

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
OCTOBER 6, 2011**

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, October 6, 2011.

Closed Session

4:00 p.m. Litigation and property

Work Session

5:00 p.m. Council questions/comments

5:10 p.m. Environmental sustainability and regulatory update P. 3 - 19

5:50 p.m. Break

Regular Meeting

6:00 p.m.

I ROLL CALL

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

III PUBLIC INPUT (*Any matter of City business not scheduled on agenda*)

IV NEW BUSINESS (*New items with presentations and/or anticipated detailed discussions*)

1. Consideration of a Resolution approving an Interlocal Employee Housing Agreement between Park City Municipal Corporation and Wasatch County, in a form approved by the City Attorney
P. 20 - 27

2. Consideration of a Resolution adopting the Transportation Master Plan for Park City, Utah
P. 28 - 31

 (a) Public hearing

 (b) Action

V ADDITIONAL DISCUSSION – AGENDA ITEMS

VI ADJOURNMENT

A majority of 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 available in the Marsac Building on Wednesdays and Thursdays – 4 p.m. to 9 p.m.

Posted: 10/03/11

See: www.parkcity.org

Note: This future meeting schedule is TENTATIVE and subject to change.

October 2011

- 6 **Alex gone**
- 13 Co-housing field trip (90 min) – work
 Board roles – work
 New budget process proposal – work (40 min)
 Open space and conservation easement update (1 hour)
 MFL and Resolution – Schirf Brewing 25th Anniversary
 Leadership Class Civility Awards – John Davis 773-418-4922
 Amendment to Resolution No. 15-11, Fee Resolution, Section 1, Construction and Development Related Fees, adding a planning-related fee
- 20 **No meeting - UEA**
- 27 Retention schedules – work
 Annual Library report - work
 Donation policy McPolin Farm nature trail – work/action
 Co-housing RFP
 Ordinance amending the Land Management Code adding Historic Preservation Board review and approval for historic reconstruction and disassembly processes in Park City, Utah – old business
 MOU and City Services Contract extension – KAC
 CAST Diner after meeting
- 28 *Bonanza Tunnel ribbon-cutting*

November 2011

- 3 Open space and conservation easement update (1 hour)
- 10 GRAMA resolution - action
- 17
- 24 **Thanksgiving**

December 2011

- 1
- 8
- 15
- 22 **Holiday recess**
- 29 **Holiday recess**

Pending Items:

Inter-local agreement with Summit County for police database integration
Resolution establishing a strategic plan for City-owned property with development potential in Park City, Utah and repealing and replacing Resolution No. 22-05 in its entirety



City Council Staff Report

Subject: Environmental & Regulatory Update
Author: Jim Blankeneau, Jason Christensen, Tyler Poulson
Department: Sustainability
Date: October 6, 2011
Type of Item: Informational / Administrative

Summary Recommendations:

Staff recommends that City Council review the Environmental Update and provide direction, where indicated.

Topic/Description:

The purpose of this Work Session is to update City Council on a number of Environmental projects currently underway. Council will have the opportunity to provide feedback during Work Session. Furthermore, Council will be asked to provide direction on three specific topics highlighted in the Alternatives section at the end of this Staff Report. A copy of the Environmental Strategic Plan, which was last updated in August 2010, has been attached for reference (Exhibit A).

The topics/projects discussed in this Staff Report include, in order of appearance:

- | | |
|--|--|
| 1. <i>EMS and Soils Ordinance</i> | 8. <i>Low Carbon Diet</i> |
| 2. <i>Mine Hazard Ordinance</i> | 9. <i>Plastic Bags Tax / Ban</i> |
| 3. <i>Gathering Historical Information</i> | 10. <i>Solar PV Production & Feasibility Study</i> |
| 4. <i>Clean Water Act Discharge Permits</i> | 11. <i>Electric Vehicle Charging</i> |
| 5. <i>Other Remedial Projects</i> | 12. <i>Local Food Initiatives</i> |
| 6. <i>Future regulatory-focused projects</i> | 13. <i>Climate Change Adaptation</i> |
| 7. <i>Municipal Carbon Footprint</i> | |

Background:

Park City's environmental efforts had historically been bifurcated into two areas: Environmental Regulatory and Environmental Sustainability. This separation of functions was based on perceived differences between regulatory and sustainability functions.

However, three drivers made the unification of the teams a logical evolutionary step:

1. Most importantly, Council's goals of protecting the natural environment, water quality and preserving open space span all environmental activities;
2. Outside groups with whom we work, from federal and state environmental organizations, such as the EPA, to local environmental groups do not distinguish between these areas; and
3. Even in the early stages of integration, team members have been learning from each other and have been collaborating on projects.

Included in this merging of teams was the creation of the Environmental Regulatory Program Manager position. While formally part of the Sustainability Team, this position is a cross-department position that works closely with the Planning, Building, Engineering and Water Departments and the Public. Jim Blankenau, a registered geologist, was selected to fill the Environmental Regulatory Program Manager Position following an extensive search process.

Analysis:

1. EMS and Soils Ordinance

The Environmental Management System (EMS) was implemented in 2004 as part of an agreement between the United States Environmental Protection Agency (EPA), Utah Department of Environmental Quality (UDEQ) and Park City Municipal to enhance the existing Park City "Soil Ordinance". The EMS goals were to define environmental procedures, monitoring, education, and controls for managing soils impacted with mine tailings.

Over the past year we have continued to implement the Soil Ordinance that requires all properties within the soils ordinance boundary to be capped by 6 inches of topsoil that does not exceed 200 mg/kg lead. At the time of this Staff Report we have issued or re-issued four additional Certificates of Compliance (COCs) that have met this standard, with more properties likely to receive Certificates before the end of the construction season.

Section 11-15-5 of the Park City Municipal Code (PCMC) requires any soil disturbed within the Soils Ordinance Boundary be reintroduced onsite and capped as specified in Section 11-15-2 or disposed of off-site at an approved disposal facility. In the absence of a local repository for soil generated from within the Soil Ordinance boundary, Park City staff has assisted several property owners in identifying disposal options. Assistance included sampling soil for disposal characterization and providing contact information for disposal facilities (Summit County Landfill and Clean Harbors Grassy Mountain Facility). Additionally, discussions with EPA Region 8 to explore viable local economically feasible disposal options continue.

Over the past year efforts have been made to further train Park City staff on the Soils Ordinance and its requirements. Staff from the Water, Building, and Planning Departments were given a training session on the use of the Environmental Data Viewer and how the Ordinance may affect these departments. URS Corporation, an environmental consulting firm, trained employees from the Building and Water Department on proper soil and water sampling techniques and practices. The training will allow us to be more responsive to sampling requests and issue COCs quickly and efficiently.

In June, we facilitated open houses that provided basic information about the requirements of the Soil Ordinance for residents, land owners, builders, architects, landscapers and excavators who live or work in the Soil Ordinance boundary. In addition, a one-page "Soil Ordinance" Fact Sheet has been created and is available on the Park City Website and at the Building and Planning Department windows.

2. Mine Hazard Ordinance

On April 21, 2011, the Park City Council adopted the Physical Mine Hazard Mitigation Ordinance. This Ordinance requires the closure of Mine Hazards within Park City and requires some property owners to inspect their property to identify mine hazards.

Adoption of this Ordinance was timely; three major mine hazard opened this summer. Because of this Ordinance the City was informed of these hazards, and will receive closure reports for each of these reopened hazards.

3. Gathering Historical Information

During the past year, staff has continued to gather information on Park City's mining history, especially as it relates to present environmental issues. This information is helpful in identifying solutions to current environmental issues. For example, staff now has an as-built plan that

shows the location of the Prospector Drain. The as-built plan also shows cross-connects to the storm water system that may be removed in order to reduce the cost of treating Prospector Drain flow.

Other research has identified operating businesses that participated or purchased participants in historic Park City mining. This information is helpful as we continue to seek to address the historic mining environmental legacy of Park City--it is useful in predicting where mine waste is likely to be found.

4. Clean Water Act Discharge Permits

At the direction of the EPA and UDEQ's Division of Water Quality, Park City applied for Clean Water Act discharge permits, called Utah Pollution Discharge Elimination Permits in July. Three applications were submitted to cover discharges associated with Judge Tunnel, Spiro Tunnel and Prospector Drain.

Staff is currently working with the Division of Water Quality to ensure that these permits, when issued, improve environmental quality and are both cost effective and workable. Draft permits will be issued for public review and comment prior to issuance of final permits. The Division of Water Quality has indicated permits may be issued in January 2012.

5. Other Remedial Projects

Biocell: In 2008, Park City constructed a biocell system to treat water from the Prospector Drain outfall. The biocell system continues to operate and has been effective in reducing the concentrations of dissolved cadmium and zinc from the Prospector Drain outfall.

Transit Center: The Old Town Intermodal Transit Center which is part of the Utah Voluntary Cleanup Program (VCP) continues to be monitored on a semiannual basis as part of Institutional Controls placed on the site. The site is inspected to ensure that the protective soil, asphalt, and concrete cap placed on the site remains in place and is protective of human health and the environment.

Triangle Parcel: In 2010, Park City and Summit County jointly entered the VCP to evaluate the possible presence of impacts due to mine tailings on the Triangle Parcel co-owned by Park City and Summit County, located on the east side of Highway 40 approximately two miles south of the I-80 and the Highway 40 intersection. In July, the Utah Department of Environmental Quality approved the Sampling and Analysis Plan and Quality Assurance Project Plan for the site prepared by AMEC Environmental & Infrastructure, Inc. AMEC began the sampling outlined in the plan in August and it is anticipated that sampling will be completed this fall.

6. Future regulatory-focused projects

Looking to the future the new environmental team will be looking at lessons learned from the last eight years since the soils ordinance was last revised in 2004. The team is working on programmatic and structural improvements to protect the environment and the public, create efficacy and improve public outreach:

- walking survey to identify properties that are hardscaped (limited soil and covered primarily with asphalt and/or concrete) so that those properties could be issued a Certificate of Compliance. We anticipate that this work will allow us to issue Certificates of Compliance to a number of properties that otherwise may have been overlooked since they do not have exposed soil;

- updating Planning, Building and Engineering permitting processes to ensure that contractors and property owners are aware of policies for excavating and moving soil within the Soil Ordinance prior to starting work;
- continued communication with the United States Environmental Protection Agency and Utah Department of Environmental Quality to further develop relationships.
- improving the environmental data base;
- updating the Environmental Guide Book to include information on Sustainability; and
- implementing an updated sampling and analysis plan for sampling within the Soils Ordinance Boundary to ensure a consistent approach when evaluating all properties.

Additionally, staff will prepare annual reports to EPA and UDEQ regarding Soil Ordinance implementation, the Environmental Management System, the Stormwater Programs and the Transit Center/Marsac Mill Voluntary Cleanup Program site, as discussed

7. Municipal Carbon Footprint

In December 2009, City Council approved a municipal carbon footprint goal of 12% below a forecasted business as usual trajectory by the end of 2012. This goal was set based on a number of defined carbon reduction projects (see Exhibit B) which were either in progress or anticipated to be completed before year-end 2012. Figure 1 below indicates the City's actual municipal carbon emissions, denoted by asterisks, versus a hypothetical pathway to meet this 2012 goal. The figure also includes regionally relevant goals, such as the Utah and Western Climate Initiatives, which these groups set for a community level.

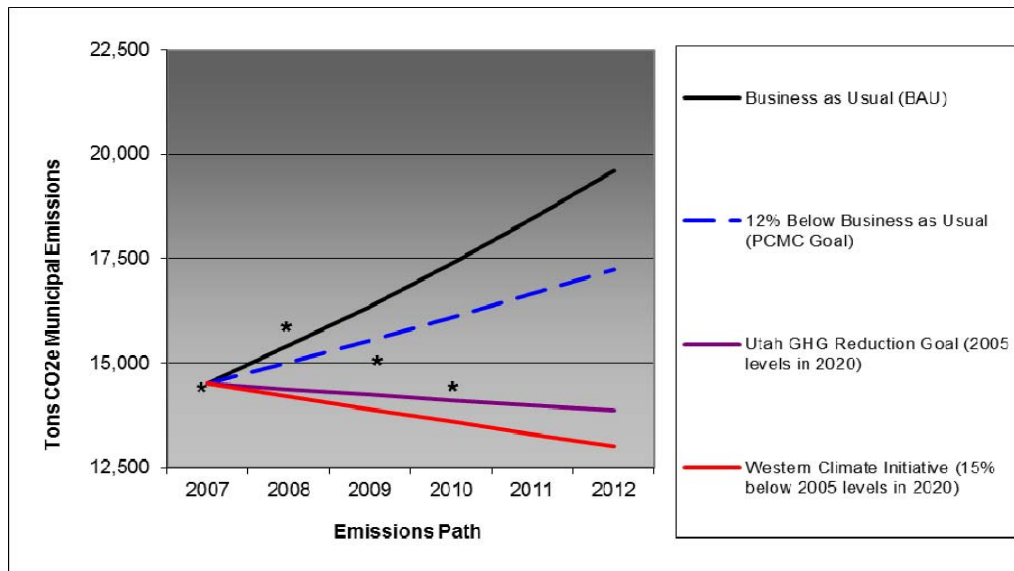


Figure 1. Park City's Municipal Carbon Emissions Relative to Goal. Asterisks indicate actual emissions for 2008, 2009 and 2010.

Figure 2 includes a breakdown of the municipal carbon footprint across the major contributing categories. As indicated below, the greatest progress has been achieved in the buildings, facilities, and streetlights thanks to a commitment to energy efficiency. This commitment included the Johnson Controls upgrade completed in 2009, but has also been advanced through internal policies which guide construction of more efficient buildings, including the Marsac Building renovation). The spike in overall emissions during 2008 can be attributed to increases in carbon from building energy use, water operations (driven largely by community water use), and vehicle fleet/transit. Building energy consumption, in particular, saw a spike in

'08 which has since turned into a downward trend. This fluctuation is due to energy efficiency retrofits performed by Johnson Controls, changes in facility usage (e.g., Marsac Building remodel and Recreation Center project), weather factors, and other more subtle permutations.

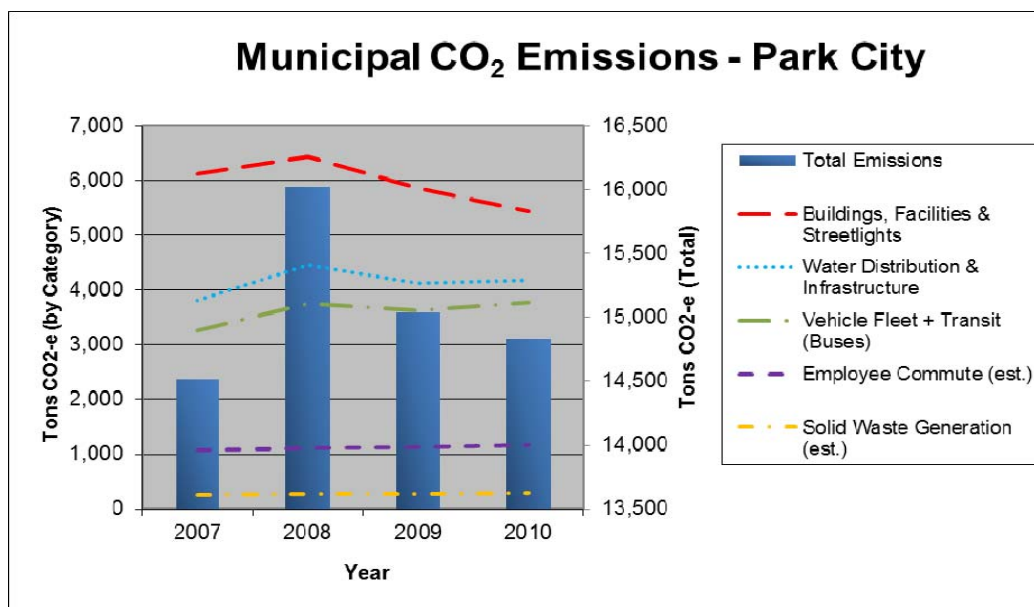


Figure 2. Park City's Municipal Carbon Emissions by Category.

Johnson Controls (JCI) recently provided staff with their annual Measurement & Verification report for the upgrades completed in 2009. According to their report, the City is saving \$126,554 annually from the energy efficiency and water conservation enhancements. ***This total is \$29,308 higher than the financial savings that JCI had guaranteed as part of the contract.*** Staff has independently completed a utility bill analysis of certain structures involved in the project and confirmed on-bill savings within 6% of the JCI guaranteed amount. As opposed to the more holistic analysis conducted by JCI, the utility bill analysis performed by staff is affected by factors outside the original project scope such as occupant behavior and the addition of new electrical devices.

Other initiatives contributing to progress include the installation of solar panels, more intelligent building controls, and a new pilot project for reducing idling in Police vehicles. These efforts will continue with the assistance partnerships among internal departments, emerging grants, and the City's internal revolving loan fund for financing energy savings.

According to Figure 1, we are currently on target to meet the 2012 goal. However, there are some factors which will have a major impact on this trajectory prior to the goal date. Primary among these will be the addition of three new buildings in the City's portfolio: Recreation Center, Public Works Transit Expansion, and Quinn's Water Treatment Facility. Additionally, if the City does not complete all the carbon reduction projects indicated in Exhibit B, most significant among them being Water Budgeting which is forecasted to save 806 tons of CO₂ annually (28% of the total goal), prior to December 2012, the 2012 carbon reduction goal may not be met. The Water department has indicated that Water budgeting is still on their project list, however the system likely won't be ready for implementation during calendar year 2012. Despite these uncertainties, the City may still be in line to meet its 2012 goal. Staff will be prepared with more information during the mid-year 2012 update.

8. Low Carbon Diet

The *Low Carbon Diet*, a city-sponsored initiative to reduce carbon emissions through behavior change, continues to build momentum and see increases in the total number of households participating. Thus far, over 75 individuals have been engaged by the program and received *Low Carbon Diet* booklets. Out of this total, approximately 28 households are known to be participating in formal working groups to reduce their personal carbon footprints. The program's dedicated webpage continues to see sustained traffic at ParkCityGreen.org and over 300 individuals have visited the *Low Carbon Diet* page since July 1, 2011.

One example of this program's potential impact was provided by a local citizen who hosted a *Low Carbon Diet* working group at her home. Despite already identifying herself as somewhat "green", she reported 13,521 additional annual pounds of CO₂ reduced from her own footprint, while also encouraging other households to make similar changes. A summary of this group's accomplishments is included below:

Park City's Low Carbon Diet Reporting Group #1 (Sept 2011)				
Five Total Households	# of Actions Done (During Program)	Annual Pounds CO₂ Reduced	# of Actions Planned for Future	Annual Pounds CO₂ Pledged for Future
Group Totals	67	55,691	28	21,777
Group Averages (per household)	13.4	11,138	5.6	4,355
Five Total Households	Actions Done (During Program), by Category			
	Home Energy / Water Use	Transportation	Waste & Recycling	Dietary Choices
Group Totals	42 Actions	15 Actions	5 Actions	5 Actions
Group Averages (per household)	8.4	3.0	1.0	1.0

Despite progress, staff feels that the marketing and outreach efforts are still a few months away from reaching maturity. In addition to public open house events and engaging with local employers and their employee base, staff is targeting self-identified environmental leaders to assist with implementation. To assist with this effort, the program has acquired the help of two volunteer U of U Environmental Studies interns for fall semester 2011.

The program also received a boost when it was awarded \$3,500 by the Rocky Mountain Power Foundation. Summit County has agreed to pay \$1,000 to provide workbooks, which cost \$10/each, for citizens in unincorporated Summit County. Additionally, the program received \$4,000 in support from a grant from the Knight Foundation/The Park City Foundation. These funds paid for web enhancements related to the program on ParkCityGreen.org.

Citizens interested in participating in the *Low Carbon Diet*, either as a leader for other households or own their own, should visit ParkCityGreen.org and/or reach out to the City's part-time program coordinator at brian.kahn@parkcity.org.

9. Plastic Bags Tax / Ban

During Visioning 2011, City Council directed staff to research a potential tax on plastic bags in order to discourage their use. The Legal department has since confirmed that such a tax would

be in violation of the Utah State tax code which restricts the types of taxes that municipalities can levy, barring any special Utah legislative approval. In addition to rules of the Local Sale and Use Tax Act, existing case law indicates that such a tax would likely be challenged and overturned at the state-level if pursued.

Staff has considered the option of a ban on plastic bags; however, there is concern that this would shift the environmental burden to paper bag options. While paper bags are manufactured from a renewable source and are biodegradable, research suggests that their production requires more energy and contributes more greenhouse gas emissions than plastic bags.

Given the inability to levy a tax on plastic bags, staff is requesting direction from City Council on whether it would like a proposal for banning plastic bags. Alternatively, the City could continue its current approach of allowing vendors to encourage reusable bags at their own discretion. During summer/fall 2009, Park City participated in a reusable bag challenge sponsored by the Colorado Association of Ski Towns. During this challenge, an estimated 157,382 disposable bags were prevented by the use of reusable bags within the Park City School District area. Staff will seek the opportunity to participate in future regional challenges, if presented.

10. Solar PV Production and Feasibility Study

Since June 2009, the City has completed four separate renewable energy projects. These projects include a 5 kilowatt (kW) solar array on the Ice Arena, 5.5 kW solar on the Creekside Park restrooms, 18.8 kW on the Marsac Building, and 13 separate smaller solar PV and solar thermal systems within the Snow Creek affordable housing project. Additional information on each of these projects, including real-time energy monitoring of the Marsac Building solar array, is available at ParkCity.org¹.

The Marsac Building's solar array is an example of the energy and environmental benefits of these projects. The 80-panels on top of Marsac have produced over 23 megawatt hours (MWh) of electricity since their installation in December 2010 (just over 10 months). This amount of electricity is equivalent to:

- The annual electricity needs of 2.4 average Utah homes; or,
- The CO₂-equivalent of removing 4.5 cars from the road; or,
- The energy derived from burning of 18,700 pounds of coal*
 - o *Assumes 2,460 kWh per short ton of coal

By using funds from the Department of Energy and Utah Office of Energy Development, staff was able to contract with two firms in 2011 to complete a solar feasibility study of City-owned roof-tops. This study evaluated 34 PCMC sites currently without solar panels, included buildings, water infrastructure sites, and other facilities. Ultimately, a large number of sites were deemed unsuitable based on a number of issues ranging from structural concerns to shading from trees and other objects. However, 13 total sites appear to be good candidates for new solar installations. These 13 sites have the potential for a total installed capacity of 184 kilowatts, or roughly the equivalent of 751 solar panels. At current market rates, the installed cost for this much solar is about \$1,000,000. While the feasibility study did include some structural analysis, the authors recommend additional research in this regard on any individual

¹ <http://www.parkcity.org/index.aspx?page=738>

site before pursuing a project. A copy of the full feasibility study, including environmental benefits and financial payback estimates, is available in the Sustainability department.

Staff has already utilized the results of the feasibility study to apply for grant funding from Rocky Mountain Power's Blue Sky Program for a 40-panel solar array on the Police facility. Results of this application should be known in December or January. Additionally, Transit and Sustainability staff are investigating the Public Works roof for solar. This site may be a solar candidate for some remaining Department of Transportation grant funds that the City received as part of the larger construction project currently occurring on that campus.

Some new financing mechanisms for renewable energy, including power purchase agreements (PPAs) at the commercial scale, have become available in Utah in recent years. Staff will remain informed of the challenges and opportunities with these options and report back to City Council if results from the recently-completed feasibility study indicate a chance to increase our solar portfolio using cost-effective measures.

11. Electric Vehicle Charging

During the June 9, 2011 Work Session, staff gave a presentation on public electric vehicle (EV) charging stations. This presentation was the result of a citizen inquiry about EV charging as well as a response to changing market conditions in the auto industry which indicate more EVs on the road in the future. During the Work Session, City Council advised staff (see Exhibit C) to proceed with its application, in partnership with Utah Clean Cities, for Department of Energy (DOE) funding to investigate EV charging options and alternatives for local charging options. This application has since been filed and results should be known in the next six months.

City Council also advised staff to research basic, Level 1 charging on top of China Bridge and report back with this analysis. There are currently a limited number of charging options within China Bridge. These options are comprised of four separate outlet locations in the north parking facility, all of which are adjacent to ADA parking stalls. Additional outlet locations would cost roughly \$1,500 each. Based on the profile and needs of past events, there is not an immediate requirement for additional charging at China Bridge for the purposes of event production. With regard to dedicated EV charging stalls at China Bridge, staff's recommendation is to wait for results from the DOE grant application before planning next steps. If the grant is successful, the services provided will answer a number of outstanding technical questions such as: how to mitigate risks of charging vehicles in inclement weather, state-level interconnection and billing rules, ideal locations for charging stations in Park City, and the appropriate voltage and style of outlets to meet the needs of future EV owners.

During Work Session, staff will present the above information and request direction from City Council. The alternative paths include:

- 1) Await results of the DOE grant proposal submitted by Utah Clean Cities and plan next steps depending on these results (Staff Recommendation); or,
- 2) Continue researching existing, and new, charging options within China Bridge. Return to Council with a formal plan for infrastructure, signage, and advertising. Staff does not recommend this action prior to receiving results of the grant proposal; or,
- 3) An alternative recommendation, as provided by Council.

12. Local Food Initiatives

There has been a growing interest in local food nationally and the Park City area is no exception. From community gardens to local beef, there has been a surge in activities to cultivate local food and its related benefits such as economic security and food independence. Recognizing the importance to sustainability of local foods, staff continues to act in an advisory capacity on local food initiatives such as the Summit Community Gardens and Summit County Beef.

14. Climate Change Adaptation

Climate adaptation planning is a proactive approach to addressing the myriad threats of climate change and its current, plus anticipated, impacts. In addition to changes observed to-date, the scientific consensus is that some additional level of climate warming and disruption will occur, regardless of mitigation efforts. Numerous government, academic, non-profit, and for-profit entities have begun creating formal adaptation guidelines to prepare for such future conditions. Park City Municipal recently had the opportunity to participate in one of these ventures, along with a group of regional partners.

Utilizing grant funding from the Urban Sustainability Directors Network (USDN), Park City took part in a regional climate adaptation effort during spring/summer 2011. Other cities included: Tucson, Flagstaff, Las Vegas, Salt Lake City, Boulder County, Fort Collins, and Denver. Several process observers commented that this broad coalition was an innovative approach to climate adaptation planning which other regions in the U.S. will likely replicate over time.

The group's networking efforts culminated in a formal report, completed in August 2011, which describes the shared future climate change risks for the region. A full copy of this report is available on the web². The regional climate adaptation plan also made use of a Powder Corporation sponsored climate forecast specific to Park City which was completed in 2009 (see "Climate Change in Park City: An Assessment of Climate, Snowpack, and Economic Impacts" by Stratus Consulting³).

In addition to changes in temperature, the report discussed variables such as precipitation, snowpack, and extreme weather events. While long-term temperature changes are forecasted to have a significant impact on Park city's economy, our community will likely experience the impacts of *extreme weather events and natural disasters*, such as wildfires, well before the full impacts to the snowpack are realized.

The below list identifies some key sectors identified in the report as important to creating a more refined local adaptation plan:

- | | |
|--------------------------------|----------------------------------|
| ✓ Biodiversity | ✓ Insurance |
| ✓ Education | ✓ Recreation, Open Space & Parks |
| ✓ Emergency Management | ✓ Stormwater |
| ✓ Energy | ✓ Transportation |
| ✓ Forestry and Forest Services | ✓ Wastewater |

If directed by Council, future steps for climate adaptation planning could include refined assessment of local risks and ongoing participation with the coalition forged through USDN. The staff recommendation is for City Council to review the resolution included in Exhibit D, which is also being presented to elected officials from the other municipalities involved. This

² http://www.parkcitygreen.org/Files/USDN-Inter-Mountain-West-Report_Final-Aug-2011.aspx

³ <http://www.parkcitygreen.org/Community/Community-Footprint/SOS-ClimateStudy.aspx>

resolution would express support for the establishment of a Regional Climate Adaptation Planning Alliance and also signal Park City's membership in such an alliance. As stated in the resolution, "commitment of financial or human resources is voluntary and not obligatory and none of the parties is expected to collaborate on matters where internal prohibitions exist".

The aforementioned regional report created by this coalition is an excellent baseline for starting a more robust adaptation plan specific to Park City. However, staff has not made any immediate plans to begin this process due to a lack of bandwidth. If Council agrees that climate adaptation endeavors are a worthwhile venture, then staff will return with a final draft of the resolution in Exhibit D and add ongoing adaptation planning to the list of pending projects.

Department Review:

Staff from Sustainability and Legal, in addition to the City Manager, have reviewed this Staff Report and their comments have been incorporated.

Alternatives:

Most of the items in this Staff Report are strictly informational updates. However, staff is requesting direction from these three items presented in the Analysis section.

Item #1: Plastic Bag Tax / Ban

A. Continue Status Quo (Staff Recommendation)

Staff has confirmed that taxing plastic bags locally is not Legal in Utah. Per information presented in the Analysis section, staff does not recommend pursuing an outright ban of plastic bags and recommends the City's current position on the issue.

B. Modify

Council could direct staff to return with a proposal for banning plastic bags, or another alternative as provided by Council.

Item #2: Electric Vehicle (EV) Charging in China Bridge Parking

A. Await Grant Proposal Results (Staff Recommendation)

Staff recommends that the City await results of the DOE grant proposal submitted by Utah Clean Cities and plan next steps depending on these results. This grant will help clarify technical questions regarding EV charging and allow the City to take a more planned approach to the topic.

B. Continue Path for Near-term EV Charging at China Bridge

Council could direct staff to continue researching existing, and new, charging options within China Bridge (estimated \$1,500 per Level 1 charging location). Staff would return to Council with a formal plan and final cost for infrastructure, signage, and advertising. Staff does not recommend this action prior to receiving results of the grant proposal.

C. Modify

Council could direct staff to pursue an alternative path to public EV charging, as described by Council.

Item #3: Climate Change Adaptation Planning Alliance

A. Approve (Staff Recommendation)

Staff recommends that City Council direct staff to return with the Resolution listed in Exhibit D for formal adoption during Regular Session. Staff will also add local adaptation planning to its list of pending projects for future consideration.

B. Deny

Council could direct staff to cease any additional climate adaptation planning measures, pending future direction.

C. Modify

Council could direct staff to pursue an alternative approach to climate adaptation planning.

D. Continue the Item

Council could direct staff to return in Work Session with more information before deciding on an alternative.

Significant Impacts:

The majority of this Staff Report contains informational updates. In instances where Council direction is requested, the impacts will vary and be discussed in conjunction with the Analysis section.

Recommendation:

Staff recommends that City Council review the Environmental Update and provide direction, where indicated.

Exhibits (Attached):

Exhibit A - Environmental Strategic Plan

Exhibit B - Municipal Carbon Reduction Projects

Exhibit C - Meeting Minutes from EV Charging Discussion

Exhibit D - Resolution Supporting Establishment and Efforts of Regional Climate Adaptation Planning Alliance

Exhibit A – Environmental Strategic Plan

GOAL 1. Preserve and enhance the ecological systems and diversity of the City and, in turn, the Region		
ID	Action #	Description
Objective	1.0	Reduce Municipal carbon & greenhouse gas emissions.
Objective	1.1	Reduce Municipal water consumption.
Objective	1.2	Reduce Park City's <i>community</i> CO2 emissions.
Objective	1.3	Reduce Park City's <i>community</i> water consumption.
Objective	1.4	Address City Council's municipal and community carbon emissions objectives, as well as air quality goals, by identifying economically viable methods for lowering the carbon intensity of local electricity sources
Objective	1.5	Minimize liability and proactively address potential environmental issues
Objective	1.6	Complete environmental regulatory commitments
GOAL 2. Encourage the efficient use of all resources in order to ensure a future with a secure and sustainable energy supply		
Objective	2.0	Develop General Municipal Building Efficiency Measures
Objective	2.1	Develop Internal Municipal Policies that encourage conservation
Objective	2.2	Increase Park City's community-wide recycling rates.
Objective	2.3	Increase utilization and visibility of renewable energy in Park City
Objective	2.4	Explore city-supported environmental sustainability programs for residents
GOAL 3. Encouraging environmental stewardship and protection of Park City's natural environment through sharing of environmental information with the community and active, meaningful community participation		
Objective	3.0	Support local organizations that educate the public, schools, other jurisdictions, professional associations, business and industry about reducing global warming pollution
Objective	3.1	Support discussions for transit options between Park City and surrounding areas
Objective	3.2	Strengthen the State Residential Energy Code through strongly advocating for state and national policies that conserve energy, reduce carbon emissions and conserve water
Objective	3.3	Play an active role in environmental community education and outreach
Objective	3.4	Stay current on environmental initiatives, concepts & best practices
Objective	3.5	Encourage greater community participation in the creation of renewable energy projects in Park City
Objective	3.6	Partner with Summit County and other local agencies to increase programmatic efficiencies and improve regional success of environmental sustainability initiatives
GOAL 4. Incorporate environmental considerations as an integral part in assessing growth management options, land use plans, transportation plans and development proposals.		
Objective	4.0	Reduce community-wide energy consumption & reduce community-wide energy costs
Objective	4.1	Increase utilization of alternative transportation
Objective	4.2	Maintain air quality at current levels
Objective	4.3	Improve visibility of night sky
Objective	4.4	Pursue a regulatory role to increase energy efficiency in new construction as well as remodels
GOAL 5. Continue to review and investigate best practices that have the potential of substantially improving the environment		
Objective	5.0	Ensure the Environmental Sustainability Plan keeps pace with technology, nation-wide trends and the community's collective interests

Exhibit B - Municipal Carbon Reduction Projects

Item #	Primary Resource Targeted	Carbon Reduction Action	Implementation Cost Figure (\$)	Implementation Timeframe	Annual Savings Estimates					Time for Nominal Payback Energy Savings Only (Years)	Estimated Lifetime for Upgrade (Years)
					Electricity kWh	Natural Gas Therms	Water (Kgal)	CO2e (tons)	Dollar Savings (Energy Only)		
1	Building Energy	Johnson Controls Upgrades Implemented in 2008 and 2009	Completed Item - \$1,273,277	Completed	668,948	54,550	2,549	1,051	\$99,138*	12.8	10-20+
2	Building Energy	Marsac Upgrades High-efficiency Lighting; Geothermal Heat Pump System; Efficient Temperature Regulation	Completed Item - Efficiency Upgrade Costs were Part of Entire Project	Completed	TBD	TBD	TBD	TBD	TBD	TBD	10+
3	IT - Building Energy	Computer Desktop Tower to PowerSave City-wide, After 1 hour	Staff Time	2.5 Days	41,360			44	\$3,185	Immediate	5+
4	IT - Building Energy	Computer Monitor to PowerSave City-wide, After 1 hour	Staff Time	2.5 Days	23,540			25	\$1,813	Immediate	5+
5	IT - Building Energy	Server Virtualization Reduce 28 current servers down to 4 servers	Budgeted - Approx \$35,000 - Part of Upgrade and Replacement Schedule	Spring 2010	78,164			83	\$6,018	5.8**	3+
6	Vehicle Fuel	5% Fuel Reduction Goal Eco-driving; Idle reduction; Improved Trip Planning; Acquisition of More Efficient Vehicles; Improved Vehicle Maintenance, etc.	Staff Time / Some Upgrade Costs / TBD - Behavioral and planning changes. Note that fuel reduction strategies are also being considered on their own apart from the Carbon Reduction Plan	Varies - <1 year in general				233	\$69,167	Immediate	5+

Exhibit B Continued - Municipal Carbon Reduction Projects

Item #	Primary Resource Targeted	Carbon Reduction Action	Implementation Cost Figure (\$)	Implementation Timeframe	Annual Savings Estimates					Time for Nominal Payback Energy Savings Only (Years)	Estimated Lifetime for Upgrade (Years)
					Electricity kWh	Natural Gas Therms	Water (Kgal)	CO2e (tons)	Dollar Savings (Energy Only)		
7	Water	Irrigation Timers	\$29,000 - One-time cost for 200 customers	Summer 2010, if approved	16,597	46	7,000	18	\$1,306	22.2**	6+
8	Water	10% Increase in Water Rates - 2 to 4% residential - 5 to 8% commercial	Completed Item - \$5,000	Summer 2009	TBD	TBD	TBD	TBD	TBD	TBD	10+
9	Water	Landscape Water Checks	\$10,000 - One-time cost for 100 customers	Summer 2010, if approved	23,236	64	9,800	25	\$1,829	5.5**	7
10	Water	Water Budgeting	\$60,000 - One-time Cost - There will likely be some ongoing admin costs	Summer 2012, if approved	749,978	2,070	316,313	806	\$59,024	1**	10+
11	Water	Micro-hydro Power Turbines at the Quinn's WTP	Budgeted - \$230,000 for Phase I (40 kW) - Cost and Energy Estimates Subject to Change	Summer 2011 for Phase I of Turbines	262,800			278	\$20,236	10+**	10+
12	Water	Variable Frequency Drives/Soft Starts - Retrofit existing stations	Budgeted - \$40,000 - \$80,000 per station	Retrofits are in progress; est. one pump station per year through 2012	80,000			204	\$6,160	10+**	3+
13	Water	Raw Water Pipes - Using Raw Water for Irrigation and Snowmaking saves Treatment and Pumping Costs	Budgeting TBD - part of upgrade and replacement schedule	2012, Roughly 2 years for implementation	90,000			95	\$6,930	10+**	10+
TOTALS					2,034,623	56,730	335,662	2,862	\$274,806		
Notes for Carbon Reduction Table 1) Light green cells are either completed since 2007 or in the budget process to be completed as part of normal department business; non-highlighted line items are awaiting approval either as part of the Municipal Carbon Reduction Plan or otherwise. 2) There are numerous other potential energy savings projects, either known or unknown at this time, that may be technically and financially feasible before 2012. These additional items were not included due to some uncertainty or need for a pilot project before making part of a formal plan. These other potential items include idle-reduction technology for the Police fleet, water-saving technologies incorporated into Automated Meter Reading (leak detection), elimination of extraneous power consuming items, acquisition of more renewable energy resources, etc. *The Johnson Controls savings estimate (\$99,138) is the guaranteed annual savings figure for the project. Some financial estimates related to water savings were included in the Johnson Controls financial figure. **The payback time on items with two asterisks will likely be quicker than what's displayed since there are financial benefits, outside of just energy savings, that weren't fully accounted for in this process											

Exhibit C - Meeting Minutes from EV Charging Discussion

Work Session – June 9, 2011

City Fleet Fuel Strategy

Diane Foster, Environmental Sustainability Manager; Kent Cashel, Transportation Manager; and Tyler Poulson, Environmental Sustainability Project Manager were present for the discussion. Diane Foster requested discussion and direction the three topics presented in the Staff Report.

Public Electric Vehicle Charging Stations in Park City. Diane Foster explained staff incorporated a cross-departmental approach to understand the breadth of the challenge in providing EV infrastructure. There are three types of charging stations, two of which exist currently: Level 1 = eight to 20 hours, plug into normal 120 volt AC socket; Level 2 = 3 to 8 hours, plug into 240 volt AC plug, requires special equipment. EV infrastructure is in its infancy.

Most installations are being supported by US Department of Energy grants. The staff team identified several options ranging from continuing with the grant application and working with Utah Clean Cities and other Utah communities to develop an EV infrastructure plan for Utah, including Park City; developing a plan to install one or two free Level 1 municipal charging stations in China Bridge; or developing a plan to install one or two free Level 2 municipal charging stations in China Bridge.

Liza Simpson requested an evaluation of what might be required to install Level 1 stations in China Bridge, which could be also used to supply electricity for special events. She encouraged having multiple outlets on top of China Bridge. Council Members directed Staff to pursue option 1 (see below), with the addition of researching special electrical needs to the scope. Staff indicated they would conduct further research into costs to the City, how it would increase the City's carbon footprint because it would not include a charge card, but not go so far as to identify every possible issue.

Option 1. Continue with the aforementioned grant application and, if awarded, work with Utah Clean Cities and other Utah communities to develop an EV infrastructure plan for Utah, including Park City.

Exhibit D - Resolution Supporting Establishment and Efforts of Regional Climate Adaptation Planning Alliance

Resolution No. ##-11

RESOLUTION SUPPORTING THE ESTABLISHMENT AND EFFORTS OF REGIONAL CLIMATE ADPATATION PLANNING ALLIANCE

WHEREAS, the governments of Fort Collins, Las Vegas, Flagstaff, Denver, Boulder, Park City, Salt Lake City, Tucson, and Boulder County (the Partners) joined together in a collaborative process to explore climate change adaptation planning; and

WHEREAS, the Urban Sustainability Directors Network provided funding to the Partners to enable them to come together and to share and explore planning frameworks, creative ideas, and knowledge about climate adaptation planning; and

WHEREAS, the Partners held two meetings in 2011, the first in Las Vegas and the second in Park City as well as several conference calls; and

WHEREAS, the Partners have benefited greatly from these meetings and the associated dialogue about climate change and planning for the future of a changing climate; and

WHEREAS, the Partners have published a "Report on Climate Change and Planning Frameworks for the Intermountain West," and

WHEREAS, the Partners acknowledge that climate change already is having a significant impact on western and southwestern states, and that local communities have a critical role, and indeed an obligation to their citizens, to anticipate, plan and prepare for impacts associated with climate change; and

WHEREAS, the Partners acknowledge that some of the impacts of climate change are regional in nature, and will require regional cooperation and planning to effectively prepare our local communities for future conditions; and

WHEREAS, given the success of the Partners to date, they agree that the establishment of an ongoing Regional Climate Adaptation Planning Alliance (the Alliance) would of great value to our local communities and as well as to the region; and

WHEREAS, such an Alliance would enable continued learning, knowledge transfer, and regional collaboration; and

WHEREAS, the Alliance plans to continue to communicate on a regular basis with telephone meetings and thru other methods in order to assist each other, to share progress, and to discuss climate change related topics and associated adaptation strategies with respect to:

- Economic Health and Resilience
- Climate Change Science
- Municipal Water Supply Planning
- Forest Management

- Emergency Management
- Transportation Planning
- Human Health and Related Services
- Agricultural Impacts and Food Security
- Energy Generation, Supply, and Security

And any area of cooperation that the parties may agree upon; and

WHEREAS, the Alliance wishes to affirm the partnership and the desire for future collaboration, knowledge transfer, and dialogue; and

WHEREAS, any commitment of financial or human resources is voluntary and not obligatory and none of the parties is expected to collaborate on matters where internal prohibitions exist; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of Park City, Utah that the City Council hereby declares its support for the establishment of a Regional Climate Adaptation Planning Alliance and the membership of Park City in said Alliance.

PASSED AND ADOPTED this ## day of October, 2011.

PARK CITY MUNICIPAL CORPORATION

Mayor Dana Williams

Attest:

Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney

City Council Staff Report

Author: Phyllis Robinson
Subject: Interlocal Employee Housing Agreement
Between Park City and Wasatch County
Date: October 6, 2011
Type of Item: Legislative



Sustainability

SUMMARY RECOMMENDATION

Staff recommends that the City Council take public input and approve the proposed Park City/Wasatch County Interlocal Employee Housing Agreement in a form approved by the City Attorney.

BACKGROUND

In October 2009 the City Council approved a request by Talisker/UPCM to fulfill 43.3 Affordable Unit Equivalents (AUEs) of its off-mountain housing obligation through the acquisition of 17 newly constructed units in the Black Rock subdivision in Wasatch County. Black Rock is located near the intersection of SR-248 and Browns Canyon Road. The project was in foreclosure at the time of acquisition. Talisker/UPCM placed an affordable housing deed restriction on these units in 2010, in a form approved by both Wasatch County and Park City.

The 17 units were approved as part of a revised phasing plan to address Talisker's outstanding off-mountain affordable/employee housing obligation of 86.175 AUE that also included:

- 100 Marsac Avenue. Construction of ten units (consisting of approximately 15-16 AUEs) as approved by the City.
- Quinns Land Transfers. Transfer of approximately 40-acres located at Quinns Junction in exchange for a credit of 54 AUEs.
- a credit of 54 AUES.
- Assuming all projects were completed as estimated, a possible surplus of 10 AUEs would exist and would be applied to future Talisker obligations in Park City, if any.
- There were no changes made to the remaining on-mountain obligation.

To date, for reasons outlined below, these units have not been credited towards Talisker's overall housing obligation.

ANALYSIS

Wasatch County Manager, Mike Davis, contacted Park City with concerns about Talisker's acquisition of the Black Rock units in fulfillment of a City housing obligation. Park City was unaware that Talisker had not discussed the issue with Wasatch County and that significant certificate of occupancy issues were on-going between the County and Talisker. The matter was initially settled with some informal discussions wherein City staff acknowledged we should have reached out and coordinated better with the County. The City also explained that, at the time, the City was subject to some confidentiality requirements due to the property negotiations related to the Talisker property, MIDA and the PC Heights property acquisitions. The City Manager committed to a better process in the future. However, the Wasatch County Manager continued to

receive negative feedback from his Council, including after staff from both the County and City approved [as to form] the deed restrictions proposed by Talisker. City and County staff again met and jointly developed the attached Park City/Wasatch County Interlocal Employee Housing Agreement (Exhibit 1) to address identified concerns. The agreement states clearly (1) the terms under which these units will be counted against Talisker's housing obligation and (2) the process for any future consideration of any Park City affordable housing units in Wasatch County.

Black Rock Units

- Talisker will not receive credit towards its off-mountain obligation until such time as Wasatch County grants Certificates of Occupancy for these units. To date, these units have not received COs. Park City has not given Talisker Credit for these units. The decision as to when the units receive their COs is a decision belonging solely to Wasatch County.
- Wasatch County will not allow Talisker to use the Black Rock units in fulfillment of any County housing obligation owed to Wasatch County.
- Park City and Wasatch County agree that the Black Rock units may be used by Wasatch County residents/employees as United Park City Mines Company employee housing for both Park City and Wasatch County.

Future Process

- The Interlocal Agreement also outlines the procedures required in the unlikely event that a developer of a project in Park City or Wasatch County wishes to fulfill a housing obligation in the other's jurisdiction beginning with a pre-application meeting between the developer and the affected jurisdiction.
- Both parties also agree that there will be no approval/acceptance of employee housing units to fulfill a developer obligation without prior approval of the other jurisdiction; it is the developer's responsibility to secure the necessary approvals.

The Interlocal Employee Housing Agreement is a balanced document that was developed jointly by Park City and Wasatch County. Staff recommends that Council approve the Interlocal Agreement as written.

SIGNIFICANT IMPACTS

The Interlocal Agreement is a good step to strengthening regional cooperation, a Council Top Priority. Failure to approve the Agreement could have negative impacts upon the City's relationship with Wasatch County and weaken our ability to create regional solutions to common issues. It is anticipated that Wasatch County will adopt the Interlocal Agreement upon Park City's approval.

DEPARTMENT REVIEW

This staff report has been reviewed by the City Attorney and City Manager.

ALTERNATIVES

A. Approve the Interlocal Employee Housing Agreement. This is Staff's recommendation.

B. Modify the Agreement. This document was developed jointly. Any significant modifications would require review and acceptance by Wasatch County.

- C. Continue the Item. Request that Staff return with additional information and continue the item for more information and discussion.
- D. Deny the Request. This would likely have long term negative impacts on regional cooperation.

RECOMMENDATION

Staff recommends that the City Council approve proposed Park City/Wasatch County Interlocal Employee Housing Agreement in a form approved by the City Attorney.

Exhibit 1: Proposed Resolution adopting Park City/Wasatch County Interlocal Employee Housing Agreement

Resolution No.

**A RESOLUTION APPROVING AN INTERLOCAL EMPLOYEE HOUSING AGREEMENT
BETWEEN PARK CITY MUNICIPAL CORPORATION AND WASATCH COUNTY**

WHEREAS, the Interlocal Cooperation Act provides that any power that may be exercised by any public agency may be exercised and enjoyed jointly with other public agencies pursuant to an agreement approved by resolution of the governing bodies of each such public agencies; and

WHEREAS, Park City Municipal Corporation (PCMC) has determined by vote of its governing body to enter into these Interlocal Cooperation Agreements to enhance the effectiveness of cooperative efforts between the parties and anticipates that Wasatch County (County) will do likewise; and

WHEREAS, it is necessary that PCMC and County cooperate with one another to effectively avoid unintended consequences and/or adverse impacts of local decisions within and across the boundaries of both Park City and Wasatch County; and

WHEREAS, both PCMC and the County will benefit from the coordinated operations contemplated by this Agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Park City, Utah as follows:

SECTION 1. INTERLOCAL AGREEMENT ADOPTED. The City Council hereby authorizes the Mayor to execute the INTERLOCAL EMPLOYEE HOUSING AGREEMENT BETWEEN PARK CITY MUNICIPAL CORPORATION AND WASATCH COUNTY (attached as Exhibit A), in a form approved by the City Attorney's Office, and subject to County approval.

SECTION 2. EFFECTIVE DATE. This Resolution shall take effect upon adoption, as conditioned.

PASSED AND ADOPTED this 6th day of October, 2011.

PARK CITY MUNICIPAL CORPORATION

Mayor Dana Williams

Attest:

Janet M. Scott, City Recorder

Approved to form:

Mark D. Harrington, City Attorney

**INTERLOCAL EMPLOYEE HOUSING AGREEMENT
BETWEEN PARK CITY MUNICIPAL CORPORATION AND WASATCH COUNTY**

THIS AGREEMENT, is made and entered into this 6th day of October, 2011, by and between PARK CITY MUNICIPAL CORPORATION, 445 Marsac Avenue, Post Office Box 1480, Park City, Utah, a municipal corporation of the State of Utah hereafter “Park City” and **WASATCH COUNTY**, a political subdivision operation under the laws of the State of Utah, 25 N Main, Heber City, Utah 84032, hereinafter “Wasatch County”, and may be referred to a “party” or “the parties.”

WHEREAS, in 2009, due to unique circumstances regarding the Flagstaff Annexation and United Park City Mines Company/Talisker’s construction of a Park and Ride lot at Richardson Flats in close proximity to other development units owned by Talisker in Wasatch County, the Black Rock Condominiums, Park City accepted the dedication of 17 Black Rock units towards the Flagstaff Annexation employee housing requirement; and

WHEREAS, the Black Rock project is in Wasatch County, which has its own separate development and housing requirements; and

WHEREAS, although a similar situation is not contemplated, the parties wish to coordinate on joint planning, clarify one another’s understand regarding the Black Rock project, and limit unintended consequences of future, unilateral land use decisions; and

WHEREAS, the parties desire to make the most efficient use of their powers by enabling them to cooperate with each other on a basis of mutual advantage and thereby provide services and facilities in a manner and under forms of governmental organization that will accord best with geographic, economic, population and other factors such as proximity to public transportation which influence the needs and development of local communities; and

WHEREAS, this mutual aid and assistance agreement is in the best interests of both Wasatch County and Park City providing a tool to provide a benefit of economy of scale and economic development for the overall benefit of the general welfare of both communities; and

WHEREAS, Wasatch County and Park City have developed and adopted moderate income housing plans as part of their General Plans, and this interlocal agreement is consistent with the objectives of those plans.

NOW THEREFORE, BE IT RESOLVED, that Wasatch County and Park City enter into this agreement under the provisions of the Utah Interlocal Cooperation Act, §11-13-101, et. seq. of the Utah Code to foster the legitimate interest of Wasatch County and Park City actively working together regarding land use decisions, particularly employee housing requirements. The parties recognize that employee housing issues transcend political jurisdictional boundaries, and intergovernmental coordination is essential for protecting lives and property and for facilitating the efficient use of available assets both public and private. They further recognize that a signed mutual interlocal agreement does not obligate either party to limit

their legislative authority with respect to future, individual land use decisions. The parties therefore agree as follows:

1. **PURPOSE.** Recognizing both the significant impacts and mutual benefits of such projects, the parties prepared this agreement in order to provide a method, and set forth procedures and limitations, whereby one party may accept or approve employee housing in the other's jurisdiction. Both parties agree no such approval or acceptance can occur in the future unless both parties agree in advance and the procedure is followed as outlined herein.

2. **AUTHORIZED OFFICIAL.** For Wasatch County, the Authorize Official shall be the County Manager or his/her designee. For Park City, the Authorize Official shall be the City Manager or his/her designee.

3. **BLACK ROCK STATUS.**

a. **No Effect on Wasatch County Development Approval, Conditions of Approval, or Certificate of Occupancy.** The parties agree that Park City's 2009 Housing Agreement with United Park City Mines Company has no effect on existing approvals, conditions and outstanding punch list items for the Certificate of Occupancy. The use of such units to satisfy Park City requirements shall in no way satisfy Wasatch County development conditions of approval, unless express and separately approved by Wasatch County.

b. **Effect of Wasatch County Certificate of Occupancy.** Park City will not acknowledge any credit of the employee units towards the Flagstaff obligation until such time as Wasatch County has issued Certificates of Occupancy on such units.

c. **Deed Restrictions.** Wasatch County acknowledges that it has approved the Deed Restrictions currently recorded on the affected units.

d. **Employee Housing.** Consistent with the Deed Restrictions, the parties agree that the designated housing may be used by Wasatch County residents/employees as United Park City Mines Company employee housing for both Park City and Wasatch County. The Parties further agree that said units will not fulfill any requirements which Developer has have for Wasatch County affordable housing.

4. **PROCEDURES FOR FUTURE PROJECTS.**

a. **Pre-Application Meeting.** In the event a development applicant or other private party initiates consideration of a potential, future project utilizing development rights in the other's jurisdiction, the Authorized Official shall immediately contact the other Authorized Official to initiate a pre-application meeting.

b. **No Approval/Acceptance of Obligation Without Prior Legislative Approval of Other Jurisdiction.** After the Authorized Officials from both jurisdictions

meet, a written summary of the pre-application meeting shall be prepared by the requesting party. The summary shall be forwarded to the applicant or other private party and it shall be the responsibility of the applicant or other private party to secure the advanced approval of both jurisdictions. Nothing herein shall limit the legislative discretion of either jurisdiction in approving or rejecting the proposal.

c. **Best Efforts to Exchange Units to Minimize Impact on Wasatch County Projects.** The parties hereby agree to cooperate during UPCM/Talisker's other developments in each jurisdiction with the intent of exploring opportunities to swap or move previously approved employee units to more mutually acceptable locations as UPCM/Talisker's other holdings continue to develop.

5. **HOLD HARMLESS AND INDEMNITY.** Each party agrees to indemnify, defend, and hold harmless each other party from and against any claims, lawsuits, liability, damages, loss, costs or expense, including attorney's fees incurred as a result of bodily injury, death, personal injury or damage to property caused by or arising out of the intentional, wrongful, or negligent acts or omissions of the responsible party. Notwithstanding the foregoing sentence, no party waives any defenses or immunity available under the Utah Governmental Immunity Act (Chapter 63G-7, Utah Code Annotated), nor does any party waive any limits of liability currently provided by the Act.

6. **NO WAIVER OF GOVERNMENTAL IMMUNITY: INSURANCE.** Nothing herein shall be deemed a waiver by any party of any immunity provided by law to such party or an extension of any limits of liability applicable to such party nor shall this agreement be construed as an agreement to indemnify, hold harmless, or in any way to assume liability for personal injury, death or property damage caused by the negligence of the other party. Each party agrees to make provision for insurance coverage, through independent contact or self-insurance, to meet such liability as may be imposed upon it through statutory waiver of immunity or as otherwise provided by law.

7. **WITHDRAWAL.** Any party of this Agreement may withdraw from this Agreement by providing written notice of its intent to withdraw to the applicable Authorized Official. Withdrawal takes effect sixty (60) days after the appropriate official receives notice. However, in no case shall this Agreement be in force and effect for a period in excess of fifty (50) years.

8. **TERM.** The term of this Agreement shall commence on the date of execution of this Agreement and shall terminate on June 30, 2051.

9. **MODIFICATION.** Either party may request changes to the scope of services and performance to be provided hereunder, however, no change or addition to this Agreement shall be valid or binding upon either party unless such change or addition be in writing and signed by both parties. Such amendments shall be attached to and made part of this Agreement.

10. **NONDISCRIMINATION.** The parties will not discriminate against any recipient of any services or benefits provided for in this Agreement on the grounds of race, creed, color,

national origin, sex, marital status, gender identification, sexual orientation, age or the presence of any sensory, mental or physical handicap.

11. NO SEPARATE ENTITY. This agreement does not create a separate legal or administrative entity and no third party rights are created by the enactment of this agreement. As allowed in §11-13-201 of the Utah Code, both parties are cooperating jointly together to exercise their individual powers and privileges.

IN WITNESS WHEREOF the parties hereto have caused this Agreement to be executed the day and year first hereinabove written.

PARK CITY MUNICIPAL CORPORATION

Dana Williams, Mayor

Attest:

Janet M. Scott, City Recorder

Approved as to Form:

Mark D. Harrington, City Attorney

WASATCH COUNTY

Mike Davis, Wasatch County Manager

Attest:

Brent Titcomb, County Clerk

Approved as to Form:

Scott Sweat, County Attorney

City Council Staff Report



Subject: Resolution Adopting Traffic and Transportation Master Plan
Author: Matthew Cassel, P.E., City Engineer
Department: Engineering
Date: October 6, 2011
Type of Item: Legislative

Summary Recommendation:

Staff is recommending that City Council hold a public hearing and consider approving the Resolution adopting the Traffic and Transportation Master Plan.

Topic/Description:

A street master plan was prepared for Park City by Wayne Van Wagoner and Associates 27 years ago. This master plan was in essence a street inventory that included roadway design standards and provided a street capital improvement plan. Since that time, the Old Town Infrastructure Study (OTIS) was completed in 2002 and numerous small localized traffic studies have been performed over the years in highly congested areas of concern. As traffic congestion increases, Park City recognized the need to develop a comprehensive master plan for the City's transportation system. This tool will be useful for the City to understand and resolve current and anticipated future traffic and transportation issues. This master plan completes the transportation section of the General Plan currently being updated by our Planning Department. InterPlan Company was the consultant who helped staff and the City to develop the Traffic and Transportation Master Plan.

A technical steering committee has been formed to guide the development of the Traffic and Transportation Master Plan. Committee members are as follows:

Matt Cassel	Engineering
Kent Cashel	Transportation
Thomas Eddington	Planning
Roger Evans	Building
Jonathan Weidenhamer	Sustainability
Heinrich Dieters	Sustainability
Sayre Brennan	Engineering
Brooks Robinson	Transportation

The following are the elements provided as part of the master plan:

- Transportation goals were developed and included in the master plan and will be cross referenced in the General Plan being developed by the

Planning Department.

- Existing street and pathway inventory in a paper map and as GIS layers and include the street classifications. Street cross section standards are provided as part of the master plan. As each road in Park City is classified (local, collector, etc.), a typical cross section has been developed. These cross sections were developed based on the existing Right-of-Way width and include the paved roads width, curb and gutter and possibly sidewalk, bike lanes and parking,
- A travel demand model that is capable of estimating travel on roads, transit and walk/bike modes in Park City. This model can be used to forecast future traffic, transit use and walk/bike uses based on a range of land use scenarios. The model is also capable of predicting traffic changes based on land use changes,
- A VISSIM model has also been developed. This model is capable of taking the information from the travel demand model and creating a visual simulation model to show the performance of our streets, transit and walk/bike networks,
- A scenario development and alternative analysis was conducted and included as part of the master plan, and
- Capital facilities plan development and recommendations on the next steps. The master plan report includes a section on recommended short term capital improvements and a planning level cost for the possible long term capital projects (next recommended steps).

Analysis:

The Traffic and Transportation Master Plan has been developed based upon the goals of City Council, Technical Committee's input, Stakeholder's review and input and public review and input. A complete copy of the Traffic and Transportation Master Plan including Appendix can be found at the following internet link:

<http://www.parkcity.org> (click on Council meeting on the home page; click on Transportation Master Plan link)

There are three “themes” that emerged about the nature of transportation, traffic congestion and Park City’s future transportation vision during this process.

- Traffic congestion on “Gateway Corridors” (S.R. 224 and S.R. 248 or Kearns Boulevard) should not reach levels that inhibit economic development opportunities in Park City.
- Multi-modal approaches to traffic management beginning on Gateway Corridors and continuing in Park City will be necessary to avoid traffic problems that put quality of life in conflict with economic and tourism priorities.
- This approach requires Park City to accept some level of traffic congestion and this level must continually be evaluated and balanced with overall community support.

These themes form the foundation for this transportation plan. This plan outlines a series of steps that embrace a multi-modal approach which establish a path for mid-term and long-term evolution towards a transportation environment that is less reliant on the single-occupant vehicle.

The review process of the DRAFT Traffic and Transportation Master Plan was as follows:

- Stakeholder Committee Review – the DRAFT Master Plan was transmitted to the Stakeholder Committee on May 25, 2011 with the request to have comments back by June 8, 2011,
- Planning Commission Review – Elements of the DRAFT plan were presented to Planning Commission on June 8, 2011 during their work session,
- City Council Reviews – Chapters 1, 2 and 3 of the DRAFT Master Plan were brought before City Council on August 25, 2011 and discussed during the work session. Chapters 4, 5 and 6 were brought before City Council on September 29, 2011 and again were discussed during the work session.

Changes requested by the Stakeholders Committee, Planning Commission and City Council have been addressed and/or incorporated in the Traffic and Transportation Master Plan.

Department Review:

This report has been reviewed by Public Works, Legal, Planning, Sustainability and City Manager. All comments have been integrated into this report.

Significant Impacts:

Once adopted, the Traffic and Transportation Master Plan will be the guiding document for traffic and transportation planning decisions within Park City.

Recommendation

Staff is recommending that City Council hold a public hearing and consider approving the Resolution adopting the Traffic and Transportation Master Plan.

Resolution No. _____

**RESOLUTION ADOPTING THE PARK CITY
TRAFFIC AND TRANSPORTATION MASTER PLAN**

WHEREAS, it is in the public interest to develop long range planning of our transportation systems; and

WHEREAS, Park City acknowledges the need for a comprehensive transportation plan that includes vehicles, bicycles, pedestrian; and

WHEREAS, it is understood that the framework provided by this traffic and transportation plan will assist in achieving Council goals namely widening of roads or addition of road lanes will be utilized only as a last resort to address congestion; and

WHEREAS, Park City is committed to creating a transportation vision which provides a defined path and assists in our future transportation decisions; and

WHEREAS, Park City recognizes the importance of planning capital and operational expenditures over a multiple year time frame.

NOW, THEREFORE BE IT RESOLVED, that the Park City Municipal Corporation of Summit County, Utah formally adopts the Park City Traffic and Transportation Master Plan.

PASSED AND ADOPTED this 6th day of October, 2011.

PARK CITY MUNICIPAL CORPORATION

Mayor Dana Williams

Attest:

Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney

<http://www.parkcity.org> (click on Council meeting on the home page; click on Transportation Master Plan link)