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# MEDIA ADVISORY

Utah For Responsible Growth  
Lorin Palmer, Press Conference Contact  
801-372-1768, lorin.palmer@gmail.com

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## SUSPENSION OF REFERENDUM

We regret to inform everyone that as of Thursday, April 9<sup>th</sup>, 2020, Utah For Responsible Growth will be suspending all signature gathering for the referendum on the Olympia Hills Development. We would like to explain how we have arrived at this decision.

On Tuesday, March 3<sup>rd</sup>, the Salt Lake County Council, despite opposition from city leaders of neighboring communities and residents alike, approved the Olympia Hills Development. Utah For Responsible Growth then held a press conference and kickoff event on March 4<sup>th</sup> announcing we would be applying for a referendum. On Tuesday March 10<sup>th</sup>, 2020, Utah For Responsible Growth applied for 3 referendums pertaining to the Council's approval of this development.

On Monday, March 30<sup>th</sup>, Utah For Responsible Growth received approval to move forward with all 3 referendum petitions. At that point, the 45-day clock started ticking. Between the press conference on March 4<sup>th</sup> and the day we were approved to move forward, a lot changed in our world. During that press conference we never would have anticipated the challenges we would all be facing at this time. The day prior to receiving approval, Salt Lake County issued a "Stay Home. Stay Safe" order which justifiably prohibited us from gathering signatures at large events or going door-to-door. We considered not moving forward for the safety of the signers and our volunteers. However, Governor Herbert issued an Executive Order allowing gubernatorial candidates to gather signatures electronically, via email or fax. We then petitioned and were successful in receiving a similar approval for gathering of signatures electronically late in the afternoon on April 2<sup>nd</sup>.

While we are grateful for this Executive Order, we also were already 4 days into our 45-day window. Our team of volunteers worked feverishly to create a process, in accordance with the Executive Order, to be able to gather signatures electronically. Signers were required to verify that they were registered to vote in Salt Lake County, they were then passed through a form that required them to acknowledge that they had reviewed the referendum packets, which we had placed very prominently on our website. The signers were then able to download a signature sheet that they then had to print and sign and then send back to us via email, fax, or mail. We began receiving hundreds of signatures immediately.

Because of a bill passed in 2019 by the state legislature, we were required to submit all signature sheets within 7 days of the packets going out. This is the same bill that also increased the percentage of registered voters required for a successful land use referendum to 16% (rather than 7.75% for all other referendums). Because of this requirement, we began immediately working with the Salt Lake County Clerk's office to know how to submit the signature sheets electronically. After the clerk's office

consulted with the Lieutenant Governor's office over several days on the process they were to follow, we then received a memo dated April 3<sup>rd</sup>. This memo, with a corresponding "Updated Executive Order," had not been sent to the clerk's office or to the sponsors of the referendum until April 8<sup>th</sup>. In the memo, there were some clarifying questions and answers that directly contradicted the original Executive Order sent to the sponsors. The initial Executive Order suspended the requirement to physically attach the law to the petition as well as suspended the requirement that each signature sheet be bound. The memo states that "the voter needs to return a full copy of the referendum packet, which includes the signed signature page and a copy of the law that is the subject of the referendum." In the case of the MDA referendum, the packet is 277 pages. This law cannot be emailed due to the size, which drastically limits our ability to truly gather signatures electronically.

On top of this issue, we were instructed that we were to submit hard copies of each signature packet. Because of the new memo, each "packet" would have been a packet sent to one household. To gather 82,000 signatures, it was assumed that 60,000 homes would need to sign. Based on 277 pages from 60,000 homes, we would have been required to print nearly 16 million pieces of paper at a cost of over \$1 million. For a volunteer resident group, this is an impossible amount to come up with.

The most damaging news from this "new" memo was that all signatures gathered prior to this point are invalid. The county clerk's office was very helpful and tried to find a way to validate these signatures, but based on the memo they received, we could not find a way to send the signature sheets to them that would have met these extreme requirements.

Ultimately, at this point it's unfortunate that we don't have an appropriate method in place to give a voice to the residents. The process provided to us changed 9 days into our allotted time. Why should this be allowed to happen? This sets a dangerous precedent that needs to be looked at in the future. Our referendum laws in the state need to be updated to reflect the many ways available now to gather information and communicate with all voters.

While we regretfully will be suspending our referendum efforts, Utah For Responsible Growth is not done fighting for those who have supported us and fighting to see smart growth across the state. We will now shift our efforts to supporting candidates and policies that reflect our values. We have been told we have grounds for a lawsuit and we will look into all options. However, we encourage all of our supporters to help us make changes at the state, county, and city levels to elect people that will listen to and represent us!

Utah For Responsible Growth