PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
May 12, 2016

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, City Council Chambers, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, May 12, 2016.

CLOSED SESSION

2:00 p.m. To Discuss Property, Personnel and Litigation

WORK SESSION

2:45 p.m. – Council Questions and Comments

3:00 p.m. – Capital Improvement Project Budget Overview PAGE 3

4:00 p.m. – Discuss Speed Limit Analysis in Park City PAGE 27

4:30 p.m. – Discuss the Subscriber Solar Program PAGE 37

4:45 p.m. – Victim Advocacy Program Update PAGE 42

4:55 p.m. – Discuss Creekside Water Treatment Plant Building Site Relocation, within Lot 2 of the City-Owned Property at Creekside Park along Holiday Ranch Loop Road PAGE 48

5:10 p.m. – Discuss Proposed Storm Water Utility and New Storm Water Fee Calculation Methodology PAGE 61

REGULAR MEETING

6:00 p.m.

I. ROLL CALL

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Staff Communications Report:

1. Municipal Code Online PAGE 72

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

IV. CONSIDERATION OF MINUTES

1. Consideration of a Request to Approve the City Council Meeting Minutes from April 14, 2016, and April 28, 2016 PAGE 74

V. NEW BUSINESS

1. Consideration to Approve Resolution 11-2016, a Resolution to Celebrate “Historic Preservation Month” During the Month of May PAGE 94

2. Deer Valley Resort End of Ski Season Recap 2015-2016 PAGE 100

3. Consideration of the Acquisition of a Portion of 1251 Kearns Boulevard (The Yard), of Approximately 2.29 Acres in the Tentative Amount of $6,000,000 PAGE 101

4. Consideration of Ordinance 2016-20, an Ordinance Approving the 100 Daly Avenue Plat Amendment Located at 100 Daly Avenue, Park City, UT Pursuant to Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City Attorney PAGE 128
(A) Public Hearing
(B) Action

5. Consideration of a Request to Continue a Public Hearing on an Ordinance Approving an Extension of the Approval of the Ontario Mine Bench Subdivision, Located at 7700 Marsac Avenue, Park City, Utah PAGE 146
(A) Public Hearing
(B) Continuation to June 9, 2016

6. Consideration of a Request to Continue a Public Hearing on an Ordinance Approving an Extension of Approval of the Lot 1 Ontario Mine Bench Condominium Record of Survey Plat, Located at 7700 Marsac Avenue, Park City, Utah PAGE 148
(A) Public Hearing
(B) Continuation to June 9, 2016

VI. ADJOURNMENT

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

DATE: May 12, 2016

TO HONORABLE MAYOR AND COUNCIL

The City Manager Recommended Budget was be presented and adopted by City Council on May 5th. Over the next four weeks staff will present various aspects of the budget to Council. This week staff will present the 5-Year Capital Improvement Plan. Council should provide direction to staff on any recommended changes to the Final Budget over the next 6 weeks. On June 16th, the City will hold a public hearing and City Council will adopt the Final Budget.

Respectfully:

Nate Rockwood, Capital Budget, Debt & Grants Manager

City Council
Study Session Report

Subject: City Manager's Recommended Budget
Author: Jed Briggs, Nate Rockwood
Department: Budget, Debt, & Grants
Date: May 12, 2016
Type of Item: Legislative

Executive Summary:

The City Manager Recommended Budget was be presented and adopted by City Council on May 5th. Over the next four weeks staff will present various aspects of the budget to Council. This week staff will present the 5-Year Capital Improvement Plan. Council should provide direction to staff on any recommended changes to the Final Budget over the next 6 weeks. On June 16th, the City will hold a public hearing and City Council will adopt the Final Budget.

Acronyms

BFO – Budgeting for Outcomes
FY- Fiscal Year
CIP – Capital Improvement Plan
RDA – Redevelopment Authority
FIAR - Financial Impact Assessment Report
CEMP – Comprehensive Emergency Management Plan
P&P - Personnel Policies and Procedures
SLAC – Service Assessment Committee
OTIS – Old Town Improvements Study
WALC – Walkability
O&M - Operations & Maintenance
ARCST - Additional Resort Communities Sales Tax
GO Bonds – General Obligation Bonds

Background:

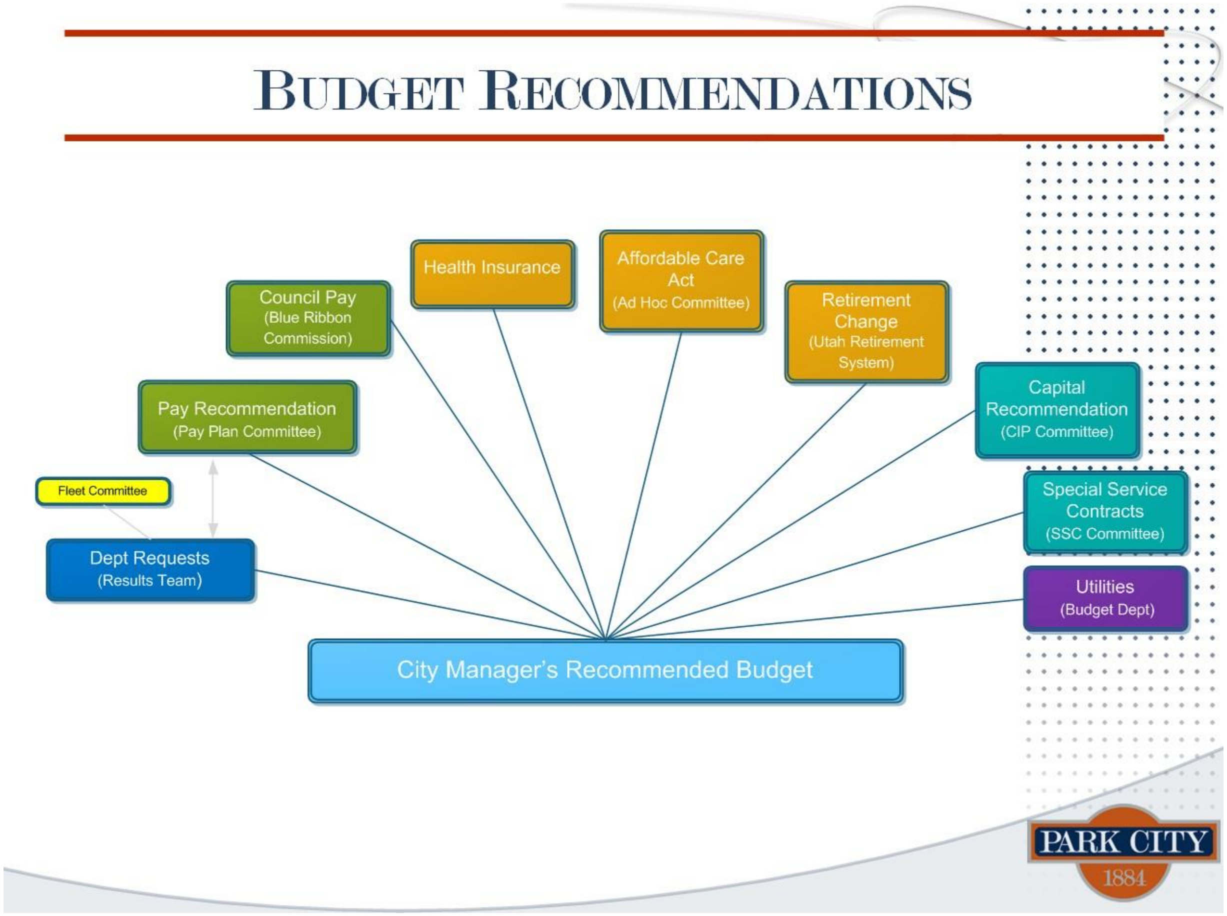
This budget season will be the first year of the budget biennium. Between now and June we will be working on adjusting the FY 2016 Budget as well as developing the FY 2017Budget and FY 2018 Plan.

The City Manager's Recommended Budget is constructed drawing upon Council input and direction received during the Council Retreat in March, as well as Council input received during work sessions and study sessions throughout the year. During a Council work session (Mar. 3), Council was presented with the Financial Impact Assessment Report (FIAR) projection of the City's expenditures and revenues over the next ten years. In essence, the FY17 budget has to fit within the confines of the FIAR's projected expenditure increases (based off of a 10-year historical analysis of an average annual increase of Park City's expenditures), approved by Council. The funding level recommendation has to account for what could be considered ―inflationary‖

increases like Pay Plan, health insurance, and retirement as well as more discretionary increases such as departmental requests and CIP enhancement.

Below are the City's Long-Term Budget Strategies for crafting the City Manager's Recommended Budget:

1. Budget draws upon Council input from Council Retreat and FIAR projections as a guide
   - Priority-driven operating budget based upon Council's Critical and Top Priorities, goals, objectives, and desired outcomes
2. Two-year budget process with fewer budget requests coming in the "off-year" (This year, FY 17 is a "on-year" for the budget; the "off-year" is FY18 in this particular biennium budget)
   - Second-year budget requests that will be considered are ones that
     i. will come with revenue offsets;
     ii. are accompanied by expense reductions, or that;
     iii. are required by law; or
     iv. are necessitated by market/environment changes that happened since the last budget adoption (since the adoption of the FY15 budget, in this case)
3. The budget proposal is initially developed by several budget committees made up of cross-departmental staff:
   - Committees include Results Team as well as CIP, Pay Plan, Benefit, and Fleet committees and any other ad hoc committees needed for unique circumstances
   - Results Team will make recommendations by considering BFO score, department manager's request, established need, available resources, and performance measures
4. All operating and capital budget requests should be considered during the budget process
5. Any General Fund budget surplus should be used for capital projects



Utah State law requires that the City Manager present to Council a balanced budget at the first regularly scheduled Council meeting in May. A balanced budget is defined by Utah Code: ―The total of the anticipated revenues shall equal the total of appropriated expenditures.‖ The proposed budget must be available for public inspection during normal business hours after it has been filed with the City Council. Per state code a tentative budget must be submitted to city council on or before the first scheduled meeting in May. The Council then adopts the tentative budget and then begins to make it its own by modifying and amending it. Between the first City Council meeting in May and the presentation of the Final Budget on June 16, the Council has the opportunity to review the proposed budget, consider public comment, and finally, adopt a balanced budget. Before June 22 the Council must adopt either a tentative budget if the certified tax rate is to be exceeded (tax increase) or a final budget and proposed tax rate (no tax increase). If there is a property tax increase, the Council holds an additional public hearing before adopting the budget in August.

The high level timeline for the strategic planning and budget process was provided to City Council during their annual retreat and is as follows:

ID	Task Name	Start/Ongoing	Finish	Duration	2016											
					Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1	Council Retreat	3/9/2016	3/11/2016	3d												
2	Results Team deliberation	2/17/2016	3/30/2016	31d												
3	Quarterly Goal Update (Q3.FY16)	4/1/2016	4/15/2016	11d												
4	Council Budget Hearings	5/6/2016	6/16/2016	30d												
5	Quarterly Goal Update (Q4.FY16)	7/1/2016	7/15/2016	11d												
6	Business Plan FY16 Update	7/1/2016	9/1/2016	45d												
7	Biennial Plan FY17 & 18 Revision	7/1/2016	9/1/2016	45d												
8	Quarterly Goal Update (Q1.FY17)	10/3/2016	10/17/2016	11d												
9	BFO Departmental Submission	11/24/2016	12/21/2016	20d												
10	Biennial Plan FY17-18 Off-year Update	12/16/2016	1/17/2017	23d												
11	Quarterly Goal Update (Q2.FY17)	1/2/2017	1/16/2017	11d												

The timelines and process for the budget hearings is detailed below:

Mar 3 – FIAR presentation budget kickoff (Biennial Strategic Plans update).

May 2 - Staff delivered the City Manager's Recommended Budget (Tentative or Proposed Budget) to City Council. Discussion/action is slated for these dates as follows, barring changes as needed:

May 5 – Presentation of the Tentative Budget, Budget Overview & Timeline, Update of Financial Impact Assessment Report (FIAR), and Benefits (pay plan & health insurance). Presentation and adoption of the Tentative Budget.

May 12 – CIP & RDA Budgets

May 19 – Operating Expenditures - Biennial Plan Team Presentations, Fee Changes and Special Service Contracts.

June 2 – Personnel Policies and Procedures (P&P) Manual, City Fee Resolution, Council Compensation, Budget Policies, Outstanding Budget Issues, Adopt CEMP update by resolution, and transit model

June 16 – Presentation & Adoption of Final Budget (if no property tax increase – staff is not recommending a property tax increase), Adoption of Provisional Budget (if property tax will be increased)

Analysis:
The capital budget, as proposed by the City Manager, continues to fund high priority projects which meet Council's four goals. This year's the City Managers Recommended Budget continues to have an emphasis on funding affordable housing projects, which has been identified by Council as a critical priority. The following table shows a summary of current major projects with proposed funding amounts.

Major Capital Projects in 5-Year CIP				
Project	Proposed Budget	Funding Source	Start Date	End Date
Reconstruction of Park Avenue from Heber to Empire Avenue/Deer Valley Drive Intersection	4,490,000	Additional Resort Sales Tax	2019	2021
Recreation Building in City Park	4,500,000	Lower Park RDA	2017	2017
Kimball Junction Transit Center	2,528,000	Transit Fund - Federal Grant	2017	2017
	632,000	Transit Fund - Transit Sales Tax		
	750,000	Transit Fund - County		
Parks Building	136,000	Lower Park RDA	2017	2017
	513,333	Water Fund		
	350,667	Transit Fund		
Golf Building	68,000	Lower Park RDA	2017	2017
	256,667	Water Fund		
	175,333	Transit Fund		
Prospector Drain - Regulatroy Project	1,931,724	General Fund Transfer	2016	2018
Soil Repository	1,300,000	General Fund Transfer	2016	2019
Housing Projects	5,250,000	Additional Resort Sales Tax	Underway	Pending
	35,409,608	Lower Park RDA	Underway	Pending
Downtown Projects	4,700,000	Additional Resort Sales Tax	Underway	Pending
Downtown Plazas	8,300,000	Additional Resort Sales Tax	2016	2018
Otis	3,766,666	Additional Resort Sales Tax	Underway	Pending
Water Projects	63,649,666	Water Fund	Underway	Pending
Water Energy Projects	6,500,000	Water Fund - Energy Fees	2017	Pending
Storm Water Projects	5,531,000	Storm Water Fund	2016	Pending
Streets and Water Mainenance Building	3,161,221	General Fund Transfer	2017	2019
	2,700,000	Water Fund		
	1,000,000	Transit Fund		
	3,000,000	Storm Water Fund		
Security Projects	150,000	General Fund Transfer	2016	2018
Building Permit Issuance Software	218,000	General Fund Transfer	2017	2017
Guardrail Along a Section of Royal Street and Deer Valley Drive	100,000	General Fund Transfer	2016	2016
McPolin Barn Seismic Upgrade	1,400,000	General Fund Transfer	2016	2017

Major Capital Projects

Being the first year of a budget biennium, the CIP Committee ranked and evaluated all new and existing projects as part of 5 Year Capital Improvement Plan. This year's CIP committee was Blake Fonnesbeck, Jon Weidenhamer, Ken Fisher, Marina Smith, Nate Rockwood, Matt Cassel, Scott Robertson, Alfred Knotts and Matt Twombly. Projects were reviewed and ranked based on six criteria: Objectives (City Council Goals), Funding, Necessity, Previous Investment, Environmental Impact, and Cost/Benefit. In addition, this year projects were also evaluated and scored based on projects which significantly contributed to Councils identified critical priorities.

At the time of prioritization, projections showed a general fund transfer to the CIP Fund of approximately $5.7 million in FY 2016, $4.1 million in FY 2017, $3.6 million in FY 2018, $2.9 million in FY 2019, $2.5 million in FY 2020 and $2 million in FY 2021. These figures include approximately $900K to $1 million in transfers from the General Fund for equipment replacement.

The Committee recommended funding projects requiring operating General Fund transfer in the amount of $5,706,000 in the current fiscal year, $4,107,000 in FY 2017, $3,623,000 in FY 2018, $3,332,000 in FY 2019 and $3,132,000 FY 2020 and $2,382,000 in FY 2021. The recommended project totals then taper from $3.1 million in FY 2020 to $2.3 million in FY 2021 to match the amount required to fund the ongoing CIP projects.

The total proposed CIP budget (all funds combined) for the FY 2016 Budget is $91.7 million ($32.3 million original budget and $59.4 million carry-forward budget). The proposed FY 2017 CIP budget is $62.54 million; FY 2018 CIP is $32.88 million. The CIP includes significant debt financing including anticipated debt issuance in the Water Fund, Lower Park Redevelopment Area and in the Capital Fund (fund 031). The General Fund surplus required to fund projects in FY 2016 will be approximately $5.7 million—the majority of which is dedicated to completing current projects, ensuring the maintenance of existing infrastructure, or securing funding for previously-identified needs. Projects in these categories include Pavement Management, Trails Master Plan Implementation, Traffic Calming, Asset Management, Walkability and Asset Management. Approximately $1 million in additional funding is included in FY 2016 from the general fund transfer. These funds have been allocated towards needed additional funding for the McPolin Barn Seismic Upgrade, Pavement Management and Building Permit Issuance Software.

The list below details each of the new projects recommended for funding in the 5-Year CIP for the first time this year:

New Recommended Projects (All Funds)								
Project	Revenue	Total Project Cost	2016	2017	2018	2019	2020	2021
000416 Transit Onboard Security Cameras	TRANSIT FUND	272,000 96,000		272,000 68,000	14,000	14,000		
000417 Transit Onboard Wi-Fi	TRANSIT FUND	155,200 88,800		155,200 38,800	25,000	25,000		
000444 Parking Deck Coating Replacement Iron Horse Bus Garage	TRANSIT FUND	250,000		125,000	125,000			
000448 QJWTP Treatment Upgrades	WATER FUND	5,000,000		5,000,000				
000449 QJWTP Capacity Upgrades	WATER FUND	600,000			500,000	100,000		
000450 Distribution Zoning Meters	WATER FUND	400,000		200,000	200,000			
000451 Energy Projects	WATER FUND	1,000,000		200,000	200,000	200,000	200,000	200,000
000452 QWTP Energy Projects	WATER FUND	400,000		200,000	200,000			
000453 QWTP Micro-Hydro	WATER FUND	2,000,000				2,000,000		
000454 Park Ave SD	STORM WATER FUND	1,500,000				750,000	750,000	
000455 Vehicle and Equipment Replacement	STORM WATER FUND	350,000		70,000	70,000	70,000	70,000	70,000
000456 Prospector Ave Storm Water	STORM WATER FUND	360,000			360,000			
000462 Kimball Junction Transit Center	TRANSIT FUND	3,910,000		3,910,000				
000463 Parks Building	LOWER PARK RDA WATER FUND TRANSIT FUND	136,000 513,333 350,667		136,000 513,333 350,667				
000464 Golf Building	LOWER PARK RDA WATER FUND TRANSIT FUND	68,000 256,667 175,333		68,000 256,667 175,333				
000465 Central Park	LOWER PARK RDA	4,272,858		4,272,858				
000466 Transit and Transportation Land Acquisition	TRANSIT FUND	6,000,000		6,000,000				

Recommended New CIP Amounts

The following figure shows projects that were not recommended for funding in the 5-Year CIP:

Project	2016	2017	2018	2019	2020	2021
000434 Replace Park Light Bollards*	-	35,000	-	-	-	-
000429 Replace Six HPS Lights along DVD North with LED Lights	-	-	44,000	-	-	-
000442 SALT BRINE MANUFACTURING DEVICE AND APPLICATION TANK	-	118,000	-	-	-	-
000418 XRF Soil Sampling Equipment*	38,000	-	-	-	-	-
000427 Regrade Bend on DVD where Bus Accident Occurrred and add Guardrail	-	400,000	-	-	-	-
000446 Disaster Recovery Data Storage	-	50,000	-	-	-	-
000445 Fiber Optic Cable Upgrades*	-	18,000	-	-	-	-
000430 Retaining Wall/Bridge/Culvert Inspection and Minor Repairs	-	15,000	15,000	15,000	-	-
CP0377 Park City Disc Golf	-	-	-	-	-	-
000431 Design, grade, provide drainage and pave area just east of 7-11 for parking	-	100,000	-	-	-	-
000437 Fuel Tank Inventory and Usage Tracking Equipment	-	55,000	-	-	-	-
000415 Public Safety Mobile Command Post (MCP)	-	100,000	100,000	50,000	-	-
000421 Incubator Program with the University of Utah Engineering Programs	-	5,000	5,000	-	-	-
CP0163 Quinn's Fields Phase III	-	-	2,100,000	-	-	-
000420 Additional Fitness Space*	12,000	-	-	-	-	-
000438 Deer Valley Drive - Replace Approach at Stonebridge Condos	-	25,000	-	-	-	-
000389 Library Book Sorter	-	110,000	-	-	-	-
000348 Additional Parking/ P.C. Police Building	-	1,800,000	-	-	-	-
000435 Portable Softball Field Fencing	-	41,000	-	-	-	-
TOTAL	**50,000**	**2,872,000**	**2,264,000**	**65,000**	**-**	**-**
*These projects are being partially funded/fund through existing resources						

New CIP Amounts Not Recommended

The following table shows all projects funded with the general fund transfer, in order of how each project was scored by the CIP Committee.

General Fund Transfer Projects							
Project	FY2016	Newly Requested FY 2016	FY2017	FY 2018	FY2019	FY2020	FY2021
CP0336 Prospector Avenue Reconstruction	170,000		200,000	200,000	-	-	
CP0006 Pavement Managment Implementation	300,000		440,000	440,000	440,000	440,000	440,000
CP0312 Fleet Management Software	-		31,986	-	-	-	
CP0150 Ice Facility Capital Replacement	50,000		50,000	50,000	50,000	50,000	50,000
CP0041 Trails Master Plan Implementation	30,000		30,000	30,000	30,000	30,000	30,000
CP0075 Equipment Replacement - Computer	296,000		308,700	308,700	308,700	308,700	308,700
CP0266 Prospector Drain - Regulatroy Project	-		-	300,000	-	-	
CP0146 Asset Management/Replacement Program	552,709		552,709	552,709	552,709	552,709	552,709
CP0267 Soil Repository	300,000		-	-	1,000,000	-	
CP0354 Streets and Water Maintenance Building	871,221	486,000	1,308,418	596,361	-	-	
CP0333 Engineering Survey Monument Re-establish	5,000		5,000	-	-	-	
CP0269 Environmental Revolving Loan Fund	100,000		-	-	-	-	
CP0061 Economic Development	25,000		25,000	-	-	-	
CP0074 Equipment Replacement - Rolling Stock	700,000		700,000	750,000	750,000	800,000	800,000
CP0352 Parks Irrigation System Efficiency Imp	25,000		25,000	25,000	25,000	25,000	25,000
CP0191 Walkability Maintenance	40,500		40,500	40,500	40,500	40,500	40,500
CP0294 Spriggs Barn	(18,312)	-18,312	-	-	-	-	
CP0036 Traffic Calming	37,500		10,000	10,000	-	-	
CP0217 Emergency Management Program	10,000		10,000	10,000	-	-	
CP0290 APP Development	(82,248)	-82,248	-	-	-	-	
CP0348 McPolin Barn Seismic Upgrade	1,400,000	600,000	-	-	-	-	
CP0334 Repair of Historic Wall/Foundation	-		45,000	-	-	-	
CP0340 Fleet Shop Equipment Replacement	15,000		15,000	15,000	15,000	15,000	15,000
CP0264 Security Projects	50,000		50,000	50,000	-	-	
CP0368 Video Storage Array	40,000		-	-	-	-	
000441 VMS Replacement	-		40,000	-	-	-	
CP0332 Library Technology Equipment Replacement	24,387		24,387	24,387	24,387	24,387	24,387
CP0017 ADA Implementation	5,000		5,000	5,000	5,000	5,000	5,000
CP0250 Irrigation Controller Replacement	20,000		20,000	20,000	20,000	20,000	20,000
CP0353 Remote snow storage site improvements	25,000		25,000	50,000	-	-	
CP0280 Aquatics Equipment Replacement	11,250		11,250	11,250	11,250	11,250	11,250
CP0142 Racquet Club Program Equipment Replaceme	60,000		60,000	60,000	60,000	60,000	60,000
CP0089 Public Art	75,000		75,000	75,000	-	-	
000458 Guardrail along a section of Royal Street and Deer	100,000	100,000	-	-	-	-	
CP0351 Artificial Turf Replacement Quinn's	-		-	-	-	600,000	
CP0229 Dredge Prospector Pond	-		-	-	-	150,000	
CP0374 Building Permit Issuance Software	218,000	200,000	-	-	-	-	
CP0042 Property Improvements Gilmore O.S.	100,000		-	-	-	-	
CP0328 Meeting Documentation Software	(20,000)	-20,000	-	-	-	-	
CP0349 Payment for snow storage lot	170,000		-	-	-	-	
TOTAL GF Transfer	5,706,007	1,265,440	4,107,950	3,623,907	3,332,546	3,132,546	2,382,546

Projects Recommended in 5-Year CIP (General Fund Transfer)

New Ongoing CIPs

Figure E16 shows ongoing General Fund projects in the 5-Year CIP. This year's CIP incudes new funding for ongoing capital replacement projects.

Pavement Management Implementation

This project provides the funding necessary to properly maintain and prolong the useful life of City owned streets and parking lots. Annual maintenance projects include crack sealing, slurry sealing, rototilling, pavement overlays and utility adjustments. The City currently invests $300,000 annually from the general fund transfer to maintain our 126 lane miles of streets. Over the last five years we have seen a decline in overall RSL (Remaining Service Life), from a 9.73 to 8.58. This is largely due to the increased cost of materials. In an effort to account for the increase cost of materials the CIP committee recommends an increase in investment by $140,000 bringing the total investment from the General Fund to $440,000. The City will also receive an additional estimated $60,000 annually form the recent statewide gas tax B & C road funds increases. This will bring the total annual pavement management investment to $800,000 per year ($440,000 from the general fund transfer and $360,000 from state B & C road funds).

General Fund Transfer - On Going Projects						
Project Name	**FY 2016**	**FY 2017**	**FY 2018**	**FY 2019**	**FY 2020**	**FY 2021**
CP0006 Pavement Managment Implementation	*300,000*	*440,000*	*440,000*	*440,000*	*440,000*	*440,000*
CP0017 ADA Implementation	5,000	5,000	5,000	5,000	5,000	5,000
CP0041 Trails Master Plan Implementation	30,000	30,000	30,000	30,000	30,000	30,000
CP0074 Equipment Replacement - Rolling Stock	700,000	700,000	750,000	750,000	800,000	800,000
CP0075 Equipment Replacement - Computer	*296,000*	*308,700*	*308,700*	*308,700*	*308,700*	*308,700*
CP0142 Racquet Club Program Equipment Replaceme	60,000	60,000	60,000	60,000	60,000	60,000
CP0146 Asset Management/Replacement Program	552,709	552,709	552,709	552,709	552,709	552,709
CP0150 Ice Facility Capital Replacement	50,000	50,000	50,000	50,000	50,000	50,000
CP0191 Walkability Maintenance	40,500	40,500	40,500	40,500	40,500	40,500
CP0250 Irrigation Controller Replacement	20,000	20,000	20,000	20,000	20,000	20,000
CP0280 Aquatics Equipment Replacement	11,250	11,250	11,250	11,250	11,250	11,250
CP0332 Library Technology Equipment Replacement	24,387	24,387	24,387	24,387	24,387	24,387
CP0340 Fleet Shop Equipment Replacement	15,000	15,000	15,000	15,000	15,000	15,000
CP0352 Parks Irrigation System Efficiency Imp	25,000	25,000	25,000	25,000	25,000	25,000
TOTAL General Fund Transfer - On Going	**2,129,846**	**2,282,546**	**2,332,546**	**2,332,546**	**2,382,546**	**2,382,546**

Ongoing CIP Projects with General Fund Transfer as Funding Source

Major Project Adjustment and Updates:

Recreation Building in City Park

Because replacing or significant renovation to the current recreation building in City Park is a critical need for the community demand for recreation services, including the sold out Summer Camp program, staff has recommend the current Lower Park RDA budget includes new funding in the amount of $4.5 million for a Recreation and Community Building in City Park. This funding amount has been included in the Lower Park Avenue RDA 15-year model. Funding for this project is feasible when included with other budgeted projects within the Lower Park Ave RDA.

The Recreation Building in City Park was constructed in the 1980's & then renovated in 2004. The building is approximately 4,000 sq. feet. Currently the facility is used in the summer by the department's summer day camp. This program is state licensed through the Department of Childcare Licensing and is capped at 58 kids. The facility is leased out the remained of the year to Sundance & the Youth Theatre.

As part of the Recreation Facilities Master Plan that is currently being completed the building would be replaced with a 20,000 sq. foot building that would become a multi-functional year round space to serve recreation – including additional space needed for summer camps -- and possibly other community needs. It would have a full basement that could be used for building maintenance & park's storage. The playground would be relocated and other potential outdoor amenities would be added or upgraded.

Due to high demand, the summer day camp program brought in a portable classroom last summer & this year has licensed the basement of Miner's Hospital. This increased space still does not meet the demand for this program as it continues to be sold out even with an increased capacity of 68 campers. There are many options for City Council to consider in the future when the Recreation Master Plan is completed and Council has an opportunity weigh in on the Master Plan and possible future facilities. Options that could be considered by Council in the future would be to create a recreation and multiuse building where, on a year round basis the facility could be designed to house a Senior Center & be used as a Community Center as well. The building would be designed to be extremely energy efficient to help the City's goal of being net zero by 2022.

Park Ave. Reconstruction
The five-year CIP includes funding for the reconstruction of Park Ave. between Heber Ave and the Park Avenue/Deer Valley Drive intersection. Funding is recommended as part of the Additional Resort Communities Sales Tax in the amount of $4.5 million. Project information and needs are detailed below:

Project Description

- Replacement of Park Avenue infrastructure

Project Location

- Start at Heber Avenue and extend to the Park Avenue/Deer Valley Drive intersection

Reason for Project

- Connection into the Park Avenue Storm Drain at 15th and 13th Streets in 2008 revealed the deterioration of the Park Avenue storm drain. The storm drain is a corrugated metal pipe and the bottom of the pipe was found to be rusted and missing in these two locations,
- Connections into the Park Avenue storm drain in 2011 at 10th and 11th Street found the same deteriorated condition,
- As part of the storm water master plan, sections of the Park Avenue storm drain were televised which revealed that large portions of the storm drain were extremely deteriorated,
- SBWRD has been requesting for a few years to get into Park Avenue to replace their sanitary sewer. There sanitary sewer is clay pipe and past its life,
- Questar Gas has requested to get into Park Avenue to replace their gas line. Their gas line is a steel pipe and is also past its useful life,
- The water line is not at the end of its life but is close enough were Public Utilities would replace their water line at the same time the other utilities are replaced,
- With all the utility work, the road, sidewalks and curb and gutters would be removed to facilitate utility work and would need to also be fully replaced.

Scope of Project

- Replace storm, sewer, gas, and water utilities (staff would reach out to other utilities for possible replacement),
- Replace sidewalk, curb and gutter and road surface. Staff will evaluate how the new road will layout (Goal will be complete street concept),
- Update lighting, signage, road markings,
- Evaluate and augment pedestrian facilities from 9th Street to Heber Avenue,
- Add fiber optic conduits,
- Rebuild box of rocks at the intersection of Park Avenue and Deer Valley Drive,
- Project would be in the soils boundary so managing soils will be an issue,
- Because of its size, the project would take two summers of construction to complete.

Kimball Transit Center
The Kimball Transit Hub is planned to be a regional transit facility with the capacity for bus, van and shuttle transportation services for the next 20 years of potential transit growth. The current transit system carries about 2 million passengers per year with about one third of that ridership starting and ending within the Snyderville Basin (unincorporated Summit County). The adopted 2011 Short Range Transit Plan (SRTP) estimates that if all short term recommended transit services were added, the County portion of the system could expand from 600,000 to over 1,000,000 riders a year within the next 5-7 years.

Transit Load: The Transit Center will need to accommodate 11 buses and 3 vans during peak times.

Transit Building: The building will be a single story structure with adequate passenger facilities. The building needs to be built to qualify for LEED Silver certification.
- Climate Control
- Seating for 50 individuals
- Two Restrooms
- Open interior waiting area
- High Speed Internet, Cable TV, and Security Cameras
- Maximum building height of 32 feet
- Roofs should be dark in color and have large overhangs
- Exterior colors should be muted earth tone materials
- Large expanses of reflective glass are to be avoided
- Minimize winds for waiting passengers
- Solar design and LED lighting when practical

Guardrail along a Section of Royal Street and Deer Valley Drive
Project Description
- Add guardrail along two critical sections of road

Project Location

- Add guardrail along the north edge of the bend on Royal Street just west of the Deer Valley Drive/ Royal Street intersection,
- Add guardrail along the first bend of Deer Valley Drive just north of Snow Park.

Reason for Project

- Numerous incidents have occurred at the Deer Valley Drive bend in the road just north of Snow Park with a bus leaving the road in the fall of 2015,
- In the Trees residential complex has requested the guardrail on Royal Street because of slide offs. The bend in question is located above their complex.

Scope of Project

- Add approximately 375 feet of guardrail along the north edge of Royal Street,
- Add approximately 150 feet of guardrail along the edge of Deer Valley Drive.

Building Permit Software

The new permit software system will be used to manage workflows and record keeping related to a variety of building and land use permits, trade licenses, code enforcement cases, periodic inspections, and regulatory enforcement programs. It will also be used to track and manage information for all City buildings and properties, such as land uses and building occupancies, unit counts, type of construction, rental unit status, and similar enduring characteristics that extend beyond normal permit life-cycle.

The goal of the Permitting software is to provide a next-generation replacement to its current permit system that will provide tracking and workflow functionalities and integrating additional functions such as electronic document management, electronic plan review, electronic payment, and geographic information to provide a seamless overall experience for the City's internal and external customers.

Housing Action Plan

The City Manager's Recommended Budget (five-year CIP) contains $40 million in affordable, middle income and attainable housing projects over the next 5 years. Funding for the proposed housing projects recommended from two primary funding sources: the Lower Park RDA & the Additional Resort Communities Sales Tax (see Additional Resort Communities Sales Tax section below). The following table details recommended funding for affordable housing projects.

Affordable Housing Projects	
Funding Source	**Amount**
Additional Resort Tax	$5.2 M
Lower Park RDA	$35.4 M
Total Funding	**$40.6 M**

Housing Action Plan

It is recommended that the bulk of Housing Land Acquisitions, to the extent possible, come from the Additional Resort Communities Sales Tax. This will allow the most flexibility for land acquisitions while properties are evaluated for affordable housing projects. Projects which are outside the RDA and are not considered affordable housing will likely be funded through the Additional Resort Communities Sales Tax. Affordable housing construction projects are recommended to be financed thought the Lower Park RDA. Proceeds from sales of affordable housing units will be returned to the RDA to be put into the next set of affordable housing projects or economic development projects in the RDA. Staff has developed finance models for both the Lower Park RDA and the Additional Resort Communities Sales Tax which will be presented to Council as part of the FY 2017 Budget Hearings.

In December 2014, City Council identified Affordable, Attainable and Middle Income Housing as a critical priority. On February 5, 2015 the City's Community Affairs Manager and Housing Specialist presented an overview of the current state of housing in Park City, 2014 accomplishments, a one-year action plan and five year targets. At that time staff also committed to return monthly to City Council on housing –related topics. Staff has presented the Housing Action Plan to reflect both actions taken and actions planned through June 30, 2019.

In early 2016, the Housing Program and staff were transitioned to the Community Development Department. From here forward, the Community Development Director and the Housing Program Manager will be guiding the Affordable Housing Plan through June 30, 2020.

The four program areas of the plan are:
Housing Regulatory Tools, Neighborhood Preservation Pilot Program, City Sponsored Development and Land Acquisition/Disposition. As committed to Council, staff will continue to update this action plan monthly to reflect completed items, updated timelines and provide greater levels of detail as programs become more defined. The updates and action plan are laid out in a built point check list format (see below). Descriptions and Budget Amounts for individual projects are outline in the project descriptions contained in the Budget Document Vol. II.

Funding for the proposed housing action plan is recommended from two primary funding sources: the Lower Park RDA & the Additional Resort Communities Sales Tax (see Additional Resort Communities Sales Tax section below).

Regulatory Tools

- **Housing Nexus Review & Code Barrier(s) Analysis**
- **Housing Resolution Update**
- **Inclusionary Housing Plans**
- **Compliance**

Actions Taken

- ✓ Deed restrictions for Park City Heights Recorded
- ✓ Request for Proposals (RFP) for Housing Nexus Review and Housing Barrier Analysis issued
- ✓ Award of contract for Housing Nexus Review and Barrier Analysis to EPS
- ✓ IHC Housing Plan approved by Housing Authority
- ✓ Housing Resolution updated to permit banking of affordable units.
- ✓ Work with EPS substantially complete
- ✓ Blue Ribbon Housing Commission appointed, participated in educational presentations and finalized their approval of EPS's work as well as their own separate report.
- ✓ Central Park Condominium affordable housing mitigation plan approved.

January – June 2016

- ✓ Annual compliance review of deed restricted units completed
- ☐ Vail Housing Plan under active review
- ☐ Park City Heights sales begin
- ✓ Blue Ribbon Commission completed their work and presented a final report to both Planning Commission and City Council
- ☐ EPS completing final report for April 28 joint meeting of City Council and Planning Commission.

July 2016 – June 2017

- ☐ Annual compliance review of deed restricted units moved to Spring/Summer annually
- ☐ Park City Heights sales continue

July 2017 – June 2018

- ☐ Annual compliance review of deed restricted units
- ☐ Housing Resolution Review
- ☐ Park City Heights sales continue

City Sponsored Development

- 1450/1460 Park Avenue
- City-owned land in Lower Park Avenue
- New city projects

Actions Taken

1450/60 Park Avenue

- ✓ Massing studies complete
- ✓ Design Team under contract
- ✓ Capital budget reserved
- ✓ Architecture and engineering in full swing
- ✓ Environmental conditions analysis and initial Historic planning review completed
- ✓ Site options presented and choice made at November 19 Council Meeting.

Lower Park Avenue

- ✓ Completed Stakeholder interviews and 10 community engagement group exercises
- ✓ Capital budget reserved
- ✓ Design Studio completed and outcomes presented
- ✓ Follow-up direction both with City Council and engaging the community completed

New City Projects

- ✓ Housing feasibility analysis for Brew Pub lot completed
- ✓ Feasibility studies for city-owned parking lots underway
- ✓ 664 Woodside feasibility analysis

January – June 2016

1450/60 Park Avenue

- ✓ Historic Preservation Plan submitted to HPB on February 3. It was continued to March 2 and approved.
- ☐ CUP application under development

Lower Park Avenue

- ✓ RFP issued for design services of a number of city-owned properties with submission deadline of April 7
- ✓ Design team under contract by May of 2016 and work started.

New City Projects

- ☐ Staff analyzing a number of potential joint ventures to produce additional new units
- ✓ 664 Woodside property sold

July 2016 – June 2017

1450/60 Park Avenue

- ✓ Sale of units Fall 2016
- ✓ Project closeout Fall 2016

Lower Park Avenue

- ✓ Scope to be determined
- ✓ Development continues

New City Projects

Future milestones to be developed

July 2017 – June 2018

Lower Park Avenue

- ✓ Development continues

New City Projects

- ☐ Future milestones to be developed

Land Acquisition & Disposition
- Parcel Identification
- Feasibility Studies
- Policy Development

Actions Taken	January – June 2016	July 2016 – June 2017 / July 2017 – June 2018
✓ Potential for affordable housing incorporated into City Property Master Plan. ✓ Capital budget reserved ✓ Sommer property purchased ✓ A number of additional opportunities analyzed	✓ Matrix designed by staff to evaluate the cost/benefit of future purchase and/or joint venture opportunities. ☐ On-going negotiations with private parties to purchase existing units and land.	**July 2016 – June 2017** ☐ Feasibility analysis and/or implementation as potential sites are identified **July 2017 – June 2018** ☐ Feasibility analysis and/or implementation as potential sites are identified

Land Acquisition & Disposition
- Parcel Identification
- Feasibility Studies
- Policy Development

Actions Taken	January – June 2016	July 2016 – June 2017 / July 2017 – June 2018
✓ Worked with Capital Improvement Project Committee (CIP) on recommended significant funding allocation for this program	☐ Draft Program parameters developed and feedback solicited by June of 2016.	**July 2016 – June 2017** ☐ Draft Program parameters developed and feedback solicited by June of 2016. **July 2017 – June 2018** ☐ Draft Program parameters developed and feedback solicited by June of 2016.

Streets and Water Maintenance Building

Due to explosive growth in Park City and increasing Federal and State regulations, additional land and financial capital must be allocated for the expansion of operational and administrative needs in order to continue the current Level of Service (LOS) provided by Public Works and Public Utilities. Park City's greatest assets include the built infrastructure and natural environments which offer a truly world class experience and lifestyle. Management of these assets and the services provided by Public Works and Public Utilities has provided the foundation for our unprecedented success and we must prioritize and invest in securing the long term Public Works and Public Utilities resource needs to achieve Council's vision and goals. Required resources include adequate space for equipment and material storage, employee workspaces, training and meeting spaces, and customer service. To continue the current LOS in the face of these challenges, we must expand our physical operational space and provide the tools, resources, and basic administrative needs for staff at all levels.

Staff is working on a detailed study and design. The Public Utilities Team (Water, Streets, and Storm Water) will need space to contain existing equipment, materials, and administrative needs. This area would include enclosed equipment storage; a laydown yard for material, equipment, storage, and staging; administrative space; and customer access. Staff has secured a site for the facility and is in the process of platting the property.

Staff is also proposing the construction of a small operational storage basin. Water storage provides the ability to equalize peak flows, provide redundancy, and address raw water line and water treatment operational needs. This storage basin would be a part of our existing Rockport Water Importation System which the City spent over $45M on over the past 10 years. This importation system is critical to the water supply for Park City both in the summer peak months and during the snowmaking season. However, there is a large amount of risk associated with this water supply as it relies on an extremely large pump station near Rockport Reservoir and approximately 14 miles of high pressure pipeline to transport water to Quinns WTP. Failure of any of this infrastructure or a short term water quality upset condition in the Weber River upstream of Rockport Reservoir would compromise this critical water supply. A large water storage reservoir would significantly mitigate this risk by storing water that could be treated at Quinns WTP. It is likely that even if the Rockport system failed, several of the City's other sources would continue to produce water and water stored in this reservoir could supplement the water supply for several days and in most cases several weeks. In a major event when power to the entire City is lost, water stored in this reservoir could still be treated as Quinns WTP has a generator capable of running the entire treatment and pumping process. The storage basin also provides a facility to address operational needs such as a raw water line pigging/swabbing receiving location and a receiving basin for Quinns Junction Water Treatment Plant decant and backwash treatment systems.

McPolin Farm Seismic Upgrade

The McPolin farm is considered a historic icon in the entryway corridor to Park City. The existing structure is currently inadequate to resist snow loads, wind loads and high seismic loads required by local building codes. There are several structural deficiencies with the general framing of the building that should be repaired. The connection of the floor beams to the exterior wood post needs to be strengthened, the gable walls need to be stiffened and the floor framing at the stairs need to be strengthened. The gable walls need to be stiffened and the floor framing at the stairs needs to be strengthened. Under design snow loads, the roof structure is highly over stressed. Over the last year, staff and the Friends of the Farm Committee have presented several options to Council on was to preserve or improve the facility. Based on Council's discussions the current 5-year CIP includes $800,000 in the FY 2016 budget. This amount would be sufficient to do the ―middle‖ option which includes fixing all structural issues including adding a new structurally sound foundation and structural system, removing the internal cables and replacing the windows. Council should have further discussions regarding this project to assure that the current direction is appropriate.

UPDATE: The original request for $800,000 was before there was a decision on the level and full cost of the upgrade. The architect was hired in December 2015. The architects presented the conceptual drawings to Council in February 2016 and the team received direction to move forward with the code level upgrade where less than 50 people could tour or occupy the barn. The contractor was hired in February of 2016 and they provided a preliminary cost estimate of $1.1M for construction in mid-March. The total project including construction costs, soft costs and contingency is $1.4M. As part of the 2017 budget, staff requested the $400,000 difference between the original $800,000 and the $1.4M.

Historic Park City/ Main Street & Downtown Projects
The Historic Park City/ Main Street & Downtown Projects were originally budgeted at $14.5 million with budget allocations phased over a seven year time period. The budget was based on the 2012 Historic Park City Improvement Plan Project List. The project list included a tentative project phasing plan based on short (1-5 years) and long (5-10 years) term needs. The project list was also divided in to two primary project categories, streetscape projects and plaza/pass-through projects. Future phased projects cost estimates were inflated by 3% per year. In 2013, the City received $3,000,000 in assistances funding from the Governor's Office of Economic Development (GOED) for economic development/ transportation improvement funds for the Main Street projects. This allowed the City to allocate resources to other project funded with the Additional Communities Sales Tax.

The total estimated project cost for the plaza/pass-through was $8.2 million, total estimated streetscape projects cost was $6.4 million. Of the plaza costs the Brew Pub Plaza was the single highest cost on the project list at a budgeted amount in FY2015 of just under $3.9 million. This project accounted 27 percent of the total $14.5 million allocated to the Historic Main Street & Downtown Projects.

During the initial stages of construction planning in FY 2012, staff returned to Council for a discussion of streetscape and pass-through design elements and materials. Council directed staff to proceed with an option to use of granite pavers for the project. Council acknowledged at that time that the use of the pavers should be a consistent design element throughout the streetscape, pass-through and plaza design and that the use of materials would increases the overall cost of the project. It was estimated at that time the theses costs would be close to $2,000,000. This would bring the total project allocated funds from the Additional RCST to $16.5 M.

To date, approximately half of the streetscape improvement costs have been completed at a cost of $2,527,000. It is estimated that completing the remaining streetscape improvement will cost $2,250,000. To date, $2.2 million has been expended on plaza/pass-through projects. Based on current estimates, completing the remaining plaza/pass-through as currently envisioned would require $10.3 million including $7 million for the Brew Pub Plaza, $1.25 Million for the Miners Plaza and $1.35 million for the Coalition Plaza.

The Sustainability staff has prepared an updated project cost list which includes updated estimates for the remaining plazas, pass-through and streetscape projects. These amounts have been included in the recommended five-year capital plan. This includes the Brew Pub plaza at a total budget of $7 M. The total remaining projects are estimated to cost $14 M. This would require a total budget allocation for the Main Street project of $18.5 M (including the $3 million GOED contribution). Sustainability staff has recommended adjusting the project list to fund high priority projects and move low priority items to FY 2020 and 2021 in the amount of $1.7 million.

Additional Resort Communities Sales Tax

In FY 2014, the City secured an additional funding source with the Additional Resort Communities Sales and Use Tax (ARST). It was anticipated that the ARST would generate approximately $3.2 million in FY 2014. The amount actually received was just over $3.5 million. The full amount of the anticipated revenue was designated to be received in the City's Capital Improvement Fund. The total allocation of the ARST funds will be adjusted each year as part of the CIP process. The potential funding type will vary between cash and debt as project timing is adjusted to match projected project expenditures. To date the City has issued two Sales Revenue Bonds in FY 2014 & FY 2015 totaling $17,375,000 and leveraged approximately 35 percent of the Additional Resort Sales Tax until FY 2029.

The A/B scenario originally adopted by Council during the FY 2013 budget process designates total funding between 2014 and 2021 to the following capital projects in the left column:

Additional Resort Projects		
Current Budgeted Projects	**Total Funding Original Designation**	**Total Funding Allocation**
Historic Park City/ Main Street & Downtown Projects*	**$14.5 M**	**$18.45 M**
OTIS	**$8.5 M**	**$9.25 M**
Open Space	**$15 M**	**$15 M**
Storm Drain Improvements	**$8.5 M**	**$1.98 M**
Deer Valley Drive (phase II)	**$1.01 M**	**$1.01 M**
Park Avenue		**$4.5 M**
Housing Projects	**$5.25 M**	**$5.25 M**
TOTAL	**$52.76 M**	**$55.44 M**
* Funding includes $3M in GOED assistance		

Additional Resort Communities Sales Tax Total Allocated Project Funding Table

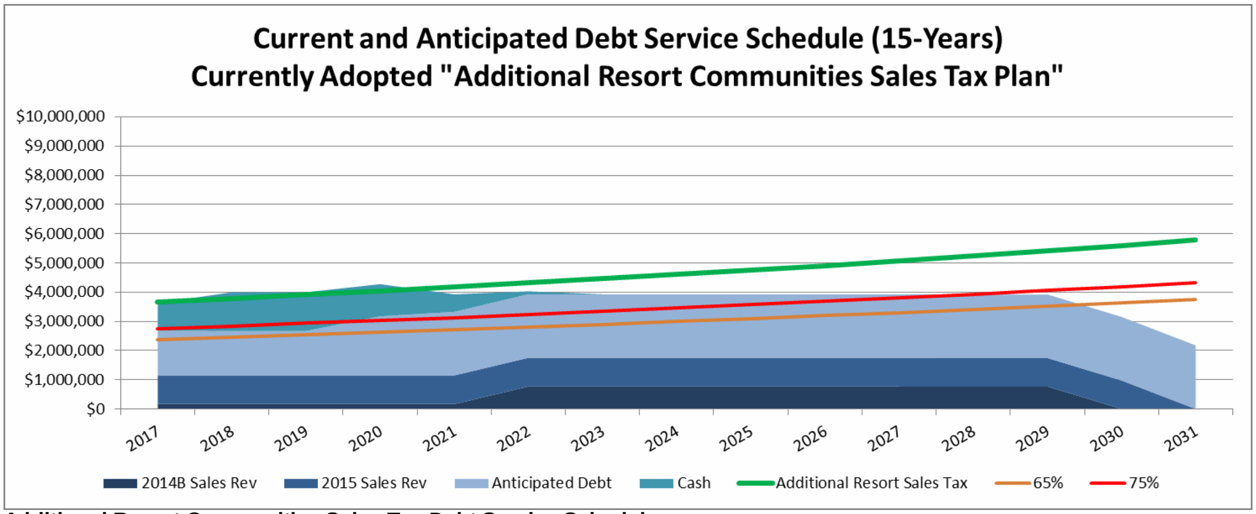
The CIP committee recommended a slight change from the original designation for the ARST the column to the right in the table above shows the recommendation. The Storm Drain Improvements will now be funded by a the Storm Water Service Fees, and that planned funding will now be spent on improving Park Avenue and expanding the Downtown Projects.

Additionally, several years ago the City secured a $3,000,000 economic development grant from the State of Utah Governor's Office of Economic Development for the Historic Park City Main Street & Downtown project. These funds have been used to offset the total $18.45 million downtown project therefore freeing up ARST funds for other appropriate capital projects or for additional expenditures for the Main Street project.

The following table shows the recommended ARST capital plan including $5.25 million affordable housing recommendation:

Long Range Financial Model Scenario A/B - Accelerated funding for OTIS (with Recommended Downtown Improvements and Park Ave.)										
Project	Total Funding	Funding Available by Fiscal Year								
		FY2014	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020	FY2021	FY2022
OTIS (Phase A)	$ 500,000	$ 500,000								
OTIS (Phase B)	$ 1,873,016	$ 1,644,959	$ 228,057							
OTIS (Phase C)	$ 5,404,180			$ 1,637,514	$ 633,333	$ 3,133,333				
Downtown Projects (Phase II)	$ 4,000,000	$ 3,000,000			$ 1,000,000					
Downtown Projects (Phase III)	$ 1,000,000		$ 1,000,000							
Downtown Projects (Phase IV)	$ 3,451,378		$ 1,451,378			$ 1,000,000	$ 1,000,000			
Downtown Projects (Plazas)	$ 10,000,000			$ 700,000	$ 5,600,000	$ 2,000,000		$ 1,200,000	500,000	
Additional Open Space (Phase I)	$ 8,456,916	$ 3,974,140			$ 4,482,776					
Additional Open Space (Phase II)	$ 1,235,846	$ 1,235,846								
Additional Open Space	$ 6,264,154		$ 6,264,154							
Reconstuction of Park Avenue	$ 4,490,000						$ 445,000	$ 2,245,000	$ 1,800,000	
Storm Drain System	$ 1,924,487	$ 861,154	$ 1,063,333							
DeerValley Dr. Phase II	$ 1,010,000	$ 950,000	$ 60,000							
Downtown Improvement Maintenance Fund	$ 900,000	$ 100,000	$ 100,000	$ 100,000	$ 100,000	$ 100,000	$ 100,000	$ 100,000	$ 100,000	$ 100,000
Affordable Housing	$ 250,000			$ 250,000						
Affordable Housing	$ 5,000,000			$ 2,000,000	$ 750,000	$ 750,000	$ 750,000	$ 750,000		

Additional Resort Communities Sales Tax Adjusted Table



Additional Resort Communities Sales Tax Debt Service Schedule

This plan continues to show large open space purchasing ability ($15 million) in the first 4 years of the new tax (10.24 million have been spent to date). The plan includes additional ongoing resources for capital Main Street Infrastructure Asset Management of the main street improvements in the amount of $100,000 per year. This asset management fund is similar to the walkability or trails asset management funds. Its allowable uses include capital replacement or renewal, which would extend the useful life of the capital asset. This does not cover expenses such as routine maintenance or enhanced levels of service, which are required to be accounted for in the General Fund operating budget. Figure E19 shows how the funding will work for the ARST projects, with a mix of issued debt and cash.

The City Manager's recommended budget includes $5,250,000 from FY 2016 to FY 2020 for land acquisition for affordable and attainable housing projects. As currently projected these funds can fit within the Additional Resort Communities Sales Tax 10 year plan without the need to reduce currently allocated project funds for Open Space, Main Street Sidewalk Improvements, OTIS or Park Avenue Reconstruction.

The five-year CIP also includes $4,500,000 from FY 2019 to FY 2021 for the Park Ave reconstruction project. It is the CIP Committee's assessment that this project is consistent with the general funding parameters of other projects funded though the ARCST.

Operating Impacts of Capital Projects

Through a combination of the Additional Resort Communities Sales Tax, Lower Park RDA extension and the remaining Walkability bonds, the City is likely to see an estimated $70 to 85 million in project funding over the next 10 years. While these improvements are an obvious boon to the services and economic growth of the City, Council must remain aware that the uses of these funds have been restricted to capital improvement projects. Capital projects often place a burden on the ongoing operating costs of the City.

The operating burden will vary from project to project. Reconstruction of an aging street may gain efficiencies while maintenance of a new Main Street plaza, sidewalks that need to be plowed or transit structure may incur additional costs. Council must consider the impacts of capital improvement projects on the ongoing operating budget of the City. Capital projects which necessitate level of service adjustments could potentially impact other city services. It is staff's recommendation that these impacts should not be evaluated in isolation but should be evaluated as part of the Budgeting for Outcomes process in the context of all other city services. Maintaining the long range sustainability of city services continue to a high priority of city staff.

Staff will continue to evaluate the operating costs for projects so they are budget correctly as they come on line. When possible, long term maintenance projects/funds have been established for new projects such as the Main Street Infrastructure Maintenance Project. This project will receive an annual contribution which will be used for capital infrastructure replacement, much like the asset management or pavement management projects/funds. Staff is currently evaluation a possible Storm Water Enterprise Fund which will potentially include a new ongoing revenue source.

The largest foreseeable burden for the General Fund will likely be associated with the completion of the Prospector Drain project which may potentially (if a treatment system is installed) have an estimated ongoing operating expenditure $250,000 starting in FY 2017.

Anticipated Operating Cost from CIP		
Fund	**2016**	**2017**
General Fund	26,681	295,000
Transit Fund	2,500	25,000

Department Review:
Budget, Debt, & Grants Department, Legal, and City Manager

Summary Recommendation:
Council is being asked to discuss and (if needed) provide direction regarding the 5-year CIP. The numbers reflected in this staff report represent preliminary assumptions and estimates are subject to change.

Alternatives:

A. Approve:
Staff recommends that Council hold a public hearing regarding the FY 2017 City Manager's Recommended Budget.

B. Deny:
State statute requires at least one public hearing before the adoption of a Tentative Budget. The City has traditionally held a public hearing accompanying each

discussion of the budget. If Council decides to forgo a public hearing at this time, another must be held before adoption of the Tentative Budget.

C. Modify:
The Tentative (City Manager's Recommended) Budget was adopted on May 5; however, changes can be made to until the Final Budget adoption on June 16.

D. Continue the Item:
This has the same effect as Alternative B.

E. Do Nothing:
This also has the same effect as Alternative B.

Significant Impacts:
This public hearing would satisfy the requirements of state statute to hold a public hearing before the adoption of the Final Budget in June.

Consequences of not taking the recommended action:
The Tentative (City Manager's Recommended) Budget was adopted on May 5; however, changes can be made to until the Final Budget adoption on June 16.

Recommendation:
Hold a public hearing on the City Manager's Recommended Budget .Council is being asked to discuss and (if needed) provide direction regarding the 5-year CIP.

DATE: May 12, 2016

TO HONORABLE MAYOR AND COUNCIL

The purpose of this staff report is to give City Council an update on the concept of decreasing speed limits within Park City. Staff recommends maintaining the current speed limits based on state law and engineering judgment.

Respectfully:

Steven Arhart,

City Council Staff Report

Subject:	**Decrease Speed Limits in Park City**
Author:	**Steven Arhart, NTMP Manager**
Co-Authors	**Matt Cassel, City Engineer**
	Corey Legge, Engineering Intern
Date:	**May 12, 2016**
Type of Item:	**Work Session**

Summary Recommendations:

The purpose of this staff report is to give City Council an update on the concept of decreasing speed limits within Park City. Staff recommends maintaining the current speed limits based on local studies and federal highway guidance documents.

Executive Summary:

City Council asked staff to research and evaluate the concept of lowering posted speed limit signs within Park City. During this work session, staff will be discussing the recommendation and reasons to maintain the current speed limits.

The NTMP committee evaluated the impacts of lowering posted speed limit signs within Park City. Studies of the effects of lowering speed limits and the Federal Highway Administration's Manual on Uniform Traffic Control Devices were utilized to determine the effectiveness and overall impacts of lowering a speed limit. Additionally, a case study of traffic counts along Three Kings Drive, Thaynes Canyon Drive, Sullivan Road, and Meadows Drive were performed in order to compare speed data along a posted 20 mph and 25 mph minor residential collector street.

It was concluded that the majority of motorists travel at speeds based on roadway geometry and environment, regardless of the posted speed limit. This statement was supported by the finding from the US Department of Transportation's study titled "Effects of Raising and Lowering Speed Limits" that used data from 22 states at 100 sites before and after speed limits were altered:

> Arbitrary, unrealistic and non-uniform speed limits have created a socially acceptable disregard for speed limits. Unrealistic limits increase accident risks for persons who attempt to comply with limit by driving slower or faster than the majority of road users, Unreasonably low limits significantly decrease driver compliance and give road users such as person not familiar with the road and pedestrians, a false indication of actual traffic speeds. https://www.ibiblio.org/rdu/sl-irrel.html

Thus, decreasing the speed limits will not slow down drivers but only increase the need for traffic enforcement.

Research studies, the opinion of professional Engineering and Police staff, and empirical evidence from our own community indicate most effective methods to slow drivers and increasing pedestrian safety are;

- Using traffic calming measures,
- Blending motor and non-motor vehicle uses, and
- Increasing enforcement where applicable.

All these methods are ways of increasing friction on the roadway, which in turn makes it more uncomfortable for drivers to speed, or makes drivers believe they should slow down for safety.

Acronyms:

AADT- Annual Average Daily Traffic

FHWA- Federal Highway Administration

- MUTCD- US Department of Transportation, Federal Highway Administration's Manual on Uniform Traffic Control Devices: The MUTCD is a compilation of national standards for all traffic control devices, including road markings, highway signs, and traffic signals. http://mutcd.fhwa.dot.gov/

NTMP – Neighborhood Traffic Management Program

ROW – Right-of-Way

Analysis:

Determining the appropriate speed limit on city streets is based on geometry and road classification. Speed zones are adjusted based on accident records, along with the prevailing speed of most drivers. Road geometry includes road surface and shoulder, grade, curvature, sight distance, and roadside development. The 85^{th} percentile speed represents the speed not exceeded by 85 percent of the drivers and is generally the maximum speed for a section of road – said otherwise, the speed which no more than 15% of traffic is exceeding.

The un-posted speed limit on a residential street is automatically 25 mph and can be enforced within Park City. The functional classification of roads is a method to categorize streets as a relationship between mobility and accessibility. Generally, local roads provide greater access but move traffic more slowly. Alternatively, freeways and arterial roads move more traffic at greater speeds, but have limited access to other roads and locations. Typical posted speed ranges, based on the functional classification of a street, are shown in Table 1. These speeds are adjusted based on road geometry and drivers speed.

Table 1

Functional Classification	General Posted Speed
Major Arterial	55-75 mph
Minor Arterial	50-70 mph
Major Collector	35-55 mph
Minor Collector	35-55 mph
Local Street	20-45 mph

Research

Residents postulate that lowering the speed limit increases security for pedestrians and cyclists, thus improving the quality of life for the community. In fact, lowering the speed limit can endanger the aforementioned users by creating a false sense of security.

According to the FHWA and MUTCD, the posted speed limit should be set near the 85^{th} percentile speed. It is common for agencies to post lower speed limits, however studies demonstrate that lowering the speed limit has little effect on actual vehicle speeds. Drivers tend to ignore these speed limits and travel at the speed most drivers consider safe and comfortable. Additionally, motorists may stop heeding other speed limits if Police enforcement of the reduced speed limit fails to change drivers' habits. Therefore, the enforcement resources needed to ensure the effectiveness of lowering speed limits within Park City could increase significantly.

It has been shown that lowering the speed limit will cause speed differentials between motorists. The increased range of speeds on the road will cause unsafe interactions between other vehicles, bicycles, and pedestrians. For these reasons, the MUTCD states "Reduced speed zoning (lowering the regulatory speed limit) should be avoided as much as practical because drivers will reduce their speeds only if they clearly perceive a need to do so."

A list of alternatives to lower the speed of motorists is provided in Attachment A. This list is from the book "Speeding in Residential Areas", supported by the U.S. Department of Justice. Section 11 discusses reducing speed limits, and states, "Speed limits alone have little effect on actual vehicle speeds. Reducing posted speed limits will typically decrease actual average speeds by only one-fourth of the reduction." Therefore, reducing the speed limit by 5 mph would lead to an average speed reduction of only 1.25 mph.

Park City Case Study

Staff has conducted numerous traffic studies that are being used to determine the viability of lowering the speed limit within Park City. Three Kings Drive and Thaynes Canyon Drive are classified as a minor collector street with under-posted speed limits of 20 mph and 25 mph respectively. This case study demonstrates how vehicle speeds are reflective of the roadway design and the friction on the road. Four separate traffic counts, from different locations along Three Kings Drive and Thaynes Canyon Drive, are summarized in Table 2.

Table 2

Date	Location	Posted Speed Limit	85^{th} Speed* Percentile	AADT
Jul-2006	Three Kings Drive	20 mph	29 mph	369
Jul-2009	Three Kings Drive	20 mph	27 mph	471
May-2015	Thaynes Canyon Drive	25 mph	24 mph	139
Mar-2016	Three Kings Drive	20 mph	30 mph	1220

* The speed which no more than 15% of traffic is exceeding

The vehicular speed counts from May 2015 were taken on Thaynes Canyon Drive. This section of road has more driveways, fixed obstacles, and sharper curves compared to Three Kings Drive, thus a slower observed speeds. On Three Kings Drive, the 85th speed percentile ranged from 27 mph to 30 mph showing that a lower posted speed limit does not reflect a decrease in speeds. Increased enforcement and adding friction to a road could decrease the overall speed.

The results of the Three Kings Drive and Thaynes Canyon Drive case study was then compared to past traffic studies along Meadows Drive, a minor collector street that has a 25 mph speed limit, and Sullivan Road. Six separate traffic counts are summarized in Table 3.

Table 3

Date	Location	Posted Speed Limit	85th Speed Percentile	AADT
Nov-2005	Meadows Drive Near Crestline Drive	25 mph	23 mph	808
Dec-2005	Sullivan Road NB	5 mph	16 mph	46
Dec-2005	Sullivan Road SB	5 mph	15mph	33
Oct-2009	Meadows Drive EB	25 mph	39 mph	221
Mar-2009	Meadows Drive EB	25 mph	32 mph	1,087
Jul-2010	Meadows Drive Near Fairway Village	25 mph	32 mph	569

It is clear that motorists travelling along Three Kings Drive, Meadows Drive, and Sullivan Road disregard posted speed limit signs and travel at a comfortable speed. Furthermore, posted speed limits of 5-10 mph are impossible to enforce. The results of the Park City Case Study prove that traffic calming, such as adding friction to a street by changing road and environment conditions, is the most effective method to decrease speeds.

The 2011 Transportation Master Plan purposely narrows appropriate roads to increase friction, thus lowering actual vehicular speeds. Sharrows and the absence of sidewalks locate bicyclers and pedestrians in the street causing drivers to travel slower and with more caution.

Department Review:
This report was developed in conjunction with the Neighborhood Traffic Management Program which includes professional staff from the Planning, Engineering, Police, Public Utilities, Public Works and Fire Departments, among others. The report has been reviewed by Engineering, Legal, and Executive. All issues have been resolved.

Alternatives:

A. Maintain current speed limits:
This is Staff’s recommendation.

B. Decrease speed limits on an individual basis:
Individual requests for decreased speed limits will be evaluated through the NTMP.
C. Continue the Item:
If the Council needs more information the item can be continued. An additional work session would be scheduled after this is researched and evaluated further.
D. Do Nothing:
This option would have the same result as maintaining the current speed limits.

Recommendation:
The purpose of this staff report is to give City Council an update on the concept of decreasing speed limits within Park City. Staff recommends maintaining the current speed limits based on local studies and federal highway guidance documents.

Exhibit A - Methods to Decrease Speeds

Exhibit A – Methods to Decrease Speeds

Engineering Responses				
Response No.	Response	How It Works	Works Best If...	Considerations
1	**Using traffic calming**	Makes it more difficult for vehicles to speed, or makes drivers believe they should slow down for safety	road and environment changes are made in compliance with recommended specifications, the affected public supports the changes, and potential negative impacts are considered and minimized	Some changes to the environment require high capital expenditures; cost-effectiveness must be considered over the long term
2	**Posting warning signs and signals**	Encourages drivers to slow down by reminding them of the speed limit and calling their attention to hazards on the road ahead	...the signs or signals stand out from other road signage, they convey the reason for the reduced speed, and they are supplemented by police enforcement	Where there are many other signs and sights competing for drivers' attention, it is not easy to get drivers to notice speed warnings
3	**Blending motor and non-motor vehicle uses of public space through urban design**	Reduces the traditional separation between motorists, bicyclists and pedestrians, greatly reducing motorists' speed	...urban planners have the funds to change urban design, and drivers are willing to reduce their speed	Some jurisdictions may not have the funds to change urban design; some drivers may still refuse to adhere to posted speed limits
Education Responses				
Response No.	Response	How It Works	Works Best If...	Considerations
4	**Conducting anti-speeding public awareness**	Intended to change the social acceptability of speeding	...campaigns are carefully tailored for various target audiences (e.g., commuters, young male	Effects are usually not immediate and substantial; the messages need not be overtly accusatory, but may convey facts about the dangers and

	campaigns		drivers)	consequences of speeding to debunk myths about speed and driving
5	**Informing complainants about actual speeds**	Improves complainants' understanding of the exact nature of the problem	...you suspect that complaints are exaggerated or unrealistic	Proving that vehicles are traveling the speed limit does not necessarily mean that speeds are appropriate for conditions, but might suggest that responses other than enforcement are more appropriate
6	**Providing realistic driver training**	Helps drivers better appreciate speed's effects on their ability to control a vehicle	...drivers can actually feel speed's effects on their driving skills	Requires skilled instructors, special safety equipment and protected driving areas
Enforcement Responses				
Response No.	Response	How It Works	Works Best If...	Considerations
7	**Enforcing speeding laws**	Increases drivers' risks of being stopped	...drivers believe it will occur, it has meaningful costs to offenders, police apply it generally rather than only at specific times and locations, and drivers are not tipped off by cues as to when enforcement is or is not happening	Requires a lot of resources initially to change drivers' perceived risks of getting stopped; giving the public advance notice must be balanced against not allowing drivers to anticipate where and when enforcement is occurring; expensive to do consistently
8	**Enforcing speeding laws with speed cameras**	Significantly increases the level of speed monitoring and enforcement, thus increasing drivers' perceptions of the risk of getting caught speeding, and serving as a deterrent	...camera placement is not too obvious, and locations are changed periodically	Drivers slow down when they know they are approaching a speed camera, but quickly speed up once they have passed it; some strong public concerns exist about invasions of privacy and absence of personal interaction in enforcement; usually requires special legislative authorization for cameras' use as evidence in prosecution; financial issues exist related to fees and uses of fine revenue

9	**Using speed display boards**	Encourages drivers to slow down by measuring vehicle speeds and prominently displaying them	...a high percentage of drivers speed inadvertently, and police enforcement supplements the speed display boards	Unattended speed display boards are vulnerable to vandalism
10	**Arresting the worst offenders**	Helps change the common belief that speeding is not a serious offense	...sufficient public support exists	May require special legislative and policy authorization
11	**Having citizen volunteers monitor speeding**	Enhances informal social disapproval of speeding	...citizens directly affected by the speeding participate	Citizens must be properly trained for the specific tasks
Responses With Limited Effectiveness				
Response No.	Response	How It Works	Works Best If...	Considerations
12	**Reducing speed limits**	Intended to slow drivers' speeds through posted signs and police enforcement	...adequate levels of police enforcement exist	Reducing speed limits by itself will reduce average speeds only by small amounts; some speed limits are too low rather than too high, inviting disrespect for them; police should conduct careful speed studies before changing speed limits
13	**Increasing fines and penalties**	Creates meaningful consequences for speeders, thereby deterring all drivers, generally, and those cited, specifically	...the fines and penalties are set high enough to get drivers' attention, but not so high as to compromise public support for them	Beyond a certain threshold, higher fines and penalties do not continue to reduce speeds
14	**Erecting stop signs**			The effects are to increase speeds mid-block and increase noise from vehicle acceleration

15	**Installing speed bumps or rumble strips**			They do not reduce speeds directly, but merely warn drivers of hazards ahead
16	**Reengineering vehicles**	Technological devices can restrict vehicles' maximum speed, automatically notify authorities that vehicles are speeding, or trigger warning signals to drivers when they are speeding	...consumers are willing to accept this technology and pay for it	To date, few vehicles or roads are equipped with this technology, and public support for it is not yet certain

DATE: May 12, 2016

TO HONORABLE MAYOR AND COUNCIL

Rocky Mountain Power has been working with Utah Clean Energy, Salt Lake City and others to develop a program that allows people not able to install solar on their home or business to have an affordable alternative. The program opens to subscriptions on May 9. This staff report is to outline the program, how it relates to the City's net zero carbon goal, and options for the city's involvement in the program.

The Subscriber Solar program is also an option for property owners interested in helping the City achieve the net zero community 2032 goal. It serves as an education to interested residents and business owners. The residential program opens for subscription June 21.

Respectfully:

Michelle Kellogg, City Recorder

City Council
Staff Report

Subject:	**Subscriber Solar**
Author:	**Ann Ober**
Department:	**Executive**
Date:	**May 12, 2016**
Type of Item:	**Administrative**

Summary Recommendation

The City Council should consider moving fifty percent of the City's Schedule 6A meters into subscriber solar (approximately 1,668,000 Kwh), as well as a few Schedule 23 meters. Staff does not recommend that the City shift its Blue Sky funding to increase the participation in Subscriber Solar.

Executive Summary

Rocky Mountain Power has been working with Utah Clean Energy, Salt Lake City and others to develop a program that allows people not able to install solar on their home or business to have an affordable alternative. Rocky Mountain Power has purchased the output of a 20-megawatt solar plant in Millard County, Utah for the next 20 years; RMP customers may sign up to purchase this solar power. The program opens to subscriptions on May 9. This staff report outlines the program, how it relates to the City's net zero carbon goal, and options for the City's involvement in the program.

The Subscriber Solar program is also an option for property owners interested in helping the City achieve the net zero community 2032 goal. It serves as an education to interested residents and business owners. The residential program opens for subscription June 21.

Acronyms

RMP	Rocky Mountain Power
RECs	Renewable Energy Credits
Mwh	Megawatt Hour
Kwh	Kilowatt Hour

The Problem

- Currently, the City is on track for achieving the electricity portion of its 2022 net zero goal. This program will more than likely require new infrastructure to be developed in partnership with Rocky Mountain Power. If developed that new energy will not be in place prior to 2020. If the City Council is interested in improving our footprint during the interim, this is a short term solution.
- About 21.3 percent of our power Park City municipal portfolio is from carbon free sources, including our Blue Sky purchases (approx. 7 percent) and Rocky Mountain powers portfolio (approx. 15 percent coming from non-carbon emitting resources).

- Climate change isn't waiting for us to reach our goal.

Background

- Park City Municipal used 13, 255,304 Kwh of power last year. Of that, 15 percent or 1,988,295 Kwh, is carbon free due to RMP's portfolio makeup.
- Subscriber Solar is a program of Rocky Mountain Power, focused towards customers interested in improving their carbon footprint through a direct purchase of solar energy.
- This program is different from Blue Sky. Blue Sky is a Renewable Energy Credit program. RMP purchases those credits from renewable developers utilizing funds dedicated by individual customers. Currently, Park City purchases 832 blocks each month for an annual cost of $8488.80. Over the course of a year, this equates to 998,400 kwh from a renewable source.
- Subscriber Solar is an actual installation, where the energy and renewable attributes are under contract with RMP. Customers purchase directly into the program at a minimum of three year commitment. The installation is a 20-megawatt solar plant in Millard County, Utah. Customers will be able to sign up in blocks of 200-kilowatt-hours (kwh) which will offset their usage on their bills. However, this rate is 12 times the price (when looking at Schedule 23) of just offsetting your power through Blue Sky, going back to authentically achieving the goal or using RECs to achieve the goal.
- The program is only for non-net metering customers. This means that both the MARC and Marsac are not able to participate. Further, the rate for non-Schedule 6A customers is exorbitant.

Alternatives for City Council to Consider

1. **Recommended Alternative One:** Move 50 percent of the municipalities' Schedule 6A meters (most of which are in Public Utilities) to subscriber solar for the next 3-5 years. 6A meters equal 3,386,219 Kwh of power each year for the City. 50 percent of this would move 1,667,000 Kwh to renewable energy starting January 2017. This is approximately 1/8 of the City's energy use that would be moved to a renewable source immediately. The reason for only moving 50 percent and targeting those meters is to assure that we target meters with high peak use and minimize the meters included with off-peak use. This reduces cost.

   Currently, rates in 6A are determined through the following calculation:

	Energy Charges	
	Rate 6A	Subcr. Solar
May to Sept Peak	$0.11800	$0.07125
Off Peak	$0.03553	$0.07125
Oct to April Peak	$0.09863	$0.07125
Off Peak	$0.02977	$0.07125

Being strategic with the meters and purchasing 50 percent of our 3,336,000 annual Kwh, we could reduce our cost by $16,662 annually. Purchasing 100 percent of the energy used in 6A meters would cost the city $70,025 annually. These numbers are estimates and should not be considered guarantees. However, staff feels that they give Council a general scope of possible costs.

<u>Pros</u>

a. Automatically moves 12.5 percent of our energy use to a renewable source. Currently, the City is also purchasing about 7.5 percent through the Blue Sky program. Combined and added to the carbon free power already provided by RMP, this means that 32.3 percent of our portfolio is 100 percent carbon free energy:
    i. 15.3 + 6.375 (Blue Sky) + 10.625 (Subscriber Solar) = 32.3 carbon free energy.
    ii. The Blue Sky and Subscriber percentages are decreased to avoid double counting with the 15.3 percent existing portfolio. In other words, each unit of 100 percent renewable is replacing a unit of 85 fossil fuels and 15 percent carbon free.
b. This shows intention of the Council to take every reasonable opportunity to improve our carbon footprint.

<u>Cons</u>

a. RMP's program discourages individual renewable energy by exempting Net-metered customers from enrolling in Subscriber Solar.
b. A $50 termination fee will be charged for each subscription block if cancellation is made prior to the three-year anniversary enrollment date. If the City decided to remove its meters from the program in total prior to the three year mark, the total cost would be $35,000.
c. The Public Utilities department is the primary owner of these meters. They are in the process of doing significant energy efficiency upgrades over the coming decade. In conversations with the Department, there is concern that some of the meters we have in Schedule 6A are misaligned and should be moved. This may mean that some meters that we place in this program end up costing more for two to two and half years than they would have without being in the program. However, we do not know if any of these meters are currently misaligned.
d. The Public Utilities department is also in the process of making physical improvements to their system. It is possible that efficiencies will take the purchase to more than 50 percent of the current costs. If that happens, it is possible that the program may end up costing more and saving less. However, we are not expecting any major improvements in the next one to two years as the team is still in the planning stage.

Null Alternative: If the City chooses not to participate in the program, there is no harm other than our carbon footprint declining at a slower rate.

2. **Recommended alternative two**: Move 11 small Schedule 23 meters into the program in areas where the cost is a break even. The total energy used by these meters is only 56,512 Kwh per year. However, moving these meters will save the city $336 per year.

   Pros

   a. These are small meters with a low associated cost. However, every little bit helps with Climate Change.
   b. Saves namely the recreation Department a small amount of money annually.

   Cons

   e. There is a possibility that these lights will be used more this year than in years past. Changes to use could impact the benefit of the move.

Null Alternative: There is little impact for choosing not to move these meters.

3. **Recommended alternative three:** Maintain the current Blue Sky purchases instead of shifting the funds to Subscriber Solar. The City currently purchases 832 blocks of Blue Sky at a price of $8488.80 annually. There is more reduction in the City's carbon footprint investing these in Blue Sky than transferring this to a Subscriber Solar purchase for Schedule 23 meters.

   Pros

   a. Right now, the City calculates that we reduce our carbon footprint by about one million Kwh's of energy per year by participating in the Blue Sky Program.
   b. The credits are significantly cheaper than trying to offset more power through the Subscriber Solar program (approximately 12 x's cheaper than if we used the same money to buy down a purchase for our Schedule 23 meters).
   c. This is approximately 7.5 percent of the City's energy use offset with renewable energy.
   d. Until the City finds a solution for all of its electric energy, small improvements are needed to show City dedication to our renewable energy goals.
   e. If we maintain this purchase and adopt the other alternatives above, 32 percent of our portfolio will be powered by non-carbon emitting sources.

   Cons

   f. The Council has said that RECs should only be used after alternatives have been maximized. We could use these funds and by more direct solar. However, it would be significantly less offset.

Null Alternative: This is a null alternative. However, one Council member expressed interest in investigating the transfer of funds towards Subscriber Solar. This analysis is per that request.

Department Review

Public Utilities, Sustainability, Executive and Legal. RMP has also reviewed.

Funding Source

Adopting this recommendation is a reduction in cost for all departments utilizing Schedule 6A meters.

DATE: May 12, 2016

TO HONORABLE MAYOR AND COUNCIL

This is an informal update regarding the Park City Police Victim Advocacy Program. This report highlights the progress of the advocacy program, and touches on how collaborative programs are benefiting victims and the broader community.

Respectfully:

Malena Stevens, Victim Advocate Coordinator

City Council Staff Report

Subject: Victim Advocacy Program Update
Author: Malena Stevens
Department: Public Safety
Date: 5/12/2016
Type of Item: Informational

Summary Recommendations:
This Staff Report is an informal update to Council on the Park City Victim Advocacy Program.

Topic/Description:
This report is an informational update on the Park City Victim Advocacy Program.

Acronyms in this Report:

LAP: Lethality Assessment Protocol

Background:

Victim Services:

Park City Police Department Victim Advocacy Program works to assist victims of violent crime living, working, and visiting in Park City. As part of the Victim Advocacy Program, victims of violent crime are given support, assistance, and resources to help them become safer and heal from abuse. Advocates continue to provide on-scene crisis intervention to victims of domestic violence, sexual assault, child abuse, and other violent crimes as directed by law enforcement. In addition to crisis intervention, victims are served through follow-up, court assistance and support, and protective order filing. These victims are also connected with other community providers—such as Peace House, Christian Center of Park City, People's Health Clinic, and Valley Mental Health—for continued treatment and support. Advocates also frequently interface with prosecutors to provide communication and resources for victims and to assist victims during what can sometimes be a long and confusing court process.

The past quarter has presented victim advocates with new situations to assist victims through. The homicide in February and the armed robbery in March were both situations that advocates had not previously encountered. Advocates had, however, been trained to assist victims of homicide and robbery and were able to provide victims with needed services during those times including crime victim reparations (financial assistance through the Utah Office for Victims of Crime), crisis counseling, and additional follow-up services, which remains ongoing in those cases. Advocates have also assisted victims of other various types of victimization throughout the quarter.

The chart below illustrates the number of victims served during the past six months by victimization type. The numbers include primary and secondary victims (victim family/ friends). For instance, Park City had one homicide during the last quarter, but there were seven victims who were assisted with various services following that event. The seven victims served through the Victim Advocacy Program included family and friends of the deceased.

Incident Type	Victims Served
Domestic Violence	18
Homicide	7
Child Physical/Sexual Abuse	4
Sexual Assault	9
Assault	5
Stalking/Harassment	5
Robbery	1
Total Victims	49

Because the Victim Advocacy Program serves a variety of victims with varying backgrounds and statuses, advocates tailor services for individual victims. Victims are provided with follow-up services regardless of whether or not crisis intervention services were utilized, they are assisted through the court process, and they are connected to other helpful resources within the community. The following chart indicates the primary services advocates provided and the number of victims served within the past six months. Within each category there are multiple services offered that have been tailored to each specific victim and her/his situation. Some victims were assisted through multiple services, some chose to utilize only one. The numbers below again reflect both primary and secondary victims.

Service Type	Victims Served
On-Scene Crisis Intervention	14
Follow-up Support Services	26
Court Assistance/Support	18
Protective Order Filing Assistance	6

<u>Additional Services:</u>

In addition to serving victims of violent crime, advocates continue to assist surviving family in unattended death situations—including deaths on the mountain when requested—and suicides. Advocates assist law enforcement with death notifications to family members so they can then assist with crisis intervention and other resources following the disclosure of information. Advocates also provide resources and support to family members who are on-scene with their loved ones, and assist in securing ongoing support for those individuals.

Volunteer Victim Advocates:

The Victim Advocacy Program continues to support a team of volunteer victim advocates who are dedicated to assisting victims of violent crime within Park City. There have been no new volunteers recruited since the previous council report, and the Victim Advocate Coordinator continues ongoing training for current volunteers. The program has been more consistently utilizing the Spanish language volunteers who assist with outreach and daily follow-up in order to answer questions regarding cases, protective order procedures, etc. Volunteers have also been trained regarding the new Lethality Assessment Protocol implemented by officers in order to support the program and assist victims as much as possible in receiving services.

Analysis:

Over the past quarter the Victim Advocacy Program has continued to implement and participate in programs that increase victim service delivery and community collaboration. Each quarter additional victims are served and more community members are made aware of the services the program provides and assists in accessing. Volunteer advocates continue to improve Spanish language services through additional outreach services. The Victim Advocate Coordinator's participation in various community committees and projects, as well as continued participation in domestic violence and suicide prevention coalitions has assisted with exposure of the advocacy program and its resources. This participation has also promoted awareness for these important issues, and has also allowed advocates to foster improved relationships with service providers within the community. The LAP implementation has been a productive collaborative effort and will continue to be administered to victims of domestic violence related incidents. Any individual or broad issues will continue to be addressed through LAP team meetings and subsequently with officers. All of these efforts will aid in continued progress of the Victim Advocacy Program.

Significant Impacts:

Coalition Participation:

The Victim Advocacy Coordinator continues to participate in the Summit County Domestic Violence Coalition and Suicide Prevention Coalition. The Domestic Violence Coalitions recently held a booth at the Health Fair, where members were able to promote National Crime Victims of Rights Week and increase community understanding of Domestic Violence through various interactions and games. There was considerable traffic at the booth and many people surprised by some of the facts shared. Information from coalition members was also available for community members to reference or pass along to their friends/family members. The Suicide Prevention Coalition recently completed new informational fliers regarding suicide prevention, and will be working in coordination with other events—such as the prescription take-back event in May—to promote suicide prevention awareness. The coalition is also working at getting additional gun locks and promoting gun safety, as well as mental health services within the community.

Summit County Behavioral Assessment Committee:

The Victim Advocate Coordinator continues as a member of the Summit County Behavioral Assessment Committee, which recently began data collection through a survey tool the team developed. This survey is for all citizens of Summit County and provides valuable information regarding citizen experience with mental illness and treatment options within the county. The committee also developed specialized assessment tools for providers and criminal justice personnel in order to capture their unique perspectives regarding this issue. Once all data is collected the team will process the data and present recommendations to County Council regarding how to better support citizens with mental illness within Summit County. The assessment can be taken at the following site: https://www.surveymonkey.com/r/summit-health.

Lethality Assessment Protocol:

The Lethality Assessment Protocol (LAP) went live county-wide on March 1st, 2016 after officers and deputies were trained according to protocol implementation. This training was done in small groups and one-on-one to ensure that questions could be answered and all officers would have the opportunity to fully understand the protocol. Officers are instructed to utilize the LAP for all intimate partner violence calls, and they also have discretion in using the assessment for family fight situations (verbal arguments) or situations involving non-partner family members. The LAP ultimately aims at decreasing the likelihood of domestic violence related homicide for those victims who are at high risk within our community, and officers were trained on the rationale of the LAP in addition to policy and procedure. The LAP focuses on key indicators of lethality in domestic violence related incidents, and has been (and continues to be) heavily researched for validation purposes. Officers ask a series of questions to determine a domestic violence victim's propensity for becoming a victim of domestic violence related homicide. Those victims determined to be high risk based on their responses are then connected with the Peace House. This warm introduction to the Peace House and its services—coupled with a frank conversation with law enforcement regarding current danger—assists victims in understanding the severity of their situation, and helps victims know what options they have in their particular situation.

The LAP regional team—comprised on the Summit County Sheriff's Office, Park City Police Department, Summit County Attorney's Office, Park City Attorney's Office, and Peace House—continues to meet monthly to review the progress of the LAP within Summit County and Park City. These meetings present an opportunity to troubleshoot any global or specific issues and to collaborate regarding the best way to address any problems with implementation or officer/deputy buy-in. During the first month of implementation, Park City Police Officers performed four LAP assessments during domestic violence related incidents, two of which resulted in triggering the protocol because of the high danger the victims faced based on their responses.

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Program Impact?	+ The Behavioral Assessment Committee assessment tool will assist law makers in allocating scarce resources to mental health services. + Supporting victims and connecting them with support services can ease economic impact of the trauma.		+ Providing Continued support for victims and their families. + Continued community partnerships increases inclusivity of services. + LAP increases collaboration and communication among providers.	+ LAP potentially saves lives. + Program continuously looks at ways to be more responsive and supportive to victims.
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Very Positive	Neutral	Very Positive	Very Positive
Comments:				

Next Steps:

Park City Police Department, in conjunction with the LAP regional team, will continue to work with officers to ensure proper implementation of the LAP. The Park City Victim Advocate along with one of the sergeants will continue to meet monthly with the LAP team to discuss progress or issues with the LAP implementation county-wide and how we can resolve these issues. Additional training will be provided to officers and advocates as needed. This will be an ongoing process with frequent meetings for at least the next year.

Advocates will also continue volunteer recruiting and Spanish language program expansion through increased utilization of volunteer victim advocates.

Recommendation:

This Staff Report is an informal update to Council on the Park City Victim Advocacy Program.

DATE: May 12, 2016

TO HONORABLE MAYOR AND COUNCIL

Public Utilities previously received direction from Council regarding a proposed site location for the new Creekside Water Treatment Plant Building at Creekside Park. Zoning restrictions do not allow location of the facility at the proposed site. Staff has been working to find another suitable site for the building and is seeking Council's direction regarding a recommended new building site.

Respectfully:

Roger McCLain, Water Engineer

City Council Staff Report

Subject: Creekside Water Treatment Plant – Building Site Relocation
Author: Roger McClain, Public Utilities Engineering Manager
Department: Public Utilities
Date: May 12, 2016
Type of Item: Administrative

Summary Recommendation

Staff is seeking direction from City Council with regards to relocating the building from a previously proposed site within Lot 2 of the City-owned property at Creekside Park along Holiday Ranch Loop Road to a new location within Lot 2. Staff's recommended location and site improvements are contained in the report.

Executive Summary

On December 3, 2015 staff presented a recommended site to accommodate a building that would facilitate the addition of a filtration process to the Park Meadows Well and would combine the Divide Well into one treatment facility building. During the Planning review process it was determined that the existing LMC zoning criteria does not allow for construction at the proposed site (which is within 50 feet of designated wetlands). To address this site constraint, staff has reviewed other sites and is recommending a new site which is still within Lot 2 of the Creekside Park Subdivision.

During this work session, staff will be presenting our recommended new site for the building together with a minor building modification which is intended to address shade concerns expressed by Creekside Park users and the Recreation Department.

The relocation of the building will not affect previously recommended project improvements that address source reliability, treatment, security, sustainability, and energy considerations.

Acronyms

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

City	Park City Municipal Corporation
LMC	Park City Land Management Code

The Problem

The initially proposed water treatment building was sited within existing wetlands near the existing water well heads. Initial investigations with the Army Corps of Engineers did not result in any expressed concerns regarding the site, however, the existing City LMC Sensitive Lands Overlay Zone (which Lot 2 of Creekside Park is located within) does not allow for any construction within 50 feet of designated wetlands. Consequently, the building requires relocation.

Question for Council:

Does Council support the new location for the building and moving forward with the Conditional Use Permit (CUP) process for the proposed location?

Background

- On December 5, 2015 staff presented a recommended building site to City Council during a work session. City Council directed staff to proceed with the CUP.
- On January 14, 2016 staff submitted the project CUP application to the Planning Department.
- On February 24, 2016 staff presented the project CUP to Planning Commission. Staff was informed that the building location was non-conforming with the Sensitive Lands Overlay Zone requirements.
- Since receiving notice regarding the site, staff has evaluated other sites, analyzed impacts, discussed a preferred site with impacted parties, and with the consultant's assistance developed a revised proposed plan

Previously project related material presented as work sessions or planning meetings may be found at:

City Council Agenda may be found at:
Park Meadows Well Site Planning Discussion - December 5, 2015:
http://parkcityut.iqm2.com/Citizens/FileOpen.aspx?Type=1&ID=2080&Inline=True

Planning Commission Agenda may be found at:
2392 Holiday Ranch Loop Road- Conditional Use Permit – March 23, 2016:
http://52.26.130.11/Home/ShowDocument?id=21271

Considerations Related to the Relocation of the Building
This section provides pros and cons and next steps associated with the recommended new site for the treatment building.

Pros

a. Meets current LMC ROS and SLO zoning requirements
b. Does not require ACOE permitting
c. Continues to incorporate sustainability design practices and energy initiatives afforded at the original site
d. Building is set back further from residences and placed against the hillside which should further reduce visual impacts.
e. Provides a shade amenity for the park area

Cons

a. Water's operation and maintenance activities typically occur on a once-per-day basis. Access by personnel has the following site impacts:
    - Access to the building from Creekside Ct. must be kept clear at all times
    - Vehicular access to the facility building has a potential for park user pedestrian conflicts. Additional Water personnel will be required for monitoring the site access during building access and deliveries.

b. Isolated disruptions to portions of the park during construction activities will occur:
    - Restrooms will remain in service
    - The majority of the play areas and parking areas will remain accessible
    - Play areas immediate to the proposed building area will be closed during construction, anticipated to occur during 2017
    - Access to the dirt jump park will be maintained but restricted. Short-term closures in access can be expected during Creekside Ct. access road work

c. Results in an increase in site earthwork, site and access paving, drainage, and water line piping

d. Generator noise, when operating, will be more pronounced at the adjacent play areas. Required weekly exercising of the generator, for a one hour period, can be mitigated through the selection of hours of operation when park use is at a minimum. During power outages generator will operate continuously throughout the outage.

e. Requires redesign work which will result in increased engineering costs

Consequences of not selecting this site (If Council does not select this site):

a. Other Lot 2 site alternatives impact greater portions of the Creekside Park
b. Non-Lot 2 alternatives result in increased construction cost, energy impacts (due to pumping), and/or property acquisition. Any alternatives would require further evaluation and present a delay to the project.
c. The Park Meadows Well is an integral part of the City's existing water source portfolio and subsequent evaluations have determined that the best alternative to meet the City's water source demands, source redundancy, and strategic goals is to add filtration to the well. Not constructing well filtration improvements would impact this water source and strategic goals.

Next Steps:

a. Re-submittal to Planning to begin the Conditional Use Permit (CUP) process

Site Analysis:

Site Conditions:

1. The building is located within Lot 2 which is owned by Park City Municipal Corporation.
2. The site is currently zoned Recreation Open Space (ROS) and is within the Sensitive Lands Overlay (SLO).
3. For reference the prior building location is shown on **Exhibit A**. The proposed building location is adjacent to the existing Creekside Park restrooms with the proposed location and associated site improvements shown on **Exhibit B**.
4. The building footprint, roof height, and exterior elements have not changed with the exception of an 8 foot extension to the electrical room roof structure. This overhang will serve as a shade structure for park activities. See **Exhibit C** for proposed building elevations.
5. Building materials colors have been revised slightly to be more complimentary to the existing restroom building. See **Exhibit D** for an architectural site rendering.

6. The proposed building floor elevation and site grading are intended to match existing play area grades.
7. One play structure, two existing concrete benches, and a limited length of sidewalk will need to be relocated.
8. PCMC Recreation and Parks Departments have been consulted regarding the proposed building location. No objections were expressed.

<u>Access Impacts</u>

1. Access to the building will be via a proposed driveway extending along the south side of the restrooms from Creekside Court roadway.
2. Extension of Creekside Court and construction of a turnaround area to facilitate truck deliveries is proposed.
3. To avoid parking conflicts with driveway access and park users, an access gate at the end of Creekside Court is proposed.
4. Since the well building is not staffed and accessed only for Operations and Maintenance (O&M) purposes, the proposed driveway access should present only minimal interference with park users. PCMC Recreation and Parks Departments have been consulted regarding the proposed driveway location. No objections were expressed.

<u>Neighborhood Impacts</u>

The proposed site is further removed from adjacent residences.

<u>Restoration of Existing Well Buildings Area</u>

1. Consistent with the prior plan, the existing well buildings along Holiday Ranch Loop Road will be demolished and the site restored after construction of the new treatment building.
2. Restoration will include installation of a new sidewalk or path that provides a more direct route from the Holiday Ranch Loop Road trail to the park.

Department Review

This report has been reviewed by representatives of Public Utilities, Park City Recreation, Park City Parks, City Attorney's Office, and the City Manager's Office. Comments have been integrated into this report.

Funding Source

The funding for the project is part of the approved 5-year Water CIP.

Exhibits:

EXHIBIT A: Previous Building Location
EXHIBIT B: Proposed Building Location and Site Plan
EXHIBIT C: Proposed Building Elevations
EXHIBIT D: Proposed Site Renderings

EXHIBIT A - Previous Building Location

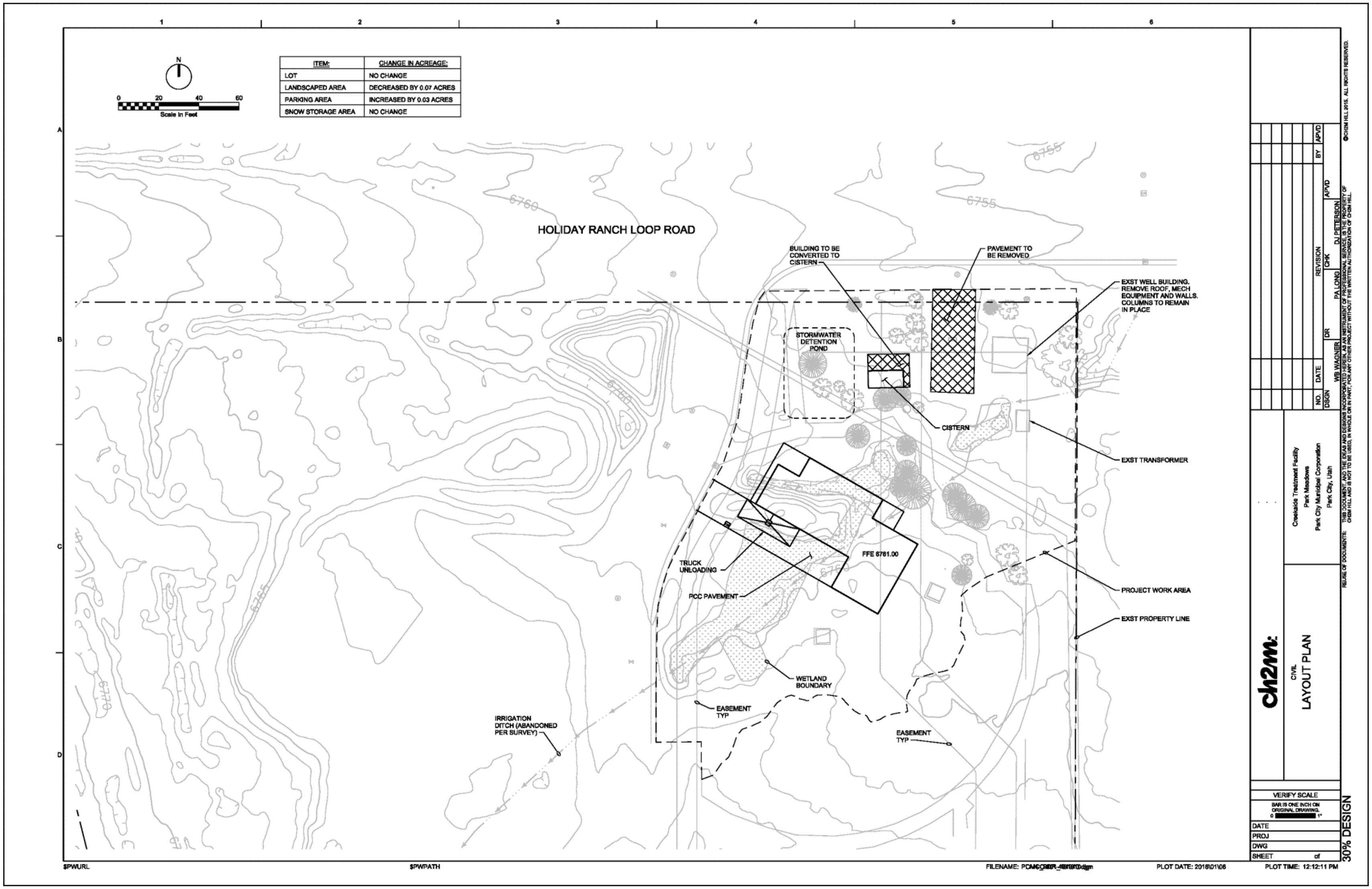


EXHIBIT B: Proposed Building Location and Site Access

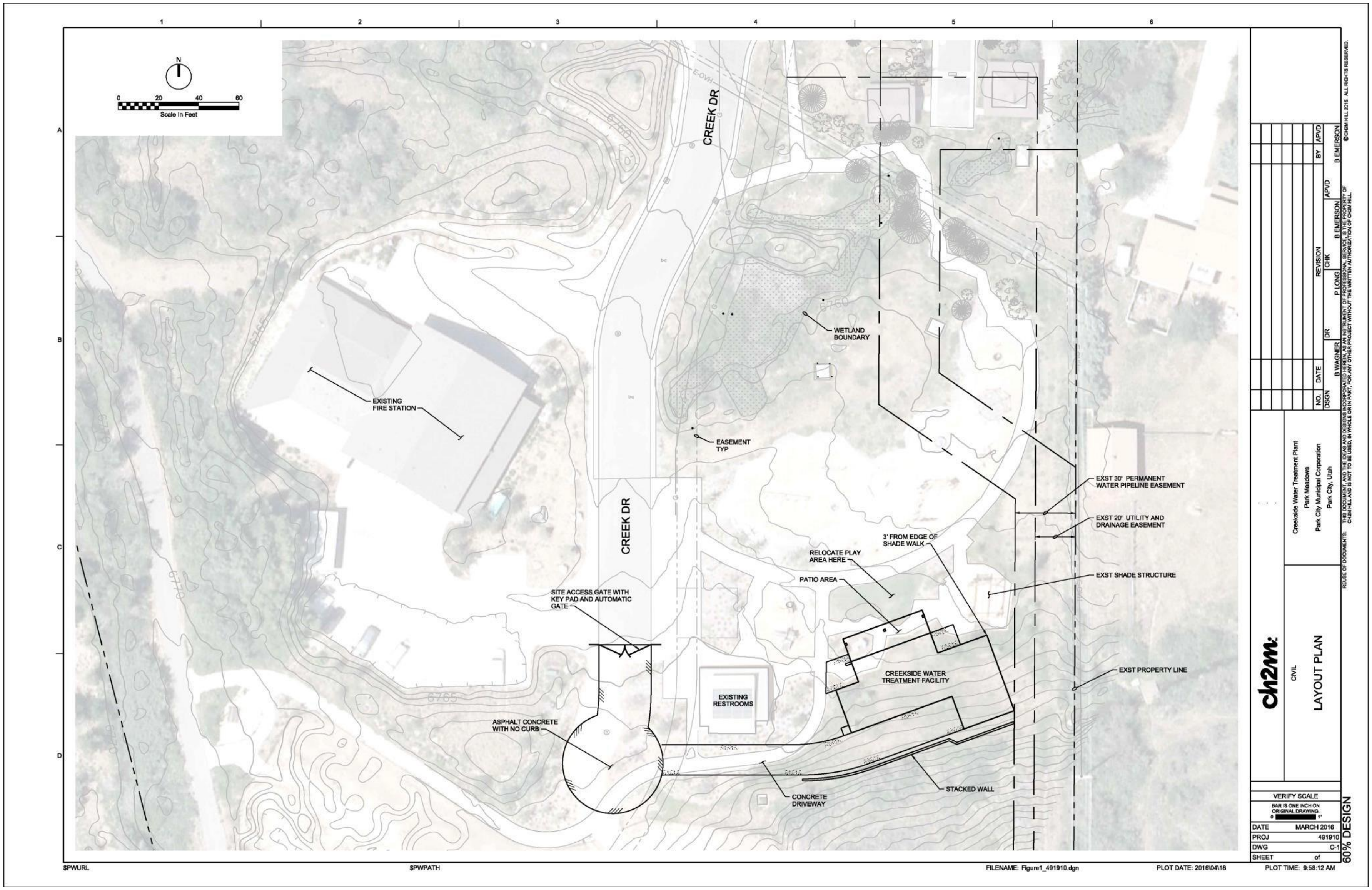


EXHIBIT C: Proposed Building Elevations

Southwest View

Northwest View (with park shade area) from Creekside Park parking lot

Northeast View

EXHIBIT D: Proposed Site Renderings

PARK CITY 1884

DATE: May 12, 2016

TO HONORABLE MAYOR AND COUNCIL

This meeting is an opportunity for Council to hear public input on the stormwater fee after a majority of the planned public information has been completed. Staff is recommending council confirm the fee at $6 per ESU which will be put forth as part of the Fiscal Year ("FY") 2017 budget process. Council's input on public information as well as input on a draft ordinance authorizing billing for the stormwater utility is also requested.

Respectfully:

Jason Christensen, Conservation & Tech Coordinator

City Council
Staff Report

Subject: Stormwater Utility and Fee Finalization
Author: Clint McAffee, Public Utilities Director
Jason Christensen, Water Resources Manager
Department: Public Utilities
Date: May 12, 2016
Type of Item: Informational

Summary Recommendation
1. Staff recommends Council solicit public comment and provide direction to set the stormwater charge at $6 per Equivalent Surface Unit (“ESU”)
2. Staff recommends Council consider the existing public information effort and provide direction, if any, for further outreach.
3. Staff recommends that Council review the attached draft billing ordinance, and provide direction to return on or about June 2, 2016 in regular session for ordinance adoption.

Executive Summary
This meeting is an opportunity for Council to hear public input on the stormwater fee after a majority of the planned public information has been completed. Staff is recommending Council confirm the fee at $6 per ESU which will be put forth as part of the Fiscal Year (“FY”) 2017 budget process. Council’s input on public information as well as input on a draft ordinance authorizing billing for the stormwater utility is also requested.

Acronyms
ESU	Equivalent Surface Unit
MS4	Municipal Separate Storm Sewer System
FY	Fiscal Year

The Issues
1. The proposed fee has not changed from the earlier presented $6.00 per ESU. Staff is returning to Council prior to adoption of the fee schedule to confirm Council direction on this fee and to provide an opportunity for public input.
2. Staff wants the community to be aware of this proposed fee and to educate the community on it prior to fee adoption. A detailed public information plan was presented to Council on April 14, 2016. As a partial summary, staff has distributed a mailer to the community on this new fee, participated in a KPCW interview on the fee, met with several entities who will receive a larger bill, and worked with the Park Record on an article on the proposed fee.
3. A new stormwater fee will require an enabling ordinance. A draft ordinance is attached for Council’s input.

Background
Park City maintains a storm drain system to move stormwater out of the City. This system requires additional operational and capital investments due to its age and condition. Approximately two thirds of the revenues collected through the new stormwater utility will be used for operational and capital investment dues to the age and condition of the system.

Further, the State has designated Park City as an MS4 (Municipal Separate Storm Sewer System) effective July 1, 2016. This will create further obligations related to stormwater quality. As discussed in earlier staff reports, approximately one third of the revenues collected through the new stormwater utility will be used to meet the new requirements of the MS4 regulation.

Staff has discussed this funding need with Council and has recommended the creation of a stormwater enterprise fund and fee to cover these all stormwater expenses. The stormwater program will have two high level goals.
1.Improve stormwater systems to protect the physical environment; and
2. Manage stormwater to protect stream and groundwater water quality.
Council directed staff to fully fund the stormwater program including both capital, operational, and regulatory expenses. The fee was estimated on February 25, 2016 to require a $6.00 per ESU charge.

Date	Item
February 11, 2016	Study Session on City Stormwater System. (pg. 60)
February 25, 2016	Work Session Discuss Stormwater Utility and User Fee. (pg. 50)
April 14, 2016	Staff Communication StormWater Utility Fee Public Information Scope Summary. (pg. 54)
April 20, 2016	KPCW Radio interview with Jason and Clint.
April 22, 2016	Park City Stormwater website goes live.
April 26, 2016	Park Record article.
April 27, 2016	Stormwater flyer mailed.

For City Council's Consideration
- **Recommendation 1** Staff recommends Council hear public comment and provide direction to set the stormwater fee at $6 per Equivalent Surface Unit ("ESU").

  An ESU is 2,000 square feet of impervious area. It serves as the basis for billing all Park City customers. Due to a variety of home sizes in Park City, single family residential areas in town have been examined and given an average ESU count ranging from 1 to 7 ESUs. Multi-Family account have been averaged, such that 1 unit of Multi-Family housing is equal to 1 ESU. Commercial accounts were mapped and assigned their actual ESU count. More information is available here.

  Consistent with direction on February 25, 2016 staff has proposed a fee that creates a self-funded stormwater program. This fee will fund both capital and operational needs and the added regulatory burden of being designated an MS4 ("Municipal Separate Storm Sewer System"). The only costs not included are construction inspection costs associated with Development Activity. Those costs were excluded so that current ratepayers are not covering the cost of development. Future additions to this fee could include Impact Fees and a fee to cover the excluded construction related costs.

A starting balance of $950,000 from the resort sales tax revenue stream was required to begin the program. This is due to already committed capital expenses starting on July 1, 2016 and the need to create cash balance to allow for the issuance of future debt. This fee is modeled to increase by 3.5% per year.

Pros:

a. This funding level creates a self-funded system that will provide for anticipated stormwater capital needs and regulatory needs, while assigning this cost to users of the stormwater system. It preserves the maximum amount of the resort sales tax for other capital projects or open space acquisition.
b. This positively impacts Councils goal of managing and improving stormwater systems to protect stream and groundwater quality. It also provides for well-maintained assets and infrastructure and provides funding that will allow for a fiscally and legally sound stormwater system.

Cons:

a. This will result in an increase in cost for Park City businesses and increases resident's utility bill.
b. This negatively impacts the Top Council goal of affordability by generally increasing the cost of living within Park City. This is mitigated by a fee structure that requires larger sites to pay for their larger impact.

- **Alternative to Recommendation 1:** Council could choose to reduce the cost per ESU to $5.75 per ESU by increasing the initial balance of resort sales tax allocated to the enterprise fund to $1.2 Million.

  Staff has modeled a scenario whereby a $5.75 per ESU charge is possible, if $1.2 Million from the Additional Resort Sales Tax is placed in the enterprise fund. This option also increases the debt that fund will need to issue in the short-term. This fee is modeled to increase by 4% per year.

  Pros

  a. Same Pros as the recommendation.
  b. A lower fee.

  Cons

  a. Less money from resort sales tax available for non-stormwater projects.

- **Null Alternative to recommendation 1:** If the stormwater fee/enterprise fund is not created the bookend outcomes are stormwater funding will be reduced to a level that does not sufficiently maintain the operational needs of the storm water system and/or regulatory requirements; or general fund items will need to be deprioritized to fund stormwater.

  Pros: Reduced community fees, and increased affordability.
  Cons: Reduction to municipal programs or services will likely be needed. Funding for capital projects will likely be less than the needed amount. Possible decreased improvement in the natural environment, i.e. stream water quality. Possible increase in risk to developed property in town. Increased regulatory risk of non-compliance under the Clean Water Act.

- **Recommendation 2**: Staff recommends Council consider the existing public information effort and provide direction, if any, for further outreach.

  Staff is of the opinion the current public information effort will adequately notify the community of any new stormwater fee. The efforts related to this program are outlined in a prior staff communication (pg. 54). Overall, there is a limited window of time available for communication effort and additional resources would be needed to enhance outreach.

  Alternative to Recommendation 2: Direct staff to engage in further public information or outreach. Staff is prepared to discuss the pros and cons of additional outreach Council may request.

- **Recommendation 3**: Staff recommends that Council review the attached draft billing ordinance, and provide direction to return on or about June 2, 2016 in regular session for ordinance adoption.

  The attached ordinance would retitle Title 13 of the Municipal Code to Water and Stormwater, and create Chapter 6 which would authorize the collection of a storm water fee.

  The ordinance includes a process for people to request adjustments if the billed fee does not represent their home or business, changes are made to the property that reduce impervious area, or there is an error in calculating their fee. Because an average fee is being used for residential and multi-family, there will be some properties who have impervious area greater than the average and some who will have an impact less than the average.

  The ordinance does not provide a method for reducing a customer's bill for additional stormwater controls above those required by municipal code. While those changes may be recommended in the future, staff would prefer to better understand how this fund will behave and see how the adjustments discussed above will impact the fund prior to developing a program to credit a customer for additional stormwater controls. In addition, such above and beyond behaviors do not completely eliminate the need for and cost of a stormwater system.

Below is an overview of other pieces of the ordinance:

- Transfers stormwater assets to the newly created stormwater enterprise fund.
- Establishes a new stormwater utility with responsibility for maintenance of the stormwater system.
- Imposes a new stormwater fee.
- Identifies how the charge will be applied.
- Creates a process for people to dispute their stormwater charge or request an adjustment.
- Identifies an administrative law judge as the person charged with hearing disputes over the fee.

Analysis

- The modeled fee has remained the same due in part to an increase in the number of ESU's identified as mapping the City was completed. This increase in the number of ESU's offset an increase in identified capital funding needs.
- The methodology of charging multi-family homes has changed from a ratio (6/10) to 1 ESU per unit of multi-family housing. This change was made because the data moved the ratio beyond 6/10th to the point where it made sense to use a whole number.
- Information on the expected impact to different users and groups can be found at this link. Although fees average much lower, the largest developed property owners in the community would pay around $3,000 per month at $6 per ESU.
- Actual adoption of the fee will occur as part of the Fiscal Year 2017 budget, creating additional opportunities for public comment.
- The proposed ordinance only addresses the billing needs of the utility. Additional ordinance chapters will be needed in the future to address regulatory requirements.
- Additional Utility fees will be discussed with Council on May 19, 2016. These are the requested Energy Surcharge (ranging from about $0.55 to $1.65 per thousand gallons); conservation changes to Single Family Residential rate structure (customers who irrigate large areas or wasteful wateruse pay more); and an inflationary increase to water rates (2% across the board.)

Department Review

This report has been reviewed by Legal, Executive, and the City Engineer's office.

Attachments

A Draft Ordinance for stormwater billing

Attachment A

THE EFFECTIVE DATE OF THIS ORDINANCE IS JUNE 30, 2016

ORDINANCE NO. __________

Title 13 is hereby retitled “Water and Stormwater Code”

Chapters 2-5 reserved for future use.

Title 13 Chapter 6 (Proposed Chapter)

STORMWATER UTILITY

Sections:

13-6-1 PURPOSE.

The City finds and declares that absent effective maintenance, operation, regulation and control, existing Stormwater drainage conditions in all areas within the City constitute a potential hazard to the health, safety and general welfare of the City. The City Council further finds that natural and manmade Stormwater facilities and conveyances constitute a Stormwater system and that effective improvement, regulation, treatment, and control of Stormwater through formation by the City of a Stormwater utility requires the transfer to a separate enterprise account all Stormwater facilities and conveyances.

13-6-2 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply:

“City” means Park City, a municipal corporation of the state of Utah.

“Public Utilities Director” means the Park City Public Utilities Director or his or her designee.

“County” means Summit County or Wasatch County.

“Commercial Property” means land that is not Single-Family Residential Property, Multi-Family Residential Property, or Undeveloped parcel.

“Customer” or “Person” means any individual; public or private corporation and its officers; partnership; association; firm; trustee; executor or administrators of an estate.

“Equivalent surface unit (ESU)” means a defined unit equal to 2,000 square feet of Impervious surface area.

“Impervious surface” means a parcel’s hard surface area that causes water to run off its surface in quantities or speeds greater than under natural conditions. Some examples of Impervious surfaces are rooftops, concrete or asphalt paving, walkways, patios, driveways, parking lots or storage areas, and gravel that has been subject to surface traffic, including compacted gravel surfaces.

“Multi-Family Residential Property” means land containing more than one single-family dwelling unit. When served by Park City Water these are multiple single-family dwellings served by a single meter or one large meter, with a small meter bypass. Any use other than residential or irrigation shall result in classification as a Commercial meter.

“Single-Family Residential Property” means land containing a single-family dwelling unit. When served by Park City water these are served by a single meter.

“Stormwater system” means a conveyance or system of conveyances (including roads with drainage systems, , catch basins, curbs, gutters, ditches, natural or man-made channels, ground water drain systems, or storm drains) pursuant to Utah Administrative Code 317-8-1.6(4), (7), & (14), or designated under Utah Administrative Code R317-8-3.9(1)(a) et seq.. that is owned or operated by the City, which has jurisdiction over disposal of wastes, Stormwater, or other wastes; that is designed or used for collecting or conveying Stormwater;

“Stormwater” means stormwater runoff, snowmelt runoff, and surface runoff and drainage.

“Stormwater utility” or “utility” means the utility created by this chapter, which operates, maintains, regulates, and improves Stormwater systems and programs within the City.

“Undeveloped parcel” means any parcel that has not been altered by grading, filling, or construction.

13-6-3 STORMWATER UTILITY CREATED.

There is hereby created and established a Stormwater utility and service charge structure. The utility will have regulatory authority and responsibility for planning, design, construction, maintenance, administration and operation of all City Stormwater systems, conveyances, and facilities.

13-6-4 MAINTENANCE OF CITY STORMWATER SYSTEM AND ASSETS.

The utility shall operate, maintain, and improve all existing City Stormwater systems used for the conveyance of Stormwater, through, under or over lands or watercourses, beginning at a point where the Stormwaters first enter the Stormwater system of the City and ending in each instance at a point where the Stormwater exits the system. Stormwater facilities do not include government-owned streets or those Stormwater facilities operated and maintained by, or for, a County or the State of Utah.

13-6-5 UTILITY ADMINISTRATION.

The Stormwater utility shall be administered by the Public Utilities Director. 13-6-

6 SERVICE CHARGE IMPOSED.

All Persons otherwise responsible for Impervious surfaces within the City which contribute runoff to the Stormwater system or who otherwise use or benefit from the Stormwater utility of the City will be responsible for paying the Stormwater utility fees as set forth in the Park City Fee Schedule.

13-6-7 SYSTEM OF RATES AND CHARGES.

(1) Service Fees Imposed. The City shall impose Stormwater drainage fee rates and charges within the City except City-owned or operated facilities, public streets, a County or the State of Utah. The charges shall fund the administration, planning, design, construction, stream water quality programming, operation, maintenance, and repair of existing and future Stormwater facilities.

(2) Methods of Determining Contribution of Stormwater and Property Classifications.

Impervious surfaces serve as the basis of the Stormwater service fee. Impervious surfaces reduce infiltration and increase surface runoff, thereby increasing the amount and rapidity of Stormwater. 2,000 square feet of Impervious surface is herein defined as an ESU. Private roads shall be considered in a property’s ESU calculation. If Commercial Property and Multi-Family Property both benefit from the same roof, sidewalks, parking area, or other impervious area the roof may be assigned to the Multi-Family area, and the sidewalks and parking area may be assigned to the Commercial Property.

(a) Single-Family Residential Property. Single-Family Residential Properties shall be billed 1, 2, 3, 4, 5, 6 or 7 ESU(s) depending on where the home is located on a map provided in the City's Fee Schedule. These intervals are based on the average Impervious surface identified in each of the delineated areas.
(b) Multi-Family Residential Property. Multi-Family Residential Property shall be billed one ESU per unit.
(c) Commercial Properties. Commercial Properties shall be billed by reviewing aerial imagery to determine the Impervious surface and then rounding the Impervious surface up to a whole ESU.
(d) Undeveloped Parcels. Undeveloped parcels shall have no charges assessed.

(3) Method of Determining Service Fee Rates. The charge for an ESU shall be set forth in the City Fee Schedule.

13-6-8 BILLING AND COLLECTION.

(1) Utility Enterprise Fund. This chapter creates the Stormwater utility fund. All revenues received from Stormwater utility fees shall be placed in the enterprise fund as a designated fund, to be left separate and apart from all other City funds. The collection, accounting, and expenditure of all Stormwater utility funds shall be in accordance with the Utah Uniform Fiscal Procedures Act.

(2) Billing. The City shall bill, or cause to be billed, property owners or other party if authorized by the owner for Stormwater utility services. If a party authorized by the owner fails to stay current, the responsibility for any fees and charges shall revert to the owner. Fees and charges shall be considered delinquent if not paid as determined by the procedures established by the City and shall be a debt to the City, which shall be subject to recovery in a civil action.

(3) The City shall send a monthly or bi-monthly billing. Payment is due within fifteen (15) days from receipt of the bill, or by the end of the month when the bill is mailed whichever is later. Interest shall be assessed against all accounts which are more than thirty (30) days past due at the rate of one and a half percent (1½%) per month, which is an annual rate of eighteen percent (18%). An account is due and payable upon mailing of the monthly statement, and interest will be assessed if the bill, or any portion of the bill, remains unpaid thirty (30) days from mailing. Interest will be charged only against the unpaid balance, and not against any partial payment, or against the current billing cycle charges.

(4) Unified Bill. All service charges, costs, fees, and penalties for water and Stormwater utility services by the City shall be billed for and collected on a single, unified bill. A partial payment shall first be credited to any penalties, interest and fees, and may then be applied to past due stormwater billings, followed by past due water billings.

13-6-9 ADJUSTMENT.

(1) Any Customer who disagrees with ESU determination, as provided in this chapter, for his or her property may apply to the Public Utilities Director for a recalculation. The request must be received on a form provided by the City and must be filed in writing with the Public Utilities Director no later than 30 days after receipt of the most recent billing. The Public Utilities Director or designee shall review the request and basis for user charges consistent with this chapter, and may approve an adjustment to the fee.

(a) Single-Family Residential Property. Single-Family Residential Properties may request an individual review of their property. A written request shall result in reviewing aerial imagery of the requested property. The actual Impervious surface area will be calculated, and the result will be rounded up to nearest whole ESU.

(b) Multi-Family Residential Property. Multi-Family Residential Properties may request an individual review of their property. A written request shall result in reviewing aerial imagery of the requested property. The actual Impervious surface area will be calculated, and the result will be rounded up to the nearest whole ESU.

(c) Commercial Properties. Commercial Properties may request a copy of their individual ESU determination, and may provide comment on the accuracy of said determination. Adjustments may be made in consultation with the Public Utilities Director. Commercial Properties shall be billed by rounding up the Impervious surface area to the nearest whole ESU.

(d) Undeveloped Parcels. Undeveloped parcels shall have no charges assessed.

(2) Administrative Relief. The Public Utilities Director may provide administrative relief from any fees and charges following application to the City and in cases of hardship or unusual circumstances.

(3) Application of Adjustment. If an adjustment is made, credit shall be applied to all charges from the time of the request, except that any request for an adjustment made prior to June 30, 2017 may be applied retroactively to all billing since July 1, 2016.

10-6-10 PPEAL TO ADMINISTRATIVE LAW JUDGE.

An appeal of a Public Utilities Director’s decision may be brought before a City provided administrative law judge within 30 days of the Public Utilities Director’s decision. The review shall be made on the basis of whether the Public Utilities Director’s decision was arbitrary and capricious. The decision of the administrative law judge shall be final and conclusive.

If an appeal of charges is successful, credit shall be applied to all charges from the time of the request unless equity should require a greater period of time, and shall be reflected on a future billing after the appeal is decided in favor of the appellant, in whole or in part.

DATE: May 12, 2016

TO HONORABLE MAYOR AND COUNCIL

Municipal Code Online is a new software acquired by the City that houses the City's code and resolutions. This report explains how to use the software to find topics addressed in the code.

Respectfully:

Michelle Kellogg, City Recorder

To: Honorable Mayor/Members of City Council

From: Michelle Kellogg, City Recorder

STAFF COMMUNICATIONS REPORT – May 12, 2016

Municipal Code Update:

The Park City Municipal Code was available online only in a PDF version, which was not user friendly and was hard to access from mobile devices; requests were received for a searchable municipal code. Upon authorization, Municipal Code Online (MCO) was chosen as the software to fill this need.

MCO has been in business since 2007. This company provides the capability for cities to update the municipal code in-house, thus being able to maintain control over the timeliness of the updates on the website, maintain an accessible legislative history, archive and make available supporting documents, produce a hard copy, and access the contents on mobile devices.

This code software makes the code more transparent. MCO automatically records the legislative history so citizens are able to see the evolution of the code supported by the actual ordinances which adopted, amended, or repealed the section of the code.

In addition to supporting the Municipal Code, MCO will also house the City's Resolutions, so those documents will be searchable as well.

Searching the Code:
To access the Municipal Code, please go to the City website heading: Municipal Code, Policies and Fees, then click on Municipal Code. You may also access the code directly from the following link: https://parkcity.municipalcodeonline.com

To search the Code:

- Type a word in the search box, or
- Click on the Title you are researching, or
- To narrow the search, click on the box to the left of the Title(s) and then search by word. Only the checked Title(s) will be searched for that word or phrase.
- *(Once we upload and attach the ordinances)* You can click on the legislative history ordinance number at the bottom of the section you are browsing and the actual ordinance will be displayed, showing the code amendments and when they were approved by the Council.

DATE: May 12, 2016

TO HONORABLE MAYOR AND COUNCIL

Attached for your approval, please find the minutes for April 14, 2016, and April 28, 2016. Thank you for your consideration.

Respectfully:

Michelle Kellogg, City Recorder

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

April 14, 2016

The Council of Park City, Summit County, Utah, met in open meeting on April 14, 2016, at 2:15 pm in the City Council Chambers.

Council Member Beerman moved to close the meeting to discuss property and litigation at 2:15 pm. Council Member Henney seconded the motion. Voting aye: Council members Beerman, Gerber, Henney, Matsumoto and Worel.

CLOSED SESSION
Council member Beerman moved to adjourn from Closed Meeting. Council member Worel seconded the motion. Voting Aye: Members Beerman, Gerber, Henney, Matsumoto, and Worel.

WORK SESSION
COUNCIL QUESTIONS AND COMMENTS
Council Member Henney had nothing to report.

Council Member Beerman attended the ULCT conference in St. George and reported it was very useful. They discussed what's next with disruptive technologies and how they'll impact government, which was good food for thought. Participated in ongoing conversations on seeking renewable power. He and the Mayor attended a meeting with Rocky Mountain Power, reported they are working towards a memo of understanding and we will know by August or September if they can provide what we need. Laid down a goal addressing the municipal footprint. Rocky Mountain Power suggested accomplishing the goal with a large solar installation somewhere in the county with a goal date of summer solstice 2018. Attended joint meeting with the county yesterday, thanked Alfred Knotts and Caroline Ferris for chairing that meeting.

Council Member Gerber attended the Lodging Association meeting, where they're getting ready to do their bike promotions for the summer.

Council Member Matsumoto attended the Special Events Advisory Committee meeting where they were reviewing fee waivers. They did every waiver except for the 4th of July, which will have its own special meeting.

Council Member Worel attended the JTAB meeting and saw the new graphics for the buses and heard discussion on the E-bike share program. On May 11, 7:00 pm, there will be a bikes vs. cars film at the Santy Auditorium. Met with representatives from the Park City/Summit County Arts Council along with Council Member Henney, where they are working to clarify their role vs. the proposed Arts & Culture Task Force. Attended the press conference for the kick-off of the Saving the Historic Mining Structures campaign. Attended the Park City Public Art Advisory Board meeting where they are working on their policies; will come before Council in a work session on May 18th to present them. Attended the Park City Advocates Latino group where they agreed on two conditions of well-being for a complete community: a prosperous economy; and safe, stable, supportive and nurturing families.

Mayor Thomas, attended a National Abilities Center ski race, where he lost to Jason Glidden and Tom Kelly and owes them lunch. Attended the ULCT conference in St. George where he enjoyed listening to Dave Church talk about city councils. Church said every council has that one kind of wacky member, and if you don't know right off who it is, then it's you. Attended his first Fire Board meeting with Council Member Beerman. Attended yesterday's joint council meeting with the county.

Vehicle Anti-Idling Ordinance Update

Matt Abbott, Sustainability, along with Brian Anderson, Parking, and Captain Phil Kirk, gave an update on the anti-idling campaign. Kirk addressed the new brochure they'll be handing out to violators to help educate them and mentioned they will be put in the schools as well as in poster form for various places. He said the news media has also featured some stories on the ordinance to help get the word out. Kirk said they have been pro-active in looking for violators instead of waiting for calls to come in, which is why the number of warnings went up substantially in February and March. Reported most people who received warnings were very positive and cooperative.

Anderson said the anti-idling signs are ready to hang; they say "idling for one minute only." He reported during the peak winter months they had about three encounters per day; now it's down to about one. Kirk added there have only been two repeat violators, mentioning a citizen can get three warnings before they will be ticketed.

Council Member Beerman thanked them for getting the word out but thought they agreed not to put the one-minute limit on the signage, to which Abbott stated they actually did agree to. Council Member Beerman felt the signs will be an improvement and also felt anti-idling decals could be put on parking meters. He said transportation companies are the biggest violators and wondered if they could be sent a notification to educate them, to which Kirk says they will look into it.

Council Member Henney asked who is enforcing this ordinance, to which Kirk reported the data is from officers and parking enforcement combined. Council Member Henney said he feels the new brochure will help facilitate positive interaction between enforcers and the public. He mentioned he would also like to see signage put in place to educate shuttle drivers in the Snow Park area as well as all hotel areas, as they are egregious violators.

Abbott asked Mark Harrington about private property anti-idling enforcement. Harrington stated several private property lots are functioning more as public property, but they are still signed as private lots and he doesn't recommend enforcing in these areas currently.

Transportation Funding and Priority Program of Transportation Projects Update

Darren Davis and Merilee Hewitt, Transit, thanked the Mayor and Council for their support of the Transit Department and their efforts in celebrating their 40th anniversary and presented them with a gift bag.

Alfred Knotts, Transportation Planning Manager, updated Council on the Transportation Program and funding overview. He stated they went over this same information at the joint County and City meeting last night. Regarding our transportation system, Knotts stated the congestion problems we're dealing with on the two major arteries coming into Park City are a time of day as well as a seasonal issue. The time-of-day problem is due to growth, with even more growth projected for surrounding areas. He spoke to two philosophies of travel to help find solutions to congestion: Levels of Service, (LOS) and Vehicle Miles Traveled (VMT). He compared and contrasted the benefits of both philosophies in helping find solutions where LOS is based on number of cars and increasing capacity through building, and VMT is based on maintaining a certain level of acceptableness, such as air quality.

Next, Knotts addressed the current three-pronged approach his department is taking to find transportation solutions and focusing on the sweet spot where all three components overlap. Some solutions they were narrowing in on include parking management such as paid parking and a bike share program. Council member Beerman asked if electric bikes will be included in the bike share program. Caroline Ferris, Summit County, explained the RFPs will include both, but mostly E bikes. Knotts explained future TDM programs will have a policy side with built-in measures for staff to measure effectiveness; also that SR 248 congestion is currently a very high priority. Bonanza Park Transit Center Park & Ride is also on the radar to meet transportation goals. Knotts mentioned other capital priority projects and service improvements they're focusing on.

Nate Rockwood, budget, explained funding options for transportation solutions through different taxes available to the city and county and explained the demographics behind the tax dollars by breaking them out by visitors and residents. Rockwood mentioned at yesterday's joint meeting, there was discussion about putting together a subcommittee to match funding sources with who will be paying for projects to create a holistic system. Next, Rockwood spoke to where Park City rates in total lodging sales tax dollars in comparison to similar resort communities. He continued by explaining other ways to raise funds for projects. In closing, he mentioned the joint city/county subcommittee on funding getting underway that will be reporting to Council in the future.

Knotts answered when certain services will be completed in response to Council's questions.

Historic Preservation Quarterly Update

Anya Grahn, planning, stated they were working on design guidelines with the Historic Preservation Board (HPB), and they hope to come back in the summer to discuss changes to the design guidelines for historic residential and commercial sites.

Council Member Worel asked if the Planning Department can extend their open hours window, to which Grahn stated yes. Council Member Beerman asked about the HPB vote regarding the design review portion. Grahn stated the HPB asked to be involved in certain reviews, but overall they were supportive of Staff doing design reviews. Council Member Matsumoto asked about expanding the role of the HPB in light of recent projects not meeting the public's standard, specifically the Rio Grande Building, as it seems to have lost its historic character. Bruce Erickson, Planning Department Manager, stated staff is supportive of an HPB role in design review on historic structures and understands the importance of public approval/image. Council member Beerman asked if the HPB could call up a controversial project to give it a design review. Harrington stated Council retains call-up authority, but he will double check the code to see if the HPB has that ability.

Monthly Energy Update

Matt Abbott, Sustainability, Nick Graue, and Bina Skordas, Water, spoke to the monthly energy update. Abbott said the update focuses on items listed in the Gantt chart included in the staff report. He stated the Water Department now has two full-time staff members working on their energy conservation. Graue stated Water has a solid plan to decrease their energy footprint and that they were ready to begin Phase Two of their program that consists of a full-scale water optimization program, specifically focusing on the most efficient way to deliver water. Skordas says they are honing in on getting LEDs into all the Water Department buildings.

Council Member Henney asked if there was anything more we can be doing towards the Georgetown Energy Prize. Abbott and Graue addressed projects that water is working on that will make an immediate impact on that effort.

Council Member Beerman asked if the conservation model that Water is implementing could be applied Citywide. Abbott stated there are limitations, but they were considering a cap and trade system to set aside funding if a net-zero program can't be applied on site. Council Member Beerman also asked if it's time to apply the net-zero policy to capital projects and if Abbott will come back before Council with recommendations. Diane Foster, City Manager, explained how that may be premature. Council Member Beerman said he felt Council had taken a firmer stance on this topic, to which Council asked for further discussion.

Abbott addressed three other highlights they're working on, including an RFP process for carbon foot printing analysis and an ecosystem services assessment.

Council Member Beerman asked if Council would be supportive of using the eco-services open space credits towards our 2030 community goal and trying to offset 100% of our municipal goal. Foster suggested Council may want to wait for a third-party assessment to see exactly how and where they want to use credits. Council agreed to do the assessment.

Blue Ribbon Housing Commission Presentation

Rhoda Stauffer, Housing Specialist, along with the Blue Ribbon Housing Commission members, thanked the commission for their work on affordable housing, stating they presented their findings to the Planning Commission last night.

Commission members Meg Ryan, Glen Wright and Mike Stewart presented their recommendations to Council. Those recommendations included: redefine the target of who their product is for, lead the way, recognize existing players and capitalize on their strengths, don't duplicate efforts, check all city-owned land for developing housing opportunities, don't compete with open space goals, create a Housing Advisory Authority, similar to COSAC, to help work through policy decisions, be open minded on the cost side of affordable housing, broaden the RFP process and consider trade-offs to lower costs, and give staff the resources to achieve these goals. Wright reiterated to Council if affordable housing really is a priority, then they should do what needs to be done to make it a priority. There is limited land in Park City for affordable housing and the Commission felt more housing should be situated along transit lines, which means more density. Density means more height, which is not a popular option, so Wright stated Council must be ready to make hard decisions and stick to them.

Council Member Henney questioned the Commission's recommendation to focus on regional housing as opposed to housing strictly within City limits, as the free market seems to take care of affordable housing outside the City. Ryan stated Council needs to focus on both areas by encouraging and supporting regional partners in achieving their housing goals as well. Stauffer pointed out the free market is not serving affordable housing needs regionally, to which Henney pointed out the regional pricing is affordable for Park City. Stewart, a home builder, said he felt the City had reached an inflection point where transportation and affordable housing issues overcome the political stigma of "I don't want this in my backyard." However, the transportation piece is critical; therefore, we need to work with regional partners to provide common-sense solutions.

Council Member Worel thanked the commission and asked who they feel our target group should be for affordable housing. Ryan felt the gap lies in the middle/moderate income residents within city limits and they should be the target. Mayor Thomas said he is anxious to see us move in a direction that makes us more complete the way we used to be with a cross-section of people who live and work here. Stewart felt the gap is not being specific in our definition of what affordable housing means and who it is for specifically.

Council Member Gerber pointed out we've done well in providing low-income housing but we've not kept pace with job growth; in addition, the number of rentals have decreased. She also pointed out we should include design when talking about density by building appealing homes in smaller spaces.

Council Member Beerman thanked the Commission and asked for clarification on who should be on the advisory committee.

Commission Member Tom Horton stated he hopes to see the passion for affordable housing kept alive. Felt a staff-level group would make greater progress than a private or volunteer group.

Council Member Henney asked if the Commission had a philosophical discussion on our duty to provide affordable housing. Commission members said they chose to serve on this group because they do believe it's our duty and they wanted action instead of talk.

Mayor Thomas asked the Commission what they meant by "remodel construction," to which the commission said new construction in the form of add-ons to existing structures are sometimes very large and should be subject to affordable housing guidelines.

Mayor Thomas opened the meeting for a public hearing.

Scott Loomis, Mountain Lands Community Housing, applauded Council for creating this commission and thanked the commission. He agreed it's up to Council to keep pushing the issue, and also agreed the need for affordable housing for middle and lower-income residents is huge and urged Council to focus there.

Bill Humbert stated an idea for Council to consider for seasonal workers would be requiring hotels and other businesses to put steerage on their buildings to house workers.

Mayor Thomas closed the public hearing portion of the meeting.

REGULAR MEETING

I. ROLL CALL

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

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Staff Communications Reports:

<u>Storm Water Utility Fee Public Information Scope Summary:</u>

<u>Main Street Streetscape Projects 2016:</u>

<u>Quarterly Budget Report 2016:</u>

Mayor Thomas disclosed that Matt Cassel, City Engineer, will not be participating in the discussion regarding the contract for Granite due to his wife being an employee there.

Craig Sanchez, Sustainability and Communications, announced the upcoming 3rd Annual City Projects Open House on April 19th from 4:00 pm-7:00 pm at the Library, Third Floor.

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

<u>Diane Bernhardt</u>, representing the Snow Park HOA and homeowners in the Rossi Hill area, addressed the BLM land parcel located on Deer Valley Drive, near the burned-out house. She stated this parcel has recently come under private ownership and that now is the time to look at the big picture to enhance the livability of the neighborhood and increase the aesthetic value of the parcel. She spoke to its historical significance and importance as a migration corridor for moose and deer. She encouraged Council to get ahead of developing this land by creating a long-term plan that would consider the needs of surrounding residents.

Foster directed Bernhardt to talk with staff member Heinrich Dieters, who could facilitate in getting this issue before Council.

<u>Ed Parigian</u> asked if the City feels it's enforcing its own regulations regarding excess lighting and glare from homes, as he is concerned about protecting the dark night skies.

Erickson stated yes, the City is enforcing regulations and that last night they brought new regulations regarding glare and restrictions of off-site lighting before the Planning Commission.

IV. CONSIDERATION OF MINUTES

<u>Consideration of a Request to Approve the City Council Meeting Minutes from March 24, 2016, and March 31, 2016.</u>

Council Member Beerman had a correction to page 73, line 22 of the minutes from March 24, 2016. He said he was getting a four to six week break from Mountain Accord meetings, not a four to six month break.

Council Member Matsumoto moved to approve the City Council Meeting Minutes from March 24, 2016, and March 31, 2016, with edits. Council Member Worel seconded the motion.

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

V. CONSENT AGENDA

Request to Authorize the City Manager to Execute a Construction Agreement for the Lowell Avenue Re-Construction Project with Granite Construction in a Form Approved by the City Attorney in the Amount of $1,542,017, of Which Park City Will Fund $1,121,061

Council Member Beerman moved to approve a request to authorize the City Manager to Execute a Construction Agreement for the Lowell Avenue Re-Construction Project with Granite Construction in a Form Approved by the City Attorney in the Amount of $1,542,017, of which Park City will Fund $1,121,061. Council Member Gerber seconded the motion.

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

VI. OLD BUSINESS

Designated Off Leash Area Pilot Program Update

Heinrich Dieters, Trails and Open Space, updated Council on off-leash areas which became effective January 7, 2016. He spoke to different sources of data Staff collected to help know what we can anticipate. He looked at data on reported incidents from other communities to get a baseline feel. Staff also collected zip code data from people using the areas, which reflects a high number of users from out of the area. Dieters finished by discussing the Dog Task Force efforts.

Council Member Worel asked who will be doing the enforcing. Dieters said Animal Control will take the lead on this issue. Council Member Gerber asked for clarification regarding some of the collected data on reported incidents, and further discussion was held on how staff would conduct a public survey. Council Member Beerman asked about regulations such as the tag program. Dieters explained how staff might enforce that program. Council Member Henney said he feels the root of the problem is bad behavior, which infiltrates all areas of town. Dieters said focusing on fines is the best recourse for correcting bad behavior.

Mayor Thomas opened the meeting for a public hearing.

Alisha Niswander stated bad dog owners do indeed exist, but that since we've implemented this program, she has had many positive dog owner encounters.

Bill Humbert is concerned the tail might be wagging the dog and warned Council not to let that happen, suggesting they could look at how many dogs are licensed.

Ed Parigian agreed with Niswander in that people are being very courteous and felt people are being more responsible with their dogs.

Mayor Thomas closed the public hearing.

VII. NEW BUSINESS

1. Consideration to Approve Resolution No. 05-16, a Resolution Proclaiming April 22, 2016, as Earth Day

Insa Riepen with Recycle Utah thanked the Mayor and Council for their consideration of this proclamation, stating Park City is the most well-known place in the state for its environmental friendliness. She mentioned several great programs in our community, such as Clean Up the Town day, that are very successful.

Mayor Thomas read the Earth Day proclamation and thanked Riepen for her passion.

Council Member Beerman moved to approve Resolution No. 05-16, a Resolution Proclaiming April 22, 2016, as Earth Day. Council Member Worel seconded the motion.

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

2. Consideration to Approve Resolution 06-16, a Resolution Approving an Interlocal Agreement Between Park City, Salt Lake City, Salt Lake County, and Summit County and Authorizing the City Manager to Execute the Agreement Regarding Renewable Energy and Energy Choice Partnership in a Form Approved by the City Attorney

Ann Ober, Sustainability, stated this would involve a partnership with Summit County and Salt Lake City to create an energy study exploring various portfolio options to achieve our energy goal, including Community Choice Aggregation (CCA), a California program recently reviewed by Staff. Ober reported Salt Lake City chose not to participate in this agreement due to government restructuring and not having the $30,000 contribution available. There is a $30,000 price tag to do this work that Ober feels would be very valuable.

Council Member Henney asked about the portfolio of options. Ober said there are many ways to get to a net-zero goal. One is what we're doing now, working with the existing municipality. Other options are CCA and municipalization. She said there would be valuable content that would come out of this study regardless of what options we choose; even within our Rocky Mountain Power portfolio there are many ways to stack our grid mix with a variety of renewables such as wind, solar and large hydro. This study would look in part at this grid mix. Henney said his concern was going down a path that we don't have legislation in place for.

Council member Beerman explained CCA more in depth, stating our participation in this study makes us a good regional partner and gives us tools to meet our goals.

Mayor Thomas opened the meeting for a public hearing.

Chad Ambrose, Rocky Mountain Power, stated they are committed to Park City in helping provide the resources to meet our energy goals. They are an evolving company that will continue to evolve to meet their customers' needs.

Angelina Moscheita asked what was discussed two weeks ago in Council meeting regarding our energy goals being very ambitious and possibly upsetting other communities. Council Member Beerman clarified upsetting other communities is not a problem or a focus but rather we are striving to be a leader in this effort.

Bill Humbert stated he and his family are firm believers in renewable energy. He is supportive of Council exploring the CCA study. Felt wind and solar opportunities are also real possibilities.

Mayor Thomas closed the public hearing.

Council Member Worel moved to approve Resolution 06-16, a Resolution Approving an Interlocal Agreement Between Park City, Salt Lake City, and Summit County and Authorizing the City Manager to Execute the Agreement Regarding Renewable Energy and Energy Choice Partnership in a Form Approved by the City Attorney. Council Member Henney seconded the motion.

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

3. Consideration of Ordinance No. 16-17, an Ordinance Approving the 921 Norfolk Avenue Plat Amendment, Pursuant to Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City Attorney
Makenna Hawley, Planning, stated the lot owner wishes to combine the existing lot and a half into one lot.

Council Member Matsumoto asked about settling the numerous encroachments. Council Member Beerman asked why the house was D listed, to which Hawley stated too many changes were made for it to stay on the HIS.

Mayor Thomas opened the meeting for a public hearing. No comments heard. Mayor Thomas closed the public hearing.

Council Member Matsumoto moved to approve Ordinance No. 16-17, an Ordinance Approving the 921 Norfolk Avenue Plant Amendment, Pursuant to Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City Attorney. Council Member Worel seconded the motion.

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

4. Consideration of a Request to Continue a Public Hearing on an Ordinance Approving the 844 Empire Avenue Plat Amendment, Located at 844 Empire Avenue, Park City, Utah

Mayor Thomas opened the meeting for a public hearing. No comments heard. Mayor Thomas closed the public hearing.

Council Member Matsumoto moved to approve a Request to Continue a Public Hearing on an Ordinance Approving the 844 Empire Avenue Plat Amendment, Located at 844 Empire Avenue, Park City, Utah. Council Member Gerber seconded the motion.

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

VIII. ADJOURNMENT

With no further business, the meeting was adjourned.

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Karen Anderson, Park City Deputy Recorder

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

April 28, 2016

The Council of Park City, Summit County, Utah, met in open meeting on April 28, 2016, at 3:15 p.m. in the City Council Chambers.

Council Member Gerber moved to close the meeting to discuss property, personnel and litigation at 3:15 p.m. Council Member Matsumoto seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, Matsumoto and Worel.

CLOSED SESSION

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

STUDY SESSION

1. Housing Resolution Report Update and Policy Discussion: Joint Meeting with the Planning Commission:
David Schwartz and Dan Guimond, consultants with Economic & Planning Systems, presented this item. They presented a PowerPoint presentation which displayed the pros and cons of Inclusionary Zoning. An Inclusionary Zoning type of ordinance would result in a greater portion of development contributing to affordable housing, it was widely used outside of Utah, and would not require a Citywide vote. The cons would be that there was no precedent for this approach in Utah and it could be challenged, there would be a high capital cost to build affordable housing, and the legal and political risks could be greater than the benefits.

Another option for affordable housing was Dedicated Funding (community based approach), which could be some kind of dedicated tax on the residents – such as a portion of the property tax or sales tax. This option would spread the responsibility across the entire community instead of having the responsibility solely lie with the developers. Affordable housing would not be dependent on market development cycles in getting units built, it would be a lower cost alternative, and the achievable production (benefits) would outweigh the political risk of taking the issue to voters. The cons included requiring a strong political will as well as requiring voter approval. He stated there could be a middle ground between the two options. The current resolution based approach could continue, but a policy could be created for certain projects based on square footage or unit threshold.

Council Member Beerman thought this was an excellent report. He indicated Park City had raised $40 million for affordable housing, but noted there was the issue of figuring out how it should be spent.

Council Member Matsumoto thought focusing on the workforce would be a good place to start when deciding on affordable housing options. She thought the resorts should contribute to the housing needs of their employees, and wondered how that could be effectuated. It was noted that the City Ordinance had a requirement that addressed some of that, but it was not known if the requirement was enforceable.

Stauffer stated that the State required the City to do an assessment every five years on affordable housing access and need. In the last five years, the focus had been on housing for young families since the last census showed a decline in that demographic. There was discussion on codifying the requirements, but the consultants discouraged that because of potential legal challenges to the codification. Stauffer indicated that over 300 units had been acquired since 1993 from new developments, but 118 units had not yet been built. She stated that two thirds of those 118 were slated to be built within the next five years. Council Member Gerber felt a lot of tools had been given to the Council, and the Council needed to use these tools to alleviate the housing problem.

The consultants noted that one failure of the City's housing resolutions was that there was no quantifiable goal on how many units the City wanted to achieve. Discussion ensued on intensifying the focus of the City in obtaining more affordable housing units. Density and height bonuses were discussed as well. The consultants felt density added value and height conserved land. It was noted another study session on this topic would be held in a few months.

WORK SESSION

Council Questions and Comments:

Council Member Matsumoto stated she attended the Snyderville Basin Water Reclamation District meeting, and they were breaking ground on a new treatment plant.

Council Member Henney stated yesterday at the School District Board meeting they authorized the switch to LED lights. He indicated it was nice to see the School District's alignment with the City's critical energy priority.

Council Member Beerman gave a shout out to Jason Christensen in the Water Department for the system that alerted him of a possible water leak at his home.

Council Member Worel stated she attended the Library Board meeting, she went to the McPolin Barn, and she drove a City bus as part of her orientation training.

Council Member Gerber indicated she also went to the McPolin Barn.

Council Member Henney stated he went to the Park City Follies and commented that it was great to see City employees participating in the Follies.

Mayor Thomas indicated he went to a Webelos Scout meeting and answered questions about his job as mayor.

2. Discussion Regarding Updating Building Permit Fees:

Anne Laurent, Chad Root and Michelle Downard, Community Development and Building Departments, presented this item. Laurent stated there were many details of inspections that were time consuming for building inspectors. The Building Department hoped to continue with the 24 hour turnaround for inspections, so they proposed to increase the inspection fees to cover the amount of time spent inspecting. She noted The National Building Code encouraged a fee that reflected the actual construction valuation. She also indicated the building fees were not an Enterprise Fund.

Mayor Thomas asked how the department would determine valuation when bids might not be available. Laurent stated that when the building permit was pulled, the value given at that time would be used. She also stated that a deduction would be given for projects that would have alternative energy components. Root stated the Building Department had reached out to the contractors with regard to a possible fee increase and the contractors supported the fee changes.

3. Discussion Regarding the Terms of Boards and Commissions:

Matt Dias, Assistant City Manager, presented this item. He reviewed that the past Council voiced concern that boards needed to be renewed and appointed at the same time each year. Over time, this process became work intensive, so he asked the Council if they would like to change the terms, i.e. stagger the terms of the boards, do nothing, have the mayor pre-screen applicants to narrow down the interviews, or interview for all the board openings at once.

Council Member Worel indicated she would like to interview for all the board openings at once. Council Member Beerman preferred leaving the terms as specified. Council Member Matsumoto was in favor of pre-screening the candidates, but noted that she would like to see those that did not obtain a position on one board to be eligible to serve on another board. Dias stated a list could be created to keep a record of applicants. She was also in favor of doing the interviews all at once.

Council Member Beerman suggested having a box that could be checked if the applicant was favorable to serving on other boards. Foster stated the Council meetings were fairly full in June and noted some of the board appointments might not happen until August.

Mayor Thomas asked the Council if they were in favor of having another study session on affordable housing with the Planning Commission to delve into the details of this issue. Council Member Henney was in favor and indicated he would like to see goals set and visioning processes discussed. The other Council members agreed.

REGULAR MEETING

I. Roll Call

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

II. Communications and Disclosures from Council and Staff

1. Update Regarding the Current and Upcoming Large Public and Private Construction Projects in Park City:

No comments were received.

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

Joni Boulware, Park Meadows, asked if the Council could help persuade the HOAs to allow solar panels on rooftops within the communities. She gave examples of HOAs denying requests and she thought this was contrary to the City's energy goals. She also hoped the City would consider, as a Land Use Authority, applying the rule of not approving subdivision plats where renewable energy options within that plat are not allowed. Matt Abbott, Sustainability, explained the HOA problem with solar units on rooftops, and indicated staff was trying to address the situation and would come back to Council with some suggestions. Mayor Thomas requested that this item be brought back to a future meeting.

IV. New Business

<u>1. Consideration of Ordinance 16-18, an Ordinance Approving the 1280 Park Avenue Condominiums Plat Located at 1280 Park Avenue, Park City, Utah Pursuant to Findings of Fact, Conclusions of Law and Conditions of Approval in a Form Approved by the City Attorney:</u>

Hannah Turpen, Planning, presented this item. She explained this plat amendment would create two lots from the existing property. A two unit condominium would be created from the existing duplex, enabling the owner to sell each unit separately.

Mayor Thomas opened the public hearing for comments from the audience. No comments were given. Mayor Thomas closed the public hearing.

Council Member Henney moved to approve Ordinance 16-18, an ordinance approving the 1280 Park Avenue Condominiums Plat located at 1280 Park Avenue, Park City, Utah, pursuant to findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney. Council Member Beerman seconded the motion.

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

<u>2. Consideration of an Appeal of a Denial of a Business License Application for Firearms Assembly at 2897 American Saddler:</u>

Mark Harrington indicated that the applicant requested to continue this item to a date uncertain.

Council Member Matsumoto moved to continue the appeal of a denial of a Business License Application for Firearms Assembly at 2897 American Saddler. Council Member Worel seconded the motion.

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

<u>3. Authorize the City Manager to Execute the 1st Addendum to the Professional Services Agreement, Brendle Group, for Water and Energy Conservation Program - Phase 2 Engineering Services in an Amount Not to Exceed $188,173 (Increase of $37,175), for a Total Contract Not to Exceed $225,348, in a Form Approved by the City Attorney:</u>

Bina Skordas and Nick Graue, Water Department, presented this item. Skordas explained the Water Conservation Energy Program that was created. The four goals of the program were to reduce energy intensity, reduce the unit energy cost, produce local renewable energy and communicate results. She explained the steps needed to be taken to achieve these goals.

Graue explained the need to contract with the Brendle Group, indicating that they would be developing a roadmap for reducing energy, and preparing scopes, schedules and budgets for future phases of program implementation.

Council Member Beerman moved to authorize the City Manager to execute the 1st Addendum to the Professional Services Agreement, Brendle Group, for Water and Energy Conservation Program - Phase 2 Engineering Services in an amount not to exceed $188,173 (increase of $37,175), for a total contract not to exceed $225,348, in a form approved by the City Attorney. Council Member Gerber seconded the motion.

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

4. Consideration of a Request to Authorize the City Manager to Execute a Construction Agreement, in a Form Approved by the City Attorney, with Daley Excavators L.L.C. for the 2016 Water Service Line Improvement Project for an Amount Not to Exceed $220,000:

Griffin Lloyd, Engineering, reviewed the request to execute a construction agreement for water service line maintenance and water meter replacements. Jason Christensen, Water Department, indicated a lot of headway had been made with meter replacements.

Council Member Gerber moved to authorize the City Manager to execute a Construction Agreement, in a form approved by the City Attorney, with Daley Excavators L.L.C. for the 2016 Water Service Line Improvement Project for an amount not to exceed $220,000.00. Council Member Matsumoto seconded the motion.

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

5. Consideration of Approval of Street Dining on Main Leases, in a Form Approved by the City Attorney: (A) Cisero's Ristorante at 306 Main Street; (B) Bistro 412 at 412 Main Street; (C) 501 on Main at 501 Main Street; (D) Main Street Pizza & Noodle at 530 Main Street; (E) Bandits Grill & Bar at 440 Main Street; (F) The Eating Establishment at 317 Main Street; (G) Shabu at 442 Main Street; and (H) Flanagan's on Main at 438 Main Street:

Francisco Astorga and Ashley Scarf, Planning, presented this item. Scarf reviewed that eight of the nine Main Street dining establishments had requested to participate in this program for another year. Approval of this item would be contingent on the restaurants renewing their leases of City property. Council Member Beerman suggested that Planning inform the affected dining establishments of the anticipated construction by their establishments.

Council Member Worel asked if the dining establishments had been notified of the fee increase for this lease. Astorga indicated that they were aware and had not contested the amount of the lease.

Council Member Matsumoto moved to approve Street Dining on Main Leases, in a form approved by the City Attorney: (A) Cisero's Ristorante at 306 Main Street; (B) Bistro 412 at 412 Main Street; (C) 501 on Main at 501 Main Street; (D) Main Street Pizza & Noodle at 530 Main Street; (E) Bandits Grill & Bar at 440 Main Street; (F) The Eating Establishment at 317 Main Street; (G) Shabu at 442 Main Street; and (H) Flanagan's on Main at 438 Main Street.. Council Member Gerber seconded the motion.

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

6. Consideration to Approve Resolution 07-16, a Resolution Proclaiming May 3, 2016, as Travel Rally Day in Park City, Utah:

Council Member Beerman moved to approve Resolution 07-16, a Resolution proclaiming May 3, 2016, as Travel Rally Day in Park City, Utah. Council Member Henney seconded the motion.

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

7. Consideration to Approve Resolution 08-16, a Resolution Proclaiming May, 2016, as Building Safety Month in Park City, Utah:

Council Member Beerman moved to approve Resolution 08-16, a Resolution proclaiming May, 2016, as Building Safety Month in Park City, Utah. Council Member Henney seconded the motion.

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

8. Consideration to Approve Resolution 09-16, a Resolution Proclaiming May 7, 2016, as Arbor Day and Celebrating Park City's 23rd Anniversary for Recognition as a "Tree City USA Community," in Park City, Utah:

Council Member Matsumoto moved to approve Resolution 09-16, a Resolution proclaiming May 7, 2016, as Arbor Day and celebrating Park City's 23rd Anniversary for recognition as a "Tree City USA Community," in Park City, Utah. Council Member Henney seconded the motion.

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

Council Member Gerber moved to close the meeting to discuss property, personnel and litigation at 6:40 p.m. Council Member Worel seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, Matsumoto and Worel.

CLOSED SESSION

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

V. Adjournment

With no further business, the meeting was adjourned.

____
Michelle Kellogg, City Recorder

DATE: May 12, 2016

TO HONORABLE MAYOR AND COUNCIL

May is designated as National Historic Preservation Month. Established in 1973 by the National Trust for Historic Preservation, the month-long campaign encourages us to celebrate the places that are meaningful to us and our community. Staff recommends that City Council locally designated May as Historic Preservation Month.

Respectfully:

Anya Grahn, Planner II

City Council
Staff Report

Subject: National Historic Preservation Month—May
Author: Anya Grahn, Historic Preservation Planner;
Department: Planning Department
Date: May 12, 2016
Type of Item: Resolution

Summary Recommendations:
Staff recommends that City Council review the attached resolution and designate the month of May as Historic Preservation Month.

Executive Summary:
May is designated as National Historic Preservation Month. Established in 1973 by the National Trust for Historic Preservation, the month-long campaign encourages us to celebrate the places that are meaningful to us and our community. Staff recommends that City Council designated May as Historic Preservation Month.

Acronyms in this Report:
Utah Heritage Foundation UHF

Background:
Park City's Preservation Efforts
The development of the ski resorts (Snow Park Ski Area, 1946; Treasure Mountain, 1963; Park City West /Canyons Resort, 1968; and Deer Valley Resort, 1981) played a major role in transforming Park City from a mining ghost town into a year-round resort destination. Greater real estate demands and increased development spurred the historic preservation movement in Park City, which largely began in 1978 with the Main Street nomination for the National Register of Historic Places. A second thematic National Register nomination recognized the historic significance of the Mining Boom Era residences in 1984. These two districts focused on preserving historic buildings within Old Town.

In addition to the designation of National Register districts, the City was also proactive in recognizing the need to encourage historic preservation. A number of initiatives have been developed, including:

- In 1987, the City established its grant program, incentivizing preservation efforts using RDA funds.
- In the early 1990s, the City expanded regulations governing demolition of commercial properties, primarily on Main Street, and soon after extended protections to residential properties on the initial survey or over 50 years old, subject to a determination of significance hearing.
- The City purchased the Watts House and National Garage, put out a request for proposals (RFP) to rehabilitate the site, and then lobbied the Department of the

Interior to keep the National Garage on the National Register of Historic Places after it had been panelized.

- In 2007, the City contracted with Preservation Solutions to conduct a reconnaissance level, or “windshield.” survey of the historic district. This led to the local designation of some 400 sites and structures on the City’s Historic Sites Inventory (HSI). This was followed up by the City contracting with CRSA in 2013 to conduct an intensive level survey of our districts.
- In 2009, City Council adopted the *Design Guidelines for Historic Districts and Historic Sites* to provide guidance in determining the suitability and architectural compatibility of proposed projects while also allowing for reasonable changes to individual buildings to meet current needs.
- Most recently, the City has partnered with Vail and the Park City Museum to form the Friends of Ski Mountain History, which will spearhead the preservation of the City’s historic mine sites.

Efforts such as these have allowed Park City to emerge as a state-wide leader in the preservation movement.

History of Historic Preservation Month
In 1973, the National Trust for Historic Preservation designated May as National Historic Preservation Month. The national campaign is co-sponsored by local preservation groups, state and local historical societies, preservation nonprofits, business and civic groups, and municipalities. The purpose of the campaign is the instill national and community pride, promote heritage tourism, as well as demonstrate the social and economic benefits of historic preservation.

This year, the National Trust is celebrating with three simple words “This. Place. Matters.” As part of the national campaign, people from all over the country are encouraged to celebrate and showcase the places that hold special meaning to them and their communities.

The Utah State Historic Preservation Office—Utah Division of State History—is also promoting May as Archeology and Preservation Month. The state is celebrating with events scheduled in each of their Certified Local Government (CLG) communities.

We will also be unveiling the McPolin Farm walking tour app during the month of May. Since July 2015, the Friends of the Farm have been collaborating with Utah Heritage Foundation (UHF) on creating a walking-tour app for the McPolin Farm. The app will be available for download on both Apple and Android operating devices at no cost to the public. The mobile app promotes efficiency compared to a traditional walking tour brochure. Further UHF’s walking tours are well-regarded throughout the state, and the partnership will connect the McPolin Farm to UHF’s existing audiences while also reaching new audiences through the use of technology. The app is currently under production and expected to be launched by the end of May.

Department Review:
This project has gone through an interdepartmental review. There were no issues raised by any of the departments.

Alternatives:

A. The City Council may approve the resolution designating the month of May as Historic Preservation Month.
B. The City Council may deny the resolution designating the month of May as Historic Preservation Month; we will not bring attention to historic preservation.
C. The City Council may continue the discussion to a date certain and provide staff with direction to provide additional information necessary in order to make a final decision on the resolution.

Significant Impacts:

	World Class Multi-Seasonal Resort Destination **(Economic Impact)**	**Preserving & Enhancing the Natural Environment** **(Environmental Impact)**	**An Inclusive Community of Diverse Economic & Cultural Opportunities** **(Social Equity Impact)**	**Responsive, Cutting-Edge & Effective Government**
Which Desired Outcomes might the Recommended Action Impact?	+ Balance between tourism and local quality of life + Varied and extensive event offerings		+ Residents live and work locally + Part-time residents that invest and engage in the community ~ Shared use of Main Street by locals and visitors + Physically and socially connected neighborhoods + Vibrant arts and culture offerings + Diverse population (racially, socially, economically, geographically, etc.)	+ Fiscally and legally sound + Engaged and informed citizenry
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Positive ⇧		Very Positive ↑	Very Positive ↑
Comments:				

Consequences of not taking the recommended action:
The resolution will not be passed and the month of May will not be designated as Historic Preservation Month.

Recommendation:
Staff recommends that City Council review the attached resolution and designate the month of May as Historic Preservation Month.

RESOLUTION NO. 11-2016

RESOLUTION TO CELEBRATE "HISTORIC PRESERVATION MONTH" DURING THE MONTH OF MAY

WHEREAS, Park City was established as a mining camp after the discovery of silver at the Flagstaff Mine in 1868 and large ore deposit at the Ontario Claim in 1872; and

WHEREAS, the community has set a goal of preserving a strong sense of place, character, and heritage; and

WHEREAS, Park City is home to more than 400 historic sites, including two National Register Historic Districts—the Main Street Historic District listed in 1979 and the Mining Boom Era Residences Thematic District listed in 1984; and

WHEREAS, Park City has taken great measures to protect more than 500 historic resources through local designation on Park City's Historic Sites Inventory, which celebrates and honors our regional vernacular architecture; and

WHEREAS, historic preservation is the economic driver for Old Town and our Historic Main Street District is the heart of our community; and

NOW, THEREFORE, BE IT RESOLVED, that the month of May from here on forward, that the Park City Council will officially, heartily, and warmly declare that month to be "Historic Preservation Month."

SECTION 2. EFFECTIVE DATE. Passed and adopted this 12th day of May, 2016.

PARK CITY MUNICIPAL CORPORATION

____

Jack Thomas, MAYOR

ATTEST:

____

Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

____

Mark Harrington, City Attorney

DATE: May 12, 2016

TO HONORABLE MAYOR AND COUNCIL

Bob Wheaton, President and General Manager of Deer Valley Resort, will report on the resort's 2015-2016 season.

Respectfully:

Michelle Kellogg, City Recorder

DATE: May 12, 2016

TO HONORABLE MAYOR AND COUNCIL

The Nelson & Nygaard transportation and parking study is nearing completion. The Study identifies a prioritized list of suggested transportation and parking related infrastructure projects, including a recommendation for fixed transit and parking facilities and structure(s) on one of four locations in the Bonanza Park neighborhood.

The Yard, at 1251 Kearns, is one of the locations identified in the Study that has adequate size and the appropriate location to make significant progress towards several of our overall transportation and parking goals. While staff has been in contact with each of the each of these four property owners, we were quickly able to make significant progress on acquiring a portion of the Yard property. With time being of the essence to mitigate traffic and congestion issues, this is a meaningful factor in staff's recommendation to pursue this property. In addition, this parcel provides an attractive location to satisfy a portion of the City's housing goals.

The Yard property owners (1251 Kearns LLC), who include and are represented locally by Mark Fischer, are willing to sell the southern portion of the Yard, approximately 100,000 sf, for $60/ square feet. The final property exchange will be contingent on a due diligence review, including a Phase 1 and 2 Environmental Impact Statement prior to closing, as well as a final survey and platting exercise that will allow for small adjustments for needed road widths and layouts to be finalized. The due diligence period ends November 1, 2016 and closing is scheduled for February 1, 2017.

Respectfully:

Jonathan Weidenhamer, Economic Development Manager

City Council
Staff Report

Subject:	**Approval of a Real Estate Purchase Contract to pursue acquisition of the southern portion of 1251 Kearns Boulevard (the Yard).**
Author:	**Jonathan Weidenhamer**
Department:	**Sustainability**
Date:	**May 12, 2016**
Type of Item:	**Administrative**

Summary Recommendation

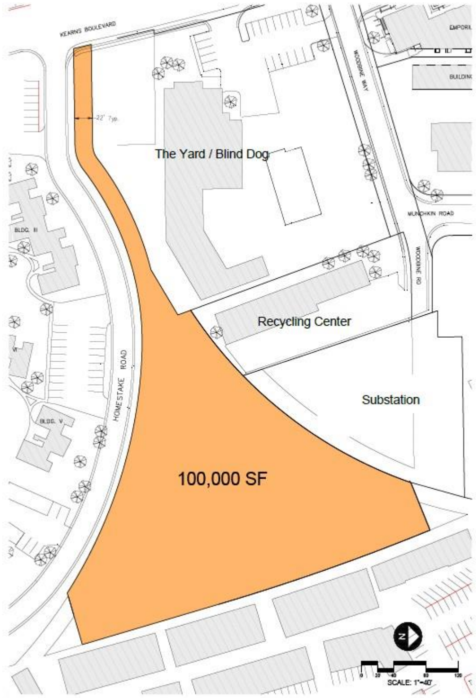
Staff recommends Council approve a Real Estate Purchase Contract (REPC) for purchase of a southern portion of 1251 Kearns Boulevard (approximately 2.29 acres of the "Yard") in an amount of approximately $60/ square foot. The final purchase amount will depend on final right-of-way locations and a final survey and subdivision plat, but it is expected to be approximately $6,000,000.

Executive Summary

The Nelson & Nygaard transportation and parking study is nearing completion. The Study identifies a prioritized list of suggested transportation and parking related infrastructure projects, including a recommendation for fixed transit and parking facilities and structure(s) on one of four locations in the Bonanza Park neighborhood.

The Yard, at 1251 Kearns, is one of the locations identified in the Study that has adequate size and the appropriate location to make significant progress towards several of our overall transportation and parking goals. While staff reached out to multiple property owners in the targeted area, we were able to make significant progress on acquiring a portion of the Yard property. With time being of the essence to mitigate traffic and congestion issues, this is a meaningful factor in staff's recommendation to pursue this property. In addition, this parcel provides an attractive location to satisfy a portion of the City's housing goals.

The Yard property owners (1251 Kearns LLC), who include and are represented locally by Mark Fischer, are willing to sell the southern portion of the Yard, approximately 100,000 sf (see exhibit on next page), for an amount not to exceed $60/ square feet. The final property exchange will be contingent on a due diligence review, including a Phase I and II Environmental Site Assessments prior to closing, as well as a final survey and platting exercise that will allow for square footage adjustments based on final road widths and layouts. The due diligence period ends November 1, 2016 and closing is scheduled for February 1, 2017.



Acronyms

ESA	Environmental Site Assessments
REPC	Real Estate Purchase Contract
PCMC	Park City Municipal Corporation

The Problem

- The proliferation of the resort economy, redevelopment pressures within Park City and continued growth outside the City limits have led to increases in traffic and congestion compromising quality of life and quality of experience for both residents and visitors.
- If we “do nothing” based on current traffic volumes and expected growth our major intersections will fail – some are already at an unacceptable levels of service at peak times.
- Existing regulatory tools are not enough to bring free market interests into harmony with the General Plan.

Background

- Due to the worsening traffic situation within Park City and Snyderville Basin, in 2014, Council designated “Transportation” as a critical priority. Over the last year, staff has been conducting multiple studies to assess and address the interrelated transportation, transit and parking issues, both locally and regionally (Feb. 4, 2016 Regular Meeting p.77).
- At a high level, staff believes the key to addressing our short- and long-term transportation goals is a multi-faceted approach including:
    - Transportation programming (Transportation Demand Management - parking management, marketing/outreach, etc.);

- Alternative modes (transit, aerial, bike/ped); and
  - Major capital projects (intersection improvements, Bus Rapid Transit, and parking and transit facilities).
- These plans will be presented to City Council and the community over the next several months for evaluation, prioritization and adoption. Preliminary recommendation indicates significant transportation infrastructure improvements will be needed over the next 1 to 5 and 5 to 10 years. Staff's initial presentation of this program and possible funding sources was presented on March 3, 2016 (March 3, 2016 Work Session p.67).
- Specifically the Nelson Nygaard transportation and parking study is nearing completion. The findings and recommended projects have been presented at public open houses on November 4, November 10, 2015 and April 19, 2016. An excerpt specific to Bonanza Park, states, "***Bonanza Park park-and-ride with parking structure(s) to accommodate approximately 1,000 cars:*** *A new parking facility, which should be accompanied by mixed-use development that could include affordable/work force housing, could help encourage mode shift before people enter the most congested part of Park City…….From the consultant team perspective, potential sites include: Munchkin lot (Yard), Homestake lot, Rite Aid, and the existing city facilities off of Iron Horse Drive.".* It should also be noted one-on-one stakeholder meetings were also held with Bonanza Park land owners on April 6th to review and discuss the final recommendations identified in the Draft Report. The meetings were very productive and served to answer any questions and clarify the information contained in the report. Staff also attempted to hold meetings with the resorts which were unsuccessful due to scheduling conflicts.
- The General Plan recognizes a series of Goals and Implementation strategies to address these issues as does the Bonanza Park Neighborhood Plan.
- The "Draft Bonanza Park Parking and Transportation Study", General Plan "Small Town" transportation goals and implementation strategies, and "Bonanza Park Neighborhood Plan" can be view by clicking on the following link: H:\Council Attachments.
- The owners of the Yard and other contiguous properties under their ownership have an approved pre-Master Planned Development application for the southern portion of Yard-1 and a pending pre-MPD application for their parcels (Maverick, Kimball, etc., both of which have been submitted to the Planning Department for the purpose of redeveloping the parcels. The application for the southern portion of the Yard parcel is for 21 residential townhomes, 2 residential flats, and a small amenities space. Additionally, 16 of the townhomes have the ability to have a one-bedroom flat as a lock-out or independent residential unit on the lower level. The current concept contemplates that some portion of these one-bedroom flats will be identified as affordable housing, but the number is unclear given the adjacent green parcel application and a new housing project this group developed on Empire Avenue that was dedicated to the fulfillment of a future affordable housing commitment for this location.

Alternatives for City Council to Consider

1. **Recommended Alternative:** Approve the REPC to pursue purchase of the southern portion of the 1251 Kearns:

Pros

a. Would allow a significant transportation and/or housing project to be built;
b. The Private sector/ free market outcomes are developing inconsistent with stated goals and desired outcomes for the neighborhood in terms of affordability, and impacts on traffic and congestion;
c. This will supplement the City's regulatory tools which may not result in a preferred built environment;
d. Could set in motion many of the goals stated within the General Plan for the neighborhood including a walkable, mixed-use, locals district;
e. Deliver on our intent to forward community goals through taking a proactive role.

Cons

a. PCMC is potentially influencing the real estate market in this area;
b. This will be a purchase of approximately $6M. By spending significant portion of fixed resources on this location it may preclude us from other targets or priorities. There are a lot of moving parts related to other potential land purchases, land owners and other priorities for City funds that may or may not be affected by Transit, Water and other capital priorities.
c. We appear to be buying at the height of the market;
d. Construction on the southern portion of Yard-1 will require the relocation of Recycle Utah.

2. Null Alternative:

Pros

a. The property could redevelop through a pending application, the City wouldn't enter into the free market at this location;

Cons

a. The owners of the southern portion of Yard-1 would continue with their pending development application, likely yielding 23 market rate homes with some number of affordable lockouts, which is inconsistent with stated goals for the neighborhood;
b. Traffic level of service projections show that doing nothing will result in intersection failure based on future growth. Failure at peak times is already occurring under the status quo and that will only get worse, including Park Ave/Deer Valley Drive, Deer Valley Drive/Bonanza, and Park Ave/Kearns Blvd.

3) Other alternatives
The Nelson Nygaard study identified three alternative locations for a Bonanza Park transit/parking project. The other parcels are not immediately feasible or available and likely inconsistent with Council's expectations on timeline.

Analysis

This is a key parcel in the City's overall strategy to potentially site a multi-modal transportation facility to serve as a centrally located parking and transit hub outside the

Park City's most congested intersections, yet accessible by both of our entry corridors. Utilizing Bonanza Park as a means to help to diffuse the peak periods of traffic and congestion is a priority recommendation in the 2011 Transportation Master Plan and also one of the strong recommendations in the Nelson Nygaard "Bonanza Park/Lower Park Avenue/Park City Mountain Resort Transportation and Parking Siting Plan".

The Yard location, specifically, given its central location, direct access from Kearns Blvd., and proximity to anticipated surrounding redevelopment opportunities, has created the greatest amount of interest among our current consultants in terms of a long term strategy.

Our current transportation consultants believe that Bonanza Park represents what is left of only very limited opportunities to acquire undeveloped land within City limits for future transportation uses. They argue in favor of its strategic location for future off-site parking and Bus Rapid Transit connection from future SR 248 and SR 224 Bus Rapid Transit routes, aerial, and other fixed route services (PC/SLC Connect).

Land Valuation & Comparables

As to be expected, there are not many other recent comparable sales in the vicinity of the Yard parcel. The only other "commercial" sale relevant is 1064 Park Avenue, which closed March 16th, 2015, which had a purchase price of $1.775M for 0.16 acres, or $257/sq ft. This demonstrates the increased value perceptions for developable properties inside city limits.

We do have an informal comparable for a transaction of over one acre in the Bonanza Park area at $51.65/sf that occurred within the past 24 months.

PCMC had a formal estimate of the land and a development/valuation analysis completed. The results indicate the land is worth $2.7M, and the highest and best use being market rate housing as dense as allowable. A conservative estimate on the monetary return of the pending pre-MPD application was estimated at $5.1M, not considering any long term rental revenue. Staff believes the current land owners have estimated they will generate more than $6M in short term profits, and therefore staff does not believe a protracted negotiation to attempt to create additional discount(s) will be time or cost effective. The owners are firm that they are a willing seller only at $6M.

The $60/sq ft by no means sets a valuation benchmark in the real estate market generally. The southern portion of Yard-1 presents unique characteristics related to both PCMC's critical needs and the private developer's intentions for the development at this location."

Proposed Timeline:

• Council public meeting to authorize REPC	May 12, 2016
• Offer date	May 13
• Deadline for Accepting Offer	May 17

• Kearns disclosures (enviro, etc.)	June 13
• City completes & delivers Phase I & II ESA to seller	June 30
• Seller deliver clear title	Aug 13
• Due Diligence Deadline/Earnest $ hard	Nov 1
• Council public meeting to authorize Purchase Agmt.	Jan 26, 2017
• Closing	Feb 1

Next Steps

Next steps would be to finalize road alignments, access points and rights-of-way, and final square footage. If authorized to continue, we would finalize the REPC to address normal due diligence issues such as completing a Phase I and II Environmental Site Assessments prior to closing.

Department Review

Budget, Executive, City Attorney's Office, Transportation, Community Development (Transportation, Engineering).

Funding Source

Sufficient funds have been allocated within the Transportation and Parking Fund for this acquisition.

Attachments

A Real Estate Purchase Contract

Utah Association of REALTORS® REALTOR®

Exhibit A

REAL ESTATE PURCHASE CONTRACT FOR LAND

This is a legally binding Real Estate Purchase Contract ("REPC"). If you desire legal or tax advice, consult your attorney or tax advisor.

OFFER TO PURCHASE AND EARNEST MONEY DEPOSIT

On this 13th day of May, 2016 ("Offer Reference Date") Park City Municipal Corporation or its assignees ("Buyer") offers to purchase from 1251 Kearns, LLC ("Seller") the Property described below and **[X] delivers to the Title Company with this offer, or [ ] agrees to deliver no later than four (4) calendar days after Acceptance (as defined in Section 23),** Earnest Money in the amount of $60,000.00 in the form of a bank wire. After Acceptance of the REPC by Buyer and Seller, and receipt of the Earnest Money by the Title Company, the Title Company shall have four (4) calendar days in which to deposit the Earnest Money into the title company Trust Account.

Received by:____on____(Date)

(Signature above acknowledges receipt of Earnest Money)

OTHER PROVISIONS

1. PROPERTY: 1251 Kearns Blvd, Park City, UT 84060
also described as: southern portion of Bonanza Park Triangle parcel City of Park City County of Summit, State of Utah, Zip 84060 (the "Property"). Any reference below to the term "Property" shall include the Property described above, together with the Included Items and water rights/water shares, if any, referenced in Sections 1.1, and 1.3.

1.1 Included Items (specify)___NA____

1.2 Excluded Items (specify)______NA____

1.3 Water Service. The Purchase Price for the Property shall include all water rights/water shares, if any, that are the legal source for Seller's current culinary water service and irrigation water service, if any, to the Property. The water rights/water shares will be conveyed or otherwise transferred to Buyer at Closing by applicable deed or legal instruments. The following water rights/water shares, if applicable, are specifically excluded from this sale: NONE_______________

2. PURCHASE PRICE. The Purchase Price for the Property is $60/square foot, currently assumed at $ 6,000,000.00. Except as provided in this Section, the Purchase Price shall be paid as provided in Sections 2(a) through 2(d) below. Any amounts shown in 2(b) and 2(d) may be adjusted as deemed necessary by final plat map square footage.

$ 60,000.00	**(a) Earnest Money Deposit.** Under certain conditions described in the REPC, this deposit may become totally non refundable.
$________	**(b) New Loan.** Buyer may apply for mortgage loan financing (the "Loan") on terms acceptable to Buyer.
$________	**(c) Seller Financing** (see attached Seller Financing Addendum)
$ 5,940,000.00	**(d) Balance of Purchase Price in Cash at Settlement**
$ 6,000,000.00	**PURCHASE PRICE. Total of lines (a) through (d)**

3. SETTLEMENT AND CLOSING.

3.1 Settlement. Settlement shall take place no later than the Settlement Deadline referenced in Section 24(d), or as otherwise mutually agreed by Buyer and Seller in writing. "Settlement" shall occur only when all of the following have been completed: (a) Buyer and Seller have signed and delivered to each other or to the escrow/closing office all documents required by the REPC, by the Lender, by the title insurance and escrow/closing offices, by written escrow instructions (including any split closing instructions, if applicable), or by applicable law; (b) any monies required to be paid by Buyer or Seller under these documents (except for the proceeds of any new loan) have been delivered by Buyer or Seller to the other party, or to the escrow/closing office, in the form of cash, wire transfer, cashier's check, or other form acceptable to the escrow/closing office.

3.2 Prorations. All prorations, including, but not limited to, homeowner's association dues, property taxes for the current year, rents, and interest on assumed obligations, if any, shall be made as of the Settlement Deadline referenced in Section 24(d), unless otherwise agreed to in writing by the parties. Such writing could include the settlement statement. The provisions of this Section 3.2 shall survive Closing.

3.3 Greenbelt. If any portion of the Property is presently assessed as "Greenbelt" the payment of any roll-back taxes assessed against the Property shall be paid for by: **[ ] Seller [ ] Buyer [ ] Split Equally Between Buyer and Seller [X] Other (explain)** NA____

3.4 Special Assessments. Any assessments for capital improvements as approved by the HOA (pursuant to HOA governing documents) or as assessed by a municipality or special improvement district, prior to the Settlement Deadline shall be paid for by: **[ ] Seller [ ] Buyer [ ] Split Equally Between Buyer and Seller [X] Other (explain**)________NA________________________The provisions of this Section 3.4 shall survive Closing.

3.5 Fees/Costs/Payment Obligations. Unless otherwise agreed to in writing, Seller and Buyer shall each pay one-half (1/2) of the fee charged by the escrow/closing office for its services in the settlement/closing process. Tenant deposits (including any prepaid rents) shall be paid or credited by Seller to Buyer at Settlement. Buyer agrees to be responsible for homeowners' association and private and public utility service transfer fees, if any, and all utilities and other services provided to the Property after the Settlement Deadline. The escrow/closing office is authorized and directed to withhold from Seller's proceeds at Closing, sufficient funds to pay off on Seller's behalf all mortgages, trust deeds, judgments, mechanic's liens, tax liens and warrants. The provisions of this Section 3.5 shall survive Closing.

3.6 Closing. For purposes of the REPC, "Closing" means that: (a) Settlement has been completed; (b) the proceeds of any new loan have been delivered by the Lender to Seller or to the escrow/closing office; and (c) the applicable Closing documents have been recorded in the office of the county recorder. The actions described in 3.6 (b) and (c) shall be completed within four calendar days after Settlement.

4. POSSESSION. Seller shall deliver physical possession of the Property to Buyer as follows: **[X] Upon Closing**; **[ ]_____Hours after Closing; [ ]____Calendar Days after Closing; [ ] Other (explain)________________________**

____

Any contracted rental of the Property prior to or after Closing, between Buyer and Seller, shall be by separate written agreement. Seller and Buyer shall each be responsible for any insurance coverage each party deems necessary for the Property. Seller agrees to deliver the Property to Buyer free of debris and personal belongings. The provisions of this Section 4 shall survive Closing.

5. CONFIRMATION OF AGENCY DISCLOSURE. Buyer and Seller acknowledge prior written receipt of agency disclosure provided by their respective agent that has disclosed the agency relationships confirmed below. At the signing of the REPC:

Seller's Agent__________________________________, represents **[ ] Seller [ ] both Buyer and Seller as a Limited Agent;** ,
Seller's Brokerage______________________________represents **[ ] Seller [ ] both Buyer and Seller as a Limited Agent;** ,
Buyer's Agent__________________________________represents **[ ] Buyer [ ] both Buyer and Seller as a Limited Agent;** ,
Buyer's Brokerage:______________________________represents **[ ] Buyer [ ] both Buyer and Seller as a Limited Agent.**

6. TITLE & TITLE INSURANCE.

6.1 Title to Property. Seller represents that Seller has fee title to the Property and will convey marketable title to the Property to Buyer at Closing by general warranty deed. Buyer does agree to accept title to the Property subject to the contents of the Commitment for Title Insurance (the "Commitment") provided by Seller under Section 7, and as reviewed and approved by Buyer under Section 8. Buyer also agrees to accept title to the Property subject to any existing leases rental and property management agreements affecting the Property not expiring prior to Closing which were provided to Buyer pursuant to Section 7(e). The provisions of this Section 6.1 shall survive Closing.

6.2 Title Insurance. At Settlement, Seller agrees to pay for and cause to be issued in favor of Buyer, through the title insurance agency that issued the Commitment, the most current version of an ALTA standard coverage owner's policy of title insurance. Any additional title insurance coverage desired by Buyer shall be at Buyer's expense.

7. SELLER DISCLOSURES. No later than the Seller Disclosure Deadline referenced in Section 24(a), Seller shall provide to Buyer the following documents in hard copy or electronic format which are collectively referred to as the "Seller Disclosures":

(a) a written Seller Property Condition Disclosure (Land) for the Property, completed, signed and dated by Seller as provided in Section10.2;
(b) a Commitment for Title Insurance as referenced in Section 6.1;
(c) a copy of any restrictive covenants (CC&R's), rules and regulations affecting the Property;
(d) a copy of the most recent minutes, budget and financial statement for the homeowners' association, if any;
(e) a copy of any lease, rental, and property management agreements affecting the Property not expiring prior to Closing;

(f) evidence of any water rights and/or water shares referenced in Section 1.3;
(g) written notice of any claims and/or conditions known to Seller relating to environmental problems; and violation of any CC&R's, federal, state or local laws, and building or zoning code violations; and
(h) Other (specify) ____

8. BUYER'S CONDITIONS OF PURCHASE.

8.1 DUE DILIGENCE CONDITION. Buyer's obligation to purchase the Property: **[X] IS [ ] IS NOT** conditioned upon Buyer's Due Diligence as defined in this Section 8.1(a) below. This condition is referred to as the "Due Diligence Condition." If checked in the affirmative, Sections 8.1(a) through 8.1(c) apply; otherwise they do not.

(a) Due Diligence Items. Buyer's Due Diligence shall consist of Buyer's review and approval of the contents of the Seller Disclosures referenced in Section 7, and any other tests, evaluations and verifications of the Property deemed necessary or appropriate by Buyer, such as: the physical condition of the Property; the existence of any hazardous substances, environmental issues or geologic conditions; the square footage or acreage of the Property; the costs and availability of flood insurance, if applicable; water source, availability and quality; the location of property lines; regulatory use restrictions or violations; fees for services such as HOA dues, municipal services, and utility costs; convicted sex offenders residing in proximity to the Property; and any other matters deemed material to Buyer in making a decision to purchase the Property. Unless otherwise provided in the REPC, all of Buyer's Due Diligence shall be paid for by Buyer and shall be conducted by individuals or entities of Buyer's choice. Seller agrees to cooperate with Buyer's Due Diligence. Buyer agrees to pay for any damage to the Property resulting from any such inspections or tests during the Due Diligence.

(b) Buyer's Right to Cancel or Resolve Objections. If Buyer determines, in Buyer's sole discretion, that the results of the Due Diligence are unacceptable, Buyer may either: (i) no later than the Due Diligence Deadline referenced in Section 24(b), cancel the REPC by providing written notice to Seller, whereupon the Earnest Money Deposit shall be released to Buyer without the requirement of further written authorization from Seller; or (ii) no later than the Due Diligence Deadline referenced in Section 24(b), resolve in writing with Seller any objections Buyer has arising from Buyer's Due Diligence.

(c) Failure to Cancel or Resolve Objections. If Buyer fails to cancel the REPC or fails to resolve in writing any objections Buyer has arising from Buyer's Due Diligence, as provided in Section 8.1(b), Buyer shall be deemed to have waived the Due Diligence Condition.

8.2 APPRAISAL CONDITION. Buyer's obligation to purchase the Property: **[ ] IS [X] IS NOT** conditioned upon the Property appraising for not less than the Purchase Price. This condition is referred to as the "Appraisal Condition." If checked in the affirmative, Sections 8.2(a) and 8.2(b) apply; otherwise they do not.

(a) Buyer's Right to Cancel. If after completion of an appraisal by a licensed appraiser, Buyer receives written notice from the Lender or the appraiser that the Property has appraised for less than the Purchase Price (a "Notice of Appraised Value"), Buyer may cancel the REPC by providing written notice to Seller (with a copy of the Notice of Appraised Value) no later than the Financing & Appraisal Deadline referenced in Section 24(c); whereupon the Earnest Money Deposit shall be released to Buyer without the requirement of further written authorization from Seller.

(b) Failure to Cancel. If the REPC is not cancelled as provided in this section 8.2(a), Buyer shall be deemed to have waived the Appraisal Condition.

8.3 FINANCING CONDITION. Buyer's obligation to purchase the property: **[ ] IS [X] IS NOT** conditioned upon Buyer obtaining the Loan referenced in Section 2(b). This condition is referred to as the "Financing Condition." If checked in the affirmative, Sections 8.3(a) and 8.3(b) apply; otherwise they do not. If the Financing Condition applies, Buyer agrees to work diligently and in good faith to obtain the Loan.

(a) Buyer's Right to Cancel Before the Financing & Appraisal Deadline. If Buyer, in Buyer's sole discretion, is not satisfied with the terms and conditions of the Loan, Buyer may cancel the REPC by providing written notice to Seller no later than the Financing & Appraisal Deadline referenced in Section 24(c); whereupon the Earnest Money Deposit shall be released to Buyer without the requirement of further written authorization from Seller.

(b) Buyer's Right to Cancel After the Financing & Appraisal Deadline. If after expiration of the Financing & Appraisal Deadline referenced in Section 24(c), Buyer fails to obtain the Loan, meaning that the proceeds of the Loan have not been delivered by the Lender to Seller or to the escrow/closing office as required under Section 3.6 of the REPC, then Buyer or Seller may cancel the REPC by providing written notice to the other party; whereupon the Earnest Money Deposit, or Deposits, if applicable (see Section 8.4 below), shall be released to Seller without the requirement of further written authorization from Buyer. In the event of such cancellation, Seller agrees to accept as Seller's exclusive remedy, the Earnest Money Deposit, or Deposits, if applicable, as liquidated damages. Buyer and Seller agree that liquidated damages would be difficult and impractical to calculate, and the Earnest Money Deposit, or Deposits, if applicable, is a fair and reasonable estimate of Seller's damages in the event Buyer fails to obtain the Loan.

8.4 ADDITIONAL EARNEST MONEY DEPOSIT. If the REPC has not been previously cancelled by Buyer as provided in Sections 8.1, 8.2 or 8.3(a), then no later than the Due Diligence Deadline referenced in Section 24(b), or the Financing & Appraisal Deadline referenced in Section 24(c), whichever is later, Buyer: **[ ] WILL [X] WILL NOT** deliver to the Buyer's Brokerage, an Additional Earnest Money Deposit in the amount of $__________________. The Earnest Money Deposit and the Additional Earnest Money Deposit, if applicable, are sometimes referred to herein as the "Deposits". The Earnest Money Deposit, or Deposits, if applicable, shall be credited toward the Purchase Price at Closing.

9. ADDENDA. There **[X] ARE [ ] ARE NOT** addenda to the REPC containing additional terms. If there are, the terms of the following addenda are incorporated into the REPC by this reference: **[X] Addendum No.____A_____**
[ ] Seller Financing Addendum [ ] Other (specify) ____

10. AS-IS CONDITION OF PROPERTY.

10.1 Condition of Property/Buyer Acknowledgements. Buyer acknowledges and agrees that in reference to the physical condition of the Property: (a) Buyer is purchasing the Property in its "As-Is" condition without expressed or implied warranties of any kind; (b) Buyer shall have, during Buyer's Due Diligence as referenced in Section 8.1, an opportunity to completely inspect and evaluate the condition of the Property; and (c) if based on the Buyer's Due Diligence, Buyer elects to proceed with the purchase of the Property, Buyer is relying wholly on Buyer's own judgment and that of any contractors or inspectors engaged by Buyer to review, evaluate and inspect the Property.

10.2 Condition of Property/Seller Acknowledgements. Seller acknowledges and agrees that in reference to the physical condition of the Property, Seller agrees to: (a) disclose in writing to Buyer defects in the Property known to Seller that materially affect the value of the Property that cannot be discovered by a reasonable inspection by an ordinary prudent Buyer; (b) carefully review, complete, and provide to Buyer a written Seller Property Condition Disclosure (Land) as stated in Section 7(a); and (c) deliver the Property to Buyer in substantially the same general condition as it was on the date of Acceptance, as defined in Section 23. The provisions of Sections 10.1 and 10.2 shall survive Closing.

11. FINAL PRE-SETTLEMENT INSPECTION.

11.1 Pre-Settlement Inspection. At any time prior to Settlement, Buyer may conduct a final pre-Settlement inspection of the Property to determine only that the Property is "as represented," meaning that the items referenced in Sections 1.1, 1.3 and 8.1(b)(ii) ("the items") are respectively present, repaired or corrected as agreed. The failure to conduct a pre-Settlement inspection or to claim that an item is not as represented shall not constitute a waiver by Buyer of the right to receive, on the date of possession, the items as represented. If the items are not as represented, Seller agrees to cause all applicable items to be corrected, repaired or replaced (the "Work") prior to the Settlement Deadline referenced in Section 24(d).

11.2 Escrow to Complete the Work. If, as of Settlement, the Work has not been completed, then Buyer and Seller agree to withhold in escrow at Settlement a reasonable amount agreed to by Seller, Buyer (and Lender, if applicable), sufficient to pay for completion of the Work. If the Work is not completed within thirty (30) calendar days after the Settlement Deadline, the amount so escrowed may, subject to Lender's approval, be released to Buyer as liquidated damages for failure to complete the Work. The provisions of this Section 11.2 shall survive Closing.

12. CHANGES DURING TRANSACTION. Seller agrees that from the date of Acceptance until the date of Closing, none of the following shall occur without the prior written consent of Buyer: (a) no changes in any leases, rental or property management agreements shall be made; (b) no new lease, rental or property management agreements shall be entered into; (c) no substantial alterations or improvements to the Property shall be made or undertaken; (d) no further financial encumbrances to the Property shall be made, and (e) no changes in the legal title to the Property shall be made.

13. AUTHORITY OF SIGNERS. If Buyer or Seller is a corporation, partnership, trust, estate, limited liability company or other entity, the person signing the REPC on its behalf warrants his or her authority to do so and to bind Buyer and Seller.

14. COMPLETE CONTRACT. The REPC together with its addenda, any attached exhibits, and Seller Disclosures (collectively referred to as the "REPC"), constitutes the entire contract between the parties and supersedes and replaces any and all prior negotiations, representations, warranties, understandings or contracts between the parties whether verbal or otherwise. The REPC cannot be changed except by written agreement of the parties.

15. MEDIATION. Any dispute relating to the REPC arising prior to or after Closing: **[X] SHALL [ ] MAY AT THE OPTION OF THE PARTIES** first be submitted to mediation. Mediation is a process in which the parties meet with an impartial person who helps to resolve the dispute informally and confidentially. Mediators cannot impose binding decisions. The parties to the dispute must agree before any settlement is binding. The parties will jointly appoint an acceptable mediator and share equally in the cost of such mediation. If mediation fails, the other procedures and remedies available under the REPC shall apply. Nothing in this Section 15 prohibits any party from seeking emergency legal or equitable relief, pending mediation. The provisions of this Section 15 shall survive Closing.

16. DEFAULT.

16.1 Buyer Default. If Buyer defaults, Seller may elect one of the following remedies: (a) cancel the REPC and retain the Earnest Money Deposit, or Deposits, if applicable, as liquidated damages; (b) maintain the Earnest Money Deposit, or Deposits, if applicable, in trust and sue Buyer to specifically enforce the REPC; or (c) return the Earnest Money Deposit, or Deposits, if applicable, to Buyer and pursue any other remedies available at law.

16.2 Seller Default. If Seller defaults, Buyer may elect one of the following remedies: (a) cancel the REPC, and in addition to the return of the Earnest Money Deposit, or Deposits, if applicable, Buyer may elect to accept from Seller, as liquidated damages, a sum equal to the Earnest Money Deposit, or Deposits, if applicable; or (b) maintain the Earnest Money Deposit, or Deposits, if applicable, in trust and sue Seller to specifically enforce the REPC; or (c) accept a return of the Earnest Money Deposit, or Deposits, if applicable, and pursue any other remedies available at law. If Buyer elects to accept liquidated damages, Seller agrees to pay the liquidated damages to Buyer upon demand.

17. ATTORNEY FEES AND COSTS/GOVERNING LAW. In the event of litigation or binding arbitration to enforce the REPC, the prevailing party shall be entitled to costs and reasonable attorney fees. However, attorney fees shall not be awarded for participation in mediation under Section 15. This contract shall be governed by and construed in accordance with the laws of the State of Utah. The provisions of this Section 17 shall survive Closing.

18. NOTICES. Except as provided in Section 23, all notices required under the REPC must be: (a) in writing; (b) signed by the Buyer or Seller giving notice; and (c) received by the Buyer or the Seller, or their respective agent, or by the brokerage firm representing the Buyer or Seller, no later than the applicable date referenced in the REPC.

19. NO ASSIGNMENT. The REPC and the rights and obligations of Buyer hereunder, are personal to Buyer. The REPC may not be assigned by Buyer without the prior written consent of Seller. Provided, however, the transfer of Buyer's interest in the REPC to any business entity in which Buyer holds a legal interest, including, but not limited to, a family partnership, family trust, limited liability company, partnership, or corporation (collectively referred to as a "Permissible Transfer"), shall not be treated as an assignment by Buyer that requires Seller's prior written consent. Furthermore, the inclusion of "and/or assigns" or similar language on the line identifying Buyer on the first page of the REPC shall constitute Seller's written consent only to a Permissible Transfer.

20. INSURANCE & RISK OF LOSS.

20.1 Insurance Coverage. As of Closing, Buyer shall be responsible to obtain such casualty and liability insurance coverage on the Property in amounts acceptable to Buyer and Buyer's Lender, if applicable.

20.2 Risk of Loss. If prior to Closing, any part of the Property is damaged or destroyed by fire, vandalism, flood, earthquake, or act of God, the risk of such loss or damage shall be borne by Seller; provided however, that if the cost of repairing such loss or damage would exceed ten percent (10%) of the Purchase Price referenced in Section 2, Buyer may elect to either: (i) cancel the REPC by providing written notice to the other party, in which instance the Earnest Money, or Deposits, if applicable, shall be returned to Buyer; or (ii) proceed to Closing, and accept the Property in its "As-Is" condition.

21. TIME IS OF THE ESSENCE. Time is of the essence regarding the dates set forth in the REPC. Extensions must be agreed to in writing by all parties. Unless otherwise explicitly stated in the REPC: (a) performance under each Section of the REPC which references a date shall absolutely be required by 5:00 PM Mountain Time on the stated date; and (b) the term "days" and "calendar days" shall mean calendar days and shall be counted beginning on the day following the event which triggers the timing requirement (e.g. Acceptance). Performance dates and times referenced herein shall not be binding upon title companies, lenders, appraisers and others not parties to the REPC, except as otherwise agreed to in writing by such non-party.

22. ELECTRONIC TRANSMISSION AND COUNTERPARTS. Electronic transmission (including email and fax) of a signed copy of the REPC, any addenda and counteroffers, and the retransmission of any signed electronic transmission shall be the same as delivery of an original. The REPC and any addenda and counteroffers may be executed in counterparts.

23. ACCEPTANCE. "Acceptance" occurs **only** when **all** of the following have occurred: (a) Seller or Buyer has signed the offer or counteroffer where noted to indicate acceptance; and (b) Seller or Buyer or their agent has communicated to the other party or to the other party's agent that the offer or counteroffer has been signed as required.

24. CONTRACT DEADLINES. Buyer and Seller agree that the following deadlines shall apply to the REPC:

(a) Seller Disclosure Deadline	6/13/16	(Date)
(b) Due Diligence Deadline	11/1/16	(Date)
(c) Financing & Appraisal Deadline	NA	(Date)
(d) Settlement Deadline	2/1/17	(Date)

25. OFFER AND TIME FOR ACCEPTANCE. Buyer offers to purchase the Property on the above terms and conditions. If Seller does not accept this offer by:____1:00__ **[ ] AM [X] PM** Mountain Time on 5/17/16, this offer shall lapse; and the Brokerage shall return any Earnest Money Deposit to Buyer.

____
(Buyer's Signature) (Offer Date)

____
(Buyer's Signature) (Offer Date)

____
(Buyer's Names) **(PLEASE PRINT)** (Notice Address) (Zip Code) (Phone)

____
(Buyer's Names) **(PLEASE PRINT)** (Notice Address) (Zip Code) (Phone)

ACCEPTANCE/COUNTEROFFER/REJECTION

CHECK ONE:

[ ] ACCEPTANCE OF OFFER TO PURCHASE: Seller Accepts the foregoing offer on the terms and conditions specified above.

[ ] COUNTEROFFER: Seller presents for Buyer's Acceptance the terms of Buyer's offer subject to the exceptions or modifications as specified in the attached ADDENDUM NO.________.

[ ] REJECTION: Seller rejects the foregoing offer.

____
(Seller's Signature) (Date) (Time)

____
(Seller's Signature) (Date) (Time)

____
(Seller's Names) **(PLEASE PRINT)** (Notice Address) (Zip Code) (Phone)

____
(Seller's Names) **(PLEASE PRINT)** (Notice Address) (Zip Code) (Phone)

ADDENDUM A OF THE REAL ESTATE PURCHASE CONTRACT WITH AN OFFER REFERENCE DATE OF APRIL 29, 2016

ADDENDUM NO.

A TO

REAL ESTATE PURCHASE CONTRACT

THIS IS AN ADDENDUM to that REAL ESTATE PURCHASE CONTRACT (the "REPC") with an Offer Reference Date of May 13, 2016, including all prior addenda and counteroffers, between Park City Municipal Corporation (“PCMC”) or assignees as Buyer, and 1251 Kearns, LLC (“Kearns”) as Seller, regarding a portion of “Parcel 1The Yard Subdivision” as that parcel is described in the office of the Summit County Recorder (hereinafter “Yard-1”). The southern portion of Yard-1 shall herein be referred to as the “Property,” and is located at 1251 Kearns Blvd, Park City, UT 84068, as defined in the REPC. All capitalized words in this Addendum A are defined in the REPC. The following terms are hereby incorporated into and made a part of the REPC:

Conditions to be Satisfied Prior to Closing.

a. Buyer and Seller agree that the Property comprises approximately 100,000 square feet, as depicted in **Exhibit 1 to this Addendum A**, and that the exact square footage will be determined through the subdivision process as described in paragraph (i) of this Addendum A. Title to the Property will be free and clear at Closing. If Seller cannot convey free and clear fee title to the Property, Seller shall disclose to Buyer all defects of title and encumbrances no later than August 13, 2016, and Buyer shall have the discretion to accept any such defects or encumbrances.
b. Seller shall memorialize prior discussions with Rocky Mountain Power regarding contracting or relocating any and all aspects of the Rocky Mountain Power Substation including any discussions of: a) exchange of property with Rocky Mountain Power; b) conveyance of easement; and/or c) the reduction in footprint or relocation of the substation. Prior to the Seller Disclosure Deadline identified in Section 24 (a) of the REPC, Seller shall deliver to Buyer copies of all such memorialized discussions in addition to copies of all correspondence, draft agreements, exhibits, preliminary cost estimates, background data, documents or other information in Seller’s possession related to the removal, reconfiguration and/or downsizing of the substation.
c. Prior to the Seller Disclosure Deadline identified in Section 24 (a) of the REPC, Seller shall deliver copies of any currently available site-specific environmental information, including drainage, geotechnical and soils information, related to the Property, but Seller shall not be required to fund or complete any additional studies related to the environmental condition of the Property.
d. Buyer shall be responsible for all future environmental studies and costs associated therewith which Buyer, in its sole discretion, determines are necessary to satisfy the Due Diligence Condition set out in Section 8.1 of the REPC.
e. Prior to the Due Diligence Deadline identified in Section 24 (b) of the REPC, Buyer shall complete a Phase I/II ESA consistent with the guidelines of the ASTM International Designation E 1527-13, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process, and the All

Appropriate Inquiry (AAI) section of the Small Business Liability Relief and Revitalization Act (the Federal Brownfields Law). Buyer shall provide a copy of the Assessment to Seller on or before June 30, 2016. If Buyer, in its sole discretion, determines that the Property requires environmental remediation, Buyer and Seller shall discuss how to resolve the issues and further agree to extend the deadlines identified in the REPC if such an extension is necessary for Buyer and Seller to fulfill the intent of the REPC.

f. Prior to the Due Diligence Deadline identified in Section 24 (b) of the REPC, Buyer shall be responsible for identifying preliminary road alignments, including proposed rights-of-way (ROW), curb cuts, proposed sidewalks, and any necessary utility or access easements, as depicted in **Exhibit 2 to this Addendum A**, subject to and without limiting the Planning Commission and City Council final approval authority in the subdivision process consistent with Title 15, Chapter 7 of the Land Management Code.

g. Seller and Buyer agree, in principle, to the mutually beneficial action of aligning a future ROW, consistent with the engineering standards and methods set out in in the city council-adopted 2011 Park City Traffic and Transportation Master Plan, directly between the Property and the northern portion of Yard-1. The Parties agree this ROW would provide direct access from Bonanza Drive, by way of a Munchkin ROW extension to Homestake Road, and would include any and all reasonably necessary ROWs to be dedicated by Seller on the northern portion of Yard - 1 necessary to facilitate the construction of a "Commercial Collector" roadway, as defined in Chapter 4 (Standard Street Cross-Section) of the city council-adopted 2011 Park City Traffic and Transportation Master Plan. Specific segments are as follows: Woodbine Way from Kearns/SR 248 to Munchkin Road and Homestake from Kearns/SR 248 to the southwest corner of Yard-1.

h. Seller shall convey to Buyer additional real property or easements reasonably necessary for ROW dedication at the south east and south west corners of the northern portion of Yard-1 as depicted in **Exhibit 3 to this Addendum A**, the same to be agreed to by Buyer and Seller prior to Due Diligence Deadline and reflected on the final subdivision plat.

i. Seller, with the cooperation of Buyer, shall be responsible for the creation and regulatory approval of a subdivision plat of the Yard-1 Property to the mutual satisfaction of both parties. Buyer and Seller agree that the northern portion of Yard-1 comprises approximately 100,376 square feet and that the exact square footage will be determined through the subdivision process. Buyer and Seller further agree that the subdivision plat shall include the easements and rights- of-way identified in **Exhibit 3 to this Addendum A**. Seller may, in Seller's discretion, record the subdivision plat prior to the Due Diligence Deadline identified in Section 24(b) of the REPC. Seller, in Seller's discretion, may elect to obtain approval and execution of the subdivision plat prior to the Due Diligence Deadline and maintain the plat in escrow until Closing, at which time the plat would be recorded. The Parties agree that Closing of the Property shall be conditioned upon final subdivision plat recordation.

j. Prior to the the Due Diligence Deadline identified in Section 24 (b) of the REPC, Seller shall secure or otherwise satisfy the on-site existing parking demand created by the uses of the northern portion of Yard-1. Seller's satisfaction of this condition shall be consistent with the parking requirements described in **Exhibit 4 to this Addendum A**. Subject to agreement between Buyer and Seller on term and rent, Buyer shall consent to a temporary lease–back of area in the southern portion of Yard-1 sufficient for Seller to meet the parking requirements for the uses of the Bone Yard, Blind Dog, and Indoor Event Facility all of which are located on the northern portion of Yard-1. Seller shall pay Buyer Three Hundred Dollars ($300.00) per month for the leased area and either party may terminate the lease with three (3) months notice. If Buyer and Seller are unable to agree to a lease-back, it shall be Buyer's sole responsibility, prior to the Due Diligence Deadline, to identify a long-term parking solution for the parking demand created by the uses of the northern portion of Yard-1.

k. Seller and Buyer agree to work cooperatively to create access for Buyer across the northern portion of Yard-1 during events such as Sundance for the purposes of facilitating parking and public transportation.

l. Buyer and Seller agree to negotiate an agreement addressing Buyer's potential acquisition or use of the northern portion of Yard-1, as depicted in **Exhibit 5 to this Addendum A**, prior to or concurrently with the Closing

[ ] Seller Signature	(Date)	(Time)

[ ] Buyer Signature	(Date)	(Time)

EXHIBIT 1 TO ADDENDUM A TO THE REAL ESTATE PURCHASE CONTRACT WITH AN OFFER REFERENCE DATE OF APRIL 29, 2016

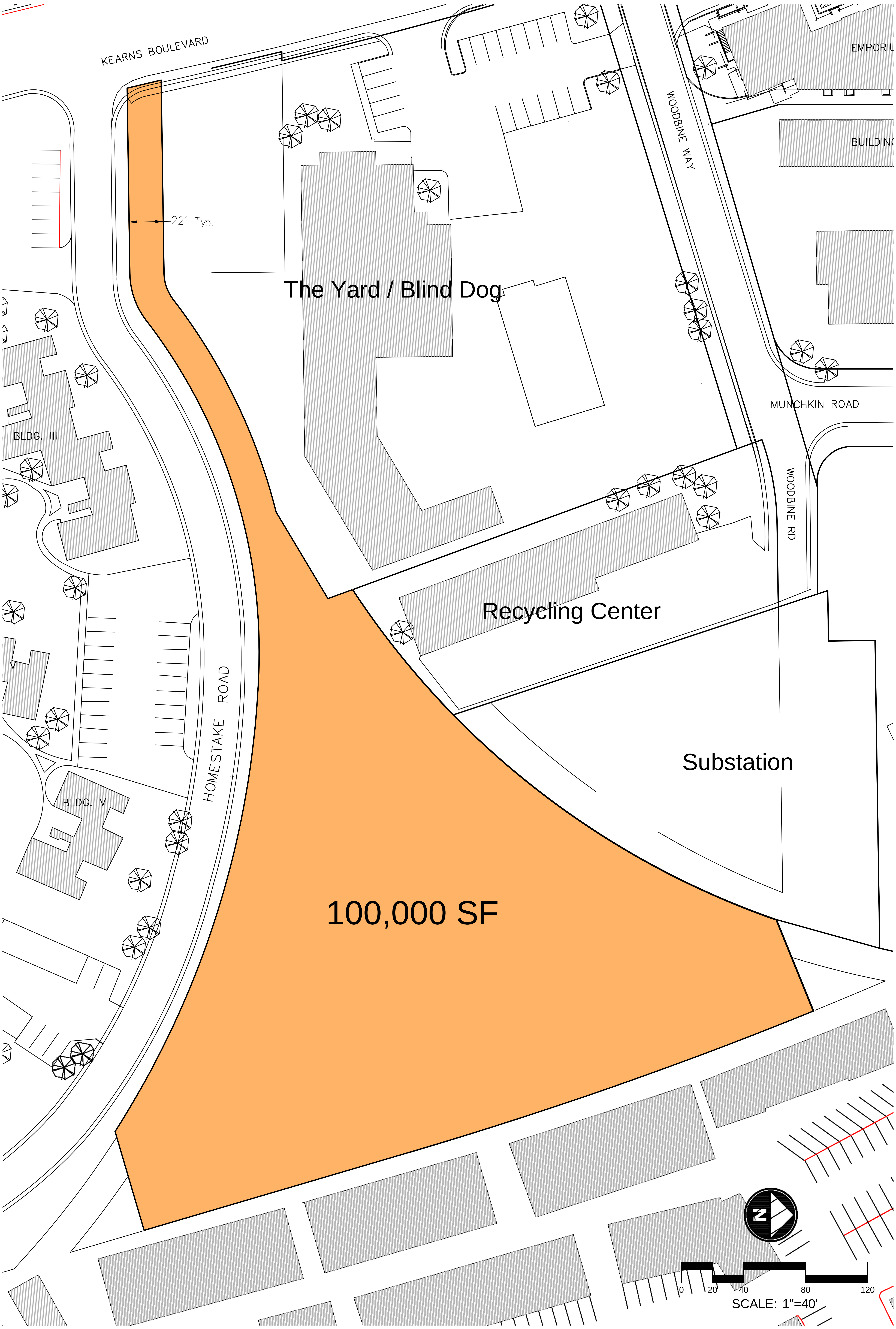
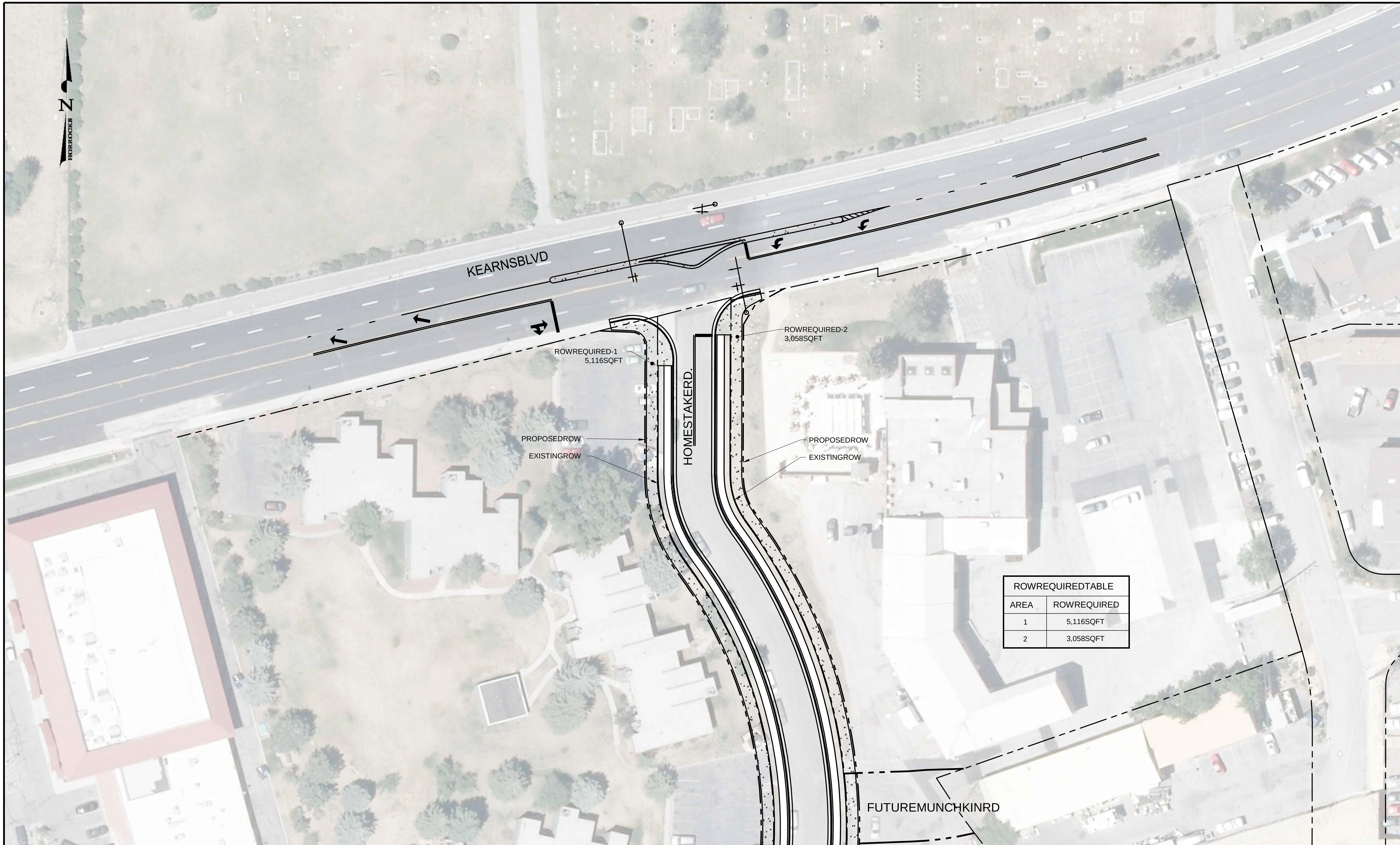

KEARNS BOULEVARD
22' Typ.
The Yard / Blind Dog
WOODBINE WAY
EMPORIU
BUILDING
MUNCHKIN ROAD
WOODBINE RD
BLDG. III
VI
BLDG. V
HOMESTAKE ROAD
Recycling Center
Substation
100,000 SF
0 20 40 80 120
SCALE: 1"=40'

EXHIBIT 2 TO ADDENDUM A TO THE REAL ESTATE PURCHASE CONTRACT WITH AN OFFER REFERENCE DATE OF APRIL 29, 2016



ROWREQUIREDTABLE	
AREA	ROWREQUIRED
1	5,116SQFT
2	3,058SQFT

HORROCKS ENGINEERS

2162WestGroveParkway
Suite400
PleasantGrove,UT84062
(801)763-5100

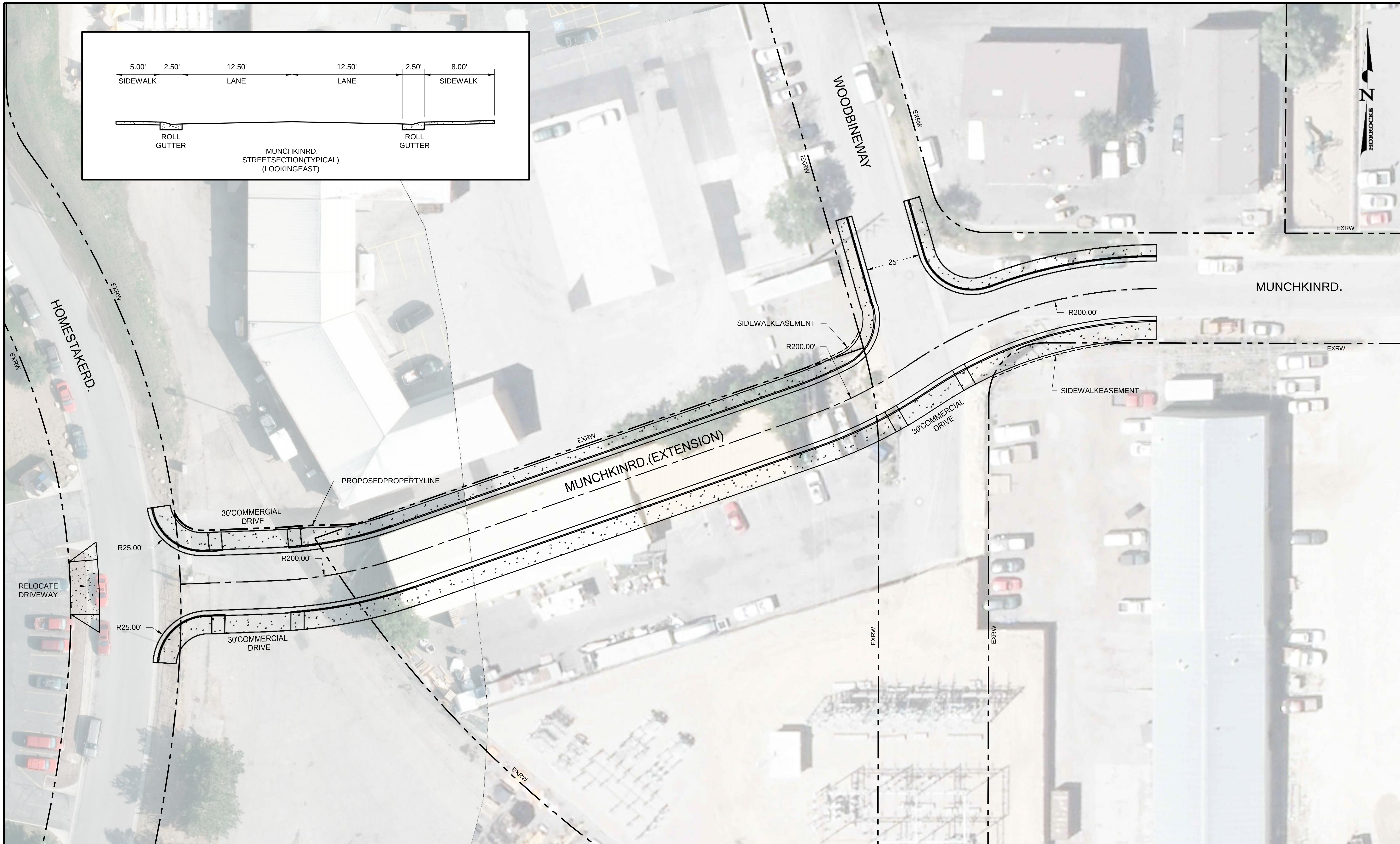
HOMESTAKERDKEARNSBLVD
HIGHTEE

SCALE:
0 15 30 60

SHEET:
C3.1HT

22216

EXHIBIT 3 TO ADDENDUM A TO THE REAL ESTATE PURCHASE CONTRACT WITH AN OFFER REFERENCE DATE OF APRIL 29, 2016



HORROCKS ENGINEERS

2162WestGroveParkway
Suite400
PleasantGrove,UT84062
(801)763-5100

MUNCHKINDRIVE-OPTION1

SCALE: 0 10 20 40

SHEET: C1.1opt1

12116

EXHIBIT 4 TO ADDENDUM A TO THE REAL ESTATE PURCHASE CONTRACT WITH AN OFFER REFERENCE DATE OF APRIL 29, 2016

Current Inventory
118 Spaces available on MJF property
17 Attainable spaces on MJF property
Total on site = 135 Spaces
Additional availablity
21 Spaces on City Property
5 Attainable spaces on City property
Total on site w/ city spaces = 161 spaces

Parking Count per Use

13,271 SF	- Building Footprint (No Convention, No Upper Deck)	- 133 Spaces
2,992 SF	- Boneyard Upper Deck Area	- Exempt

Total Floor Area (Boneyard, Blindog)	=	13,271 SF/ 1,000 SF per space
parking spaces required	**=**	**133 Spaces**

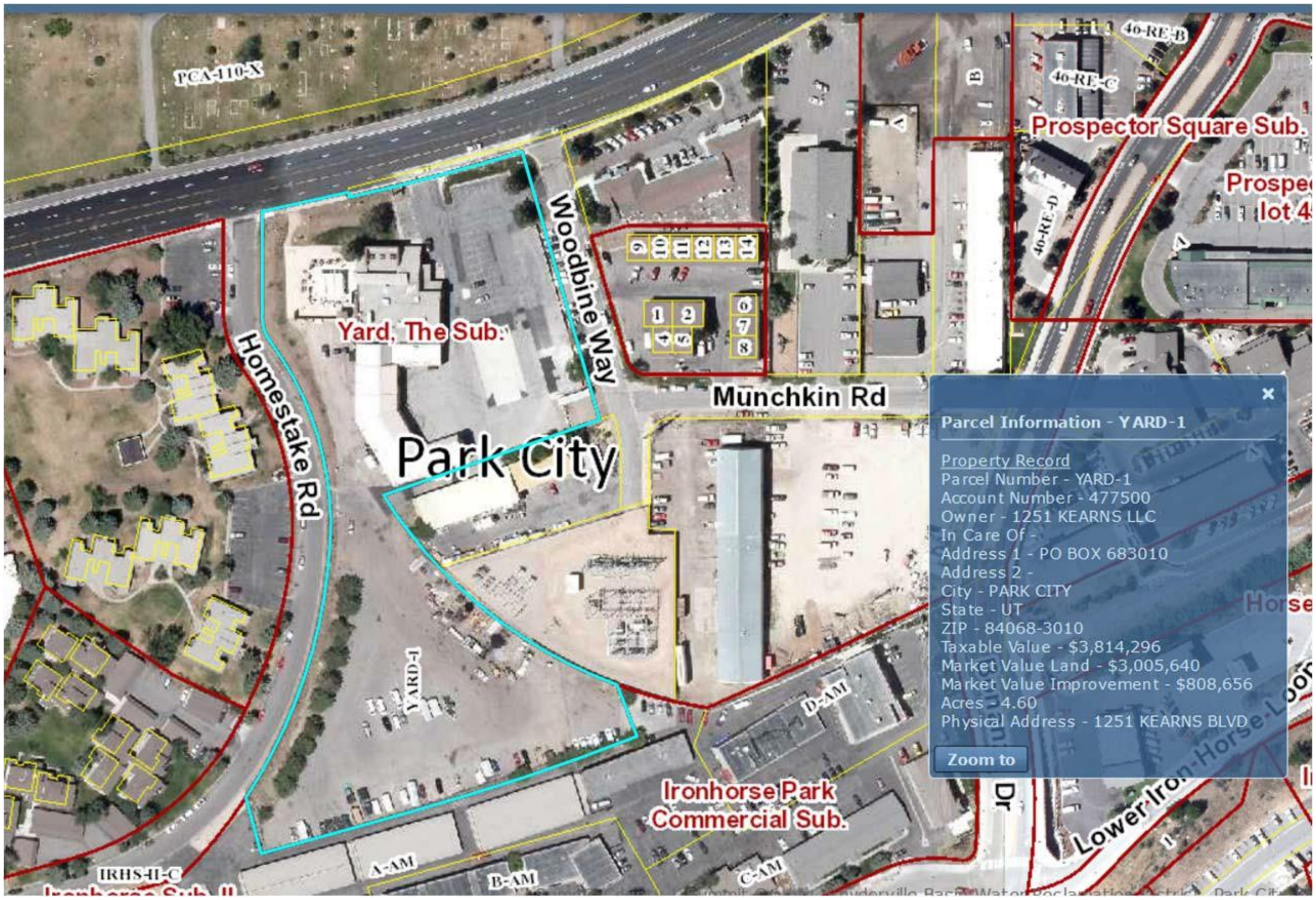
ELLIOTT WORKGROUP

Parking Study
BPC - 005
03.03.2016

Bonanza Park Central

EXHIBIT 5 TO ADDENDUM A TO THE REAL ESTATE PURCHASE CONTRACT WITH AN OFFER REFERENCE DATE OF APRIL 29, 2016

Exhibit 5


PCA-110-X
46-RE-B
46-RE-C
46-RE-D
Prospector Square Sub.
Yard, The Sub.
Homestake Rd
Woodbine Way
Munchkin Rd
Park City
YARD-1
D-AM
A-AM
B-AM
C-AM
IRHS-II-C
Ironhorse Park
Commercial Sub.
Lower Iron Horse Loop
Parcel Information - YARD-1
Property Record
Parcel Number - YARD-1
Account Number - 477500
Owner - 1251 KEARNS LLC
In Care Of -
Address 1 - PO BOX 683010
Address 2 -
City - PARK CITY
State - UT
ZIP - 84068-3010
Taxable Value - $3,814,296
Market Value Land - $3,005,640
Market Value Improvement - $808,656
Acres - 4.60
Physical Address - 1251 KEARNS BLVD
Zoom to

DATE: May 12, 2016

TO HONORABLE MAYOR AND COUNCIL

The applicant is requesting a Plat Amendment for the purpose of combining Lot 14 of the Millsite Reservation and the Easterly ½ of vacated Anchor Avenue, Block 74, Park City Survey, to create one (1) legal lot of record. The applicant currently owns both lots and requests to combine them by removing the property line which separates them. The Planning Commission forwarded a unanimous positive recommendation with a vote of 5-0.

Respectfully:

Ashley Scarff,

City Council Staff Report

PARK CITY 1884
PLANNING DEPARTMENT

Subject: 100 Daly Avenue Plat Amendment
Author: Ashley Scarff, Planning Technician
Project Number: PL-16-03116
Date: May 12, 2016
Type of Item: Legislative – Plat Amendment

Summary Recommendations

Staff recommends City Council hold a public hearing and consider approving the 100 Daly Avenue Plat Amendment based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the attached ordinance.

Description

Applicant:	The Daly Avenue Trust, represented by Matt Sneyd
Location:	100 Daly Avenue
Zoning:	Historic Residential (HR-1)
Adjacent Land Uses:	Residential
Reason for Review:	Plat amendments require Planning Commission review and City Council review and action.

Proposal

The applicant is requesting a Plat Amendment for the purpose of combining Lot 14 of the Millsite Reservation and the Easterly ½ of vacated Anchor Avenue, Block 74, Park City Survey, to create one (1) legal lot of record. The applicant currently owns both lots and requests to combine them by removing the property line which separates them.

Background

On March 11, the City received a Plat Amendment application for the 100 Daly Avenue Plat Amendment; the application was deemed complete on March 22, 2016. The affected lots include 100 Daly Avenue and the adjacent portion of the easterly ½ of vacated Anchor Avenue in the HR-1 District. Both lots are recognized by Summit County as Parcel PC-656-A (Tax ID).

Currently, the proposed lot is vacant of any structures. The applicant states his intention is to build one (1) new single-family dwelling on the proposed lot. No Historic District Design Review (HDDR) or Steep Slope Conditional Use Permit (CUP) applications have been submitted by the applicant at this time. There has not been any other previous planning or building applications for this property.

On April 27, 2016, the Planning Commission unanimously forwarded a positive recommendation to City Council for approval of this plat amendment. There was a quorum of five (5) members.

District Purpose
The purpose of the HR-1 District is to:

(A) Preserve present land Uses and character of the Historic residential Areas of Park City,
(B) Encourage the preservation of Historic Structures,
(C) ncourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods,
(D) ncourage single family Development on combinations of 25' x 75' Historic Lots,
(E) Define Development parameters that are consistent with the General Plan policies for the Historic core, and
(F) stablish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment.

Analysis
The proposed plat amendment creates one (1) lot of record consisting of approximately 2,973 square feet. A single-family dwelling is an allowed use in the HR-1 District. The minimum lot area for a single family dwelling is 1,875 square feet. The proposed lot meets the minimum lot area for a single-family dwelling. A duplex dwelling is a conditional use in the HR-1 District. The minimum lot area for a duplex dwelling is 3,750 square feet. The proposed lot does not meet the minimum lot area for a duplex dwelling.

The minimum lot width allowed in the HR-1 District is twenty-five feet (25’). The proposed plat amendment will not alter the existing lot width of approximately 32.6 feet (32.6’). The proposed lot meets the minimum lot width requirement. The proposed plat amendment meets the lot and site requirements of the HR-1 District described below:

Land Management Code (LMC) Regulation	**Existing**	**Permitted**
Lot Size	Approx. 2,973 square feet combined.	1,875 square feet minimum for Single Family Dwelling.
Building Footprint	N/A	Approx. 1,258 square feet maximum (based on proposed lot area).
Front/rear yard setbacks	N/A	12 feet minimum, 25 feet total (based on average lot depth of 91.36 feet).
Side yard setbacks	N/A	3 feet minimum, 6 feet total (based on lot width of approx. 32.6 feet).
Height	N/A	27 feet above existing grade, maximum.
Height (continued)	N/A	A Structure shall have a

		maximum height of thirty five feet (35’) measured from the lowest finish floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters.
Final Grade	N/A	Final grade must be within four (4) vertical feet of existing grade around the periphery of the structure.
Vertical Articulation	N/A	A ten foot (10’) minimum horizontal step in the downhill façade is required unless the First Story is located completely under the finish Grade on all sides of the Structure. The horizontal step shall take place at a maximum height of twenty three feet (23’) from where Building Footprint meets the lowest point of existing Grade.
Roof Pitch	N/A	Between 7:12 and 12:12. A roof that is not part of the primary roof design may be below the required 7:12 roof pitch.
Parking	N/A	Two (2) parking spaces per dwelling unit.

There are no existing encroachments on the affected parcels. The proposed plat amendment does not create any non-conformities. This plat amendment is consistent with the LMC and applicable State law regarding plat amendments. Any new structures must comply with applicable LMC requirements and Design Guidelines for Historic Districts and Historic Sites. A Steep Slope CUP may be required for development on the amended lot.

The property is not within the soils ordinance boundary. In the event that mine wastes or impacts are encountered, the applicant is responsible for handling the material properly.

Good Cause

Planning Staff finds there is good cause for this plat amendment. Combining the parcels will allow the property owner to develop a single-family dwelling and will create one (1) legal lot of record out of the existing two (2) parcels. The plat amendment will also utilize best planning and design practices while preserving the character of the neighborhood and of Park City, while furthering the health, safety, and welfare of the Park City community.

Staff finds that the plat will not cause undue harm to adjacent property owners and all future development will be reviewed for compliance with requisite Building and Land Management Code, as well as applicable Historic District Design Guidelines requirements and Steep Slope CUP requirements, if necessary.

Department Review
This project has gone through an interdepartmental review. There were no issues raised by any of the departments or service providers regarding this proposal that have not been addressed by the conditions of approval.

Notice
The property was posted and notice was mailed to property owners within 300 feet in accordance with the requirements in the LMC on April 13, 2016. Legal notice was also published in the Park Record on April 9, 2016, and on the public notice website in accordance with the requirements of the LMC.

Public Input
Staff received written public comment via email on April 25, 2016, which is attached as Exhibit E.

Process
Approval of this application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 1-18. Any new structures may require a Steep Slope CUP and will require a Historic District Design Review. A Building Permit is publicly noticed by posting of the permit.

Alternatives

- The City Council may approve the 100 Daly Avenue Plat Amendment; or
- The City Council may deny the 100 Daly Avenue Plat Amendment and direct staff to make Findings for this decision; or
- The City Council may continue the discussion to a date certain and provide staff with direction to provide additional information necessary in order to make a final decision on this item.

Significant Impacts
There are no significant fiscal or environmental impacts from this application.

Consequences of not taking the Suggested Recommendation
The proposed plat amendment would not be recorded and the existing lots would not be adjoined and would remain as is. The parcels at 100 Daly Avenue would remain vacant and would need to comply with the current LMC requirements for any new structures built in the HR-1 District.

Recommendation
Staff recommends the City Council hold a public hearing and consider approving the 100 Daly Avenue Plat Amendment, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the attached ordinance.

Exhibits
Exhibit A – Draft Ordinance with Proposed Plat
Exhibit B – Existing Conditions Survey
Exhibit C – Vicinity Map/Aerial
Exhibit D – Site Photographs
Exhibit E – Written Public Comment

Exhibit A – Draft Ordinance with Proposed Plat

Ordinance 2016-20

AN ORDINANCE APPROVING THE 100 DALY AVENUE PLAT AMENDMENT, LOCATED AT 100 DALY AVENUE, PARK CITY, UTAH.

WHEREAS, the owners of the property known as 100 Daly Avenue located at 100 Daly Avenue, have petitioned the City Council for approval of the 100 Daly Avenue Plat Amendment; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners according to the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on April 27, 2016 to receive input on the proposed subdivision;

WHEREAS, on April 27, 2016 the Planning Commission forwarded a positive recommendation to the City Council; and,

WHEREAS, on May 12, 2016 the City Council held a public hearing on the proposed 100 Daly Avenue Plat Amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the proposed 100 Daly Avenue Plat Amendment.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The 100 Daly Avenue Plat Amendment, as shown in Exhibit A, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The plat is located at 100 Daly Avenue within the Historic Residential (HR-1) District.
2. The 100 Daly Avenue Plat Amendment consists of Lot 14 of the Millsite Reservation and the easterly ½ of vacated Anchor Avenue, Block 74 of the Park City Survey.
3. On March 11, 2016, the current owner and applicant submitted an application for a plat amendment to combine two (2) existing lots into one (1) legal lot of record containing a total of approximately 2,973 square feet.
4. The plat amendment application was deemed complete on March 22, 2016.
5. The subject parcels at 100 Daly Ave are currently vacant of any structures.

6. The HR-1 zone requires a minimum lot area of 1,875 square feet for a single-family dwelling. The proposed lot area meets the minimum lot area for a single-family dwelling.
7. The proposed lot area does not meet the requirement for a duplex (minimum lot size of 3,750 square feet), which is a Conditional Use in the HR-1 zone.
8. The minimum lot width allowed in the district is twenty-five feet (25'). The proposed plat amendment will not alter the existing lot width of approximately 32.6 feet (32.6').
9. The minimum side yard setbacks for a 32.6 foot (32.6') wide lot are 3 feet (3'), six feet (6') total.
10. The proposed plat amendment will not cause undo harm to adjacent property owners.
11. There are no existing encroachments on the affected parcels.
12. The proposed lot area of 2,973 square feet is a compatible lot combination as the entire Historic Residential-1 District has an abundance of sites with the same or similar dimensions and lot area.
13. The maximum footprint allowed in the HR-1 zone is 1257.8 square feet for the proposed lot.
14. As conditioned, the proposed plat amendment does not create any new non-complying or non-conforming situations.
15. Any new structures must comply with applicable LMC requirements and Design Guidelines for Historic Districts and Historic Sites.
16. A Steep Slope CUP may be required for development on the amended lot.
17. The property is not within the soils ordinance boundary. In the event that mine wastes or impacts are encountered, the applicant is responsible for handling the material properly.
18. The property does not fall within the 100 or 500 year flood plains.
19. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law:

1. There is good cause for this plat amendment.
2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. Approval of the plat amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an

extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. No building permit for any work shall be issued until the plat is recorded and until the Historic District Design Review and Steep Slope CUP, if required, applications are submitted and approved for the lot.
4. Modified 13-D sprinklers will be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final Mylar prior to recordation.
5. Storm water detention will be required on site.
6. A ten foot (10') wide public snow storage easement is required along the frontage of Daly Avenue and shall be shown on the plat.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 12th day of May, 2016

PARK CITY MUNICIPAL CORPORATION

____

Jack Thomas, MAYOR

ATTEST:

____

Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

____

Mark Harrington, City Attorney

DAL1AVENUE

PARK CITY,
SUMMIT COUNTY, UTAI-f B4060

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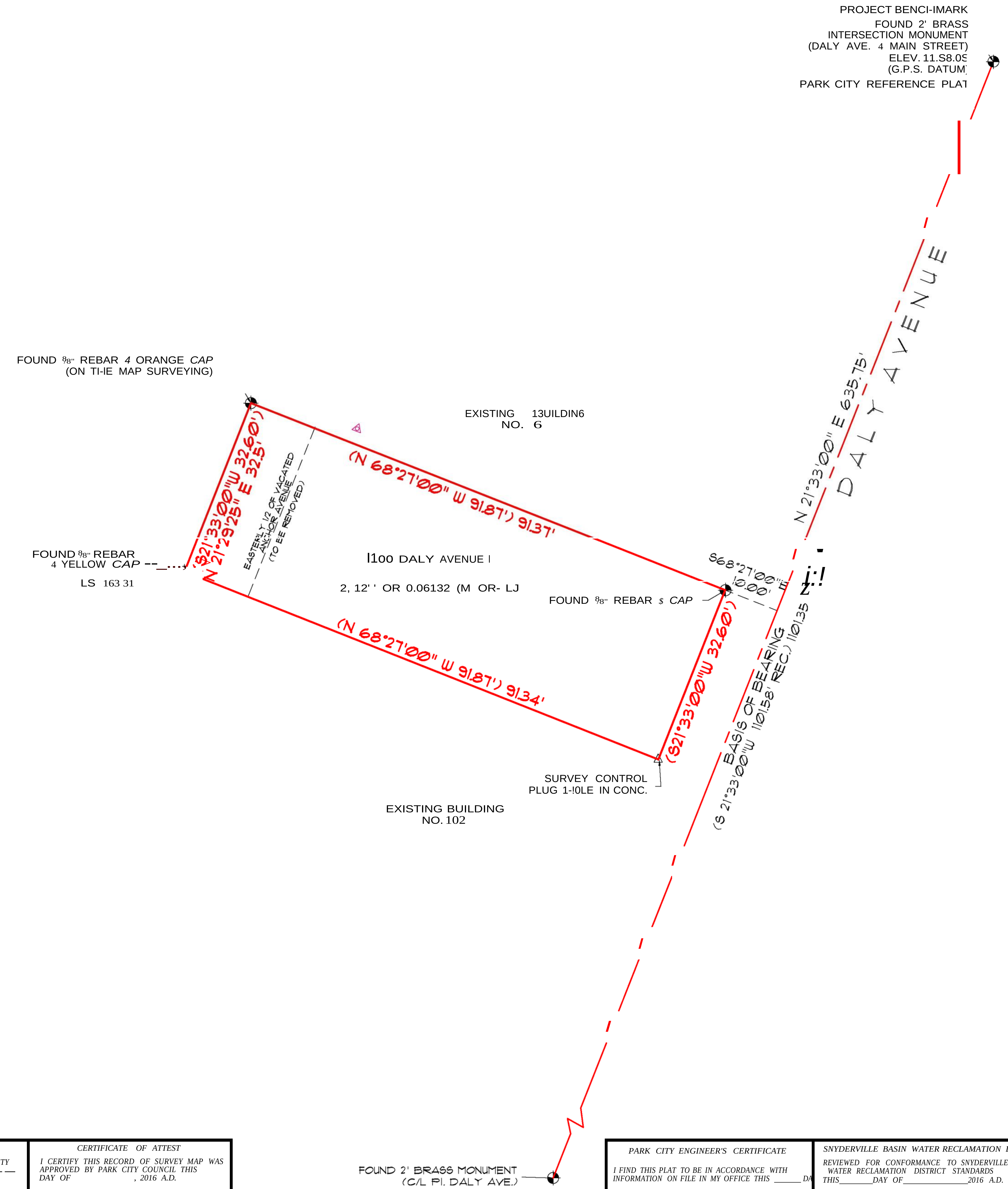

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IIZ>IZ> DALY AVENUE 5U6DIV1510N

LOT 14, OF THE MILLSITE RESERVATION COMBINING
THE EASTERLY 1/2 VACATED ANCHOR AVENUE
BLOCK 74, PARK CITY SURVEY
IOODALY AVENUE, PARK CITY, UTAH
LOCATED IN THE SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE & MERIDIAN
SUMMIT COUNTY, UTAH

5URVEYOR'5 CERTIFICATE

I, TIMOTIIY R. JOHANSON, Do hereby certify that I am a Registered Land Surveyor and that I hold certificate No. 5152650, as prescribed under the laws of the State of Utah and that I have made a survey of the tract ofland shown on this plat

PRELIMINARY
03-28-2016 REV.

FROFERTY DE5CRIFTION

Real Advantage Title Insurance Agency, LLC
Order Number: 463402-1
EXHIBIT A

All of Lot 14, Block 74, M!LLS!TE RESERVATION TO PARK CITY, according to the official plat thereof, on file and of record in the Summit County Recorder's Office, together with the Easterly one-half of vacated Anchor Avenue located adjacent to said Lot.

OUNER5 CERTIFICATE OF CONSENT TO FCECO

KNOW ALL MEN BY THESE PRESENTS THAT ==-=-==---- ==-::-::-:7-=-::=== THE UNDERSIGNED OWNERS OF THE HEREON DESCRIBED TRACT OF LAND TO BE KNOWN HEREAFTER AS tOO DALEY AVENUE SUBDIVISION, CERTIFY THAT I HAVE CAUSED THIS LOT LINE ADJUSTMENT PLAT TO BE MADE AND CONSENT TO THE RECORDATION AT THIS LOT LINE ADJUSTMENT PLAT. ALSO, THE OWNER, OR HIS/HER REPRESENTATIVE, HEREBY IRREVOCABLY OFFER FOR DEDICATION TO THE CITY OF PARK CITY ALL THE STREETS, LAND FOR LOCAL GOVERNMENT USES, EASEMENTS, PARKS, AND REQUIRED UTILITIES AND EASEMENTS SHOWN ON THE PLAT AND CONSTRUCTION DRAWINGS IN ACCORDANCE WITH AN IRREVOCABLE OFFER OF DEDICATION.
IN WITNESS WHEREBY, THE UNDERSIGN SET THEIR HAND THIS -- DAY OF ,2016 AD.

____

ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF SUMMIT S.S.

ON THIS DAY OF 2016 A.D., PERSONALLY APPEARED BEFORE ME WHO BEING DULY SWORN DID SAY THAT THEY ARE THE ——————————————

NOTARY PUBLIC *MY COMMISSION EXPIRES*

JOHANSON LAND CONSULTANTS
SURVEYING.PLANNING.LAND DEVELOPMENT
770 EAST MAIN STREET
SUITE 131
LEHI CITY, UTAH 84043
PHONE (801) 707-9463
johansonsurvey@gmail.com

• SEE RECORD OF SURVEY
SURVEY DONE BY:
ALLIANCE ENGINEERING INC.
JaRTIN A. MORRISON
PLS 14988789
DATE: 02-27-2018

COUNCIL APPROVAL AND ACCEPTANCE
APPROVED AND ACCEPTED BY THE PARK CITY UNCIL THIS DAY OF , 2016 A.D.
AYOR

CITY PLANNING COMMISSION
APPROVED AND ACCEPTED BY THE PARK CITY PUNNING COMMISSION ON THIS ———— DAY OF ———— 2016 A.D.
CHAIRMAN

CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS DAY OF , 2016 A.D.
PARK CITY RECORDER

PARK CITY ENGINEER'S CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ______ DA
PARK CITY ENGINEER

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS THIS_______DAY OF_______________2016 A.D.
SBWRD

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS ——— DAY OF 2016 A.D.
PARK CITY ATTORNEY

RECORDED
STATE OF UTAH
COUNTY OF SUMMIT
FILED AT THE REQUEST OF: ————————
DATE:----- TIME:_________BOOK____________PAGE__________
FEE:__________
COUNTY RECORDER

SITE SURVEY

100 *DALY* AVENUE
PARK CITY,
SUMMIT COUNTY, UTAH 84000

LOT 14/ BLOCK 14/ PARK CITY SURVEY
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SECTION 10/
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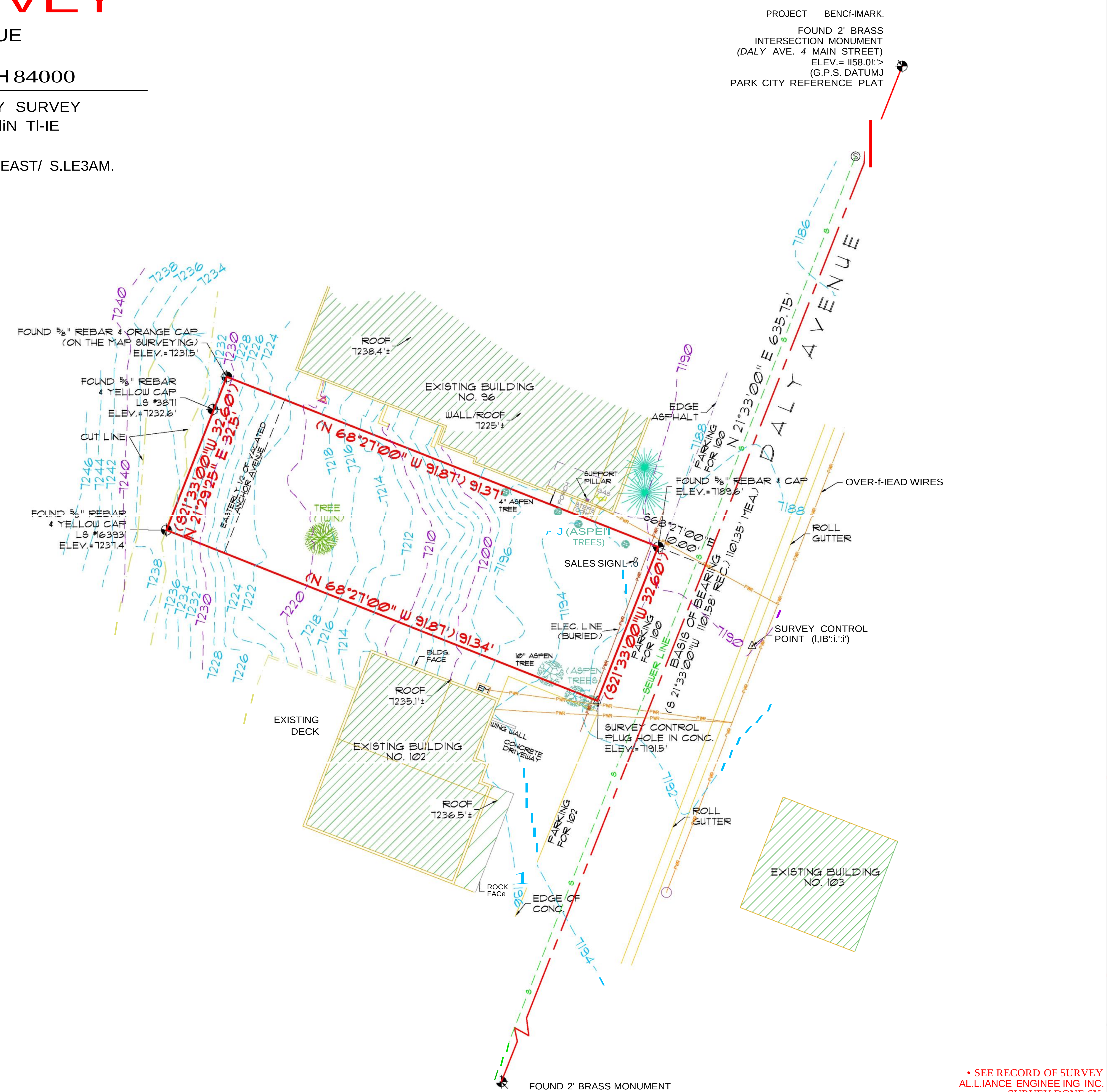

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FROFERTY DESCRIPTION

Real Advantage Title Insurance Agency, LLC
Order Number: 463402-1
EXHIBIT A

All of Lot 14, Block 74, MILLSITE RESERVATION TO PARK CITY, according to the official plat thereof, on file and of record in the Summit County Recorder's Office, together with the Easterly one-half of vacated Anchor Avenue located adjacent to said Lot.

SURVEYOR '6 NARRATIVE

This is a preliminary survey, Topographical survey was performed at the request of The Muve Group, For the purpose to locate existing TOPOGRAPHICAL FEATURES.

The basis of bearing was derived from the Found Survey monuments along the existing DALY Avenue Street platted alignment. At time of Field Survey, approximately 3' of snow cover, some ground features and improvements utilities etc. are not shown preliminary status only.

- NO UNDERGROUND UTILITIES SURVEYED.
- CALL BLUE STAKING FOR GROUND LOCATIONS. AS THEY MAY EXIST.

TOFOGRAFI-IIC SURVEY

SHOWN ARE 2' CONTOUR INTERVALS
HIGHLIGHTED AT A 10' CONTOUR INTERVAL.
PROJECT BENCHMARK = SURVEY CONTROL PT.
PROJECT BENCHMARK ELEV.= (PARK CITY. DATUM)
(AS SHOWN HERE ON)

1. THIS IS NOT A BOUNDARY & TITLE SURVEY.
2. THIS IS A PARTIAL TOPOGRAPHIC SURVEY OF LOT 14 ONLY.
3. DATA CRUCIAL TO DESIGN TO BE FIELD VERIFIED.
4. PRELIMINARY FIELD SURVEY DONE ON FEB. 11th, 2016 WITH APPROXIMATELY 3 FEET OF SNOW COVER

SURVEYOR '6 CERTIFICATE

I, TIMOTHY R. JOHANSON, Do hereby certifY that I am a Registered Land Surveyor and that I hold certificate No. 5152650, as prescribed under the laws of the State of Utah and that I have made a survey of the tract ofland shown on this plat.

JOHANSON LAND CONSULTANTS

SURVEYING .PLANNING LAND DEVELOPMENT
770 EAST MAIN STREET
SUITE 131
LEHI CITY, UTAH 84043
PHONE (801) 707-9463
johansonsurvey'"gmail.com

STAMF	PROJeCT NO. JI.C-16-tlle1 111'£1 PALY AYE. PAJiiil<. I'D3-28-21'Z>I6 rev.
03-10-201!& REV.	DRAWN e-r, TIMOTHY R JOHANSON P.L.S.
	C:KHD BY,
PRELIMINARY	f NUMBE R SITE SURvEY

FROFERTY ADDRESS:

100 DALY AVENUE
FARK CITY,
SUMMIT COUNTY/ UT*A*/-/ 84000

GENERAL NOTES

L UTILITIES, PIPES, WIRES ETC. MA'r' NOT BE 51-!0IIN *ON* THIS MAP: CONTRACTOI<S EIUILDEI<S AND EXCAVATOI<S 5HALL VERIFY THE LOCATION AND ELEVATION OF ALL EXISTING UTILITIES PRIOR TO CON6TRUCTION, AND/OR EXCAVATIGIN. CONTACT EILUE STAKES AND REFER TO UTILITY MAPS FOR ADDITIONAL INFORMATION.

2. !EXCEPT AS SHOWN! SURVEYOR HAS MADE NO INVESTIGATION *OR* INDEPENDENT *SEA* FO EASEMENTS OF RECORD ENCUMBRANCE& RESTRICTIVE COVENANTS OWNERSI-IIF TITLE EVIDENCE, *OR ANY* OTI-IER FACTS, CONFliCTS, OR DISCREPANCIES. ...H IUOULD 6E DISCLOSED BT THE DETAILS OF ...RRANT TITLE INSURANCE POLICY.

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• SEE RECORD OF 5URVEY
AL.LIANCE ENGINEE ING INC.
SURVEY DONE 6Y:
HARTIN *A.* MORRISON
PL.S '4'a381.39
DATE: I'D2-21-21'DI.3


Lucky Transportation
100 Daly Ave
C17 Transportation


Hide imagery


100 Daly Ave

This letter addresses the plat amendment for 100 Daly Avenue to combine two existing parcels into one building lot.   I am the property owner at 102 Daly Avenue the adjacent home on the south side of the proposed project.

One of the purposes of the HR-1 District Code is to establish development review for new development on steep slopes which mitigate impacts to mass and scale and the environment in the HR-1 zone.

By combining these two parcels into one it creates for the owner a situation to build a massively larger home thereby precluding any privacy to my property. I have a patio that is behind my house on the west side that is a sanctuary of privacy and quietness. In old town we have these small spaces that we greatly value as our homes sit toe to toe with each other and value of these spaces of respite is precious. The 3 foot side yard set back will put a wall up to my north side and the probable 27 foot height will take away the small northerly view that I have looking over to Rossi Hill. I will look at a wall most likely in my study that facing north.

I do not overlook the fact that my home is tall, but when it was built in 1979 there was one house (bicycle Jack's) that was across the street and two lots north of our lot and we did not intrude on anyone's home.

I have concerns regarding the lose of old lilac bushes, sage and the Harisson's Yellow Roses of rugby fame on the 4th of July if you were around to have that memory ,that span the back hill below Anchor Avenue; vegetation that used to flourish everywhere in town that is a huge loss of what once was here.

Living here a long time affords us the opportunity to look back on what once was and there is a sad sentimentality of lose that comes with that. There is an old cottonwood that is also threatened with the addition of the lot on abandoned Anchor. How viable that tree is I don't know, but it provides relief and shade during the hot days of August.

Thank you for the opportunity to express my concerns and for your consideration of adjacent property owners lose of sense of place with our continued pace of development in old town. I appreciate the hard work and the decision process that planning commissioners have to face in this town to find the right balance in our changing environment.

Kathryn Deckert
102 Daly Avenue

DATE: May 12, 2016

TO HONORABLE MAYOR AND COUNCIL

Staff recommends the City Council hold a public hearing and continue the public hearing on the proposed Ontario Mine Bench Subdivision extension of approval application to June 9, 2016. The property is located at 7700 Marsac Avenue. This item was legally noticed for a May 12, 2016, City Council hearing. The applicant has requested additional time to meet with City Staff to resolve water impact fees and trail head construction.

Respectfully:

Matt Dias, Asst City Manager

City Council
Staff Report

PARK CITY 1884

Application #s:	**PL-15-02987**
Subject:	**7700 Marsac Avenue**
Author:	**Kirsten Whetstone, MS, AICP- Senior Planner**
Date:	**May 12, 2016**
Type of Item:	**Legislative – Subdivision Plat extension**

Summary Recommendations

Staff recommends the City Council holds a public hearing and continues the public hearing on the proposed Ontario Mine Bench Subdivision extension of approval application to June 9, 2016. The property is located at 7700 Marsac Avenue. This item was noticed for a May 12, 2016, City Council hearing. The applicant has requested additional time to address water impact fees and trail head construction.

Description

Applicant:	**United Park City Mines Company (UPCMC), represented by Dave Smith and Jordanelle Special Service District (JSSD)**
Location:	**7700 Marsac Avenue**
Zoning:	**Recreation Open Space (ROS) District as part of the Flagstaff Annexation and Master Planned Development**
Adjacent Land Uses:	**Deer Valley Resort, development parcels of the Village at Empire Pass Pod A, and open space.**
Proposal:	**Request for an extension of the approval of a one lot subdivision plat that creates a lot of record for the existing buildings and uses at the site and provides access and utility easements across the property for the benefit of the City and various utilities.**

DATE: May 12, 2016

TO HONORABLE MAYOR AND COUNCIL

Staff recommends City Council hold a public hearing and continue the public hearing on the Lot 1 Ontario Mine Bench Condominium record of survey plat to June 9, 2016. The property is located at 7700 Marsac Avenue. This item was noticed for a May 12, 2016, City Council hearing. The applicant has requested additional time to meet with City Staff to resolve water impact fees and trail head construction required prior to recordation of the associated Mine Bench Subdivision plat. This record of survey plat cannot be recorded until the subdivision plat is recorded.

Respectfully:

Matt Dias, Asst City Manager

City Council
Staff Report

Application #s:	**PL-15-02988**
Subject:	**7700 Marsac Avenue**
Author:	**Kirsten Whetstone, MS, AICP- Senior Planner**
Date:	**May 12, 2016**
Type of Item:	**Legislative – Condominium Record of Survey Plat extension**

Summary Recommendations

Staff recommends City Council holds a public hearing and continue the public hearing on the Lot 1 Ontario Mine Bench Condominium record of survey plat to June 9, 2016. The property is located at 7700 Marsac Avenue. This item was noticed for a May 12, 2016, City Council hearing. The applicant has requested additional time to resolve issues related to water impact fees and trail head construction required prior to recordation of the associated Mine Bench Subdivision plat. This record of survey plat cannot be recorded until the subdivision plat is recorded.

Description

Applicant:	**United Park City Mines Company (UPCMC), represented by Dave Smith and Jordanelle Special Service District (JSSD)**
Location:	**7700 Marsac Avenue**
Zoning:	**Recreation Open Space (ROS) District as part of the Flagstaff Annexation and Master Planned Development**
Adjacent Land Uses:	**Deer Valley Resort, open space, and development parcels of the Village at Empire Pass Pod A.**
Proposal:	**Request for an extension of approval of the condominium record of survey plat to create two commercial condominium units within existing Building Three to allow separate ownership of space within the Building for UPCM and JSSD.**