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**MIDDLETON CITY COUNCIL  
MARCH 16, 2022**

The Middleton City Council meeting on March 16, 2022, was called-to-order at 5:34 p.m. by Mayor Steven Rule.

**Roll Call:** Council President Kiser, Council Members Murray, Huggins, and O'Meara were present. City Attorney Douglas Waterman, City Administrator Becky Crofts, Deputy Clerk Dawn Goodwin, City Planning Staff Roberta Stewart were present.

Pledge of Allegiance, Invocation: Jo Ellen Ringer

**Action Items**

**A. Approve Agenda**

**Motion:** Motion by Council President Kiser to approve the agenda as posted March 11, 2022, at 4:30 p.m. Motion seconded by Council Member Huggins and approved unanimously.

**Information Items:**

Presentation by Lisa Marie regarding mandatory alert for missing children.

Lisa Marie was absent from the meeting and did not present to the Council and those in attendance.

**Workshop:**

Zoning Concepts – City Staff

Mayor Rule called the item at 5:45 p.m. Planning Official Roberta Stewart presented **Exhibit A** to council and community members in attendance. A brief council and staff discussion followed. Mayor Rule closed the workshop at 6:13 p.m.

**Action Items:**

1. Consent Agenda (items of routine administrative business)
  - a. Consider approving minutes for City Council March 2, 2022, regular meeting.
  - b. Consider ratifying payroll for March 11, 2022, in the amount of \$88,884.50.
  - c. Consider approving accounts payable thru March 11, 2022, in the amount of \$463,423.71.

Mayor Rule called the items. Council President Kiser stated he had gone through the accounts payable, and nothing had changed since the check registers had been uploaded to the council drobox. Council Member O'Meara noted that there was a typo in the minutes under Mike Graefe's comment the word should be reservoirs.

**Motion:** Motion by Council President Kiser to approve Consent Agenda Items 1 a-c. Motion seconded by Council Member O'Meara and approved unanimously.

2. Consider approving a special use permit for Greater Middleton Parks and Recreation District for the 2022 Parks and Recreation event schedule. **(Exhibit B)**

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Mayor Rule called the item and Julie Collette with Greater Middleton Parks and Recreation District explained that the district was asking the council to waive the fee associated with the special use permit with the city.

**Motion:** Motion by Council President Kiser to approve a special use permit for Greater Middleton Parks and Recreation District for the 2022 Parks and Recreation event schedule and to waive the associated fees. Motion seconded by Council Member Huggins and approved unanimously. Council Member O'Meara abstained from voting.

3. Consider approving a scope of work from T-O Engineers for the update of the wastewater plant's declining balance memorandum and provide an EDU-based estimate of available treatment capacity in an amount not to exceed \$6,500. – Jason VanGilder **(Exhibit C)**

Mayor Rule called the item. Kasey Ketterling with T-O Engineers explained that a declining balance showed DEQ how many more homes an entity could add to their existing wastewater treatment plant. He went on to further explain that the work being presented before council would allow T-O Engineers to show that Middleton actually has more plant capacity than what the current DEQ draft permit is representing.

**Motion:** Motion by Council President Kiser to approve a scope of work from T-O Engineers for the update of the wastewater plant's declining balance memorandum and provide an EDU-based estimate of available treatment capacity in an amount not to exceed \$6,500. Motion was seconded by Council Member O'Meara and approved unanimously.

4. Consider approving Task Order No. 1 between the City of Middleton and HDR Engineering, for the Piccadilly Splash Pad Evaluation in an amount not to exceed \$5,000.00. – Jason VanGilder **(Exhibit D)**

Mayor Rule called the item and explained that this scope of work was to take precautions to make sure that the water that has been touching patrons of the splash pad, wasn't getting recirculated back into the water being used to irrigate the lawn at the park preventing cross contamination.

**Motion:** Motion by Council President Kiser to approve Task Order No. 1 between the City of Middleton and HDR Engineering, for the Piccadilly Splash Pad Evaluation in an amount not to exceed \$5,000.00. Motion was seconded by Council Member O'Meara and approved unanimously.

5. Consider approving Task Order No. 2 between the City of Middleton and HDR Engineering, for City Water Rights Consulting in an amount not to exceed \$6,900.00. – Jason Van Gilder **(Exhibit E)**

Mayor Rule called the item. City Administrator Becky Crofts explained that the task order before council was to discover the city water rights at Middleton Place Park so that the city can start irrigating the park off the water rights instead of off well 6. This discovery will also investigate water rights at Roadside and Davis parks as well.



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**Motion:** Motion by Council President Kiser to approve Task Order No. 2 between the City of Middleton and HDR Engineering, for City Water Rights Consulting in an amount not to exceed \$6,900.00. Motion was seconded by Council Member O'Meara and approved unanimously.

6. Consider approving Task Order No. 3 between the City of Middleton and HDR Engineering, for the Perfect & Finalize Permit 63-32388 in an amount not to exceed \$9,000.00 – Jason VanGilder (**Exhibit F**)

Mayor Rule called the item. City Administrator Becky Crofts explained that the task order before council was to perfect the water rights at well number 9 located at the Crossing subdivision and well number 10 located by Rule Steele. The work referenced in the task order establishes and certifies the two wells for continuation of use.

**Motion:** Motion by Council President Kiser to Task Order No. 3 between the City of Middleton and HDR Engineering, for the Perfect & Finalize Permit 63-32388 in an amount not to exceed \$9,000.00. Motion was seconded by Council Member Huggins and approved unanimously.

Mayor Rule called for a break at 6:41 p.m. and brought the council back into session at 6:46 p.m.

**Public Comments, Mayor and Council Comments:**


- Janet Gibson – 945 Harvest – Middleton – Mrs. Gibson thanked the council for including the public in the discussion of zoning within the city and asked that the city look at the compressive plan at the same time they are looking at potential zoning changes. Mrs. Gibson also asked that when a public hearing notice is put up if the city can use the QR code along with a date, time, and location on the posting signage.
- Jim Taylor – 1052 Triumph Dr – Middleton – Mr. Taylor expressed that if the council cannot take care of the citizens best interests by enacting certain changes within the city, then they changes should not be made. It is the council's responsibility to protect the citizens.
- Mike Graffe—1889 Ridgeway, Middleton - Mr. Graffe stated that the open house with the residents regarding the zoning within the city is a wonderful idea. Mr. Graffe wanted the council to know that development cannot be stopped but that the development needs to be done in a smart way.
- Todd Ognibene – 1973 Scotch Pine – Middleton – Mr. Ognibene stated that during the open house for zoning it would be nice if the city could define what affordable housing withing Middleton was. He also wanted to note that on an average day to get from Middleton Rd to I-84 it takes a commuter 22 minutes noting that this congestion should be taken into consideration for any future zoning changes that may add to higher density within the city.
- Mike McDoughal – 1307 Green Ln – Middleton – Mr. McDoughal wanted to thank the council for giving the community an opportunity to participate in an open house for zoning. He went on to state that he appreciated the planning staffs report on density and zoning regarding surrounding cities.
- Council Member Huggins – stated that she has no set direction on which way the city code in regard to zoning needed to go at this time, but she is excited to see for information.

- 
- Council Member Murray – would like to see if there could be work between the city and the school district regarding helping with traffic concerns that develop from drop offs and pickups.
  - Council Member O'Meara— stated that it would be nice if a partnership could develop with the school district to encourage students to use the walking paths in the city to help ease traffic concerns related to student drop off and pick up.
  - City Administrator Becky Crofts – Mrs. Crofts presented pictures (**Exhibit G**) of city projects and gave updates to the council regarding the Harley Sewer Line, the tree cutting on Boise St and the Reuse Building located at the sewer treatment plant. Mrs. Crofts also stated that the city was in the process of completing a rate study for both the sewer and water within the city due to a RCAC grant that the city had secured. The results of the rate study results should be seen at the city within 6-8 weeks.
  - Mayor Rule – Mayor Rule that the city has NeuriLink coming in to prepare a quote on Friday for allowing the city to live stream city council meetings. Mayor informed council that Planning and Zoning Commissioner Tim Hokstra had resigned this week due to a new job opportunity and that a new appointment for the commission would be before council at the next meeting. Mayor Rule concluded his comments with an update pertaining to H.B 635 which would allow unbridled annexation within counties and cities. Mayor Rule stated that in a 5-4 vote earlier in the day, the bill would be tabled until the 2023 legislation session in big part to Senator Lakey.

**Adjourn:** Mayor adjourned the city council meeting at 7:19 PM.

ATTEST:

  
Dawn Goodwin, Deputy Clerk  
Minutes Approved: April 6, 2022

  
Steven J. Rule, Mayor



# **EXHIBIT “A”**



[illegible]

1

### STAR ZONING

- Up to 11 single family units per acre.
- No minimum lot size. Just needs to be sufficient to accommodate setbacks.
- Street frontage or width for all zones is a minimum of 35'.

| Zoning District | Description of District   | Lot Area | Lot Width | Street Frontage |
|-----------------|---------------------------|----------|-----------|-----------------|
| Star            | Single-Family Residential | None     | 35'       | 35'             |
| Other Districts | ...                       | ...      | ...       | ...             |

2

### NAMPA ZONING

- Minimum lot size 3200
- Highest density 7.3
- Minimum Frontage 30'

### CALDWELL ZONING

- Minimum lot size 5000 of
- No density maximum
- Minimum Frontage 40'

**No Density Minimums or Maximums**


3

WHAT IS THE EFFECT OF MIDDLETON'S R-3 GROSS DENSITY?

Some argue that 3 lots per "gross" acre and 8000 s.f. lots can result in lots that have overly high density in portions of a single plat. However, history proves that our zoning results in a uniform design and uniform spread of lots across the project site. Additionally, As a project increases in size, Developer gets less density than actually allowed by the code.



Carlton Meadows South

- 8 acres
- Entitled to 24 home lots
- Obtained 24 home lots



Artesian Springs


- 13.5 acres
- Entitled to 40.5 home lots
- Obtained 40 home lots



4


**The Mill at Middleton**


- 16.7 acres
- Entitled to 50 home lots
- Obtained 50 home lots



**Willow Wood Estates**

- 20.8 acres
- Entitled to 82 home lots
- Obtained 82 home lots





5

### Sterling Lakes

- 51.5 acres
- Entitled to 134 home lots
- Obtained 118 home lots

### Pleasant Heights

- 64 acres
- Entitled to 162 home lots
- Obtained 151 home lots

6



**Waterford Subdivision**

- 88 acres
- Entitled to 298 home lots
- Obtained 200 home lots



**Waverly Park**

- 197.5 acres
- Entitled to 472 home lots
- Obtained 417 home lots



7

**RURAL BEDROOM COMMUNITY**

**Good Characteristics:**

1. Large estate lots.
2. Rural and spacious.
3. Less traffic.
4. Homes keep their value more.
5. Less pressure on public services like school, police & fire.

**Bad Characteristics:**

1. No healthy commercial growth.
2. Must travel to other towns for work, shopping & entertainment.
3. Property taxes are higher because there are fewer people to pay for services required.
4. Grown children cannot live near retired parents.
5. Slows growth and gives neighboring towns an opportunity to encroach on the community with their own plans and ideas.
6. Favors retirees from coastal states with cash for large down payments.
7. Creates large gap in residential type. Million dollar homes can be situated next to old single-wide trailers and not much variety in between. Only the "rich" and "poor" can live in the town.


**SELF-SUSTAINING TOWN**

**Good Characteristics:**

1. Large & healthy commercial corridor.
2. Housing is more affordable because of higher density.
3. Lower utility bills and taxes.
4. Workforce can live where they work.
5. Grown children can live near adult parents.
6. Someone can afford a house in the town and not just transplants from the expensive coastal states.

**Bad Characteristics:**

1. More traffic and congestion.
2. Added pressure on schools & public services like police and fire.
3. Home values diminish when high-density & multi-family are added to the mix.
4. Potential increase in crime.
5. Disorient change and loss of small-town feel.
6. Loss of farm and rural characteristics.



8

# **EXHIBIT “B”**





# CITY OF MIDDLETON

P O Box 487, MIDDLETON, ID 83644  
208-585-3133, 208-585-9601 Fax

[WWW.MIDDLETONIDAHO.US](http://WWW.MIDDLETONIDAHO.US)

## ADMINISTRATION

### SPECIAL COMMUNITY EVENTS

#### APPLICATION/AGREEMENT/PERMIT

REV 8/17

Date: 3-11-2022

Middleton City Code Section 3-2 Special Events.

#### I. General Information:

Event Name: 2022 Event Schedule @ GMPPD Parks

Event Dates(s) / Time(s): April 2022 thru October 2022

Event Location: Footie Park, Hawthorne Park, etc.

#### II. Applicant / Sponsoring Organization Information:

Applicant Name: Julie Collette

Sponsoring organization Name: Greater Middleton Parks + Rec District

Are you a non-profit corporation? Yes ☒ no ☐ , if yes, 501c(3) ☐ or 501c(6) ☐ (gov't entity)

Address: 310 N. Hawthorne Ave.

City: Middleton State ID Zip: 83644

Phone: 208-585-3461 ; Cell Phone: 208-404-3350

Fax: 208-585-6198 ; Email: gmprdjulie@gmail.com

On-Site/Emergency Contact Name: Tim O'Meara

Address: 501 N. Dewey

City: Middleton State ID Zip: 83644

Cell Phone: 208-850-1869 ; Email: gmprdtim@gmail.com

III. Brief Description and Purpose of Event: See waived requested.

(\*) See attached event list

And all similar activities, as planned during 2022,  
for future events. A 30 day notice to the  
City of Middleton will be given by GMPPD.



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## ADMINISTRATION

### SPECIAL COMMUNITY EVENTS APPLICATION/AGREEMENT/PERMIT

REV 8/17

#### IV. Street Closure Request:

List any street(s) or lanes of streets requiring temporary street closure for the event. Include street name(s) indicating beginning and end points of the closing, date and time of closing and reopening:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

No permanent alteration to the street will be permitted.

Note: Permit from Idaho Transportation Department or Canyon County Highway District #4 may be required, depending on location.

**V. Site Plan.** A Site Plan must be attached that identifies the following, if applicable:

1. An outline of the entire event venue including the names of streets or areas that are part of the venue. If the event involves a moving route such as a parade, indicate the direction of travel and all streets or lane closures.
2. Location of any fencing, barriers and/or barricades. Must be removable for emergency access.
3. Location and identification of all temporary structures, portable toilets, booths, trash containers/dumpsters, cooking areas, identification of location of all vendor cooking with flammable gases or barbeque grills, waste grease containers, gray water containers, hand washing stations, etc.
4. Location of first aid facilities and ambulances.
5. Parking, placement of vehicles and/or trailers.
6. Location of generators and/or sources of electricity.
7. Exit locations for OUTDOOR events within fencing, tents, other temporary structures.
8. Firework launch location.

#### Information:

- I. Does the event involve the sale or use of alcoholic beverages? Yes ☒ No ☐ (some events)  
If yes, an Alcohol Beverage Permit may be required.
- II. Does the event involve the sale or distribution of food? Yes ☒ No ☐  
If yes, a Temporary Food Establishment Permit (South West District Health Department (208) 455-5300) and a vendor permit (City of Middleton) may be required, with copy to the City.
- III. Does the event involve the sale of non-food items? Yes ☒ No ☐
- IV. Will there be entertainment at the event? Yes ☒ No ☐  
If yes, please provide the following information:  
Dance component/open floor: MHS Dance Team  
Live or recorded music: Guitar / Bands / Singer / DJ  
Amplification: \_\_\_\_\_  
Start and end time of entertainment: See attached list  
Refer to Middleton City Code Section Noise.
- V. ADDRESS: If the event is located within a building, name of building, address, owner name:  
\_\_\_\_\_  
\_\_\_\_\_
- VI. TEMPORARY STRUCTURES.  
Will there be any temporary structures on the event site? Yes ☐ No ☒





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REV 8/17

Number of stages: \_\_\_\_\_ Size of stage(s): varies - per event

Number of Tents: \_\_\_\_\_ Size of tent(s): varies - per event

Inspection of temporary structures may be required and applicant is obligated to pay any inspection fee. Inspection / permit may be required for a tent by the Middleton Rural Fire District.

VII. Does the event involve use of fireworks, rockets, pyrotechnics? Yes ☒ No ☐ 4th of July  
Where and when?

Inspection / permit by Middleton Rural Fire District may be required.

VIII. Will portable toilets for the public be provided? Yes ☒ No ☐.

IX. Will electrical hookup for the event be required? Yes ☒ No ☐.

Electrical inspection / permit may be required.

X. Will a generator(s) be used? Yes ☒ No ☐.

XI. Will access to water be required for the event? Yes ☒ No ☐.

XII. Will signs and/or banners be displayed as part of the event? Yes ☒ No ☐.

A sign permit may be needed from the City of Middleton.

XIII. Will this event be marketed, promoted, or advertised? Yes ☒ No ☐.

XIV. Will there be live media coverage of the event? Yes ☐ No ☒.

#### XV. PARKING:

How will parking be accommodated for this event for all patrons, vendors, service providers, and event staff?

Parking lots @ the parks

#### XVI. REFUSE / GARBAGE:

How will garbage be contained and removed during and after the event?

BMPPD will provide cans/dumpsters, etc.

Applicant will be responsible for the costs (time and material) any any rubbish or garbage removal by Public Works or City staff.

XVII. NOTIFICATION. Applicant may be required to notify property owners affected by the event before a special events permit will be issued.

XVIII. SECURITY. Applicant may be responsible for hiring and paying off-duty law enforcement officers, or reimbursing the City for costs of providing on-duty law enforcement officers, for necessary policing.



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## ADMINISTRATION

### SPECIAL COMMUNITY EVENTS APPLICATION/AGREEMENT/PERMIT

REV 8/17

#### XIX. INSURANCE, FEE.

Pursuant to Middleton City Code Section 3-2-2 (E), all applicants shall submit, with the application, and maintain, at least until the conclusion of the special event, a comprehensive general liability insurance policy in the amount of one million dollars (\$1,000,000.00), with the city of Middleton names as an additional insured, and written by a company authorized to write insurance policies within the state of Idaho, and filed with the Middleton city clerk's office. Applicants must also execute indemnification and hold harmless provisions contained within the application to address potential liabilities and damages to persons and/or property.

FEE: \$160.00 Pursuant to Resolution No. 334-13 Fee Schedule, except as otherwise provided in this chapter, special event applicants, promoters and sponsors whose special events require the use of municipal resources as a result of their anticipated attendance or heightened security concerns shall be required to reimburse the city for expended resources at the hourly rate or salary of city of other personnel involved in the permit processing, event traffic control, or other facility or event support and for the use of city equipment and other non-personnel expense. The city clerk shall require payment of fees and services or a reasonable estimate thereof at the time the completed application is approved, unless the city clerk for good cause extends time for payment. In any event, full cost recovery for resources shall be required no later than ten (10) days following the conclusion of the special event. Any extraordinary resources for which there are additional costs shall be solely dedicated to the special event.

#### XX. INDEMNIFICATION / HOLD HARMLESS AGREEMENT / AGREEMENT FOR LIABILITY AND COSTS.

GMPRO (Applicant / Organization / Permittee) shall indemnify, defend and hold the City of Middleton, its officers, agents and employees harmless from any and all claims, suits, actions, damages and causes of action which the City of Middleton may incur arising out of any personal injury, bodily injury, loss of life or damage to any property, or violation of any relevant federal, state or local law or ordinance, or other cause resulting from the following services, operations, event or use of City property authorized pursuant to this Special Event Permit.

Acceptance of insurance certificates required under this application / permit does not relieve

GMPRO (Applicant / Organization / Permittee) from liability under this application / permit. This application / permit shall apply whether or not such insurance policies have been determined to be applicable to any of such damages or claims for damages.

GMPRO (Applicant / Organization / Permittee) shall reimburse the City of Middleton for all costs and expenses that may be incurred by or on behalf of the Special Event (including but not limited to fees and charges of attorneys and other professionals and court costs incurred by the City of Middleton in enforcing the provisions of this permit.





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## ADMINISTRATION

### SPECIAL COMMUNITY EVENTS

### APPLICATION/AGREEMENT/PERMIT

REV 8/17

Further, as to such damages or claims for damages which arise during the scope of the activities or the use of property covered under this Agreement, Gmpro

(Applicant / Organization / Permittee), at its sole cost and expense, shall defend any and all suits, actions or other legal proceedings that may be brought or instituted by third parties against the City of Middleton, its officers, agents or employees, or any such claim or demand, and shall pay and satisfy any judgment or decree that may be rendered against the City of Middleton, its officers, agents or employees in any such suit, action or other legal proceeding.

All insurance companies shall be required to add the City of Middleton, its officers, agents and employees as additional insured by endorsement under the insurance policy and shall stipulate that this insurance policy will operate as primary insurance under this Agreement and that no other insurance affected by the City of Middleton or other named insured will be called upon to contribute to a loss covered there under. The policy shall contain no special limitations on the scope of protection afforded to the City, its officers, employees or agents unless approved in writing by the City of Middleton.

IN WITNESS WHEREOF, Gmpro (Applicant / Organization Representative/ Permittee) has made and entered into this Agreement with the City of Middleton as of this 16th day of March, 2022.

#### APPLICANT / ORGANIZATION REPRESENTATIVE

Julie Collette  
Signature

Date: 3/16/2022

Julie Collette / District Clerk  
Print name / Organization Name and Representative Title

#### OFFICE USE ONLY

Application Received: \_\_\_\_\_

Fee Received: \_\_\_\_\_

Insurance Certificate Received: \_\_\_\_\_

Application Approved by City Council : \_\_\_\_\_

Application Denied: \_\_\_\_\_

Permit is hereby issued this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
City Clerk

Notes: \_\_\_\_\_



# 2022 GM PARKS & REC. EVENT SCHEDULE

## EASTER EGG HUNT @ FOOTE PARK

APRIL 16 / 10 AM

## ADULT NIGHT GLOW EASTER EGG HUNT @ HAWTHORNE PARK

APRIL 16 / AT DUSK

## NATIONAL LOVE A TREE CELEBRATION @ FOOTE PARK

MAY 13 / 3 PM - 6 PM

## ART IN THE PARK @ FOOTE PARK

JUNE 3 / 10 AM - 8 PM

## MOVIES IN THE PARK @ FOOTE PARK

MAY - AUGUST / AT DUSK

May 20 - Encanto  
June 17 - 101 Dalmatians  
July 15 - Jungle Cruise  
August - Little Giants

## SUMMER CAMPS @ THE COMMUNITY CENTER

JUNE - AUGUST / TBD

## JULY 4TH FIREWORKS @ FOOTE PARK

JULY 4 / AT DUSK

## HARVEST FESTIVAL @ FOOTE PARK

OCTOBER 1 / 1 PM - 6 PM

## RAKE UP MIDDLETON @ GM PARKS & REC OFFICE

NOVEMBER 5 / 10 AM - 4 PM

## SANTA'S WORKSHOP @ THE COMMUNITY CENTER

DECEMBER 10 / 12 PM - 2 PM

Visit [gmprd.org](http://gmprd.org) for class information,  
schedule times and upcoming events.



GM Parks  
and  
Rec Center


Enjoy sports & recreation? We appreciate volunteers!



GM  
PARK & REC  
DISTRICT

GM Parks & Rec.  
Community Center  
113 W Main St  
Middleton, ID 83644  
[gmprd.org](http://gmprd.org)  
(208) 629-5117

# **EXHIBIT “C”**



March 7<sup>th</sup>, 2022

Jason Van Gilder, PE  
Public Works Director  
City of Middleton

## RE: Declining Balance Update and Plant Capacity Analysis

Jason,

Per the onsite meeting with City staff on March 2<sup>nd</sup>, 2022 we have prepared a scope of work to update the wastewater plant's declining balance memorandum and provide an EDU-based estimate of available treatment capacity. The memorandum will be stamped by a licensed engineer in the state of Idaho. We propose the memo include the following items:

- Analysis of winter and summer operational scenarios to determine estimated plant capacity. City collected sampling data from 2016-2021 will be used for this analysis.
- Plant capacity will be presented in terms of EDU's. City provided growth projections will be used.
- Hydraulic capacities of various treatment components identified in the existing masterplan addendum will be presented in this memorandum.
- The hydraulic capacity of the SBR system (decanter and major transfer piping) will also be reviewed.
- The City's current wastewater permit will be used to identify capacity. This includes estimation of the biological system's ability to remove BOD and TSS to comply with permit limits.

Lump Sum Fee:           \$6,500

### Proposed Schedule:

The work outlined above can begin immediately after receipt of notice to proceed or a PO. We propose that a draft of the declining balance memorandum be delivered to the City within 10 business days of notice to proceed.

### Clarifications and Assumptions

- City will review historical population data used to define an EDU's flow rate
- City operations staff will review WWTP operating parameters listed in the addendum and provide feedback on feasibility of operation
- City staff will provide input on I&I influence to the treatment system.
- The existing SBR cycle times will be used in the analysis.
- Scope assumes existing equipment (diffusers, piping, decanter, etc) are in sufficient working order not to impair plant capacity.
- The engineer's reasonable judgement of capacity will be presented with a safety factor to account for loading variation and a range of environmental conditions.
- The City will provide T-O with expected future commercial and industrial wastewater flow and loading for use in the analysis.
- The identified hydraulic capacity of the UV disinfection system in the existing masterplan will be updated to reflect the City's new growth rate.

### Exclusions:

- Additional WWTP component capacities outside of the biological system and those that were presented in the masterplan addendum will not be reviewed.
- DEQ coordination on the memorandum is excluded.
- Onsite meetings are not included in the overall lump sum design fee.



*Labor Hour Estimate*

| Staff            | Hours           |
|------------------|-----------------|
| Project Manager  | 3               |
| Project Engineer | 12              |
| Staff Engineer   | 28              |
| QA/QC Engineer   | 5               |
| <b>Total</b>     | <b>48</b>       |
| <b>Fee</b>       | <b>\$ 6,500</b> |

Please don't hesitate to call if you have any questions or clarifications.

Respectfully,

GRANT MOORE, PE



**T-O ENGINEERS**

1998 W. Judith Lane | Boise, Idaho 83705

☎ 208-433-1900 | ☎ 208-422-7576

[www.to-engineers.com](http://www.to-engineers.com)



# **EXHIBIT “D”**

## **TASK ORDER**

This Task Order pertains to an Agreement by and between the City of Middleton, (“OWNER”), and HDR Engineering, Inc. (“ENGINEER”), dated March 7, 2022, (“the Agreement”). Engineer shall perform services on the project described below as provided herein and in the Agreement. This Task Order shall not be binding until it has been properly signed by both parties. Upon execution, this Task Order shall supplement the Agreement as it pertains to the project described below.

TASK ORDER NUMBER: 1

PROJECT NAME: Piccadilly Splash Pad Evaluation

**PART 1.0 PROJECT DESCRIPTION:**

OWNER seeks ENGINEER evaluation of the Piccadilly splash pad system with regards to functionality and water recycling/re-use opportunities.

**PART 2.0 SCOPE OF SERVICES TO BE PERFORMED BY ENGINEER ON THE PROJECT:**

ENGINEER will conduct a site visit with OWNER staff to evaluate the existing splash pad system. Based on the site visit findings and information provided by the OWNER, ENGINEER will prepare a conceptual memo with options for supply and disposal for the OWNER’s consideration. No design tasks are anticipated with this scope of work.

**PART 3.0 OWNER’S RESPONSIBILITIES:**

- Water system permitting and associated fees
- Water quality sampling or testing

**PART 4.0 PERIODS OF SERVICE:**

We anticipate completing the services described in Part 2.0 above within 4 to 5 weeks of signed task order.

**PART 5.0 ENGINEER’S FEE:**

Not to exceed \$5,000 without OWNER approval.

**PART 6.0 OTHER:**

Any services listed in Part 3.0 above can be provided under separate task order(s) upon request.

This Task Order is executed this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

CITY OF MIDDLETON

"OWNER"

BY: \_\_\_\_\_

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

ADDRESS: 1103 W. Main St.  
Middleton, ID 83644

HDR ENGINEERING, INC.

"ENGINEER"

BY: 

NAME: Kate Eldridge

TITLE: Senior Vice President

ADDRESS: 412 E Parkcenter Blvd, Ste 100  
Boise, ID 83706



# **EXHIBIT “E”**

## **TASK ORDER**

This Task Order pertains to an Agreement by and between City of Middleton, (“OWNER”), and HDR Engineering, Inc. (“ENGINEER”), dated March 7, 2022, (“the Agreement”). Engineer shall perform services on the project described below as provided herein and in the Agreement. This Task Order shall not be binding until it has been properly signed by both parties. Upon execution, this Task Order shall supplement the Agreement as it pertains to the project described below.

TASK ORDER NUMBER: 2

PROJECT NAME: City Water Rights Consulting

PART 1.0 PROJECT DESCRIPTION:

Tasks 1 thru 3 in attached ENGINEER’S proposal dated March 4, 2022.

PART 2.0 SCOPE OF SERVICES TO BE PERFORMED BY ENGINEER ON THE PROJECT:

Tasks 1 thru 3 in attached ENGINEER’S proposal dated March 4, 2022.

PART 3.0 OWNER’S RESPONSIBILITIES:

Tasks 1 thru 3 in attached ENGINEER’S proposal dated March 4, 2022.

PART 4.0 PERIODS OF SERVICE:

Tasks 1 thru 3 in attached ENGINEER’S proposal dated March 4, 2022.

PART 5.0 ENGINEER’S FEE:

Tasks 1 thru 3 in attached ENGINEER’S proposal dated March 4, 2022.  
T&M Budget of \$6,900.

PART 6.0 OTHER:

N/A

This Task Order is executed this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

CITY OF MIDDLETON

"OWNER"

BY: \_\_\_\_\_

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

HDR ENGINEERING, INC.

"ENGINEER"

BY: \_\_\_\_\_

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_



Robert R. Hardgrove, P.E.

Vice President

412 E Parkcenter Blvd, Ste 100  
Boise, ID 83706

March 4, 2022

Jason Van Gilder, PE  
Public Works Director  
City of Middleton  
1103 W Main St  
Middleton, ID 83644  
Sent via email to: [jvangilder@middletoncity.com](mailto:jvangilder@middletoncity.com)

Subject: Proposal - City Water Rights Consulting

Dear Jason,

HDR|SPF is pleased to provide the following scope of work and fee estimate for water right consulting services for the City of Middleton.

## BACKGROUND

We understand the City of Middleton (City) is seeking engineering consulting services for

1. Investigating and evaluating water alternatives for irrigation of Middleton Place Park, Davis Park and Grove Park. We understand the City is currently using water from their municipal system for irrigation of the park lands, which is taxing their municipal system capacity.
2. Determining the City's assessed surface water shares and where they are applicable.
3. Perfecting permit 63-32388. The permit development period for this permit expires July 1, 2022. We understand the water right is fully developed and ready for licensing.

## SCOPE OF WORK

**Task 1 – Investigate, Compile, and Describe Water Rights and Provide Recommendations for Water Right Actions for Middleton Place Park, Davis Park and Grove Park.** HDR |SPF will compile and describe existing water rights appurtenant to the property, including the local irrigation company and/or district water rights and privately-owned water rights.

HDR|SPF will contact the local irrigation association, company, and/or district to confirm the extent of surface water assessed to the property and how the water is delivered. Private water rights data will be obtained from the Idaho Department of Water Resources (IDWR) on-line database. A summary of water rights and recommendations for water right actions will be provided in a memorandum. If no existing water rights are found, or if existing water rights cannot be feasibly used to supply park irrigation water supply, HDR|SPF will proceed with Task 2.

**Task 2 – Prepare Water Right Applications.** Based on the findings and recommendations from Task 1 and in coordination with the City, HDR|SPF will determine non-municipal irrigation supply options for each park. If groundwater from an on-site well is identified as the preferred water supply option, HDR|SPF,

will prepare conceptual designs for the systems, describing well diameter, well depth, pumping rate, anticipated pump horsepower, and well locations. Upon City concurrence of the concepts, HDR|SPF will prepare water right applications proposing development of new ground water and pressurized irrigation systems to serve the park(s) irrigation needs. Applications will be provided to the City for review and signature, then will be submitted to IDWR on the City's behalf.

**Task 3 – Evaluation of City's Assessed Surface Water Shares.** HDR|SPF will research existing surface water rights currently assessed to City property by a local irrigation district and/or company and provide a summary of the research findings, including copies of the share certificates (if available) and GIS mapping indicating where each share certificate is applicable.

**Task 4 – Perfect and Finalize Permit 63-32388.** Permit 63-32388 authorizes development of 5.0 cfs of ground water for municipal uses from up to 7 wells. The permit development period for this permit expires July 1, 2022. We understand development of this permit is now complete. The next and final step of the water right process is having the permit verified by a certified water right's examiner such as HDR|SPF. Prior to the July 1, 2022 deadline, HDR|SPF will conduct a licensing field examination that will involve a site visit, photographs, and measurements to verify development, associated GIS mapping and preparation of a *Proof of Beneficial Use* notice and *Beneficial Use Field Exam* report to be submitted to IDWR for review and final licensing. At a minimum, we anticipate that the field exam will present documentation of new well facilities constructed (Wells 9 and 10) under the permit. The report will include the required municipal flow rate/volume data diverted from the wells during the permit development period (assuming available) and how the amounts developed and recommended for licensing provide an additional increment of beneficial use to the City's municipal water system. In particular, data regarding peak day use from all City municipal well facilities during the permit development period will be needed.

#### **SCOPE OF WORK - NOT INCLUDED IN PROPOSAL**

These items are not currently included under this scope. Additional services may be added to future task orders.

- Water quality sampling or well testing
- Surveying
- Water/pumping system designs
- Water right application processing fees
- Additional analysis that may be requested by IDWR
- Consulting services associated with protest resolution

#### **SCHEDULE**

We anticipate completing the above tasks approximately 90 days following notice to proceed. This estimate is provided based on current workload obligations and conditions as of the date of this proposal.



## FEE ESTIMATE

HDR|SPF proposes to perform the scope of work described above on a time and materials basis. Estimated costs for individual tasks are summarized in Table 1 below. Direct costs (photocopy, postage, subcontractors, etc.) are billed at actual cost plus 15%. Invoices will be sent monthly.

Table 1. Estimated Costs by Task

| Task  | Fee                 |
|---|---------------------|
| Task 1 – Investigate Park Water Rights      | \$ 1,200            |
| Task 2 – Prepare Applications               | \$ 4,000            |
| Task 3 – Assessed Surface Water Summary     | \$ 1,700            |
| <del>Task 4 – Perfect Permit 63-32388</del> | <del>\$ 9,000</del> |
| TOTAL FEE                                   | \$ 15,900           |

## AGREEMENT

If this proposal meets with your approval, please sign the attached task order document. This signature will be considered as a notice to proceed with a budget of ~~\$15,900~~ **\$6,900**.

Please return a signed copy of the task order to our office. We look forward to working with you on this project.

Respectfully submitted,

**HDR|SPF**

By Terry M. Scanlan

Terry Scanlan, P.E., P.G.  
Principal Engineer

By Robert Hardgrove

Robert Hardgrove, P.E.  
Vice President

# **EXHIBIT “F”**

## **TASK ORDER**

This Task Order pertains to an Agreement by and between City of Middleton, (“OWNER”), and HDR Engineering, Inc. (“ENGINEER”), dated March 7, 2022, (“the Agreement”). Engineer shall perform services on the project described below as provided herein and in the Agreement. This Task Order shall not be binding until it has been properly signed by both parties. Upon execution, this Task Order shall supplement the Agreement as it pertains to the project described below.

TASK ORDER NUMBER: **3**

PROJECT NAME: Perfect & Finalize Permit 63-32388

**PART 1.0 PROJECT DESCRIPTION:**

Task 4 in attached ENGINEER’S proposal dated March 4, 2022.

**PART 2.0 SCOPE OF SERVICES TO BE PERFORMED BY ENGINEER ON THE PROJECT:**

Task 4 in attached ENGINEER’S proposal dated March 4, 2022.

**PART 3.0 OWNER’S RESPONSIBILITIES:**

Task 4 in attached ENGINEER’S proposal dated March 4, 2022.

**PART 4.0 PERIODS OF SERVICE:**

Task 4 in attached ENGINEER’S proposal dated March 4, 2022.

**PART 5.0 ENGINEER’S FEE:**

Task 4 in attached ENGINEER’S proposal dated March 4, 2022. T&M budget of \$9,000.

**PART 6.0 OTHER:**

N/A

This Task Order is executed this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

CITY OF MIDDLETON

“OWNER”

BY: \_\_\_\_\_

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

HDR ENGINEERING, INC.

“ENGINEER”

BY: \_\_\_\_\_

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_



Robert R. Hardgrove

Vice President

412 E Parkcenter Blvd, Ste 100  
Boise, ID 83706

March 4, 2022

Jason Van Gilder, PE  
Public Works Director  
City of Middleton  
1103 W Main St  
Middleton, ID 83644  
Sent via email to: [jvangilder@middletoncity.com](mailto:jvangilder@middletoncity.com)

Subject: Proposal - City Water Rights Consulting

Dear Jason,

HDR|SPF is pleased to provide the following scope of work and fee estimate for water right consulting services for the City of Middleton.

## BACKGROUND

We understand the City of Middleton (City) is seeking engineering consulting services for

1. Investigating and evaluating water alternatives for irrigation of Middleton Place Park, Davis Park and Grove Park. We understand the City is currently using water from their municipal system for irrigation of the park lands, which is taxing their municipal system capacity.
2. Determining the City's assessed surface water shares and where they are applicable.
3. Perfecting permit 63-32388. The permit development period for this permit expires July 1, 2022. We understand the water right is fully developed and ready for licensing.

## SCOPE OF WORK

**Task 1 – Investigate, Compile, and Describe Water Rights and Provide Recommendations for Water Right Actions for Middleton Place Park, Davis Park and Grove Park.** HDR |SPF will compile and describe existing water rights appurtenant to the property, including the local irrigation company and/or district water rights and privately-owned water rights.

HDR|SPF will contact the local irrigation association, company, and/or district to confirm the extent of surface water assessed to the property and how the water is delivered. Private water rights data will be obtained from the Idaho Department of Water Resources (IDWR) on-line database. A summary of water rights and recommendations for water right actions will be provided in a memorandum. If no existing water rights are found, or if existing water rights cannot be feasibly used to supply park irrigation water supply, HDR|SPF will proceed with Task 2.

**Task 2 – Prepare Water Right Applications.** Based on the findings and recommendations from Task 1 and in coordination with the City, HDR|SPF will determine non-municipal irrigation supply options for each park. If groundwater from an on-site well is identified as the preferred water supply option, HDR|SPF,



will prepare conceptual designs for the systems, describing well diameter, well depth, pumping rate, anticipated pump horsepower, and well locations. Upon City concurrence of the concepts, HDR|SPF will prepare water right applications proposing development of new ground water and pressurized irrigation systems to serve the park(s) irrigation needs. Applications will be provided to the City for review and signature, then will be submitted to IDWR on the City's behalf.

**Task 3 – Evaluation of City's Assessed Surface Water Shares.** HDR|SPF will research existing surface water rights currently assessed to City property by a local irrigation district and/or company and provide a summary of the research findings, including copies of the share certificates (if available) and GIS mapping indicating where each share certificate is applicable.

**Task 4 – Perfect and Finalize Permit 63-32388.** Permit 63-32388 authorizes development of 5.0 cfs of ground water for municipal uses from up to 7 wells. The permit development period for this permit expires July 1, 2022. We understand development of this permit is now complete. The next and final step of the water right process is having the permit verified by a certified water right's examiner such as HDR|SPF. Prior to the July 1, 2022 deadline, HDR|SPF will conduct a licensing field examination that will involve a site visit, photographs, and measurements to verify development, associated GIS mapping and preparation of a *Proof of Beneficial Use* notice and *Beneficial Use Field Exam* report to be submitted to IDWR for review and final licensing. At a minimum, we anticipate that the field exam will present documentation of new well facilities constructed (Wells 9 and 10) under the permit. The report will include the required municipal flow rate/volume data diverted from the wells during the permit development period (assuming available) and how the amounts developed and recommended for licensing provide an additional increment of beneficial use to the City's municipal water system. In particular, data regarding peak day use from all City municipal well facilities during the permit development period will be needed.

#### **SCOPE OF WORK - NOT INCLUDED IN PROPOSAL**

These items are not currently included under this scope. Additional services may be added to future task orders.

- Water quality sampling or well testing
- Surveying
- Water/pumping system designs
- Water right application processing fees
- Additional analysis that may be requested by IDWR
- Consulting services associated with protest resolution

#### **SCHEDULE**

We anticipate completing the above tasks approximately 90 days following notice to proceed. This estimate is provided based on current workload obligations and conditions as of the date of this proposal.

## FEE ESTIMATE

HDR|SPF proposes to perform the scope of work described above on a time and materials basis. Estimated costs for individual tasks are summarized in Table 1 below. Direct costs (photocopy, postage, subcontractors, etc.) are billed at actual cost plus 15%. Invoices will be sent monthly.

Table 1. Estimated Costs by Task

| Task   | Fee                 |
|--|---------------------|
| <del>Task 1 – Investigate Park Water Rights</del>  | <del>\$ 1,200</del> |
| <del>Task 2 – Prepare Applications</del>           | <del>\$ 4,000</del> |
| <del>Task 3 – Assessed Surface Water Summary</del> | <del>\$ 1,700</del> |
| Task 4 – Perfect Permit 63-32388                   | \$ 9,000            |
| TOTAL FEE  | \$ 15,900           |

## AGREEMENT

If this proposal meets with your approval, please sign the attached task order document. This signature will be considered as a notice to proceed with a budget of ~~\$15,900.~~ **\$9,000**

Please return a signed copy of the task order to our office. We look forward to working with you on this project.

Respectfully submitted,

**HDR|SPF**

By Terry M. Scanlan

Terry Scanlan, P.E., P.G.  
Principal Engineer

By Robert Hardgrove

Robert Hardgrove, P.E.  
Vice President

# **EXHIBIT “G”**

## BOISE STREET TREE REMOVAL







## HARTLEY SEWER LINE PROJECT









## RESUSE BUILDING – WHIFFIN LANE











