

OFFICIALS
Joe Stear, Mayor
Greg McPherson, Council President
Chris Bruce, Council Member
Matt Biggs, 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, February 7, 2023

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: 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 January 17, 2023

B. Accounts Payable Dated February 1, 2023, in the amount of \$834,977.55

C. Ada County Highway District

1. FY23 24-28 Ada County Highway District Integrated Five Year Work Plan (IFYWP) Project Priority List

D. Final Plat

1. Case No. 23-01-FP Falcon Crest Subdivision No. 5

<http://kunacity.id.gov/DocumentCenter/View/8402/23-01-FP-Falcon-Crest-No-5-Packet-PDF>

E. Findings of Fact Conclusion of Law

1. Kuna Apartments Subdivision – Case Nos. 22-01-CPM, 22-02-ZC, and 22-02-S

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.

2. Case No. 22-04-CPF (Combo Plat) for Single Lot Subdivision

F. Resolutions

1. Resolution R09-2023

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 LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

2. Resolution R10-2023

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. 2 FOR UNCOMPLETED WORK INCLUDING LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

3. Resolution R11-2023

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. 2 FOR UNCOMPLETED WORK INCLUDING STREET LIGHTS PURSUANT TO THE TERMS OF THIS RESOLUTION.

4. Resolution R12-2023

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 LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

5. Resolution R13-2023

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY M3 ID VALOR GOLF VILLAS, LLC, FOR ROBINHOOD SUBDIVISION NO. 2 FOR UNCOMPLETED WORK INCLUDING LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

6. Resolution R14-2023

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

7. Resolution R15-2023

RESOLUTION AWARDING THE CONTRACT FOR THE KUNA WELL 6 RESERVOIR AND BOOSTER STATION TO IRMINGER CONSTRUCTION INC. IN THE AMOUNT OF \$1,365,073.00 FOR THE CONSTRUCTION AND RENOVATIONS OF THE KUNA WELL 6 RESERVOIR AND BOOSTER STATION; DIRECTING EXPENDITURE OF FUNDS FROM THE WATER FUND FOR SAID PROJECT; AND AUTHORIZING THE MAYOR, CITY CLERK AND CITY ENGINEER TO EXECUTE CONTRACT DOCUMENTS WITH SAID CONTRACTOR.

8. Resolution R16-2023

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

- Proving certain findings; and
- Authorizing the Mayor to execute an *Interagency Agreement Related to the Collection of Fire District Plan Review and Structure Inspection Fees* with the Kuna Rural Fire District; and
- Direction the City Clerk; and
- Establishing an Effective date.

9. Resolution R17-2023

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING THE “*PARK USE AGREEMENT*” WITH THE KUNA POLICE ACTIVITIES LEAGUE (KPAL) AT ARBOR RIDGE PARK AND PURSUANT TO THE TERMS OF THE AGREEMENT; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

10. Resolution R18-2023

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPOINTING CERTAIN CITY OF KUNA, IDAHO OFFICIALS AS PERSONS AUTHORIZED TO SIGN FOR BANKING SERVICES ON BEHALF OF THE CITY OF KUNA, IDAHO AND PROVIDING THAT THE SIGNATURES ARE VALID FOR THE 2023 YEAR OR UNTIL REVOKED BY ACTION OF THE MAYOR, AS PROVIDED FOR IN RESOLUTION NO. R18-2023.

11. Resolution R19-2023

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE “*PROFESSIONAL SERVICES AGREEMENT*” WITH KELLER

ASSOCIATES, INC. FOR THE SWAN FALLS RRFB PROJECT FOR THE CITY OF KUNA; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

12. Resolution R20-2023

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE ADDITION OF TASK 6 – GEOTECHNICAL INVESTIGATION TO THE ORIGINAL “PROFESSIONAL SERVICES AGREEMENT” WITH KELLER ASSOCIATES, INC. FOR THE ORCHARD AND AVALON PEDESTRIAN IMPROVEMENTS FOR THE CITY OF KUNA; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

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.

- A. Consideration to approve Case No. 22-07-S (Preliminary Plat) Newberry Place Subdivision – Skyline Homes & Development, LLC, requests Preliminary Plat approval in order to subdivide approximately 18.64 acres into 123 total lots (98 residential & 25 common). The site is located at 7015 N Ten Mile Road, Meridian, ID (APN: S1303141900); Section2, T2N, R1W. – Troy Behunin, Senior Planner **ACTION ITEM**

<http://kunacity.id.gov/DocumentCenter/View/8401/Newberry-Sub-CC-PACKET-2723-PDF>

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

- B. Case No. 22-08-AN (Annexation) 5625 W Barker Road. Applicant requests annexation of approximately 65.5 acres, 5625 W Barker Road (APN: S2008223010) with an M-1 (Light Industrial/Manufacturing) zone; Section 8, Township 1 North, Range 2 East. Jessica Reid, Associate Planner **ACTION ITEM**

<http://kunacity.id.gov/DocumentCenter/View/8400/22-08-AN-5625-W-Barker-Packet-PDF>

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

7. Business Items:

- A. Request to reallocate funds from Fiber and Conduit allocated to connect Kuna East to the New York Water and Sewer assets. Mike Borzick, GIS Manager **ACTION ITEM**
- B. Request for Contingency funds to purchase a vehicle for Fleet/Parks. Bobby Withrow, Parks/Facilities Director **ACTION ITEM**
- C. Case No. 22-04-LLA (Lot Line Adjustment) for 1159 & 1221 N Jacksonmill Avenue – Jessica Reid, Associate Planner **ACTION ITEM**
Applicant requests to adjust the lot line between 1159 & 1221 N Jacksonmill Avenue (APNs: R0539771320, R05397713300) in order to center each building on their individual lots; Section 19, Township 2 North, Range 1 East.
- D. Case No. 22-06-LS (Lot Split) for 7910 S Meridian Road – Jessica Reid, Associate Planner **ACTION ITEM**
Applicant requests to split 7910 S Meridian Road (APN: S1406336171) into two(2) parcels in order to provide the Northwest Lineman College with safer vehicular access to their campus; Section 6, Township 2 North, Range 1 East.
- E. City of Kuna Kindness Proclamation 2023. Mayor Stear.
- F. Case No. 22-01-OA (Ordinance Amendment) 2023-04 Stopping Standing or Parking. Doug Hanson, Planning & Zoning Director **ACTION ITEM**

A MUNICIPAL ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:

- AMENDING SECTION 5, CHAPTER 2, TITLE 11 OF KUNA CITY CODE DEFINITIONS ADDING ACRONYM “GVWR”; AND MAKING TECHNICAL CHANGES TO THE “HIGHWAY” DEFINITION; AND
- REPEALING SECTION 9, CHAPTER 2, TITLE 11 OF KUNA CITY CODE; AND
- AMENDING TITLE 11 BY THE ADDITION OF A NEW SECTION 9, CHAPTER 2; AND
- PROVIDING A SEVERABILITY CLAUSE; AND
- DIRECTING THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings

Consideration to approve Ordinance

- G. Update on the current status of the Kuna-Meridian Road/State Highway 69 Railroad Overpass PEL Study. Doug Hanson, Planning and Zoning Director. **DISCUSSION ITEM**

8. Ordinances:

A. Consideration to approve Ordinance 2023-06 **ACTION ITEM**

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

- MAKING CERTAIN FINDINGS; AND
- REZONING CERTAIN REAL PROPERTIES, TO WIT: ADA COUNTY PARCELS AS SHOWN IN EXHBIT A, OWNED BY M3 ID VALOR GOLF VILLAS, LLC, TH HOLDINGS 2022, LLC CLAYTON PROPERTIES GROUP INC. AND AMERICAN LEBANESE SYRIAN ASSOCIATED CHARITIES INC.; 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*

B. Consideration to approve Ordinance 2023-07 **ACTION ITEM**

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

- MAKING CERTAIN FINDINGS; AND
- REZONING CERTAIN REAL PROPERTIES, TO WIT: ADA COUNTY PARCELS AS SHOWN IN EXHBIT A, OWNED BY KUNA YOUTH RECREATION ASSOC. INC.; 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*

9. Executive Session:

9. Mayor/Council Announcements:

10. Adjournment: