

July 9, 2018

The City Council of the City of Idaho Falls met in Special Meeting (Council Work Session), Monday, July 9, 2018, in the Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 3:00 p.m.

Call to Order and Roll Call:

There were present:

Mayor Rebecca L. Noah Casper
Councilmember Thomas Hally
Councilmember Jim Francis
Councilmember Michelle Ziel-Dingman
Councilmember Shelly Smede
Councilmember Jim Freeman
Councilmember John Radford (arrived at 5:21 p.m.)

Also present:

Randy Fife, City Attorney
Michael Kirkham, Assistant City Attorney
Alex Zollinger, City Attorney Intern
Christine Wiersema, United Way President and CEO
Leslie Jones, United Way Resource Development
Dana Briggs, Economic Development Coordinator
Brad Cramer, Community Development Services Director
Bud Cranor, Public Information Officer
Kathy Hampton, City Clerk

Mayor Casper called the meeting to order at 3:04 p.m. with the following:

Acceptance and/or Receipt of Minutes:

It was moved by Councilmember Hally, seconded by Councilmember Smede, to receive minutes from the Planning and Zoning Commission. Roll call as follows: Aye – Councilmembers Smede, Hally, Dingman, Freeman, Francis. Nay – none. Motion carried.

Calendar, Announcements and Reports:

July 10, Council Budget Session
July 12, Idaho Falls Power Board Meeting; Council Budget Session; and, City Council Meeting
July 13, Council Budget Session
July 17, Council Budget Session
July 20, Council Budget Session
July 23, City Council Work Session
July 24, Council Budget Session
July 24-26, Idaho Consumer Owned Utilities Association (ICUA) Annual Meeting
July 27-28, POW/MIA Awareness Rally at Sandy Downs
July 30, Special City Council Meeting

Mayor Casper briefly reviewed the travel policy and stated cost for City travel is always a concern. She indicated travel savings can be achieved through other means and resources.

Mayor Casper stated the elected officials have a responsibility to enact laws and set policy in a governing way that serve all citizens equally and fairly realizing questions may arise that require a review of policy or practice. Mayor Casper indicated that questions have recently been presented to the City administration regarding flags and banners. Therefore, the City Attorney's Office has determined a policy for flags or flag poles should be adopted to prevent being subjective for the various requests. The policy would be consistent and fair to all citizens. Mr. Fife stated the policy will take time and any message should be consistent and fair. He indicated he has been reviewing the POW/MIA flag protocol, no good answer has been received at this point. In the meantime, Mr. Fife recommended

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the flag be taken down for the time being to prevent other groups requesting a public forum for their message. He indicated this issue is not meant to be about a particular flag. Mayor Casper stated the City is the attorney's client and the attorney has the City's best interest at heart. She indicated in this particular case, based on information regarding the recommendation based on fairness and relevant to law governing flags, she believes it made more sense to leave the flag in place to prevent potential claims of the City not being fair. She believes the message of removing the flag could be interpreted as an uncaring statement to veterans and their families. She stated the flags will remain in place until the Council sets a policy. Mayor Casper noted at no time was the flag removed and that the City is a place that honors the veterans and their service. She indicated attorneys make recommendations in the best interest of their clients' legal affairs, although attorneys do not make policy. Councilmember Francis questioned if a proclamation has been established regarding the flag. He believes there should be a policy and the responsibility for said policy. Councilmember Hally stated discussion has occurred regarding the order of flags being displayed. He believes there may be governmental purposes for the flags. He also believes other States' policies should be reviewed. Councilmember Dingman questioned the flag removal at the Library. Mayor Casper was not aware of any Council interaction with the flag at the Library as the Library is governed by the Idaho Falls Library Board. Mr. Fife stated any questions should be directed to the Legal Department.

Liaison Reports and Concerns:

Councilmember Hally reminded the Councilmembers that they do not have direct supervisory powers over staff. Councilmember Smede stated several plats, annexations, and rezonings will be occurring in the Community Development Services Department.

Councilmember Freeman stated the Boulevard roundabout project will begin July 9; water conservation Public Service Announcements (PSA) are being released through a \$90,000 Department of Energy (DOE) grant; several Public Works projects will be occurring, mainly during the evening hours; and, the Pinecrest pathway, as well as the eastside Riverwalk pathway, are in the final stages.

Councilmember Francis stated the annual employee picnic will be held August 16 and the employee Benefits Fair will be held August 23 at the ice arena. He also stated an Idaho Falls Fire Department item will be presented at the July 30 Council Meeting regarding a fire engine replacement. Councilmember Francis indicated the Sr. Citizens Center, who serves approximately 210 meals a day, is in need of drivers for the Meals on Wheels program.

Councilmember Dingman congratulated the Parks and Recreation (P&R) Department for their first place award at the July 4 parade. She stated P&R is currently working on updating cemetery regulations, which will be forthcoming. The War Bonnet Roundup will be held August 2-4.

Public Records Request Process Presentation:

Mr. Fife stated a flow chart has been established to answer Public Records Request as the City did not previously have a process which met Idaho Statute requirements. He indicated general Records Requests are handled by the City Clerk (budget, minutes, ordinances, etc.), Police Records (reports, police services, etc.), and the Public Information Officer (PIO). In the case of the PIO, a record may not be made to answer a request, therefore, requests for public information will be handled in a similar way as the City Clerk or Police Records requests. Mr. Fife reviewed the processing method for the City Clerk stating the record is received neutrally and then forwarded to the appropriate department(s). He indicated there are personnel within each City department trained to process Records Requests. The record is then reviewed by the Legal Department for any possible required redaction. Mr. Fife stated Police records redactions may include personal information related to enforcement of proceedings; the identity of a confidential informant; investigative techniques or procedures; litigation; safety of law enforcement personnel; or, parties regarding child abuse, neglect, or abandonment. Additional exemptions include whether a person is deprived of a right to a fair trial or the unwarranted invasion of personal privacy. These redactions would protect the Police Department and/or the citizens. Mr. Fife stated requests must be responded to with a timeframe (3 business days with an extension of 10 business days) as allowed by State Statute. There may also be a fee associated with the request, which is indicated on the Public Records Request form. Mr. Kirkham commended the City Clerk's Office for the processing and tracking of Records Request. Councilmember Francis expressed his appreciation for this process as he believes the City Clerk's Office is easier to access than the Police Department. Brief discussion followed regarding a potential fee. Mayor Casper stated Mr. Kirkham has been recognized by the Association of Idaho Cities (AIC)

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officials for his expertise of public records. She believes the goal of this process is to assist the public in receiving requested records.

Magistrate Courts Discussion:

Mayor Casper stated earlier in the year the City received an invoice for the annual Magistrate Court payment in the amount of \$450,000. She determined the invoice amount should be \$400,000, therefore the City submitted payment for \$400,000. Mayor Casper reviewed State Code relative to Magistrate Court funding and indicated the City has provided monetary support for the Court system for several years without a formal agreement. She indicated previous discussions have occurred with the County regarding Magistrate Court funding, including discussion in the previous year regarding the \$450,000 request. The \$450,000 request was included as a placeholder within the budget, although the total amount at that time was pending per State-wide discussion. Mayor Casper stated a working group was formed in 2017 and came up with House Bill 643, which provided an alternate funding formula for Magistrate Courts, and, amended State Code that requires cities to participate. She reviewed the amendment to State Code which states any City obligation shall be reduced by twenty percent (20%) for each successive year until fiscal year 2023, at which time the City’s obligation is relieved. She also reviewed payment history to Bonneville County since 2006, stating if the City pays \$450,000, the total step down difference (until 2023) would amount to \$150,000. Mayor Casper stated the step down amount is supposed to be based on the amount of the voluntary agreement in 2018. She believes the \$400,000, paid by the City, represents the closest thing to an agreement as she is not aware of any formal agreement. Brief discussion followed regarding previous payments and services by capita. Based on previous Council discussions, Mayor Casper believes there is not clean accountability with the funding. She indicated the costs and collections are increasing although the number of City citations are decreasing without explanation. She realizes the County, as the agency for the collection of Court funding, is in a difficult position trying to pay for Court services. She believes the State Statute may not have made a clean accountable system for larger cities. General comments followed. Mayor Casper stated additional discussion with Bonneville County will occur at the July 23 Council Work Session. The invoice item will be placed on the July 30 Special City Council Meeting agenda.

Asset Limited Income Constrained Employment (ALICE) Report:

Ms. Wiersema stated United Way has been part of the community since 1940. The United Way mission is to function under the umbrella of health, education, and financial stability for every person in every community. United Way has funded organizations for more than 30 years, although this funding has not been data driven. United Way currently funds twenty (20) non-profit partners and thirty (30) programs in the seven (7) county region. In the last six (6) years, United Way has invested \$3m in these regions, 80% of these funds have stayed in Idaho Falls. Community assessments, as well as meetings with partners and members, are currently occurring.

Ms. Wiersema presented the following with general discussion throughout:

ALICE: A study of financial hardship in Idaho.

Making News – Idaho is nation’s fastest growing state; Idaho ranks 51st for child care access; Idaho is worst for working moms; Idaho is second fastest growing across the U.S. for home construction; East Idaho housing shortage is causing a ripple effect shortage in rental housing.

Number of total households has increased more than 6%; ALICE + poverty household have increased more than 14%; since the Great Recession (2008) the number of ALICE households in Idaho has increased 19%.

Household Survival Budget – this reflects the bare minimum cost to live and work in the modern economy. Idaho four-person family = \$53,664, single adult = \$19,824.

Bonneville County struggling – 34%

Total households:	38,464
Poverty (%):	10%
ALICE (%):	24%
Above ALICE Threshold (%):	66%

Household survival budget for Bonneville County includes: housing, child care, food, transportation, health care, technology, miscellaneous, and taxes. Ms. Wiersema stated a significant percentage of Southeast Idaho households are financially vulnerable.

2018 Idaho ALICE highlights:

- Number of ALICE is growing

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- ALICE is not benefitting from our current economic boom
- ALICE is suffering from housing crisis
- ALICE is a living example of the correlation between socio-economic status and health

ALICE by household composition:

- 50% of ALICE are married, parent families
- 38% of ALICE are single, female parent families
- ALICE over age 65 largest increased segment for Idaho
- Households age 25-44 also increased

More bumps ahead...

- 32% of households are 'asset poor', there is not enough savings to weather an emergency
- Majority of under 25 year olds cannot afford to live on their own, have children, or move for a better job
- More seniors aging without adequate retirement funds
- Fewer workers to meet elder care demands

ALICE jobs and population shift:

- Elder care occupations are ALICE
- Housing costs are displacing ALICE away from employment centers
- 'Maintainer' occupations are ALICE

Idaho runs on ALICE (but ALICE is exhausted)

ALICE says...it's complex but not impossible:

- Consider the time cost of services. Your schedule may not work for me, because I have very little time.
- Co-locate services that I use/need.
- Come close to my neighborhood or place of work so I can be proactive with you.
- Speak to me with respect and value.

To Councilmember Freeman's response, Ms. Wiersema stated United Way funds several organizations and programs. Ms. Jones stated most organizations rely on the ALICE guidelines. General comments followed.

The Broadway Project Presentation and Off-site Tour:

Mayor Casper stated the work being performed by the Idaho Falls Redevelopment Agency (IFRdA) is actively improving property values with private sector development. She introduced Steve Carr, Skip Oppenheimer, and Doug Oppenheimer, who have been instrumental for The Broadway project.

Mr. Doug Oppenheimer expressed his appreciation for the City support for this project. He recognized additional individuals who have assisted with The Broadway. He also acknowledged Mr. Carr's involvement with the project. He reviewed tenants of the two (2) buildings, stating 70% of the project is currently pre-leased. Mr. Skip Oppenheimer also expressed his appreciation to the City and to Mr. Carr. The total downtown project is approximately 40,000 square feet, with approximately 200 construction jobs. He stated the basic building is on schedule to be completed with 80% of the work performed by local contractors. He also stated there will be 49 underground parking spaces and 22 ground level parking spaces. The parking management agreement is being finalized with the Idaho Falls Downtown Development Corporation (IFDDC). Director Cramer stated discussion has been occurring regarding monthly/daily/hourly parking. This could change per supply and demand. Visitor parking will remain as other City downtown parking - 2 hour free parking. It was noted parking will not be metered at this point. Director Cramer stated there has been strong effort to maintain public parking. The Council departed at 5:33 for an off-site tour.

There being no further business, the meeting adjourned at 6:45 p.m.

s/ Kathy Hampton

CITY CLERK

s/ Rebecca L. Noah Casper

MAYOR