

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, September 16, 2025

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 00:01:35)

COUNCIL MEMBERS PRESENT:

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

CITY STAFF PRESENT:

Marc Bybee, City Attorney
Jared Empey, City Treasurer
Mike Fratusco, Kuna Police Chief
Adam Wenger, Public Works Director
Doug Hanson, Planning & Zoning Director
Michelle Covert, Economic Development Administrator
Troy Behunin, Senior Planner
Morgan Webb, Deputy Parks & Recreation Director
Nancy Stauffer, Human Resources Director
Garrett Michaelson, Deputy City Clerk

Mayor Stear Alright, it is 6:00. And we will go ahead and call to order the meeting of the Kuna City Council. Garrett, would you take the roll please?

Deputy City Clerk Garrett Michaelson Council Member McPherson.

Council Member McPherson Here.

Deputy City Clerk Garrett Michaelson Council Member Biggs.

Council Member Biggs Here.

Deputy City Clerk Garrett Michaelson Council Member Laraway.

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.

Council Member Laraway Yes.

Deputy City Clerk Garrett Michaelson Council President Bruce.

Council President Bruce Here.

Deputy City Clerk Garrett Michaelson Mayor Stear.

Mayor Stear Thank you, yes.

2. Pledge of Allegiance: Mayor Stear

(Timestamp 00:01:56)

Mayor Stear And if you'll join me for the Pledge of Allegiance.

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.

A. Consideration to Amend the Agenda ACTION ITEM

(Council must move to amend the agenda per IC 74-204(4)(b))

***Adding Business Item 7. C. Kuna WWTP – Civil Case - Consent Judgment.**

(Timestamp 00:02:16)

Mayor Stear Let's see, first item is to amend the agenda.

Council President Bruce I move we amend the current agenda by adding business item 7.C to the agenda.

Council Member McPherson Second.

Mayor Stear Motion is made and seconded, is there any discussion on that motion? All those in favor say 'aye.'

All Council Members Aye.

Mayor Stear Any opposed? And that motion carries.

(Timestamp 00:02:20)

Motion To: Amend The Agenda By Adding Item 7.C To The Agenda

Motion By: Council Member 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

Via: Voice Vote

4-0-0

3. 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 00:02:39)

- A. Regular City Council Meeting Minutes Dated September 02, 2025
- B. Accounts Payable Dated September 10, 2025, in the amount of \$1,483,351.44
- C. Alcohol License
 - 1. Maverik #779
- D. Final Plats
 - 1. Case No. 25-15-FP (Final Plat) Madrone Heights Subdivision #4
 - 2. Case No. 25-17-FP (Final Plat) Paloma Ridge No. 1, modifying two (2) total lots.

E. Resolutions

1. Resolution R67-2025

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO AUTHORIZING THE MAYOR TO SIGN; AND AUTHORIZING THE MAYOR TO EXECUTE THE ANIMAL WELFFARE AND ENFORCEMENT AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

2. Resolution R68-2025

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT WITH THE ADA COUNTY PROSECUTING ATTORNEY TO PROVIDE PROSECUTORIAL SERVICES FOR CITY MISDEMEANORS FOR THE FISCAL YEAR 2025-2026.

3. Resolution R69-2025

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO AUTHORIZING THE MAYOR TO SIGN; AND AUTHORIZING THE MAYOR TO EXECUTE THE JOINT POWERS AGREEMENT BETWEEN THE ADA COUNTY SHERIFF'S OFFICE AND THE CITY OF KUNA RELATING TO LAW ENFORCEMENT SERVICES FOR FISCAL YEAR 2026 AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

4. Resolution R70-2025

A RESOLUTION OF THE CITY COUNCIL OF THE CITY KUNA, IDAHO AUTHORIZING THE MAYOR TO SIGN THE RENEWED AND AMENDED JOINT POWERS AGREEMENT BETWEEN THE CITY OF KUNA, IDAHO (“KUNA”) AND ADA COUNTY, IDAHO (“ADA COUNTY”); AND ADA COUNTY HIGHWAY DISTRICT (“ACHD”); AND THE CITY OF BOISE (“BOISE”); AND THE CITY OF EAGLE (“EAGLE”); AND THE CITY OF GARDEN CITY (“GARDEN CITY”); AND THE CITY OF MERIDIAN (“MERIDIAN”); AND THE CITY OF STAR (“STAR”) REGARDING DISASTER PREPAREDNESS, COORDINATION, RESPONSE, AND RECOVERY; AND AUTHORIZING THE MAYOR TO EXECUTE THE AMENDED EMERGENCY JOINT POWERS AGREEMENT; AND AUTHORIZING THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

5. Resolution R73-2025

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO:

- MAKING CERTAIN FINDINGS OF AUTHORITY AND PURPOSE; AND
- ESTABLISHING THE KUNA MUNICIPAL IRRIGATION SYSTEM POLICIES WHICH INCLUDE:
 - ESTABLISHING THE KUNA MUNICIPAL IRRIGATION SYSTEM CONNECTION, SERVICE, AND IRRIGATION SUPPLY FEES POLICY; AND
 - ESTABLISHING THE KUNA MUNICIPAL IRRIGATION SYSTEM UNIFORM IRRIGATION WATER SUPPLY ASSESSMENT METHOD POLICY; AND
 - ESTABLISHING THE KUNA MUNICIPAL IRRIGATION SYSTEM CUSTOMER BILLING AND PAYMENT POLICY; AND
 - ESTABLISHING THE KUNA MUNICIPAL IRRIGATION SYSTEM CUSTOMER SERVICE CHARGES POLICY; AND
 - ESTABLISHING THE KUNA MUNICIPAL IRRIGATION SYSTEM LOT AND PARCEL WATER ALLOTMENT POLICY; AND
 - ESTABLISHING THE KUNA MUNICIPAL IRRIGATION SYSTEM IRRIGATION WATER USE AND ENFORCEMENT POLICY; AND
 - REPEALING PRIOR CITY AND/OR KUNA MUNICIPAL IRRIGATION SYSTEM RESOLUTIONS R68-2024; AND
 - PROVIDING A SEVERABILITY CLAUSE; AND
 - PROVIDING AN EFFECTIVE DATE.

6. Resolution R74-2025

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING THE COST OF LIVING INCREASE OF TWO AND FORTY-ONE ONE HUNDRETH PERCENT (2.41%) FOR ALL FULL-TIME CITY EMPLOYEES; ADOPTING THE FISCAL YEAR 2025 STEP AND GRADE CHART FOR ALL FULL-TIME EMPLOYEES AS ATTACHED HERETO AS EXHIBIT A; AND DECLARING THE EFFECTIVE DATE.

(Timestamp 00:02:39)

Mayor Stear Next we have the consent agenda. Any questions or comments? Or... ready for a motion?

Council Member McPherson I'm good.

Council President Bruce Councilman, do you have anything?

Council Member Laraway No.

Council President Bruce I move we approve the consent agenda, as published.

Council Member McPherson Second.

Mayor Stear Motion is made and seconded for approval of the consent agenda. Is there any further discussion on that motion? Garrett, would you poll the Council, please?

Deputy City Clerk Garrett Michaelson Council Member McPherson.

Council Member McPherson Yes.

Deputy City Clerk Garrett Michaelson Council Member Biggs.

Council Member Biggs Yes.

Deputy City Clerk Garrett Michaelson Council Member Laraway.

Council Member Laraway Yes.

Deputy City Clerk Garrett Michaelson Council President Bruce.

Council President Bruce Yes.

Mayor Stear And that motion carries.

(Timestamp 00:02:51)

Motion To: Approve The Consent Agenda As Published

Motion By: Council Member 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

Via: Roll Call Vote

4-0-0

4. Public Comment

(Timestamp 00:03:15)

Mayor Stear Public comment. I didn't have anybody sign in. Is there anybody who wishes to address the Council that didn't get a chance to sign in? Alright.

5. External Reports / Proclamations

(Timestamp 00:03:30)

A. Constitution Week Proclamation.

Mayor Stear Next, it is Constitution Week. So, I'm going to do a proclamation and then hand it off to Linda.

Whereas the Constitution of the United States of America, the guardian of our liberties, embodies the principle of limited government in a republic dedicated by rule of law; and

Whereas September 17, 2025, marks the 238th anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

Whereas it is fitting and proper to accord official recognition to this magnificent document, and its memorable anniversary, and to the patriotic celebrations which commemorate the occasion; and

Whereas Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America, designating September 17 through September 21st, 2025, as Constitution Week.

Now, therefore, I, Joe Stear, Mayor of the City of Kuna, Idaho, do hereby proclaim September 17 through 21, 2025 as Constitution Week in the City of Kuna and urge all citizens to study the Constitution and reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.

And from the DAR, we have Linda here tonight to accept this copy of the proclamation.

Council President Bruce Thank you, Ms. Linda. *Jump in there, Biggs.*

[Laughter]

Council President Bruce Thank you so much.

[Brief Pause In Proceedings As Pictures Were Taken.]

6. Public Hearings:

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

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

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

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

(Timestamp 00:06:04)

Mayor Stear All right, that takes us to public hearings.

- A. Case Nos. 22-07-ZC & 22-15-S for Gallica Heights Subdivision. Applicant requests approval to Rezone approx. 132.5 acres from Agriculture (AG) to the R-4, R-6 & C-1 zones. Applicant also requests Preliminary Plat approval in order to subdivide the lands into 514 Residential Lots, 103 Common Lots, 20 Common Driveways, 1 Commercial Lot, 1 City Park Lot and 1 School Lot. The site is located within Section 10, Township 2 North, Range 1 West, APNs: S1310223100, S1310233700, and S1310233610. Troy Behunin, Senior Planner. ACTION ITEM

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

(Timestamp 00:06:06)

Mayor Stear Item 6A is case numbers 22-07-ZC and 22-15-S for Gallica Heights Subdivision. Application requests approval to rezone 132.5 acres from Agricultural to R-4, R-6, and C-1, Troy.

Senior Planner Troy Behunin Good evening, Mr. Mayor and Members of the Council. For the record, Troy Behunin. Kuna Development Services Department. This application before you this evening may look familiar as we have little history with this project. This evening, the request is to rezone... is to request approval of a rezone for approximately 133 acres from the agricultural zone to the R-4, R-6, and C-1 zones. It is also a request for a preliminary plat approval to subdivide the same site into 514 single-family lots, 103 common lots, 20 common driveways, a single commercial lot, for now, and a school lot. The subject site is located at the southeast corner of Columbia and Black Cat roads. The city's comprehensive plan identifies the subject property as mixed-use and medium density residential on the city's future land use map, also known as the FLUM, and staff finds that it does comply with that request.

Staff would like to just take a moment and highlight some of the history with this property and the project. This project came before the Planning & Zoning Commission in September of 2023 as a PUD, or a Planned Unit Development. It included a rezone, a preliminary plat, special use permit, and design review application, which was proposing C-1, R-6, and the R-12 zones. It included a pre-plat for a school lot, 615 residential lots, 86 common lots, and a single commercial lot. Through the public hearing process, the commission voted to recommend denial to the Council for the rezone, the PUD, the pre-plat, and they also denied the special use permit and the design review applications. On February 6th, 2024, this project came to council as an appeal of the Commission's denial for the special use permit and the design review and to go through the public hearing process for the rezone, the PUD, and the pre-plat. The Commission denied the special use permit and the design review applications. On February 6, 2024, this project went to, came to the Council as an appeal of the Commission's denial. *I think I just lost my place, I'm sorry.* Through the public hearing process, it was determined that the following things were determined. The

rezone was too high of a density and was not consistent with the comp plan. The rezone was denied due to inability of the City and School District to serve this project. The PUD and the preliminary plat were denied due to the denial of the rezone request. The Council voted to uphold the Commission's denial of the special use permit and the design review. The Council signed the findings of fact and conclusions of law on March 5th, 2024. On March 19th, 2024, the applicant filed a motion for reconsideration of the council's decision summarily.

At the April 16th council meeting, The Council received a memo from Director Doug Hanson stating 6 specific items that were outlined by the applicant in their request for reconsideration when deciding whether to grant their request: Failure to provide adequate reason statement, public works' comments, traffic comments, reliance on incorrect future land use map, compliance with the zoning standards, and failure to provide future guidance. In this memo from the director, Director Hanson, the legal considerations were provided as well as three possible outcomes or actions that the Council could take. The council voted 4-0 to remand the applications back to the commission for a public hearing in order to address the Council's reasons for their denial. After 8 months of coordination with staff, ACHD, and the charter school, including an update to the traffic impact study and a major redesign of large portions of the site, the applicant presents a new site plan which demonstrates the following under the direction of the Council. They remove the PUD, the Planned Unit Development, removal of the development agreement request, removal of the special use permit, removal of the high-density housing, a significant reduction in housing, they lost or removed 101 units, removal of attached housing options for single family housing only, addition of a centrally located charter school on a four acre lot and sharing a five acre city park. Additional pathways and internal pedestrian walkthroughs were also provided.

The applicant now proposes a rezone of approximately 132.5 acres and proposes to apply the C-1, the R-4, the R-6 zones with a request for preliminary plat approval in order to subdivide it into a commercial lot, 514 residential lots, 103 common lots, and 20 common driveways, with a proposed gross density at or about 3.89 dwelling units per acre project wide and a net density of approximately 5.01 dwelling units per acre project wide. This proposal includes a ready-to-go four-acre lot that is designated for a charter school.

Approximately 38 acres of this proposal was approved as part of the larger local improvement district, which also has a little nickname called the LID and that annexation took place in May of 2006. The balance of the property was annexed into the city in July of 2006 and also April 2007. Staff has reviewed the proposed rezone and the preliminary plat for compliance with the Kuna City Code, Idaho State Statutes 50-222, 67-65, the Kuna Comprehensive Plan, and the Kuna Comprehensive Future Land Use Map. The commission did recommend approval of these applications, as is demonstrated in the minutes from the Planning & Zoning Commission meeting and they did approve the design review for this application. Staff recommends that the applicant be subject to the proposed recommended conditions as outlined in staff's report should the Council approve this project. I know that the applicant is here tonight, they have a presentation to make, and I will be here for any questions that you might have.

Mayor Stear Okay, any questions for Troy at this point? Yes, Council Member Laraway.

Council Member Laraway Troy, I'm looking at the open space, and I've had this question before. Right now, I only see technically four open spaces. And I know you're counting the school as open space, I'm assuming.

Senior Planner Troy Behunin That's correct.

Council Member Laraway So, what happens if the school doesn't fall through? Because it's not a public school, it's a charter.

Senior Planner Troy Behunin That would be a great question for the applicant.

Council Member Laraway Okay.

Senior Planner Troy Behunin But I believe that there is also a representative here from the charter school. If not, they are on record, but the applicant can explain just how deep they are into negotiations with the school district.

Council Member Laraway Okay, thank you.

Senior Planner Troy Behunin Sure.

Mayor Stear Anything further? All right, Troy, thank you.

Council President Bruce Thank you, Troy.

Council Member Biggs Thank you, Troy.

Senior Planner Troy Behunin You bet.

Mayor Stear And if the applicant would like to step forward.

Elizabeth Koeckeritz, Givens Pursley Thank you. Good evening, Mayor, Council Members. My name is Elizabeth Koeckeritz. I am with Givens Pursley, Land Use Council, 601 Bannock Drive, Boise, Idaho. With me today is Tim Eck, the property owner and developer; Dave Crawford, who is our engineer; Jamie Marcosian, who was our traffic engineer; and then we also do have members from the charter school, the proposed charter school here today, who'll speak to you later. I want to start by saying thanks to staff. This project has been going on for a really long time, and they have been great to work with throughout the whole time. And so today I'm really excited to present the updated, newly imagined Gallica Heights. We incorporated all of the neighbor and City Council feedback that we received, and we think we've come up with a really good neighborhood that will be an absolute benefit to the city of Kuna. So, at the end of this, we are requesting approval of a rezone and a preliminary plan.

Now, so I'll just go over these quickly. The future land use map, it does designate the property as at the original submittal, it was all mixed-use. Now it is mixed-use and medium density residential. Importantly, as mentioned, all this property was annexed into the city all the way back in 2008. This has been part of the city for quite some time. As Troy mentioned, I'll also go over this rather quickly. We do meet a lot of the comprehensive plan goals. There's going to be a pathway along the Ridenbaugh Canal. It's really continuing a lot of the streets to and through Shayla Drive, as we'll talk about. Lots of housing options. The commercial area on the corner is great for a small business, a little small sort of strip of local serving businesses. So, it really does meet a lot of comprehensive plan goals. We also have a lot of subdivisions surrounding us. It's not out in the middle of nowhere. It is surrounded on three sides with platted subdivisions, including Sabino's Rocky Ridge to the south, which does have higher density than what we're proposing today. Then there's Saddle Rock to the north and Homestead to the east.

We're proposing, you can see here, the C-1, C-4... the C-1, R-4, and R-6 zoning. We heard what you said loud and clear about the neighbors did not like the R-12, neither did you. It didn't meet with the medium density residential that you were looking for. We also tried to propose some R-8. That also wasn't something that you were looking for. And one thing was that everyone said loud and clear was that these homes on the perimeter that are closer to the larger lots to the north, that are closer to the ag to the west, and then some of the larger lots directly to the east, that those lots should be the bigger lots. And so, we did make those the biggest lots, and they are zoned R-4. Our smallest perimeter lot is 8,300 square feet, and the R-4 zone only requires 6,000 square feet. So, we're actually really trying to upsize these lots to really lessen the impacts on those surrounding neighborhoods. As we move to the south and towards the interior and to where Sabino's Rocky Ridge is and where a lot of where there's still ag property, we do go up in density to that R-6 zone. We now do include a public park instead of private amenity space, and there is a... the charter school lot, which I'll discuss, and Kuna Parks & Rec has come out in support of this application. We also have enhanced connectivity throughout.

I'm going to skip over this because there's just a lot in black and white. It's really hard to see and touch on the open space. You can see that we do have a couple of pocket parks. There is the canal pathway, there is the city park, and

then there is the school site. The charter school can speak to it, but it is actually, they're public charter schools. They'll discuss that. They're not private schools. They're funded with taxpayer dollars, and they are absolutely public. And so, they will talk about the plans with the property, but it's anticipated that they will be there and they will be there for a long time and that they and this does meet all the requirements, under code, for Kuna open space. But I believe even without it, they're still with the Ridenbaugh Canal and all of the other pathways and little pocket parks and the bigger park here, there's ample open space sort of throughout this whole development with lots of internal connections as well.

Here we're zooming in a little bit on the public park and the charter school lot, and then this is a proposed the school that is proposing to come here. They have several locations throughout the state of Idaho, including one in South Boise. It's the 'Gem Prep' and it's a school that focuses a lot on getting all kids ready for college as well as other things, and there are actually quite a few kids who currently live in Kuna who are driving to the Gem Prep Meridian School in South Meridian and this would just be a really great opportunity for them to use this. The school will actually be able to accept almost three times, two and a half times, the number of students that would live in this development can attend this school. It will be big enough for that and they do plan on... they do historically bus students so that will also minimize some of the traffic concerns that get raised with the school. And then, of course, schools require a conditional use permit, so they would be back here before you for that in the future.

Speaking of, traffic is always really the big question on developments of this size. And here, as we'll discuss, there are numerous pending and proposed improvements to the roadway system that will help alleviate the impacts of the traffic. As with all developments of a certain size, Tim Eck is required to submit a traffic impact study to ACHD and receive ACHD's approval of the study. And to hire, as you guys know, to create the traffic impact study, you hire a traffic engineer, which is someone who goes to school and takes extra classes in engineering on how to best count traffic, figure out traffic, make our roads run smoothly. And so, they go out and they put the strips down, they do actual traffic counts, they go to best practices, standardized practices across the country, and really look at what this development will do to the intersections. And they don't get to do that in a vacuum, although, of course, I mean, it would be great if we could just look at the two intersections directly adjacent to the site. They work with ACHD and really determine the scope of what this could impact. And they are going out and they studied as far north as Victory and Black Cat, all the way out to the highway, and pretty much all of the intersections in between all got studied. ACHD reviewed the traffic impact study, what we were proposing, what the mitigations are, and determined that we are able to meet all of the ACHD policies and the traffic improvements and the traffic mitigations have been approved by ACHD at this time. On this slide, you can also see traffic engineers assess how the traffic will leave the subdivision where they anticipate it going 5% they anticipate will headed South on Black Cat, 25% head north on Black Cat and is sort of you'd expect 60% head east on Columbia and then sort of spread out from there as you get out closer to the highway and then 10% go West on Columbia and then start to spread out is what's anticipated.

The developer is, of course, these aren't improvements that are made at the taxpayer expense. Developers are required to do these developments at their own expense. And so, there are quite a few improvements that will be being made at Tim Eck's expense, including all the intersections, here the intersections heading up Black Cat and East on Columbia. They'll be installing a signal at the corner of Black Cat and Columbia, right here. And then heading east on Columbia, they're actually going to be required to do additional traffic counts as they get through building this development at different stages in order to see if what their beliefs and what the traffic issues are actually playing out and they're going to be subject to additional improvements from ACHD at certain traffic count numbers, like at the 100th home and at 364th home, they have to recount traffic, go back back to ACHD and determine the appropriate mitigations.

At Ten Mile they will be looking for a signal or a larger roundabout. At Columbia and Linder, they are installing turn lanes. Upon request from ITD they would be contributing to improvements at Columbia there, Columbia and the state highway. They also do all of the local improvements.

I'm just about done.

And those are all done at the developer's expense, including road widening of Black Cat, of Columbia Road, all of the roads to and through.

And just the last point I want to make about the ACHD, of course, is also doing these capital improvements. There's quite a few of them in the direct area. But then each house will also be paying impact fees, which fund those capital improvements both for the road system and for the parks, the police, the fire. And in total, this development will not be a huge detriment or any problem on the community. In fact, it will be in addition to the taxpayer dollars as this property continues to appreciate, they'll be paying with each building permit in total \$4.194 million. And of course, that goes up every year. So, with that, we request approval of the rezone and the preliminary plat. We have worked hard to do everything that was requested by city council and the neighbor. All services are available to the site. No one's had any -- none of the local agencies have had any real concerns with this development. We comply with the comprehensive plan. We comply with all its zoning standards, not asking for any waivers, any sort of special, specialty. And we are requesting your approval. I'll stand for questions.

Mayor Stear All right, thank you. Any questions for Elizabeth? Yes, Council Member Laraway.

Council Member Laraway I didn't hear what you said about the capacity of the charter school. How many kids are going to be in there?

Elizabeth Koeckeritz, Givens Pursley Good question, Council Member Laraway. I did not say the exact number. We have someone from the school who is here who could tell you that. I do recall reading that it was about two and a half times the number of students that the subdivision would generate, so we can take in students from outside, but there is someone here who will speak to that later.

Council Member Laraway Wondering the reason I ask is it seem and I'm not knowledgeable about this, but it seems like four acres is that enough for the school parking and the amenities. I see a basketball court, is that it?

Elizabeth Koeckeritz, Givens Pursley Mayor Stear, Councilmember Laraway, that's a great question. Is that what these charter schools have found is actually working in places, is that's why it's located next to a city park, is that the city parks are not very highly used during the day. They would not have exclusive use on the city park, but they can enter into agreements where they're sort of a shared, where they generally are going to be using a lot of the portions of the city park that just sit there empty through much of the day. And so, then there is plenty of space for these schools.

Council Member Laraway So if the school is going to use the city park, but I don't see a pathway or a walkway or anything to get the kids from point A to point B.

Mayor Stear It's adjacent.

Elizabeth Koeckeritz, Givens Pursley It's adjacent. It's all... here, let me show you.

Council Member Laraway I thought that not a part was where the school was. I apologize.

Mayor Stear The not a part is actually a property that's not a part of it.

Council Member Laraway *Not a part.*

[Laughter]

Elizabeth Koeckeritz, Givens Pursley This is, as you come down, if you were to tilt this 90 degrees, so that was Shayla Avenue, which is actually north-south coming off of Kayla, that's where that is.

Council Member Laraway You got me on that. Again, I apologize. I thought the other little thing was not a part was the school.

Council Member McPherson John, just for reference, Indian Creek, if you take the playground on both sides and the building is 6.13 acres. So that kind of -- that's how I had to figure it out. That doesn't seem very big either. Then I started comparing it and Indian Creek sits on just a hair over 6 acres. So, it's substantial.

Council Member Laraway Thank you.

Mayor Stear Okay, further questions?

Council Member Biggs Yes, sir.

Mayor Stear Yes.

Council Member Biggs Gem Prep is K through 12, right? As I understand it.

Elizabeth Koeckeritz, Givens Pursley That's correct.

Council Member Biggs Okay. So, I guess the high school students, or as well, junior high, for that matter, they'll possibly be leaning on the Kuna School District for sports, football, track, wrestling?

Elizabeth Koeckeritz, Givens Pursley Mayor Stear, council member, that is a great question. We have someone here who can talk about that. I know that they've been, the various charter schools have been leaning into the smaller leagues, playing against other people, doing some sports, not full sports, but that is a great question, and someone can address that more fully than I can.

Council Member Biggs Thank you.

Mayor Stear Anything further?

Council President Bruce Not at this time.

Mayor Stear Yes.

Council President Bruce Not at this time.

Mayor Stear All right, thank you very much.

Council Member Biggs Thank you.

Mayor Stear Okay, this is a public hearing, and Katherine Guido did not wish to testify, is that correct?

From Audience True. Yes.

Mayor Stear Tammy Hugh.

Council President Bruce Was she in favor or opposition?

Mayor Stear She had in support. Tammie Hough, yes, if you would go to the podium and state your name and address for the record, please.

Tammie Hough All right. My name is Tammie Hough, address 8397 South Old Farm Place, Meridian. We are in opposition of Gallica Heights. So, our biggest concern currently is the traffic and Shayla Avenue, how that's going to impact everything, and then the general picture of the traffic and road improvements that are scheduled. So, Shayla Avenue runs basically on the side of our property and with the lack of road improvement scheduled in the near future, we have big concerns that Shayla is just going to turn into a bypass for Ten Mile because if you have a way

to get off of Ten Mile and zip on down through, you're going to take it. So, from what I've seen, Shayla is proposed to go all the way from Lake Hazel all the way into Crimson Point out to Deer Flat. So, I did read that ACHD had concerns about the length and the straight alignment of Shayla with excessive speeding. For ACHD, there's no room to have Columbia expanded into five lane due to like easements, I believe it was, right-of-way. So because of that, one of our other concerns is we're a little bit confused as to the location of the school, knowing that they're going to have to be pulling out onto Columbia and if it can't really provide extra traffic space, Black Cat does propose to be widened to five lanes, but that's not like until 2040. So a little breakdown of the timeline for road improvements that I could find was in '26, there's only some maintenance stuff going on Hubbard. '27 we get a roundabout at Deer Flat and Ten Mile. '28, again, just some maintenance stuff. '29 a roundabout at Deer Flat and Kay Street, Ten Mile and Columbia. It's not even on the date time. It's potentially to be determined. So again, that's a ways down the road. And then out on Black Cat, like I said, it's not going to get widened to five lanes until, you know, 2040 and then a variety of all the roundabouts going down Black Cat. Again, those range from 2031 to 2040 to get those accomplished. So, we just have big concerns about where all this traffic is going to go. You know, we have to sit and suffer with all these big improvements being made or all these big housing developments being approved and no place to put all of these cars and things like that. So last time we were here, I believe a majority of you didn't want anything above R-4. So, consider that. So, thank you.

Mayor Stear Thank you very much. Andrew Bills.

Andrews Bills Andrew Bills, 4277 West Balivi Lane. I think I might have put in opposition there. I didn't realize it was either or, but whatever. I wasn't supposed to I wanted to go. I first in the 'not a part', I'm the last house in the not a part. We have a Nampa address in Ada County in the Kuna School District with a Meridian phone number landline. So, we are not a part of anything.

[Laughter]

So, I commend the developer highly. They listened. They came back with great revisions in my opinion. I had real concerns of the high density that they were doing. I think they went from 800 plus units down to now 500 over 130 acres. It feels a lot more reasonable in my opinion. Our concern or request I would put is we are going to be landlocked by annexed housing in, and we are Ada County still, and we're not annexed. We're still county property. There's three of us along that lane. My request would be to put a requirement on the developer to put stub outs to us doesn't mean you have to hook us up doesn't mean you have to bring it on to our property but to the edge of the property line for sewer, water, power, utility services, so that if we have the opportunity to either get annexed or if we are forced in annexation that we have hookups to city services right now all three of us are on a community well with individual septic and so if we're into a situation where we have to be forced into annexation or we want annexation, we're not having to tear up our entire lane to bring sewer, water, whatnot down in. And I think there's opportunity on our south line of our property where they could run up between two property lines, stub outs for us to be able to future hookups, whether that's us or future owners. But I'm on 3 acres and, you know, neighbors are in a similar situation. So I'm just trying to be forward thinking here I know that Nampa has been dealing with this over the last five eight years where they have all these infill you have stuff down in Nampa City downtown that is still Canyon County and not part of Nampa City and they're dealing with this so trying to be forward thinking on this so. Otherwise like I said I commend the developer they really I think listened and then as a parent both my kids have been going to charter school for the last, oh, too long. I'm old. And so, we love it. We have been so blessed to have gotten our kids into a charter school. I know we're in a small percentage there, but I think this is a great move. Thank you.

Mayor Stear Thank you. Bryan Fletche.

Bryan Fletcher Brian Fletcher, 12547 West Del Mar and Boise. Thank you, Chairman, Council members. My name is Brian Fletcher with Gem Prep Charter Schools. And I was actually the CFO down here at the Kuna School District for seven years. So, I look forward to the opportunity to serve the community of Kuna once again. Tonight,

I'm here to share information about the school that we hope to build in the Gallica project, which will be named Gym Prep Kuna. And a little bit about Gym Prep is, as mentioned before, we are a free Idaho public charter school. So, we're funded and operate in the same way that the Kuna School District or any other school district in the state of Idaho does. The name implies private, but we are a public, fully funded public charter school. Our mission is to provide a robust academic experience for students with an emphasis on college prep, and we strive to have majority of our students graduate with 18 college credits or even possibly an associate's degree. While our focus is on the college prep, our interest really is to serve all students regardless of their go-on interests. There are currently seven Gem prep schools in the state of Idaho. We have three in Meridian. One in Nampa, one in Twin Falls, one in Pocatello and the original school is an online school. So, you may have heard of Gem Prep Online. Collectively, we're serving over 3,200 students across the state and we're currently working on opening up our eighth school, which is in Idaho Falls and we're shooting for the '26- '27 school year. A little bit about the Kuna school. When fully built out, Gem Prep Kuna will be about 50,000 square feet and will serve 574 students. It will be a K through 12, it'll be a K through 12 grade count. Today we're actually serving about 145 students who are in the Kuna area or are considered Kuna residents. Most of those are actually at our Gem Prep Meridian South location, which is on Lake Hazel Avenue.

Gem Prep will be open and available to the entire community, so it's really not limited to just the students who reside in Gallica as the attendance zone will expand beyond the development and cover much, if not all, of the city of Kuna. An estimate that was shared with us is that Gallica will generate approximately 250 potential K through 12 students, which even if 100% did enroll with Gem Prep Kuna, there would still be considerable capacity for interested students in all of Kuna. We'll offer busing and child nutrition in year one of operation, and our first year, we typically provide one, possibly two buses, of operation that are and that's scalable and is driven by the number of students and the demand. At full capacity, we'll offer about four or five routes, and again, that all just is based on and revolves around the demand. In closing, just a quick snapshot of Gem Prep as a whole and gym prep specifically. I'll just address a couple of questions that I did hear come up from council real quick. Generally, it's, *would you like me to just end?*

Mayor Stear Yeah, please, go ahead.

Bryan Fletcher Okay, so I'll say thank you very much for the time and the opportunity to present. We're excited to be a part of the Kuna community again, and if you'd like me to address those, I think there was three questions. So, the first question was, that was asked was what was our student count going to be, 574? Theoretically, it could be 600, but 574 is what our charter count is. As far as sports with the local school district, Most of our students actually don't participate in sports with the local district. We do generally sign dual agreement enrollment, dual agreement, dual enrollment agreements with the local district. And so the Gem Prep students can go play with the local school district. They have to comply with all the requirements that the local school district imposes upon those students. But as I mentioned, most of our students are actually not generally oriented towards athletic endeavors. And Gem Prep does offer extracurricular activities. We're working on a basketball league, an intramural basketball league. E-sports is something that's become very popular. We're working on that. And I don't remember the third question. If you want to pitch that or any other questions, I'm happy to answer.

Mayor Stear Did anybody else have any questions for Mr. Fletcher? *In my defense, you didn't put an R at the end of your day.*

Bryan Fletcher Yes, my penmanship has much to be desired, so I apologize for that.

Council President Bruce I had one thing.

Mayor Stear Yes, go ahead, Council Member Bruce.

Council President Bruce The charter school are publicly funded to build, correct?

Bryan Fletcher Actually, not to build. So, we don't have levy or taxing authority. So, we actually have to go out into the what I'll call the financial marketplace to raise money. And we facilitate that usually by either selling long-term bonds or getting a bank loan. And we often have the support of organizations like the JCAF, the Joe and Catherine Albertsons Foundation, that helps support us in that endeavor.

Council President Bruce Yeah, I remember they were privately built. I just wanted to make sure.

Bryan Fletcher Yep.

Council President Bruce Thank you.

Bryan Fletcher So we won't impact any of the tax base in Kuna. And I just remember the third question, which was, is three acre or four acres enough? And several of our schools are on four acres, and one of them isn't adjacent to a park. So that does provide even additional space for us to use during the course of the day. So, four acres means that we'll build a double-decker school instead of a single level. But we certainly have no problems operating on a four-acre plot of land.

Mayor Stear Okay. Any further questions for Mr. Fletcher? No? All right.

Council President Bruce Thank you, sir.

Mayor Stear Thank you.

Council President Bruce Thank you. Appreciate the time.

Mayor Stear And that's all I had to sign up. Is there anybody else who wishes to... Danielle? *Yeah, either one of those spots is fine.*

[Brief Silence]

Mayor Stear Is there anybody else who wishes to testify and didn't get a chance to sign in? Okay, thank you.

Danielle Horras, Kuna School District Good evening, Mayor, Council Members. Danielle Horras, 711 East Porter, representing the students of Kuna School District. I am so glad to be back here. I'm so happy to see all of you. So, we did submit a letter in the packet, and I'm here today to let you know our letter of non-support does still stand. The impact of this development of Gallica on Kuna School District does stand to be possibly significant. And I'll explain why I said the word possibly. While we recognize that there may be some mitigation with the building of the charter school you just learned about, it's important to note that the very admission process of the charter school allows for denied student enrollment. And I want that to sit because that's an important message. Unlike charter schools, Kuna School District cannot and does not deny entry. There is no application process, and we serve every single student who walks through our doors. We have to. We must. All students that walk through our doors, they need a classroom, a desk, and a qualified teacher. We do have one charter school in Kuna right now. They serve pre-K through 8. And I pulled that data up just to get an understanding of what Kuna data is around charter school enrollment and comparing the two, Kuna School District does serve a higher percentage of free and reduced lunch, so socioeconomically disadvantaged kids. We do serve a higher percentage of Hispanic, English language learners, and special-ed students. And I'm happy to share that data should that be an interest. So again, to reiterate, charter schools can and do deny admission. They do require parents to apply their child to their schools. So as a student, you would need that parent to do that for you. Traditional public schools deliberately do not deny enrollment. That's what we exist to do is to serve those kids. So, as I'm talking to you today, we have to make plans to have space for any child who seeks to learn from Kuna School District.

So, let's talk about the enrollment impact. So, for Gallica Heights, based on the proposed size of this development, we estimate about 257 students from this development. So, looking at where that's zoned, that's at Crimson Point

Elementary, and Crimson Point Elementary right today is at 83% capacity. Kuna Middle School is at 95% capacity. And I'm sad to keep saying this, I hope to change since I've been here last, but Kuna High School is at 110% capacity. We've got 1,851 high school students walking through our hallways. We only have space for 1,688. And I invite all of you and anyone in the audience to come walk through those high school hallways, and you can tell that impact in those hallways. So, path forward, here's what I'm recommending, I never want to come with an either/or, and Kuna School District represents partnership. I did have a positive conversation today with Mr. Eck. I have always found him to be collaborative, thoughtful, forward thinking, even about the partnership he brought in today exhibits that. He agreed to schedule a meeting between Kuna School District and Cory Barton to explore a partnership that could add four classrooms at Crimson Point. If this partnership does become a reality, KSD could reconsider and reverse our letter of non-support. Thank you for your time.

Mayor Stear Thank you. Questions for Danielle?

Council President Bruce I did.

Mayor Stear Council Member Bruce.

Council President Bruce Hey, it's nice to see you again.

Danielle Horras, Kuna School District It's nice to see you.

Council President Bruce Thank you. So I think my problem when we talk about the school district is that we have some developments that show up and we've asked over and over like, you'll have developers who will work and partner, but we don't see what that partnership looks like if it actually adds capacity or if it's classrooms or teachers or buses, we just see 'hey, we're going to partner with them, we're good to go,' but yet we're adding hundreds of homes here. What we've asked several times is give us a capacity plan. What is the Kuna School District's plan to address capacity? Is it mobile units? Is it school buses? Is it teachers? And I know there's a couple of board members who have asked, who have tried to get that, but that's what we need to make the decision so that we could say, 'hey, this is going to fit their plan, or if it's not, what do those partnerships look like?' Because when you show up and you have several 100 homes and it's like we partner with them, but us as Council, we don't know what that looks like. And so, at least for me, I'd like to have some type of capacity plan. So, when you say, hey, we will partner, you could tell us this is going to add mobile units, buses, this is what we're doing. So that's just for me personally.

Danielle Horras, Kuna School District I think having a plan, Mayor, Council Member, having a plan makes a lot of sense, I can tell you. The plan is we need money. That's the plan. The plan is we need to build schools, and it's not just on the backs of developers. We need our community members to pass bonds. And one of our message points is we think it's fair for everyone to pay a little bit and not put all of the cost of growth on the families of Kuna, which is why we ask for cash from developers.

Council President Bruce Yeah, and I don't think that that's a problem. I just think when you do have contributions to the school, we just need to see where it goes...

Danielle Horras, Kuna School District I can do that.

Council President Bruce So that we know it's actually adding capacity and not on, a baseball field somewhere or, because we don't know, right? And so that's my only concern is, and I know folks don't want to have their kids in mobile classrooms, but at the same time, if they see their kids having to go to mobile classrooms, maybe they pass a bond, right? Maybe they show up and they say, 'hey, we don't want to do this. We know we need a school. Let's move that ball forward' because that's how Idaho builds schools, you know? So, thank you.

Danielle Horras, Kuna School District So, Mayor, Council Member, I agree. I think we all have to sit down at a table and build that plan and decide together what we want and what's right for our kids.

Council President Bruce Thank you, so much.

Mayor Stear Anything further?

Council Member McPherson No.

Mayor Stear Thank you very much. All right, and again, that's all I had signed up to testify. Is there anybody else who wishes to? Okay, rebuttal.

Elizabeth Koeckeritz, Givens Pursley Elizabeth Koeckeritz, Givens Pursley. I'm here with Tim Eck who is going to also make some comments. Just some really fast rebuttal first to Andrew Bills. Absolutely we can work with you to figure out a stub into that property. I think that's a really great idea and it shows a lot of foresight because eventually you're going to have to connect to sewer and water. Columbia Road will be expanding to three lanes. That's on the master street map. Shayla Avenue has been planned on the master street map for years and years as being the mid-mile collector going through this area. One of the things that is required from city code is that there will be behind the homes that live on in this area, there will be a fence, then there is 20 foot of buffer, then there's the street, then there's 20 feet of more buffer, then there's the subdivision. So, there is quite a bit of separation. There's actually way at the bottom a map that shows how far apart some of these homes are from the nearest sort of to the to the actual house to the edge of the properties. So, there is some distance there. And then I believe that Tim Eck just wanted to address a couple things with you.

Tim Eck Yeah, for the Tim Eck, the applicant, 6357, Bueno Vista Lane Star, Idaho. Thank you for all your time this evening and consideration of this project. We're really excited about the charter school that's going in and they have emphatically denied the ability to deny enrollment. They also have provided at City Council the percentages of special needs students that are attending the local their local schools and they meet or exceed the attendance of special needs children at the district schools. There will be there have priority level, priority enrollment levels in their enrollment system. Top priority, the donors. So, if Corey and I decide to have a couple more kids, they can go there. That's probably not going to happen. Children of staff. It makes sense that if a teacher's working there that they should have a priority to bring their children there. The next level is geographic. It's the city of Kuna. So, they don't accept application of students outside of the city of Kuna until there are no more applications of students within the city of Kuna. So as this school is focused on our Kuna students, and we have more than twice as much capacity as seats that will generate. So, we should be producing a negative, a reduction in impact on the chart, on the district schools because we will be able to accommodate, they're overcrowded, they're overcrowding. If they need capacity they can come to these schools and they are free and they are public. Shayla is currently being constructed right now through different subdivisions and with this with if this is approved with the existing approved plats Shayla will be constructed as a mid-mile collector that has a reduced speed limit from Columbia all the way to Deer Flat so one of the things the traffic dispersion graph didn't show is the traffic that would be going down Shayla because today it doesn't exist but once it's done if you want to come to Kuna you can go down Shala to Deer Flat you can go down Shayla to Ardell to Hubbard to Wingover all these different strength roads that can get you to Kuna, get you to Ten Mile Road so you're coming to Kuna you're not going to go the wrong direction and then go to Columbia you're going to go the you're going to go south on Shayla and take one of multiple arterials, miles road, mid-mile roads, up to Ten Mile. *I don't know if you had anything to add on traffic.*

[Inaudible]

And so we do have our traffic engineer. If there's any questions about the traffic, the traffic impact study, the size of the study, how far out they made a study. Not only intersections are studied, but road segments are studied. And, you know, they've given us all the mitigation we need to do and we get the pleasure of doing it. And so in addition to all those mitigation fees, \$4.2 million, you know, we get to do all these major infrastructure improvements. And I will gladly stand for any questions you may have.

Mayor Stear Good. Questions for Tim?

Council Member Laraway Question. On one of the slides, It's got all the traffic improvement recommendations. Are those upgrades coming from you or are those suggested upgrades for future ACHD projects?

Elizabeth Koeckeritz, Givens Pursley Great question. We have both. We have this slide, is all the traffic improvements that Tim Eck is being required to do out of his pocket. And then there are on the next slide, which includes a signal all the way up at Black Cat and Victory. Obviously, this corner is going to get signalized fairly early in the process, as well as different improvements going along and through here, because some of these places have not been on ACHD's capital improvement plan. Then you scroll down and everywhere with a circle on here or a line in color is something that is on ACHD's capital improvement plan, which would include roundabouts here, roundabouts here, going up here, some road widening. But those are the intersections that they currently have capital improvements for or road widening projects on. And so all of the dots throughout, I mean, there's quite a bit, I mean, there's quite a bit of stuff going on in Kuna, but there's definitely areas that ACHD has not planned any improvements on and those are the places where Mr. Eck will have to be paying for the improvements himself. And then those, as I mentioned, are paid for by the, primarily by, the traffic impact fees as they accrue and collect over time.

Council Member Laraway Thank you.

Council Member Biggs I have a couple questions. On the phase-out plan, you had the school in the city or the city park in phase one. So, it's expected that when the houses are starting to be built, the school should be, I'm not going to say ahead of it, but around the same time. It would be, in a perfect world, it'll be built around the same time?

Elizabeth Koeckeritz, Givens Pursley That is correct.

Tim Eck So the school has to come forward for a conditional use permit?

Council Member Biggs Right.

Tim Eck And if we're approved, we will get that wheel in motion as quickly as possible to get their conditional use permit through the process. They will also have their own traffic impact study and have their own consequential mitigation. And we want to have the school site and the park in phase one so that we can get it platted and through, I don't know if we're going to have a development agreement, but through a condition of approval it will be deeded to the charter school and then they'll begin the process of construction. So, ideally they could, they could get to a very close, very close to having their conditional use permit in place probably faster than we can get construction drawings completed for phase one and through all the approval process. So they should be able to have their approvals in place by about the time we're able to start, before we can put a shovel in the ground. And then, you know, they'll move forward as, you know, as fast as their plan allows. But recognizing that once we stick a shovel in the ground, probably at least a year before we have a C of O. And, you know, will the school be built and open before we have a C of O? No. But if we have 100 lots, we generate 50 students. And if we have 200 lots and the school gets open, we have capacity for, I don't know how the phase out building goes, but capacity for significantly more students than we're ever gonna produce and this is a K through 12 school.

Elizabeth Koeckeritz, Givens Pursley So phase one is 65 lots and we will be pulling the sewer and the water and all the utility extensions down. So it won't be, it just timing wise, it probably won't be with the first, as the first person moves in, but it can be quite shortly thereafter within the next year.

Council Member Biggs Because the ultimate goal is mitigation for the city as well as obviously the subdivision. So that's why I ask. And we all know what the numbers look like for especially the secondary schools. So my other question was, and it was brought up earlier, was about the Shayla, Columbia issue with, and we just, you just

mentioned the traffic study that'll have to be done. But ideas for that, because I can imagine school buses trying to make a left or a right turn onto Columbia being a problem off of Shayla.

Tim Eck Well, they'll have five other routes to get to Ten Mile. Sabino's is being built right now. Ewing Meadows is being built right now. By the time we get this built and the school is online, they should have multiple options of which way to go. And then, of course, they'll have their own traffic impact study that will determine what additional impact they're going to place on that intersection and they'll have to do whatever mitigation is required at the intersection.

Council Member Biggs Well, I live on the south side of the track, so I definitely understand multiple ways to go. I preferred ways to go, but I guess.

Tim Eck And ACHD got a bond to engineer the crossing.

Council Member Laraway So technically, you're not part of it.

Tim Eck So, I mean, the goal is to build schools.

Mayor Stear All right, further questions?

Council Member Laraway No, sir.

Council President Bruce I do the... thank you by the way for explaining everything. The conversation that you're planning on having with the school district that was correct that was she speaking correctly about possibly having that conversation in the future?

Tim Eck Yes we will you know Corey's... Corey has always been willing to talk and when I talk to him about having a meeting with the school he goes you know all they got to do is call me and so I know Corey's more than willing to sit down and talk about something that is going to fix or help repair the problem. Putting money into fixing soccer fields and deferred maintenance and stuff like that does not get us, you know...

Council President Bruce Add capacity.

Tim Eck And any closer to adding capacity. We're going to add twice as much capacity as we're going to produce and if there's something that can be worked out to participate in getting some classrooms built at Crimson. We're glad to talk. I can't speak for Corey, but he's always told me that he's more than willing to talk about it.

Council President Bruce Thank you.

Mayor Stear Good, anything further?

Council Member Laraway I just appreciate the consideration you took from all the other meetings and what you have displayed now. Thank you.

Tim Eck You're welcome.

Council President Bruce I don't have anything further. Thank you.

Mayor Stear Thank you very much.

City Attorney Marc Bybee Mayor, just sorry, Marc Bybee, City Attorney, just for the record because I have to worry about transcription, the two individuals that were taking turn answering those questions, the female voice was Elizabeth Koeckeritz, the male voice was Timothy Eck, I just think there could be a transcription or if this gets transcribed there could be a transcription or if that's the word that would be confused a little by that so I wanted to clear that up.

Mayor Stear Very good, thank you.

Council President Bruce Glad to have you here, Marc.

Mayor Stear All right.

Council President Bruce Anyone have any other questions for anyone before?

Council Member Laraway No, sir.

Council Member McPherson I don't.

Council President Bruce All right. I move we close evidence presentation and move to deliberation.

Council Member McPherson Second.

Mayor Stear Motion's made and seconded to close the evidence presentation and proceed to deliberation. Is there any further discussion on that motion? All those in favor say 'aye.'

All Council Members Aye.

Mayor Stear Any opposed? That motion carries.

(Timestamp 01:04:15)

Motion To: Close Evidence Presentation And Proceed To Deliberation

Motion By: Council Member 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

Via: Voice Vote

4-0-0

Council President Bruce Do you want to start, sir?

Council Member Laraway Point to get me going.

Mayor Stear Council Member Laraway.

Council Member Laraway Yes, thank you for putting me up here. I just appreciate the reconfiguration that the developer has put into this. I mean, we did not want the R-12s. We didn't like the R-8s, and the developer came up with something that's palatable. I think my biggest juggle is what we were talking about the school district. They're talking about overcapacity, but yet we have an opportunity, if you will, for a charter school to absorb some of that capacity that is going to help the school district out in the long run. I guess that's about it. The school districts and your comments about what exactly are these benefits going to the school district from developers, it's not enhancing the capacity of the schools. Now we have something before us that is actually fixing some of the problem, and that's my two cents.

Mayor Stear Council Member McPherson.

Council Member McPherson Well, yeah, again, I'll echo, you know, we beat him up pretty hard last time. This was before it's about density neighbor complaints and they've addressed a lot of that with the school going in potentially. That's a huge help. Hopefully Tim and Corey and the school district can sit down and really work something out there. I think also adding the, you know, just on a whim, adding the sewer connections for the neighbors that are not apart. That shows a lot to just throw that in last minute like that.

Council Member Laraway You're talking about the sewage and water hookups?

Council Member McPherson yeah, yeah.

Mayor Stear For the 'not a part.'

Council Member McPherson The not apart, yeah. This development's come a long ways from last time we saw like a long, long way. So, I don't see how we can beat them up much harder. They've done a lot of work to get it to where we like it.

Council Member Laraway Yeah, and I mean, if you think about it, a lot of this developments that we deal with, the biggest hiccup we have internally I know three of us do I'm sure four does is how does it impact the schools and that's my thing with this is this is absorbing some of that problem and it makes me feel better about a decision.

Council Member McPherson Right, schools and traffic.

Council Member Laraway School's a school kids getting educated. Sports are still available through the school district.

Council President Bruce Well and I think that's where we've gotten to is that, a lot of these developments we focused heavy on the school district because we want to make sure the kids have uh a seat to put a butt in, right? And the developers are showing up and they're not they're building their own schools that are privately built and that's not on the taxpayer um so they're at least trying to add capacity obviously people will continue to go to public schools we still need to figure out how that how we fund that and that's a state level thing maybe I can bark at someone next session but at least they're trying. The traffic does concern me I mean I think obviously the amount of traffic that all of these developments are producing that are they're moving different directions are just going to be I mean it's a nightmare getting out of the city already I have those concerns but the problem is ACHD won't come out and build anything until they're start with houses. They're behind the curve, right? And I don't know how we fix that.

Council Member Laraway Well, that's why I was asking about all these little green boxes. Who was going to be responsible for that?

Council President Bruce I mean, I think they're, you know, they're way behind just in general, especially for the amount of money that they collect out of our district and spend it somewhere else, so I'd like to. I'd like to figure that out a little more, that the traffic just in general, because there's a quality-of-life thing sitting in traffic for so long. You know, I think that does change the way you feel about what you do in life. But I mean, it is adding school capacity and the traffic does concern me. So those are my thoughts about it.

Mayor Stear Council Member Biggs.

Council Member Biggs It's feels I don't...little mixed feelings to get this great school. We have to build to get this great school. It would be nice to address the capacity, but the nature of the business, like you just mentioned, with ACHD is it's more reactionary...

Council President Bruce Yep.

Council Member Biggs So you have to feel the pain a little bit before you can sometimes reap the benefits. But I know after the last time we went through this, for this subdivision, if I think they drew it up probably better than I

could have imagined for the things that we mentioned, like the 50 mile per hour, having those lots that were on the road or across from the R-1 communities. It's a nice transition. I couldn't have mapped out, even in my own dreams, probably any better than this. Love the idea of the school and the park. Looks like lots of green space. The traffic's going to be a problem.

Council President Bruce Yeah.

Council Member Laraway Well, the traffic is going to be a problem. I think the traffic's always going to be a problem, but I think-

Council Member Biggs It's a problem.

Council Member Laraway They're part of it. See, I got that one right. The, you know, Ten Mile is going to be getting bigger *and bigger and bigger* because of the freeway exit. Linder is going to get bigger and bigger because of the overpass. So north and the south, traffic eventually will move. I don't know really what the plan for ACHD on Columbia Road is.

Council Member Biggs My hope is that at least slow down or, you know, get the speed limit down to 35 or something, 50, I can't imagine it's going to be a realistic can stay can stay that way at least on those roads that are that close to that many people especially the with the amount of extra trips that's going to be and that's in the study, so...

Council President Bruce Well and I'd like to see ACHD at some point say like 'whoa we're too far out' right? but they're kind of like Meridian they haven't found a development they don't like.

Council Member Biggs They have a lot of plans I'll give that to them.

Council President Bruce That's all I have to say. I mean, I think we've seen him several times. He's met all the requirements that we've asked. We've cut the project almost in half, or by a third at least. It was annexed into the, when was this annex, Doug? This piece of property.

Planning & Zoning Director Doug Hanson For the record, Doug Hanson, Kuna Planning & Zoning. I will turn to Troy for that. I believe he mentioned that in his presentation.

Council President Bruce Was it '08?

Council Member Biggs it was '07 or '08, I think.

Council Member McPherson It was part of the original, LID

Senior Planner Troy Behunin For the record, Troy Behunin, and that's a great question, Council Member Bruce. Yes, part of this was annexed as part of the local improvement district, which was a fund for the sewer plant. That was annexed in 2006. The remaining balance was in 2007 and 2008. So at least since then.

Council President Bruce And was that LID development agreement, was it still the same as we've seen before with the LID, giving them the ability to have it zoned how they'd like? I know that we've seen those before. Is that similar? Like with the Yamamoto property they had, they were part of that LID district where they, is this a similar type?

Mayor Stear Most everything that was brought into the LID originally was given entitlement to R-6.

Council President Bruce Okay.

Mayor Stear And that's how that was developed. In some pockets, there's more, some there's less.

Council President Bruce Okay.

Mayor Stear So it varies now. And that's when these come to you is changing that up.

Council President Bruce And that's what I was curious about. So all right. Councilman Laraway?

Council Member Laraway I'm good.

Council President Bruce So I guess we're all in. I don't see a legal reason to.

Council Member Laraway I'll make a motion.

Council President Bruce Yeah, go ahead.

Council Member Laraway I'll make a motion that we approve case #22-07-ZC and #22-15-S and to follow staff recommendations.... And do I need to bring up the sewer hookup and the water?

Mayor Stear For the stubs.

Council Member Laraway for that 'not a part'?

Council President Bruce Not a part.

Council Member Laraway 'Not a part of it.'

City Attorney Marc Bybee Marc Bybee, City Attorney. I appreciate the question. Those things are like, the city can't compel that in its decision-making. That's just going to have to be by private agreement.

Council Member Laraway It's on record, so that's all we need, right?

City Attorney Marc Bybee Say that again?

Council Member Laraway It's on record, so that's all we need?

City Attorney Marc Bybee Well, yes, I think they could use that if, you know, like the landowners, if the developer didn't follow through and make that offer and try and sort that out, I think they could point that out on the record for sure, but as far as just your decision-making authority. That's not a condition I believe the city has the authority to compel.

Council Member Laraway Thank you.

Mayor Stear Okay, so motion is made and seconded to -- *did we have a second?*

Council Member McPherson I'll second it.

Mayor Stear Okay. Motion is made and seconded to approve case #22-07-ZC and #22-15-S with the staff conditions included in the packet. *Did I get that correct?*

Council Member Laraway Yes, sir.

Mayor Stear All right. Any further discussion on that motion?

Council President Bruce Everyone's same place?

Mayor Stear All those in favor say 'aye.'

All Council Members Aye.

Mayor Stear Anyone opposed? And that motion carries.

(Timestamp 01:13:59)

Motion To: Approve Case #22-07-ZC And #22-15-S With Conditions

Motion By: Council Member Laraway

Seconded By: Council Member McPherson

Further Discussion: None

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

Members Voting Nay: None

Members Absent: None

Via: Voice Vote

4-0-0

7. Business Items:

(Timestamp 01:15:40)

Mayor Stear That takes us to business items.

A. Intergovernmental and Joint Powers Agreements with Ada County (R71-2025) and Ada County EMS (R72-2025) regarding CIPs. Nathan Stanley, City Clerk. **ACTION ITEM**
(Timestamp 01:15:45)

Mayor Stear Intergovernmental and joint powers agreement with Ada County and Ada County EMS regarding CIP's. I think Marc was going to take this one since Nathan's not here.

City Attorney Marc Bybee Marc Bybee, City Attorney. So what's, *I'll give them a second to clear out if that's okay.*

Mayor Stear Yeah, soon as the door can move out, we'll...

[Brief Pause In Proceedings As Members Of The Public Exit Council Chambers]

City Attorney Marc Bybee All right. Marc Bybee, City Attorney so what these two agreements are... you guys may recall may or may not recall because it's some time ago that um I forget the individual's name Leon Letson from Ada County came and presented about the desire of Ada County and Ada County EMS to establish impact fees that are collected within City limits. Now because even though it's Ada County, they don't have jurisdiction to adopt ordinances that are applicable within the city's boundaries. And so if they want to collect impact fees from city residents and not just from individuals that live in unincorporated Ada County, they need the cities to be willing to adopt ordinances allowing for the collection of their impact fees.

What these intergovernmental agreements do is kind of the first step in them being able to potentially establish the impact fees within the city. It does not actually establish the impact fees, but basically it's representing a willingness by the city to go down this path to consider the capital improvement plan developed by Ada County and to potentially use the city's ordinance authority to adopt an ordinance that establishes those impact fees in the city.

It's kind of similar to the relationship between the city and the fire district whereby the city adopted an impact fee ordinance and collects impact fees for the Kuna Rural Fire District um and then remits those after collection and they also the city did adopt and like the CIP Capital Improvement plan that was prepared and adopted by the fire district that's been adopted and become part of your comp plan as well. So those are ext steps that would happen is that CIP work ordinance adoption if the city is satisfied after seeing the CIP that it wants to adopt those fees.

And so again, first step, but not last step, and there will be other decisions you'll have to make before this would actually be formal that impact fees would be established within the city and similar to all impact fees that'd be collected at the time of development because their fees paid for the impact caused by the development. So, it's not something that's going to be paid by existing residents unless they decide to develop something new within the city. And just one point, I know this can kind of be confusing. Ada County EMS is technically a different governmental district, and so that's why there's two. It's odd because the Ada County Board of Commissioners sits as their commissioners, but it is a different government entity, so they have different impact fee authority, and that's why there's two agreements.

Mayor Stear Yeah, and these are the ones we've talked about before. It provides for the Sheriff's Department, the Coroner's Office, and EMS, and all of the things that all the services that the county provides that they are unable to collect impact fees on.

Council President Bruce I have a question.

Mayor Stear Yes.

Council President Bruce So obviously all of those things we've talked about, do those fall under the umbrella of police? Because when we talk about impact fees and collecting, we've always said we've got fire, police, and parks, and that's all we can collect for, right? That's been our big headache with schools is, so do these fall under police?

City Attorney Marc Bybee They don't fall under police. So the reason you can collect those right now, it's kind of a multi-part question, but the short answer, the city's already adopted ordinances for those categories of impact fees. And periodically, the city has done updates to its capital improvement plan. And then that's some of the times resulted in code updates as well, but at the very least results in a comp plan update when you do a new capital improvement plan. But those, yeah, police, fire, parks, all are, you have already adopted ordinances for all of those. This new, these new fees would require a new ordinance because it'd be a new fee category, it wouldn't fall under police. Because the police ones too, those are collected by the city and kept by the city. These ones would be collected and then sent to Ada County. You would just be acting as the collecting party and that's part of the reason for the contract. It's part of the reason for why you must adopt an ordinance.

Council President Bruce Well, and I understand that. I'm just saying that, you know, when we talk about like for a school district, we could do this for a school district, right?

City Attorney Marc Bybee Yeah.

Council President Bruce Or why couldn't we do this for a school district if we're doing the same thing, which these are not listed under state code as police, fire? 'Cause that's the argument that we always go back and forth with, why does developers not pay an impact fee to schools? Should they pay an impact fee to schools? And the argument is, well, they're not listed under the state statute that says impact fees are collected for parks, fire, and police. And I'm not trying to be difficult, I'm just saying if we're getting out of that box of fire, police, or parks, then why couldn't we do that with public schools as well?

City Attorney Marc Bybee I understand your question. So this gets specifically to Idaho Code 67-820(A).

Council President Bruce Okay.

City Attorney Marc Bybee And so the way impact fees work is Cities and Counties have the ability to adopt impact fee ordinances for their own limit, within their own limits, right? And so if we want to collect as a city police impact fees, we adopt an ordinance, we adopt our own CIP, we put in our comp plan, we start collecting them. Counties can do similar for the unincorporated portion of the county, but not within city limits. Now it's not about specific fee categories but it's about the entity collecting... what Idaho code 67-8204(A) says is for government

entities that can't adopt their own ordinances so that's every government local government entity besides a city or a county They have to enter an intergovernmental agreement with a city or a county to collect the fees.

Council President Bruce Right.

City Attorney Marc Bybee And it lists specific entities in that statute that can enter those agreements. The specific entities, highway districts, fire districts, ambulance districts, water districts, sewer districts, recreational water and sewer districts, or irrigation districts. That's the list. School districts are not in it. And the other caveat, because It also says governmental entities defined as defined in section 67-8203 sub 14, which is cities and counties or government entities that are jointly affected by development are authorized to enter intergovernmental agreements with each other. So, not only can they enter it with those other districts, but cities and counties can also enter agreements together, with each other, to collect within their respective limits.

Council President Bruce Well, and I was just curious of where they fell under that, so.

City Attorney Marc Bybee Yep, it's because they can, cities and counties can contract with each other, and that's what this one is.

Council President Bruce And the Coroner falls under what jurisdiction?

City Attorney Marc Bybee Coroner is, I'm pretty sure, a department of Ada County.

Mayor Stear Yes.

City Attorney Marc Bybee Yeah. It's a different elected office, but it's a department of Ada County.

Council President Bruce Awesome. Thank you, good sir. I'm getting my money's worth from you tonight.

[Laughter]

City Attorney Marc Bybee Gotta get my work in sometimes, I guess. I think I got more stuff on the agenda still too, good grief.

Council President Bruce So I didn't... Anything else?

Council Member McPherson Nope.

Council President Bruce I move we approve the Intergovernmental Agency and Joint Powers Agreement with Ada County R71-2025 and Ada County EMS R72-2025, as written.

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 Any opposed? That motion carries.

(Timestamp 01:24:11)

Motion To: Approve R71-2025 And R72-2025

Motion By: Council Member 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

Via: Voice Vote

4-0-0

- B.** Contingency request to reallocate funds from FY25 to FY26 to continue construction for the restrooms and parking lot lighting at the Fitz Roy Park. Morgan Webb, Deputy Parks and Facilities Director. ACTION ITEM

(Timestamp 01:24:42)

Mayor Stear Contingency request to reallocate funds from FY '25 to FY '26 to continue construction for restrooms and parking lot, Morgan Webb.

Deputy Parks & Recreation Director Morgan Webb For the record, Morgan Webb, City of Kuna, Parks and Recreation, Fleet and Facilities Department, 371 West Short Lane St. Good evening, Mayor and Council. Tonight, I have a contingency request to reauthorize \$273,000 in fiscal year 2026 to continue and finish construction of the restrooms and parking lot lighting at Fitz Roy Park, nestled in the Patagonia subdivision. These funds are authorized in our current fiscal year 2025, but the end of budget is approaching quickly and we are unable to complete the project within the remaining time frame. Our intent was to complete this project by the end of current budget, but due to construction drawings taking longer than expected, we are unable to achieve that goal. We were able to complete the pickleball and basketball courts and get started on the restrooms and parking lot lighting after receiving the approved construction drawings. With the approval of reauthorizing these funds, we will be able to continue construction and focus on quality work. We look forward to the completion of this project and the improvements this will provide to the Fitz Roy Park and the Kuna community. I will stand for any questions you may have.

Mayor Stear Okay, questions for Morgan?

Council Member McPherson No.

Mayor Stear Basically didn't get it spent in time, so gotta move it to next year.

Council President Bruce Man, I hate contingency fines. I even hate voting for them.

Council Member McPherson Just do it. It'll feel good.

Council President Bruce It doesn't feel good. I move we approve the relocation of \$273,000 from FY '25 to FY '26 to continue the restrooms and parking lot lighting for Fitzroy Park.

Council President Bruce 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 Any opposed? That motion carries.

Council Member McPherson See, it felt good, didn't it?

Council President Bruce I'm sick in my stomach.

Council Member McPherson Oh, come on.

Council President Bruce Thank you, Morgan.

(Timestamp 01:26:39)

Motion To: Approve Contingency Request For \$273,000 For The Construction Of Restrooms And Parking Lot Lighting At The Fitz Roy Park

Motion By: Council Member 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

Via: Voice Vote

4-0-0

C. Kuna WWTP – Civil Case – Consent Judgment. Marc Bybee, City Attorney. ACTION ITEM

(Timestamp 01:27:13)

Mayor Stear All right, that takes us to item C, Kuna Wastewater Treatment Plant Civil Case, Marc Bybee.

City Attorney Marc Bybee All right, Mark Bybee, City Attorney. So, I know we've discussed this from time to time, but this has to deal with IDEQ lawsuit that was filed against the city for issues with wastewater treatment. I can't remember exactly which facility, Adam could fill in on that better, but some issues that had occurred that we received a notice of an intent to sue by a private party and instead through mechanisms available in law we were able to instead essentially get sued by IDEQ to prevent that private suit and we immediately entered settlement into discussions and negotiations with IDEQ. Adam and I met at different times with IDEQ. I think he's continued to follow up with them to essentially establish milestones that we're going to have to comply with as a city to come into basically come into compliance and address the issues that led to the suit. And there's also a penalty provision.

And so, in this consent judgment, this is essentially an agreement, a settlement agreement between city and IDEQ. The more significant parts are, there's a lot of background and lead up, but on page four out of ten of the draft consent judgment, which would be page four hundred and fifty of your packet, there's compliance requirements, and it talks about things the city's gonna have to do, and it says continue to comply with all terms and conditions found in the permit, meaning our, the current, it's an NPDS permit, Adam, *nod if I got that right*, and discharge permit, correct? And except as otherwise expressly provided in the attached agreement, schedule, and the consent judgment, achieve compliance with affluent limitations and permit conditions by completing the tasks by the dates contained in the agreement schedule attached as exhibit A and incorporated by reference.

Adam knows a lot about exhibit A because he played a major role in negotiating the timeframes in there and the basically are the time period for the city coming into compliance. If you have questions on that, Adam, sorry, I'm going to throw you under the bus for that, but I think you're probably ready for it. And then provide written

verification of the departments, the tasks and upgrades listed in the agreement schedule are completed and the wastewater treatment plan is achieving effluent limits and for the violations listed in the complaint filed in this case.

As for the penalties, the civil penalty the city did accrue is \$113,600. However, because of our cooperation in this process, that's been reduced to \$56,800. And of that amount, the city is being asked only and required to pay \$11,360 within 15 days of the judgment being entered. The other \$45,440 would be held in abeyance and basically only imposed if we do not comply with the things in exhibit A and get into the compliance as we've agreed to do. So there is a penalty, unfortunately, through this process and engaging with IDEQ as opposed to going the private party lawsuit route, which was definitely coming. They were ready to file a complaint before we got IDEQ to intervene.

We've avoided significant penalties that could have been pursued and are getting into compliance and working to stay in compliance. So hopefully that answers what this is about. But what we need from the Council today is a vote to authorize the Mayor to execute this agreement on behalf of this consent judgment on behalf of the city so that it can then be entered by the court. and so if there's a motion to be made, it's a motion authorizing the Mayor to execute this.

Council President Bruce All right.

Council Member Laraway Question.

Council President Bruce Any questions?

Mayor Stear Yes, Council Member Laraway.

Council President Bruce I just want to say thank you to Mark and to Adam. I know, Adam, this started a little bit before your time, but thank you for carrying the water from your predecessor. So, considering what we had talked about before, I do appreciate where we've got it down to and that we left the folks from Oregon or Washington out of the mix. So, thank you.

Mayor Stear Yes, Council Member Laraway.

Council Member Laraway My question, with the money that we're talking about, is that coming out of the budget? Are you going to need a supplemental contingency to pay it, or is that coming out of the city's pocket?

Council President Bruce General fund, or is it?

Council Member Laraway General fund?

City Treasurer Jared Empey Jared Empey City Treasurer. So, Councilman Laraway, so as a part of our fiscal '24 audit, you'll notice that we had already accrued a liability. In other words, we made an estimate for what our liability would be. And so there actually won't be any effect on the fiscal '25 budget on account of already essentially taking that expense back in fiscal '24.

Council Member Laraway And Adam, I agree with him.

Mayor Stear As Jared always does, he foresaw and he made it happen. So, we don't have to do any contingency requests.

Council Member Laraway Thank you, Marc, for all of this that you do.

Council President Bruce Thank you.

Mayor Stear And this has been an interesting process. I think some of our non-compliance came from the system and the way it grew and not keeping up with communicating with the IDEQ on what we need to do to keep everything operating to the standards that they want to see. Some of the things that they wanted us to do are not

actually even possible to do. So, Adam worked and Travis worked their way through with IDEQ, got those rules and regulations figured out, and I think everybody's going to be way better off because of it. And we don't plan on getting behind again. So, things are going really smooth and really well right now. And most of those were years old. So, nothing new that's come up.

Council President Bruce Yeah, I think it was '21 and '22. Yeah. It was when it was originating. So I move... Anyone have anything else? I move we authorize the Mayor to execute the consent judgment.

Council Member Laraway Second.

Mayor Stear Motion's made and seconded. Any further discussion on that motion? All those in favor say 'aye.'

All Council Members Aye.

Mayor Stear Any opposed? And that motion carries.

(Timestamp 01:33:45)

Motion To: Authorize The Mayor To Sign And Execute The Consent Judgment With The Idaho Department of Environmental Quality

Motion By: Council Member 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

Via: Voice Vote

4-0-0

8. Ordinances:

(Timestamp 01:34:07)

A. Second reading of Ordinance 2025-31 Idaho Power Franchise Agreement

AN ORDINANCE IN ACCORDANCE WITH IDAHO CODE 50-328, 50-329 AND 50-329A GRANTING A FRANCHISE TO IDAHO POWER COMPANY, A CORPORATION, AND TO ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, MAINTAIN AND OPERATE IN AND UPON THE PRESENT AND FUTURE STREETS, HIGHWAYS AND OTHER PUBLIC PLACES WITHIN THE CORPORATE LIMITS OF THE CITY OF KUNA, IDAHO, ELECTRIC UTILITY PROPERTY AND FACILITIES FOR SUPPLYING ELECTRICITY AND ELECTRIC SERVICE TO THE CITY, THE INHABITANTS THEREOF, AND OTHERS FOR A TERM OF 10 YEARS, INCLUDING THE NONEXCLUSIVE RIGHT TO PHYSICALLY LOCATE AND MAINTAIN TELEPHONE, CABLE, FIBER OPTICS OR OTHER COMMUNICATIONS FACILITIES; SETTING FORTH AN AGREEMENT NOT TO COMPETE, RESERVING POWER OF EMINENT DOMAIN; PROVIDING FOR THE PAYMENT OF FRANCHISE FEES; AND SPECIFYING OTHER LIMITATIONS, TERMS AND CONDITIONS GOVERNING THE EXERCISE OF SAID FRANCHISE.

(Timestamp 01:34:07)

Mayor Stear All right, that takes us to the second reading of Ordinance 2025-31, Idaho Power Franchise Agreement.

An ordinance in accordance with the Idaho Code 50-328, 50-329, and 50-329A, granting a franchise to Idaho Power Company, a corporation, and to its successors, and assigns the construct, maintain, and operate in and upon the present and future streets and highways and other public places within the corporate limits of the city of Kuna, Idaho, electric utility property and facilities for supplying electricity and electric service to the city, the inhabitants thereof, and others for a term of 10 years, including the nonexclusive right to physically locate and maintain telephone, cable, fiber, optics, or other communication facilities; setting forth an agreement not to compete, reserving power of eminent domain, providing for the payment of franchise fees; and specifying the limitations, terms, and conditions governing the exercise of said franchise.

And that will come back for a third reading. And that is all we had on the agenda tonight.

9. Executive Session:

(Timestamp 01:35:43)

Mayor Stear We don't need an executive session....

10. Mayor/Council Announcements:

(Timestamp 01:35:46)

Mayor Stear So mayor and council announcements. Council Member Biggs.

Council Member Biggs Mr. Mayor, I had the privilege of sitting down with Chief Fratusco this week and got to go and look at the manning and plan for the future and that sort of thing. And something really, I was thinking a lot about this weekend, looking in the news of what happened last week with what happened in Orem, Utah, the place where I used to live, and also in Charlotte, North Carolina. To a further extent, we've had issues in Gooding and Weiser, was it? Or no, Payette? It's made me really think hard about our police force and the fact that we are not at the one for 1,000 number that we would like to get to. And I know that there's a plan to get there eventually. And I know that the fiscal year '27, we're going to be asking for some more folks. But I think, and this is to my fellow Council Members, and I know we can't do anything here, it's not a business item, but I would like to see that timeline pushed up. Because nothing's more important than the safety of our families and our community. And I think we get there with more police patrolling. And from what I understand, it costs roughly about \$150,000 per FTE police patrol. And I think with our general fund the way it is, that perhaps we might look at adding a couple of FTE as an extraneous budget request for this cycle.

Council Member Bruce For this cycle.

Council Member Biggs Yes, sir.

Council Member Laraway Could I add something to your statement?

Council Member Biggs Yes, sir.

Council Member Laraway I think also, and Chief might not want to hear this, but I think you're getting bottom heavy. And I think what I'm trying to say is, when is it possible for a captain out here and a lieutenant so you can focus on stuff? Because you've got a lot of sergeants and you're the next step. To me, that creates a little bit of a leadership issue.

Police Chief Mike Fratusco Mayor, Council Members, for the record, Mike Fratusco, Chief of Police, City of Kuna, 793 West 4th Street. Councilman Laraway, that's a great question. I believe I've sent out the staffing plan. I did have that listed probably about 2031 to where my position would go to that captain level and we bring on a Lieutenant to be in charge of all of patrol and detectives if... I know it's changed since you were a Chief out here and Chief out in Star, but we've taken over all of the detective positions in our contract city. So, all three contract cities are now supervised directly by a Sergeant inside the city. So, sergeants we have... Well, we got our 6th detective this year. So, the Sergeant detective is that person that supervises the detectives and is also when I'm gone, the acting chief. So, you are correct. We have talked about this. We've addressed... We've talked to the Sheriff about this. There probably needs to be that step. Eagle and Kuna are pretty neck and neck. That should happen. I agree. I never want to be the person that says, 'hey, I need a promotion.' That is, that's not what I'm about. It is important for me to have those sergeants in place and I appreciate the City voting yes on the sergeants this year. That is going to give us some good supervision throughout a 24-hour period on each side of the week for the city now, which mitigates risk in itself, as you know. People do need supervisors and we have a lot of, a lot of younger deputies that need that supervision. But we're probably there now. The thing is, is I do never want to be the person that bleeds the city. So I had an 8-year plan in place. The City has been great about adding those bodies and I can tell you right now out of all the contracts and I'm I am biased towards Kuna, but this City is ran in my opinion and I could probably back that up, the best when it comes to finances, when it comes to staffing, law enforcement, all of it. The city has done really well. I never want to take that contingency money and bleed it dry. I think, in my opinion, it's very important when you have an emergency come up. I like to have money in savings. I understand why the City does also. But if you ask me, could I use two more bodies right now? I absolutely could use two more patrol bodies right now and then shift around staffing and supervision for the future. But, we're doing great, way better than we were four or five years ago. I can tell you that it's very impressive what the city's done and the support they've shown. But yes, we do need higher supervision levels.

Council President Bruce I have a quick... oh go ahead.

Council Member Laraway I'm sorry, thank you.

Council President Bruce I have a question too. When you have these officers, how much do they overlap with SROs? 'Cause you know, I know the school also, there was a survey that went out which helped them have a grant that offset some of their other costs so they could afford SROs. How often do our officers overlap those so that we have someone at schools, or do, how do we, if we brought on new officers, would they be able to overlap some of that as well? I guess my question is, if we brought on new officers, would they also be able to help with some of the SRO duties, or would you be completely full with just two?

Police Chief Mike Fratusco Councilman Bruce. Great question. And in all honesty, there is no way that they could be supplementing the school resource officers. We're busy enough out in the field. As of right now, if you look at one side of the week, I have two daytime patrol deputies, then I have another one that comes on at 11. And then at five those two are then at 3:15 another deputy comes on. By that time the two daytime deputies are gone and then I have another staggered shift that comes on 5 o'clock and then I have. Two graveyard shifts go come on when the 11 o'clock shifts going home. So, all my shifts are staggered right now. So, on any given day and we're talking about right now I have three people out on FMLA. I have guys moving from the swing shifts down to the day shift to help cover and they are helping and doing what they can. I showed Councilman Biggs our budget and out of the three contract cities, you saw the overtime. Who was who, who was sitting the best?

Council Member Biggs Yeah, they're not charging overtime. So, these guys covering.

Police Chief Mike Fratusco We, our guys are moving their shifts so they're not accruing overtime. I couldn't cover the SRO's.

Council President Bruce And how... and so you said two?

Council Member Biggs It was, yeah, I'm just throwing something out anything. Whatever we support.

Council President Bruce I'd like to have the discussion more.

Mayor Stear I will say though, adding to what Chief said, we do supply a sergeant that oversees the SROs. So, in that support capacity, we are already doing that.

Police Chief Mike Fratusco Sorry, Mayor Stear.

Council President Bruce And I was just trying to wrap my mind around, you know, what he was saying with two and where that actually puts us with... I didn't know where he was going with bottom heavy, so I kind of stayed away from that.

Police Chief Mike Fratusco Councilman Bruce, just to reiterate, just to reiterate what the mayor was saying. I think it was three years ago we brought the sergeant on that does supervise the four school resource officers to help the school district. So, we are helping the school district by not asking them to provide that supervisor. That sergeant also supervises code enforcement and supervises the other six detectives. That's current Sergeant right now has 6...11...12 people he's supervising, which, as Councilman Laraway knows and as probably the Councilman McPherson and Mayor Stear in emergency services, that's a lot of bodies to supervise.

Council President McPherson On a different note, how is Officer Jones doing in his recovery?

Police Chief Mike Fratusco Councilman McPherson, thank you for that question. Deputy Jones calls me probably every other day and he is. He wants to come back. He is telling the doctor he wants to come back. I keep telling him you've got to be 100% because you come back and push it. You're going to end up going out again. Still, it's amazing I for lack of better terms, thank God that he ended up where he did, but he is pushing to come back. He's supposed to teach a motor school next week, and he's doing everything he can to get the doctor to say...

Council President McPherson Is that the guy we want teaching?

[Laughter]

Police Chief Mike Fratusco Yeah.

Mayor Stear We do not have his new tricycle outfitted, though.

Council Member Laraway There's a Honda 90, the yellow one, and by the fruit stand for \$850.

Mayor Stear Alright, anything further?

Council Member Laraway No, sir.

Mayor Stear All right, well then with that...

Council President Bruce I just want to address, obviously last week with the shooting in Utah, just maybe keep those folks in their prayers. You know and remember that we have dialogue and that the First Amendment protects even speech you don't like, but we don't want to get down that path of violence.

Mayor Stear Yeah, that was a very unfortunate incident. It was terrible. It's just not. up the kind of thing we should have happening in our society. So, yeah.

Council President Bruce Thank you, gentlemen.

11. Adjournment:

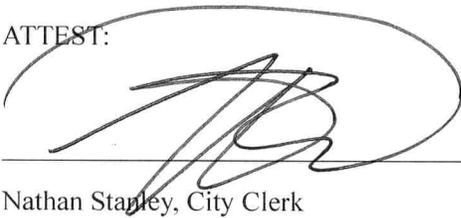
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Mayor Stear All right, with that, this meeting is adjourned. Thank you.



Joe L. Stear, Mayor

ATTEST:



Nathan Stanley, City Clerk

Minutes prepared by Garrett Michaelson, Deputy City Clerk

Date Approved: CCM 10.07.2025





CITY OF KUNA
 751 W 4th Street • Kuna, ID 83634
 (208) 922-5546 • www.kunacity.id.gov



City Council Public Comment Sign-In Sheet
September 16, 2025

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.

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CITY OF KUNA

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City Council Public Hearing Sign-In Sheet
 September 16, 2025

Case No.: 22-10-ZC (Rezone) & 22-17-S (Preliminary Plat)

Case Name: Gallica Heights Subdivision

<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input checked="" type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name <i>Kathryn GuidD</i>	Name
Address <i>7744 Bella Terra Ln</i>	Address
City, State, ZIP <i>Meridian Id.</i>	City, State, ZIP
<input type="checkbox"/> Testify <input checked="" type="checkbox"/> NOT Testify <i>In support yes</i>	<input checked="" type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name	Name <i>CANDIE HORRAS</i>
Address	Address <i>711 E FORSTER</i>
City, State, ZIP	City, State, ZIP
<input checked="" type="checkbox"/> Testify <input type="checkbox"/> NOT Testify <i>Tammie Hough Against</i>	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name <i>8397 S Old Farm Pl</i>	Name
Address <i>Meridian ID 83642</i>	Address
City, State, ZIP	City, State, ZIP
<input checked="" type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input checked="" type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name <i>Andrew Bills</i>	Name <i>Bryan Fletche</i>
Address <i>4277 W. Balivi Lane</i>	Address <i>12547 Delmar St</i>
City, State, ZIP <i>Nampa, ID 83687</i>	City, State, ZIP <i>Buise ID 83713</i>