



**PARK CITY COUNCIL MEETING MINUTES  
445 MARSAC AVENUE  
PARK CITY, SUMMIT COUNTY, UTAH 84060**

**February 17, 2022**

The Council of Park City, Summit County, Utah, met in open meeting on February 17, 2022, at 3:00 p.m. in the City Council Chambers.

Council Member Gerber moved to close the meeting to discuss litigation and advice of counsel at 3:00 p.m. Council Member Doilney seconded the motion.

**RESULT: APPROVED**

**AYES:** Council Members Dickey, Doilney, Gerber, Rubell, and Toly

**CLOSED SESSION**

Council Member Doilney moved to adjourn from Closed Meeting at 3:50 p.m. Council Member Gerber seconded the motion.

**RESULT: APPROVED**

**AYES:** Council Members Dickey, Doilney, Gerber, Rubell, and Toly

**WORK SESSION**

**Review and Adjust City Council Liaison Assignments for 2022:**

The following liaison assignments were made:

- Mayor Worel and Council Member Rubell primary Transportation liaisons. Council Member Dickey alternate.
- Council Member Toly Public Art Advisory Board (PAAB). Council Member Dickey alternate.
- Council Member Gerber Park City/Summit County Arts Council and the Arts and Culture District. Council Member Dickey alternate. Council Member Rubell thought that could include authentic local culture. Mayor Worel stated that could be discussed during the visioning item at the next meeting.
- Mayor Worel Mountain Mediation.
- Council Members Rubell and Dickey Park Silly Sunday Market (PSSM) and this would be included as part of Events.
- Rhoda Stauffer, Affordable Housing Specialist, was assigned as liaison to Peace House

- Council Member Toly Summit Lands Conservancy.
- Council Member Dickey Friends of the Farm. Council Member Doilney alternate.

**Review and Approve City Council Protocols:**

Mayor Worel reviewed the protocols were set up so Council could operate from the same perspective. Council Member Rubell asked when Council members would act representing the Council versus acting as a community member. Margaret Plane stated Council members retained first amendment rights but it didn't mean comments wouldn't be taken in the role of an elected official. She advised Council to be aware that people might not distinguish actions as individuals. Mayor Worel gave the example that there were times when she would clarify she was not speaking representing the Council. Plane also cautioned that when there was a land use item that would most likely be appealed, the Council would sit on the appeal board and should be cognizant of their comments and opinions on the matter.

Council Member Toly asked if family members could speak out on issues. Plane stated immediate family members came into play if there was a significant financial interest in something that was regulated by the City. From the disclosure forms Council filled out, it didn't appear any Council members had those conflicts.

Council Member Dickey asked about Protocols 3B and F, regarding email responses. Mayor Worel explained a former Council member responded on behalf of Council. She asked how Council wanted to respond to emails that came to the entire group. Council Member Doilney gave the history that led to the auto response feature in the Council group email. Council Member Toly suggested directing the person emailing to appropriate information. Council Member Gerber liked the auto response that stated "you have been heard." Council Member Rubell liked the auto-reply as well. He wanted the [council\\_mail@parkcity.org](mailto:council_mail@parkcity.org) to include the City Manager. Dias stated it was helpful to know what the community was thinking. He thought there was a way to notify the emailer that the email would include the City Manager and suggested one or two Council members could work with the Communications Department.

Council Member Rubell asked about packet generation timing and the agenda process. He heard from the community they liked seeing when items would be discussed and requested that the packet be published earlier. Dias explained the process that went into packet generation and suggested publishing a packet on Monday, 11 days prior to a Council meeting. He related the priority items scheduled for the next three months were going to be condensed into six weeks. Some special meetings might need to be scheduled to accommodate that. Council Member Gerber liked giving the public a heads up when these issues would be discussed. She did not want the packet to be published 11 days prior to the Council meeting and noted she had learned to be an efficient packet reader and the current packet publication left the reports fresh in her mind. Council Member Toly favored having extra time to study the packet. Council

Member Dickey understood Council Member Gerber's point of view, but he wanted more time. Council Member Rubell favored having extra time as well. Michelle Kellogg noted there were months where Council would meet every week for four weeks in a row, so there would be multiple outstanding packets before the actual meetings. Dias noted the packets might have to be amended before the Council meeting to be up to date. Council Member Toly suggested this could be done on a trial basis, and then reevaluated.

**Utah Open Public Meetings Act (OPMA) and Government Records Access and Management Act (GRAMA) Training:**

Luke Henry, Assistant City Attorney, presented this item and noted Council members were required to have this training annually. He reviewed a quorum was necessary to have a meeting and it had to be open to the public unless it met certain requirements to be a closed meeting. Council Member Toly asked if City Tour was considered a meeting. Margaret Plane explained no City business was being conducted and the public would not be able to attend so it wasn't a convened meeting. Henry reviewed the meetings where notices had to be published so the public would know what would be discussed. Council Member Doilney asked if notices were published during the fires last summer when Council met at the ice arena. Plane stated decisions weren't being made by one public body, so the City didn't notice those.

Henry reviewed an audio recording of the meeting and written minutes were required. Plane reviewed the reasons to have a closed meeting. Henry explained the requirements for having an electronic meeting with an anchor location or without an anchor location. Plane reviewed GRAMA laws, including the definition of a record and types of records.

Council Member Gerber asked if she had to keep all her emails on City issues. Plane stated transient emails did not need to be retained. Council Member Toly asked if she had to forward emails that had been sent to her personal email to her Council email. Plane stated if a record was public, it didn't matter where it was stored; it could be admissible as a public record.

Plane stated if the City received a records request involving records from Council, the City Recorder would contact Council with the information requested and the timeline for getting those records to her. She also noted if someone believed there was an unfounded denial for records, they could appeal the decision.

Council Member Doilney stated there was active discussion in the State Legislature on Garrity statements and asked what that was and the impacts. Plane explained the Garrity statement being debated at the Legislature, and gave the example that if an officer was brought in to be interviewed under Garrity, their statement would not be used against them in a criminal investigation.

**LGBTQ+ Taskforce Update:**

Lynn Ware Peek, LGBTQ+ staff liaison, and Cami Richardson, Joe Ranger, and Sheri Fisher, taskforce members, presented this item. Ware Peek indicated it had been a year since the taskforce was created. Richardson reviewed that Council asked the group to work independently and come back with requests for Council support. She stated February 26<sup>th</sup> would be a Queer Ski event to support the LGBTQ+ community. She hoped the City would be the first in the State to be Diversity, Equity, and Inclusion (DEI) trained. She also noted Leadership Class 27 worked on social equity.

Ranger stated there was a growing need from the LGBTQ+ community to belong. The taskforce needed more data, and he proposed doing an environmental analysis, which would lead to getting a strategic plan. Once a plan was set, the group could apply for grants. He emphasized the taskforce was trying to be more visible. Fisher suggested having a human rights commission from all groups in the community. The City could invite them to unite and form a group like the LGBTQ+ group had done.

Council Member Rubell thought it was important to know this group didn't happen on its own. He gave credit to the former Council and staff for their efforts. He noted the Chamber publicized that Park City was the Number Two travel destination in the world for the LGBTQ+ community.

Council Member Toly asked if the City funded part of the taskforce, and if so, how much was given, and if it was an ongoing budget item. Ware Peek stated there was a budget they drew from to hire Fisher. They were going to come back this budget season to extend Fisher's contract. Council Member Toly asked if there was a legal requirement of what Council needed to see as a result of funding this group. Dias stated staff was helping the group and there was organizational development money for them to get a strategic plan. He explained this group was organized as a result of advancing social equity as a critical priority a couple years ago.

Ranger talked about the lack of organization among LGBTQ+ individuals in the Wasatch Back and this group helped the community grow. Richardson stated the group was looking at options to support themselves, including becoming a nonprofit and holding fundraising events.

Council Member Gerber thanked the group for their efforts and accomplishments. She liked the idea of organizing a human rights commission and thought it was timely to have this discussion.

Mayor Worel thought the group had accomplished much in such a short time. She noted the staff report listed other communities that had multicultural commissions. Ware Peek stated the formation of this commission would help the City increase its Municipal Equality Index (MEI) score. Ware Peek hoped to come back to Council at a future date

to discuss a multicultural affairs group. Council Member Toly asked to see more diverse members of the community being involved.

Council Member Rubell stated there was a very diverse crowd from what he saw at events. The taskforce did a great job making sure that happened. He thought it made sense to form a human rights multicultural commission and thought if a framework was set up to make it repeatable, it would be a strong thing for the community. Ranger stated there was a lot of diversity and noted they wanted the group to be accessible to many people, including those who needed childcare or couldn't afford to take time off from work to attend gatherings or volunteer. Council Member Toly asked if there would be two separate groups, to which Ware Peek stated the LGBTQ+ group would fall under the umbrella of the greater Human Rights Commission.

Council Member Dickey thought the Council addressed many items the commission would deal with, and he didn't want to push them off to a commission. Ware Peek suggested having a dedicated staff person in the City to communicate between Council and the commission would be a benefit.

Richardson requested to light up the Barn in June for Pride Month. Mayor Worel noted that request would go through the Friends of the Farm. Richardson stated they wanted to see the taskforce grow and they wanted to talk to the Summit County Council and Heber to make this a group to all in the Wasatch Back.

## REGULAR MEETING

### I) ROLL CALL

| Attendee Name                                                                                                                                                                                                                                                          | Status  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| Mayor Nann Worel<br>Council Member Ryan Dickey<br>Council Member Max Doilney<br>Council Member Becca Gerber<br>Council Member Jeremy Rubell<br>Council Member Tana Toly<br>Matt Dias, City Manager<br>Margaret Plane, City Attorney<br>Michelle Kellogg, City Recorder | Present |
| None                                                                                                                                                                                                                                                                   | Absent  |

### II) PRESENTATION

#### 1. 2022 Legislative Update by Representative Mike Kohler:

Representative Mike Kohler gave his presentation later in the meeting.

**2. Park City Mountain Resort Mid-Season Recap by Mike Goar, PCMR General Manager:**

Mike Goar, PCMR General Manager, updated Council on the challenges during the holidays. He stated he was grateful for all the employees working in all fields in Park City. He heard the feedback from the community and his team was responsive. Most of the feedback was positive. There had been a reduction in the food and beverage offering, and he realized it was tough for skiers when a restaurant or lift was closed. His team was committed to getting enough staff to get all the lifts open. The good news was that there were more lifts and trails open at PCMR than any other resort in North America.

Goar indicated the resort visitor numbers were similar to other years. Traffic had increased and he was working with City staff to mitigate traffic impacts. They were testing solutions and finding improvements. He indicated there was a 47% increase in season pass sales. Most of the growth had been from upgrading day passes to Epic passes. He noted much of the negative feedback was about the lack of parking and acknowledged the peak days were full and the parking lots filled up earlier in the day. Areas for improvement included better communication and how to get cars diverted earlier, as well as having a transit system that could get skiers to the resort in a timely manner. Looking forward, Goar stated the resort had capital project plans, including new and larger lifts.

Council Member Doilney sympathized with the challenges Goar mentioned. He stated there was a discrepancy between the report that capacity had not been exceeded and the congested and diminished skiing experience. It felt like there were more skiers and it did not feel as safe to be there. Many asked why the City was providing the transportation and infrastructure to get skiers to the resorts. There also hadn't been efforts to house the resort employees. He hoped PCMR would make a commitment to be a partner. He knew there was not a simple solution to the problems. There was a capacity limit and the City was bursting. He asked that Vail take responsibility for communicating full lots.

Council Member Gerber indicated it was unfortunate that the City and resort were in conflict. It was evident there were more people than usual in town and they were going to the resort. Traffic problems started outside of town, but they impacted the community. Residents couldn't get to community services on the weekends. Solutions needed to be discussed, like transportation and communication plans for guests. She stated in the future, the City couldn't support the mitigation efforts.

Council Member Rubell stated there was a lot of public relations efforts from Vail on their investment in the community. He asserted this community cared more about

impact than revenue. There had been a lot of talk at Council meetings about public/private partnerships on affordable housing projects. He thought the resort might not have employee issues if they offered housing. He noted Park City and PCMR shared a name to some degree and that name was not a business. Many residents felt the resort leveraged all the good things from the Park City name. There were parking studies, and assumptions were sometimes challenged. He saw the parking issue break last week and it was important to keep reevaluating the system. He heard employees in the parking lots were blaming the City and that was frustrating. The traffic impacted neighborhoods, which didn't allow residents to leave their homes. He also noted the ski experience was frustrating when he went today. Referring to the morning traffic, he thought skiers trying to get to the base in the morning wouldn't get a parking space, and he wanted to hear more solutions for that problem.

Council Member Toly was frustrated with all the people coming into town to ski. She asked Goar what he thought the City's role was and what the resort's role was in dealing with the issues, including who was responsible for infrastructure. She suggested forming a taskforce with people connected to the schools, resorts, City, etc.

Council Member Dickey stated the data of average skier days didn't add up. He heard frustration from many residents. The resorts were packed to the point the local residents didn't want to go there anymore. He hoped to hear changes to Vail's business strategy that would make things better for next year. If Vail didn't think there was a problem, there was no incentive to change. Mayor Worel noted Council received 1.5 hours of public comment on the frustration with the traffic congestion and other problems at Vail. She hoped PCMR and the City could meet to find solutions.

Goar stated business was not down, but there were no single day records. The Epic pass spread out the visits. He did not dispute there was more traffic, but there were a lot more people living here than two years ago. He stated transit ridership was down and that contributed to the congestion, but he knew skier traffic contributed to the congestion as well. He stated the company had a financial obligation to find solutions and he was open to meeting with the City to figure out their responsibility. Housing was needed and he was working on that. He was proud of Park City and he was discouraged some employees blamed the City.

### **III) APPOINTMENTS**

#### **1. Appointment of a Mayor Pro Tem and Alternate for Calendar Year 2022:**

The Council agreed to appoint Council Member Doilney as Mayor Pro Tem, Council Member Gerber as alternate Mayor Pro Tem, Council Member Toly second alternate Mayor Pro Tem.

Council Member Gerber moved to appoint Council Member Doilney as Mayor Pro Tem, Council Member Gerber as first alternate Mayor Pro Tem, and Council Member Toly as second alternate Mayor Pro Tem for calendar year 2022. Council Member Rubell seconded the motion.

**RESULT: APPROVED**

**AYES:** Council Members Dickey, Doilney, Gerber, Rubell, and Toly

**2. Appointment of Michelle Downard and Paige Thomas-Galvin as Deputy City Recorders for Park City Municipal Corporation:**

Michelle Kellogg, City Recorder, indicated Paige Galvin was new in the Executive Department and some of her duties included elections and records management. Also, Michelle Downard, Resident Advocate, had been a big help during elections and she was needed as a Deputy City Recorder as well.

Council Member Dickey moved to appoint Michelle Downard and Paige Thomas-Galvin as Deputy City Recorders for Park City Municipal Corporation. Council Member Doilney seconded the motion.

**RESULT: APPROVED**

**AYES:** Council Members Dickey, Doilney, Gerber, Rubell, and Toly

**IV) COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF**

Matt Dias indicated Steve Reese was retiring from the City at the end of the month and noted he had worked in many departments over the years. He thanked Reese for his dedication and service to the community.

**Council Questions and Comments:**

Mayor Worel was disappointed to have to talk about the racism that existed in the community and the incident at the high school recently. There was antisemitism, hate speech, and bigotry and she asserted they needed to be addressed and they would not be tolerated. It was up to everyone to make sure everyone felt respected and that their voice mattered. She hoped to make this community inclusive and wanted the community to join her in her efforts.

Council Member Dickey agreed with Mayor Worel and supported the Rabbi's letter to the editor of The Park Record as well. Council Member Toly wanted to recognize the passing of Jim Weber, who was the oldest Park City-born resident. She read about his life and honored him.

Council Member Rubell enjoyed attending the Winter Sports Festival at City Park and noted there was a strong Paralympics presence there. He was liaison to the Park City



Fire District (PCFD) and stated there was no expectation of service drops for the City. He noted the exponential growth in outdoor recreation which was impacting all. He reviewed there was a robust discussion at the Planning Commission meeting. A moratorium for permits was discussed at the Council retreat and he stated there needed to be a plan to keep the entire system working well.

Council Member Doilney indicated there was a joint Olympics discussion with Summit County Council and he felt it was inspiring. Council Member Rubell's experience at the park was indicative of the Olympics experience. He hoped the community could tune into the Olympics bid conversation. Council Member Doilney noted there was a Boundary Commission meeting regarding the Richardson Flat Annexation protest, and reviewed the commission voted in favor of Park City which was good news. He also condemned the hate expressed in town.

Council Member Gerber thanked Margaret Plane for her work on the Boundary Commission outcome. Mayor Worel attended the Council of Governments and noted they discussed regional planning and collaboration.

## **VI) CONSIDERATION OF MINUTES**

### **1. Consideration to Approve the City Council Meeting Minutes from January 27, 2022:**

Council Member Toly moved to approve the City Council meeting minutes from January 27, 2022. Council Member Gerber seconded the motion.

#### **RESULT: APPROVED**

**AYES:** Council Members Dickey, Doilney, Gerber, Rubell, and Toly

## **V) PUBLIC INPUT (ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE AGENDA)**

Mayor Worel opened the meeting for any who wished to speak or submit comments on items not on the agenda.

Deborah Rentfrow stated she appreciated the Planning Commission. She knew the City Manager and Council had oversight over the Planning Commission and she thought failure to meet a Planning deadline should automatically continue the item to a future meeting. She felt it was not the City's responsibility to make an application work, but the applicant's responsibility. She knew applicants brought new information to the meetings and the Planning Commission and public did not have time to review it. She gave this input to the Planning Commission and they supported the suggestions. She also requested consistent Planning Commission meeting dates.

Deb Rentfrow eComment: "As stated prior to my comments this evening, I have the utmost respect for our Planning Commission and appreciate their service to our community. My comments in no way are meant to be a criticism to any of the commissioners. As the City Manager has oversight/authority over the Planning Department and he along with the City Council have oversight of the Planning Commission, I'm bringing these comments to you. With regards to Planning Commission meeting protocol, I'm assuming applicants are given deadlines for their submissions to allow appropriate time for the Planning Department to review and publish a comprehensive report. What is the mechanism for enforcement of these deadlines? I believe it reasonable that a failure to meet a deadline should mean automatic continuance until the next month. The Planning Staff generally have more than one application on their desk and I think they would find it beneficial as well. The Commissioners would also benefit as agenda items lacking a comprehensive report in the packet for them to review ahead of time, would be continued. Contrary to what the Planning Director stated last night, this has happened on more than one occasion. Please consider providing additional guidance to the Planning Director and Staff that it is not the City's responsibility to make an application work and gain approval per the LMC. The City does not have to come up with solutions and work arounds for any application. It is the applicant's responsibility or burden of proof to come up with those solutions and present them in a cohesive, comprehensive manner for a timely and thorough review. Commissioners often ask for additional or new information during the review of an application and never receive it. The use of a checklist by the Planning Department to reference as to whether that information is ever received would be a helpful tool for both planning staff in preparation and the applicant in making sure they've met their burden of proof. Again, it is actually the applicant's responsibility to meet the burden of proof. If the applicant chooses not to provide that information, then it gets noted as such on this checklist and prior to any public hearing or action, this checklist is published with the packet. In case an example is needed, in December, a commissioner asked for car counts at an intersection. The applicant said no and if the commission wanted that data, they could ask the city to get it. This response would get noted and would only change if the applicant subsequently changed their mind and provided the information. Applicants often bring new information to the meetings in the form of exhibits or otherwise. This information consequently isn't available ahead of time for review by the Commission or public. Is it worth considering having applicants provide a copy of all presented materials to be included in the next packet along with the Public Input for purposes of reference later on? There have been multiple instances where an applicant is asked a question and their response is they've provided the answer previously and then re-iterate what they believe to be the answer, which may or may not actually be correct. If the presented information is provided on screen only, it's very difficult to go back to that audio at a later date and find it. Having access to a "hard copy" would seemingly be beneficial to both the Commission and the public and perhaps make meetings more efficient. I raised this during last night's Planning meeting and the discussion by the Commissioner's following indicated they would very much like

this change to happen effective with last night's meeting and collected for previous meetings. I respectfully request a follow up to make sure this actually happens. Requests were made of planning staff over the last 18 months for this and it has not happened. With the commissioners agreeing it should, I'm hopeful, but not convinced our Planning Director will implement it without additional encouragement to do so. During the Planning Commission meetings, the Chat function is disabled. I'll admit some months ago, a meeting occurred where it had not been disabled and when an applicant made an inaccurate or inconsistent statement, the public made note of it via the chat function. There were no obscenities. Within a few minutes, the Chat was disabled and has been ever since. In addition, the meeting is held in a manner that we cannot see who else or how many are attending. Zoom has this capability and if we were meeting in person, we'd know who else and how many others were there. Please consider making both of these adjustments going forward as long as a Zoom option is offered.

Finally, I attend most planning meetings and play them back if I have a conflict. I also have the planning meeting schedule on my calendar. Snow Park DV is typically the 2nd Wednesday of the month and PCMR is the 3rd Wednesday of the month. For PCMR, since November 2020 every single meeting has been scheduled for the 3rd Wednesday. Crazy, but I and others in the community actually make plans around this schedule. In January, the Planning Commission requested we get back to two meetings a month and shorten the meetings. The Snow Park meeting for February still went until 10:30pm and was on the 2nd Wednesday. The PCMR meeting adjourned at 9:00pm in spite of the applicant going 23 minutes over their allotted time and was held on the 3rd Wednesday (last night). Now, a public hearing – perhaps the very last time for the public to weigh in on the PCMR project, has been scheduled for the 4th Wednesday of March. This project has been under review for almost two years with no end in sight. This is a change in the schedule at the most inopportune time for the public. I humbly request direction be given to the Planning Department by the appropriate authority to hold the public hearing on the 3rd Wednesday of March and remain consistent with the last 16 months scheduling. Thank you again for the opportunity to speak. I 100% agree there is a different vibe with this Council and am excited about our City's future under your governance."

Deb Rentfrow eComment: "We can sum up the last couple of weeks by one word: REACTIVE. Traffic around the base has been an issue for more than just this season. However, as Councilor Gerber pointed out in early January, this year it seems worse. What did Vail Resorts do about it? Nothing. Two weeks ago, Councilor Gerber asked if anything had been done in preparation for the President's Day weekend with regards to traffic. In addition, over two dozen citizens gathered either online or in person at that same meeting to raise concerns. What did VR do about it? Made a bunch of changes to parking and circulation with very little consistent communication. It was a mess.

The problem is this is all reactive. Did PCMR really not know what was going on until two weeks ago? As KPCW interviewed a City representative and Mike Lewis this morning, it was pointed out some changes could have been implemented before this season even started. Ideas that others have suggested for over a year to Vail/PEG with regards to possible improvements or strategies now were included in the interview. Mr. Lewis basically replied it was too heavy a lift for this season, they'd continue to do what they can and maybe next season they could try some of these other things. He's right. It's too late to be pro-active now for this season, we're in the thick of it. But I'm reasonably confident, if we don't stay on them like glue, once this ski season is over, there will be little to no action in preparation for next season and it'll be the same situation just a season later. I urge the City to do what they can to hold Vail accountable and insist on a new word moving forward with regards to resort parking and traffic: PROACTIVE. Comments by Council were spot on and hopefully will result in solutions and improvements by PCMR."

Mayor Worel asked Dias to share the information with the Planning Department. Dias stated he would also share it with the Chair of the Commission.

Michael Kaplan stated he was impressed with the Council's comments to Mike Goar. Kaplan taught Ski Resort Management and he thought there was a disconnect. Vail was failing its customers and cities nationwide. He encouraged compliance through the permitting process regarding their growth.

Deb Hickey lived on Empire Avenue over the base area and noted there was a great community there with skin skiers, families accessing ski school, and athletes training there. She thought the base area was important and she worried about the overdevelopment of it. She stated the Planning Commission needed the Council's oversight and input. She hoped everyone would protect the environment.

Angela Moschetta supported Deb Rentfrow's comments and thought it was possible to make Zoom participation public. She thanked Council and noted the camaraderie among the members. She liked the great questions and scrutiny on all matters by Council Members Rubell and Toly. There was also a sense of humility Council-wide. She appreciated Mayor Worel's comments against hate speech. She asked Council to consider things through the lens of inequity. She thought the conversation was still led by white, straight, cisgendered individuals. She hoped taskforces could be formed for other groups such as Latinx and the workforce.

Joshua Sills eComment: "I wasn't able to submit a comment for the presentation by Vail Resorts. I haven't seen the lines match the wait times more than a few times in my 40 (short) days on the mountain. How can you say the data is good? Not one of my friends, neighbors or colleagues have seen anything different. Doesn't seem like a solid argument at all. Not to mention the new line forecast system that doesn't work. It just

doesn't add up. Additionally, I have worked on systems that counted guests entering and exiting different venues in the past and they were not that difficult to configure. This was 8+ years ago so I'm sure the technology has improved. Also, if the conversion of day passes to epic pass products was 1:1 then share the data because it's REALLY hard to believe. I do not want to see Vail fail. I want to see you succeed, but your product and experience has been an order of magnitude worse this year than any previous year that I, or anyone I have spoken with, has ever experienced. This is not a Park City only problem, but a Vail problem. <https://instagram.com/epicliftlines>"

Mayor Worel closed the public input portion of the meeting.

## VII) CONSENT AGENDA

### **1. Request to Approve the FieldTurf USA Inc. State of Utah Cooperative Contract for the Quinn's Synthetic Turf Field Replacement Project in a Form Approved by the City Attorney in an Amount Not to Exceed \$715,000.00:**

Council Member Rubell noted this project was being paid for with a grant.

### **2. Request to Authorize the City Manager to Sign the Professional Services Agreement with Avail Technologies, for the Continuation of Annual Warranty and Support Services, for an Annual Cost Not to Exceed \$124,000 for a Three-Year Term, in a Form Approved by the City Attorney:**

### **3. Request to Authorize the City Manager to Execute a Construction Agreement, in a Form Approved by the City Attorney, with Stratton and Bratt, for the Replacement of the PC MARC Leisure Pool Play Feature in an Amount Not to Exceed \$44,820:**

Council Member Rubell indicated this project was a big deal because this was a community gathering space. Council Member Gerber noted the outreach involved.

Council Member Doilney moved to approve the Consent Agenda. Council Member Gerber seconded the motion.

#### **RESULT: APPROVED**

**AYES:** Council Members Dickey, Doilney, Gerber, Rubell, and Toly

## PRESENTATION (CONTINUED)

### **1. 2022 Legislative Update by Representative Mike Kohler:**

Representative Mike Kohler gave highlights of the Legislative session. There were 40 water bills under consideration. The Great Salt Lake was very low and there was an emphasis on leaving more water in streams so it would get to the Great Salt Lake.

Another bill would allow short term water right exchanges. Metering secondary irrigation was another bill being considered, and he noted meters saved 30% consumption. Representative Kohler discussed tax bills and stated there was a tax cut this year. Council Member Doilney asked if the water bill was just for conservation or could it be sold to another user. Kohler stated it could be sold to another user if the owner didn't need it. Kohler reviewed a transparency bill regarding municipal budgets and indicated the previous year's budget had to be posted as well as the proposed budget.

Council Member Dickey discussed concerns about cities' inability to look for illegal nightly rentals. Kohler stated there were three bills working on limitations to enforcement.

Kohler stated he proposed a bill to reimpose impact fees for schools, and noted they were prohibited 20 years ago. He also proposed a bill regarding water adjudication. Council Member Gerber thanked Kohler for working for the City's interests. She was grateful he supported local control.

## **VIII) NEW BUSINESS**

### **1. Library Annual Report FY2021:**

Adriane Herrick-Juarez, Library Director, and Brynn Bateman Louis, Bill Humbert, Seth Beal, and Patricia Stokes, Library Board members, were present for this item. Juarez shared some of the library's accomplishments from 2021. The year included July 2020-June 2021, so much of the year was COVID based. She reviewed statistics, including number of checkouts, electronics used, and online visits. She noted the website was revamped and she was pleased with the new look. The library also expanded its Wi-Fi service. Juarez emphasized her staff adapted and did things in new ways, and it was a success. She also noted the board developed a new strategic plan and they were making progress on their goals.

Council Member Toly was excited to be the liaison for the Library Board. She liked the creative activities at the library and looked forward to the book sale. Bateman-Louis explained the strategic plan and noted how simple it was to implement. She praised staff members Daniel Thurston and Kate Black for their great work. She thanked Council for the support they gave the library. Humbert praised the board chair for her work. He indicated there was a sustainability center and there would be an event highlighting it on Earth Day.

Council Member Dickey stated the library was such an asset to the community and he encouraged staff and the board to look for more ways to get the word out on all the activities available. Mayor Worel referred to a letter she received during the pandemic where the resident asked Council to open the library.

Mayor Worel opened the agenda item for public input. No comments were given. Mayor Worel closed the public input portion of this item.

**2. Consideration to Approve the Utah Department of Alcohol Beverage Control (DABC) Request to Extend the Lease of City-Owned Space Located at 460 Swede Alley, Unit 100 for Two Additional Years for an Annual Rent of \$12,637.40:**

Jonathan Weidenhamer, Economic Development Manager, reviewed the rent increase that went along with the lease renewal. He stated the increase was still lower than the market rate lease amount. He reviewed the history of the space on Swede Alley and how the liquor store began renting the space from the City. He noted the liquor store was a lot more profitable today than when the City began leasing and stated he could discuss a higher lease rate if Council chose to do so.

Council Member Doilney thought having a liquor store in Old Town did more than just provide liquor, and noted it reduced traffic. He wanted it to stay in that location and he cautioned not to go too far with increasing the lease rate. Council Member Toly asked who owned the liquor store building in Snow Creek Plaza, to which Weidenhamer stated the State owned the building. She asked how the DABC felt about the size of the space, if there was information on building another liquor store in the City, and if staff had access to other cities' lease information. Weidenhamer stated the DABC would like to expand and their ideal space was a huge store in the Prospector redevelopment area. They also discussed expanding at Quinn's Junction. The City encouraged them to work with regional partners. He noted no subsidy was required so this could be a market rate lease.

Council Member Rubell thought it made sense to have the store at that space. He thought the proposed lease rate was good, but requested another discussion at the next lease renewal. Council Member Dickey agreed that looking at the 2024 lease renewal was a good idea.

Mayor Worel opened the agenda item for public input. No comments were given. Mayor Worel closed the public input portion of this item.

Council Member Rubell moved to approve the Utah Department of Alcohol Beverage Control (DABC) request to extend the lease of city-owned space located at 460 Swede Alley, Unit 100 for two additional years for an annual rent of \$12,637.40. Council Member Dickey seconded the motion.

**RESULT: APPROVED**

**AYES:** Council Members Dickey, Doilney, Gerber, Rubell, and Toly

**3. Consideration of MuSE PC Use:**

Jenny Diersen, Special Events Manager, and Jody Whitesides, MuSE PC, presented this item. Diersen reviewed the staff report gave a history of the old Maverick building site and the MuSE PC program, and indicated prior to demolishing the buildings in the Arts and Culture District, MuSE PC was using a building. Their proposal was to use this site at no charge one night a week. They had free public programs and they operated within the noise limit. They had not met during the pandemic and were now wanting to restart their program. The facility was currently being used for storage and some maintenance would need to occur prior to this group using it. Alternatives were mentioned in the staff report if Council was not ready to make decisions on this property.

Council Member Dickey asked if MuSE was a nonprofit. Whitesides stated it was an organized group of songwriters who wanted to get together. Diersen stated because this was not a nonprofit, a study would be required. Plane stated the State code directed how municipalities could use funds for corporate purposes, and if it didn't meet the requirements, there was a public process the City would have to go through. The study would be a public benefits analysis.

Council Member Gerber asked how much a study would cost, to which Diersen stated staff could do it. Council Member Gerber asked if Whitesides did any fundraising. Whitesides stated there was no fundraising, but people had donated materials at their prior location. Council Member Gerber asked why the other spaces wouldn't work. Diersen stated consistency was a priority. Other locations were only available temporarily, and there was a cost for some locations.

Council Member Toly wanted to see the community benefit as a result of giving this space to this group. She also wanted to see the layout of the facility. Whitesides explained the purpose of the gathering was to get feedback on the songwriters' efforts. He noted the proposed purpose now was not as grand as the activity in the old building. Council Member Toly asked if this would be a lease or an agreement. Diersen stated the group asked for a year lease.

Mayor Worel opened the agenda item for public input. No comments were given. Mayor Worel closed the public input portion of this item.

Council Member Gerber stated there was a community around songwriting. She hoped there was a way to get insurance. She favored a lease for a dollar a year, with the clause that if the development progressed, the lease would be terminated. Council Member Doilney wanted to see the community do more to encourage these kinds of endeavors.

Council Member Rubell didn't like the uninsured aspect of the proposal and asked Legal to look at that. Insurance was a standard that needed to be upheld. He thought the



space should go through a RFP process to make it fair. He didn't want to sign a lease unless improvements were happening to the space.

Council Member Toly asked if other groups like daycares could use the space on other days if this group only needed it one day a week. Whitesides stated the previous building they used was open to that option, but nobody else wanted to use it.

Council Member Dickey echoed Council Member Rubell and thought if it was a usable space, it should be advertised as such. If another City space could be found, that would be okay. He hesitated programming this space and wanted to figure out the purpose for this parcel.

The majority of Council favored exploring the use of the facility. Weidenhamer didn't think a formal RFP was necessary, but staff would explore possibilities and come back to Council. The insurance would be looked at as well. Council Member Doilney stated if Council was concerned that a flood of interest would be generated for using the space, it should stay closed. But if the building could be used if it was cleaned up, he favored that. He also favored displaying the proposal for the Arts and Culture District in that building. Council Member Dickey stated he was uncomfortable because it felt like insider preference to using it.

#### **IX) ADJOURNMENT**

With no further business, the meeting was adjourned.

\_\_\_\_\_  
Michelle Kellogg, City Recorder

An aerial photograph of a mountain town, likely Park City, Utah, covered in a thick layer of snow. The town is nestled in a valley, with snow-covered mountains rising in the background. The houses and buildings are densely packed, and their roofs are covered in snow. The overall scene is serene and wintry.

# Government Records Access and Management Act

Utah Code §§ 63G-2-101 to -901



# GRAMA Recognizes Two Constitutional Rights:

- The public's right of access, and
- An individual's right to privacy

# What is a Record

- Emails, texts, documents, photographs, recordings, maps.
- Must be prepared, owned, received or retained by the City



# A Record Is NOT

- A personal note,
- A temporary draft,
  - To-do lists



# Record Categories

- Public Records
- Private Records
- Controlled Records
- Protected Records



# Public Records

- Administrative staff manuals and policy statements,
- Contracts,
- Records documenting contract compliance,
- Drafts that circulated beyond the government entity,
- Drafts that were relied on to make a decision,
- Records of sustained employee discipline if the action has been completed and the appeal period has expired,
- Final audit reports,
- Occupational, professional, and business licenses.

# Private Records

- Library records,
- Medical records,
- Personal identifying information (like SSN, home address, insurance coverage).





# **Controlled Records**

---

Generally contain medical, psychiatric, or psychological data about an individual.

# Protected Records

---

- Closed meeting records,
- Ongoing investigations,
- Commercial information that could give an unfair competitive advantage.

# \_\_\_\_\_ So what happens? \_\_\_\_\_

The City Recorder will notify you

City has 10 business days to respond

A photograph of a large, multi-story brick building, identified as Park City High School, with several towers and arched windows. In the foreground, there are lush green trees and a paved area with benches. The image is dimmed to serve as a background for text.

---

# Questions?

---

PARK CITY

1884





# LGBTQ+ Task Force

February 17th council meeting

“A few months ago I noticed a message in the city buses that said “Ride with Pride”. I had just come out as gay about 2 years before. This made me feel safe, thought of, and cared for in this community and I felt grateful. I think this task force is important because it helps a vulnerable group in our community to feel safe and to thrive.”

– Chicho

“I participate in the task force to help everyone feel a sense of belonging and safety in the community. Seeking understanding and visibility helps everyone have the courage and space and freedom to be their best whole selves.”

– Kris

“The taskforce has connected me with my people. Having a sense of community has given me pride in where I live.”

- Mitchell



“I saw this as an opportunity for the local Park City and Wasatch Back lgbtq plus communities to come together to make a difference by standing up for others and their rights and to combat inequality and unfairness.”

- Cami

“Important to me because it helps Park City "walk the talk" and make the community a more comfortable home for anyone.”

- Peter

“I support the work of the LGBTQ Taskforce because it's important to ensure Park City and the surrounding Wasatch Back areas are inclusive and safe spaces for everyone.”

- Andy

meeting people  
make connections  
develop new friendships

unite our forces to seek the  
betterment of society

Be involved

A future where we all support, include  
and celebrate each other

Connecting  
with other people while working for positive change

Create a better  
Sense of Community

Increase  
inclusion and belonging

Celebrating  
our differences

building a Wasatch Back that is centered around  
love, inclusion, and joy

# Questions for Council?

1. How can we best keep the Council and community up to date, included, and involved with our ongoing efforts and accomplishments?
2. Should the LGBTQ+ Taskforce continue to operate under the City or should we attempt to propel its growth to encompass Summit County and the entire Wasatch Back?
3. The Taskforce recommends lighting the McPolin Barn during Pride month with rainbow colors. Thoughts?
4. The Taskforce recommends the consideration of forming an official PCMC Human Rights or multicultural Commission to further solidify our community's support for diverse groups in Park City. Thoughts?

# Human Rights Commission, Human Relations Commission, Multi-Cultural Commission

We envision this commission:

- Invigorating the City's work in Equity and Inclusion
- Making policy recommendations to the City Council which promote a "whole" community and advance equity and belonging in the City.
- Providing a forum where residents can raise issues relating to human relations in the City
- Engaging the community regarding the utilization of City-funded programs and policies for the promotion of human relations
- Looking holistically at the following areas: public safety; educational, art and cultural opportunities; economic development; health and human services; and housing.
- Members of the following communities who could be represented on this commission:
  - a. LGBTQ+
  - b. Youth
  - c. Workforce
  - d. Seniors
  - e. LatinX
  - f. Filipino
  - g. People with disabilities
  - h. People with neuro-diversities

| 2022 LEGISLATIVE BILLS TO WATCH                           |                       |                                                                     |                        |                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                              |
|-----------------------------------------------------------|-----------------------|---------------------------------------------------------------------|------------------------|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|
| Category                                                  | Bill #                | Elec                                                                | Bill Sponsor           | Floor Sponsor         | Bill Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Status                                                                                       |
| LGBTQ+ Task Force                                         | <a href="#">HB11</a>  | Student Eligibility in Interscholastic Activities                   | Rep. Birkeland, Kera   | Sen. Bramble, Curtis  | Requires transgender students to obtain approval from a State Commission to participate in sports activities                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 2/14/22- 2nd House Reading; 2/16/22- House to Senate                                         |
| Public Safety                                             | <a href="#">HB12</a>  | Public Safety Retirement Amendments                                 | Rep. Gwynn, Matthew    | Sen. Ipson, Don       | Reduces the length of the separation period from 1 year to 60 days post-retirement for public safety and firefighters; modifies the retirement eligibility age to 60 (previously 62) w/10 yrs. of service or any age (previously 60) w/20 yrs. of service; modified the multiplier percentage for retirement allowance from 1.5% to 2.5% up to 20 yrs. and 2% for additional years. This is a benefit for law enforcement. We can retain officers longer and they can return sooner after retirement and/or work for local governments in other capacities- public works, events, teaching, etc. See HB61 and SCR1 | 1/18/22- 1st House Reading; 2/16/22- 1st Senate Reading                                      |
| Executive                                                 | <a href="#">HB22</a>  | Open and Public Meetings Act Modifications                          | Rep. Welton, Douglas   | Sen. Thatcher, Daniel | required public bodies to establish how a quorum is calculated for electronic meetings and prohibits voting by proxy. PCMC would have to amend code.                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 1/28/22- 2nd House Reading; 2/16/22- Passed 2nd Senate Reading                               |
| Public Safety                                             | <a href="#">HB23</a>  | First Responder Mental Health Services                              | Rep. Wilcox, Ryan      | Sen. Ipson, Don       | Requires all first responder agencies to provide mental health resources for employees, spouses, children and retirees, provides for a grant program for mental health resources. The Utah Government Finance Officers Association is opposed to the retiree benefits due to the costs, liability recognition, deferred costs, disclosures, etc.                                                                                                                                                                                                                                                                   | 2/1/22- 2nd House Reading; fiscal note sent to sponsor; 2/16/22- Senate 3rd Reading Calendar |
| Building                                                  | <a href="#">HB39</a>  | State Construction Code Amendments                                  | Rep. Ferry, Joel       | Sen. Bramble, Curtis  | Requires certification to design fire suppression systems and modifies mechanical requirements.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 2/2/22- 1st Senate Reading; 2/16/22- passed 2nd Senate Reading                               |
| Public Safety                                             | <a href="#">HB61</a>  | Post-Retirement Reemployment Amendments- Public Safety and Teachers | Rep. Birkeland, Kera   |                       | Reduces the length of the separation period from 1 year to 60 days post-retirement for public safety and teachers; This is a benefit for law enforcement. We can retain officers longer and they can return sooner after retirement and/or work for local governments in other capacities- public works, events, teaching, etc. See HB12 and SCR1                                                                                                                                                                                                                                                                  | 1/18/22- 1st House Reading; 2/3/22- House to Committee                                       |
| Public Safety                                             | <a href="#">HB73</a>  | POST Certification Amendments                                       | Rep. Stoddard, Andrew  | Sen. Escamilla, Luz   | Allows the POST training council to take certain action if a peace officer violates minimum use of force standards. Supported by Utah Chiefs of Police Association.                                                                                                                                                                                                                                                                                                                                                                                                                                                | 2/2/22- Passed 3rd House Reading; 2/14/22- Senate to Committee                               |
| Env Sustainability, Public Utilities, Planning & Building | <a href="#">HB95</a>  | Landscaping Requirement Prohibition                                 | Rep. Ward, Raymond     |                       | Prohibits governments and HOAs from requiring property owners to plant or maintain lawn or turf- any amount. This will may require a PCMC LMC amendment. Very few impacts- most jurisdictions do not require sod. This would be more impactful if it retroactively voided existing CCRs, which still require turf. See HB121                                                                                                                                                                                                                                                                                       | 1/18/22- 1st House Reading; 2/10/22- fiscal note available                                   |
| Budget & Legal                                            | <a href="#">HB96</a>  | Government Records Fee Amendments                                   | Rep. Johnson, Dan      | Sen. Wilson, Chris    | Prohibits government entities from charging fees for the first 15 min of staff time responding to the request unless the request is from media or within 10 days of a previous request. ULCT supports this bill.                                                                                                                                                                                                                                                                                                                                                                                                   | 2/9/22- 2nd Senate Reading Calendar; 2/16/22- House- placed on Concurrent Calendar           |
| Env Sustainability, Public Utilities, Planning & Building | <a href="#">HB121</a> | Water Conservation Modifications                                    | Rep. Spendlove, Robert | Sen. McKell, Michael  | Prohibits lawn or turf requirements (see above); requires incremental decreases in water use at and max lawn area at state facilities; creates an 50% reimbursement incentive to homeowners who remove lawns; and requires a state water conservation study. See HB95.                                                                                                                                                                                                                                                                                                                                             | 2/1/22- 2nd House Reading; 2/10/22- Senate to Standing Committee                             |







| 2022 LEGISLATIVE BILLS TO WATCH             |                       |                                            |                        |                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                     |
|---------------------------------------------|-----------------------|--------------------------------------------|------------------------|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|
| Category                                    | Bill #                | Elec                                       | Bill Sponsor           | Floor Sponsor        | Bill Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Status                                                                                              |
| Emergency Management                        | <a href="#">HB169</a> | State and Local Employee Disaster Services | Rep. Burton, Jefferson | Sen. McKell, Michael | Identifies exemptions when employees are not required to report to work during emergencies (immediate family is in danger, etc.); Current PCMC policy is being amended to comply with this new language and to recognize these exemptions                                                                                                                                                                                                                                                                                                                                     | 1/28/22- 2nd House Reading;<br>2/4/22- House- Signed by Speaker;<br>2/16/22- Enrolled               |
| Executive & Council                         | <a href="#">HB178</a> | Ranked-choice Voting Amendments            | Rep Winder, Mike       | Sen, Bramble, Curtis | Requires rank-choice voting to be used for multi-candidate races in primary and general elections. Describes requirements for ballots, processing and counting ballots. ULCT opposes this bill.                                                                                                                                                                                                                                                                                                                                                                               | 1/28/22- House to Committee                                                                         |
| Summit County Health Department             | <a href="#">HB182</a> | Local Health Department Order Amendments   | Rep. Strong, Mark      | Sen. Cullimore       | Excludes state facilities from local Health Department authority; limits municipality authority in response to a pandemic. ULCT opposes this bill.                                                                                                                                                                                                                                                                                                                                                                                                                            | 1/18/22- 1st House Reading;<br>2/15/22- 2nd House Reading                                           |
| Env Sustainability                          | <a href="#">HB186</a> | Vehicle Registration Amendments            | Rep, Ward, Raymond     | Sen. Harper, Wayne   | Increases EV fees and other changes around road usage charge                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 2/1/22- 2nd House Reading; fiscal note sent to sponsor;<br>2/14/22- 2nd Senate Reading Calendar     |
| Env Sustainability                          | <a href="#">HB189</a> | Electric Vehicle Charging Modifications    | Rep, Briscoe, Joel     |                      | Prevents HOAs from restricting EV charging infrastructure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 2/1/22- House to committee;<br>2/1/22- House to Committee                                           |
| Env Sustainability                          | <a href="#">HB221</a> | Alternate Fuel Vehicle Tax Credit          | Rep. Harrison, Suzanne |                      | Tax credits on the purchase or lease on Jan 1, 2023 or later on EVs that cost less than \$55k                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 1/25/22- 1st House Reading;<br>1/31/22- House received fiscal note from fiscal analyst              |
| Public Safety                               | <a href="#">HB228</a> | Crime Victim Reparations                   | Rep. Ivory, Ken        | Sen. Iwamoto, Jani   | Allows reparations for victims of violence who do not report/cooperate with law enforcement, but seek support from an advocacy service provider. Supported by Peace House. Utah Chiefs of Police are concerned about the suggesting that victims don't need to cooperate with law enforcement and hold the violator accountable to end the cycle of violence                                                                                                                                                                                                                  | 1/26/22- 1st House Reading;<br>1/28/2- House to committee;<br>2/15/22- Senate to Standing Committee |
| Engineering, Public Safety & Transportation | <a href="#">HB235</a> | Speed Limit Designation Amendments         | Rep. Lund, Steven      | Sen. Owens, Derrin   | Allows UDOT, a county or municipality to establish speed limits without completing a traffic engineering and safety study. This would provide more flexibility identifying speed limits. However, this can also create inconsistent sped limits and a liability, particularly when increasing speed limits. ULCT supports this bill.                                                                                                                                                                                                                                          | 2/4/22- 2nd House Reading;<br>2/15/22- Senate to Standing Committee                                 |
| Budget                                      | <a href="#">HB239</a> | Governmental Entity Budget Transparency    | Rep. Abbott, Nelson    |                      | The (substitute) bill requires tentative budgets to include a current population estimate and CPI 12-month percentage change. The bill dictates the details of the budgeting process for government entities. PCMC already includes many of these into current practices, but this bill could be onerous for smaller cities/towns. This bill will create additional work for cities and towns, does not provide increased transparency, confuse residents with metrics and adds the administrative burden to an already transparent & public process. ULCT opposes this bill. | 2/16/22- 3rd House Reading Calendar                                                                 |
| Public Utilities                            | <a href="#">HB242</a> | Secondary Water Metering Amendments        | Rep. Peterson, Val     | Sen, McKell, Michael | Required secondary water to be metered by Jan 2030. PCMC doesn't manage a secondary water system, but supports metering of secondary watering to increase awareness and conservation. ULCT opposes this bill due to the infrastructure requirements.                                                                                                                                                                                                                                                                                                                          | 2/9/22- 2nd House Reading;<br>2/16/22- Senate to Committee                                          |



| 2022 LEGISLATIVE BILLS TO WATCH                       |                        |                                                   |                        |                      |                                                                                                                                                                                                                                                                                                                                                                                               |                                                                               |
|-------------------------------------------------------|------------------------|---------------------------------------------------|------------------------|----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| Category                                              | Bill #                 | Elec                                              | Bill Sponsor           | Floor Sponsor        | Bill Summary                                                                                                                                                                                                                                                                                                                                                                                  | Status                                                                        |
| Public Safety                                         | <a href="#">HB259</a>  | Law Enforcement Use of Unmanned Aircraft          | Rep. Wilcox, Ryan      | Sen. Bramble, Curtis | Prohibits law enforcement from using video/photos from drones without a search warrant unless they are lost/missing person.                                                                                                                                                                                                                                                                   | 2/9/22- 2nd House Reading; 2/16/22- Senate to Committee                       |
| Public Safety                                         | <a href="#">HB260</a>  | Law Enforcement Recording Release Amendments      | Rep. Wheatley, Mark    | Sen. Weiler, Todd    | Requires the release of the recording of a law enforcement incident that resulted in death or bodily injury, or when an officer fired a weapon and an incident that is the subject of a complaint or a legal proceeding that alleges an officer's use of excessive force, within 120 days after receiving notice of the filing of the complaint or legal proceeding. ULCT supports this bill. | 2/1/22- House to committee; 2/16/22- fiscal note available                    |
| Executive & Council                                   | <a href="#">HB264</a>  | Municipal Alternate Voting Methods Amendments     | Rep. Welton, Douglas   |                      | Modifies recount procedures. ULCT is neutral on this bill.                                                                                                                                                                                                                                                                                                                                    | 2/15/22- 2nd House Reading                                                    |
| Public Utilities, Sustainability, Planning & Building | <a href="#">HB282</a>  | Water Wise Landscaping Amendments                 | Rep Wilcox, Ryan       | Sen. McKell, Michael | Prohibits government entities from prohibiting water wise landscaping . This bill details plant materials, the percentage of irrigated area which can be required and plant density. ULCT opposes this bill.                                                                                                                                                                                  | 2/1/22- 1st Senate Reading                                                    |
| Public Safety                                         | <a href="#">HB296</a>  | Peace Officer Training Amendments                 | Rep. Kwan, Karen       | Sen, Cullimore, Kirk | Requires annual public safety officer training on identifying, responding to and reporting hate crimes. Unfunded.                                                                                                                                                                                                                                                                             | 2/9/22- 2nd House Reading; 2/16/22- 1st Senate Reading                        |
| Planning                                              | <a href="#">HB303*</a> | Downzoning Notice Amendments                      | Rep. Peterson, Val     |                      | Allows property owners who receive notice of a land use regulation public hearing which directly affects their real property to apply for a 90 day grace period to apply for a land use permit under the previous land use regulations. ULCT opposes this bill. *Substitute bill expected                                                                                                     | 2/2/22- 1st House Reading; 2/16/22- Favorable Recommendation- House Committee |
| Budget & Env Sustainability                           | <a href="#">HB312</a>  | State Financial Contracts Amendments              | Rep. Shipp, Rex        |                      | Prohibits public entities from contracting for financial services with companies that have a policy of refusing to finance fossil fuel companies. This would impact our procurement processes and possibly prohibit us from entering contracts with some companies. ULCT opposes this bill.                                                                                                   | 2/4/22- 1st House Reading; 2/14/22- House to Committee                        |
| Budget, Transpiration, Economic Development           | <a href="#">HB323</a>  | Transient Room Tax Amendments                     | Rep. Last, Bradley     |                      | Allows counties with national parks (SW Utah), who experience increased TRT to utilize funds for visitor management and destination development.                                                                                                                                                                                                                                              | 2/15/22- 3rd House Reading Calendar                                           |
| Economic Development, Planning & Building             | <a href="#">HB372</a>  | Short-Term Property Rental Amendments             | Rep. Moss, Carol       |                      | A city or county may enact and enforce an ordinance that prohibits an individual from listing or offering a short-term rental on a short-term rental website and creates a civil penalty for the act of listing or offering a short-term rental on a short-term website. ULCT supports this bill.                                                                                             | 2/14/22- House received Fiscal Note                                           |
| Budget & Economic Development                         | <a href="#">HB373</a>  | Convention & Tourism Business Assessment Area Act | Rep. Spendlove, Robert |                      | Allows counties to designate a Convention and tourism business assessment area to levy an assessment on lodging. Municipalities must adopt an ordinance to consenting to this within their boundaries. This is for Visit Salt Lake to allow for the creation of CTAA. Possible local implications- DV?                                                                                        | 2/17/22- House received Fiscal Note                                           |



| 2022 LEGISLATIVE BILLS TO WATCH |                       |                                                       |                        |                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                         |
|---------------------------------|-----------------------|-------------------------------------------------------|------------------------|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| Category                        | Bill #                | Elec                                                  | Bill Sponsor           | Floor Sponsor        | Bill Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Status                                                                                                                                  |
| Human Resources & Public Safety | <a href="#">HB399</a> | Government Records Amendment                          | Rep. Wilcox, Ryan      |                      | A Garrity statement is given by a public employee when questioned by an employer regarding events with potential criminal implications and reprimands. This is an important tool used by municipalities to gain information without interfering with prosecutions. This bill clarifies Garrity statements as protected and records that did not result in discipline as private. This bill provides clarity, avoid taint during future prosecution, transparency is provided through other public records (Body camera footage, reports, etc.), discourages employees to be open during Garrity interviews or having the interviews at all- decreasing accountability, and Garrity statement may still be released on a case by case basis per GRAMA. Utah Chiefs of Police and ULCT support this bill. | 2/16/22- 1st House Reading                                                                                                              |
| City Attorney                   | <a href="#">HB416</a> | Property Rights Ombudsman Amendments                  | Rep. Peterson, Val     |                      | Requires the State Property Rights Ombudsman to review local government ordinances, policies, and actions annually or in response to a request. Allows the State to give advisory opinions on condemnations.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 2/17/22- 1st House Reading                                                                                                              |
| Executive & Council             | <a href="#">SB18</a>  | Election Modifications                                | Sen. Thatcher, Daniel  | Rep. Maloy, Cory     | Aligns filing deadlines; supported by ULCT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 2/2/22- 3rd House Reading; 2/16/22- Senate Concurrence Calendar                                                                         |
| Executive & Council             | <a href="#">SB19</a>  | Election Modifications                                | Sen. Thatcher, Daniel  | Rep. Maloy, Cory     | Modifies special election dates; modified requirements for publishing sample ballots; modifies the deadline to determine rank choose voting; supported by ULCT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 2/2/22- 3rd House Reading; House to Senate; 2/15/22- Enrolled                                                                           |
| Building                        | <a href="#">SB43</a>  | Occupational and Professional Licensing Modifications | Sen. Bramble, Curtis   | Rep. Ferry, Joel     | required building inspectors to submit yearly licensing requirements (currently required every 3 years)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 2/7/22- House to Committee; 2/14/22- House- returned to Committee due to fiscal impact                                                  |
| Human Resources & Public Safety | <a href="#">SB46</a>  | Medical Cannabis Patient Protection                   | Sen. Thatcher, Daniel  | Rep. Ferry, Joel     | Provides protections for government employees with medical cannabis cards- it must be treated as any other prescribed controlled substance. This is concerning for public safety and Transit. PCMC received federal funding from FTA, which requires drug screening of transit employees for substances like alcohol and THC. There is no good test for determining THC impairment since it can be detected for weeks. The test is pass/fail. ULCT opposes this bill.                                                                                                                                                                                                                                                                                                                                   | 1/28/22- 2nd House Reading; 2/2/22- Passed 3rd House Reading; 2/2/22- Signed by Senate President, sent for enrolling; 2/15/22- Enrolled |
| Economic Development            | <a href="#">SB49</a>  | State Film Production Incentives Amendments           | Sen. Winterton, Ronald | Rep. Handy, Stephen  | eliminates the limits on tax credit incentives for rural areas (third to sixth class counties). This will allow funds to be invested in the fil opportunities in rural areas, boosting those economies from direct sales and production crews and publicly. Supported by PC Chamber.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 1/18/22- 1st Senate Reading; 2/15/22 1st House Reading                                                                                  |
| Human Resources                 | <a href="#">SB63</a>  | Bereavement Leave Amendments                          | Sen. Harper, Wayne     | Rep. Acton, Cheryl   | Requires governments (including municipalities) to adopt an ordinance or resolution to provide 3 days of paid bereavement leave for employees following a stillbirth or miscarriage. ULCT supports this bill.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 2/16/22- Senate- Signed by President; sent for Enrolling                                                                                |
| Sustainability- Trails          | <a href="#">SB66</a>  | Electric Assisted Bicycle Use Amendments              | Sen. Weiler, Todd      | Rep. Peterson, Karen | Limits PCMC's ability to regulate electric bikes on trails if users have a State Accessibility Card; the standard to obtain a card is consistent with PCMC, but this could impact other tourism areas                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 2/1/22- 3rd Senate Reading- circled; 2/14/22- Fiscal Note Available                                                                     |



| 2022 LEGISLATIVE BILLS TO WATCH                           |                       |                                               |                       |                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                           |
|-----------------------------------------------------------|-----------------------|-----------------------------------------------|-----------------------|---------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|
| Category                                                  | Bill #                | Elec                                          | Bill Sponsor          | Floor Sponsor       | Bill Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Status                                                                                                                                    |
| Env Sustainability, Public Utilities, Planning & Building | <a href="#">SB110</a> | Water Conservation Modifications              | Sen. McKell, Michael  |                     | Requires a water use and preservation element to be part of the general plan; outlines specific water use and preservation practices for possible adoption                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 1/18/22- 1st Senate Reading; 1/31/22- senate received fiscal note from fiscal analyst ; 2/15/22- House to Committee                       |
| Public Safety                                             | <a href="#">SB115</a> | Firearm Preemption Amendments                 | Sen. Wilson, Chris    | Rep. Maloy, Cory    | Clarifies preemption of the field of firearms regulation; creates the Firearms Preemption Enforcement Act; outlines exceptions and violations of legislative firearm preemption; provides for civil action and remedies for a violation of legislative firearm preemption; addresses governmental immunity. ULCT opposes this bill.                                                                                                                                                                                                                                                                                                                                   | 2/2/22- 3rd Senate Reading- circled; 2nd House Reading                                                                                    |
| Public Safety                                             | <a href="#">SB126</a> | Officer Intervention and Reporting Amendments | Sen. Iwamoto, Jani    | Rep. Wilcox, Ryan   | Creates minimum standards for police misconduct; sets standards for intervention and reporting requirements in law enforcement agencies; requires the Peace Officer Standards and Training Council to establish and review minimum standards for reporting police misconduct; prohibits retaliatory action against a law enforcement agency employee who reports police misconduct. Supported by Utah Chiefs of Police Association and ULCT.                                                                                                                                                                                                                          | 1/21/22- 1st Senate Reading; 2/2/22- Senate Committee- favorable recommendation; 2/16/22- Senate- signed by President; sent for Enrolling |
| Env Sustainability & Building                             | <a href="#">SB137</a> | Property Decontamination Amendments           | Sen. Mayne, Karen     | Rep. Collard, Clare | Authorizes a municipality to regulate the abatement of hazardous materials and modifies the authority of inspectors. This bill applies particularly to meth labs. The broad definition of hazardous materials may modify how we approach a situation. PCMC would generally engage State and Fed expertise and enforcement mechanisms to address these issues. ULCT supports this bill.                                                                                                                                                                                                                                                                                | 2/9/22- 2nd Senate Reading Calendar; 2/16/22- Fiscal Note Available                                                                       |
| Budget                                                    |                       |                                               | Sen. Harper, Wayne    | Rep. Handy, Stephen | Creates a financial tool for counties to capture tax increment due to the size and scope of the transit system to fund public infrastructure and housing. PCMC hopes to be included to allow for this tax options if we are inclined to do so in the future. No obligation to opt-in/implement the tax. Previously versions- municipalities are allowed to initiate an HTRZ, but only within the context of a community rail station. The public transit county, however, can initiate an HTRZ at a public transit hub. To be included, PCMC suggests adding the words "or city" to anywhere in the bill that says, "public transit county." ULCT supports this bill. | 1/27/22- 1st Senate Reading; 2/2/22- substitution; 2/2/22- Senate Committee- favorable recommendation; 2/16/22- Fiscal Note Available     |
| Finance & Economic Development                            | <a href="#">SB176</a> | Alcoholic Beverage Control Act Amendments     | Sen. Stevenson, Jerry | Rep. Waldrup, Steve | Increase single-use special event permits to 24 per year (currently 12). Spa sublicense would be allowed for Hotel licensees. Increase number of Resort Hotel Licenses from 4 to 8. Flavorings would no longer be required to use a metering device. Hard seltzers would be recognized in statute as a type of beer. Flavoring issues for beer/seltzer (allows most seltzers to remain on grocery shelves, while some partially ethanol-based flavored seltzers will move to DABC stores.)                                                                                                                                                                            | 2/7/22- 1st Senate Reading; 2/16/22- Senate Committee- Favorable Recommendation                                                           |

| 2022 LEGISLATIVE BILLS TO WATCH     |                               |                                                                                                                    |                      |                        |                                                                                                                                                                                                                                                                                                                                                                                                             |                                                        |
|-------------------------------------|-------------------------------|--------------------------------------------------------------------------------------------------------------------|----------------------|------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| Category                            | Bill #                        | Elec                                                                                                               | Bill Sponsor         | Floor Sponsor          | Bill Summary                                                                                                                                                                                                                                                                                                                                                                                                | Status                                                 |
| Public Safety                       | <a href="#">SB190</a>         | Medical Cannabis Act Amendments                                                                                    | Sen, Vickers, Evan   |                        | Amends medical cannabis label and distribution requirements. Restricts medical cannabis use for law enforcement officers due to their certification that is subject to federal regulations, and restricts all other first responder's medical cannabis use during the 12 hours immediately preceding the employee's shift or during the employee's shift. Utah Chiefs of Police and ULCT support this bill. | 2/15/22- Circled Senate                                |
| LGBTQ+ Task Force & Human Resources | <a href="#">SB238</a>         | State Holiday Modifications                                                                                        | Rep. Hollins, Sandra | Sen, Anderegg, Jacob   | Establishes Juneteenth National Freedom Day on June 19 as a state holiday.                                                                                                                                                                                                                                                                                                                                  | 2/16/22- House to Senate                               |
| Public Safety                       | <a href="#">SCR1</a>          | Concurrent Resolution authorizing State Pick up of Public Safety and Firefighter Employee Retirement Contributions | Sen. Harper, Wayne   | Rep. Wilcox, Ryan      | The State will pay retirement benefits for all Public Safety and Firefighter Tier II. See HB12 and HB61. ULCT supports this bill.                                                                                                                                                                                                                                                                           | 2/15/22- House- Returned to Rules due to Fiscal Impact |
| Exec & Summit County Health Dept    | <a href="#">SJR3</a>          | Joint Resolution to Terminate Public Health Orders Pertaining to Face Coverings                                    | Sen. McCay, Daniel   | Rep. Pierucci, Candice | Terminates local public health orders requiring masks or face covering.                                                                                                                                                                                                                                                                                                                                     | Passed Senate. Passed House. 1/21/22- enrolled         |
|                                     | <a href="#">Pending SB34+</a> |                                                                                                                    |                      |                        | The proposal applies to the same municipalities who are required to plan for and report on moderate-income housing established in SB 34 (2019);                                                                                                                                                                                                                                                             |                                                        |

