



**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
October 13, 2020**

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regular City Council meeting at the Marsac Municipal Building, City Council Chambers, 445 Marsac Avenue, Park City, Utah 84060 for the purposes and at the times as described below on Tuesday, October 13, 2020.

NOTICE OF ELECTRONIC MEETING & HOW TO COMMENT VIRTUALLY:

This meeting will be an electronic meeting without an anchor location as permitted by Utah Code Open and Public Meetings Act section 52-4-207(4) as amended June 18, 2020, and Park City Resolution 05-2020, adopted March 19, 2020. The written determination of a substantial health and safety risk, required by Utah Code section 52-4-207(4) is attached as Exhibit A. Council members will connect electronically. Public comments will be accepted virtually as described below.

To comment virtually, use eComment or raise your hand on Zoom. eComments submitted before the meeting date will be attached to the packet as appendices. eComments submitted on Council meeting days will be read aloud. For more information on participating virtually and to listen live, please go to www.parkcity.org.

Exhibit A: Determination of Substantial Health and Safety Risk

On October 6, 2020, the Mayor determined that conducting a meeting with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location. Utah Code section 52-4-207(4) requires this determination and the facts upon which it is based, which include:

- Summit County has extended its Emergency Declaration and Public Health Emergency Declaration through January 8, 2021.
- Statewide COVID cases and hospitalizations are increasing.

This determination is valid for 30 days, and is set to expire on November 5, 2020.

I. CLOSED SESSION - 2:15 p.m.

To Discuss Property, Personnel, and Litigation

II. PARK CITY HOUSING AUTHORITY MEETING

1. ROLL CALL

2. PUBLIC INPUT (ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE AGENDA)

3. WORK SESSION

3:45 p.m. - Discuss Park City Mountain Base Area Development - Affordable Housing Mitigation Plan

[Park City Mountain Base Affordable Housing Staff Report](#)

[Exhibit A: Development Agreement](#)
[Exhibit B: PEG Housing Mitigation Plan Proposal](#)

4. ADJOURNMENT

III. CITY COUNCIL WORK SESSION

4:50 p.m. - Noise Ordinance Update
[Noise Ordinance Staff Report](#)

5:20 p.m. - Social Equity Update
[Social Equity Staff Report](#)
[Exhibit A: Social Equity Goals and Objectives](#)
[Exhibit B: Affordability & Equity Strategic Pillar](#)

5:50 p.m. - Break

IV. REGULAR MEETING - 6:00 p.m.

V. ROLL CALL

VI. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council Questions and Comments

Staff Communications Reports

1. Federal CARES Act Local Government Allocation
[Federal CARES Act Local Government Allocation Staff Report](#)
2. Old Town Winter Transportation Operations Update
[Old Town Winter Transportation Staff Report](#)
[Exhibit A: Parking Statistics](#)
[Exhibit B: 2019/2020 Peak Day Traffic Management Plan](#)
3. Administrative Approval of Special Events - Snow Globe Stroll and Live PC Give PC Procession
[Administrative Approval of Special Events Staff Report](#)

VII. PUBLIC INPUT (ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE AGENDA)

VIII. CONSIDERATION OF MINUTES

Consideration to Approve the City Council Meeting Minutes from September 17 and 22, 2020
[September 17, 2020 Minutes](#)

IX. CONSENT AGENDA

1. Request to Authorize the City Manager to Execute Addendum No. 1 to the Service Provider/Professional Service Agreement with SKM Engineering, LLC for Water System Supervisory Control and Data Acquisition (SCADA) and Telemetry System Integrator Services, Increasing the Contract by \$115,000 for a Total Amount Not to Exceed \$295,000 and Approve an Extension of the Contract to December 31, 2021
[SCADA Integrator Services Addendum Staff Report](#)
[Exhibit A: SKM Engineering Contract Addendum One](#)
2. Request to Authorize the City Manager to Enter into a Reimbursement Agreement with Ivory Homes to Construct a Public Pedestrian and Biking Pathway in the Amount of \$75,000, in a Form Approved by the City Attorney
[Silver Creek Pathway Reimbursement Agreement Staff Report](#)
[Exhibit A: Reimbursement Agreement - Ivory Homes and Park City Municipal Corporation for Silver Creek Pathway](#)
[Exhibit B: Silver Creek Boardwalk & Pathway Design](#)
[Exhibit C: Silver Creek Pathway Cost Estimate - PCMC Portion](#)
[Exhibit D: Silver Creek Cost Responsibility](#)

X. OLD BUSINESS

1. Consideration to Approve Ordinance 2020-46, an Ordinance Adopting an Adjusted Budget for FY 2021 for Park City Municipal Corporation
(A) Public Hearing (B) Action
[FY 2021 Adjusted Budget Staff Report](#)
[Exhibit A: FY 2021 Adjusted Budget Ordinance](#)
[Exhibit B: FY 2021 Adjusted Budget Summary Tables](#)
2. Consideration to Approve a One-Year Extension to the Triple Crown Special Service Agreement, in a Form Approved by the City Attorney
(A) Public Input (B) Action
[Triple Crown Sports Contract Extension Staff Report](#)
[Exhibit A: TCS Extension Addendum Draft](#)
[Exhibit B: Public Comments Received](#)
3. Consideration to Adopt Resolution 22-2020, a Resolution Approving the Park City Municipal Corporation Water Conservation Plan
(A) Public Input (B) Action
[2020 Water Conservation Plan Staff Report](#)
[Exhibit A: Water Conservation Plan Resolution](#)
[Exhibit B: Park City Water Conservation Plan](#)

XI. ADJOURNMENT

A majority of City Council members may meet socially after the meeting. If so, the location will be announced by the Mayor. City business will not be conducted. Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the City Recorder at 435-615-5007 at least 24 hours prior to the meeting. Wireless internet service is available in the Marsac Building on Wednesdays and Thursdays from 4:00 p.m. to 9:00 p.m. Posted: See: www.parkcity.org

***Parking validations will be provided for Council meeting attendees that park in the China Bridge parking structure.**

Council Agenda Item Report

Meeting Date: October 13, 2020

Submitted by: Jason Glidden

Submitting Department: Community Development

Item Type: Work Session

Agenda Section:

Subject:

3:45 p.m. - Discuss Park City Mountain Base Area Development - Affordable Housing Mitigation Plan

Suggested Action:

Staff requests the Housing Authority to discuss and provide feedback on the proposed affordable housing mitigation plan submitted by PEG for the Park City Mountain Base Area Development.

Attachments:

[Park City Mountain Base Affordable Housing Staff Report](#)

[Exhibit A: Development Agreement](#)

[Exhibit B: PEG Housing Mitigation Plan Proposal](#)



Housing Authority Staff Report

Subject: Park City Mountain Base Area Development - Affordable Housing Mitigation Plan
Author: Jason Glidden, Affordable Housing Program
Department: Affordable Housing
Date: October 13, 2020
Type of Item: Administrative

Recommendation

Review and provide preliminary feedback on PEG Development's proposed affordable housing mitigation plan for the development planned for the Park City Mountain Base Area. Housing Mitigation plans require a Planning Commission recommendation and the Housing Authority's approval to ensure that the applicant complies with the City's 2017 Housing Resolution and City Code. Due to the degree of changes proposed, Housing staff recommended an early review by the Housing Authority prior to finalizing staff and Planning Commission recommendations.

Background

The Park City Base Resort

Park City Mountain Resort opened in 1963 as Treasure Mountain. The name was changed to Park City Ski Area in 1966, and it became known as Park City Mountain Resort or PCMR in 1996. Powder Corporation operated the resort for many years until 2014 when the resort sold to Vail Resorts. After the purchase, Vail changed the name again to Park City Resort. The resort now includes summer activities as well as snow sports.

The resort base area intentionally allows for some of the densest resort-oriented development in Park City. It contains a mix of medium- and high-density condominium and hotel buildings, many of which are nightly rental units. Most of the development at the Base was built in the 1980s and 1990s, including the Resort Center Condos (circa 1985), Park City Village Condos (circa 1983), Village Condo Lofts (circa 1982), Marsac Mill Manor & Silver Mill House Condo (circa 1973 and 1976), the Lowell Condominiums (circa 1985), Park City Mountain Village (circa 1999), and Marriott Mountainside Condominiums (circa 2001).

On June 25, 1997, the Planning Commission approved the PCMR Large Scale Master Plan (also known as the 1997 MPD). On August 21, 1997, the City Council granted height variations for the Concept Master Plan's specific volumetrics. These two approvals, along with the PCMR Base Area Master Plan Study, resulted in the 1998 Development Agreement between Park City Municipal Corporation and Powder Corp for the development of the Park City Mountain Resort Base (also known as the 1998 DA), recorded July 1998 (Exhibit A).

The 1998 DA allows the Developer to develop the base area according to the 1998 PCMR Base Area Master Plan Study, which is Exhibit D of the 1998 DA. The 1998 DA memorializes the Developer's commitment to comply with all conditions of approval and the relationship of the Parties. The DA also states that the "City granted development rights and height variations contained in the PCMR Concept Master Plan in exchange for, among other things, development restrictions on both the Open Space designations within the 1997 Master Planned Area and within the Park City Alpine Terrain." In effect, the 1998 DA consolidated resort density to base area Parcels A-E because the clustering of development preserved open space and view corridors and was preferable to spreading density on or up across the mountain.

The DA also contains important considerations for employee housing requirements. Specifically, the DA requires the Developer to construct or provide deed-restricted off-site housing for 80 PCMR employees (roughly 10% of total employees) on or before October 1, 2003. The 80 bed requirement is referenced in the Notice of Commission Action (Planning Commission Approval of the MPD) dated June 25, 1997 ([Minutes](#)), Finding 12, and reads:

"The Park City Mountain Resort Master Plan will result in a significant demand for new employees as detailed in employee generation studies conducted by both the applicant and the City. The City Council has stated that employee generation should be addressed in resort expansion. The Park City Mountain Resort has agreed to provide seasonal housing for 80 employees, which constitutes 10% of the employees generated. In addition, the Park City Mountain Resort provides an employee shuttle from Salt Lake City, Provo, and Heber and will commit to continue this service."

To date, staff has not been able to find any historical employee generation studies that were used as the basis to create Finding 12, referenced above. However, the [Minutes](#) from the June 25, 1997, Planning Commission Meeting include a Public Communications section where the commercial development is noted to generate between 727 and 823 new employees (Exhibit E). If it was accepted in 1997 that 800 new employees would be generated as a result of base area commercial development/expansion, 10% of this number would be 80 employees.

Condition of Approval 11 in the MPD (Exhibit D), states, "The proposed employee housing will be required to meet the guidelines of the standards adopted by the City Council (such as rental limitations and sizes) at the time of site-specific approval. The specific location, design, and restrictions on the housing require the appropriate review by the Planning Commission."

The DA also noted that receipt and approval of Conditional Use Permits (Small Scale MPD's of the base area Parcels A-E proportionally) trigger an employee housing requirement. There is a footnote on page 11 of the DA that states if the "Developer fails to obtain approval for 60% of the Small Scale MPDs before 10/1/03, the Developer shall, at a minimum, acquire its proportionate obligation to produce employee housing.

For example, if only 40% of Small Scale MPDs have been approved by 10/1/03, the Developer shall provide/acquire housing for 32 (40% of 80) beds for PCMR employees. Once the Developer achieves 60% Small Scale MPD approval, it must provide deed-restricted housing for all 80 employees."

Currently, only Parcel A has been developed, consisting of the Marriott Mountainside Resort, a 182-unit timeshare project, a skier services building called Legacy Lodge, and 193 parking spaces, of which 177 are in an enclosed structure.

The partial buildout of the approved MPD triggered an incremental housing requirement of 23 employee beds (out of the overall 80) that needed to be satisfied; however, the Developer never fulfilled this obligation, and the housing requirement is still outstanding.

On March 25, 2015, Planning Commission approved ([Staff Report](#), [Minutes](#)) amendments to the 1998 MPD and DA, (specifically Exhibit L, known as the Mountain Upgrade Plan) and issued a new CUP for both the Interconnect Gondola (now the Quicksilver Gondola) and the expansion of the Snow Hut on-mountain restaurant (now Miners Camp). Condition of Approval #3 of the March 25, 2015, MPD amendment states;

3. Employee Housing

Unless Section 2.2 of the Development Agreement is previously satisfied by the Developer in an off-site location, which shall include employee housing required by the development of Parcel A (the "Required Employee Housing"), or an updated housing plan is approved by the Housing Authority, the Developer shall include as part of the next application for a Small Scale MPD/CUP approved after March 25, 2015, under the Development Agreement for Parcels A-E (the "next Small Scale MPD Application") an affordable housing plan subject to Park City Housing Authority approval per the Housing Resolution in effect at the time of application for the Required Employee Housing and the employee housing required for the Next Small Scale MPD/CUP Application as determined by such resolution. Unless otherwise approved in the housing plan or previously satisfied, a completion bond or letter of credit in a form approved by the City Attorney will be required for the Required Housing as a condition of building permit issues for the Next Small Scale MPD. Nothing in this condition shall be deemed to relieve any owner or prior Developer of Parcel A from any liability that may exist to the City, the Developer, or any future developers in the MPD for failure to comply with Section 2.2 of the Development Agreement.

Existing documents that govern the development site include the following:

- The June 25, 1997 Planning Commission approval of the PCMR Large Scale Master Plan (MPD)
- The August 21, 1997 City Council approval of the PCMR Large Scale Master Plan

- The April 1, 1998 Conditional Use permit for Parcel A
- The 1998 Development Agreement including Exhibits A-M.
- The 2007 Annexation Agreement
- The March 25, 2015 Development Agreement Amendments to the Mountain Upgrade Plan and MPD Amendments to add the Upper Mountain Ski Terrain to the MPD
- The First Amendment to the Development Agreement, December 2019.

Housing Mitigation Plans

Section 3 of the [03-17 Housing Resolution](#) states the purpose of the resolution and why the City requires Housing Mitigation Plans for large developments.

SECTION 3. PURPOSE. *The purpose of this Resolution is to ensure that new development does not adversely affect the supply of affordable housing in the City and to maintain the social, economic and political fabric of Park City's community character. It is intended that the requirements imposed herein are roughly proportionate and reasonably related to the impacts of the Development.*

The 2017 Housing Resolution allows several options to fulfill a housing obligation listed below in order of preference:

1. Construction of unit(s) on the site on which the development is proposed;
2. Construction of the unit(s) within the Park City corporate limits provided such land, site or structure had not been previously deed-restricted for affordability;
3. Dedication of existing units within Park City corporate limits provided such units have not been previously deed-restricted for affordability and meet current energy efficiency requirements;
4. Construction of units outside Park City, but within the Park City School District boundary as it stands on January 1, 2015;
5. Conveyance of land within the Park City School District boundary as it stands on January 1, 2015, provided such land has not been previously deed-restricted for affordability; or
6. Payment of Fees in Lieu of Development.

PEG development has proposed to amend the DA by replacing the 1997 Master Plan (Exhibit D of the 1998 DA) with a new Master Plan. The proposed plan seeks to develop the existing surface parking lots and construct a mixed-use resort development consisting of for-sale condominiums, affordable and employee housing, day skier parking, hotel, retail and restaurants, ski club, public ski lockers, skier services, wayfinding, and public plazas.

PEG's application includes proposed amendments to the existing Housing Mitigation Plan and requirements. PEG proposes to fulfill the outstanding obligation for 23 employees in three, 8-bed dormitories located within Parcel B. The Housing Mitigation Plan proposes that the 57 remaining beds required by 1998 DA be replaced to meet

current Park City Affordable Housing Guidelines, including 20% of the employee generation created by the new commercial uses and 15% of market-rate housing units.

Summary of proposed Housing Obligation according to PEG (Exhibit B):

- 23 beds outstanding from the 1998 DA
- 59 AUE's required by new commercial development
- 21.5 AUE's required by new residential development

Summary of PEG's proposal to meet the Housing Obligation:

- Three dormitories of 8 rooms each, totaling 24 beds; and
- Fifty nine 1, 2, and 3 bedroom condominiums ranging from 575 to 1,832 sqft.

In addition, PEG seeks to reserve the residential housing portion of their housing obligation as for-sale units (21.5 AUE's), and the commercial development housing obligation for rent (59 AUE's).

Analysis

In reviewing PEG's proposal, several differences vary from the current housing mitigation plan approved in the 1998 DA. The Housing Authority should review and discuss the following:

Off-site vs. On-site Workforce Housing

Section 2.2 of the MPD Development Agreement states that the "Developer shall construct or provide deed-restricted off-site housing for 80 PCMR employees". PEG's proposal seeks to have all housing on-site. The original approval is obviously 180 degrees opposite of the recommended priority choice of "on-site" in the current affordable resolution. Staff seeks clearer information regarding the pragmatic plan to serve particular employees before recommending one way or the other or a blend.. In the past, resort developments in particular have struggled with the long term management and compliance with on-site AUEs.. The original off-site proposal was based upon a target of seasonal, temporary employees in rentals. In addition, on-site housing can be an issue if it negatively impacts the project design. Meeting both the Land Management Code and the Housing Resolution on site is a difficult task to accomplish. At times designs will exceed height limits or set back requirements in order to make sure all the housing fits on-site. Heights and setbacks are a pending review item for the Planning Commission. Staff recommends exploring a proposal to provide a mix of on-site and off-site housing. Also, allowing for some off-site housing may provide a cheaper, more financially viable option that could produce a higher number of affordable units. **Is the Housing Authority supportive of moving all housing requirements on-site?**

Employee Preference

Staff has requested additional information regarding proposed eligibility for the proposed AUEs. The 1998 DA assumes that the base area developer is the ski

operations operator, and it did not distinguish between the obligations of each respective party if the two parties were different entities. The current application to develop the remaining base lots are from a separate party that does not control overall Resort operations. By requesting a bifurcation of DA obligations from the mountain operations, the City is limited in its ability to proactively monitor, mitigate and control changes in mountain operations, such as employee trip generation, traffic, parking, and environmental. **Does the Housing Authority find that the housing requirement to mitigate impacts of the base development should also include requirements to mitigate mountain operation employees?**

Seasonal Dormitories

The applicant proposes three dormitories, presumably (pending additional information) for seasonal rentals. Affordable Housing Resolution 03-2017 Section 9(C) states such units may be approved in the sole discretion of the City.

***Winter Seasonal Units.** Pursuant to the applicable City codes, an applicant for a development may, at the sole discretion of the City and subject to certain requirements, satisfy the employee housing requirements by provision of dormitory/lodge units designed for occupancy by seasonal employees. The dormitory/lodge units must satisfy all requirements of the applicable Guidelines and shall be required to meet the following minimum standards:*

- 1. Occupancy of a dormitory unit shall be limited to no more than 8 persons.*
- 2. There shall be at least 150 square feet of net livable square footage per person, including sleeping and bathroom uses.*
- 3. At least one bathroom shall be provided for shared use by no more than four persons. The bathroom shall contain at least one toilet, one wash basin, one bathtub with a shower and a total area of at least 60 net livable square feet.*
- 4. A kitchen facility or access to a common kitchen or common eating facility shall be provided subject to the Building Department's approval and determination that the facilities are adequate in size to service the number of people using the facility.*
- 5. Use of 20 net leasable square feet per person of enclosed storage area located within, or adjacent to, the unit.*
- 6. Rents for dormitory units will be set by Special Review on a case-by-case basis, given the unique and varying characteristics of dormitory units, with affordability as the key issue.*
- 7. Seasonal Lodge Developments may be required to house qualified employees of the community at large.*

Does the Housing Authority have any preliminary concern regarding this part of the proposal and the applicable criteria?

Independent Calculations

Staff identified an issue within the calculations for the proposed development's housing obligation. The Developer used an independent calculation of employee generation (1.3 employees per 1,000 square feet) to measure the housing requirement for two ballroom spaces. Staff seeks a justification for using an Independent Calculation of the two ballrooms instead of the required formula in Housing Resolution 03-2017.

The Resolution states the following for acceptance of an Independent Calculation: “The independent calculation shall be accepted by the City Council if the Council determines the calculation constitutes compelling evidence of a more accurate calculation of employee generation than Table 1: Employee Generation Table.”

Staff requested the Developer provide a written justification to merit the independent calculation. Staff will analyze the request, make a recommendation, and request the Housing Authority to either approve or deny the request after submittal by PEG.

Other Affordable Housing Requirements

Phasing. PEG proposes to construct all affordable units in the first phase after the “occupancy” of the proposed parking structure. If the Housing Authority approves the on-site housing request instead of off-site, staff recommends the phasing proposed by PEG. However, the current DA states that housing will be built proportionally to any development that occurs, but that after 60% development occurs, the developer must satisfy the entire housing requirement. Any change to phasing as a result of the MPD review requires Housing Authority approval. **Is the Housing Authority supportive of the proposed phasing plan?**

Employee shuttle program. Exhibit E of the 1998 DA states that an employee shuttle program will be maintained to help offset the large number of employees that will do not have access to on-site housing. The current plan does not provide any detail on current or proposed employee shuttle programs. Staff strongly recommends maintaining, or even expanding the employee shuttle commitment to align with the General Plan and Critical Community Priority. **Does the Housing Authority want to maintain the employee shuttle program within the Housing Mitigation Plan?**

Bond Calculation

As part of the approval of the March 2015 MPD amendment, Condition of Approval #3 states that “unless otherwise approved in the housing plan or previously satisfied, a completion bond or letter of credit in a form approved by the City Attorney will be required for the required housing as a condition of the building permit issued for the Next Small Scale MPD.” A bond proposal has not been received yet. **Does the Housing Authority want to maintain Condition of Approval #3 prior to issuing a building permit?**

Attachments

- Exhibit A 1998 Development Agreement between Park City Municipal Corporation and Powder Corp for the development of the Park City Mountain Resort Base
- Exhibit B PEG Housing Mitigation Plan Proposal

WHEN RECORDED, PLEASE RETURN TO:
PARK CITY MUNICIPAL CORP.
CITY ATTORNEY
P O BOX 1480
PARK CITY UT 84060

**Fee Exempt per Utah Code
Annotated 1953 21-7-2**

Recorded this ____ day of
_____, 1998 at Book
____ Page # ____.

**DEVELOPMENT AGREEMENT BY AND BETWEEN
PARK CITY MUNICIPAL CORPORATION AND POWDR CORP., POWDR
DEVELOPMENT COMPANY, PARK CITY SKI HOLIDAYS, AND GREATER PARK
CITY COMPANY, RELATING TO THE DEVELOPMENT COMMONLY KNOWN AS
THE PARK CITY MOUNTAIN RESORT**

THIS DEVELOPMENT AGREEMENT (Agreement) is entered into this ____ day of June, 1998, by and between POWDR CORP., a Delaware corporation, POWDR DEVELOPMENT COMPANY, a Utah corporation, GREATER PARK CITY COMPANY, a Utah corporation, Park City Ski Holidays, a Utah corporation, and each of their successors in interest, parent corporations, affiliates, subsidiaries and assigns (collectively, Developer), and PARK CITY MUNICIPAL CORPORATION, a third class city of the State of Utah (City). Developer and City are, from time to time, hereinafter referred to individually as a "Party" and collectively as the "Parties".

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7-30cw
ALAN SPRIGGS, SUMMIT COUNTY RECORDER
1998 JUL 21 12:03 PM FEE \$1.00 BY DMG
REQUEST: PARK CITY MUNICIPAL CORP

RECITALS

- A. Developer controls the development rights to, owns, or is purchasing approximately 24.92 acres located in Park City as described in Exhibit A attached hereto (the "1997 Master Planned Area"), and has a legal interest (whether by lease, fee title, or prescription) in certain real property consisting of approximately three thousand five hundred (3500) acres located in unincorporated Summit, Salt Lake, and Wasatch Counties as described in Exhibit B and depicted in Exhibit C attached hereto (the "Park City Alpine Terrain").
- B. Developer intends to develop the 1997 Master Planned Area pursuant to the "Park City Mountain Resort Base Area Master Plan Study" (Exhibit D) and subject to all conditions of approval described in Exhibits E and F attached to this Agreement (respectively, the June 25, 1997 Conditions of Planning Commission Approval and the August 21, 1997

Conditions of City Council approval) (collectively, the "PCMR Concept Master Plan"). City desires to enter into this Agreement to memorialize Developer's commitment to comply with all conditions of approval and to further clarify and memorialize the relationship of the Parties.

- C. City has taken planning actions relating to the development of the 1997 Master Planned Area and the Park City Alpine Terrain which culminated, after a duly noticed public hearing on June 25, 1997, in a unanimous, conditional approval of the PCMR Concept Master Plan.
- D. Developer will contract in reliance on the PCMR Concept Master Plan approval.
- E. City granted development rights and height variations contained in the PCMR Concept Master Plan in exchange for, *inter alia*, development restrictions on both the Open Space designations within the 1997 Master Planned Area and within the Park City Alpine Terrain.

NOW, THEREFORE, in consideration of the promises, covenants, and provisions set forth herein, the receipt and adequacy of which consideration is hereby acknowledged, the Parties agree as follows:

AGREEMENT

Section 1. DEFINITIONS

Unless the context requires a different meaning, any term or phrase used in this Agreement that has its first letter capitalized shall have that meaning given to it by this Agreement. Certain such terms and phrases are referenced below; others are defined where they appear in the text of this Agreement, including its Exhibits.

- (a) "Community Development Director" shall mean the Director of the City's Department of Community Development, or his or her designee.
- (b) "Master Owners' Association" means the Park City Resort Base Area Plaza Association, a Utah non-profit corporation.
- (c) "Parcel" means one of parcels A through E described in the PCMR Concept Master Plan.

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- (d) “Residential Accessory Use” means an approved use for the benefit of Project residents that does not require the use of Unit Equivalents and includes, but is not limited to, the following:

Health Clubs and Fitness Centers

Pools, Saunas and Hot Tubs

Ski Lockers

Lobbies

Meeting Rooms

Storage

Laundry

Employee Facilities

- (e) “Residential Support Commercial Use” means a commercial use that is oriented toward the internal circulation of the development, to serve the needs of the residents or users of that development and otherwise meets the definition of a support commercial use found in the 1997 Land Management Code. Residential Support Commercial Uses do not require the use of Unit Equivalents.

- (f) “Resort Accessory Use” means an approved use for Developer’s winter and summer operations that does not require the use of Unit Equivalents. Resort Accessory Uses include the following, as well as other uses that are not listed below but which qualify as “accessory” because they are clearly incidental to and customarily found in connection with the principal building or use and are operated and maintained for the benefit or convenience of the owners, occupants, employees, customers or visitors to the principal building or use:

Information/Lost and Found

Maintenance Facilities

Mountain Patrol

Mountain Administration

Mountain Patrol Medical Facilities

Base Day Lodge and Food Service

Public Lockers

Public Restrooms

Horseback Riding and Stables

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Mountain Bike Rental, Repair, and Sales
 Ski/Snowboard (etc) Repair, Rental and Sales
 Ski School/Skiwee/Kinderschule/Day Care
 Ticket Sales
 Summer Recreation Facilities
 Public Convention Facilities

(g) "Unit Equivalent"

Unit Equivalent

Configuration	Unit Equivalent
Motel room, not exceeding 500 square feet, including bathroom areas, but not corridors outside of room	.25
Hotel suite, or one bedroom apartment not exceeding 650 square feet, including bathroom areas, but not corridors outside of room	.33
One bedroom or studio hotel room, condominium, or two bedroom hotel suite or condominium, not exceeding 1,000 square feet	.50
Condominium or hotel suite of any number of rooms, not exceeding 1,500 square feet	.75
Condominium of any number of rooms, not exceeding 2, 000 square feet	1.00

Configuration	Unit Equivalent
Condominium of any number of rooms, not exceeding 2500 square feet.	1.33
Condominium of any number of rooms, in excess of 2,500 square feet	1.50
Commercial spaces (approved as part of Master Plan Approval), for each 1,000 square feet of gross floor area, exclusive of common corridors, or for each part of a 1,000 square foot interval	1.00

- (1) Within a hotel or condominium project with front desk nightly rental, up to 5% of the total floor area may be dedicated to meeting rooms and an additional 5% for support commercial, areas without requiring the use of a unit equivalent of commercial space.
- (2) Circulation spaces including lobbies inside or outside of units do not count as floor area of the unit, or as commercial unit equivalents
- (3) Where the unit configuration fits one of the above designations, but the square footage exceeds the footage stated for the configuration, the square footage shall control, and the unit equivalent for that size unit shall apply.
- (4) The Developer shall have the right to make its election of how to apply the unit equivalency within individual building projects. An election of the final unit configuration must be made at the time the application for final site plan is submitted, and the election of unit mixes is part of the conditional use process that the final site plan is reviewed under.
- (5) For purposes of calculating unit equivalency, "condominium" means a residential unit, which is designed to maximize its potential for continuous use as nightly lodging. Such design shall include the provision of front desk accommodation services and lockout units within a minimum of 80% of the units containing more than one bedroom attributed to each Parcel.

Section 2. OBLIGATIONS OF DEVELOPER

2.1 Conditions of Approval

Developer accepts and shall comply with all impact, connection and building fees currently in effect, or as subsequently enacted in a generally applicable fee ordinance, all subject to the provisions in ¶2.1.15 herein, and all conditions of approval imposed by the City in connection with the approval of the PCMR Concept Master Plan, including, but not limited to:

- 2.1.1 The approval includes and incorporates the "PCMR Base Area Master Plan Study" which details volumetrics, horizontal and vertical articulation, maximum square footage of each building, streetscapes, and architectural and design guidelines, all of which are integral to this plan. Large Scale Master Plan approval is conceptual in nature. Each Parcel is subject to conditional use (Small-Scale MPD) review by the Planning Commission. Site specific proposals must substantially conform to the approved PCMR Concept Master Plan. The square footages and unit equivalents are maximums that the Planning Commission may consider during site specific review. The maximum square footages and the volumetrics as described in the PCMR Base Area Master Plan Study are the maximum square footages and volumetrics permitted for each development Parcel. The 1997 Master Planned Area shall not exceed the permitted density of 491.78 Unit Equivalents (excluding support commercial, underground public convention and meeting space). If the Planning Commission approves less than the maximum square footages outlined in the PCMR Base Area Master Plan Study for any given Parcel, that square footage will not be transferred to another Parcel.
- 2.1.2 The volumetrics outlined in the PCMR Base Area Master Plan Study are intended to communicate to potential developers that building height and facade variation are critical components of this project. The volumetrics represent maximums that can be achieved on any given Parcel. The vertical and horizontal articulations that are specified in the volumetrics are

minimums that must be met. If a proposed building does not fill the volumetrics, the minimum roof and facade shifts set out in the Design Guidelines and Volumetrics of the PCMR Base Area Master Plan Study must be present in the reduced structure.

2.1.3 Final site planning to the satisfaction of the Planning Commission is required for each Small Scale MPD that shall include landscaping, streetscape details and finalization of the design guidelines for the buildings. Lighting standards shall be consistent with the standards in effect at the time of application for building permits. If the architectural design guidelines (such as materials, color and fenestration) for Park City become more restrictive in the future than those for this project, the more restrictive guidelines shall apply, but not to the extent that they negatively affect the structural engineering of the project. The final site planning shall orient delivery; service and trash access away from existing residential uses whenever possible. The bridges shown on the preliminary site plan are conceptual only and have not been granted specific approval. The Planning Commission may decide that alternative methods for providing the necessary pedestrian links are more desirable than the bridges depicted in the Concept Master Plan.

2.1.4 Developer has rezoned and partially re-subdivided the 1997 Master Planned Area. Additional re-subdivision will follow. The Planning Commission and City Council shall review and take action on re-subdivision applications as submitted. Construction of the development contemplated by the PCMR Concept Master Plan can move forward only if and when each pertinent re-subdivision is approved by the City Council. At Developer's request, the City has subdivided Parcel A. Developer agrees that Parcel A-1 will be developed first and that Parcels A-2 and A-3 shall be developed as "additional land" (as such term is used in the Condominium Ownership Act, U.C.A. §57-8-1 et. seq.) to the condominium project consisting initially of Parcel A-1.

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- 2.1.5 Neither the City nor the Developer owns the current Bus Drop off Area at the Resort Center. The Bus Drop off Area must be improved, and the Bus Drop off Easement attached hereto as Exhibit G must be executed, prior to any building permit.
- 2.1.6 The Developer has submitted, and the City has approved, a detailed phasing plan attached hereto as Exhibit H.
- 2.1.7 As a part of the phasing plan, the Developer has proposed construction management practices. More detailed construction mitigation plans, to the reasonable satisfaction of the Chief Building Official, are required for each Parcel, as it is proposed for development. At a minimum, those Parcel-specific construction management plans shall address the following:
- Days of the week and hours when construction is permissible
 - Routing of construction traffic so that adjacent residential streets are not affected
 - Material stockpiling and staging on site
 - Parking of construction vehicles
 - Maintenance of pedestrian ways and trails during construction
 - Recycling of construction waste, including the minimizing of off-site soil/material transport.

Reasonable financial security will be required to ensure compliance with each Construction Mitigation Plan.

- 2.1.8 Developer has formed a Master Owners' Association for the 1997 Master Planned Area. The Association shall be responsible for, and shall ensure to the reasonable satisfaction of the City Attorney, the maintenance of all landscaping, streetscape and plaza improvements, pedestrian pathways and trails and other public amenities that are a part of the PCMR Concept Master Plan. The Master Owners' Association shall coordinate recycling, snow removal and maintenance with the existing associations in the Resort Center. Under all circumstances, the Developer is ultimately responsible for the foregoing obligations of the Master Owners' Association.

- 2.1.9. The Developer shall upgrade utilities, as the City Engineer deems reasonably necessary for the development of the Concept Master Plan. These upgrades shall be consistent with the application of these standards throughout the City. Developer shall provide financial assurance as the City Engineer deems reasonably necessary to secure the completion of public improvements contemplated by the PCMR Concept Master Plan.
- 2.1.10. Concurrent with the review of the Small Scale MPD (CUP) for each building, the Developer shall satisfy fire protection requirements attached hereto as Exhibit I. If building height or square footage is required to be decreased as a result of meeting the fire protection requirements that square footage shall not be transferred to another Parcel.
- 2.1.11. The proposed employee housing shall comply with Section 2.2 herein.
- 2.1.12. The Developer shall comply with the traffic mitigation plan attached hereto as Exhibit J.
- 2.1.13. The Developer shall comply with the parking mitigation plan attached hereto as Exhibit K. This plan shall be reviewed and modified, if necessary, as a part of the Small Scale MPD (CUP) for each phase to evaluate transit alternatives and demonstrated parking needs. If, in practice, the parking mitigation plan fails to adequately mitigate peak day parking requirements, the City shall have the authority to require the Resort to limit ticket sales until the parking mitigation plan is revised to address the issues. The intent is that any off-site parking solution include a coordinated and cooperative effort with the City, other ski areas, the Park City School District, Summit County, and the Park City Chamber/Bureau to provide creative solutions for peak day and special event parking.
- 2.1.14 Development Exclusion.
- Developer shall not promote, encourage, nor allow (to the extent of Developer's current, and if increased, future, legal rights) in the, the Shadow Lake Lease Area, the Thaynes Mining Reservation Area, or the Development Exclusion Area

depicted within the Park City Alpine Terrain (Exhibit C), residential development of any kind nor any commercial nor industrial development which customers will primarily access by rubber tired vehicles. Developer contemplates on-mountain commercial facilities such as restaurants and other services which accommodate individuals engaging in recreational activity on the Park City Alpine Terrain.

This Agreement does not prohibit the transfer of base densities from the Park City Alpine Terrain to other suitable locations in unincorporated Summit County.

Further, most of the Development Exclusion Area is held under ski leases by GPCC, which reserve development rights in United Park City Mines (UPCM) and others. GPCC holds rights of first refusal in lease lands for which the owner receives a *bona fide* offer of sale. GPCC agrees immediately to notify Park City Municipal Corp. of the fact and substance of any offer to purchase which triggers GPCC's right of first refusal to purchase lease lands; and to the extent allowed by the current leases agrees to cooperate with Park City Municipal Corp. to exercise such right of first refusal prior to the expiration of the first right of refusal period described in the leases by a party, which is or will become bound by these Development Exclusions. GPCC further agrees that it will not amend any of its leases involving lands within the Park City Alpine Terrain to reduce or exclude land that is presently subject to this Agreement. The Parties agree that nothing in this subsection is intended to adversely affect lessor's rights in the leases.

- 2.1.15. Developer has chosen to mitigate additional impacts associated with developing the PCMR Concept Master Plan by paying impact fees (consistent with ***Banberry Development Corp. v. South Jordan***, 631 P.2d 899 (Utah 1981)) in lieu of off-site improvements. Developer's commitment to payment of such impact fees is contractual in nature and will be assessed proportionally, prior to issuance of building permits, regardless of fluctuations in state law pertaining to the City's regulatory authority to impose impact fees. The City agrees to incorporate the substance of this subsection in all subsequent development agreements associated with similarly situated projects.

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2.2 Employee Housing

Developer shall construct or provide deed restricted off-site housing for 80 PCMR employees on or before October 1, 2003.¹ The rental rate (not including utilities) for the employee housing will be determined by the City Council Housing Resolutions Establishing Guidelines and Standards, but will not exceed 1/3 of the employee's base gross wages. The rental rate shall be assured in perpetuity through deed restrictions in form and substance satisfactory to the City. Developer must commence construction or complete the purchase of housing to accommodate 80 employees within 90 days of receiving a Small Scale MPD which, in combination with previously granted Small Scale MPDs, represent approvals for a total of 50% of the total square footage of the Concept Master Plan. Developer must work expeditiously to complete the employee housing project(s). In no case shall Small Scale MPDs, which represent approvals for a total of 60% of the Small Scale MPDs within the PCMR Concept Master Plan, be issued until the required housing is available for occupancy. Park City will provide Developer a letter of compliance when it fulfills this requirement.

2.3 Ski Operations Improvements

The Developer has submitted a Mountain Upgrade Plan, which is attached hereto as Exhibit L. Development of the skiing and related facilities as identified in the Mountain Upgrade plan is a conditional use within the City limits and is a subject to administrative review² and approval or rejection for improvements visible from vantage points within the City limits prior to application to Summit County for any necessary County permit. Within the areas shown on the view shed Area map, Exhibit M, the Developer shall notify the Community Development Director of the proposed project and shall submit a plan detailing the proposed location of the alignment and scope of the proposed undertaking will be submitted with such notification. The Developer and the Community Development Director shall discuss the project and the potential

¹ If there is a downturn in the market, and the Developer fails to obtain approval for 60% of the Small Scale MPDs within the PCMR Concept Master Plan, on or before October 1, 2003, Developer shall, at a minimum acquire, by lease or by purchase its proportionate obligation to produce employee housing, and shall offer such housing to employees at a price at or below Park City's applicable affordable housing rates and standards. For example, if only 40% of the Small Scale MPDs have been approved by October 1, 2003, Developer shall provide housing for 32 PCMR employees at the lesser of the City's Affordable Housing rate or no more than 1/3 of the employee's monthly income. Once Developer ultimately achieves the 60% Small Scale MPD approval, it must provide deed restricted housing for all 80 employees as detailed above.

² Developer shall have a right of appeal pursuant to the Land Management Code of any denial of an administrative permit for Ski Operations Improvements.

impacts of the project to Park City including its visibility, re-vegetation plan and erosion control proposal. The following Standards shall apply to the Community Development Director's review:

- 2.3.1. Consistency with the Mountain Upgrade plan. The selection of lift transportation type shall be at the sole discretion of the Developer.
- 2.3.2. The Community Development Director may identify certain techniques as identified in the Park City Mountain Resort Resource Management Plan - Visual Management Guidelines to mitigate any impact to the view shed. The techniques include realignment, re-vegetation, and special silvacultural treatments between ski spaces to achieve the necessary blending. Traditional openings for ski trails and lifts with straight edges and uniform widths will be minimized to the greatest extent possible. Interconnected ski spaces of variable width and length, which are linked together in the fall-line to take advantage of the natural open spaces and vegetative conditions, islands and glades, natural or natural appearing trail edges, are preferred. Trails that are designed for base area return or circulation between fall line areas shall be designed for appropriate grades and widths consistent with minimizing visual impact.
- 2.3.3. Ski run lighting shall be consistent with the Park City lighting standards. Glare shall be minimized to the greatest extent possible.
- 2.3.4. Lift towers shall be painted or otherwise treated to blend with the natural surroundings. The color black, as currently used on the Payday Lift, is considered to be the most appropriate. Other colors may be appropriate that are consistent with low contrast with the surrounding vegetation and terrain. Galvanized lift equipment shall be treated to minimize reflectivity.
- 2.3.5. Vegetation management, re-vegetation and erosion control techniques shall be designed in accordance with the Park City Mountain Resort Resource Management Plan - Vegetation Management Plan and Re-vegetation Guidelines. The objective shall be to achieve a vegetative condition that enhances the skier experience and long term forest health.

Re-vegetation shall be designed to control erosion and to restore ground cover as quickly as possible after ground disturbing activities.

- 2.3.6. **Parking.** At all times Developer shall assure that it has adequate parking or has implemented such other assurances, as provided in the Parking Mitigation Plan, to mitigate the impact of any proposed expansion of lift capacity.

Upon Developer's compliance with the preceding standards, Developer shall apply to Summit County to issue a permit, consistent with the Community Development Director's approval, to proceed with Ski Operations Improvements within the unincorporated portions of the Viewshed Area. Ski Operations Improvements within the City limits shall comply with all applicable laws.

Section 3. DEVELOPMENT OF THE 1997 MASTER PLANNED AREA

- 3.1 Vested Right to Develop. Developer has a vested right to develop the 1997 Master Planned Area in accordance with the PCMR Concept Master Plan, which details volumetrics, horizontal and vertical articulation, maximum square footage of each building, streetscapes, and architectural and design guidelines, all of which are integral to this plan. Each Parcel is subject to Small-Scale MPD/conditional use review by the Planning Commission. Site specific proposals must substantially conform to the approved PCMR Concept Master Plan. The maximum square footages, unit equivalents and volumetrics as described in the Park City Mountain Resort Base Area Master Plan Study are the maximums permitted for each development Parcel. The overall project shall not exceed the permitted density of 491.78 Unit Equivalents (excluding support commercial, underground public convention and meeting space). If the Developer submits, or the Planning Commission approves (based on criteria in the Concept Master Plan), less than the maximum square footages outlined in the Park City Mountain Resort Base Area Master Plan Study for any given Parcel, that square footage will not be allowed to be transferred to another Parcel. The volumetrics outlined in the Park City Mountain Resort Base Area Master Plan Study communicates to potential developers that building height and facade variation is critical components of this project. The volumetrics represent maximums that can be achieved on any given Parcel. The vertical and horizontal articulations that are specified in the volumetrics are

minimum articulations that must be met. If a proposed building does not fill the approved volumetrics, then the minimum roof and facade shifts that are set out in the Design Guidelines and Volumetrics must be present in the reduced structure (i.e. the structure is reduced from the bottom up). It is solely within the Developer's discretion to submit for approval a structure that underutilizes the maximum unit equivalents or square footages for a particular structure. The Planning Commission may approve a Small Scale Master Plan for less than the stated maximum unit equivalents or square footages for any of the development Parcels in each of the following circumstances: 1) the Developer proposes the plan; or 2) the Planning Commission finds that the Developer's proposed plan does not comply with the PCMR Concept Master Plan.

3.2 Permitted Uses. The permitted uses of the Property, the density and intensity of use, the maximum height, bulk and size of proposed structures, provisions for reservation or dedication of land for public purposes and location of public improvements, location of public utilities and other terms and conditions of development applicable to the Property, shall be those set forth in the PCMR Concept Master Plan and are more particularly described as follows:

3.2.1. Parcel Square Footage Allowance Table

Parcel	Gross Resi. Sq.Ft.	Res. Support Comm. & Accessory Use @ 10%	Accessory Use to Resort Operation	Retail/ Comm.	Total (2)
A	287000	28700	35000	(1)	350810
B	294000	29400		(1)	323519
C	159000	15900	18000	(1)	192963

Parcel	Gross Resi. Sq.Ft.	Res. Support Comm. & Accessory Use @ 10%	Accessory Use to Resort Operation	Retail/ Comm.	Total (2)
D	93000	9300		(1)	102338
E	141000	14100	32000	(1)	187157
TOTAL	974000	97400	85000		1156787

(1) If there are retail/commercial uses other than Support Commercial or Accessory uses they will require a proportionate reduction in the square footage that is allocated for the other uses in this table.

(2) Building square footage does not include Resort Accessory Uses, mechanical, maintenance or storage space that may be located below grade or parking as shown in the Concept Master Plan.

(3) Underground public convention and meeting space is allowed in addition to the total Parcel square footage allowance.

3.2.2. **Maximum Unit Equivalents:** Developer is entitled to a maximum of 491.78 unit equivalents.

3.2.3. **Volumetrics:** The specific volumetrics, including Design Intent, Approval Criteria and Assumptions for Parcels A, B, C, D, E, and the Arcade are set forth in detail, and incorporated herein by reference, on Pages 122 through 148 of the Park City Mountain Resort Base Area Master Plan Study.

3.3 State and Federal Laws. Nothing in this Agreement shall limit the future exercise of the police power of the City in enacting zoning, subdivision, development, growth management, platting, environmental, open space, transportation and other land use plans, policies, ordinances and regulations after the date of this Agreement.

Notwithstanding the retained power of the City to enact such legislation under the police power, such legislation shall only be applied to modify the vested rights described in §§3.1-3.2 if the City demonstrates a compelling, countervailing public interest to override the vested rights doctrine. Any such proposed change affecting the vested rights of the Developer shall be of general application to all development activity within the RC zone.

Section 4. AMENDMENT OF AGREEMENT AND DEVELOPMENT PLAN

- 4.1 This Agreement may be amended from time to time by mutual consent of the Parties.

Section 5. IMPLEMENTATION OF THIS AGREEMENT

- 5.1 Processing and Approvals. Site specific plans shall be deemed proposed Small Scale Master Plans pursuant to Section 1.14(a) of the Park City Municipal Corporation Land Management Code (or its equivalent) and shall be subject to the conditional use permit process as set forth in the Park City Municipal Corporation Land Management Code. City shall review and approve or deny site-specific plans according to the Concept Master Plan and the Land Management Code. City shall process and take action on Developer's applications for land use permits and approvals with due diligence.
- 5.2 Cooperation in the Event of Legal Challenge. If any third party challenges the validity of or, any provision of the PCMR Concept Master Plan or the height exception for the Concept Master Plan the parties shall cooperate in defending such action or proceeding and Developer shall indemnify and shall hold City harmless for any expense generated from such challenge.

Section 6. GENERAL PROVISIONS

- 6.1 Covenants Running with the Land. The provisions of this Agreement shall constitute real covenants, contract and property rights and equitable servitudes, which shall run with the land comprising the Property and the Development Exclusion Area. The burdens and benefits hereof shall bind and inure to the

benefit of each of the Parties hereto and all successors in interest to the Parties hereto.

6.2 Transfer of Property. Developer shall have the right to assign or transfer all or any portion of its interests, rights or obligations under this Agreement or in the Property to third parties acquiring an interest or estate in the Property or any portion thereof. Developer's obligations under this Agreement by its assignee or transferee shall not relieve Developer of any responsibility or liability to the expressly assumed obligation. Developer shall provide notice of any proposed or completed assignment or transfer. If Developer transfers all or any portion of the property to any person or entity, the transferee shall succeed to all of Developer's rights under this Agreement as they affect the right to proceed with development of that portion of the Property transferred to the transferee. As portions of the Property are sold, Powdr Corp., Powdr Development Corp., or GPCC may ask the City to apportion their obligations to a successor or to multiple successors in interest. To the extent the City believes that the successor in interest has adequate resources to secure the City's rights in this Agreement, or some portion thereof, the City shall release the Developer from its proportionate residual liability under this Agreement.

6.3 No Agency, Joint Venture or Partnership. It is specifically understood and agreed to by and between the Parties that: (1) the subject development is a private development; (2) City and Developer hereby renounce the existence of any form of agency relationship, joint venture or partnership between City and Developer and (3) nothing contained herein shall be construed as creating any such relationship between City and Developer.

Section 7. MISCELLANEOUS

7.1 Incorporation of Recitals and Introductory Paragraphs. The Recitals contained in this Agreement, and the introductory paragraph preceding the Recitals, are hereby incorporated into this Agreement as if fully set forth herein.

- 7.2 Other Miscellaneous Terms. The singular shall include the plural; the masculine gender shall include the feminine; “shall” is mandatory; “may” is permissive.
- 7.3 Severability. If any provision of this Agreement or the application of any provision of this Agreement to a particular situation is held by a court of competent jurisdiction to be invalid or unenforceable, then, to the extent that the invalidity or unenforceability does not impair the application of this Agreement as intended by the parties, the remaining provisions of this Agreement, or the application of this Agreement to other situations, shall continue in full force and effect.
- 7.4 Construction. This Agreement has been reviewed and revised by legal counsel for both Developer and City, and no presumption or rule that ambiguities shall be construed against the drafting party shall apply to the interpretation or enforcement of this Agreement.
- 7.5 Notices. Any notice or communication required hereunder between City and Developer must be in writing, and may be given either personally or by registered or certified mail, return receipt requested. If given by registered or certified mail, the same shall be deemed to have been given and received on the first to occur of (i) actual receipt by any of the addressees designated below as the party to whom notices are to be sent, or (ii) five (5) days after a registered or certified letter containing such notice, properly addressed, with postage prepaid, is deposited in the United States mail. If personally delivered, a notice is given when delivered to the party to whom it is addressed. Any party hereto may at any time, by giving ten (10) days written notice to the other party hereto, designate any other address in substitution of the address to which such notice or communication shall be given. Such notices or communications shall be given to the parties at the address set forth below:

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If to City to:

City Attorney
P.O. Box 1480
445 Marsac Ave.
Park City, UT 84060

Copy to:
City Manager
P.O. Box 1480
445 Marsac Ave.
Park City, UT 84060

If to Developer to:

Powdr Development Company.
P.O. Box 39
Park City, Utah 84060

Copy to:
Stephen D. Swindle, Esq.
Van Cott, Bagley, Cornwall & McCarthy
50 South Main Street #1600
Salt Lake City, Utah 84144

- 7.6 No Third Party Beneficiary. This Agreement is made and entered into for the sole protection and benefit of the parties hereto. No other party shall have any right of action based upon any provision of this Agreement.
- 7.7 Counterparts and Exhibits. This Agreement is executed in four (4) duplicate counterparts, each of which is deemed to be an original. This Agreement consists of 22 pages, including notary acknowledgment forms, and in addition, thirteen (13) exhibits, which constitute the entire understanding and agreement of the parties to this Agreement. The following exhibits are attached to this Agreement and incorporated herein for all purposes:

Exhibit A	Legal Description of 1997 Master Planned Area
Exhibit B	Legal Description of Park City Alpine Terrain
Exhibit C	Depiction of Park City Alpine Terrain, with Development Exclusion Areas

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Exhibit D	Park City Mountain Resort Area Master Plan Study
Exhibit E	June 25, 1997 Conditions of Planning Commission Approval
Exhibit F	August 21, 1997 Conditions of City Council Approval
Exhibit G	Bus Drop Off Easement
Exhibit H	Phasing Plan
Exhibit I	Fire Protection Requirements
Exhibit J	Traffic Mitigation Plan
Exhibit K	Parking Mitigation Plan
Exhibit L	Mountain Upgrade Plan
Exhibit M	Viewshed Area Map

7.8 Attorneys' Fees. The prevailing party shall be awarded its attorneys' fees and costs to enforce the terms of this agreement.

7.9 Duration. This agreement shall continue in force and effect until all obligations hereto have been satisfied. The PCMR Concept Master Plan shall continue in force and effect for a minimum of four years from its issuance and shall be effective so long as construction is proceeding in accordance with the approved phasing plan. Upon expiration of the minimum four-year period, approval will lapse after two years of inaction, unless extended for up to two years by the Planning Commission.

IN WITNESS WHEREOF, this Agreement has been executed by the City of Park City, acting by and through its City Council as of the ____ day of June, 1998.

Park City Municipal Corporation

By: Charles P. Klingenstein
Charles P. Klingenstein, Mayor Pro Tem

ATTEST: City Clerk

By: Janet M. Scott
Janet Scott, City Recorder



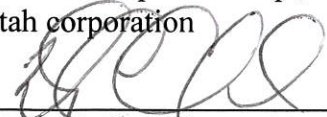
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Approved as to Form:


Jodi Hoffman, City Attorney

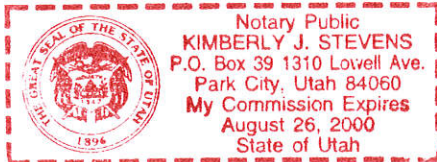
DEVELOPER:

Powdr Development Corp.,
a Utah corporation


By: Douglas Clyde, President

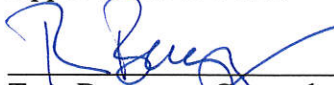
STATE OF UTAH)
 SS
COUNTY OF Summit)

The foregoing Agreement was acknowledged before me this 25 day of June, 1998 by Douglas Clyde, President of Powdr Development Corp., who executed the same on behalf of said corporation.

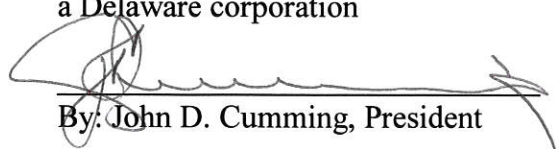



NOTARY PUBLIC

Approved as to Form:


Tom Berggren, Counsel to Powdr Development Corp

Powdr Corp.,
a Delaware corporation

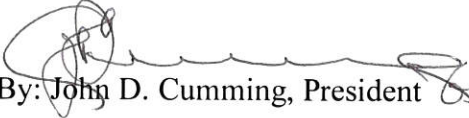

By: John D. Cumming, President

Approved as to Form:


Tom Berggren, Counsel to Powdr Corp

Greater Park City Corp.,
a Utah corporation

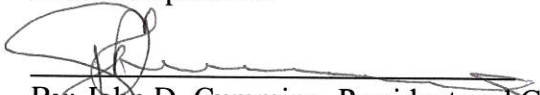
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By: John D. Cumming, President *Greater Park City Corp*

Approved as to Form:


Tom Berggren, Counsel to Greater Park City Corp

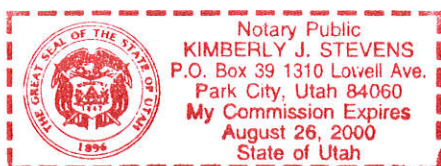
Park City Ski Holidays,
a Utah corporation


By: John D. Cumming, President and General Manager
Approved as to Form:


Tom Berggren, Counsel to Park City Ski Holidays

STATE OF UTAH)
 SS
COUNTY OF *Summit*)

The foregoing Agreement was acknowledged before me this 25 day of June, 1998 by John D. Cumming, President of Powdr Corp., Greater Park City Company, and Park City Ski Holidays, who executed the same on behalf of said corporations.




NOTARY PUBLIC

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Housing Mitigation Plan

Base Area Parking Lots

02/11/2020

RECEIVED

FEB 13 2020

PARK CITY
PLANNING DEPT.

In conjunction with its submission of a new proposed Master Site Plan for the redevelopment of the base area parking lot parcels, PEG Development proposes the following housing mitigation plan. The proposed plan is intended to satisfy the requirements of the March 25, 2015 Master Planned Development, Development Agreement, and Mountain Upgrade Plan Amendments and Conditional Use Permit. Pursuant to MPD Condition of Approval #3, unless section 2.2 of the Development Agreement is satisfied an updated housing plan is required to be presented to the Housing Authority, either independently or in conjunction with a Small Scale MPD/CUP.

Background

The 1998 Development Agreement requires the construction of 80 beds. (DA Section 2.2 Employee Housing). The Marriott Mountainside, located on Parcel A, was constructed in 2001 without providing any of the required beds.

The March 25, 2015 action identifies 23 beds as the outstanding requirement for the Marriott Mountainside pursuant to a pro-rata allocation based on square footage for the project (findings of fact #116) and indicates that the Developer under the Development Agreement is responsible for providing those beds. As required, PEG has incorporated fulfillment of this outstanding obligation within the proposed updated housing mitigation plan and new proposal for the base area.

Proposed Plan

In compliance with Condition #3 of the Development Agreement, PEG, in conjunction with the new Master Site Plan, proposes that the 57 remaining bed requirement of the DA be replaced and updated to meet the current 2017 Park City Affordable Housing Guidelines.

The 2017 Park City Affordable Housing Resolution identifies a total affordable housing square footage requirement for various commercial uses based on an employee mitigation calculation.

The 2017 Park City Affordable Housing Resolution regarding for sale condominiums requires 15% of units to be affordable units. Each affordable unit is calculated as 900 SF per the Resolution.

Per the Resolution's stated methodology and PEG's classification of the square footages by use in the proposed Master Site Plan, the required affordable housing square footage for the proposed project is shown on the attached calculations in Table 1. The square footage and number of units provided under the 2017 Resolution is significantly more than the remaining 57 beds currently required.

While a direct comparison between the Development Agreement requirement of 57 beds and the current resolution (i.e. beds vs square footage) is a little like comparing apples and oranges, the proposed plan based on the Master Site Plan provides 72,453 sf of net affordable housing, which results in approximately 59 units in a mix of 1, 2 and 3 bedroom configurations with a total of 141 bedrooms. This calculation excludes the Parcel A requirement of 23 beds, which further increases the total affordable beds included in the proposed project to approximately 164 beds, 200% of the requirement in the original Development Agreement. The 23-bed requirement would be fulfilled by building three dorm style units with 8 beds per unit, totaling 24 beds. The final count of units/bedrooms may adjust slightly with final preparations of plans and to address City input. However, the required square footage

will be provided per the requirements of the Resolution. Calculations for the affordable housing are shown on Table 1.

All employee, affordable and attainable housing would be deed restricted and subject to Park City affordable housing guidelines including rent and sales restrictions.

All the affordable housing will be built in the first phase of the proposed project and located on Parcel B. The parking structure would be built and occupied first. Following occupancy of the parking structure, the market rate condos, affordable housing on Parcel B, and parking garage on Parcel C would start construction. A certificate of occupancy for the affordable housing will be obtained before or concurrent with the issuance of a certificate of occupancy for any market rate for sale condos. A site plan and floor plans for Parcel B, including the parking, market rate condos and affordable housing are attached as Exhibit A.

Table 1

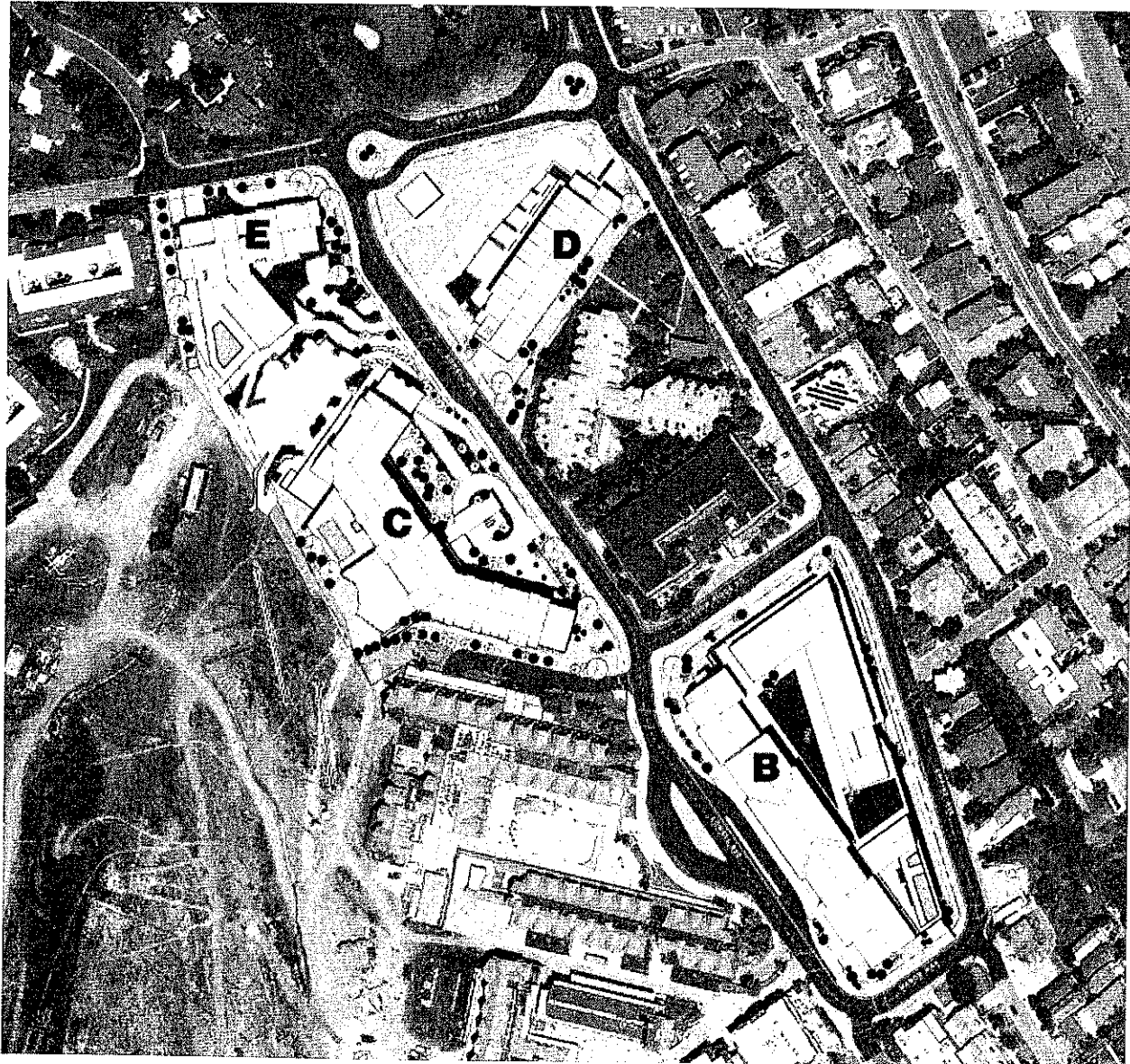
PEG Companies

AH Calculation

Employee Generation Calculation									
Category	Square Footage		Parcel	AH Classification	AH Calculation				
	Gross	Net			FTE	Mitigation Rate	Workers per Household	Total Units	Total Net SF
Retail		1,484	B	Commercial/Retail	3.3	20%	1.5	0.7	588
Day Skier Lockers		1,318	B	Professions Services	1.3	20%	1.5	0.2	206
Day Skier Lockers		1,674	B	Professions Services	1.3	20%	1.5	0.3	261
Parcel B Total	0	4,476						1.2	1,054
Skier Services		10,314	C	Commercial/Retail	3.3	20%	1.5	4.5	4,084
Retail		2,691	C	Commercial/Retail	3.3	20%	1.5	1.2	1,066
Ticketing		1,368	C	Commercial/Retail	3.3	20%	1.5	0.6	542
Retail		1,334	C	Commercial/Retail	3.3	20%	1.5	0.6	528
Hotel		250 Rooms	C	Lodging/Hotel	0.6/room	20%	1.5	20.0	18,000
Ballroom		5,594	C	Independent Calculation	1.3	20%	1.5	1.0	873
Jr. Ballroom		1,819	C	Independent Calculation	1.3	20%	1.5	0.3	284
Spa		3,087	C	Other Professional Services	3.7	20%	1.5	1.5	1,371
Fitness Center		1,778	C	Professions Services	1.3	20%	1.5	0.3	277
Meeting		1,237	C	Professions Services	1.3	20%	1.5	0.2	193
Meeting		1,221	C	Professions Services	1.3	20%	1.5	0.2	190
Meeting		1,221	C	Professions Services	1.3	20%	1.5	0.2	190
Meeting		1,221	C	Professions Services	1.3	20%	1.5	0.2	190
Meeting		1,877	C	Professions Services	1.3	20%	1.5	0.3	293
Retail		2,232	C	Restaurant/Bar	6.5	20%	1.5	1.9	1,741
Retail		5,605	C	Restaurant/Bar	6.5	20%	1.5	4.9	4,372
Kitchen		3,464	C	Restaurant/Bar	6.5	20%	1.5	3.0	2,702
Parcel C Total	0	46,063						41.0	36,896
Retail		2,354	E	Commercial/Retail	3.3	20%	1.5	1.0	932
Retail		2,842	E	Commercial/Retail	3.3	20%	1.5	1.3	1,125
Ski Club		9,690	E	Independent Calculation	0.5	20%	1.5	0.6	581
Medical Clinic		2,276	E	Medical Profession	2.9	20%	1.5	0.9	792
Ski Patrol		686	E	Other Professional Services	3.7	20%	1.5	0.3	305
Retail		4,289	E	Restaurant/Bar	6.5	20%	1.5	3.7	3,345
Parcel E Total	0	22,137						7.9	7,081
Retail		13,007	D	Commercial/Retail	3.3	20%	1.5	5.7	5,151
Retail		1,740	D	Commercial/Retail	3.3	20%	1.5	0.8	689
Dock		992	D	Commercial/Retail	3.3	20%	1.5	0.4	393
Retail		4,757	D	Commercial/Retail	3.3	20%	1.5	2.1	1,884
Parcel D Total	0	20,496						9.0	8,116
Project Total	0	93,172						59.1	53,148

Residential Generation Calculation								
Category	Units	Square Footage		Parcel	AH Classification	AH Calculation		
		Gross	Net			Mitigation Rate	Total Units	Total Net SF
Condo	60	155,369		B	Residential	15%	9.0	8,055
Condo	44	70,063		E	Residential	15%	6.6	5,895
Condo	40	71,621		D	Residential	15%	6.0	5,355
Total	143	297,053					21.5	19,305

Exhibit A -Floor Plans Attached



Council Agenda Item Report

Meeting Date: October 13, 2020

Submitted by: Dave Thacker

Submitting Department: Building

Item Type: Work Session

Agenda Section:

Subject:

4:50 p.m. - Noise Ordinance Update

Suggested Action:

To collect public input and hold a work session discussion to discuss the noise ordinance.

Attachments:

[Noise Ordinance Staff Report](#)



City Council Staff Report

Subject: Noise Ordinance Update
Author: David Thacker, Chief Building Official
Michelle Downard, Resident Advocate
Department: Building Department, Public Safety and City Attorney's Office
Date: October 13, 2020
Type of Item: Informational

Recommendation

Consider a recommendation to change to the Park City Municipal Code to no longer exempt mechanical equipment from the City's noise regulation.

Background

Noise is a common quality of life concern for local jurisdictions, residents, and neighborhoods. Recently, noise concerns between residents within the densely populated areas of Old Town have become more apparent. Park City's Municipal Code currently exempts "permitted mechanical equipment in working order regardless of the time or frequency of operation" ([LMC 6-3-10 K](#)) from noise control regulations. Residential structures in the Historic District are very close together and noise, however faint, can be disturbing and result in disagreements and complaints between neighbors.

Over time, PCMC has received numerous requests to consider a more stringent noise regulation. Specifically, that the City should require mechanical equipment to meet the adopted dBA standard for residential areas without exemption.

Staff reviewed ordinances from other jurisdictions to understand what has been successfully implemented around the State and country. We felt the language used in Salt Lake City, West Valley, Ogden, and Boulder, CO, were most applicable to Park City. None of these jurisdictions had an exemption for mechanical equipment noise, and we could similarly amend our own Noise Ordinance if desired by Council.

Analysis

Below is an informational update of the Noise [Ordinance 2017-53](#), Title 6 Chapter 3 of the Municipal Code, adopted November 16, 2017 ([packet, pg 238](#)). Enforcement staff worked in cooperation with the Building, Police, and Special Events to consistently enforce the Ordinance. To date, staff believes the additional restrictions and clarifications have proven effective.

In February 2020, Council requested staff re-evaluate the effectiveness of the noise ordinance in the Historic District as a result of specific concerns related to mechanical equipment. Staff met with residents and conducted field observations. During these observations staff found noise levels to be compliant with the adopted City standards.

Decibel Levels

Amendments throughout Title 6 Chapter 3 were intended to generally maintain the noise standards (65 dBA), while adding specificity for the commercial and residential use districts, and day and evening. This is consistent with the noise ordinances in Salt Lake City, West Valley, Ogden, and Boulder, CO.

<u>Use District</u>	10:00 P.M. – 6:00 A.M.	6:00 A.M. – 10:00 P.M.
Residential	50 dBA	55 dBA
Commercial	60 dBA	65 dBA

Additionally, to maintain current noise standards, the Ordinance specifies that when noise can be measured in more than one land use category (residential and commercial), the limits of the least restrictive use (commercial) shall apply.

Mechanical Equipment Noise

Staff evaluated several locations for mechanical equipment noise, and although the mechanical equipment of each location met the current noise standards, complaints are still being generated particularly from one resident. During the February 2020 City Council Meeting, Councilmember Henney requested staff take a deeper dive to determine if the adopted dBA is appropriate for the Historic District, relative to mechanical equipment noise, due to the topography, proximity of structures, and additional challenges associated with the Historic District dynamics.

Enforceability

The current Code contains provisions for effective enforcement with either administrative or criminal enforcement paths. To ensure that enforcement staff is confident in their ability to enforce noise regulations, staff received training from both the sound meter vendor and interdepartmentally. Additionally, a brief overview has been incorporated within Public Safety's monthly training.

Generally, the noise ordinance requires a 10 minute measurement period. This creates a potential resource issue for enforcement staff, who receive the majority of noise complaints at night. However, this 10 minute measurement period also provides more confidence in both enforcement and prosecutorial abilities and is typically only required after a first warning has been unsuccessful. Staff recommends maintaining the current standard and intends to continue monitoring the workload impacts.

Department Review

The Building, Public Safety, Legal, Special Event, Planning, and Executive Department have been reviewed and provided input into this staff report.

Council Agenda Item Report

Meeting Date: October 13, 2020

Submitted by: Jed Briggs

Submitting Department: Budget, Debt & Grants

Item Type: Work Session

Agenda Section:

Subject:

5:20 p.m. - Social Equity Update

Suggested Action:

Staff recommends Council give direction on the next steps for the Critical Priority of Social Equity.

Attachments:

[Social Equity Staff Report](#)

[Exhibit A: Social Equity Goals and Objectives](#)

[Exhibit B: Affordability & Equity Strategic Pillar](#)

City Council Staff Report



Subject: Social Equity Update
Author: Jed Briggs, Lynn Ware Peek, Enrique Sanchez and Jolene Weston
Departments: Budget, Community Engagement & HR
Date: October 13, 2020
Type of Item: Informational

Summary Recommendation

The COVID-19 pandemic has brought many troubling aspects of social inequity within our community to the forefront. Social Equity is a Critical Community Priority for Park City Municipal, and was recently reaffirmed by community members through our visioning process as an item of community focus. In many respects, with the continuation of the pandemic, our work in this area has become even more critical and urgent.

Staff recommends Council review the following update and provide direction on proposed next steps to continue the City's progress on furthering various Social Equity initiatives underway.

Background

Municipalities play a considerable role in shaping and perpetuating the quality of life of residents and businesses. Addressing social inequities to ensure the better inclusion of all residents strengthens our community and increases its long term sustainability. Equity and inclusion create more sustainable and connected towns where people from all walks of life can more easily participate in the full social, economic, political, and cultural aspects of life. Park City can continue to support equity and inclusion by prioritizing policies and programs centered on creating greater social equity.

In 2019, the City partnered with the Park City Community Foundation (PCCF) to elevate the social equity concept and conversation through a community convening process. PCCF brought a coalition together to perform a social equity self-diagnosis, identified social equity resources and gaps, prioritized the most significant and addressable social equity issues (short- and long-term), developed a multiyear Strategic Plan, and collaborated with the City to ensure additional funding was available to the most vulnerable populations amidst the COVID pandemic.

The [Community Social Equity Strategic Plan](#) identified three priority areas - Housing, Education, and Inclusion – which were identified through a nine-month convening process to achieve more equitable outcomes. Local leaders from the three priority areas and members of the communities experiencing disparities were central to the creation of the Plan. The areas of income/wages, transportation, and healthcare were also identified as drivers of inequity and included in the plan as interlinked to the rest.

Learning about issues that impact underrepresented populations is key to the creation of a more socially equitable community. The PCCF is taking the lead on the coordination of a community-wide Learning Cohort, an 18-month program comprised of 20 community-based organizations that will learn together how to advance diversity, equity, and inclusion within their own organizations. Park City supported the cohort's effort through a Special Service Contract, and City leaders and staff plan to participate.

In addition, staff has also undertaken considerable efforts within the Park City Municipal organization to create a more welcoming and inclusive work environment for both employees and members of the public. Staff spearheaded an Internal Social Equity Task Force comprised of employees from traditionally underrepresented populations to identify goals and action items.

Below is a list of action items that are either completed or underway:

Goal: Affordability – Identify areas where we can positively impact the cost of living

Action items:

- Contributed \$150k to non-profits to support community's most vulnerable during COVID;
- Reduced or eliminated programmatic entrance fees for Ice, Library and Parking
- Ongoing recreation scholarship program for members of the community that qualify for the school free & reduced lunch program (SNAP). 116 kids currently receive scholarships for this program with support from the Salomon Fund
- Provide free access to the MARC on Mondays for PCSD kids between 2-4 p.m
- Provided rent abatement for PCMC tenants
- Waived water and storm water fees and interest for those with balances and late payments
- Redeployed PCMC staff to assist front line non-profit providers
- Hosted new affordable homeowner orientation and financial planning education seminars.

Next Steps:

- Determine best use of the money reserved within the FY21 budget to further support vulnerable populations impacted by COVID-19
- Add a new housing specialist position to focus on providing more individualized homeowner support, bilingual programming, mortgage assistance and financial planning resources
- Recreation and Ice are working on a sliding scale fee program based on household income

Goal: Inclusion – Engage and empower diverse experiences to foster an inclusive community

Action items:

- Completed the Human Rights Campaign MEI (Municipal Equality Index) study to assess and establish baselines for PCMC's inclusion, diversity, and equity
- Established a bilingual community outreach police officer position within the Police Department
- Created the Resident and Business Advocate position
- Initiated new HOA outreach programs using the Resident and Business Advocate
- Teach and provide drivers education training in Spanish

Next Steps:

- Create a LatinX Youth Collaboration Team to develop future local LatinX leaders that are more likely to engage in leadership positions throughout greater Park City
- Develop an internal LGBTQ organizational task force to help implement areas of focus identified in the MEI assessment.

Goal: Enhance Communication – Determine the best channels of communication and use them to engage all of our community members

Action items:

- Hosted Coffee with Council and Friday Roundtable events on racial inequalities and bias in Park City
- Formed the online *Mensaje a la Comunidad Hispana de Park City* series, which presents Spanish speaking community experts on topics specifically related to the LatinX community

Next Steps:

- Create a Park City Municipal Facebook page in Spanish to lead communication and information dissemination to the Spanish speaking community
- Increase dissemination of City-sponsored Spanish language outreach materials
- Update policies, codes, and ordinances to use gender neutral pronouns

Goal: Equal Access – Strive for equitable public administration of services regardless of identity

Action items:

- PPE distribution to employees, residents, businesses, and visitors
- PPD distribution to high density apartment buildings in partnership with the Christian Center and PCCF
- Offer live Spanish interpretation/translation at strategic, key, or important public or community meetings
- Develop a Sledge Hockey program at the Ice Arena in partnership with National Ability Center

Goal: Issue Awareness - Identify and address our diverse community concerns and interests

Action items:

- Launched the Vulnerable Population Virtual Working Group - a collaboration of Park City-Summit County organizations to support vulnerable populations during the COVID-19 response
- Expanded the Police Complaint Review Committee to include more diverse members.

Next Steps:

- Expand the Implicit Bias training within Park City Municipal

Goal: Reflect Community Diversity - Remove barriers to participation and encourage involvement in local government and community groups

Action items:

- Expanded job posting locations to widen the pool of candidates and create a more diverse application mix
- Developed a career recruitment partnership with the University of Utah Diversity, Equity and Inclusion department
- Working with Bright Futures and Dream Big to create internships for high school students with various City departments

Next Steps:

- Create a senior leadership position at the Library to lead the Spanish Services Program
- Expand the Police Explorer Program to include more diverse community participation
- Work to encourage more diversity on PCMC Boards, Commissions, and Council

Discussion

Although PCMC has done a lot of work over the course of the past few years to increase diversity, inclusions, and education, there remains much to be accomplished. Social Equity is a community initiative, not merely a municipal goal or function, and we continue to seek ways to improve as an organization, and create momentum and support for stakeholders to join the movement towards a more inclusive and welcoming community.

What role should the City play through its programs and where can the City support other community efforts to further this goal?

Department Review

The following departments have reviewed this staff report: Budget, Community Engagement, Human Resources, Legal and Executive.

Exhibits

- A. 2018 Internal Social Equity Task Force Goals and Objectives
- B. 2020 Visioning: Affordability and Equity Strategic Pillar

Social Equity Resource Goals and Objectives

1. Affordability – Identify areas where we can positively impact the cost of living
 - a. Housing – Support the efforts to provide the community a range of affordable, quality housing opportunities that meet the life-cycle needs of persons for lower and middle income levels. Oversee program to mentor and educate Park City individuals and families in the process to secure housing or rental where possible. Work to locate, create, and advocate for close proximity housing for PCMC employees.
 - b. Early Childhood Education - Support efforts for affordable, quality, and adequate education and childcare for all who need it. Explore means to assist with lower income childcare services on a community wide scale by working with non-profits or others. Explore and evaluate employee day care or stipend for any personnel at the City.
 - c. Other Cost of Living Expenses – Look to improve cost of living where possible. Work with Social Equity Advisory Committee to develop a plan to raise awareness of living wages in Park City. Create and sustain community HUB to provide awareness for housing and employment legal issues.
 - d. City Costs - Work with departments on evaluating fees and how they impact low and middle income people.
2. Inclusion – Engage and empower diverse experiences to foster an inclusive community
 - a. Unite our Diversity – Promote ways to value and appreciate our differences and embrace our common humanity and contributions as the source of our town's strength. Continually assess the diversity of the community and staff and look for ways to celebrate and dialogue about the uniqueness of all people.
 - a. Events/Programs – Support the facilitation of cultural, arts, and entertainment experiences that are meaningful and empowering. Work to make events more inclusive by assessing fees, diverse outreach, access, time of day, etc.
 - b. Inclusive Spaces – Support efforts to provide gathering spaces that connect the services of the community. Work to encourage new developments to assess how they may be impacting everyone in the community (provide social equity lens). Convene more diverse voices in the planning process.
3. Enhance Communication – Determine the best channels of communication and use them to engage all of our community members
 - a. Community Engagement - Execute a variety of methods through which community members can participate in a dialogue. Work collaboratively with the Community Engagement team to research, develop and manage communication methods to underrepresented groups such as website, outreach materials, social media, and printed pieces to inform stakeholders of issues, impacts and engagement opportunities.
 - b. Verbal Communication - Seek out the venues and opportunities of verbal communication that members of our community engage in. For example, provide interpretation services to respond to issues or questions with regards to City services. Interpret at City events or meetings where applicable.
 - c. Written Communication – Provide translation for handouts, documents, and signage where appropriate. Create translation hub where departments can send documents to be translated, (e.g., handouts, SOPs, signs, social media, newsletters, etc.).

- d. Technology - Use new approaches and emerging technologies to continuously discover what resonates with our community. Work with Social Equity Advisory Committee to create and maintain community data hub that shares social equity information, (e.g., events, advocacy, issues, etc.).
- 4. Equal Access – Strive for equitable public administration of services regardless of identity
 - a. Equitable Outcomes - Support City departments to design implementation plans that promote equitable outcomes and measures impact in community.
 - b. Data Assessment - Assist in the collection and analysis of data to inform strategies and tactics for increased equity in City programs and services.
 - c. Accessibility – Increase ease of access and community wide use of services and resource.
 - a. Barriers – Evaluate reasons inhibiting participation and use of programs/services ensuring they are accessible and inclusive to all.
- 5. Issue Awareness - Identify and address our diverse community concerns and interests
 - a. Gather Community Input - Enhance opportunities for our diverse community to provide quantitative and qualitative input through dialogues, town hall meetings, etc. Create community forums to understand issues and needs, and to connect stakeholders with appropriate informational resources and/or staff representatives. Incorporate a sustainable method to constantly assess the City's staff performance and citywide social climate.
 - b. Educate Community - Educate the community so that we can continue to grow awareness of our diverse needs and opportunities. Strengthen awareness and involvement in the community with an emphasis on engaging those from under represented communities.
 - c. Gather Staff Input - Solicit input from PCMC workforce for job-related and/or personnel concerns and interests. Create internal communication process to share ideas/needs with regards to issues stemming from diversity, inclusion, and equity.
 - d. Educate Staff- Educate staff to be able to better serve the community and to create a mindful and inclusive internal work environment. Oversee and manage social equity trainings to decreasing biases, raising awareness of issues, and enhance skills to strength the city's equity goals.
- 6. Reflect Community Diversity - Encourage participation and remove barriers in process of local government and community groups
 - a. Encourage Participation – Invite all to contribute their voice in community processes. Work with the Social Equity Advisory Committee and other community groups to recruit diverse voices to sit on boards and commissions. Create awareness of opportunities for those from under represented communities.
 - b. Staff Diversity – Strive for an inclusive, diverse, and equitable work environment. Advise on hiring and off boarding practices. Continually monitor City culture to ensure an inclusive and welcoming environment.



Affordability and Equity

Cultivating and engaging an inclusive and diverse community, while working to address disparities

- **Housing Solutions** - Implement policy to **shift housing balance back to residents**, by disincentivizing further growth of nightly rental housing and creating more workforce and family housing options.
- **Social Equity** - Develop an intentional approach to **support the needs of specific groups**, including more seniors to age-in-place, affordable childcare, and housing opportunities for underserved groups.
- **Feeling Connected** - Develop an approach to **understand and measure metrics** such as community happiness, contentment, equity, well-being, and sense of belonging.
- **Diversity & Inclusion** - Deepen the efforts to **reach all groups in the community** and build high-trust connections.

A 'living laboratory' that
creates original thinking
and solutions



Council Agenda Item Report

Meeting Date: October 13, 2020

Submitted by: Michelle Kellogg

Submitting Department: Executive

Item Type: Staff Report

Agenda Section:

Subject:

5:50 p.m. - Break

Suggested Action:

Attachments:

Council Agenda Item Report

Meeting Date: October 13, 2020

Submitted by: Mindy Finlinson

Submitting Department: Finance & Accounting

Item Type: Staff Report

Agenda Section:

Subject:

Federal CARES Act Local Government Allocation

Suggested Action:

Attachments:

[Federal CARES Act Local Government Allocation Staff Report](#)

City Council Staff Communications Report



Subject: Federal CARES Act Local Government Allocation
Author: Mindy Finlinson, Finance Manager
Department: Finance
Date: October 13, 2020

As permitted by the U.S. Treasury, the State of Utah is distributing a portion of its Coronavirus Relief Fund (CRF) disbursement provided by the Coronavirus Aid, Relief, and Economic Security Federal Funding (CARES) Act, to Utah's counties and municipalities located outside of Salt Lake County and Utah County. The Federal Government provided \$1.25 billion to Utah state and local governments through the CRF. Based on the CARES Act's distribution formula, \$934.8 million was paid to the State of Utah (State), \$203.6 million was paid to Salt Lake County, and \$111.6 million was paid to Utah County.

The State is distributing a portion of its \$934.8 million payment to eligible counties and municipalities outside of Salt Lake County and Utah County.

The Governor's Office of Management and Budget, in coordination with other stakeholders, developed a population-based formula for determining the allocations to distribute to the eligible counties and municipalities in 3 separate tranches (currently slated for June, Summer, and early Fall). Based on this formula, Park City Municipal Corporation (City) was initially awarded a total allocation of \$750,595. The amount may be subject to revision by the Governor or the Legislature (the third tranche could be population-based or adapted based on evolving conditions). Staff is working with various State officials to expand the formula for better inclusion of the unique tourism communities (population-based formula's do not adequately address the services necessary to support visitation).

As reported to Council on June 25, 2020, the City received \$250,198 in the first tranche. On September 25, 2020, the City received \$250,198 in the second tranche. The intent for this second allocation of funds will mirror the first allocation; cover direct expenditures the City has already incurred in response to the pandemic. Staff recommends reimbursing "hard cost" expenditures incurred in response to the pandemic (i.e., PPE, cleaning supplies, equipment, signage, etc.). After reimbursing hard costs, staff recommends reimbursing allowable payroll expenses from the second allocation (payroll for employees dedicated to COVID19 management, and payroll related to the Federal Family First Act). As of September 26, direct costs expended to date total over \$630,000. Allowable payroll costs total over \$439,000 as of the second payroll run in September.

Based on the permissible use of funds, we can reimburse costs beginning March 1, 2020 through December 30, 2020. The City will have until November 30, 2020, to expend the CRF funds provided by the State. Any amount not expended by November must be returned to the State. The City may petition the State to retain allocated but unspent CRF funds after the November 30, 2020 date with approval from the State.

Currently, the City will not be required to petition the State for any unspent CFR funds as we have spent well over our initial allocation. However, if the State decides to modify the population-based formula for the third tranche of funds, we would then need to petition the State by the November 30 deadline for any unspent funds.

Council Agenda Item Report

Meeting Date: October 13, 2020

Submitted by: Jenny Diersen

Submitting Department: Sustainability

Item Type: Staff Report

Agenda Section:

Subject:

Old Town Winter Transportation Operations Update

Suggested Action:

Attachments:

[Old Town Winter Transportation Staff Report](#)

[Exhibit A: Parking Statistics](#)

[Exhibit B: 2019/2020 Peak Day Traffic Management Plan](#)



City Council Staff Communication

Subject: Old Town Winter Operations Update
Author: Sarah Pearce, Jenny Diersen, Johnny Wasden
Department: Transportation, Economic Development, Parking Services
Date: October 13, 2020
Type of Item: Informational

Summary

This report provides an overview of the Old Town Winter Operations planning that is in various stages of development. Stakeholder meetings and public outreach are well underway and will continue into fall before implementing a final Plan.

In response to the COVID-19 pandemic, Park City adapted quickly to a dramatic shift in the economic and operating conditions to better support local businesses, employees, and visitors. Strategies include: providing Personal Protective Equipment; sanitization of high use/touch public spaces; weekend restroom attendants; Main Street Car-Free-Days to expand outdoor dining and retail flexibility; suspension of paid parking and Drop, Load and Staging zones (DLS); relaxed right-of-way encroachments; and complaint-only based enforcement.

In preparation for this winter under COVID-19 conditions, staff is working on various interconnected programs to continue support for the Old Town area and Main Street, including integrated transit service, traffic monitoring, and parking and curbside management programs. The winter planning process includes additional support for local business, transit service adjustments, a reduction in Special Events, the continuation of neighborhood street pilot programs, and reinstating the DLS and Downtown Parking Management Programs.

Staff is also preparing for shifting modes in how the community will travel due to COVID-19 concerns. Proactively, staff recommends reinstating the operational management programs that support safe, orderly, and balanced access to Old Town. These include paid parking, the DLS program, and additional public safety when visitation is high to support local businesses and manage COVID-19 related conditions.

Stakeholder Feedback

Outreach includes meeting with residents and representatives from various business districts, including HPCA, Lodging Association, Restaurant Association, Park City Mountain, Deer Valley Resort, Summit County, and the Park City School District.

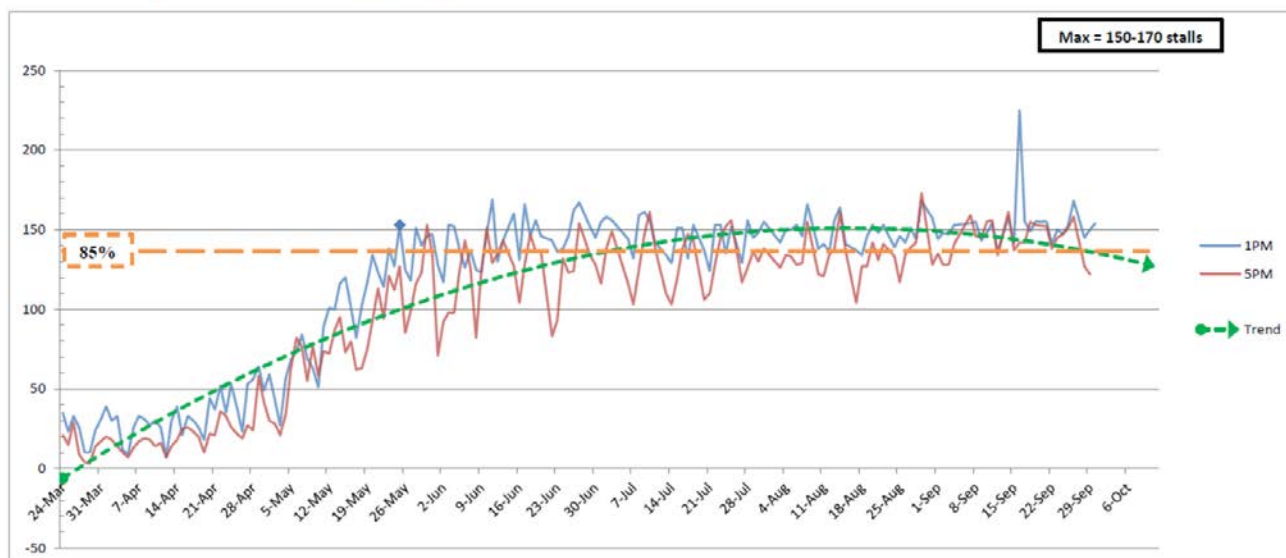
Parking Demand Observations

The [Downtown Parking Management Program](#) has been in place since December 2017. The goals remain – incentivizing transit ridership, reducing traffic congestion, and efficiently allocating parking spot turnover— in order to benefit the health and vibrancy of commercial areas and respect residential neighborhood quality of life.

Recent data collection illustrates a return of consistent parking demand in Old Town, especially Main Street and surface lots where average occupancy is reaching 85%* daily. The Downtown Parking Management Program and industry standards use 85% consistent occupancy as a threshold for paid and permit parking. See Exhibit A for additional Old Town Parking Statistics.

In normal circumstances, paid parking rates seasonally fluctuate in price to appropriately meet demand. A pandemic climate has resulted in unprecedented challenges, making it difficult to determine appropriate pricing; however, with the 2020 summer season observations and looking back to previous year's seasonal data, anticipated increase of single-occupancy vehicles for the 2020-2021 winter season, staff recommends resuming regular parking rates when paid parking returns. As mentioned earlier, staff is finalizing this analysis and plans to return to council with a final plan in the coming weeks.

Time of Day – Main St. Occupancy, COVID Edition



*Main Street Parking is non-delineated, varying vehicle sizes and parking habits of drivers affect totals – 85% occupancy is interpreted as full.

Old Town Employee Parking Options

On [November 9, 2017](#) (p. 178), City Council approved changes to Title 9, including business permit parking, paid and timed parking, free surface parking lots, and various employee options to provide alternative transportation choices when commuting or visiting Old Town. Options include free parking and bus from Kimball Junction park and ride, a temporary offsite employee shuttle from the Homestake parking lot, free daytime parking, free all-day parking at Sandridge parking lot, free carpool permits at key parking lots, and online platforms that match riders for carpooling.

The Downtown Parking Management Program seeks to strike a reasonable balance between competing interests for a limited and expensive resource. At any given time, parking availability is sought by a multitude of stakeholders - employees, visitors, businesses, and residents. As a result, the Parking Management Program and its associated infrastructure includes paid parking, permitted parking, timed parking, free parking, and a free public transit system as options to meet the various demands.

The [Downtown Parking Management Plan](#) provides maps and various parking management initiatives to balance the competing interests in the downtown area.

China Bridge Parking Garage Upgrade

This summer, upgrades to the operations and payment system in the China Bridge parking garage were implemented. The physical gates will remain at entrances and exits to help guide, regulate, and count traffic, yet payment will now be made using the GoParkCity app or at payment stations located throughout the garage. The garage will now be consistent with our other public parking lots in Old Town and will improve customer service, reduce maintenance costs, and improve traffic flows during peak periods and Special Events. It will also create more cohesive data to improve future decision-making.

Before reactivating the paid parking program, staff will implement a thorough communication and outreach plan, and ensure that the 85% threshold is met consistently at least 4 days a week. We are also evaluating our overall parking signage to ensure clarity, as research indicates that 30% of traffic comes from vehicle circulation looking for parking.

Drop, Load, Staging Zones (DLS)

The DLS program was suspended in March due to COVID-19 impacts. Staff has coordinated with stakeholders about reinstating the DLS program to help Old Town handle a predicted increase in winter traffic. Most of the initial stakeholder-feedback has been supportive with minor modifications to improve efficiency for users. Stakeholders outreach has included HPCA, the Lodging Association, and Ground Transportation companies.

Separately from DLS program, which is really focused on alleviating congestion and reducing impacts to residential neighborhoods, staff is also considering curbside pickup locations to support local businesses if inside dining is disrupted due to COVID-19.

Special Events

Events that create significant impacts on transportation, circulation and parking have been temporarily suspended or substantially reduced in scope and scale. As needed, the Special Events team will continue to mitigate the impacts of any winter events and align with public health and safety recommendations.

Transit

As discussed at the [September 22, City Council meeting](#) (p.39), winter transit service was reduced compared to the previous year due to budget constraints and an anticipated reduction in ridership. However, service to and from Main Street and other high ridership areas continue to be a priority. Staff is confident the Main Street transit service levels remain adequate to service the needs of employees, visitors, and residents.

Peak Day Traffic Management

Staff is in the process of updating the 2019/2020 PCMC Peak Day Traffic Management Plan (Exhibit B), which provides a coordinated advance-warning and response system designed to address weather, peak ski days, holidays and Special Events. This work includes variable message signage, off-site parking, public safety control of intersections, transit priority lanes, park and ride, social media, and intersection and major arterial video monitoring and management.

Conclusion

Old Town transportation programs are an integrated system that requires ongoing adjustments and constant oversight to maintain an appropriate balance. At any given time, there are various programs and policies underway that are complementary and directly related – parking impacts transit ridership; Special Events impact resident quality of life and business; businesses require

customers and employees; and everyone needs access to minimum levels of parking and transit services.

Under normal circumstances, this complex system requires a great deal of work and collaboration with important stakeholders and the public. The COVID-19 pandemic will require even more collaboration and is forcing us to rewrite our road map for winter operations. Staff will build upon lessons learned from previous years and remain nimble if we encounter disruptive dynamics due to COVID.

Exhibits

Exhibit A: Parking Statistics

Exhibit B: 2019/2020 Peak Day Traffic Management Plan

Time of Day – China Bridge Occupancy Averages by Hour, 2019 & 2020 - 575 Total Stalls

2019	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
0	107	114	79	36	40	63	78	77	100	90	70	99
1	83	90	60	31	36	56	71	70	93	83	63	83
2	67	71	46	27	32	51	66	64	90	80	63	72
3	62	65	44	27	32	51	65	63	89	80	62	70
4	62	65	43	27	32	50	65	63	89	79	60	70
5	62	66	44	27	32	51	66	64	88	79	60	69
6	65	69	48	31	35	55	70	70	90	83	62	75
7	81	85	64	42	46	68	81	84	101	94	76	93
8	116	126	110	80	81	106	118	123	133	135	113	135
9	158	181	157	125	127	153	171	170	181	183	155	179
10	211	244	206	166	170	204	228	226	251	219	189	222
11	245	288	238	190	198	251	291	271	332	250	220	259
12	280	323	265	200	212	282	328	303	380	275	245	300
13	300	349	282	204	223	305	342	321	376	300	260	332
14	312	361	286	205	224	305	344	324	365	299	255	336
15	312	382	294	199	212	285	322	314	339	291	247	334
16	304	392	287	188	191	259	288	287	312	274	231	316
17	280	364	264	144	148	204	231	242	261	224	191	288
18	266	359	277	118	122	179	209	226	243	198	166	287
19	268	358	306	117	121	185	222	242	236	200	154	289
20	244	330	282	114	112	179	210	227	211	186	139	274
21	207	277	222	93	91	144	170	180	168	147	123	219
22	166	209	156	65	62	101	125	123	132	119	88	174
23	130	150	107	43	45	75	91	91	108	100	79	130
Before 5	166	192	150	106	113	152	176	170	201	170	143	179
After 5	223	293	231	99	100	152	180	190	194	168	134	237
8a-5p	249	294	236	173	182	239	270	260	296	247	213	268

Heat maps show busiest hours of the day, by month, on average. Despite an expectation that after-5PM utilization would be vastly higher than pre-5PM, we tend to see the highest utilization during the 8-5 work day, in late Autumn, and during peak winter season. These trends may change as PCMC implements future rate changes, employee parking programs, or other projects.

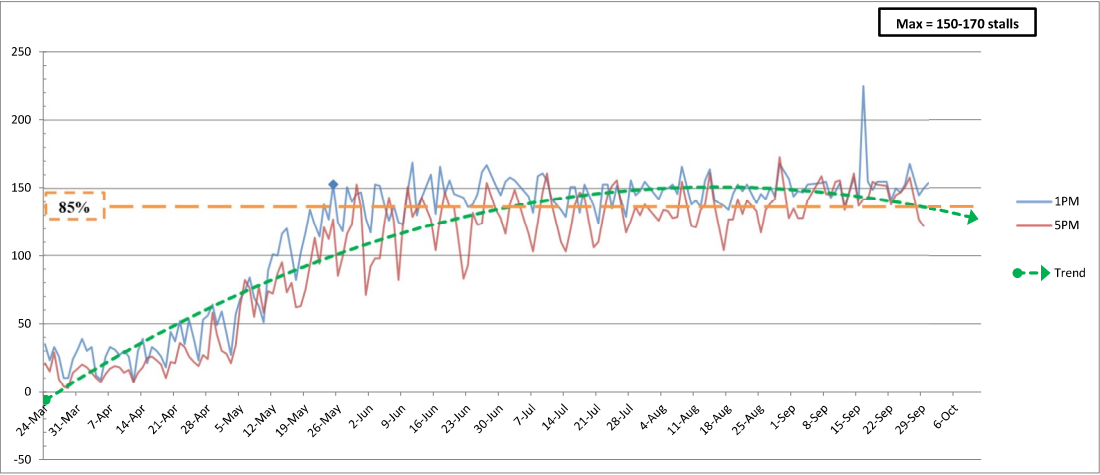
Note: Averages here do not reflect special events or other extenuating circumstances, including dates or times where China Bridge is 100% full or empty. However, at a glance an average of 392 cars at 4pm in February 2019 shows that utilization was extremely high. This is corroborated by the large number of transactions in February shown on the Total Transactions graph below.

2020	Jan	Feb	Mar
0	136	93	165
1	112	83	163
2	97	73	158
3	92	64	158
4	92	68	158
5	87	69	158
6	98	75	163
7	113	97	174
8	156	132	202
9	198	169	219
10	237	203	241
11	277	238	251
12	308	266	257
13	334	289	276
14	336	287	260
15	343	291	262
16	340	281	253
17	317	267	240
18	312	282	235
19	317	291	237
20	296	254	229
21	264	205	200
22	209	142	184
23	163	99	169
Before 5	197	163	207
After 5	268	220	213
8a-5p	281	239	247

April	May	June	July	Aug	Sept
98	116	145	176	185	182
99	122	189	207	233	230
103	121	179	222	284	325

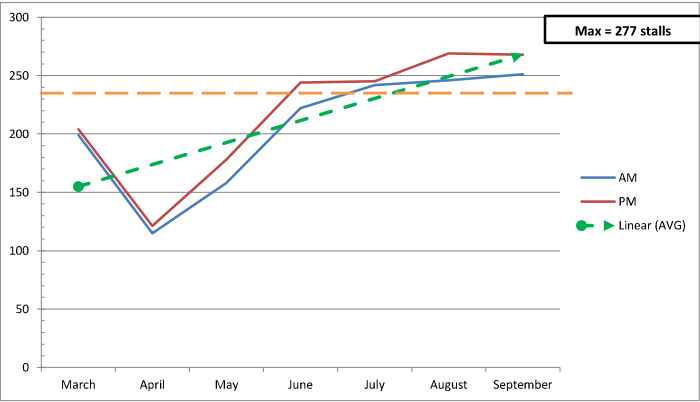
Note: China Bridge's gate technology historically allows for the Parking Department to assess hourly occupancy counts, 7 days a week. Since raising the gates in mid-March, the "auto-count" system is not engaged and totals for the month are incomplete. However, officers have collected lot count data where possible to capture occupancy of China Bridge. Manual counts cannot be as accurate or consistent as automated

Time of Day – Main St. Occupancy, COVID Edition



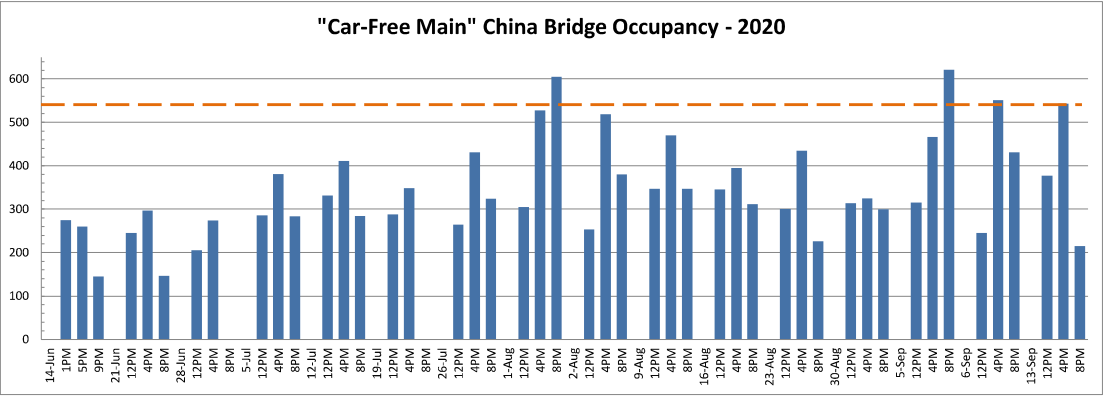
On March 11th the PCMC Parking Department switched our operation to a free-parking model in response to COVID-19 impacts. Through daily morning and evening tracking of occupancy, we have observed a quick increase to parking utilization in Old Town. We first observed Main St. reaching peak utilization in late May. Since then, Main St. has consistently hit maximum occupancy almost every day.

Several factors have impacted the Main St. corridor in 2020, including a free dining deck program, and car-free weekend events. Our data suggests that free parking has pushed Main St. over capacity, regardless of peripheral factors. We hope to gradually return to a paid parking model before our peak winter season hits, while maintaining some free parking assets in Old Town for visitors and employees.



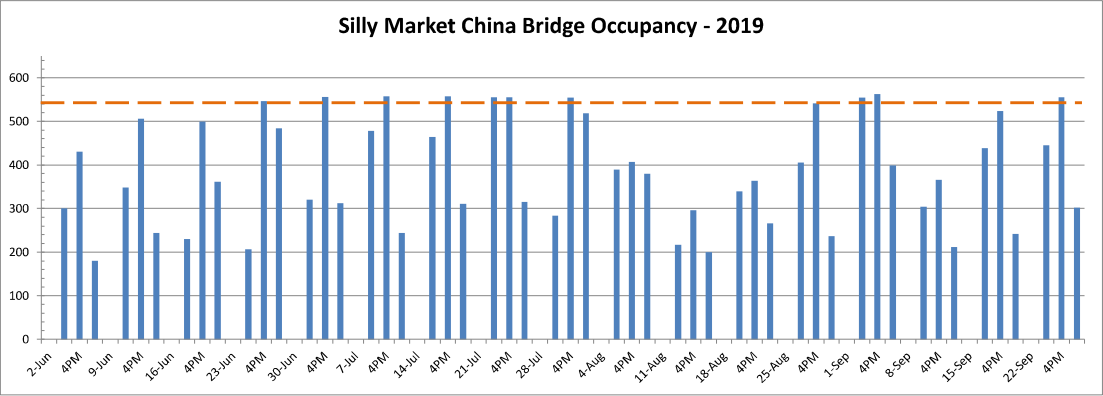
Monthly surface lot occupancy averages are displayed on the left. Trends align with Main Street in that a strong March trended downward after COVID-19 impacts, then quickly returned to high levels of occupancy. Lots include Flagpole, Bob Wells, Swede Alley, North Marsac, BrewPub, and Sandridge North and South

Events – China Bridge Car Free Weekend Occupancy - 575 Total Stalls



Manual data collection has consistently shown that car-free weekends have increasingly resulted in high-utilization of Old Town parking assets.

Events – Silly Market Occupancy



PEAK DAY TRAFFIC MANAGEMENT PLAN



Prepared by: Park City Municipal Corporation
Revised For: Winter 2019-2020



Overview

Park City Municipal Corporation's Peak Day Traffic Management Plan ("Peak Day Plan", or "The Plan") provides for a pre-planned and coordinated advance warning and response system designed to address weather, peak ski days, holidays or other special events that have the potential to significantly impact traffic operations.

The activation and ongoing operations of the Peak Day Plan is the responsibility of the City's Transportation Planning Division, however, this responsibility can be delegated to appropriate Management Team staff with concurrence from the City Manager's office.

Key functions of the Plan include:

- Pre-identification of peak traffic days
 - Thanksgiving
 - Christmas through New Year's (8 days)
 - Dr. Martin Luther King Weekend
 - Sundance
 - FIS World Cup
 - President's Weekend
 - 4th of July
 - Tour of Utah
 - Kimball Arts Festival
 - Miner's Day Parade
 - Halloween
- Initial weather event monitoring (winter events)
- Initial notification to internal departments
- Gathering & dissemination of critical transportation and traffic information to internal staff and external partners
- Contracting and staffing of Park City's Traffic Command Center (TCC) on peak days
- Pre-event dissemination of information
 - Inform Key Managers of Status
 - Contact Managers and Incident Commanders for Information
 - Receive and Respond to Media

Questions The Plan consists of four primary elements:

1. Traffic & Weather Information Monitoring

This element involves gathering and analyzing both long term and real-time weather and traffic information using the following sources:

- a. National Weather Service forecasts to determine as early as possible timing/severity/duration of approaching weather events.

Forecasts available at www.weather.gov.

- b. Chamber Bureau daily occupancy reports for Park City
 - Information provided monthly, can be provided by alexis.verson@parkcity.org, or for internal folks: found in the following City-wide folder <H:\Alfred\Agencies\Chamber\Lodging\Weekly>
 - c. Traffic Camera Monitoring
 - Security Desk (City cameras)
 - Park City TCC operations, when staffed
 - UDOT cameras <http://udottraffic.utah.gov/>
 - Preemptive signal timing request 801-887-3700 and 801-887-3702
 - d. Special Event Calendar
 - City Outlook Calendar
 - Input and direction from the City's Special Event team
 - e. Direct communication with Resorts on parking and ticket sales
 - See Attachments A and B
 - f. Blynscsy data (or other Bluetooth tracking)
 - See Attachment B
 - TCC has login to Blynscsy's Pulse dashboard
 - g. Google Maps
2. Information Dissemination
- Social media – Linda Jager linda.jager@parkcity.org
 - Greater Park City Transportation Management Association (text 975-785-6336)
 - Radio (KPCW direct line 435-649-0135)
 - Variable message signs coordinated with PC Public Works, Resorts, County, and UDOT
3. Traffic Control
- PCMC Internal: The Park City Police Department (PCPD) peak day staffing plan & locations can be found here: <H:\Transportation Planning\Programs\Peak Day Transp Plan\Winter 19 20>
 - Chief Carpenter AND Captain Leatham should be notified 72 hours in advance of requiring additional resources.
4. Roadway Treatment
- PC Public Works plow in advance of load-in and especially load-out.
 - May require additional clearing for stationing of PCPD officers at key intersections (which should be coordinated no less than 48 hours in advance.)

Activation Levels and Staffing:

A level of Alert when a weather event of sufficient magnitude to threaten efficient road operations occurs at a time when town is fully occupied and/or ski area parking is at or beyond capacity. Handling an incident requires coordination between more than one City department. Park City personnel handle the event with City resources, mutual aid, and resource sharing.

Emergency Notifications and Warning:

City resources are dispatched in coordination with Transportation Planning, Public Works, and the Park City Police Department (including Emergency Manager). The responsibility for after hours notifications rests with the Summit County Sheriff's Office Public Safety Dispatch, in accordance with established protocols. The Park City Police Dispatch is a 24 hour, 7 day a week operation. The Summit County Communications Center is equipped with an uninterrupted power system and emergency generator, which activates when central power is lost.

The City Manager, Emergency Management Staff, and Police Command level personnel may request Dispatch to make notifications and issue warnings if conditions warrant such. Conditions to be considered include threat to life and property, and safety of the City responders. Notifications and warnings will be carried out in accordance with the City's Comprehensive Emergency Management Plan.

An Emergency Mass Notification System (EMNS) is available to notify the general public, other agencies, local businesses and citizens as needed. Key City and Dispatch staff have the ability and training to access and initiate this system.

The Traffic Command Center (TCC) is located in the Park City Police Department. It is staffed during Level 3 special events and higher by personnel with special clearance, and during peak days as directed by Transportation Planning. Direct communication is at the following numbers:

TCC Primary: 435-615-5366

TCC Secondary: 435-615-5365

TCC Conference Table: 435-615-5367

When staffed, all communication should be coordinated through the TCC including Variable Message Sign (VMS) protocols, weather events, traffic incidents, and signal protocols. A staffing plan and contact list has been distributed with this document, please reference it to determine when the TCC is staffed, and what the communication protocols are.

Please see the excel spreadsheet provided with this document for TCC staffing schedule and contact information.

Park City-owned portable VMS can be activated or deactivated by logging on to www.wancofleet.com. Transportation Planning (Alfred Knotts) and Streets (Troy Dayley) lead on this messaging.

UDOT VMS require pre-approval from UDOT TOC and pre-approval must be requested three days in advance. To coordinate messaging with UDOT, please go through alexis.verson@parkcity.org.

Standard Operating Procedures

Advance and day of communication is essential to effectively implement this plan, to ensure quality of life for residents, maintain and enhance the visitor experience, and foremost, ensure the safety of the public. Attachment A outlines the gathering and flow of information related to Peak Day traffic

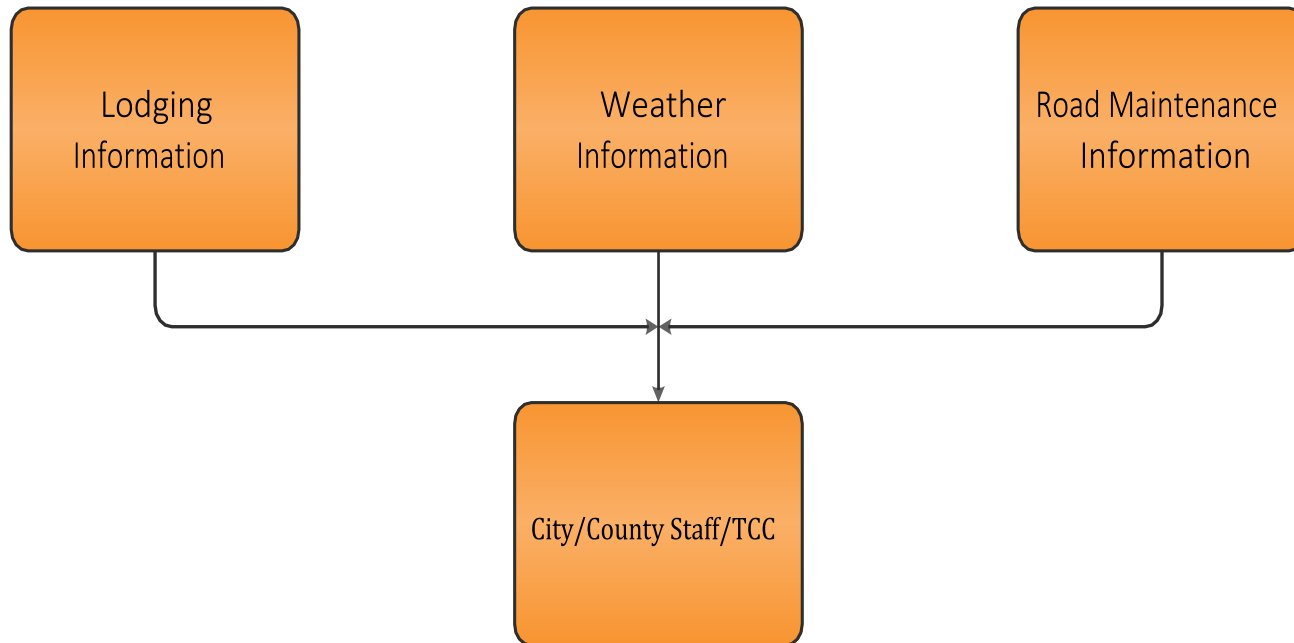
management. Pre-Peak Day Preparation Procedures and Peak Day Standard Operating Procedures are included herein as Attachment B and are to serve as guidance to the designated “Peak Day” Transportation Demand Manager.

Amendments

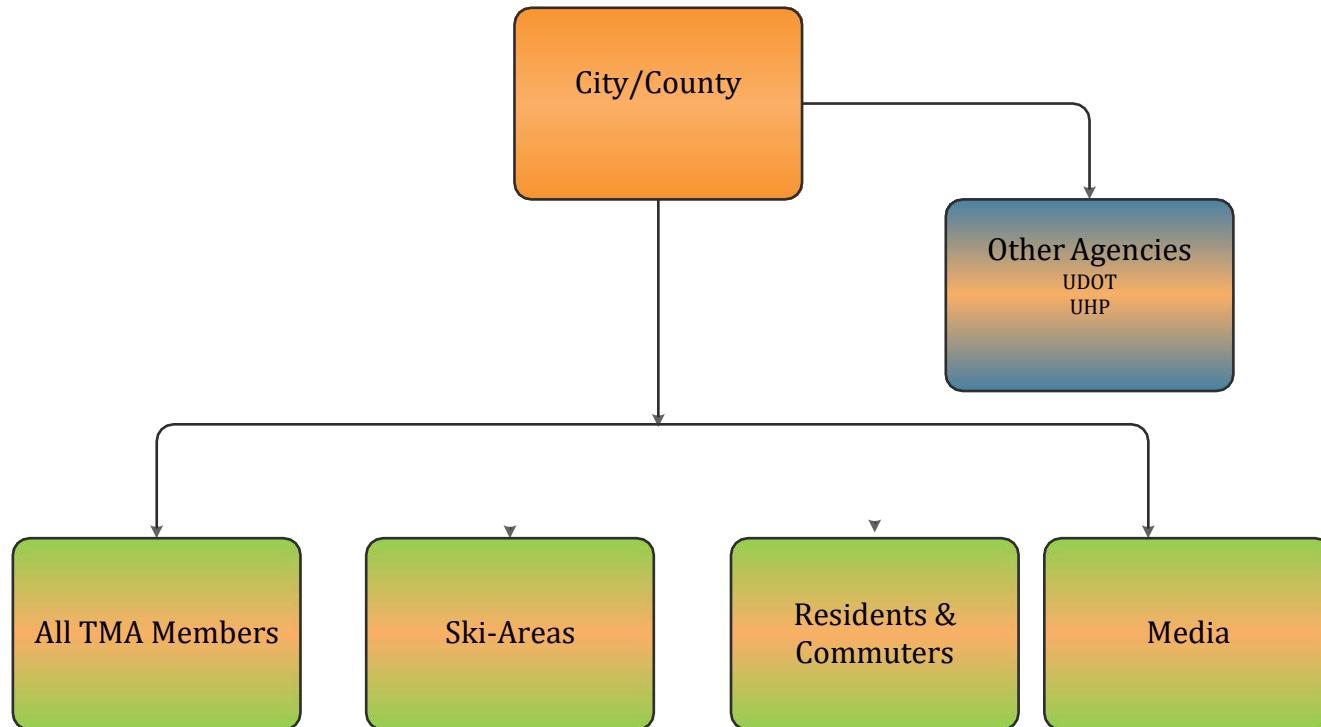
Amendments to this document may occur as necessary and/or when new information or City procedures/services are added, eliminated, or modified. All amendments shall be reviewed and approved by the Public Works Director, Transportation Planning Manager, Chief of Police, and Emergency Manager captured in the “Amendment Log” included hereinto as Attachment C.

ATTACHMENT A

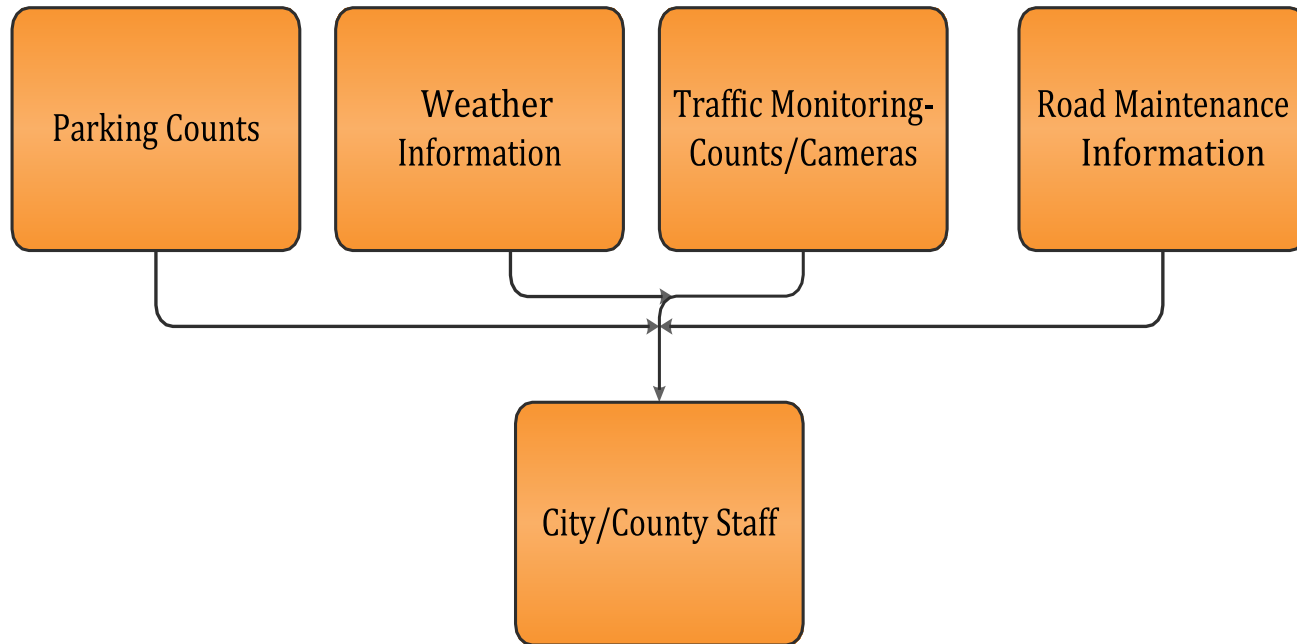
Pre-Peak Day Gathering Information



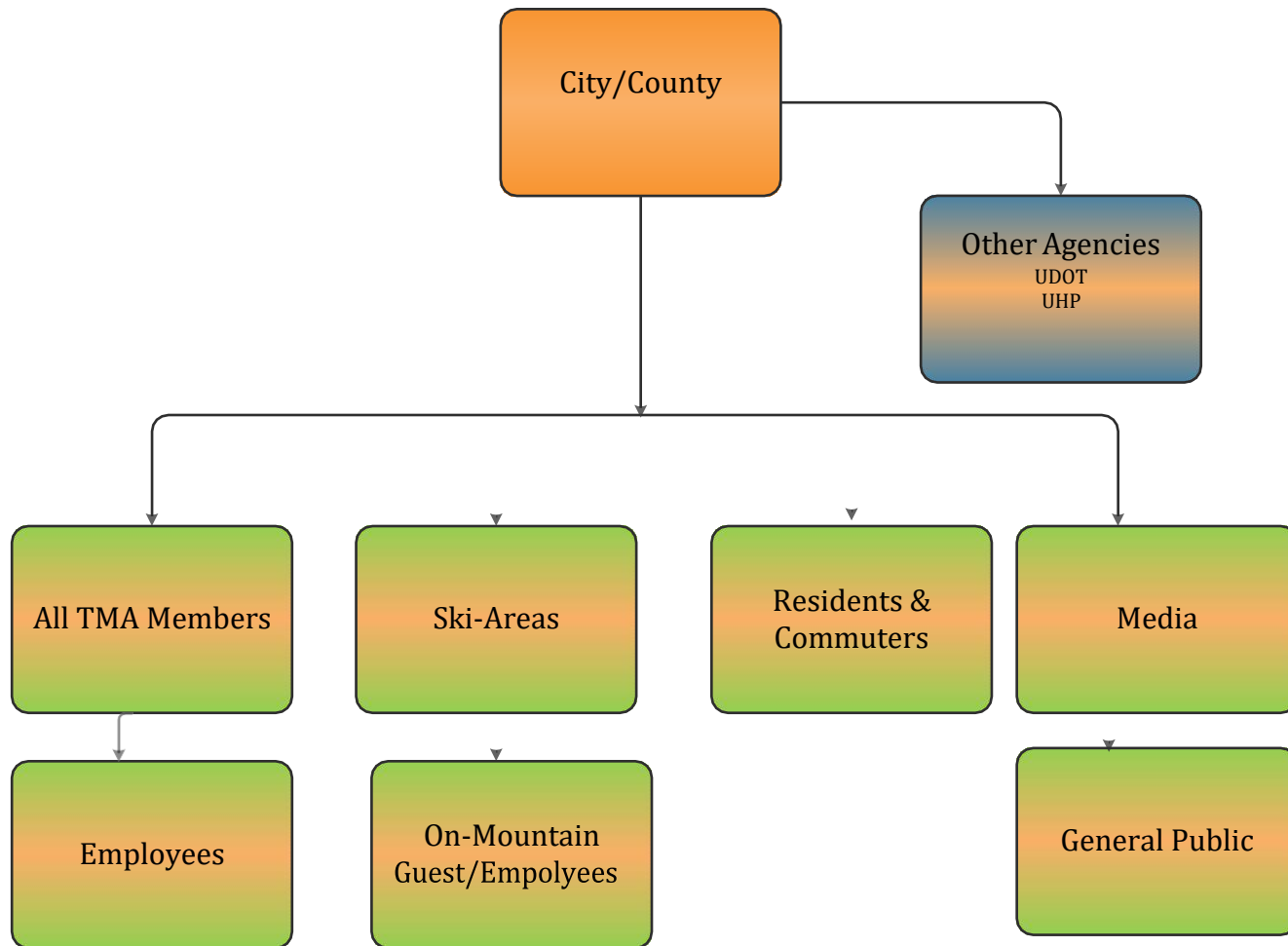
Pre-Peak Day Dissemination of Information



Peak Day Gathering Information



Peak Day Dissemination of Information



ATTACHMENT B

PRE-PEAK DAY PREPARATION CHECKLIST

Timing	Description	Action	Contact Information/Data Source	Completed: Y/N/NA	Findings (if applicable)
Beginning of each week	Lodging	Check weekly lodging tallies provided by Chamber	H:\Alfred\Agencies\Chamber\Lodging\Weekly or the Park City Chamber, membership@visitparkcity.com		
Beginning of each week	Events	Check Special Events Calendar	jenny.diersen@parkcity.org		
72 hours prior to Peak Day	Greater Park City Management Association (TMA)	Sending lodging #'s, weather info, travel tips, and other available information to TMA	alfred.knotts@parkcity.org alexis.verson@parkcity.org		
72 hours prior to Peak Day	Traffic Control/Public Safety	Schedule overtime officers via Captain Leatham at 4 priority intersections. Keep Chief Carpenter informed	wade.carpenter@parkcity.org andrew.leatham@parkcity.org		
72 hours prior to Peak Day	Public Safety/EMS	Confirm any EMS or safety needs/protocols/training	mike.mccomb@parkcity.org		
72 hours prior to Peak Day	Media	Schedule time on KPCW	linda.jager@parkcity.org		
72 hours prior to Peak Day	Media	Develop social media messaging, text alert messaging, and schedule for dissemination	linda.jager@parkcity.org emma.prysunka@parkcity.org		
72 hours prior to Peak Day	PCMC Staff Outreach	Disseminate transportation, transit, incentives, other travel information via Ride On Park City	andrew.stevenson@parkcity.org alexis.verson@parkcity.org		
72 hours prior to Peak Day	Traffic Control/Public Safety Support	Confirm messaging is sent to Corey Coulam (ccoulam@utah.gov) for UDOT owned VMS signs	alexis.verson@parkcity.org		
72 hours prior to Peak Day	Weather Monitoring	In advance of Peak Day, check NWS Hazardous Weather Outlook	https://alerts.weather.gov/cap/ut.php?x=1		
48 hours prior to Peak Day	Traffic Control/Public Safety Support	Confirm overtime officers; if short staffed, prioritize	andrew.leatham@parkcity.org		
48 hours prior to Peak Day	Wayfinding	Confirm with Public Works that City owned VMS signs are functional	alexis.verson@parkcity.org		
24 hours prior to Peak Day	Traffic Monitoring	Evaluate the current week of Blyncsy Data	Victor.gill@blyncsy.org ("Vic") for trouble shooting platform Alexis.verson@parkcity.org Alfred.knotts@parkcity.org https://pulse.blyncsy.com/login		

PEAK DAY PREPARATION CHECKLIST

Timing	Frequency	Description	Action	Contact Information/Data Source	Completed: Y/N/NA	Findings (if applicable)
8:00 AM	One Time	Road Conditions: I-80 and Cottonwood Canyons	Check UDOT road conditions. If Cottonwoods are closed, there is a potential for increased PC skier visits	http://udottraffic.utah.gov/RoadWeatherForecast.aspx		
8:00 AM – 6:00 PM	Ongoing, via TCC function	Traffic Monitoring	View UDOT Traffic Cameras and incident alerts for back-ups and crashes	Traffic Command Center: parkcitytcc@gmail.com Or, 435-615-5366		
10:00 AM – 2:00 PM	Hourly	Wayfinding	Once PCMR lot is 75% full, Vail will notify the TCC, (or TMA group if TCC is dark) and Mike Lewis will activate VMS signs to direct people to High School and Canyons	jscheetz@vailresorts.com mlewis@vailresorts.com vschlaepfer@deervalley.com TMA 978-785-6336		
10:00 AM – 6:00 PM	Hourly	Resort Operations Monitoring	Email Resort Representatives regarding parking capacity and overflow status and text TMA group and PCPD status	jscheetz@vailresorts.com mlewis@vailresorts.com vschlaepfer@deervalley.com or (303-842-9725) TMA 978-785-6336		
3:00 PM – 6:00 PM	Hourly	Traffic Control/Public Safety Support	PCPD will set up at 4 priority intersections and provide hourly reports on KPCW. If TCC not dark, they can also call in to KPCW.	pkirk@parkcity.org KPCW: 435-615-5123 TCC: 435-615-5366		
3:00 PM – 6:00 PM	Hourly	Media	Hourly tweets and FB postings will be managed by Park City PIO	linda.jager@parkcity.org emma.prysunka@parkcity.org		

ATTACHMENT C

AMENDMENT LOG			
Date	Page	Description	Initiated By:

Council Agenda Item Report

Meeting Date: October 13, 2020

Submitted by: Jenny Diersen

Submitting Department: Sustainability

Item Type: Staff Report

Agenda Section:

Subject:

Administrative Approval of Special Events - Snow Globe Stroll and Live PC Give PC Procession

Suggested Action:

Attachments:

[Administrative Approval of Special Events Staff Report](#)



City Council Staff Communications Report

Subject: Administrative Approval of Special Events –
Park City Snow Globe Stroll & Live PC Give PC Procession
Author: Jenny Diersen
Department: Special Events & Economic Development
Date: October 13, 2020

Staff intends to administratively approve two Special Events, which City Council delegated the approval of Staff. The events, *Park City Snow Globe Stroll* and *Live PC Give PC Community Procession*, will assist businesses and local non-profits as part of COVID 19 recovery. Staff and the Applicants are implementing health mitigation above [state health guidelines](#), which is consistent with Council's direction regarding Special Events and COVID 19 recovery efforts.

Park City Snow Globe Stroll – Level Two Special Event

The Historic Park City Alliance (HPCA) is the Applicant, and based on section [4A-1-1.7\(B\)\(3\)](#) of municipal code, staff determined the activity as a Level Two Event based on the degree of anticipated minimal parking and transportation impacts, and no police services beyond normal.

The event will take place from November 18, 2020, to January 6, 2021, and consist of nine life-size Snow Globes (6 feet tall x 4 feet width and depth). HPCA will locate five snow globes on City Property (Bear Bench, Claim Jumper Walkway, O.C. Tanner Walkway, Miner's Park, and Upper Main Street sidewalk), and four on private property (Lower Town Lift Plaza, Summit Watch Access, L.L. Bean sidewalk, and Egyptian Theatre).

HPCA believes creating an experience will help set Park City apart this winter season, creating interactive displays to promote an artistic, cultural expression of winter that is "instagrammable." Their marketing plan will include a landing page on historicparkcity.com and geo-targeted campaigns aimed at regional drive markets, including visitors and locals.

HPCA did not create the event specifically as a COVID recovery effort. The activation aligns with our underlying recovery goals of bringing incremental visitors to town. The event incorporates health precautions by allowing passive interaction and compliance with COVID guidelines. The event will last 50 days, at a time when HPCA has canceled events such as the annual Electric Light Parade. The Snow Globes are motion activated and have sensor technology to track attendance.

HPCA's strategically selected locations will encourage guests to stroll the entire street while enjoying shopping and dining experiences. The event incorporates other activities such as a visit from Santa and roving Elf on the Shelf merchant activations. The

locations allow for ample space to accommodate social distancing, allow pedestrians access on sidewalks, and avoid blocking storefronts.

HPCA plans to implement the Special Event annually, not only as a part of COVID recovery. The Snow Globes are expected to last 5 to 7 years and HPCA anticipates expanding the event and adding new Snow Globes annually.

City Staff has limited concerns related to snow removal and potential costs to PCMC. HPCA and the Parks Department have coordinated a snow-removal plan, addressing concerns to the satisfaction of City staff. In addition to standard snow removal plans, businesses adjacent to the snow globes will 'adopt' a snow globe to ensure they remain functional and free of snow and ice.

The Applicant has applied for a full fee waiver for City Services. Based on criteria outlined in section [4A-2-9\(D\)](#) of the municipal code, staff recommends a full, one-time fee waiver estimated at \$1,500 based on the [fee waiver criteria](#), including Park City and specific venue for the event, no admission charge, providing a free interactive program for visitors, provides economic opportunities to the community including positive tax benefits, aims to provide a new opportunity in early November and December, a time that is less busy than the peak winter season.

The event is funded by the Park City Restaurant Tax Grant and includes a requirement to advertise outside Summit County. HPCA will continue to encourage alternative transportation, public transit, and carpooling and social distancing/mask protocols when promoting the event.

Live PC Give PC Procession – Level Three Special Event

The Park City Community Foundation (PCCF) is the Applicant, and based on section [4A-1-1.7\(B\)\(3\)](#) of the municipal code, staff determined the activity as a Level Three Event based on the degree of anticipated impacts including moderate impacts to the surrounding areas, moderate transportation needs including rolling and short term road closures, and public safety needs beyond their normal operations. Staff is supportive of approving this event one time only during COVID recovery because of the positive community wide impacts of the [Live PC Give PC](#) event.

This event is vital this year, as many local non-profit organizations are in challenging financial situations because of COVID 19 impacts. In a typical year, PCCF hosts an all-day event and private gathering to support the annual Day of Giving, which would not require a Special Event Permit. Celebrating its 10th year, to comply with current guidelines on gathering, PCCF seeks to bring excitement to community members safely.

PCCF requests to hold a community-wide parade to encourage the community to support the Live PC/Give PC from their own neighborhoods and local businesses. Those participating in the procession will include non-profit organizations and giving-day sponsors.

The [Live PC/Give PC](#) Procession will take place on Friday, November 6, 2020, from 3:00 to 5:00 p.m. Up to 30 cars will follow a route through Park City and Summit County business districts and neighborhoods, beginning at Park City Mountain's First Time Lot and ending at Canyons Village Cabriolet Lot. Rolling road closures and temporary delays throughout the route will occur. Park City Police and Summit County Sheriff are coordinating temporary road closures along the route, including Main Street, SR 224, SR 248 and various neighborhoods.

In addition, several neighborhood gatherings with socially distanced driveway concerts are planned. The Applicant received approval of noise variances for locations in Park City's jurisdiction. All music from the event will end by 8 p.m.

The Applicant has applied for a full fee waiver for City Services. Based on criteria outlined in section [4A-2-9\(D\)](#) of the municipal code, staff recommends a full, one-time fee waiver for \$1,000, including Application Fee and Public Safety Personnel. The Applicant is a local organization that supports the community and non-profits all year, and there is no charge to participate. The imposition of Fees would create a detrimental effect on services provided to the public.

Council Agenda Item Report

Meeting Date: October 13, 2020

Submitted by: Michelle Kellogg

Submitting Department: Executive

Item Type: Minutes

Agenda Section:

Subject:

Consideration to Approve the City Council Meeting Minutes from September 17 and 22, 2020

Suggested Action:

Attachments:

[September 17, 2020 Minutes](#)

[September 22, 2020 Minutes](#)



PARK CITY COUNCIL MEETING MINUTES - DRAFT
445 MARSAC AVENUE
PARK CITY, SUMMIT COUNTY, UTAH 84060

September 17, 2020

The Council of Park City, Summit County, Utah, met in open meeting on September 17, 2020, at 2:00 p.m. The meeting was a remote, electronic meeting due to the declared public health emergency.

Mayor Beerman read the Determination of Substantial Health and Safety Risk.

Council Member Henney moved to close the meeting to discuss property and litigation at 2:05 p.m. Council Member Doilney seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

CLOSED SESSION

Council Member Doilney moved to adjourn from Closed Meeting at 3:10 p.m. Council Member Joyce seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

WORK SESSION

Discuss Triple Crown City Service Agreement Negotiations:

Jenny Diersen, Special Events Manager, and Jonathan Weidenhamer, Economic Development Manager, presented this item. Diersen indicated Triple Crown had requested a one year extension to the current contract and a new 10-year contract. There would be event conflicts during the next 10-years. She reviewed this group began holding its event in Park City in 2003 and had a long history of coming to Park City, noting the event mitigations they worked on over the years. She stated public comments were part of the packet and the Historic Park City Alliance (HPCA) was supportive of the extension and proposed new contract, although they hoped to modify the parade. Diersen also reviewed the recent event closures due to COVID-19 and noted the Council's event policy change in 2018 to reduce events.

1 Council Member Doilney asked if the conflicts with the soccer tournament would be
2 accommodated. Diersen stated the boy's baseball tournament would be shortened on
3 the second week of the conflicting years.

4
5 Council Member Gerber asked how many fields were being used outside Park City to
6 which Diersen stated the tournament was based in Park City, but games were held in
7 the Basin, Oakley, and Wasatch County. Council Member Gerber asked if the
8 tournament could be moved to one of the other sites. Diersen stated Triple Crown could
9 consider that option.

10
11 Council Member Worel asked if the tournament was played in these other areas this
12 year. Diersen stated the tournament was cancelled.

13
14 Mayor Beerman opened the meeting for public input. The following submitted
15 comments:

16
17 Bob Kollar via Zoom stated the conflicting schedules on some years resulted in a
18 shortened week and therefore the economic impact was reduced for those years.

19
20 Matt Pilcher, Triple Crown, via Zoom stated the events that took place in Salt Lake City
21 were baseball tournaments for older teens, and Triple Crown events did not happen.

22
23 Rhonda Sideris via Zoom indicated she supported Triple Crown and this event helped
24 keep her employees on year round. This was a healthy event. She also supported the
25 10-year contract.

26
27 Shelley Gillwald, Park City Soccer Club Executive Director, via Zoom supported Triple
28 Crown, but was concerned about the years where there were event conflicts since that
29 impacted the soccer tournament.

30
31 Shelley Gillwald also submitted an eComment: "Dear Mayor and City Council, A letter
32 from Park City Soccer Club was submitted with your packet earlier this week addressing
33 the impact on our event when the Extreme Cup tournament overlaps dates and shares
34 venues with the Triple Crown tournament. That is our primary concern. As a follow up
35 and in response to now having been able to read the Staff report, I would like to address
36 two secondary points: 1. Park City Soccer Club has long sought a City Services
37 Agreement and would like Council and Staff support to move into those discussions. 2.
38 The significant level of financial assistance provided to Triple Crown Sports by Park City
39 Municipal in the form of fee waivers is staggering. As a local non-profit, serving the
40 families of our community and closely aligned with the City's social equity and
41 sustainability goals, it seems very strange to us that a for-profit, out-of-state entity can
42 receive assistance totaling \$50,000 or more annually, yet the Extreme Cup receives
43 less than \$2,500 year, yet generates a similar economic impacts. The Extreme Cup is a

1 locally operated event which was established, like Triple Crown, in 2003. For years now
2 we have documented over \$2.8 million in direct spending annually, including lodging
3 revenues totaling over \$900,000. After years we have to ask why the City and Council
4 would continue to invest so significantly in Triple Crown Sports yet provide much less
5 support to Park City Soccer Club? Your consideration and allowance of us to further
6 discuss this dynamic would be greatly appreciated.”

7
8 Bob Kollar via Zoom stated Triple Crown was during the week and every other event
9 was weekend based. Midweek business for lodging and restaurants was a big
10 economic help.

11
12 Chris Eggleton via Zoom stated he sponsored both Triple Crown and the Park City
13 Soccer Club, and agreed with Kollar that the midweek events were hard to find, so
14 having Triple Crown in Park City helped balance the events.

15
16 Mayor Beerman closed the public input portion of the meeting.

17
18 Council Member Doilney wanted the shortened schedule on conflicting years spelled
19 out in the contract, but he agreed it would benefit the City to have the midweek event.

20
21 Council Member Henney asked if the City wanted to continue having destination events
22 such as Triple Crown. Council Member Doilney stated there was an ethnic diversity with
23 this event, which was a priority for the City. This event was not the standard Park City
24 hiking and biking. Park City couldn't deny it was a tourist destination. He thought the
25 event fit well with the City goals.

26
27 Council Member Joyce indicated two years ago there was a lengthy process on events
28 policy. He reviewed that the out-of-town events were the lowest priority at that time
29 because they were not attended by local residents. He felt that process gave the City a
30 healthy balance of events and blackout dates, so the residents would experience less
31 event fatigue. Council Member Gerber agreed and stated a 10-year contract was too
32 long. She supported extending the contract one year and entering into a new contract
33 for a couple years beyond that, but she didn't want to lock the City into a contract for
34 that long.

35
36 Council Member Worel stated businesses depended on this tournament for their
37 viability. She did not support the fee waivers for a for-profit entity. She supported
38 extending the contract, but did not want to enter into a 10-year contract.

39
40 Weidenhamer recommended having staff come back with analysis on a future contract.
41 Council Member Joyce was not happy extending the contract to 2021 because of the
42 reaction of Triple Crown during the COVID shutdown. He stated if the 2021 contract
43 went forward, it should have \$0 fee waiver. Council Member Henney agreed they acted

1 poorly, but he supported the one year extension because of COVID. He also supported
2 prioritizing Extreme Soccer. There were criteria in place for conflicts and he preferred
3 staff assess the conflicts given the criteria previously determined.
4

5 Council Member Joyce felt a new contract was against what was agreed during the
6 SEAC meetings. Mayor Beerman stated all that was agreed to today was the one year
7 extension and staff would come back with proposals for a new contract. He knew it was
8 a hard time to listen to this since the economy was down because of COVID. He wasn't
9 sure they would move forward, but he was willing to discuss it.
10

11 **Discuss Cluster Mailboxes in Old Town:**

12 Matt Dias stated Hannah Tyler was moving to California and leaving employment with
13 the City. He reviewed her great contributions to the City and stated she would be
14 missed.
15

16 Hannah Tyler, Senior Planner, presented this item. She indicated 2,723 housing units
17 were in the Old Town area and mailboxes would be required for each unit. The cluster
18 boxes would hold 16 unit boxes so 171 cluster boxes would be required. She displayed
19 possible locations around town for the cluster boxes. The total cost to implement this
20 project would be \$342,000. Another alternative would be for the City to subsidize a post
21 office box for primary residents in this area for an annual cost of \$3,000-\$6,000.
22

23 Weidenhamer favored the subsidy option. Council Member Henney was concerned that
24 the post office didn't deliver or coordinate mail that had a physical address with the
25 associated post office box. Mayor Beerman stated that was a post office administrative
26 issue.
27

28 Council Member Worel asked how many homeowners' associations (HOA) were in the
29 area that could pay for cluster mailboxes for their units. Tyler didn't know the number,
30 but she thought the HOAs might implement these and it would alleviate some of the City
31 subsidies.
32

33 Council Member Joyce stated there were many areas around town where mail was not
34 delivered, and asked why the City would subsidize Old Town residents, but not
35 subsidize the rest of the residents. Weidenhamer stated the post office determined
36 certain parts of town deliverable, and that voided the statute that a resident from that
37 area was eligible for a free post office box.
38

39 Council Member Gerber asked what role the HOA had in determining whether the
40 residents had a cluster box or required their residents to get a post office box. Mayor
41 Beerman stated the HOA would need a space on their property to put the cluster box
42 and would be responsible for paying for it, maintaining it and keeping it clear of snow.
43

Council Member Joyce asked if this request was from a few residents or if it was from the majority of Old Town residents. Weidenhamer stated he negotiated this for a few residents per year for the past six to eight years. He stated the City fought to keep the post office on Main Street in order to keep locals coming and being part of the community fabric. He thought the City should take a proactive role in this.

Council Member Gerber thought the subsidized boxes would help the residents deal with the inconveniences. Dias explained the origin of this topic was for health concerns associated with COVID. Council Member Worel stated cluster mailboxes might be safer than going to the post office.

Council Member Doilney was concerned that other residents would want the subsidy. Weidenhamer asked if the subsidy would be only for current primary residents in Old Town or any primary residents in Old Town. Tyler stated that was a policy question, but she favored the subsidy for all primary residents in Old Town. Council Member Gerber favored offering the subsidy to all primary residents in Old Town.

Mayor Beerman opened the meeting for public input.

Peter Tomai via Zoom asked why pressure wasn't put on the post office to deliver the mail. Weidenhamer stated there would be too many boxes in the rights-of-way.

Neal Krasnick via Zoom was concerned that the cluster mailboxes would hold mail for seasonal residents and the mail would not be taken out of the boxes.

Peg Bodell via Zoom appreciated the City was trying to solve the post office problem, but at one time they had not charged customers and they couldn't give a reason why they started charging. She thought the post office should offer the boxes free of charge.

Peg Bodell also submitted an eComment: "Over the past several years, going to the Post Office has become a hated weekly experience, a drudgery and inconvenience. And then the USPS decided that the good residents of Old Town should pay to do their job for them when other residents enjoy the delivery service at NO CHARGE. Like many old Town residents, I have been requesting from the local post office justification for the charges to have a post office box on Main Street when we don't have any other option and requesting a "fee waiver" as many in Old Town have been granted. Over the past few years they have not been able to justify why Old Town residences are being charged now for the privilege of going to the post office picking up the mail using our time and our resources when other residents in Park City are provided that service at no cost. Since the residents of old Town are being held hostage by our USPS, or at least the local post mistress, I appreciate the city council trying to remedy this issue and Injustice. From the options provided my family would prefer the LIBRARY GROUP BOX option. Advantages include: 1. Creation of Community Space. Remove the post office

1 off Main Street along with all the traffic that it drives. Removing the post office building
2 would give Park City open space /gathering space required for community events in
3 Swede Alley as were recommended for the 2002 Olympics. 2. Creation of social
4 opportunity. From 1970-2000 the act of going to the Post Office was a social event and
5 opportunity to connect with other residents. As the residents spread away from Main
6 Street the USPS built 3 additional service locations. Fewer trips to the Post Office
7 encountered a friendly familiar face. I would look forward to "bumping" into my
8 neighbors at the "Library Group Box". Or on the walk to the box. Maybe joining us for a
9 "beverage and catch up" at the Library coffee shop. Maybe dropping off my library item
10 and checking the "message board". Resting from my ride to enjoy live local music in the
11 garden... BRING BACK the LOCALS. It's time to take the focus away from Main Street
12 and invest in neighborhoods. Deleting the Main Street Post Office is a great start."
13

14 Cheryl Soshnik: "I have read the staff report for your upcoming discussion on the
15 Cluster Mailboxes for Old Town. First of all, Staff did a thorough review of the situation
16 and their conclusion and proposals should be commended for their work on this. Having
17 read through the options they present, I have the following comments for you: I feel your
18 decision should come down to considering only two options: 1) Go ahead with the
19 cluster mail boxes, or 2) Incorporate both alternative suggestions that allow HOAs to
20 install their own cluster boxes, and for the rest of us full time residents of Old Town, the
21 City pays the PO Box fee for the few of us remaining, who apply for it. Looking at the
22 financial comparison, it's kind of a no brainer to just pay our PO Boxes. Our taxpayer
23 money would have not just initial financial burden of purchase and installation, but a
24 continued yearly amount for the upkeep and maintenance of all of these cluster boxes.
25 And as indicated above, with some HOAs using cluster boxes and some Old Town
26 Residents wanting to continue to pay, you will get many fewer than 300 of us to apply to
27 have you pay for our fees. Although installing the cluster boxes WOULD solve the issue
28 about those of us in Old Town who have in the past had mail returned to sender
29 because the PO can't figure out how to join Street Addresses with PO Boxes. But the
30 other side of the coin is that currently the PO plays favorites with WHO they continue to
31 offer free boxes to Old Town residents and who they don't. I am one of those who has
32 argued and begged and pleaded and tried to reason with the Post Master until I was
33 blue in the face and who got nowhere. Have to pay the now \$130 per year for mail
34 delivery that should be free, while others in town know someone at the Post Office, or
35 go over her head and call their superiors or threaten or whatever they do, and they get
36 their fees waived. NOT FAIR! Granted, the City Council has no say about who the PO
37 plays favorites with and who doesn't, I believe it was Steve Joyce who commented the
38 last meeting this was discussed that we should do exactly that, because sometimes
39 they listen. I feel that encouraging the PO to play favorites is NOT the way to go,
40 because that goes straight against Social Equity, doesn't it? It almost bothers me more
41 that the PO does play favorites than it does that I have to pay in the first place.
42 I'm sorry that the City has to make a decision about how to handle the few remaining
43 residents in Old Town because the Post Office made an arbitrary decision to get rid of

1 their commitments to us by just stating "OK we decided Old Town is now in a
2 deliverable zone, but we won't deliver to individual homes; take it away Park City, the
3 onus is on you" but they did it and now you it's time to show the Old Town residents that
4 we really do matter to you. Whatever option you choose on Thursday, it should be one
5 that is the most cost effective and is a fair and equal system for ALL the residents of Old
6 Town."

7
8 Mayor Beerman closed the public input portion of the meeting and asked if Council
9 wanted to allow individual HOAs to request cluster mailboxes. The Council agreed to
10 allow HOAs to install their own cluster mailboxes. The Council also agreed to pay for
11 primary residents' post office boxes within the area deem deliverable within Old Town.

12
13 Council Member Worel asked if staff had discussions with the regional post office
14 authorities. Dias stated staff talked to the Salt Lake City postmaster and they explained
15 that it had been determined the areas were deliverable. The City had determined
16 because of the historic regulations and congested rights-of-way, mailboxes were not
17 feasible.

18
19 **Housing Resolution Update with Planning Commission:**

20 Jason Glidden and Rhoda Stauffer, Housing Department, and Rebecca Ward, Land
21 Use Planner, presented this item. Planning Commissioners John Phillips and Sarah Hall
22 also participated in the discussion. Glidden reviewed the affordable housing plan to
23 have 800 units by 2026. To reach the goal, they amended the Land Management Code
24 (LMC) to incentivize developers, the City funded its own development, and added focus
25 was given to the housing resolution and municipal code.

26
27 Glidden stated housing resolution proposals would be discussed today. He reviewed
28 proposed changes, which included updating renter/owner qualifications to match current
29 deed restrictions, allowing the rental of deed restricted units, requiring ongoing needs-
30 based qualification after purchase, and increasing the housing requirement for
31 residential development. He explained these changes would allow the occupants to
32 work from home and allow an increased net worth limit for seniors so they could
33 participate in the housing program. He also noted people that had disabilities would not
34 have a work requirement, but would be required to demonstrate that they were active in
35 the community. He also wanted the affordable income limit to drop from 100% to 80%.

36
37 Council Member Joyce asked why someone living in Park City who didn't work in Park
38 City should qualify for affordable housing. Glidden stated one reason to require
39 employment in Park City was to decrease the commuter traffic, but if someone worked
40 from home and had lived in the City for five years, they could qualify. Council Member
41 Joyce asked why the recommendation for seniors was different than the financial
42 advisor's recommendation. Glidden stated the financial advisor was just one source that
43 staff looked at, and staff ultimately chose the recommended formula because other

1 resort communities used it. The City wanted to show that net worth was being worked
2 on. The advisor stated the net worth could be broken down, but Glidden wanted to keep
3 it simple. Council Member Joyce asked if social security was included in the limit, to
4 which Glidden responded in the affirmative.

5
6 Council Member Henney asked if seniors had applied and were being turned away
7 because of having too much net worth. He also asked if applicants working from home
8 had not qualified for affordable housing previously. Stauffer stated the work from home
9 applicant was becoming more common, and they would qualify because the location of
10 work was their home.

11
12 Council Member Gerber asked if the resolution could require some volunteer service
13 from applicants that didn't work in town. She thought it would be good to see some
14 community involvement for work-from-home applicants. Council Member Joyce stated
15 that wasn't a requirement for other applicants. Council Member Gerber noted the other
16 applicants worked in town so they contributed to the community.

17
18 Council Member Worel asked about financing associated with the disabled applicants
19 and inquired if parents would be able to help finance a purchase. Glidden stated
20 cosigners were not typically allowed in the process, but staff could look into this more.
21 Stauffer stated in that scenario, the parents' financials would need to be considered as
22 well. She would look at other entities to see if they had policies for disabled applicants.
23 Mayor Beerman wondered if housing for seniors and neuro diverse individuals should
24 be considered outside the affordable housing category. The Council agreed those
25 categories should be looked at separately. Glidden felt housing should be for everyone,
26 including seniors and those with disabilities.

27
28 Glidden discussed the deed restriction updates and indicated allowances would be
29 made to rent rooms in the indicated properties. Council Member Joyce asked if there
30 were circumstances when the whole unit could be rented. Glidden stated units could be
31 rented out for military deployment, religious missions, or other temporary scenarios
32 when the owners would be gone.

33
34 Glidden indicated another amendment would require an owner/renter to maintain
35 employment in the Park City School District because one of the reasons for the
36 affordable housing program was to reduce traffic. Someone that changed jobs and
37 worked in Salt Lake would be contributing to the traffic problem. Council Member Worel
38 asked if this was allowed. Stauffer responded it was allowed when the unit was deed
39 restricted. Council Member Gerber was not in favor of that update because people
40 could change jobs involuntarily or change jobs outside the City and then change back to
41 another job in Park City. Council Member Doilney agreed and felt someone moving to
42 another job would get better skills and could bring those back to the City. Phillips agreed
43 and stated this was housing for people trying to build themselves up. It would be a

1 shame to turn down an employment opportunity because for fear of losing their home.
2 Mayor Beerman thought staff would have a difficult time tracking and enforcing
3 employment and there were ethical reasons to oppose that proposed change as well.
4

5 Glidden asked if the requirement for affordable housing for developers should be
6 increased. He proposed changing the requirement from 15% of developed units being
7 affordable to increasing the percentage as well as establishing residential unit
8 equivalents (RUE) at one unit per every 2,000 square feet, and noted this could result in
9 more affordable units.
10

11 Council Member Joyce favored increasing the requirement to 20% and implementing
12 the new RUEs. He hoped it could be part of the building permit process so it would
13 apply to remodels. He thought the City could collect a lot of fees-in-lieu that way.
14

15 Glidden proposed changing the definition of the master planned development (MPD)
16 since there was a discrepancy between commercial and residential. The change would
17 make commercial and residential affordable housing requirements equal, taking effect
18 at five RUEs. Council Member Joyce stated an MPD was a lot of work for staff and the
19 applicant. It would be nice to get more affordable housing without going through the
20 MPD process, such as requiring a housing obligation on smaller projects. Phillips
21 agreed with that and hoped contributions could be collected through fees. Council
22 Member Henney agreed with the previous comments. Council Member Gerber agreed,
23 but stated it should move ahead as proposed if the City couldn't collect fees. She also
24 favored increasing the percentage to 25%.
25

26 Council Member Worel asked if a 12,000 square foot home would be considered an
27 MPD with this scenario. Tyler stated the proposed change would be triggered with new
28 development or projects outside an MPD boundary. The City would not be able to
29 collect on developments that already had met their affordable housing requirements.
30

31 Harrington stated there were limitations on taxing authority and big impact fees for
32 permitted single family homes. There were studies on bigger projects that documented
33 the generation of employees which was easier to justify affordable housing obligations
34 in a land use application process. Going beyond that would run a risk of running into
35 those challenges from impact fee limitations of which affordable housing was not an
36 expressly authorized purpose in Utah.
37

38 Council Member Joyce stated the State acknowledged there was a housing shortage
39 and especially an affordable housing shortage. He thought now would be a good time to
40 lobby for a different approach. Ward indicated she did an initial study to see if large
41 single family dwellings could be looked at for affordable housing requirements. There
42 were 80 vacant lots where a home of at least 7,500 square feet could be built. The
43 Estate Zone allowed one unit per three acres. She asked if Council would like further

1 study on whether the City could require an affordable housing requirement. Council
2 Member Gerber asked if combined lots could be counted for potential big homes. Ward
3 responded some zones restricted the home size, but it could be a possibility. Glidden
4 explained outside counsel would do further study on this idea for affordable housing for
5 single family dwellings. The study would need to determine if these large homes would
6 generate employment. The Council and Planning Commissioners agreed to proceed
7 with the legal study. Council Member Joyce suggested the study could be broadened to
8 capture more impacts.

9
10 Glidden discussed buying deed restrictions as a way to fulfill housing requirements.
11 Council Member Gerber stated that did not add stock to the City and she felt developers
12 should build the units or pay the fees-in-lieu. She also favored transparency after the
13 transaction so other businesses could see if buying deed restrictions was a good plan.
14 Mayor Beerman felt this needed to be a deeper policy discussion. Council Member
15 Joyce noted land was scarce and this was a creative way to get more affordable
16 housing. Council Member Henney wanted to understand the option better and thought
17 there was a balance with this option. Glidden stated the resolution listed options and
18 this could be the lowest preferred option. Council Member Gerber suggested adding a
19 benefit or detriment to selecting a certain numbered priority. Council Member Worel
20 indicated she did not have a problem with this option. Glidden stated he would come
21 back in a few weeks for further discussion on this item.

22 23 **Park Avenue Redesign Exploration:**

24 Alexis Verson, Senior Transportation Planner, John Robertson, City Engineer, and
25 Johnny Wasden, Parking Manager, presented this item. Verson stated a major
26 reconstruction was planned for Park Avenue in two years so this was an opportunity to
27 assess corridor goals and the residents' needs. There were concerns from residents on
28 the traffic, parking, and the lack of a neighborhood feel in this area. This street was
29 recently sealed and there were no stripes. She gave Council three alternatives for
30 possible striping. She indicated Alternatives 1A and 1B offered bike stripes and parking
31 on one side, Alternative 2 was a two-way cycle track, and Alternative 3 was two
32 separate bike lanes and no on-street parking.

33
34 She reviewed outreach responses, with 50% of responders stating parking was not
35 important and 90% stating walkability was important. Survey respondents living on Park
36 Avenue preferred no on-street parking. Council was surprised with the survey
37 responses from Park Avenue residents and noted they heard differently from the
38 residents. Staff recommended Alternative 1A, an uphill bike lane and curbside parking
39 on one side, because they wanted to strike a balance.

40
41 Council Member Doilney favored 1A. Council Member Worel asked if people parked in
42 the bike lane when it was next to curb as proposed by 1B. Verson indicated it would
43 take a little while for drivers to get used to that parking scenario.

Mayor Beerman opened the meeting for public input. The following comments were submitted:

Cara Goodman via Zoom lived on Park Avenue and stated those that didn't have off-street parking thought on-street parking was very important. She asked about parking being eliminated on Park Avenue except between 9th and 11th Streets. Verson indicated it depended on the alternative selected, but 1A and 1B had parking along the street.

Neal Krasnick via Zoom suggested eliminating parking on both sides so it could be a pedestrian street only. A sign could be placed there stating the street was for residential use only. He stated bicycles could use the street so pedestrians could use the sidewalks. He knew parking couldn't be taken away, but he asked that the City be proactive and slow down the traffic by reducing the speed limit.

John Hutchings: "Thank you all for exploring the issues on lower Park Ave and for creating and allowing public input on the Park Ave survey. I completed the survey this morning. I believe you all have also received an email from my wife Cara Goodman. We have lived at 943 Park Ave for 10-years now. We are full-time residence with two young kids. Old Town with all its parks, character, access to Main Street, and other benefits is an amazing place to live. It's sad there are not more full-time Old Town residents like many of the other Park City neighborhoods. We really appreciate all the City has been doing the last few years to support Old Town residents – adding affordable housing, traffic control during major events, blocking off parking on Silly Sunday, and other things. We have seen lower Park Ave get busier and busier over the last 10-years to the point where, I would guess, it's probably one of the busiest streets in Park City. However, at least up to 9th Street, lower Park Ave is a purely residential street. There are no businesses on the street (except a 711 at the far end and two real estate offices scattered). It should be treated like the rest of Old Town where only residential parking is allowed and drivers are discouraged from using it as a through street. I definitely understand that it is a direct access to Main Street, but drivers should be encouraged to use Deer Valley drive and park at one of the several parking garages when going to Main Street, not Park Ave, where people live. Lower Park Ave is not only busy during peak tourist events and weekends in Park City. Lower Park Ave is always busy and always packed with parked cars, except for a few weeks on the shoulder seasons. The traffic on Park Ave is too busy to resemble a residential street. In addition, generally speaking people do not park on lower Park Ave in a courteous manner, or even attempt to comply with the lawful distance they must remain from driveways, and the City does not enforce the parking laws on lower Park Ave unless its Sunday Silly Market or they are called out by a resident. Many, many times a year we call the police because our driveway is blocked and we need the car owner to move the car, or we need the car towed. However, most of the time cars are parked only partially blocking our driveway, or very close, and we just work around it. Often with cars parked so close getting in and out of the driveway, presents a serious risk of hitting the parked car, or our car getting

hit by oncoming traffic because sight is so limited with the cars parked so close to our driveway. We have had many unnecessary close calls over the years. Our circumstance is not unique. I see this up and down our block and lower on Park Ave. If public parking is not permitted on other neighborhood Old Town streets, it should not be permitted on lower Park Ave as well, which is also residential street. I recognize lower Park Ave is unique because it is so residential and it is a direct access to Main Street. We support tourism and enjoy the energy it brings to Old Town. We expect Park Ave to be a busy place because it is so close to Main Street. However, that busyness should be limited to the rental units and amenities located on Park Ave and not the traffic going from Main Street to other parts of Park City, or the parking for Main Street businesses. In Old Town there needs to be a balance between accommodating tourism and residents (to the extent they conflict). As far as I am aware, Deer Valley drive is completely sufficient at providing access to Main Street and parking most of the time and I think the city should be taking more aggressive steps to encourage drivers to use it to access Main Street and not Park Ave. Public parking along Park Ave should be eliminated at least up to 8th street. At least to that point, it is a residential street and should be treated like all other residential Old Town streets. We have been waiting several years for the City to take action on lower Park Ave and an opportunity to provide input. Thank you for considering our opinion and for all the work to address the issues on lower Park Ave. Please contact me with any questions or for further discussion.”

John Hutchings also commented via Zoom and stated the street was a residential street and should be treated as such. Residents highly valued parking on Park Avenue. He asked if parking would be on 9th Street going north or 11th Street going north. Verson stated there was no removal of parking from Alternatives 1A, 1B and 2. Robertson stated it was from 9th Street going north.

Mayor Beerman indicated this item would continue during the regular meeting.

REGULAR MEETING

I) ROLL CALL

Attendee Name	Status
Mayor Andy Beerman Council Member Max Doilney Council Member Becca Gerber Council Member Tim Henney Council Member Steve Joyce Council Member Nann Worel Matt Dias, City Manager Mark Harrington, City Attorney	Present via technology

Michelle Kellogg, City Recorder	
None	Excused

Park Avenue Redesign Exploration (continued from Work Session):

Mayor Beerman opened the meeting for additional public input.

Laura Suesser via Zoom stated 90% of people surveyed indicated walkability was important and there weren't any designs that promoted walkability. She felt attention should be given to widening sidewalks and improving lighting.

Mayor Beerman stated there would be significant improvements in two years, but this was just a pilot program. Robertson noted the full reconstruction plans would include wider sidewalks. Wasden stated snow removal and management would be better with the new striping configurations.

Jenny Hart via Zoom asked if Alternative 1A could change so parking was removed from the eastbound side and the bike lane kept on the westbound side. Since parking was not as important to residents, that suggestion would result in 80 parking spots instead of 113 parking spots. Verson stated the goal for parking was to get more spaces on the west side since more driveways were on the east side and there were line of sight limitations which hindered parking. She stressed safety was the biggest issue.

Peter Tomai via Zoom indicated he looked at traffic patterns and noted speed on Park Avenue was an issue as well as walkability, and they needed to be considered. He agreed there should be a low speed limit and asked if one-way traffic had been considered. He didn't know if the street could be pedestrian-only though.

Chief Carpenter via Zoom stated when cars pulled out of the driveway, they wouldn't see the bike lane with Alternative 1A. He preferred Alternative 2 for safety.

Bill Dark: "I'm responding to the recent flyer to install bike lanes on Park Ave between Ninth street and Deer Valley Drive. In the flyer it is said that between 131-193 parking spaces would be lost. Many homes on the street do not have off street parking. Taking these spots will cause undue hardships on the residents with no remedy. The spots are currently almost always filled. Where will all of these cars go? From a safety standpoint this is even a worse problem. Park Ave is the main artery to access old Town. Cars and buses use this constantly. The buses already have a difficult time negotiating the narrow street. With a bike lane they will have a new more dangerous obstacle. There are many Bus stops on the street now will the buses deal with them? Option 1. Stop in the roadway and have passengers walk into the street to load and unload. This is a very dangerous idea. Passengers will be stepping off of the bus or off of the sidewalk

1 immediately into bike traffic. Many of the people are visitors to Park city and will not be
2 familiar with this problem. There will be accidents and since the city will have made the
3 problem there will be lawsuits that will cause payouts. As a taxpayer here I don't want
4 my money going to such avoidable things. Option 2. Have the buses pull to the curb at
5 bus stops. The drivers have a very hectic time getting up and down the street already.
6 Adding another dimension to their skills by crossing the bike lane will cause the same
7 problem, accidents will happen.

8
9 The Bike lanes will end abruptly at the library and in the 1300 block of Park Ave as there
10 are encroachments that eliminate the possibility of the bike lanes continuing. This will
11 cause bikers to dart onto the roadway or sidewalk quite possibly in front of traffic or into
12 pedestrians. In a conversation with John Weidenhamer he said that this plan included
13 the possibility of tearing out the planters including the maturing trees and landscaping at
14 the library and replacing it with bike lanes. The library landscaping is a beautiful addition
15 to the street. This day in age with concerns over the environment do we really want to
16 tear out landscaping and replacing it with asphalt? If the landscaping is to be torn out
17 then the sidewalk in the 1300 block that encroaches would also need to be removed.
18 This would lead to the residents stepping into a traffic lane immediately after leaving
19 their property. This is the same problem on Hillside Ave and we see the problem it has
20 caused. The cost of this was brought up in an email to Michelle Downard she replied:
21 "Please know, the re striping of Park Avenue is an anticipated maintenance expense as
22 part of the slurry seal process. That black slurry seal created a blank canvas for us to
23 reimagine the layout of the paint striping. There is not a significant cost variation
24 between the options presented." It sounds like it's a done deal which leads me to the
25 question. Since Park Ave is now "a blank canvas" Do you leave the street without lines
26 until spring to install the bike lanes or repaint Park Ave with the new configuration now
27 and have bike lanes installed 6 weeks from the snow season to be covered all winter
28 with no parking on the street and no way to see it through the snow on most days. It
29 would be much smarter to wait until spring if lanes are installed. What makes this idea
30 so insane is that we already have a 12 foot wide, two lane bike path 200 feet to the east.
31 With signage installed and lines on the road to direct bikes to the path and additional
32 signage down Park Ave saying "Share the road" potential problems would be
33 eliminated. I have heard complaints that the existing bike path is crowded. As a regular
34 user I have never seen this. Sure there are other people walking and riding but
35 everyone coexists very well on it. In conclusion Park Ave is far too narrow and is
36 currently maxed out between autos and buses. Adding a third element to it will only
37 cause problems. Thank you."

38
39 Mayor Beerman closed the public input portion of the meeting.

40
41 Council Member Joyce was concerned with Alternative 2 because bikers would have to
42 cross to the other side of the road. Verson agreed the solution was clunky and noted the
43 biker would have to use the crosswalk. Council Member Joyce thought it was

1 unrealistic. He favored making the street one-way when the reconstruction was
2 planned. Council Member Doilney favored 1A for now and noted user behavior would
3 have to change.

4
5 Council Member Gerber asked if a residential parking permit program would be
6 implemented with 1A. Wasden stated there could be a shared time limit area or there
7 could be a straight residential permit parking zone. Council Member Worel asked when
8 the striping would be implemented. Robertson stated Public Works could stripe
9 Alternative 1A, but another company would be needed for the other alternatives.
10 Council Member Joyce preferred restriping as soon as possible.

11
12 Council Member Henney asked if lowering the speed limit from 25 to 20 mph was
13 possible. Verson stated it could be explored, but an assessment would need to be
14 made. Council Member Henney asked if the two parking options had been discussed
15 with residents. Wasden stated a couple years ago it was brought up and there wasn't a
16 lot of support. He felt a shared time zone should be a shorter amount of time to allow
17 people to do business, but not to go skiing. Council Member Henney stated there was a
18 one-way pilot for that street during Sundance and asked for feedback from that pilot.
19 Verson stated it was seen favorably by Transit and was received very well.

20
21 Council Member Henney favored 1A or 1B. Mayor Beerman favored 1A, but suggested
22 parking this winter to be for residents only. He also asked for a 15 mph speed limit
23 throughout town, but starting with Park Avenue. He felt it would be safer to have a lower
24 speed limit with the new striping. Robertson stated staff would have to go through an
25 analysis before the speed could be reduced. Mayor Beerman asked Legal to look at that
26 process to make sure it was required. Harrington stated he could check, but the State
27 set the analysis process. Council Member Joyce stated there needed to be associated
28 enforcement if the speed limit was reduced. Mayor Beerman asked if a sharrow was
29 discussed instead of a bike lane between the parked cars and buses. Robertson stated
30 the speed differential between cars and bikes prohibited that option.

31
32 Mayor Beerman asked if Council supported lowering the speed limit. Council Member
33 Worel was in favor of a reduced speed limit. Council Member Gerber asked for more
34 signage or other visual deterrents to lower the speed limit, and indicated she favored 20
35 mph. Council Member Joyce felt a 15 mph speed limit was too low and would be
36 ignored. The Council agreed to move forward with Alternative 1A. Mayor Beerman
37 asked about the parking zone preference. Dias stated most of the street was residential
38 parking only and a small portion of the street was used by businesses for the shared
39 time zone. Council Member Joyce indicated the Historic Park City Alliance (HPCA) was
40 concerned about where parking would go if it was eliminated from an area. The Council
41 agreed to restripe this fall.

42 43 **II) COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF**

Council Questions and Comments

Council Member Worel stated Council received a petition regarding 100 Marsac. She noted the names were primarily primary and secondary homeowners. She asked to move forward on making this property open space. Council Member Henney was in favor of the open space request. Council Member Doilney was open to the conversation. Mayor Beerman stated there was a lot on the agenda and there were no plans for development so it was a low priority. Council Members Joyce and Gerber agreed. Council Member Worel asked when this could be on the agenda. Dias stated he would get back with her on a date.

Council Member Doilney indicated the last six weeks was spent protecting land from annexation and development. He looked forward to working on City business and social justice issues. Council Member Joyce noted the increase in COVID cases statewide and encouraged safe practices. He also liked the pilot projects going on around town. He was concerned that navigation apps were now using narrower roads to direct cars to Old Town. Council Member Gerber indicated she had a baby and was working on catching up on emails.

Council Member Henney stated officer McKinney was named officer of the year, Chad Kramer was named firefighter of the year, and Adam Butler was named EMT of the year. These first responders were honored on 9/11. There was also a community cleanup that same day that had 70 volunteers.

Mayor Beerman was excited to see projects moving forward over the summer.

Staff Communications Reports

1. Old Town Neighborhood Pilot Projects Update

2. Shop Dine and Stroll - Car Free Main Street Update

Matt Dias stated there was an updated table from this report that would be included with the approved minutes

III) PUBLIC INPUT (ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE AGENDA)

Mayor Beerman opened the meeting for anyone who wished to submit comments to the Council on items not included on the agenda.

Ray Malecki: "ebikes are "motor cycles". We don't call Telsa: ecar; these are automobiles; and are not permitted in places where motorized vehicles are not permitted. These electric motorcycles are going fast. Right now, they are going fast. And they are heavy. It is just a matter of time before folks are put in the hospital, and the

grave. Please be proactive on this. Motorized vehicles have no rational place on non-motorized trails. Bicycles have been ok. Please don't wait until someone is seriously injured. It is reckless to allow this, and inconsistent with Park City's legacy of sensible management of community facilities."

Neal Krasnick via Zoom stated he studied physics in college and he promoted windmills. Solar panels were only 17% effective. He discussed climate change and felt solar panels contributed to it. He felt wind power should be utilized.

IV) CONSIDERATION OF MINUTES

Consideration to Approve the City Council Meeting Minutes from July 30, 2020 and August 4 and 31, 2020:

Council Member Worel moved to approve the City Council meeting minutes from July 30, 2020 and August 4 and 31, 2020. Council Member Doilney seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

ABSTAIN: Council Member Gerber from the July 30 and August 4 minutes

V) CONSENT AGENDA

1. Request to Authorize the City Manager to Enter into a Construction Agreement with VanCon, Inc., for Construction Services for the Treasure Hill Trailhead, Not to Exceed \$172,135.00, in a Form Approved by the City Attorney:

Council Member Worel asked if the Martinez sculpture would go on this trailhead. Deters confirmed a pedestal that would hold the sculpture was being installed as part of the construction.

2. Request to Extend the Business Licensing Renewal Grace Period to January 31, 2021 Due to COVID-19 Impacts:

Council Member Doilney commented that the renewals were a good extension, and he encouraged staff to be lenient. Mayor Beerman asked staff what the impact would be to waive the license fee for small businesses and asked Council if they were interested in seeing those numbers. Council Member Joyce thought this could really help some people. Mayor Beerman requested an analysis.

Council Member Doilney moved to approve the Consent Agenda. Council Member Joyce seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

VI) OLD BUSINESS

1. Consideration to Continue Ordinance 2020-39, an Ordinance Approving a New Zoning District to be known as Park City Land Management Code Chapter 15-2.26, Urban Park District, and a Zoning Map Amendment to Rezone Rotary Park, Creekside Park, Prospector Park, City Park, and the North Municipal Golf Course from Recreation and Open Space to Urban Park District Zoning

Alex Ananth, Planner, and Tate Shaw, Assistant Recreation Manager, presented this item. Shaw stated this item was being continued as definitions were created, and right-of-way language and other amendments were worked on.

Council Member Joyce asked about a timeline for approving this ordinance. Ananth reviewed the Planning Commission was discussing this concurrently with the Transit study next week, so this could be brought back in October.

Mayor Beerman opened the public hearing. No comments were submitted. Mayor Beerman closed the public hearing.

Council Member Joyce moved to continue Ordinance 2020-39, an ordinance approving a new zoning district to be known as Park City Land Management Code Chapter 15-2.26, Urban Park District, and a zoning map amendment to rezone Rotary Park, Creekside Park, Prospector Park, City Park, and the North Municipal Golf Course from Recreation and Open Space to Urban Park District Zoning to a date uncertain. Council Member Worel seconded the motion.

RESULT: CONTINUED TO A DATE UNCERTAIN

AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

2. Consideration to Approve the 20-Year Appendix with Rocky Mountain Power for the Elektron Solar Project I, in a Form Approved by the City Attorney:

Luke Cartin, Environmental Sustainability Manager, presented this item. Cartin reviewed the current electricity usage from the City facilities and the Clean Energy Cooperative Statement. This joint clean energy cooperative with Rocky Mountain Power included five partners: Salt Lake City, Summit County, Deer Valley Resort, Park City Mountain Resort, and Utah Valley University. Due to COVID-19, there were financing issues. Park City entered into a contract for renewable energy and a purchase power agreement with Rocky Mountain Power. The appendix for approval would spell out the actual project and would be signed now so the project could continue moving forward. After the

regulatory hearing in November and the project financing in December, the project would proceed.

Mayor Beerman opened the meeting for public input. No comments were submitted. Mayor Beerman closed the public input portion of the meeting.

Council Member Joyce asked if Cartin knew how likely it was to make it through the regulatory or financing process. Cartin stated the project was strong and he felt confident. The State wanted to discuss the 20-25 year financing term.

Council Member Doilney moved to approve the 20-year appendix with Rocky Mountain Power for the Elektron Solar Project I, in a form approved by the City Attorney. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

3. Consideration to Approve the Marketing Communications Agreement with PacifiCorp and Elektron Solar, LLC, in a Form Approved by the City Attorney:

Luke Cartin, Environmental Sustainability Manager, continued the renewable energy discussion and reviewed the marketing communications agreement. He explained this agreement should be passed now so quicker action could be taken if regulatory approval was given on November 10th.

Mayor Beerman opened the meeting for public input. No comments were submitted. Mayor Beerman closed the public input portion of the meeting.

Council Member Henney moved to approve the marketing communications agreement with PacifiCorp and Elektron Solar, LLC, in a form approved by the City Attorney. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

4. Consideration to Approve Resolution 19-2020, a Resolution Amending the Police Complaint Review Committee (PCRC) Policies and Procedures and Replacing Resolution No. 05-2017 in its Entirety:

Michelle Downard, Resident Advocate, presented this item. She stated she was the liaison for the PCRC and noted amendments to this policy were drafted in conjunction with interviewing committee applicants on July 30th. The new members would be appointed after this policy was amended tonight. She noted the changes in the policy, including changing "citizen members" to "community members," and Council having the opportunity to interview applicants for the committee or appointing a designee to

1 interview applicants, with Council making the final appointments. She also
2 recommended the structure of the committee membership be changed to include the
3 Chief of Police, and an attorney from the City as non-voting members. There would also
4 be five voting community members, a non-voting staff liaison and a non-voting Council
5 liaison. Chief Carpenter indicated they were trying to be transparent by having a staff
6 liaison that could communicate between the committee and the City Manager, as well
7 as having a Council member onboard that could report any issues to the Council.

8
9 Mayor Beerman opened the meeting for public input. No comments were submitted.
10 Mayor Beerman closed the public input portion of the meeting.

11
12 Council Member Joyce asked to be the Council liaison and Council Member Worel
13 requested to be the alternate liaison.

14
15 Council Member Worel moved to approve Resolution 19-2020, a resolution amending
16 the Police Complaint Review Committee Policies and Procedures and replacing
17 Resolution No. 05-2017 in its entirety. Council Member Gerber seconded the motion.

18 **RESULT: APPROVED**

19 **AYES:** Council Members Doilney, Gerber, Henney, Joyce, and Worel

20
21 **VII) APPOINTMENTS**

22
23 **1. Consideration to Appoint to the Police Complaint Review Committee (PCRC)**
24 **Amir Vonsover, Austin Lau and Mary Christa Smith for Three Year Terms Expiring**
25 **June 30, 2023, and Michael Collins for a Two Year Term Expiring June 30, 2022;**
26 **and to Appoint a Council Liaison:**

27 Michelle Downard indicated there were 13 applicants for the open seats on the
28 committee. This was a voluntary committee and she appreciated the applicants' desire
29 to serve the community. Chief Carpenter thanked the applicants for their commitment
30 and indicated the appointees would get training for their roles.

31
32 Mayor Beerman opened the meeting for public input. No comments were submitted.
33 Mayor Beerman closed the public input portion of the meeting.

34
35 Council Member Gerber moved to appoint to the Police Complaint Review Committee
36 (PCRC) Amir Vonsover, Austin Lau and Mary Christa Smith for three year terms
37 expiring June 30, 2023, and Michael Collins for a two year term expiring June 30, 2022;
38 and to appoint Steve Joyce as Council liaison and Nann Worel as alternate Council
39 liaison. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Joyce, and Worel

ABSTAIN: Council Member Henney

VIII) NEW BUSINESS

1. Consideration to Approve Ordinance 2020-41, an Ordinance Approving the Aspen Springs Ranch Phase I Lot 18 Amended Plat Amendment, Located at 2524 Aspen Springs Drive, Park City, Utah:

Hannah Tyler, Senior Planner, presented this item and stated the proposed amendment would change the setbacks and limits of disturbance for Lot 18. This would allow the garage to be changed and would make the driveway safer in the winter.

Mayor Beerman opened the public hearing. No comments were submitted. Mayor Beerman closed the public hearing.

Council Member Gerber moved to approve Ordinance 2020-41, an ordinance approving the Aspen Springs Ranch Phase I Lot 18 Amended Plat Amendment, located at 2524 Aspen Springs Drive, Park City, Utah. Council Member Doilney seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

2. Consideration to Approve Ordinance 2020-42, an Ordinance Amending the Land Management Code of Park City, Utah, Amending Chapters 15-2.1 Historic Residential-Low Density (HRL) District, 15-2.2 Historic Residential (HR-1) District, 15-2.3 Historic Residential (HR-2) District, 15-2.4 Historic Residential-Medium Density (HRM) District, 15-2.5 Historic Recreation Commercial (HRC) District, 15-2.6 Historic Commercial Business (HCB) District, and 15-4 Supplemental Regulations, Section 15-5-5 Architectural Design Guidelines, and Chapter 15-15 Defined Terms:

Laura Kuhrmeyer, Planner, presented this item. She reviewed Council discussed these amendments in 2018 and they were now ready for approval. She stated the sections were reorganized so each zone had the same requirements per section. She summarized setback changes, building height requirements, architectural design guidelines for historic sites and the historic district, and noted the shared driveway definition.

Council Member Henney asked if the public concern with the accessory building code amendment had been answered, to which Kuhrmeyer affirmed. Mayor Beerman asked if the vinyl was for exterior siding only, to which Kuhrmeyer affirmed.

Mayor Beerman opened the public hearing. No comments were submitted. Mayor Beerman closed the public hearing.

Council Member Worel asked if a standard Old Town lot was 75x25 feet. Kuhrmeyer indicated they were that size, but many lots were combined to make larger lots. Council Member Worel read verbiage that indicated the minimum lot width was 35 feet, to which Kuhrmeyer stated this referred to the Historic Residential - Low Density zone. It was determined to add "HR-L District" to A and B of that section.

Council Member Worel moved to approve Ordinance 2020-42, an ordinance amending the Land Management Code of Park City, Utah, amending Chapters 15-2.1 Historic Residential-Low Density (HRL) District, 15-2.2 Historic Residential (HR-1) District, 15-2.3 Historic Residential (HR-2) District, 15-2.4 Historic Residential-Medium Density (HRM) District, 15-2.5 Historic Recreation Commercial (HRC) District, 15-2.6 Historic Commercial Business (HCB) District, and 15-4 Supplemental Regulations, Section 15-5-5 Architectural Design Guidelines, and Chapter 15-15 Defined Terms, with the amendment of HR-L District being added to A and B of the Historic Residential - Low Density zone section. Council Member Joyce seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

3. Consideration to Approve Ordinance 2020-43, an Ordinance Approving the Prospector Square Supplemental Amendment to Lot G Amended and Restated, Located at 1775 Prospector Avenue, Park City, Utah:

Laura Kuhrmeyer, Planner, presented this item and stated the amendment would allow a new easement to access the Rail Trail from Prospector Avenue.

Mayor Beerman opened the public hearing. No comments were submitted. Mayor Beerman closed the public hearing.

Council Member Doilney moved to approve Ordinance 2020-43, an ordinance approving the Prospector Square Supplemental Amendment to Lot G Amended and Restated, located at 1775 Prospector Avenue, Park City, Utah. Council Member Joyce seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

4. Consideration to Approve Ordinance 2020-44, an Ordinance Amending Park City Municipal Code 13-4; Providing for the Regulation and Enforcement of Storm Water Discharges Associated with Construction Activities:

John Robertson, City Engineer, presented this item and indicated this ordinance would bring the City into compliance with the previously approved stormwater plan and State and Federal requirements.

Council Member Henney asked if the City was out of compliance. Robertson stated the City was given a reprieve, but this ordinance needed to be done by next year. Council Member Worel asked if violations were common on construction sites. Robertson indicated it was common to be in violation, but with education the sites could be brought into compliance quickly. Council Member Joyce asked if there was anything in the ordinance that would be different than other cities were doing. Robertson stated the language was standard, with no varying language.

Mayor Beerman opened the public hearing. No comments were submitted. Mayor Beerman closed the public hearing.

Council Member Joyce moved to approve Ordinance 2020-44, an ordinance amending Park City Municipal Code 13-4; providing for the regulation and enforcement of stormwater discharges associated with construction activities. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

IX) ADJOURNMENT

X) PARK CITY HOUSING AUTHORITY MEETING

I) ROLL CALL

Attendee Name	Status
Chair Andy Beerman Board Member Max Doilney Board Member Becca Gerber Board Member Tim Henney Board Member Steve Joyce Board Member Nann Worel Matt Dias, Executive Director Mark Harrington, City Attorney Michelle Kellogg, Secretary	Present via Technology
None	Excused

II) PUBLIC INPUT (ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE AGENDA)

Chair Beerman opened the meeting for public input on matters not on the agenda. No comments were given. Chair Beerman closed the public input portion of the meeting.

III) NEW BUSINESS

1. Consideration to Approve the Fifth Amendment to the Intermountain Healthcare (IHC) Housing Mitigation Plan to Make an In-Lieu Payment of \$794,793 to Satisfy 2.04 Affordable Unit Equivalents (AUE):

Jason Glidden, Housing Manager, and Morgan Busch, IHC, presented this item. Glidden reviewed last year the City approved the expansion of IHC which triggered an additional housing obligation of 20.428 AUEs. The surgical center would be constructed first and they wanted to fulfill that housing obligation of 6.54 AUEs. They bought deed restrictions on units previously approved by the Housing Authority which totaled 4.5 AUEs. A remainder of 2.04 AUEs remained owing and IHC offered to make a payment-in-lieu to satisfy that requirement. Busch stated the payment seemed like the best option to satisfy the housing obligation. They would work on the remaining 13 units as projects were developed in the future. Glidden stated staff's recommendation was to accept the payment-in-lieu and use the funds for its housing projects that were in progress.

Council Member Worel noted on Page Three of the analysis that the amount offered by IHC was the same amount listed on the City website. She could not find the reference on the website and asked if it was current, to which Glidden responded in the affirmative.

Chair Beerman opened the meeting for public input. No comments were submitted. Chair Beerman closed the public input portion of the meeting.

Board Member Gerber moved to approve the Fifth Amendment to the Intermountain Healthcare (IHC) Housing Mitigation Plan to make an in-lieu payment of \$794,793 to satisfy 2.04 Affordable Unit Equivalents (AUEs). Board Member Doilney seconded the motion.

RESULT: APPROVED

AYES: Board Members Doilney, Gerber, Henney, Joyce, and Worel

Busch indicated he represented IHC for 18 years and stated he would be retiring in December. He appreciated working with Park City and saw the efforts it made to make a livable community. He felt the City and IHC were great partners. Mayor Beerman thanked him and stated he would be missed.

2. Consideration to Approve the Third Amendment to the King's Crown Housing Mitigation Plan:

Jason Glidden, Housing Manager, and Rory Murphy, developer, presented this item. Glidden stated Kings Crown built seven affordable units and eight attainable units. Because of the difficulty in selling the attainable units, the developer proposed converting two attainable units to affordable and five attainable units to market rate. Having more market rate units would change the housing requirement to 9.758 AUEs, and Glidden noted they had provided a total of 12.1 AUEs, which exceeded the obligation. Glidden stated the affordable units would be more marketable to qualifying individuals. The developer agreed to restrict nightly rentals for the market rate units, defined in the Land Management Code (LMC) as nothing less than 30 days.

Murphy noted there was concern from this change by the only attainable unit owner. He would be meeting with her to ensure she would be able to sell this unit. Council Member Joyce asked if the market rate units would sell without the nightly rental option. Murphy felt confident the units would sell to primary residents. Council Member Henney didn't think there would be a problem selling the attainable unit. Council Member Gerber wanted to ensure that the owner felt safe and able to sell the unit at an attainable price. She also hoped other developers didn't take advantage of proposing attainable units and then later changing the status to market rate. Council Member Doilney felt the project was a success and the City had 11 affordable units.

Chair Beerman opened the meeting for public input.

Ivonne Timar: "My family bought an attainable (more expensive than affordable) unit at the King's Crown Development 501-A. We closed in the end of March and my husband, daughter and I moved in the end of March. My family are the only ones living in an attainable unit in this property at this time. None of the other 7 attainable units have been sold. The developer pulled all the other attainable units off the market for the past several months solely to change the rules. While the units have been off the market the developer made plans to change the rules for unsold units – the remaining 7 attainable units will be split: 2 affordable and 5 market rate. How can this happen and why am I the one to get stuck with the only attainable unit? I understood that we were moving into a community of people who work in the community and was looking forward to building relationships. I understood the purpose of affordable- attainable housing is to keep people of all income levels in the community. How does changing this help that goal? The developer is now asking to change the approvals and reduce the number of attainable units to just one – mine. My family and I are stuck with rules that apply only to my sole unit and my family. Changes cannot be made to the HOA solely for my unit (the only attainable one). Furthermore, there have been issues with the design and construction. Outside of our front door water continues to collect on the walkway and I've been told it cannot be fixed. Our unit has no windows or any ventilation that open in the kitchen and living room. The unsold units are being equipped with air-conditioning

1 and shades. While they offered to install one for my unit for \$8,000, I cannot include it
2 within my mortgage. This is another detriment to the property, one I am stuck with.
3

4 I am a new homeowner and went through the City's lottery process to be chosen and
5 selected for the unit. I relied on the expertise of the City and developer's staff, since
6 was our first time and it is a challenging process. At no time during this process did I
7 think this could happen. I cannot understand how this can happen. How the developer
8 could possibly change all this and leave me in a situation that they could not work out
9 with new attainable buyers, even in this very good real estate market? If the City
10 approves the change and switches the rules my family will become stuck in these
11 attainable handcuffs for all our lives. Who would purchase a unit such as ours while the
12 developers who are experts could not sell the remaining units? Does this make sense
13 to any of you? Please protect me and my family. Helping me get local housing was a
14 dream come true but the rules I bought under are being switched and benefitting
15 everyone else but my family. How in the world will I ever get out of this when the smart
16 developers tell you they cannot sell unless they get out of these same guidelines? This
17 is very sad. I feel trapped."

18
19 Diego Zegarra via Zoom stated he was content with the outcome and happy that there
20 would not be any nightly rentals. He also submitted the following eComment: "I am
21 writing as this issue concerns the affordable housing building in which I live. When all
22 residents of Kings' Crown put in their application in late 2018, the prospect was exciting:
23 establish a financial foothold in the community in which we live and work. Another
24 aspect that was appealing and understood by all was the ability to create a community -
25 15 apartments with families and neighbors with which to connect. 8 affordable units, 7
26 attainable. As we moved in earlier this year we got to know each other and were eagerly
27 awaiting for more of the units to sell, although that didn't happen. The price point was
28 not appealing enough or restrictions to qualify were stringent, so many interested
29 parties in a position to purchase an attainable unit were turned away. At this juncture,
30 I'm grateful the proposed amendment takes away the ability for nightly rentals to take
31 place in the building, something that would dramatically alter the fabric of the building.
32 I'd gladly welcome longer-term rentals, likely no less than 6 months to provide stability
33 for all. A concern of mine is the precedent this change might set, allowing for the
34 relaxation of restrictions on attainable units, as well as the changes introduced after the
35 fact. There is not enough space in this comment box to go into the nuanced nature of
36 this event, suffice it to say I hope we continue allocating resources towards more
37 moderate income families to be able to live and work in our community. I appreciate the
38 efforts both staff and CRH have put towards addressing this and recognize there is no
39 perfect solution, and that I am not providing one either."

40
41 Sarah Hall via Zoom asked how the City could prevent this from happening again and
42 felt this was an error on the City's part. She thought it was a rough situation and

1 everyone was losing. She suggested putting the additional profit the developer would
2 receive from selling the market rate units into the affordable housing pot.

3
4 Chair Beerman closed the public input portion of the meeting.

5
6 Council Member Joyce indicated the developer initially offered up more affordable
7 housing than they were required. The developer took the attainable option, which was
8 new for the City, and tried to make it work.

9
10 Council Member Worel stated saying this developer fast tracked this project by offering
11 to sell more than the required affordable units was a disservice to the Planning
12 Commission. She felt the City needed to use this as a learning experience, especially
13 pertaining to attainable housing, and move forward. Council Member Gerber stated she
14 didn't blame the Planning Commission, but noted there were very few concerns from the
15 public because of the affordable housing element of the project. She agreed it was a
16 learning experience, and noted many City projects were attainable so it had experience
17 with the attainable price point. Glidden stated the City had two attainable units in
18 Woodside Phase I and had sold one so far. The program was not perfect, but it showed
19 promise if it was fine tuned.

20
21 Mayor Beerman stated the City ended up receiving several more units than was
22 required from this development. He asked staff to do analysis on this situation and
23 come back with what was done right, what was done wrong, and how the City could
24 improve for next time.

25
26 Council Member Henney felt removing the nightly rental for market rate units was a
27 great benefit for that community. He asked to see what harm was done because he
28 could only see the benefit side of the situation.

29
30 Board Member Worel moved to approve the Third Amendment to the King's Crown
31 Housing Mitigation Plan. Council Member Joyce seconded the motion.

32 **RESULT: APPROVED**

33 **AYES:** Board Members Doilney, Gerber, Henney, Joyce, and Worel

34
35 **IV) ADJOURNMENT**

36
37 With no further business, the meeting was adjourned.

38
39
40 _____
Michelle Kellogg, City Recorder



PARK CITY COUNCIL MEETING MINUTES - DRAFT
445 MARSAC AVENUE
PARK CITY, SUMMIT COUNTY, UTAH 84060

September 22, 2020

The Council of Park City, Summit County, Utah, met in open meeting on September 22, 2020, at 4:00 p.m. The meeting was a remote, electronic meeting due to the declared public health emergency.

Mayor Beerman read the Determination of Substantial Health and Safety Risk.

WORK SESSION

Vibrancy Code Discussion Regarding FY 2020 - Third and Fourth Quarters:

Beth Bynan, Business License Specialist, and Jonathan Weidenhamer, Economic Development Manager, presented this item. Bynan reviewed the current ordinance with its goal to keep the business district vibrant and healthy. Inspections were conducted and if a storefront was dark, notices would be sent out. She explained the process for those businesses in violation. She indicated inspections were not performed during the second quarter due to COVID-19. The Historic Park City Alliance (HPCA) supported inspections during the third and fourth quarters to ensure vibrancy on Main Street.

Bynan asked if Council wanted to continue enforcing the vibrancy ordinance or loosen some of the requirements. Council Member Joyce asked how many one-time allowances had been given, to which Bynan responded there had been two exceptions granted. Council Member Gerber stated HPCA favored allowing a one-time exception for COVID-19. Bynan clarified the HPCA request was for a review on a case-by-case basis.

Council Member Doilney asked if previously dark businesses might take a year off since Sundance was pared down this year. Weidenhamer stated Sundance was concerned about non-affiliated businesses coming in during the festival and renting those spaces. He indicated having a temporary zoning ordinance that would preclude convention and sales licenses during Sundance, but it would be inconsistent with State code. It was a balance to facilitate business needs and Sundance's rights.

Council Member Joyce thought it was important to keep Main Street vibrant because of health guidelines. He indicated the ordinance should be enforced and the City had the ability to consider business requests on a case-by-case basis. If the stores shut down because of COVID, liquor licenses shouldn't be granted for the parties. Council

Members Henney and Doilney agreed. Council Member Gerber indicated businesses wanted neighboring businesses to be vibrant. The Council agreed to have staff enforce the vibrancy ordinance.

Wasatch Transit Study Results Presentation - Shawn Seager, Mountainland Association of Governments (MAG):

Shawn Seager and Shauna Mecham, MAG, and Albert T. Stoddard, LSC Transportation Consultants, Inc. lead consultant, presented this item. Stoddard presented the results from the Wasatch County Transit Study. He stated there was good outreach with distributing a survey, coordinating meetings, and assembling an advisory committee consisting of over 50 stakeholders.

Stoddard discussed the Utah Transit Authority (UTA) vanpool program and indicated this was based on demand. A commuter service from Wasatch to Summit County was considered with more trip frequency in the winter. A commuter service from Wasatch to Utah County was also considered, and he noted there was a balanced need for service in the mornings and evenings. A local service option within Wasatch County focused on stops in Heber City and Midway.

The recommendation was to phase the implementation. Phase One would create a short-term governance structure and develop a van pool. Phase Two would add the local service and Phase Three would implement the service with Summit and Utah Counties.

Seager explained some funding options to cover the Transit costs, including Federal Transit Authority funds, charging fares, and using Wasatch County Transportation Sales Tax potential revenue. Mayor Beerman asked if Wasatch County was interested in implementing a sales tax. Seager stated there was excitement for transit in that area, but there wasn't a discussion on funding. Wasatch and Summit Counties met and were going to create a memorandum of understanding for regional transit.

Seager gave some options for governance models for transit. He displayed a cost per passenger chart and noted the cost for a passenger going from Heber to Park City was only \$2.63 because of the high demand.

Council Member Joyce stated the transit demand in general decreased because of COVID-19. He asked if this had an effect on the discussions. Seager stated Wasatch County projected past the COVID era and looked to the future. Council Member Joyce asked if this presentation had been given to the Military Installation Development Authority (MIDA). Seager stated there were stakeholders from the ski resorts and MIDA as part of the Transit study. Council Member Doilney asked if Kamas and other cities east of Jordanelle were part of the study. Seager stated Wasatch County only wanted entities within the county to be studied. He noted Hideout was part of the study. Council

1 Member Gerber asked if Heber City had discussed microtransit. Seager stated he was
2 not part of those discussions.

3
4 Mayor Beerman opened the meeting for public input.

5
6 Mark Boyle via Zoom suggested branching out regionally and encouraged Park City to
7 reach out to other areas. He also stated Hideout was taking advantage of the
8 established area and he hoped to hold them accountable to achieve a good business
9 product. He stated bringing in large corporate sponsorships would help with funding.

10
11 Mayor Beerman closed the public input portion of the meeting.

12
13 Council Member Joyce indicated he was excited to make progress on having transit run
14 between Heber City and Park City. He thought as COVID decreased and Summit
15 County began its regional transportation, there would be a demand.

16
17 Seager stated Park City was one of the partners in the study and he felt it spurred a lot
18 of conversations, which was very helpful. Dias agreed and noted this study was
19 evidence that the City could work with its neighboring entities. Mayor Beerman was
20 encouraged by the results and thought implementing these systems could move the
21 region's transportation goals forward.

22
23 **Park City Vision 2020 Update:**

24 Jed Briggs, Budget Manager, Linda Jager, Community Engagement Manager, and
25 Michelle Downard, Resident Advocate, presented this item. Briggs reviewed the
26 visioning process had been delayed by COVID, and indicated staff was looking for
27 direction going forward. Jager reviewed the eight-month visioning process which
28 concluded with five strategic pillars and an overwhelming desire from the community for
29 Council to "embrace bold change." Briggs reviewed the prioritization of the pillars.
30 Downard displayed questions for consideration and asked if Council thought the pillars
31 should be reprioritized since COVID had hit the economy and the City had been
32 focused on health and safety.

33
34 Council Member Doilney favored having pillar workgroups. He thought the priorities
35 would remain close to the same priorities. He was concerned about affordability and
36 social equity and thought that might change because of COVID and the situations being
37 highlighted in the past few months. Council Member Gerber agreed and stated housing
38 was getting less affordable for the workforce. She thought resiliency was a word that
39 would be used going forward as the City bounced back after COVID.

40
41 Council Member Joyce cautioned Council not to change things around too much, noting
42 the City was 5 months into a 10-year plan. COVID was a big bump in the road, but a 10-
43 year plan was a long-term aspiration. He thought the City should look at the most they

1 could do for the money it had available. He indicated the lowest priority was the Arts
2 and Culture District and this project was a huge expense at a time when the City had a
3 lot of other obligations.

4
5 Council Member Henney remembered from prior discussions that Transportation had
6 the most immediate need, but Affordability and Equity had the greatest urgency over the
7 long-term. He didn't think the City needed to reconsider priorities based on COVID, and
8 felt the results held up in spite of COVID. His concern was whether the pillars supported
9 the critical priorities or diluted the critical priorities. He stressed the desire from the
10 community was to take bold action and in many cases, taking bold action included not
11 changing. Council Member Doilney agreed and felt the pillars were interconnected and
12 couldn't be separated. He hoped to give affordability and equity everything in the short-
13 term, but keep the pillars as-is for the long-term.

14
15 Mayor Beerman thought the eight-month visioning process was valuable because
16 consistency was seen in the results by all groups involved. Since COVID, the priorities
17 were being questioned. He thought there should be some forums to discuss the
18 prioritizations. He agreed it was about bold action, not bold change. He also noted the
19 critical priorities depicted as a tree was now changed to strategic pillars and he
20 encouraged a specialist to tie in the two ideas in a visual depiction.

21
22 Council Member Joyce thought it was a good idea to get the pillars back into people's
23 minds. He thought finding quick solutions would jumpstart these pillars. Council Member
24 Gerber stated a lot of people had moved to town recently and she felt educating people
25 on what the community was working on would be beneficial. She indicated a lot had
26 been learned about some of the pillars during COVID. For example, events were cut
27 because of COVID and people still came to town. Council Member Doilney felt the Arts
28 and Culture District would help the City economically with accessibility close to Main
29 Street, and noted it would also include affordable housing and promote transit.

30
31 Mayor Beerman summarized that Council felt the City was on the right track with regard
32 to the strategic pillars, being the building blocks for the direction the City would go.
33 There was support for some public outreach to reaffirm the vision and support for quick
34 actions to accomplish some goals within the pillars. He indicated Council and staff could
35 use those actions to start conversations.

36
37 Council Member Henney added that help was needed to tie-in the past priorities with
38 the new priorities, and hoped it could be something easy that people could remember.
39 Council Member Joyce favored a reboot instead of dragging the old stuff into the new
40 stuff. Council Member Doilney liked the visual of the tree. Council Member Joyce
41 thought the visuals were not as important as getting this going in the community. Mayor
42 Beerman felt it should be done at the same time to present it to the public. Council
43 Member Doilney stated the City had continued to take bold action, referring to

environmental leadership, Richardson Flat, and the Transportation Study results. Dias stated these priorities were moving forward even as COVID was in the midst of the priority. Some of the low hanging fruit had been accomplished. The things ahead needed to be bold. He agreed staff and Council could do more outreach to get it into the community.

Mayor Beerman opened the meeting for public input. The following comments were submitted:

Nancy Lazenby via Zoom was excited to see the vision being presented. She loved the vision statement. She asked if the projects were going forward separately or were they tied into the goals. She gave the example of the Park City Mountain Resort (PCMR) parking project, which would have an impact on tourism and transportation, and asked if the project tied into the different City departments.

Mayor Beerman stated visioning was used to build in a new general plan. This would be handled differently, but it would trickle down into policy. He knew applications came in and it was hard to retrofit the project with the visioning principles. If the projects weren't looked at comprehensively, they wouldn't be effective. Jager stated staff would come back to Council to discuss what had been done within the strategic pillars.

Carolyn Wawra: "Hi! I'm unable to attend this meeting live, but wanted to voice my support for Vision 2020 all pillars, especially this one: Environmental Leadership - Protect, embrace and support our natural world and local ecosystems, so we can all thrive. I specifically support Net Zero Carbon and Zero Waste. We are already leading on Carbon, ranking as most ambitious climate change goals in the country. If our community can do this with Carbon, I feel that we can do it with waste. Let's do this Park City!"

Deborah Rentfrow: "2020 Vision documents: Affordability & Equity: Under Housing Solutions, it states the desire to disincentivize the nightly rentals. Don't disagree with this; however, does this mean condos built by PEG will not be allowed to do nightly rentals? Are any units in Kings Crown going to be eligible for nightly rentals? Environmental Leadership: Under Natural Environment it states the desire to create & maintain safe corridors and habitat that negates the impact of roads, trails and development on the natural systems & wildlife. The PCMR base area project proposed by PEG is not creating safe pedestrian corridors and will be making access to the trails from April through November PCMR more difficult. Transportation Innovation: Agree with it all and believe we should promote Car Optional thinking; our condo listing headline states NO CAR REQUIRED and has since put it in rental pool. How is the city going to encourage/enforce this going forward with existing and then with new development by PEG at PCMR? Sustainable Tourism: On Holistic Analysis this again begs the question as to whether the city will allow the units built by PEG to be nightly

rentals. Also, it says it should be in balance at neighborhood levels. Empire & Lowell neighborhood will be devoured by PEGs proposal; the Kings Crown development is already having a noticeable impact on the area. Arts, Culture & Local Economy: The 2nd point includes "encouraging entrepreneurial outdoor recreation and sustainable tourism industry". A lot of our tourists come from less than an hour away to use the trail system and ski. The current proposal by PEG for the PCMR base area will negatively impact the use and sustainability. In addition, growing existing small business & local business creation is listed as important. Will the city set limits on number of national chains allowed to operate in newly developed retail space at PCMR as they have attempted to do on Main Street?"

Jocelyn Scudder: "Thank you for the opportunity to submit public comment today about the Park City 2020 Vision and Strategic Pillars. My name is Jocelyn Scudder and I represent the Arts Council of Park City and Summit County—an independent umbrella nonprofit organization and Local Arts Agency for both Park City and Summit County. Our mission is to serve our Arts & Culture community by driving creative programming, providing valuable resources, and cultivating connections. We envision a community where Arts & Culture is critical, where creatives thrive, and where all people connect through the arts. The Arts Council is grateful for the City's leadership in prioritizing arts and culture during the 2020 visioning process, identifying a need to foster economic diversity through arts, culture, and local entrepreneurship. During this process, residents identified a need to embrace bold change. As we collectively look towards the future, we see a lot of change—cultural representation is increasing, where and how we live is shifting, our awareness of community challenges and drive to address them is expanding, and our delicate economy is shifting. It's the Arts Council's role to ensure that the arts are woven into these changes that shape our community as they are an integral component of our community fabric that can help us tell our stories, bridge our divides, celebrate our diverse cultures, and diversify our economy. Ultimately, the arts increase our quality of life in Park City and make our community more sustainable, vibrant, and resilient. Arts and Culture is at a critical juncture in Park City. We've seen increased investment in arts and culture in our community—most notably Park City's land purchase in Bonanza Park to create a new Arts & Culture District. We must maintain momentum in arts and culture to ensure we capture the return on these investments. The arts are kindling for our local economy—when we increase support for arts and culture, we are generating jobs, tax revenue and an uplifting hope and connection in our community. The arts will help us build after this difficult period. I encourage Park City leadership to continue the prioritization of arts, culture, and local economy as a key strategic pillar as we move forward as a community. Thank you again for the opportunity to submit public input on this item and for the City's continued support of arts and culture."

Heather Currie via Zoom was grateful the Council was moving. She was concerned that the visioning process might be opened too much and would be changed until it was

unrecognizable. She thought \$500,000 was put into the visioning process and she wanted to be careful opening it up again. She urged caution when building a survey. She also wanted to speak about zero waste and hoped it would stay at the top of the prioritization list.

Mayor Beerman closed the public input portion of the meeting and stated there were no plans for a survey, but there would be forums. Jager clarified the visioning project was \$60,000.

REGULAR MEETING

I) ROLL CALL

Attendee Name	Status
Mayor Andy Beerman Council Member Max Doilney Council Member Becca Gerber Council Member Tim Henney Council Member Steve Joyce Matt Dias, City Manager Margaret Plane, Special Counsel Michelle Kellogg, City Recorder	Present via technology
Council Member Nann Worel	Excused

II) COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Mayor Beerman stated the Deborah Rentfrow public comment from work meeting had a lot of excellent questions and he encouraged her to be at the Planning Commission meeting tomorrow to ask those questions.

Council Questions and Comments:

Council Member Henney stated he attended Coffee with Council today with Celia Peterson, who announced Park City had won the "We love Cities" contest for U.S. cities. Park City was now in the competition in the world contest. He indicated the winning City was determined by the City's bold actions that took care of the City.

Council Member Doilney noted it was Suicide Awareness month and asked the community to continue to reach out to people.

Council Member Joyce stated he was the liaison for the Sewer District and noted the new \$50 million water treatment plant had its ribbon cutting. He noted a plaque was placed on the new building honoring Deon Wilking, who had been on the Water Reclamation Board for 42 years and had contributed so much for the City and County.

Mayor Beerman stated six months ago the pandemic became a crisis. The Council had reevaluated its budget and helped the most vulnerable population. He was hopeful that the City could take a balanced look into recovery.

Staff Communications Reports

1. 2020-2021 Winter Transit Service Recommendations:

Mayor Beerman indicated public input on this item could be given during the Public Input agenda item.

2. Neighborhood Traffic Management Program- Iron Mountain Trailhead Update:

Council Member Joyce stated some people had asked how much trailhead parking was at the PCMR base. There would be a lot of trailhead parking eliminated when the project got started. He asked that staff consider alternatives. Mayor Beerman stated a letter was received by the Mountain Trails Foundation Board with that same concern and he was having a meeting with them tomorrow.

3. Art Fencing Call for Artist for Arts and Culture District Engagement:

4. Business Licensing Program Overview:

III) PUBLIC INPUT (ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE AGENDA)

Mayor Beerman opened the meeting for anyone who wished to submit comments to the Council on items not included on the agenda as well as on the 2020-2021 Winter Transit Service Recommendations agenda item.

Victoria Schlaepfer, Deer Valley Resort: "I have broken down our concerns by bus line: Orange Line: From staff feedback last winter, the Orange bus in the mornings and evenings is very crowded and some passengers were denied getting on the bus because it was too full. With new protocols to avoid overcrowding on buses, it seems counter-productive to decrease service on an already over-crowded line. Deer Valley would like to see increased frequency of the Orange bus during peak times in the morning and afternoons to meet this demand and keep riders safe. Another concern with the Orange line is that it starts at PCMR. Last year, the Lime bus turned into the Orange bus at PCMR, however the city has stated that the Lime bus will now run all the way to Deer Valley. It seems that there could be cost-savings in starting the Orange bus at OTTC instead of PCMR.

Purple Line: Deer Valley would like to see continued service to Empire on the Purple line as we have about 20 employees that rely on the Purple bus to get to work at

1 Empire. We also understand that the Montage has employees that rely on the bus to get
2 to work and support them in their need for the Purple bus to run.
3

4 Yellow Line: Another significant concern to the Resort is the addition of a stop at PCMR
5 on the Yellow line. The Yellow line is the fastest way for our employees in prospect to
6 get to the resort. The Red line already services PCMR twice, once on the way to Deer
7 Valley and once on the way back. Riders that need to get to PCMR on the Yellow line,
8 could transfer at the Fresh Market stop as there are already 3 other routes that stop at
9 Fresh Market and then proceed to PCMR. Last year Deer Valley and the City talked
10 about reversing the Yellow line in order to provide at least one bus in the transit system
11 that went to Deer Valley more quickly and directly.”
12

13 Michelle O'Brien, Stein Eriksen: “The following is our basic needs from a shift
14 perspective: Our typical peak shift start times are 6:30 am, 7:00 am, 8am, 2:30-3pm
15 with end times of 1pm, 2:30-3:30pm, 4:30-5:00pm, 10:30-11pm. We anticipate at least
16 200 seasonal team members being onboarded this winter for SELMC.
17

18 Housekeeping – 60 with a high concentration working the 8am-4:30pm shift
19 F&B – 85 with a high concentration working the 5/6am-1/2pm or 3pm-11pm shift
20 Culinary – 40 with a high concentration of 7am-3pm or 3pm-11pm shifts
21 Front Office - 20 with a high concentration of 7am-3pm or 3pm-11pm
22

23 We would request the buses start as early as 6am if possible and run through mid-day
24 (9:30am), with end of shift pickups from 1pm -3:30pm approx./ 4:30-6pm approx. and
25 10:30pm -11pm approx. We are bringing in our seasonal team between November 10th
26 and November 13th. The Purple bus is the only way they can get up the mountain from
27 November 10th until the start of the Orange bus. We have our housekeeping team
28 coming November 10th and that would be for an 8:00 am-4:30 pm shift. There will be
29 about 45 to 50 that will not have any other transportation.”
30

31 Kirk Nangreaves via Zoom indicated his neighborhood was served by the blue and
32 green Transit lines and noted these were the same routes going in different directions.
33 He felt the cuts were a difficult decision. He understood the service change included the
34 blue line being suspended. That was a 50% cut which was disproportionately large. The
35 green line had been reduced from three buses an hour to two buses per hour, which
36 was a 60% service cut. He asked why his neighborhood got double the service cut
37 when the target cut was 35%. He requested staff increase the green line service back to
38 three buses per hour.
39

40 Melissa Renschler, director of People, Montage Deer Valley, via Zoom indicated that
41 over the months they worked on the revised bus schedule, especially the purple line
42 which impacted the Montage employees. She requested Council approve her
43 suggested schedule. She anticipated hiring 350 employees for the ski season.

Council Member Henney responded that the bus changes were made on a temporary basis, in response to the decline in demand. Schlaepfer and Renschler both worked for ride generators. They gave valuable input over the past couple of months and the bus schedule was amended based on that input. He thought Nangreaves would have to adjust to the cuts in his neighborhood. He indicated this was an administrative approval and Council would not vote on this item. He also noted any suggestions could go before the Joint Transportation Advisory Board (JTAB).

Council Member Joyce stated Transit had to prioritize and the most important priority was for people without cars who needed transit for their livelihood. Transit hoped to increase service by the end of the season. Mayor Beerman asked when the next JTAB meeting would be. It was indicated October 20th at 9:00 a.m. He encouraged this public comment to be made at that meeting.

Charlie Sturgis via Zoom hoped Transit would remain flexible to meet the demands.

Kirk Nangreaves via Zoom agreed priority should be given to those with no cars.

Mayor Beerman closed the public input portion of the meeting and stated it was nice to see people fighting for Transit. He hoped the routes would be back to normal as soon as possible.

IV) CONSENT AGENDA

1. Request to Authorize the City Manager to Execute the Construction Agreement in a Form Approved by the City Attorney's Office with Makers Line, LLC, for the Construction of the Sixth Street Stairs in an Amount Not to Exceed \$262,204.00:

2. Request to Provide Rent Abatement for Tenants of City-Owned Properties through December 1, 2020 in the Amount of \$22,081:

Council Member Joyce moved to approve the Consent Agenda. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Henney, and Joyce

EXCUSED: Council Member Worel

V) NEW BUSINESS

1. Consideration to Approve Resolution 20-2020, a Resolution Recognizing November 13, 2020 as Park City Kindness Day:

Minda Stockdale, Leadership staff liaison, and Kathleen Nichols, Meredith Riley, and Nicole Kennedy, Leadership Class 26, presented this item. Council Member Henney stated he went to the Kindness website and it was great. He commended the group with its efforts to distribute painted rocks with statements of affirmation and noted he liked seeing them on trails and around town. He also enjoyed looking at the Leadership group's list of accomplishments.

Stockdale stated the Leadership Class was strong and performed in spite of not being able to meet in-person, and they performed a multipronged project, including this resolution. Kennedy thanked those on the committee for their work and effort on this project. The Leadership class felt kindness was one of the most important things in life and she quoted, "What is the kinder option?" Riley stated kindness was a value the City already honored, but she felt adopting the resolution would help the town rise to the occasion. She noted the personal benefits from being kind and indicated she supported this resolution.

Council Member Doilney stated wearing a mask was an act of kindness. He felt wearing a mask was an unspoken message that people care about each other. He thanked the Leadership class for promoting kindness. Council Member Henney referred to the "We Love Cities" competition and stated this was one way that Park City could show its love for the City. Kennedy stated their group raised over \$1,000 to buy coffee for first responders. She listed other things the group had done to show kindness. She read the resolution aloud.

Council Member Doilney moved to approve Resolution 20-2020, a resolution recognizing November 13, 2020 as Park City Kindness Day. Council Member Henney seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Henney, and Joyce

EXCUSED: Council Member Worel

2. Consideration to Approve Resolution 21-2020, a Resolution to Return to Normal Utility Billing Processes:

Jason Christensen, Water Manager, presented this item and indicated in April an emergency proclamation was passed, which included not charging interest for delinquent water billing accounts and a 50% reduction in the stormwater charge. This resolution would reinstate the full stormwater charge and charging interest on delinquent water billing accounts. He noted collections on the delinquent accounts would be phased in beginning January, 2021.

Council Member Henney asked if there was an appeal process for a person that couldn't pay the bill. Christensen stated a person could be referred to the Christian

Center, the City Manager, and there were reduced billing options, all of which were available on a case-by-case basis.

Council Member Joyce indicated \$420,000 in stormwater fees were waived, and that money went back to the community. He appreciated the Water Department's efforts during COVID. Christensen stated the department was able to cut that fee by deferring capital projects.

Council Member Gerber asked about outreach to let customers know about the change in billing. Christensen stated there would be a notification that would be sent to customers. Council Member Gerber asked if there was information in Spanish. Christensen stated he would work on that to make it happen.

Mayor Beerman opened the meeting for public input. No comments were submitted. Mayor Beerman closed the public input portion of the meeting.

Council Member Gerber moved to approve Resolution 21-2020, a resolution to return to normal utility billing processes. Council Member Henney seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Henney, and Joyce

EXCUSED: Council Member Worel

3. Discuss FY2021 Budget Re-Adoption:

Jed Briggs, Erik Daenitz, and Penny Frates, Budget Department, presented this item. Briggs stated when the budget was adopted, it was determined staff would come back with better projections for the fiscal year. He reviewed the steps taken and cuts made thus far for the FY2021 budget. The approved budget included cuts in anticipation of a recession.

Daenitz indicated sales tax was lower than normal, but was \$1.3 million more than the projections made in April. He noted some areas of the economy were back to normal, but the travel and tourism area was uncertain. He also indicated COVID cases were continuing to climb and that path was undetermined.

Briggs displayed a chart with updated General Fund revenue compared to the projections. There were big deficits in sales tax revenue, Ice revenue, and other revenue. Daenitz stated the revised projection anticipated a 43% decrease in sales tax resulting in \$620 million less than expected, mostly due to lower revenue in the winter months. He thought the expense budgets were cut to the appropriate level, but now the revenues needed to be fine-tuned. Briggs hoped to adopt a revised budget that showed the projections better.

1 With regard to the Transportation Fund projections, Briggs stated the new Transit tax
2 was not calculated initially. The new projection included that new tax. There were also
3 grants Transit applied for which amounted to approximately \$2 million. He discussed
4 opportunities to receive additional funds through grants. The Transportation expenses
5 included additional cuts for capital projects in order to balance the fund. Daenitz
6 explained the method used to project the sales tax revenue.

7
8 Frates reviewed the recommended budget requests, including re-classing a Library
9 Assistant to a Spanish Services Senior Librarian, lobbying services, backcountry trails
10 operations and maintenance, a new Housing Specialist position, Transit Grants and
11 Contracts Administrator, and street lights and signs.

12
13 In response to Council Member Henney's question, Briggs stated the actual sales tax
14 funds could be left alone, or it could go towards the budget requests and the budget
15 shortfall. Council Member Gerber favored paying for the shortfall with the leftover
16 revenue and filling those positions. Council Member Doilney agreed. Council Member
17 Joyce wanted to keep the budget in sync with accurate projections. He agreed to use
18 the funds to counter the shortfall. Council Member Henney agreed to open the budget.

19
20 Mayor Beerman opened the meeting for public input.

21
22 Scott Robertson commended the Budget Department for the fantastic analysis and he
23 indicated he was impressed with their projection capability.

24
25 Charlie Sturgis via Zoom thanked Budget for that presentation.

26
27 Mayor Beerman closed the public input portion of the meeting.

28
29 Council Member Henney stated predictive modeling got better as time went on. He
30 asked how extraordinary events affected the modeling and thought it could affect the
31 accuracy. Daenitz agreed the modeling could not anticipate the event, but since the
32 modeling had data from the event, it was part of the data set and it observed that drop.

33
34 Briggs stated he would come back October 13th with the amended budget for action.

35
36 **VI) ADJOURNMENT**

37
38 With no further business, the meeting was adjourned.

39
40
41

Michelle Kellogg, City Recorder



City Council Staff Report

Subject: Water System SCADA Integrator Services, Addendum No. 1
Author: Jake Rudolph, Water Treatment
Department: Public Utilities
Date: October 13, 2020
Type of Item: Administrative

Recommendation

Staff recommends Council authorize the City Manager execute Addendum No. 1 to the Service Provider/ Professional Service Agreement (PSA) with SKM Engineering, LLC for Water System Supervisory Control and Data Acquisition (SCADA) and Telemetry System Integrator Services for programming, troubleshooting, and repair of water facilities telemetry communication and control systems increasing the contract by \$115,000 with a total contract value in the amount not to exceed \$295,000 and an extension of the contract to December 31, 2021.

Background

- On [November 8, 2018](#), Council authorized a Service Provider/PSA with SKM Engineering, LLC for Water System SCADA and Telemetry System Integrator Services for programming, troubleshooting, and repairs of water facilities telemetry communication and control systems in the amount not to exceed \$180,000.00 with a contract expiration of June 30, 2021.
- \$157,827 was required for capital upgrades, a safety driven Arc flash study, district metering to assist with water loss and SCADA support services. \$22,173 is remaining in the contract.
- The \$115,000 addendum in Exhibit A is required for continued support services and software updates.
- Park City's water system SCADA is a control system architecture that utilizes networked data communications between servers, operator workstations, programmable logic controllers (PLCs), field instruments, and human machine interfaces (HMIs) to allow for supervisory control and management of the distribution system and treatment plant processes.
- SCADA provides a way for our operators to talk to our facilities and for the facilities to talk to our operators. It also allows for remote operation, which avoids the need for 24/7 manned coverage.
- The water system is 100% reliant on a SCADA system and Telemetry communication equipment that allows for remote operation of treatment plants, wells, pumping facilities, pressure reducing equipment, tank level sensors, etc.
- SCADA programing support and telemetry system maintenance is routinely required on an ongoing and emergency basis for operations of the City's water treatment and distribution systems.
- Specialty skillsets are required to program the SCADA system and maintain, troubleshoot, and install water system telemetry equipment.

- On-call SCADA system programming support is essential in the event of failure to critical sites year round and the immediacy of this support is critical during peak water demands and holiday seasons.
- These services are critical when water system reliability and operability is even more precarious while Three Kings Water Treatment Plant is under construction.
- The proposed budget will be split up over the contract term which will be extended by six months.
- The Service Provider may not receive the full amount of this contract as the City will spend these funds as-needed and consistent with available funds.

Funding

The funding for Addendum No. 1 is from approved water operations and CIP budgets.

Exhibit A - Draft

FIRST ADDENDUM TO PARK CITY MUNICIPAL CORPORATION SERVICE PROVIDER/PROFESSIONAL SERVICES AGREEMENT

This FIRST ADDENDUM is made and entered into in duplicate this ____ day of _____, 20____, by and between PARK CITY MUNICIPAL CORPORATION, a Utah municipal corporation, (“City”), and SKM ENGINEERING, LLC, (“Service Provider”), to amend the Park City Municipal Corporation Service Provider/Professional Services Agreement signed and executed by the parties on December 10, 2018.

WITNESSETH:

WHEREAS, the parties entered into a Park City Municipal Corporation Service Provider/Professional Services Agreement on December 10, 2018, (hereinafter “Original Agreement”);

WHEREAS, part of the scope of services is for Service Provider to provide On-Call, and Emergency, SCADA programing, and support of the SCADA and Telemetry System;

WHEREAS, the term of the Original Agreement is due to end June 30, 2021;

WHEREAS, services are still ongoing; and

WHEREAS, the parties desire to amend the Original Agreement to provide sufficient time for such performance.

NOW, THEREFORE, in consideration of the mutual promises made herein and other valuable consideration, the parties hereto now amend the Original Agreement as follows:

1. **AMENDMENTS:**

- a. **EXTENSION OF TERM.** The term of the Original Agreement shall be extended to a termination date of December 31, 2021.
- b. **SCOPE OF SERVICE.** The Scope of Services shall be increased by One Hundred Fifteen Thousand Dollars (\$115,000.00) to a total Project amount that shall not exceed **Two Hundred Ninety Five Thousand Dollars (\$295,000.00).**

2. **OTHER TERMS.**

All other terms and conditions of the Original Agreement shall continue to apply.

3. **ENTIRE AGREEMENT.** This First Addendum is a written instrument pursuant to Section 21 of the Original Agreement between the parties and cannot be altered or amended except by written instrument, signed by all parties.

4. **COUNTERPARTS.** This First Addendum may be executed in counterparts, each of which will be deemed an original and all of which together will constitute one and the same instrument.
5. **ELECTRONIC SIGNATURES.** Each party agrees that the signatures of the parties included in this First Addendum, whether affixed on an original document manually and later electronically transmitted or whether affixed by an electronic signature through an electronic signature system such as DocuSign, are intended to authenticate this writing and to create a legal and enforceable agreement between the parties hereto.

IN WITNESS WHEREOF the parties hereto have caused this First Addendum to be executed the day and year first herein above written.

PARK CITY MUNICIPAL CORPORATION, a
Utah municipal corporation
445 Marsac Avenue
P.O. Box 1480
Park City UT 84060-1480

MATT DIAS, City Manager

Attest:

City Recorder's Office

Approved as to form:

City Attorney's Office

SKM ENGINEERING, LLC, a Utah limited
liability company
Address: 533 W 2600 S STE 25
City, State, Zip: Bountiful, UT, 84010

Tax ID#: 81-4397891
PC Business License# BL B-015606

Printed Name

Signature

Title

THE CITY REQUIRES THE SERVICE PROVIDER TO COMPLETE EITHER
THE NOTARY BLOCK OR THE UNSWORN DECLARATION, WHICH ARE
BELOW.

STATE OF UTAH)
) ss.
 COUNTY OF SUMMIT)

On this day of , 20__, before me, the undersigned notary, personally appeared _____, personally known to me/proved to me through identification documents allowed by law, to be the person whose name is signed on the preceding or attached document, and acknowledged that he/she signed it voluntarily for its stated purpose as _____ (*title*) of SKM Engineering, LLC., a Utah limited liability company, by authority of its Member Resolution, and acknowledged that he/she signed it voluntarily for its stated purpose on behalf of SKM ENGINEERING, LLC.

 Notary Public

I declare under criminal penalty under the law of Utah that the foregoing is true and correct. Signed on the ____ day of _____, 2020, at _____ (insert State and County here).

Printed name _____

Signature: _____

Council Agenda Item Report

Meeting Date: October 13, 2020

Submitted by: Heinrich Deters

Submitting Department: Sustainability

Item Type: Staff Report

Agenda Section:

Subject:

Request to Authorize the City Manager to Enter into a Reimbursement Agreement with Ivory Homes to Construct a Public Pedestrian and Biking Pathway in the Amount of \$75,000, in a Form Approved by the City Attorney

Suggested Action:

Attachments:

[Silver Creek Pathway Reimbursement Agreement Staff Report](#)

[Exhibit A: Reimbursement Agreement - Ivory Homes and Park City Municipal Corporation for Silver Creek Pathway](#)

[Exhibit B: Silver Creek Boardwalk & Pathway Design](#)

[Exhibit C: Silver Creek Pathway Cost Estimate - PCMC Portion](#)

[Exhibit D: Silver Creek Cost Responsibility](#)



City Council Staff Report

Subject: Reimbursement Trail Agreement- Ivory Homes

Author: Heinrich Deters

Department: Sustainability

Date: October 13, 2020

Type of Item: Consent

Recommendation

Authorize the City Manager to enter into a reimbursement agreement with Ivory Homes to construct a public pedestrian and biking pathway for public use, in the amount of \$75,000, in a form approved by the City Attorney. (Exhibit A)

Background

In 2007, the Walkability Study identified a pathway along Richardson Flat Road as a top priority for safety improvements. Ivory Homes entitled Park City Heights and entered into an amended development agreement with Park City on October 15, 2014. The developer is required to provide numerous public benefits, including constructing an offsite amenity which consisted of a separated bike path along the east side of Richardson Flat Road, connecting to the underpass trail at SR-248 (Conditions of Approval #21)

Since 2014, PCMC has constructed additional pathways within the Park City Heights and Round Valley area that have required the need to coordinate changes and additional connections to the developer's separated pathway obligation.

Consistent with the 2014 amended development agreement, the City Engineer shall present acceptance of all public improvements for Council approval. Maintenance of these improvements, specific to trails, shall be consistent with (Conditions of Approval #14).

Analysis

Since 2014, PCMC has implemented several new pathways, including what is known as the movie studio pathway along SR-224. Additionally, staff has reevaluated the usefulness, in terms of grade and safety, of the existing Richardson Flat pathway that currently 'dead ends' onto Richardson Flat Road. With that in mind, staff worked with the developer to design the best possible pathway for users.

The proposed design (Exhibit B) removes the existing Richardson Flat pathway and moves users to a longer, less steep facility, further removed from the roadway. This design will improve safety and user experience. Finally, it will also connect to the movie studio pathway, which may allow for greater access to proposed park n ride facilities planned for the Quinn's Junction area.

In partnership with the developer's obligations, staff has drafted a reimbursement agreement to accomplish these goals, which will allow the developer to construct all of

the facilities at once. Doing so will lower the project cost for the City, provide for an efficient timeline, and constrain any warranty issues to one contractor. Staff has provided a cost estimate for the City's portion (Exhibit C), and an exhibit noting use of City funds (Exhibit D).

Alternatives

Council has the following alternatives associated with this report:

- Approve: Council may approve the reimbursement agreement. (Staff's Recommendation).
 - o Construction of the project will start within a few weeks; and
 - o The developer has attained permits associated with the project; and
 - o Costs associated with the project are significantly lower than bidding the project individually, providing overall cost savings for the City.
- Deny: Council may choose to deny the agreement.
 - o Denial will delay construction of the project to 2021; and
 - o The City will be required to advertise and bid for the project separately; and
 - o The City will incur additional project costs, including but not limited to bonding, insurance, and mobilization; and
 - o New permits will need to be acquired by the contractor.

Funding

The City portion of this project is estimated to be \$75,000. Staff identified this project as a high priority in the recent Active Transportation Planning matrix and are recommending the 2007 Walkability Bond as the funding source.

Exhibits

Exhibit A- Reimbursement Agreement

Exhibit B- Overall Project Design

Exhibit C- Cost Estimate for Park City's Portion of Project

Exhibit D- Illustration of Cost Sharing Obligation

TRAIL AGREEMENT BY AND BETWEEN PARK CITY AND IVORY HOMES

This TRAIL AGREEMENT (the “Agreement”) is made and entered into as of the ____ day of _____, 2020, by and between PARK CITY MUNICIPAL CORPORATION, a Utah municipal corporation, together referred to as “Park City” or individually as “Park City Municipal” and IVORY HOMES (“Ivory”), (individually, a “Party” and, collectively, the “Parties.”)

RECITALS

A. Ivory owns certain real property located in Summit County, State of Utah, as more particularly described as the Park City Heights Annexation Plat, on file at the Summit County Recorder’s Office, entry number 00903151 (the “Property”); and

B. Ivory intends to improve the Property in phases, as described below, for residential development (the “Project”), which is within the Park City Heights subdivision (“PCH”); and

C. On or about October 15, 2014, Ivory and Park City entered into an amended development agreement “2014 Amended Development Agreement”, which outlined, amended and restated development obligations, including a separated pathway along the east side of Richardson Flat Road, for the Park City Heights subdivision; and

D. Since 2014, Park City Municipal Corporation has constructed additional pathways, within the Park City Heights and Round Valley area, which has constituted the need to coordinate changes and additional connections to the separated pathway obligation outlined in 2014.; and

E. The Parties recognize coordination and combination, including design and construction of Ivory’s pathway obligation outlined in the Amended 2014 Development Agreement, and the City’s desire to provide connections to new pathways and improvements may be accomplished through the design and construction of a certain trail and pathway improvement identified as **Exhibit “A”** attached hereto and made a part hereof, as designed herein;

NOW, WHEREFORE, in consideration of the terms and conditions of this Agreement, as well as the mutual benefits to be derived from those terms and conditions, the Parties agree as follows:

AGREEMENT

1. Trail and Pathway Improvements. The Parties agree to cooperate in the construction of certain trail and pathway improvements, as defined in Exhibit “B” to this Agreement, which shall meet obligations of Ivory and enhancements requested by the City. Specifically, obligations outlined in the 2014 Amended Development Agreement:
 - Condition of Approval #21: Trail Improvements necessary to connect the Rail Trail to the Hwy 248 tunnel trail on the north side of Richardson Flat Road, as well as, the trail connection from the Rail Trail to the public park on the south side of Richardson Flat Road, will likely impact the wetlands in the area. Precedent to issuance of a building permit for these trails a wetland impacts and enhancement plan shall be reviewed by the Planning Staff. All required wetland permits shall be obtained from the required agencies.
2. Trail and Pathway Obligations. Parties agree that the improvements illustrated in **Exhibit “B”** and further outlined as City obligation in **Exhibit “C”** and Ivory obligation in **Exhibit “D”**, all of which are attached hereto and made apart hereof, shall constitute the financial obligations of each Party.
3. Acceptance and maintenance of public Improvements. Consistent with the 2014 Amended Development Agreement, the City Engineer shall present acceptance of all public improvements for Council approval. Maintenance of these improvements, specific to trails shall be consistent with:
 - Conditions of Approval #14. Maintenance of sidewalks (including, without limitation, snow removal), trails, lighting, and landscaping within the rights-of-way and common areas, with the exception of the Public Park and public trails, shall be provided by the HOA, unless otherwise agreed upon by the City Council. Language regarding ownership and maintenance of the open space and common areas shall be included on the final subdivision plats.
4. Miscellaneous. The Parties further agree as follows:
 - Binding Terms; Entire Agreement. The terms, covenants and conditions herein contained shall be binding upon and inure to the benefit of the successors, transferees and assigns of the Parties. This Agreement and the exhibits attached hereto constitute the entire agreement among all the Parties hereto with respect to the subject matter hereof, incorporates all prior agreements, and may only be modified by a subsequent writing duly executed by the Parties.
 - Waivers. No waiver of any of the provisions of this Agreement shall constitute a waiver of any other provision, whether or not similar, nor shall any waiver be a continuing waiver. Except as expressly provided in this Agreement, no waiver shall be binding unless executed in writing by the Party making the waiver. Any Party

may waive any provision of this Agreement intended for its benefit; provided, however, that any such waiver shall in no way excuse any other Party from the performance of any of its other obligations under this Agreement.

- Interpretation; Recitals. This Agreement shall be interpreted and construed only by the contents hereof and there shall be no presumption or standard of construction in favor of or against any Party. The recitals stated above and the exhibits attached to this Agreement shall be and hereby are incorporated in and an integral part of this Agreement by this reference.
- Governing Law; Captions. This Agreement shall be construed and enforced in accordance with, and governed by, the laws of the State of Utah. The captions in this Agreement are for convenience only and do not constitute a part of the provisions hereof.
- Applicability. If any term or provision of this Agreement or the application of it to any person, entity or circumstance shall to any extent be invalid and unenforceable, the remainder of this Agreement or the application of such term or provision to persons or circumstances other than those as to which it is invalid or unenforceable shall not be affected thereby, and each term and provision of this Agreement shall be valid and shall be enforced to the extent permitted by law.
- Authority; Further Assurances. Each Party hereto represents and warrants that it has the requisite corporate power and authority to enter into and perform this Agreement and that, to their respective, current, actual knowledge, the same will not contravene or result in the violation of any agreement, law, rule, or regulation to which any such Party may be subject. Each Party to this Agreement shall use reasonable efforts and exercise reasonable diligence to accomplish and effect the transactions contemplated and, to that end, shall execute and deliver all such further instruments and documents as may be reasonably requested by the other Party in order to fully carry out the transactions contemplated by this Agreement.
- No Third Party Beneficiaries. Nothing in this Agreement is intended to or shall create an enforceable right, claim or cause of action by any third person, entity or party against any Party to this Agreement.
- Counterparts; No Recording. This Agreement may be executed by facsimile and in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. This Agreement may not be recorded in the official real estate records of Summit County, Utah, or elsewhere, without the express, written consent of the Parties. Each party agrees that the signatures of the parties included in this Agreement, whether affixed on an original document manually and later electronically transmitted or whether affixed by an electronic signature through an electronic signature system such as DocuSign, are intended to authenticate this writing and to create a legal and enforceable agreement between the parties hereto.

- Force Majeure. If any Party is delayed or prevented from performance of any act required hereunder by reason of a “force majeure” event, and such Party is otherwise without fault, then performance of such act shall be excused for the period of the delay. For purposes of this Agreement, “force majeure” shall mean any delay caused by acts of nature or the elements, acts of terrorism, weather, avalanche, fire, earthquake, flood, explosion, war, invasion, insurrection, riot, malicious mischief, vandalism, including without limitation, except with respect to the City, governmental or regulatory action or inaction, beyond the control of the Party claiming “force majeure” or any other person or entity delayed.
- Notices. Unless otherwise designated in writing, all notices, demands and other communications under this Agreement shall be in writing and mailed by first class registered or certified mail, postage prepaid, sent by receipted hand delivery, sent by nationally-recognized, overnight courier, sent by confirmed facsimile and, in any case, shall be addressed as set forth in the 2014 Amended Development Agreement for each such Party (or their legal counsel).
- Relationship of Parties; Limitation of Liability. Nothing herein contained shall be deemed or construed as creating a relationship of principal and agent, partnership or joint venture among the Parties, or any of them, it being agreed that neither any provision contained herein, nor any acts of the Parties hereto, shall be deemed to create any relationship between the Parties except as otherwise specified in this Agreement.
- Remedies Cumulative; No Waiver; Injunctive Relief. The various rights and remedies herein contained and reserved to each of the Parties shall not be considered as exclusive of any other right or remedy of such Party, but shall be construed as cumulative and shall be in addition to every other remedy now or hereafter existing at law, in equity, or by statute. No delay or omission of the right to exercise any power by any Party shall impair any such right or power, or be construed as a waiver of any default or as acquiescence therein. Further, the Parties agree and acknowledge that a non-defaulting Party may not have an adequate remedy at law by reason of any breach of default of the terms or conditions of this Agreement and, as such, the non-defaulting Party shall be entitled to injunctive or similar relief from any breach or anticipated or threatened breach of this Agreement by the defaulting Party, in addition to and without waiver of any other remedies available at law or in equity.

DATED as of the ____ day of _____, 2020.

[Signatures on following page]

PARK CITY MUNICIPAL CORPORATION,
A Utah Municipal Corporation

By: _____
Andy Beerman, Mayor

Dated this _____ day of _____, 2020.

ATTEST:

Michelle Kellogg, City Recorder

Dated this _____ day of _____, 2020

APPROVED AS TO FORM:

Thomas A. Daley, Deputy City Attorney

Dated this _____ day of _____, 2020.

IVORY HOMES

By: _____

Name: _____

Its: _____

Dated this _____ day of _____, 2020

SILVER CREEK TRAIL
PARK CITY, SUMMIT COUNTY, UTAH
TRAIL OVERALL PLAN

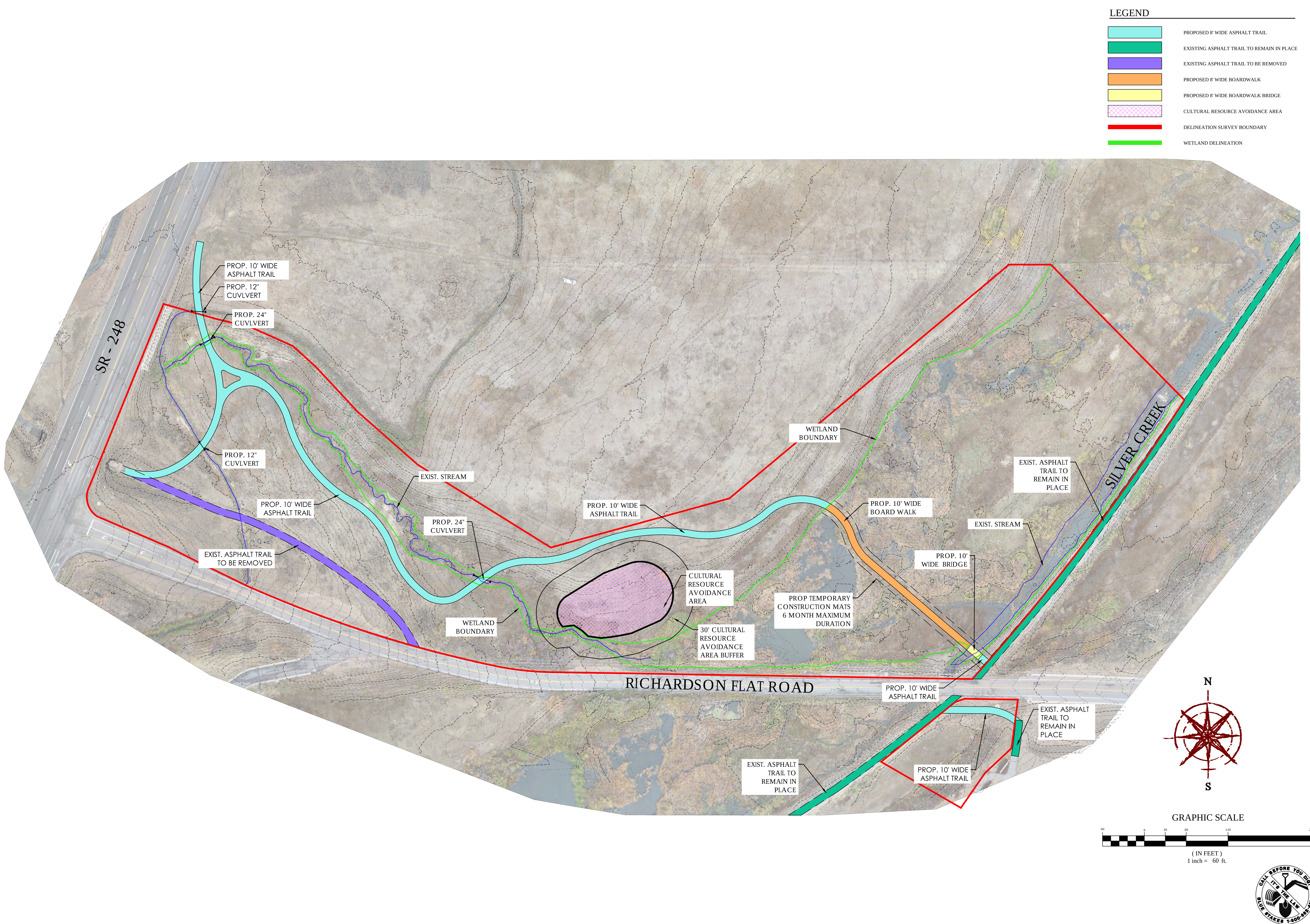
REVISION BLOCK		DESCRIPTION
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TRAIL OVERALL PLAN

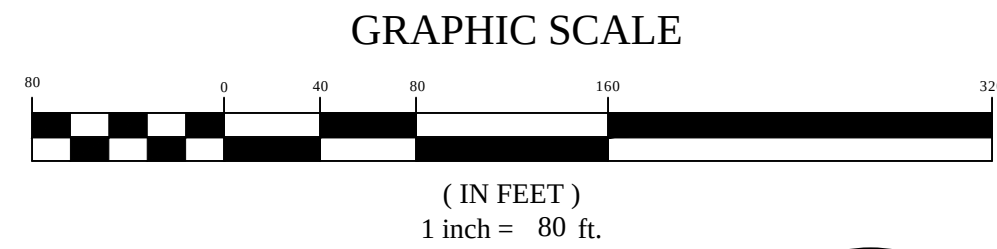
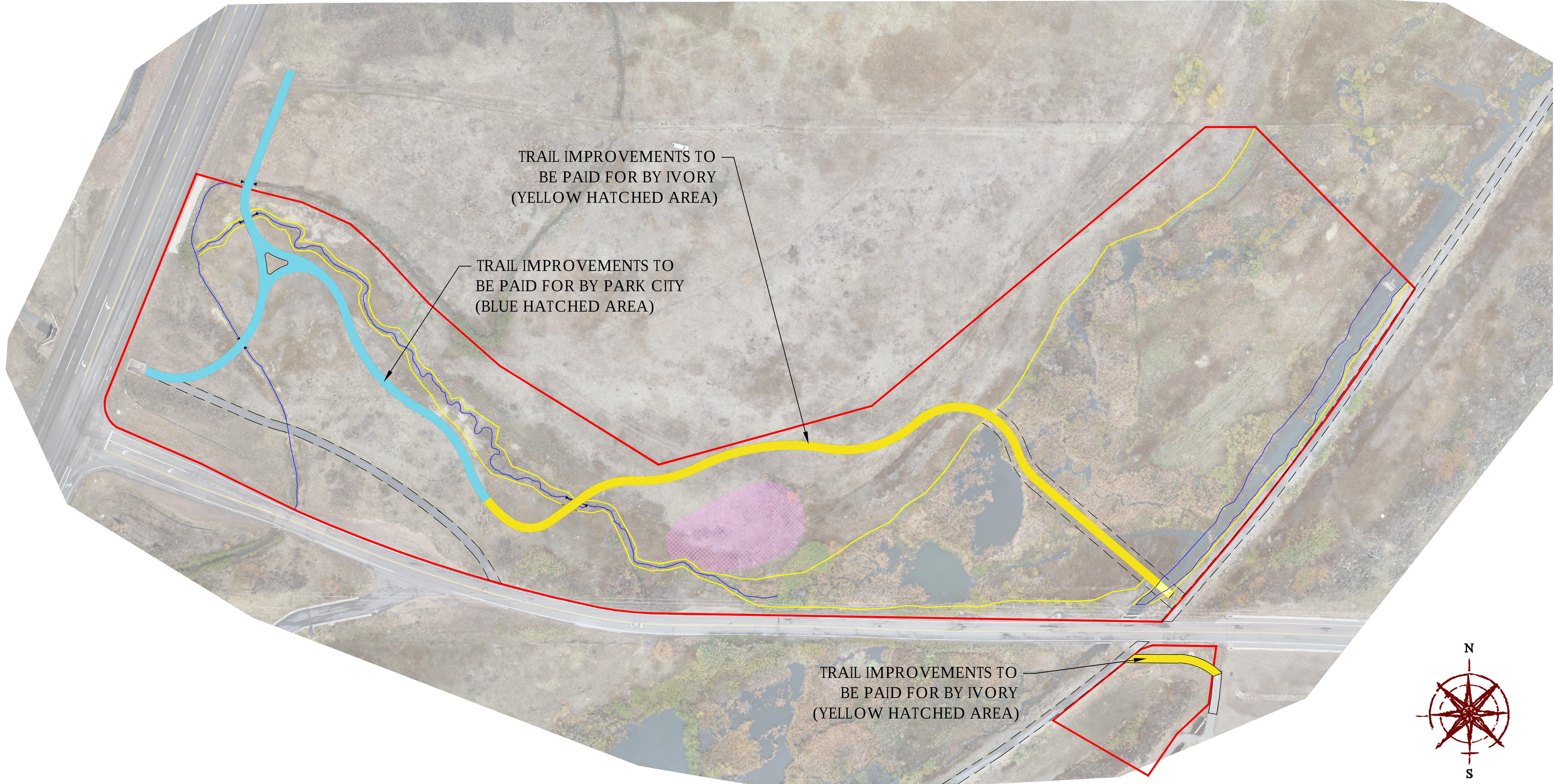
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Date: 10/16/19 Job #: 18-433

Sheet: C2



City Improvement Obligation					
Project:	SILVER CREEK TRAIL				
Location:	PARK CITY, UT				
Date:	4/30/2020				
By:	J. BOUTHILLIER				
Line #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
Earthworks					
	Excavation	312	CY	\$7.50	\$2,340.00
	Fill	27	CY	\$40.00	\$1,080.00
Asphalt					
	3" Asphalt Paving	10028	SF	\$3.00	\$30,084.00
	6" Sub Base	10028	SF	\$1.50	\$15,042.00
Storm Drain					
	12" RCP	33	LF	\$62.00	\$2,046.00
	24" RCP	24	LF	\$80.00	\$1,920.00
	12" End Section	4	EA	\$1,200.00	\$4,800.00
	24" End Section	2	EA	\$1,300.00	\$2,600.00
Erosion Control					
	Silt Fence	650	LF	\$3.00	\$1,950.00
	Erosion Matting	1510	SF	\$0.65	\$981.50
	Re-Vegetation	500	SF	\$1.75	\$875.00
Contingency					
					\$11,282
				TOTAL	\$75,000



SILVER CREEK TRAIL
PARK CITY, SUMMIT COUNTY, UTAH
IVORY AND PARK CITY PAY SPLIT EXHIBIT

REVISION BLOCK		DESCRIPTION
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5		
6		

OVERALL TRAIL EXHIBIT

Scale: 1"=80'	Drawn: JRB
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Sheet:	

01

Council Agenda Item Report

Meeting Date: October 13, 2020

Submitted by: Jed Briggs

Submitting Department: Budget, Debt & Grants

Item Type: Ordinance

Agenda Section:

Subject:

Consideration to Approve Ordinance 2020-46, an Ordinance Adopting an Adjusted Budget for FY 2021 for Park City Municipal Corporation
(A) Public Hearing (B) Action

Suggested Action:

Attachments:

[FY 2021 Adjusted Budget Staff Report](#)

[Exhibit A: FY 2021 Adjusted Budget Ordinance](#)

[Exhibit B: FY 2021 Adjusted Budget Summary Tables](#)

City Council Staff Report



Subject: Fiscal Year 2021 Budget Adjustment
Author: Jed Briggs, Erik Daenitz, Penny Frates
Department: Budget
Date: October 13, 2020
Type of Item: Administrative

Recommendation

Adopt the FY21 Adjusted Budget with changes outlined in this report to maintain a responsible fiscal approach in the face of long-term COVID-19 related economic impacts while supporting council and community goals.

Background

In response to COVID-19, PCMC quickly activated the City's Recession Plan during the FY21 budget cycle to impose a series of stringent expenditure reductions necessary to close the projected General Fund revenue shortfall. The FY21 budget was built upon an initial 21% revenue shortfall projection with an agreement to revisit within 90 days from July 1, 2020, for potential re-adoption and adjustment, once the financial implications of COVID-19 were better understood.

Due to the City's fiscally responsible and conservative projections, along with a better-than-projected revenue recovery during the last months of FY20, General Fund Sales Tax revenues outpaced initial projections by +\$1.3M, yet remained down overall by -\$2.3M, versus the original FY20 budgets.

Analysis

Compared to the FY20 original revenue budget, the Budget Department initially projected a sales tax shortfall of 36%, or approximately \$5.5M for FY21. This led to a projected General Fund revenue loss of 21% (\$8.6M). The FY21 budget was adopted at a 39% reduction compared to the FY20 budget, slightly below the projection, due to the uncertainty of the economy leading into the ski season.

FY21 SALES TAX ADJUSTMENT

Using machine learning and traditional statistical techniques, Staff is now monitoring approximately 70+ datasets that serve as potential inputs that demonstrate a statistically significant correlation to the City's sales tax revenues. As a result, the Budget Department now projects a 43% (-\$6.5M) sales tax shortfall within FY21, with a significant impact coming from anticipated reductions in winter air travel and consumer spending habits due to COVID-19 related concerns. This updated General Fund projection results in an additional shortfall of nearly \$550k compared to the FY21 Original Budget.

FY 2021 General Fund Revenue Projections Compared to FY21 Revenue Budget

Revenue Type	FY 21 Ori Revenue Budget	FY 2021 Adj Revenue Budget	\$ Variance	% Variance
Property Taxes	\$10,412,892	\$10,412,892	\$0	0%
Sales Tax	\$9,347,918	\$8,728,066	(\$619,852)	-7%
Franchise Tax	\$3,229,380	\$3,281,637	\$52,257	2%
Licenses	\$323,501	\$535,082	\$211,581	65%
Planning, Building & Engineering Fees	\$2,107,887	\$2,257,608	\$149,721	7%
Recreation	\$1,415,701	\$1,536,726	\$121,025	9%
Other Revenue	\$1,110,592	\$806,436	(\$304,156)	-27%
Ice Revenue	\$617,073	\$458,649	(\$158,424)	-26%
Interfund Transfers	\$2,730,847	\$2,730,847	\$0	0%
Intergovernmental Revenues	\$162,840	\$162,840	\$0	0%
Total	\$31,458,631	\$30,910,783	(\$547,848)	-2%

However, since the last staff report that was presented to Council Oct 29, the July sales tax numbers came in \$175k over the July monthly projection. Still, staff continues to feel comfortable with the 12-month fiscal year projection for FY21.

General Fund						
Monthly	5 Yr Average	FY20 Realized	FY21 Projection as of Sep. 2020	FY21 Realized	\$ Variance from Original Budget	\$ Variance from Projection
July	\$748,225	\$890,546	\$592,130	\$767,523	\$480,260	\$175,394

In order to bridge the shortfall during the last budget cycle, a balanced approach between operating cuts, capital deferment, and fund balance utilization was employed. However, since the General Fund was able to add an additional \$1.3M sales tax revenue that outpaced estimates, the shortfall is not necessarily an immediate operational concern. As a result, Council directed staff to use the \$1.3M as a hedge rather than cutting operating budgets.

TRANSPORTATION FUND (OPERATING)

Consistent with the overall sales tax projections, transit-related sales taxes are also projected to be down by approximately 43% compared to normal. The majority of Park City's Transit service is funded by sales tax (either directly or from Summit County). Unfortunately, the Budget Department projects an additional \$875k of shortfall, above what was approved in the original FY21 budget. Transportation staff has already cut \$1.2M in operating expenses for FY21 and is now looking to cut an additional \$800k based off of the shortfall and projected service levels going into the ski season. This will largely offset the decrease in sales taxes. These reductions will be realized through cost-saving measures rather than reducing actual budget line-items.

These revenue projections result in a decrease of \$2.9M from the FY21 original operating budget. Current expense projections are pegged at \$14.6M compared to the budget of \$16.2M, which helps to offset the shortfall. In addition, organizational expense control measures are proving to be very effective and additional savings may be possible through operating expense reductions if necessary.

Revenue Type	FY21 Normal Conditions	FY21 Orig Budget	FY21 Adj Budget	%, Var FY21 Norm	\$ Variance FY21 Orig Budget	%, Var FY21 Orig Bud
TRANSIT SALES TAX	\$5,455,896	\$3,382,656	\$3,110,764	-43%	-\$271,892	-8%
RESORT TAX TRANSPOR	\$2,554,545	\$2,059,836	\$1,455,931	-43%	-\$603,905	-29%
BUSINESS LICENSES	\$719,565	\$656,289	\$675,652	-6%	\$19,363	3%
FEDERAL GRANTS (Operating)	\$6,281,051	\$3,585,800	\$7,400,000	18%	\$3,814,200	106%
REGIONAL TRANSIT REVENUE	\$7,370,000	\$5,866,000	\$1,500,000	-80%	-\$4,366,000	-74%
OTHER FUNDING SOURCES	\$716,595	\$690,412	\$781,692	9%	\$91,280	13%
PARKING REVENUES	\$2,603,364	\$2,603,364	\$1,000,000	-62%	-\$1,603,364	-62%
Totals	\$25,701,016	\$18,844,357	\$15,924,039	-38%	-\$2,920,318	-15%

CAPITAL FUND ADJUSTMENTS

The main focus of the last budget cycle was on the General Fund and the Budget Department worked diligently to decrease sales tax revenue budgets to align with projections. Revenue budgets in the Capital Improvement Fund were decreased during the FY21 budget cycle, but not to the extent needed to accurately reflect the projections. However, the capital project budget expenses were reduced dramatically (\$3.8M) in order to account for the projected reduced sales taxes. Thus the capital revenue budgets will be reduced to reflect the most current projections.

STRATEGIC ADDITIONAL BUDGET REQUESTS

Staff recommends using a small portion of the surplus sales tax revenue carried over from FY20 (+\$1.3M) to cover some specific expenses for FY21. These additional budget requests will help meet strategic council and community goals.

Library

- **Spanish Services Senior Librarian - add \$33,000 to existing position**
Elevate current Spanish Services Library Assistant position to Spanish Services Senior Librarian. This position would be part of the Library Leadership Team and would help implement Spanish Services and Programs at the Library in a leadership capacity while applying Equity, Diversity, and Inclusion actions in support of the City's Social Equity Priorities.

This position carries a heavy load of responsibility and the current grade and compensation has made it very difficult to fill on a long-term basis, having had five people in the position in the last five years and consistently receiving feedback from employees expressing discontent regarding the high level of responsibility and low compensation.

Executive

- **Lobbying Services - \$50,000 (contract)**
Increase the budget for additional lobbying and legislative consulting services. Organizationally, we have a strong team representing Park City at both the Federal and State levels. This additional money will be used to further develop our state lobbying program and provide additional resources for furthering our goals at the Utah Statehouse and with Executive departments.

Trails

- **Backcountry Trails Operations and Maintenance – increase existing budget from \$25k to \$80k (\$20k in new budget)**
Renegotiation and increased scope of long-term contract that provides necessary maintenance for our trail system throughout the year, including but not limited to signage implementation/maintenance, general vegetation/tread maintenance, rerouting due to environmental impacts, staff monitoring of trail-related use & impacts, trailhead plowing and winter grooming. Current contract for services expires Dec. 31, 2020. Contracting for these services represents a considerable cost savings versus providing these services in-house. Private grants and adopt-a-trail program may be expanded to offset these costs.

Housing

- **Affordable Housing Specialist (new) - \$120,425**
Provides technical assistance in the planning and development and a wide variety of other duties to help further the City's housing goals including:
 - o Performs technical analysis for proposed affordable housing developments. Tracks & maintains database of inventory
 - o Maintains a thorough understanding of the City's Affordable Housing Resolution and Affordable Housing Needs Assessment.
 - o Ensures compliance with state moderate income housing requirements.
 - o Assists in the development and implementation of guidelines, documents and resources for the sale and/or lease of deed restricted affordable housing.

Maintenance

- **Street Lights & Signs - \$18,000**
As part of the COVID-19 budget reductions, the Street lights and Signs budget was reduced by \$28,000. Recently, there has been a significant increase in service levels for signs and painting, primarily in the Old Town area for our neighborhood pilot projects on Hillside, Park Ave, 4th street crosswalk, etc. Due to this, the department is anticipating a budget overage and requesting a partial restoration of their budget to avoid a reduction in service level.

Transit

- **Transit Grants & Contracts Administrator – add \$6,400 to existing position**
Position reclassification to increase scope of duties to include a focus on financial accountability.
 - Prepare, coordinate and track all Transit related grants and contracts, and oversee the department's budget.
 - Manage, develop, and maintain all budgetary and financial planning for Park City Transit in coordination with the Transit Manager.
 - Write, and implement department finance policies and procedures; train employees to effectively use accounting programs and systems; and work with the City's Finance and Budget Departments where appropriate.
 - Oversee and manage the daily operations of the Transit Enterprise Fund as well as prepare reports with regards to trends in revenues and expenditures.

Exhibits

A – FY21 Adjusted Budget Adoption Ordinance

B – Summary tables FY21 Original Budget vs. FY21 Adjusted Budget

Ordinance No. 2020-46

**AN ORDINANCE ADOPTING AN ADJUSTED BUDGET FOR FY 2021 FOR
PARK CITY MUNICIPAL CORPORATION.**

WHEREAS, Utah State law requires that city budgets be adopted by ordinance;
and

WHEREAS, a public hearing was held on October 13, 2020 at the City Council's
regularly scheduled meetings, complying with State law.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah
that:

SECTION 1. 2021 ADJUSTED BUDGET ADOPTED. The budget as outlined in
the City Council Adopted Budget adopted on June 18, 2020 and with changes as
summarized in the Attachments to this ordinance is hereby adopted as the Adjusted FY
2021 Operating Budget for Park City Municipal Corporation.

SECTION 2. EFFECTIVE DATE. The 2021 Adjusted Budget shall take effect upon
publication.

PASSED AND ADOPTED this 13th day of October, 2020.

PARK CITY MUNICIPAL CORPORATION

Mayor Andy Beerman

Attest:

Michelle Kellogg, City Recorder

Approved as to form:

City Attorney's Office

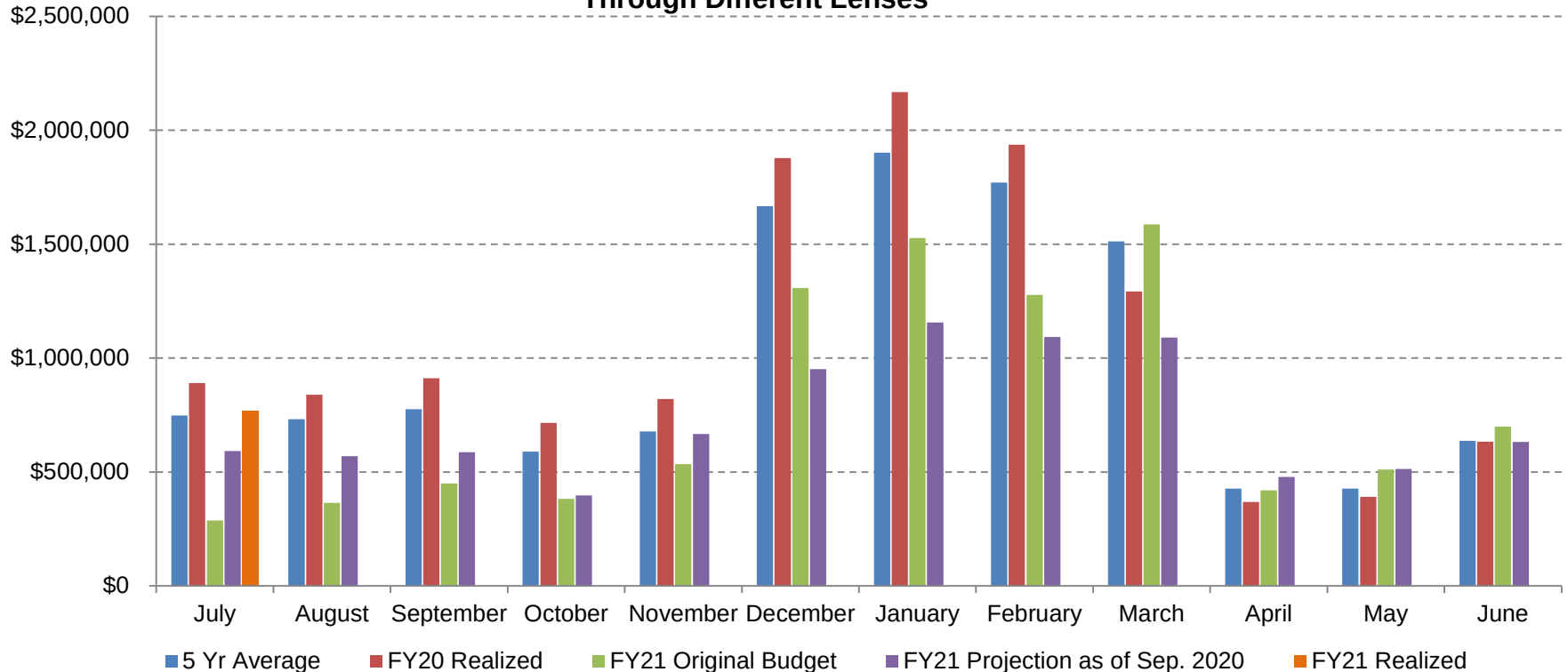
FY21 Budget Update

2021 General Fund Sales Tax Update

General Fund							
Monthly	5 Yr Average	FY20 Realized	FY21 Original Budget	FY21 Projection as of Sep. 2020	FY21 Realized	\$ Variance from Original Budget	\$ Variance from Projection
July	\$748,225	\$890,546	\$287,263	\$592,130	\$767,523	\$480,260	\$175,394
August	\$731,810	\$839,320	\$364,504	\$569,130	\$0		
September	\$774,984	\$912,173	\$450,118	\$587,277	\$0		
October	\$589,446	\$715,887	\$381,881	\$396,792	\$0		
November	\$678,023	\$820,365	\$535,204	\$667,118	\$0		
December	\$1,667,117	\$1,877,541	\$1,307,231	\$951,823	\$0		
January	\$1,902,194	\$2,167,578	\$1,527,323	\$1,155,948	\$0		
February	\$1,770,231	\$1,936,051	\$1,277,465	\$1,093,269	\$0		
March	\$1,512,372	\$1,292,639	\$1,586,795	\$1,090,252	\$0		
April	\$427,622	\$368,103	\$419,949	\$478,608	\$0		
May	\$427,538	\$391,036	\$510,753	\$513,445	\$0		
June	\$636,453	\$633,760	\$699,432	\$632,274	\$0		
Total	\$11,866,015	\$12,845,001	\$9,347,918	\$8,728,066	\$767,523	\$480,260	\$175,394

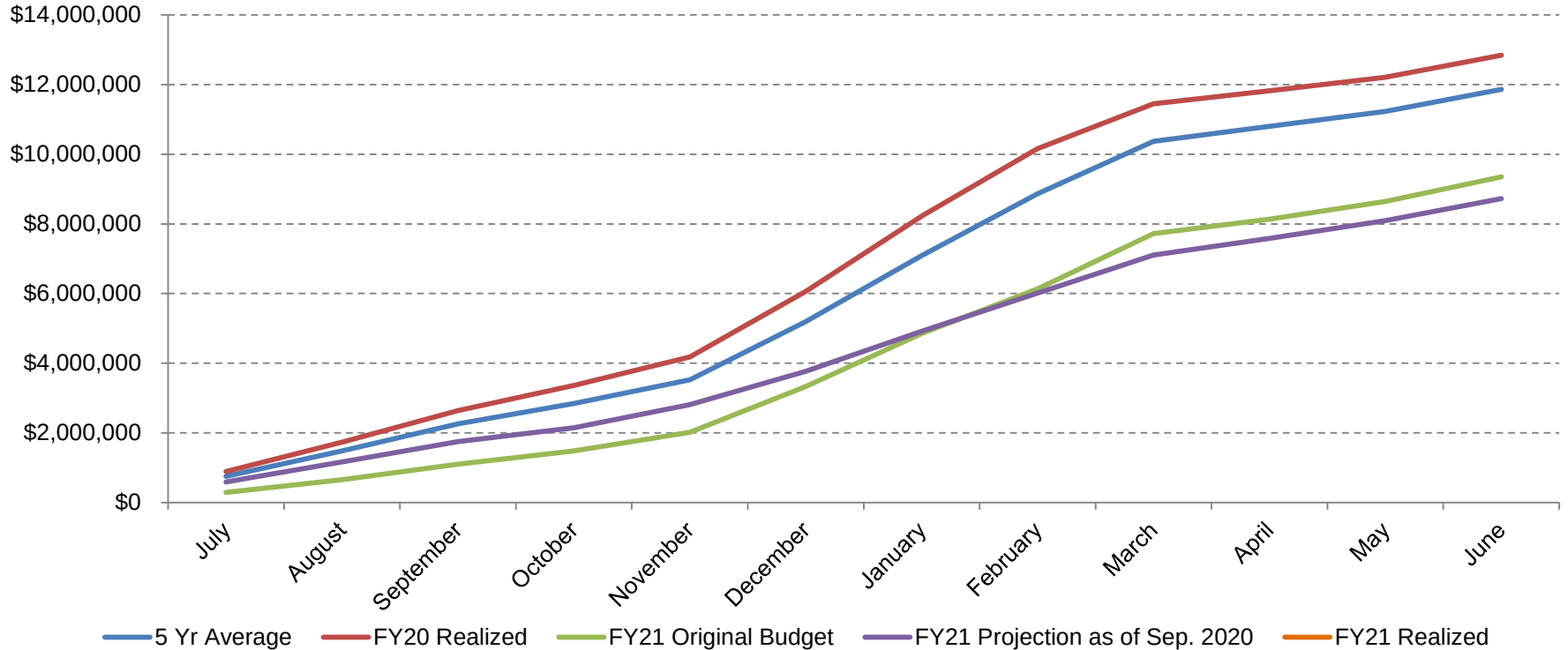
2021 General Fund Sales Tax Update

General Fund - FY21 Monthly Sales Tax Revenues Through Different Lenses



2021 General Fund Sales Tax Update

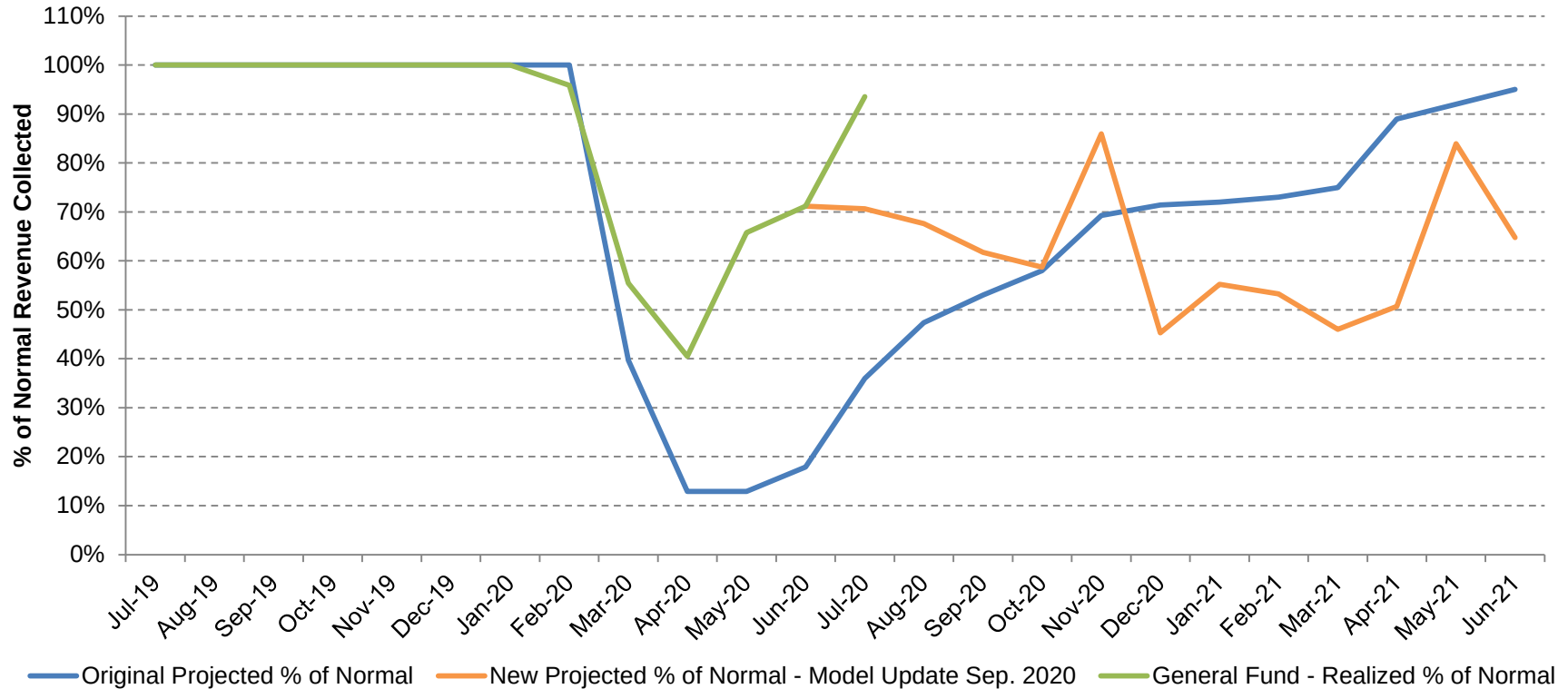
General Fund - FY21 Cumulative Annual Sales Tax Revenues Through Different Lenses



Source: Park City Municipal Corporation. As of September 30, 2020. Note: the FY21 Realized series is not yet visible as only one data point has been observed.

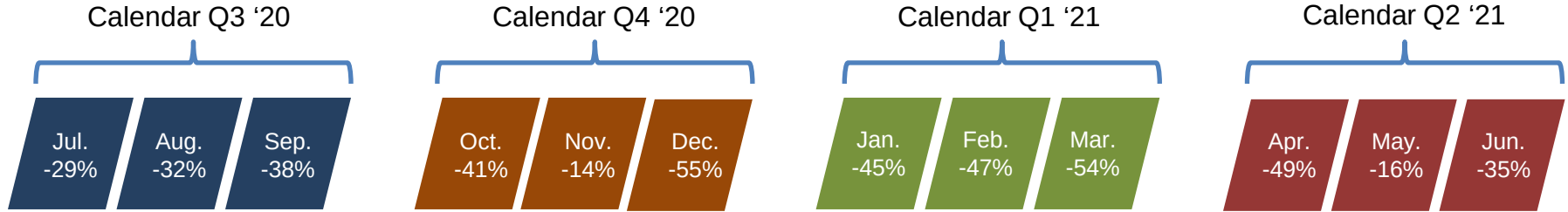
An Updated Sales Tax Picture - Projections

Projected Sales Tax Path as % of Normal Revenue Collection

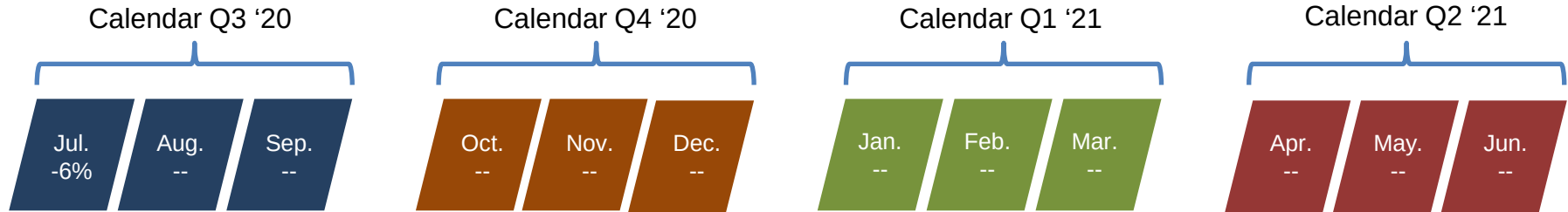


An Updated Sales Tax Picture - Projections

FY21 Sep. 2020 Projected Sales Tax Path as % Down From Normal Revenue



FY21 Realized Sales Tax Path as % Down From Normal Revenue



Projected vs. Realized Difference



Expenditure Summary by Fund and Major Object (FY 2021 Original Budget)

Description	Personnel FY 2021	Mat, Supplies, Services FY 2021	Capital FY 2021	Debt Service FY 2021	Contingency FY 2021	Sub - Total FY 2021	Interfund Transfer FY 2021	Ending Balance FY 2021	Total FY 2021
Park City Municipal Corporation									
011 GENERAL FUND	\$23,607,514	\$8,106,143	\$307,620	\$0	\$700,000	\$32,721,277	\$2,834,061	\$7,504,960	\$43,060,298
012 QUINNS RECREATION COMPLEX	\$902,829	\$348,835	\$1,000	\$0	\$0	\$1,252,664	\$0	\$-6,033,938	\$-4,781,273
021 POLICE SPECIAL REVENUE FUND	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
022 DRUG CONFISCATIONS	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
031 CAPITAL IMPROVEMENT FUND	\$0	\$0	\$37,534,575	\$0	\$0	\$37,534,575	\$3,580,329	\$3,128,714	\$44,243,618
038 EQUIPMENT REPLACEMENT CIP	\$0	\$0	\$1,460,138	\$0	\$0	\$1,460,138	\$0	\$7,429	\$1,467,567
051 WATER FUND	\$3,258,424	\$3,589,138	\$40,896,797	\$1,028,266	\$0	\$48,772,625	\$1,773,085	\$4,484,094	\$55,029,804
052 STORM WATER FUND	\$607,137	\$290,025	\$1,221,500	\$0	\$0	\$2,118,662	\$127,425	\$58,813	\$2,304,900
055 GOLF COURSE FUND	\$899,687	\$486,435	\$114,565	\$24,283	\$0	\$1,524,970	\$134,913	\$26,248	\$1,686,131
057 TRANSPORTATION & PARKING FUND	\$8,902,923	\$2,268,672	\$8,281,094	\$0	\$0	\$19,452,689	\$3,334,501	\$2,187,998	\$24,975,188
058 PARKING FUND	\$849,924	\$707,900	\$125,000	\$0	\$0	\$1,682,824	\$8,000	\$2,338,730	\$4,029,554
062 FLEET SERVICES FUND	\$995,989	\$1,853,155	\$0	\$0	\$0	\$2,849,144	\$0	\$864,661	\$3,713,805
064 SELF INSURANCE FUND	\$0	\$1,733,060	\$0	\$0	\$0	\$1,733,060	\$0	\$493,142	\$2,226,202
070 SALES TAX REV BOND - DEBT SVS FUND	\$0	\$0	\$0	\$5,040,066	\$0	\$5,040,066	\$0	\$27,906,245	\$32,946,311
071 DEBT SERVICE FUND	\$0	\$0	\$0	\$7,699,000	\$0	\$7,699,000	\$0	\$2,581,847	\$10,280,847
Total Park City Municipal Corporation	\$40,024,428	\$19,383,363	\$89,942,289	\$13,791,615	\$700,000	\$163,841,695	\$11,792,314	\$45,548,943	\$221,182,953
Park City Redevelopment Agency									
023 LOWER PARK AVE RDA SPECIAL REVENUE FUND	\$31,958	\$692,300	\$0	\$0	\$0	\$724,258	\$3,092,532	\$2,689,797	\$6,506,587
024 MAIN STREET RDA SPECIAL REVENUE FUND	\$0	\$455,000	\$0	\$0	\$0	\$455,000	\$700,000	\$994,151	\$2,149,151
033 REDEVELOPMENT AGENCY- LOWER PRK	\$0	\$0	\$255,000	\$0	\$0	\$255,000	\$2,782,840	\$340,776	\$3,378,616
034 REDEVELOPMENT AGENCY- MAIN ST	\$0	\$0	\$0	\$0	\$0	\$0	\$1,046,777	\$5,853	\$1,052,630
Total Park City Redevelopment Agency	\$31,958	\$1,147,300	\$255,000	\$0	\$0	\$1,434,259	\$7,622,149	\$4,030,577	\$13,086,985
Municipal Building Authority									
035 BUILDING AUTHORITY	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$440,916	\$440,916
Total Municipal Building Authority	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$440,916	\$440,916
Park City Housing Authority									
Total Park City Housing Authority									
TOTAL	\$40,056,387	\$20,530,663	\$90,197,289	\$13,791,615	\$700,000	\$165,275,954	\$19,414,463	\$50,020,436	\$234,710,853

Expenditure Summary by Fund and Major Object (FY 2021 Adjusted Budget)

Description	Personnel FY 2021	Mat, Supplies, Services FY 2021	Capital FY 2021	Debt Service FY 2021	Contingency FY 2021	Sub - Total FY 2021	Interfund Transfer FY 2021	Ending Balance FY 2021	Total FY 2021
Park City Municipal Corporation									
011 GENERAL FUND	\$23,760,939	\$8,212,293	\$325,620	\$0	\$700,000	\$32,998,852	\$2,834,061	\$6,607,533	\$42,440,446
012 QUINNS RECREATION COMPLEX	\$902,829	\$348,835	\$1,000	\$0	\$0	\$1,252,664	\$0	\$-6,033,938	\$-4,781,273
021 POLICE SPECIAL REVENUE FUND	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
022 CRIMINAL FORFEITURE RESTRICTED ACCOUNT	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
031 CAPITAL IMPROVEMENT FUND	\$0	\$0	\$37,534,575	\$0	\$0	\$37,534,575	\$3,580,329	\$998,626	\$42,113,530
038 EQUIPMENT REPLACEMENT CIP	\$0	\$0	\$1,460,138	\$0	\$0	\$1,460,138	\$0	\$7,429	\$1,467,567
051 WATER FUND	\$3,258,424	\$3,589,138	\$40,896,797	\$1,028,266	\$0	\$48,772,625	\$1,773,085	\$4,484,094	\$55,029,804
052 STORM WATER FUND	\$607,137	\$290,025	\$1,221,500	\$0	\$0	\$2,118,662	\$127,425	\$58,813	\$2,304,900
055 GOLF COURSE FUND	\$899,687	\$486,435	\$114,565	\$24,283	\$0	\$1,524,970	\$134,913	\$26,248	\$1,686,131
057 TRANSPORTATION & PARKING FUND	\$8,909,323	\$2,268,672	\$8,281,094	\$0	\$0	\$19,459,089	\$3,334,501	\$1,305,701	\$24,099,291
058 PARKING FUND	\$849,924	\$707,900	\$125,000	\$0	\$0	\$1,682,824	\$8,000	\$2,338,730	\$4,029,554
062 FLEET SERVICES FUND	\$995,989	\$1,853,155	\$0	\$0	\$0	\$2,849,144	\$0	\$864,661	\$3,713,805
064 SELF INSURANCE FUND	\$0	\$1,733,060	\$0	\$0	\$0	\$1,733,060	\$0	\$493,142	\$2,226,202
070 SALES TAX REV BOND - DEBT SVS FUND	\$0	\$0	\$0	\$5,040,066	\$0	\$5,040,066	\$0	\$27,906,245	\$32,946,311
071 DEBT SERVICE FUND	\$0	\$0	\$0	\$7,699,000	\$0	\$7,699,000	\$0	\$2,581,847	\$10,280,847
Total Park City Municipal Corporation	\$40,184,253	\$19,489,513	\$89,960,289	\$13,791,615	\$700,000	\$164,125,670	\$11,792,314	\$41,639,131	\$217,557,116
Park City Redevelopment Agency									
023 LOWER PARK AVE RDA SPECIAL REVENUE FUND	\$31,958	\$692,300	\$0	\$0	\$0	\$724,258	\$3,092,532	\$2,689,797	\$6,506,587
024 MAIN STREET RDA SPECIAL REVENUE FUND	\$0	\$455,000	\$0	\$0	\$0	\$455,000	\$700,000	\$994,151	\$2,149,151
033 REDEVELOPMENT AGENCY-LOWER PRK	\$0	\$0	\$255,000	\$0	\$0	\$255,000	\$2,782,840	\$340,776	\$3,378,616
034 REDEVELOPMENT AGENCY-MAIN ST	\$0	\$0	\$0	\$0	\$0	\$0	\$1,046,777	\$5,853	\$1,052,630
Total Park City Redevelopment Agency	\$31,958	\$1,147,300	\$255,000	\$0	\$0	\$1,434,259	\$7,622,149	\$4,030,577	\$13,086,985
Municipal Building Authority									
035 BUILDING AUTHORITY	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$440,916	\$440,916
Total Municipal Building Authority	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$440,916	\$440,916
Park City Housing Authority									
Total Park City Housing Authority									
TOTAL	\$40,216,212	\$20,636,813	\$90,215,289	\$13,791,615	\$700,000	\$165,559,929	\$19,414,463	\$46,110,624	\$231,085,016

Expenditures by Object Type

October 7, 2020

	YTD Actuals FY 2019	YTD Actuals FY 2020	YTD Actuals FY 2021	Ori Budget FY 2021	Adj Budget FY 2021	Variance FY 2021
011 GENERAL FUND						
PERSONNEL SERVICES	5,042,155	5,132,611	4,936,253	23,607,514	23,760,939	153,425
MATERIALS, SUPPLIES AND SERVICES	182,805	230,559	178,045	1,034,983	1,034,983	
UTILITIES	122,621	116,281	86,637	1,551,940	1,551,940	
CONTRACT SVCS/CONSULTING/SOFTWARE LIC	543,990	637,833	676,920	4,062,104	4,192,104	130,000
PARTS/MAINTENANCE SUPPLIES	241,934	251,372	117,626	1,067,015	1,043,165	-23,850
SPECIAL SERV CONTRACT/MISC CHARGES	462,459	370,877	267,059	1,090,100	1,090,100	
CAPITAL OUTLAY	42,325	54,413	36,462	307,620	325,620	18,000
INTERFUND TRANSFER	1,225,364	743,292	708,513	2,834,061	2,834,061	
Total 011 GENERAL FUND	7,863,654	7,537,238	7,007,514	35,555,338	35,832,913	277,575
012 QUINNS RECREATION COMPLEX						
PERSONNEL SERVICES	192,298	159,505	170,998	902,829	902,829	
MATERIALS, SUPPLIES AND SERVICES	6,740	10,245	11,582	56,695	56,695	
UTILITIES	24,022	18,969	14,108	157,200	157,200	
CONTRACT SVCS/CONSULTING/SOFTWARE LIC	16,069	19,817	12,484	70,740	70,740	
PARTS/MAINTENANCE SUPPLIES	9,438	9,786	11,776	43,200	43,200	
SPECIAL SERV CONTRACT/MISC CHARGES	3,858	5,410	3,549	21,000	21,000	
CAPITAL OUTLAY				1,000	1,000	
Total 012 QUINNS RECREATION COMPLEX	252,424	223,732	224,497	1,252,664	1,252,664	
023 LOWER PARK AVE RDA SPECIAL REVENUE FUND						
PERSONNEL SERVICES	5,290	5,261	4,294	31,958	31,958	
MATERIALS, SUPPLIES AND SERVICES	3,550	3,550	5,436	20,000	20,000	
UTILITIES	320	501	866	34,300	34,300	
CONTRACT SVCS/CONSULTING/SOFTWARE LIC			-2,500	70,000	70,000	
SPECIAL SERV CONTRACT/MISC CHARGES				568,000	568,000	
INTERFUND TRANSFER	410,280	523,134	773,133	3,092,532	3,092,532	
Total 023 LOWER PARK AVE RDA SPECIAL REVENUE FUND	419,441	532,446	781,229	3,816,790	3,816,790	
024 MAIN STREET RDA SPECIAL REVENUE FUND						
CONTRACT SVCS/CONSULTING/SOFTWARE LIC	921			50,000	50,000	
SPECIAL SERV CONTRACT/MISC CHARGES				405,000	405,000	
INTERFUND TRANSFER	188,001	172,500	174,999	700,000	700,000	
Total 024 MAIN STREET RDA SPECIAL REVENUE FUND	188,922	172,500	174,999	1,155,000	1,155,000	
031 CAPITAL IMPROVEMENT FUND						
CAPITAL OUTLAY	1,115,674	3,081,821	879,679	37,534,575	37,534,575	

**represents Actuals from July 1st to September 31st of the specified FY*

Expenditures by Object Type

October 7, 2020

	YTD Actuals FY 2019	YTD Actuals FY 2020	YTD Actuals FY 2021	Ori Budget FY 2021	Adj Budget FY 2021	Variance FY 2021
INTERFUND TRANSFER	836,346	1,436,280	895,080	3,580,329	3,580,329	
Total 031 CAPITAL IMPROVEMENT FUND	1,952,020	4,518,101	1,774,759	41,114,904	41,114,904	
033 REDEVELOPMENT AGENCY-LOWER PRK						
CAPITAL OUTLAY	48,961	-5,298	2,103	255,000	255,000	
INTERFUND TRANSFER	177,054	176,679	695,709	2,782,840	2,782,840	
Total 033 REDEVELOPMENT AGENCY-LOWER PRK	226,015	171,381	697,812	3,037,840	3,037,840	
034 REDEVELOPMENT AGENCY-MAIN ST						
INTERFUND TRANSFER	201,291	201,252	261,693	1,046,777	1,046,777	
Total 034 REDEVELOPMENT AGENCY-MAIN ST	201,291	201,252	261,693	1,046,777	1,046,777	
038 EQUIPMENT REPLACEMENT CIP						
CAPITAL OUTLAY	431,345	135,595	78,367	1,460,138	1,460,138	
Total 038 EQUIPMENT REPLACEMENT CIP	431,345	135,595	78,367	1,460,138	1,460,138	
051 WATER FUND						
PERSONNEL SERVICES	653,652	717,838	664,034	3,258,424	3,258,424	
MATERIALS, SUPPLIES AND SERVICES	44,766	56,348	90,324	305,962	305,962	
UTILITIES	184,848	184,120	90,686	1,224,066	1,224,066	
CONTRACT SVCS/CONSULTING/SOFTWARE LIC	139,666	314,482	310,429	1,115,183	1,115,183	
PARTS/MAINTENANCE SUPPLIES	139,154	219,804	178,488	891,927	891,927	
SPECIAL SERV CONTRACT/MISC CHARGES	21,855	23,412	16,714	52,000	52,000	
CAPITAL OUTLAY	246,826	3,857,318	5,442,305	40,896,797	40,896,797	
DEBT SERVICE	74,781	80,795	5,702	1,028,266	1,028,266	
INTERFUND TRANSFER	251,436	262,875	264,519	1,773,085	1,773,085	
Total 051 WATER FUND	1,756,983	5,716,992	7,063,201	50,545,710	50,545,710	
052 STORM WATER FUND						
PERSONNEL SERVICES	148,012	198,546	148,271	607,137	607,137	
MATERIALS, SUPPLIES AND SERVICES	6,944	4,709	5,273	63,000	63,000	
UTILITIES	16,757	2,150	2,153	37,200	37,200	
CONTRACT SVCS/CONSULTING/SOFTWARE LIC	7,611	28,890	7,593	149,625	149,625	
PARTS/MAINTENANCE SUPPLIES	3,371	7,329		40,200	40,200	
CAPITAL OUTLAY	3,477		20,115	1,221,500	1,221,500	
INTERFUND TRANSFER	26,001	28,251	31,857	127,425	127,425	
Total 052 STORM WATER FUND	212,173	269,875	215,261	2,246,087	2,246,087	
055 GOLF COURSE FUND						
PERSONNEL SERVICES	259,357	251,092	240,201	899,687	899,687	

**represents Actuals from July 1st to September 31st of the specified FY*

Expenditures by Object Type

October 7, 2020

	YTD Actuals FY 2019	YTD Actuals FY 2020	YTD Actuals FY 2021	Ori Budget FY 2021	Adj Budget FY 2021	Variance FY 2021
MATERIALS, SUPPLIES AND SERVICES	25,513	16,093	13,754	66,200	66,200	
UTILITIES	9,713	7,975	5,004	68,400	68,400	
CONTRACT SVCS/CONSULTING/SOFTWARE LIC	12,726	22,582	15,254	85,535	85,535	
PARTS/MAINTENANCE SUPPLIES	72,722	78,682	74,810	235,800	235,800	
SPECIAL SERV CONTRACT/MISC CHARGES	18,652	19,261	13,172	30,500	30,500	
CAPITAL OUTLAY	2,553	9,335	11,714	114,565	114,565	
DEBT SERVICE				24,283	24,283	
INTERFUND TRANSFER	35,727	35,274	33,726	134,913	134,913	
Total 055 GOLF COURSE FUND	436,963	440,294	407,634	1,659,883	1,659,883	
057 TRANSPORTATION & PARKING FUND						
PERSONNEL SERVICES	1,907,748	1,993,944	1,566,125	8,902,923	8,909,323	6,400
MATERIALS, SUPPLIES AND SERVICES	60,578	45,524	53,186	290,822	290,822	
UTILITIES	57,271	66,182	36,532	360,100	360,100	
CONTRACT SVCS/CONSULTING/SOFTWARE LIC	126,102	122,177	237,283	1,572,750	1,572,750	
PARTS/MAINTENANCE SUPPLIES	1,639		3,676	25,000	25,000	
SPECIAL SERV CONTRACT/MISC CHARGES	39,783	719	320	20,000	20,000	
CAPITAL OUTLAY	166,691	348,850	-1,322,804	8,281,094	8,281,094	
INTERFUND TRANSFER	757,185	856,503	833,628	3,334,501	3,334,501	
Total 057 TRANSPORTATION & PARKING FUND	3,116,997	3,433,898	1,407,946	22,787,190	22,793,590	6,400
058 PARKING FUND						
PERSONNEL SERVICES		196,973	164,654	849,924	849,924	
MATERIALS, SUPPLIES AND SERVICES		24,141	8,442	430,500	430,500	
UTILITIES		927	1,151	10,400	10,400	
CONTRACT SVCS/CONSULTING/SOFTWARE LIC			-40,000	148,000	148,000	
PARTS/MAINTENANCE SUPPLIES		147	6,751	54,000	54,000	
SPECIAL SERV CONTRACT/MISC CHARGES		35,737	611	65,000	65,000	
CAPITAL OUTLAY				125,000	125,000	
INTERFUND TRANSFER		1,500	2,001	8,000	8,000	
Total 058 PARKING FUND		259,426	143,609	1,690,824	1,690,824	
062 FLEET SERVICES FUND						
PERSONNEL SERVICES	228,431	220,790	202,940	995,989	995,989	0
MATERIALS, SUPPLIES AND SERVICES	12,446	11,019	8,698	77,355	77,355	
UTILITIES	91,156	171,084	63,548	1,001,800	1,001,800	
CONTRACT SVCS/CONSULTING/SOFTWARE LIC				3,800	3,800	

**represents Actuals from July 1st to September 31st of the specified FY*

Expenditures by Object Type

October 7, 2020

	YTD Actuals FY 2019	YTD Actuals FY 2020	YTD Actuals FY 2021	Ori Budget FY 2021	Adj Budget FY 2021	Variance FY 2021
PARTS/MAINTENANCE SUPPLIES	85,648	150,011	156,344	770,200	770,200	
Total 062 FLEET SERVICES FUND	417,680	552,904	431,530	2,849,144	2,849,144	0
064 SELF INSURANCE FUND						
MATERIALS, SUPPLIES AND SERVICES		2,233	16,006	50,500	50,500	
CONTRACT SVCS/CONSULTING/SOFTWARE LIC	97,120	128,766	85,204	872,560	872,560	
SPECIAL SERV CONTRACT/MISC CHARGES	49,586	43,817	38,572	810,000	810,000	
Total 064 SELF INSURANCE FUND	146,706	174,817	139,783	1,733,060	1,733,060	
070 SALES TAX REV BOND - DEBT SVS FUND						
DEBT SERVICE	2,100	2,100	2,100	5,040,066	5,040,066	
Total 070 SALES TAX REV BOND - DEBT SVS FUND	2,100	2,100	2,100	5,040,066	5,040,066	
071 DEBT SERVICE FUND						
DEBT SERVICE	481,275	1,357,996	1,463,250	7,699,000	7,699,000	
Total 071 DEBT SERVICE FUND	481,275	1,357,996	1,463,250	7,699,000	7,699,000	
TOTAL	18,105,988	25,700,544	22,275,185	184,690,416	184,974,391	283,975

**represents Actuals from July 1st to September 31st of the specified FY*

All Funds Combined

Revenue	Actual FY 2019	Actual FY 2020	Actual FY 2021	Original FY 2021	Adjusted FY 2021	Variance
RESOURCES						
Property Taxes	\$21,368,077	\$25,486,395	\$137,254	\$25,378,173	\$25,378,173	\$0
Sales Tax	\$29,273,042	\$30,409,928	\$1,721,222	\$23,489,626	\$19,863,789	(\$3,625,837)
Franchise Tax	\$3,230,881	\$3,161,759	\$292,477	\$3,229,380	\$3,229,380	\$0
Licenses	\$1,395,163	\$1,315,865	\$643,109	\$979,790	\$979,790	\$0
Planning Building & Engineering Fees	\$5,820,662	\$7,513,747	\$826,420	\$3,646,825	\$3,646,825	\$0
Special Event Fees	\$178,413	\$178,672	\$1,785	\$127,595	\$127,595	\$0
Federal Revenue	\$3,969,044	\$5,698,889		\$3,642,753	\$3,642,753	\$0
State Revenue	\$518,845	\$811,635	\$65,230	\$501,187	\$501,187	\$0
County/SP District Revenue	\$705,240	\$3,388,378		\$2,055,705	\$2,055,705	\$0
Water Charges for Services	\$20,092,203	\$19,944,310	\$8,398,500	\$21,889,201	\$21,889,201	\$0
Transit Charges for Services	\$7,425,047	\$5,286,336		\$9,366,000	\$9,366,000	\$0
Cemetery Charges for Services	\$18,816	\$22,922	\$3,256	\$95,465	\$95,465	\$0
Recreation	\$3,348,293	\$3,294,003	\$1,202,856	\$2,756,197	\$2,756,197	\$0
Ice	\$828,397	\$691,828	\$67,963	\$612,867	\$612,867	\$0
Other Service Revenue	\$45,786	\$59,527	\$7,437	\$151,702	\$151,702	\$0
Library Fines & Fees	\$20,198	\$14,357	\$3,160	\$18,645	\$18,645	\$0
Fines & Forfeitures	\$2,611,357	\$1,934,534	\$14,952	\$2,603,364	\$2,603,364	\$0
Misc. Revenues	\$4,078,297	\$10,449,654	\$997,478	\$15,507,058	\$15,507,058	\$0
Interfund Transactions (Admin)	\$6,821,583	\$6,898,975	\$2,052,128	\$6,871,385	\$6,871,385	\$0
Interfund Transactions (CIP/Debt)	\$73,024,818	\$17,718,703	\$4,181,016	\$12,543,078	\$12,543,078	\$0
Special Revenues & Resources	\$1,059,990	\$1,000,912	\$251,129	\$639,127	\$639,127	\$0
Bond Proceeds	\$85,387,786	\$10,768,465		\$9,000,000	\$9,000,000	\$0
Beginning Balance	\$83,191,254	\$117,717,331		\$89,605,728	\$89,605,728	\$0
TOTAL	\$354,413,190	\$273,767,124	\$20,867,371	\$234,710,851	\$231,085,014	(\$3,625,837)

Revenues by Object Type- FY2021

October 7, 2020

	YTD Actuals FY 2019	YTD Actuals FY 2020	YTD Actuals FY 2021	Ori Budget FY 2021	Adj Budget FY 2021	Variance FY 2021
011 GENERAL FUND						
Property Taxes	65,857	29,849	133,398	10,412,892	10,412,892	
Sales Tax	939,500	890,546	767,523	9,347,918	8,728,066	-619,852
Franchise Tax	292,157	259,296	284,832	3,229,380	3,229,380	
Licenses	171,766	175,848	132,410	323,501	323,501	
Planning Building & Engineering Fees	1,396,495	1,733,873	348,976	2,107,887	2,107,887	
Special Event Fees	8,706	21,666	1,785	127,595	127,595	
Federal Revenue		4,476		56,953	56,953	
State Revenue				80,182	80,182	
County/SP District Revenue	5,000			25,705	25,705	
Cemetery Charges for Services	6,527	9,975	3,256	95,465	95,465	
Recreation	468,280	513,582	402,084	1,415,701	1,415,701	
Other Service Revenue	69	14,057	7,437	151,702	151,702	
Library Fines & Fees	6,773	5,727	3,160	18,645	18,645	
Misc. Revenues	238,174	220,720	109,050	717,185	717,185	
Interfund Transactions (Admin)	489,666	502,461	502,461	2,724,847	2,724,847	
Special Revenues & Resources	27,562	19,109	250,198	6,000	6,000	
Total 011 GENERAL FUND	4,116,530	4,401,185	2,946,570	30,841,558	30,221,706	-619,852
012 QUINNS RECREATION COMPLEX						
Recreation	924	697	230	3,359	3,359	
Ice	187,202	191,579	67,963	612,867	612,867	
Misc. Revenues	-171	-5	-54	847	847	
Total 012 QUINNS RECREATION COMPLEX	187,954	192,271	68,139	617,073	617,073	
023 LOWER PARK AVE RDA SPECIAL REVENUE FUND						
Property Taxes	3,713	1,316		4,252,000	4,252,000	
Total 023 LOWER PARK AVE RDA SPECIAL REVENUE FUND	3,713	1,316		4,252,000	4,252,000	
024 MAIN STREET RDA SPECIAL REVENUE FUND						
Property Taxes	12,878	623	3,856	1,195,000	1,195,000	
Total 024 MAIN STREET RDA SPECIAL REVENUE FUND	12,878	623	3,856	1,195,000	1,195,000	
031 CAPITAL IMPROVEMENT FUND						
Sales Tax	472,647	544,358	522,651	8,699,216	6,569,128	-2,130,088
Planning Building & Engineering Fees	186,180	212,304	109,114	355,000	355,000	
State Revenue	69,891	149,310	65,230	421,005	421,005	
County/SP District Revenue		963,637		2,030,000	2,030,000	

Revenues by Object Type- FY2021

October 7, 2020

	YTD Actuals FY 2019	YTD Actuals FY 2020	YTD Actuals FY 2021	Ori Budget FY 2021	Adj Budget FY 2021	Variance FY 2021
Transit Charges for Services				3,500,000	3,500,000	
Misc. Revenues	214,254	51,179	573,279	14,420,502	14,420,502	
Special Revenues & Resources	2,868	2,668	781	231,125	231,125	
Bond Proceeds				9,000,000	9,000,000	
Total 031 CAPITAL IMPROVEMENT FUND	945,840	1,923,456	1,271,055	38,656,848	36,526,760	-2,130,088
033 REDEVELOPMENT AGENCY-LOWER PRK						
Interfund Transactions (CIP/Debt)	410,280	523,134	773,133	3,092,532	3,092,532	
Total 033 REDEVELOPMENT AGENCY-LOWER PRK	410,280	523,134	773,133	3,092,532	3,092,532	
034 REDEVELOPMENT AGENCY-MAIN ST						
Interfund Transactions (CIP/Debt)	188,001	172,500	174,999	700,000	700,000	
Total 034 REDEVELOPMENT AGENCY-MAIN ST	188,001	172,500	174,999	700,000	700,000	
038 EQUIPMENT REPLACEMENT CIP						
Interfund Transactions (CIP/Debt)	268,425	321,399	328,899	1,315,600	1,315,600	
Total 038 EQUIPMENT REPLACEMENT CIP	268,425	321,399	328,899	1,315,600	1,315,600	
051 WATER FUND						
Planning Building & Engineering Fees	658,520	831,675	334,667	1,183,938	1,183,938	
Water Charges for Services	5,369,499	4,956,274	5,482,357	19,889,201	19,889,201	
Total 051 WATER FUND	6,028,019	5,787,949	5,817,024	21,073,139	21,073,139	
052 STORM WATER FUND						
Water Charges for Services	260,343	271,321	140,193	2,000,000	2,000,000	
Total 052 STORM WATER FUND	260,343	271,321	140,193	2,000,000	2,000,000	
055 GOLF COURSE FUND						
Recreation	962,427	950,615	799,922	1,337,137	1,337,137	
Misc. Revenues	76	42	25	40,748	40,748	
Interfund Transactions (CIP/Debt)	6,249	6,249	6,249	25,000	25,000	
Total 055 GOLF COURSE FUND	968,753	956,906	806,196	1,402,885	1,402,885	
057 TRANSPORTATION & PARKING FUND						
Sales Tax	370,330	507,735	431,048	5,442,492	4,566,595	-875,897
Licenses	686,899	744,379	499,704	656,289	656,289	
Federal Revenue				3,585,800	3,585,800	
Transit Charges for Services	477,162	10,279		5,866,000	5,866,000	
Misc. Revenues	24,634	21,725	23,777	288,410	288,410	
Special Revenues & Resources	17,930			402,002	402,002	
Total 057 TRANSPORTATION & PARKING FUND	1,576,954	1,284,118	954,530	16,240,993	15,365,096	-875,897

Revenues by Object Type- FY2021

October 7, 2020

	YTD Actuals FY 2019	YTD Actuals FY 2020	YTD Actuals FY 2021	Ori Budget FY 2021	Adj Budget FY 2021	Variance FY 2021
058 PARKING FUND						
Fines & Forfeitures		780,687	14,952	2,603,364	2,603,364	
Total 058 PARKING FUND		780,687	14,952	2,603,364	2,603,364	
062 FLEET SERVICES FUND						
Interfund Transactions (Admin)	641,255	737,250	681,249	2,725,000	2,725,000	
Total 062 FLEET SERVICES FUND	641,255	737,250	681,249	2,725,000	2,725,000	
064 SELF INSURANCE FUND						
Interfund Transactions (Admin)	260,433	319,716	349,761	1,399,043	1,399,043	
Total 064 SELF INSURANCE FUND	260,433	319,716	349,761	1,399,043	1,399,043	
070 SALES TAX REV BOND - DEBT SVS FUND						
Interfund Transactions (Admin)	40,425	40,620	5,625	22,495	22,495	
Interfund Transactions (CIP/Debt)	1,214,691	1,814,211	1,852,482	7,409,946	7,409,946	
Total 070 SALES TAX REV BOND - DEBT SVS FUND	1,255,116	1,854,831	1,858,107	7,432,441	7,432,441	
071 DEBT SERVICE FUND						
Property Taxes				9,518,281	9,518,281	
Misc. Revenues	24,622	22,219	185	39,366	39,366	
Total 071 DEBT SERVICE FUND	24,622	22,219	185	9,557,647	9,557,647	
TOTAL	17,149,116	19,499,655	16,188,845	145,105,123	141,479,286	-3,625,837

Change in Fund Balance

Fund	Actuals FY 2019	Budget FY 2021	Adjusted FY 2021	Increase (red) FY 2021	% Inc (red) FY 2021
Park City Municipal Corporation					
011 GENERAL FUND	\$13,995,937	\$7,504,960	\$6,607,533	(\$897,427)	-12%
012 QUINNS RECREATION COMPLEX	\$-4,803,352	\$-6,033,938	\$-6,033,938	\$0	0%
021 POLICE SPECIAL REVENUE FUND	\$35,773	\$0	\$0	\$0	0%
022 DRUG CONFISCATIONS	\$23,168	\$0	\$0	\$0	0%
031 CAPITAL IMPROVEMENT FUND	\$47,522,284	\$3,128,714	\$998,626	(\$2,130,088)	-68%
038 EQUIPMENT REPLACEMENT CIP	\$1,912,090	\$7,429	\$7,429	\$0	0%
051 WATER FUND	\$8,601,446	\$4,484,094	\$4,484,094	\$0	0%
052 STORM WATER FUND	\$717,233	\$58,813	\$58,813	\$0	0%
055 GOLF COURSE FUND	\$1,234,194	\$26,248	\$26,248	\$0	0%
057 TRANSPORTATION & PARKING FUND	\$13,034,167	\$2,187,998	\$1,305,701	(\$882,297)	-40%
058 PARKING FUND	\$0	\$2,338,730	\$2,338,730	\$0	0%
062 FLEET SERVICES FUND	\$1,210,535	\$864,661	\$864,661	\$0	0%
064 SELF INSURANCE FUND	\$1,348,568	\$493,142	\$493,142	\$0	0%
070 SALES TAX REV BOND - DEBT SVS FUND	\$25,749,908	\$27,906,245	\$27,906,245	\$0	0%
071 DEBT SERVICE FUND	\$1,575,743	\$2,581,847	\$2,581,847	\$0	0%
Total Park City Municipal Corporation	\$112,157,694	\$45,548,943	\$41,639,131	(\$3,909,812)	-9%
Park City Redevelopment Agency					
023 LOWER PARK AVE RDA SPECIAL REVENUE FUND	\$1,604,087	\$2,689,797	\$2,689,797	\$0	0%
024 MAIN STREET RDA SPECIAL REVENUE FUND	\$904,151	\$994,151	\$994,151	\$0	0%
033 REDEVELOPMENT AGENCY-LOWER PRK	\$1,774,703	\$340,776	\$340,776	\$0	0%
034 REDEVELOPMENT AGENCY-MAIN ST	\$835,780	\$5,853	\$5,853	\$0	0%
Total Park City Redevelopment Agency	\$5,118,721	\$4,030,577	\$4,030,577	\$0	0%
Municipal Building Authority					
035 BUILDING AUTHORITY	\$440,916	\$440,916	\$440,916	\$0	0%
Total Municipal Building Authority	\$440,916	\$440,916	\$440,916	\$0	0%

Council Agenda Item Report

Meeting Date: October 13, 2020

Submitted by: Jenny Diersen

Submitting Department: Sustainability

Item Type: Staff Report

Agenda Section:

Subject:

Consideration to Approve a One-Year Extension to the Triple Crown Special Service Agreement, in a Form Approved by the City Attorney
(A) Public Input (B) Action

Suggested Action:

Attachments:

[Triple Crown Sports Contract Extension Staff Report](#)

[Exhibit A: TCS Extension Addendum Draft](#)

[Exhibit B: Public Comments Received](#)

City Council Staff Report

Subject: Triple Crown One-Year Contract Extension
Author: Jenny Diersen
Department: Special Events & Economic Development
Date: October 13, 2020
Type of Item: Administrative

Recommendation

Based on previous Council direction, hold a public hearing and approve a one-year extension to the Triple Crown Special Service Agreement, in a form approved by the City Attorney (Exhibit A). Only the contract date will change – all other terms remain the same.

Executive Summary

The current [City Services Agreement \(CSA\) with Triple Crown Sports](#) expires on November 30, 2020. Due to COVID-19 impacts, the event was not held in 2020. On [September 17, 2020 \(p. 7\)](#), City Council provided direction to:

- Extend the current CSA for one year due to the impacts of COVID 19; and
- Prepare preliminary parameters for consideration of a longer-term contract after 2021, including:
 - A shortened contract term;
 - Eliminate fee reductions; and
 - Prioritize local tournaments and teams before out of state tournaments.

This report provides a basis for the Council to consider a one-year extension of existing terms for 2021. Future consideration of any long-term contract will occur at a different time.

Background

The City has used CSAs as a tool for managing large events that benefit from long-term planning and stability and create substantial cultural and economic value for residents, businesses, and community. These agreements outline a clear scope of service for each party, including contract length, city services, financial assistance, use and lease terms of city facilities and property, performance measures, and insurance and indemnification.

In 2017, City Council renegotiated the CSA with TCS to better align with the community's critical priorities and asked that the CSA focus on additional mitigation for transportation and sustainability efforts, and reduce the Special Event fee waivers (SEFR). There were no calendar conflicts with local recreation programs identified at the time of entering into the contract. A conflict with Extreme Soccer was identified after the contract was secured. Specifically, Council:

- Lowered the annual fee waivers from \$93,000 to \$50,000;
- Further reduced fee waivers \$10,000 annually through 2020; and
- Due to a conflict for the use area(s) between the rising Extreme Soccer and Triple Crown, agreed to hold the fee waiver at \$50,000 in return for TCS's sharing fields to accommodate both events through their existing contract (2020).

On [September 27, 2018](#) (p. 32), [minutes](#) (p.6), City Council approved [significant changes to section 4A of the municipal code regarding special events](#) to better manage impacts stemming from events. Even with substantial changes, some community members remain concerned about event fatigue. Triple Crown has a long and successful history of operating in Park City and working with various lodging properties and the Chamber of Commerce.

Analysis

Outreach

Staff informed Extreme Soccer, HPCA, Lodging Association, Restaurant Association, Park City Chamber, and Basin Recreation of these discussions. Staff included public comment received in Exhibit B as of October 6, 2020; there may be additional public input on the item.

Pros/cons

Item	Pros	Cons
Event Policy	TCS is a family owned business that embraces the community. They host parades, pin trading, offer community scholarships and pay for field improvements.	There are community concerns & event fatigue.
	In 2018, TCS moved games off City Park field with short notice to accomodate Big Stars Bright Nights concert series.	We must address creating break weekends and conflicts with Extreme Soccer, as these policies effect the overall event calendar (2024, 2025, 2029, 2030)
	TCS worked with Extreme Soccer to address a date conflict in 2019 and 2020 to share fields in return for additional fee waivers.	While Triple Crown has implemented sustainability and transportation mitigation as outlined in Ex A, staff believes we should set clear measures that align with community goals (to be determined).
Economic & Community Benefit	In addition to the annual estimated \$3M in economic impact, and establishing lodging and restaurant partnerships, this event is unique in bringing week day visitation and stays.	Park City has evolved since 2003. Now the event brings economic impact, with strong summer visitation and the busy event calendar. Staff is concerned this event doesn't align with Council's and community goals, and there is a perceived feeling of using Park City as a backdrop.
	Triple Crown has worked to increase mitigation focusing on their efforts to reduce transportation impacts and increase sustainable efforts.	Does Council support a 10 year contract and full waiver of City Services in exchange for extraordinary community benefits and mitigation?
Relationship Between Parties	There is a respected relationship between the Parks Department and Triple Crown - Park City is known for having the best operations, and morale between parties, especially the Parks crew is important.	TCS is concerned about negative comments regarding the event. TCS requests postive and supportive discussions and speaking engagements from City Officials.
	Recreation has continued to support this event. There is ample field space for local teams and programs.	Relationships are changing as as the City's policy on events have changed.

Economic Data

Item	2017	2018	2019**
Total Number of Teams*	140	124	124
Instate Teams*	29	27	35
Out of State Teams*	111	97	89
City Lodging	\$315,500 / 54%	\$309,727 / 60%	\$201,373 / 40%
County Lodging	\$266,000 / 46%	\$220,469 / 60%	\$227,788 / 40%
Total Lodging	\$581,000	\$530,196	\$429,161
Estimated Tax Revenue direct to PC from lodging	\$6,310	\$5,779	\$4,677
Economic Impact Overall	\$3,628,800	\$3,032,640	\$2,237,760
Local Economic Impact	\$94,349	\$78,849	\$58,182

*Estimated 36 people per team

** Year which TCS was shortened to accomodate sharing fields with Extreme Soccer

Average length of stay is 6 days

Funding

City services and materials are estimated at \$59,000, which has been included within the FY 21 department-approved budgets. TCS pays costs over the \$50,000 contractual obligation for Fee Waivers. There is no cash subsidy from the City associated with this agreement.

Attachments

Exhibit A: Triple Crown Special Service Contract Addendum Draft
Exhibit B: Public Comment Received

FIRST ADDENDUM TO 2017 CITY SERVICES AGREEMENT WITH TRIPLE CROWN SPORTS

This FIRST ADDENDUM is made and entered into in duplicate this ____ day of _____, 2020, by and between PARK CITY MUNICIPAL CORPORATION, a Utah municipal corporation, (“City”), and TRIPLE CROWN SPORTS, a Colorado corporation, (“Licensee”), to amend the Park City Municipal Corporation 2017 City Services Agreement signed and executed by the parties on April 2, 2019.

WITNESSETH:

WHEREAS, the parties entered into a Park City Municipal Corporation 2017 City Services Agreement on April 2, 2019, (hereinafter “Agreement”);

WHEREAS, the term of the Agreement is due to end the last day of November, 2020; and

WHEREAS, due to the unforeseen impacts of Covid-19, the parties desire to extend the Agreement for one year (1) under the current terms.

NOW, THEREFORE, in consideration of the mutual promises made herein and other valuable consideration, the parties hereto now amend the Agreement as follows:

1. AMENDMENTS:

EXTENSION OF TERM. The term of the Agreement shall be extended to a termination date of the last day of November 2021.

2. OTHER TERMS.

All other terms and conditions of the Agreement shall continue to apply.

3. ENTIRE AGREEMENT. This First Addendum is a written instrument pursuant to Section 19.7 of the Agreement between the parties and cannot be altered or amended except by written instrument, signed by all parties.

4. COUNTERPARTS. This First Addendum may be executed in counterparts, each of which will be deemed an original and all of which together will constitute one and the same instrument.

5. ELECTRONIC SIGNATURES. Each party agrees that the signatures of the parties included in this First Addendum, whether affixed on an original document manually and later electronically transmitted or whether affixed by an electronic signature through an electronic signature system such as DocuSign, are intended to

authenticate this writing and to create a legal and enforceable agreement between the parties hereto.

IN WITNESS WHEREOF the parties hereto have caused this First Addendum to be executed the day and year first herein above written.

PARK CITY MUNICIPAL CORPORATION, a
Utah municipal corporation
445 Marsac Avenue
P.O. Box 1480
Park City UT 84060-1480

MATT DIAS, City Manager

Attest:

City Recorder's Office

Approved as to form:

City Attorney's Office

LICENSEE:

Name: Triple Crown Sports, Inc a Colorado corporation

Address: 3930 Automation Way

City/State/Zip: Fort Collins, CO 80525

Tax ID#:

Printed Name

Signature

Title

THE CITY REQUIRES THE TENANT TO COMPLETE EITHER THE NOTARY BLOCK OR THE UNSWORN DECLARATION, WHICH ARE BELOW.

STATE OF _____)
) ss.
COUNTY OF _____)

On this _____ day of _____, 2020, _____ personally appeared before me, whose identity is personally known to me or/proven to me on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he/she is _____ (position), of TRIPLE CROWN SPORTS, INC (organization), and that said document was signed by her on behalf of said corporation by authority of its Bylaws, or Resolution of its Board of Directors, and he/she acknowledged to me that they executed the First Addendum to the Park City Municipal Corporation 2017 Agreement.

Notary Public

I declare under criminal penalty under the law of Utah that the foregoing is true and correct. Signed on the ____ day of _____, 2020, at _____ (insert State and County here).

Printed name _____

Signature: _____

Hi Katie,

I'm sending this reply as a courtesy so you know your email was received. I respond on behalf of Council as one of my assigned roles. You may or may not hear directly from individual members.

Thanks for sharing your comments and thoughts, we appreciate you taking the time and caring enough to do so.

Best,
Tim Henney
On Behalf of Council

Sent from my iPad

On Sep 20, 2020, at 8:28 PM, Katie Sharp <katiesharp7@gmail.com> wrote:

Hello All,

Want to keep it short and sweet but hope you will take my thoughts into consideration before deciding whether or not to keep the Triple Crown tournament in our community. The tourney was part of my life growing up in PC and I've always seen the positive impact it has on our community during the slower summer season. From renting bikes on off days to renting multiple condos to house entire teams and indulging in many restaurants that might not get as much attention during the other, far more fancy events that occur during the year.

I hope PC continues to keep our arms open to all those talented kids for years to come!

Thanks for your time,
Katie

Hi Kimmy,

I'm sending this reply as a courtesy so you know your email was received. I respond on behalf of Council as one of my assigned roles. You may or may not hear directly from individual members.

Thanks for sharing your comments and thoughts, we appreciate you taking the time and caring enough to do so.

Best,
Tim Henney
On Behalf of Council

Sent from my iPad

On Sep 18, 2020, at 3:58 PM, Kimmy Sharp <kimmysharp1@yahoo.com> wrote:

Hi All,

Kimmy Sharp here, life time local! I just wanted to extend my voice on behalf of the Triple Crown softball tournament, which as I understand is in jeopardy of not staying in Park City. I love this event so much so many reasons. First growing up as a young girl getting to walk across Kearns from my house and watch amazing top level female athletes playing a high level sport was so inspiring for me as I was a young athlete myself desperately looking for female role models everywhere. Secondly, I spent 15 years in the restaurant industry in Park City and having the knowledge that there was a major event every summer we could rely on for some fast cash as more important then most of you can possibly understand. And finally in my current job with a local property management company we gain a huge bump in sales during the small window of down time that helps us in so many ways. Now if you string all of these positives together you pretty much cover everything this town needs in the summer months from personal to professional. Having a long running event such as this is the exact type of vibe this “small town” craves as we continue to grow and change. So I am asking you all to please keep this amazing event coming to town for many more years to come! I thank you all for your incredible hard work and devotion to my favorite place in the world.

With much gratitude,
Kimmy, Sent from my iPhone



PARK CITY SOCCER CLUB

Dear Mayor & City Council,

The Park City Soccer Club, with over 500 local youth participants, would ask that the Council consider potential scheduling conflicts with our Club's Extreme Cup Tournament when discussing the possibility of doing another long-term agreement with Triple Crown Sports.

Several years ago, the Park City Soccer Club adjusted dates for our Extreme Cup soccer tournament to respond to City requests to move the Club tournament off the Arts festival weekend. In doing so, the club has had to work with the Utah Youth Soccer Association to slot this tournament into other Utah based tournaments during that time of year. This has occasionally caused scheduling challenges with the Triple Crown Softball & Baseball tournaments. While Triple Crown has been amenable to sharing facilities, the overlap has a negative financial consequence for our event. As the Council considers the priorities and impacts of holding large scale summer events going forward, we would like to highlight the following thoughts and recommendations:

1. Triple Crown Sports is an out-of-state, for-profit entity who has done some excellent work in attracting destination sports tournaments to Park City. This has served a great role in building summer tourism in our region. We now have a problem in that we have more interest in groups doing tournaments and events "in town" than we have acceptable capacity for.
2. To that end, the Park City Soccer Club suggests that a priority now be given to local organizations who not only bring in similar destination visitors and a corresponding economic impact, but also more affirmatively support ongoing City goals relating to sustainability and social equity priorities. PCSC -- as a non-profit charged with engaging our whole region's youth in character building sport -- has for many years adopted environmentally friendly tournament protocols and has used tournament proceeds to fund a scholarship program that goes right back into our community. In the past year alone, PCSC has awarded over \$74,000 in 80 need-based scholarships to local children.
3. As the City created a priority on social equity, we would argue that our club is doing more to integrate and break down community cultural barriers than any other sport club in the region.

The club would like to see our tournament scheduling interests elevated above Triple Crown's. As shown in 2019, our tournament can be coordinated to allow both to happen, however we would kindly ask that our scheduling interests be prioritized over Triple Crown's. Our interest is to provide both economic benefit to the region, but also long-term community building priorities.

Your consideration is appreciated!

Sincerely,

Colin Hilton

Colin Hilton

PCSC Board President

Shelley Gillwald

Shelley Gillwald

PCSC Executive Director



August 9, 2020

Jenny Diersen
Special Event & Economic Development Program Manager
Park City Municipal

Dear Jenny,

Thank you for reaching out and giving the Park City Area Lodging Association (PCALA) the opportunity to share their comments and feedback regarding the Triple Crown Tournament returning to Park City.

Overall the board feels strongly that this event should be given the opportunity to return in 2021, especially as we know this event brings benefits to our community and we will need to count on them as we continue to try and bounce back from the effects of this summer. We know that many of our members benefit directly from this event. Points of consideration from the PCALA Board are:

- 6-night stays generate transient room tax. The longer 30 day stays we are seeing this year due to COVID do not.
- Unlike events or concerts that all start or end at the same time, there is no load in/out traffic.
- Attracts families here in the summer that often times return
- Provides revenue for restaurants

The only point the board would like to the Council to consider is not entering a contract that would extend to 2032. The overall consensus of the board is that a contract of this length is too long.

If you have questions or need additional information, please feel free to contact me.

Sincerely,

A handwritten signature in a cursive script, reading "Ginger".

Ginger Wicks
Administrator
Park City Area Lodging Association
info@pcala.org
435.640.1168



CHAMBER OF COMMERCE | CONVENTION & VISITORS BUREAU

Dear City Council:

Before City Council makes a determination on whether or not to extend its City Services Agreement to host Triple Crown World Series, the Park City Chamber of Commerce/Convention & Visitors Bureau would like to provide some information in support of extending Triple Crown's City Services Agreement as requested by Triple Crown.

1. With a significant drop in corporate and group business due to COVID-19, lodging occupancy during the week (Monday through Friday) has dropped significantly. Triple Crown can help provide some mid-week business that will likely be desperately needed by many lodging properties, restaurants, and retailers due to the delayed return of corporate/group travel beyond 2021.
2. Triple Crown is familiar with Park City and works closely with the Park City Chamber/Bureau to showcase to Triple Crown's customers all that Park City has to offer. Participating teams (and family members) patronize not just Park City lodging properties but also our activity providers, our resorts (Deer Valley, Park City Mountain, UOP, and Woodward Park City), our restaurants, and our retailers. Losing Triple Crown World Series would require significant effort to find another special event to replace the amount of business that is generated by the participants of the Triple Crown World Series.
3. Triple Crown provides opportunities for local Park City teams to participate in the World Series at reduced rates.
4. Triple Crown makes a financial contribution each year (based on the number of participating teams) to a capital improvement fund to upgrade periodically the fields and facilities in Park City and Summit County.
5. Triple Crown attracts families with children who often are first-time visitors to Park City and, as surveys have shown, are likely to return to our community in the future.

In short, I urge you to consider extending Triple Crown's City Services Agreement to help with the economic recovery of our community.

Sincerely,

Bill Malone
President and CEO
Park City Chamber of Commerce/Convention and Visitors Bureau





August 9, 2020

Jenny Diersen
Special Event & Economic Development Program Manager
Park City Municipal

Dear Jenny,

On behalf of the Park City Area Restaurant Association board, I am writing to express our support to allow the Triple Crown Tournament to return to the Park City area in 2021. We feel very strongly that this event brings great value to our "overall" community. Given that they have proven to be a successfully run event organization and as we move into bringing events back online, we should align with those that we know complement our community, which we believe they do.

Thank you for your consideration.

Ginger

Ginger Wicks
Executive Director

Council Agenda Item Report

Meeting Date: October 13, 2020

Submitted by: Jason Christensen

Submitting Department: Public Utilities

Item Type: Resolution

Agenda Section:

Subject:

Consideration to Adopt Resolution 22-2020, a Resolution Approving the Park City Municipal Corporation Water Conservation Plan

(A) Public Input (B) Action

Suggested Action:

Attachments:

[2020 Water Conservation Plan Staff Report](#)

[Exhibit A: Water Conservation Plan Resolution](#)

[Exhibit B: Park City Water Conservation Plan](#)



City Council Staff Report

Subject: 2020 Water Conservation Plan Adoption
Author: Jason Christensen, Water Resources Manager
Department: Public Utilities
Date: October 13, 2020
Type of Item: Administrative

Recommendation

Adopt the 2020 Water Conservation Plan by resolution and submit to the State of Utah to ensure compliance with the Utah Water Conservation Plan Act UCA 73-10-32.

Background

- On [July 16, 2020](#), staff presented the attached 2020 Water Conservation Plan to Council and received approval and direction to submit to the State for their review.
- The State has completed their review, and requested minor technical changes; specifically, the State sought a deeper discussion regarding water supply in acre feet and gallon per minute supply.
- The overall goal of the Water Conservation Plan remains unchanged and is to reduce water loss in Park City by 33% by year 2030; while continuing to support our active customer-side water conservation programs.
- Staff recommends adoption of the 2020 Water Conservation Plan and subsequent submittal to the State in order to meet the Utah Water Conservation Plan Act, which requires an approved Water Conservation Plan.
- A few highlights from our Water Conservation program are shared below. More detail is available in the Water Conservation Plan.
 - o The City built a cutting edge daily water loss tracking system by district metered area (small sections of the 140 miles of water distribution network.) This was accomplished primarily by using existing investments the City had made in remote meter reading technology and a SCADA (System Control and Data Acquisition) system.
 - o Investment in active leak detection, such as the [Wachs Water Contract](#), to proactively seek out water loss inefficiencies.
 - o [Recently reported](#) success in the Centennial Circle neighborhood resulting in annual cost savings of \$200,000, a meaningful reduction in the water department's energy footprint, and a payback window for this effort of under 4 years.
 - o An unrivaled opt-in enrollment of 49% in the City's Water Smart program, allowing our customers to receive automatic leak notifications and set individual water usage goals.
 - o Industry awards in 2019 from [Smart Cities Connect](#) and [Xylem Corporation](#) for our pursuit of a more efficient water system.

Exhibits

- A Resolution 22-2020, adopting the 2020 Water Conservation Plan.
- B 2020 Water Conservation Plan

Resolution No. 22-2020

**A Resolution Approving the Park City Municipal Corporation
Water Conservation Plan**

Section 1. Preamble

- A. WHEREAS, Park City Municipal Corporation operates a culinary water system;
and
- B. WHEREAS, the City Council understands the pressing need to use water in a
more efficient manner to provide a stable water supply for the community; and
- C. WHEREAS, the Utah Division of Water Resources requires that an updated
water conservation plan be submitted every five years for water providers with
more than 500 connections.

Section 2. Ordaining Clause

NOW, THEREFORE, BE IT RESOLVED that the Park City Council does hereby
authorize the Park City Municipal Corporation Water Conservation Plan and to attach to
the Plan as required, a certified copy of this Resolution as evidence of such
authorization.

Section 3. Water Conservation Plan

The water conservation plan of Park City Municipal Corporation, first adopted in January
29, 2004, readopted on July 30, 2009, readopted on October 4, 2014, and is hereby
readopted on October 13, 2020. The plan will be amended no less than every five
years and will continue to play a vital role in the future development of Park City
Municipal Corporation, Utah.

EFFECTIVE DATE. This resolution shall become effective upon adoption.

PASSED AND ADOPTED this the 13th day of October, 2020.

PARK CITY MUNICIPAL CORPORATION

Mayor Andy Beerman

Attest:

Michelle Kellogg, City Recorder

Approved as to form:

Margaret Plane, Special Counsel

Park City 2020 Water Conservation Plan



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Water Conservation Plan 2020

This document constitutes Park City's 2020 Water Conservation Plan. It is comprised of two pieces. The first contains information on performance metrics, current successes, and the new Conservation Goal. The second titled Appendix A, goes into more detail and provides the State with requested data.

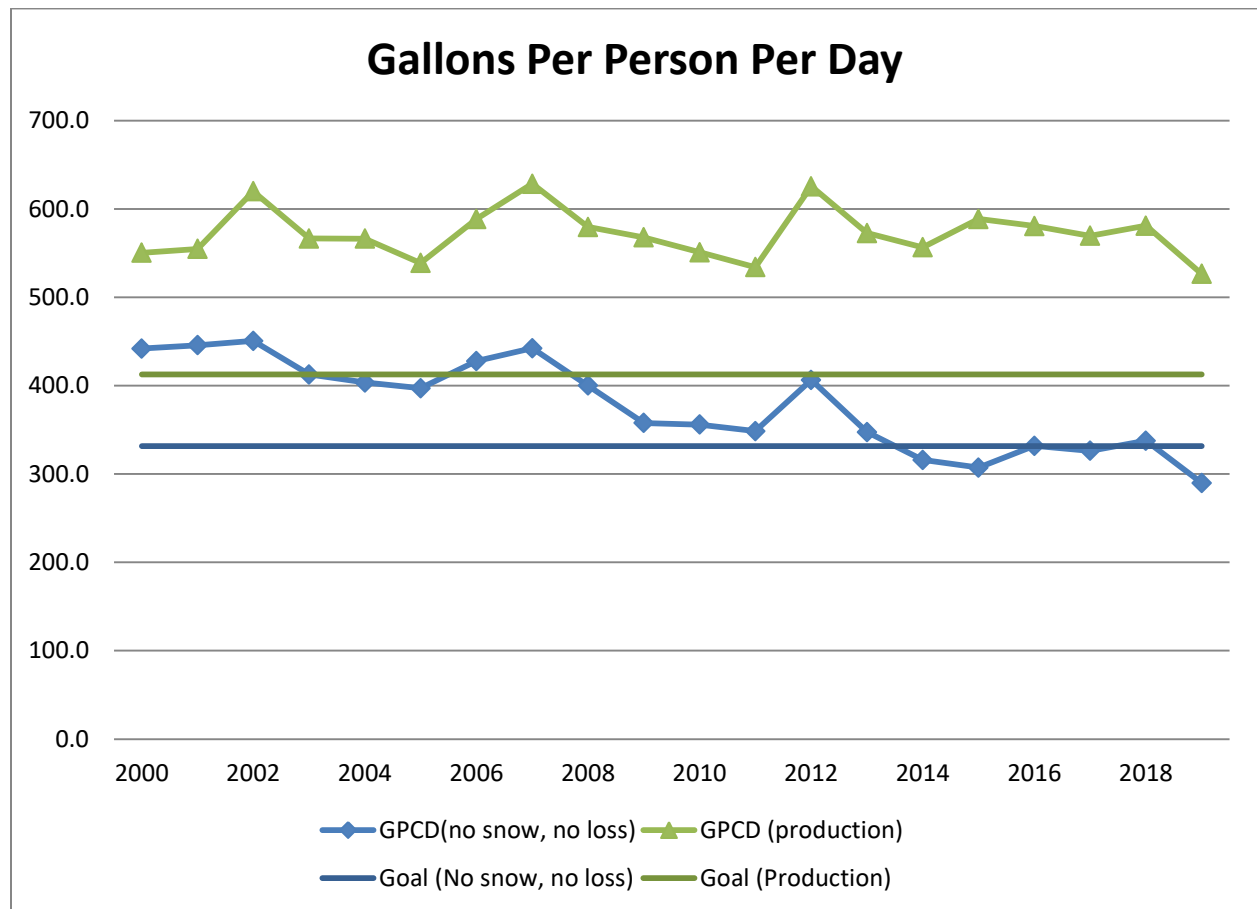
Purpose

Under the Water Conservation Plan Act (UCA 73-10-32), water systems are required to prepare a Water Conservation Plan. The City last updated our water conservation plan in 2014.¹

In the 2014 Water Conservation Plan, the goal was to achieve a 25% reduction in per capita water consumption, using the year 2000 as the measurement point, by the year 2025.

Discussion

Park City has met its 2014 conservation goal when snowmaking water and water loss are excluded. The City has not yet reached its conservation goal when water loss is included, although the target date for that goal is 2025. This highlights the opportunity represented by reducing water loss. This scenario is shown in the graphic below.

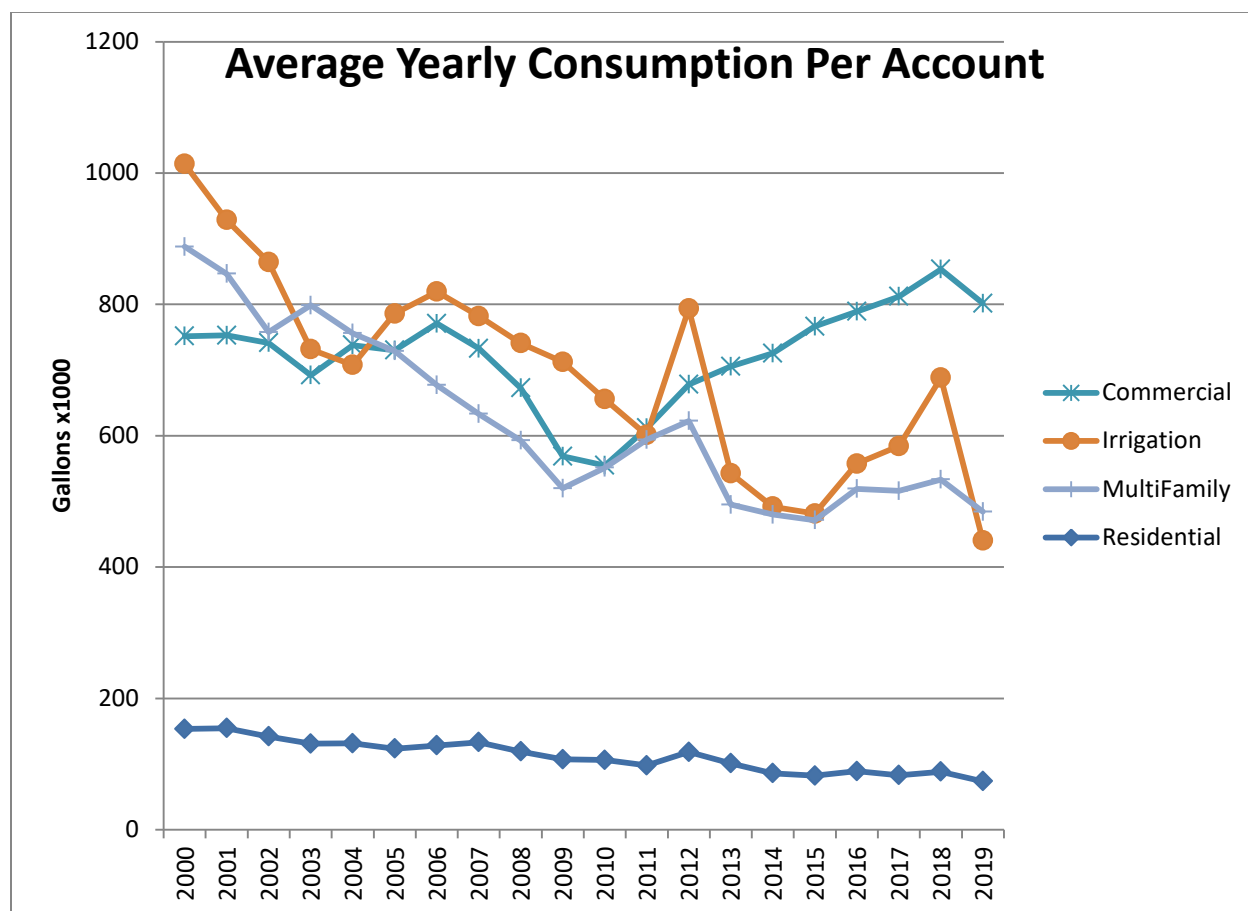


¹ <http://parkcityut.igmp2.com/Citizens/FileOpen.aspx?Type=1&ID=2039&Inline=True> (Pg. 33)

Gallons Per Capita Per Day (No snowmaking, No water loss) is the blue line. Under this scenario the City achieved its goal in 2014; eleven years before the target date. This scenario is the sum of all billed consumption (Single Family, Multi-Family, Commercial, and Irrigation) and unbilled but metered consumption (Municipal.) Chlorinated snowmaking was excluded as the City has a delivery obligation for defined amounts of water for snowmaking. Water Loss was excluded to highlight the impact this usage is having on conservation goals.

Gallons Per Capita Per Day (Production) is the green line. This includes everything in the first scenario plus snowmaking deliveries and water loss. Snowmaking has a minimal impact, raising the gallons per day by about 50 gallons over Scenario 1. The rest of the difference is caused by water loss, determined as the difference between the water placed into the system and the water metered leaving the system.

The community at large has done an exceptional job conserving water.



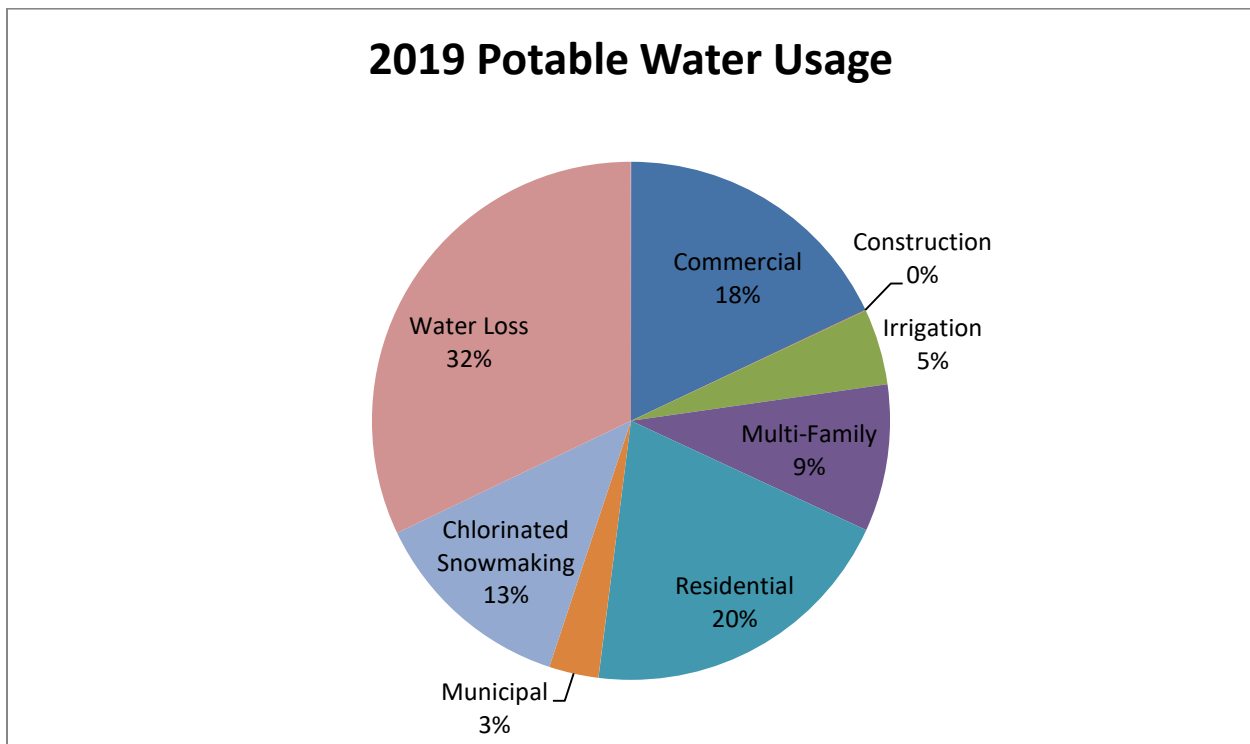
Usage per account has decreased substantially since the year 2000 for Irrigation, Multifamily and Residential Accounts. Commercial accounts on average use more per account. This reflects, in part, a limitation of the gallons per account metric. This metric doesn't account for the increase in the size of a commercial account in Park City. Businesses such as hotels are larger and serve more people on average than they did in the year 2000. Commercial accounts are also more tied to economic conditions. You can

clearly see the recession starting in 2007 in the commercial data, and will be able to see the economic impact of COVID-19 in 2020 data, when available.

The table below shows the percentage change from the year 2000 to 2019.

Account Type	Percentage Change in Water Usage from the Year 2000	Number of Accounts in 2019
Commercial	7% Increase	371
Irrigation	57% Decrease	179
Multi-Family	45% Decrease	314
Residential	52% Decrease	4,512

A final data point is a pie chart on the treated drinking water that was used by the community in 2019 and a table providing the usage in gallons.



2019 Potable Water Usage Gallons	
Commercial	297,382,000
Construction	673,000
Irrigation	78,828,000
Multi-Family	152,085,000
Residential	332,634,000
Municipal	51,229,000
Chlorinated Snowmaking	211,875,000
Water Loss	531,891,014

Total Water Produced	1,656,597,014
-----------------------------	---------------

State Changes to Conservation Targets

Conservation targets traditionally have been recommended at the State level and then adopted by the City. The initial water conservation target was a 25% reduction by the year 2050. That was then accelerated to a 25% reduction by the year 2025. The State has recently completed a regional plan for basin specific water conservation plans. This replaces the old State goal of a 25% reduction with basin specific water conservation plans. In that plan, specific conservation goals are discussed for different drainages. While not exclusively in the Weber Basin Drainage, Park City is predominately in the Weber Basin drainage. The State target for the Weber River Drainage is a 20% reduction by the year 2030.

New City Conservation Target

The best target for conservation is reducing water loss by implementing additional water loss controls. For this conservation plan, the City is adopting a target of a 33% reduction in water loss by the year 2030 using the year 2019 as the measurement year. This creates a goal of water loss as no higher than 22% by the year 2030, or savings roughly equivalent to all the water billed to Multi-Family accounts. Reducing water loss represents the best opportunity to reduce water diverted and placed into Park City's water system.

Progress towards this goal is currently underway, and the additional steps to be taken are discussed in [new best management practices section](#).

Demand side conservation remains import; and staff will continue our water conservation programs and anticipates continued reductions in per person water demand but is not setting a future target in this water conservation plan.

Highlighting a few Programmatic Successes

Below are a few highlights of our water conservation programs.

WaterSmart Portal Enrollment

Just shy of 50% of all customers have registered for the Watersmart Customer Portal. This is an exceptionally high registration percentage, and the highest among WaterSmart software's customers. Once registered, these customers can view the library of water conservation suggestions, set up custom alerts based on their water usage, and view hourly data on how they are using water.

Portal Registrations

[ABOUT](#)

Registration Rate

45%

of current Water Report recipient accounts

🏠 52% 📄 46% 📧 62%

49%

of accounts eligible to register for the portal

🏠 48% 📄 42% 🌱 57% 📧 64% ? 14%

REGISTRATION RATE OF ELIGIBLE ACCOUNTS BY SOURCE

Print

60%

Email

57%

Opt-in

27%

Eligible accounts are those that have received at least one mailing over the life of the program or have been eligible to opt in. Rates among eligible accounts may be different than among current recipients if the recipient group has changed over time.

Registered Accounts

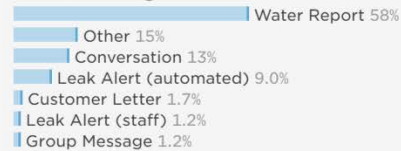
[SEE ALL](#)

2,664

53 in the past 90 days

BREAKDOWN OF REGISTRANTS

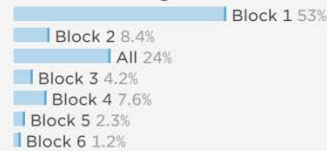
Source of Registrants



WaterScore of Registrants



Tier of SFR Registrants



Automated Leak Notifications

2,886 automated leak alerts were sent by the City in the last year. If each account only received one alert, this would mean that half of all accounts had some kind of automated leak notification within the past year. These alerts leverage the City's investment in remote meter reading technology, and help our customers save both money and water.

Alerts ?

VIEW NOT ALERTED

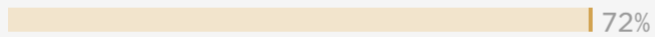
2,886 alerted

In the past year

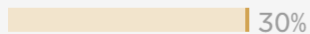
@ 2,615 📱 329 📞 17 👤 145 📄 0

RATES OF ENGAGEMENT AS A PERCENT OF ALERTS SENT

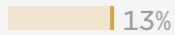
Emails Opened



Emails Clicked

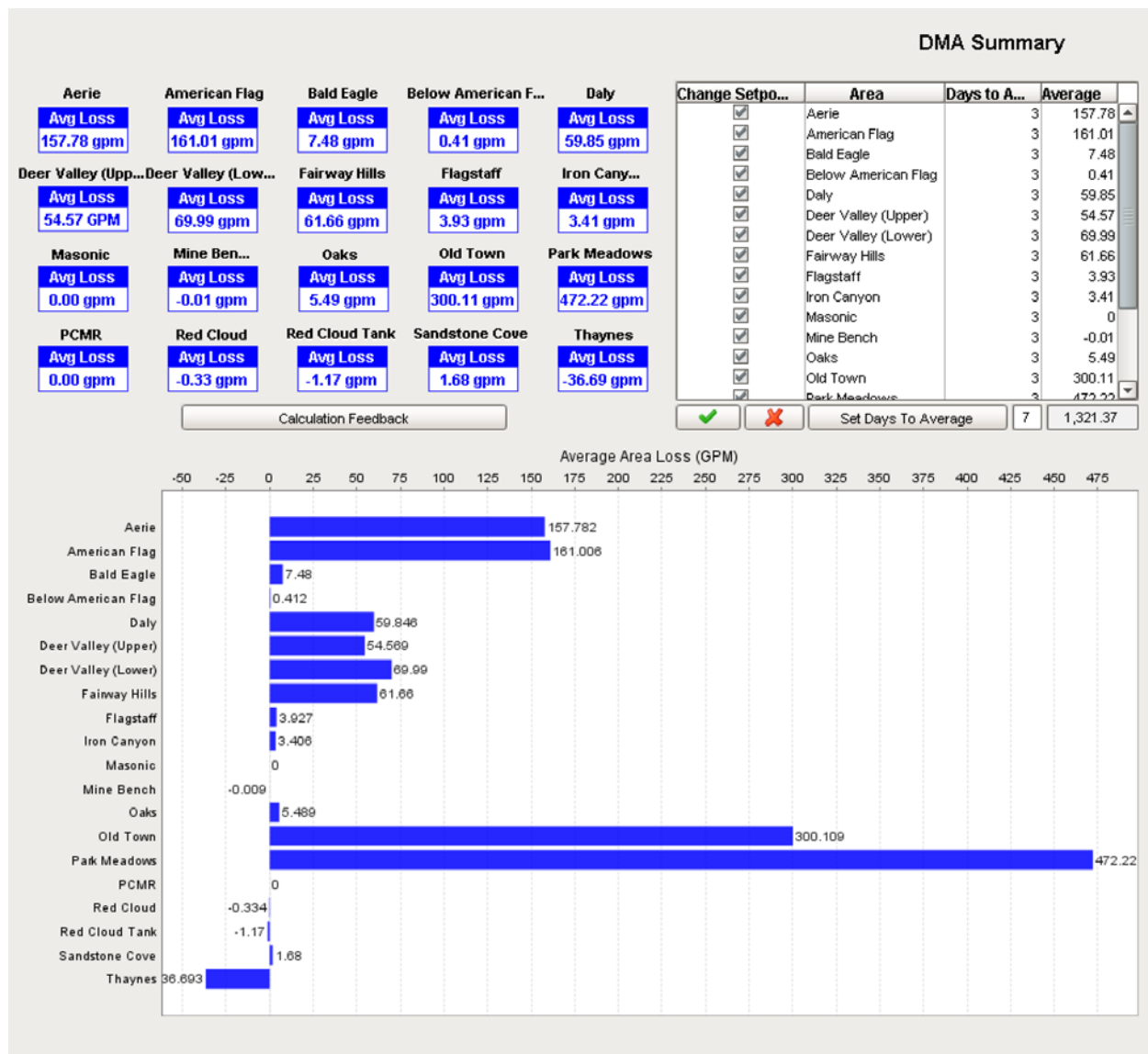


Digitally Resolved



Near Real Time Tracking of System Loss

We have successfully broken down our water distribution network into smaller zones, and combined those zones with customer metering data. This allows for a zone by zone calculation of where water is not being accounted for, which usually indicates system leaks in an area. This has been done very cost effectively by leveraging existing system, and is on the cutting edge of water loss management in the United States. The City has received several awards for this work.



Reduction in Water Loss in the Centennial Neighborhood from ~400 gallons per minute to ~60 gallons per minute.

In 2018, the department started our water loss efforts with Upper Deer Valley, the area along or accessible from Royal Street. Through an incremental process (additional meters, in pipe-cellular connected sensors, and traditional listening to the pipelines for leak noises), the Centennial neighborhood came into focus.

Repairs began in 2019, and will be completed by July of 2020. We would like to thank the neighborhood for their patience as we rebuilt the water service lines in the area.

As of June 5th 2020 Water Loss in Centennial has decreased from about 400 gallons per minute to around 60 gallons per minute. This represents close to a 10% decrease in annual water demand, and annual operational savings of about \$160,000 per year.

The picture below is of a valve that was uncovered in the neighborhood. It was worn down by an underground, previously undetected leak to a point where it is nearly unrecognizable.

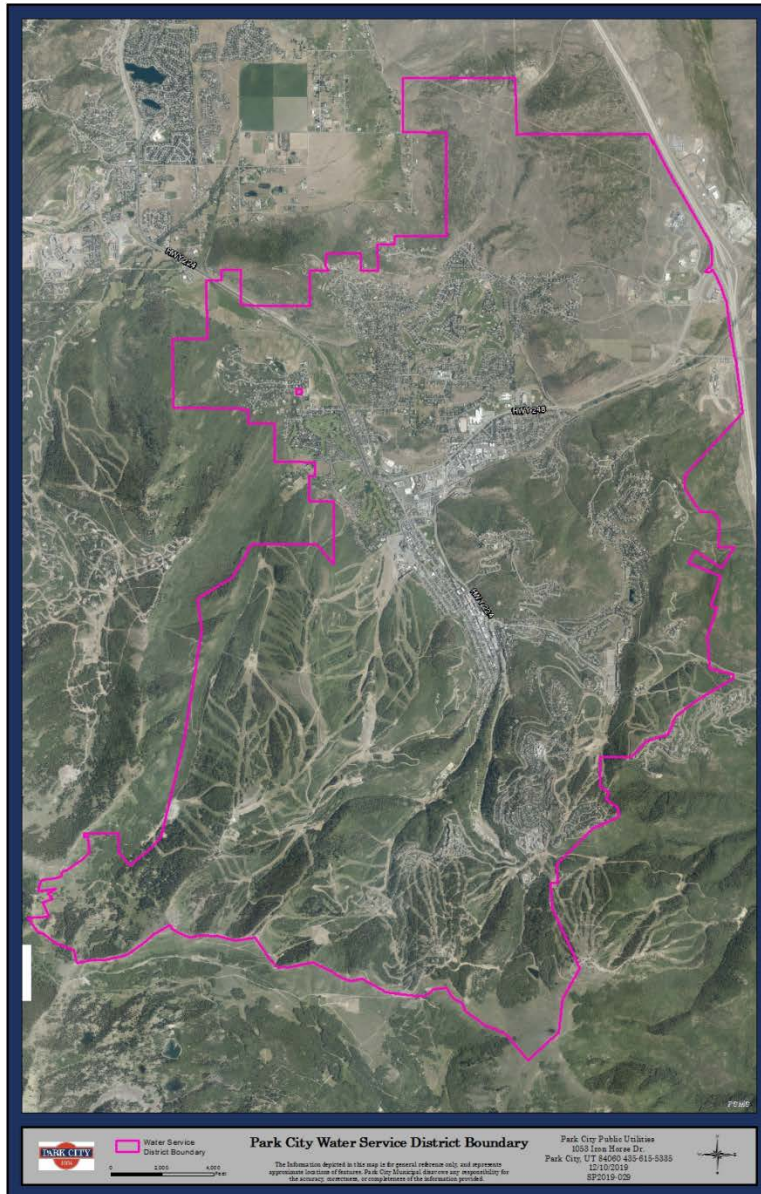


Appendix 1: State Requested Data

The State has requested that Conservation Plans contain specific data. The information in Appendix 1 is laid out to meet those State Requirements².

System Profile

1. Map of Service Area



² <https://conservewater.utah.gov/pdf/2020%20Water%20Conservation%20Plan%20Checklist.pdf>

2. Water Connections

2019 Accounts by PCMC Account Type	
Residential	4,512
Multi-Family	314
Commercial	371
Irrigation	179
Municipal	107
Snowmaking	2

Park City bills accounts based on the above classifications.

2019 Accounts by UDNR	
Residential	4916
Commercial	460
Institutional	107
Industrial	2

The State tracks water consumption based on these account types. In order to convert from Park City types to the State's system, the following conversions are used.

Conversion	
UDNR Types	Park City Types
Residential	Residential + Multi-Family + 50% Irrigation
Commercial	Commercial + 50% Irrigation
Institutional	Municipal
Industrial	Snowmaking

Supply

1. Chart current water supply, categorized by source.

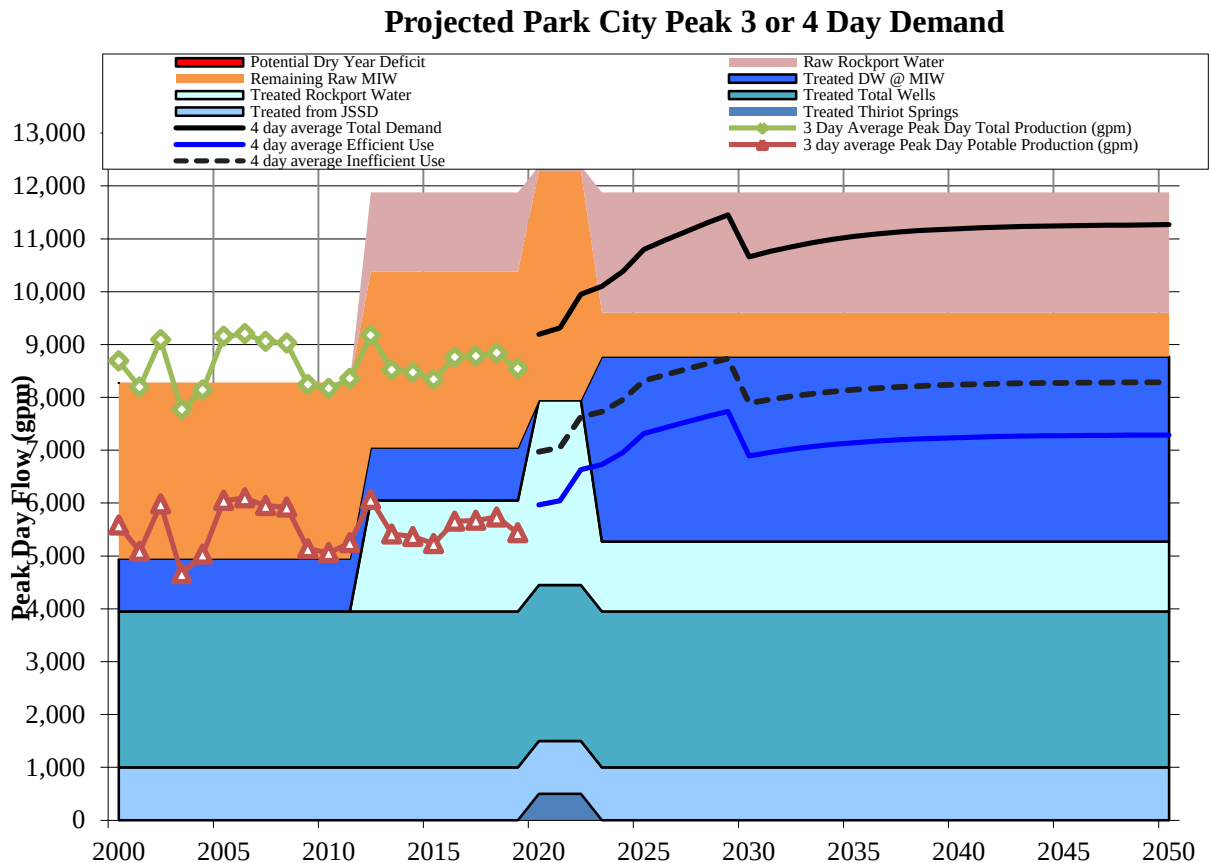
Dry Year Reliable Water Supply		
<i>Source</i>	<i>Supply (gpm)</i>	<i>Supply (acre-ft)</i>
Wells	2,950	2,705
Springs	0	76
Surface	3,596	2,900
Tunnels	7,966	4,070
Total Supply	11,878	9,751

The chart above provides information on Park City's reliable water supply, in gallons per minute and acre-feet. Actual supply in gpm may be greater as these values are taken from dry year production, not average year. Park City's system is best understood by reviewing gallons per minute available during peak demand (usually in July) during a dry period. We design our system to meet demand under this scenario and use the available gallons per minute from sources to do so. Gallons per minute at a constant rate does not equal supply in acre feet as supply is constrained by both water rights, water source, and operational limitations.

2. Describe the occurrences of groundwater depletion and aquifer recharge.

Ground water depletion does not appear to occur in our area. The aquifers tapped by Park City wells appear to recover each spring, and return to artesianing, flowing water out of the well under pressure, during wet years.

3. Provide graph with reliable supply through 2050, water use projections and efficient use projections.



The graph above shows that at present, Park City is not anticipating the need for additional water source capacity within the model's window of time (2050.) A few interesting data points, starting in 2020 all Spiro and Judge water becomes raw water (untreated water available for bulk irrigation) due to the demolition of Spiro Water Treatment Plant and construction of the replacement 3Kings Water Treatment Plant. At the same time, all the raw water from Rockport is converted into treated water for drinking made possible by improvements to Quinn's Junction Water Treatment Plant. These changes mostly reverse when 3Kings is brought online in 2023.

The drop in demand, shown in 2030 is caused by current water sales to Weber Basin. Those are estimated in ten year window, and thus 2030 is outside of that window. While it is unlikely sales will stop as shown in 2030, the City will modulate sales in the future to first meet Park City demands.

4. *If after reaching conservation targets, use exceeds supply, list future water sources and cost projections.*

Current projects do not show Park City exceeding supply. In the event future resources are needed, Park City entered into the Western Summit County Master Agreement in 2013³. In part, this agreement provides for Park City, Summit Water, and Mountain Regional to share water resources. After all existing water resources are exhausted, Weber Basin becomes responsible to build an additional water importation project into the Snyderville Basin. Conceptually, several options have been discussed but the triggering event has not yet occurred for a project. It will certainly be more expensive than any existing source that the City has. Currently the City is providing surplus water under this agreement.

Water Measurement

1. *List current water measurement methods and practices.*

All billing connections to the system are metered. All billing meters are connected to an Advanced Metering Infrastructure and are read once an hour, and that data is transmitted back to the City every 4 or 5 hours.

Smaller meters are not currently replaced on an age based system. In 2017, a statistical sample of smaller meters found them to be 99.7% accurate based on American Water Works Association Standards. Staff is currently investigating performance based metrics to drive the replacement of smaller meters in a cost effective manner.

Over the past 5 years, effectively all meters 3" and larger have been replaced. Following this replacement the majority of larger meters will be replaced every 12 years; except for magnetic meters which are replaced only at failure. This is because these meters have no moving parts, and therefore do not wear in the same way a traditional meter does.

All source meters are currently metered. In order to determine where water loss is occurring, source meter accuracy and zone meter accuracy has become more important. In 2018 an assessment of these meters accuracy occurred. This has resulted in a number of metering replacements. In 2020, a majority of these meters will be upgraded to digital signals, eliminating noise and increasing data accuracy.

System Water Loss Control

1. *List water and revenue losses and the control practices implemented to minimize both.*

In 2019, the City saw 531,891,014 gallons of non-revenue water or 1,101 gallons per minute. The operational cost of this loss is about \$500,000 in energy, chemicals, and filters, or 3% of our revenue. The opportunity cost of this water is greater, given the Snyderville Basin has reached

³ <https://www.parkrecord.com/news/summit-county/city-weber-basin-approve-agreement/>

the limit of its current water supply as discussed above. That loss equates to 32% of the treated water placed into our system.

Water Loss or Non-Revenue water has been a focus of the City's since 2018. Progress is being made on this issue:

- 2018 System Wide Acoustic Survey
- 2018 In-Pipe Monitoring (Visenti)
- 2019 Meter Box Survey
- 2019 Daily Automated Water Loss Tracking of the Entire System
- 2019 Instrumentation over AMI Network
- 2020 Meter Box Survey Remaining Locations
- 2020 Daily Automated Water Loss Tracking of System Areas (approx. 20 different locations)
- 2020 Completion of service Line Replacement in the Centennial Neighborhood

Billing

1. *List current tiered pricing structures.*

Consistent with state law, Park City changes for water through a tiered rate structure. A copy of that is available in our [fee schedule](#). As an example, the Residential customer class in Park City has six tiers. In 2019 the lowest tier was \$6.30 per 1,000 gallons and the highest tier was \$28.68 per 1,000 gallons.

Water Use

1. *List Current Total Potable and Non-Potable Water Deliveries by Volume (Acre-feet)*

Year	Residential	Commercial	Industrial	Institutional	Non-Potable
2019	1,608.50	1,033.59	650.22	157.22	173.77

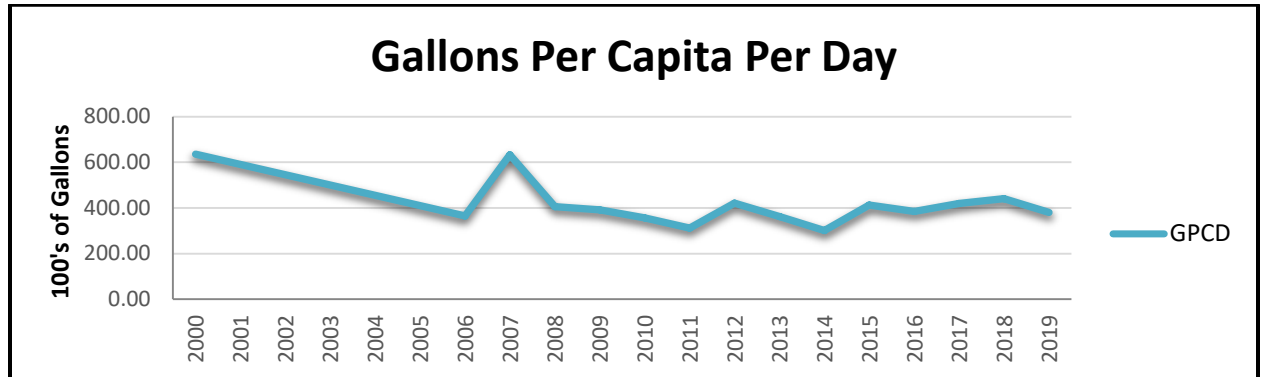
The chart above displays in Acre Feet the amount of water that goes to each of the usage types as reported to the Utah Division of Water Rights.

2. *Current per capita water use in gallons per capita per day*

Gallons Per Person Per Day			
	Potable	Non-Potable	Total
Residential	169	-	169
Commercial	109	-	109
Institutional	68	18	87
Industrial	17	-	17
Total	362	18	380

This chart breaks the 2019 usage down into gallons per day. It is subject to the same conversions as the chart above. This chart also contains Non-potable water, which is typically outside of the scope for metrics that we create.

3. *Gallons per Person per Day over time*



The data used to generate this chart is data submitted to the Utah Division of Water Rights since the year 2000. It includes Non-Potable Water, and also has some years with clear data issues. The data integrity has improved and the more recent the date the more validity the data appears to have. This report is included at the request of the State.

The gallons per capita per day chart at the beginning of the report are based off of billing data, SCADA records, and an engineering report from the early 2010's. Staff has more confidence in that data.

Conservation Practices

1. *Conservation Goal*

- Park City's water conservation goal is a 33% reduction in water loss by 2030
- Continuation of our successful demand side conservation measures, anticipating that these will result in continued water demand reduction.

2. *Names and Contact information for those responsible for meeting the efficiency goals.*

Name	Title	Contact Information
Brenda Wilde	Water Billing Analyst	bwilde@parkcity.org
Jason Christensen	Water Resources Manager	jason.christensen@parkcity.org
Clint McAfee	Public Utilities Director	clint.mcafee@parkcity.org
Mayor & City Council	Mayor & City Council	https://www.parkcity.org/government/city-council

3. *List of Current Conservation Best Management Practices*

Best Management Practice	Description & Evaluation
--------------------------	--------------------------

Tier Rate Structure	Park City has year round tiered water rates. Water pricing has likely had the greatest impact on water usage.
Metered All Connections	All Park City connections are meters, as discussed earlier in the report. Data on how water is being used is critical to any conservation program.
Consumer portal with hourly usage.	Park City provides access to a customer portal parkcity.watersmart.com . All account holders can access this service and view their hourly water consumption. Users can also set up usage alerts to their text, email or phone. This is a core component of our conservation program. 50% of all Park City customers have registered for this service.
6x a Year Customized Mailed Conservation Suggestion	All account holders receive by mail or email 6 reports a year outlining their water usage and ways they could reduce their water consumption. This serves as a great reminder of conservation programs, and how a property could reduce water usage.
Utah Division of Water Resources is funding rebates for (Smart Controllers & Toilets) using an appropriation from the State Legislature	Smart Controllers are one of the first things we recommend to someone looking to save water or reduce their water bill. We take advantage of the State funding by providing a 50% credit on those controllers.
Annual Water Fair	Park City Public Utilities participates in the Annual Water Fair for 4 th Graders, and provides information on how they get their water and how to use less water.
Implement a Water Conservation Plan	Park City has had a conservation plan since the early 2000's.
Active Leak Detection Program	Starting in 2018 the City has enhanced our passive leak detection program with active measures to detect leaks. This has resulted in operations savings and is bearing fruit through reduced water demand.
Perform System Water Audit	The City has made investments in the SCADA system to be able to track water as it moves through the system. This allows for hot spots to be identified and addressed through asset replacement expenditures.
Bill Print with Comparison	Each bill print has a comparison to a neighborhood average and to that property's usage last year at the same time.

4. *List of Conservation Ordinance & Standards*

Item	Location
Waste Water Prohibition	Park City Municipal Code 13-1-21
Water Shortage Plan	Park City Municipal Code 13-1-26, 13-1-22
Drought Plan	Park City Municipal Code 12-1-26

5. *City Codes/Updates pertaining to Gray Water and Construction Standards*

Gray water usage policy is set at the Health Department level.⁴ Park City does not further regulate the use of Grey Water. Construction Standards or Building Codes are set at the State level⁵, and Park City's practices are consistent with State Law.

6. *New Development Requirements*

New Development is required to meeting applicable construction standards and State Building Code.

7. *New Best Management Practices*

Park City has developed a leading water conservation program that has reduced water usage (excluding water loss and snowmaking) by 25% since the year 2000, and has reduced per account Single Family Residential, Multi-Family and Irrigation usage. This program consists of many on-going operational programs with corresponding expenses. The City will continue to support those, while focusing on the opportunity presented by reducing water loss.

To capture this opportunity the City will:

Summary	Additional Description
Proactively search for leaks.	Continue to develop proactive measures to search for leaks, such as hiring firms to go through the system and listen for leakage.
Improve data quality for distribution meters.	Use new distribution meters to further break the distribution system (over 120 miles of pipe) into smaller units where water in and water out can be tracked to identify leaking areas.
Investigate performance based metrics for residential billing meters.	Determine whether big data algorithms can identify residential meters that are under reading, and target those meters for replacement.
Increase Asset Replacement Expenditures	After completion of 3Kings Water Treatment Plant increase asset management or replacement funding. This will increase the ability to complete asset replacement, like what has occurred at Centennial Circle.

⁴ <https://rules.utah.gov/publicat/code/r317/r317-401.htm>

⁵ <https://le.utah.gov/xcode/Title15A/Chapter1/15A-1-S204.html>