

**OFFICIALS**

Joe Stear, Mayor  
Richard Cardoza, Council Member  
Warren Christensen, Council Member  
Greg McPherson, Council Member  
Vacant, Council Member



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

**City Council Meeting**  
**AGENDA**  
**Tuesday, September 1, 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 September 1, 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](mailto: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](mailto: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 August 18, 2020
- B. Accounts Payable Dated August 27, 2020 in the amount of \$5,402,352.71
- C. Resolution No. R46-2020

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING A PERFORMANCE BOND BY NSDR 3.5 LLC FOR THE REDHAWK SQUARE SUBDIVISION FOR UNCOMPLETED WORK INCLUDING STREET LIGHTING PURSUANT TO THE TERMS OF THIS RESOLUTION.

**D. Findings of Fact and Conclusions of Law for Case No. 20-01-OA – Sign Ordinance Amendment**

**E. Final Plats:**

1. Case No. 20-13-FP (Final Plat) for Ardell Estates No. 4
2. Case No. 20-14-FP (Final Plat) for Silver Trail No. 6
3. Case No. 20-17-FP (Final Plat) for Winfield Springs No. 6

**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. Applicant requests this be tabled until the September 15, 2020 Council Meeting.**  
Public Hearing continued from August 18, 2020 for testimony regarding sewer capacity and consideration to approve Case No. 19-09-S (Preliminary Plat), Corbin's Cove Subdivision – Troy Behunin, Planner III **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.

- B. Staff requests this be tabled until the October 20, 2020 Council Meeting due to noticing requirements**  
Public Hearing and consideration to approve Case No. 19-08-ZC (Rezone) and 19-10-S (Preliminary Plat) for Monarch Landing Subdivision – Troy Behunin, Planner III **ACTION ITEM**

Mason & Associates, Inc. (applicant) requests Rezone, Preliminary Plat, Special Use Permit (SUP) and Design Review approvals for the Monarch Landing Subdivision. Applicant requests a rezone for approx. 17.34 total acres from Agriculture (AG) to a C-3 Commercial (Service Commercial) zone. Applicant also requests preliminary plat approval in order to re-subdivide Lot 1, Block 1 of Tukila Meadow Sub into 15 total lots, and requests a SUP to place an approx. five (5) acre self-storage facility on the same site. The subject site is at SWC Linder and Hubbard Roads, Kuna, ID 83634, within Section 14, Township 2 North, Range 1 West (APN R8555340170).

- C. Public Hearing and consideration to approve Annual Appropriation Ordinance No. 2020-26, Resolution No. R43-2020 Foregone Property Tax Levy, and R44-2020 Reservation of Right to take Foregone Increase in Subsequent Year – Jared Empey, City Treasurer**  
**ACTION ITEM**

*Open Public Hearing*

*Receive evidence*

*Potential Motion:*

*Consideration to close evidence presentation and proceed to deliberation*

1. Consideration to approve Ordinance No. 2020-26 **ACTION ITEM**

AN ORDINANCE ENTITLED THE ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021, PROVIDING FOR FINDINGS, PROVIDING FOR THE ADOPTION OF A BUDGET AND THE APPROPRIATION OF EXPENDITURE OF SUMS OF MONEY TO DEFRAY THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF KUNA, IN ACCORDANCE WITH OBJECT AND PURPOSES AND IN THE CERTAIN AMOUNTS HEREIN SPECIFIED FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING ON SEPTEMBER 30, 2021; AUTHORIZING A LEVY OF A SUFFICIENT TAX UPON THE TAXABLE PROPERTY OF THE CITY OF KUNA AND PROVIDING FOR AN EFFECTIVE DATE AND THE FILING OF A CERTIFIED COPY OF THIS ORDINANCE WITH THE IDAHO SECRETARY OF STATE, THE ADA COUNTY CLERK, AND THE IDAHO STATE TAX COMMISSION.

*Consideration to waive three readings*

*Consideration to approve ordinance*

2. Consideration to approve Resolution No. R43-2020 **ACTION ITEM**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KUNA:

- SETTING FORTH FINDINGS; AND
- CERTIFYING THE INTENT OF THE CITY COUNCIL OF THE CITY OF KUNA TO LEVY, AS A PART OF THE GENERAL TAX LEVY PURSUANT TO ORDINANCE NO. 2020-26 THE RECOVERY OF ITS FORGONE PROPERTY TAX; AND
- DIRECTING THE CITY CLERK; AND
- SETTING AN EFFECTIVE DATE.

3. Consideration to approve Resolution No. R44-2020 **ACTION ITEM**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KUNA;

- SETTING FORTH FINDINGS; AND
- ELECTION TO BUDGET LESS THAN THE MAXIMUM ALLOWABLE NON-EXEMPT PROPERTY TAX INCREASE FOR FISCAL YEAR 2020-2021; AND
- RESERVING THE RIGHT TO RECOVER FISCAL YEAR 2020-2021 FORGONE ALLOWABLE NON-EXEMPT PROPERTY TAX INCREASE IN A SUBSEQUENT YEAR BY ADOPTION OF THIS RESOLUTION AND SPECIFYING THE AMOUNT OF THE FORGONE ALLOWABLE NON-EXEMPT PROPERTY TAX INCREASE BEING RESERVED; AND
- DIRECTING THE CITY CLERK; AND
- SETTING AN EFFECTIVE DATE.

**7. Business Items:**

- A. Consideration to Resolution No. R45-2020 – Jared Empey, City Treasurer **ACTION ITEM**

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING AGREEMENT NO. 13364-1-20 WITH ADA COUNTY AND THE ADA COUNTY PROSECUTING ATTORNEY’S OFFICE FOR THE PROVISION OF PROSECUTORIAL SERVICES FOR THE FISCAL YEAR 2020-2021; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

- B. Consideration to approve Resolution No. R47-2020 – Lisa Holland, Economic Development Director **ACTION ITEM**

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO, DETERMINING CERTAIN ADDITIONAL AREAS WITHIN THE CITY OR WITHIN THE CITY’S AREA OF OPERATION, TO BE A DETERIORATED AREA AND/OR A DETERIORATING AREA AS DEFINED BY IDAHO CODE SECTIONS 50-2018(9) AND 50-2903(8), DIRECTING THE URBAN RENEWAL AGENCY OF KUNA, IDAHO TO COMMENCE THE PREPARATION OF AN URBAN RENEWAL PLAN SUBJECT TO CERTAIN CONDITIONS, WHICH PLAN MAY INCLUDE REVENUE ALLOCATION PROVISIONS, FOR ALL OR PART OF THE AREA; AND PROVIDING AN EFFECTIVE DATE.

**8. Ordinances:**

- A. Third Reading and Consideration to approve Ordinance No. 2020-24 **ACTION ITEM**

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

- AMENDING CHAPTER 8, TITLE 3; AND
- PROVIDING FOR ADDITIONAL DEFINITIONS; AND
- MAKING TECHNICAL CHANGES; AND
- PROVIDING FOR SPECIAL EVENTS REGULATIONS AND PERMITS;
- AND PROVIDING FOR PARADE SPECIAL EVENT REGULATIONS AND PERMITS; AND
- PROVIDING FOR BLOCK EVENT REGULATIONS; AND
- PROVIDING FOR TECHNICAL CORRECTIONS TO THE ATTENDEE PROJECTION GOOD FAITH ESTIMATE SPECIAL APPLICATION REGULATIONS; AND
- PROVIDING FOR PERMIT DENIAL AND PROCEDURE; AND
- PROVIDING FOR LIBERAL CONSTRUCTION OF ADMINISTRATIVE REGULATORY POWERS AND AUTHORITY PROVIDED; AND
- DIRECTING THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

*Consideration to approve ordinance*

*Consideration to approve summary publication*

**B. Consideration to approve Ordinance No. 2020-27 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 HDP GREYHAWK 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 NEW YORK IRRIGATION DISTRICT, THE OWNERS AND UPDATE THE IRRIGATION SYSTEM MAP; AND
- PROVIDING AN EFFECTIVE DATE.

*Consideration to Waive Three Readings of Ordinance  
Consideration to Approve Ordinance*

**C. Consideration to approve Ordinance No. 2020-28 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 NSDF 3.5 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.

*Consideration to Waive Three Readings of Ordinance  
Consideration to Approve Ordinance*

**9. Executive Session: None**

**10. Mayor/Council Announcements:**

**11. Adjournment:**