



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, June 7, 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 00:00:04)

COUNCIL MEMBERS PRESENT:

Mayor Joe Stear
Council President McPherson
Council Member Chris Bruce
Council Member Warren Christensen
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
Morgan Treasure, Economic Development Director
Nancy Stauffer, HR Director

2. Invocation

3. Pledge of Allegiance: Mayor Stear

(Timestamp 00:00:23)

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 00:00:44)

A. Regular City Council Meeting Minutes Dated May 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 June 2, 2022, in the amount of \$923,267.67

C. Findings of Fact Conclusions of Law

1. Case No. 21-04-S (Preliminary Plat) for Falcon Crest Golf Villages Subdivision

D. Final Plats

1. Case No. 22-03-FP (Final Plat) Robinhood Subdivision No. 1

<http://kunacity.id.gov/DocumentCenter/View/7996/22-03-FP-Robinhood-No1-Staff-Packet-PDF>

2. Case No. 22-04-FP (Final Plat) Robinhood Subdivision No. 2

<http://kunacity.id.gov/DocumentCenter/View/7997/22-04-FP-Robinhood-No2-Staff-Packet-PDF>

E. Resolutions

1. Resolution R30-2022

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE “*KUNA-VEOLIA WATER SERVICE AREA AGREEMENT*” WITH VEOLIA WATER IDAHO, INC; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

2. Resolution R31-2022

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO ACCEPTING THE DEED OF PUBLIC UTILITIES EASEMENT FROM FALCON CREST HOLDINGS, LLC.

3. Resolution R32-2022

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO ACCEPTING THE DEED OF PUBLIC UTILITIES EASEMENT FROM FALCON CREST CLUB PARTNERS, LLC.

4. Resolution R33-2022

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY CHALLENGER DEVELOPMENT INC., FOR MALASPINA SUBDIVISION NO. 2 FOR UNCOMPLETED WORK INCLUDING STREET LIGHTING, FENCING AND LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

5. Resolution R34-2022

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY DB DEVELOPMENT, LLC, FOR CASPIAN SUBDIVISION NO. 1 FOR UNCOMPLETED WORK INCLUDING LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

6. Resolution R35-2022

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY DB DEVELOPMENT, LLC, FOR CASPIAN SUBDIVISION NO. 1 FOR UNCOMPLETED WORK INCLUDING STREET LIGHTING PURSUANT TO THE TERMS OF THIS RESOLUTION.

7. Resolution R36-2022

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO ACCEPTING THE DEED OF PUBLIC UTILITIES EASEMENT FROM M3 ID FALCON CREST LLC.

8. Resolution R37-2022

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY M3 ID VALOR GOLF VILLAS, LLC, FOR ROBINHOOD SUBDIVISION NO. 1 FOR UNCOMPLETED WORK INCLUDING STREET LIGHTING, FENCING AND LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

9. Resolution R38-2022

- Removed from the Agenda

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY M3 ID FALCON CREST, LLC, FOR ROBINHOOD SUBDIVISION NO. 2 FOR UNCOMPLETED WORK INCLUDING STREET LIGHTING, FENCING AND LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

10. Resolution R39-2022

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY M3 ID FALCON CREST, LLC, FOR FALCON CREST SUBDIVISION NO. 4 FOR UNCOMPLETED WORK STREETLIGHTING PURSUANT TO THE TERMS OF THIS RESOLUTION.

11. Resolution R40-2022

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY M3 ID FALCON CREST, LLC, FOR FALCON CREST SUBDIVISION NO. 4 FOR UNCOMPLETED WORK LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

12. Resolution R41-2022

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY M3 ID FALCON CREST, LLC, FOR FALCON CREST SUBDIVISION NO. 1 FOR UNCOMPLETED WORK INCLUDING FENCING AND LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

13. Resolution R42-2022

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY M3 ID FALCON CREST, LLC, FOR FALCON CREST SUBDIVISION NO. 2 FOR UNCOMPLETED WORK INCLUDING FENCING AND LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

14. Resolution R43-2022

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY M3 ID RISING SUN, LLC, FOR RISING SUN ESTATES SUBDIVISION NO. 1 FOR UNCOMPLETED WORK INCLUDING FENCING AND LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

Motion To: Approve the Consent Agenda with item 4E9 removed

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, Christensen, Laraway, McPherson

Voting No: None

Absent: None

Motion Passed: 4-0-0

5. External Reports:

6. 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.

(Timestamp 00:02:37)

- A. 2022 Comprehensive Plan Amendment (Maps) & Area of City Impact (ACI) Boundary Adjustment** – The City of Kuna requests consideration from the City Council for an Amendment to the Comprehensive Plan Maps, and reduction of the Area of City Impact (ACI) Boundary. Doug Hansen, Planning and Zoning Director ACTION ITEM

<http://kunacity.id.gov/DocumentCenter/View/7998/2022-Comprehensive-Plan-Amendment-Maps-and-Area-of-City-Impact-ACI-Boundary-Adjustment-Packet-PDF>

Planning and Zoning Director Doug Hansen provided a review of the details and stood for questions.

Council Member Laraway asked about the reasoning of mixed use.

Mr. Hansen explained.

Council Member Christensen asked why a 40-acre lot was not feasible for a commercial designation.

Morgan Treasure and Doug Hansen respond.

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

Motion To: Close the evidence presentation and proceed to deliberation

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Absent: None

Motion Passed: 4-0-0

Motion To: Approve 2022 Comprehensive Plan Amendment (Maps) & Area of City Impact (ACI) Boundary Adjustment.

Motion By: Council President McPherson

Motion Seconded: None – Motion died.

Voting No: None

Absent: None

Motion Passed: 0-0-0

Christensen moved to deny Comp Plan and approve Area of City Impact

Laraway second

Withdrawn

Motion To: to deny comp plan and revisit new solutions

Motion By: Council Member Christensen

Motion Seconded: Council Member Laraway

Voting No: Council President McPherson

Absent: None

Motion Passed: 3-1-0

Motion To: to approve area of city impact boundary adjustment

Motion By: Council Member Christensen
Motion Seconded: Council President McPherson
Voting No: None
Absent: None
Motion Passed: 4-0-0

B. Case Nos. 21-17-AN (Annexation), 21-06-CPF (Combination Preliminary & Final Plat) & 21-06-DA (Development Agreement) Skylar Ranch Subdivision – Skylar Ranch LLC, requests approval for Annexation of 9.97 acres into Kuna City Limits with R-4 and R-6 (Medium Density Residential) zoning district classifications, and to subdivide the 9.97 acres into three (3) lots. The application is accompanied by a Development Agreement. The subject site is located at 1113 W Oak Tree Drive, Kuna ID 83634 (APN: S1314244739). Doug Hansen, P&Z Director **ACTION ITEM**
(Timestamp 00:56:47)

<http://kunacity.id.gov/DocumentCenter/View/7999/Skylar-Ranch-Subdivision-Staff-Packet-PDF>

Planning and Zoning Director Doug Hansen provided a review of the details and stood for questions.

Council Member Christensen asked about the timeline for the new 18” sewer line to help with compacity.

Doug Hansen responded.

The applicant Angie with Mason and Associates representing Skylar Ranch LLC reviewed the application.

Mayor Stear asked what the point of this process was if they were just going to sell the property.

Applicant responded.

Janice Hatfield, concerned what will go into the property and would like to see the two houses sold as they are and are okay with the property being sold as presented.

David Reinhart, Kuna School District reviewed comments from the district.

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

Motion To: Close the evidence presentation and proceed to deliberation

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Absent: None

Motion Passed: 4-0-0

Motion To: Approve Case Nos. 21-17-AN (Annexation), 21-06-CPF (Combination Preliminary & Final Plat) & 21-06-DA (Development Agreement) Skylar Ranch Subdivision

Motion By: Council President McPherson

Motion Seconded: Council Member Laraway

Voting No: Bruce

Absent: None

Motion Passed: 3-1-0

7. Business Items:

(Timestamp 01:36:40)

- A. Consideration to approve contingency request for up to \$20,000 for History Building Mold Clean-up. Bobby Withrow, Parks & Facilities Director ACTION ITEM

Chris Engels, City Clerk stood in for Bobby Withrow and explained the need for the contingency request and stood for questions.

Motion To: Approve contingency request for History Building

Motion By: Council President McPherson

Motion Seconded: Council Member Bruce

Further Discussion: None

Absent: None

Motion Passed: 4-0-0

8. Ordinances:

(Timestamp 01:31:03)

- A. Consideration to approve Ordinance 2022-17 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 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 NAMP~MERIDIAN 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 2022-17

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Absent: None

Motion Passed: 4-0-0

Motion To: Approve Ordinance 2022-17

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Approved by the Following Roll Call Vote:

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

Voting No: None

Absent: None

Motion Passed: 4-0-0

9. Executive Session:

(Timestamp 01:32:45)

- A. Executive Session under Idaho Code: 74-206 (c) To acquire an interest in real property not owned by a public agency;

Motion To: Enter into executive session under Idaho Code: 74-206 (c)

Motion By: Council President McPherson

Seconded By: Council Member Christensen

Approved by the Following Roll Call Vote:

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

Voting No: None

Motion Passed: 4-0-0

7:33

8:02 pm

McPherson to return from exec session, second Christensen

No decision made

10. Mayor/Council Announcements:

Joint meeting with Council and Urban Renewal Agency...stand alone or pre-council

Impact fees will be coming before council next month.

11. Adjournment: 8:04 P.M.



Joe L. Stear, Mayor

ATTEST:



Chris Engels, City Clerk

SENIOR DEPUTY CLERK

Minutes prepared by Nathan Stanley, Deputy City Clerk
Date Approved: CCM 06.21.2022





CITY OF KUNA

751 W. 4th Street • Kuna, Idaho • 83634 • Phone (208) 922-5274
Fax: (208) 922-5989 • www.Kunacity.Id.gov

SIGN-UP SHEET

June 7, 2022 – City Council Public Hearing

Case Name: Skylar Ranch Subdivision

Case No: 21-17-AN (Annexation), 21-06-CPF (Combo Plat) & 21-06-DA (Development Agreement)

Please print your name below if you would like to present oral testimony or written exhibits about this item to the Commission or City Council.

IN FAVOR	NEUTRAL	IN OPPOSITION
<input checked="" type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> <u>Angie Cuellar</u> Print Name <u>924 3rd Street S</u> Print Address <u>Nampa ID.</u> City State, Zip	<input checked="" type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> <u>Dave R</u> Print Name <u>Kuna School</u> Print Address City State, Zip	<input type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> _____ Print Name _____ Print Address City State, Zip
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<input type="checkbox"/> <u>Testify</u> <input checked="" type="checkbox"/> <u>Not Testify</u> <u>William Mason</u> Print Name <u>924 3rd St. So.</u> Print Address <u>Nampa ID 83651</u> City State, Zip	<input type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> _____ Print Name _____ Print Address City State, Zip	<input type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> _____ Print Name _____ Print Address City State, Zip
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CITY OF KUNA

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SIGN-UP SHEET

June 7, 2022 – City Council Public Hearing

Case Name: Comprehensive Plan Amendment (Maps) and ACI Boundary Reduction

Please print your name below if you would like to present oral testimony or written exhibits about this item to the Commission or City Council.

IN FAVOR		NEUTRAL		IN OPPOSITION	
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