

OFFICIALS
Joe Stear, Mayor
Greg McPherson, Council President
Chris Bruce, 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
MINUTES
Tuesday, April 5, 2022

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

(Timestamp 00:00:17)

COUNCIL MEMBERS PRESENT:

Mayor Joe Stear
Council President Greg McPherson
Council Member Chris Bruce
Council Member Warren Christensen (Late)
Council Member John Laraway

CITY STAFF PRESENT:

Marc Bybee, City Attorney
Chris Engels, City Clerk
Jared Empey, City Treasurer
Mike Fratusco, Kuna Police Chief
Doug Hanson, P & Z Director
Nancy Stauffer, HR Director
Paul Stevens, City Engineer

2. Invocation

3. Pledge of Allegiance: Mayor Stear

(Timestamp 00:00:34)

4. Consent Agenda: 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.

(Timestamp 00:00:50)

A. Regular City Council Meeting Minutes Dated March 15, 2022 and Board of Corrections Meeting Minutes Dated March 17, 2022.

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) 387-7726. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at 387-7726 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 March 31, 2022, in the amount of \$783,666.55

C. Findings of Facts and Conclusions of Law

1. 21-05-CPF Zatica No. 1 and 2

D. Resolutions

1. Resolution R12-2022A.

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO AMENDING RESOLUTION R12-2022 AND APPROVING A PERFORMANCE BOND BY M3 ID FALCON CREST, LLC, FOR FALCON CREST SUBDIVISION NO. 3 FOR UNCOMPLETED WORK INCLUDING FENCING AND LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

2. Resolution R19-2022.

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO AUTHORIZING THE DESTRUCTION OF CERTAIN RECORDS.

3. Resolution R20-2022.

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING THE PROCUREMENT POLICY; AND AUTHORIZING THE MAYOR TO SIGN SAID DOCUMENT.

4. Resolution R22-2022.

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE JOINT POWERS AGREEMENT WITH THE ADA COUNTY SHERIFF'S OFFICE AND UPDATING THE LAW ENFORCEMENT SERVICES FOR THE FISCAL YEAR 2022 FOR THE CITY OF KUNA, IDAHO.

5. Resolution R23-2022.

A RESOLUTION OF THE CITY OF KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE INTERAGENCY AGREEMENT FOR ROADWAY CONSTRUCTION/WATER AND SEWER CONSTRUCTION, KUNA MIDDLE SCHOOL ZONE, TEN MILE AVE AND BOISE ST BETWEEN CITY OF KUNA, IDAHO AND THE ADA COUNTY HIGHWAY DISTRICT.

6. Resolution R24-2022.

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO AUTHORIZING THE MAYOR TO SIGN; AND AUTHORIZING THE MAYOR TO EXECUTE THE USE AUTHORIZATION AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

7. Resolution R25-2022.

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO TO APPOINT MEMBERS TO THE PLANNING AND ZONING COMMISSION.

8. Resolution R26-2022.

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING THE "REAL ESTATE LEASE AGREEMENT" WITH SILVER BUTTE HOLSTEINS, INC., AN IDAHO CORPORATION (SBH) FOR THE LEASE OF THE CITY OF KUNA, IDAHO'S PROPERTY LOCATED SOUTH OF KUNA MORA ROAD AND SITUATED ON BOTH SIDES OF SWAN FALLS ROAD, KUNA, IDAHO; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

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 Bruce, Laraway and McPherson

Voting No: None

Absent: Christensen

Motion Passed: 4-0-1

9. External Reports:

10. Public Hearings:

Public Hearing Process: Items begin with the presentation of the project by staff for up to 15 minutes. The applicant is then allowed 10 minutes to present their project. Members of the public are allowed up to 3 minutes each, to address City Council with testimony restricted to the matter at hand. After all public testimony, the applicant is allowed 5 minutes for rebuttal.

City Council members may ask questions throughout the public hearing process.

Once the public hearing is closed, no further testimony or comments are heard.

City Council may move to continue the application to a future meeting or approve or deny the application.

7. Business Items:

(Timestamp 00:01:26)

- A. Consideration to approve \$19,064 from General Fund Contingency for a semi-tractor. Paul Stevens, Public Works Director/City Engineer **ACTION ITEM**

Paul Stevens, Public Works Director, reviewed the General Fund Contingency request and stood for questions.

Motion To: Approve \$19,064 from General Fund Contingency.

Motion By: Council President McPherson

Motion Seconded: Council Member Laraway

Further Discussion: None

Absent: None

Motion Passed: 4-0-0

- B. Request for consideration of \$7,196 from General Fund Contingency for 4 employees to attend an eight-day Project Management Program through BSU. Chris Engels, City Clerk **ACTION ITEM**

(Timestamp 00:03:22)

Motion To: Approve \$7,196 from General Fund Contingency.

Motion By: Council President McPherson

Motion Seconded: Council Member Laraway

Further Discussion: None

Absent: None

Motion Passed: 4-0-0

Chris Engels, City Clerk reviewed the purpose for the requests and stood for questions.

- C. Consideration to approve Resolution R21-2022. Jared Empey, City Treasurer **ACTION ITEM**
(Timestamp 00:06:10)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KUNA; MAKING CERTAIN FINDINGS, ESTABLISHING THE “CITY OF KUNA INVESTMENT PROCESS POLICY” BY PROVIDING:

- POLICY TITLE; AND
- DEFINITIONS; AND
- POLICY APPLICATION; AND
- CITY COUNCIL CERTIFICATION TO THE CITY TREASURER OF THE CITY’S CAPITAL AND SURPLUS OR RESERVES AND UNALLOCATED OR UNDIVIDED EARNINGS NOT NEEDED FOR ANTICIPATED EXPENDITURES FOR THE CERTIFIED PERIOD OF TIME; AND
- CITY TREASURER INVESTMENT CONSIDERATIONS; AND
- ESTABLISHED INVESTMENT PRIORITIES AND PROHIBITIONS; AND
- PROVIDING FOR THE ACCOUNTING OF INVESTMENT EARNINGS; AND
- DIRECTING THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Jared Empey, City Treasurer reviewed the policy and stood for questions.

Council Member Christensen asked about restrictions and access.

Jared Empey responded.

Motion To: Approve Resolution R21-2022

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Absent: None

Motion Passed: 4-0-0

D. Fair Housing Month Proclamation. Mayor Stear.

(Timestamp 00:12:46)

E. Grange Month Proclamation. Mayor Stear.

(Timestamp 00:15:01)

F. Week of The Young Child. Mayor Stear.

(Timestamp 00:17:36)

8. Ordinances:

A. Consideration to approve Ordinance 2022-08 ACTION ITEM

(Timestamp 00:19:01)

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 NEW YORK 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 2022-08

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Recused: None
Absent: None
Motion Passed: 4-0-0

Motion To: Approve Ordinance 2022-08
Motion By: Council President McPherson
Motion Seconded: Council Member Christensen
Approved by the Following Roll Call Vote:
Voting Aye: Council Members McPherson, Christensen, Laraway, and Bruce
Voting No: None
Absent: None
Motion Passed: 4-0-0

B. Consideration to approve Ordinance 2022-09 ACTION ITEM
(Timestamp 00:20:33)

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

Motion To: Waive three readings of Ordinance 2022-09
Motion By: Council President McPherson
Motion Seconded: Council Member Christensen
Further Discussion: None
Recused: None
Absent: None
Motion Passed: 4-0-0

Motion To: Approve Ordinance 2022-09
Motion By: Council President McPherson
Motion Seconded: Council Member Christensen
Approved by the Following Roll Call Vote:

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

Voting No: None

Absent: None

Motion Passed: 4-0-0

C. Consideration to approve Ordinance 2022-10 **ACTION ITEM**

(Timestamp 00:21:49)

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 NOS. S1315212403 AND S1315214551 OWNED BY STERLING MEADOWS LLC, AND S1315244600 OWNED BY YES DEVELOPMENT 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 2022-10

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Recused: None

Absent: None

Motion Passed: 4-0-0

Motion To: Approve Ordinance 2022-10

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Approved by the Following Roll Call Vote:

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

Voting No: None

Absent: None

Motion Passed: 4-0-0

D. Consideration to approve Ordinance 2022-11- NYIS **ACTION ITEM**

(Timestamp 00:23:27)

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 BARTON COREY; 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

Consideration to approve Ordinance

Motion To: Waive three readings of Ordinance 2022-11

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Recused: None

Absent: None

Motion Passed: 4-0-0

Motion To: Approve Ordinance 2022-11

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Approved by the Following Roll Call Vote:

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

Voting No: None

Absent: None

Motion Passed: 4-0-0

E. Consideration to approve Ordinance 2022-12-KMIS ACTION ITEM

(Timestamp 00:24:59)

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 BARTON COREY; 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 2022-12

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Recused: None

Absent: None

Motion Passed: 4-0-0

Motion To: Approve Ordinance 2022-12

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Approved by the Following Roll Call Vote:

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

Voting No: None

Absent: None

Motion Passed: 4-0-0

- F. Consideration to approve Ordinance 2022-13 ACTION ITEM
(Timestamp 00:26:23)

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 NOS. R1393850100, R1693860010, R1693860290, R1693860280 OWNED BY VANDERKOOY FARM, 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 2022-13

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Recused: None

Absent: None

Motion Passed: 4-0-0

Motion To: Approve Ordinance 2022-13

Motion By: Council President McPherson
Motion Seconded: Council Member Christensen
Approved by the Following Roll Call Vote:
Voting Aye: Council Members McPherson, Christensen, Laraway, and Bruce
Voting No: None
Absent: None
Motion Passed: 4-0-0

9. Executive Session:

10. Mayor/Council Announcements:

Mayor Stear announced the temporary closing of the history center to eradicate the mold problem that has occurred.

Marc Bybee, City Attorney expressed concern about the current legislation session.

11. Adjournment: 6:35 P.M.



Joe L. Stear, Mayor

ATTEST:



~~Chris Engels, City Clerk~~ N. STANLEY
SENIOR DEPUTY
CLERK

*Minutes prepared by Nathan Stanley, Deputy City Clerk
Date Approved: CCM 04.19.2022*

