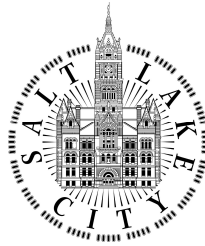


ERIN MENDENHALL
Mayor



KATHERINE LEWIS
Office of the City Attorney

To: Casey O'Brien McDonough
Michael Patton
Karel Doop McDonough

From: Katherine Lewis, City Attorney
Cindy Lou Trishman, City Recorder

Date: April 5, 2021

RE: Initiative Application Received March 17, 2021: Notice of Estimated Fiscal and Legal Impact under Utah Code 20A-7-502.5; Statement of the City's Budget Officer under Utah Code 20A-7-502.5; Notice of Finding under Utah Code 20A-7-502.7

On March 17, 2021, Salt Lake City Corporation received an application from petitioners requesting to initiate a local law that would: (1) designate the Utah Theatre, located at 144 South Main Street, as a landmark site under City Code 21A.340.020.B; (2) designate the Capitol Theatre, located at 50 West 200 South Street, as a landmark site under City Code 21A.340.020.B; (3) declare an emergency in order to suspend any hearing or other deliberation processes required to adopt the landmark status for the Utah Theatre and Capitol Theatre under City Code 21A.340.020.B; and (4) adopt findings to establish a compelling, countervailing public interest under Utah Code 10-9a-504 to immediately designate the Utah Theatre and Capitol Theatre as landmark sites under a temporary land use regulation.

State law requires certain analyses and processes to occur before allowing a petitioner to collect signatures on a local initiative application.¹ The City must: 1) provide a concise explanation, not exceeding 100 words, explaining the estimated fiscal and legal impact of the proposed law; 2) provide a statement from the City's budget officer of the estimated fiscal impact of the proposed law; and 3) determine whether the law is legally referable to the voters.

1. Concise explanation, not exceeding 100 words, of the estimated fiscal and legal impact, if any, of the proposed law.²

City response: 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.

¹ Utah Code §§ 20A-7-502.5; -502.7.

² Utah Code § 20A-7-502.5 (2)(a)(viii).

2. Utah Code 20A-7-502.5(2)(b) requires the City's local budget officer to make a statement about the initial fiscal impact of the proposed law.

City response: 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.

3. Utah Code 20A-7-502.7 requires the City to review the proposed law in the initiative application to determine whether the law is legally referable to voters.

City response: The City has determined that the proposed law is legally referable to the voters under Utah Code 20A-7-502.7.