

**ORDINANCE 2021-27
CITY OF KUNA, IDAHO**

AN ORDINANCE, REGARDING DEVELOPMENT IMPACT FEE ADVISORY COMMITTEES, AMENDING TITLE 2 BY THE ADDITION OF A NEW CHAPTER 6 ESTABLISHING THE CITY OF KUNA DEVELOPMENT IMPACT FEE ADVISORY COMMITTEE; DIRECTING THE CITY CLERK; AND PROVIDING AN EFFECTIVE DATE AND PUBLICATION.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Kuna, Ada County, Idaho:

Section 1: AMENDING TITLE 2 KUNA CITY CODE

1.1 That Title 2 of the Kuna City Code be and the same is hereby amended by the addition of a new Chapter 6 to read as follows

2-6-1: - CITY OF KUNA DEVELOPMENT IMPACT FEE ADVISORY COMMITTEE:

- A. *Committee Created.* A standing committee of the City Council of the City is established.
- B. *Committee Name.* The Standing Committee is known and shall continue to be known and designated as the “*City of Kuna Development Impact Fee Advisory Standing Committee*” [hereinafter in this chapter referred also as “Advisory Committee” or “Committee”].
- C. *Membership.* The advisory committee established during the preparation of Capital improvements plans shall continue in existence and new appointments and reappointments of members of this Committee on and after July 1, 2021 shall reside in the City of Kuna. Members shall be appointed by the City Council of the City of Kuna for a term of 1 year or until someone is appointed in his/her place. and there shall not be fewer than five (5) members of which two (2) or more members shall be active in the business of development, building or real estate and two (2) or more members shall not be in the business of development, building, or real estate. Employees or officials acting in their official capacity for a governmental entity, may not be appointed as members of the committee.
 - 1. The members will be appointed during the January regular meeting of the City Council.
 - 2. Any vacancy on the Committee, during the year, shall be filled by appointment by the City Council.
- D. *Charge.* The Advisory Committee shall serve as an advisory committee to the City Council and is charged in relation to this Chapter with the following responsibilities:

1. Assist the City in adopting land use assumptions; and
 2. Review the Capital Improvements Plan; and
 3. Propose amendments, and file written comments; and
 4. Monitor and evaluate implementation of the Capital Improvements Plan; and
 5. File with the Administrator and the City Clerk, at least annually, with respect to the Capital Improvements Plan a report of any perceived inequities in implementing the Capital Improvements Plan or imposing the City of Kuna a development impact fee; and
 6. Advise the City Council of the need to update or revise land use assumptions, Capital Improvements Plan and City of Kuna development impact fees; and
 7. The City shall make available to the Advisory Committee, upon request, all financial and accounting information, professional reports in relation to other development and implementation of land use assumptions, the Capital Improvements Plan and periodic updates of the Capital Improvements Plans.
- E. *Advisory Committee Organization.* The Administrators, shall staff the Advisory Committee in order to provide the Committee with needed information for the Committee's review and to provide for its compliance with the Open Meeting Law [Chapter 2 of Title 74 Idaho Code].
1. The Advisory Committee shall select its officers, which include a Chairman, Vice Chairman and a Secretary of the Committee.
 2. The Chairman shall conduct the meetings of the Committee. The duties of the Chairman shall be performed by the Vice Chairman in the absence of the Chairman or as delegated by the Chairman. The Chairman and the Vice Chairman shall be members of the Committee.
 3. The Administrator shall serve as the Secretary of the Committee and shall take minutes and post agenda notices required by the Open Meeting Law. The Secretary is not a member of the Committee.
 4. The Committee shall establish a regular meeting schedule.
 5. The agenda of each meeting shall include the approval of the minutes of the last meeting and the Secretary shall provide a copy of the approved minutes to the City Council.
 6. Fifty-one percent (51%) of the membership of the Committee shall constitute a quorum. Once a quorum is established for a meeting, the subsequent absence of a member present for creating the quorum shall not dismiss the quorum.

7. A majority vote of those present at any meeting is sufficient to carry motions.
- F. *Reporting.* The Advisory Committee reports directly to the City Council.
- G. *City Council Review of Committee's Reports and Recommendations.* The City Council shall consider the Advisory Committee's recommended revision(s) at least once every twelve (12) months. The Advisory Committee's recommendations and the City Council's actions are intended to ensure that the benefits to a Development paying City of Kuna development impact fees are equitable, so the City of Kuna development impact fees charged to the Development shall not exceed a Proportionate Share of System Improvements Costs, and that the procedures for administering City of Kuna development impact fees remain efficient.

Section 2: DIRECTING THE CITY CLERK

- 2.1 The City Clerk is directed to file, this Ordinance in the official records of the City and to provide the same to the City's codifier for inclusion and publication in the Kuna City Code.

Section 3: EFFECTIVE DATE

- 3.1 This Ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law and at the discretion of the City Clerk and in lieu of publication of the entire ordinance, a summary thereof in compliance with Section 50-901A, Idaho Code, may be published.

PASSED BY THE COUNCIL OF THE CITY OF KUNA, IDAHO, THIS ____ DAY OF _____, 2021.

APPROVED BY THE MAYOR OF THE CITY OF KUNA, IDAHO, THIS ____ DAY OF _____, 2021.

CITY OF KUNA

Joe Stear, *Mayor*

ATTEST:

Chris Engels, *City Clerk*