



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, March 17, 2020

6:00 P.M. REGULAR CITY COUNCIL

1. *Call to Order and Roll Call*

COUNCIL MEMBERS PRESENT:

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

CITY STAFF PRESENT:

Jared Empey, City Treasurer
Chris Engels, City Clerk
Bill Gigray, City Attorney
Wendy Howell, Planning & Zoning Director
Nancy Stauffer, Human Resources Director
Bobby Withrow, Parks Director
Bob Bachman, Public Works Director
Doug Hanson, Planner I

2. *Invocation: None*

3. *Pledge of Allegiance: Mayor Stear*

Consideration to Amend the Agenda

(Council must move to amend the agenda per IC 74-204(4)(b))

(Timestamp 00:00:43)

Add item 7 under Business – Consideration to Approve Resolution No. R24-2020 Consenting to the extension of Mayor Joe Stear’s Declaration of Emergency dated March 17, 2020 Concerning the Novel Coronavirus known as COVID-19

The City Clerk was notified of the request on Tuesday, March 17, 2020.

Council President Buban-Vonder Haar moved to amend the agenda to include item 7 under Business, Consideration to Approve Resolution No. R24-2020 Consenting to the Extension

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.

of Mayor Joe Stear's Declaration of Emergency dated March 17, 2020 Concerning the Novel Coronavirus known as COVID-19 under Business. Seconded by Council Member McPherson. Motion carried 3-0-1. Council Member Christensen was absent.

Mayor Stear stated the City Clerk was notified of this request that day when the declaration was made. It needed to be on the Agenda for Council to confirm it.

4. Consent Agenda: ALL OF THE LISTED CONSENT AGENDA ITEMS ARE ACTION ITEMS
(Timestamp 00:01:50)

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, March 3, 2020
- B. Accounts Payable Dated March 12, 2020 in the amount of \$583,614.53
- C. New Alcohol License: Riceworks, LLC dba Riceworks 482 W Main Street – Liquor-by-the-Drink and On-Premise Beer
- D. Consideration to approve Resolution No. R22-2020

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO RATIFYING DOCUMENT 00520 STANDARD FORM OF AGREEMENT BETWEEN OWNER AND CONTRACTOR ON THE BASIS OF A STIPULATED PRICE FOR MAIN ST, AVENUE C TO AVENUE A, KUNA (DOWNTOWN REVITALIZATION PROJECT, PHASE II), ICDBG PROJECT NO. ICDBG-19-1 I 1-13-ED, FEDERAL-AID PROJECT NO. A020(143); KEY NO. 20143, J-U-B PROJECT NO. 10-17-142 AND APPROVING THE MAYOR'S SIGNATURE AND THE CITY CLERK'S ATTESTMENT.

- E. Consideration to approve Findings of Fact and Conclusions of Law for Case No. 20-01-TE (Time Extension) for Merlin Pointe Sub No. 2.

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, Buban-Vonder Haar, and McPherson

Voting No: None

Absent: Council Member Christensen

Motion carried: 3-0-1

5. *Community Reports or Requests:*

Follow up from February 18, 2020 and tabled March 3, 2020. Budget Expenses and Revenue breakdown for Discussion and Direction on potential Kuna ICA Rodeo, City Ad Hoc Committee, and Support – Chris Engels, City Clerk and Matt Askew, ICA President
ACTION ITEM

(Timestamp 00:02:28)

City Clerk Chris Engels reviewed the expenses and revenues for the proposed rodeo as included in the packet. She stood for questions.

Council President Buban-Vonder Haar asked, if they were to go through with this, at what point would money need to go forward and at what point would that money be refundable if the event was cancelled.

Ms. Engels replied the City had some other pending events and the City would address the rodeo the same way the other pending events were being addressed; with a contract between the City and those bringing in facilities that included a cancellation clause with no harm. It was possible the rodeo would end up being cancelled due to the pandemic and not being allowed to have that many people in a gathering.

ICA President Matt Askew added they tried to be as realistic with the numbers as possible. He put on several rodeos a year and had a good grasp of those numbers. He wanted to reiterate what Ms. Engels said. That was what stood.

Mayor Stear asked Ms. Engels what motion was needed.

Ms. Engels explained, if Council supported this, they needed a motion authorizing staff to proceed with bringing forth a resolution establishing an Ad Hoc Rodeo Committee under the City with the anticipation of City support as they moved forward to seed the potential rodeo if larger gatherings were allowed at that point which would be during Kuna Days.

Council President Buban-Vonder Haar was worried about people spending a lot of time and effort on something that could be cancelled. She wanted to know if it was possible to push this further down the road before definitively saying yes or no.

City Attorney Bill Gigray thought Ms. Engels' recommendation to move forward with a committee would be proper at this time. It would not be a waste of time. The committee would put this all together and, even if the rodeo wasn't done that year, he got the impression it was meant to be an annual event. If everything was put together it would help identify who would help with the rodeo, the expenses, and City support. That ground work would help during the budget process for the next fiscal year.

Council President Buban-Vonder Haar asked if there was a location already picked for the rodeo.

Ms. Engels stated a location had not been decided on. Staff had made some calls but they were waiting on direction from Council before making further phone calls.

Council President Buban-Vonder Haar asked if the cost of ground prep and rehab could vary wildly depending on what location was used.

Mr. Askew replied that was true in a sense. Parks Director Bobby Withrow had shown him proposed locations. For the most part, ground prep would be fairly consistent. There was one location with a lot of rock which would increase the cost because they would have to bring in some dirt. The other places they discussed would fit perfectly. As far as costs, those costs were included in the numbers Ms. Engels presented. In regards to pushing this down the road, he agreed with Mr. Gigray on getting this committee started. Contractors and everyone involved need to know as soon as possible if Kuna was not going to proceed with that weekend so they could pursue other opportunities if needed.

Council Member Cardoza clarified any shortage would be made up for by the City.

Mr. Askew said that was correct.

Council Member Cardoza said expenses would be incurred even if the rodeo was not held. He asked what the cost would be if they had to suspend the rodeo and how soon they would have to have tickets, riders, and advertising.

Mr. Askew explained the cost to the committee would be a \$30 application fee to the Idaho Cowboys Association. All other costs were essentially rodeo time. The ICA worked hand in hand with several radio stations for advertising and the flyers for Kuna Days would include an excerpt for the rodeo. Other than that, the hard costs affiliated with the rodeo would be paid at time of rodeo. That \$30 dollar application fee was the only cost the committee would be out up until about a month before the rodeo.

Council Member Cardoza asked if the association provided insurance for this.

Mr. Askew said to an extent. The reason for coming to the City to do a City Rodeo was so they could fall under the City's umbrella. The Association had specialty event insurance. That was a help to the committee but it was not full coverage. The Association was just the sanctioning body. They would provide guaranteed contestants, cover all the bad checks, and anything of the nature.

Mr. Gigray stated the only action he believed they were being asked for was authorization to proceed with a proposal to form the Ad Hoc Committee. Staff would come back with a resolution for Council to approve the committee. Any specific requests for authorization would have to come back to Council. The only thing they had authorized so far was the study of the budget information presented to them that evening.

Mayor Stear said that was how he understood it as well.

Council President Buban-Vonder Haar was concerned about the costs and how much the City could end up funding. It looked like the City could end up paying \$18,000 out of pocket. She had angst about paying \$18,000 on something only 1,800 people would attend.

Mr. Askew said they would not turn away anyone that came and he believed the demographic in Kuna would go to the rodeo. The proposed budget was based on 600 seats but they could get bleachers that encompassed the entire arena so everyone could have a seat. His goal was to make this an annual event during Kuna Days. The people coming to this rodeo wouldn't typically attend Kuna Days. That was why they were involving the Chamber and balancing the times so attendees could also go to the concerts and fireworks and other things going on. They wouldn't turn anyone from the community away. There would be lots of standing room and different options. These were preliminary numbers and the 600 seats was just part of that arena package.

Mayor Stear clarified these numbers were conservative; basically, the worst-case scenario.

Mr. Askew said that was correct. There was also a \$5,000 title sponsor for the event. He had not procured any other sponsorships. He had other people who knew he was working towards this and were very interested in coming on board but he was not selling sponsorship until he was sure they were having an event.

Mayor Stear thought the best thing to do was get the committee set up and explore some more avenues. They weren't committing to any dollar amounts yet so hopefully the committee would report back with an estimate that was harder and steadier. He asked for Council's thoughts.

Council Member McPherson was good with proceeding with that.

Council Member Cardoza was also good with proceeding with the Ad Hoc Committee.

Ms. Engels asked if Mayor and Council would like the committee to look at expanding seating to increase potential ticket revenue or just continue to work forward with the anticipated 600 seats and no refusal of entry.

Mayor Stear thought it should be incumbent on the Ad Hoc Committee to see how they could make this as big an event as possible.

Council Member McPherson moved to authorize staff to proceed with the appointment of an Ad Hoc Rodeo Committee and support for the potential Kuna ICA Rodeo. Seconded by Council Member Cardoza. Motion carried: 2-1-1. Council President Buban-Vonder Haar voted no. Council Member Christensen was absent.

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

- A. Public Hearing and Consideration to approve 19-03-AN (Annexation) & 19-02-S (Preliminary Plat) – Jace Hellman, Planner II ACTION ITEM
(Timestamp 00:23:18)

On behalf of Don Veasey (owner), Accurate Surveyors requests to annex two parcels consisting of approximately 7.67 acres into Kuna City Limits with an R-6 (Medium Density Residential) zone and to subdivide the 7.67 acres into 36 total lots [thirty-one (31) buildable lots, five (5) common lots]. The subject sites are located at 642 S. Ash St. and S. Ash St., Kuna, ID 83634, within Section 26, Township 2 North, Range 1 West; (APNs: R5070503050 and R5070502835).

Planning & Zoning Director Wendy Howell presented the staff report and stood for questions.

Crystal McDaniel, Accurate Surveyors, 1602 W Hays Street, Suite 306, Boise, Idaho 83702, felt Ms. Howell covered the general aspects of the plat. She added that the common area or useable common space was centrally located; a walkway fully landscaped with grass, trees, benches, and grills to be used by the community. It ran across the subdivision from S Ash Avenue to future development street S Cassandra Place and up to the planned W Recess Way extension. She pointed out, to assist with connectivity and flow of traffic, the plan included extending W Recess Way and S Cassandra Place through the subdivision. Eventually, S Cassandra Place would connect with W Sunbeam, a mid-mile collector street. She stood for questions.

Mayor Stear opened the public hearing.

Support: None

Against:

Cindy Giesen, 1363 S Ash Avenue, Kuna, Idaho 83634, noted she submitted a letter with two requests that was included in the packet. She had three more important issues to present. She pointed out missing from the packet was the school district, sanitation department, and fire department exhibits which she was used to seeing and seemed to be very necessary. Additionally, she did not see an updated ACHD analysis since a new second plat was presented in the January 14th meeting. This was a requirement as a condition from ACHD. Also, it was difficult to get any answers concerning the houses that would be in this subdivision. She felt if she knew who would be running the show, they could get better answers. In her search she found there was no ownership information or quit claim deed included in the southern 3-acre, R-4 parcel. The northern parcel did have the deed. It appeared two separate LLCs owned the parcels. However, the packet identified Don Veasey as the owner of the 7.67 acres. In other documents given to Planning & Zoning it was stated Mr. Veasey's plan for this site was to build on some of the lots. Others may be sold or selected depending on availability. That made it appear there were several owners and several developers. This subdivision did not seem to be the

typical subdivision project. Ideally, there was one schedule, one developer, and one builder for an entire subdivision. Managing this development would be very difficult. Last, she noted in the first subdivision hearing in September it was clear a new plat was required. There was much emphasis on providing R-4 zoning. This would solve some of the problems. After much discussion, the Commission voted to table the project and requested a new plat. The new plat was presented at the January 14th hearing and R-6 zoning was still the only product on it with only a reduction of two homes. In this document she noticed townhouses were added. It had gone unnoticed by everyone. She felt if they and the Commission had recognized this at the meeting there would have been opposition and this project would have been denied. She was asking that it be denied. She wanted R-4 zoning because it would possibly cause a 20% reduction of trip ends on S Ash Avenue which was a local street and was not designed to be a corridor to Avalon; a dangerous arterial. That was the most important thing. They were told there weren't buyers for these kinds of large lots but she felt there were many buyers and there were way too many townhomes and large houses on small lots. She thought people would love these and the CC&Rs would be less complicated, if at all. She thought this was the right thing to do for their neighborhood which was all R-4 and acreage from that lot line down.

Mayor Stear clarified she was opposed to having a subdivision where builders could come in and buy lots to build custom houses for people; she wanted all one builder.

Ms. Giesen explained a big complaint, which could be read in the minutes, was people who attended the last two meetings had a big issue with what would be built there. They said nice single-family homes and people couldn't get anything more out of them. People were worried about their property values. With R-4 on every side of it; there was way too much. There was a cul-de-sac with 7 homes on it. That was a big concern and why the fire department and everyone needed to take a better look at it. They changed the layouts on the second plat.

Mayor Stear asked if R-4 was her biggest concern; not the fact that people could go to a builder to ask for a custom home. Most builders weren't doing custom homes. There were five or six layouts and that was all they offered. If there were multiple builders, people could ask for a custom home.

Ms. Giesen thought the idea was nice but everyone was concerned about continuity and CC&Rs. Now they introduced townhomes. It was a big mess and R-4 would solve a lot of the traffic and design problems that still seemed to exist. She urged Council to read all of the minutes.

Neutral: None

Council Member Cardoza asked if page 80 of 117 was the last plat.

Ms. Howell replied that was the preliminary plat.

Council Member Cardoza clarified the purple area and the yellow areas were common areas.

Ms. Howell confirmed that was correct.

Council President Buban-Vonder Haar asked Public Works Director Bob Bachman what the sewer capacity was for south of the tracks.

Mr. Bachman explained this original plat was already factored in to the demand on the system with the R-6 zoning so placeholders were already in place for it.

Rebuttal:

Crystal McDaniel, Accurate Surveyors, 1602 W Hays Street, Suite 306, Boise, Idaho 83702, understood the issue with traffic was a problem in Kuna and throughout the Treasure Valley. Everyone was going through growing pains. Per a conversation they had at a Planning & Zoning meeting, the Commissioners were aware of the lack of action from ACHD on the roads before a development took place. The development had to go in first. As for the houses going in, the developer did a subdivision in Star. She hoped they had a document that referred to Sailing Hawk Subdivision. Just because these weren't McMansions did not mean they were cheaply made houses. She listed some of the features she thought would give them an idea of the type of homes Mr. Veasey planned on building. There would be a variety of houses based on the variety of lot sizes which went along with the Kuna Comprehensive Plan. In general, they were looking at these homes as places people would stay in; not as homes people would quickly turn over as soon as they had enough money to move elsewhere.

Mayor Stear asked if she was saying she didn't think people would buy these to rent.

Ms. McDaniel clarified she wasn't saying people wouldn't buy these to rent. There was a trend of people looking to buy smaller homes. Younger people and retired people were looking for more manageable lots to stay in and not looking at them as property to quickly turn over.

Mayor Stear asked Mr. Bachman about issues, mentioned in the letters, of low pressure with PI in that area and if that was common.

Mr. Bachman replied not necessarily. This was close to an area with a gravity ditch that had some history. With this project, they hadn't seen the design documents yet but, generally, when they got the engineered structured drawings, if there was a lower pressure area, they addressed it then. However, he had not received any complaints of low pressure in that area.

Council Member Cardoza asked if this was going through the Ten Mile Lift Station. He thought they were at capacity with that lift station.

Mr. Bachman explained it would be going through the Ten Mile Lift Station. They were doing a study on it to find the true capacity but these EDUs were already accounted for in that capacity.

Council Member Cardoza asked if Ten Mile would be able to accept any more capacity with development.

Mr. Bachman replied, if a 40-acre or 80-acre subdivision came before them at that time, they would recommend, based on the quantity of EDUs, that subdivision not be approved until the research and study they were doing was completed which ultimately would determine a fix. They were close to finishing that and they also had a project out to bid that would help create more capacity at Ten Mile.

Council Member Cardoza asked if EDUs for another property that had just broken ground were also included in Ten Mile.

Mr. Bachman said yes and no. Some of those EDUs would go north. For those going to Ten Mile, it was in the staff report that they will have to participate in fixing capacity issues.

Council Member Cardoza asked if they were moving anything south of town over to Orchard.

Mr. Bachman said no but, when they built Orchard, they separated it from Ten Mile. The old Orchard lift station used to go to Ten Mile.

City Attorney Bill Gigray suggested, if Council was considering approving, they include the approved zoning in the motion.

Mayor Stear noted it was mentioned there were townhomes or fourplexes in this. He couldn't find that anywhere.

Ms. McDaniel said there were two attached homes that would be going in. They weren't shown on the preliminary plat but they would be lots 4 and 5 on Block 1 and lots 5 and 6 on Block 4.

Council Member Cardoza asked about the difference between duplexes and town homes and if they would have a common wall between them.

Ms. McDaniel understood these attached homes were divided on lot lines. They would be separate ownerships with a common wall. She didn't know what a duplex would be considered here but these were attached single family dwellings.

Council President Buban-Vonder Haar heard and understood the concerns brought up and had read through the letters in the packet. The challenge was, as long as the request complied with the rules in City Code and the goals in the comp plan, there wasn't much space to say no. She appreciated there was some variety of housing types in this development. She shared some of Ms. Giesen's concerns in terms of wanting some larger lot developments but, with the housing markets continued seemingly meteoric rise, she had also heard a lot of concerns from people about not being able to afford any type of housing in Kuna. She hoped there would be interest in this subdivision. She didn't know

of any other subdivision in the area that had a couple duplexes in it. She thought that was a neat feature. Everything appeared to comply with the comp plan and all of the requests made by Planning & Zoning in terms of modifications seemed to have been made. She asked if anyone had any thoughts, concerns, or comments.

Council Member McPherson didn't have any.

Mayor Stear wasn't too excited about the look of the common lot. It didn't look all that beneficial for anybody but he also couldn't quite tell what the configuration was supposed to be.

Council Member Cardoza said on page 8 of 117, 6A, item 3 Staff Findings, it appeared the northern property was medium density and the southern property was low density. He asked how they could have two different designations.

Ms. Howell explained they were two separate parcels being combined into one development.

Council Member Cardoza clarified the medium density was coming up because part of it was designated medium density.

Ms. Howell replied that was correct.

Council President Buban-Vonder Haar moved to approve 19-03-AN (Annexation) with R-6 zoning and 19-02-S (Preliminary Plat) as well as the Findings of Fact, Conclusions of Law and Order of Decision as presented in the packet and close the public hearing. Seconded by Council Member McPherson. Motion carried: 2-1-1. Council Member Cardoza voted no. Council Member Christensen was absent.

- B.** Public Hearing and Consideration to approve 19-05-ZC (Rezone) – Doug Hanson, Planner I ACTION ITEM
(Timestamp 00:59:12)

B&A Engineers is requesting to rezone approximately 1.29 acres from “C-2” (Area Commercial) to “C-1” (Neighborhood Commercial) zoning district classification. The subject site is located at 763 W. Avalon St., Kuna, ID 83634 (APN: S1326120716).

Planner I Doug Hanson presented the staff report and stood for questions.

David Crawford, B&A Engineers, 5505 W Franklin Road, Boise, Idaho 83705, was representing the applicant. He noted they met with the Planning & Zoning Commission who voted unanimously to approve the rezone and the design review application. They agreed with the conditions of approval as written and as indicated by the Design Review Committee. He reviewed some of the site's history and stood for questions.

Mayor Stear opened the public hearing.

Support:

Reverend Jeremy Jeans, 681 W Wild Lilac Court, Kuna, Idaho 83634, was there on behalf of the church that was going in. He was thankful to be there and excited to be part of the community. He reviewed some of the things they were doing with the property. He thanked Council for the opportunity to be there.

Against: None

Neutral:

Cindy Giesen, 1363 S Ash Avenue, Kuna, Idaho 83634, wanted to testify anytime there was an application involving a street light before Council. After two years she finally found what light the City had been approving. She noticed they were no longer the Dark Sky lights that used the 3,000 Kelvin colored lights. Looking at the new developments on the horizon, they were all white lights out there. Those were the new ones. She asked a condition be added to this application that they be required to use dark sky lighting with the main definition of lighting being a 3,000k Kelvin color bulb. It didn't change the amount of illumination. It was just an easier nighttime light on the eyes. It was getting missed through every subdivision approved since the light was approved. There was nothing that talked about the option -30 that needed to be added when ordering the lights to get the proper lighting. She was trying to get them replaced at the Desert Hawk East Subdivision. She hoped this would no longer be a trend in the City. She was told they might add something next year to make sure it was Dark Sky. It was simple; add the option and shields. She thought it should be specified in the approval documents because it kept getting missed.

Mayor Stear asked Public Works Director Bob Bachman if he was familiar with what those lights were.

Mr. Bachman explained the City's street lights were Dark Sky compliant. He had met with Ms. Giesen a few times. The American Dark Sky Association called out the color spectrum from 3,000k - 4,000k. The City's lights were 3,500k - 4,000k which was Dark Sky compliant. He meant no disrespect, but he had gone over this time after time after time. The City's lights were compliant. The last time he met with Ms. Giesen he agreed to lower, in the future, to 3,000k - 3,500k and get rid of the 4,000k but the 4,000k was a Dark Sky compliant light.

Mayor Stear asked if that was what this was looking at.

Mr. Bachman replied this project was looking at 3,500k of the 100-watt class because it was a commercial parking lot light with a taller pole and with a 100-watt class fixture that was Dark Sky compliant. It was what staff was recommending. Anytime a subdivision came in, during the subdivision process, they submitted to the City what their lights were. There were three options for applicants to choose from; all three Dark Sky compliant. Staff verified during the plan review process that the lights were what was expected and Dark Sky compliant. This project was no different.

Mayor Stear asked about a light across the street mentioned by Reverend Jeans that might need to be replaced. He wondered if it was owned by the City or ACHD.

Mr. Bachman said it was an old style that was mounted on a power pole; which would be an Idaho Power light. Those were scheduled for upgrades and replacements with LEDs. That was a conversation they would be bringing to Council in the near future. He pointed out they didn't make these recommendations lightly and there were a lot of safety issues in this area. That was where the recommendation for the lights came from, overall safety of the public, but they would stand by whatever Council decided.

Mayor Stear asked if Idaho Power was changing some of those lights out. He asked this because, right in front of his house, across the road, was a subdivision with lights owned by the City that were a different style light pole from the one in front of his home; which was on a power pole. The head was changed out by Idaho Power the other day. It was a very bright light that shined on the street and sidewalk but his yard was never dark. Now that the light was changed, his yard was dark but the street and sidewalk were still bright. He wanted to know if Idaho Power was changing them out or if the City had requested it.

Mr. Bachman explained it was something Idaho Power was doing as part of their upgrade. He shared some of the different technologies changing the footprint of lighting that were evolving monthly. Idaho Power had done it in a few other spots too.

Rebuttal:

David Crawford, B&A Engineers, 5505 W Franklin Road, Boise, Idaho 83705, stated with the Design Review Committee they committed to work with the City Engineer to improve the lighting in the area to the Engineer's satisfaction. There was some discussion as to who was responsible for the lighting in the intersection and if the safety issue was something the City should take care of. The original condition was to put in another pole. Ultimately, their clients agreed to work with the City Engineer to come up with an appropriate light for the area that would satisfy the condition as written. They respectfully requested approval of the rezone.

Mayor Stear appreciated them working with the City Engineer on the lighting and doing what they could. There was a young lady hit at that intersection that had just gone through court. The City appreciated any help they could get there.

Council President Buban-Vonder Haar stated the request was in compliance with code and the comp plan and it sounded like they were working on the lighting.

Council President Buban-Vonder Haar moved to approve 19-05-ZC (Rezone) with the conditions of approval as listed and the Findings of Fact, Conclusions of Law and Order of Decision as presented in the packet and to close the public hearing. Seconded by Council Member McPherson. Motion carried: 3-0-1. Council Member Christensen was absent.

7. Business Items:

7. Consideration to approve Resolution No. R24-2020

(Timestamp 01:19:07)

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KUNA, IDAHO PURSUANT TO IDAHO CODE § 46-1011(1) CONSENTING TO THE EXTENSION OF MAYOR JOE STEARS DECLARATION OF EMERGENCY DATED MARCH 17, 2020 CONCERNING THE NOVEL CORONAVIRUS KNOWN AS COVID-19.

Mayor Stear explained the declaration was made that day to give Kuna the ability to collect whatever resources and funding might become available from federal and state resources for the Corona Virus and help Kuna get ahead of the curve. Also, this would be the last public meeting held at City Hall for a couple weeks. City owned public buildings would be closed to the public. Operations would continue and staff would continue to work the desks. The City would do their best to set up those with extreme vulnerability to work remotely from home. Phones and emails would continue to be answered as they would normally but the doors would be locked for a couple weeks. He had looked at a lot of recommendations over the past few days and the 15-day plan to help reduce the risks seemed to make the most sense. It was basic common sense. If you're sick, stay home. If your kids are sick, keep them home. If you have been tested and have the virus, keep all of your family home. Some of the restrictions on HIPA Requirements were being lifted so health care providers could do a better job of meeting with patients over the phone. A lot would be handled that way to keep from exposing the public to sickness. Hopefully this could be done for a couple or a few weeks. The sooner it was started, the sooner he hoped it could be over. The City would continue to conduct business but, basically, the declaration he made needed to be confirmed by Council.

Council President Buban-Vonder Haar moved to approve Resolution No. R24-2020. Seconded by Council Member McPherson. Motion carried: 3-0-1. Council Member Christensen was absent.

A. Fair Housing Month Proclamation – Mayor Stear

(Timestamp 01:23:33)

Mayor Stear read the proclamation.

B. Consideration to approve Resolution No. R23-2020 – Lisa Holland, Economic Development Director ACTION ITEM

(Timestamp 01:26:33)

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO:

- PROVIDING RECITALS AND FINDINGS; AND
- PROVIDING FOR FIVE (5) BOARD OF COMMISSIONER SEATS TO THE KUNA URBAN RENEWAL AGENCY AND SETTING THE TERMS OF OFFICE AND APPOINTING COMMISSIONERS TO EACH SEAT; AND

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

Mayor Stear explained this was to confirm setting up the Urban Renewal Committee. They had met with these folks and they had agreed to take on this task. They would help set this up and get the City moving in a good direction on the Urban Renewal Agency. He read a brief description of each person selected that Economic Development Director Lisa Holland provided. They would appreciate Council confirming these members to the committee.

City Attorney Bill Gigray added he had worked with Ms. Holland on this resolution and the certificates that would be issued according to the Urban Renewal Law.

Council Member Cardoza asked why the terms weren't staggered.

City Clerk Chris Engels said they were and pointed out where it was at in the resolution. Mr. Gigray explained how the terms would work.

Council President Buban-Vonder Haar had no issues with these folks and was happy to make a motion to approve the resolution but she hoped, as terms came up, the City would consider having women as members of this too. It was important to have a variety of perspectives.

Mayor Stear agreed. They asked a couple other people but they were busy and the timing wasn't right for them to join the committee. The City would definitely keep it in mind as they moved forward.

Council President Buban-Vonder Haar moved to approve Resolution No. R23-2020. Seconded by Council Member McPherson. Motion carried: 3-0-1. Council Member Christensen was absent.

8. Ordinances: *None*

9. Mayor/Council Announcements:

(Timestamp 01:33:49)

Mayor Stear noted the City would continue to work with Public Works Director Bob Bachman and his position. He would send out a memo so Council would know what he was looking at.

Council Member McPherson said he told Mr. Bachman they just denied his request for resignation.

City Clerk Chris Engels stated she had let him know he was needed at least through August.

Council President Buban-Vonder Haar brought up comments she had seen on social media that day with the reminders that it was Water Shut Off Day. Several folks were suggesting the City should suspend water shut off because of the pandemic. She just wanted to put that out there for discussion. As a related issue, people were also suggesting delaying the rate changes at least several months or indefinitely until the pandemic resolved.

Mayor Stear stated, as far as the shut offs go, the City determined not to do them this round and would accept partial payments from people they wouldn't normally do that for in order to keep the water moving, keep providing that service, and keep City Staff from being out in the public. As for the water rate changes, they had kind of determined, and Council could chime in if they wished, those were most likely not going to be that dramatic for most people. He wasn't sure postponing that would be a wise idea. Obviously, if they wished to do something about that, they would have to put it on a future agenda to talk about later. He asked City Treasurer Jared Empey if he knew exactly when the new billing started.

Mr. Empey stated it was supposed to be implemented April 1.

Mayor Stear reiterated it shouldn't be too dramatic for most people so they were probably okay there, unless there was something Council wanted staff to look into further. He added staff had made the determination earlier to not shut off people's water. He asked Mr. Empey where they were at with shut offs as far as numbers went. They were greatly decreased from what they used to be.

Mr. Empey said the number he was given that morning was about 90 folks on shut off. Generally, in the last few months, they had had about 70. Today about 35 people made full or partial payments. They would proceed from there and take it on a case by case basis.

Council President Buban-Vonder Haar thought that all sounded reasonable and thanked them for their understanding.

Mr. Bachman gave an update on Downtown Phase II. He went to the pre-con meeting that Monday. It was scheduled to start April 20, 2020 and run through July 25, 2020. It would probably be mobilizing the week before the 20th with construction starting on the 20th. They were taking the remainder of the time until then to talk to the business owners about what was going on and address any concerns.

City Attorney Bill Gigray shared House Bill 409 was dead and it looked like bills 468 and 469, designed to provide property tax relief to persons over 65 along with their Homeowner's Exemptions, were going nowhere. He asked if Mayor Stear knew what was going on.

Mayor Stear hadn't heard too much. He knew about 409 but didn't know about the others. He didn't think there was a lot of stuff that would affect the City much at that point.

Council Member Cardoza asked if it would be good to have Kuna Police Chief Jon McDaniel give a synopsis of what Kuna Police have and would be doing.

Chief McDaniel explained they had been in communication with their main office and the Sheriff had done a press conference with the other elected at the county level. Just that day he had sent their updated Continuity of Operations Plan to the Mayor and barrister. They were also looking at contingency plans for staffing if they lost 10, 20, 30% or more to sickness. They were working with other departments and cities to go to more of a metro look if that was what it took to police. They would use all of their partners if that was what it took to answer the calls for service. Also, some of their lower priority calls they were handling over the phone and there were times they would have ambulatory citizens step out of their houses if there was any concern. They would talk to them in the open air instead of going into their houses. They were just taking things slower and being smart. They did outfit all of their troops with the N95 mask. Sometimes it was best procedure to put that on the potentially sick person and sometimes it was better to put it on responders. They were just trying to be as smart as they could and follow the President's guidelines.

Council Member Cardoza asked if patrol had hand sanitizers and such they could use in public.

Chief McDaniel responded absolutely. They had big bottles in their doors they could spray each time they came in contact and they were certainly encouraging that.

Council Member Cardoza thought the prison would be a major concern.

Chief McDaniel said that was a more serious side of their contingency plans. Already they were asking their other police agencies in the county to really use good discretion and use citation into court when they could as long as it was not a violent crime. The jail was definitely doing a heightened job of screening when people came in, everything from temperatures, to try to catch it on that side before it could get in.

Council Member Cardoza asked, since they were on contract with the City and the contract imposed certain conditions regarding how many officers should be on duty at one time, would there be a shortage in the future with having to stay home.

Chief McDaniel replied at this time not at all and he would know more in the next few days which way the curve would go. He thought that was where the contingency plans would come in. Also, with the schools shut down, they could pull school resource officers onto patrol. They could also pull detectives if needed. Patrol had to come first. It was a priority to answer 911 calls.

Mayor Stear didn't know details but shared Ada County Commissioner Rick Visser turned in his resignation. There were only two commissioners at that time but that was all he knew.

Mr. Gigray added on in regards to police personnel. In Eagle, Chief Rusty Coffelt said their protocol with firefighters was, if a firefighter was in contact with someone who was then found to have the Corona Virus, they had to be quarantined for two weeks; either at home or, if there were people at home who were at risk, they had to find somewhere else to stay. If they had any symptoms in that two-week period, they had to get tested. They were trying to work on quick tests and there were some tests that took up to 7 days. There was also a

difference on whether they came into contact with someone with the Corona Virus on their own or in the line of duty. There were issues associated with that. This was new territory.

10. Executive Session: *None*

11. Adjournment: 7:52 P.M.



Joe L. Stear, Mayor

ATTEST:



Chris Engels, City Clerk



Minutes prepared by Ariana Welker, Deputy City Clerk

Date Approved: CCM 04.07.2020



CITY OF KUNA

751 W. 4th Street • Kuna, Idaho • 83634 • Phone (208) 922-5274
Fax: (208) 922-5989 • www.Kunacity.Id.gov

SIGN-UP SHEET

March 17, 2020 – City Council Public Hearing

Case Name: 19-03-AN (Annexation) & 19-02-S (Preliminary Plat) – Chotika Subdivision

Case Type: On behalf of Don Veasey (owner), Accurate Surveyors requests to annex two parcels consisting of approximately 7.67 acres into Kuna City Limits with an R-6 (Medium Density Residential) zone and to subdivide the 7.67 acres into 38 total lots (thirty-three (33) buildable lots, five (5) common lots). The subject sites are located at 642 S. Ash St. and S. Ash St., Kuna, ID 83634, within Section 26, Township 2 North, Range 1 West; (APNs: R5070503050 and R5070502835).

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.

Table with 3 columns: IN FAVOR, NEUTRAL, IN OPPOSITION. Each column has multiple rows for sign-up, including checkboxes for 'Testify' and 'Not Testify', and fields for Name, Address, City, State, and Zip. The 'IN OPPOSITION' column has handwritten entries for Cindy Giesen at 1363 S Ash Ave, Kuna, ID 83634.

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SIGN-UP SHEET

March 17, 2020 – City Council Public Hearing

Case Name: 19-05-ZC (Rezone) – 763 W. Avalon Rezone.

Case Type: B&A Engineers is requesting to rezone approximately 1.29 acres from “C-2” (Area Commercial) to “C-1” (Neighborhood Commercial) zoning district classification. The subject site is located at 763 W. Avalon St., Kuna, ID 83634 (APN: S1326120716).

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.

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Chris Engels

From: Lisa Holland
Sent: Tuesday, March 17, 2020 2:26 PM
To: Mayor Stear; Chris Engels
Subject: Overview of Urban Renewal Agency Members

Mayor – in case you'd like to read this tonight, here are a few bullets on each of the board members we chose to be a part of the Urban Renewal Agency, and a few of my comments as well.

Mayor and Council,

I apologize for not being with you in person tonight, but I'm excited to bring forward a request to appoint 5 members to the Urban Renewal Agency Board so we can continue moving forward in evaluating options for the City of Kuna. At this point, we have a draft eligibility study complete that is under legal review with Elam & Burke. Their recommendation was to appoint Board members to the agency so that they could act as a recommending body to Council when bringing forward the eligibility study. Our hope was to present that to council next month to evaluate next steps.

The mayor and I have worked together to meet with several people we think would make a really strong Board for Kuna. Here is a little background on each one:

- Greg McPherson – Greg will represent City Council on the Urban Renewal Agency Board. He has experience serving as a fire commissioner, Kuna resident, City Council Member and is well connected in understanding agriculture and our community.
- Todd Cooper – Todd has worked most of his professional career in banking, but also has a strong understanding of economic development. He has contributed hundreds of hours to community organizations, and also served as the Chairman for the Boise Valley Economic Partnership for two years (as well as a Board member/treasurer for many more). Todd also worked for Boise State University as the Economic Development Director and just recently has returned back to banking. Todd participated in the Economic Development Strategic Planning workshop last fall, and his diverse perspectives will be invaluable to the commission.
- Rocco D'Orazio – Rocco is a local Kuna resident, entrepreneur and developer. He has worked on numerous projects and has a broad background in marketing as well. He really cares about how Kuna develops, and understands how the development process works.
- Winston Inouye – Winston currently works for McAlvain Construction, but comes with a broad skillset in understanding industrial projects, rail, and infrastructure planning. He has public policy experience and a depth of knowledge in working with municipalities, government organizations, and companies.
- Taylor Tibbits - Tayler is an experienced real estate attorney and commercial title and escrow professional. He founded Empire Title's commercial real estate group in the Treasure Valley in 2015. After a stint operating his own law firm practicing real estate law across the state of Idaho, Tayler returned as general counsel and commercial department manager at Empire in 2019. He has worked on a wide variety of real estate transactions and has been legal counsel to buyers, sellers, real estate agents, property management companies, investors, developers and lenders. He is also a local Kuna resident.

Lisa Holland

Economic Development Director
City of Kuna
C: (208) 559-5926
lholland@kunaid.gov