

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 7, 2021

6:00 P.M. REGULAR CITY COUNCIL

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

ALL ITEMS ON THE KUNA CITY COUNCIL AGENDA ARE CONSIDERED ACTION ITEMS UNLESS OTHERWISE INSTRUCTED BY THE CITY COUNCIL.

- 1. Call to Order and Roll Call**
- 2. Invocation:**
- 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 November 16, 2021**
- B. Accounts Payable Dated December 2, 2021, in the amount of \$1,532,179.12**
- C. Resolutions**
 - 1. Resolution R61-2021**

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO AMENDING R57-2021 TO R61-2021 AND APPROVING THE “PROFESSIONAL SERVICES AGREEMENT” WITH KELLER ASSOCIATES, INC. FOR SCOPE OF WORK FOR AVENUE B SIDEWALK IMPROVEMENTS FOR THE CITY OF KUNA; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

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.

2. Resolution R62-2021

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO SETTING FORTH FINDINGS; AND SUPERSEEDING, AMENDING, AND REFORMING CITY COUNCIL RESOLUTION R66-2020; AND ESTABLISHING FEES FOR CONNECTING TO SANITARY SEWER SYSTEM; AND ESTABLISHING MONTHLY SEWER USE FEES; AND ESTABLISHING MINIMUM SEWER LINE SIZES; AND ESTABLISHING OTHER CHARGES; AND ESTABLISHING AN EFFECTIVE DATE.

3. Resolution R63-2021

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO: MAKING CERTAIN FINDINGS OF AUTHORITY AND PURPOSE; AND AUTHORIZING THE MAYOR, CITY TREASURER AND CITY ATTORNEY TO COMPLETE THE CITY'S PERFORMANCE OF THE FINAL ORDER OF CONDEMNATION ISSUED BY THE COURT IN FOURTH DISTRICT COURT OF THE STATE OF IDAHO ADA COUNTY IN CASE NO. CV01-21-11245 ENTITLED CITY OF KUNA V. UNION PACIFIC ET AL; AND DIRECTING THE CITY CLERK; AND PROVIDING AN EFFECTIVE DATE.

4. Resolution R64-2021

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING THE "CROSS ACCESS EASEMENT" AGREEMENT WITH ADA COUNTY HIGHWAY DISTRICT (ACHD), A BODY POLITIC AND CORPORATE OF THE STATE OF IDAHO; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

5. Resolution R65-2021

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KUNA: SETTING FORTH CERTAIN PURPOSES; AUTHORIZING THE MAYOR TO EXECUTE THE PROJECT DEVELOPMENT AGREEMENT BETWEEN THE CITY OF KUNA AND BRISBIE, LLC DIRECTING THE CITY CLERK; AND SETTING AN EFFECTIVE DATE.

6. Resolution R66-2021

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KUNA: SETTING FORTH CERTAIN PURPOSES; AUTHORIZING THE MAYOR TO EXECUTE THE INFRASTRUCTURE AGREEMENT BETWEEN THE CITY OF KUNA AND BRISBIE, LLC DIRECTING THE CITY CLERK; AND SETTING AN EFFECTIVE DATE.

7. Resolution R67-2021

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KUNA: SETTING FORTH CERTAIN PURPOSES; AUTHORIZING THE MAYOR TO EXECUTE THE WATER AND WASTEWATER SERVICE AGREEMENT BETWEEN THE CITY OF KUNA AND BRISBIE, LLC DIRECTING THE CITY CLERK; AND SETTING AN EFFECTIVE DATE.

D. Findings of Fact and Conclusion of Law

1. Case No. 21-06-AN (Annexation) - 1113 & 1169 N Black Cat Road
2. Case No. 21-12-S (Preliminary Plat) - Lugarno Terra North Subdivision
3. Case No. 20-13-S (Preliminary Plat) - Lugarno Terra South Subdivision

E. Final Plat

1. Case No. 21-19-FP (Final Plat) Rising Sun No. 1

5. External Reports or Requests:

6. Public Hearings:

A. Case No. 21-04-ZC (Rezone) & 21-05-S (Preliminary Plat) – Ewing Meadows Subdivision. Doug Hansen, Planner II ACTION ITEM

Sterling Land Development Inc, on behalf of YES Development, LLC requests a Rezone for approximately 80.75 total acres to from an A (Agriculture) to an R-6 (Medium Density Residential) zone. The Applicant also requests Preliminary Plat approval in order to subdivide the approximately 80.75 acres into 315 total lots (294 buildable lots, 21 common lots). The site is located in Section 15, Township 2 north, Range 1 West (APNs: S1315212403, S1315244600, S1315214551).

B. Consideration to approve Case No. 21-03-CPF (Combination Preliminary & Final Plat) Arbor Ridge Villas. Troy Behunin, Senior Planner ACTION ITEM

Centurion Engineers, Inc., on behalf of Challenger Development, LLC, requests approval to subdivide three (3) existing lots within Arbor Ridge Sub No. 5, into nine (9) total lots using the Combination Plat process, for a site located at the northwest corner of School Avenue and Ardell Road, Kuna, Idaho

C. Resolution R57-2021 – Adopting a New Fee Schedule for the Planning and Zoning, Building and Public Works Departments. Jace Hellman, Planning and Zoning Director ACTION ITEM

8. Business Items:

A. Budget Report 2021, Jared Empey, City Treasurer ACTION ITEM

1. Cash Statement

2. Budget Results

B. Contingency Request, Solid Waste Trailer, Jared Empey, City Treasurer ACTION ITEM

C. Canvas Election Results for November 2021 Election, Chris Engels, City Clerk ACTION ITEM

- Warren Christensen
- Chris Bruce
- John Laraway

9. Ordinances:

A. Consideration to approve Ordinance 2021-33 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 AMH 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

B. Consideration to approve Ordinance 2021-32A ACTION ITEM

A MUNICIPAL ANNEXATION AND ZONING ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:

- MAKING CERTAIN FINDINGS AND DECLARATION OF AUTHORITY; AND
- ANNEXING CERTAIN REAL PROPERTIES, TO WIT: ADA COUNTY ASSESSOR'S PARCEL NOS. S1531233600, S1531300000, S2006121115,

S2006417205, S2006417265, S2007111100, S2006417500 AND S2007111200 OWNED BY RAY AND SUSAN MONTIERTH, AND S2006121150 OWNED BY PLEASANT VALLEY AGRICULTURE 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

Consideration to approve Ordinance

10. Executive Session:

10. Mayor/Council Announcements:

11. Adjournment: