

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 5, 2019

6:00 P.M. REGULAR CITY COUNCIL

1. **Call to Order and Roll Call**
2. **Invocation:** Dean Herring, South Valley Baptist 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:

1. Regular City Council Minutes, February 19, 2019

B. Accounts Payable Dated February 28, 2019 in the Amount of \$540,641.75

C. Resolutions

1. Consideration to approve Resolution No. R15-2019

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY DB DEVELOPMENT, LLC, FOR THE DESERTHAWK SUBDIVISION NO. 4 FOR UNCOMPLETED WORK INCLUDING STREET LIGHTING, FENCING AND LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

2. Consideration to approve Resolution No. R16-2019

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY DB DEVELOPMENT, LLC, FOR THE CAZADOR SUBDIVISION NO. 1 FOR UNCOMPLETED WORK

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.

INCLUDING STREET LIGHTING, FENCING AND LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

3. Consideration to approve Resolution No. R17-2019

A RESOLUTION OF THE CITY OF KUNA, IDAHO APPROVING THE PARK USE AGREEMENT BY AND BETWEEN THE CITY OF KUNA, IDAHO AND THE KUNA POLICE ACTIVITIES LEAGUE (KPAL) AT ARBOR RIDGE PARK, WINCHESTER PARK, FARM ESTATES PARK AND PURSUANT TO THE TERMS OF THE AGREEMENT; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT.

4. Consideration to approve Resolution No. R18-2019

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE CONSENT TO USE AGREEMENT WITH THE UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF RECLAMATION.

5. Consideration to approve Resolution No. R19-2019

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE ALL AGREEMENTS AND CONTRACTS AND THE CLERK TO ATTEST TO THE MAYOR'S SIGNATURE ON ALL SAID DOCUMENTS RELATED TO THE PURCHASE OF THE REAL PROPERTY WITH ADA COUNTY PARCEL NUMBERS S1326121090 AND S1326121015.

6. Consideration to approve Resolution No. R20-2019

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE PROJECT PRIORITY LIST TITLED "CITY OF KUNA IDAHO'S TRANSPORTATION PRIORITY REQUESTS - 2019" 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.

D. Final Plats

1. Consideration to approve 18-20-FP (Final Plat) for Ashton Estates Subdivision No. 2

5. Community Reports or Requests:

A. Update on Changes for the Kuna Clean Up – Chad Gordon, J & M Sanitation

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

- A. Public Hearing and consideration to approve 18-06-AN (Annexation) & 18-08-S (Preliminary Plat) – Jace Hellman, Planner II **ACTION ITEM**

On behalf of Trilogy Development, Inc., Jane Suggs, with WHPacific requests to annex two parcels comprising of approximately 60.85 acres on East Hubbard Road and North Locust Grove Road into Kuna City Limits with an R-8 zoning designation; and to subdivide the 60.85-acres into 298 total lots, consisting of 253 single family lots, and 45 common lots. The subject sites are adjacent to the southwest corner of East Hubbard Road and North Locust Grove Road, Kuna, ID 83634, within Section 18, Township 2 North, Range 1 East; (APN’s S1418121126 & S1418123400).

- *Open 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.

- B. Public Hearing for Resolution No. R14-2019 and Consideration to approve Ordinance No. 2019-07 – Chris Engels, City Clerk **ACTION ITEM**

- *Open Public Hearing*
- *Receive evidence*

Potential Motions:

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

- I. Consideration to approve Ordinance No. 2019-07

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

- REPEALING SECTION 16 OF CHAPTER 3 OF TITLE 7 KUNA CITY CODE; AND
- AMENDING CHAPTER 3 OF TITLE 7 KUNA CITY CODE BY THE ADDITION OF NEW SECTION 16 MAKING IT UNLAWFUL TO SELL, DISTRIBUTE, POSSESS OR CONSUME ANY TYPE OF ALCOHOLIC BEVERAGE ON KUNA CITY PARK AND CITY PUBLIC PROPERTY

EXCEPT FOR BEER AND/OR WINE UNDER A PARK BEER AND/OR WINE ALCOHOLIC BEVERAGES SPECIAL USE PERMIT ISSUED BY THE CITY; AND PROVIDING PERMIT TERMS AND CONDITIONS; AND

- DIRECTING THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings

Consideration to approve ordinance

Consideration to approve summary publication

2. Consideration to approve Resolution No. R14-2019

A RESOLUTION OF THE CITY OF KUNA, IDAHO, ESTABLISHING FEES FOR BEER/WINE PERMIT ALLOWING FOR INDIVIDUAL USE AT CITY PARKS AND PROVIDING AN EFFECTIVE DATE.

7. Business Items:

- A. Fair Housing Month 2019 Proclamation – Mayor Stear
- B. Consideration to approve Resolution No. R21-2019 – Nancy Stauffer, Human Resources Director **ACTION ITEM**

A RESOLUTION OF THE CITY OF KUNA, IDAHO, APPROVING AND ADOPTING AN AMENDMENT TO THE CITY OF KUNA PERSONNEL POLICY MANUAL SECTION 12.3.5 REGARDING APPROVAL OF EMPLOYEE VACATION CAP EXTENSION AND PROVIDING AN EFFECTIVE DATE.

8. Ordinances:

- A. Second Reading of 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 PROCEDURES; AND
- PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

Consideration to waive third reading

Consideration to approve ordinance

Consideration to approve summary publication

9. Mayor/Council Announcements:

10. Executive Session:

- A. Adjourn to Executive Session pursuant to:

Idaho Code Section 74-206 (1)(d)

(d) To consider records that are exempt from disclosure as provided in Chapter 1, Title 74, Idaho Code **ACTION ITEM**

11. Business Continued

- A. Personnel Matter Nos. 2019-1 and 2019-2: Consider a motion to approve recommended extension of time for personal to use vacation time – Nancy Stauffer, Human Resources Director **ACTION ITEM**

12. Adjournment: