

**CITY OF KUNA**  
**REGULAR CITY COUNCIL MEETING**  
**AMENDED AGENDA**  
**TUESDAY, SEPTEMBER 17, 2013**  
Kuna City Hall Council Chamber, 763 W. Avalon Street, Kuna, Idaho

**7:00 P.M. REGULAR CITY COUNCIL**

**Call to Order and Roll Call**

**Invocation:** Chris Bent, Calvary Chapel

**Pledge of Allegiance:** Mayor Nelson

*(The council must move to amend the agenda per IC 67-2343 Effective July 1, 2009.)*

Amend the agenda originally posted on September 13, 2013 to include the following under New Business:

**5J - Resolution No. R30-2013 Osprey Ridge Sewer Hookup Assignment** – Richard Roats, City Attorney

Staff was notified of the request on Monday, September 16, 2013.

**1. Consent Agenda:**

*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 Old Business or as instructed by the City Council.*

A. City Council Meeting Minutes:

1. Minutes of September 3, 2013 Joint P&Z & Regular City Council Meeting

B. Accounts Payable Dated September 17, 2013 in the Amount of \$496,962.96

C. Alcohol Licenses:

D. Resolutions:

E. Findings of Facts and Conclusions of Law:

**2. Citizen's Reports or Requests:**

### 3. Old Business:

- A. Request for clarification on amendment to 07-03-DA Profile Ridge – Richard Roats, City Attorney

On October 16, 2013, the developer came before City Council to request several amendments to the development agreement. Of concern is the request to allow a right in, right out turn on Highway 69. Staff, the City Engineer and ACHD did not object to this amendment and the traffic study was performed with this configuration. However, the motion to approve the requested changes failed to include this change. The City Engineer has signed off on the construction plans and the applicant has commenced with a right in, right out turn onto Highway 69. Was it the Council's intent to approve this requested change to the development agreement to permit a right in, right out turn onto Highway 69?

### 4. Public Hearings: (7:00 p.m. or as soon thereafter as matters may be heard.)

- A. Public Hearing for the Fiscal Year Ending September 30, 2013 Budget Re-appropriation Amendment - John Marsh, City Treasurer

- 1. **Appropriation Amendment Ordinance No. 2013-19**

- Consideration to dispense with full reading and three consecutive readings.*

- Consideration to approve ordinance.*

- Consideration to approve a summary publication of the ordinance.*

AN ORDINANCE ENTITLED THE APPROPRIATION AMENDMENT ORDINANCE AMENDING ORDINANCE 2012-28, THE APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013; TO APPROPRIATE MONIES IN THE SUM OF \$11,965,000 AND PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW

### 5. New Business:

- A. Contribution Presentation for Economic Development from Idaho Power – Blake Watson, Community Relations Representative
- B. Grant Status Updates – Chris Engels, Deputy City Clerk
- C. Federal Transportation Update
  - a. Toni Tisdale, Community Planning Association of Southwest Idaho (COMPASS)
  - b. Mark Wasdahl, Project Manager, Idaho Transportation Department (ITD)
  - c. Wayne Herbel, Federal Aid Area Manager, Local Highway Technical Assistance Council (LHTAC)
  - d. Kelli Fairless, Executive Director, Valley Regional Transit (VRT)

**D. Resolution No. R26-2013 Election Day Council Meetings** – Richard Roats, City Attorney

A RESOLUTION OF THE CITY OF KUNA, IDAHO ESTABLISHING THAT THE CITY COUNCIL HEREINAFTER RESCHEDULES THE TWO (2) REGULAR MEETINGS THAT CONFLICT WITH THE GENERAL AND SPECIAL ELECTION DATES AS SET BY STATE CODE FROM TUESDAY TO WEDNESDAY AT THE SAME TIME AND LOCATION; PROVIDING NOTICE OF THE SCHEDULED REGULAR MEETINGS ON AN ANNUAL BASIS; AND PROVIDING AN EFFECTIVE DATE.

**E. Resolution No. R27-2013 Lake Hazel Farm Property** – Richard Roats, City Attorney

A RESOLUTION DECLARING THAT A SINGLE CITY-OWNED PARCEL OF REAL PROPERTY CONSISTING OF APPROXIMATELY 107.13 ACRES AND LOCATED NORTH OF LAKE HAZEL ROAD AND EAST OF TEN MILE ROAD, KUNA, IDAHO, IS SURPLUS AS THE PROPERTY IS UNDERUTILIZED, OR NOT USED FOR PUBLIC PURPOSES; DECLARING THE INTENT OF THE CITY OF KUNA TO SELL THE PROPERTY AT PUBLIC AUCTION TO THE HIGHEST BIDDER; DECLARING THE MINIMUM PRICE FOR THE PROPERTY; INSTRUCTING THE CITY CLERK TO PUBLISH A SUMMARY OF THE ACTION TAKEN BY THIS RESOLUTION AND ESTABLISH AND PUBLISH NOTICE OF THE HEARING DATE TO REVIEW THE PROPOSED CONVEYANCE, EXCHANGE OR SALE AND TO PUBLISH NOTICE OF THE PUBLIC AUCTION HEARING TO SELL THE PROPERTY TO THE HIGHEST BIDDER AT AN AMOUNT NOT LESS THAN THE MINIMUM SET BY THE CITY COUNCIL; APPROVING A SUMMARY OF THE ACTION TAKEN BY THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

**F. Resolution R28-2013 A Resolution Outlining Utility Service Bill Mailing Procedures Related to Tenant/Landlord Situations** – John Marsh, City Treasurer

A RESOLUTION OF THE CITY OF KUNA, ADA COUNTY, IDAHO ADOPTING A POLICY WHEREIN RESIDENTIAL AND COMMERCIAL UTILITY ACCOUNTS BE PLACED IN THE NAME OF ANY TENANT, WITH UTILITY BILLS DISSEMINATED TO SAID TENANT AT THE UTILITY SERVICE ADDRESS, UNLESS DIRECTED OTHERWISE BY THE OWNER OF SAID PROPERTY.

**G. Resolution R29-2013 Kuna 75 LLC Property** – Richard Roats, City Attorney

A RESOLUTION DECLARING THAT THE CITY OF KUNA, OWNER OF THE REAL PROPERTY, AS LEGALLY DESCRIBED HEREIN AND CONSISTING OF APPROXIMATELY 20.164 ACRES, AND KNOWN AS THE KUNA 75, LLC PROPERTY AND ITS SIXTY (60) EQUIVALENT DWELLING UNITS (EDU'S), DOES NOT MEET THE DEFINITION OF SURPLUS PROPERTY, AND THEREFORE THE CITY OF KUNA SHALL PAY OFF THE LID LIEN FOR SAID PROPERTY AND

THE CITY OF KUNA WILL THEN OWN THE REAL PROPERTY AND THE SIXTY (60) EDU'S FREE AND CLEAR OF ANY AND ALL LIENS; INSTRUCTING THE CITY CLERK TO PUBLISH A SUMMARY OF THE ACTION TAKEN BY THIS RESOLUTION AND ESTABLISH AND PUBLISH NOTICE OF THE HEARING DATE TO REVIEW THE PROPOSED ACTION; APPROVING A SUMMARY OF THE ACTION TAKEN BY THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

- H. Fiscal Year Ending September 30, 2013 Financial Results of Operations Through August 31, 2013 – John Marsh, City Treasurer
- I. Discuss Safelink Internet Contract Related to Antennas Located on the Water Tower – Richard Roats, City Attorney
- J. **Resolution No. R30-2013 Osprey Ridge Sewer Hookup Assignment** – Richard Roats, City Attorney

A RESOLUTION OF THE CITY OF KUNA, IDAHO AUTHORIZING THE ASSIGNMENT OF FIFTY (50) OSPREY RIDGE DEVELOPMENT SEWER CONNECTIONS NOW OWNED BY ROY E. STEPHENSON, A MARRIED PERSON (34% INTEREST), MICHAEL TOOMEY, TRUSTEE OF THE ALBION ENTERPRISES, INC. DEFINED BENEFIT PLAN TRUST (50% INTEREST) AND WILLIAM R. STURGEON, TRUSTEE OF BUSINESS SERVICES RETIREMENT PLAN (16% INTEREST) ("ASSIGNOR") TO ANDERSON ENTERPRISES, AN IDAHO PARTNERSHIP ("ASSIGNEE").

**6. Ordinances:**

- A. **First Reading of Ordinance No. 2013-09A – Irrigation Annexation for Profile Ridge Subdivision No. 2**  
*Consideration to dispense with full reading and three consecutive readings.*  
*Consideration to approve ordinance.*  
*Consideration to approve a summary publication of the ordinance.*

AN ORDINANCE AMENDING THE LEGAL DESCRIPTION FOR THE CITY OF KUNA, IDAHO, ANNEXING PROFILE RIDGE SUBDIVISION NO. 2 INTO THE KUNA MUNICIPAL IRRIGATION DISTRICT FROM THE BOISE~KUNA IRRIGATION DISTRICT AND CHANGING THE BOUNDARIES THEREOF; 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.

- B. **First Reading of Ordinance No. 2013-18 – Irrigation Annexation for Crimson Point Subdivision No. 6**  
*Consideration to dispense with full reading and three consecutive readings.*  
*Consideration to approve ordinance.*  
*Consideration to approve a summary publication of the ordinance.*

AN ORDINANCE FOR THE CITY OF KUNA, IDAHO, ANNEXING CRIMSON POINT NO. 6 INTO THE KUNA MUNICIPAL IRRIGATION DISTRICT FROM THE BOISE~KUNA IRRIGATION DISTRICT AND CHANGING THE BOUNDARIES THEREOF; 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.

**7. Mayor/Council Discussion Items:**

**8. Announcements:**

**9. Executive Session:**

- A. Adjourn to Executive Session Pursuant to Idaho Code 67-2345(c) to Discuss Property Acquisition

**10. Adjournment:**