

**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 21, 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 February 7, 2023**

**B. Accounts Payable Dated February 16, 2023, in the amount of \$1,252,738.61**

**C. Findings of Fact Conclusion of Law**

1. Newberry Place Subdivision – Case No. 22-07-S (Pre-Plat)
2. Case No. 22-08-AN (Annexation) 5625 W Barker Road

**D. Resolutions**

**1. Resolution R22-2023**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KUNA, ADA AND CANYON COUNTY, STATE OF IDAHO, SETTING FORTH CERTAIN FINDINGS; AUTHORIZING THE MAYOR AS THE AUTHORIZED AGENT OF THE CITY TO ENTER INTO THE "KUNA PARK IMPACT FEE CREDIT AGREEMENT" BY AND BETWEEN THIS CITY AND AMH DEVELOPMENT, LLC; AND AUTHORIZING THE TREASURER TO MAKE ARRANGEMENTS FOR CLOSING AND PAYMENT OF REIMBURSEMENT**

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.

AMOUNT; AND PROVIDING AN EFFECTIVE DATE; AND DIRECTING THE CITY CLERK.

## **5. External Reports:**

- A. Auditor presentation of financial statements.

## **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.*

## **7. Business Items:**

- A. Consideration to hold a sealed bid city owned asset auction for 8 sheds with electrical hook ups, windowed double doors for a minimum suggested bid of \$6,500 because they are no longer used. Chris Engels, City Clerk **ACTION ITEM**

- B. Kuna Police Station, Chris Engels, City Clerk **ACTION ITEM**

- B.1. Consideration and Ratification of Kuna Police Station Contingency funds. Chris Engels, City Clerk **ACTION ITEM**

- B.2. Consideration to approve the Prusik Construction Contract **ACTION ITEM**

- C. Consideration to approve Resolution R21-2023. Greg McPherson, Council President **ACTION ITEM**

A RESOLUTION OF THE CITY OF KUNA, IDAHO NAMING THE CITY OF KUNA, IDAHO POLICE STATION "JOE L. STEAR SAFETY BUILDING" IN HONOR OF HIS YEARS OF PUBLIC SERVICE TO THE CITY OF KUNA, IDAHO, AND HIS COMMITMENT TO THE SAFETY IN THE COMMUNITY.

- D. Consideration to approve \$500,000 from Park Impact Fee contingency to start Helen Zamzow Park. Bobby Withrow, Parks/Facilities Director **ACTION ITEM**

- E. Consideration to approve the Kuna-Meridian Road/State Highway 69 Railroad PEL Study Contract Amendment and \$62,046 for additional fees. Doug Hanson, Planning and Zoning Director **ACTION ITEM**

## 8. Ordinances:

### A. Consideration to approve Ordinance 2023-08 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: SABINO'S ROCKY RIDGE, OWNED BY LIONWOOD PROPERTIES, LLC SITUATED WITHIN THE CORPORATE CITY 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*

### B. Consideration to approve Ordinance 2023-09 ACTION ITEM

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

- MAKING CERTAIN FINDINGS AND DECLARATIONS OF AUTHORITY; AND ANNEXING CERTAIN REAL PROPERTIES, TO WIT: LIONWOOD PROPERTIES, LLC WITHIN THE 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*

### C. Consideration to approve Ordinance 2023-05 ACTION ITEM

AN ORDINANCE OF THE CITY COUNCIL OF KUNA, IDAHO,

- MAKING CERTAIN FINDINGS;
- GRANTING TO INTERMOUNTAIN GAS COMPANY A THIRTY (30) YEAR EXTENSION TO ITS FRANCHISE TO CONSTRUCT, MAINTAIN AND OPERATE A GAS TRANSMISSION AND DISTRIBUTION SYSTEM;
- PROVIDING FOR THE USE OF STREETS AND ALLEYS, AND RULES GOVERNING THE SAME, SUBJECTING THE GRANTEE TO ALL POWERS OF THE CITY;
- SETTING FORTH THE RULES OF THE FRANCHISE AND GRANT;

- PROVIDING FOR THE RIGHT OF INSPECTION BY THE CITY OF GRANTEE'S RECORDS NECESSARY TO VERIFY THE ACCURACY OF FRANCHISE FEE PAYMENTS;
- REQUIRING GRANTEE TO FURNISH CERTAIN MAPS;
- SETTING FORTH A THREE PERCENT (3%) FRANCHISE FEE AND QUARTERLY PAYMENTS TO THE CITY, AND THE FILING OF QUARTERLY REPORTS WITH THE CITY;
- REQUIRING GRANTEE TO INDEMNIFY CITY, AND FILE EVIDENCE OF INSURANCE;
- REQUIRING COMPLIANCE WITH SAFETY REGULATIONS;
- SETTING FORTH AN AGREEMENT NOT TO COMPETE, RESERVING POWER OF EMINENT DOMAIN;
- PROVIDING FOR SURRENDER OF FRANCHISE AND GRANTING RIGHT TO SALVAGE;
- REQUIRING WRITTEN ACCEPTANCE AND CONSENT;
- PROVIDING FOR CONSENT TO SALE, ASSIGNMENT OR LEASE;
- PROVIDING FOR PAYMENT OF PUBLICATION COSTS;
- SETTING FORTH PENALTIES AND FORFEITURES, SEPARABILITY AND REPEAL;
- DIRECTING THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

*Consideration to waive three readings  
Consideration to approve Ordinance*

**D. Consideration to approve Ordinance 2023-10 ACTION ITEM**

AN ORDINANCE OF THE CITY COUNCIL OF KUNA, IDAHO,

- AMENDING SECTION 3, CHAPTER 8 OF THE KUNA CITY CODE TO INCLUDE BENEVOLENT, CHARITABLE, AND PUBLIC PURPOSE EVENTS PERMIT FOR SPECIAL EVENT PERMITS APPLICABLE TO ALL SPECIAL EVENT PERMIT REQUESTS;
- DIRECTING THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

*Consideration to waive three readings  
Consideration to approve Ordinance  
Consideration to approve Summary Publication*

**9. Executive Session:**

**9. Mayor/Council Announcements:**

**10. Adjournment:**