

MEMORANDUM

To: Mayor and City Council
From: Scott Spjute, Planning
Date: September 2, 2014
Subject: Northwest Annexation / CAR14-14

On July 14, 2014, the Boise City Planning and Zoning Commission recommended approval of an annexation in the northwest portion of the area of impact. The proposed annexation is comprised of approximately 925 parcels and 592 acres.

TABLE OF CONTENTS

Page 2	Summary and Maps
Page 6	Annexation Plan
Page 28	Minutes from the July 14 P&Z hearing
Page 53	Staff Report
Page 70	Written Public Comments

SUMMARY

Boise City has long planned for the provision of municipal services to this portion of the Area of Impact. Significantly, over 75 percent of the parcels and over 53% of the land is owned by people who have consented to annexation, according to the Idaho State Code definition of consent. There are also two city parks – one of which is already developed.

In bringing this annexation proposal forward, City staff has complied with the requirements of state code and local ordinances. Significant effort has been made to ensure that each owner of property in the area, as well as any other affected person, has been notified and given the opportunity to comment.

When the interrelationship between the city and its fringe area is close, there is need for unified planning and zoning. By means of annexation, Boise's zoning ordinances can be extended to the Northwest area, thus helping to assure orderly growth, which is much easier to achieve if the area is not under separate Ada County jurisdiction.

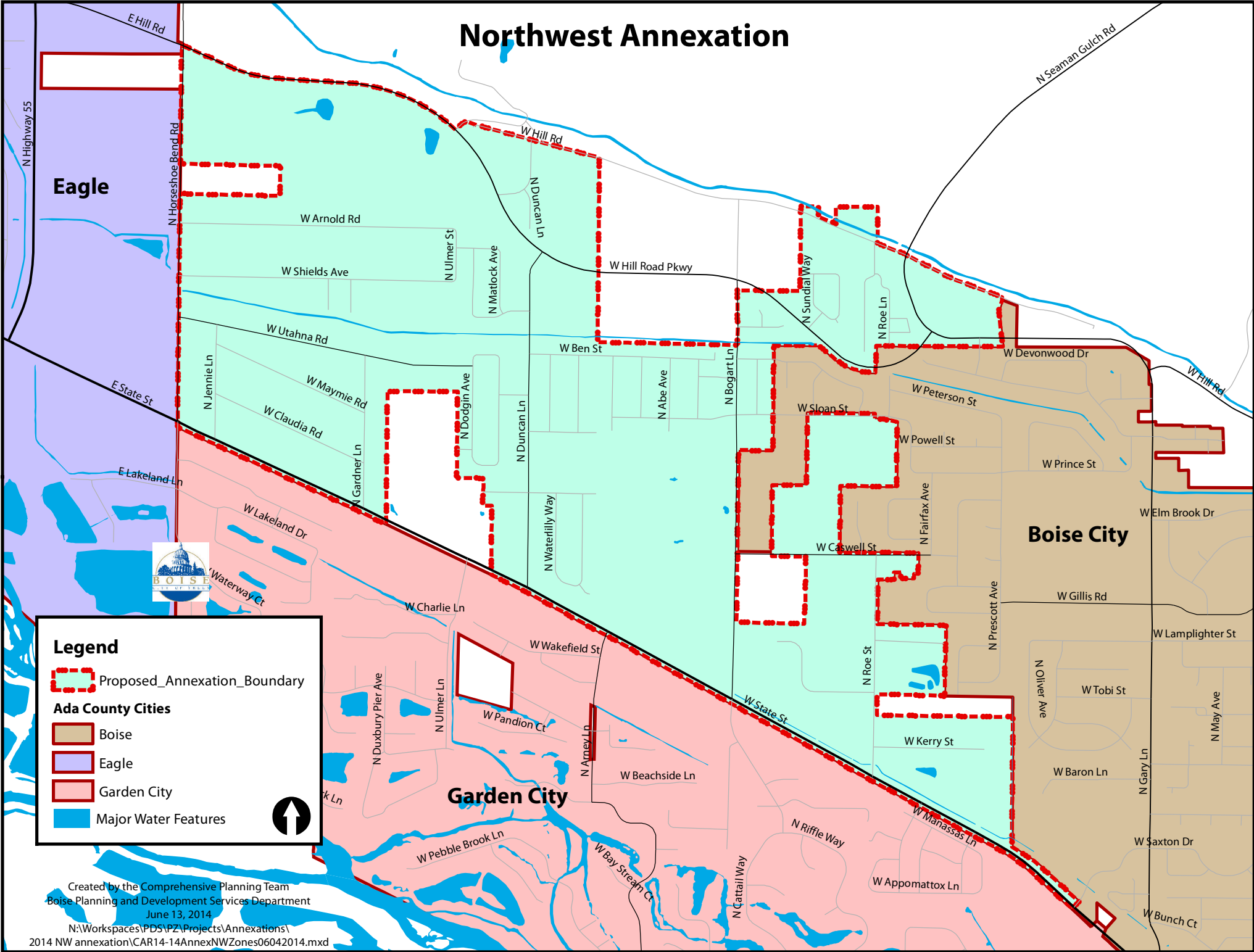
Annexation leads to a more unified community and can prevent the fragmentation of local governmental authority among a large number of special districts. Fragmentation may cause conflicts of authority and the absence of cooperation, political irresponsibility, duplication of services, inadequate service levels, lack of effective area-wide planning and programming, financial inequities and other problems.

Political boundaries will, after annexation, more nearly reflect the true and existing sociological, economic, cultural, and physical boundaries of the city. The Northwest area and the City of Boise are already inextricably bound together.

Urban growth without central planning and control becomes urban sprawl. If Boise City is to continue to effectively provide urban services, it must be allowed to follow natural growth patterns into those fringe areas where there is urban development. The city must be able to guide development in an orderly manner, and avoid the need to extend costly urban services to distant and scattered "pockets" of development. Annexation can help guarantee to Boise City a measure of responsible control over its future.

Annexation will allow people and businesses that are part of the city in social, economic and practical senses to be included in a legal sense. And it will enable those who are part of the community to fully participate in community activities through service as elected officials by eligibility to serve as appointed officers on city boards and commissions.

Northwest Annexation

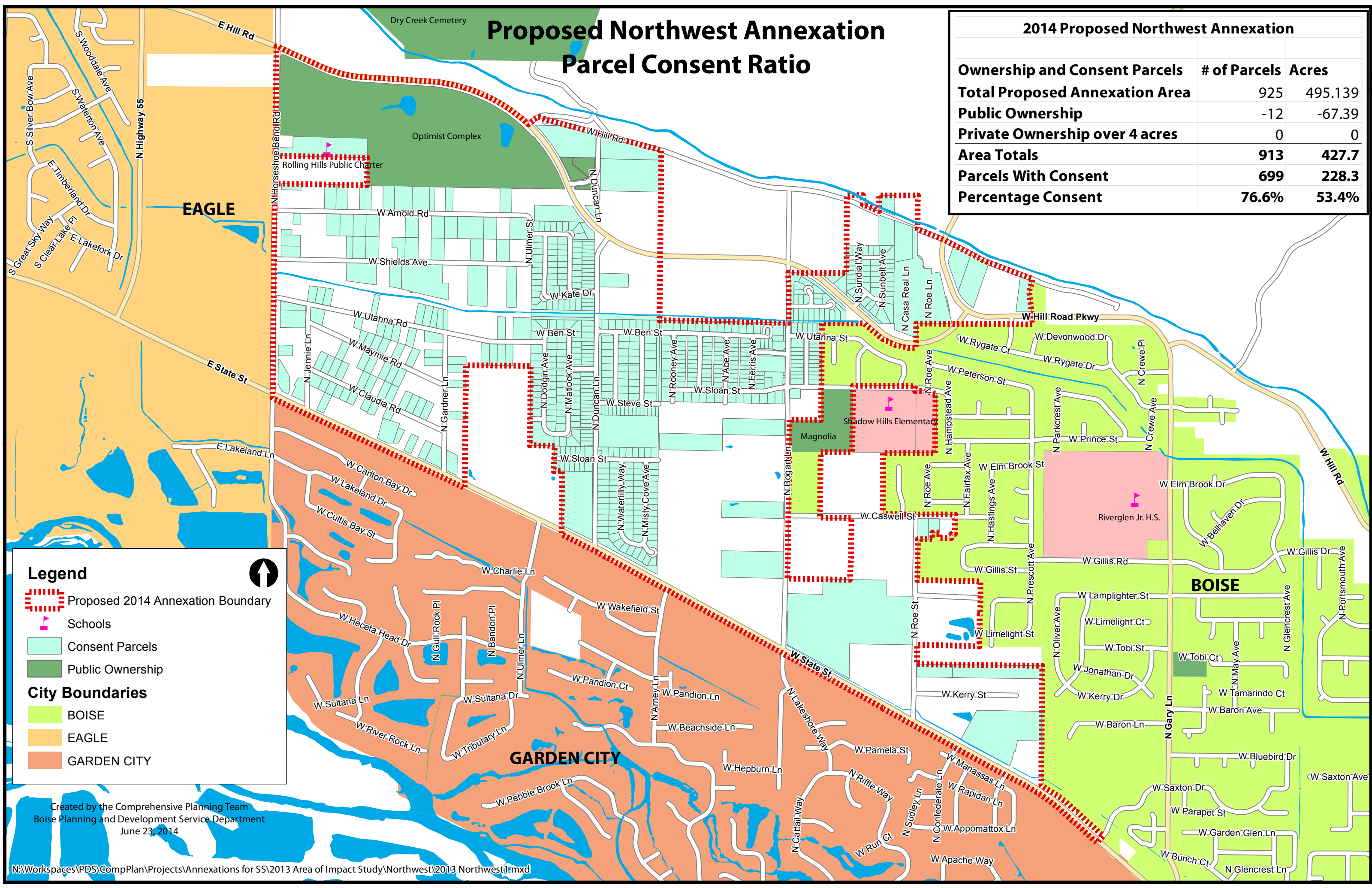


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Boise Planning and Development Services Department
June 13, 2014

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Proposed Northwest Annexation Parcel Consent Ratio

2014 Proposed Northwest Annexation		
Ownership and Consent Parcels	# of Parcels	Acres
Total Proposed Annexation Area	925	495.139
Public Ownership	-12	-67.39
Private Ownership over 4 acres	0	0
Area Totals	913	427.7
Parcels With Consent	699	228.3
Percentage Consent	76.6%	53.4%



Legend

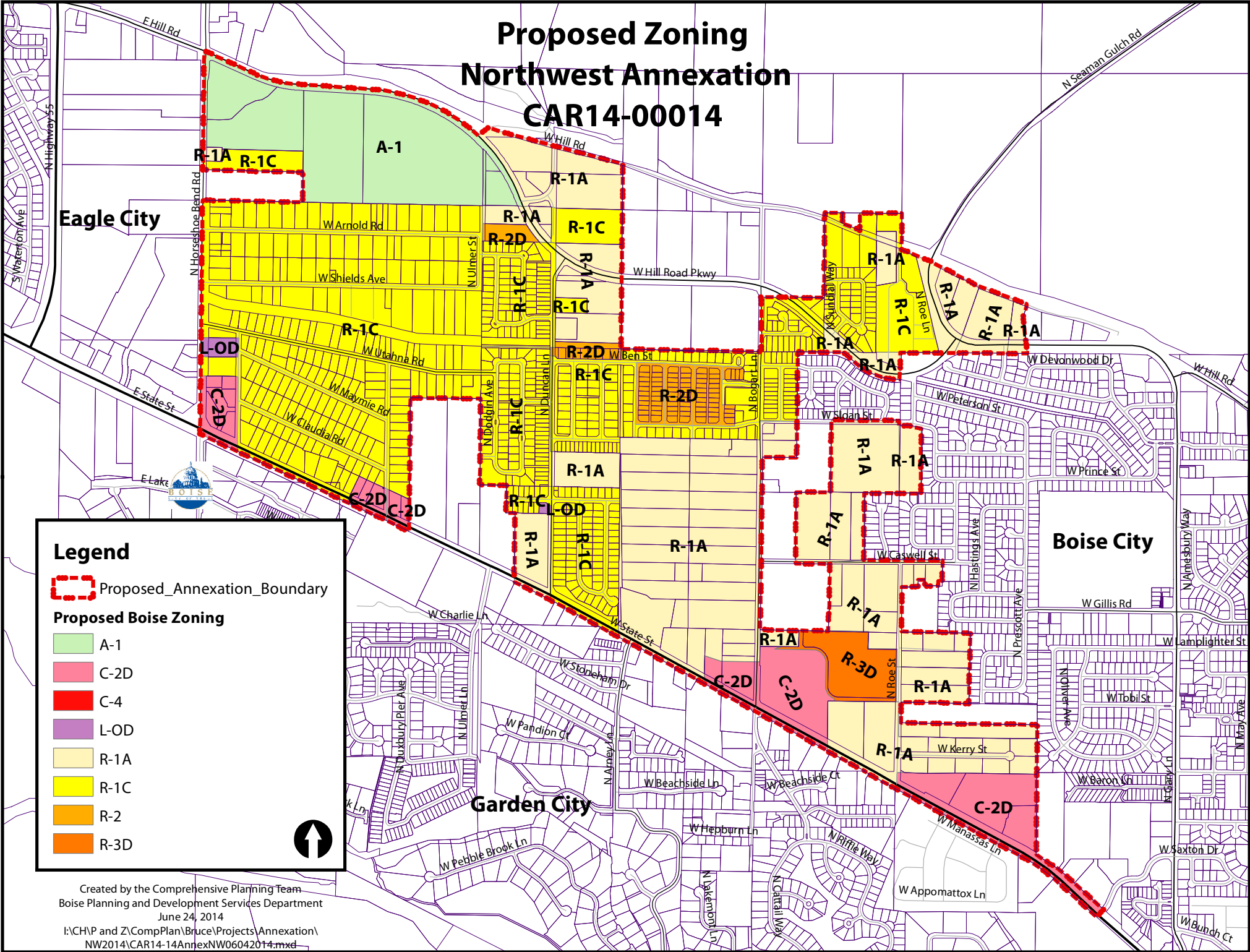
- Proposed 2014 Annexation Boundary
- Schools
- Consent Parcels
- Public Ownership

City Boundaries

- BOISE
- EAGLE
- GARDEN CITY

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June 23, 2014

Proposed Zoning Northwest Annexation CAR14-00014



Legend

Proposed_Annexation_Boundary

Proposed Boise Zoning

- A-1
- C-2D
- C-4
- L-OD
- R-1A
- R-1C
- R-2
- R-3D



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June 24, 2014

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ANNEXATION PLAN

FIRE PROTECTION, POLICE SERVICES, PARKS AND RECREATION, LIBRARIES,
SEWER, STREET LIGHTS, PROPERTY TAX IMPACTS, FREQUENTLY ASKED
QUESTIONS

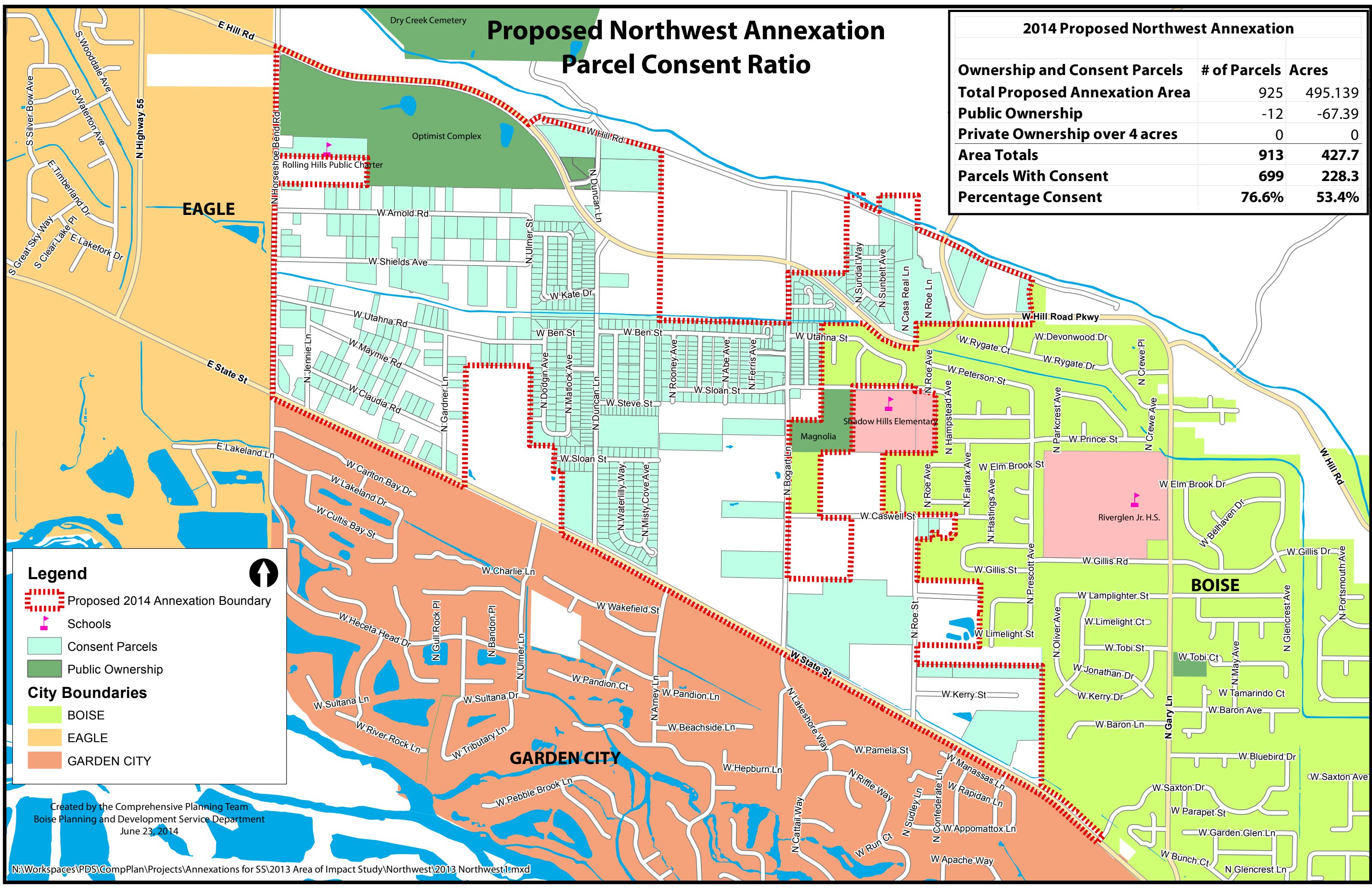
*For the northwest,
unincorporated
portion of the City's
Northwest Planning
Area.*

Annexation Boundary



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Legend

- Proposed 2014 Annexation Boundary
- Schools
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City Boundaries

- BOISE
- EAGLE
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Created by the Comprehensive Planning Team
Boise Planning and Development Service Department
June 23, 2014



CONTENTS

Purposes of Annexation.....3

Fire Protection Services.....4

Public Works.....5

Police Services.....9

Library Services.....10

Parks and Recreation.....11

Property Tax Impacts.....13

Other Taxes, Fees and Charges.....15

Zoning and Land Use Plan.....16

Frequently Asked Questions.....17

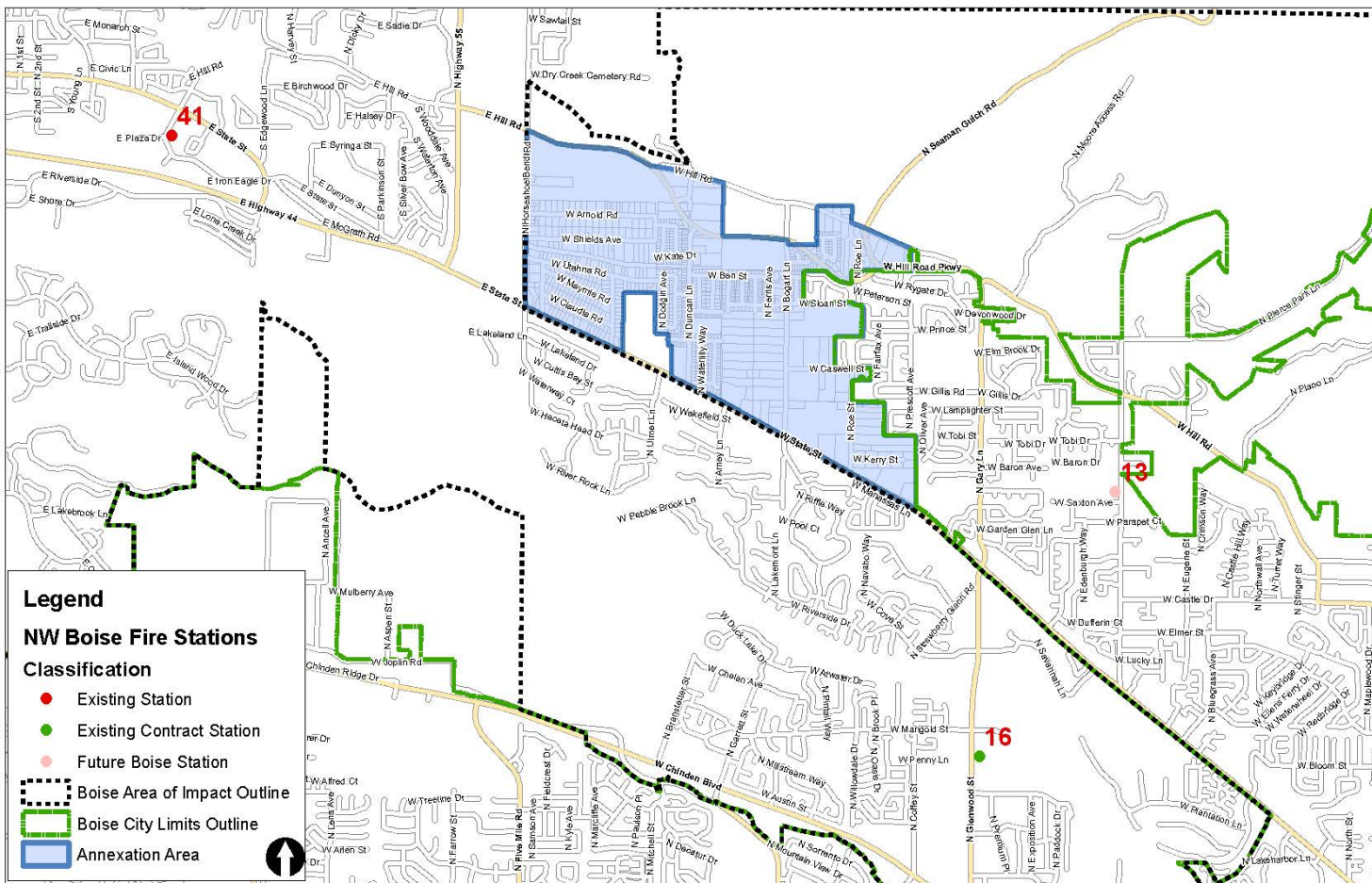
Purposes of Annexation

1. When the interrelationship between the city and the fringe area is close, there is need for unified planning and zoning. By means of annexation, Boise's zoning ordinances can be extended to the Northwest area, thus helping to assure orderly growth. Coordinated action is much easier to achieve if the area is not under separate Ada County jurisdiction.
2. Annexation leads to a unified community and can prevent the fragmentation of local governmental authority among a large number of special districts. Fragmentation may cause conflicts of authority and the absence of cooperation, political irresponsibility, duplication of services, inadequate service levels, lack of effective area-wide planning and programming, financial inequities and other problems.
3. Political boundaries will, after annexation, more nearly reflect the true and existing sociological, economic, cultural, and physical boundaries of the city. The Northwest area and the City of Boise are already inextricably bound together.
4. Urban growth without central planning and control becomes urban sprawl. If Boise City is to continue to effectively provide urban services, it must be allowed to follow natural growth patterns into those fringe areas where there is urban development. The city must be able to guide development in an orderly manner, and avoid the need to extend costly urban services to distant and scattered "pockets" of development. Annexation can help guarantee to Boise City a measure of responsible control over its future.

FIRE PROTECTION



Service will continue to be provided to the annexed area as is currently being done via contract with the North Ada County Fire and Rescue District.



PUBLIC WORKS / SEWER

Public Works has reviewed the proposed Northwest Annexation area.. The area is generally described as north of State Street, south of Hill Road, east of City Limits near Bogart Road and West of Horseshoe Bend Road.

I. GROUND WATER / AIR QUALITY

A. Assumptions

Ground water and air quality activities are addressed on a regional or site-by-site basis; there is no anticipated additional workload.

II. SOLID WASTE

A. Assumptions

It is more cost effective and efficient for Republic Services to collect trash in equipment and crews assigned to the city contract than to have the trash collected by trucks which leapfrog in the annexed/non-annexed areas. Annexation of this area would, therefore, be a practical solution to the waste of time and energy of separate city/county collection.

B. Issues

Area of Residential Development – As with areas within the City, residential trash expenses are not fully paid by residential customers. This annexation does not appear to include any significant offsetting commercial development.

C. Miscellaneous

This area, if annexed, will require additional staff time and expenses to provide notification to residents and businesses of the changes in solid waste services. Also, staff time will be needed to transfer services and coordinate changes with Republic Services. Additional resources must be allocated to IT and Utility Billing staff for new customers and additional billings. The City franchise agreement with Republic provides for service in annexed areas to be initiated within 90 days of annexation. We may also need to coordinate the timing of the transfer of billing and services from Ada County to the city. New residents and businesses will likely have lower solid waste rates and additional services under the city franchise agreement.

III. STORMWATER

A. Assumptions

The elements of the Boise stormwater management plan, as required by the stormwater NPDES permit, includes coordination among Co-Permitted entities. Lead responsibilities for Boise City include education and outreach, and stormwater management and discharge control ordinance compliance. Individual responsibilities for Boise City include good housekeeping and regulatory activities for the specific Boise City facilities. The proposed annexations should not require additional staff, capital costs, or operation costs. The annexation should not increase any stormwater program revenues.

B. Issues

Public Works Storm Water Program

This annexation is located adjacent to, and within, the existing service area for the current public works stormwater program. The number and type of services that will be extended into this area is not expected to be significant or to warrant additional resources and will not affect outreach efforts to the targeted groups (i.e., development community, industrial facilities, residents, etc.).

Planning & Development Services Construction Site Program

The Planning and Development Services Construction Site Program implements erosion and sediment control regulations within Boise City jurisdictions. These annexations would provide for a slight increase in the area regulated by this program and input from the planning and development services construction site program is recommended.

IV. DRAINAGE

A. Issues

A very small portion of the area contains the Seamans Gulch floodplain. The City will be required to provide floodplain management of existing and future development within this area. The area contains numerous drains and irrigation canals which occasionally have issues to be resolved.

B. Budget Needs

Minor staff time will be required to review development applications and to resolve floodplain management and drainage issues. This can be handled with existing staff.

V. STREET LIGHTING

A. Assumptions

All existing street lights within the annexation area are operated and maintained by Ada County Highway District or by homeowners associations. The City of Boise would inherit those responsibilities upon annexation. The estimated number of such lights is shown in the table below.

B. Budget Needs

Capital Expenditures:

The annexation will require capital expenditures for installation of new lights to bring individual areas up to the City’s standards. Staff estimates of the additional lights needed to bring the area up to City lighting standards are found in the table below, along with estimated costs. In recent years these costs have been funded from the County Street Light trust fund. Note that quantities are estimated based on experience that many of the potential lights will not be accepted by the residents, power will not be available, etc. In addition the City has begun converting lights to more efficient LED technology and at some point the inherited lights will need to be converted. Those costs are also shown in the table below.

O&M: The City will incur additional O&M costs for the lights that are inherited and for those that will be added to the system. The resulting estimated annual O&M costs are shown in the table below. Additional street light oversight should be able to be handled with existing staff.

Estimated existing lights (assume O&M)	Estimated additional lights (LED)	Estimated capital for additional lights	Estimated capital for conversion of existing lights to LED	Total estimated annual O&M
120	10	\$20,000	\$60,000	\$6,500

VI. SEWER

A. Assumptions/Issues:

Annexation of these areas will have little financial impact on the sewer enterprise fund. The City currently serves customers both inside and outside of the city limits under the same set of rules and fees. Annexation should result in less administrative burdens with the City undertaking all of the new development permitting obligations, rather than Public Works having to interface with the County and State for building and plumbing permits. Annexation covenants will no longer be required.

The City has already constructed and/or accepted construction of sewers for the vast majority of the proposed annexation area.



POLICE SERVICES



The Boise Police Department assigns its staff and resources according to a system of 10 different geographical areas. In addition to responding to calls for police service through the E911 system, Boise Police officers, staff, and programs are available through a Neighborhood Service Team (NST) which will be assigned to this area. The NST is comprised of officers, detectives, School Resource Officers, Crime Prevention specialists, Crime Analysts, BPD Police Commanders and others who are committed to resolving problems and enhancing the quality of life as it relates to peace and safety.

The owners of land in the Northwest area currently pay tax revenue to the County for public safety services.

LIBRARY SERVICES

Residents in this area are currently served by the Eagle Public Library, Garden City Library, and the Boise Public Library Collister branch through the LYNX Consortium Open Access agreement. The service will not be impacted by the annexation and residents will be able to continue using any of these library facilities.



The library will not need additional funding to provide the service. It is the same level of service the residents are currently experiencing.

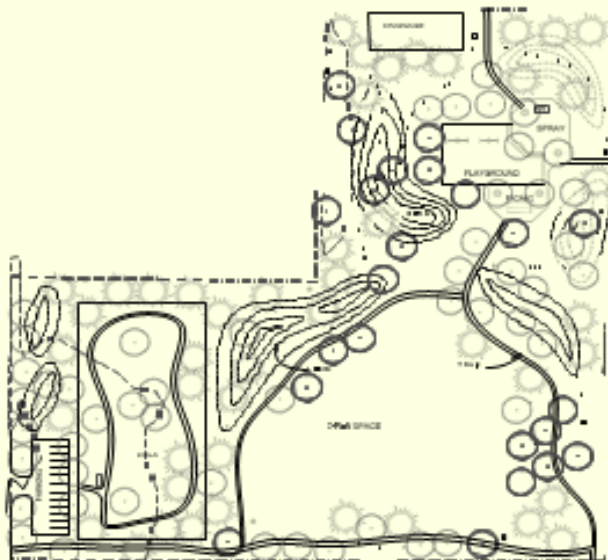
PARKS

One new neighborhood park, Magnolia, is planned for the area. If annexation occurs, park improvements should begin in 2015 or 16.



■ Magnolia Park Site

- > SPRAY PARK
- > PLAYGROUND
- > DOG OFF-LEASH AREA
- > TREES
- > SHELTER
- > FORMAL PICNIC AREA
- > DISC GOLF
- > OPEN PLAY AREA
- > FISHING
- > TENNIS COURT
- > CHESS TABLES
- > INTERPRETIVE SIGNS
- > BASEBALL / SOFTBALL FIELD



Optimist Sports Complex

Optimist Youth Sports Complex

- 51 acre park
- Sports fields
- Open play areas
- Fishing pond
- Public art
- Tennis court
- Restrooms



PROPERTY TAX IMPACT



PROPERTY TAX IMPACT AND IMPACTS ON OTHER TAXING DISTRICTS

Properties in Ada County within Boise City’s area of impact but outside Boise City limits are assessed property taxes by some of all of the following: the School District, Ada County, the Ada County Highway District, the Emergency Medical System, Ada Community Library, Whitney Fire Protection District, North Ada County Fire and Rescue, Pest Extermination, and some other special districts. Upon annexation into the City, the fire district, the library district, and the pest extermination district taxes are eliminated from tax bills and Boise City’s taxes are added.

There are many different “tax code areas” in Ada County with different combinations of taxing districts and most have different tax rates because of the different special districts and school districts.

Typical Property Tax Impact

Tax Code Area	18 (before annexation)	(after annexation)
Ada County	.003202782	.003202782
Pest Extermination	.000156847	
Emergency Medical	.000169440	.000169440
Ada County Highway Dist.	.001194108	.001194108
School Dist. #1	.005709638	.005709638
Ada Community Library	.000611999	
Dry Creek Cemetery	.000043504	.000043504
N. Ada Co. Fire and Rescue	.002404223	
Mosquito Abatement	.000033828	.000033828
College of Western Idaho	.000182128	.000182128
Boise City		.008036783
TOTAL LEVY	.013708497	.018572211
NET INCREASE		.004863714 (35.5%)

Property Tax Change

Examples

Assume a homeowner's exemption of 50% up to a maximum of \$83,920

<u>Home Value</u>	<u>Property Tax Increase</u>
\$150,000 home	\$364.78
\$200,000 home	\$564.58
\$500,00 business	\$2,431.86

OTHER TAXES, FEES AND CHARGES

Taxes, other than property tax, are the same for taxpayers in and out of the City.

Residents within Boise City pay fees for services such as trash collection, user fees for services that require individual registration such as recreation programs, or reservation of park facilities. Resident fees for City services are generally lower than non-resident fees and the lower fees are available immediately after annexation.

Boise City also collects franchise fees for electric, water, natural gas, cable television, and trash hauling services, with rates from 1% to 5%. County franchise fees would no longer be collected on billings from those companies.



City building permits and zoning approvals will be required for new construction or remodeling as required within the uniform building codes and City zoning ordinances. After annexation, Boise residents are no longer required to obtain county building or zoning permits. The costs for City building permits and zoning applications differ from those in Ada County.

Zoning and Land Use Plan

The Boise City Comprehensive Plan – Blueprint Boise – has a land use map that shows the land use designation for the various lands and parcels proposed for annexation. Generally, the designation will reflect current use of the property.



The lands will be subject to Boise City zoning ordinances upon annexation.

Zoning Designation: In most cases, the zoning designation will match as closely as possible the current zoning in Ada County. In some cases, a zoning designation more compatible with surrounding zoning and more in compliance with Blueprint Boise may be applied.

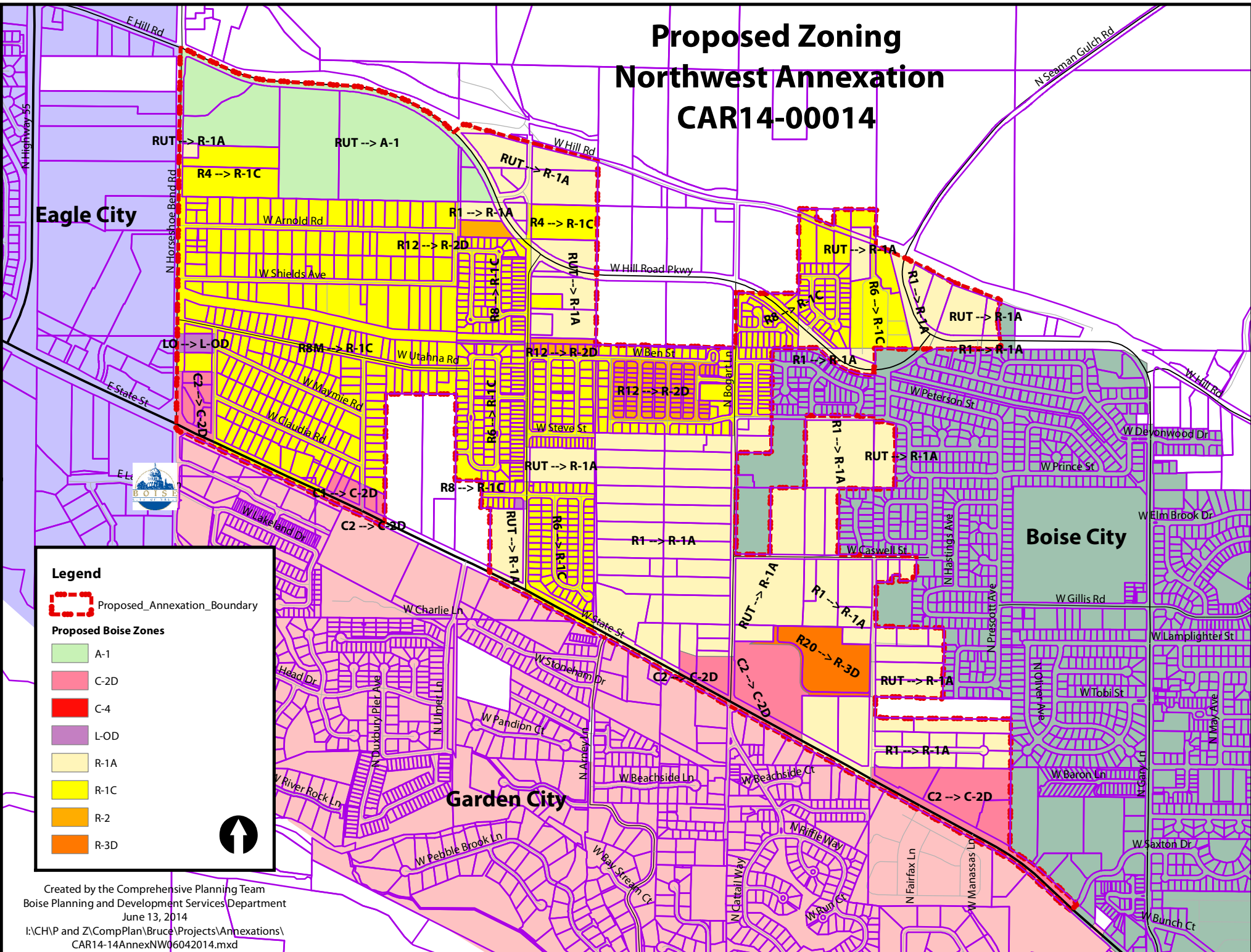
Ada County Zone

RUT, R1
R4, R6, R8, R8M
R12
C1
C2

Boise City Zone

R-1A (large lot, semi-rural)
R-1C (single family urban densities)
R-2D (higher density residential)
C-1D (neighborhood commercial)
C-2D (general commercial)

Proposed Zoning Northwest Annexation CAR14-00014



Legend

Proposed_Annexation_Boundary

Proposed Boise Zones

- A-1
- C-2D
- C-4
- L-OD
- R-1A
- R-1C
- R-2
- R-3D

Created by the Comprehensive Planning Team
Boise Planning and Development Services Department
June 13, 2014
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CAR14-14AnnexNW\6042014.mxd

FREQUENTLY ASKED QUESTIONS

1. What will be the change in my property taxes?

The examples and table above should give a fairly accurate representation of the increase in taxes that will occur after annexation. Property taxes are levied in the fall and are due on December 20th, although some people choose to pay them in two installments – December and the following June. After annexation, Boise City taxes will not be due until the following December.

There are many different “tax code areas” in Ada County with different combinations of taxing districts. Most have different tax rates because of the different special districts and school districts. Please contact the Boise City Budget Office at 384-3725 if you have questions or would like a specific computation of possible tax impacts on your property.



2. What will change with my sewer service? How much will it cost?

The City currently serves customers inside and outside of the city limits under the same set of rules and fees. It is important to note that the City has made significant investments in providing sewer service and capacity to areas outside City limits in the Area of Impact. Numerous agreements have been entered into regarding annexation of these areas as a result of connection to sewers. One major investment the City has made in providing sewer service to the impact area is the completion of Sewer Master Plans. These Master Plans identify the size, location and depth of sewers that will be necessary in order to serve all existing structures and to serve future development of the areas. The City has already constructed and/or accepted construction of sewers in many locations in the northwest area.

Cost. The City bills for sewer services two months in advance based on average winter water consumption by each customer. Each customer’s average winter monthly water consumption (as determined annually from water usage occurring between October 15th and April 15th) is multiplied by a factor to determine that customer’s sewage collection and treatment bill. Customers who use less than the average amount of residential water will have a lower fee and conversely customers who use more than the average amount of water will have a higher fee.

The City's fees for sewer service will be included in its bills for trash collection billed every two months.

3. What will I get for the increased property taxes?

Probably the most noticeable change is that the area will be served by City Police, rather than the County Sheriff. Your property taxes will also pay for libraries, parks, greenbelt, fire protection, etc. You will also be entitled to a lower rate for City-sponsored recreation programs.

4. Can I keep my animals? What about my home business, or daycare?

Any activity that you are conducting on your property that is legal under Ada County law will be grandfathered, if not outright allowed, under City law. The City does allow the keeping of farm animals on lots one acre in size or larger. The City also allows in-home daycares and other in-home businesses, subject to some restrictions.

5. Why is the City annexing this area?

- These areas have been in the City's sewer planning area as well as in the Area of Impact for many years. Sewer is generally available and many of the lots are already connected. State Law describes the Area of Impact as land which can reasonably be expected to be annexed, and which is connected economically and geographically to the City.
- By agreement with Ada County, the City's comprehensive plan is in force within the Area of Impact. However, the primary implementing tool for the plan is the zoning ordinance, which will not apply to the area until it is annexed.
- The city is better able to provide comprehensive and transportation planning, building permit services, and code enforcement than Ada County.
- Annexation will provide area residents the opportunity to vote for those who are already making decisions affecting their property.

6. Will school district boundaries change?

No.

7. Will I be required to connect to City water? My well works just fine.

Boise City is not in the water business. The annexation would not affect any change in water service.

8. When will the final decision on annexation be made?

The Boise City Council will make the decision at a public hearing probably six to eight weeks after the Planning and Zoning Commission conducts a hearing to make a recommendation to the Council. If the Council chooses to annex, the effective date would likely be in December, 2014.

10. Will annexation affect my subdivision's CC&R's (Covenants, Conditions and Restrictions)?

No. These are private agreements between property owners. The City does not administer or enforce such agreements.

CAR14-00014 / CITY OF BOISE

THE ANNEXATION CONTAINS 929 PARCELS TOTALING 606 ACRES GENERALLY LOCATED BETWEEN CITY LIMITS AND HORSESHOE BEND ROAD AND BETWEEN STATE STREET AND HILL ROAD. ZONING TO BE ASSIGNED WILL MATCH ADA COUNTY ZONING OR THE BOISE CITY COMPREHENSIVE PLAN LAND USE MAP DESIGNATION.

Scott Spjute (Zoning Director) - The Commission is being asked today to make a recommendation to the City Council on the legislative issue of annexation. With the Commission's leave and with apologies to my friends here in the audience, I know many of the people have seen this PowerPoint presentation at our neighborhood meeting on June 11th. It was a very good meeting which was cordial if not sometimes intense, but I'll run through this. If the public needs some extra details I could probably go into them, but I'd like you to understand where the City is coming from and the issues with the annexation. We'll talk about the reasons the City is proposing this, and how and why it is legal for the City to do it under local and State laws. Here's the boundary on the annexation. On the east you see Boise City limits in the grayish color. To the south of State Street is Garden City and west of Horseshoe Bend Road is Eagle City. The area being considered for annexation is the green area bounded by the red border. It's about 500 acres closer, to 600 hundred acres if you throw in the public rights of way. For purposes of the parcels, we're talking about private owned parcels, there're about 500 hundred acres. But here's another view of the same thing. I think probably most of you are familiar with the issue. The northwest area, most of it is platted out due to some very old and some new residential subdivisions. There's a mixture of uses. There's definitely a rural feel in many of the areas but there are also many urban areas. The City feels annexation could result in a greater efficiency and better ability of the agencies to provide services. We feel the area is tied economically, culturally, and socially to Boise City. It has been the history of the City to annex areas within the area of impact. The gray, together with the green, you can see was taken back in 1995. The purple on the outside is the area of city impact. The area in the city boundaries are negotiated between Boise City and Ada County. Once those areas are established it becomes the intent to eventually annex those areas. This is statewide and is in accordance to State Law. In 1995 in a situation similar to this we annexed about a thousand acres of lands where many of the areas were receiving City services at the time. In 1999, a larger annexation. Subsequent to the 1999 annexation, the state legislature completely revised its annexation law based on what the City of Boise had done, and we'll talk about the state law a little bit more in a minute.

In 2003 we continued and we did some areas which were mostly surrounded by city limits. There were 2 prior annexations in 2004 and then last year most of you were on the Commission when we cleaned up some of the enclaves, or islands of the County surrounded by the City, and annexed those into the City, which leaves us with a currency that makes us look pretty much like this, with the purple line again on the outside of the area of impact. The State law as written recognizes what is urban should be municipal, and authorizes and expects the Cities to plan for the provision of municipal services in their area of impact.

The area of impact equal to Ada County considers inevitable annexation of lands within the area of impact which should provide for long term community benefit on the community wide basis, as well as we know benefiting those areas that are being annexed. Again, some of these are reasons that we've already spoken for annexation.

Idaho law, as amended in the year 2000, considers this a category B annexation where in there are over a hundred parcels and where not all have consented to annexation. In this case, more than 50% of the lands are owned by people who have consented to an annexation. Prior to 2008, and again, because of Boise City annexations, the state legislature changed the law. Prior to 2008, there was something called "implied consent". Implied consent means, that if you're connected to a municipal water or sewer system then you have, by implication, consented to annexation. That was changed in 08 to require a signed document. So, now when the City hooks up people to the sewer system or new subdivisions are proposed, we require the owner of the property give to written consent to annexation and it is recorded in the Records office and is applicable and binding on subsequent owners. This is kind of a busy map and for that I apologize, but the annexation boundaries are in red. The green parcels are the parcels where we have consent to annex. It's over ¾th of the total number of parcels in the area. Land area, is 53 ½%, so at least ¾s are owned by people who have consented to annexation according to the state definition of consent. I want to mention, if the boundaries seem a little off part of that is because state law prohibits the annexation of parcels over 5 acres in size that have not consented to annexation. It does allow annexation of those parcels once they are surrounded. It's a state law that kind of invokes a two-step annexation process to keep those going from 5 acre parcels; you see these here on State Street. If the annexation goes through then they would be surrounded and would be subject to annexation.

State law says there are three factors you need to consider when defining an area of impact. Whether there are geographic factors separating the rest of the area from the City, trade area and then the areas that you expect to annex. And by expect to annex, you provide municipal services. This is the annexation area relative to the area of impact, or impact boundary which is in blue. Also, subsequent to the City annexations, the legislature established in 2005 the requirement that when properties are sold in an area of impact, there needs to be a real estate disclosure made that you are in an area of impact and the disclose is to make aware you will be receiving city services and whether there is a covenant to annex. All of this is to help people understand that if they're in the area of impact they are likely eligible eventually for annexation. There are also notes on the face of plats where we extend sewer outside of city limits. We have done those things and we've complied with the state law for notification via the annexation, as well as the City Code. We've mailed notice of the hearings, of the annexation to each property owner, obviously in the paper, posted the site. I mentioned the June 11th of information that we had and this in the next step of July 14th. That meeting was held at the Shadowhills Elementary School which is out in the annexation area and it was attended by roughly 65 people. State laws also require that the City provide a prepared annexation plan that contains these elements: how services will be provided, changes in taxation; which of course is a big issue and land use zoning. So we will look at that annexation plan briefly.

Starting with parks and recreation, all of the residents of the area, if annexed, will be eligible to participate in the parks and rec programs at the reduced city citizen price. There are 2 parks in the annexation area; one of them is already developed which is the optimist park at the northwest end. We actually just annexed that a couple months of go in conjunction with a developer initiated annexation. It's called Magnolia Park and its 7 acres in size. This is Magnolia, it's on the east side of Bogart Lane close to the Shadowhills Elementary and these are some of the amenities that will be part of that park. It's anticipated by the parks department that after annexation, green up of the park will begin next year, 2015. The optimist youth sports complex as mentioned is already there, it's 51 acres in size and has a number of amenities.

Fire protection: currently fire protection is provided by North Ada County Fire and Rescue, as well as the Eagle Fire District by contract. Now, there will be some changes in taxation and revenues to those fire districts, however, that will be compensated by changes in the contract with Boise City to make up those loses in revenue. Here are those locations, 41 and 42 out in the northwest or Eagle City, 16 out here in North Ada County Fire and Rescue, 13 is not a built site. That's a site the Fire Department has accrued and obtained the title and permits to build a fire station on Pierce Park Lane. Police protection upon annexation, Boise City Police will take over the police services.

There is an extensive sewer investment by the City in the northwest area. These are where the sewer available. I realize this is a tough map to see but every place you see blue lined dots on the streets we have got sewer mains there. Pretty extensive throughout the area, again, as I mentioned $\frac{3}{4}$ of the parcels are already on City sewer. Generally, sewer is extended adjacent to the City and you see that over in the eastern side, but we have seen connection of folks who are out west of where the development occurred. There is a lot of development on septic tanks out in this area and in the early 2000s, the City brought in sewer lines across the Boise River through the mound rock area and over to the west portion so we could provide service to those people as needed.

Trash service will be the same as for other Boise City residents and Ada County to be served by the public. The City would look to eventually upgrade to City Ordinance Standards as far as street lights and take over maintenance of any street lights that are there. Library services of Boise City, the closest branch I believe is at Collister and State and of course residents would be eligible to use all of the Cities library services.

Ada County doesn't represent itself as a municipal service provider. They don't provide Parks, their Comprehensive Planning is minimal, they don't do Fire, they don't do Sewer and have a very limited Code Enforcement program.

This map shows the neighborhood associations that are associated in the area on a map. This area in its entirety is in the Northwest Neighborhood Association. We have members of the Northwest Association on the project at Gary Lane and State a few weeks ago. This gives people a chance to participate in City government to have a voice in hearings, such as these.

Property tax impact: It is not insignificant. There's a lot of numbers on here but what this does is show all of the tax amenities in taxable area 18 which is one of the tax code areas out in the northwest area. In the left column are all the amenities of the total levy that's assessed in each individual property. On the right you'll see that several drop out; pest extermination, Ada County library and that sort of thing. The big addition is the Boise City levy, which equates to roughly 35% increase in property taxes. What that means is for a \$150,000 dollar home with a home owners' exemption it will increase about \$365.00 dollars and here you can see the example. One of the questions to be decided is the zoning of the parcels to be annexed. It has been typical for the City of Boise, when it does a city initiated annexation, to give the same, or as close to, the same zoning as the property owner is currently adjoining in Ada County and that's been done here. You see a lot of the R-1C which of course is a single family residential zone. You see some large lot zones like the R-1A and similar dense amounts which are R-2 and R-3. So that's what the zoning map would look like.

Staff feels the proposed annexation is in compliance with the law. We've met the requirements for notice, we've removed lands that should be excepted by state law from the annexation, plus we meet Boise City's annexation law as well. So we feel the annexation complies with local and state annexation law and our policy. We know these are difficult issues and we're not naive to the fact that there's a lot of additional property tax that's going to be assessed against these people, if the annexation goes through. In summary, what an annexation does is serve these purposes: it allows people and businesses that are part of the city in a practical sense - socially and economically - to become part of the City in the legal sense. It allows for the orderly implementation of comprehensive plans with land use components and strategies for public facilities. The implementing tool for the Comprehensive Plan of course is the Zoning Ordinance. A Zoning Ordinance does not apply until annexation occurs. It allows the utility systems to be sized and located in ways that land slated for urbanization can be served most efficiently. It enables those that are part of the community to fully participate in community activities by service as elected officials, by eligibility to serve on city boards and commissions and it assures to some degree those who benefit from community facilities share in paying the cost of development, operation and maintenance of those facilities.

Commissioner Gibson - A specific question on the summary that's been provided making reference to the 75% of the parcels and 53% of the land of people who have consented to the annexation, I wasn't sure on the mechanics. That wasn't a process occurred during the transfer of title if somebody purchased a property, they signed the consent? There wasn't actually like a method of soliciting approval from an individual or a land owner? I just want to make sure I understand the mechanics specifically of how that number was arrived at.

Scott Spjute – Again, prior to 2008, if there was a connection to city sewer, there was consent so everything connected prior too then and was one of those green consented parcels on the one map. Subsequent to that, the City did not connect anyone to sewer without first having them sign consent to annex, so that’s how it came to be. It either happened when a septic system failed and Central District Health was not using a septic permit if sewer was available, or if a new subdivision was developing it would require the owner of the subdivision, or developer, to sign the consent to annex. So in those two ways someone from public works is here and would come up if I say anything wrong, but it was either implied consent before 2008 ,or a written consent because they needed or connection to city sewer after 2008.

Commissioner Gillespie - Scott, could you briefly talk about the non-conforming uses that may arise as part of this annexation because there were questions in the public record about “will I be able to continue to do X if I have already been doing it when I was part of Ada County”?

Scott Spjute - That’s a good question. In our Annexation Plan it did address that but yes, there is nothing that somebody is doing lately in Ada County that they could not continue in Boise City. It may be typically farm animals and that sort of thing, or a business in the home. If they’re done legally, even if the City may allow it or the City Ordinance may prohibit it, but if it was done legally in Ada County, then it’s grandfathered. If you’re illegal now, then you may still be illegal afterwards, but that’s generally the way it works. If I can say real briefly, I think I may have mentioned this in the neighborhood meeting, all those annexations that I showed you were from the mid 90’s on, I was here doing pretty much the same thing for every one of those and we have never taken away someone’s business or animals in all those annexations or any legal grandfathered use, it just hasn’t been an issue.

Commissioner Miller - I have one question with regard to the city’s policy of Sewer Extension Plan, city lines. I was wondering if you could talk a little bit about that in your public works but are there places... Why does the City do that, extends those beyond city lines and then there are other places where the city has done that and then not annexed the land?

Scott Spjute - The city annex....

Commissioner Miller - I’m holding you two up...

Scott Spjute - No that’s fine...

Commissioner Miller - Just in general...

Scott Spjute - We extend sewer as a service to people who need it. It would be really nice if development only occurred adjacent to city limits and we extended sewer and annexed them as we go along.

For better or worse, Ada County has allowed development at urban densities well outside any city or away from anyone that could provide sewer. Septic tanks, generally, eventually fail. The urban slide I showed you on the west end showed all those people were on septic and now a lot of them are on sewer. As a service it's a service that we do this. For example in 1987... '86... '87, south of Overland Road and short of the Countryman Estates Subdivision there was mass failures of the lagoon systems for those subdivisions, standing sewage on the ground. County Commissions came and pled with the City to bring sewer across the freeway and that's where we really got sewer out in that area first, but it was a need to serve people. The policy has been to extend sewer where a developer will pay for it, or where the City can pay for it by hook-up fees and get reimbursed for that. The City Council is talking about changing the sewer policies as far as where it will extend sewer, but for now and up to now that's the way it's been. I mean it's not cost effective for the City to go out and build sewers hoping that eventually someday people would want to hook up to it, it's only where it is needed.

Commissioner Gillespie - Can you follow up? You know the whole question of what does hooking up to sewer mean in connection with the annexation. The question is not a city driven ordinance or law, that's state law. So state law is what defines what hooking up to sewer means so that's not a City Policy or City Ordinance.

Scott Spjute - That's correct, we have adopted into City Code, State Code. It's now part of the City Code and State Code but the State Code advises the City. The intent of that consent provision by the legislature was that if you consent to annexation now by connecting to city services, or agreeing to connect to city sewer, then those people would then be precluded from protesting annexation when it happened. Well, you can't really tell someone they can't protest annexation, but that was the idea behind it. If that were the case, then we would have the vast majority of the people in this area on the annex but if what they got was sewer without the annexation, that's probably what they would prefer.

Commissioner Demarest - Scott, can you give us some sense of the timing of this? In other words my question is, why now?

Scott Spjute - That's a very good question. I think it is answered in the Annexation Plan, that's part of your packet of which I addressed briefly in my presentation. Boise City is to the point where I can say that for example, the library (inaudible) people don't want to put a library clear out in the northwest edge of the City. We've got the park lands there which we own and will be greened up again. We service most of the area with sewer; we are prepared with police services at the same level as the other areas of the City. We could have probably done it a number of years ago, or City Council could surely put it off, but now this is as good a time as any.

Commissioner Gibson - I have one more question for Scott. Relative to the 35.5% increase that you represented in that file, how does that compare to percentage increases for the previous annexation?

Scott Spjute - That's a good question and we should have an answer, I don't have the exact figures. When we were doing prior annexation, we were in conjunction with our financial staff administrators. We would tell people their property taxes were increasing 23-25%, so the difference did increase over the years. The last few annexations, the Enclave we did a year ago and even down to 2004, it was probably around 30% but those are taxing levy's you don't have much say about.

PUBLIC TESTIMONY

Kim Strouse - I represent the people of the area referred to as CAR14-00014 and the Northwest Neighborhood Association. I want to thank you for your time this evening and the opportunity to give our testimony and our thoughts on this process. Looking at the Planning Divisions staff report in the executive summary, it stated on Page 2 that over 75% of the parcels and over 53% of the land are owned by people who have consented to annexation. Let me express my concerns as to the methods that the City has used to acquire this consent. In 1991, 23 years ago when my husband and I went to City Hall to get a permit to put a septic system on our property I was told that in order to receive a permit to put a septic system on my land I needed to sign a paper saying I wanted to be annexed into Boise. At that time, I didn't know what that meant. I'm a county girl from Pennsylvania and Oklahoma so when the clerk explained to me what that meant I said, *I won't sign that. I don't want to be annexed into the City. If I did I would have purchased in the City.* God was with me and it was 5 minutes till 5 and the clerk had mercy on me and told me she would let me sign and give me the permit, I could go upstairs and sign. I went upstairs to sign and the office was closed, although I was going to contest signing it at that point as well. Looks to me on this map that he showed us, we are labeled as consenting and we have not. Then in February 1991 we received a letter from Public Works Department of Boise stating in quotes *"The City of Boise is in the process of preparing plans and specifications from construction of a sanitary sewer. This project is being done in conjunction with installation of water mains by United Water of Idaho. Initially this sanitary sewer will be a dry line"*. At that time, there were 3 conditions given under which Central District Health could mandate a property must be connected to sewer.

Mr. Miller, I appreciate your question about extending the sewer out to the City because I believe that's all part of Boise City's plan to increase their revenue by forcing people to sign on. I'm not aware that there was a request for sewer out there. Then in the fall of 1999, 2½ years later, the sewer lines were installed, but no water as promised. January 2000 we received another letter that said, *"Boise City Ordinance requires existing structures with sanitary sewer service available be required to connect to this sewer system under 2 circumstances"*, so now we've gone from 3 down to 2 so the law keeps changing. There was a notice of pending lean also in that letter against our property and that was part of the mailing. During this time people were not able to refinance their properties and others were forced to connect to public sewer, even if they had a septic system that was functioning well, or the property was not able to be bought or sold. In August of 2003, we received another letter letting us know that due on sales documents was being rescinded. We had since learned this type of lean is illegal.

Nowhere up to this point in time was there a mention of implied consent in any of the letters that we received for annexation. This letter came October 2005, with notification that connection fees would be increasing soon but if there was a financial concern it could all be financed at prime interest rate plus a one-time administration fee and the cost of physically connecting your property to said lines. Thus encouraging or coercing people to go into debt, slavery, for a service they may not have even need plus a quarterly payment for sewer services. October 2006, another letter stating interest rates would be increasing plus there would be another 8% added and the connection fee would be increasing again in the spring of 2007. Another scare tactic, but now there's only one mandated requirement for connection septic system failure. It was stated in this letter, "*The increase in the interest rate is designed to encourage Ada County residents outside Boise City limits to connect to sewer*", thus giving the City consent for annexation. If we are annexed, and I was just looking through again on Page 8 of the staff report, now into Boise City, the properties again will be required to connect before they will be able to sell if they are on a septic system. Since this letter dated October 2006, 4 more notices stating connection fees would be increasing, but if you sign on now interest rates are only 3½% and there is no more mention of the 8% interest fee. Maybe this was illegal as well. But I wonder if the people that were intimidated and connected during that time frame realize how much extra they are paying because they did connect at that time. I hope you gentleman are able to see the lack of integrity and possible illegal actions taken by the City for decades in regards to this annexation. We as property owners and renters see no benefit to the citizens of these 606 acres, which is what was on the letter that came out, in being annexed. In fact, we have much to lose. We are content with our police and fire protection, parks and library services. We can use all the libraries, in fact, I have even borrowed books through the way they do it without any fee from as far away as Twin Falls, so we have all the library services that we desire. How many employees would Boise have to hire to support our area if this annexation takes place? They already have a park on Gary Lane, simply referred to as Gary Lane Site that there is no money to complete so fruition of Magnolia Park will be years out. As far as fire protection and the proposed fire station, I believe it was 13 on the map, is actually further away from our area then the Eagle station which currently serves us. In the Planning Division staff report on Page 8, it states that our fire protection will not change so there is some discrepancy there, as well in what is being stated.

The most recently developed areas already have sidewalks and streetlights and the older subdivisions don't want them and don't care that we don't have them. We love our rural feel and again, if we had wanted to live in the City limits, we would have purchased our homes within the City. We like where we are. They've told us that when we are annexed in, "in most cases the zoning designation will match as closely as possible to current zoning in Ada County. In some cases a zoning designation more compatible with surrounding zoning and who are in compliance with BluePrint Boise may be applied", sounds pretty vague. They told us at the information meeting at Shadowhills that we would be grandfathered to continue home based business and to continue keeping our live stalk. I spoke with a gentleman today whose father-in-law lives on Shirley, an area annexed years ago, the same family has lived there throughout this time.

The home hasn't been sold, they're no longer able to keep live stalk there unless it's considered pets, like chickens, as they first were when they were annexed and they can no longer keep their car collection on site so they've lost their rights once they were annexed. Things continue to be taken away. The bottom line is the City of Boise desires more revenue if they acquire this by annexation, then they don't have to raise taxes, which looks good for city officials when running for reelection or higher offices. The only one to benefit from this annexation will be the City of Boise. I'm fighting not just for myself but for the seniors, disabled persons, those on fixed incomes and my friends and neighbors who may lose their homes and properties because they will not be able to afford a promised 35½% property tax increase. As near as I can tell, Idaho is one of only two states that have these forced annexations. This is a process which should be voted on by the property owners of the impact area. Tennessee just passed a bill in April giving the people a say. The new law there requires a referendum in which people in the proposed annexation area voting in favor or against joining a city. Now it will be the people who decide if they want to merge with the municipality. They did this by putting a moratorium on annexation. Again, I had asked at the June informational meeting if this hearing could be held at Shadowhills so our older people and people who don't drive downtown would be able to attend without difficulty and Scott said at that time this probably was not feasible to happen. So I asked, since it's the City who are wanting to do this to us if they could provide city buses and bus our people here so they could attend this meeting. He told me he would get back with me; I have not heard anything further. So, I ask you, please hear the voice of the people regardless of what we may have connected to or signed. We do not wish to be annexed into Boise now or in the future and we hope that you, the current Boise City Officials will acknowledge the wrong that has been done and choose to do the right. I also learned today that annexation is to be addressed by the State Legislature in January so I would like to submit that that's possibly why this is being pushed through during this time when our legislature is not in session to help us. Thank you very much for your time, I appreciate so much you hearing our concerns.

Kim Strouse - If you have questions or would like to see those letters, I did not bring them with me this evening, but I would be happy to provide them although I'm sure they're on public record. I have petitions signed by the residents in our area.

Commissioner Bradbury - We would be happy to put those into record if you would just bring them right up here.

Kim Strouse - Do I still have time?

Commissioner Demarest - You would have to use it right now.

Kim Strouse - I'll use it; this is an analogy of annexation as I see it. I like my neighbor's property but I think he isn't using it as efficiently as I think he might. I must devise a way that I can manage or govern his property, so I make a plan.

I sent him a letter letting him know I'm planning to build a dog house on the property line. When it is finished he will be able to chain his dog to it. Later, I build the dog house and send another letter informing him he can now use my dog house. There will be a chain up fee, a quarterly usage fee and of course he will need to provide his own chain, swivel and collar. I'll also mandate that if his dog house gets infested with fleas, ticks or rodents or perhaps burn down, he will no longer be able to rebuild it but will have to use my dog house. Not only that but if he does chain up it will be implied that he wants me to govern his property for him. Years passed and he has still not chained up to my dog house, although, I'm still maintaining the dog house that he is not using so I change the plan a little. He will not be able to sell his property or refinance it unless he chains up, but his dog house is fine and plush so he still refuses. Now he has figured out that my ultimate goal was not for his wellbeing, or that of his dog, so that I could govern his property for him. I'm planning to tax him 35 ½% of his property value annually for this opportunity. He's been a happy man and his dog was well cared for, he has worked hard for years to make the place that he had dreamed it would be and has enjoyed the freedoms he had. Now, because others in the area have given in to chaining up to a dog house they may or may not have needed, he too has lost his right to govern his property. I can now tell him what he can and cannot do on his land and how many dogs he can possess. My purse is swelling; he is no longer able to afford monthly and annually fees and taxes so he must sell at a loss. I will build multi-family dwellings here to once again increase my revenue. I'm such a wonderful neighbor. I've protected him so well. I am now his city government. His property is now managed by Council members and as we all know, they do a fine job. This makes so much sense, doesn't it. I apologize for my sarcasm but I really feel this is unjust to us as citizens of the United States of America. Thank you again for your time.

Will Stanfield - In 1997 my wife purchased a piece of property at Duncan Lane to build a home on and the first question I asked was, is this a rural area or is this going to be developed? The land owners said no, it won't because there's no sewer out here. I said good, this is a good place to build. We built the home, got it established and I went to a meeting with Ada County Highway District on a route, Hill Road Parkway, coming in and my question was to them, "*is sewer going to be coming down Hill Road Parkway?*" and their answer was no. I was relieved, no sewer, no development. So the day they were starting to building Hill Road Parkway I looked out and I saw sewer pipe lined up. I called Ada County Highway District and I said "*what's the deal with the sewer?*" They said "*well Boise Public Works wants the sewer*". Okay, we don't want the sewer; Boise Public Works wants the sewer. None of the residents wanted the sewer. So sewer comes down, I want to back up just one step because prior to that the first thing that happened was United Water put a water line from Seaman's Gulch at Hill Road down the middle of the road with no permits and did it in the shade of night. When I called about that, they said; "*we'll get it stopped to stop construction on this right away*". Didn't happen. Now we have water, now we have sewer. That was the first couple of deceptions we had. I talked to the land owners around us in the neighborhood when we first built. None of our land is for sale, we're not going to sale. Somebody came in with deep pockets, bought a piece of land directly, I should say kiddy-corner across from me, developed it, put homes on it. I call that development Matlock 1. Matlock 2 is across the street from me, they developed that. Matlock 3, just now is about finished being developed.

Supposedly there was no sewer going to come in. We have the sewer, we have the water that we were told weren't going to happen. I went into Boise City, or actually Ada County Planning, I wanted to add on to my home. They said yes, you can add on to your home. It's going to cost you X amount of dollars. I was willing to pay for that permit, but you're going to have to hook on to the sewer first. Hooked on to the sewer, signed the waiver to say I would be willing to be annexed, which I was not but I wanted to add on to my house. Where I'm from, we call that strong arming.

Terri Stanfield - First I'd like to address Code Enforcement this gentleman brought up. I work for Ada County and I know the Code Enforcement. There is an Eagle Code Enforcement gentleman and there are 2 Ada County Code Enforcement gentlemen. We do have plenty of code enforcement in Ada County. I liked to talk about the sewer issue. We were forced to connect to sewer, not that we wanted it, but we wanted to add on to our home. This is a home we were going to live in for 20/30 years. So to add on we had to sign to hook up to city sewer. We didn't want city sewer, we have an above ground septic that we paid for dearly that was only 5 years old. We had to disconnect and hook up to city sewer so we were able to add on to our home so my daughter could have her bible studies over and have friends and enjoy the home we built for our family. The services that we currently have, we have no problem with. We don't have any issues with the fire district, the policing services, but yet I have a family member that lives a mile and a half away, she's in Boise City and she has issues with the policing service so I asked one of our people in Ada County to help her, they were happy to do so. I don't want Boise City. I don't want anything to do with Boise City. I don't want any of their services. I have livestock. Right around me is some farming land. There are tractors coming up and down the road when it's time for crops. I like to take my horse for a walk. I don't want to have to deal with the urban Boise City. I didn't move out there to deal with Boise urban city. I'm not a city girl, I'm a county girl and I ask you to please allow me to still be that. I never lived in the City, you know, I'm a Boise native, born and raised. I'll turn 50 next month and I've never once lived in the City and I've never planned to do so. Please don't change that for me because we have livestock. This time of year it's hot and could be a little smelly. I have a few flies. Is Boise City going to want that? The additional taxes could cause us to have to force and sell our home. That would be a sad day for me. So I ask you as Board Members to use some integrity and hear us. Hear our resounding no, we don't want this. Thank you.

Dan Black - I'm here tonight to urge you gentlemen to not recommend this annexation to the City Council. One, for the numerous reasons that it's been stated that so many people consent to be annexed just because maybe they needed the sewer, or they didn't realize what hooking up to the sewer would actually mean. I've gotten the same letters over the years. I have hooked up to this sewer but there's been kind of a heavy feeling with these letters. I'm a very small business man and I could get anywhere with a customer base if I was just always kind of hanging over them with this heavy feeling on the services I wanted to give them. I just couldn't do it. None of you would appreciate if I came to your home and said I'm your new lawn man and I'm going to give you less because we're going to get less, no gopher control and that's important, trash service, expensive services are going up because Boise City doesn't allow you to have unlimited trash as Ada County does.

I'm going to give you less but you're going to pay me 35½ % more and that's the way it is. I'm the new game in town, this isn't your place, and it's my turf now. It just doesn't win friends and influence people and as has been said and I'll be a little bit redundant. I've had the police out to my home. On that day there was Boise City and Ada County even before they had the reciprocal agreement. The boys and I were doing a little skeet shooting in the back pasture and somebody got alarmed. That was quite a few years ago. I've had the fire department out to my home and I've had North Ada County from Glenwood and I've had Eagle. I've had emergency services out to my home and that's been duplicated with fire engines, with paramedics and an ambulance so we're really covered well with services, you know that we're paying for and I just don't want to be annexed. Thank you.

Naomi Black - We have been in our home almost 25 years. We were surrounded by corn fields when we first got there and all this development has kind of cramped my style, but we do love our neighbors. We are totally against the annexation and we feel like we're being strong armed. It would be nice to have a voice, a vote to let the City know we don't want to be annexed rather than just this vocal thing. I am happy to know though that the City is going to let us continue our skeet shooting, just a joke. Just put it on the record that Naomi Black votes not for the annexation.

Neil Parker - I may be the only person testifying tonight who is not at an immediate risk of annexation. We live in an area on the northern boundary but I'm here for three reasons, I guess. One is to support my friends and neighbors who are at an immediate risk and another is because I've been told by more than one person, you next and we probably will be. The third and main reason is because I want to speak to what I feel is the principle of the thing which is forced annexation is one of the more barbaric things that government inflicts upon citizens against their will and has been pointed out previously. Idaho is only one of 2 or 3 states in the entire county that employees this through back to tourney and it is fundamentally wrong I think for people who have initially chosen to live outside of the city limits to be engulfed by a city seeking to expand its tax base against their will and without a vote of the people. The vote of the people is a cherished tradition of the county and it should extend to this area as it has so many others. A far more equitable way to determine annexation issues would be a strait up vote of property owners and I am aware the law says differently in Idaho. US Commissioners may feel, what can we do at this point but I think reform is far...far overdue and it has to start somewhere and it could start with the decision of this Commission. I was happy to hear Commission Gibson's question, the city representative, about the means for which we're employed to gather the impressive sounding number of people who had supposedly consented to annexation. I think any reasonable person who examined the means for which were implored to get those numbers would have to agree it could very realistically be called entrapment and cohesion and certainly not a consent by any reasonable definition. Opposing forced annexation is a very difficult and uphill battle as you know and it often fails, but I think a message could be sent by this Commission to perhaps begin the reform that is long overdue, thank you very much.

Francis Jeffries - It's considered Boise City even though we are out in the county. I'm going to have two different deals, a history of why we moved where we did and then kind of rebuttal to the plan, which I assume you guys must have which was sent to all of us. I'm kind of rebutting all the purposes that they want to take us in. This letter is a written testimony against annexation of the Northwest Planning Area, file CAR14-00014. Our property is located at Maymie Road Lots 3 and 4 in Randall Acres Subdivision No. 9. My wife and I purchased the 2 lots and small house in November 1987. The 850 square foot house was built in 1950 and we added an additional 600 feet in 1994. The property was purchased because of the rural atmosphere around land where our daughters could play and raise animals as teaching tools of life, as well as to raise stock for family food. Originally, I grew up in Gooding County, which is pretty much all rural. As soon as we bought this land, both daughters were in riding clubs, but we couldn't get 4-H. There were too many people already in it. From the time we purchased the property we have raised lambs, ducks, goats and beef on this property and also had horses. We have enjoyed this type of county style living, as have a lot of our neighbors over the years. There has never been a need for sidewalks or street lights. Traffic is light and many of the residents living in our area. A lot of houses have night lights on sheds for safety motion detection lights. My wife and I attended the annex meeting in June of 2014 and have downloaded the Northwest Annexation Plan. The following will address problems we see with your proposal to annex, as well as problems with the answers that were given at the meeting and also at the city office when I visited. So this is my rebuttal to everything they sent to us. Number one, Zoning Ordinance can be extended to be like the City area. If this is so then why are we told we have grandfather rights as to how we are using our lands such as livestock, working on our cars and equipment on our property? If we do have these rights and they are not somehow taken away later, how could our area be an extension in order to grow to match the City when most debt is brand new subdivision type housing?

Bret Friend - I've been in that neighborhood for 52 years and it is a unique neighborhood in its rural feel. It's remained relatively unchanged in that time mostly due to effort of the people that live there and I think Mr. Spjute's presentation had the key word, it is inevitable, or it will happen. When it happens I respectfully ask you guys recognize we are a unique rural area and that we be allowed to keep as much of the feel as we have. The second part Mr. Spjute, I was happy to see we would still be contracted with Eagle Fire because when seconds count, Eagle Station 2 is much closer than North Ada county and much closer than Pierce Park lane so thank you.

Ted Emory - Excuse me, Linda and I will relinquish our time.

Tim Strouse - I live in my home for 23 years. I want to start out first by saying I don't want to be annexed. I never signed any kind of paper that said I wanted to. We are not currently on the sewer system.

When we did get our permit and our septic system we were required to do a specialized double system which virtually won't wear out for years and years and years so we really don't need it. One of the gentlemen asked earlier, why now? I think that's pretty obvious. I think the City Council knows that there's word out that this is all going to come up at legislature this next term so they want to get this stuff done now so they can take that 35½% increase in property taxes. One of the things I know the Mayor has proposed here that got voted down last November was this levy for new fire stations and all of the sudden I see that he's found an overage in the budget and now this can be done without increasing the taxes. I've got to wonder if it's not because of the 35½% increase that he's expecting to get from this, and one of the proposed fire stations is even further away from us than what we currently have. Again, this just shows the Mayor to look good for possible future re-election or higher positions. Put it simply, history calls this "taxation without representation" and history shows this to be a troubling thing for any government to do whether it be a Kingdom, a Federal Government, a State Government, County or even a City Government. The term that comes to mind is I think you've all heard of it, The Boston Tea Party. Thank you.

Bill Seller - Thank you Chairman and Commissioners. I will be speaking for my wife as well. I lived in my home for 40 years. We have 2 acres, no animals and it's supposed to be landscaped but we've always enjoyed the kind of rural area around us. What concerns us more than anything is, especially grandfather rights, which I haven't seen any written commitment to that in any information we have received from the process of this annexation, so what I think we would like to see is some public commitment that what we enjoy now and the kind of rural area that we live in will be continued. People who have animals can keep them and we can continue to burn our landrail ditches in time for irrigation. Everything that's legally allowed us to do is kept as a grandfather right, that's what we would like to see. Thank you very much.

Melissa Williams - I have no statement commissions, gentlemen. I do have a, may I ask...

Commissioner Demarest - Would you like to speak, please come forward so we can put it on the record. We can't answer any questions for you though.

Melissa Williams - If theirs is anybody else here from the Neighborhood I'm from, Casa Real Estates the mobile home community? Okay, everything I was going to say has been said. Thank you very much.

Mark Dawson - I live in the annexation area and I'm against this annexation for the following reasons. I've got four reasons, here number one. The majority of the people in the affected area do not want to be annexed. At the scoping meeting at the school approximately 80 people showed up, not one was in favor of the annexation and we can do a test right here, do you want to be annexed into Boise City?

Mark Dawson - Alright, okay.

Commissioner Demarest – Let's not take unofficial saw polls or votes.

Mark Dawson - Okay and the majority of the people have not willingly given consent to be annexed. The City and the state have instituted a strong arm method or extorting consent by requiring it with the county building permits and it just seems kind of strange that they have done this in two ways. First you've got to do this consent form, and secondly they have imposed this deal of implied consent when they forgot to do it in the past. So now they've voted to tell me what I implied twenty years ago and I think that happened to a whole lot of people here. I believe that the map shown has several mistakes in it where they're showing, oh yeah you gave implied consent and it didn't happen. It's very troubling and the other question I have, it goes right along with this taxation without representation, the state very conveniently leaves out. We've got this gerrymandered map and the pieces they leave out would make this impossible to happen, impossible to have 50% of the area comply or give consent. If they can't do it, that fits right into the question why now? Who will do it now if we just leave out a 3rd of the property and gerrymandered the heck out of it, so commissioners please recommend to the City Council to put this annexation on hold while the questionable timing and tactics are explained and justified. Part of the question is, I think this timing issue where the legislature is coming up to talk about it in a few months, it would be very appropriate to delay this long enough to see how things are shaking out, thank you.

Jon Barns - First of all I want to thank you for hearing us and thank you for serving. I know this is not an easy position to do and I want you to know that I appreciate it. I live on 5 acres up there, we like the rural lifestyle. It's agricultural. We raise hay, we've got horse and cattle. Again, we do see the growth. We feel we have all the services we need that service us well out there and I would just encourage you to be against this as far as recommendation to the City Council, thank you.

Greg Olson - I am speaking on behalf of myself and my wife and we have submitted a letter in conjunction with our neighbors who have a similar situation to us. I'm wondering is this Scott?

Commissioner Demarest - Yeah, but it is not appropriate to ask questions.

Greg Olson - Okay, well I was hoping that we could at least bring up on the board the sewer picture?

Commissioner Demarest - We can't do that...can we do that?

Greg Olson - I'm going to speak on three points. Benefits for us and the City, benefits for the general land situation that we're within, and also as many other people have spoken, on as far as code changes and jurisdiction. So our house is actually near Old Hill Road and Bogart. On the previous map you'll see Polly Pierce's land which is a large 5 acre portion that is not in the annexation. We are neighbors and we are immediately adjacent to the east of their land and then also north of us is basically the land fill and another large acreage. As many of the other people have stated we bought our land to have animals from time to time. We run a small business. Our neighbors and the preceding owners had animals and a small business. We don't want to see that change. We are over an acre each and we are unlikely to be subdivided in the near future in the very least and will continue to have effectively a rural standard of living on our property. The way the sewer map shows they're not actually that close to our property and as far as a benefit for our property there's a rather large expense to try and run a pipe over to our house. Basically it would be serving at most our property and our neighbors. So you have a lot of expense for not a lot of benefit. We have a working septic system, we have a land use process that is not generally city based and it is more rural. We intend to keep our small business; I do solar installs when I do large steel construction. Basically, I make big steel frames where the roof hits the solar panels, so along those lines we would also lose pest control and I just don't see where the City gains a lot because the cost of the sewer expansion to include our house would be much more than the very large tax cost that we would be giving to the City, so it's a net loss on both sides. I think you guys should look at what's going to help everybody here.

Elroy Hendricks - Thank you, I have some additional petitions put out after that. There is 8 of us that have 5 acres on Bogart Lane which formed a CC&R that we can't develop without the consent of all of us. Basically, what the CC&R amounts to and all of us bought there within the last 10 years, approximately, with the idea of it being rural. All of us have livestock animals and without duplicating a lot of what's been said I would do what has been said by everyone. I also own a veterinary clinic on W. State Street in Boise and when I bought that clinic it was in the county and I lived approximately right behind it on Elmer Street. I had animals there and was told we could have animals and have an electric fence around it up until a policeman about 12 years ago showed up on my door step and said it was against the law and within Boise City to have an electric fence. It wasn't shortly after that that we'd already had this property out on Bogart Lane and we decided it's time for us to move. Even though they say, Scott claims, that we're great-grandfathered in, that was the same legal that they used when we bought on Elmer Street but after a few years we're told we can't have an electric fence and without an electric fence, horses are not, that's a pretty friendly situation to have around horses sometimes to keep them in. The library, I would ask where the library is that they say they have in our area. The only one I know of is in Garden City off of Glenwood. I'm not familiar with any other. I hope you all certainly take Kim Strouse and the others that have put a great deal of time and effort into this to look at this and seriously present to the City Council are strong NO to this annexation.

Robyn Dawson - I want to thank you for listening to all of us. I know that must be hard for you guys too. I used to sit up there in the City of Mt. Shasta City and do the same thing you're doing so I know it's a difficult one. I think that there are some special things about this area that you've heard a lot of people talking about the rural feel of it and I think that, in and of itself could set apart this area geographically from the rest of the City. The rest of the City is not this rural area. We have irrigation on our land which is one of the best I know in the area because its number 29 which means that when water gets tight, like you'll see it is in California, and we're not now that way but if it ever does this area will have water rights up to almost the very last. They are like 29 and so you know that could be very valuable in an area like this and the problem with grandfathering in is that only protects the land while the people are living there. When they sell it, it's over. Boise City doesn't have a zone for animals, for farm animals in its City limits and that's something it should really look at if it wants to zone these rural areas. That is something that I have been wanting to talk to the City about for a long time because if these people, it's like telling them that they're the fringe people, which is actually one of the terms I read on the paper here that we got tonight. It says that you know, we're in the fringe area. Well we're not really in the fringe area, that fringe area actually has some wonderful qualities to it. It's got the rural atmosphere and it's got people that love animals. We have wild life; we have enough in the area that's continuously together that it works.

Teal Wood - I live on Utahan and I want to start by complimenting who ever chose July 14 for this hearing, Bastille Day. It is the perfect day to address the missed deeds of government. Let's start with my parcel on the map that shows consent to annexation. Its colored green, I do not consent. When I bought my place there was a lean against it requiring me to hook into the sewer system, even though I have a perfectly good working septic tank on my land that I would prefer to be using. This is not consent, this is cohesion and I keep hearing that it's the law. The law knows the difference between cohesion and consent, sitting on a rape case if you need clarification of that. To color my parcel green on that map is just a lie and if that was the only lie, I would give it the benefit of the doubt, but there isn't any doubt. We have learned that we can't believe what the City of Boise tells us and you've heard some of the reasons we can't believe it so when we have been given the reassurance and then they turn around and change their minds. The fact we can't believe it means there's no way to address our concerns because you or Boise, or whoever can give us all the reassurance you want and we can't believe it. I'm concerned about water. I'm drinking good well water now and I hear, oh your water won't be changed and I think, well that's what they say now but what's to stop them in the future from forcing me into drinking city water. The only way to protect myself in the future is to never become part of Boise and that's what I would like anyway because I don't want to do business with people I can't trust. When I am free I do not do business with people I can't trust, it's really, really hard if you've ever tried to do that. So the question then is, am I free? Do I have the right to say no to this?

If you, or Boise really believes that the majority of people in the area consent to annexation with referendum. Let's give us a vote and I promise that if the majority votes for annexation, I'll sit down a shut up.

Carol Clemmons - I'm going to say basically what everybody else has said so far. You have me down, according to the sewer hookup, as consenting. I do not consent. I never did consent. If I do not have a choice, this is not by any definition of the term consent. The services we have we all find perfectly adequate, we are not interested in getting fewer services for more taxes. I have to also object, I know the law says you can annex me without my consent. Regardless, that is wrong. That is against the way our country was founded and whether you have the law that says you can bully me into this or not. I would say there is something...there's something more than whether you have the power to forcibly annex me and I would ask that you look at your conscious. Would you like to be forced into something that you did not agree to, thank you.

Ruth Davis - I live in the Sunstone Subdivision and I am on the Home Owners Association Board. Just briefly, we support everything that's been said here tonight. There is no one in our area who supports annexation. We have plenty of services. We enjoy all of our services and the library seems to be a big issue but it isn't a consortium so everybody can use all libraries in this community. There isn't any issue about whether or not you can go to the library. I think that's it, everything that everyone else has said we support. Thank you.

Karen Danley - My husband and I lived in Boise then we moved to Eagle. Then we chose to live in the County for the purpose of raising animals and the freedom to use our land within County regulations. I'm from Bismark, ND and I just returned from there and my father owned land. It was very interesting because we did meet with the city planner, her name was Ken Li. After looking at the map, the entire map of Bismark which is growing rapidly and we are in a different situation where we are asking for some land to be annexed, that's undeveloped and then to sell, you know, possibly to develop because we want to bring services to that land. That's the opposite of what is done here. You have the services there and then annex so those people in Bismark who would buy that land would know they were within city limits and this is opposite. I would like you to consider that. The other part of the map, there were parts that were not included and I ask the city planner what are these parts? I thought maybe they were overlays or such and she said that they do not force annexation. I want you to really think about the concept of forcing people to be a part of your city. You don't force someone to be on your team. You don't force someone to go to a certain doctor or to a certain store, that's a freedom we all have. The other part of this is...Scott if you wouldn't mind please putting up the summary map?

Karen Danley - On the summary map you can see there are two parcels on Old Hill Road that have not given consent. They're not green, there right next to Polly, the large portion.

So of those two areas I live on one of them and we have not given consent so consider the fact that you're also asking people who have not given consent, forcing them into the annexation. The annexation that will cause us to hook up to sewer. We're not currently on sewer, we're on septic and it will cost \$8,000 -\$10,000 dollars for us to hook to sewer and then the sewer bill, which we currently do not have one, is about \$420.00 dollars a year plus the 35% of tax increase, that's 1/3rd. If you did that in income tax, that would be unheard of. It would be 1/3 of our current taxes so think about applying that to your own personal families.

Think about applying that to your family coming up with ten thousand dollars plus the monthly bills and when we resale our value, if that's when we have to do it and then we would lose ten thousand dollars. You would sell your house ten thousand dollars less than what you had planned for. Our land use is animals and burning is a concern. We have over 20 mature trees on our land that shed a lot, leaves, trees, limbs so we are within county regulations to burn that. To actually carry that to the land fill is a considerable difference then we would not have unlimited trash. Currently we pay for Fire and Police through Ada County so we already pay about the same percentage of Ada County employees taxes through our property taxes so I don't understand why that would be an added benefit. We are happy with that. Thank you for your time, I appreciate it very much.

Peggy McReynolds - We've lived there over 40 years. We own almost 3 acres. All of us in this room who live in this neighborhood are kind of in a unique situation. We have Boise addresses. We have Garden City zip codes and we're closer to the downtown Eagle then we are to any of the others so it's kind of a unique situation. I'm speaking for my husband also and he'll let me know later if I misspoke for him. He trains race horses and has done so for probably, he's been in the race horse business over 50 years. He has trained race horses since the early '70s and we have less than 3 acres. We board the horses during the down time and we have many, many, many horses. Not just one or two but many, many, many horses and we're concerned that this will change if we get annexed in. The proposed annexation we could not see any changes or benefits other than we would change whatever police department would come to us. We have not had any problems with the Ada County Sheriff's Department. Whenever there are any issues there so for the 35% tax increase we really get nothing in return and we're not freeloaders. We're paying our taxes, we use the services yes. Those of us who were coerced, my husband and I were coerced into hooking up to sewer, which by the way we couldn't figure out why the sewer line was coming to our residential area because there is no subdivisions between Hill Road Parkway and Old Hill Road and up Duncan Lane. But here comes a sewer line down our road and every year like everybody testified here, we get these letters saying if you don't hook up it's going to increase, if you don't hook up it's going to increase. Finally, if you want to sell your property you have to sign or you have to hook up so we paid the over \$5,000 hookup fee. Again, it wasn't free, we paid for it and we pay for our sewer services so we're not getting anything for free.

We're very, very concerned about our quality of life. Like I say, we lived there for 40 years. We love our quality of life, we love the rural lifestyle that we have. We're very concerned about the rules and regulations that will be imposed upon us by the Boise City if we are annexed in and I don't care what Scott says about grandfathering in, once it gets challenged like what Doc Hendricks said, we have to adhere. That will be Boise City laws so I'm very, very concerned about this so called grandfathering in. If once it's challenged, I'm sure that we won't be grandfathered in and so that's very, very concerning. In summary, my husband and I would respectfully request that you recommend against the annexation of our neighborhood, thank you.

Greg Danley - I'd like to thank everybody for coming out tonight and speaking your minds. I'm sure this is just a small sample of our community and I think you get the general jest that nobody really is for this. The general plan for my 3 minutes was to give the rest of my time to my wife, since she speaks so much better...

Commissioner Demarest - She used her time by the way but you still have a few minutes. We do thank you for...

Greg Danley - Anyways in short I'm against being annexed and thank you very much.

Lisa Rodgers - I am in one of the green areas. I just wanted to say I think everybody said a lot of really great things tonight and thank you for listening, and thank you to my community here for speaking up. I think there's just too much at risk here that we've heard tonight, too much in question and I would ask that you put this off until the legislature has a chance to discuss it in greater detail. I don't think we as a community want to be the ones that were hanging on the cliff that got annexed that shouldn't have. If this were going to change in a few months I don't think you would want to be part of that as well in terms of recommending it. I'm wondering if the green things on that map are really green in a legitimate way. Maybe there is some research that needs to be done meaning who's consenting and how? I think that's only one piece of the things that are at risk so I would just ask that if this is as controversial as it feels and sounds and nobody in here wants it and there's been a lot of good reasons for that, I would ask you to just let the larger community discuss this in a broader way and let a bigger decision get made if that's the best way, thank you.

Hollis Putnam - I would echo a lot of the things that have been said here this evening but there's one thing rather than repeating all those that I'd like to point out. I'm a retired guy and so I live on a fixed income living off my savings. I owned a small business here in the Boise area for a good number of years. This tax impact, I looked at in the annexation plan that came out listed a business and the impact on the home and I would just like to point out that a retired person like myself, the impact is quite substantial and I bet there's a few others here in the room that have the same experience.

My taxes are going to go up over \$2,000 and I bought my place there 4 years ago. I kind of bought it with the idea of teaching my grandkids that all of the produce and things like that don't come from Albertsons. I raise a few black angus, I grow hay and I garden and try to teach the grandkids a little bit about how things come about in the real world, so I would certainly urge you gentleman, I know this is kind of a tough decision because I sit on a board similar to this in Valley County. The way these issues that have been brought forth to you tonight and don't do a slam dunk on this. Think about this a little bit, thank you very much.

Claudia Fernsworth - Right now I'm going to be speaking for an Iraq refugee, Jose Matachie. Their family bought their house 3 years ago and her husband was working at Micron and she works as a cashier at Walmart. In Bagdad, where they lived previously, she taught Junior High school boys for 14 years and he was an engineer working for Washington Group. They have two sons who go to BSU. Both of the boys work in the cafeteria to help pay for their bills. A while ago, Jose was in a car accident. His leg was broken and his back was injured, he went back to work. The next time he saw the doctor the doctor told him that his injuries were really server and that he really should not work so he is out of work now. We have a cashier at Walmart and two paying jobs at the BSU cafeteria paying these peoples bills. Any increase in their taxes will be a real hardship and we have heard from a couple of people who have also had that issue. I also want to say I think it would be really prudent to put off this annexation until these things are sorted out by the City Council and by the State since we are 1 of 2 states now that have this sort of annexation policy. Thank you.

Larry Fernsworth - I feel I must use my time to tell you how disingenuous I find the solution of the City that implied consent and written consent obtained through permitting process amounts to some de facto approval of annexation. I think it's pretty plain from testimony tonight it does not. I also have a real problem with the notion Ada County residents will be grandfathered in, in that what was legal in Ada County will continue to be legal in Boise City. I just find it very hard to believe that Boise Police Officers, are resourceful as they may be, are going to be able to enforce a contradictory set of laws. I don't see how we can expect them to, as time goes by, know what's legal on one side of the street and isn't on the other. I see some real problems for people who are already tense with some pretty heavy lifting. With the legislature out of session I feel this Planning Commission is the only hope we have of a having some democratic process unfold and I'd ask you to vote against this proposal. Thank you.

Lydia Hamilton - I am not living in the annexed area, however, I am part of the Northwest Neighborhood Association. I'm here to reiterate again some of the concerns my neighbors have as part of our neighborhood. One is I think their biggest concerns are maintaining their rural feel they have out there. I was just out there yesterday and I ride my bike through their lands quite often. It's great; there are horse pastures, some cattle, lamb and sheep.

Some of the concerns I've heard is while they will be grandfathered in, Boise City does not allow such animals on property less than 1 acre, I believe, so some of the citizens are concerned they will lose this. They are also concerned they will have increases in property values. They will also have to pay several thousands of dollars to tie into the sewer system and these may not be able to be recovered when they have to sell their house, if they have to sell their house. Their grandfathered rights may not also come with houses so anybody else wanting to move onto this land would not get to have the lifestyle they would want to live out there. Another one of the concerns brought up is the trash collection. It doesn't seem like a big deal but I think when you're living on over an acre you have a lot of trash. You get several piles of leaves, and in Boise City we do have to pay extra. You get five tags per year. That's it for an extra garbage can. I think living out there and having to pay that extra cost on top of their taxes and on top of tying into the sewers is just going to be a little too much. Idaho is now only one of two states, Tennessee in April reversed their legislation and they no longer mandate this type of annexation. It is now only Idaho and Indiana, and Indiana is also in the process of looking this over. That's all I have for you. I hope that you guys consider not approving this, thank you.

Mark Liming - Myself and some of my neighbors I have talked to are totally against the annexation. I have talked about what kind of problems we as residents and other people in this subdivision would have if this annexation goes through. I think this would be something that you guys should think about before approving that.

REBUTTAL

Scott Spjute - Thank you Mr. Chairman I have no further comment.

PUBLIC HEARING CLOSED

MILT GILLESPIE MOVED TO RECOMMEND APPROVAL TO CITY COUNCIL FOR CAR14-00014 BASED ON FINDINGS OF FACT, CONCLUSIONS OF LAW AND ARE SUBJECT TO THE CONDITIONS OF APPROVAL AS STATED IN THE PROJECT REPORT.

COIMMISSIONER GIBSON SECONDED THE MOTION.

Commissioner Gillespie - First of all this is a really, really tough issue. I want to say personally I normally don't get into the personal issues in my one year on the Commission but on this one I do feel your frustration and I also totally respect basically your argument for liberty. I get where you're coming from but that's kind of a high level point. Let me make a couple of points on why I'm recommending approval.

First of all development is occurring in your area whether you want it or not and the reason is because your neighbors are going to sell their parcels or they're going to decide to subdivide it. The State of Idaho provides you almost no ability to influence what your neighbors do with their land; it's again for the liberty of argument. These subdivisions and multi-family units are going to spread all over this area. It's not city policy, it's not county policy and it's what your neighbors and developers are going to do, frankly, to make money. That's going to happen rather you're in the county or not. When folks put in subdivisions they are not likely to put in a septic system in either Ada County, or Central District Health is likely going to look favorably on large new septic systems. That means Boise City is going to extend the sewer. Discussing the motives in why Boise City wants to do that is not really appropriate for this Commission, but it's going to happen because there's going to be a lot more people living in this area, period, whatever we do tonight. Your best hope to manage that process is to be in a municipality and avail yourself of the land use planning laws available to a city. Whether it be Eagle or Boise, I don't know. That's the only way you're going to be able to manage what happens around you. Ada County cannot do it. They don't have the resources or the legislative mandate to do that so I want you to think carefully about that and try to weight that against how your feeling in terms of the liberty argument. There are neighborhoods in the City that have banded together, put in neighborhood plans and they're trying to protect the rural nature of the neighborhoods they live in. I think the Frontier Neighborhood Plan is a couple that I'm aware of where people have really put in thought and the City works with them trying to protect what they have. You can't do that within Ada County. It's not a flaw of Ada County, it's Ada County is just not set up to do that so that's kind of Point 1. Point 2, all the concerns about the annexation process where form, this is just the wrong forum. In particular questions about coercion and entrapment vis-à-vis the sewer hookup are really beyond the scope of this Commission, and frankly nobody's provided any evidence of the consent calculation as defined by state laws incorrect or was unlawfully obtained. I heard all the arguments and I respect them at some philosophical level but I have to respond to the evidence that's before me. Finally, on the non-conforming issues I'd simply refer you to Section, I believe its 11.11 of the City Code. It clearly defines what a non-conforming use is. This is the issue of if you're doing something now can you continue to do it. This is kind of one of my favorite parts of the Code but there's a very clear legislative history in Idaho judicial record which says you are protected in those uses. I don't know how to respond to any codes which suggest otherwise when I know what the law says. I think staff has demonstrated this annexation will benefit the whole city and that's why I made the motion.

Commissioner Gibson - I'd also like to voice a statement in support of the motion. Approximately three months ago we had a public hearing for annexation on the south end of Boise and the majority of residents who appeared before us, approximately 35-40 of them, spoke against the annexation specifically for some circulation and other issues that were pertaining to the project, but to be specific to the point the residents that were speaking were Ada County residents and it was a Boise City action specific to annexation and we listed to the residents.

We took their opinions into consideration but at the end of the day it was a Boise City action and the residents had to go big brother in that fight, if you will, from Ada County. In this instance I think it's important to reflect on the fact it is a fringe area but it won't be a fringe area forever and I think if you go back and look at where the annexation has occurred, one of which was where my parents live between Boise City and Meridian. My parents also live on a fixed income and I got to hear their part of the increase of what they thought was a not acceptable matter of tax increase on their end, so I'm empathetic to that. But I also agree residents in this area have a wonderful quality of life and these in-fill developments we've seen in this area, which really were the basis for the extension for a lot of the sewer work in this area, were conducted during a lot of Ada County and are now within this area. Like it or not, that's the state law and I agree with Commissioner Gillespie, it's not our position here in this venue to debate the merits of state statute.

Stephen Miller - I would concur with the comments of the previous Commissioners. Let me make just a few other points. Something else that's persuasive to me is this area has been an Area of City Impact for the City of Boise for several decades and one of the reasons staff mentioned for within the Urban City Map is that an area is reasonably expected to annex to this City in the future. This is the other side of the state law. In other words that is the annexation division that we've heard here before but the other part of it is if you are in the Area of City Impact, there is that expectation of annexation and that's been there for a long time. It's where they created the Areas of Impact for growth and therefore, these parcels were also expected to be annexed. With that said, I am empathetic to two concerns I heard in particular. The first is taxes and the second is the rural charterer consideration. I'm going to address the second one first with regard to the rural charterer. I think Commissioner Gillespie is correct. When we think about the rural charterer of this area, generally by this area I mean the Treasure Valley; look at the maps for projected growth over the next twenty to thirty years. Most of the rural areas are projected to be eaten up. That is largely because there are very few land use planning tools even within the municipality, certainly not within the counties. If you like the rural charterer in which you live your best shot is being within a city, whether that is Boise or Eagle, whether you prefer one or the other or here in Boise today. If you like the rural charterer there has to be some sort of land use planning tools to maintain that. I think that Boise could potentially be amenable to that. I believe staff mentioned the City would try to provide zones which best reflect the current zones within the county, so to extend this rural charterer we would at least start out with zones that reflected that as well. Those are the reasons why I will support the motion as well.

Commissioner Demarest - Let me go ahead and weigh in. I agree with a lot of what I've heard from my fellow Commissioners about this is not the place to change the law. We have a law that comes to us and we are bound by that, however, the law also includes a rightful place for people like us on this Commission to make determinations, that's why we are here because the law always has some grey areas in it.

In the testimony I heard, I heard just one too many times, and I believed it, the word “coercion”. I heard too often that people were basically forced, back into a corner, to sign up for something that they really didn’t want to do and that the City really had the upper hand in some of this, we’re not going to tie you into sewer unless you sign this for us. I don’t think that’s right. I don’t think that that’s the kind of tone we want to have in a city like this. Again, I’ve heard it enough times that I found it creditable, implied consent, I don’t like the term because it means that after the fact something was determined about some decision making that probably happened under some very different conditions. For that reason I will not support the motion.

ROLL CALL VOTE

COMMISSIONER GILLESPIE	AYE
COMMISSIONER GIBSON	AYE
COMMISSIONER MILLER	AYE
COMMISSIONER DEMAREST	NO

THREE IN FAVOR ONE AGAINST, MOTION CARRIES.

COMMISSIONER DEMAREST:

Okay folks, just a reminder the appeal for any decision that, we in this case, recommend goes to City Council and so that will be the next forum for which this particular item will be decided and I don’t know what the time for that will be.



Boise City Planning & Development Services

150 N. Capitol Blvd ■ P O Box 500 ■ Boise, Idaho 83701-0500

Phone 208/384-3830 ■ Fax 384-3753 ■ www.cityofboise.org/pds

Planning Division Staff Report

File Number CAR14-14
Applicant Boise City
Property Location Northwest portion of Area of Impact
Council Hearing Date September 16, 2014
By Boise City Planning and Zoning Commission
Planning Team Member Scott Spjute

Table of Contents

1. Executive Summary	2
2. Facts, Standards of Review & Reason for the Decision	3
3. Analysis	5
4. Boise City Comprehensive Plan	9
5. Boise City Zoning Ordinance	10
6. Recommendation and Reasons for Decision	11

Attachments

Maps

Annexation Plan

Comments

1. Executive Summary

Description of Request

Boise City requests annexation of approximately 925 parcels on approximately 500 acres located west of city limits between Hill Road and State Street.

Planning Team Recommendation

Approval

Summary

Boise City has long planned for the provision of municipal services to this portion of the Area of Impact. Significantly, over 75 percent of the parcels and over 53% of the land is owned by people who have consented to annexation, according to the Idaho State Code definition of consent. There are also two city parks – one of which is already developed.

When the interrelationship between the city and its fringe area is close, there is need for unified planning and zoning. By means of annexation, Boise’s zoning ordinances can be extended to the Northwest area, thus helping to assure orderly growth, which is much easier to achieve if the area is not under separate Ada County jurisdiction.

Annexation leads to a unified community and can prevent the fragmentation of local governmental authority among a large number of special districts. Fragmentation may cause conflicts of authority and the absence of cooperation, political irresponsibility, duplication of services, inadequate service levels, lack of effective area-wide planning and programming, financial inequities and other problems.

Political boundaries will, after annexation, more nearly reflect the true and existing sociological, economic, cultural, and physical boundaries of the city. The Northwest area and the City of Boise are already inextricably bound together.

Urban growth without central planning and control becomes urban sprawl. If Boise City is to continue to effectively provide urban services, it must be allowed to follow natural growth patterns into those fringe areas where there is urban development. The city must be able to guide development in an orderly manner, and avoid the need to extend costly urban services to distant and scattered “pockets” of development. Annexation can help guarantee to Boise City a measure of responsible control over its future.

Annexation will allow people and businesses that are part of the city in social, economic and practical senses to be included in a legal sense. And it will enable those who are part of the community to fully participate in community activities through service as elected officials by eligibility to serve as appointed officers on city boards and commissions.

For reasons outlined in this report, the Planning Team feels that inclusion into Boise City is appropriate at this time and recommends that the Commission and Council enact and adopt an ordinance effecting annexation.

2. Facts, Standards of Review & Reason for the Decision

Type of Application

Annexation with zoning designations in accordance with the following examples:

<u>Existing Ada County Zoning</u>	<u>Proposed City Zoning</u>
RUT	R-1A
R1	R-1A
R4	R-1C
R6	R-1C
R8	R-1C
R8M	R-1C
R12	R-2D
R20	R-3D
LO	L-OD
C1	C-1D
C2	C-2D

Location, Site Description

West of City limits to Horseshoe Bend Road, between State Street and Hill Road

Annexation Boundary



Applicant

Boise City

Zoning

See above.

Background

The City originally negotiated the boundaries of its Area of Impact (AOI) with the County in the late 1970's. One of the State Code-mandated defining factors of an AOI is that the lands are reasonably expected to be annexed. Thus, inclusion of lands in an AOI is a *de facto* declaration of the City's intent to annex, and the question remaining is when that will occur.

The purposes of annexation are listed in the annexation plan, but can be summarized as follows:

1. Efficient and economical provision of municipal services.
2. Orderly development that benefits from municipal services.
3. Equitably allocation of the costs of public services.

Planning and coordinating growth within the City's AOI is one of the primary policies of the Comprehensive Plan. A specific goal states that the City will "annex lands within the defined Boise City Area of Impact when it can be demonstrated that the proposed annexation is consistent with the goals and policies of the Comprehensive Plan."

Development Proposal

No development is proposed. The question before the Commission and Council is to consider whether to annex all or part of the area represented on the attached maps, and to determine what zone should be assigned upon annexation.

Standards of Review

Section 11-03-04.15 Public Hearing

The Planning and Zoning Commission shall advertise, provide notice and conduct a public hearing in accordance with Section 11-03-04 of this Ordinance for each application to amend this Ordinance or to reclassify a zoning district.

Any recommendation of the Commission relating to change, modification and reclassification of zoning districts and land use classifications and the regulations and standards thereof shall be in writing. Their recommendation shall include findings of fact supporting the purposes and objectives of zoning and otherwise securing public health, safety and general welfare. The recommendation shall specifically find that such changes, modifications and reclassifications of zoning districts and land use classifications and the regulations and the standards thereof:

- A. Comply with and conform to the Comprehensive Plan; and

- B. Provide and maintain sufficient transportation and other public facilities, and does not adversely impact the delivery of services by any political subdivision providing services.
- C. Maintain and preserve compatibility of surrounding zoning and development.

Failure of an application to meet these findings shall not prevent the request from being forwarded to the City Council for consideration after Commission review. Notice of the Commission's recommendation shall be included in the notice of the public hearing of the City Council.

In addition to the above requirements, the new State law regarding annexation, adopted in 2002, outlines the rules and procedures for annexations. The annexation being contemplated at this time is considered a Category B, Subset i, annexation. This is an annexation wherein the subject lands contain less than one hundred separate private ownerships and platted lots of record and where not all such landowners have consented to annexation

The procedures are as follows:

Lands lying contiguous or adjacent to the Boise City limits may be annexed by the City if the proposed annexation meets the requirements of Category 'B'. Upon determining that a proposed annexation meets such requirements, Boise City may initiate the planning and zoning procedures set forth in Chapter 65, Title 67, Idaho Code, to establish the comprehensive planning policies, where necessary, and zoning classification of the lands to be annexed. Further, notice is required to property owners 28 days before the initial hearing and an annexation plan must be prepared and made available to the public.

Analysis Supporting Reasons for Decision

Proper annexation of areas adjacent to cities is often crucial to establishing and maintaining urban order and effective government. Rapid development and population growth frequently occur just outside city boundaries where property is cheaper and zoning laws may be less restrictive. Boise, like many other cities large and small, is surrounded by "fringe" areas. With the development of fringe communities come the problems that concentrations of people create—increased traffic congestion on inadequate roads, the need for improved emergency services, and inadequate land use planning resulting in disorderly growth.

These problems, unfortunately, cross boundary lines and become a city's problem too. Lack of good transportation planning spreads traffic congestion into the city. Lack of necessary police protection or confusion about jurisdictional boundaries between City police and the Ada County sheriff can encourage the spread of crime throughout the entire urban community. Lack of proper planning and land use (zoning) control allows uses that may threaten the social and economic life and cohesiveness of the community.

The growth of separate fringe areas may produce a complex pattern of government by multiple jurisdictions—city, county, and special districts—that can lead to administrative confusion, inefficiency, duplication, and excessive costs. The urban community can become a tangle of small competitive governmental units that lack the administrative, jurisdictional, or financial ability to provide the essential services and facilities necessary for sound development. Once this complex pattern becomes established, vested interests and sectional jealousies make change difficult, if not impossible.

At the same time, economic and social ties between cities and their fringe areas can be strong. Outlying areas benefit in many ways from city parks and recreational facilities, streets, utilities, and other facilities and programs, often without contributing a proportionate share of the cost to the city. Moreover, suburban people may request services equivalent to those provided within the city and may recognize that their taxes and other costs (including utility costs and fire insurance premiums) in an unincorporated area are not necessarily lower and are often equal to, or greater than, those within the city.

A logical solution is often annexation, as allowed under Section 50-222 of Idaho Code. Properly used, annexation preserves a growing urban area as a unified whole. It enables urbanized and urbanizing areas to unite with the core city to which the fringe is socially and economically related. It facilitates the full utilization of existing municipal resources. City administrative and technical personnel are able to address the fringe area's municipal needs, and do this in a manner consistent with policies of the City's comprehensive plan. As a general note, annexation is often preferable to the incorporation of new cities, since new incorporations in urban areas may cause conflicts of authority, the absence of cooperation, duplication of facilities, and an imbalance between taxable resources and municipal needs. Industrial, commercial, and high-income residential areas may offer a high level of urban services, while the low and moderate income residential satellite city may strain to provide minimal services. In both instances, satellite residents and businesses draw on the resources of the core city without contributing toward the cost of these resources. An example of this scenario might be Garden City and its symbiotic relationship with Boise City.

Annexation, therefore, is appropriate as Boise City is surrounded by a growing area; there is a need for orderly planning and city services in fringe areas; and since needed services can best be supplied by the city. In general, annexation is a solution in instances when Boise city is able to address emerging fringe area needs and concerns.

More than ever before, Ada County and Boise City local government officials are realizing that what is "urban" should be "municipal." Urban growth without central planning and control becomes urban sprawl. If Boise City is to continue to effectively provide urban services, it must be allowed to follow natural growth patterns into those fringe areas where there is urban development. The city must be able to guide development in an orderly manner, and avoid the need to extend costly urban services to distant and scattered "pockets" of development. Annexation can help guarantee to Boise City a measure of responsible control over its future.

While property owners on the fringe of the city seldom desire annexation - primarily because of increases in property taxes and franchise fees - all of the owners of the subject lands will be served by City sewer and protected by a City-negotiated contract to provide fire protection and emergency services.

Staff is recommending that the Council annex the subject lands for reasons that are larger in scope than just property taxes and that deal with comprehensive planning issues and plans for provision of necessary services that have been in place for many years.

Comprehensive Planning. By agreement with Ada County, Boise City's Comprehensive Plan applies to the entire Area of Impact. Unfortunately, the zoning ordinance, subdivision ordinance and other City ordinances, which are the primary tools by which the goals and policies of the Comprehensive Plan are implemented, have no application beyond City limits. Ada County, in reviewing development proposals, requests comments from the City relative to the Comprehensive Plan, but is in no way bound to adhere to those comments or to implement the City's recommendations. Further, Ada County does not have the same tools available to ensure that development occurs in accordance with the Comprehensive Plans goals and policies. These tools include a Design Review Staff and Committee, an in-house Parks Department, a Fire Department and a Public Works Department capable of providing sewer service, street lights, drainage review, etc. While the Comprehensive Plan is to guide development and growth, the only way that can be accomplished is for annexation to occur. The standards set forth in the Comprehensive Plan assume that annexation will occur in tandem with development.

Area of Impact. Section 67-6526 of the State law requires that cities adopt an area of impact and prescribes the factors that shall be considered in defining its boundaries. They are: 1) trade area; 2) geographic factors; and 3) areas that can reasonably be expected to be annexed to the city.

Trade Area. The subject lands most assuredly lie within what could reasonably be considered as Boise City's trade area, although this term is not defined in the law. It is also realistic to assume that the vast majority of property owners have their places of employment in the City and do their shopping, business and other activities in the City.

Geographic Factors. There are no geographic features separating this area from Boise City such as rivers, ridges, canyons, or valleys that might make it unreasonable to be included in Boise's Area of Impact.

Reasonable Expectation of Annexation. The information contained in this report and the discussion of services in the Annexation Plan argues that this area should "reasonably be expected to be annexed to the city." Therefore, because of their location within the area of impact, it has always been anticipated that the subject lands would eventually be annexed. This notion is based on the state law, as well as the other factors discussed herein.

MUNICIPAL SERVICES

Boise City can provide services to the area commensurate with what is being provided to current residents of the City. Consider the following examples:

Police. Ada County currently responds to service calls in this area. The City would extend urban level policing services to the proposed annexation area without significant adjustment to current staffing levels or organizational structure. Two patrol officer positions are requested to maintain call for service levels consistent with City's current service levels. The officers will also support future development in the proposed annexation area and surrounding city area. All other police services will be coordinated with existing staff.

Fire. Service will continue to be provided to the annexed area as is currently being done via contract with the North Ada County Fire and Rescue District and the Eagle Fire District (west of Abe Ave). While the annexation does not have a significant service impact, additional growth in the annexed area and the North River Planning Area within the City's current limits may require an additional station in the future.

Parks. The 53-acre Optimist Youth Sports Complex is in the proposed annexation area, but there are no other developed sites. However, the residents of the proposed area are served by the adjacent Veteran's Cemetery, Seaman's Gulch Trailheads, and Alder Point-Pocono Pathway. The City plans to develop a neighborhood park (Magnolia Park) off Bogart Lane which will serve the annexed area and the surrounding city area.

Public Works. Annexation of these areas will have little financial impact on the Sewer Fund. The City currently serves customers both inside and outside of the city limits under the same set of rules and fees, with the exception that due on sale sewer connection only applies within city limits. Annexation should result in less administrative burdens with the City undertaking all of the new development permitting obligations, rather than Public Works having to deal with the County and State for building and plumbing permits. Annexation covenants will no longer be required. Over three-quarters of the individual parcels in the area already have sewer connections.

3. General Information

Notifications

Neighborhood Meeting held on **June 11, 2014.**

Newspaper notification published on: **June 14, 21 and 28, 2014.**

Radius notice mailed on: **June 3, 2014.**

Staff posted notice on site on: **June 25, 2014.**

4. Boise City Comprehensive Plan

All of the subject lands are located in the Boise Area of City Impact and fall under the jurisdiction of the Boise City comprehensive plan, Blueprint Boise. However, there will be a much better opportunity to implement the 12 major comprehensive plan goals if the area is under the jurisdiction of the City’s development codes, including the subdivision and zoning ordinances.

Boise City Comprehensive Plan Goals, Objectives and Policies

Goal PDP5: Plan for and coordinate the efficient expansion of public facilities and infrastructure to serve future growth.

PDP5.2: Central Sewage and Collection Systems

Install public sewage treatment and collection systems to be available for use coincident with new development, except as otherwise provided in the Foothills Plan.

Goal PDP3: Plan for a coordinated and sustainable pattern of growth within the Area of City Impact.

PDP3.2: Annex lands within the Area of City Impact when it can be demonstrated that the proposed annexation is consistent with the goals and policies of the Comprehensive Plan. Consistency with the Comprehensive Plan includes substantial compliance with the level of service standards identified in Figure 10-1.

Figure 10-1

Level of Service Standards for Community Services and Facilities

Service Area	Service Standards
TYPE I — CONCURRENT WITH THE ISSUANCE OF ANY DEVELOPMENT PERMIT	
Fire*	4 minute response, unless excepted by Fire Department
Water	35 psi residential/1,500 gpm fire flow
	40 psi non-residential/1,500 gpm fire flow
Sewer **	Available to site
Treatment:	Federal Standards + capacity
Collection:	capacity
Schools	System capacity
Streets	Authorization by ACHD
Police/Sheriff	Available
Solid Waste	Weekly pick-up
Electricity	Available
Telephone	Available
Storm Drainage	Approved on site or public system

TYPE I — CONCURRENT WITH THE ISSUANCE OF ANY DEVELOPMENT PERMIT

Fire*	4 minute response, unless excepted by Fire Department	1.5 mile
Water	35 psi residential/1,500 gpm fire flow	Community
	40 psi non-residential/1,500 gpm fire flow	Community
Sewer **	Available to site	Community
Treatment:	Federal Standards + capacity	
Collection:	capacity	
Schools	System capacity	Community
Streets	Authorization by ACHD	Community
Police/Sheriff	Available	
Solid Waste	Weekly pick-up	Community
Electricity	Available	Community
Telephone	Available	Community
Storm Drainage	Approved on site or public system	Community

* Fire Station “set-a-side” shall be required within the City Area of Impact.

*** See the exception for the Southwest Planning Area identified under Objective 2, Policy 2 in the Sewer Facilities section of the "Public Facilities, Utilities and Services" chapter of this plan.*

TYPE II — CONCURRENT — FIVE YEAR CAPITAL IMPROVEMENT PLAN/OR OTHER LONG- RANGE PLAN***

Service Service Standards Service Area

Police	Priority 1 — 3 min. response	Community
Parks & Neighborhood park	= 1.4 acres/1,000 pop.	1/2 mile radius
Open Space Community park	= .9 acres/1,000 pop.	1 mile radius
Large urban park	= 1.8 acres/1,000 pop.	Community
Regional park	= 6 acres/1,000 pop.	Region
Special use areas	= 2.4 acres/1,000 pop.	Community
Natural open space	= 8.3 acres/1,000 pop.	Community Schools
Elementary Schools	13 — 15 acres/550 — 600 students	1/2 mile radius
Jr. High	30 — 35 acres/1,000 students	Multiple neighborhoods
High School	50 — 60 acres/1,800 — 2,500 students	Multiple neighborhoods
Storm drainage	Federal standard	Community
Streets	Adherence to the LOS standards adopted in the	Community

**** Type II Concurrence in any given service category may be excepted by the service provider for specific sites based on findings that adherence to the adopted standards is undesirable or not intended for the area according to the plans of the service provider.*

The City will be providing services over which it has control based on the standards described in the above table from Chapter 2 of Blueprint Boise.

5. Annexation law from Boise City Zoning Ordinance

11-03-04

A request for the annexation of property into the city may be initiated by the Council, the PZC, or by property owners or holders of valid purchase. When the annexation request is initiated by the property owner, the PZC may expand or modify the annexation request.

(4) Step 4: Notice

(a) The Director shall provide notice for advisory and decision hearings pursuant to Section 11-03-03.4 and this Section.

(b) For Category B lands, compliance with the notice and hearing procedures governing a zoning district boundary change as set forth in Section 67-6511, Idaho Code, on the question of whether the property should be annexed and, if annexed, the zoning designation to be applied thereto; provided however, the initial notice of public hearing concerning the question of annexation and zoning shall be published in the official newspaper of the city as designated in Section 1-20-01 and mailed by first class mail to every property owner with lands included in such annexation proposal not less than 28 days prior to the initial public hearing. All public hearing notices shall establish a time and procedure by which comments

concerning the proposed annexation may be received in writing and heard and, additionally, public hearing notices delivered by mail shall include a one page summary of the contents of the city's proposed annexation plan and shall provide information regarding where the annexation plan may be obtained without charge by any property owner whose property would be subject to the annexation proposal.

(5) Step 5: Application Processing

The Director shall refer the application to other agencies and prepare a report of findings and recommendations pursuant to Section 11-03-03.4 and this Section.

(6) Step 6: Public Hearing(s)

Public hearings shall be as follows:

(a) Planning and Zoning Commission

The PZC shall hold at least one public hearing for each annexation request. The PZC shall file its recommendation with the City Clerk. The PZC's recommendation shall be that the annexation will:

- i. Incorporate the Boise sewer planning area;
- ii. Honor negotiated area of impact agreements;
- iii. Attempt to balance costs of services with anticipated revenues; and
- iv. Promote other goals of population balance, contiguous development, and prevention of costs due to leap frog development.

(b) City Council

The Council shall hear an annexation request in a public hearing pursuant to Section 11-03-03.4.

(7) Step 7: Decision

The Council shall render a decision in a public hearing pursuant to Section 11-03-03.4 and this Section. The implementation of a decision to annex shall conclude with the passage of an ordinance of annexation.

6. Staff Recommendation and Reasons for Decision

The Planning team finds that the proposed annexation meets the goals of orderly development, efficient delivery of services and equitable allocation of costs for service. It is therefore recommended that the City Council approve CAR14-14, subject to the findings required by state and local code as discussed below.

Standards for Review and Required Findings

Staff recommends approval.

The Commission is to make the following findings in forwarding a recommendation for approval of an annexation:

- A. That the annexation shall incorporate the Boise sewer planning area.

The subject lands have been within the City's sewer planning area for many years. Sewer was extended to the western portions of the annexation area in the early 2000's.

- B. Honor negotiated area of impact agreements.

The only reference to unilateral annexations in the Area of Impact Agreement (B.C.C. 11-01-07) is a statement that annexation shall occur within the Area of Impact. The implication is that cities may annex lands within the area of impact when it is necessary or convenient for the orderly growth of the city. This report clearly demonstrates that it is.

- C. Attempt to balance costs of services with anticipated revenues.

Operating Impact - On a cash flow basis, the City will not receive property tax revenue from the annexation until the year after annexation. It is assumed however that half of the estimated annual amount of sales tax and other revenue will be received during the first year. Thereafter, the proposed Northwest Annexation Area is estimated to generate \$791,965 in annual revenue and \$300,400 in annual operating costs, for an annual net operating surplus of \$491,000.

Of the revenue, \$652,000, or 83%, will be from property taxes (based on 2012 valuation). The balance of revenue will be from sales tax and other sources such as franchise fees, traffic fines, and licenses. A portion of the net operating surplus (\$125,000) will offset the estimated cost to currently serve the residents. The remaining surplus will be to support other planned public amenities, both citywide and within the nearby planning areas, such as Hulls Gulch and Boise Hills parks in the larger area and Magnolia Park in the annexation area.

- D. Promote other goals of population balance, contiguous development and prevention of costs due to leap frog development.

Part of the intent behind annexing the Area of Impact is to prevent the sort of "leap frog" development that has resulted in the unplanned, haphazard development patterns which are seen in some municipalities. By annexing where feasible and practical the City will help to ensure that future development, as much as possible, occurs contiguous with City limits and thereby facilitates the more efficient and economical delivery of services.

Zoning

The only change made to the existing zoning will be to assign a City zone that is as equivalent to current Ada County zoning and/or which matches the land use designation of Blueprint Boise. The City is to make the following findings when reclassifying the zoning of properties:

A. Comply with and conform to the Comprehensive Plan.

The zoning being applied will match the existing Ada County zoning and/or the comprehensive plan. Future decisions on requests for zone changes will be based on the Comprehensive Plan Land Use Map and Zoning Consistency Matrix, as well as the other applicable goals and policies contained in the Plan.

B. Provide and maintain sufficient transportation and other public facilities, and does not adversely impact the delivery of services by any political subdivision providing services.

Transportation services and other public facilities can best be planned for and provided under the auspices of one jurisdiction. Only Boise City operates any sort of transit system which might feasibly service the area someday.

D. Maintain and preserve compatibility of surrounding zoning and development.

This finding is satisfied since the City is assigning zoning which is comparable to the zoning that exists now under County jurisdiction or which matches the land use designation of Blueprint Boise. Future developments that involve requests for zone changes will also be evaluated against this standard. The following demonstrates the comparable City zoning that will be applied if the annexation is approved.

<u>Existing Ada County Zoning</u>	<u>Proposed City Zoning</u>
RUT	R-1A
R1	R-1A
R4	R-1C
R6	R-1C
R8	R-1C
R8M	R-1C
R12	R-2D
R20	R-3D
LO	L-OD
C1	C-1D
C2	C-2D

State Code Findings

State Code also requires that the following findings be made and set forth in the minutes of the City Council meeting:

- (A) The land to be annexed meets the applicable requirements of this section and does not fall within the exceptions or conditional exceptions contained in this section.
- (B) The annexation would be consistent with the public purposes addressed in the annexation plan prepared by the city; and,
- (C) The annexation is reasonably necessary for the orderly development of the city.

A. The land to be annexed meets the applicable requirements of this section and does not fall within the exceptions or conditional exceptions contained in this section.

1. Category B. Annexations. For the lands which are contiguous with city limits and which number over 100 parcels, the City completed the following steps:
 - a. On June 25, 2014, a notice of annexation hearing and map were posted in the subject area.
 - b. Notice was published in the Idaho Statesman to satisfy the zoning hearing requirement. The dates were June 14, 21 and 28, 2014.
 - c. A notice was sent directly to each affected property owner. The notice was sent on June 3, 2014, in advance of the first public hearing and contained:
 1. An invitation to attend an informal question and answer session held on June 11.
 2. A map of the annexation area in which the owner's property lay with the annexation areas highlighted.
 3. A summary of the annexation plan.
 4. An invitation to attend the public hearing before the Planning and Zoning Commission on July 14.
 5. Instructions on how and by when to submit written information.
 6. Instructions on how and where to obtain a copy of the annexation plan, free of charge.
2. Prior to beginning annexation proceedings, the City determined that the subject lands contain more than one hundred separate private ownerships and platted lots of record and that more than fifty percent of the area of the private lands expressed consent to annexation. This

consent is manifest primarily in the connection of the properties to the City's wastewater collection system. Of the 427 privately-owned acres being contemplated for annexation, 228 acres, or 53.4% have owners who have given expressed or implied consent to the annexation. The state code requires only "more than fifty percent."

3. Properties which are more than five acres in size and for which there is no consent to be annexed are not being proposed for annexation, unless agreed to by the owner.
4. The City has prepared an annexation plan, appropriate to the scale of the annexation, which contains the following elements:
 - a. The manner of providing tax-supported municipal services, if any, to the lands proposed to be annexed;
 - b. The changes in taxation and other costs, using examples, which would result if the subject lands were to be annexed;
 - c. The means of providing fee-supported municipal services, if any, to the lands proposed to be annexed;
 - d. A brief analysis of the potential effects of annexation upon other units of local government which currently provide tax-supported or fee-supported services to the lands proposed to be annexed; and,
 - e. The proposed future land use plan and zoning designation or designations, subject to public hearing, for the lands proposed to be annexed.

B. The annexation would be consistent with the public purposes addressed in the annexation plan prepared by the city.

Public purposes addressed in the annexation plan include:

1. When the interrelationship between the city and the fringe area is close, there is need for unified planning and zoning. By means of annexation, Boise's zoning ordinances can be extended to the Northwest area, thus helping to assure orderly growth. Coordinated action is much easier to achieve if the area is not under separate Ada County jurisdiction.
2. Annexation leads to a unified community and can prevent the fragmentation of local governmental authority among a large number of special districts. Fragmentation may cause conflicts of authority and the absence of cooperation, political irresponsibility, duplication of services, inadequate service levels, lack of effective area-wide planning and programming, financial inequities and other problems.
3. Political boundaries will, after annexation, more nearly reflect the true and existing sociological, economic, cultural, and physical boundaries of the city. The Northwest area and the City of Boise are already inextricably bound together.

4. Urban growth without central planning and control becomes urban sprawl. If Boise City is to continue to effectively provide urban services, it must be allowed to follow natural growth patterns into those fringe areas where there is urban development. The city must be able to guide development in an orderly manner, and avoid the need to extend costly urban services to distant and scattered “pockets” of development. Annexation can help guarantee to Boise City a measure of responsible control over its future.
5. Annexation will allow people and businesses that are part of the city in social, economic and practical senses to be included in a legal sense. And it will enable those who are part of the community to fully participate in community activities through service as elected officials by eligibility to serve as appointed officers on city boards and commissions.

In support of these purposes, the following is a summary of the municipal services to be provided by Boise City upon annexation:

Police. Ada County currently responds to service calls in this area. The City would extend urban level policing services to the proposed annexation area without significant adjustment to current staffing levels or organizational structure. Two patrol officer positions are requested to maintain call for service levels consistent with City’s current service levels. The officers will also support future development in the proposed annexation area and surrounding city area. All other police services will be coordinated with existing staff.

Fire. Service will continue to be provided to the annexed area as is currently being done via contract with the North Ada County Fire and Rescue District and the Eagle Fire District (west of Abe Ave). While the annexation does not have a significant service impact, additional growth in the annexed area and the North River Planning Area within the City’s current limits may require an additional station in the future.

Parks. The City has prepared and adopted a master parks plan that identifies future needs for park sites and which seeks to provide park space for all City residents according to a certain ratio. Annexing these new areas next to City limits will provide additional revenue and assist the City with its goals relative to the provision of park space. Annexation will also allow the City to provide recreational services to the residents without charging non-resident fees. The 53-acre Optimist Youth Sports Complex is in the proposed annexation area, but no other developed sites. However, the residents of the proposed area are served by the adjacent Veteran’s Cemetery, Seaman’s Gulch Trailheads, and Alder Point-Pocono Pathway. The City plans to develop a neighborhood park (Magnolia Park) off Bogart Lane which will serve the annexed area and the surrounding city area. The property for Magnolia Park has been acquired by the City

Public Works.

Sewer – The City is already providing sewer to the majority of parcels in the annexation area and will continue to do so under the same policies and rules after annexation takes place. It should be noted that the City has made significant investments in providing sewer service to this

area in the way of plans and studies. These occurred long before sewer was actually brought in to service new and existing subdivisions.

Street Lights – Boise City attempts to provide street lighting on a funds-available basis to all areas within the City according to adopted policies. The City will take over maintenance and operation of existing street lights in the annexation area and will plan for additional street lights as funds become available according to adopted policies. This furthers the City’s goal increasing public safety through street lights.

Drainage – Requiring new development in the annexation area to comply with City drainage standards will ensure better drainage features and facilities than would otherwise be built.

Library Services. All residents are eligible to use the Boise Public Library without individual payment of a non-resident fee because of the mutual participation of Boise Public Library and Ada Community Library in the Open Access Agreement. The annexation will help assure that revenues exist to maintain the quality library services which Boise City intends to provide all of its citizens.

C. The annexation is reasonably necessary for the orderly development of the city.

1. It has been the intent of this report and the annexation plan to demonstrate that this annexation will contribute to the efficient delivery of services and will thus benefit the entire community. The state legislature declared that it is also the policy of the State of Idaho,

...That cities of the state should be able to annex lands which are reasonably necessary to assure the orderly development of Idaho’s cities in order to allow efficient and economically viable provision of tax-supported and fee-supported municipal services, to enable the orderly development of private lands which benefit from the cost-effective availability of municipal services in urbanizing areas and to equitably allocate the costs of public services in management of development on the urban fringe. (I.C. 50-222(1))

2. The goal of orderly development is hindered when a City has urbanizing areas receiving municipal services adjacent to its borders that are not annexed. The City is unable to fully implement the goals and policies of its comprehensive plan in such circumstances.
3. The proposed annexation will contribute toward the stated goal of equitable allocation of costs by requiring a consistent property tax assessment among residents who have access to all of the municipal services offered by the City.

July 23, 2014

A JOINT LETTER



Honorable David Bieter, Mayor, Boise
Boise City Council Members:
Honorable Maryanne Jordan
Honorable David Eberle
Honorable Elaine Clegg
Honorable Ben Quintana
Honorable Lauren McLean
Honorable T.J. Thompson

Dear Members of Boise City Government

The purpose of this letter is to urge you to take immediate action to annex all of the available unincorporated land within Boise's naturally projected expansion area. I have lived in the Boise area for 15 years and during that time I have witnessed the cities of Meridian and Eagle develop and expand dramatically attempting to emulate Boise.

I am deeply interested in a strong vibrant Boise as the flagship of the Treasure Valley Community. Boise is the pre eminent city in Idaho and should remain that way as the population leader. There seems to be an unspoken competitive race by the two aforementioned satellite cities with Boise to expand their territories, increase their population and garner as much commercial, business and industrial activity to replace Boise.

Competition is healthy, but each entity should expand in its natural growth area. Boise's natural expansion area is south, east and northwest. Meridian's natural growth area is west, but it has already encroached to the east past Eagle road and should now be curtailed from any further eastward movement by Boise. Eagle's natural growth area is west, but it has already encroached east to Horseshoe Bend road and should now be curtailed from any further eastward movement by Boise.

You have the opportunity to expand the city dramatically by annexation now. This would also increase commercial, business and industrial growth as well as the population and the tax base. You should act now or you could lose the opportunity if the Legislature changes the law to require a vote by those to be annexed as well as those annexing, or worse yet – a series of incorporations by new municipalities. This would fragment this community and dissipate its precious and fragile resources.

I have personally witnessed a state (Missouri) change the law requiring a vote of persons to be annexed, making annexation by cities much more difficult. I have also witness a city (St. Louis) restrict itself by establishing a boundaries, which deterred annexation and generated the formation of 110 municipalities around it in St. Louis County, fragmenting the entire area. The opposite is true of Kansas City, MO, which did restrict itself and has now expanded into five counties.

It would seem desirable to achieve the annexation in one fell swoop, but perhaps that is too ambitious. Therefore, it is suggested that you proceed without delay in three segments, with first to the **SOUTH**, immediately thereafter to the **EAST**, and then immediately **NORTHWEST**, so that Boise's boundaries be expanded as follows:

SOUTH

1. From Victory road South to Amity road, thence
2. West along Amity road to Meridian/Kuna road, thence
3. South along Meridian/Kuna road to Hubbard road, or further South to the Ada County line, thence
4. East in a straight line along Hubbard road or the Ada County line to and around Lucky Peak Reservoir, thence

EAST

1. East in a straight line along Hubbard road or the Ada County line to and around Lucky Peak Reservoir, thence
2. North from Lucky Peak Reservoir along State Highway 21 to Highland Valley road, thence
3. Northwest in a straight line to Cartwright road., thence

NORTHWEST

1. West along Cartwright road around Hidden Valley Subdivision to Dry Creek road, thence
2. West along Dry Creek road to Horseshoe Bend road, thence
3. South along Horseshoe Bend road to State Street, thence
4. East along State Street to Gary Lane.

and also

5. From the Garden City boundary West along Chinden Boulevard to Joplin avenue, thence
6. North on a straight line along Ancel avenue to the Boise River, thence
7. East along the Boise River to the Garden City Boundary.

I am not seeking any personal benefit from these suggestions, I am only interested in insuring that Boise remain the strong leader of Idaho. This could be a tremendous benefit to the Treasure Valley and would keep it from becoming fragmented.

Thank you for your kind attention and patience and best wishes for success in leading and guiding the City of Boise.

Yours Very Sincerely
Donald C. Anton, JD, LLB, BSBA
8870 N. Gadwall Lane
Garden City/Boise, ID 83714
208-658-5939

Scott Spjute

From: Ann Cowher <annieno392@live.com>
Sent: Wednesday, June 25, 2014 7:59 AM
To: MayorBieter; Elaine Clegg; David Eberle; Maryanne Jordan; TJ Thomson; Lauren McLean; bquinana@cityofboise.org; Scott Spjute
Subject: annexation of Randall Acres Subdivision (CAR14-00014)

I am a 75 yr. old widowed female living on a fixed income of \$935. mo. If we were to be annexed into Boise City and my taxes were to increase I could not afford to pay mine. At this point I use Circuit Breaker, but that may not always be available. I cannot afford in any way to connect to public sewer, and then face another monthly bill for that also. I am very content with my present living situation and have no desire for any change. If I had desired to live in Boise City I would have bought property there when I came to Idaho 23 yrs. ago. I did not want to live there then and still do not care to. Any help you can give me to avoid this annexation (of 606 acres generally located between the city limits and Horseshoe Bend Rd and between State St and Hill Rd) will be greatly appreciated. Thank you for your assistance.

Sincerely: Ann M. Cowher

Scott Spjute

From: Karen Danley <karen.danley67@gmail.com>
Sent: Thursday, July 10, 2014 10:04 AM
To: Scott Spjute; Karen Danley; daflyinhawaiian64; Neighbor Greg; Neighbor Greg
Subject: Annexation Protest Letter: Regarding 8399 West Hill road and 8441 West Hill Road

Annexation Protest Letter: Regarding 8399 West Hill road and 8441 West Hill Road

1. Letter from Charlotte and Greg Danley

Boise City Planning and Zoning Commission,

My wife Charlotte Olson and I (Greg Olson) in union with our Neighbors Karen and Greg Danley request the commission to redraw the boundaries to exclude annexation of our two properties into Boise city limits based on excessive costs to us and the city for the following reasons.

1. We currently use septic and have NOT given consent to connect to Boise city sewer.

- Sewer connection to our two properties poses a unique and excessive cost in creating access. Both the Danley property and ours are on the north side in back of subdivisions on old Hill Road.
- Sewer access would either have to be brought north through the back yards of the southern subdivision and up hill over 200 feet or down old Hill Road.
- If the later option is used then the entire pipe service would only be useable by our two properties.
- This expense alone for either sewer connection option would exceed more than the combined 10 year tax revenue generated for Boise City for both our properties simply to service 2 homes.

2. Land Use: Both the Danley property and our property has been and/or is presently used to raise livestock and for small business use.

- Both properties have been and in our case are presently being used for light industrial small business. In the case of 8441 West hill road the previous owner ran a water feature construction company from the property. You may have seen his work on the east side of Eagle Road in the form of large waterfalls. We presently run a solar and renewable energy design and construction company where we specialize in large steel structures like car and driveway covers or other structures where the solar modules also serve as the water tight roof surface.
- We both purchased our properties to use it in a manner which best matches county regulations not city.
- We both have had/have presently cows and horses on our land.
- We both purchased our land to raise animals and city annexation would not grandfather this right to new owners. Annexation will lower the use and value to sell this land with animal and potential business use restrictions.

- County regulations are more versatile if we choose not to have livestock every year. This may change throughout the years and we do not want to be locked into a format that does not fit our long term/retirement land use plans.

3. Burn regulations and limits: We both have over 20 mature trees on our properties and over 1 acre of fields each.

- It is within county regulations to burn the leaves and other tree and field materials. The cost and labor to contain these large amounts of debris and ship them to the landfill is excessive and inefficient when effective combinations of burning and composting achieves a healthier land use and water table.

- Neither of our properties conform to a standard city use profile of a yard and sidewalk. We expect that our land may be fully cultivated with gardens from year to year. The shape, access and elevation change of our land makes this a nearly permanent disposition and thus unlikely that any further subdivision will occur. Our land will unlikely look like the subdivisions south of us.

4. Pest Control: We currently pay taxes for pest control in the county. We do not want to be annexed as it would take away our pest control tax and service that we find use of in various years.

5. Location: The properties North and West of us are not being annexed. We request you redraw the Boise City Annexation boundary to exclude our properties in conjunction with there's. Our land is adjacent to Pauly Pearce's and Bob West's properties off Bogart lane and Old Hill road respectively. We both have the same rural usage profile as Pauly Pierce and she is not being annexed.

In summary: We have not given consent to be annexed.

The city sewer system would cost more than a decade's worth of tax revenue to install and 2 properties will never give a good return for the cost.

Being annexed into Boise city is not of any advantage based on regulations, land usage, and location.

It is not cost effective for the city or for us, and due to the lack of potential gain for either party my wife, myself and our neighbors the Danley's protest to the strongest degree the Cities attempt to include us in there jurisdiction.

We sincerely hope the Boise City Planning and Zoning Commission considers our request in mind of everyone's best interest as we are willing to fight to be excluded from annexation.

Sincerely,
Greg and Charlotte Olson and in full union with the Danley family
8399 West Hill Road
Boise, Idaho 83714

2. Letter from Karen and Greg Danley

Boise City Planning and Zoning Commission,

My husband Gregory Danley and I, in coordination with our neighbors to the east, Charlotte and Greg Olson, request the commission to redraw the boundaries to exclude annexation of our property into Boise city limits based on the following reasons.

1. We currently use septic and do NOT use the Boise city sewer system. Therefore we have not given consent.

2. Overall Cost: If we were to change my septic to city sewer the costs would be exhorbitant.

+Septic to Sewer \$8-10,000

+Monthly Sewer Bill \$420/year

+35% raise in taxes. \$600/year

3. Land Use: I purchased this land to use it in a manner which best matches county regulations not city.

A. Animals: I purchased this land to raise animals. I understand the grandfather clause however it will be difficult to sell this land with animal restrictions. I also purchased the land with the understanding I can change the land use within county regulations. This may change throughout the years and may not stay exactly the same as when it is scheduled to be grandfathered.

B. Burn: I have over 20 mature trees on my property. It is within county regulations to burn the leaves and other tree materials. The cost and labor to contain these large amounts of tree materials and ship them to the landfill is unreasonable. Most homes in a city subdivision have 1-3 mature trees. Management of tree materials is different on larger parcels of land.

C. Pest Control: We currently pay taxes for pest control in the county. We do not want to be annexed as it would take away my tax for pest control and I would no longer have the right to use the Ada County Pest Control services.

4. Location: The properties North and West of me are not being annexed. I request you redraw the Boise City Annexation boundary to exclude my property. Our land is adjacent to Pauly Pearce's property. It is used in the same manner as hers and her land is not being annexed. I realize her property is over 5 acres, however I request you also exclude my property from the annexation as well.

We have not given consent to be annexed through using the city sewer system. I protest being annexed into Boise city based on cost, regulations, land usage, and location.

We sincerely hope the Boise City Planning and Zoning Commission considers our request as we are willing to fight to be excluded from annexation.

Sincerely,

Karen and Greg Danley

8441 Hill Road

Boise, Idaho 83714

Karen.danley67@gmail.com

208-602-9620

June 18, 2014

RECEIVED
JUN 23 2014
DEVELOPMENT
SERVICES

City of Boise
Planning and Development Services
150 N. Capitol Boulevard
P. O. Box 500
Boise, Idaho 83701

To: Boise City Planning and Zoning Commission:

We own the Casa Real Estates mobile home park located within the proposed annexation area identified as file number CAR14-14. The 46 residents in our park are comprised almost entirely of senior citizens on limited fixed incomes. If our property is annexed, which encompasses the streets of North Casa Real Lane, Roe Lane, Chico Lane and Casa Grande, we will need to increase the monthly rents on each tenant by \$11.50 to \$12.00. Our calculations are based on the 2014 Tax Assessment Notice and allowing for a 35.5 percent tax increase. This will create a real burden on the vast majority of our renters. The sizeable tax increase without any tangible benefit given to those tenants, or the property owners makes us declare that we are very much against, and request that our mobile home park be excluded from this proposed annexation. Our property is identified as Parcels S0513234160 and S0513234140.

Respectfully submitted,

Donald L. Dodson
Janice M. Dodson

Donald L. and Janice M. Dodson Family Trust
8298 N. Casa Real Lane
Boise, Idaho 83714

September 3, 2014

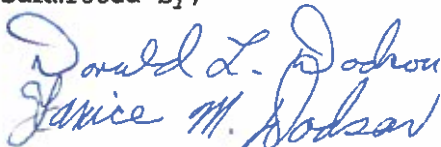
Boise City Council
P. O. Box 500
Boise, Idaho 83701

Re: File number CAR14-00014

To: Boise City Council

We continue to be very much opposed to the annexation of our mobile home park located North of West Hill Road Parkway and comprised of addresses on Casa Real Lane, Roe Lane, Chico Lane and Casa Grande. Our enclosed June 18, 2014 letter to the Boise City Planning and Zoning Commission was either ignored or rejected by those serving on that commission. We have thoroughly reviewed the annexation plan several times and find no real tangible benefit to ourselves, as owner's of the Casa Real Estates mobile home park, or to any of our 46 park residents. All we see is a very sizeable property tax increase. We don't have the authority to speak for the other property owners but both my wife and I imagine, if polled, a vast majority of them would join us in opposition to this annexation. We are very concerned and ask that you vote against this forced Annexation Plan CAR14-00014.

Submitted by,



Donald L. and Janice M. Dodson Family Trust
8298 N. Casa Real Lane
Boise, Idaho 83714

File #
CAR 14-00014

Aug. 9, 2014

208-853-0333
RUTH E. CARROLL
8035 Hill Rd
Boise, Idaho
83714

Dear Mums

The City of Boise wants to
lower our area W. Hill Rd.
between Seamon Gulch and
Mary Lane.

I didn't get to the meetings,
I was out of town.

My reasons for not want-
ing to be annexed are:

Taxes will be raised, 35%?
which I will not be able
to afford. We already
pay for, Police, fire,
schools, mosquito abatement
and animal control.

Also in '92 the Highway
Department took the lower
part of our field 1 1/2 acres
in the process of building

Hill Rd Parkway -

Seamus Gulch Connection
they destroyed our leach
lines and septic system,
therefor forcing us on
city sewer.

The dirt they removed
from our sewer field they
hauled up Seamus Gulch
on ^{Hill Rd}, they made
into a Cul-de-sack, damaged
our Rd. and piled the dirt
at the end of our street,
which is a 4 Lane Lane.

No repairs on our Rd.

They widened Seamus
Gulch Rd to the north,
disturbing the natural
drainage of rain and
snow melt so it comes
down our street.

The street drain
North ^{of} and at the edge

Of my Property has been neglected, allowed to fill with dirt and rocks from the Canal bank, they killed weed on.

Therefore I get the water over of low in my East side yard. These problems have not been expected so paying more taxes doesn't make any sense.

The only street care we get is the sweeper comes through after winter sanding.

We still enjoy some of the wild life that comes through, what's left of it after the road re-construction.

Thank you for listening.

Duth Carlson

8035 Hill Rd.

Boise, Idaho 83714

QW1-7

We put our money into
the City of Boise - That's
where we do our shopping,
Enjoy the Fair and the sports
We go to. - Football, Hockey, Hawks.



Scott Spjute

From: Ben Jacob <bigboatsrule@yahoo.com>
Sent: Friday, July 11, 2014 11:17 AM
To: Scott Spjute
Subject: CAR14-14

I am completely opposed to the land grab annexation by the City of Boise. They want to tax more without a proportional increase in services.

Ben Jacob
8589 West Casa Grande CT
Boise ID 83714

June 30, 2014

RECEIVED
JUL 02 2014
DEVELOPMENT
SERVICES

To the Boise City Planning and Zoning Commission.

This letter is our written testimony against Annexation of the Northwest planning area (File #CAR14-14). Our property is located at 10402 Maymie Road Lots 3 and 4 of Randall Acres Subdivision Number 9. My wife and I purchased the two lots and small house in November of 1987. The 850 square foot house was built in 1950 and we added an additional 600 square feet in 1994.

The property was purchased because of the rural atmosphere and land where our daughters could play and raise animals as teaching tools of life as well as to raise stock for family food. Both daughters were in riding clubs. From the time we purchased the property, we have raised lambs, ducks, goats and beef on this property.

We have enjoyed this type of country-style living as have a lot of our neighbors over the years. There has never been a need for sidewalks or street lights. Traffic is light, mainly the residents living in this area. A lot of houses have night lights on sheds or safety-motion detection lights.

My wife and I attended the annex meeting in June 2014 and have downloaded the Northwest annexation plan. The following will address problems that we see with your proposal to annex as well as problems with the answers that were given at the meeting and the city office when I visited.

1. **Zoning ordinances can be extended to be like the city area.** If this is so, then why are we told we have grandfather rights as to how we are using our land such as livestock, working on our cars and equipment on our property? If we do have these rights and they are not somehow taken away later, how could our area be an extension and orderly growth to match the city?
2. **There would not be duplication of services if annexed.** There is not and still would not be duplication of services if we stayed in the county. There is already law enforcement in our area that respond to family problems, disputes with neighbors and help protect schools in the city or county when needed; this is called the Sheriff's Department. Fire protection being paid for by our county and state taxes. There will always be planning and programming problems whether we are in the city or county because of government rules and regulations that frequently cause problems between departments let alone with the public.
3. **Annexation will more nearly reflect the true social, economic and culture of the city boundries.** This could not be further from the truth. A lot of the residents in our area are older living on fixed incomes or young families that make very little money. This is why a lot of this area are single wide trailers, or a few homes built in the 50 and 60's era and pieces of large rural farming that was in this area. People could only afford to rent or buy this type of housing fixing them up when they had extra money. We do have new subdivisions from Dodgin and Ulmer Streets toward Boise but this is because developers bought big areas of land, which they then developed and sold to young couples and executives during the booms before the economic crash. North and West of both these streets will only reflect true economic, social, cultural

boundaries that you mention when we are all bought out by developers who come in and remove the old homes and trailers and replace them with subdivisions for families that can afford 100,000 to 300,000 dollar homes. If this were to happen then that might be a time to annex this area. All you are offering at this time is a 35% tax increase and give us nothing in return that we want for our area. If you must Annex, stop at the two streets mentioned. From there to the East at least looks like the city areas.

The rest of your plan mentions property owners gaining sewer, parks, and libraries. As to how great it is to have sewer, some of you on the Commission may have not been here when this was forced into our area with half-truths, omissions, changes of quoted prices to use it, and illegal liens on our properties that was overruled by the court after some residents lost sales of property or could not get loans on their property because of Boise City. The sewer was to give Shadow Hills School and the subdivision around it a hookup to the new Eagle sewer plant and lateral lines might come down to our streets. As soon as this was started there were letters sounding more like bribes to connect to the sewer and liens on our properties (when this was just pipe going through our area for the school.)

We have parks all around this area that are not maintained by the City of Boise. One more park is not needed. They stretch from Old Horseshoe Bend Road through Eagle to Eagle Island State Park.

We have fire and law enforcement protection; city protection would not make this any better.

You mention libraries that we use that Boise city provides to people outside of the city limits. My State and County taxes already grant my use of the State, County, school and college libraries. If we do not have use of Boise City libraries, we have lost very little.

Finally the tax impact chart shows nothing changes in the levies except for the loss of one or two but an addition of one levy of .008036783 that will raise property tax 35% just to say I am in the City of Boise. Receiving services we do not need or already have is not sufficient reason for our family to want to annex into your city.

We ask that our area stay as it is.


Francis Jeffries


Laila Jeffries

Scott Spjute

From: Dante Cat <danteisacat@yahoo.com>
Sent: Thursday, July 10, 2014 3:44 PM
To: Scott Spjute
Subject: Annexation

To Whom It May Concern,

When I moved into the Matlock Place Neighborhood, I knew I would be annexed into Boise at some point and I'm okay with that. I knew that the tax rate would increase; however, a 35% tax increase is a burden on homeowners. There may be some higher end homes around my area, but there aren't that many. The majority of us are middle income families. Not only is there a tax increase, but there will be an increase in trash and possibly sewer too.

There are no benefits to the homeowner.... just higher taxes. I don't have any kids, so a discount at the Optimist Youth Sports Complex doesn't apply. I can't see the need for a new neighborhood park because most of the newer neighborhoods already have them, there's the school playgrounds, and the foothills that everyone already accesses.

It concerns me that the purposes (listed in the letter) for annexing us can't be done with using the current tax rate or a smaller tax increase. How will the extra 35% be spent (besides the park)? Fire remains the same, Police changes hands from Ada to Boise, and Library remains the same. So what Boise taxes are being added?

Please let the Planning Commission know that I am against the 35% tax increase.

Frustrated with the 35% tax increase,
Jennifer

Scott Spjute

From: Kevin McIntyre <kevin.mcintyre@msn.com>
Sent: Wednesday, June 04, 2014 8:56 AM
To: Scott Spjute
Cc: Unknown
Subject: Comments on annexation CAR14-14

To the Boise City Council regarding the annexation case number CAR14-14,

As an property owner within the boundaries of the above annexation, I would like to express my concerns regarding this proposed change. I currently own 3 properties within the area of annexation and I don't see many benefits that offset the "estimated" property tax increases. With sewer, police, fire, etc. already being supplied the cost benefit is effectively zero and does not justify the increase in tax revenue. Each year, I have to go before the property tax assessor because of property tax increases and adding an additional 35% (or more) is an undue burden on the residences and owners of the properties within the boundaries. Most of this land is already developed and zoned so changing it does not benefit the owners.

I encourage you and other residents of the area to leave the property zoning as it is and reject this annexation.

Regards,

Kevin McIntyre

Scott Spjute

From: Sue Cummings
Sent: Friday, July 11, 2014 7:55 AM
To: Scott Spjute
Subject: FW: Annexation plan

FYI

From: rob mcdonald [mailto:mandy2_93@msn.com]
Sent: Thursday, July 10, 2014 5:00 PM
To: Sue Cummings
Subject: RE: Annexation plan

There has not been enough time for me to research the plan, I would ask the city and or others concerned for a more appropriate time period .

From: SCummings@cityofboise.org
To: mandy2_93@msn.com
Subject: Annexation plan
Date: Thu, 10 Jul 2014 21:33:46 +0000

Is attached, as per your request.

It would appear that there are no substantive changes to be made as a result of the annexation except to raise the taxes. That certainly isn't a worthy reason. I object.

William Parker

8308 N. Sundial Way

Scott Spjute

From: Mark Richins <markrichins98@hotmail.com>
Sent: Wednesday, July 09, 2014 1:03 PM
To: Scott Spjute
Subject: CAR 14-14 - please respond to acknowledge receipt of email

Mark and Janeen Richins
7825 W Hill Road,
Boise, ID 83714
208-252-1747 and 208-252-1749

July 9, 2014,

Subject: CAR 14-14

Dear Boise City Planning and Zoning Commission,

We were unable to make the June 11, 2014 informational meeting, but we have researched the issue and contacted the planning department to answer some of our questions.

Typically, we support improvement to municipal services, but in this case we are opposed to our property being annexed. Here are our reasons:

1. We purposefully bought property outside the city limits and we like the "country" feeling.
2. In the letter we received giving notice of the planned annexation, one of the purposes listed is, "Through annexation, Boise's zoning ordinances can be extended to the Northwest area, thus helping to assure orderly growth. However, the "growth" has already occurred. A large majority of the 929 parcels in the proposed annexation are already developed.
3. Fire, Sewer, Police, Library, and Parks and Recreation will largely be unchanged for all residents in the area of proposed annexation. Unfortunately, property taxes will not be unchanged. An increase of 35% is expected for residents in the annexation area. As a result residents will get the same level of service for a much larger cost.

In summary, we prefer to keep things the way they are, not because we are against change, but because we do not want to lose what we have, it is too late to control growth in the proposed annexation area, and the cost outweighs the benefits by a significant margin.

Respectfully Yours,

Mark and Janeen Richins

Hello Mayor Bieter, Boise City Council and City Planning Department:

I am very concerned about and opposed to the proposed annexation of the North River Planning Area CAR14-00014 for these reasons:

- 1) I, like most people in this area, knowingly and purposely moved to a semi-rural location outside of city limits for quality of life and other important reasons. I like it just the way it is now and while I contribute to, work in, and appreciate Boise, I do not want to live in the city.
- 2) The property tax increase is significant, will be a hardship for many, and is not balanced by the services promised (many of which we already have).
- 3) Idaho is one of a very few states that still allow annexation in this questionable manner. The legality and whether it is "the right thing to do" is hotly debated, and I understand this issue is due to be discussed at the state level very soon. It would be wrong to push this annexation through now due to the controversial nature of the process. All pending annexations should be put off until the issue is discussed and decisions are made at a broader level.
- 4) I am very satisfied with the current arrangement of city and county services, and am not convinced of any benefits to me and my neighbors as a result of the annexation, especially given the unreasonable property tax increase.
- 5) There are serious inconsistencies in the city's proposal and rationale for annexation of our parcel, and past actions by the city towards residents of this area may have been unethical. These concerns have been circulated among and aptly communicated by letter by many others in this area, including a member of the board of my subdivision Homeowner Association.

I strongly urge you to "do the right thing" and vote no on the annexation of the North River Planning Area CAR14-00014. The broader issue needs to be reconsidered at the state level. Not only will it anger and hurt many people, it will cause significant financial hardship without appreciable gain.

Thank you,

Liisa Rogers

Dear Mayor Bieter and City Council members:

I am contacting you about the Annexation plan for the unincorporated portion of the “City’s Northwest Planning Area”.

I am on the Homeowners board for the Homeowners association of the Sunbelt subdivision on Hill Rd Parkway. I will speak for myself in this letter, however, most of this area is against this annexation and I am sure you will receive letters from others.

I have attached a list of the inconsistencies that are found in the Planning and zoning proposal.

We have found that this annexation will not be of any benefit to us. One of the examples I have become aware of is, the fire station that is proposed to be built in our area, that will not be completed for several years, and the city fire and rescue have a letter that states they are not prepared to take over service in our area in place of the county.

We already have very good police services, parks, recreation, and full access to the library. You are probably becoming aware of the issues that the intended sewer proposal is causing and we have streetlights that we have paid for and maintain within our homeowners association.

Please see the attached inconsistencies.

Thank you

Ruth A Davis

8390 N Sunbelt Ave

Boise, Idaho 83714

208-867-1324

Cc: Sunbelt subdivision Homeowners

Northwest Neighborhood association

Here are some of the inconsistencies that have been found in the staff report and P&Z commission findings.

1.) The City is supposed to be able to provide services when the area is annexed but most of the services will still be supplied by Ada County. This includes fire and the Deputy Chief-Fire Marshal informed the city that they did not have any stations to some of the annexed area that met the 1.5mile or 4 minute response time requirement... nor are any planned.

2.) Reviews from the Idaho Transportation Department and Public Works are missing.

3.) The conditions of approval say that they have to attempt to balance costs of services with anticipated revenues... The area will generate \$791,965 in annual revenue, and will only cost the city \$300,400 to operate which leaves them \$491,000 in surplus which the Northwest area will not benefit from even after a 35% property tax increase.

4.) Another condition of approval is to "promote other goals of population balance, contiguous development and prevention of costs due to leap frog development" There can not be any more leap frog development past this area to the west because it runs into Eagle city limits.

5.) They must "provide and maintain sufficient transportation and other public facilities" Currently no plans to provide service to the annexed area

6.) Properties which are more than 5 acres in size and did not give consent to be annexed are not being proposed for annexation... with these left out of the annexation the city is able to meet the requirement for more than 50% of the parcels having given consent, implied or expressed.

7.) They are arguing that "the annexation is reasonably necessary for the orderly development of the city.... this annexation will contribute to the efficient delivery of services and will thus benefit the entire community" which it will not provide any more services to the area.

8.) State Code I.C. 50-222(1) ...That cities of the state should be able to annex lands which are reasonably necessary to assure the orderly development of Idaho's cities in order to allow efficient and economically viable provision of tax-supported and fee-supported municipal services, to enable the orderly development of private lands which benefit from the cost-effective availability of municipal services in urbanizing areas and to equitably allocate the costs of public services in management of development on the urban fringe.

The area will not benefit from any municipal services.

9.) "The proposed annexation will contribute toward the stated goal of equitable allocation of costs by requiring a consistent property tax assessment among residents who have access to all of the municipal services offered by the City." will be paying much more in taxes and not receiving all municipal services.

William & Maureen Sellers 8053 W. Hill Road Boise Idaho 83714

August 22, 2014

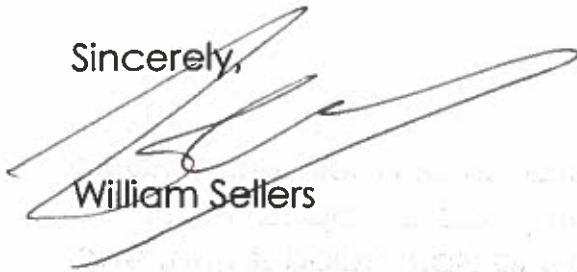
Boise City Hall
Planning and Development Services
150 N Capitol Boulevard
Boise Idaho 83701-0500

Ref: CAR14-00014 annexation of 925 parcels.

We, the undersigned, object to this plan of annexation. We cannot afford the increase in real estate taxes and will be unable to pay. When we agreed to the annexation when hooking up to the City sewer system, we were not told of these tax increases. Now we have been told that in fact large increases in taxes will be enforced we rescind this earlier agreement to the annexation.

One further point. Past annexation meetings included verbal promises made by officials that existing lifestyles would not be affected or taken away. Lifestyles discussed included for example small farm operations, keeping of animals such as chickens, goats, horses etc and small businesses operating legally Those promises were not kept, a matter of record. Similar promises made at recent meetings that the above lifestyle changes would not be enforced should be put in writing in a legal format in all annexation letters and written communications .

Sincerely,



William Sellers



Maureen Sellers

STANLEY MATLOCK
8633 N Bogart Lane
Boise, ID 83714

June 17, 2014

Mr. Scott Spijute
Planning & Zoning
P. O. Box 500
Boise, ID 83701

Re: CAR 14-14

Dear Mr. Spijute,

I would like to appeal the annexation of the following parcels:

Parcel # R74980000980, R 7498000986, R7498000985, R7498000999 adjacent to R798005695. This is 9 acres (less road easement taken through condemnation) and is adjacent to adjoining farmland. This is in alfalfa.

Also Parcel # SO514438930 and SO514438875 on State St. & Duncan Lane. This 10 acres is in pasture and has been rented for race horse pasture.

Due to my age and health problems we are unable to attend the July 14, 2014 meeting.

Sincerely,



Stanley Matlock
853-0992

RECEIVED

JUN 20 2014

DEVELOPMENT
SERVICE

June 23, 2014

We moved to Idaho in 1989 coming from rural Pennsylvania and Oklahoma. By 1991 we had saved enough money to buy a lot in Randall Acres Subdivision and had our home moved onto it. We had never purchased a home or land before and **if** we had been told this lot was in an “area of impact” we would not have known what that meant. You might say ignorance of the law is no excuse, but let me show you how many times in the last 23 years the rules (law) has changed to suit the will of the city of Boise.

After we purchased the land, I went downtown to pick up the permit to put in the septic system. It was at that time I was told I would not be issued a permit unless I signed a document saying that we wanted to be “annexed” into the city. When the clerk explained what that meant I refused to sign it, as we at that time and still do, not wish to be annexed into Boise. I never did sign the document and believe that many other people, during that time may have signed, believing that they had no choice but to succumb to the strong arm tactics of this bureaucracy. I believe that forcing people to sign this form was and is still illegal.

In February 1997 we received a letter from the public works department of Boise saying “the city of Boise is in the process of preparing plans and specifications for construction of a sanitary sewer... this project is being done in conjunction with installation of water mains by United Water of Idaho. Initially this sanitary sewer will be a “dry line”.” There were three conditions given at that time under which Central District Health Department could mandate a property must be connected to the sewer.

In the fall of 1999, 2 ½ years later the sewer lines were installed but not water as promised.

January 2000 we received another letter that said “Boise city ordinances requires that existing structures with sanitary sewer service available be required to connect to the sewer system under two circumstances”. There was a notice of pending lien against our property also as part of this mailing. So now we have switched from being governed by Central District Health to Boise City?

People during that time were not able to refinance their properties because of this illegal lien, also others selling or buying during that time were forced to connect to the public sewer even if they had a septic system that was functioning well. We and other property owners in the area did not request the installation of sewer services and should not have been governed by a city we were and still are not a part of and in which we have no voting rights. We did and still do have a septic system on our property that works well so we did not succumb to the city’s “strong arm tactics”. But many did, frightened by the government that is to serve us, its constituents.

August 2003, we received another letter letting us know that “Due on Sales document” was being rescinded. Someone must have had backbone and money enough to contest and prove that this lien was illegal.

Nowhere up to this point in time was there a mention of “implied consent” for annexation. That letter came October 2005 with notification that connections fees would be increasing soon but if there was a financial concern it could all be financed at prime interest rate plus a onetime administration fee and the cost of physically connecting your property to said lines. Thus encouraging/coercing people to go into debt (slavery) for a service they may not have even needed, plus a quarterly payment for sewer services.

October 2006 another letter stating interest rates would be increasing, plus there would be another 8% added and the connection fee would be increasing again in the spring of 2007. (Another scare tactic). But now there is only one mandated requirement for connection, Septic system failure. It was stated in this letter that “the increase in the interest rate is designed to encourage Ada County residents outside Boise City limits to connect to sewer”. Giving the city consent for annexation. Because to annex our area by category B it is required that at least 50% of property owners consent, forced, implied or requested.

Since this letter dated October 2006, four more notices stating connections fees would be increasing but if you sign on now interest rates are only 3.25% and there is no mention of the additional 8% interest fee (this too must have been

illegal?). But I wonder if the people that were intimidated and connected during that time frame realize how much extra they are paying because they connected at that time.

Are you confused? Who wouldn't be? I share the above facts to show how many times the city of Boise has changed protocol to force this annexation through at least the last 23 years.

There is no benefit to the citizens of this 606 acres in being annexed. In fact we have much to lose. We are content with our police and fire protection, parks, library services etc. We love our "rural feel" and if we had wanted to live in the city we would have purchased property in the city. They've told us that when we are annexed "in most cases, the zoning designation will match as closely as possible the current zoning in Ada county. In some cases, a zoning designation more compatible with surrounding zoning and more in compliance with Blueprint Boise may be applied." Sounds pretty vague to me. They told us at a meeting that we would be "grandfathered" to continue home-based businesses and to continue keeping our livestock. And we're supposed to believe them? Why? What happens to grandfather rights if the property is sold or it is inherited?

I am fighting not just for myself but for the seniors, disabled persons, those on fixed incomes and my friends and neighbors who may lose their homes and properties because they will not be able to afford a promised 35.5% property tax increase. As near as I can tell Idaho is one of only two states that have these forced annexations. This is a process that should be voted on by the property owners of the impact area.

Thank you for taking the time to read this letter please consider this as a request to search out the lack of integrity and even possible illegal actions taken by the city of Boise for decades in regard to this annexation, and to hear the voice of the people. We DO NOT WISH TO BE ANNEXED into Boise city now or in the future. We hope the current Boise city officials will acknowledge the wrong that has been done and choose to do the right thing. I would be happy to make copies of mentioned letters available to anyone who would wish to do further research.

We are losing our precious freedoms and becoming enslaved by the very institution entrusted to protect our freedoms--our government. As Boise continues its march toward tyranny, it is trampling underfoot the freedoms that once made this a great nation.

"If you will not fight for what is right when you can easily win without bloodshed; if you will not fight when your victory is sure and not too costly; you may come to the moment when you will have to fight with all the odds against you and only a precarious chance of survival. There may even be a worse case. You may have to fight when there is no hope of victory, because it is better to perish than to live as slaves."- Churchill

Sincerely,

Kim W. Strouse



B

H. BRENT COLES
MAYOR

COUNCIL MEMBERS

CAROLYN TERTELING
COUNCIL PRESIDENT
MIKE WETHERELL
COUNCIL PRO TEM

SARA BAKER
PAULA FORNEY
ANNE STITES HAUSRATH
M. JEROME MAPP

PUBLIC WORKS DEPARTMENT
CITY HALL
4TH FLOOR

February 25, 1997

Timothy P & Kim W Strouse
Charles L & Anna Cowher Jr.
10332 Utahna Rd
Boise ID 83703-1534

RE: Sanitary Sewer Construction, Hill Road Trunk System - Jennie Lane, Utahna Road to Sloan Street
Address: 0 Utahna Parcel #R7334201085

Dear Property Owner:

The City of Boise is in the process of preparing plans and specifications for construction of a sanitary sewer as shown on the attached map. This project is being done in conjunction with installation of water mains by United Water of Idaho. Initially this sanitary sewer will be a "dry line" and actual connection to the system by property owners will not be permitted until the system is extended across the Boise River sometime in the future. As part of the construction, the City will provide a sewer service to your property line at a location you select on the attached sewer service connection information sheet. The purpose of the service line is to provide your property with access to the sewer when you or the subsequent owners connect to the sewer at some future date. *But hooking to sewer lines gave city "implied consent" for annexation by Boise city*
It is anticipated that construction will be undertaken this Spring, however, the work may be delayed until Fall dependant upon easement acquisition and scheduling by the water company.

Please fill out the sewer service connection information sheet and return it by March 17, 1997, in the attached self-addressed envelope to this office. You may use the reverse side of the form to indicate the layout of your property. If you do not return the sewer service connection information sheet, we will have no alternative but to construct the service line to your property at a location we think is best. It is our recommendation that you provide us with the necessary information so we can construct the service line to your property line at a location of your choice. This may save you money in the long run and also eliminate the inconvenience of having the service line in the wrong location.

Assistance in determining the location for your service line can be obtained by contacting one of the Contractors listed under "Sewer Contractors and Cleaners" in the yellow pages of the telephone directory. If they are unable to assist you, you may call Public Works Inspection, telephone (208) 384-3935, to schedule an appointment for City staff to meet with you for advice on where to best locate this service line.

Responding to our request for your service line location will not obligate you to connect to the sewer. Connection to the sewer and payment of the fees will only be required if:

- A. You have previously entered an agreement with the City to connect to the sewer system and pay the necessary fees when sewer service becomes available

forcing people to hook
up to sewer even if their
septic system is working properly
and at the same time
unknowingly giving "implied
consent" for annexation.

- B. If the septic system fails
- C. Or if the property is sold and ownership changes hands.

↑ Although "implied
consent" is not
mentioned until.

Upon sale of property, the appropriate fees must be paid at the time of closing and connection to the sewer must be made within six months of closing. A document will be prepared for your property. When the project is completed, the document will be recorded at the Ada County Recorder's Office. This action will notify the title companies and individuals who in the future may have an interest in your property.

Oct 2005
letter

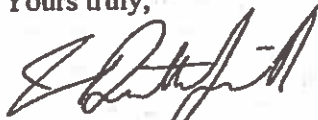
When connecting to the sanitary sewer line, each property owner will be required to pay capacity and assessment fees. After the capacity and assessment fees are paid, physical connection is required within 9 months. Please contact the Sewer Rating Office at 384-3900 with questions regarding financing and the calculation and payment of the capacity and assessment fees.

was
connection
required
in 6mo
or 9mo?

If you have any questions with regard to the construction schedule, please call me or John Johnson at 384-3919.

Thank you for your attention in this matter.

Yours truly,



Ivan Butterfield
Design Supervisor

IB/kcy

Attachments

cc: John Johnson, Civil Engineer, City of Boise Public Works
John Tensen, Assistant City Engineer, City of Boise Public Works
Sewer Rating Division, City of Boise Public Works
Inspection Division, City of Boise Public Works
SF CSP 753

SEWER EXTENSION FACT SHEET
Prepared by the Boise City Public Works Department

February 25, 1997

PREAMBLE

The intent of this document is not to take a position on whether sewers should be extended but rather to provide accurate, factual and up-to-date information for your consideration on the issue.

If you have any questions, please contact the Boise City Public Works Department (384-3900).

A. IF SEWER IS CONSTRUCTED IN FRONT OF MY HOME, WHEN WILL I HAVE TO PAY MY FEES AND CONNECT?

Once sewer is constructed, there are three situations that would require connection to sewer as explained below:

(1) You signed a petition/agreement agreeing to pay city fees and connect to sewer within nine (9) months of the completion of the sewer construction.

(2) If your septic system fails and sewer is available to your property, you will be required to pay your fees and connect to the sewer. The Central District Health Department will not issue a permit to rebuild your septic system if sewer is available to your property. Also, under present policy it is likely that if your septic system fails and your property is within 300 feet of the sewer, the City would extend sewers to your property and connection would be required by the Central District Health Department.

(3) Upon sale of the home following construction of the sewer, payment of the fees is required at the time of closing on the sale and connection to the sewer is required within six (6) months of closing. Typically this is a negotiated arrangement between the buyer and seller of the property.

B. WHAT IS THE ESTIMATED COST TO CONNECT TO BOISE CITY SEWER?

The fees payable to Boise City are currently as follows:

- | | | |
|----|--|-----------------------------------|
| 1) | Trunkline Capacity Fee of \$1,075.00 | } Total Capacity Fee is \$2020.00 |
| 2) | Treatment Plant Capacity Fee of \$945.00 | |
| 3) | An Assessment Fee of \$0.19 per square foot of the property within 125 feet of the front property line. (i.e. - width of property x 125 x 0.19 = Assessment Fee), plus \$420.00 per service line | |

The above fees pay for all construction within Public Right-of-Way fronting the property. The property owner will also be responsible for the additional costs of installation of the service line on private property from the front property line to where the plumbing leaves the house.

The cost of constructing a private sewer service line will vary for each house depending on the depth and length of the line and will vary depending on the obstructions that interfere with the construction such as landscaping, sprinkler systems, patios, etc. Ball park cost estimates for a contractor to construct a sewer service line are \$12.50 per foot for homes without basements, \$15.00 per foot for split level homes and \$17.50 per foot for homes with

basement plumbing. The property owner is responsible for arranging and paying for this construction. It is strongly suggested that you receive two to three bids for the work.

C. WHAT WILL IT COST TO REPLACE MY SEPTIC SYSTEM DRAINFIELD?

The cost of replacing your failed drainfield will depend on the type of home you have and the improvements on your lot which could affect construction. The Central District Health Department advises that split level and basement homes may require pumps as a part of the replacement to allow for sufficient vertical separation between the drainfield and high groundwater levels.

Cost estimates for drainfield replacement are \$2,500 to \$3,500 for homes not requiring pumps and \$4,000 to \$6,500 for homes requiring pumps.

D. HOW LONG SHOULD I EXPECT MY DRAINFIELD TO CONTINUE TO FUNCTION PROPERLY?

The Central District Health Department reports that the typical drainfield system will last 15-20 years. The life of the system, however, varies significantly depending on the type of soil, groundwater level, number of members in your family, types of use such as garbage disposals, extent of routine maintenance performed (i.e., septic tank pumping) and the quality of the initial construction.

E. WILL THE SEWER BE DEEP ENOUGH TO SERVE MY HOME WITHOUT A PUMP?

The Boise City design standard is to, wherever needed and feasible, install sewers to a depth of at least twelve feet (12') in front of your property. In the event the sewer is not to this depth and it requires you to install a pump to attain sewer service, you will be given a credit of up to \$5200 against your trunkline fee and assessment fee (this does not apply to the Treatment Plant Capacity fee or the Service Line fee) to compensate you for the estimated additional cost of the pump installation and ongoing maintenance costs. In the event the sewer is at least twelve feet deep, but is not deep enough to serve your home without a pump, no fee credit will be given.

If the sewer has not yet been installed, it may be possible to increase the depth of the sewer to serve your home however the additional cost for increasing the depth would be borne by the property owners through written agreement executed prior to construction. Contact Public Works for details.

F. PLEASE EXPLAIN FURTHER WHAT THE CITY FEES COVER.

In general there are two major components of fees that would be paid to the City: the assessment fee and the capacity fee. The assessment fee is further broken down into the 8-inch equivalence fee and the 4-inch service line fee. The 8-inch equivalence fee is designed to recover a portion of the costs of actually constructing lines within your subdivision. This cost includes construction of pipe, manholes, pavement restoration, and permits as well as engineering costs including design, survey and inspection. The 4-inch service line fee, included in the assessment, is designed to recover the cost of constructing a service line from the 8-inch main line to your property line.

The capacity fee is made up of three major components which include the trunk fee, the interceptor fee and the treatment fee. The trunk fee is designed to recover the cost of oversizing sewers to accommodate large geographical areas and is also designed to recover a portion of the cost of sewers in existing neighborhoods. This fee is charged to all homes connecting to Boise Sewer regardless of whether it is new or existing development. Therefore, on the average, a portion of the cost of constructing sewers within your neighborhood will be borne by fees generated from new development. The interceptor fee is designed to recover the cost of trunk lines and interceptors that presently exist downstream from your property and which connect to the West Boise Treatment Facility located north of

lett-Packard. The treatment fee is designed to recover the capital cost of constructing treatment facilities. As the trunk fee, the interceptor fee and treatment fee are paid by both new and existing development.

***G. IS THERE FINANCING AVAILABLE FOR ANY OF THE CITY FEES?**

YES. Financing is available for all residents for the trunk, treatment and assessment fees. The interest rate is based upon the Wall Street Journal Prime Rate at the time of execution of the financing agreement and the length of the agreement can be up to 15 years. A \$50.00 one-time administrative fee and the first loan payment are due at the time of contract signing.

Please contact the Boise City Sewer Rating Office at 384-3900 for more information on financing and the calculation and payment of sewer fees.

H. UNDER WHAT CIRCUMSTANCES WILL SEWER BE EXTENDED?

Sanitary sewers are constructed in conjunction with ACHD projects based on the needs of the property owners, or if there is evidence of a large number of septic system problems. City approval is based upon the number of residents signing a petition agreeing to pay fees and connect, the cost and length of the sewer extension and is subject to funds being available.

I. WHAT WILL IT COST FOR MONTHLY SEWER SERVICE FEES ONCE I'M CONNECTED?

Monthly sewer service fees are based on average winter water consumption as metered by the water company. If there are no water meters to ascertain the individual water consumption for each of the homes, your monthly service bill will be based upon the number of persons residing in your home in accordance with Boise City Code as outlined below. You will be contacted annually to ascertain any changes that may take place in terms of the number of persons residing in your home.

<u>Number of Residents Per Dwelling</u>	<u>Monthly Bill</u>
1	\$ 5.42
2	\$ 8.30
3	\$12.64
4	\$15.53
5	\$18.42
6	\$21.31
7	\$24.20

J. WILL CONNECTING TO BOISE CITY SEWER MEAN I WILL BE ANNEXED TO THE CITY?

All property within the Boise City Impact Area will eventually become annexed to the City. Your property falls within the planning area, and therefore by ordinance, the City requires that upon connection to the sewer you agree to be annexed once your property becomes legally annexable by the City. This does not mean, however, that your property will be immediately annexed. Sewers are just one of many considerations the City evaluates when considering annexation. The City takes into consideration such items as fire protection, parks, police service and sewer service as a part of considering annexation for your property. There are properties which have received Boise City sewer service for over 15 years and have yet to be annexed. From a legal perspective, the City may annex your property with or without sewers.



PUBLIC WORKS DEPARTMENT
CITY HALL

H. BRENT COLES
MAYOR

COUNCIL MEMBERS

CAROLYN TERTEILING
COUNCIL PRESIDENT
MIKE WETHERELL
COUNCIL PRO TEM

SARA BAKER
PAULA FORNEY
ANNE STITES HAUSRATH
M. JEROME MAPP

yes that they put a lien on our property

January 13, 2000

Timothy & Kim Strouse
10348 Utahna Road
Boise, ID 83703

RE: Connection to Boise City Sewer -- CSP 753 -- Upon Sale of Property Located at the Following Address: 10348 Utahna Road, Boise, Idaho

Dear Property Owner:

The City of Boise has constructed a sanitary sewer system which now serves your property. The sewer adjacent to your property was constructed in 1999 with City sewer funds. Boise City ordinance requires that existing structures with sanitary sewer service available be required to connect to the sewer system under the following two circumstances:

- 1) Fees are required to be paid upon sale of the property and physical connection to the sewer must be made within nine (9) months of closing of the sale. In all instances the fees are required to be paid in full or financed through Boise City prior to connection to the sewer system.
- 2) Existing properties are required to connect to the sewer system in the event of a septic system failure. ***Please note that payment of all applicable sewer connection fees is required prior to the completion of the physical connection to the sanitary sewer.***

If you are interested in connecting to the sewer system you may receive a fee quote by calling the Sewer Rating Office at 384-3900. Those who choose to pay their fees will be required to complete the physical connection within nine (9) months, or nine (9) months in the instance of a sale.

Enclosed for your information is a copy of a "NOTICE" that has been specifically prepared for your property. If the information is correct the "NOTICE" will be recorded at the Ada County Recorder's Office thirty (30) days from the date of this letter. This action will notify the title companies and individuals who in the future may have an interest in your property. The "NOTICE" will be released from your property when all fees have been paid and connection to the public sewer has been completed.

Due on Sale Letter
January 13, 2000
Page 2

Should any of this information be wrong or if you have any questions regarding these documents, please call the Sewer Rating Office (208) 384-3900.

Sincerely,



Arden Bauman
Sewer Rating Technician

/ab
Enclosure

CF/SF-CSP 753
011300cv.ltr

**NOTICE OF LIEN PENDING
NOTICE BY CITY OF BOISE OF REQUIREMENT TO CONNECT
TO THE PUBLIC SEWER UPON SALE OF PROPERTY
LOCATED AT 10348 UTAHNA ROAD**

TIMOTHY P. & KIM W. STROUSE, OWNER(S) OF RECORD

NOTICE IS HEREBY GIVEN BY THE CITY OF BOISE that pursuant to Boise City Code 8-11-4, payment of sewer connection charges and connection to the sewer shall be required upon sale of the property described as follows:

LOT 8, BLOCK 4, RANDALL ACRES SUBDIVISION NO. 9

Section 8-11-4 provides, in part, as follows:

- .04 Any building or structure existing at the time sewer becomes available to the property, for which connection fees have not been paid by any person, and for which connection is not required for purposes of protecting the public health, shall not be required to be connected to the Boise City Sewer system until the building or structure is sold. At the time of the closing on the sale of the building or structure, all connection fees due under the provisions of this Chapter shall become due and payable to the City, and connection to the sewer system shall be made within nine (9) months thereafter.

Section 8-11-09.02 provides, in part, as follows:

The Public Works Department may waive the connection requirements of subsections 8-11-04.03 and .04 if the public health does not require immediate connection and the Department finds any of the following:

- A. That within five (5) years prior to the date upon which connection fees are due the individual wastewater disposal system serving the building for which a connection waiver is sought, was installed or rebuilt in accordance with a permit issued by the Central District Health Department. If the individual wastewater disposal system was installed three (3) years or less from the date sewer connection fees are due, a waiver may be granted for a period not to exceed five (5) years from the date of installation. If the individual wastewater disposal system was installed more than three (3) years from the date sewer connection fees are due, a waiver may be granted for a period of up to two (2) years from the date such waiver is sought;

- B. That the single family dwelling for which a connection waiver is sought is located on a parcel of land five (5) acres or more in size;
- C. That the owner of a building is experiencing financial hardship. Financial hardship shall be deemed to exist when an owner's annual family gross income is at or below the income level indicated for a family of similar size on the current "Moderate Income Guidelines" chart employed by the City in the administration of the Community Development Block Grant Program, and shall be verified by the previous year's Federal tax return. However, this exception does not waive the requirement that the property be connected to sewer (and all connection fees paid) upon sale of the property; or
- D. That the owner of the property has prepaid connection fees prior to sewer being available in accordance with subsection 8-11-06.03(G). This exception does not waive the requirement for the property to be connected to sewer upon sale of the property.

Application for the waiver must be made by a building owner, prior to the date connection fees are due, in accordance with the waiver procedures set forth in subsection 8-11-09.04 of this Ordinance.

Upon receipt of an application, the Department shall review it and make a decision thereon within thirty (30) days. The decision of the Department granting or denying a waiver and the Department's findings therefore shall be in writing. The decision of the Department may be appealed to the Public Works Commission. Notice of appeal shall be filed with the Public Works Department within fifteen (15) days of the Department's written decision granting or denying the waiver request. The notice should state with specificity the basis of the appeal.

FAILURE TO COMPLY with Section 8-11-4 upon sale of the property herein specified may subject the purchaser or the seller of the property to the penalties provided in Chapter 11 of Title 8 of the Boise City Code or such other remedies at law or in equity as may be available to the City of Boise to enforce compliance therewith.

CSP 753

CERTIFICATE OF RECORDING OFFICER

STATE OF IDAHO)
)ss.
COUNTY OF ADA)

I, ANNETTE P. MOONEY, City Clerk of Boise City, Ada County, Idaho do hereby certify that the foregoing is an official document required pursuant to Boise City Code 8-11-1.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of Boise City this _____ day of _____, 1999.

ANNETTE P. MOONEY, CITY CLERK

(S E A L)

STATE OF IDAHO)
)ss.
COUNTY OF ADA)

On this _____ day of _____, 1999 before me, a notary public in and for said State, ANNETTE P. MOONEY, known to me to be the City Clerk of BOISE CITY, IDAHO, who executed the within instrument, and acknowledged to me that Boise City executed the same.

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

NOTARY PUBLIC FOR IDAHO

RESIDING AT _____, IDAHO
MY COMMISSION EXPIRES:

(S E A L)

DUEONLGL.NTC

copy of lien placed on our property because we did not connect to sewer. There was a lien on our property for over 3 years.

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

BOISE CITY

RECORDED - REQUEST OF

FEE *DEPUTY*

2008 FEB 17 AM 10:33

3890 00012074

D

**NOTICE OF LIEN PENDING
NOTICE BY CITY OF BOISE OF REQUIREMENT TO CONNECT
TO THE PUBLIC SEWER UPON SALE OF PROPERTY
LOCATED AT 10348 UTAHNA ROAD**

TIMOTHY P. & KIM W. STROUSE, OWNER(S) OF RECORD

NOTICE IS HEREBY GIVEN BY THE CITY OF BOISE that pursuant to Boise City Code 8-11-4, payment of sewer connection charges and connection to the sewer shall be required upon sale of the property described as follows:

LOT 8, BLOCK 4, RANDALL ACRES SUBDIVISION NO. 9

Section 8-11-4 provides, in part, as follows:

- .04 Any building or structure existing at the time sewer becomes available to the property, for which connection fees have not been paid by any person, and for which connection is not required for purposes of protecting the public health, shall not be required to be connected to the Boise City Sewer system until the building or structure is sold. At the time of the closing on the sale of the building or structure, all connection fees due under the provisions of this Chapter shall become due and payable to the City, and connection to the sewer system shall be made within nine (9) months thereafter.

Section 8-11-09.02 provides, in part, as follows:

The Public Works Department may waive the connection requirements of subsections 8-11-04.03 and .04 if the public health does not require immediate connection and the Department finds any of the following:

- A. That within five (5) years prior to the date upon which connection fees are due the individual wastewater disposal system serving the building for which a connection waiver is sought, was installed or rebuilt in accordance with a permit issued by the Central District Health Department. If the individual wastewater disposal system was installed three (3) years or less from the date sewer connection fees are due, a waiver may be granted for a period not to exceed five (5) years from the date of installation. If the individual wastewater disposal system was installed more than three (3) years from the date sewer connection fees are due, a waiver may be granted for a period of up to two (2) years from the date such waiver is sought;

- B. That the single family dwelling for which a connection waiver is sought is located on a parcel of land five (5) acres or more in size;
- C. That the owner of a building is experiencing financial hardship. Financial hardship shall be deemed to exist when an owner's annual family gross income is at or below the income level indicated for a family of similar size on the current "Moderate Income Guidelines" chart employed by the City in the administration of the Community Development Block Grant Program, and shall be verified by the previous year's Federal tax return. However, this exception does not waive the requirement that the property be connected to sewer (and all connection fees paid) upon sale of the property; or
- D. That the owner of the property has prepaid connection fees prior to sewer being available in accordance with subsection 8-11-06.03(G). This exception does not waive the requirement for the property to be connected to sewer upon sale of the property.

Application for the waiver must be made by a building owner, prior to the date connection fees are due, in accordance with the waiver procedures set forth in subsection 8-11-09.04 of this Ordinance.

Upon receipt of an application, the Department shall review it and make a decision thereon within thirty (30) days. The decision of the Department granting or denying a waiver and the Department's findings therefore shall be in writing. The decision of the Department may be appealed to the Public Works Commission. Notice of appeal shall be filed with the Public Works Department within fifteen (15) days of the Department's written decision granting or denying the waiver request. The notice should state with specificity the basis of the appeal.

FAILURE TO COMPLY with Section 8-11-4 upon sale of the property herein specified may subject the purchaser or the seller of the property to the penalties provided in Chapter 11 of Title 8 of the Boise City Code or such other remedies at law or in equity as may be available to the City of Boise to enforce compliance therewith.

CSP 753

CERTIFICATE OF RECORDING OFFICER

STATE OF IDAHO)
)ss.
COUNTY OF ADA)

I, ANNETTE P. MOONEY, City Clerk of Boise City, Ada County, Idaho do hereby certify that the foregoing is an official document required pursuant to Boise City Code 8-11-1.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of Boise City this 14 day of February, ~~1999~~ 2000

Annette P. Mooney
ANNETTE P. MOONEY, CITY CLERK



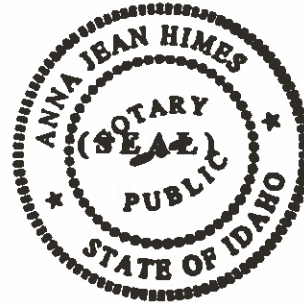
STATE OF IDAHO)
)ss.
COUNTY OF ADA)

On this 15 day of February, ²⁰⁰⁰ ~~1999~~ before me, a notary public in and for said State, ANNETTE P. MOONEY, known to me to be the City Clerk of BOISE CITY, IDAHO, who executed the within instrument, and acknowledged to me that Boise City executed the same.

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

Anna Jean Himes
NOTARY PUBLIC FOR IDAHO

RESIDING AT Boise, IDAHO
MY COMMISSION EXPIRES: 6-17-03



DUEONLGLNTC

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 08/20/03 04:22 PM
DEPUTY Bonnie Oberbillig
RECORDED - REQUEST OF
Boise City
AMOUNT .00

1



**RESCISSION OF LIEN PENDING
BOISE CITY REQUIREMENT TO CONNECT TO THE
PUBLIC SEWER UPON SALE OF PROPERTY LOCATED
AT 10348 W. UTAHNA ROAD**

TIMOTHY P. & KIM W. STROUSE, OWNER(S) OF RECORD

NOTICE IS HEREBY GIVEN BY THE CITY OF BOISE that pursuant to Boise City Code 8-11-4, payment of the sewer connection charges and connection to the sewer, is not currently required for the property described as follows:

LOT 8, BLOCK 4, RANDALL ACRES SUBDIVISION #9

The above-described property is in compliance with Section 8-11-4.04, Boise City Code, and the requirements outlined in the NOTICE BY CITY OF BOISE REQUIREMENT TO CONNECT TO THE PUBLIC SEWER, dated February 17, 2000 and recorded on February 17, 2000, as Instrument No. 100012074, in the office of the Recorder of Ada County, Idaho, are hereby rescinded.

CERTIFICATE OF RECORDING OFFICER

STATE OF IDAHO)
) ss.
County of Ada)

I, ANNETTE P. MOONEY, City Clerk of Boise City, Ada County, Idaho, do hereby certify that the foregoing is an official document required pursuant to Boise City Code 8-11-4.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of Boise City, this 18 day of August, 2003.

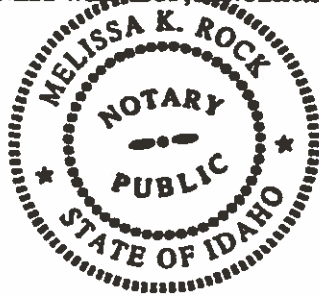
Annette P. Mooney
ANNETTE P. MOONEY
CITY CLERK



STATE OF IDAHO)
) ss.
County of Ada)

On this 18 day of August, 2003 before me, a notary public in and for the State of Idaho, ANNETTE P. MOONEY, known to me to be the City Clerk of BOISE CITY, IDAHO, who executed the within instrument, and acknowledged to me that Boise City Executed the same.

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



Melissa K. Rock
NOTARY PUBLIC FOR IDAHO
Residing at Frank, ID
My commission expires: 10-13-06

PUBLIC WORKS DEPARTMENT
CITY HALL



CAROLYN TERTELING-PAYNE
MAYOR

has recorded

COUNCIL MEMBERS

M. JEROME MAPP
COUNCIL PRESIDENT
JON MASON
COUNCIL PRO TEM

VERNON L. BISTERFELDT
PAULA B. FORNEY
MARYANNE JORDAN
ALAN W. SHEALY

August 22, 2003

TIMOTHY & KIM STROUSE
10348 UTAHNA ROAD
BOISE, ID 83703

RE: Boise City Requirement to Connect to Sanitary Sewer Upon Sale for the Property
~~Located at 10348 UTAHNA ROAD, WEST CSP 753~~

Dear Property Owner:

At their August 14, 2003 monthly meeting the Boise City Public Works Commission directed staff to cease enforcing the policy commonly known as Due on Sale for properties located outside the Boise City limits. This policy had required payment of sewer connection fees and completion of physical connection to sanitary sewer upon sale of properties. This change was effective immediately. We are working with the Ada County Recorder to rescind the Due on Sale document that had previously been recorded for your property.

The Public Works Commission believes that connection to central sewer at the earliest reasonable time is sound public health policy. They have directed staff to work with the Ada County Commissioners and with established neighborhood organizations such as the Southwest Ada County Alliance (SACA) and the Southwest Ada Neighborhood Association (SANA) to develop and adopt countywide policies that encourage the transition of properties from septic systems to central sewer.

If you have questions or we may be of assistance please contact the Sewer Rating Office at (208) 384-3900.

Sincerely,


John D. Tensen, P.E.
City Engineer

SF--CSP 753.2.1

PUBLIC WORKS DEPARTMENT
CITY HALL



M. JEROME MAPP
COUNCIL PRESIDENT
MARYANNE JORDAN
COUNCIL PRO-TEM

DAVID H. BIETER
MAYOR
COUNCIL MEMBERS

VERNON L. BISTERFELDT
ELAINE CLEGG
DAVID EBERLE
ALAN W. SHEALY

F
yes
80% there
no longer
required
to
connect
upon
sale

Sewer Service Ordinance Changes
for County property owners not connected to Boise City sewer
December 27, 2004

CHARLES & ANNA MARY COWHER
10332 UTAHNA ROAD
BOISE, ID 83703

Re: Notification of Sewer Availability and Changes to the Deferral of Connection fee Payment Program for the Property Located at 10332 UTAHNA ROAD, WEST - CSP 753

Dear Property Owner,

This letter is written to inform you of recent changes made by the City of Boise relating to sewer connection requirements and deferral of sewer connection fee payments. These changes implement some of the options developed by a Task Force formed to review policies related to sewer connection and extension. The Task Force included Ada County Commissioner Fred Tilman; City Council person Maryanne Jordan; representatives from three neighborhood associations (SANA, SACA and CCNA); Senior staff from Central District Health (CDH) and the Idaho State Department of Environmental Quality (DEQ); Mayors office staff; and Public Works staff from both Boise and Meridian.

The changes were approved by the City Council on December 7, 2004 and are explained below.

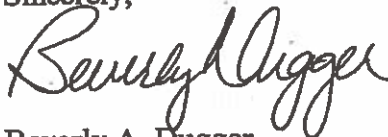
- Eliminate Requirement to connect to sewer upon sale of the property for Boise City Property Owners:** This change eliminates the requirement to connect to sewer upon sale of the property for City property owners. As you may recall, the City Council removed this connection requirement last year for County property owners. This change was highly supported by the neighborhood association Task Force representatives.
- Connection Fee Payment Deferral Program Modifications:** This change modifies the City's sewer connection fee payment deferral (financing) program for County property owners. The fee deferral program allows property owners, when connecting to the sewer, to enter into an agreement with the City. The fee deferral agreement allows for payment of the City sewer connection fees over a 15 year period. The fee deferral program is optional. Property owners may arrange for payment of connection fees through other financing means. Prior to this change, the interest rate for deferring payment of the

connection fees was the Prime Interest rate in effect at the time of entering into the agreement for both City and County property owners. This change will limit this low interest rate for county residents to two years from the date of "Notification of Sewer Availability". *This letter serves as your official notification that sewer is available to your property and that if you desire to take advantage of the lower fee deferral interest rates, you have two years from the date of this letter to complete a fee deferral agreement. Payment or deferral of fees will obligate you to complete your physical connection within nine months. You may not complete your physical connection prior to payment of fees or entering into a fee deferral agreement.* If you do not desire to connect within two years, the fee deferral interest rate will increase by 8% above the prime rate in effect at that time. If and when the property is annexed, the fee deferral rate will be reduced by 8% for the remainder of an existing fee deferral agreement and any new fee deferral agreements will be at prime rate.

The intent of this change was to: 1) provide an incentive for properties to connect to sewer as soon as possible after it becomes available; and 2) provide an incentive/benefit for properties located inside of the City limits.

Should you have any questions or desire further information Boise City Public Works staff will be conducting an informational question and answer session on Wednesday, January 12th from 6pm to 8pm in the Foothills Training Room. You may stop by any time during this session to have your questions answered. The Foothills Training Room is located on the first floor of Boise City Hall's East Wing. Free parking is available for one hour at the Capitol Parking Garage at the corner of Capitol Blvd. and Main St. Our staff is also available for questions and assistance by calling our Sewer Rating Office at 384-3900. You may also contact us via e-mail: rating@cityofboise.org.

Sincerely,



Beverly A. Dugger
Senior Rating Technician



Public Works

G
Implied consent first mentioned

October 5, 2005

Charles R. Mickelson, P.E.
Director

Boise City Hall
150 N. Capitol Boulevard

Mailing Address
P. O. Box 500
Boise, Idaho 83701-0500

Phone
208/384-3900

Fax
208/384-3905
TDD/TTY
800/377-3529

Web
www.cityofboise.org

Mayor
David H. Bieler

City Council
President
Maryanna Jordan

Council ProTem
Elaine Clegg

Vernon L. Bisterfeldt
David Ebarlo
M. Jerome Mapp
Alan W. Shealy

TIMOTHY & KIM STROUSE
10348 UTAHNA ROAD
BOISE, ID 83703

RE: Possible Sewer Connection Fee Increase for the Property at 10348 UTAHNA ROAD, WEST - CSP 753

Dear Property Owner:

The purpose of this letter is to inform you of your opportunity to pay sewer connection fees and to connect to the Boise City sewer system in anticipation of a proposed fee increase to take effect December 1, 2005. On October 18, 2005, the Boise City Council will consider an ordinance that will increase sewer fees for connection to the City's sanitary sewer system. The Boise Public Works Commission has recommended approval of the fee increase which is based on a recently completed cost of service analysis and adjusts residential trunk sewer connection fees that have not been changed since February 1998.

If the ordinance is approved, the fees for a typical residence, both before and after an increase, may be estimated using the attached chart as follows:

RESIDENTIAL	Current	As of 12/1/2005
Treatment Plant Capacity	\$ 1,530	\$1,530
Trunk Line Capacity	830	1,075
Subtotal prior to Assessment	\$2,360	\$2,605

ASSESSMENT FEE*	See attached chart (total based on lot size)	
SERVICE STUB FEE (4")	\$ 550	\$ 660

* The assessment fee is applicable to most existing structures and is in addition to the trunk, treatment, and interceptor fees. To determine the square footage of your lot, multiply the lot acreage (may be found on your property tax information) by 43,560. For example, 0.34 acres x 43,560 = 14,810 square feet total lot size.

For commercial properties, duplexes or multi-family dwellings, please contact Sewer Rating at 384-3900 and we will advise you of the proper rate.

Sewer Fee Letter
Page 2
October 5, 2005

Owners of existing properties may enter into an agreement with the City of Boise for payment of your fees over time. The agreement can be for a period of up to 15 years and the annual interest rate is locked-in based on the Wall Street Journal's Prime Rate (currently 6.75%) on the date the contract is signed. A one time administrative fee of \$50 will be due at the time of contract signing. If you would like, our Sewer Rating staff will be pleased to prepare an agreement for your property.


implied consent →
Please note that payment of your sewer connection fees will obligate you to connect to the Boise City sewer system within nine (9) months from the date of payment. If you plan to connect to the sewer system, the connection and assessment fees must be paid in full or payment arrangements must be established prior to connection. In no instance will you be allowed to complete your physical connection to the sewer system prior to payment of fees to the City. If you are located outside of the Boise City limits, your connection to sewer, by state code, will be deemed an "implied consent to annexation."

You will be responsible for all costs incurred in physically connecting your property to sewer. You may do the connection yourself or hire a licensed contractor. A plumbing permit must be obtained by the person completing the physical connection and will not be issued by the plumbing authority prior to full payment or the execution of a payment agreement with the City of Boise. Plumbing permit information may be obtained for properties within Boise City limits by calling (208) 384-3902 and for properties within Ada County at (208) 334-3442.

Upon connection to the sewer system you will be billed quarterly for operation and maintenance of the sewage system. The bill is updated each summer and is based on the average of your previous winter's (four months) water consumption as recorded by your commercial water provider. If you are on a private well your bill is based on the number of residents living in the home.

If you have further questions please call the Sewer Rating Office at (208) 384-3900.

Sincerely,



Beverly A. Dugger,
Senior Rating Technician
Boise City Public Works Department

/SF

**BOISE CITY PUBLIC WORKS
SEWER CONNECTION AND ASSESSMENT AMOUNTS
EXCLUSIVE OF THE SOUTHWEST SERVICE AREA
PROPOSED AS OF DECEMBER 1, 2005**

Total Area of Lot (In Square Feet)	Total Trunk & Treatment Fees	Assessment w/4" Stub	Total Proposed Sewer Fees 12/1/05	Total Current Fees	Difference
To 6,000	\$2,605	\$2,220	\$5,075	\$4,230	\$845
> 6,000 To 8,000	\$2,605	\$2,480	\$5,335	\$4,450	\$885
> 8,000 To 10,000	\$2,605	\$3,000	\$5,855	\$4,890	\$965
> 10,000 To 12,000	\$2,605	\$3,347	\$6,202	\$5,184	\$1,018
> 12,000 To 14,000	\$2,605	\$3,455	\$6,310	\$5,275	\$1,035
> 14,000 To 16,000	\$2,605	\$3,568	\$6,423	\$5,371	\$1,052
> 16,000 To 18,000	\$2,605	\$3,682	\$6,537	\$5,467	\$1,070
> 18,000 To 20,000	\$2,605	\$3,797	\$6,652	\$5,564	\$1,088
> 20,000 To 22,000	\$2,605	\$3,914	\$6,769	\$5,663	\$1,106
> 22,000 To 24,000	\$2,605	\$4,027	\$6,882	\$5,759	\$1,123
> 24,000 To 26,000	\$2,605	\$4,140	\$6,995	\$5,855	\$1,140
> 26,000 To 28,000	\$2,605	\$4,254	\$7,109	\$5,951	\$1,158
> 28,000 To 30,000	\$2,605	\$4,369	\$7,224	\$6,048	\$1,176
> 30,000 To 32,000	\$2,605	\$4,486	\$7,341	\$6,147	\$1,194
> 32,000 To 34,000	\$2,605	\$4,599	\$7,454	\$6,243	\$1,211
> 34,000 To 36,000	\$2,605	\$4,712	\$7,567	\$6,339	\$1,228
> 36,000 To 38,000	\$2,605	\$4,827	\$7,682	\$6,436	\$1,246
> 38,000 To 40,000	\$2,605	\$4,944	\$7,799	\$6,535	\$1,264
> 40,000 To 42,000	\$2,605	\$5,058	\$7,913	\$6,631	\$1,282
> 42,000 To 44,000	\$2,605	\$5,171	\$8,026	\$6,727	\$1,299
> 44,000 To 46,000	\$2,605	\$5,286	\$8,141	\$6,824	\$1,317
> 46,000 To 48,000	\$2,605	\$5,399	\$8,254	\$6,920	\$1,334
> 48,000 To 50,000	\$2,605	\$5,516	\$8,371	\$7,019	\$1,352
> 50,000 To 52,000	\$2,605	\$5,630	\$8,485	\$7,115	\$1,370
> 52,000 To 54,000	\$2,605	\$5,743	\$8,598	\$7,211	\$1,387
> 54,000 To 56,000	\$2,605	\$5,858	\$8,713	\$7,308	\$1,405
> 56,000 To 58,000	\$2,605	\$5,971	\$8,826	\$7,404	\$1,422
> 58,000 To 60,000	\$2,605	\$6,088	\$8,943	\$7,503	\$1,440
> 60,000 To 62,000	\$2,605	\$6,202	\$9,057	\$7,599	\$1,458
> 62,000 To 64,000	\$2,605	\$6,316	\$9,171	\$7,696	\$1,475
> 64,000 To 66,000	\$2,605	\$6,430	\$9,285	\$7,792	\$1,493
> 66,000 To 68,000	\$2,605	\$6,543	\$9,398	\$7,888	\$1,510
> 68,000 To 70,000	\$2,605	\$6,660	\$9,515	\$7,987	\$1,528
> 70,000 To 72,000	\$2,605	\$6,774	\$9,629	\$8,083	\$1,546
> 72,000 To 74,000	\$2,605	\$6,888	\$9,743	\$8,180	\$1,563
> 74,000 To 76,000	\$2,605	\$7,002	\$9,857	\$8,276	\$1,581
> 76,000 To 78,000	\$2,605	\$7,089	\$9,944	\$8,375	\$1,569
> 78,000 To 80,000	\$2,605	\$7,232	\$10,087	\$8,471	\$1,616
> 80,000 To 82,000	\$2,605	\$7,347	\$10,202	\$8,568	\$1,634
> 82,000 To 84,000	\$2,605	\$7,460	\$10,315	\$8,664	\$1,651
> 84,000 To 86,000	\$2,605	\$7,574	\$10,429	\$8,760	\$1,669



Public Works

H

Prime plus
additional 8%
penalty if not
hooked up by
27th

Charles R. Mickelson, P.E.
Director

October 20, 2006

Boise City Hall
150 N. Capitol Boulevard

Mailing Address
P. O. Box 500
Boise, Idaho 83701-0500

TIMOTHY & KIM STROUSE
10348 UTAHNA ROAD
BOISE, ID 83703

Phone
208/384-3900

Fax
208/433-5650

Re: Notification of Sewer Connection Fee Deferral Interest Rate Increase for
the Property Located at 10348 UTAHNA ROAD, WEST - CSP 753

TDD/TTY
800/377-3529

Dear Property Owner:

Web
www.cityofboise.org

This letter is to notify you that you may connect to sewer and pay for the connection fees using Boise City's fee deferral program prior to the interest rate increasing in December. Up until December 27, 2006 the interest rate on a new fee deferral agreement will be at the Prime Rate, currently 8.25%. On the 27th, the interest rate will increase to the Prime Rate plus an additional 8%. It is also important to note that connection fees are expected to increase in the spring of 2007.

Mayor
David H. Bieler

City Council
President
Maryanna Jordan

Council ProTem
Elaina Clegg

Vernon L. Bisterfeldt
David Eberle
Alan W. Shealy
Jim Tibbs

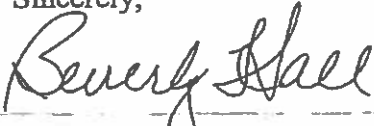
Connection to sewer is optional unless you have a septic system failure, in which case you will be required to connect. If connection is desired or required, the fee deferral program provides a mechanism by which you may pay the sewer connection fees over a 15 year period. This deferral program is optional and property owners may choose to arrange for payment of connection fees in full through other financing options. Boise City's deferral agreement includes a one time administrative fee of \$50 due at the time of contract signing.

In all instances you must first either pay or enter into an agreement for your fees before completing the physical connection to sanitary sewer. Once payment is made in full or a deferral agreement is signed, you will then, within 9 months, need to complete the physical connection from your home or business to the City's sewer system.

The increase in the interest rate is designed to encourage Ada County residents outside the Boise City limits to connect to sewer. If a county property is eventually annexed into the Boise City limits, the interest rate for that property will be lowered back to the Prime Rate in effect at the time your agreement was signed.

Should you have questions or desire to utilize the deferral (financing) agreement please contact the Sewer Rating Office at (208) 384-3900. The agreement must be signed and notarized prior to December 27, 2006 in order to take advantage of the lower rates.

Sincerely,



Beverly A. Hall
Sr. Rating Technician

/bh

Permit
single family dwellings
\$ 6173.00 owe to Boise City P.W.
+ construction & installation \$ etc Plumbing Division
\$ 45-50

2665 Capacity Fee
3565 Assessment

\$15-month billed QTRLY

I

BOISE PUBLIC WORKS COMMISSION
MINUTES
October 11, 2007

Boise Public Works Commission questioned the legality of wetline waiver. Boise had to sue property owners when the properties were not within city limits.

Ron Redmond updated the commission on a sewer extension project which was denied by Ada County. The project consists of 1400 lineal foot sewer extension in the Cannonaro West subdivision located east of Cloverdale and south of Victory. It was platted in 1977 and home construction followed in the early 1990's (with septic tanks);

the majority of the property owners in the subdivision signed wetline waiver agreement

at the time the building permits were issued. The requirement for the wetline waiver agreements started when city and county agreed entered into the area of impact agreement and the county adopted the city's comprehensive plan. The City's comprehensive plan requires all new structures need to be connected to wetline sewers.

The concept of the wetline waiver agreement was to allow building construction without sewers and using temporary on site systems provided residents agreed to connect to sewers when available. In Cannonaro West, only 4 residents supported the sewer extension and were willing to pay the fees; the majority of the residents are opposed because by agreement they would be forced to connect. This forced connection is the basis for the County's denial of the project. Currently there are about 200-300

wetline waivers, and sooner or later, someone will challenge the notion of a city requirement on property that is not within city limits.

Scott Spjute

From: D Wolf <dondianewolf@gmail.com>
Sent: Saturday, June 21, 2014 9:03 AM
To: Scott Spjute
Subject: Re: annexation meeting; parcel R8123250150

Thank you Scott. I am fully aware that annexation is inevitable and that I am only postponing it for a short time. My concern is if I am not part of the annexation will that impact the services I now have for trash collection, police (if for some reason I need to contact the police would it be city or county), fire protection, etc.

I know you are very busy but if there is anything that I should be concerned with I would appreciate you making me aware of it.

Thank you.

Sincerely,

Don Wolf

On Mon, Jun 16, 2014 at 10:45 AM, Scott Spjute <Sspjute@cityofboise.org> wrote:

Don,

I enjoyed meeting with at the meeting last week.

Your 5.85 acre parcel will be excluded from the current annexation effort. However, if the annexation happens, your property will be surrounded by the City and will then be eligible for annexation at any time.

Let me know if you have any questions.

Best,

Scott Spjute

384-3831

Annexation Protest Letter: Regarding 8399 West Hill road and 8441 West Hill Road

1. Letter from Charlotte and Greg Danley

Boise City Planning and Zoning Commission,

My wife Charlotte Olson and I (Greg Olson) in union with our Neighbors Karen and Greg Danley request the commission to redraw the boundaries to exclude annexation of our two properties into Boise city limits based on excessive costs to us and the city for the following reasons.

1. We currently use septic and have NOT given consent to connect to Boise city sewer.

- Sewer connection to our two properties poses a unique and excessive cost in creating access. Both the Danley property and ours are on the north side in back of subdivisions on old Hill Road.
- Sewer access would either have to be brought north through the back yards of the southern subdivision and up hill over 200 feet or down old Hill Road.
- If the later option is used then the entire pipe service would only be useable by our two properties.
- This expense alone for either sewer connection option would exceed more than the combined 10 year tax revenue generated for Boise City for both our properties simply to service 2 homes.

2. Land Use: Both the Danley property and our property has been and/or is presently used to raise livestock and for small business use.

- Both properties have been and in our case are presently being used for light industrial small business. In the case of 8441 West hill road the previous owner ran a water feature construction company from the property. You may have seen his work on the east side of Eagle Road in the form of large waterfalls. We presently run a solar and renewable energy design and construction company where we specialize in large steel structures like car and driveway covers or other structures where the solar modules also serve as the water tight roof surface.
- We both purchased our properties to use it in a manner which best matches county regulations not city.
- We both have had/have presently cows and horses on our land.
- We both purchased our land to raise animals and city annexation would not grandfather this right to new owners. Annexation will lower the use and value to sell this land with animal and potential business use restrictions.

- County regulations are more versatile if we choose not to have livestock every year. This may change throughout the years and we do not want to be locked into a format that does not fit our long term/retirement land use plans.

3. Burn regulations and limits: We both have over 20 mature trees on our properties and over 1 acre of fields each.

- It is within county regulations to burn the leaves and other tree and field materials. The cost and labor to contain these large amounts of debris and ship them to the landfill is excessive and inefficient when effective combinations of burning and composting achieves a healthier land use and water table.

- Neither of our properties conform to a standard city use profile of a yard and sidewalk. We expect that our land may be fully cultivated with gardens from year to year. The shape, access and elevation change of our land makes this a nearly permanent disposition and thus unlikely that any further subdivision will occur. Our land will unlikely look like the subdivisions south of us.

4. Pest Control: We currently pay taxes for pest control in the county. We do not want to be annexed as it would take away our pest control tax and service that we find use of in various years.

5. Location: The properties North and West of us are not being annexed. We request you redraw the Boise City Annexation boundary to exclude our properties in conjunction with there's. Our land is adjacent to Pauly Pearce's and Bob West's properties off Bogart lane and Old Hill road respectively. We both have the same rural usage profile as Pauly Pierce and she is not being annexed.

In summary: We have not given consent to be annexed.

The city sewer system would cost more than a decade's worth of tax revenue to install and 2 properties will never give a good return for the cost.

Being annexed into Boise city is not of any advantage based on regulations, land usage, and location.

It is not cost effective for the city or for us, and due to the lack of potential gain for either party my wife, myself and our neighbors the Danley's protest to the strongest degree the Cities attempt to include us in there jurisdiction.

We sincerely hope the Boise City Planning and Zoning Commission considers our request in mind of everyone's best interest as we are willing to fight to be excluded from annexation.

Sincerely,

Greg and Charlotte Olson and in full union with the Danley family

8399 West Hill Road
Boise, Idaho 83714

2. Letter from Karen and Greg Danley

Boise City Planning and Zoning Commission,

My husband Gregory Danley and I, in coordination with our neighbors to the east, Charlotte and Greg Olson, request the commission to redraw the boundaries to exclude annexation of our property into Boise city limits based on the following reasons.

1. We currently use septic and do NOT use the Boise city sewer system. Therefore we have not given consent.

2. Overall Cost: If we were to change my septic to city sewer the costs would be exorbitant.

+Septic to Sewer \$8-10,000
+Monthly Sewer Bill \$420/year
+35% raise in taxes. \$600/year

3. Land Use: I purchased this land to use it in a manner which best matches county regulations not city.

A. Animals: I purchased this land to raise animals. I understand the grandfather clause however it will be difficult to sell this land with animal restrictions. I also purchased the land with the understanding I can change the land use within county regulations. This may change throughout the years and may not stay exactly the same as when it is scheduled to be grandfathered.

B. Burn: I have over 20 mature trees on my property. It is within county regulations to burn the leaves and other tree materials. The cost and labor to contain these large amounts of tree materials and ship them to the landfill is unreasonable. Most homes in a city subdivision have 1-3 mature trees. Management of tree materials is different on larger parcels of land.

C. Pest Control: We currently pay taxes for pest control in the county. We do not want to be annexed as it would take away my tax for pest control and I would no longer have the right to use the Ada County Pest Control services.

4. Location: The properties North and West of me are not being annexed. I request you redraw the Boise City Annexation boundary to exclude my property. Our land is adjacent to Pauly Pearce's property. It is used in the same manner as hers and her land is not being annexed. I realize her property is over 5 acres, however I request you also exclude my property from the annexation as well.

We have not given consent to be annexed through using the city sewer system. I protest being annexed into Boise city based on cost, regulations, land usage, and location.

We sincerely hope the Boise City Planning and Zoning Commission considers our request as we are willing to fight to be excluded from annexation.

Sincerely,
Karen and Greg Danley
8441 Hill Road
Boise, Idaho 83714
Karen.danley67@gmail.com
208-602-9620

Thank you Scott.

As you are aware there are many people who are not in agreement with the forced annexation and the concept of "implied consent". Assuming people have "implied consent" to be annexed is implying way too much in a crucial situation that effects people's livelihoods, finances, and lifestyles. Considering Idaho is one of two states that it is legal to force annexation I am downright surprised and disappointed Boise Planning and Zoning Commission voted 3 to 1 for the annexation.

Three P and Z commissioners were absent and I will be repealing the decision as well as teaming up with others to bring public attention to the forced annexation.

I wrote to you and the commission asking to consider redrawing the boundaries as I have a septic system, live on 1.92 acres, have a variety of animals, and the property is adjacent to land not being annexed. I understand the goal is a two step process to annex the entire area. I oppose both moves based on the concept you are forcing annexation. We are not ready at this time. Perhaps wait 15 more years and see if people are more interested. Why now? What is the Boise City Council's hurry?

This area is rural and many people enjoy having a break from houses after houses whether people are driving, riding their bicycles, or walking. This area enriches Boise's image BECAUSE we are NOT the city.

I also realize you have been in your position during the annexation of several phases of SW Boise. I know some areas fought and lost but I also know some areas near the airport, fought and won. Be careful not to underestimate the power, tenacity, and ingenuity of the people who live here.

Sincerely,
Karen Danley

Eugene L. & Phyllis Pullman
7897 Hill Rd
Boise, ID 83714

August 31, 2014

Planning & Development Services
150 N Capitol Blvd
Boise, ID 83701-0500

RECEIVED
SEP 04 2014
DEVELOPMENT
SERVICES

REF: CAR 14-0014 Annexation of 925 Parcels

We will be out of town Sept 16th and unable to attend the above referenced meeting. Please note our concerns regarding the annexation of 925 parcels along the North side of Hill Rd Parkway.

We very much object to this plan of annexation because we see no benefit for this action other than an increased financial benefit for the city. The results for residences would be a hardship of higher taxes. Many of these residences are "self contained" supplying their own water by way of well and own septic systems. The residences have no need for city services. City zoning is also more lenient than County zoning regulations. Annexation would mean that subdividing the properties would be easier which would most likely result in many more homes along this area. We enjoy our "country" lifestyle and would like to see fewer homes on these acreages.

Many of the owners of these properties are at the age where as they are on fixed incomes. Annexation would bring higher taxes which would result in a hardship to these owners and ultimately may cause them to have to sell the properties they have lived on for several years. We have resided on this property for 42 years.

We realize that some things do need to change but not all things need to. We hope that you will carefully weigh the benefits and losses that will occur with this annexation. Please consider the people who are effected by the decision rather than just the financial benefit.

Sincerely,


Eugene L. Pullman


Phyllis E. Pullman

From: Ruth Davis [<mailto:grannydavis456@msn.com>]

Sent: Sunday, September 07, 2014 9:30 PM

To: MayorBieter; Ben Quintana; Lauren McLean; TJ Thomson; Maryanne Jordan; David Eberle; Elaine Clegg

Subject: RE: No on annexation of North River Planning Area - CAR14-00014

[From Ruth A Davis](#)

Grannydavis456@msn.com

David H. Bieter

Mayor

Hello Mayor Bieter, Boise City Council and City Planning Department:

I would like to support the issues that were pointed out in the previous letter from Liisa Rogers who is my neighbor.

I am very concerned about and opposed to the proposed annexation of the North River Planning Area CAR14-00014 for these reasons:

- 1) I, like most people in this area, knowingly and purposely moved to a semi-rural location outside of city limits for quality of life and other important reasons. I like it just the way it is now and while I contribute to, work in, and appreciate Boise, I do not want to live in the city.
- 2) The property tax increase is significant, will be a hardship for many, and is not balanced by the services promised (many of which we already have).
- 3) Idaho is one of a very few states that still allow annexation in this questionable manner. The legality and whether it is "the right thing to do" is hotly debated, and I understand this issue is due to be discussed at the state level very soon. It would be wrong to push this annexation through now due to the controversial nature of the process. All pending annexations should be put off until the issue is discussed and decisions are made at a broader level.
- 4) I am very satisfied with the current arrangement of city and county services, and am not convinced of any benefits to me and my neighbors as a result of the annexation, especially given the unreasonable property tax increase.
- 5) There are serious inconsistencies in the city's proposal and rationale for annexation of our parcel, and past actions by the city towards residents of this area may have been unethical. These concerns have been circulated among and aptly communicated by letter by many others in this area, including a member of the board of my subdivision Homeowner Association.

I strongly urge you to "do the right thing" and vote no on the annexation of the North River Planning Area CAR14-00014. The broader issue needs to be reconsidered at the state level. Not only will it anger and hurt many people, it will cause significant financial hardship without appreciable gain.

Thank you,

Ruth A Davis

Board Member: Homeowners association Sunbelt Subdivision

8290 N Sunbelt Ave

Boise, Idaho

Petition to Refuse Annexation into Boise City

This petition expresses the desire of the people, residents, property owners and renters of the 606 acres generally located between Boise city limits and Horseshoe Bend Road and between State Street and Hill Road, to NOT be annexed into the city of Boise. This annexation has not been requested.

We see no benefit to us by being annexed into the city. We feel safe and are content with the services and amenities and freedoms we currently enjoy. As per your annexation plan fire, sewer, and library services would remain the same.

We feel we would be giving up far more freedoms in being annexed than anything that the city has to offer us. The greatest of all, the increase in property taxes. Many of the residents have been here for years, some are on fixed incomes and or disabled and fear they may no longer be able to afford remaining in their homes if this annexation takes place. Also, many of us have livestock which is a right that would be taken away if our parcel is less than one acre. We enjoy the freedom now to have livestock and enjoy the "rural feel" here.

As we see it, this annexation would offer no benefit to us but seems to benefit only Boise city and those whose appointment we have had no say in.

Thank you for your consideration in the concerns of the people of this said area. We, the undersigned, are concerned citizens who wish to have our voices heard and not be forced into this annexation.

Printed Name	Signature	Address	Phone	Own	Rent	Comment	Date
Wookes Zuckery	<i>Zak Wookes</i>	10473 Shields Ave Boise ID 83714	915-539-7349		<input checked="" type="checkbox"/>		July 2014
Kelly Schiedel	<i>Kelly Schiedel</i>	10351 Shields Ave Boise ID 83714	208-863-8881	<input checked="" type="checkbox"/>		Don't want to be in City Limits	7/11/14
Matt Schiedel	<i>Matt Schiedel</i>	10351 Shields Ave Boise, ID	208 570-3095		<input checked="" type="checkbox"/>	County boy	
Joel Cunningham	<i>Joel Cunningham</i>	10219 Shields Ave Boise Ida	208 866 4940	<input checked="" type="checkbox"/>			
Annie Wilson	<i>Annie Wilson</i>	10190 Shields Ave Boise, Id	208 571-2439	<input checked="" type="checkbox"/>			7/11 2014
Maria Hecht	<i>Maria Hecht</i>	10116 Shields, Boise	208-863-7438	<input checked="" type="checkbox"/>			7/11/14
JEFF GYNN-JONES	<i>Jeff Gynn-Jones</i>	8181 Andy Ln.	208-353-2565	<input checked="" type="checkbox"/>		DONT WANT IT,	7/11
Sony Emilia	<i>Sony Emilia</i>	8155 Andy Ln	208-918-9501	<input checked="" type="checkbox"/>		ID	
Gary Anderson	<i>Gary Anderson</i>	8156 Andy Ln.	954-3693	<input checked="" type="checkbox"/>		Absolutely not	7/11
JUDITH RISTICK	<i>Judith Ristick</i>	8156 Andy Ln	954-3693		<input checked="" type="checkbox"/>		7/11
Nancy Pierce	<i>Nancy Pierce</i>	8213 Andy St.	631-8973		<input checked="" type="checkbox"/>		

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Printed Name	Signature	Address	Phone	Own	Rent	Comment	Date
Christina Butler		7931 Kerry St.	208 350-1606	X			6/25
Ann Wahn		7650 N. Matlock Ave	208 853 6495	X			6/25/14
Ty Plowman		7709 N. Matlock Ave.	208 794 9097	X		Very unfair.	6/25/14
Jim Trent		7637 N. Matlock	208 345-0460		X		6/25/14
TRANS BRONSON		9700 Utahna	208 811-7800	X			
BRIAN SIMMONS		10097 UTAHNA		X			7/8/14
Andrew Radley		9751 Utahna Rd	208-949-1917	X			7/8/14
Chettie Cole		9723 Utahna Rd	208-861-7710	X			7/8/14
Matt Cole		9723 Utahna	208-861-7710	X			7/8/14
Patty Lete		10298 Utahna	208-737-6888		✓		7/10/14
Amber McKay		7741 N Design	208 481 3290	X		Voting no	7/10/14

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Printed Name	Signature	Address	Phone	Own	Rent	Comment	Date
FRAWZ WITTE		9775 W. Mill Creek STAR	412 5450	X			
SHANNON COBURN		8303 W. Roosevelt St	853-1415	X		35% Tax increase for what	6/11/14
Mitch Coburn		8303 Caswell St	853 1415	X			
Tami Josimskund		7302 Gardner Lane	919-7472	X		Don't want annexation	
Mrs + Mr. Spence		7733 Ole	340-6288 871-9824	X			
Kathleen A Cunningham		9798 Arnold Rd 83714	939-8129 941-0877	X		Tax increase for no more services	6/11/2014
LOU BARTO		8805 W. Sloan 83714	859-0279	X		No reasonable justification	6/11/14
Naomi Black		8000 Duncan Ln. 83714	275-9507	X		Do Not Want to be annexed	6-11-14
Dan Black		—	941-3252	✓		No Annexation	
Teresa Parker		8895 Hill Road	853-3029	X		no annexation !!	June 14
Margarita Smith		7797 N. Matlock Ave	853-5534	X		No annexation	6/24/14

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Printed Name	Signature	Address	Phone	Own	Rent	Comment	Date
Mark Dawson	<i>Mark H Dawson</i>	6600 Roe St	941 3181	✓			6/11/14
Rolyn Dawson	<i>Rolyn Dawson</i>	6600 Roe St	853-1004	✓			6-11/14
Patricia A. Dunch	<i>Patricia A. Dunch</i>	8429 N. Duncan Lane	853-1386	✓			6/11/14
Loren Doney	<i>Loren Doney</i>	8441 W. Hill Rd	602-9620	✓		I purchased the property because it's outside city limits.	6/11/14
Kathleen T. Claiborne	<i>K. Claiborne</i>	6220 Roe St.	853-5110		✓	Don't want it	6/11/14
Mike West	<i>M. West</i>	6220 Roe St	477-1750		✓		6/11/14
Chris Case	<i>Chris Case</i>	6659 N. Misty Cove	724-0387	✓			
Dennis Duncanson	<i>Dennis Duncanson</i>	8940 N. Duncan Lane	949-1919	✓			
Charlene Olson	<i>Charlene Olson</i>	8399 W. Hill Rd	514-9529	✓		Do not want this	6/11/14
Greg Olson	<i>Greg Olson</i>	8399 W. Hill Road	389-9956	✓			6/11/14
Peggy McReynolds	<i>Peggy McReynolds</i>	9050 Duncan Lane	853 4407	✓		Very much against this	6/11/14

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Printed Name	Signature	Address	Phone	Own	Rent	Comment	Date
Gene O'Dell	<i>Gene O'Dell</i>	10078 W. Shields Ave	322-6502	✓		Rental property but still don't	6/9
Pam O'Dell	<i>Pam O'Dell</i>	9840 W. Shields Ave	322-6512	✓			6/9
Mary Friend	<i>Mary Friend</i>	10273 Arnold Rd Boise	939-0709	X			6/9/14
Steve Friend	<i>Steven Friend</i>	10273 Arnold Rd Boise	939-0709	X			6/9/14
JOHN QUINLAN	<i>John</i>	9966 ARNOLD RD BOISE	866-5718	X			
ALYSON QUINLAN	<i>Alyson Quinlan</i>	9966 Arnold Rd Boise ID	631-9881	X			
FRANCIS JEFFRIES	<i>Francis Jeffries</i>	10402 MAYMIE ROAD BOISE	853-3225	X			6/9/14
Susan Carrull	<i>Susan L Carrull</i>	8151 Kerry St	853-4349	X			4/25/14
Erica Schofield	<i>E. B. Schofield</i>	7363 W. Limelight Ct	853 1295	X			6/25/14
Judy Parsley	<i>J. Parsley</i>	7715 Kerry St.	853-3233	X			6/25/14
Travis Butler	<i>Travis Butler</i>	7931 Kerry St.	371-6406	X			6/25

Petition to Refuse Annexation into Boise City

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We see no benefit to us by being annexed into the city. We feel safe and are content with the services and amenities and freedoms we currently enjoy. As per your annexation plan fire, sewer, and library services would remain the same.

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As we see it, this annexation would offer no benefit to us but seems to benefit only Boise city and those whose appointment we have had no say in.

Thank you for your consideration in the concerns of the people of this said area. We, the undersigned, are concerned citizens who wish to have our voices heard and not be forced into this annexation.

Printed Name	Signature	Address	Phone	Own	Rent	Comment	Date
Terrie Robinson	<i>Terrie Robinson</i>	Boise 83714 8218 Casa Real Ln	377-3754	✓			
Melissa Williams	<i>Melissa Williams</i>	Boise 83714 8267 No Casa Real Ln	—	✓			
WALLACE D. LEE	<i>Wallace Lee</i>	Boise 83714 7752 N Romney Ave	344-5363	✓			
Sherry Maestas	<i>Sherry Maestas</i>	10301 Arnold Rd	939-1654	✓	W/A		
Jim Hard	<i>Jim Hard</i>	9922 Utanna	863-4699	✓			
GIZEL DANZON	<i>Gizel Danzon</i>	8441 w. Hill rd	867-5772	✓			
SUE BERGMANN	<i>Sue Bergmann</i>	9820 SHIELDS AVE	939-4671	✓			
Allen Armstrong	<i>Allen Armstrong</i>	8117 W Casa Grande Ln	577-6367	✓			
Walt Rogers	<i>Walter Rogers</i>	9157 W Steve St	853-1608	✓			
John W. Patten	<i>John W. Patten</i>	5450 Horseshoe Bend Rd	939-1151	✓			
Darlene Ekstrom	<i>Darlene Ekstrom</i>	7826 N Waterlily Ave	714-803-3384	✓			

Petition to Refuse Annexation into Boise City












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Printed Name	Signature	Address	Phone	Own	Rent	Comment	Date
Alan Ekstrom		7826 N. Waterlily Ave	714 306 2027	X			
Carol Patterson		6250 Roe St	(208) 863-3125	✓			
Cynda Huff		9797 Shields ave	208 939 0020	✓			
Barbara Putnam		7155 N. Bogart	854-1136	✓			
Hollis Putnam		7155 N. Bogart	854-1136	X			
SCOTT WILSON		10415 Shields Ave.	972-0950	X			
Rocario Arena			9444869	X			
Serry Velez		10026 Utahna	208-703-0810	X			
Taylor McAviston			208-703-0881		X		
Kathryn Malmin		10054 Utahna	208-703-0081		X		
Desirae Brunson		9701 Utahna	208 971-784	X			

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Printed Name	Signature	Address	Phone	Own	Rent	Comment	Date
Chris McKay		7741 N Dodgin	484 2586	<input checked="" type="checkbox"/>		Ng	
Sayed Nami		7754 "	229-2127		<input checked="" type="checkbox"/>		
Kelley Mathis		7373 N. Dodgin	703-9468		<input checked="" type="checkbox"/>		
Hozema Taqii		7252 N. Matlock	208-853-5251	<input checked="" type="checkbox"/>			7-10-14
Debra Nixon		10026 Utah Blvd.	208-941-3097		<input checked="" type="checkbox"/>		7-10-14
Tista Boffen		10007 Uteva Road	208-972-6415		<input checked="" type="checkbox"/>		7-10-14
Amber Obert		7668 N. Dodgin Ave	208 853-5175	<input checked="" type="checkbox"/>			7/11/2014
Valerie Lesur		9220 W. Ben St	510-326-4228	<input checked="" type="checkbox"/>			7/11/14
Brian Lesur		9220 W. Ben st	208-477-8583	<input checked="" type="checkbox"/>			7/11/14
Wendy Puddy		7563 Froman Ave.	608-8770	<input checked="" type="checkbox"/>			7/11/14
David Lesur		9220 W. Ben St.	995-3430		<input checked="" type="checkbox"/>		7/11/14

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Printed Name	Signature	Address	Phone	Own	Rent	Comment	Date
LOIS K CARPENDER	<i>Lois K Carpende</i>	8417 DUNCAN LN	343 2490	X			
MARION CARPENDER	<i>Marion Carpende</i>	8417 DUNCAN LN	343 2490	X			
Shadeau Little	<i>Shadeau Little</i>	8247 Duncan Ln	709 283 5116		X		
Yoni Francis	<i>Yoni Francis</i>	5861 Duncan Ln.	208-PEB 295	X			
ANGILO FRANCIS	<i>Angilo Francis</i>	8213 DUNCAN LN	208-863 3746	X			
JAN HAZLETT	<i>Jan Hazlett</i>	8167 DUNCAN LA	303 877 4261	X			
Terri Skerfve	<i>Terri Skerfve</i>	8152 Norkan Ln	409 5500	X			
Will Stattler	<i>Will Stattler</i>	8152 DUNCAN LN	724 5211	X			
Donna M. Math	<i>Donna M. Math</i>	8085 Duncan Ln	761-2849		X		
Lydie Hamilton	<i>Lydie Hamilton</i>	7617 W. Bacon Ln ^{Boise, ID}	283-2889	X			7/13
LAWRENCE C. FERNSWORTH	<i>Lawrence C. Fernsworth</i>	8088 W. POCONO LN	8314 208-853-1526	✓			

Petition to Refuse Annexation into Boise city

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Printed Name	Signature	Address	Phone	Own	Rent	Comment	Date
ANN M. Cowher	<i>Ann M. Cowher</i>	10332 Utahna Rd. 83714	208-853-0708	✓		We're fine the way we are + want to stay	6-8-14
Theresa Young	<i>Theresa Young</i>	10374 Utahna Rd. 83714	208-984-3225		✓	We want to stay how we are with no changes	6-9-14
David Young	<i>David Young</i>	" " " "	208-921-1530		✓	" "	" "
Fay Fitz	<i>Fay Fitz</i>	10398 " " "	208-853-1438	✓		We do Not want to Annex to City	6-9-14
George Fitz	<i>George Fitz</i>	" " " "	" " "	✓		" " "	" "
Chris Hewen	<i>Chris Hewen</i>	10432 Utahna RD	208-975-5524		✓		
STEVIE VAN AL	<i>Stevie Van Al</i>	10430 Shields	921 4101		✓		
Bernice Rybka	<i>Bernice Rybka</i>	9903 W. Shields Ave	208-440-0832	✓		No benefit to property owners we are not rich. 35% prop tax ↑	6-9-14
Chris Friend	<i>Chris Friend</i>	9880 Shields ⁸³⁷¹⁴	208-938-9608	✓		How am I supposed to upkeep my fixed income around a 35% raise in taxes when I really make my money	6-9-14
SUSAN BARGMANN	<i>Susan R. Bargmann</i>	9820 SHIELDS AVE	208 939-4671	✓		DON'T WANT TO LOSE MY RIGHTS TO HAVE MY ANIMALS	6-9-14
Dene O'Dell	<i>Dene O'Dell</i>	9740 W. S. Shields Ave	208-372-6522	✓		See no benefit/only higher taxes	

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Printed Name	Signature	Address	Phone	Own	Rent	Comment	Date
Joshua Hunter	<i>[Signature]</i>	9497 W. McAuliffe St	208-901-9203	X			6/11
EMORY	<i>[Signature]</i>	6621 N. MISTY CREEK	209-809-9121	X			
Bill WITHERSPOON	<i>[Signature]</i>	7764 N. MISTY CREEK	208-853-6630				
Stan Willock	<i>[Signature]</i>	8633 N Bogart Ln Boise	208-853-0932	X			
Pauly Pierce	<i>[Signature]</i>	8750 N Bogart Ln	208-853-1360	X			
Ruth A Davis	<i>[Signature]</i>	8290 N Sunbelt	208-867-1324	X			
Liisa Rogers	<i>[Signature]</i>	8362 W. Sundisk	208-853-2561	X			6/11
Will STANFIELD	<i>[Signature]</i>	8152 N POUNCE ST	724 5211	X			
CHUCK DRABEK	<i>[Signature]</i>	6948 N ROE AVE	473-1368	X			
Timothy Stroeve	<i>[Signature]</i>	10348 Utahna Rd.	853-3518	X			6/11/11
Kim W Strouse	<i>[Signature]</i>	10348 Utahna Rd	853-3518	X			

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Thank you for your consideration in the concerns of the people of this said area. We, the undersigned, are concerned citizens who wish to have our voices heard and not be forced into this annexation.

Printed Name	Signature	Address	Phone	Own	Rent	Comment	Date
Claudia Fernsworth	<i>Claudia Fernsworth</i>	8088 Pocono Lane	853-1526	✓		NOT ON CITY SEWER OR WATER	6/18 2014
Heidi Christensen	<i>Heidi Christensen</i>	8024 POCO NO LN.	283-5644	✓		I am not on city water or sewer	6/19 2014
DON WOLF	<i>Don Wolf</i>	6036 Roe ST	853-3767	✓		" " "	6/25 2014
Alan Watke	<i>Alan Watke</i>	6255 Roe st	982-8041	✓		Not on city sewer or water	6/25 2014
Michelle Young	<i>Michelle Young</i>	74 W. Autumn Park Ln.	602-6527		✓		6/25
Barbara Borgeson	<i>Barbara Borgeson</i>	7755 N. Mallick Ave	853-8866	✓		a very elderly Senior Citizen - Happy	7-23
Bill Sellers	<i>Bill Sellers</i>	8053 Hill Rd	853 8785	✓		need written commitment	7/14
M. Sellers	M SELLERS	8053 HILL RD	853 8785	✓			7/14
Michelle Rioux	<i>Michelle Rioux</i>	7755 N. Abe Ave	340-2177	✓		Feel we have adequate services now.	7/14
David Rioux	<i>David Rioux</i>	7755 N. Abe Ave	340-2133	✓		HAD NO IDEA AT PURCHASE OF HOME THAT TAXES WOULD INCREASE SO SIGNIFICANTLY	7-14
Karen Denby	<i>Karen Denby</i>	8441 W. Hill Rd	602-9620	✓		People purchased the land because it is <u>not</u> in the city.	7/14




Petition Regarding Annexation into Boise City



This petition is in regards to the proposed annexation of the 606 acres generally located between Boise city limits and Horseshoe Bend Road and between State Street and Hill Road.

We, the undersigned, are concerned citizens who wish to have our voices heard and are opposed to this annexation.

Printed Name	Signature	Address
VICTORIA MARSHALL	Victoria Marshall	10284 W. Waterway Ct.
Pam Eck	Pam Eck	5864 Cape Arago 83714
Kim Resler		757 S Moon Beam Way ^{Gaslight} 83701
BRIAN WHITNEY		555 W SCHOOL RIDGE 83714
RAMONA BALLANTINE	Ramona Ballantine	3007 Kandice St, Meridian ID
GREGORY CLARK		841 W. BANKSIDE DR. Boise, ID 83716
Ann Fisk	Ann FISK	6127 N. Ulmer Ln Garden City, 83714
Tom Blacklock	Tom Blacklock	7088 W Sutton Dr Boise ID 83714
AMANDA WELF		11224 CARTRIDGE ST. BOISE, ID 83713
Ellen Ledbetter	Ellen Ledbetter	3582 S. Veranda Way, Boise 83706
Steven Ledbetter		3582 S. Veranda Way, Boise, ID 83706
Michelle Barrutia	Michelle Barrutia	9651 W. Big Springs Blvd. 83714
DIANNA DECHRISTEFERO	Dianna DeChristefero	3610 N. BOTTLE BRUSH Boise 83713

Address	Signature	Printed Name
551 S. Crystal Springs Ln		Richard Lubbers
12913 N. Town Ridge Rd.		Anne Attiau
5056 W. Hadlock Blvd, ID 83703		Karen Moxham
16295 W. Lakeland Dr. Garden City	Jean Suttell	Terri Suttell
16489 W. Waterview Ct. Boise	Alice Stinson	Alice Stinson
5820 N.Luxbury Pkwy Garden City ID 83714	Carole V. Drake	Carole V. Drake
938 Curtis Dr. Garden City 83714	Kathy Souza	Kathleen Souza
259 W. ORKHAMPTON DR Eagle 83616	Larry Snyder	LARRY SNYDER
3011 N 35th St Boise Id 83703	Janelle Runkle	Janelle Runkle
3032 N 35th St Boise 83703	Resident Anonymous	ALICE LINDBERG

RECEIVED
SEP 10 2014
DEVELOPMENT
SERVICES

July 26, 2014

To Whom It May Concern:

In the fall of 2001 I made application to refinance my home, to lower my payments. However when I went to Washington Mutual Bank to pick up the check, they said they had found a lien on my property. I found that it was put on by the City of Boise when they ran sewer lines on Utahna Rd. where I live. They said it was because I did not connect to said sewer, which I did not have money for, and did not need as I have a perfectly good septic system. My son was living with me at the time as I was not well. Then I received a letter about 1-1/2 years later stating the lien had been rescinded because it was not legal. By then my son had gotten called to the east coast & my refinance application had expired. The bank could not lend the money on my signature alone, as my income was less than \$600 mo. Social security. It was a hardship but I managed to pay off my mortgage (4 yrs. early I might add). I have absolutely no desire to be annexed into a city that would use such tactics to line their pockets at someone else's expense. This seems like coercion to me.

Ann M. Cowher
10332 Utahna Rd.
Boise, ID 83714

Ann M. Cowher

See attached Notary

INDIVIDUAL ACKNOWLEDGMENT

State/Commonwealth of Idaho } ss.
County of Ada }
On this the 8th day of September, 2014, before me,
Sara E. Weekes the undersigned Notary Public,
Name of Notary Public
personally appeared Anna M. Cowher
Name(s) of Signer(s)

- personally known to me – OR –
- proved to me on the basis of satisfactory evidence

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 for the purposes therein stated.

WITNESS my hand and official seal.



Sara E. Weekes
Signature of Notary Public

My Commission Expires
July 17, 2018

Any Other Required Information
(Printed Name of Notary, Expiration Date, etc.)

Place Notary Seal/Stamp Above

OPTIONAL

Not required by law, this information can be useful to those relying on the document and prevent fraud.

Description of Any Attached Document

Title or Type of Document: Personal letter
Document Date: July 26, 2014 Number of Pages: 1
Signer(s) Other Than Named Above: N/A

RIGHT THUMBPRINT OF SIGNER #1	RIGHT THUMBPRINT OF SIGNER #2
Top of thumb here	Top of thumb here

FILE # CAR14-00019

Tami Jo Sims-Judd
7302 Gardner Lane
Boise, Idaho 83714
(208)919-7472

RECEIVED
SEP 10 2014
DEVELOPMENT
SERVICES

August 29, 2014

To Whom It May Concern:

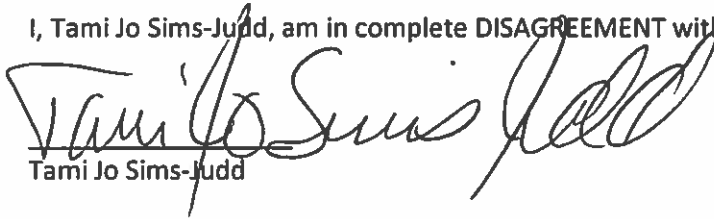
Re: 7302 Gardner Lane
Boise, Idaho 83714

February 12, 1999 my father, William R. Beeler, received a (wrongful) lien upon his property located at 7302 Gardner Lane, Boise, Idaho 83714. This lien was forcing him to hook up to city sewer for the amount of \$5,371.00 – This lien would stay in place with 7.73% interest until he paid for the sewer connection.

During this time period my father, William R. Beeler, passed. My family finally after a long struggle paid the lien in full in the amount of \$8,400.00 on June 23, 2005.

In close: My father was forced in 1999 with threat of lien and now we are left with threat of being zoned Boise City.

I, Tami Jo Sims-Judd, am in complete DISAGREEMENT with this action.



Tami Jo Sims-Judd

File # Car 14-00014

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 07/07/05 02:12 PM
DEPUTY Vicki Allen
RECORDED - REQUEST OF
Boise City

AMOUNT .00 1



SATISFACTION OF LIEN AGREEMENT

KNOW ALL MEN AND WOMEN BY THESE PRESENTS, that the City of Boise City, a municipal corporation of the State of Idaho, does hereby release and discharge a certain Agreement from WILLIAM R. BEELER to Boise City, dated February 12, 1999, securing a promissory note of even date therewith in the amount of \$5,371.00 together with interest thereon at the rate of seven and three quarters percent (7.75%) per annum, at the following address, 7302 GARDENER LANE, and recorded as Instrument No. 99023063 in the office of the Recorder of Ada County, Idaho.

IN WITNESS WHEREOF, the City of Boise City has caused this instrument to be executed and attested by its duly authorized officers this 23 day of June, 2005.

CITY OF BOISE CITY

By [Signature]
JON WILLIAMS
PUBLIC WORKS REVENUE OFFICER

ATTEST:

[Signature]
ANNETTE P. MOONEY
CITY CLERK



STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this 28th day of June, 2005, before me, the undersigned, JON WILLIAMS and ANNETTE MOONEY, Public Works Revenue Office and City Clerk respectively of BOISE CITY, a municipal corporation, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same for and on behalf of said corporation.

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



[Signature]
Notary Public for Idaho
Residing at Boise, Idaho
Commission Expires 6-17-09

CSP 753.6.4

Dear City Council Members:

I assume State Law makes it possible for a City to annex property without the approval of the owners of such property. I notice that you have excluded some small areas from your annexation proposal so I assume such exclusion is possible. I do not know the basis for exclusion so my only option is to appeal to you to exclude my small area on Misty Cove Ave from your annexation.

I am 84 and purchased my home 14 years ago because I wanted to locate in the County. I love it here. I may not live much longer but I do not want to be in the City. I do not want to pay taxes to the City. I understand your need to take in more territory, but PLEASE do not take mine.

Sincerely,

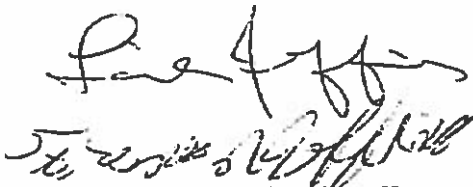
Donald M. Oliason
N. 6696 N. Misty Cove Ave.

September 5, 2014

To Whom It May Concern:

Re: Annexation Proposal – File No. CAR14-14

This is in regards to Boise City's plan to annex our area into Boise City limits. According to Idaho Code, if 50% of property owners hook up to city sewer/water, they are considered to agree to the annexation. However, in 2000 liens were placed on the properties of the proposed annexation area and the only way to remove the liens was for property owners to hook into the new sewer system, even though the sewer system wasn't even usable until a year later. The liens prevented property owners from obtaining building permits or even to sell their property until the liens were satisfied by hooking into the system. The liens were later dropped in 2003, we assume because they were illegal liens. However, how many of those people that were coerced into hooking into the sewer system have either moved or are deceased, and are the current owners of those properties now considered to be part of the 50%? Our property, 10402 Maymie Rd., had a lien placed on it, unbeknownst to us, for the sewer system in 2000 and it was removed in 2003. We didn't learn of the lien until we checked with the Title Company this week and received copies of the lien while doing research to contest the annexation.



Francis R. and Laila Jeffries

104052 Maymie Rd., Boise, ID 83714

208-853-3225

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE CITY
2005

2000 FEB 17 AM 10:35

RECORDED - REQUEST OF

FEE *note* DEPUTY *W. O'Keefe*

100012132

**NOTICE OF LIEN PENDING
NOTICE BY CITY OF BOISE OF REQUIREMENT TO CONNECT
TO THE PUBLIC SEWER UPON SALE OF PROPERTY
LOCATED AT 10402 MAYMIE ROAD**

FRANCIS R. & LAILA JEFFRIES, OWNER(S) OF RECORD

NOTICE IS HEREBY GIVEN BY THE CITY OF BOISE that pursuant to Boise City Code 8-11-4, payment of sewer connection charges and connection to the sewer shall be required upon sale of the property described as follows:

LOT 3, BLOCK 3, RANDALL ACRES SUBDIVISION #9

Section 8-11-4 provides, in part, as follows:

- .04 Any building or structure existing at the time sewer becomes available to the property, for which connection fees have not been paid by any person, and for which connection is not required for purposes of protecting the public health, shall not be required to be connected to the Boise City Sewer system until the building or structure is sold. At the time of the closing on the sale of the building or structure, all connection fees due under the provisions of this Chapter shall become due and payable to the City, and connection to the sewer system shall be made within nine (9) months thereafter.

Section 8-11-09.02 provides, in part, as follows:

The Public Works Department may waive the connection requirements of subsections 8-11-04.03 and .04 if the public health does not require immediate connection and the Department finds any of the following:

- A. That within five (5) years prior to the date upon which connection fees are due the individual wastewater disposal system serving the building for which a connection waiver is sought, was installed or rebuilt in accordance with a permit issued by the Central District Health Department. If the individual wastewater disposal system was installed three (3) years or less from the date sewer connection fees are due, a waiver may be granted for a period not to exceed five (5) years from the date of installation. If the individual wastewater disposal system was installed more than three (3) years from the date sewer connection fees are due, a waiver may be granted for a period of up to two (2) years from the date such waiver is sought.

- B. That the single family dwelling for which a connection waiver is sought is located on a parcel of land five (5) acres or more in size;
- C. That the owner of a building is experiencing financial hardship. Financial hardship shall be deemed to exist when an owner's annual family gross income is at or below the income level indicated for a family of similar size on the current "Moderate Income Guidelines" chart employed by the City in the administration of the Community Development Block Grant Program, and shall be verified by the previous year's Federal tax return. However, this exception does not waive the requirement that the property be connected to sewer (and all connection fees paid) upon sale of the property; or
- D. That the owner of the property has prepaid connection fees prior to sewer being available in accordance with subsection 8-11-06.03(G). This exception does not waive the requirement for the property to be connected to sewer upon sale of the property.

Application for the waiver must be made by a building owner, prior to the date connection fees are due, in accordance with the waiver procedures set forth in subsection 8-11-09.04 of this Ordinance.

Upon receipt of an application, the Department shall review it and make a decision thereon within thirty (30) days. The decision of the Department granting or denying a waiver and the Department's findings therefore shall be in writing. The decision of the Department may be appealed to the Public Works Commission. Notice of appeal shall be filed with the Public Works Department within fifteen (15) days of the Department's written decision granting or denying the waiver request. The notice should state with specificity the basis of the appeal.

FAILURE TO COMPLY with Section 8-11-4 upon sale of the property herein specified may subject the purchaser or the seller of the property to the penalties provided in Chapter 11 of Title 8 of the Boise City Code or such other remedies at law or in equity as may be available to the City of Boise to enforce compliance therewith.

CSP 753

CERTIFICATE OF RECORDING OFFICER

STATE OF IDAHO)
)ss.
COUNTY OF ADA)

I, **ANNETTE P. MOONEY**, City Clerk of Boise City, Ada County, Idaho do hereby certify that the foregoing is an official document required pursuant to Boise City Code 8-11-1.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of Boise City this 14 day of February, ~~1999~~ 2000

Annette P. Mooney
ANNETTE P. MOONEY, CITY CLERK



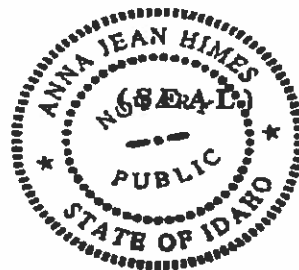
STATE OF IDAHO)
)ss.
COUNTY OF ADA)

On this 16 day of February, ~~1999~~ 2000 before me, a notary public in and for said State, **ANNETTE P. MOONEY**, known to me to be the City Clerk of **BOISE CITY, IDAHO**, who executed the within instrument, and acknowledged to me that Boise City executed the same.

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

Anna Jean Himes
NOTARY PUBLIC FOR IDAHO

RESIDING AT Boise, IDAHO
MY COMMISSION EXPIRES: 6-17-03



DUEONLGLNTC

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 08/20/03 04:06 PM
DEPUTY Bonnie Oberbillig
RECORDED - REQUEST OF
Boise City
AMOUNT .00

1



**RESCISSION OF LIEN PENDING
BOISE CITY REQUIREMENT TO CONNECT TO THE
PUBLIC SEWER UPON SALE OF PROPERTY LOCATED
AT 10402 MAYMIE ROAD**

FRANCIS R. & LAILA JEFFRIES, OWNER(S) OF RECORD

NOTICE IS HEREBY GIVEN BY THE CITY OF BOISE that pursuant to Boise City Code 8-11-4, payment of the sewer connection charges and connection to the sewer, is not currently required for the property described as follows:

LOT 3, BLOCK 3, RANDALL ACRES SUBDIVISION #9

The above-described property is in compliance with Section 8-11-4.04, Boise City Code, and the requirements outlined in the NOTICE BY CITY OF BOISE REQUIREMENT TO CONNECT TO THE PUBLIC SEWER, dated February 17, 2000 and recorded on February 17, 2000, as Instrument No. 100012132, in the office of the Recorder of Ada County, Idaho, are hereby rescinded.

CERTIFICATE OF RECORDING OFFICER

STATE OF IDAHO)
) ss.
County of Ada)

I, ANNETTE P. MOONEY, City Clerk of Boise City, Ada County, Idaho, do hereby certify that the foregoing is an official document required pursuant to Boise City Code 8-11-4.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of Boise City, this 15th day of AUGUST, 2003.

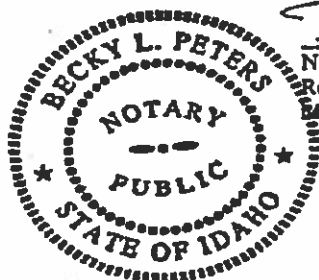
[Signature]
ANNETTE P. MOONEY
CITY CLERK



STATE OF IDAHO)
) ss.
County of Ada)

On this 15th day of AUGUST, 2003 before me, a notary public, ANNETTE P. MOONEY, known to me to be the City Clerk of BOISE CITY, IDAHO, who executed the foregoing instrument, acknowledged to me that Boise City Executed the same.

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



[Signature]
NOTARY PUBLIC FOR IDAHO
Residing at USA ID
My commission expires: 8/26/07

CSP 753.6.4

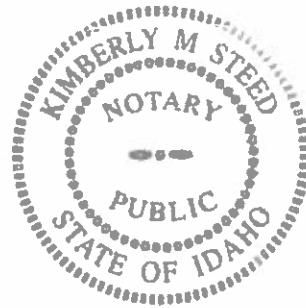
When the city decided to run sewer in my area they sent out letters. The letter stated that the city was running sewer lines now and water would be coming soon so they wanted to run that line at the same time and we were all going to be hooked up. The letter stated that as soon as the whole process was done we could not use our septic and when the water started we had to stop using our well. They also gave the pay schedule that we needed to pay which was in the Thousands. It also said that if we needed to make payments then call a number and they could arrange a loan with a payment plan. This letter gave us no choice.

I was so upset for many reasons so I called the number and told them I would not be forced to hook up. I was asked to call back in a few days which I did and then at that time was told I was going to be grandfathered in so I didn't need to hook up now but if my well or septic broke down and needed repair I could not repair it and would have to hook up to the city sewer and water. The cost would be a little more than if I connected now. Also if I sold my home it will have to be hooked up by the new people.

As of now water is not available for us so if my well breaks down I can not repair it and I can not hook up to Boise water (according to the city's explanation). Then a second letter came out that said we could hook up or we would be grandfathered in. Not like the first letter that said we had to hook up, no other option.

I am a single woman that makes enough to live but can not have a large bill like 10,000 forced on me. This would put me in a hardship situation and I don't want to be put into that situation so close to retirement age. Another issue I have is, I was on United water, my family and neighbors had medical issues. I looked for property that had a well. I want the choice, not to be forced. I, like most of my neighbors choose to live out here to be able to live the way we want.

Patty Sweet
9814 Utahna
Garden City, Id 83714
July 28, 2014



Kimberly Steed
exp 03/20/20
Ada County

copy of that document that city was requiring property owners to sign before they could develop their own properties. And if signed this said you wanted to be annexed. Item #5

A

MEMORANDUM OF AGREEMENT

This Agreement entered into this _____ day of _____, 1991, by and between _____, an property owner, hereinafter referred to as _____, and BOISE CITY, a municipal corporation, hereinafter referred to as the "CITY";

WHEREAS, _____ is the owner of certain real estate located at _____, County of Ada, Idaho, and described as follows:

WHEREAS, the CITY intends to serve the above described property with wet-line sewers to be installed and connected to the Boise Metropolitan Sewage Treatment Facilities; and

WHEREAS, the pertinent provisions of the Policy Plan for the Boise Metropolitan Area require that after January 1, 1979, all new development at densities requiring sewers within the Urban Service Planning Area will be on wet-line sewers; and

WHEREAS, the above described property owned by _____ is located within the Urban Service Planning Area and _____ intends to develop same at densities requiring sewers in accordance with the Policy Plan for Boise Metropolitan Area; and

WHEREAS, _____ desires to commence construction prior to such time as wet-line sewers will be available to the subject property, which construction may be permitted under certain exceptions to the CITY's Policy Plan for the Boise Metropolitan

SCANNED

Area provided certain stipulated conditions are met;

NOW, THEREFORE, in consideration of mutual covenants and consideration hereinafter contained, the parties agree as follows:

1. shall be allowed to construct a single family residence on their property located at _____, County of Ada, State of Idaho, prior to the availability of wet-line sewers to be installed to the premises, and in accordance with certain exceptions to goal C-4 of the Policy Plan for the Boise Metropolitan Area provided that _____ complies with certain exceptions enumerated below, and subject to compliance with any and all planning, zoning, building, and design restrictions imposed upon the premises and contemplated construction by the CITY.
2. understands and agrees that the building plans submitted, or to be submitted, for the improvements on the above described property shall be a single family residence, and also understands that wet-line sewers are not available to the premises, and that alternative methods available for disposing of sewage effluent shall be approved by Central District Health Department.
3. agrees to connect the proposed structure and existing and future facilities on the above described property to the CITY's wet-line sewers as soon as such sewer trunk lines are installed by the CITY to within the immediate vicinity of the above described property and

- abandon the use of the on-site sewage disposal system.
4. shall pay all normal and usual costs associated with assessment and connection to the CITY's sewer lines at such time as sewer becomes available.
 5. The execution of the Agreement by shall be deemed and construed as a request for annexation of their property herein legally described to the corporate limits of Boise City.
 6. makes the Agreement, not only on their own behalf, but on behalf of any successor entities which may acquire an interest in the property and proposed facilities, and in that extent, the Agreement shall be binding upon the heirs, assigns and successors, and obligations shall extend to the real property involved and shall be appurtenant thereto.
 7. Upon its completion, this Agreement shall be recorded at the Ada County Recorder's Office, against the property herein legally described.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed by its duly authorized officers the day and year first above written.

BOISE CITY

PUBLIC WORKS ADMINISTRATIVE DEPARTMENT

ATTEST:


ANNETTE MOONEY
CITY CLERK