



**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
October 12, 2017**

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, City Council Chambers, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, October 12, 2017.

WORK SESSION

2:45 p.m. – Public Art Advisory Board (PAAB) Interviews **PAGE 4**

CLOSED SESSION

3:15 p.m. To Discuss Property, Personnel and Litigation

WORK SESSION

4:00 pm Council Questions and Comments

4:15 p.m. – Discuss Triple Crown City Service Contract Negotiations **PAGE 9**

4:45 p.m. – Discuss Main Street Plaza Uses **PAGE 18**

REGULAR MEETING

6:00 p.m.

I. ROLL CALL

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Staff Communications Reports:

- Construction Report – October, 2017 **PAGE 51**
- 2018 Budget Report - First Quarter **PAGE 58**
- Annual Integrated Utah Pollutant Discharge Elimination System (UPDES) Plan Submission **PAGE 73**

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

IV. CONSIDERATION OF MINUTES

Consideration to Approve the City Council Meeting Minutes from September 14 and 21, 2017 **PAGE 135**

V. CONSENT AGENDA

1. Request to Accept Moose Sculpture as a Donation into the Public Art Collection **PAGE 160**

VI. OLD BUSINESS

1. Consideration to Approve Ordinance No. 2017-53, an Ordinance Amending Title 6, Health, Nuisance Abatement, Noise; Chapter 3, Noise, of the Municipal Code of Park City, Utah **PAGE 166**

(A) Public Hearing (B) Action

2. Consideration to Approve the Proposed Library Field Preservation Easement and Grant the Easement to Summit Land Conservancy, in a Form Approved by the City Attorney **PAGE 181**

(A) Public Hearing (B) Action

3. Public Hearing to Receive Input with Respect to (A) the Issuance of Approximately \$40,000,000 of Sales Tax Revenue Bonds and (B) Any Potential Economic Impact that the Project to be Financed with the Proceeds of the Bonds May Have on the Private Sector **PAGE 209**

VIII. NEW BUSINESS

1. Consideration to Authorize the City Manager to Enter into a Contract, in a Form Approved by the City Attorney's Office, with Webb Management Services, Inc., for Arts and Culture District Specialist Consultant Services Contract Award **PAGE 215**

(A) Public Hearing (B) Action

2. Consideration of Aerie Drive and Deer Valley Drive Crosswalk Appeal by Residents of Aerie Subdivision **PAGE 227**

(A) Public Hearing (B) Action

3. Consideration to Approve Resolution 28-2017, a Resolution Adopting Net-Zero Energy Performance Requirements for All New or Renovated Buildings and Facilities Constructed Using Funds Allocated by Park City, Utah to Promote Energy Efficiency, Reduction of Carbon Emissions, and Sustainable Design **PAGE 258**

(A) Public Hearing (B) Action

4. Consideration to Approve Ordinance No. 2017-54, an Ordinance Approving the Echo Spur Subdivision Amending Lots 2 and 3 Located at 441 Echo Spur and 449 Echo Spur, Park City, Utah **PAGE 305**

(A) Public Hearing (B) Action

5. Consideration to Approve Ordinance No. 2017-55, an Ordinance Approving the Iron Canyon Subdivision Lot 42 Building Pad Adjustment Located at 2463 Iron Mountain Drive, Park City, Utah **PAGE 326**

(A) Public Hearing (B) Action

6. Consideration to Approve Disposition of City Property Located at 8902 Empire Club Drive, #201, Pursuant to Municipal Code 2-3-11, and authorize the City Manager to enter into a Real Estate Purchase Contract (REPC) with Joni Antar, for the City-Owned Property Located at 8902 Empire Club Drive, #201, in the Amount of \$800,000, and also Approve the Removal of Deed Restrictions, in a Form Approved by the City's Attorney's Office **PAGE 356**

(A) Public Hearing (B) Action

IX. ADJOURNMENT

X. PARK CITY REDEVELOPMENT AGENCY

I. ROLL CALL

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

III. NEW BUSINESS

1. Consideration to Approve the Disposition of City Property Located at 1835 Three Kings Drive #25-6, amend the deed restrictions, and authorize the Executive Director to enter into a Real Estate Purchase Contract (REPC) with Todd Bramhall, for the City-Owned Property Located at 1835 Three Kings Drive #25-6, in the Amount of \$139,398, in a Form Approved by the City Attorney's Office **PAGE 361**

(A) Public Hearing (B) Action

2. Consideration to Approve the Disposition of City Property Located at 1225 W. Black Rock Trail #306, amend the deed restrictions, and authorize the Executive Director to enter into a Real Estate Purchase Contract (REPC) with Lisa Roadfuss, for the City-Owned Property Located at 1225 W. Black Rock Trail #306/P, in the Amount of \$204,676 in a Form Approved by the City Attorney's Office **PAGE 365**

(A) Public Hearing (B) Action

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



DATE: October 12, 2017

TO HONORABLE MAYOR AND COUNCIL

Staff recommends that City Council interview the candidates for the PAAB and select one candidate to be appointed to the Public Art Advisory Board (PAAB) to fulfill a vacant term. The term will expire in June of 2019.

Hard copies of the interview questions and applications are available upon request.

Respectfully:

Jennifer Diersen,



City Council Staff Report

Subject: Public Art Advisory Board (PAAB) Interviews
Author: Jenny Diersen, Staff Liaison Public Art Advisory Board
Department: Economic Development
Date: October 12, 2017

Summary Recommendation

Staff recommends that City Council interview the candidates for the Public Art Advisory Board vacancy and select one (1) member to fulfill a vacant term, expiring June of 2019.

Acronyms

PAAB – Public Art Advisory Board

Executive Summary

Staff recommends that City Council interview the candidates for the PAAB and select one candidate to be appointed to the Public Art Advisory Board (PAAB) to fulfill a vacant term. The term will expire in June of 2019.

Hard copies of the interview questions and applications are available upon request.

The Problem/ Challenge

Jocelyn Scudder has resigned as a voting member of PAAB due to a recent change in employment for Arts Council. Jocelyn will continue to serve PAAB as a non-voting member representing and fulfilling the requirement for the Park City Summit County Arts Council. Due to this change, there is one vacant position on the PAAB.

Background

In 2003, the City established the Public Art Plan and Policy. In 2013, PAAB developed a [strategic plan](#) designed to coincide with the quality and purpose of public art. PAAB continues to review its policies and strategic plans on a yearly basis and recently updated its [policies](#) in August of 2016.

A list of PAAB members, which is comprised of seven (7) appointed community members, can be found on the City's website on the [PAAB webpage](#).

As directed by City Council in August of 2016, PAAB role is to help promote and cultivate the Public Art Plan, Policy and Public Art Collection by expending funds on and facilitating works in order to:

- Stimulate vitality and economy of the City.
- Enhance Park City's standing as a leading cultural destination.
- Advance public understanding of visual art.
- Enhance the aesthetic quality of daily life and provide a sense of place.

PAAB's recommendations will impact the:

- Community, arts and culture groups, and local businesses.
- Involvement and coordination with other City Departments.
- Goal in the General Plan of promoting a [sense of community](#) (page 28 through 31) by continuing to grow as an arts and culture hub.

Analysis

Staff has noticed the vacancies on the City's website, PAAB contact list and Arts Council website. Two applications were received. Two of the applicants, Kendra Kahlow and Jennifer Gardner are eligible for appointment.

The interviews schedule is currently scheduled as follows on Thursday, October 12, 2017:

Interview Schedule: (10 Minutes Each)

- Kendra Kahlow
- Jennifer Gardner
- Discuss Applicants (CLOSED)

Staff currently intends to return to the October 24 Council meeting for PAAB appointments. Appointed members will begin their terms at the November PAAB meeting.

Department Review

The Special Events, Economic Development, Executive and Legal Departments have reviewed this report.

Funding Source

No funding is needed for appointment, as members are not compensated. Public Art Projects are funded both through one percent (1%) of City Improvement Projects, as well as, through additional allocations from the Capital Improvement Project Funding (CIP).

Alternatives for City Council to Consider

1. Recommended Alternative:

Staff recommends that City Council interview the candidates for the Public Art Advisory Board vacancy and select one (1) member to fulfill a vacant term, expiring June of 2019.

Pros

- a. PAAB's work positively impacts the City's Council's goals of creating a sense of place specifically to Goal 13, allowing Park City to continue to grow as an arts and culture hub encouraging creative expression.

2. Additional Time Alternative:

City Council could interview the candidates for PAAB vacancies and ask to continue the vacancy advertisements to receive additional applications for committee consideration.

Pros

- a. Allows Council and staff additional time to receive applications from community members .

Cons

- a. Prolonging the selection of PAAB members may pause PAAB in their work of making recommendations regarding public art placement and expenditures to City Council.

Attachments

A PAAB Vacancy Advertisement



Public Art Advisory Board (PAAB) Vacancies

Notice Date: Monday, September 18, 2017



Poison Creek Tunnel Mural, 2015

The Mayor and City Council are looking for one community member to serve on the Park City Public Art Advisory Board (PAAB) to fulfill a vacant term ending in June of 2019.

Those interested in applying must reside within the city limits of Park City. Board members serve three-year terms, and may serve no more than two consecutive terms. The Board meets on the second Monday of every month at 5:00 p.m. at City Hall in the Marsac Executive Conference Room. Board members are not compensated and serve as representatives of the citizens of Park City.

PAAB makes recommendations to City Council regarding Public Art planning, expenditures and maintains the City's public art inventory. The seven-member board focuses on project identification, requests for proposals, selection process (including reviewing artists' proposals for each project), and making recommendations to City Council.

The [Public Art Advisory Board](#) page on the city's website includes links to the Strategic Plan, Public Art Master Plan, and Policies documents.

An interview schedule will be sent out after the application deadline. Interviews are anticipated to be scheduled at the City Council meeting on Thursday, October 5. The selected candidate will begin their term at the November 13th meeting.

The application is available on the City's website. Application deadline is 5:00 p.m. on Sunday, October 1, 2017. Applications may be submitted by email to jenny.diersen@parkcity.org or in person to Jenny Diersen, Special Events Office, Park City Municipal Corporation/City Hall, 445 Marsac Avenue – 3rd Floor, PO Box 1480, Park City UT 84060. For questions, please contact Jenny Diersen at jenny.diersen@parkcity.org / 435.615.5188



DATE: October 12, 2017

TO HONORABLE MAYOR AND COUNCIL

Park City Municipal Corporation (PCMC) entered into a City Service Contract with Triple Crown Sports for the Triple Crown World Series in 2011. The contract expired after the 2017 event.

TCS has expressed a desire to enter into a new contract with the City. City staff has been meeting with representatives from TCS to better understand the needs of the event. Council should give direction on the proposed terms of the contract, specifically with regard to use of City Park field.

Staff is recommending the following terms for the contract:

1. Reduction in length of contract from 6 to 3 years;
2. Reduction in City Service value from \$93,000 to \$50,000 in year one, with further reduction of \$10,000 in each subsequent year;
3. No Financial Contribution - TCS has never received financial contributions from the City.
4. Removal of City Park use from City Facilities. In the past, TCS has been able to utilize all City Fields including Quinn's Sports Complex, Park City School District Fields as well as City Park.
5. Addition of performance measures including reporting sustainable efforts and continuing report on economic impact information annually.

Staff has not been able to come to an agreement with TCS regarding the removal of use of City Park fields and City Service Fees. TCS will present their counter proposal to Council. Council should focus their conversation specifically on City Park field.

Respectfully:

Jennifer Diersen,

City Council Staff Report



Subject: Triple Crown – City Service Contract Negotiations
Author: Jenny Diersen, Special Events & Economic Development
Program Manager
Department: Economic Development / Special Events
Date: October 12, 2017
Type of Item: Work Session - Informational

Summary Recommendation

City Council should discuss the terms of the City Service Agreement for the Triple Crown Event. City Council should have specific discussion regarding:

1. Use of City Park Field

Based on City Council's direction, staff will return at a subsequent meeting for consideration of approval of a City Service Agreement.

Executive Summary

Park City Municipal Corporation (PCMC) entered into a City Service Contract with Triple Crown Sports (TCS) for the Triple Crown World Series in 2011. The contract expired after the 2017 event.

TCS has expressed a desire to enter into a new contract with the City. City staff has been meeting with representatives from TCS to better understand the needs of the event. Council should give direction on the proposed terms of the contract, specifically with regard to use of City Park field.

Staff is recommending the following terms for the contract:

1. Reduction in length of contract from 6 to 3 years;
2. Reduction in City Service value from \$93,000 to \$50,000 in year one, with further reduction of \$10,000 in each subsequent year;
 - a. This is based on Council's direction to reduce PCMC's role in using public resources to facilitate events and hold events more accountable for such fees.
3. No Financial Contribution – TCS has never received financial contributions from the City.
4. Removal of City Park use. In the past, TCS has been able to utilize all City Fields including Quinn's Sports Complex, Park City School District Fields as well as City Park.
 - a. This is based on Council's direction to reduce impacts to local residential neighborhoods.
5. Addition of performance measures including annual reporting to staff on sustainable efforts (waste v recycling) and continuing report on economic impact information annually.

Staff recommends approval of the event with the staff proposed contract terms. Staff has not been able to come to an agreement with TCS regarding the removal of use of City Park fields. TCS will present their counter proposal to Council. Staff recommends City **Council focus their conversation specifically on City Park field use.**

Acronyms

HPCA	Historic Park City Alliance
PCMC	Park City Municipal Corporation
SEAC	Special Events Advisory Committee
TC	Triple Crown

The Problem and the Opportunity

The current Triple Crown City Service Agreement expired after the 2017 season. TCS desires to enter into a new contract with PCMC.

Triple Crown was specifically recruited and brought to town in 2004 with the purpose of growing economic opportunities during the slower summer months. The success of growing the summer season contributes to a community perception of negative impacts, namely residential, congestion, transportation/parking and sustainable impacts that need to be mitigated for.

TCS requires fields across multiple jurisdictions including Summit County and Park City School District to drive a successful and sustainable event. Removing City Park field use would likely put pressure on surrounding jurisdictions or restructure game times. Removing use of City Park coupled with significant reduction in City service fees could ultimately result in TCS seeking relocation.

Background

<u>Date</u>	<u>Item</u>
July 7, 2011	<u>Triple Crown Sports Master Festival License & City Services Agreement</u>

- In 2004, PCMC entered into a long term City Services Contract with Triple Crown Sports.
- In 2011, PCMC entered into a new long term City Services Contract with Triple Crown Sports. The contract automatically renewed for the 2016 and 2017 event, but has now expired. Provisions of the contract included:
 - Length of Contract
 - Financial Contributions
 - Use Footprint

TCS was originally a three week (21 day event). The event now takes place over 2 weeks (14 days) and includes both boys baseball and girls fast pitch softball.

The event is far more diverse than just a soft/baseball tournament. It is also highly organized and reliable. Triple Crown includes an “opening ceremonies” parade on Main Street, organized pin trading, specials with lodging and restaurant partners, commitments to purchase sports and facility equipment and others with support activities that enhance the athletic completion and relationship with Park City that the Triple Crown World Series brings.

Park City Parks and Recreation Department continue to be recognized by TCS of being the best of the best, taking Park City’s operations to other jurisdictions to model and teach best practices.

Analysis

The City has used City Service Contracts as a tool for managing large events that have economic value to the City. These agreements outline the agreement between the event applicant and the City and provide a clear scope of service for each party including:

- Contract Length;
- City Services to be provided to the event and the costs of such services;
- Financial assistance to be provided to the event from the City;
- Lease terms of City facilities and property; and
- Performance measures.

Staff has been working to negotiate terms with Triple Crown Sports and recommends the following items which are included as Exhibit A:

- **Contract Length** – 3 year contract with no automatic renewal;
- **City Services and Costs** – At a current estimated \$93,000 in total City Services for Triple Crown World Series, the City would provide \$50,000 in City Service Fee Reduction. The level of fee reduction would be reduced by \$10,000.00 annually over the three years. TCS and the Chamber would have to cover any additional costs coming from the reduced City Service Fees.

TRIPLE CROWN CITY SERVICES CONTRACT			
2016 COST OF CITY SERVICES			
TYPE	QUANTITY	COST PER UNIT	TOTAL COST
Police Services	20	\$ 75.00	\$ 1,500.00
Fields	14	\$ 3,450.00	\$ 48,300.00
Trash	78	\$ 33.90	\$ 2,644.20
Restroom Cleaning	1	Contract	\$ 4,650.00
Full Field Preps	78	\$ 91.15	\$ 7,109.70
Partial Field Preps	400	\$ 60.75	\$ 24,300.00
VMS	3	\$ 151.20	\$ 453.60
Parking	72	\$ 16.00	\$ 1,152.00
Bracket Board	7	\$ 23.32	\$ 163.24
Bleachers	28	\$ 53.00	\$ 1,484.00
SE Permit	1	\$ 180.00	\$ 180.00
Building Permits	1	\$ 215.00	\$ 215.00
Room Rental	4	\$ 200.00	\$ 800.00
			\$ 92,951.74

Proposed Triple Crown City Service Levels			
YEAR	2018	2019	2020
SERVICE LEVEL	\$ 50,000.00	\$ 40,000.00	\$ 30,000.00

- **Financial Contributions** – The City has not provided financial contributions to TSC in the past and does not recommend any financial contributions to the event moving forward.
- **Lease Terms of City Facilities and Property** – TCS has been able to utilize all use areas including Quinn's Sports Complex, School District Fields and City Park. Based on Council's direction to reduce impacts to residents regarding events, staff recommends removing the use of City Park Field from the contract use area TCS sees this as an important part of their event and is proposing to keep the use of the City Park field within their use.
- **Performance Measures** – TCS will be required to report annual sustainable efforts including a waste and recycling numbers. They will also make efforts to reduce single use plastic water bottles. TCS continues to encourage participants to carpool and use Park City Transit to venues around Summit County to reduce traffic and congestion. As transit options increase (there is currently not transit options at Quinn's Junction), they will continue encouraging participants and family members to bus, bike, walk and carpool. Finally, TCS will be required to participate in Economic Impact studies.

Staff met with TCS on April 20, 2017 and proposed initial terms. Both sides discussed the draft terms to ensure that there was clarity what was being proposed by the City.

TCS's counter proposal seeks to continue use of City Park as they have in the past (Approximately 5 to 6 games a day from Tuesday through Saturday, as to not interfere with scheduled local play).

City Park Field Use:

To support their request, TCS proposes the following mitigation steps to reduce impact to residents and local play:

- A reduction to 5 to 6 time slots at City Park Field and propose start games later to eliminate distraction to residents in the area Tuesday through Friday.
 - Games are not held at the park on Sunday or Monday; and games are limited to no more than 2 games on Saturday.
- Continue to work directly with the Park and Rec department regarding scheduling conflicts on City Park due to adult softball leagues (local play).
- Barricading a percentage of the park next to City Park to allow for public use and isolate warm-up area for teams.

While staff has recommended the reduction of use of City Park to be completely removed, TCS has stated that City Park use is crucial to maintain the number of teams their current game schedule. Staff's current recommendation to remove the use of City Park would have a large financial impact to the event. TCS expressed that they would be willing to remove the use of City Park once additional fields were built in the Park City area.

Economic Benefit

Triple Crown Sports is more than just a bunch of baseball games. The event has many activities that showcase Park City. Staff will present more in-depth economic impact information at the presentation on Thursday.

Below is a chart of specific lodging revenues in Park City and Summit County. The breakdown of where the teams are staying shows that the majority of teams are staying within Park City limits. The chart below includes team lodging, and is not inclusive of family members that come to Park City during Triple Crown.

TRIPLE CROWN SPORTS LODGING BREAKDOWN

	DOLLAR AMOUNT	PERCENTAGE
TOTAL LODGING REVENUE	\$ 581,500	
PARK CITY LODGING REVENUE	\$ 315,500	54%
SUMMIT COUNTY LODGING REVENUE	\$ 266,000	46%

*Estimated tax revenue direct to Park City is \$6,310.

Community Outreach

SEAC provided debrief of Triple Crown at the August 2017 meeting. Their comments included the following:

July and August are busy and we cannot place blame of impacts in town on Triple Crown specifically. There is a disproportionate impact in areas of town with use of the fields between community and events. Field play in town does not necessarily affect community, but need more specific economic data to understand benefits of the event.

HPCA's event committee specifically discussed Triple Crown's event at an October 4 Event Committee Meeting. Their comments included the following.

In initial discussion with the HPCA Events Committee it was stated that Triple Crown is a nice event for children/youth, and does not create too much intrusion since the impacts to Main Street occur over a short timeframe on a weekday. The events committee suggested that HPCA send out a short survey to better understand the complete perspective of merchants and will report out to staff after completion.

Lodging Association - The Lodging Association was put on notice of this meeting at their regularly scheduled meeting on October 4, 2017. We anticipate members of the Lodging Association may attend today's discussion to give public comment regarding Triple Crown.

After tonight's discussion, staff will notice this item specifically on the SEAC and HPCA October agendas before coming to a subsequent Council meeting in November for the City Service Agreement approval.

Department Review

Special Events, Economic Development, Community Engagement, Sustainability, Police, Emergency Management, Building, Public Works, Transportation Planning, Transit, Parks, Recreation, Budget, Legal and Executive have reviewed this report and their comments have been incorporated.

Alternatives for City Council to Consider

City Council should discuss the terms of the City Service Contract for the Triple Crown World Series Level Three Event with the Triple Crown Sports (TCS), specifically regarding the use of City Park field. Based on Council's direction, staff will return at a subsequent meeting to request the approval of the City Service Agreement.

- 3 year contract
- PCMC covers the costs of City Services up to \$50,000 in 2018 and reduces this total by \$10,000 each year.
- PCMC will not make any cash payment to TCS.
- TCS will have the right to use playing fields at Quinn's Sports Complex, School District Fields with no use of City Park.

Pros

- a. Provides TCS and PCMC with long term contract security that ensures the event will stay in Park City for the next three years.
- b. Reduces the financial cost to the City to host the event.
- c. Reduces impacts to residents and local play.

Cons

- a. Due to the increased visitation and additional maintenance of the fields, water use increases during the tournament weeks.

- b. Some community members may not be happy with the City Services Agreement and see the contract as not addressing the community's perception regarding event impacts.

Consequences of not taking the recommended action:

Staff would lack direction on how to move forward with negotiations with the Triple Crown Sports.

Funding Source

The general fund, which is mostly sales and property tax, covers any fee waivers within department budgets. Any fees that are not waived will help offset soft and hard cost of the event which is related to Police Services, Parks and Fields Preparation and Maintenance, Restroom Cleanings and Waste Services.

Attachments

Exhibit A Proposed Terms for Triple Crown Sports City Service Agreement

EXHIBIT A - Staff Analysis of Recommended Terms for Triple Crown Sports City Service Agreement

CONTRACT AREA	PAST CONTRACT	PROPOSED CONTRACT	STAFF RECOMENDATION	NOTES
Length of Contract	5 years with 2 year auto renewal	3 years with no automatic renewal	Staff is in agreement with these terms.	Provides security to the event's future location but does not tie the city into a long term commitment.
City Services	\$93,000 in City Services are waived.	City would provide roughly \$50,000 in city services (TCS would pay any additional costs) The level of service would decrease by \$10,000 per year.	Staff is in agreement with these terms.	Staff feels that this is more inline with with the economic return that the City recieves.
Financial Support	No financial support has been provided to TCS.	The City would provide no cash payment to TCS	Staff is in agreement with these terms.	This City Service contract has never included any type of cash payment.
Use Area	Utilize all "Use Areas" (Recreational Playing Fields) available in Park City city limits	Utilize all "Use Areas" (Recreational Playing Fields) available in Park City city limits	Utilize Recreational playing fields including Park City School District and Quinn's Junction. No use of City Park Field.	Staff is trying to reduce the impact on residents and local play by reducing the use of sensitive areas such as City Park.



DATE: October 12, 2017

TO HONORABLE MAYOR AND COUNCIL

City Council's stated goals for the Main Street Plaza are to:

- Create a public space that attracts both residents and visitors of all ages with limited programmed events and with no retail or flexible use building types.
- Create a public space that is adaptable for occasional events but primarily suited for the casual or day to day park/ plaza type use.
- Enhance the visitor experience to Park City through the development of a well-designed and unique 'Park City' public space.

The City Council has expressed a desire to define the programming uses anticipated for the plaza as a next step in the process. This staff report identifies a series of alternatives.

Staff recommends that Council affirm that the plaza is primarily passive day-to-day and the current Special Event process is the appropriate way to regulate occasional, temporary event uses on the Plaza.

Respectfully:

Michelle Kellogg, City Recorder



City Council Staff Report

Subject: Main Street Plaza - Use Policy
Author: Jonathan Weidenhamer
Jenny Diersen
Department: Economic Development
Date: October 12, 2017
Type of Item: Administrative

Summary Recommendation

With the goal of supporting a public space that is primarily suited for the casual or day to day park/ plaza type use and adaptable for Special Events, staff recommends City Council affirm support to process use and programming requests for the Main Street Plaza through the current Municipal Code Special Events Code, Section 4-8.

Executive Summary

City Council's stated goals for the Main Street Plaza are to:

- Create a public space that attracts both residents and visitors of all ages with limited programmed events and with no retail or flexible use building types.
- Create a public space that is adaptable for occasional events but primarily suited for the casual or day to day park/ plaza type use.
- Enhance the visitor experience to Park City through the development of a well-designed and unique 'Park City' public space.

The City Council has expressed a desire to define the programming uses anticipated for the plaza as a next step in the process. This staff report identifies a series of alternatives including using existing special event code or creating an additional layer control through an administrative use policy that would state thresholds for amount, type and intensity of use.

Staff recommends that Council affirm that the plaza is primarily passive day-to-day and the current Special Event process is the appropriate way to regulate occasional, temporary event uses on the Plaza.

Acronyms

AUP Administrative Use Policy
HCPA Historic Park City Alliance

The Problem& Opportunity

City Council has committed to moving forward with the Plaza and while the construction process and timeline are still being defined, City Council expressed a desire to discuss the preferred level of uses and activity (the "Program") for this public space.

Programming of the Plaza presents challenges with regards to impacts on residential neighborhoods, in particular noise. However, the programming also presents

opportunities to build vibrant gathering spaces, attract people to the top of Main Street and create a sense of community ([PCMC Long Term Strategic Plan](#)). Programming the plaza may also present opportunities to decrease traffic and congestion on Main Street, as it may serve as an alternative location for some special events that, in the past, have required street closures and parking displacement, often times pushing more cars into residential neighborhoods.

Background

- A detailed overview/history can be found in Exhibit A
- An overview/history of this summer's neighborhood outreach and written input to staff is can be found at ([doc central link](#)).
- From the 2012 City/HPCA (IBI) Main Street Improvements Project study, the original goals for the Brewpub Plaza were:
 - Create an anchor and destination at the top of Main Street.
 - Celebrate the snow sports and year-round adventure recreation industry including Olympic Legacy.
 - Emphasis on entertainment and special events.
 - Create revenue generating uses and activities.
 - Link to the heritage and history of the site.
- From October 2015 to June 2016 City Council confirmed the following, updated goals for the Plaza on multiple occasions:
 - Generate daily activity;
 - Allow and promote event activity;
 - Encourage stay and play;
 - Combine natural and built elements; and
 - Be multi-season
- On June 16, 2016, Council directed staff to pursue a more simplified, scaled back plaza;
- On August 11, 2016 a new series of objectives were identified:
 - Create a public space that attracts both residents and visitors of all ages with limited programmed events and with no retail or flexible use building types.
 - Create a public space that is adaptable for occasional events but primarily suited for the casual or day to day park/ plaza type use.
 - Enhance the visitor experience to Park City through the development of a well-designed and unique 'Park City' public space.
- The following narrative was included: *The goals for the plaza are to create a quiet and park-like space, emphasizing simplicity and flexibility and allowing for event uses but not specifically designed to promote them. It has become a more passive space to be programmed for activity and a respite from a busy Main Street experience. It should employ art and interactive elements that celebrate Park City, enhance the visitor experience and express the heritage and culture of Park City. It should support the day to day high quality of life in Park City and amplify the attraction to families and kids through interactive adventure play opportunities.*

Alternatives for City Council to Consider

1. **Recommended Alternative: Status Quo or Null** – The underlying Planning Use permits & Special Events Permitting process would be the tools to regulate the Uses at the Plaza.

Pros

- a. The Use permit would contain predictable conditions of approval and restrictions on use.
- b. The Special Events permitting process had demonstrated success in mitigating events.
- c. Event approval would be evaluated based on current code 4-8.
 - i. Council has authority for approval on any new or substantially changed Level Three permit, including any contracted event that requires an annual supplemental plan including Arts Festival, Park Silly Sunday Market, Triple Crown and Sundance Film Fest.
 - ii. Staff has authority for approval on any Level 1, Level 2 or any annual Level 3 event with no substantial changes. These are typically community based events that promote our complete community goals.
 - iii. Noise standards and enforcement are consistent across all City Codes; and
 - iv. Noise Exceptions are very limited and at a Level 3 scale, need City Council approval.

Cons

- a. Without an explicit administrative use policy (AUP), Council may be declining an opportunity to state more clearly their goals and intended uses for use of the plaza.

Consequences of Taking this Action –

Level 1 and 2 Events generally seem to be the types of community building events that Council has expressed an interest in facilitating. Examples we envision could conceptually include a Sundance Movie series on Main Street, Walk a Mile in Her Shoes, DACA, or KPCW's Back Alley Bash.

2. **Alternative 2:** Direct staff to return with an administrative use policy (AUP) that defines the general scope (use types, number, size, noise levels), and other thresholds of a preferred operating program. The Special Events Department would administer the AUP. The Policy would be reviewed by Council after one year (or as necessary) to ensure it is effectuating Council's goals for the Plaza.

Pros

- a. City Council retains authority and control over all but the most innocuous events;
- b. The AUP would define thresholds and give predictability to residents and merchants for uses and events including number, type, size, noise, lights, etc.);
- c. The underlying land (conditional) use approval from Planning (Outdoor Use/Event) will provide underlying restrictions on the plaza including hours,

noise levels and other conditions of approval (Overview of Planning Uses & Process, Exhibit E).

- d. The biggest, anticipated event permits are already coming to City Council for approval (Sundance, Silly Market, Tour of Utah, Arts Festival, etc.).

Cons

- a. Due to requirement of City Council having to approve most events, there may be uses that we want to happen that won't meet deadlines to get on a Council agenda.
 - b. City Council retaining their authority over Level 2 and recurring Level 3 events is inconsistent with our normal process of delegating to staff.
3. **Alternative 3:** Create a task force of affected entities ranging from City Council, Planning Commission, staff, neighbors and anticipated users such as: Mountain Town Stages, Kimball, Sundance, Silly Market, etc. to inform and make recommendations on an administrative use policy.

Pros

- a. Allow for more community input from stakeholder including neighbors, HPCA and SEAC.
- b. Process would better inform City on anticipated uses.
- c. Council can decide to what degree they want to delegate their event approval authority to the special event department.

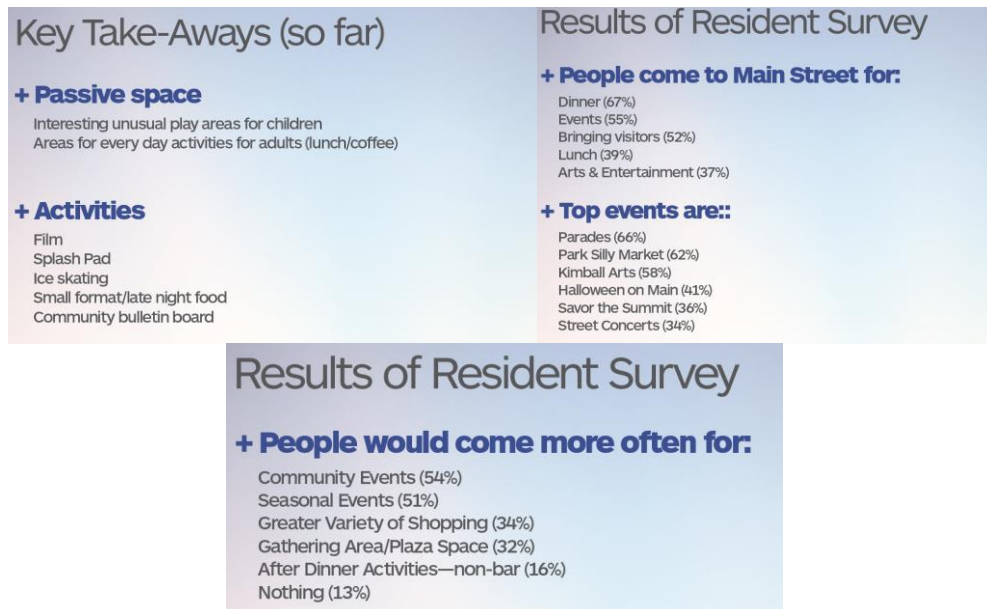
Cons

- c. Might not be an efficient process due to competing interests.
4. **Alternative 4:** Direct staff to conduct a new community engagement effort with an exclusive focus on the potential uses associated with the Plaza.

Analysis

At its inception in 2012, and when funded specifically by a new increase to the resort city sales tax, the initial goal or intent of the Plaza was to host events without having to shut down normal operations of the street – thereby bringing incremental visitors without disrupting typical operations. The intended goal of the plaza has now shifted to focus more on a passive park with limited events.

During initial stake holder interviews, as presented to Council on 10/22/15, the design team found that residents would like to come more often to Main Street for community and seasonal events and for gathering opportunities: [summary slides of Struck interviews](#) (p.47):



The current Special Event process is a tool used by the City Council to promote their economic and community development goals. Approval of events is fundamentally based in the ability to mitigate for the impact of those events. The City Council has been clear that they would like to reduce the degree that PCMC enables and facilitates events, unless there is a specific, compelling economic and/or community basis to approve. However, we’ve approved nine new events this past year, based on our ability and confidence in mitigating impacts.

When coupled with the underlying conditional use permit and noise ordinance, there are three layers of existing tools to ensure the use is consistent with Council’s expectations for balancing economic and community goals.

Types of Events

Council should also consider that the park space could likely be programmed for “community” events with limited impacts and much resident support. Of the nine new events in 2017, only one was on Main Street (March for Science). Staff does not believe we will permit 20 more Level 3 scaled events, likely more Level 1 and 2’s, which typically are community benefits. Such events have been supported by SEAC. Recreation, Golf, Ice and Library do a fair amount of this type of programming, with limited complaints, for example the dirt jump jam, library’s kid events, and City Golf Tournaments, etc.

The following is an overview of the current event calendar, including event number and total event days on Main Street. Of note, of the 76 events that take place over 227 days, 22 of them (57 event days) are on Main Street – that equates to 29% of events taking place on Main Street and 25% of all event days. It is important to note that not all of the events identified that take place on Main Street occur on the south end of Main Street and not all Main Street events would necessarily look to utilize the new Main Street Plaza:

Level 1 Events	# of Days	Level 2 Events	# of Days	Level Three Events	# of Days
Miners Park Concert Series	10	Back Alley Bash	1	Sundance Film Festival**	10
Ability Snow Challenge	1	Red, White & Snow	3	World Cup	4
Latino Music Series	5	Moose Tracks Kids Trail Run	1	Womens March*	1
Peace House Ground Staking	1	Mid Week Mtn Bike Series	4	PANDOS March*	1
Park City Skate Series	3	NAC Barn Party	1	March for Science*	1
Your Barn Door Is Open	1	Park City Trail Series	4	Thin Air Innovation Festival	3
Kimball Arts Festival Gala	1	Tiny Tri	1	Park Silly Sunday Market**	14
St. Mary's Procession*	1	Kids Adventure Games	2	Savor the Summit	1
Walk A Mile In Her Shoes	1	Uncorked Recycle Utah	1	Fourth of July Celebration	1
Scarecrow Festival	1	Discrete Series	1	Park City Food & Wine Classic	3
Celebrity Ski Fest	2	Childrens Justice Center BBQ	1	Triple Crown Baseball **	14
Beethoven Music Fest	1	PC Rec Volleyball Tournament	1	Classic Car Show	1
Total Number of Days	28	PC Rec Summer in the City Volleyball	1	Miners Day	1
		Pioneer Day Celebration	1	Autumn Aloft	3
		Sundance Summer Series	3	Shot Ski on Main	1
Total Number of Events	76	Park City Film Series Drive In	1	Halloween on Main	1
Total Number of Level 3	36	Park City Film Series Aspen Villas	1	Electric Light Parade	1
Total Number Level 2	27	Dirt Jump Jam	1	Park City Arts Festival **	3
Total Number Level 1	12	Hike for Hunger	1	<i>Olympic Opening Celebration*</i>	2
Total Number On Main	22	5K-9 Leash on Life	1	<i>Tour of Utah</i>	2
Total Event Days	227	Tour De Suds	1	Spring Gruv Concert	1
Total Event Days on Main	57	PCHS Cross Country Invitaional	1	Running with Ed	1
		Old Town Hoedown	1	Memorial Day 5K	1
		Santa Comes Down Town Lift	1	Wasatch Back Ragnar Relay	1
		Spring Gruv on Mtn	40	Ski Town Lacrosse	3
		Mid Mountain Marathon	1	Deer Valley Wed Night Concerts	10
		Jupiter Peak Steeple Chase	1	Deer Valley Music Festival	12
		Total Number of Days	77	Big Stars Bright Nights	10
				Fire Cracker Baseball	3
				1033 Foundation Ride	1
Notes:				Extreme Soccer Tournament	3
* One Time Events				NAC Summit Challenge	1
** Contracted Events				Point 2 Point Mtn Bike Race	1
Darkened Rows are events on Main Street				North Face Endurance Challenge	3
Events in Italics have not yet been approved				PCHS Cross Country Invitaional	1
				Utah High School Mtn Bike Race	2
				Total Number of Days	122

Event Impacts & Thresholds

Staff believes the focus of this conversation is about use thresholds including event: types, frequency, hours, duration, number, size, and most specifically, noise levels. If City Council isn't confident that the Special Event process, underlying land use and zoning parameters and the City's noise ordinance will provide that balance, Council may want to consider adding an additional layer that adds specificity (see AUP Alternative below).

Noise

The Code is focused on noise levels, not sound or music, therefore staff recommends focusing on noise levels, i.e. decibels (DB's), not amplified or non-amplified music. City Council has not asked for a specific discussion about special events noise levels. An

AUP could define a set threshold in addition to the Event regulatory process. Council could also specifically consider amplified music. The special event process stipulates that events will meet the noise ordinance unless a specific exception is granted, which is done by the Building Official.

- Of the 22 Events on Main, 17 of them have a Noise Variance as per the Special Event code, allowing them to go to 90 decibels. None of these events are allowed to go past 10:00 p.m.
- Only 3 events out of the total 76 Special Event Permits receive a noise variance allowing them to go past 10:00 p.m. These events are not currently on Main Street and include Sundance Summer Series at City Park and Aspen Villas Latino Movie and Park City Film Series Drive-In Movie. These movies are within 65 decibels, but do not end until midnight because of the need for it to be dark outside for the event.
- Two events do not require a close of Main St., they are already permitted in Music Plazas (the level 1 and level 2 highlighted event) ([4-8\(A\)](#)). These plazas currently allow them to go to 90 decibels.

PCMC is currently updating its noise ordinance ([link to last Council report](#) p.4). The following is an excerpt from that report:

The proposed amendments seek to narrowly tailor the time, place, and manner restrictions on noise to balance the City's interest in protecting citizens from unwelcome noise without encroaching on citizens' First Amendment rights to freedom of expression; and the proposed amendments seek to establish objective standards to determine noise ordinance violations and enforcement in compliance with Fourteenth Amendment due process.

(2) The proposed Noise Ordinance amendments establish a standard to resolve disputes in different use districts.

The proposed Park City Municipal Code Section 6-3-9 clarifies that noise may be "measured at the boundary or at any point within the property affected by the noise." This amendment is intended to address noise reverberating from one location to another, also known as the "canyon effect."

Additionally, the proposed Section 6-3-9 clarifies how the code will be enforced when a noise dispute crosses into another use district: "When a noise source can be identified

and its noise measured in more than one land use category, the limits of the least restrictive use shall apply at the boundaries between different land use categories."

This proposed amendment will particularly impact the Main Street and Park Avenue areas because of the residential and commercial use district proximity. The proposed amendment puts citizens on notice regarding the standard that will be consistently applied and enforced.

Planning Commission

During the July 26, 2017 Planning Commission Meeting ([Minutes, pg 1](#)), the following concerns and questions were identified:

<u>Question/Concern</u>	<u>Staff's Recommendations</u>
Special Events are Impactful	No changes to Special Events is proposed within these amendments. Council may ask that staff return with a conversation on Special Event approvals.

Does City Council wish to self-impose limitations such as the events at the McPolin Farm? Limitations could come in noise levels, duration, hours, etc. This option is covered in more detail in the AUP section, later in the report.

Transportation Mitigation

There would likely be broader benefits to shifting some existing event Level 3 approvals to the Plaza:

- On the current event calendar there are 20 events (55 total event days) where the Main Street is closed.
- Of the 22 Events on Main, staff believes the Main Street Plaza will allow us to have 12 events (28 event days) that require parking removal and/or a closure of Main Street.
- Of the 22 events on Main Street, four of them may be able to use Main St. Plaza instead of Lower Main which would help with overall traffic flow by not closing down a portion of the street and allowing typical transit operations to continue.
 - These may include World Cup, Classic Car Show, Triple Crown, Thin Air Innovation Festival
- Three additional events could have used Main Street Plaza instead of Flagpole and parking removal, but still require a rolling road closure. These were first amendment events.
- Two events (Sundance and food and wine) do not require a street closure. However, the City removes some or all parking.
- The remaining 12 events require road closures. These include Tour of Utah, Park Silly Market, Savor the Summit, Fourth of July Celebration. Triple Crown Parades, Classic Car Show, Miners Day, Halloween, Shot Ski, Electric Light Parade, Arts Festival, Olympic Opening.
 - While it may make sense for these events to utilize Main Street Plaza, these events likely still require parking removal and road closures.
 - The events listed above have historically received permission for amplified music at 90 decibels. None of the events listed above have been allowed to have music after 10 p.m.

The City's Engineering Department is finalizing a study on circulation, access and potential improvements associated with the project to see what opportunities to reduce access and congestion impacts in the neighborhood.

HPCA Input

In speaking with the HCPA Event and Executive Committee's there is consistent support of small, community events and opposition to large events that disrupt typical street operations. Buskers and other vibrant programming were supported. There was a general lack of support for any amplified music. The Current HPCA policy on events is included as Exhibit B.

Administrative Use Policy

Should City Council desire to add another layer or be more explicit in how they want the Plaza to be used they could consider a specific use policy, similar to the McPolin Farm (Exhibit D). To give City Council the confidence and adjacent neighborhood the assurance and predictability in amount, scale and type of events that will be programmed at the Plaza establishing operating thresholds for uses should be considered.

Staff believes it is realistic that the ten events that currently have a closure of less than eight hours would consider expanding their activity to the Plaza. While this drives use to that location, it comes with other benefits.

Staff believes the major concerns are related to neighborhood impacts, and therefore the following should be considered:

1. Number/ Frequency - How many total events?
2. Hours - Combo of frequency from a recurring event combined with hours – i.e. every Sunday all summer?
3. Noise – Decibels levels, not acoustic versus amplified.

A complete draft AUP that is based on the Farm's is attached as Exhibit F. The mission statement could be:

To create a quiet and park-like space, emphasizing simplicity and flexibility and allowing for event uses but not specifically designed to promote them. It should employ art and interactive elements that celebrate Park City, enhance the visitor experience and express the heritage and culture of Park City. It should support the day to day high quality of life in Park City and amplify the attraction to families and kids through interactive adventure play opportunities.

Based on Staff's review of the current event calendar, some high level assumptions on which existing events may want to use or program the Plaza. While not an arbitrary exercise, this was quite difficult. In general, the effort intends to support growth of Level 1 and 2 events, and exercise constraints on noise levels and larger sized events. Specific concern about recurring or weekly events is also considered.

Please find a preliminary starting point for a discussion and two alternatives for thresholds:

- Number of Event Days – Per the chart below, would allow growth of smaller, community oriented events.
 - Level Three Event Use would require City Council approval as per section 4-8 of the code.
 - We would allow for an additional 3 events to plan for some limited growth

- **Event Hours** – The recommendation will be to terminate events in Main Street Plaza at 10:00 pm and allow either 10 or 14 events to run past 8:00 pm (that will include events with multiple days).
- **Noise Levels** - The Code is focused on noise levels, not sound or music, therefore staff recommends focusing on noise levels, i.e. decibels (DB's), not amplified or non-amplified music.
 - Options below recommend a small increase in numbers of events that exceed 65 DB before 8:00 pm, while reducing the number of events that exceed 65 DB after 8 pm.
 - Council could consider specific noise levels or non-amplified music requirements for recurring/weekly events. Examples could include:
 - Amplified Music Hours - Only 7 events per year can have amplified music after 8:00 pm.
 - Amplified Music Recurring - Any event that occurs on multiple days that has amplified music shall operate only between noon and 5:00 pm. Music shall be limited to 65 DB.
 - Council could also consider limiting recurring/weekly events to non-amplified.

Main Street Plaza Threshold		Current Events on Main Street		Potential Thresholds to Plaza Option 1		Potential Thresholds to Plaza Option 2	
Type Event	Noise Level	total #	total days	total #	total days	total #	total days
Total Events		22	57	51	103	44	97
Level 1	90 DB	1	10	1	10	0	0
Level 1	65 DB	0	0	19	30	20	40
Level 2	65 DB	1	1	10	20	5	10
Level 3	90 DB before 8	9	22	14	24	10	22
Level 3	90 DB after 8	11	24	7	19	9	25
Total Events that Require Road or Parking Closure		20	46	15	31	12	33
Total Events that do not Require Parking/Street Closure		2	11	6	15	13	17

Exhibit F is a draft AUP. Below, Sections 3 and 4 are included for discussion, which reference General and Specific Use Guidelines:

SECTION 3. GENERAL POLICY GUIDELINES

- The Plaza shall be open and accessible to the general public year round, weather permitting. Hours will be from 7:00 am to 10:00 pm daily. Amenities include lawn area, picnic tables, large patio, trees, play area, pavilion, and nearby seasonal water feature.
- The restrooms will be accessible during the same hours. General admission to the Plaza may be denied during Events; however, Events will not prevent public access to the parking, elevator or private driveway, unless specifically approved through an Event permit.
- Parking access to the Plaza will be limited. Non- vehicular access to the Plaza is encouraged as pedestrian access exists from all directions. Car pooling and bussing is also encouraged.

- D) The Plaza's primary function will be to serve as a public plaza/park, and non-programmed use.
- E) The Plaza's secondary use will be to host events.

SECTION 4. EVENT POLICY GUIDELINES (Option 1)

- A) Event Number - Events will be limited in size and number so as not to interfere with the primary function of a passive park. Events shall be limited to:
 - 1. Not more than 53 total events of any type in a calendar year (Sundance counts as 1 event, with not more than 109 total days;
 - 2. Not more than 23 Level 3 Events; with not more than 49 total days.
 - 3. Not more than 10 Level 2 Events, with not more than 20 total days.
 - 4. Not more than 20, Level 1 Events, with not more 40 total days.
- B) Event Hours – All Events shall terminate on or before 10:00 PM. Only 15 events shall be allowed to run after 8:00 pm
- C) Noise - Events must comply with municipal noise ordinances. Only 23 events, and 49 total event days may exceed that limit through the Special Event Exception, regulated by the Building Official.
- D) Amplified Music Hours - Only 9 events per year can have amplified music after 8:00 pm.
- E) Amplified Music Recurring - Any event that occurs on multiple days that has amplified music shall operate only between noon and 5:00 pm.
- F) If the Master Festival License permits the sale of merchandise, those sales must be subordinate to the primary event. No Event is allowed for the purpose of selling merchandise for a commercial enterprise.

Community Outreach

We have had a significant amount of community engagement related to this project (Exhibit A1). We are bringing this discussion to City Council before conducting additional outreach, focused exclusively on uses, because it is much easier to gather feedback on a specific proposal than on a generalized concept.

Staff has invited all of the people who have given input to date to this City Council meeting so they can hear Council discuss the topic. Pending on Council direction, we can create an appropriate outreach program that can gather incremental feedback

Attachments

- A Detailed History & Background
- B HPCA Position Papers, Infrastructure & Events
- C Municipal Code
 - C1 - Special Events Code
 - C2 – Outdoor Plaza Code

- D McPolin Farm Admin Use Policy
- E Overview of the current Planning & Regulatory process.
- F Draft Admin. Use Permit

Exhibit A – Detailed Background

The following is an overview of the most relevant history related to goals and programming of the Plaza. The complete summary of each update and links to the meeting below will be found following this condensed list:

- The Design Team interviewed the City Council on August 20, 2015 to kick off a two month process of community and stakeholder input sessions which defined the goals, program and opportunity analysis (activities, elements, amenities, users, etc.) for the project.
- On October 22, 2015 the City Council affirmed we had the correct goals and program elements and directed staff to begin the design process.
- On November 19, 2015 the City Council discussed varying degrees of amenities and programming to support the again confirmed goals of:
 - Generate daily activity
 - Allow and promote event activity
 - Encourage stay and play
 - Combine natural and built elements
 - Be multi-season
- On February 4, 2016 Council considered a package of amenities/program elements and costs in the context of their biennial goals.
- On March 7, 2016 staff met with the Recreation Advisory Board (RAB) to discuss the play feature for the Plaza and they recommended to expand the water feature and recommended a theme of climbing nets over swing-like features.
- On May 19, 2016 the project goals from 11/19/15 were reiterated.
- Based on input on June 16, 2016, where Council directed staff to pursue a more simplified, scaled back plaza, on August 11, 2016 a new series of objectives were identified:
 - Create a public space that attracts both residents and visitors of all ages with limited programmed events and with no retail or flexible use building types.
 - Create a public space that is adaptable for occasional events but primarily suited for the casual or day to day park/ plaza type use.
 - Enhance the visitor experience to Park City through the development of a well-designed and unique 'Park City' public space.
- The following narrative was included: *The goals for the plaza are to create a quiet and park-like space, emphasizing simplicity and flexibility and allowing for event uses but not specifically designed to promote them. It has become a more passive space to be programmed for activity and a respite from a busy Main Street experience. It should employ art and interactive elements that celebrate Park City, enhance the visitor experience and express the heritage and culture of Park City. It should support the day to day high quality of life in Park City and amplify the attraction to families and kids through interactive adventure play opportunities.*

Past Plaza Council meetings:

4/2/15	Council Report (page 94)	Scope of RFP for design services
4/2/15	Minutes (Page 4)	
8/20/15	Report (Page 4)	Scoping Interviews with Council
8/20/15	Minutes (Page 1)	
10/22/15	Report (Page 47)	Affirm project process and programming
10/22/15	Minutes (Page 4)	
11/19/15	Report (Page 16)	Define the project goals
11/19/15	Minutes (Page 3)	
12/17/15	Report (Page 48)	Preliminary Concept Design and Site Analysis
12/17/15	Minutes (Page 4)	
1/14/16	Report (Page 10)	Consider options with various program goals
1/14/16	Minutes (Page 2)	
2/4/16	Report (Page 107)	Recommended concept and program goals
2/4/16	Minutes (page 8)	
2/25/16	Report (Page 228)	Award contract for Schematic Design & Design update
2/25/16	Minutes (Page 11)	
5/19/16	Report (Page 103)	Schematic Design with feasibility of on/offsite parking
5/19/16	Minutes (Page 4)	
6/16/16	Report (Page 4)	Direction on project budget of \$7M
6/16/16	Minutes (Page 2)	
8/11/16	Report (Page 129)	Refined Schematic Design
8/11/16	Minutes (Page 5)	
11/03/16	Report (Page 75)	Value Engineering/Award of Design Phase 3
11/03/16	Minutes (Page 10)	
12/08/16	Minutes (Page 2)	Council request to bring back the Main St paving
3/16/17	Minutes (Page 2)	Council heard comments from people at the Open House concerned with traffic flow in the area.
		Discussion on water feature, curb and paving
3/30/17	Report (Page 48)	
3/30/17	Minutes (Page 4)	
5/11/17	Report (Page 128)	Approval of Parametrix change order
5/25/17	Report (Page 105)	Staff communication on budget, paving, net-zero, driveway
		Approval New Star Pre-Construction contract
9/14/17		

Exhibit B – HPCA Position Papers

Position Statement: Infrastructure

It is the objective of the HPCA to promote Historic Park City as a fun, friendly and vibrant destination. Smart infrastructure, that supports both car and pedestrian traffic, is essential to fostering an alluring and navigable environment. Our District should encourage visitors to linger, circulate and explore throughout the District. To accomplish this, we need to: 1) reduce physical impediments such as difficult sidewalk navigation; and 2) create attractions/draws along the street (from top to bottom) such as parks and art that encourage exploration. We are confident that easy access, a friendly atmosphere and prolonged exposure to our businesses will increase sales and diversify revenues.

Definitions: We are using a broad definition of infrastructure which includes: parks, public art/attractions, sidewalks, streets, signage, lighting, snow management and public transit. In sum, any physical component within the District that is mandated/managed by the City.

Recommendations: In July 2011, the HPCA and City collaborated and prepared recommendations for public space improvements and pedestrian enhancements for the Historic Park City area. Based on discussion and input from the HPCA Infrastructure Subcommittee, HPCA Board and PCMC Staff, the specific improvement recommendations of this study focus on three primary categories – infrastructure (utilities), uses and attractions (activities/plazas/pocket parks) and pedestrian enhancements (streetscape). This focus is intended to create a visionary, yet achievable plan for the next five to ten years and allowed the process to prepare specific design concepts and cost estimates.

Through continual surveying of members the following is the list of project types by priority.

1. Public Plazas
2. Streetscape Improvements (light poles, furniture, and sidewalks)
3. Sidewalk Improvements

Actions: The HPCA will strongly advocate for funding of the above mentioned projects within a 5 to 7 year timeframe with an approximate value of \$10 million. Through the coordination and approval of the projects, the HPCA will actively work with PCMC to ensure the improvements continue to meet the goals, as outlined, and that the management of the construction project is coordinated to the maximum benefit and minimum impact of the businesses.

Position Statement: Events & Street Closures

It is the objective of the HPCA to promote Historic Park City as a fun, friendly and vibrant destination. We are in favor of events that reinforce this brand image. However, the HPCA is not in favor of events that adversely affect business revenues and/or do not reinforce our message. The HPCA will review all proposed events against an event matrix that was adopted per the following considerations:

1. Major (complete or significant) street closures should be limited to 12 days/year
2. Events requiring street closures must attract a minimum of 1000 persons. High impact events should draw from the entire region.
3. Events should look to work with other existing events to maximize the activities on the entire street.
4. Events must be inclusive, fun and lively
5. Events should be required to market HPC as their host and promote our brand message.
6. Event organizers must notify the HPCA of their events a minimum of 60 days prior (consistent with application time frame from City).
7. Street closures should not occur on consecutive weekends or back-to-back days for different events.
8. The HPCA would like to work with the City/Chamber to develop a matrix, for their own use, by which they can quantify and evaluate events, pre- and post-event.
9. Merchants should be surveyed after each new event to collect input and determine adjustments.
10. Events should conclude on Main Street to encourage attendees to linger.
11. Events should be discouraged from bringing vendors that directly compete with existing services. Events should be encouraged to use HPCA vendors.
12. Reoccurring events that take place only on a portion of Main Street should look to alternate the closure to the opposite end of the district at a frequency to benefit the entire length of the street.

Recommendations: The events sub-committee will continue to evaluate events/street closures and to review each event. The committee is empowered by the Board to make decisions on the membership's behalf, within the framework outlined above. This committee should be involved in new events from their application, to implementation, and until their final evaluation. Additionally, the HPCA should continue to retain its seat on the PCCB/PCMC event committee to represent its interests. Recurring events should be reviewed annually and recommendations will be submitted to better integrate these events with the District.

Action: Continue to collaborate with the City/Chamber to evaluate events and their impact on the District. Meet with City representatives and request that they incorporate our criteria and feedback into their event selection. Request that all event/street closures be evaluated by the HPCA events committee prior to the City's approval.

Exhibit C1- Special Events Code

4-8 Special Event Permit

- [4-8-1 Definitions](#)
- [4-8-2 Unlawful To Operate Without A License; Exceptions](#)
- [4-8-3 Renewal Of Permit\(s\)](#)
- [4-8-4 Special Event Permit Application Procedure](#)
- [4-8-5 Standards For License Approval](#)
- [4-8-6 Conflicting Permit Applications](#)
- [4-8-7 Licenses Necessary For A Special Event Permit](#)
- [4-8-8 Fees To Be Assessed; Exceptions](#)
- [4-8-8.5 Events In Parking Structures](#)
- [4-8-9 Fee Reductions](#)
- [4-8-10 Insurance Requirements](#)
- [4-8-11 Permit Application Supplemental Documents](#)
- [4-8-12 Film-Making](#)
- [4-8-13 Criminal Penalty](#)
- [4-8-14 Revocation For Cause; Notice To Cure](#)

4-8-1 Definitions

For the purpose of this Chapter the following terms shall have the meanings herein prescribed.

- A. **APPLICANT.** The person, or group of people, who is or are the organizer(s) and with whom the responsibility for conduct of the event lays. The Applicant signs the Special Event Permit application and all other documents relevant to the event. If the Applicant is a corporation, corporate sponsor, or business, or any other entity, which is not a natural person, the co-applicant or responsible party must be a natural person or persons. See sponsor.
- B. **CONCESSION.** A privilege to sell food, beverages, souvenirs, or copyrighted or logoed event memorabilia at a permitted event.
- C. **FEES.** Charges assessed by Park City for permitting, staffing, equipment use/rental, property use/rental, set-up, clean up, inspections, public employees, or public equipment assessed to a Special Event and established within the event permitting process.
- D. **PERMITTEE.** The Applicant, as defined above, becomes the "Permittee" when the Special Event Permit is signed by the Economic Development Manager or his/her designee, upon meeting all the criteria in this Chapter. As the permit holder, the Permittee becomes the sole proprietor of the event and inherits the responsibilities connected with all licenses and permits, fee assessments, and insurance liabilities connected with the permitted event.
- E. **SPECIAL EVENT PERMIT.** A permit sought by an Applicant for an event as defined in 4-1-1-48 of this Code, granted through the Special Events Department.

Amended _____ by _____ Ord. 01-31 on 7/19/2001
Amended by Ord. 16-07 on 1/28/2015

4-8-2 Unlawful To Operate Without A License; Exceptions

- A. It is unlawful for any person to conduct a Special Event with or without charge for admission, on public or private property, without first applying for and being granted a Special Event Permit for the specific event and its venue(s). All permits issued pursuant to this Title are non-transferrable and expire at the completion of the given event, or upon revocation, whichever is earlier.

B. EXCEPTIONS.

1. Funeral processions by a licensed mortuary;
2. Activities lawfully conducted by a governmental agency within the scope of authority;
3. Filming activities, if a permit for such activities has been issued by the city;
4. First Amendment activities: If it is not reasonably possible to obtain a permit in advance of a First Amendment Event, no permit shall be required providing that the prohibitions of subsections B, C, D and E of section 4-8-5 are not violated.

Amended by Ord. 16-07 on 1/28/2015

Amended by Ord. 16-07 on 1/28/2015

4-8-3 Renewal Of Permit(s)

Permittees under the provisions of this Chapter who successfully operate a Special Event under the provisions of this Chapter and who wish to have the event on an annual or periodic basis, must renew each Special Event Permit as outlined in Section 4-8-4 herein. Event levels will be determined through the renewal process, regardless of recurrence or previously determined event levels. Activities that occur in series, falling under the criteria established in this Chapter, must have a Special Event Permit, which specifically authorizes each activity in the series, even if the same activity is held on separate occasions.

Amended by Ord. 16-13 on 3/24/2016

Amended by Ord. 16-13 on 3/24/2016

4-8-4 Special Event Permit Application Procedure

- A. **APPLICATION SUBMITTAL.** All requests for Special Event Permit(s) shall be made on a Special Event application or First Amendment Event application prescribed by the city and submitted to the Special Events Coordinator. Application materials are available at City Special Events Department and online at the city's website, and must be completed and submitted to the Special Event Coordinator not less than ninety (90) days prior to the scheduled opening of any Level Three Event, not less than sixty (60) days prior to the scheduled opening of any Level Two Event, and not less than thirty (30) days prior to the scheduled opening of any Level One or First Amendment Event unless otherwise approved by the City Council, or by the Economic Development Manager or his/her designee for Special Events, upon a showing of good cause.
- B. In addition to an application for a Special Event Permit, the Economic Development Manager or his/her designee shall require the Applicant to provide as necessary:
1. Insurance coverage, waiver and release of damages and indemnification as described in 4-8-10;
 2. Supplemental documents, including a transport and traffic control plan, contingency plan, and site map s described in 4-8-11;

3. Proof that the applicant has obtained any applicable city, county, state or other governmental agency approvals, permits or licenses as described in 4-8-7.

C. **CITY COUNCIL REVIEW.** The City Council of Park City shall review and either approve, approve with conditions, or deny the following applications:

1. Applications for new Level Three Events;
2. Applications for Level Three Event permit renewals where material elements of the event have substantially changed from the previous application; and
3. Appeals of administrative decisions made pursuant to Subsection (D) Administrative Review, herein.
4. As used herein, a 'new Level Three Event' shall mean any Level Three Event being proposed for the first time, an event renewal of a Level One, Level Two or First Amendment Event that now qualifies as a Level Three Event, or a Level Three Event which was not renewed for a period exceeding one (1) year. The City Council shall review applications for compliance with the standards for permit approval described at Section 4-8-5 herein as follows:
 - a. Staff Review and Recommendation. Upon receipt of a complete Level Three Event application and accompanying fee, City staff shall review the application for compliance with Section 4-8-5 herein. Staff shall subsequently return a copy of the application to the Applicant with comments and a recommendation, i.e., approve as is, approve with changes and/or conditions, or cause for denial. Incomplete applications will be returned to the Applicant and noted accordingly. Following review of the Level Three Event application and notice to the Applicant, the Special Events Coordinator shall schedule the application for a public hearing before the City Council.
 - b. City Council Hearing. Level Three Event applications requiring City Council review and appeals of administrative Special Event decisions shall be heard at a duly noticed public hearing of the City Council. The City Council shall review the application for compliance the standards set forth at Section 4-8-5 herein, and shall record its decision with written findings of fact, conclusions of law, and condition of approval, if applicable. Written notice of the City Council's decision shall be delivered to the Applicant within ten (10) days of the date of decision.

D. **ADMINISTRATIVE REVIEW.** The Economic Development Manager or his/her designee shall review and shall have the authority to administratively approve, approve with conditions, or deny the following applications:

1. Level One and Level Two Event applications;
2. First Amendment Event applications;
3. Applications for Level Three Event renewals where material elements of the event have not substantially changed from the previous application. Upon receipt of a complete Level Three Event application and accompanying fee, the Special

Events Coordinator shall review the application for compliance with Section 4-8-5 herein.

Upon receipt of a complete Special Event Permit application and accompanying fee, the Special Events Coordinator shall review the application for compliance with Section 4-8-5 herein. Following review of the application, the Special Events Coordinator shall record his/her decision with written findings of fact, conclusions of law, and conditions of approval, to the Economic Development Manager or his/her designee for final administrative approval. Once approved by the Economic Development Manager or his/her designee, the Special Event Coordinator will deliver written notice of such decision to the Applicant.

Any Applicant whose application has been administratively denied may appeal the decision to the City Council by filing a written request to the Special Events Coordinator within ten (10) days of the date of decision. The City Council shall hear the matter de novo and with public hearing.

Amended	by	Ord.	01-31	on	7/19/2001
Amended	by	Ord.	16-07	on	1/28/2015
Amended by Ord. 16-13 on 3/24/2016					

4-8-5 Standards For License Approval

Applications for Special Event Permit(s) shall be reviewed for compliance with the standards provided herein. The Economic Development Manager or his/her designee or City Council may deny or restrict any Special Event whenever any of the conditions enumerated in this Section cannot be eliminated or sufficiently mitigated by Conditions of Approval to ensure public safety and consistency with the Park City General Plan.

- A. The Special Event does not provide positive economic, cultural or community value, or is not in accordance with the goals outlined in the Park City General Plan. The economic, cultural and community value shall be determined by the City pursuant to the following criteria:
 - 1. Unreasonably restricts existing public access or adversely impacts shared space or the public, due to the number of events, nature of the event, proposed location and/or location conditions;
 - 2. Diversity of existing event calendar and uniqueness of proposed event;
 - 3. Degree of commercial activity of the event: event is not primarily retail and/or solely to avoid more restrictive general zoning and license regulations;
 - 4. Degree of economic benefit to the City through tax benefits, resort visitation, or marketing or branding value, compared to community impacts and costs of services.
- B. The conduct of the Special Event will substantially interrupt or prevent the safe and orderly movement of public transportation or other vehicular and pedestrian traffic in the area of its venue.
- C. The conduct of the Special Event will require the diversion of so great a number of police, fire, or other essential public employees from their normal duties as to prevent reasonable police, fire, or other public services protection to the remainder of the City.

- D. The concentration of persons, vehicles, or animals will unduly interfere with the movement of police, fire, ambulance, and other emergency vehicles on the streets or with the provision of other public health and safety services.
- E. The Special Event will substantially interfere with any other Special Event for which a permit has already been granted or with the provision of City services in support of other such events or governmental functions.
- F. Where applicable, the Applicant fails to provide the following:
 - 1. The services of a sufficient number of traffic controllers, signs or other City required barriers or traffic devices;
 - 2. Monitors for crowd control and safety;
 - 3. Safety, health, or sanitation equipment, and services or facilities reasonably necessary to ensure that the Special Event will be conducted without creating unreasonable negative impacts to the area and with due regard for safety and the environment;
 - 4. Adequate off-site parking and traffic circulation in the vicinity of the event;
 - 5. Required insurance, cash deposit, or other security; or
 - 6. Any other services or facilities necessary to ensure compliance with City ordinance(s).
- G. The event created the imminent possibility of violent disorderly conduct likely to endanger public safety or cause significant property damage.
- H. The Applicant demonstrates inability or unwillingness to conduct the event pursuant to the terms and conditions of this Chapter or has failed to conduct a previously authorized event in accordance with the law or the terms of a permit, or both.
- I. The Applicant has not obtained the approval of any other public agencies, including the Park City Fire District, within whose jurisdiction the event or a portion thereof will occur.
- J. **EXCEPTIONS**. Applications for First Amendment Event permits will be reviewed for compliance with the standards outlined in subsections B, C, D, E, G, and H above. In reviewing any Application for a permit for a First Amendment Event, the Economic Development Manager or his/her designee may place reasonable time, place and manner of restrictions on the First Amendment Event. No such restriction shall be based on the content of the beliefs expressed or anticipated to be expressed during the First Amendment Event, or on factors such as the identity or appearance of persons expected to participate in the assembly.

Amended by Ord. 01-31 on 7/19/2001
Amended by Ord. 16-07 on 1/28/2015
4-8-6 Conflicting Permit Applications

- A. No more than one (1) Special Event shall be approved for the same date(s) unless the Economic Development Manager or his/her designee finds that the events will not

adversely impact one another and that concurrent scheduling of the events will not adversely impact the public health, safety, and welfare. In making this determination, the Economic Development Manager or his/her designee will apply the following criteria:

1. Geographic separation of the events;
 2. Proposed time and duration of the events;
 3. Anticipated attendance volumes;
 4. Necessity for public personnel, equipment, and/or transportation services at the events; and
 5. Anticipated traffic and parking impacts.
- B. In cases where an event double booking conflict arises, the Economic Development Manager or his/her designee will encourage any secondary, or subsequent, Applicant to review the feasibility of collocating with the original Applicant. If collocating proves impractical, the Economic Development Manager or his/her designee will encourage any secondary, or subsequent, Applicant to offer a viable alternative strategy that meets the needs of all Applicants, while also ensuring adequate public safety measures remain intact.
- C. If no voluntary agreement is reached, then the Economic Development Manager or his/her designee shall resolve the issue based on the following order of priorities:
1. The Special Event that provides the greatest overall value to the City based on economic, cultural and community impacts, which for recurring events may be based on annual event debrief with recommendations from the Special Event Advisory Committee.
 2. Special Events planned, organized, or presented by state, federal, or City governmental entities or their agents shall have priority over conflicting applications if:
 - a. The application is timely filed and processed by the City;
 - b. Said governmental application is made in good faith and not with the effect or purpose of improperly chilling constitutional rights of conflicting Applicants
- D. If no voluntary agreement is reached, then the first-in-time application shall be given priority. The conflicting Applicant shall be advised of other open dates on the City's events calendar

Amended by Ord. 01-31 on 7/19/2001
Amended by Ord. 16-07 on 1/28/2015

4-8-7 Licenses Necessary For A Special Event Permit

The Applicant/licensee shall procure any applicable city, county, state or other governmental agency approvals, permits or licenses.

Amended	by	Ord.	01-31	on	7/19/2001
Amended	by	Ord.	16-07	on	1/28/2015
Amended by Ord. 16-13 on 3/24/2016					

4-8-8 Fees To Be Assessed; Exceptions

- A. **APPLICATION FEE**. Special Event application Fees shall be assessed according to the fee resolution. All application fees are due and payable upon submission of a completed application. Applications shall be considered incomplete unless and until the application fee is paid in full. An Applicant for a recurring event that qualifies a new event level is responsible for fee amounts of the given level.
- B. **CITY SERVICE FEES**. Upon receipt of a completed Special Event Permit application, the Special Events Coordinator will provide the Applicant with an estimate of fees based on estimated costs for City services arising from the event, including but not limited to the use of City personnel and/or equipment, City transportation services, inspections, and user fees. A final assessment of City costs will occur upon completion of the Special Event. All City service fees will be adjudged to reflect actual cost. Unless reduced pursuant to Section 4-8-9, all City service fees must be paid in full within thirty (30) days of the final assessment of City costs for the Special Event.
- C. **FINANCIAL SECURITY**. The Special Events Coordinator is authorized to require an Applicant to post a cash deposit or other security accepted by the Legal Department for all estimated contingent costs prior to the issuance of a Special Event Permit, as a guarantee against fees, damages, clean up, or loss of public property.
- D. **EXCEPTIONS**. Specified Fees do not apply to an application for a First Amendment Event permit if the Applicant demonstrates, by sufficient evidence, that the imposition of Fees would create a financial hardship on the Applicant or would have a detrimental effect on services provided to the public.

Exhibit C2 – Public Outdoor Music Plaza Code

4-8A Public Outdoor Music Plazas

- [4-8A-1 Title For Citation](#)
- [4-8A-2 Purpose: Reasonable Licensing Procedures](#)
- [4-8A-3 Application Of Provisions](#)
- [4-8A-4 Definitions](#)
- [4-8A-5 Special Event Permit; Review Procedure](#)
- [4-8A-6 Public Outdoor Music Plazas](#)
- [4-8A-7 General Regulations](#)
- [4-8A-8 Alcohol](#)
- [4-8A-9 License Holder; Program Board](#)
- [4-8A-10 On-Going Compliance Evaluation](#)
- [4-8A-11 Transfer Limitations](#)
- [4-8A-12 Plaza Licenses In Lieu Of Administrative Permit For Outdoor Music And Outdoor Speakers](#)

4-8A-1 Title For Citation

This section shall be known and may be referred to as the Public Outdoor Music Plaza Ordinance.

Adopted by Ord. [00-36](#) on 6/1/2000

4-8A-2 Purpose: Reasonable Licensing Procedures

It is the purpose and object of this Chapter that the City establish reasonable and uniform regulations governing the licensing and manner of operations of public outdoor music plazas in Park City. This Chapter shall be construed to protect the legitimate and important governmental interests recognized by this Chapter in a manner consistent with constitutional protections provided by the United States and Utah Constitutions. The purpose of these regulations is to provide for the regulation and licensing of public outdoor music plazas within the City in a manner which will protect the property values of surrounding businesses and neighborhoods, and residents from the potential adverse secondary effects, while providing to those who desire to perform in and patronize public outdoor music plazas the opportunity to do so. The purpose of this Chapter is to prevent and control the adverse effects of public outdoor music plazas and thereby to protect the health, safety, and welfare of the citizens and guests of park City, protect the citizens from increased noise, preserve the quality of life, preserve the property values and character of the surrounding neighborhoods.

Adopted by Ord. [00-36](#) on 6/1/2000

4-8A-3 Application Of Provisions

This Chapter imposes regulatory standards and license requirements on certain activities, which are characterized as "public outdoor music plazas". It is not the intent of this Chapter to suppress any speech activities protected by the First and Fourteenth Amendments to the United States Constitution and the Constitution of the State of Utah, but to impose content-neutral regulations which address the adverse secondary effects of public outdoor music plazas. This Chapter is intended to supersede any other related ordinances including, but not limited to, Title 6 Chapter 3, Noise and Title 15, Land Management Code, of the Municipal Code.

Adopted by Ord. [00-36](#) on 6/1/2000

4-8A-4 Definitions

For the purpose of this Chapter, the following words shall have the following meanings:

- A. **AMPLIFIED EVENT OR MUSIC.** An event or music utilizing an amplifier or other input of power so as to obtain an output of greater magnitude or volume through speakers or other electronic devices.
- B. **STAGES.** The raised and semi-enclosed platforms that are designed to attenuate sound, or as otherwise approved by special events staff.

Adopted by Ord. [00-36](#) on 6/1/2000

4-8A-5 Special Event Permit; Review Procedure

The public outdoor music plazas identified at Section 4-8A-6 herein may be programmed for public performances and outdoor music, subject to the regulations and conditions of this Chapter and subject to Special Event permitting review pursuant to Title 4, Chapter 8, Special Event Permit. No permittee or performer shall accrue any vested rights under this revocable license.

4-8A-6 Public Outdoor Music Plazas

The following locations, dates and times may be programmed for public performances and outdoor music:

A. **LOWER SUMMIT WATCH PLAZA.**

- 1. **LOCATION.** On the north end of Summit Watch Plaza. Approved plans are on file with the Special Events Department.
- 2. **OPERATION DAYS/HOURS/MONTHS.** This stage may be programmed a maximum of three (3) days per week from June 1st through Labor Day. Programming is limited to a maximum of three (3) hours per day and shall begin no earlier than 12:00 Noon and conclude no later than 8:30 p.m. A timer device will be installed that shuts the power of the stage and sound system off at 8:30 p.m.
- 3. **TYPE OF MUSIC.** Amplified and acoustic with prerecorded music allowed during breaks. For amplified events or music on Summit Watch Plaza, the program manager shall be responsible to ensure that the sound system maintains the sound at an A-weighted sound level adjustment and maximum decibel level of ninety (90), as measured twenty-five feet (25') in front of the stage.

B. **MINER'S PLAZA.**

- 1. **LOCATION.** 415 Main Street.
- 2. **OPERATION DAYS/HOURS/MONTHS.** This stage may be programmed a maximum of two (2) days per week from June 1st through Labor Day. Programming is limited to a maximum of three (3) hours per day and shall begin no earlier than 12:00 Noon and conclude no later than 8:30 p.m. Programming of this stage shall not conflict with any City-sponsored or duly licensed Special Event as approved by the Special Events Department, including but not limited to dates reserved for the Park City Arts Festival. A timer device will be installed that shuts the power of the stage and sound system off at 8:30 p.m.
- 3. **TYPE OF MUSIC.** Solo and duo acts with microphones for vocal, with prerecorded music during breaks. For amplified events, the program manager shall be responsible to ensure that the sound system maintains the sound at an A-weighted sound level adjustment and maximum decibel level of 90, as measured twenty-five feet (25') in front of the stage.

C. **TOWN LIFT PLAZA.**

1. **LOCATION.** 825 Main Street.
2. **OPERATION DAYS/HOURS/MONTHS.** This stage may be programmed a maximum of three (3) days per week from June 1st through Labor Day. The maximum duration of programming per day shall not exceed four (4) hours and shall begin no earlier than 12:00 Noon and must conclude no later than 8:30 p.m. Programming of this stage shall not conflict with any City-sponsored or duly licensed Special Event as approved by the Special Events Department, including but not limited to dates reserved for the Park City Arts Festival. A timer device will be installed that shuts the power of the stage and sound system off at 8:30 p.m.
3. **TYPE OF MUSIC.** Amplified and acoustic acts with microphones for vocal, with prerecorded music during breaks. For amplified events, the program manager shall be responsible to ensure that the sound system maintains the sound at an A-weighted sound level adjustment and maximum decibel level of ninety (90), as measured twenty-five feet (25') in front of the stage.

D. **UPPER SUMMIT WATCH PLAZA.**

1. **LOCATION.** On the south end of Summit Watch Plaza. Approved plans are on file with the Special Events Department.
2. **OPERATION DAYS/HOURS/MONTHS.** This stage may be programmed a maximum of three (3) days per week from June 1st through Labor Day. Programming is limited to a maximum of three (3) hours per day and shall begin no earlier than 12:00 Noon and must conclude no later than 8:30 p.m. A timer device will be installed that shuts the power of the stage and sound system off at 8:30 p.m.
3. **TYPE OF MUSIC.** Amplified and acoustic with prerecorded music allowed during breaks. For amplified events or music at on Upper Summit Watch Plaza, the program manager shall be responsible to ensure that the sound system maintains the sound at an A-weighted sound level adjustment and maximum decibel level of 90, as measured twenty-five feet (25') in front of the stage.

Adopted	by	Ord.	<u>00-36</u>	on	6/1/2000
Amended	by	Ord.	<u>01-20</u>	on	6/21/2001
Amended	by	Ord.	<u>03-18</u>	on	5/8/2003
Amended	by	Res.	<u>03-31</u>	on	6/19/2003
Amended	by	Ord.	<u>03-35</u>	on	7/17/2003
Amended	by	Ord.	<u>04-13</u>	on	4/29/2004

Amended by Ord. [16-07](#) on 1/28/2015

4-8A-7 General Regulations

- A. The program manager, or his/her designee, shall provide on-site management for each event.
- B. A sound technician shall provide on-site noise monitoring for each event with music, amplified or otherwise, and any amplified event.
- C. Except as otherwise provided at Subsection 6(A) herein, for amplified events or music, the program manager shall be responsible to ensure that the sound system maintains the sound at an A-weighted sound level adjustment and maximum decibel level of 90, as measured twenty-five feet (25') in front of the stage. The data currently available to the City indicates that a maximum

decibel level of 90 satisfies the purpose of this ordinance. The City may amend this ordinance consistent with newly acquired data.

- D. All events shall be open to the public and free of charge.
- E. No event shall exceed 250 people at one time unless a separate Special Event Permit is granted for that event.
- F. The Police Department or other proper City official shall have access at all times to all public outdoor music plazas under this Chapter, and may make periodic inspection of said premises whether the officer or official is in uniform or plain clothes.
- G. All events shall take place only on authorized stages and shall have clean-up services directly following each event so as to leave the plazas in a clean and litter free manner.

Adopted by Ord. [00-36](#) on 6/1/2000

4-8A-8 Alcohol

It is unlawful for the Permittee or any person or business to allow the sale, storage, supply, or consumption of alcoholic beverages at the public outdoor music plazas, unless licensed pursuant to Chapters 4-6 of Title 4, as applicable

Exhibit E – Planning Process overview

The Planning Process

The Main Street Plaza is located in the Historic Commercial Business (HCB) district. Planning has determined the project will require five separate approvals in the HCB zone. The project team submitted the design development drawings and applications for these permits on [date]. Applications include:

- The subdivision - The application was submitted in June of 2016. On December 14, 2016 the Planning Commission forwarded a positive recommendation to the City Council. Significant modifications are necessary to finalize the plat, which are currently in process. Economic Development staff anticipates that the plat and agreements will return to Council for approval by January 2018.
- The Planning Department will process three CUP's:
 - Outdoor Use or Event (Administrative) **OUTDOOR USE OR EVENT**. *Any land Use, Business or activity that is not conducted entirely within an enclosed Building or Structure, not including outdoor recreation activities and those Uses customarily associated with indoor Uses, such as parking, drive-up windows, ATM's, gas pumps, playgrounds, and such. Outdoor Uses include outdoor dining; outdoor food and beverage service stations and carts; outdoor storage and display of bicycles, kayaks, and canoes; and outdoor events and music.;*
 - Parking Area or Structure for five or more cars (Planning Commission);
 - Recreation Facility, Public or Private (Planning Commission);
- Historic District Design Review (Administrative).

Exhibit F – Draft Use Policy

DRAFT

ADMINISTRATIVE POLICY FOR USE OF THE MAIN STREET PLAZA

10/12/17

The Main Street Plaza (Plaza) is a public facility owned and operated by Park City Municipal Corporation (PCMC) and is administered by Special Events Department of PCMC. The Plaza serves the community by hosting educational programs and a variety of events for the community. The Mission Statement for the Plaza is:

To create a quiet and park-like space, emphasizing simplicity and flexibility and allowing for event uses but not specifically designed to promote them. It should employ art and interactive elements that celebrate Park City, enhance the visitor experience and express the heritage and culture of Park City. It should support the day to day high quality of life in Park City and amplify the attraction to families and kids through interactive adventure play opportunities.

The goals for the Plaza are to:

- Create a public space that attracts both residents and visitors of all ages with limited programmed events and with no retail or flexible use building types.
- Create a public space that is adaptable for occasional events but primarily suited for the casual or day to day park/ plaza type use.
- Enhance the visitor experience to Park City through the development of a well-designed and unique 'Park City' public space.

From fall of 2015 through fall of 2017 PCMC went through a long design process based on detailed stakeholder engagement efforts and over 15 City Council meetings with public input opportunities. The City Council directed staff to finalize the design to effectuate the goals stated above.

SECTION 1. PURPOSE

The purpose of this policy is to ensure that the community's expectations are upheld with respect to the use of the Plaza.

This policy attempts to codify all of the use guidelines that currently exist in a variety of City documents and establishes new policy regarding the permitted uses for the Plaza. This policy includes:

- A) General policy guidelines;
- B) Event policy guidelines.

SECTION 2. DEFINITIONS

- A) Plaza – Includes the at Main Street grade plaza/park space. General reference includes.
(See attached map)
- B) Pavilion – Raised, covered structure at south end of Plaza.
- C) Private Driveway – The paved area at the north end of the Plaza, between the Plaza and Brewpub.
- D) Play Area –
- E) OUTDOOR USE OR EVENT - Any land Use, Business or activity that is not conducted entirely within an enclosed Building or Structure, not including outdoor recreation activities and those Uses customarily associated with indoor Uses, such as parking, drive-up windows, ATM's, gas pumps, playgrounds, and such. Outdoor Uses include outdoor dining; outdoor food and beverage service stations and carts; outdoor storage and display of bicycles, kayaks, and canoes; and outdoor events and music.
- F) Parking, Public. A Parking Area or parking facility to be used by the public for fee or otherwise.
- G) PARKING AREA. An unenclosed Area or Lot other than a Street used or designed for parking.
- H) Recreation Facility, Public or Private
- I) City/PCMC - Park City Municipal Corporation or its representative.
- J) SPECIAL EVENT. A sporting, cultural, entertainment or other type of unique activity, whether held for profit, nonprofit or charitable purposes, occurring for a limited or fixed duration that impacts the City by involving the use of, or having impact on, City property, or requiring City licensing or services beyond the scope of normal business and/or liquor regulations, as defined by this Code; or creates public impacts through any of the following:
 - 1. Full or partial street or sidewalk closures necessary for the safe and efficient flow of traffic in Park City, and /or
 - 2. Use of public property, facilities, trails or parks, and/or
 - 3. Use of City parking facilities, and/or
 - 4. Use of amplified sound above that defined in Chapter 3 of this Code, and/or
 - 5. Outdoor or temporary events that do not normally occur with the permitted use.

Any organized activity involving the use of, or having an impact on, the above shall require a permit as outlined in Section 4-8-2 of this Code. Event levels are determined based on degree of City impacts including but not limited to: anticipated attendance, use of amplified sound, transportation and parking, use of public or private property and admission. Any event may be defined as the following if they meet one or more of the listed criteria in a given category:
- K) LEVEL ONE EVENT.
 - 6. The attraction of crowds up to 199 people; or
 - 7. Necessity for rolling street closure.
- L) LEVEL TWO EVENT.
 - 8. The attraction of crowds between 200 and 499 people; or
 - 9. Necessity for partial street closure.

M) **LEVEL THREE EVENT.**

10. The attraction of crowds greater than 500 people; or
11. Necessity for full street closure.

L) **FIRST AMENDMENT EVENT.** An activity conducted for the purpose of persons expressing their political, social, religious, or other views protected by the First Amendment to the United States Constitution and Article 1, Section 15 of the Utah Constitution, including but not limited to speechmaking, picketing, protesting, marching, demonstrating, or debating public issues on any City street or other property during the event. 'First Amendment Events' shall not include:

12. Solicitations or events which primarily propose a commercial transaction;
13. Rallies, races, parades or events conducted with motor vehicles or bicycles;
14. Footraces.

M) **Lessee -** Any person or entity contracting with the City to produce, organize, direct or manage any event at the Plaza.

SECTION 3. GENERAL POLICY GUIDELINES

- F) The Plaza shall be open and accessible to the general public year round, weather permitting. Hours will be from 7:00 am to 10:00 pm daily. Amenities include lawn area, picnic tables, large patio, trees, play area, pavilion, and nearby seasonal water feature.
- G) The restrooms will be accessible during the same hours. General admission to the Plaza may be denied during Events; however, Events will not prevent public access to the parking, elevator or private driveway, unless specifically approved through an Event permit.
- H) Parking access to the Plaza will be limited. Non- vehicular access to the Plaza is encouraged as pedestrian access exists from all directions. Car pooling and bussing is also encouraged.
- I) The Plaza's primary function will be to serve as a public plaza/park, and non-programmed use.
- J) The Plaza's secondary use will be to host events.

SECTION 4. EVENT POLICY GUIDELINES (Option 1)

- G) **Event Number -** Events will be limited in size and number so as not to interfere with the primary function of a passive park. Events shall be limited to:
5. Not more than 53 total events of any type in a calendar year (Sundance counts as 1 event, with not more than 109 total days;
 6. Not more than 23 Level 3 Events; with not more than 49 total days.
 7. Not more than 10 Level 2 Events, with not more than 20 total days.
 8. Not more than 20, Level 1 Events, with not more than 40 total days.
- H) **Event Hours –** All Events shall terminate on or before 10:00 PM. Only 15 events shall be allowed to run after 8:00 pm
- I) **Noise -** Events must comply with municipal noise ordinances. Only 23 events, and 49 total event days may exceed that limit through the Special Event Exception, regulated by the Building Official.

- J) Amplified Music Hours - Only 9 events per year can have amplified music after 8:00 pm.
- K) Amplified Music Recurring - Any event that occurs on multiple days that has amplified music shall operate only between noon and 5:00 pm.
- L) If the Master Festival License permits the sale of merchandise, those sales must be subordinate to the primary event. No Event is allowed for the purpose of selling merchandise for a commercial enterprise.



DATE: October 12, 2017

TO HONORABLE MAYOR AND COUNCIL

Beginning April and recurring monthly through November, the Community Engagement Liaison provides a “Backhoe Report” outlining Spring/Summer/Fall 2017 construction updates. This report will include both public and significant private projects that will be visible or will impact community members or business owners. The report will be presented to City Council on the first meeting of each month as a staff communication for subsequent months. June’s report is the third of the season and is presented as a staff communication. This staff communication includes the full Backhoe Report for June.

Respectfully:

Lynn Peek, Community Engagement Liaison



BACKHOE REPORT for October, 2017

To access online: <http://www.parkcity.org/government/current-construction-projects>

Prepared by: Lynn Ware Peek
Community Engagement Liaison
lynn.ware-peek@parkcity.org

OLD TOWN

Lowell Avenue (Park City Mtn south to curve to Empire Ave)

Project began in April 2017, with anticipated completion in fall 2017.

This project will:

- Replace the 50+ year old sanitary sewer line.
- Upgrade the existing water distribution line and water meters to properties.
- Improve drainage in the area.
- Reconstruct the roadway pavement and gutter.

Construction Update:

October 2 - October 14

- Place gutter throughout the corridor
- Prepare roadway for asphalt
- Restore landscaping

October 16 - October 21

- Paving
- Restore landscaping

October 23 to mid-November

- Install signs
- Raise utilities
- Restore landscaping
- Final clean-up

Project Details

- Approximate cost: \$1.6 million construction costs plus \$600,000 in other costs.
- Funding source; Resort City Sales Tax, Snyderville Basin, and Public Utilities.

For further information: Kim Clark; kim.clark@parkcity.org.

HOUSING PROJECTS

Central Park Condominiums (Prospector Avenue) - Affordable/Attainable Housing

- Purchased during construction in 2017, anticipated completion December 2017.
- 11 units: one studio, 10 two-bdrm units.
- Lottery held September 12, 2017. Qualified applicants awarded the opportunity to purchase units.
- Windows are now on site ready for installation as soon as remaining drywall has been loaded inside, siding work could start this week.

1450-1560 Park Avenue Housing Project – Affordable/Attainable Housing

- Construction began in fall 2016, anticipated completion is late fall 2017.
- Eight homes are framed and mechanical, electrical, and plumbing installation is nearly complete. Windows installed and drywall work is complete.
- Exterior siding is complete on new homes. Siding on historical units started late September.
- Gas line will be installed in October.
- There will be two one-bdrm units (800 SF), five two-bdrm units (1,120 SF), and one three-bdrm unit (1,300 SF).
- A lottery took place on September 12, 2017 to determine who would have the opportunity to purchase the units. Lottery applications were due on June 30, and 95 applications were submitted.
- Move-in to occur late fall, 2017.

For construction information: Dave Gustafson; dgustafson@parkcity.org

For affordable housing information: Rhoda Stauffer; Rhoda.stauffer@parkcity.org

Woodside Park Phase I - Lower Park Avenue affordable housing project

- Anticipated construction start late fall 2017. Anticipated completion is fall 2018
- Demolition of former fire station took place late September. Completion of demolition and construction prep will take place first several weeks in October
- Outreach to neighbors initiated and ongoing with regular email updates, on-site meetings and open house (s).
- Neighborhood open house took place early September.

For further information: Jason Glidden jglidden@parkcity.org

Kimball Garage (Private Project)

- Fall 2016, construction began in fall 2016, with anticipated completion scheduled for late spring 2018.
- Crane will be in place until November 21, unless otherwise approved.

- Contractor required to notify affected owners at least 48 hours prior to any impactful activity, as determined by the Park City Building and Engineering Department.
- Concrete restructure of the Kimball Garage was completed early August.
- Structural steel was installed to replace the main floor and the roof in early August.
- Work on sub-basement foundation walls began in early August.
- The major utility work affecting roads began late September and will extend through mid-October. In October, the road closures are only partial and will affect Park Avenue and Heber Avenue.

For further information: Michelle Downard; mdownard@parkcity.org

Main Street Sidewalk Replacement - 4th Street to Treasure Mountain Inn

- COMPLETE
- Project began in May 2017, complete September 1.
- Sidewalk upgrade includes west side of Main Street from 4th Street to the bulb-out in front of the Treasure Mountain Inn.
- Project involved installation of new granite curbs, new water meters, granite pavers within a concrete band, new street lights, new benches, trash cans and removable planters/pots at the bulb-outs.
- Sidewalks from Treasure Mountain Inn to Grappa will likely not start construction until 2018.
- Approximate project cost \$600,000.

For more information: Lynn Ware Peek; lynn.ware-peek@parkcity.org

Main Street Plaza (Brew Pub Parking Lot)

- Construction projected to start in spring 2018, with anticipated completion in summer 2019. Project moving into development of construction drawings.
- Planning approvals have been submitted.
- On June 22, City Council agreed to go ahead with project plans including a one way pass-through street next to Wasatch Brew Pub to be open during events to maintain traffic flow, pavement instead of brick pavers on Main Street, and continued discussion about noise mitigation with neighbors.
- On October 12, City Council to consider programming and uses for the Plaza in a work session.
- Awaiting analysis of expanded access, circulation & traffic study regarding possible improvements to mitigate impacts on the adjacent, residential neighborhood.

For further information: Jonathan Weidenhamer; jweidenhamer@parkcity.org

Parking Technology Project

ONGOING WORK

- **Sep-Oct: CHINA BRIDGE** – Cleaning, painting and concrete work on the north side of the garage continues. Daily parkers should plan to carpool, bus, bike, walk, or park at Sandridge or North Marsac, as parking will be extremely limited.
- **Sep-Dec:** Ongoing outreach to Old Town businesses.
- **Oct: HOMESTAKE EMPLOYEE LOT** - Remote parking at City-owned parcel on Homestake Rd in Bonanza Park is being upgraded. Available in December for Old Town employees.

SPECIFIC WORK

- **MAIN STREET** - New parking-meter installation complete Oct 8. Free parking with three-hr time limit in effect through Oct 8.
- **Oct 1:** New website content will be on webpage.
- **Oct 9: MAIN STREET** - Launch of new parking meters and new mobile payment app.
- **Oct 23: CHINA BRIDGE** Hardware install (pay stations, gates, islands, etc.). Won't be operational until Dec 15.
- **Nov 1:** Residential parking permits on sale.
- **Nov 15:** Business permits and carpool permits on sale.
- **Dec15:** Parking management plan will begin.

For further information: Kenzie Coulson; mckenzie.coulson@parkcity.org

PROSPECTOR AREA

Prospector Ave (Bonanza to Gold Dust lane)

- Postponed until 2018

WATER PROJECTS

Old Town – 4th Street

- Construction began mid-September, anticipated completion is mid-October 2017.
- Replacement of water line on 4th Street between Swede Alley and Main Street (between Java Cow and Chimayo), and realignment of Swede Alley/4th Street intersection waterlines in anticipation of next year's Swede Alley water work.
- This stretch was determined to be in need of replacement due to a recorded history of leaks and repairs.
- City Council approved contract on August 3.
- Project Budget: \$250,000
- Funding: Water Service Fees

For further information contact Nick Graue, nick.graue@parkcity.org

Park Meadows – Creekside

- Construction began in May 2017, anticipated completion is December 2017.
- Footing and foundation work complete. Above grade work to begin and continue through August. Project is on schedule. Buildings walls are going up.
- The new filtration building will add filtration to the Park Meadows well as required by the Utah division of drinking water.
- The well is under direct influence of surface water. The added filters will round out the existing process consisting of ultraviolet (UV) light and chlorine for disinfection.
- New building will have a covered patio as an amenity to the nearby park.
- The existing well buildings will be demolished in October, and the area will be landscaped.
- Project includes Creekside Park Habitat Restoration, which adds transitional landscaping adjacent to wetlands, landscape buffer in the location of the removed well buildings, storm water low impact development, and additional walkways in the area.
- Construction Contract: \$3,426,935.00
- Funding: Water Service Fees

For further information contact Griff Lloyd, griffin.lloyd@parkcity.org

Quinn's Junction Water Treatment Facility

- COMPLETE
- New improvements are in place, the treatment plant is operational and producing great drinking water.
- Cleanup and project closeout is underway.
- Energy related sustainable improvements are now being installed. These include upgrades to the HVAC system and installation of a solar wall to augment building heating.
- Additional filtration was added to remove total organic carbon (TOC) and manganese from the source water (Weber River). During spring run off or heavy rain events, high concentrations of TOC and manganese are found in the water and have in the past either reduced the production capacity or shut the plant down. These new filters will allow full production during these events.
- Added a back wash tank to better clean the existing and new filters.
- Construction Contract: \$3,857,000.00
- Funding: Water Service Fees

For further information contact Clint McAfee, clint.mcafee@parkcity.org

ROAD PROJECTS

Street Maintenance

- COMPLETE FOR THIS SEASON
- 14,267 square yards of seal coating placed along our bike paths in August. These trails include the Rail Trail from Bonanza Drive to Prospector Park, McCloud Creek Trail from Snow Creek to Holiday Ranch, as well as paved paths along American Saddler, SR 224, and various internal trails around Park City Sports Complex at Quinn's Junction.
- Early August completion of all utility adjustments along streets that received roto-milling and new asphalt in July.
- 105,968 square yards of type II slurry seal coating was placed in early August . The slurry seal is made from emulsified asphalt (a mixture made from oil and fine sand aggregate) and is applied to extend the life of the street. During application, residents will receive a seven-day notice followed by a 24-hour notice. Street side parking will be restricted and access will be limited.
- Slurry seal will take place in areas including Iron Mtn Drive, Thaynes Canyon Drive, Meadows Drive, Old Town streets, Solamere Drive and connecting cul-de-sacs, Little Kate and connecting cul-de-sacs.
- This year's work will include rotomilling and paving of 5.3 lane miles and 12.3 lane miles of slurry sealing.

Bonanza Drive to US40

- Questar performing sub-surface utility work. Start anticipated June 1 - complete by October 15.

Further information contact Alfred Knotts: alfred.knotts@parkcity.org



DATE: October 12, 2017

TO HONORABLE MAYOR AND COUNCIL

The attachments within this report consist of Monthly Expenditure and Revenue Reports detailed by Fund and Major Object Type. The format of these reports follows the audit procedure from the State Compliance Audit Guide, the Utah statute and sample summary reports found in the Utah Uniform Accounting Manual. These summary reports should be prepared and reviewed by Council quarterly for all funds.

The beginning and ending (399 Beginning Balance) fund balances (09 Interfund transfer) have not been calculated for the FY18 YTD actuals and thus do not show up in the report. We typically calculate these when we begin balancing the budget in April.

Respectfully:

Todd Andersen, Budget Analyst

MEMO



To: City Council
From: Budget Department
Date: October 1, 2017
Subject: Quarterly Budget Reporting

Budget, Debt, & Grants

445 Marsac Ave.
P.O. Box 1480
Park City, UT 84060
Tel 435.615.5154
www.parkcity.org

State Compliance Monthly Budget Reporting

The attachments within this report consist of Monthly Expenditure and Revenue Reports detailed by Fund and Major Object Type. The format of these reports follows the audit procedure from the State Compliance Audit Guide, the Utah statute and sample summary reports found in the Utah Uniform Accounting Manual. These summary reports should be prepared and reviewed by Council quarterly for all funds.

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Notable Observations:

- 23% of the Personnel budget for the general fund has been spent, which means that personnel expenditures are on track for FY 2018.
- 16% of the General Fund Materials budget has been spent so far, which means materials have been underspent so far in FY 2018.
- 23.5% of the total General Fund budget has been spent. Spending is on track for being a quarter of the way through the year.
- All City funds came in under budget for FY 2017.

Attachment A: Expenditure Summary by Object and Type

Attachment B: Revenue Summary by Object and Type

Revenues by Revenue Type- Q1 FY2018

October 1, 2017

	Actuals FY 2015	Actuals FY 2016	YTD Actual FY 2017	Adjusted Budget FY 2017	Remaining Budget FY 2017	YTD Actual FY 2018	Annual Budget FY 2018	Remaining Budget FY 2018
011 GENERAL FUND								
Property Taxes	9,268,604	11,108,571	10,733,553	11,023,233	289,680	10,772	11,490,035	11,479,263
Sales Tax	7,408,763	7,437,258	9,863,502	9,875,419	11,917		11,057,445	11,057,445
Franchise Tax	3,061,207	3,185,820	3,194,392	3,269,000	74,608	280,899	3,351,000	3,070,101
Licenses	412,605	456,599	341,390	479,000	137,610	166,154	504,000	337,846
Planning Building & Engineering Fees	2,578,017	1,873,987	2,023,751	2,100,000	76,249	971,901	2,400,000	1,428,099
Special Event Fees	36,865	133,288	100,320	120,000	19,680	14,827	133,200	118,373
Federal Revenue	44,557	64,321	37,713	33,000	-4,713		33,000	33,000
State Revenue	66,218	66,806	81,180	103,000	21,820	1,078	103,000	101,922
County/SP District Revenue			50,000	2,000	-48,000	17,000	2,000	-15,000
Cemetery Charges for Services	38,188	21,937	31,018	22,800	-8,218	4,794	23,400	18,607
Recreation	1,913,310	1,982,640	1,948,698	2,032,000	83,302	343,485	2,090,000	1,746,515
Other Service Revenue	99,640	90,239	69,426	90,000	20,574	10,640	90,000	79,360
Library Fines & Fees	12,456	21,407	32,249	10,000	-22,249	7,532	10,000	2,468
Fines & Forfeitures	150							
Misc. Revenues	192,873	307,055	391,403	290,500	-100,903	63,180	292,100	228,920
Interfund Transactions (Admin)	2,166,534	2,256,360	2,397,547	2,397,547		620,728	2,577,182	1,956,454
Special Revenues & Resources	42,048	42,428	60,384	81,200	20,816	46,042	71,200	25,159
Beginning Balance	9,789,256	10,255,105	10,522,730	10,522,730			11,282,293	11,282,293
Total 011 GENERAL FUND	37,131,290	39,303,819	41,879,256	42,451,429	572,173	2,559,031	45,509,855	42,950,824
012 QUINNS RECREATION COMPLEX								
Recreation	13,815	2,826	5,330		-5,330	656	4,500	3,844
Ice	757,271	749,880	818,339	769,000	-49,339	115,072	750,000	634,928
Misc. Revenues	-24	1,131	-109		109	-27		27
Special Revenues & Resources			819		-819			
Beginning Balance	-3,204,132	-3,497,044	-3,814,171	-3,814,171			-4,247,324	-4,247,324
Total 012 QUINNS RECREATION COMPLEX	-2,433,071	-2,743,207	-2,989,793	-3,045,171	-55,378	115,701	-3,492,824	-3,608,525
021 POLICE SPECIAL REVENUE FUND								
State Revenue	1,000	2,310	1,350	700	-650			
Beginning Balance	29,144	29,944	32,254	32,254				
Total 021 POLICE SPECIAL REVENUE FUND	30,144	32,254	33,604	32,954	-650			
022 CRIMINAL FORFEITURE RESTRICTED ACCOUNT								
State Revenue		3,996	9,685	9,685	0			

Revenues by Revenue Type- Q1 FY2018

October 1, 2017

	Actuals FY 2015	Actuals FY 2016	YTD Actual FY 2017	Adjusted Budget FY 2017	Remaining Budget FY 2017	YTD Actual FY 2018	Annual Budget FY 2018	Remaining Budget FY 2018
Beginning Balance	17,258	17,257	16,386	16,386				
Total 022 CRIMINAL FORFEITURE RESTRICTED ACCOUNT	17,258	21,253	26,071	26,071	0			
023 LOWER PARK AVE RDA SPECIAL REVENUE FUND								
Property Taxes	2,298,631	2,399,605	2,279,414	2,413,792	134,378		2,413,792	2,413,792
Misc. Revenues	793	3,962	6,228		-6,228			
Beginning Balance		133,527	254,047	254,047			251,553	251,553
Total 023 LOWER PARK AVE RDA SPECIAL REVENUE FUND	2,299,425	2,537,094	2,539,689	2,667,839	128,150		2,665,345	2,665,345
024 MAIN STREET RDA SPECIAL REVENUE FUND								
Property Taxes	1,266,718	1,259,760	1,234,273	1,242,000	7,727		1,242,000	1,242,000
Misc. Revenues	3,254	2,395	5,819		-5,819			
Beginning Balance		59,638	260,447	260,447			265,447	265,447
Total 024 MAIN STREET RDA SPECIAL REVENUE FUND	1,269,972	1,321,793	1,500,539	1,502,447	1,908		1,507,447	1,507,447
031 CAPITAL IMPROVEMENT FUND								
Sales Tax	7,389,182	8,897,706	8,010,452	7,459,250	-551,202		7,150,207	7,150,207
Planning Building & Engineering Fees	817,666	425,365	308,787	865,000	556,214	147,133	1,165,000	1,017,867
Federal Revenue	4,091	1,044	11,140		-11,140			
State Revenue	2,385,239	285,873	520,721	365,500	-155,221	6,000	360,000	354,000
County/SP District Revenue	100,000	50,000	637,316	3,317,000	2,679,684		50,000	50,000
Misc. Revenues	1,713,671	509,139	2,837,006	3,980,000	1,142,994	24,649	230,000	205,351
Interfund Transactions (CIP/Debt)	12,069,371	3,715,347	28,171,029	28,171,029				
Special Revenues & Resources	345,772	278,416	3,737,067	3,802,500	65,433	63,663	302,500	238,837
Bond Proceeds				45,000,000	45,000,000		7,000,000	7,000,000
Beginning Balance	27,106,574	32,950,023	36,922,033	36,922,033			35,280,427	35,280,427
Total 031 CAPITAL IMPROVEMENT FUND	51,931,567	47,112,913	81,155,551	129,882,312	48,726,761	241,445	51,538,134	51,296,689
033 REDEVELOPMENT AGENCY-LOWER PRK								
Misc. Revenues	26,634	728,943	12,139		-12,139		10,965,551	10,965,551
Interfund Transactions (CIP/Debt)	2,070,548	1,641,125	1,641,125	1,641,125		547,040	1,641,125	1,094,085
Bond Proceeds				22,000,000	22,000,000			
Beginning Balance	8,183,095	555,559	746,751	746,751			61,453	61,453
Total 033 REDEVELOPMENT AGENCY-	10,280,277	2,925,627	2,400,015	24,387,876	21,987,861	547,040	12,668,129	12,121,089

Revenues by Revenue Type- Q1 FY2018

October 1, 2017

	Actuals FY 2015	Actuals FY 2016	YTD Actual FY 2017	Adjusted Budget FY 2017	Remaining Budget FY 2017	YTD Actual FY 2018	Annual Budget FY 2018	Remaining Budget FY 2018
LOWER PRK								
034 REDEVELOPMENT AGENCY-MAIN ST								
Misc. Revenues	18,035	9,067	12,859		-12,859			
Interfund Transactions (CIP/Debt)	900,247	752,000	752,000	752,000		250,668	752,000	501,332
Beginning Balance	1,302,719	1,340,589	1,250,230	1,250,230			1,106,080	1,106,080
Total 034 REDEVELOPMENT AGENCY-MAIN ST	2,221,001	2,101,656	2,015,089	2,002,230	-12,859	250,668	1,858,080	1,607,412
035 BUILDING AUTHORITY								
Misc. Revenues	2,359	3,187	4,752		-4,752			
Beginning Balance	523,127	458,911	454,087	454,087			419,900	419,900
Total 035 BUILDING AUTHORITY	525,486	462,098	458,839	454,087	-4,752		419,900	419,900
038 EQUIPMENT REPLACEMENT CIP								
Misc. Revenues	23,812	33,825	124,131		-124,131			
Interfund Transactions (CIP/Debt)	925,000	1,011,000	1,023,700	1,023,700		357,900	1,073,700	715,800
Beginning Balance	1,902,793	1,832,162	1,626,711	1,626,711			255,855	255,855
Total 038 EQUIPMENT REPLACEMENT CIP	2,851,605	2,876,987	2,774,542	2,650,411	-124,131	357,900	1,329,555	971,655
051 WATER FUND								
Planning Building & Engineering Fees	2,303,997	1,140,313	1,091,022	1,000,000	-91,022	375,584	1,000,000	624,416
Federal Revenue	1,445,229	42,874						
Water Charges for Services	14,125,896	15,162,429	17,193,875	16,748,500	-445,375	7,395,361	17,448,500	10,053,139
Misc. Revenues	508,095	422,545	480,329	178,023	-302,306	49,120	178,023	128,903
Bond Proceeds				16,500,000	16,500,000		8,200,000	8,200,000
Beginning Balance	7,317,437	8,909,527	7,275,494	7,275,494			7,522,178	7,522,178
Total 051 WATER FUND	25,700,655	25,677,688	26,040,720	41,702,017	15,661,297	7,820,065	34,348,701	26,528,636
052 STORM WATER FUND								
Water Charges for Services			979,419	1,100,000	120,581	314,298	1,250,000	935,703
Misc. Revenues			331		-331			
Special Revenues & Resources			8,249,613		-8,249,613			
Beginning Balance							44,877	44,877
Total 052 STORM WATER FUND			9,229,363	1,100,000	-8,129,363	314,298	1,294,877	980,580
055 GOLF COURSE FUND								
Recreation	1,426,520	1,411,819	1,418,870	1,489,596	70,726	702,766	1,519,596	816,830
Misc. Revenues	25,829	25,428	35,724	51,350	15,626	89	51,350	51,261

Revenues by Revenue Type- Q1 FY2018

October 1, 2017

	Actuals FY 2015	Actuals FY 2016	YTD Actual FY 2017	Adjusted Budget FY 2017	Remaining Budget FY 2017	YTD Actual FY 2018	Annual Budget FY 2018	Remaining Budget FY 2018
Interfund Transactions (CIP/Debt)	25,000	25,000	25,000	25,000		8,332	25,000	16,668
Beginning Balance	1,054,654	1,187,987	1,325,234	1,325,234			873,260	873,260
Total 055 GOLF COURSE FUND	2,532,002	2,650,234	2,804,828	2,891,180	86,352	711,187	2,469,206	1,758,019
057 TRANSPORTATION & PARKING FUND								
Sales Tax	4,398,879	4,877,097	5,233,194	5,092,500	-140,694		5,297,728	5,297,728
Licenses	1,040,014	1,032,191	764,407	916,183	151,776	538,545	908,666	370,121
Planning Building & Engineering Fees			126,244		-126,244			
Special Event Fees	320	2,125	2,848		-2,848			
Federal Revenue	1,630,990	457,917	15,972,589	15,122,809	-849,780		4,787,080	4,787,080
Transit Charges for Services	2,200,248	2,312,576	3,206,611	7,160,523	3,953,912	6,087	5,338,584	5,332,497
Fines & Forfeitures	970,338	1,080,705	1,077,415	1,469,200	391,786	203,974	1,469,200	1,265,226
Misc. Revenues	142,300	201,922	280,456	92,500	-187,956	24,800	92,500	67,700
Special Revenues & Resources	408,972	315,322	362,886	500,000	137,114		1,100,000	1,100,000
Beginning Balance	18,794,937	20,105,652	19,381,363	19,381,363			3,442,144	3,442,144
Total 057 TRANSPORTATION & PARKING FUND	29,586,998	30,385,507	46,408,012	49,735,078	3,327,066	773,406	22,435,902	21,662,497
062 FLEET SERVICES FUND								
Interfund Transactions (Admin)	2,728,700	2,448,000	2,572,200	2,572,200		857,808	2,573,400	1,715,592
Beginning Balance	961,174	1,145,417	1,123,856	1,123,856			1,059,336	1,059,336
Total 062 FLEET SERVICES FUND	3,689,874	3,593,417	3,696,056	3,696,056		857,808	3,632,736	2,774,928
064 SELF INSURANCE FUND								
Misc. Revenues	258,000	258,000	275,000	275,000		91,668	275,000	183,332
Interfund Transactions (Admin)	463,227	992,665	686,997	686,997		295,188	885,556	590,368
Beginning Balance	1,208,215	607,450	968,274	968,274			183,771	183,771
Total 064 SELF INSURANCE FUND	1,929,442	1,858,115	1,930,271	1,930,271		386,856	1,344,327	957,471
070 SALES TAX REV BOND - DEBT SVS FUND								
Misc. Revenues	4,669	33,338	26,965		-26,965	3,896		-3,896
Interfund Transactions (Admin)	168,616	164,089	160,058	160,058		53,276	159,826	106,550
Interfund Transactions (CIP/Debt)	1,428,429	2,425,473	2,091,955	2,091,955		699,264	2,097,787	1,398,523
Bond Proceeds	24,992,543							
Beginning Balance	1,165,265	6,527,765	2,843,028	2,843,028			2,371,332	2,371,332
Total 070 SALES TAX REV BOND - DEBT SVS FUND	27,759,521	9,150,665	5,122,006	5,095,041	-26,965	756,436	4,628,945	3,872,509

Revenues by Revenue Type- Q1 FY2018

October 1, 2017

	Actuals FY 2015	Actuals FY 2016	YTD Actual FY 2017	Adjusted Budget FY 2017	Remaining Budget FY 2017	YTD Actual FY 2018	Annual Budget FY 2018	Remaining Budget FY 2018
071 DEBT SERVICE FUND								
Property Taxes	5,321,592	3,723,453	4,220,158	4,220,158			6,432,184	6,432,184
Misc. Revenues	65,958	62,849	58,998	62,645	3,647	1	57,657	57,656
Bond Proceeds	3,539,845		27,863,698	27,863,698	0			
Beginning Balance	432,580	1,003,018	574,778	574,778			627,961	627,961
Total 071 DEBT SERVICE FUND	9,359,975	4,789,320	32,717,633	32,721,279	3,646	1	7,117,802	7,117,801
TOTAL	206,683,419	174,057,233	259,742,290	341,883,407	82,141,117	15,691,842	191,276,117	175,584,275

Expenditures by Object Type- Q1 FY2018

October 1, 2017

Object Type	Actuals FY 2015	Actuals FY 2016	YTD Actual FY 2017	Adjusted Budget FY 2017	Remaining Budget FY 2017	YTD Actual FY 2018	Annual Budget FY 2018	Remaining Budget FY 2018
011 GENERAL FUND								
01 PERSONNEL SERVICES	18,056,527	19,716,225	21,202,442	21,293,442	91,000	4,985,684	21,464,873	16,479,189
02 MATERIALS, SUPPLIES AND SERVICES	1,183,269	1,080,523	1,127,179	1,244,426	117,247	203,247	1,290,523	1,087,276
03 UTILITIES	1,420,453	1,428,903	1,419,317	1,501,178	81,861	115,152	1,484,819	1,369,667
04 CONTRACT SVCS/CONSULTING/S SOFTWARE LIC	1,856,064	2,075,588	1,901,002	2,225,895	324,893	610,963	3,302,512	2,691,549
05 PARTS/MAINTENANCE SUPPLIES	891,169	800,669	992,267	1,040,811	48,544	221,945	1,074,371	852,426
06 SPECIAL SERV CONTRACT/MISC CHARGES	1,035,873	961,858	972,346	1,005,400	33,054	632,678	985,400	352,722
07 CAPITAL OUTLAY	200,988	95,318	408,095	587,202	179,107	49,275	388,140	338,866
09 INTERFUND TRANSFER	12,486,945	13,144,736	2,270,784	13,553,077	11,282,293	825,292	15,519,217	14,693,925
Total 011 GENERAL FUND	37,131,289	39,303,819	30,293,431	42,451,431	12,158,000	7,644,236	45,509,855	37,865,619
012 QUINNS RECREATION COMPLEX								
01 PERSONNEL SERVICES	670,273	723,031	777,025	783,876	6,851	182,828	887,134	704,306
02 MATERIALS, SUPPLIES AND SERVICES	54,764	49,916	55,247	56,365	1,118	26,679	60,770	34,091
03 UTILITIES	169,862	150,026	147,377	179,563	32,186	26,604	157,100	130,496
04 CONTRACT SVCS/CONSULTING/S SOFTWARE LIC	96,458	48,617	78,772	101,933	23,161	18,089	72,070	53,981
05 PARTS/MAINTENANCE SUPPLIES	60,074	85,106	54,725	62,275	7,550	12,283	46,275	33,992
06 SPECIAL SERV	12,465	12,182	15,104	12,141	-2,963	2,355	15,000	12,645

Expenditures by Object Type- Q1 FY2018

October 1, 2017

Object Type	Actuals FY 2015	Actuals FY 2016	YTD Actual FY 2017	Adjusted Budget FY 2017	Remaining Budget FY 2017	YTD Actual FY 2018	Annual Budget FY 2018	Remaining Budget FY 2018
CONTRACT/MISC CHARGES								
07 CAPITAL OUTLAY	78	2,085	2,048	6,000	3,952		6,000	6,000
09 INTERFUND TRANSFER	-3,497,044	-3,814,171		-4,247,324	-4,247,324	400	-4,737,173	-4,737,573
Total 012 QUINNS RECREATION COMPLEX	-2,433,070	-2,743,207	1,130,298	-3,045,171	-4,175,469	269,238	-3,492,824	-3,762,062
021 POLICE SPECIAL REVENUE FUND								
07 CAPITAL OUTLAY	200			32,954	32,954			
09 INTERFUND TRANSFER	29,944	32,254						
Total 021 POLICE SPECIAL REVENUE FUND	30,144	32,254		32,954	32,954			
022 CRIMINAL FORFEITURE RESTRICTED ACCOUNT								
07 CAPITAL OUTLAY	1	4,867		26,071	26,071			
09 INTERFUND TRANSFER	17,257	16,386						
Total 022 CRIMINAL FORFEITURE RESTRICTED ACCOUNT	17,258	21,253		26,071	26,071			
023 LOWER PARK AVE RDA SPECIAL REVENUE FUND								
01 PERSONNEL SERVICES	6,460	22,393	41,082	25,161	-15,920	7,987	57,987	50,001
02 MATERIALS, SUPPLIES AND SERVICES	11,950	10,200	11,200	20,000	8,800	1,600	20,000	18,400
03 UTILITIES	9,868	11,014	10,006	12,000	1,994	446	12,000	11,554
04 CONTRACT SVCS/CONSULTING/S SOFTWARE LIC	67,071	112,863	57,780	150,000	92,220	-2,880	150,000	152,880
06 SPECIAL SERV CONTRACT/MISC		485,451	456,142	568,000	111,858		568,000	568,000

Expenditures by Object Type- Q1 FY2018

October 1, 2017

Object Type	Actuals FY 2015	Actuals FY 2016	YTD Actual FY 2017	Adjusted Budget FY 2017	Remaining Budget FY 2017	YTD Actual FY 2018	Annual Budget FY 2018	Remaining Budget FY 2018
CHARGES								
09 INTERFUND TRANSFER	2,204,075	1,895,172	1,641,125	1,892,678	251,553	547,040	1,857,358	1,310,318
Total 023 LOWER PARK AVE RDA SPECIAL REVENUE FUND	2,299,424	2,537,094	2,217,335	2,667,839	450,504	554,193	2,665,345	2,111,153
024 MAIN STREET RDA SPECIAL REVENUE FUND								
04 CONTRACT SVCS/CONSULTING/S SOFTWARE LIC		33,264	12,309	80,000	67,691	710	80,000	79,290
06 SPECIAL SERV CONTRACT/MISC CHARGES	310,086	276,082	276,177	405,000	128,823		405,000	405,000
09 INTERFUND TRANSFER	959,885	1,012,447	752,000	1,017,447	265,447	250,668	1,022,447	771,779
Total 024 MAIN STREET RDA SPECIAL REVENUE FUND	1,269,971	1,321,793	1,040,486	1,502,447	461,961	251,378	1,507,447	1,256,069
031 CAPITAL IMPROVEMENT FUND								
01 PERSONNEL SERVICES	45,169	65,879	68,537		-68,537	12,953		-12,953
07 CAPITAL OUTLAY	18,685,295	8,827,413	48,658,602	93,316,018	44,657,416	2,168,069	10,432,890	8,264,821
09 INTERFUND TRANSFER	33,201,102	38,219,621	1,285,867	36,566,294	35,280,427	429,432	41,105,244	40,675,812
Total 031 CAPITAL IMPROVEMENT FUND	51,931,567	47,112,913	50,013,006	129,882,312	79,869,306	2,610,454	51,538,134	48,927,680
033 REDEVELOPMENT AGENCY-LOWER PRK								
01 PERSONNEL SERVICES	7,861	7,727	2,624		-2,624	5,465		-5,465
06 SPECIAL SERV CONTRACT/MISC CHARGES	543,620							
07 CAPITAL OUTLAY	8,846,299	1,847,149	1,658,650	24,326,423	22,667,774	997,946	1,296,000	298,054
09 INTERFUND	882,497	1,070,751		61,453	61,453		11,372,129	11,372,129

Expenditures by Object Type- Q1 FY2018

October 1, 2017

Object Type	Actuals FY 2015	Actuals FY 2016	YTD Actual FY 2017	Adjusted Budget FY 2017	Remaining Budget FY 2017	YTD Actual FY 2018	Annual Budget FY 2018	Remaining Budget FY 2018
TRANSFER								
Total 033 REDEVELOPMENT AGENCY-LOWER PRK	10,280,278	2,925,627	1,661,274	24,387,876	22,726,603	1,003,410	12,668,129	11,664,719
034 REDEVELOPMENT AGENCY-MAIN ST								
06 SPECIAL SERV CONTRACT/MISC CHARGES								
07 CAPITAL OUTLAY		47,541		90,062	90,062		450,000	450,000
09 INTERFUND TRANSFER	2,221,001	2,054,115	806,088	1,912,168	1,106,080	269,832	1,408,080	1,138,248
Total 034 REDEVELOPMENT AGENCY-MAIN ST	2,221,001	2,101,656	806,088	2,002,230	1,196,142	269,832	1,858,080	1,588,248
035 BUILDING AUTHORITY								
07 CAPITAL OUTLAY	66,575	8,011	34,056	34,187	131	1,430		-1,430
09 INTERFUND TRANSFER	458,911	454,087		419,900	419,900		419,900	419,900
Total 035 BUILDING AUTHORITY	525,486	462,098	34,056	454,087	420,031	1,430	419,900	418,470
038 EQUIPMENT REPLACEMENT CIP								
07 CAPITAL OUTLAY	1,019,443	1,250,276	1,421,831	2,394,556	972,725	6,866	1,228,700	1,221,834
09 INTERFUND TRANSFER	1,832,162	1,626,711		255,855	255,855		100,855	100,855
Total 038 EQUIPMENT REPLACEMENT CIP	2,851,605	2,876,987	1,421,831	2,650,411	1,228,580	6,866	1,329,555	1,322,689
051 WATER FUND								
01 PERSONNEL SERVICES	2,305,294	2,515,881	2,808,474	2,958,603	150,128	669,947	3,024,995	2,355,048
02 MATERIALS, SUPPLIES AND SERVICES	197,443	254,900	296,663	294,927	-1,736	49,617	294,927	245,310
03 UTILITIES	955,923	975,108	896,002	1,183,005	287,003	181,453	1,301,199	1,119,746
04 CONTRACT SVCS/CONSULTING/S	617,246	935,079	952,883	1,116,944	164,061	187,636	1,132,440	944,804

Expenditures by Object Type- Q1 FY2018

October 1, 2017

Object Type	Actuals FY 2015	Actuals FY 2016	YTD Actual FY 2017	Adjusted Budget FY 2017	Remaining Budget FY 2017	YTD Actual FY 2018	Annual Budget FY 2018	Remaining Budget FY 2018
SOFTWARE LIC								
05 PARTS/MAINTENANCE SUPPLIES	602,799	645,810	752,213	849,980	97,767	108,730	849,980	741,250
06 SPECIAL SERV CONTRACT/MISC CHARGES	22,459	32,842	46,602	42,000	-4,602	7,852	42,000	34,148
07 CAPITAL OUTLAY	6,047,589	6,919,868	8,282,947	21,589,114	13,306,167	1,665,433	16,690,980	15,025,547
08 DEBT SERVICE	4,510,478	4,503,481	4,501,047	4,507,304	6,257	69,047	4,516,154	4,447,107
09 INTERFUND TRANSFER	10,441,425	8,894,721	1,637,962	9,160,140	7,522,178	321,144	6,496,026	6,174,882
Total 051 WATER FUND	25,700,655	25,677,688	20,174,794	41,702,017	21,527,223	3,260,859	34,348,701	31,087,842
052 STORM WATER FUND								
01 PERSONNEL SERVICES			353,313	653,223	299,911	128,020	670,594	542,574
02 MATERIALS, SUPPLIES AND SERVICES			29,478	60,000	30,522	5,637	60,000	54,363
03 UTILITIES			18,799	27,100	8,301	226	27,100	26,874
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC			76,063	157,000	80,937	68,902	157,000	88,098
05 PARTS/MAINTENANCE SUPPLIES			31,840	51,300	19,460	5,132	51,300	46,168
07 CAPITAL OUTLAY			33,094	31,500	-1,594		14,500	14,500
09 INTERFUND TRANSFER			75,000	119,877	44,877	25,004	314,383	289,379
Total 052 STORM WATER FUND			617,587	1,100,000	482,413	232,920	1,294,877	1,061,957
055 GOLF COURSE FUND								
01 PERSONNEL SERVICES	728,579	691,471	730,171	928,410	198,240	245,959	907,519	661,560
02 MATERIALS,	52,638	66,487	74,360	74,900	540	14,169	74,900	60,731

Expenditures by Object Type- Q1 FY2018

October 1, 2017

Object Type	Actuals FY 2015	Actuals FY 2016	YTD Actual FY 2017	Adjusted Budget FY 2017	Remaining Budget FY 2017	YTD Actual FY 2018	Annual Budget FY 2018	Remaining Budget FY 2018
SUPPLIES AND SERVICES								
03 UTILITIES	46,996	53,740	54,306	58,387	4,081	10,188	58,387	48,199
04 CONTRACT SVCS/CONSULTING/S SOFTWARE LIC	71,478	72,094	70,504	93,942	23,438	8,346	93,942	85,596
05 PARTS/MAINTENANCE SUPPLIES	208,841	236,701	196,704	240,800	44,096	70,158	240,800	170,642
06 SPECIAL SERV CONTRACT/MISC CHARGES	25,400	26,020	27,288	30,500	3,212	11,198	30,500	19,302
07 CAPITAL OUTLAY	46,545	34,349	255,845	455,313	199,468	144,831	117,215	-27,616
08 DEBT SERVICE	36,080	27,060	8,094	8,094	0		32,377	32,377
09 INTERFUND TRANSFER	1,315,444	1,442,311	127,574	1,000,834	873,260	41,704	913,566	871,862
Total 055 GOLF COURSE FUND	2,532,002	2,650,234	1,544,846	2,891,180	1,346,334	546,552	2,469,206	1,922,654
057 TRANSPORTATION & PARKING FUND								
01 PERSONNEL SERVICES	4,896,369	5,880,917	6,343,007	6,523,387	180,381	1,588,431	9,012,206	7,423,775
02 MATERIALS, SUPPLIES AND SERVICES	346,871	366,326	399,158	265,146	-134,012	76,811	321,000	244,189
03 UTILITIES	131,885	135,146	140,980	154,337	13,357	40,547	171,744	131,197
04 CONTRACT SVCS/CONSULTING/S SOFTWARE LIC	769,977	875,308	974,144	746,473	-227,671	106,599	1,087,738	981,139
05 PARTS/MAINTENANCE SUPPLIES	30,305	12,067	31,167	21,000	-10,167	4,483	19,700	15,217
06 SPECIAL SERV CONTRACT/MISC CHARGES	72,297	78,358	81,263	36,000	-45,263	11,693	40,000	28,307
07 CAPITAL OUTLAY	677,758	1,117,219	16,332,826	35,792,408	19,459,582	316,043	8,811,399	8,495,356

Expenditures by Object Type- Q1 FY2018

October 1, 2017

Object Type	Actuals FY 2015	Actuals FY 2016	YTD Actual FY 2017	Adjusted Budget FY 2017	Remaining Budget FY 2017	YTD Actual FY 2018	Annual Budget FY 2018	Remaining Budget FY 2018
09 INTERFUND TRANSFER	22,661,534	21,920,167	2,754,182	6,196,326	3,442,144	979,688	2,972,115	1,992,427
Total 057 TRANSPORTATION & PARKING FUND	29,586,997	30,385,507	27,056,728	49,735,077	22,678,350	3,124,293	22,435,902	19,311,608
062 FLEET SERVICES FUND								
01 PERSONNEL SERVICES	800,303	891,897	967,406	964,100	-3,306	226,505	964,546	738,041
02 MATERIALS, SUPPLIES AND SERVICES	70,130	74,426	78,954	77,100	-1,854	10,381	77,100	66,719
03 UTILITIES	994,533	765,670	749,784	867,900	118,116	112,504	792,900	680,396
04 CONTRACT SVCS/CONSULTING/S SOFTWARE LIC	3,639	6,557	3,573	4,200	627	750	4,200	3,450
05 PARTS/MAINTENANC E SUPPLIES	668,413	724,894	689,314	713,420	24,106	99,673	713,420	613,747
07 CAPITAL OUTLAY	7,438	6,116	720	10,000	9,280		10,000	10,000
09 INTERFUND TRANSFER	1,145,417	1,123,856		1,059,336	1,059,336		1,070,570	1,070,570
Total 062 FLEET SERVICES FUND	3,689,874	3,593,417	2,489,751	3,696,056	1,206,305	449,814	3,632,736	3,182,923
064 SELF INSURANCE FUND								
02 MATERIALS, SUPPLIES AND SERVICES	38,560	31,433	36,341	50,500	14,159	4,128	50,500	46,372
04 CONTRACT SVCS/CONSULTING/S SOFTWARE LIC	700,711	218,015	449,027	986,000	536,973	25,449	536,000	510,551
06 SPECIAL SERV CONTRACT/MISC CHARGES	582,721	640,392	650,981	710,000	59,019	55,216	710,000	654,784
09 INTERFUND TRANSFER	607,450	968,274		183,771	183,771		47,827	47,827

Expenditures by Object Type- Q1 FY2018

October 1, 2017

Object Type	Actuals FY 2015	Actuals FY 2016	YTD Actual FY 2017	Adjusted Budget FY 2017	Remaining Budget FY 2017	YTD Actual FY 2018	Annual Budget FY 2018	Remaining Budget FY 2018
Total 064 SELF INSURANCE FUND	1,929,442	1,858,115	1,136,348	1,930,271	793,923	84,793	1,344,327	1,259,534
070 SALES TAX REV BOND - DEBT SVS FUND								
04 CONTRACT SVCS/CONSULTING/S SOFTWARE LIC	429,374							
08 DEBT SERVICE	8,733,012	2,592,290	2,255,381	2,261,013	5,632	2,100	2,266,613	2,264,513
09 INTERFUND TRANSFER	18,597,136	6,558,375	462,696	2,834,028	2,371,332		2,362,332	2,362,332
Total 070 SALES TAX REV BOND - DEBT SVS FUND	27,759,521	9,150,665	2,718,077	5,095,041	2,376,964	2,100	4,628,945	4,626,845
071 DEBT SERVICE FUND								
04 CONTRACT SVCS/CONSULTING/S SOFTWARE LIC	74,606		155,239	160,000	4,761			
08 DEBT SERVICE	8,282,350	4,214,543	4,210,345	4,224,985	14,640	500	6,439,235	6,438,735
09 INTERFUND TRANSFER	1,003,018	574,778	27,708,333	28,336,294	627,961		678,567	678,567
Total 071 DEBT SERVICE FUND	9,359,974	4,789,321	32,073,917	32,721,279	647,362	500	7,117,802	7,117,302
TOTAL	206,683,419	174,057,232	176,304,854	341,758,410	165,453,556	20,312,869	191,276,118	170,963,249



DATE: October 12, 2017

TO HONORABLE MAYOR AND COUNCIL

In 2009 EPA Region 8 and the Department of Water Quality (DWQ) directed Park City to obtain UPDES permits for the Judge Tunnel and Spiro Tunnel. Park City negotiated a compliance timeline for the permits, which is outlined in a Stipulated Compliance Order. As part of the compliance process, PCMC is required to submit a Draft Integrated Plan annually. The attached draft was submitted to the DWQ prior to the October 1, 2017 deadline.

Respectfully:

Holly Lopez, Executive Assistant

WATER

September 29, 2017

VIA EMAIL: kshelley@utah.gov

Kim Shelley
Assistant Director
Division of Water Quality
Utah Department of Environmental Quality
P.O. Box 144870
Salt Lake City, Utah 84114-4870

RE: Letter of Transmittal, Integrated Plan for Stipulated Compliance Order (Docket Number M14-01) Park City Municipal Corporation

Dear Ms. Shelley:

This letter is intended to confirm our submittal of the Integrated Plan Docket Number M14-01.

Submittal of this document is intended to satisfy Section 11.A of the Stipulated Compliance Order, which requires submittal of the Integrated Plan by October 1, 2016 and annually thereafter.

Due to file size, the final pilot study attachment is not included in the email transmittal. A hard and digital copy of this letter and the Integrated Plan will be delivered to you next week.

If you have any questions or require additional information, please contact Clint McAfee.

Regards,

Park City Municipal Corporation



Clint McAfee
Public Utilities Director

Attachments: September 2017 Draft Park City Municipal Integrated UPDES Plan

Draft Park City Municipal Integrated UPDES Plan
September 201~~7~~⁶ Update
Required by Utah Division of Water Quality
Judge Tunnel and Spiro Tunnel UPDES
Stipulated Compliance Order Docket Number M14-01 8-1-14

201~~6~~⁷ Update

This is the ~~first~~^{second} update to the Draft Park City Municipal Integrated Plan. In order to clearly show updates to the Integrated Plan submitted to DWQ in ~~December~~^{September} 201~~5~~⁶, all edits are made using Microsoft Word Track Changes.

Significant work has been done towards development and identification of a process and location for the future water treatment facility for Judge and Spiro Tunnels. Several studies have been completed which ~~are~~^{were} summarized and included in the ~~is~~²⁰¹⁶ update. Since the 2016 update, Park City has been focused on process selection details and outlining the process to begin design and permitting. Cost estimates and the financial burden to the community have also been updated. At a high level, we have identified a preferred treatment alternative and location for the first phase (Judge Tunnel) of this project. We have also identified preliminary costs including capital, operations, maintenance, and replacement of the proposed facility.

It is important to highlight that we are progressing in our effort and we are on schedule to meet the compliance schedule. However, as we have developed detailed cost estimates, we have major concerns about the ability of our community to pay for treatment of the Judge and Spiro Tunnels. To mitigate the financial impact, Park City has begun discussions with DWQ regarding modifications to the SCO to potentially modify compliance periods. Park City appreciates that the Division of Water Quality has expressed the willingness to engage in such discussions in order to reach a workable solution for compliance with water quality standards. These discussions included agendas and presentation material which are included as attachments in this 2017 update.

Cost Update

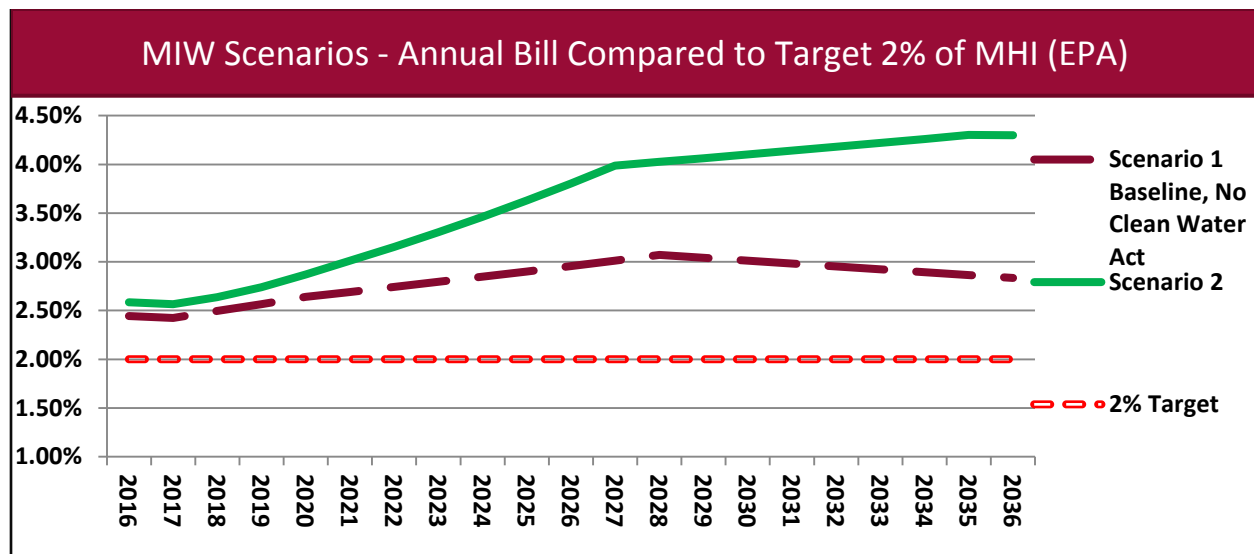
The original cost analysis for this project was completed and documented in the report titled *Analysis of the Financial Impact of Alternative UPDES Compliance Schedules with 12-30-13 updated Table 10*. This financial analysis is in the administrative record as noted in the Stipulated Compliance Order (SCO). This analysis was completed with the best available information we had at the time regarding the cost to construct and operate facilities to treat the Judge and Spiro Tunnels. It was also used to justify the need for the extended compliance periods outlined in the SCO. As indicated by the cost thresholds in the SCO, a capital cost of greater than \$6,000,000 was used to extend the compliance period for Judge by one year. Similarly, a capital cost threshold of greater than \$12,500,000 was used to extend the compliance period for Spiro by eight years. These cost thresholds were developed to reflect the



estimated cost at the time. It was estimated that the cost would be close to these thresholds but if the cost was higher, additional time was justified. However, based on updated information in 2016, we estimated that facilities to treat Judge will range from \$50,000,000 to \$67,000,000 and \$30,000,000 to \$79,000,000 for Spiro. These costs were based on the assumption that a facility would be built for Judge in Phase I and later expanded for Spiro in Phase II. These updated costs are magnitudes higher and we are very concerned over our community's ability to fund this project.

By way of reminder, the EPA document *Combined Sewer Overflows – Guidance for Financial Capability Assessment and Schedule Development* indicates that a residential indicator (cost per household as % of Median Household Income) greater than 2% is considered a high burden. Utah has a much lower threshold and considers a residential indicator greater than 1.4% a high burden. In the 12-30-13 report mentioned above, a residential indicator of 2.4% was calculated using the cost anticipated at that time. However, using the updated costs, an average residential indicator score of 3.7% is calculated for the years 2017 to 2045 with a maximum of 4.3%.

In the figure below which was created as part of the 2016 update, the residential indicator score for scenario 2, which is the current SCO, is compared to a baseline scenario where there is no Clean Water Act costs associated with Judge and Spiro, and the 2% affordability threshold established by the EPA. In Scenario 1 where there are no costs associated with meeting stream water standards, the emphasis and cost is in meeting future drinking water demands. Based on our most conservative drinking water supply and demand projections, it is estimated that additional peak day (summer) drinking water treatment capacity will be required in about 2030. Without the Judge and Spiro UPDES permits to comply with, Park City would have multiple options for meeting the drinking water need including expanding the existing Quinns Water Treatment Plant and/or replacing the existing Spiro Water Treatment Plant. Scenario 1 shown below includes an estimate of \$40,000,000 in capital to replace the existing Spiro WTP by 2024 for drinking water only, and \$12,000,000 to add drinking water capacity at Quinns WTP in about 2025. While the capital costs are high to meet drinking water demands, the operations and maintenance costs are significantly lower due to the short time frame where drinking water demands are high i.e. summer. Both of these drinking water solution costs are very conservative as Park City could likely extend the life of the existing Spiro WTP for much longer and our actual drinking water demands are much less than projected which would significantly delay, or possibly eliminate, the Quinns WTP expansion. The figure below clearly shows the extreme burden placed on Park City to comply with the current SCO. Based on this data, and hopefully in partnership with Utah DWQ, Park City will begin exploring all compliance alternatives available.



Due to the extreme cost burden of treating all of Judge and Spiro per the existing SCO, Park City and DWQ have begun to explore strategies to mitigate the financial burden while achieving meaningful milestones that are intended to improve stream water quality over time.

Introduction

In 2009, EPA Region 8 and DWQ directed Park City Municipal Corporation (PCMC) to obtain UPDES permits for Judge Tunnel and Spiro Tunnel as required by the Clean Water Act. In July 2011, PCMC submitted initial applications, and in February 2012 submitted revised applications, for UPDES permits at each source. Due to the complexity of PCMC's water system, the challenging topography of Park City, the short construction season, and the major financial impact of the new UPDES permit requirements on Park City's rate payers, PCMC requested UPDES permits that incorporate compliance schedules for meeting applicable permit limits that support water quality standards for Silver Creek and East Canyon Creek. Compliance schedules were developed and outlined in the Stipulated Compliance Order (SCO) based on water quality and human health priorities and the financial impact on Park City rate payers, consistent with EPA's June 5, 2012 *Integrated Municipal Stormwater and Wastewater Planning Approach Framework (Framework)*.

The final SCO and Fact Sheet/Statement of Basis (FS/SOB) for Judge and Spiro were executed in October 2014, and the final permits for Judge and Spiro Tunnels were issued in November 2014.

FS/SOBs and SCO

The FS/SOBs for the Judge and Spiro Tunnels provide the following: a detailed description and background of the facilities; background and purpose of the permits; descriptions of the outfalls, discharge water source, and receiving water; and a narrative on the effluent limitations and monitoring requirements.

The SCO outlines the compliance terms and time periods for the Judge and Spiro Tunnels.

Purpose

The purpose of this document is to provide the Utah Division of Water Quality with information on Park City's general approach, status, and progress towards complying with the UPDES permits for the Judge and Spiro Tunnels. To eliminate duplication of information and inconsistencies, none of the information that is contained in the FS/SOBs or SCO will be repeated in this draft integrated plan. The reader should refer to the FS/SOBs and SCO for a detailed description and background of the facilities and water quality information.

This document will remain in draft form and incomplete until the final completion date of 2033. This report will be continually updated and expanded as we move through the various stages of permit compliance.

Park City's Approach

To comply with the UPDES requirements, PCMC is working to create and implement a Judge and Spiro Water Treatment and Supply Master Plan. This plan will include progressive development of a Mine Influenced Water Treatment Program to be completed over the next 17 years. PCMC's goals and guiding principles for this project are: 1) keep it simple; 2) maintain current and future anticipated regulatory compliance and partnerships; 3) balance water quality goals and financial impacts; and 4) maximize community benefit from the Judge and Spiro tunnels. The basis for the Master Plan includes the following assumptions: projects selected to meet the UPDES requirements will be funded by user fees along with or in place of federal and state assistance; the State will honor the existing SCO in its current form; Water Quality Limits (WQL) will change only when we combine sources or move discharge points; and WQLs will only become more restrictive in the future.

Background

Judge Tunnel

Judge Tunnel is a historic mine adit or tunnel constructed between 1886 and 1889 to drain water from the Anchor Mine operations, later to be known as the Daly-Judge Mine. The Judge Tunnel is a municipal drinking water source. PCMC holds an easement by agreement with United Park City Mines Company in the Judge Tunnel for the collection and conveyance of water, and the construction and operation of water pipelines and pumps. These agreements are subject to mining exploration and operations by United Park City Mines Company.

The portal of the Judge Tunnel is located in Empire Canyon. Until recently, the water discharged from the portal was used as a drinking water source for many decades. This water entered the potable water system after disinfection using chlorine gas. When the water was turbid or the water was not needed in the distribution system, it was discharged into an ephemeral drainage channel in Empire Canyon prior to



being exposed to chlorine. Due to a variety of water quality concerns and the availability of water produced from QJWTP, staff discontinued the use of the Judge Tunnel as a drinking water source in June of 2013. Under the terms of a separate agreement with the Division of Drinking Water, Judge water was prohibited from further use in the distribution system without additional treatment for antimony starting June 14, 2014. The water that is currently being discharged into the drainage channel also exceeds several additional parameters included in the UPDES permit for Judge Tunnel.

It is important to highlight that the diversion of Judge Tunnel water has resulted in an increased flow of water in the drainage channel which will continue until infrastructure to convey and treat Judge Tunnel is complete. At the completion of this construction, and the corresponding deadline per the SCO, water will no longer be discharged into Empire Canyon from Judge Tunnel and the drainage channel will return to its historic condition as an ephemeral drainage channel. In 2013, as part of a plan to convey Judge Tunnel water to a future treatment facility near the existing SWTP or QJWTP, PCMC Council approved the construction of a pipeline running from Judge Tunnel to the existing SWTP site. This pipeline, which was recommended by staff based on an alternatives analysis, essentially precludes treatment and subsequent discharge of Judge Tunnel water in Empire Canyon in the future.

Spiro Tunnel

Spiro Tunnel is a historic mine adit tunnel constructed in about 1916 and 1917 to drain water from the Silver King Consolidated Mine and other mine operations. Spiro Tunnel is a municipal, snowmaking, and agricultural water source. PCMC holds an easement by agreement with the United Park City Mines Company for the installation, operation and maintenance of a municipal water system.

The portal of the Spiro Tunnel is located west of the existing Spiro Water Treatment Plant (SWTP) and within the Silver Star Development. A portion of the water draining from the Tunnel has been used by Park City for decades. At first it was chlorinated and mixed with Judge Tunnel water and a controlled blend of Thiriot Springs water. In about 1990, the first phase of the SWTP was constructed in order to remove arsenic, manganese, iron, thallium, and turbidity from the water prior to entering the potable water system. Controlled blending of Thiriot Springs and treated SWTP water was also implemented for antimony compliance. Over the years, SWTP has received several process and capacity upgrades, however it is not able to treat to stream standards as will be required by the Spiro or Judge UPDES permit and can only treat a portion of the total flow from the tunnel. Water not treated at the SWTP is discharged into the North and East Ditches, which run through the Park City Municipal Golf Course. Other entities with water rights in the Spiro Tunnel are Salt Lake City Corporation and Park City Mountain Resort. Also, a portion of the Tunnel flow is considered to be tributary to the East Canyon drainage and is to remain un-diverted and allowed to run down McLeod Creek. Uses for the Spiro Tunnel water include municipal potable, golf course irrigation, snowmaking, and agricultural use.

Elements of the Integrated Municipal Stormwater and Wastewater Planning Approach Framework



The elements included in this report are from the June 5, 2012 Framework. This report only includes the pertinent elements and does not duplicate information already contained in the FS/SOBs, SCO, or the UPDES permits. The elements not included may not be noted as such. Future versions of this report may include additional elements as the program develops.

Element 1: Water Quality, Human Health and Regulatory Issues

1.1 Assessment of Existing CWA Challenges

Judge Tunnel

The discharge from Judge Tunnel does not meet UPDES permit requirements. PCMC faces several compliance challenges for the Judge Tunnel. PCMC has two main options for treating Judge Tunnel flows: send Judge water to Quinns Junction Water Treatment Plant (QJWTP) with modifications; or send Judge Tunnel water to the existing SWTP which would need to be reconstructed to meet Judge and Spiro UPDES permit limits.

Spiro Tunnel

The Spiro Tunnel faces similar permitting challenges to the Judge Tunnel. In addition, Spiro produces very high volumes of water and more constituents to treat making compliance operations and management more difficult.

1.2 Identification and Characterization of Human Health Concerns

The FS/SOBs and UPDES permits include detailed receiving and source water quality information.

Drinking Water Use

PCMC operates and maintains a portion of Spiro Tunnel as a drinking water source. The tunnel source includes a portal and bulkhead. These waters are split and sent to the Spiro WTP and either East Canyon Creek or Silver Creek drainages. The Spiro WTP is a drinking water plant that reduces metals below EPA Safe Drinking Water Act (SDWA) maximum contaminant levels (MCL). The only exception is antimony, which is reduced below the MCL via blending with Thiriot Springs, another drinking water source with non-detectable antimony. Spiro water will continue to meet MCLs when it is used as a drinking water source.

Judge Tunnel is operated and maintained by PCMC and was a drinking water source until June 2013. It was removed as a drinking water source due to antimony concentrations just above the SDWA MCLs. Since 2013 it is exclusively discharged into Empire Creek. In March 2016 a Pilot Plant was commissioned to assess treatment alternative viability for stream water discharge and drinking water use. Process testing began with both Judge and Spiro Tunnel waters at the Spiro WTP. Now Judge Tunnel Pipeline conveys Judge Tunnel water to the vicinity of the Spiro WTP. Spiro (UT-0025461) Tunnel Discharge



Permit Part I, Table 1, footnote b (Future Effluent Limitations for Outfalls 001 and 002) allows for de-minimus flows of Judge water to be discharged from the Spiro Treatment plant site and area for pilot testing purposes.

Future treatment for both the Judge and Spiro Tunnels will include drinking water treatment capabilities for a portion of the tunnel flows.

1.3 Identification and Characterization of Water Quality Impairments

There are several impairments on the receiving waters. Information about TMDLs and other Water Quality Challenges can be found on the DWQ website. None of the TMDLs identify Judge or Spiro as major contributors.

1.5 Metrics for Evaluating Human Health and Water Quality Objectives

DDW regulates drinking water human health through SDWA regulations with accompanying MCLs and schedules for monitoring. PCMC meets all MCLs and will continue to do so while building new facilities to meet DDW permit limits.

DWQ has issued permits for Judge (UT-0025925) and Spiro (UT-0025461) Tunnels with monitoring only requirements based on individual stream discharge considerations and reasonable potential (RP) data. Samples are collected quarterly in accordance with the permits and results are reported to DWQ on discharge monitoring reports (DMRs) by the 28th of the month after each calendar quarter. Copies of quarterly DMRs are included from the beginning of the permit term (1st Qtr 2015) to date (2nd Qtr 2016) (Attachment A).

The DWQ Permits also require Chronic Biomonitoring/WET tests twice during pilot testing with a representative effluent from the blended Judge and Spiro feed waters. One is to be during high flow Spring period and the other in the low flow fall period. Samples were collected representing Spring with Pass results. Results and a narrative are found in Technical Memorandum Summary of MIW Pilot WET Testing, CH2M, August 19, 2016 (Attachment B). Fall samples will be collected in October 2016.

The SCO Section 11.B requires Judge Tunnel Pipeline and Empire Tank and Site Improvements. Park City submitted a letter of transmittal and required documents on December 18, 2015 (Attachment C). Improvements are operational and include:

- Judge Tunnel Pipeline completion to vicinity of Spiro WTP
- Mechanical screening of Judge Portal water; sewer installation for automatic backwash waste
- **Empire Tank settling improvements**
- **Empire Tank detention basin**

Element 2: Existing Systems and Performance

For all information related to Element 2 refer to the FS/SOB's, UPDES permits, and SCO.



Element 3: Stakeholder Involvement

The following City Council Meetings have been held to discuss the requirements of the permits and SCO. Associated City Council Meeting Manager Reports for the project to date are in Attachment D.

- March 6, 2014 – Public Meeting
- July 31, 2014 – Public Meeting
- March 19, 2015 – Public Meeting
- July 30, 2015 – Public Meeting
- December 17, 2015 – Public Meeting
- January 14, 2016 – Public Meeting
- February 25, 2016 – Public Meeting

The following stakeholder trainings and meetings have been held.

- May 18, 2016 – Utah DEQ Meeting with DDW and DWQ Review of Pilot Plant at Spiro WTP (Agenda in attachment E and Pilot Plant for Judge and Spiro Tunnels Mining-Influenced Water Power Point Overview, see attachment F)
- June 14, 2016 – Judge and Spiro Tunnels Mining-Influenced Water Treatment Evaluation Pilot DDW/DWQ Meeting at DEQ (Power Point in attachment G and Meeting Notes in Attachment H)
- September 1, 2016 – Process Training and Brownbag for PCMC Operations Staff provided by CH2M (see attachment I)
- [May 10, 2017 – DWQ Meeting with Alan Matheson, Executive Director; Walt Baker, Water Quality Division Director; and their team \(see attachment R\)](#)
- [May 25, 2017 – Park City Council Public Meeting to authorize Professional Services Agreement with CH2M for the MIW Water Treatment Facility for Phase III Design Services \(see attachment S\)](#)
- [June 2017 White Paper – follow up to DWQ May 10th meeting \(see attachment T\)](#)
- [July 17, 2017 – DWQ Meeting with Erica Gaddis, Water Quality Division Director and team \(see attachment U\)](#)
- [July 27, 2017– Site Tour with Erica Gaddis, Water Quality Division Director and team](#)
- [August 29, 2017 – DWQ Meeting with Erica Gaddis, Water Quality Division Director and team \(see attachment V\)](#)

Many future public meetings will be held as we develop alternatives to locate the future treatment facilities.

Element 4: Evaluating and Selecting Alternatives

Since the issuance of the SCO, PCMC has developed a draft Project charter which includes goals and guiding principles to meet the requirements outlined in the SCO. Two initial phases have been

established which consist of the initial planning and programming efforts for the Project. Future phases will be developed based on the findings of the first two phases.

Phase I has the primary goal of: Identify Viable Treatment Alternatives that reliably meet the UPDES permit limits and drinking water regulations for Judge, Spiro, and combined Judge/Spiro Mining-Influenced Waters. Phase I will obtain a more accurate understanding of available and viable treatment processes and their requirements so that 2 to 3 preferred alternatives can be advanced to Phase II (Treatment Location and Siting Evaluation). Phase I has been further divided into three segments: Phase IA – Desktop Evaluation; Phase IB – Bench/Pilot Testing of Alternatives; and Phase IC –Treatment Facility Concept Study. Each phase will be more completely defined and scoped as the treatment process selection progresses and required process evaluation work is identified. PCMC has retained CH2M as a consultant to assist with Phases I & II evaluation efforts. The project approach is shown in Figure 1. We are currently moving into Phase IB and will likely be moving into Phase IC early summer of 2016.

In Phase II, the alternatives selected in Phase I will be further evaluated with respect to impacts on treatment location and overall water system planning. Phase II is expected to yield the selection of final treatment process(es) and treatment location(s). These results will be reported to DWQ in accordance with the SCO requirements.

During 2016 all of Phase I work has nearly been completed:

- Phase IA – Desktop Evaluation
- Phase IB – Bench/Pilot Testing of Alternatives – Pilot testing end date end of Oct. 2016
- Phase IC –Treatment Facility Concept Study

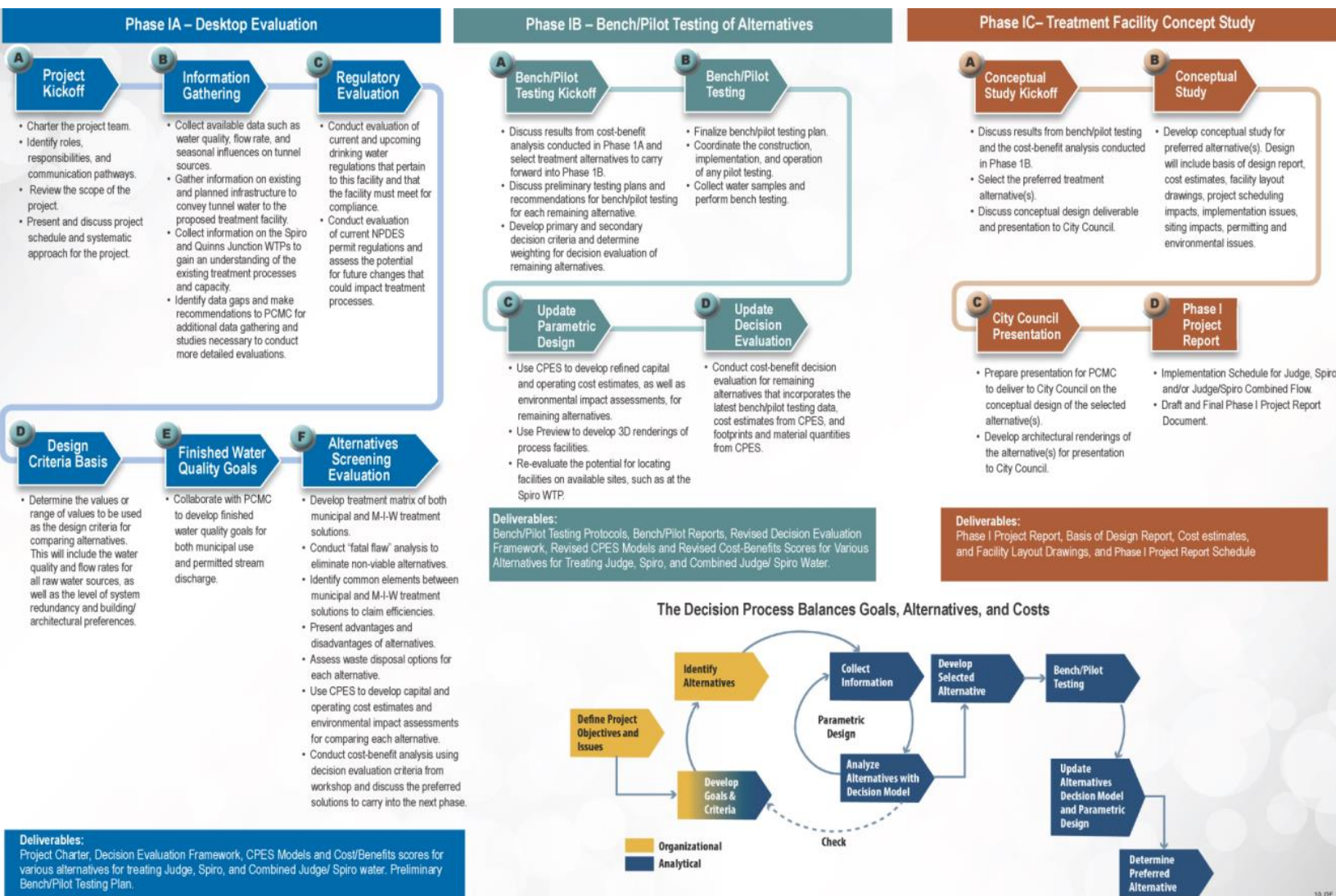
Multiple treatment alternatives were evaluated during Phase I desktop, bench and pilot testing. A treatment alternative has been selected that reliably meets the UPDES permit limits and drinking water regulations for Judge, Spiro, and combinations of Judge and Spiro.

The majority of Phase II, Treatment Facility Location and Siting Evaluation, was completed in tandem with the Phase I Treatment Facility Concept Design. A site has been selected for treatment of Judge Tunnel water at minimum with concept locations for Spiro Tunnel water treatment. MIW Treatment Facility conceptual layouts and preliminary capital and operation and maintenance costs have been developed for three flow rates on that site.

A summary of Phases I and II are provided in the following sections with detailed reports in referenced attachments.

In 2017 MIW Treatment Plant sizing will be determined upon completion of water system planning and in partnership with Utah DWQ. Future phases are being defined and will be discussed in the next Integrated Plan submittal.

Figure 1: Project Approach – Phase I 4.2 Opportunities for Green Infrastructure and Innovation



Opportunities for Green Infrastructure and Innovation will be developed as we progress into the design process for the new facilities. PCMC Council has elevated energy efficiency as a highest priority and we plan to integrate progressive technology and equipment to achieve this goal with any new facility we construct in the future.

4.3 Criteria for Comparing Alternatives

A series of workshops with pertinent stakeholders are ongoing to establish goals, develop criteria for assessing alternatives, establish project schedules, identify feasible treatment technologies and treatment trains, and to set the groundwork for the cost-benefit evaluation of alternatives. An overview of the initial workshop which addressed the alternatives analysis approach by CH2M and Park City is reflected in the following steps:

Steps in Decision Evaluation Approach

1. Identify potential treatment alternatives to treat Judge, Spiro and/or a combination of the two.
2. Select decision criteria representing important non-monetary benefits or attributes of an alternative that are:
 - Independent
 - provide differentiation
 - measurable in some quantitative fashion
3. Assign weights to the decision criteria to prioritize importance of the individual criterion to the decision process.
4. Develop a quantitative measurement or scoring methodology to define the performance of each alternative with respect to each criterion.
5. Score the alternatives for each criterion.
6. Calculate the non-monetary benefits offered by each alternative, based on the product of the weight assigned to the criterion and the score.
7. Develop cost estimates (construction and O&M) for each potentially viable alternative, keeping cost as a stand-alone factor for the decision evaluation process
8. Calculate the benefit-to-cost ratio for each alternative.
9. Perform sensitivity analyses, as needed, to evaluate the impact of criteria weighting and scoring on the benefit score and benefit-to-cost ratio for each alternative.
10. Discuss the decision process results and the value of benefits relative to the additional costs or savings afforded to ultimately select the optimum alternative.

During the initial workshops, criteria, both monetary and non-monetary, have been developed by PCMC for application in the treatment process evaluation/comparison. These criteria generally include cost (construction and O&M), water quality, operation & maintenance requirements, environmental impacts, neighborhood impacts, and risk. Subcategories within each of these categories were further defined with weighting to each subcategory applied.

4.4 Identification of Alternatives, Costs and Pollutant Reduction

Initial workshop efforts have resulted in the identification of potential treatment technologies that could address the removal of contaminants for the tunnel discharges. These technology options are reflected in Figure 2 below.

Figure 2: Treatment Technology Options

Treatment Technology Options													
Exhibit 6: Preliminary Matrix of Treatment Options Prior to Discharge													
	Unit Process	Parameters											
		Fe	Mn	As	Cd	Hg	Pb	Sb	Se	Tl	Zn	TSS	P
Filter	Coagulation/filtration	✓	✓	✓		✓		✓	✓			✓	
	Hydrous Manganese Oxide Filtration	✓	✓	✓								✓	
	Precipitation/filtration	✓	✓	✓	✓	✓	✓	✓			✓	✓	✓
	Oxidation/precipitation/filtration	✓	✓			✓				✓		✓	
Membrane Process	Microfiltration			✓		✓						✓	✓
	Ultrafiltration			✓		✓						✓	✓
	Nanofiltration	✓	✓	✓	✓	✓	✓		✓		✓	✓	✓
	Reverse Osmosis	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓
Sorption	Iron Oxides			✓									
	Manganese Dioxide	✓	✓										
	Titanium Dioxide			✓	✓		✓	✓	✓		✓		
	Sulfur Modified Iron			✓					✓				
	Activated Alumina			✓				✓	✓	✓			
IX	Cation Exchange	✓	✓		✓		✓				✓		
	Anion Exchange			✓		✓			✓				
	Electrodialysis Reversal			✓	✓		✓	✓	✓	✓	✓		
Precipitation	Excess Lime Softening	✓	✓		✓		✓					✓	
Biological Reduction	Anoxic/anaerobic Bioreactor								✓				
Reactive Media	Zero Valent Iron			✓		✓			✓				

- PCMC already removes arsenic in potable water treatment
- Treatment for iron and manganese removal is well established
- Lead is predominately in particulate form; limits require removal of particulate lead
- Focus discussion on Cd, Sb, Tl, and Zn

Through initial desktop assessments of potential treatment technology process alternatives (see list below), performed by CH2M, oxidation/precipitation/filtration/adsorption treatment processes were determined to be the most viable alternatives (i.e. SD-1 and SD-2).

Preliminary M-I-W Treatment Alternatives – Stream Discharge

- SD-1: Ox > Caustic > Coag/Floc/Sed > Metsorb (Adsorption) > Acid
- SD-2: Ox > Caustic > Coag/Floc/Sed > Filtration > Acid > Metsorb (Adsorption)
- SD-3: Ox > Caustic > Coag/Floc/Sed > Filtration > Ads > Ads > Acid
- SD-4: Ox > Caustic > Coag/Floc/Sed > Ox > Acid > Coag/Floc/Sed > Caustic
- SD-5: Ox > Caustic > Coag/Floc/Sed > Ox > Acid > Coag/Floc/Sed > Filtration > Caustic
- SD-6: Ox > Caustic > Coag/Floc/Sed > Ox > Acid > Coag/Floc/Sed > Metsorb (Adsorption) > Caustic
- SD-7: Ox > Caustic > Coag/Floc/Sed > Ox > Acid > Coag/Floc/Sed > Filtration > Caustic > Metsorb (Adsorption)
- SD-8: Ox > Caustic > Coag/Floc/Sed > Ox > Acid > Coag/Floc/Sed > Filtration > Caustic > Ads > Ads
- SD-9: Ox > Lime Soft > Coag/Floc/Sed > Ox > Acid > Coag/Floc/Sed > Filtration > Lime
- SD-10: Ox > Lime Soft > Coag/Floc/Sed > Ox > Acid > Coag/Floc/Sed > Filtration > Lime > Metsorb (Adsorption)
- SD-11: Ox > Coag/Floc/Sed > MF > RO > Caustic

Using the criteria established during the workshops, the eleven (11) selected viable preliminary treatment processes were further evaluated and ranked. Summary results of these findings are provided in Figures 3 through 5.

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Figure 3: Decision Criteria Scoping

Decision Criteria Scoring

Criteria	Scoring Methodology	LOW or HIGH SCORE WINS	CALCULATED or SCALED	Alt. J-S-SD-1	Alt. J-S-SD-2	Alt. J-S-SD-3	Alt. J-S-SD-4	Alt. J-S-SD-5	Alt. J-S-SD-6	Alt. J-S-SD-7	Alt. J-S-SD-8	Alt. J-S-SD-9	Alt. J-S-SD-10	Alt. J-S-SD-11	Minimum	Maximum	Spread
Operations & Maintenance																	
Operability	Number of unit processes (LOW SCORE WINS)	LOW	CALCULATED	7.00	8.00	9.00	9.00	10.00	10.00	11.00	12.00	10.00	11.00	13.00	7.00	13.00	6.00
Maintenance Complexity	Number of complex mechanical components (LOW SCORE WINS)	LOW	CALCULATED	14.00	14.00	14.00	12.00	17.00	17.00	17.00	18.00	18.00	27.00	12.00	27.00	15.00	
Safety	Number of chemical systems (LOW SCORE WINS)	LOW	CALCULATED	9.00	9.00	9.00	9.00	9.00	9.00	9.00	9.00	10.00	10.00	11.00	9.00	11.00	2.00
Process Complexity	Number of process parameters that must be controlled (LOW SCORE WINS)	LOW	CALCULATED	12.00	12.00	13.00	14.00	16.00	15.00	17.00	18.00	17.00	18.00	22.00	12.00	22.00	10.00
Environmental Impacts																	
Greenhouse Gases	Tons of greenhouse gas produced per year (LOW SCORE WINS)	LOW	CALCULATED	3288.57	3322.57	3411.59	6657.26	7095.10	7220.37	7259.26	7348.28	10351.84	10516.04	11621.48	3288.57	11621.48	8332.92
Residuals Production	Tons of residuals generated per year (LOW SCORE WINS)	LOW	CALCULATED	15449.27	15449.27	15449.27	17138.06	19767.63	19767.63	19766.04	19766.04	41171.36	41171.36	18575.00	15449.27	41171.36	25722.09
Hazardous Materials Production	Hazardous materials generated - lb/yr (LOW SCORE WINS)	LOW	CALCULATED	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Neighborhood Impacts																	
Traffic/Safety	Number of truck deliveries per year (LOW SCORE WINS)	LOW	CALCULATED	1178.39	1178.39	1185.39	1648.35	1796.20	1822.20	1822.12	1829.12	2690.27	2716.27	1568.24	1178.39	2716.27	1537.88
Footprint	Total area of land required - SF (LOW SCORE WINS)	LOW	CALCULATED	51477.60	55035.15	60694.93	63761.49	75590.10	75112.67	79147.65	84807.43	61378.75	64936.30	175665.48	51477.60	175665.48	124187.88
Additional Land Required	Total area of land required outside of SWTP footprint - SF (LOW SCORE WINS)	LOW	CALCULATED	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	143549.77	0.00	143549.77	143549.77
Noise	Total operating motor horsepower - HP (LOW SCORE WINS)	LOW	CALCULATED	469.95	469.95	469.95	302.28	514.01	512.84	514.01	514.01	611.76	611.76	8732.03	302.28	8732.03	8429.76
Schedule	Estimated time to construct - Months (LOW SCORE WINS)	LOW	CALCULATED	24.00	27.00	30.00	24.00	27.00	27.00	30.00	33.00	27.00	30.00	36.00	24.00	36.00	12.00
Odor	Annual production of H2S - lb/yr (LOW SCORE WINS)	LOW	CALCULATED	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	600.00	600.00
Risk																	
Track Record	Number of years of use of unit process in similar applications (HIGH SCORE WINS)	HIGH	CALCULATED	55.00	70.00	56.25	100.00	100.00	70.00	77.50	65.00	100.00	77.50	56.67	55.00	100.00	45.00
Proprietary Technologies	Number of unit processes relying on single vendor for supply (LOW SCORE WINS)	LOW	CALCULATED	1.00	1.00	1.00	0.00	0.00	1.00	1.00	1.00	0.00	1.00	0.00	0.00	1.00	1.00
Multiple Barriers	Number of multiple barriers for metals to accommodate changing water quality (HIGH SCORE)	HIGH	CALCULATED	2.00	3.00	4.00	2.00	3.00	3.00	4.00	5.00	3.00	4.00	3.00	2.00	5.00	3.00
Future-Proof Metals and Toxicity	Final normalized concentration of Sb+As+Cd+Pb+Ti+Zn+Se+Hg with respect to permit limits	LOW	CALCULATED	20.66	20.28	4.31	36.38	14.39	11.95	11.95	6.31	14.13	11.69	18.47	4.31	36.38	32.07
Future-Proof Nutrients	Final average concentration of Total P - mg/L (LOW SCORE WINS)	LOW	CALCULATED	400.00	200.00	200.00	200.00	200.00	200.00	200.00	200.00	100.00	100.00	20.00	20.00	400.00	380.00
Reliability	Number of automatic components (LOW SCORE WINS)	LOW	CALCULATED	17.00	18.00	19.00	20.00	22.00	22.00	23.00	23.00	23.00	23.00	35.00	17.00	35.00	18.00

Figure 4: Combined Stream Discharge

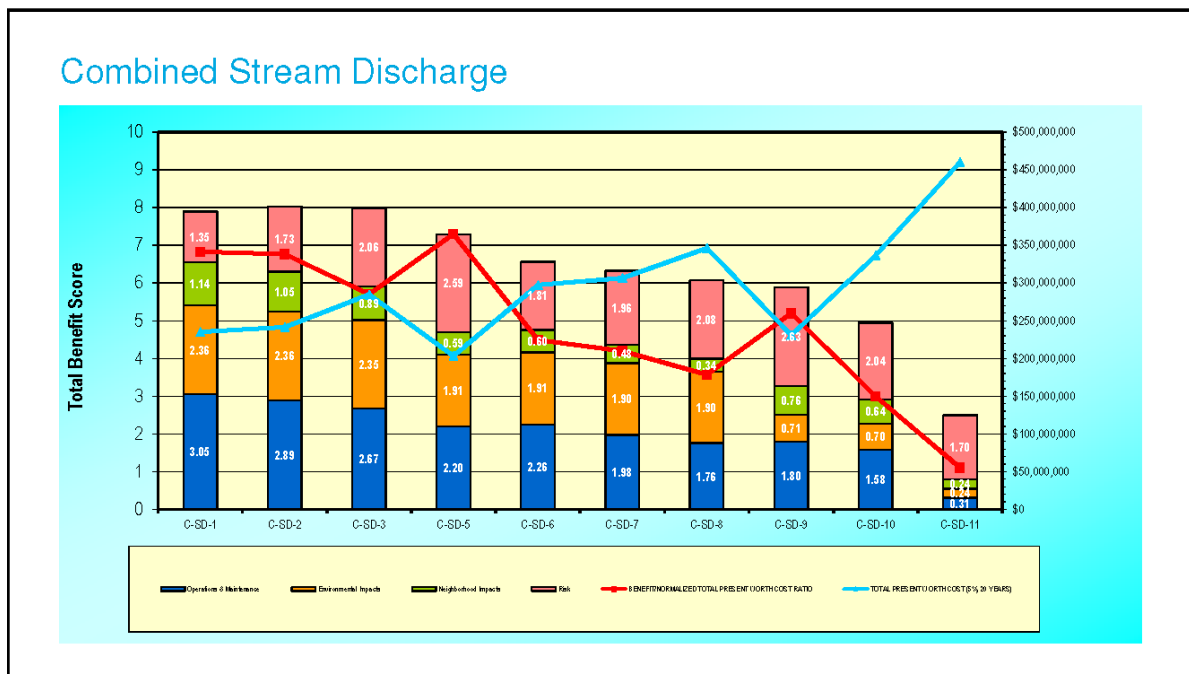


Figure 5: Optimization Analyses

Optimization Analyses

TABLE 4.14
Cost Summary for Optimized Treatment Alternatives^{a,b,c}

Treatment Alternative	Estimated Project Construction Cost	Estimated First Year O&M Cost (\$/Year)	Net Present Value ^d
100th Percentile Flow Rate			
J-DW-2	\$28,457,000	\$1,074,000	\$46,118,000
C-SD-2	\$56,833,000	\$3,630,000	\$116,524,000
90th Percentile Flow Rate			
J-DW-2	\$21,593,000	\$1,001,000	\$38,053,000
C-SD-2	\$42,831,000	\$3,434,000	\$99,299,000

^a Cost estimates considered Class 5 per AACE International Estimate Classification system.

^b Cost estimates based on June 2015 dollars.

^c Cost estimates do not include land acquisition or right-of-way.

^d Net Present Value is based on the construction cost plus a discount rate of 5.0% for a 20-year period for O&M cost. Net Present Value does not include non-construction costs (e.g., permitting, engineering, and services during construction).

As a result of the Phase IA (Desktop Analysis) work and the evaluation of the 11 treatment process options, the consultant has recommended two (2) M-I-W stream water discharge treatment alternatives for further evaluation. The preferred alternatives for combined (C) Spiro and Judge treatment train are:

- Alternative C-SD-1 (High pH Conventional Filtration/Adsorption)
- Alternative C-SD-2 (High pH Conventional Filtration with Adsorption)
 - Similar processes required for both Judge water and Spiro water
 - Alternatives use high pH conventional filtration, with adsorption in filters, post-filter, or two stages after filters

The two preferred treatment process alternatives have undergone Desktop, and Bench-Scale testing. Pilot Testing started in April 2016 and completion is anticipated at the end of October 2016. The reports summarized below and attached to this document provide details on each step of the evaluation.

Desktop Evaluation Phase

Judge and Spiro Tunnels Mining-Influenced Water Treatment Evaluation: Draft Technical Memorandum Desktop Evaluation Summary, July 2015. (Attachment J)

CH2M has completed the first phase of the project, the desktop evaluation of treatment alternatives for mining-influenced water from the Judge and Spiro Tunnels, encompassing treatment for municipal drinking water use and for discharge to local streams in accordance with the SCO. The work consisted of conducting a kickoff workshop, information gathering and data review, a regulatory evaluation, development of the conceptual design criteria basis for treatment alternatives, establishing finished water quality goals, and conducting an alternatives screening evaluation to identify a recommended short-list of alternatives, and a treatment facility concept study.

CH2M's work on this first phase is documented in the attached Draft Technical Memorandum: Desktop Evaluation Summary. The intent of the attached document is to summarize the work completed to date, provide a historic record of decisions, and to provide the foundation for future phases.

Judge and Spiro Tunnels Mining-Influenced Water Treatment Evaluation: *Executive Summary Addendum for the Desktop Evaluation Summary*, September, 2016. (Attachment K)

This document is intended to represent an update to the original Executive Summary of the Desktop Evaluation Summary. In this document, key changes that have occurred since the July 2015 document was written are summarized. This document identifies the best options selected for bench testing and pilot testing. Based on the results of the bench-scale testing, followed by extended proof of performance during pilot testing, the preferred treatment approach for the MIW facility is as follows:

- Pre-oxidation with chlorine
- Rapid mix/flocculation/sedimentation at elevated pH of 8.2
- Granular media filtration using deep-bed pyrolusite (manganese dioxide ore) media



- Post-filter adsorption with titanium dioxide media.

Key updates to the original Desktop Evaluation Summary's Executive Summary are described by section.

Bench/Pilot Testing Phase

Bench-Scale Testing of Treatment Alternatives for Mining Influenced Water: Draft Technical Report, July, 2016. (Attachment L)

The purpose of this bench scale study conducted by Water Quality & Treatment Solutions, Inc.(WQTS) was to identify the optimal chemical doses, adsorbents, and operational conditions for each treatment unit process in order to refine the focus of subsequent pilot-scale testing.

The bench-scale tests systematically evaluated the removal of antimony, arsenic, cadmium, copper, iron, lead, manganese, selenium, thallium, and zinc utilizing different chemicals and chemical dose and operational conditions. Two alternative water treatment schemes, conventional filtration with adsorption and conventional softening with adsorption, were identified as having the capacity to effectively and economically meet both the drinking water standards and stream discharge limits.

Based on those results, WQTS recommends the pilot-scale testing incorporate conventional filtration at elevated pH (8.5-9.0) utilizing a low dose of ferric chloride, oxidant addition to filter influent, and MetSorb adsorbers, which should be able to remove all the metals evaluated in this study down to drinking water standards and stream discharge limits.

Judge and Spiro Tunnels Mining-Influenced Water Treatment Evaluation: Pilot Testing Protocol Technical Memorandum, March 2016. (Attachment M)

This document is the Pilot Testing Protocol for the PCMC MIW Pilot Study. This pilot study will support the design of the full-scale mining-influenced water treatment plant. This document includes an overview of water quality goals, definition of pilot testing objectives and key questions to be answered from pilot testing, a description of the pilot plant equipment, the detailed pilot testing experimental plan, a preliminary pilot testing schedule, a summary of water quality testing to be conducted, and initial discussion of staffing and data analysis/reporting. DWQ and DDW reviewed and had no significant comments.

Judge and Spiro Tunnels Mining-Influenced Water Treatment Evaluation: DRAFT Interim Pilot Testing Report September, 2016. (Attachment N) CH2M prepared a Draft Interim Pilot Testing Report for PCMC to summarize the results of pilot testing from April through August, 2016, to support the Judge and Spiro Tunnels MIW Water Treatment Evaluation project. The pilot study is currently scheduled to continue through the end of October, 2016, prior to shut down and decommissioning. The results from the pilot testing during September and October, to the conclusion of pilot testing, will be summarized in the Final Pilot Testing Summary document in November 2016.

Based on the results of the bench-scale testing, followed by extended proof of performance during pilot testing, the preferred treatment approach for the MIW facility is as follows:

- Pre-oxidation with chlorine
- Rapid mix/flocculation/sedimentation at elevated pH of 8.2
- Granular media filtration using deep-bed pyrolusite (manganese dioxide ore) media
- Post-filter adsorption with titanium dioxide media

These treatment processes meet the pilot study operational goals and produce treated water that meets PCMC's ambitious water quality goals. Following these treatment steps, water used for drinking water will be conditioned, disinfected, and pumped to the distribution system. Water for stream discharge will be dechlorinated and discharged.

From the pilot testing results described in this document, the preferred treatment train offers the following advantages for PCMC:

- The preferred treatment train, with a settled water pH setpoint of 8.2, consistently meets drinking water maximum contaminant levels (MCLs) and stream discharge permit limits for regulated metals.
- The preferred treatment train is capable of meeting all other relevant drinking water limits, including the requirements of the DDW Surface Water Treatment Rule consistent with conservative planning by PCMC. The preferred treatment train can effectively treat Judge Tunnel water alone, Spiro Tunnel water alone, and a range of different ratios of blended Judge and Spiro water. The preferred treatment train is robust and from testing performed to date, withstands variations in turbidity and other challenges. The preferred treatment train provides multiple barriers for the metals that must be removed.
- The pilot granular media filters with deep-bed pyrolusite media perform equivalently at filter loading rates from 5 to 12 gallons per minute per square foot (gpm/sf). Filtered water quality is equivalent across this range of filter loading rates.

[For updated Judge and Spiro Tunnels Mining-Influenced Water Treatment Evaluation: Draft Pilot Testing Report see Attachment W.](#)

Treatment Facility Concept Studies

Quinns Junction Water Treatment Plant: Impacts of Judge Tunnel Water Technical Memorandum, May, 2016. (Attachment O)

As one of the key tasks of this project, CH2M collaborated with PCMC to evaluate the potential impacts of treating Judge Tunnel water at the Quinns Junction Water Treatment Plant (QJWTP). The purpose of this task was to determine the ability of the QJWTP to treat Judge Tunnel water and to identify what facilities would be required to continuously treat Judge Tunnel water. Based on these findings, the

evaluation addressed if sending Judge Tunnel water to the QJWTP made sense economically in comparison to treating Judge Tunnel water at a future mining-influenced water (MIW) treatment facility. The information presented in the attached technical memorandum builds from a CH2M and Park City working session held on February 17, 2016 to review the potential impacts of Judge Tunnel water on the QJWTP and to gain a common understanding of the analysis. From the economic analysis summarized in the attached Technical Memorandum, it is more expensive to send Judge Tunnel water to the QJWTP for treatment. A more economical solution is to treat Judge Tunnel water at a stand-alone MIW treatment facility, closer to the source and closer to the potable water demand.

PCMC Mining-Influenced Water: Evaluation of Treatment Facility Siting Alternatives, September, 2016. (Attachment P)

In parallel with ongoing pilot testing of the preferred treatment alternative, CH2M undertook a treatment facility concept study to compare preliminary options for siting the MIW treatment facility and to identify the preferred location for the facility. The previous document, “Judge and Spiro Tunnels Mining-Influenced Water Treatment Evaluation, Draft Technical Memorandum: Desktop Evaluation Summary,” identified a preferred treatment approach for bench testing and pilot testing. This treatment approach had been confirmed as the best treatment approach through the testing period and serves as an underlying assumption for the siting alternatives.

Based on the information presented in this technical memorandum, the recommended location for the MIW treatment facility is at the site of the existing Spiro WTP. The “intermediate capacity” alternative recommended at this site is potentially expandable at the Spiro WTP location, depending on future PCMC City Council direction. This site offers a significant cost savings of \$22M to \$35M compared to other potential location, while also minimizing energy use. Report of Piezometer Installation and Evaluation of Geohydrologic Conditions Proposed Treatment Facility Near Thiriot Spring, July 2015 (Attachment Q)

Thiriot Spring is adjacent to and under the existing Spiro WTP. In the Spring Thiriot Spring often floods the existing Spiro WTP building. With the existing Spiro WTP site being identified as the best location for the new MIW treatment facility, understanding siting constraints relative to Thiriot Spring is essential. Laughlin Water Associates, LLC installed piezometers throughout the existing site and throughout the Park City Municipal Golf Course. The report summarizes the results of the piezometer installation and Laughlin’s evaluation of geohydrologic conditions for a proposed water treatment facility to be located near the Spiro WTP and Thiriot Spring.

Treatment Process Alternative Workshops

The following Treatment Process Alternative (TPA) workshops were conducted. Specific outcomes of these TPA’s will be summarized in next year’s update as final selections have not been completed.

- June 8, 2017 - Kickoff Workshop

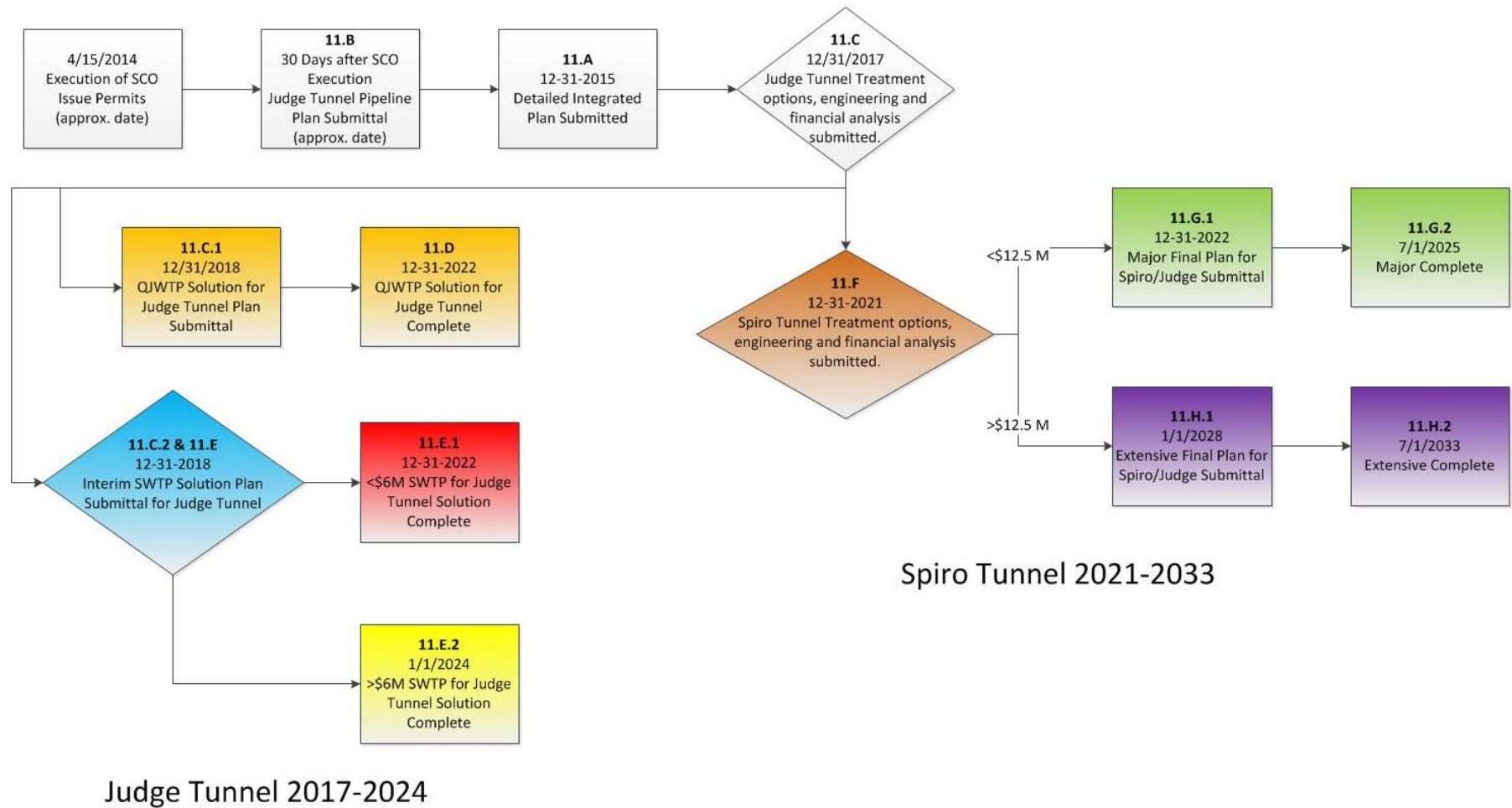


- [July 10, 2017 - Treatment Process Alternative \(TPA\) 1 Clarification](#)
- [August 1, 2017 - TPA 2 Rapid Mix, Flocculation and Sedimentation](#)
- [August 24, 2017 - TPA 3 Filtration and Adsorption](#)
- [August 29, 2017 - TPA 4 Solids and Residuals](#)
- [September 11, 2017 - TPA 5 Treatment Chemicals](#)
- [October 26, 2017 - TPA 6 Summary of Process Treatment Train and Previous Workshop Outcomes](#)

4.5 Implementation Schedule

Figure 6 shows the implementation schedule. This is consistent with the deadlines and requirements outlined in the SCO. All requirements have been met to date inclusive of water quality monitoring and reporting requirements.

Figure 6: Draft Judge and Spiro Comprehensive Schedule



4.6 Financing Strategy

We will continue to implement a water rate structure to maintain adequate funding to ensure compliance. However, as mentioned in the Cost Update section in the beginning of this document, Park City has serious concerns over the ability of our community to pay for the projects required to comply with the current SCO. The updated costs are magnitudes higher than what was estimated during the development of the current compliance schedules.

Element 5: Measuring Success

Ability to meet deadlines outlined in the SCO, and eventually, permit requirements.

Work Completed to Date:

- Judge Tunnel Pipeline
- Primary Screening and Settling Improvements
- Quarterly Permit Monitoring and DMR Reporting
- All studies attached to and summarized in this document

Next Steps:

- Determination of Phase I capacity
- Further refine O&M, capital costs, and financial impact on the community in order to comply with the current SCO
- ~~Begin~~Continue discussions with Utah DWQ about alternatives to current SCO to reduce the financial impact to the community
- Submit SCO Section 11.C, Judge Tunnel Treatment Options, Engineering and Financial Analysis, by 12/31/17
- Begin land use permitting and regulatory process for selected site
- Preliminary facility design

Element 6: Improvements to Plan and Adaptive Management

Per the SCO PCMC will be updating this Integrated Plan annually when no construction is happening, and every six months during construction.

Annual Update – Next update will be provided by October 1, 2017~~8~~.

Attachments

- A. Quarterly Discharge Monitoring Reports
- B. Summary of Mining-Influenced Water Pilot WET Testing
- C. Judge Tunnel Pipeline and Empire Tank and Site Improvements, SCO Section 11B Submittal and Required Documents, December 2015
- D. Park City Council Meeting Manager Reports
- E. Utah Department of Environmental Quality Meeting at Spiro WTP May 15, 2016 Agenda
- F. Pilot Plant for Judge and Spiro Tunnels Mining-Influenced Water PowerPoint Overview
- G. Judge and Spiro Tunnels Mining-Influenced Water Treatment Evaluation Pilot: DDW/ DWQ Meeting June 14, 2016 *PowerPoint*
- H. June 14, 2016 – Judge and Spiro Tunnels Mining-Influenced Water Treatment Evaluation Pilot DDW/DWQ Meeting Notes
- I. Judge and Spiro Tunnels Mining-Influenced Water Treatment: Process and Training Brownbag *PowerPoint*
- J. Judge and Spiro Tunnels Mining-Influenced Water Treatment Evaluation: Draft Technical Memorandum Desktop Evaluation Summary
- K. PCMC Judge and Spiro Tunnels Mining-Influenced Water Treatment Evaluation: *Executive Summary Addendum for the Desktop Evaluation Summary*
- L. Bench-Scale Testing of Treatment Alternatives for Mining-Influenced Water, WQTS
- M. Judge and Spiro Tunnels Mining-Influenced Water Treatment Evaluation: Pilot Testing Protocol Technical Memorandum
- N. Judge and Spiro Tunnels Mining-Influenced Water Treatment Evaluation: Draft Interim Pilot Testing Report
- O. Quinns Junction Water Treatment Plant: Impacts of Judge Tunnel Water Technical Memorandum
- P. PCMC Mining-Influenced Water: Evaluation of Treatment Facility Siting Alternatives
- Q. Thiriot Spring/Spiro WTP Site Piezometer Install and Evaluation of Geohydrologic Conditions Report
- [R. May 10, 2017 UDEQ-Park City Meeting Agenda and Follow-up Letter](#)
- [S. May 25, 2017 Park City Council Staff Report for Professional Services Agreement with CH2M for the MIW Water Treatment Facility for Phase III Design Services](#)
- [T. June 2017 White Paper](#)
- [U. July 17, 2017 UDEQ-Park City Meeting Agenda](#)
- [V. August 29, 2017 UDEQ-Park City Meeting Agenda](#)
- [W. Judge and Spiro Tunnels Mining-Influenced Water Treatment Evaluation: Draft Pilot Testing Report](#)

UDEQ-Park City Mtg.
May 10, 2017
2-3:30 pm
Offices of UDEQ

Park City attendees: Clint McAfee, Utilities Director
Roger McClain, Water
Michelle DeHaan, Water
Jim Blankenau, Environmental
Joseph Zalla, CH2M
Matt Millis, Zions Bank Public Finance
Joan Card

UDEQ attendees: Alan Matheson, Executive Director
Walt Baker, Water Quality Division Director
Kim Shelley, Branch Manager
Matt Garn, Surface Water Manager

Proposed Agenda

- 2:00-2:05 Introductions
- 2:05-2:20 Tunnel Geography, Hydrology, History and Regulation—Clint and Joan
- 2:20-2:30 SCO Overview and Project Status Update—Clint and Joan
- 2:30-2:45 Review 2012-era Assumptions—Clint
- Cost estimate
 - Ratepayer impact
- 2:45-3:00 Introduce Current Assumptions—Clint, Joseph, and Matt
- Treatment technology
 - Cost estimate
 - Stormwater program costs
 - Ratepayer impact **Δ**
- 3:00-3:15 UDEQ Questions and Impressions
- 3:15-3:30 Options and Path Forward Discussion



Public Utilities

Park City Public Utilities
1053 Iron Horse Drive PO Box 1480 | Park City, UT 84060-1480
p (435)-615-5339 | f (435) 615-4912
clint.mcafee@parkcity.org

May 18, 2017

Kim Shelley, Assistant Director
Permitting, Engineering and Compliance Branch
Utah Division of Water Quality
195 N. 1950 W.
Salt Lake City, UT 84114

Dear Ms. Shelley:

Park City thanks you, Director Matheson, (now retired) Walt Baker and your water quality team for meeting with us on May 10, 2017 regarding the Stipulated Compliance Order (SCO) for UPDES compliance at the Judge and Spiro mine tunnels. We share DWQ's commitment to local stream water quality.

As you know, Park City requested that meeting to share with UDEQ new information regarding the projected costs of treating the flows from the tunnels to meet Safe Drinking Water Act and Clean Water Act standards. In short, as we shared at the meeting, the estimated treatment costs for the tunnel flows have increased by four to five times over the estimated treatment costs assumed in 2012-13 when the SCO was being crafted and finalized.

Consequently, Park City has requested an opportunity to discuss modification of the SCO to address and mitigate the increased cost impacts to Park City's ratepayers as we now understand them. We appreciate that Director Matheson and Walt Baker expressed the willingness to engage in such discussions in order to reach a workable solution for compliance with water quality standards. At the meeting, UDEQ requested a "white paper" that describes the most recent understanding of the treatment technology necessary to meet water quality standards and the costs of construction and operation of a treatment facility. We are preparing that white paper and will share it with you soon. Due to scheduling issues, we expect to complete and submit the white paper in early June.

Also, we propose to schedule a meeting with you in early to mid-June to discuss modification of the SCO. Please contact Michelle De Haan at (435) 615-5340 at your earliest convenience to discuss possible dates and times for a meeting.

Sincerely,

A handwritten signature in blue ink, appearing to read "McAfee" followed by a flourish and the word "for".

Clint McAfee, Public Utility Director

cc Alan Matheson, Executive Director, UDEQ



City Council Staff Report

Subject: 3Kings Water Treatment Facility Phase III - Design Services
Professional Services Agreement – CH2M, Inc.
Author: Roger McClain, Public Utilities Engineering Manager
Department: Public Utilities
Date: May 25, 2017
Type of Item: Administrative

Summary Recommendation

Staff recommends Council authorize the City Manager to execute a Professional Services Agreement, in a form approved by the City Attorney, with CH2M, Inc., for the 3Kings Water Treatment Facility (3KWTF) Phase III Design Services in an amount not to exceed \$1,497,909.

Executive Summary

Staff continues its endeavors to meet the terms of the existing Stipulated Compliance Order (SCO) with the State Division of Water Quality (DWQ). Treatment process evaluations and conceptual siting selection, for a facility required to treat the mining-influenced water in accordance with the SCO, have progressed to a stage where treatment facility design can be initiated.

Following an advertised Request for Qualifications, CH2M Engineers, Inc. (CH2M) has been selected to provide engineering and architectural design services for a mining-influenced-water treatment facility, being referred to as the 3Kings Water Treatment Facility (3KWTF). This staff report recommends authorization of a Professional Services Agreement (PSA) with CH2M for the scope of services and fees associated with Phase III Design Services, 'Concept Design' phase (10% Design).

Acronyms and Abbreviations in this Report

The following acronyms and abbreviations have been used in this report:

City	Park City Municipal Corporation
DDW	Utah Division of Drinking Water
DWQ	Utah Division of Water Quality
EPA	Environmental Protection Agency
M-I-W	Mining-Influenced-Water
PCMC	Park City Municipal Corporation
PSA	Professional Services Agreement
RFQ	Request for Qualifications
SCO	Stipulated Compliance Order
SOQ	Statements of Qualifications
SWTP	Spiro Water Treatment Plant
UPDES	Utah Pollutant Discharge Elimination System
Water	Park City Municipal Water Department

The Issue

Phases I and II of the M-I-W Project have progressed to a stage where a Concept Design can begin. To meet the SCO schedule, a qualified design consultant must now be engaged.

Background

In 2014 a Stipulated Compliance Order (SCO) was entered into by the Utah Division of Water Quality (DWQ) and PCMC. The SCO requires Park City to develop and implement a plan under an Integrated Framework, generally by first addressing discharges at the Judge Tunnel, followed by Spiro Tunnel discharges at a later date. A graphic, outlining pertinent milestones in the SCO, is provided in *Attachment A*.

Project Approach

To address the issuance of the SCO, Water staff developed a draft Project charter which includes goals and guiding principles to meet the requirements outlined in the SCO. The goals and guiding principles are:

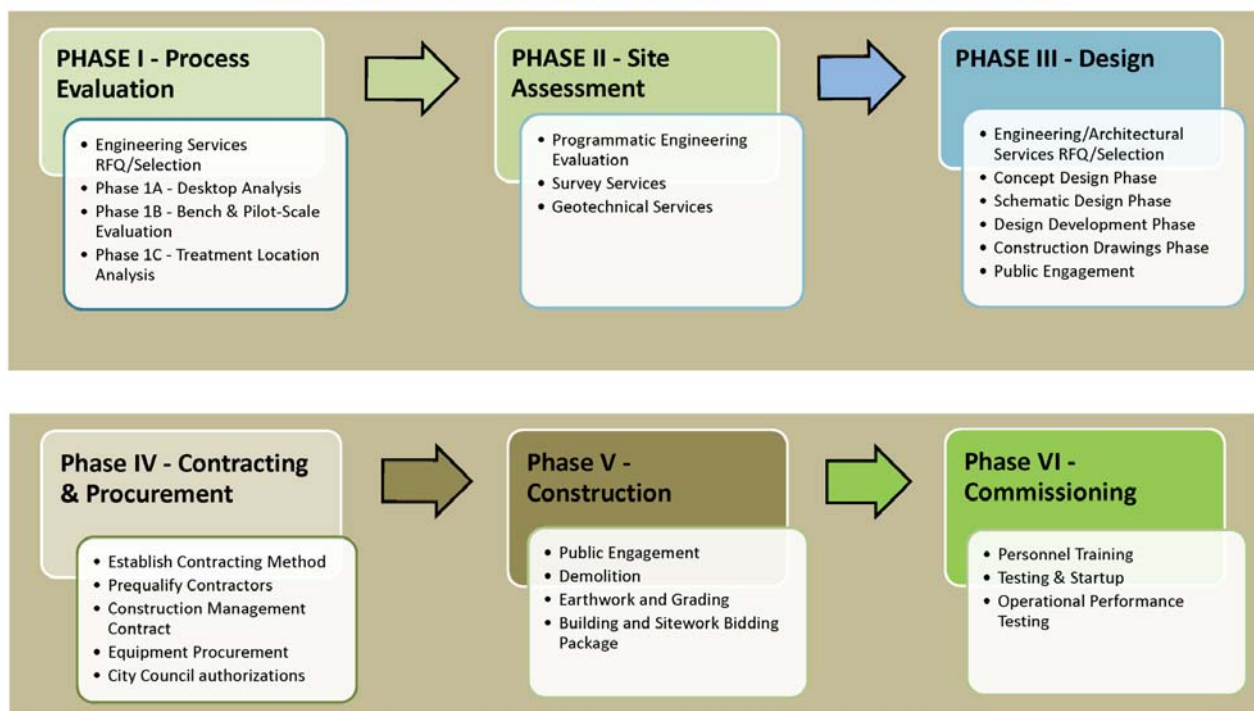
- i. Keep it simple
- ii. Maintain current and future anticipated regulatory compliance and partnerships
- iii. Balance water quality goals and financial impacts
- iv. Maximize community benefit from the tunnels

In addition to the Departmental Strategies and SCO associated goals and guiding principles, Water has developed Project specific goals which are as follows:

- Be a good neighbor
- Provide safe reliable drinking water (meet or exceed DDW regulations)
- Integrate Council's Critical Priorities (specifically Energy)
- Incorporate Public Engagement throughout the Project
- Provide a safe working environment

To achieve these goals and guiding principles, the "Project" is being undertaken in multiple phases with each progressive phase more clearly defining the next. The multiple phases of the Project are reflected in the following graphic.

PARK CITY M-I-W TREATMENT – PROJECT PLAN



Tasks Completed to Date

In addressing the SCO requirements, key milestones accomplished to date are:

- ✓ 2009: EPA Region 8 and the DWQ directed PCMC to obtain UPDES permits for the Judge Tunnel and Spiro Tunnel
- ✓ November 1, 2014: PCMC was issued UPDES permits for the waters discharging from the Judge and Spiro Tunnels
- ✓ October 27, 2014: UDWQ and PCMC entered into a SCO
- ✓ March - July 2015: Phase IA, Desktop Evaluation
- ✓ August 2015 - May 2016: Phase IB, Bench/Pilot-scale Testing of Alternatives
- ✓ March - May 2016: Phase IC, Treatment Facility Concept Study
- ✓ May - September 2016: Phase II, Treatment Location Evaluation
- ✓ March 6, 2015 and Sept. 30, 2016: Integrated Framework Submitted to UDWQ
- ✓ March - May 2017: RFQ for 3KWTF Phase III Design Services & Consultant Selection Process

Project related material previously presented to City Council during the “New Business” and “Work Session” portion of regular meetings may be found at:

- *Original CH2M Phase IA: March 19, 2015*
<http://parkcityut.ig2.com/Citizens/FileOpen.aspx?Type=12&ID=1483&Inline=True>
- *CH2M PSA First Addendum (Phase IB-1): July 30, 2015*
<http://parkcityut.ig2.com/Citizens/FileOpen.aspx?Type=1&ID=2063&Inline=True>
- *Intuitech Piloting Equipment Lease Agreement (Phase IB-2): December 17, 2015*
<http://parkcityut.ig2.com/Citizens/FileOpen.aspx?Type=1&ID=2082&Inline=True>
- *Intuitech Piloting Equipment Purchase Agreement (Phase IB-2): February 25, 2016*
<http://parkcityut.ig2.com/Citizens/FileOpen.aspx?Type=1&ID=2092&Inline=True>
- *CH2M PSA Second Addendum (Phases IB-2 and IC): February 25, 2016*
<http://parkcityut.ig2.com/Citizens/FileOpen.aspx?Type=1&ID=2092&Inline=True>
- *CH2M PSA Third Addendum (Phases IB-2, IC, and II): November 17, 2016*
<http://parkcityut.ig2.com/Citizens/FileOpen.aspx?Type=1&ID=2202&Inline=True>

Proposed Phase III Design Services

Phases I and II have established the preferred the Judge and Spiro Tunnels mining-influenced-water treatment process and identified the existing Spiro Water Treatment Plant site as the preferred treatment facility site. Phase III Design Services will address the demolition of the Spiro site to accommodate the M-I-W treatment process and the design of the new treatment facility.

The recent issuance of a Request for Qualifications for the engineering and architectural services included all phases of design (concept, schematic, design development, construction drawings, and commissioning). Consistent with staff's recommended progressive design approach to the Project, the recommended Professional Services Agreement (PSA) with CH2M includes engineering and architectural design services for

the 'Concept Design' Phase of the Project. It is anticipated that subsequent design phases will be addressed through amendments to the original scope of services.

The Concept Design phase work included in the proposed PSA develops site specific engineering and architectural approaches for the treatment facility including items such as:

- Developing programmatic elements for the Project
- Refining the treatment process and design criteria, developing hydraulic modeling, and selecting preferred treatment technologies and associated equipment
- Programming of site space needs, facilities layout, and site circulation
- Preparing site massing and viewshed analyses
- Developing earthwork and grading plans
- Identifying sustainability and energy goals and approaches
- Developing approaches to mitigate the impacts of the Project
- Developing life-cycle cost analyses for building systems and treatment process alternatives
- Updating Project cost estimates for capital improvements and projected annual operations & maintenance costs
- Establishing a Project Schedule to meet the SCO compliance deadlines

A summary of the Concept Design Phase tasks to be completed by CH2M's design team and subconsultants, as included in the proposed PSA, is listed below:

Task 1 – Project Management

Task 2 – Regulatory Assistance

Task 3 – Project Impacts Mitigation, Planning, and Scheduling

Task 4 – Ancillary Facilities Concept Development

Task 5 – Treatment Process Alternatives Analyses

Task 6 – Architectural Concept Development

Task 7 – Public Engagement Support

Task 8 – Conceptual Design Development and Basis of Design Report

The proposed 3KWTF is to be located at the existing Spiro Water Treatment Plant site. The site reconstruction provides an opportunity to better integrate the facility into the surrounding neighborhood. Accordingly the scope of services includes enhanced architectural efforts to the project development. In addition to CH2M's in-house architectural team, which is adept in integrating architectural elements into water treatment facility design, CH2M has proposed to add an architectural firm such as Zehren and Associates of Avon, Colorado to their team. This consultant will be tasked with developing architectural concept alternatives for the Project.

Schedule

It is anticipated that the Concept Design phase will be completed by early 2018. This should provide adequate time to complete the design, construction, and start-up activities and enable the City to meet the SCO requirements.

Project Management

The City's project manager will continue to be Roger McClain and will be working under the guidance of the Public Utilities Director.

Analysis

Consultant Selection

The City's purchasing policies exempt professional service contracts from any requirement for competitive bidding in terms of dollar amount. According to this policy, consultants are chosen by selecting the firm whose experience, capabilities, and past performance best meet the needs of the project. Based on the Project goals and objectives, a Request for Qualifications (RFQ), which centered on selecting a firm to provide Phase III – Design Services and provided specific criteria as guidance in developing their Statements of Qualifications (SOQs) and for the City's evaluation of the SOQs, was prepared and issued.

The RFQ was issued on March 6, 2017 (advertised on the City website, online at utahlegals.com, and in the Park Record and Salt Lake Tribune during the period of March 6, 2017 through April 3, 2017). In response to the RFQ, a Statement of Qualifications was received from CH2M and BARR Engineering.

SOQ Evaluation

Following receipt of SOQs, a selection committee, comprised of Clint McAfee (Water), Roger McClain (Water), and Michelle De Haan (Water), met and, based on the following criteria, evaluated the submitted SOQs as to how well each proposal met the City's requirements as presented in the RFQ.

1. Proposer Identification – Weighted importance 5%
2. Team Organization and Qualifications – Weighted importance 25%
3. Project Specific Experience and References – Weighted importance 40%
4. General Qualifications – Weighted importance 10%
5. Summary – Weighted importance 5%
6. Insurance and PSA Requirements – Weighted importance 5%
7. Rate Structure – Weighted importance 10%

Local preference was not used during the SOQ evaluation process since none of the qualified firms submitting a SOQ have their entire teams' physical presence & staff based in Summit County.

Due to the completeness of the SOQ's received, the selection committee determined that interviews were not warranted.

Design Contracting Approach

The elements and efforts for each phase of design are dependent on the output of the prior phase(s). Therefore, only the Concept Design Phase has been scoped in detail at this time. It is anticipated that a scope of services and associated fee will be developed and negotiated following completion of each design phase. This will then be presented

to City Council as amendment(s) to the initial PSA (the City has retained the option of soliciting and selecting a different consulting firm for future phases of the work).

Council should be aware that the total contract amount, including amendments associated with future phases, will significantly exceed the initial PSA amount. Fees associated with future phases of the Project are projected as follows:

Phase III – Design Phase	Estimated Design Services Fee	Percentage of Estimated Construction Cost
Concept Design (10%):	\$1.50M	2.6%
Schematic Design (30%):	\$1.47M	2.6%
Design Development (60%):	\$1.68M	3.0%
Construction Drawings (100%):	\$2.85M	5.0%
Commissioning:	\$0.13M	0.2%
Other Design Services:	\$0.56M	1.0%

These fee projections are conservative estimates only, based on consultants experience and rule-of-thumb projections. Actual design fees will be further refined as the design approach and criteria are more clearly defined.

Staff has developed and negotiated the Concept Design phase scope of services and associated fees with CH2M, Inc., as included in Attachment B to the Staff Report. The scope of services and fee summary are to be included in the Professional Services Agreement in an amount not-to-exceed \$1,497,909. Staff feels that this fee is usual and customary with projects of this type, scope, and complexity.

Alternatives for City Council to Consider

This section provides pros and cons and next steps associated with the recommended engineering and architectural services and fees.

Pros

- Promotes the project into concept design development and maintains the project schedule
- Enables refinement of the project budget
- Promotes evaluation and comparison of sustainable and energy alternatives for the facility building and equipment components

Cons

- Allocates capital improvement costs that could be utilized for other purposes

Consequences of not authorizing services

- Delays could affect the overall project completion schedule which would impact meeting the time-sensitive Stipulated Compliance Order for mining-influenced-water treatment.

Furthering the Goals of the General Plan

Through the General Plan, City Council has set as an objective to “Provide reliable public resources to ensure the health, welfare, and safety of residents and visitors” (Objective 1.4 <http://www.parkcity.org/home/showdocument?id=12388> page 99). Additionally, City Council has established, through the strategic planning process and the Biennial Plans, the following Desired Outcomes:

- Enhanced water quality and high customer confidence
- Effective water conservation program
- Adequate and reliable water supply
(<http://www.parkcity.org/Home/ShowDocument?id=13028> page 1)

Next Steps:

- Upon City Council authorization and subsequent contract execution, staff and CH2M will begin programmatic efforts, establish project design criteria and schedules, and further develop process and site engineering and architectural alternatives.
- Staff will return in Work Sessions during 2017 to present findings, schedules, and request direction on programmatic goals, site planning, and architectural alternatives for this facility.
- Staff intends to further define any required supporting engineering services and return to City Council with recommendations.

Department Review

This report has been reviewed by representatives of Public Utilities, Community Development, Budget, City Attorney’s Office, and the City Manager’s Office. Comments have been integrated into this report.

Funding Source

The funding for the project is from water service fees and water impact fees. This funding is part of the proposed 5-year CIP.

Attachments

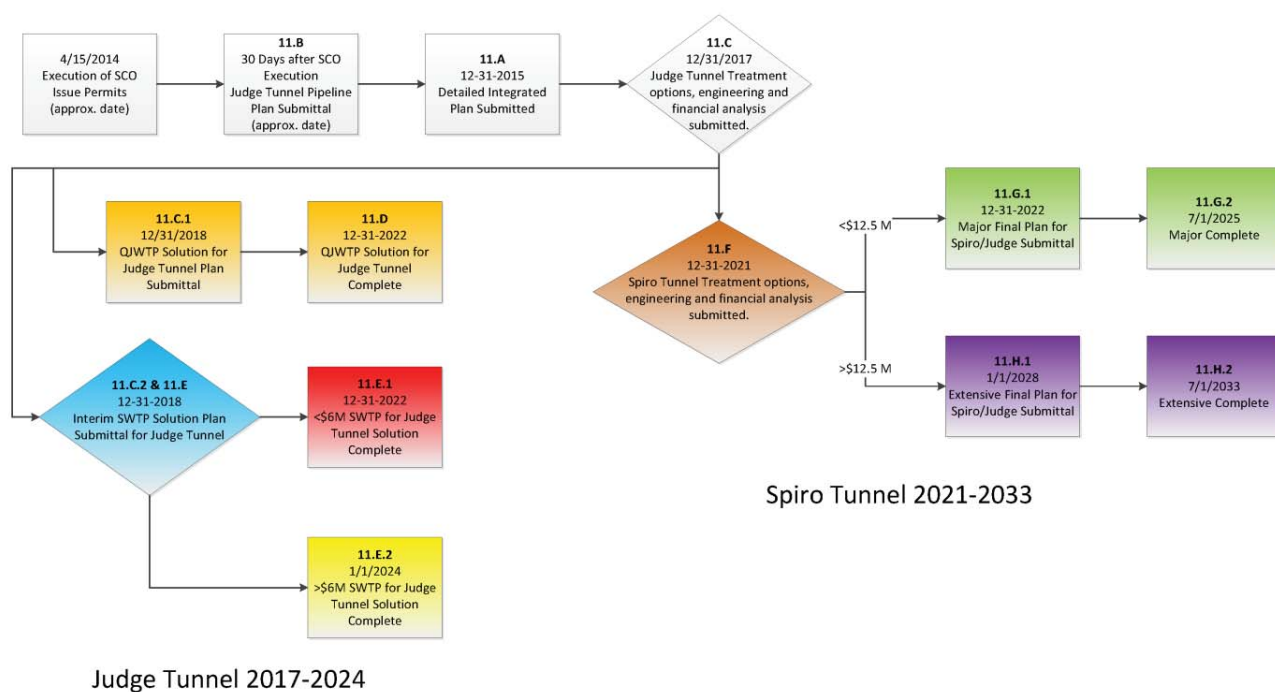
ATTACHMENT A: Judge and Spiro Tunnels Comprehensive SCO Compliance Schedule

ATTACHMENT B: 3Kings Water Treatment Facility Phase III – Design Services, CH2M Hill Engineers, Inc., Scope of Services and Fee Summary

ATTACHMENT A

Judge and Spiro Comprehensive Stipulated Compliance Schedule

DRAFT – Judge and Spiro Comprehensive Schedule 8.1.2014



ATTACHMENT B

3Kings Water Treatment Facility Phase III – Design Services

CH2M Hill Engineers, Inc., Scope of Services and Fee Summary

Exhibit A – Scope of Services

Park City Municipal Corporation

3Kings Water Treatment Facility – Phase III Design Services

This Scope of Services is to the SERVICE PROVIDER/PROFESSIONAL SERVICES AGREEMENT (AGREEMENT) between Park City Municipal Corporation (PCMC or OWNER) and CH2M HILL ENGINEERS, Inc. (ENGINEER). This Scope of Services is for Design Engineering and Architectural Services for the 3Kings Water Treatment Facility Project (3KWTF). This Scope of Services includes Phase 1 (Concept Design) of the Project Development Process.

Scope of Services

PCMC requires design engineering services for the 3KWTF, which will provide treatment at a single facility of Judge and Spiro Tunnel water flows for municipal drinking water use and for discharge to local streams in accordance with a Stipulated Compliance Order (SCO). The Scope of Services to be provided for this project includes evaluation of net-zero energy building approaches and the development of the conceptual design package (an approximate 10% level of completion set of design drawings and a basis of design report).

The services to be provided are categorized into the following tasks and subtasks:

- Task 1 – Project Management
- Task 2 – Regulatory Assistance
- Task 3 – Ancillary Facilities Concept Development
- Task 4 – Treatment Process Alternatives Analyses
- Task 5 – Architectural Concept Development
- Task 6 – Public Engagement Support
- Task 7 – Concept Design Development and Basis of Design Report
- Task 8 – City Council and Planning Review Commission Presentation and Support

Task 1 – Project Management

The purpose of this task is to provide for the initiation and overall management of project activities. An overall schedule and work plan will be prepared and implemented so that work activities are completed in a properly integrated and timely manner. In addition, this task includes those elements necessary to manage, lead, and control the project execution.

Subtask 1.1 – Project Planning

Develop the project management plan (PMP) describing level-of-effort, schedule, deliverables, and quality reviewers for each activity and the project as a whole. Execute the PMP, proactively identify potential deviations, and implement corrective actions as needed. Included in this subtask are the following activities to be completed by the ENGINEER:

- Staff Management: Identify and utilize the appropriate staff for each project activity. Supervise the project team and identify actions needed to maintain the project schedule.
- Subcontractor Management: Oversee the work efforts of subcontractors.
- Change Management: Plan for project changes as the work is executed. Changes in scope will be communicated to OWNER. ENGINEER will provide monthly progress reports to OWNER's project manager.

EXHIBIT A – SCOPE OF SERVICES

- CAD/CAE Standards: Document CAD/CAE software standards, graphic standards, file naming conventions and standards, revision/iteration control, and other graphic standards.
- Monitor progress, identify changes, and provide OWNER with proactive communications regarding changes.
- Develop a decision log for documenting decisions made during the project and maintain an action item log with deadlines.
- Establish a SharePoint site for use by ENGINEER's project team.
- Schedule: Prepare and provide periodic updates to the Project Schedule (in a bulleted Milestone list format) showing dates for deliverables and workshops, quality control (QC) reviews, meetings, and submittals related to the design services performed by ENGINEER.

Subtask 1.2 - Overall Project Coordination

Monitor and direct the work and track progress against project goals and requirements. Adjudicate approaches, goals, or constraints identified or faced by ENGINEER's team. Coordinate with OWNER to assess overall satisfaction in meeting project goals.

Level of Effort Basis: Conduct a 1-hour telephone meeting with OWNER weekly to provide project status updates and discuss project coordination items.

Subtask 1.3 - Progress Reports and Invoicing

Prepare monthly progress reports and invoices identifying work completed versus planned schedule and budget milestones.

Subtask 1.4 - Quality Control Review, Coordination, and Response

Implement and carry out a quality assurance/quality control (QA/QC) program. ENGINEER will coordinate the participation of senior reviewers and perform internal QC review of work products at appropriate points in the project. Formal internal QC review of work products will be performed prior to sending deliverables to OWNER for review.

Subtask 1.5 – Project Kickoff Meeting and Regular Meetings

ENGINEER will convene a remote internal project kickoff meeting for the ENGINEER's extended project team to inform team-members of the project scope and schedule. The process engineering team will participate in a second internal meeting immediately following the full team meeting.

ENGINEER and OWNER will convene a kickoff workshop. ENGINEER will prepare a workshop agenda 1 week prior to the workshop and workshop notes will be prepared and distributed by the ENGINEER following the workshop.

ENGINEER's PM and Deputy PM will attend one of the weekly coordination meetings in person each month. When possible, these meeting dates will be coordinated with additional meetings to discuss key topics that are identified during delivery of the work.

Level of Effort Basis: Convene two one-hour internal kickoff meetings. Convene one 3-hour kickoff workshop in Park City for up to six members of the ENGINEER's project team.

Subtask 1.6 – Site Visits and Facility Tours

ENGINEER will identify potential facility tours and site visits for OWNER staff to see specific unit treatment processes or technologies, architectural concepts, or other facilities of interest. ENGINEER will attend site visits/facility tours with OWNER. Following each site visit/facility tour, ENGINEER will develop a database of photographs and develop a short summary document to capture key observations and lessons learned.

***Level of Effort Basis:** Accompany OWNER on up to three site visits/facility tours requiring ENGINEER's travel expenses. OWNER will cover OWNER's travel expenses. Up to three members of ENGINEER's project team will participate in each site visit/facility tour.*

Task 1 Deliverables

- Monthly or periodic milestone schedule, action item, and decision log updates
- Monthly progress reports and invoices
- Kickoff Workshop agenda and notes
- Site visit/facility tour photograph database and summary documents

Task 2 – Regulatory Assistance

The purpose of this task is to provide support to PCMC for issues that pertain to the Utah Department of Environmental Quality (DEQ) regulatory limits and schedule requirements for the project. The objective will be to examine potential areas of treatment related flexibility, within the regulatory environment of the SCO, that could enhance the overall project cost-effectiveness.

Subtask 2.1 – Analysis of Flowrate Data

For this subtask, ENGINEER will:

- Perform a statistical analysis of available flowrate data for the two tunnel sources, focusing on developing a basis for a potential recommendation for a future peak flowrate for the combined tunnel sources. The analysis will assess data gaps and implications, different time periods of analysis, and the risk in terms of percent of daily flows that exceed certain volumes including the implications on volume of untreated or partially treated tunnel water.
- ENGINEER will present findings of this analysis in a presentation to PCMC, at a time that is combined with another project meeting, and summarize the findings in a Technical Memorandum (TM).

At the end of this subtask, ENGINEER and OWNER will jointly establish the minimum flowrate for the facility, the design flowrate(s) for the design to be completed under this Agreement, and the future maximum flowrate for the 3KWTF.

***Level of Effort Basis:** Develop and present a 90 minute presentation to OWNER, at a time combined with another project meeting. ENGINEER's statistics expert will participate remotely, with three members of ENGINEER's project team present in Park City.*

Subtask 2.2 – Evaluation of Treatment Operation Options

ENGINEER will use the ENGINEER's parametric design and cost estimating system (CPES™), together with the existing pilot testing results, to evaluate potential treatment operational alternatives that would meet stream discharge limits including the estimated related costs. The evaluation will estimate water quality for settled water and for filtered water, under varying operational scenarios and under upset conditions (based on water quality experienced during the pilot study) to assess the potential implications.

ENGINEER will summarize the findings from this analysis in a TM.

Subtask 2.3 – Economic Analysis of Treatment Process versus Discharge Limits

ENGINEER will use the ENGINEER's parametric design and cost estimating system (CPES™) to estimate the potential treatment cost implications on the regulatory flexibility evaluation. The ENGINEER will assess each regulated metal included in the stream discharge limits and estimate the construction costs savings and annual operations and maintenance (O&M) cost savings of identified process operations changes.

ENGINEER will summarize the findings from this analysis in a TM.

Subtask 2.4 – Develop Combined Source Discharge Permit for 3KWTF Discharges

ENGINEER will perform calculations and develop draft discharge permit requirements for stream discharge of Judge and Spiro combined flows adjacent to the 3KWTF. The information developed by the ENGINEER will serve as the basis for discussions with Utah DEQ regarding the UPDES discharge permit.

ENGINEER will also evaluate the aquatic life and beneficial use classifications in the existing permits for discharge of Judge and Spiro flows separately, and advise on any potential flexibility associated with these designations and potential future designation changes. These recommendations will be made in conjunction with the evaluations in Subtasks 2.2 and 2.3.

Level of Effort Basis: ENGINEER will attend two work sessions with PCMC during this subtask, with ENGINEER's permitting lead in attendance, along with the ENGINEER's PM, deputy PM, and staff engineer. ENGINEER's senior expert on permitting will participate remotely.

Subtask 2.5 – Evaluation of Options to Manage Upset Conditions

ENGINEER will work with PCMC to develop up to three different approaches to manage upset conditions in the raw water sources. The evaluations may assess strategies such as the use of the golf course pond(s). The options will consider the aesthetic impacts of iron-laden water ("orange" water) and will address tunnel flow routing scenarios.

Upset water quality criteria will be estimated based on upset events observed during the pilot study. Once the ENGINEER's preliminary evaluations are completed, ENGINEER will present preliminary findings to OWNER in a TM and workshop.

Level of Effort Basis: ENGINEER will convene a 3-hour workshop with PCMC during this subtask, with ENGINEER's PM, Deputy PM, Permitting Lead, and Staff Engineer in attendance.

Task 2 Deliverables

- Meeting agenda, presentation slides, and summary notes for analysis of flowrate data (Subtask 2.1)
- TM summarizing results of Analysis of Flowrate Data (Subtask 2.1)
- TM summarizing results of Evaluation of Treatment Operation Options (Subtask 2.2)
- TM summarizing results of Economic Analysis of Treatment Process versus Discharge Limits (Subtask 2.3)
- Draft discharge permit requirements and meeting agenda, presentation slides, and summary notes for two work sessions on permitting requirement (Subtask 2.4)
- TM summarizing results of Evaluation of Options to Manage Upset Conditions (Subtask 2.5)
- Meeting agenda, presentation slides, and summary notes for workshop on managing upset conditions (Subtask 2.5).

Task 3 – Ancillary Facilities Concept Development

The purpose of this task is to develop and advance concepts for ancillary (non-process) elements of the 3KWTF project. The subtasks for Task 3 address project elements that require discussion and collaboration by the ENGINEER and OWNER to identify the concepts for implementation. For each subtask, the specific ancillary facilities will be advanced to the point of agreement between the ENGINEER and OWNER on the concept for implementation, and then integrated into the Project concept design. The work completed by ENGINEER for Task 3 will be developed in conjunction with Tasks 4 and 5.

Subtask 3.1 – Develop Stormwater Approaches and Preliminary Size and Location of Detention Basin

ENGINEER will develop approaches for stormwater management for the 3KWTF, including preliminary determination of the size and location of necessary stormwater detention basins. This subtask will also assess potential snow accumulation, snow removal, and snow storage needs for the 3KWTF site. The work completed for this subtask will be included in the site development effort for Tasks 4 and 5.

Level of Effort Basis: Two meetings, each 2 hours in length, will be held with ENGINEER's Deputy PM, Staff Engineer, and two stormwater engineer specialists in attendance. The first meeting will be an introductory discussion on stormwater issues, and the second meeting will review the ENGINEER's concept plan.

Subtask 3.2 – Develop Spiro Conveyance Improvements

ENGINEER will work with OWNER to develop a plan for collecting Spiro tunnel water from the existing three locations and conveying it to the head-end of the 3KWTF. The need for pre-screening of the combined Spiro Tunnel flow will be evaluated, including establishing screening facility sizing, comparing screening technologies, and identifying the location for screening facilities. Establish approach and design requirements associated with phasing the introduction of the Spiro tunnel flows to the 3KWTF.

Level of Effort Basis: The ENGINEER's PM, Deputy PM, Staff Engineer, and Conveyance Task Lead will participate in a site visit/introductory discussion on these issues for a half-day. A second 2-hour workshop will be held to review the ENGINEER's concept plan.

Subtask 3.3 – Integration of Thiriot Spring

Develop strategy for integration of Thiriot Spring into the 3KWTF Project in the near-term (during construction), mid-term (after construction of Phase 1), and long-term. ENGINEER will develop a plan for protection of the existing Thiriot Spring during demolition work and during construction. ENGINEER will develop a plan for permanent facilities for Thiriot Spring, as well as a plan for timing of the improvements in consideration of demolition and construction. ENGINEER will also evaluate the potential re-use of existing facilities during construction, such as the existing clearwell.

ENGINEER will review available water quality data for Thiriot Spring water, including turbidity, pH, alkalinity, hardness, water temperature, and metals concentrations. ENGINEER will assess the need to treat the Thiriot Spring water and develop recommendations for when to treat the water at the 3KWTF and when to bypass the water.

Subtask 3.4 – Develop Approach for Raw Water Pipeline Pigging/Swabbing

ENGINEER will develop approaches allowing for pigging and swabbing of each raw water pipeline conveying tunnel water to the 3KWTF. This work will define launching and/or receiving stations necessary at the 3KWTF, including the plan for handling waste flows from the pigging/swabbing process.

Level of Effort Basis: Meetings for Subtask 3.2 will include discussion of these items with the OWNER.

Subtask 3.5 – Develop Additional Improvements for the 3KWTF Site

ENGINEER will further develop site improvement concepts for those items identified for the 3KWTF project as part of the regulatory assistance task (Task 2). ENGINEER will also develop preliminary plans for site access, roadways, and parking on the 3KWTF site.

Task 3 Deliverables

- Meeting Agenda, Materials, and Summary Notes for two Stormwater Meetings
- Preliminary stormwater plan
- Meeting Agenda, Materials, and Summary Notes for two Spiro Conveyance Meetings

Task 4 – Treatment Process Alternatives Analyses

ENGINEER will perform analyses of treatment process alternatives through a series of workshops with the OWNER. Through these workshops, ENGINEER will conduct treatment process alternative comparisons and make recommendations to OWNER applicable to the main process facilities. Evaluations will include development of a simplified process flow diagram, initial hydraulic modeling to assess energy impacts, design criteria, estimates of construction and O&M costs, and a summary of non-monetary pros/cons. Alternatives will be developed and evaluated in collaboration with PCMC, but are expected to include the following:

- Rapid mix, flocculation, and clarification alternatives
- Filter and adsorber alternatives (concrete box, vertical pressure vessel, or horizontal pressure vessel)
- Specific comparisons of plant chemicals (e.g., onsite hypochlorite generation versus bulk delivered hypochlorite, use of mineral acid versus carbon dioxide for pH decrease)
- Filter and adsorber backwash waste handling and recycle
- Thickening and dewatering technology alternatives including solids handling and disposal options
- Identifying potential constituent and volumetric discharges to the sanitary sewer, including zero liquid discharge options

For each comparison, an alternative analysis summary presentation will be prepared to summarize the alternative that was investigated for the main process facilities. No AutoCAD drawings will be developed as part of the Alternatives Analyses. ENGINEER will use CPES™ during the course of the work to develop preliminary cost estimates and footprints at the concept comparison level. The CPES™ outputs will be used as an aid in making informed design decisions, for example as part of the evaluation of the number of process trains or units.

The engineering work completed during Alternatives Analyses will be presented to the OWNER through a series of workshops leading to decisions on equipment alternatives.

Level of Effort Basis: ENGINEER will conduct up to ten specific alternatives analyses. The work will be summarized in a series of six workshops. The sequential workshops will be held according to a pre-established schedule over approximately three months, and more than one comparison will typically be covered in each workshop. The intent will be that the team will consider the ENGINEER's recommendations, and preliminary decisions will be made at the end of each workshop. In the next workshop, each conclusion will be revisited to confirm the conclusion and "lock down" the decision. Each workshop will be attended by the ENGINEER's PM, Deputy PM, Staff Engineer, and two Lead Process Engineers.

Task 4 Deliverables

- Workshop Agenda, Materials, and Summary Notes for seven process alternatives analyses workshops
- Alternatives Analyses Summary Presentations for each workshop
- Updated decision log to capture decisions made through each workshop

Task 5 – Architectural Concept Development

ENGINEER will develop, in conjunction with Tasks 3 and 4 (ancillary facilities concept development and treatment process alternatives analysis), the architectural concepts for the 3KWTF. The preferred facility layout, massing, type of building construction, architectural theme, 3D viewsheds, concept site plan and

plat boundaries, and landscape concepts will be identified. A needs assessment for the Operations Building will be developed and programmed. Building efficiency, HVAC requirements and alternatives, and renewable energy alternatives will be examined.

Subtask 5.1 – Develop Architectural Concepts and Sketch Plans

ENGINEER and the Architectural Subcontractor will develop architectural sketch plans for the 3KWTF. Each plan will consist of a proposed facilities layout, site plan, site massing plan, and associated architectural renderings. The goal for each sketch plan will be to integrate treatment process and operational needs, site circulation and operability, building alternatives, and potential project phasing with the site to make an architectural “statement,” while preserving the functionality of the facility to meet water quality limits and goals in an operations-friendly manner.

The architectural concept for the 3KWTF must meet applicable Park City Land Management Codes. Three alternative design sketch plans will be developed with the intent of identifying a preferred PCMC Water staff option.

The ENGINEER intends to subcontract portions of the architectural sketch plan and concept work to an architecture specialty firm. Oversight and management of the subcontractors work will be performed by the ENGINEER.

Three architectural workshops will occur during Subtask 5.1. The first workshop will be a kickoff workshop to mutually discuss and establish the Project goals, potential concept approaches, site constraints, “hot button” items, and prior experiences of PCMC. The second workshop will be to initially show work-in-progress sketch plan concepts for input by PCMC Water staff and the Planning Department. The preferred sketch plan will be advanced to a regularly scheduled Work Session with both City Council and the Planning Commission for the purpose of soliciting input. Input from the Work Session will be integrated into the “Concept Plan” for further development during the Schematic Design Phase.

Level of Effort Basis: Up to three architectural sketch plans will be developed by ENGINEER, with up to four architectural renderings developed per sketch plan. For each workshop, the ENGINEER’s PM, Deputy PM, Design Manager or Architectural Lead, and Staff Engineer will attend, along with up to three members of the architectural subcontractor’s team.

Subtask 5.2 – Identify Preferred Type of Building Construction

ENGINEER will perform an analysis of options for building construction materials. ENGINEER will review options for steel-framed buildings, pre-cast concrete panel buildings, and/or the use of concrete masonry units (CMU) with an outer exterior to hide the CMU. Roof types, incorporating the ability to accommodate green roof concepts, will also be compared.

A workshop in Park City will be held to review concept design approaches. The review will include discussions regarding the compatibility of the design with the surrounding site/functions, visual aesthetics, cost implications, identification of implications for process/functionality, and review of pros and cons for each option. At the end of this workshop, the preferred approach will be selected.

Level of Effort Basis: The ENGINEER’s PM, Deputy PM, Staff Engineer, Design Manager, Lead Architect, and Lead Structural Engineer, along with two representatives from the Architecture Subcontractor, will attend a 3-hour workshop in Park City to review concept design approaches.

Subtask 5.3 – Develop Landscape Architecture Concepts

ENGINEER will develop landscape architectural concepts in conjunction with the Architectural sketch plans. Subtask 5.3 will commence after the second workshop for Subtask 5.1, and the landscape architecture concepts will be developed to support the architectural plans, integrate the concept themes with the site, and integrate the new facilities with the surrounding golf course improvements.

Level of Effort Basis: ENGINEER will develop concept plans and up to two renderings to support each of the three architectural sketch plans.

Subtask 5.4 – Develop Project Sustainability and Energy Performance Approach

The overall intent of the Project is to attain net-zero energy building operation on an annual basis and optimize the treatment process to effectively reduce the energy demands. The following subtasks will be completed.

Subtask 5.4.1 – Evaluate Potential Building Enhancements (Renewable Offsets)

ENGINEER will evaluate potential building enhancements such as building envelope improvements, HVAC systems, and operational efficiency systems to meet the PCMC net zero energy goal. ENGINEER's work will include:

- Compare the potential sustainable design components with Green Building Standards and Leadership in Energy and Environmental Design (LEED) and/or Envision™ certifications.
- Identify impacts of items such as structure location and orientation, materials of construction selection, environmental impacts, and water efficiency applicable to the main process facilities and the ancillary facilities.
- Identify cost/schedule impacts and feasibility of alternatives identified on a conceptual level.

Subtask 5.4.2 – Evaluate Renewable Energy Alternatives

ENGINEER will perform an analysis of micro-hydro power generation feasibility to:

- Analyze hydrology and hydraulics for hydropower generation. Identify special constraints (operations, level or flow limits, or pressure transient issues).
- Confirm design basis hydrology and hydraulics.
- Consult equipment manufacturers. Select conceptual generator equipment type and sizing.
- Estimate power output and annual energy production, considering typical operating scenarios, variations in head and flow, as well as operating limits of the selected equipment.
- Develop space needs and concept layout requirements.
- Prepare concept plan drawings to be used in space planning.

ENGINEER will also perform a conceptual analysis of other potential renewable energy sources necessary to achieve net-zero energy buildings including photovoltaic solar power, passive solar power, and another best available alternative or renewable energy technology.

Level of Effort Basis: The above elements will be incorporated into a summary presentation for the work completed for Subtask 5.4. The ENGINEER's PM, Deputy PM, Staff Engineer, Conveyance Task Lead, Architectural Sustainability Lead, and Micro-Hydro Lead will present the above information to the OWNER in a three-hour workshop. The conceptual analysis of other renewable energy sources will include three alternatives, with information summarized in the summary presentation. A summary technical memorandum will be prepared to document the work, including calculations and supporting data.

Subtask 5.5 – Operations Building Programming

ENGINEER will develop a program to define the space needs and components of the Operations Building. The ENGINEER's lead architect will lead this subtask, which will include identification of process laboratory requirements, control room concepts, maintenance shop requirements, office space, common areas, conference rooms, kitchen and lunchroom, restrooms and other building components.

ENGINEER will also work with OWNER to define the overall 3KWTF objectives with respect to potential facility tours. The impacts of potential tours on process building size and layouts will be discussed, and an overall concept plan for facility tours will be developed.

Level of Effort Basis: The ENGINEER's PM, Deputy PM, Staff Engineer, Design Manager, and Lead Architect, along with one representative from the Architecture Subcontractor, will attend a 3-hour workshop in Park City to review Operations Building programming approaches. This workshop will be held on the same day (or consecutive days) with another Task 5 workshop.

Subtask 5.6 – Parks and Golf Maintenance Facility Concept Phase Design

ENGINEER will provide facility programming, engineering and architectural concept plan development, golf course modification concept plan development, consistent with the tasks outlined in the scope of services, for a Parks and Golf Maintenance Facility located contiguous to the proposed 3KWTF. Facility programs and sketch plans will be developed and documented in a meeting presentation.

Level of Effort Basis: Subtask 5.6 will be performed as an allowance item with an assigned allowance of \$30,000.

Task 5 Deliverables

- Architectural site plan and renderings for each of three architectural sketch plans
- Workshop Agenda, Materials, and Summary Notes for Architecture Workshops
- Workshop Agenda, Materials, and Summary Notes for Building Construction Materials Workshop
- Landscape architecture plan and renderings
- Operations Building program summary
- Project Sustainability and Energy Performance Approach summary presentation and workshop agenda and summary notes
- Project Sustainability and Energy Performance Approach summary TM including summary of micro hydro power generation conceptual basis of design

Task 6 – Public Engagement Support

ENGINEER will provide support to OWNER for OWNER's planned activities for public engagement regarding the project and the new 3KWTF facility.

Subtask 6.1 – Consult on Public Engagement Framework

ENGINEER will convene with OWNER for a workshop to assist the OWNER in developing a plan for public engagement on the project. The objective will be to provide ENGINEER's specialist's input on the framework and plan for public engagement for the 3KWTF.

Level of Effort Basis: ENGINEER's Public Engagement Specialist will participate in the 3-hour workshop along with ENGINEER's PM and Deputy PM.

Subtask 6.2 – Update Materials on Public Project Website

ENGINEER will provide support materials, consisting of excerpts from work products developed for the other tasks described herein, for posting on the OWNER's planned public project website.

Level of Effort Basis: ENGINEER will provide an average of 2 hours of support per week for 28 weeks to post materials on the public project website throughout this phase of the project.

Task 7 – Concept Design Development and Basis of Design Report

ENGINEER will develop conceptual design and Basis of Design Report for the 3KWTF.

Subtask 7.1 – Concept Design Development

ENGINEER will develop the conceptual design to the approximate 10 percent level of completion for the 3KWTF as described in the following subtasks.

During Subtask 7.1, ENGINEER will convene two workshops with the OWNER to discuss the work in progress being developed by the ENGINEER.

Subtask 7.1.1 – Design Criteria Development

ENGINEER will develop the design criteria for each unit process and ancillary facilities associated with the 3KWTF.

Subtask 7.1.2 – Process Flow Diagram and Mass Balance

ENGINEER will develop a process flow diagram of the selected treatment approach. ENGINEER's Replica™ modeling software will be used for development of the process flow diagram and mass balance. ENGINEER will develop a plant-wide mass balance for up to three scenarios (combinations of flow and water quality conditions).

Subtask 7.1.3 – Modularity and Redundancy Analysis

ENGINEER will define the modularity and redundancy requirements for the facility and each unit process to assist in the development of design criteria and to determine overreaching goals and objectives. The following work will be performed in this task:

- Equipment redundancy considerations, such as N, N+1, and N+2 approaches, will be examined for the major equipment.

Subtask 7.1.4 – Structural Design Standards

ENGINEER will develop structural design standards to be implemented in the Schematic Design Phase. The structural design standards memorandum will include the following information:

- Define codes and standards applicable to the project.
- Define structural building system design concepts.
- Develop list for building and site concept materials of construction.
- Define foundation requirements.

Subtask 7.1.5 – Concept Facility Layouts

ENGINEER will develop conceptual facility layouts for the Rapid Mixing, Flocculation, Clarification, Filtration, Adsorption, Disinfection, Chemical, and Residuals Management facilities based on the results of the Treatment Process Alternatives Analyses completed in Task 4. The building dimensions, access needs, and preliminary layouts will be used in the Architectural Conceptual Design Development for Task 5. The facility layouts will be concept plans with approximate dimensions to support development of the site plan, buildings, and ancillary facilities. The concept layouts will include major interior equipment, concept-level large diameter piping routing, and key operational rooms.

Subtask 7.1.6 – Hydraulic Model

ENGINEER will develop a conceptual level hydraulic model to support the facility concept layout (including identified concept alternatives) for the 3KWTF:

- ENGINEER will develop and maintain the hydraulic grade line (HGL) model from the inlet for the tunnel waters at the 3KWTF through the 3KWTF clearwell (potable water) and to the point of discharge (stream discharge(s)).
- ENGINEER will develop the HGL model from the backwash supply storage through the filters, backwash recovery, and backwash clarifiers.

- ENGINEER will develop the HGL model from the residuals collection system through the thickening system to backwash clarifiers. The HGL will include recycled water returned to the raw water upstream of treatment.
- The hydraulic model will incorporate micro-hydro power generation.
- Hydraulic model runs will be completed for differing flow conditions.
- Consultant's Replica™ model software will be used to perform hydraulic and mass balance calculations for development of the hydraulic model and will be integrated with the Process Flow Diagram and Mass Balance.

Subtask 7.1.7 – Site Layout

ENGINEER will develop a site plan showing proposed and future structures including but not limited to: headworks, flocculation/sedimentation, filtration, adsorption, disinfection contact basin, chemical building, backwash waste equalization, backwash waste clarification, thickening, dewatering, ancillary facilities (e.g., pump stations), and Operations Building (including control room and laboratory). The site plan will address the following minimum requirements:

- Effective use of the site, meeting known constraints while minimizing footprint and conserving space for future facilities.
- Provides modularity and expandability for the unit processes for initial flow and future expansion, based on design flowrates established in Task 2. Modular design will accommodate future expansion and will allow PCMC to operate reliably at flows as low as 1,000 gpm without excessive solids deposition or maldistribution.
- Provides redundancy (where required) for the treatment processes and accommodates ease of operation, monitoring, maintenance and repair.
- Segregates and conveys off-specification water that may be produced during startup activities of unit processes or treatment trains.
- Integrates Architectural Concept Development approach and elements.

ENGINEER will evaluate and make recommendations for recycle, reuse, equalization storage, and/or discharge alternatives of off-specification water.

Subtask 7.1.8 – P&ID Development

ENGINEER will develop preliminary Process and Instrumentation Diagrams (P&IDs) as follows:

- P&IDs for the main unit process flow (from inlet to clearwell) and ancillary process streams.
- P&IDs will identify treatment chemicals and addition points.
- P&IDs will identify residuals, filter backwash water supply and backwash waste recycling, and settled solids from the clarification process.

Level of Effort Basis: Two project workshops will be held during Subtask 7.1, each 4-hours in duration. ENGINEER's attendees will include the PM, Deputy PM, Design Manager, Staff Engineer, and three other process or discipline leads. The hydraulic model will be run at three flowrates.

Subtask 7.2 – Basis of Design Report Development

ENGINEER will prepare a Basis of Design Report incorporating a short summary memorandum for each unit process and ancillary facility associated with the 3KWTF. Each Basis of Design Memorandum will contain the following sections:

- **Process Description:** Includes a process description as well as goals and objectives.

- **Design Criteria:** Summarizes the design criteria established, including redundancy and modularity considerations, design constraints, and materials of construction recommendations. ENGINEER will evaluate and make recommendations for Computational Fluid Dynamics (CFD) modeling to be performed in the next phase of work (Schematic Design), as may be appropriate to evaluate velocity gradients.
- **Operational Considerations:** Includes recommendations for isolation, and dewatering, the unit treatment processes. ENGINEER will evaluate and make recommendations for discharge or recycle of off-specification flows and drain water that may be produced during startup or maintenance activities.
- **Code Considerations:** Code considerations such as required egress, ventilation, alarms, firewalls, and safety will be identified.
- **Facility Layout:** Includes mechanical plan and section. Facility layout will be conceptual in nature; to be optimized during subsequent design stages.
- **Architectural Elements:** Includes architectural concept development considerations.

The Basis of Design Report will also include the following summary sections:

- **Electrical Design:** Includes development of preliminary single line diagram, identification of overall service loads required from power provider, identification of backup power requirements, and preliminary sizing for general space requirements.
- **HVAC Design:** Includes development of basic HVAC approaches including preliminary concepts for decisions that impact building space requirements.
- **Civil/Site Design:** Includes layout of site facilities, building location, concept grading, roadways and parking, walkways, sanitary sewer routing, required building setbacks, and concept plat requirements.
- **Updated Construction Cost Estimate:** ENGINEER will provide an approximate 10% level of completion estimate of construction cost, annual O&M cost, and total Project costs (including non-construction costs) for the 3KWTF Project.

Subtask 7.3 – Project Impacts Mitigation, Planning, and Scheduling

The purpose of this subtask is to develop strategies to address key Project related impacts and to develop a sound overall schedule for permitting, detailed design, construction, and commissioning that allows PCMC to meet the required milestones from the SCO.

Subtask 7.3.1 – Project Impacts Mitigation Approaches

ENGINEER will develop Project mitigation approaches. ENGINEER will work with OWNER to identify and develop approaches to address and/or mitigate impacts to the Project and by the Project related to the golf course and surrounding neighborhood. ENGINEER will summarize this work as part of the concept design and basis of design report described in Subtask 7.2.

Subtask 7.3.2 – Develop Preliminary Construction Schedule

ENGINEER will develop a preliminary project schedule for subsequent phases including permitting review, detailed design, construction, and startup/commissioning.

A workshop will be convened with the ENGINEER to discuss the preliminary schedule developed by the ENGINEER. The decisions made in the workshop will be used to inform establishing the detailed design schedule and construction milestones.

Level of Effort Basis: The ENGINEER's PM, Deputy PM, Design Manager, Staff Engineer, and Constructability Specialist will attend the 3-hour workshop.

Task 7 Deliverables

- Design Criteria

- Process Flow Diagram and Mass Balance
- Modularity and Redundancy Summary
- Structural Design Standards
- Preliminary Facility Layouts
- Hydraulic Profile drawings
- Site layout drawings showing existing, proposed and future structures, roads, and other major features developed.
- P&ID's for the major unit processes and ancillary unit processes.
- Workshop agenda, presentation materials, and summary for Subtask 7.1 workshops
- Basis of Design Report consisting of memoranda as follows:
 - Rapid Mixing/Flocculation/Clarification
 - Filtration and Adsorption
 - Disinfection
 - Chemical Systems
 - Residuals Management
 - Ancillary Facilities (Pump Stations)
 - Electrical Preliminary Design Summary
 - HVAC Preliminary Design Decisions
 - Civil/Site Preliminary Design
- Identification of utility needs
- Preliminary Design Submittal Package consisting of preliminary drawings summarizing the work completed for Task 7.
- Subtask 7.3.2 Preliminary Schedule
- Subtask 7.3.2 Workshop Agenda and Workshop Summary Notes

Task 8 – City Council and Planning Review Commission Presentation and Support

ENGINEER will develop a preferred concept plan for the 3KWTF Project for presentation to the PCMC City Council and Planning Commission for input. ENGINEER will complete other meetings and analyses to support the content of the presentation materials.

Subtask 8.1 – Work Sessions with Planning Commission

ENGINEER will participate in work session(s) with the Planning Commission to discuss the project, present architectural renderings, and seek input on issues related to project design development.

Level of Effort Basis: ENGINEER will participate in up to three work sessions with the Planning Commission. Work sessions will be attended by ENGINEER's PM, Deputy PM, and the architectural subcontractor. The timing of sessions and other project travel will be coordinated such that only one additional trip for ENGINEER's PM will be required.

Subtask 8.2 – Support at City Council Meetings

ENGINEER will participate in City Council meeting(s) during Phase 1 of the 3KWTF project. ENGINEER will develop presentation slide packages including architectural renderings as needed.

Level of Effort Basis: ENGINEER will participate in up to three City Council meetings to provide support to OWNERS staff. City Council meetings will be attended by ENGINEER's PM, Deputy PM, and the architectural subcontractor. The timing of sessions and other project travel will be coordinated such that only two additional trips for ENGINEER's PM will be required.

Subtask 8.3 – Meetings with Snyderville Basin Water Reclamation District, Rocky Mountain Power, and Other Stakeholders

ENGINEER will support OWNER by participating in meetings with key project stakeholders including Snyderville Basin Water Reclamation District (Snyderville), Rocky Mountain Power (RMP), and other identified stakeholders. ENGINEER will present information developed on other tasks, such as electrical service needs to RMP and wastewater quantity and quality of discharges to Snyderville.

Level of Effort Basis: ENGINEER will participate in up to four stakeholder meeting, each two hours in duration, to provide support to OWNERs staff. Meetings will be attended by ENGINEER's PM, Deputy PM, and up to two other members of ENGINEER's team. The timing of sessions and other project travel will be coordinated such that only one additional trip for ENGINEER's PM will be required.

Subtask 8.4 – Traffic Analysis

ENGINEER will perform a conceptual-stage traffic count. ENGINEER will use its CPES™ model to estimate truck traffic at average flow conditions in year 1 of facility operation. The traffic counts will include truck traffic for chemical deliveries and solids handling. OWNER will provide additional traffic count information for traffic by OWNER's operations and maintenance staff.

Task 8 Deliverables

- Meeting Materials and Summary Notes for work sessions with Planning Commission
- Meeting Materials for City Council meetings
- Meeting Agenda, Materials, and Summary Notes for stakeholder meetings
- Traffic counts from CPES™ model

Assumptions

The following assumptions were used in developing this Scope of Services and fee for ENGINEER's services. These assumptions are in addition to the scope and additional services set forth in the preceding scope of services:

- OWNER and/or ENGINEER will give prompt notice whenever it is observed or becomes apparent that a development may affect the scope, cost, or timing of the Project. OWNER and ENGINEER must mutually agree on adjustments to ENGINEER's cost and schedule based on changes to the Scope of Services or the provision of additional services.
- ENGINEER will rely upon the accuracy, timeliness, and completeness of the as-built information provided by OWNER and will not be responsible for conducting field surveys to identify conflicts between field conditions and as-built records. It is assumed that as-built information accurately represents field conditions. Any differing site conditions are the responsibility of the OWNER.
- To the extent available, existing Spiro WTP, Golf Maintenance Building, Parks Building, and Thiriot Spring drawings in hard-copy format will be provided by PCMC.
- The following ancillary elements of the Project shall be outside of the Scope of Services for this Concept Design Phase of the Project and completed separately by the Owner:
 - Surveying
 - Platting
 - Utility Locates
 - Geotechnical
 - Golf course architecture
 - Distribution system improvements
 - Transmission system improvements
 - Environmental permitting for demolition of existing facilities
 - Golf Maintenance Building design services

- Parks Maintenance Building design services
- The Concept Design Phase development does not include any project elements related to affordable housing at the 3KWTF site.
- Treatment Process Alternatives Analyses (Task 4) will compare options at a high level, and the cost estimates produced, and any resulting conclusions on project financial requirements, are prepared for guidance in project evaluation and implementation and use of the information available at the time of the estimate. The final costs of a project and resulting feasibility will depend on actual labor and material costs, competitive market conditions, actual site conditions, final project scope, implementation schedule, continuity of personnel and engineering, and other variable factors. Therefore, the final project costs will vary from the estimate developed. Because of these factors, project feasibility, benefit/cost ratios, risks, and funding needs must be carefully reviewed, prior to making specific financial decisions or establishing project budgets, to help ensure proper project evaluation and adequate funding.
- The construction cost estimate developed for Task 8 will be consistent with Class 4 estimates as defined by the Estimate Classification system of the American Association of the Advancement of Cost Engineering International (AACE International). Class 4 estimates are normally expected to be accurate within minus 30 percent to plus 50 percent. This range implies that there is a high probability that the final project cost will fall within the range; however, the cost for the project will depend on actual labor and material costs, competitive market conditions, and other variables. As a result, the final project cost will vary from the estimate.
- PCMC staff to provide other additional design related information as needed.
- Workshops will be conducted with PCMC key personnel at OWNER's office or other facilities in Park City, or at ENGINEER's office in Taylorsville.
- OWNER will make its facilities accessible to ENGINEER, as required for ENGINEER's performance of its services.
- OWNER acknowledges and agrees that in the performance of the Services, ENGINEER may utilize its proprietary data, concepts, methods, techniques, processes, protocols, ideas, inventions, know-how, trade secrets, algorithm, software, works of authorship, software and hardware architecture, databases, tools, other background technologies and standards of judgment that ENGINEER developed or licensed from third parties prior to the Effective Date (the "Pre-Existing Technology"). Subject to the terms and conditions of the Agreement, ENGINEER hereby grants to OWNER a non-exclusive, non-transferable, royalty-free license under ENGINEER's Intellectual Property Rights to utilize the Pre-Existing Technology for the purpose of the OWNER's Project. OWNER shall not, and shall not allow any third party to: (i) modify or otherwise create derivative works of the Pre-Existing Technology; (ii) use the Pre-Existing Technology for any other purpose, other than the OWNER Project; (iii) make, have made, use, reproduce, license, display, perform, distribute, sell, offer for sale, service, support, or import any product that incorporates, embodies and/or is based upon the Pre-Existing Technology; (iv) sublicense, distribute or otherwise transfer to a third party any of the Pre-Existing Technology by itself or as incorporated into software or hardware; or (v) reverse engineer, disassemble, decompile or attempt to derive the source code or underlying ideas or algorithms of the Pre-Existing Technology. Any additional use of the Pre-Existing Technology shall require a separate written license agreement.

Schedule

The activities and deliverables associated with this Scope of Services will be completed in accordance with the following approximate schedule assuming a contract authorization by City Council on May 25, 2017, the Professional Services Agreement is signed and delivered to ENGINEER no later than June 2, 2017:

- Task 8 – Draft Basis of Design Report and Concept Design

EXHIBIT A—SCOPE OF SERVICES

- Deliver to OWNER – December 15, 2017
- All other tasks described herein
 - Completed – January 26, 2018

Compensation

Compensation by OWNER to ENGINEER will be as follows and as described in Exhibit B.

Cost Reimbursable Per Diem (Time and Materials)

All items specifically included in this Scope of Services shall be on a Time and Materials basis in the amount not to exceed \$1,497,909. All Time and Materials work shall be at the Per Diem Rates referenced in Exhibit B-2, plus Direct Expenses, plus 10 percent of subcontracts and outside services.

Per Diem Rates

Per Diem Rates are those hourly rates that will be charged as described above on the Project by ENGINEER's employees of the indicated classifications. The Per Diem Rates for this Project are listed in Exhibit B-2. These rates are subject to revision for other projects and annual calendar year adjustments; include all allowances for salary, overheads and fees; but do not include allowances for Direct Expenses, subcontracts and outside services.

Direct Expenses

Direct Expenses are those necessary costs and charges incurred for the Project including, but not limited to: (1) the direct costs of transportation, meals and lodging, mail, and equipment and supplies; (2) ENGINEER's current standard rate charges for direct use of ENGINEER's vehicles, printing and reproduction services, and certain field equipment; and (3) ENGINEER's standard project charges for computing systems, special health and safety requirements of OSHA, and telecommunications services.

First Addendum

Exhibit B – Fee Summary

Exhibit B-1. Summary of Project Fee

Description	Fee
Time and Materials: Task 1 – Project Management	\$167,191
Time and Materials: Task 2 – Regulatory Assistance	\$82,704
Time and Materials: Task 3 – Ancillary Facilities Concept Development	\$86,004
Time and Materials: Task 4 – Treatment Process Alternatives Analyses	\$303,812
Time and Materials: Task 5 – Architectural Concept Development	\$284,814
Time and Materials: Task 6 – Public Engagement Support	\$15,214
Time and Materials: Task 7 – Conceptual Design Development and Basis of Design Report	\$479,444
Time and Materials: Task 8 – City Council and Planning Review Commission Presentation(s) and Support	\$78,276
<i>Total Consultant (including sub consultants) Labor, including mark-ups</i>	\$1,404,134
<i>Total Direct Costs, including mark-ups</i>	\$93,775
TOTAL FEE	\$ 1,497,909

Note: Time and Materials based on EXHIBIT B-2.

Exhibit B-2. Per Diem Rate Schedule and Direct Expenses

Functional Category	Personnel	Hourly Rate
Senior Program Manager		\$ 298
Program Manager		\$ 290
Principal Project Manager/Technology Fellow	Paul Swaim, Russell Ford, Jim Thompson, Scott Ingvaldstad	\$ 285
Principal Project Manager/Principal Technologist	Hal Davis, Adam Murdock, Mike Brewer, Bill Misslin, Jay Hardison, Jim Landman, Ed Meyer, Tony O'Neill, Pat Nelson	\$ 255
Sr. Project Manager/Sr. Technologist	Joseph Zalla, Mark Merklein, Patrick Rausch, Jeff DenBleyker	\$ 240
Project Manager/Engineer Specialist	Matt Ridens, Jason Assouline, Geoff Kirsten, Robert Townsend, Brad Hartman, Steve Payne, Ed Pieterick, Sonya Reiser, Dennis Thomas	\$ 195
Associate Project Manager/Project Engineer	Tim Petty, Jonathan James, Michael Hwang, Harry Elliott, Erik Neperud, Jade Paul	\$ 175
Associate Engineer/Architect	Scott Hoffman, Adam Nielsen, Ben Bunn	\$ 140
Staff Engineer 2	Jeff Pitts	\$ 123
Staff Engineer 1	Erinn Kunik	\$ 113
Engineering/Environmental Tech 5	Chris Hoggard	\$ 140
Engineering/Environmental Tech 4	Tenille Stimpson	\$ 133
Engineering/Environmental Tech 3		\$ 118
Engineering/Environmental Tech 2		\$ 97
Specifications Processor	Ranae Decker	\$120
Senior Office Administration	Sandy Schut	\$ 105
Office/Clerical/Accounting	Amy Stapley	\$ 92

Per Diem rates include allowances for salary, payroll taxes, fringe benefits, overhead, and profit, but do not include allowances for Direct Expenses. These rates are effective through December 31, 2017, and are subject to annual calendar year adjustments. A premium of 25 percent shall be added to the above rates for Expert Witness and Testimony services.

Standard Expenses

Expense Type	Rate
Health and Safety Assessment*	\$1.75 / hr.
Auto Mileage	Current IRS Rate
Auto Rental	Actual
Other Travel	Actual
Equipment Rental	Actual
Postage/Freight	Actual
Subcontractors and Outside Services	Actual + 10%

* Assessment applies to all Health and Safety trained individuals. Standard Expenses are charges directly incurred on the project as well as CH2M's current standard rate charges for services such as photocopies, special health and safety requirements of OSHA, etc.

Park City Mine Tunnel Water Quality June 2017

The purpose of this white paper is to summarize information presented to the Utah Division of Water Quality by Park City on May 10, 2017. The attached letter dated May 18, 2017 further summarizes the meeting.

In October 2014, Park City Municipal Corporation and the Utah Division of Water Quality entered a Stipulated Compliance Order (SCO) regarding Clean Water Act (UPDES) compliance for the Judge and Spiro mine tunnels. Park City operates the mine tunnels as part of its municipal water system. In essence, the SCO requires Park City to achieve effluent limits prescribed in the current UPDES permits for the Judge and Spiro tunnel discharges. As of June 2017, the outstanding requirements of the SCO are:

- (1) by December 31, 2018, submit a detailed scope of work and engineering and construction plans to treat Judge Tunnel water at the Spiro Water Treatment Plant (SWTP),
- (2) by January 1, 2024, complete construction of the expanded and upgraded SWTP,
- (3) by December 31, 2021, submit detailed engineering and financial analysis of options for compliance with the UPDES permit for the Spiro Tunnel discharge (or the combined Judge and Spiro discharge, as applicable),
- (4) by January 1, 2028, submit construction plans for treatment of Judge and Spiro tunnel discharges, and
- (5) by July 1, 2033, complete construction of all remaining facilities needed to achieve final UPDES effluent limits for both tunnels.

When the SCO compliance schedule for the tunnels was determined by Park City and UDEQ, they were based on a compliance cost estimate and financial analysis that assumed an overall compliance cost of roughly \$20 million. This assumption showed a Residential Indicator Score¹ between 2-3%. This is a “high” cost burden to ratepayers by EPA standards.

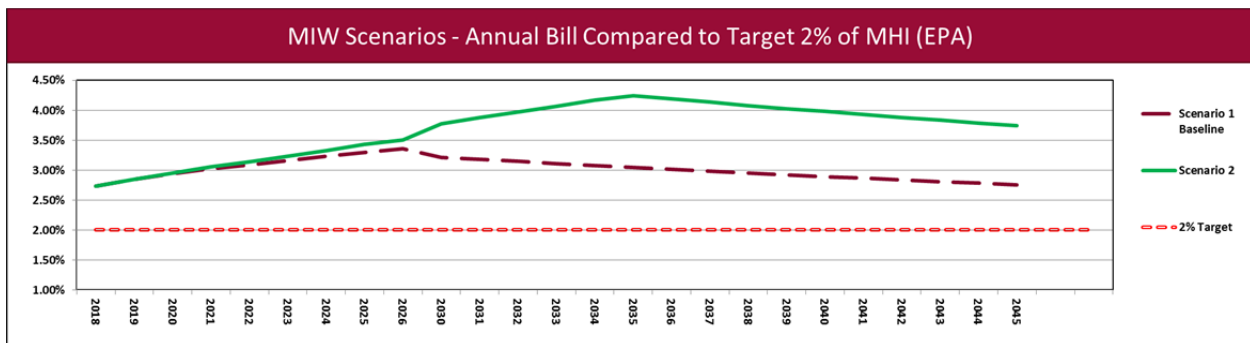
As of June 2017, Park City has obtained updated cost estimates for meeting the requirements of the SCO. These estimates are based on a rigorous engineering analysis of the type of treatment needed to meet both Safe Drinking Water Act requirements for the public water supply and UPDES requirements for the tunnel discharges (MIW, or mining influenced water). These new estimates indicate an overall compliance cost of roughly \$80 million plus ongoing annual operations, maintenance, and replacement costs of approximately \$6 million. This changes the Residential Indicator Score dramatically and results in an extreme cost burden to Park City ratepayers as summarized in the Table 1 and the chart below. Table 1 shows the updated Residential Indicator Scores for two scenarios.

¹ *Combined Sewer Overflows—Guidance for Financial Capability Assessment and Schedule Development*, EPA Office of Wastewater Management, February 1997, EPA publication number 832-B-97-004.

Scenario 1 includes treatment of Judge only and does not include treatment of Spiro Tunnel. Scenario 2 includes treatment of Judge and Spiro as outlined in the existing SCO.

TABLE 1: SUMMARY FINANCIAL CAPACITY RESULTS BY SCENARIO - 2017 - 2045 FINANCIAL PROJECTIONS

<i>EPA Guidebook Phase Two Analysis (Worksheet #10)</i>	Highest Bill Burden	Lowest Bill Burden (2018)	Average Bill Burden	Bill Burden	Financial Indicator	Capacity	Overall Capability Category
Scenario 1 - Baseline - Judge Only Treatment	3.35%	2.73%	3.04%	Extreme Cost Burden	3.00	Strong	High Burden
Scenario 2 - MIW Expand QJWTP (Current SCO)	4.24%	2.73%	3.67%	Extreme Cost Burden	3.00	Strong	High Burden



In addition, since the SCO was finalized, Park City has been designated a MS4 and therefore has new, additional Clean Water Act costs to be factored into the overall financial burden of compliance.

Attachments:

May 18, 2017 letter from Park City to Utah Division of Water Quality

Aerial Image showing location of the Judge and Spiro Tunnels

Figure 2 – Judge and Spiro Tunnel discharge flow rates from 2004 to 2015

Schematic of identified treatment process to achieve permit compliance



Public Utilities

Park City Public Utilities
1053 Iron Horse Drive PO Box 1480 | Park City, UT 84060-1480
p (435)-615-5339 | f (435) 615-4912
clint.mcafee@parkcity.org

May 18, 2017

Kim Shelley, Assistant Director
Permitting, Engineering and Compliance Branch
Utah Division of Water Quality
195 N. 1950 W.
Salt Lake City, UT 84114

Dear Ms. Shelley:

Park City thanks you, Director Matheson, (now retired) Walt Baker and your water quality team for meeting with us on May 10, 2017 regarding the Stipulated Compliance Order (SCO) for UPDES compliance at the Judge and Spiro mine tunnels. We share DWQ's commitment to local stream water quality.

As you know, Park City requested that meeting to share with UDEQ new information regarding the projected costs of treating the flows from the tunnels to meet Safe Drinking Water Act and Clean Water Act standards. In short, as we shared at the meeting, the estimated treatment costs for the tunnel flows have increased by four to five times over the estimated treatment costs assumed in 2012-13 when the SCO was being crafted and finalized.

Consequently, Park City has requested an opportunity to discuss modification of the SCO to address and mitigate the increased cost impacts to Park City's ratepayers as we now understand them. We appreciate that Director Matheson and Walt Baker expressed the willingness to engage in such discussions in order to reach a workable solution for compliance with water quality standards. At the meeting, UDEQ requested a "white paper" that describes the most recent understanding of the treatment technology necessary to meet water quality standards and the costs of construction and operation of a treatment facility. We are preparing that white paper and will share it with you soon. Due to scheduling issues, we expect to complete and submit the white paper in early June.

Also, we propose to schedule a meeting with you in early to mid-June to discuss modification of the SCO. Please contact Michelle De Haan at (435) 615-5340 at your earliest convenience to discuss possible dates and times for a meeting.

Sincerely,


Clint McAfee, Public Utility Director

cc Alan Matheson, Executive Director, UDEQ

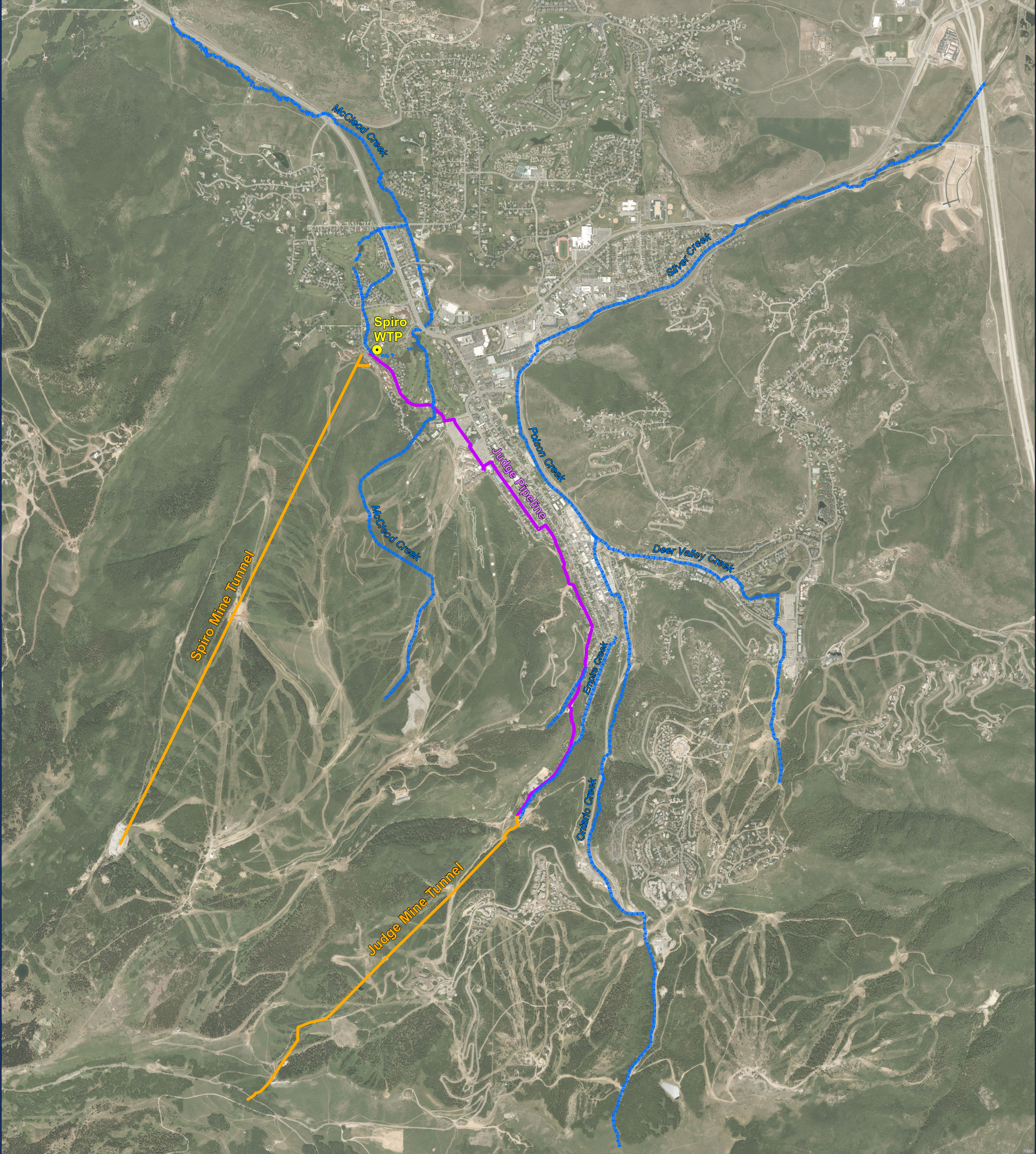
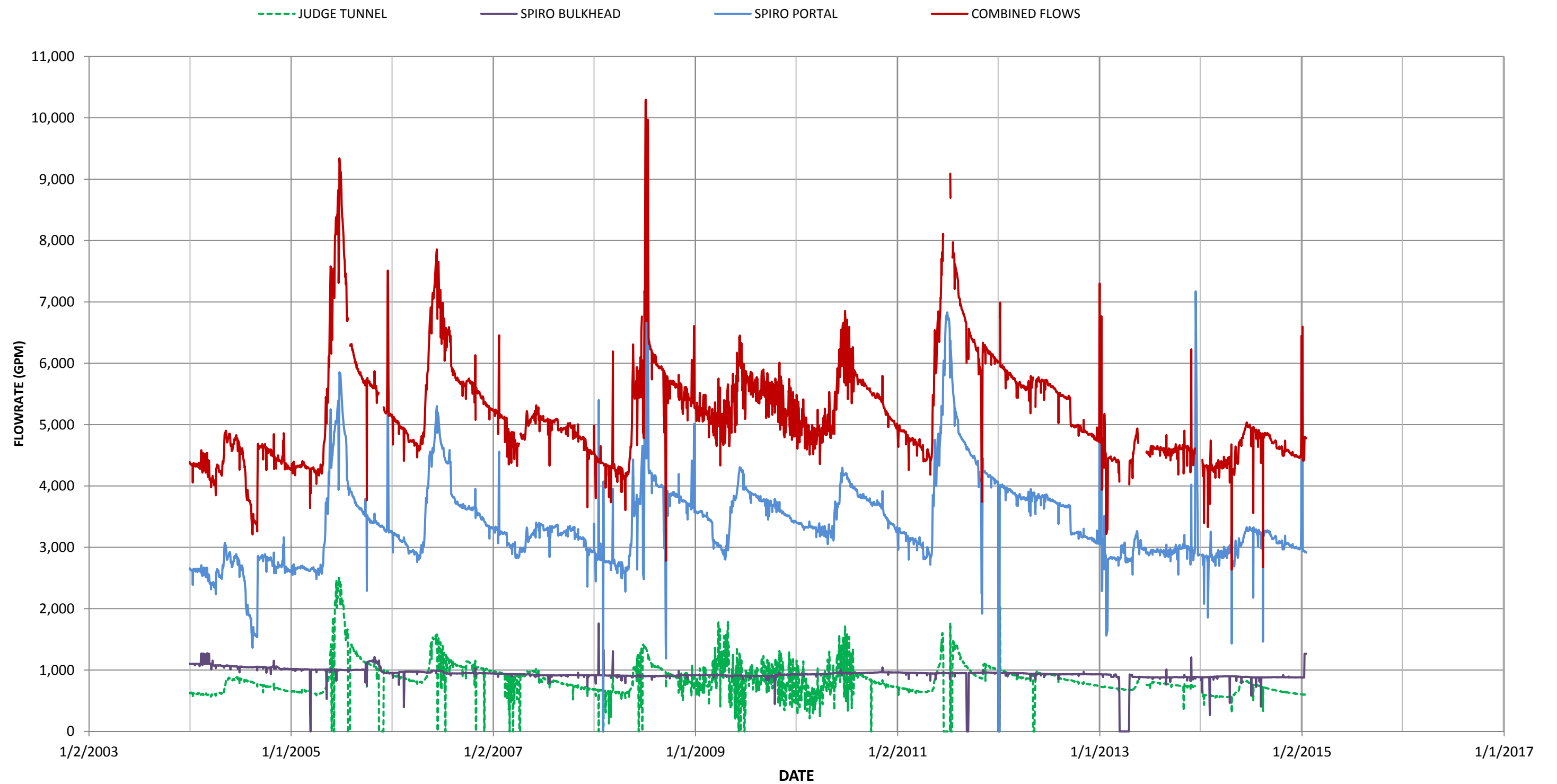
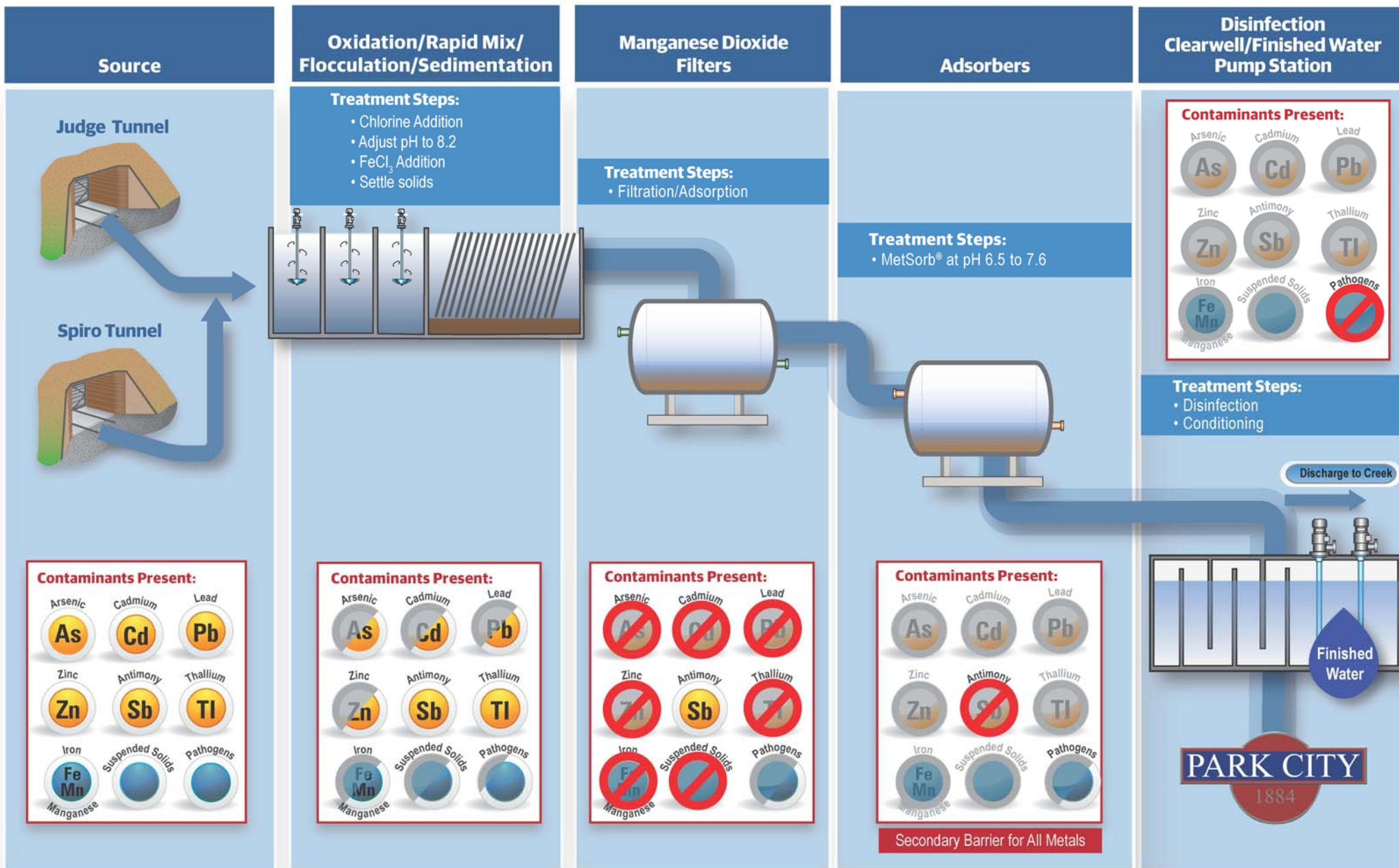


FIGURE 2
JUDGE TUNNEL, SPIRO BULKHEAD AND SPIRO PORTAL FLOWS





UDEQ-Park City Mtg.
July 17, 2017
1:30-3:30 pm
UDEQ Office

Park City attendees: Clint McAfee, Utilities Director
Roger McClain, Water
Michelle De Haan, Water
Jim Blankenau, Environmental
Paul Swaim, CH2M
Lori Potter, Kaplan Kirsch Rockwell

UDEQ attendees: Erica Gaddis, Water Quality Division Director
Kim Shelley, Branch Manager
Matt Garn, Surface Water Manager
Kelsey Christiansen, UPDES Permit Writer
Ken Hoffman, Engineer
Sandra Allen, Utah Attorney General's Office

Agenda

- | | |
|-----------|--|
| 1:30-1:35 | Introductions |
| 1:35-1:40 | SCO Overview and Project Status Update—Park City <ul style="list-style-type: none">• Not AMD |
| 1:40-1:50 | Update on Affordability Projections – Park City <ul style="list-style-type: none">• 2012 impact vs 2017 impact• 2017 impact with hypothetical Spiro delay |
| 1:50-2:00 | Treatment Technology and Location—Park City |
| 2:00-2:15 | Tunnel Geography, Hydrology, and Water Quality—Park City <ul style="list-style-type: none">• Discharge locations – Judge, Bulkhead, Portal• Relative water quality of discharges |
| 2:15-2:30 | McLeod Creek water quality discussion—All <ul style="list-style-type: none">• Watershed sampling plan• UDEQ's priorities• Watershed improvement strategies• Data gaps |
| 2:30-3:30 | Options and Path Forward Discussion – All |

UDEQ-Park City Mtg.
August 29, 2017
10:00-12:00 pm
UDEQ Office

Park City attendees: Clint McAfee, Utilities Director
Roger McClain, Water
Michelle De Haan, Water
Jim Blankenau, Environmental
Paul Swaim, CH2M
Andrew Neuhart, Brown and Caldwell

UDEQ attendees: Erica Gaddis, Water Quality Division Director
Kim Shelley, Branch Manager
Chris Bittner, Standards Coordinator
Kelsey Christiansen, UPDES Permit Writer
Ken Hoffman, Engineer

Agenda

- 10:00-10:10 Introductions and review of July 17, 2017 meeting and site visit
- 10:10-10:20 Water Quality parameter by priority—DWQ
- 10:20-10:35 Overview of long term approach to tunnel treatment—Park City
- 10:35-10:45 Modeled stream impacts with Spiro Bulkhead removal—Park City (Andrew)
- 10:45-11:10 2016 pilot plant performance and estimated full scale costs—Park City
- Pilot plant performance
 - Baseline cost for drinking water
 - Cost for stream water discharge
- 11:10-11:35 McLeod Creek water quality discussion—All
- Review of past watershed sampling plan
 - Future data needs
- 11:35-12:00 Options and Path Forward Discussion – All



DATE: October 12, 2017

TO HONORABLE MAYOR AND COUNCIL

Attached for your approval, please find the minutes for the September 14 and 21, 2017 City Council meetings. Thank you for your consideration.

Respectfully:

Michelle Kellogg, City Recorder



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

September 14, 2017

The Council of Park City, Summit County, Utah, met in open meeting on September 14, 2017, at 1:00 p.m. in the City Council Chambers.

Council Member Gerber moved to close the meeting to discuss property, personnel and litigation at 1:02 p.m. Council Member Worel seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel.

CLOSED SESSION

Council Member Worel moved to adjourn from Closed Meeting at 3:00 p.m. Council Member Beerman seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel.

STUDY SESSION

Summit County Mental Wellness Alliance Strategic Plan Presentation:

Richard Bullough, Summit County Health Department Health Director, thanked the City for their support. Council Member Henney commented that he saw trends in support for mental health from the community and asked Rich Bullough why this was a good time to focus on it. Bullough commented that many things coalesced at the same time to shine a light on mental health issues. Council Member Henney commented that it seemed the community had reached a point where they were ready to talk about the real issues.

Aaron Newman, Summit County Mental Health and Substance Abuse Coordinator, stated that they had worked to remove the stigma behind mental health which had helped to start the conversation. Mayor Thomas commented that people needed to connect with their children and others in the community about mental health.

Mary Christa Smith, Communities That Care Youth Programs Coordinator, explained that their program was a prevention program. They tried to stay ahead of the issues.

Newman asked what questions the Council had on their strategic plan. Council Member Henney suggested that there were root causes and symptoms that needed to be

1 addressed and worked on. Newman suggested that they were trying to look at the root
2 causes and focus on prevention. He said that online media and more potent drugs were
3 some factors that made the situation more serious now than it was in the past.

4
5 Council Member Gerber commented that the positive and negative impacts the sports
6 programs in Park City brought to the mental health issues should be looked at, and then
7 engage with coaches and these programs to help with the issue.

8
9 Mayor Thomas said that as a parent of five children he never had a class offered on
10 how to deal with these issues. He talked about the underage drinking issue and how we
11 were sometimes too permissive with it. He also mentioned the sports programs and how
12 much pressure that was on young athletes in Park City.

13
14 Council Member Beerman thanked the coalition for addressing these issues. He asked
15 Communities That Care to address whether they would implement programs that other
16 communities had tried. Smith replied that they would be implementing similar programs
17 to other communities as well as some new programs tailored to this community.

18
19 Council Member Henney said that when he came to Park City he took parenting classes
20 that influenced his life. He said that in the long run, focusing on these issues would be
21 the best for everyone in the community. Smith suggested that if the long game was
22 considered, we would have a serious issue on our hands with mental health and
23 substance abuse. She asked if there was a way to elevate the support the City was
24 giving to the issue.

25
26 Mayor Thomas said Council would be looking at how they could give more support.
27 Council Member Worel indicated that Communities That Care had nailed it with their
28 strategic plan.

29
30 **Annual Public Art Advisory Board Update - Project Prioritization and Strategic**
31 **Plan:**

32 Jenny Diersen, Special Events and Economic Development Program Manager,
33 introduced a video about the public art in Park City. Diersen discussed the steps they've
34 taken to enhance the arts in Park City through the Public Art Advisory Board. Diersen
35 went over their project updates and prioritization.

36
37 A board member commented that Diersen's involvement with the board had changed
38 how the board operated and she had done an amazing job. Council Member Henney
39 said that it seemed this board was a working board and that they had a vision and were
40 implementing many projects. Council Member Beerman asked about the concept of a
41 bread crumb trail of art on Main Street that had been discussed before. Diersen said
42 that the board wanted to focus on the plaza first and would then focus on other art on
43 Main Street.

Council Member Beerman asked if they could incorporate art into the affordable housing developments. Council Member Gerber added that in Boulder there were a lot of interactive art projects. Council Member Worel complimented the board on what they were accomplishing. Mayor Thomas asked if there were plans for an art map where a tourist could explore all the art in Park City. Diersen said there was not an art map yet. A board member thought it would be fun to have an art tour using the e-bikes. It was suggested that an app could be useful for an art tour.

WORK SESSION

Utah Department of Transportation SR 248 Corridor and Safety Improvement Project Public Involvement Plan Update:

Alfred Knotts, Transportation Planning Manager, talked about the National Environmental Policy Act (NEPA) process. He stressed that this was a partnership with the Utah Department of Transportation (UDOT) and that they had been great partners. Knotts explained that UDOT had the authority to implement NEPA which showed that the federal agency trusted UDOT.

Steve Quinn, UDOT Project Manager, talked about the public outreach they sent out that caused some public outcry. He said it reached residents before some of the other information. He hoped they could educate residents on what the NEPA process entailed. Council Member Gerber asked if they had to go through the NEPA process with any changes on SR 248. Quinn commented that the City would have to go through this process with any changes that were made to state roads. Council Member Gerber asked if they would be looking at traffic patterns coming in and out of the neighborhoods. Quinn responded that they would be looking at the traffic patterns in the area. Council Member Gerber asked if they could cancel the project if the findings from the study were not acceptable. Quinn replied that the project could be canceled if it wasn't supported by the community.

Council Member Henney asked if the community had control to choose the final outcome if it did not like the preferred option. He mentioned the rail trail and how the community was upset about the possibility of changing the rail trail. Quinn said the community would have the final decision. He explained that the rail trail needed to be included as a possibility in the study, but that options that were not viable would be discarded.

Council Member Henney indicated the rail trail was in the study because it had to be in the study. But he felt fine with it being in the study, knowing that it would not mean it would end up as the preferred option.

Council Member Matsumoto stated the Council wanted to build more transportation options and not more roads. She wanted to know if UDOT would consider that in the study. Quinn said they understood and would consider their goal in the study.

1 Council Member Beerman explained why the rail trail was important to the community
2 and he felt confident the NEPA study would not take away from what they had done
3 with the rail trail. He asked if non-vehicle alternatives would be a part of the study as
4 well. Quinn commented that the alternative means of transportation would be studied at
5 a local level, but that they would communicate and incorporate it into the final plan.
6 Council Member Beerman asked how they would incorporate the school plans into the
7 plan. Quinn said they had a working group that included the schools and businesses
8 along the corridor in the discussions. Council Member Beerman thanked UDOT for
9 expediting the process.

10
11 Mayor Thomas opened the public hearing.

12
13 Douglas Duditch lived in housing along the rail trail. He said that the traffic along the
14 corridor was not as bad as people had suggested. He didn't know why the rail trail had
15 to be included in the study. He would like the rail trail to be off limits and not in the
16 study.

17
18 Mayor Thomas closed the public hearing.

19
20 Council Member Gerber asked if UDOT would ever consider other modes of
21 transportation like gondolas. Quinn commented that UTA dealt more with alternative
22 means of transportation. He said they were trying to find the most feasible solutions to
23 the issues.

24
25 Diane Foster, City Manager, asked if UDOT was looking at more lanes and bimodal
26 transportation. Quinn said they weren't looking at solutions yet, but were focusing on the
27 NEPA study first.

28
29 Council Member Beerman asked to put a link on our website about this project. Linda
30 Jager, Community Engagement Manager, said they would post the information on many
31 venues.

32
33 **Discuss Community Center Design Budget and Scope:**

34 Jonathan Weidenhamer, Economic Development Director, presented an update on the
35 Community Center. He wanted to prepare Council with the options. Nate Rockwood,
36 Budget Manager, explained that because of the Arts & Culture District, the budget
37 would need to be reopened. Because of that we could do a prioritization of the capital
38 budget again.

39
40 Council Member Worel asked if there would be surprises with other capital projects like
41 there was with the community center. Rockwood said he thought there would not be
42 large budget differences in other projects. Foster highlighted the operational costs and
43 how the Council could discuss that at a later date.

Council Member Beerman asked if because we were focusing on the Community Center if we would need to update the Miner's Hospital later. Rockwood explained that we would not need to do large improvements on the Miner's Hospital in the future and there was some money set aside for minor improvements. Council Member Beerman suggested we should talk with the County sooner than later about what the facility needed with regard to operational costs.

Council Member Matsumoto asked what the larger space at the Center would be. Ken Fisher, Recreation Manager, said that the larger space would be used for summer camps and other sports activities. Council Member Matsumoto suggested we need to focus on large space for the youth programs and smaller spaces for the seniors.

Council Member Gerber asked if there were ways to accommodate more people during different seasons. Anne Mooney said there would be ways to accommodate more people for different seasons and circumstances. Council Member Henney suggested they look at what the actual needs were so they knew where to start.

REGULAR MEETING

I. ROLL CALL

Attendee Name	Title	Status
Jack Thomas	Mayor	Present
Andy Beerman	Council Member	Present
Becca Gerber	Council Member	Present
Tim Henney	Council Member	Present
Cindy Matsumoto	Council Member	Present
Nann Worel	Council Member	Present
Diane Foster	City Manager	Present
Mark Harrington	City Attorney	Present
Matt Dias	Assistant City Manager	Present
Katie Madsen	Deputy City Recorder	Present

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

Mayor Thomas opened the meeting for those who wished to address the Council on items not listed on the agenda.

1 Diego Zegarra, said that he was a DACA recipient and would soon receive his
2 citizenship. With everything going on at the national level, he would like to suggest the
3 City add a department of social justice.

4
5 Enrique Sanchez, a DACA recipient, wanted to show the Council what a DACA recipient
6 was like. Sanchez explained that he moved here when he was two years old. He went
7 through the school systems here in Park City, and because of DACA he was able to
8 work during high school and help support himself and his family. He was able to travel
9 to Courchevel with the sister city program. Sanchez was going to Salt Lake Community
10 College currently as well as working at the MARC and he hoped to work in law
11 enforcement here someday.

12
13 Council Member Worel supported the City looking at adding a department of social
14 justice.

15
16 Sam Rubin thanked the Council for looking at the taxi issues in Park City.

17
18 Mayor Thomas closed the public input portion of the meeting.

19
20 **1. Consideration to Approve Resolution 24-2017, a Resolution in Support of**
21 **Deferred Action for Childhood Arrivals (DACA):**

22 Lynn Ware Peek, Community Engagement Liaison, introduced the resolution in support
23 of DACA. She gave the history of DACA. DACA was a temporary program. Ware Peek
24 suggested a resolution was needed in order to show support for DACA. She noted that
25 in Park City there were 700 kids that were eligible for DACA.

26
27 Mayor Thomas gave his support for this resolution. The Council Members took turns
28 reading it aloud.

29
30 Mayor Thomas opened the meeting for public comment.

31
32 Francisco Astorga, resident of Park City, wanted to commend the Council for taking this
33 action. He came to the U.S. from Chile and is a United States citizen, but he puts
34 himself in their shoes and wouldn't be able to sleep at night if this program ended.

35
36 Mayor Thomas closed the public comment portion of the meeting.

37
38 Council Member Worel moved to approve Resolution 24-2017, a resolution in support of
39 Deferred Action for Childhood Arrivals (DACA). Council Member Beerman seconded the
40 motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

2. 2017 City Tour Recap:

Myles Rademan, Leadership Director, gave an overview of City Tour. He said that Boulder had become one of the premier communities of the world. Rademan suggested considering more kids' features, planters, and nice parking garages. He indicated Boulder had great recycling receptacles that had pictures of what you should put in recycling, composting, and landfills. The city also had some more urban affordable housing that fit in the business district. Boulder was the first town in the country to have an open space tax. Boulder had separated bike lanes and they did a lot to support biking as an alternative source of transportation. Rademan talked about the city of Blackhawk and Central City. These were mining towns that were dying and did not have skiing to fall back on. These towns became gambling towns. Blackhawk was trying to diversify their economy because gambling had more competition than it used to. Rademan suggested that one of the most important aspects of City Tour was getting to know each other.

3. Council Questions and Comments:

Council Member Beerman attended the housing lottery and thought it was great to see those who went away with a new home.

Council Member Worel attended the Mental Health Wellness committee meetings. She enjoyed City Tour. She also attended a farmer's market in front of the Summit County Justice Center.

Council Member Henney indicated he enjoyed the lottery and looked forward to supplying more affordable housing to the community.

Council Member Gerber went on City Tour and learned more about recycling. She attended a youth city council meeting and hoped to have the youth attend a Council meeting. She attended the Utah League of Cities and Towns (ULCT) meeting and heard Governor Herbert speak. She also went on a walk with Kenzie Coulson and Lynn Ware Peek to see what daytime merchants thought about the parking plan.

Mayor Thomas attended a fire board meeting, he spoke at an underage drinking event, went on the radio regarding SR 248, went to an event for Bonanza Flat, and spoke at the National Ability Center.

III. APPOINTMENTS

1. Consideration to Approve Resolution 25-2017, a Resolution Appointing Employee Transfer and Discharge Hearing Officers for Park City Municipal Corporation.

Mayor Thomas opened the meeting for public input. No comments were given. Mayor Thomas closed the public input portion of the meeting.

Council Member Henney moved to approve Resolution 25-2017, a Resolution appointing Employee Transfer and Discharge Hearing Officers for Park City Municipal Corporation. Council Member Beerman seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

IV. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF
Staff Communications Reports:

- **Recreation Fee Reduction and Adult Corporate Wellness**
- **Construction Report - September 2017**
- **Arts and Culture District Update**

Council Member Beerman asked about the dates in the report. Nate Rockwood said the dates were probably off and the timeline could be looked at again.

V. CONSIDERATION OF MINUTES

Consideration to Approve the City Council Meeting Minutes from August 17 and 29, 2017:

Council Member Gerber requested an amendment to the August 17th minutes on Page 160 of the packet to say "15% on upper Main and 10% on lower Main."

Council Member Henney also an amendment to the August 17th minutes on Page 153 Line 17 of the packet to say "did NOT have dog licenses."

Council Member Gerber moved to approve the City Council Meeting minutes from August 17 and 29, 2017, as amended. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

VI. CONSENT AGENDA

1. Request to Authorize the City Manager to Sign the Professional Services Agreement with Keller Construction in a Form Approved by the City Attorney in the Amount of \$340,012 for Professional Services Related to Installation of an Overhead Charge Station Unit and Construction of an Associated Bus Shelter at the Old Town Transit Center:

2. Request to Authorize the City Manager to Sign Contract Modification No. 1 to the UDOT Consultant Service Agreement with AECOM for Services Related to the Re-Construction of Prospector Avenue in a Form Approved by the City Attorney in the Amount of \$39,801:

Council Member Gerber moved to approve Items One and Two on the Consent Agenda. Council Member Henney seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

3. Request to Authorize the City Manager to Enter into a Construction Manager at Risk Agreement in a Form Approved by the City Attorney's Office with Newstar Construction, Inc., in the Amount Not to Exceed \$20,670 for Preconstruction Services:

Council Member Worel moved to remove Item Three from the Consent Agenda for further discussion. Council Member Henney seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

Council Member Worel asked why the City was moving forward with this project without knowing the end goal. Council Member Gerber felt comfortable moving forward with the project because she felt there was a better idea of what the public and businesses wanted in the space.

Council Member Henney suggested the City needed to get clarity on what this project would be. He said it would be important to meet and talk about what the Council wanted for the project.

Mayor Thomas said this would be a very expensive project and he felt we could make the space multi-functional and less expensive. Jonathan Weidenhamer, Economic Development Director, suggested looking at a fundamentally different way to approach the projects. Mayor Thomas said he didn't disagree with the concept. He didn't want to spend a lot of money for underground parking and a plaza that didn't get much use. Council Member Worel agreed that she was concerned with the costs of the project.

Council Member Gerber said the costs had been mainly soil remediation and costs that couldn't be changed and thought the longer the Council took to approve it, the more expensive it would be. She felt we should move forward with the project because it had been discussed. Mayor Thomas suggested treating the parking as a transitional space. Council Member Gerber said she wouldn't want a parking structure on Main Street.

Council Member Matsumoto said the soil remediation would cost the same whether it was an underground garage or surface parking. Matt Twombly, Senior Project Manager, stated it would cost similar because it was built on a garbage dump. Weidenhamer suggested they could engage with the design team once more to look at options. Council Member Henney said we had looked at options from every angle. He realized there was dissent, but thought we needed to decide whether to move ahead or not. Council Member Gerber offered that the goal for Main Street was not to have parking on Main Street.

Mayor Thomas opened the public hearing.

Mike Sweeney, resident of Park City, said he was a proponent of the project, but thought the risk management part of the project would be better later in the project.

Michael Barille, HPCA member and resident of Park City, thought preserving the parking in the plan would be good until we see some of the paid parking impacts and other parking issues in town.

Mayor Thomas closed the public hearing.

Council Member Matsumoto moved to authorize the City Manager to enter into a Construction Manager at Risk agreement in a form approved by the City Attorney's Office with Newstar Construction, Inc., in the amount not to exceed \$20,670 for preconstruction services. Council Member Henney seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Matsumoto, and Worel

RECUSED: Council Member Beerman

VII. OLD BUSINESS

1. Discuss Business License Vesting Within the Main Street Business Improvement District (BID) and Portions of the Historic Recreation Commercial (HRC) and Historic Commercial Business (HCB) Districts in Order to Establish Priority for Commercial Chain Businesses (CCB):

Jonathan Weidenhamer, Economic Development Director, explained that he had wanted to do more outreach than what had taken place. Mark Harrington, City Attorney, explained the business license vesting process. Weidenhamer said stakeholders were concerned about limiting chains during Sundance. Hannah Tyler, Planner, explained the directions to consider.

Council Member Matsumoto asked if we had to treat all business license applicants the same. Harrington said they would not have to treat them all the same. Council Member Matsumoto said she was in support of a tail. Council Member Beerman said he was also in support of a tail. Bruce Erickson, Planning Director, said Council's decision on chains would dictate the vibrancy of Main Street.

Council Member Henney asked Harrington for his thoughts and Harrington thought it would help to have more time to research the topic. Council Member Henney said he would be in favor of making an exception during Sundance. Council Member Beerman suggested either way we end up with inconsistencies. Council Member Henney would be in favor of an exception if it's tied to Sundance.

Mayor Thomas opened the public hearing.

Michael Barille, HPCA, said that he agreed with Council's conversation about the tail option. He wanted to focus on applying CSLs to Sundance. He thought there should be an exception during Sundance, but that the historic character of Main Street should be preserved during the rest of the year.

Ryan Hile, fourteen year resident, said that the chains that came in during Sundance didn't take over another retailer, but they usually had a smaller presence that supported the current business.

Jon-Eric Greene commented on the vesting process. He thought the pool was unrealistic. He said the tail created value for the landlord of a chain and less value for the landlord of a local business. He would like to have the stakeholders involved in a group that could come up with an ordinance that suited everyone.

Rick Margolis, owner of Columbus Pacific Properties, said the tail was necessary, but he said Greene was right about more value for the landlord of a chain. He said the pool created too many complications, and the exception should not just be during Sundance.

Michael Kaplan said they would like to have chains during Sundance and other events.

Mike Sweeney said we were moving on the right track. He said regulating Main Street more than other business areas will give places like Bonanza Park an advantage. He said sometimes it took a while to get a tenant. He suggested that Main Street needed all the help it could get and it was good to have a limited number of CCBs on Main Street.

1 Mayor Thomas closed the public hearing.

2
3 Erickson indicated additional outreach was needed and gave an overview of public and
4 Council input.

5
6 Council Member Henney wanted a way to track notifications. He suggested an online
7 system that the receivers could mark that they had received the notification. He would
8 like to have a broader City-wide conversation about notifying. Foster explained that staff
9 had been looking at ways to do more public outreach and we could look further into
10 email responses or polling.

11
12 **VIII. NEW BUSINESS**

13
14 **1. Consideration to Approve a Level Three Special Event Permit and City**
15 **Services Agreement with the Park Silly Sunday Market (PSSM) in a Form**
16 **Approved by the City Attorney:**

17 Jenny Diersen, Special Events and Economic Development Program Manager, said
18 Silly Market had worked hard to mitigate their impacts regarding waste and traffic.

19
20 Council Member Beerman hoped they would continue to mitigate the impact on
21 neighborhood parking and with noise.

22
23 Mayor Thomas opened the public hearing.

24
25 Mike Sweeney wanted to give his support for the Silly Market. He wondered why the
26 term for the lease was for only a couple years. He suggested giving the Silly Market a
27 longer lease.

28
29 Mayor Thomas closed the public hearing.

30
31 Council Member Henney commended the Silly Market managers for working so hard to
32 make Silly Market a great event. Council Member Worel said they had turned
33 challenges into opportunities. Council Member Beerman said they had made the market
34 better every year.

35
36 Council Member Gerber moved to approve a Level Three Special Event Permit and City
37 Services Agreement with the Park Silly Sunday Market (PSSM) in a form approved by
38 the City Attorney. Council Member Worel seconded the motion.

39 **RESULT: APPROVED**

40 **AYES:** Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

2. Consideration to Authorize the City Manager to Enter into a Professional Service Provider Contract in a Form Approved by the City Attorney's Office with Summit Land Conservancy in the Amount of \$26,908 to Hold a Preservation Easement for the 50 Acre Old Ranch Hills Open Space Parcel:

Council Member Beerman moved to authorize the City Manager to enter into a Professional Service Provider Contract in a form approved by the City Attorney's Office with Summit Land Conservancy in the amount of \$26,908 to hold a Preservation Easement for the 50 Acre Old Ranch Hills Open Space Parcel. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

IX. ADJOURNMENT

X. PARK CITY WATER SERVICE DISTRICT

I. ROLL CALL

Attendee Name	Title	Status
Jack Thomas	Chair	Present
Andy Beerman	Committee Member	Present
Becca Gerber	Committee Member	Present
Tim Henney	Committee Member	Present
Cindy Matsumoto	Committee Member	Present
Nann Worel	Committee Member	Present
Diane Foster	City Manager	Present
Mark Harrington	City Attorney	Present
Matt Dias	Assistant City Manager	Present
Katie Madsen	Secretary	Present

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

Chairman Thomas opened the meeting for those who wished to address the Council on items not listed on the agenda. No comments were given. Chairman Thomas closed the public input portion of the meeting.

1 **III. NEW BUSINESS**

2
3 **1. Consideration to Authorize the Chair to execute an Amendment which**
4 **would extend to October 31, 2018 the terms of the October 8, 1991 Water Supply**
5 **Agreement between Salt Lake City Corporation and Park City Municipal**
6 **Corporation and the March 2, 2016 Amendment to the 1991 Agreement:**
7

8 Council Member Beerman moved to authorize the Chair to execute an amendment
9 which would extend to October 31, 2018 the terms of the October 8, 1991 Water Supply
10 Agreement between Salt Lake City Corporation and Park City Municipal Corporation
11 and the March 2, 2016 amendment to the 1991 Agreement. Council Member Worel
12 seconded the motion.

13 **RESULT: APPROVED**

14 **AYES:** Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

15
16 **XI. ADJOURNMENT**

17
18 With no further business, the meeting was adjourned.
19
20
21
22

Katie Madsen, Deputy City Recorder



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

September 21, 2017

The Council of Park City, Summit County, Utah, met in open meeting on September 21, 2017, at 2:00 p.m. in the City Council Chambers.

Council Member Beerman moved to close the meeting to discuss property, personnel and litigation at 2:00 p.m. Council Member Gerber seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel.

CLOSED SESSION

Council Member Gerber moved to adjourn from Closed Meeting at 4:45 p.m. Council Member Beerman seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel.

STUDY SESSION

Annual Special Event Advisory Committee (SEAC) Update:

Jenny Diersen, Special Events Manager, presented this item. She reviewed that Council direction to SEAC was to take the foot off the gas as it pertained to new events in the City. The committee created a tool to evaluate and prioritize events. She indicated the group worked with the Transportation Department to implement mitigation strategies to alleviate traffic congestion during events. They also set goals for this coming year. Sarah Klingenstein expressed concern about the smaller events maintaining their "local" feel. She asked if Council would like to see events spread evenly year round. Council Member Worel was not in favor of having evenly planned events year round. Council Member Henney stated he looked to SEAC to provide that direction. Council Member Matsumoto indicated that 10 years ago the Council wanted to provide that direction and that was why SEAC was seeking direction now. Council Member Gerber was in favor of events that were an economic driver as well as events that the City was endeared to. Council Member Beerman thought the off-season events balanced the community and should remain. Mayor Thomas agreed with Council Member Beerman that events just to fill a calendar were not wise, but the City should be focused on having events that meant something to the community. Klingenstein asked for clarification on scheduling events that requested summer dates into the less crowded fall months. Council Member Henney felt the committee should first verify that the event would fit in the community

1 and then look at available dates. Impacts to the community were discussed and Council
2 Member Beerman felt the impacts had been minimized this year and he was curious to
3 see the attendance this year compared to prior years.

4
5 Council Member Gerber noted the group had evolved and asked some members to give
6 feedback on the makeup of the group. Members indicated SEAC was a good mix of
7 members. There was consensus that the first term on the board was a learning
8 experience and so they were grateful to be reappointed to the committee now that they
9 had experience and knowledge with regard to events.

10
11 Another question presented to Council was if SEAC should focus on gaining feedback
12 and perspective specifically in the City or County wide as well. Council Member Worel
13 stated the City events impacted other areas of the County, so she suggested that SEAC
14 look at efforts that could mitigate impacts in the County and City. Council Member
15 Matsumoto suggested reaching out to the County to see if they would participate in a
16 joint survey on events. Council Member Gerber felt the impacts that needed to be
17 mitigated were for the City's residents. Council Member Henney stated his focus was
18 primarily on City residents and then efforts could fan out to the County from there.
19 Council Member Beerman agreed and stated the City resources should be spent on
20 how events affected the City, but the County could be reached out to as a stakeholder.
21 Mayor Thomas wanted to make sure the City didn't step over the line with the County.
22 Suggestions for survey questions were given, such as if respondents were part-time or
23 fulltime residents, business owners, the area of the City where they reside, etc. Foster
24 suggested moving forward with the survey regardless of whether the County wanted to
25 be included or not. Council Member Beerman complimented staff with mitigation efforts
26 as well as permitting and other special event duties. Council Member Henney and
27 Mayor Thomas echoed the sentiments. Bob Kohler clarified that SEAC's goal number
28 one should state that SEAC will measure comfortable carrying capacity with broad
29 residential community perspective.

30 REGULAR MEETING

31 I. ROLL CALL

Attendee Name	Title	Status
Jack Thomas	Mayor	Present
Andy Beerman	Council Member	Present
Becca Gerber	Council Member	Present
Tim Henney	Council Member	Present
Cindy Matsumoto	Council Member	Present
Nann Worel	Council Member	Present
Diane Foster	City Manager	Present

Mark Harrington	City Attorney	Present
Matt Dias	Assistant City Manager	Present
Michelle Kellogg	City Recorder	Present

1
2 **II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF**

3 Foster announced the promotion of Sergeant Leatham to Lieutenant over special
4 events, and noted this new position was made possible from funds that were released
5 because of the dispatch merger.
6

7 **Council Questions and Comments:**

8 Council Member Henney attended the Historic Park City Alliance (HPCA) discussion
9 with regard to lack of involvement and notification of the Silly Market approval. He
10 attended the Summit Land Conservancy meeting, and noted they exceeded their
11 fundraising goal by \$20,000. Summit Land was currently focusing on the Osguthorpe
12 parcel on Ranch Road.
13

14 Council Member Gerber indicated she walked around town with the Utah State
15 University (USU) Bioregional Planning Group. She attended the HPCA meeting
16 discussion on Silly Market, as well as the discussion on presenting the economic report
17 to Council. She also attended the City's Fall Projects open house.
18

19 Council Member Matsumoto toured the new sewer plant. She attended the SEAC
20 meeting and the Autumn Aloft event. She noted her disappointment in the paving work
21 on Meadows Drive.
22

23 Council Member Worel attended the Coffee with Council with Council Member Beerman
24 in the Rockwell room and noted the great turnout. She attended the Library Board
25 meeting and indicated the library added two new online databases. She also noted the
26 author luncheon at the library was scheduled for October 10th.
27

28 Council Member Beerman agreed that Coffee with Council and the Fall Project open
29 house were great events. He met with concerned dining license recipients on a state
30 law on alcohol. He thanked Mayor Thomas for pulling the Micro Transit contract off the
31 agenda, since consensus needed to be made with stakeholders. Foster stated shuttles
32 from the Yard would be supplemented with the guaranteed ride home and staff would
33 follow up with the Prospector bus line.
34

35 Mayor Thomas attended an event at the Museum of Natural Resources to celebrate the
36 independence of Mexico. He spoke on KPCW on Cada Domingo, and met with the
37 Consulate of Mexico, who would like to engage with the community on social issues. He
38 also spoke to a leadership group of sixth graders at Ecker Hill Middle School.
39

40 **Staff Communications Reports:**

- Bioregional Planning Study with Utah State University

- Utah Climate Week

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

Mayor Thomas opened the meeting for those who wished to address the Council on items not listed on the agenda.

Sam Rubin, Four Seasons Transportation, thanked Council for taking the Micro Transit item off the agenda since the contract was not with a local company. He referred Council to his website to review his proposal for micro-transit, saying the community would support his proposal if it was implemented. He reviewed features of his transportation service. Council Member Henney asked if the for-hire transportation companies had the resources to fill the gap left from All Resorts Group closing its doors. Rubin stated he was unsure, but hoped the other transportation companies would work together to meet the demand.

Alisha Petersen Vernon, former Director of All Resorts Group, stated it was a difficult week since her company closed its doors. She updated the Council on efforts made to fill the gap, including reaching out to Canyons for transportation needs. She also spoke of the app that would help bind taxi drivers together. She stated her integrity was everything to her and she wanted everyone to be whole as a result of the company's closure.

Travis Gleason, cofounder of Downtowner, thanked staff for meeting with and having confidence in the company. He expressed disappointment that the contract was removed from the agenda and noted this project would have been the first electric endeavor in the country. He felt there were misconceptions about the project, but he remained hopeful of helping Park City in the future.

Mayor Thomas congratulated Lieutenant Leatham for his promotion and acknowledged all he had done for the community.

IV. CONSIDERATION OF MINUTES

Consideration to Approve the City Council Meeting Minutes from August 31, 2017:

Council Member Worel requested the minutes be amended on Page Three, Lines Five and Six, to reflect that the senior center would be panelized, and not the fire station as was indicated.

Council Member Gerber moved to approve the City Council meeting minutes from August 31, 2017, as amended. Council Member Matsumoto seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

V. CONSENT AGENDA

1. Request to Approve a Professional Services Agreement with Alliance Engineering in the Amount of \$29,000 in a Form Approved by the City Attorney for Engineering and Construction Management Services Related to Temporary Park and Ride Improvements at 1875 Homestake Road:

Council Member Henney hoped staff based their belief in the paid parking procedures on public outreach feedback instead of on the premise that it made sense. He questioned the level of engagement and outreach and stated outreach should include the neighbors and the community.

Council Member Henney moved to remove Item One from the Consent Agenda. Council Member Beerman seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

Council Member Henney continued that he did not question outreach already performed but thought there needed to be more.

Kenzie Coulson, Parking Supervisor, stated the report did not delve into the survey, but the survey was opened to businesses and employees. Staff went door-to-door notifying employees of the survey. Questions asked in the survey included what employee patterns were, what their needs were and their concerns with regard to the Homestake Lot. Coulson felt confident that the exercise would demonstrate the level of engagement. In going door-to-door last week, Coulson and the Parking group found there were businesses that didn't have a lot of information about the paid parking project. Also, the employees at the Gateway and Heber Avenue had different concerns than employees along upper Main Street. It was indicated the feedback received at the community meetings was concern that the shuttles wouldn't run late at night. Council Member Henney stated Coulson set the standard for amazing outreach efforts.

Mayor Thomas opened the meeting for public comment. No comments were given. Mayor Thomas closed the public comment portion of the meeting.

Council Member Beerman moved to approve a professional services agreement with Alliance Engineering in the amount of \$29,000 in a form approved by the City Attorney for engineering and construction management services related to temporary park-and-

ride improvements at 1875 Homestake Road. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

V. CONSENT AGENDA

2. Request to Grant an Exclusive Utility Easement Across City Property to Dominion Energy, in a Form Approved by the City Attorney, for the Benefit of 1450/1460 Park Avenue:

3. Request to Authorize the City Manager to Execute a Construction Agreement, in a Form Approved by the City Attorney, with SKM, Inc. for the SCADA Integrator Services for Creekside Water Treatment Plant Project for an Amount Not to Exceed \$74,533.00:

4. Request to Accept the Piano for All Donations into the Public Art Collection and Authorize the City Manager to Enter into a One Year Professional Services Agreement in a Form Approved by the City Attorney with Mark Maziarz (Park City Dad, LLC) for Maintenance of the Pianos in an Amount Not to Exceed \$2,000.00:

Council Member Beerman moved to Approve Items Two, Three and Four of the Consent Agenda. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

VI. NEW BUSINESS

1. Consideration to Approve Ordinance 2017-50, an Ordinance Approving the Second Amended Sunnyside Subdivision Lot 11 Plat Amendment, Located at 606 Mellow Mountain Road, Pursuant to Findings of Fact, Conclusions of Law, and Conditions of Approval and in a Final Form Approved by the City Attorney:

Kirsten Whetstone, Senior Planner, presented this item and requested to combine the indicated lots into one lot

Mayor Thomas opened the public hearing. No comments were given. Mayor Thomas closed the public hearing.

Council Member moved to approve Ordinance 2017-50, an ordinance approving the Second Amended Sunnyside Subdivision Lot 11 Plat Amendment, located at 606

1 Mellow Mountain Road, pursuant to findings of fact, conclusions of law, and conditions
2 of approval and in a final form approved by the City Attorney. Council Member Gerber
3 seconded the motion.

4 **RESULT: APPROVED**

5 **AYES:** Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

6
7 **2. Consideration to Authorize the City Manager to Execute a Professional**
8 **Services Agreement with Ward Engineering Group for Design and Construction**
9 **Engineering Management Consultant Services for the Rossi Hill Drive OTIS**
10 **Project in a Form Approved by the City Attorney and for an Amount of \$174,018:**

11 Matt Cassel, City Engineer, presented this item. Council Member Matsumoto asked if
12 an attempt had been made to get feedback from the community. Cassel stated most of
13 the (NTMP) requests were from the Rossi Hill owners and there would be meetings
14 scheduled. He noted he had been out to the site and had some conversations with the
15 residents.

16
17 Council Member Worel asked why the street would be narrowed. Cassel stated
18 narrowing the street was part of the master plan. Twenty six feet was the required width
19 of a street where parking was allowed on one side, and 32 feet was required for parking
20 on both sides of the street. Rossi Hill was currently 30 feet wide, so narrowing it would
21 put it where it was supposed to be with parking on one side. He indicated signage would
22 be placed along the street and there would be increased enforcement to ensure
23 compliance.

24
25 Council Member Matsumoto stated there was a problem with ice when McHenry was
26 narrowed. Cassel indicated he wanted to get the snow off the road so it wouldn't ice up.
27 He also wanted to make sure there was visibility in the turn.

28
29 Mayor Thomas opened the public hearing. No comments were given. Mayor Thomas
30 closed the public hearing.

31
32 Council Member Gerber moved to authorize the City Manager to execute a professional
33 services agreement with Ward Engineering Group for design and construction
34 engineering management consultant services for the Rossi Hill Drive OTIS Project in a
35 form approved by the City Attorney and for an amount of \$174,018. Council Member
36 Matsumoto seconded the motion.

37 **RESULT: APPROVED**

38 **AYES:** Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

3. Consideration to Adopt Resolution 26-2017, a Resolution of the City Council of Park City, Utah, Authorizing the Issuance and Sale of Not More Than \$40,000,000 Aggregate Principal Amount of Sales Tax Revenue Bonds; and Related Matters:

Nate Rockwood, Capital Budget, Debt and Grants Manager, presented this item, and stated this was the issuance of sales revenue bonds. He displayed a chart showing the pledged revenue sources: \$7.5 million Additional Resort Community Sales Tax (ARCST), \$19.5 million in Transient Room Tax (TRT), and \$8 million from the Lower Park Avenue Redevelopment Agency (RDA) tax increment. He indicated that the local resident would bear 3% of the tax responsibility and 95% of the tax increase would be paid for by the Park City visitor. Rockwood indicated this resolution was the beginning of the bonding process. It was anticipated the bond would be sold at \$35 million.

Council Member Beerman asked if selling the bonds tax exempt would limit the ability to work in partnerships. Rockwood stated with the program that was outlined for these bonds, the bonds would be tax exempt, and if the Arts and Culture District was not developed for some reason, the bonds could be refunded or they could be put into other public projects.

Mayor Thomas opened the public hearing. No comments were given. Mayor Thomas closed the public hearing.

Council Member Henney expressed surprise that there were no comments because he heard concern from local residents. Council Member Henney expressed confidence in Rockwood's assessment that locals only pay a 3% tax increase. He noted how conservative Park City was in its debt and that the City had the top bond rating.

Council Member Henney moved to adopt Resolution 26-2017, a resolution of the City Council of Park City, Utah, authorizing the issuance and sale of not more than \$40,000,000 aggregate principal amount of Sales Tax Revenue Bonds; and related matters. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

4. Consideration to Adopt Resolution 27-2017, a Resolution of the City Council of Park City, Utah Approving the Acquisition and Construction of Certain Housing Improvements; Approving and Authorizing the Execution of an Agreement between the City and the Redevelopment Agency of Park City; and Related Matters:

Nate Rockwood stated that within the bond, the financing would come from the RDA in order to save interest. This item would approve the agreement between the City and the RDA.

Mayor Thomas opened the public hearing. No comments were given. Mayor Thomas closed the public hearing.

Council Member Gerber moved to adopt Resolution 27-2017, a resolution of the City Council of Park City, Utah approving the acquisition and construction of certain housing improvements; approving and authorizing the execution of an agreement between the City and the Redevelopment Agency of Park City; and related matters. Council Member Matsumoto seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

VII. ADJOURNMENT

VIII. PARK CITY REDEVELOPMENT AGENCY MEETING

ROLL CALL

Attendee Name	Title	Status
Jack Thomas	Chair	Present
Andy Beerman	Committee Member	Present
Becca Gerber	Committee Member	Present
Tim Henney	Committee Member	Present
Cindy Matsumoto	Committee Member	Present
Nann Worel	Committee Member	Present
Diane Foster	City Manager	Present
Mark Harrington	City Attorney	Present
Matt Dias	Assistant City Manager	Present
Michelle Kellogg	Secretary	Present

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

Chairman Thomas opened the public input portion of the meeting for those who wished to speak on items not listed on the agenda. No comments were given. Chairman Thomas closed the public input portion of the meeting.

III. NEW BUSINESS

1. Consideration to Adopt Resolution RDA 02-2017, a Resolution of the Governing Board of the Redevelopment Agency of Park City, Utah Approving the Acquisition and Construction of Certain Housing Improvements; Approving and

Authorizing the Execution of an Agreement Between the Agency and Park City, Utah; and Related Matters:

Nate Rockwood stated this resolution would allow the RDA to reimburse the City for expenses related to the sales revenue bond.

Chairman Thomas opened the public hearing. No comments were given. Mayor Thomas closed the public hearing.

Committee Member Henney moved to adopt Resolution RDA 02-2017, a resolution of the governing board of the Redevelopment Agency of Park City, Utah, approving the acquisition and construction of certain housing improvements; approving and authorizing the execution of an agreement between the Agency and Park City, Utah; and related matters. Committee Member Beerman seconded the motion.

RESULT: APPROVED

AYES: Committee Members Beerman, Gerber, Henney, Matsumoto, and Worel

IX. ADJOURNMENT

With no further business, the meeting was adjourned.

Michelle Kellogg, City Recorder



DATE: October 12, 2017

TO HONORABLE MAYOR AND COUNCIL

Under the Public Art Policy and Resolution 17-2016, the Park City Public Art Advisory Board shall make recommendations to regarding artwork, and City Council shall have final authority over the decision.

Local business owner, Ken Davis, has offered to donate a Moose Sculpture to the City. The PAAB recommends accepting the moose sculpture and relocating it to City Property.

Respectfully:

Jennifer Diersen,



City Council Staff Report

Subject: Public Art Moose Sculpture Donation Acceptance
Author: Jenny Diersen, Staff Liaison to PAAB
Department: Economic Development
Date: October 12, 2017
Type of Item: Administrative

Summary Recommendation

Based on a recommendation from PAAB, staff recommends that Council accept Moose Sculpture as a donation into the Public Art Collection.

Executive Summary

Under the [Public Art Policy and Resolution 17-2016](#), the Park City Public Art Advisory Board shall make recommendations to regarding artwork, and City Council shall have final authority over the decision.

Local business owner, Ken Davis, has offered to donate a Moose Sculpture to the City. The PAAB recommends accepting the moose sculpture and relocating it to City Property.

Acronyms

PAAB	Public Art Advisory Board
PCMC	Park City Municipal Corporation

The Problem and the Opportunity

Public Art is an important part of Arts and Culture and helps connect the community as well as creates a sense of place.

The Moose sculpture is a long standing beloved artwork on Main Street, many passersby stop to take photos of it. With a new tenant moving into the property where the moose sculpture has been placed for the last ten years, the property owner needs to remove the sculpture.

If the moose sculpture is not accepted by the City, it is likely that the sculpture will be removed from public view.

Background

The proposed Moose Sculpture donation was a community project that took place in 2003 with various local organizations and artist.

Local business owner, Ken Davis, currently owns “Loosey the Moosey” which has been displayed on his property for 10 years. As his property has changed tenants, he would like to donate the moose sculpture to Park City.

Analysis

PAAB sees value in taking ownership of the sculpture, as it is a fun, funky and whimsical artwork that is also highly photographed by passersby. The PAAB voted to accept the donation at the September meeting and recommends that the City Council accept it into the Public Art Collection.

Once accepted, the Moose will be moved from its current location, and is proposed to be displayed in the Bear Bench Plaza to greet guest as they arrive to Main Street from the Transit Center. The sculpture may need some minor repairs when it is moved.

Alternatives for City Council to Consider

1. Recommended Alternative:

Based on a recommendation from PAAB, staff recommends that Council accept Moose Sculpture as a donation into the Public Art Collection.

Pros

- a. The donation align with [City Council's goals](#) of providing a complete community that values economic diversity and arts and culture, creating engaged and effective government, and a thriving mountain community.
- b. Allows the moose sculpture to remain in public view and maintained by the City.

Cons

- a. Acceptance of any piece of art is accompanied by an obligation to keep the property in good repair. The PAAB and staff believe that this public expenditure is justified by the value to the community of public art.

Consequences of Selecting This Alternative

If the donation were not accepted and approved, it is likely that the moose sculpture would be removed from its current location no longer exist within the City.

2. Continue the Item Alternative: The City Council may continue the item for more information or discussion. If Council continues the item, Council should provide clear direction regarding changes proposed to the City Service Agreement.

Cons:

- a. This will postpone the approval of moose donation.
- b. Delays PAAB in moving and minor maintenance for the project.

3. Deny Alternative:

City Council could deny the donation request and Professional Services Agreement for the project.

Cons

- a. It is likely that the moose sculpture would be removed from its current location and the project would no longer exist within the City.

Department Review

Economic Development, Parks, Finance, Budget, Legal and Executive have reviewed this report and their comments have been incorporated.

Funding Source

There is no funding required to accept this donation. Funding for the maintenance for the moose comes from the Park City Public Art Board's operational account.

Attachments

Exhibit A Donation Gift Agreement and Final Acceptance Form DRAFT



ART GIFT AGREEMENT
PARK CITY MUNICIPAL CORPORATION

Offered by: _____

Gift collections, bequests, and acquisitions can be a great benefit to a City, its citizens and visitors, and are sincerely appreciated by Park City Municipal Corporation. Donations or gifts are defined as private sector contributions that are bestowed voluntarily and without expectation of any tangible compensation. To be consummated, a gift must be comprised of the offer and the acceptance. The City is legally obligated to adhere to the terms and conditions of every gift. Therefore, the person(s) soliciting or approached regarding gifts should exercise utmost care in considering the terms of each gift to be certain they are feasible, do not hamper the usefulness and desirability of the gift, and are in conformity with municipal policy and IRS regulations.

_____ desires to give as a gift to Park City Municipal Corporation the following piece of art:

Piece name: _____

Medium: _____

Description: _____

Piece Completion Date: _____

Valuation, if applicable: _____

Terms, if applicable: _____

_____, agree to release all claims to the above-noted piece of art and agree to allow Park City Municipal Corporation sole ownership and control to make any and all determinations in regard to placement, exhibition, maintenance and storage.

Dated this _____ day of _____, 20__

Printed Name: _____

State of)
 ss
County of)

On this _____ day of _____, 20____, before me, the undersigned notary public, 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.

Notary Public

GIFT APPROVAL AND ACCEPTANCE

Park City Municipal Corporation

City Manager

Attest:

City Recorder

Approved as to form:

City Attorney



DATE: October 12, 2017

TO HONORABLE MAYOR AND COUNCIL

Staff recommends that the City Council adopt the proposed amendments to the Noise Ordinance, Title 6 Chapter 3 of the Municipal Code. The Noise Ordinance is in effect across all of Park City Municipal boundaries. Amendments throughout Title 6 Chapter 3 are intended to:

- Address potential constitutional issues within the current code;
- Establish a standard to resolve disputes in different use districts; and
- Make minor changes for clarity, consistency and style.

Staff discussed the proposed amendments with the Planning Commission at a public hearing on July 26, 2017 (packet, pg 83). The proposed amendments were further discussed with the City Council at a public hearing on August 17, 2017 (packet, pg 4).

Respectfully:

Michelle Downard, Deputy Chief Building Official



City Council Staff Report

Subject: Noise Ordinance, Park City Municipal Code Title 6 Chapter 3
Author: Tricia S. Lake, Assistant City Attorney/Prosecutor
Michelle Downard, Deputy Chief Building Official
Department: City Attorney's Office, Building Department
Date: October 12, 2017
Type of Item: Legislative

Summary Recommendation

Staff recommends that the City Council adopt the proposed amendments to the Noise Ordinance, Title 6 Chapter 3 of the Municipal Code. The Noise Ordinance is in effect across all of Park City Municipal boundaries. Amendments throughout Title 6 Chapter 3 are intended to:

- Address potential constitutional issues within the current code;
- Establish a standard to resolve disputes in different use districts; and
- Make minor changes for clarity, consistency and style.

Staff discussed the proposed amendments with the Planning Commission at a public hearing on July 26, 2017 ([packet, pg 83](#)). The proposed amendments were further discussed with the City Council at a public hearing on August 17, 2017 ([packet, pg 4](#)).

Topic/Description:

Noise is a common concern for local jurisdictions. Over the past few years there have been ongoing noise conflicts within Park City between residents and business owners, especially near the Main Street and Park Avenue commercial and residential areas. As development increases, including a trend of mixed use buildings, concentration of structures is compounded and the separation of uses decreases. Recently, the Park City Planning Commission has been discussing noise concerns in coordination with land use applications.

Conflicts with the current Noise Ordinance are in part because—when read in its entirety—the current Noise Ordinance contains numerous sections which have been incrementally added/amended and now could potentially face challenge(s) as both overbroad and vague. An ordinance does not withstand constitutional scrutiny if a court determines it regulates noise in a manner that encroaches upon citizens' First Amendment rights to free expression, and/or it fails to clearly notify citizens of what constitutes a noise ordinance violation.

The proposed amendments seek to narrowly tailor the time, place, and manner restrictions on noise to balance the City's interest in protecting citizens from unwelcome noise without encroaching on citizens' First Amendment rights to freedom of expression; and the proposed amendments seek to establish objective standards to determine noise ordinance

violations and enforcement in compliance with Fourteenth Amendment due process.

Staff reviewed ordinances from other jurisdictions to understand what has been successfully implemented. Much of the verbiage within the proposed ordinance is consistent with Salt Lake City, West Valley City, Ogden and Boulder, CO.

Background:

(1) The proposed Noise Ordinance amendments bring the noise ordinance into compliance with the U.S. constitution.

The proposed Noise Ordinance is content neutral, is narrowly tailored to time, place, and manner restrictions and does not obstruct alternative channels of communication.

The proposed Ordinance more clearly informs ordinary citizens of the conduct required to conform to the law and defines the objective standard by which noise violations are measured and enforced.

(2) The proposed Noise Ordinance amendments establish a standard to resolve disputes in different use districts.

The proposed Park City Municipal Code Section 6-3-9 (A) clarifies that noise may be “measured at or within the property line of the receiving property.” This amendment addresses noise reverberating from one location to another, also known as the “canyon effect.”

Additionally, the proposed Section 6-3-9 (A) clarifies how the code will be enforced when a noise dispute crosses into another use district: “When a noise source can be identified and its noise measured in more than one land use category, the limits of the least restrictive use shall apply at the boundaries between different land use categories.”

This proposed amendment will particularly impact the Main Street and Park Avenue areas because of the residential and commercial use district proximity. The proposed amendment puts citizens on notice regarding the standard that will be consistently applied and enforced.

(3) The proposed Noise Ordinance amendments make minor changes for clarity, consistency and style.

Like other parts of the Municipal Code, the Noise Ordinance has evolved over time in response to the City’s changing needs and priorities. This piecemeal process can often result in ordinances that are difficult to understand or are inconsistent in style. Review and revision of the whole chapter provides an opportunity to identify various amendments that promote clarity and consistency of the Noise Ordinance without changing its substantive effect.

The ability to request relief from the noise restrictions on the basis of undue hardship by the Building Official for building issues and the Chief of Police for special events and community or private functions or events will remain. Staff finds that this latitude is appropriate and allows staff to consider unique circumstances on a case by case basis.

Analysis:

Enforcement

As enforcement is a crucial component of the noise ordinance amendments, staff has initiated a joint enforcement pilot program, where code enforcement has worked periodic shifts side by side with public safety to determine best practices in applying the code in the field and evaluating appropriate noise levels within the scope of the proposed amendments. This joint enforcement pilot program will also develop consistency between enforcement personnel, any of whom may be called to respond to a noise complaint.

Staff also wanted to address the concerns for enforcement regarding the technical language within the proposed amendments. In order to ensure that enforcement staff is confident in their ability to enforce the noise ordinance amendments as proposed, training was conducted on September 27, 2017 on sound meters which comply with the industry standard of American National Standards Institute (ANSI) publication S1.4-1983, as proposed within the code amendments.

City Council Discussion

During the August 17, 2017 City Council Meeting ([Minutes, pg 3](#)), the following concerns and questions were identified:

- **HVAC Exemption-** The proposed ordinance exemption will only apply to "a permitted and" approved HVAC System. Amended language also includes "provided the system is in good repair and operating within manufacturer's specifications."
- **Disputes in Different Use Districts-** The proposed Park City Municipal Code Section 6-3-9 (A) specifies that noise may be measured at or within the property line of the receiving property and that the noise shall comply with the least restrictive use. Staff recommends that the "least restrictive use" is utilized as the standard as it keeps the permitted noise levels more consistent with the current standard. Alternatively, changing this language by requiring noise to comply with the "most restrictive use" would decrease the currently permitted noise levels of bordering use districts.
- **Complexity of the Proposed Noise Ordinance-** Specificity within the proposed Noise Ordinance is requisite in order to address the potentially overbroad and vague language of the current noise ordinance and to enable successful prosecution. Staff has conducted training of enforcement personnel to ensure that they are informed and able to apply the proposed noise amendments in the field. Additionally, staff recommends simplifying the dBA table by eliminating disparities between days of the week and between time limitations as applied to residential

and commercial use districts, to wit:

Use District	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

Staff does not recommend a citywide decibel level as this would not adequately account for the various uses within the residential and commercial use districts.

- **Fireworks-** Fireworks are specifically prohibited within 6-3-8 (l) unless otherwise approved or on official holidays.
- **Modified Mufflers-** Staff recommends enforcement through Utah State Code [41-6a-1626](#), which requires vehicles to be equipped, maintained, and operated to prevent excessive or unusual noise; equipped with a muffler or other effective noise suppressing system in good working order and in constant operation; and prohibits a muffler cut-out, bypass, or similar device on a vehicle.
- **City Parks-** Staff has continued to address noise in City parks and recommends enforcing the same noise levels as throughout the City. (This includes allowing amplified equipment if it complies with the noise level.)

Department Review:

The City Attorney's Office has reviewed and analyzed Park City's current Noise Ordinance and relevant law regarding regulation of noise in Utah by local governmental entities, and has consulted with the Building, Planning, Special Events and Police Departments.

Public Input:

Staff has incorporated the feedback from the Planning Commission Meeting into the proposed ordinance. Additionally, staff has coordinated with the Community Engagement Department to conduct outreach within the City Newsletter, press releases (specifically to the Park Record and KPCW), and social media.

Staff discussed the noise ordinance at the Main Street Business Alliance Meeting on August 15, 2017. Staff has also provided updates regarding the current recommendations to the Main Street Business Alliance and the Nightly Rental Association.

Alternatives for City Council to Consider:

- Approve:** City Council may approve the Noise Ordinance as recommended by staff.
- Deny:** Council can deny the request for the Noise Ordinance.
- Amend:** Council may amend the current recommendation and approve the Noise Ordinance with amendments.
- Continue:** Council may continue the item.

Funding Source:

No additional funding is being requested.

Consequences of not taking the recommended action:

Denying the request would leave the Noise Ordinance as it is, potentially giving rise to litigation that seeks to overturn the ordinance based on First and Fourteenth Amendment violations; there would continue to be a lack of clarification with regard to the existing conflict between residential and commercial interests in the Main Street and Park Avenue areas. Additionally, staff would have a lack of clarification regarding the desired level of enforcement.

Exhibits:

Exhibit A – Proposed Noise Ordinance



Ordinance No. 2017-53

**AN ORDINANCE AMENDING TITLE 6, HEALTH, NUISANCE
ABATEMENT, NOISE; CHAPTER 3, NOISE, OF THE MUNICIPAL
CODE OF PARK CITY, UTAH**

WHEREAS, the livability and viability of Park City, its residents, businesses, and guests is a high priority and work sessions were held by the Planning Commission on July 26, 2017 and by the City Council on August 17, 2017 to address potential amendments to Title 6, Chapter 3 of the Municipal Code regarding Park City's Noise Ordinance; and

WHEREAS, Park City has a direct interest in protecting the health, economy, and natural environment of our community by addressing noise pollution while at the same time balancing residential and commercial interests; and

WHEREAS, residential complaints regarding noise pollution are often in conflict with adjacent commercial interests; and

WHEREAS, Park City's Noise Ordinance is subject to constitutional challenges due to overbreadth and vagueness;

WHEREAS, members of the City Council find it in the best interest of the public to clarify the Municipal Code from time to time and specifically in this instance to realistically promote best practices by minimizing conflicts in neighboring commercial and residential zones and to enact sound legislation that is able to withstand constitutional scrutiny, and is able to be consistently enforced and understood.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARK CITY, UTAH THAT:

Section I. Amendments. Title 6 Chapter 3 of the Municipal Code of Park City is hereby amended to include the following:

6- 3- 1. DEFINITIONS.

For purposes of these regulations, unless otherwise defined in other sections of these regulations, the following terms, phrases, and words shall have the meaning herein given.

(A) **A-WEIGHTED SOUND PRESSURE LEVEL.** The sound pressure level as measured with a sound level meter using the A-weighting network. The standard notation is “dB(A)” or “dBA”.

(B) **AMBIENT SOUND PRESSURE LEVEL.** The sound pressure level of the all-encompassing noise associated with a given environment, usually a composite of sounds from many sources. It is also the A-weighted sound pressure level exceeded ninety percent (90%) of the time based on a measurement period which shall not be less than ten (10) minutes.

(A) **(C) CONTINUOUS SOUND.** Any sound that exists, essentially without interruption, for a period of ten minutes or more.

(B) **(D) CYCLICALLY VARYING NOISE.** Any sound that varies in sound level so that the same level is obtained repetitively at reasonable uniform levels of time.

(E) **DECIBEL.** A logarithmic and dimensionless unit of measure often used in describing the amplitude of sound. Decibel is denoted as “dB”.

(G) **(F) DEVICE.** Any mechanism that is intended to produce, or that actually produces noise when operated or handled.

(D) **(G) DYNAMIC BRAKING DEVICE.** A device used primarily on trucks for the conversion of the engine from an internal combustion engine to an air compressor for the purpose of braking without the use of wheel brakes, commonly referred to as "Jacob's Brake" or "Jake Brake".

(E) **(H) EMERGENCY.** A situation or occurrence, which in the opinion of the City Manager, Chief of Police, Chief Building Official, or City Engineer, presents an imminent threat to the health, safety or welfare of any person, place or property.

(F) **(I) EMERGENCY WORK.** Work required to restore property to a safe condition following a public calamity or to protect persons or property from an imminent exposure to danger.

(G) **(J) EMERGENCY VEHICLE.** A motor vehicle used in response to a public calamity or to protect persons or property from an imminent exposure to danger.

(K) **HEATING, VENTILATION, AND AIR CONDITIONING (HVAC).** Any system installed on or within a dwelling, facility, building or structure for the purpose of providing heating, ventilation, or air conditioning. HVAC may include furnaces, air exchangers, central air condensing units, evaporative “swamp” coolers, heat pumps, exhaust fans, and other heating and cooling equipment.

(H) **(L) IMPULSIVE NOISE.** A noise containing excursions usually less than one second, or sound pressure level using the fast meter characteristic.

(H) **(M) MOTOR VEHICLE.** Any vehicle that is self-propelled by mechanical power, including, but not limited to, passenger cars, trucks, truck-trailers, semi-trailers, campers, motorcycles, mini-bikes, go-carts, snowmobiles, and racing vehicles.

(J) **(N) MUFFLER.** An apparatus consisting of a series of chambers or baffle plates designated to transmit gases while reducing sound.

(O) NINETIETH PERCENTILE NOISE LEVEL. The A-weighted sound pressure level that is exceeded ninety percent (90%) of the time in any measurement period (such as the level that is exceeded for 9 minutes in a 10 minute period) and is denoted "L90".

(K) **(P) NOISE DISTURBANCE.** Any sound that annoys or disturbs a reasonable person(s) with normal sensitivities or that injures or endangers the comfort, repose, health, hearing, peace, or safety of another person(s).

(L) **(Q) NOISE.** Any sound that is unwanted and causes or tends to cause an adverse psychological or physiological effect on human beings.

(R) PERSON. Any human being, firm, association, organization, partnership, business, trust, corporation, company, contractor, supplier, installer, user, owner or operator, including any municipal corporation or its officers or employees.

(M) **(S) PLAINLY AUDIBLE NOISE.** Any noise for which the information content of that noise is unambiguously transferred to the listener, including, but not limited to the understanding of spoken speech, comprehension of whether a voice is raised or normal, or comprehension of musical rhythms.

(N) **(T) PROPERTY BOUNDARY.** An imaginary line at the ground surface, and its vertical extension that separates the real property owned by one person from that owned by another person.

(U) PUBLIC RIGHT-OF-WAY. Any street, avenue, boulevard, highway or alley, or similar place, which is owned or controlled by a public governmental entity.

(V) PURE TONE. Any sound which can be distinctly heard as a single pitch or a set of single pitches. For the purpose of measurement, a pure tone shall exist if the one-third (1/3) octave band sound pressure level in the band with the tone exceeds the arithmetic average of the sound pressure levels of the two (2) contiguous one-third (1/3) octave bands by five (5) dB for frequencies of five hundred (500) Hz and above, by (8) dB for frequencies between one hundred sixty (160) and four hundred (400) Hz, and by fifteen (15) dB for frequencies less than or equal to one hundred twenty five (125) Hz.

(W) REPETITIVE IMPULSIVE NOISE. Any noise which is composed of impulsive noises that are repeated at sufficiently slow rates such that a sound level meter set at

the “fast” meter characteristic will show changes in sound pressure level greater than ten (10) dBA.

(Θ) ~~(X)~~ **SOUND**. A temporal and spatial oscillation in pressure, or other physical quantity with interval forces that cause compression or rarefaction of the medium, and that propagates at finite speed to distant points.

(Y) **SOUND LEVEL METER**. An instrument, including a microphone, amplifier, RMS detector and integrator, time averager, output meter and/or visual display and weighing networks, that is sensitive to pressure fluctuations. The instrument reads sound pressure level when properly calibrated and is of type 2 or better as specified in American National Standards Institute (ANSI) publication S1.4-1983 or its successor publication.

(Z) **SOUND PRESSURE**. The instantaneous difference between the actual pressure and the average or barometric pressure at a given point in space due to sound.

(AA) **SOUND PRESSURE LEVEL**. Twenty (20) times the logarithm to the base ten (10) of the ratio of the RMS sound pressure to the reference pressure, which shall be twenty (20) micropascals, denoted LP or SPL.

(P) ~~(BB)~~ **STATIONARY NOISE SOURCE**. Any device, fixed or movable, that is located or used on property other than a public right-of-way.

(CC) **TENTH PERCENTILE NOISE LEVEL**. The A-weighted sound pressure level that is exceeded ten percent (10%) of the time in any measurement period (such as the level that is exceeded for 1 minute in a 10 minute period) and is denoted “L10”.

(DD) **USE DISTRICT**. Those districts established by the city zoning ordinance set out at Title 15 of this code, as amended, or its successor title.

6- 3- 8. SPECIFIC NOISE PROHIBITIONS.

The following acts are declared to be in violation of these rules and regulations:

(B) **RADIOS, TELEVISION SETS, ~~TAPE PLAYERS, COMPACT DISC PLAYERS,~~ MUSICAL INSTRUMENTS, AND SIMILAR DEVICES**. Using, operating, or permitting, the use or operation of any radio receiving set, musical instrument, television, phonograph, drum, or other machine or device for the production or reproduction of sound: in violation of Section 6-3-9, or cause a noise disturbance.

~~(1) —between the hours of 10 p.m. and 7 a.m. in a way that is plainly audible beyond the property boundary of the source; or~~

~~(2) —on public property, public rights-of-way, or private property at any time so as to be plainly audible fifty feet (50') (15.25 meters) from the device.~~ Permits to

exceed the limits of this section may be issued for special events on public property by the Chief of Police, ~~Building Official or City Manager upon approval from the agency operating the public property as~~ provided by Section 6-3-11.

6-3-9. NOISE LEVELS

~~The making and/or creating of excessive or unusually loud noise or sound within the City as identified in the following Subsection (A), or identified and measured in the manner prescribed in Subsection (B), or in violation of restricted hours as outlined in Subsection (C) is unlawful.~~

- (A) ~~On the public right of way or upon public property, from the source or device as to be plainly audible at a distance of fifty feet (50') or on private property, as to be plainly audible at the property line.~~

Maximum Permissible Sound Levels: It is a violation of this chapter for any person to operate or permit to be operated any stationary source of sound in such a manner as to create a ninetieth percentile sound pressure level (L90) of any measurement period (which shall not be less than 10 minutes unless otherwise provided in this chapter) which exceeds the limits set forth for the following receiving land use districts, when measured at or within the property line of the receiving property:

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

When a noise source can be identified and its noise measured in more than one land use category, the limits of the least restrictive use shall apply at the boundaries between different land use categories.

- (B) ~~The noise shall be measured at a distance of at least twenty five feet (25') from the source of the device upon public property or within the public right of way or twenty five feet (25') from the property line if upon private property, and shall be measured on a decibel or sound level meter of standard design and quality operated on the "A" weighing scale. A measurement of sixty five (65) decibels shall be considered to be excessive and unusually loud.~~

Correction for Duration of Sound:

1. It is a violation of this chapter for any person to operate, or permit to be operated, any stationary source of sound within any land use district which creates a tenth percentile sound pressure level (L10) of fifteen (15) dBA greater than the levels set forth for the receiving land use districts in subsection A of this section for any measurement period. Such period shall not be less than ten (10) minutes.

2. Notwithstanding subsection B1 of this section, it is a violation of this chapter for any person to operate, or permit to be operated, any stationary source of sound within any land use district which creates a tenth percentile sound pressure level (L10) greater than (15) dBA above the ambient sound pressure level (L90) of any measurement period. Such period shall not be less than ten (10) minutes.

(C) ~~Hours of restriction are as follows:~~

~~Residential—10 pm to 7am Monday through Saturday~~

~~Not before 9am Sunday~~

~~Commercial—10pm to 6am Monday through Saturday~~

Correction for Character of Sound:

1. For any stationary source of sound which emits a pure tone, cyclically varying sound or repetitive impulsive sound, the limits set forth in subsection A of this section shall be reduced by five (5) dBA.

2. Notwithstanding compliance with subsection C1 of this section, it is a violation of this chapter for any person to operate or permit to be operated any stationary source of sound which emits a pure tone, cyclically varying or repetitive impulsive sound which creates a noise disturbance.

6- 3-10. EXEMPTIONS.

The following uses and activities shall be exempt from noise level regulations:

- (A) Noise of safety signals, warning devices, and emergency pressure relief valves;
- (B) Noise resulting from any authorized emergency vehicle when responding to an emergency call or in time of an emergency;
- (C) Noise resulting from emergency work;
- (D) Noise resulting from lawful fireworks and noisemakers used for celebration of an official holiday;
- (E) Any noise resulting from activities of temporary nature during periods permitted by law for which a license or permit has been approved ~~by the Director~~ in accordance with Section 6-3-11;
- (F) Any noise resulting from snowmaking activities at ski areas; and
- (G) Any noise resulting from the maintenance of golf courses.
- (H) Any noise resulting from snow plowing or removal services.

(I) Ten o'clock whistle.

(J) Noise resulting from a duly licensed and operated Public Outdoor Music Plaza pursuant to Title 4, ~~Chapter 8A,~~ of the Municipal Code of Park City.

(K) Noise resulting from the operation of a permitted and approved Heating, Ventilation, and Air Conditioning (HVAC) system, including central air conditioning units, evaporative coolers, or window cooling units, regardless of the time or frequency of operation, provided the system is in good repair and operating within manufacturer's specifications.

6-3-11. RELIEF FROM RESTRICTIONS

~~Requests for relief from the noise restrictions in these rules and regulations may be made by the Building Official as it pertains to building issues and by the Chief of Police as it pertains to special events and community or private functions or events. Upon granting relief, any conditions outlined and agreed upon shall be complied with by the applicant and failure to do so will cause the relief agreement to be suspended.~~

~~(A) Applications for a permit for relief from the noise restrictions in this chapter on the basis of undue hardship may be made to the Building Official as it pertains to building issues and to the Chief of Police as it pertains to special events and community or private functions or events. Any permit granted by the Building Official or the Chief of Police shall contain all conditions upon which the permit has been granted, including, but not limited to, the effective dates, time of day, location, sound pressure level, or equipment limitation.~~

~~(B) The relief requested may be granted upon good and sufficient showing:~~

~~(1) That additional time is necessary for the applicant to alter or modify such applicant's activity or operation to comply with this chapter; or~~

~~(2) That the activity, operation or noise source will be of temporary duration and cannot be done in a manner that would comply with this chapter; and~~

~~(3) That no reasonable alternative is available to the applicant.~~

~~(C) The Building Official or the Chief of Police may prescribe any reasonable conditions or requirements deemed necessary to minimize adverse effects upon a community or the surrounding neighborhood.~~

6-3-14 ENFORCEMENT

The Police Department ~~and Building Department~~ may, upon discovery or report of a violation or violations of this Chapter, issue a criminal written citation for the violation ~~requiring an appearance in court to answer the charges~~, or may file a report with the

City Prosecutor's Office for review and issuance of an information and summons to court to answer the charges.

The Building Department, may, upon discovery or report of a violation or violations of this Chapter, issue an Administrative Code Enforcement (ACE) citation for the violation set out at Title 11, Chapter 19 of this code, as amended, or its successor title.

6-3-15. PENALTY

Any person who is found guilty of violating any of the provisions of these rules and regulations, either by failing to do those acts required herein or by doing a prohibited act, is guilty of ~~an~~ class B misdemeanor, pursuant to U.C.A. Section 26-23-6, as amended. If a person is found guilty of a subsequent similar violation within two (2) years, he is guilty of a class A misdemeanor, pursuant to U.C.A. Section 26-23-6, as amended. ~~Each~~ infraction. ~~Each~~ day such violation is committed or permitted to continue shall constitute a separate violation.

The City Attorney may initiate legal action, civil or criminal, requested by the Department to abate any condition that exists in violation of these rules and regulations. In addition to other penalties imposed by a court of competent jurisdiction, any person(s) found guilty of violating any of these rules and regulations shall be liable for all expenses incurred by the Department in removing or abating any nuisance or other noise disturbance.

Section II. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

Section III. Conflict with Existing Ordinances, Resolutions, or Policies. To the extent that any ordinances, resolutions, or policies of Park City Municipal Corporation conflict with the provisions of this ordinance, this ordinance shall prevail.

Section IV. Effective Date. This ordinance shall become effective upon publication.

PASSED AND ADOPTED BY THE PARK CITY COUNCIL this _____ day of _____, 2017.

PARK CITY MUNICIPAL CORPORATION

Mayor Jack Thomas

Attest:

Michelle Kellogg, City Recorder

Approved as to form:

Tricia S. Lake, Assistant City Attorney



DATE: October 12, 2017

TO HONORABLE MAYOR AND COUNCIL

Staff is requesting Council review and approve the terms and language associated with the proposed Library Field Preservation Easement and grant the easement to Summit Land Conservancy. Granting of a third party preservation easement provides the third party easement holder with a legal property interest associated with the easement area. Further, it limits and/or determines, in perpetuity, future land uses associated.

Respectfully:

Heinrich Deters, Trails and Open Space Program Manager

City Council Staff Report



Subject: Granting a Preservation Easement on the Library Field
Author: Heinrich Deters
Department: Sustainability
Date: October 12, 2017
Type of Item: Administrative

Staff Recommendation

Staff recommends City Council approve the proposed Library Field Preservation Easement and grant the easement to Summit Land Conservancy, in a form approved by the City Attorney.

Executive Summary

Staff is requesting Council review and approve the terms and language associated with the proposed Library Field Preservation Easement and grant the easement to Summit Land Conservancy. Granting of a third party preservation easement provides the third party easement holder with a legal property interest associated with the easement area. Further, it limits and/or determines, in perpetuity, future land uses associated.

Acronyms

COSAC- Citizens Open Space Advisory Committee
RAB- Recreation Advisory Committee
SLC- Summit Land Conservancy

Background

On March 16, 2017, The Citizens Open Space Advisory Committee (COSAC) and the Recreation Advisory Board (RAB) presented a joint recommendation to place a preservation easement on the Library Field.

<u>Date</u>	<u>Item</u>
March 16, 2017	Staff Report- Library Filed Preservation Project- Page 100
March 16, 2017	City Council Meeting Minutes- Library Field Preservation Project- Page 8
January 31, 2017	January 31, 2017 COSAC Meeting Library Field Excerpt February 7, 2017 RAB Meeting Library Field Excerpt
September 15, 2016	September 15, 2016 City Council Packet- COSAC Library Field Page 26
September 15, 2016	September 15, 2016 City Council Meeting Minutes Page 4

Easement Request for Proposal

On July 17th, City Council selected SLC to hold a Preservation Easement on Library Field. Staff will return to Council with the final easement contract with SLC once fundraising efforts and negotiated terms are finalized.

RAB and COSAC review

On September 5th, RAB reviewed a draft easement and provided input. On September 26, COSAC reviewed a draft easement and provided input.

Analysis

This report is the final rendition of numerous meetings in which the public, advisory committees and City Council have collectively provided parameters associated with a proposed third party preservation easement on a portion of the library field.

Granting of a third party preservation easement provides the third party easement holder with a legal property interest associated with the easement area. Further, it limits and/or determines, in perpetuity, future land uses associated.

Easement Area

City staff and Summit Land Conservancy have visited the site and discussed the geographic boundaries of the easement area. Additionally, a professional surveyor has surveyed, created a legal description of the proposed area and placed survey pins, in the field, to establish the boundaries. At a high level, the easement would not include the slope/patio area on the south end of the field but would go 'curb to curb and lot line to lot line' elsewhere. (Map below)



- The Norfolk right of way is NOT included in the easement area.
- The parking area on the north end of the property (13th Street) is NOT included in the easement area.

Preservation Values

The proposed preservation easement recognizes several preservation values. These values provide the framework in which the easement is managed.

Aesthetic Value: The Property is open space, visible from Park Avenue and other residential streets. It buffers densely built, multi-story housing and an area likely to be further developed.

Recreational Value: The Property is used as a recreational area for unstructured activities such as picnics, sledding and dog-exercise. The field is a gathering place for neighborhood residents, visitors, pre-schools and other community groups.

Historic Value: The Property is part of the Carl Winters historic building property. The building was built in 1928, restored in 1993, and has been renovated recently to maintain its historic quality and public benefit as a library, theatre and meeting space.

Permitted and Prohibited Uses

Exhibit C of the easement establishes permitted and prohibited uses within the easement area. Staff has provided a high level synopsis below.

- The easement would prohibit permanent structures, including sidewalks and fences.
- The easement would allow for special events and associated temporary structures if approved under the existing regulatory process.
- The easement has identify a process to approve/deny public requests for minor park amenities (think benches), which would be restricted to the perimeter of the easement area.
- The easement would limit the number of trees to what is currently existing and identified in the baseline documentation. Replacement and maintenance of existing trees and landscaping is permitted.
- Existing utilities and easements are recognized and maintenance of those easements is permitted. Granting or installation of new utility corridors for above-ground utilities that serve land other than the Property is prohibited.

Alternatives for City Council to Consider

1. Approve the Preservation Easement as provided in Attachment I:

City Council has previously directed staff to move forward with the preservation easement.

Pros

- The language provided in the attachment has been reviewed and recommended by COSAC, RAB, SLC and City staff.
- A third party easement would positively impact Council's strategic goal of 'preserving and enhancing the natural environment' and specifically the stated Council priority- top goal of preserving 'open spaces'.
- Preservation of the Library Field has been a 'hot topic' for some of the Lower Park Avenue neighborhood. A third party easement could ultimately put the topic to rest.

Cons

- Removes decision making of future uses from the community process.

2. Amend language and/or terms associated with the Preservation Easement as provided in Attachment I: Council may elect to edit or amend the draft language

Pros

- Council may recognize or receive comment from the public on an issue that is not addressed or clearly denoted in the easement.

Cons

- This may delay the recordation of the easement.

3. Null Alternative: Council may ask staff and the specific advisory committees to return with other options and/or a new easement scope.

Pros

- None

Cons

- This will delay the recordation of the easement.

Department Review

This report has been reviewed by the City Attorney's Office, the Budget Department, the City Engineer, Parks Department, Library, Recreation Department, Transit, Public Utilities and Executive Departments. Their comments and edits have been included.

Funding Source

Funding, should it be needed for stewardship will be addressed when the professional service contract with SLC is approved

Attachments

Attachment I – DRAFT Library Field Preservation Easement

WHEN RECORDED, RETURN TO:
Summit Land Conservancy
P.O. Box 1775
1650 Park Avenue, Suite 202
Park City, Utah 84060

PRESERVATION EASEMENT

THIS PRESERVATION EASEMENT ("Easement") is made this ____ day of _____, ("Effective Date") by and between Park City Municipal Corporation ("Owner"), and Summit Land Conservancy, a Utah nonprofit corporation ("Conservancy") (Owner and the Conservancy are referred to individually as a "Party" and collectively as the "Parties").

The following Exhibits are attached to and are incorporated into this Easement by this reference:

Exhibit A: Legal Description of the Property;
Exhibit B: Property Map;
Exhibit C: Permitted and Restricted Uses and Practices.

RECITALS

A. Owner owns approximately 2 acres of land at 1255 Park Avenue Park City (the "Property"). The Property is described in Exhibit A and shown for reference purposes on the Property Map attached as Exhibit B.

B. The Property has significant preservation values of great importance to the Owner, Conservancy, and the people of Park City, Summit County and the State of Utah. The preservation values intended to be preserved and protected for the public trust under this Easement include: (i) open space views providing visual relief within a built-up urban area (hereafter "Aesthetic Value") (ii) passive and unstructured public recreational access (hereafter "Recreational Value") and (iii) historic values, as the Property complements and enhances the historic public library building (hereafter "Historic Value"). More particularly:

Aesthetic Value: The Property is open space, visible from Park Avenue and other residential streets. It buffers densely built, multi-story housing and an area likely to be further developed.

Recreational Value: The Property is used as a recreational area for unstructured activities such as picnics, sledding and dog-exercise. The field is a gathering place for neighborhood residents, visitors, pre-schools and other community groups.

Historic Value: The Property is part of the Carl Winters historic building property. The building was built in 1928, restored in 1993, and has been renovated recently to maintain its historic quality and public benefit as a library, theatre and meeting space.

C. The Aesthetic Value, Recreational Value and Historic Value are hereafter described as the “Preservation Values” and are further documented in the “Baseline Documentation Report”, a copy of which is on file at the offices of Owner and Conservancy.

D. The Easement is granted with the approval of the Citizens Open Space Advisory Committee (COSAC), appointed by the Park City Council to facilitate the acquisition and preservation of open space within the greater Park City area.

E. As fee owner of the Property, Owner owns the affirmative rights to identify, preserve, and protect forever the Preservation Values of the Property. Owner desires to grant a preservation easement to the Conservancy pursuant to the ‘Land Conservation Easement Act’ of Utah’s statutes, Sections 57-18-1 to 57-18-7, which authorizes protection of natural, scenic, open space, aesthetic, historic, hydrologic, ecological, agricultural, and scientific values that are of great importance to Owner, the Conservancy, the people of Summit County, and the people of the State of Utah.

F. As of the Effective Date, the Conservancy is a nonprofit corporation incorporated under the laws of Utah as a tax-exempt public charity described in Sections 501(c)(3) and 509(a)(1) of the IRS Code (defined below), organized to protect and conserve natural areas and ecologically significant land for scientific, charitable, and educational purposes; and is a qualified “holder” of a preservation easement under the Utah ‘Land Conservation Easement Act’.

G. To accomplish the Preservation Purposes (defined below), Owner desires to convey to the Conservancy and the Conservancy desires to obtain from the Owner a preservation easement that restricts the uses of the Property and that grants certain rights to the Conservancy in order to preserve, protect, identify, monitor, enhance, and restore in perpetuity the Preservation Values.

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PRESERVATION EASEMENT TERMS

IN CONSIDERATION of the recitals set forth above, the mutual covenants, terms, conditions, and restrictions contained in this Easement and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, and pursuant to the Utah state law, in particular, the Land Conservation Easement Act, Owner voluntarily grants and conveys to, and the Conservancy accepts, a perpetual Preservation easement in, on, over, and across the Property, subject to the terms and conditions set forth in this Easement, restricting forever the uses that may be made of the Property and granting the Conservancy certain rights in the Property; and Owner and the Conservancy agree as follows:

1. **PRESERVATION PURPOSES.** The purpose of this Easement is to permanently protect the library field from development, and to protect its aesthetic, recreational and historic values. In achieving the above-named purposes (collectively the “Preservation Purposes”), it is the intent of this Easement to permit the continuation of such uses of the Property as may be conducted consistent with the Preservation Values protected herein.

2. **BASELINE DOCUMENTATION REPORT.** By its execution of this Easement, the Conservancy acknowledges that Owner's present uses of the Property are compatible with the purposes of this Easement. In order to evidence the present condition of the Property (including both natural and man-made features) and to facilitate future monitoring and enforcement of this Easement, the Parties acknowledge that a Baseline Documentation Report (the "Report") has been prepared, which provides a collection of baseline data on the Property and its natural resources and an assessment of the consistent uses. The Parties agree that the Report contains an accurate representation of the biological and physical condition of the Property as of the Effective Date and of the historical uses of the Property, including historical water uses. In addition to the public benefits described as the Preservation Values, the Report identifies public policy statements and/or other factual information supporting the significant public benefit of this Easement. Conservancy may use the Report in enforcing provisions of this Preservation Easement, but is not limited to the use of the Report to show change of conditions. The Report is incorporated into this Conservation Easement by reference. Owner and the Conservancy approve the Report, a copy of which is on file with the Owner and the original of which is on file with the Conservancy at their respective addresses for notices set forth below.

3. **THE CONSERVANCY'S RIGHTS.** In order to accomplish the Preservation Purposes, the rights and interests that are granted and conveyed to the Conservancy by this Easement include the following:

A. **Preserve and Protect.** The right to preserve, protect, identify, monitor, and enhance the Preservation Values in perpetuity, and, in the event of their degradation or destruction, the right to require the restoration of such areas or features of the Property that are damaged by any inconsistent activity or use .

B. **Entry and Access Rights.** The Conservancy is, by this Easement, granted rights of access, whether by public ways or otherwise and including, but not limited to, any access easements appurtenant to the Property or held by Owner, to enter upon the Property in order to monitor compliance with and otherwise enforce the terms of this Easement, to study and make scientific observations of the Property and of natural elements and ecosystems and other features of the Property, to take photographs of the property and to determine whether the Owner's activities are in compliance with the terms of this Easement, all upon reasonable prior notice to Owner and in a manner that does not unreasonably disturb the use of the Property by Owner consistent with this Easement. The Conservancy has the right of immediate entry to the Property if, in its sole judgment, such entry is necessary to investigate, prevent, terminate, or mitigate a violation of this Easement, or to preserve and protect the Preservation Values.

C. **Enforcement.** The Conservancy has the right to prevent or enjoin any activity on or use of the Property that constitutes a breach of this Easement or is inconsistent with the preservation of the Preservation Values, and the Conservancy has the right to require the restoration of such areas or features of the Property that might be damaged by any breach or inconsistent use or activity.

4. USES OF THE PROPERTY. Except as prohibited or otherwise limited by this Easement, Owner reserves the right to use and enjoy the Property in any manner that is consistent with the Preservation Purposes and the preservation of the Preservation Values. Owner will not perform, nor allow others to perform, any act on or affecting the Property that is inconsistent with the Preservation Purposes. The uses set forth in Exhibit C, though not an exhaustive list of consistent uses and practices, are consistent with this Easement and will not be precluded, prevented, or limited, except as specifically set forth in Exhibit C. Any activity on or use of the Property that is inconsistent with the Preservation Purposes (including, without limitation, any activity or use that diminishes or impairs the Preservation Values) is prohibited. Though not an exhaustive list of prohibited and restricted uses, Exhibit C also describes such uses or activities that are inconsistent with the Preservation Purposes and are thus prohibited or restricted.

5. APPROVAL REQUEST.

A. The Conservancy's Approval. Owner will not undertake or permit any activity requiring prior approval by the Conservancy without first having notified and received approval from the Conservancy as provided herein. Prior to the commencement of any activity for which this Easement requires prior written approval by the Conservancy, Owner will send the Conservancy written notice of Owner's intention to undertake such activity. The notice will inform the Conservancy of all aspects of the proposed activity, including location, design, materials or equipment to be used, dates and duration, and all other relevant information. If in the Conservancy's judgment additional information is required to adequately review the proposal, the Conservancy will send written notice requesting such additional information within 15 days of receipt of Owner's notice.

B. The Conservancy's Decision. No later than 45 days from the Conservancy's receipt of information adequate to review the proposal, the Conservancy will notify Owner of its disapproval or approval of Owner's proposal, or that the Conservancy may approve the proposal with certain specified modifications. The Conservancy's decision must be based upon the Conservancy's assessment of the proposed activity in relation to its consistency or inconsistency with the terms of this Easement. Approval to proceed with, or failure to object to, any proposed use or activity will not constitute consent to any subsequent use or activity of the same or any different nature.

6. ENFORCEMENT AND REMEDIES.

A. Notice of Violation; Corrective Action. If the Conservancy becomes aware that a violation of the terms of this Easement has occurred or is threatened to occur, the Conservancy will give written notice to Owner of such violation who will, in the case of an existing violation, promptly cure the violation by (a) ceasing the same and (b) restoring the Property to the condition before such violation, or in the case of a threatened violation, refrain from the activity that would result in the violation. If Owner fails to cure the violation within thirty (30) days after receipt of notice from the Conservancy, or under circumstances where the violation cannot reasonably be cured

within a thirty (30)-day period, fails to begin curing such violation within the thirty (30)-day period or fails to continue diligently to cure such violation until finally cured, the Conservancy will have all remedies available at law or in equity to enforce the terms of this Easement, including, without limitation, the right to seek a temporary or permanent injunction with respect to such activity, to cause the restoration of that portion of the Property affected by such activity to the condition that existed prior to the undertaking of such prohibited activity (regardless of whether the costs of restoration exceed the value of the Property), and to otherwise pursue all available legal remedies, including, but not limited to, monetary damages arising from the violation. The Conservancy's rights under this Paragraph apply equally to actual or threatened violations of the terms of this Easement. Owner agrees that the Conservancy's remedies at law for any violation of the terms of this Easement are inadequate and that Conservancy is entitled to the injunctive relief described in this Paragraph, both prohibitive and mandatory, in addition to such other relief to which the Conservancy may be entitled, including specific performance of the terms of this Easement, without the necessity of proving either actual damages or the inadequacy of otherwise available legal remedies. Furthermore, the provisions of the 'Land Conservation Easement Act' of Utah's statutes, Sections 57-18-1 to 57-18-7 are incorporated into this Easement by this reference, and this Easement includes all of the rights and remedies set forth therein.

(i) Owner is responsible for the acts and omissions of persons acting on its behalf, at its direction or with its permission, and the Conservancy has the right to enforce this Easement against Owner for any use of or activities upon the Property which are a violation of this Easement and which result from such acts or omissions. However, as to the acts or omissions of third parties other than the those described in the preceding sentence, the Conservancy does not have a right to enforce against Owner unless Owner is complicit in said acts or omissions, fails to cooperate with the Conservancy in all respects to halt or abate the event or circumstance of non-compliance with this Easement terms resulting from such acts or omissions, or fails to report such acts or omissions to the Conservancy promptly upon learning of them.

(ii) The Conservancy has the right, but not the obligation, to pursue all legal and equitable remedies provided under this Paragraph against any third party responsible for any activity or use of the Property that is a violation of this Easement and Owner will, at the Conservancy's option, assign its right of action against such third party to the Conservancy, join the Conservancy in any suit or action against such third party, or appoint the Conservancy its attorney in fact for the purpose of pursuing an enforcement suit or action against such third party.

B. Costs of Enforcement. Owner will reimburse the Conservancy for all reasonable expenses incurred by the Conservancy in enforcing the terms of this Easement, including, without limitation, reasonable attorneys' fees and any costs of restoration necessary to cure the violation. In any action, suit or other proceeding undertaken to enforce the provisions of this Easement, the prevailing Party will be entitled to recover from the non-prevailing Party all reasonable costs and expenses, including attorneys' fees, and if such prevailing Party recovers judgment in any action or proceeding, such costs and expenses will be included as part of the judgment. In

addition, any costs of restoration will be borne by the Owner if Owner is deemed to be responsible for damage to the Property.

C. Emergency Enforcement. If the Conservancy, in its sole discretion, determines that circumstances require immediate action to prevent or mitigate significant damage to the Preservation Values or to prevent breach or extinguishment of this Easement, the Conservancy may pursue its remedies under this Easement without prior notice to Owner and without waiting for the cure period to expire.

D. The Conservancy's Discretion. Enforcement of the terms and provisions of this Easement will be at the sole discretion of the Conservancy, and the failure of the Conservancy to discover a violation or to take action under this Easement will not be deemed or construed to be a waiver of the Conservancy's rights under this Easement with respect to such violation in the event of any subsequent breach. In no event will any delay or omission by the Conservancy in exercising any right or remedy constitute an impairment of or a waiver of such right or remedy. Owner waives the defenses of prescription, laches and the running of any applicable statute of limitations.

E. Remedies Cumulative. No single or partial exercise of any right, power or privilege hereunder will preclude any other or further exercise thereof or the exercise of any other right, power or privilege hereunder and all remedies under this Easement may be exercised concurrently, independently or successively from time to time. The rights and remedies herein provided are cumulative and not exclusive of any rights or remedies which may be available at law or equity.

F. Acts Beyond the Owner's Control. Nothing contained in this Easement will be construed to entitle the Conservancy to bring any action against Owner for, or to require the Conservancy or Owner to actively restore destruction of or damage to the Preservation Values resulting from, any injury to or change in the Property resulting from causes beyond Owner's control, including fire, flood, storm, earth movement, and other natural disasters or from any prudent action taken by Owner under emergency conditions to prevent, abate, or mitigate significant injury to the Property resulting from such causes. This Paragraph will not be construed to relieve the Owner of the obligation to clean-up garbage or materials dumped on the Property by third parties and the obligation to prevent third party violations of this Easement, or to otherwise maintain the Property in a condition consistent with the purposes of this Easement.

7. REPRESENTATIONS AND WARRANTIES.

A. Hazardous Materials. To the best of Owner's knowledge, Owner represents and warrants that the Property (including, without limitation, soil, groundwater, and surface water) is free of any conditions that individually or in the aggregate: (i) constitute a present or potential threat to human health, safety, welfare, or the environment; or (ii) violate any Environmental Law (defined below). Owner represents and warrants that there are no underground tanks located on the Property. Owner represents and warrants that Owner will comply with all Environmental Laws in using the Property and that Owner will keep the Property free of any material

environmental defect, including, without limitation, contamination from Hazardous Materials (defined below).

B. State of Title. Owner represents and warrants that Owner has good and marketable title to the Property, subject only to any liens encumbrances and defects described in the title commitment obtained by Conservancy prior to execution of this Easement. To the best of Owner's knowledge, there are no easements, leases or other agreements with third-parties, that might cause extinguishment of this Easement, or that would materially impair the Preservation Purposes.

C. Compliance with Laws. Owner has not received notice of and has no knowledge of any material violation of any federal, state, county, or other governmental or quasi-governmental statute, ordinance, rule, regulation, law, or administrative or judicial order with respect to the Property.

D. No Litigation. Owner represents and warrants that there is no action, suit, or proceeding that is pending or threatened against the Property or any portion thereof relating to or arising out of the ownership or use of the Property, or any portion thereof, in any court or before or by any federal, state, county, or municipal department, commission, board, bureau, agency, or other governmental instrumentality.

E. Authority to Execute Easement. The person or persons executing this Easement on behalf of the Conservancy represent and warrant that the execution of this Easement has been duly authorized by the Conservancy. The person or persons executing this Easement on behalf of Owner represent and warrant that the execution of this Easement has been duly authorized by Owner.

8. COSTS, LEGAL REQUIREMENTS, AND LIABILITIES. Owner will be responsible for and will bear all costs and liabilities of any kind related to the ownership, operation, upkeep, and maintenance of the Property and agrees that the Conservancy will have no duty or responsibility for the operation or maintenance of the Property, the monitoring of hazardous conditions on the Property, or the protection of Owner, the public, or any third parties from risks relating to conditions on the Property. Owner agrees to pay before delinquency any and all real property taxes and assessments levied on the Property and agrees that the Owner will keep the Conservancy's interest in the Property free of any liens, including those arising out of any work performed for, materials furnished to, or obligations incurred by Owner. Owner will be solely responsible for any costs related to the maintenance of general liability insurance covering Owner's acts on the Property. Owner remains solely responsible for obtaining any applicable governmental permits and approvals for any activity or use by Owner on the Property and permitted by this Easement, and any activity or use will be undertaken in accordance with all applicable federal, state, and local laws, rules, regulations, and requirements. If more than one person or entity constitutes Owner, the obligations of each and all of them under this Easement will be joint and several.

9. INSURANCE REQUIREMENT. Owner shall maintain general public liability insurance for personal injury or death and property damage occurring upon or about the

Property, in an amount consistent with industry standards. Owner shall include the Conservancy as an additional insured, and shall provide Conservancy with a certificate of insurance coverage.

10. RUNNING WITH THE LAND. This Easement burdens and runs with the Property in perpetuity. Every provision of this Easement that applies to Owner or the Conservancy also applies forever to and burdens or benefits, as applicable, their respective agents, heirs, devisees, administrators, employees, personal representatives, lessees, and assigns, and all other successors as their interest may appear.

11. SUBSEQUENT TRANSFERS AND SUBORDINATION. Owner may transfer the Property in its entirety, but not in any portion less than its entirety. Owner agrees that the terms, conditions, restrictions, and purposes of this Easement or reference thereto will be inserted by Owner in any subsequent deed or other legal instrument by which Owner divests either the fee simple title or a possessory interest (including, but not limited to, any leases) of the Property; and Owner further agrees to notify the Conservancy of any pending transfer (including, without limitation, leases) at least forty five (45) days in advance of the transfer. The failure of the Owner to comply with this Paragraph will not impair the validity of this Easement or limit its enforceability in any way. Any successor in interest of the Owner, by acceptance of a deed, lease, or other document purporting to convey an interest in all or any portion of the Property, will be deemed to have consented to, reaffirmed, and agreed to be bound by all of the terms, covenants, restrictions, and conditions of this Easement.

12. INDEMNIFICATION.

A. Cross Indemnification. Notwithstanding any other provision of this Agreement to the contrary, the Parties indemnify, defend, and hold harmless each other, including, without limitation, each Party's directors, officers, employees, agents, contractors, and their successors and assigns (collectively, the "Indemnified Parties"), from and against any costs, liabilities, penalties, damages, claims, or expenses (including reasonable attorneys' fees) and litigation costs that the Indemnified Parties may suffer or incur as a result of, or arising out of use of or activities on the Property by the Party.

B. Owner Indemnification. Owner indemnifies, defends, and holds harmless the Conservancy and its Indemnified Parties for any real property taxes, insurance, utilities, or assessments that are levied against the Property, including those for which exemption cannot be obtained, or any other costs of maintaining the Property, any claims pertaining to the Owner's title to the Property or representations and warranties made in this Easement, and any injury to or the death of any person, or damage to any property resulting from any act, omission, condition, or any matter related to or occurring on or about the Property except the extent of the gross negligence or intentional torts of the Indemnified Parties.

C. Limitations on Indemnifications. Pursuant to the provisions of this Paragraph, the Conservancy is not indemnifying the Owner against, and is not liable or responsible for, injuries or damage to persons or property in connection with the Conservancy's administration or enforcement of this Easement or with respect to the condition of the Property. The limitation in this subparagraph does not absolve the

Conservancy of any liabilities it might otherwise have, independently of this Easement, for wrongfully and directly, without the participation or consent of the Owner, causing any dangerous condition to come into existence on the Property. No provision of this Easement shall waive any defense or limitation of the Government Immunity Act of Utah (Utah Code Ann. §63G-7-101, et seq.)

13. CHANGE OF CONDITIONS. In granting this Easement, Owner has considered the possibility that uses prohibited by the terms of this Easement may become more economically valuable than permitted uses and that neighboring properties may be used entirely for such prohibited uses in the future. It is the intent of Owner and the Conservancy that any such changes will not be deemed circumstances justifying the extinguishment of this Easement. In addition, the inability of Owner, or Owner's successors or assigns, to conduct or implement any or all of the uses permitted under this Easement, or the unprofitability of doing so, will not impair the validity of this Easement or be considered grounds for its termination or extinguishment.

14. EXTINGUISHMENT. If subsequent, unexpected circumstances arise in future that render the purposes of this Easement impossible to accomplish, this Easement can be released, terminated, or otherwise extinguished, whether in whole or in part, only (a) in a judicial proceeding in a court of competent jurisdiction and (b) upon a finding by the court that a subsequent unexpected change in conditions has made impossible or impractical the continued use of the Property for Preservation purposes. Each Party will promptly notify the other when it first learns of such circumstances. In accordance with IRS Regulations, the amount of the proceeds to which the Conservancy will be entitled, after the satisfaction of prior claims, from any sale, exchange, or involuntary conversion of all or any portion of the Property subsequent to such termination or extinguishment, will be determined, unless otherwise provided by law at the time, in accordance with Paragraph 16 below. The Conservancy will use all such proceeds in a manner consistent with the Conservancy's mission and conservation purposes.

15. CONDEMNATION. If all or part of the Property is taken in exercise of eminent domain by public, corporate, or other authority so as to abrogate the restrictions imposed by this Easement, Owner and the Conservancy will join in appropriate actions at the time of such taking to recover the full value of the taking and all incidental or direct damages resulting from the taking. Condemnation which proceeds will be utilized by the Owner, in collaboration ~~conjunction with the Conservancy, -to- advance conservation purposes and acquire a fee-simple, conservation easement or similar property interest in open space lands. As appropriate and upon mutual agreement of the parties, Conservancy shall have the right to hold a property interest in the acquired property as either a joint tenant property owner, conservation easement holder, conservation easement co-holder or holder of a conservation easement or otherwise. acquire to open space property as similar to the library field as plausible like property if applicable. Further, the Owner agrees to said property conditioned such that the property shall be encumbered by a similar preservation easement to be held by the Conservancy. will be divided in accordance with the proportionate value of the Conservancy's and Owner's interests as of the Effective Date as set forth in the section below, it being expressly agreed that this Easement constitutes a compensable property right.~~ All expenses incurred by Owner and the Conservancy in such action will be paid out of the recovered proceeds.

16. AMENDMENT. If circumstances arise under which an amendment to or modification of this Easement might be appropriate, the Conservancy and Owner may by mutual written agreement jointly amend this Easement, provided that no amendment will be made that will adversely affect the qualification of this Easement or the status of the Conservancy as a qualified holder under any applicable laws, including the IRS Code or Utah statute. Any such amendment will: be at the discretion of the Conservancy; will be consistent with the preservation of the Preservation Values of the Property and the Preservation Purposes of this Easement; will not affect its perpetual duration or its qualification under any laws; will not permit any private inurement or impermissible private benefit to any person or entity, in accordance with rules and regulations governing charitable organizations qualified under Section 501(c)(3) of the IRS Code; will have a positive or not less than neutral conservation outcome; and will be consistent with the Conservancy's internal policies and procedures regarding easement amendments as may be in effect at the time of the amendment proposal. Any such amendment will be recorded in the land records of Summit County, Utah. Nothing in this Paragraph will require either Party to agree to any amendment or to consult or negotiate regarding any amendment.

17. INTERACTION WITH STATE LAW. The provisions of the above paragraphs addressing EXTINGUISHMENT, CONDEMNATION, and AMENDMENT shall apply notwithstanding, and in addition to, any provisions addressing such actions under Utah law.

18. NOTICE.

A. Notice for Entry. Where notice to Owner of the Conservancy's entry upon the Property is required under this Easement, the Conservancy will notify any of the persons constituting Owner or their authorized agents by telephone or in person or by written notice in the manner described in Paragraph 17(B) prior to such entry.

B. Written Notices. Any written notice called for in this Easement will be delivered: (i) in person; (ii) by certified mail, return receipt requested, postage prepaid; (iii) by facsimile or e-mail with the original deposited with the United States Post office, postage prepaid; or (iv) by next-business-day delivery through a reputable overnight courier that guarantees next-business-day delivery and provides a receipt. Notices must be addressed as follows:

To Conservancy:

Summit Land Conservancy
P.O. Box 1775
1650 Park Avenue, Suite 200
Park City, Utah 84060
Attention: Executive Director

To Owner:

Park City Municipal Corporation
PO Box 1480
Park City, Utah 84060
Attention: Open Space and Trails Manager

Either Party may, from time to time, by written notice to the other, designate a different address that will be substituted for the relevant address or addresses set forth above. Notice is deemed to be given upon receipt.

19. INTERPRETATION.

A. Intent. It is the intent of this Easement to protect the Preservation Values in perpetuity by prohibiting and restricting specific uses of the Property, notwithstanding economic or other hardship or changes in circumstances or conditions. If any provision in this Easement is found to be ambiguous, an interpretation consistent with protection of the Preservation Values and Preservation Purposes is favored, regardless of any general rule of construction. In the event of any conflict between the provisions of this Easement and the provisions of any use and zoning restrictions of the State of Utah, the county in which the Property is located, or any other governmental entity with jurisdiction, the more restrictive Preservation provisions will apply.

B. Governing Law. This Easement will be interpreted in accordance with the laws of the State of Utah.

C. Captions. The captions have been inserted solely for convenience of reference and are not part of this Easement and will have no effect upon construction or interpretation.

D. No Hazardous Materials Liability. Notwithstanding any other provision of this Easement to the contrary, nothing in this Easement will be construed such that it creates in or gives to the Conservancy: (a) the obligations or liabilities of an “owner” or “operator” as those words are defined and used in Environmental Laws (defined below), including, without limitation, (b) the obligations or liabilities of a person described in 42 USC Section 9607(a)(3); (c) the obligations of a responsible person under any applicable Environmental Law; (d) any obligation to investigate or remediate any Hazardous Materials associated with the Property; or (e) any control over Owner’s ability to investigate, remove, remediate or otherwise clean up any Hazardous Materials associated with the Property.

E. Merger. In the event that the Conservancy takes legal title to Owner’s interest in the Property, the Conservancy must commit the monitoring and enforcement of this Easement to another qualified organization within the meaning of section 107(h)(3) of the United States Internal Revenue Code (1986), as amended, which organization has among its purposes the conservation and preservation of land and water areas.

F. Construction. The Parties acknowledge and agree that (a) each Party is of equal bargaining strength; (b) each Party has actively participated in the drafting, preparation and negotiation of this Easement; (c) each Party has consulted with its own independent counsel, and such other professional advisors as it has deemed appropriate, relating to any and all matters contemplated under this Easement; (d) each Party and its counsel and advisors have reviewed this Easement; (e) each Party has

agreed to enter into this Easement following such review and the rendering of such advice; and (f) any rule of construction to the effect that ambiguities are to be resolved against the drafting Party do not apply in the interpretation of this Easement, or any portions hereof, or any amendments hereto

G. Definitions.

(i) The term “IRS Code” means the Internal Revenue Code of 1986, as amended through the applicable date of reference.

(ii) The term “Development Rights” means and includes any and all legal rights under federal, state, and/or local laws, ordinances, rules or regulations now in effect or enacted after this date to develop and build structures, expressed as the maximum number of dwelling units per acre for residential parcels or square feet of gross floor area for nonresidential parcels, that could be permitted under applicable zoning and subdivision rules and regulations.

(iii) The terms “Owner” and the “Conservancy”, and any pronouns used in place thereof, mean and include, respectively, Owner and Owner’s personal representatives, heirs, devisees, personal representatives, and assigns, and all other successors as their interest may appear and the Conservancy and its successors and assigns.

(iv) The term “Hazardous Materials” includes, without limitation, any of the following wastes, materials, chemicals, or other substances (whether in the form of liquids, solids, or gases, and whether or not airborne) which are ignitable, reactive, corrosive, toxic, or radioactive, or which are deemed to be pollutants, contaminants, or hazardous or toxic substances under or pursuant to, or which are to any extent regulated by or under or form the basis of liability under any statute, regulation, rule, ordinance, order, or requirement concerning such wastes, materials, chemicals, or other substances (in each case, an “Environmental Law”), including, but not limited to, petroleum-based products and any material containing or producing any polychlorinated biphenyl, dioxin, or asbestos, as well as any biocide, herbicide, insecticide, or other agrichemical, at any level that may (a) constitute a present or potential threat to human health, safety, welfare, or the environment, (b) exceed any applicable or relevant and appropriate cleanup standard, or (c) cause any person to incur any investigation, removal, remediation, maintenance, abatement, or other cleanup expense; it being understood that such Environmental Laws include, but are not limited to Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (42 USC Section 9601 et seq.); the Hazardous Materials Transportation Act (49 USC Sections 6901 et seq.); similar Utah state environmental laws; and any rule, regulation, or other promulgation adopted under any of the foregoing laws.

(v) All references to the “IRS Regulations” means the Internal Revenue Service Treasury Regulations, 26 C.F.R. Ch. 1, § 1.170A-14 as amended through the applicable date of reference.

20. RESTRICTIONS ON TRANSFER. Other than in the context of an extinguishment that complies with section 14 of this Easement or a condemnation that complies with section 15, this Easement may be transferred by Conservancy, only if (i) as a condition of the transfer, Conservancy requires that the purpose of this Easement continues to be carried out; (ii) the transferee, at the time of transfer, qualifies under section 170(h) of the Code and section 57-18-3 of Utah's statutes as an eligible donee to receive this Easement directly; and (iii) the transferee has the commitment and resources to enforce, and agrees to enforce this Easement. Conservancy agrees to provide written notice to Owner at least sixty (60) days prior to any intended transfer of this Easement. Any subsequent transfer of this Easement shall also be subject to the provisions of this paragraph. Any attempted transfer by Conservancy of all or a portion of this Easement contrary to the terms hereof shall be invalid but shall not operate to extinguish this Easement.

21. SEVERABILITY AND ENFORCEABILITY. The terms and purposes of this Easement are intended to be perpetual. If any provision herein shall be held invalid or unenforceable by any court of competent jurisdiction or as a result of future legislative action, and if the rights or obligations of any Party under this Easement will not be materially and adversely affected thereby, (a) such holding or action will be strictly construed; (b) such provision will be fully severable; (c) this Easement will be construed and enforced as if such provision had never comprised a part hereof; (d) the remaining provisions of this Easement will remain in full force and effect and will not be affected by the invalid or unenforceable provision or by its severance from this Easement; and (e) in lieu of such illegal, invalid or unenforceable provision, there will be added automatically as a part of this Easement a legal, valid and enforceable provision as similar in terms to such illegal, invalid and unenforceable provision as may be possible

22. EXHIBITS. Each exhibit referred to in, and attached to, this Easement is an integral part of this Easement and is incorporated in this Easement by this reference.

23. COUNTERPARTS. This Easement may be executed in one or more counterparts, all of which taken together will be considered one and the same agreement and each of which will be deemed an original. This Easement shall become effective when each Party has received a counterpart signature page signed by all of the other Parties.

23. RECORDING. The Conservancy is authorized to record or file any notices or instruments appropriate to assuring the perpetual enforceability of this Easement, and Owner agrees to execute any such instruments upon reasonable request.

24. ENTIRE AGREEMENT. This Easement, including the Exhibits attached hereto, sets forth the entire agreement and understanding of the Parties with respect to the transactions contemplated by this Easement and supersedes all prior arrangements, promises, communications, representations, warranties and understandings, whether oral or written, by any Party or any officer, employee, representative or agent of any Party with respect to the transactions contemplated by this Easement.

OWNER AND THE CONSERVANCY have executed this Preservation Easement as of the Effective Date.

OWNER:

Park City Municipal Corporation

CONSERVANCY:

Summit Land Conservancy, a Utah
nonprofit corporation

By: _____
_____, Mayor

By: _____
Cheryl Fox, Executive Director

STATE OF UTAH)
 : ss.
COUNTY OF SUMMIT)

The foregoing instrument was acknowledged before me this ____ day of _____, 2017, by _____, the Mayor of Park City Municipal Corporation.

NOTARY PUBLIC

Residing at: _____

My Commission Expires:

STATE OF UTAH)
 : ss.
COUNTY OF SUMMIT)

The foregoing instrument was acknowledged before me this ____ day of _____, 2017, by Cheryl Fox, the Executive Director of Summit Land Conservancy, a Utah nonprofit corporation.

NOTARY PUBLIC

Residing at: _____

My Commission Expires:

**EXHIBIT A
TO
PRESERVATION EASEMENT**

LEGAL DESCRIPTION OF THE PROPERTY

**(METES AND BOUNDS LEGAL DESCRIPTION TO BE INCLUDED AFTER RECEIPT
OF SURVEY)**

PART OF TAX PARCEL #CWSS-A-X

An easement located within in the Carl Winters School Subdivision on file and of record as Entry No. 1023283 in the office of the recorder, Summit County, Utah said easement being located in the Northwest Quarter of Section 16, Township 2 South, Range 4 East, Salt Lake Base & Meridian, said easement being more particularly described as follows:

BEGINNING at a Point that is South 54°01'00" West 375.00 feet and South 35°59'00" East 15.00 feet from the street monument located at the point of intersection of 13th Street and Park Avenue said point also being the Northwest Corner of Lot A of said Carl Winters School Subdivision said point also being the Northwest corner of Block 7 of the of the Snyders Addition to the Park City Survey on file and of record in the Office of the Recorder, Summit County, Utah; thence along the West Boundary of said Lot A South 35°59'00" East 303.43 feet; thence North 54°01'00" East 190.14 feet; thence North 35°59'00" West 43.76 feet; thence North 54°01'00" East 17.64 feet to a point on a curve to the left having a radius of 5.00 feet of which the radius point bears North 35°59'00" West; thence along the arc of said curve 7.85 feet through a central angle of 90°00'00"; thence North 35°59'00" West 13.04 feet; thence North 54°01'00" East 62.22 feet; thence North 35°59'00" West 241.63 feet to the North Boundary of said Lot A said point also being the Northwest Corner of the 13TH Street Town Home Condominiums on file and of record as Entry No. 472978 in the office of the Recorder, Summit County, Utah; thence along the North Boundary of said Lot A South 54°01'00" West 22.94 feet; thence South 35°26'39" East 10.21 feet; thence South 57°25'52" West 45.87 feet; to a point on a curve to the left having a radius of 749.75 feet of which the radius point bears South 32°34'08" East; thence along the arc of said curve 141.61 feet through a central angle of 10°49'18"; thence South 46°36'34" West 37.94 feet; thence North 40°03'53" West 17.34 feet to the North Boundary of Said Lot A; thence along the boundary of said Lot A South 54°01'00" West 26.00 feet to the POINT OF BEGINNING

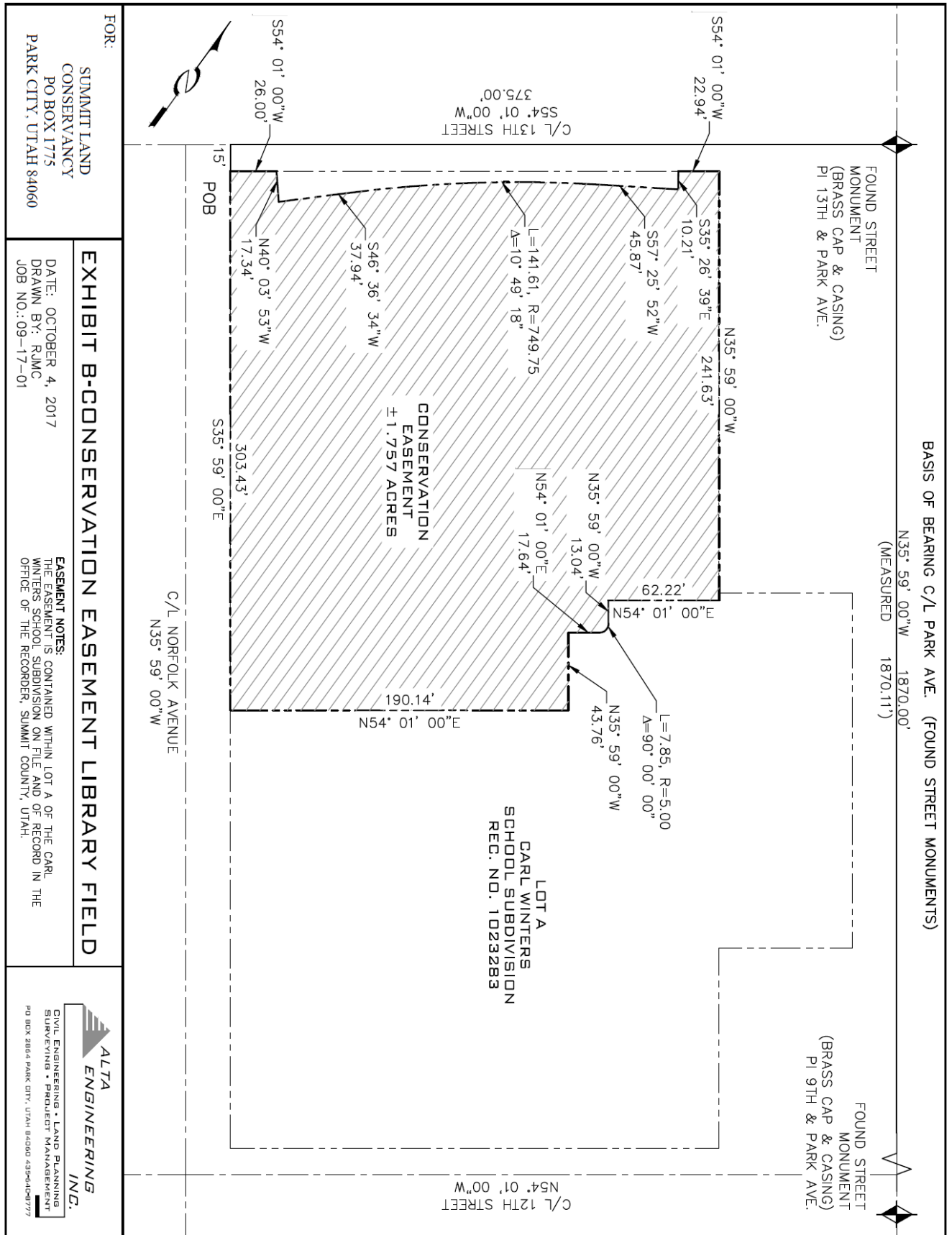
The basis of bearing for the above description is South 54°01'00" West along the platted centerline of 13th Street.

Description contains 1.757 acres, more or less.

EXHIBIT B
TO
PRESERVATION EASEMENT

PROPERTY MAPS





**EXHIBIT C
TO
PRESERVATION EASEMENT**

PERMITTED AND RESTRICTED USES AND PRACTICES

The uses set forth in this Exhibit C detail specific activities that are permitted or prohibited under this Easement. The uses set forth in this Exhibit C are also intended to provide guidance in determining the consistency of other activities with the Preservation Purposes. Notwithstanding the uses set forth in this Exhibit C and, notwithstanding any provision of this Easement to the contrary, in no event will any of the permitted uses of the Property (whether set forth in this Exhibit C or elsewhere in this Easement) be conducted in a manner or to an extent that diminishes or impairs the Preservation Values or that otherwise violates this Easement.

1. **RECREATIONAL USES.** The Property shall be maintained for informal, non-motorized recreational uses consistent with an undeveloped park and unstructured play area. Recreational uses include but are not limited to picnics, frisbee games, ball games, walking, sledding, snowman building, athletic training, children's play, dog exercise, and occasional uses to complement programs and events held by the library.
2. **MANAGEMENT AND REGULATION.** Owner shall maintain and enforce rules and regulations for use of the Property and may make changes from time-to-time, without prior notice to or consent of the Conservancy. Proposals pertaining to permitted or prohibited recreational uses may be considered by the Recreation Advisory Board (RAB), without notice to or consultation with the Conservancy.
3. **BUILDINGS AND STRUCTURES.** Buildings and structures such as restrooms, pagodas, pavilions, tennis courts, skateboard parks, swimming pools and other major park amenities are prohibited. Residential and commercial buildings are prohibited. Permanent jungle-gyms, swing-sets, slides and other play equipment is prohibited. Moveable play equipment for temporary and personal use is permitted.
4. **FENCES.** Fences are not permitted, other than temporary fences in connection with special events or occasional program use otherwise permitted pursuant to this Exhibit C, or to temporarily fence-off areas for repair, maintenance or public safety purposes.
5. **ROADS, SIDEWALKS AND TRAILS.** Roads, sidewalks and/or trails are not permitted on the Property.
6. **LANDSCAPING.** Landscaping shall be designed and maintained to accommodate unstructured recreational uses and maintain the open, field-like quality of the Property and unobstructed viewshed, particularly from the library parking lot across to Norfolk Avenue. Trees, garden beds, boulders, planters or similar landscaping shall be located near the perimeter of the Property, in a manner that minimizes the visual impact to the view across the field. Trees shall not be planted along the south perimeter (adjacent to the library building) or west perimeter (adjacent to Norfolk Avenue) and no additional trees

shall be planted on the corner of Norfolk Avenue and 13th Street. The number of trees located on the north perimeter (adjacent to 13th Street) shall not exceed twenty-seven (27) and no more than two (2) trees shall be located on the east perimeter (adjacent to the Park Avenue parking lot). Any replacement-trees on the afore-mentioned north and east perimeters shall be planted in the same general location as the tree that was removed and shall be a type of tree that will not block the view of the Property any more than the tree that it is replacing. Additional trees and landscaping may be located on the east perimeter, as a buffer to the residential houses that front Park Avenue.

7. MINOR PARK AMENITIES. Amenities that are fixtures including, but not limited to, benches, picnic tables and immovable trash cans shall be installed only upon prior notice and written approval of the Conservancy, not to be unreasonably withheld. Amenities shall be located at the perimeter of the Property and in a manner that does not unduly restrict the open, unobstructed view across the field. Proposals for the installation of said amenities shall be considered pursuant to policies and procedures established by the Owner from time-to-time. Proposals considered by the Recreational Advisory Board (RAB) shall be reviewed by the Conservancy prior to any recommendation from RAB to City Council, and RAB's recommendation will include the Conservancy's input as to whether the proposed minor park amenity is consistent with the terms of this Preservation Easement.
8. SPECIAL EVENTS. Special events, uses and associated temporary structures, permitted by Park City Municipal's special event application and review process are permitted.
9. PERMANENT SIGNS. Billboards are prohibited on the Property. Owner and the Conservancy have the right to place a limited number of signs at the perimeter of the Property, of a maximum total square footage not to exceed 40 square feet with no single sign to exceed 3 square feet. Such signs may be placed on the Property for the following purposes:
 - a. To indicate that the Property is conserved with a "Preservation Easement" held by the Conservancy; and
 - b. To state rules and regulations, safety, or hazardous conditions found on the Property;
 - c. To regulate the use of parking spaces on parking lots and streets adjacent to the Property.
10. PARKING AND MOTORIZED VEHICLE USE. Motorized vehicles are not permitted on the property other than for emergency services, for landscaping and Property maintenance, for the maintenance of utilities, for the installation of amenities or pursuant to a use consistent with a special event described in this Exhibit.
11. ADA ACCESS. The terms of this Easement shall not prevent the Owner from allowing the use of electric wheelchairs on the Property, or other power-driven mobility devices

pursuant to Owner's obligations under the American's With Disabilities Act of 1990, or other laws and regulations pertaining to the rights of persons with disabilities.

12. **SUBDIVISION.** The legal or de facto division, subdivision, or partitioning of the Property is prohibited. The terms and conditions of this Easement will apply to the Property as a whole, and the Property will not be sold, transferred, or otherwise conveyed except as a whole, intact, single piece of real estate; it being expressly agreed that neither the Owner nor the Owner's personal representative, heirs, successors, or assigns will sell, transfer, or otherwise convey any portion of the Property that constitutes less than the entire Property. The existence of any separate legal parcels, if any, as of the Effective Date will not be interpreted to permit any use or activity on an individual legal parcel that would not have been permitted on such individual legal parcel under the terms and conditions of this Easement as applied to the Property as a whole.
13. **COMMERCIAL RECREATIONAL USES.** The Property may be used non-exclusively by schools, summer camps or other community groups for educational or recreational purposes, provided such uses are consistent with the Preservation Values and do not unduly interfere with the public use and enjoyment of the Property by other recreational users.
14. **RESIDENTIAL AND INDUSTRIAL USES:** The Property shall not be used for residential or industrial purposes.
15. **MINING AND NATURAL RESOURCES DEVELOPMENT.** Subject to pre-existing mineral rights of record, the exploration for or extraction of minerals, gas, hydrocarbons, soils, sands, gravel, or rock, or any other material on or below the surface of the Property is prohibited. Owner will not grant any rights to any minerals, oil, gas, or hydrocarbons, including the sale or lease of surface or subsurface minerals or any exploration or extraction rights in or to the Property, and Owner will not grant any right of access to the Property to conduct exploration or extraction activities for minerals, oil, gas, or hydrocarbons, or other substances on any other property.
16. **NO HAZARDOUS MATERIALS.** Use, dumping, storage, or other disposal of non-compostable refuse, trash, sewer sludge, unsightly or toxic materials, or Hazardous Materials is prohibited, except that fertilizers and herbicides for landscaping may be used and on the Property, provided that all such use is in compliance with applicable health, safety, and Environmental Laws and regulations and further provided that all such use does not diminish or impair the Preservation Values.
17. **DOGS.** Leashed and off-leash dogs are permitted, pursuant to City and County laws and regulations in effect from time-to-time.

18. BICYCLE USES. The use of bicycles and similar wheeled devices is permitted, but the Property shall not be specifically developed for bicycle uses.

19. UTILITIES. Granting or installation of new utility corridors for above-ground utilities that serve land other than the Property is prohibited. Upon prior written notice to the Conservancy, the Owner may permit underground utilities to serve land other than the Property provided such approval is conditioned upon restoration and re-vegetation of the Property and timely completion of the utility installation. Temporary staging of equipment for utility or construction improvements or maintenance on adjacent properties is permitted, pursuant to municipal procedures and regulations.



DATE: October 12, 2017

TO HONORABLE MAYOR AND COUNCIL

Staff recommends that City Council hold a public hearing for the 2017 Series Sales Revenue bonds in an amount not to exceed \$40,000,000 to fund projects outlined as part of the City Council adopted Additional Resort Communities Sale Tax Project Plan, Affordable and Attainable Housing Plan and the purchase and development of the Park City Arts and Culture District.

The public hearing is to receive input with respect to (a) the issuance of approximately \$40,000,000 of sales tax revenue bonds and (b) any potential economic impact that the project to be financed with the proceeds of the bonds may have on the private sector. While City Council has already approved the authorizing resolution to issue these bonds, State law requires another public hearing be held.

Respectfully:

Nate Rockwood, Capital Budget, Debt & Grants Manager

City Council Staff Report



Subject: 2017 Sales Revenue Bonds – Public Hearing
Author: Nate Rockwood
Department: Budget Department
Date: October 12, 2017
Type of Item: Legislative

Summary Recommendation

Staff recommends that City Council hold a public hearing for the 2017 Series Sales Revenue bonds in an amount not to exceed \$40,000,000 to fund projects outlined as part of the City Council adopted Additional Resort Communities Sale Tax Project Plan, Affordable and Attainable Housing Plan and the purchase and development of the Park City Arts and Culture District.

The public hearing is to receive input with respect to (a) the issuance of approximately \$40,000,000 of sales tax revenue bonds and (b) any potential economic impact that the project to be financed with the proceeds of the bonds may have on the private sector. While City Council has already approved the authorizing resolution to issue these bonds, State law requires another public hearing be held.

Acronyms

GO Bonds – General Obligation Bonds
RDA – Park City Redevelopment Authority
TRT – 1% Municipalities Transient Room Tax
OTIS – Old Town Improvement Study
District – Park City Arts and Culture District

Background

On September 21, 2017, City Council approved the 2017 Sales Revenue Bonds Authorizing Resolution. This resolution was the first step in the bond issuance process. The resolution also set the public noticing timeline for a public hearing for October 12, 2017 at 6:00 pm. This notice was published in the Park Record on September 27, 2017 and October 4, 2017 as required by the Utah Local Government Bonding Act.

The 2017 sales revenue bonds issuance consists of three individual bond issuances, which will be bundled and sold collectively to take advantage of advantageous market conditions, and reduced cost of issuance. The bonds will be secured by three primary funding sources, which each relate to specific project plans. The bonds will include public projects programed with the Additional Resort Communities Sale Tax Project Plan, The Lower Park Ave RDA Affordable and Attainable Housing Plan and the Park City Arts and Culture District land purchase and City projects secured by the 1% Municipalities Transient Room Tax.

Additional Resort Communities Sale Tax Project Plan

On November 29, 2012, City Council unanimously passed an ordinance adopting an additional .5% Resort Communities Sales and Use Tax to be levied beginning April 1, 2013.

At that time, Council confirmed that all revenue generated with the additional .5% Resort Communities Sales Tax be received directly in to the Capital Improvement Fund to be used for but not limited to the following capital projects, Historic Park City/ Main Street & Downtown Projects, OTIS, Storm Drain Improvements, Open Space Acquisition and other capital improvement projects as determined appropriate by City Council.

The City has issued two sales revenue bonds against the pledge of the Additional Resort Communities Sales Tax in 2014 for \$6,000,000 and 2015 for \$12,000,000. These funds were used for open space acquisition, Old Town Improvement Study, Deer Valley Drive reconstruction, Main Street improvements and affordable housing land acquisitions.

The current Council direction is to fund Additional Resort Communities Sales Tax Plan projects through a combination of cash and debt, where the debt never exceeded 65 percent of the projected sales tax revenue in any given year.

Lower Park Ave RDA Affordable and Attainable Housing Plan

City Council has set affordable and attainable housing as a critical City priority. The City and Redevelopment Authority has dedicated significant redevelopment tax increment funds towards a revolving funding program for affordable housing construction. The 2017 Sales Revenue Bonds will be issued by the City and reimbursed by the Lower Park RDA. This will allow the City and RDA to realize much lower interest rates than would be available with typical RDA tax increment bonds. The City and RDA will enter into the following agreements regarding the transaction:

- Resolution of RDA Authorizing Reimbursement Agreement with Park City
- Resolution of City Authorizing RDA Agreement for Park City Sales Revenue Bonds
- Agreement between Park City and the RDA for Park City Sales Tax Revenue Bonds

These resolutions and agreements will each be noticed separately under the proper authority and adopted by City Council or the RDA Board as appropriate.

Park City with tax increment pledge from the Lower Park RDA will issues approximately \$8,000,000 in Sales revenue bonds to fund the construction of the affordable and attainable housing with in the City of Park City, as currently outlined in the adopted budget and the housing project schedule (housing pipeline).

The City will also allocate Lower Park RDA funds to the reconstruction of the City Park Recreation Center and Senior Community Center in an amount adopted by City Council as part of a noticed budget process.

Park City Arts and Culture District Land Acquisition and Development

On July 20, 2017, City Council adopted letters of intent with the Kimball Art Center and Sundance Institute to design and build a Park City Arts and Culture District in Bonanza Park. The City also approved a purchase agreement for the Bonanza Park East properties and passed a resolution enacting a 1% Transient Room Tax to be effective January 1, 2018. It is anticipated that the TRT will generate between \$2,200,000 and \$2,400,000 annually beginning January 1, 2018. The bonds authorized by this new parameters resolution will

cover the total cost of the property at \$19,500,000. The property will close on or before January 31, 2018. It is anticipated that the City's partners, Kimball Art Center and Sundance Institute will purchase their respective portion of the land to independently own and develop District anchor facilities. Sales of asset funds received by the City will be put towards the public improvements of the District including, but not limited to, parking facilities, pathways, plazas and other public facilities. The \$19,500,000 debt service will be paid over 15 years with allocated debt service from the 1% Transient Room Tax.

Analysis

The bond resolution adopted on September 21, 2017 set the parameters of the sales revenue bond issuance, delegated final approval of bond terms to the City Manager as the *Designated Officer*, and initiated the process required for the issuance of the bonds. The resolution set the maximum principal issuance amount not to exceed \$40,000,000 and defines the purpose as follows:

to (a) finance (i) a portion of the costs of a revolving program of acquiring and constructing affordable housing units within the Issuer, (ii) the costs of land and parking, plaza and walkway improvements for a planned arts and culture district, (iii) additional parking and plaza improvements within the Issuer, (iv) road improvements within the Issuer, (v) open space acquisition and related improvements and (vi) park, recreation and community center improvements (collectively, the "Series 2017 Project"), (b) fund any necessary debt service reserve funds, and (c) pay costs of issuance with respect to the Series 2017 Bonds herein described.

The resolution also established maximum terms of 5.5% interest, not more than 15 years, and 2% discount from par. These terms are intentionally set high to allow flexibility in the bond pricing structure. While markets are difficult to predict, staff anticipates that the actual interest rate of the bonds would be closer to the current rate between 2.7 to 3.0%, than the maximum. The maturity of the bond is expected to be 15 years. The parameters allow for a maximum 2% discount from par, which would be necessary if interest rates were higher than the coupon rate on the bond. It is anticipated that the total amount of project to be funded and proceeds of the bonds will be sold at \$35,000,000.

It is anticipated that the sale of the bonds would occur on or around November 16, 2017. Staff would proceed with the bond closing on or after December 7, 2017. The bonds will be sold tax-exempt. The bonds will be sold by competitive sale.

Funding Source

The bond resolution is the first step in initiating a bond issuance. This bond issuance is anticipated in the budget and all funding sources have been approved by City Council for the purpose of land acquisition and/or project development. The authorizing resolution will allow staff to continue with the current timing of the issuance in order to make payment on the Bonanza Park East land purchase by January 31, 2018 and continue with the financing of currently adopted projects as outlined in the 5-year Capital Improvement Plan. The City has the ability to stop the bond issuance process, if necessary, on or before the pricing of the bonds on October 18, 2017. The City can also adjust the total amount of the bonds to the

amount required by the projects within the \$40,000,000 maximum par amount up to the time of pricing on November 16, 2017.

Park City's Current Indebtedness and Debt Capacity

Park City Municipal Corporation currently issues three types of debt.

- 1) **General Obligation Bonds** levied by a vote against property tax value of the City (such as the recent Bonanza Flat Open Space bonds).
- 2) **Sales revenue bonds** levied against sales revenue which has been adopted by City Council after a vote (This includes Additional Resort Community Sales tax, Transient Room Tax).
- 3) **Utility fee revenue bonds**, which are issued against water rates for the purpose of building water utility infrastructure.

For GO debt, the State Policy limits a City to not exceed 4 percent of the assessed valuation of the City. City policy further restrict the City to not exceed 2 percent of the assessed valuation of the City. With the issuance of the \$25 million Bonanza Flat bonds, the City is currently at 0.61 percent of the City's assessed valuation. The City continues to follow a policy to not exceed a 15-year term on any debt. Currently the city has \$6,416,184 in debt payable in FY 2018. This debt drops off by half to \$3,279,488 by 2025 and to \$0 in 2033. The City continues to improve the financial position related to debt. With the issuance of the 2017 Bonanza Flats GO bonds the City was upgraded by Moody's Investment services to the highest rating of Aaa (equivalent to AAA with S&P and Fitch).

The City does not issue sales revenue debt against sales tax that is received in the General Fund. The City has issued two bonds against the Additional Resort Community Sales Tax revenue - the 2014 and 2015 series sales revenue bonds. A portion of the 2017 Series Sales Revenue Bonds will be pledged against the Additional Resort Community Sales Tax. With this issuance the Additional Resort Community Sales Tax will be leveraged at 42% of the annual revenue generated by the dedicated tax source. The City has nearly 15 times coverage on its three outstanding sales revenue bond issuances.

The City intends to issue no more than 65 percent of revenue in debt against the municipal TRT for no more than 15-year terms. With this issuance, the City will pledge approximately 54 percent of the anticipated annual revenue to debt service.

The City anticipates approximately \$24.5 million in RDA tax increment over the remaining 13 years of the RDA. With this issuance the RDA will pledge approximately 33 percent of the anticipated tax increment revenue to debt service of the bonds. As housing projects are completed and sold, more than 80 percent of the revenue will be returned as sale of asset revenue in the RDA and applied to the next housing project. It is anticipated that this bond issuance will be sufficient to fund the next three affordable housing projects currently scheduled in the RDA budget.

Alternatives for City Council to Consider

1. **Recommended Alternative:** Council should hold a public hearing to receive input with respect to (a) the issuance of approximately \$40,000,000 of sales tax revenue bonds and

(b) any potential economic impact that the project to be financed with the proceeds of the bonds may have on the private sector.

Pros

- a. The public hearing is required by state code and has been noticed in the Park Record for October 12, 2017.
- b. The public hearing would allow the City the time necessary to issue the bonds by the land purchase closing date of January 31, 2018.
- c. The bonds will allow the City to continue the design and construction of planned affordable housing projects and projects approved in the Additional Resort Communities Sales Tax Plan.

Cons

- a. The City currently has several projects underway and a purchase agreement to close on the Bonanza Park East project on or before January 31, 2018. Without bond proceeds the City would not have sufficient funding to meet current obligations.
- 2. Null Alternative:** The City would not proceed with the bond issuance process
- 3. Other Alternatives:** Council could consider holding a public hearing at a later date. For the propose of allowing adequate time and pricing of the bonds, staff recommends holding a public hearing at this time.

Departmental Review

This report has been reviewed by the City Attorney's Office, Budget Department, and City Manager's Office.



DATE: October 12, 2017

TO HONORABLE MAYOR AND COUNCIL

On September 1, 2017 the City, in partnership with Sundance Institute and Kimball Art Center, issued a Request for Proposals (RFP) for an Arts & Culture Visioning, Programming, and Planning Specialist Consultant Services (A&C Consultant). The A&C Consultant will work with the Project Development Team to create the development and operational vision, goals, priorities, and objectives for the Arts and Culture District. The A&C consultant will also lead the public outreach and community stakeholders input process. The A&C Consultant work will lead to the release of an Arts and Culture District design team RFP that is expected to be out the week of October 30, 2017.

The Project Development Team, including representatives from Sundance Institute, Kimball Art Center and Park City Municipal Corporation, recommend the consultant services of Webb Management Services, Inc. for this phase of the planning, visioning and public outreach process. The selection of Webb Management Services, Inc. was the unanimous selection for the A&C Consultant contract by the joint selection committee.

Respectfully:

Nate Rockwood, Capital Budget, Debt & Grants Manager

City Council Staff Report



Subject: Arts and Culture Visioning, Programming, Public Outreach and Planning Specialist Consultant Services Contract Award
Author: Nate Rockwood
Department: Budget, Debt, & Grants Department
Date: October 12, 2017
Type of Item: Administrative

Summary Recommendation

Authorize the City Manager to enter into a contract, in a form approved by the City Attorney's office, with Webb Management Services, Inc. for Arts and Culture District specialist consultant services (A&C Consultant) contract award. (Exhibit A – Webb Management Services, scope of services and fee schedule).

Executive Summary

On September 1, 2017 the City, in partnership with Sundance Institute and Kimball Art Center, issued a Request for Proposals (RFP) for an Arts & Culture Visioning, Programming, and Planning Specialist Consultant Services (A&C Consultant).

The A&C Consultant will work with the Project Development Team to create the development and operational vision, goals, priorities, and objectives for the Arts and Culture District. The A&C consultant will also lead the public outreach and community stakeholders input process. The A&C Consultant work will lead to the release of an Arts and Culture District design team RFP that is expected to be out the week of October 30, 2017.

The Project Development Team, including representatives from Sundance Institute, Kimball Art Center and Park City Municipal Corporation, recommend the consultant services of Webb Management Services, Inc. for this phase of the planning, visioning and public outreach process. The selection of Webb Management Services, Inc. was the unanimous selection for the A&C Consultant contract by the joint selection committee.

Background

On July 20, 2017, City Council adopted letters of intent with the Kimball Art Center and Sundance Institute to design and build a Park City Arts and Culture District in Bonanza Park. The City also adopted a purchase agreement for the Bonanza Park East properties and adopted a resolution enacting a 1% Transient Room Tax to be effective January 1, 2018.

As the first step in the creation of the Arts and Culture District, the City, Kimball Art Center and Sundance Institute issued a joint A&C Consultant RFP on September 5, 2017. The request was to include services of qualified professional consultants or

groups with direct knowledge, technical capability, and experience in working with arts organizations, local governments, and community residents to define an Arts and Culture District development and operational vision; assess the opportunity and capacity for the planning and implementation of the District; and provide guide goals, priorities, and objectives for the arts and culture district project. Proposals were due September 15, 2017.

The full A&C Consultant RFP is located in the following link: [A&C Consultant RFP](#)

Acronyms

TRT – Transient Room Tax
RFP – Request for Proposals
A&C - Arts and Culture

The Opportunity

The A&C Consultant will be instrumental in the solidifying the concepts for the Arts and Culture District design. The Consultant will make technical recommendations regarding the long term vision, governance and success of the district after undertaking a community outreach and stakeholder process. The A&C project deliverables will include a kickoff meeting with the project partners, one-on-one and group stakeholder meetings.

Alternatives for City Council to Consider

1. **Recommended Alternative:** Approve the contract with Webb Management Services, Inc. for Arts and Culture District specialist consultant services

Pros:

- a) The Consultant will provide valuable visioning, economic and programing information for the design team RFP.
- b) The A&C Consultant will provide public outreach services and arts and culture expertise, which will benefit the project and the community.

2. **Null Alternative:** Staff could prepare a Design RFP without additional consultant services
3. **Other Alternatives:** Council could provide direction to continue the RFP process and search for other candidates for A&C Consultant services.

Analysis

As part of the initial design and visioning process, the City issued the A&C Consultant RFP on September 5, 2017. The City received five proposals, which were evaluated by the Project Development Team, including representatives from Sundance Institute, Kimball Art Center and Park City Municipal Corporation. The Project Development Team conducted interviews of several consultants from the five proposals. The A&C Consultant scope and timeline has been divided into three phases. The first phase includes visioning, public and community stakeholder outreach, needs assessment and demand analysis, district operational and programing business plan, economic impact analysis, and community engagement plan. The second and third phase includes

outside oversight to stay focused on project goals throughout the design and construction process.

It expected that the A&C Consultant contract will be awarded by October 12, 2017. The visioning exercises, the initial public outreach and community stakeholder input and scoping is expected to be completed by November 30, 2018. It is anticipated that the Project Development Team will work with the A&C Consultant to draft the Arts and Culture Design Services RFP and select the MPD design team by December 14, 2017. The A&C Consultant will continue to work with the Project Development Team throughout the design process to ensure the design meets the the development and operational vision, goals, priorities, and objectives identified for the Arts and Culture District and continue public outreach throughout the design and development of the project. The A&C Consultant will act as a creative consultant for the Project Development Team independent of the Design Services Team.

Total A&C Consultant Contract:

Phase I	\$55,655
Phase II	\$42,300
Total	\$97,955

City staff has worked with Webb to prepare the phase I scope and timeline, which will allow the phase I work to be completed in a 10-week timeline. This timeline will allow the design RFP to be out before the winter season and before the 2018 Sundance Film Festival.

See Attachment A – Webb deliverable scope, timeline and fee worksheet.

Key Dates:

- A&C Consultant RFP published - September 1, 2017.
- Sales revenue bonds Authorizing Resolution – September 21, 2017.
- A&C Consultant Contract award.- October 12, 2017.
- Visioning exercises and 1st round of stakeholder outreach complete by October 20, 2017.
- Property due diligence period ends - October 31, 2017.
- Community/Stakeholder input and scoping complete by November 10, 2017.
- Design Services Team RFP published – November 1, 2017.
- Sales revenue bonds sale and closing – November 16, 2017.
- Final reports and deliverables for A&C Consultant visioning Phase 1 work by December 14, 2017.
- Design Services Team contract award – December 14, 2017.
- 1% Transient Room Tax effective date January 1, 2018.
- Property Closing before January 31, 2018.
- Phase 2 development document MPD and Plat Amendments work completed sometime between June and August 2018.
- Phase 3 design documents and construction documents required for building permits work completed sometime between December 2018 and March 2019.

- Land purchases by Kimball Art Center and Sundance Institute.
- Project groundbreaking spring 2019.

Department Review

Budget, Debt, & Grants Department, Community Development Department, City Attorney's Office, and City Manager

Funding Source

Contract funding will come from cp0307 Bonanza Park project in the Council adopted 5-year Capital Improvement Plan.

Attachments

Exhibit A – Webb Management Services, Inc. project deliverable scope, timeline and fee worksheet.

contract

to: Nate Rockwood, Park City Municipal Corporation
from: Duncan Webb, Webb Management Services
regarding: Arts & Culture District Mixed-Use Development Project
date: October 10, 2017

Further to our proposal dated September 15 and subsequent discussions, we are pleased to confirm our work plan and financial terms for the project.

phase one: concept development

kick-off meetings: Meet with the project partners to understand their individual and collective goals for the project, also confirming how each wishes to participate in the planning process.

materials review: Review materials related to the Bonanza Park property and the work done to date on the mixed-use development and district concept. Also review other plans and studies related to arts and culture in the region and the particular long-term plans of the project partners.

cultural district case studies: Identify and research comparable projects in communities similar in size and/or character to Park City, as well as aspirational communities that have successfully developed and supported cultural districts, facilities, and programs like those under consideration. Determine how those districts were developed, programmed, and sustained, and collect other information about size, components, location, cost, and keys to success to inform and validate the choices being considered in Park City.

needs assessment + demand analysis: Assess demand for cultural programs and facilities co-located in the proposed district in terms of four key issues:

- * market/audience assessment: Define and analyze potential audience demand for new facilities and programs, reviewing the market size, prospects for growth, and key characteristics based on national research and trends in arts participation. Within that analysis, consider the full-time, seasonal, and tourist populations in Park City as distinct segments, each with their own characteristics, interests, and capacity to support a district.

- * competitive analysis: Consider the use and evaluate the condition of existing or planned cultural facilities in the region to suggest the quality, use, availability, and cost of those facilities, identifying any gaps in that inventory that might be filled by this project.
- * organizational demand: Through a combination of interviews, group meetings, and surveys, quantify demand for space within the proposed development and district on the part of:
 - A. The project partners and their particular need for space;
 - B. Other nonprofit cultural organizations in the community that need spaces for performance, exhibition, rehearsal, teaching, and related programs;
 - C. Creative-sector businesses now present in the area that might be recruited to the district; and,
 - D. Other compatible uses and users that enhance the brand and image of a new cultural district in Park City.

Given that the need for space could well exceed the available property, we would work closely with the project partners to ensure that the developing concept is appropriately scaled to the site and that community expectations around the project can be managed.

- * benefits + impacts: Finally, review community goals and priorities in order to understand how the development of a cultural district will move Park City and the project partners towards the achievement of long-term goals.

Our examination of these four issues, plus our review of comparable projects, will lead to conclusions and recommendations around viability of the district concept, the types of uses and programs that should animate the district, and a conceptual description of the facilities and spaces that should accommodate that activity.

district concept testing: We would then take this preliminary concept out into the community for review and comment, with a community workshop and open house, plus an associated social media engagement plan.

district business plan: Once the concept has been tested and adjusted accordingly, we would develop a preliminary district business plan that addresses:

- * operating goals: Define operating goals for the district on the part of the project partners.
- * governance + operating plan: How the proposed district should be governed and operated, through some form of corporate entity or partnership.
- * programming + positioning plan: How the district and its partner components can be programmed and positioned to attract audiences and economic activity of benefit to the partners and the community.

- * marketing plan: Propose a marketing plan for the district and its components, including a branding strategy and suggestion of human and financial resources required to promote the district.
- * pro-forma operating budget: A five-year pro-forma operating budget for the district that identifies earned revenues and operating expenses for district facilities and programs.
- * funding plan: Based on the experience of comparable districts and discussions with local officials, make recommendations on how and from where to pursue ongoing funding to sustain district programs, marketing efforts, and operations.
- * measuring success: Finally, establish metrics and goals with which to measure the progress and eventual success of the district in terms of the particular interests of the project partners.

design team rfp: We will assist with the development of a design team RFP for the project based on the results of the market assessment, plus operating goals and the programming plan. We will also assist with any addenda to the RFP as additional work is completed.

economic impact analysis: Forecast the economic impacts of the proposed district on Summit County, including the impacts of construction, operation, and ancillary spending associated with district audiences and visitors. Use the RIMS II model developed by the Bureau of Economic Analysis to estimate the direct and indirect impacts of the project on the market area, including outputs, increased earnings, and employment.

critical path plan: Create a critical path plan for the project partners that identifies key milestones and deadlines, from planning and design through construction and operations.

final report + presentation: Present and discuss the findings and recommendations of the plan with project partners and deliver a draft report. Incorporate feedback and issue a final report.

phases two + three: advancing the concept

For the second and third phases of work, which are expected to occur over a 12- to 16-month period, we would provide the following services:

- * Review submitted design process documents and provide written comments back to the Project Partners.
- * Participate in up to six public and Council presentations on the evolving district concept and plans.
- * Organize and document bimonthly team meetings, in person when coordinated with scheduled public and Council presentations and otherwise through video links.

- * Provide up to 30 hours of coaching to the project partners on governance, operations, programming, marketing, and sustainability of the district. These will be coordinated with public and Council presentation visits.

Community Engagement Plan

The study will require a comprehensive engagement plan that allows us to reach and respond to multiple local constituencies and also provide key stakeholders with appropriate opportunities to participate in the effort, with the following components:

kick-off meetings + communications strategy: We would begin the planning process with a kick-off meeting with the project partners to guide the development of the plan. Together, we would finalize the details of the plan's schedule and logistics, including the community engagement strategy.

information gathering: At the front-end of the process, we would work with Municipal Corporation staff to coordinate an extensive set of one-on-one and group meetings with a broad cross-section of the community, including key staff, arts and cultural leaders, and leaders from the business, political, tourism, and downtown sectors.

public presentations: We would organize and execute up to three public presentations over the course of the work, likely two Municipal Corporation presentations and one community meeting. The community meeting would be facilitated and would invite comments in an open and inclusive setting.

digital engagement: Again, working with Municipal Corporation staff, we would create and implement web-based survey tools to collect information from study participants and the public, if appropriate. We would suggest the utilization of appropriate on-line tools and also provide content for and help administrate project websites, blogs, and social media.

Deliverables

We will deliver the following work over the course of this assignment:

1. A presentation deck on the market opportunity and concept for the project, with supporting research appended.

2. A presentation deck for the business plan, including the economic impact analysis, community benefit, and critical path plan.
3. Excel-based pro-forma operating budgets, critical path plans and economic impact analyses.
4. Powerpoint presentations on the needs assessment and business plan that can be used for fundraising purposes and additional community presentations.

Financial Proposal

For Phase One, we would charge professional fees of \$47,880 to complete the work described. In addition, we would seek reimbursement of expenses related to this phase estimated as follows:

Six person-trips at \$1,200	\$7,200
RIMS II Multipliers	\$275
Final Report Printing	<u>\$300</u>
	\$7,775

For the Phases Two + Three, we would charge professional fees of \$35,100 to complete the work described. In addition, we would seek reimbursement of travel expenses estimated at \$7,200.

A breakdown of fee by task for each phase of work is included on the following pages. Additional services beyond those described above would be invoiced using the hourly rates listed on those spreadsheets.

We will bill monthly based on the progress of the study and as expenses are incurred, with no markup on expenses.

Phase 1 Fee Worksheet - Updated 10/4

Task	Staff	Week 1	Week 2	Week 3	Week 4	Week 5	Week 6	Week 7	Week 8	Week 9	Week 10	Total	Hourly Rate	Fee
Week Ending		13-Oct	20-Oct	27-Oct	3-Nov	10-Nov	17-Nov	24-Nov	1-Dec	8-Dec	15-Dec			
Materials Review	Webb	2										2	\$225	\$ 450
	Kruise	2										2	\$175	\$ 350
	Benolken	2										2	\$125	\$ 250
Kick-off Meetings	Webb		4									4	\$225	\$ 900
	Kruise		4									4	\$175	\$ 700
	Benolken											0	\$125	\$ -
Case Studies	Webb	2	2									4	\$225	\$ 900
	Kruise	2	2									4	\$175	\$ 700
	Benolken	8	8									16	\$125	\$ 2,000
Market Analysis	Webb		2									2	\$225	\$ 450
	Kruise		2									2	\$175	\$ 350
	Benolken	4	4									8	\$125	\$ 1,000
Competitive Analysis	Webb		4									4	\$225	\$ 900
	Kruise		4									4	\$175	\$ 700
	Benolken		4	4								8	\$125	\$ 1,000
Organizational Demand	Webb		10									10	\$225	\$ 2,250
	Kruise		10	4								14	\$175	\$ 2,450
	Benolken			2								2	\$125	\$ 250
Benefits and Impacts	Webb			2								2	\$225	\$ 450
	Kruise			2								2	\$175	\$ 350
	Benolken											0	\$125	\$ -
Concept Testing	Webb				8							8	\$225	\$ 1,800
	Kruise				8							8	\$175	\$ 1,400
	Benolken				2							2	\$125	\$ 250
Operating Goals	Webb				2							2	\$225	\$ 450
	Kruise				2							2	\$175	\$ 350
	Benolken				2							2	\$125	\$ 250
Programming Plan	Webb				4							4	\$225	\$ 900
	Kruise				8							8	\$175	\$ 1,400
	Benolken				4							4	\$125	\$ 500
Design Team RFP	Webb				6		4					10	\$225	\$ 2,250
	Kruise											0	\$175	\$ -
	Benolken											0	\$125	\$ -
Governance Models	Webb					4						4	\$225	\$ 900
	Kruise					6						6	\$175	\$ 1,050
	Benolken											0	\$125	\$ -
Marketing Plan	Webb						4					4	\$225	\$ 900
	Kruise						8					8	\$175	\$ 1,400
	Benolken											0	\$125	\$ -
Pro-forma Operating Budget	Webb							8				8	\$225	\$ 1,800
	Kruise							4				4	\$175	\$ 700
	Benolken							2				2	\$125	\$ 250
Scheduling Charrette	Webb								6			6	\$225	\$ 1,350
	Kruise								6			6	\$175	\$ 1,050
	Benolken											0	\$125	\$ -
Economic Impacts	Webb									4		4	\$225	\$ 900
	Kruise									4		4	\$175	\$ 700
	Benolken											0	\$125	\$ -
Critical Path Plan	Webb									4		4	\$225	\$ 900
	Kruise									2		2	\$175	\$ 350
	Benolken											0	\$125	\$ -
Council Presentations	Webb				4						4	8	\$225	\$ 1,800
	Kruise											0	\$175	\$ -
	Benolken											0	\$125	\$ -
Community Presentations	Webb								4			4	\$225	\$ 900
	Kruise								4			4	\$175	\$ 700
	Benolken											0	\$125	\$ -
Report + Presentation	Webb									4	4	8	\$225	\$ 1,800
	Kruise									8		8	\$175	\$ 1,400
	Benolken									16		16	\$125	\$ 2,000
Weekly Calls	Webb	1		1		1	1	1		1		6	\$180	\$ 1,080
Person-trips			2		1				2		1			6
Expenses			\$2,400		\$1,200				#####	\$ 575	\$ 1,200			
Total Hours													262	
Total Fee													\$ 47,880	
Total Expenses													\$ 7,775	
Total Cost													\$ 55,655	

Phases 2 + 3 Fee Worksheet

Task	Staff	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8	Month 9	Month 10	Month 11	Month 12	Total	Rate	Fee
Document Review	Webb	6		6		6		6		6		6		36	\$225	\$ 8,100
Public/Council Presentations	Webb		12		12		12		12		12		12	72	\$225	\$ 16,200
Team Meetings	Webb		4		4		4		4		4		4	24	\$225	\$ 5,400
Business Plan Coaching	Webb		4		4		4		4		4		4	24	\$225	\$ 5,400
Person-trips			1		1		1		1		1		1	6		
Expenses			\$1,200		\$1,200		\$1,200		\$1,200		\$1,200		\$1,200			
														Total Hours	156	
														Total Fee	\$ 35,100	
														Total Expenses	\$ 7,200	
														Total Cost	\$ 42,300	
														Total Cost All Phases	\$ 97,955	



DATE: October 12, 2017

TO HONORABLE MAYOR AND COUNCIL

Residents of the Aerie Subdivision have appealed staff's decision to deny the requested crosswalk at the intersection of Aerie Drive and Deer Valley Drive. Staff acknowledged the appeal and obtained more accurate pedestrian and cyclist counts during the summer of 2017. It is staff's recommendation to deny the appeal and reject any crossing at the intersection of Aerie Drive and Deer Valley Drive

Respectfully:

Corey Legge, Engineer Tech

City Council Staff Report



Subject: Aerie Drive and Deer Valley Drive Crosswalk Appeal
Author: Corey Legge
Department: Engineering
Date: October 12th, 2017
Type of Item: Appeal

Summary Recommendations

Staff recommends City Council to deny the Aerie Drive and Deer Valley Drive intersection crosswalk appeal and deny any crossing at this intersection.

Executive Summary

Through the NTMP program, residents of the Aerie Subdivision requested a crosswalk at the intersection of Aerie Drive and Deer Valley Drive. The crosswalk would cross Deer Valley Drive. Staff hired a traffic consultant, Parametrix, to study and analyze the issue. Parametrix prepared an analysis outlining four alternatives. Staff supported alternative four; reject any crossing at the intersection of Aerie Drive and Deer Valley Drive. Staff presented the recommendation to City Council and offered to explore viable pedestrian and bicycle options from the Aerie Subdivision to the Main Street area, which staff finds to be safer routes.

A community meeting was held with Aerie residents to discuss the result of the NTMP phase 2 evaluation. As part of the NTMP program, staff informed residents they had the ability to appeal staff's recommendation within 30 days of the Council's review of staff's recommendation. An appeal was submitted stating residents remain unsatisfied with the decision to deny a crossing of Deer Valley Drive at the bottom of Aerie Drive. Staff informed City Council and residents that staff would collect more pedestrian crossing data before presenting the appeal to City Council. Again, it is staff's recommendation to deny the appeal and deny any crossing at the intersection of Aerie Drive and Deer Valley Drive.

This section of Deer Valley Drive (SR-224) is a state road and the Utah Department of Transportation (UDOT) manages improvements within the right-of-way. Ultimately, if City Council rejects staff's recommendation, and opts to pursue one of the three crossing alternatives, implementation would not be at the City's sole discretion. UDOT would need to agree there is sufficient demand to justify the significant disruption and modifications a crossing would create. Staff's previous conversations with UDOT suggest it is highly unlikely an at-grade crossing of SR-224 at the Aerie Drive intersection would be supported.

Acronyms

FHWA- Federal Highway Administration
MUTCD- Manual of Uniform Traffic Control Devices

NTMP- Neighborhood Traffic Management Program
PCMC-Park City Municipal Corporation
PPH- Pedestrians per Hour
UDOT- Utah Department of Transportation

Background

- On January 16th, 2016, a request was issued by residents of the Aerie Subdivision to install a crosswalk for the upcoming 2016 Sundance and evaluate permanent solutions. This request initiated the NTMP Phase 1 evaluation.
- On January 20th, 2016, the NTMP denied the request to install an at-grade crosswalk due to the high volume of vehicles on Deer Valley Drive which has a posted speed limit of 40 mph.
- During April 2016, the NTMP received five petition letters from residents requesting to enter the Phase 2 analysis.
- May 10th, 2016, a Professional Services Agreement was established with Parametrix Inc. to conduct an analysis of crossing options.
- June 29th, 2016, Parametrix and PCMC held a neighborhood evaluation meeting. Approximately eight residents attended along with three Parametrix staff and two PCMC staff. Staff's objective of this meeting was to acquire a clearer understanding of the issue and gather information to further evaluate the request.
- September 29th, 2016, Parametrix delivered the Aerie Drive/Deer Valley Drive Pedestrian Crossing Analysis.
- February 16, 2017, Staff recommended to City Council to deny crossing options at the Aerie Drive/Deer Valley Drive intersection. Staff suggested examining seasonal or special event transit service for Aerie Drive and a new recreational trail. [Link to Approved Minutes from City Council](#)
- March 2, 2017, a second neighborhood evaluation was held with PCMC staff to discuss the result of the NTMP phase 2 evaluation. As part of the NTMP program, staff informed residents they had the ability to appeal staff's recommendation within 30 days of the Council's review of staff's recommendation.
- March 7, 2017, Aerie residents submit a letter to appeal staff's recommendation to City Council.
- April 13, 2017, staff informed City Council that residents have appealed staff's decision and indicated staff would gather more accurate pedestrian and bicyclist crossing data and present the appeal during the fall of 2017. [Link to April 13, 2017 Agenda Packet \(item was approved on consent agenda\)](#)

Alternatives

The crossing analysis evaluated three (3) crossing alternatives; an at-grade crossing, a pedestrian overpass, and a pedestrian underpass. Furthermore, Parametrix included an alternative four (4) which considers other solutions. The cost associated with each crossing alternative was obtained from the 2007 Park City Walkable/Bikeable Neighborhood Study.

- Alternative 1- Provide a HAWK signal and at-grade pedestrian crosswalk.
 - Pros- Low cost compared to the grade-separated alternatives.

- Cons- Potential for vehicle-pedestrian conflict and interruption of traffic flow. The MUTCD recommends this alternative for roads with speeds over 35 mph, traffic volumes above 1300 vehicles per hour, and a pedestrian count of at least 20 pedestrians per hour.
- Alternative 2- Provide a grade-separated pedestrian overpass.
 - Pros- Removes the risk of conflict between pedestrians and vehicles.
 - Cons- More costly alternative at an estimated cost of \$2.4 million. Presents several physical challenges for design and constructability. The steep slope on the west side of Deer Valley Drive compounded with property and facility constraints, limit the space to tie into existing sidewalks, and/or the Poison Creek Trail.
- Alternative 3- Provide a grade-separated pedestrian underpass.
 - Pros- Removes the risk of conflict between pedestrians and vehicles. Better fit with Park City's visual aesthetics.
 - Cons- Most costly alternative at an estimated cost of \$3.4 million. Presents several physical challenges for design and constructability. A large amount of excavation would be necessary for the pedestrian underpass to travel beneath the roadway and emerge at the same level of Silver Creek's flow line. An additional engineering study would need to be completed.
- Alternative 4- Reject crossing options at the Aerie Drive/Deer Valley Drive intersection. Consider other courses of action to address concerns about the Aerie Drive neighborhood connectivity to Main Street.

Analysis

The intent of the Parametrix Pedestrian Crossing Analysis was to serve as a qualitative study. Staff gathered pedestrian and cyclist crossing data throughout the summer of 2017 using video monitoring equipment. The camera was able to capture 120 hours of video which was evaluated by Counting Cars, a company that specializes in processing video data. The data includes expected peak crossing times during events (Fourth of July and Arts Fest). In addition, Staff researched accident reports at this intersection. Since 2010, there have been four vehicular accidents. Three accidents were classified as a collision with wildlife and the fourth accident resulted from a truck losing its brakes. None of the accidents involved a pedestrian or bicyclist.

The Manual on Uniform Traffic Control Devices (MUTCD) states the lower threshold volume to warrant the installation of pedestrian hybrid beacons at speeds of more than 35 mph is 20 pedestrians per hour (pph). This includes the total of all pedestrians crossing the major street for 1 hour (any four consecutive 15-minute periods) of an average day.

The summer's data collection focused on expected peak crossing days. It was observed that crossings at this intersection did not exceed the 20pph threshold, except during the fourth of July parade. If crossing volumes are not reaching 20pph on peak summer days than it is assumed the threshold would not be exceeded on the average day.

Furthermore, the Parametrix Pedestrian Crossing Analysis estimates that 20 percent of homes within the walk shed of Aerie Subdivision would have to generate a pedestrian crossing, all within the same one hour period, to meet minimum pedestrian crossing thresholds. It is unlikely these levels are experienced today and are not likely to be achieved with a crossing in place.

It is difficult to justify a pedestrian crossing at the intersection of Aerie Drive and Deer Valley Drive given the low pedestrian demand, high traffic volume, posted speed limit of 40 mph, limited crash history, environmental and physical constraints, and associated costs. It is staff's recommendation to deny the appeal and reject any crossing at the intersection of Aerie Drive and Deer Valley Drive.

It was observed that a sizable amount of pedestrian crossings occurred on the Fourth of July during the hour the parade concluded. If the staff recommendation is accepted, the NTMP will evaluate having a Police officer located at the intersection during the event to prohibit any pedestrians from crossing. Staff will continue to monitor pedestrian conditions and demand to verify if other events require Police enforcement. To improve Aerie Drive resident's access to Main Street during special events, staff will examine public transit routes and pick up locations along Aerie Drive and Mellow Mountain Road. Furthermore, staff will explore routes for a new trail to connect Aerie Drive to Deer Valley Drive southeast of the roundabout. This may provide more direct access to Main Street and the transit center.

Next Steps in the NTMP Process

1. Citizens are not satisfied with staff's recommendation and submitted an appeal on March 17th, 2017.
2. Staff has conducted the additional analysis requested by City Council and has provided a recommendation in this report.
3. City Council's options at the appeal are;
 - i. Deny the appeal,
 - ii. Accept the appeal and direct staff to select one of the other three crossing alternatives, or
 - iii. Have the issue further evaluated by initiating phase 3 of the NTMP. Phase 3 may also be initiated if twenty-five percent (25%) of the residents within the neighborhood request in writing to initiate phase 3. If initiated, UDOT would need to play a larger role in the evaluation of the Aerie Drive and SR-224 intersection. Staff's previous conversations with UDOT suggest it is highly unlikely an at-grade crossing of SR-224 at the Aerie Drive intersection would be supported.

Department Review

This report has been reviewed by City Manager, Legal, Police, Public Works, and Community Development. All concerns raised by these departments have been incorporated herein.

Funding Sources

NTMP Budget would be used to fund any future consulting services. If a capital project arises from this request, a separate funding request to the CIP committee would take place.

Attachments

Aerie Drive Deer Valley Drive Pedestrian Crossing Analysis by Parametrix

Aerie Resident's Appeal to City Council

Counting Cars Pedestrian Crossing Data

To: City Manager for Mayor and City Council
Subject: Aerie Drive and Deer Valley Drive Crosswalk
Type of Item: Appeal Counsel/Staff decision to deny Aerie crosswalk
Date: March 9, 2017

History:

On February 16, 2017, the Park City Council Staff Communication Report submitted by Corey Legge on the Parametrix analysis of installing crosswalk across Deer Valley Drive from Aerie to Main Street. Specifically they recommended *"Staff supports alternative four; reject any crossing at the intersection of Aerie Drive and Deer Valley Drive. Staff will continue to explore viable pedestrian and bicycle options from the Aerie Subdivision to the Main Street area, which represent safe and efficient standards."*

Appeal:

As a resident of Aerie Dr. for the past six years, I pay out-of-state residence property tax rates (45% premium to non-Utah residents) and pay rent for office space in the Gateway building. I am requesting an appeal of this decision. Below are some of my reasons which I believe many Aerie residents support in addition to the non-residents that use the various trails for mountain biking and hiking on a year round basis.

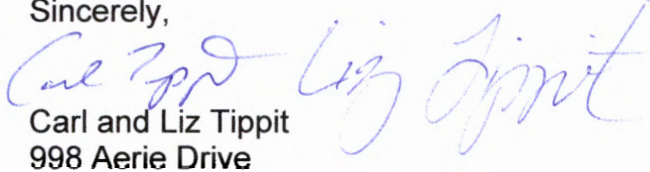
- Survey states the speeds are 40 MPH. In fact, inconsistent speed limit sign postings on the 1.3 mile stretch from Park Ave. to the roundabout are 35, 40 and 25 in 1 direction. 40 and 35 in the other.
- Survey says crosswalk needs speeds over 35 to justify the installation use of crosswalk? This doesn't make sense when the locations/speed limits of other crosswalks are taken into consideration. Also, common sense would have slower speeds around crosswalks, not higher speeds.
- What is the speed limit on 248 by the school where there is a crosswalk? 35
- What is the speed by the Starbucks on 224 going northbound? I can't find a speed limit sign, but I am guessing 25 because Park Ave. from Deer Valley to downtown is 25 both directions. There is a stop light/crosswalk in this 25 mph Zone. Why not 25 mph from Park Ave. to roundabout on Deer Valley Drive for the 1.2 miles? It already is 25 mph for about 0.2 mile.
- If speeds along Deer Valley Drive were slowed to 25, it is then easier to slow and stop for a crosswalk. Southbounders have to slow to 25 in 0.2 miles anyway (which they do not do).
- Why is it a certain speed in one direction and a different speed in the opposite at the same places on the road? Several mismatches of speeds in both directions.

- City has acknowledged this Aerie/Deer Valley corner a dangerous area with history of motor vehicle accidents and a bicycle accident. Please don't wait for the inevitable fatality to dictate the need for a crosswalk and slower speeds in this area.
- City has acknowledged this problem has persisted for 5 years with complaints and requests to add a crosswalk, and numerous requests at city council meetings.
- Traffic is outrageous during events, summer concert nights, ski season, Sundance, art festivals, etc.
- Survey indicates not enough pedestrian traffic required per hour. Where does the regulation state it is a required traffic count? This seems it should be subjective. If the city is concerned about slowing traffic too often, the limited amount of pedestrian traffic is a good thing. Where is Parametrix building its pedestrian database and what times? Are they considering the pedestrian traffic (including bicycles) *that would begin to use this if it were available?*
- Mountain Trails Foundation also has been trying to get a crosswalk in to help connect their trails from Poison Creek.
- Many Aerie Property owners are not full time Utah residents and therefore pay the higher percentage of state property tax (45% premium) yet do not use many of the resident based services like schools. This might be a way to show them the city cares about them, too. We, too, love Park City and want to see it's small-town feel remain as much as possible. Currently, Deer Valley/Aerie, Main Street location functions like a freeway.
- As a resident of Aerie Drive, I would love to be able to walk to and from work in the Gateway building, but need to cross Deer Valley to do so. This adds another parking space taken away from visitors and locals.
- If a crosswalk is built, a simple sidewalk along Deer Valley Dr. to Main Street on west side (between road and Poison Creek) can be added for pedestrians and bicycles. About 100 yards. There is plenty of sidewalk south of the roundabout for those residents to walk to town. Or a short bridge can be built over the creek to reach the walking path.
- Aerie residents often cannot turn left off Aerie (cars are turning right off Main at the same time).
- Cars are using the Deer Valley Drive center lane to wait to get over, and/or turning into the condo drive and going through the garage to get over to town.
- Pedestrians have been seen dodging cars, running, pushing strollers across, bolting with bikes, etc.
- More people than you might think enjoy walking and riding bikes down from their homes and would like the ability to cross safely.
- The city is beginning to use the lower part of Aerie Drive as a dumping ground for dirty snow removal, where there used to be a few parking spaces for trail use. These parking spaces seem to have disappeared. Why is that? There are trailheads on Aerie that people love to utilize.

- Because there is no crosswalk, residents of Aerie are forced to drive to Main Street. We have been ticketed and towed during times when we could have walked to Main Street. This is frustrating and goes against the city's desire to lessen the amount of cars and parking on Main Street.
- Residents of Aerie are forced to drive across Deer Valley Drive in order to access public transportation. Why are we being cut off from the wonderful public transportation system for which Park City is known?
- No other area of Park City has been ignored in this fashion. All other difficult spots have been given crosswalks, stoplights or access through tunnels.
- We need safe access to town and look to this wonderful city that prides itself on its values and making Park City a complete community.

Thank you for reading. Please know that we believe in you and thank you for considering this appeal.

Sincerely,

A handwritten signature in blue ink, appearing to read "Carl and Liz Tippit", is written over a light blue rectangular background.

Carl and Liz Tippit
998 Aerie Drive

Pedestrians										
	June 30, 2017		July 1, 2017		July 2, 2017		July 3, 2017		July 4, 2017	
	Crossing Southbound Leg	Crossing Northbound Leg	Crossing Southbound Leg	Crossing Northbound Leg	Crossing Southbound Leg	Crossing Northbound Leg	Crossing Southbound Leg	Crossing Northbound Leg	Crossing Southbound Leg	Crossing Northbound Leg
Start Time	Peds	Peds	Peds	Peds	Peds	Peds	Peds	Peds	Peds	Peds
00:00	0	0	0	0	0	0	0	0	0	0
0:15	0	0	0	0	0	0	0	0	0	0
0:30	0	0	0	0	0	0	0	0	0	0
0:45	0	0	0	0	0	0	0	0	0	0
1:00	0	0	0	0	0	0	0	0	0	0
1:15	0	0	0	0	0	0	0	0	0	0
1:30	0	0	0	0	0	0	0	0	0	0
1:45	0	0	0	0	0	0	0	0	0	0
2:00	0	0	0	0	0	0	0	0	0	0
2:15	0	0	0	0	0	0	0	0	0	0
2:30	0	0	0	0	0	0	0	0	0	0
2:45	0	0	0	0	0	0	0	0	0	0
3:00	0	0	0	0	0	0	0	0	0	0
3:15	0	0	0	0	0	0	0	0	0	0
3:30	0	0	0	0	0	0	0	0	0	0
3:45	0	0	0	0	0	0	0	0	0	0
4:00	0	0	0	0	0	0	0	0	0	0
4:15	0	0	0	0	0	0	0	0	0	0
4:30	0	0	0	0	0	0	0	0	0	0
4:45	0	0	0	0	0	0	0	0	0	0
5:00	0	0	0	0	0	0	0	0	0	0
5:15	0	0	0	0	0	0	0	0	0	0
5:30	0	0	0	0	0	0	0	0	0	0
5:45	0	0	0	0	0	0	0	0	0	0
6:00	0	0	0	0	0	0	0	0	0	0
6:15	0	0	0	0	0	0	0	0	0	0
6:30	0	0	0	0	0	0	0	1	0	0
6:45	0	0	0	0	0	0	0	0	0	0
7:00	0	0	0	0	0	0	0	0	0	0
7:15	0	0	0	0	0	0	0	0	0	0
7:30	0	0	0	0	0	0	0	0	2	0
7:45	0	0	0	0	0	0	0	0	0	0
8:00	0	1	0	0	0	0	0	0	0	0

8:15	0	0	0	0	0	0	0	0	0	0
8:30	0	0	0	0	0	0	0	0	0	0
8:45	0	0	0	0	0	0	0	0	0	4
9:00	0	0	1	0	0	0	0	3	0	1
9:15	0	0	0	0	0	0	0	0	0	4
9:30	0	0	0	0	2	0	0	0	0	1
9:45	0	0	0	0	0	0	0	5	6	1
10:00	0	0	0	0	0	0	0	0	0	16
10:15	0	0	0	0	0	0	0	0	0	22
10:30	0	0	0	0	4	0	1	0	4	8
10:45	1	0	0	0	0	0	0	2	5	13
11:00	0	0	0	1	1	2	0	0	3	9
11:15	0	0	3	1	0	0	0	0	10	11
11:30	0	0	0	0	0	5	0	0	0	6
11:45	0	2	0	0	4	6	0	0	3	1
12:00	0	0	0	0	0	2	0	3	1	39
12:15	0	0	0	0	0	0	0	0	0	0
12:30	0	0	0	1	0	1	0	0	0	2
12:45	0	0	0	0	0	5	0	4	1	11
13:00	0	1	0	0	0	0	2	0	2	1
13:15	0	2	0	0	0	8	1	0	2	6
13:30	0	0	0	0	0	5	0	0	0	0
13:45	0	0	0	0	0	0	0	0	2	9
14:00	0	0	0	0	0	10	0	1	0	2
14:15	4	0	0	2	0	3	0	0	0	0
14:30	0	0	0	0	2	2	0	0	0	3
14:45	0	0	0	0	0	1	0	0	0	0
15:00	0	0	0	0	0	2	0	0	0	0
15:15	0	0	0	2	0	0	0	0	0	0
15:30	0	0	0	0	0	2	0	0	0	0
15:45	0	0	0	0	0	4	0	0	0	0
16:00	0	0	0	0	0	8	0	0	0	0
16:15	0	0	0	0	0	4	0	0	0	0
16:30	0	0	0	0	0	0	0	4	0	1
16:45	0	0	0	0	0	0	0	0	0	0
17:00	0	0	0	0	0	0	0	0	0	0
17:15	0	0	0	0	0	1	0	0	0	1
17:30	0	0	0	0	0	0	0	0	0	1
17:45	0	0	0	0	0	0	0	1	0	0
18:00	0	2	0	0	0	0	0	0	0	0
18:15	0	0	0	0	3	2	0	0	0	0

18:30	0	0	0	0	0	0	0	0	0	0
18:45	0	0	0	0	0	2	0	0	0	0
19:00	0	0	0	0	0	0	0	0	0	0
19:15	0	0	0	0	0	0	0	0	5	0
19:30	0	0	0	0	0	0	0	0	0	0
19:45	0	0	1	0	0	0	0	0	0	0
20:00	0	0	0	2	0	0	0	0	0	1
20:15	0	0	0	1	0	2	0	0	0	0
20:30	0	0	0	3	0	0	0	0	0	0
20:45	0	0	0	0	0	0	0	0	0	0
21:00	0	0	0	2	0	0	0	0	0	0
21:15	0	0	1	0	0	0	0	0	0	4
21:30	0	0	0	0	0	0	0	0	0	0
21:45	0	0	0	0	0	0	0	0	0	0
22:00	0	0	0	0	0	0	0	0	0	0
22:15	0	0	0	0	0	0	0	0	0	0
22:30	0	0	0	0	0	0	0	0	0	0
22:45	0	0	0	0	0	0	0	0	0	0
23:00	0	0	0	0	0	0	0	0	0	0
23:15	0	0	0	0	0	0	0	0	0	0
23:30	0	0	0	0	0	0	0	0	0	0
23:45	0	0	0	0	0	0	0	0	0	0
TOTAL	5	8	6	15	16	77	4	24	46	178

Bicycles										
	June 30, 2017		July 1, 2017		July 2, 2017		July 3, 2017		July 4, 2017	
	Crossing Southbo und Leg	Crossing Northbo und Leg	Crossing Southbo und Leg	Crossing Northbo und Leg	Crossing Southbo und Leg	Crossing Northbo und Leg	Crossing Southbo und Leg	Crossing Northbo und Leg	Crossing Southbo und Leg	Crossing Northbo und Leg
Start Time	Bikes	Bikes	Bikes	Bikes	Bikes	Bikes	Bikes	Bikes	Bikes	Bikes
00:00	0	0	0	0	0	0	0	0	0	0
0:15	0	0	0	0	0	0	0	0	0	0
0:30	0	0	0	0	0	0	0	0	0	0
0:45	0	0	0	0	0	0	0	0	0	0
1:00	0	0	0	0	0	0	0	0	0	0
1:15	0	0	0	0	0	0	0	0	0	0
1:30	0	0	0	0	0	0	0	0	0	0
1:45	0	0	0	0	0	0	0	0	0	0
2:00	0	0	0	0	0	0	0	0	0	0
2:15	0	0	0	0	0	0	0	0	0	0
2:30	0	0	0	0	0	0	0	0	0	0
2:45	0	0	0	0	0	0	0	0	0	0
3:00	0	0	0	0	0	0	0	0	0	0
3:15	0	0	0	0	0	0	0	0	0	0
3:30	0	0	0	0	0	0	0	0	0	0
3:45	0	0	0	0	0	0	0	0	0	0
4:00	0	0	0	0	0	0	0	0	0	0
4:15	0	0	0	0	0	0	0	0	0	0
4:30	0	0	0	0	0	0	0	0	0	0
4:45	0	0	0	0	0	0	0	0	0	0
5:00	0	0	0	0	0	0	0	0	0	0
5:15	0	0	0	0	0	0	0	0	0	0
5:30	0	0	0	0	0	0	0	0	0	0
5:45	0	0	0	0	0	0	0	0	0	0
6:00	0	0	0	0	0	0	0	0	0	0
6:15	0	0	0	0	0	0	0	0	0	0
6:30	0	0	0	0	0	0	0	0	0	0
6:45	0	0	0	0	0	0	0	0	0	0
7:00	0	0	0	0	0	0	0	0	0	0
7:15	0	0	0	0	0	0	0	0	0	0
7:30	0	0	0	0	0	0	0	0	0	0
7:45	0	0	0	0	0	0	0	0	0	0
8:00	0	0	0	0	0	0	0	0	0	0

8:15	0	0	0	0	0	0	0	0	0	0
8:30	0	0	0	0	0	0	0	0	0	0
8:45	0	0	0	0	0	0	0	0	0	0
9:00	0	0	0	0	0	0	0	0	0	0
9:15	0	0	0	0	1	0	0	0	0	0
9:30	0	0	1	0	0	0	1	0	0	0
9:45	0	0	0	0	0	0	0	0	0	0
10:00	0	0	0	0	0	0	0	0	0	0
10:15	0	0	0	0	1	0	0	0	0	0
10:30	0	0	0	2	0	0	0	0	0	0
10:45	0	0	0	0	0	0	0	0	0	0
11:00	0	0	0	0	3	0	0	0	0	0
11:15	0	0	0	0	0	0	0	0	0	0
11:30	0	0	0	0	0	0	0	0	0	0
11:45	0	0	0	0	0	0	0	0	0	0
12:00	0	0	0	0	0	0	0	0	0	0
12:15	2	0	0	0	3	0	0	0	0	0
12:30	0	0	0	0	0	0	0	0	0	0
12:45	0	0	0	0	0	0	0	0	0	0
13:00	0	0	0	0	0	0	0	0	0	0
13:15	0	0	0	0	0	0	0	0	0	0
13:30	0	0	2	0	2	0	0	0	0	0
13:45	0	0	0	1	0	0	0	0	0	0
14:00	0	0	0	1	4	0	0	0	0	0
14:15	0	0	0	0	0	0	0	0	0	0
14:30	0	0	0	0	0	0	0	0	0	0
14:45	0	0	0	0	0	0	0	0	0	0
15:00	0	0	0	0	0	0	0	0	0	0
15:15	0	0	0	0	0	0	0	0	0	0
15:30	0	0	0	0	0	0	0	0	0	0
15:45	0	0	0	0	0	0	0	0	0	0
16:00	0	0	2	0	0	0	0	0	0	0
16:15	0	0	0	0	0	0	0	0	0	1
16:30	0	0	0	0	0	0	3	1	0	0
16:45	0	0	0	0	0	0	1	0	0	0
17:00	0	0	0	0	0	0	0	0	0	0
17:15	0	0	0	0	0	0	0	0	0	0
17:30	0	0	0	0	0	1	0	0	0	0
17:45	0	0	0	0	0	0	0	0	0	0
18:00	0	0	0	0	0	2	0	0	0	0
18:15	0	0	0	0	0	0	2	0	0	0

18:30	0	0	0	0	0	0	0	0	0	0
18:45	0	0	0	0	0	0	0	0	0	0
19:00	0	0	0	0	0	0	0	0	0	0
19:15	2	0	0	0	0	0	0	0	1	0
19:30	0	0	0	0	0	1	0	0	0	0
19:45	0	0	0	0	0	0	0	0	0	0
20:00	0	0	0	0	0	0	0	0	0	0
20:15	0	0	0	0	3	0	0	0	0	0
20:30	0	0	0	0	0	0	0	0	0	0
20:45	0	0	0	0	0	0	0	0	0	0
21:00	0	0	0	0	0	0	0	0	0	0
21:15	0	0	0	0	0	0	1	0	0	0
21:30	0	0	0	0	0	0	0	0	0	0
21:45	0	0	0	0	0	0	0	0	0	0
22:00	0	0	0	0	0	0	0	0	0	0
22:15	0	0	0	0	0	0	0	0	0	0
22:30	0	0	0	0	0	0	0	0	0	0
22:45	0	0	0	0	0	0	0	0	0	0
23:00	0	0	0	0	0	0	0	0	0	0
23:15	0	0	0	0	0	0	0	0	0	0
23:30	0	0	0	0	0	0	0	0	0	0
23:45	0	0	0	0	0	0	0	0	0	0
TOTAL	4	0	5	4	17	4	8	1	1	1

Pedestrians													
	Aug 3, 2017		Aug 4, 2017		Aug 5, 2017		Aug 6, 2017		Aug 7, 2017		Aug 8, 2017		
	Crossi ng South bound Leg	Crossi ng North bound Leg	Crossi ng South bound Leg	Crossi ng North bound Leg	Crossi ng South bound Leg	Crossi ng North bound Leg	Crossi ng South bound Leg	Crossi ng North bound Leg	Crossi ng South bound Leg	Crossi ng North bound Leg	Crossi ng South bound Leg	Crossi ng North bound Leg	
Start Time	Peds	Peds	Peds	Peds	Peds	Peds	Peds	Peds	Peds	Peds	Peds	Peds	
00:00	x	x	0	0	0	0	0	0	0	0	0	0	
0:15	x	x	0	0	0	0	0	0	0	0	0	0	
0:30	x	x	0	0	0	0	0	0	0	0	0	0	
0:45	x	x	0	0	0	0	0	0	0	0	0	0	
1:00	x	x	0	0	0	0	0	0	0	0	0	0	
1:15	x	x	0	0	0	0	0	0	0	0	0	0	
1:30	x	x	0	0	0	0	0	0	0	0	0	0	
1:45	x	x	0	0	0	0	0	0	0	0	0	0	
2:00	x	x	0	0	0	0	0	0	0	0	0	0	
2:15	x	x	0	0	0	0	0	0	0	0	0	0	
2:30	x	x	0	0	0	0	0	0	0	0	0	0	
2:45	x	x	0	0	0	0	0	0	0	0	0	0	
3:00	x	x	0	0	0	0	0	0	0	0	0	0	
3:15	x	x	0	0	0	0	0	0	0	0	0	0	
3:30	x	x	0	0	0	0	0	0	0	0	0	0	
3:45	x	x	0	0	0	0	0	0	0	0	0	0	
4:00	x	x	0	0	0	0	0	0	0	0	0	0	
4:15	x	x	0	0	0	0	0	0	0	0	0	0	
4:30	x	x	0	0	0	0	0	0	0	0	0	0	
4:45	x	x	0	0	0	0	0	0	0	0	0	0	
5:00	x	x	0	0	0	0	0	0	0	0	0	0	
5:15	x	x	0	0	0	0	0	0	0	0	0	0	
5:30	x	x	0	0	0	0	0	0	0	0	0	0	
5:45	x	x	0	0	0	0	0	0	0	0	0	0	
6:00	x	x	0	0	0	0	0	0	0	0	0	0	
6:15	x	x	0	0	0	0	0	0	0	0	0	0	
6:30	x	x	0	0	0	0	0	0	0	0	0	0	
6:45	x	x	0	0	0	0	0	0	0	0	1	0	
7:00	x	x	0	0	0	0	0	0	0	0	0	0	
7:15	x	x	0	0	2	0	0	0	0	0	0	0	
7:30	x	x	0	0	0	0	0	1	0	0	0	0	
7:45	x	x	0	0	0	0	1	0	0	0	0	0	
8:00	x	x	0	0	2	1	2	1	0	0	0	0	
8:15	x	x	0	0	0	0	0	1	0	0	0	0	
8:30	x	x	0	0	0	0	0	0	0	0	0	0	
8:45	x	x	0	0	0	0	0	1	0	0	0	0	
9:00	x	x	0	0	0	0	0	0	0	0	0	1	
9:15	x	x	0	0	0	0	0	0	1	0	0	0	
9:30	x	x	0	2	0	0	0	0	0	0	0	1	
9:45	x	x	0	0	0	0	3	0	0	1	0	0	

10:00	x	x	0	0	0	2	0	0	0	0	0	0
10:15	x	x	0	0	0	0	0	0	0	0	0	0
10:30	x	x	0	0	0	3	0	0	1	0	0	0
10:45	x	x	0	3	1	0	0	0	0	0	0	0
11:00	x	x	0	0	0	3	0	4	0	0	0	0
11:15	x	x	0	2	1	0	0	1	0	0	0	0
11:30	x	x	0	0	0	1	0	5	0	0	0	0
11:45	x	x	0	0	2	2	0	0	0	0	0	0
12:00	x	x	0	1	0	0	2	0	0	0	0	0
12:15	x	x	0	0	0	10	0	2	0	0	0	1
12:30	x	x	0	0	0	0	0	3	0	1	0	1
12:45	x	x	0	3	0	0	0	0	0	0	0	0
13:00	0	0	0	0	0	2	0	0	0	0	x	x
13:15	0	0	0	0	0	2	0	0	0	0	x	x
13:30	0	0	0	4	0	0	0	0	0	0	x	x
13:45	0	0	0	0	0	0	2	4	0	0	x	x
14:00	0	0	0	0	0	0	0	3	0	0	x	x
14:15	0	0	0	0	0	1	0	1	0	1	x	x
14:30	0	0	0	0	0	1	0	0	0	2	x	x
14:45	0	0	0	0	2	2	0	0	0	0	x	x
15:00	0	0	2	0	0	1	0	0	0	0	x	x
15:15	0	0	0	0	0	3	0	0	0	0	x	x
15:30	0	0	2	4	0	0	0	3	0	0	x	x
15:45	0	0	0	0	0	2	0	0	0	0	x	x
16:00	0	0	0	1	0	1	0	5	0	0	x	x
16:15	1	0	0	0	0	0	3	5	0	0	x	x
16:30	0	0	1	0	0	0	0	1	0	0	x	x
16:45	0	0	0	0	0	0	0	0	0	0	x	x
17:00	0	0	0	3	0	6	0	0	0	0	x	x
17:15	0	0	0	2	0	3	0	0	0	0	x	x
17:30	2	0	1	0	0	0	0	0	0	0	x	x
17:45	0	0	0	4	0	0	0	0	0	0	x	x
18:00	0	0	0	6	0	0	0	0	0	0	x	x
18:15	0	0	0	2	0	0	0	0	0	0	x	x
18:30	0	0	0	0	0	0	0	0	0	0	x	x
18:45	0	0	0	2	0	0	0	0	0	0	x	x
19:00	0	0	0	6	0	3	0	3	0	0	x	x
19:15	0	0	0	8	0	3	0	0	0	0	x	x
19:30	0	0	0	0	0	0	0	0	0	2	x	x
19:45	0	0	0	0	0	2	0	0	0	1	x	x
20:00	1	0	0	6	0	2	0	0	0	0	x	x
20:15	0	0	0	2	0	0	0	0	0	0	x	x
20:30	0	0	2	0	0	3	0	0	0	0	x	x
20:45	0	0	0	0	0	0	0	0	0	0	x	x
21:00	0	0	0	2	0	0	2	0	0	0	x	x
21:15	0	0	0	0	0	0	0	0	0	0	x	x
21:30	0	0	0	0	1	0	0	0	0	0	x	x
21:45	0	0	0	0	0	0	0	0	0	0	x	x
22:00	0	0	0	0	0	0	0	0	0	0	x	x
22:15	0	0	0	0	0	0	0	0	0	0	x	x
22:30	0	0	0	0	0	0	0	0	0	0	x	x

22:45	0	0	0	0	0	0	0	0	0	0	x	x
23:00	0	0	0	0	0	0	0	0	0	0	x	x
23:15	0	0	0	0	0	0	0	0	0	0	x	x
23:30	0	0	0	0	2	0	0	0	0	0	x	x
23:45	0	0	0	0	0	0	0	0	0	0	x	x
Total	4	0	8	63	13	59	15	44	2	8	1	4

Bicycles													
	Aug 3, 2017		Aug 4, 2017		Aug 5, 2017		Aug 6, 2017		Aug 7, 2017		Aug 8, 2017		
	Crossing South bound Leg	Crossing North bound Leg	Crossing South bound Leg	Crossing North bound Leg	Crossing South bound Leg	Crossing North bound Leg	Crossing South bound Leg	Crossing North bound Leg	Crossing South bound Leg	Crossing North bound Leg	Crossing South bound Leg	Crossing North bound Leg	
Start Time	Bikes	Bikes	Bikes	Bikes	Bikes	Bikes	Bikes	Bikes	Bikes	Bikes	Bikes	Bikes	
00:00	x	x	0	0	0	0	0	0	0	0	0	0	
0:15	x	x	0	0	0	0	0	0	0	0	0	0	
0:30	x	x	0	0	0	0	0	0	0	0	0	0	
0:45	x	x	0	0	0	0	0	0	0	0	0	0	
1:00	x	x	0	0	0	0	0	0	0	0	0	0	
1:15	x	x	0	0	0	0	0	0	0	0	0	0	
1:30	x	x	0	0	0	0	0	0	0	0	0	0	
1:45	x	x	0	0	0	0	0	0	0	0	0	0	
2:00	x	x	0	0	0	0	0	0	0	0	0	0	
2:15	x	x	0	0	0	0	0	0	0	0	0	0	
2:30	x	x	0	0	0	0	0	0	0	0	0	0	
2:45	x	x	0	0	0	0	0	0	0	0	0	0	
3:00	x	x	0	0	0	0	0	0	0	0	0	0	
3:15	x	x	0	0	0	0	0	0	0	0	0	0	
3:30	x	x	0	0	0	0	0	0	0	0	0	0	
3:45	x	x	0	0	0	0	0	0	0	0	0	0	
4:00	x	x	0	0	0	0	0	0	0	0	0	0	
4:15	x	x	0	0	0	0	0	0	0	0	0	0	
4:30	x	x	0	0	0	0	0	0	0	0	0	0	
4:45	x	x	0	0	0	0	0	0	0	0	0	0	
5:00	x	x	0	0	0	0	0	0	0	0	0	0	
5:15	x	x	0	0	0	0	0	0	0	0	0	0	
5:30	x	x	0	0	0	0	0	0	0	0	0	0	
5:45	x	x	0	0	0	0	0	0	0	0	0	0	
6:00	x	x	0	0	0	0	0	0	0	0	0	0	
6:15	x	x	0	0	0	0	0	0	0	0	0	0	
6:30	x	x	0	0	0	0	0	0	0	0	0	0	
6:45	x	x	0	0	0	0	0	0	0	0	0	0	
7:00	x	x	0	0	0	0	0	0	0	0	0	0	
7:15	x	x	0	1	0	0	0	0	0	0	0	0	
7:30	x	x	0	0	0	0	0	0	0	0	0	0	
7:45	x	x	0	0	0	0	0	0	0	0	0	0	
8:00	x	x	0	0	1	0	0	0	0	0	0	0	
8:15	x	x	0	0	2	0	0	0	0	0	0	0	
8:30	x	x	0	0	0	0	0	0	0	0	0	0	
8:45	x	x	0	4	0	0	0	0	0	0	0	0	
9:00	x	x	2	0	0	0	0	0	0	0	0	0	
9:15	x	x	0	0	0	0	0	0	0	0	0	0	
9:30	x	x	0	0	0	0	0	0	0	0	0	0	

9:45	x	x	0	0	0	0	0	0	0	0	0	0
10:00	x	x	0	0	0	0	0	0	0	0	0	0
10:15	x	x	0	0	0	0	0	2	0	0	0	0
10:30	x	x	0	0	0	0	0	0	0	0	0	0
10:45	x	x	0	0	0	0	0	0	0	0	0	0
11:00	x	x	0	0	0	0	0	0	0	0	0	0
11:15	x	x	0	0	0	0	0	0	0	0	0	0
11:30	x	x	0	0	0	0	0	0	0	0	0	0
11:45	x	x	0	0	0	0	0	0	0	0	0	0
12:00	x	x	0	0	1	0	0	0	0	0	0	0
12:15	x	x	0	0	0	0	0	0	0	0	0	0
12:30	x	x	0	0	1	3	0	0	0	0	0	0
12:45	x	x	0	0	0	2	0	0	0	0	0	0
13:00	0	0	0	1	0	0	0	0	0	0	x	x
13:15	0	0	0	0	2	0	0	0	0	0	x	x
13:30	0	0	0	0	0	0	0	0	0	0	x	x
13:45	0	0	0	0	0	0	0	0	0	0	x	x
14:00	0	0	0	0	0	0	0	0	0	0	x	x
14:15	0	0	0	0	0	0	0	0	0	0	x	x
14:30	0	0	0	2	0	0	0	0	0	0	x	x
14:45	0	0	0	0	1	0	0	0	0	0	x	x
15:00	0	0	0	0	0	0	0	0	0	0	x	x
15:15	1	0	0	0	0	0	0	0	0	0	x	x
15:30	0	0	0	3	0	0	0	0	0	0	x	x
15:45	0	0	0	0	0	0	0	0	0	0	x	x
16:00	0	0	0	0	0	0	0	0	0	0	x	x
16:15	0	0	0	1	0	0	0	0	0	0	x	x
16:30	0	0	0	0	0	0	0	0	0	0	x	x
16:45	0	0	0	0	0	0	0	0	0	2	x	x

17:0 0	0	0	0	0	0	2	0	0	0	0	x	x
17:1 5	0	0	0	0	0	0	0	0	0	0	x	x
17:3 0	0	0	0	0	0	0	0	0	0	0	x	x
17:4 5	0	0	0	0	0	0	0	0	0	0	x	x
18:0 0	0	0	0	0	0	0	0	0	1	0	x	x
18:1 5	0	0	0	0	0	0	0	0	0	0	x	x
18:3 0	0	0	0	0	0	0	0	0	0	0	x	x
18:4 5	0	0	0	0	0	0	0	0	0	0	x	x
19:0 0	0	0	0	0	0	0	0	0	0	0	x	x
19:1 5	0	0	0	0	0	1	0	0	0	0	x	x
19:3 0	0	0	0	0	0	0	0	0	0	0	x	x
19:4 5	0	0	0	0	0	0	0	0	0	0	x	x
20:0 0	0	0	0	0	0	0	0	0	0	0	x	x
20:1 5	0	0	0	0	0	0	0	0	0	0	x	x
20:3 0	0	0	0	0	0	0	0	0	0	0	x	x
20:4 5	0	0	0	0	0	0	0	0	0	0	x	x
21:0 0	0	0	0	0	0	0	0	0	0	0	x	x
21:1 5	0	0	0	0	0	0	0	0	0	0	x	x
21:3 0	0	0	0	0	0	0	0	0	0	0	x	x
21:4 5	0	0	0	0	0	0	0	0	0	0	x	x
22:0 0	0	0	0	0	0	0	0	0	0	0	x	x
22:1 5	0	0	0	0	0	0	0	0	0	0	x	x
22:3 0	0	0	0	0	0	0	0	0	0	0	x	x
22:4 5	0	0	0	0	0	0	0	0	0	0	x	x
23:0 0	0	0	0	0	0	0	0	0	0	0	x	x
23:1 5	0	0	0	0	0	0	0	0	0	0	x	x
23:3 0	0	0	0	0	0	0	0	0	0	0	x	x
23:4 5	0	0	0	0	0	0	0	0	0	0	x	x
Total	1	0	2	12	8	8	0	2	1	2	0	0

MEMORANDUM

DATE: September 16, 2016

TO: Matt Cassel PE, Park City Municipal Corporation
Corey Legge, Park City Municipal Corporation

FROM: Charles Allen PE, PTOE, Parametrix
Tim Peterson, Parametrix
Andrea Olson, AICP Parametrix

SUBJECT: Aerie Dr Deer Valley Dr Pedestrian Crossing Analysis

CC:

PROJECT NUMBER: 344-7395-003

PROJECT NAME: Aerie Dr Deer Valley Dr Pedestrian Crossing Analysis

INTRODUCTION

Park City Municipal Corporation (PCMC) requested Parametrix to conduct an analysis of pedestrian crossing needs and alternative treatments at the intersection of Aerie Drive and Deer Valley Drive. Residents from Aerie Drive have expressed concerns to PCMC about the desire and ability to safely cross Deer Valley Drive on foot. The purpose of this document is to summarize existing conditions, evaluate crossing options and provide a recommendation to PCMC for moving forward.

AREA DESCRIPTION

The Aerie Neighborhood is located on the western slopes of Masonic Hill overlooking downtown Park City. The neighborhood consists of 70-80 homes most of which front Aerie Drive as it meanders up the steep hillside. The remainder of the homes in the neighborhood are located on short, dead-end streets that spur from Aerie Drive towards the top of Masonic Hill. There are two access points to the Aerie Drive neighborhood. The most direct access can be made at the Aerie Drive/Deer Valley Drive intersection. Secondary access is available via Mellow Mountain Road which connects to Deer Valley Drive approximately ½ mile east of the Deer Valley Drive roundabout. Figure 1 illustrates the Aerie Drive and the surrounding area.

The Aerie Drive/Deer Valley Drive intersection is a three-leg “T” intersection with stop control on the Aerie Drive approach. Deer Valley Drive features a left-turn lane into Aerie Drive but no right-turn lane. The lack of shoulders as well as the steep embankment and retaining walls on the east side of Deer Valley Drive limit sight distance for the intersection when approaching on Deer Valley Drive from the south.

Aerie Drive is a steep, winding road starting at Deer Valley Drive and ending at the top of Masonic Hill – a distance of about 1.2 miles. The roadway features two travel lanes within 24 ft. of pavement with rolling curb and gutter but no sidewalks. The roadway has several tight switchbacks going up Masonic Hill which, when combined with the steep grade, can make for a challenging drive during winter conditions.

Figure 1: Study Area



Deer Valley Drive is a five-lane arterial with two travel lanes in each direction and a continuous center turn lane. Like Aerie Drive, the roadway features curb and gutter but no paved shoulders or sidewalks. Deer Valley Drive is also part of State Route 224 (SR-224) and serves as the primary link between downtown Park City, Deer Valley Resort, and major highways leading to and from the region. Between the Deer Valley Drive roundabout and Bonanza Drive intersection the speed limit on the roadway is 40 mph and there are only a limited number of driveways and intersecting streets, one of which is Aerie Drive. According to data from the Utah Department of Transportation (UDOT) the average daily volume in 2014 was approximately 13,000 vehicles per day for this section of Deer Valley Drive.

The Lost Prospector trail is an unpaved, single-track trail that crosses Aerie Drive approximately 800 feet up the hill from the Deer Valley Drive intersection. North of Aerie Drive, the trail rounds Masonic Hill connecting to various other trails before terminating at the Fox Tail trail near the Round Valley area. South of Aerie Drive, the Lost Prospector trail continues another ½ mile where it connects to Mellow Mountain Road. From there, trail users can follow Mellow Mountain Road to access other trails such as the Gambel Oak trail or the April Mountain trail.

NEIGHBORHOOD MEETING

Parametrix and PCMC hosted a neighborhood meeting on June 29, 2016 for residents of Aerie Drive. The meeting was held at the PCMC City Council Chambers where residents were invited to share concerns and provide input regarding crossing needs at Deer Valley Drive. Approximately eight residents attended along with three Parametrix staff and two PCMC staff.

Residents were invited to place stickers on a map of where they lived, where they crossed Deer Valley Drive and to which destinations they walked. Residents were also asked to mark how frequently they walk across Deer Valley Drive and what time of day they cross Deer Valley Drive. The results of this input were as follows.

1. All residents that attended the meeting live on Aerie Drive.
2. All residents at the meeting indicated they cross Deer Valley Drive near the intersection of Aerie Drive except for one who crosses near Sunnyside Drive via Mellow Mountain Road.
3. Destinations that residents cross Deer Valley Drive to reach include: City Hall, Poison Creek Trail, Upper and Lower Main Street, Park City Mountain Resort, the City Park and the Transit Center.

Additional data on walking habits of the responding residents is summarized in Table 1 and Table 2:

Table 1: How Frequently Do You Walk across Deer Valley Drive?

More than Once Per Day	Once Per Day	2-5 Times Per Week	Once Per Week	1-3 Times Per Month	Less than Once Per Month
0	0	3	0	2	0

Table 2: What Time of Day Do You Walk across Deer Valley Drive?

Morning		Midday		Afternoon		Evening	
Before 7 am	7:00 am-9:00 am	9:00 am-11:00 am	11:00 am-1:00 pm	1:00 pm-3:00 pm	3:00 pm – 5:00 pm	5:00 pm – 7:00 pm	After 7:00 pm
1	4	1	0	1	1	3	0

A group discussion took place at the neighborhood meeting where residents gave input and expressed concerns about crossing Deer Valley Drive and the intersection of Aerie Drive and Deer Valley Drive as well as other general topics related to the study area. Some of the concerns and suggestions brought up by the residents include:

- Sight distance concerns for vehicles attempting to right onto Deer Valley Drive from Aerie Drive
- Sight distance concerns for vehicles attempting to turn right or left out of Aerie Drive onto Deer Valley Drive
- Marking the Aerie Drive intersection with “T” intersection warning signs on Deer Valley Drive.
- Installing a traffic signal at Aerie Drive and Deer Valley Drive
- Installing a pedestrian signal (HAWK or flashing red) at Aerie Drive and Deer Valley Drive
- Installing a pedestrian overpass or underpass at Aerie Drive and Deer Valley Drive
- Acceleration and/or deceleration lanes on Deer Valley Drive at Aerie Drive
- Reducing the speed limit on Deer Valley Drive from the roundabout north to Bonanza Drive
- Converting the intersection of Deer Valley Drive and lower Main Street to right-in/right-out (like Heber Avenue)
- Concerns over the nightly rentals at Hearthstone located near the bottom of Aerie Drive and the associated parking on Aerie Drive near the Deer Valley Drive intersection.
- Vehicles parking on-street and off-street at the bottom of Aerie Drive irritating residents and creating fears of parked vehicles sparking wildfires

Additionally, many of the residents said that they don’t cross Deer Valley Drive because they feel it’s too difficult to cross and too unsafe to cross.

DATA COLLECTION

PCMC conducted a brief evaluation of pedestrian activity at the Aerie Drive/Deer Valley Drive intersection. The intersection was monitored for two and a half hours (2:00 PM – 4:30 PM) on Friday, July 1, 2016. During this time one pedestrian was observed attempting to cross Deer Valley Drive.

The PCMC count appears consistent with descriptions and data from the public meeting. Residents present at the public meeting indicated that they only crossed Deer Valley Drive 2-5 times per week at most. It should be noted that the 2:00 PM-4:30 PM count may have missed the peak crossing time frame since resident feedback indicates the 7-9 am time period and the 5-7 pm time period as the times of day they were most likely to cross Deer Valley Drive. Still, the number of pedestrian crossings reported during the peak times are only slightly more than what is reported during off-peak times.

During the past few years, PCMC has collected bicycle counts on both the Poison Creek Trail which runs along the west side of Deer Valley Drive, and the Lost Prospector Trail which crosses Aerie Drive to the east of Deer Valley Drive. According to these data, the Poison Creek Trail averages about 500 trips per day and the Lost Prospector Trail averages about 100 trips per day.

SAFETY DATA

Parametrix gathered historic crash data for the Aerie Drive/Deer Valley Drive intersection from the UDOT Traffic & Safety Division. Data encompassed crashes extending back to 2010 through as recent as 2015. During this six-year time period, there were 10 recorded crashes in the vicinity of the intersection. Six of the 10 crashes were wild-animal hits. Of the four non-wild-animal crashes, two crashes were single-vehicle crashes in which drivers ran off the road. The other two crashes included a crash where a vehicle slid into Deer Valley Drive from Aerie Drive on snowy pavement and a crash where a northbound vehicle sideswiped another northbound vehicle in the adjacent lane. There were no crashes involving bicyclists or pedestrians and none of the crashes resulted in injuries. In summary, the crash data indicates that intersection-related crashes at the Aerie Drive/Deer Valley Drive intersection are infrequent. Of the crashes that do occur, most are related to wildlife in the roadway and injuries rarely occur.

CROSSING ANALYSIS

Given the neighborhood desire for infrastructure to support pedestrian crossings at Deer Valley Drive, Parametrix evaluated three crossing alternatives:

1. At-grade crossing,
2. Grade-separated overpass, and
3. Grade-separated underpass.

At-grade Crossing Alternative

The simplest method to facilitate pedestrian crossings at Deer Valley Drive is an at-grade crossing – meaning a crossing on the same level as the roadway. Combined with an additional sidewalk between Aerie Drive and 9th Street, the crossing could be a cost-effective alternative compared to the grade-separated options. A 2006 study completed for Park City Municipal Corp. indicated that the cost of installing a sidewalk between Aerie Drive and 9th Street would be \$156,000. This figure in combination with the cost of installing a pedestrian signal would be a fraction of the expected cost for a grade-separated pedestrian crossing.

Potential drawbacks of an at-grade crossing on Deer Valley Drive include pedestrian safety and the interruption of traffic flow. Northbound traffic on Deer Valley Drive that is required to stop at a pedestrian signal would have the potential to cause additional congestion at the 9th Street/Main Street intersection and the Deer Valley Drive roundabout upstream from the proposed crossing, especially during peak ski out load. Additionally, there is always the potential for vehicle-pedestrian conflict at an at-grade crossing. From a pedestrian safety perspective an at-grade crossing will always have some inherent safety risks which can be eliminated completely with a grade-separated crossing.

At-Grade Crossing Guidelines and Requirements

There are numerous at-grade crossing treatments and amenities and it is important to find the right treatment for the right location. An improperly designed treatment will result in low driver and pedestrian compliance and create new safety hazards for the surrounding transportation network. For example, a painted crosswalk on a 10-lane interstate will achieve virtually no driver compliance because of the high travel speeds and because drivers do not expect to see pedestrians on a freeway. This situation would create an extreme hazard for both pedestrians and drivers. On the other extreme, installing a traffic signal to control pedestrian crossings on a residential cul-de-sac will achieve no pedestrian compliance because pedestrians feel comfortable crossing a quiet street themselves and do not want to wait for a pedestrian walk signal when there are likely to be no oncoming vehicles.

Finding the right combination of crossing treatments is critical to making a crossing effective. Data documented in National Cooperative Highway Research Program (NCHRP) Report 562 confirms that the safest and most effective crossings often use strategic traffic control devices or design elements to meet the information and control needs of both motorists and pedestrians. NCHRP Report 562 states that when considering a treatment, it is important to consider desirable characteristics such as:

1. Making the street crossing task simple and convenient for pedestrians
2. Making sure crossing pedestrians have excellent visibility
3. Making sure vehicle speeds are slowed or controlled in the area of the pedestrian crossing
4. Making sure vehicle drivers are more aware of the presence of the crosswalk
5. Making sure drivers yield the right-of-way to legally crossing pedestrians

To evaluate the need for pedestrian amenity treatments, Parametrix utilized guidelines within NCHRP Report 562 to determine the most appropriate at-grade pedestrian crossing treatment for Deer Valley Drive. The guidelines

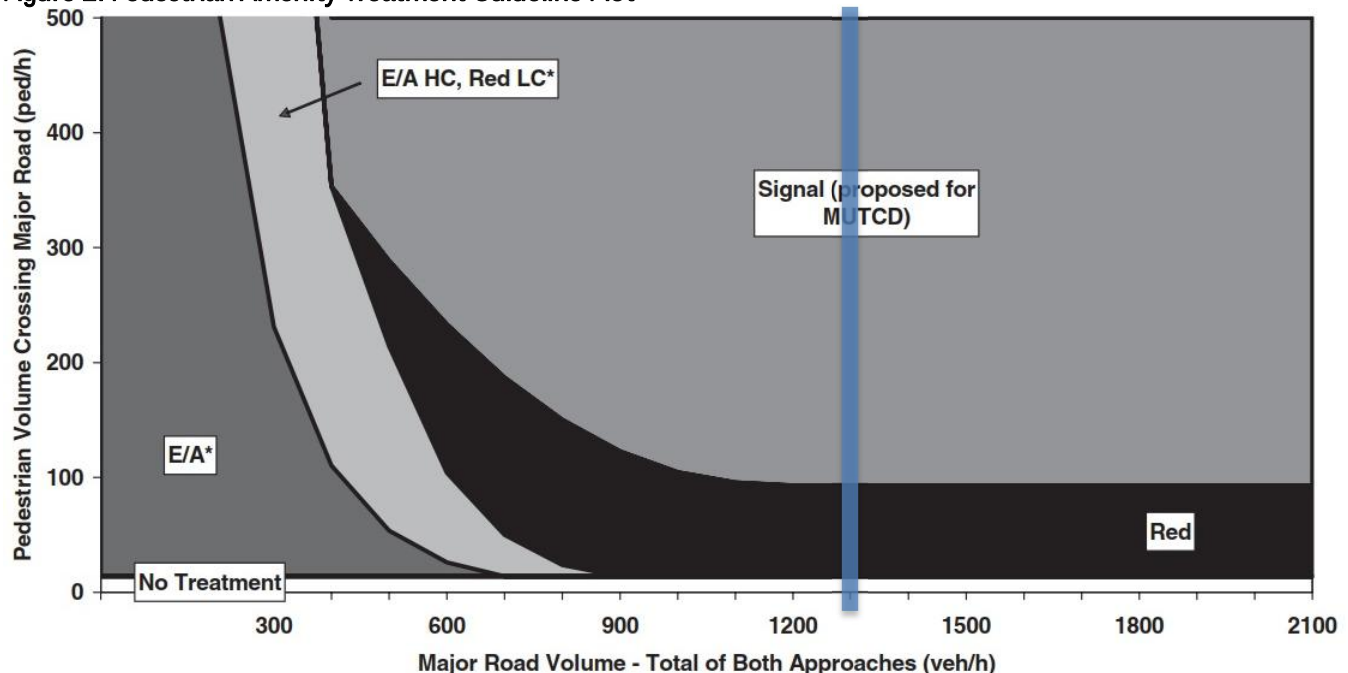
provide thresholds for pedestrian amenity treatments based on a number of different criteria including pedestrian volumes, road volume, road width and speed limit. According to unique characteristics of the crossing location, there are several potential categories of treatments:

- Enhanced
- Active
- Red
- Signal

“Enhanced” treatments include devices that are active in the crossing at all times, such as static signage, and pavement markings. “Active” treatments are devices that activate a warning when pedestrians are present or crossing a street, such as flashers or pedestrian flags. The “Red” category includes signals or beacons that display a circular red signal to motorists when activated by pedestrians. This includes HAWK, PELICAN, or TOUCAN signals. The “Signal” category includes conventional traffic signals which are administered by guidelines in the Manual on Uniform Traffic Control Devices (MUTCD). Finally, each category can be further sub-divided as being “HC” High Compliance, or “LC” Low Compliance.

NCHRP Report 562 contains guideline plots to aid in identifying the appropriate pedestrian treatment for various roadway scenarios. Parametrix applied the roadway, traffic and pedestrian parameters for Deer Valley Drive to the plot best representing site conditions. Figure 2 shows the guideline plot and Table 3 summarizes the roadway and pedestrian characteristics used to select the plot. Because pedestrian crossing volumes are not definitively known, Parametrix applied a vertical blue line to Figure 2 to indicate which crossing recommendations would apply under a range of pedestrian volumes.

Figure 2: Pedestrian Amenity Treatment Guideline Plot



*E/A = Enhanced/Active, HC = High Compliance, LC = Low Compliance

Source: Figure A-16, NCHRP Report 562

Table 3: At-grade Crossing Evaluation Inputs

Input	Value	Notes
Roadway Width	60 ft	Curb to curb measurement
Vehicle Speed	40 mph	Posted speed limit
Walking Speed	3.5 ft/sec	Default walking speed
Major Road Volume	1,300 veh/hr	Estimated at 10% of 2014 AADT of 1,300 vehicles per day
Pedestrian Crossing Volume	Variable	

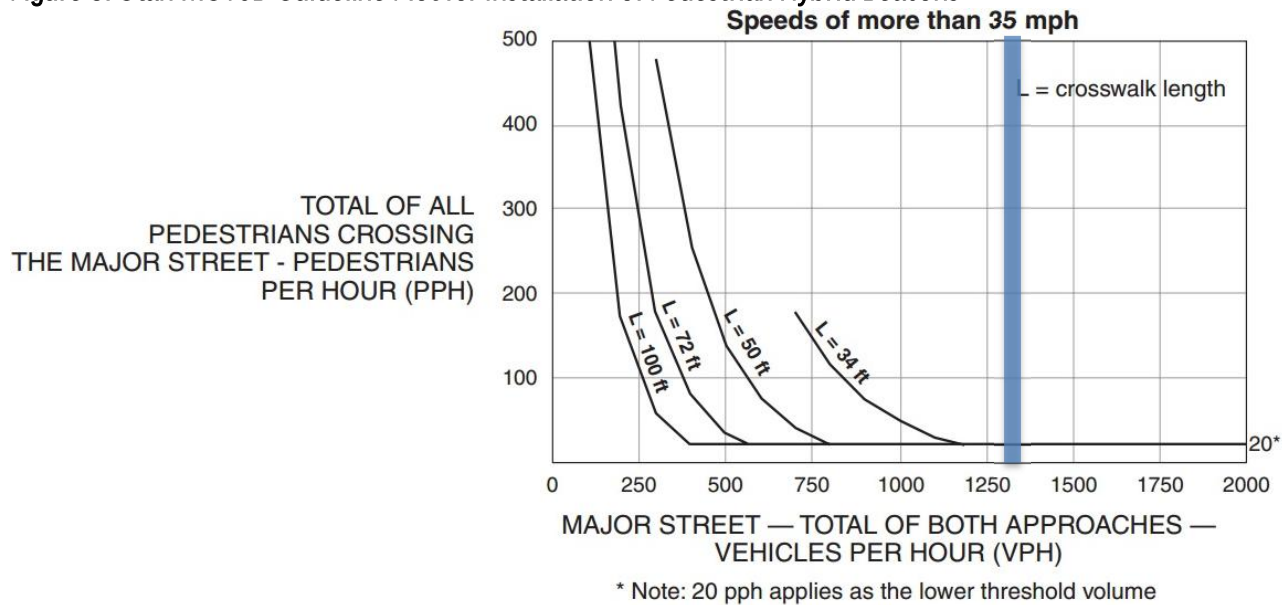
Examining Figure 2, the blue line indicates the range of potential pedestrian crossing volumes spans three categories of treatments: No Treatment, Red, or Signal. If there are fewer than 14 pedestrian crossings during the peak hour, than no signs, signals, or markings are recommended. Instead, NCHRP Report 562 suggests exploring geometric changes such as median refuge islands or curb extensions. If there are between 14 and 100 peak hour pedestrian crossings, than a Red treatment is recommended. If peak hour pedestrian crossings exceed 100, than a signal evaluation should be conducted according to the MUTCD to see if the location merits a full traffic signal. Finally, it should be noted that given the roadway conditions, Enhanced/Active treatments like crossing signage and flashing beacons are inappropriate at this location under any pedestrian volume scenario.

To meet any of the suggested pedestrian treatments, the minimum number of pedestrians crossing must be at least 14 pedestrians per hour. Data acquired during this study indicates it is very unlikely the crossing location would achieve this level. Responses from the neighborhood meeting suggest three to four individuals cross Deer Valley Drive during the busiest two-hour am and pm peak periods and that these crossings are not conducted daily but only two to five times per week. Additionally, the count conducted on a Friday from 2:00-4:30 pm yielded only one pedestrian crossing. The likelihood that there is a single hour when 14 or more pedestrian crossings (one crossing every four minutes) are made across Deer Valley Drive are slight.

Now, it is noted that crossing data obtained at the neighborhood meeting represents habits of only those in attendance and that there could be more crossings being regularly conducted by those not in attendance and not observed during the data collection. Additionally, installing a pedestrian crossing could release some pent-up demand and result in an increase in the number of pedestrians crossing per hour. Even so, the number of unreported or unobserved crossings must be very significant to generate 14 or more crossings in a single hour. To put this into context, there are 78 homes within the expected walk shed of the proposed crossing. These include the homes on Aerie Drive, Aerie Circle, Golden Way, Eagle Way, and the six homes at the top of Mellow Mountain Road. In order to generate more than 14 crossings, a resident from about one in five of these homes would need to cross Deer Valley Drive during the same one-hour time frame.

Theoretically, should pedestrian volumes increase to the level that a Red treatment is appropriate per NCHRP guidelines, coordination with UDOT would be required since Deer Valley Drive is a state highway. The most common Red-type treatment currently in Utah is a HAWK signal and Chapter 4F of the Utah MUTCD specifies the requirements to warrant a HAWK signal (see Figure 3). As shown in Figure 3, the warrant is similar to the guideline plot from the NCHRP Report 562, except the minimum pedestrian volume is 20 pedestrians per hour. Thus, in order to justify the most likely Red treatment – a HAWK – signal, the minimum pedestrian volume is actually higher than the NCHRP guidelines.

In summary, there is no data or projections to confirm that an at-grade pedestrian crossing would meet either NCHRP guidelines or the Utah MUTCD requirements. Given the low pedestrian crossing demand and the high speeds, high volumes, and roadway width on Deer Valley Drive, an at-grade pedestrian crossing is not appropriate in this location and would likely result in increased safety hazards.

Figure 3: Utah MUTCD Guideline Plot for Installation of Pedestrian Hybrid Beacons

Source: Utah MUTCD

Grade-separated Overpass Alternative

A grade-separated pedestrian overpass would eliminate conflicts between vehicles and pedestrians crossing Deer Valley Drive. The slope on the east side of Deer Valley Drive offers a natural starting point for the overpass as pedestrians would be able to access the structure without climbing any ramps. The west side of Deer Valley Drive, however, presents several physical challenges to locating an overpass structure and its accompanying access ramps. First, the terrain slopes down on the west side of Deer Valley Drive increasing the height between a pedestrian structure and an at-grade touchdown point. Second, there are property and facility constraints on the west side. Several existing buildings, the Poison Creek Trail and Silver Creek itself severely limit the room to construct overpass supports as well as ramps that can tie into existing sidewalks, and/or the Poison Creek trail. Finally, the overpass would present challenges for a design that aesthetically fits the surrounding environs.

A pedestrian overpass at this location was studied in a previous study completed in 2006. The 2006 cost estimate was \$2 million dollars which would be about \$2.4 million in 2016 dollars. Compared to an at-grade crossing, a pedestrian overpass would be a much more costly alternative.

Grade-separated Underpass Alternative

As with an overpass, a grade-separated underpass would eliminate conflicts between vehicles and pedestrians crossing Deer Valley Drive. Additionally, an underpass could be more aesthetically pleasing than an at-grade pedestrian crossing or an overpass as it would essentially be hidden from view. However, an underpass presents even more physical challenges with the surrounding terrain than an overpass. First, a large amount of excavation would have to be done on the east side of Deer Valley Drive to get the pedestrian underpass low enough to pass beneath Deer Valley Drive. Second, to go underneath the roadway, an underpass would have to be constructed at such a low elevation that it would be at the level of the creek or possibly lower than the creek when it emerges on the west side. Finally, there is only 35 feet between Deer Valley Drive and the Poison Creek Trail, with the creek in between. This short distance would make it difficult to bring the underpass up to the elevation of the Poison Creek Trail on the west side of Deer Valley Drive while also negotiating the creek. An additional engineering study would need to be completed to determine if building an underpass is feasible at this location.

A grade-separated underpass would be the most costly alternative with a 2006 estimate of \$3.4 million to construct (approximately \$4 million in 2016 dollars).

RECOMMENDATIONS & CONCLUSIONS

Parametrix evaluated the existing pedestrian crossing conditions and demand at the Aerie Drive/Deer Valley Drive intersection. Guided by neighborhood input and count data, Parametrix also reviewed national and local guidelines and standards for pedestrian treatments. Given the extremely low pedestrian demand, cost, safety concerns, the lack of an existing crash history, and environmental and physical constraints, Parametrix recommends that neither of the three crossing options – at-grade crossing, grade separated overpass, grade separated underpass – be implemented at this time.

At-grade pedestrian crossing must be designed carefully with appropriate amenities to create a comfortable environment for both pedestrians and drivers and ensure maximum user compliance. The study location is a wide road with high traffic volumes and speeds. As such, only a pedestrian-hybrid signal, such as a HAWK signal, or else conventional traffic signal would achieve sufficient driver compliance to support a safe pedestrian crossing. However, the site manifests a pedestrian crossing demand well below the thresholds to justify these treatments. Parametrix estimates that 20 percent of homes within the walk shed would have to generate a pedestrian crossing – all within the same one-hour period – in order to meet minimum pedestrian crossing thresholds. These levels are not experienced today and are not likely to be achieved even with a crossing in place.

Both the grade-separated overpass and underpass options present significant costs as well as physical and environmental constraints. It is expected that the excavation required to build a tunnel approach on the east side of Deer Valley Drive and tunnel beneath Silver Creek on the east side would result in significant expenses. Additionally, the environmental and property constraints on the west side of Deer Valley Drive, such as the Poison Creek Trail and Silver Creek itself, could render construction infeasible for either a tunnel or bridge. These physical challenges along with the lack of pedestrian crossing demand make it difficult to justify the potential costs.

NEXT STEPS

Though at-grade and grade-separated crossings are not appropriate at the Aerie Drive location at this time, PCMC should continue to monitor pedestrian conditions and demand. Additionally, consideration can be given to alternatives that address the underlying concerns about the Aerie Drive neighborhood connectivity. For example, providing seasonal or special event transit service for Aerie Drive could be evaluated. The growing ride-share industry, such as companies like Uber and Lyft, might offer additional mobility options for Aerie Drive residents to access downtown Park City. Further study could be taken to improve crossings at alternatives locations. Some residents indicated they walk along Mellow Mountain Drive and Sunnyside Drive to cross Deer Valley Drive at the roundabout. Improving the attractiveness or access to this crossing may offer a suitable pedestrian crossing option for Aerie Drive residents' needs. Additionally, a new trail on Masonic Hill connecting the roundabout to the Lost Prospector Trail would offer more direct access to the roundabout for Aerie Drive residents. This option would likely require an accompanying evaluation of a new crosswalk on either the north leg or the east leg of the roundabout.

Additional concerns about the Aerie Drive/Deer Valley Drive area not related to the crossing situation were expressed by residents at the neighborhood meeting. Some of these concerns include parking patterns at the bottom of Aerie Drive, turn lanes, intersection sight distance, and speed limits on Deer Valley Drive. These concerns are outside the scope of this study and Parametrix recommends they be addressed through other appropriate means and efforts.



DATE: October 12, 2017

TO HONORABLE MAYOR AND COUNCIL

Park City's buildings and facilities account for thirty-nine percent (39%; 2016) of all carbon emissions that come from municipal activities. These emissions come from electricity usage (i.e. Scope 2 indirect emissions) and natural gas that is burned on site for heating (i.e. Scope 1 direct emissions).

In general, a net-zero energy building or facility is one that balances the annual energy use with renewable energy, thereby reducing the use of non-renewable energy in the building sector. This standard for new buildings and facilities built using municipal funds outlines the process to achieve net-zero energy building performance and third party verification options.

Respectfully:

Celia Peterson, Environmental Sustainability Project Manager



City Council Staff Report

Subject: Consideration of RESOLUTION 28-2017 ADOPTING NET-ZERO ENERGY PERFORMANCE REQUIREMENTS
Author: Celia Peterson
Department: Sustainability
Date: October 12, 2017
Type of Item: Administrative

Summary Recommendation

Staff recommends City Council adopt this policy to specify a requirement for all new municipal buildings and facilities to be net-zero energy.

Executive Summary

- Park City's buildings and facilities account for thirty-nine percent (39%; 2016) of all carbon emissions that come from municipal activities. These emissions come from electricity usage (i.e. Scope 2 indirect emissions) and natural gas that is burned on site for heating (i.e. Scope 1 direct emissions).
- In general, a net-zero energy building or facility is one that balances the annual energy use with renewable energy, thereby reducing the use of non-renewable energy in the building sector.
- This standard for new buildings and facilities built using municipal funds outlines the process to achieve net-zero energy building performance and third party verification options.

Background

- On May 24, 2007 City Council passed and adopted Resolution No. 12-07 Green High Performance Building Requirements.
- On September 24, 2015 City Council elevated Energy to a Critical Priority and set a goal of net zero carbon emissions for municipal operations by 2022 and citywide by 2032.
- On September 22, 2016 City Council passed Resolution 23-2016 to set 100% renewable electricity goals by 2022 for municipal operations and 2032 community-wide. On July 13, 2017 this approach to net-zero energy buildings was discussed ([see page 20](#))

How this could further the goals expressed in the General Plan

This proposal aligns with three goals expressed in the General Plan:

- 5A** Encourage development practices that decrease per capita carbon output, decrease vehicle miles traveled, increase carbon sequestration, protect significant existing vegetation and contribute to the community emission reduction goal.
- 5B** Encourage efficient infrastructure to include water conservation, energy conservation, renewable resource technology, decreased waste production, green public transit, and increased road and pathway connectivity.

5C Park City Municipal Corporation will be a strong partner in efforts to reduce community GHG emissions, leading by example and providing policy guidance while promoting personal accountability and community responsibility.

Abbreviations and Definitions

Applicable building projects

Any new construction or major renovation of a City-owned building or facility that uses over 1 MMBtus energy (approximately 293 kWh) per year upon completion of construction. For example, this would cover most existing City owned buildings and facilities. Excluded would be e.g. the restrooms on Main Street, and a few irrigation structures.

Major renovation Work that demolishes space down to the shell structure and rebuilds it with new walls, ceilings, floors and systems, when such work affects more than twenty-five percent (25%) of the building's square footage.

MT CO₂e Metric tons carbon dioxide equivalent. This is the standard unit for measuring carbon emissions.

Net-zero carbon emissions

Carbon neutrality, or having a net-zero carbon footprint, refers to achieving net zero carbon emissions by balancing a measured amount of carbon released with an equivalent amount sequestered or offset.

Emissions are classified into three categories:

Scope 1 refers to on-site natural gas and other fossil fuel combustion, e.g. fleet and transit fuel.

Scope 2 refers to indirect emissions that come from purchased electricity production.

Scope 3 refers to emissions that come from other business activities, e.g. employee commute.

Net-zero energy building (DOE definition)

An energy-efficient building where, on a source energy basis, the actual annual delivered energy is less than or equal to the on-site renewable exported energy.

Net-zero energy building or facility for Park City

One that balances the on-site annual energy use with renewable energy generated on-site, or as close to the consumption site as possible, i.e. campus renewable installations are encouraged to

capture efficiencies. Net-zero energy buildings and facilities include all designed constructions that use City funds and use in excess of 1 MMBtu (approximately 293 kWh) annually, including parks, outdoor facilities, etc.

Renewable electricity

Energy sources for renewable energy include solar, wind, micro hydro and biomass byproduct.

The Problem

- Park City's municipal buildings and facilities, account for thirty-nine percent (39%; 2016) of all carbon emissions that come from municipal activities. These emissions come from electricity usage (i.e. Scope 2 indirect emissions) and natural gas that is burned on-site (i.e. Scope 1 direct emissions).
- This policy is to ensure that public monies spent are towards buildings and facilities that address Park City's Energy critical priority, and that the City's buildings and facilities are aligned around a common approach to net-zero energy.

Options for City Council to Consider

- 1. Recommended Option:** Net-zero energy buildings and facilities with on-site renewables to balance energy usage.

Pros

- a. This approach ensures that buildings are net-zero energy according to all definition standards.
- b. This will significantly reduce carbon emissions from Park City's municipal buildings and facilities.
- c. This approach will significantly reduce annual operational energy costs of the building or facility.
- d. This approach will be another act of leadership on climate change taken by Park City Municipal.

Cons

- a. Buildings and facilities designed and built to net-zero energy performance can incur capital costs around five to twelve percent higher than new buildings or facilities that are value engineered.

- 2. Null Alternative:** Value engineering with some added energy efficiency features and on-site renewables on a case-by-case basis.

Pros-

- a. This alternative will not require additional capital funds compared to past procedure.

Cons-

- b. This will significantly deter Park City Municipal from reaching its net-zero carbon goal.

- 3. Other Alternatives?** Net-zero energy buildings and facilities with off-site renewables to balance energy usage.

Pros-

- a. This makes it easier to balance the energy usage with renewables sited in alternate locations which may be better suited for wind or solar production.

Cons-

- a. This does not meet the standard definition of net-zero energy buildings, and such buildings or facilities would not pass third party verification.

Analysis

Park City, Utah is nestled in the Wasatch Range and is dependent on world class snow and moderate temperatures to sustain our resort economy and high quality of life. Climate change is deeply affecting the community through changes in weather patterns including droughts, volatile snow events, and warmer temperatures. The community has expressed deep concerns for the environment we live in.

In order to preserve its beautiful natural setting, clean air, expansive open spaces and snow covered mountains, Park City has set North America's most ambitious climate goals. On March 24, 2016 Park City Council passed resolution No. 04-16 to achieve Net-zero carbon by 2022 for the municipal government and by 2032 for the broader community. On September 22, 2016 the resolution was amended to include the clause that the electricity portion of this goal be achieved using only renewable electricity.

Park City Municipal's buildings and facilities, not including water distribution and treatment facilities, account 6524 MT CO₂e. This is approximately eighty-five percent of the yearly carbon sequestered by the City's open spaces and land easements.

It can often be the case that net-zero energy buildings are more expensive during the design and build phase, on average between five and twelve percent more expensive than standard buildings¹. However, the results of several case studies show that fees incurred for Energy Modeler/Engineer (EME), ranging between \$34,000 and \$74,000 are recouped by the initial cost savings alone, which range between \$267,000 and \$1,695,000. Annual energy cost savings of up to \$70,600 are realized by projects that utilize the process of employing an Energy Modeler/Engineer, Building Envelope Commissioning Agent, and Mechanical Engineer/Commissioning Agent as detailed in this resolution².

Department Review

Public Utilities, Building

¹ Net Zero and Living Building Challenge Financial Study: A Cost Comparison Report for Buildings in the District of Columbia, 2013.

² An Analytical Evaluation of the Lifecycle Cost Effectiveness of Implementing Section 5.5 of the DFCM 2014 High Performance Building Standard, see attached document.

Attachment

**A RESOLUTION ADOPTING NET-ZERO ENERGY PERFORMANCE
REQUIREMENTS**

RESOLUTION 28-2017

A RESOLUTION ADOPTING NET-ZERO ENERGY PERFORMANCE REQUIREMENTS FOR ALL NEW OR RENOVATED BUILDINGS AND FACILITIES CONSTRUCTED USING FUNDS ALLOCATED BY PARK CITY, UTAH TO PROMOTE ENERGY EFFICIENCY, REDUCTION OF CARBON EMISSIONS, AND SUSTAINABLE DESIGN

WHEREAS, the City has adopted ambitious climate and energy targets to be net-zero carbon and running on 100% renewable electricity by 2022 for municipal operations and by 2032 community wide; and

WHEREAS, buildings and facilities currently account for approximately thirty-nine percent of carbon emissions from municipal operations; and

WHEREAS, the City desires to promote sound environmental practices in new construction and renovation of facilities that are funded by the City; and

WHEREAS, buildings and facilities designed and verified to be net-zero energy with the collaboration of appropriate commissioning agent(s) and energy modeler does not increase the costs of the building when taken over the lifetime of the project. Efficiency measures and on-site renewables incorporated during the design phase of the facility does not significantly increase the cost of the facility; and

WHEREAS, buildings designed for sustainability promote a healthy environment, provide long-term cost benefits through the efficient use of energy, optimize building performance, and create healthier workplaces for employees and visitors; and

WHEREAS, a strategic approach to sustainable buildings and energy management can produce twice the savings for the bottom line and the environment as typical approaches; and

WHEREAS, the International Living Futures Institute's Energy Petal certification, a score of zero from the Zero Energy Performance Index, and Passive House certification verify a building's actual performance on an annual basis.

NOW THEREFORE, be it resolved by the City Council of Park City as follows:

SECTION 1. REQUIRE MUNICIPAL BUILDINGS AND FACILITIES TO BE VERIFIED AS NET-ZERO ENERGY.

It is the intent of the City Council of Park City that all new buildings and major renovations be designed and perform to a standard of net-zero energy on an on-site basis. That is, all new and renovated buildings and facilities must produce the same amount or more renewable energy as the facility uses on an annual basis.

According to the U.S. Department of Energy (DOE), in general, a net-zero energy building is one that balances the annual energy use with renewable energy, thereby reducing the use of non-renewable energy in the building sector. For the purposes of

this policy, the net-zero definition shall apply to any building or facility designed and constructed using Park City Municipal Corporation capital funds and refers to on-site energy usage and production.

Net-zero energy buildings use all cost-effective measures to reduce energy usage through energy efficiency and include renewable energy systems that produce enough energy to meet remaining energy needs. There are a number of long-term advantages of moving toward net-zero energy buildings, including lower operating and maintenance costs, lower environmental impacts, improved comfort levels, better resiliency to power outages and natural disasters, and improved energy security.

The measurements for Park City's net-zero buildings are through annual energy consumption minus annual on-site energy production. Related to the energy usage, the carbon emissions will also be tracked. An additional metric to determine the energy efficiency of buildings is Energy Use Intensity (EUI). Buildings should achieve an EUI of 25 or below. Emissions from construction activities are excluded.

A building that achieves the net-zero energy definition should first and foremost reduce the energy needs through all cost-effective and demand-avoidance strategies. That is, all buildings and facilities using Park City Municipal Corporation funds must be built as energy-efficient as possible. To offset the remaining energy needs of the building, use on-site installed renewable energy (preferred). If on-site renewable energy production is not possible to meet the entire energy budget of the building or facility, a plan for offsetting any remaining emissions within City boundaries must be submitted for approval by City Council.

Section 2. REQUIRE FACILITIES BE DESIGNED, COMMISSIONED, AND VERIFIED TO BE NET-ZERO ENERGY.

To ensure these project outcomes, additional specialists are required and contracted directly by the Architect/Design Team for all building projects with expected energy consumption over 1 MMBtus annually. The following personnel must work together to provide the Energy Use Intensity (EUI), annual fuel usage (in MMBtus), and annual electricity usage (kWh). In addition, expected return on investment (ROI) of installed energy efficient technologies and renewable energy installations should be submitted.

1. Energy Modeler Engineer (EME) – Works with the Architect to optimize/validate the design and confirm that energy modeling carries through as changes to the design are made; compares life cycle cost analysis (LCCA) of various equipment and design options to assist in informing value engineering and budget considerations. A specialist dedicated to energy management and energy modeling, the EME ensures that the systems designed by the Architect actually comply with the energy performance desired.
2. Building Envelope Commissioning Agent (BECxA) – The building envelope is the critical container of the energy efficiency features and largely determines operation costs and occupant comfort. The BECxA works with Architect,

EME, and Contractors to ensure that the building envelope is properly designed to achieve energy goals and that it is actually constructed as designed. Building components included in the building envelope commission include below-grade construction and foundation, exterior enclosure construction above grade, walls, claddings, fenestration, sheathing, framing, insulation, air and vapor barriers, drainage control layers, roofing, roofing insulation, skylights, hatches and any roof openings/penetrations...all of the components that impact long-term performance of the enclosure.

3. Mechanical Engineer/Commissioning Agent (CxA) – Working with the Architect, EME and Contractors, the CxA ensures that the building systems (cooling, heating, steam, air handling, plumbing, emergency power and sprinkler systems, renewable energy systems, electrical, and building automation systems) have been designed and installed to function properly together, are tested and balanced, and commissioned. Follow-up verification is conducted at 3, 6, 9 and 12 months to ensure that the building systems are performing as intended.

The Owner, design team, EME, BECxA and CxA review each design phase (concept, schematic, design development, construction documents) submittal for compliance to the selected net-zero certification. All are involved throughout the construction process and work with contractors to remedy sub-optimal performance before building completion and any deficiencies discovered after occupancy.

All new projects that are built using municipal funding must call for net-zero energy buildings and facilities, with a focus on achieving net-zero performance. Prior to the end of the Schematic Design (SD) phase, the architect and energy modeler must evaluate the feasibility of pursuing one of three net-zero building certifications:

- 1) The Living Building Challenge's Energy Petal Certification; or
- 2) The zEPI (Zero Energy Performance Index) score of 0; or
- 3) Passive House Certification, with on-site renewable systems to achieve net-zero energy performance.

In addition, all new projects that are built using municipal funding must segregate the major loads of the building (i.e. sub metering) into e.g. lighting, HVAC, plug loads.

SECTION 3. APPLY THIS RESOLUTION TO THE FOLLOWING PROJECTS.

Park City will apply this policy to the following construction projects design when the contract is first solicited after the date of this Resolution, except as exempted or waived under this Resolution: All new construction to construct buildings or facilities owned and controlled by the City, or using any City funds for construction, including all affordable housing projects developed by the City, and all major renovations of buildings owned and controlled by the City when the remaining has a useful life in excess of fifteen

years. The term “major renovation” means a construction project affecting more than 25% of the building’s square footage.

SECTION 4. EXEMPT PROJECTS FROM THIS POLICY WITH CITY COUNCIL APPROVAL.

Park City will not apply this resolution to the following, and City departments are required to document the reason for the exemption:

- Buildings or facilities where on-site renewable energy production is physically impossible, cost-prohibitive, or unsafe. Note: determination of cost-prohibitive will be determined by City Council on a project-by-project basis.
- Projects where the useful life of an improvement does not justify whatever additional expense would be incurred to increase the efficiency.
- Projects where the use of net-zero will create an impediment to construction due to conflicts of laws, building code requirements, federal or state grant funding requirements, or other similar requirements.
- Process equipment for water treatment and distribution, e.g. pumps, treatment and filtration equipment, underground vaults, metering equipment.

SECTION 5. EFFECTIVE DATE. This resolution shall become effective upon adoption.

PARK CITY MUNICIPAL CORPORATION

Mayor Jack Thomas

Attest:

Michelle Kellogg, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney



An Analytical Evaluation of the Lifecycle Cost Effectiveness of Implementing Section 5.5 of the DFCM 2014 High Performance Building Standard

Prepared for:

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November 2015

Executive Summary

The State of Utah Division of Facilities Construction and Management (DFCM) applies design requirements¹ to all capital development projects. One of these requirements is the High Performance Building Standard (HPBS)². The HPBS, which establishes energy and sustainable performance, requires various building performance consultants be contracted directly by DFCM. This report studies if the fees incurred to the project, by contracting these additional consultants, provides significant positive economic impact over the life of the building.

The results of several case studies presented in this report show that the fees incurred for Energy Modeler/Engineer (EME), ranging between \$34,000 and \$74,000, are recouped by the initial cost savings alone, which range between \$267,000 and \$1,695,000. Annual energy cost savings of up to \$70,600, which translates to \$0.64/FT², are realized by projects that utilize the HPBS process. Additionally, private donations, of up to \$1,300,000 have been raised for projects, using the results of the HPBS as supporting documentation.

Introduction and Overview of DFCM HPBS

DFCM applies various design standards to all commercial projects subject to its jurisdiction. Among these standards, energy performance requirements are prescribed by section 5.5, of the HPBS. In 2012, DFCM commissioned a study³ to determine the economic impacts of buildings constructed under the 2009 version of the HPBS. The results of the study showed little to no measurable energy cost savings compared to buildings constructed without energy performance requirements. This lack of performance was not solely due to the requirements but do to how the requirements and associated processes were implemented. Due to the results of this study, the HPBS was revised in 2014 to address many of the problems of the 2009 HPBS. One of revisions requires DFCM to directly contract an EME, Building Envelope Commissioning Agent (BECxA), and Commission Agent (CxA), during the programming phase, to maximize the value to the owner, of design and construction efforts. Contracting by DFCM directly ensures that there are no conflicts of interest when making recommendations to the owner and design team towards maximizing the value of the project. The scope of this report is to study if the additional cost to projects incurred by contracting additional third party consultants and following the HPBS process, specifically by the EME, is justified.

Prior to the HPBS being adopted as a requirement, energy efficiency measures (EEMs) were often included on projects based on inappropriate criteria or observations. Some of these included perceptions by architects and/or engineers based upon lack of quantitative analysis & supporting documentation or succumbing to aggressive marketing tactics. This practice led to EEMs being erroneously included on projects, with the intent to save money, but resulted in costing the project more money than they save, either through egregiously over estimated savings and/or increased maintenance costs.

In response to this issue, section 5.5 of the HPBS details the specific requirements for managing energy consumption and selecting EEMs specific to the project. Section 5.5 requires projects to achieve, when life-cycle cost effective, a 20% reduction in energy cost performance,

¹ http://dfcm.utah.gov/downloads/design_manual/design_requirements.pdf

² http://dfcm.utah.gov/downloads/design_manual/design_requirements.pdf - Section 5

³ UT DFCM High Performance Building Standard Review and Analysis. May 2012

when compared to a Baseline building, using ASHRAE 90.1-2010 Appendix G modeling protocol. Because DFCM must demonstrate fiscal responsibility to tax payers rather than blindly maximizing energy savings, the required energy performance is only required if the funds being spent are life-cycle cost effective⁴. The goal of 20% annual energy cost reduction was determined with considerable research from past projects as well as national averages. A reduction of 20% annual energy cost is intended to challenge design teams to create energy efficient projects, but not be so aggressive, that exceptions become the norm. Over time as energy efficient technology gets cheaper, the goal is intended to be adjusted to continue to challenge design teams to a level where the first cost associated with the technologies are life cycle cost effective. If a design approach, through individual EEMs that meet the required energy cost saving goal cannot be found, then the design approach with the highest energy cost savings while being life cycle cost effective may be used.

By not requiring expenditures beyond what is life-cycle cost effective, the HPBS does not unnecessarily inflate project budgets, and does not require projects to pursue additional EEMs, which do not provide owner benefit. Additionally, the HPBS makes provisions to exempt small projects, below a threshold based on project budget, size, or expected energy consumption, but must still utilize an EME for qualitative assessments of the design. Qualitative assessments involves leveraging the experience and lessons learned from past energy/LCCA analysis of past DFCM projects and similar installations. Fees for qualitative consulting are generally an order of magnitude less than for quantitative analysis.

Life-cycle cost effectiveness is determined using the guidelines outlined by the federal government in 10 CFR 436, to ensure uniform results, and eliminate gamesmanship of the results. 10 CFR 436 requires that the life-cycle cost analysis (LCCA) include all costs associated with each EEM, including initial capital costs, annual energy cost savings, yearly maintenance costs, replacement and repair costs with appropriate time intervals, and residual value. The analysis also includes the predicted inflation of energy costs as provided by the Department of Energy, and predicted inflation of dollar value as provided by the US Treasury. Unless noted otherwise, all dollar results from the LCCA are offered in present value (PV) US dollars. PV indicates the current worth of a future sum of money, given a rate of return determined by the results of the EEM.

Current building performance rating systems do not reward all EEMs with value to the owner. Therefore, the 2014 HPBS has eliminated the requirements for US Green Building Council's Leadership in Energy and Environmental Design (LEED) Silver certification, a requirement of the 2009 HPBS. LEED awards project "points" based on meeting certain thresholds throughout a variety of categories, including sustainable sites, water efficiency, energy efficiency, and material use. If a project achieves the required number of points it is awarded a LEED rating, which range from LEED Certified to LEED Platinum. By creating standards that require projects to achieve a certain LEED threshold, these standards could often result in the project spending money pursuing LEED points, that have minimal value to the owner, to achieve the LEED standard.

LEED is costly, by requiring registration fees, at the cost of ten thousand dollars or more⁵. Additional or clarified reviews, called appeals, require, in some cases, additional fees. Lastly LEED's review process has been demonstrated to be very inconsistent and inadequate, with

⁴ http://dfcm.utah.gov/downloads/design_manual/design_requirements.pdf - DFCM HPBS 5.5-A-2

⁵ <http://www.usgbc.org/cert-guide/fees>

very complex DFCM projects, with glaring energy modeling issues, receiving few review comments to bring the energy model up to an acceptable standard. The review process takes place without direct communication between the reviewer and the design team, making it impossible to maintain consistency, or hold dialog regarding situations where the governing standards for the analysis lacks specific guidance. This often results in costly appeals. LEED reviews provide no constructive feedback to improve the design, and are conducted after the project design is completed, when changes will incur costly change order fees,

The issues with LEED, detailed above, are indicative of all current building rating systems. By eliminating the LEED requirement and not prescribing to other available building rating systems, the project saves initially on registration fees, gives more control to DFCM regarding the review process, creates consistent documentation, and maximizes value to the State of Utah, by not requiring projects to chase arbitrary thresholds that may not be appropriate.

It should be noted that while the problems associated with the LEED rating system above have not been an ideal fit for State projects, LEED has been a significant influence on the design and construction industry in Utah. It has brought an awareness of the value and benefit of energy efficiency and other sustainable practices to light, that have benefited the industry as a whole. The 2014 HPBS has taken many of these fundamental sustainable practices such as indoor environmental quality, recycling, and water conservation and made them requirements for state projects while keeping the owner cost benefit in check.

Once a project design and HPBS evaluation process is completed, a review of all LCCA energy models, and supporting documentation is completed by a third party reviewer, also directly contracted by DFCM. The intent of this review is to ensure that all modeling protocols are followed consistently across all projects, and that appropriate cost estimations were provided in the best interest of the owner. Once the review of all documentation is complete, appropriate documentation is available for future projects regarding EEMs and lessons learned, that could be applied to future projects, where appropriate. By contracting the reviewer directly, DFCM can also include credit towards building energy savings measures that provide considerable owner value, such as infiltration control, for which credit cannot be taken in other building rating systems.

Several institutions throughout the state, such as the University of Utah, have written requirements that go beyond those of the HPBS, including requiring LEED certification with specific energy performance beyond the HPBS, on buildings within their control. This is supported by the language in the HPBS, as the HPBS is intended to be a minimum standard for projects.

Individual Projects Case Studies

University of Utah Crocker Science Center

The University of Utah Crocker Science Center (Crocker), is a 115,000 ft² remodel and addition of the existing historic George Thomas building, located on the University's main campus in Salt Lake City, Utah. The final project design includes 70,000 ft² of classrooms and offices, and 45,000 ft² of teaching and research labs, that include fume hoods, high ventilation requirements, specific lighting requirements, and tight temperature control requirements. Due to the nature of the lab space requirements, the building is expected to use a considerable amount of energy, particularly related to HVAC and lighting, within the lab spaces.

The existing building was constructed in 1935, is listed as a historic building on the National Register of Historic Places, and is under the care of the State Historic Preservation Office (SHPO). From the original construction, the existing envelope components have aged considerably, and the envelope was not insulated to the same level as a code minimum building built to today's standards. This provided considerable potential opportunity to upgrade the energy performance of the project, however due to the historic nature of the building, and budget constraints, not all components could be upgraded, without violating SHPO's requirements.

With these design considerations and restrictions in mind, the design team proposed EEMs for the project to be analyzed using the protocol outlined in the HPBS. EEMs that were proposed included additional insulation applied to the existing envelope, exceeding code minimum insulation on the new construction, enhancing the thermal performance of the existing windows, installing shading devices, improving building infiltration, high efficiency lighting, evaporative cooling, and high efficiency HVAC systems. In all 73 specific EEMs were proposed for the project.

Crocker - Envelope

During the initial walkthrough with the owner, architect, energy engineer, and BECxA, some assumptions were made regarding the infiltration rates of the existing envelope. It was assumed that the existing construction had deteriorated over time and would be very leaky. This high infiltration would result in increased energy consumption of the building and therefore would need to be investigated further.

As a result of this assumption the BECxA conducted a whole building air leakage test, where the results of the whole building air test showed an average infiltration rate of 0.3 CFM/ft² of envelope area; a better than average building, by today's standards.⁶⁷ By conducting a whole building air test, the actual infiltration rate could be leveraged in the energy model to ensure appropriate results. The operable, single pane, steel framed windows leaked at an average rate of 2 CFM/ft², considerably worse than an NFRC typical leakage of 0.3 CFM/ft², and would need to be addressed, not just for energy cost implications, but also for thermal comfort⁸, and to ensure proper building pressurization⁹. Subsequent analysis showed that a modern window framing system could save the project approximately \$36,045, annually.

While the building users expressed a desire to replace the windows with a modern system, SHPO took exception, calling the existing windows, "A character defining feature of the building." Through coordination with SHPO, the design team suggested options to address the window performance, including replacing the windows, installing a secondary storm window behind the existing windows, and leaving the windows untouched. In total, 19 specific window options were evaluated for life-cycle cost effectiveness, as well as thermal comfort, and visual appeal. The results were then presented to SHPO, DFCM, project steering committee, and The University, to make a final selection. The final decision was to replace the windows with a

⁶ ASHRAE Fundamentals 2013 16.25

⁷ UT DFCM Infiltration Study, August 2013

⁸ ASHRAE Standard 55-2010 Section 5

⁹ ASHRAE Standard 62.1-2010 Section 5.17

system that was visually similar to the existing windows, but with modern thermally broken framing and double pane glazing.

The energy modeling effort demonstrated that the cost to improve the existing wall insulation, \$532,000, would have limited life-cycle cost effectiveness, with a 36-year discounted payback period. This, coupled with concerns that construction on the existing envelope may cause damage to the patina, via unsightly repairs, meant that the existing walls would remain in their current condition.

The existing roof, a copper seamed system with insulation underneath, is original construction and does not meet the current energy code requirements. It was proposed by the design team to remove and upgrade the existing roof system, to improve thermal performance, and meet the University's design requirements¹⁰. Due to the complexity of the existing roofing system, and the requirements by SHPO to maintain the visual appearance of the existing roof, the cost premium to upgrade the roofing insulation was approximately \$32,000. The energy model and LCCA showed that upgrading the roof would save approximately \$850 per year, and have a 40-year payback of -\$7,348. Due to the limited annual energy cost savings the replacement of the roof was removed from the design, saving the project \$32,000 of initial costs.

Table 1 Crocker Envelope EEM Summary

EEMs Initial Capital Costs	EEM Average Annual Energy Cost Savings	EEM 40-year LCCA Savings (Future Value \$)
\$546,958	\$41,503	\$1,777,986

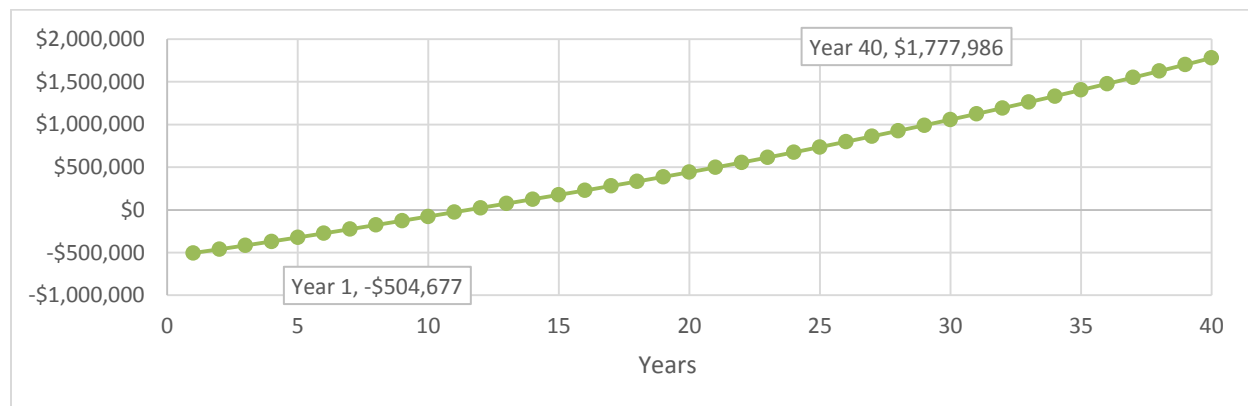


Figure 1 - Crocker Envelope LCCA Summary

Crocker - HVAC

The project HVAC system is intended to be served by central chilled water (CHW) and central high temperature hot water (HTW) plants. To reduce the demand for chilled water supplied by the central plant, and take advantage of Utah's dry climate, indirect-direct evaporative cooling (IDEC) and direct evaporative cooling (DEC) were evaluated in the energy model, per the HPBS.

¹⁰ <http://facilities.utah.edu/project-resources/documents-standards/design-standards.php>

IDEC was the initial design intent, based on past project experience, and IDEC and DEC both showed considerable energy cost savings. However, IDEC would require a dedicated cooling tower to serve the indirect cooling coils, and not a cooling tower shared with a chiller. Cooling towers are maintenance intensive, both in time and costs. In this case, the additional costs associated with the cooling tower and maintenance did not justify the additional energy savings that would be realized when IDEC. By removing the cooling tower from the design of the project, the owner realized an initial construction cost savings of approximately \$245,000, as estimated by the general contractor.

The HTW central plant serves the entire campus with 390°F water. Generating water at this temperature does not maximize the efficiency of burning natural gas¹¹, requires significant pumping power to distribute throughout campus, and is very expensive to install the specialized piping and insulation to support this system¹². Conversely, HTW offer advantages of keeping boiler maintenance in one central location, as well as reducing the required mechanical space in each building, when compared to an individual site standalone boiler.

Both of these options, were evaluated per the HPBS, and maintenance costs of \$4,000 annually, were obtained from the campus facilities department, to use in the life-cycle cost analysis. The results were presented to the steering committee to make the final decision, towards which option to include in the design. Because the LCCA demonstrated a payback of \$153,743, over 40 years, when compared to connecting to the central plant, the steering committee selected a standalone boiler system for the project.

In addition to the HVAC plant analysis, two HVAC systems were evaluated; variable air volume (VAV) IDEC with hot water reheat, and chilled beams with dedicated outdoor air system (DOAS). Due to the high exhaust requirements in the lab spaces, each lab space would require a significant number of chilled beams, or a bypass damper, to appropriately ventilate the space. Additionally, the VAV system outperformed the chilled beam system, in terms of annual energy cost. The energy models demonstrated that the VAV system was less expensive to install and operate, compared to chilled beams. With the information provided by the life-cycle cost analysis, the design team moved forward with a VAV HVAC system.

Table 2 – Crocker HVAC EEM Summary

EEMs Initial Capital Costs	EEM Average Annual Energy Cost Savings	EEMs Annual Maintenance Cost	EEM 40-year LCCA Savings (Future Value \$)
\$188,000	\$36,897	\$12,000	\$1,340,473

¹¹ ASHRAE 2012 HVAC Systems and Equipment 32-Figure 6

¹² DFCM Project Number: 12042750 AE High Temperature Water Utility Distribution Upgrade

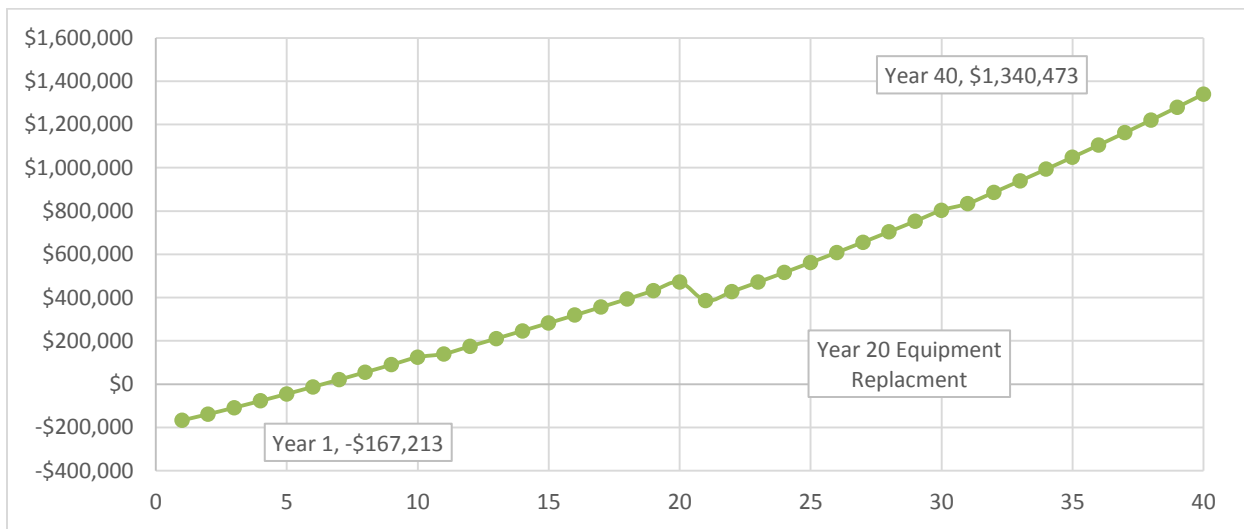


Figure 2 - Crocker HVAC LCCA Summary

Crocker – Lighting

The University of Utah requires LED lighting to be installed on all new projects¹³. However, the design team evaluated a fluorescent lighting design, as well as, a LED lighting design, to validate this design requirement. The LED lighting had a significant annual energy cost savings of \$9,524, compared to the additional initial capital cost of \$75,000. The maintenance costs savings associated with LED lighting was not made available to the design team and was not included in the analysis. However LED lighting is expected to be cheaper to maintain, due to less frequent lightbulb changes, and would improve the LCCA payback period.

The electrical engineer also proposed using automatic dimmers, in the exterior spaces, to adjust the lighting levels, based on the amount of available daylighting. The visible light transmittance of the new fenestration assembly was analyzed in the energy model to determine the feasibility of installing automatic dimmer controls, in spaces beyond what is required by the energy code¹⁴. Results of the energy model indicate that, due to the high volume of lighting and glazing area, that automatic dimmers would be feasible in the exterior spaces, despite the initial capital cost of \$25,000, making them cost effective in the LCCA and were therefore included in the design.

Table 3 - Crocker Lighting EEM Summary

EEMs Initial Capital Costs	EEM Average Annual Energy Cost Savings	EEM 40-year LCCA Savings (Future Value \$)
\$87,897	\$12,103	\$415,447

¹³ <http://facilities.utah.edu/project-resources/documents-standards/design-standards.php>

¹⁴ 2012 IECC C405.2.2.3

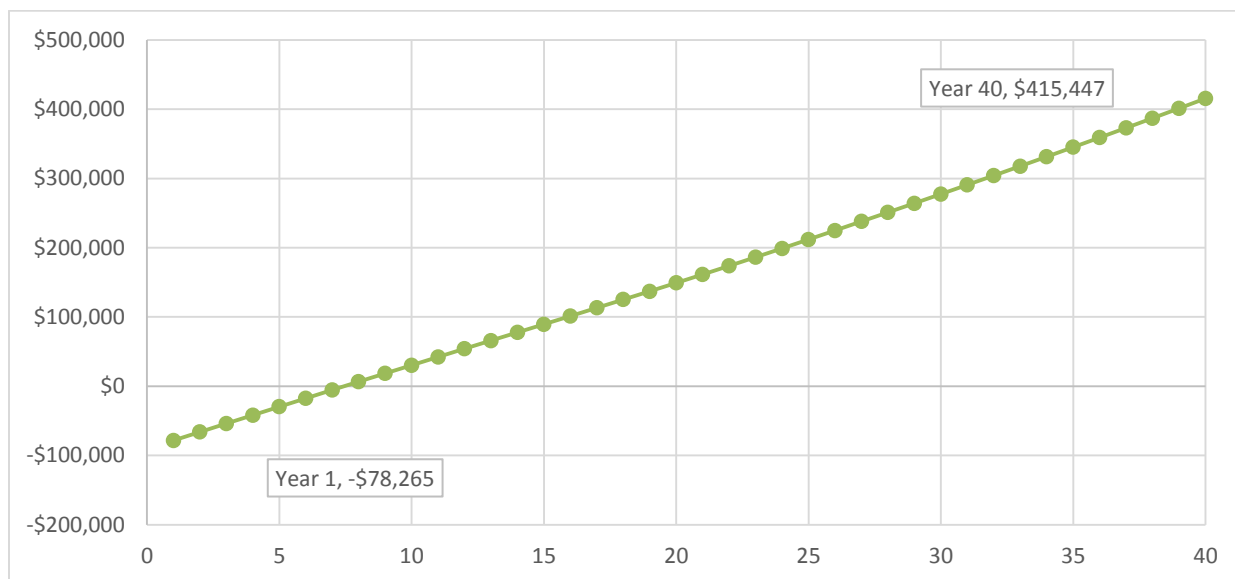


Figure 3 - Crocker Lighting LCCA Summary

Crocker – Results

In addition to the HPBS energy performance requirement, the University has an energy performance requirement that all projects achieve 13 points under LEEDv4 Optimize Energy Performance credit. Due to the combination of existing and new construction, this equates to a design that is 30% better than the ASHRAE 90.1-2010 Appendix G Baseline building¹⁵. However, the EEMs necessary to meet this energy performance requirement would not be life-cycle cost effective, as demonstrated by the HPBS process. Therefore, the results from the 73 EEMs analyzed, were assembled into “packages” of EEMs and presented to the project steering committee for a final selection. The packages presented included several options; lowest first cost, lowest life-cycle cost, all life-cycle cost effective measures, and all measures required to meet the University’s design requirements.

With the life-cycle cost analysis results, particularly the discounted payback period, it was very easy for the steering committee to see that spending money beyond what was life-cycle cost effective, to save energy costs, was not in the owners best interest. Some EEMs did not save money over the life of the project, with some cases costing more money than they saved, and provided no additional value to the University. The steering committee ultimately selected the EEM package with lowest lifecycle cost, resulting in approximately 27.3% annual energy cost savings, and provided a waiver that the project did not need to meet the University’s requirement, due to the fact that they would be spending money to pursue LEED points.

Table 4 - Crocker Overall EEM Summary

Initial Cost Savings of Non-Cost Effective EEMs	EEMs Initial Capital Costs	EEM Average Annual Energy Cost Savings	EEM 40-year LCCA Savings (Future Value \$)	EME Fee
\$1,695,000	\$877,978	\$68,424	\$3,292,654	\$74,000

¹⁵ <http://www.usgbc.org/node/2614273>

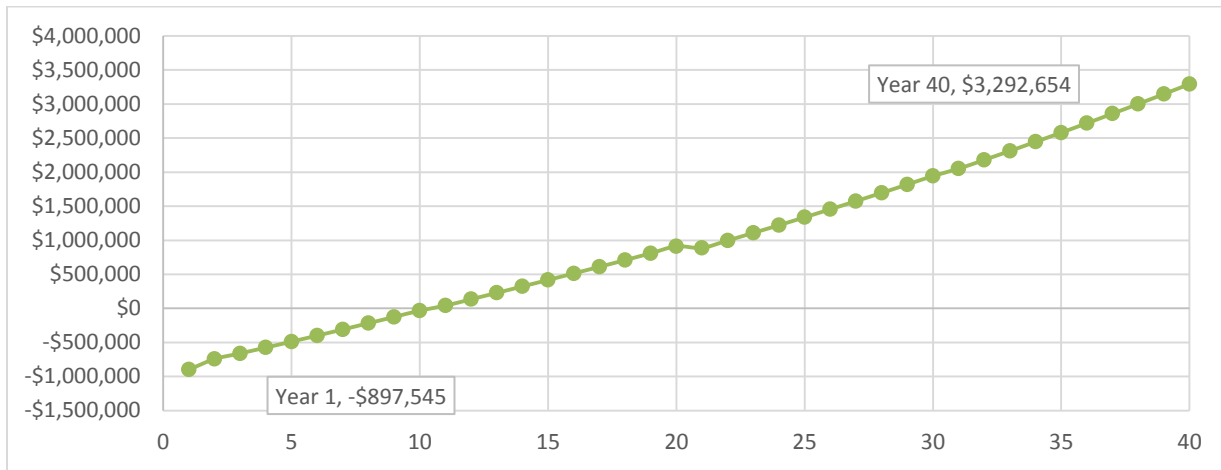


Figure 4 - Crocker Overall EEM LCCA Summary

Utah State University – Romney Stadium

Utah State University (USU) Romney Stadium (Romney) is a new 65,000 ft² football stadium. The new facility replaces the existing facility, adjacent to the football field, and is located on the main USU campus in Logan, Utah. The final project design includes 45,000 ft² of floor area intended to be occupied year round. These common areas include food services for the student athletes, as well as offices for the football coaching staff. The project also includes 20,000 ft² of floor area, including suites, concessions, and broadcast facilities, intended to be occupied only on game days. USU does not apply any design requirements beyond the HPBS, for energy performance, and therefore, the DFCM HPBS is the only requirement.

The game-day areas are estimated to be fully conditioned, for occupancy, approximately twelve days per year. The remaining 353 days of the year, the spaces are estimated to be conditioned only to a level to prevent freezing, and several outdoor concessions areas are completely shut off at the completion of the college football season.

Additionally, the project was significantly over budget. With the project budget, and limited use of a large portion of the building in mind, the design team suggested 21 specific EEMs to analyze on this project, including insulating beyond code minimum, a LED lighting system, and high performance HVAC system with evaporative cooling and condensing boilers. USU maintenance staff provided estimates regarding the labor and maintenance to assist the life-cycle cost analysis.

Romney – Envelope

The majority of the game-day-only areas are located at the exterior of the building, with the year round common areas occupying the interior of the project. With such a low estimated usage of the perimeter spaces, increasing the envelope beyond code minimum allowable levels provided no benefit to the owner. The results of the energy analysis showed that improved insulation, even orders of magnitude better, only provided an annual energy cost savings of less \$1,000 per year. Initial project design documents indicated insulation that exceeded code minimum

levels. With the results of the LCCA, this additional insulation was removed from the project, because it provided little value to the owner.

Romney – HVAC

The project was located, relative to the central heating and cooling plants, such that the cost was prohibitive to route utilities from the central plant. Therefore the decision was made to include a local chiller and boiler, to serve the project. Due to the cooler climate in Logan, Utah,¹⁶ cooling energy use is typically minimal, with 2,541 cooling degree days¹⁷. As a result of this climate, most cooling loads are served using economizers or evaporative cooling. The energy model showed that a water-cooled chiller would be more efficient than an air cooled chiller, but the additional installed cost and maintenance associated with a cooling tower would not be offset by the additional annual energy cost savings that a water-cooled chiller provided.

The heating load in Logan, Utah can be significant, therefore, a condensing boiler was proposed for the project to maximize efficiency of burning natural gas. The energy model demonstrated that the increased efficiency of a condensing boiler offset the increased fan and pump energy to distribute and utilize the lower temperature water that condensing boilers require.

The project is served by two air handlers; one that serves the common spaces, and the other the game-day-only spaces. IDEC and DEC were EEMs considered for both air handlers. Due to the low use of the game-day-only space, and the time of year the game-day space was intended to be used (September – December), both IDEC and DEC saved less than \$800 per year in energy costs in the game-day air handler. The additional maintenance costs, as well as capital costs were not offset by the calculated energy cost savings. The year round common areas air handler, showed that IDEC and DEC would save energy, but the additional costs of a dedicated cooling tower for IDEC would not be life-cycle cost effective. Therefore DEC was included in the design of the common areas air handler.

Romney – Lighting

USU has a design requirement¹⁸ that all installed lighting be LED. The design team proposed a fluorescent lighting design as an alternative to LEDs. Due to the limited usage of the game-day-only spaces, the additional cost of LED lighting in those spaces was not life-cycle cost effective. The owner, realizing the initial and ongoing cost savings associated with a fluorescent design, and waved the LED requirement in the game-day spaces, to maximize the owner value, and help bring the project within budget. For reasons similar to the envelope design, automatic dimmers in the perimeter spaces, mostly game-day-only spaces, was a considerable expense with an insignificant annual energy cost savings.

Romney – Results

Due to the intended function of the project, no “package” of life-cycle cost effective EEMs could be found to reach the HPBS requirement. The HPBS does not require projects to spend money that is not life-cycle cost effective, and provides no value to the owner, or tax payer, in a way that other rating systems such as LEED potentially require. The project was initially significantly

¹⁶ ASHRAE 90.1-2010 Climate Zone 6B

¹⁷ ASHRAE 90.1-2010 Appendix D

¹⁸ <http://www.usu.edu/facilities/planning/designreq.cfm>

over budget, and allocating devalued funds towards EEMs would have meant reducing building function or area, diminishing the value of the project to the owner considerably. The LCCA process informed several design aspects of the project that were over-designed for energy efficiency, which were actually costing more money than saving, thereby assisting to balance the project budget.

The design team selected the package of EEMs that was demonstrated to be lifecycle cost effective, and used the funds that were not wasted on inappropriate EEMs, and instead improved the project, by staying within the programming scope, thereby increasing the total project value, to the owner.

Table 5 - USU Romney Stadium Summary Results

Initial Cost Savings of Non-Cost Effective EEMs	EME Fee
\$341,745	\$50,000

Additional Case Studies

University of Utah Quinney College of Law

University of Utah Quinney College of Law, is a 155,000 ft² building, located on the University of Utah campus in Salt Lake City, Utah. The project incurred an energy engineering fee of \$55,000. Several donor groups offered additional funding for energy efficiency strategies to be included on the project, that could not be funded within the initial construction budget. LCCA, per the HPBS, was used as justification to donors that the proposed EEMs would save an appreciable amount of energy over the life of the project. As a result, all proposed EEMs were funded by private donors, increasing the project budget by \$1,300,000, and the project is expected to save \$70,600 annually, which is considerably higher savings than typical projects, due to private donor funding.

Table 6 - University of Utah Quinney College of Law Summary Results

Annual Energy Cost Savings	Additional Donations Secured for the Project	EME Fee
\$70,600	\$1,300,000	\$55,000

Unified State Labs Module 2

Unified State Labs Module 2 is a 95,000 ft² laboratory facility in Taylorsville, Utah. The project incurred an energy engineering fee of \$35,000. The project is intended to house the state medical examiner's lab, state food borne illness lab, and state crime lab. Due to this intended function of the building, energy usage is considerable. During initial design of the project, eight specific EEMs were analyzed using the HPBS and LCCA process. All proposed EEMs were cost effective, and included in the design, estimated in the energy model to save the project more than \$52,000 in annual energy costs. Once initial design was completed, the project was put on hold, for one year, due to funding issues, and during that year, a proprietary recovery system, Konvekta, was proposed to further increase energy savings.

The Konvekta system would require a redesign of the HVAC source equipment, and carried a considerable initial cost. The system was analyzed in the energy model and LCCA, results demonstrated that the additional cost would not be justified over the life of the building, saving the project redesign fees, as well as approximately \$1,200,000 of initial cost for the system. The energy model and LCCA results were also used as proof, to eliminate a proprietary fan array system, which cost the project approximately \$15,000 of incremental costs and an additional \$6,800 in annual energy costs.

Table 7 - Unified State Labs Module 2 Summary Results

Annual Energy Cost Savings	Initial Cost Savings of Non-Cost Effective EEMs	EME Fee
\$18,035	\$1,215,000	\$35,000

USU Brigham City Regional Campus New Academic Building

The scope of USU Brigham City Regional Campus New Academic Building was intended to pursue a minimum LEED Silver rating, in order to comply with the State of Utah and Utah State University standards. The intent of the energy modeling was to determine which energy efficiency measures would be most beneficial to the project, by comparing initial costs with long term life cycle costs.

The modeling effort included evaluating energy efficiency measures, such as improved building envelope components, high efficient lighting, and different high efficient mechanical systems. The specific items that were modeled and evaluated included:

- Windows with a SHGC rating of 0.29 or better, and when using aluminum frames include a thermal break and an NFRC assembly U factor rating of 0.41 or better. This was compared to lesser performing glazing and shown that this level of glazing performance had a positive life cycle cost.
- Maintain less than 40% glazing, attempt less than 30% if possible without negatively affecting the building. Different options were run to show glazing impacts.
- Models were used to compare continuous insulation as opposed to batt insulation. Models showed that it was preferable to use continuous wherever possible.
- Evaluate envelope leakage rates. Evaluate the savings utilizing three different leakage rates to determine what level of commissioning and testing should be required for this project.
- Project included preliminary schematic level modeling to evaluate multiple mechanical systems, such as water cooled chiller, condensing boilers, direct and indirect evaporative cooling, heat pump chillers, displacement ventilation, chilled beams, improved envelope infiltration, water side economizer, and ice storage.
- Ice storage shows a potential approximate savings of 12%, but did not have a short enough payback to be incorporated.
- High efficiency water cooled chiller, with direct and indirect evaporative cooling, and high efficiency condensing boilers shows a potential approximate savings of 15%.
- Geothermal heat pump chillers show an approximate potential savings of 7%, which was not as significant as the 15%.
- An ultra-high efficiency chiller was analyzed and showed

- Water side economizer showed a potential savings of 2-3% which did not have sufficient payback to be included. Models indicated that the use of occupancy sensors and CO2 sensors to reduce ventilation when unoccupied had a positive payback.
- High efficiency LED lights were shown to have a positive payback

Summary: The energy efficiency measures that were incorporated estimate an energy cost savings of 42.9%, or approximately \$49,500 in annual energy cost savings. Additionally, the energy modeling ruled out the options of an ultra-high efficiency chiller and water side heat exchanger that did not show enough energy savings to justify the initial cost, which resulted in an initial construction cost savings of approximately \$75,000. The energy modeling fee for the project was \$17,500.

Table 8 - USU Brigham City Regional Campus Summary Results

Annual Energy Cost Savings	Initial Cost Savings of Non-Cost Effective EEMs	EME Fee
\$49,500	\$75,000	\$17,500

Utah School for the Deaf and Blind

Utah School for the Deaf and Blind targeted an energy improvement of 20-30% better than code to meet the High Performance Building Standard. The intent of the energy modeling was to determine which energy efficiency measures would be most beneficial to the project, by reducing initial costs wherever possible, without sacrificing long term life cycle costs.

The modeling effort included evaluating energy efficiency measures, such as improved building envelope components, high efficient lighting, and different high efficient mechanical systems. The specific items that were modeled and evaluated included:

- Options for different glazing performance, such as u-values, solar heat gain coefficients, etc.
- Different options were run to show different quantities of glazing and their impacts on energy cost.
- Evaluate envelope leakage rates. Evaluate the savings utilizing three different leakage rates to determine what level of commissioning and testing should be required for this project.
- Project included preliminary schematic level modeling to evaluate multiple mechanical systems, such as water cooled chiller, condensing boilers, direct and indirect evaporative cooling, VAV rooftop units, evaporatively cooled VAV rooftop units, variable refrigerant flow (VRF) and air cooled chiller. The evaporatively cooled rooftop units showed the best value for this building when balancing budget with life cycle performance.
- Models indicated that the use of occupancy sensors and CO2 sensors to reduce ventilation when unoccupied had a positive payback.
- High efficiency LED lights were shown to have a positive payback

Summary: The energy efficiency measures that were incorporated estimate an energy cost savings of 34%, or approximately \$32,000 in annual energy cost savings. Additionally, the energy modeling ruled out the options of water cooled or air cooled chiller 4 pipe system, that

did not show enough energy savings to justify the initial cost, which resulted in an initial construction cost savings of approximately \$50,000 – 75,000 depending on the system. The energy modeling fee for the project was \$13,500.

Table 9 - Utah School for the Deaf and Blind Results Summary

Annual Energy Cost Savings	Initial Cost Savings of Non-Cost Effective EEMs	EME Fee
\$32,000	\$50,000	\$13,500

Discussion of Results

The results show that, in every case, the energy engineering fees are paid back, sometimes by orders of magnitude, with just the initial savings to the project alone. If the initial savings are disregarded, the annual energy cost savings still payback the energy engineering fees within two years of project completion. As an additional benefit, the energy modeling and LCCA efforts were used to support overcoming initial project budget issues, ongoing annual energy cost savings requirements, and assist towards receiving various utility rebate incentives. The HPBS process provides a method of verifiable documentation that can be applied to future projects, rather than conjecture and perception.

Credit for all of the annual energy cost savings has been attributed to the energy engineer, in the results presented in this report. An explicit breakdown of what exactly was saved by the energy modeling efforts and HPBS process, versus what the design team would have saved, is not available and is beyond the scope of this report. In general, more experienced design teams and simple projects will reach a higher level of energy performance value, than less experienced design teams or complex projects.

The success of the HPBS process relies considerably upon the support of all involved parties, including, the design team, building users, owner, cost estimator and general contractor. A couple design teams have resisted the HPBS process, and the energy cost savings results were considerably less than the optimized EEM results. In some cases these projects struggled to document energy code compliance. The owner bears the burden of initiating, driving, and sustaining holistic integrated design toward energy performance. Otherwise, a fragmented or compartmentalized approach results in less than achievable energy performance.

The HPBS process has optimized the realized energy savings per dollar spent, to ensure that each project and owner are realizing the most value per dollar spent. The results have been used to justify additional funding, either from private parties or, where life-cycle cost effective, tax dollars, to improve the quality and value, without missed opportunities or reduced potential towards energy savings.

The results of each of these projects are well documented, and have been used to justify or eliminate EEMs on future projects. By having this information available for future projects, the potential for duplicating work, and analyzing the same EEMs on different projects, is reduced.

Additionally, DFCM and State of Utah project managers are able to make more accurate project budget estimates, as well as future budgeting, master planning and the supporting documentation can even be used to support future design standards.

Table 10 - Overall Projects Summary

	Initial EMEs Cost	Initial Capital Cost Savings	Annual Energy Cost Savings	Year 1 Savings including initial savings (Future \$)	Year 40 Savings including initial savings (Future \$)
UofU Crocker	\$73,621	\$1,695,000	\$68,424	\$1,689,803	\$6,854,256
USU Romney Stadium	\$50,000	\$267,000	\$2,556	\$220,198	\$459,726
UofU Quinney College of Law	\$55,000	\$0	\$70,601	\$15,601	\$5,323,404
Unified State Labs Module 2	\$34,627	\$1,215,000	\$13,522	\$1,193,895	\$2,234,576
USU – Brigham	\$17,500	\$75,000	\$49,500	\$107,000	\$2,087,000
USDB	\$13,500	\$50,000	\$32,000	\$68,500	\$1,348,500

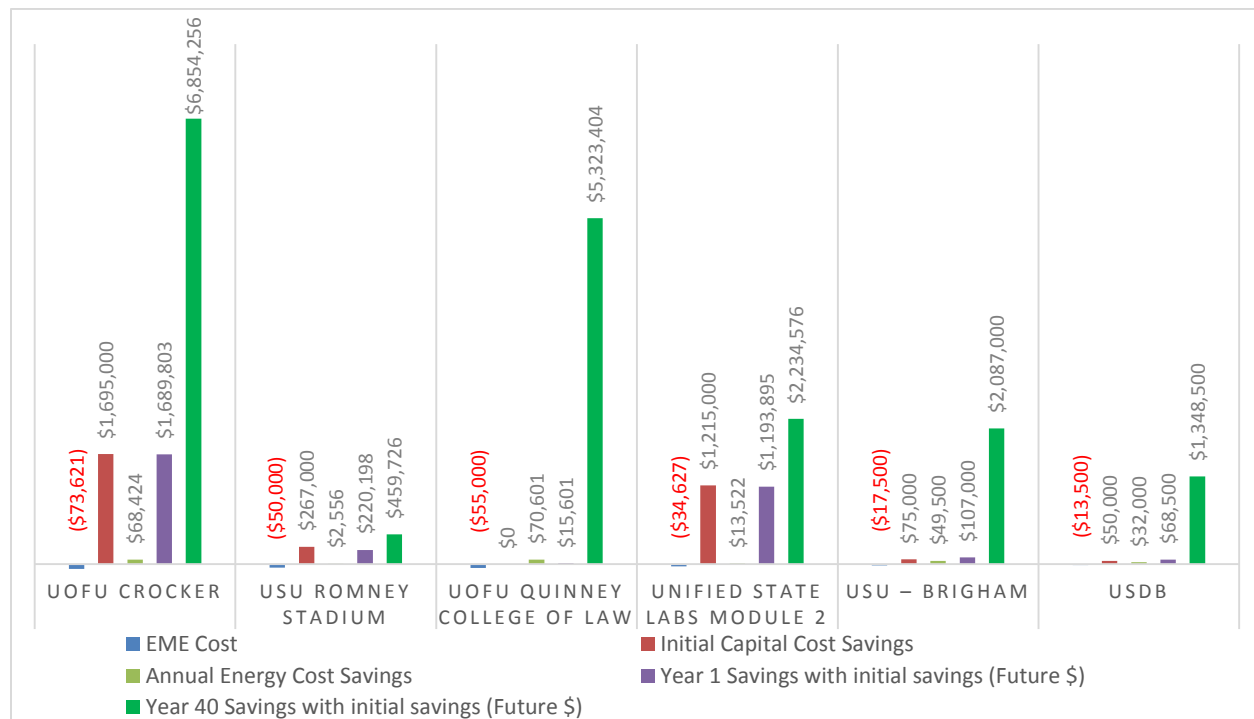


Figure 5 - Overall Projects Results

EEM Number	Design Element / EEM	Alternative Description & Modeled Parameter / Efficiency	Notes	Annual Utility Cost Δ (USD/Year)	Initial installed Cost Δ (USD)	Annual O&M Cost Δ (USD)	Overhaul / Replacement Cost (USD)	Utility Rebate (USD)	40-year LCCA Savings (USD)	LCCA Discounted Payback	Included in EEM Package Option Number
Envelope (Existing and New)											
	Roof										
1	Existing	(Baseline) R-5 metal seemed roof and R-21 membrane		-0-	N/A	\$0	\$0	\$0	N/A	N/A	
2		Upgrading R-5 metal roof to match existing R-21 membrane		\$814	\$27,747	\$0	\$0	\$0	-\$6,234	40+ years	
3		Upgrading entire existing roof from Baseline to R-30		\$952	\$32,000	\$0	\$0	\$144	-\$7,348	40+ years	
4	New	(Baseline) R-20	ASHRAE 90.1-2010 minimum	-0-	N/A	\$0	\$0	\$0	N/A	N/A	
5		Upgrading new roof to R-30	Most of the new roof area is covered with mechanical. Not a lot of insulated roof to improve.	\$170	\$22,914	\$0	\$0	\$1,661	-\$17,247	40+ years	
6		Upgrading new roof to R-36	Most of the new roof area is covered with mechanical. Not a lot of insulated roof to improve.	\$172	\$36,662	\$0	\$0	\$1,661	-\$30,803	40+ years	
	Exterior Walls										
7	Existing	(Baseline) R-4.3	Uninsulated stone panels, sheeting, and with plaster. Based on existing drawings, and site walkthrough.	-0-	N/A	\$0	\$0	\$0	N/A	N/A	
8		Upgrade existing walls from Baseline to code minimum (R-15.6)		\$20,828	\$532,000	\$0	\$0	\$0	\$50,300	36 years	9
9		Upgrade existing walls from Baseline to R-20		\$21,446	N/A	\$0	\$0	\$0	N/A	N/A	
10	New	(Baseline) R-15.6	ASHRAE 90.1-2010 minimum	-0-	N/A	\$0	\$0	\$0	N/A	N/A	
11		Upgrade new envelope from Baseline to R-20	Savings is minimal and therefore not likely to be life-cycle cost effective.	\$190	N/A	\$0	\$0	\$0	N/A	N/A	
	Below Grade Walls										
12	Existing and New	(Baseline) Existing uninsulated concrete, New R-7.5	ASHRAE 90.1-2010 minimum	-0-	N/A	\$0	\$0	\$0	N/A	N/A	
13		Upgrade existing envelope from Baseline to R-7.5 to match new	Savings is minimal and therefore not likely to be life-cycle cost effective.	\$958	N/A	\$0	\$0	\$0	N/A	N/A	
	Glazing										
14	Existing	(Baseline) Existing uninsulated single pane U-1.25 SHGC-0.82	Per ASHRAE 90.1-2010 Appendix A based on site walkthrough.	-0-	N/A	\$0	\$0	\$0	N/A	N/A	1,5
15		Upgrade existing window pane with new pane. U-0.927 SHGC-0.702	Calculations per LBNL Window 6	\$3,403	\$146,500	\$0	\$0	\$0	-\$53,732	40+ years	
16		Replace existing windows with new insulated window assemblies. U-0.435 SHGC-0.223	Existing frames may not be large enough for insulated assemblies. Solarban 70xl with insulated frame assumed. Infiltration issues with existing windows is also assumed to be fixed. Existing window units have asbestos that requires abatement.	\$36,045	\$541,500	\$0	\$0	\$0	\$431,917	19 years	4,8,9,10
17		Provide storm windows at building interior (single pane)	Assumes assembly U-0.70 and SHGC-0.68	\$6,715	\$395,000	\$0	\$0	\$0	-\$212,886	40+ years	2,6
18		Provide storm windows at building interior (double pane)	Assumes assembly U-0.60 and SHGC-0.60	\$8,587	\$395,000	\$0	\$0	\$0	-\$124,470	40+ years	3,7
19	New	(Baseline) New windows Solarban 60. U-0.435 SHGC-0.383	Savings shown is compared to ASHRAE 90.1-2010 code minimum.	\$686	N/A	\$0	\$0	\$0	N/A	N/A	
20		Upgrade new windows from Solarban 60 to Solarban 70xl. U-0.433 SHGC-0.223		\$3,360	\$7,983	\$0	\$0	\$0	\$86,596	3 years	1,2,3,4,5,6,7,8,9,10
21		Provide 40% frit on 100% of new glazing assuming Solarban 60 assembly. U-0.381 SHGC-0.313	Calculations of frit per LBNL Window 6	\$887	\$7,093	\$0	\$0	\$0	\$18,010	9 years	
	Shading Devices										
22		(Baseline) No Shading with Solarban 60 glazing on new		-0-	N/A	\$0	\$0	\$0	N/A	N/A	
23		Option 1 - Deep horizontal mullions at south façade		\$5,458	\$18,495	\$0	\$0	\$0	\$128,817	4 years	1,2,3,4,5,6,7,8,9,10
24		Option 2 - Light shelf at south facing glazing		\$5,851	\$37,200	\$0	\$0	\$0	\$118,574	8 years	
25		Option 3 - Louvers on interior side of new glazing assembly		\$5,553	\$62,100	\$0	\$0	\$0	\$87,248	13 years	
	Infiltration										
26		(Baseline) Existing - 0.31 CFM/ft2 of envelope area New - 0.1 CFM/ft2 of envelope area	Existing infiltration rate is assumed based on existing drawings and site walkthrough. New infiltration rate is assumed based on DFCM Design Requirements	-0-	N/A	\$0	\$0	\$0	N/A	N/A	
27		Upgrade Existing envelope to DFCM Design Requirements of 0.1 CFM/ft2 of envelope		\$6,050	Potentially part of other EEMs	\$0	\$0	\$0	N/A	N/A	
Ventilation / Lab ACH											
28		(Baseline) 10 ACH reduced to 5 during unoccupied hours		-0-	N/A	\$0	\$0	\$0	N/A	N/A	
29		Research Labs - 8 ACH Teaching Labs - 6 ACH. All reduced to 3 ACH during unoccupied hours	This EEM has already been coordinated and accepted by the owner, and included in all other EEM calculations. It has been included here to demonstrate potential savings of reduced outside airflow.	\$20,512	N/A	\$0	\$0	\$0	N/A	N/A	1,2,3,4,5,6,7,8,9,10
Domestic Hot Water											
30	DHW	(Baseline) Campus High temperature hot water with HX to create DHW		-0-	N/A	\$0	\$0	\$0	N/A	N/A	
31		Local natural gas boiler and storage tank within the building. 80% Et		\$600	\$31,600	\$0	\$0	\$0	-\$13,500	40+ years	
32		Solar HW	Assumed 20% reduction in DHW heating energy.	\$600	\$93,000	\$0	\$0	\$0	-\$74,900	40+ years	
Lighting											
33	Fluorescent Lighting	(Baseline) Fluorescent lighting design based on Electrical Engineer sample spaces	Savings shown is compared to ASHRAE 90.1-2010 code maximum. Overall 25% reduction in lighting power consumption	\$7,139	N/A	\$0	\$0	\$7,491	N/A	N/A	
34	LED Lighting	LED lighting design based on Electrical Engineer sample spaces	Overall 48% reduction in lighting power consumption	\$9,524	\$75,000	\$0	\$0	\$9,596	\$132,950	9 years	1,2,3,4,5,6,7,8,9,10
35	Daylighting Controls	Assumes 60% VT on glazing and controls in all exterior spaces		\$2,579	\$25,000	\$0	\$0	\$4,341	\$33,342	13 years	1,2,3,4,5,6,7,8,9,10
Equipment											
36	LAB Equipment - Elec.	(Baseline)	Baseline - COMNET Appendix A	-0-	N/A	\$0	\$0	\$0	N/A	N/A	
37	LAB Equipment - NG										
38	Office Equipment (Elec.)										
39	Energy Star Equipment	Required by the University of Utah Design requirements	Reduction based on Energy Star calculator for office equipment. No reduction assumed for lab equipment.	\$1,009	\$0	\$0	\$0	\$0	\$21,775	Immediate	1,2,3,4,5,6,7,8,9,10
40	Elevators	Regenerative Elevator Drives	Savings vary considerably based on elevator usage. Assumes 20 year life span of elevator drives	\$640	\$14,000	\$0	\$14,000	\$0	-\$21,751	Never	

Mechanical											
	Mechanical HVAC Systems										
41	VAV	(Baseline)		-0-	N/A	\$0	\$0	\$0	N/A	N/A	
42	DEC w/ VAV	Direct Evaporative Cooling serving lab and non-lab spaces		\$10,681	\$50,000	\$2,000	\$20,000	Custom TBD	\$109,005	7 years	1,2,3,4,5,6,7,8
43	IDEC w/ VAV	Indirect Direct Evaporative Cooling (IDEC) serving lab and non-lab spaces		\$18,679	\$245,000	\$8,000	\$90,000	\$28,918	-\$47,540	40+ years	9,10
44	IDEC w/ Chilled Beams	IDEC serving lab spaces, Chilled beams serving non-lab spaces		\$6,551	\$327,000	\$8,000	\$90,000	Custom TBD	-\$385,164	40+ years	
	Central Plant Equipment										
45	Central Plant steam / high temp	(Baseline) - Use central plant HTHW for steam and building heating		-0-	N/A	\$0	\$30,000	\$0	N/A	N/A	5,6,7,8
46	Central Plant steam / local boiler	Assumes 96% efficient local boiler with VAV system		\$14,186	\$138,000	\$4,000	\$83,000	\$0	\$153,743	15 years	1,2,3,4,9,10
47	Local steam / local boiler	Assumes 96% efficient local boiler with VAV system	Savings for increased efficiency heating at Stewart have not been included.	\$14,186	\$196,500	\$8,000	\$106,000	\$0	-\$12,172	40+ years	
	HVAC EEMs										
		HVAC EEMs assume IDEC VAV system serving lab and non-lab spaces.									
48	Oversized Ducts	Reduced fan power by 10%		\$1,945	\$81,500	\$0	\$0	\$0	-\$39,522	40+ years	
49	Oversized Pipe	Reduced pump power by 10%		\$1,317	\$54,000	\$0	\$0	\$0	-\$25,581	40+ years	
50	Oversized Coils	Reduced fan power by 10%		\$1,945	\$22,000	\$0	\$0	\$0	\$19,978	15 years	1,2,3,4,5,6,7,8,9,10
51	Aircuity	Reduces ventilation required to the space based on measured contaminants in the air.	Reduced airflow calculated based on Aircuity calculation spreadsheet.	\$28,519	\$204,000	\$26,000	\$0	\$38,441	-\$1,205,559	Never	10
52	Standard ERV	Assumes coil run around loop with 30% sensible efficiency. 10% increase in fan power.	Per Mechanical Engineer, energy recovery systems are to be designed in parallel with systems that do not include energy recovery, to get more accurate pricing data.	\$12,030	TBD	TBD	\$0	Custom TBD	TBD	TBD	1,2,3,4,5,6,7,8,9,10
53	Enhanced ERV	Assumes coil run around loop with 70% sensible efficiency.		\$21,960	TBD	TBD	\$0	Custom TBD	TBD	TBD	
54	ERV Konvekta Brand	Assumes coil run around loop with 90% sensible efficiency.		TBD	TBD	TBD	TBD	TBD	TBD	TBD	

- General Notes:
1. Energy cost savings results of each EEM are not additive. Selected EEMs must be evaluated as a whole for final energy cost savings.

2. Some EEMs may require variances from UofU design standards.

3. Baseline budget and EEM pricing is at a conceptual phase only. Equipment and system selections have not been finalized.

EEM Package Options	Summary of EEMs	Annual energy cost savings percent	LEED v4 Optimize energy performance points (w/o Cogen)	Project Budget implications	Notes:
Option 1	Suggested design + Local boiler + Untouched windows (EEMs 14,20,23,29,34,35,39,42,46,50,52)	16.0%	7	+\$248,000	
Option 2	Suggested design + Local boiler + Single Pane Storm window to existing (EEMs 17,20,23,29,34,35,39,42,46,50,52)	18.0%	8	+\$401,000	
Option 3	Suggested design + Local boiler + Double Pane Storm window to existing (EEMs 18,20,23,29,34,35,39,42,46,50,52)	18.7%	8	+\$401,000	Does not include cost estimations for double pane storm windows
Option 4	Suggested design + Local boiler + Replace existing windows (EEMs 16,20,23,29,34,35,39,42,46,50,52)	27.3%	12	+\$789,500	Option requires existing windows to be replaced with matching new windows, could be a major cost increase.
Option 5	Suggested design + HTHW central plant + Untouched windows (EEMs 14,20,23,29,34,35,39,42,45,50,52)	6.8%	2	-\$28,000	
Option 6	Suggested design + HTHW central plant + Single Pane Storm windows to existing (EEMs 17,20,23,29,34,35,39,42,45,50,52)	9.1%	3	+\$263,000	
Option 7	Suggested design + HTHW central plant + Double Pane Storm windows to existing (EEMs 18,20,23,29,34,35,39,42,45,50,52)	10.6%	4	+\$263,000	Does not include cost estimations for double pane storm windows
Option 8	Suggested design + HTHW central plant + Replace existing windows (EEMs 16,20,23,29,34,35,39,42,45,50,52)	18.9%	8	+\$651,500	Option requires existing windows to be replaced with matching new windows, could be a major cost increase.
Option 9	Reach UofU's project design requirements (13 points) Cheapest Ongoing Cost - Suggested design + Local boiler + Replace existing windows + Upgrade existing walls + IDEC (EEMs 8,16,20,23,29,34,35,39,42,43,46,50,52)	30.2%	13	+\$1,438,812	Option requires existing windows to be replaced with matching new windows, could be a major cost increase. Renovating the existing walls is not recommended by the design team. Includes IDEC EEM that is not life-cycle cost effective.
Option 10	Reach UofU's project design requirements (13 points) Cheapest First Cost - Suggested design + Local boiler + Replace existing windows + Aircuity + IDEC (EEMs 16,20,23,29,34,35,39,42,43,46,50,51,52)	30.1%	13	+\$1,110,812	Option requires existing windows to be replaced with matching new windows, could be a major cost increase. Includes IDEC and Aircuity EEMs that are not life-cycle cost effective. Aircuity requires annual maintenance agreement of ~\$26,000.

Project: Utah State University Romney Stadium
Date: March 20, 2015

Purpose:

DFCM high performance building standard requires all projects to achieve 20% annual energy cost savings, if life-cycle cost effective. Utah State University has required that the project achieve LEED silver, which requires, at a minimum, 10% annual energy cost savings. The design team has proposed energy efficiency measures (EEMs), at project coordination meetings, to consider in this life-cycle cost analysis (LCCA). A summary of the cost effective EEMs is offered below.

Results:

Cost estimations for all EEMs have not been supplied, therefore, this report is still missing cost estimations for several proposed measures. These omissions in cost estimations have been indicated in yellow on the attached spreadsheet. Refer to the attached spreadsheet which shows each of the EEMs in greater detail, including LCCA cost, discounted payback years, and general notes towards the analysis.

Cost effective EEMs:

- None of the proposed EEMs, for which the analysis has been completed, are life-cycle cost effective.

EEMs that are not cost effective:

- Upgrade roof to R-30
- Upgrade roof to R-36
- Upgrading exterior walls to R-20
- Installing direct evaporative cooling on the common areas air handling unit (AHU)
- Installing direct evaporative cooling on the game day areas AHU
- Installing indirect-direct evaporative cooling on all AHUs
- Installing a water cooled chiller in lieu of an air cooled chiller

Discussion:

Due to the building's primary function as a football stadium, the majority of the building floor area is intended to be utilized approximately 8-12 times per year. As a result of the primary intended function of the building, all EEMs currently analyzed are not life-cycle cost effective, due to minimal use, and therefore, minimal opportunity for savings.

All portions of the LCCA are estimations, as the results could vary based on the final equipment selections and layout of the building. With the project in the design development phase, explicit equipment selections have not been made, and detailed drawings are not available.

The LCCA was conducted using the methods outlined in 10 CFR 436 subset A as required by the DFCM High Performance Building Standard. The EEMs analyzed were proposed by the design team at the project coordination meeting on December 16, 2014. All EEMs were submitted by January 26, 2015.

Annual utility costs were predicted using ASHRAE 90.1-2010 Appendix G modeling protocol, as required by the DFCM High Performance Building Standard. Initial installed costs, and replacement costs were provided by the CMGC. Annual O&M cost for HVAC EEMs were estimated by the energy engineer.

Conclusion:

Costs for all missing data should be submitted to the design team, so the LCCA analysis can be completed. The design team should coordinate with the cost estimator to finalize any information needed to complete cost estimations.

The design team, DFCM, and USU, should evaluate each EEM and make a selection of which to include in the final design of the project, if any. Once direction is given to the design team, of EEMs to include in the project, an energy model will be created with all selected EEMs included, to determine an estimated final annual energy cost savings, and LEED points.

None of the proposed EEMs are life-cycle cost effective, however, due to LEED silver being a requirement for the project, LEED requires the project must obtain 10% annual energy cost savings. To meet the 10% annual energy cost savings required by LEED, EEMs that are not life-cycle cost effective may need to be included in the project.

Design Element / EEM	Alternative Description & Modeled Parameter / Efficiency		Notes	Annual Utility Cost Δ (USD/Year)	Initial installed Cost Δ (USD)	Annual O&M Cost Δ (USD)	Overhaul / Replacement Cost (USD)	Utility Rebate (USD)	40-year LCCA Savings (USD)	LCCA Discounted Payback
Envelope (Existing and New)										
Roof										
	(Baseline) R-20	ASHRAE 90.1-2010 minimum	0	\$0	\$0	\$0	\$0	\$0	\$0	-
	Upgrading roof from Baseline to R-30		\$252	\$27,946	\$0	\$0	\$894	-\$21,175	40+ years	
	Upgrading roof from Baseline to R-36		\$374	\$55,893	\$0	\$0	\$2,011	-\$41,451	40+ years	
Exterior Walls										
	(Baseline) R-15.6	ASHRAE 90.1-2010 minimum	0	\$0	\$0	\$0	\$0	\$0	\$0	-
	Upgrade opaque envelope from Baseline to R-20		\$755	\$86,798	\$0	\$0	\$1,487	-\$59,713	40+ years	
Exposed Floor Slab										
	(Baseline) R-30		\$0	\$0	\$0	\$0	\$0	\$0	\$0	-
	Upgrade floor slab from Baseline to R-35		\$66	\$11,820	\$0	\$0	\$0	-\$9,468	40+ years	
Glazing										
	(Baseline) New windows Solarban 60. U-0.435 SHGC-0.383	Savings shown is compared to ASHRAE 90.1-2010 code minimum.	\$1,108		\$0	\$0	\$0			
	Upgrade new windows from Solarban 60 to Solarban 70xl. U-0.433 SHGC-0.223		\$2,948		\$0	\$0	\$0			
	Provide 40% frit on 100% of new glazing assuming Solarban 60 assembly. U-0.381 SHGC-0.313	Calculations of frit per LBNL Window 6	\$2,424		\$0	\$0	\$0			
Lighting										
Fluorescent Lighting	(Baseline) Fluorescent lighting design based on Electrical Engineer sample spaces	Savings shown is compared to ASHRAE 90.1-2010 code maximum. Overall 10% reduction in lighting power consumption	\$893		\$0	\$0	\$0			
LED Lighting	LED lighting design based on Electrical Engineer sample spaces	Overall 14% reduction in lighting power consumption	\$1,173		\$0	\$0	\$0			
Daylighting Controls	Assumes 60% VT on glazing and controls in all exterior spaces		\$801		\$0	\$0	\$0			
Equipment										
Energy Star Equipment	Required by the DFCM HPBS	Reduction based on Energy Star calculator for office and kitchen equipment.	\$130		\$0	\$0	\$0			
Elevators	Regenerative Elevator Drives	Not available on hydronic elevators	N/A							
Mechanical										
Mechanical HVAC Systems										
VAV	(Baseline)		0	0	\$0	\$0	\$0	\$0	\$0	-
DEC w/ VAV (common AHU)	Direct Evaporative Cooling serving common space		\$2,556	\$45,000	\$2,000	\$10,000	\$1,500	-\$28,125	40+ years	
DEC w/ VAV (game day AHU)	Direct Evaporative Cooling serving game-day space		\$791	\$50,000	\$2,000	\$20,000	\$3,780	-\$72,035	Never	
IDEC w/ VAV	Indirect Direct Evaporative Cooling (IDEC) serving common and game-day spaces		\$3,778	\$145,000	\$6,500	\$90,000	\$7,932	-\$247,048	Never	
Water cooled chiller	Air cooled chiller replaced with water cooled chiller		\$1,571	\$227,000	\$4,000	\$168,000	\$0	-\$293,928	Never	

General Notes:

1. Energy cost savings results of each EEM are not additive. Selected EEMs must be evaluated as a whole for final energy cost savings.

2. Utility rebates are conceptual only. Final utility rebates to be determined by utility.

3. Baseline budget and EEM pricing is at a conceptual phase only. Equipment and system selections have not been finalized.

Zero Energy Buildings: A Critical Look at the Definition

Preprint

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Zero Energy Buildings: A Critical Look at the Definition¹

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ABSTRACT

A net zero-energy building (ZEB) is a residential or commercial building with greatly reduced energy needs through efficiency gains such that the balance of energy needs can be supplied with renewable technologies. Despite the excitement over the phrase “zero energy,” we lack a common definition, or even a common understanding, of what it means. In this paper, we use a sample of current generation low-energy buildings to explore the concept of zero energy: what it means, why a clear and measurable definition is needed, and how we have progressed toward the ZEB goal.

The way the zero energy goal is defined affects the choices designers make to achieve this goal and whether they can claim success. The ZEB definition can emphasize demand-side or supply strategies and whether fuel switching and conversion accounting are appropriate to meet a ZEB goal. Four well-documented definitions—net-zero site energy, net-zero source energy, net-zero energy costs, and net-zero energy emissions—are studied; pluses and minuses of each are discussed. These definitions are applied to a set of low-energy buildings for which extensive energy data are available. This study shows the design impacts of the definition used for ZEB and the large difference between definitions. It also looks at sample utility rate structures and their impact on the zero energy scenarios.

Introduction

Buildings have a significant impact on energy use and the environment. Commercial and residential buildings use almost 40% of the primary energy and approximately 70% of the electricity in the United States (EIA 2005). The energy used by the building sector continues to increase, primarily because new buildings are constructed faster than old ones are retired. Electricity consumption in the commercial building sector doubled between 1980 and 2000, and is expected to increase another 50% by 2025 (EIA 2005). Energy consumption in the commercial building sector will continue to increase until buildings can be designed to produce enough energy to offset the growing energy demand of these buildings. Toward this end, the U.S. Department of Energy (DOE) has established an aggressive goal to create the technology and knowledge base for cost-effective zero-energy commercial buildings (ZEBs) by 2025.

In concept, a net ZEB is a building with greatly reduced energy needs through efficiency gains such that the balance of the energy needs can be supplied by renewable technologies. Despite our use of the phrase “zero energy,” we lack a common definition—or a common understanding—of what it means. In this paper, we use a sample of current generation low-energy buildings to explore the concept of zero energy—what it means, why a clear and measurable definition is needed, and how we have progressed toward the ZEB goal.

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Using ZEB design goals takes us out of designing low-energy buildings with a percent energy savings goal and into the realm of a sustainable energy endpoint. The goals that are set and how those goals are defined are critical to the design process. The definition of the goal will influence designers who strive to meet it (Deru and Torcellini 2004). Because design goals are so important to achieving high-performance buildings, the way a ZEB goal is defined is crucial to understanding the combination of applicable efficiency measures and renewable energy supply options.

Zero-Energy Buildings: Boundary Definitions and Energy Flows

At the heart of the ZEB concept is the idea that buildings can meet all their energy requirements from low-cost, locally available, nonpolluting, renewable sources. At the strictest level, a ZEB generates enough renewable energy on site to equal or exceed its annual energy use. The following concepts and assumptions have been established to help guide definitions for ZEBs.

Grid Connection Is Allowed and Necessary for Energy Balances

A ZEB typically uses traditional energy sources such as the electric and natural gas utilities when on-site generation does not meet the loads. When the on-site generation is greater than the building's loads, excess electricity is exported to the utility grid. By using the grid to account for the energy balance, excess production can offset later energy use. Achieving a ZEB without the grid would be very difficult, as the current generation of storage technologies is limited. Despite the electric energy independence of off-grid buildings, they usually rely on outside energy sources such as propane (and other fuels) for cooking, space heating, water heating, and backup generators. Off-grid buildings cannot feed their excess energy production back onto the grid to offset other energy uses. As a result, the energy production from renewable resources must be oversized. In many cases (especially during the summer), excess generated energy cannot be used.

We assume that excess on-site generation can always be sent to the grid. However, in high market penetration scenarios, the grid may not always need the excess energy. In this scenario, on-site energy storage would become necessary.

Prioritize Supply-Side Technologies to Those Available On Site and within the Footprint

Various supply-side renewable energy technologies are available for ZEBs. Typical examples of technologies available today include PV, solar hot water, wind, hydroelectric, and biofuels. All these renewable sources are favorable over conventional energy sources such as coal and natural gas; however, we have developed a ranking of renewable energy sources in the ZEB context. Table 1 shows this ranking in order of preferred application. The principles we have applied to develop this ranking are based on technologies that:

- Minimize overall environmental impact by encouraging energy-efficient building designs and reducing transportation and conversion losses.
- Will be available over the lifetime of the building.
- Are widely available and have high replication potential for future ZEBs.

This hierarchy is weighted toward renewable technologies that are available within the building footprint and at the site. Rooftop PV and solar water heating are the most applicable supply-side technologies for widespread application of ZEBs. Other supply-side technologies such as parking lot-based wind or PV systems may be available for limited applications. Renewable energy resources from outside the boundary of the building site could arguably also be used to achieve a ZEB. This approach may achieve a building with net zero energy consumption, but it is not the same as one that generates the energy on site and should be classified as such. We will use the term “off-site ZEB” for buildings that use renewable energy from sources outside the boundaries of the building site.

Table 1. ZEB Renewable Energy Supply Option Hierarchy

Option Number	ZEB Supply-Side Options	Examples
0	Reduce site energy use through low-energy building technologies	Daylighting, high-efficiency HVAC equipment, natural ventilation, evaporative cooling, etc.
On-Site Supply Options		
1	Use renewable energy sources available within the building’s footprint	PV, solar hot water, and wind located on the building.
2	Use renewable energy sources available at the site	PV, solar hot water, low-impact hydro, and wind located on-site, but not on the building.
Off-Site Supply Options		
3	Use renewable energy sources available off site to generate energy on site	Biomass, wood pellets, ethanol, or biodiesel that can be imported from off site, or waste streams from on-site processes that can be used on-site to generate electricity and heat.
4	Purchase off-site renewable energy sources	Utility-based wind, PV, emissions credits, or other “green” purchasing options. Hydroelectric is sometimes considered.

A good ZEB definition should first encourage energy efficiency, and then use renewable energy sources available on site. A building that buys all its energy from a wind farm or other central location has little incentive to reduce building loads, which is why we refer to this as an off-site ZEB. Efficiency measures or energy conversion devices such as daylighting or combined heat and power devices cannot be considered on-site production in the ZEB context. Fuel cells and microturbines do not generate energy; rather they typically transform purchased fossil fuels into heat and electricity. Passive solar heating and daylighting are demand-side technologies and are considered efficiency measures. Energy efficiency is usually available for the life of the building; however, efficiency measures must have good persistence and should be “checked” to make sure they continue to save energy. It is almost always easier to save energy than to produce energy.

Determining a project’s boundary, which can be substantially larger than the building footprint, is an important part of defining on-site generation sources. The question arises as to whether this larger area should be considered for on-site renewable energy production. Typically, the only area available for on-site energy production that a building has guaranteed as “its own” over its lifetime is within its footprint. To ensure this area is available for on-site production, many states, counties, and cities have solar access ordinances, which declare that the right to use the natural resource of solar energy is a property right. For example, the City of

Boulder, Colorado has a solar access ordinance that guarantees access to sunlight for homeowners and renters in the city. This ordinance protects the solar access of existing buildings by limiting the amount of shadow new development may cast on neighboring buildings, and maintains the potential for using renewable energy systems in buildings (City of Boulder 2006). Using a neighboring field to generate electricity is not as favorable as a roof-mounted PV system; the area outside the building's footprint could be developed in the future; thus, it cannot be guaranteed to provide long-term generation.

Wind resources for ZEBs are limited because of structural, noise, and wind pattern considerations, and are not typically installed on buildings. Some parking lots or adjacent areas may be used to produce energy from wind, but this resource is site specific and not widely available. Similar to PV generation in an adjacent parking lot, the wind resource is not necessarily guaranteed because it could be superseded by future development.

Renewable sources imported to the site, such as wood pellets, ethanol, or biodiesel can be valuable, but do not count as on-site renewable sources. Biofuels such as waste vegetable oil from waste streams and methane from human and animal wastes can also be valuable energy sources, but these materials are typically imported for the on-site processes.

The final option for supply-side renewable energy sources includes purchasing "green credits" or renewable sources such as wind power or utility PV systems that are available to the electrical grid. These central resources require infrastructure to move the energy to the building and are not always available. Buildings employing resources 3 and 4 in Table 1 to achieve zero energy are considered off-site ZEBs. For example, a building can achieve an off-site ZEB for all these definitions by purchasing wind energy. Although becoming an off-site ZEB can have little to do with design and a lot to do with the different sources of purchased off-site renewable energy, an off-site ZEB is still in line with the general concept of a ZEB.

Zero-Energy Buildings: Definitions

A zero energy building can be defined in several ways, depending on the boundary and the metric. Different definitions may be appropriate, depending on the project goals and the values of the design team and building owner. For example, building owners typically care about energy costs. Organizations such as DOE are concerned with national energy numbers, and are typically interested in primary or source energy. A building designer may be interested in site energy use for energy code requirements. Finally, those who are concerned about pollution from power plants and the burning of fossil fuels may be interested in reducing emissions. Four commonly used definitions are: net zero site energy, net zero source energy, net zero energy costs, and net zero energy emissions.

Each definition uses the grid for net use accounting and has different applicable renewable energy sources. The definitions do apply for grid independent structures. For all definitions, supply-side option 2 can be used if this resource will be available for the life of the building. Off-site ZEBs can be achieved by purchasing renewable energy from off-site sources, or in the case of an off-site zero emissions building, purchasing emissions credits. In support of DOE's ZEB research needs, the following definitions refer to ZEBs that use supply-side options available on site. For ZEBs that have a portion of the renewable generation supplied by off-site sources, these buildings are referred to as "off-site ZEBs."

- **Net Zero Site Energy:** A site ZEB produces at least as much energy as it uses in a year, when accounted for at the site.
- **Net Zero Source Energy:** A source ZEB produces at least as much energy as it uses in a year, when accounted for at the source. Source energy refers to the primary energy used to generate and deliver the energy to the site. To calculate a building's total source energy, imported and exported energy is multiplied by the appropriate site-to-source conversion multipliers.
- **Net Zero Energy Costs:** In a cost ZEB, the amount of money the utility pays the building owner for the energy the building exports to the grid is at least equal to the amount the owner pays the utility for the energy services and energy used over the year.
- **Net Zero Energy Emissions:** A net-zero emissions building produces at least as much emissions-free renewable energy as it uses from emissions-producing energy sources.

Low- and Zero-Energy Buildings: Examples

To study the impacts of these ZEB definitions, we examined seven low-energy commercial buildings that had been monitored extensively with respect to the definitions. Each was designed to minimize energy and environmental impacts and used a combination of low-energy and renewable energy technologies. The buildings represent several climates and uses. They are all good energy performers; site energy savings range from 25% to 68% compared to conventional buildings that are minimally energy-code compliant (ASHRAE 2001). Understanding the energy performance of the current stock of high-performance buildings is an important step toward reaching the ZEB goal. The lessons learned from these seven buildings are used to guide future research to meet DOE's goal for facilitating marketable ZEBs by 2025. The buildings studied are (Torcellini et al. 2004; Barley et al. 2005):

- "Oberlin"—The Adam Joseph Lewis Center for Environmental Studies, Oberlin College.
- "Zion"—The Visitor Center at Zion National Park, Springdale, Utah.
- "Cambria"—The Cambria Department of Environmental Protection Office Building, Ebensburg, Pennsylvania.
- "CBF"—The Philip Merrill Environmental Center, Chesapeake Bay Foundation, Annapolis, Maryland.
- "TTF"—The Thermal Test Facility, National Renewable Energy Laboratory, Golden, Colorado.
- "BigHorn"—The BigHorn Home Improvement Center, Silverthorne, Colorado.
- "Science House" Science Museum of Minnesota, St. Paul, Minnesota.

These buildings were further investigated to determine additional PV system array area and capacity requirements to meet the ZEB goals (see Table 2). Annual electricity and natural gas site-to-source conversion multipliers (3.2 for electricity and 1.07 for natural gas) were applied to each building to determine source energy use (EIA 2005). For the all-electric buildings (Oberlin, Zion, Cambria, and the Science House), the site ZEB and source ZEB are the same. CBF used a minimal amount of propane, and the TTF and BigHorn used natural gas for space and water heating. Zion, TTF, BigHorn, and the Science House are single-story buildings; Oberlin, Cambria, and CBF are two stories. We used the PV system simulation tool PVSyst v3.3

(Mermoud 1996) to calculate the expected annual performance of the PV system. Single-crystalline PV modules were modeled with 0.0° tilt, as we assumed the PV system would be mounted on a flat roof of each building. These modules provide the best available output per unit area of commercially available PV modules. The Science House is the only building in this list that is currently a site, source, and emissions ZEB; it is a net exporter with approximately 30% more generation than consumption.

Table 2. ZEB Example Summary

Building and PV System (DC Rating Size)	Site Energy Use (w/o PV) (MWh/yr)	Source Energy Use (w/o PV) (MWh/yr)	Actual Roof Area (footprint) (ft²)	Flat Roof Area (ft²) Needed for Source ZEB and Site ZEB with PV	PV System DC Size Needed for Source ZEB and Site ZEB
Oberlin-60 kW	118.8	380.2	8,500	10,800	120 kW
Zion-7.2 kW	91.6	293.1	11,726	6,100	73 kW
Cambria-17.2 kW	372.1	1,190.7	17,250	37,210	415 kW
CBF-4.2 kW	365.2	1,142.0	15,500	25,316 Source ZEB 25,640 Site ZEB	282 kW Source ZEB 286 kW Site ZEB
TTF-No PV	83.5	192.5	10,000	4,010 Source ZEB 5,550 Site ZEB	45 kW Source ZEB 62 kW Site ZEB
BigHorn-8.9 kW	490.4	901.0	38,923	18,449 Source ZEB 31,742 Site ZEB	206 kW Source ZEB 354 kW Site ZEB
Science House-8.7 kW	5.9	18.8	1,370	1,000	6 kW

Zero-Energy Buildings: How Definition Influences Design

Depending on the ZEB definition, the results can vary substantially. Each definition has advantages and disadvantages, which are discussed below.

Net Zero Site Energy Building

A site ZEB produces as much energy as it uses, when accounted for at the site. Generation examples include roof-mounted PV or solar hot water collectors (Table 1, Option 1). Other site-specific on-site generation options such as small-scale wind power, parking lot-mounted PV systems, and low-impact hydro (Table 1, Option 2), may be available. As discussed earlier, having the on-site generation within the building footprint is preferable.

A limitation of a site ZEB definition is that the values of various fuels at the source are not considered. For example, one energy unit of electricity used at the site is equivalent to one energy unit of natural gas at the site, but electricity is more than three times as valuable at the source. For all-electric buildings, a site ZEB is equivalent to a source ZEB. For buildings with significant gas use, a site ZEB will need to generate much more on-site electricity than a source ZEB. As an example, the TTF would require a 62-kWDC PV system to be a site ZEB, but only a 45-kWDC PV system for a source ZEB (Table 2); this is because gas heating is a major end use. The net site definition encourages aggressive energy efficiency designs because on-site generated electricity has to offset gas use on a 1 to 1 basis.

A site ZEB can be easily verified through on-site measurements, whereas source energy or emissions ZEBs cannot be measured directly because site-to-source factors need to be determined. An easily measurable definition is important to accurately determine the progress toward meeting a ZEB goal.

A site ZEB has the fewest external fluctuations that influence the ZEB goal, and therefore provides the most repeatable and consistent definition. This is not the case for the cost ZEB definition because fluctuations in energy costs and rate structures over the life of a building affect the success in reaching net zero energy costs. For example, at BigHorn, natural gas prices varied 40% during the three-year monitoring period and electricity prices varied widely, mainly because of a partial shift from coal to natural gas for utility electricity production. Similarly, source energy conversion rates may change over the life of a building, depending on the type of power plant or power source mix the utility uses to provide electricity. However, for all the ZEB definitions, the impact of energy performance can affect the success in meeting a ZEB goal.

A building could be a site ZEB but not realize comparable energy cost savings. If peak demands and utility bills are not managed, the energy costs may or may not be similarly reduced. This was the case at Oberlin, which realized a 79% energy saving, but did not reduce peak demand charges. Uncontrolled demand charges resulted in a disproportionate energy cost saving of only 35%.

An additional design implication of a site ZEB is that this definition favors electric equipment that is more efficient at the site than its gas counterpart. For example, in a net site ZEB, electric heat pumps would be favored over natural gas furnaces for heating because they have a coefficient of performance from 2 to 4; natural gas furnaces are about 90% efficient. This was the case at Oberlin, which had a net site ZEB goal that influenced the design decision for an all-electric ground source heat pump system.

Net Zero Source Energy Building

A source ZEB produces as much energy as it uses as measured at the source. To calculate a building's total source energy, both imported and exported energy are multiplied by the appropriate site-to-source energy factors. To make this calculation, power generation and transmission factors are needed. *Source Energy and Emission Factors for Energy Use in Buildings* (Deru and Torcellini 2006) used a life cycle assessment approach and determined national electricity and natural gas site-to-source energy factors of 3.37 and 1.12. Site gas energy use will have to be offset with on-site electricity generation on a 3.37 to 1 ratio (one unit of exported electricity for 3.37 units of site gas use) for a source ZEB. This definition could encourage the use of gas in as many end uses as possible (boilers, domestic hot water, dryers, desiccant dehumidifiers) to take advantage of this fuel switching and source accounting to reach this ZEB goal. For example, the higher the percent of total energy used at a site that is gas, the smaller the PV system required to be a source ZEB. At BigHorn, for a source ZEB, 18,500 ft² of PV are required; however, 31,750 ft² of PV are required for a site ZEB (Table 2).

This definition also depends on the method used to calculate site-to-source electricity energy factors. National averages do not account for regional electricity generation differences. For example, in the Northwest, where hydropower is used to generate significant electricity, the site-to-source multiplier is lower than the national number. In addition, national site-to-source energy factors do not account for hourly variations in the heat rate of power plants or how utilities dispatch generation facilities for peak loading. Electricity use at night could have fewer source impacts than electricity used during the peak utility time of day. Further work is needed to determine how utilities dispatch various forms of generation and the corresponding daily variations of heat rates and source rates. Using regional time-dependent valuations (TDVs) for determining time-of-use source energy is one way to account for variations in how and when

energy is used. TDVs have been developed by the California Energy Commission to determine the hourly value of delivered energy for 16 zones in California (CEC 2005). Similar national TDVs would be valuable to accurately calculate source energy use to determine a building's success in reaching a source ZEB goal. A first step in understanding regional site-to-source multiplier differences is available (Deru and Torcellini 2006); multipliers are provided for the three primary grid interconnects and for each state.

There may be issues with the source ZEB definition when electricity is generated on site with gas from fossil fuels. The ZEB definitions state that the building must use renewable energy sources to achieve the ZEB goal; therefore, electricity generated on site from fossil fuels cannot be exported and count toward a ZEB goal. However, this is unlikely, because buildings are unlikely to need more heat than electricity and the inefficiencies of on-site electricity generation and exportation make this economically very unattractive. The best cost or energy pathways will determine the optimal combination of energy efficiency, on-site cogeneration, and on-site renewable energy generation.

The issue of unmanaged energy costs in a site ZEB is similar for a source ZEB. A building could be a source ZEB and not realize comparable energy cost savings. If peak demands and utility bills are not managed, the energy costs may or may not be similarly reduced.

Net Zero Energy Cost Building

A cost ZEB receives as much financial credit for exported energy as it is charged on the utility bills. The credit received for exported electricity (often referred to net energy generation) will have to offset energy, distribution, peak demand, taxes, and metering charges for electricity and gas use. A cost ZEB provides a relatively even comparison of fuel types used at the site as well as a surrogate for infrastructure. Therefore, the energy availability specific to the site and the competing fuel costs would determine the optimal solutions. However, as utility rates can vary widely, a building with consistent energy performance could meet the cost ZEB goal one year and not the next.

In wide-scale implementation scenarios, this definition may be ineffective because utility rates will change dramatically. As energy-efficient building technologies and renewable energy installations increase, the effects of large numbers of energy-efficient buildings must be considered in a given utility's service area. In addition to purchasing fuel to generate electricity, electric utilities must provide dependable service, maintain capacity to meet potential loads, meet obligations for maintaining and expanding infrastructure, and provide profitability for shareholders. The fixed costs associated with these activities result in rate structures that provide only limited incentive for consumers to create cost ZEBs. Trends in other utility sectors, such as water districts, indicate that as buildings become more efficient, and consequently have lower consumptive charges, the costs associated with infrastructure are increased. If significant numbers of buildings achieved a zero energy cost, financial resources would not be available to maintain the infrastructure, and the utility companies would have to raise the fixed and demand charges.

For commercial buildings, a cost ZEB is typically the hardest to reach, and is very dependent on how a utility credits net electricity generation and the utility rate structure the building uses. One way to reach this goal in a small commercial building might be to use a utility rate that minimizes demand charges. For example, at Zion, a 73-kW PV system is needed for a site and source ZEB at current performance levels (about 65% energy savings without PV).

To be a cost ZEB, with the utility providing credit for net electricity generation at avoided generation costs, a 100-kW PV system would be needed. A cost ZEB may be technically possible in this case, but the following characteristics would all be required to achieve this ZEB definition:

- High energy savings (Zion's measured energy savings approach 65%).
- Aggressive demand management to allow PV to help offset demand. Without demand-responsive controls, PV systems cannot be relied upon to reduce peak demand charges (Torcellini et al. 2004). Additionally, the low peak demands enable the building to qualify for the small commercial rate structure.
- A favorable utility rate structure weighted toward energy use, not peak demand charges. Standard commercial rate structures often result in electricity charges that are typically split between peak demand and energy charges. The small building commercial rate structure for Zion, which has comparatively low peak demand rates and higher consumption rates, would not apply if the building used more than 35 kW for any 15-minute period over any time of the year. This small commercial rate includes a low demand charge of \$6.30/kW for all usage that exceeds 15 kW, and an energy charge of \$0.08/kWh for the first 1500 kWh and \$0.045/kWh for all additional kilowatt-hours. A time-of-use rate would also be advantageous for a cost ZEB.
- A net-metering agreement that credits excess electricity generation at avoided generation costs (\$0.027/kWh in this case), without capacity eligibility limits to PV system sizes. Avoided generation costs refer to how the utility credits the customer for net generation and is based on the costs associated with the utility not having to generate this energy. A far more favorable net-metering agreement would credit the net generation at the full retail rate. This is considered "true" net metering, and would be the favored net metering arrangement in a cost ZEB. The net-metering agreement also must allow the excess generation credit to be used for offsetting energy-related and nonenergy charges, such as monthly meter charges, demand charges, and taxes.

In the Zion net cost ZEB example, a PV system 30% larger than a site or source ZEB PV system would be required to reach the net cost ZEB goal. For utility rates that do not allow the net generation credit to be applied to nonenergy charges, a net cost ZEB would not be possible, irrespective of the size of the PV system, the energy or demand savings, or how the rates weight energy and nonenergy charges.

If demand charges account for a significant portion of the utility bills, a net cost ZEB becomes difficult. For example, Oberlin's rate structure is not weighted toward energy rates combined with minimal demand savings. A 430-kW PV system would be required for a cost ZEB at Oberlin at current levels of performance. This is 3.6 times the size of the PV system Oberlin would need to be a site or source ZEB. For this 13,600 ft² building to be a net cost ZEB, a PV system approaching 40,000 ft² would be required—much larger than the building footprint.

If two-way or net metering is not available, on-site energy storage and advanced demand-responsive controls to manage peak demand charges should be included in the design and operation of cost ZEBs. It may be more effective to store excess PV energy and use it at a later time to reduce demand charges rather than export the energy to the grid.

Net Zero Energy Emissions Building

An emissions-based ZEB produces at least as much emissions-free renewable energy as it uses from emissions-producing energy sources. An on-site emission ZEB offsets its emissions by using supply-side options 1 and 2 in Table 1. If an all-electric building obtains all its electricity from an off-site zero emissions source (such as hydro, nuclear, or large scale wind farms), it is already zero emissions and does not have to generate any on-site renewable energy to offset emissions. However, if the same building uses natural gas for heating, then it will need to generate and export enough emissions-free renewable energy to offset the emissions from the natural gas use. Purchasing emissions offsets from other sources would be considered an off-site zero emissions building.

Success in achieving an emissions ZEB depends on the generation source of the electricity used. Emissions vary greatly depending on the source of electricity, ranging from nuclear, coal, hydro, and other utility generation sources. One could argue that any building that is constructed in an area with a large hydro or nuclear contribution to the regional electricity generation mix would have fewer emissions than a similar building in a region with a predominantly coal-fired generation mix. Therefore, an emissions ZEB would need a smaller PV system in areas with a large hydro or nuclear contribution compared to a similar building supplied by a utility with a large coal-fired generation contribution.

The net zero emissions ZEB definition has similar calculation difficulties previously discussed with the source ZEB definition. Many of these difficulties are related to the uncertainty in determining the generation source of electricity. Like the source definition, one would need to understand the utility dispatch strategy and generation source ratio to determine emissions from each of these sources.

Conclusions

ZEB Definitions Applied to a Sample of Current Generation Low-Energy Buildings

Each of these leading-edge case study buildings demonstrates the progress toward achieving ZEB goals in real-world examples. Only the Science House has achieved the site and source ZEB goal because it is a small building with a relatively large PV system. The other one-story buildings—Zion, BigHorn, and TTF—could achieve ZEB within their roof areas for all the definitions except cost ZEB. ZEB is not feasible for the two-story buildings unless their loads are further reduced. For Oberlin (currently closest to meeting a ZEB goal in a two-story building), the annual PV production is still less than the best-case energy consumption scenario. Oberlin is currently installing another 100-kW PV system in the parking lot (total installed DC capacity will be 160 kW), which will be tied into the building's electrical system. We expect that the building will achieve a site, source, and emissions ZEB, but that a cost ZEB will be difficult to reach without further demand management controls. To accomplish a ZEB, the PV system has been extended past the building footprint.

None of our sample commercial buildings could clearly be cost ZEBs with the current rate structures. Zion could be the closest because of its aggressive demand management, favorable utility rate structure, and efficient use of energy. A cost ZEB is the most difficult ZEB goal to reach because typical commercial rate structures do not allow for net metering such that exported electricity can offset all other utility charges. To reach a cost ZEB goal, the credit

received for exported electricity would have to offset energy, distribution, peak demand, taxes, and metering charges for both electricity and gas use.

The ZEB Definition Selected Can Have an Impact on Future ZEB Designs

The zero energy definition affects how buildings are designed to achieve the goal. It can emphasize energy efficiency, supply-side strategies, purchased energy sources, utility rate structures, or whether fuel-switching and conversion accounting can help meet the goal. Table 3 highlights key characteristics of each definition.

Table 3. ZEB Definitions Summary

Definition	Pluses	Minuses	Other Issues
Site ZEB	• Easy to implement. • Verifiable through on-site measurements. • Conservative approach to achieving ZEB. • No externalities affect performance, can track success over time. • Easy for the building community to understand and communicate. • Encourages energy-efficient building designs.	• Requires more PV export to offset natural gas. • Does not consider all utility costs (can have a low load factor). • Not able to equate fuel types. • Does not account for nonenergy differences between fuel types (supply availability, pollution).	
Source ZEB	• Able to equate energy value of fuel types used at the site. • Better model for impact on national energy system. • Easier ZEB to reach.	• Does not account for nonenergy differences between fuel types (supply availability, pollution). • Source calculations too broad (do not account for regional or daily variations in electricity generation heat rates). • Source energy use accounting and fuel switching can have a larger impact than efficiency technologies. • Does not consider all energy costs (can have a low load factor).	• Need to develop site-to-source conversion factors, which require significant amounts of information to define.
Cost ZEB	• Easy to implement and measure. • Market forces result in a good balance between fuel types. • Allows for demand-responsive control. • Verifiable from utility bills.	• May not reflect impact to national grid for demand, as extra PV generation can be more valuable for reducing demand with on-site storage than exporting to the grid. • Requires net-metering agreements such that exported electricity can offset energy and nonenergy charges. • Highly volatile energy rates make for difficult tracking over time.	• Offsetting monthly service and infrastructure charges require going beyond ZEB. • Net metering is not well established, often with capacity limits and at buyback rates lower than retail rates.
Emissions ZEB	• Better model for green power. • Accounts for nonenergy differences between fuel types (pollution, greenhouse gases). • Easier ZEB to reach.		• Need appropriate emission factors.

A source ZEB definition can emphasize gas end uses over the electric counterparts to take advantage of fuel switching and source accounting to reach a source ZEB goal. Conversely, a site ZEB can emphasize electric heat pumps for heating end uses over the gas counterpart. For a cost ZEB, demand management and on-site energy storage are important design considerations,

combined with selecting a favorable utility rate structure with net metering. An emissions ZEB is highly dependent on the utility electric generation source. Off-site ZEBs can be reached just by purchasing off-site renewable energy—no demand or energy savings are needed. Consistent ZEB definitions are needed for those who research, fund, design, and evaluate ZEBs.

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REPORT DOCUMENTATION PAGE

Form Approved
OMB No. 0704-0188

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1. REPORT DATE (DD-MM-YYYY) June 2006			2. REPORT TYPE Conference Paper		3. DATES COVERED (From - To)	
4. TITLE AND SUBTITLE Zero Energy Buildings: A Critical Look at the Definition; Preprint				5a. CONTRACT NUMBER DE-AC36-99-GO10337		
				5b. GRANT NUMBER		
				5c. PROGRAM ELEMENT NUMBER		
6. AUTHOR(S) P. Torcellini, S. Pless, M. Deru, and D. Crawley				5d. PROJECT NUMBER NREL/CP-550-39833		
				5e. TASK NUMBER BEC61012		
				5f. WORK UNIT NUMBER		
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) National Renewable Energy Laboratory 1617 Cole Blvd. Golden, CO 80401-3393				8. PERFORMING ORGANIZATION REPORT NUMBER NREL/CP-550-39833		
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				11. SPONSORING/MONITORING AGENCY REPORT NUMBER		
12. DISTRIBUTION AVAILABILITY STATEMENT National Technical Information Service U.S. Department of Commerce 5285 Port Royal Road Springfield, VA 22161						
13. SUPPLEMENTARY NOTES						
14. ABSTRACT (Maximum 200 Words) A net zero-energy building (ZEB) is a residential or commercial building with greatly reduced energy needs through efficiency gains such that the balance of energy needs can be supplied with renewable technologies. Despite the excitement over the phrase "zero energy," we lack a common definition, or even a common understanding, of what it means. In this paper, we use a sample of current generation low-energy buildings to explore the concept of zero energy: what it means, why a clear and measurable definition is needed, and how we have progressed toward the ZEB goal.						
15. SUBJECT TERMS zero energy building; zeb; commercial building; low-energy building						
16. SECURITY CLASSIFICATION OF:			17. LIMITATION OF ABSTRACT UL	18. NUMBER OF PAGES	19a. NAME OF RESPONSIBLE PERSON	
a. REPORT Unclassified	b. ABSTRACT Unclassified	c. THIS PAGE Unclassified			19b. TELEPHONE NUMBER (Include area code)	

Standard Form 298 (Rev. 8/98)
Prescribed by ANSI Std. Z39.18



DATE: October 12, 2017

TO HONORABLE MAYOR AND COUNCIL

The proposed Echo Spur Subdivision Amending Lots 2 and 3 seeks to combine two existing undeveloped lots addressed at 441 and 449 Echo Spur into one lot of record. The site consists of Lot 2 and Lot 3 of the Echo Spur Subdivision recorded in 2014. Both lots consist of 2,812.5 square feet and will create a lot 5,625 square feet in size.

The Planning Commission reviewed this Plat Amendment on September 13, 2017 and forwarded a **positive recommendation** to the City Council with a unanimous vote in favor of this item.

Respectfully:

Tippe Morlan, Planner

City Council Staff Report



Subject: Echo Spur Subdivision Amending Lots 2 and 3
Author: Tippe Morlan, Planner II
Date: October 12, 2017
Type of Item: Legislative – Plat Amendment

Project Number:	PL-17-03609
Applicant:	Sean Kelleher
Location:	441 & 449 Echo Spur
Zoning:	Historic Residential (HR-1)
Adjacent Land Uses:	Residential – Single-family dwellings
Reason for Review:	Plat Amendments require Planning Commission review and City Council approval.

Executive Summary

The proposed Echo Spur Subdivision Amending Lots 2 and 3 seeks to combine two existing undeveloped lots addressed at 441 and 449 Echo Spur into one lot of record. The site consists of Lot 2 and Lot 3 of the Echo Spur Subdivision recorded in 2014. Both lots consist of 2,812.5 square feet and will create a lot 5,625 square feet in size.

The Planning Commission reviewed this Plat Amendment on September 13, 2017 and forwarded a **positive recommendation** to the City Council with a unanimous vote in favor of this item.

Summary Recommendations

Staff recommends the City Council hold a public hearing and consider **approving** the Echo Spur Subdivision Amending Lots 2 and 3 plat located at 441 and 449 Echo Spur based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Background

May 8, 2014 - The City Council approved the Echo Spur Subdivision creating seven lots from Lots 21-32 of Block 58 of the Park City Survey. This plat was recorded on August 6, 2014.

April 4, 2017 – The City received a Plat Amendment application for the Echo Spur Subdivision Amending Lots 2 and 3. The application was deemed complete on August 3, 2017. The subject property is vacant.

September 13, 2017 – The Planning Commission reviewed this proposed plat amendment and issued a positive recommendation with the following motion:

MOTION: Commissioner Suesser moved to forward a POSITIVE recommendation to the City Council for the Amending of Lots 2 and 3 of the Echo Spur Subdivision, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance. Commissioner Band seconded the motion.

VOTE: The motion passed unanimously.

Purpose

The purpose of the HR-1 District is to:

- A. preserve present land Uses and character of the Historic residential Areas of Park City,
- B. encourage the preservation of Historic Structures,
- C. encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods,
- D. encourage single family Development on combinations of 25' x 75' Historic Lots,
- E. define Development parameters that are consistent with the General Plan policies for the Historic core, and
- F. establish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment.

Analysis

The purpose of this plat amendment is to combine two existing vacant and buildable lots in the Echo Spur subdivision in order for the applicant to build one single-family dwelling on the site instead of two dwellings, one on each lot. Any single-family dwellings in the HR-1 district need to undergo a Historic District Design Review and comply with the City's design guidelines for new construction in Park City's Historic District. Additionally, if the applicant is proposing construction of any structure with a building footprint in excess of 200 square feet on any existing slope of 30 percent or greater will require a Steep Slope Conditional Use Permit.

HR-1 Requirements

A single-family dwelling is an allowed use in the HR-1 district. The minimum lot area for a single-family dwelling is 1,875 square feet, and the minimum lot area for a duplex is 3,750 square feet. A duplex is allowed as a conditional use which would be need to be reviewed and approved by the Planning Commission. With the proposed lot of 5,625 square feet, either a single-family dwelling or a duplex could be developed at this location.

The maximum building footprint for a lot this size is 2,050.3 square feet according to the building footprint formula illustrated in Table 15-2.2 of the Land Management Code (LMC). Currently, each lot has a maximum building footprint of 1,200.7 square feet. This

plat amendment reduces the total potential building footprint from a combined 2,401.4 square feet to 2,050.3 square feet.

The minimum lot width in this zone is 25 feet. Both existing lots have a width of 37.5 feet amounting to a new lot width of 75 feet, which meets the requirements of this zone. The proposed lot will also be 75 feet deep. These measurements determine the minimum setback requirements which are as follows:

- Front and Rear Yard: 10 feet each, 20 feet total
- Side Yard: 5 feet each, 18 feet total

Square Footage

Staff finds the requested plat amendment to be appropriate for this neighborhood. The east side of Echo Spur, also within the HR-1 District contains significantly larger lots that yield larger structures. The west side of Echo Spur, east Ontario Avenue contains a pattern of 1½ Old Town lot combination sites. If this plat amendment is approved Echo Spur would have the following lots sizes:

Site/Address	Plat Amendment	Lot Combination
491 Echo Spur	approved plat amendment (2013)	3 lots
Lot 20, Block 58	none required	none - 1 lot
Lot 1	Echo Spur Subdivision	1½ lots
Lot 2A	subject plat	3 lots
Lot 4	Echo Spur Subdivision	2 lots, approx.
Lot 5	Echo Spur Subdivision	2 lots, approx.
Lot 6	Echo Spur Subdivision	1½ lots
Lot 7	Echo Spur Subdivision	1½ lots

Staff finds that the mix of lot sizes provides appropriate transition between the larger lots and home sizes on the east side of Echo Spur towards the east side of Ontario Avenue, even though it would be the largest of the lots in this part of Echo Spur. The proposed plat amendment provides a good mix of different lot sizes within Echo Spur.

The LMC General Lot Design Requirements in Section 15-7.3-3(C) states the following:

Maximum dwelling or unit square footage may be required. Limited building heights may also be required for visually sensitive areas.

Because this subdivision is located in a steep part of the Historic District, designs must be sensitive to both historic design standards and the visual impact of potential structures. Given the large size of the proposed lot, it is important to take into account the context of this neighborhood and determine whether any additional maximum

square footages or building heights should be conditioned upon this lot. These variables impact the massing and design of any future structure which will likely be subject to the requirements of Development on Steep Slopes (as per LMC Section 15-2.2-6). The following analysis has been updated and taken from the staff report from the approval of the original Echo Spur subdivision in this location in order to show the context of lot sizes surrounding the subject property.

West: Ontario Avenue

Originally there were sixteen (16) lots of record on the east side of Ontario Avenue, the homes abutting the west side of the Echo Spur Subdivision. Most of Old Town was platted with 32 lots of record within each block, 16 lots on each side, measuring 25 feet in width and 75 feet in length. The properties on the east side of Ontario are described as follows:

Address	Lot Width	Lot Area	Subdivision	Misc.
498 Ontario	37.5	2,812.5	Not re-platted*	vacant site
490 Ontario	37.5	2,812.5	Greeney Sub. (1995)	-
444 Ontario	37.5	2,812.5	Not re-platted*	vacant site
438 Ontario	37.5	2,812.5	438 Ontario Replat (2006)	-
432 Ontario	29.17	2187.5	Elevator Sub. (2007)	-
430 Ontario	29.17	2187.5	Elevator Sub. (2007)	-
428 Ontario	30	2281.3	Elevator Sub. (2007)	-
422 Ontario	50	4464	Sorensen Plat Amendment (2017)	Historic sig. site
416 Ontario	37.5	2,812.5	Not re-platted*	-
410 Ontario	37.5	2,812.5	Not re-platted*	-
402 Ontario	37.5	2,812.5	Not re-platted*	-

* These lots have not had a plat amendment lot combination. If in the future the property owner requests to remodel to add additional space they will have to file a plat amendment to "remove" the lot line through their building.

The average lot width on the east side of Ontario Avenue is approximately thirty-six feet (36'). The average lot area (including un-platted lot combinations) is approximately 2,800.7 square feet, which equates to 1.49 Old Town Lots.

East: Echo Spur/McHenry Avenue

The lots on the east side of Echo Spur/platted McHenry Avenue (Gateway Estates Replat – Second Amended Subdivision and Silver Pointe Subdivision), which are also within the HR-1 District, consist of much larger lots. From north to south, they have the following areas in square feet: 19,385; 12,685; 5,033; and 3,203. The average lot size on the east side of Echo Spur is 10,076.5 square feet, which equates to approximately 5.37 Old Town Lots.

Echo Spur

The existing Echo Spur Subdivision, including the two subject lots, consists of five lots of 2,812.5 square feet, one lot 3,772 square feet in size, and one lot 3,858 square feet in size. The average lot size is 3,098.9 square feet, which amounts to approximately 1.65 Old Town Lots.

If the proposed plat amendment were approved, the new lot would become the largest in the Echo Spur Subdivision at 5,625 square feet. The average lot size would increase to 3,615.4 square feet, which amounts to approximately 1.93 Old Town Lots.

Massing

The massing and design requirements through the HDDR and Steep Slope CUP processes are intended to ensure that new structures are consistent with the surrounding neighborhood. Given the size and width of the proposed lot, this will be a point of concern at the time of the HDDR and Steep Slope CUP review. Throughout the review of those applications, Staff will pay close attention to the design of the proposed structure to ensure that it conforms to the massing and scale of the existing structures in the neighborhood. For example, Staff will recommend that the applicant propose a design with two distinct massing elements complemented by both horizontal and vertical articulation to break up any potential long, blank walls. Having two massing elements would give an impression of two separate structures as are currently allowed on these lots. However, these recommendations are design-oriented and are not related to the plat. The applicant will work with Staff on these issues in the forthcoming applications.

Good Cause

Staff finds good cause for this plat amendment in that it will reduce the density in this subdivision from 7 to 6 lots. The plat amendment will also reduce the total allowed building footprint on these lots by 351.1 square feet from 2,401.4 square feet to 2,050.3 square feet. This should lessen the impact of development on this property together with LMC and HDDR requirements.

Process

The approval of this plat amendment application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC §15-1-18. A Historic District Design Review application will need to be submitted for review by Planning Staff prior to issuance of building permits. A Steep Slope Conditional Use Permit application may also be required depending on the location of the proposed structure and/or access, which is reviewed by the Planning Commission.

Department Review

This project has gone through an interdepartmental review where it was indicated that the applicant will likely need to abandon one existing water service and meter vault. The applicant will also need to verify that existing new water service is sized for fire service.

Notice

On August 23, 2017, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record and the Utah Public Notice Website on August 30, 2017, according to requirements of the Land Management Code.

Public Input

The only public input received at the time of this report is a letter of support from the owners of Echo Spur Lot 1 (see Exhibit G). There was no additional public comment at the Planning Commission meeting on September 13, 2017.

Alternatives

- The City Council may approve the Echo Spur Subdivision Amending Lots 2 and 3 as conditioned or amended; or
- The City Council may deny the Echo Spur Subdivision Amending Lots 2 and 3 and direct staff to make Findings for this decision; or
- The City Council may continue the discussion on the Echo Spur Subdivision Amending Lots 2 and 3 and provide direction to the applicant and/or staff to provide additional information necessary to make a decision on this item.

Significant Impacts

There are no significant fiscal or environmental impacts from this application.

Consequences of not taking recommended action

The subject property would remain as two separate lots and no construction could take place across the existing lot lines. Each of those lots could be built upon according to the standards of the LMC and any conditions set forth in the Echo Spur Subdivision plat.

Summary Recommendation

Staff recommends the City Council hold a public hearing and consider **approving** the Echo Spur Subdivision Amending Lots 2 and 3 plat located at 441 and 449 Echo Spur based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Exhibits

Exhibit A – Draft Ordinance with Proposed Plat (Attachment 1)
Exhibit B – Survey
Exhibit C – Existing Echo Spur Subdivision Plat
Exhibit D – Applicant's Project Description
Exhibit E – Site Photographs
Exhibit F – Aerial Photographs with 500' Radius
Exhibit G – Public Comments

Ordinance No. 2017-54

AN ORDINANCE APPROVING THE ECHO SPUR SUBDIVISION AMENDING LOTS 2 AND 3 LOCATED AT 441 ECHO SPUR AND 449 ECHO SPUR, PARK CITY, UTAH.

WHEREAS, the owner of the property located at 441 Echo Spur and 449 Echo Spur has petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on August 30, 2017, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on August 30, 2017, proper legal notice was published according to requirements of the Land Management Code and courtesy letters were sent to surrounding property owners; and

WHEREAS, the Planning Commission held a public hearing on September 13, 2017, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on September 13, 2017, forwarded a _____ recommendation to the City Council; and,

WHEREAS, on October 12, 2017, the City Council held a public hearing to receive input on the plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Echo Spur Subdivision Amending Lots 2 and 3 located at 441 Echo Spur and 449 Echo Spur.

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

SECTION 1. APPROVAL. The Echo Spur Subdivision Amending Lots 2 and 3, as shown in Attachment 1, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 441 Echo Spur and 449 Echo Spur.
2. The property consists of Lot 2 and Lot 3 of the Echo Spur Subdivision plat.
3. The property is in the Historic Residential (HR-1) District.
4. The property is currently vacant.
5. The applicant proposes to combine the subject lots into one lot of record.
6. The proposed lot is 5,625 square feet.

7. The minimum lot area in the HR-1 District is 1,875 square feet for a single-family dwelling. The minimum lot area for a duplex is 3,750 square feet.
8. The proposed lot meets the minimum lot requirements for both a single-family dwelling and a duplex dwelling.
9. A single-family dwelling is an allowed use in the HR-1 District. A duplex is a conditional use.
10. The minimum lot width in the HR-1 District is 25 feet.
11. The proposed lot width is 75 feet, which meets the minimum lots width.
12. The proposed lot depth is 75 feet.
13. Front and rear yard minimum setbacks are 10 feet each and 20 feet total. Side yard minimum setbacks are 5 feet each and 18 feet total.
14. The maximum building footprint for the proposed lot is 2,050.3 square feet.
15. The proposed plat amendment reduces the maximum building footprint on the subject property by 351.1 square feet from 2,401.4 square feet on two lots to 2,050.3 square feet on one lot.
16. A Steep Slope Conditional Use Permit is required for any structure in excess of 200 square feet if it is located on any existing slope of 30 percent or greater.
17. A Historic District Design Review application is required for any new construction on
18. The average lot width on the east side of Ontario Avenue is approximately 36 feet.
19. The average lot area on the east side of Ontario Avenue (including un-platted lot combinations) is approximately 2,800.7 square feet, which equates to 1.49 Old Town Lots.
20. The lots on the east side of Echo Spur/platted McHenry Avenue (Gateway Estates Replat Second Amended Subdivision and Silver Pointe Subdivision), which are also within the HR-1 District, consist of much larger lots.
21. The average lot size on the east side of Echo Spur is 10,076.5 square feet, which equates to approximately 5.37 Old Town Lots.
22. The existing Echo Spur Subdivision consists of five lots of 2,812.5 square feet, one lot 3,772 square feet in size, and one lot 3,858 square feet in size.
23. The average lot size in the existing Echo Spur Subdivision is 3,098.9 square feet, which amounts to approximately 1.65 Old Town Lots.
24. If the proposed plat amendment were approved, the new lot would become the largest in the Echo Spur Subdivision at 5,625 square feet, and the average lot size would increase to 3,615.4 square feet, which amounts to approximately 1.93 Old Town Lots.
25. The requested plat amendment is appropriate for this neighborhood.
26. The east side of Echo Spur, also within the HR-1 District contains significantly larger lots that yield larger structures.
27. The west side of Echo Spur, east Ontario Avenue contains a pattern of 1½ Old Town lot combination sites.
28. The mix of lot sizes provides appropriate transition between the larger lots and home sizes on the east side of Echo Spur towards the east side of Ontario Avenue.

29. The proposed plat amendment provides a good mix of different lot sizes within Echo Spur.
30. The massing and design requirements through the HDDR and Steep Slope CUP processes are intended to ensure that new structures are consistent with the surrounding neighborhood. Both applications are required and must be approved before the lot can be developed.
31. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law:

1. There is good cause for this Plat Amendment.
2. The Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding lot combinations.
3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
4. Approval of the Plat Amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. Modified 13-D sprinklers will be required for all new construction.
4. The applicant needs to coordinate with the Engineering Department to determine whether one existing water service and meter vault needs to be abandoned. The existing new water service needs to be verified sized for fire service.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 12th day of October, 2017.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

ATTEST:

City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

Attachment 1 – Proposed Plat

ECHO SPUR SUBDIVISION
AMENDING LOTS 2 & 3

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN
BLOCK 58, PARK CITY SURVEY AMENDED
SUMMIT COUNTY, UTAH



SURVEYOR'S CERTIFICATE

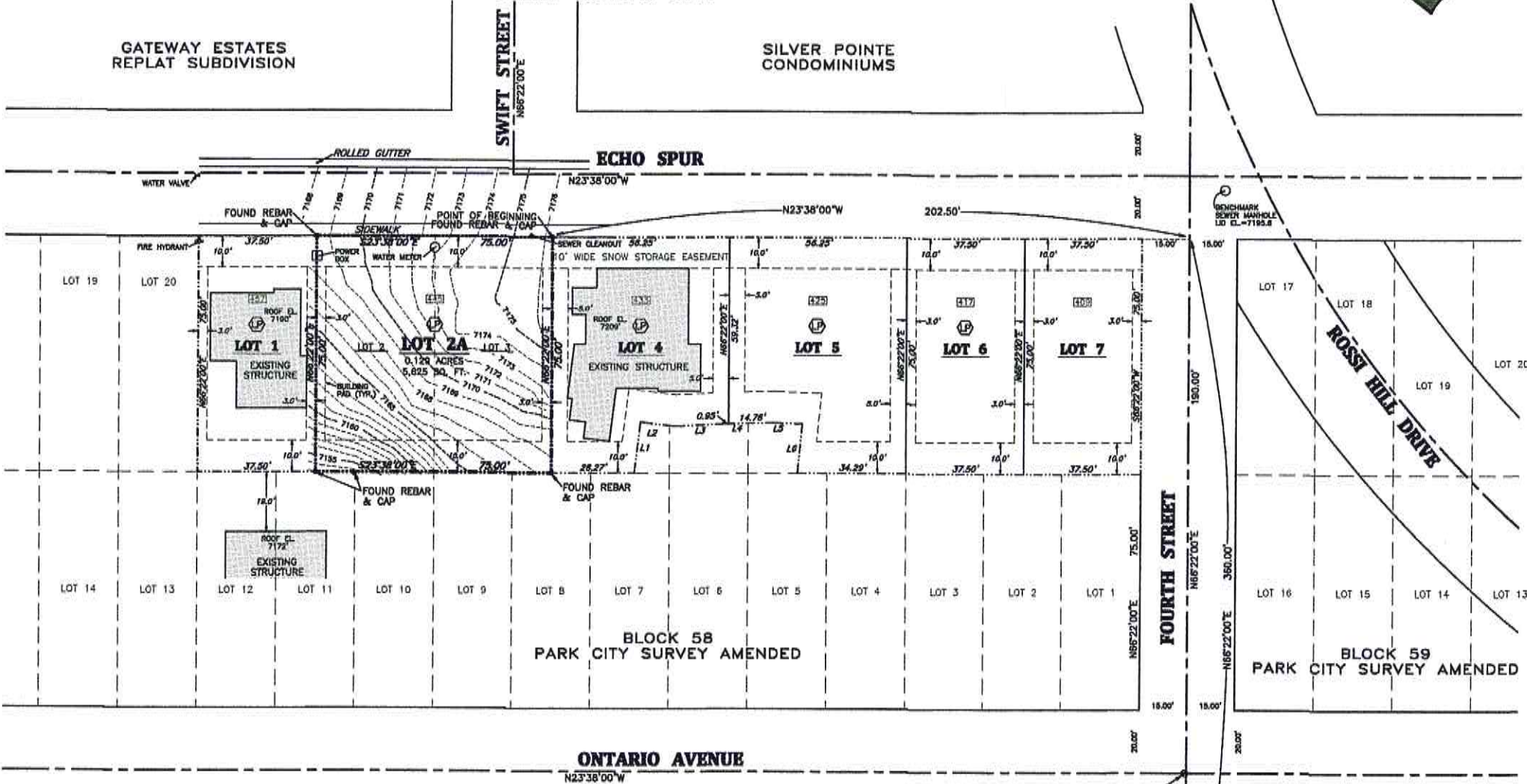
I, JOHN W. FRANCOM, A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NO. 156213 IN ACCORDANCE WITH THE LAWS OF THE STATE OF UTAH HEREBY CERTIFY THAT I HAVE MADE A SURVEY OF THE HEREON DESCRIBED PARCEL AND THAT THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY.
DATE: MAY 16, 2017
SIGNED: *[Signature]*
JOHN W. FRANCOM, P.L.S. 156213

NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO RE-SURVEY AND FIELD STAKE THE BOUNDARY PRIOR TO LOT CONSOLIDATION AND TO PROVIDE TOPOGRAPHIC INFORMATION FOR ARCHITECTURAL DESIGN.
MONUMENTS FOUND OR SET, THE BASIS OF BEARING AND ANY ENCROACHMENTS ARE AS SHOWN HEREON.

DESCRIPTION

ALL OF LOTS 2 & 3, ECHO SPUR SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE SUMMIT COUNTY RECORDER, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHEAST CORNER OF LOT 4, SAID ECHO SPUR SUBDIVISION AND RUNNING THENCE SOUTH 66°22'00" WEST 75.00 FEET ALONG LOT LINE; THENCE NORTH 23°38'00" WEST 75.00 FEET ALONG LOT LINE; THENCE NORTH 66°22'00" EAST 75.00 FEET ALONG LOT LINE; THENCE SOUTH 23°38'00" EAST 75.00 FEET ALONG LOT LINE TO THE POINT OF BEGINNING.
CONTAINS: 5,625 SQUARE FEET OR 0.129 ACRES

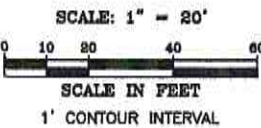


- NOTES:
- 1. MODIFIED 13-D SPRINKLERS WILL BE REQUIRED FOR ALL NEW CONSTRUCTION.
 - 2. THIS SUBDIVISION IS SUBJECT TO THE CONDITIONS IN ORDINANCE 14-23.
 - 3. ADDRESS = **XXXX** ECHO SPUR

- 5. LOTS 1-6 ARE DESIGNATED AS LOW PRESSURE SEWER SYSTEM LOTS. THE PURCHASERS OF THESE LOTS ARE HEREBY NOTIFIED THAT WASTEWATER SERVICE TO THESE LOTS WILL BE PROVIDED BY A LOW PRESSURE SEWER SYSTEM. THE PRIVATE LOW PRESSURE SEWER LATERAL TO THESE LOTS CONSISTS OF A LOW PRESSURE GRINDER PUMP STATION AND LOW PRESSURE DISCHARGE LINE AND APPURTENANCES. THE PRIVATE LOT PRESSURE LATERAL SYSTEM, WHICH IS THE PRIVATE PROPERTY OF EACH LOT OWNER, CONNECTS TO THE SNYDERVILLE BASIN WATER RECLAMATION DISTRICT'S (SWRD) PUBLIC LOW PRESSURE SEWER SYSTEM. PURCHASERS OF THE LOW PRESSURE SEWER SYSTEM LOTS SHALL BE SOLELY RESPONSIBLE FOR ALL COSTS OF THE PRIVATE LOW PRESSURE LATERAL SYSTEM RELATED TO OR ARISING FROM THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR AND REPLACEMENT OF THE PRIVATE LOW PRESSURE SEWER LATERAL SYSTEM. SWRD SHALL HAVE NO LIABILITY OR RESPONSIBILITY FOR PRIVATE LOW PRESSURE SEWER LATERAL SYSTEMS, INCLUDING ANY COSTS ARISING FROM OR RELATING TO INSTALLATION, OPERATION, MAINTENANCE, REPAIR AND REPLACEMENT AND MATTERS ARISING FROM FREEZING OR INCORRECT INSTALLATION.
- 6. UPON RECORDATION OF THIS PLAT, JGC BEACH PROPERTIES, L.L.C. HEREBY CONSENTS AND AUTHORIZES SNYDERVILLE BASIN WATER RECLAMATION DISTRICT TO RECORD A NOTICE FOR EACH LOW PRESSURE SEWER SYSTEM LOT WITH THE SUMMIT COUNTY RECORDER'S OFFICE. THE RECORDED NOTICES SHALL SERVE AS NOTIFICATION TO ALL FUTURE LOT OWNERS OF THE RESPONSIBILITIES ASSOCIATED WITH THE PRIVATE LOW PRESSURE SEWER LATERAL SYSTEM SERVING THE LOT.

LINE TABLE

LINE	BEARING	LENGTH
L1	S73°17'50"W	16.30'
L2	N18°42'10"W	11.00'
L3	N28°28'04"W	18.18'
L4	N24°50'20"W	15.71'
L5	N21°14'47"W	8.81'
L6	N72°11'03"E	15.70'



EVANS LAND SURVEYING

BOUNDARY, TOPOGRAPHIC & CONSTRUCTION SURVEYS
4568 HIGHLAND DRIVE, SUITE 110, SALT LAKE CITY, UTAH 84117
BUS.(801)272-3995 EMAIL: EVANSLANDSURVEYING@GMAIL.COM



GO WEST DEVELOPMENT

445 ECHO SPUR
PARK CITY, UTAH

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN

REVISIONS:
7/26/17 BUILDING ELEVATIONS

DRAWN BY: JAS
CHECKED BY: JWF
SURVEY DATE: 6/17/16
JOB NO: 17-112

SURVEYED BY: NJE/JAS
CALCULATED BY: NJE
ELEC. DATA COLLECTION
GOWEST-2-3-ECHO

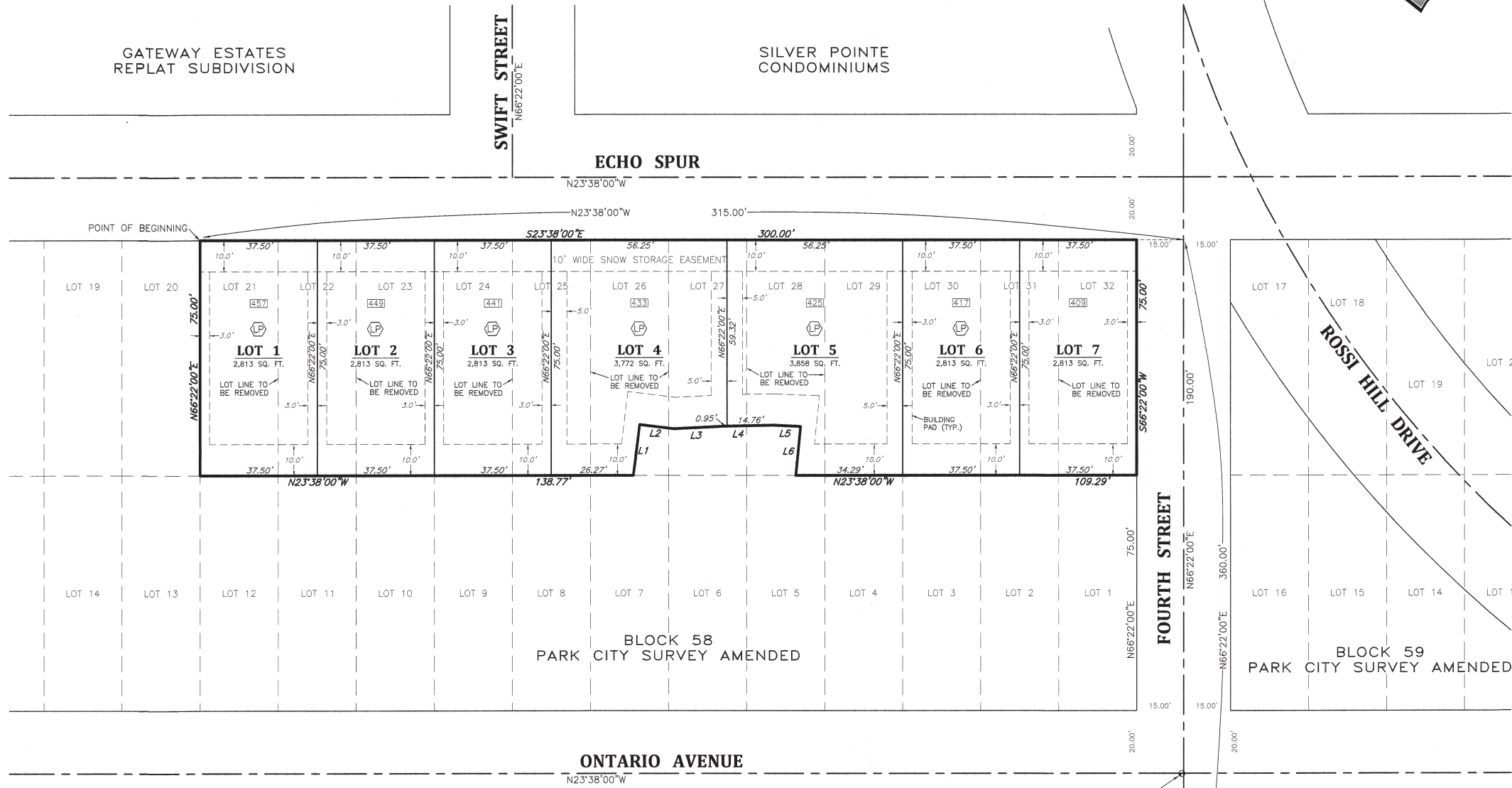
SHEET DESCRIPTION
BOUNDARY & TOPOGRAPHIC SURVEY

SHEET NO.
1
OF
ONE



ECHO SPUR SUBDIVISION

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN
BLOCK 58, PARK CITY SURVEY AMENDED
SUMMIT COUNTY, UTAH



- NOTES:
1. MODIFIED 13-D SPRINKLERS WILL BE REQUIRED FOR ALL NEW CONSTRUCTION.
 2. THIS SUBDIVISION IS SUBJECT TO THE CONDITIONS IN ORDINANCE 14-23.
 3. ADDRESS = XXX ECHO SPUR

5. LOTS 1-6 ARE DESIGNATED AS LOW PRESSURE SEWER SYSTEM LOTS. THE PURCHASERS OF THESE LOTS ARE HEREBY NOTIFIED THAT WASTEWATER SERVICE TO THESE LOTS WILL BE PROVIDED BY A LOW PRESSURE SEWER SYSTEM. THE PRIVATE LOW PRESSURE SEWER LATERAL TO THESE LOTS CONSISTS OF A LOW PRESSURE GRINDER PUMP STATION AND LOW PRESSURE DISCHARGE LINE AND APPURTENANCES. THE PRIVATE LOT PRESSURE LATERAL SYSTEM, WHICH IS THE PRIVATE PROPERTY OF EACH LOT OWNER, CONNECTS TO THE SNYDERVILLE BASIN WATER RECLAMATION DISTRICT'S (SBWRD) PUBLIC LOW PRESSURE SEWER SYSTEM. PURCHASERS OF THE LOW PRESSURE SEWER SYSTEM LOTS SHALL BE SOLELY RESPONSIBLE FOR ALL COSTS OF THE PRIVATE LOW PRESSURE LATERAL SYSTEM RELATED TO OR ARISING FROM THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR AND REPLACEMENT OF THE PRIVATE LOW PRESSURE SEWER LATERAL SYSTEM. SBWRD SHALL HAVE NO LIABILITY OR RESPONSIBILITY FOR PRIVATE LOW PRESSURE SEWER LATERAL SYSTEMS, INCLUDING ANY COSTS ARISING FROM OR RELATING TO INSTALLATION, OPERATION, MAINTENANCE, REPAIR AND REPLACEMENT AND MATTERS ARISING FROM FREEZING OR INCORRECT INSTALLATION.

6. UPON RECORDATION OF THIS PLAT, JGC BEACH PROPERTIES, L.L.C. HEREBY CONSENTS AND AUTHORIZES SNYDERVILLE BASIN WATER RECLAMATION DISTRICT TO RECORD A NOTICE FOR EACH LOW PRESSURE SEWER SYSTEM LOT WITH THE SUMMIT COUNTY RECORDER'S OFFICE. THE RECORDED NOTICES SHALL SERVE AS NOTIFICATION TO ALL FUTURE LOT OWNERS OF THE RESPONSIBILITIES ASSOCIATED WITH THE PRIVATE LOW PRESSURE SEWER LATERAL SYSTEM SERVING THE LOT.

JOHN W. FRANCOM & ASSOCIATES, INC.
LAND SURVEYORS
BOUNDARY, TOPOGRAPHIC & CONSTRUCTION SURVEYS
505 SOUTH MAIN STREET, BOUNTIFUL, UTAH 84010
BUS: (801) 295-7500 FAX: (801) 295-7524
EMAIL: FRANCOMSURVEY@QWESTOFFICE.NET

CERTIFICATE OF ATTEST

I CERTIFY THIS RECORD OF SURVEY MAP WAS
APPROVED BY PARK CITY COUNCIL THIS 1st
DAY OF August, 2014 A.D.
BY: Maureen Heil
PARK CITY RECORDER

PLANNING COMMISSION

APPROVED BY THE PARK CITY PLANNING
COMMISSION THIS 9th DAY OF
April, 2014 A.D.
BY: Sam Weel
CHAIRMAN

COUNCIL APPROVAL AND ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL
THIS 8th DAY OF May, 2014 A.D.
BY: Jack Thomas
MAYOR

CITY ENGINEER

I FIND THIS PLAT TO BE IN ACCORDANCE WITH
INFORMATION ON FILE IN MY OFFICE THIS 22nd
DAY OF July, 2014 A.D.
BY: Mark
PARK CITY ENGINEER

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
STANDARDS ON THIS 22nd DAY OF July, 2014 A.D.
BY: John W. Francom
SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS 1st
DAY OF August, 2014 A.D.
BY: John W. Francom
PARK CITY ATTORNEY

RECORDER

STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE
REQUEST OF: First American Title Co
DATE 8/6/14 TIME 10:10 AM BOOK --- PAGE ---
\$ 37.00 FEE
C. Wilbroughy - Deput

LEGAL BOUNDARY DESCRIPTION

BEGINNING AT A POINT ON THE WESTERLY RIGHT OF WAY LINE OF ECHO SPUR AND THE LINE COMMON TO LOTS 20 & 21, BLOCK 58, PARK CITY SURVEY, ACCORDING TO THE AMENDED PLAT THEREOF, AND RUNNING THENCE SOUTH 23°38'00" EAST 300.00 FEET; THENCE SOUTH 66°22'00" WEST 75.00 FEET; THENCE NORTH 23°38'00" WEST 109.29 FEET; THENCE NORTH 72°11'03" EAST 15.70 FEET; THENCE NORTH 21°14'47" WEST 8.81 FEET; THENCE NORTH 24°50'20" WEST 15.71 FEET; THENCE NORTH 26°29'04" WEST 16.16 FEET; THENCE NORTH 16°42'10" WEST 11.00 FEET; THENCE SOUTH 73°17'50" WEST 16.30 FEET; THENCE NORTH 23°38'00" WEST 138.77 FEET; THENCE NORTH 66°22'00" EAST 75.00 FEET TO THE POINT OF BEGINNING.

CONTAINS: 21,693 SQUARE FEET OR 0.498 ACRES NET
7 LOTS

DEED DESCRIPTION

ALL OF LOTS 21 THROUGH 32, BLOCK 58, PARK CITY SURVEY, ACCORDING TO THE AMENDED PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.

EXCEPTING THEREFROM:

BEGINNING AT A POINT SOUTH 23°38'00" EAST 13.77 FEET FROM THE CORNER COMMON TO LOTS 7, 8, 25 & 28, BLOCK 58, PARK CITY SURVEY, ACCORDING TO THE AMENDED PLAT THEREOF, AND RUNNING THENCE NORTH 73°17'50" EAST 16.30 FEET; THENCE SOUTH 16°42'10" EAST 11.00 FEET; THENCE SOUTH 26°29'04" EAST 16.16 FEET; THENCE SOUTH 24°50'20" EAST 15.71 FEET; THENCE SOUTH 21°14'47" EAST 8.81 FEET; THENCE SOUTH 72°11'53" WEST 15.70 FEET; THENCE NORTH 23°38'00" WEST 51.94 FEET TO THE POINT OF BEGINNING.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS: THAT THE OWNERS OF THE HEREON DESCRIBED TRACTS OF LAND, HEREBY CAUSES THE SAME TO BE DIVIDED INTO LOTS AND PRIVATE STREETS, AS SET FORTH IN THIS PLAT, HEREAFTER TO BE KNOWN AS

ECHO SPUR SUBDIVISION

ALSO, THE OWNERS HEREBY DEDICATE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT AND PARK CITY FIRE DEPARTMENT, A NON-EXCLUSIVE EASEMENT OVER THE ROADWAYS AND UTILITY EASEMENTS SHOWN ON THIS PLAT FOR THE PURPOSE OF PROVIDING ACCESS FOR UTILITY INSTALLATION, MAINTENANCE USE AND EVENTUAL REPLACEMENT, AND TO PROVIDE ACCESS FOR EMERGENCY SERVICES. THOSE AREAS THAT ARE INTENDED FOR PUBLIC USE ARE HEREBY DEDICATED TO PARK CITY.

EXECUTED THIS 22nd DAY OF July, 2014.

BY: John W. Francom
REPRESENTATIVE OF JGC BEACH PROPERTIES, L.L.C., OWNER

ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF SUMMIT
ON THIS 22nd DAY OF July, 2014, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID COUNTY, IN SAID STATE OF UTAH, THE SIGNER OF THE ABOVE OWNER'S DEDICATION BY John W. Francom, REPRESENTATIVE OF JGC BEACH PROPERTIES, L.L.C., OWNER, WHO ACKNOWLEDGED THAT HE SIGNED THE ABOVE OWNER'S DEDICATION FOR AN IN BEHALF OF SAID CORPORATION FOR THE USES AND PURPOSES THEREIN STATED.

BY: Lisa G. Sessions
NOTARY PUBLIC
RESIDING AT: Wasatch County, State of Utah
MY COMMISSION EXPIRES: 10-29-16



CONSENT TO RECORD

STATE OF UTAH
COUNTY OF SUMMIT
THE UNDERSIGN LIEN HOLDER CONSENTS TO THE RECORDATION OF THE PLAT.
BY: _____
AUTHORIZED OFFICIAL
THE FOREGOING WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, _____
BY: _____ REPRESENTATIVE OF JGC BEACH PROPERTIES L.L.C., THE OWNER OF THE ABOVE DESCRIBED PROPERTY.
NOTARY PUBLIC
RESIDING AT: _____
MY COMMISSION EXPIRES: _____

SURVEYOR'S CERTIFICATE

I, JOHN W. FRANCOM, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 156213 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT A BOUNDARY SURVEY HAS BEEN MADE OF THE LAND SHOWN ON THIS PLAT AND DESCRIBED HEREON AND THAT THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED AND HAS BEEN PREPARED IN CONFORMITY WITH MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW AS OF THE DATE OF SURVEY, MARCH, 2014.

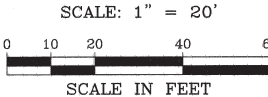
BY: John W. Francom
JOHN W. FRANCOM
DATE JULY 21, 2014



ECHO SPUR SUBDIVISION

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN
BLOCK 58, PARK CITY SURVEY AMENDED
SUMMIT COUNTY, UTAH

LINE TABLE		
LINE	BEARING	LENGTH
L1	S73°17'50"W	16.30'
L2	N16°42'10"W	11.00'
L3	N26°29'04"W	16.16'
L4	N24°50'20"W	15.71'
L5	N21°14'47"W	8.81'
L6	N72°11'03"E	15.70'





#2 Written Statement

The intent of the project is to combine two lots of record into one. This will allow for less density on the Street and in Old Town. Eventually, it will also involve the construction of a single home instead of two, thereby reducing the disruption to the neighborhood.

Exhibit E - Site Photographs

6. View South



RECEIVED
JUL 03 2017
PARK CITY
PLANNING DEPT.

6. View East



RECEIVED
JUL 03 2017
PARK CITY
PLANNING DEPT.

6. View West



RECEIVED
JUL 03 2017
PARK CITY
PLANNING DEPT.

6. View North



RECEIVED
JUL 03 2017
PARK CITY
PLANNING DEPT.

Tippe Morlan

From: Jay N Bartlett <Jay.Bartlett@parthenon.ey.com>
Sent: Thursday, August 31, 2017 6:16 PM
To: Tippe Morlan
Subject: PL-17-03609
Attachments: image001.gif

Tippe

We are the owners of Echo Spur Lot 1, and received the notice about the application to combine Echo Spur lots 2 and 3. We are fully supportive of this application, and have talked with both Sean Kelleher and Preston Campbell about it. We believe combining these 2 lots will reduce traffic flow on the street, and also create more open space in the subdivision due to larger setbacks.

We are not able to make it to the meeting on 9/13, but please consider this note as an indication of our support for the proposal.

Jay



Jay Bartlett | Managing Director, Co-Head Private Equity Practice | Parthenon

Ernst & Young LLP
725 South Figueroa Street, Los Angeles, CA 90017, United States of America
Office: +1 213 977 8799 | Mobile: +1 617 834 9847 | jay.bartlett@parthenon.ey.com
Website: <http://www.Parthenon.ey.com>

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DATE: October 12, 2017

TO HONORABLE MAYOR AND COUNCIL

The applicant is proposing to adjust the building pad area shown on Lot 42 of the Iron Canyon Subdivision located at 2463 Iron Mountain Drive to match to the proposed design of the new residence. This proposal reconfigures, but does not increase the size of the existing building pad. The entire site contains 2.75 acres, or approximately 119,790 square feet.

The Planning Commission reviewed this Plat Amendment on September 27, 2017 and forwarded a **positive recommendation** to the City Council with a unanimous vote in favor of this item.

Respectfully:

Tippe Morlan, Planner

City Council Staff Report



Subject: Iron Canyon Subdivision Lot 42
Building Pad Adjustment
Author: Tippe Morlan, Planner II
Date: September 27, 2017
Type of Item: Legislative – Plat Amendment

Project Number:	PL-17-03641
Applicant:	Kathy and Howard Rothwell
Location:	2463 Iron Mountain Drive
Zoning:	Single Family (SF)
Adjacent Land Uses:	Single-family dwellings
Reason for Review:	Plat Amendments require Planning Commission review and City Council approval.

Executive Summary

The applicant is proposing to adjust the building pad area shown on Lot 42 of the Iron Canyon Subdivision located at 2463 Iron Mountain Drive to match to the proposed design of the new residence. This proposal reconfigures, but does not increase the size of the existing building pad. The entire site contains 2.75 acres, or approximately 119,790 square feet.

The Planning Commission reviewed this Plat Amendment on September 27, 2017 and forwarded a **positive recommendation** to the City Council with a unanimous vote in favor of this item.

Summary Recommendations

Staff recommends the City Council hold a public hearing and consider **approving** the Iron Canyon Subdivision Lot 42 Building Pad Adjustment located at 2463 Iron Mountain Drive based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Background

October 20, 1983 – The Iron Canyon Subdivision property was annexed into Park City with Residential Development zoning.

October 28, 1983 - The original Iron Canyon Subdivision was recorded after approval from the City Council.

February 3, 2006 – An amendment to the building pad for Lot 29 of the Iron Canyon Subdivision was recorded after approval from the City Council. The new building pad remained 4,000 square feet in size.

August 24, 2006 – An amendment to the building pad for Lot 11 of the Iron Canyon Subdivision was recorded after approval from the City Council. The new building pad remained 4,000 square feet in size.

December 22, 2006 – An amendment to the building pad for Lot 5 of the Iron Canyon Subdivision was recorded after approval from the City Council. The new building pad remained 4,000 square feet in size.

November 6, 2006 – An amendment to the building pad for Lot 4 of the Iron Canyon Subdivision was recorded after approval from the City Council. The new building pad remained 4,000 square feet in size.

August 9, 2007 – A zone change for the entire Iron Canyon Subdivision from Residential Development to Single Family was approved by the City Council. As stated in the staff report for this meeting, the primary reason of the request was to disallow nightly rentals in the subdivision.

April 27, 2017 – An amendment to the building pad for Lot 43 of the Iron Canyon Subdivision was approved by the City Council. This amendment has not yet been recorded but is approved to maintain a 4,000 square feet building pad area.

July 6, 2017 – The City received a Plat Amendment application for the Iron Canyon Subdivision Lot 22 Building Pad Adjustment. The application was deemed complete on July 13, 2017, but has not yet been scheduled for Planning Commission at the applicant's request.

August 18, 2017 – The City received a Plat Amendment application for the Iron Canyon Subdivision Lot 42 Building Pad Adjustment. The application was deemed complete on August 30, 2017 and is the subject of this report.

September 27, 2017 – The Planning Commission reviewed this proposed plat amendment and issued a positive recommendation with the addition of a condition that the building pad meet all current SLO requirements. The motion passed with a unanimous vote.

Purpose

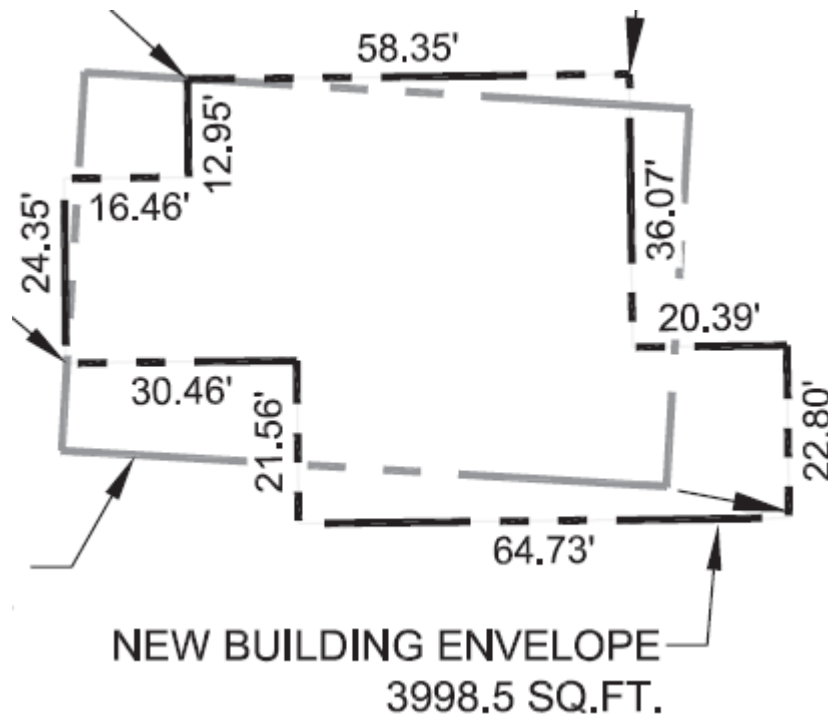
The purpose of the Single Family SF District is to:

- A. maintain existing predominately Single Family detached residential neighborhoods,
- B. allow for Single Family Development Compatible with existing Developments,
- C. maintain the character of mountain resort neighborhoods with Compatible residential design; and
- D. require Streetscape design that minimizes impacts on existing residents and reduces architectural impacts of the automobile.

Analysis

The purpose of the proposed plat amendment is to adjust the building pad indicated on Lot 42 of the Iron Canyon Subdivision. The Iron Canyon Architectural Review Committee has approved the plans for the proposed building pad adjustment. The square footage of the existing building pad is 4,000 square feet, and the proposed building pad is 3,998.5 square feet.

The proposed change to the building pad adds variation on both the east and west sides of the building pad. The location of the pad does not change very much from the existing pad. The front of the pad is in roughly the same location as it exists now, changing from 80 feet to 58 feet wide. The west side includes an area which pops out, although the side setback is increased from 44 feet to 50.5 feet at the point closest to the western property line. The east side of the proposed pad also pops out at the south side of the pad moving roughly 14 feet closer to the eastern property line. This reduces the east side setback to 15.6 feet at the closest point to the property line, which maintains the minimum 12 foot side yard setback requirement within the Single Family (SF) zone.



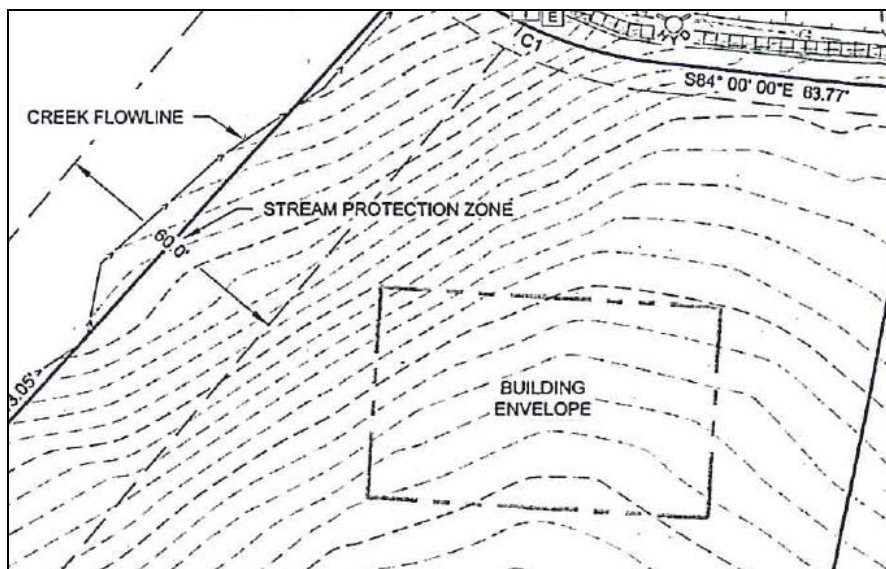
While there is no maximum building pad size or maximum house size area indicated on the plat, any approved amendments should be compatible with surrounding lots. All building pads in this subdivision exist at 4,000 square feet, as scaled off the plat, and any amendments have maintained the building pad size. This proposal is in line with the existing conditions of the subdivision and all previous building pad adjustments.

Site Conditions

A single-family dwelling is an allowed use in the SF zone. The proposed building pad meets all setbacks. The following table shows applicable Land Management Code (LMC) development parameters in the SF zoning district:

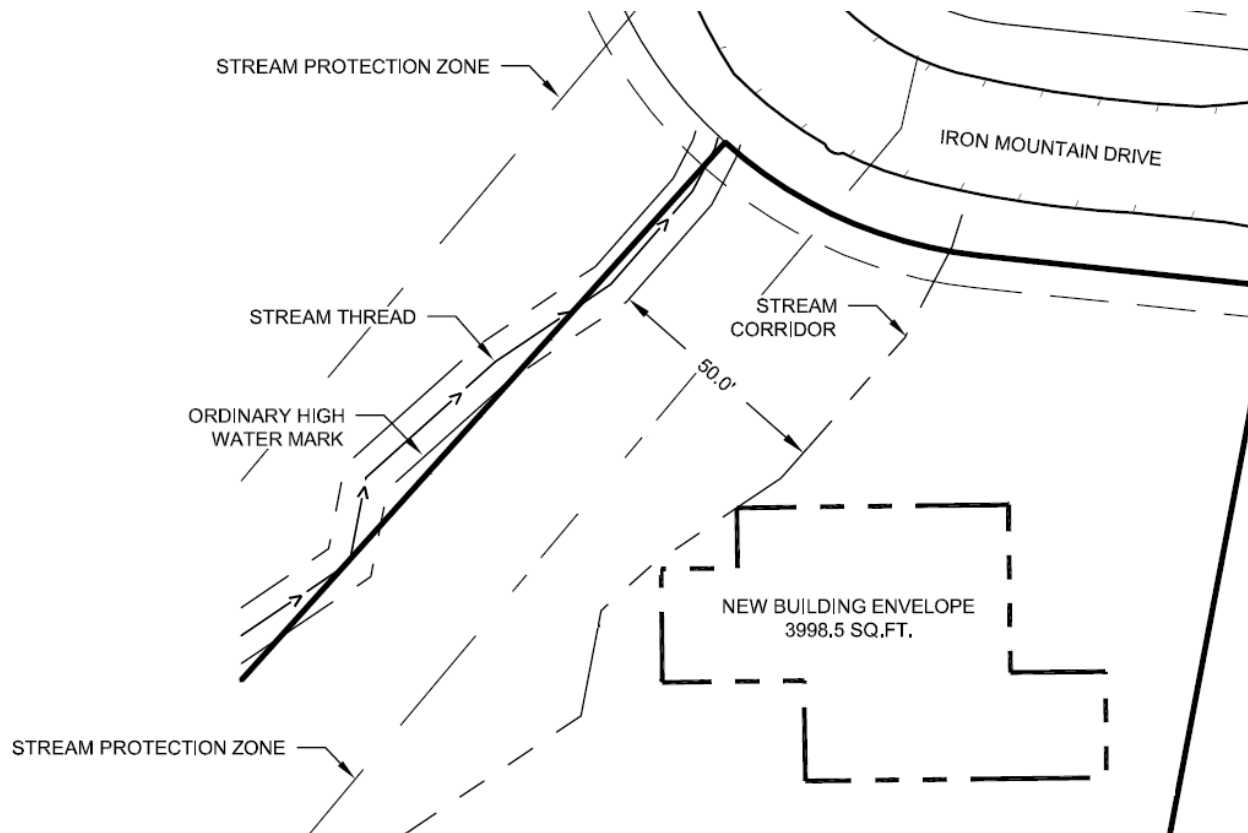
	Required	Proposed
Allowed Building Pad Size	No min or max identified; all lots recorded with 4,000 SF pads scaled from the plat as to size and location.	3,998.5 square feet
Front yard setbacks	Front Yard: 20 ft Front facing garages: 25 ft	Front Yard: 52 ft.
Rear yard setbacks	15 ft.	80 – 380 ft.
Side yard setbacks	12 ft.	West: 50.5 – 67 ft. East: 15.6 – 23 ft.

There is also a stream running to the west of the property following close to the western property line as is shown on the provided survey. There is an existing easement identified as a 60 foot Stream Protection Zone recorded over the stream, and the proposed building pad does not encroach into this area. This Stream Protection Zone is shown on the proposed plat and on the recorded Iron Canyon Subdivision plat.



This subdivision is located within the Sensitive Lands Overlay (SLO) zone, although the subdivision was platted prior to the adoption of the SLO ordinance. The current SLO zone requires setbacks from stream corridors to be a minimum of 50 feet from the Ordinary High Water Mark; this means the protected area should be greater than 100 feet with 50 feet on each side of the stream plus the width of the stream. The existing easement was recorded as a 60 feet protection zone with 30 feet on each side of the

average centerline of the stream. Because the Stream Protection Zone and building pad have been recorded prior to the adoption of the SLO, the existing lot and building pad location are legal and non-complying. The proposed building pad amendment takes the entire building pad out of the 50 feet easement area and complies with the current SLO standards as shown in Exhibit L, the Stream Corridor High Water Mark Exhibit.



Good Cause

Staff finds good cause for this Plat Amendment as conditioned. The proposed modification to the building pad would not increase in size or impact to the site and would not change the lot configuration, density, or general location of the building pad.

Process

The approval of this plat amendment application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC §15-1-18.

Department Review

This project has gone through an interdepartmental review. No issues were brought up at that time.

Notice

On September 13, 2017, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record and the

Utah Public Notice Website on September 13, 2017, according to requirements of the Land Management Code.

Public Input

No public input has been received by the time of this report. No public comment was made at the public hearing at the September 27, 2017 planning commission meeting.

Alternatives

- The City Council may approve the Iron Canyon Subdivision Lot 42 Building Pad Adjustment as conditioned or amended; or
- The City Council may deny the Iron Canyon Subdivision Lot 42 Building Pad Adjustment and direct staff to make Findings for this decision; or
- The City Council may continue the discussion on the Iron Canyon Subdivision Lot 42 Building Pad Adjustment plat and provide direction to the applicant and/or staff to provide additional information necessary to make a decision on this item.

Significant Impacts

There are no significant fiscal or environmental impacts from this application.

Consequences of not taking recommended action

Consequences of not taking the Planning Department's recommendation are that plat would remain as is and any proposed design would need to comply within the limitations of the existing building pad as indicated on the plat.

Summary Recommendation

Staff recommends the Planning Commission hold a public hearing for the Iron Canyon Subdivision Lot 42 Building Pad Adjustment and consider forwarding a positive recommendation to the City Council based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Exhibits

Exhibit A – Draft Ordinance with Proposed Plat (Attachment 1)
Exhibit B – Survey with Existing Conditions
Exhibit C – Applicant Project Narrative
Exhibit D – Aerial Photographs with 500' Radius
Exhibit E – Site Photographs
Exhibit F– Iron Canyon Subdivision Plat
Exhibit G – Iron Canyon Subdivision Lot 29 Building Pad Adjustment
Exhibit H – Iron Canyon Subdivision Amendment to Lot 11
Exhibit I – Iron Canyon Lot 5 Amended Subdivision
Exhibit J – Iron Canyon Subdivision Lot 4 Plat Amendment
Exhibit K – Approved Iron Canyon Subdivision Building Pad Adjustment for Lot 43
Exhibit L – Stream Corridor High Water Mark Exhibit

Ordinance No. 2017-55

AN ORDINANCE APPROVING THE IRON CANYON SUBDIVISION LOT 42 BUILDING PAD ADJUSTMENT LOCATED AT 2463 IRON MOUNTAIN DRIVE, PARK CITY, UTAH.

WHEREAS, the owner of the property located at 2463 Iron Canyon Drive has petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on September 13, 2017, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on September 13, 2017, proper legal notice was published according to requirements of the Land Management Code and courtesy letters were sent to surrounding property owners; and

WHEREAS, the Planning Commission held a public hearing on September 27, 2017, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on September 27, 2017, forwarded a _____ recommendation to the City Council; and,

WHEREAS, on October 12, 2017, the City Council held a public hearing to receive input on the plat amendment; and

WHEREAS, there is good cause and it is in the best interest of Park City, Utah to approve the Iron Canyon Lot 42 Building Pad Adjustment located at 2463 Iron Canyon Drive.

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

SECTION 1. APPROVAL. The Iron Canyon Lot 42 Building Pad Adjustment, as shown in Attachment 1, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 2463 Iron Mountain Drive.
2. The property is in the Single Family (SF) District.
3. Adjacent land uses are single family residential.
4. The subject property consists of Lot 42 of the Iron Canyon Subdivision, approved in 1983.

5. The plat amendment changes small portions of the building pad area shown on the Iron Canyon Subdivision plat (recorded in 1983) to adapt to the current proposed design of the new residence.
6. The building pad is proposed to be approximately 1.5 square feet smaller than the platted building pad which is 4,000 square feet in the same general location.
7. On August 18, 2017, the City received a Plat Amendment application for the Iron Canyon Subdivision Amendment to Lot 42. The application was deemed complete on August 30, 2017.
8. The existing platted building pad is a 50 feet by 80 feet rectangular shaped pad generally located toward the front of the lot. The building pad is not tied in to the survey with exact dimensions and bearings.
9. The applicant is requesting a modification to the shape and location of the pad to result in an odd-shaped building pad.
10. The entire site contains a total area of 2.75 acres.
11. The proposed building pad complies with setback requirements of the SF zone.
12. The proposed plat amendment will not result in any further changes to the Iron Canyon Subdivision plat.
13. No remnant lots will be created as a result of this plat amendment.
14. Five (5) lots within the Iron Canyon Subdivision have completed similar building pad adjustments including the following: Lots 4, 5, 11, 29, and 43.
15. The subdivision has an Architectural Review Committee in place of a formal HOA which has granted approval of this proposed building pad adjustment.
16. There is a stream to the west of the property following close to the western property line with an existing 60 foot Stream Protection Zone recorded over it.
17. The Stream Protection Zone is shown on the proposed plat and on the recorded Iron Canyon Subdivision plat.
18. The lot is located within the Sensitive Lands Overlay zone.
19. The Iron Canyon Subdivision was platted prior to the adoption of the SLO ordinance with a recorded building pad in the same location where the new building pad is proposed.
20. The proposed building pad does not encroach into the Stream Protection Zone that is shown on the recorded subdivision plat.
21. The current SLO zone requires setbacks from stream corridors to be a minimum of 50 feet from the Ordinary High Water Mark; this means the protected area should be greater than 100 feet with 50 feet on each side of the stream plus the width of the stream.
22. The existing easement was recorded as a 60 feet protection zone with 30 feet on each side of the average centerline of the stream.
23. Because the Stream Protection Zone and building pad have been recorded prior to the adoption of the SLO, the existing lot and building pad location are legal and non-complying.
24. The proposed building pad amendment takes the entire building pad out of the 50 feet easement area and complies with the current SLO standards as shown in Exhibit L, the Stream Corridor High Water Mark Exhibit.
25. Staff finds that the proposed plat amendment results in a building pad that is consistent with the pattern of development in the neighborhood.

26. This plat amendment results in a building pad that is not greater than 4,000 square feet; however, there is no maximum house size indicated on the recorded subdivision plat.
27. No gutters exist on Iron Mountain Drive. Drainage is provided by a parallel swale.
28. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law:

1. There is good cause for this Plat Amendment.
2. The Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding lot combinations.
3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
4. Approval of the Plat Amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. A ten feet (10') wide public snow storage easement along the frontage of Iron Mountain Drive shall be shown on the plat.
4. Modified 13-D sprinklers are required by the Chief Building Official for new construction at the time of review of the building permit submittal and shall be noted on the final Mylar prior to recordation.
5. New construction shall comply with Land Management Code Section 15-2.2 regarding setbacks, building height, building envelope, building pad, etc.
6. All other conditions of approval and platted requirements for the Iron Canyon Subdivision continue to apply and shall be noted on the plat.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 12th day of October, 2017.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

ATTEST:

Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

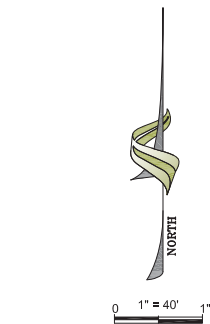
Mark Harrington, City Attorney

Attachment 1 – Proposed Plat

Exhibit A: Attachment 1 - Proposed Plat

IRON CANYON SUBDIVISION LOT 42 - BUILDING PAD ADJUSTMENT

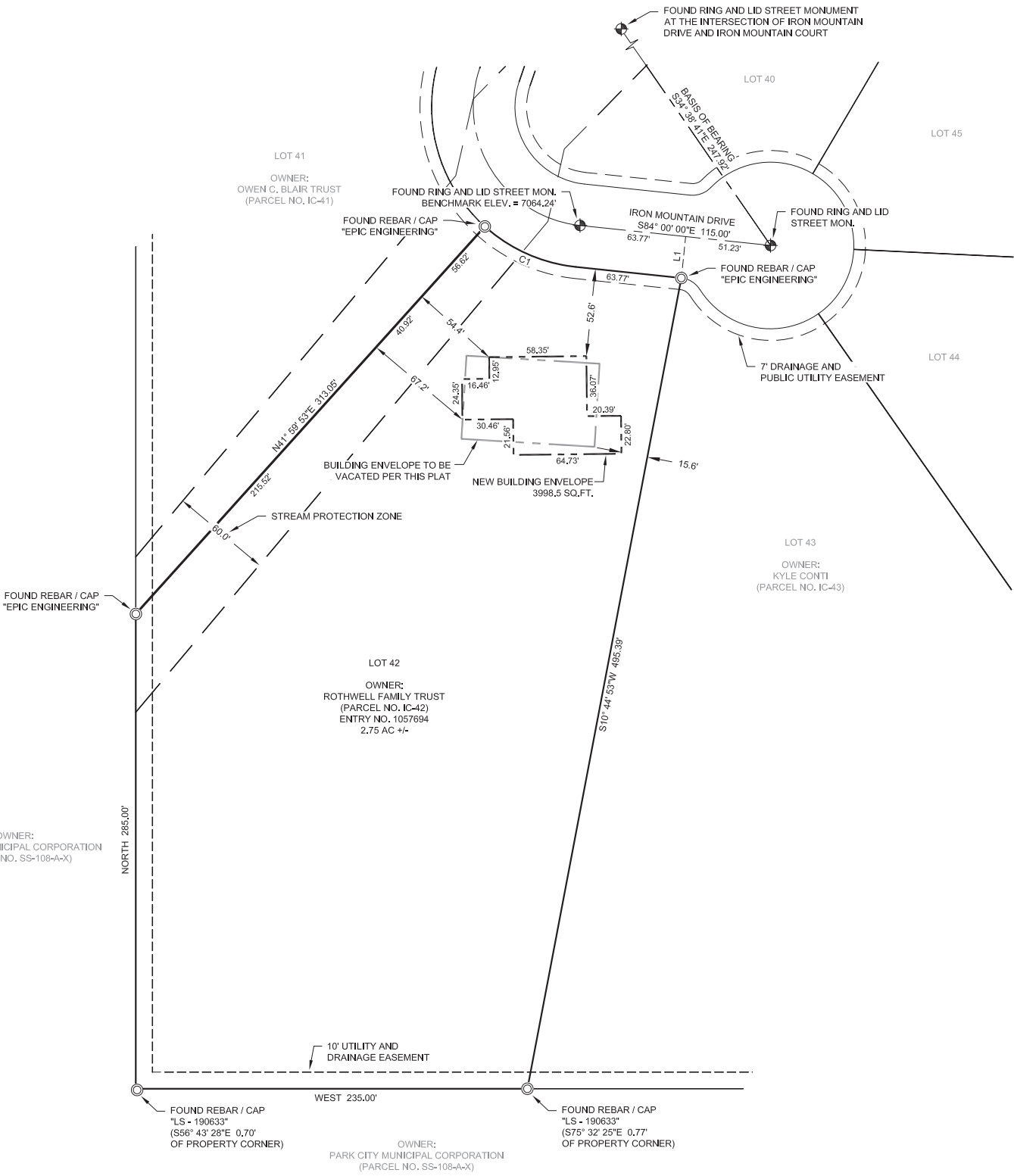
LOCATED IN THE:
NORTHWEST QUARTER SECTION 8, TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE AND MERIDIAN,
PARK CITY, SUMMIT COUNTY, UTAH



RECORD ADDRESS TABLE	
LOT NO.	STREET ADDRESS
42	2463 IRON MOUNTAIN DRIVE

Parcel Line Table		
Line #	Length	Direction
L1	25.00	S06°00'00"W

Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	60.66	96.59	35°58'54"	S65°59'03"E	59.67



SURVEYOR'S CERTIFICATE

I, PHILLIP R. CHRISTENSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NUMBER 319686, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED HEREON, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, TOGETHER WITH EASEMENTS, HEREAFTER TO BE KNOWN AS IRON CANYON SUBDIVISION LOT 42 - BUILDING PAD ADJUSTMENT AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND MONUMENTED ON THE GROUND AS SHOWN ON THIS PLAT.



PHILLIP R. CHRISTENSEN
P.L.S. 319686

DATE

PARK CITY COUNCIL - APPROVAL AND ACCEPTANCE

APPROVED AND ACCEPTED
THIS _____ DAY OF _____, 2017 A.D.

BY: _____
PARK CITY MAYOR

PARK CITY RECORDER - CERTIFICATE OF ATTEST

APPROVED AND ACCEPTED
THIS _____ DAY OF _____, 2017 A.D.

BY: _____
PARK CITY RECORDER

PARK CITY ATTORNEY - APPROVAL AS TO FORM

APPROVED AS TO FORM
THIS _____ DAY OF _____, 2017 A.D.

BY: _____
PARK CITY ATTORNEY

PARK CITY PLANNING COMMISSION

ON BEHALF OF THE PARK CITY PLANNING COMMISSION,
THIS _____ DAY OF _____, 2017 A.D., AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

BY: _____
CHAIR - PARK CITY PLANNING COMMISSION

PARK CITY - ENGINEER'S CERTIFICATE

I FIND THIS PLAT TO BE IN ACCORDANCE WITH THE INFORMATION ON FILE AND IN MY OFFICE ON THIS _____ DAY OF _____, 2017 A.D., AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

BY: _____
PARK CITY ENGINEER

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS THIS _____ DAY OF _____, 2017 A.D., AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

BY: _____
S.B.W.R.D. REVIEWER

LEGEND

BOUNDARY LINE	_____
PARCEL LINE	_____
ROAD CENTERLINE	_____
7' PUE EASEMENT	_____
10' DRAINAGE EASEMENT	_____
STREAM PROTECTION ZONE	_____
BUILDING ENVELOPE	_____
FOUND MONUMENT	_____

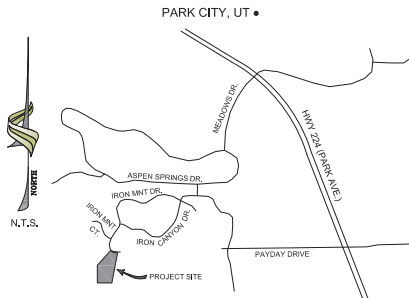
SUMMIT COUNTY RECORDER

STATE OF UTAH COUNTY OF SUMMIT
RECORDED AND FILED AT THE REQUEST OF:

DATE _____ TIME _____ ENTRY NO. _____
BOOK _____ PAGE _____ FEE \$ _____
BY: _____

SUMMIT COUNTY RECORDER

VICINITY MAP



IRON CANYON SUBDIVISION LOT 42 -
BUILDING PAD ADJUSTMENT
NW1/4 SEC. 8, T.2S., R.4E., SLB&M.,
PARK CITY, SUMMIT COUNTY, UTAH



PROJECT # 17SM1891.25
DRAWN: JD DATE: 10/30/2017
CHECKED: _____

ROTHWELL RECORD OF SURVEY AND TOPOGRAPHY
LOT 42 - IRON CANYON

LOCATED IN THE:
NORTHWEST QUARTER SECTION 8, TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE AND MERIDIAN,
PARK CITY, SUMMIT COUNTY, UTAH

RECORD LEGAL DESCRIPTION

LOT 42, IRON CANYON, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDED OCTOBER 28, 1983, AS ENTRY NO. 212520 OF THE OFFICIAL RECORDS IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.

NARRATIVE

EPIC ENGINEERING WAS HIRED TO LOCATE AND MONUMENT THE BOUNDARY FOR PARCEL NUMBER IC-42, ALSO KNOWN AS LOT 42, IRON CANYON, ENTRY NUMBER 212520, AS RECORDED IN THE SUMMIT COUNTY RECORDER'S OFFICE. SAID LOT ALSO DESCRIBED IN A WARRANTY DEED, ENTRY NUMBER 1057694, RECORDED IN THE SUMMIT COUNTY RECORDER'S OFFICE. IN ADDITION TO ESTABLISHING THE BOUNDARY, A TOPOGRAPHIC SURVEY WAS COMPLETED ON A PORTION OF THIS LOT, IN PREPARATION FOR THE DEVELOPMENT AND IMPROVEMENT OF SAID LOT 42.

IN COMPLETING THIS SURVEY, NUMEROUS OWNERSHIP CONVEYANCE DOCUMENTS AND PREVIOUS RECORDS OF SURVEY WERE OBTAINED AND REFERENCED FROM THE SUMMIT COUNTY RECORDER'S OFFICE, TO INCLUDE, BUT NOT LIMITED TO, ENTRY AND FILE NUMBERS: 212520, 1057694, 1058552, 919222, S-1394, S-1110, S-6964 AND S-5624.

THE BASIS OF BEARING FOR THIS SURVEY IS BETWEEN TWO FOUND BRASS CAP RING AND LID STREET MONUMENTS, LOCATED AT THE INTERSECTION OF IRON MOUNTAIN DRIVE AND IRON MOUNTAIN COURT, AND IN THE CUL-DE-SAC OF IRON MOUNTAIN DRIVE, WITH A MEASURED BEARING AND DISTANCE OF SOUTH 34°38'41" EAST 247.92 FEET.

IN ADDITION TO FOUND SUBDIVISION STREET MONUMENTS, NUMEROUS PROPERTY CORNERS WERE LOCATED IN ORDER TO ESTABLISH THE BOUNDARY OF SAID LOT 42, INCLUDING THOSE DEPICTED ON THIS DRAWING. REBAR AND "EPIC ENGINEERING" STAMPED CAPS WERE SET, AS NOTED ON THIS DRAWING.

A TITLE REPORT WAS NOT OBTAINED, PURSUANT TO AND IN ACCORDANCE WITH THE MINIMUM STANDARD DETAIL REQUIREMENTS FOR AMERICAN LAND TITLE ASSOCIATION (ALTA) / NATIONAL SOCIETY OF PROFESSIONAL SURVEYORS (NSPS) LAND TITLE SURVEYS, DATED 2/23/2016. AS SUCH, THE PARCEL SURVEYED MAY BE SUBJECT TO ADDITIONAL EASEMENTS, RIGHTS OF WAYS, AGREEMENTS, CONVEYANCES, AND SURVEYS THAT MAY NOT BE REFLECTED ON THIS PLAT.

THE LOCATION OF THE BUILDING ENVELOPE DEPICTED ON THIS DRAWING IS APPROXIMATE ONLY, AND IS BASED ON INFORMATION PROVIDED ON SHEET 1 AND SHEET 5 OF THE IRON CANYON PLAT.

THE BENCHMARK FOR THIS PROJECT IS A FOUND POINT OF CURVATURE STREET MONUMENT, NORTH OF LOT 42, WITH A MEASURED ELEVATION OF 7064.24 FEET.

SURVEYOR'S CERTIFICATE

I, PHILLIP R. CHRISTENSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD LICENSE NUMBER 319086 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE CLIENT, A SURVEY OF THE TRACT OF LAND DESCRIBED HEREIN, WAS PERFORMED UNDER MY DIRECTION.



PHILLIP R. CHRISTENSEN
P.L.S. 319086

JUNE 30, 2017
DATE

RECEIVED

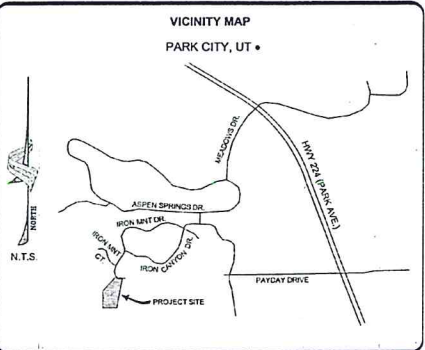
AUG 30 2017

PARK CITY
PLANNING DEPT.

Parcel Line Table		
Line #	Length	Direction
L1	25.00	S06°00'00"W

Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	60.66	96.59	35°58'54"	S85°59'03"E	59.67

LEGEND			
EDGE OF ASPHALT	---	BOUNDARY LINE	---
CONTOUR LINES	--- 4355 ---	PARCEL LINE	---
BUILDING ENVELOPE	---	ROAD CENTERLINE	---
WATER FEATURES	W	EASEMENT / ZONE	---
SANITARY SEWER	S	SET MONUMENT	●
TELECOMMUNICATIONS	T	FOUND MONUMENT	⊙
ELECTRICAL BOX	E	BLOCK / ROCK WALL	▬



ROTHWELL RECORD OF SURVEY AND TOPOGRAPHY
LOT 42 - IRON CANYON
NW1/4 SEC. 8, T.2S., R.4E., SLB&M.,
PARK CITY, SUMMIT COUNTY, UTAH



PROJECT #:
17SM1891.25
DRAWN: JD
DATE: 08/30/2017
CHECKED: PC
SHEET NO: 1 OF 1

FILE NO. S0009063

07/13/2017 10:58:34 AM
Survey 1 of 1
FEE \$ 20.00 BY EPIC ENGINEERING



S-9063

Exhibit C - Applicant Project Narrative



JAFFA GROUP

T: 435.615.6873
E: info@jaffagroup.com

1960 Sidewinder Drive
Park City, Utah 84060

jaffagroup.com

Description of Proposal:

Our clients, Howard and Kathy Rothwell, are seeking a plat amendment to change the building envelope of their current lot in the Iron Canyon Subdivision. The current envelope is a 50 x 80 FT rectangle and this new envelope proposes a new shape and orientation but will still be under the 4000 SQ FT maximum allowed in Iron Canyon.



Exhibit D: Aerial
with 500' Radius



RECEIVED
AUG 30 2017
PARK CITY
PLANNING DEPT

RECEIVED
AUG 18 2017
PARK CITY
PLANNING DEPT.

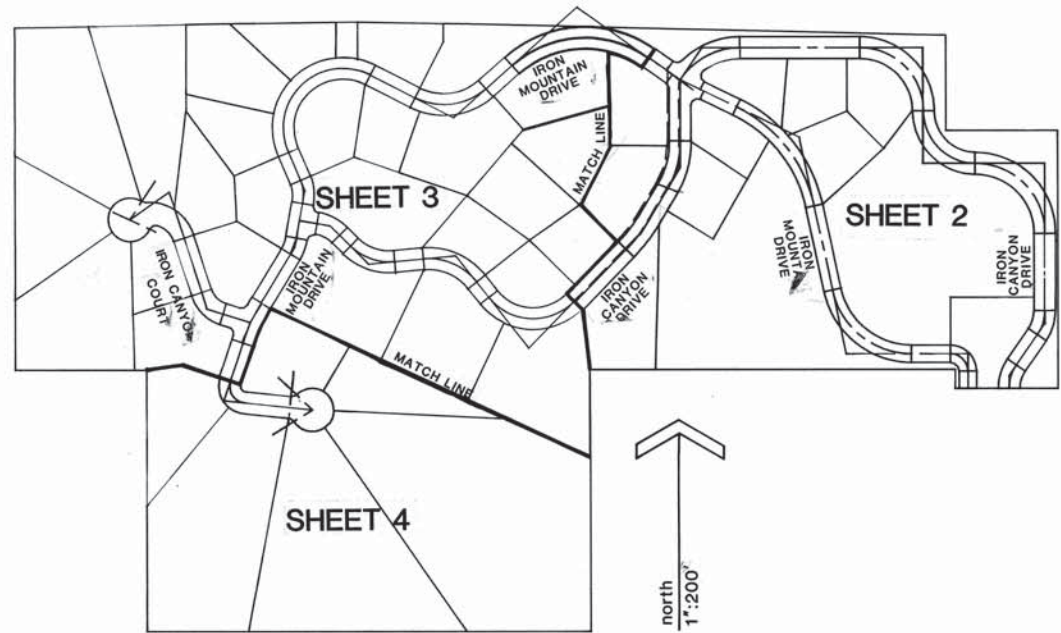


RECEIVED
AUG 18 2017
PARK CITY
PLANNING DEPT.

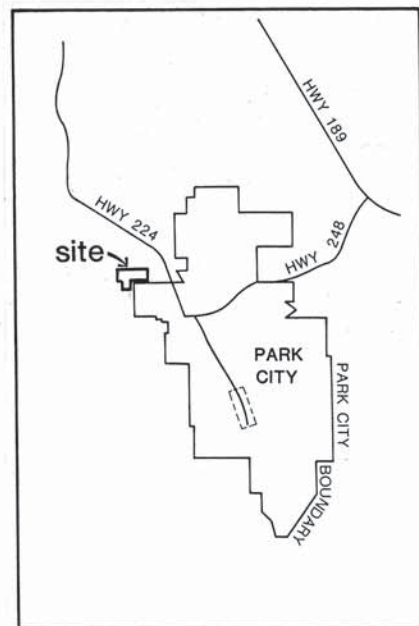
RECEIVED
AUG 18 2017
ARIZONA
PLANNING DEPT.

RECEIVED
AUG 18 2017
PARK CITY
PLANNING DEPT

Exhibit F - Iron Canyon Subdivision Plat



INDEX MAP



VICINITY MAP

IRON CANYON

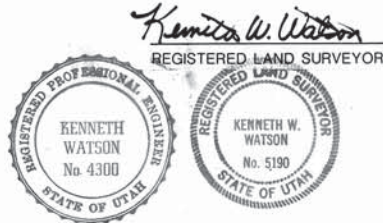
PREPARED FOR
THE BOYER COMPANY
675 EAST 500 SOUTH
SALT LAKE CITY, UTAH

PREPARED BY
ECKHOFF, WATSON & PREATOR
1798 SOUTH WEST TEMPLE
SALT LAKE CITY, UTAH

SURVEYOR'S CERTIFICATE

I, KENNETH W. WATSON, A REGISTERED PROFESSIONAL ENGINEER AND/OR LAND SURVEYOR, HOLD CERTIFICATE NO. 5190, AS PRESCRIBED BY THE STATE OF UTAH, AND DO HEREBY CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED HERewith, AND HAVE SUB-DIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, TO BE HERE-AFTER KNOWN AS IRON CANYON, AND THAT THE SAME HAS BEEN SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

SIGNED ON THIS 29 DAY OF Sept., 19 83



NOTE

- LOTS 12, 14, 15, 27, 33, 34, 40, 42 AND 43 MAY TAKE ADVANTAGE OF SETBACK VARIANCE ALLOWED AS PER SECTION 4-5.5.3 OF THE LAND MANAGEMENT CODE.
- PARK CITY WILL NOT ACCEPT STREETS FOR DEDICATION UNTIL 24 OF THE 45 LOTS HAVE BEEN OCCUPIED.
- ALL EXTERIOR BUILDING MATERIALS SHALL BE CLASS 1-RATED FLAME-SPREAD MATERIALS IN ACCORDANCE WITH UBC 4202. ALL RESIDENCES SHALL BE FIRE SPRINKLED IN ACCORDANCE WITH UBC 38-1-82.

LEGAL DESCRIPTION

IRON CANYON LEGAL DESCRIPTION

A parcel of land located in the S.W. 1/4 of Section 5 and the N.W. 1/4 of Section 8, T2S, R4E, Salt Lake Base and Meridian being further described as follows:

Beginning at a point on the south line of the S.W. 1/4 of said Section 5, said point being South 89°21'00" West 246.55 feet from the South 1/4 corner of said Section 5 to the prolongation of an existing wood rail fence running northerly; thence along the prolongation of said fence South 0°04'12" West 11.37 feet to the northerly line of the Quitclaim deed exhibit "B" as stated in book M 58 page 60 of recorded document in the Summit County recorder's office; thence West 244.02 feet; thence North 44.00 feet to the Northeast corner parcel of land described in Book F page 389 as recorded in the Summit County recorder's office; thence West 840.00 feet to the N.W. corner of Thayne Canyon subdivision No. 3 as shown on said subdivision plat; thence South 600.00 feet; thence West 1020.00 feet; thence North 543.50 feet to the South line of said Section 5; thence South 89°21'00" West 278.64 feet to the S.W. corner of said Section 5; thence North 0°12'32" West along said section line 842.84 feet, to a point on the boundary line agreement as stated in book M 230 page 626 and recorded in the Summit County recorder's office; thence North 88°50'23" East 376.77 feet; thence North 89°19'58" East 395.03 feet; thence South 88°50'22" East 1350.28 feet to a point that is defined in the boundary line agreement recorded in book M 230 page 626 in the Summit County recorder's office, the South 1/4 corner of said Section 5 as referenced in said boundary line agreement is located West 2639.77 feet from the S.E. corner of said Section 5; thence South 222.96 feet to the prolongation of an existing fence running easterly; thence along said fence and the prolongation of said fence North 89°34'50" East 264.75 feet to the prolongation of an existing rail fence running southerly; thence along said prolongation and said fence line South 0°04'12" West 579.66 feet to the point of beginning. Containing 56.21 acres more or less.

Basis of bearings being the south line of Section 4, T2S, R4E, Salt Lake Base and Meridian which has a bearing of South 89°49'21" West.

OWNER'S DEDICATION

KNOW ALL BY THESE PRESENT THAT WE THE UNDERSIGNED OWNERS OF THE DESCRIBED TRACT OF LAND BELOW, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND STREETS TO HEREAFTER BE KNOWN AS IRON CANYON, DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE, AND DO WARRANT, DEFEND, AND SAVE THE CITY HARMLESS AGAINST ANY EASEMENTS OR OTHER INCUMBRANCES ON THE DEDICATED STREETS WHICH WILL INTERFERE WITH THE CITY'S USE, OPERATION, AND MAINTENANCE OF THE STREETS AND DO FURTHER DEDICATE THE EASEMENTS AS SHOWN.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS THIS 13th DAY OF October, 19 83.

SIGNED Alan Boyer, Leonard Parker, Michael Grogan SIGNED _____
SIGNED _____ SIGNED _____
SIGNED _____ SIGNED _____

ACKNOWLEDGEMENT

STATE OF UTAH }
COUNTY OF Salt Lake } s.s.

ON THE 13th DAY OF October A.D., 19 83, PERSONALLY APPEARED BEFORE ME, THE UNDER-SIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF Salt Lake, IN THE STATE OF UTAH, THE SIGNERS OF THE ABOVE OWNER'S DEDICATION, one IN NUMBER, WHO DULY ACKNOWLEDGED TO ME THAT he SIGNED IT FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES THEREIN MENTIONED.

DeAnn D. Balli
NOTARY PUBLIC
RESIDING AT Salt Lake City
MY COMMISSION EXPIRES: 4-28-85

CITY COUNCIL APPROVAL

PRESENTED TO PARK CITY
CITY COUNCIL THIS 27th DAY OF OCTOBER
A.D. 19 83, John P. Freese, Mayor
ATTEST William R. Gathman, Recorder

CITY ENGINEER

APPROVED AND ACCEPTED BY THE PARK
CITY CITY ENGINEERING DEPARTMENT ON
THIS 20th DAY OF OCTOBER A.D. 19 83.
Eric W. DeHaan, P.E.
CITY ENGINEER

CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE PLANNING
CITY PLANNING COMMISSION ON THIS 21st DAY
OF OCTOBER A.D. 19 83.

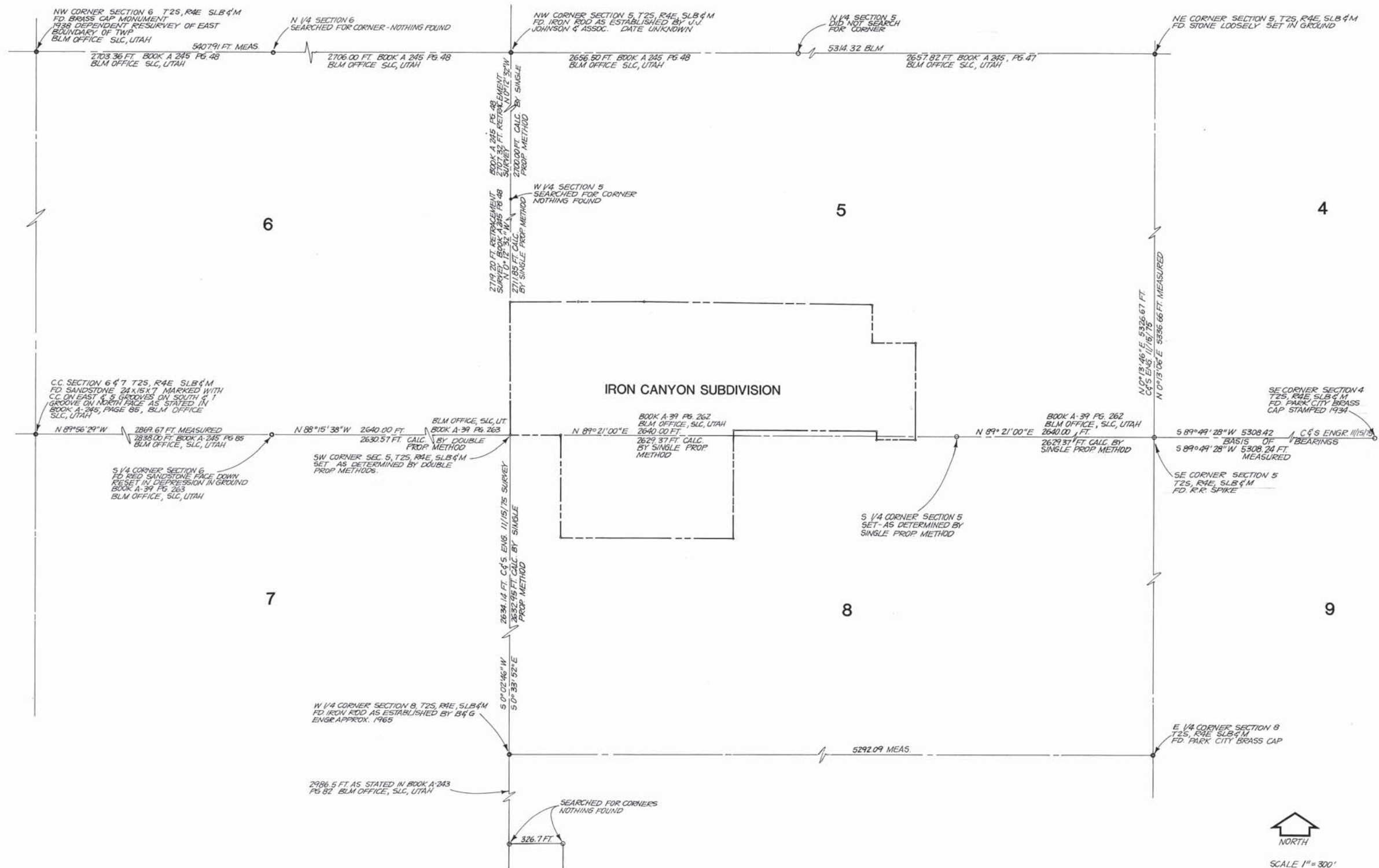
APPROVAL AS TO FORM

APPROVED AS TO FORM ON THIS 27
DAY OF October A.D. 19 83.
Thomas E. Chyle
CITY ATTORNEY

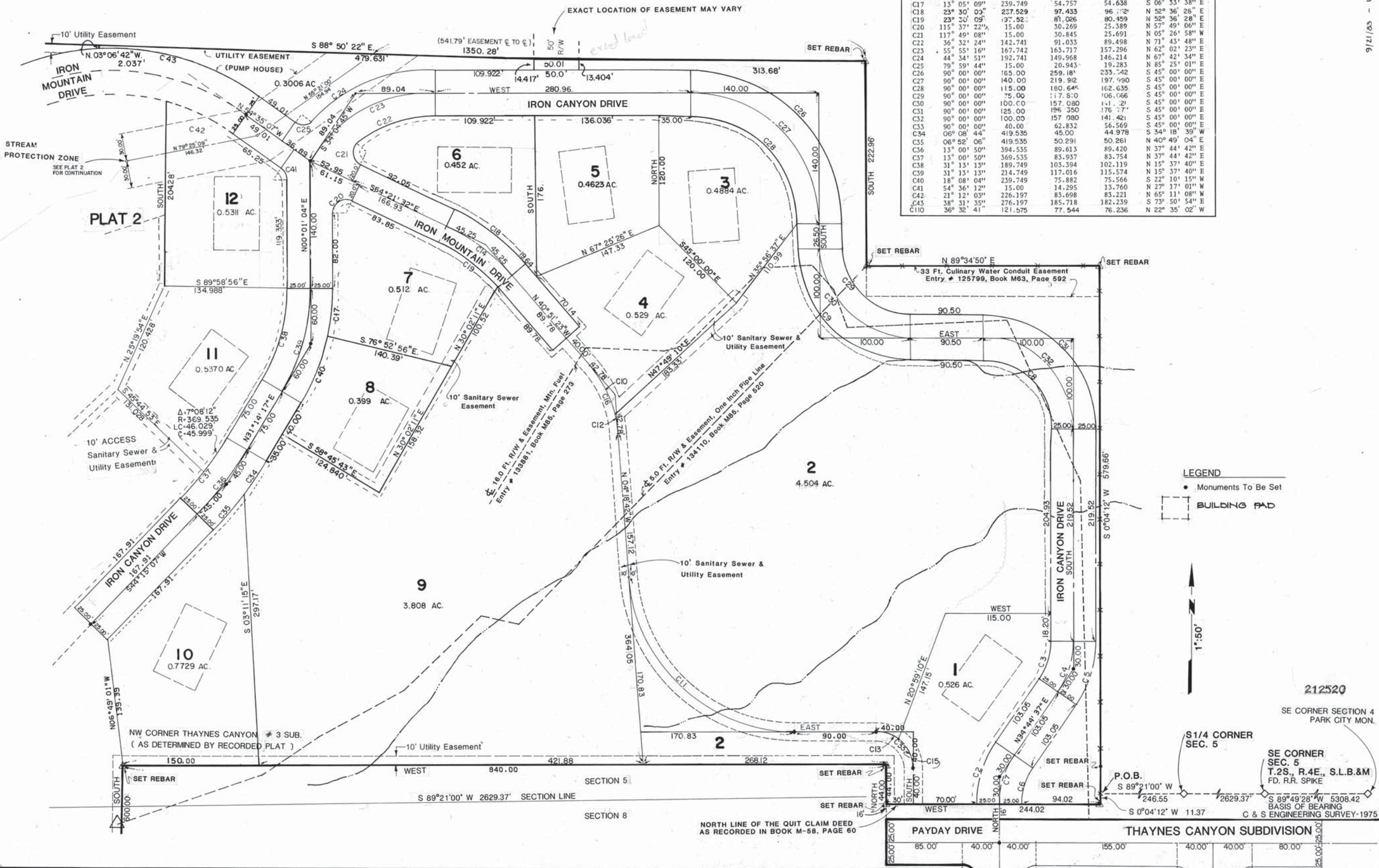
RECORDED

No. 212520 Date 10-28-83
STATE OF Utah AT 4:09
COUNTY OF Summit Fee \$97.50
RECORDED AND FILED AT THE REQUEST OF
Western States Title Co. Alan Serrano
COUNTY RECORDER

EWP ECKHOFF, WATSON and
PREATOR ENGINEERING
ENGINEERS
PLANNERS
SURVEYORS



Project Number:		Sheet Number:		SHEET 2 OF 5	
The Boyer Company		675 East 500 South Salt Lake City, Utah 84102		IRON CANYON SECTION CONTROL	
Eckhoff, Watson and Preator Engineering		ENGINEERS • PLANNERS • SURVEYORS		EWP	
Drawn: U/W		Checked: U/W		Date: 9/5/83	
No.:		By:		Date:	



CURVE DATA				
	Δ	R	L	C
C2	34° 44' 37"	120.896	73.31	72.192
C3	34° 44' 37"	70.896	42.990	42.335
C4	34° 44' 37"	95.896	58.15	57.263
C5	34° 44' 37"	70.896	42.990	42.335
C6	34° 44' 37"	95.896	58.15	57.263
C7	90° 00' 00"	75.00	117.81	106.066
C8	90° 00' 00"	125.00	196.350	176.777
C9	27° 34' 43"	129.575	62.369	61.769
C10	86° 41' 18"	184.195	275.472	250.508
C11	08° 57' 58"	129.575	20.277	20.275
C12	38° 10' 09"	40.00	26.647	26.157
C13	23° 30' 09"	217.529	89.230	88.606
C14	51° 49' 51"	40.00	36.185	34.964
C15	36° 32' 41"	129.575	62.369	61.769
C16	13° 05' 09"	239.749	54.757	54.638
C17	23° 30' 02"	237.529	97.433	96.121
C18	23° 30' 09"	137.52	81.026	80.459
C19	115° 37' 22"	15.00	30.269	25.389
C20	117° 49' 08"	15.00	30.845	25.691
C21	36° 32' 24"	142.741	91.033	89.498
C22	55° 55' 16"	167.742	163.717	157.296
C23	44° 34' 51"	192.741	149.968	146.214
C24	79° 59' 44"	15.00	20.943	19.283
C25	90° 00' 00"	165.00	259.18	233.742
C26	90° 00' 00"	140.00	219.912	197.990
C27	90° 00' 00"	115.00	180.64	162.635
C28	90° 00' 00"	75.00	117.81	106.066
C29	90° 00' 00"	100.00	157.080	141.321
C30	90° 00' 00"	125.00	196.350	176.777
C31	90° 00' 00"	100.00	157.080	141.321
C32	90° 00' 00"	40.00	62.832	56.569
C33	06° 06' 44"	419.535	45.00	44.978
C34	06° 52' 06"	419.535	50.291	50.261
C35	13° 00' 50"	394.535	89.613	89.420
C36	13° 00' 50"	369.535	83.937	83.754
C37	31° 13' 13"	189.749	103.394	102.119
C38	31° 13' 13"	214.749	117.016	115.574
C39	18° 08' 04"	239.749	75.882	75.566
C40	54° 36' 12"	15.00	34.205	31.760
C41	21° 12' 03"	226.197	83.698	83.221
C42	38° 31' 35"	276.197	185.718	182.239
C43	36° 32' 41"	121.575	77.544	76.236
C110				

9/21/83 - UPDATE

ECKHOFF, WATSON and
PREATOR ENGINEERING
SALT LAKE CITY, UTAH 84115
ENGINEERS • PLANNERS • SURVEYORS

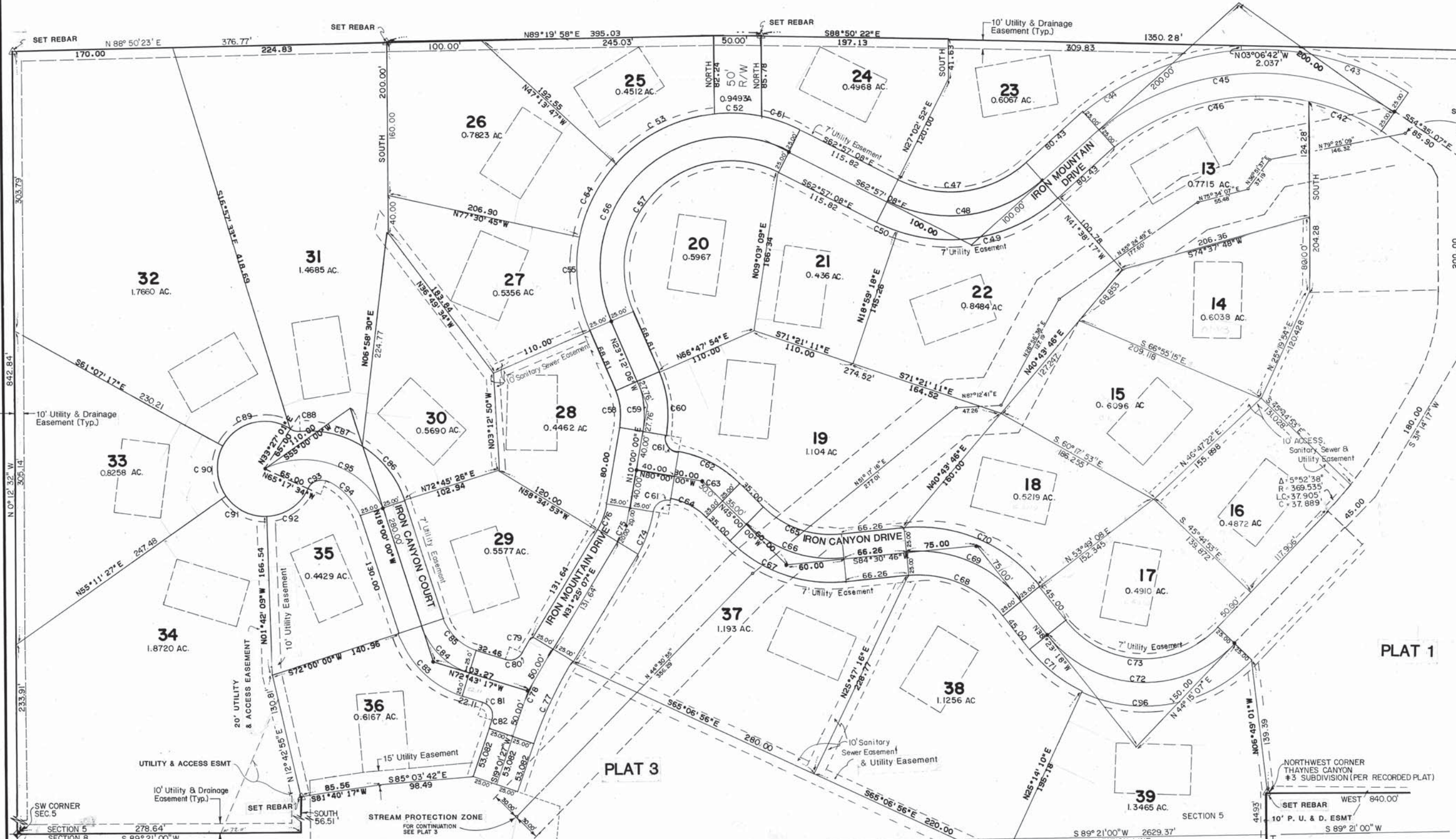


The Boyer Company
875 East 500 South Salt Lake City, Utah 84102

IRON CANYON

IRON CANYON

Project Number
Sheet Number
SHEET 3 OF 5



PLAT 1

PLAT 1

PLAT 3

CURVE DATA				
Δ	R	L	C	CHORD BRG.
C44	38° 31' 35"	276.197	185.718	182.239
C45	77° 03' 10"	251.197	337.816	312.929
C46	55° 51' 07"	226.197	220.497	211.870
C47	68° 41' 09"	121.359	145.485	136.928
C48	68° 41' 09"	146.359	175.454	165.135
C49	60° 37' 35"	171.359	181.320	172.979
C50	8° 03' 34"	171.359	24.104	24.084
C51	14° 47' 29"	162.373	41.918	41.802
C52	17° 44' 37"	162.373	50.285	50.084
C53	41° 44' 33"	162.373	118.296	115.697
C54	30° 16' 57"	162.373	85.819	84.824
C55	35° 41' 22"	162.373	101.142	99.514
C56	140° 55' 23"	137.373	336.264	258.381
C57	140° 14' 58"	112.373	275.069	211.359
C58	33° 12' 06"	68.121	39.475	38.925

CURVE DATA				
Δ	R	L	C	CHORD BRG.
C59	33° 12' 06"	93.121	53.962	53.210
C60	33° 12' 06"	118.121	68.448	67.495
C61	90° 00' 00"	15.00	23.56	21.21
C62	35° 00' 00"	120.148	73.394	72.258
C63	35° 00' 00"	95.148	58.123	57.223
C64	35° 00' 00"	70.148	42.851	42.188
C65	50° 29' 14"	102.255	90.104	87.217
C66	50° 29' 14"	127.255	112.133	108.540
C67	50° 29' 14"	152.255	134.162	129.864
C68	57° 05' 56"	112.849	107.865	102.298
C69	57° 05' 56"	137.849	137.375	131.761
C70	57° 05' 56"	162.849	162.289	155.656
C71	26° 22' 32"	156.872	72.214	71.578
C72	97° 21' 35"	131.872	224.083	198.080

CURVE DATA				
Δ	R	L	C	CHORD BRG.
C73	97° 21' 35"	106.872	181.601	160.528
C74	21° 25' 07"	130.753	48.879	48.595
C75	21° 25' 07"	105.753	39.533	39.303
C76	21° 25' 07"	80.753	30.187	30.012
C77	12° 23' 40"	435.466	94.202	94.018
C78	12° 23' 40"	460.466	99.61	99.416
C79	02° 08' 45"	485.466	18.181	18.18
C80	78° 00' 21"	15.00	20.422	18.881
C81	92° 44' 57"	15.00	24.282	21.716
C82	01° 00' 13"	485.466	8.502	8.502
C83	54° 43' 16"	102.298	94.030	94.030
C84	54° 43' 16"	77.298	73.824	71.050
C85	54° 43' 16"	52.298	49.948	48.071
C86	40° 05' 26"	106.396	74.446	72.937
C87	37° 02' 28"	106.396	68.783	67.592
C88	38° 34' 54"	15.00	10.101	9.911

CURVE DATA				
Δ	R	L	C	CHORD BRG.
C89	94° 34' 18"	50.00	82.529	73.475
C90	63° 41' 15"	50.00	55.278	52.761
C91	56° 53' 36"	50.00	49.649	47.634
C92	63° 35' 25"	50.00	55.493	52.688
C93	82° 40' 10"	15.00	21.643	19.814
C94	54° 37' 24"	56.396	53.766	51.752
C95	107° 00' 00"	81.396	152.007	130.861
C96	70° 59' 03"	156.872	194.350	182.157

CURVE DATA				
Δ	R	L	C	CHORD BRG.
C89	94° 34' 18"	50.00	82.529	73.475
C90	63° 41' 15"	50.00	55.278	52.761
C91	56° 53' 36"	50.00	49.649	47.634
C92	63° 35' 25"	50.00	55.493	52.688
C93	82° 40' 10"	15.00	21.643	19.814
C94	54° 37' 24"	56.396	53.766	51.752
C95	107° 00' 00"	81.396	152.007	130.861
C96	70° 59' 03"	156.872	194.350	182.157

Eckhoff, Watson and
Pretor Engineering

1798 SOUTH WEST TEMPLE SALT LAKE CITY, UTAH 84115

ENGINEERS • PLANNERS • SURVEYORS

EWP

212520

The Boyer Company

675 East 500 South Salt Lake City, Utah 84102

IRON CANYON

SHEET 4 OF 5

Project Number

Sheet Number

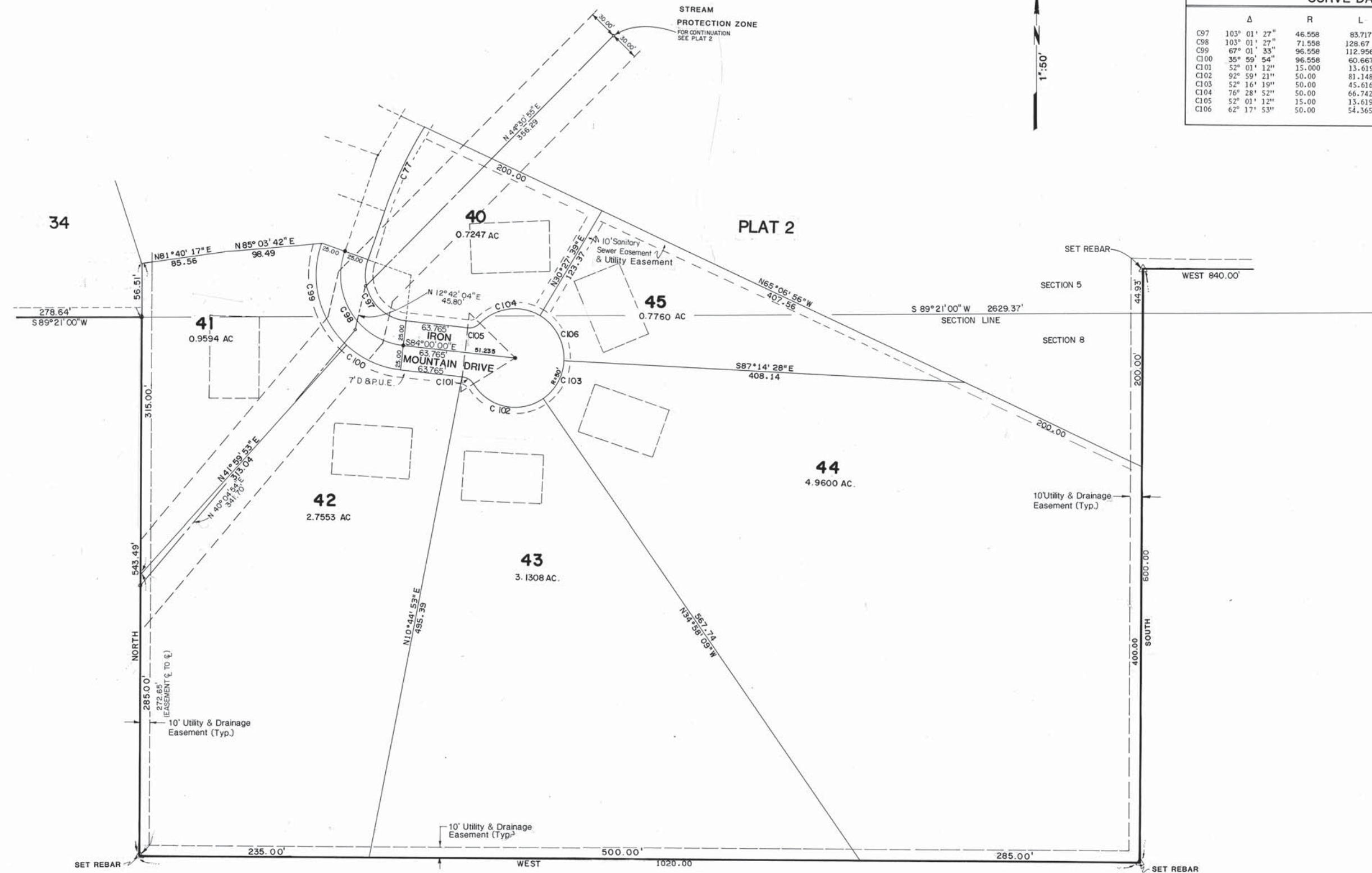
Drawn By

Checked By

Approved By

Date

Packet Pg. 348



CURVE DATA					
	Δ	R	L	C	CHORD BRG.
C97	103° 01' 27"	46.558	83.717	72.886	S 32° 29' 17" E
C98	103° 01' 27"	71.958	128.67	112.023	S 32° 29' 17" E
C99	67° 01' 33"	96.558	112.956	106.625	S 14° 29' 20" E
C100	35° 59' 54"	96.558	60.667	59.674	S 66° 00' 03" E
C101	52° 01' 12"	15.000	13.619	13.156	S 57° 59' 24" E
C102	92° 59' 21"	50.00	81.148	72.531	S 78° 28' 28" E
C103	52° 16' 19"	50.00	45.616	44.050	N 28° 53' 42" E
C104	76° 28' 52"	50.00	66.742	61.896	S 82° 13' 13" W
C105	52° 01' 12"	15.00	13.619	13.156	S 57° 59' 24" E
C106	62° 17' 53"	50.00	54.365	51.727	N 28° 23' 24" W

ECKHOFF, WATSON and PREATOR ENGINEERING
 1798 SOUTH WEST TEMPLE SALT LAKE CITY, UTAH 84115
 ENGINEERS • PLANNERS • SURVEYORS

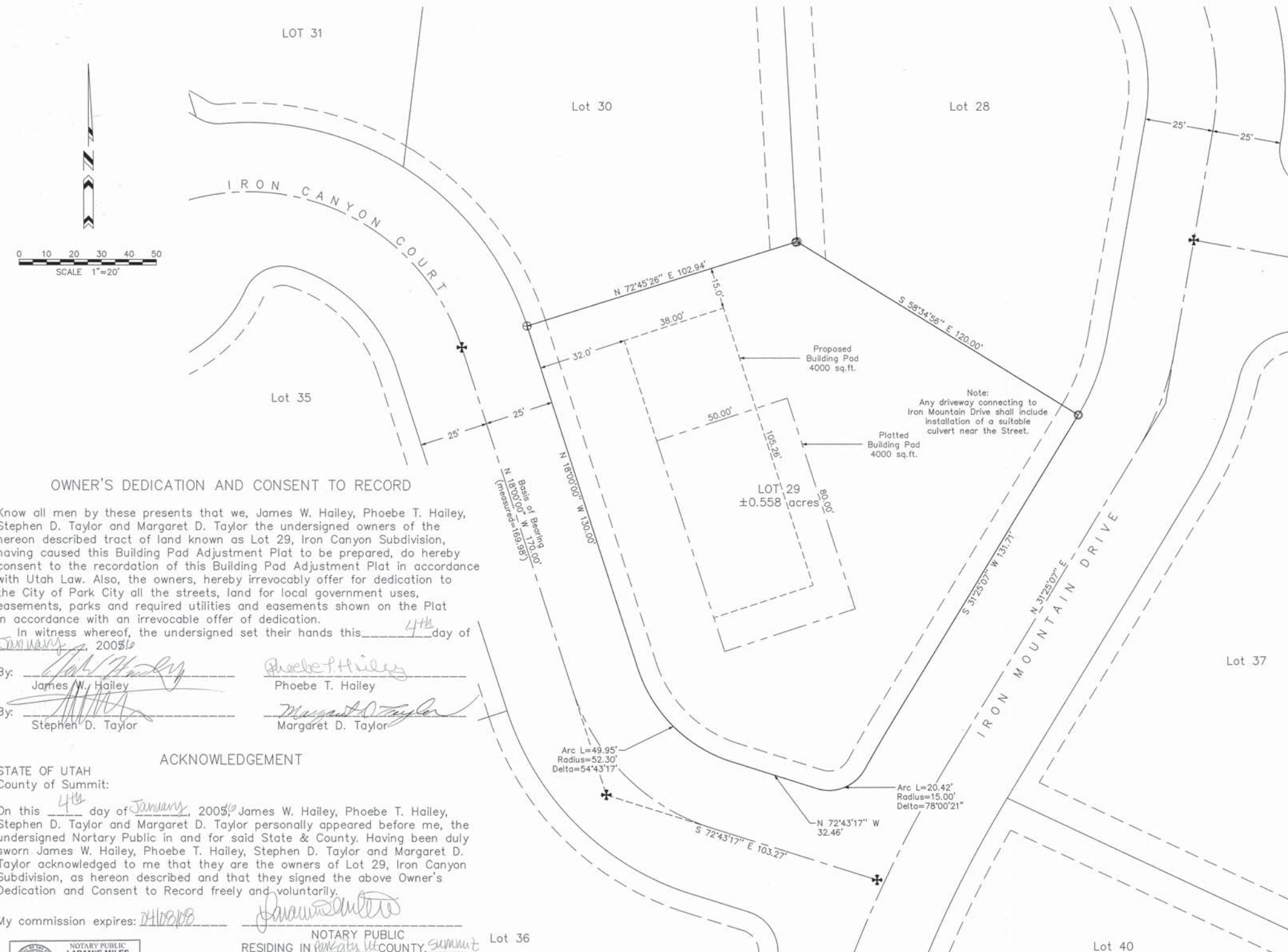


The Boyer Company 675 East 500 South Salt Lake City, Utah 84102

IRON CANYON

Project Number
 Sheet Number
 SHEET 5 OF 5

Iron Canyon Subdivision
Lot 29
Building Pad Adjustment



- NARRATIVE
1. Survey requested by: James W. Hailey, et al.
 2. Purpose of survey: building pad adjustment.
 3. Basis of survey: found Street Monuments as shown.
 4. Property monuments found as shown.
 5. Located in the Southwest Quarter of Section 5, Township 2 South, Range 4 East, Salt Lake Base & Meridian.
 6. See the official plat of Iron Canyon Subdivision, for other possible easements, restrictions or setbacks.
 7. The owner of the property should be aware of any items affecting the property that may appear in a title insurance report.
 8. The Street address of the Lot is 2451 Iron Mountain Drive.

LEGAL DESCRIPTION

All of Lot 29, Iron Canyon Subdivision, according to the official plat thereof, on file and of record in the office of the Summit County Recorder; containing 0.558 acres, more or less.

SURVEYOR'S CERTIFICATE

I, J.D. Gailey, a Registered Land Surveyor as prescribed by the laws of the State of Utah and holding License No. 359005, do hereby certify that I have supervised a survey of the hereon described property and that this plat is a true representation of said property.



Date: Dec 13, 2005
J.D. Gailey LMR#359005

- Legend
- ✦ Found Street Monument
 - ⊕ Found rebar & cap-LS 359005
 - ⊙ Found rebar & cap-LS 163961
 - ⊗ Found rebar & cap-LS 187821
 - Utility & Drainage Easement
 - Platted Building Pad
 - Proposed Building Pad

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents that we, James W. Hailey, Phoebe T. Hailey, Stephen D. Taylor and Margaret D. Taylor the undersigned owners of the hereon described tract of land known as Lot 29, Iron Canyon Subdivision, having caused this Building Pad Adjustment Plat to be prepared, do hereby consent to the recordation of this Building Pad Adjustment Plat in accordance with Utah Law. Also, the owners, hereby irrevocably offer for dedication to the City of Park City all the streets, land for local government uses, easements, parks and required utilities and easements shown on the Plat in accordance with an irrevocable offer of dedication.

In witness whereof, the undersigned set their hands this 4th day of January, 2005.

By: James W. Hailey
By: Phoebe T. Hailey
By: Stephen D. Taylor
By: Margaret D. Taylor

ACKNOWLEDGEMENT

STATE OF UTAH
County of Summit:

On this 4th day of January, 2005, James W. Hailey, Phoebe T. Hailey, Stephen D. Taylor and Margaret D. Taylor personally appeared before me, the undersigned Notary Public in and for said State & County. Having been duly sworn James W. Hailey, Phoebe T. Hailey, Stephen D. Taylor and Margaret D. Taylor acknowledged to me that they are the owners of Lot 29, Iron Canyon Subdivision, as hereon described and that they signed the above Owner's Dedication and Consent to Record freely and voluntarily.

My commission expires: 12/13/08

NOTARY PUBLIC
RESIDING IN Park City COUNTY, Summit

NOTARY PUBLIC
LARAMIE MILES
1100 Shaw Creek Dr
Park City, UT 84060
My Commission Expires
April 8, 2008
STATE OF UTAH

Alpine Survey, Inc.
19 Prospector Dr.
Park City, Utah 84060
(435) 655-8016

SNYDERVILLE BASIN
WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN
WATER RECLAMATION DISTRICT STANDARDS
ON THIS 4th DAY OF Jan, 2005

BY: B. D. Miles
SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

PLANNING COMMISSION

APPROVED BY THE PARK CITY
PLANNING COMMISSION THIS 12
DAY OF January, 2005 A.D.

BY: B. D. Miles
PLANNING COMMISSION

ENGINEER'S CERTIFICATE

I FIND THIS PLAT TO BE IN
ACCORDANCE WITH INFORMATION ON
FILE IN MY OFFICE THIS 5th
DAY OF JANUARY, 2005 A.D.

BY: Orion W. DeHaven PE
PARK CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS 17
DAY OF January, 2005 A.D.

BY: W. D. H. G.
PARK CITY ATTORNEY

CERTIFICATE OF ATTEST

I CERTIFY THIS RECORD OF SURVEY
MAP WAS APPROVED BY PARK CITY
COUNCIL THIS 10th DAY
OF November, 2005 A.D.

BY: Jack H. Smith
PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK CITY
COUNCIL THIS 10th DAY OF November,
2005 A.D.

BY: Dana Williams
MAYOR

RECORDED

#767452

STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
AT THE REQUEST OF FIRST AMERICAN TITLE
DATE 1/13/06 TIME 12:37 PM BOOK --- PAGE ---

31st FEE
Mary Ann Russell deputy RECORDER

Exhibit H - Iron Canyon Subdivision Amendment to Lot 11

13

12

14

15

16

**IRON CANYON SUBDIVISION
AMENDMENT TO LOT 11**
LYING WITHIN THE SOUTHWEST QUARTER OF
SECTION 5, TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE & MERIDIAN
SUMMIT COUNTY, UTAH

OWNERS DEDICATION AND ACKNOWLEDGMENT FOR LOT 11 IRON CANYON SUBDIVISION PLAT AMENDMENT.

Known all men by these presents: That the undersigned are the owners of the herein described tract of land, hereafter to be known as the Lot 11 Iron Canyon Subdivision Plat Amendment. In witness to thereof we have here into set our hands this ____ day of ____ 2006.

Michael E. Corcoran Gail B. Corcoran
Michael E. Corcoran Gail B. Corcoran

ACKNOWLEDGMENT

State of Utah County of Summit
On this 23 day of June, 2006, personally appeared before me, the undersigned Notary Public, in and for said County of Summit, in said State of Utah, Michael G. Corcoran and Gail B. Corcoran, being duly sworn acknowledged to me that they are the owner of the herein described tract of land and he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

Ladell A. Marchess My commission expires: October 31, 2009
Notary Public State of Utah

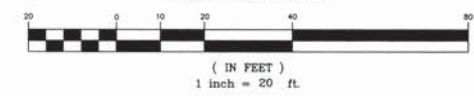
LEGAL DESCRIPTION
ALL OF LOT 11 LYING WITHIN IRON CANYON SUBDIVISION PLAT, ON FILE AND OF RECORD AT THE SUMMIT COUNTY RECORDER'S OFFICE.
THE PURPOSE OF THIS PLAT AMENDMENT IS TO CHANGE THE BUILDING PAD TO BETTER REFLECT THE LOCATION OF THE CURRENT AND PROPOSED STRUCTURE ON THE LOT.

ORIGINAL BUILDING PAD AREA 4,000 SQUARE FEET	PROPOSED BUILDING PAD AREA 3983.3 SQUARE FEET
BUILDING PAD AREA DECREASED 16.7 SQUARE FEET	

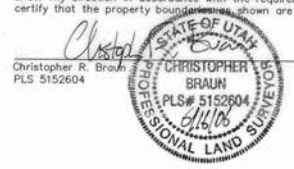
2425 ADDRESS ON IRON CANYON DRIVE



GRAPHIC SCALE



SURVEYOR'S CERTIFICATE
I, Christopher R. Braun, certify that I am a Registered Land Surveyor and that I hold Certificate No. 5152604, as prescribed by the laws of the State of Utah, and this Plat was prepared under my direction in accordance with the requirements of Park City Municipal Corporation. I further certify that the property boundaries shown are correct.



5/16/06
Date

IRON CANYON DRIVE

CITY COUNCIL APPROVAL
PRESENTED TO THE BOARD OF PARK CITY CITY COUNCIL THIS 1st DAY OF JUNE A.D. 2006. AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED.
Dana Williams
MAYOR
Paul M. Satt
CITY RECORDER

CITY ENGINEER
APPROVED AND ACCEPTED BY THE PARK CITY CITY ENGINEERING DEPARTMENT ON THIS 10th DAY OF JULY A.D. 2006
Eric W. Ockman
CITY ENGINEER

CITY PLANNING COMMISSION
APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS 24th DAY OF MAY A.D. 2006.
Mullish
CHAIRMAN

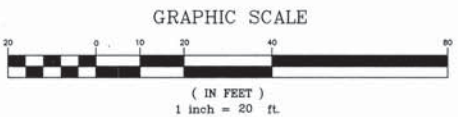
SEWER DISTRICT APPROVAL
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS THIS 16th DAY OF June A.D. 2006
B. D. K.
S.B.W.R.D.

APPROVAL AS TO FORM
APPROVED AS TO FORM ON THIS 11th DAY OF August A.D. 2006
Paul M. Satt
CITY ATTORNEY

RECORDED
No. 186378
STATE OF Utah
COUNTY OF Summit
RECORDED AND FILED AT THE REQUEST OF:
Equity Title
Date: 8-24-06 Time: 8:38 A.M.
Fee: \$31.00 Denise Bowen, Deputy
COUNTY RECORDER

Park City Surveying
P.O. BOX 3003 PARK CITY, UTAH 84060
435-649-2918 FAX 649-4637

Exhibit I - Iron Canyon Lot 5 Amended Subdivision



IRON CANYON LOT 5 AMENDED SUBDIVISION
LYING WITHIN THE SOUTHWEST QUARTER OF
SECTION 5, TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE & MERIDIAN
SUMMIT COUNTY, UTAH



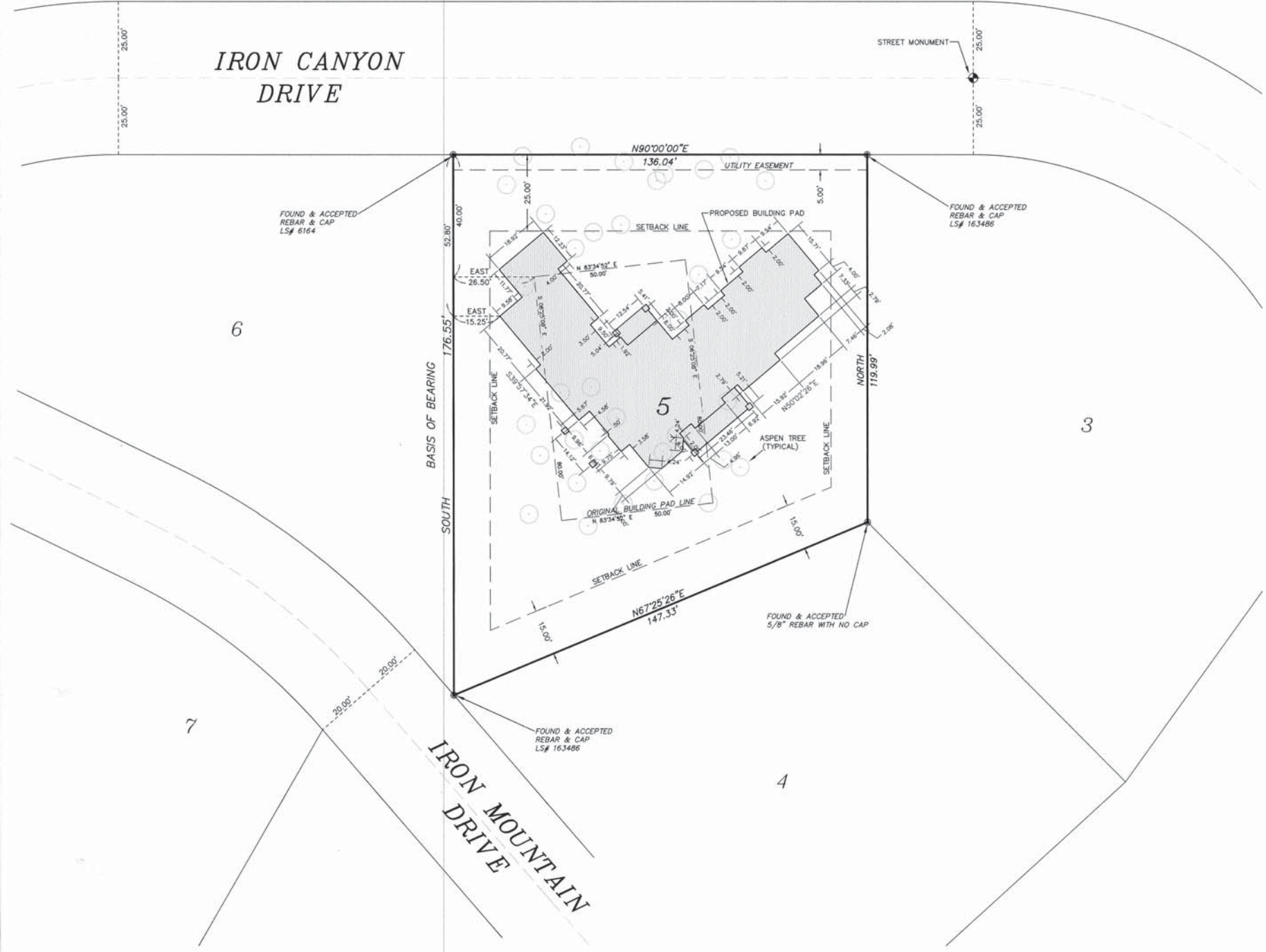
SURVEYOR'S CERTIFICATE
I, Christopher R. Braun, certify that I am a Registered Land Surveyor and that I hold Certificate No. 5152604, as prescribed by the laws of the State of Utah, and this Plat was prepared under my direction in accordance with the requirements of Park City Municipal Corporation. I further certify that the property boundaries as shown are correct.
Christopher R. Braun
Christopher R. Braun
PLS 5152604
10/16/06
Date

OWNERS DEDICATION AND ACKNOWLEDGMENT FOR LOT 5 IRON CANYON SUBDIVISION PLAT AMENDMENT.
Known all men by these presents: That the undersigned *Keith G. Bernhart* the owner of the herein described tract of land, hereafter to be known as IRON CANYON LOT 5 AMENDED SUBDIVISION in witness to thereof we have here into set our hands this 30 day of November 2006.

Keith G. Bernhart, Trustee of The Bernhart Family Trust dated February 28, 2004
Scott L. Jaffa NOVEMBER 30, 2006
Gennie R. Bernhart, Trustee of The Bernhart Family Trust dated February 28, 2004

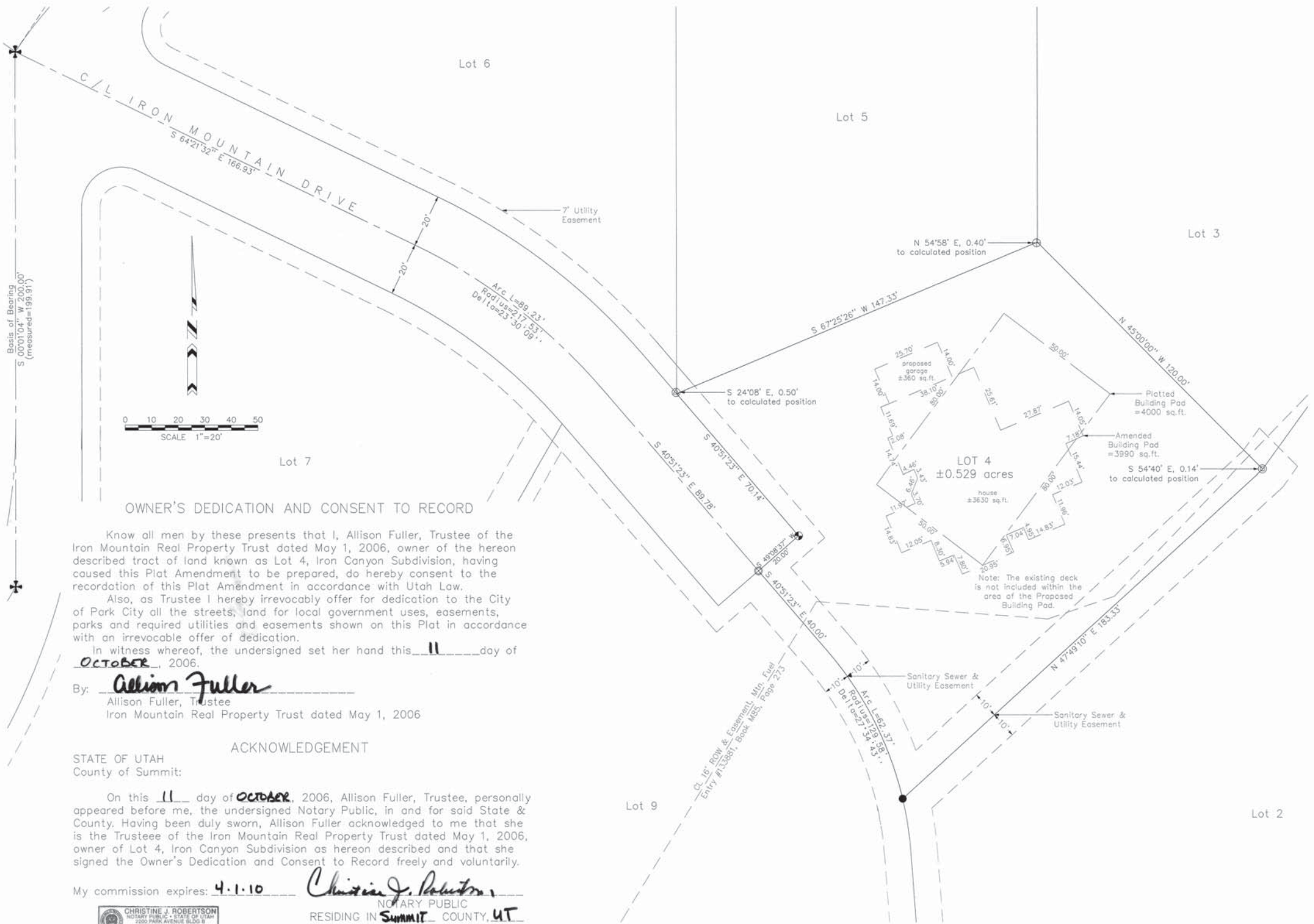
ACKNOWLEDGMENT
State of Utah:
County of Summit:
On this 30 day of November, 2006, personally appeared before me, the undersigned Notary Public, in and for said County of Summit, in said State of Utah, *Keith G. Bernhart and Bonnie R. Bernhart, Trustees of The Bernhart Family Trust dated February 28, 2004*, being duly sworn acknowledged to me that they are the owner of the herein described tract of land and he signed the above Owner's Dedication and Consent to Record freely and voluntarily.
Sharon C. Bauman My commission expires: 7-13-2010
Notary Public

LEGAL DESCRIPTION
ALL OF LOT 5 LYING WITHIN IRON CANYON SUBDIVISION PLAT, ON FILE AND OF RECORD AT THE SUMMIT COUNTY RECORDER'S OFFICE.
THE BUILDING PAD ON THIS LOT MUST BE WITHIN THE SETBACK LINES SHOWN ON THE RECORDED IRON CANYON SUBDIVISION PLAT AND MUST MAINTAIN A MAXIMUM AREA EQUAL TO OR LESS THAN THE ORIGINAL BUILDING PAD'S 4000 SQ. FEET.
PROPOSED BUILDING PAD SIZE: 3824 SQ. FEET
ALL OTHER CONDITIONS OF APPROVAL AND PLATTED REQUIREMENTS FOR THE IRON CANYON SUBDIVISION WILL CONTINUE TO APPLY.
THE STREET ADDRESS OF LOT 5 IS 2414 IRON CANYON DRIVE.



CITY COUNCIL APPROVAL PRESENTED TO THE BOARD OF PARK CITY CITY COUNCIL THIS 28th DAY OF SEPTEMBER A.D. 2006. AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED. <i>John Williams</i> CITY RECORDER	CITY ENGINEER APPROVED AND ACCEPTED BY THE <u>PARK CITY</u> CITY ENGINEERING DEPARTMENT ON THIS <u>30th</u> DAY OF <u>NOVEMBER</u> A.D. 2006 <i>Eric W. DeLeon</i> PE CITY ENGINEER	CITY PLANNING COMMISSION APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS 13th DAY OF SEPTEMBER A.D. 2006. <i>Michelle</i> CHAIRMAN	SEWER DISTRICT APPROVAL REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS THIS <u>17th</u> DAY OF <u>November</u> A.D. <u>2006</u> . <i>B. D. S.</i> S.W.R.D.	APPROVAL AS TO FORM APPROVED AS TO FORM ON THIS <u>12th</u> DAY OF <u>December</u> A.D. 2006. <i>Adam Spriggs</i> CITY ATTORNEY	RECORDED No. <u>199969</u> DATE <u>12/22/06</u> TIME <u>3:19 PM</u> STATE OF <u>UTAH</u> COUNTY OF <u>SUMMIT</u> RECORDED AND FILED AT THE REQUEST OF: <u>FIRST AMERICAN TITLE CO. OF UTAH</u> FEE \$ <u>31.00</u> <i>Adam Spriggs</i> COUNTY RECORDER	Park City Surveying, Inc. P.O. BOX 3003 PARK CITY, UTAH 84060 435-649-2918 FAX 649-4637
---	---	---	--	---	---	--

Iron Canyon Subdivision
Lot 4
Plat Amendment



NARRATIVE

- 1. Survey requested by: Allison Fuller.
- 2. Purpose of survey: building pad adjustment.
- 3. Basis of survey: found Street Monuments as shown.
- 4. Property monuments found as shown.
- 5. Located in the Southwest Quarter of Section 5, Township 2 South, Range 4 East, Salt Lake Base & Meridian.
- 6. See the official plat of Iron Canyon Subdivision, for other possible easements, restrictions or setbacks.
- 7. The owner of the property should be aware of any items affecting the property that may appear in a title insurance report.
- 8. The Street address of Lot 4 is 2409 Iron Mountain Drive.

LEGAL DESCRIPTION

All of Lot 4, Iron Canyon Subdivision, according to the official plat thereof, on file and of record in the office of the Summit County Recorder; containing 0.529 acres, more or less.

SURVEYOR'S CERTIFICATE

I, J.D. Gailey, a Registered Land Surveyor as prescribed by the laws of the State of Utah and holding License No. 359005, do hereby certify that I have supervised a survey of the hereon described property and that this plat is a true representation of said property.



10/6/06
Date

J.D. Gailey, License No. 359005

Legend

- ✱ Found Street Monument
- ⊕ Found rebar & cap—LS 173736
- ⊙ Found rebar & cap—LS 154491
- ⊗ Found rebar & cap—LS 163486
- Found rebar & cap—unreadable
- Found 5/8" rebar—no cap
- ⊙ Found rebar & cap—LS 359005
- Utility & Drainage Easement
- Platted Building Pad
- Proposed Building Pad

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents that I, Allison Fuller, Trustee of the Iron Mountain Real Property Trust dated May 1, 2006, owner of the hereon described tract of land known as Lot 4, Iron Canyon Subdivision, having caused this Plat Amendment to be prepared, do hereby consent to the recordation of this Plat Amendment in accordance with Utah Law.

Also, as Trustee I hereby irrevocably offer for dedication to the City of Park City all the streets, land for local government uses, easements, parks and required utilities and easements shown on this Plat in accordance with an irrevocable offer of dedication.

In witness whereof, the undersigned set her hand this 11 day of OCTOBER, 2006.

By: Allison Fuller
Allison Fuller, Trustee
Iron Mountain Real Property Trust dated May 1, 2006

ACKNOWLEDGEMENT

STATE OF UTAH
County of Summit:

On this 11 day of OCTOBER, 2006, Allison Fuller, Trustee, personally appeared before me, the undersigned Notary Public, in and for said State & County. Having been duly sworn, Allison Fuller acknowledged to me that she is the Trustee of the Iron Mountain Real Property Trust dated May 1, 2006, owner of Lot 4, Iron Canyon Subdivision as hereon described and that she signed the Owner's Dedication and Consent to Record freely and voluntarily.

My commission expires: 4-1-10

Christine J. Robertson
NOTARY PUBLIC
RESIDING IN SUMMIT COUNTY, UT



Alpine Survey, Inc.
19 Prospector Dr.
Park City, Utah 84060
(435) 655-8016

SNYDERVILLE BASIN
WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN
WATER RECLAMATION DISTRICT STANDARDS
ON THIS 11 DAY OF OCTOBER, 2006.
By: B. D. D.
SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

PLANNING COMMISSION
APPROVED BY THE PARK CITY
PLANNING COMMISSION THIS 23rd
DAY OF August, 2006 A.D.
By: M. H. H.
CHAIRMAN

ENGINEER'S CERTIFICATE
I FIND THIS PLAT TO BE IN
ACCORDANCE WITH INFORMATION ON
FILE IN MY OFFICE THIS 17
DAY OF OCTOBER, 2006 A.D.
By: Chris A. Deane
PARK CITY ENGINEER

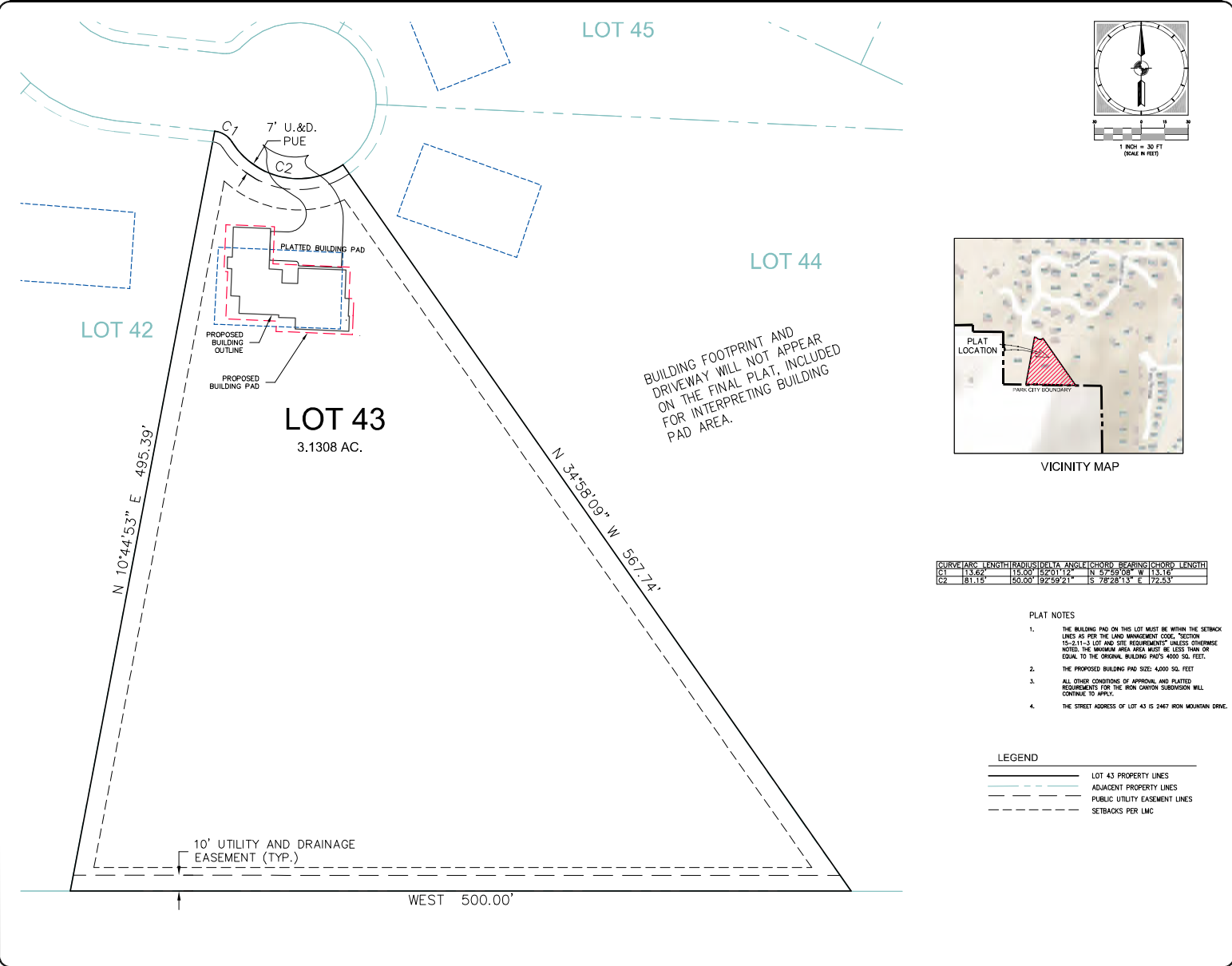
APPROVAL AS TO FORM
APPROVED AS TO FORM THIS 17
DAY OF OCTOBER, 2006 A.D.
By: M. H. H.
PARK CITY ATTORNEY

CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SURVEY
MAP WAS APPROVED BY PARK CITY
COUNCIL THIS 14th DAY
OF September, 2006 A.D.
By: John M. Scott
PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY
COUNCIL THIS 14th DAY OF September,
2006 A.D.
By: Dana Williams
MAYOR

RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
AT THE REQUEST OF Equity Title
DATE 11-6-06 TIME 10:37 AM BOOK --- PAGE ---
FEE \$31.00
By: Manuel A. Bowen
RECORDER

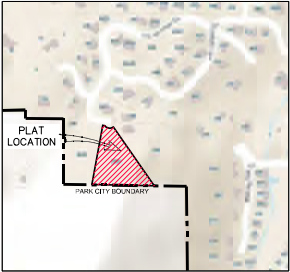
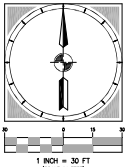
Exhibit K - Approved Iron Canyon Subdivision Building Pad Adjustment for Lot 43



CURVE/ARC	LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	113.62	15.00	152°01'12"	N 57°59'08" W 113.16'	
C2	81.15	50.00	192°59'21"	S 78°28'13" E 172.53'	

- PLAT NOTES
1. THE BUILDING PAD ON THIS LOT MUST BE WITHIN THE SETBACK LINES AS PER THE LAND MANAGEMENT CODE, SECTION 15-21-11 LOT AND SITE REQUIREMENTS UNLESS OTHERWISE NOTED. THE MAXIMUM AREA MUST BE LESS THAN OR EQUAL TO THE ORIGINAL BUILDING PAD'S 4000 SQ. FEET.
 2. THE PROPOSED BUILDING PAD SIZE: 4,000 SQ. FEET
 3. ALL OTHER CONDITIONS OF APPROVAL AND PLATED REQUIREMENTS FOR THE IRON CANYON SUBDIVISION WILL CONTINUE TO APPLY.
 4. THE STREET ADDRESS OF LOT 43 IS 2467 IRON MOUNTAIN DRIVE.

- LEGEND
- LOT 43 PROPERTY LINES
 - ADJACENT PROPERTY LINES
 - PUBLIC UTILITY EASEMENT LINES
 - SETBACKS PER LMC



VICINITY MAP

BOUNDARY DESCRIPTION

ALL OF LOT 43 LYING WITHIN IRON CANYON SUBDIVISION PLAT, ON FILE AND OF RECORD AT THE SUMMIT COUNTY RECORDER'S OFFICE.

SURVEYOR'S CERTIFICATE

IN ACCORDANCE WITH SECTION 10-36-603 OF THE UTAH CODE, I, BING CHRISTENSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 145796 IN ACCORDANCE WITH TITLE 58, CHAPTER 23, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT. I FURTHER CERTIFY THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THE PLAT IN ACCORDANCE WITH SECTION 17-23-17 OF THE UTAH CODE, AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT.

BING CHRISTENSEN
PROFESSIONAL LAND SURVEYOR

DATE

SURVEYOR'S SEAL

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT I (WE) THE UNDERSIGNED OWNER(S) OF THE HEREIN DESCRIBED TRACT OF LAND, HEREAFTER TO BE KNOWN AS IRON CANYON LOT 43 AMENDED.

IN WITNESS THEREOF, I (WE) HAVE HEREUNTO SET MY HAND THIS _____ DAY OF _____, 2017.

FEE OWNER (OR AGENT) PRINTED NAME DATE
FEE OWNER (OR AGENT) PRINTED NAME DATE

ACKNOWLEDGEMENT

STATE OF _____ S.S.
COUNTY OF _____

ON THIS _____ DAY OF _____, 2017, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF _____, IN SAID STATE OF _____, THE SIGNER OF THE ABOVE OWNER'S DEDICATION, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE IS THE OWNER OF THE HEREIN DESCRIBED TRACT OF LAND AND HE SIGNED THE ABOVE OWNER'S DEDICATION AND CONSENT TO RECORD FREELY AND VOLUNTARILY.

NOTARY PUBLIC

APPROVAL AS TO FORM

APPROVED AT TO FORM ON THIS _____ DAY OF _____, 2017.

PARK CITY ATTORNEY

PARK CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS _____ DAY OF _____, 2017.

CHAIRMAN

PARK CITY COUNCIL

PRESENTED TO THE BOARD OF PARK CITY COUNCIL THIS _____ DAY OF _____, 2017, AT WHICH TIME THIS PLAT AMENDMENT WAS APPROVED.

DAY

CITY RECORDER

PARK CITY ENGINEER

APPROVED AND ACCEPTED BY THE PARK CITY ENGINEERING DEPARTMENT ON THIS _____ DAY OF _____, 2017.

PARK CITY ENGINEER

SEWER DISTRICT APPROVAL

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS THIS _____ DAY OF _____, 2017.

S.E.W.R.D.

RECORDED

ENTRY # _____ DATE _____
STATE OF _____ COUNTY OF _____
RECORDED AND FILED AT THE REQUEST OF:

COUNTY RECORDER

PROJECT
C16-041
SHEET
1

PROJECT
LOT 43-IRON CANYON SUBDIVISION
BUILDING PAD ADJUSTMENT

LOCATED IN THE
NORTHWEST 1/4 OF SECTION
8, TOWNSHIP 2 SOUTH,
RANGE 4 EAST, SLB&M
SUMMIT COUNTY, UTAH

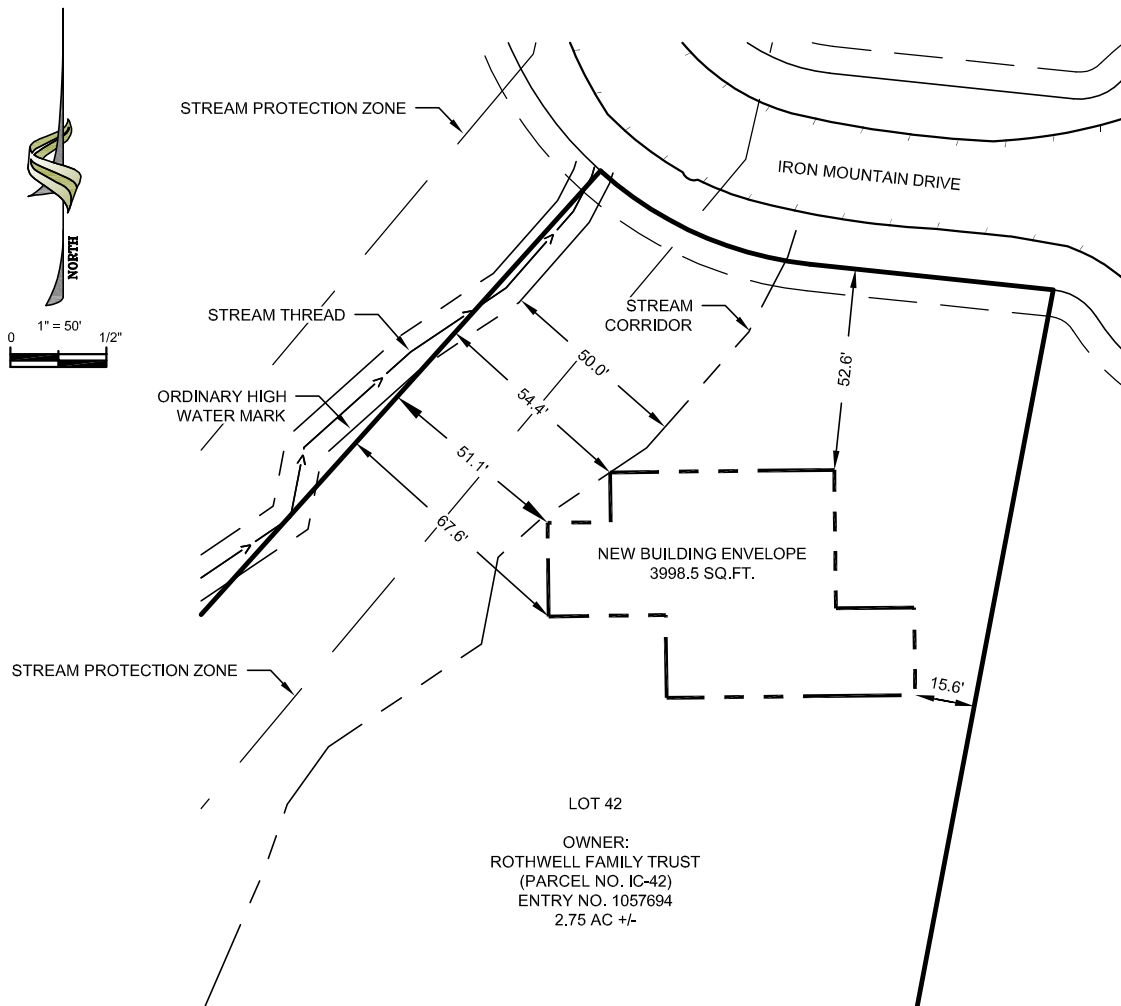
DRAWN BY:
SCS
REVIEWED BY:
BC
SCALE:
1" = 30'
ISSUE DATE
01/24/2017

Summit Engineering Group Inc.
Structural - Civil - Surveying
40 WEST CENTER • PO BOX 174
PARK CITY, UTAH 84302
PH: 435-633-0228 • FX: 435-633-0231

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SUMMIT ENGINEERING
GROUP, INC. IS
UNLAWFUL.

IRON CANYON LOT 42 STREAM CORRIDOR HIGH WATER MARK EXHIBIT

LOCATED IN THE:
NORTH QUARTER CORNER SECTION 8, TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



SURVEYOR'S CERTIFICATE

I, PHILLIP R. CHRISTENSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD LICENCE NUMBER 319686 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE CLIENT, A SURVEY OF THE TRACT OF LAND DESCRIBED HEREIN, WAS PERFORMED UNDER MY DIRECTION.

PHILLIP R. CHRISTENSEN
P.L.S. 319686

Phillip R. Christensen
No. 319686
PHILLIP R. CHRISTENSEN
10-03-17 DATE OCTOBER 03, 2017

SEAL: LICENSED PROFESSIONAL LAND SURVEYOR, STATE OF UTAH, No. 319686

LEGEND	
SECTION CORNER (FOUND)	
SECTION CORNER (CALCULATED)	
SECTION LINE	
PROPERTY LINE	
LOT LINE	
SET MONUMENT	
FOUND MONUMENT	



PROJECT NAME:

STREAM CORRIDOR HIGH WATER MARK EXHIBIT

PROJECT LOCATION:

SPARK CITY, SUMMIT COUNTY, UTAH

SCALES

HORIZ: 1" = 50'



DRAWN: JD
DESIGNER: JD
REVIEWED: PC
DATE: 10/03/2017

PROJECT #
17SM1891.25
SHEET:
1 of 1



DATE: October 12, 2017

TO HONORABLE MAYOR AND COUNCIL

Silver Strike was built by Ironwood Resorts in 2006. Ironwood purchased the development rights for "The Silver Strike Lodge" from Talisker which included the requirement to build one EHU (employee housing unit) within the building/development. This unit was in fulfillment of the requirement that 25% of the affordable housing obligation be located on-mountain as stated in the Development Agreement for Flagstaff Mountain, Bonanza Flats, Richardson Flats, the 20-Acre Quinn's Junction Parcel, and Iron Mountain dated June 24, 1999. Unit 201 was the EHU unit and the Owners qualified for the EHU as one was the property manager for the Lodge when they purchased the Unit.

Homeowners Association (HOA) dues on the unit at 8902 Empire Club Drive, #201 have increased each year. Over the last two years, the HOA fees have increased between eight and nine percent annually. In an effort to keep the unit affordable, the City agreed to subsidize the HOA fees utilizing Redevelopment Agency (RDA) affordable housing funds. Unfortunately, due to ongoing staff time along with the ongoing disputes between the owner and the HOA, staff recommended the City purchase the unit to resolve the unaffordable HOA fees, and eliminate future payments to the HOA.

On July 20, 2017, City Council directed staff to move forward on drafting a purchase contract for the 8902 Empire Club #201. In addition, staff received direction to work with the parties to draft a settlement agreement that would outline terms that would resolve the issues faced by all three groups.

In August 2017, the City purchased of the property at 8902 Empire Club Drive, #201 for \$260,000. In addition, the City entered into a Settlement agreement with the owners of the unit, and the Silver Strike HOA. By entering into the settlement agreement, the City agreed to buy the Silver Strike Employee Housing Unit (EHU), remove the EHU obligation, and re-sell the unit at market rate. Proceeds from the re-sale of the unit will go toward the City's affordable housing fund specifically to replace this affordable housing unit in a location that is more central to services and \$33K will go toward the HOA's attorney fees. Additionally, the agreement would eliminate the EHU requirement of the Silver Strike development.

Shortly after purchasing the unit, City staff was contacted by another home owner in the Silver Strike development and an unsolicited offer to purchase the unit was made.

Respectfully:

Jason Glidden, Housing Development Manager

City Council Staff Report



Subject: Disposition of City Property located at 8902 Empire Club Drive, #201
Author: Jason Glidden, Affordable Housing Program
Department: Community Development
Date: October 12, 2017
Type of Item: Potential Disposition and Proposed Terms of Sale of City Property

Summary Recommendation

Staff requests City Council, approve the removal of the current deed restrictions, and disposition of City Property located at 8902 Empire Club Drive, #201, pursuant to Municipal Code 2-3-11. Staff also requests that City Council approve the Real Estate Purchase Contract (REPC) with Joni Antar, for the city-owned property located at 8902 Empire Club Drive, #201, in the amount of \$800,000 in a form approved by the City's Attorney's office.

Executive Summary/Background

Silver Strike was built by Ironwood Resorts in 2006. Ironwood purchased the development rights for "The Silver Strike Lodge" from Talisker which included the requirement to build one EHU (employee housing unit) within the building/development. This unit was in fulfillment of the requirement that 25% of the affordable housing obligation be located on-mountain as stated in the Development Agreement for Flagstaff Mountain, Bonanza Flats, Richardson Flats, the 20-Acre Quinn's Junction Parcel, and Iron Mountain dated June 24, 1999. Unit 201 was the EHU unit and the Owners qualified for the EHU as one was the property manager for the Lodge when they purchased the Unit.

Homeowners Association (HOA) dues on the unit at 8902 Empire Club Drive, #201 have increased each year. Over the last two years, the HOA fees have increased between eight and nine percent annually. In an effort to keep the unit affordable, the City agreed to subsidize the HOA fees utilizing Redevelopment Agency (RDA) affordable housing funds. Unfortunately, due to ongoing staff time along with the ongoing disputes between the owner and the HOA, staff recommended the City purchase the unit to resolve the unaffordable HOA fees, and eliminate future payments to the HOA.

On July 20, 2017, City Council directed staff to move forward on drafting a purchase contract for the 8902 Empire Club #201. In addition, staff received direction to work with the parties to draft a settlement agreement that would outline terms that would resolve the issues faced by all three groups.

In August 2017, the City purchased of the property at 8902 Empire Club Drive, #201 for \$260,000. In addition, the City entered into a Settlement agreement with the owners of the unit, and the Silver Strike HOA. By entering into the settlement agreement, the City agreed to buy the Silver Strike Employee Housing Unit (EHU), remove the EHU obligation, and re-sell the unit at market rate. Proceeds from the re-sale of the unit will go toward the City's affordable housing fund specifically to replace this affordable housing unit in a location that is more central to services and \$33K will go toward the HOA's attorney fees. Additionally, the agreement would eliminate the EHU requirement of the Silver Strike development.

Shortly after purchasing the unit, City staff was contacted by another home owner in the Silver Strike development and an unsolicited offer to purchase the unit was made.

Acronyms

HOA	Homeowners Association
RDA	Redevelopment Agency
REPC	Real Estate Purchase Contract

The Problem

The Silver Strike HOA homeowner fees association fees were rising and in an amount which made the EHU unaffordable.

Analysis:

The 8902 Empire Club Drive, #201 property is located within the Silver Strike development. The unit is a two bedroom, one bath condo.

Purchase Price

In September of 2017, a formal appraisal was performed on the 8902 Empire Club Drive, #201 property, which established the value of the property/structure per the sales comparison approach at **\$725,000**. This was completed with the best comparable properties that were available at the time but did include some properties that staff felt did not include some of the value seen in this property. For this reason, staff feels that the sale price is reasonable for both parties.

Details of the REPC

- Purchase Price - \$800,000.00
- Earnest Money - \$10,000.00
- Due Diligence Deadline – October 26, 2017
- Closing Date – November 2, 2017

The current offer of \$800,000 to purchase the property “as is” is significantly greater than the most recent appraisal of the property. Additionally, the offer represents additional value when comparing prospective cost estimates to rehabilitate the property by addressing a number of repairs that are needed. The latest estimate of these improvements is over \$10,000. The net profit from the sale of the property will be

around \$500,000 and will go directly back to the City and be used to build additional affordable housing units in a location which will not have such high HOA fees.

Legal Requirements for disposition of significant property

For a municipality to sell/lease a significant real property, Utah State Code and the Municipal Code require that the municipality provide reasonable public notice of at least 14 days and provide the opportunity for public comment on the proposed disposition. Significant property is defined as a parcel owned by the City with an appraised value of \$250,000 or a leased value of \$50,000 or more per annum. Staff posted the 8902 Empire Club Drive, #201 property on September 28, 2017. Notice was also posted on three separate webpages of parkcity.org on September 28, 2017: “Current RFPs and Bids” and two “Document Central” sites, “Affordable Housing” and “Redevelopment Agency Business.” Additionally, legal notice ran in consecutive editions of The Park Record on September 30, October 4, 7 and 11. The item was also posted on www.utahlegals.com for 30 days beginning September 30.

Alternatives for City Council to Consider

1. **Recommended Alternative:** City Council could approve the removal of the current deed restrictions, disposition of the property, and terms of the REPC.

Pros

- a. Eliminates the issues faced with this unit.
- b. Prevents the City from having to invest more money into the units to make repairs.
- c. Increases the sustainability and affordability of the City’s affordable housing program further into the future.

Cons

- a. The City might receive a higher purchase price offer if a Request for Proposal (RFP) process was used.

2. **Null Alternative:** City Council may deny the removal of the current deed restrictions, disposition of the property, and/or subsequent terms of the REPC.

Pros

- a. The City could go through an RFP process to try to get a higher purchase price on the unit.
- b. The City could keep the unit as a long term rental unit.

Cons

- a. Fewer units are serving the housing needs of the Council’s target households.
- b. The City would be responsible for paying the HOA fees.

Department Review

This report has been reviewed by the Budget, Community Development, and Executive departments and the City Attorney’s Office.

Funding Source

Proceeds from the disposition of the property will be returned to the General Fund and utilized for affordable housing.



DATE: October 12, 2017

TO HONORABLE MAYOR AND COUNCIL

As part of the Community Development Strategic Plan, the City utilize its right of first refusal to purchase affordable housing properties in order to amend (tighten) deed restrictions with the intent to then resell the units to qualified households. By updating the deed restrictions, potential loop holes that exist in older versions could be minimized, thus reducing issues that may arise with compliance.

In August of 2017, City Council provided direction for staff exercise the City's option to purchase the unit at 1835 Three Kings Drive and amend the deed restrictions. Staff has gone back and made the required amendments including:

- Not allowing ownership of other property. If other property is purchased, the household is no longer qualified to own the deed restricted unit and must sell.
- Not allowing the deed restricted unit to be passed to family or friends as inheritance or to a Trust.

City Council, acting as the governing board of the Redevelopment Agency (RDA), should hold a public hearing and approve the disposition of City property located at 1835 Three Kings Drive #25-6 and approve the terms of the REPC.

Respectfully:

Jason Glidden, Housing Development Manager

Redevelopment Agency Staff Report

Subject: Disposition of City Property located at 1835 Three Kings Drive #25-6
Author: Jason Glidden, Affordable Housing Program
Department: Community Development
Date: October 12, 2017
Type of Item: Potential Disposition and Proposed Terms of Sale of Redevelopment Agency Property

Summary Recommendation

Staff requests the governing board of the Redevelopment Agency (RDA), to approve disposition of City Property located at 1835 Three Kings Drive #25-6. Staff also requests the RDA approve the Real Estate Purchase Contract (REPC) with Todd Bramhall, for the city-owned property located at 1835 Three Kings Drive #25-6, in the amount of \$139,398 in a form approved by the City Attorney's office.

Executive Summary/Background

As part of the Community Development Strategic Plan, the City utilize its right of first refusal to purchase affordable housing properties in order to amend (tighten) deed restrictions with the intent to then resell the units to qualified households. By updating the deed restrictions, potential loop holes that exist in older versions could be minimized, thus reducing issues that may arise with compliance.

In August of 2017, City Council provided direction for staff exercise the City's option to purchase the unit at 1835 Three Kings Drive and amend the deed restrictions. Staff has gone back and made the required amendments including:

- Not allowing ownership of other property. If other property is purchased, the household is no longer qualified to own the deed restricted unit and must sell.
- Not allowing the deed restricted unit to be passed to family or friends as inheritance or to a Trust.

City Council, acting as the governing board of the Redevelopment Agency (RDA), should hold a public hearing and approve the disposition of City property located at 1835 Three Kings Drive #25-6 and approve the terms of the REPC.

Acronyms

RDA Redevelopment Agency
REPC Real Estate Purchase Contract

The Problem

Deed restrictions have changed over the years, tightening up as issues arise and best practices are learned helping to create an ever better template for compliance and enforcement. Amendments to the recorded deed restrictions in each of these instances

would allow the units to be leased and/or sold and maintained by qualified households, Park City's workforce.

Analysis:

The 1835 Three Kings Drive #25-6 property is a studio unit located in the Silver Star development.

Qualified Applicant

Staff utilized the same criteria to qualify potential applicants as was used in the last housing lottery. The applicant, Todd Bramhall, meets all the criteria and has been pre-approved by a lending institution.

Purchase Price

The City purchased the property in August 2017 for \$139,398. Due to the short amount of time that has passed since the purchase, staff believes that the unit should be sold for the same price. This price is what the existing deed restriction allows.

Details of the REPC

- Purchase Price - \$139,398.00
- Earnest Money - \$1,000.00
- Due Diligence Deadline – November 3, 2017
- Closing Date – November 30, 2017

Legal Requirements for disposition of significant property

For a municipality to sell/lease a significant real property, Utah State Code and the Municipal Code require that the municipality provide reasonable public notice of at least 14 days and provide the opportunity for public comment on the proposed disposition. Significant property is defined as a parcel owned by the City with an appraised value of \$250,000 or a leased value of \$50,000 or more per annum. While this property does not require noticing due to the fact it is below appraised value threshold, in order to be transparent staff did properly go through the noticing process. Staff posted the 1835 Three Kings Drive #25-6 property on September 28, 2017. Additionally, legal notice ran in consecutive editions of The Park Record on September 30, October 4, 7, and 11. The item was also posted on www.utahlegals.com for 30 days beginning September 30.

An updated deed restriction template will be brought back to City Council for discussion prior to the final closing.

Alternatives for City Council to Consider

1. **Recommended Alternative:** City Council, acting as the governing board of the RDA, may approve the disposition of the property and terms of the REPC.

Pros

- a. Ensures that the City's target households are being served.
- b. Increases the sustainability and affordability of the City's affordable housing program further into the future.

Cons

- a. May lose money per transaction in closing costs up to approximately \$2,000
2. **Null Alternative:** City Council, acting as the governing board of the RDA, may deny the disposition and/or subsequent terms of the REPC.

Pros

- a. The City could keep the unit as a long term rental unit.

Cons

- a. Fewer units are serving the housing needs of the Council's target households.

Department Review

This report has been reviewed by the Budget, Community Development, and Executive departments and the City Attorney's Office.

Funding Source

Proceeds from the disposition of the property will be returned to the RDA and utilized for affordable housing.



DATE: October 12, 2017

TO HONORABLE MAYOR AND COUNCIL

As part of the Community Development Strategic Plan, the City utilizes its right of first refusal to purchase affordable housing properties in order to amend (tighten) deed restrictions with the intent to then resell the units to qualified households. By updating the deed restrictions, potential loop holes that exist in older versions could be minimized, thus reducing issues that may arise with compliance.

In August of 2017, City Council provided direction for staff exercise the City's option to purchase the unit at 1225 W. Black Rock Trail and amend the deed restrictions. Staff has gone back and made the required amendments including:

- Stronger language about not allowing rental of the units and defining "primary residency".
- Income restrictions into the qualifications to not allow over-income households to purchase the unit.
- Not allowing ownership of other property. If other property is purchased, the household would no longer be qualified to own the deed restricted unit and would be required to sell.
- Not allowing the deed restricted unit to be passed to family or friends as inheritance or to a Trust.

City Council, acting as the governing board of the Redevelopment Agency (RDA), should hold a public hearing and approve the disposition of City property located at 1225 W. Black Rock Trail #306/P, and approve the terms of the REPC.

Respectfully:

Jason Glidden, Housing Development Manager



Redevelopment Agency Staff Report

Subject: Disposition of City Property located at 1225 W. Black Rock Trail #306/P
Author: Jason Glidden, Affordable Housing Program
Department: Community Development
Date: October 12, 2017
Type of Item: Potential Disposition and Proposed Terms of Sale of Redevelopment Agency Property

Summary Recommendation

Staff requests the governing board of the Redevelopment Agency (RDA), to approve disposition of City Property located at 1225 W. Black Rock Trail #306. Staff also requests the RDA approve the Real Estate Purchase Contract (REPC) with Lisa Roadfuss, for the city-owned property located at 1225 W. Black Rock Trail #306/P, in the amount of \$204,676 in a form approved by the City Attorney's Office.

Executive Summary/Background

As part of the Community Development Strategic Plan, the City utilizes its right of first refusal to purchase affordable housing properties in order to amend (tighten) deed restrictions with the intent to then resell the units to qualified households. By updating the deed restrictions, potential loop holes that exist in older versions could be minimized, thus reducing issues that may arise with compliance.

In August of 2017, City Council provided direction for staff exercise the City's option to purchase the unit at 1225 W. Black Rock Trail and amend the deed restrictions. Staff has gone back and made the required amendments including:

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- Income restrictions into the qualifications to not allow over-income households to purchase the unit.
- Not allowing ownership of other property. If other property is purchased, the household would no longer be qualified to own the deed restricted unit and would be required to sell.
- Not allowing the deed restricted unit to be passed to family or friends as inheritance or to a Trust.

City Council, acting as the governing board of the Redevelopment Agency (RDA), should hold a public hearing and approve the disposition of City property located at 1225 W. Black Rock Trail #306/P, and approve the terms of the REPC.

Acronyms

RDA Redevelopment Agency
REPC Real Estate Purchase Contract

The Problem

Deed restrictions have changed over the years, tightening up as issues arise and best practices are learned helping to create an ever better template for compliance and enforcement. An amendment to the recorded deed restrictions allows the units to be leased and/or sold and maintained by qualified households, Park City's workforce.

Analysis:

The 1225 W. Black Rock Trail #306/P property is located at the mouth of Browns Canyon Rd in Wasatch County and is part of the Black Rock housing development. The unit has 2 bedrooms and two full baths.

Qualified Applicant

Staff utilized the same criteria to qualify potential applicants as was used in the last housing lottery. The applicant, Lisa Roadfuss, meets all the criteria and has been pre-approved by a lending institution.

Purchase Price

The City purchased the property in August 2017 for \$204,676. Due to the short amount of time that has passed since the purchase, staff believes that the unit should be sold for the same price. This price is what the existing deed restriction allows.

Details of the REPC

- Purchase Price - \$204,676.00
- Earnest Money - \$1,000.00
- Due Diligence Deadline – November 3, 2017
- Closing Date – November 30, 2017

Legal Requirements for disposition of significant property

For a municipality to sell/lease a significant real property, Utah State Code and the Municipal Code require that the municipality provide reasonable public notice of at least 14 days and provide the opportunity for public comment on the proposed disposition. Significant property is defined as a parcel owned by the City with an appraised value of \$250,000 or a leased value of \$50,000 or more per annum. While this property does not require noticing due to the fact it is below appraised value threshold, in order to be transparent staff did properly go through the noticing process. Staff posted the 1225 W. Black Rock Trail #306/P property on September 28, 2017. Additionally, legal notice ran in consecutive editions of The Park Record on September 30, October 4, 7, and 11. The item was also posted on www.utahlegals.com for 30 days beginning September 30.

An updated deed restriction template will be brought back to City Council for discussion prior to the final closing.

Alternatives for City Council to Consider

1. **Recommended Alternative:** City Council, acting as the governing board of the RDA, may approve the disposition of the property and terms of the REPC.

Pros

- a. Ensures that the City's target households are being served.
- b. Increases the sustainability and affordability of the City's affordable housing program further into the future.

Cons

- a. May lose money per transaction in closing costs up to \$2,000.

- 2. Null Alternative:** City Council, acting as the governing board of the RDA, may deny the disposition and/or subsequent terms of the REPC.

Pros

- a. The City could keep the unit as a long term rental unit.

Cons

- a. Fewer units are serving the housing needs of the Council's target households.

Department Review

This report has been reviewed by the Budget, Community Development, and Executive departments and the City Attorney's Office.

Funding Source

Proceeds from the disposition of the property will be returned to the RDA and utilized for affordable housing.