



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 20, 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 20, 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

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.

- ✓ 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.

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 October 6, 2020

B. Accounts Payable Dated October 15, 2020 in the amount of \$1,057,163.16

C. Resolutions:

I. Resolution No. R55-2020

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO REPEALING AND REPLACING RESOLUTION NO. R90-2018 AND APPOINTING A NEW MEMBER OF THE KUNA ARTS COMMISSION.

2. Resolution No. R56-2020

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING A PERFORMANCE BOND BY CHALLENGER DEVELOPMENT INC., FOR THE MEMORY RANCH SUBDIVISION NO. 4 FOR UNCOMPLETED WORK INCLUDING LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

3. Resolution No. R57-2020

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING A PERFORMANCE BOND BY CHALLENGER DEVELOPMENT INC., FOR THE MEMORY RANCH SUBDIVISION NO. 4 FOR UNCOMPLETED WORK INCLUDING STREET LIGHTING AND FENCING PURSUANT TO THE TERMS OF THIS RESOLUTION.

4. Resolution No. R59-2020

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING A PERFORMANCE BOND BY TOLL ID I, LLC, FOR THE WINDFIELD SPRINGS SUBDIVISION NO. 6 FOR UNCOMPLETED WORK INCLUDING LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

5. Resolution No. R60-2020

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING A PERFORMANCE BOND BY TOLL ID I, LLC, FOR THE WINDFIELD SPRINGS SUBDIVISION NO. 6 FOR UNCOMPLETED WORK INCLUDING FENCING PURSUANT TO THE TERMS OF THIS RESOLUTION.

6. Resolution No. R61-2020

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING A PERFORMANCE BOND BY TOLL ID I, LLC, FOR THE WINDFIELD SPRINGS SUBDIVISION NO. 7 FOR UNCOMPLETED WORK INCLUDING FENCING PURSUANT TO THE TERMS OF THIS RESOLUTION.

7. Resolution No. R62-2020

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING A PERFORMANCE BOND BY TOLL ID I, LLC, FOR THE WINDFIELD SPRINGS SUBDIVISION NO. 7 FOR UNCOMPLETED WORK INCLUDING LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

8. Resolution No. R63-2020

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING THE “PARK DEVELOPMENT AND CONVEYANCE AGREEMENT” WITH GREGORY AND HEIDI JOHNSON FOR THE CONVEYANCE OF CERTAIN REAL PROPERTY IN THE PATAGONIA SUBDIVISION PHASE 6 FOR PURPOSES OF DEVELOPMENT OF A MUNICIPAL PARK (THE “PARK”), WHICH SHALL BE KNOWN AS FITZ ROY PARK; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

D. Final Approval for Case No. 19-09-S (Subdivision) Corbin’s Cove Subdivision Findings of Fact, Conclusions of Law, and Order of Approval

5. **External Reports or Requests:**

Introduction of the new Kuna Police Chief – Sheriff Bartlett

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 tabled from October 6, 2020 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.*

- B. Public Hearing continued from October 6, 2020 for exhibits and additional testimony 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).

Re-open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

Potential Motions:

Consideration to either:

Option 1: *Approve or Deny Case Nos. 19-11-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.*

- C. Public Hearing and consideration to approve Case Nos. 20-01-AN (Annexation) & 20-03-S (Preliminary Plat) for LedgeStone South Subdivision – Jace Hellman, Planner II ACTION ITEM**

Trilogy Development, Inc and Gem State Planning request to annex approximately 97 acres into Kuna City Limits with R-6 (Medium Density Residential) and R-8 (Medium Density Residential) zoning district classifications and to subdivide the 97 acres into 437 total lots (393 buildable lots and 44 common lots). The subject sites are located along North Locust Grove Road and future extensions of Ardell Road and Stroebel Road, within Section 18, Township 2 North, Range 1 East; (APNs: S1418123460, S1418123485, S1418427800 and S1418417200).

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. 20-01-AN (Annexation) & 20-03-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:

Consideration to reauthorize funds for Test Well 12 and approve Resolution No. R64-2020 – Paul Stevens, Public Works Director ACTION ITEM

RESOLUTION AWARDING THE CONTRACT FOR THE TEST WELL 12 PROJECT TO TREASURE VALLEY DRILLING LLC IN THE AMOUNT OF \$142,900.00 FOR THE DRILLING AND DEVELOPMENT OF TEST WELL 12; DIRECTING EXPENDITURE OF FUNDS INCLUDING UP TO \$142,900.00 FROM THE WATER FUND CONTINGENCY ACCOUNT FOR SAID PROJECT; AND AUTHORIZING THE MAYOR, CITY CLERK AND CITY ENGINEER TO EXECUTE CONTRACT DOCUMENTS WITH SAID CONTRACTOR.

8. Ordinances: None

9. Executive Session: None

10. Mayor/Council Announcements:

11. Adjournment: