

OFFICIALS

Joe Stear, Mayor
Chris Bruce, Council President
Greg McPherson, 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
MINUTES
Tuesday, February 20, 2024

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 00:00:16)

COUNCIL MEMBERS PRESENT:

Mayor Joe Stear -Present
Council President Greg McPherson -Present
Council Member John Laraway - Absent
Council Member Matt Biggs -Present
Council Member Chris Bruce -Present

CITY STAFF PRESENT:

Marc Bybee, City Attorney
Jared Empey, City Treasurer
Mike Fratusco, Kuna Police Chief
Doug Hanson, P & Z Director
Bobby Withrow, Parks Director
Morgan Treasure, Economic Development Director
Nancy Stauffer, Human Resource Director
Nathan Stanley, City Clerk
Troy Behunin, City Senior Planner

Mayor Stear Alright, we'll call this meeting to order. Welcome everybody. First item is if Nathan would take the roll, please.

City Clerk Nathan Stanley Council Member McPherson.

Council Member McPherson Here.

City Clerk Nathan Stanley Council Member Biggs.

Council Member Biggs Here.

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.

City Clerk Nathan Stanley Council Member Laraway.

Council Member Laraway Yes.

City Clerk Nathan Stanley Council President Bruce.

Council President Bruce Yes.

City Clerk Nathan Stanley Mayor Stear.

Mayor Stear Here.

2. Invocation

3. Pledge of Allegiance: Mayor Stear

(Timestamp 00:00:34)

Mayor Stear And if you'll join me for the pledge, please.

Multiple Speakers I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

Mayor Stear Thank you.

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 00:00:59)

A. Regular City Council Meeting Minutes Dated February 6, 2024

B. Accounts Payable Dated February 15, 2024, in the amount of \$1,709,960,.27

C. Findings of Fact & Conclusions of Law

1. Case No. 23-03-AN 5610 S Ten Mile Road

D. Final Plats

1. Case No. 23-17-FP Fossil Creek No. 2

2. Case No. 23-18-FP Lugarno Terra North

E. Resolutions

1. Resolution R08-2024

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE REAL ESTATE LEASE AGREEMENT WITH SILVER BUTTE HOLSTEINS, INC. FOR THE LEASE OF THE CITY OF KUNA'S PROPERTY LOCATED AT SWAN FALLS ROAD, KUNA, IDAHO.

2. Resolution R09-2024

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO REPEALING AND REPLACING R85-2023, APPROVING THE PROFESSIONAL SERVICES AGREEMENT WITH J-U-B ENGINEERS FOR THE KUNA 4TH STREET IMPROVEMENTS; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

3. Resolution R10-2024

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY TOLL BROTHERS, INC, FOR PALOMA RIDGE WEST SUBDIVISION NO. 1 FOR UNCOMPLETED WORK FOR FENCING PURSUANT TO THE TERMS OF THIS RESOLUTION.

4. Resolution R11-2024

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY TOLL BROTHERS, INC, FOR PALOMA RIDGE WEST SUBDIVISION NO. 1 FOR UNCOMPLETED WORK FOR STREET LIGHTS PURSUANT TO THE TERMS OF THIS RESOLUTION.

5. Resolution R12-2024

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY TOLL BROTHERS, INC, FOR PALOMA RIDGE WEST SUBDIVISION NO. 1 FOR UNCOMPLETED WORK FOR LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

~~6. Resolution R13-2024~~

~~A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING THE PROCUREMENT POLICY; AND AUTHORIZING THE MAYOR TO SIGN SAID DOCUMENT. [Moved To Business Item 8A]~~

Mayor Stear Next item is the consent agenda.

Council President Bruce Mr. Mayor, I'd like to pull number six.

Mayor Stear Resolution R13-2024.

Council President Bruce Yes, sir.

Mayor Stear Okay. And there, yeah, there is a problem with that one. The link isn't working, so Council hasn't had a chance to look that one over, so.

Council President Bruce You guys have any?

Mayor Stear Do you have anything else?

Council President Bruce I make a motion that we approve the consent agenda as published without Resolution R13-2024.

Council Member Laraway Second.

Mayor Stear Motion is made and seconded and we place Resolution R13-2024 as item 8A. Any further discussion? Nathan, would you poll the Council?

City Clerk Nathan Stanley Council Member McPherson.

Council Member McPherson Yes.

City Clerk Nathan Stanley Council Member Biggs.

Council Member Biggs Aye.

City Clerk Nathan Stanley Council Member Laraway.

Council Member Laraway Yes.

City Clerk Nathan Stanley Council President Bruce.

Council President Bruce Aye.

Mayor Stear And that motion carries.

(Timestamp 00:01:39)

Motion To: Approve the Consent Agenda, excluding R13-2024 to be placed under Business Item 8A

Motion By: Council President Bruce

Seconded By: Council Member Laraway

Further Discussion: None

Members Voting Aye: Council Members Laraway, McPherson, Biggs, Bruce

Members Voting Nay: None

Members Absent: None

Approved Via Roll Call Vote

4-0-0

5. Public Comment

(Timestamp 00:02:26)

Mayor Stear Public comment, is there anybody who wishes to address the Council? Alright, seeing none...

6. External Reports

(Timestamp 0:02:37)

- A. Ada County Sheriff's Office and Captain Ryan Jensen to present a Bureau Director's Award to Deputy Yarnot.

Mayor Stear That takes us to item 6A, Ada County Sheriff's Office, I'm going to go ahead and let Chief Fratusco kick this one off.

Chief of Police Mike Fratusco Mayor, Council Members Mike Fratusco, Chief of Police for the City of Kuna, 793 W. 4th St. Today's a very good night for the City of Kuna, the Kuna Police Department, the Ada County Sheriff's Office. I have Chief Deputy Justin Desean with us and Captain Ryan Jensen. Captain Jensen's here to present a Bureau Directors award for Deputy Steve Jarnot for his life saving on a young man here in the City of Kuna a little while back, the entire well, I don't know if the entire Grace family is here, but there's a lot of members in the family right now. I would ask after the award if we could do a couple pictures, maybe up front here, Mayor, if that would be good. I'll introduce, this is Captain Ryan Jensen, he's going to present this.

Captain Ryan Jensen Thank you, Mayor and Members of City Council. I appreciate you allowing me to take a few minutes of your valuable time to recognize this phenomenal Deputy. The Ada County Sheriff's Office is absolutely love the partnership we've had with the City of Kuna for many years. I was able to, in fact, experience that wonderful partnership. When I worked in Kuna from 2007 to the earlier part of 2011, and because of that, this relationship is so good we have a ton of employees that want to work in the City of Kuna and it attracts some of our best employees Deputy Jarnot, being one of them. So, I'm here tonight to recognize him for his actions. This is a Bureau Director's award. It's worded as though I am speaking to him to just give some context. And I will go ahead and read that now.

One of the Police Services Bureau operating principles is to respond to community and crisis. Your quick thinking and decisive action on November 29th, 2023, which allowed you to save the life of a 23-year-old man, was the ultimate public example of that priority in action. You were working a regular patrol shift that night when you were dispatched to a local grocery store for a report that an employee mixing cleaning chemical chemicals had collapsed and was unresponsive. You arrived saw the man lying on the ground and immediately took over CPR for a store employee, even though the man was lying in some kind of unrecognizable liquid. You provided CPR and first aid until paramedics arrived. You then helped paramedics move the man into a different area of the store where they took over treatment before stabilizing and taking him to a local hospital.

Your selfless actions and the instinct to protect provided essential medical care to a fellow citizen in a time of crisis and helped save his life. You displayed the qualities, selfless service and a dedication to make our community a safer place to live, work, and play of the Ada County Sheriff's Office at our best, thank you.

[Applause]

Captain Ryan Jensen That's all I have to say. I'm not going to... I know you're probably not going to want to say anything, so I won't make you. We could just snap a few pictures, like the Chief asked for and...

Mayor Stear Yes, Captain Jensen. Thank you. And we're very proud of Deputy, all of our deputies, I mean, we have some great folks that work out here and this is just another example of how well that works for us and saving a life. There's nothing any better. So, that will go with you for the rest of your life. So, we appreciate that very much. Yeah, we'll go ahead and take a short recess so you can do whatever photos you'd like to do and...

Council President Bruce Thank you.

Chief of Police Mike Fratusco I would ask if the Grace family is okay standing up to show your support and I don't know if Trenton's here or not, or if he feels comfortable standing up. We're glad you recovered, Trenton.

[Applause]

[Recess at 6:06PM]

[End Recess at 6:11PM]

B. American Classical Schools Presentation.
(Timestamp 00:11:20)

Mayor Stear Alright. We'll go ahead and call the meeting back to order. The next item on the agenda was a presentation from American Classical Schools. You may have the floor, Sir.

City Clerk Nathan Stanley You can control from that mouse.

Steve Lambert Alright. Mayor Stear and Council...

Mayor Stear Just push the base, there you go.

Steve Lambert I'm teachable.

[Laughter]

Steve Lambert Mayor Stear and Council Members. My name is Steve Lambert. I reside at 1205 Cottonwood Drive in Fruitland, Idaho. Thank you very much for giving us the time to present something that we're very excited about to the Council and folks in Kuna, and that is the potential of a charter school coming to this area to serve this community and just so... to kind of set the stage here. American Classical Schools of Idaho is an entity that is really a 501(C)(3) nonprofit put together to incubate more schools like we have in Fruitland, which is Treasure Valley Classical Academy, and our schools are Hillsdale College K-12 charter schools. The Charter school is a school that is tuition free and open to all students; all students within the attendance zone, in fact, beyond the attendance zone that are interested in this model of education. ACSI is governed by a board of directors and staff to support schools coming to life.

So, I'm going to just tell you a little bit about this quickly and then if you have any follow up questions, you're certainly I'll entertain those. These kinds of schools have shown success nationally and locally. Locally, I mentioned Treasure Valley Classical Academy a little bit more about that in a minute. We couldn't do our work without national and local partnerships, so the local partnership will be familiar to most folks in the room. This is Bloom and the Albertsons Foundation; the JA and Catherine Albertson's Family Foundation has contributed tremendously financially to help the startup of these kinds of schools. Hillsdale college, some people will be familiar with, provide the curriculum and pedagogical expertise for us to be able to offer the kind of curriculum that we can offer. The other things you see on that slide on the left is the school that's operating today with K through 10 and 580 students in it in Fruitland. The next one over is Idaho Nova's Classical Academy that's opening over in Aviemore off of 55 on your way to McCall, that's that school is under construction and will open this fall with grades K through 6 and about 380 students. And then North Idaho, for those of you that know where Bonner's Ferry is, it's almost Canada, but not quite that school is destined to open August of '25.

So, how are the schools run? The schools...The governance structure is 1 board with each school having representation on the board, and there you see the boards the individual schools, rather, Treasure Valley Classical. Idaho Nova's Classical and North Idaho Classical Academy. Each school has its own LEA, its own LLC, and its own standalone 501(C)(3). The schools are run by local leaders, and those local leaders make decisions about their own budgets and their own hiring and firing.

The thing that knits us all together is a board with a common mission and purpose. What is American classical education? Probably like your grandparents were educated, or perhaps even further back nowadays. There's 4 distinctives for this kind of education. First of all, it's grounded in human nature. Aristotle says that young human beings literally stretch out to want to know the world around them and understand who they are as human beings, and we foster that sense of natural curiosity and sense of wonder. The second component is that it's rich in content. We have a very intensive core curriculum, grades K through 12. This is a true liberal arts and science education. Quick note, the word liberal can be a trigger word. Let me put it into context. This is not about politics. We derive the word liberal from the Latin word *Libertas*, which means liberty. In other words, this is a curriculum that is designed for the citizens of a free country. We believe in moral formation, James Madison wrote in Federalist 55 that for our Republic to be able to perpetuate itself, we need citizens of virtue and citizens of knowledge, both. And so, we believe that a proper education habituates good character in young human beings. And then finally, we're thoughtfully patriotic. That doesn't mean we wrap ourselves with a certain kind of flag or wear a certain kind of hat. It means that we believe in the enduring ideals of how our country was formed and that we should study those political philosophies, those moral philosophies, and those economic philosophies, and that we should encourage civic virtue in future citizens.

So, what does that look like? What's the thing that describes us more than anything else? Our mission statement. So, if you take nothing away from this presentation, this is the one thing that you should. Our mission is to train the minds and to improve the hearts of our students through a classical content rich curriculum that emphasizes virtuous living, traditional learning, and civic

responsibility. That's what we do every day. Mark Twain once famously said that citizenship is what makes a Republic. Monarchies can get along without it. What keeps a Republic on its legs is good citizenship. The number one goal of K-12 public education ought to be to build good citizens. Yes, kids ought to go to college or choose their own way. Those are positive collateral side effects of an excellent public education.

So, what is our vision? Our vision is to form future citizens who uphold the ideals of our country's founding and promote the continuation of our American experiment to use Lincoln's words. Through a classical grade books curriculum designed to engage students in the highest matters and the deepest questions of truth, justice, virtue, and beauty. Those are our school's virtues. They're written, actually on an old-fashioned chalkboard in the school building in Fruitland. And then on the back of that young student's hoodie, you see our school pledge that we say every day after the Pledge of Allegiance, "I will learn the true, I'll do the good, I will love the beautiful."

Academics, our academics are serious. As I said, we believe in a deep investigation of the American model. We teach literacy, explicitly phonemically. It takes a long time to train teachers how to do this well. We teach mathematics using Singapore mathematics and the dimension sequence, which is a math program that teaches students how to think conceptually instead of just process numbers.

And then lastly, this is a classical education, so we teach Spanish, and then Latin, art, music, and physical education. The takeaway from this slide is that our curriculum is content rich and it's rigorous across the core subjects that you see depicted there. So, what does it look like in practice? Is there students at Treasure Valley Classical? We opened the school August of 2019 with grades K through 6 and this school year we're enrolled with just under 500 students K-10 with 233 on our wait list. They said we'd never have a wait list in Fruitland. We've had a wait list every single year we've existed. Here's some fast facts. We have a 97% student retention rate and 95% faculty retention rate and 85% of our faculty in Fruitland come from upper or have Master's degrees or PHD's. They come from everywhere, literally from the Bronx, NY to Texas to Kansas to California and they're amazing and they're there because of our mission. Here's some other fast facts. Our third-grade cohort first through cohort, has outperformed the state average by 25% in math and 13% in ELA. Our students have outperformed the State at every grade level in mathematics by at least 9%, and we've, our students, have demonstrated high proficiency on the N.W.A map reading and math national percentile rankings. We don't define our existence by standardized test scores, but there is a metric that we're all judged by, and we're proud of our results. Here's another result. Our TVCA's leading class last year outperformed the national average on a very challenging test. The classical Learning Test which really tests students for their college preparedness. It hasn't been watered down like some other nationally benchmarked tests have.

In our 8th grade, students outperformed the state average by 8% in math and 20% in ELA the previous year. So, we've shown sustained excellent academic performance. This is sort of interesting, we're not a college for all program, but I started out as the principal of one of our sister school schools nationally at Atlanta Classical Academy. So, the first graduating class from

Atlanta Classical Academy is 34 students. They 100% acceptance rate to four-year institutions and garnered \$5.7 million in scholarship money. Since then, the school has garnered now well north of \$20 million, and students have been accepted to 58 post-Secondary 4-year colleges and universities. And no matter what you think of some of the names on this list, they're impressive. I like the bottom one on the right, University of Saint Andrews, the oldest university in the world.

So, if you work hard and it's your ambition to go to college, you're going to get into great schools. If that's what the future of your life is. But if that's not what you want to do, then what we will do is we will graduate students that Jefferson once described as farmers that have read Homer and those make really awesome citizens. So, that's sort of a very fast flying overview of our academic program and our ambitions. But I'm going to turn the microphone over to Mark Tate so we can kind of contextualize this as far as location and campus and timing. Thank you.

Mayor Stear Thank you.

Mark Tate Mark Tate with the M3 Companies 1673 Shoreline Dr. Ste. 200, Boise, ID 83702. You might have been wondering where is this phenomenal school going to be located? For all of the reasons that you just heard, we are so, so excited to be here to let you guys know that we want to bring this school to Kuna. I think it's an incredible opportunity. We couldn't be more aligned with what the classical academies are all about as a company. We know that Kuna, you know, has had stress based on school capacity. We're also super excited to be able to contribute to that. This is a very ambitious project here. You can see on the screen the master plan of the Valor community. There's an area which is that Neighborhood K. Which is kind of a family-oriented development that we're kind of reconfiguring things a little bit there with the City Park and school site that would be K through 12 school.

The location is very central to, you know, this project and this significant amount of planned growth and the timeline is ambitious. We are looking to be under development this year and the good news is we already have a preliminary plat for the area we'd like to start development this year. We'd like to turn over a shovel ready pad site to them next year and we would love for them to be opening their doors in 2026. As Mr. Lambert pointed out, they do have a school open right now they have one under construction. They're starting another one in the following year, and this would be the 2026 opening, so. It's a very, very exciting time. As we mentioned or Steven mentioned, it's a public school open to everybody in the City of Kuna. It will be a K through 12 school and we're looking forward to some really exciting opportunities. The way that we've got this configured, working with the Parks Department and the city going forward on having a school next to a city park, there's some really exciting opportunities to collaborate on some facilities, shared parking, different things like that. But really, the point of tonight was just to let you guys know that this is coming before we make a public announcement and that's what they're looking to do here in the coming weeks is to make a public announcement. So yeah, we're so excited and wanted to tell you a little bit about the school. Where it's coming and you know we're as a company making a huge commitment financially to make this happen. The Barbona's foundation, who's part of the land, who built the golf courses, who's kind of the reason behind the name Valor is going to be involved in making this a reality as well and it's really just serendipity how it's all come together. Valor as a project and what the community is all about,

what the schools all about, our missions just aligned perfectly and we're so excited to make it happen here. So yeah, we opened the questions. If you guys have any for me or for Mr. Lambert.

Mayor Stear Okay, questions for Mr. Tate?

Council Member Laraway No, sir.

Council Member Biggs If I'm not mistaken, this is a 55 and older community, so how they feel about this... a grade school being put right in the middle of it?

Mark Tate Good point, a big part of it is 55 and older. So, on the master plan there, kind of yellow orangish lots down in the south-west corner are all 55 and older, but everything else is all ages. So yep, so everything in neighborhood K there and then the future L development we're kind of designing around a family product, so should fit right in.

Council Member Biggs Thank you.

Mayor Stear Okay, anything further? Mark, thank you very much. We appreciate that.

Council President Bruce Thank you. Thank you, Mr. Lambert.

Mayor Stear Steve, did you have anything else you wanted to close up with?

Steve Lambert No, Thank you.

Mayor Stear Alright. Thank you.

Council President Bruce Thank you. I'm just glad you referred to it as a Republic.

7. 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 00:27:38)

- A.** Consideration to approve Resolutions R04-2024 (Water System Fees and Policies), R05-2024 (Sewer System Fees and Policies) and R06-2024 (City of Kuna Irrigation Policies)
Jared Empey, City Treasurer. **ACTION ITEM**

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

Mayor Stear Alright, that leads us to public hearings, 7A. Consideration to approve Resolutions R04-2024 water system fees and policies, R05-2024 sewer system fees and policies, and R06-2024 City of Kuna irrigation policies, Jared Empey.

City Treasurer Jared Empey Good evening, Mayor and Council. Today, before you, I have 3 resolutions. Essentially, they're all doing the same thing in that they're increasing the connection fees for water, sewer, and irrigation. This is due to the need for funding for future expansions of the system. These connection fees were calculated under prior studies that we brought before you in the past, I believe in 2022 and 2021. We... so in 2021 we brought before you pressurized irrigation connection fee study in which we calculated the maximum connection fee possible and then in... so in 2023, we also engaged Keller Associates to do an update to our connection fee study and so with that, we calculated that we had the ability to increase our connection fee for water and sewer. And so, these resolutions before you are to essentially increase the connection fee for use in expanding the system in future repayment programs and also for future city projects that we have. So, with that, I'll stand for any questions.

Mayor Stear Okay, questions for Jared?

Council Member Laraway No, sir.

Council President Bruce I do, actually.

Mayor Stear Go ahead.

Council President Bruce So, we updated this the last time we did this, you said 2020 and 2021?

City Treasurer Jared Empey Yes, Councilman... Council President Bruce. So, in 2021 I brought before you the pressurized irrigation connection fee study and then, so to correct myself, we actually engaged Keller recently to increase the connection fee study for water and sewer. And I have those studies. And so, the amount that's proposed would just be to raise it to the maximum amount that we're eligible for under those studies.

Mayor Stear And so, then this is the fund that we use to ensure that development contributes proportionately towards expansion of the system and...

Council President Bruce I don't have anything else at this time.

Mayor Stear Okay. Alright, this is a public hearing. I didn't have anybody signed up to testify in this matter. Is there anybody who wishes to testify that didn't get a chance to sign in? Okay, seeing none, the question is rightfully before Council.

Council President Bruce Do you have anything? John? I make a motion that we approve resolution R04-2024, R05-20...

Council Member McPherson You have to close it.

Council Member Biggs You have to close it.

Council Member Laraway You have to close your public hearing.

Council President Bruce Yeah, I make a motion that we close the public hearing and move to deliberation.

Council Member Laraway Second.

Mayor Stear Motion is made and seconded, any further discussion? All those in favor say ‘aye.’

All Council Members Aye.

Mayor Stear Any opposed? Motion carries.

(Timestamp 00:31:52)

Motion To: Close Public Hearing and Proceed to Deliberation

Motion By: Council President Bruce

Seconded By: Council Member Laraway

Further Discussion: None

Members Voting Aye: Council Members Laraway, McPherson, Biggs, Bruce

Members Voting Nay: None

Members Absent: None

Approved Via: Voice Vote

4-0-0

Council President Bruce Now, I'll make a motion that we approve resolutions R04-2024, R05-2024, and R06-2024.

Council Member McPherson Second.

Mayor Stear Motion is made and seconded for approval. Is there any further discussion on that motion? All those in favor say ‘aye.’

All Council Members Aye.

Mayor Stear Is there anyone opposed? And that motion carries.

(Timestamp 00:32:08)

Motion To: Approve Resolutions R04-2024, R05-2024, and R06-2024

Motion By: Council President Bruce

Seconded By: Council Member McPherson

Further Discussion: None

Members Voting Aye: Council Members Laraway, McPherson, Biggs, Bruce

Members Voting Nay: None

Members Absent: None

Approved Via: Voice Vote

4-0-0

- B.** Case Nos. 23-07-AN (Annexation) & 23-03-DA (Development Agreement) Cottonwood Crossing – The Applicant requests to Annex approximately 82.20 acres with A (Agriculture) and C-2 (Area Commercial) zones with a Development Agreement at the NWC of Ten Mile and Columbia Roads (APNs: R4313530211, R4313530231) Doug Hanson, P&Z Director ACTION ITEM

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

(Timestamp 00:32:37)

Mayor Stear And that leads us to case number 23-07-AN and 23-03-DA Cottonwood Crossing, Doug Hanson.

Kuna Planning and Zoning Director Doug Hanson Good evening, Mayor and Council. For the record, Doug Hanson Kuna Planning and Zoning, 751 W. 4th St. The application before you this evening request to annex approximately 82.20 acres with A agriculture and C-2 area commercial zones at the northwest corner of Ten Mile and Columbia Roads. The east parcel fronting Ten Mile Rd. is proposed to be approximately 27.52 acres with the C-2 zone, the west parcel totaling approximately 54.19 acres with an agriculture zone. The proposed agriculture zone lands will be donated for a University of Idaho endowment. The University of Idaho will take possession of the property upon the settlement of the Guido Estate, and they must maintain ownership of the property for at least 100 years.

Tonight's request is for annexation and development agreement approval. The applicant is not proposing development of the site at this time in the future with any development proposals, the applicant will be subject to all development requirements, including the dimensional standards as they appear in Kuna city code. Staff has reviewed the proposed annexation and development agreement request for compliance with Kuna city code, Idaho Statutes 50-222,67-65, and the Kuna Comprehensive Plan. And should the Council approve the annexation and development agreement this evening, staff recommends the applicant be subject to the proposed conditions of approval as outlined in the report. I will stand by for any questions.

Mayor Stear Questions for Doug?

Council President Bruce Not at this time, for me.

Mayor Stear Okay, and is there anybody else who needed to present?

Elizabeth Koeckeritz Good evening, Elizabeth Koeckeritz with Givens Pursley, 601 Bannock, Boise, ID. on behalf of the applicant. With me here tonight is Dave Crawford, the engineer. Unfortunately, the Guido's could not make it tonight. It also sounds like our presentation did not make it into the packet, so I'll be winging it a little bit more than I like to. But we'll get through this.

First, I want to thank Doug Hanson and the rest of the development team for their assistance on this application. This was before you about 6-8 months ago. There were some concerns with it,

with the residential component of it of some high-density residential zoning along Ten Mile. So, the Guido's took this back. They reworked it, they thought through what would really work best for the city, still continue to work well for their future estate planning purposes. And so, we're back here today with this option.

If you're... you remember, we'll just look right here. We're at the corner of Ten Mile and Columbia. This is slated to be in the future, a very busy intersection. Is there a picture of the future land use map in here? Let's try this one. So, if you were to look on the Future Land Use Map, this property is designated mixed-use which provides that there should be at least two separate uses on the property. The property directly to the South is, across the road, is also designated mixed-use and the property across the street has been designated commercial. So, it is anticipated that as the city of Kuna continues to grow, that this area will become sort of a commercial corridor, much like the highway coming into town now. With the interstate exchange, this is just going to continue to get busier and busier in the future, the site is approximately 82 acres, and it is currently being used for agricultural purposes. The Guido's can intend to continue to use this for agriculture purposes going forward.

Right now, the Guido's, they are requesting the 27 acres that are on the hard corner, that those be designated C-2, which is your area commercial zoning designation, and that the rest remain agriculture. One thing that was important to them was that, and it seemed like it was important to this Council, was that we come forward with an option that did not allow future residential there and if there were to be future residential, that there'd be a lot more hoops that the Guido's would need to jump through, or whoever owns it eventually in the future. And that was one of the things about the zoning designations that were selected is the agriculture means it's really the most limited of all of the various zoning designations within the City of Kuna, and they're they can only build one house on these remaining 54 acres. As far as what is allowed in the C-2 zoning there is absolutely no residential allowed, whatsoever. So, if in the future someone wanted to put residential here, which quite honestly doesn't make a ton of sense in looking at this being such a commercial corridor, they would have to come back and get a rezone for the property.

One of the things that the Guido's are proposing is a development agreement, and so that really can also ensure that the property is not used for purposes that are not something that the city really sees in the future and that the city does not...and that they're unable to develop it until the sewer services until all the services really are extended to this area. With the commercial, it is a larger portion, it is 27 acres sort of along that whole front stretch of the road that would likely, given the size of it, any development that goes in there, they're also going to be looking at doing probably having to do a subdivision plat for multiple parcels for the multiple owners along there.

One of the benefits with this being zoned commercial in the future is that it doesn't have the same effect on schools as other property as other uses, but at the same time, you're going to get major road improvements. Anyone who is going to develop this property in the future is going to have to expand to the road at this point in time to a three lane Rd. which will help alleviate a lot, it'll put in a center turn lane. One of the issues that has come up several times in the past is getting in and out because the Durrant, I think it's Big D, they still have a very active agriculture

operation there and so by having that 3rd lane, that will really help alleviate a lot of that traffic as this does start to develop in the future.

One of the things with the annexation is that it also... it really does. There's a lot of benefits for this, a big one being this puts Kuna in the driver seat of what ultimately happens to this property. You have a whole lot more say over it when it's within the City of Kuna. When you start collecting the additional tax dollars on it. And it's also something that the Guido's have been long standing residents. Albeit, right outside of the city limits of Kuna, and they want their property to be part of it, and it gives them certainty going forward with their estate planning.

They will if you were to talk to them, they would certainly say we're not intending on dying anytime soon. But eventually when we do, we want the certainty of knowing what's going to happen to our property and that they are really big agriculture proponents. And that was the really big purpose behind looking at the University of Idaho, providing this property to them. But also making it contingent on the fact that it has to remain with the University of Idaho. They can't just, with the estate planning process, turn it around and sell it for a huge, large lot subdivision, right there. It's really going to have to stay and remain some sort of agricultural use going forward.

It's hard without my slides. This does meet many of the comprehensive plan goals of the city of Kuna. Let's see. Including ensuring that land is used to support economic development. It's supporting the development of a skilled, talented, and trained workforce. You'll have the ability to attract, encourage businesses along this area when it's time for this area to develop, you're planning for the expansion of this area. This is how it's designated on the Future Land Use Map, so it is intended at some point to be growing this way.

I mean, I have multiple pages of all of the economic goals. It's attracting opportunities for higher education to the area, various varying educational and technical opportunities and it allows this area to ultimately be developed and importantly, it just doesn't allow that residential development, which has really put all the pressure on the schools, which has just really recently created a lot of the issues that have been surrounding development, so it puts Kuna more in the driver's seat. It allows the Guido's certainty. We have reviewed all of the staff report. The Guido's are in agreement with all of the conditions of approval. And with that we would request your approval tonight.

Mayor Stear Okay.

Elizabeth Koeckeritz I'll stand for any questions.

Mayor Stear Questions from Council?

Council President Bruce I don't have any of this one, thank you.

Mayor Stear Thank you very much. Alright, this is a public hearing, is there anybody who wishes to testify in this matter and get a chance to sign in? Alright, somebody take this back to...

Council President Bruce You move quick, Nathan.

Mayor Stear And we'll go ahead and get started. Richard Durrant, if you'd like to step up.

Richard Durrant Mayor, Council Members. Richard Durrant, 7592 S. Ten Mile Rd. Meridian, ID was referenced. I mean, we live across the road and we had, I attended the neighborhood meeting, talked to Joe Guido about this, and definitely there was a lot of concessions made still concerned of the purpose of annexing when we don't have a plan. I know that we're... we'll be able to have the opportunity to testify at some point in the future when they want to, in my opinion, change some other zoning designations, and so my concern is, I mean, where do where does C-2 get to in the future and how does that affect me long term? So, with that I'd stand for any questions.

Mayor Stear Okay, questions for Richard?

Council Member Laraway No, sir.

Council President Bruce No, sir. Thank you.

Richard Durrant Thank you, Council.

Mayor Stear Thank you. Robert and Christy, did you wish to testify?

[Inaudible Background Conversation]

Mayor Stear Then Danielle, you're up.

Kuna School District Danielle Horras Good evening, Mayor, Council Members. Danielle Horras Kuna School District, 711 E. Porter, Director of Strategic Partnerships. So, you heard Elizabeth say that we are having capacity issues at Kuna School District, and I know the five of you are very well aware of our population, our students, are outpacing our buildings, our classrooms, and our teachers. So big picture, we need to get really good really quick at communicating clearly to all of Kuna that we need to pass a bond in May so that we can build more schools and we need to do this quickly. So, everything you heard from Elizabeth is absolutely right.

And I did testify in opposition to this development previously, and I am now testifying in support, and I really appreciate the changes that were made. I testified against the high-density aspects of this development because we just don't have the capacity to serve the students generated from this growth, right now. So, that was the reason for my other opposition. But the shift of removing that changes everything for us. In fact, the focus on commercial is such a relief for Kuna School District, because what this does is this provides tax reductions for us so we can build schools at a cheaper bond amount because of the commercial. So, we're really happy that this will come in and alleviate some of the pressures that our moms and dads and our grandmas and grandpas are telling us that they can't pay for. So, this makes that price tag go down. So, with this revision, I want to say that we support this and ask for your approval as it really does reduce the burden on taxpayers and helps to build our much-needed schools.

I think I might have a minute left, so I want to say one more thing is that there is a I want to give just a short history of our work on why I show up and just to orient folks. So, a year and a half

ago, our Kuna School Board of Trustees created a policy requesting for fair partnership with developers. The belief is it shouldn't just rest on our taxpayers. We believe that. They heard from all of the patrons that we needed to come to this table with everybody paying a little, so not one entity pays a lot. So, this new policy that was created just about two years ago allows me to work and partner with developers to ask for mitigation voluntarily to say things like, "Hey, maybe you can give us the land and then we only have to ask the taxpayers for the school building." That cuts quite a bit of the fees off. We met with the City Council as well as Building Contractors Association, and I want to share an update that through the course of that meeting they asked that the School Trustees they proposed in a letter, and all of you can look at this this is in the School Board Trustee meeting last week, and they said we'd really like it and we ask that you don't go to these meetings, you don't testify in opposition. And in exchange for that, we'll provide you some dollars so that you can get your bond passed.

So, I want to just read to you this; that in the last Tuesday meeting, one of our trustees says we discussed the mitigation fees and what they look like and we believe the Kuna School District is within the legal parameters for asking developers for this. It won't build schools on its own, but it certainly will cut down in the amounts and that we, as the board decided that we will continue our efforts, which means we don't accept their money. So, I wanted to give you that update and I invite you as well as others to look and listen to what was said with the trustees so that we have a full understanding of what we're doing. So, thank you for your time.

Mayor Stear Very good. Thank you. Alright, anybody else wish to testify?

Council President Bruce Mr. Mayor, we have one more.

Mayor Stear Huh? Yeah.

Council President Bruce Another gentleman. Oh, okay.

Mayor Stear Thanks, Sir.

Chris Brown Yes, Sir. Chris Brown, 7670 S. Old Farm Lane. Just two things. And I mean I'm, sitting here, and my concern is that if we annex this properties, they're going to come right back in and I know we have concerned with they said that this won't have happened, but it's happened out there already at bad memory. The annex, they come in and they automatically come back in and then they want to rezone those properties. That's a real concern of ours in the neighborhood. The other thing I want to bring up is it was our understanding of which was turned down our project. They had to wait a full year before they brought it back and it's only been like 6 months. That's all I have to say. Any questions for them? You know, I would be happy to answer if you'd like to question me.

Mayor Stear Okay, questions?

Council President Bruce What part of the area do you live on? Are you on Ten Mile, or?

Chris Brown I'm on the on the west side of the Guido's property.

Council President Bruce Thank you.

Chris Brown In fact, Guido's developed that property. They put a subdivision in there.

Mayor Stear Okay.

Council President Bruce That's it.

Mayor Stear Alright.

Council President Bruce Thank you, sir.

Mayor Stear Marc or Doug, can you address the one-year timeline?

Planning and Zoning Director Doug Hanson For the record, Doug Hanson, Kuna Planning and Zoning staff, the one year waiting time to resubmit an application is for applications that would fall under Title 67 Chapter 65 of the Local Land Use Planning Act, or LLUPA. Since it was an annexation and the annexation was denied, there isn't a time requirement to resubmit an application.

Mayor Stear Okay, thank you. Alright, anybody else wanted to testify in this matter? Alright, seeing none.

Council President Bruce There was one person that wrote down that didn't want to testify, was... Right? Was it in favor or not?

Mayor Stear There was a couple that everybody was in opposition, except for Chris signed up.

Council President Bruce Okay.

Mayor Stear And I'm sorry, the School District and then Chris signed up neutral. Okay.

Council Member Laraway Can I ask a clarification question.

Mayor Stear Yes, you may.

Council Member Laraway Doug, for the public, could you explain the difference for C-2, C-1? We're hearing a lot of the C-1, C-2 but what does that mean to the public?

Planning and Zoning Director Doug Hanson C-1 is our neighborhood commercial use, so that's something you'd see on more local neighborhood level commercial uses. C-2 is service commercial where you could see anything from local commercial uses to grocery stores, to gas stations, anything with the exception of more heavy duty intensive commercial uses, service type commercial uses and for the and as a point of clarification, no residential can be placed into any type of commercial use in the City of Kuna.

Council Member Laraway Thank you.

Council President Bruce I have a question for Mr. Doug.

Mayor Stear Go ahead.

Council President Bruce Was this before it was changed to mixed-use, was it C-2 before we updated the map?

Planning and Zoning Director Doug Hanson For the record, Doug Hanson, Kuna of Planning and Zoning. If you give me just one second, I can look up...look at that. Council President Bruce this property was completely designated mixed-use prior to the change to the Future Land Use Map in 2022.

Council Member McPherson Mayor, if I may?

Mayor Stear Yes, you may.

Council Member McPherson Doug, since you're in the crosshair, why not? The comments from the crowd have been they're worried about pushing it through it at this level, the Ag and the C-2 and then coming back for a rezone. For peace of mind, for them, and knowledge for me, as well, what would that take where there is a development agreement in place?

Planning and Zoning Director Doug Hanson For the record, Doug Hanson, Kuna Planning and Zoning. So, at this point in time, if the property were annexed under the development agreement, they would need to come back not only for a zone change, but also to modify the development agreement, as well. And through the modification of a development agreement, since that's between the applicant and/or future property owner and the city. The City Council has more discretion in their decision making as far as zone changes and things that they would like to see.

Council Member McPherson Okay, next question. On a, let's see, on a development, I guess we'll call it that. Is it common to have where this has been before several times now? I don't know where the neighborhood meeting was the first time, but the second time they held it at their residence? To me, that seems controversial, that people that are in opposition to this are now going into someone's house to tell them they don't like this and what they're doing. You know what I mean? Like, is that a common thing? Obviously, it's okay, they did it. But...

Planning and Zoning Director Doug Hanson Holding neighborhood meetings on site is very common.

Council Member McPherson Okay, yeah. That's all I have. Thank you, Doug.

Mayor Stear Okay.

Council President Bruce Do you have anything, John?

Mayor Stear No, I just, I know that Guido's, it means a lot to them to get their legacy there with this endowment and they've gone to a great deal of effort and expense to get this brought forward. I think this is probably as clean as they can possibly make it to address all the concerns that were brought up the first time. I appreciate the effort that they've put into it.

Council President Bruce I make a motion that we close the evidence presentation and move to deliberation.

Council Member Biggs Second.

Mayor Stear Motion is made and seconded, any further discussion on that motion?

City Attorney Marc Bybee Mayor, Marc Bybee, City Attorney. I just wanted to make sure. Typically, don't we give the applicant a rebuttal opportunity? I don't know if we did.

Mayor Stear Oh, I'm sorry about that. No, I did not. Would you like an opportunity?

Elizabeth Koeckeritz Just super briefly. Elizabeth Koeckeritz, Givens Pursley. I do agree with how Doug explained the issues with the steps that you have to go through to amend the development agreement also sort of the different uses between a C-1 and C-2 that the C-2 is a more intensive use, but it's not the most intensive of the uses. Also one thing, if there are particular uses that would be allowed in the C-2 zone that the City Council finds, particularly not appropriate for this area if those are discussed, they would be happy to include those within the development agreement that those sort of uses would not be allowed on this property and with that, I'll stand for any more questions.

Mayor Stear Alright. Any further questions? Alright, thank you very much.

Elizabeth Koeckeritz Alright, thank you.

Council President Bruce Now I'll make a motion that we close evidence presentation and move to deliberation.

Mayor Stear Alright, had a motion and a second. Is there any further discussion? All those in favor say 'aye.'

All Council Members Aye.

Mayor Stear Any opposed? Motion carries.

(Timestamp 00:56:25)

Motion To: Approve the Consent Agenda, excluding R13-2024 to be moved Business Item 8A

Motion By: Council President Bruce

Seconded By: Council Member Biggs

Further Discussion: None

Members Voting Aye: Council Members Laraway, McPherson, Biggs, Bruce

Members Voting Nay: None

Members Absent: None

Approved Via: Voice Vote

4-0-0

Council Member Biggs Well, my thoughts are, once it's annexed our power greatly diminishes. Like we found out four weeks ago, I think it was the property on Meridian and Ardell. There were very limited things we could do compared to an annexation. I don't know if I really like annexation without plan. It makes me a little, I don't know, a little nervous, just for the same reasons that we had people testify. What's going to prevent from coming back in on this 27 acres coming back in a year and requesting a high-density rezone?

Mayor Stear Yes.

Council President Bruce Yeah, go ahead, John.

Council Member Laraway It kind of reminds me of the curve when that one company tried to come in and make it all commercial, but they had no plans and it really bothered everybody about what's going to be there. Will this thing, what is this thing? Well, we don't know yet. So, we were they were trying to bring that in without really any substance to the plan. There was no plan. The comment that Councilman Biggs taught up about bringing this back, say two or three years from now, there's probably going to be different Councilman on there that will see things different than us. So, I understand what you're saying, and I agree that something like this is going to have to come back if there's going to be any change. I just worry that the lack of substance of what is going to be there is probably my concern.

Council President Bruce You have anything?

Council Member McPherson Yeah, I do. So, obviously there's pros and cons to the changes they've made since we saw them last, which was June 6th, I believe, I looked up last night. The school endowment thing, you know, the way it's worded now, basically like after they're gone, it'll get turned over and then they have 100 years to do something with it. While and I think that's great if you look across the state and all the ground that's been given to the university versus how much of it, they've actually done something with. That's kind of *ehhh*...the jury's out on that. Whether that will ever make something good or not. That's my opinion only. But I mean, it's not the facility size to do like the Parma Research Center or what they do down in the Magic Valley with some of the stuff down there. Maybe they'll do a different caliber. But

As was testified to last time by First, the applicant and then both of the Guido's all three of them said something different; and so, and maybe they just really don't know for sure what the U of I will do with it. I guess that's in their hands once it's given to them. But, the flip side, too, is Mr. Guido stood there and said, well, I'm not a developer and whatever, but yet he's presenting the development to us. As stated by Mr. Brown earlier, who developed the subdivision directly to the West of this project? Joe Guido did. So, to say he's not a developer, but he keeps pushing to try to bring developments forward. I guess I have some reservation there. I think the projects a lot better now than what it was, don't get me wrong. You know the high density next to the Big D facility was disastrous. I mean with the amount of traffic that just goes into that facility that's been there for decades and doing the good service they do for the community. It would, it would hamper their lifestyle drastically. This is a much better change for sure. I just still have some reservations that they won't immediately come back or when a year or two and again, we have the ability to squash its zone change or modify it to the way we see it best. But I just think that's the angle they're taking from. I'm not a developer.

Council President Bruce Well, I was thinking, I mean there's, like you said, both up and down or pros and cons. But we've had two developments that have come through recently with the rezone. We had one that we did deny a couple of weeks ago because of you know we had sewer... lack of sewer, schools, all that stuff that that was going on. But then we had one a couple of weeks prior to that, which was a rezone that we couldn't deny even though we have legislative authority at rezones and annexations we were, we were stuck. You know, we couldn't.

We couldn't change it and I think we shouldn't end up in that same position, whether it be us or someone else down the road.

Mayor Stear Yes, Marc?

City Attorney Marc Bybee Marc Bybee, City Attorney. So just from a legal perspective, the development agreement is significant addition on that issue, Council President Bruce. Because, and it's a negotiated agreement. They don't just have a right to come in and say we get to change the development agreement specifically what they've committed to in this development agreement is C-2 zoning and which means C-2 development. So, if they're to come forward later, they'd have to persuade the Council that they are, they should be entitled or not even entitled that the Council should agree to amend this development agreement to allow different... something other than C-2. It's not just, you know, go through code, and say we satisfy the requirements for a rezone they have to also convince this Council that it's a good practice and a good decision to deviate from what was originally committed to in the development agreement here, if that makes sense. So, we... I think what you're getting at is this kind of concern about lack of discretion for the board, lack of lack of ability to deny and with the just to show you rezone, I get that more with the development agreement that's a negotiated agreement that they actually have to get you to move off your spot of negotiation.

Council President Bruce So, it would be the rezone and then also the update to the agreement. So, we have multiple layers of...

City Attorney Marc Bybee Yes, because the zoning is committed to in the development agreement. That's like when you look at the concept plan it's assigned, it's the zoning that's going to be assigned to the different parts. There's Ag on a big part and then the on the corner there is to the C-2. And so, if they wanted to come forward later and reason and do something with different... something other than C-2 development on that hard corner. They're going to have to get... convince you to amend your development agreement, not just come and seek only rezone, because that the zoning is tied to the development agreement.

Council President Bruce So, if we had this project come back before us and they had all the services were met. We could still say no, not to update the development agreement and not run into a lawsuit issue, like?

City Attorney Marc Bybee People can get creative on suing you, but as far as you can, you deny a development agreement amendment? Yes, you can deny development agreements. Y

Council President Bruce Well, you see what I'm saying, right?

City Attorney Marc Bybee Yeah, you're...there's always concern about litigation, but the development agreements and negotiated agreement and you don't just have a right to change it.

Council President Bruce Thank you, Marc.

Mayor Stear And that's what I see as a safeguard is the development agreement, I think that's the...

Council President Bruce Thank you.

Mayor Stear That's kind of the staple that holds together what you're talking about here tonight, and...

Council President Bruce I mean, I...

Mayor Stear They can't just come back and do what they've done before.

Council President Bruce I see the value in the commercial, I do see what you're saying about the University of Idaho, as well, but. Those, those are kind of all my questions that I had.

Mayor Stear And if University of Idaho doesn't do anything with it for the 100 years or whatever, I guess that's Ag-land preservation, right?

Council Member McPherson Won't matter. I won't be here.

Council President Bruce You have a motion?

Council Member Biggs I still don't want the annexation of the plan, but I also don't know if we should ask for the Guido's to be here to speak. I don't know if its...If they would be interested in doing that, because if there's more to think about with this one and I guess I wouldn't be opposed to that, but I still go back to the limitations between zone, rezone, and annexation. I mean I totally understand what Marc was saying, but I still think we have those limitations in place, that we... we're still severely limited on what we can do at rezone as long as they meet all the requirements. We're still severely limited compared to what we can in annexation.

Council President Bruce And it'd be nice to know what you know or an idea what's going there.

Council Member Biggs Absolutely, and that's my first thing. Because this has come up before, just like you know, Council Member Laraway was talking about at the Kuna curve.

City Attorney Marc Bybee Again, Marc Bybee, City Attorney. I'm going to catch it this way, is it not so much concerned that like you don't not knowing what's going there, but that there's certain things you don't want to go there? Is that kind of where the Council is, that is, is there development types, commercial projects that you know don't you don't want there? Because the applicant has represented, you know, they'd be willing to amend this DA and the conditions of approval to include, you know, prohibitions on certain uses. So is it and you don't know is there, but is it there's certain things, you know that you don't want to be there, if that makes sense.

Council President Bruce I think too that might take more of the people that live around it right there and their input.

Council Member Biggs The branch right across the street.

Council President Bruce Yeah, I mean.

Council Member Laraway Well, I think, Marc, from just my point of view, I don't know what's going to go there, that's the emptiness I have. I'm just looking at 27 acres. It's going to be commercial, but...

Council Member Bruce Car lots?

Council Member Laraway How many buildings, where are the Plats? What? A plan.

City Attorney Marc Bybee So, Marc Bybee, City Attorney, again. Even if there was a plat concept, you still wouldn't know the users. Users on commercial properties... they come and they'll purchase them later. It's they having the plat doesn't tell us the user.

Council Member Laraway You're misunderstanding I... if they had a plan that had, we're going to have a building here building here and building here and this is what it's going to look like. That's fine. I don't care, well, I shouldn't say that, I don't have a preference what goes into those buildings after we approve what we do, because that's that belongs to the landowner and the developer.

Planning and Zoning Director Doug Hanson Councilman Laraway, if I may, for the record, Doug Hanson, Kuna Planning and Zoning. Generally, when we look at all of these preliminary plats with commercial zoning, there never is a plan of the number of buildings or types. That's why we have an official height and area standards table for the dimensional standards that can be utilized by commercial businesses and why we have a land use table to dictate what types of land uses go there. Generally speaking, with a project like this, they would have to come back for preliminary plat approval to subdivide the commercial land further and they would need to go through design review with the planning and Zoning Commission on the types of uses that they would like to place there. We unfortunately... we don't get the luxury of knowing what types of commercial uses users will come on board.

Council Member Laraway Why would they come back for more approval with the already 20...27 acres of C-2. What is there to divide?

Planning and Zoning Director Doug Hanson They would need to subdivide the overall 27.52 acres in order to make buildable lots. They would need to establish easements, right of way, right of way dedication, and generally one user isn't going to come in and utilize all 27 acres. That would be a substantial commercial user.

Council Member Laraway That makes sense, thank you.

Council Member Biggs Doug, so how does that, I guess how does that differentiate with the commercial that was going in at the corner of Lake Hazel and Ten Mile, the little commercial one we approved about a month or month or two ago? I'm sorry, I forgot the name of it. Eagle?

Planning and Zoning Director Doug Hanson Hazel Crest estates?

Council Member Biggs Hazel Crest.

Planning and Zoning Director Doug Hanson Yeah. So, with Hazel Crest Estates, you approved the zoning and the preliminary plat layout. We still don't know the users that will be going in there. We have an idea of the type of commercial that will be coming or the size, but we don't know the users. They'll have to come back to the Planning and Zoning Commission for design review approval and potentially special use permit approval depending on the types of uses.

Council Member Biggs And I don't want to speak for you, Councilman Laraway, but I think that's probably what you're meaning. You know, that type of a design.

Council Member Laraway Or a design, a picture.

Council Member Biggs Yeah, an idea, yeah.

Council President Bruce Well, and it is...Like, I think what a Walmart's 4 acres, 5 acres, right? Is that neighborhood commercial? Something that size is that under the same...no?

Planning and Zoning Director Doug Hanson So this... for the record, Doug Hanson, Kuna Planning and Zoning. I don't... I can't tell you the specific acreage of all Walmart's, but generally something like a Walmart is what you would see in area commercial or service commercial C-2 or C-3. That's generally not a neighborhood commercial type, use a superstore.

Council President Bruce Okay, that's fine.

Economic Development Director Morgan Treasure Mayor, Council, if I may speak to this, we're getting a little bit into my wheelhouse, so I'm gonna pipe up. I think something that's important to consider as you're looking at this application and we're kind of getting here and beating around the bush on it, but just very specifically putting it out there. It is nearly impossible to market for commercial users without commercially entitled property. The process is a little bit different than a residential developer of the applications that you're used to looking at where the residential developer already has a stated interest in the ground when they bring the application forward to you. Commercial development rarely works that way. The commercial developers are usually developing property to operate a business. The real estate part of it is a necessary evil. It is not how they make their money. So, I think when we're talking about if our goal is to bring business and increase our commercial tax base, that having an inventory of available commercial property is critically important. And kind of, as Doug and Mark were speaking to, coming forward with that preliminary plat, especially on a property that's on a thoroughfare, the way this one is set up. There's the ability to shop it to a few different kinds of users, and having it more of a blank slate and allowing that first anchor tenant to come in and be the one that kind of sets the stage for how the rest of the out parcels will go around it is really how this type of property and that kind of property division makes most sense in standard commercial real estate development.

Council Member Laraway Thank you.

Mayor Stear Thank you.

Council Member Laraway Councilman McPherson, you brought up something that I didn't hear, but I wonder where we got it from. Are you saying that the Guido's are developing this property?

Council Member McPherson No, they developed the subdivision to the West 7.

Council Member Laraway Iron...

Council Member McPherson Iron Springs it is, yeah. Remember that, back whenever that was built.

Council Member Laraway Yeah.

Council President Bruce One second, Mr. Mayor, hold on.

Mayor Stear And then really, I mean, if you don't do this, it's because they might come back in a year...they still might come back in a year.

Council President Bruce Yeah.

Mayor Stear I mean, it's not...The Development Agreement gives us the more teeth beyond the annexation part, but, uh... and I think it's just going to keep coming and something is going to have to happen and based on, based on what we've looked at over the past several months anyway, this seems to fit better than anything we've had so far..

Council Member McPherson They did take all the high density...mumbo jumbo out...*[inaudible]*

Mayor Stear it's not high density, not high-density apartments, and that type of thing, so...

Council President Bruce and this adds commercial without the adjusting the 95-5, right?

Council Member McPherson May I ask Doug another question for clarification? You, during this process, they said that once this commercial is approved, the rest of the property goes into the University of Idaho endowment?

Planning and Zoning Director Doug Hanson For the record, Doug Hanson, Kuna Planning and Zoning Staff. That's correct.

Council Member Laraway So, it is in there now?

Planning and Zoning Director Doug Hanson So, that that would probably be a better question to answer for the applicant as they are the ones who are specifically working on the endowment agreement.

Mayor Stear I think from what I understood from everything I read was that happens after they pass away, and then it's part of the... settlement of their estate.

Planning and Zoning Director Doug Hanson Yes, yes, that that is correct. Upon the settlement of the Guido estate, that is when the University of Idaho would take ownership of the land.

Council Member Laraway So, not to be the devil's advocate, but down the road, somebody could change their mind in the family, and that endowment land would go away and become whatever.

Planning and Zoning Director Doug Hanson For the record, Doug Hansen, Kuna Planning and Zoning, as the endowment lands are a subject covered within the staff report, and it will be in the FCO's and make its way into the Development Agreement should that land deviate from being

University of Idaho Endowment lands, a modification to the Development Agreement would be required to occur.

Council Member Laraway Okay, thank you.

Mayor Stear And was that not a 99-year deal?

Council Member Laraway 100 years.

Council Member McPherson 100.

Planning and Zoning Director Doug Hanson 100.

Council President Bruce Yeah, same thing.

Council Member Laraway If it goes into it.

Council President Bruce You got a motion? What do you think?

Council Member Biggs We've never had an agreement where we've had to come and re-evaluate, I guess... I don't know how, how binding... I mean, I'm just curious how binding it is? 'Cause it just seems like we can just... if they just come right before us, we could just tear it up and they're gonna do a new one... I don't... That's... I honestly don't know what the process is, but...

Planning and Zoning Director Doug Hanson: For the record, Doug Hanson, Kuna Planning and Zoning, are you referring to how binding a Development Agreement would be with this particular property, or?

Council Member Biggs Well, what would, what would... we were just talking about if they had to come back before us, how easy is it to... is one meeting they tear it up and we just write a new one?

Planning and Zoning Director Doug Hanson So, a Development Agreement modification would be required to go through the same channels that the creation of the initial Development Agreement would, so it would still need to come back forward before the Planning and Zo..., I'm sorry, before the City Council and a Public Hearing would need to be held.

Marc Bybee City Attorney As far as criteria, it's a... it's a contract, it's a... requires a meeting of the minds I guess, but what the basis of a contract is... and...I... the purpose of a Development Agreement, if you're unfamiliar with them, I...and the way I kind of explain them... uh, Simple layman's way is that it's like you're writing special law for this parcel. Um, some, some of them can be very particular in the special laws you might be writing for the parcel because it gets recorded against the property, someth... somebody that purchases or acquires a property that's subject to a Development Agreement this is something that's going to show up in their title reports, they are going to receive notice of the Development Agreement through that. Um, and so it's...it's conditions you are allowed to place on the development unique to the...or to the property unique to the property, and it runs with the land, it finds future owners, all those kinds of things so... how can... how easy it is it to amend? I guess it really comes down to how

willing the Council would be to change their mind from what they did in the original Development Agreement, because that's really what it comes down to. Have circumstances changed such that C-2 is no longer the right thing and does the City agree to this or are they... are they sticking to where they were at, has their position not changed. They'd have to persuade you that your position on what this should be, should change.

Council Member Biggs Thank you, Marc.

Mayor Stear Okay.

Council President Bruce I guess the short of it is, is it's... it's going to add the commercial without the residential, if they need to change it, they'll have to come back to us anyway. Um, and then when they pass away, it'll put the land, you know, the agricultural state... of what's the, the property across the street? Do you know... the Durrants? Is that...

Council Member McPherson They're to the... directly to the east, yes.

Council President Bruce What's that zoned? Is that Industrial?

Council Member Laraway Industrial

Council Member McPherson It's county Ag.

Council President Bruce County Ag...

[long pause]

Council President Bruce What do you want to do, guys? What do you think?

Mayor Stear I think it's going to keep coming back until we do something, and I think they've done everything to pacify the requests that were made the last time it was here... I think they've gone to a great deal of effort and expense to bring back something that we should... would be agreeable to, mainly so that they can get that endowment in, and that's been their main goal from the beginning, as near as I can tell so...

Council President Bruce And if you look at ACHD's plan, that's going to be a corridor anyway. You know, Ten Mile and we don't have to, you know, the commercial is going to add to the tax base that will offset some of the residential.

Council Member Laraway May I ask Doug another question?

Mayor Stear Yeah.

Council Member Laraway I'm just trying to work myself through this and I do it differently. If the totality of the property now, 27 acres being commercial and...

Council President Bruce 55.2.

Council Member Laraway 55 being Agricultural... my biggest concern about like this stuff is I know what's in front of me and that's the commercial. This other 55 acres has me worried. Do we

have to annex both pieces of property? Can we annex just the commercial? It's already split up and divided anyway.

Marc Bybee City Attorney So, in this application, no, you can't just annex only part of it. They've submitted an application for the entirety of it. And so, the applicant would have to be willing to modify their application significantly from what it is to actually be able to do that.

Council Member Laraway Okay.

Marc Bybee City Attorney So, you either approve or deny the application in front of you, you don't modify the application that has to be the applicant's decision because it's their property.

Council Member Laraway Thank you. Thank you.

Council President Bruce I think we've been heavy with residential lately, right? The impact on the schools, the taxes... I mean, this adds commercial to it. It's going to be a corridor... main corridor anyway in the future if they have to change it, they have to come back to us.

Mayor Stear Yep.

Council President Bruce Alright.

Council Member McPherson And, I mean, as reluctant as I am jump on board with this, you know, I think the Mayor is right. It's only been eight months since they were here last. We're just going to see it again and again and again.

Council President Bruce They're retired anyway.

Council Member McPherson Well, yeah.

Council President Bruce They're just sitting at home.

Council Member McPherson They're like John, have nothing better to do than bug me.

Council President Bruce Sitting at home bringing it back. Matt, do you have anything else? Councilman Laraway?

Council Member Laraway Can't think of anything.

Council President Bruce Did anyone have a motion?

Marc Bybee City Attorney Just a quick point of order on your motions. Because of the nature of the application, if it's a motion to approve, it needs to be on all applications. If it's a motion to deny, it only needs to be on the annexation and that's because if you move to deny on annexation, you don't have jurisdiction on the other applications because they never, the land never came into the city.

Council President Bruce All right, I make a motion we approve Case #23-07-AN and 23-03-DA.

Mayor Stear Okay, do we have a second?

Council Member McPherson Very reluctantly, I will second that.

Council President Bruce I mean, if you don't, it dies and then we can just move the other direction. I was just trying to get a feel for everyone and trying to move this thing forward.

Council Member McPherson No, I...get it.

Council President Bruce You know, just a meeting, not the...

Council Member McPherson I mean we have the control later to not do a rezone on the C-2. I feel confident in what our staff and attorney have said about the legalities of them trying to change it without very in depth, you know...meetings and whatever. I...you know... like the Mayor continually said, it's going to come back if we, you know, and we have them in the Development Agreement, we have ironclad... but this is what's going to do. We don't know who's going to do, but we know what it's going to do. And it's commercial and it's not all the apartments and whatever right out the front door of Big D.

Council President Bruce Super high density.

Council Member McPherson I do like that, that was huge in my book anyway. Maybe not as much to the others, but...

Council President Bruce And I mean, I could go either direction.

Council Member McPherson Second stands.

Council President Bruce Okay.

Mayor Stear Okay, we have a motion and a second.

Council President Bruce Yes.

Council Member McPherson Yes.

Mayor Stear Alright, any further discussion? Nathan, I'm going to let you go and poll council.

City Clerk Nathan Stanley Council Member McPherson.

Council Member McPherson Yes.

City Clerk Nathan Stanley Council Member Biggs.

Council Member Biggs Nay.

City Clerk Nathan Stanley Council Member Laraway.

Council Member Laraway Nay.

City Clerk Nathan Stanley Council President Bruce.

Council President Bruce Aye.

City Clerk Nathan Stanley We have a split vote, Mayor.

Mayor Stear And I will vote aye. That motion carries.

(Timestamp 01:23:06)

Motion To: 23-07-AN and 23-03-DA

Motion By: Council President Bruce

Seconded By: Council Member McPherson

Further Discussion: None

Members Voting Aye: Council Members McPherson, Bruce, Mayor Stear

Members Voting Nay: Council Members Laraway, Biggs

Members Absent: None

Approved Via: Roll Call Vote

3-2-0

3. Case No. 23-02-CPM (Comprehensive Plan Map Amendment) 5700 W Kuna Mora Road – Applicant requests Comprehensive Plan Map Amendment to update the future land use designation of 5700 W Kuna Mora Road (APN: S1532336300) from Agriculture to Industrial; Senction32, Township 2 North, Range 2 East. Subject site is to remain within Ada County. Doug Hanson, P&Z Director ACTION ITEM

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

(Timestamp 01:25:22)

Mayor Stear That takes us to Case number 23-02-CPM and 5700 W Kuna Mora. Doug Hanson.

Planning and Zoning Director Doug Hanson Mayor and Council, for the record, Doug Hansen, Kuna Planning and Zoning, 751 W. 4th St. Kuna. The applicant this evening requests a comprehensive plan, Future Land Use Map, or FLUM amendment in order to update the future land use designation for 5700 W Kuna Mora Road from Agriculture to Industrial. The subject site is located within unincorporated Ada County and will be remaining under their jurisdiction. However, as Ada County has adopted the City's area of City Impact Agreement and recognizes the City's Future Land Use Map as adopted on November 1st, 2022, they will not accept a development application from the applicant until a decision is rendered on this application from the Council. Due to the subject site proximity to the existing East Kuna Industrial Area and as the applicants request, has been found to be compliant with Kuna City Code Title 5 and Idaho Code 67-65 staff is in support of this amendment with that I will answer any questions you may have.

Mayor Stear Okay, questions for Doug? Alright, this is a public hearing. I didn't have anybody sign up to testify. Is there anybody who wishes to testify in this matter that didn't have a chance to sign in? All right, seeing none. question rightfully before Council.

Council Member Laraway I guess I do have one question.

Mayor Stear Alright.

Council Member Laraway Morgan, this is going to fall up underneath your Urban Renewal District. Yes? No?

Economic Development Director Morgan Treasure Councilman Laraway, this property, at this time, is ineligible for annexation into the City of Kuna because it doesn't have a continuous path. There are interested property owners and a couple of things going on out there that we might see it come forward into the City in the future, but that's not something that is available to this property owner at this time. When the applicant, Mr. Long, came to us, he needed some help to, so he could get going in the county.

Council Member Laraway I just realized what you were getting at.

Economic Development Director Morgan Treasure Yes.

Council Member Laraway Thank you.

Economic Development Director Morgan Treasure Are you good?

Council Member Laraway I'm good.

Economic Development Director Morgan Treasure Good.

Council Member Laraway It was right in front of me too.

Council President Bruce Anyone else have anything? So, we need to...

Council President Bruce I make a motion we close the public hearing and move to deliberation.

Council Member McPherson Second.

Mayor Stear Motion is made and seconded. Any further discussion? All those in favor say 'aye.'

All Council Members Aye.

Mayor Stear Any opposed? That motion carries.

(Timestamp 01:28:08)

Motion To: Close Public Hearing and Proceed to Deliberation

Motion By: Council President Bruce

Seconded By: Council Member McPherson

Further Discussion: None

Members Voting Aye: Council Members Laraway, McPherson, Biggs, Bruce

Members Voting Nay: None

Members Absent: None

Approved Via: Voice Vote

4-0-0

Council President Bruce I make a motion that we approve Case #23-02-CPM.

Council Member Laraway Second.

Mayor Stear Motion is made and seconded for approval. Is there any further discussion? All those in favor say 'aye.'

All Council Members Aye.

Mayor Stear Any opposed? Then that motion carries.

(Timestamp 01:28:24)

Motion To: Approve Case #23-02-CPM

Motion By: Council President Bruce

Seconded By: Council Member Laraway

Further Discussion: None

Members Voting Aye: Council Members Laraway, McPherson, Biggs, Bruce

Members Voting Nay: None

Members Absent: None

Approved Via: Voice Vote

4-0-0

8. Business Items:

(Timestamp 01:28:46)

A. Resolution R13-2024

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING THE PROCUREMENT POLICY; AND AUTHORIZING THE MAYOR TO SIGN SAID DOCUMENT. *[Pulled from Consent Agenda for Discussion]*

Mayor Stear Item 8A is R13-2024 that was not opening, and the link wasn't working. So, Jared, I'll let you go ahead and address that.

City Treasurer Jared Empey Good evening, Mayor and Council. So, before you, I have an update to the procurement policy that we originally passed. I believe it was in 2022. So, this procurement policy is used for essentially outlining what state code says are requirements for procurement. And it also outlines the requirements that we are to follow when we have federal grants available and when we're under single audit requirements and so this... for this update is just to reflect changes that were made by the Idaho Legislature during the last legislative season to just update the thresholds under purchases for services and personal property. So, with that, I'll stand for any questions.

Mayor Stear Okay, questions for Jared?

Council President Bruce When... actually I do...when was the, you know, the last time that the procurement policy was updated like the amounts, just all that it's not important, just the top of your head, do you know?

City Treasurer Jared Empey So before 2022, we didn't have a written procurement policy and so essentially in 2022, I believe that was the first time we had a written procurement policy.

Council President Bruce And you said we moved that to 8A?

Mayor Stear Yeah.

Council President Bruce Anything?

Council Member McPherson No.

Council President Bruce I make a motion that we approve resolution R13-2024.

Council Member McPherson Second.

Mayor Stear Motion is made and seconded, any further discussion? All those in favor say 'aye.'

All Council Members Aye.

Mayor Stear Motion carries.

(Timestamp 01:30:57)

Motion To: Approve Resolution R13-2024

Motion By: Council President Bruce

Seconded By: Council Member McPherson

Further Discussion: None

Members Voting Aye: Council Members Laraway, McPherson, Biggs, Bruce

Members Voting Nay: None

Members Absent: None

Approved Via: Voice Vote

4-0-0

9. Ordinances:

(Timestamp 01:31:22)

A. Consideration to approve Ordinance No. 2024-02 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 PROPERTY, TO-WIT: 5610 S TEN MILE ROAD OWNED BY MJV PROPERTIES, 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 PROPERTY; AND
- DIRECTING THE CITY ENGINEER AND THE CITY CLERK; AND PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings

Consideration to approve Ordinance

Mayor Stear Consideration to approve Ordinance 2024-02. 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 property. To wit; 5610 S Tunnel Rd. owned by MJB Properties, LLC within an unincorporated area of Ada County, Idaho, and contiguous to the corporate limits of the City of Kuna into the City of Kuna, ID and establishing the zoning classifications of several property and directing the City Engineer and City Clerk and providing an effective date.

Council President Bruce I make a motion that we waive 3 readings of Ordinance 2024-02.

Council Member McPherson Second.

Mayor Stear Motion is made and seconded to waive the three readings. Any further discussion? All those in favor say 'aye.'

All Council Members Aye.

(Timestamp 01:32:11)

Motion To: Waive 3 Readings of Ordinance 2024-02

Motion By: Council President Bruce

Seconded By: Council Member McPherson

Further Discussion: None

Members Voting Aye: Council Members Laraway, McPherson, Biggs, Bruce

Members Voting Nay: None

Members Absent: None

Approved Via: Voice Vote

4-0-0

Council President Bruce I'll make a motion that we approve Ordinance 2024-02, as published.

Council Member McPherson Second.

Mayor Stear Motion is made and seconded to approve the ordinance. Any further discussion? Nathan, would you poll the Council?

City Clerk Nathan Stanley Council Member McPherson.

Council Member McPherson Yes.

City Clerk Nathan Stanley Council Member Biggs.

Council Member Biggs Aye.

City Clerk Nathan Stanley Council Member Laraway.

Council Member Laraway Yes.

City Clerk Nathan Stanley Council President Bruce.

Council President Bruce Aye.

Mayor Stear And that motion carries.

(Timestamp 01:32:34)

Motion To: Approve Ordinance 2024-02

Motion By: Council President Bruce

Seconded By: Council Member McPherson

Further Discussion: None

Members Voting Aye: Council Members Laraway, McPherson, Biggs, Bruce

Members Voting Nay: None

Members Absent: None

Approved Via: Roll Call Vote

4-0-0

B. Consideration to approve Ordinance No. 2024-03 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. S1234449550, AND S1234449600, OWNED BY HAZEL CREST, 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 PROPERTY; AND
- DIRECTING THE CITY ENGINEER AND THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings

Consideration to approve Ordinance

(Timestamp 01:33:06)

Mayor Stear Consideration to approve Ordinance #2024-03. 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 numbers S 123-444-9550 and S 123-444-9600. Owned by Lake Hazel Crest LLC, within unincorporated area of Ada County, Idaho, and contiguous to the corporate limits of the City of Kuna into the City of Kuna, ID and establishing the zoning classifications of said real property and directing the City Engineer and the City Clerk, and providing an effective date.

Council President Bruce I make a motion that we waive the three readings of ordinance 2024-03.

Council Member Laraway Second.

Mayor Stear Motion is made and seconded, any further discussion? All those in favor say 'aye.'

All Council Members Aye.

Mayor Stear Any opposed? That motion carries.

(Timestamp 01:34:03)

Motion To: Waive 3 Readings of Ordinance 2024-03

Motion By: Council President Bruce

Seconded By: Council Member Laraway

Further Discussion: None

Members Voting Aye: Council Members Laraway, McPherson, Biggs, Bruce

Members Voting Nay: None

Members Absent: None

Approved Via Voice Vote

4-0-0

Council President Bruce I make a motion that we approve Ordinance 2024-03, as published.

Council Member McPherson Second.

Mayor Stear Motion is made and seconded. Is there any further discussion? Nathan, would you poll the Council?

City Clerk Nathan Stanley Council Member McPherson.

Council Member McPherson Yes.

City Clerk Nathan Stanley Council Member Biggs.

Council Member Biggs Aye.

City Clerk Nathan Stanley Council Member Laraway.

Council Member Laraway Aye.

City Clerk Nathan Stanley Council President Bruce.

Council President Bruce Aye.

Mayor Stear And that motion carries.

(Timestamp 01:34:19)

Motion To: Approve Ordinance 2024-03

Motion By: Council President Bruce

Seconded By: Council Member McPherson

Further Discussion: None

Members Voting Aye: Council Members Laraway, McPherson, Biggs, Bruce

Members Voting Nay: None

Members Absent: None

Approved Via: Roll Call Vote

4-0-0

10. Executive Session:

11. Mayor/Council Announcements:

(Timestamp 01:34:51)

Mayor Stear And that is all we've had on the agenda for this evening. I don't know how many of you saw the... You may be aware of the discussion with the school board, and their decision to not agree to the building contractors. Danielle had talked about that, so they're going to move forward with what they're doing and not be asked by anyone to quit showing up and commenting at meetings. So, I don't blame them for feeling that way, they basically they were asked not to come anymore, anyway.

Council Member Laraway By somebody at the school district?

Mayor Stear What's that?

Council Member Laraway By somebody at the school?

Mayor Stear The building contractor association have offered an agreement to the school district that they would help them run the bond for building new schools if the school district would agree to stop doing what they were doing. So, anyway they decided not to stop what they were doing, which I don't blame them for that was the update. The update legislature is in full swing, one that I think is probably going to go through is whenever you run for office, if no... if you run uncontested, generally you don't... your name doesn't have to be on the ballot. They're trying to run one where your name would be on the ballot. I don't think it affects the Declaration or any of that is just so that the public can view and see that that seat was open, nobody ran against it, it was uncontested and so the names on there. I think there's a lot of concern that people aren't seeing who actually sits in these seats. So, I actually have no problem with that, I think that's...if nothing else, you get to see your name on the ballot once in a while. If you really have opposition. Yeah, and lots of other little things going on some of them are a little strange and some of them are reasonable. So, I don't know. I'll keep sending them those updates as I get them through the Association of Idaho Cities and again, if you ever have any questions, you know, Council Member Bruce was sitting on those for a while. I don't know if you've had time lately...

Council President Bruce Yes, it's good information.

Mayor Stear Anyway, that's all I have. Does anybody else have anything?

Council Member McPherson Yeah, I'd like to say, you know, usually we give a lot of praise to PD and parks they've done a lot of great things. Keep us safe and whatever. And sometimes not as much praise goes to the other workings of the city and we have great P&Z staff and Morgan and Nancy, Jared, you know, we have great staff, they all need good praise. But today I'm going to go after Public Works. I was in class today for my private sector work and some of the sewer manager was there and an employee learning to be able to work on some of the center pivots and

stuff that we have out at the city farm and it was good to see that our guys are out furthering their education and now they'll be able to, you know, diagnose and fix problems in-house and not have to rely on a company to come out and cost the taxpayer with more money and it makes their job easier knowing what's the problem is they just go fix it and not the guy comes out and hits the switch on the bottom of the solenoid and it restarts and here's your \$500.00 bill for that, you know, it was really good. It was real informational class and I'm sure Travis and Josh got a lot out of it. And it's good to see employees getting further education and us allowing them to go do that is it. It works both ways. It's good for them and very beneficial for us and taxpayers, so. Good for them.

Council Member Laraway Oh, hey, Greg. I mean, we've been to a couple of committees with Paul and it's an education. I mean, you walk in there naive, and you start to learn all what they do and what they have to put forward to keep moving things and it's pretty impressive. Kudos to Paul.

Council President Bruce The Kuna firefighters are doing the leukemia stair climb again this year. They did raise funds at Latte Dah last week or... Yeah, the week before. Yeah, Friday. The event, it looks like it's March 10th. So, if you know anybody who's interested, I believe it's in Seattle, but. I'm a leukemia survivor, so it's always been important for me to support stuff like that, and our local firemen are doing it and pumping 65 stairs, 65 flights of stairs is.

Mayor Stear I have never been in any kind of shape to even think about 65 flights of stairs.

[Laughter]

Council President Bruce With all your gear on, yeah.

Mayor Stear I could fall down that many. But you know.

Council Member Laraway Or EMS carry.

Council President Bruce So, I just wanted to put that out there. They're all.

Mayor Stear Yeah, they train hard for that, so yeah, that's good.

Council Member Biggs Mr. Mayor I just wanted to say. Nancy, tomorrow I think is the is it the career fair?

Human Resources Director Nancy Stauffer It is.

Council Member Biggs Awesome. And Nancy did an awesome job that last year with all the kids and over at the high school. And I also wanted to say, you may not know him, but he's the VFW commander for Kuna and his wife Mary is a teacher at Reed Elementary. Anyway, they got in a really bad car accident this weekend over on Meridian Rd. and Deer Flat, I guess was where it was, and Mary has been in several surgeries. She's going to looks like she's going to be Okay, but she has several broken ribs, punctured kidney, a couple other things. So, she's waiting for her next surgery. I keep getting the Facebook updates. That's all I can get.

Council President Bruce Put them on your prayer list.

Council Member Biggs Yeah. Definitely keep them in your thoughts if you can.

Council Member Laraway Flashing yellow.

Council Member Biggs I'm not sure. I don't know. Chief knows the details on that one.

Chief of Police Mike Fratusco *[Inaudible]*

Council President Bruce And thank you too for the Director's update.

Mayor Stear Yeah, we just that was a little late coming this time. We'll try and get those out a little early, but Zulema's coordinating that and...

Council President Bruce It's good to see everything that that each department's working on. So, thank you.

12. Adjournment:

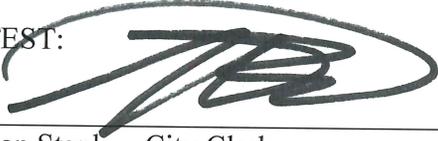
(Timestamp 01:41:28)

Mayor Stear Yeah. So then, any questions on that, just let me know. We'll just keep it going. Alright, well that's all I have. So, thank you all very much and have a good rest of the month. Meeting is adjourned.



Joe L. Stear, Mayor

ATTEST:



Nathan Stanley, City Clerk

Minutes prepared by Garrett Michaelson, Kuna City Clerk's Office
Date Approved: CCM 03.05.2024





City Council Public Hearing Sign-in Sheet February 20, 2024

Case No(s): 23-02-CPM (Comp Plan Map Amendment)

Case Name: 5700 W Kuna Mora Road

IN FAVOR	NEUTRAL	OPPOSITION
<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify <hr/> Name <hr/> Address <hr/> City, State, Zip	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify <hr/> Name <hr/> Address <hr/> City, State, Zip	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify <hr/> Name <hr/> Address <hr/> City, State, Zip
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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

February 20th, 2024 – City Council Public Comment

The City of Kuna welcomes Public Questions and/or Comments during the Public Comment Session, as noted in the agenda. In accordance with Idaho State Code, Public Comments may NOT include specific land use issues or cases. All comments regarding specific land use issues or cases MUST be heard in their associated Public Hearing(s). Idaho State Code also requires all comments and/or complaints regarding City personnel to be heard in Executive Session.

In all instances The Mayor and City Council may determine if your comments are appropriate for the Open Comment Session, particularly if your comments are covered by Idaho Code § 74-206(1), and may notify you accordingly. If you are recognized to speak you may "have the floor" for up to three (3) minutes, unless a separate time duration is determined by The Mayor and/or City Council.

Public Comment Sign Up

Print Name

Print Address

City State, Zip

Topic



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SIGN-UP SHEET

February 20, 2024 – City Council, Public Hearing

Case Number: R04-2024, ROS-2024, ROL-2024
Case Type: Water System Fees and Policies

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

Table with 3 columns: IN FAVOR, NEUTRAL, IN OPPOSITION. Each column contains multiple rows of checkboxes for 'Testify' and 'Not Testify', followed by fields for Print Name, Print Address, and City/State/Zip.



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City Council Public Hearing Sign-In Sheet
 February 20, 2024

Case No.: 23-07-AN (Annexation) & 23-03-DA (Development Agreement)

Case Name: Cottonwood Crossing

Please print your name below & indicate if you would like to Testify or NOT Testify regarding this item.

IN FAVOR	NEUTRAL	IN OPPOSITION
<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input checked="" type="checkbox"/> NOT Testify
Name	Name	<i>Scott Butterbaugh</i>
Address	Address	<i>3729 W. Columbia Rd</i>
City, State, ZIP	City, State, ZIP	<i>Meridian ID</i>
<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input checked="" type="checkbox"/> NOT Testify
Name	Name	
Address	Address	
City, State, ZIP	City, State, ZIP	
<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input checked="" type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name	Name	<i>Richard Durrant</i>
Address	Address	<i>7592 South Tenmile</i>
City, State, ZIP	City, State, ZIP	<i>Meridian ID 83647</i>
<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name	Name	
Address	Address	
City, State, ZIP	City, State, ZIP	

IN FAVOR	NEUTRAL	IN OPPOSITION
<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input checked="" type="checkbox"/> NOT Testify
Name	Name	Name Sarah Butterbaugh
Address	Address	Address 3129 W Columbia Rd.
City, State, ZIP	City, State, ZIP	City, State, ZIP Meridian ID 83042
<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input checked="" type="checkbox"/> NOT Testify
Name	Name	Name Robert & Christie Kampel
Address	Address	Address 7624 S Old Farm
City, State, ZIP	City, State, ZIP	City, State, ZIP Meridian ID 83642
<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name	Name	Name
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<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input checked="" type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name	Name	Name
Address	Address	Address
City, State, ZIP	City, State, ZIP	City, State, ZIP
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Name	Name	Name
Address	Address	Address
City, State, ZIP	City, State, ZIP	City, State, ZIP
<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name	Name	Name
Address	Address	Address
City, State, ZIP	City, State, ZIP	City, State, ZIP

IN FAVOR	NEUTRAL	IN OPPOSITION
<input checked="" type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name DANIELE HORRAS	Name	Name
Address 711 E POPLAR	Address	Address
City, State, ZIP KUNA ID	City, State, ZIP	City, State, ZIP
<input checked="" type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name	Name	Name
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City, State, ZIP	City, State, ZIP	City, State, ZIP
<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name	Name	Name
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<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
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Address	Address	Address
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Name	Name	Name
Address	Address	Address
City, State, ZIP	City, State, ZIP	City, State, ZIP
<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name	Name	Name
Address	Address	Address
City, State, ZIP	City, State, ZIP	City, State, ZIP