



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

June 23, 2022

The Council of Park City, Summit County, Utah, met in open meeting on June 23, 2022, at 2:30 p.m. in the City Council Chambers.

WORK SESSION

Planning Commission Applicant Interviews to Fill Four (4) Open Seats:

Michelle Downard, Resident Advocate, explained a disclosure statement would be filled out for each applicant interviewed. Council Member Toly asked that John Kenworthy and Laura Suesser fill out disclosures as well. Council Member Doilney requested that Kenworthy and Suesser be interviewed. Council Member Dickey agreed. Council Member Rubell was fine either way with regard to interviewing current commissioners. Council Member Gerber thought it would be good to have a check-in with them, but was good either way. Mayor Worel stated it was fine either way, but if they were interviewed, the other boards should follow the same procedure.

Mayor Worel and the Council members interviewed Bob Sertner, Stefanie Wilson, Patrick Van Horn, and Bryan Markkanen.

FY22 Final Adjusted Budget and FY23 Final Budget Discussion:

Jed Briggs and Erik Daenitz, Budget Department, presented this item.

Water Fund: Daenitz stated the fund was stable and met the debt service obligation. The main source of revenue was from water service. The largest water consumers, largest to smallest, were residential, commercial, multi-family, and irrigation. He noted costs were increasing for personnel and the 3Kings Water Treatment Plant. He displayed the year-over-year expense change. He indicated the fund covered debt, operating costs, and capital projects.

Clint McAfee, Public Utilities Director, stated he requested an additional \$1.2 million for operating expenses and indicated the costs went to ensure a high-quality water supply, having a reliable water service, water leak reduction, and leasing surplus water to Weber Basin. Going forward, there would be a water master plan update and an asset management program. He stated there would be no lead pipe service lines in the City limits. Council Member Toly asked if that was throughout the City, to which McAfee stated that requirement was for the service lines. He also discussed an upcoming PFAS regulation the City would need to comply with when it was issued. Council Member

Doilney asked if there were discussions within the State on PFAS or if this was a ski resort problem. McAfee didn't have the answer, but offered a few possible solutions being considered. The wells made up 30% of the City's water supply and they were the only water sources where PFAS was detected.

McAfee updated Council on the 3Kings Water Treatment plant and noted construction was on schedule. Water would begin to run through the plant this year and it would be in full production by this time next year. He also stated the water from Judge would be completely treated by 2024 and the water from Spiro would be partially treated beginning 2024. Council Member Doilney praised the Water team for being on schedule and on budget during the pandemic and stated it was an example of accomplishing big things and having positive results.

Council Member Toly asked if the Water Department would be able to find quality applicants to fill the additional personnel needs. McAfee stated an employee would be promoted to superintendent and four operators would be hired, and all positions but one were recently filled. Council Member Rubell stated many of the increased costs were due to the startup of 3Kings, and he asked if those costs would decrease in time. McAfee stated the costs would stay the same and would increase again in 2028 and 2033. Council Member Rubell asked to have a future discussion on leasing surplus water. McAfee reviewed the City had an interlocal agreement to share water with Weber Basin. Snyderville Basin would need water in the future and that would have very high costs. The entities agreed the City would lease water to Weber Basin who would then lease it to Summit Water. When the demand exceeded the City's excess supply, Snyderville Basin would build a new plant. The lease was a rolling five-year agreement and each year, the City would review its needs and available surplus. Council Member Doilney asked if the rates were locked in for the five-years, to which McAfee affirmed. Council Member Doilney asked if the lease could be terminated if the City's other water sources were somehow deemed unreliable. McAfee stated a clause was added last year to decrease the supply in the case of drought or other catastrophic failure of the City's water source. He noted the City had a very flexible water system, so an unreliable water source could be diverted for irrigation or snowmaking. Council Member Gerber indicated the City had surplus water without using the water from the Judge Tunnel. She asked if the additional water would be sold as well when that water was treated. McAfee indicated the water leased would increase with time and the water from the Judge Tunnel was scheduled to be leased by 2026.

Council Member Rubell asked about water incentives. McAfee indicated he would return on July 28th to discuss Empire Creek and a water conservation rebate program proposal. Mayor Worel asked to see the chart on the budget used to date for the 3Kings project.

Flagstaff Transfer Fees: Briggs stated an agreement was signed in 1999 and amended in 2000, and the fees were split between the City and the master owners association (MOA). On average, the City received \$600,000 per year and the funds needed to be split between Transit and Open Space in a way that would benefit the Flagstaff area. Deters reviewed the largest uses of the funds were for wildfire mitigation, noxious weed mitigation, open space easements and acquisitions, conservation easement costs, recreational improvements and maintenance, and equipment.

Council Member Rubell asked if the Flagstaff funding was audited to determine if the \$600,000 was an accurate amount. Deters stated real estate sales were checked to verify percentages. Briggs indicated the MOA had their own transit and other services. The City never checked to see if they were using their portion of the funds appropriately. Margaret Plane, City Attorney, noted the money belonged to Flagstaff. Council Member Gerber asked if any of the money should be used to maintain the mine shafts in that area. Deters stated there was an agreement with the Empire Pass HOA, and Friends of Ski Mining History were allotted some funds to raise the Daly West Headframe. There was also a project list that the Planning Department put together. Council Member Toly stated they were looking at two projects to apply for grants. Council Member Gerber asked what the remainder funds would go to. Deters stated the funds fluctuated and it had been flush since the real estate market had been robust in the past few years. But the inventory was dwindling now and not as many funds were coming in. Briggs didn't recommend using all the funds at this point, but that was at Council's discretion.

Robbie Smoot reported transportation service ran consistently to Flagstaff since 2019. Julia Collins stated Transportation looked at access, safety, bus stops, roads that led to developments, and traffic signal transit hardware. Council Member Rubell asked if this was money in the bank to be used, to which Briggs affirmed. Council Member Rubell asked if this should be a route for full-size buses since other solutions were being looked at around town, and asked for a future discussion on that. He asked if the use for Richardson Flat had to be for transit to the Empire area. Briggs stated there was flexibility with the funds, but it did need to benefit the Flagstaff area.

FY22 Budget Adjustments: Frates stated the Library and Planning Department increased their part time staff, Trails added a placeholder for possible enhanced access to Bonanza Flat. Daenitz noted the Snow Creek Tunnel budget was reduced to \$13 million per Council's direction and stated this was a placeholder for Council to spend or not. Darrington reviewed grants that were awarded that were made part of the budget. Council Member Toly asked about the Fee Schedule and stated she was not comfortable increasing employing parking passes to \$500 per year.

Briggs indicated staff would come back within the next six month to discuss items of concern for Council, including the budget policy, the budgeting for outcomes (BFO) scoring, Council priorities on capital initiatives, the centralization of IT, water rate

conservation programs, Transit costs, City financial support of non-profits, and a discussion around prioritizing 84060 residents for rec, golf, and ice.

516 Marsac Avenue (Old Peace House) Redevelopment Overview and Project Update:

Browne Sebright, Affordable Housing Program Manager, presented this item and reviewed the property was acquired in 2017 with Transit Funding to be used as Transit housing. A feasibility study was conducted and the Housing team proposed three options for this property's use: transitional housing, City employee housing, or deed restricted housing for purchase or rentals.

Council Member Gerber asked if renovating the garage area to interior space had been considered. Glidden affirmed the four-car garage had been considered for renovation but there were parking requirements. Council Member Gerber stated it was a good location to under-park the parcel. Glidden indicated the R1 Zone was not an accepting zone for an affordable master planned development (AMPD), which was one reason for the option to rezone the property. A variance could also be requested from the Planning Commission to under-park the parcel.

Council Member Doilney asked how long it would take to complete Option 1B, maintain the existing building envelope and construct an addition. Sebright estimated 24 months for completion. There was a plat note so a plat amendment would be needed before the addition could be constructed.

Council Member Toly asked if maintaining the existing building envelope and not extending, Option 1A, would take the same amount of time. Glidden stated the plat note limited the size of the structure to 2,600 square feet. Constructing a new building in the existing envelope would still require a plat amendment if the square footage increased, and that would take an estimated 1.5 years. Council Member Toly noted Option 4 was only a remodel with no other changes.

Council Member Dickey asked if the plat note would have to go to the HOA. Sebright indicated there was no HOA. Council Member Dickey favored maximizing unit count. He asked what the probability would be to rezone the property. Sebright stated a successful outcome was unknown. This zone had stood for a long time. Glidden discussed this with the Planning Director and the City would have to get approval from every property owner which would take a long time. Low Density was there for a reason, but there could be another zone that could make sense.

Council Member Rubell asked if there was a cost estimate for Option 4, to remodel. Glidden didn't have an estimate but felt it would be under \$1 million. He stated this would gut the building to make three separate condos/apartments. Council Member Rubell asked what the value of the property was, Option 5, to which Sebright estimated

\$2 million to \$3 million in its current condition. Council Member Toly noted there would be a different cost if it was furnished. Council Member Gerber asked if it was possible to add an additional dwelling unit (ADU) at a future time, to which Sebright affirmed and stated those were allowed in the current zone. Council Member Gerber suggested remodeling now to get someone in soon, and then adding on in the future.

Mayor Worel asked how many employees would be interested in this type of housing. Glidden stated 46% of employees lived in Summit County and 18% in Park City. There were 50 job openings and housing was an issue. Mayor Worel stated there were entities that requested the building for transitional housing. Glidden affirmed some organizations wanted to partner with the City to provide housing for marginalized groups. Council Member Gerber asked if designated employee housing would preclude the City from offering a vacant unit as transitional housing or having a rental for the public. Glidden indicated staff tried to make the units as efficient as possible. Staff wanted to create a waterfall provision so if the City didn't use the housing, it would be opened to the public. Council Member Toly asked if this property could have 8- one-bedroom units without a code change. Sebright indicated that scenario would require a zone change.

Council Member Dickey asserted the City had the same obligation to provide housing for employees as other employers in the City. The location was great and there was a compelling reason to have it as employee housing. Council Member Gerber asked what would trigger the rezone, to which Sebright stated three units were allowed without a zone change. Council Member Gerber thought City employee housing made sense, although it was not a safe area for children. She supported the City use with waterfall provisions. Council Member Toly favored partnering with other organizations to provide transitional housing. The cost would be shared and money would be freed up for other projects. Council Member Rubell stated rezoning was not feasible from a timing perspective. The value of the property and the cost to renovate would equal \$6 million. He didn't want the City to be a property manager. He favored City employee housing or transitional housing. He suggested constructing a shared kitchen to allow more units/people in the building. Council Member Doilney noted it was getting hard to provide housing for upper management. He thought the City needed more assets at that level. He thought this building would be great for City employees and it would be a long-term recruiting tool. He favored turning the building into three apartments in the existing envelope and then add an ADU. He asked to see options within the existing envelope and options with the extension. He also favored waterfall provisions in case the units weren't filled. If it didn't work, he would support transitional housing offers from other organizations. Council Member Rubell stated the assumption for using this as employee housing was that people wanted to live there. He stated families would want to live in single family homes. He wanted to be sure that if the City moved forward, high level employees would want to live there.

Mayor Worel thought the City needed housing for employees. The City also had marginalized groups that needed housing. If this property was not used for transitional housing, locations needed to be looked at for that purpose. She thought staff could consider looking at part of the Woodside Park II project for that purpose.

Matt Dias, City Manager, asked if the transitional housing option was to work with partners or to self-fund it. Council Member Doilney thought it was necessary to have a partner to help with renovation costs. The Council agreed.

Council Member Gerber moved to close the meeting to discuss personnel at 5:30 p.m. Council Member Doilney seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Gerber, Rubell, and Toly

CLOSED SESSION

Council Member Gerber moved to adjourn from Closed Meeting at 6:00 p.m. Council Member Rubell seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Gerber, Rubell, and Toly

REGULAR MEETING

I) ROLL CALL

Attendee Name	Status
Mayor Nann Worel Council Member Ryan Dickey Council Member Max Doilney Council Member Becca Gerber Council Member Jeremy Rubell Council Member Tana Toly Matt Dias, City Manager Margaret Plane, City Attorney Michelle Kellogg, City Recorder	Present
None	Absent

II) APPOINTMENTS

1. Reappointment of Hillary Gilson and Appointment of Elsa Gary and Joann Askins-Stack to the Public Art Advisory Board for Terms Expiring June 30, 2025:

Council Member Gerber moved to approve the reappointment of Hillary Gilson and appointment of Elsa Gary and Joann Askins-Stack to the Public Art Advisory Board for terms expiring June 30, 2025. Council Member Doilney seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Gerber, Rubell, and Toly

2. Appointment of the Following to the Recreation Advisory Board (RAB): Jody Whitesides to a One-Year Term Ending July, 2023; Appointment of Cathy Jordan, Abby McNulty, and Nikki Nelmark to Two-Year Terms Ending July, 2024; Appointment of Julian Coffman, Emma Gerrard and Meg Steele to Three-Year Terms Ending July, 2025:

Council Member Doilney indicated he was the liaison for RAB and big things were on the horizon. He thought this was a very strong board and there would be action with regard to recreation.

Council Member Dickey moved to approve the appointment of the following to the Recreation Advisory Board: Jody Whitesides to a one-year term ending July, 2023; appointment of Cathy Jordan, Abby McNulty, and Nikki Nelmark to two-year terms ending July, 2024; appointment of Julian Coffman, Emma Gerrard and Meg Steele to three-year terms ending July, 2025. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Gerber, Rubell, and Toly

3. Appointment of Debra Stafsholt, Sharon Serpico Hanson, and Ann Sowder and Reappointment of Bill Humbert to the Library Board for Three-Year Terms Beginning July, 2022:

Council Member Toly moved to approve the appointment of Debra Stafsholt, Sharon Serpico Hanson, and Ann Sowder and reappointment of Bill Humbert to the Library Board for three-year terms beginning July, 2022. Council Member Doilney seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Gerber, Rubell, and Toly

III) COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council Questions and Comments:

Council Member Rubell thanked the Budget staff for all the meetings and all the questions answered. He was proud of the work the City did with the County, Fire District and other organizations regarding wildfire mitigation. He stated Council supported this priority. He praised the Golf Department in getting the course playable.

Council Member Doilney stated he and Council Member Gerber went to a ski meeting and they heard a lot of data on the ski industry. He suggested at the Ski Utah website and see the information. Council Member Gerber indicated it was a really good meeting and the report would be shared. There was an 11% increase in skier visits in the Rocky Mountain area. Fifty percent of skiers in Utah stayed in Park City. She saw many ATVs in the City and asked if they were allowed on the streets, to which Chief Carpenter affirmed. Council Member Gerber stated the ATVs were very loud and were a noise violation. Chief Carpenter stated the City tried to curb that five years ago and the State Legislature overturned it.

Council Member Toly thanked staff for Your Barn Door is Open event and thought it was great. She thanked Spencer who ran the day camp. It was a good program for parents who needed their children in a camp from 9:00 a.m.-5:00 p.m. She stated the Chamber was dividing their website to a visitor and a chamber site that focused on local businesses. Mayor Worel invited the public to a joint Council meeting with Summit County at the Health Department at 9:00 a.m. on Tuesday, June 28th.

Staff Communications Reports:

1. Emergency Management Programs and Initiatives Update:

2. Business License Fee Study Update:

3. Fourth of July Event Reminders:

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

Mayor Worel opened the meeting for any who wished to speak or submit comments on items not on the agenda.

Deb Hartley, Bridge 21, indicated she would love to have the Old Peace House for housing for neuro diverse individuals. Her company wanted to enter into an agreement with the City. This group could progress more when they lived independently. Ava Jennings, a member of Bridge 21, stated she wanted to be more independent and live with roommates. It would help the community to have people like her working and going to the gym with others in the community. Emily Fine was diagnosed with high functioning Autism and she works and had lived in Park City her entire life. Having

rooms in the Peace House would be great and would support people like her. Hartley requested using the property until they could build their own housing.

James Letchford, Hidden Meadows HOA president, spoke about the 3805 Fox Trail Subdivision. There were 44 homes in the neighborhood and all the owners were opposed to the project. He stated the developer had a Planning staff member working with him and the neighbors had nobody working with them. He stated the view and trail was affected by this development and they never heard about it until the Planning Commission meeting. He and the neighbors would be at the July 21st Council meeting to speak out against it and he urged Council to look at all the variances. He saw the Planning Commission interviews and the applicants talked like they worked for developers. He noted Kenworthy had stated the item infringed on two of the four goals.

Stefani Kimche eComment: "I am writing to state my unwavering support for an ARTS & CULTURE DISTRICT in the Bonanza Park area. I have lived in Park City, Utah for 23+ years. As a board member of the Kimball Art Center and a founder and public school teacher of the Elementary Visual Arts Program (EVA), I feel the need for a district is paramount. The location will provide a welcome center and community "living room" for all of our residents and visitors to enjoy. Its presence will add vibrancy and diverse programming to the community. This is an opportunity of a lifetime for our mountain town resort to embrace this potential and create something unique and worthy. It is a legacy project that will promote and serve this amazing city of ours for generations to come. PLEASE do not let this opportunity fade away in importance or size and scope. PLEASE give it your full support and even extra time and consideration."

Maggie AbuHaidar eComment: "As a long-time Kimball Art Center Board Member and past Board Chair, I have been a frequent and vocal supporter of the Arts and Culture District. I was in the room with Mayor Jack Thomas in 2017 when he announced the City's plan to develop an Arts and Culture District in Park City. And, in the five years since that announcement, I have participated in countless meetings on behalf of KAC with the City and the Sundance Institute, with consultants, architects, transportation experts, and many others, to vision and plan the District. When Mayor Thomas retired, I was relieved that the City's support for the District never wavered; Mayor Beerman made certain that progress toward the District's design and development never paused. Unfortunately, as more time has passed, the chance of the District becoming a reality seems more uncertain. I am writing in advance of today's budget discussion and vote to state my enthusiastic support for the money that has been earmarked for an Arts and Culture District and to ask that the City utilize that money to move the project forward. There is important work that needs to be done to make the Arts and Culture District a reality and that work requires funding. I see and applaud the fact that the City has earmarked \$400,000 for the District. I urge the City to support the work being done by the Park City Summit County Arts Council to extend its 2018 Project ABC plan into a community arts and culture master plan, as well as completing an economic feasibility

study and the legal agreements that will ultimately inform and support the District. As this important work is being done, I ask that the City re-commit to studying and solving the soils remediation challenge that the Prospector parcel presents. I think we can all agree that the parcel, positioned as it is at one of the most prominent entrances to Park City, should not remain vacant. Although it is my fervent hope that the corner will someday be home to the Arts and Culture District, whatever is developed there will require a decision on the soils issue. I appreciate that this decision will be difficult, but City decision-making often is. And there is no reason this decision should not and cannot be made while the important community visioning, budgeting, and legal work, referred to above, is being done, so that the groundwork is literally laid for the District to move ahead."

Mayor Worel closed the public input portion of the meeting.

V) CONSENT AGENDA

1. Request to Approve a Contract with Utah Mountain Shuttles in the Amount of \$60,000 to Provide Transit to Trails Services between July 1 and October 15, 2022, in a Form Approved by the City Attorney:

Council Member Rubell moved to remove Item One from the Consent Agenda. Council Member Doilney seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Gerber, Rubell, and Toly

1. Request to Approve a Contract with Utah Mountain Shuttles in the Amount of \$60,000 to Provide Transit to Trails Services between July 1 and October 15, 2022, in a Form Approved by the City Attorney:

Council Member Rubell stated the grant funding was denied from the Summit County Restaurant Tax and asked what the implication was for the City. He wondered if the premise of denial was that the service didn't attract tourism. Deters stated the applicant was Summit Land Conservancy for this program and Summit County acted on that, so he didn't have the details.

Council Member Rubell moved to approve a contract with Utah Mountain Shuttles in the amount of \$60,000 to provide Transit to Trails services between July 1 and October 15, 2022, in a form approved by the City Attorney. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Gerber, Rubell, and Toly

VI) NEW BUSINESS

1. Consideration to Approve Ordinance No. 2022-19, an Ordinance Adopting a Revised Budget for Fiscal Year 2022 and Final Budget for Fiscal Year 2023 for Park City Municipal Corporation:

Jed Briggs, Budget Manager stated he was grateful for the interaction from Council, staff, and his Budget team. Council Member Gerber indicated the RFP process was discussed with Kimball Arts Center and Sundance, and the Chamber also allocated money for master planning the Bonanza Park area. She asked if this was the time to designate money for a master plan. Briggs stated that area didn't have a lot of money and some funds could be allocated or staff could come back later to seek approval to allocate funds. He noted the budget would be opened and amended in December. Dias indicated some flexible money was allocated for the arts and culture neighborhood district throughout the fiscal year.

Council Member Rubell noted the Council agreed to rename the area and the Kimball director supported the name change. He asked what the area should be named. Mayor Worel stated a meeting with Kimball and Sundance was set and that could be discussed at that time.

Council Member Toly asked why the budget included the fees and then Council approved them separately. Briggs stated the budget included the fees and the fee schedule would be addressed as a separate item.

Council Member Rubell asked when the other items listed by Budget would be discussed. Dias noted he would put together a timetable for those items.

Mayor Worel opened the public hearing. No comments were given. Mayor Worel closed the public hearing.

Council Member Doilney stated staff and Council had three months of meetings to determine how all the money was spent and he appreciated staff's work. Mayor Worel agreed and noted in all her years on Council, the Council members never went into the depth of the details like this year, and it was a great budget process. Council Member Toly appreciated that the discussion was digestible and understandable.

Council Member Rubell moved to approve Ordinance No. 2022-19, an ordinance adopting a revised budget for Fiscal Year 2022 and final budget for Fiscal Year 2023 for Park City Municipal Corporation. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Gerber, Rubell, and Toly

2. Consideration to Adopt Resolution 11-2022, a Resolution Amending the Fee Schedule:

Kirsten Darrington, Budget Analyst, stated there were many incremental fee changes and updates. Council Member Dickey asked why the resident tennis court fees were raised for residents and not visitors. Darrington stated that was corrected so both were raised. Council Member Dickey asked why there was no visitor rate for pickleball. Council Member Rubell stated that was discussed at the last meeting and a future discussion would take place on resident perks.

Mayor Worel opened the public hearing. No comments were given. Mayor Worel closed the public hearing.

Council Member Rubell indicated the Work Session Budget item had the most current version of the fee schedule, but it was not on the New Business item.

Council Member Gerber moved to adopt Resolution 11-2022, a resolution amending the Fee Schedule as shown in the Work Session packet materials. Council Member Doilney seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, and Rubell

NAY: Council Member Toly

ABSTAIN: Council Member Dickey

3. Consideration to Approve Ordinance 2022-20, an Ordinance Establishing Compensation for the Elected and Statutory Officers for FY 2023:

Council Member Rubell asked if there was a timeline on a blue-ribbon commission study for elected official compensation. Mangano stated a timeline would be provided at the next council meeting.

Mayor Worel opened the public hearing. No comments were given. Mayor Worel closed the public hearing.

Council Member Rubell indicated there was a note that came from the Colorado Association of Ski Towns (CAST) with their elected officials compensation. The compensation for ski communities were a lot lower than Park City. The information was there, but it was not discussed. He noted time commitment and member responsibilities were not in the data.

Council Member Doilney moved to approve Ordinance 2022-20, an ordinance establishing compensation for the elected and statutory officers for FY 2023. Council Member Dickey seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Gerber, and Toly

NAY: Council Member Rubell

4. Consideration to Adopt Resolution 12-2022, a Resolution Adopting the Comprehensive Emergency Management Plan (CEMP) and 2022 Pre-Disaster Mitigation Plan:

Mike McComb, Emergency Manager, presented this item and stated he and the Summit County Emergency Manager reviewed the Pre-Disaster Mitigation Plan and made some amendments to be approved tonight. In the future, they would bring back an improved and updated plan for approval.

Mayor Worel opened the public hearing. No comments were given. Mayor Worel closed the public hearing.

Council Member Gerber moved to adopt Resolution 12-2022, a resolution adopting the Comprehensive Emergency Management Plan (CEMP) and 2022 Pre-Disaster Mitigation Plan. Council Member Toly seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Gerber, Rubell, and Toly

5. Consideration to Adopt Resolution 13-2022, a Resolution Adopting the Revised Personnel Policies and Procedures Manual, Effective July 1, 2022, for Park City Municipal Corporation:

Sarah Mangano, HR Manager, stated there were five new policies for approval tonight. Parental Leave was updated so the primary caregiver was either gender. The primary caregiver paid time off would increase from four weeks to nine weeks and the nonprimary caregiver paid time off would increase from two weeks to four weeks.

Council Member Gerber did not want to designate a primary caregiver and thought the City should offer parental leave to either parent. She also wanted 480 hours of paid time off for either parent. Mangano stated the primary caregiver would address same sex couples. Council Member Gerber requested the same benefit for both parents.

Council Member Dickey clarified the Family and Medical Leave Act (FMLA) required 12 weeks of unpaid leave and this benefit would give nine weeks of paid leave. Council Member Toly asked if a policy was created for additional work from home after the nine weeks of paid leave expired. Mangano explained there were several positions that allowed employees to work from home. There was also a policy on using sick leave and vacation time with approval.

Council Member Rubell asked if there was benchmark data. Mangano stated the tech industry gave six months paid leave, Amazon gave 20 weeks paid leave, and Salt Lake City Municipality gave four weeks paid leave. She thought the City was making headway. With regard to Council Member Gerber's suggestion, she suggested approving the policy tonight. She would be looking at the employee value proposition, and her team would be revising all policies and administrative policies, and combining them into one policy. She planned to have that ready by the end of the year, and that would give her time to research those questions. Council Member Rubell asked about risk management, especially the risk of policy abuse. He asked what bounds were set around the policy. Mangano stated this was for full time employees, and she didn't see a big risk of people using the benefit and then quitting.

Mangano explained Education Assistance would be increased to \$10,000 per year for degree programs and \$3,000 for certificate programs. Mayor Worel asked if trade schools counted, to which Mangano stated that would fall within the certificate category.

Council Member Toly asked what would happen if an employee used the assistance for four years and then quit a year later. Mangano stated a degree would take four to eight years and the City would be receiving the benefit of having that employee in service.

Mangano reviewed the Bilingual Policy would provide a stipend for bilingual employees. The Employee Referral Policy would give \$1,000 to employees who referred an applicant who was hired. Council Member Toly asked if the employee had to have a minimum time working at the City, to which Mangano stated no minimum time was set. The Probation Policy would allow new hires to use vacation earned during the first six months and would also allow a lump merit to new employees. A probation period would be eliminated with promoted employees.

Mayor Worel opened the public hearing. No comments were given. Mayor Worel closed the public hearing.

Council Member Doilney thought the amendments were a big improvement. He agreed with Council Member Gerber on Parental Leave and thought the City should not compare itself to others. He liked that either parent would receive the same leave benefit. He also liked the bilingual policy. Council Member Gerber stated there were 350 full time employees working for the City and there was a small percentage of both parents working for the City. She hoped to make the move now.

Council Member Dickey liked the equity issues addressed in the amendments. Council Member Rubell supported the referral fee and bilingual policies and he wasn't opposed to increasing the amounts in the future if those programs were working.

Council Member Doilney moved to adopt Resolution 13-2022, a resolution adopting the revised Personnel Policies and Procedures Manual, effective July 1, 2022, for Park City Municipal Corporation.

Council Member Gerber asked to amend the motion so the Parental Leave Policy would be amended to 480 hours and eliminate primary caregiver to make the benefit available to both parents who worked for the City. Instead of primary caregiver, the policy would refer to parent. Council Member Doilney accepted the amendment. Council Member Gerber seconded the amended motion.

Council Member Rubell was not opposed to exploring the Parental Leave Policy amendment, but thought Council should wait and see the complete compensation study/employee value study results and consider the HR Manager's recommendation before acting. Council Member Dickey agreed. Council Member Gerber understood the reasoning, but noted there were some women about to give birth and they would benefit from the amended policy. Mangano asked to approve this item with 360 hours and replace primary and secondary caregiver with "parent". Matt Dias, City Manager, couldn't promise to bring this back to Council before August, but staff could come back in the fall to discuss this further. Council Member Doilney didn't think six months would make a huge difference.

Council Member Doilney withdrew his motion. Council Member Gerber withdrew her second to the motion.

Council Member Doilney moved to adopt Resolution 13-2022, a resolution adopting the revised Personnel Policies and Procedures Manual, effective July 1, 2022, for Park City Municipal Corporation with the amendment that the Parental Leave Policy language say parent rather than primary caregiver. Council Member Gerber seconded the motion.

Council Member Rubell asked if parents who both worked for City could each get 360 hours parental leave, to which Mangano affirmed.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Gerber, Rubell, and Toly

6. Consideration to Approve the Supplemental Plan and Level Five Special Event Permit for the 2022 Park City Kimball Arts Festival, in a Form Approved by the City Attorney's Office:

Jenny Diersen, Special Events Manager, and Hillary Gilson, Kimball Arts Center (KAC), were present for this item. Diersen stated there was an error in the staff report and noted the festival would be held August 5-7. She highlighted the changes to the plan as listed in the staff report. She noted there was a request to use the Kimball Terrace and

staff recommended approving that request. There was a request to put up sandwich boards and staff did not recommend approving that request.

Diersen indicated Transit would move operations back to the Transit Center. City employees would not be used for directing visitors and there would be an increase in Police services.

Gilson noted efforts made by KAC for the event such as moving the bike valet. They would purchase ribbons to highlight local artists. The local artists would have an asterisk next to their names on the festival map. They would also hire a green team to help patrons discern where to put their trash.

Council Member Rubell asked if the extended hours at the Kimball Terrace would include the outdoor space. Diersen indicated they were allowed to use the terrace without music until 10:00 p.m.

Council Member Gerber asked about moving staff from the supplemental parking areas. Gilson stated in years past they had people at the supplemental parking areas, but they would now coordinate with Transit on signage with Transit routes. The staff would be relocated to the Transit Center to direct people and answer questions.

Council Member Toly asked where the parking areas were located. Gilson indicated they were at the high school, Park City Mountain Resort (PCMR) and the Canyons. There was limited parking at Deer Valley during certain hours as well. Council Member Toly asked if there would be signage, to which Gilson affirmed and noted signs would be placed at the Transit pick up hub and at the exit points in the parking lots.

Mayor Worel opened the public hearing. No comments were given. Mayor Worel closed the public hearing.

Council Member Rubell thought the request to use the Bonanza Park assets was odd to only save \$1,200. Gilson stated that money was a lot to their organization. Council Member Rubell stated compared to the other numbers, it was nominal. He stated Council just approved Bonanza Art Park for passive programming, and he didn't want to set it up and then take it away. Residents who didn't want to be with the crowd could go to Bonanza Park and have a place to gather. He also stated if the City wanted to allow sandwich boards, a policy needed to be approved instead of just approving it for one event. Council Member Gerber understood the boards were not allowed as the plan was written. She also noted loaning the equipment could set a precedent.

Diersen stated staff supported loaning the Bonanza Art Park equipment, but she understood the concerns and could work to loan half the equipment if Council supported it. Council Member Toly was also concerned with setting precedent.

Council Member Gerber moved to approve the Supplemental Plan and Level Five Special Event Permit for the 2022 Park City Kimball Arts Festival, in a form approved by the City Attorney's Office. Council Member Dickey seconded the motion.

Council Member Rubell asked for an amendment to the motion to not permit the use of Bonanza Art Park furniture. Council Members Gerber and Dickey supported the amendment.

Council Member Gerber moved to approve the Supplemental Plan and Level Five Special Event Permit for the 2022 Park City Kimball Arts Festival, in a form approved by the City Attorney's Office with the amendment to not permit the use of Bonanza Art Park furniture. Council Member Dickey seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Gerber, Rubell, and Toly

7. Consideration to Approve a Facility License Agreement Amendment Request from the Park City Cooperative Preschool (PCCP):

Jenny Diersen stated the City had several leases with tenants and buildings. The co-op had been in the building since 1993. This was a unique preschool and its staff would be exploring additional daycare options that would extend later into the day. There was a request for a rent reduction due to lack of enrollment and from changing the model and moving away from fundraising. Staff's recommendation was a one-year rent reduction.

John Hutchings, PCCP Treasurer, stated the co-op wanted to be able to pay bills and it needed to increase enrollment and decrease its dependence on fundraising. Decreasing fundraising would help the parent volunteers. They didn't want to raise funds, but would rather spend time in the classroom with the kids. The co-op was housed in the library which was a great setting. The board was looking into having an all-day program, but there were licensing and logistical issues to overcome.

Ann Evans, PCCP President, indicated the preschool brought joy to those in and around the library. She noted she was being deliberate about recruiting in all neighborhoods in the City.

Council Member Rubell asked what the City's expense was. Diersen stated the City maintained the common areas of the library. Evans indicated the parent volunteers vacuumed, cleaned the restroom, and maintained the dishwasher and sink. Council Member Rubell stated if rent was waived, they would then be responsible to pay utilities. He asked that they work with the City for other options. Diersen noted the invoice for FY23 would go out tomorrow for \$24,000.

Council Member Gerber asked what the maximum capacity was, to which Evans indicated 20 children, but typically they had 12-16 attending. Hutchings stated if 20 children were enrolled, the co-op could pay all its bills. Council Member Toly asked why the occupancy couldn't be filled. Hutchings stated parents were strapped for time and were deterred by the time commitment for fundraising. Council Member Doilney indicated a big piece was the full-day offering and he thought they needed a full-day preschool. He asked what was being done differently and he needed an assurance that there would be a change that would attract families. Hutchings stated the teacher that left had not been open to a full-day schedule. This had always been a half-day program and now there was an opportunity to make it a full-day program. He thought a way to address this was to work it out and come back to Council in September. Council Member Doilney supported Council Member Rubell's suggestion to allow the co-op to hold off on paying the rent until they could come back to Council.

Mayor Worel opened the item for public input. No comments were given. Mayor Worel closed the public input.

Council Member Gerber noted a Summit County Daycare Access report done in 2021, and indicated there were 1,786 children under six years old who needed childcare in the County, and there were spots for only 924, so this was a huge issue. She agreed with Council Member Doilney that Council should not consider waiving rent until the daycare offering was changed. Council Member Toly agreed and suggested using the \$25,000 to help families who couldn't fundraise. She thought there was a solution and encouraged them to bring back suggestions.

Council Member Dickey stated the program couldn't radically change by the new school year, so he supported the recommendation made in the staff report to extend the due date for rent. Council could discuss this in closed session on September 1st and take action on September 15th. Margaret Plane stated the City had a contract and staff would work in good faith. She would evaluate the issue to see if it qualified for closed session.

Council Member Rubell moved to continue a facility license agreement amendment request from the Park City Cooperative Preschool to a date uncertain in September. Council Member Toly seconded the motion.

RESULT: MOTION FAILED

AYES: Council Members Rubell and Toly

NAYS: Council Members Dickey, Doilney, and Gerber

Council Member Dickey asked if the co-op would shut down if they marketed their program and it failed. Hutchings stated the program would not shutdown, even if the co-op had to pay rent. He was fine waiting until September.

Council Member Doilney moved to continue a facility license agreement amendment request from the Park City Cooperative Preschool to a date uncertain. Council Member Gerber seconded the motion.

RESULT: CONTINUED TO A DATE UNCERTAIN

AYES: Council Members Dickey, Doilney, Gerber, Rubell, and Toly

8. Consideration to Approve a Level Four Special Event Permit for the Prospector Block Party to be Held July 16, 2022, in a Form Approved by the City Attorney:

Jenny Diersen, Special Events Manager, and Steve Tassler, Prospector Square Owners Association Board Member, were present for this item. Diersen stated there were 125 businesses in the area and they wanted to host events to get the community back there. The event requested a road closure, which required Police service and had Transit impacts.

Tassler asked for relief from having to be a Level Four event and stated the road did not need to be a complete road closure. Council Member Gerber indicated Prospector already had an event and now they had organized this one, and she asked if there were other events planned for later this year. Tassler stated another one would be held in September. He indicated the goal was to make Prospector Square walkway a gathering place for locals. Council Member Rubell asked if the garages would be impacted, to which Tassler stated there would be no impacts to the garages.

Mayor Worel opened the public hearing. No comments were given. Mayor Worel closed the public hearing.

Council Member Doilney thanked the Prospector owners for following through with commitments to activate the neighborhood. Council Member Rubell agreed and stated Tassler set a great example for events in Park City.

Council Member Rubell moved to approve a Level Four Special Event Permit for the Prospector Block Party to be held July 16, 2022, in a form approved by the City Attorney. Council Member Doilney seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Gerber, Rubell, and Toly

9. Consideration to Authorize the City Manager to Execute a Construction Agreement, in a Form Approved by the City Attorney, with Silver Spur Construction to Construct the American Saddler and Broken Spoke Waterline Replacements, in an Amount Not to Exceed \$2,114,107.00:

Griffin Lloyd, Public Utilities Engineer, presented this item and reviewed that these lines had over 30 water leaks and needed to be replaced. He sent a preconstruction

notification to residents, and staff would put door flyers on doors. Traffic would be shifted around the work zone. He stated there were two bidders and due to the lack of supply, costs were inflated. Lloyd stated the project was scheduled for late July through October 31st.

Mayor Worel asked what it meant to rebuild versus new replacement. Lloyd stated that referred to the fire hydrants. Everything internal was new, while the outer shell was the same. Council Member Rubell asked if value engineering would affect the longevity of the fix. Lloyd indicated much of the savings were in using less concrete and asphalt. Rebuilding hydrants shouldn't have any effect on the quality. Council Member Rubell asked if this was being coordinated with the other project on Ashley Court so the road wouldn't have to be dug up twice. Lloyd stated he would talk to staff about that. Council Member Toly asked when the public outreach would begin, to which Lloyd indicated it started this week.

Mayor Worel opened the item for public input. No comments were given. Mayor Worel closed the public input.

Council Member Gerber moved to authorize the City Manager to execute a construction agreement, in a form approved by the City Attorney, with Silver Spur Construction to construct the American Saddler and Broken Spoke Waterline Replacements, in an amount not to exceed \$2,114,107.00. Council Member Doilney seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Gerber, Rubell, and Toly

10. Consideration to Approve Ordinance No. 2022-21, an Ordinance Amending the Land Management Code Sections 15-2.5-2 Historic Recreation Commercial, 15-2.6-2 Historic Commercial Business, 15-2.13-2 Residential Development, 15-2.14-2 Residential Development - Medium Density, 15-2.16-2 Recreation Commercial, 15-2.17-2 Regional Commercial Overlay, and 15-2.18-2 General Commercial to Allow "Single-Family Dwelling, Fractional Ownership/Use," Enacting Section 15-23, Single-Family Dwelling Fractional Ownership Use, and Amending Section 15-15-1 Definitions To Define "Single-Family Dwelling, Fractional Ownership/Use":

Spencer Cawley and Rebecca Ward, Planning Department, presented this item. Cawley stated the amendments were a first step to addressing fractional ownership and they would benefit the community. Timeshares began in the City in the 1980s. Private residence clubs and timeshares were restricted to certain zones. Fractional ownership was occurring in single family home neighborhoods. The amendments would define fractional ownership, limit fractional ownerships to the same zones as timeshares and private residence clubs, and require an active business license for each unit. Cawley noted enforcement was limited to education.

Council Member Dickey asked if this would apply to townhomes or only single family homes, to which Cawley stated this amendment was only for single family homes. Council Member Dickey asked who the applicant would be for a business license. Ward stated it would be issued to the company. Council Member Dickey asked if the current fractional ownerships would be a nonconforming use once the ordinance was passed, to which Ward affirmed. Council Member Doilney asked if the nonconforming use would continue if the fractional ownership was sold, to which Ward affirmed.

Council Member Rubell indicated the current zoning in some primary residential neighborhoods was defined as "No stays less than 30 days," and asked if that language could apply to fractional ownerships as well. Ward stated the proposed amendments distinguished the fractional ownership of a single family dwelling from a nightly rental. This was not tied to the zoning districts allowing or prohibiting nightly rentals but would direct the use and the ownership to the zoning districts that allowed timeshares and residential clubs. Council Member Rubell asked if the minimum stay in the zones would still apply, to which Ward affirmed.

Council Member Dickey asked how the ordinance would apply to regulating the use. Margaret Plane, City Attorney, indicated this went to Planning Commission on May 11th, and the ordinance then became pending. Applicants after this time would be in a holding pattern until it was passed, and Council had up to 180 days, which would be November 7th. Council Member Doilney asked what would happen if Council continued the item and then modified the ordinance. Mark Harrington, Senior City Attorney, stated the pending ordinance should not be changed by staff until Council made a motion which could include the modified language. Council could give direction to consider different elements, but staff would keep the original draft until it was affirmatively replaced with what Council wanted approved.

Council Member Rubell asked if the new operator was prohibited from applying for a business license or a Conditional Use Permit (CUP). Harrington indicated the applicant was not prohibited from applying. Council Member Rubell asked about preexisting or nonconforming properties. Harrington stated the property management company could apply. The nightly rental ordinance only applied to rentals and that's why the rule didn't apply to fractional ownership.

Council Member Toly asked what the County did about fractional ownership. Ward stated the County was looking into it, but nothing was in the process. Council Member Toly asked about zoning in other ski towns. Ward stated staff reached out to other resort towns, and some proposed similar code amendments. Council Member Toly asked if there were some areas where timeshares were grandfathered in as the code changed. Ward stated staff could research that.

Council Member Gerber stated the staff report indicated owners would be suspended if they violated the code of conduct and asked how somebody would be suspended from property they owned. Ward noted a Pacaso representative in the audience might answer that during public input.

Mayor Worel opened the public hearing.

Jody Whitesides was against fractional housing in the residential district and there were three units listed in the red zones. He also submitted the following eComment: "As a longtime resident and homeowner in Old Town, specifically on Empire Ave, I am writing to ask the city to disallow fractional ownership of homes that are deemed to be built as single family homes. Especially in Old Town. There is no good reason to allow fractional ownership for single family homes. There is already overdevelopment of the 8th Street & Empire Ave area, specifically in regards to traffic on Crescent Tram. Allowing fractional ownership will further erode quality of life in single family home neighborhoods - especially in Old Town. Please ensure that fractional ownership is left to areas of town where it's already allowed and keep our Single Family home areas intact."

Todd Bice via Zoom owned 1135 Norfolk which was managed through Pacaso. The ordinance wouldn't help what the City wanted to change. He thought as a result, owners wouldn't use management companies and the City should want them to use a management company. The ordinance only precluded fractional ownership with management companies. This wasn't controlling land use, just penalizing a property management company.

Paul Zane Pilzer indicated this was a way to get around the land use code and fractional ownership was another name for timeshares. There was a reason to have laws and the companies should be penalized.

Jamie Johnson via Zoom referenced the letter she sent to Council. As a member of the Park City Board of Realtors, she saw this as an issue that the code amendments did not solve. These properties were fractional ownership and other communities should be looked at before any action was taken.

Teisha Stender lived here and sold real estate. She thought so many issues were put in one ordinance and they should be addressed separately. The CUP was extensive and time consuming. There was no way to enforce this ordinance, and the City wouldn't know about private fractional ownerships where owners didn't use property management companies.

Steve Lewis via Zoom was a fractional owner and he stated affordable housing was noted in the discussion. He stressed the homes in fractional ownership were multimillion dollar homes and would never be part of the affordable housing pool. Another thing to

consider was that the fractional ownership dwellings were not vacant which was desirable.

Pala Jesed with Pacaso stated they took good care of the homes and gave neighbors their contact information in case concerns arose. The owners were excited to be part of Park City and were part of the community.

Jessica Sell Chambers, Jackson, Wyoming, City Council member, via Zoom supported the work the City was doing and she knew without regulations in place, it was a slippery slope and it would degrade the community. Having people in the homes year-round added demand for more workforce. There was already a workforce shortage and those weren't the problems resort towns faced.

Craig Kipp stated there were two fractional ownership homes in the Aerie Subdivision and two more homes were for sale, and asked if Pacaso was on hold for six months or could they purchase the two homes for sale. Margaret Plane stated if an application came in for a property outside the ordinance boundaries, it would not have to be processed and approved in this timeframe. Kipp noted property management companies didn't submit a land use application when they bought a house. Residents paid a premium to live in a safe area, and Pacaso was using that to their advantage. He stated Carmel, California, issued a cease and desist to Pacaso. Palm Springs, California, defined Pacaso properties as timeshares and were prohibited. There were other Pacaso look alike companies and something needed to be done. He described the house by him that was a fractional ownership and indicated the owners were partying on the roof and had an RV parked in front. He did not want those kinds of neighbors.

Dustin Warr via Zoom stated he was a Pacaso owner and he understood residents not wanting AirBnB and timeshares next to them, but these homes were owned. This was not a new thing, but Pacaso was being targeted. He stated second homes remained vacant most of the year and he didn't think that benefited a neighborhood. Pacaso was great for neighborhoods because the owners were there and spent money in the City. He thought it would hurt affordable housing if each owner in the fractional ownership bought a median priced home.

Vince Brock via Zoom was a Pacaso owner for the past year and he felt like he was part of the community. He paid close to \$1 million for his fraction of the home and he took care of it. He asked that the City give this a little time.

Greg Watts via Zoom was under contract to purchase a nightly rental home. He had questions about using this property. He asked the City to think through the issue and verify that what was being passed would solve the problem.

David Lawson via Zoom didn't understand why an ordinance was being presented to target one organization. If this ordinance passed, so many people would be in violation. Most second homes had a management company to take care of it. The focus should be how it was all taken instead of just the Pacaso people.

Sarah Filosa, Pacaso, via Zoom responded to Council's question on enforcing the code of conduct. At the time of purchase, owners signed and agreed to an LLC operating agreement. As part of this they agreed to restrictions such as penalties and access usage. It was Pacaso's obligation and right to implement the restrictions. Pacaso was not opposed to regulations, but they wanted to be part of the conversation and to be fair. She contacted the owner of the home in Aerie and explained they didn't contact the neighbors and they didn't contact Pacaso. She felt fractional ownership was more beneficial than nightly rentals. She requested Council expand the zone to include the Historic District, since that zone allowed nightly rentals. She asked that the City require professional property management, and require a business license. The ordinance was a violation of property rights and it would affect all properties that used property management. The language in the ordinance targeted Pacaso. She proposed a price floor for home purchases and indicated Pacaso would work with Mountainlands Community Housing. She looked forward to being a great partner with the City.

Deb Rentfrow via Zoom stated she found a Pacaso listing a year ago and they were still here. She reviewed that Plane stated if there was an application, it would get held up. Rentfrow didn't know how Pacaso would submit an application unless the realtors enforced it. She also referred to the property tax break for primary residents and asked if Pacaso would get that, or the owners. She referred to the business license requirement and asked if that was the responsibility of the owners or the operator. The operator could get one business license for all its properties.

Jessie Whitesides eComment: "I have lived in old town since 1978. My family has been active in advocating to protect the special nature of the old town neighborhood for 4-1/2 decades. Our goals are to maintain the sense of community that was cultivated in the 70's and 80's, where you knew your neighbors, were glad to say hello to everyone, and everyone respected each others property, privacy, and livelihood. Park City has exploded over the last 30 years and it is becoming more difficult to feel like a part of this special community - the fights to preserve the history of this neighborhood have become more frequent and less legitimate. This is both maddening and very sad. The addition of a Pacaso style multi-ownership residential single family property in the heart of old town would directly insult the goals that the city have put in place to protect the special nature of old town. In fact allowing this to happen is in direct conflict with Goals 7 and 8 of the general plan. It is my hope that City Council will recognize this in relationship of the request to turn properties along Empire Avenue / Crescent Tram into Fractional Ownership uses. Often times I find that people would turn to this option because they are unable to sell their property at an inflated price. I do not think it is fair to consider

that town and businesses in town require any greater economic benefits claimed from allowing this to happen. Our tourist seasons are already over crowded and it is impossible for existing business to serve more people. Full time residents already struggle to afford local services, we do not need prices inflated further by second home users who do not live here full time. I am strongly opposed to Fractional Ownership in Old Town!"

James Brown III eComment: "As a homeowner in Aerie, I am writing in support of the proposed amendment with respect to fractional ownership. The fractional ownership is an inconsistent use in Single Family Home neighborhoods. In practice, it is identical to short term rentals and timeshares which have been prohibited in our Single Family home neighborhood. Without this amendment, the character and quality of single family home neighborhoods will be permanently damaged. Importantly, the proposed amendment is consistent with decades of practice by the Planning Commission and City Council to regulate appropriate use. Fractional ownership is not being banned in Park City. Rather, it is being regulated as to where it can exist just like timeshares, nightly rentals, commercial uses and the variety of other zoning decisions the City has made and will make. There will be ample housing stock available for fractional ownership. They will just be restricted to areas where such use is appropriate. Please pass this amendment and preserve our Single Family home neighborhoods."

Mary Ellen Sonntag eComment: "I am writing to you to let you know that I GREATLY oppose Paccaso's fractional ownership scheme in our Thaynes Canyon neighborhood, or any company's plan to purchase and sale fractional ownership in a Park City neighborhood that does not allow nightly rentals. For the city council to allow fractional ownerships of properties would be a violation of the trust we put in you to protect our Park City neighborhoods and properties. The fractional ownerships do not adhere to the Protective Covenants of the Thaynes Canyon HOA which clearly states THE LANDS WITHIN THAYNES CANYON HOA "SHALL BE USED EXCLUSIVELY FOR THE SINGLE FAMILY RESIDENTIAL LIVING PURPOSES". All persons who own or acquire a property within this HOA automatically become Members of the Association and are subject to this restriction. This document protects our neighborhood from the use of a property within the HOA being exploited at the expense of the Single Family dwelling property owners."

Rebecca Marriott Champion eComment: "I am a long time resident of 5 and 7 Payday Drive and I am in the Thaynes Canyon HOA 1. I am not in favor of fractional interest ownership in our Thaynes Canyon neighborhood. Our CC&R's, dating back to 1971, only allow single family ownership of homes in our neighborhood. That fact has not changed. A home on Thaynes Canyon Drive was sold to a fractional interest company recently, without HOA approval, and that was wrong. I would like you to support a city ordinance against fractional interest ownership in Thaynes Canyon in the future, at the June 23 city council meeting."

Mayor Worel closed the public hearing.

Council Member Gerber appreciated the Jackson, Wyoming, council member noting Pacaso was confused about the issues of resort communities. The problem of being in the single family neighborhoods was they would change in the future. Her concern was the permanence of fractional ownership because when a fraction was sold the use could be changed. The difference between fractional ownership and relatives owning a home together was fractional owners didn't know the other owners. She hoped to approve the amendments now and then the issues could continue to be worked on. She stated Filosa commented Pacaso bought homes at two and a half times the median home price, which would be \$10 million home purchases, and she felt they should contribute more to affordable housing if they were selling multiple \$10 million homes each year. She noted nightly rentals hit the community fast and she supported this ordinance.

Council Member Dickey didn't want to pass the ordinance tonight. The City didn't regulate Pacaso, but it was regulating a use. The City needed to be judicious in land use regulations and consider the impacts. He thought the fractional ownership had similar impacts to a nightly rental. He thought staff should look more at where nightly rentals were allowed instead of where timeshares were allowed. He thought the City should be consistent in allowing an HOA to ban fractional ownership like they could ban nightly rentals. He wanted to work on the fractional ownership definition and not peg it as a certain number of days. He wanted to see consistency between nightly rentals and fractional ownerships with regard to the CUP requirement. He hoped this could apply to townhomes as well. The business license requirement was confusing. He asked about enforcement to fractional ownerships since it prohibited cities from looking for nightly rentals. He agreed that second homeowners could be part of the community, but people who came to the City for a week were not part of that community.

Council Member Toly was not ready to vote on this tonight. The LLC regarding co-owners who were unrelated needed to be clarified. Some property managers and HOAs needed conversations with them. She agreed with Council Member Dickey on a CUP requirement and was not onboard with that. She was surrounded by nightly rentals and it was not a good situation, and she thought it could be different if people owned the property.

Council Member Doilney thought Council was limiting staff's ability to make decisions, but with this conversation it was a problem. He trusted the Planning Commission did a good job of limiting impacts to the community. He had concerns with the impact this use would have on the community. This was a high priority for CAST and how this would affect communities. The use was a problem and the City needed to figure out how to regulate the problem. He thought Planning did the right thing by comparing these to

timeshares. He suggested these property management companies contribute 1% of each sale to affordable housing.

Council Member Rubell felt fractional ownership fell between nightly rentals and timeshares. The City wanted to preserve its residential neighborhoods. The City should be consistent regarding HOA decisions for these. He thought it should be over all property types and not just single family. He wanted to discuss large fines for breaking rules. He hoped the Planning Commission could discuss these new points. It worried him to not pass the ordinance and have a gap. These companies were already here. He thought the City could work with the industry and the Board of Realtors and address the concerns. He asked if Pacaso would give assurances while this was worked out. Council Member Doilney thought it would make sense to approve the item with the understanding amendments could be made in the future. It wasn't perfect as-is, but he didn't want to send it back to the Planning Commission when they unanimously approved it.

Council Member Toly asked if this would affect an LLC with someone they were not related to. Ward stated the definition was crafted to be specific so it would not have impacts. It would not affect nightly rentals.

Mayor Worel stated there was some enforcement language, but she encouraged more enforcement for this in the future. She felt it was important to work with other mountain towns on this issue. She asked Council to have some clear steps forward. Council Member Rubell stated the intent was not to offend the Planning Commission or staff, but this was a new topic. He listened to the Planning Commission discussion, and they had questions too. He suggested having a joint Planning Commission/City Council discussion on this. He asked if there was any difference passing the amendments or leaving it pending until November 7th. Harrington indicated if the amendments were adopted, an applicant could move forward within the limits set. If the item was continued, applicants would be on hold. It was more restrictive, but there could be third party or legislative factors that could interfere with that.

Council Member Doilney moved to continue Ordinance No. 2022-21, an ordinance amending the Land Management Code Sections 15-2.5-2 Historic Recreation Commercial, 15-2.6-2 Historic Commercial Business, 15-2.13-2 Residential Development, 15-2.14-2 Residential Development - Medium Density, 15-2.16-2 Recreation Commercial, 15-2.17-2 Regional Commercial Overlay, and 15-2.18-2 General Commercial to Allow "Single-Family Dwelling, Fractional Ownership/Use," Enacting Section 15-4-23, Single-Family Dwelling Fractional Ownership Use, and Amending Section 15-15-1 Definitions to define "Single-Family Dwelling, Fractional Ownership/Use" to October 6, 2022 with a commitment to look into each one of the amendments, come up with solutions, have a joint meeting or a liaison discuss this and other Land Management Code amendments with the Planning Commission and also go

to the Colorado Association of Ski Towns (CAST) meeting in August and bring ideas back. Council Member Gerber seconded the motion.

Council Member Dickey asked if Council could have work sessions before that but not have action. Harrington clarified there were no restrictions for having work sessions. Council Member Rubell wanted enough time to do what was needed before the pending action expired.

RESULT: CONTINUED TO OCTOBER 6, 2022

AYES: Council Members Dickey, Doilney, Gerber, Rubell, and Toly

11. Consideration to Approve Ordinance 2022-22, an Ordinance Clarifying Roles and Responsibilities in Prohibiting the Ignition or Use of Ignition Sources, Amending Section 11-9-3 and Repealing Section 11-9-3.1 of the Municipal Code of Park City:

Dave Thacker, Chief Building Official, stated the State code had changed so staff wanted to align the City code with State code and noted the authority to regulate open flames and fireworks was taken from fire code officials and given to city councils. He recommended Council restrict fireworks and open flames this year, given the dry conditions.

Council Member Gerber asked if the City had to find existing conditions before Council could prohibit fireworks or could they prohibit them as they chose. Thacker stated per fire code, the Council had the ability to regulate the open flames and fireworks, and conditions were not needed. Council Member Gerber asked if Council could delegate the authority to the fire code official, to which Thacker stated the authority had to remain with the Council. Council Member Gerber asked if a resolution was needed specifically banning fireworks. Margaret Plane stated the State required that findings needed to be made in order to prohibit fireworks, but jurisdictions weren't given set findings that they had to go by. Council Member Gerber asked how fireworks bans were enforced. Thacker stated fireworks would happen here and there. Enforcement was complaint based and Police would respond.

Council Member Toly asked if hot air balloons were an ignition source. Thacker stated the intent was open flames such as fire pits. He noted gas fire pits had to be permitted so those were already regulated.

Mayor Worel opened the public hearing. No comments were given. Mayor Worel closed the public hearing.

Council Member Doilney moved to approve Ordinance 2022-22, an ordinance clarifying roles and responsibilities in prohibiting the ignition or use of ignition sources, amending

Section 11-9-3 and repealing Section 11-9-3.1 of the Municipal Code of Park City. Council Member Gerber seconded the motion.

Council Member Rubell stated this would ban all outdoor ignition flame sources, and asked if no fire pits would be allowed. Thacker indicated some fire pits were permitted by the City. There were operational fire pits that could be requested, and something could be approved on an individual basis. Council Member Dickey asked what the boundaries were for the ban. Thacker stated there wasn't a ban in the ordinance and he could bring a resolution back to Council.

Council Member Doilney amended the motion and moved to approve Ordinance 2022-22, an ordinance clarifying roles and responsibilities in prohibiting the ignition or use of ignition sources, amending Section 11-9-3 and repealing Section 11-9-3.1 of the Municipal Code of Park City with the amendment that fireworks would be prohibited per the recommendation from City staff for City limits because it was forest and brush covered. Council Member Gerber seconded the amended motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Gerber, Rubell, and Toly

VII) ADJOURNMENT

PARK CITY REDEVELOPMENT AGENCY MEETING

I) ROLL CALL

Attendee Name	Status
Chair Nann Worel Board Member Ryan Dickey Board Member Max Doilney Board Member Becca Gerber Board Member Jeremy Rubell Board Member Tana Toly Matt Dias, City Manager Margaret Plane, City Attorney Michelle Kellogg, City Recorder	Present
None	Excused

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

Chair Worel opened the meeting for any who wished to speak or submit comments on items not on the agenda. No comments were given. Chair Worel closed the public input portion of the meeting.

III) NEW BUSINESS

1. Consideration to Approve Resolution RDA 02-2022, a Resolution Adopting the Fiscal Year 2022 Revised Budget and the Fiscal Year 2023 Budget for Park City Redevelopment Agency:

Jed Briggs, Budget Manager, indicated this was the budget for the Lower Park RDA and the Main Street RDA. He noted most of the budget went for capital projects.

Board Member Rubell asked why there was so much money in the funds. Briggs stated the fund balance showed the cash balance of what was being estimated. Then another balance was estimated for FY23. The fund balance could be estimated out for the future. It was a snapshot of where the City saw the money for this fiscal year and next fiscal year.

Chair Worel opened the public hearing. No comments were given. Chair Worel closed the public hearing.

Board Member Gerber moved to approve Resolution RDA 02-2022, a resolution adopting the Fiscal Year 2022 Revised Budget and the Fiscal Year 2023 Budget for Park City Redevelopment Agency. Board Member Toly seconded the motion.

RESULT: APPROVED

AYES: Board Members Dickey, Doilney, Gerber, Rubell, and Toly

IV) ADJOURNMENT

PARK CITY MUNICIPAL BUILDING AUTHORITY MEETING

I) ROLL CALL

Attendee Name	Status
Chair Nann Worel Board Member Ryan Dickey Board Member Max Doilney Board Member Becca Gerber Board Member Jeremy Rubell Board Member Tana Toly Matt Dias, City Manager	Present

Margaret Plane, City Attorney Michelle Kellogg, City Recorder	
None	Excused

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

Chair Worel opened the meeting for any who wished to speak or submit comments on items not on the agenda. No comments were given. Chair Worel closed the public input portion of the meeting.

III) NEW BUSINESS

1.Consideration to Approve Resolution MBA 02-2022, a Resolution Adopting the Fiscal Year 2022 Revised Budget and the Fiscal Year 2023 Budget for Park City Municipal Building Authority:

Jed Briggs stated this entity was separate from the municipality and the budget was used for building facilities.

Chair Worel opened the public hearing. No comments were given. Chair Worel closed the public hearing.

Board Member Gerber moved to approve Resolution MBA 02-2022, a resolution adopting the Fiscal Year 2022 Revised Budget and the Fiscal Year 2023 Budget for Park City Municipal Building Authority. Board Member Toly seconded the motion.

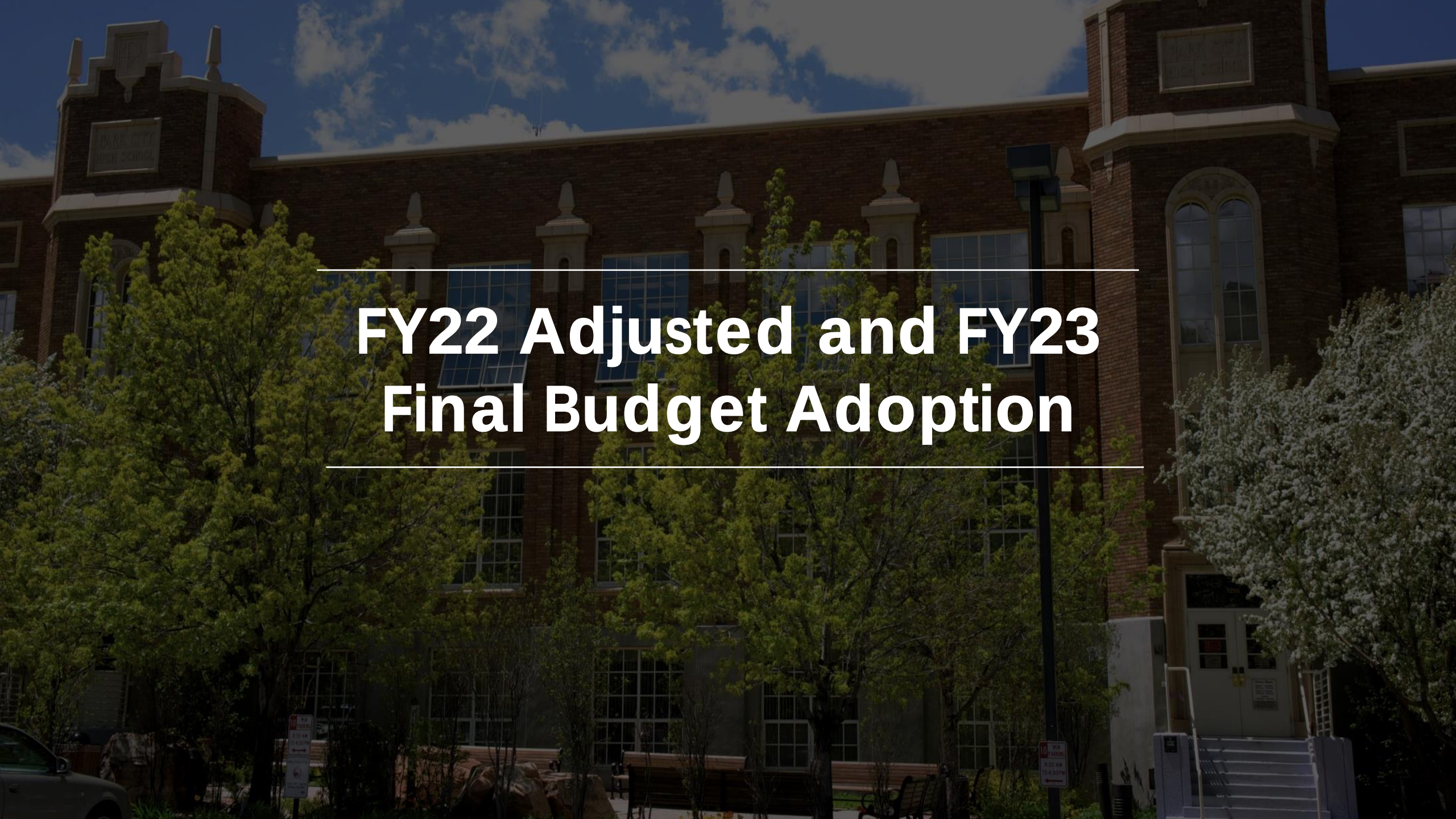
RESULT: APPROVED

AYES: Board Members Dickey, Doilney, Gerber, Rubell, and Toly

IV) ADJOURNMENT

With no further business, the meeting was adjourned.

Michelle Kellogg, City Recorder



FY22 Adjusted and FY23 Final Budget Adoption

Water Fund

Water Fund FY22 Projected Expenses vs. Revenues Ex Capital			
Revenues		Expenses	
Water Charges for Services	\$19,819,145	Personnel	\$3,760,132
Planning Building & Engineering Fees (Impact Fees)	\$1,183,938	Materials, Supplies and Services	\$343,896
Federal Revenue	\$456,274	Utilities	\$1,208,900
Misc. Revenues	\$203,002	Contract Services/Consulting/Software	\$1,383,542
		Parts/Maintenance Supplies	\$1,060,905
		Special Service Contract/Misc. Charges	\$112,000
		Debt Service	\$6,547,947
		Interfund Transfer	\$1,807,429
Total Revenue Ex Bond Proceeds	\$21,662,359	Total Expense Ex Capital	\$16,224,751
		Net Revenues Available for Debt & Cash Capital	\$11,985,555
		Net Operating Revenue After Debt Service for Cash Capital	\$5,437,608
		Debt Service Coverage Ratio FY22	1.8

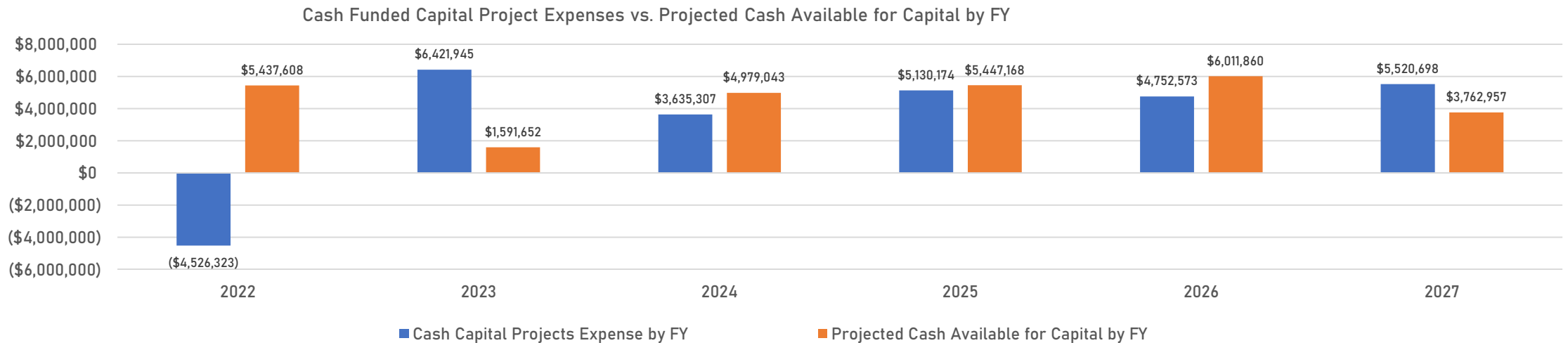
Water Fund FY23 Projected Expenses vs. Revenues Ex Capital			
Revenues		Expenses	
Water Charges for Services	\$20,392,268	Personnel	\$4,471,634
Planning Building & Engineering Fees (Impact Fees)	\$1,219,456	Materials, Supplies and Services	\$479,911
Federal Revenue	\$469,962	Utilities	\$1,219,298
Misc. Revenues	\$209,092	Contract Services/Consulting/Software	\$1,850,331
		Parts/Maintenance Supplies	\$1,407,280
		Special Service Contract/Misc. Charges	\$122,542
		Debt Service	\$9,313,682
		Interfund Transfer	\$1,834,448
Total Revenue Ex Bond Proceeds	\$22,290,778	Total Expense Ex Capital	\$20,699,126
		Net Revenues Available for Debt & Cash Capital	\$10,905,334
		Net Operating Revenue After Debt Service for Cash Capital	\$1,591,652
		Debt Service Coverage Ratio FY23	1.2

YoY% increase in fund balance driven by bond proceeds associated with 3Kings WTP.

Water Fund

Water Fund Operations FY22 vs. FY23 YoY% Change			
	FY22 Expense	FY23 Expense	YoY% Change
Personnel	\$3,760,132	\$4,471,634	18.9%
Materials, Supplies and Services	\$343,896	\$479,911	39.6%
Utilities	\$1,208,900	\$1,219,298	0.9%
Contract Services/Consulting/Software	\$1,383,542	\$1,850,331	33.7%
Parts/Maintenance Supplies	\$1,060,905	\$1,407,280	32.6%
Special Service Contract/Misc. Charges	\$112,000	\$122,542	9.4%
Debt Service	\$6,547,947	\$9,313,682	42.2%
Interfund Transfer	\$1,807,429	\$1,834,448	1.5%

Cash Capital Project Expenses vs. Cash Available for Capital Projects by FY						
	2022	2023	2024	2025	2026	2027
Cash Capital Projects Expense by FY	(\$4,526,323)	\$6,421,945	\$3,635,307	\$5,130,174	\$4,752,573	\$5,520,698
Projected Cash Available for Capital by FY	\$5,437,608	\$1,591,652	\$4,979,043	\$5,447,168	\$6,011,860	\$3,762,957
Net	\$9,963,931	(\$4,830,293)	\$1,343,736	\$316,994	\$1,259,287	(\$1,757,741)



Water Fund Operations Budget

Key Requested Operating Increases:

- Supplies - \$103,000
- Uniforms - \$5,000
- Software /Technology - \$50,000
- Contract Services - \$370,000
- Materials - \$30,000
- Equipment - \$45,000
- Chemicals - \$220,000
- Vehicles - \$233,000
- Utilities – approx. \$200k (to adjust in final budget)

Goals and Major Cost Drivers

- High Quality Sustainable Water Supply - 45%
 - 3Kings WTP start up
- Reliable Water Service and Assets- 30%
 - Asset Management
 - Technology
 - Inflation
- Fiscally and Legally Sound Business Operations - 25%
 - Increasing volume of surplus water leased to Weber Basin

Public Utilities Goals and Top 10 CIP List

1. High Quality Sustainable Water Supply

- MIW Treatment (3Kings)
- Tunnel Maintenance
- Rockport Water Pipeline & Storage
- Quinns Water Treatment Plant Asset Replacement
- *QJWTP Treatment Upgrades (complete)*
- *Park Meadows Well (complete)*
- *C1 – Quinns WTP to Boothill – Phase 1 (complete)*

2. Reliable Water Service and Assets

- Water Dept Infrastructure Improvement
- SCADA and Telemetry System Replacement
- West Neck Tank

Other Public Utilities Goals for Reference

3. Fiscally and Legally Sound Business Operations
4. Engaged, Informed, and Dynamic Workforce
5. Responsive Customer Service and Collaboration with Stakeholders
6. Community and Environmental Sustainability

Future CIP Budget Drivers

- Master Plan Update
- Asset Management Program
- Lead Service Line Inventory Requirement
- Phase 2 Regional Interconnection – Hwy 224 Pipeline

3Kings Update

3KWTP construction continues and is on schedule. Work activities include:

- Construction Mitigation
- Construction mitigation (fencing, erosion protection, mud track off pads, etc.) are in place and will remain for the duration of the project.
- The pedestrian walkway adjacent to the project site and along the west side of Three Kings Drive will remain in place for the duration of the project. Removal is scheduled for the fall of this year, 2022.
- Efforts to prevent the tracking of debris off the site continue. As the season changes, road sweeping will be adjusted to address the changing conditions from mud to dust.
- As equipment and materials deliveries become more frequent, crews will make efforts to address traffic conflicts along Three Kings Drive.

Site Construction

- Subgrade work has been completed on all structures. One crane has been removed from the site.
- Building shells for seven of the eight buildings are now completed. Roofing materials and exterior siding installation is beginning. Stone veneer has been installed on three buildings and will continue on the others. Site earthwork, rough grading, and yard pipe work is underway. A portion of the site paving is scheduled for early summer.
- Work inside the buildings will continue throughout the spring, summer, and fall.
- Construction on the last remaining building, located on the west side of the site, will continue through 2022

Roadway Utility Work

- Utility work within Three Kings Drive has been completed and temporary pavement installed. New gutter in the vicinity of the 3KWTP and will be installed in the fall of 2022 and spring of 2023. Pavement resurfacing of Three Kings Drive will be performed in 2023. Landscape restoration in these areas, north of the 3KWTP site, will be completed by mid-May 2022.

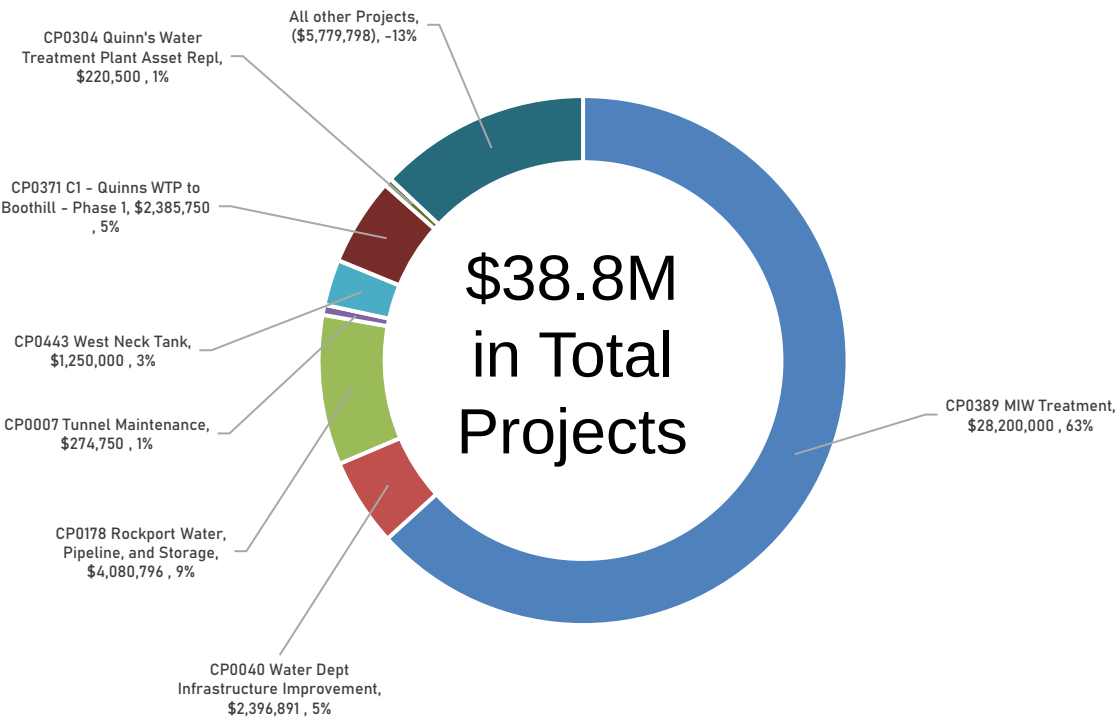


Golf Course Impacts

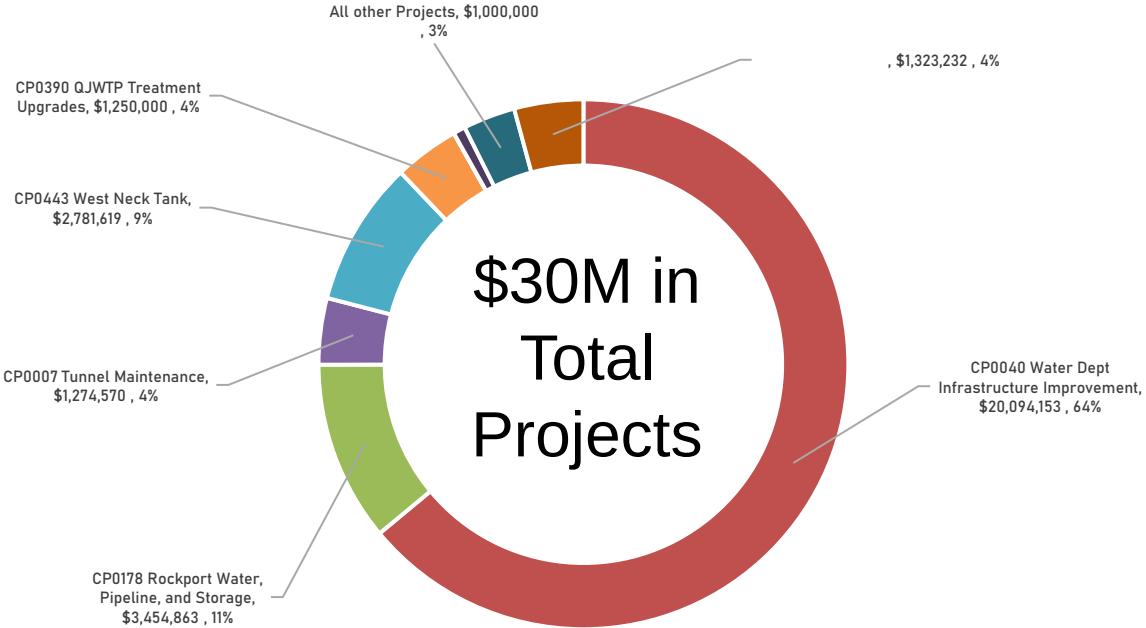
- Golf Hole 11 will continue to be impacted during 2022. Restoration is scheduled in late 2022/spring 2023 with the hole open for play in early 2023.

Top 10 Projects Over 5Y- Water Fund

FY22 Budgets Among Top 10 Water Fund 5Y Projects



FY23 Budgets Among Top 10 Water Fund 5Y Projects



Top 10 Water Fund Projects Over Next 5 Years, by \$

\$, Rank	Project	Carry Forward	2022 Base	2022 Newly Requested	2023 Base	2023 Newly Requested	2024 Base	2024 Newly Requested	2025 Base	2025 Newly Requested	2026 Base	2026 Newly Requested	2027 Base	2027 Newly Requested	Score
1	CP0389 MIW Treatment	\$38,219,228	\$28,200,000	0	\$10,600,000	\$9,494,153	\$0	\$250,000	\$0	\$260,000	\$0	270,400	\$0	281,216	31
2	CP0040 Water Dept Infrastructure Improvement	\$415,848	\$2,395,250	1,641	\$3,454,863	\$0	\$3,496,538	\$0	\$1,776,879	\$0	\$1,183,223	0	\$0	2,000,000	40
3	CP0178 Rockport Water, Pipeline, and Storage	\$169,876	\$1,458,700	2,622,096	\$1,458,700	\$ (184,130)	\$1,498,200	(\$140,680)	\$1,391,306	(\$187,763)	\$1,460,871	(183,913)	\$0	1,275,201	36
4	CP0007 Tunnel Maintenance	\$2,749,968	\$274,750	0	\$281,619	\$2,500,000	\$292,884	\$0	\$304,599	\$0	\$319,829	0	\$0	332,622	39
5	CP0443 West Neck Tank	\$1,398,914	\$1,250,000	0	\$1,250,000	\$0	\$0	\$0	\$0	\$0	\$0	0	\$0	0	51
6	CP0390 QJWTP Treatment Upgrades	\$2,839,109	\$0	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0	\$0	0	43
7	CP0343 Park meadows Well	\$2,678,908	\$0	0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0	\$0	0	26
8	CP0371 C1 - Quinns WTP to Boothill - Phase 1	\$0	\$1,110,000	1,275,750	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0	\$0	0	39
9	CP0304 Quinn's Water Treatment Plant Asset Repl	\$691,424	\$220,500	0	\$231,525	\$0	\$238,471	\$0	\$245,625	\$0	\$252,994	0	\$0	263,114	29
10	CP0301 Scada and Telemetry System Replacement	\$0	\$0	0	\$0	\$1,000,000	\$0	\$200,000	\$0	\$206,000	\$0	212,180	\$0	218,545	24
			2022 Base + New	\$38,808,687	2023 Base + New	\$30,086,730	2024 Base + New	\$5,835,413	2025 Base + New	\$3,996,646	2026 Base + New	\$3,515,584	2027 Base + New	\$4,370,698	

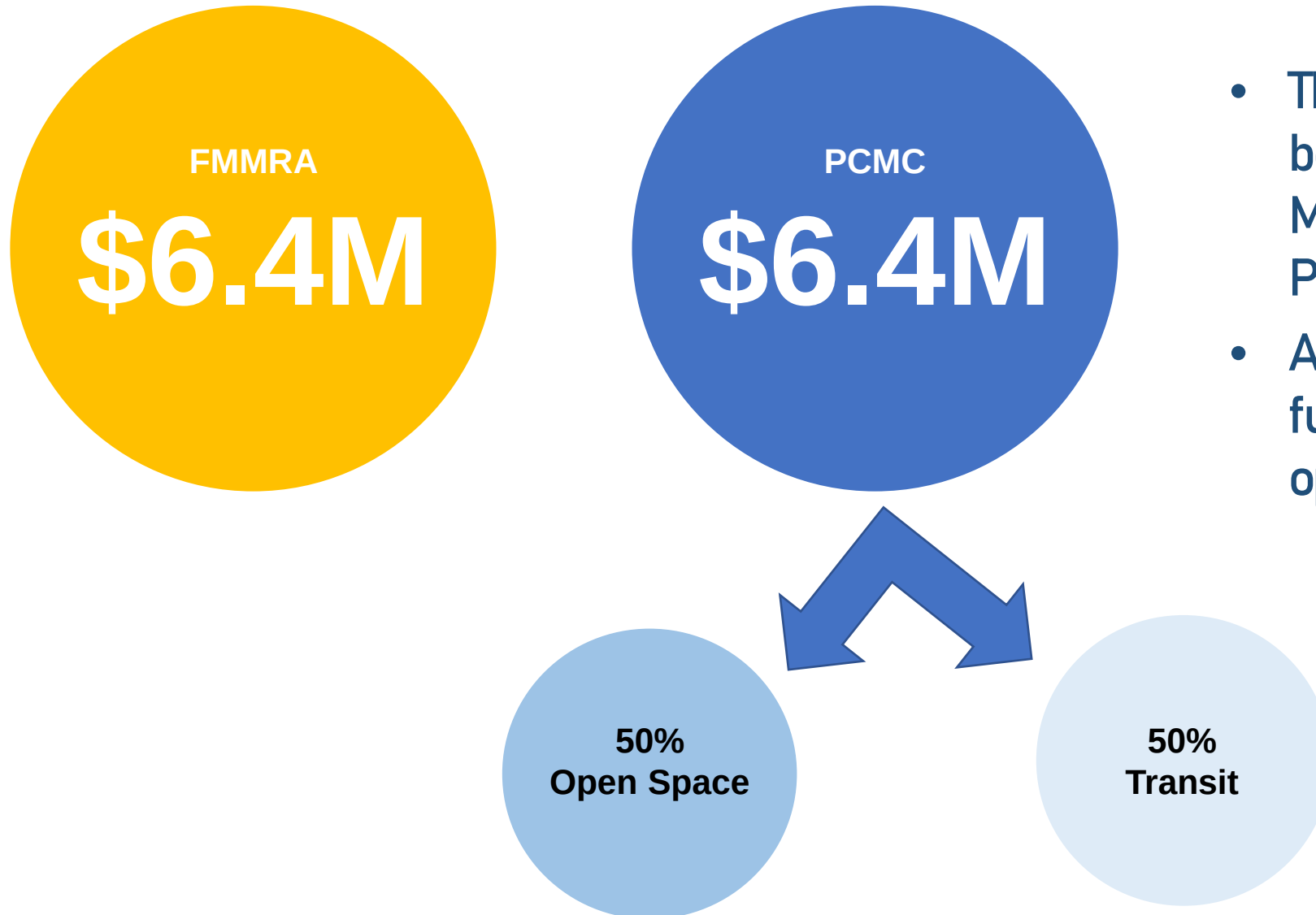
Source: PCMC as of June 2022.

Water Rates

Current Plan for FY23 Budget

- Staff requests direction to include an inflationary water rate adjustment, 3% across the board as part of the FY2023 Budget process on June 16, 2022
- In depth discussion on potential future water rates in July 2022

Flagstaff Fees – Breakdown (FY03 – present)



- The fees are split evenly between the Flagstaff Mountain Master Resort Association and Park City Municipal (PCMC).
- A further equal split of the PCMC funds is delineated between open space and transit

Flagstaff Fees – Open Space

Open Space utilizes the Fee for the following programs and projects:

- Annual Wildfire Mitigation Projects
- Annual Noxious Weed Maintenance
- Open Space Preservation including acquisition and easements
- Annual Conservation Easement Monitoring costs with Summit Land Conservancy
- Recreational Improvements, including trails and trailheads improvements and maintenance
- Maintenance of Recreational Amenities, including restrooms, equipment such as tools and materials, trash and mutt-mitt stations and signage

Summary Since 2003

Fee Revenue	\$6,421,306
Expenses	\$5,789,142
Remainder	\$632,164

Average Annual

Fee Revenue	\$357,739
Expenses	\$340,538
Remainder	\$17,201

Flagstaff Fees – Transportation

Transportation utilizes the Fee for the following programs and projects:

- 9 Purple Empire Pass route to maintain access to Flagstaff area. Route hasn't operated every year. **Moving forward route is expected to cost more than annual fee revenue.**
- Maintaining use and access to the Richardson Flat Parking lot and Richardson Flat Road, and this commitment has also been maintained
- Traffic signal transit hardware, software at the Richardson Flat Road traffic signal, and a portion of the engineering design for the 'Kearns high school tunnel'
- **Future Uses that Benefit or Serve Project Area:**
 - 9 Purple Empire Pass route, capital infrastructure, and software and technology
 - Expand transit amenities (bus stop improvements), accessibility programs, and roadway safety improvements

Summary Since 2003

Fee Revenue	\$6,421,306
Expenses	\$4,00,8961
Remainder	\$2,412,923

Average Annual

Fee Revenue	\$357,739
Expenses	\$210,998
Remainder	\$146,741

Budget Adjustment Highlights

Operating Budget

- Library: Increase part-time staffing by \$10k for FY22 and \$25 for FY23
- Planning: Increase part-time staffing by \$38k for FY23
- Trails: Add \$40k placeholder for possible enhanced Bonanza Flats access (only R&D, no action will be taken without returning to Council)

Capital (FY24)

- CP0540 Snow Creek Tunnel – Increased DOT line to \$3,517,830 to reflect official UDOT grant award amount.
- CP0540 Snow Creek Tunnel – Decreased Transportation Fund Beginning Balance line to \$2,306,410 to ensure that total project budget does not exceed \$13,000,000.

Budget Adjustment Highlights

Grants

- Environmental Sustainability EPA grant for reusable to-go container pilot program - \$11,750 (rollover from FY22)
- Recreation RAP Grant for Prospector Park playground enhancements - \$136,096 (rollover from FY22)
- Recreation RAP Grant for Turf Replacement - \$715,000
- Trails RAP Grant for Master Plan Rail Trail - \$500,000
- FTA Buses and Facilities grant for the purchase of three battery-electric buses and one battery-electric van – \$2,389,699

Budget Policies & Fees Schedule Changes

- **Budget Policy changes from 6/16 work session**
 - Add language suspending the Economic Development Grants Program pending further eval.
- **Fee Schedule corrections/changes from 6/16 work session (marked in purple)**
 - Fixed minor typos in Utilities and Recreation sections (pgs. 10 and 25)
 - Parking:
 - Adds “Purpose and Philosophy” to beginning of section (pg. 19)
 - Updates fees for meter violations to now include first violations (pg. 19)
 - Fixed typos on China Bridge Parking Permits to reflect new fees that were erroneously crossed out (page 21)
 - Rec: Increased fees for visitors to align with increases for residents



Future Discussions

Topics arose throughout the FY23 budget process that require further discussion and detail. Future meetings will include:

- In-depth Budget Policy review and possible revision (Parking, Procurement, Traffic Calming/NTMP, Intergovernmental Communication, Economic Development Grants, etc.)
- Understand BFO scoring and weighting & how this relates to Community & Council Priorities; are the priorities reflective of current initiatives and are we allocating proper resources
- Council priorities on large-scale capital initiatives
- IT deep dive – what is centralized, what is in department budgets, what is our policy, do we have duplication, long-term strategy as equipment/needs require specialized skill-set and technical training
- Water rate and conservation incentive programs
- Transit O&M deep dive into understanding costs of operations
- Complete view of City financial support of area non-profits (special service, fee waivers, etc. all combined)
- Discussion with Rec, Golf, and Ice around prioritizing 84060 residents, including a deeper dive discussion on fees, Resident area definition, etc.

Council/Staff Roles

Council

Define
Priorities/Goals

Focus on
Policy/Outcomes

Managers

Anticipate
Department
Needs/Costs

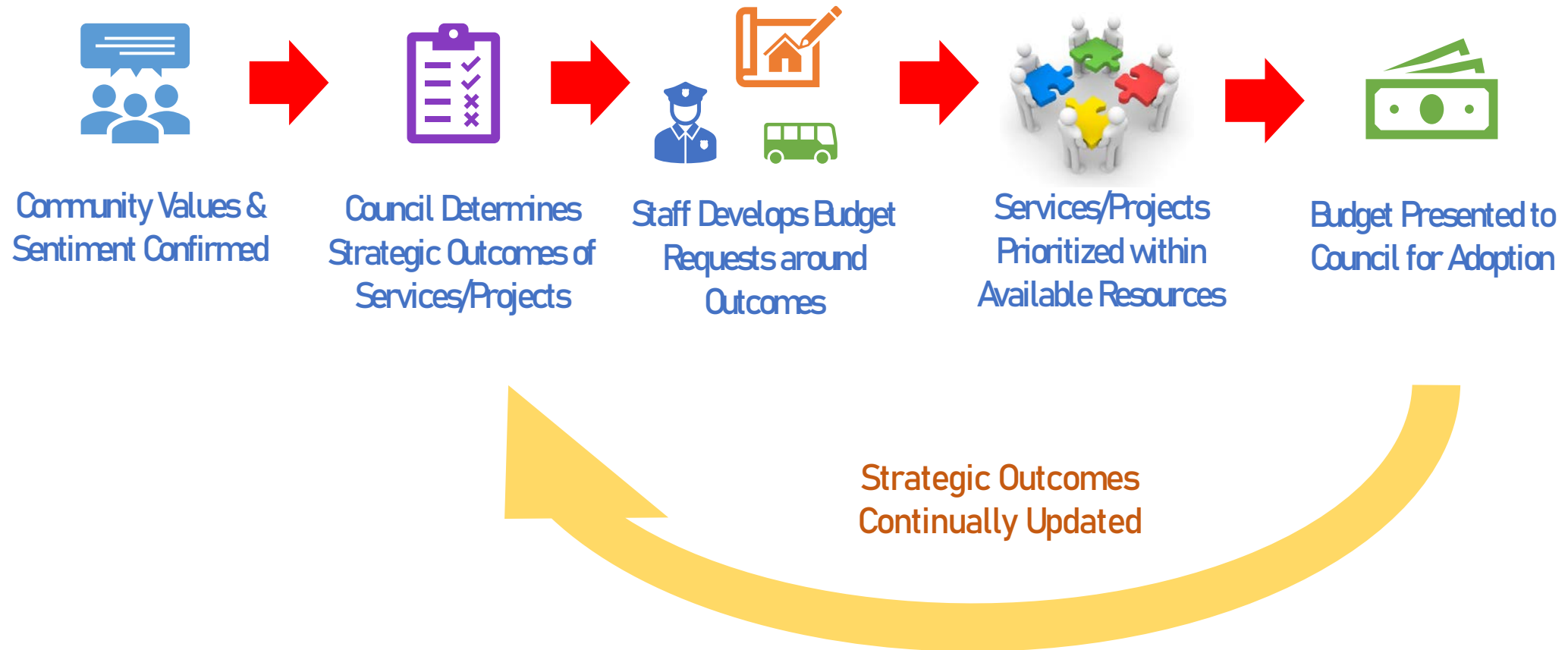
Design Budget
Requests based on
Council Goals

Executive/Budget

Evaluate Priorities
from an
Organization-wide
Perspective

Recommend Budget
to Council based on
Council
Pillars/Priorities

Budgeting for Outcomes



Council's Role

- Defines community priorities & goals
- Reviews and amends appropriations based on community priorities & goals
- Decides on the level of public engagement
- Has transparent access to listing of all programs offered along with associated costs and FTEs
- Educates themselves on the variety and diversity of programs offered
- Focus on POLICY & OUTCOMES rather than OPERATIONS
- Ensures allocated resources are based on priorities of the community
- Makes decisions that can easily be communicated to the community

Defining Priorities

- Normally defined and evaluated during the Council's Retreat
- Derived from community input: visioning, community meetings, informal conversations, etc.
- Designated areas within the City that need additional investment to combat specific problems
- Considered long-term issues that will take several years to achieve results

Flexible Sales Tax Revenue Raising Capacity & Competing Capital Priorities

Unfunded Large Capital Initiatives

Arts &
Culture
District

Long
Range
Transp.
Plan

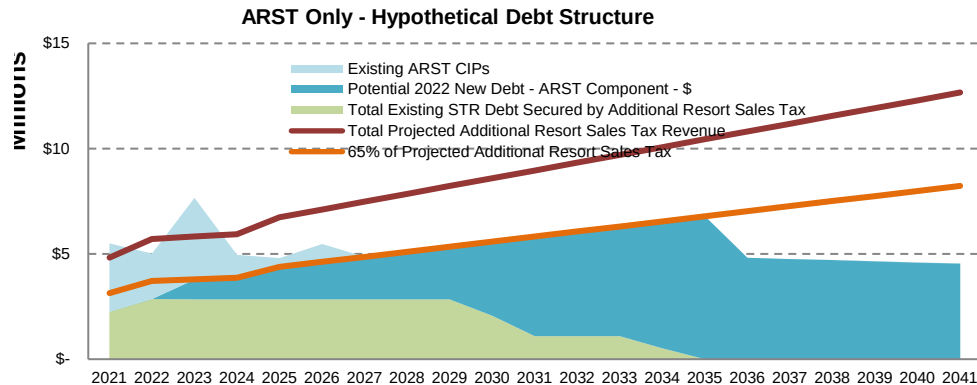
RMP
Substation
Move

Soils
Remed.
Program

Housing
Program
Expansion

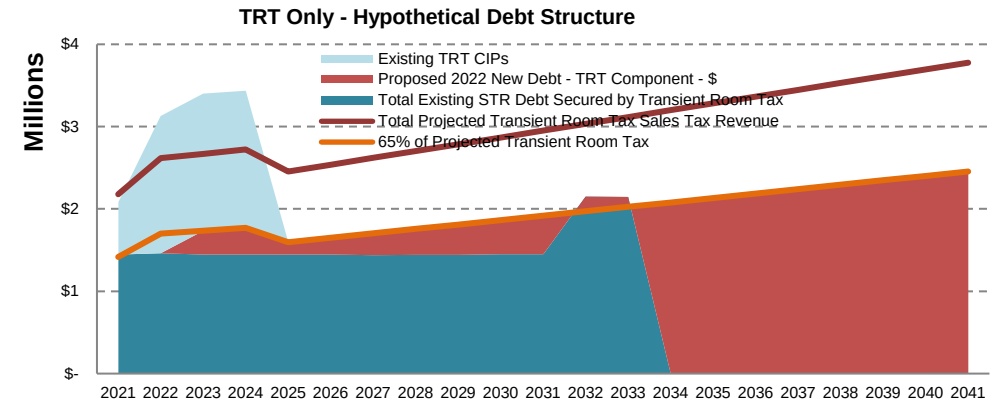
Recreation
Expansion

ARST Proceed Potential



**~\$45-50M over 20 yrs
@ 65% of Gross Revenue**

TRT Proceed Potential

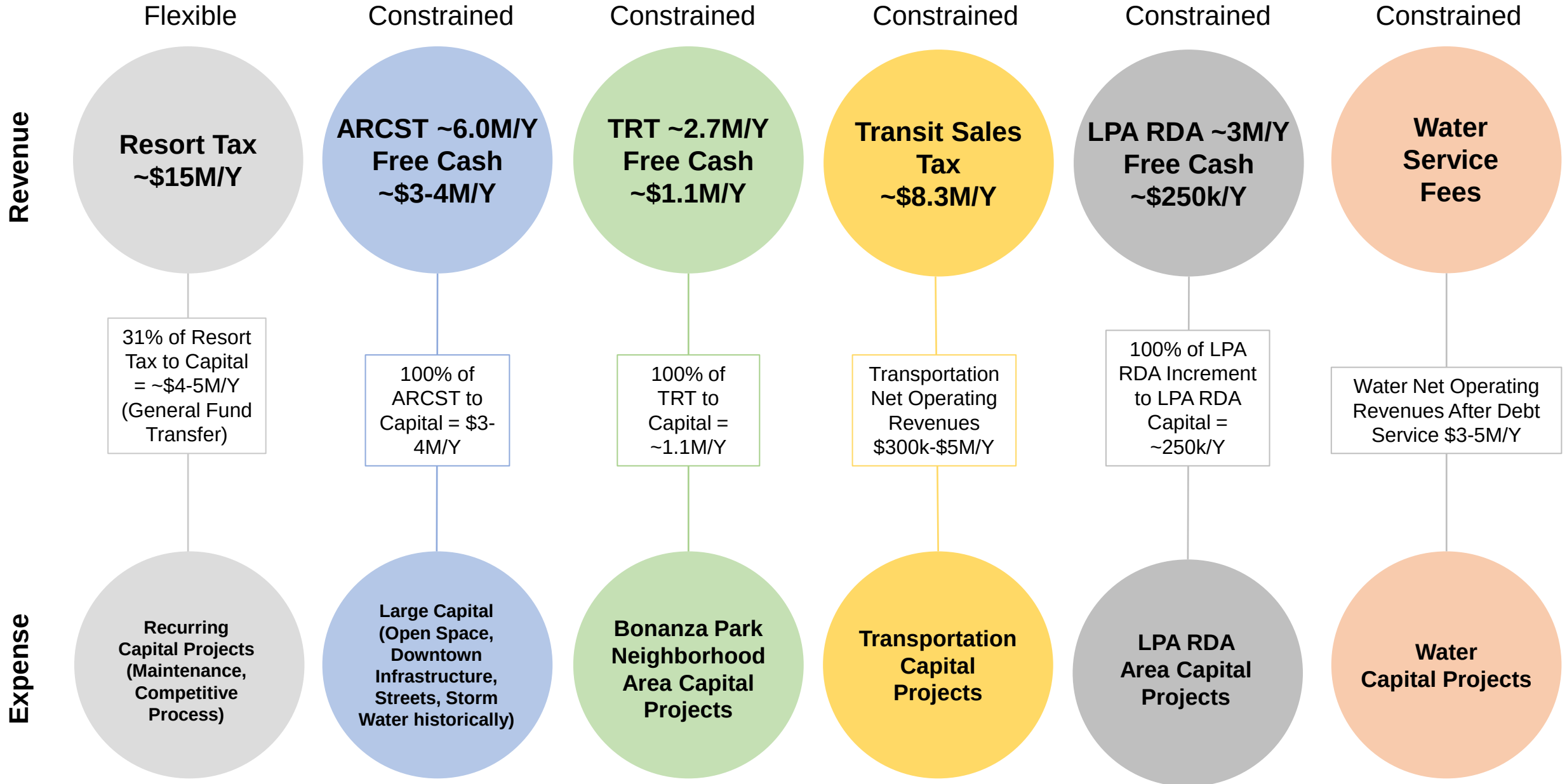


**~\$13-20M over 20 yrs
@ 65-75% of Gross Revenue**

Characteristics of Revenue for Capital

Frequency	Annually Recurring	One-Time	
Source	Recurring Revenue (Sales Taxes, Water Service Fees, Impact Fees, Transfer Fees, Past Accrued Fund Balance)	Bond Proceeds (General Obligation Bonds, Sales Tax Bonds, Water Revenue Bonds)	Grants (Federal/State Transp. Grants, County Transp. Grants, RAP Tax)
Control	Inside PCMC Control		Outside PCMC Control
Amount	<u>FY22</u> ~\$9M <u>FY23</u> ~\$28M	<u>FY22</u> ~\$45M <u>FY23</u> ~\$33M	<u>FY22</u> ~\$20M <u>FY23</u> ~\$7M

Recurring City Revenues for Capital & Their Uses



Capital Fund Revenue Matrix

Capital Budget

Fund-Revenue Matrix

Relationship between funds and revenue sources

Capital Funds	Revenue Sources	Restrictions	Description
Fund 31 - Capital Improvement	Transfer from General Fund	GF	Transfer from General Fund: used for a variety of capital projects Sale of Asset: sale of equipment or property, funds remain in original fund of asset. Additional Resort Sales Tax: received into the Capital fund can be spent on anything Transient Room Tax: dedicated to the Arts and Culture district Garage Revenue: used for asset management and main street mitigation projects
	Sale of Asset Additional Resort Sales Tax Transient Room Tax Garage Revenue (Special Events)	Flexible	
Fund 33 - Lower Park RDA	RAP Tax Impact Fees Other Contributions (Flagstaff) County/Special District Contribution Regional Transit Revenue Class C Road Funds GO Bonds	Inflexible	RAP Tax: used specific to grants Impact Fees: used for open space projects Other Contributions/Flagstaff: used for open space maintenance in Flagstaff as specified in annexation agreement County/District contributions: used on specific projects with cost sharing contributions i.e. open space or ice facility Regional Transit Revenue: used specific to projects, i.e. transportation tax improvements (city right-of-way) Class C Road: used for pavement management GO Bonds: must be used according to bond covenants
	RDA Debt RDA Cash		
Fund 34 - Main Street RDA	RDA Debt RDA Cash		RDA Debt/Cash: used within RDA area for capital improvements projects or affordable housing projects
Fund 38 - Equipment Replacement	GF Transfer - Computer Equipment GF Transfer - Rolling Stock Fleet	GF	Computer Equipment Replacement: used on a scheduled basis specific to computers Rolling Stock: used for fleet in Public Works, Police, and Marsac motor pool
Fund 51 - Water	Impact Fees (Water) Water Service Fees Water Revenue Bonds	Inflexible	Water Impact Fees: water projects for new growth Water Service Fees: used for water projects Water Revenue Bonds: used for water projects according to water bond covenants Storm Water Service Fees: used for Storm water projects only
Fund 52 - Storm Water	Storm Water Service Fees	Flexible	
Fund 55 - Golf Course	RAP Tax Restaurant Tax Golf Service Fees	Inflexible	RAP Tax: used for specific grant purposes Restaurant Tax: To be used for golf projects only Golf Service Fees: used for golf projects only
Fund 57 - Transportation	Regional Transit Revenue Federal Grants Transit Sales Tax	Inflexible	
Fund 58 - Parking	Garage Revenue	Flexible	Garage Revenue: used for parking projects (China Bridge)

Notes

Capital Projects - any budget item over 3 years in length and over \$10 K in total spending

Asset Policy- any asset purchased as part of a capital project must remain a city asset. i.e. may not be donated to a local area non-profit.

General Fund Transfer - ongoing capital management

Flexible - Flexible within fund

Inflexible - very specific allocation

Elected and Statutory Officer Compensation Rate Changes

- Public hearing June 16, adoption today
- For FY23, the Statutory Officer Compensation is consistent with the Pay Plan recommendation – 2020 75th percentile + 10.33%
- Recommends Mayor and Council receive an across the board 10.33% increase to keep pace with regional inflation and the increasingly time-consuming duties of elected office

Mayor	FY 2021-2022	FY 2022-2023
Wages	\$ 45,366.72	\$ 50,053.00
Health Benefits (or cash in lieu)	\$ 21,522.48	\$ 22,600.00
Car Allowance	\$ 3,000.00	\$ 3,000.00
Total	\$ 69,889.20	\$ 75,653.00
City Council	FY 2021-2022	FY 2022-2023
Wages	\$ 23,435.04	\$ 25,856.00
Health Benefits (or cash in lieu)	\$ 21,522.48	\$ 22,600.00
Total	\$ 44,957.52	\$ 48,456.00
Statutory Officers	FY 2021-2022 Range	FY 2022-2023 Range
City Manager	\$137,000 - \$174,991	\$158,250 – \$211,000
City Attorney	\$163,404 - \$192,355	\$176,493 – \$235,324
City Treasurer	\$64,000 - \$93,844	\$82,860 – \$110,480
City Engineer	\$124,086 - \$138,456	\$124,938 – \$166,585
City Recorder	\$79,039 - \$90,861	\$82,860 – \$110,480

A photograph of a two-story red house with a dark roof and multiple gables. A silver car is parked in the driveway in front of a two-car garage. The house has a wooden deck on the right side. The background shows trees and a cloudy sky.

516 MARSAC AVENUE

OLD PEACE HOUSE REDEVELOPEMENT

City Council
June 22, 2022



Image Source: Google Maps

BACKGROUND

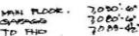
- Property was acquired in 2017 using Transit Funds
- Intent was to use the property for Transit housing
 - Split in operations with HVT have reduced the need for short-term seasonal housing for Transit employees
- City has conducted a feasibility study (Exhibit A)
- Housing Team seeks Council direction on:
 1. The preferred use of the site
 2. The preferred development option

516 Marsac Avenue

Property and Zoning Context



PROJECT BENCHMARK :
NAIL IN ASPHALT DRIVEWAY:
ELEVATION 100.00


$$A = 7116 - 0 - 7084 - 0 = 32 - 0$$

$$B = 7116 - 0 - 7086 - 0 = 30 - 0$$

POTENTIAL USES

- Transitional Housing
 - This is the building's designed use. To continue this use, the property requires renovation due to considerable wear and tear.
- City Employee Housing
 - This would expand the number of units dedicated to City employees (police, public works, water, recreation, and general administration). To consider this use, the property requires a major renovation.
- Deed Restricted or Rental Affordable Housing
 - This option would create three separate units, either for sale or for rental, and allocated via the existing lottery system and wait list. To consider this use, the property requires a major renovation.



–REDEVELOPEMENT OPTIONS–

1. Redevelop the Current Structure

- 1A) Maintain the existing building envelope.
 - Estimate cost: \$1.44 m to \$1.71 m
- 1B) Maintain the existing building envelope and construct an addition.
 - Estimate cost: \$3.18 m
 - Projected timeframe is 24 months.

2. Construct a New Building

- Projected timeframe is 18-24 months.



–REDEVELOPEMENT OPTIONS–

3. Rezone the Property

- Estimate cost: \$4.27 m
- Projected timeframe is 30-36 months.

4. Remodel/Update the current structure

- Projected timeframe is 18 months.

5. Sell the Property

- This option is not recommended, as developable land in Old Town is scarce and expensive.



— COUNCIL DIRECTION —

- Which potential use is preferred?
- Which redevelopment option is preferred?



FY 23 Policy Changes



Parental Leave

Current Policy

- Maternity leave with female as primary caregiver.
- Maternity covered at 160 hours (4 weeks) Paid Leave.
- Paternity Leave covered at 80 hours (2 weeks) Paid Leave.

New Policy

- Creation of “Primary Caretaker”.
- Update to include Adoption, Foster, Surrogacy as well as natural childbirth.
- Increase time off for Primary Caregiver to 360 hours (9 weeks) Paid Leave.
- Increase time off for Non-Primary Caregiver to 160 hours (4 weeks) Paid Leave.

Nominal increase in cost. Approximately 5 leaves per year and mostly covered by staff, not temp labor.



— Education Assistance —

Current Policy

- Capped at IRS non-taxable maximum of \$5,250 per year.
- Poised for degree programs.
- Require 1 year of service.
- Repayment requirement of 1 year of service beyond completion of education.

New Policy

- Increase to \$10,000 per year. \$4,750 is taxable.
- Can be used for degree programs.
- Include \$3,000 for certificate programs. Again, on annual basis.
- Can extend to employees with less than 1 year of service with City Manager approval.
- Service requirement remains

Average of 8 employees per year utilizing – increased costs to maximum of \$38,000 per year – increases productivity and skill set.



Bi-Lingual Policy

New Policy

- Stipend
 - \$20/every two weeks – part-time
 - \$40/every two weeks – full-time
- Independent certification required
- Proposed for Spanish and American Sign Language to support community and employees in their preferred language.

Nominal costs: HR to pay \$70 per certification and department pays stipend cost.



Employee Referral

New Policy

- \$1000 to an employee that successful refers someone for hire
 - \$500 upon successful completion of 30 days of employment
 - \$500 upon successful completion of 180 days of employment OR end of season.
- Support recruitment efforts
 - Referrals consistently assimilate quicker, have longer tenure, and are quicker and less expensive to recruit.
- HR and hiring manager are not eligible for referral bonus.
- Rehires and seasonal returning employees are not eligible to be referred without a two year + gap in employment with the City.

We believe this policy to be net neutral with recruiting costs being lowered (postings, ads, vacancies filled with temp labor, reduction in productivity, etc.)



Probation Policy

Current Policy

- Excludes first six months' service from lump sum merit and merit increase.
- Denies vacation for first six months of service.
- Repeats probation for Promotions, Transfers and Demotions

No costs associated with this policy.

New Policy

- Maintain six months' service in probationary status for new hires and one year service for police.
- Remove exclusion of probation time for lump merit and merit increase calculation.
- Allow employees to use earned vacation during the first six months of service.
- Remove probation status from promotion status.



LMC AMENDMENTS

FRACTIONAL OWNERSHIP

City Council

PL-22-05210

June 23, 2022



BACKGROUND

What is Fractional Ownership?

- Percentage ownership in an asset.
- Common investment structure for expensive assets such as vacation homes, luxury cars, aircraft, etc.

How is it structured?

- Real Estate typically involves a management company
- Ownership through LLC
- Management company oversees regular upkeep and operations

Why Fractional Ownership?

- Affordability - shared ownership/title, shareholders split benefits
- Shared responsibilities/costs – furnishings, upkeep, investments
- Management - maintenance, cleaning, scheduling
- Flexibility – scheduling, ability to sell fraction at any time



Image Source: The New York Times

BACKGROUND

Timeshares

Utah Code Section 57-19-2(26) defines Timeshares as a small, undivided fractional fee interest in real property by which the purchaser does not receive any right to use an accommodation except as provided by contract, declaration, or other instrument defining a legal right, and in Utah Code Section 57-19-2(27) as a right to occupy fixed or variable accommodations during three or more separate fixed or variable time periods over a period of at least three years, including renewal options, whether or not coupled with an estate in land.

The LMC requires a CUP and evaluation of Timeshare instruments, rules and regulations, management, utility service payments, minimum duration of stay intervals, and parking considerations.



BACKGROUND

Private Residence Clubs

Ownership of a condominium unit is shared by no less than four and no more than 12 owners and is operated by a property management service that provides reservations and registration.

Fractional Ownership/Use

Shared ownership of a Single-Family Dwelling in a primary residential neighborhood.



BACKGROUND

Timeshares & Private Residence Clubs

- Conditional Use in RC, GC, HCB, HRC
- Expanded Use in RD, RDM, RCO, LI for Private Residence Clubs
- Multi-Unit Dwellings; Commercial Zones; Zones proximate to resorts

Vs.

Fractional Ownership

- Single-Family Dwellings
- Residential Zones/Neighborhoods



RECOMMENDATIONS

1. Define Single-Family Dwelling Fractional Ownership/Use
2. Establish Single-Family Dwelling Fractional Ownership/Use in Zoning Districts where Timeshares and Private Residence Clubs are allowed and require a Conditional Use Permit
3. Establish regulations regarding management and use of the fractional ownership
4. Require an active Business License for Single-Family Dwelling Fractional Ownership/Use



RECOMMENDATIONS

- On May 11, 2022, the Planning Commission conducted a work session
- On May 25, 2022, the Planning Commission reviewed the proposed amendments and unanimously forwarded a positive recommendation to the City Council



ANALYSIS

The General Plan Identifies the Importance of Protecting the City's Primarily Residential Neighborhoods

- Goal 7: Create diversity of primary housing opportunities
- Objective 7B: Maintain majority occupancy of full-time residents within primarily residential neighborhoods
- Goal 8: Increase affordable housing
- Objective 8C: Housing ownership opportunities for workforce in primary residential neighborhoods

The General Plan acknowledges neighborhoods where secondary homeownership and nightly rentals are appropriate and support the City's resort economy.





Year	Primary Residence	Secondary Residence
2015	3,075	6,211
2016	3,078	6,211
2017	3,091	6,299
2018	3,173	6,231
2019	3,269	6,231
2020	2,980	6,870
2021	3,193	6,590

The proposed amendments direct fractional ownership/use of Single-Family Dwellings to the same Zoning Districts that allow Timeshares and Private Residence Clubs to protect primarily residential neighborhoods for primary residents.

ANALYSIS

(1) Define Single-Family Dwelling Fractional Ownership/Use

Any Single-Family property which is owned by an LC, LLC, or corporation which limits the LC, LLC, or corporation member's/shareholder's/owner's right to occupy the property by member/shareholders agreement or any other contract which limits owner use of the property to fractional reservations less than thirty (30) days at a time. Other factors include but are not limited to unrelated co-owners centralized management, advanced reservations via electronic/App reservation systems, maximum stay limits on each owner overall reservation/use of the property, and fixed management subscription fee as part of initial purchase although subscription may be cancelled.

ANALYSIS

- Not all residences with multiple owners or owned by business entities (e.g., family trust, LLC, corporations without fractional use limitations) fall under the proposed definition.
- Differences of the management model
 - Period of use
 - Managed by centralized entity
 - Advanced reservations or a management fee

ANALYSIS

(2) Require a Conditional Use Permit and Additional Management Standards

- Consistent with Timeshares and Private Residence Clubs
- CUP and management plan requires Planning Commission review
- Public notice to neighboring property owners within 300 feet
- Allows neighbors an opportunity to provide input and offers transparency

ANALYSIS

CUP + Management Plan

- Prohibition of nightly rentals, on-street parking, outdoor display of goods and merchandise, signs, & commercial uses not otherwise permitted in zone.
- Management plan outlining a satisfactory level of management and maintenance:
 - Snow removal, yard and structural maintenance, routine upkeep, trash collection, noise control.
- Information on the proposed use:
 - Method of management, any restrictions of use or occupancy, additional documentation staff, Planning Commission deems necessary for evaluation of use.
- A business license

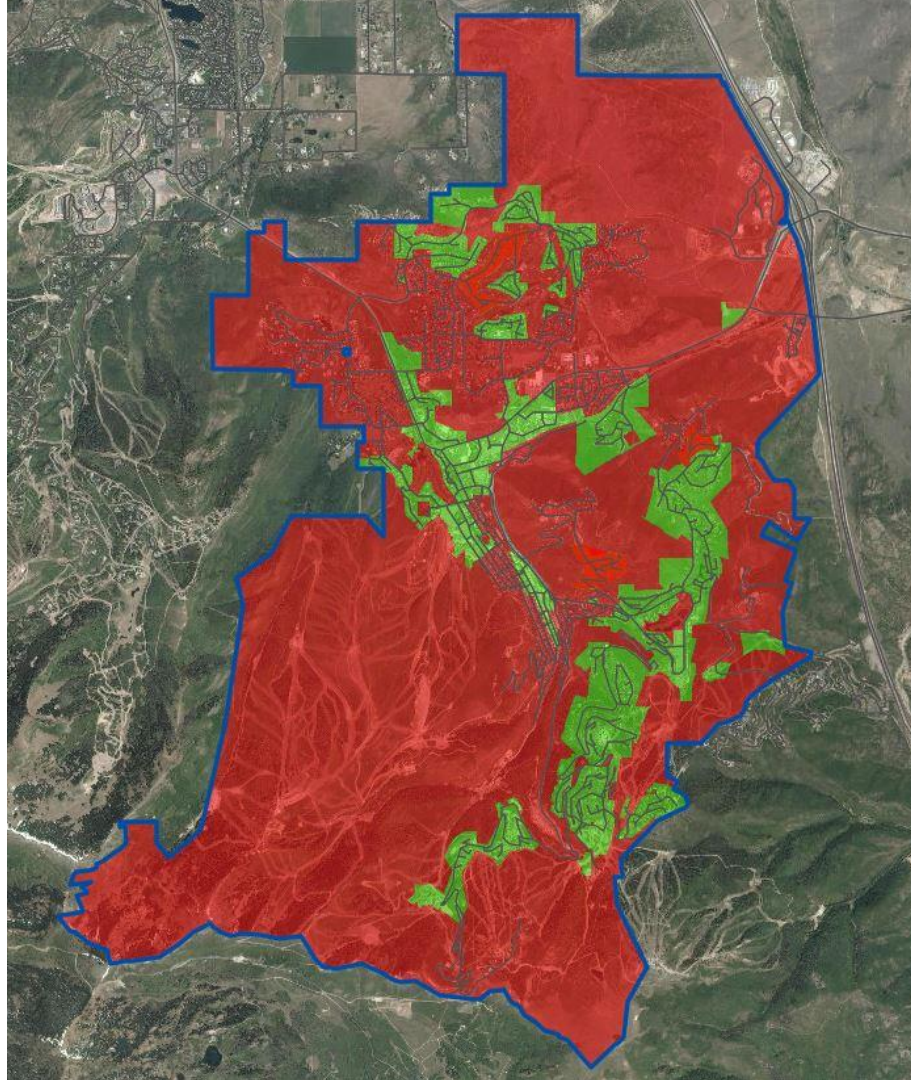


ANALYSIS

(3) Direct Single-Family Dwelling Fractional Ownership/Use to Zoning Districts that allow Timeshares and Private Residential Clubs

- Recreation Commercial
- General Commercial
- Historic Commercial Business
- Historic Recreation Commercial
- Residential Development, except for subdivisions that prohibit Nightly Rentals
- Residential Development – Medium Development
- Regional Commercial Overlay
- HOAs that restrict fractional ownership as part of their CC&Rs are not affected by these amendments





ANALYSIS

(4) Require an active Business License for Single-Family Dwelling Fractional Ownership/Use

- In Zoning Districts where Single-Family Dwellings are allowed, ownership model is regulated – not property
- Requiring a Business License helps with tracking and enforcement
- Finance and Planning Staff are working to implement a Business License for each Single-Family Dwelling Fractional Ownership/Use

NOTICE

Staff mailed postcard notices on May 10, 2022, to property owners within the affected Zoning Districts and posted public notice to the Utah Public Notice Website and City Website on May 9, 2022. The Park Record published legal notice on May 11, 2022.



RECOMMENDATION

(I) Review proposed Land Management Code amendments to define Single-Family Dwelling Fractional Ownership/Use, to establish Fractional Ownership/Use of Single-Family Dwellings as Conditional Uses with additional review criteria in those Zoning Districts that allow Timeshares and Private Residence Clubs, and to require a Business License for Single-Family Dwelling Fractional Ownership/Use, (II) conduct a public hearing, and (III) consider approving Ordinance No. 2022-21.



Open Flame and Fireworks Restrictions

PARK CITY

1884

International Fire Code

State of Utah Adoption

- Municipalities have ability to control the use of ignition sources based on determination by Fire Code Official
- The determination comes from existing environmental conditions such as:
 - Dead and Live fuel moisture reports
 - Current and forecasted temperatures
 - Local and regional forecasts
 - Dew point
 - Wind



Current Code

- Current Land Management Code (LMC) references the old State standard for ignition-source restrictions (Section 11-9-3)
- Section 11-9-3.1 delegates the authority to impose a restriction to the City Fire Code Official

Proposed Code

- The proposed amendments update the language to match current State law
- The amendments also remove the delegation of authority, so the City Council, instead of the Fire Code Official, would ultimately decide on the issuance of a restriction.

Current Conditions

Current Conditions:

- Dead and live Fuel Moistures
 - Normal to Dry
- Temperatures:
 - Forecasts show above average temps with below average precipitation. Monsoonal moisture possible through Aug.
- Humidity:
 - 13-23%
- Dew point:
 - Varies – currently
- Wind: Varies



Current Conditions

Current Conditions:

- Local and regional weather forecasts:
 - The US Forest Service Indicates the current fire danger is moderate, and due to forecasted conditions will likely move to high in the near future. That coupled with forecasted above normal temperatures and below normal precipitation create fire ignition concerns.



Restrict Open Flames And Fireworks?

Based on current and forecasted weather and drought conditions City Council should consider the following:

1. Implement an Open Flame and Fireworks Restriction based on the updated information received this evening or,
2. Continue to monitor conditions for changes and decide later.

Four Lakes Village HOA
C/o PMA
PO Box 68087
Park City, UT 84068

May 31, 2022

Park City Planning Commission & City Council
445 Marsac Avenue
Park City, UT 84060

Dear Sirs/Madams:

This letter is written in response to the proposed Land Management Code Amendments to Define Fractional Ownership and Location in Park City. Thank you for being proactive about protecting our community and its neighborhoods.

However, for the reasons below, please accept this letter as Four Lakes Village's objection to amending the Land Management Code that allows fractional ownership by condition use permits in our Village. It directly conflicts with our Village's governing documents and the homeownership goals.

Four Lakes Village at Park Meadows is a Planned Unit Development within the Park City boundaries in the Residential Development Zone. It is surrounded by the Park Meadows Country Club and Single-Family homes on Estates Drive and American Saddler Drive.

Four Lakes Village specifically prohibits fractional ownership in its community as set forth in its Amended and Restated Declaration of Covenants, Conditions, and Restrictions.

To further clarify, the following are the relevant Articles.

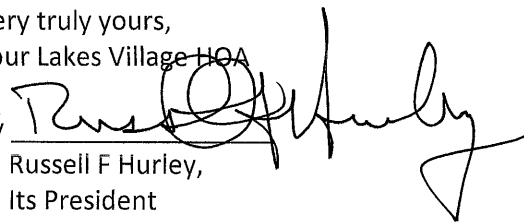
1.16. "Lot" shall mean any plot of land shown upon any recorded subdivision map of the Subject Land and designated by a unit number on the Plat, including any Buildings and improvements thereon.

3.07. No Subdivision. No Lot or portion thereof may be divided or subdivided, or a fractional part thereof sold or conveyed to be held in divided ownership. Under no circumstances shall interests in a Lot be divided into leased, sold, conveyed, or used as periods of intervals or sold or conveyed to Owners or holders for use on a timeshare basis.

Please feel free to contact us if you have any questions.

Very truly yours,
Four Lakes Village HOA

By


Russell F Hurley,
Its President

Cc PMA