



CITY COUNCIL AGENDA

Notice is hereby given that the Draper City Council will hold a **City Council Meeting** on **Tuesday, January 12, 2021, at 5:30 PM**, in the City Council Chambers at 1020 East Pioneer Road, Draper, Utah.

The Agenda will be as follows:

ELECTRONIC MEETING NOTICE

This meeting will be an electronic meeting according to Draper City Municipal Code 2-1-040.

WRITTEN DETERMINATION 2021-02 pursuant to Utah Code Ann. 52-4-207(4)

I, Mayor Troy K. Walker, do hereby determine conducting an electronic meeting of the Draper City Council with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location and hereby authorize the Draper City Council to conduct electronic meetings without an anchor location.

The foregoing determination is based on the following facts:

- Federal, state, and local leaders, including the Draper City Mayor and City Council, have all recognized a global pandemic caused by the spread of the COVID-19 virus.
- COVID-19 cases and hospitalizations in Draper continue to fluctuate at high levels, both of which pose a risk of overburdening the local health care system and health care providers.
- It is difficult, if not impossible, to predict the number of attendees at any meeting and to manage issues regarding social distancing in order to comply with state and local health departments' health orders.
- COVID-19 poses a continuing and immediate threat to the health, safety, and welfare of Draper City residents.
- The City has the technological capability to provide means by which the public may hear, or view and hear, the open portions of the meeting and to participate in public hearings.

To participate, please see the options below:

- Listen through the Draper City Website – <https://www.draper.ut.us/95/Agendas-Minutes>
- Email comments to public.comment@draper.ut.us. These will become part of the public record.
- Those wishing to speak during the meeting, send a request for the Zoom meeting ID including your name, address, and phone number which you will be calling from to public.comment@draper.ut.us.

5:30 PM STUDY MEETING

- 1. Presentation: Utah Transit Authority Microtransit Pilot Program and 5 year Service Plan - Carlton Christensen**
- 2. Legislative Update: Representative Jeff Stenquist**
- 3. Discussion: Ranked Choice Voting**
- 4. Discussion: Bond Payoff and Defeasance - Bob Wylie**
- 5. Update: Engineering Projects - Scott Cooley**
- 6. Discussion: Residential Zones - Chickens - Christina Oliver**
- 7. Council/Manager Reports**

7:00 PM BUSINESS MEETING

- 1. Call to Order**

- 2. Public Comments**

To be considerate of everyone attending the meeting, public comments will be restricted to items that are not listed on this or a future agenda and limited to three minutes per person. Comments which cannot be made within these limits should be submitted in writing to the City Recorder prior to noon the day before the meeting. Comments pertaining to an item on the agenda should not be given at this time but should be held until that item is called.

- 3. Consent Items**

- a. Approval of December 8, 2020, and December 15, 2020, City Council Meeting Minutes**
- b. Approval of Resolution #21-01, appointing Andrea Page to the Draper Youth Council Advisory Board**
- c. Approval of Resolution #21-02, Updating the temporary COVID-19 Pandemic Policy**
Staff: Hazel Dunsmore

- 4. Adjournment**

SALT LAKE COUNTY AND UTAH COUNTY, STATE OF UTAH

I, the City Recorder of Draper City, certify that copies of the agenda for the **Draper City Council** meeting to be held **January 12, 2021**, were posted on the Draper City Electronic Bulletin Board, Draper City website www.draper.ut.us, the Utah Public Notice website at www.utah.gov/pmn, and sent by email to the *Salt Lake Tribune* and the *Deseret News*.

Date Posted: January 8, 2021



Laura Oscarson, CMC, City Recorder
Draper City, State of Utah



In compliance with the Americans with Disabilities Act, any individuals needing special accommodations or services during this meeting shall notify Laura Oscarson, City Recorder at (801) 576-6502 or laura.oscarson@draper.ut.us, at least 24 hours prior to the meeting.



MEMO

To: City Council Meeting
From:
CC:
Date: January 12, 2021
Re:



MEMO

To: City Council Meeting
From: Laura Oscarson
CC: City Council
Date: January 12, 2021
Re: Meeting Minutes

Comments:

Attached are the draft minutes for the December 8, 2020 and the December 15, 2020, City Council Meetings for review before approval.

ATTACHMENTS:

Description	Upload Date	Type
CC 12.8 Minutes	1/7/2021	Cover Memo
CC 12.15 Minutes	1/7/2021	Cover Memo

MINUTES OF THE DRAPER CITY COUNCIL MEETING HELD ON TUESDAY, DECEMBER 8, 2020, IN THE DRAPER CITY COUNCIL CHAMBERS, 1020 EAST PIONEER ROAD, DRAPER, UTAH

PRESENT: Mayor Troy K. Walker, and Councilmembers Mike Green, Tasha Lowery, Fred Lowry, Cal Roberts, and Marsha Vawdrey

EXCUSED:

STAFF PRESENT: David Dobbins, City Manager; Mike Barker, City Attorney; Laura Oscarson, City Recorder; Scott Cooley, City Engineer; Hazel Dunsmore, Human Resource Director; John Eining, Police Chief; Rhett Ogden, Recreation Director; Christina Oliver, Community Development Director; Clint Smith, Fire Chief; Britnee Johnston, Communications Director; and Bob Wylie, Finance Director

This meeting was held electronically.

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Determination 2020-25, pursuant to Utah Code Annotated 52-4-207(4)

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- Governor Herbert and the Utah Department of Health have recently issued updated orders in response to record numbers of COVID-19 cases and COVID-19-related hospitalizations. The orders implement statewide what has been termed a “mask mandate” and have severely limited social gatherings in an attempt “to prevent and control the rapidly changing consequences of COVID- 19 throughout the state.”
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Study Session

1.0 **Presentation: Locally Preferred Alternative for the Point of the Mountain** – Patti Garver, Utah Transit Authority

- 1.1 Ms. Patti Garver gave a presentation and an update on the Point of the Mountain Transit Study. She stated that they had begun the project last October, and the project intended to connect both existing and future economic development sites in Utah County, and noted that the project involved many entities and several cities. She said that last year, they had considered five options for transit, including rail, light rail, or a bus and that while the options all functioned similarly for ridership costs, they had gotten input from the Mayor and City staff and had found that transit benefits were also important to consider. They had thus decided to focus on common segments with all of the alternative options that would help with their economic development potential and would also be quicker to implement and more likely to receive funding. For their level two evaluations, they had focused on the Common Ground Segment, which she showed on the map as a green line that extended southeast on an elevated structure down to the Traverse Mountain station. Ms. Garver highlighted areas on a map that they had considered in their level two evaluations and outlined the enhanced amenities that would be offered at the stations. She also explained several technologies that could be used in the construction, as well as stated what infrastructure those technologies would require and what their limitations would be. She also noted that if they went with the Bus Rapid Transit (BRT) option, they could use an existing maintenance facility, but they would have to build a new facility for the rail line.
- 1.2 Ms. Garver summarized that the capital costs for the BRT were much lower than the rail option, and the cost to construct and operate the BRT would be lower. There would also be more flexibility with where the BRT could go, and it would be faster to implement than the rail. She stated that there was increased ridership with both the bus and rail options, and both options had land use and economic development benefits. They would need to build a transfer station in Lehi for the rail line, but they would not need to do so if they went with the BRT. Based on their level two evaluations and a tech advisory meeting that they had held last week, she recommended the Common Ground Segment go with the BRT, and they could have a line with up to seven stations and end at the Traverse Mountain Station. They would also have the options for two additional stations south of the Traverse Mountain Station. She added that they had begun public outreach on November 20th and was accessible on their website. They were getting public input on their findings and had promoted their findings on all of their social media platforms to inform people.

- 1.3 Ms. Garver explained what the next steps in the process would be and said that they would make their recommendations to the Steering Committee that upcoming Thursday and hoped that meeting would yield a decision so they could then move into the environmental impact stage, which would begin early next year. She aimed to have the current phase of the project done by the end of the year.
- 1.4 Councilmember Fred Lowry asked about the diesel locomotives and clarified that would extend from Draper Front Runner site and south into Utah County, and that the maintenance facility that would be required for that was included in the cost estimates that Ms. Garver had included in her presentation. Councilmember Fred Lowry also commented that since there was not a site picked out yet for the Diesel Multiple Unit (DMU) maintenance facility and pointed out that the cost for the land acquisition was not included in the cost estimates. Councilmember Fred Lowry asked if there was another system that used a DMU, and Ms. Garver said that there was only one other one in the country currently, and she added there was also an option to go with electric. Councilmember F. Lowry confirmed that the light rail option would be traditional with overhead power and asked if that option would also need a maintenance facility. Ms. Garver replied that the light rail would need its own maintenance facility, and the costs for that facility were factored into the cost estimates she had provided. Councilmember Fred Lowry said that BRT could use the existing facilities in Lehi and American Fork, and they could also operate on the existing roadways to connect to the Draper Front Runner.
- 1.5 It was noted that some lanes would be set aside to be exclusively used for the busses. Ms. Garver explained that the gold standard was up to 90% exclusive lanes for the BRT. It was discussed that they could take advantage of the more undeveloped areas to create exclusive bus lanes. Ms. Garver said they would only use the existing roadways near the Draper station, and they could choose to add an exclusive lane there as well.
- 1.6 Claire Woodman discussed the difference in speed of travel time between the BRT and the light rail was three to four minutes, and that figure could be impacted by a variety of factors. She said it was hard to compare the speeds since the busses would be more impacted by the roads and state of traffic, but overall, it was at a similar speed to what the light rail would be able to do.
- 1.7 Councilmember Cal Roberts asked what the arguments in favor of the light rail were, and Ms. Garver replied that the capacity for the light rail would be greater, as well as higher speeds. She said the biggest factor was that light rail was perceived as more aesthetically pleasing than the bus but said that a gold standard BRT functioned just as well if not better. She also discussed the costs of maintenance for light rail and busses.
- 1.8 Councilmember Fred Lowry asked if the implementation of the BRT would do away with using the additional rail right-of-way in Draper on the eastern corridor. Ms. Garver responded that it was listed as a possible future phase or project, but it was not currently being considered.

- 1.9 Mayor Walker commented that they did not have a very safe east-to-west connection for active transportation. Ms. Garver said that they could incorporate the ability to have active transportation back and forth across the corridor, but they had not reached that level of detail yet in the plans. Mayor Walker commented that he would like the Council members and staff to get passes so they could take a trip on Utah Valley Express (UVX) to allow them to see firsthand what they were talking about.
- 1.10 City Manager David Dobbins asked Ms. Garver to go over what the next steps in the process would be. Ms. Garver explained that assuming the Steering Committee recommended Local Preferred Alternative (LPA), they would then take it to their board as an informational item in mid-January, and then Lehi and Draper would adopt the LPA resolution. Next, there would need to be amendments made to some of the associated documents, which would then go back to their board and Advisory Council for approval.
- 1.11 Mayor Walker commented that while light rail was a large draw for many businesses, they could not discount the many advantages that BRT had over the light rail, namely the lower costs associated with it.
- 1.12 Councilmember Cal Roberts asked when they could expect to recoup their losses and break even, and Claire Woodman explained that while they did not have an exact answer at that time, they had several economic experts on the team who would set what fares they could charge for ridership as well as consider other factors that would determine what the economic impact would be.
- 1.13 Mayor Walker added that there would be positive environmental impacts from this project as it would reduce the traffic congestion on the highway and improve air quality. He said that they should not approach this project as if it were a private business, but they should think about what the overall positive long-term benefits of the project would be. There was a brief further discussion about some of the positive impacts of having a public transportation alternative would be.

2.0 Presentation: Logo Survey Results – Britnee Johnston, Communications Director

- 2.1 Ms. Johnston shared the results of a logo survey that had been distributed to City staff and residents for one week in November of that year. Participants had been asked to rank six designs. For the City employee votes, no logo had received 50% or more of the votes, so she applied Ranked Choice Voting (RVC) to determine that City employees liked option A the best. 430 residents had also participated in the survey, and Ms. Johnston broke down the demographics of the residents that had responded to the survey before she listed the results. The residents had voted on option A as well, followed closely by the current logo. She stated that the options based on the results of the survey were to either adopt option A as that had been the most popular, or they could adopt a modified version of option C, which had been the second most popular. Her recommendation was to adopt option A, and she noted that they could also choose to keep their current logo. She showed some variations of the new logo that could be used throughout the City, and mock-ups of what

that logo would look like for different departments. She also showed some options for business cards, street signs, and City vehicles.

- 2.2 Ms. Johnston explained the timeline going forward. She anticipated the logo approval would come in by the end of that month, and the website would be updated, and the brand style guide released in mid-January. The new logo would be added to physical items in February and March, and throughout the summer they could update the street signs.
- 2.3 Councilmember Fred Lowry was concerned that the square logo would not look good in black or white but commented that he liked the colors she had chosen. They discussed their surprise that option A had been the winner of the survey results, and the Councilmembers shared what their favorite designs were.
- 2.4 Councilmember Mike Green asked if there was any negative feedback about option A, and Ms. Johnston reported that some people had thought that it was too busy or looked too much like a poster or stamp. There was discussion about putting the design in option A into a circular shape instead.
- 2.5 Mayor Walker suggested that they tweak the design more since the consensus among the Councilmembers was that option A was not yet perfect and many of them personally preferred option C.
- 2.6 Councilmember Fred Lowry thought they needed to put more work into the color selection of the logos so that the images did not look blurry. Councilmember Mike Green agreed that the mountain design appeared blurry, and they discussed the possibility of combining various elements of the logo options to use the best aspects of each design. Ms. Johnston said they could do a follow-up survey with modified versions of the existing logos.
- 2.7 Councilmember Tasha Lowery thought people liked the colors of option A but preferred the design of option C. There was discussion about what the various designs would look like in grayscale, and how they would appear on different surfaces in black and white.
- 2.8 Ms. Johnston concluded that she could send out a new survey that would just have a modified version of option A and C and eliminate the other options, and she could also include photographs of what the logos would look like on different items.
- 3.0 **Closed Session: By Motion. The Draper City Council may temporarily recess the regular meeting and convene in a closed session to discuss the character, professional competence, or physical or mental health of an individual, pending or reasonably imminent litigation, or the purchase, exchange, or lease of real property, as provided by UCA 52-4-205.**
- 3.1 **Councilmember T. Lowery moved to recess to a closed session to discuss litigation. Councilmember F. Lowry seconded the motion.**

- 3.2 **A roll call vote was taken with Councilmembers Green, Lowery, Lowry, Roberts, and Vawdrey, voting in favor. The motion passed unanimously.**

4.0 Council/Manager Reports

- 4.1 Community Development Director Christina Oliver said that they had been asked to clarify parking spaces outside a development. A project proposal had come before the Planning Commission, and there had been a question as to if parking stalls could be repurposed to be a fire lane or an egress lane. She asked for guidance as to how they should clarify the code. The Councilmembers decided that they should not allow parking stalls to be used for dual purposes. Ms. Oliver reported that the Fire Marshall had agreed that there should be uninhibited access to a building to ensure the health and safety of those inside the building.

Business Session

1.0 Call to Order: Mayor Troy K. Walker

2.0 Presentation: Police Department Holiday Card Winners

- 2.1 Chief John Eining talked about the Christmas card contest, which was held annually for fifth graders across Draper. They had had three winners, who had all come from John the Baptist Elementary School. He shared pictures of the winning cards and explained that the winning design would be put on the Christmas cards that the Draper Police Department sent out that year.

3.0 Recognition: Rachel Rasmussen – Youth Peer Court Mentor, 5 Years of Service

- 3.1 Chief John Eining offered his congratulations and thanks for Rachel Rasmussen's contributions to her school and presented her with a certificate of recognition that noted her years of service.

4.0 Presentation of the 2020 Popular Annual Financial Report (PAFR)

- 4.1 Assistant Finance Director Jared Zacharias explained that this was the ninth year they had done this report, and he felt it was a helpful tool for the residents and staff. He overviewed some of the highlights of the document and said that overall, he felt that the City was in good financial standing despite some of the difficulties of the year. The PAFR included demographic information and details about property and sales tax. He showed charts that explained how much money the City spent per resident, as well as how much money was spent in Draper. Mr. Zacharias also showed a comparison between the current year and the 2019 report and explained significant differences between the two years. He also summarized the efficiency of the City and included a breakdown of how Draper spent their funding on various departments. He also showed the amounts of money in different funds and explained how the funds sat financially.

4.2 Councilmember Fred Lowry commented on the high amount of volunteer hours that had been logged.

5.0 Public Comments

Mayor Walker invited the audience to give any public comments and asked them to state their name and keep their comments three minutes or less. There was no one in the Zoom meeting to make a public comment, so Mayor Walker closed the public comments.

6.0 Consent Items

a. Approval of November 10, 2020, and the November 17, 2020, City Council Meeting Minutes

b. Approval of the 2021 Annual Meeting Schedule

6.1 Councilmember Green moved to approve the Consent Items. Councilmember Vawdrey seconded the motion.

6.2 A roll call vote was taken with Councilmembers Green, Lowery, Lowry, Roberts, and Vawdrey, voting in favor. The motion passed unanimously.

7.0 Public Hearing: Provide Local Consent for a Limited-Service Alcohol License for Spark Group Restaurants, LLC dba Paradise Biryani Pointe (Administrative Action)

7.1 Community Development Director Christina Oliver explained they had a local consent item for Spark Group Restaurants to be granted a limited-service alcohol license. She stated that the municipal code did not limit the number of lines that could be distributed by the City and noted that Spark Group Restaurant was in keeping with the City Code.

7.2 Mayor Walker opened the public hearing. No one was on the Zoom meeting for the public hearing, so Mayor Walker closed the public hearing.

7.3 Councilmember Green moved to approve the Local Consent for a Limited-Service Alcohol License for Spark Group Restaurants. Councilmember T. Lowery seconded the motion.

7.4 A roll call vote was taken with Councilmembers Green, Lowery, Lowry, Roberts, and Vawdrey, voting in favor. The motion passed unanimously.

**** Councilmember Green moved to recess back into the closed session. Councilmember Vawdrey seconded the motion.**

A roll call vote was taken with Councilmembers Green, Lowery, Lowry, Roberts, and Vawdrey, voting in favor. The motion passed unanimously.

**** The City Council resumed the closed session at 7:28 pm.**

8.0 Adjournment

- 8.1 Councilmember Green moved to adjourn the meeting. Councilmember Roberts seconded the motion. This action was done after the closed session had been adjourned.
- 8.2 A roll call vote was taken with Councilmembers Green, Lowery, Lowry, Roberts, and Vawdrey, voting in favor. The motion passed unanimously.
- 8.3 The meeting adjourned at 8:18 p.m.

MINUTES OF THE DRAPER CITY COUNCIL MEETING HELD ON TUESDAY, DECEMBER 15, 2020, IN THE DRAPER CITY COUNCIL CHAMBERS, 1020 EAST PIONEER ROAD, DRAPER, UTAH

PRESENT: Mayor Troy K. Walker, and Councilmembers Mike Green, Tasha Lowery, Fred Lowry, Cal Roberts, and Marsha Vawdrey

EXCUSED:

STAFF PRESENT: David Dobbins, City Manager; Mike Barker, City Attorney; Laura Oscarson, City Recorder; Scott Cooley, City Engineer; Hazel Dunsmore, Human Resource Director; John Eining, Police Chief; Rhett Ogden, Recreation Director; Christina Oliver, Community Development Director; Clint Smith, Fire Chief; Britnee Johnston, Communications Director; and Bob Wylie, Finance Director

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Study Session

1.0 **Legislative Update: Representative Brady Brammer**

- 1.1 Representative Brammer said that part of the presentation was to answer any questions the Council had about the upcoming legislative session. He said that there should be a significant tranche of information coming out the following day about the state's budget status. He said that was still a little bit under wraps because they were moving some of the numbers to ensure they were being responsible. He said that Utah was a well-managed state that had done well through COVID-19. He said that some of the revenue of the state was considered false revenue because it resulted from tax stimulus money. The state did not want to build models with that kind of stimulus packed in and account for the current stimulus package that was under debate in the US Senate was creating some movement in numbers. He said that Utah was the only state that raised money for education funding during the middle of COVID-19. He said that was because citizens had sacrificed a lot to make sure that Utah was stable financially.

Coming up on the legislative session Representative Brammer believed that there would be a continued commitment to public education money. He said that some of the issues he predicted would be questions of separation of power regarding emergency powers and how long those could extend. For example, the Governor, an executive mayor, or other executives in various political subdivisions, need to go back to their legislative body for approval to continue with executive actions. What that meant was that it had been unclear if the Governor could keep Utah in a state of emergency and continue to declare States of Emergency without legislative approval. A similar question existed regarding if a county executive or mayor could keep their county or city in a state of emergency for longer than 30 days without approval. Representative Brammer said it was likely that rules would be defined around the issue. Additionally, there would be a lot of adjustments regarding the Health Department to provide clear guidance on what they can and cannot do in terms of their powers. He said that the State and individual health departments were unsure of where their power begins and ends. This created more drama and uncertainty than was needed.

Mayor Walker asked if the State had done so well during COVID, what was the rush to change the emergency powers. He said that if the emergency powers exercised had not hurt the state, why was there movement on the issue if there had been little impact.

- 1.2 Representative Brammer said that he had spoken to two separate issues: the budget and executive powers. He said that the state had done well with its budget because it had planned. Regarding the state, there were two types of funding: ongoing funding obligations that get renewed each year and one-time funds that could be applied to a project before the money went away at the end of the fiscal year. He said that since 2011, Utah had been in a surplus economy. Instead of bonding during these high years, projects were funded with cash. Projects were paid for as they went along. As a result, when the economy dipped, there was a lower amount needed for the on-going budget and one-time funds could be replaced if needed with bonding or could simply be re-allocated to cover any shortfalls.

That created a lot of budget flexibility to ensure from a fiscal standpoint, Utah could fully fund projects and increase education funding.

Separate from state budgeting, there is a discussion about how Utah's economy was performing. Overall, it had done well during COVID. Utah had a 4.1% unemployment rate. This, however, does not speak to how entities are performing structurally. There had been a lot of push and pull about if the executive and legislative powers had been functioning as they were supposed to. An example of this was when the executive branch reached out and made no-bid contracts for various purchases at the beginning of COVID. Some of those purchases were done well, but others were done without the oversight that was typically needed to spend that kind of money. When certain statutes were suspended, they were not suspended following what was the expected process. They were suspended in ways that caused concern. For example, the statement that someone did not have to pay their rent if they were impacted by COVID. The Governor could not add that if. In an emergency, however, the Governor can say that he/she/they were suspending the statute that allows for courts to process evictions so that no one can be impacted during that time. But the Governor should not be able to unilaterally modify the contracts of every renter and place a condition on the contract. That falls to a legislative role to set policy if they choose to involve themselves in that way. Representative Brammer said that it was not that Governor Herbert was power-hungry and bent on doing bad things, or that he did bad things. Clarity was needed so that entities knew what their lane of action was. He said that there were lots of people who could offer strong leadership and do a good job during an emergency. He felt that additional clarity on powers and the process to gain more powers, was necessary should COVID or a COVID-like situation continue.

- 1.3 Representative Brammer said he anticipated that the next item to come before the legislators was an attempt to create a remediation zone for Utah Lake. Part of Draper City is in Utah County and would be impacted by that legislation. Currently, Utah Lake was controlled by the Utah Lake Commission, a loose inter-local agreement between 16 different public entities that contribute funding to help the lake. The legislation would change the structure so that an entity called the Utah Lake Authority would be established and have control over the use of the lake, as well as taxing authority and fee authority within the boundaries of the authority, and have fee authority for impacts on water quality so that they could engage in water quality remediation. He said that should be coming out fairly soon and would likely be a highly discussed item. It was similar to the type of entity like the Point of the Mountain Authority or the Inland Port Authority. These were state-level authorities that sat on top of local jurisdictions. He said that historically there was not a steady source of income, land use, and lake use authority to effectively manage the lake. The Utah Lake Authority was intended to be a step to better address lake management.
- 1.4 Representative Brammer also anticipated that there would also be quite a bit of social justice type issues. The first of these issues were efforts towards Police reform in response to Black Lives Matter. He said that there had been quite a few bills filed in response to police. He had not seen any of the specifics of those bills filed as they were not yet public and would not go public until the week of the session. He said that he thought that a lot of

the bills came from the democratic side, so there was some posturing without as much likelihood of success in passing those bills. He said that he also felt that there would be a little bit of relief from gun control bills this year than a typical year as folks were more uncomfortable and skittish in restricting gun control after the summer that caused a fear of safety with citizens. He said that the makeup of the body was roughly the same. There was one seat that flipped from republican to democrat, but otherwise, all of the senate seats were the same. Additionally, the leadership teams from the House and Senate remained the same.

Representative Brammer asked if Draper engaged in some of the road fees that some cities did. Mayor Walker said no.

Representative Brammer explained that there likely would be some attempts to do some legislative clean up surrounding road fees as a result of a recent lawsuit and resolve some of the issues between Pleasant Grove and its citizens. The legislature intended to better define what constituted a fee versus a tax.

Mayor Walker interjected that Draper did want the power to create a toll road in between Salt Lake and Utah County over Traverse Ridge and Suncrest Drive. He emphasized that Draper seriously wanted the power to raise money to maintain that road. He asked if Representative Brammer could open a bill file for Draper.

Representative Brammer said this was the first he had heard of the initiative. He asked that Draper send him more information on the path Draper was thinking about and how Draper intended to structure collecting fees. He said there were not a ton of toll roads on non-federal land. He said that he could involve UDOT to see if they had concerns and take a further look at what authorization and legislation was needed to make the toll road a possibility.

Mayor Walker thanked Representative Brammer for his update.

Representative Brammer clarified his responsibilities. He said that he was on the Judiciary Committee, the Business and Labor Committee, and was the Vice-Chair of Infrastructure and General Government. This meant that he dealt with all of the roads and buildings throughout the state and how those projects were funded. He was also the chair of Administrative Rules. This meant that when an agency made any rules, he reviewed them to make sure they were within the confines of the authority given to that agency.

Regarding the toll road, Representative Brammer informed the Council that it was a little late in the game to expect that the issue would be addressed during the most immediate upcoming legislative session. That said, it was something they should start now to make it happen in the 2022 legislative session. He did not want Draper to have false hope that it could happen that quickly.

2.0 Presentation: Moderate Income Housing Plan Report – Christina Oliver

- 2.1 Christina Oliver, Community Development Director, explained to the Council that in 2019 the Utah State Legislature passed legislation requiring cities to adopt a moderate-income housing plan with specific strategies and targets identified to increase the number of moderate-income housing units within their municipality's boundaries.

She explained that when Draper updated their General Plan in 2019, the plan included three categories—transportation, land use, and moderate-income housing—required by the state legislature. She further explained that under Utah Code Draper must: (a) update its 5-year estimates of moderate-income housing needs; (b) conduct a review of the moderate-income housing element and its implementation; (c) report the findings for updated planning to the Utah Department of Workforce Services and our Association of Government and Metropolitan Planning Organization no later than December 1 of each year, and (d) post the report on the Draper City website.

Ms. Oliver then provided an update of the five goals that the City adopted through the General Plan process. She said that the City was required to adopt a minimum of three strategies, as well as some additional requirements because Draper had a major transit system with the FrontRunner and TRAX.

In 2020, one of the requirements imposed by the legislature was for each city to, “consider general fund subsidies or other sources of revenue to waive construction-related fees that are otherwise generally imposed by the City.” Draper’s goal was to explore funding sources available to offset or waive, fees charged by the City to developers who are building housing units that are affordable to low- and moderate-income households. To do this, staff determined that it was not fiscally prudent to just come before the City Council to ask for a full waiver of those costs. Instead, staff hired a consultant to go through the fee structure so that staff could better articulate exactly what the fiscal impact would be of waiving certain fees on specific moderate-income projects. She said that the process was already underway.

The second item that City has had to adopt from the legislature was to, “create or allow for, and reduce regulations related to accessory dwelling units in residential zones.” Draper’s goal was to support the reduction of government and regulatory constraints to enhance housing affordability, such as updating Draper City Municipal Code (DCMC), streamline project coordination, shorten processing time, and promote innovative design. Ms. Oliver explained that generally speaking, accessory dwelling units were a permitted use in single-family residential zones. However, the staff had not seen many applications for this type of unit. She said that they were market-driven.

The City also had to choose between two options because of the presence of the FrontRunner and TRAX. Drapers choose to pursue the state’s mandate to “encourage higher density or moderate-income residential development near major transit investment corridors.” Draper had the goal to consider a variety of strategies to increase housing intensity and diversity in appropriate locations, including near commercial areas, transit centers, major employment centers, and major transit investment corridors. In 2019, Draper City was awarded a grant by Wasatch Front Regional Council (WFRC) to study the

Town Center at the TRAX station area. In 2021 the City plans to commence an infrastructure review of the one-mile area surrounding the TRAX station. Once the pandemic has stabilized, the staff also plans to commence a market study.

The next strategy required by the state was to, “apply for or partner with an entity that applies for affordable housing programs administered by the Department of Workforce Services. Draper wanted to leverage state, federal, and matching funding opportunities for housing rehabilitation and preservation of high quality, safe, and affordable housing. Ms. Oliver explained that before her employment with Draper City, David Dobbins, the City Manager, was highly involved in creating an Inter-Local agreement with Salt Lake County to transfer funds collected through various redevelopment areas in Draper City to Salt Lake County which then, in turn, were turned over to the housing authority. These funds were then able to be utilized in ways that had the greatest impact throughout the region.

Finally, per the state’s mandate, Draper has applied for or partnered with various programs administered by a metropolitan planning organization or other transportation agencies that provide technical assistance. Draper planned to leverage opportunities with such organizations when completing long-range planning projects. She explained that this was tied directly with the process with the town center that they hope to complete in 2021, bearing the impacts of the pandemic.

Ms. Oliver then displayed Draper’s Moderate Income Housing Plan and reviewed some of the key statistics. She first highlighted anticipated population changes and noted that the numbers did not come from census data, but rather from the American Community Survey. She explained that staff anticipates that when the census numbers were released that these projects would change based on that data. The first table of the report showed that roughly 20% of occupied housing units in Draper were filled by renters. She said that trend stayed pretty stable through 2025. This means that owner-occupied structures existed at about 80%. These statistics already accounted for projects that were on the books. The City reported this data monthly to other organizations that utilize the numbers. For owner-occupied households, the average household size was 3.44. She said that number was not estimated to change by 2025. The average renter household, however, would increase over the next five years from 3.05 to 3.59 people per household. Ms. Oliver noted that owner-occupied house’s cost showed a downward trend by 2025.

- 2.2 Councilmember F. Lowry asked for clarification. He wanted to know if for Draper to receive funding, they would have an obligation to look at medium-income housing around transit corridors, particularly the town center.

Ms. Oliver said that the state wanted municipalities to promote moderate-income housing. She noted that moderate-income housing was defined with three tiers, the lowest of which did not affect Draper. Despite the state’s desire to have moderate-income housing addressed across the region, there were no significant consequences in the legislation. However, she anticipated that the legislation would be firmed up in the upcoming session.

Councilmember F. Lowry asked if Ms. Oliver could restate what moderate-income housing was. Ms. Oliver said that they did, surprisingly have some affordable units in Draper City, but the 2020 shortage was roughly between 65-80%. Draper was short 515 moderate-income units for renters and 330 moderate-income units for households. She said that deficit was not as substantial as other cities because there were some moderate-income housing units available. However, the legislature would like to see moderate-income housing shortages decrease.

Councilmember F. Lowry asked if Ms. Oliver had 2025 numbers. Ms. Oliver said that staff had not been provided those numbers. The reports were generated by Workforce Services. Councilmember F. Lowry asked if Ms. Oliver was saying that Draper was anywhere from 300 to 65 units short. Ms. Oliver said that the report indicated that Draper was just over 800 units short in total.

- 2.3 Councilmember Roberts asked if the City had a view on what potential legislation would look like. Ms. Oliver said that she had seen a few ideas floated, but that she hesitated to name them until a bill was filed.

Mr. Dobbins said that the league received a call this week about some legislation that would not necessarily address this specific issue, but that addressed accessory dwelling units that would make it so that cities could not regulate them. Essentially, a homeowner could have someone live in it and rent from it and the city would not be able to regulate that. There was also a push to privatize plan review and building inspections so that a developer would not have to submit plans to the city. They could go out to the private market and get plans done and signed off. The city would not have a chance to review the proposal. There was also a push to look at requiring affordable or multi-family housing, like a quota. There was a general sense in the legislature that cities were the cause or a significant part of the problem of affordable housing. Because of this, the legislature was looking at different options they could impose on cities to address the issue.

- 2.4 Mayor Walker said that it was easy to say that cities were the impetus for the problem. He said that it was not cities, it was neighborhoods that did not like affordable housing.

Ms. Oliver said that the part of the equation that was far too often left out of the conversation was that land costs vary. As a result, developers' margin was not part of the conversation. She said that they understood that there was a certain breakeven point for projects. However, there was also a margin quota and the city was being looked at to carry a portion of the burden so that, perhaps, development margins were not reduced.

- 2.5 Councilmember Green asked if there was anything that staff needed from the Council to accomplish their mission. Ms. Oliver said no and thanked Councilmember Green for the offer. She said that she felt as though their work with Lewis Young in auditing the city's fee structure would be beneficial. If the state legislature came forward with penalties for not zeroing out the quotas that were given to them, she felt that the city would be very well armed to present the fiscal impacts of whatever waivers may be required to the Council so that the city was not subject to the consequences that were built into the legislation.

Mr. Dobbins asked if the Council had to formally adopt the plan. Ms. Oliver said no.

3.0 Update: Draper Deals – Britnee Johnston

- 3.1 Britnee Johnston, Communications Director, said that Draper Deals, the COVID-19 relief program, just wrapped up.

To get the program started, staff met with Herriman City officials who had already implemented Herriman Bucks. They helped Draper with processes regarding how to get started and how to print and get gift cards to residents. Draper's program was mirrored closely to what was implemented in Herriman. For business outreach, the Business Licensing Office provided a contact list of approximately 1,200 Draper businesses. Draper City invited businesses to register through a postcard, email, and phone calls. Within the first week, 75 businesses registered to participate in Draper Deals. Overall, 103 businesses participated in the program. Regarding resident outreach, three \$10 gift cards were mailed to 16,966 households using USPS records. The program was promoted through the Draper Forward newsletter, email newsletter, and social media. Staff fielded calls and emails from residents asking about the program and coordinated providing 150 replacement gift cards.

As a result, 68 of the 103 businesses received gift cards from customers for reimbursement. 14,854 gift cards were used by Draper residents at Draper businesses. This was a 29% return rate, on par with other programs such as Herriman Bucks. \$148,540 was paid to businesses by Draper City through CARES Act Funding.

Broken down by industry, restaurants received the most gift cards (\$82,490 or 56%). 30 vendors in that industry participated. This was followed by groceries (\$47,870 or 32%). This indicated that most residents used the gift cards on things they needed. The third highest industry was retail (\$10,960 or 7%). There was a great degree of variety in the other industries that received gift cards.

The community offered positive feedback. Residents wanted to help local businesses and others needed the extra cash themselves. Some residents shared how the \$30 helped them in a time of need as they had been laid off or sick. Businesses were all positive and thankful for the program. They saw new customers come in and returning customers who had not been in for a long time. Businesses would participate in the program if it were done again. The program also sparked service within the community. A Draper resident/business owner used his Draper Deals to buy groceries for a homeless individual. Further, other cities took note. North Ogden reached out asking how Draper did their program since they heard about it and wanted to implement it themselves.

If the program was to be conducted again, the ways staff would implement the program differently would be to (1) allow for a longer time to use the gift cards; (2) make the envelope more colorful to stand out more; (3) use the Draper City newsletter mail permit instead of the printer's permit to save processing time; (4) provide a specific timeframe for residents to pick up gift card replacements; and (5) provide a longer lead time for

businesses and provide drafted social media posts to help them encourage customers to use Draper Deals at their business.

To conclude, Ms. Johnston showed a new COVID-19 interactive dashboard that was under development by Draper's GIS team. This could be shared with residents so that they could sort available businesses based on location and industry.

Councilmember Green asked if they should do the program again. He asked if there was remaining funding that could go out before Christmas.

Mr. Dobbins said that staff had talked about that. Technically, they had used all the CARES Act Funding by adjusting salaries for first responders. However, that money freed up General Fund money. If everyone used the program, it was expected that the program would have resulted in \$500,000 of spending. The actual spending was much less, ~\$150,000. Based on what was budgeted, there was still money remaining to do a second round. He said that staff did not think they would be able to get the gift cards printed and done during the holiday season. Because of this, it was staff recommendation that if the Council wanted to do the program again to implement it at the beginning of the year.

Councilmember Green asked if the program could focus on groceries. Mr. Dobbins said that the Council could allocate the money towards certain types of business. Councilmember Green said that he wanted to help every business they could.

Councilmember F. Lowry said that it would make it hard to limit the program to certain businesses because the idea was to support all businesses. Councilmember T. Lowery said that she felt as though some people did need the groceries. Councilmember Green said that if they spent \$150,000 during the first round, he felt it was fine to spend another \$150,000 out of the \$500,000 budgeted. He said to do it again. Councilmember Vawdrey agreed and said that based on the results by industry, the top two items were food.

Councilmember T. Lowery said that it was really important to keep restaurants going. It was restaurants that were struggling. Mr. Dobbins said that some of it were the logistics of the program. He said that when Ms. Johnston said that they need to replace the gift cards, the reality was that Ms. Johnston would walk outside one-by-one to hand people replacement cards.

Councilmember T. Lowery said that she wished that they had a better process because she recognized that the labor to implement the program was quite intense for Ms. Johnston. She asked if they could do a "kick off the New Year by supporting our local businesses" campaign.

Mr. Dobbins said that he had heard from several businesses that there was a lot of concern that if there was not another relief package by Congress that they were worried about how they would make it; they were barely hanging on. He said that doing the program in January would be a welcomed initiative.

Councilmember T. Lowery said that was an irritating detail; every other county in the state got the third infusion of funding. Salt Lake County was the only county that did not see that third infusion. Councilmember Roberts asked why that was. Councilmember T. Lowery said that the County received the money but decided not to distribute it to cities. All of the other cities that were not in Salt Lake County received more money.

Councilmember Roberts asked if it was worth it to try and target the program more. If the purpose of the program were to try and spur business activity on those places that were hit hardest, he wanted to know if it was smart to think about how the program could target getting the dollars in those businesses' hands. He said that some businesses had been hammered by COVID and other businesses were doing great.

Mr. Dobbins said that he felt like implementing that would be hard. Someone would have to decide that one business got the money, and another did not. Across the board, he felt that everyone said that businesses were glad that the program was done.

Councilmember F. Lowry said that he thought there was a great possibility that they would see more activity in the second round. Mr. Dobbins agreed. He felt that because residents and businesses had heard about the program that there would be greater participation.

Councilmember F. Lowry said he liked the idea of starting the program off with the New Year and believed that if they started promoting the program now, residents would be more informed.

Councilmember Vawdrey said that if staff were able to limit the pickup time for replacement cards, she felt that it would help staff a lot. Even though it would be hard, staff should just stick to those times. People should expect to come during a specific time.

Councilmember T. Lowery suggested that the gift cards were just re-mailed to residents. Ms. Johnston said that risked that residents would lose them again. Mayor Walker said that there was a flow of cars out front for the gift cards on some days.

Councilmember T. Lowery asked if City Hall was going to open up again. She wondered if they might get to the point that they could be left at the front desk for pick up. Mr. Dobbins said that would be an option. He said that the staff intended to look about re-opening at the beginning of the year.

Mayor Walker asked the Council if they were all in favor of doing a second round at the beginning of the year. The Council wanted to do a second round given what it offered to restaurants and for residents to get groceries.

Councilmember T. Lowery said that feedback from businesses was that once residents got to the businesses, they spent more than their \$30. There were a lot of new customers that came in that they had not seen before. Places like Piper & Scoot have email addresses that had never been in the store before. This helped businesses in unanticipated ways.

Councilmember F. Lowry said that his theory was that for every dollar that was spent, it was three dollars in value. Councilmember Vawdrey said that there should be the expectation that the second round would be more successful, so the city would spend more on the next round. She wondered if they needed to limit the amount sent to residents to \$20. Councilmember F. Lowry said that the money was already budgeted.

Mr. Dobbins said that if everyone used the gift cards, they budgeted \$500,000. Because \$150,000 was used in the first round, there was \$350,000 remaining. Even if there was twice the take rate on round two, they would still be within in original \$500,000 that was budgeted.

In response to the Council's continued discussion about reducing the amount, Ms. Johnston said that she felt that offering three \$10 gift cards was nice because residents could split up where they spent the money.

Councilmember T. Lowery said that the three gift cards did confuse some of the businesses who thought they could only take one gift card. She said that was something they might want to reiterate: the gift cards work the same as cash.

Mayor Walker noted that there was a need for a closed session and that there were exactly 30 minutes before the Business Session. He thanked Ms. Johnston for the update and asked if there was a motion to go into a closed session for litigation purposes.

4.0 Closed Session: By Motion

The Draper City Council may temporarily recess the regular meeting and convene in a closed session to discuss the character, professional competence, or physical or mental health of an individual, pending or reasonably imminent litigation, or the purchase, exchange, or lease of real property, as provided by UCA 52-4-205.

4.1 Councilmember Vawdrey moved to recess into a closed session to discuss litigation and property acquisition. Councilmember T. Lowery Moved to second the motion.

4.2 A roll call vote was taken with Councilmembers Green, Lowery, Lowry, Roberts, and Vawdrey, voting in favor. The motion passed unanimously.

5.0 Council/Manager Reports

5.1 Councilmember Vawdrey asked where staff were regarding changing Draper's chicken ordinance for units based on the size of the property. She had spoken with someone who worked at IFA. She said that they were going nuts trying to supply homeowners with these animals and feed. She felt that the issue was a big deal.

Mr. Dobbins said that he would follow up to see where staff were in looking at the ordinance.

- 5.2 Councilmember F. Lowry said that he had a resident mention that on Highland Drive where the city installed a fence between the property owners and the road. Much of the fence, which was probably installed 20 years ago, had come down. He wondered if the staff could look into getting the fence repaired or removed. Mr. Dobbins said staff would take a look at it to see what it would take to get it fixed or replaced. Councilmember F. Lowry thanked both Mr. Dobbins and Mr. Cooley.
- 5.3 Councilmember T. Lowery said that she and Councilmember Vawdrey had spoken with Mr. Dobbins about having Santa go out and visit the elementary schools. She had seen this done in Woodland Hills and it was, “really, really, really cute.” He went out in the neighborhoods in Woodland Hills and threw out candy canes. She felt that residents would like something like that if it were at all possible. Mr. Dobbins said that the staff was still trying to work out details.
- 5.4 Mayor Walker wanted to let the Council know that in meeting with various mayors from Utah County and the Wasatch Front, Utah Transit Authority (UTA) presented the same alternative analysis that was presented to the Council. The alternative analysis passed in the group with a 94% approval of the 40 or 50 people in attendance. A similar group voted that the BRT going from the prison to the freeway down south was what everyone was on board with. The following Thursday, the group was going to elect the consultant from the Point Commission who will plan the prison site. The consultant would be hired and in place before the end of the year. He noted that Ms. Oliver was involved and spent many extra hours to vet applicants.

Ms. Oliver said that there were some really good applicants. Over 40 hours had been dedicated to interviewing the top applicant teams. It had been narrowed down. It was exciting to have the consultant finalized because there were strong teams proposed. She felt that they were going to be lucky with the outcome.

- 5.5 Councilmember F. Lowry asked if there had been any update on the Ranked Choice Voting. Mr. Dobbins said that he spoke with Sherrie Swensen directly. He said that there were a couple of issues. Ms. Swensen had been authorized to purchase the equipment needed. She had some logistical concerns that she was working through. She said that she would have a better idea at the beginning of 2021. He polled all of the city managers in the county. About 2/3 of the city managers have expressed interest in finding out what it would take. They were almost all in the same boat: contracting with Salt Lake County. He said what they were looking to do was have a group of cities get together with Sherrie Swensen to talk through what the issues were. Most cities did not want to go out on their own and do their elections. Ms. Swensen had told other cities that they can do it, it was just figuring out the logistics of how to make it happen.

Councilmember T. Lowery said that she thought that other cities had moved forward on voting on the item. She said Riverton was voting on it tonight. Mr. Dobbins said that several other cities—Millcreek, West Valley, Riverton—have all said that they were interested in Ranked Choice Voting, but that they had to defer to Salt Lake County who

runs the election. According to Ms. Swensen, there were some IT issues with how the system was programmed and how to advertise.

Councilmember F. Lowry asked if Sandy City had expressed their stance on Ranked Choice Voting. Mr. Dobbins said that he had not heard from Sandy City. He said that there had only been a few cities who said that they were not interested at all.

Mayor Walker said that if Draper wanted to do Ranked Choice Voting because part of Draper City fell in Utah County, Draper could do Ranked Choice Voting through Utah County if Salt Lake County fell through. Mr. Dobbins said potentially, yes.

Mayor Walker said that Utah County had already done it for several cities. They had worked out the IT issues.

Mr. Dobbins said that Draper would be a little different because it would not be a Utah County ballot. Because of this, if there were Salt Lake County voting issues, like a bond, that was not on a Utah County ballot then Draper residents would not be able to vote on it. He said that he was moving forward to try and get answers.

Business Session

1.0 Call to Order: Mayor Troy K. Walker

2.0 Public Comments

No one requested to speak.

3.0 Consent Items

- a. Approval of Resolution #20-55, adopting Section 10350 - Distracted Driving, of the Personnel Policy Manual**
- b. Approval of Agreement #20-179, Assessment-in-Lieu for McMillan Subdivision**
- c. Approval of Agreement #20-180, Assessment-in-Lieu for Montague Residence**

3.1 Councilmember Vawdrey moved to approve the Consent Items. Councilmember Green seconded the motion.

3.2 A roll call vote was taken with Councilmembers Green, Lowery, Lowry, Roberts, and Vawdrey, voting in favor. The motion passed unanimously.

4.0 Public Hearing: Ordinance #1470, vacating the right-of-way of Wheatfield Way and Wheatfield Circle located within the Greenfield Farms Subdivision (Legislative Action)

4.1 Scott Cooley, Engineering/Public Works Director, explained that this item was the right-of-way vacation of Wheatfield Way and Wheatfield Circle. He noted that it was part of a larger development. A developer came in and purchased all of the homes. The development was located just north of IKEA. The roads were currently delineated through

a plat. The city needed to vacate those roads so that the developer could turn the area into a single lot to develop. Mr. Cooley noted that staff knew this item was coming and that the city had no need for those roads. He added that as was indicated in the packet, it was required to attach an exhibit A that included a meets-and-bounds legal description for the right-of-way so that the county would record the document. Because of this, any motion proposed would need to include the attachment of a meets-and-bounds legal description.

4.2 Mayor Walker opened the public hearing. No one came forward so Mayor Walker closed the public hearing.

4.3 Councilmember Green moved to approve Ordinance #1470, vacating the right-of-way of Wheatfield Way and Wheatfield Circle, with the attachment of a meets-and-bounds description. Councilmember T. Lowery seconded the motion.

4.4 A roll call vote was taken with Councilmembers Green, Lowery, Lowry, Roberts, and Vawdrey, voting in favor. The motion passed unanimously.

5.0 Public Hearing: Resolution #20-56, approving the 2020 Water Conservation Plan Update (Administrative Action)

5.1 Brien Maxfield explained that Utah State Code 73-10-32 required that every water provider have a water conservation plan that was required to be updated every five years. As part of the update, a public meeting was required to have a conversation about water conservation that allowed for public comment. The minutes from this meeting and the resolution would be added to the appendix of the plan.

Mr. Maxfield showed a figure of the distribution of Draper City's water usage defined by the gallons per capita per day (GPCD) usage. Draper City had adopted a conservation goal as of 2014. The city's current goal was to get to 183 GPCD by the year 2025. He explained that this goal was indicated by the green line on the chart. The blue line showed the actual usage of the system. The black line represented the trended usage towards the city's goal. The red line indicated the conservation goal that also trended downward. Essentially, the goal was for the usage to always be below the red line.

In 2015 the state legislature decided to do an audit of the systems in the state and how they were doing regarding conservation. In 2019 the state adopted regional goals where they divide the state into regions. The regional goal for Salt Lake and Tooele County is 187 GPCD, as established in 2019. The city had not officially adopted that conservation goal, but the city was already trending very close to achieving the regional goal. The goal was supposed to be achieved by 2030 whereas the Draper City goal was for 2025.

The conservation plan outlined four activities to concentrate on over the next five years:

1. Expanding and cooperating with partners and other agencies in wastewater reuse. This primarily focused on a relationship with WaterPro that would be discussed at future meetings.

2. Continuing public education programs. Outreach efforts included fliers, events such as Water Week, and conservation-oriented ordinances on landscaping, specifically commercial landscaping.
3. Evaluating and strengthening conservation ordinances; and
4. Installing advanced metering infrastructure and enhancing leak detection.

Mr. Maxfield stated that the adoption of this report met the state code requirements.

- 5.2 **Mayor Walker opened the public hearing. No one came forward so Mayor Walker closed the public hearing.**
- 5.3 **Councilmember Green moved to approve Resolution #20-56, approving the 2020 Water Conservation Plan Update. Councilmember Vawdrey seconded the motion.**
- 5.4 **A roll call vote was taken with Councilmembers Green, Lowery, Lowry, Roberts, and Vawdrey, voting in favor. The motion passed unanimously.**
- 6.0 **Action Item: Resolution #20-57, adopting the Active Transportation Plan (Administrative Action)**
- 6.1 Eric Lundell explained that Draper participated in the Active Transportation Plan with Sandy. The plan was funded by the Wasatch Front Transportation Council.

The plan was similar to Draper's Transportation Master Plan or the trails portion of the Parks and Trails Plan. The Active Transport Plan took the two plans and merged them and ensured that there was continuity between Draper, Sandy, and the Wasatch Front Regional Plan. The Active Transport Plan features greater data, primarily from Strava than the Transportation and Parks and Trails Plans. He noted that Corner Canyon's bicycle trips had to be toned down in the plan because there were so much data from Strava. The plan also looks at signal activation for pedestrian crossings. Utah Transit Authority (UTA) and Front Runner transit stations were also evaluated.

The creation of the plan began just before the pandemic. Despite this, the group orchestrating the plan was still able to get public feedback. They held an open house at the tree lighting in 2019. Also, there was a steering committee composed of someone from Engineering, Planning, and Parks & Trails. The steering committee met three times. There were also responses from 187 Draper residents who participated in an online survey. Public feedback primarily came from the South Mountain and SunCrest areas. There was also an interactive map where residents could comment on specific trails, bike lanes, or pedestrian crossings and comment on the area's strengths or weaknesses. Some common comments were additional bike lanes with a partition to keep cyclists safe and that the extension of the Porter Rockwell Trail would be appreciated.

The plan outlines the proposed projects in three tiers. Mr. Lundell noted that if it made more sense to do a project in tier two or three first, the plan was flexible and allowed for that. He said that the plan also was broken down by the cost of the projects. A project's

rating was impacted by its expense. He added that one of the biggest benefits of working on the plan was that it created more funding sources to complete projects.

When Mr. Lundell displayed the final plan, he explained that solid lines were existing trails and that dashed lines were proposed projects. Generally, the new projects tried to make connections in areas where there were safety concerns. The joint plan between Draper and Sandy can be viewed, as well as graphs and public comment, at www.activesandydraper.com until November 27, 2021.

Councilmember T. Lowery said that when she looked through the plan what she noticed was that 60% of Draper residents said that there was a lack in the sidewalks. Mr. Lundell said that there were a lot of places in the town center zone that lacked sidewalk connections. He said there were a lot of areas in Draper where there were only sidewalks on one side of the street. Overall, Draper had fairly good sidewalk connections, despite the knowledge that there were gaps. The new plan did address those areas.

Councilmember T. Lowery added that 60% of residents said that they do not exercise or did not exercise more because of the gaps in sidewalks and a lack of connectivity. She felt that as a significant data point. Mr. Lundell agreed. He said that it was an issue that he felt the plan and survey helped Draper identify more clearly.

Councilmember T. Lowery said that she would like to know where the most pressing needs were for sidewalk connectivity. She said that if Draper was claiming that they were such a proactive transportation city, then they needed to push forward with sidewalks. She said the report also talked about trail connectivity. She wanted to know if there were trails that needed to be connected.

Mr. Lundell said that the trail that saw the most comments on needing connectivity was the Porter Rockwell Trail. There were also a lot of comments about 300 East. He said that he believed that Todd Hammond had received federal funding to move forward on the project. He said that if the Council looked at the type of the project they could see if it was multi-use or what it was providing. The first-tier projects would benefit most people. The first project, the East Jordan Canal Trail, incidentally, had the highest cost. He noted that projects D10-D14 were all sidewalks.

Councilmember T. Lowery said that some of the projects seemed like they were such a low cost that the city should just do them.

Councilmember F. Lowry said that he felt that D11, Pioneer Road from 1400 East to 1840 East, was also important.

Mr. Dobbins cautioned the Council that the numbers were probably broad. He said that the problem that they typically ran into with sidewalks was that often the projects were not just putting down the asphalt or concrete. Often the property needed to be purchased or there were stormwater issues. Additionally, it was best practice to install the sidewalk in its final placement which meant the road had to be widened. As a result of these additional needs,

project numbers can escalate fast. He said that staff could prioritize the projects from a cost standpoint and tell the Council which projects Engineering and Public Works could knock out.

Councilmember T. Lowery said that she would like to see the projects from a cost and greatest number of beneficiary standpoint. Mr. Lundell said that he was unsure if Councilmember T. Lowery had been able to look into the report. He explained that the report outlined five different categories that contributed to overall ratings. He said that adopting the plan did not require that the projects needed to be done in the order outlined in the plan. It just outlined needed future projects.

Councilmember T. Lowery said that Draper had put a lot of money into its trails on the mountainside. She thought that there were a lot of people who preferred to recreate right here on Draper streets. She said that she saw families all the time just walking on the sidewalk. She said that she felt that sidewalks needed to be an equal priority in a lot of ways. She said that safe passage on sidewalks was safe passage to school and your neighbor's house, to your church, to get groceries. She said that if we want to encourage people not to take their car then the city needed to put some money behind it.

Mr. Cooley said that one of the advantages of the study was that it helped the city get more money and allow the city to do more of the projects. It identified easy and lower-cost projects. Regarding some of the bigger projects, it would take the city a long time to justify that kind of money. Because the study was done, it opened up the opportunity to get additional funding that the city did not usually have the opportunity to get.

Councilmember T. Lowery said that she knew that there were grants for safe walking routes and clean air opportunities. Mr. Cooley agreed. He said that the new plan was just a first, proactive step. He said staff had already done projects like connecting sidewalks along Fort Street. He said that the staff was looking forward to doing more of these types of in-town projects.

- 6.2 Kai Toinaka, Parametrix Consulting, added that the sidewalk projects got added for several reasons including public comments. Another source of the plan that highlights potential sidewalk gaps and could be another place to look for more sidewalk improvements would be the walk analysis that was done at several TRAX stations and other locations. In that section, possible sidewalk improvements were highlighted that would help improve connectivity in key activity centers.
- 6.3 Mayor Walker said that the plan was done before the UTA came out with its performance alternative for transit expansion. The preferred alternative included a bridge coming across from the prison site to the PluralSight building. He asked that the Council keep on their horizon regarding active transportation planning that whatever bridge was built would require a trail connection or a moving sidewalk to connect active transportation into the site.

Councilmember T. Lowery said that as they work on the road, they should ensure that the bike lane was sufficient. Councilmember F. Lowry asked what the time frame was for adopting the plan and starting to get the funding to complete some of the projects. Mr. Lundell said that many of the funding applications would be due in February or March. In talking with Parametrix there was certain funding from the state that could go towards projects that were not tied to state facilities as a result of adopting the plan. He said Draper still had to apply for the money and the projects would need to be approved, but the plan allowed them to apply to a few more sources.

Councilmember F. Lowry wondered if the plan needed to be updated to match closer to what UTA had come up with at the Point. Mr. Cooley said that the Point was just one area out of the whole system. He said that staff were aware of UTA's plan and would keep it in mind. Councilmember F. Lowry said that he was concerned if it would hinder the possibility to get funding if the plan changed. Mr. Cooley said no. The Active Transportation Plan would continually change.

Councilmember T. Lowery asked Mr. Dobbins if the city already had some funds available. Mr. Dobbins said that the Council would have some one-time funding that could be allocated to some of these projects. He said that he sensed that what the Council was looking at was knocking out some of the sidewalk connection issues that could be solved quickly. Councilmember T. Lowery said yes. She also emphasized trail connections where a little piece was needed to push users through.

Councilmember F. Lowry said that even the one on 13800 South where the city spent all that time getting it approved was a final thing to get the trail finished off.

6.4 Councilmember Green moved to approve Resolution #20-57, adopting the Active Transportation Plan. Councilmember T. Lowery seconded the motion.

6.5 A roll call vote was taken with Councilmembers Green, Lowery, Lowry, Roberts, and Vawdrey, voting in favor. The motion passed unanimously.

7.0 Action Item: Approval of Resolution #20-58, appointing the 2021 Mayor Pro Tempore (Administrative Action)

7.1 Councilmember Vawdrey moved to approve Resolution #20-58, appointing Councilmember T. Lowery to be the 2021 Mayor Pro Tempore. Councilmember F. Lowry seconded the motion.

7.2 A roll call vote was taken with Councilmembers Lowery, Lowry, Roberts, and Vawdrey, voting in favor. Councilmember Green opposed. The item passed four to one.

8.0 Action Item: Approval of Resolution #20-59, approving the 2021 Council Assignment List (Administrative Action)

8.1 The Council Assignment list was displayed.

Councilmember T. Lowery nominated Councilmember Vawdrey for Parks, Recreation & Trails Committee.

Councilmember Vawdrey said that she had some discussion. She felt that most folks wanted to stay where they were assigned. If everyone agreed she did not want to engage in discussion.

Mayor Walker summarized that the only change would be in the assignment to Parks & Trails.

Councilmember F. Lowry said that Councilmember Green had served as the Mayor Pro Tempore. He asked if something needed to be switched there.

Mayor Walker wanted the discussion to be consistent, so he went through the items one-by-one.

Regarding Parks & Trails, Councilmember T. Lowery explained that Councilmember Vawdrey had not yet had the chance to serve on that committee and had done a lot of work on the hiking trails. She thought it would be a cool opportunity.

Councilmember F. Lowry wanted to add something to be considered in the future about Parks & Trails. Because the city had grown so much and put so much energy into parks and trails, he felt that they should consider having a trails committee and a parks committee that would allow greater focus on both those areas more.

Mayor Walker suggested that Councilmember F. Lowry's idea be discussed as another item. He asked each member of the Council if they agreed to assign Councilmember Vawdrey to Parks & Trails. The Council was in favor.

There was no comment on assignments until the Trans-Jordan Landfill Alternate Member. Councilmember T. Lowery asked who was the member. Mr. Dobbins said it was a staff member. Councilmember F. Lowry asked Councilmember Roberts if he had been able to be involved. Councilmember Roberts said that he had attended some initial meetings and had toured the facility. He said that it was a technical appointment. He did not have a lot of input or drive. He felt that the landfill was pretty forward-thinking.

Concerning the Legislative Policy Committee (LPC) Councilmember T. Lowery said that she did not need to be assigned because she was going to their board meeting already. She said that if there was someone who wanted to serve on that committee they could. Councilmember Roberts said that he would like to serve on that committee to learn. The Council approved.

8.2 Councilmember Vawdrey moved to approve Resolution #20-59, the 2021 Council Assignment List. Councilmember Roberts seconded the motion.

8.3 A roll call vote was taken with Councilmembers Green, Lowery, Lowry, Roberts, and Vawdrey, voting in favor. The motion passed unanimously.

9.0 Adjournment

9.1 Councilmember Green moved to adjourn the meeting. Councilmember Roberts seconded the motion.

9.2 A roll call vote was taken with Councilmembers Green, Lowery, Lowry, Roberts, and Vawdrey, voting in favor. The motion passed unanimously.

9.3 The meeting adjourned at 7:49 p.m.



MEMO

To: City Council Meeting
From:
CC:
Date: January 12, 2021
Re:

ATTACHMENTS:

Description	Upload Date	Type
R-21-01, DY CAB	1/6/2021	Cover Memo

RESOLUTION NO. 21-01

**A RESOLUTION APPOINTING ANDREA PAGE AS A MEMBER
OF THE YOUTH COUNCIL ADVISORY BOARD**

WHEREAS, the City Council of Draper City has previously adopted an Ordinance creating the Youth Council Advisory Board; and

WHEREAS, the Advisory Board is to advise and assist the Youth Council with the selection of activities and programs; and

WHEREAS, Andrea Page has shown a willingness to serve as a member of the Youth Council Advisory Board; and

WHEREAS, the City Council hereby finds this action in the best interest of the public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. **Appointment.** The City Council hereby appoints the following to serve as a member of the Draper City Youth Council Advisory Board for the term listed:

Andrea Page January 12, 2021 through January 31, 2023

Section 2. **Severability.** If any section, part, or provision of this Resolution is held invalid, or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts, and provisions of this Resolution shall be severable.

Section 3. **Effective Date.** This Resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, ON THIS 12TH DAY OF JANUARY, 2021.

DRAPER CITY

Mayor Troy K. Walker

ATTEST:

Laura Oscarson, CMC, City Recorder

VOTE TAKEN:

YES

NO

Councilmember Green

Councilmember Lowery

Councilmember Lowry

Councilmember Roberts

Councilmember Vawdrey

Mayor Walker



MEMO

To: City Council Meeting
From: Hazel Dunsmore
CC:
Date: January 12, 2021
Re:

Comments:

RECOMMENDATION:

Approve Resolution #21-02 updating the Temporary COVID-19 Pandemic Policy

The findings are as follows:

The Draper City Temporary COVID-19 Pandemic Policy needs to be updated. This policy was created at the beginning of the coronavirus pandemic to allow telecommuting where necessary and appropriate, and to comply with the Families First Coronavirus Response Act (FFCRA) that became effective April 1, 2020. This law mandated employers to provide additional paid leave benefits. The FFCRA paid leave provisions expired on December 31, 2020.

The recent Federal Relief bill extends the emergency paid leave benefit into 2021, but made it optional for employers. Draper City would like to continue providing the two weeks of emergency paid sick leave (EPSLA) for employees who meet the eligibility requirements and **have not already used the two week maximum** amount the legislation provides. The legislation does not create additional paid leave if an employee already received emergency paid leave in 2020. The maximum benefit is still two weeks of paid leave.

The City is not opting to continue the FFCRA expanded FMLA leave which added the ability for an employee to apply for FMLA for childcare related to schools being closed. No City employees applied for this expanded FMLA in the eight months it was in place in 2020.

The proposed changes to the Temporary Pandemic Policy have been reviewed by the City Attorney and the City Manager.

ATTACHMENTS:

Description

Resolution 21-02 updating the temporary pandemic policy

Upload Date

1/6/2021

Type

Cover Memo

REQUEST FOR COUNCIL ACTION

To:	Mayor & City Council
From:	Hazel Dunsmore
Date:	01/06/2021
Subject:	Resolution 21-02 updating the Temporary COVID-19 Pandemic Policy
Applicant Presentation:	N/A
Staff Presentation:	Hazel Dunsmore, Human Resource Director

RECOMMENDATION:

Approve Resolution 21-02 updating the Temporary COVID-19 Pandemic Policy

The Draper City Temporary COVID-19 Pandemic Policy needs to be updated. This policy was created at the beginning of the coronavirus pandemic to allow telecommuting where necessary and appropriate, and to comply with the Families First Coronavirus Response Act (FFCRA) that became effective April 1, 2020. This law mandated employers to provide additional paid leave benefits. The FFCRA paid leave provisions expired on December 31, 2020.

The recent Federal Relief bill extends the emergency paid leave benefit into 2021, but made it optional for employers. Draper City would like to continue providing the two weeks of emergency paid sick leave (EPSLA) for employees who meet the eligibility requirements and **have not already used the two week maximum** amount the legislation provides. The legislation does not create additional paid leave if an employee already received emergency paid leave in 2020. The maximum benefit is still two weeks of paid leave.

The City is not opting to continue the FFCRA expanded FMLA leave which added the ability for an employee to apply for FMLA for childcare related to schools being closed. No City employees applied for this expanded FMLA in the eight months it was in place in 2020.

The proposed changes to the Temporary Pandemic Policy have been reviewed by the City Attorney and the City Manager.

SUPPORTING DOCUMENTS:

- **Proposed Resolution No. 21-XX**

**RESOLUTION NO. 21-02 OF THE DRAPER CITY COUNCIL TO UPDATE
THE TEMPORARY COVID-19 PANDEMIC POLICY.**

WHEREAS, The City Council, from time to time, reviews and adopts policies and procedures to assist in the efficient utilization of scarce City resources and the fair and uniform application of requirements and benefits to City employees; and

WHEREAS, The City Council has reviewed the proposed updates to the Temporary COVID-19 Pandemic Policy; and

WHEREAS, The City Council believes the changes to this temporary policy are in the best interest of the employees of Draper City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Amendment. The Draper City Council does hereby approve the updates to the Draper City Temporary COVID-19 Pandemic Policy as attached hereto as Exhibit “A”.

Section 2. Severability. If any section, part or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts and provisions of this Resolution shall be severable.

Section 3. Effective Date. This Resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, THIS THE 14th DAY OF JANUARY, 2021.

DRAPER CITY

Mayor Troy K. Walker

ATTEST:

Laura Oscarson, City Recorder

VOTE TAKEN:	YES	NO
Councilmember Green	_____	_____
Councilmember Lowery	_____	_____
Councilmember Lowry	_____	_____
Councilmember Roberts	_____	_____
Councilmember Vawdrey	_____	_____
Mayor Walker	_____	_____

"EXHIBIT A "

Temporary COVID-19 Pandemic Policy

~~(Effective June 1, 2020~~

Updated effective January 1, 2021 and extended to June 30, 2021)

A. General Provisions

1. Effective ~~January 1, 2020~~ January 1, 2021 City Hall will be open to the public for limited hours. Each department is required to have coverage during the designated open hours. Departments may begin to decrease telecommuting hours worked and vary employee schedules, such as Team A and Team B working on opposite days.

While at work employees are required to observe appropriate social distancing and personal hygiene requirements, including:

- maintaining a distance of at least six-feet from other individuals;
- wearing face covering if unable to maintain 6' separation;
- washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer;
- covering coughs and sneezes; no longer shaking hands;
- not coming into work if exhibiting symptoms of COVID-19;
- follow cleaning product instructions when cleaning your work areas;
- regularly clean high-touch surfaces within the employee's work area; and
- avoid using other employee's phones, desks, offices or other work tools and equipment when possible.

Talk to your supervisor if you have specific concerns. Employees who do not follow these requirements may be subject to disciplinary action.

2. Any employee diagnosed with COVID-19 shall immediately notify their supervisor and Human Resources.
3. This policy is subject to periodic review as conditions require.
4. Definitions:

"Emergency Responder" means an employee who is necessary for the provision of transport, care, health care, comfort, and nutrition of such patients, or whose services are otherwise needed to limit the spread of COVID-19 or respond to other declared emergencies. This includes but is not limited to law enforcement officers, fire fighters, emergency medical services personnel, paramedics, emergency management personnel, and persons designated in Exhibit A attached hereto with skills or training in operating specialized equipment or other skills needed to provide aid in a declared emergency.

"Heightened Risk Employees" means employees 65 years and older, employees who live in a nursing home or long-term care facility, employees of all ages with underlying medical

conditions, including lung disease or moderate to severe asthma, employees who have serious heart conditions, employees who are immunocompromised (many conditions can cause a person to be immunocompromised, and employees with severe obesity, diabetes, chronic kidney disease undergoing dialysis, or liver disease

“Quarantine or isolation order” means a quarantine, isolation, containment, shelter-in-place, or stay-at-home orders issued by any Federal, State, or local government authority that cause an employee to be unable to work even though the City has work that the employee could perform but for the order. This also includes when a Federal, State, or local government authority has advised categories of citizens (e.g., of certain age ranges or of certain medical conditions) to shelter in place, stay at home, isolate, or quarantine, causing those categories of employees to be unable to work even though the City has work for them.

B. Employee Benefits under the Emergency Paid Sick Leave Act (“EPSLA”)

1. **Intent:** This is not a new policy. It is a continuation of EPSLA emergency paid leave and does not create additional paid leave for those who have already used the two week maximum.

It is the intent of this policy to comply with the EPSLA. Questions and issues not specifically addressed in this portion of the policy shall be resolved by reference to regulations promulgated by the Department of Labor. EPSLA provides a minimum level of benefits. The City may, at its discretion, provide a higher level of benefit.

2. **Length of Service Requirement:** All employees regardless of length of service or hours works may be eligible for this benefit.
3. **Benefit:** Employees are eligible for EPSLA sick leave if the employee is unable to work or telework (a/k/a telecommute) because the employee is:
 - Subject to a federal, state or local quarantine or isolation order related to COVID-19;
 - Advised by a health care provider to self-quarantine due to COVID-19;
 - Experiencing symptoms of COVID-19 and needs to obtain a medical diagnosis;
 - Caring for a family member quarantined for either of the first two reasons above;
 - Caring for a child under age 18 if the child’s school or place of care is closed (or the child care provider is unavailable) due to COVID-19; or
 - Experiencing any other substantially similar condition as may be specified by the Health and Human Services Secretary.
4. **EPSLA Sick Leave:** Full-time employees receive up to a maximum of 80 hours or two weeks if the employee works a non-40 hour work week, whichever is greater, of EPSLA sick leave for any combination of qualifying reasons. Part-time employees receive an amount equal to their average number of hours over a two-week period. If hours vary from week to week, look at a 6-month average or, if the part-time employee has less than 6 months tenure, use the number of hours agreed upon when the employee was hired.

If the employee cannot return to work after the ~~80 hours~~maximum amount of EPSLA sick leave has been used they will need to use their own accrued sick leave. ~~EPSLA sick leave ends December 31, 2020. Unused EPSLA sick leave cannot be carried over to 2021. If the employee or a family member test positive and the employee has already used the two-week maximum of paid leave, they will need to use their own accrued sick leave to cover additional time off.~~

5. **Rate of Pay:** EPSLA leave is paid at the employee's regular rate of pay.
6. **Application:** Employees shall apply to the Human Resources Department for this benefit by filling out a form supplied and providing any documentation to support their application, if requested.

~~C. Employee Benefits under the Emergency Family and Medical Leave Expansion Act ("EFMLEA")~~

- ~~1. **Intent:** It is the intent of this policy to comply with the EFMLEA. Questions and issues not specifically addressed in this portion of the policy shall be resolved by reference to regulations promulgated by the Department of Labor. EFMLEA provides a minimum level of benefits. The City may, at its discretion, provide a higher level of benefit.~~
- ~~2. **Length of Service Requirement and Exceptions** All employees who have worked for Draper City for at least thirty calendar days prior to applying for EFMLEA leave may be eligible for this benefit. Emergency Responders are not eligible for this benefit.~~
- ~~3. **Benefit:** Eligible employees are entitled to up to twelve weeks of EFMLEA leave if the employee is unable to work or telework (a/k/a telecommute) because the employee is:
 - ~~Caring for a son or daughter under 18 years of age because the school or place of care for such child has been closed due to a public health emergency related to COVID-19; or~~
 - ~~Caring for a son or daughter under 18 years of age because the child care provider for such child is unavailable due to a public health emergency related to COVID-19.~~~~
- ~~4. **Family Leave:** Employees may receive up to 12 weeks of EFMLEA leave. The first two weeks of family leave are unpaid, however an employee may utilize available EPSLA leave or any accrued sick or vacation leave. For weeks 3-12, the employee will be paid as outlined below.~~
- ~~5. **Rate of Pay:** EFMLEA leave for weeks 3-12 shall be paid at two-thirds of the employee's regular rate of pay capped at \$200 per day or a maximum of \$10,000. An employee will be paid for the number of hours the employee normally work per week. Employees may use their own sick leave balance to make up the one-third pay.~~
- ~~6. **Limitations:** An employee may only take a total of 12 workweeks for regular FMLA or expanded FMLA during the previous 12-month period. EFMLEA leave may not be used due~~

~~to an employee's own COVID-19 illness or to care for another family member with COVID-19 illness.~~

- ~~7. **Application:** Employees shall apply to the Human Resources Department for this benefit by filling out a form supplied and providing any documentation to support their application, if requested.~~

CD. Heightened Risk Employees

1. A Heightened Risk Employee can apply to telecommute. If it is not possible to telecommute or safely social distance at work, the employee should contact Human Resources to discuss options.

DE. Telecommuting Policy

Telecommuting has been an option provided as a necessity during the pandemic for employees who are able to perform their regular duties remotely. However, onsite work is still viewed as essential. ~~and remote work may no longer be available when pandemic conditions subside.~~
Employees must receive pre-approval from their Department Director.

1. Department Director responsibilities:

- a. Department Directors will approve telecommuting on a case-by-case basis, keeping in mind the business needs of the City.
- ~~b. Department Directors will sign a COVID-19 Emergency Telecommuting Agreement indicating approval to work at home.~~
- b. The form must be submitted to Human Resources. This approval remains on file with Human Resources.
- c. Department Directors will check in and monitor remote employees to ensure work responsibilities are being met.

2. Employee responsibilities:

Employee must fill out the COVID-19 Emergency Telecommuting Agreement. The employee will be paid at their regular pay for hours worked and should record hours worked and any leave taken on their timesheet as they normally do (no special pay code is necessary). If a temporary telecommuting agreement has already been filed with Human Resources it is not necessary to fill out a new one. Employee duties, obligations, responsibilities, and conditions of employment with the City remain unchanged except those obligations and responsibilities specifically addressed in this agreement. Job responsibilities, standards of performance, and performance appraisals remain the same as when working at the regular City work site. The supervisor reserves the right to assign work as necessary at any work site.

3. While telecommuting, Employee will:

- a. check in with their supervisor daily to discuss status and open issues;
- b. remain accessible during the telecommute work schedule;

- c. be available for teleconferences, scheduled on an as-needed basis;
- d. be available to come into the office if a business need arises;
- e. request supervisor approval in advance of working any overtime hours (if employee is non-exempt); and
- f. request supervisor approval to use vacation or sick, or other leave in the same manner as when working at Employee's regular work location.

4. Safety and Equipment.

- a. Draper City Information Technology personnel will check out approved equipment.
- b. Employee agrees to maintain a safe, secure, and ergonomic work environment.
- c. Internet access must be via DSL, Cable Modem, or an equivalent bandwidth network.
- d. Employee agrees to protect City-owned equipment, records, and materials from unauthorized or accidental access, use, modification, destruction, or disclosure.
- e. Employee agrees to report to Employee's supervisor any incidents of loss, damage, or unauthorized access at the earliest reasonable opportunity.
- f. Employee understands that all equipment, records, and materials provided by the City shall remain the property of the City.
- g. Draper City Information Technology personnel will check in all equipment

~~5. Telecommuting is approved on a temporary basis. Employee agrees to return City-owned equipment, records, and materials within 3 days of termination of this agreement.~~

Exhibit A