



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, June 16, 2020

6:00 P.M. REGULAR CITY COUNCIL

*Under authority of the Governor's partial Open Meeting Law Suspension Proclamation dated March 13, 2020, and due to social distancing protocol, the **Council Chambers Audience Occupancy Capacity is 15.***

Social Distancing will be required.

*The **first 15 persons** who appear, in addition to Mayor, City Council, and staff, will be allowed in Council Chambers. All other persons may access the meeting via Live Streaming.*

Live Streaming Instructions:

*Members of the public may watch the June 16, 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

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.

Oral – Via electronic call is allowed based on Governor Little’s Open Meeting Law suspension proclamation of March 13, 2020.

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

*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
- Council Member Warren Christensen - Via Zoom
- Council Member Greg McPherson

CITY STAFF PRESENT:

- Chris Engels, City Clerk
- Jared Empey, City Treasurer
- Bill Gigray, City Attorney
- Lisa Holland, Economic Development Director – Via Zoom
- Wendy Howell, Planning & Zoning Director
- Paul Stevens, Public Works Director – Via Zoom
- Bobby Withrow, Parks Director – Via Zoom
- Troy Behunin, Planner III

2. Invocation: None

3. Pledge of Allegiance: Mayor Stear

4. Consent Agenda: ALL OF THE LISTED CONSENT AGENDA ITEMS ARE ACTION ITEMS
(Timestamp 00:01:37)

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 June 2, 2020

B. Accounts Payable Dated June 11, 2020 in the amount of \$953,694.45

C. Resolutions:

1. Resolution No. R32-2020

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING THE STATEWIDE COPIER AND PRINTER CONTRACT LEASE AGREEMENT WITH VALLEY OFFICE SYSTEMS TO LEASE EQUIPMENT, AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT.

2. Resolution No. R33-2020

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING THE "AUTHORIZATION FOR ADDITIONAL SERVICES" FOR AN EAST KUNA ELIGIBILITY STUDY WITHIN THE "PROFESSIONAL SERVICES AGREEMENT" ESTABLISHED WITH JUB ENGINEERING, INC. FROM AUGUST 6, 2019 (RESOLUTION NO. R56-2019) FOR URBAN RENEWAL SERVICES; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT.

3. Resolution No. R34-2020

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING THE "PARK USE AGREEMENT" WITH THE IDAHO BLACK SOX ASSOCIATION, PURSUANT TO THE TERMS OF THE AGREEMENT; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

4. Resolution No. R35-2020

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING THE "DEED OF PUBLIC UTILITIES EASEMENT, AND GRANTEE ACCEPTANCE KUNA MIDDLE SCHOOL EASEMENT" FROM KUNA JOINT SCHOOL DISTRICT #3; AND AUTHORIZING THE MAYOR TO EXECUTE THE DEED EASEMENT.

Council President Buban-Vonder Haar moved to approve the consent agenda. Seconded by Council Member McPherson. Approved by the following roll call vote:

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

Voting No: None

Absent: None

Motion carried 4-0.

5. External Reports or Requests:

(Timestamp 00:02:29)

City of Kuna 2019 Financial Audit Presentation and Consideration to approve Resolution No. R37-2020 – Cassie Zattiero, Bailey & Co. ACTION ITEM

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING THE CITY OF KUNA, IDAHO REPORT ON AUDITED BASIC FINANCIAL STATEMENTS AND OTHER INFORMATION FOR THE YEAR ENDED SEPTEMBER 30, 2019.

Cassie Zattiero, Bailey & Co., reviewed the City of Kuna’s report for the Fiscal Year 2019 audit and stood for questions.

Council President Buban-Vonder Haar moved to approve Resolution No. R37-2020. Seconded by Council Member McPherson. Motion carried 4-0.

6. Public Hearings:

(Timestamp 00:11:22)

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.

Public Hearing 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.

Planner III Troy Behunin reviewed the application. He noted when the proposal came in they were only proposing one elementary school site, however, the developer, through negotiations with the Kuna School District and the West Ada School District, was now proposing two elementary school sites. Also, the Development Agreement before Council was the product of negotiations between staff, legal counsel and the applicant. The applicant was proposing modification to some standards as listed in the report and there was side-by-side comparison of what they would like Council to consider. Mr. Behunin highlighted that Curb/Gutter/Sidewalk was required for all roadways unless specifically excluded by ACHD in accordance with their Five-Year Work Plan. Borrow ditches were not allowed on any Kuna roadways. In the event borrow ditches were required on classified roads and if ACHD did not specifically allow vertical curb, the applicant would be conditioned to obtain a license agreement from ACHD to provide grass and watering source in the borrow ditches as allowed. He knew it was a large packet and added a letter was received that day from Cindy Giesen that he would read into the record during public testimony. He stood for questions.

Mayor Stear asked (*unintelligible*).

Mr. Behunin explained they would recommend all roads have Curb/Gutter/Sidewalk unless there were places where ACHD said they didn't want them because they planned on doing something themselves at that location.

Dave Yorgason, Ten Mile Creek, LLC, 14254 W Battenberg, Boise, Idaho 83713, reviewed the project with the slideshow included in the packet and stood for questions.

Mayor Stear opened the public hearing.

Support:

Ryan Colson, 11199 and 11157 W Silver Hawk Lane, Kuna, Idaho 83634, was glad to see this development come through. He owned land to the west; across the canal. They moved out to Kuna and his wife was born and raised in Kuna. He was excited for the environment for his kids. He liked the Kuna School District. He was also a sports guy and liked seeing the sports stuff. He was totally in favor. He was in the construction business and had been for 15 to 18 years; since he was 18 years old. Mr. Colson had done a lot of stuff with a lot of developers and had done a lot of work for Mr. Yorgason and his family in the past. It had always been about the community and the whole picture and that was what he liked about him. He knew that land had been up for sale for a long time and was glad these guys had acquired it. He thought Council would be very pleased with the outcome.

David Reinhart, Kuna School District, 711 E Porter, Kuna, Idaho 83634, appreciated the opportunity to give their feedback on the proposed subdivision. The master plan required they anticipate the need for two school sites on the east side of Meridian Road given the growth either platted, approved, or anticipated. This particular development was anticipated

to bring in about 300 new students to the school district. They met with Dave, Chris, and Pat of their LLC to discuss this impact as well as the work done with West Ada School District. The developer offered to donate to the Board of Trustees a 10.8-acre site, they usually planned for a 10-acre site as an elementary school, with access to Five Mile Road. The site was more suited for an elementary school across the road from a planned park. There were safe walking routes for both areas A and B. This site had good access for bussing of secondary students. The Board of Trustees had been informed of the process for several months and accepted the agreement to share the cost of building the infrastructure at their May meeting. The donation of the land would significantly reduce cost to tax payers as they expanded elementary school services to the area. This meant it would save tax payers anywhere from \$440,000 to \$1,000,000 depending on when the site would have been acquired and if they had to buy it on their own. The district would still have to bond for the school itself but it would save the price of the land. In conclusion, the proposed land would help mitigate costs to the district and expand services to children of this area. Without this donation they would anticipate land values to continue to increase to maybe an unreachable price. Should the City decide to approve pre-plat and continue on, they believed the proposed 10.8-acre site would meet their needs for a future elementary school. They especially appreciated this kind of public/private partnership. Often times there were costs connected with developers and acquiring land. These types of partnerships reduced the cost of development for tax payers.

Kelly Green, 11710 W Hubbard Road, Kuna, Idaho 83634, lived out there for 50 plus years and had seen a lot of changes in that area. He lived out there when Hubbard Road was a two-lane dirt road. He used to ride his tricycle up and down it. Now motorcycles were going down it at 100 miles an hour and trucks were being passed by people who weren't thinking. Traffic out there was kind of important. He wasn't sure about annexation at that time. He knew growth was inevitable but there were a lot of hurdles to conquer out that direction; from gas lines, power lines, to numerous *(unintelligible)* that would be alongside Ten Mile Creek Road. He hadn't heard, in the 60 years he had lived there, *(unintelligible)*. There were a lot of challenges ahead of these guys that he saw. Kuna was near and dear to his heart and he felt Kuna should look at some better options or places for *(unintelligible)* projects at this time.

Against:

Greg Leonard, 12175 W Hubbard Road, Kuna, Idaho 83634, didn't want to stop things from going on but he knew that he would be directly impacted. He was trying to find out when and *(unintelligible)*. When he came in the first time the developer didn't have what he wanted to see, the ACHD report on what they were going to be doing for improvements. He heard they were going to go five lanes down Cloverdale and five lanes down Hubbard. His house was so close he would probably lose it. He couldn't do anything about that but he was trying to find out exactly when *(unintelligible)*. He had also heard about a roundabout. He had always been one of those people that tried to stay ahead of the game. *(unintelligible)*. He said you just have to try to stay ahead with the roads and stuff. Someone like himself kept it organized. When growth happened, you didn't want clutter; you want to be smart. That was what he was trying to get to these meetings.

Mayor Stear clarified he was most interested in the permits for the road ways and that sort of thing.

Mr. Leonard replied that was correct. That was the thing that upset him the most; they wanted to build this when there was no infrastructure out there. He wrote letters to congress asking when some real impact fees were going to be charged and he was not a big letter writer. People like himself who had been in their homes 50 or 60 years were being priced out of their homes because the impact was not paying for this. He thought everybody kind of got that. They would still come and spend money but they just weren't paying enough.

Mayor Stear explained impact fees (*unintelligible*).

Mr. Leonard understood there was a guideline but he had family in other states where, if they tore down a house and built a new one, they would pay \$100,000 to \$150,000 in impact fees over the home's value because they were causing impact to that area. Keeping up with inflation was a challenge.

Mayor Stear confirmed Mr. Leonard's address and thanked him for his testimony.

Cindy Giesen's written testimony was read into record by Planner III Troy Behunin and is attached to these minutes.

Neutral: None

Rebuttal:

Dave Yorgason, 14254 W Battenberg, Boise, Idaho 83713, addressed a few items in his rebuttal. He appreciated Kelly Green's comments about gas lines and power lines. He reviewed their gas line plans (*unintelligible*). He added there was reference to the floods in that area. They were very well aware of the flood table in that area. They had done a flood study and a water study that went well beyond Blacks Creek (*unintelligible*). They were very familiar with the water flow in that area. He explained their flood plans (*unintelligible*). There were some discussions on traffic. They did some calculations and, not including outside improvements, they would be paying over \$7 million to as much as \$10 million in impact fees. They had been working very closely with some of the ACHD staff and they were more than happy to point to the list of conditions. ACHD studied fourteen different intersections and various roadways and mile segments in the area so the traffic study was very thorough. The intersection of Hubbard and Cloverdale was one of those fourteen intersections. Mr. Yorgason reviewed the study. (*unintelligible*). They would be doing multiple traffic impact studies along the way.

Mr. Yorgason responded to Cindy Giesen, stating there were multiple pathways including one along Indian Creek. He also reviewed their lighting plan (*unintelligible*). He thanked the School District for their testimony. They had some great discussions including, when students came, what needs would there be. He also noted he did have a relative in the area. Bernie Fisher was his great uncle and it was quite an honor to have a park named after him.

(*unintelligible*). He thanked Mayor and Council for the opportunity, asked for approval, and stood for questions.

Council had no questions at that time.

Mayor Stear wanted to talk, at some point, more in depth about ACHD's (*unintelligible*) He knew they were not a land use committee (*unintelligible*). COMPASS also brought up some concerns. A challenge Kuna had was bringing in commercial development to provide jobs. COMPASS (*unintelligible*) bus stops, grocery stores, fire station, police station (*unintelligible*). He briefly reviewed the concerns of the Police Department (*unintelligible*). One of Mayor Stear's biggest concerns was Kuna already was kind of at the point of needing to build another police station at some point and the more the city spread out the more difficult it was to figure out where that location would be. (*unintelligible*) lack of service (*unintelligible*) prolonged time for police to get there. Falcon Crest (*unintelligible*) keep that in mind.

Mayor Stear noted comments received from other cities; including Boise. He also declared he had received some emails that would be considered ex-parte but, when he answered them, he told them that and CCed Planning & Zoning at the same time so (*unintelligible*) in the records. This was one of those projects that had been in the newspaper and all over the place so (*unintelligible*). He asked if any Council members had received anything ex-parte.

Council received no ex-parte communications.

Mayor Stear stated legal had not reviewed the development agreement yet which would have to be done before approving it.

City Attorney Bill Gigray was involved in the original draft. He thought the draft date at the top of the one in the packet showed it was the one that came from him on December 21, 2019. There were two purported revisions to this, one in January and one in May, which he didn't have anything to do with and had not reviewed. He hadn't been asked to.

Mayor Stear said to make sure to have legal review it.

Council Member Cardoza asked Mr. Gigray to explain Partial Termination upon Dedication and Acceptance by Public Agency on page 81 of 698.

Mr. Gigray recalled that particular section and the way the Development Agreement was supposed to work was there were certain conditions the developer had to comply with and at some point in time or when certain phases of the development were completed and dedicated to the public, either the City or Ada County Highway District, those dedications were like a transfer or conveyance of real property and interest of ownership. They always used a deed of acceptance. In other words, they didn't just have a deed the grantor signed; they had an acceptance on the part of the City. He didn't know about ACHD but the highway districts he represented did. That meant they had a complete process and there was a partial termination where an application could be made by the developer for partial termination; a portion of the development agreement whereas others would continue.

Council Member Cardoza asked if partial termination meant conditions on other phases could be changed.

Mr. Gigray responded that would be modification and amendment to the development agreement and would require a new hearing.

Council Member Cardoza asked what the purpose was of a partial termination.

Mr. Gigray said, without going back and reviewing this, he recalled there were certain requirements that were supposed to be made and the idea of the application for partial termination was to acknowledge the performance on the part of the applicant had been completed.

Council Member Cardoza was asking because he read it as the development agreement could be changed on future phases. That concerned him.

Mr. Gigray explained they would have to make an application for partial termination and that application would have to go through City Council. It was not something that would happen behind closed doors.

Council Member Christensen didn't have any questions but he wanted to personally thank Dave Reinhart for coming in. It was something they always looked forward to; to hear how the schools were being impacted. This was something he thought was a unique situation with the land being donated specifically for the addition of a development like this. He thanked Mr. Reinhart for the effort the school district put in to look at this the way they did.

Council President Buban-Vonder Haar asked if Mr. Gigray needed to review the most recent draft of the development agreement before Council made a decision

Mayor Stear thought that would be prudent.

Council President Buban-Vonder Haar saw mention of the infrastructure district, the CID, and the staff suggestion that, if the project was approved, the applicant return to go through the CID processes in order to establish the CID they wanted. She asked if that needed to be called out as a condition of approval. She wasn't clear if that was something already being endorsed in the development agreement. She thought perhaps that was a moot point if Mr. Gigray still needed to review the development agreement.

Mr. Gigray apologized for not being more responsive to some of these questions. He felt a little uncomfortable answering some of them since he hadn't reviewed this since December 2019. He knew this process of the CID was an option. Related to certain aspects of this, there was a statutory process this had to go through in order to that. As to the intent and purpose of this and how it would be applied in this particular circumstance; he did not think he could give Council an intelligent answer without reviewing it again.

Mayor Stear clarified Mr. Gigray generally did not go through documents without a director asking him to do so because that would (*unintelligible*) cost (*unintelligible*).

Council President Buban-Vonder Haar said it sounded like this needed to be tabled, or the public hearing continued, to the next meeting to allow time for the development agreement to be reviewed.

Mr. Behunin clarified Mr. Gigray had mentioned he had not read this since December. There were six and a half months between December and that night. They had several conversations about this development agreement. He didn't think it was Mr. Gigray's intention to say he hadn't read it at all; just that he hadn't read it since then and wasn't familiar with it. Mr. Behunin asked if that was the question.

Mr. Gigray said his recollection was the last time he looked at this was the draft date on the document. For him to have a present recollection of whether he even had a phone conversation about it or any other, he wasn't prepared to tell them the answer. His recollection was he had not reviewed this in a considerable period of time. He didn't know if the additions were already on there or shown and he wasn't saying he didn't get a call since December but he didn't have a present recollection of any involvement with it since. He said it was his fault and apologized. It was his understanding he wasn't supposed to review something without being asked.

Mr. Behunin said the changes that had taken place since December were minor in nature but they certainly could make them available. They were not substantial changes. Staff would make that available.

City Clerk Chris Engels asked to verify with Mr. Gigray the length of time he would need to review this before setting the next hearing.

Mr. Gigray said it was not his intention to delay this. He was just telling them the facts. He could have it reviewed before the next Council Meeting.

Mayor Stear asked Mr. Behunin if they ever answered Chief Roberts with Kuna Fire.

Mr. Behunin replied the packet was emailed to the Fire Department on three different occasions and what staff had received was in the packet. They could also follow up with Chief Roberts again.

Mayor Stear responded (*unintelligible*).

Council President Buban-Vonder Haar was having trouble hearing everything being said. She asked if they were still wanting to receive additional information from the Fire Department.

Mayor Stear said when he read the email again, he couldn't see an actual question so he thought (*unintelligible*). He didn't think they needed anything else from them. He thought they were only looking at giving Counsel up until the next meeting to review.

Mr. Gigray reiterated he felt that was sufficient time.

Mayor Stear thought it would be prudent to move the public hearing up and not close it.

Ms. Engels asked if they would be taking further testimony at the next hearing.

Mayor Stear said that wouldn't be a bad idea since they started a new system. It would make sure they got the information out and anyone who wanted to speak on it got the chance to do so. He thought it was really important (*unintelligible*). He asked Council President Buban-Vonder Haar if she heard that and if it sounded reasonable to her.

Council President Buban-Vonder Haar said she heard most of it and didn't think she had any problem with continuing to allow additional testimony.

Mayor Stear asked for a motion to that affect.

Council President Buban-Vonder Haar moved to continue to the July 7, 2020 Council Meeting the public hearing regarding Case Nos. 19-10-AN, 19-01-PUD & 19-06-S & the associated Development Agreement at which time they would continue to receive public testimony and any comments or suggested changes to the Development Agreement from the City Attorney. Seconded by Council Member McPherson. Motion carried: 4-0.

7. Business Items:

- A. Urban Renewal District Update and Consideration to approve Resolution No. R36-2020 – Lisa Holland, Economic Development Director ACTION ITEM
(Timestamp 01:22:30)

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING THE “PROFESSIONAL SERVICES AGREEMENT” WITH JUB ENGINEERING, INC. FACILITATING AN URBAN RENEWAL DISTRICT PLAN FOR THE KUNA URBAN RENEWAL AGENCY; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

Economic Development Director Lisa Holland reviewed her memo updating Council on the Urban Renewal District and stood for questions.

Mayor Stear asked if Council Member Christensen and Council President Buban-Vonder Haar could hear that.

Council Member Christensen said he could hear that really well. He had noticed the Ada County Commissioner response to this. He asked Ms. Holland, as they went through this process, if this was something to keep in mind and take into account the Ada County Commissioners were looking at this as maybe impeding on agricultural land to much. He didn't know if was concerns heard from them before hand or if it was the first she had heard of it. His overall question was if Ms. Holland saw the Ada County Commissioners coming around to this at all.

Ms. Holland explained they had a couple meetings with Ada County. They had been part of the planning process since Kuna started talking about urban renewal efforts. They tried

to make the plan of what area they originally wanted to consider in the Urban Renewal District based on the City of Kuna's Future Use Map and comprehensive plan. A lot of the Ada County parcels included in the Kuna West District area were included in Kuna's Future Use Map as mixed use or light industrial parcels. The County had some concerns about ag land but they were still referring to the original comp plan; not the one the City adopted. When they looked at that, they looked at area A and area B and their comp plan didn't completely align with Kuna's yet. Planning & Zoning Director Wendy Howell was working on getting that in front of them so it could be adjusted and they could recognize the same future use map as Kuna. She noted any parcel that wanted to participate in an Urban Renewal District that still operated as ag and had an ag exemption had to sign a form stating they wanted to be part of the urban renewal district and if they didn't want to participate, they didn't have to. Kuna couldn't include more beyond the boundary included but it could be less. They offered anyone in the area of planned study, if they wanted to annex into the city they could do so and if they didn't want to their parcel would be removed from the boundary. She also noted a lot of times most cities did not work to include unincorporated parcels. Typically, they worked within city limits. They thought there was enough economic impact with some of the parcels included that were just in Ada County it would be worth trying to do an interagency agreement. They decided not to do this with Kuna so that just meant they couldn't have any non-city limit parcels within the district. If they hadn't requested any non-city limit parcels, they wouldn't have needed an agency agreement. Kuna just wanted to be good partners and transparent. They still planned to involve Ada County in where they went with this in the future because it was good to coordinate in regional planning.

Council Member Christensen thanked Ms. Holland.

Council President Buban-Vonder Haar moved to approve Resolution No. R36-2020. Seconded by Council Member McPherson. Motion carried 4-0.

**B. *Informational Only* Budget Presentation – Jared Empey, City Treasurer
(Timestamp 01:29:12)**

City Treasurer Jared Empey reviewed the brief snapshot of where the City would be sitting for the General Fund for the next fiscal year as well as where the General Fund would probably end up for the current fiscal year. Revenue would probably stay fairly stable for the next fiscal year based on the fact property taxes were fairly stable. Building Permit Revenue probably wouldn't see a huge hit unless the economy reverted back to what was seen the last couple months for an extended period of time and credit facilities and banking became difficult (*unintelligible*). He didn't foresee significant expense increases. In fact, Public Safety, which included employees, Ada County Prosecutors, and Animal Control, increased just a little bit but, it was just an estimate they put in there. Basically, the formula from last year. The Capital Expenditures being set aside from the General Fund and transferring to the Federal Projects Fund would go down with an abundance of caution for the 2021 year and being conservative in other expenses to be sure (*unintelligible*). Something 2021 included was a COLA for employees at 1.26% which was simply an inflation only number. It did not include a 3% increase in property taxes. Another thing it did not include, monies that were generally transferred back from

the Capital Projects Fund to the General Fund. In other words, at the beginning of every year money was transferred over to the Capital Projects Fund in order to fund large capital projects but, anything not expected to happen would be put back in the General Fund. Once it did there would be anywhere from \$230,000 to \$50,000 that got transferred back because for one reason or another it didn't go forward or happen. At the end of the day he felt the General Fund would be healthy for the next year. He asked for Council's guidance on what they wanted to see in budget workshops.

Council Member McPherson liked the smaller view. *(unintelligible)*

Council Member Cardoza also preferred to continue small. Then, if they needed to, cut *(unintelligible)*

Mr. Empey said he could provide what he had provided in the past with a synopsis. If they wanted additional detail it could be provided.

Council Member Cardoza asked about the negative of approximately \$250,000 for the 2020 projection and what was being done about it.

Mr. Empey explained it essentially meant there was carryover of projects. Every year they set money aside for Capital Projects but some of the projects would not occur until 2021 due to concerns about the economy. One instance was the Greenbelt purchase for \$180,000. Instead of putting that money back in the General Fund it was being left in the Capital Projects Fund. It looked like the money was spent but the project was just being carried over. That was why it showed a negative, however, it wasn't true money out the door.

City Attorney Bill Gigray reminded Council if they didn't want to take the 3% increased dollar amount or any portion thereof, they would be dealing with a foregone amount. If they wanted to reserve the right to take it in future, they would need to do a resolution in the here and now. If Council didn't want to take the foregone amount, they didn't have to do anything.

8. Ordinances: None

9. Executive Session: None

10. Mayor/Council Announcements:

(Timestamp 01:37:05)

Mayor Stear gave an update on the property tax relief bill. *(unintelligible)*

City Treasurer Jared Empey added the way it was arranged made it more difficult for contract cities who essentially didn't pay their police directly. The way it worked was if the city didn't take the 3% increase in property tax and pursued the grant from the state, basically, they pulled from that amount to continue to pay for police services. However, since Kuna was a contract

city the only way to receive that grant was if Ada County opted not to pay itself. They were in discussions about that.

City Attorney Bill Gigray noted his office was looking into it. The other aspect of it he thought could be problematic was, if the City was eligible, they would have to agree to forgive the foregone amount and not take it in a future fiscal year. He didn't know how long the program would be available but, if it went one year and the City didn't take the 3%, they could be 3% behind and never catch up. It could go on and on depending on how long the program went.

Mayor Stear stated the Ada County Board of Commissioners wanted to have a meeting with Kuna City Council to discuss impact fees. *(unintelligible)* They did need to have a meeting with them and since it would probably not be a short meeting it might be wise to schedule it as a special meeting. He asked for any suggestions on when Council would like to do that *(unintelligible)* go to the Clerk's Office *(unintelligible)*.

Mr. Gigray reminded Council he worked with 11 districts on impact fees. He asked if the commissioners discussed with Mayor Stear what they wanted to use their impact fees for.

Mayor Stear replied they mentioned police and parks. He reminded them Kuna already had a police impact fee. *(unintelligible)*

Mr. Gigray shared some of his experience in working with impact fees.

Mayor Stear was not sure exactly how *(unintelligible)* but they would get that to Mr. Gigray to take a look. *(unintelligible)*

Council Member Cardoza *(unintelligible)*.

Mayor Stear *(unintelligible)*.

11. Adjournment: 7:47 P.M.



Joe L. Stear, Mayor

ATTEST:



Chris Engels, City Clerk



Minutes prepared by Ariana Welker, Deputy City Clerk

Date Approved: CCM 07.07.2020



CITY OF KUNA

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SIGN-UP SHEET

June 16, 2020 – City Council Public Hearing

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

Testify Not Testify
David Yorgason
Print Name
14254 W. Battenberg
Print Address
Boise ID 83713
City State, Zip

Testify Not Testify
Thomas Nicholson
Print Name
14375 S. Cole RD
Print Address
Kuna ID 83634
City State, Zip

Testify Not Testify
Cindy Geason
Print Name
Read into record by Tony
Print Address
City State, Zip

Testify Not Testify
Ryan Colson
Print Name
11199 W Silver Hawk LD
Print Address
Kuna ID 83646
City State, Zip

Testify Not Testify

Testify Not Testify
Greg Leonard
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17175 W Hubbard rd
Print Address
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Testify Not Testify
DAVID REINHART
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Kelly Green
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