITNESSETH:

WHEREAS the CLIENT intends to: _____ hereinafter referred to as the 'Project'. The Services to be performed by B&A are hereinafter referred to as the "Services."

NOW, THEREFORE, the CLIENT and B&A, in consideration of their mutual covenants herein, agree as set forth below:

MUTUAL RESPONSIBILITIES

This Agreement is based upon a mutual obligation of good faith and fair dealing between the parties in its performance and enforcement. Accordingly, the CLIENT and B&A, with a positive commitment to honesty and integrity, agree that each will assist in the other's performance; that each will avoid hindering the other's performance; that each will work diligently to fulfill its obligations; and that each will cooperate in the common endeavor of the Agreement.

CLIENT INFORMATION AND RESPONSIBILITIES

The CLIENT will provide to B&A all criteria and full information as to CLIENT's requirements for the Project, including design objectives and constraints, space, capacity and performance requirements, flexibility and expandability, and any budgetary limitations; and furnish copies of all design and construction standards, rules and laws which CLIENT or others will require to be included in the drawings and specifications upon which B&A can rely for completeness and accuracy.

The CLIENT will furnish to B&A all data, documents, and other items in CLIENT's possession, or reasonably obtainable by CLIENT, including, without limitation: 1) borings, probing's and subsurface explorations, hydrographic surveys, laboratory tests and inspections of samples, materials and equipment. 2) appropriate professional interpretations of all of the foregoing, 3) environmental assessment and impact statements, 4)

surveys of record, property descriptions, zoning, deeds and other land use restrictions, rules and laws, and 5) other special data or consultations, all of which B&A may use and rely upon in performing Services under this Agreement.

The CLIENT will obtain, arrange and pay for all advertisements for bids, permits and licenses, and similar fees and charges required by authorities, and provide all land, easements, rights-of-ways and access necessary for B&A's Services and the Project,

In addition, the CLIENT will furnish to B&A: _____

PROJECT REPRESENTATIVES

The CLIENT and B&A hereby designate their authorized representatives to act on their behalf with respect to the Services and responsibilities under this Agreement. The following designated representatives are authorized to receive notices, transmit information and make decisions regarding the Project and Services on behalf of their respective parties, except as expressly limited herein. These representatives are not authorized to alter or modify the **TERMS AND CONDITIONS** of this Agreement.

For the CLIENT:

Name _____	Work telephone _____
Address _____	Home/cellphone _____
_____	FAX telephone _____
_____	E-mail address _____

For B&A:

Name <u>David Crawford-B&A Engineers, Inc.</u>	Work telephone <u>208.343.3381</u>
Address <u>5505 W. Franklin Rd.</u> Boise, ID. 83705	FAX telephone <u>208.342.5792</u>
E-mail address: <u>dacrawford@baengineers.com</u>	

In the event any changes are made to the authorized representatives or other information listed above, the CLIENT and B&A agree to furnish each other timely, written notice of such changes.

SERVICES TO BE PERFORMED BY B&A ("Services")

B&A will perform the Services described as follows (or as described in Exhibit 1, if provided): _____

B&A assumes no responsibility to perform work not listed as Services.

SCHEDULE OF SERVICES TO BE PERFORMED

B&A will perform said Services as follows (or as described in Exhibit 1, if provided): _____

This schedule shall be equitably adjusted as the Project progresses, allowing for changes in scope, character or size of the Project requested by the CLIENT or for delays or other causes beyond B&A's control.

BASIS OF FEE

The CLIENT will pay B&A for their Services and reimbursable expenses as follows (or as described in Exhibit 1, if provided): _____

Other work that B&A performs, which is not defined as Services at the request or acquiescence or knowledge of the CLIENT, is Additional Services. Unless otherwise agreed, the CLIENT will pay B&A for Additional Services on a time and materials basis.

The Notice to Proceed, by the CLIENT, verbal or written, or execution of the Agreement shall constitute acceptance of this Agreement. THE TERMS AND CONDITIONS ON PAGES 3 AND 4, INCLUDING RISK ALLOCATION, ARE PART OF THIS AGREEMENT. THE CLIENT AGREES TO SAID TERMS AND CONDITIONS FOR ALL SERVICES AND ADDITIONAL SERVICES. Special Provisions that modify these TERMS AND CONDITIONS, if any, are included in Exhibit 1.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written. These parties represent and acknowledge that they have authority to execute this Agreement,

CLIENT:

NAME

STREET

CITY/STATE/ZIP CODE

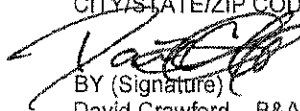
BY (Signature)

NAME / TITLE

BY (Signature)

ADDITIONAL NAME / TITLE

5505 W. Franklin Rd.
STREET
Boise, Idaho 83705
CITY/STATE/ZIP CODE



BY (Signature) _____
David Crawford -- B&A Engineers, Inc.
Project Manager
NAME / TITLE



B & A Engineers, Inc.

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

EXHIBIT 1

June 14, 2016

To: **City of Kuna**
PO Box 13
Kuna, ID. 83634

Re: **Professional Engineering and Land Surveying Services Design Proposal for Lake Hazel Sewer Main (2016) Project.**

Council, Staff

We appreciate the opportunity for the City to evaluate this proposal for Professional Engineering and Land Surveying Services from our firm. It has been a pleasure to work with the City on both its projects and others in the area. We look forward to continuing to supply the City with its design consultant needs now and in the future.

This proposal is related to the extension of a sanitary sewer main within Ten Mile and Lake Hazel Roads which will connect to a proposed lift station west of and adjacent to the existing Kuna Waste Water Treatment facility.

Our cost proposal to perform these services is attached to this letter as Appendix II.

In general terms the scope of the work is to provide investigative design and construction period services related to an extension of a sanitary sewer mainline within the roadways.

This cost proposal is based on buried crossing of Mason Creek. Should aerial crossings be required, this is cause for a design change order.

The following highlights the anticipated work necessary and services commonly found in our experience with the City of Kuna and similar projects.

- **Land Surveying**

We will provide sufficient survey information to be used in design. We will locate existing visible utilities, fences, pavement locations, driveway locations, and locate existing Mason Creek bridge crossings on Ten Mile and Lake Hazel.

We will contact all public utilities to attempt to secure available mapping information of existing utilities within the design corridor.

- **Work Scope.**

We will work with the City Engineer to establish three cost estimates to establish the total scope of work which will assist determine the length of the mainline extensions to connect to the proposed sanitary sewer lift station. This will include two anticipated sewer crossings of Mason Creek. It may also include

the placing of one additional sleeve for domestic water and one additional sleeve for pressurized irrigation.

- **Extend 470 LF of 18-inch Sewer main to the intersection of Ten Mile and Lake Hazel Roads**

We will prepare construction plans detailing the installation of the sanitary sewer mainline, in accordance with the Idaho Standards for Public Works Construction (ISPWC) standards, common engineering practices and customary standard of care.

- **Extend 1,200 LF of 15-inch Sewer main North from the intersection of Ten Mile and Lake Hazel Roads**

We will prepare construction plans detailing the installation of the sanitary sewer mainline, in accordance with the Idaho Standards for Public Works Construction (ISPWC) standards, common engineering practices and customary standard of care.

- **Extend 1,200 LF of 15-inch Sewer main East from the intersection of Ten Mile and Lake Hazel Roads**

We will prepare construction plans detailing the installation of the sanitary sewer mainline, in accordance with the Idaho Standards for Public Works Construction (ISPWC) standards, common engineering practices and customary standard of care.

- **Permit Application Crossings of Mason Creek**

We will provide the necessary 404 permit application for the crossing of the Mason Creek for Sanitary Sewer line, water line casing, and pressure irrigation casing to the City of Kuna for the authorized agents signature after the construction plans have been completed. Once signed and provided to us, we will provide the Bureau of Reclamation the crossing agreement applications.

- **Considerations**

We will prepare design drawings and bid package relying on ISPWC standards, general conditions and form of contract.

We will review and respond to construction submittals provided to us.

We will provide construction staking offsets for the centerline of manholes, with elevations suitable for the contractors use during construction. We understand that timing is of critical importance for construction of this project. Our office provides a priority to construction staking. While we endeavor to be available when needed, requests for construction staking need to be provided to our office 48 hours prior to the construction staking need to assure the staking is completed effectively and timely.

We will be available to answer questions during the bidding and construction on a time and materials basis during normal business hours, and consistent with our standard Compensation Rate Schedule as Appendix I, attached.

We will prepare record drawings.

- **Additional Considerations**

Based on our past experience with the City we are presuming that the City Engineer will prepare the Idaho Department of Environmental Quality QLPE letter as required.

We have not included any of the following items:

- Boundary Surveys
- Easement Preparations
- Erosion control plan or narrative
- Traffic control plan

- **Meetings**

We will attend one project kick off meeting

We will attend one coordination meeting

We will attend one pre-construction meeting

- **Extra Services**

Any additional services or meetings beyond those specifically included within this proposal will be billed in accordance with our standard Compensation Rate Schedule as Appendix I, attached.

We look forward to working with the City and successfully completing the project.

Should you have any questions please contact me at 343-3381 or by e-mail at dacrawford@baengineers.com

Sincerely,



David Crawford
B&A Engineers, Inc.



B & A Engineers, Inc.

Consulting Engineers & Land Surveyors
5505 West Franklin Rd. Boise, ID 83705
Telephone 208-343-3381 Facsimile 208-342-5792

Compensation Rate Schedule

Effective 1 January 2015

Appendix I

<u>Engineering Staff:</u>	<u>Hourly Rate</u>
Licensed Engineer.....	\$ 125.00
Engineering Technician.....	\$ 80.00
Drafting Technician.....	\$ 65.00

Land Planning / Development Consultant..... \$ 100.00

Land Surveying Staff:

Land Surveyor (Licensed)	\$ 125.00
Survey Technician.....	\$ 80.00
Drafting Technician.....	\$ 65.00
Survey Crew (2 man crew).....	\$ 130.00
GPS Land Survey Field Crew (1crew member).....	\$ 130.00
(Includes GPS survey station, caps, stakes, lath, rebar & auto)	
GPS Land Survey Field Crew (2 man crew).....	\$ 190.00
(Includes GPS survey station, caps, stakes, lath, rebar & auto)	

Miscellaneous Expenses:

General Secretarial & Clerical	\$ 45.00
In-office File Research.....	\$ 45.00
Meals & Lodging	Cost
Printing & Copies	Cost + 5%
Fees, Permits, Recording, Costs, Etcetera	Cost + 5%
* Mileage	\$ 0.58 / Mile
** Travel Time.....	Above Rates

* Mileage is charged to accounts if travel distance, one way, is greater than 30 miles from ENGINEER's office. The mileage is charged both directions.

** Travel time for employees is charged to job site (one way) only for jobs greater than 30 miles from ENGINEER's office. For job sites less than or equal to 30 miles, time is charged both directions.

Note: Rates are subject to periodic adjustment at the ENGINEER's discretion.

Appendix II
City of Kuna
Sanitary Sewer Line Extension
Ten Mile & Lake Hazel Roads
Prepared by: David Crawford
B&A Engineers, Inc.
Date: June 7, 2016

Task	Hours	Rate	Sub-total
1 Limited Topographic Survey			
2 Land Surveyor	1	\$125.00	\$125.00
3 Surveying Technician	12	\$80.00	\$960.00
4 GPS Surveying	16	\$130.00	\$2,080.00
5 Drafting Technician	24	\$65.00	\$1,560.00
6 Total			\$4,725.00
7			
8 Cost Estimate			
9 Project Engineer	4	\$125.00	\$500.00
10 Engineering Technician	12	\$80.00	\$960.00
11 Drafting Technician	6	\$65.00	\$390.00
12 Total			\$1,850.00
13			
14 Sewer Main Line Construction Plans			
15 Project Engineer	20	\$125.00	\$2,500.00
16 Engineering Technician	30	\$80.00	\$2,400.00
17 Drafting Technician	76	\$65.00	\$4,940.00
18 Total			\$9,840.00
19			
20 Permitting			
21 Project Engineer	6	\$125.00	\$750.00
22 Engineering Technician	16	\$80.00	\$1,280.00
23 Drafting Technician	8	\$65.00	\$520.00
24 Total			\$2,550.00
25			
26 Bid Package			
27 Project Engineer	6	\$125.00	\$750.00
28 Engineering Technician	24	\$80.00	\$1,920.00
29 Drafting Technician	14	\$65.00	\$910.00
30 Total			\$3,580.00
31			
32 Submittal Review			
33 Project Engineer	6	\$125.00	\$750.00
34 Engineering Technician	8	\$80.00	\$640.00
35 Drafting Technician	2	\$65.00	\$130.00
36 Total			\$1,520.00
37			
38 Construction Staking			
39 Land Surveyor	6	\$125.00	\$750.00
40 Surveying Technician	12	\$80.00	\$960.00
41 GPS Surveying	24	\$130.00	\$3,120.00
42 Drafting Technician	4	\$65.00	\$260.00
43 Total			\$5,090.00
44			
45 Record Drawings			
46 Land Surveyor	4	\$125.00	\$500.00
47 Surveying Technician	8	\$80.00	\$640.00
48 GPS Surveying	8	\$130.00	\$1,040.00
49 Project Engineer	6	\$125.00	\$750.00
50 Engineering Technician	12	\$80.00	\$960.00
51 Drafting Technician	30	\$65.00	\$1,950.00
52 Total			\$5,840.00
53			
54 Grand Total			\$34,995.00



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

GORDON N. LAW
CITY ENGINEER

Telephone (208) 287-1727; Fax (208) 287-1731
Email: glaw@kunaid.gov

MEMORANDUM

TO: Mayor Stear and Members of City Council

FROM: Gordon N. Law
Kuna City Engineer

RE: Kuna Public Works Projects
Lift Station Controls and Equipment Standards – 2016-2017
Standards Preparation - Consultant

DATE: June 15, 2016

REQUEST: Approve Resolution for Keller Associates Agreement

The City Engineer proposes the use of consultant services to prepare lift station control and equipment standards in connection with the Lake Hazel Project. The city is now embarking on a number of projects which will require new sewer lift stations which makes it an excellent time to standardize equipment and controls in all of these new stations. The benefit to the City is to improve the ease of training of staff, to reduce the number of spare parts required, to reduce confusion for outside emergency maintenance services and to make our controls readily compatible with our SCADA system.

The City of Kuna has created a registry of qualified consultants to perform design on modest sized water, sewer and pressurized irrigation projects. Of the qualified firms from the registry, Keller Associates was determined to be the best qualified for the above referenced project because they have greater familiarity with our equipment and they have the broadest exposure to the means and equipment used by other municipalities. The work includes researching the standards of other cities, evaluating equipment and preparing a written standard for Kuna.

Keller Associates has provided an Agreement for Professional Services and an estimate of costs in the amount of \$19,500.00 for the Scope of Work. In selecting a consultant, the Idaho State Code does not allow selection on the basis of the cost of consultant services – only on the basis of qualifications to provide the services. The City will continue to make consultant selection as required in state code, but does evaluate costs to make sure expenditures are appropriately controlled.

The City Engineer requests the attached Agreement for Professional Services, Scope and Budget and Estimate of Costs is approved and the services of Keller Associates is secured for the work. A resolution is attached, which if approved, authorizes the Mayor, Clerk and City Engineer to execute the requisite documents. The FY2015-16 budget has \$800,000 for the project from the Sewer Fund. The work also includes a regional lift station and trunk line extension which is not within the scope of this consultant services agreement.

Attachments:

RESOLUTION NO. R46-2016

RESOLUTION AWARDING CONTRACT FOR CONSULTING SERVICES TO KELLER ASSOCIATES IN THE AMOUNT OF \$19,500.00 FOR PREPARATION OF CONTROL AND EQUIPMENT STANDARDS FOR SEWER LIFT STATIONS; DIRECTING EXPENDITURE OF FUNDS FROM THE SEWER FUND FOR SAID WORK; AND AUTHORIZING THE MAYOR, CITY CLERK AND CITY ENGINEER TO EXECUTE CONTRACT DOCUMENTS WITH SAID CONSULTANT.

WHEREAS, the City of Kuna, Idaho has determined it to be in said City's best interest to prepare Control and Equipment Standards for Lift Stations; and

WHEREAS, the City of Kuna, Idaho has prepared a registry of qualified sewer design consultants; and

WHEREAS, the City of Kuna, Idaho has selected Keller Associates from its registry of qualified consultants and proposes to contract with them for design services on the basis of their being best qualified to provide consultant services for preparation of Control and Equipment Standards for Sewer Lift Stations:

BE IT HEREBY RESOLVED by the Mayor and Council of the City of Kuna, Idaho, that the Mayor, City Engineer and City Clerk of said city are hereby authorized to execute that certain agreement titled "Agreement for Professional Services", by and between said city and Keller Associates, which Agreement is for consulting services related to preparation of Control and Equipment Standards for Sewer Lift Stations, which agreement and associated scope of work is estimated to cost nineteen thousand five hundred dollars (\$19,500) and which Agreement is attached hereto, and made a part hereof, as if set forth in full.

PASSED BY THE COUNCIL of Kuna, Idaho this 21st day of June, 2016.

APPROVED BY THE MAYOR of Kuna, Idaho this 21st day of June, 2016.

Joe L. Stear, Mayor

ATTEST:

Chris Engels, City Clerk

AGREEMENT FOR PROFESSIONAL SERVICES

This is an Agreement effective as of _____ ("Effective Date") between the City of Kuna, Idaho ("Owner") and Keller Associates, Inc. ("Consultant").

Owner's Project, of which Consultant's services under this Agreement are a part, is generally identified as follows:
Kuna Lift Station Standards ("Project").

The Owner and the Consultant agree to the following Project scope, schedule, and compensation:

SCOPE: Consultant's services under this Agreement are generally identified as follows: See Attachment A.

SCHEDULE: The Agreement shall commence on the above written date. Consultant shall complete services in Article I according to the schedule outlined in Attachment A.

COMPENSATION:

Basic Services. As compensation for services to be performed by Consultant, the Owner will pay Consultant on a time and materials basis with an estimated fee of \$ 19,500 (Nineteen Thousand Five Hundred dollars) as described in Attachment A. Compensation will be according to the billing rates included as Attachment B. The total authorized budget amount shall not be exceeded without authorization from the Owner.

Additional Services. Compensation for performing Additional Services will be pursuant to a mutually agreed upon Addendum to this Agreement.

In Witness Whereof, the parties hereto have executed this Agreement as of the date first above written. Owner further acknowledges that it has reviewed and accepted the attached Standard Terms and Conditions.

OWNER: City of Kuna, Idaho

Signature: _____

Name: _____

Title: _____

Address: 763 W. Avalon

Kuna, Idaho 83634

Date: _____

CONSULTANT: Keller Associates, Inc.

Signature: Rod J. Linja

Name: Rod J. Linja

Title: President

Address: 131 S.W. 5th Avenue, Suite A

Meridian, ID 83642

Date: 6/14/2016

STANDARD TERMS AND CONDITIONS:

1. **CONTRACT** – This document constitutes the full and complete Agreement between the parties and supersedes all prior negotiations, representations or agreements, whether written or oral. The Agreement may be amended only if both parties specifically agree in writing to such amendment of the Agreement.
2. **INVOICES AND PAYMENT** – Owner will make payment within 30 calendar days of the invoice date. Consultant shall keep accurate records of expenses. If Owner contests an invoice, Owner shall advise the Consultant within 15 days of receipt of invoice of the specific basis for doing so, may withhold only that portion so contested, and shall pay the undisputed portion.

Interest. If payment is not received by the Consultant within 30 calendar days of the invoice date, Owner shall pay interest at a rate of 1½% per month (or the maximum allowable by law, whichever is lower) of the past due amount. Payments will be credited first to interest and then to principal.

Suspension. If the Owner fails to make payments when due, the Consultant may suspend performance of services upon five (5) calendar days' notice to the Owner. Owner agrees to indemnify and hold Consultant harmless from any claim or liability resulting from such suspension.
3. **DOCUMENTS** – All documents prepared or furnished by Consultant are instruments of service, and Consultant retains ownership and property interest (including the copyright and the right of reuse) in such documents. Owner shall have a limited license to use the documents in and for the Project subject to full payment for all services relating to preparation of the documents. The Owner agrees to obtain prior written agreement for any reuse or modifications of the instruments of service, and understands that any unauthorized use of the instruments of service shall be at the Owner's sole risk and without liability to the Consultant.
4. **STANDARD OF CARE** – The standard of care for all professional engineering and related services performed or furnished by the Consultant under this Agreement will be the care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality. Consultant shall exercise usual and customary professional care in its efforts to comply with applicable codes, regulations, laws, rules, ordinances, and such other requirements in effect as of the date of execution of this Agreement.
5. **CHANGES OR DELAYS** – The proposed scope of services, compensation, schedule, and allocation of risks reflect Consultant's understanding of the Project at the date of this Agreement. Costs and schedule commitments shall be subject to renegotiation for changed conditions, unreasonable delays caused by the Owner's failure, independent government agencies, acts of God, or causes beyond the reasonable control of Consultant. Where this occurs, changes in the Agreement shall be negotiated and an equitable adjustment shall be made.
6. **TERMINATION** – The Owner and Consultant may terminate this Agreement in whole or in part at any time by giving 30 days written notice thereof. The Owner shall promptly pay Consultant for all services rendered to the effective date of suspension of services, plus suspension charges, which shall include the cost of assembling documents, personnel and equipment, rescheduling or reassignment, and commitments made to others on the Owner's behalf.
7. **SUSPENSION OF SERVICES** – If the Owner suspends services of the Consultant for any reason for more than thirty days, the Consultant shall be reimbursed for expenses incurred due to suspension of services, including costs associated with rescheduling or reassigning personnel, and commitments made to others on Owner's behalf.
8. **INDEMNITY** – Owner and Consultant each agree to indemnify and hold the other (including their respective officers, directors, employees, agents, owners, shareholders, members, partners, sub-consultants, subcontractors, and representatives) harmless from and against liability for all claims, losses, damages and expenses, to the extent such claims, losses, damages, or expenses are caused by the indemnifying party's negligent acts, errors or omissions. In the event claims, losses, damages, or expenses are caused by the joint or concurrent negligence of Owner and Consultant, they shall be borne by each party in proportion to its negligence. Neither the Owner nor Consultant shall be liable for incidental, indirect or consequential damages.
9. **OPINIONS OF COST** – Consultant's opinions of probable cost represent Consultant's judgment as an experienced and qualified design professional. Since Consultant has no control over the cost of labor, materials, equipment, or services furnished by others, or over the Owner's and other contractor's methods of determining prices, or over competitive

bidding or market conditions, the Consultant cannot and does not guarantee that proposals, bids, or actual construction cost will not vary from opinions of probable cost prepared by the Consultant.

10. **CONSTRUCTION PHASE SERVICES** – If Consultant performs any services during the construction phase of the Project, Consultant shall not supervise, direct, or have control over Contractor's work. Consultant shall not have authority over or responsibility for the construction means, methods, techniques, sequences or procedures or for safety precautions and programs in connection with the work of the Contractor. Consultant does not guarantee the performance of the construction contract by the Contractor and does not assume responsibility for the Contractor's failure to furnish and perform its work in accordance with the Contract Documents.

11. MISCELLANEOUS

Right of Entry: Unless otherwise noted in the scope of work, the Owner shall provide for Consultant's right to enter the property owned by the Owner and others in order to fulfill the services to be performed hereunder.

Dispute Resolution: Owner or its Contractor agree to notify Consultant of any claims against the Consultant within 10 days of discovery of any allegations, errors or omissions. Should a dispute arise, Owner and Consultant agree to negotiate disputes between them in good faith for a period of 30 calendar days from the date the dispute is raised in writing by either the Owner or Consultant. If the parties fail to resolve the dispute through negotiation, then the dispute shall be decided through non-binding mediation or other mutually agreed alternative dispute resolution technique. Fees and expenses for mediation shall be split equally between the parties. The Owner and Consultant agree non-binding mediation or other mutually acceptable dispute resolution technique shall precede litigation. This Agreement shall be governed by the laws of the State where the Project is located.

Hazardous Environmental Conditions: The scope of Consultant's services does not include any responsibility for detection, remediation, accidental release, or services relating to waste, oil, asbestos, lead or other hazardous materials, as defined by Federal, State, and local laws or regulations. Consultant is not required to become an arranger, operator, generator, or transporter of hazardous substances, and shall have no responsibility for the discovery, handling, removal, disposal or exposure of persons to hazardous substances of any form.

Consultant Reliance: Consultant shall be entitled to rely, without liability, on the accuracy and completeness of any and all information provided by Owner, Owner's consultants and contractors, and information from public records, without the need for independent verification.

Certifications: Consultant shall not be required to sign any documents that result in Consultant having to certify, warrant, or guarantee the existence of conditions whose existence Consultant cannot ascertain within its services for the Project.

Third Parties: Nothing contained in this Agreement shall create a contractual relationship with, or a cause of action in favor of, a third party against either the Owner or Consultant. Consultant's services hereunder are being performed solely for the benefit of the Owner, and no other entity shall have any claim against Consultant because of this Agreement or Consultant's performance of services hereunder.

Severability & Waiver: In the event any of these Contract Provisions are found to be illegal or otherwise unenforceable, the unenforceable Contract Provisions will be stricken, and those remaining Contract Provisions shall continue in full force and effect. The failure of either party of this Agreement to insist, in any one or more instances, upon the performance of any of the terms, covenants or conditions of this Agreement, shall not be construed as a waiver of such term, covenant or right.

Joint Drafting: The Parties expressly agree that this Agreement was jointly drafted, and that they both had opportunity to negotiate its terms and to obtain the assistance of counsel in reviewing its terms prior to execution. Therefore, this Agreement shall be construed neither against nor in favor of either Party, but shall be construed in a neutral manner.

ATTACHMENT A
for
Predesign, Design and Construction Support
for Kuna Lift Station Standards
between
KELLER ASSOCIATES, INC.
and
CITY OF KUNA

KA #215099
Scope and Budget

PROJECT BACKGROUND / OVERVIEW

The City has a number of lift stations and will continue to install additional lift stations as development occurs. Several additional lift stations are anticipated in the near future. The City desires a level of uniformity in design criteria, materials, products, and operations. The purpose of this task order is to prepare a guidance document that outlines basic design criteria and construction standards.

ARTICLE I, CONSULTANT SCOPE OF WORK

The following engineering services will be provided by Keller Associates, Inc. (Consultant):

1. Attend a kickoff meeting with City staff, representative of ABS equipment supplier, and the City's SCADA integrator.
2. Review records for recently approved / construction lift station to identify preferred equipment and features.
3. Review standards for up to three Treasure Valley communities to provide insight into the elements to be included in the standards.
4. Provide a summary table or write-up outlining typical lift station design parameters. This will include design flows, target minimum and maximum force main velocities and retention times, requiring air release valves at high spots in the force main, minimum force main diameters, pump and pipeline redundancy, typical friction factors to be used in hydraulic calculations, generator fuel storage and sound mitigation requirements.
5. Outline City-specific requirements to be included in a preliminary engineering report, and identify potential triggers for special reporting requirements.
6. Provide a narrative of lift station functional and equipment requirements in the form of draft standards. This is anticipated to include:

- a. Site requirements for access, security fencing, landscaping, easement and land; include restrictions for work within flood hazard areas, wetlands, and anticipated future street right-of-ways.
- b. Mechanical piping requirements including valve types, vault requirements, bypass provisions, metering, pressure monitoring, isolation, cleanouts, and other force main requirements
- c. Wet well storage volume, safety, mixer, and coating requirements
- d. Influent pipe and screening requirements
- e. Pump requirements including acceptable manufacturers and key features
- f. Pump removal provisions
- g. Odor control provisions
- h. Minimum building requirements (if desired)
- i. Instrumentation requirements, including level monitoring, backup monitoring, and metering
- j. Electrical and control requirements, including level standardized PLCs, telemetry, SCADA, radio communication equipment, data collection, presentation, and preservation, and alarms
- k. Standby power requirements
- l. Warranty bond and maintenance period
- m. Operations and maintenance and record drawing documents
7. Distribute draft standards for review by City. Meet with City to review comments.
8. Address comments, and prepare final standards.

Deliverables:

1. Interim electrical, control, and SCADA standards to include a one-line diagram, list of I/O for SCADA functionality, instrumentation, and SCADA data preservation and presentation.
2. Draft and final standards

Assumptions:

1. Detailed product specifications and drawings, if desired, will be prepared subsequently as a separate task order or amendment to this task order. This draft document is anticipated to be 10 to 15 pages in length.
2. Design flows and peaking factors will consider those values reported in the previous sewer master plan, but recognize that higher peaking factors are appropriate for smaller service areas. No additional flow analysis to reassess maximum day and peak hour conditions at the WWTP and lift stations will be completed.

ARTICLE II, SCHEDULE

Consultant will provide the interim electrical, control and SCADA standards within four weeks of notice to proceed and the complete standards within 60 days of notice to proceed.

ARTICLE III, SUMMARY OF SERVICES AND INFORMATION PROVIDED BY OTHERS

The following services/items will be provided by the Owner or others.

1. City to review and provide input on draft standards.
2. City and supplier to provide historical records of recent pump station equipment and features.
3. Custom Electric to provide input on electrical/controls, including write-up on SCADA requirements.

ARTICLE IV, ENGINEERING COMPENSATION

The Consultant will be paid on a time and materials basis pursuant to the Consultant's current Title Code Billing Rates (a copy of the 2016 billing rates is included as Attachment B) with an estimated budget of Nineteen Thousand Five Hundred dollars (\$19,500).

ATTACHMENT B

Title Code Billing Rates KELLER ASSOCIATES, Inc. 2016 TITLE CODE BILLING RATES

Personnel Classification	2016 Hourly Rate
Project Engineer - I (EI)	\$75.00 - \$100.00
Project Manager - I (PE)	\$110.00 - \$145.00
Project Engineer - II (PE)	\$110.00 - \$170.00
Project Manager - II (PE)	\$180.00 - \$180.00
CAD - I	\$70.00 - \$95.00
CAD - II	\$105.00 - \$140.00
Engineering Student	\$60.00
Principal (PE)	\$210.00
Chief Engineer/Structural Engineer (PE, SE, PLS)	\$210.00
Structural Engineer - I (PE, SE)	\$145.00
Electrical Engineer - I (PE)	\$140.00
Professional Surveyor (PLS)	\$115.00 - \$140.00
Surveyor	\$65.00 - \$85.00
Field Representative	\$70.00 - \$110.00
Clerical & Administration	\$80.00 - \$80.00

Other Billing Terms

Mileage: Billed at Federal Rate (currently \$0.54 per mile)

Per Diem: \$50.00 per day

Reimbursable Expenses at Cost x 1.05

The Title Code Billing Rates are effective January 1, 2016 and will be adjusted each January of subsequent years.

New employees may be added throughout the year.

City of Kuna
Lift Station Standards
Engineer Fee Estimate

Date: 10-Jun-16

Task	Description	Project Manager	Chief Design Engineer	Senior Engineer	Electrical/Structural Engineer	Skilled Engineer	Admin	Sub-Consultant/Dirtr Cost	Total
	Composite Rates	\$145	\$210	\$160	\$140	\$105	\$65		
	LS Standards								
1	Kickoff	4		4	3		1		\$1,705
2	Review records	2		1	1	6			\$1,220
3	Review standards of other communities	1		2		10			\$1,515
4	Design standards	1	1	2	2	14			\$2,425
5	City PER requirements	2		1	1	4			\$1,010
6	Draft standards	3	4	6	4	36	2		\$6,705
6a	Interim standards	1	1		8		2		\$1,605
7	Distribute and review meetings	5		3	3		2		\$1,755
8	Address comments and finalize	4		1	1	4	4		\$1,560
	Task Total	23	6	20	23	74	11	\$0	\$19,500

(Space above reserved for recording)

KUNA CITY ORDINANCE NO. 2016-17

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY, TO WIT: PARCEL NO. R1693860270 SITUATED IN THE UNINCORPORATED AREA OF ADA COUNTY, IDAHO AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF KUNA INTO THE CITY OF KUNA, IDAHO; ESTABLISHING THE ZONING CLASSIFICATION OF SAID REAL PROPERTY; DIRECTING THAT COPIES OF THIS ORDINANCE BE FILED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Kuna, Idaho is a municipal corporation organized and operating under the laws of the State of Idaho and is authorized to annex into and incorporate within the boundaries of the City contiguous real property in the manner provided by Section 50-222, Idaho Code; and

WHEREAS, the owner of the parcel of real property situated in the unincorporated area of Ada County and as more particularly described in Section 2 of this ordinance, has requested, in writing, annexation of said real property to the City of Kuna; and

WHEREAS, the Planning and Zoning Commission of the City, pursuant to public notice as required by law, held a public hearing on April 26, 2016, as required by Section 67-6525, Idaho Code, made findings (approved by the Commission on May 10, 2016) where it was recommended to the Mayor and Council that the annexation and zoning request be approved with a zoning classification of C-2 (Commercial); and

WHEREAS, the Kuna City Council, pursuant to public notice as required by law, held a public hearing on May 24, 2016, on the proposed annexation and zoning for the real property described in Section 2 below, as required by Section 67-6525, Idaho Code, made findings (approved on June 7, 2016) where it determined that the requested annexation should be granted with a zoning classification C-2; and

WHEREAS, the zoning classification of C-2 is appropriate to meet the requirements of the Kuna City Code and should be granted.

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

Section 1: The Kuna City Council hereby finds and declares that the real property described below is contiguous to the City, that said property can be reasonably assumed to be

used for the orderly development of the City, and that the owner of said property has requested, in writing, annexation thereof to the City.

Section 2: The real property, all situated in Ada County, Idaho, adjacent and contiguous to the City, commonly known as Parcel No. **R1693860270**; and more particularly described in “Exhibit A” – Legal Description and “Exhibit B” – Location Map, attached hereto and incorporated herein by reference, is annexed to and incorporated in the incorporated territorial limits of the City of Kuna, Idaho.

Section 3: From and after the effective date of this Ordinance, all property and persons within the boundaries and territory described above shall be subject to all ordinances, resolutions, police regulations, taxation and other powers of the City of Kuna.

Section 4: The zoning land use classifications of the land described in Section 2 above is hereby established as C-2, as provided by the Zoning Ordinance of the City. The Zoning Map of the City is hereby amended to include the real property described in Section 2 above in the C-2 zoning land use classification.

Section 5: The City Clerk is hereby directed to file, within ten (10) days of passage and approval of this Ordinance, a certified copy of this Ordinance with the offices of the Auditor, Treasurer, and Assessor of Ada County, Idaho, and with the Idaho State Tax Commission, Boise, Idaho, as required by Section 50-223, Idaho Code, and to comply with the provisions of Section 63-215, Idaho Code, with regard to the preparation and filing of a map and legal description of the real property annexed by this Ordinance.

Section 6: This Ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law. In lieu of publication of the entire ordinance, a summary thereof in compliance with Section 50-901A, Idaho Code, may be published.

DATED this 21st day of June, 2016.

CITY OF KUNA
Ada County, Idaho

Joe L. Stear, Mayor

ATTEST:

Chris Engels, City Clerk

EXHIBIT A
BUTLER ANNEXATION

Legal Description

Lot 28, Block 01 of the Chisum Valley Subdivision Number 2, recorded on page 8195-8196,
Book 78 at the Ada County Recorder's Office.

**EXHIBIT B
LOCATION MAP**



S Linder Rd

W Columbia Rd



ORDINANCE NO. 2016-09A

AN ORDINANCE OF THE CITY COUNCIL FOR KUNA, IDAHO AMENDING ORDINANCE NO. 2016-09- THE KUNA CITY MUNICIPAL UTILITIES SYSTEM BILLING CODE TO MODIFY, DELETE AND RE-NUMBER CERTAIN SECTIONS, SPECIFICALLY: SECTION 7-7-6a ENTITLED “THIRD PARTY BILLING AGENT” TO ALLOW THE CITY TO PROVIDE THE FORM FOR THE THIRD PARTY AGENT; SECTION 7-7-6b ENTITLED “SECONDARY RECIPIENT OF BILLS” TO PROVIDE FOR AN ONLINE BILLING PROCESS WHEN AVAILABLE, METHODS OF TRANSMISSION OF THE SHUT OFF WARNING TO SECONDARY RECIPIENTS OF BILLS AS SET UP BY ACCOUNT OWNER; SECTION 7-7-9 ENTITLED “INDIGENCY ASSISTANCE” TO CLARIFY THAT THE PROGRAM IS AVAILABLE ONLY IF THE FUNDS ARE APPROPRIATED BY THE CITY COUNCIL; SECTION 7-7-12 ENTITLED “LATE FEE” TO PROVIDE THAT THE LATE FEE WILL BE ASSESSED IF PAYMENT IS NOT RECEIVED BY THE FIFTEENTH (15TH) OF THE MONTH FOLLOWING THE BILL’S ORIGINAL DUE DATE; SECTION 7-7-13 ENTITLED ACCOUNT SHUT OF WARNING” TO ADD SEPARATE NOTICE ALSO BEING PROVIDED BY AUTOMATED DIALER; SECTION 7-7-14 ENTITLED “ACCOUNT SHUT OFF” TO PROVIDE AN EFFECTIVE DATE ON OR AFTER NOVEMBER 16, 2016 FOR SHUTOFFS OF ACCOUNTS TWO (2) BILLING CYCLES PAST DUE; SECTION 7-7-15 ENTITLED “ACCOUNT TURN ON- WATER SERVICE” TO PROVIDE AN EFFECTIVE DATE ON OR AFTER NOVEMBER 16, 2016 FOR ACCOUNT WATER TURN ON SERVICE AND CHARGES INCLUDE ALL CHARGES OR FEES THAT HAVE ACCRUED SINCE THE LAST BILL; SECTION 7-7-16 ENTITLED “NOTICE OF SHUT OFF-WATER SERVICE” TO PROVIDE THAT NOTICE OF SHUT OFF MAY BE TRANSMITTED BY ELECTRONIC DELIVERY OR AUTOMATED DIALER IN LIEU OF POSTING ON THE PROPERTY; DELETING SECTION 7-7-17 ENTITLED “PAYMENT ARRANGEMENTS”; DELETING SECTION 7-7-18 ENTITLED “HARDSHIP ARRANGEMENTS”; RENUMBERING THE REMAINING SECTIONS; AND CHANGING THE EFFECTIVE DATE TO AUGUST 31, 2016.

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

Section 1: That Title 7, Chapter 7, Kuna City Code, be and the same is hereby amended as follows:

CHAPTER 7

CITY MUNICIPAL UTILITIES BILLING CODE

SECTION :

- 7-7-1: Short Title and Purpose
- 7-7-2: Definitions

City's Municipal Utilities

- 7-7-3: Applicability
- 7-7-4: Powers and Authority of City
- 7-7-5: Application for Utility Services
- 7-7-6: Contents of Application
 - 7-7-6a: Third Party Billing Agent
 - 7-7-6b: Secondary Recipient for Utility Bill
 - 7-7-6c: Lien for Non-payment of Bills
- 7-7-7: City Pressurized Irrigation System Payments
- 7-7-8: Senior Discount
- 7-7-9: Indigency Discount
- 7-7-10: Payment Due Date
- 7-7-11: Delinquent Accounts
- 7-7-12: Late Fee
- 7-7-13: Account Shut Off Warning
- 7-7-14: Account Shut Off-Water Service
- 7-7-15: Account Turn On-Water Service
- 7-7-16: Notice of Shut Off- Water Service
- 7-7-17: Non-payment of Account
- 7-7-18: Collection of Aged Accounts
- 7-7-19: Notation on Monthly Billing
- 7-7-20: Security Deposits Required
- 7-7-21: Unclaimed Deposits
- 7-7-22: Criminal Penalties
- 7-7-23: Severability
- 7-7-24: Effective Date

7-7-1: SHORT TITLE AND PURPOSE:

This chapter shall be known as the *CITY MUNICIPAL UTILITIES BILLING CODE*, and is enacted to provide for the health, safety and welfare of the people of Kuna, Idaho.

7-7-2: DEFINITIONS:

CITY'S MUNICIPAL UTILITIES:

The *Municipal Potable Water System*- that portion of the City's potable water system line upstream from the valve box, inclusive of the City water main and fittings, water service the corporation stop, valve box, meter and meter yoke, as further defined in KCC, Title 7, Chapter 5. The portion of the water service referenced is owned and maintained by the City and will usually be installed within the limits of the public right of way or utility easement. The City is not responsible for the maintenance or repair of the waterline downstream from the City's meter.

Municipal Sanitary Sewer system- that portion of the City sewer system line inclusive of the City's sewer main and fittings, as further defined in KCC Title 7, Chapter 6. The

portion of the sewer service referenced is owned and maintained by the City and will usually be installed within the limits of the public right of way.

Municipal Pressurized Irrigation system- that portion of the City's pressurized irrigation system line upstream from the valve box, inclusive of the City pressurize irrigation main and fittings, pressurized irrigation service corporation stop, valve box, as further defined in KCC Title 7, Chapter 8. The portion of the pressurized irrigation service referenced is owned and maintained by the City and will usually be installed within the limits of the public right of way or utility easement. The City is not responsible for the maintenance or repair of the pressurized irrigation service line downstream from the valve box.

The three (3) systems may be referred to as the City's municipal utilities.

7-7-3: APPLICABILITY:

The provisions of the Chapter apply to all property located within the corporate limits of the City, and special users outside the corporate limits of the City.

7-7-4: POWERS AND AUTHORITY OF CITY:

The City shall be permitted to, at reasonable hours of the day or at any time an emergency exists, enter all properties, premises or buildings to which municipal water or sewer is furnished for the purpose of testing or for any other purpose necessary for the proper administration of the City's municipal utilities in accordance with this Chapter.

The City shall be permitted to enter all private properties through which the City holds an easement for the purpose of, but not limited to, inspection, observation, repair, and maintenance of any portion of the City's municipal utilities located within said easements.

7-7-5: APPLICATION FOR UTILITY SERVICES:

An application shall be required for all new accounts for all property owners or entities receiving City municipal utilities as provided for by this Chapter, or for those accounts to be updated as determined necessary by the City Utility Billing department.

The application shall be provided to the new account owner at the Title Company where the purchase is to close, and the application shall be completed prior to or at the time of closing. At closing, the Title Company shall provide via electronic transmission, a copy of the Deed and the completed application.

7-7-6: CONTENTS OF APPLICATION:

The application for City municipal utilities service shall contain the name of the real property owner (account owner) and any agent of the property owner (property management company); the physical address of the real property; complete mailing

address for billing statements; e-mail address; alternate address and phone number; the day time and evening telephone numbers; and if the real property is owner occupied or a rental unit.

The application shall also contain a contract that includes a provision executed by the owner of the real property or the legally authorized agent, agreeing to: pay for the utility service applied for, at the rate, at the times, and in the manner specified in this title; that the City is acknowledged by him/her to reserve the right to charge and collect such rates; to impose and enforce the penalties provided for in this title; to change the rate at any time without notice to the user; and to install such meters or other devices as may be necessary to control and measure the utility service supplied. Said contract shall also specifically provide that the City shall not be held responsible for any damage by water or otherwise resulting from failure of the plumbing or appliances on the premises supplied with water, nor for any damage caused by the interruption or failure of such supply, nor shall such failure or interruption be held to constitute a breach of contract on the part of the City, nor in any way release the user from the performance of all of his/her obligations as therein set forth. No application for utility service shall be granted, or if inadvertently granted, shall be continued, until the contract(s) as provided for herein have been properly executed.

New Construction: For utility service for new construction, the application shall include the location, type of building, and uses therein, the purpose for which the services are to be used, number of persons to be supplied or other indication for probable consumption, the number of EDUs, as calculated by City staff. As part of the application process, the applicant shall furnish a set of floor plans showing all water and sewer uses and, where permissible, a site plan if the water is to be used for irrigation. If the application is approved, the public works department may authorize the extension, at the expense of the applicant, and at no expense to the City, the service pipe and meter tile, meter yoke, meter tile lid, curb stop and any other fittings that are necessary to install service to the inside line of the curb or back edge of sidewalk at the point for supplying the applicant.

Existing Water Service: For utility service for a property that has previous utility service, if the property is sold or otherwise transferred, the new owner of the property shall make application to the City Utility Billing department and shall execute all forms and other documents required by the City in order to receive service. Until the property transfers to the new owner, the then current account holder shall remain responsible for all accrued charges.

7-7-6a: **THIRD PARTY BILLING AGENT:**

An account owner may appoint an agent (property management company) to receive billings on the form provided by the City. The contract appointing the agent shall require that the signature of the account owner of the property is subscribed and sworn.

7-7-6b: **SECONDARY RECIPIENT OF BILLS:**

If the property is to be non-owner occupied, the appointed agent and the tenant may receive a duplicate of the bill for City utility services by email address, as set up by the account owner through the City's online bill processing system, when available. In the event the account becomes delinquent, the City Utility Billing Department shall transmit a shut off warning that is printed on the next utility billing statement and/or by separate notice transmitted to both the account owner, the third party billing recipient and tenant at the email addresses as set up by the account owner in the secondary recipient of bills, as provided for in KCC 7-7-6b. The third party billing agreement shall also provide that the owner of the real property remains financially responsible for charges assessed to the account, and further, that all unpaid charges together with fees, costs and interest, shall constitute a lien against the real property, as provided for in this chapter.

The City shall have the right to request from each account owner the current account information, including name of property owner, if the property is owner occupied or a rental, billing address, telephone number and email address.

7-7-6c: LIEN:

The application shall also contain a contract provision providing that the owner of the property contracting with the City expressly gives consent to the placement of a lien upon the property in the event charges for utility services become delinquent and unpaid and said lien shall be recorded with the Ada County Recorder's Office. The contract shall require that the signature of the account owner of the property is subscribed and sworn. The lien shall be for the total amount due, plus interest and an administrative fee, as set by resolution of the City Council, to reimburse the City its administrative expenses.

7-7-7: CITY PRESSURIZED IRRIGATION SYSTEM PAYMENTS:

All account owners agree that the City may pro rate the municipal irrigation assessment on the monthly bill in nine (9) equal payments with the first payment being billed in October and the last payment being billed in June. If a new account is established after October, then the new account owner shall pay any past month(s), so his/her account is then current. In addition, the account holder agrees that if their property is part of a subdivision that has HOA common lot or lots that receive a separate municipal irrigation assessment, the account owner agrees to pay a fractional share of the HOA assessment if the HOA association fails to pay the same before May 31st.

7-7-8: ACCOUNT DISCOUNT:

All account owners who 1) reside at the property as the primary residents, and 2) have reached the age of sixty-five (65) years of age: may receive a discount off the potable water and trash portion of the bill as established by resolution of the City Council.

7-7-9: INDIGENCY ASSISTANCE:

If an account owner or tenant is experiencing a financial hardship where he/she unable to pay their bill in full, may make application for assistance ~~apply for a partial or full payment~~ from the City's indigency fund if funds have been appropriated by City Council, ~~in an amount~~ assistance to be determined by the City Council during a closed hearing.

7-7-10: PAYMENT DUE DATE:

On or about the 1st day of each month, the utility billing department shall cause to be mailed or transmitted to each utility account owner, a statement of the amount due for water, sewer, irrigation, trash collection, and other charges for the preceding month; said amount is due and payable to the utility billing department on or before the fifteenth (15th) day of each month.

7-7-11: DELINQUENT ACCOUNTS:

All utility bills are considered delinquent if not paid to the City before the 16th day of each month.

7-7-12: LATE FEE:

If the utility bill is not paid in full by the fifteenth (15th) day of the month following the bill's original due date, the City shall charge a late fee of fifteen dollars (\$15.00) for each account with a balance greater than fifteen dollars (\$15.00). This late fee shall be added to the city utility account.

7-7-13: ACCOUNT SHUT OFF WARNING:

If the account becomes more than thirty (30) days delinquent, the City Utility Billing Department shall transmit a shut off warning that is printed on the next utility billing statement and/or by separate notice to be transmitted to the email address and/or automated dialer service as set up by the account owner.

7-7-14: ACCOUNT SHUT OFF-WATER SERVICE:

Effective on and after November 16, 2016, if a City utility account is two (2) billing cycles past original due date the water will be shut off on the following Tuesday.

7-7-15: ACCOUNT TURN ON-WATER SERVICE:

Effective on and after November 16, 2016, when water has been turned off because of non-payment of the City utility account, the water shall not be turned on until the account is paid in full, including any charges or fees that may have accrued since the last bill, plus the administrative fee of fifty dollars (\$50.00) to the City's utility billing office. Upon receipt of payment, the City's Utility Billing Department will contact the appropriate department to turn the water on. The services shall be turned on within twenty-four (24) hours of receipt of payment excluding weekends and holidays.

7-7-16: NOTICE OF SHUT OFF-WATER SERVICE:

If an account has been shutoff for non-payment pursuant to the terms of this Chapter, the City shall place a shut-off notice on the door knob, latch or other conspicuous location at the serviced premises notice that the utility service has been shutoff or if an account is set up for electronic delivery of emails and/or automated dialer service, the shut-off notice may be transmitted by these methods in lieu of posting the notice on the property.

7-7-17: NONPAYMENT OF ACCOUNT:

Nothing in this chapter shall be construed as modifying or repealing the right or obligation of the City to discontinue water service for nonpayment of trash and municipal utility charges.

7-7-18: COLLECTION OF AGED ACCOUNT:

On a monthly basis, the City Billing Clerk shall submit to the City Engineer, City Attorney and City Treasurer, a listing of all the accounts and amounts that are sixty (60) and ninety (90) days delinquent. On accounts that are more than ninety (90) days delinquent, the City Attorney is authorized to record a lien against the properties, if the provisions of this chapter have been complied with, and/or the City Attorney or City Treasurer is authorized to send the accounts to a Collection Agency, as approved by the City.

If an account is more than ninety (90) days past due, two (2) or more times within any twelve (12) month period of time, the City reserves the right to report the account owner's delinquency to the credit reporting agencies.

The City shall also create a list of all persons that are delinquent more than ninety (90) days.

7-7-19: NOTATION ON MONTHLY BILLING STATEMENTS:

On all monthly utility billing statements the following notation shall appear:

Interest shall accrue at the rate of 1 1/2%/month (18% annually), which shall be added to any utility bill not paid within ninety (90)days past the due date thereof.

7-7-20: SECURITY DEPOSIT REQUIRED:

*Security Deposit: Upon application for service, the City shall require all account owners to pay a refundable deposit to the City in the amount of \$100.00 for each opened utility account. The deposit shall be held for the term of the account and it is non-transferable.

Upon closing of an account, the deposit shall be used to pay any balance on the account and the remaining funds will be returned to the account holder.

7-7-21: UNCLAIMED DEPOSITS:

All deposits held, pursuant to this Chapter, by the City of Kuna, where the City of Kuna is unable to locate the account owner or tenant of the property, shall be processed in accordance with state law.

7-7-22: CRIMINAL PENALTIES:

Illegal Connections:

It shall be unlawful for any person to make or cause to be made any connection with the municipal utility system, or to introduce or cause to be introduced water from the municipal potable water system or pressurized irrigation system into any connection made therewith unless a permit has been first duly issued for such purpose by the building inspection in compliance and conformity with the provision of this Chapter and the rules and regulations of the City that are now or may hereafter be establish therefor; or to cause a connection to become in noncompliance with the provision of this article and the rules and regulation of the City that are now or may hereafter be established; or to interfere with or injure any hydrant, pipe connection, meter or any property of the municipal water system.

Illegal restoration:

It shall be unlawful for any person, who having had the water turned off from a City property being provided municipal utilities service, to turn on, or have another person, turn the municipal water on. Only a City employee may turn on the municipal water after payment in full has been made.

False Representation:

It shall be unlawful for any person who is not the legal owner of the real property, receiving or requesting municipal Utility services for such real property, to represent upon an application for utility services or contract that such person is the legal owner of the real property for which utility service is being requested; nor shall a person make any other false representation for the purpose of receiving such services.

A violation of this section shall be considered a misdemeanor punishable by the provisions of KCC 1-4-1.

7-7-23: SEVERABILITY:

If any clause, sentence, paragraph, section, or any part of this chapter shall be declared and adjudged to be invalid or unconstitutional by a court of competent jurisdiction, such

invalidity or unconstitutionality shall not affect, invalidate, or nullify the remainder of this chapter.

7-7-24: EFFECTIVE DATE:

This ordinance shall become effective August 31, 2016.

ADOPTED this ____ day of _____, 2016.

CITY COUNCIL OF THE CITY OF KUNA
Ada County, Idaho

Joe Stear, Mayor

ATTEST:

Chris Engels, City Clerk