

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, March 19, 2019

6:00 P.M. REGULAR CITY COUNCIL

- 1. Call to Order and Roll Call**
- 2. Invocation:** Jim Bollin, Kuna Seventh Day Adventist
- 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, March 5, 2019

B. Accounts Payable Dated March 14, 2019 in the Amount of \$ 767,491.61

C. Alcohol Licenses

- 1. Jacksons #26 330 W 3rd Street – Off Premise Beer & Off Premise Wine**
- 2. Jacksons #160 150 W Deer Flat Road – Off Premise Beer & Off Premise Wine**
- 3. Cuda LLC dba Big Mic’s 459 W Main Street – Liquor-by-the-Drink, On Premise Beer, & Off Premise Beer**

D. Resolutions

1. Consideration to approve Resolution No. R22-2019

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO ACCEPTING THE PUBLIC UTILITY EASEMENT FROM THE HOUSING COMPANY, INC.

2. Consideration to approve Resolution No. R23-2019

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO ACCEPTING THE PRESSURIZED IRRIGATION EASEMENT FROM THE HOUSING COMPANY, INC.

3. Consideration to approve Resolution No. R24-2019

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY TOLL BROTHERS, INC., FOR THE WINFIELD SPRINGS NO. 3 SUBDIVISION FOR UNCOMPLETED WORK INCLUDING STREET LIGHTING, FENCING AND LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

4. Consideration to approve Resolution No. R25-2019

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE DEED OF PUBLIC UTILITIES EASEMENT, GRANT AND CONVEYANCE OF UTILITY PIPELINES, ASSIGNMENT OF PUBLIC UTILITY RIGHTS TO CONSENT TO USE AGREEMENT, AND GRANTEE ACCEPTANCE FROM N STAR FARM, LLC.

5. Consideration to approve Resolution No. R26-2019

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO DECLARING CERTAIN PERSONAL PROPERTY SURPLUS AND DIRECTING THE REMOVAL OF SAID PROPERTY.

6. Consideration to approve Resolution No. R27-2019

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE AND THE CLERK TO ATTEST TO THE REIMBURSEMENT AGREEMENT WITH COLEMAN HOMES, IN THE AMOUNT OF TWENTY-THREE THOUSAND FIVE HUNDRED THREE DOLLARS AND 00/100 (\$23,503.00).

E. Final Plats

1. Consideration to approve 18-07-FP (Final Plat) for Cazador Subdivision No. 1
2. Consideration to approve 19-02-FP (Final Plat) for Saranda Subdivision

F. Findings of Fact and Conclusions of Law

1. Consideration to approve Findings of Fact and Conclusions of Law for Case No. 18-06-AN (Annexation) & 18-08-S (Preliminary Plat) for Ledgestone Subdivision.
2. Consideration to approve Findings of Fact and Conclusions of Law for Case No. 18-01-S (Preliminary Plat) for Whisper Meadows Subdivision.
3. Consideration to approve Findings of Fact and Conclusions of Law for Case No's 18-05-AN (Annexation) and 18-06-S (Preliminary Plat) for Redcloud Subdivision

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 consideration to approve 18-07-AN (Annexation) & 18-05-ZC (Rezone) for Thistle Farm, LLC and Bodahl Farm, LLC – Sam Weiger, Planner I**
ACTION ITEM

Tim Eck seeks approval of an annexation of approximately 40 acres and a rezone of approximately 40 acres. The subject properties are located at the southwest corner of Ten Mile and Hubbard Rd, Kuna, Idaho 83634

- *Open Public Hearing*
- *Receive evidence*

Potential Motions:

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

Option 1: Approve or Deny Case No. 18-07-AN (Annexation) & 18-05-ZC (Rezone) 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. Economic Development Update – Lisa Holland, Economic Development Director

8. Ordinances:

- A. Third Reading and Consideration to approve Ordinance No. 2019-05 ACTION ITEM

AN ORDINANCE OF THE CITY COUNCIL OF KUNA, IDAHO AMENDING TITLE 1, CHAPTER 6, SECTION 8 ENTITLED PUBLIC HEARING RULES OF PROCEDURE OF THE KUNA CITY CODE PROVIDING FOR:

- CLARIFICATION ON PUBLIC HEARING RULES OF PROCEDURE;
- ESTABLISHING TESTIMONY TIME LIMITS;
- REGULATING THE PRESENTATION OF DOCUMENTS AND OTHER FORMS OF PHYSICAL EVIDENCE;
- AMENDING THE RECOGNIZED PUBLIC HEARING MOTIONS;
- CLARIFYING CONFLICT OF INTEREST PROCEEDURES; AND
- PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

Consideration to approve ordinance

Consideration to approve summary publication

- B. Consideration to approve Ordinance No. 2019-08 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 MICHAEL JORDAN ROBINSON; 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 NEW YORK 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:

A. Adjourn to Executive Session pursuant to:

Idaho Code Section 74-206 (1)(e) and (f)

- (e) To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations
- (f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated.

11. Adjournment: