

NOTICE OF PUBLIC MEETING

Monday, September 20, 2021

City Council Chambers

680 Park Avenue

Idaho Falls, ID 83402

3:00 p.m.

The public is invited to observe City Council Work Sessions. However, to observe appropriate social distancing guidelines, as recommended by the Centers for Disease Control and Prevention (CDC), seating in the Council Chambers has been limited. Seats will be available on a first-come, first-serve basis. The public also may view this meeting via livestream on the City's website at <https://www.idahofallsidaho.gov/429/Live-Stream>. The agenda does not include an opportunity for public interaction.

This meeting may be cancelled or recessed to a later time in accordance with law. If you need communication aids or services or other physical accommodations to participate or access this meeting or program of the City of Idaho Falls, you may contact City Clerk Kathy Hampton at 612-8414 or the ADA Coordinator Lisa Farris at 612-8323 as soon as possible and they will accommodate your needs.

CITY COUNCIL WORK SESSION

Times listed in parentheses are only estimates.

Call to Order and Roll Call

Mayor:

- Acceptance and/or Receipt of Minutes
Action Desired: To receive recommendations from the Planning and Zoning Commission
- Calendars, Announcements, Reports, and Updates (10)

Council:

- Liaison Reports and Councilmember Concerns (10)

Mayor and Council:

- Discussion: Connecting Us, Sustaining Progress (15)

City Attorney:

- Briefing: Acceptance of Opioid Settlement (30)
- Update: Proposed Federal Emergency Temporary Standard under the Occupational Safety and Health Act (OSHA) (10)

Municipal Services:

- Discussion: City Property (45)

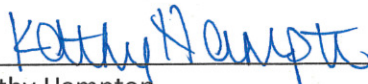
Municipal Services, Human Resources:

- Discussion: Disposition of Health Insurance Savings (30)

Police Department:

- License Appeal Hearing (30)

DATED this 17th day of September 2021



Kathy Hampton
City Clerk



MEMORANDUM

TO: City Council

FROM: Rebecca Casper

DATE: September 2021

RE: Proclamations for September 2021

Please find attached copies of official proclamations prepared and released by the Mayor's Office.

- Direct Support Professionals Recognition Week
- Constitution Week, Constitution Day and Citizenship Day



PROCLAMATION

- WHEREAS, direct support professionals empower and equip those with disabilities to live full, meaningful, and independent lives and champion their success as individuals; and
- WHEREAS, direct support professionals encourage those with disabilities to experience strong familial relationships, to participate in social activities, and stay connected to their community; and
- WHEREAS, direct support professionals are leading the way to transform their industry to be more person-centered, promoting self-reliance and supporting informed decision making helping clients reach their life goals; and
- WHEREAS, the COVID-19 pandemic, created challenges for direct support professional as their vital caregiving work had to be done safely and reliably; and
- WHEREAS, today many City of Idaho Falls residents are flourishing as a result of the care given by direct support professionals and many families within our community rely upon their training, skills, and unwavering passion for serving others; and
- WHEREAS, we humbly acknowledge the compassionate and committed direct support labor force that work tirelessly to support those with intellectual and developmental disabilities.

NOW THEREFORE, I, REBECCA L. NOAH CASPER, MAYOR of the City of Idaho Falls, do hereby proclaim the week of September 12-18, 2021, as

Direct Support Professional Recognition Week

in the City of Idaho Falls, and commend all the direct support professionals who serve those with disabilities for their hard work and dedication.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Idaho Falls to be affixed on this 2nd day of September, Two Thousand and Twenty-one.

Rebecca L. Noah Casper, Mayor
City of Idaho Falls



PROCLAMATION

- WHEREAS, 17 September 2021 marks the two hundred and thirty-fourth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and
- WHEREAS, the United States Congress has designated September 17th as "Constitution Day and Citizenship Day" and urges states, counties, cities, and towns to make plans for the proper observance of the day; and
- WHEREAS, for 234 years the U.S. Constitution has strengthened our union and allowed this nation to survive trying times, promote justice, and empower each citizen with a host of rights and privileges; and
- WHEREAS, it is fitting and proper to accord official recognition to this magnificent document, to commemorate its anniversary and to gratefully acknowledge the patriotic celebrations which will mark the occasion; and
- WHEREAS, Public Law 915 guarantees the President of the United States will issue a proclamation designating September 17 through 23 as Constitution Week.

NOW, THEREFORE, I, REBECCA L. NOAH CASPER, MAYOR of the City of Idaho Falls, do hereby proclaim the week of September 17-23, 2021, as:

Constitution Week

and September 17th as

Constitution Day and Citizenship Day

in Idaho Falls and encourage citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties and remembering that lost rights may never be regained.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Idaho Falls to be affixed on this 2nd day of September, Two Thousand and Twenty-one.

Rebecca L. Noah Casper, Mayor
City of Idaho Falls



MEMORANDUM

TO: Honorable Mayor and Council

FROM: Brad Cramer, Community Development Services Director

DATE: September 9, 2021

RE: September 7, 2021, Planning Commission Action

Planning Commission took the following action during the September 7, 2021, meeting.

1. **PLAT21-026: FINAL PLAT. Final Plat for Sand Creek Estates Division No. 3.** Generally located north of E 73rd S, east of S 15th E, south of E 49th S, west of Dune Village Way. On September 7, 2021, the Planning and Zoning Commission voted to recommend approval of the final plat to the Mayor and City Council as presented.
2. **PLAT20-046: FINAL PLAT. Final plat for East River Estates Division No. 1.** Generally located north of W 33rd N, east of N 5th W, south of Pevero Dr., west of N 5th E. On September 7, 2021, the Planning and Zoning Commission unanimously voted to recommend approval of the final plat to the Mayor and City Council as presented.
3. **ANNX21-012: ANNEXATION/INITIAL ZONING. Annexation and Initial Zoning of HC and LC for 37.85 acres in Section 27, Township 2 North, Range 37 East.** Generally located north of W 33rd S, east of S 35th W, south of the Porter Canal, west of Outlet Blvd. On September 7, 2021, the Planning and Zoning Commission unanimously voted to recommend approval of the annexation and initial zoning of HC and LC with the Airport Overlay to the Mayor and City Council as presented.

RECOMMENDED COUNCIL ACTION: To receive recommendation(s) from the Planning and Zoning Commission pursuant to the Local Land Use Planning Act (LLUPA).

Idaho Falls Downtown Development Corp. July 13, 2021 board meeting was held at the Jacob Grant conference room – 490 Park Ave at 8:30am

Attendance: Jake Durtschi, Tasha Taylor, Shanon Taylor, Steve Fischbach, Antonio Meza, Kevin Josephson, Chip Langerak, Shane Dial, Greg Crockett, Councilman Jim Francis, and Anas Almassrahy.

Staff: Catherine Smith, Gibby Smede and Mala Lyon

Minutes for June 8, 2021 were reviewed - Shanon motioned to accept the minutes. Tasha seconded and board approved

Financial Report – Catherine: Idaho Escape Rooms (\$100) and a person with a parking permit (\$10) have paid in advance so it shows as a negative. We have applied for the forgiveness of the PPP loan. Notices for delinquent parking citations has gone out – about 500 notification letters – and so we have seen an increase in payments. We had about 80 letters returned with bad addresses, or they had moved. People are paying old citations with the late fees. This is a one time increase in money coming in. Greg asked if the lots are full with waiting lists still? Yes. We are having to pay a fee per letter and found address for the notification letters. We did participate in the 4th of July Parade and had some expenses for banners, feather flags and the parade fee to the Chamber. Greg motioned to accept the financial report. Shanon seconded and board approved.

Catherine – The scooters are downtown. We originally thought they would stop at Capital, but they are allowed to go anywhere. Catherine tried one out and explained the process to use one. She rode for 8 minutes, and it cost \$4.62. The sidewalks at each intersection are marked that they are to dismount. Greg asked if the number of scooter vendors was limited by the city? Boise has e-bikes, scooters, and Segway's that you can rent. Councilman Francis said there is not a limit. Greg said not everyone loves them and Boise has had some bad accidents and one fatality. Catherine said they do not feel safe to ride on the sidewalk. Tasha said it is wild sometimes on the greenbelt paths to have a small family and dogs on leashes and the scooter come zipping by at 15 mph. Steve asked if the greenbelt paths were considered sidewalks? No, it's open space. Councilman Francis asked if we felt there needs to be some adjustments? Catherine said we are not seeing real problem yet. Gibby said a plus is people can park and then ride a scooter, so we have fewer moving cars downtown.

Vandalism has been increasing. We had several flowerpots that had the flowers stolen or damaged and graffiti. Jim Pletscher has been cleaning the graffiti where he finds it in hopes to discourage them by quickly removing it. There are some dumpsters in the east/west alley behind the Roger's building that we are looking at the idea of painting with art. We will have to work with the city sanitation so that these dumpsters we have artists paint stay in that alley. Tony expressed concern that when someone sees painting on a space like a dumpster, they see it as an 'invitation' to do more and it can create a bigger problem. Gibby said that they have been noticing that when there is art like a mural others tend to leave it alone, plus the goal to quickly cover any tagging or undesirable "art" will be the plan.

Collections of unpaid citations – We have several people that have multiple citations and the notification letters have been returned. We are looking at the next step of turning them over to a collection agency. Each person will get 2 notification letters letting them know they have an unpaid citation. After that we need to have the next step in place. Jake said that collection rate of people we will get money from is only about 3-4%. Greg said the charge is about 50% that a collection agency will charge. We can add

that fee onto whatever is owed currently. Chip said we need to have this so there is some teeth behind our enforcement. Kevin agreed that if we do nothing to collect that will be a bigger problem in the future. Catherine agreed to do some research on local collection agencies and costs involved.

Parking meeting with IPS to gather info about parking meters on-street and what the options might be – Jake said we need to do the best practices for our parking – the next step will be a parking committee meeting. If we do not have the support of the city council and the businesses, we need to stop looking into this. One council member has said they will never support meters. Councilman Francis feels there is a lack of understanding on how the modern meters work with card payments and apps. The council will have problems being in favor if the businesses are split on their support. Greg asked if anyone here is against meters? Chip and Antonio said they were maybes. If the meters have a 20 or 30 minute free window they would be more behind it. Every person that parks will have to go to the meter either to just register they have parked and plan to be only 20 minutes or to pay to park. Had a meeting with Centre Theatre and it was suggested that a card that would be displayed in their vehicle giving them permission to park longer than the two-hour limit while in a movie. If we did this it would give us data as to how many people are parking on the street in the two-hour zones and going to the movies and would have gotten a ticket. These would be dated so they could not be re-used. Kent Lott, owner of the Center Theater claimed there are bad reviews on FaceBook complaining about the parking, but we could not find them. Kent Lott, owner of the Centre Theatre wants the meters installed now and Richard Napier at Idaho Mountain Trading in not in favor of them. Kevin said gathering the data of how many people would use the movie display cards would be important info to have so we know if it just a small minority that are loudly complaining. Jake said we need to determine if this is important enough to make it a priority for the DDC to do all the leg work of talking to each business and explaining how it could work if we moved forward. Greg said this is a long-term goal, but where are we at on the block face ordinance? The City Council will meet on the 29th about that. It will state that after 2 hours you will have to move your vehicle 500 feet (1 ½ blocks) before you are allowed to re-park. Is there an option to just put meters on Park and B Street? Park City in Utah has some metered streets and some two-hour free streets. Catherine will confirm the time and place of the parking committee meeting.

Catherine presented the annual report to the city about the BID and will email this out to the board.

Taste of Downtown was canceled due to only 2 restaurants saying they could participate. We are talking to Idaho Falls Magazine to see if they want to take on this event in connection with their Dining Awards, they do each year. The Merchant Association is doing a Downtown Block Party on July 24th. This is being spearheaded by Marilynne (MarCellars), Hannah (Handmade Idaho), Bill (Pickle Deli) and Sheba (Cardamom). B Street will be closed with vendors in the street. Oktoberfest will be Sept 25th and Fallbrew will be Nov. 6th. The new person at the city is Renee and is being much stricter on what is and is not allowed city wide. Hoping to follow Boise in their guidelines. Had a problem at Alive After 5 where a woman passed out and the ambulance had to come down Park, go around to Shoup then back up B Street because B Street was totally blocked out. This is a problem and having an open access for emergency vehicles will be required.

From Lisa – grants for Pie Hole Pizza, Spruce home and Page Insurance are in the works. IFDDC finished their solar light project in the parking lots. Idaho Mountain Trading got a new sign. We have applied for \$65,000 for the next set of grants.

Dana – we are halfway thru the planning of the master plan for the BCTC – hoping to have that open in 2022. The rodeo is happening the first weekend in Aug.

Meeting was adjourned at 9:40am

Our next board meeting is scheduled to be held August 3, 2021.

Respectfully submitted by Jill Hansen, Secretary and Mala Lyon

Idaho Falls Downtown Development Corp. August 3, 2021 board meeting was held at the Jacob Grant conference room – 490 Park Ave at 8:30am

Attendance: Lisa Farris, Brandi Newton, Jill Hansen, Emily Fitzpatrick, Antonio Meza, Chip Langerak, Shane Dial, and Anas Almssrahy.

Staff: Catherine Smith, Juan Hernandez and Mala Lyon

Minutes for July 13, 2021 were reviewed – but we did not have a full quorum to approve, so we will do that in September

Financial Report – Brandi – we are in a very stable position and can possibly look at pushing some funds to the Historic Foundation as we come to the end of our fiscal year. We budgeted for the Taste of Downtown event, but it was canceled. Parking is making money but that may not always be the case. It is common to over sell a parking lot by 25% - we do about a 12 1/2% over sell, but we should not budget that in as we may have to change that policy. It is hard to budget correctly for snow removal and credit card fees as they are unknowns. Catherine said we had 2,000 people use the parking pay stations (meters) last month that either paid with their card or coins. The PPP loan was forgiven, so we will not have to pay back any of the \$47,000, which is about the amount we would have made in income at our events. We did not have to dip into our reserves to keep going and we are very grateful to the Bank of Idaho for all their help. We did not have a full quorum to approve, so we will do that in September.

Catherine said we have discussed in the past a 'Welcome' arch to go over Broadway. It would be nice to have two arches – one by the Memorial bridge and the other by the Yellowstone Highway. Last May we contacted Sign Pro and they gave us a bid to do the engineering feasibility report at \$2,900. Have discussed with Lisa the possibility of façade grant money and we can maybe get \$1,500 and the IFDDC would pay the other \$1,400. This design is just an option. Jill suggested that the starting point is to talk to ITD before agreeing to spend any money on a report. Catherine said she would start a conversation with ITD and Chris Fredrickson at the city, then we will return to this report.

July 24th the merchants held a Block Party that was spearheaded by Marilynne from MarCellar's, Sheba from Cardamom, Bill from the pickle Deli and Hannah from Homemade Idaho. We supported their event with \$100 in Facebook advertising, the city application to close B Street and other advertising. The goal was to have 20 - 30 antique dealers on B Street, but they were only able to get two to come, so they just put them inside the Civitan Plaza and didn't close the street. We have received feedback from the merchants that they saw an increase of activity and sales by 30 – 35%. Customers that came were looking for the Taste of Downtown as a full-page ad had been in the I.F. Magazine that went to print before the decision to cancel was made. We had some push back from the Samoa Club group that were upset because we used their name of "Block Party" which was their event last summer. They didn't want to call it Summerfest as that made it sound like our brew fests. Chip said they had a number of people asking where the Tastes were. Catherine said we need to figure out how to make this event work as it is obvious that the public wants it, but it is hard for the restaurants who are understaffed and may not have the equipment to do an outdoor serving event. In the past we have done a 75-25% split with the restaurants. The tickets were sold for \$1 each, then the restaurants counted the tickets and we gave them back .75 for each ticket and the .25 was used to defray our costs. It is an expensive event when you must rent tables and other items and do advertising. Some of the restaurants sold items directly rather than using the tickets so we lost money. Chip said they do not look at it as a time to make money but as an exposure event to get people to know about them. It is a good weekend to hold that event with the Farmers Market and the Art Show going on already. People that came downtown liked it but were expecting more as only a few businesses set out sidewalk sales. The IFDDC always budgets and plans for a loss for the event to fund it. We need to have some more conversations with the restaurants to see how we can make it work.

Events coming up are the Oktoberfest on Sept 25th and Fallbrew on Nov. 6th.

Parking fees – in 2002 we raised the cost of hourly parking in the lots from .25 to \$1 per hour; monthly parking permits increased in 2002 from \$20 - \$25 and again in 2003 from \$25 to the current \$35. We would like to propose an increase to \$40 per month for a parking pass going into effect Oct 1st. That is a \$60 per year increase per permit sold. This will help offset the credit card transaction fees, maintenance, and improvements. Also, the Capital Lot has reserved parking where each person is assigned a space that is theirs and theirs alone. We have also only been charging \$35 per month for these permits and would like to up it to \$50 as it is a premium space. Brandi said we need to look at the reason for the increase if our goal is to get employees off the street by offering affordable parking so they can park all day. We should see an expense report that shows the increase is needed to cover our expenses. Catherine said she would create that report.

Public Art – We are looking at doing murals again but doing them by commissioning an artist, not the public ‘call-to-artists’ method. That way we can work directly with the building owner and one artist to have a mural painted. We can still use the Art Committee to get their input and suggestions, but the final mural will be between us, the building owner and the artist so the building owner is happy with the mural. The “Labs of Downtown” has stalled a little as we work with the INL, we still hope it get some installed before the end of the year. Brandi asked if they will be left out year-round? Or will the street salt damage them? Catherine said they are made of fiberglass and the location will be very carefully chosen to protect them.

Lisa reported that we city council approved \$36,000 for 2021 funding with \$1,000 of that for graffiti and we still have \$11,000 left from previous years.

Anas said the city is doing round 2 of the Imagine I.F. survey and encourage everyone to go online and give your input. It is open until the 11th.

Catherine reported that the Parking Committee did meet and there is still interest in exploring the install of parking pay stations on street. There is software that will allow a 20 – 30 minutes free parking option but it is more expensive. We are working with IE Productions to create an info video to help us education how it will work. We got an email from one of the salons saying one of her stylists has gotten 7 tickets and wanted to know what could be done and where could she park. Chip said in their 10 years being downtown not one ticket has been given to an employee because they have told them where to park and how easy it is. He often hears people from out-of-town comment with surprise that on-street parking is free for two hours. Change always happens with the way you do things and people adjust. Catherine said that after the discussion with Lott’s from Centre Theatre it was agreed for the purpose of gathering info, we would give them cards that they could give to people coming to movies in the afternoon so they could have extra time parked on the street. We gave them the cards a week ago and have not seen one used yet. We feel there was a day when quite a few tickets were issued, and people were upset and that is what they are basing their complaint about parking to us on – that one day. Chip said that it again the education that people need. He did a live video showing it only takes about 5 minutes to walk from the parking by the railroad tracks into the heart of downtown and then timed the walk at 3 minutes and 15 seconds to walk to the theatre. Brandi said we need to humanize it like that saying we care about you the downtown employee and here is how we can help by showing you where to park.

Meeting was adjourned at 9:36am

Our next board meeting is scheduled to be held September 14, 2021.

Respectfully submitted by Jill Hansen, Secretary and Mala Lyon

City Attorney - Opioid Settlement



STATE OF IDAHO

OFFICE OF THE ATTORNEY GENERAL

LAWRENCE G. WASDEN

September 13, 2021

Mayor and City Council:

Governor Little and I recently announced the State of Idaho's agreement to participate in nationwide opioid settlements with Johnson & Johnson and three major opioid distributors, AmerisourceBergen, Cardinal Health and McKesson. These settlements total up to \$26 billion dollars and include up to \$119 million dollars for Idaho and its counties and cities who agree to participate.

I am writing to ask you to join us in participating in these historic settlement agreements. I believe that these are fair settlements that will provide the State and local governments much-needed funds to fight the opioid crisis. The citizens of the State will receive the maximum benefits from these agreements if the State and local governments work together and all participate.

Attached is information about the settlement agreements and how you can participate. I look forward to working with you in the coming months.

Sincerely,

A handwritten signature in black ink, appearing to read "Lawrence Wasden", written in a cursive style.

LAWRENCE WASDEN
Attorney General

LGW

Attachments

OPIOID SETTLEMENT AGREEMENTS WITH JOHNSON & JOHNSON AND 3 MAJOR DISTRIBUTORS

The Attorney General of the State of Idaho has joined a nationwide settlement resolving opioid-related claims with Johnson & Johnson and three major opioid distributors. Because the State of Idaho is participating in this settlement agreement, certain local governments within the State are now also eligible to participate and receive benefits under the agreements.

What are these Settlement Agreements About?

In Idaho, opioid overdose deaths have risen dramatically in recent years and both the State and local governments have expended significant funds fighting the opioid crisis. States and local governments across the country have spent the last several years investigating and litigating against many companies to hold those responsible accountable and to change the pharmaceutical industry for the better.

A broad coalition of states and local governments have reached final settlement agreements with four of those companies, Johnson & Johnson, and three distributors: AmerisourceBergen, Cardinal Health and McKesson. These settlement agreements would resolve legal claims by participating States and local governments stemming from actions that fueled the opioid addiction epidemic.

How Much Money is Available for the State and Local Governments?

The agreements provide for payments totaling \$26 billion, with a total maximum amount of \$119,896,000 available for the State of Idaho and participating local governments. Johnson & Johnson will make payments over 9 years. The three distributors will make payments over 17 years. The State and local governments must use the funding to support approved strategies for fighting the opioid crisis. A certain portion of the funding may also be used to compensate attorneys who have pursued the opioid litigation on behalf of the State and local governments.

The total amount of funding that Idaho and local governments may receive depends on how many eligible local governments participate in the settlement. The State and local governments can secure the maximum payment by fully resolving all of the pending and potential opioid-related claims by public entities within the State. In short, the more local governments that participate, the more funds available for everyone.

Does the Settlement Agreement Provide for Changes in Pharmaceutical Industry Practices?

Yes. The agreements provide for major changes in how prescriptions will be distributed and sold, including increased oversight, independent monitoring and a national database funded by the distributors to help stop deliveries of opioids to pharmacies where diversion and misuse are occurring. Johnson & Johnson will be prohibited from selling or promoting opioids.

Which Local Governments are Eligible to Participate?

Eligible local governments include: (1) all counties; (2) all general purpose local governments who currently have pending claims against Johnson & Johnson and the three distributors; and (3) all other cities with a population of 10,000 or greater. Attached is a list of the local governments in Idaho who are eligible to participate.

In order to obtain the maximum amount of funding, releases of claims will also need to be obtained by certain school districts, hospital districts, health districts and fire districts.

How Can Eligible Local Governments Participate?

Eligible local governments can participate by executing a Settlement Participation form, releasing all opioid-related claims against Johnson & Johnson, the three major distributors, and their subsidiaries, and agreeing to be subject to a Consent Order filed in Idaho state court resolving these claims.

What is the Deadline for Local Governments to Participate?

The initial participation deadline for local governments is January 2, 2022. Local governments may still join the settlement agreements after that date, but the payments the local government will be eligible to receive may be significantly reduced. Additionally, many of the incentive payments under the agreement require early participation by local governments and would be reduced if local governments delayed in joining the agreements.

How Will the Settlement Money Be Divided Between the State and Participating Local Governments?

The settlement provides a default that would divide the money allocated to the State of Idaho among three funds: 15% to participating local governments; 15% to the State; and 70% to a trust fund to be used for opioid remediation projects. The default agreement also provides for how the 15% of funds allocated to local governments will be split. The default percent assigned to each eligible local government is available at <https://ag.idaho.gov/consumer-protection/opioid-settlement/>.

The State and local governments have the option of entering into an agreement on how to allocate funds that differs from the default. The Attorney General supports the State and local governments working together to reach an agreement on how to allocate funds that provides the best result for the State, local governments, and the citizens of the State of Idaho.

What Happens if an Eligible Local Government Decides Not to Participate?

If an eligible local government decides not to participate it will not be entitled to receive any of the funds under the settlement agreement. The local government would retain any opioid-related claims against Johnson & Johnson and the three distributors that it would otherwise have unless those claims were barred by legislative or judicial action.

How Can I Learn More About the Settlement Agreements?

Full copies of both settlement agreements and additional information are available at <https://ag.idaho.gov/consumer-protection/opioid-settlement/>.

All local governments eligible to participate will also receive an additional notice with more information about the settlement agreements and how to participate on or around September 19, 2021.

If you have further questions, you may also contact the Attorney General's Office at:

Office of the Attorney General
Consumer Protection Division
Attention: Opioid Settlement
P.O. Box 83720
Boise, ID 83720-0010
208-334-2424
opioidsettlement@ag.idaho.gov

Eligible Local Governments

Ada County, Idaho
Adams County, Idaho
Ammon City, Idaho
Bannock County, Idaho
Bear Lake County, Idaho
Benewah County, Idaho
Bingham County, Idaho
Blackfoot City, Idaho
Blaine County, Idaho
Boise City, Idaho
Boise County, Idaho
Bonner County, Idaho
Bonneville County, Idaho
Boundary County, Idaho
Burley City, Idaho
Butte County, Idaho
Caldwell City, Idaho
Camas County, Idaho
Canyon County, Idaho
Caribou County, Idaho
Cassia County, Idaho
Chubbuck City, Idaho
Clark County, Idaho
Clearwater County, Idaho
Coeur D'Alene City, Idaho
Custer County, Idaho
Eagle City, Idaho
Elmore County, Idaho
Franklin County, Idaho
Fremont County, Idaho
Garden City, Idaho
Gem County, Idaho
Gooding County, Idaho
Hayden City, Idaho
Idaho County, Idaho
Idaho Falls City, Idaho
Jefferson County, Idaho
Jerome City, Idaho
Jerome County, Idaho
Kootenai County, Idaho
Kuna City, Idaho
Latah County, Idaho
Lemhi County, Idaho
Lewis County, Idaho

Lewiston City, Idaho
Lincoln County, Idaho
Madison County, Idaho
Meridian City, Idaho
Minidoka County, Idaho
Moscow City, Idaho
Mountain Home City, Idaho
Nampa City, Idaho
Nez Perce County, Idaho
Oneida County, Idaho
Owyhee County, Idaho
Payette County, Idaho
Pocatello City, Idaho
Post Falls City, Idaho
Power County, Idaho
Preston City, Idaho
Rexburg City, Idaho
Shoshone County, Idaho
Star City, Idaho
Teton County, Idaho
Twin Falls City, Idaho
Twin Falls County, Idaho
Valley County, Idaho
Washington County, Idaho

Police - License Appeal Hearing

IDAHO FALLS

City License No.: 10656
Entered: 8/2/2021
H & W Mailed: 8/2/2021
H & W Received: 8-10-2021
Approved/Denied By and Date: W. SQUIPES 8/9/2021

CHILD CARE WORKER CERTIFICATION APPLICATION

Application Fee: \$20.00
Fingerprint Fee: \$45.00
Consent to Release: \$20.00

Receipt No.: 2346

Applicant Name: Smith Sara Marie
Last First Middle

Date of Birth: 4 Social Security Number: _____

Residence Address: 835 Saturn Av. Idaho Falls 83402
Street City Zip

Mailing Address: _____
(If Different from Above) Street City Zip

Email: Smarie93.55@gmail.com

Telephone Number: (208) 690-9210 Alternate Telephone Number: _____

Other Names Known By (Including Maiden Name) _____

Addresses for Past Five (5) Years 225 E. St, Idaho Falls, 83402

Name of Child Care Facility Where Employed: Kids Korner

SELF DECLARATION STATEMENT

I hereby certify that by my initials next to each statement that I have not been found guilty in Idaho, or in any other State's Courts, or in any Federal Court of any of the following:

- SS 1. Have not had a Child Care Facility License, Child Care Worker License or other similar permit or license denied, revoked or suspended by the City, or any other State, or local agency.
- SS 2. Have no outstanding warrants, have not received a Withheld Judgment, or have not been convicted of any felony or crime which under the laws of the State would be a felony.
- SS 3. Have never been convicted or had a Withheld Judgment for any crime committed against children, child pornography or any offense involving sexual misconduct, pandering or prostitution.
- SS 4. Am not registered, have not failed to register, nor am required to register, as a sex offender in the State of Idaho as provided by law, Idaho Code Title 18, Chapter 83.
- SS 5. Have never been diagnosed by a Licensed Counselor, Psychologist, Psychiatrist, or court appointed examiner as a pedophile.
- SS 6. Have never been convicted or had a Withheld Judgment of any crime involving the use of alcohol, or the sale, possession, or use of drugs, to include the use or possession of drug paraphernalia.

I hereby authorize the City of Idaho Falls, its Agents and Employees, to seek information and conduct an investigation into the truth of the statements set forth in this application.

I hereby authorize any investigator, special agent, or other duly appointed representative of the authorized Federal agency conducting my background investigation to receive any criminal history record information pertaining to me, which may be in the files of any Federal, State, or Local Criminal Justice Agency. I understand my fingerprint form may be provided to other Federal, State, or Local Agencies in conjunction with the application process, and I consent to such disclosure.

THIS RECORD IS SUBJECT TO THE FOLLOWING USE AND DISSEMINATION RESTRICTIONS:

Under provisions set forth in Title 28, Code of Federal Regulations (CFR), Section 50.12, both governmental and non-governmental entities authorized to submit fingerprints and receive FBI Identification Records must notify the individuals fingerprinted that the fingerprints will be used to check the criminal history records of the FBI. Identification records obtained from the FBI may be used solely for the purpose requested and may not be disseminated outside the receiving department, related agency, or other authorized entity. If the information on the record is used to disqualify an applicant, the official making the determination of suitability for licensing or employment shall provide the applicant the opportunity to complete, or challenge the accuracy of, the information contained in the FBI Identification Record. The deciding official should not deny the license or employment based on the information in the record until the applicant has been afforded a reasonable time to correct or complete the information, or has declined to do so. An individual should be presumed not guilty of any charge/arrest for which there is no final disposition stated on the record or otherwise determined. If the applicant wishes to correct the record as it appears on the FBI's CJIS Division Records System, the applicant should be advised that the procedures to change, correct or update the record are set forth in Title 28, CFR, Section 16.34.

PRIVACY ACT STATEMENT:

The Privacy Act of 1974, 5 U.S.C. § 552a, Public Law No. 93-579, (Dec. 31, 1974) establishes a Code of Fair Information Practice that governs the collection, maintenance, use, and dissemination of personally identifiable information about individuals that is maintained in systems of records by federal agencies. A system of records is a group of records under the control of an agency from which information is retrieved by the name of the individual or by some identifier assigned to the individual. The Privacy Act requires that agencies give the public notice of their systems of records by publication in the Federal Register. The Privacy Act prohibits the disclosure of information from a system of records absent the written consent of the subject individual, unless the disclosure is pursuant to one of twelve statutory exceptions. The Act also provides individuals with a means by which to seek access to and amendment of their records, and sets forth various agency record-keeping requirements.

STATEMENT OF OATH

I swear and affirm, under penalty of perjury pursuant to Title 18, Chapter 54, Idaho Code, that the statements contained in the above application for a Child Care Worker are true and correct to the best of my knowledge.

Sara Smith

Signature of Applicant

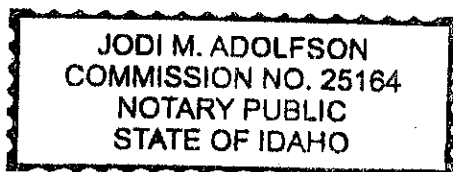
7/30/21

Date

STATE OF IDAHO)
) ss.
County of Bonneville)

On this 30th day of July, in the year 2021, before me the undersigned, a Notary Public, personally appeared Sara Smith known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same.

(SEAL)



Jodi M. Adolfson
Notary Public for the State of Idaho
Residing at Idaho Falls, Idaho
My Commission Expires: 5/20/2026


**IDAHO FALLS
POLICE****MEMORANDUM****TO:** City Clerk's Office**FROM:** Captain Bill Squires**DATE:** August 9, 2021**RE:** Denial – Sara Smith – Kids Korner

Sara Smith applied for a Childcare Worker Certification for Kids Korner Preschool & Daycare. After receiving the background check on 08/05/2021/2021, it is the City of Idaho Falls Police Department's recommendation to deny the license. The background check showed that Sara Smith does not qualify under City Code 6-3-8 C 8:

6-3-8: LICENSES/CERTIFICATION, DENIAL, SUSPENSION OR REVOCATION: A license or certification applied for or issued under this Chapter shall be denied, suspended, or revoked:

C. Where Applicant; Licensee; Owner; Operator; Child Care Worker; Resident; Volunteer, On- Site Non-Provider; spouse or significant other of an Owner has been found guilty of, plead guilty to, or received a withheld judgment, or admitted to the elements of any of the following enumerated crimes, or any substantially similar provision of foreign criminal violation, notwithstanding the form of judgment(s) for any offense involving neglect, any physical injury to, or other abuse of a child, or any of the following offenses or a similar provision in another jurisdiction, for a period of five (5) years immediately preceding the date of application for license or renewal:

8. Petit Theft, Section 18-6409

lh

DENIAL MEMO-019.2021 Sara Smiths



CITY OF IDAHO FALLS

City Clerk's Office

City Clerk's Office: (208) 612-8415

FAX: (208) 612-8560

APPLICATION TO APPEAL A DECISION TO THE CITY COUNCIL

Appellant Information:

Contact Name: Sara Smith	Phone Number: (208) 690-9210
Address: 835 Saturn Ave.	Email: smarie93.55@gmail.com
City: Idaho Falls	State: Idaho
	Zip: 83402

Reason for Appeal:

This was almost 5 years ago when I was living in Oklahoma. It was an honest mistake when I was interacting with bad friends. I took full responsibility for it though and had to pay a fine along with do some community service. I was told it would be expunged after doing those things. Since this incident I have strived to become a better person all around. I ended up going back to school at BYU, Met my now husband after that, and now have a 7 year old stepdaughter and a 2 year old son. I love them so much and

City of Idaho Falls Code of Ordinances:

4-1-2: (C) Any applicant may appeal a denial of his or her application by filing a notice of appeal with the City Clerk, within ten (10) days after the date the denial is delivered to the applicant. The notice of appeal shall be in such form as may be approved by the City Clerk and shall in summary form set forth the reasons for the appeal. Such notice of appeal shall be accompanied by a filing fee in the amount of fifty dollars (\$50.00). Such filing fee shall be non-refundable. Upon timely delivery of a notice of appeal and payment of the filing fee, the City Clerk shall schedule a hearing before the City Council within thirty (30) days after the delivery of the notice of appeal. The City Clerk shall also deliver a written notice of hearing to the applicant not less than seven (7) days prior to the date of such hearing. A copy of the notice of hearing shall likewise be sent to the Chief of Police. At the hearing, the City Clerk shall keep a transcribeable, verbatim record of the hearing, including any exhibits or documentary evidence and shall retain such transcript for a period of not less than six (6) months following the conclusion of the hearing. At the conclusion of the hearing, the City Council shall render a decision, which may be verbal or in writing. Such decision shall succinctly state the reasons for the denial or affirmation of the decision of the City Clerk.

→ Back side...

Date: 9-8-2021


Signature of Appellant

\$50.00 Filing Fee for Appeal
3031 Receipt Number

09-08-21P04:33 RCVD

Can honestly say I am not the same person I was 5 years ago.
I have not been in trouble with the law since this one incident.
I have been a stay at home mother for the past 2 years and I now
have the opportunity to get a job in Child Care.
This is something I started going to school for, but didn't finish.
This job would help me further my education in Child Development
and mean a lot to me. I really hope that you will please let me
continue on that path and not let this one mistake ruin that chance.