

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

City Council Meeting AGENDA Tuesday, February 5, 2019

6:00 P.M. REGULAR CITY COUNCIL

1. Call to Order and Roll Call

2. Invocation: Stan Johnson, Changed Life Church

3. Pledge of Allegiance: Mayor Stear

4. Consent Agenda: ALL OF THE LISTED CONSENT AGENDA ITEMS ARE ACTION ITEMS

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, January 15, 2019

B. Accounts Payable Dated January 31, 2019 in the Amount of \$615,511.04

C. Resolutions

I. Consideration to approve Resolution No. R03-2019

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO ACCEPTING THE DEED OF PUBLIC IRRIGATION EASEMENT AND GRANT AND COVEYANCE OF MUNICIPAL IRRIGATION SYSTEM UTILITY PIPELINES FROM SDN LLC.

2. Consideration to approve Resolution No. R04-2019

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY BLACK CREEK LP, FOR THE MERLIN POINTE SUBDIVISION NO. 1 FOR UNCOMPLETED WORK INCLUDING LANDSCAPING, STREET LIGHTS AND PRESSURE

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

IRRIGATION BORING PURSUANT TO THE TERMS OF THIS RESOLUTION.

3. Consideration to approve Resolution No. R05-2019

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY RRC CONTRACTORS INC, FOR THE ENSIGN SUBDIVISION NO. 2 FOR UNCOMPLETED WORK INCLUDING LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

4. Consideration to approve Resolution No. R06-2019

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO ACCEPTING THE DEED OF PUBLIC UTILITIES EASEMENT, GRANT AND CONVEYANCE OF UTILITY PIPELINES USE AGREEMENT, ASSIGNMENT OF PUBLIC UTILITY RIGHTS TO CONSENT TO USE AGREEMENT FROM TOLL ID I LLC.

5. Consideration to approve Resolution No. R07-2019

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO ACCEPTING THE DEED OF PUBLIC UTILITY EASEMENT FROM JOSEPH JOHN KOUDELKA, III AND JUDY KOUDELKA BLACKETT.

D. Findings of Fact and Conclusions of Law

1. Consideration to approve Findings of Fact and Conclusions of Law for Case No. 18-05-S (Preliminary Plat) for Lete Commercial Subdivision.
2. Consideration to approve Findings of Fact and Conclusions of Law for Case No. 18-02-S (Preliminary Plat) for Madrone Heights
3. Consideration to approve Findings of Fact and Conclusions of Law for Case No's 18-03-AN (Annexation), 18-01-CPM (Comp Map Change), 18-04-ZC (rezone), 18-02-PUD (Planned Unit Develop), 18-04-S (Preliminary Plat) and DA (Development Agreement) for Falcon Crest Subdivision
4. Consideration to approve Findings of Fact and Conclusions of Law for 18-03-ZC (Rezone) for Kuna School District New CTE High School

5. Community Reports or Requests:

None

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

**A. Public Hearing and First Reading of Ordinance No. 2019-04 – Wendy Howell,
Planning & Zoning Director ACTION ITEM**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:

- MAKING CERTAIN FINDINGS; AND
- AMENDING SUBSECTION 2 OF SECTION 6 OF CHAPTER 1 OF TITLE 5 KUNA CITY CODE BY THE ADDITION OF THE FOLLOWING: “DATA PROCESSING FACILITY”, “OFFICE (HOME OCCUPATION),” “REPAIR SERVICE,” RESEARCH AND DEVELOPMENT BUSINESS,” AND “RESEARCH AND DEVELOPMENT FACILITY” TO “MEANINGS OF TERMS OR WORDS”; AND
- AMENDING SECTION 2, CHAPTER 3, TITLE 5 OF THE KUNA CITY CODE, REGARDING THE DEFINITION BOOK TITLED, “A PLANNERS DICTIONARY” UTILIZED FOR LAND USE DEFINITIONS; THE OFFICIAL SCHEDULE OF ZONING DISTRICT REGULATIONS AND THE “LAND USE TABLE” THEREIN; AND AMENDING DESIGNATIONS OF THE ZONING DISTRICT PERMITTED LAND USES AND DESIGNATIONS OF LAND USES WITHIN ZONING DISTRICTS THAT REQUIRE A SPECIAL USE PERMIT; AND MAKING TECHNICAL AMENDMENTS TO THE “LAND USE TABLE FOOTNOTES”; AND
- ADDING CHAPTER 5, TITLE 5 OF THE KUNA CITY CODE, BY ADDING A NEW SECTION 7 BY RECODIFYING SECTION 5-5-6 TO SECTION 5-5-7 WITHOUT ANY AMENDMENT TO THE PROVISIONS THEREIN; AND
- AMENDING CHAPTER 5, TITLE 5 BY THE ADDITION THERETO OF A NEW SECTION 6 PROVIDING FOR ZONING REGULATIONS FOR SOLID WASTE ENCLOSURES AND LOCATIONS; AND
- AMENDING SECTION 3, CHAPTER 9, TITLE 5 TITLED “PARKING SPACE REQUIREMENTS” MAKING TECHNICAL AMENDMENTS TO THE PARKING SPACE REQUIREMENTS FOR APARTMENTS AND MULTI-FAMILY DWELLINGS DEVELOPMENTS;
- AMENDING SECTION 12 OF CHAPTER 17, TITLE 5 TITLED “BUFFER AREAS; COMMON LOTS” PROVIDING FOR DESIGN REQUIREMENTS AND ADDING DESIGN REQUIREMENTS FOR APARTMENTS AND MULTI-FAMILY DEVELOPMENTS;
- PROVIDING A SEVERABILITY CLAUSE
- DIRECTING THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

- *Open Public Hearing*
- *Receive evidence*

Potential Motions:

- *Consideration to close evidence presentation and proceed to deliberation*
- *Consideration to either:*

Option 1:

- *Waive three readings*
- *Approve ordinance*
- *Approve ordinance summary*

Option 2: *Continue the Public Hearing to a time and date certain.*

- B.** Public Hearing and consideration to approve 18-01-S (Preliminary Plat) for Whisper Meadows Subdivision – Troy Behunin, Planner III **ACTION ITEM**

Katie Miller with Bailey Engineers, request approval to subdivide approximately 73.50 acres into 310 buildable lots, 38 common lots. The subject site is located near the northwest corner of Linder and Columbia Roads, Meridian, Idaho, ID 83642, within Section 2, Township 2 North, Range 1 West, B.M. (APN#'s R1393850100, R1693860010, R1693860290 and R1693860280).

- *Continue Public Hearing*
- *Receive evidence*

Potential Motions:

- *Consideration to close evidence presentation and proceed to deliberation*
- *Consideration to either:*

Option 1: *Approve a Decision and Order and Close the Public Hearing and direct staff to prepare Findings of Fact, Conclusions of Law and Order of Decision for approval by the Council on the next Council Meeting Consent Agenda.*

Option 2: *Continue the Public Hearing to a time and date certain, direct staff to prepare a draft Findings of Fact, Conclusions of Law and Order of Decision for consideration by the Council.*

7. Business Items:

- A.** Quarterly Budget Report – Jared Empey, City Treasurer
- B.** Consideration to approve Resolution No. R08-2019 – Nancy Stauffer, Human Resources Director **ACTION ITEM**

A RESOLUTION OF THE CITY OF KUNA, IDAHO AMENDING THE STEP AND GRADE POLICY FOR THE CITY CLERK'S OFFICE, UTILITY BILLING AND PLANNING AND ZONING AND LONGEVITY FOR THE CITY OF KUNA, IDAHO AS ATTACHED HERETO; AMENDING R44-2014; AND DECLARING THE EFFECTIVE DATE.

- C. Request for time extension for Granite Excavation on Orchard Lift Station Project – Bob Bachman, Public Works Director **ACTION ITEM**
- D. Consideration to approve the expenditure of contingency funds in the amount of \$9,750 for the purchase of an inspection camera for the Sewer Department Staff – Bob Bachman, Public Works Director **ACTION ITEM**
- E. Review the proposed Area of City Impact Boundary between the City of Kuna and Meridian – Wendy Howell, Planning & Zoning Director

8. Ordinances:

- A. Consideration to approve Ordinance No. 2019-03 **ACTION ITEM**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:

- MAKING CERTAIN FINDINGS; and
- ENLARGING THE BOUNDARIES OF THE KUNA MUNICIPAL IRRIGATION SYSTEM BY THE INCLUSION OF ADA COUNTY ASSESSOR’S PARCEL NOS. R0615254601 AND A PORTION OF S1324449005 [MERLIN POINT SUBDIVISION NO. 1]; AND
- DECLARING WATER RIGHTS APPURTENANT THERETO ARE POOLED FOR DELIVERY PURPOSES; and
- DIRECTING THE CITY CLERK TO RECORD THIS ORDINANCE AS PROVIDED BY LAW; and
- DIRECTING THE CITY ENGINEER TO PROVIDE NOTICE OF THIS ORDINANCE TO THE BOISE-KUNA IRRIGATION DISTRICT, THE OWNERS AND UPDATE THE IRRIGATION SYSTEM MAP; and
- PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings

Consideration to approve ordinance

9. Mayor/Council Announcements:

10. Executive Session:

None

11. Adjournment: