REFERENDUM PETITION

To Bonnie Cooper, Alpine City Recorder:

We, the undersigned citizens of Utah, respectfully order that the local law for Ordinance 2022-04: Design Standards and Sub Definitions – Canyon Crest Widening, passed by the Alpine City Council on February 22, 2022, be referred to the voters for their approval or rejection at the regular/municipal general election to be held on November 8, 2022;

Each signer says:

* I have personally signed this petition;
* The date next to my signature correctly reflects the date that I actually signed the petition;
* I have personally reviewed the entire statement included with this packet;
* I am registered to vote in Utah or intend to become registered to vote in Utah before the certification of the petition names by the county clerk; and
* My residence and post office address are written correctly after my name.

Local Law for Ordinance 2022-04, Design Standards and Subdivision Definitions – Canyon Crest Widening

Council Member Jessica Smuin moved to approve Ordinance 2022-04 amendment to standards and subdivision definitions as proposed. Kelli Law seconded the motion There were 5 Ayes and 0 Nays, as recorded below. The motion passed unanimously.

Council Member Kelli Law SECONDED the motion.

The vote was recorded as follows:

Council Member Jason Thelin	*Yes*
Council Member Greg Gordon	*Yes*
Council Member Kelli Law	*Yes*
Council Member Jessica Smuin	*Yes*
Council Member Lon Lott	*Yes*

The motion passed 5:0.

Proposition Information Pamphlet

Pursuant to Utah Code 20A-7-401.5 this proposition information pamphlet is being distributed in conjunction with a proposed referendum filed on March 2, 2022, with Alpine City. The pamphlet includes the following:

1. A copy of the referendum application (pages 2-4)
2. An argument in favor of the proposal, provided by the Sponsors of the referendum (page 6)
3. An argument against the proposal, provided Alpine City Attorney (page 6)
4. A copy of the Fiscal and Legal Impact statement provided by the Alpine City Attorney and the Alpine City Administrator (page 7-9)

Local Law for Ordinance 2022-04, Design Standards and Subdivision Definitions – Canyon Crest Widening

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Council Member Jason Thelin	*Yes*
Council Member Greg Gordon	*Yes*
Council Member Kelli Law	*Yes*
Council Member Jessica Smuin	*Yes*
Council Member Lon Lott	*Yes*

The motion passed 5:0.

Referendum Application re: Ordinance 2022-04 Design Standards and Sub definitions – Canyon Crest Widening

County of Utah
State of Utah

My name is Tatiana Lindsley

My residence address is: 340 Carlisle Ave, Alpine, UT 84004

I am registered to vote in Utah

No persons gathering signatures for the petition will be paid for gathering signatures

Signature: [signature] **Date:** 3/1/22

Notary Public Kelly W Pal

My commission expires on: 11-5-2025

KELLY W PALMER
NOTARY PUBLIC-STATE OF UTAH
COMMISSION# 721091
COMM. EXP. 11-05-2025

County of Utah
State of Utah

My name is Tyler Dettart

My residence address is: 267 Allegheny Ct., Alpine, UT 84004

I am registered to vote in Utah

No persons gathering signatures for the petition will be paid for gathering signatures

Signature: [signature] **Date:** 3/1/22

Notary Public Kelly W Pa

My commission expires on: 11-5-2025

KELLY W PALMER
NOTARY PUBLIC-STATE OF UTAH
COMMISSION# 721091
COMM. EXP. 11-05-2025

County of Utah
State of Utah

My name is Kelly W Palmer

My residence address is: 35 Sunset Dr, Alpine, Utah 84004

I am registered to vote in Utah

No persons gathering signatures for the petition will be paid for gathering signatures

Signature: Kelly W P Date: 3-1-2022

Notary Public Danae Devey
My commission expires on: 08/06/2024

DANAE DEVEY
NOTARY PUBLIC-STATE OF UTAH
COMMISSION# 713445
COMM. EXP. 08-06-2024

County of Utah
State of Utah

My name is Becky Richter

My residence address is: 363 Allegheny Crt

I am registered to vote in Utah

No persons gathering signatures for the petition will be paid for gathering signatures

Signature: Becky Richter Date: 3-1-2022

Notary Public Kelly W P
My commission expires on: 11-5-2025

KELLY W PALMER
NOTARY PUBLIC-STATE OF UTAH
COMMISSION# 721091
COMM. EXP. 11-05-2025

County of Utah
State of Utah

My name is Adam Bailey

My residence address is: 236 Pyrenees Dr, Alpine, UT 84004

I am registered to vote in Utah

No persons gathering signatures for the petition will be paid for gathering signatures

Signature: AB Date: 3/1/22

Notary Public Kelly W P
My commission expires on: 11-5-2025

KELLY W PALMER
NOTARY PUBLIC-STATE OF UTAH
COMMISSION# 721091
COMM. EXP. 11-05-2025

County of Utah
State of Utah

My name is Jennifer A. Sorensen

My residence address is: 795 Cumberland Way, Alpine UT 84004

I am registered to vote in Utah

No persons gathering signatures for the petition will be paid for gathering signatures

Signature: Jennifer A. Sorensen Date: 3/1/2022

Notary Public Kelly W P
My commission expires on: 11-5-2025

KELLY W PALMER
NOTARY PUBLIC-STATE OF UTAH
COMMISSION# 721091
COMM. EXP. 11-05-2025

County of Utah
State of Utah

My name is DARIN EDWARDS

My residence address is: 234 EAST AMERICAN WAY ALPINE, UT 84004

I am registered to vote in Utah

No persons gathering signatures for the petition will be paid for gathering signatures

Signature: [signature] Date: 8/1/2022

Notary Public [signature]

My commission expires on: 11-5-2025

KELLY W PALMER
NOTARY PUBLIC-STATE OF UTAH
COMMISSION# 721091
COMM. EXP. 11-05-2025

Argument Prepared by the Sponsors of the Proposed Referendum

Alpine City has consistently communicated with residents by text, phone, email, newsletter, or a public placard nest to a property impacted by a proposed change. While we appreciate that Alpine City may have complied with the minimum notice requirements of Utah Code when they held their public hearing concerning the proposed widening of Canyon Crest Road, none of the residents impacted by the change received notice, or were aware of the hearing.

The residents respectfully request a public hearing to address their concerns, including safety, accessibility for pedestrians and cyclists. Also, the residents with to discuss the need to widen Canyon Crest to five lanes when the MAG study concluded that Alpine's future growth would be along the Alpine Highway and future projections for 2050 show Alpine Highway having more trips per day (3,260) than Canyon Crest (2,850).

The Alpine residents wish to work with the City to find ways to deal with traffic issues while retaining Alpine's small town values, historic character, scenic beauty and sense of community.

Argument Prepared by the Alpine City

On February 22, 2022, the Alpine City Council passed three measures involving road/street specifications. The intent of these three measures was to amend the various road and street width and design specifications for the construction of larger streets and roadways.

These amendments were specifically designed to allow the improvement and widening of Canyon Crest Road within Alpine City, as recommended in a study described further below. This proposed widening and improvement of Canyon Crest Road would be accomplished in cooperation with Highland City, increasing the capacity of the road and reducing delays.

The city participated in a study titled "S.R. 92 Access & Circulation Study" with UDOT, Mountainland Association of Governments, Highland City and Lehi City. The study, dated January 6, 2022, was performed by Avenue Consultants. The study recommended improvements at various locations. Specifically for our City, the study determined that there will be a need to widen one of the two primary roads into Alpine. On page 21, last paragraph of the study, it reads, "The study team determined that the widening should be done on 4800 West/Canyon Crest Road due to slightly higher future volume projections and better regional
connectivity." Canyon Crest Road connects to North County Boulevard which provides good access to I-15 and with motorists also having the option to access I-15 via SR-92. The contemplated improvements are necessary, if not today in the near future.

As explained in the Fiscal Impact Statement previously filed with the city, this project has been preliminarily presented to Mountainland Association of Governments with the intent of this organization providing more than 93% of the cost of the improvements. Without this funding, the improvements are not fiscally possible by only the city.

These roadway specification modifications would include two 11-foot wide travel lanes in each direction, including curb and gutter; a 14-foot wide center turn lane; a 6-foot sidewalk on one side and a 10-foot wide multi-use path on the other side. The improvements, if installed, would reduce traffic congestion, and increase the safety of runners, bicyclist and other individuals using the roadway.

If the three referendums were to be successful, none of the contemplated improvements would be constructed in the near future.

Fiscal and Legal Impact Statement - Provided by the Alpine City Attorney and Alpine City Budget Officer

Pursuant to applicable Utah State Statutes, I am providing to you the required opinions and decisions regarding the three separate petitions.

FACTUAL BACKGROUND

On February 22, 2022, the Alpine City Council passed and adopted two resolutions and one ordinance generally pertaining to road specifications and the street master plan. The specific resolutions and ordinance are as follows:

Resolution 2022-13. This resolution adopted specific standards for roadway construction within the city limits.

Resolution 2022-14. This resolution adopted the street master plan and designated the various types of roads and streets located within the city which is part of the city's general plan.

Ordinance 2022-4. This ordinance modified the land use code and established specific standards for road.

On Wednesday, March 2, 2022, five petitioners submitted a request for Petitions seeking to repeal the above-mentioned resolutions and ordinance.

LEGAL RESPONSIBILITIES

Upon the filing of an Application for a Referendum Petition regarding a local or land use law adopted by the legislative body, local counsel has the following responsibilities:

1. The budget officer with the assistance of local counsel, shall prepare an unbiased, good faith estimate of the fiscal and legal impact of repealing the local laws;
2. Legal impacts of repealing the law(s); and
3. Review the application(s) to determine whether or not the proposed referendum(s) is/are legally referable to voters.

This report is due within twenty (20) days from the day of filing of the application (March 22, 2022).

FINDINGS OF LOCAL COUNSEL

1. Fiscal Impact: See Attached Exhibit A.
2. Legal Impact. The repeal of the two resolutions and one ordinance would result in the city not being able to construct a public road wider than is provided in the previously adopted standards (66') feet. The street master plan would revert back to the previously adopted plan. It would also disqualify the city from receiving grant funds from Mountainland Association of Governments (MAG) under this application.

3. The various statutes (20A-7-601 et. Seq.) require a determination of whether or not the ordinance or resolutions are classified as "land use" or "other than land use". It is my determination as follows:

a) Resolution 2022-14 and Ordinance 2022-4 are considered a "land use law".
b) Resolution 2022-13 is classified as "other than a land use" laws.

Accordingly, the Application for Petition regarding Ordinance 2022-4 and Resolution 2022-14 will require 29% of the active voters and 29% of the active voters in 75% of Voter Participation Areas to sign the petition in order to be qualified to be put on the ballot. See 20A-7-601.

The Application for Petition regarding Resolution 2022-14 will require 11.5% signatures of the active voters in Alpine in order to be put on the ballot for the voter's consideration.

The 2022 General Election will be held on November 8, 2022.

EXHIBIT A

Fiscal Opinion

Pursuant to the applicable statutes adopted by the State of Utah, and as the budget officer of Alpine City, I am providing you with the required opinion on the fiscal impact of the referendum petitions that were filed on March 2, 2022. I have discussed the fiscal impacts with our legal counsel and city attorney, H. Craig Hall, in preparing this opinion. For clarification, this opinion is in response to three separate referendums that were filed on three separate actions of the city council.

The amendments to the construction standard specifications and details, amendment to the transportation master plan and amendments to the development code regarding arterial streets were necessary to apply for funding for the improvement of Canyon Crest Road from Mountainland Association of Governments (MAG). The proposed road widening project was a joint project with Highland City.

Following is a list of fiscal impacts that the City could experience if the three aforementioned referendums are successful in overturning the actions that were taken by the City Council:

- The cost estimate for the Canyon Crest Road widening project, for which funding was being applied for with Highland City, was estimated at $8,944,000 (Phase 1, 2025 value). The cities would be responsible to provide a 6.77% match for the project, with each city being responsible for this percentage of the project cost within their city boundaries. The estimated cost of the improvements within Alpine City is approximately $1,000,000, making the city responsible for a match that would be in the range of $60,000-$70,000.

  There are very few funding options for city projects that have a match requirement that is this low. The City stands to lose approximately $940,000 in funding for road improvements within the City. In addition, if the road widening project does not move forward through Highland City, Alpine residents would not see the benefits of additional lanes of traffic heading south which would result in more idle time for cars, causing additional fuel to be burned; creating emissions; and delayed time traveling this roadway.
- If the city council continues to determine that these improvements are necessary, and without the help of the MAG funding, there would be a huge financial burden to the residents of Alpine to fund the project without a grant.
- Since funding for this project was applied for jointly with Highland City, it could put funding for improvements within Highland City in jeopardy. Although the improvements in Highland are outside of the Alpine City limits, Alpine residents that travel south on Canyon Crest Road and continue across SR-92 onto North County Boulevard could benefit from improving the street and intersection with additional travel lanes and tum lanes.
- If the petitioners are successful in obtaining the required signatures to place the referendums on the ballot, the City would be obligated for an estimated cost of $2,500-
  $3,000 in election costs.
- Administrative costs are estimated at $5,000-$7,500 for staff preparing legal and fiscal opinions, arguments, proposition information pamphlets, preparation of referendum petition, writing the ballot title and other related work.

REFERRAL TO THE PEOPLE OF AN ADOPTED LOCAL LAW, WHICH IS:

Design Standards and Subdivision Definitions

For Office Use Only		Registered Voter's Printed Name (must be legible to be counted)	Signature of Registered Voter	Date Signed	Street Address, City, Zip Code	Birth Date or Age *(optional)**
By signing this petition, you are stating that you have read and understand the law this petition seeks to overturn						
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WARNING: It is a class A misdemeanor for an individual to sign a referendum petition with any other name than the individual's own name, or to knowingly sign the individual's name more than once for the same measure, or to sign a referendum petition when the individual knows that the individual is not a registered voter and knows that the individual does not intend to become registered to vote before the certification of the petition names by the county clerk.

**Birth date or age information is not required, but it may be used to verify your identity with voter registration records. If you choose not to provide it, your signature may not be verified as a valid signature if you change your address before petition signatures are verified or if the information you provide does not match your voter registration records.*

Verification

State of Utah, County of Utah

I, _____, of Alpine City, Utah hereby state that:
(print name)

- I am a resident of Utah and am at least 18 years old;
- All the names that appear in this referendum packet were signed by individuals who professed to be the individuals whose names appear in it, and each of the individuals signed the individual's name on it in my presence;
- I believe that each individual has printed and signed the individual's name and written the individual's post office address and residence correctly, and that each signer is registered to vote in Utah or intends to become registered to vote before the certification of the petition names by the county clerk.

_____
Signature

Contact Information:

Phone: _____ Email: _____