

MINUTES
ALTA TOWN COUNCIL MEETING
Wednesday, March 10, 2021, 3:00 PM
Alta Community Center, 10351 E. Highway 210, Alta, Utah

PRESENT: Mayor Harris Sondak
Council Member Margaret Bourke
Council Member Cliff Curry
Council Member Sheridan Davis
Council Member Elise Morgan

STAFF PRESENT: John Guldner, Town Administrator
Chris Cawley, Assistant Town Administrator
Piper Lever, Town Clerk
Jen Clancy, Deputy Town Clerk
Mike Morey, Town Marshal
Polly McLean, Town Attorney
Jay Torgersen, UFA

WORK SESSION

• **ZONING ORDINANCE CHANGES**

00:00:01

Mayor Sondak called the work session to order at 3:00 PM and read the Letter of Determination regarding conducting the Town of Alta public meetings without an anchor location, which applies to this work session and the regular session directly following.

I, Mayor Sondak, hereby determine that conducting a meeting with an anchor location presents a substantial risk to the health and safety of those who may be present at an anchor location, Pursuant to Utah Code Section 52-4-207(4), and [Alta] Resolution 2020-R-12. The facts upon which this determination is based, include the percentage number of positive COVID-19 cases in Utah has been significantly higher since May 27, 2020. The seven-day average of cases has been 601 since March 3, 2021. The COVID-19 patients in Utah hospitals have increased during the same period. Over half the State cases are in Salt Lake County. As of March 3, 2021, there have been 1,949 deaths in Utah due to COVID-19. This meeting will not have a physical anchor location. All attendees will connect remotely. Attendees may join the webinar by registering for the meeting through the Town website: www.townofalta.com, or the meeting can be watched on YouTube. Additionally, comments may be emailed to the Town Clerk at plever@townofalta.com. This determination will expire in 30 days on April 1, 2021.

00:02:20

Town Administrator John Guldner commented on the uses for the ski area with the 100- and 50-foot setbacks for waterways. A new paragraph had been drafted and all that was left was language changes. Possible exemptions for ski areas and picnic areas were structures on forest service land, as long as approvals were submitted to the Town of Alta before any activity took place. Private property had been left out because it didn't work well at the time. All zones were included, as well as FR and FM. The Town wanted notifications for improvement before any construction or site improvements were done.

00:10:00

Council Member Bourke had concerns about water quality that came with new construction for proposed exemptions. It seemed inconsistent with concerns for preservation of clean water and vegetation buffers to allow such exemptions. She did not think the proposed ordinance was ready to be passed and that further discussion about the exemptions they were willing to provide was necessary. Town Attorney Polly McLean commented that as a part of their MOU with the Forest Service, they were to be made aware of ordinances made in the Town of Alta that could impact the Forest Service. The Forest Service did not have an issue with what was being proposed.

Mayor Sondak suggested a discussion with their partnering entities. Council Member Davis asked about the new picnic tables between the campground entrance and the old parking lot which were close to the waterways. Town Administrator John Guldner said he would follow-up on these two items.

- **BUSINESS LICENSE STUDY**

00:21:35

Deputy Town Clerk Jen Clancy explained that the Council requested two RFPs be drafted: 1) a business license fee study; and 2) a revenue and expense analysis. It had been nearly ten years since the last business license study. She had used the 2012 RFP as a template and updated it. Licenses would start on November 1. There was discussion regarding language in the RFP as it pertained to costs and dates. Council Member Bourke commented on the duration of the study suggested a longer timeline. **REVENUE AND EXPENSES ANALYSIS RFP**

00:34:50

Deputy Town Clerk Jen Clancy stated that she wanted this conversation to focus on Section 2—Intent—and Section 3—Project Description.

Council Member Curry asked the Council if they wanted the RFPs to have overlap or not. Town Attorney Polly McLean recommended they be completely separate because the business license fee justification under State law was not a revenue source so it would be a different analysis. Mayor Sondak suggested doing the business license analysis first and the revenue RFP after and discussed the timeline. Council Member Bourke said the current timeline was too optimistic with additional time needed for Town Council to offer feedback to the consultant. Town Attorney Polly McLean said she would research the timelines. Mayor Sondak said the RFP did not need Council approval so staff could make the necessary changes. However, the Council would need to take budgetary action to go ahead with the business license study.

- **DOG LICENSE NUMBERS**

00:48:45

Deputy Town Clerk Jen Clancy reviewed dog licenses. They had a total of 95 between class A, which was the voter class, Class B, the property ownership class, and Class C, the commuter class, and Class D, the temporary licenses. They had five licenses that were forfeited during that license cycle: one class A, three class B, and one class C. The Council needed to decide if they wanted to reallocate these. The resolution being proposed was to increase Class A from 27 to 28, Class B would be kept at 44, Class C would be reduced by one, and Class D would stay the same.

Mayor Sondak said they moved a license into class A because they favored that potential group of dog owners. Deputy Town Clerk Jen Clancy stated that this resolution was also setting the fee structure for the license classes. Mayor Sondak suggested an analysis of these license fees in one of the RFPs. Council Member Cliff Curry favored more licenses in the voter class.

The work session was adjourned at 3:59 PM.

REGULAR SESSION

1. CALL THE MEETING TO ORDER AND DETERMINATION LETTER READING REGARDING NO ANCHOR LOCATION

00:59:10

Mayor Sondak called the meeting to order 4:01 PM. He said he had read the Letter of Determination at the beginning of the Work Session.

2. CITIZEN INPUT

00:59:30

Deputy Town Clerk Jen Clancy facilitated citizen input, starting with the new Executive Director of Friends of Alta, Kody Fox. Mr. Fox stated that he had a decade of non-profit experience with a few different organizations. He had a deep passion for nature, conservation, and responsible stewardship. He was looking forward to working with everyone in the future.

01:01:30

The next speaker was Paul Huber. Mr. Huber commented on the blog from Alta Ski Lifts about parking. He had been working up there for 38 years and since then backcountry skiing has exploded. Coming off a pandemic year he was hoping that the Town of Alta and Alta Ski Lifts could get together and discuss this issue. Mayor Sondak stated that he had received emails about the matter and so did Town Attorney Polly McLean. Staff said those emails would be available for public review on the Town's website.

3. DISCUSSION AND POSSIBLE ACTION ON 2021-R-4 RESOLUTION RECOGNIZING EFFORTS DURING INTERLODGE

01:08:40

Mayor Sondak stated that they had experienced a lot of snow between February 12 and February 18: 103 inches had fallen, and the number of avalanche occurrences had been 157. The road had been closed for 70 hours because of avalanche concerns. There were 267 individual explosive detonations. A coordinated response had been performed by a number of Alta agencies. Mayor Sondak asked Council to approve a resolution that acknowledged the individual and cooperative efforts of various people and agencies on the Town's behalf.

MOTION: Mayor Sondak moved that the Town Council APPROVE Resolution 2021-R-4. Council Member Morgan seconded. The motion carried with unanimous consent of the Council.

4. PRESENTATION BY CWC RALPH BECKER REGARDING MOUNTAINOUS TRANSPORTATION SYSTEM INITIATIVE – *Ralph Becker*

01:14:17

Ralph Becker discussed the visitor use study done by the Central Wasatch Commission. They had just completed the selection process and would formally go to the commission for approval of a contract. Mr. Becker reported that they added two members since they had last met with Council. He presented a timeline for the mountain transportation system. They were working with UDOT and were looking more broadly geographically. They were focusing on not just relieving congestion but how they could best serve the array of users year-round. There would be a meeting on the 19th with the intent to see if the Commission could reach a consensus regarding a recommendation. Tentative figures were presented and discussed.

5. UNIFIED FIRE AUTHORITY – *Jay Torgersen*

01:32:34

Jay Torgersen stated that the University of Utah had reported that their COVID-19 unit was under 100% capacity and other hospitals were reporting similar trends. The UFA had 90% of their personnel vaccinated but were still maintaining safety protocols and procedures and would continue to do so until the CDC advised otherwise. Their 54th recruit camp was in full swing and they had 33 recruits slated to finish at the end of May. There were 12 recruits that would continue EMT training into June. The Town of Alta had a YTD total of 37 calls, including 29 medical, 4 fire and 4 good intention calls. Mr. Torgersen reviewed UFA's new canyon response guidelines that had only been in place for three weeks. Their intent and focus was to provide the best service for the community for any type of call. The difference with the new guidelines was that if a unit from station #113 leaves the canyon, a fire engine would be driven up the canyon instead of an ambulance so they could respond to both fire and medical calls. If it were an immediate need then the canyon ambulance would bring the patient in/down, but if it were less serious, then they would wait for the valley ambulance for transport, in order to always maintain a level of coverage. Mr. Torgersen stated that this was a work in progress.

6. ALTA SKI AREA UPDATE – *Mike Maughan*

01:42:44

Mike Maughan reported that since last March, they had only had 37 positive COVID cases on their employee base. They had 48 employees that had been quarantined for direct contact and these numbers were much less than they had expected. The COVID-19 procedures they had put in place had seemed to work well. They estimated revenue numbers would be down by 15% compared to a normal year. Ski school and food/beverage business were down 50%. They were planning to stay open daily until April 18, plus one additional weekend, if conditions allowed.

They were actively continuing to explore options with parking with the Forest Service and UDOT. One of their concerns was the growth in the valley; if they didn't have a way to manage parking then they would have to turn more people away. They were looking forward to summer operations and there was discussion about raising summer road use fees from \$8 to \$10.

He stated that they had purchased a food trailer and were considering putting it on the north side of the Albion ticket office instead of opening Albion Day Lodge; restrooms would be open at the Albion ticket office building. They were looking at doing significant work on the Collins lift that summer as well as other projects. There had been a concern about forest health because there had been an outbreak of the twig beetle. The biggest projects of the summer were a potential widening of the Corkscrew run and combining the Nina's and Schuss Gully runs; these projects were currently awaiting final approval. They were working with Salt Lake City Public Utilities to determine how to increase snowmaking in the Supreme area. They were looking to put in avalanche fences in the Supreme area as well.

1:59:35

Mayor Sondak asked if he knew what time of day on March 31st that the summer operations meeting would occur. Mr. Maughan replied that he did not know what time but would get the information to them. Council Member Bourke asked about the insect infection in the trees. Mr. Maughan said they might lose a lot of trees if the Forest Service wants them cut. It was noted the stakeholders meeting was open to the public.

2:05:16

Council Member Davis asked if the Sunnyside lift would be open this summer. Maughan answered no. Ms Davis also asked if they were re-evaluating their relationship with the IKON Pass and wondered how public could write to the owners of Alta Ski Lift Company. Mr. Maughan replied that the owners had elected that all correspondence go through the Alta Ski Lift management and that Alta Ski Area was part of the IKON pass for another year.

7. DISCUSSION AND POSSIBLE ACTION ON RESOLUTION 2021-R-5 ADOPTING SLC COMMUNITY RENEWABLE ENERGY PROGRAM INTERLOCAL AGREEMENT – *Christopher Thomas, Salt Lake City Corporation*

02:09:15

Christopher Thomas stated that Council had passed a resolution to begin participating in this program with a goal of 100% electric energy to people who participated in the program. The 22 communities participating have been working on a governance structure to manage the program and had nearly finalized an ILA. Once the ILA was executed, an implementation period of about two years would start. The next milestone would be in the fall of 2022 when an ordinance would

need to be passed to finalize their participation. Renewable Resources would come online around 2025-2026 with a goal of 100% of energy coming from renewable sources by 2030. He discussed the ILA and weighted votes in relation to the ILA. Rates wouldn't change for Rocky Mountain Power Company customers for a few years and they had the opportunity to vote to not join the program again in a couple of years.

02:15:26

Council Member Davis asked where the renewable energy came from. It was noted that it would have to feed into Rocky Mountain Power system which spanned over eight states. Wind and solar were included in renewable sources as well as battery storage. Mayor Sondak asked about hydro-electric power, and it was noted this required further investigation.

Council Member Bourke asked about the priority for renewable energy and whether the selection would be based on their overall negative footprint or if it was weighted by cost. It was noted that the governance agreement discussed voting; there was a process the ILA would follow in moving forward. A majority of the communities' vote was necessary as well as a majority of the electric loads participating. Council Member Bourke asked for clarification on the approval process. Town Attorney Polly McLean said the financial obligation to the Town was minimal.

02:21:59

MOTION: Council Member Bourke moved to ADOPT Resolution 2021-R-5 the Community Renewable Energy Program Interlocal Agreement as presented. Council Member Davis seconded. The motion carried with unanimous consent of the Council.

8. APPROVAL OF CONSENT AGENDA

- Town Council Work Session and Town Council Meeting minutes for February 10, 2021
- Finance Committee minutes for February 26, 2021
- Treasurer's Report Summary
- Treasurer's Report Detail
- Town Administrator Report
- Assistant Town Administrator
- Marshal's Office Report
- Clerk's Office Report

02:24:15

MOTION: Council Member Morgan moved that the Town Council APPROVE the Consent Agenda. Council Member Curry seconded the motion. The motion carried with unanimous consent of the Council.

Council Member Bourke stated that the finance meeting minutes indicated her as being present, but she was removed as a participant and her speaking was disabled; therefore, it might be inaccurate to reflect her as a participant in the meeting. Staff agreed to accurately clarify this within the minutes.

9. QUESTIONS REGARDING DEPARTMENTAL REPORTS

02:27:12

Council Member Bourke asked about the Administrator's Report indicated the Town was still using \$200 per square foot for stated evaluation for buildings. She asked if this number needed to be included in the business license study evaluation. Mayor Sondak agreed that the number should be evaluated. She also asked about John's statement that accessory dwelling units were like a mortgage. Town Administrator John Guldner clarified his statement..

02:30:47

Council Member Bourke asked Chris Cawley about the census and what potential impacts the results would have on modifying operations for Alta if the numbers came in low because of COVID. Mr. Cawley stated they could potentially petition the Census Bureau to default to population data generated through the American Communities Survey. This was an ongoing demographics survey of communities around the country which projected growth rates. The margin of error was over 200% because of how small communities were with unique demographic trends. Staff was working with a Census Bureau specialist out of Grand Junction, CO. Alta was not the only town that would have this problem.

02:32:52

Mayor Sondak stated that he had received a text a few minutes ago from Mike Maughan that said the summer stake holders meeting on March 31 was from 1-2 pm.

10. MAYOR'S REPORT

02:33:30

Mayor Sondak expressed thanks for the activities during the avalanche and interlodge cycle. He commented that their last in-person meeting had been on March 11, 2020, and that they had come a long way since that time. Case rates were low enough for the Governor to move from high transmission level to moderate. The Governor was in control of how vaccines were distributed and at the time it was still for those 50+ and younger people with medical issues. He stated that the State had approved a vaccination site in the Alta clinic. He expected the vaccine to be available would be the Johnson and Johnson vaccine because of the travel and shipment.

02:37:19

Mayor Sondak stated that 75% of their revenues from December was the last hard number they had and that was approximately what they had budgeted for. He commented on interlodge and stated that there had not been a spike in COVID cases post-interlodge which was a good sign. He attended a legislative affairs committee in which Alta Ski Lifts had presented a proposal for land exchanges for a parking expansion. Also discussed at that meeting was the wilderness areas and their designations. He reported on the UFA meeting, the UFSA meeting, and the CWC Budget Finance Committee. He had attended the tourism recovery task force meeting where they discussed seasonal workers and visas. He reported on the Council of Mayors, a Salt Lake vaccination roll-out meeting, CWC Board Meeting, and the LCC Road Meeting. He also had attended the selection meeting for the visitor use study. He reported on upcoming meetings and then reported on the temporary dog licenses issued with a start date between 2/10/21 and 3/8/21:

- Tricia Petzold 14 days, 2/12
- Kevin MacDonald 4 days, 2/12
- Bruce Hotaling 11 days, 2/16
- Brooke MacLean 15 days, 2/27
- Kevin Dennis 30 days, 3/3
- James Laughlin 7 days, 3/4
- Dan Monahan 14 days, 3/5

Council Member Bourke asked if the information from the visitor use study would be made publicly available. Attorney McLean said that usually some parts of RFPs were protected, and some parts were not. Mayor Sondak suggested contacting Blake Perez if she could not find the scope of information she was seeking on the CWC website.

11. DISCUSSION AND POSSIBLE ACTION ON A BUSINESS LICENSE STUDY

02:51:09

MOTION: Mayor Sondak moved to APPROVE a business license study. Council Member Curry seconded.

Council Member Bourke asked if this would come back before Council for final approval. Attorney McLean replied that there was a dollar figure threshold that would require Council approval. Mayor Sondak commented that it would be part of a budget amendment in May so they would have more information before the deadline in July. Deputy Town Clerk Jen Clancy clarified that this discussion was only about the business license RFP and not the second RFP that had been presented. Town Attorney Polly McLean stated that she would update the procurement policy within the next couple of months.

Vote was taken. The motion carried with unanimous consent from the Council.

12. DISCUSSION AND POSSIBLE ACTION ON 2021-R-6 SETTING DOG LICENSE NUMBER

02:58:51

MOTION: Council Member Curry moved to ADOPT Resolution 2021-R-6 with the change that the total number of licenses in Class A be 29 and the total number of licenses in Class B be 43. Council Member Morgan seconded. The motion carried with the unanimous consent of the Council.

13. DISCUSSION AND POSSIBLE ACTION ON ORDINANCE 2021-O-1 LAND USE AMENDMENTS

03:01:47

The ordinance and document attachments were presented and discussed.

MOTION: Council Member Curry moved to APPROVE Ordinance 2021-0-1. Mayor Sondak seconded the motion.

Council Member Davis expressed concerns that this didn't go far enough to protect from picnic tables close to stream beds. Council Member Bourke agreed, suggesting the Town should seek input from partner agencies before adopting exemptions. Council Member Curry agreed with the concern for the watershed but didn't think what had been expressed was cause for delay of the ordinance. Mayor Sondak asked if this document was complete in the sense that it took a position on the issues that they had discussed. Town Attorney Polly McLean answered affirmatively.

03:08:55

Vote was taken. Council members Sondak, Morgan and Curry voted aye. Council members Davis and Bourke voted nay. The motion carried 3-2.

14. NEW BUSINESS

03:13:10

Council Member Morgan asked about the business license issue of parking spaces in the Peruvian Estates area going from two to three. Mayor Sondak replied that they needed to put this item on an agenda, and he thought they should change the ordinance to be consistent with enforcement practice. Council Member Davis noted that the matter was being privately litigated.

03:19:39

Council Member Bourke asked about ranked choice voting. Mayor Sondak said this was a complicated issue that would take a fair amount of time to discuss. The deadline to elect for a new voting procedure was the end of April and they would have to dedicate a fair amount of time to discussing it. The exact deadline would be determined, and a communication would be sent out to Council. Absent mayoral agenda placement, two council members would need to request it be on the agenda, 2 weeks before the meeting.

15. MOTION TO ADJOURN

03:25:27

MOTION: Mayor Sondak moved to ADJOURN at 6:27 PM. Council Member Morgan seconded the motion. The motion carried with unanimous consent of the Council.

APPROVED by the Town Council on April 14, 2021

