

OFFICIALS

Joe Stear, Mayor
Greg McPherson, Council President
Richard Cardoza, Council Member
Warren Christensen, Council Member
John Laraway, Council Member



CITY OF KUNA
Kuna City Hall Council Chamber, 751 W 4th Street, Kuna, Idaho 83634

City Council Meeting
AGENDA
Tuesday, October 6, 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, 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 October 6, 2020 Council Meeting via Facebook Live.

Live feed will start at **6:00 P.M.** on the City of Kuna Idaho Facebook page linked below:

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

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

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

APPLICANT/PUBLIC ORAL PUBLIC HEARING TESTIMONY PROCESS:

Written – Up to noon the day of the Public Hearing

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

Oral – Via electronic call during the Public Hearing

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

NOTICE: Copies of all agenda materials are available for public review in the Office of the City Clerk. Persons who have questions concerning any agenda item may call the City Clerk’s Office at (208) 922-5546. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at 922-5546 at least forty-eight (48) hours prior to the meeting to allow the City to make reasonable arrangements to ensure accessibility to this meeting.

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

Oral – In Person Testimony during the Public Hearing.

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

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

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

1. Call to Order and Roll Call

2. Invocation: None

3. Pledge of Allegiance: Mayor Stear

4. Consent Agenda: ALL OF THE LISTED CONSENT AGENDA ITEMS ARE ACTION ITEMS

All items listed under the Consent Agenda are considered to be routine and are acted on with one motion by the City Council. There will be no separate discussion on these items unless the Mayor, Council Member, or City Staff requests an item to be removed from the Consent Agenda for discussion. Items removed from the Consent Agenda will be placed on the Regular Agenda under Business or as instructed by the City Council.

- A. Regular City Council Meeting Minutes Dated September 15, 2020
- B. Accounts Payable Dated October 1, 2020 in the amount of \$1,880,441.84
- C. Resolutions:

1. Resolution No. R50-2020

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING THE COST OF LIVING INCREASE OF ONE AND TWENTY SIX ONE HUNDRETH PERCENT (1.26%) FOR ALL FULL-TIME CITY EMPLOYEES; ADOPTING THE FISCAL YEAR 2021 STEP AND GRADE CHART FOR ALL FULL-TIME NON-

DIRECTOR EMPLOYEES AS ATTACHED HERETO AS EXHIBIT A; AND DECLARING THE EFFECTIVE DATE.

2. Resolution No. R53-2020

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING THE “ANIMAL WELFARE AND ENFORCEMENT AGREEMENT” WITH THE IDAHO HUMANE SOCIETY TO PROVIDE ANIMAL CONTROL SERVICES WITHIN THE CITY OF KUNA, IDAHO FOR THE 2021 FISCAL YEAR, OCTOBER 1, 2020 TO SEPTEMBER 30, 2021, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

3. Resolution No. R54-2020

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING THE “CLIENT MASTER AGREEMENT FOR PROFESSIONAL SERVICES” WITH MERRICK AND COMPANY FOR SURF WAVE FEASIBILITY & CONCEPT DEVELOPMENT; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

5. *External Reports or Requests: None*

6. *Public Hearings:*

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

- A. *Public Hearing continued from August 18, 2020, September 1, 2020, and September 15, 2020 to receive more information regarding sewer capacity and consideration to approve Case No. 19-09-S (Preliminary Plat) for Corbin’s Cove Subdivision – Troy Behunin, Planner III and Gary McAllister, Applicant ACTION ITEM*

Applicant, Gary McAllister, requests to subdivide approximately 6.00 acres in Kuna City Limits with Medium Density Residential Zoning into 22 total lots and has reserved the name Corbin’s Cove Subdivision. The site is near the Southwest Corner of Avalon St. and School Ave., Kuna, Idaho; in Section 26, T 2N, R 1W, APN #'s: R5080251061, R5070251161 and R5070251166.

Re-Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

Potential Motions:

Consideration to either:

Option 1: Approve or Deny Case No. 19-09-S (Preliminary Plat) and the Findings of Fact, Conclusions of Law and Order of Decision as presented in the packet and Close the Public Hearing.

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

B. Public Hearing and consideration to approve Case No. 20-01-CPF (Combo PP & FP) Ensign Sub. No. 1 – Troy Behunin, Planner III and Brett Jensen, Applicant ACTION ITEM

Emmett Partners, LLC request Preliminary Plat & Final Plat Combination Plat (Short Plat) to re-subdivide one lot within Ensign Subdivision No. 1. Applicant requests approval to subdivide Lot 1, Block 1 of Ensign Subdivision No. 1 into two pieces in this Commercial Subdivision within Kuna, City, ID 83634, Section 24, Township 2 North, Range 1 West; (APN: R2404320010).

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

Potential Motions:

Consideration to either:

Option 1: Approve or Deny Case No. 20-01-CPF (Combo PP & FP) and the Findings of Fact, Conclusions of Law and Order of Decision as presented in the packet and Close the Public Hearing.

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

C. Public Hearing and consideration to approve Case No. 20-01-S (Preliminary Plat) Fossil Creek Subdivision – Troy Behunin, Planner III and Jane Suggs, Applicant ACTION ITEM

Applicant, Gem State Planning, LLC, requests preliminary plat approval to subdivide approx. 66.75 acres into 283 total lots. The proposed gross density is 4.07 DUA (Dwelling Units/Ac.) with 12.6% usable open space for a total 8.4 acres (ac.) of open space. This is a revision to a previously approved pre plat site plan. The site is near the Southwest Corner (SWC) of Deer Flat and Ten Mile Road. Kuna, ID 83634; within Section 22 T2N, R1W, B.M., APN No's: S1322212401, S1322120900, S1322121200 and S1322121300.

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

Potential Motions:

Consideration to either:

Option 1: Approve or Deny Case No. 20-01-S (Preliminary Plat) and the Findings of Fact, Conclusions of Law and Order of Decision as presented in the packet and Close the Public Hearing.

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

D. Public Hearing and consideration to approve Case Nos. 19-11-AN (Annexation) & 19-08-S (Preliminary Plat) for Ashton Estates East Subdivision – Doug Hanson, Planner I
ACTION ITEM

KM Engineering, on behalf of Kuna East LLC, requests to annex one 38.47-acre parcel into Kuna City Limits with an R-8 (Medium Density Residential) zoning district classification and to subdivide the 38.47 acres into 200 total lots (175 buildable lots, 25 common lots). The subject site is located at 2320 East Meadow View Road, Kuna, ID 83634, within Section 19, Township 2 North, Range 1 East; (APN: S1419241000).

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

Potential Motions:

Consideration to either:

Option 1: Approve or Deny Case Nos. 19-11-AN (Annexation) & 19-08-S (Preliminary Plat) and the Findings of Fact, Conclusions of Law and Order of Decision as presented in the packet and Close the Public Hearing.

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

7. Business Items: None

8. Ordinances:

Consideration to approve Ordinance No. 2020-29 **ACTION ITEM**

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

- MAKING CERTAIN FINDINGS; AND
- ENLARGING THE BOUNDARIES OF THE KUNA MUNICIPAL IRRIGATION SYSTEM BY THE INCLUSION OF ADA COUNTY ASSESSOR'S N STAR FARM 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 BOISE~KUNA IRRIGATION DISTRICT, THE OWNERS AND UPDATE THE IRRIGATION SYSTEM MAP; AND
- PROVIDING AN EFFECTIVE DATE.

9. *Executive Session: None*

Convene Executive Session pursuant to:

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

- (c) To receive information regarding the acquisition of an interest in real property which is not owned by the City of Kuna.

10. *Mayor/Council Announcements:*

11. *Adjournment:*