



## 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  
MINUTES  
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](mailto: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](mailto: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**

**COUNCIL MEMBERS PRESENT:**

- Mayor Joe Stear
- Council President Briana Buban-Vonder Haar – Via Zoom
- Council Member Richard Cardoza – Via Zoom
- Council Member Warren Christensen – Via Zoom
- Council Member Greg McPherson – Via Zoom

**CITY STAFF PRESENT:**

- Chris Engels, City Clerk
- Jared Empey, City Treasurer – Via Zoom
- Bill Gigray, City Attorney – Via Zoom
- Lisa Holland, Economic Development Director – Via Zoom
- Wendy Howell, Planning & Zoning Director – Via Zoom
- Nancy Stauffer, Human Resources Director – Via Zoom
- Paul Stevens, Public Works Director – Via Zoom
- Bobby Withrow, Parks Director – Via Zoom
- Troy Behunin, Planner III – Via Zoom
- Jace Hellman, Planner II – Via Zoom
- Jessica Reid, Customer Service Specialist III – Via Zoom
- Ariana Welker, Deputy City Clerk

Mayor Stear said they would skip on to the Consent Agenda.

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.*

*(Timestamp 00:00:18)*

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.

Mayor Stear asked if there was anything anyone would like to have removed for discussion or a motion to approve.

**Motion To:** Approve the Consent Agenda

**Motion By:** Council President Buban-Vonder Haar

**Motion Seconded:** Council Member McPherson

**Further Discussion:** None

**Approved by the Following Roll Call Vote:**

**Voting Aye:** Council Members Cardoza, Christensen, Buban-Vonder Haar, and McPherson

**Voting No:** None

**Absent:** None

**Motion Passed:** 4-0.

**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  
(Timestamp 00:01:19)

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.

Mayor Stear thought they were at the point of working on public testimony and answering questions. There were some issues at the last meeting with people not being able to hear. He invited Planner III Troy Behunin to add anything to this if he wanted.

Planner III Troy Behunin reviewed at the last meeting it was tabled and direction to staff was to include the minutes from the July 21, 2020 Council Meeting in the packet. Except for those minutes, it was the same packet Council was given on July 21, 2020, July 7, 2020, and June 16, 2020. There was nothing new.

Mayor Stear re-opened the public hearing. He stated there was no one signed up to testify in person or remotely. It was appropriate for Council to continue on with any questions or comments they had. He opened the floor to Council.

Support: None

Against: None

Neutral: None

Rebuttal: None

Council Member Cardoza said this was one of the hardest decisions he had to make probably in the fourteen to fifteen years he had been on the Council other than the waste water treatment plant. He didn't think the City should be annexing that far out. He had driven it that Sunday. It was approximately 7.3 miles to where it started and approximately ten miles to Cole Road. He thought it would be a strain on Kuna's police and the Ada County roads and definitely a strain on Kuna's infrastructure. Between here and there was plenty of vacant land. They needed to be sure there was capacity in the wastewater treatment plant and regional lift stations. It seemed excessive to go that far out annexing at that time. He thought they had enough problems at home that they shouldn't be looking ten miles from the downtown core.

Council Member McPherson was of the same opinion. It was so far out that, by the time it was pumped and pumped to get that all there, what was really gained. The size of the development was such that it needed its own trunk line to the plant because it would be ungodly to put a big enough pipe in for people to hook to in the future on all the miles in between which was typically what they tried to do. He agreed with Council Member Cardoza on the strain on adding that many people that far away from designated services and all of that until all that kind of infrastructure could be built. It was a recipe for disaster. He was not super in favor of it at that time from what he had seen.

Mayor Stear clarified they had talked about providing for their own waste water treatment out there so it wouldn't be on Kuna's sewer treatment plant. He knew that was just one of their concerns. The waste water treatment wouldn't actually be a burden on Kuna's existing system; it would be a new system.

Council Member Christensen said what Council Members Cardoza and McPherson said resonated with his thoughts but Mayor Stear had piggy backed directly on something he had realized when it came to the wastewater side. When it came to the services, asking Kuna's fire and police to drive way out there, that was where his concerns lay but he thought, if they were going to be annexing things out there because it was part of Kuna's impact, the concern would have been brought up by police and fire saying that would be a strain for them. It may not be such. He also piggybacked on what Council President Buban-Vonder Haar had said at the last meeting in regards to the City itself and the type of development this had to offer when it came to the grand scheme of things; with the school offerings, the fishing ponds, the 20% open space, all those. That absolutely was something the city had been craving as well. Whether or not it was seven miles out or two miles out, he didn't think it would make that much of a strained impact on Kuna's services as people thought. His concerns probably were not as grave as Council Members McPherson's and Cardoza's were. He definitely felt this was the type of community and growth they had been looking for. He had no dire concerns.

Council President Buban-Vonder Haar asked Council Members Cardoza and McPherson if it allayed their concerns at all that this proposed development was next to Falcon Crest which had already been annexed and they would already be providing services to. She got the concern of annexing far away from hubs but it seemed like Falcon Crest would

already be a large service area so having some additional adjacent development there might be preferred to another random spot or something like that.

Council Member Cardoza was also concerned about putting 26,351 more cars on the road and that was probably a conservative count. He didn't think the roads were ready for that big of a development in that locale east of town. If you took Falcon Crest and added this subdivision in addition, it would put a big strain on the police department with the response time of probably ten to fifteen minutes. If an officer needed back up, there went Kuna's other police officer until Ada County could send an officer into downtown Kuna to pick up for those officers that were gone. His observation on most police calls was an officer would probably be out there a minimum of a half hour to an hour depending on the seriousness of the call. That left the rest of Kuna pretty much unprotected until south Ada could get an officer there. They had to draw the line somewhere and allow the growth to start closer to Kuna and not so far away from the core. That was his biggest concern. He had no problem with the development and thought Mr. Yorgason was doing a great job. He would love to have it closer to town. He would be the first to vote for it. He just thought they were expanding their infrastructure a little too far. He imagined the sewer facility would have to be manned by the City of Kuna which meant hiring other people to maintain that. He did not think it was a wise choice at that time for Kuna to extend the city limits that far. The roads weren't adequate and police protection wasn't adequate. He couldn't speak for the fire department but he thought they were pushing them to the ultimate of what they could achieve.

Mayor Stear called on Council Member McPherson and noted that he saw Dave Yorgason's comment. He thought they would get through this and then let him chime in. He wasn't ignoring him; just putting him off.

Council Member McPherson agreed with Council Member Cardoza. It was a very well-planned development. Long term, looking at the layout, open space, school sites, the potential for a public service building with a joint police-fire type station, it was all very great. Council Member Cardoza hit heavily on the police presence and the ability to service that and maintain good service there. He thought worse off would be the fire department. They were looking at trying to get staffing up. Before they could staff a station that far out it would be so long and that just put so much that farther away from where the station was. Council President Buban-Vonder Haar mentioned it was directly over the hill from Falcon Crest but by actual road miles it was two and half to three more miles of travel and, in the grand scheme of things, when grandma was having a heart attack, those three miles were life or death. To him, it was just too big and too far out. Even if it was smaller it was still too far out in his opinion. It just didn't make good feasible sense for the City to reach quite that far. He did like the layout. It was fantastic how they designed everything and all that. He gave them an A+ for that but, as far as what Kuna had to offer or gain by it, he felt it just stretched them too thin.

Mayor Stear invited Mr. Yorgason to chime in.

Dave Yorgason, Ten Mile Creek, LLC, the applicant, appreciated the questions and the concerns. They had thought a lot about those concerns. He started with streets. They had the approval from ACHD because they were not only paying almost \$10 million in

impact fees but they would have multi millions of dollars of off-site road improvements. That was in addition to all of the impact fees they were paying. In the packet there were a couple maps that showed where those off-site road improvements were required just with this first preliminary plat. There would be other off-site improvements required with future development as they rolled this forward in the second and third portions of site development. That was why ACHD wrote the letter recognizing the general concerns but also recognizing they had the approval because of all the off-site improvements. He agreed with Council Member Cardoza, if they did not have off-site road improvements required of this site, they would be putting too much of a burden on the infrastructure with impact fees alone, but they weren't doing that. They were paying substantially and would have off-site road improvements at various intersections. He hoped that helped alleviate that one concern.

Mr. Yorgason touched on a couple other concerns. He appreciated Council President Buban-Vonder Haar's comment. Their roads would be connected. When they built Five Mile through the site, they would be tying into the backside of Falcon Crest; at some point all the way to Kuna Road. It actually was not a two to three-mile detour around the site, but actual heavy connectivity with streets as well as pathways through Falcon Crest. There was actually some efficiency and some joint sharing of services to support each other.

Mr. Yorgason understood a fire station would be built at the corner of Cloverdale and Kuna Road. That would really bring the fire service a whole lot closer to the site. By building development he thought on an annual basis it was like a million dollars or more each year to the fire department just with property taxes. That would staff a fire district. Fire staffing was through the tax basis. He knew that providing a site was needed if they wanted a second site so they were there to support with that. Lastly, with the police department, he did have a conversation as he mentioned in the last Council Meeting, with Chief McDaniel. The conversation was there was already some level of service, though not significant, and it would be improved over time as there were more houses out in that area. Just north of them, in Ada County, there was police/sheriff service. Through the joint service agreement with Kuna they knew the sheriff was there. The developer was there to help, not provide more of a burden, with that joint service facility with public works, police, and fire. They could have close proximity service a whole lot better than the far northern ends of the city, up by Lake Hazel and Ten Mile for example. He didn't know how far it was to get up there but it had to be similar as far as service distance was concerned.

Mr. Yorgason hoped Council could see they were trying to provide solutions in working with the partner agencies. He didn't see anything in the record from the fire department, police department, or ACHD that was recommending denial because they were partnering with them and providing these services to enable the project to be a success. They really were a partner with the community. They were local and cared deeply about the development of their community. Their commitment was to continue to partner with these agencies; police, fire, schools, and ACHD. He was happy to answer any questions. They understood if it was two miles closer maybe folks would feel a little more comfortable, but they also understood this was exactly consistent with the comprehensive

plan Council approved just over a year ago. He was happy to answer any questions and thanked Mayor Stear for the time.

Mayor Stear summarized the concerns he believed he was hearing from some of the Council Members. Expanding the city to that extent at that point in time would create a lot of concern for them. It was a good project but he was assuming there was a lot of concern about the projects already going on and the stress on the other roads in and out of town. That was one of his concerns. They ended up plugging all of the roads because there were too many things going on at once. This area was in their Area of City Impact. The Area of City Impact was adopted for future planning not necessarily meaning it was a ready set go type of situation. He did echo those same concerns. They did have a lot of road issues and things already because of development already occurring. He just had concern with doing this project at that point in time. That was where he stood on this. It was a great project and they were trying to accommodate and alleviate the situation so they wouldn't be so burdensome. He thought it was just one of those that couldn't help but be that way because of location and size. He realized it was a 20 year build out but, he was afraid for Kuna to expand residential out that much more would be a disservice to the citizens of the city of Kuna. That summarized his feelings on it.

Council President Buban-Vonder Haar understood where everyone was coming from but what she was struggling with, and maybe why she was thinking about it differently, was they lamented frequently when they had piecemeal developments and infill developments and all the same lot sizes and types of housing. When she saw these opportunities with a variety of housing opportunities and commercial mixed in; it was an entire developed planned out area, it seemed to hit a lot of issues they frequently saw, and having that level of planning for all the different things going in, it better allowed for them to plan for things like ACHD planning for roads and where expansions and improvements needed to happen. The fact that there could be some concessions made by the developer that wouldn't occur when it was piecemeal, small projects at a time, that sort of thing, the contributions to the infrastructure of dealing with sewer stuff on site, there were a lot of things they wouldn't see normally, it seemed like a more favorable type of growth. The kind of thing they frequently wished they saw. With the degree of planning and knowing it would happen over the next 20 years, it wasn't like they would be servicing 26,000 additional residents, or cars rather, tomorrow. It seemed like the type of thing that allowed for much better planning and in conjunction with the fact it was adjacent to Falcon Crest which would already be a large development, it allayed a lot of her concerns regarding stretching services to far away from town or impacting roads too much. They did not have negative input from any of the agencies they were concerned were being over stressed. She always talked about feeling like she needed to defer to ACHD about roads. It wasn't up to her to decide whether the roads would be over-taxed. It was up to the highway district because it was their wheelhouse. If none of the partner agencies were saying this was going to be a problem, she struggled a little bit with being able to say that herself. That was her two cents. She would let others chime in.

Council Member Cardoza pointed out Exhibit B2, a letter from Ada County Highway District dated December 11, 2019. At the end of the third page it said, "Due to current and future budgets forecasts ACHD may be unable to complete the improvements

necessary to the north/south corridors.” That concerned him. If there were already traffic problems and Ada County was trying to tell them that they may not have the funds, the City didn’t have an obligation to listen to them, but they did have an obligation to listen to their constituents who were complaining about the roads. By putting another 26,351 cars on those roads they were not necessarily improving the lot of their constituents when Ada County was telling them they may not have the funds necessary to improve the north/south corridors.

Council Member Christensen said Council Member Cardoza brought up a very valid point. That was something he was looking at right then. It was something they always talked about out there. The one thing that really resonated with him was the fact that, as they built this out in phases, with each phase they would be going back to ACHD to see what was plausible for each phase. They would stay in constant communication to ensure that things were still in line with what they were seeing for future growth for that. He did see in Exhibit B2 what Council Member Cardoza was bringing up and it did trigger a concern of his; something they had looked at and talked about. He asked Mr. Yorgason if he had been in discussion with ACHD in regards to that concern outside just a general approval.

Mr. Yorgason thanked them for asking the question. It got to the heart of what he was trying to explain. He recognized the staff report was really thick because of all the analysis they had done. When talking about north/south corridors, Cloverdale was their north/south corridor for this site on the western side of the project. Pleasant Valley was on the east side of the project but the concern wasn’t Pleasant Valley; it was Cloverdale. To the point about constituents, the residents, and his friends and neighbors that lived in that area, they had several off-site improvements on Cloverdale, both intersection and lane widening improvement requirements for this development. If they just had a 50-lot subdivision, they would have zero off-site road improvement requirements. If they had 20 subdivisions, all 100 lots at a time, they would pretty much have zero off-site improvements but, because they were doing a master planned community, ACHD had taken the opportunity to burden this development, which they had all agreed to do, to have those off-site improvements on Cloverdale. There was the intersection of Hubbard and Cloverdale, the intersection of Columbia and Cloverdale, and so forth, of which they were specifically required to improve, both for this first preliminary plat and then, as Council Member Christensen identified, they would have to go back at 350 lots and do another traffic impact study. They couldn’t have more than 350 lots. Even though the offsite improvement requirement was a trigger, staff wanted to make sure the improvement was going in at the right time. Before they had 350 lots, not homes, they had to have another traffic impact study reviewed and approved by ACHD before they could proceed forward. They had to have multiple, not just that number but multiple, triggers down the road that way ACHD ensured this development paid for its fair share of the off-site improvements in addition to the impact fees they were paying. He had never seen this in over 20 years of development but they had agreed to it because he knew it was the right thing for the community. He knew there were concerns about schools and streets. That was why they partnered with these agencies, so they could be a solution and not just kick the can down the road further. They had specific requirements in the ACHD

staff report to make sure those off-site improvements were done and the phasing of those were also identified. He hoped that answered the question.

Council Member Christensen said thank you, it did. That was all he had.

Mayor Stear said something to keep in mind was, as school sites needed to be developed and fire stations needed to be added, that would require bonding and they knew how difficult that could be in this area. He asked if any other Council Members had anything.

Council Members McPherson and Cardoza were good.

Mayor Stear asked if there was anything else anyone wanted to discuss or if they were ready to close the public hearing and move on to a decision.

**Motion To:** Close the public hearing and approve Case Nos. 19-10-AN (Annexation), 19-01-PUD (Planned Unit Development) & 19-06-S (Pre-Plat), and a DA (Development Agreement), and the Findings of Fact, Conclusions of Law and Order of Decision as presented in the packet.

**Motion By:** Council President Buban-Vonder Haar

**Motion Seconded:** Council Member Christensen

**Further Discussion:** None

**Roll Call Vote:**

**Voting Aye:** Council Members Christensen and Buban-Vonder Haar

**Voting No:** Council Members Cardoza and McPherson, Mayor Stear

**Absent:** None

**Motion Failed:** 2-3.

Mayor Stear said as far as he was concerned, he wasn't sure how it worked, but he thought they could keep the request on the record and, if they wanted to bring it back in a couple of years, when Kuna maybe had a chance to clean up some of the issues in the rest of the city, perhaps they could do that.

City Attorney Bill Gigray understood the motion by Council President Buban-Vonder Haar was a motion to close the public hearing and approve all of the pending applications. That motion was defeated so they were back to the hearing still being open and there was no further action. If there was a motion to deny the annexation that was approved, it would make motions for the other applications moot because, without the annexation, they had no jurisdiction to grant the other applications.

Mayor Stear clarified they needed to go back to a motion to close the public hearing.

Mr. Gigray replied yes. They could have that motion alone and then decide what action, if any, they wanted to take but, unless there was some affirmative action with regards to these applications, and the annexation would be number one, it seemed to him that it was still pending.

Mayor Stear asked for a motion to close the public hearing.

**Motion To:** Close the public hearing.

**Motion By:** Council Member Cardoza

**Motion Seconded:** Council Member McPherson

**Further Discussion:**

Council Member Cardoza asked Mr. Gigray if Case No. 19-10-AN should be taken separately as a vote since the Planned Unit Development, Pre-Plat, and DA were all contingent on the annexation.

Mr. Gigray explained it was his opinion that would be the first action item they consider because without annexation the other applications would be moot. If annexation was granted, they could proceed on the consideration of the others or, as Council President Buban-Vonder Haar did, they could consider all of them at once. At this point the annexation was the main issue and, if they determined to deny the annexation, he recommended they request staff to prepare findings and conclusions for their consideration for final action at the next meeting. In essence all they were doing was closing the receipt of testimony and evidence. They were continuing the hearing until this was finished.

Mayor Stear said they had a motion to close the public hearing and testimony from Council Member Cardoza and seconded by Council Member McPherson. He asked if there was any additional comment or discussion to that motion.

Council President Buban-Vonder Haar asked for clarification on what the next motion was going to be. She asked, if it was going to be to direct staff to prepare an annexation denial for consideration/review and approval at the next meeting, was there any chance they would want to receive any additional information at that time.

Mayor Stear didn't think so because what they usually did was have staff prepare findings of fact and bring it back to the next meeting. Generally, the decision had been made so it was a consent agenda item. He asked Mr. Gigray if that was correct.

Mr. Gigray's preference was to leave the hearing open but, when they closed it for testimony and evidence then, all they did at the hearing was reconvene the hearing, receive the staff findings, and then approve them. That was the procedure he liked to see followed. It didn't mean there was additional evidence or comment received. The findings were just presented by staff and Council and the mayor commented on whether they wanted any changes in the findings. If they didn't, they just approved them as submitted and that would conclude the matter.

Mayor Stear clarified he was talking about leaving the public hearing and testimony open.

Mr. Gigray said yeah, in his mind, and he knew there were different approaches to it, it was kind of like a trial. A trial opened up, a record was made, and that record continued until the judge made a final decision or the jury came back with their verdict and the court finalized it. He looked at it from that standpoint because it was really the bookends of the record of proceedings.

Mayor Stear stated, at that point, based on the original motion, they just wanted to direct staff to come back with Findings of Fact and Conclusions of Law, ask Council Member Cardoza to remove his motion to close the public hearing and testimony, and ask for Council Member McPherson to remove his second. He asked if that sounded reasonable.

Mr. Gigray said that was reasonable. Then somebody would need to make a motion to deny the application for annexation.

Mayor Stear asked Council Members Cardoza and McPherson if it sounded reasonable to withdraw their motion and second.

**Motion and Second Withdrawn:** Council Members Cardoza and McPherson

Mayor Stear asked if Council Member Cardoza or McPherson would like to make a motion to deny Case No. 19-10-AN, the annexation, and request staff come back with Findings of Fact, Conclusions of Law.

**Motion To:** Deny Case No. 19-10-AN (Annexation) and to direct staff to come back with the Findings of Fact, Conclusions of Law

**Motion By:** Council Member Cardoza

**Motion Seconded:** Council Member McPherson

**Further Discussion:** None

**Roll Call Vote:**

**Voting Aye:** Council Members Cardoza and McPherson, Mayor Stear

**Voting No:** Council Members Christensen and Buban-Vonder Haar

**Absent:** None

**Motion Passed:** 3-2.

Mr. Gigray stated, just as a matter of procedure, those findings would be brought back for final action. They would need to continue the hearing to a time and date certain for the receipt of those findings.

Mayor Stear asked for a motion to continue the hearing to the August 18, 2020 meeting. He assumed that was plenty of time for staff. Then they could make that conclusion.

**Motion To:** Continue the hearing to August 18, 2020 for staff to come back with Findings of Fact, Conclusions of Law for Council to finalize

**Motion By:** Council Member Cardoza

**Motion Seconded:** Council Member McPherson

**Further Discussion:** None

**Approved by the Following Roll Call Vote:**

**Voting Aye:** Council Members Cardoza, Christensen, Buban-Vonder Haar, and McPherson

**Voting No:** None

**Absent:** None

**Motion Passed:** 4-0.

Planning & Zoning Director Wendy Howell asked Mr. Gigray if Council needed to give specific reasons for denial and what was needed for an annexation to be approved.

Mr. Gigray thought the reasons for denial would be stated by the Council Members and the Mayor in the record. If they wanted to have specifics included in the findings, they would need another motion to identify exactly what those were. The findings would be prepared based on the record they received. Those could be included in the findings and then Council could review them and determine whether they supported them or not.

Ms. Howell clarified the Council did not need to state on record what, if anything, could be done to approve it.

Mr. Gigray said that would be true with the applications but with annexation it was a matter of discretion. If Mayor or a Council Member wanted to include specific findings as to the basis of denial, he recommended they entertain a motion to further clarify the denial.

Mayor Stear asked if any Council Members wanted to add anything to the record or just continue with the record they had so far. Hearing none he moved on.

**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 (Timestamp 00:47:07)***

Lisa Bachman, JUB Engineers Project Manager, 250 S Beechwood Avenue, Boise, Idaho 83709, read through the memo included in the packet. She noted construction was slated to be completed in September instead of August as stated in the memo. Mike Cole, the contractor with Knife River, could correct her if she was wrong on that. They did run into some delays due to COVID and different things like that. Also, the memo was a little dated due to the hearing being tabled. They had just put the third request for funds together and just received the fourth pay app from the contractor that would be paid with different federal funding sources. The table in the memo reflected just the CDBG dollars allocated to the project. There were a lot of other federal aid grant dollars and funding partners participating in this that would finish out funding the project. She stood for questions and reminded everyone Mr. Cole was available for questions as well.

Mayor Stear asked if anyone had questions for Ms. Bachman or Mr. Cole. He noted the project was coming along pretty well. They had met the week before and looked some things over. He thought it was going along pretty well. He was excited to get it finished up and completed. He appreciated everyone's hard work. He knew it was not always easy to work on a project that involved a lot of stakeholders. He thought they had done great job with that and keeping people in the mix. He appreciated ACHD and their support and their staff that was working on the project as well as the construction crew, JUB, the City Clerk, the Public Works folks, and everyone involved. He asked again if Council had anything they wanted to talk about.

Mayor Stear opened the public hearing. There was no one signed up to testify in person or via zoom. He asked City Clerk Chris Engels if that was correct.

Ms. Engels confirmed that was correct.

Support: None

Against: None

Neutral: None

Rebuttal: None

Mayor Stear asked, if there was no other comment or testimony, could they have a motion to close the public hearing.

**Motion To:** Close the public hearing on CDBG funded grant activities.

**Motion By:** Council President Buban-Vonder Haar

**Motion Seconded:** Council Member McPherson

**Further Discussion:** None

**Motion Passed:** 4-0

## 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  
(Timestamp 00:54:36)

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).

Customer Service Specialist III Jessica Reid presented the application and stood for questions.

**Motion To:** Approve 20-03-LLA

**Motion By:** Council President Buban-Vonder Haar

**Motion Seconded:** Council Member McPherson

**Further Discussion:** None

**Motion Passed:** 4-0.

- B.* Consideration to approve Resolution No. R41-2020 – Lisa Holland, Economic Development Director ACTION ITEM  
(Timestamp 00:56:59)

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.

Economic Development Director Lisa Holland explained she worked closely with City Attorney Bill Gigray on drafting up a confidentiality policy as well as a resolution asking for the ability for her to sign off on these requests. Every once in a while, they worked on a project, whether it was industrial, manufacturing, or commercial, who asked for a confidentiality agreement. It didn't happen very often but, it had happened a few times recently. They thought it would be better to have a policy in place and a standard agreement rather than using a form sent their way that might have some risk or obligations to the City they didn't want to take on. Mr. Gigray helped her draft a sample non-disclosure agreement and the request was that Council allow her to enter into those agreements with companies as needed. Anything that was a land use decision would still have to go through the appropriate processes, going through P&Z and City Council, and, if there was any negotiation with a company on an incentive, they would have to bring that to City Council in an executive session. It still allowed for all of those things but, allowed them to be able to disclose more information so staff could get them details about specific sites, infrastructure, and to learn a little bit more about who they were without them being as vague as they were sometimes. She stood for questions.

Mayor Stear added this was one thing that had come up a couple times and it was always a concern to have those out there. A lot of these developers did not want information out as they were trying to keep things secret as to what they were doing. They wanted Kuna to say they wouldn't spout that out and report it to the press. It put Ms. Holland in a predicament where occasionally she had to bring in other agencies for comment and they had to give a certain amount of information. Basically, this was designed to keep Ms. Holland from getting into trouble. Anything fiscal would have to come back to Council. That was the gist of it. He appreciated Mr. Gigray's help through the agreement solution. He asked if there were any other questions.

**Motion To:** Approve Resolution No. R41-2020

**Motion By:** Council President Buban-Vonder Haar

**Motion Seconded:** Council Member McPherson

**Further Discussion:** None

**Motion Passed:** 4-0.

- C. *Informational Only* Economic Development Update on Urban Renewal – Lisa Holland, Economic Development Director  
(Timestamp 01: 00:29)

Economic Development Director Lisa Holland noted the memo included in the packet that gave a brief update on where they were at with the urban renewal process. They had tried really hard to make sure City Council and their public agencies were involved throughout the process of establishing this proposed district. In the packet, on page 832, there was a map with some minor adjustments they were proposing for the district boundary that they would be bringing forward to Council. After a lot of conversation and feedback from Ada County, there were some concerns from Ada County originally about including as many AG parcels as they had. After really looking at what they wanted to accomplish within the district and the feedback they had gotten from Council and the

Economic Development Committee and their strategic planning efforts, they thought they probably wouldn't be able to accomplish everything they wanted to within the district so they decided to tone it down to what was feasible and what they could move forward with. The yellow area on the map was the few parcels they were working with Ada County Commissioners on to establish a joint agency agreement that they would work with Kuna on creating this boundary district. They met with them the previous week and they were in favor of partnering with Kuna with the new modifications. The Urban Renewal Board would be meeting the next evening at 6:00 P.M. and going through some draft maps and ideas for priorities in the plan. On August 27, 2020 they would be hosting a virtual workshop at noon and 6:00 P.M. They would send out a calendar invite and open it up to anyone from the Planning & Zoning Commission, City Council, and Urban Renewal Board, as well as some supporting agencies. They would make sure they published a notice so they could get good feedback on the plan and where they were at. They also wanted to be sure they were transparent with everybody within those boundaries. There were roughly 430 property owners within the boundary they were looking at, even with the reduced limit, so they had a draft letter that was included in the packet that might have some minor changes to it. They just wanted Council to be aware of the letter they were planning on sending out on behalf of the City. They would be attaching an Urban Renewal Frequently Asked Questions Guide as well as a survey. There would probably be a link for them to come back to the City with so, if they wanted to be involved with the process, they could give their input. They would keep email communication with them and have direct communication with anyone who had more interest. It was moving along and their goal was to finish the district proposal by December 31, 2020, if they could get there. They would be bringing it through Planning & Zoning and City Council for approval after the Urban Renewal agency approved the draft. Their goal was to have a plan in front of them by the September Urban Renewal meeting. They were moving fast and furious but she thought they had made some great progress. She was happy to answer any questions.

There were no questions.

Mayor Stear thanked Ms. Holland.

**D. Informational Only Budget Results Report – Jared Empey, City Treasurer**  
(Timestamp 01:04:19)

City Treasurer Jared Empey reviewed the summary of the cash the City had in custody. They had approximately \$33 million in their custody which was held through various LGIP funds, in savings, in their General Funds account with US Bank, and also their CD that was being held through ICCU that would mature that month. They would be deciding what to do with that, given the maturity, in the coming days. The next item was a recap of how the City was doing on everything. On page 2 everything had really turned around; especially after March and April which were, frankly, kind of scary given what was happening in the economy. Property Tax Revenue at the end of June already surpassed the budget amount. They got the last payment the other day which was around a million dollars. Essentially, they had received all their funds for Property Tax Revenue. Also, a couple items to keep in mind that weren't captured as of the end of June but

would be as of the end of July, their State Sales Tax Revenue came in very strong. In fact, he would say it was probably the strongest the City ever had for sales tax sharing. They surpassed that as well. They were already at a million dollars for their State Tax Revenue Share and they still had one more payment to go. They were paid quarterly on that. He assumed they would be about \$500,000 over what was forecasted for the State Revenue Share. Essentially, they would come in at about \$1.2 or \$1.3 million there. Very surprisingly, Building Permits, the 1-4360, at the end of June was at about \$719,000 which was running behind what the previous year was but, at the end of July the results had really turned around and they were actually ahead of where they were the previous year. He thought they would still end up at budget or even above budget on that. Really, building had turned around given the low interest rate and despite all the lock downs and disruptions in the economy. Things still stayed steady. Lots of good news budget wise for that fiscal year. He thought that was the main thing. The other funds, Water, Sewer, Irrigation, looked healthy. He wasn't concerned about those. His main concern a few months prior had been the General Fund given that Building had dropped off significantly in March due to the disruption in the economy. That had really turned around and he was pleased with where they sat now. He was available for any questions.

There were no questions.

Mayor Stear thanked Mr. Empey.

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

**ACTION ITEM**

*(Timestamp 01:09:02)*

City Treasurer Jared Empey noted this was a tentative budget, not the final budget, they were required to pass prior to their final budget which would be in September. It was a starting point for formalizing the budget. They would publish the budget twice in the Kuna Melba News prior to their official budget hearing the first meeting in September and then they would vote on the final version. Essentially, the tentative budget they had on the first page was just the very basic elements of it and on the following pages they had all the details they had in the past. Not much had changed since their previous discussions. Any items that would have changed would have been pretty small. They finalized Animal Control and Prosecutorial Services, he updated some amounts like Telephone Expense, he also, due to the large amount they received for Sales Tax Revenue, increased that slightly. Other than that, essentially, most line items were exactly the same as their previous discussion. He asked if there were any questions.

Mayor Stear clarified this would be the copy they would publish for final approval for their first meeting in September.

Mr. Empey said this was the tentative budget they would use as a starting point for publishing the final budget. There could be a few differences between the tentative budget and the final budget in that they would absolutely finalize the Property Tax Revenue line because the number in the budget then was off by a couple thousand. They got their final numbers one day after the deadline for this meeting. Also, on August 8, 2020 they would have their final number for Law Enforcement Services. Although this

tentative budget wouldn't be exactly the same as what they published for their final budget it would be essentially the same, within a few thousand dollars one way or the other. Materially it was the exact same.

City Attorney Bill Gigray understood Mr. Empey wanted action of the Council that evening. If Council approved the tentative budget, they could approve the publication of the tentative budget subject to and giving authority to the Treasurer to make minor changes to the final Property Tax Numbers Law Enforcement Contract with Ada County, and any other minor changes. Mr. Empey could identify what those were. That motion could be made and approved which would allow that publication and the Treasurer to make those last-minute changes without the Council meeting again to approve it.

Mayor Stear asked if there were any questions from Council. If not, a motion would be in order to accept this for advertising with the changes to Property Tax, Law Enforcement, and other minor changes.

**Motion To:** Approve the Tentative FY 2021 Budget and provide the Treasurer the authority to make changes as discussed.

**Motion By:** Council President Buban-Vonder Haar

**Motion Seconded:** Council Member McPherson

**Further Discussion:** None

**Voting No:** None

**Absent:** None

**Motion Passed:** 4-0.

## 8. *Ordinances:*

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

*(Timestamp 01:15:04)*

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.

Council President Buban-Vonder Haar had noticed this ordinance prohibited the throwing of anything from parade floats. She didn't know if anyone could speak to that but she had a feeling it was something the public would be quite upset about.

Mayor Stear asked if City Clerk Chris Engels or Police Chief Jon McDaniel would care to address that. He knew it was something that had been in place for a while.

Ms. Engels deferred to Chief McDaniel.

Chief McDaniel stated they had that rule because they had asked parade participants to walk out to the crowd and away from the tires to hand out candy instead of throwing it. What happened the last several parades, even with that requirement as a rule, not necessarily a conditional rule which was why they liked these changes, was a lot of candy got dropped right off the float and got run over by the float tires. They had some close calls. In Pendleton, Oregon, he thought about two or three years prior, a child was run over. They just wanted to be responsible because it did get crazy and it was hard for parents to track their children at times.

Council President Buban-Vonder Haar said the clarification that people walking alongside the floats could still hand out candy and stuff like that seemed like a good compromise. She appreciated the insight. It addressed her only big concern about something the public might be mad about. She didn't realize it was already prohibited. She thanked Chief McDaniel.

Mayor Stear asked if there were any further questions, comments, or discussion on this item.

Council President Buban-Vonder Haar asked if they wanted to do the full three readings. She didn't imagine there would be any parades in the near future given the gathering size limits at that time. She asked if anyone had a strong preference.

Mayor Stear didn't see a need to fast track unless Council wanted to do that. They could go ahead and have the three readings.

Council President Buban-Vonder Haar's preference was to go slow because this was the kind of thing that would impact a larger portion of the population all at once and just in case anyone had comments or anything prior to them passing it.

Council Member McPherson was good either way.

Mayor Stear said they would consider this the first reading and have the second reading on the agenda for the next meeting.

**B.** Consideration to approve Ordinance No. 2020-25 ACTION ITEM  
(Timestamp 01:19:55)

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*

**Motion To:** Waive three readings of Ordinance No. 2020-25  
**Motion By:** Council President Buban-Vonder Haar  
**Motion Seconded:** Council Member McPherson  
**Further Discussion:** None  
**Motion Passed:** 4-0.

**Motion To:** Approve Ordinance No. 2020-25  
**Motion By:** Council President Buban-Vonder Haar  
**Motion Seconded:** Council Member McPherson  
**Further Discussion:** None  
**Approved by the Following Roll Call Vote:**  
**Voting Aye:** Council Members Cardoza, Christensen, Buban-Vonder Haar, and McPherson  
**Voting No:** None  
**Absent:** None  
**Motion Passed:** 4-0.

**9. Executive Session:** None

**10. Mayor/Council Announcements:**

*(Timestamp 01:22:17)*

Mayor Stear asked Council President Buban-Vonder Haar if there was something she wanted to announce.

Council President Buban-Vonder Haar said yes. She thought everyone had seen it but, unfortunately, they had made the decision to move to be closer to family so she would be resigning from Council effective September 1, 2020. If they wanted to, they could approve somebody else. She thanked everyone. It had been a pleasure working with them over the last almost nine years. She appreciated the opportunity to serve the community. It was a hard decision but she thought it was the right one for their family. They would certainly miss everyone.

Council Members Christensen and Cardoza thanked her.

Council Member McPherson thanked her. He had learned a ton from her and would truly miss her. It had been a pleasure working beside her.

Council President Buban-Vonder Haar said thank you. The comments had been heartwarming.

Mayor Stear said they all knew sometimes these things weren't easy to get through and she had been putting herself out there like she had for almost nine years. It showed a lot and they certainly appreciated her service to the community. As he told her when she first told him, he always felt family should come first so he certainly respected her decision and wished her the best. They would get her for one more meeting or maybe two. He asked if anyone else had anything they wanted to talk about.

Mayor Stear shared his MAC Policy meetings, it was mayors and commissioners through Ada City County Emergency Management, met twice a week regarding COVID and talked to hospitals and health districts in both Ada and Canyon counties. It appeared the case counts were slacking off and leveling out. Hopefully that was a really good sign. He didn't know exactly what Central District Health would be considering over the next little bit but it sounded like they might actually be discussing reducing the number of people that gather from 50 or less to 25 or less. As far as he knew, there was nothing else major coming. Other than that, it sounded like the news was pretty good. The number of ventilators and ICU beds was in good shape. They had been keeping those open. It sounded like they were on a good roll for that and hopefully they would continue to do so without being any more impactful. He appreciated everyone. This had been a difficult time and it was certainly uncomfortable to wear masks around. He appreciated everyone doing the best they could to help each other keep safe and get through this. This was a great community and the people who lived here were very caring. He was proud to live in the city of Kuna and not somewhere else that was having a lot of problems.

**11. Adjournment: 7:27 P.M.**



Joe L. Stear, Mayor

ATTEST:



Chris Engels, City Clerk



*Minutes prepared by Ariana Welker, Deputy City Clerk*  
*Date Approved: CCM 08.18.2020*



# CITY OF KUNA

751 W. 4<sup>th</sup> Street • Kuna, Idaho • 83634 • Phone (208) 922-5274  
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## SIGN-UP SHEET

**Aug. 4, 2020 – City Council Public Hearing (TABLED)**

**Case Name: 19-10-AN (Annex.), 19-01-PUD (Planned Unit Develop.), 19-06-S (Prelim. Plat) And a DA (Development Agreement) –Spring Rock Subdivision**

**Case Type:** Ten Mile Creek, LLC, requests approval for Annexation, a PUD, Preliminary Plat & 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 Project with *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, two school lots 7 two public facility lots. The remaining lands (approx. 284 ac.) will be developed in the future with separate applications. The project is in Sections 14, 15, 23 & 24, all in T2N, R1E, near the NEC of Cloverdale and Kuna Roads.

Please print your name below if you would like to present oral testimony or written exhibits about this item to the Commission or City Council.

IN FAVOR		NEUTRAL		IN OPPOSITION	
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# CITY OF KUNA

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## PUBLIC HEARING SIGN-UP SHEET

Kuna City Council Meeting 6:00 p.m.

August 4, 2020

### **Status of CDBG Funded Grant Activities**

Please print your name below if you would like to present oral testimony or written exhibits about this item to the City Council.

IN FAVOR		NEUTRAL		IN OPPOSITION	
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