

OFFICIALS

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



CITY OF KUNA

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

Board of Correction Meeting MINUTES Tuesday, March 6, 2018

5:30 P.M. ANNUAL BOARD OF CORRECTION MEETING

1. *Call to Order and Roll Call*

COUNCIL MEMBERS PRESENT:

Mayor Joe Stear
Council President Briana Buban-Vonder Haar
Council Member Richard Cardoza
Council Member Warren Christensen – Arrived at 5:33 pm
Council Member Greg McPherson

CITY STAFF PRESENT:

Chris Engels, City Clerk
Bob Bachman, Public Works Director
Bobby Withrow, Parks Director
Mike Borzick, GIS Manager
Paul Stevens, City Engineer
Richard Roats, City Attorney

2. *Irrigation irregularities: Part 1* (Timestamp 00:00:49 BOC Part 1)

Public Works Director Bob Bachman initiated the meeting and introduced GIS Manager Mike Borzick. He and City Engineer Paul Stevens were available for questions. Mr. Borzick reviewed the matters for the Board of Correction. There were no scheduled protestants and he asked if there were any unscheduled protestants in the audience. There were none. Mr. Borzick moved on to the different groups of errors and explained the corrections made. He stood for questions.

Group A. Lots that had simple errors

- i.* Wrong acreage
- ii.* Different owner
- iii.* Different mailing address or location address

Group B. Lots that were inadvertently charged when in fact their rights were removed by a prior Board of Correction decision.

Group C. HOA accounts with simple errors

- i.* Wrong acreage
- ii.* Different owner
- iii.* Different mailing address or location address

Group D. Subdivisions that have dissolved their HOAs (without City Approval) and now we need to split the HOA charges equally amongst the residential lots.

- i.* Roeder Meadows
- ii.* Breckenbury

Group E. Accounts accidentally placed in the wrong subdivision

Group F. Residential Lot purchased the vacant lot next door, connected to PI and uses that service to water that vacant lot without paying a PI connection fee.

Mayor Stear asked about the dissolved HOA fees and if an administrative fee would be added to that bill.

Mr. Borzick deferred to City Attorney Richard Roats.

Mr. Roats explained how it was decided to not add an administrative fee.

3. Recess to Regular Kuna City Council Meeting: 5:44 pm

Council President Buban-Vonder Haar moved to recess the Board of Corrections Meeting until items 8G and 8H of the Regular Kuna City Council Meeting had been resolved. Seconded by Council Member McPherson. Motion carried 4-0.

4. Reconvene Board of Corrections Meeting: 6:03 P.M.

(Timestamp 00:05:11 CCM Part 1)

Council President Buban-Vonder Haar moved to reconvene the Board of Corrections Meeting. Seconded by Council Member McPherson. Motion carried 4-0.

5. Irrigation Irregularities: Part 2

(Timestamp 00:00:10 BOC Part 2)

Group G. Add additional lots to the Official Roll

- i.* Messmer

ii. People Empowerment Services

Council President Buban-Vonder Haar moved to add the Messmer Lot and the People Empowerment Services Lot to the Official Roll. Seconded by Council Member McPherson. Motion carried 4-0.

6. Tax Deeds:

(Timestamp 00:01:12 BOC Part 2)

A. General Remarks and Comments

There were no tax deeds.

7. Approve the Assessment Roll

(Timestamp 00:01:23 BOC Part 2)

Council President Buban-Vonder Haar moved to approve the Assessment Roll. Seconded by Council Member McPherson. Motion carried 4-0.

8. Mayor/Council Discussion Items: None

9. Announcements: None

10. Adjournment: 6:06 P.M.

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Greg McPherson, Council Member



CITY OF KUNA

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

City Council Meeting MINUTES Tuesday, March 6, 2018

6:00 P.M. REGULAR CITY COUNCIL

1. *Call to Order and Roll Call*

COUNCIL MEMBERS PRESENT:

Mayor Joe Stear
Council President Briana Buban-Vonder Haar
Council Member Richard Cardoza
Council Member Warren Christensen
Council Member Greg McPherson

CITY STAFF PRESENT:

Chris Engels, City Clerk
Bob Bachman, Public Works Director
Bobby Withrow, Parks Director
John Marsh, City Treasurer
Wendy Howell, Planning & Zoning Director
Richard Roats, City Attorney
Troy Behunin, Planner III
Jace Hellman, Planner II

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

Council President Buban-Vonder Haar moved to move items 8G and 8H to appear just before the Consent Agenda. Seconded by Council Member McPherson. Motion carried 4-0.

(Timestamp 00:01:07 CCM Part 1)

- 8G. Consideration to approve Ordinance No. 2018-12
(Timestamp 00:01:47 CCM Part 1)

AN ORDINANCE OF THE CITY OF KUNA, IDAHO, ANNEXING A PORTION OF LOT 5 BLOCK 1 OF SOUTH LINDERS ESTATES, INTO THE KUNA MUNICIPAL IRRIGATION DISTRICT FROM THE BOISE~KUNA IRRIGATION DISTRICT; CHANGING THE RESPECTIVE BOUNDARIES OF SAID DISTRICTS;

DECLARING WATER RIGHTS APPURTENANT THERETO ARE POOLED FOR DELIVERY PURPOSES; DIRECTING THAT COPIES OF THIS ORDINANCE BE RECORDED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings of ordinance

Consideration to approve ordinance

Consideration to approve summary publication of ordinance

Council President Buban-Vonder Haar moved to waive three readings of Ordinance No. 2018-12. Seconded by Council Member McPherson. Motion carried 4-0.

Council President Buban-Vonder Haar moved to approve Ordinance No. 2018-12. Seconded by Council Member McPherson. Approved by the following roll call vote:

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

Voting No: None

Absent: None

Motion carried 4-0.

Council President Buban-Vonder Haar moved to approve the Summary Publication of Ordinance No. 2018-12. Seconded by Council Member McPherson. Motion carried 4-0.

8H. Consideration to approve Ordinance No. 2018-13

(Timestamp 00:03:29 CCM Part 1)

AN ORDINANCE OF THE CITY OF KUNA, IDAHO, ANNEXING A PORTION OF MONTARA SUBDIVISION SITUATED IN THE NW 1/4 OF SECTION 25, TOWNSHIP 2 NORTH, RANGE 1 WEST, BOISE MERIDIAN, KUNA, ADA COUNTY, IDAHO AND IS COMMONLY REFERRED TO AS THE JOHN MESSMER PARCEL, INTO THE KUNA MUNICIPAL IRRIGATION DISTRICT FROM THE BOISE~KUNA IRRIGATION DISTRICT; CHANGING THE RESPECTIVE BOUNDARIES OF SAID DISTRICTS; DECLARING WATER RIGHTS APPURTENANT THERETO ARE POOLED FOR DELIVERY PURPOSES; DIRECTING THAT COPIES OF THIS ORDINANCE BE RECORDED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings of ordinance

Consideration to approve ordinance

Consideration to approve summary publication of ordinance

Council President Buban-Vonder Haar moved to waive three readings of Ordinance No. 2018-13. Seconded by Council Member McPherson. Motion carried 4-0.

Council President Buban-Vonder Haar moved to approve Ordinance No. 2018-13. Seconded by Council Member McPherson. Approved by the following roll call vote:

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

Voting No: None

Absent: None

Motion carried 4-0.

Council President Buban-Vonder Haar moved to approve the Summary Publication of Ordinance No. 2018-13. Seconded by Council Member McPherson. Motion carried 4-0.

4. Consent Agenda: 6:06 P.M.
(Timestamp 00:00:03 CCM Part 2)

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

A. City Council Meeting Minutes:

I. Regular City Council Minutes, February 20, 2018

B. Accounts Payable Dated March 1, 2018 in the Amount of \$243,718.08

C. Resolutions

1. Consideration to approve Resolution No. R16-2018

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE SCHOOL PROPERTY LEASE AGREEMENT TO LEASE THE PROPERTY ACROSS INDIAN CREEK FOR A COMMUNITY GARDEN, CITY TREE FARM, YOUTH HORTICULTURAL ACTIVITIES, AND OTHER RECREATIONAL ACTIVITIES, INCLUDING NON-MOTORIZED BIKE RIDING, AND REMOTE CONTROLLED RACE CARS.

2. Consideration to approve Resolution No. R17-2018

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING THE ASSIGNMENT OF THE LEASE AGREEMENT FOR THE REAL PROPERTY LOCATED AT 270 S. ORCHARD STREET, KUNA, IDAHO.

D. Final Plat

1. Consideration to approve Case No. 18-05-FP (Final Plat) for Ardell Estates Subdivision No. 2

E. Findings of Fact and Conclusions of Law

1. Consideration to approve Findings of Fact and Conclusions of Law for Case No. 17-01-ZC (Rezone) and 17-01-S (Pre Plat) for Caspian Subdivision
2. Consideration to approve Findings of Fact and Conclusions of Law for Case No. 17-09-AN (Annexation) for Former Urza Property
3. Consideration to approve Findings of Fact and Conclusions of Law for Case No. 17-10-S (Pre-Plat) for Gran Prado Subdivision

Council President Buban-Vonder Haar moved to approve the Consent Agenda. Seconded by Council Member McPherson. Approved by the following roll call vote:

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

Voting No: None

Absent: None

Motion carried 4-0.

5. Community Reports or Requests: None

6. Public Hearings: (6:00 p.m. or as soon thereafter as matters may be heard.) None

7. Business Items:

- A.** Consideration to approve funds from contingency for a new full time employee for the City Clerk's office – Chris Engels, City Clerk
(Timestamp 00:00:53 CCM Part 2)

City Clerk Chris Engels presented her request for contingency funds for a new full time employee for the City Clerk's Office which would be dispersed as the other positions are. The position would go up to a Deputy II and the approximate amount with a computer and screens was \$36,000.00 for the remaining of the fiscal year. She stood for questions.

Council Member Cardoza confirmed the request for a new computer.

Ms. Engels replied she might need a new computer but she still needed to check with the other departments to see if they had an extra one or extra screens. She would also look into a refurbished computer. There was not a computer already assigned to that position.

Council President Buban-Vonder Haar asked if it would be better to approve a certain amount or to approve the authority to hire for the position at the Deputy II level.

Ms. Engels recommended the later.

Council President Buban-Vonder Haar moved to approve the request for funds from contingency for a new full time employee for the City Clerk's Office up to the Deputy II pay rate. Seconded by Council Member McPherson. Motion carried 4-0.

- B.** Consideration to approve up to \$24,500 for website enhancements to be distributed among the funds as appropriate – Chris Engels, City Clerk
(Timestamp 00:03:06 CCM Part 2)

City Clerk Chris Engels reviewed the breakdown of the costs for the website enhancements as outlined in her memo as well as some information on website usage.

Mayor Stear stated he was excited to get this going. The current website was cumbersome and hard for the public to use. He felt it would get more hits if it was more user-friendly.

Council President Buban-Vonder Haar wasn't sure how much was spent on the website when the switch was made to Civic Plus but it felt like a lot and she did not feel the City had capitalized on it. If they were going to spend this much money on specific department header pages she wanted a commitment from those department heads that they would start utilizing the pages more and to make them more useable for the public.

Ms. Engels agreed. The Clerk's Office tried to take the lead on the website and, as people have been trained, getting more aggressive about getting stuff out there and making it more interactive. Staff was excited about the update and making it more pleasant to the public. Some other tools or platforms that would be coming forth would the ability to do some licensing online with the application and payment done through the website. The more the website is used the better the documents are that come in.

Council President Buban-Vonder Haar wanted to see the City website as the one-stop shop to find out how different things work or where to find things. She suggested that as each department explores the features they want to have on their page and how they want to utilize it they consider doing surveys to see what the public would like to see on the website and the specific pages.

Ms. Engels thought that would be a good thing to do as the City usually got good responses on their surveys.

Mayor Stear mentioned the possibility of the legislator making it possible to post notices on the website instead of publishing in the newspaper. That did not pass but he and Ms. Engels had discussed it and felt it was important to include the notices on the web page that way they could be published in their entirety instead of just summaries.

Council Member Cardoza asked if this would come out of contingency for each fund.

City Treasurer John Marsh replied that was correct.

Council President Buban-Vonder Haar moved to approve up to \$24,500.00 for website enhancements to be distributed among the funds as appropriate. Seconded by Council Member McPherson. Motion carried 4-0.

- C. Consideration to approve Resolution No. R18-2018 – Richard Roats, City Attorney
(Timestamp 00:09:55 CCM Part 2)

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING AND ADOPTING MODIFICATIONS TO 11.13.3 AND 12.1 OF THE CITY OF KUNA, IDAHO PERSONNEL MANUAL (VERSION JANUARY 2016); AND PROVIDING AN EFFECTIVE DATE.

City Attorney Richard Roats presented the proposed amendments to the Personnel Manual clarifying compensation while on Workman's Comp and how benefits accrue. He stood for questions.

Council President Buban-Vonder Haar thought that Workman's Comp was not taxed which was why it only paid 67% instead of full salary. She asked if they were okay with supplementing that up to 100%.

Mr. Roats explained when he talked to Workman's Comp they indicated it was not quite 100% but it was close when the tax was factored in. The idea would be an employee could take one or the other but not both. He just wanted to make sure they could at least be up to 100% covered.

Council Member Cardoza clarified Lost Time Compensation was considered State Insurance Fund not Sick Time.

Mr. Roats replied Sick Time was a City benefit and Lost Time was Workman's Comp.

Council Member Cardoza asked if Sick Time would then be primary and Lost Time secondary.

Mr. Roats responded Sick Time would fill that gap between injury and a Workman's Comp claim.

Council Member Cardoza inquired about the time line for the State Insurance fund.

Mr. Roats deferred to City Treasurer John Marsh.

Mr. Marsh replied an employee had 5 full days to report an injury. He added that it was the City's objective to get an employee back on light duty at all costs because the longer they were on lost time the higher the City's modification rates would go.

Council Member Cardoza asked if someone that had been employed by the City for 10 years would receive more Sick Time than someone who had only been employed for 2 weeks.

Council President Buban-Vonder Haar explained they would accrue Sick Time at the same rate but the employee that had been with the City longer could have more time saved up.

Council President Buban-Vonder Haar moved to approve Resolution No. R18-2018. Seconded by Council Member McPherson. Motion carried 4-0.

- D.** Consideration to approve Resolution No. R19-2018 – Wendy Howell, Planning & Zoning Director
(Timestamp 00:16:32 CCM Part 2)

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE PROJECT PRIORITY LIST TITLED "CITY OF KUNA IDAHO'S TRANSPORTATION PRIORITY REQUESTS - 2018" AS THE OFFICIAL TRANSPORTATION PROJECT PRIORITY LIST FOR THE CITY OF KUNA, IDAHO FOR THE ADA COUNTY HIGHWAY DISTRICT; AUTHORIZING THE CITY CLERK TO TRANSMIT THE DOCUMENT TO ACHD; AND HEREBY REPEALING ALL PREVIOUS TRANSPORTATION PROJECT PRIORITY LISTS.

Planning & Zoning Director Wendy Howell presented the 2018 Transportation Priority List and stood for questions.

Mayor Stear asked Ms. Howell to explain some of the projects that were already funded and moving forward.

Ms. Howell reviewed the different projects and their statuses.

Council President Buban-Vonder Haar moved to approve Resolution No. R19-2018. Seconded by Council Member McPherson. Motion carried 4-0.

8. Ordinances:

- A. Consideration to approve Ordinance No. 2018-06
(Timestamp 00:20:20 CCM Part 2)

AN ORDINANCE OF THE CITY COUNCIL OF KUNA, IDAHO AMENDING KUNA CITY CODE 10-3-7 BY STRIKING 7.C.2 THEREBY ELIMINATING THE PROVISION THAT LICENSES PAID FOR AFTER JULY 1 WILL BE ONE-HALF THE REGULAR FEE; AND PROVIDING AN EFFECTIVE DATE.

Mayor Stear reviewed the reason for the ordinance.

Council President Buban-Vonder Haar had wanted to look at dog licensing. She wanted to consider rolling renewal dates so they did not all expire on the same date and also the possibility of multi-year licensing. She asked if Council wanted to make this change then or slow track it and work in the changes she was thinking about over the 3 readings.

City Clerk Chris Engels replied she would prefer to either slow track it or table it so they wouldn't have to codify it and then go back and codify it again. She also would prefer to keep the renewals annual but she was not opposed to quarterly pricing for new animal registrations. She was not confident the City could be successful with rolling renewal dates due to the way the licenses were numbered and the way Caselle worked. She was also happy to look into the multi-year licensing.

Consideration to waive three readings of ordinance

Consideration to approve ordinance

Consideration to approve summary publication of ordinance

Council President Buban-Vonder Haar moved to table Ordinance No. 2018-06 to a date not yet determined. Seconded by Council Member McPherson. Motion carried 4-0.

- B. Consideration to approve Ordinance No. 2018-07
(Timestamp 00:25:19 CCM Part 2)

AN ORDINANCE OF THE CITY COUNCIL FOR KUNA, IDAHO STRIKING IN ITS ENTIRETY, SECTION 8 OF TITLE 6, CHAPTER 3 TITLED EASEMENTS AND REPLACING A NEW SECTION THAT PROVIDES FOR THE LOCATION AND WIDTH OF CITY AND PUBLIC UTILITIES EASEMENTS, ENCROACHMENT LOCATIONS, VESTS THE FINAL DETERMINATION OF THE LOCATION OF EASEMENTS WITH THE CITY ENGINEER, RESTRICTS THE PLACEMENT OF ENCROACHMENTS WITHIN THE EASEMENT AND RESPONSIBILITIES FOR DAMAGE, REMOVAL AND DISPOSAL, ALLOWS FOR EASEMENT MODIFICATIONS FOR SIDE YARD EASEMENTS LOCATED ON PHASE BOUNDARIES, AND PROVIDES AN EFFECTIVE DATE.

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

Planning & Zoning Director Wendy Howell requested items 8B and 8C be tabled to the March 20, 2018 meeting. They were supposed to be public hearings.

Council President Buban-Vonder Haar moved to table 2018-07 until the March 20, 2018 meeting. Seconded by Council Member McPherson. Motion carried 4-0.

- C. Consideration to approve Ordinance No. 2018-08
(Timestamp 00:27:13 CCM Part 2)

AN ORDINANCE OF THE CITY COUNCIL FOR KUNA, IDAHO ADDING A NEW CHAPTER, CHAPTER 18 TO TITLE 5, TITLED PRIVATE ROADS THAT PROVIDES FOR THE ALLOWANCE OF PRIVATE ROADS IN CERTAIN LOCATIONS, SETS FORTH CONSTRUCTION AND DESIGN STANDARDS, SETS FORTH ACCESS AND MAINTENANCE REQUIREMENTS, ESTABLISHES GATED ROAD RESTRICTIONS, PROVIDES FOR PRIVATE ALLEYS, REQUIRES COMPLIANCE WITH THE COMPREHENSIVE PLAN, AND PROVIDES FOR A WAIVER OF STANDARDS BY THE CITY COUNCIL; AMENDING KCC 5-7-3- PLANNED UNIT DEVELOPMENT TO REFERENCE PRIVATE ROADS- KCC 5-18-1; AMENDING 6-3-3- PLANNED UNIT DEVELOPMENT TO STRIKE THAT PORTION ONLY ALLOWING PRIVATE ROADS IN PLANNED UNIT DEVELOPMENTS AND ADDING THE REFERENCE TO KCC 5-18-1; AMENDING KCC 6-5-2- PLANNED UNIT AND CONDOMINIUM SUBDIVISIONS TO PROVIDE FOR PRIVATE ROAD STANDARDS CONSTRUCTED TO ADA COUNTY HIGHWAY DISTRICT LOCAL ROAD STANDARDS AND REVIEW BY THE CITY ENGINEER; AND PROVIDING AN EFFECTIVE DATE.

Council President Buban-Vonder Haar moved to table 2018-08 until the March 20, 2018 meeting. Seconded by Council Member McPherson. Motion carried 4-0.

- D. Consideration to approve Ordinance No. 2018-09
(Timestamp 00:27:39 CCM Part 2)

AN ORDINANCE OF THE CITY OF KUNA, IDAHO, ANNEXING A PORTION OF NE ¼ OF THE NE ¼ OF SECTION 24, TOWNSHIP 2 NORTH RANGE 1 WEST, BOISE MERIDIAN, KUNA, ADA COUNTY, IDAHO AND COMMONLY REFERRED TO AS THE KJ SUPERSTORES PARCEL WHICH IS OWNED BY CONRAD & BISCHOFF INC, INTO THE KUNA MUNICIPAL IRRIGATION DISTRICT FROM THE BOISE~KUNA IRRIGATION DISTRICT; CHANGING THE RESPECTIVE BOUNDARIES OF SAID DISTRICTS; DECLARING WATER RIGHTS APPURTENANT THERETO ARE POOLED

FOR DELIVERY PURPOSES; DIRECTING THAT COPIES OF THIS ORDINANCE BE RECORDED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings of ordinance

Consideration to approve ordinance

Consideration to approve summary publication of ordinance

Council President Buban-Vonder Haar moved to waive three readings of Ordinance No. 2018-09. Seconded by Council Member McPherson. Motion carried 4-0.

Council President Buban-Vonder Haar moved to approve Ordinance No. 2018-09. Seconded by Council Member McPherson. Approved by the following roll call vote:

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

Voting No: None

Absent: None

Motion carried 4-0.

Council President Buban-Vonder Haar moved to approve the Summary Publication of Ordinance No. 2018-09. Seconded by Council Member McPherson. Motion carried 4-0.

- E. Consideration to approve Ordinance No. 2018-10**
(Timestamp 00:29:52 CCM Part 2)

AN ORDINANCE REZONING CERTAIN REAL PROPERTY, TO WIT: PARCEL NOS. S1235346610; R8468870305; S1235438411; S1235449215 OWNED BY MASON CREEK FARM, LLC FROM P TO R-6; SITUATED WITHIN THE CORPORATE LIMITS OF THE CITY OF KUNA, ADA COUNTY, IDAHO; DIRECTING THAT COPIES OF THIS ORDINANCE BE RECORDED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings of ordinance

Consideration to approve ordinance

Consideration to approve summary publication of ordinance

Council President Buban-Vonder Haar moved to waive three readings of Ordinance No. 2018-10. Seconded by Council Member McPherson. Motion carried 4-0.

Council President Buban-Vonder Haar moved to approve Ordinance No. 2018-10. Seconded by Council Member McPherson. Approved by the following roll call vote:

Voting Aye: Council Members Cardoza, Christensen, Buban-Vonder Haar, and McPherson
Voting No: None
Absent: None
Motion carried 4-0.

Council President Buban-Vonder Haar moved to approve the Summary Publication of Ordinance No. 2018-10. Seconded by Council Member McPherson. Motion carried 4-0.

F. Consideration to approve Ordinance No. 2018-11
(Timestamp 00:31:51 CCM Part 2)

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY, TO WIT: PARCEL NO. R0615250650 OWNED BY DEBRA YOUNG, SITUATED IN THE UNINCORPORATED AREA OF ADA COUNTY, IDAHO AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF KUNA INTO THE CITY OF KUNA, IDAHO; ESTABLISHING THE ZONING CLASSIFICATION OF SAID REAL PROPERTY; DIRECTING THAT COPIES OF THIS ORDINANCE BE FILED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

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

Council President Buban-Vonder Haar moved to waive three readings of Ordinance No. 2018-11. Seconded by Council Member McPherson. Motion carried 4-0.

Council President Buban-Vonder Haar moved to approve Ordinance No. 2018-11. Seconded by Council Member McPherson. Approved by the following roll call vote:

Voting Aye: Council Members Cardoza, Christensen, Buban-Vonder Haar, and McPherson
Voting No: None
Absent: None
Motion carried 4-0.

Council President Buban-Vonder Haar moved to approve the Summary Publication of Ordinance No. 2018-11. Seconded by Council Member McPherson. Motion carried 4-0.

~~**G. Consideration to approve Ordinance No. 2018-12**~~

~~AN ORDINANCE OF THE CITY OF KUNA, IDAHO, ANNEXING A PORTION OF LOT 5 BLOCK 1 OF SOUTH LINDERS ESTATES, INTO THE KUNA MUNICIPAL IRRIGATION DISTRICT FROM THE BOISE KUNA~~

~~IRRIGATION DISTRICT; CHANGING THE RESPECTIVE BOUNDARIES OF SAID DISTRICTS; DECLARING WATER RIGHTS APPURTENANT THERETO ARE POOLED FOR DELIVERY PURPOSES; DIRECTING THAT COPIES OF THIS ORDINANCE BE RECORDED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.~~

~~*Consideration to waive three readings of ordinance*~~

~~*Consideration to approve ordinance*~~

~~*Consideration to approve summary publication of ordinance*~~

~~**H. Consideration to approve Ordinance No. 2018-13**~~

~~AN ORDINANCE OF THE CITY OF KUNA, IDAHO, ANNEXING A PORTION OF MONTARA SUBDIVISION SITUATED IN THE NW 1/4 OF SECTION 25, TOWNSHIP 2 NORTH, RANGE 1 WEST, BOISE MERIDIAN, KUNA, ADA COUNTY, IDAHO AND IS COMMONLY REFERRED TO AS THE JOHN MESSMER PARCEL, INTO THE KUNA MUNICIPAL IRRIGATION DISTRICT FROM THE BOISE-KUNA IRRIGATION DISTRICT; CHANGING THE RESPECTIVE BOUNDARIES OF SAID DISTRICTS; DECLARING WATER RIGHTS APPURTENANT THERETO ARE POOLED FOR DELIVERY PURPOSES; DIRECTING THAT COPIES OF THIS ORDINANCE BE RECORDED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.~~

~~*Consideration to waive three readings of ordinance*~~

~~*Consideration to approve ordinance*~~

~~*Consideration to approve summary publication of ordinance*~~

9. Mayor/Council Announcements:
(Timestamp 00:33:48 CCM Part 2)

Mayor Stear updated Council that he attended a meeting with the School District with Kuna Police Chief Jon McDaniel about safety in Kuna's schools. The School District was doing an amazing job making sure Kuna's kids were safe. They discussed ways to help out and improve that even further but he was very impressed with the plan the School District had in place.

City Clerk Chris Engels confirmed with Council they would be available at 5:30 p.m. on March 20, 2018 to have their photos done before the Council Meeting.

They would all be there.

Council Member Cardoza jokingly called out the dry erase marking done to his photo that was currently hanging in City Hall.

Council President Buban-Vonder Haar asked that the department heads also have their photos taken at the same time so they could go on the website.

Ms. Engels replied that could be scheduled in.

Mayor agreed.

Council President Buban-Vonder Haar asked what happened with the plan to get employee photo ID cards.

Ms. Engels replied they had them.

Council President Buban-Vonder Haar noted she didn't see anyone wearing them.

Mayor Stear replied employees generally wore them when they were conducting business outside of the building and not so much inside City Hall. Most employees with a desk have a name plate. He also noted Parks Director Bobby Withrow did get the lanyards with the breakaways.

10. Executive Session:

- A. Adjourn to Executive Session Pursuant to Idaho Code 74-206(f) for the Purpose of Potential Litigation
(Timestamp 00:38:46 CCM Part 2)

Council President Buban-Vonder Haar moved to adjourn to Executive Session Pursuant to Idaho Code 74-206(f) for the Purpose of Potential Litigation. Seconded by Council Member McPherson. Motion carried 4-0.

Adjournment to Executive Session: 6:45 PM

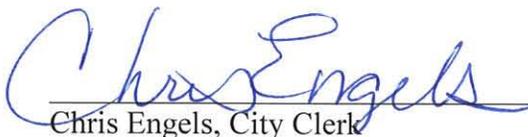
Executive Session adjourned: 7:15 PM

11. Adjournment: 7:15 PM



Joe L. Stear, Mayor

ATTEST:



Chris Engels, City Clerk



Minutes prepared by Ariana Welker, Deputy City Clerk
Date Approved: CCM 03.20.2018



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

MICHAEL L. BORZICK, GISP
GIS MANAGER

Telephone (208) 287-1726
Email: mborzick@KunaID.gov

MEMORANDUM

TO: Mayor Stear and Members of City Council

FROM: Mike Borzick
GIS Manager

RE: Board of Correction
Purpose & Agenda

DATE: March 6, 2018

As required in Idaho State Code, this Board of Correction was noticed in the Kuna-Melba News on February 21 and February 28, 2017¹. It is held as a requirement as outlined in Idaho Code §50-1807.

Purpose of Board of Correction

As the Board of Correction meets each spring, it may be useful to review the legislation defining the purpose of the Board. The following is taken from Idaho Code §50-1811 and §50-1812 in describing the duties of the Board of Correction:

*Idaho Code §50-1811. Board of correction -- Changes in assessment books. At the time of the meeting specified in the notice required by section § [50-1807](#), **the mayor and council of such city are hereby constituted a board of correction** and for that purpose shall meet and continue in session from day to day as long as may be necessary not to exceed three (3) days, exclusive of holidays and **make such changes in the said assessment book as may be necessary to make it conform to the facts**, and such assessments levied for the maintenance, operation, extension and enlargement of the works may be reviewed by the mayor and council of the city during said time upon the request of any person interested, and within five (5) days after the mayor and council, shall have adjourned as a board of correction, the city clerk shall complete the assessment books as the same may have been adjusted and/or corrected by the mayor and council sitting as a board of correction and shall certify to the same*

¹ The publisher of the Kuna Melba News, the Idaho Press Tribune failed to publish the February 28, 2017 hearing notice. Due to the requirements of Idaho Code, the city is unable to comply with the noticing provisions of Idaho Code §50-1807. The city published the notice in the Idaho Press Tribune, and placed a notice on the city's official website.

and deliver said books to the city treasurer who shall collect the assessments in the manner herein provided.

*Idaho Code §50-1812. Correction of irregularities upon giving notice -- Omissions. If the levy of any assessment or assessments for **any year** as provided by this section, upon any or all the lands, lots, pieces or parcels of real estate within the boundaries of such irrigation system, shall be **discovered to be irregular and void because of any irregularity**, informality or error in the assessment books or for any other reason, the said **mayor and council of the city may meet and correct such errors** upon five (5) days prior notice published in the official newspaper, as provided in sections 50-1801 through 50-1835, Idaho Code, and at such meeting correct any error or mistake that may have been found to exist which makes such assessment roll invalid, provided, that no invalidity of such assessment roll may be claimed on account of the omission of the name or the incorrect naming of the owner of any lots, pieces or parcels of real estate so assessed or the omission of lands, lots, pieces or parcels of real estate through error or inadvertence from the assessment roll, but that such omitted lot, piece or parcel of land shall be assessed by the city clerk.*

It is the presumption of staff that Council established in October 2017, the assessment criteria to be relied upon by staff to prepare the 2018 assessment roll. The purpose of the Board of Correction is to correct assessments where errors have been made, making the assessment roll conform to the facts, and adjusting assessments consistent with the criteria adopted in October. This might make the scope of issues to be considered by the Board, somewhat limited.

However, Idaho Code §50-1812 sets forth the process whereby the Mayor and Council, upon 5 days published notice, may consider any irregularities, informalities or errors, in any assessment(s), from any year, and may correct them. The Board of Correction certainly meets the noticing criteria of §50-1812, involves the same people, and staff assumes that the Board of Correction can act in any manner permitted by §50-1812.

As a matter of practical application, staff would prefer that the Board not make substantive changes in assessment philosophy at this late date in the assessment cycle. Where possible, staff would hope that significant changes would be addressed in October of the subsequent assessment cycle.

Notwithstanding Staff's preferences, the latitude of the Board of Correction in making corrections is very broad, and is perhaps limited only in the general statutory requirement that a "uniform method of assessment" Idaho Code §50-1805A is preserved.

Financial Adjustments

For the information of Council, this year's budget includes an allowance of \$2,000 for adjustments and corrections which the Board of Correction may make in this year's assessment roll without exceeding the prescribed budget. Adjustments exceeding this amount would have to be offset by reductions in other line items or by draws from fund balance.

Delinquent Assessments

None at this time

Pending Irrigation Shutoff

This year's, and every year's, assessments are due and payable April 1st. The state code directs that no irrigation water is to be delivered to a property until its assessment is paid. To comply with this requirement, the City had been performing a "back-yard" irrigation shutoff after April 1st and before the first irrigation water is delivered.

Because of threats to personnel performing the shutoff, the City has elected to allow irrigation payments to be made in installments and to not perform a back-yard shutoff if the installments are kept current. Further, the payment of installments is enforced through the potable water shutoff (in conjunction with the shutoff for sewer, water and garbage collection) – which does not require a back-yard entry.

Agenda for Board of Correction

The following items are proposed for consideration or decision:

1. **Tax Deed List (See Attachment)** – Provided for information purposes to allow questions or comments. The delinquent property is: None for 2018
2. **Water Supply Balance** – For the information of the Board, the following Table shows the quantity of water provided to the pressure irrigation system and the usage, non-usage and wastage of canal water in 2016. Wastage is computed as the difference between canal water delivered to a pump station and the amount actually pumped. Water "not used" is the difference between available canal water allotment (including carryover) and the amount the City requested to be delivered.

	2016	2017
CANAL WATER PUMPED	1,332 MG*	1,263 MG
POTABLE WATER USED	2.4 MG	1.8 MG
CANAL WATER DELIVERED	1,339 MG*	1,646 MG (PI & GI)
CANAL WATER WASTED	+6.8 MG*	256 MG

*Canal water was over delivered to both Chaparosa and Crimson Pump stations by BPBC

5,438 PI Connections (2017)
 0.72 acre-feet/connection delivered (2017)
 0.14 acre-feet/connection wasted (2017) 80% efficiency

	Totals	2017 Added	2018 Added
BOISE~KUNA IRRIG	1,731.59 Acres	36.95 Acres	1.95 Acres
NEW YORK IRRIG	381.36 Acres	39.41 Acres	29.59 Acres
NAMPA~MERIDIAN IRRIG	13.86 Acres		
	2,126.81 Acres		

3. **Scheduled Protestants** – supporting documents, if any, provided at meeting

1. No scheduled protestants

4. **Un-scheduled Protestants**

1. Continue Board of Correction

5. Irrigation irregularities: Part 1

Group A. Lots that had simple errors

- i. Wrong acreage
- ii. Different owner
- iii. Different mailing address or location address

Group B. Lots that were inadvertently charged when in fact their rights were removed by a prior Board of Correction decision.

Group C. HOA accounts with simple errors

- i. Wrong acreage
- ii. Different owner
- iii. Different mailing address or location address

Group D. Subdivisions that have dissolved their HOAs (without City Approval) and now we need to split the HOA charges equally amongst the residential lots.

- i. Roeder Meadows
- ii. Breckenbury

Group E. Accounts accidentally placed in the wrong subdivision

Group F. Residential Lot purchased the vacant lot next door, connected to PI and uses that service to water that vacant lot without paying a PI connection fee.

6. Irrigation irregularities: Part 2

Group G. Add additional lots to the Official Roll

- i. Messmer
- ii. People Empowerment Services

Sincerely,

Michael L Borzick

Michael L Borzick
GIS Manager