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

October 13, 2020

The Council of Park City, Summit County, Utah, met in open meeting on October 13, 2020, at 2:15 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 Doilney moved to close the meeting to discuss property and litigation at 2:15 p.m. Council Member Gerber 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 3:30 p.m. Council Member Worel seconded the motion.

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

II) PARK CITY HOUSING AUTHORITY MEETING

1. 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 Margaret Plane, Special Counsel Michelle Kellogg, Secretary	**Present via Technology**

None	**Excused**

2. 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.

3. WORK SESSION

Discuss Park City Mountain Base Area Development - Affordable Housing Mitigation Plan:
Jason Glidden, Affordable Housing Manager, and Robert Schmidt, PEG Development, were present for this item. Schmidt indicated an application with the site plan had been made to the Planning Commission. He displayed the site plan and referred to the affordable housing that was planned for the development. He thought the project had great potential for all parties involved.

Glidden reviewed the original development agreement was signed in 1998. Part A of the development had been constructed, and 23 beds out of the 80 bed affordable housing obligation had not been met. There was a development agreement amendment in 2015, and he noted the housing obligation must be fulfilled prior to a new development application. Glidden reviewed some issues of concern, including offsite versus onsite housing units for employees, employee eligibility since there were two different employers, a seasonal dormitory proposal to fulfill the housing obligation, independent employee generation calculation by the developer, constructing the units during Phase One of the project, maintaining a shuttle program for employees, and having a bond requirement.

Schmidt indicated that Condition Three of the MPD amendment had two alternatives: provide the 23 beds or make a new affordable housing plan. With height and setback limitations, the affordable housing on the site plan was affected. He discussed why he thought the affordable housing should be onsite.

Glidden displayed questions for the Housing Authority to consider: 1) the support of moving affordable housing onsite; 2) a housing requirement to mitigate impacts of the base development including requirements to mitigate mountain operation employees; 3) concerns regarding this part of the proposal and the applicable criteria; 4) the support of the proposed phasing plan; 5) maintaining the employee shuttle program within the Housing Mitigation Plan; and 6) maintaining Condition Three prior to issuing a building permit.

Board Member Henney asked if short-term rentals with employee housing was the right mix for Building B. Schmidt stated all the affordable housing would be in one building. Board Member Henney thought the separation would be good. Glidden thought offsite housing should be investigated as well.

Board Member Joyce asked why there were so many units for sale versus for rent. Schmidt indicated the developer wanted 15% of the units for sale. Glidden stated PEG would split the obligation between for sale and for rent, and there were more rental units then units for sale. Board Member Joyce thought onsite housing would be valuable for base employees.

Board Member Doilney asked if nightly rentals could be limited in order to allow for long-term rentals. Glidden stated the units for sale were the long-term affordable units. Board Member Joyce stated part of affordable housing was building community, which was why Council wanted the units in town. He thought residents in those units would be part of the resort community. He noted the ski club was 10,000 square feet and a housing obligation wasn't included for that part. Glidden indicated he would get more information on what that club was used for. Board Member Gerber asked if the calculations were industry standard. Glidden stated the numbers were set by a nexus study and staff tracked other cities to make sure it was still in line.

Chair Beerman asked if the calculations took into account the level of service of the hotel. Glidden stated the service within the hotel was not taken into account and staff wanted to keep the calculations simple. Chair Beerman asked if the obligation included beds because of the 1998 agreement. Glidden stated the obligation was a blend because of the 1998 agreement. The developer had to fulfill the remaining beds from that agreement, and then comply with the new affordable housing requirements for its new development.

Board Member Joyce asked what the justification was for having eight beds to a room. Schmidt stated this proposal was similar to Jackson Hole employee housing: building an eight bedroom unit that included a main living room and kitchen. Board Member Doilney stated people rented one bedroom units and multiple people lived there. He favored more units like this proposal for seasonal employees in the winter and athletes in the summer. Board Member Joyce thought that was a different issue and stated this was a housing obligation. Glidden favored the eight person unit, but wanted to make sure the developer met the square footage requirement.

In response to Question One, Board Member Gerber stated the housing obligation could be offsite as long as it was within the City. Board Member Henney thought Council needed to determine who the housing was for so appropriate direction could be given.

Board Member Worel had concerns with Question Four. The development agreement was in effect since1998 and the affordable housing requirement had never been met. She did not want to move forward until the 23 beds were built. Board Member Joyce agreed. Schmidt stated the proposal had all the affordable housing in Phase One and it would open simultaneous with the other condos or before the other condos in Phase One. Board Member Doilney suggested requiring a bond in order to protect the City. In response to the questions, he indicated he would like the housing onsite, but he was willing to consider other options. He didn't want to let PEG off the hook for dealing with the influx of employees right away. He also supported the phasing plan and wanted to continue the shuttle.

Chair Beerman asked for staff's opinion on Question Six. Glidden stated a bond was required for other projects so that was why it was put into a Condition of Approval. Usually the bonds were for construction, not housing, so he needed to check with the Legal Department on that possibility. Schmidt stated a bond for private property was problematic. He thought there were better ways to deal with the situation.

Board Member Worel didn't know if all the units could be built onsite. She felt Question Two needed more discussion. Her concern was that 23 units needed to be built. She favored maintaining the shuttle and felt the bond needed further discussion.

Board Member Joyce needed to make sure all units could be onsite. He didn't know if base operations could be tied to this project. He wanted to see the dorm layout and stated the club and ballroom calculations were out of place. He indicated phasing should be locked down, and with regard to bonds, he wanted to hear ideas from PEG. He also favored maintaining the employee shuttle.

Board Member Gerber reiterated that some housing could be offsite, but within City limits. She thought development on the mountain that increased service should add housing obligations, but for now, this was a good opportunity for Vail to give money for this project, although it wasn't required. She agreed the housing numbers seemed too low, noting the ballroom and club. She agreed with Board Members Joyce and Worel that the 23 beds should be built as soon as possible, and the shuttle should be maintained. She was also open to discussing the bond.

Board Member Henney agreed with Board Member Joyce on Questions Three through Six. He wanted to have a deeper discussion on onsite versus offsite employee housing and the mitigation of base and mountain impacts. He asked for the City Attorney's opinion if Vail and PEG were one or two entities, and if there was a shared requirement.

Chair Beerman summarized that the Board favored having a lot of the housing onsite, but more discussion was needed about offsite possibilities. There needed to be more discussion on the base and mountain mitigation impacts. There were concerns with the proposal and phasing depended on Condition of Approval Three. Chair Beerman stated the housing requirement was back stocked and needed to get built. He also supported maintaining the employee shuttle.

4. ADJOURNMENT

With no further business, the meeting was adjourned and the City Council Work Meeting commenced.

III) CITY COUNCIL WORK SESSION

Noise Ordinance Update:

Dave Thacker, Building Official, Captain Andrew Leatham, Police Department, Tricia Lake, Assistant City Attorney, and Michelle Downard, Resident Advocate, presented this item. Thacker stated Code updates were needed regarding machinery to make enforcement clearer. Since the noise ordinance adoption, staff received training on sound meters and coordinated enforcement practices. Machinery was checked throughout the City to make sure the noise levels were in compliance. Other jurisdictions were looked at to see if there were exemptions in their noise ordinances for mechanical equipment and no exemptions were found. Some outside air conditioning units ran at 65 decibels so that was the reason staff included the exemption in the ordinance. Staff reviewed two years of noise complaints, and found 496, with 89 in the Historic Districts. Most of the complaints were for disturbing the peace. There were three complaints for the same location for mechanical equipment. He asked Council if Section K should be removed from exemptions and stated another option would be to keep the exemption and address the concerns as they were received.

Council Member Worel asked if the existing equipment would be grandfathered if the exemption was removed from the Code, to which Thacker responded in the affirmative. Council Member Worel asked what determined disturbing the peace. Captain Leatham stated talking loudly outside, construction, equipment, etc.

Council Member Gerber asked if mechanical equipment included construction equipment. Thacker responded only installed mechanical equipment fell under that definition.

Council Member Henney asked what could be done to mitigate properly running equipment that exceeded the decibel limit. Thacker indicated the homes were very close together in the Historic District so the noise was a challenge. Equipment could be screened, but the noise would go up and bother other neighbors. If a blanket was put on an air conditioning unit, the lifespan of the unit would be cut in half. Council Member Henney thought the noise annoyed neighbors and he favored limiting the noise level.

Mayor Beerman hoped mitigations could be implemented because the equipment was loud. He asked if a limited recurring noise could be addressed. Thacker stated there was code that addressed that.

Council Member Gerber stated higher temperatures in the summer caused discomfort for some people. She thought three complaints were minimal. She suggested recommending quiet air conditioning units when residents were looking to purchase units. Council Member Joyce stated higher quality air conditioning models were quieter. He agreed with Council Member Henney.

Mayor Beerman opened the meeting for public input.

Downard read the following statement: "In anticipation of this evening's discussion, I requested input from Peg Bodell, previous City Council Member, and longtime Old Town Park City resident. It quickly became apparent that this topic was very personal and difficult to draft into a statement. Therefore, Peg graciously allowed me to visit with her and we drafted this statement together. With Peg's permission, I'd like to read the following statement on her behalf: There are three main issues with noise in Park City.

1. Boilers are the first concern and have been the most impactful [to Peg]. We don't know enough about these new systems to make the best decisions and conclusions. Why are some systems more disturbing than others? Why are systems that are installed for winter snowmelt operating 365 days a year? even on a 90° day? The head building inspector assured Peg's family that the system would only operate to melt snow. Installing these systems in Old Town is more impactful and not the same as the rest of the Park City neighborhoods. Installing mechanical equipment in homes with smaller, Old Town side yards can impact the livability inside a neighboring home. In the 817 Woodside situation, the residents can no longer sleep in the bedroom or open the windows on the affected side of the house. The allowed vent location has been a detriment to Peg's family, health, income, and property. Vents should be allowed on the front of the homes, where they are less likely to disturb neighbors. Mechanical exhaust locations are not generally shown on building plans, which makes it difficult for neighbors and City staff to provide input during any public input and review process. These exhaust locations should be thought through more with sensitivity to neighbors and not in compliance with a manufacturer who has no concept of Park City's tight neighborhoods and climate.

2. Secondly, outdoor music at Town Lift Plaza is a reoccurring concern. Weddings and private parties are the most common activity. While these types of activities are welcomed and this revenue is important for our local restaurants and surrounding businesses, there is no need to amplify the music during events. If the music was not amplified, it would avoid residents having to call the police. When the police respond to noise complaints, they are directed to take a decibel reading from the location of the

complaint. This process is ineffective because the decibel readers can not feel the pounding bass and record echo reverberations over the 3-4 hour duration. If someone really wants to host an event with long loud amplified music, they should consider an inside venue, which is more appropriate for that use. Any event with amplified sound must be limited to length and duration of amplification.

3. Thirdly, loud motorcycles can be heard speeding up and down all of the canyons. There is a disturbing trend with Park City's male population to install modified mufflers on vehicles and motorcycles for the sole purpose of attracting attention with noise. These residents are using our Park City streets as a Motocross racecourse in the afternoons and evenings. This activity is all about being seen and heard. We have parades for that. We prohibit jake brakes. We should regulate these loud motorcycles too."

Mayor Beerman closed the public input portion of the meeting.

Council Member Henney asked Downard's opinion for balancing what made sense for the residents, but also allowed air conditioning units and boilers for those that needed them. Downard stated some individual circumstances could be disturbing and those scenarios should be taken into consideration when drafting a noise ordinance. It was not possible to address every concern, but to find a reasonable balance in community expectations in enjoying property while making noise and enjoying property while not making noise.

Mayor Beerman thought energy efficient equipment was quieter and could be added into the noise ordinance. Council Member Gerber cautioned that apartments and condos might need air conditioning units more because of constricted airflow, but those were the residents that might not have the means to afford the high end equipment. Council Member Henney stated noise was an issue in the City and it would only get bigger. He asked for staff to continue working on this and come back for further discussion.

Council Member Worel asked if there were programs to help families add air flow to their homes. Council Member Doilney agreed with Council Member Henney. Council Member Joyce didn't think it was staff's job to look for air conditioner brands that were noisy or quiet. The City should set the limit and let the resident figure out how to meet it. He favored removing the noise exception in the ordinance. Council Members Henney, Worel and Doilney agreed.

Social Equity Update:

Jed Briggs, Budget Manager, Jolene Weston, HR Department, Sarah Pearce, Deputy City Manager, Lynn Ware Peek, Community Liaison, and Enrique Sanchez, Community Technical Specialist, presented this item. Briggs reviewed the City's involvement with social equity and stated it became a critical priority in 2018. Staff looked at opportunities internally as well as externally. The City contracted with the Community Foundation to help with the priority and decrease disparities in the community. Some high priority results from looking at social equity included housing, inclusion, and education.

Sanchez stated it was important to recognize all members of the community as well as offer services to all groups. He was anxious to receive Census results to see what groups were now living in Park City. Ware Peek indicated the City had focused on social equity for many years. With COVID-19, the City had been involved in social equity more than ever to help people remain in their homes since they weren't working. The Recreation Department wanted to offer scholarships to use the programs and the MARC. They realized these groups didn't have a way to get to the programs and brainstormed ways to mitigate that issue. She gave several examples that showed the City and community were working together to help the vulnerable populations. Ware Peek reviewed her project over the summer regarding gender neutral bathrooms. She felt inclusion was powerful.

Sanchez stated the Police Department established a bilingual outreach police officer and Sanchez was an outreach staff member. The officer taught drivers education in Spanish and they both reached out to the Latino community and the J1 employees that worked in the City during the winter months. Sanchez also performed community outreach with public works projects and other events in the City.

Ware Peek stated staff tried to think of ways to reach the Latino community. There was a Coffee with Council in Spanish and they created a Mensaje a la Comunidad Hispana de Park City on FaceBook. Pearce noted the COVID Personal Protective Equipment distribution, live Spanish translations and other work being done within the City and community. Ware Peek reviewed other actions taken, including the initiation of the Vulnerable Population Virtual Working Group, expanding the Police Complaint Review Committee, and allowing civilians to review police body cam footage. Pearce stated there were two interns from the Bright Futures Club at the high school working at the City.

Ware Peek stated some future projects included changing language in the Municipal Code and policies to be gender neutral. Sanchez indicated there would be a new FaceBook page in Spanish. Pearce asked for clarification on areas where the City should lead and where other organizations should lead.

Council Member Joyce thought staff was doing an incredible job. Council Member Worel thought the work being done was amazing and she looked forward to longer discussions. She was excited to have a Spanish FaceBook page. She supported the Spanish speaking staff position at the library. She was saddened at the loss of Anaya's Market and wanted to get that business back in town. Council Member Gerber was happy so much had been accomplished and she agreed with Council Member Worel that the Latin market should be brought back. She stated it was hard to bring up different perspectives because Council was in the same category. She hoped to see things from a different lens.

Council Member Henney thought the accomplishments were great. He liked seeing staff going into neighborhoods to talk to people. Council Member Doilney agreed with all the Council members' comments. He indicated there were other groups in addition to the Latino community that needed to be represented as well, but noted the City was on the right path.

Mayor Beerman stated this was a great list of accomplishments and actions, and they were helping build a successful and welcoming community. He was excited about the internships as well as a program with the University of Utah.

IV) 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 Margaret Plane, Special Counsel Michelle Kellogg, City Recorder	Present via technology
None	Excused

VI) COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council Questions and Comments:
Council Member Doilney stated the scarecrows were at the McPolin Barn and he encouraged people to stay outdoors.

Council Member Worel attended Coffee with Council this morning with Rich Bullough who stated the Department of Health went to different counties to see the percentage of people wearing masks and Summit County had a 95% mask rate. She indicated Governor Herbert had a press conference today and announced new risk levels of the Coronavirus transmission.

Council Member Henney commented on the discussion with Rich Bullough and was pleased to see so many people wearing masks.

Council Member Gerber reminded everyone that ballots were in the mail. She asked if the Census was still open. Council Member Henney stated it was open through the end of October. Council Member Joyce stated the Supreme Court ended it today.

Mayor Beerman asked if Council was interested in exploring efforts to recognize Indigenous Peoples Day. The Council agreed to look into that.

Mayor Beerman indicated some mayors of resort towns were working with the Utah League of Cities and Towns (ULCT) to determine how the third tier of CARES money would be funded. The ULCT supported funding the hard hit resort communities. Matt Dias noted these were the types of things the City did for the community, referring to the good partnerships the City had with the Capitol. This relief money would help resorts and small businesses. He thanked the Mayor and staff for their hard work.

Staff Communications Reports:

1. Federal CARES Act Local Government Allocation:

2. Old Town Winter Transportation Operations Update:

3. Administrative Approval of Special Events - Snow Globe Stroll and Live PC Give PC Procession:
Council Member Joyce liked the creative ways being used to draw people into town.

VII) 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. No comments were submitted. Mayor Beerman closed the public input portion of the meeting.

VIII) CONSIDERATION OF MINUTES

Consideration to Approve the City Council Meeting Minutes from September 17 and 22, 2020:
Council Member Worel referred to the September 17th minutes, Page 24, Line 24, and clarified the analysis noted that the fee-in-lieu amount offered by IHC was listed on the website. She could not find that list, and asked if the amount offered was the amount required by the City.

Council Member Worel moved to approve the City Council meeting minutes from September 17 and 22, 2020 as amended. Council Member Joyce seconded the motion.

RESULT: SEPTEMBER 17, 2020 MINUTES APPROVED
AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

RESULT: SEPTEMBER 22, 2020 MINUTES APPROVED
AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel
ABSTAIN: Council Member Worel

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:

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:

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

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

X) OLD BUSINESS

1. Consideration to Approve Ordinance 2020-46, an Ordinance Adopting an Adjusted Budget for FY 2021 for Park City Municipal Corporation:
Jed Briggs, Erik Daenitz, and Penny Frates, Budget Department, presented this item. Briggs noted the July sales tax numbers came in $175,000 above the projections for that month and stated his department would continue to track those numbers.

Council Member Joyce asked if the variance from the projection meant the City wouldn't look at the projected number again. Briggs stated they would not make new projections as actual numbers came in, but they would show both numbers on the spreadsheets for comparison. Daenitz indicated that only one data point had been seen in this fiscal year. A possible gap in the model would be “drivers” and he thought it would be interesting to see how this played out over the year. Briggs indicated the original revenue projection was a slow ramp up to normal, but the new projection was closer to normal. He noted the winter months would be slower than normal. Council Member Joyce asked to explain "normal." Briggs used the word "normal" to show how the revenue differed compared to last year without the COVID impacts.

Briggs reviewed the grant funding in the Transportation Fund and indicated they budgeted conservatively for grants. He also indicated there were a few staffing positions and other budget items that were being adopted in this adjusted budget. Council Member Gerber stated the seniors were not interested in a new senior building, and asked if those funds were available for housing. Briggs stated that money was budgeted for the senior center, but it could be repurposed. Council Member Joyce thought Council should have a discussion regarding that $2 million. Council Member Doilney agreed. Council Member Worel stated she was not ready to give up on the seniors yet.

Council Member Henney asked if having an in-house housing staff member would be in conjunction with working with other entities like Mountainlands Community Housing. Glidden stated he met with Mountainlands and they agreed a regional housing effort should be made and discussions needed to be held with Wasatch and Summit Counties to move the effort forward. This housing specialist position was a technical and analytical position.

Council Member Henney agreed if the seniors didn't want to move, that money could be used to repurpose the housing development that would have surrounded the proposed senior center. Matt Dias stated General Funds were used to augment the affordable housing goals. There would be a discussion at a future meeting to discuss the housing pipeline, which could include this $2 million.

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

Council Member Gerber moved to approve Ordinance 2020-46, an ordinance adopting an adjusted budget for FY 2021 for Park City Municipal Corporation. Council Member Joyce seconded the motion.

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

2. Consideration to Approve a One-Year Extension to the Triple Crown Special Service Agreement, in a Form Approved by the City Attorney:

Jenny Diersen, Special Events Manager, and Jonathan Weidenhamer, Economic Development Manager, presented this item. Diersen indicated the contract would be extended due to cancelling the event this year because of COVID-19. She noted the City service agreements were used as a tool to boost economic development.

Mayor Beerman stated the Council agreed to reduce service agreements by $10,000 per year and asked why the contract extension did not reflect a deduction in City service fees. Diersen stated staff was focused on extending the terms only. Council Member Doilney supported reducing the service fees by $10,000, to a total of $40,000 instead of $50,000.

Council Member Worel referred to the local economic impact in the staff report and asked if Diersen expected the impact to be the same next year as it was in 2019. Diersen stated in 2019, this event was combined with Extreme Soccer and the economic impact was therefore lower than it was in 2017 and 2018. She hoped the economic impact would be the same as 2018. Council Member Worel preferred giving the money to local businesses rather than the out of town events. Council Member Doilney stated businesses relied on the midweek events and he didn't think a check from the City would have the same impact on these businesses. He felt this was a unique event in Park City and favored giving them the service fee reduction.

Council Member Gerber thought regional traffic helped businesses, but it didn't help lodging. She thought events like this would help the hard hit businesses like lodging. Diersen stated Triple Crown was a family owned business and it had brought a lot of economic development to the community over the years.

Mayor Beerman opened the meeting for public input.

Matt Pilcher, Triple Crown, via Zoom stated they were a small business and had to lay off several employees because of COVID. They loved coming to Park City.

Mayor Beerman closed the public input portion of the meeting.

Council Member Joyce indicated the City was obligated to the businesses and the event and supported the $40,000 service fee reduction. He stated he did not support a future contract. Council Member Henney agreed with Council Member Joyce.

Council Member Joyce moved to approve a one-year extension to the Triple Crown Special Service Agreement, in a form approved by the City Attorney, with a $40,000 City service fee reduction. Council Member Doilney seconded the motion.

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

3. Consideration to Adopt Resolution 22-2020, a Resolution Approving the Park City Municipal Corporation Water Conservation Plan:
Jason Christensen, Water Manager, presented this item and indicated the Water Conservation Plan was presented to Council in July. He indicated the State signed off on the plan and this resolution would formalize the adoption.

Mayor Beerman asked if the water loss goal should be moved up to 2025 instead of remaining at 2030. Christensen stated that would need to be evaluated over the next couple years. He stated the infrastructure was aging and changing. Council Member Joyce stated there were a lot of big projects going on. Once the capital projects were completed in the next few years, the effort to stop water loss could be increased.

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

Council Member Henney moved to adopt Resolution 22-2020, a resolution approving the Park City Municipal Corporation Water Conservation Plan. Council Member Gerber seconded the motion.

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

XI) ADJOURNMENT

With no further business, the meeting was adjourned.

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Michelle Kellogg, City Recorder

PEG Development Housing Mitigation Plan Work Session

October 13, 2020

PARK CITY
1884

Housing Mitigation Plan

- 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.

Housing Mitigation Plan

- 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.

History of Park City Resort

- Park City Resort opened in 1963 as Treasure Mountain
- The name was changed to Park City Ski Area in 1966
- Became known as Park City Mountain Resort or PCMR in 1996 and was operated by Powder Corporation
- 2014 when the resort sold to Vail Resorts who renamed Park City Resort

Development Background

- 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).

Development Approvals

- On June 25, 1997, the Planning Commission approved the PCMR Large Scale Master Plan
- On August 21, 1997, the City Council granted height variations for the Concept Master Plan's specific volumetrics.
- 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
- On March 25, 2015, Planning Commission approved (Staff Report, Minutes) amendments to the 1998 MPD and DA

1998 Development Agreement

- The DA contains important considerations for employee housing requirements. Specifically, the DA requires the Developer to construct or provide deed-restricted offsite housing for 80 PCMR employees

- Finding 12 of the Planning Commission approval 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."

1998 Development Agreement

- Condition of Approval 11 in the MPD, 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."

1998 Development Agreement

- 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.

1998 Development Agreement

- On March 25, 2015, Planning Commission approved amendments to the 1998 MPD and DA, (specifically Exhibit L, known as the Mountain Upgrade Plan) which included the Quicksilver Gondola and expansion of Snow Hut on mountain restaurant (Miners Camp)

PARK CITY
1884

1998 Development Agreement

- Condition of Approval #3 of the March 25, 2015, MPD amendment states;

  "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.

Summary

- 23 beds from original 80 bed requirement still outstanding
- Prior to any new application
  - Outstanding obligation must be satisfied with off-site housing, or
  - Amend the Housing Mitigation plan, and
  - Submit a completion bond or letter of credit in a form approved by the City Attorney
- Any new applications must meet guidelines of current resolution

PEG Proposed HMP

<u>Summary of proposed Housing Obligation according to PEG (Exhibit B):</u>

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

<u>Summary of PEG’s proposal to meet the Housing Obligation:</u>

- Three dormitories of 8 rooms each, totaling 24 beds; and
- Seventy - 1, 2, and 3 bedroom condominiums ranging from 575 to 1,832 sqft.
- AUE’s required by commercial will be rental units (48 units).
- AUE’s required by residential will be for sale units (22 units).
- A total of 164 beds provided (23 outstanding and 141 new)

Issues

- 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.

- 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.

Issues

- 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.
- Independent Calculations
  - 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.
  - 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.”

Issues

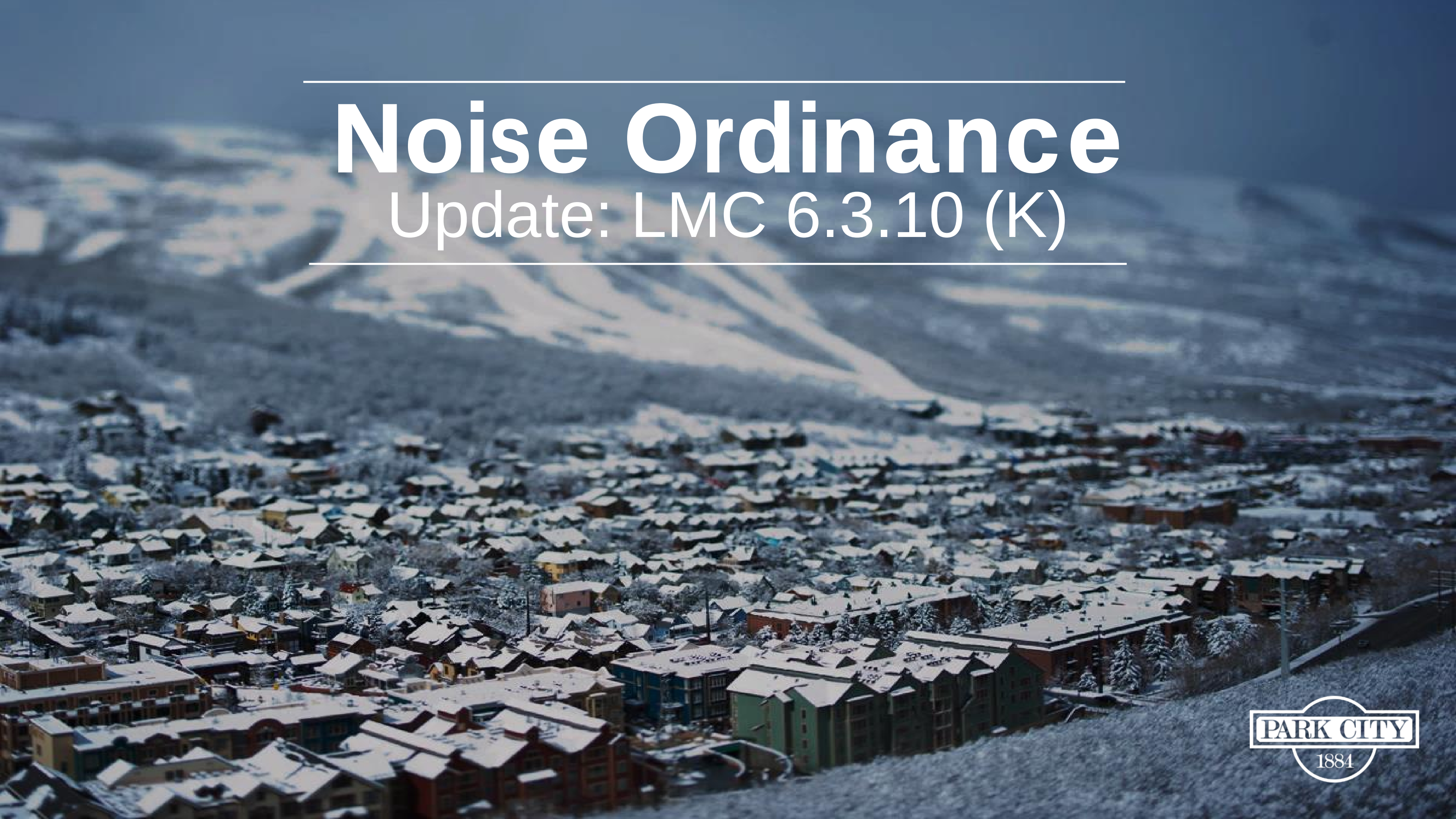
- Phasing.
  - PEG proposes to construct all affordable units in the first phase after the "occupancy" of the proposed parking structure. Independent Calculations
- Employee shuttle program.
  - Exhibit E of the 1998 DA states that an employee shuttle program will be maintained to help offset the large number of employees that will do not have access to on-site housing. The 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."
- 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."

Questions for Housing Authority

1. Is the Housing Authority supportive of moving all housing requirements on-site?
2. 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?
3. Does the Housing Authority have any preliminary concern regarding this part of the proposal and the applicable criteria?
4. Is the Housing Authority supportive of the proposed phasing plan?
5. Does the Housing Authority want to maintain the employee shuttle program within the Housing Mitigation Plan?
6. Does the Housing Authority want to maintain Condition of Approval #3 prior to issuing a building permit?

Noise Ordinance

Update: LMC 6.3.10 (K)



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Background

- Created to ensure quiet enjoyment of home
- Recently updated (2017)
- Post update a concern about mechanical equipment in the Historic District prompted a request to return to discuss noise specific to the district

Noise Ordinance

Analysis

- Since adoption
  - PD and Code Enforcement Staff have received training in noise meter use and noise ordinance implementation
  - Performed analysis of mechanical equipment in Historic district to verify compliance. Found no violations
  - Reviewed other jurisdictions ordinances to identify how mechanical equipment is regulated. Found no exemptions for mechanical equipment.

Noise Ordinance

Analysis

- Reviewed complaints to determine impact
- Disturbing the peace complaints (more than just noise) from Oct. 2018 to Oct. 2020
  - Total complaints – 496
  - Historic District specific – 89

Noise Ordinance

Data

- Mechanical equipment noise complaints received since code has been updated:
  - Historic District – 4 (all same property)
  - Outside Historic District – 0

Noise Ordinance

Staff Response

- Response
  - Complaint based
  - Evaluating each case as new

Noise Ordinance

Direction

- Council Direction

1. Update LMC to remove mechanical equipment exemption
2. Keep exemption and address any complaints received
3. Other?

Noise Ordinance

??Questions/Comments??

Social Equity

Background

Timeline:

- 2017 - Council starts to discuss social equity with a greater emphasis
- Spring 2018 - Council elevates social equity to a Community Critical Priority
- Fall 2018 - Council commissions Park City Community Foundation to create Community Social Equity Strategic Plan
- Early 2019 - Social Equity Internal Committee forms and creates goals and action items
- Fall 2019 - Community Social Equity Strategic Plan presented to Council

Social Equity at PCMC today:

- Vision 2020
- Community Demographics are changing
- Internal and External Action Items

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Affordability

Action Items

- Contributed $150k to non-profits
- Reduced or eliminated programmatic fees for Recreation, Ice, Library, and Parking
- Scholarships offered at Recreation
- Provided rent abatement for PCMC tenants
- Waived water and storm water fees and interest for those with balances
- Redeployed PCMC staff to assist front line non-profit providers
- Hosted new affordable homeowner orientation and financial planning education seminars.

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Inclusion

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

Communication

Action Items

- Coffee with Council events on racial inequity and bias
- Formed “Mensaje a la Comunidad Hispana de Park City”
- Facebook Live event presents Spanish speaking community experts on topics related to the LatinX community
- Updating policies, codes, ordinances to use gender neutral pronouns

Equal Access

Action Items

- PPE distribution to employees, residents, businesses, and visitors
- PPE distribution to high density apartment buildings in partnership with the Christian Center, People's Health Clinic and Park City Community Foundation
- 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

Issue Awareness

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
- Civilian review of Police body cam footage

Community Diversity

Action Items

- Expanded job postings to attract diverse candidates
- 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

Next Steps

Internal

- Expand the Implicit Bias training for Park City Municipal staff
- Recreation and Ice creating a sliding scale fee program
- Add a new housing specialist for our affordable housing department
- Add a senior leadership position at the Library to lead the Spanish Services Program
- Expand the Police Explorer Program to include more diverse community participation
- Create Develop an internal LGTBQ organizational task force
- Create a Park City Municipal Spanish Facebook page
- Increase Spanish language outreach materials

External/Community

- Learning cohort – PCCF led cohort, where 20 community-based organizations are educated together for 18 months on how to advance diversity, equity, and inclusion within their own organizations
- Create a LatinX Youth Collaboration Team
- Work to encourage more diverse participation on Boards, Commissions, and Councils
- Determine best use of funds reserved in the FY21 budget to further support vulnerable populations

Are we headed in the right direction?

Where should the City lead and where should we support?

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2020 Water Conservation Plan Adoption

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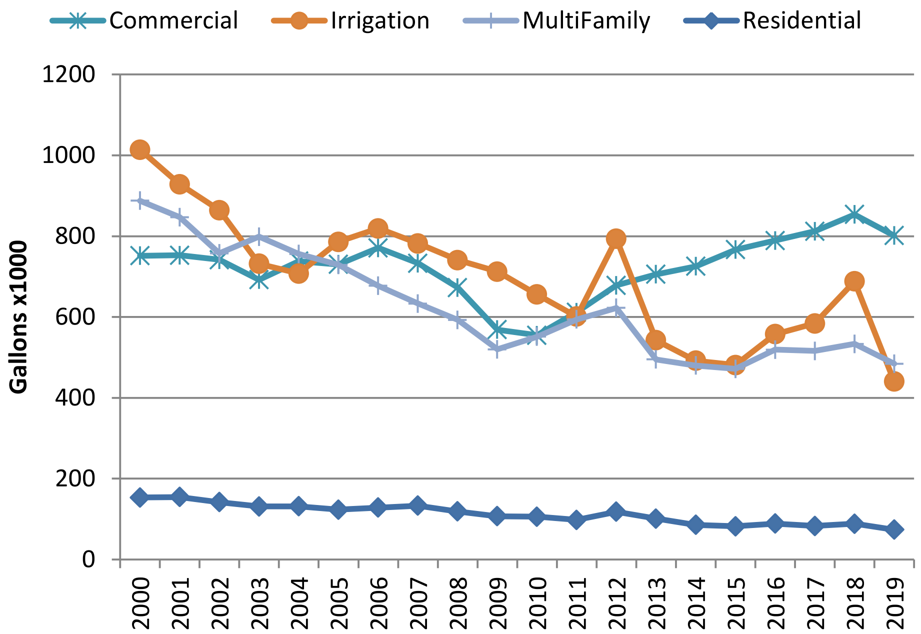
PROCESS

- State Law Requires Water Conservation Plan Updates
- Review draft 2020 Water Conservation Plan on July 16, 2020
- Submit draft to State for Review by August 15, 2020
- Adopt final Water Conservation Plan prior to December 31, 2020

METRIC

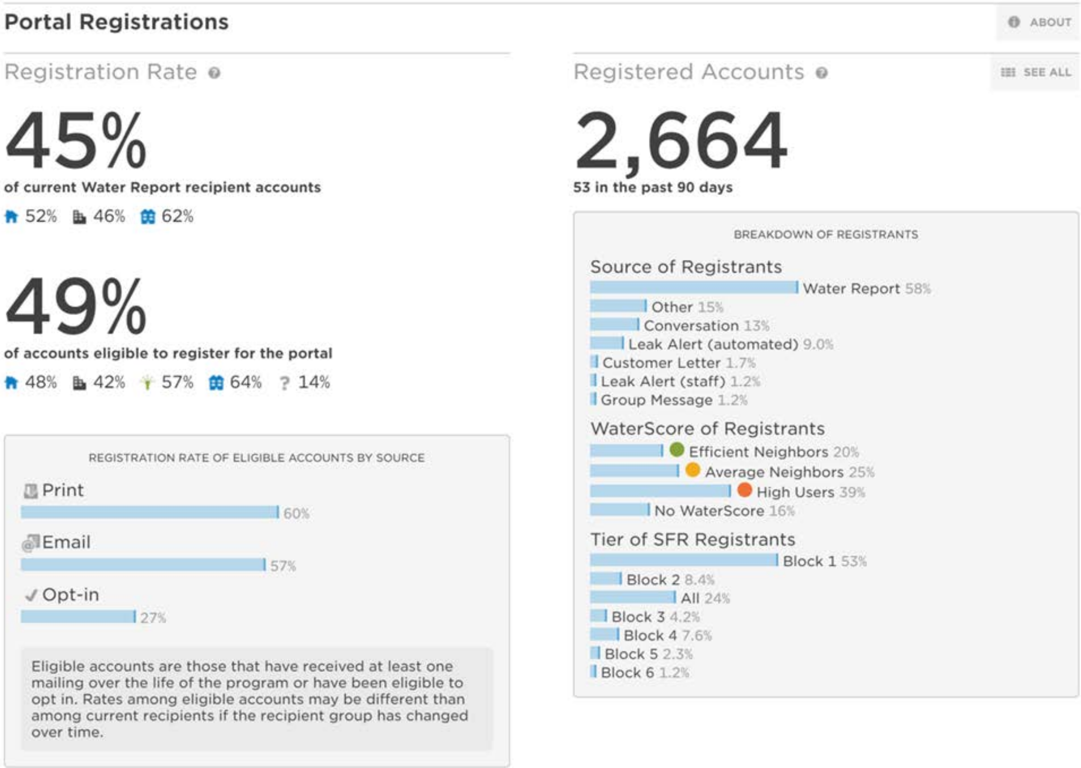
Gallons Per Account Per Year



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

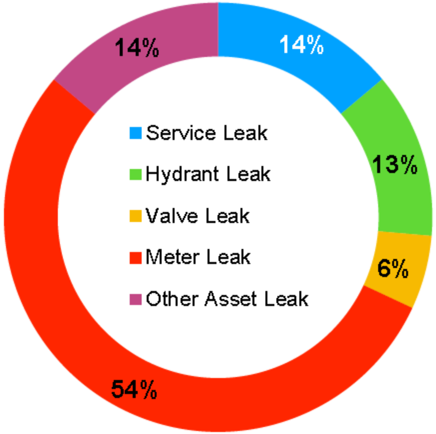
A FEW HIGHLIGHTS

PORTAL REGISTRATIONS



A FEW HIGHLIGHTS

Wach's Water 2020 Output



Type of Leak	Number Found
Other Asset Leak	10
Service Leak	10
Hydrant Leak	9
Valve Leak	4
Meter Leak	40

A FEW HIGHLIGHTS

Loss by Zone

DMA Name	Target Loss (GPM)	Actual Loss (GPM)	Percentage Over/Under	GPM Loss over/ under Target
Thaynes	81.4	209	257%	127.6
Old Town	75.7	185	244%	109.3
Park Meadows	190.9	391	205%	200.1
Deer Valley Lower	55.6	100	180%	44.4
Aerie	42.8	70	164%	27.2
Fairway Hills	51.4	61	119%	9.6
Deer Valley Upper	51.2	55	107%	3.8
Flagstaff	25.1	17	68%	-8.1
Bald Eagle	22.5	10	45%	-12.5
Oaks	27.9	10	36%	-17.9
Sandstone Cove	5.7	2	35%	-3.7
Iron Canyon	9.3	3	32%	-6.3
Red Cloud Tank	7.9	2	25%	-5.9
American Flag (Centennial)	12.2	3	25%	-9.2
Red Cloud	5.3	1	19%	-4.3
Mine Bench	2.5	0	0%	-2.5
Below American Flag	7.3	0	0%	-7.3
Daly	3.4	0	0%	-3.4

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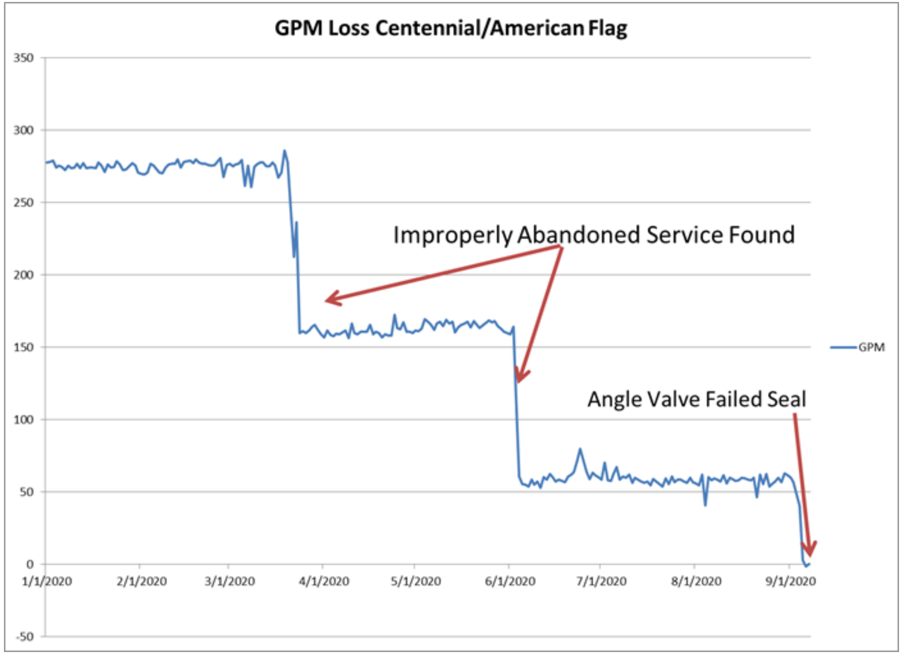
A FEW HIGHLIGHTS

Centennial



SUMMARY/GOAL

- Adopt 2020 Conservation Plan Goal: 33% Reduction in Water Loss by 2030 while continuing current Conservation Programs.