

NOTE: These minutes are an unofficial record of this City Council meeting until reviewed; corrected if deemed appropriate, and formally approved by the Kuna City Council at a subsequent Council meeting.

**CITY OF KUNA
SPECIAL CITY COUNCIL MEETING
MINUTES
NOVEMBER 8, 2007
KUNA CITY HALL COUNCIL CHAMBER, 763 W. AVALON**

1. CALL TO ORDER AND ROLL CALL:

Mayor Dowdy called the City Council Special Meeting to order 9:00 a.m.

PRESENT: Mayor Dowdy, Council President Lang, Councilwoman Stroebel and Councilman Cardoza.

ALSO PRESENT WERE: City Attorney Randy Grove; P & Z Director Steven Hasson; City Clerk Lynda Burgess; City Treasurer Robin McKean; Public Works Director Jim Taylor; Wastewater Supervisor Leola Vega; Planner Tech Tracy Rushlow and Jim Keller, Larry Rupp and Peter Olsen, Keller Associates.

2. PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by M/Dowdy.

Moved by C/Lang, seconded by C/Stroebel to amend the agenda as follows:

ADD AGENDA ITEMS 4.D. – DISCUSS OSPREY RIDGE LETTER OF CREDIT;
AGENDA ITEM 5.A. - CANVASS ELECTION RETURNS AND APPROVE RESULTS –
NOVEMBER 6, 2007 GENERAL MUNICIPAL ELECTION; AGENDA ITEM 5.B. -
SWEAR-IN LISA BACHMAN AS COUNCILMEMBER TO FILL VACANT COUNCIL
SEAT; AGENDA ITEM 5.C. – UPDATE FROM ERROL MORGAN, ACHD,
REGARDING LINDER AND DEER FLAT. Motion carried 3-0.

3. CONSENT AGENDA: Moved by C/Cardoza, seconded by C/Lang to remove Item 5.A., Accounts Payable, from the Consent Agenda. Motion carried 3-0.

Moved by C/Lang, seconded by C/Stroebel to approve the Consent Agenda as amended.
Motion carried 3-0.

B. APPROVED PAY REQUEST NO. 4 FOR TITAN TECHNOLOGIES IN THE
AMOUNT OF \$169,087.75.

C. APPROVED CHANGE ORDER NO. 2 FOR TITAN TECHNOLOGIES
DECREASING THE CONTRACT PRICE BY \$12,534.

D. APPROVED LAND LEASE AGREEMENT FOR THE SADIE CREEK PUMP
STATION AND POND SITE WITH REDCLIFF DEVELOPMENT.

- E. APPROVED NOTICE OF AWARD FOR THE SADIE CREEK POND AND PUMP STATION SITE TO H2 EXCAVATION, INC. IN THE AMOUNT OF \$629,378.

ITEM REMOVED FROM CONSENT AGENDA:

- 3.A. APPROVE ACCOUNTS PAYABLE DATED NOVEMBER 2, 2007 IN THE AMOUNT OF \$450,632.43.

C/Cardoza asked about the purchase of dog tags and rings and about the \$18,000 donation to the Kuna Chamber of Commerce.

CC/Burgess explained that the dog tags are purchased each year for issuance by City staff. It is a separate expense from the City's contract with the Humane Society.

M/Dowdy reminded Council that the funding request from the Chamber had been made during the budget workshops and was approved as part of the budget.

C/Cardoza asked if the contract with JUB Engineers for Lisa Bachman had been completed.

CT/McKean stated that, for the most part, the contract was complete except for the occasional phone call.

C/Cardoza moved to table payment of the \$18,000 for the Chamber for discussion at the next Council meeting. Motion died for lack of a second.

Moved by C/Lang, seconded by C/Stroebel to approve Accounts Payable in the amount of \$450,632.43. Motion carried 3-0.

4. OLD BUSINESS:

- A. PRESENTATION BY JIM KELLER RE SETTING FEES FOR UTILITY CONNECTIONS.

Moved by C/Lang, seconded by C/Stroebel to set a Public Hearing for December 4, 2007 to discuss proposed utility connection fees. Motion carried 3-0.

- B. REVIEW AND CONSIDER RESOLUTION NO. R10-2007 ADOPTING A POLICY FOR TRANSFER OF EDU CONNECTIONS FOR MEMBERS OF LOCAL IMPROVEMENT DISTRICT 2006-1 AND OTHER HOLDERS OF EDU CONNECTIONS; CREATING A REGISTRY OF REQUESTS FOR TRANSFER; PROVIDING A MECHANISM FOR RECORDING TRANSFERS AND PAYMENTS TOWARD ASSESSMENTS OR OTHER OBLIGATIONS (continued from 10/23/07).

Moved by C/Lang, seconded by C/Stroebel to direct the City Attorney to meet with one Councilmember and LID owners to work out the final language of the Resolution and continue the matter to the December 4, 2007 City Council Meeting. Motion carried 3-0.

C. DISCUSS BID FOR CONSTRUCTION OF THE KUNA NORTH WASTEWATER TREATMENT PLANT (Continued from 10/23/07)

Larry Rupp, Keller Associates, reported that the bid offered by JC Constructors totaled \$15,275,400 which included the base bid, solids handling and odor control. Further, the bids are set to expire on 11/18/07.

Based on his understanding that the City current had \$13,387,000 available, C/Cardoza moved to approve the base bid only in the amount of \$13,333,000. Motion died for lack of a second.

C/Lang moved, seconded by C/Stroebel to accept the bid from JC Constructors, Inc. in the amount of \$15,275,000 for the WWTP. Motion carried by the following Roll Call vote:

AYES: Lang, Stroebel
NOES: Cardoza
ABSENT: None

D. DISCUSS OSPREY RIDGE LETTER OF CREDIT.

M/Dowdy reported that the signed Letter of Credit in the amount of \$1,127,706 had been received by CA/Grove who conducted research into SFR Funding, Inc. and found that it is a legitimate Florida corporation in existence since 2002. M/Dowdy called to speak with SFR earlier today and was unable to reach the signer at the time. Mr. Massey confirmed that the Letter of Credit is backed by cash. This would provide sufficient funds to pay for JC Constructors base bid plus solids handling and odor control.

C/Cardoza expressed concern that the signed Letter of Credit did not seem to be presented to the City during the two week period allowed by the contract.

Ray Schild, representing Osprey Ridge, explained that the Letter of Credit was ready for delivery to CA/Grove at the last City Council meeting on October 23, 2007 but only a copy was given because the City Council tabled the agreement on that date.

Moved by C/Lang, seconded by T/Stroebel to accept the Letter of Credit submitted by Osprey Ridge through SFR Funding, Inc. in the amount of \$1,127,706. Motion carried 2-1 (C/Cardoza voted no).

5. NEW BUSINESS:

5.A. CANVASS ELECTION RETURNS AND APPROVE RESULTS – NOVEMBER 6, 2007 GENERAL MUNICIPAL ELECTION. CC/Burgess reported on the results including precinct results (see memo attached and incorporated as Exhibit A).

Moved by C/Lang, seconded by C/Cardoza to accept the election results. Motion carried 3-0.

5.B. SWEAR-IN LISA BACHMAN AS COUNCILMEMBER TO FILL VACANT COUNCIL SEAT.

The Oath of Office was administered to Lisa Bachman by CC/Burgess.

5.C. UPDATE FROM ERROL MORGAN, ACHD, REGARDING LINDER AND DEER FLAT.

Mr. Morgan reported that nearly everything requested by the City for improvements at Deer Flat and Linder can be accomplished with ACHD resources. The Board will consider the matter at its meeting next week.

M/Dowdy asked about the status of the expansion or widening of Deer Flat.

Mr. Morgan stated that it is currently being scheduled for 2009.

Regarding sidewalks along 4th, Mr. Morgan indicated that he was not aware of the status but that he would check into it.

6. **ADJOURNMENT:** There being no further business to conduct, moved by C/Lang, seconded by C/Bachman to adjourn the meeting at 9:16 a.m. Motion carried 3-0.

J. SCOTT DOWDY, MAYOR

ATTEST:

LYNDA BURGESS, CITY CLERK

DATE APPROVED: DECEMBER 18, 2007