Minutes of the joint work session of the Ogden City Council, also acting as the Redevelopment Agency, held on Tuesday, April 21, 2026, at 4:00 p.m., in the Council Work Room, and via electronic meeting, on the third floor of the Municipal Building, 2549 Washington Boulevard, Ogden City, Weber County, Utah.

Present:	Chair	Richard A. Hyer
	Vice Chair	Dave Graf (excused at 5:10 p.m.)
	Council members	Flor Lopez
		Kevin Lundell
		Shaun Myers
		Ken Richey
		Alicia Washington

Council Executive Director Glenn Symes
Council Assistant Executive Director Steve Burton
Council Senior Policy Analyst Clint Yingling
Communications Director Brandon Garside
Communications Specialist Eric Davenport

Also present: Chief Administrative Officer Mara A. Brown
City Attorney Gary Williams
Fire Chief Mike Slater
Public Services Assistant Executive Director Edd Bridge
Sustainability Coordinator Lorenzo Long
Community and Economic Development Assistant Executive Director David Sawyer
Economic Development Director Eric Gibson
Assistant Economic Development Director Kelly Pendleton
Redevelopment Specialist Jonnalyn Walker
Chief Deputy Recorder Lee Ann Peterson

The purpose of the joint work session was to review the agenda for the City Council meeting scheduled to begin at 6:00 p.m.; receive a presentation about the Weber County RAMP Grant process; discuss the Community Clean Energy Program participation ordinance; discuss the Wildcat Square Community Reinvestment Project Area Survey; discuss Council/Board business, specifically communications and accessibility options, and training regarding ethics, conflicts of interest, and open and public meetings;; and hear Council/Board comments.

Agenda Review

Chair Hyer and members of Council staff reviewed the items listed on the agenda for the City Council meeting scheduled to begin at 6:00 p.m.

Regarding the agenda item dealing with Code Services and Community Risk Reduction Reorganization, Council member Washington raised questions regarding the data collection methods for the reorganization, specifically asking whether data would be drawn from license plate readers and whether collection would occur within or outside of the Project Safe Neighborhoods zone. Fire Chief Slater addressed the questions, explaining that data is gathered from a variety of sources including medical and fire response data, the OgdenServ app, and partnerships such as the one with Weber Human Services Aging Adults. He noted he had not gathered data from license plate readers and did not anticipate that being a source of information. Chief Slater confirmed that the reorganization would not wait for pending zone updates, as the focus on life safety priorities and nuisance properties would remain constant regardless. He noted that City-owned properties would be the first addressed, describing them as "low hanging fruit."

Council member Washington also asked whether proceeding with the reorganization prior to upcoming zone updates presented any concern. Mr. Slater affirmed that the Department's mission would remain unchanged.

Chair Hyer noted that a retired former head of Code Services, who had no ongoing stake in the outcome, had expressed strong support for the new structure when he consulted her informally.

Weber County RAMP Grant Process Presentation

Kevin Burns, RAMP Board Chair, and Shelly Halacy, RAMP Director, used the aid of a PowerPoint presentation to provide an overview of the Weber County Recreation, Arts, Museums, and Parks (RAMP) grant program. Council Member Washington disclosed for the record that her theater company, Good Company Theater, receives RAMP grant funding.

Mr. Burns explained that RAMP is funded by a countywide sales tax of one penny per ten dollars spent, renewed by voter ballot every ten years. The program has been in operation for twenty years, having distributed just under $79 million to the community in that time. Ms. Halacy noted that applicants are required to provide a match of up to 50 percent, which substantially increases the total community investment beyond the grant dollars alone. For the current grant cycle, the program began with a budget of $6,650,000 and received 189 total applications across all grant categories. Mr. Burns explained the funding structure:

- One-third of the budget is allocated to Major Grants.
- Of the remaining two-thirds, funds are split into Municipal Grants (calculated at $1 per resident per City), Easy Grants (bumped this year from $2,000 to $3,500 per grant), and Free Summer Saturdays ($80,000 set aside for institutions such as Treehouse Museum, Dinosaur Park, and the Aerospace Museum).
- The remainder is split equally between Arts & Museums and Parks & Recreation grant categories.

Mr. Burns reported that requests exceeded available funding in both the Majors and Arts & Museums categories by approximately $3 million and $2.3 million respectively, while Parks & Recreation had a modest surplus that was reallocated to offset shortfalls elsewhere. He acknowledged it was a particularly difficult year for the board, noting that many Board Members were emotionally invested in several projects and wanted to offer more support. For a copy of the presentation in its entirety, see the information packet for the meeting.

Vice Chair Graf asked about the equity of distribution relative to each City's tax contribution to the fund and referenced comments made by a Washington Terrace official at a recent county commission meeting. Ms. Halacy clarified that grants are awarded based on score, not by City of origin, and that Ogden City entities historically do very well in the process. Mr. Burns noted that private matching funds score higher than public fund matches, and that the RAMP board prefers to be "the last money in" on a project. Vice Chair Graf also inquired about a grant awarded to the Taylor West Weber Parks District, asking whether funds could go to properties that are not fully public or are affiliated with a religious institution. Ms. Halacy confirmed that recipients must be open to the public or charge only a minimal fee. Mr. Burns clarified that the applicant in question was the district itself, not any individual affiliated organization, and that RAMP awards only to government entities and 501(c)(3) organizations.

Council member Richey asked how community members could volunteer for the RAMP Board. Mr. Burns explained that board openings are typically announced in July, with applications reviewed by the advisory board and recommendations forwarded to the County Commissioners for appointment. Council member Richey also asked whether there are limits on how often an organization may apply. Mr. Burns confirmed that per year, an applicant may submit one Major grant and up to three applications in each of the other categories. Ms. Halacy noted that ongoing discussions may result in a future policy preventing organizations from applying for a new Major grant while a previously awarded Major grant project remains open.

Community Clean Energy Program Participation Ordinance (continued discussion from April 7, 2026);

Sustainability Coordinator Long used the aid of a PowerPoint presentation to facilitate continued discussion of the proposed ordinance for the Community Clean Energy Program, with Emily Quinton, a Community Clean Energy Program Board Member, participating remotely. Mr. Long provided an overview of the proposed ordinance, explaining that it traces its origins to Utah House Bill 411 (2019), originally the Community Renewable Energy Act and later renamed the Community Clean Energy Act to allow nuclear energy as an eligible resource. He outlined the key obligations required of the City under state statute and those that are optional. The most consequential point: if the Council adopts the ordinance, all Rocky Mountain Power customers within Ogden City (except those on Schedule 135) would be automatically enrolled in the program, with the ability to opt out. If the Council does not adopt the ordinance by the June 2, 2026, deadline, the City will be unable to participate in the program. Throughout discussion among the Council, Mr. Long, and Ms. Quinton, the following key points were discussed:

- **Program Implementation:** Following Council adoption, Rocky Mountain Power requires approximately five months to update its software and prepare opt-out notices. The program implementation date would be the day Rocky Mountain Power sends the first opt-out notice, not the date of adoption. Two separate notices would be mailed to customers, with paperless billing customers receiving their second notice electronically.
- **Startup Costs:** Council member Richey asked how startup costs would be funded during the pre-rate-collection period. Ms. Quinton explained that Rocky Mountain Power would front the costs, which would be tracked in a balancing account and paid back from program revenues once rate collection begins, estimated within one to two months. Salt Lake City has volunteered to backstop those costs in the interim. Ogden City is not required to contribute to this, though participation would be voluntary and would be reimbursed quickly.
- **City Financial Liability:** Mr. Long and Ms. Quinton both emphasized that the ordinance contains explicit language stating the City is not responsible for any program costs beyond: (1) reimbursing Rocky Mountain Power for the cost of providing the two opt-out notices to all customers (estimated at approximately $51,000, one-time); (2) the previously completed contribution to third-party consultant costs; and (3) any optional enrollment of City-owned facilities in the program rate.
- **The $4/Month Rate:** Council member Lundell asked whether the $4-per-month program rate was determined arbitrarily. Mr. Long explained that the rate is based on detailed modeling found in public filings on the Public Service Commission's docket and was set at a level sufficient to fund program reserves — acting as an "emergency fund" — to maintain rate stability over the life of the program and reduce the likelihood of rate increases. Ms. Quinton added that the Utah Renewable Communities Agency adopted a resolution directing its legal and technical support to pursue a program structure keeping the rate within the $3–$4 range, based on analysis of publicly available project economics.
- **Rocky Mountain Power's Reduced Renewable Investment:** Council member Myers raised a recently published article indicating that Pacific Corp (Rocky Mountain Power's parent company) had flatlined plans for new wind and

solar development across its six-state territory from 2027 to 2045. Mr. Long responded that this makes the Community Clean Energy Program more important, not less — as this program would be the primary avenue for new renewable energy to reach the grid in Rocky Mountain Power's territory. He noted Pacific Corp's financial constraints, including billions in wildfire liability and a downgraded credit rating, as limiting their ability to invest in new infrastructure independently.

- **Third-Party Developers:** Mr. Long clarified that renewable energy resources for the program would be owned by third-party developers under Power Purchase Agreements (PPAs) facilitated through Rocky Mountain Power — not Rocky Mountain Power itself — meaning Rocky Mountain Power would not earn regulated returns on those assets.
- **Nuclear and Geothermal:** Council member Myers asked about nuclear and geothermal resources. Mr. Long confirmed both are allowed under the program but were not included in the initial RFP due to development timeline constraints and the strong economic case for solar tax credits in the near term. Future resource acquisitions could include these sources.
- **State Legislative Context:** Vice Chair Graf asked about recent state legislative actions that may have made fossil fuel generation more attractive to utilities. Mr. Long noted legislation from the 2024 session that effectively prevented certain coal plants from shuttering. Ms. Quinton elaborated that the same session reorganized the state's energy policy priorities, moving "clean energy" lower and "dispatchability" higher. She also noted that anticipated EPA emissions rules (the "good neighbor rule") are no longer expected to be enforced, further reducing utilities' incentive to transition away from fossil fuels.
- **New Residents:** Council member Lundell asked how residents who move to Ogden after program adoption would be notified. Mr. Long explained that per the draft Schedule 100 tariff, new customers would receive their own two notices and a 60-day free cancellation window upon establishing service in Ogden.
- **Alternatives to the Program:** Council member Lundell asked what alternatives had been considered, including the possibility of the City or county operating its own power grid. Mr. Long acknowledged this is theoretically possible but described it as an "immense lift" — very costly and time-consuming. He noted that this program does not foreclose that option in the future. Ms. Quinton shared that Summit County had explored alternatives over more than a decade before concluding that HB 411-style legislation was the most viable path within Utah's regulatory context.

Council Executive Director Symes introduced Flash Vote Co-Founder Kevin Lyons, who presented the results of the FlashVote Survey conducted regarding the matter. Mr. Lyons reported a scientific panel survey of Ogden residents yielded a roughly two to one ratio in favor of participating in and paying for the program. Approximately 58 percent of respondents indicated they would be willing to pay the $4/month program rate, while approximately 25 percent indicated they would opt out if the City joined. An open (non-panel) sample of 70 additional respondents who self-selected into the survey showed stronger opposition, which Mr. Lyons suggested may reflect organized opposition outreach rather than the general public's views. He identified cost uncertainty and perceived community benefit as the key factors influencing undecided residents — the "swing" group most likely to respond to targeted communications.

Chair Hyer noted that the Council has received a substantial volume of emails from constituents in favor of the program, and that those opposed have expressed reluctance to speak publicly on the matter.

Council Assistant Executive Director Burton then briefly summarized a 2022 Weber State University Survey which was conducted in anticipation of this decision. The study found that a majority of residents were willing to pay 9.3 percent more for renewable energy, 45 percent believed the City should join the program, 46 percent were unsure, and approximately 70 percent agreed that businesses, residents, and local government should be doing more to pursue renewable energy options. A majority of businesses (61 percent) supported joining the program.

Mr. Symes noted that the ordinance is scheduled for Council consideration on May 5, 2026, allowing for public input ahead of the June 2 deadline.

Wildcat Square Community Reinvestment Project Survey Area

Assistant Economic Development Director Pendleton and Economic Development Director Gibson presented a proposal to designate a survey area on Weber State University campus land to evaluate the feasibility of a Community Reinvestment Area (CRA) for the Wildcat Square student housing project. Ms. Pendleton provided background: in October 2025, a new student housing project was proposed to the Weber State University (WSU) Senate. The project, brought forward by Keller Development Group in partnership with Weber State, would consist of a four-story, approximately 513-bed residential building with amenity-rich common areas including a pool, basketball and pickleball courts, and an OGX transit station on the perimeter. The site is currently used as a practice field and would require environmental remediation and potential infrastructure upgrades.

Weber State University Vice President of Administrative Services Mark Halverson was present to represent WSU. He confirmed that enrollment has surpassed 33,000 students while only 1,000 on-campus beds currently exist, with the university at 100 percent capacity and a wait list exceeding 100 students. He emphasized that the demographic shift — particularly growth in international students and nontraditional students — drives the housing need independently of national "enrollment cliff" concerns. Mr. Halverson noted that Utah universities continue to project 1–3 percent annual enrollment growth over the next 10–15 years. Because the site is state-owned land, no traditional property tax is generated. Ms. Pendleton explained that Utah code allows a privilege tax to be imposed on such properties, effectively converting the site from nontaxable to taxable and enabling tax increment financing. Mr. Gibson noted that the Business Depot Ogden facility, also on City-owned land, operates under the same privilege tax mechanism and serves as a local precedent.

Council member Richey asked about the duration of the privilege tax period. Mr. Gibson explained that the developer would hold a 99-year ground lease, though the RDA period itself is subject to statutory maximums — with 25 years being a common benchmark. After the RDA period closes, the City would collect the full privilege tax revenue. At the conclusion of the 99-year lease, the university would assume ownership and operation of the units.

Council member Washington noted that the Harrison Boulevard OGX Station Plan Area, adopted by a previous council on November 18, 2025, pursuant to House Bill 462, appeared to have already contemplated housing development on this site. Mr. Halverson confirmed that the OGX station was specifically sited with the intent that this land would eventually become student housing, and that ridership modeling incorporated this future development. Ms. Pendleton acknowledged the connection and indicated staff would research the relationship between that plan and the proposed CRA.

Council member Washington also expressed concern that the presentation referenced an existing agreement with a developer and asked how that squares with the City's stated RDA process. She indicated she would like further discussion on this point, drawing a parallel to earlier concerns raised regarding the Exchange Building land transfer. Chair Hyer indicated the item would return to the Council, and Council member Washington accepted an offer from staff for a one-on-one follow-up conversation.

Mr. Symes confirmed the survey area designation is scheduled for consideration at the May 12, 2026, RDA Board meeting, which represents only the first step in the CRA creation process. Approval of the survey area would authorize staff to complete due diligence and return with a project area plan and budget.

<u>Council/Board Business</u>

Communications Update – Accessibility Options: Communications Director Garside provided an overview of the Council's current public communications and accessibility infrastructure. He described the standard workflow: agendas are posted each Thursday and distributed via the City website, email and text alerts through the NotifyMe system, and social media. During meetings, live streams are available on YouTube, Facebook, and Zoom with public comment capability. Following meetings, results are posted the same evening and a recap video is published the following Wednesday. Mr. Garside highlighted recent accessibility improvements, including real-time translated captions now available in Zoom (enabling Spanish-speaking residents to follow meetings in their language), translated captions on the weekly recap video replacing burn-in captions, and assistive listening devices available on-site without advance notice. ADA interpreter services are available with 48 hours' notice through the City's contract with ComGap, at a rate of $47/hour during regular business hours and $57/hour after hours. Residents may request services by emailing accessibility@ogdenCity.gov or calling Management Services at 801-629-8701. Mr. Garside acknowledged that in-presentation captions can be inconsistent depending on the format of materials received from presenters. He noted that the City's AI assistant, Archie, does not currently scan PDF documents — only website content — and therefore cannot yet be used to query meeting records or minutes.

Council member Lundell commended the communications team, contrasting Ogden's robust post-meeting documentation with his experience trying to locate results from a Summit County Council vote. Council member Washington was thanked for raising accessibility concerns that prompted several of these improvements. Mr. Symes echoed the praise, relaying that the City has been referred to by a peer executive director as the "gold standard" for Council communications in Utah.

Training – Ethics, Conflict of Interest, Open and Public Meetings: City Attorney Williams used the aid of a PowerPoint presentation to provide the annually required training regarding the Open and Public Meetings Act (OPMA) for the State of Utah. He explained that any gathering of a quorum (four members) for any purpose — deliberation, public comment, or action — constitutes a public meeting and must comply with the Act. Chance social meetings are exempt, provided no Council business is deliberated. He highlighted a relatively new provision that prohibits a quorum from engaging in concerted and deliberate efforts outside of a public meeting to predetermine official action, noting particular concern about group texts exchanged during open meetings. He clarified that individual member texts and emails outside of meetings — including sharing opinions or attempting to persuade colleagues — are permitted under the statute but cautioned that such communications may be subject to disclosure under the Government Records Access and Management Act (GRAMA). Relative to closed sessions, Mr. Williams reviewed the permissible purposes (personnel matters, litigation strategy, collective bargaining, security, real property transactions, and similar topics) and procedural requirements (a two-thirds vote of a quorum in an open meeting, with stated reasons and location on the record). He emphasized that no official action — including approving ordinances, resolutions, or appointments — may be taken in a closed session, and that all closed sessions must be preceded by an open public meeting. He noted that no meeting is required to be closed; all closed sessions are discretionary. He also noted that disclosing closed session content is not a legal violation but constitutes a breach of trust among colleagues. He briefly touched on the matter of emergency meetings, noting that the best practicable notice, a documented statement of unforeseen circumstances, and majority approval is required. Most City emergencies are administrative in nature and rarely require legislative action by the Council.

On ethics and conflicts of interest, Mr. Williams summarized a document he distributed, noting it covers both state statutes and City ordinances. Key points included:

- Elected officials may not accept cash gifts except for campaign contributions, and non-cash gifts must not exceed $50 in value.
- Conflicts of interest must be verbally disclosed at the relevant meeting, with written disclosure also required in certain circumstances.
- A new annual disclosure requirement, effective last year, requires all elected officials to file a comprehensive household and financial disclosure form with the City Recorder between January 1 and January 31 each year.

Mr. Williams cautioned that this is separate from and in addition to the standard conflict of interest statement on file with the City Recorder's office.

- Council norms (not statutory requirements) call for a member with a conflict of interest to withdraw from the vote and leave the room when the vote occurs.

Mr. Williams offered to return for a more detailed training on ethics and conflicts of interest and encouraged Council members to contact him or his staff confidentially with any questions regarding potential conflicts.

Council/Board Comments

Wildcat Square Project: Council member Washington returned briefly to the Wildcat Square item, reiterating her concern that a developer agreement already appears to be in place prior to the survey area designation, and that this may not align with the process described on the City's RDA webpage. She requested further information and indicated she would follow up with staff. Chair Hyer confirmed the matter would be addressed prior to the May 12 RDA meeting.

The meeting adjourned at 6:02 p.m.

LEE ANN PETERSON, MMC
CHIEF DEPUTY CITY RECORDER

RICHARD A. HYER, CHAIR

APPROVED: May 19, 2026