



## OFFICIALS

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

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

**City Council Meeting**  
**AGENDA**  
**Tuesday, January 7, 2020**

**6:00 P.M. REGULAR CITY COUNCIL**

**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. City Council Meeting Minutes**

1. Regular City Council Minutes, December 3, 2019
2. Special City Council Minutes, December 20, 2019

**B. Accounts Payable Dated January 2, 2020**

1. Consideration to ratify Accounts Payable Report for November 27, 2019 through December 12, 2019 in the amount of \$550,634.34
2. Consideration to approve Accounts Payable Report for December 13, 2019 through January 2, 2020 in the Amount \$288,425.56

**6. Swearing in of Newly Elected Officials Briana Buban-Vonder Haar and Greg McPherson**

Chris Engels, City Clerk

**7. Recess for Change of Council**

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 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.

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**City Council Meeting**  
**AGENDA**  
**Tuesday, January 7, 2020**

- 1. Reconvene Council Meeting**
- 2. Call to Order and Roll Call**
- 3. Elect Council President** Action Item
- 4. Consent Agenda (Continued):** 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.*

**C. Resolutions**

- 1. Consideration to approve Resolution No. R95-2019**

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING THE PERPETUAL CITY OF KUNA WATER MAIN EASEMENT AGREEMENT WITH BLACK CREEK LIMITED PARTNERSHIP; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

- 2. Consideration to approve Resolution No. R96-2019**

CITY CAPITAL IMPROVEMENT AND LATECOMER REIMBURSEMENT POLICY – 2019

- 3. Consideration to approve Resolution No. R03-2020**

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPOINTING MEMBERS FOR TO THE CITY OF KUNA, IDAHO JOINT DEVELOPMENT

IMPACT FEE ADVISORY COMMITTEE FOR THE CITY POLICE DEPARTMENT AND KUNA RURAL FIRE DISTRICT FOR THE YEAR 2020.

4. Consideration to approve Resolution No. R04-2020

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING THE STATE/LOCAL AGREEMENT (DESIGN AND CONSTRUCTION) FOR PROJECT NO. A020 (143) MAIN STREET- AVENUE C TO AVENUE A, KUNA, ADA COUNTY, IDAHO, KEY NO. 20143; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CLERK TO ATTEST TO SAID SIGNATURE.

5. Consideration to approve Resolution No. R05-2020

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE “*PROFESSIONAL SERVICES AGREEMENT*” WITH JUB ENGINEERING, INC. FOR DEVELOPING THE HELEN ZAMZOW PARK MASTER PLAN; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

6. Consideration to approve Resolution No. R06-2020

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KUNA, IDAHO APPROVING THE WATER TRUNK REIMBURSEMENT AGREEMENT FOR MERINO COVE SUBDIVISION; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE; AND AUTHORIZING THE CITY TREASURER TO PAY VARIALLE CONSTRUCTION, INC THE AMOUNT OF SEVEN THOUSAND THREE HUNDRED SEVENTY-FIVE DOLLARS AND ZERO CENTS (\$7,375.00) PURSUANT TO THE TERMS OF SAID AGREEMENT.

7. Consideration to approve Resolution No. R07-2020

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KUNA, IDAHO APPROVING THE PRESSURIZED IRRIGATION REIMBURSEMENT AGREEMENT FOR MERINO COVE SUBDIVISION; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE; AND AUTHORIZING THE CITY TREASURER TO PAY VARIALLE CONSTRUCTION, INC THE AMOUNT OF THREE THOUSAND FIVE HUNDRED SEVEN DOLLARS AND ZERO CENTS (\$3,507.00) PURSUANT TO THE TERMS OF SAID AGREEMENT.

8. Consideration to approve Resolution No. R08-2020

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KUNA, IDAHO APPROVING THE SEWER TRUNK REIMBURSEMENT AGREEMENT FOR MERINO COVE SUBDIVISION; AUTHORIZING THE MAYOR TO EXECUTE

THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE; AND AUTHORIZING THE CITY TREASURER TO PAY VARIALLE CONSTRUCTION, INC THE AMOUNT OF TEN THOUSAND EIGHTY-SEVEN DOLLARS AND ZERO CENTS (\$10,087.00) PURSUANT TO THE TERMS OF SAID AGREEMENT.

**D. Final Plats**

1. Consideration to approve Case No. 19-16-FP (Final Plat) for the Malaspina Ranch Subdivision No. 1.
2. Consideration to approve Case No. 19-17-FP (Final Plat) for the Greyhawk Subdivision No. 9.

**5. Community Reports or Requests:**

- A. Request for Exemption for fire sprinkler plan review from Idaho State Fire Marshal's Office – Phil Roberts, Fire Chief **ACTION ITEM**

**6. Public Hearings: (6:00 p.m. or as soon thereafter as matters may be heard.)**

- A. Public Hearing continued from the November 19, 2019 Regular City Council Meeting for testimony from staff and public written testimony and Consideration to approve Ordinance No. 2019-44 – Wendy Howell, Planning & Zoning Director and Bobby Withrow, Parks Director **ACTION ITEM**

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

- MAKING CERTAIN FINDINGS, PURPOSES AND ORDINANCE ENACTMENT HISTORY; AND
- REPEALING SECTION 20, ARTICLE A, CHAPTER 2, TITLE 4 KUNA CITY CODE; AND
- AMENDING AND REDESIGNATING SECTIONS 21 THROUGH 38, ARTICLE A, CHAPTER 2 OF TITLE 4 KUNA CITY CODE; AND
- AMENDING SUBSECTION 2 OF SECTION 6, CHAPTER 1, TITLE 5 KUNA CITY CODE MAKING A TECHNICAL CORRECTION TO THE DEFINITION OF “OPEN SPACE”; AND
- AMENDING SECTION 5, CHAPTER 5 OF TITLE 5 KUNA CITY CODE MAKING TECHNICAL CORRECTIONS REGARDING THE GENERAL REQUIREMENTS OF FENCE REGULATIONS; AND
- REPEALING SECTION 4, CHAPTER 6, TITLE 5 KUNA CITY CODE; AND
- AMENDING AND REDESIGNATING SECTIONS 4, 5, 6, 7, 8, AND 9 OF CHAPTER 6 OF TITLE 5 KUNA CITY CODE; AND
- AMENDING SECTIONS 2, 4, 6, 10, 12, AND 20, CHAPTER 17, TITLE 5 OF KUNA CITY CODE MAKING TECHNICAL CHANGES TO DESIGN REQUIREMENTS AND ADDING REQUIREMENTS FOR RESIDENTIAL OPEN SPACE; AND

- AMENDING SECTION 2, CHAPTER 4 OF TITLE 6 KUNA CITY CODE PROVIDING FOR A CHANGE IN THE TEXT DESIGNATION FOR DEFINITIONS UPON WHICH CITY STAFF CAN RELY AND MAKING A TECHNICAL CORRECTION REGARDING THE MEASUREMENT OF FENCE HEIGHT AND LOCATION OF FENCING; AND
- PROVIDING A SEVERABILITY CLAUSE; AND
- DIRECTING THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

*Open Public Hearing*

*Receive evidence*

*Consideration to close evidence presentation and proceed to deliberation*

Potential Motions:

Option 1:

*Consideration to waive third reading*

*Consideration to approve ordinance*

*Consideration to approve summary publication*

Option 2: *Continue the Public Hearing to a time and date certain.*

**B. Public Hearing and Consideration to approve new water and sewer system fees and policies – Bob Bachman, Public Works Director ACTION ITEM**

- *Open Public Hearing*
- *Receive evidence*

Potential Motions:

- *Consideration to close evidence presentation and proceed to deliberation*

**1. Consideration to approve Resolution No. R01-2020**

A RESOLUTION AMENDING PORTIONS OF RESOLUTION R84-2017 THAT: SETS FORTH THE AUTHORITY FOR ADOPTING WATER CONNECTION FEES AND MONTHLY WATER SERVICE RATES; ESTABLISHES FEES FOR CONNECTING TO THE WATER SYSTEM; ESTABLISHES WATER USE FEES THAT ARE NOW AMENDED WITH WATER RATE CHANGES FOR ALL CUSTOMERS; PROVIDES FOR MISCELLANEOUS WATER CUSTOMER SERVICE POLICIES; SETS FORTH MINIMUM LINE SIZES; REPEALS FEES ESTABLISHED BY EARLIER RESOLUTIONS; AND SETS AN EFFECTIVE DATE.

**2. Consideration to approve Resolution No. R02-2020**

A RESOLUTION AMENDING CERTAIN SECTIONS OF RESOLUTION R83-2017 THAT: SETS FORTH THE AUTHORITY FOR ADOPTING SEWER FEES; ESTABLISHES FEES FOR CONNECTING TO SEWER SYSTEM; ESTABLISHES MONTHLY SEWER USE FEES THAT ARE NOW AMENDED WITH SEWER RATE CHANGES FOR ALL CUSTOMERS; SETS FORTH MINIMUM LINE

SIZES; REPEALS FEES ESTABLISHED BY EARLIER RESOLUTIONS; AND SETS AN EFFECTIVE DATE.

**7. Business Items:**

- A. Consideration to approve 19-02-LLA (Lot Line Adjustment) – Jace Hellman, Planner II  
**ACTION ITEM**

On behalf of Jim Lesley (Owner), Jeff Likes with ALC Architecture seeks Lot Line Adjustment approval to create a larger buildable lot within Ensign Subdivision No. 2 for a new Freedom Fitness gym facility. The subject properties are located at 909 N. Meridian Road and 921 N. Meridian Road, Kuna, ID 83634 (APNS: R2404330020 & R2404330040).

- B. Request for direction on possible change in Alcohol License Renewal timeline – Chris Engels, City Clerk **ACTION ITEM**
- C. *Informational Only* Ethical considerations related to Greg McPherson’s dual-role as a Commissioner for the Kuna Rural Fire District and as a Member of the Kuna City Council – Bill Gigray, City Attorney

**8. Ordinances:**

- A. Consideration to approve Ordinance No. 2019-46 **ACTION ITEM**

A MUNICIPAL ANNEXATION AND ZONING ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA;

- MAKING CERTAIN FINDINGS AND DECLARATION OF AUTHORITY; AND
- ANNEXING CERTAIN REAL PROPERTIES, TO WIT: ADA COUNTY ASSESSOR’S PARCEL NOS. S2102110000 AND S2101212400 OWNED BY THE BUREAU OF LAND MANAGEMENT WITHIN THE UNINCORPORATED AREA OF ADA COUNTY, IDAHO AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF KUNA, INTO THE CITY OF KUNA, IDAHO; AND
- RESPECTIVELY ESTABLISHING PUBLIC (P) ZONING DISTRICT CLASSIFICATIONS OF SAID REAL PROPERTIES; AND
- AMENDING THE OFFICIAL ZONING MAP; AND
- DIRECTING THE CITY ENGINEER AND THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

*Consideration to waive three readings*

*Consideration to approve ordinance*

- B. Consideration to approve Ordinance No. 2019-47 **ACTION ITEM**

A MUNICIPAL REZONE ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA;

- MAKING CERTAIN FINDINGS; AND
- REZONING CERTAIN REAL PROPERTIES, TO WIT: ADA COUNTY PARCEL NOS. R2404330020, R2404330040 AND R2404330060 OWNED BY LESLEY PROPERTIES LLC, SITUATED WITHIN THE CORPORATE LIMITS OF THE CITY OF KUNA, ADA COUNTY, IDAHO; AND
- AMENDING THE ZONING MAP; AND
- DIRECTING THE CITY ENGINEER AND THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

*Consideration to waive three readings*  
*Consideration to approve ordinance*

**C. Consideration to approve Ordinance No. 2019-50 ACTION ITEM**

A MUNICIPAL REZONE ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA;

- MAKING CERTAIN FINDINGS; AND
- REZONING CERTAIN REAL PROPERTIES, TO WIT: LANDS LEGALLY DESCRIBED IN EXHIBIT A, OWNED BY HDP GREYHAWK LLC, SITUATED WITHIN THE CORPORATE LIMITS OF THE CITY OF KUNA, ADA COUNTY, IDAHO; AND
- AMENDING THE ZONING MAP; AND
- DIRECTING THE CITY ENGINEER AND THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

*Consideration to waive three readings*  
*Consideration to approve ordinance*

**D. Consideration to approve Ordinance No. 2020-01 ACTION ITEM**

AN ORDINANCE OF THE CITY COUNCIL OF KUNA, IDAHO

- REPEALING CHAPTER 2 OF TITLE 11 KUNA CITY CODE; AND
- ENACTING A NEW CHAPTER 2 OF TITLE 11 KUNA CITY CODE; AND
- DIRECTING THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

*Consideration to waive three readings*  
*Consideration to approve ordinance*  
*Consideration to approve summary publication*

**E. Consideration to approve Ordinance No. 2020-02 ACTION ITEM**

AN ORDINANCE OF THE CITY COUNCIL OF KUNA, IDAHO:

- AMENDING SECTION 8 OF CHAPTER 6 OF TITLE 1 KUNA CITY CODE PROVIDING A FIVE-MINUTE APPLICANT REBUTTAL TESTIMONY TIME LIMIT; AND

- DIRECTING THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

*Consideration to waive three readings*

*Consideration to approve ordinance*

*Consideration to approve summary publication*

**F. Consideration to approve Ordinance No. 2020-03 ACTION ITEM**

AN ORDINANCE OF THE CITY COUNCIL OF KUNA, IDAHO:

- ADDITION OF A NEW CHAPTER 5 TO TITLE 2 KUNA CITY CODE ESTABLISHING THE KUNA ECONOMIC DEVELOPMENT EXECUTIVE COMMITTEE; AND
- DIRECTING THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

*Consideration to waive three readings*

*Consideration to approve ordinance*

*Consideration to approve summary publication*

**9. Mayor/Council Announcements:**

**10. Executive Session:**

*None*

**11. Adjournment:**