

RESOLUTION NO. 15-2020

A RESOLUTION DIRECTING THE RENEGOTIATION OF THE UDOT AGREEMENT AND TERMINATING THE DESIGN CONTRACT FOR THE DOWNTOWN PARKING STRUCTURE PROJECT & DIRECTING COORDINATION WITH UDOT & GRAND COUNTY TO PURSUE ALTERNATIVE PROJECTS FOR HOTSPOT FUNDING

WHEREAS, significant investments have been made in delivering a Downtown Parking Structure (DPS); and

WHEREAS, the primary need for the DPS as identified in the 2017 UDOT Region 4 Arches Hotspot Study was to replace on-street parking lost as part of Main Street Improvements, but that those Improvements were rejected by residents and Council who objected to loss of on-street parking; and

WHEREAS, building private vehicle capacity, including parking, does not always lead to congestion reduction, and capital projects other than the DPS may result in better long-term satisfaction of Hotspot program goals and community priorities; and

WHEREAS, the DPS, according to the Downtown Parking Study, primarily benefits businesses within 600 feet of the structure, that is a limited number of businesses, and thus is a poorer use of public funds than dispersed parking or a regional shuttle which benefits a broader number of businesses; and

WHEREAS, DPS design has changed significantly from its original less-intrusive, partially buried bottom floor, and two additional stories, to an imposing and view-shed blocking four story structure of 42 feet including its roof parapets; and

WHEREAS, the DPS, still early in its design phase, has already incurred significant cost overruns forcing the adoption of structural construction techniques that trade lower construction cost for increased maintenance cost during its life; and

WHEREAS, the DPS will incur significantly higher maintenance cost than the existing surface lot, with poor prospects for offsetting revenue whether it charges for parking or not, since according to the Downtown Parking Study the lot is often under-utilized; and

WHEREAS, the DPS cannot accommodate over-sized vehicles, a critical parking need; and

WHEREAS, UDOT is receptive to the redirection of Hotspot Funding if an alternative project achieves the goals of reducing congestion, increasing economic development, and increasing tourism opportunities; and

WHEREAS, alternate uses of DPS funds have been identified that may satisfy the above criteria;

WHEREAS, Moab City is currently partnering with Grand County and UDOT on a series of comprehensive transportation planning efforts, and is committed to improving transportation throughout Spanish Valley including Moab City, but as currently sequenced the transit component will not be complete until well after the Hotspot funding opportunity is passed; and

WHEREAS, meetings of UDOT staff and local advisory bodies convened by UDOT are not subject to the conditions of Utah Open and Public Meetings Act; and

WHEREAS, Moab City officials and residents value government transparency, and Moab City is committed to and capable of providing meeting noticing and record keeping facilitation, as well as other public engagement tools; and

WHEREAS, given a UDOT project may fall either entirely within or without Moab City limits, or include both Moab City and Grand County; and

WHEREAS, Moab City is interested in cooperating with Grand County to deliver services to their shared constituents more efficiently, Moab elected officials are accountable first and foremost to the citizens within their jurisdictional boundary, and Moab officials desire to cooperate with the County on projects which include both their areas, and retain the authority over projects entirely within City limits; and

WHEREAS, the Moab City Council believes that, despite the previous investments of time, money, goodwill, public process, and commitments made, on balance the interests of Moab and the satisfaction of the Hotspot criteria may be better served by project(s) other than the DPS.

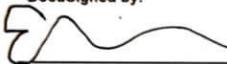
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOAB, UTAH that:

- 1) The City Council directs the City Manager to issue a “stop work” order to Kimley-Horn to cease work on design for the DPS;
- 2) The City Council directs City staff to seek clarity from UDOT regarding the measures by which alternative projects will be evaluated to meet Hotspot Funding criteria, and any UDOT submittal requirements in order to develop projects that meet the criteria of the Hotspot Funding Program and which the City anticipates would garner community and local leadership support. City Staff shall engage with relevant parties at Grand County and UDOT to determine the feasibility, cost, and staffing needs to quickly develop alternative Hotspot-funded projects. This information shall be brought to City Council, and County Council should their leadership so choose, for consideration;
- 3) The City Council directs the City Manager to renegotiate the Cooperative Agreement with UDOT, dated July 22, 2019, in a way that minimizes legal and financial risk to the City and the goals outlined in item #2 above;

- 4) The City Council directs the City Manager, following the renegotiation discussions with UDOT, to produce to the City Council a proposed framework and process to accomplish the goals outlined in item #2 above;
- 5) If UDOT and the City Council agree to terminate the July 22, 2019 Cooperative Agreement, the City Council directs the City Manager to terminate the City's consulting services agreement with Kimley-Horn, dated October 24, 2019; and
- 6) City Council and City staff will coordinate with Grand County Council to form the "Arches Hotspot Region Coordinating Committee," which shall consist of seven (7) members. The City Council shall establish the Hotspot Region Coordinating Committee by resolution or ordinance, with clarity as to appointing authority, membership, organization, purpose, authority, and expiration date. The Arches Hotspot Regional Coordinating Committee shall provide noticing and record keeping in compliance with the Utah Open and Public Meetings Act. City staff shall consult with the Council on other public engagement tools and efforts for this process. Transparency and public involvement shall be prioritized in the definition of alternative projects.

PASSED AND ADOPTED in open Council by a majority vote of the Governing Body of the City of Moab this 24th day of March, 2020.

SIGNED:

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Emily S. Niehaus, Mayor

ATTEST:


Sommar Johnson, City Recorder

