

**MOAB CITY COUNCIL MINUTES
REGULAR MEETING
MARCH 10, 2020**

Regular Meeting & Attendance: The Moab City Council held its Regular Meeting on the above date in the Council Chambers at the Moab City Center, located at 217 East Center Street, Moab, Utah. A recording of the meeting is archived at <http://www.utah.gov/pmn/index.html>.

Pre-Council Workshop: Mayor Emily Niehaus called the Workshop to order at 5:00 PM. In attendance were Councilmembers Rani Derasary, Mike Duncan, Tawny Knuteson-Boyd, and Kalen Jones. Councilmember Karen Guzman-Newton was absent. City staff in attendance were City Manager Joel Linares, Assistant City Manager Carly Castle, City Attorney Laurie Simonson, City Engineer Chuck Williams, City Recorder Sommar Johnson, and Deputy Recorder Joey Allred. Approximately 35 members of the public and media were present.

The Workshop began with a briefing by Mayor Niehaus regarding the City's commitment to creating parking opportunities for North Main Street businesses. She stated that plans were emailed to businesses and the school for consideration. She also stated that this workshop is to facilitate community feedback on the options. Mayor Niehaus asked City Engineer Williams to put the map of the area in question on the screen for everyone to see. Mayor Niehaus provided background information regarding the Highway 191 Widening Project that eliminates parking from 400 North going northbound on Main Street/Highway 191, which impacts businesses in that area. Mayor Niehaus stated that there would be a Hawk crossing light across Highway 191 down Emma Boulevard and 100 North. City Engineer Williams projected a map and described the one-way street, Minnie Lee, that would connect Highway 191 to Maxine or Emma Boulevard. One comment was made that the inlet in the parking area would create more traffic on Mi Vida, which leads past the elementary school; it would be better to remove the inlet and add more parking. Mayor Niehaus clarified that Maxine is a through street in this proposal, not a dead end. Members of the school board stated that they are against Maxine as a through street, because it puts traffic at the elementary school's pick up/drop off zone. A representative from the Community Church is opposed to Maxine becoming a dead-end street because it prevents churchgoers and preschoolers from accessing the building. Mayor Niehaus stated that, if the City didn't partner with private property owners, the dispersed parking would have to come from city streets alone. It was asked if Maxine could become a one-way street heading east, so traffic wouldn't go past the elementary school from the highway. It was suggested that parking could go down both sides of Maxine if it becomes a one-way street. Councilmember Derasary encouraged the public to make suggestions, since this is the first time that everyone has been in one room to discuss the parking concerns. Another suggestion was made to switch the bus area and the parent pick up/drop off zone locations at the elementary school. Ryan Anderson with UDOT stated that the bike path is part of the Highway 191 Widening Project, but the vehicular access is not; it would need to be change ordered into the project. Another suggestion was to straighten out 400 North and use the extra land for parking closer to the businesses. A suggestion was made to add shared parking and a pedestrian easement to the south end of Prospector Village to benefit multiple businesses. A suggestion was made to change the direction of the parking spots in the proposed plan. Mayor Niehaus asked if anyone was opposed to having a one-way street from Minnie Lee down Maxine to the proposed parking areas. Councilmember Derasary asked the public if they preferred the one-way street access to the dispersed parking area, or if the UDOT funds should be saved for parking at a different location. Councilmember Duncan said that he's hearing that people are concerned about access to Main Street from the parking area.

Regular Meeting Called to Order: Mayor Niehaus called the Regular City Council Meeting to order at 7:00 PM and led the Pledge of Allegiance. In attendance were Councilmembers Rani Derasary, Mike Duncan, Tawny Knuteson-Boyd, Karen Guzman-Newton, and Kalen Jones. City staff in attendance were City Manager Joel Linares, Assistant City Manager Carly Castle, City Attorney Laurie Simonson, City Engineer Chuck Williams, City Recorder Sommar Johnson, and Deputy Recorder Joey Allred.

Approval of Minutes: Councilmember Derasary moved to approve the minutes of the February 11, 2020 meeting. Councilmember Duncan seconded the motion. The motion passed 5-0 aye with Councilmembers Derasary, Duncan, Knuteson-Boyd, Guzman-Newton and Jones voting aye.

Mayor and Council Reports:

Mayor Niehaus reported attending two water quality board meetings, one regarding finance and one regular meeting. She stated that she also welcomed the Utah Planners to their Moab event for diversifying our economy. She attended a Southeastern Utah Association of Local Governments Board Meeting, and a City Strategic Planning Meeting (which all councilmembers attended). She celebrated with the Students of the Month. She also attended lots of Coronavirus meetings.

Councilmember Derasary attended two webcast meetings for the Utah League of Cities and Towns. She went to Washington D.C. with the Moab Tailings Pile Steering Committee to lobby for more money to move the pile. While in Washington D.C., she attended 18 meetings, including one with the Department of Energy. She stated that Representative Curtis is heading to Moab in April, and Senator Romney is planning to visit in August.

Councilmember Duncan thanked the City staff for presenting the Strategic Planning meeting on March 6. He stated that it was very organized and helped Council to prepare for budget talks.

Councilmember Knuteson-Boyd also thanked City staff for the Strategic Planning meeting. She said that her meetings to report would happen in the following week.

Councilmember Guzman-Newton reported attending the APA (American Planning Association) Conference, an airport board meeting, the Chamber of Commerce retreat, and an early Head Start grant meeting. She asked City Manager Linares if either Building Inspector Barry Ellison or himself could visit possible locations for the early Head Start program. Councilmember Guzman-Newton stated that she attended the Grand County Council meeting last week, where they discussed formalizing the ad hoc Transit Committee.

Councilmember Jones reported attending the APA (American Planning Association) Conference, where he learned about USU's Utah Wellbeing Program. He also attended a session at the APA Conference called Small Town, Big Politics. He stated that he attended a Housing Task Force meeting. He is working on modifications to the Assured Housing Ordinance, but it's not finished. He attended a Travel Council meeting, where they discussed how to keep special events safe as the Coronavirus is spreading.

Administrative Report:

Grand County Council Administrator Chris Baird and Southeastern Utah Health Department Environmental Director Orion Rogers were invited to speak regarding Coronavirus. Grand County Council Administrator Baird read a press release that he gave to the media today, where the County declared a local state of emergency due to the spread of Coronavirus. This allows the

County to apply for and receive state and federal aid. The County will place a temporary restriction on mass gatherings of over 250 people outdoors or 100 people indoors to prevent the spread of Coronavirus. The Grand County Council will have an emergency meeting on March 11 at 9 AM to discuss the state of emergency. Environmental Health Director Rogers read a letter from the Southeast Utah Health Department supporting Grand County's actions regarding Coronavirus. Councilmember Duncan asked Environmental Health Director Rogers how to tell if someone has Coronavirus (Covid-19). Grand County Council Administrator Baird stated that the Moab Regional Hospital created a flow chart for symptoms and people should call first if they believe they are infected. He said that hospitals have locked down and are only allowing certain people to enter their facilities. Mayor Niehaus asked for information about points of contact if citizens have questions. Grand County Council Administrator Baird said that the first point of contact would be the Southeastern Utah Health Department. City Manager Linares mentioned the website <https://coronavirus.utah.gov/> as a resource. Environmental Health Director Rogers said that the Southeastern Utah Health Department's website is another resource: <https://www.seuhealth.com/>. Grand County Council Administrator Baird stated that the situation may change from day to day, and the County will communicate those changes the best that they can. He said that the County and Health Department want to slow the spread of the virus so that the healthcare system doesn't get overwhelmed. Councilmember Derasary asked for confirmation about special events that have been cancelled due to Coronavirus. City Manager Linares said that two special events were cancelled by the event organizers: Skinny Tire Festival and Half Marathon. Grand County Council Administrator Baird stated that the best way to slow the spread of the virus is through social distancing.

City Manager Linares stated that the City had several meetings regarding Coronavirus with the County, School District, and many others. City staff have been looking at essential employees and how to keep things running if containment occurs. The City intends to declare a local state of emergency to access funding and supplies in relation to Coronavirus. City Manager Linares thanked Mayor Niehaus and Grand County Council Chair McGann for attending the Coronavirus meetings. He also stated that things will change as Coronavirus spreads, and the City will adapt as needed.

Citizens to be Heard:

Jessica O'Leary thanked Council for their support in the Equal Rights movement. She stated that the movement has become stuck in the legislature and will not be voted on. She stated that she doesn't support the parking structure; however, she would support a transit system.

Brendon Cameron expressed concern about the cancelled special events for the upcoming weekend. He said that it's 2,500 people that could've come to Moab and boosted the economy. He also stated that, at City Market, there's \$4,000 in excess inventory in the back room because the events were cancelled. He said that the event organizers had informed him that they were pressured to cancel the events in order to be able to have events in the future. He stated that he was very disappointed in the decision since Coronavirus hasn't reached Moab yet.

Mike Bynum stated that he was an advocate for the parking structure being located at the ball field on East Center Street. He said that he was informed that the City said no to that suggestion, so the location changed to either behind the tourist center or at the City parking lot. He said that he would still prefer the parking structure to take place at the ball field, and have the City create a state-of-the-art recreation facility. He pointed out that the downtown parking study listed some challenges. He also said that dispersed parking and a downtown parking structure do not have to be mutually exclusive.

Justin Ricks, organizer for Mad Moose Events, stated that he still has not received a definitive answer from Grand County on whether he could hold his event. He stated that he has spent thousands of dollars and many hours trying to accommodate the County's requirements. He said that he was informed by the County that, if his event brought Coronavirus to Moab, then he would be held accountable for it. He stated that he felt threatened and without support, so he decided to provide as much notice as possible to the registered participants that the event was cancelled.

Public Hearing:

Resolution 15-2020: A Resolution Directing the Termination of Agreements Related to the Downtown Parking Structure Project and Directing Coordination with Grand County to Pursue Different Projects for Hotspot Funding: At 7:48 PM, Mayor Niehaus opened a public hearing to receive input on proposed **Resolution 15-2020**. Councilmember Duncan referenced a conversation with Councilmember Guzman-Newton regarding the best use of the Hotspot funds. He stated that he would like to see dispersed parking which could accommodate larger vehicles and a transit system. He provided background regarding why Council decided to use most of the Hotspot funds for a downtown parking structure. He showed a slide show presentation regarding Resolution 15-2020. He stated that Moab needs to decide what it wants to look like in the future. He said that the City has six months to create concepts and an operating plan. Citizens speaking about the proposed resolution were:

Wes Shannon, owner of the Love Muffin Café and La Sal House, expressed appreciation for the Council's reconsideration of the Downtown Parking Structure. He stated that a new group named Downtown Main Street Alliance sent an email to Council prior to the meeting. He said that the Downtown Main Street Alliance wants to offer their collective voice to Council regarding downtown Main Street developments. He stated that he is the President of this group and Ryan Bird is the Vice President. He said that the Downtown Main Street Alliance is opposed to the Downtown Parking Structure. He said that the Downtown Main Street Alliance supports more safety for pedestrians on Main Street, and more parking (both on Main Street and dispersed parking). He said that they also support having a bypass and a shuttle system.

Ryan Bird stated that he is the Vice President of the Downtown Main Street Alliance as well as the owner of two businesses. He said that the proposed parking garage will not solve the parking issues for Moab, and it doesn't have the support of Moab business owners and residents. He stated that dispersed parking is supported by the Downtown Main Street Alliance. He said that the Downtown Main Street Alliance is against purchasing land that needs paved in order to provide parking. He stated that land should be preserved for housing or other economic developments. He also stated that the parking outside City Hall is a great example of dispersed parking. He encouraged Council to terminate the parking structure and have a fresh conversation about parking.

Greg Westfall stated that he is a Moab resident. He said that terminating the agreement with UDOT would be a grave mistake, because the City could lose the ten million dollars, and it could be awarded to another project in the state. He encouraged Council to review the resolution sponsored by Councilmember Jones that doesn't require termination of the contract. He stated that six months is not nearly enough time to come up with a different direction for the Hotspot funds. He also requested that resolutions be phrased factually instead of subjectively.

Matt Hancock stated concerns about transparency regarding the decisions behind the Downtown Parking Structure. He said that he has made several GRAMA requests to try and

understand how the decision was made, but he hasn't found any clear information yet. He stated that the City is not good at record-keeping. He said that his GRAMA request for the budget and operating expenses for the parking structure was denied. He also stated that very few private individuals participated in the Arches Hotspot Funding Committee. A UDOT document shows that 15 people attended the first meeting of the committee on November 13, 2017: the facility consultant, the chair of the Moab Area Travel Council, four UDOT representatives, four City staff members, four County staff members, and Mike Bynum. He said that Mr. Bynum has spoken publicly in favor of the parking structure over the past few weeks. Hancock stated that he went to the Executive Director of the Utah Political Subdivisions Ethics Committee. He was advised by the Executive Director that, if the purchase of land from Mike Bynum for the parking structure were to proceed as planned, the Utah Political Subdivisions Ethics Committee would investigate. Hancock expressed disappointment with the City's lack of transparency and proper process. He thanked Councilmember Derasary for the information she provided in the City Council packet.

Shalee Bryant, member of the Board of Directors for the Chamber of Commerce, stated that a poll was done by the Chamber of Commerce, and 62% of people polled are currently in favor of the parking structure. She said that the main reasons for support of the project are that Moab should be proactively looking towards the future and that the current amount of parking is insufficient. She said that the poll also showed that people believe the underutilized parking area is due to a lack of visibility. She stated that the poll showed that the parking study didn't plan for Moab's continued growth and the need for more parking. She said that the poll also showed that centralized parking will grow the commercial corridor for the future. She also said that the poll showed that parking on private lots can and will be developed, which will cause no parking to be available in the future. She said that the poll showed that parking is already difficult to find during the peak season in Moab and that people are concerned that money has already been spent toward the parking structure through the agreement with UDOT. She said that people expressed concern that, if the contract is turned down, the City may not receive more funding in the future. She stated that others expressed in the poll that they want to see more parking for oversized vehicles and that they are in favor of a transit system. She stated that some people expressed opposition to the parking structure, but it was a small percentage. She said that the people who are opposed to the parking structure expressed concern about the necessity and expense of the project, since the parking study showed that the current parking lot is not fully utilized during peak season. She said that the poll showed that people are concerned that the parking structure will take all the Hotspot Funds, which means there won't be any other parking developed. She said that another concern in the poll was that the parking structure currently is not projected to provide the initial 320 parking spots. She stated that the cost of maintenance is another concern which was mentioned in the poll. She said that people request a study of alternatives to provide more dispersed parking that will be less expensive while providing more parking spots. Councilmember Guzman-Newton asked how many people responded to the poll. Bryant replied that twenty-four people had responded.

Doug Sorenson stated that he is a member of the Chamber of Commerce, and he didn't receive any information about the poll. He stated that he is opposed to the parking structure. He said that he believes the transit system will work for Moab. He stated that he is from Park City, and it feels like he is going through the same situation fifteen years later. He said that he owns a business on the North end of Main Street, and he's asked his customers for a couple years if they would like a bus system in Moab. He said that about 40% of his customers would love it. He said that another focus for his customers is bike paths. He stated that his customers would love to be able to ride from Highway 191 into Moab, but it's just not safe right now. He feels that the

parking structure will become a skate park for kids in the winter. He said spending that amount of money on a parking structure doesn't make sense.

Kaki Hunter said that she is in favor of dispersed parking, large parking lots for oversized vehicles, and the shuttle system. She said that she wants to see a public transportation system for the locals throughout the valley. She said that we have a lot of developments in the valley right now, and it would be great to have transportation into town. She said that she would like to see more paths for bicycles and e-bikes. She requested that Council look at the greening of streets in areas like Seattle and Portland. She said that Tucson is mitigating flood drainage with berms and swales to replenish their aquifer. She said that what she would do with \$10 million dollars is blow up the bridges into Moab, tear up the streets, and grow food everywhere; this would solve the Coronavirus pandemic while creating a community that didn't have to worry about vehicles anymore.

Judy Powers said that she wanted to emphasize that the City has not started building the parking structure, and that's where the major money is. She is okay with losing some money on stopping the project. She said that she agrees with Councilmember Duncan's presentation. She stated that she has used shuttles in Alaska and while skiing, and they are great. She said that there are two low-income developments going in South of town, and she'd like people to have transportation into town. She stated that, if we can encourage people not to use their cars coming into town, it would be awesome. She said that she doesn't want the parking structure because it will encourage more cars to come into town. She stated that she wants to look at other options.

Erin Bird, co-owner of Moab Garage Company and Doughbird, stated that she wanted to bring up things that maybe haven't been thought about. She mentioned the mass exodus that happens every Sunday as people leave Moab, which is bonkers. She stated that if the parking structure was used anywhere near capacity, then the mass exodus would become a problem for cars leaving the structure. She mentioned that the meeting two weeks ago had a revenue plan where the City Engineer said that between 50-60 cars per day, at \$5 per car, were needed to park in the structure in order to pay for maintenance costs. She said that she can't see people paying \$5 a day for parking. She also said that she understands that Council has already gone through hoops to get this money for Moab. She stated that she wants to see the money allocated in a way that benefits the community now and in the future. She said that, maybe in the future ten years from now, a parking structure could be needed; but that is step five and she wants to start at step one.

Rubén Villalpando-Salas, a member of the Planning Commission, stated he's spoken to a lot of Councilmembers and Planning Commission members about the plan/vision for Moab, and nobody has one. He stated that he has also asked family members what they would do with \$10 million dollars, and they say a transit system and a bike path to Ken's Lake. He stated that he feels like there isn't enough transparency with the citizens on what we're doing and how we should do it. He said that he spoke with a guy from Layton where they split up into districts and have all their business owners come together to talk about development. He said that he doesn't know why we haven't done that before.

Dottie Bird stated that a transit system is a wonderful thing. She states that, on her way home from work, she sees kids walking to Spanish Valley after a long day of work. She said that it's criminal how these kids must walk 15 miles after working double shifts. She said that she would love a transit system, and that she'll drive. She stated that, as far as the parking structure goes, she loves that Council is trying to take care of us, but she prefers parking on Main Street the way

it is. She said that the real estate is too valuable to be used for parking. She said that she would like to have a walking area or a biking area behind the stores between the blocks.

Amy Weiser stated that, if Council decides the parking structure is not the way to go, then they should look at Councilmember Jones' resolution. She said that Council should look at Councilmember Jones' Resolution 17-2020 before they look at Resolution 15-2020. She states that Resolution 17-2020 is thorough and has ideas for a cost-sharing agreement with the County. She said that she strongly encourages Council to look at this resolution since we have a six-month deadline.

Councilmember Knuteson-Boyd moved to close the public hearing. Councilmember Jones seconded the motion. The motion carried 5-0 aye with Councilmembers Derasary, Duncan, Knuteson-Boyd, Guzman-Newton, and Jones voting aye. Mayor Niehaus closed the public hearing at 8:37 PM.

Old Business:

Resolution 15-2020: A Resolution Directing the Termination of Agreements Related to the Downtown Parking Structure Project and Directing Coordination with Grand County to Pursue Different Projects for Hotspot Funding— Tabled

Discussion: Mayor Niehaus stated that Resolution 15-2020 and 17-2020 are listed in the order that they were received. She asked if Council would prefer to discuss both resolutions at the same time, since they are related. Councilmember Derasary said that she had spoken to City Attorney Simonson and was under the impression that the resolutions had to be addressed in order. City Attorney Simonson clarified that Council could take a vote to change the order of which resolution is addressed first. She clarified that both resolutions could be discussed simultaneously, but they would need to be voted on separately. Mayor Niehaus said that she is fine with discussing Resolution 17-2020 with Resolution 15-2020, but she wanted Council's approval to do so. Councilmember Knuteson-Boyd said that, because the resolutions are related, she believes Council will have a hard time discussing one at a time. Councilmember Duncan said that Resolution 15-2020 is not worded exactly as it was intended. He said that they want to say "renegotiation" of the UDOT agreement, instead of using the word "termination".

Councilmember Derasary asked for confirmation that the word "termination" was being changed to "renegotiation". Councilmember Guzman-Newton said that she wants the resolution to have line two say "to direct staff to work with UDOT to repurpose the Hotspot Funding to be used for the highest and best use of the funding criteria, and to be more in line with what UDOT has already stated in their letters that we have received from UDOT officials and Chair Naghi Zeenati." City Attorney Simonson recommended that, if there is a motion, Council will clarify the resolution. Councilmember Guzman-Newton provided background for how the decision was made to fund the parking structure. She stated that we need to look at safe streets and providing transportation options. She suggested that Council go back to the list of projects provided by the Hotspot Committee with the County Council. She stated that this project was initially a joint project with the County. She also stated that we need to get community buy-in for the projects that are selected. She stated that a task force needs to be created, and it should include the new Downtown Main Street Alliance, the Chamber of Commerce, the Travel Council, and the Transit Committee. Councilmember Guzman-Newton said that she spoke with UDOT Region 4 Deputy Director Monte Aldridge and UDOT Region Planning Manager Jeff Sanders who have resources to help us. Councilmember Guzman-Newton showed a list of parking ideas provided by UDOT. Councilmember Derasary asked if there were any parts of Resolution 17-2020 that would be integrated into Resolution 15-2020. Councilmember Guzman-Newton said that the transparency in Resolution 17-2020 was good, and she wants to make sure that the public can join in during future meetings. Councilmember Jones stated that he agrees with what has been

said. He stated that he was a member of the original Hotspot Committee that looked at many different projects. He said that his resolution (Resolution 17-2020) was proposed because he felt that this resolution (Resolution 15-2020) didn't address transparency adequately. He also said that the Arches Hotspot Region Coordinating Committee couldn't have more than two members of City Council, because more than that would create a quorum. He said that the County Council could have more than two members before they reached a quorum, which would be inequitable. Councilmember Guzman-Newton clarified that the resolution states two members from each council would be on the committee. Councilmember Jones said that the committee doesn't address the issue of community involvement. Councilmember Knuteson-Boyd said that she agreed with Councilmember Jones that the thought process has evolved regarding parking projects. She said that everything has not been reported in an accurate, factual, and detailed manner. She stated that Resolution 17-2020 provides the history behind the funding and broader solutions for the project. She also stated that there has not been any formal research presented to the City Council regarding a transit system. Councilmember Knuteson-Boyd said that a transit system needs to have researched ADA compliance, be reliable, and have specific locations for the busses to stop at. She also said that bus barns are not aesthetically pleasing structures, but the busses must be parked somewhere when not in use. She said that the busses will need someone to repair them. She stated that she supports Resolution 17-2020 because it is more factual and lays out a better path for going forward. Councilmember Duncan said that he had another amendment to Resolution 15-2020, in paragraph 4: "with council members from each governing body to include the additional tie-breaking vote of a single representative of UDOT." City Manager Linares suggested that the tie-breaking vote be another representative from the City, even if it creates a quorum, so that the City bears most of the responsibility. Councilmember Derasary wanted to know what happens if the County is not interested in being part of the committee. She stated that she would like to amend Resolution 15-2020 to include transparency and record-keeping. Councilmember Jones stated that Resolution 17-2020 already has that language in it. City Attorney Simonson suggested that parts of Resolution 17-2020 could be added to Resolution 15-2020. Councilmember Knuteson-Boyd asked if the Resolutions could be tabled until they are combined into one resolution. Mayor Niehaus stated that the critical question is whether to close the door on the Downtown Parking Structure. Councilmember Guzman-Newton said that, since we only have until September 1st, there needs to be a decision tonight. Councilmember Derasary asked City Attorney Simonson and City Manager Linares what the differences are between the two resolutions after the amendments are made to Resolution 15-2020. City Attorney Simonson stated that there are two contracts that would need to be addressed in order to stop funding on the Downtown Parking Structure: UDOT and Kimley-Horn. City Manager Linares said that he issued a stop work order to Kimley-Horn three weeks ago. Mayor Niehaus asked what the outstanding bill amount is for Kimley-Horn; City Manager Linares said that it's about \$299,000. Councilmember Jones clarified that part five of Resolution 17-2020 does not state that the parking structure work will resume after May 10.

Motion: Councilmember Duncan moved to adopt Resolution 15-2020: A Resolution Directing the Termination of Agreements Related to the Downtown Parking Structure Project and Directing Coordination with Grand County to Pursue Different Projects for Hotspot Funding with the following modifications to the tenants of what is actually resolved by City Council. He said that item two will now say "City Council directs the City Manager to renegotiate the Cooperative Agreement with UDOT, dated 22 July 2019, in a way that minimizes legal and financial risk to the City." He said that item 4 will now include the sentence, "The 'Arches Hotspot Region Coordinating Committee,' shall conform to the Open Public Meetings Act." He said that Item five will be deleted to leave membership open to the public. Councilmember Guzman-Newton seconded the motion. Councilmember Duncan added another amendment to item three: "When the renegotiation of the Cooperative Agreement is executed, the City Council

directs the City Manager to terminate the City's consulting services agreement with Kimley-Horn dated 24 October 2019." Councilmember Guzman-Newton seconded the additional amendment.

Vote: The amendments to Resolution 15-2020 passed 3-2 with Councilmembers Duncan, Guzman-Newton, and Derasary voting aye. Councilmembers Jones and Knuteson-Boyd were opposed.

Discussion: Councilmember Derasary asked if part four needs language changed to include all the different groups that would be incorporated. Councilmember Guzman-Newton stated that City Attorney Simonson had suggested the formation of a sub-committee. City Attorney Simonson clarified that it would be a task force with a particular purpose and a set timeline. Councilmember Guzman-Newton stated that the committee would be County and City Councilmembers, but the task force would include the public and cover a broad range of options. Councilmember Jones stated that the language in Resolution 17-2020 attempts to address the committee questions. He also expressed concern about a sentence at the end of part four in Resolution 15-2020 which reads, "The Committee will serve as the point contact with UDOT for purposes of the Hotspot Funding Program and any subsequent applications for future project funding." Councilmember Jones said that the point of contact should be City staff, not the County and City Councilmembers on the committee. Councilmember Duncan proposed an amendment that states, "The Committee will serve as the primary but not exclusive contact with UDOT for purposes of the Hotspot Funding Program and any subsequent applications for future project funding." Councilmember Jones said that it doesn't sound any different from the original sentence. Mayor Niehaus requested that the resolution include payment to Kimley-Horn from the Hotspot funding for the work they have completed in the amount of \$299,000. Councilmember Jones said that the committee or task force should be used for the Hotspot Funding solution only. Mayor Niehaus suggested that the council reconvene the following day with a final amended resolution before they have a motion. Councilmember Guzman-Newton asked if that was permitted. City Manager Linares said it is possible to issue a directive to City staff while the resolution is being refined. Councilmember Guzman-Newton stated that she didn't want to wait, and that the resolution was almost complete now. City Assistant Manager Castle brought the document on the screen with the amended sections so Council could continue their discussion. City Manager Linares stated that Councilmember Duncan could withdraw his motion while Council edits the resolution. Councilmember Duncan withdrew his motion. Councilmember Derasary requested that both resolutions be projected on the screen while the edits take place. Mayor Niehaus stated that Council would take a two-minute restroom break while the resolutions were put on the screen. Mayor Niehaus said that the beginning of both documents is very different. Councilmember Duncan suggested tabling Resolution 17-2020 because it's being discussed already. Councilmember Guzman-Newton said that she has scheduling conflicts and could not meet later during the week to complete the resolution edits. Councilmember Knuteson-Boyd inquired if Councilmember Guzman-Newton could meet remotely later this week, instead of in person. Councilmember Guzman-Newton agreed that was possible. Mayor Niehaus said that Council can direct staff to blend the resolutions to match the Council's intent. She asked Council if they preferred the language in the "whereas" section of Resolution 15-2020 or Resolution 17-2020. Councilmembers Duncan and Guzman-Newton stated that they preferred Resolution 15-2020's language. Councilmember Knuteson-Boyd said that the language was more factual in Resolution 17-2020. Mayor Niehaus said that there wouldn't be a compromise between the two resolutions over that section then. Councilmember Guzman-Newton requested to focus on the "therefore" section of Resolution 15-2020. She requested help with re-wording the last sentence in part four. Mayor Niehaus requested the added language about the \$299,000 payment owed to Kimley-Horn as part of the Hotspot funds. City Manager Linares said that Mayor Niehaus' request couldn't be added to this

resolution. Mayor Niehaus asked Councilmember Derasary if she wants the parking structure to remain an option going forward, or if she doesn't want it at all.

Motion and Discussion: Councilmember Guzman-Newton made a motion to support Resolution 15-2020: A Resolution Directing the Termination of Agreements Related to the Downtown Parking Structure Project and Directing Coordination with Grand County to Pursue Different Projects for Hotspot Funding with the modifications that are shown on the board. Councilmember Duncan seconded the motion. Councilmember Jones stated that this resolution doesn't include the language in part three of Resolution 17-2020. He stated that the City will need help from more than just volunteers to come up with a new transportation plan that is accepted by UDOT in the 5 1/2-month timeframe. Councilmember Duncan suggested a modification to part three of Resolution 17-2020 to include "City staff at City Council's direction shall engage the relevant parties at Grand County and UDOT to determine the feasibility, cost, and staffing needs to quickly shift the current transportation planning focus to transit. This information shall be brought to City Council, and County Council should their leadership so choose, for consideration." Councilmember Duncan stated that he wants Council to have control over which staff members participate in this process. Councilmember Derasary asked if Councilmember Duncan wanted to cut and paste that section from Resolution 17-2020 into Resolution 15-2020. Councilmember Duncan agreed that was his intent. Councilmember Guzman-Newton said that she agrees to that additional amendment. Assistant City Manager Castle asked Councilmember Duncan if the amendment was correct on Resolution 15-2020 on the screen. Councilmember Duncan said yes, Councilmember Guzman-Newton said no. She stated that the language about "shifting the current focus to transit" is not correct. She stated that she wants to focus on more options than just transit. Councilmember Duncan withdrew his amendment. Councilmember Guzman-Newton wants to be sure that specific staff members are involved in this process, and she asked City Manager Linares how to word that. Councilmember Knuteson-Boyd said that this is the process when creating a resolution. Mayor Niehaus asked Councilmember Derasary if she was okay with the "whereas" section of Resolution 15-2020. Councilmember Derasary said that she is not comfortable with either resolution the way they are currently. Councilmember Knuteson-Boyd stated that she wants a clean resolution, and neither one is perfect. She proposed that Councilmembers Duncan, Jones and Guzman-Newton (if available) meet with City staff to finalize the blending of the two resolutions. Mayor Niehaus asked if that was acceptable, and if Council could have a special meeting on Friday to adopt the final product.

Motion: Councilmember Jones moved to table the resolution until a special meeting in the near future. Councilmember Knuteson-Boyd seconded the motion

Vote: The motion to table the resolution passed 5-0 aye with Councilmembers Derasary, Duncan, Knuteson-Boyd, Guzman-Newton, and Jones voting aye.

Resolution 17-2020: A Resolution Suspending Design of the Downtown Transportation Hub and Considering Alternative Uses of the Hotspot Funding—Tabled

Motion and Vote: Councilmember Derasary moved to table this discussion. Councilmember Guzman-Newton seconded the motion. The motion to table the resolution passed 5-0 aye with Councilmembers Derasary, Duncan, Knuteson-Boyd, Guzman-Newton, and Jones voting aye.

Improvements to City Communication and Outreach Based on Observed Discussions Around Highway Widening and Hotspot Funded Projects

Discussion: Councilmember Derasary stated that this is a discussion item only. She said that some of the meeting packets include private property parcels that haven't been authorized by the owners. She said that she wants to have a process that includes discussion with the owners before private property parcels are included in the packets. She requested that, if meetings take

place that involve multiple stakeholders, then they should be on the record. She also requests a process for allowing last minute hand-out documents pertaining to agenda items. She wants to know if there's a tool that can be used to update stakeholders on projects pertaining to them. She said that she wants to invite ULCT General Counsel David Church to meet annually with Council and Planning Commission. She also inquired about a way to prevent inaccurate information from being presented for agenda items that require a vote. Councilmember Derasary referenced the vote regarding Hotspot funding for dispersed parking at Emma Boulevard. Councilmember Guzman-Newton stated that she should have recused herself from that vote, and she inquired if she should recuse herself from the current conversation. City Manager Linares said that the obligation is for Councilmembers to disclose any conflicts, and it's the Council's decision if a person needs to be recused. Councilmember Guzman-Newton said that she would not vote on or participate in the subject matter, but that she wants to hear the discussion. Councilmember Derasary said that references were made in the February 11th Council Meeting that the dispersed parking action for Emma Boulevard was to benefit the neighboring businesses. Councilmember Derasary had asked during that meeting if the neighbors had been contacted regarding the proposal. She had been informed that Poison Spider and Arches Realty had been contacted. The next morning, Councilmember Derasary was contacted by Scott Newton, who said that he was not contacted prior to the meeting. Councilmember Derasary stated that the misinformation may have influenced Councilmembers' votes, which is why she requests a re-vote. She stated that she wants the City Manager's advice to make changes so this doesn't happen again. She also requests that Council re-vote on this item. Councilmember Knuteson-Boyd requests that people's names and business are not used on the dais, unless it's specific to an agenda item that's being addressed. She would also like to have a policy regarding devices and texting during meetings. Councilmember Guzman-Newton would like any communication received from citizens regarding agenda items be included in the packets. City Manager Linares stated that he receives communication after the agenda has been posted, so it can't be included in the meeting packet. Mayor Niehaus asked if the communications could be added to the minutes after the meeting has occurred. City Manager Linares requested that the City Recorder be added to the Council email thread, so he won't have to forward all the emails. Councilmember Duncan stated that Council should read the emails prior to the meeting, so the members are informed. He said that the responsibility shouldn't fall on the City Manager. Councilmember Guzman-Newton clarified that she wants the emails on the record because constituents are saying that they aren't heard or that they haven't been responded to. City Manager Linares stated that agenda materials are now due on Wednesday at noon because the turnaround to have the agenda completed by Thursday afternoon isn't working. Councilmember Derasary asked how to proceed with the proposed changes in this discussion. City Manager Linares said that the changes have already been implemented, starting a month ago. Councilmember Derasary asked if she should read the six bullet points on her document and City Manager Linares said that was up to her. Councilmember Derasary stated that these are the questions she raised regarding the potential misinformation about the Emma Boulevard Dispersed Parking: "1. Why was I assured last night that business owners had been spoken to, when Mr. Newton tells me no one has spoken to him for some time, and no one from the City contacted him to update him recently, and no one certainly let him know this plan was being proposed for last night or sought his feedback? 2. I believe there are other business owners we are purporting to help who also were not contacted prior to last night's vote. Why, particularly when it was stated last night that they were? 3. I understand several businesses were contacted today, February 12th - *post Council vote* - about the project and vote. How does this make any sense? How can the City not only purport, but then also take credit in a public meeting for how we are helping these businesses and not consult with them prior to said vote? 4. This is where I ask for an agenda item on the meeting about this. I am requesting that it be listed as revisiting the vote, as voting Councilmembers were told before the vote in more than one way

that this was specifically to benefit businesses losing parking, who are now telling us they were not consulted, and may not agree with that interpretation. If the vote can't be revisited, please let me know why. 5. I would like an explanation at said meeting about who was told what when. If errors have been made, I would like an explanation of what they were plus an apology to the property owners and neighbors in question, the Council who were set up to vote on this with insufficient and apparently erroneous information, and the public. Then I would like to know if this changes anyone's vote. 6. Finally, it was also stated in our February 11th meeting that discussions were going on about easement/walkway from Maverick to Emma with what I took to be an inference that businesses were speaking to churches. Please correct me if I heard that wrong. It's my understanding from speaking to Mr. Newton that when the City last spoke to him, apparently some time ago, the City had assured him we were working on this easement." Mayor Niehaus stated that the workshop today addressed most of that list. She asked Councilmember Derasary if there were any outstanding items left unanswered. Councilmember Derasary said that the questions had been answered either directly or indirectly.

Reconsider Approval for City Staff to Request UDOT Approval to Use Dispersed Parking Hotspot Funding to Construct the Emma Blvd Dispersed Parking Facility—Passed

Motion and Vote: Councilmember Derasary made a motion to Reconsider Approval for City Staff to Request UDOT Approval to Use Dispersed Parking Hotspot Funding to Construct the Emma Blvd Dispersed Parking Facility. Councilmember Duncan seconded the motion. The motion passed 4-0 aye with Councilmembers Derasary, Duncan, Knuteson-Boyd and Jones voting aye. Councilmember Guzman-Newton abstained from the vote.

Reconsideration of Approval for City Staff to Request UDOT Approval to Use Dispersed Parking Hotspot Funding to Construct the Emma Blvd Dispersed Parking Facilities—Failed

Discussion and Motion: Councilmember Knuteson-Boyd requested clarity on adding the information from the workshop to this vote. City Manager Linares said that an amendment could be made to the motion that was done last time. Councilmember Jones said that it was not confirmed that UDOT will fund the project. Councilmember Knuteson-Boyd made a motion to instruct staff to approach UDOT to use Hotspot funding for the Emma Boulevard Dispersed Parking Project and consider the changes that were brought to us by citizens tonight. Councilmember Jones seconded the motion. City Manager Linares clarified what was discussed in the workshop as a one-way street for a portion of Emma Boulevard. Councilmember Jones agreed but said that it may not be the best plan; however, he still wants it to be an option on the table. Councilmember Duncan stated that he doesn't want to allocate any City money on the project until questions are answered regarding access and paving. Councilmember Knuteson-Boyd withdrew her motion. Councilmember Jones agreed with the withdrawal of the motion. Councilmember Derasary said that this agenda item was to verify if the votes remain the same with correct information. City Manager Linares stated that if there isn't a motion then the vote from two weeks ago stands. Councilmember Duncan made a motion to table the consideration of UDOT administered dispersed parking Hotspot funding at Minnie Lee, Maxine, or Emma Boulevard until questions about access from Emma Boulevard to Main Street can be resolved. Councilmember Derasary seconded the motion. City Manager Linares asked if the term access refers to the footpath; Councilmember Duncan agreed that it did. Councilmember Jones stated that the motion is to request information from UDOT. City Manager Linares said that Ryan Anderson from UDOT kept stating in the workshop that the plans on the screen have not been approved. Councilmember Duncan stated that he doesn't want to commit funds to the project after hearing the public's opinion against it. City Manager Linares suggested that Councilmember Duncan withdraw his current motion and instead make a motion to table the

prior decision. Councilmember Duncan withdrew his previous motion. Councilmember Derasary agreed with the withdrawal. Councilmember Duncan made a motion to table the previous motion two weeks ago. Mayor Niehaus asked City Attorney Simonson if that was enough information. City Attorney Simonson said that there would need to be more specificity. City Manager Linares suggested that the motion read “the motion two weeks ago to reconsider the approval for City staff to request UDOT approval to use dispersed parking Hotspot funding to construct Emma Boulevard.” Councilmember Duncan confirmed that he wishes to table that motion. Councilmember Derasary seconded the motion.

Vote: The motion failed 3-2 with Councilmembers Knuteson-Boyd and Jones voting nay and Councilmembers Derasary and Duncan voting aye. Mayor Niehaus voted nay as the tiebreaker. Councilmember Guzman-Newton abstained from the vote.

New Business:

Parking Layout Options for 100 South between 100 West and Main Street Agenda Summary—Approved

Motion: Councilmember Jones moved to approve layout option 2. Councilmember Derasary seconded the motion and said that she had one discussion question. She stated that a community member wanted to know if the parallel parking could be reinstated on the North side of the Hogan.

Vote: Motion passed 5-0 with Councilmembers Derasary, Duncan, Knuteson-Boyd, Guzman-Newton, and Jones voting aye.

Main Street 2-hr Parking Restriction Agenda Summary—Moved to the next Council meeting

Discussion: Mayor Niehaus stated that this agenda item is being moved to the next council meeting.

Ordinance 2020-05: An Ordinance Repealing Alcohol Licensing in Moab City—Tabled

Discussion and Motion: Mayor Niehaus asked if there was a motion for this agenda item. Councilmember Derasary moved to table this item. Councilmember Knuteson-Boyd seconded the motion.

Vote: The motion to table the agenda item passed 5-0 with Councilmembers Derasary, Duncan, Knuteson-Boyd, Guzman-Newton, and Jones voting aye.

Resolution 13-2020: A Resolution of the Governing Body of the City of Moab Declaring Certain Property Owned by the City of Moab as Surplus--Approved

Motion and Discussion: Councilmember Derasary moved to approve Resolution 13-2020. Councilmember Knuteson-Boyd seconded the motion.

Vote: The motion to approve Resolution 13-2020 passed 5-0 with Councilmembers Derasary, Duncan, Knuteson-Boyd, Guzman-Newton, and Jones voting aye.

Approval of Bills Against the City of Moab: Mayor Niehaus stated that there were no bills to approve at this time.

Adjournment: Councilmember Jones moved to adjourn the meeting. Councilmember Knuteson-Boyd seconded the motion. The motion carried 5-0, Councilmembers Derasary, Duncan, Knuteson-Boyd, Guzman-Newton, and Jones voting aye. Mayor Niehaus adjourned the meeting at 11:12 PM.

APPROVED: _____

Emily S. Niehaus, Mayor

ATTEST:

Sommar Johnson, City Recorder