



CITY OF KUNA

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OCTOBER 21, 2014

7:00 P.M. REGULAR CITY COUNCIL MEETING

**KUNA CITY COUNCIL CHAMBER
763 W. AVALON ST.
KUNA, IDAHO**

CITY OFFICIALS

**W. Greg Nelson, Mayor
Richard Cardoza, Council President
Briana Buban-Vonder Haar, Council Member
Pat Jones, Council Member
Joe Stear, Council Member**

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 to make inquiry concerning the nature of the item described on the agenda.

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.

**CITY OF KUNA
REGULAR CITY COUNCIL MEETING
AGENDA
TUESDAY, OCTOBER 21, 2014
Kuna City Hall Council Chamber, 763 W. Avalon Street, Kuna, Idaho**

7:00 P.M. REGULAR CITY COUNCIL

Call to Order and Roll Call

Invocation: Karen Hernandez, United Methodist Church

Pledge of Allegiance: Mayor Nelson

1. Consent Agenda:

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 Old Business or as instructed by the City Council.

A. City Council Meeting Minutes:

1. Minutes of September 23, 2014 Joint Meeting with Meridian City Council
2. Minutes of September 30, 2014 Special Meeting
3. Minutes of October 7, 2014 Regular Council Meeting

B. Accounts Payable Dated October 21, 2014 in the Amount of \$431,750.63.

C. Alcohol Licenses:

1. Lima Limon Peruvian Restaurant, 751 W 4th Street, Liquor-by-the-Drink, On Premise Beer

D. Resolutions:

1. Adopt Resolution No. R63-2014 Accepting Utility Easement from Lete Family Revocable Trust

E. Findings of Facts and Conclusions of Law:

2. Citizen's Reports or Requests:

- A. Fee Waiver Request from Mark Barnes, Kuna Melba News, and Ronnie Soldano, Synchrnyze Photography, for use of Bandshell at Bernie Fisher Park on November 3, 2014 for a Public Holiday Photography Event – Mark Barnes, Editor, Kuna Melba News

3. Public Hearings: (7:00 p.m. or as soon thereafter as matters may be heard.)

- A. Development Agreement Modification 08-08-DA; Linder Farms – Troy Behunin, P&Z Applicant requests modification of the Development Agreement (DA) for Linder Farms, one-half mile south of Lake Hazel on the west side of Linder Road. This application requests adding Bus Guide Tours through corn fields and paintball activities to the recorded Development Agreement.

- B. J&M Sanitation – Tim Gordon, J&M Sanitation, Inc.

A Public Hearing to Gather Public Testimony Concerning a Proposed Increase in the Solid Waste Collection Service Fees Charged by J&M Sanitation Pursuant to City of Kuna Ordinance No. 679 Establishing a System for the Collection, Hauling and Removal of Solid Waste within the City and Establishing Fees on the Collection thereof.

1. Consideration to Approve Resolution No. R56-2014 J&M Sanitation Fee Schedule

A RESOLUTION OF THE CITY OF KUNA, IDAHO ADOPTING THE SOLID WASTE FEE SCHEDULE FOR J&M SANITATION; AND PROVIDING AN EFFECTIVE DATE OF NOVEMBER 1, 2014.

- C. Pathway Width – Richard Roats, City Attorney

A Public Hearing To Take Testimony Concerning The City’s Request To Amend A Portion Of Subdivision Regulations As Contained In Title 5, Chapter 17, And A Portion Of Vacations, Dedications And Variances As Contained In Title 6, Chapter 4, Of The Kuna City Code To Allow The City Council To Permit A Pathway That Is Nine (9) Feet Wide Upon Making Findings That The Width Of Nine (9) Feet Is Not A Safety Hazard And It Is In The Interest Of The City To Allow The Narrower Width Where The City Has A Ten (10) Foot Wide Greenbelt Pathways Requirement. At the Conclusion of the Public Hearing, the City Is Recommending That Council Adopt The Proposed Findings Of Fact And Conclusions Of Law As Provided For In The Staff Report. (Note: Ordinance No. 2014-20 Is In Section 5.)

- D. Release of Development Agreement for McDonald’s – Richard Roats, City Attorney

1. Resolution R64-2014 McDonald’s

A RESOLUTION OF THE CITY OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE RELEASE OF DEVELOPMENT AGREEMENT RELEASING THE DEVELOPMENT AGREEMENT FROM LOT 8, BLOCK 1 OF THE RIDLEY’S FAMILY CENTER SUBDIVISION NO. 1

E. Release of Development Agreement from the Falcon Ridge School Property – Richard Roats, City Attorney

1. Resolution No. R65-2014 Falcon Ridge School Property

A RESOLUTION OF THE CITY OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE RELEASE OF DEVELOPMENT AGREEMENT RELEASING THE DEVELOPMENT AGREEMENT FROM THE FALCON RIDGE SCHOOL PROPERTY.

4. Business Items:

A. Continued Discussion for Consideration to Approve Resolution No. R51-2014 Integra Service Agreement – Richard Roats, City Attorney

A RESOLUTION OF THE CITY OF KUNA, IDAHO APPROVING THE INTEGRA SERVICE AGREEMENT TO UPGRADE THE INTERNET SERVICE TO ACCEPTABLE STANDARDS FOR THE SAFETY, WELFARE AND PROTECTION OF THE CITY AND THE PUBLIC AND TO THE CITY OF KUNA, IDAHO; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT.

B. Consideration to Approve Resolution No. R57-2014 Valley Regional Transit Agreement

A RESOLUTION OF THE CITY OF KUNA, IDAHO APPROVING THE COOPERATIVE AGREEMENT FOR ANNUAL ASSESSMENT WITH VALLEY REGIONAL TRANSIT AND THE CITY OF KUNA, AUTHORIZING THE CITY OF PAY ONE THOUSAND DOLLARS (\$1,000.00); AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT.

C. Consideration to Approve Resolution No. R58-2014 Approving New Fees for Drinking Water System – Gordon Law, City Engineer

A RESOLUTION AMENDING PORTIONS OF RESOLUTION R58-2013 THAT: SET FORTH THE AUTHORITY FOR ADOPTING WATER CONNECTION FEES AND MONTHLY WATER SERVICE RATES; ESTABLISHED FEES FOR CONNECTING TO THE WATER SYSTEM; ESTABLISHED WATER USE FEES THAT ARE NOW AMENDED WITH WATER RATE CHANGES FOR ALL CUSTOMERS; PROVIDED FOR MISCELLANEOUS WATER CUSTOMER SERVICE POLICIES; SET FORTH MINIMUM LINE SIZES; REPEALED FEES ESTABLISHED BY EARLIER RESOLUTIONS; AND SETTING AN EFFECTIVE DATE.

D. Consideration to Approve Resolution No. R59-2014 Approving New Fees for the Sewer System – Gordon Law, City Engineer

A RESOLUTION AMENDING CERTAIN SECTIONS OF RESOLUTION R59-2013 THAT: SET FORTH THE AUTHORITY FOR ADOPTING SEWER FEES;

ESTABLISHED FEES FOR CONNECTING TO SEWER SYSTEM; ESTABLISHED MONTHLY SEWER USE FEES THAT ARE NOW AMENDED WITH SEWER RATE CHANGES FOR ALL CUSTOMERS; SET FORTH MINIMUM LINE SIZES; PROVIDED FOR A METHOD OF COMPUTING USER EQUIVALENT; REPEALING FEES ESTABLISHED BY EARLIER RESOLUTIONS; AND SETTING AN EFFECTIVE DATE.

- E. Consideration to Approve Resolution No. R60-2014 Approving Irrigation Expenses for 2015, Approving Uniform Method of Assessment, Accepting Assessment Roll, Setting Date and Time for Board of Correction and Amending Various Irrigation Policies and Fees – Gordon Law, City Engineer

A RESOLUTION OF THE COUNCIL OF THE CITY OF KUNA, IDAHO SETTING FORTH FEES, ASSESSMENTS AND POLICIES FOR THE KUNA MUNICIPAL IRRIGATION DISTRICT FOR SAID CITY; RECEIVING AND ACCEPTING THE ASSESSMENT BOOK FOR THE 2015 IRRIGATION SEASON; RECEIVING AND ACCEPTING THE ESTIMATE OF EXPENSES FOR THE 2014 IRRIGATION SEASON; SETTING THE TIME AND PLACE FOR THE MEETING OF THE BOARD OF CORRECTION FOR 2015 ASSESSMENTS; SETTING FEES FOR CONNECTING TO SAID IRRIGATION SYSTEM; SETTING UNIFORM METHOD OF ALLOCATING ASSESSMENTS FOR THE 2015 IRRIGATION SEASON; ESTABLISHING BILLING POLICIES; SETTING CUSTOMER SERVICE CHARGES; SETTING SYSTEM POLICIES; REPEALING EXISTING FEES AND POLICIES AS PREVIOUSLY SET BY RESOLUTION, AND SETTING AN EFFECTIVE DATE.

- F. Consideration to Approve Resolution No. R62-2014 Amended Emergency Management Joint Powers Agreement – Council Member Stear

A RESOLUTION OF THE CITY OF KUNA, IDAHO APPROVING THE AMENDED EMERGENCY MANAGEMENT JOINT POWERS AGREEMENT, AUTHORIZING AND APPROVING THE PAYMENT OF ANNUAL MEMBERSHIP DUES, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT.

- G. Consideration to Approve Resolution No. R67-2014 Approving Consultant Services Agreement for North Waste Water Treatment Plant Parking Project – Gordon Law, City Engineer

- H. Consideration to Approve Resolution R68-2014 ACHD Interagency Agreement for Pathway Construction – Richard Roats, City Attorney

A RESOLUTION OF THE CITY OF KUNA, IDAHO APPROVING THE PAVING AGREEMENT WITH THE ADA COUNTY HIGHWAY DISTRICT VALLEY OFFICE SYSTEMS AS EXECUTED BY THE MAYOR.

- I. Discuss Proposed Fee Schedule for Temporary Mobile Vendor Permit – Richard Roats, City Attorney

- J. Request from City Clerk's Office for the use of \$546.13 of the General Fund Contingency Balance as Continuation of Prior Year Approval for Year of the Kuna Kid and Kuna's 150th Birthday Celebration – John Marsh, City Treasurer

5. Ordinances:

A. First Reading of Ordinance No. 2014-17 Arbor Ridge Subdivision No. 2 Irrigation Annexation

Consideration to dispense with full reading and three consecutive readings.

Consideration to approve ordinance.

Consideration to approve a summary publication of the ordinance.

AN ORDINANCE OF THE CITY OF KUNA, IDAHO, ANNEXING A PARCEL, CONTAINING ARBOR RIDGE SUBDIVISION NO. 2, INTO THE KUNA MUNICIPAL IRRIGATION DISTRICT FROM THE BOISE~KUNA IRRIGATION DISTRICT AND CHANGING THE BOUNDARIES THEREOF; DECLARING WATER RIGHTS APPURTENANT THERETO ARE POOLED FOR DELIVERY PURPOSES; DIRECTING THAT COPIES OF THIS ORDINANCE BE RECORDED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

B. First Reading of Ordinance No. 2014-19 Zimmerman Annexation

Consideration to dispense with full reading and three consecutive readings.

Consideration to approve ordinance.

Consideration to approve a summary publication of the ordinance.

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY, NOW KNOWN AS PARCEL R7686240322 AND REFERRED TO AS A PORTION OF LOTS 18 AND 19 BLOCK 2 OF SADDLE RIDGE ESTATES; SITUATED IN THE UNINCORPORATED AREA OF ADA COUNTY, IDAHO, AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF KUNA, TO THE CITY OF KUNA, IDAHO; ESTABLISHING THE ZONING CLASSIFICATION OF SAID REAL PROPERTY; DIRECTING THAT COPIES OF THIS ORDINANCE BE FILED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

C. First Reading of Ordinance No. 2014-20 Pathway Width

Consideration to dispense with full reading and three consecutive readings.

Consideration to approve ordinance.

Consideration to approve a summary publication of the ordinance.

AN ORDINANCE OF THE CITY OF KUNA, IDAHO AMENDING A PORTION OF SUBDIVISION REGULATIONS AS CONTAINED IN TITLE 5, CHAPTER 17, AND A PORTION OF VACATIONS, DEDICATIONS AND VARIANCES AS CONTAINED IN TITLE 6, CHAPTER 4, OF THE KUNA CITY CODE TO ALLOW THE CITY COUNCIL TO PERMIT A PATHWAY THAT IS NINE (9) FEET WIDE UPON MAKING FINDINGS THAT THE WIDTH OF NINE (9) FEET IS NOT A SAFETY HAZARD AND IT IS IN THE INTEREST OF THE CITY TO ALLOW THE NARROWER WIDTH WHERE THE CITY HAS A TEN (10) FOOT WIDE

GREENBELT PATHWAYS REQUIREMENT; AND PROVIDING AN EFFECTIVE DATE.

D. *First Reading of Ordinance No. 2014-21 Benjamin Bernier Annexation*

Consideration to dispense with full reading and three consecutive readings.

Consideration to approve ordinance.

Consideration to approve a summary publication of the ordinance.

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY, NOW KNOWN AS PARCEL S1325233780 AND REFERRED TO AS THE BENJAMIN BERNIER PROPERTY; SITUATED IN THE UNINCORPORATED AREA OF ADA COUNTY, IDAHO, AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF KUNA, TO THE CITY OF KUNA, IDAHO; ESTABLISHING THE ZONING CLASSIFICATION OF SAID REAL PROPERTY; DIRECTING THAT COPIES OF THIS ORDINANCE BE FILED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

6. Mayor/Council Discussion Items:

7. Announcements:

8. Executive Session:

9. Adjournment: