



May 17, 2023

VIA Email and US Mail

Tracy Taylor
Wasatch Taxpayer Association
451 N. 1300 E.
Heber City, Utah 84032
tracy@etracytaylor.com

Re: Clarification of April 20, 2023 GRAMA Response Email and Response to Appeals Filed May 8, 2023.

Dear Ms. Taylor:

This purpose of this letter is to clarify Heber City's response to GRAMA Request dated April 13, 2023 (the "**GRAMA Request**") and to respond to your Appeal filed May 8, 2023 (the "**Appeal**").

In the GRAMA request, you request the following documents:

1) Documentation, and all correspondence from/to the FAA, on the C2 ALP approval negotiations. 2) Cost/ benefit analysis, and/or any financial revenue studies, for (A) the C2 ALP, (B) the upgrade to C2, and (C) current settlement agreement vs. litigation. 3) Current document of the settlement agreement, pre-signatures. All info sent electronically, no paper copies.

In the City's email response dated April 20, 2023 (the "Email Response"), the City indicated that the City denied the request for a fee waiver and denied your request for an expedited response. With respect to both the denial of your request for a fee waiver and the denial of your request for an expedited response, I find that the decision of the City's records' officer was proper and I deny your appeal on both of these issues.

In addition, in the Email Response, Ms. Raines indicated that the anticipated cost of staff time for search, retrieval, compiling and redacting of records would be \$127.25. However, after compiling the requested documents, the City has determined that significant portions of the documents are classified as protected in accordance with Utah Code Ann. 63G-2-305(17), (18) or 23(b), which includes the following:

(17) records that are subject to the attorney client privilege;

(18) records prepared for or by an attorney, consultant, surety, indemnitor, insurer, employee, or agent of a governmental entity for, or in anticipation of, litigation or a judicial, quasi-judicial, or administrative proceeding; and

(23) records concerning a governmental entity's strategy about: (b) imminent or pending litigation.

Accordingly, Heber City anticipates that it will take 4 to 6 hours to review and redact portions of the records. The review to determine what documents and/or portions of documents are protected must be done by Heber City's legal counsel. Thus, in accordance with Utah Code Ann. 63G-2-203, Heber City anticipates that the fee to complete the request will be \$1,000 to \$1,500 for attorney review and \$127.25 for staff time. In accordance with Utah Code Ann. 63G-2-203(8), you will need to pay a deposit of \$1,500 before Heber City's attorney will begin his review of your request. If you do not want to provide the deposit, the City will refund the \$50.00 deposit that you previously provide to the City.

You have the right to appeal the decision within thirty days, as provided in Section 63G-2-402, to the State Records Committee at the following:

Rebekkah Shaw
SRC Executive Secretary
346 S. Rio Grande
Salt Lake City, UT 84101-1106
Phone: 801-531-3851 or Fax: 801-531-3854
E-mail: rshaw@utah.gov

Very truly yours,



Matt Brower, City Manager