

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, December 15, 2020

6:00 P.M. REGULAR CITY COUNCIL

*Due to the rise in COVID-19 cases and the Governor’s Order dated November 14, 2020:
Council Chamber is closed to the public.
Public Attendance Option is Live Streaming*

Live Streaming Instructions:

Members of the public may watch the December 15, 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.*

PUBLIC HEARING APPLICANT/PUBLIC 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
 - ✓ Your name
 - ✓ Address
 - ✓ Phone Number you will be calling from to give testimony
 - ✓ Email Address

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.

- ✓ 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.

*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 December 1, 2020
- B. Accounts Payable Dated December 10, 2020 in the amount of \$596,556.61
- C. Resolutions

1. Resolution No. R71-2020

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING THE "REAL ESTATE LEASE AGREEMENT" WITH JORGE AYALA DBA AYALA FARMS, FOR THE LEASE OF THE CITY OF KUNA, IDAHO'S PROPERTY LOCATED AT MEADOW VIEW ROAD, KUNA, IDAHO; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

2. Resolution No. R72-2020

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY 1099 LLC, FOR THE ATHLETA SUBDIVISION FOR UNCOMPLETED WORK INCLUDING LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

3. Resolution No. R73-2020

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

D. Case No. 20-23-FP (Final Plat) for Memory Ranch Subdivision No. 4

E. Findings of Fact and Conclusions of Law

1. Case Nos. 20-02-AN (Annexation) & 20-04-S (Preliminary Plat) for Rising Sun Commons Subdivision

2. Case No. 20-04-ZC (Rezone) for Durrant

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. *Public Hearing tabled from November 17, 2020 and December 1, 2020 and consideration to approve Case Nos. 20-01-ZC (Rezone) and 20-02-S (Preliminary Plat) for Sera Sole Subdivision – Doug Hanson, Planner I and Riley Planning, LLC, Applicant ACTION ITEM*

Riley Planning, LLC requests to rezone two parcels consisting of approximately 19.22-ac in Kuna City, from Agriculture (Ag.) **TO** the R-6 MDR (Medium Density Residential) zone and to subdivide the same lands into 89 total lots (78 buildable lots and 11 common lots). The subject site is located near the NWC of Swan Falls Road and Sunbeam Street within Section 26, Township 2 North, Range 1 West; (APNs: S1326141870 & S1326142025.).

Staff requests this item be tabled to a date certain. Requested information is incomplete.

B. *Public Hearing tabled from November 17, 2020 and consideration to approve Case Nos. 19-08-ZC (Rezone) & 19-10-S (Preliminary Plat) for Monarch Landing Subdivision – Jace Hellman, Interim Planning & Zoning Director and Mason and Associates, Applicant ACTION ITEM*

Mason & Associates, Inc. (applicant) requests Rezone and Preliminary Plat 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. The subject site is at the SWC Linder and Hubbard Roads, Kuna, ID 83634, within Section 14, Township 2 North, Range 1 West (APN R8555340170).

Please follow the link below to view the Staff Report and Packet for Case Nos. 19-08-ZC (Rezone) and 19-10-S (Preliminary Plat):

<https://www.kunacity.id.gov/DocumentCenter/View/7264/6B-19-08-ZC---19-10-S-Monarch-Landing-Sub-Packet-PDF>

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. 19-08-ZC (Rezone) & 19-10-S (Preliminary Plat) and Close the Public Hearing.*

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

- C. Public Hearing and consideration to approve Case No. 20-07-S (Preliminary Plat) for Memory Ranch Subdivision No. 6-9 – Doug Hanson, Planner I and Jane Suggs, Gem State Planning **ACTION ITEM**

Trilogy Development and Gem State Planning request to subdivide 67.5 acres into 281 total lots (259 buildable lots and 22 common lots). The subject site is within Kuna City Limits with an R-6 (Medium Density Residential) zoning designation. The subject site is located at 3895 W Lake Hazel Road, Kuna, ID 83634, within Section 2, Township 2 North, Range 1 West; (APN: S1303120810, S1303120900, S1303121450, S1303121500).

Please follow the link below to view the Staff Report and Packet for Case No. 20-07-S (Preliminary Plat):

<https://www.kunacity.id.gov/DocumentCenter/View/7265/6C-Memory-Ranch-6-9-Staff-Packet-PDF>

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. 20-07-S (Preliminary Plat) and Close the Public Hearing.*

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

D. Public Hearing and consideration to approve Case No. 20-03-AN (Annexation) for C&G Farms – Doug Hanson, Planner I and The Land Group, Inc ACTION ITEM

C&G Farms, Inc requests approval to annex approximately 440.25 acres into Kuna City limits with M-1 (Light Manufacturing) and M-2 (Heavy Manufacturing) zoning districts. The subject site is located at the southeast and southwest corners of Kuna Mora and Cole Roads, Kuna, ID 83634, within Section 1, Township 1 North, Range 1 East and Section 6, Township 1 North, Range 2 East (APNs: S2006220000, S2006231100, S2101110050, S2101120610, S2101130000, S2101310000).

Please follow the link below to view the Staff Report and Packet for Case No. 20-03-AN (Annexation):

<https://www.kunacity.id.gov/DocumentCenter/View/7266/6D-CG-Farms-Annexation-Staff-Packet-PDF>

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. 20-03-AN (Annexation) and Close the Public Hearing.*

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

7. Business Items:

Consideration to approve Case No. 20-02-LS (Lot Split) Collias – Doug Hanson, Planner I ACTION ITEM

On behalf of Stephanos Collias (owner), The Land Group Inc is requesting to split an approximately 40.87-acre parcel into two new parcels. The property is located near the SWC of Kuna Mora and Cole Roads, Kuna, ID 83634 (APN: S2101120610).

8. Ordinances:

A. Consideration to approve Ordinance No. 2020-34 ACTION ITEM

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

- MAKING CERTAIN FINDINGS; AND
- REZONING CERTAIN REAL PROPERTY, TO WIT: ADA COUNTY PARCEL NOS. R5445760020, R5445760040, R5445760060, R5445760080, R5445760100, R5445760120, R5445760140, R5445760160, R5445760180, R5445760200, R5445760220, R5445760240, R5445760260, R5445760280, R5445760300, R5445760320, R5445760340, R5445760360, R5445760380, R5445760400, R5445760420, R5445760440, R5445760460, R5445760480, R5445760500, R5445760520, R5445760540, R5445760560, R5445760580, R5445760600,

- R5445760620, R5445760640, R5445760680, R5445760700, R5445760720, R5445760740, R5445760760, R5445760780, R5445760800, R5445760820, R5445760840, R5445760860, R5445760880, R5445760900, R5445760920, R5445760940, R5445760960, R5445760980, R5445761000, R5445761020, R5445761040, R5445761060, R5445761080, R5445461100, R5445761120, R5445761140, R5445761160, R5445761180, R5445761200, R5445761220, R5445761240, R5445761260, R5445761280, R5445761280, R5445761300, R5445761320 AND R5445761340 OWNED BY Challenger Development Inc., 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 of Ordinance
Consideration to Approve Ordinance

B. Consideration to approve Ordinance No. 2020-35 ACTION ITEM

- AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:
- MAKING CERTAIN FINDINGS; AND
 - REZONING CERTAIN REAL PROPERTY, TO WIT: ADA COUNTY PARCEL NO. S1301336350 OWNED BY DURRANT RUSSEL C & MARIE B LIVING TRUST, 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 of Ordinance
Consideration to Approve Ordinance

C. Consideration to approve Ordinance No. 2020-36 ACTION ITEM

- A MUNICIPAL ANNEXATION AND ZONING ORDINANCE OF THE CITY OF KUNA:
- MAKING CERTAIN FINDINGS AND DECLARATION OF AUTHORITY; AND
 - ANNEXING CERTAIN REAL PROPERTIES, TO WIT: ADA COUNTY ASSESSOR'S PARCEL NO. S1419241000 OWNED BY HAYDENHOMESIDAHO, LLC WITHIN UNINCORPORATED AREA OF ADA COUNTY, IDAHO AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF KUNA, INTO THE CITY OF KUNA, IDAHO; AND
 - ESTABLISHING THE ZONING CLASSIFICATIONS OF SAID REAL PROPERTIES; AND
 - DIRECTING THE CITY ENGINEER AND THE CITY CLERK; AND
 - PROVIDING AN EFFECTIVE DATE.

Consideration to Waive Three Readings of Ordinance
Consideration to Approve Ordinance

D. Consideration to approve Ordinance No. 2020-37 **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 GREYHAWK LAND COMPANY LLC AND 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

E. Consideration to approve Ordinance No. 2020-38 **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 SSM2 COMPANY.; 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

F. Consideration to approve Ordinance No. 2020-39 **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 CHALLENGER DEVELOPMENT INC.; 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

G. Consideration to approve Ordinance No. 2020-40 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 VIPER INVESTMENTS 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 NAMPA~MERIDIAN 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: