

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, August 4, 2020

6:00 P.M. REGULAR CITY COUNCIL

*Per the Order issued by Central District Health on July 14, 2020,
Social distancing and face masks will be required.*

*Due to social distancing protocol,
the Council Chambers Audience Occupancy Capacity is 15.*

The first 15 persons who appear will be allowed in Council Chambers. All other persons may access the meeting via Live Streaming. Elected Officials and staff will be participating virtually. Those attending in person can watch the meeting on the Council Chambers screen.

Live Streaming Instructions:

Members of the public may watch the August 4, 2020 Council Meeting via Facebook Live. Live feed will start at 6:00 P.M. on the City of Kuna Idaho Facebook page linked below:

<https://www.facebook.com/CityofKunaIdaho/>

For questions please call the Kuna City Clerk’s Office at (208) 387-7726.

Public testimony will be received on the cases listed under Public Hearings within this Agenda. The instructions and options available for public testimony are listed below.

APPLICANT/PUBLIC ORAL PUBLIC HEARING TESTIMONY PROCESS:

Written – Up to noon the day of the Public Hearing

1. Submit any below stated option **prior to noon the day of the Public Hearing meeting**. Late submissions will not be included.
2. Submit testimony via our website on the [Public Testimony Form](#).
Kunacity.id.gov > Doing Business > Forms and Applications > Frequently Requested Applications and Forms > ONLINE Public Testimony Form
3. Submit testimony via email to PublicHearingTestimony@KunaID.gov
4. Submit via mail to:
City of Kuna
Attention: City Clerk’s Office
PO Box 13
Kuna, ID 83634

Oral – Via electronic call during the Public Hearing

1. Submit request **no later than noon the day of the Public Hearing meeting**.
2. Email PublicHearingTestimony@KunaID.gov
✓ Your name

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 (208) 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.

- ✓ Address
 - ✓ Phone Number you will be calling from to give testimony
 - ✓ Email Address
 - ✓ Date of Public Hearing
 - ✓ Case number or Identification of Public Hearing
3. Watch your email for a reply email with the information to join the meeting electronically. (Check your spam/junk folder as a precaution)
 4. Follow the dial in information.
 5. Call into the virtual lobby a minimum of 5 minutes prior to the meeting.

Oral – In Person Testimony during the Public Hearing.

All persons wishing to testify must, state their name and residential address. No person shall speak until recognized by the Mayor. A three (3) minute time limit will be placed on all testimonies.

PLEASE NOTE: Due to social distancing protocol, the Council Chambers Audience Occupancy Capacity is 15. The first 15 persons who appear, in addition to Mayor, City Council, and staff, will be allowed in Council Chambers.

*If you have questions regarding public testimony,
please call the Kuna City Clerk's Office at (208) 387-7726.*

1. Call to Order and Roll Call

2. Invocation: None

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. Regular City Council Meeting Minutes Dated July 21, 2020

B. Accounts Payable Dated July 30, 2020 in the amount of \$384,217.32

C. Resolutions:

1. Consideration to approve Resolution No. R38-2020

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO, APPROVING AND ADOPTING AN AMENDMENT TO THE CITY OF KUNA PERSONNEL POLICY MANUAL SECTION 6.19 REGARDING CELL PHONE USE WHILE DRIVING; DIRECTING THE HUMAN RESOURCES DIRECTOR; AND PROVIDING AN EFFECTIVE DATE.

2. Consideration to approve Resolution No. R40-2020

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING THE “REIMBURSEMENT AGREEMENT” BETWEEN THE CITY OF KUNA AND THE LETE FAMILY REVOCABLE TRUST FOR 4” SEWER SERVICE LINES IN THE PROSPECTOR SEWER PROJECT; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

5. *External Reports or Requests: None*

6. *Public Hearings:*

Due to current health precautions associated with the Coronavirus, the City of Kuna is providing alternative ways for the community to submit comments at public hearings. To learn more about the process for written and oral testimony please follow the directions above or call the City of Kuna Clerk’s Office at (208) 387-7726.

- A. *Public Hearing continued from June 16, 2020 and tabled from July 7 and July 21, 2020, for additional public testimony and Consideration to approve Case No. 19-10-AN (Annexation), 19-01-PUD (Planned Unit Development) & 19-06-S (Pre-Plat) & a DA (Development Agreement) for Spring Rock Subdivision – Troy Behunin, Planner III & Dave Yorgason, Ten Mile Creek, LLC (Applicant) ACTION ITEM*

Ten Mile Creek, LLC, requests approval for Annexation, Planned Unit Development (PUD), Preliminary Plat, and a Development Agreement. Applicant requests to annex approximately 761 ac. into Kuna City limits, with a variety of zones throughout the project; including R-6 (Medium Density Residential), R-12 (High Density Residential), R-20 (High Density Residential), C-1 (Neighborhood Commercial) and the C-2 (Area Commercial) zones. This is a multi-phased, Master-Planned Development proposing up to 2,274 dwelling units (Single Family [1,886] and Multi-Family [388]). Applicant requests Preliminary Plat approval in order to subdivide approximately 477 of the 761.44 acres into 757 Single family and 136 Multi-family lots, 34 common lots, 7 commercial lots, one school lot and two public facility lots. The remaining lands (approx. 284 ac.) will be developed in the future with separate applications. The project site is in Sections 14, 15, 23 & 24, all in T2N, R1E, near the northeast corner of Cloverdale and Kuna Roads.

Re-Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

Potential Motions:

Consideration to either:

Option 1: Approve or Deny Case Nos. 19-10-AN (Annexation), 19-01-PUD (Planned Unit Development) & 19-06-S (Pre-Plat), a DA (Development Agreement), and the Findings of Fact, Conclusions of Law and Order of Decision as presented in the packet and Close the Public Hearing.

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

- B.** *Public Hearing tabled from July 21, 2020 on the Status of CDBG Funded Grant Activities – Chris Engels, City Clerk and Lisa Bachman, JUB Engineers Project Manager*

7. Business Items:

- A.** *Tabled from July 21, 2020 Consideration to approve 20-03-LLA (Lot Line Adjustment) for Kelleher Subdivision No. 2 – Jessica Reid, Customer Service Specialist III ACTION ITEM*

On behalf of Open Door Rentals, LLC (Owner), Shawn Brownlee with Trilogy Development seeks Lot Line Adjustment approval to ensure proper building setback requirements. The subject properties are located at 1585 W. Hubbard Road and 1595 W. Hubbard Road, Kuna, ID, 83634 (APNS: R4865430140 and R4865430160).

- B.** *Consideration to approve Resolution No. R41-2020 – Lisa Holland, Economic Development Director ACTION ITEM*

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KUNA:

- SETTING FORTH CERTAIN PURPOSES, AND
- ESTABLISHING A CITY OF KUNA BUSINESS CONFIDENTIALITY MANAGEMENT POLICY; AND
- DIRECTING THE CITY CLERK; AND
- SETTING AN EFFECTIVE DATE.

- C.** *Informational Only Economic Development Update on Urban Renewal – Lisa Holland, Economic Development Director*

- D.** *Informational Only Budget Results Report – Jared Empey, City Treasurer*

- E.** *Consideration to approve Tentative FY 2021 Budget – Jared Empey, City Treasurer ACTION ITEM*

8. Ordinances:

- A.** *Tabled from July 21, 2020 Consideration to approve Ordinance No. 2020-24 ACTION ITEM*

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

- AMENDING CHAPTER 8, TITLE 3; AND
- PROVIDING FOR ADDITIONAL DEFINITIONS; AND
- MAKING TECHNICAL CHANGES; AND
- PROVIDING FOR SPECIAL EVENTS REGULATIONS AND PERMITS;

- AND PROVIDING FOR PARADE SPECIAL EVENT REGULATIONS AND PERMITS; AND
- PROVIDING FOR BLOCK EVENT REGULATIONS; AND
- PROVIDING FOR TECHNICAL CORRECTIONS TO THE ATTENDEE PROJECTION GOOD FAITH ESTIMATE SPECIAL APPLICATION REGULATIONS; AND
- PROVIDING FOR PERMIT DENIAL AND PROCEDURE; AND
- PROVIDING FOR LIBERAL CONSTRUCTION OF ADMINISTRATIVE REGULATORY POWERS AND AUTHORITY PROVIDED; AND
- DIRECTING THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Consideration to Waive Three Readings of Ordinance

Consideration to Approve Ordinance

Consideration to Approve Summary Publication

B. Consideration to approve Ordinance No. 2020-25 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 PATAGONIA DEVELOPMENT LLC.; 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 of Ordinance

Consideration to Approve Ordinance

9. Executive Session: None

10. Mayor/Council Announcements:

11. Adjournment: