



PROPOSITION INFORMATION PAMPHLET FOR A CITIZENS INITIATIVE

Dear Salt Lake City Resident,

On March 17, 2021, an application for a citizens initiative (the “*Application*”) was filed with the office of the Salt Lake City Recorder. As explained below, an “initiative” is a new law proposed for adoption by the public through a petitioning and verification process which, if successful, can result in the new law appearing on an upcoming ballot for approval or rejection by the voters. The initiative process is governed by Utah state law, which specifies the exact steps, standards and timetables which must be followed by both the proponents of the initiative and the governmental entity.

If this initiative process ultimately is successful under the applicable state statutes, then it is anticipated that the proposed new law will be included on the ballot for the municipal general election scheduled for November 2, 2021.

Utah state law governing the initiative process provides that (a) the citizen “sponsors” of the initiative may provide a written argument in favor of the initiative, (b) the city may provide a written argument for or against the proposed initiative, and (c) the city’s election officer (here, the City Recorder) then compiles, publishes and publicly distributes a written information pamphlet which contains the Application, arguments (if provided), and a fiscal/legal impact statement prepared by the city’s budget officer and attorney. Those items follow as part of this information pamphlet.

If you have any questions regarding this citizens initiative, please contact me at 801-535-7671 or elections@slcgov.com

Sincerely,

Cindy Lou Trishman
City Recorder
P.O. Box 145515
Salt Lake City, UT 84114-5515
Phone: 801-535-7671
Website: www.slc.gov/attorney/recorder

***THE ARGUMENTS FOR OR AGAINST THE CITIZENS INITIATIVE
ARE THE OPINIONS OF THE AUTHORS.***

APPLICATION FOR INITIATIVE:

See next page for Application.

***THE ARGUMENTS FOR OR AGAINST THE CITIZENS INITIATIVE
ARE THE OPINIONS OF THE AUTHORS.***

RECEIVED

MAR 17 2021

CITY RECORDER

SALT LAKE CITY ORDINANCE

**AN ORDINANCE DESIGNATING THE UTAH PANTAGES THEATRE
LOCATED AT 144 SOUTH MAIN STREET AND THE CAPITOL THEATRE
LOCATED AT 50 WEST 200 SOUTH AS LANDMARK SITES THROUGH AN
EMERGENCY PROCEDURE FOR DESIGNATION OF LANDMARK SITES**

WHEREAS, Chapter 21A.34.020.C grants the Salt Lake City Council authority to establish Landmark Sites within Salt Lake City;

WHEREAS, the Salt Lake City Council has failed to initiate any procedure under Chapter 21A.34.020 to designate the Utah Pantages Theatre, located at 144 South Main Street, as a City Landmark Site to be included in the Salt Lake City Register of Cultural Resources;

WHEREAS, the Salt Lake City Council has failed to initiate any procedure under Chapter 21A.34.020 to establish the Capitol Theatre, located at 50 West 200 South, as a City Landmark Site to be included in the Salt Lake City Register of Cultural Resources;

WHEREAS, the Utah Pantages Theatre is of exceptional importance to the City, State, region, and Nation and imparts high artistic, historic, or cultural values. The Utah Pantages Theatre clearly conveys a sense of time and place and enables the public to interpret the historic character of the Theatre.

WHEREAS, the Capitol Theatre, which is listed on the National Historic Register, is of exceptional importance to the City, State, region, and Nation and imparts high artistic, historic or cultural values. The Capitol Theatre clearly conveys a sense of time and place and enables the public to interpret the historic character of the Theatre.

WHEREAS, the voters of Salt Lake City desire by this Ordinance to designate the Utah Pantages Theatre, located at 144 South Main Street, as a landmark site to be included in the Salt Lake City Register of Cultural Resources;

WHEREAS, the voters of Salt Lake City desire by this Ordinance to designate the Capitol Theatre, located at 50 West 200 South Street, as a landmark site to be included in the Salt Lake City Register of Cultural Resources;

WHEREAS, although the Property where the Utah Pantages Theatre is located is owned by the Redevelopment Agency of Salt Lake City, the Utah Pantages Theatre is in imminent threat of being demolished creating a state of emergency; and

WHEREAS, the voters of Salt Lake City desire to suspend the normal procedures found in Chapter 21A.340.020 of the City Code and utilize the emergency procedure as set forth herein to designate the Utah Pantages Theatre located at 144 South Main as a Landmark Site and the Capitol Theatre located at 50 West 200 South Street as a Landmark Site.

NOW, THEREFORE, be it Ordained by the citizens and voters of Salt Lake City, Utah:

SECTION 1. Designation of Pantages Theatre. That the Utah Pantages Theatre, located at 144 South Main Street, more particularly described on **Exhibit "A"** attached, is hereby established as a Landmark Site as defined in City Code Section 21A.340.020.B.

SECTION 2. Designation of Capitol Theatre. That the Capitol Theatre, located at 50 West Second South Street, more particularly described on **Exhibit "B"** attached, is hereby established as a Landmark Site as defined in City Code Section 21A.340.020.B.

SECTION 3. Emergency Designation. Due to the state of Emergency created by the imminent threat of demolition of the Utah Pantages Theatre, the procedures found in City Code Section 21A.34.020 are hereby suspended and the Utah Pantages Theatre, located at 144 South Main Street, and the Capitol Theatre, located at 50 West 200 South Street, are designated as Landmark Sites through this vote of the citizens of Salt Lake City adopting this ordinance and no other process or procedures for designating a landmark site, found in Section Chapter 21A.34.020, apply or need to be followed to designate the Utah Pantages Theatre and the Capitol Theatre as Landmark Sites.

SECTION 4. Findings qualifying the Theatres as Landmark Sites. The Theatres are the only remaining and best examples of historic theatres in the

downtown area of the City and represent significant elements of the City's history, development patterns, and architecture. Designation of the Theatres as Landmark Sites is in the best interest of the City and achieves a reasonable balance between private property rights and the public interest in preserving the City's cultural, historic, and architectural heritage. The citizens of the City have determined that designation of the Theatres as Landmark Sites is a wise method of preserving a unique element of history important to understanding the history of the area encompassed by the current Salt Lake City corporate boundaries. Designation of the Theatres as Landmark Sites is due to the exceptional importance to the City, State, region, and Nation and imparts high artistic, historic, and cultural values. These Landmark Sites clearly convey a sense of time and place and enable the public to interpret the historic character of the Theatres. Furthermore, the Downtown Community Master Plan, adopted by the City Council in May 2016 after receiving public input specific to the fate of the Utah Pantages Theatre, states as one of its initiatives to "Repurpose the Utah Theater as a cultural facility and activity generator."

SECTION 5. Finding of Compelling, Countervailing, Public Interest. Pursuant to Section 10-9a-504 of the Utah Code, the Voters of Salt Lake City expressly find that the risk of a long term detrimental impact upon the community resulting from demolition of the Utah Pantages Theatre would irreparably harm the City's stock of historically, architecturally, and culturally significant resources and would threaten the City's historic preservation land use planning efforts, and constitutes a compelling, countervailing public interest sufficient to justify the designation of the Utah Pantages Theatre at 144 South Main as a Landmark Site and the nearby Capitol Theatre at 50 West 200 South as Landmark Sites.

SECTION 6. Effective Date. This ordinance shall become effective on the earliest date allowable by Utah law for initiatives and shall be recorded with the Salt Lake City Recorder.

Exhibit A

*Utah Pantages Theatre, located at 144 South Main Street
Legal Description and Parcel ID Number*

Utah Pantages Theatre, located at 144 South Main Street
Legal Description and Parcel ID Number

Legal Description

BEG S 17 FT FR NE COR LOT 8, BLK 69, PLAT A, SLC SUR; N 89°57'07" W 202.13 FT; N 0°05' E 7 FT; N 89°57'07" W 12.87 FT; N 0°05'20" E 10 FT; N 89°57'07" W 116.13 FT; S 0°08 24" W 108.833 FT; S 89°57'07" E 115.5 FT; S 0°05'20" W 0.354 FT; S 89°57'07" E 1.125 FT; S 0°05'20" W 7.479 FT; S 89° 57'07" E 62.25 FT; N 1.32 FT; E 1.95 FT; N 0°03'50" E 21.58 FT; S 89°46'09" E 150.53 FT; N 77.246 FT TO BEG. 4439-250 3820-4566504-0073 9079-3210 TO 3225,3230

Parcel ID Number

15012290680000

Exhibit B

Capitol Theatre, located at 50 West 200 South
Legal Description and Parcel ID Number

Capitol Theatre, located at 50 West 200 South
Legal Description and Parcel ID Number

Legal Description

LOT 2, CAPITOL THEATER SUB. LESS AND EXCEPT, BEG AT SE COR LOT 1
OF SAID SUB; N 00°03'59" E 82.71 FT; E 1.30 FT; S 00°03'59" W 82.71 FT; S
89°40'22" W 1.30 FT TO BEG. 0.91 AC M OR L. 9889-2213

Parcel ID Number

15012290780000

Application for a Local Initiative
Utah Code 20A-7-502

PLEASE NOTE: A copy of the proposed law must be attached to this Application.
Application must be completed by a minimum of five sponsors.

Please type or print

Sponsor Statement

I, CASEY O'BRIEN McDONOUGH, affirm that I am a registered voter and I have voted in
Name of Sponsor (please type or print) an election in Utah within the last three years.
777 E SOUTH TEMPLE #440
Residence Address
SALT LAKE CITY, UT 84102
City, State, Zip

Sponsor's Signature

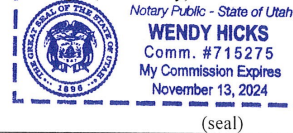
Acknowledgment

State of Utah)
§
County of Salt Lake)

On this 15th day of March, in the year 2021, before me, Wendy Hicks, a notary public, personally appeared Casey O'Brien McDonough, proved on the basis of satisfactory evidence to be the person(s) whose name(s) (is/are) subscribed to this instrument, and acknowledged (he/she/they) executed the same.

Witness my hand and official seal.

Wendy Hicks
(notary signature)



(seal)

Sponsor Statement

I, Michael Patton, affirm that I am a registered voter and I have voted in
Name of Sponsor (please type or print) an election in Utah within the last three years.
90 E. 600 S. #426
Residence Address
Salt Lake City, UT 84111
City, State, Zip

Sponsor's Signature

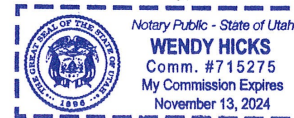
Acknowledgment

State of Utah)
§
County of Salt Lake)

On this 15th day of March, in the year 2021, before me, Wendy Hicks, a notary public, personally appeared Michael Patton, proved on the basis of satisfactory evidence to be the person(s) whose name(s) (is/are) subscribed to this instrument, and acknowledged (he/she/they) executed the same.

Witness my hand and official seal.

Wendy Hicks
(notary signature)



(seal)

Sponsor Statement

I, Karel Doop McDonough,
Name of Sponsor (please type or print)

affirm that I am a registered voter and I have voted in
an election in Utah within the last three years.

1000 So 900 East
Residence Address

Karel Doop McDonough
Sponsor's Signature

SLC UT. 84105
City, State, Zip

Acknowledgment

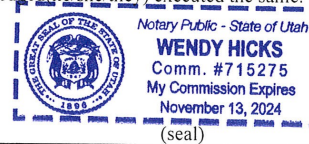
State of Utah)

County of Salt Lake)

On this 15th day of March, in the year 2021, before me, Wendy Hicks, a notary public, personally appeared Karel Doop McDonough, proved on the basis of satisfactory evidence to be the person(s) whose name(s) (is/are) subscribed to this instrument, and acknowledged (he/she/they) executed the same.

Witness my hand and official seal.

Wendy Hicks
(notary signature)



(seal)

Sponsor Statement

I, GREGORY M. McDONOUGH,
Name of Sponsor (please type or print)

affirm that I am a registered voter and I have voted in
an election in Utah within the last three years.

1000 S 900 E
Residence Address

Gregory M. McDonough
Sponsor's Signature

SALT LAKE CITY, UT 84105
City, State, Zip

Acknowledgment

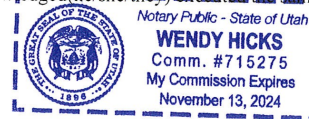
State of Utah)

County of Salt Lake)

On this 15th day of March, in the year 2021, before me, Wendy Hicks, a notary public, personally appeared Gregory M. McDonough, proved on the basis of satisfactory evidence to be the person(s) whose name(s) (is/are) subscribed to this instrument, and acknowledged (he/she/they) executed the same.

Witness my hand and official seal.

Wendy Hicks
(notary signature)



(seal)

Sponsor Statement

I, Robert F Stefanik Jr,
Name of Sponsor (please type or print)

4840 S State Street
Residence Address

Murray, UT, 84107
City, State, Zip

affirm that I am a registered voter and I have voted in
an election in Utah within the last three years.

Robert Stefanik
Sponsor's Signature

Acknowledgment

State of Utah)

County of Salt Lake)

On this 15th day of March, in the year 2021, before me, Wendy Hicks, a notary public, personally appeared Robert F. Stefanik Jr, proved on the basis of satisfactory evidence to be the person(s) whose name(s) (is/are) subscribed to this instrument, and acknowledged (he/she/they) executed the same.

Witness my hand and official seal.

Wendy Hicks
(notary signature)



Sponsor Statement

I, KEVIN HARTLEY,
Name of Sponsor (please type or print)

644 S. 800 E. #8
Residence Address

SALT LAKE CITY 84102
City, State, Zip

affirm that I am a registered voter and I have voted in
an election in Utah within the last three years.

Kevin Hartley
Sponsor's Signature

Acknowledgment

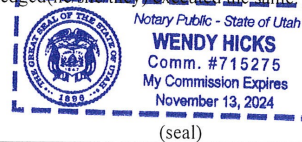
State of Utah)

County of Salt Lake)

On this 15th day of March, in the year 2021, before me, Wendy Hicks, a notary public, personally appeared Kevin Hartley, proved on the basis of satisfactory evidence to be the person(s) whose name(s) (is/are) subscribed to this instrument, and acknowledged (he/she/they) executed the same.

Witness my hand and official seal.

Wendy Hicks
(notary signature)



Sponsor Statement

I, David Berg, affirm that I am a registered voter and I have voted in
an election in Utah within the last three years.
484 J street
Residence Address
Salt Lake City, UT 84103
City, State, Zip

Sponsor's Signature

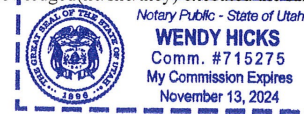
Acknowledgment

State of Utah)
County of Salt Lake)

On this 15th day of March, in the year 2021, before me, Wendy Hicks, a notary public, personally appeared David Berg, proved on the basis of satisfactory evidence to be the person(s) whose name(s) (is/are) subscribed to this instrument, and acknowledged (he/she/they) executed the same.

Witness my hand and official seal.

Wendy Hicks
(notary signature)



(seal)

Sponsor Statement

I, Tye McDonough, affirm that I am a registered voter and I have voted in
an election in Utah within the last three years.
992 S. 900 E Apt 4
Residence Address
SLC, UT 84105
City, State, Zip

Sponsor's Signature

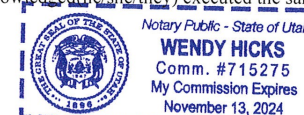
Acknowledgment

State of Utah)
County of Salt Lake)

On this 15th day of March, in the year 2021, before me, Wendy Hicks, a notary public, personally appeared Tye McDonough, proved on the basis of satisfactory evidence to be the person(s) whose name(s) (is/are) subscribed to this instrument, and acknowledged (he/she/they) executed the same.

Witness my hand and official seal.

Wendy Hicks
(notary signature)



(seal)

Sponsor Statement

I, Darby Bailey McDonough

Name of Sponsor (please type or print)

affirm that I am a registered voter and I have voted in
an election in Utah within the last three years.

241 N. VINE ST #604W

Residence Address

Salt Lake City, UT 84103

City, State, Zip

[Signature]

Sponsor's Signature

Acknowledgment

State of Utah)

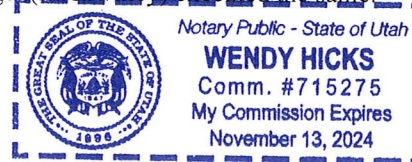
§

County of Salt Lake)

On this 15th day of March, in the year 2021, before me, Wendy Hicks, a notary public, personally appeared Darby Bailey McDonough proved on the basis of satisfactory evidence to be the person(s) whose name(s) (is/are) subscribed to this instrument, and acknowledged (he/she/they) executed the same.

Witness my hand and official seal.

[Signature]
(notary signature)



(seal)

ARGUMENT FOR CITIZEN'S INITIATIVE PROPOSITION:

There are few in Salt Lake City, or from across the state and region, who don't have fond memories of seeing our beloved annual Nutcracker Ballet at the Capitol Theater. We are fortunate to have the opportunity to see it every year at this amazing theater because past leaders had the foresight to save and protect it. The exterior and interior architecture of the theater is a performance in itself, and before any stage performance begins, we have a shared experience across generations past and present, and into the future. The theater has a connection to our city, state, and nation that because of its physical presence, would otherwise be another architectural masterpiece lost to history. Protecting and maintaining it connects us culturally to our past, our present, and our future as a City. We believe it is obvious the Capitol Theater has always been a landmark site in Salt Lake City, even if it hasn't received that formal title until now.

For those who have been fortunate enough to have seen the inside of the Utah Pantages Theater know its landmark nature is also obvious. The historic architecture, stonework, ornate plasterwork, and a grand Tiffany skylight for all to behold, are equally as amazing as the Capitol Theater, if not more so. The Utah Pantages Theater has the same local, regional, and national significance, both historically and culturally. Originally built as a Pantages Theater in 1918, it hosted national acts like Abbot and Costello, Will Rogers, Babe Ruth, and many others who attracted patrons from across the intermountain west. It was arguably the most opulent and expensive theater built by the Pantages Theater chain. As times changed it became the Utah Theater and was Salt Lake City's most spectacular movie palace, famously showing the "Sound of Music" for two years when it was released.

Purchased by the Salt Lake City RDA in 2009, the Utah Pantages Theater was deemed so important to the City and its future that the RDA included it in their own Central Business District Project Area Strategic Plan, with a call to "establish and identify steps to implement a reuse policy for the Utah Theater." In 2016, the year our wonderful Eccles Theater opened, the City Council adopted the Downtown Master Plan which included a call to "Repurpose the Utah Theater as a cultural facility and activity generator." That same master plan makes no such mention of any other building as it does for saving the Utah Pantages Theater. That mandate made by the people of Salt Lake City after widespread public input affirms that we must save and restore the theater.

The Salt Lake City RDA now intends to sell and demolish the Utah Pantages Theater, but both the Capitol and Utah Pantages Theater must be saved and protected for their architectural, historical, and cultural relevance to us and our City's future. Both theaters deserve to be made Salt Lake City "Landmark Sites" by this initiative, saving and protecting them for future generations.

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FISAL AND LEGAL IMPACT ESTIMATES:

Fiscal Impact Estimate: Salt Lake City's local budget officer, Mary Beth Thompson, estimates that the law proposed by this initiative would not have a significant fiscal impact and would not result in either an increase or decrease in taxes or debt.

Legal Impact Estimate: The proposed rezone which would designate the Utah Theatre and the Capitol Theatre as historic landmark sites is not estimated to create a fiscal impact or savings to the City. The Utah Theatre is owned by the Redevelopment Agency of Salt Lake City, which is under contract to sell the property to a third-party buyer. The intended buyer of the Utah Theatre property might argue that its rights are impacted by the proposed law.

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ARE THE OPINIONS OF THE AUTHORS.***