

**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, August 17, 2021**

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

*For questions, please call the Kuna City Clerk's Office at (208) 387-7726.*

**1. Call to Order and Roll Call**

*(Timestamp 000:00:11)*

**COUNCIL MEMBERS PRESENT:**

Mayor Joe Stear – In Person  
Council President Greg McPherson – In Person  
Council Member Richard Cardoza – Absent  
Council Member Warren Christensen – In Person  
Council Member John Laraway – In Person

**CITY STAFF PRESENT:**

Bill Gigray, City Attorney – In Person  
Chris Engels, City Clerk – In Person  
Jared Empey, City Treasurer – In Person  
Bobby Withrow, Parks Director – In Person  
Mike Fratusco, Kuna Police Chief – In Person  
Jace Hellman, P & Z Director – In Person

**2. Invocation: None**

**3. Pledge of Allegiance: Mayor Stear**

*(Timestamp 00:00:30)*

**4. Consent Agenda: ALL OF THE LISTED CONSENT AGENDA ITEMS ARE ACTION ITEMS**

*(Timestamp 00:00:57)*

*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 3, 2021**

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.

B. Accounts Payable Dated August 12, 2021, in the amount of \$2,395,061.67

C. Resolution R30-2021.

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

- Providing Recitals and Findings; and
- Providing for the establishment of the Kuna Rodeo Exploratory Ad Hoc Committee; and
- Providing a charge to the Ad Hoc Committee; and
- Providing for the Ad Hoc Committee's Organization; and
- Providing for the Ad Hoc Committee's staffing; and
- Providing for the Ad Hoc Committee's budget and time of performance; and
- Directing the City Clerk; and
- Providing an effective date.

D. Case No. 21-13-FP (Final Plat) Ardell Estates No. 5

**Motion To:** Approve the Consent Agenda as published

**Motion By:** Council President McPherson

**Motion Seconded:** Council Member Christensen

**Further Discussion:** None

**Approved by the Following Roll Call Vote:**

**Voting Aye:** Council Members Christensen, Laraway, and McPherson

**Voting No:** None

**Absent:** Cardoza

**Motion Passed:** 3-0-1

5. *External Reports or Requests: None*

6. *Public Hearings:*

*(Timestamp 00:01:35)*

A. F.Y. 2022 Budget Hearing- Jared Empey, City Treasurer **ACTION ITEM**

City Treasurer Jared Empey provided a review of the Fiscal Year 2022 budget and stood for questions.

**A.1** - Consideration to approve Resolution R27-2021 Taking the Forgone amount

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

- 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. 2021-25 the recovery of its forgone property tax; and
- Directing the City Clerk; and
- Setting an Effective Date.

**Motion To:** Approve Resolution R27-2021.  
**Motion By:** Council President McPherson  
**Motion Seconded:** Council Member Christensen  
**Further Discussion:** None  
**Recused:** None  
**Absent:** None  
**Motion Passed:** 4-0-0

**A.2 - Consideration to approve Ordinance No. 2021-25**

AN ORDINANCE ENTITLED THE ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022, 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, 2021 AND ENDING ON SEPTEMBER 30, 2022; 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.

*Open Public Hearing*  
*Receive evidence*  
*Consideration to close evidence presentation and proceed to deliberation*  
*Consideration to waive three readings*  
*Consideration to approve Ordinance*

**Motion To:** Close the evidence presentation and proceed to deliberation  
**Motion By:** Council President McPherson  
**Motion Seconded:** Council Member Christensen  
**Further Discussion:** None  
**Recused:** None  
**Absent:** Cardoza  
**Motion Passed:** 3-0-1

**Motion To:** Waive 3 readings  
**Motion By:** Council President McPherson  
**Motion Seconded:** Council Member Christensen  
**Further Discussion:** None  
**Recused:** None  
**Absent:** Cardoza  
**Motion Passed:** 3-0-1

**Motion To:** Approve Ordinance 2021-25 and close the public hearing.

**Motion By:** Council President McPherson

**Motion Seconded:** Council Member Christensen

**Further Discussion:** None

**Recused:** None

**Absent:** Cardoza

**Motion Passed:** 3-0-1

**Motion To:** Approve summary publication of Ordinance 2021-25

**Motion By:** Council President McPherson

**Motion Seconded:** Council Member Christensen

**Further Discussion:** None

**Recused:** None

**Absent:** Cardoza

**Motion Passed:** 3-0-1

## 8. **Business Items:**

*(Timestamp 00:06:16)*

- A. Consideration to approve Resolution R28-2021 COVID Vaccine and conditions of employment, Mayor Stear ACTION ITEM

A RESOLUTION OF THE CITY OF KUNA, IDAHO, AN IDAHO MUNICIPAL CORPORATION, DECLARING THE CITY'S INTENT TO NOT MANDATE THE COVID VACCINE FOR EMPLOYEES.

**Motion To:** Approve Resolution R28-2021.

**Motion By:** Council President McPherson

**Motion Seconded:** Council Member Christensen

**Further Discussion:** None

**Recused:** None

**Absent:** Cardoza

**Motion Passed:** 3-0-1

- B. Consideration to approve Resolution R29-2021 Interagency Agreement ACHD and City of Kuna, Paul Stevens, Public Works Director ACTION ITEM

*(Timestamp 00:09:01)*

A RESOLUTION OF THE CITY OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE INTERAGENCY AGREEMENT FOR VARIANCE TO LOCATE A MUNICIPAL PRESSURE SEWER PIPELINE WITHIN THE PUBLIC RIGHTS-OF-WAY OF TEN MILE ROAD BETWEEN CITY OF KUNA, IDAHO AND THE ADA COUNTY HIGHWAY DISTRICT.

**Motion To:** Approve Resolution R29-2021.

**Motion By:** Council President McPherson  
**Motion Seconded:** Council Member Christensen  
**Further Discussion:** None  
**Recused:** None  
**Absent:** Cardoza  
**Motion Passed:** 3-0-1

- C. Consideration to Approve \$100,000 expenditure out of the Park Impact Fee Fund. Bobby Withrow, Parks/Facilities Director ACTION ITEM

*(Timestamp 00:10:31)*

Parks Director, Bobby Withrow reviewed the next steps in the agreement and the reasons for the request of funds.

**Motion To:** Approve \$100,000 expenditure out of the Park Impact Fee Fund  
**Motion By:** Council President McPherson  
**Motion Seconded:** Council Member Christensen  
**Further Discussion:** None  
**Recused:** None  
**Absent:** Cardoza  
**Motion Passed:** 3-0-1

## 9. Ordinances:

*(Timestamp 00:11:52)*

- A. Consideration to approve Ordinance No. 2021-22 ACTION ITEM

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

- MAKING CERTAIN FINDINGS; AND
- REZONING CERTAIN REAL PROPERTY, TO WIT: ADA COUNTY PARCEL NO. S1236315400 OWNED BY VIPER INVESTMENTS 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*

**Motion To:** Waive three readings of Ordinance No. 2021-22  
**Motion By:** Council President McPherson  
**Motion Seconded:** Council Member Christensen  
**Further Discussion:** None  
**Recused:** None

**Absent:** Cardoza  
**Motion Passed:** 3-0-1

**Motion To:** Approve Ordinance No. 2021-22  
**Motion By:** Council President McPherson  
**Motion Seconded:** Council Member Christensen  
**Further Discussion:** None  
**Approved by the Following Roll Call Vote:**  
**Voting Aye:** Council Members Christensen, Laraway, and McPherson  
**Voting No:** None  
**Absent:** Cardoza  
**Motion Passed:** 3-0-1

**B.** Consideration to approve Ordinance No. 2021-23 ACTION ITEM  
(Timestamp 00:13:23)

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

- MAKING CERTAIN FINDINGS; AND
- REZONING CERTAIN REAL PROPERTY, TO WIT: ADA COUNTY PARCEL NO. S1312223000 OWNED BY PATTERSON FAMILY ENTERPRISES 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*

**Motion To:** Waive three readings of Ordinance No. 2021-23  
**Motion By:** Council President McPherson  
**Motion Seconded:** Council Member Christensen  
**Further Discussion:** None  
**Recused:** None  
**Absent:** Cardoza  
**Motion Passed:** 3-0-1

**Motion To:** Approve Ordinance No. 2021-23  
**Motion By:** Council President McPherson  
**Motion Seconded:** Council Member Christensen  
**Further Discussion:** None  
**Approved by the Following Roll Call Vote:**  
**Voting Aye:** Council Members Christensen, Laraway, and McPherson  
**Voting No:** None

**Absent:** Cardoza  
**Motion Passed:** 3-0-1

C. Consideration to approve Ordinance No. 2021-26 ACTION ITEM  
(Timestamp 00:14:48)

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 DB DEVELOPMENT 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*  
*Consideration to approve Ordinance*

**Motion To:** Waive three readings of Ordinance No. 2021-26

**Motion By:** Council President McPherson

**Motion Seconded:** Council Member Christensen

**Further Discussion:** None

**Recused:** None

**Absent:** Cardoza

**Motion Passed:** 3-0-1

**Motion To:** Approve Ordinance No. 2021-26

**Motion By:** Council President McPherson

**Motion Seconded:** Council Member Christensen

**Further Discussion:** None

**Approved by the Following Roll Call Vote:**

**Voting Aye:** Council Members Christensen, Laraway, and McPherson

**Voting No:** None

**Absent:** Cardoza

**Motion Passed:** 3-0-1

**10. Executive Session:** None

**10. Mayor/Council Announcements:**

11. Adjournment: 6:19 PM

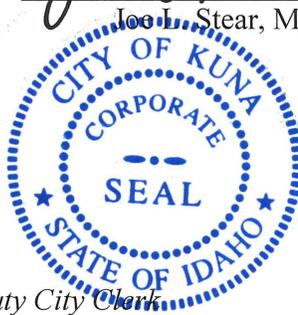


Joe L. Stear, Mayor

ATTEST:



Chris Engels, City Clerk



*Minutes prepared by Nathan Stanley, Deputy City Clerk*  
*Date Approved: CCM 09.07.2021*