PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
April 16, 2015

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, April 16, 2015.

CLOSED SESSION

3:15pm To discuss Property, Personnel and Litigation

WORK SESSION

5:30 pm Council Questions and Comments and Manager's Report

A. ***Manager's Report (s)- Mountain Accord Update***

5:40 pm LED Street Lights:The Smart Option

REGULAR MEETING

6:00 PM

I. ROLL CALL

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

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

IV. CONSIDERATION OF MINUTES

1. Consideration of Minutes from March 5 & March 19, 2015

V. CONSENT AGENDA

1. Consideration of a Construction Agreement for Deer Valley Drive Phase 2
2. Consideration of a Contract ForTransportation and Parking Siting and Feasibility Plan
3. Consideration of the USSA/MARC Agreement

VI. PUBLIC HEARING

1. Sales Tax Revenue Bond Series 2015 public hearing to receive input with respect to (a)the issuance of sales tax revenue bonds and (b)any potential economic impact that the project to be financed with the proceeds of such bonds may have on the private sector.

VII. AWARD PRESENTATION BY KIM OLSEN, EXECUTIVE DIRECTOR OF UTAH RECREATION & PARKS ASSOCIATION (URPA)

VIII. NEW BUSINESS

1. Consideration of an Economic Development Grant awarded to Ritual Chocolate in the amount of $20,000

Public Hearing /Action

2. Consideration of the Electric Assist Bicycle Pilot project and Ordinance Amendment

Public Hearing/Action

3. Consideration of approval for the annual City Property Disposition list resolution

Public Hearing /Action

4. Consideration of an Ordinance approving a plat amendment for 1119 Park Avenue pursuant to findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney

Public Hearing/ Action

5. Consideration of the First Amended Upper Norfolk Subdivision Plat located at 259, 261, & 263 Norfolk Avenue, Park City, UT pursuant to findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney

Public Hearing/ MOTION TO CONTINUE TO JUNE 4, 2015

IX. ADJOURNMENT

X. AGENDA ITEMS

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 p.m. to 9 p.m. Posted: 04/13/15 See: www.parkcity.org

MANAGER'S REPORT – April 16, 2015

Submitted by: **Ann Ober, Executive/Sustainability**
Subject: **Mountain Accord Update**

Mountain Accord Update

Mountain Accord is completing its Phase I scope and preparing for Phase II. The formal public comment period for Mountain Accord's proposed Blueprint has been extended through May 1, 2015 in order to provide an opportunity for more public dialogue. This extension allows the Executive Board and project team to conduct ongoing comment reviews and refine the proposed Blueprint based on public input. The most current public comment compilation is included as an attachment. An additional report will be made available in the next two weeks and will be forwarded to Council when it is received.

Park City Council will need to weigh in on moving forward to the next phase of the Mountain Accord prior to a July 2015 vote by the executive team. This vote will include City Council's feedback on participation in the Interlocal Agreement and Phase II funding. Staff recommends that the Interlocal Agreement be included in an early-June Council agenda for a vote and that the funding decision be made as a part of the annual budget later that month. That amount is $100,000 for the next three years and is in Kent Cashel's has put that allocation in the proposed Transit Fund budget proposal for this coming fiscal year.

In general, Mountain Accord has entered a refinement process based on the public feedback received to date. Our community was engaged early on and has been a part of the conversation for the past year. Other communities did not engage until recently. This has highlighted some large issues that other elected officials are now grappling with, such as what the Town of Alta looks like in the future and land owner issues at the mouth of Little Cottonwood. A few ideas in the Mountain Accord Blueprint are widely supported such as federal land designations, an environmental scorecard and regional trail connections. These items are moving forward, even as transportation discussions remain heated.

Attachment: Interim Public Comments – Mountain Accord 4-2-15

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MOUNTAIN ACCORD

Interim Public Comment Summary Report

Public Comments on Proposed Mountain Accord Blueprint through March 16, 2015

April 1, 2015

MOUNTAIN ACCORD

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INTRODUCTION

Mountain Accord was established to make critical decisions and implement solutions to preserve the Central Wasatch and ensure its long term vitality. The Central Wasatch Mountains are one of Utah's most pristine and valuable natural resources. In the face of a rapidly growing population, those values could be at risk unless action is taken now. This unprecedented collaboration of diverse groups created a proposed Blueprint for the future of the Central Wasatch that balances the four systems of the Central Wasatch Mountains – environment, recreation, transportation, and economy. The objective for the proposed Blueprint is to meet Mountain Accord's purposes, which include responsible stewardship of natural resources, preservation of quality recreation experiences, establishing an environmentally sustainable transportation system, and contributing to a vibrant economy.

The core of the proposed Blueprint is an integrated set of proposed actions intended to address the goals of Mountain Accord, including actions that could be implemented in the near term, mid-term, and longer term. It also recommends initiating an Environmental Impact Statement on a range of alternatives in order to better understand the impacts, benefits, and costs of the alternatives prior to making final decisions. To inform the public about the proposed Blueprint, it has been advertised via social media, emails to public and professional organizations, through agency websites, radio public service announcements, and other public notices. In addition, the proposed Blueprint is available on the Mountain Accord website and has been presented at a number of open houses and other public events to reach as broad an audience as possible. Public comments are important to inform outcomes and have been solicited since February 4, 2015.

This report summarizes public comments received from February 4, 2015 through March 16, 2015. The public comment period has been extended to May 1 to provide an opportunity for more dialogue with the public and further refinement of the proposed Blueprint. This interim report will serve to educate the Executive Board as it begins to refine the proposed Blueprint and develop next steps. The current expectation is that the Executive Board could adopt a final Blueprint in June or July. The adoption of the Blueprint will mark the culmination of Phase One. A Final Public Comment Summary report will be prepared once all comments through May 1 have been recorded and will be used to further inform proposed Blueprint refinements and next steps.

The proposed actions and range of alternatives described in the final Blueprint will be carried forward into Phase Two. During Phase Two, the Mountain Accord project team will work through appropriate agencies and entities to implement the proposed actions identified in Phase One. Some of these actions will require federal funding or federal agency approvals and will be subject to formal review under the National Environmental Policy Act (NEPA). This may require that detailed analyses of the actions and their environmental impacts be recorded in a document such as an Environmental Impact Statement (EIS). The NEPA process (or processes) in Phase Two may take several years to complete, depending on the nature of the proposed actions and their impacts.

Other proposed actions that do not require federal agency approvals or funding will move forward under the authority of appropriate state or local agencies during Phase Two. During this phase, there will be additional opportunities for public involvement and feedback.

REPORT OBJECTIVES

This report describes the methodology involved in soliciting, cataloging, and analyzing comments received through March 16, 2015, and summarizes comment content relative to the proposed Blueprint and the process for its development. It is intended to inform Executive Board next steps and convey to the public the process and results from documenting and reviewing all input received.

PUBLIC COMMENT ACTIVITIES

Public comments were solicited and received from a variety of channels. From February 4 through March 16, a total of 1,488 comments were submitted. Table 1 presents the channels through which the comments were received and Figure 1 shows the rate at which comments came in from each channel. The map in Figure 2 presents the geographic distribution of comments submitted within Utah. In addition, Mountain Accord received comments from individuals in 27 other states and 4 foreign countries.

Table 1. Comments Received through March 16, 2015

Source	Count
Survey Responses	723
Emails/mailed letters	550
Cottonwood Scenario Question and Answer Event (February 18, 2015)	4
Alta Open House (February 23, 2015)	4
Park City Open House (February 24, 2015)	26
Salt Lake City Open House (February 25, 2015)	181
Total Comments	**1488**

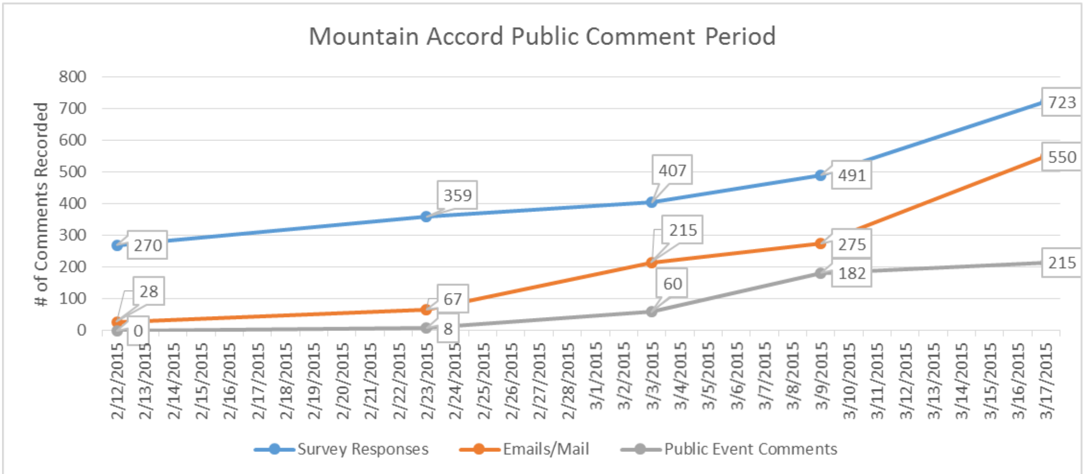

Figure 1. Comment Activity

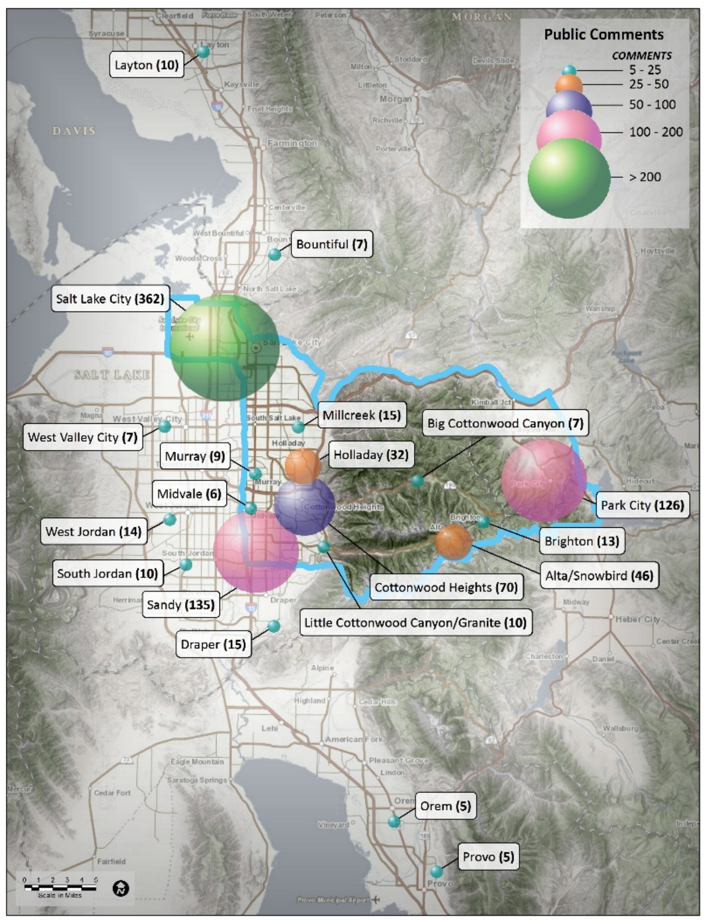

Figure 2. Geographic Distribution of Comments (study area boundary in blue)

Many of the comments received came from the survey available on the Mountain Accord website. This survey has eight closed-ended questions and four sub-questions with text field in which respondents can type comments. Not all survey respondents answered the text field sub questions. Survey question summary graphs from February 4 to March 16 are included as Appendix A to this report.

This survey has seven radio button questions (choices range from “very well” to “very poorly” or “undecided”) and four sub questions with text fields for expanded responses.

1. Overall, how well does the proposed Blueprint meet the purpose of Mountain Accord?
2. How well does the proposed Blueprint achieve “responsible stewardship of the natural resources?”
3. How well does the proposed Blueprint achieve “quality recreation experiences?”
4. How well does the proposed Blueprint achieve “a vibrant economy?”
5. How well does the proposed Blueprint achieve “an environmentally-sustainable transit system?”
    - Please provide any additional feedback on how the proposed Blueprint could better meet the purpose of Mountain Accord.
6. How well does the Cottonwood Canyons Scenario serve public interests?
    - Please provide any additional feedback on the Cottonwood Canyons Scenario.
7. How well do the listed purposes (intended outcomes) for each corridor address the critical transportation needs in that corridor?
    - Please provide any additional feedback on purposes or needs for transportation improvements in the identified corridors.
8. How well does the range of transportation alternatives in each corridor meet the listed purposes for that corridor?
    - Please provide any additional feedback on the alternatives. Are there alternatives that would meet the purposes better than others? Should we consider additional alternatives?

In addition to the individual public comments, Mountain Accord also received letters from official representatives from these organizations, which were coded and analyzed using the same process as comments received through other avenues (see Table 1):

- Utah Physicians for a Healthy Environment
- Friends of Alta

PUBLIC COMMENT ANALYSIS PROCESS

All of the public comments received are cataloged in a Microsoft Excel®-based workbook tool and, using a coding process, each comment is categorized in a number of ways for cross-compilation and analysis. Coding enables sorting and analysis for characteristics such as the following:

- Support
- Opposition
- Geographic distribution of respondents
- Process-related comments
- Actions by system groups
- Resources (such as ski areas or watershed), etc.
- Locations of interest

This tool helps identify trends and preferences among respondents and offers a general sense of support and opposition to the overall proposed Blueprint as well as discrete actions within the Blueprint.

In order to capture intent, as part of the cataloging and coding process, **comments** (submitted by a single individual) that address multiple topics have been split into discrete remarks. **Remarks** are all or a portion of a comment that address a single subject or issue, and **a single comment may have a number of discrete remarks**. For example, if an individual provided a multi-paragraph response to an open-ended survey question, the comment was broken down into separate and unique remarks and then analyzed.

During the cataloging process, some remarks did not include enough information to be coded completely. For example, if a location was not indicated, that characteristic field would necessarily be blank. The tables in the next section have a row for remarks that are cataloged but do not indicate a characteristic for the field described in the table.

The term "Other" was applied if a remark referenced something for which there is no specific code – for example concerns about ticket prices to Salt Lake City Airport.

Finally, if a topic was repeated several times, it was captured in the notes section of the tool so that it could be quickly referenced for this report and to ensure that all concerns were given attention.

PUBLIC COMMENT SUMMARY

Overview

From February 4 through March 16, 2015, a total of **1,488 comments** have been received through the channels indicated in Table 1. From these comments, **2,923 discrete remarks** have been recorded and inform this summary.

Table 2. Overview of Remarks through March 16, 2015

Remarks Overview	#	%
Total Remarks Cataloged to Date	2923	100%
Remarks Supporting an Action	1532	52%
Remarks Opposing an Action	983	34%
Remarks About the Process	340	12%
(blank)	61	2%
Other	7	0%

A summary of survey responses to the general question, "How well does the proposed Blueprint meet the purpose of Mountain Accord?" is shown in Figure 3.

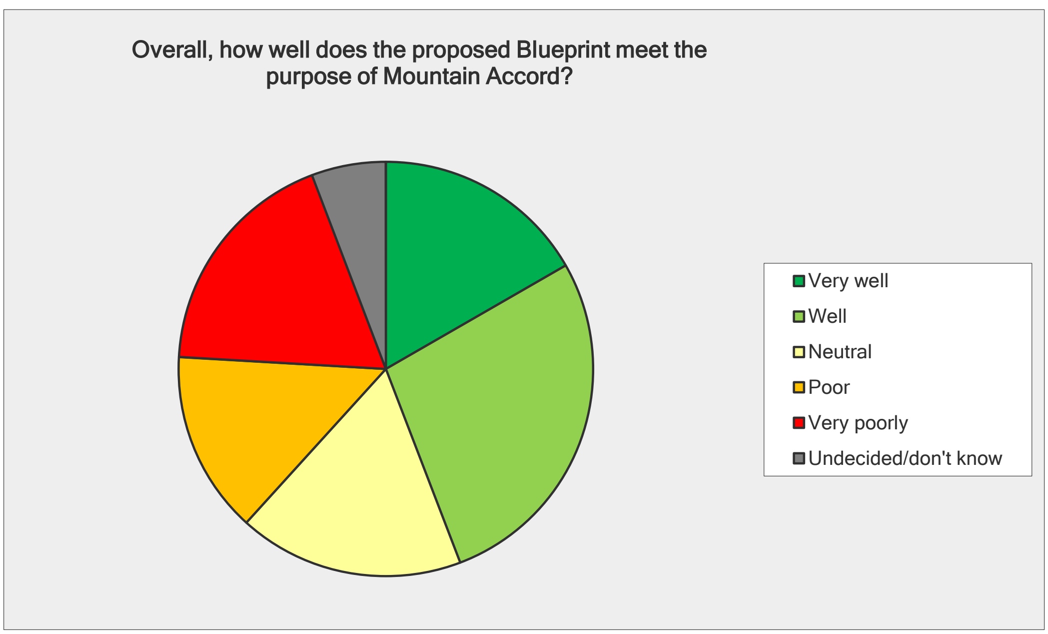

Figure 3. Overall Survey Summary – Blueprint and Purpose of Mountain Accord

In addition, a few issues have risen to the top as areas of public concern:

- Rail in exclusive guideway
- Tunnels
- The connection between Little Cottonwood Canyon and Park City
- Limited mountain development, especially ski resort expansion
- Cottonwood Canyons Scenario (land exchange and water rights)

Frequently Asked Questions

Many of the official comments received as well as those spoken at public events include questions about the proposed Blueprint, the process, and other concerns. A collection of the most frequently asked questions is included here along with responses.

How do these proposals help the environment, especially water resources?

The proposed Blueprint describes specific actions in the Environment section to preserve land and protect watersheds and water resources:

- Preserve land, protect watersheds and water resources.
  - Secure additional protections on federal lands to provide permanent and predictable management.
  - Work with ski areas to place lands in the upper Cottonwood Canyons into protective public ownership.
  - Prioritize and acquire private lands from willing sellers.
  - Identify and protect key wildlife corridors.
- Broaden watershed protections.
- Monitor environmental health.
  - Implement an environmental monitoring program and create adaptive management plan.
  - Analyze and mitigate environmental impacts prior to implementing proposed actions.
- Protect and restore the environment.
  - Implement an environmental restoration program.
  - Provide transportation alternatives that result in environmental benefits to the mountains.

In addition, proposed transportation, economy, and recreation actions provide strategies that can protect vital natural resources. These include the following:

- Effective transit service can reduce automobile use which, in turn, reduces emissions, fossil fuel consumption, and pollutants in storm-water runoff from roads and parking lots.
- Effective transit service, combined with land use plans and policies that encourage transit- oriented development, can reduce sprawling development patterns, promote concentrated development and open space protection, and further reduce environmental and water impacts associated with automobiles and development.
- Focusing growing recreation use to appropriately manage and improve areas can prevent unmanaged degradation of sensitive environmental resources by over-use.

Have the natural limits to use and impacts in the canyons been studied?

The 1985 Wasatch-Cache National Forest Land and Resource Management Plan (Forest Plan) and the subsequent 2003 Revised Forest Plan have established direction for managing National Forest System lands in the canyons. The direction is based on comprehensive studies and analysis, as well as extensive public involvement, documented in EISs for both Forest Planning processes. The EISs took a hard look at the use and impacts that have occurred in the canyons, as well as the current and projected use and impacts in developing direction designed at long-term sustainable management and use of the land. Though direction for long term sustainable use is provided, the plans did not conduct detailed capacity studies nor did they set hard limits on use, rather they identified monitoring parameters designed to measure use and impact and thresholds for when management actions would become needed. The plans also addressed capacity in the canyons by limiting parking and ski area development to existing boundaries.

What are the possible federal and state land designations that are being considered?

There are many types of protections that can be explored for U.S. Forest lands – such as National Recreation Area, National Conservation Area, Wilderness, or National Monument. Currently no state land designations are being considered. A small working group, the Federal Lands Taskforce, has been convened to discuss the lands that could receive federal designation and what the appropriate designations are. The intent is to maintain the same balance and diversity of uses that we have today well into the future in addition to providing certainty about future land use. When a detailed proposal is available, we will have additional opportunities for public comment. Read more on federal land designations here.

What about climate change? How does this affect plans and future infrastructure?

Recognizing that climate change could have significant impacts on our natural resources and way of life, analysis of climate change was incorporated into the Environment System Group’s Existing Conditions and Future Trendlines report (http://mountainaccord.com/wp-content/uploads/2014/10/MA_Env_Existing_Conditions_Future_Trends_FINAL.pdf). Understanding impacts caused by climate change will also be considered in Phase Two. In addition, a goal of no net increase to greenhouse gas emissions is expected to encourage not only sustainable transit solutions but also green building that reaches very low to net zero energy development for buildings contemplated for development under this plan.

Why is Grizzly Gulch listed as "under consideration" as part of the Cottonwood Canyons Scenario?

At the time the proposed Blueprint went out for public comment, there was no resolution on how Grizzly Gulch would be incorporated into the proposed land scenario. Through public input and stakeholder involvement, Mountain Accord seeks to identify the path forward as it relates to the Grizzly Gulch component as part of adopting a final Blueprint.

Why aren't we considering lower cost and lower impact alternatives? Is there consideration of a model similar to Zion National Park of limiting access and using shuttles?

Lower cost and lower impact alternatives (e.g., adding additional bus capacity and implementing a shuttle system) can be analyzed as part of the range of alternatives moving forward into an EIS. In addition, transportation system management alternatives, which are combinations of incentives for transit use and disincentives to auto use, without adding new transit guideways or expanding roadways would also be an alternative evaluated in an EIS.

Concerns over transit proposals include environmental and community impacts, induced use, cost, access and impacts to dispersed recreation, and connection/tunnel concerns between Little Cottonwood Canyon/Park City. How will those impacts be evaluated and addressed? When will details be available on transit alternatives, transit alignments, transit stops, cost, parking infrastructure required, etc.?

Mountain Accord expects to coordinate with the appropriate federal agencies (including the Federal Transit Administration, the U.S. Forest Service and potentially others) regarding preparation of an EIS that will analyze, among other actions, a range of transit and transportation system management alternatives. The Blueprint recommends that an EIS evaluate various alignment options, including alignments in the Valley (on 7200 or 9400 South), Little Cottonwood Canyon to Big Cottonwood Canyon and Park City, and from Park City to Quinn's Junction and Kimball Junction. The EIS would be prepared under the direction of the federal agencies, and it would analyze impacts and benefits to communities (including induced impacts), the natural environment, transportation, noise, air quality, and other resources. Cost estimates would be developed and we would ask the public and other stakeholders to provide input and comments on the alternatives, impacts, and other issues. This input and the analysis would help inform decisions on the transportation alternatives and potentially other actions. A preferred alternative could be identified during the National Environmental Policy Act (NEPA) process, but the final federal agency decisions will not be made until the NEPA process is complete.

Why aren't we considering rail in Parleys Canyon instead of the tunnel connection?

An express bus on I-80 meets all the identified purposes for the I-80 corridor and at lower costs and impacts than extending rail up Parleys Canyon. This is because I-80 is primarily a commuter and freight corridor with high capacity for automobiles and little congestion. Based on traffic projections for the next 15 or more years, a rail line from the airport to Summit County via Parleys Canyon (an extension from the existing TRAX system west of the University) would have substantially slower travel times than cars or an express bus on I-80. In the latter part of the 25-year planning horizon, if congestion grows substantially on I-80, rail in this corridor would be more competitive with automobile travel times, providing a transportation choice and therefore is part of the longer term vision of Mountain Accord but is not proposed at this time.

How does Mountain Accord relate to ONE Wasatch?

ONE Wasatch is a proposal introduced by Ski Utah in 2014 to connect all seven Wasatch Front ski resorts with ski lifts or gondolas. Ski Utah and all seven resorts support the proposal. Ski industry and tourism experts have stated that the ONE Wasatch proposal would create marketing value for the state of Utah and enhance the resort experience.

The proposed Mountain Accord Blueprint proposes multiple components to balance environment, watershed, recreation, and economic needs. Instead of or in addition to connecting some or all the resorts via ski lifts, the proposed Blueprint proposes to connect the canyons via transit and trails. Transit connections would be year-round, all-weather, and would also connect the population bases in the Park City area and the Salt Lake Valley with the resorts and other recreation opportunities in the mountains, reducing the need for automobiles. Chair lifts are generally not considered a viable form of transportation because many times they are exposed to weather, require a lift ticket, are not wheelchair accessible, do not operate all day or year-round, and are for one single, limited purpose, etc. The proposed Blueprint contemplates tunnels in higher elevation areas to preserve iconic ridgelines, watershed, and hiking/ backcountry skiing areas. Any proposed tunnel would serve only transit vehicles, not private automobiles. A combination of transit and trails would allow loop hiking and biking (starting in one canyon and finishing in another).

The proposed Blueprint offers an alternative to ONE Wasatch that would create marketing value for the state of Utah, enhance the experience for resort-goers and other recreationalists, and provide year-round solutions to pressing transportation problems.

Note that ONE Wasatch should not be confused with SkiLink. SkiLink was a proposal in 2012 to connect the Canyons Resort with Solitude Resort via a ski lift on the north side of Big Cottonwood Canyon. Federal legislation was introduced to sell

30 acres of U.S. Forest Service lands to accommodate the project. The SkiLink proposal is no longer being considered.

Will trail connections include separate trails for mountain bikers and hikers? What considerations are being made for different recreation user groups (free-fliers, equestrians, snowmobilers, etc.)?

Trail connections have not been contemplated to include separate trails for mountain bikers and hikers. A trails implementation plan is currently being developed and those details have not yet been defined. There are many user groups that recreate in the Central Wasatch. Consideration of the impacts to various user groups will be contemplated in Phase Two.

How will NEPA be structured in Phase Two?

Once a final Blueprint has been adopted and a range of proposed actions and alternatives has been decided upon, the executive committee through its consulting team will work collaboratively to finalize a NEPA approach to implementing actions with current federal partners (U.S. Forest Service, Federal Transit Administration, and Federal Highway Administration). At this time, it is uncertain whether there will be one or many separate NEPA processes to address the proposed actions.

How much does this cost and who is paying for it?

Phase One funding has come from the State of Utah, local jurisdictions involved in Mountain Accord, and limited contributions from private entities. Blueprint implementation costs are unknown. Since the proposed Blueprint proposes a range of options, there is a range of estimated costs from $50 million to several billion dollars depending on the alternatives selected. Costs, including funding sources, will be part of the NEPA process in Phase Two.

Is a decision on the Blueprint binding? What decisions are we actually making when the Blueprint is adopted? How is public input being used to refine the proposed Blueprint?

The proposed Blueprint is a planning document and is not binding. Mountain Accord is a regional collaborative with no legal authority and will look to federal, state, and local partners to make decisions through their appropriate regulatory processes. Public input is critical to the Mountain Accord program and is carefully being read and considered by the consulting team and members of the Executive Board to identify issues, concerns, and interests of the general public and will inform the refinement of the proposed Blueprint and next steps. Submitted comments have been cataloged, coded, and summarized and made available to the Executive Board throughout the public comment period. In addition, full lists of all public comments have been made available as well.

Overarching Themes

Given the volume of comments and remarks received, the range of interest expressed is broad and loosely captured below:

- The most supported actions are buses (276 remarks, 9%), trains (223 remarks, 8%), and transit generally (177 remarks, 6%).
- The most opposed actions are trains (188 remarks, 6%), a general connection between Little Cottonwood Canyon and Park City (178 remarks, 6%), tunnels (118 remarks, 4%), and development in the mountains (90 remarks, 3%).
- There are 216 remarks (7%) about the Cottonwood Canyons Scenario, with 95 remarks in support and 73 remarks in opposition.
- There are 98 remarks (3%) about special interests.
- There are 51 remarks (2%) about cost and funding.
- There are 50 remarks (2%) about the public involvement process that ranged from the format and level of detail in the proposed Blueprint to website viewability and response to public comments.
- There are 92 remarks (3%) about the decision making process that included requests for additional information, such as costing and transit projections and additional details.

System Group Summary

Specific actions were coded within each system group; remarks were further coded for general aspects (opposition, support, process, etc.) as well as the resource referenced (e.g., trails, ski industry, watershed, etc.).

Table 3. Remarks by System Group Action through March 16, 2015

Remarks by System Group Actions	#	%
Environment	364	12%
Economy	386	13%
Recreation	181	6%
Transportation	1790	61%
(blank)	197	7%
Other	5	0%

Environment Action

The proposed Blueprint aims to address threats, restore degraded areas, and increasingly protect environmental resources through increased protection of lands with high resource values, restoration of impaired streams and waterways, mitigation of invasive weeds, and other tools. Of critical importance, the proposed Blueprint would establish a program that would allow the identification of changing environmental conditions and adjustment to management practices to ensure long-term environmental health in the Central Wasatch mountains, particularly in the face of a changing climate.

- There are 216 remarks (7%) about the Cottonwood Canyons Scenario – 95 are supportive and 73 are opposed, 6 are blank, and 42 are associated with process.
  - Sampling of remarks expressed in support:
    - Win/win scenario for all involved and represents a good middle ground.
    - Supportive of land exchanges as a means to preserve land.
  - Sampling of remarks expressed in opposition:
    - Scenario only helps ski resorts.
    - No more ski area development and ski area expansion.
  - Sampling of other concerns expressed:
    - Need more details.
    - Grizzly Gulch needs to be resolved.
    - Questions and concerns over Mary Ellen (outside of Mountain Accord study area).
- Remarks about protecting the watershed actions are the next most common (41, 1%).
  - Sampling of other remarks:
    - Watershed and water resources should be preserved above all else.

- Should preserve water, not make more available for snowmaking.
- Limit or restrict use instead of expanding use.
- Preservation should be favored over development.

Economy Actions

Economic actions in the proposed Blueprint aim to provide the model for a world-class transit system to connect the Wasatch Front's powerful and diverse economy to the specialized economies of Park City, Summit, and Wasatch counties. While current development patterns are automobile-oriented and offer little choice, the proposed Blueprint could deliver new mobility options. Compact development patterns centered around transit would limit sprawl in urban and mountain areas. It would also allow economic activity – such as workforce, tourist, and resident commerce – to reduce reliance on automobiles.

- There are 129 (4%) remarks on One Wasatch, with 75 in support and 54 opposed.
  - Sampling of remarks expressed in support:
    - Keeps ski industry competitive.
    - Creates a unique unparalleled experience.
    - Has fewer negative impacts then creating a tunnel connection, lower in cost and more practical.
  - Sampling of remarks expressed in opposition:
    - Environmental and visual impacts are great.
    - Degrades backcountry recreation experience, puts more skiers into backcountry, and grows the sidecountry.
    - The ski industry is flat so why invest the money?
    - Ski resorts are already big enough.
    - Could degrade the unique character of each resort.
    - Ski resorts are drivers – economy is the only thing benefiting.
- Limited development in the mountains garners the next most remarks with 109 (4%), most of which are in opposition (90).
  - Sampling of remarks expressed in opposition:
    - Additional development would endanger the watershed.
    - The Central Wasatch is fine as it is – please leave it alone.
    - Development endangers development, stop while we can.
    - If you build it, they will come.

- There are 108 comments (4%) regarding ski area expansion in the Wasatch, 89 of which are in opposition, 7 are in support, 4 included blanks, 1 was in regard to the public engagement process, and 7 are regarding the influence of special interests.
  - Sampling of remarks expressed in opposition:
    - Ski resorts are already crowding the backcountry.
    - Ski resort expansion is proven to be bad for the watershed.
    - Expansion leads to consolidation; don't want to lose the character of each resort.

Recreation Actions

The proposed Blueprint includes a comprehensive program that would protect recreation access and preserve the variety of recreation options available for current and future generations. Over time, population growth, increases in recreation demand, and growth in new types of recreation will put continually greater pressure on the developed and undeveloped recreation areas of the Central Wasatch. This will result in crowding, resource damage, and degraded recreational experiences. The proposed Blueprint offers an approach to permanently protect treasured landscapes and provide opportunities for active, healthy lifestyles and connection to the outdoors. It would support the developed summer and winter recreation experiences available at ski areas, as well as the dispersed recreation experiences available in the undeveloped areas of the Wasatch.

- The remarks in this area (60 remarks, 2%) are generally supportive (60) on the topic of trail system expansion.
- Remarks expressed regarding protecting dispersed recreation were the next most common (50 remarks, 2%) and also generally supportive (42).
  - Sampling of remarks expressed:
    - Need to preserve backcountry experiences.
    - Concerns about induced use, overuse, crowding.
    - Concerns about other uses not addressed directly, such as pedestrian and cycling, motorcycles, free-fliers, snowmobiling, and equestrian uses.
    - Transit should support dispersed recreation groups.
    - Access control for mountain bikers and hikers should be regulated to avoid conflicts.
    - Climbing and other adjacent dispersed uses would be greatly impacted by a train going up Little Cottonwood Canyon.

Transportation Actions

Connecting residents and visitors to mountain destinations and connecting communities and people to jobs via efficient and sustainable transit choices are key in the proposed Blueprint. The solutions would manage the impacts of a rapidly growing population in ways that would reduce reliance on automobiles and decrease impacts on the environment. The proposed transit network would not only provide a more sustainable way to travel, it would also provide a powerful tool for the region to shape growth, reduce sprawl, and promote transit-oriented development that supports economic growth, quality of life, and environmental protection.

- Rail specific remarks are the most prevalent (434 comments, 15%), with 223 of those being specifically supportive, 188 in opposition, 6 about the cost/funding or influence of special interests, 3 blanks, and 14 about process.
  - Sampling of remarks expressed in support:
    - Provides a unique, appealing, and attractive alternative to reduce auto use.
    - Would enhance the recreation experience.
    - Offers a proactive solution instead of short-term solutions that delay the inevitable.
    - Improves safety: no icy roads, no traffic accidents, could avoid avalanche issues.
    - Cleaner and less environmental impacts than busses, especially in the long run, with fewer air quality impacts.
    - More reliable.
    - Serves community into the long term.
  - Sampling of remarks expressed in opposition:
    - Concern over environmental and watershed disturbances.
    - Induces additional use when the area is already too crowded.
    - Concerns over increased development.
    - Access and impacts to recreation (frequently noted, Little Cottonwood Canyon trail and climbing areas in lower Little Cottonwood Canyon).
    - Implications of high cost and questions about who will pay. A train would be too expensive to ride.
    - Consider options that are less permanent and damaging.
    - Where will people park to use rail?

- Sampling of other remarks:
    - Consider light rail connections from the canyons to downtown Salt Lake City (University area and Sugarhouse populations).
    - Would like to see rail in Parleys Canyon.
    - Would like to see more detail on transit stops, alignments, and impacts.
    - Would support rail only if the canyons are closed off to cars.

- General Transit is supported (177 comments) more than opposed (50).
- The transit interconnect between Little Cottonwood Canyon and Park City received a total of 263 remarks (9%), 178 of which are in opposition and 76 directly supportive. The remaining 9 are process related.
    - Sampling of remarks expressed in support:
        - Could boost Utah tourism.
        - Improves public transportation infrastructure.
        - General support for enhanced connectivity.
        - Increases recreational variety.
    - Sampling of remarks expressed in opposition:
        - Environmental concerns – degrades wilderness experience, watershed, and water quality.
        - Degrades unique experience and character of each canyon.
        - Degrades backcountry/recreation experience.
        - Increases access and induces additional use creating concerns about overcrowding.
        - Don't want corridor to be a commuting corridor.
        - Would prefer an alternative through Parleys Canyon.
        - Costs (infrastructure and environmental) exceed economic benefits.

Resource Summary

Remarks were coded by specific resources referenced. Examples include air quality and noise; water resources, watershed, groundwater, water quality; wildlife and wildlife habitat; resort skiing; backcountry skiing terrain; solitude and wilderness experience; community character/aesthetics; land use; and others.

Table 4. Remarks by Resource Categories through March 16, 2015

Remarks by Resource Categories	#	%
Natural Environment	616	21%
Recreation	752	26%
Built Environment	748	26%
(blank)	790	27%
Other	16	1%

Natural Environment

- There are 249 remarks (9%) citing general ecology; 124 are opposing an action, 88 are supporting an action, 7 are blank, and 30 are about the process.
  - Sampling of remarks:
    - We should do what is the least environmentally damaging.
    - Better transit would enhance the ecology of the canyons by reducing impact.
    - Limiting access to the canyons will keep the natural beauty intact that people come to visit.
    - There would be too much environmental impact.
    - Development in Little Cottonwood Canyon will irreparably damage the stream and riparian corridor.
    - Please keep our mountains as natural as possible.
    - Preserving the land and the ecosystems should be the priority.
    - Environmental monitoring needs to be included to ensure that the natural functions are protected.
    - Has the carrying capacity of environmental systems been considered in this process?
- Water is called out in 134 remarks (5%), and there are 54 on climate, 47 on wilderness, and 40 on visual resources (viewshed, etc.).
  - Sampling of remarks:
    - Protecting the watershed and water quality should be priority #1.
    - Strongly support additional land and watershed protection.
    - Environmentally sustainable transit system, like light rail, would be cleaner and have less environmental impact.

- Anything we can do to minimize carbon emissions is a good thing.
- There should be more designated wilderness areas.
- It is unnecessary to connect resorts at the cost of landscape, wildlife, watershed, and backcountry recreation.
- Why set into motion a plan that does not take the change from warming\ temperatures into consideration?
- Tunnel and roadway construction will have a negative impact on the environment and will destroy the beauty of the canyon landscape.
- The proposal is about making money and not saving canyons and the environment.

Recreation

- Resort skiing is the most prevalent recreation resource cited with 358 remarks (12%), 180 supporting an action, 127 opposing, 33 referring to special interests, 7 blanks, and 11 about process/cost combined.

  - Sampling of remarks:
    - Getting to the ski resorts on transit would make us more likely to return to Utah.
    - The ski bus service is terrible – improving that would make things much better.
    - Utah snow is the best in the world. The connections would make the experience the best as well.
    - Limit development to existing base areas.
    - Skiing at multiple resorts in a day is too rare to merit connecting.

- Dispersed recreation (144 remarks, 5%) also is a prevalent theme along with “other” recreation (87 remarks), backcountry skiing (61 remarks), and trails (55 remarks).

  - Sampling of remarks:
    - I didn't realize that much of the land I use is actually private property and would support allowing more concentrated development at the resorts in exchange for the more land to become public and protected (assuming we can still bike and hike on those public lands).
    - To accommodate the needs of dispersed recreation, the routes will have to include stops (and pick-ups) at trailheads and run early enough and often enough to meet the needs of hikers, backcountry skiers and snowshoers.
    - Any transportation system must give non-alpine skiers access to hiking trails not just ski lodges.
    - Ensure that dogs and their owners have access to Millcreek Canyon.

- The amount of true backcountry terrain continues to become more and more crowded.
- Recreation user conflicts between hikers and bikers on Central Wasatch trails is only going to get worse.

Built Environment

- Transportation infrastructure was the most heavily cited resource overall (482 remarks, or 16%) with 333 (11%) being in support of an action and 106 (4%) being in opposition.
  - Sampling of remarks:
    - Buses in the canyons are superior to trains.
    - Massive parking structures should be built at the base of the canyons.
    - No trains, no lanes up Little Cottonwood Canyon.
    - Any type of mass transit will be too slow to get used.

Geographic Summary

Many of the actions in the proposed Blueprint are linked to geographic locations in the area and remarks were cataloged to indicate any reference to a location or region. Table 5 presents the distribution of remarks by these areas.

Table 5. Remarks about Locations through March 16, 2015

Remarks About Locations	#	%
Central Wasatch Mountains	784	27%
Cottonwood Canyons	844	29%
Parley's Canyon/I80	115	4%
Alta	128	4%
Park City	254	9%
Millcreek Canyon	54	2%
Salt Lake County	23	1%
(blank)	629	22%
Other	92	3%

- Of the 844 remarks (29%) regarding the Cottonwood Canyons, there are more comments in support (438) than opposition (338) to specific actions, with most of the support for buses (161) and most of the opposition to a train (128).

MOUNTAIN ACCORD

- Of the 784 remarks (27%) regarding the Central Wasatch Mountains, 100 reference One Wasatch, 88 reference the Cottonwood Canyons Scenario, 86 reference transit in general, and 82 reference the interconnect between Little Cottonwood Canyon and Park City.
- Of the 254 remarks (10%) regarding Park City, 118 reference the interconnect (96 in opposition and 20 in support) and 54 reference the tunnel.
- Of the 128 remarks (4%) regarding Alta, 24 reference the Cottonwood Canyon Scenario and 22 reference ski area expansion.
- Of the 115 remarks (4%) regarding Parley's Canyon/I80, 64 are supportive of rail, 3 are opposed, and 14 reference general transit.

NEXT STEPS

The Executive Board will consider the contents of this report and the comments received to date as they consider refinements to the proposed Blueprint. The word cloud presented below is an indicator of the complexity of the proposed Blueprint as well as the responses to it. These responses are extremely important as the Executive Board moves forward. The final version of this report will be compiled after the formal close of the comment period on May 1. It is anticipated that the Executive Board will adopt a final Blueprint by summer of 2015. At this point, Phase Two, described earlier, will begin.

APPENDIX A

Survey Summary March 16, 2015

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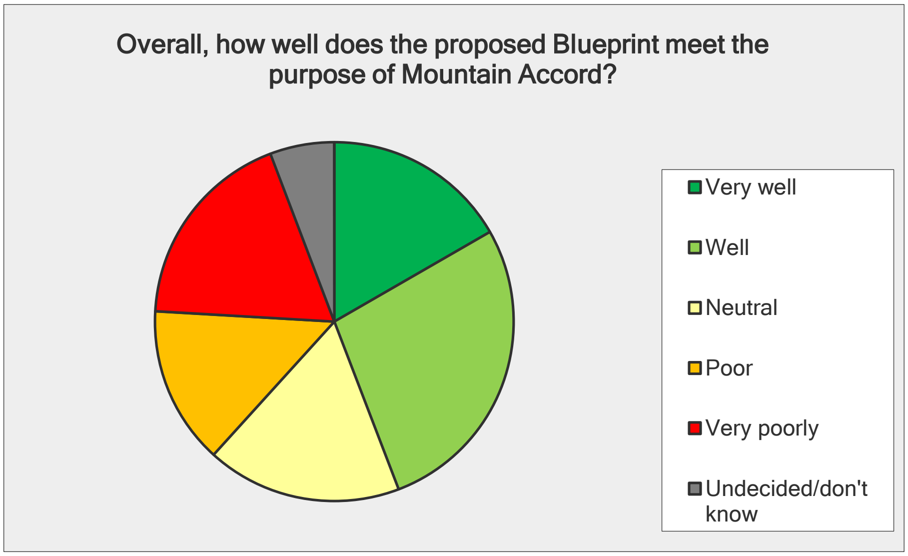
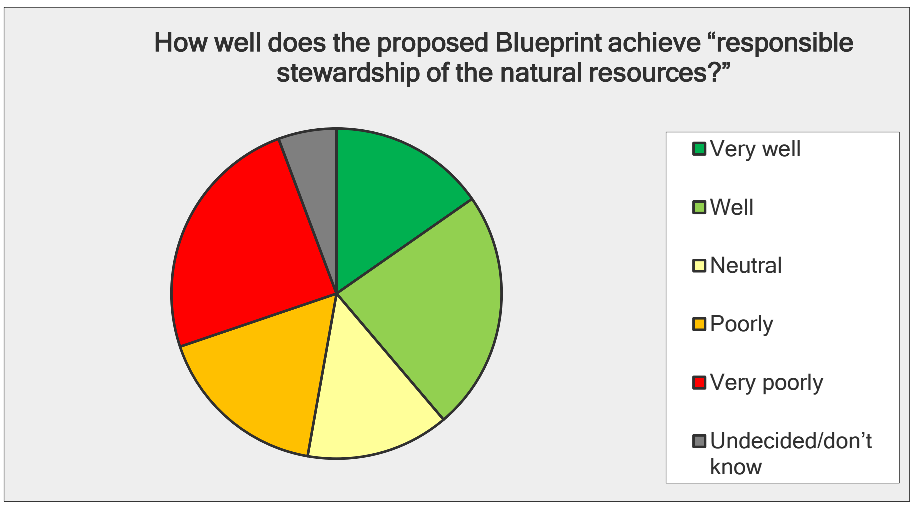
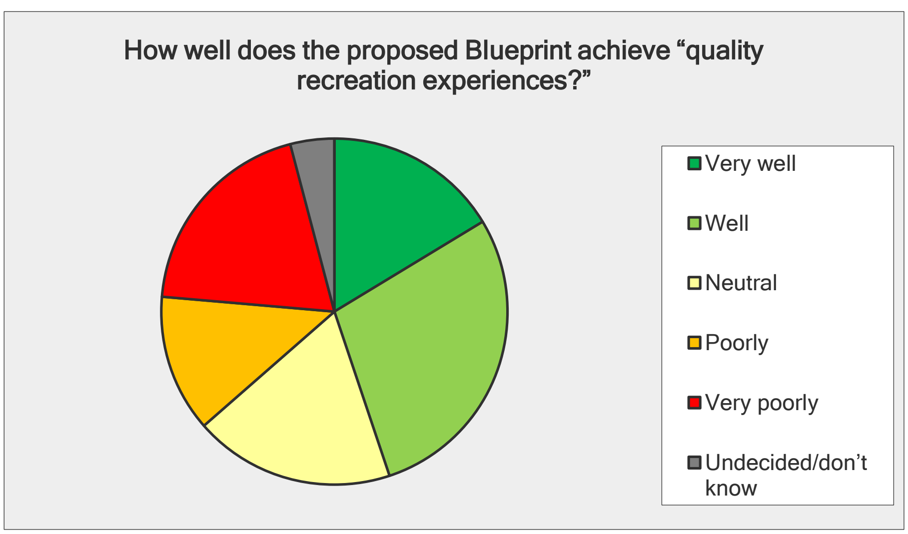
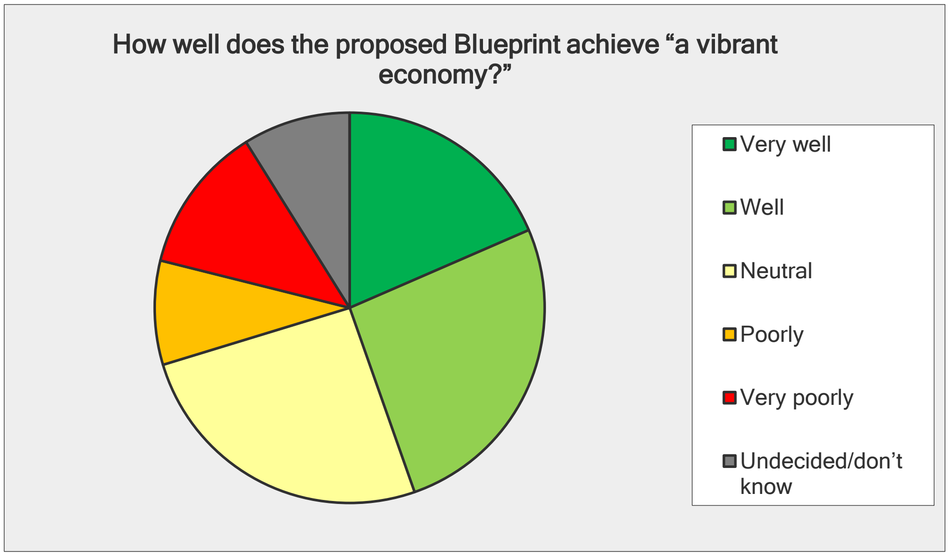
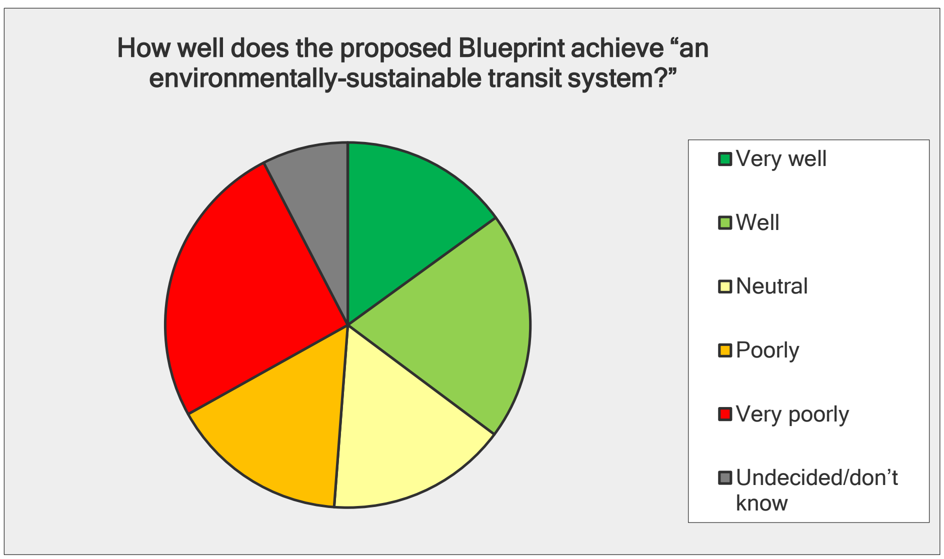
MOUNTAIN ACCORD

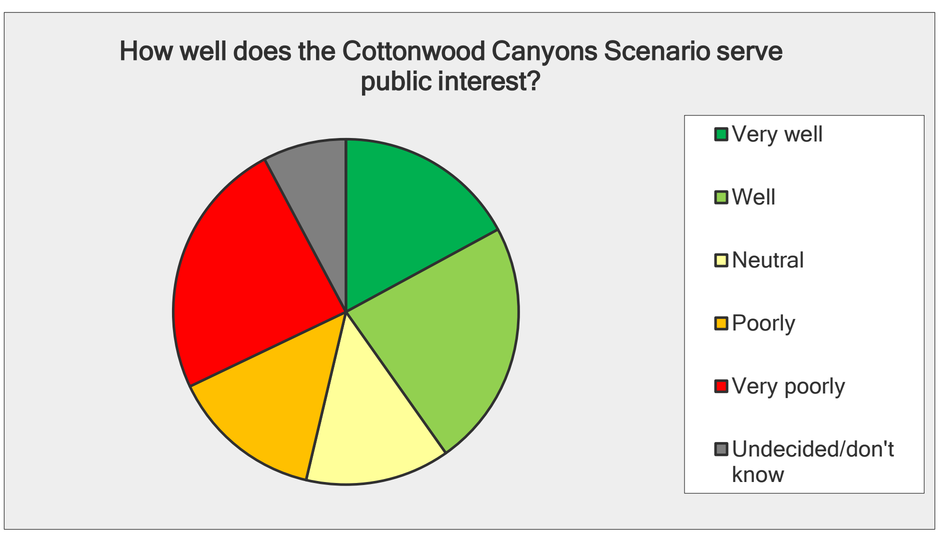


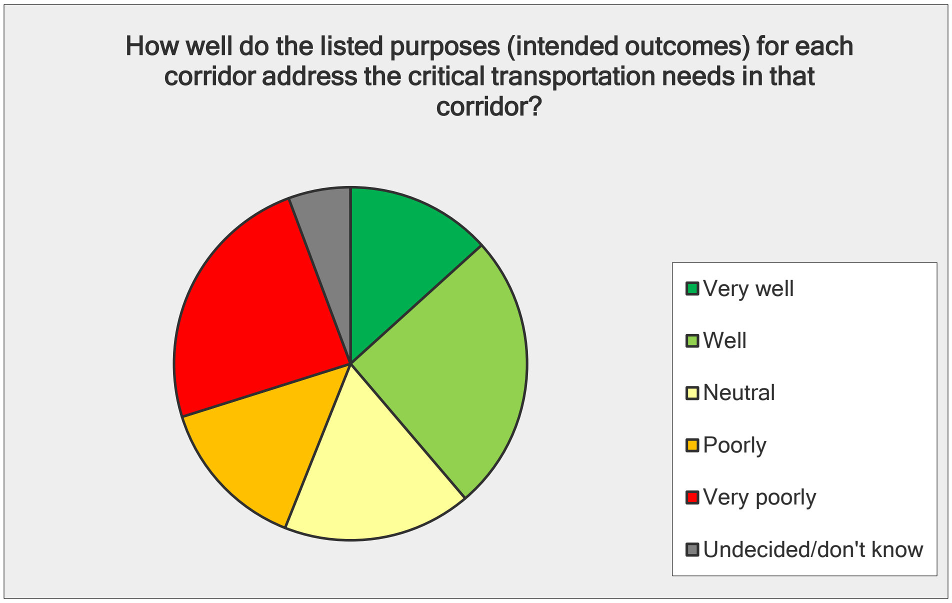


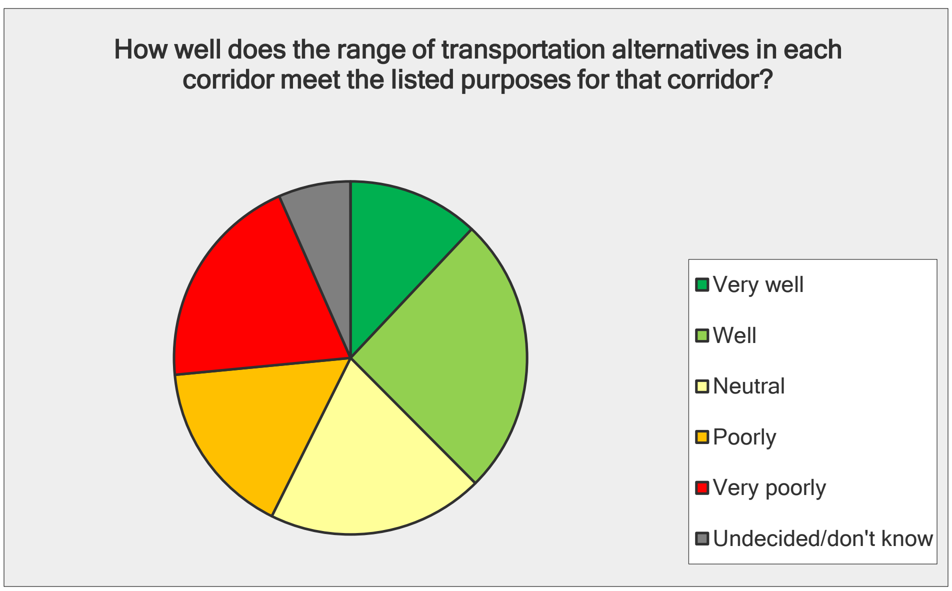



How well does the proposed Blueprint achieve "a vibrant economy?"
Very well
Well
Neutral
Poorly
Very poorly
Undecided/don't know


How well does the proposed Blueprint achieve "an environmentally-sustainable transit system?"
Very well
Well
Neutral
Poorly
Very poorly
Undecided/don't know


How well does the Cottonwood Canyons Scenario serve public interest?
Very well
Well
Neutral
Poorly
Very poorly
Undecided/don't know


How well do the listed purposes (intended outcomes) for each corridor address the critical transportation needs in that corridor?
Very well
Well
Neutral
Poorly
Very poorly
Undecided/don't know


How well does the range of transportation alternatives in each corridor meet the listed purposes for that corridor?
Very well
Well
Neutral
Poorly
Very poorly
Undecided/don't know

DATE: April 16, 2015

TO HONORABLE MAYOR AND COUNCIL

Executive Summary:

Staff is pursuing a complete street light LED retrofit as a part of the Municipal Innovation Challenge, the Georgetown University Energy Prize, and as an institutional best practice.

While Council has already given its approval for moving forward with the LED street light retrofit, Council had asked staff to consider utilization of a smart controls system which would allow staff to dim individual lights or banks of lights, turn lights on/off individually or in banks, signal evacuation routes, highlight a location for emergency personnel and provide diagnostic feedback.

While the City may want to revisit a smart control system in the future, particularly if the City Engineer pursues a comprehensive outdoor lighting plan, staff has determined that the smart control system is too costly due to the need to purchase system-specific bulbs and software.

Therefore, staff is recommending that City Council approve the implementation of simple LED retrofit, replacing all existing street lights and outdoor lights with LEDs excluding any smart control systems.

Respectfully:

Matthew Abbott, Enviromental Program Manager

City Council Staff Report

Subject: LED Street Lights: The Smart Option
Author: Matt Abbott, Jason Christensen, & Troy Dayley
Department: Sustainability, Water, and Streets & Streetscapes
Date: April 16, 2015
Type of Item: Administrative

Summary Recommendations:
Approve the implementation of simple LED retrofit, replacing all existing street lights and outdoor lights with LEDs excluding any smart control systems.

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Therefore, staff is recommending that City Council approve the implementation of simple LED retrofit, replacing all existing street lights and outdoor lights with LEDs excluding any smart control systems.

Acronyms:

CIP	Capital Improvements Project
HPS	High Pressure Sodium (bulb)
k	Thousand
K	Kelvin
LEDs	Light Emitting Diodes (bulb)
M	Million
MH	Metal Halide (bulb
MV	Mercury Vapor (bulb)

Background:
The LED Street Lights team (Matt Abbott, Jason Christensen, and Troy Daley) were awarded $78,000 as a part of the Municipal Innovation Challenge for LED Street

Lighting. These funds are to be used to acquire LED bulbs for the first phase of street light bulb upgrades. The $78,000 award is currently in the Environmental Revolving Loan Fund.

The LED Street Lights team has identified an initial LED installation. This first installation has allowed the team to assess fixtures, identify replacement bulbs, and scope potential Sensus integrations. Sensus is the radio network currently deployed by the water department for water meters. This same radio network can be integrated into other smart controls, including street lighint. Staff will initially focus on the 120-140 bulbs on, and around, Swede Alley and on the trail between Marsac and Public Works (Spine Trail).

Staff has agreed on a universal outdoor lighting temperature of 2,700K[1]. This is a whiter colored light than high-pressure sodium bulbs that tend to be 2,200K. Staff has been able to identify custom manufactured LED streetlights at 2,700K and custom manufactured trail lights at 2,800K. Lower temperature colors are only possible with tint, which will void warranties and likely result in inconsistent outcomes.

The Streets & Streetscape Department has installed example street and trail lights. These lights were reviewed and accepted by a majority of City Council.

During staff's pitch during the Municipal Innovation Challenge, staff highlighted the potential to integrate Sensus Smart Controls throughout the Street Light installation. Staff agreed to return to Council with a Staff Report seeking Council direction regarding a simple installation versus a smart installation.

Analysis:

Big Picture

Park City Municipal manages at least 809 street lights and leases an additional 128 from Rocky Mountain Power. The table below summarizes our lighting portfolio along with anticipated savings.

Table 1.1 – Outdoor Lighting Portfolio

Lamp Type	**PCMC**	**RMP**	**Total**	**Energy Savings w/LED**	**Annual Savings (kWh)**	**Lifetime Savings ($)**
400 Watt HPS	24	4	28	63%	29,761	$ 45,294
400 Watt MV	51	1	52	53%	46,374	$ 70,578
250 Watt HPS	75	8	83	65%	58,007	$ 88,283
175 Watt MV	0	69	69	75%	33,153	$ 50,457
150 Watt HPS	*228*	*1*	*229*	*70%*	*108,363*	$ 164,922
100 Watt HPS	13	44	57	74%	19,918	$30,314

1 http://www.avsforum.com/photopost/data/2238772/d/de/ded785ae_led-color-temperature.jpeg

88 Watt LED	24	0	*24*	N/A	N/A	N/A
70 Watt HPS	*350*	*1*	*351*	*78%*	*90,712*	$ 138,059
50 Watt HPS	44	0	44	50%	4,004	$ 6,094
Total	**809**	**128**	**937**	**66%**	**386,288**	**$ 594,002**

Staff is targeting 70 Watt and 150 Watt HPS bulbs for Phase I, of either the Simple LED Retrofit or LED Retrofit with Smart Controls. Staff is initiating this work on the Spine Trail and in Swede Alley.

Beyond the installation, the City Engineer is pursuing a comprehensive outdoor lighting plan. An element of this comprehensive outdoor lighting plan will be a recommended lighting level (lumens per foot) for the City. This will provide the standard to determine whether certain areas of town are under or over lit.

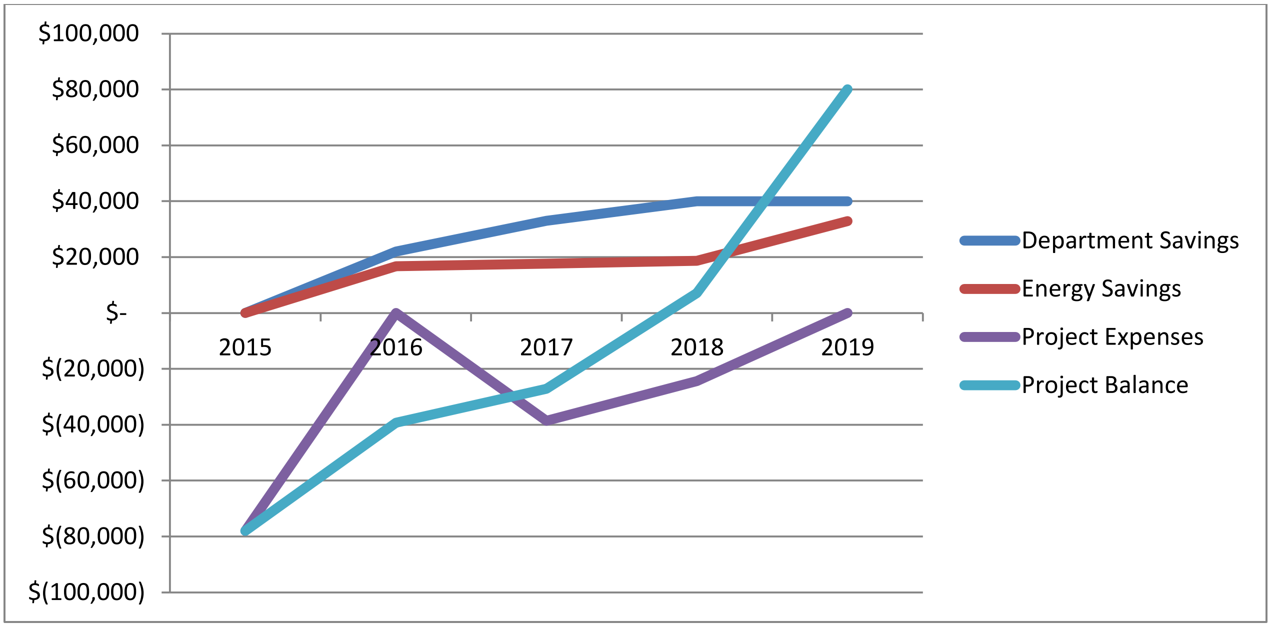
Staff intends to keep these two efforts separate, as the immediate benefits of the LED conversion warrants quick action. If it is determined that certain lights need to be removed as part of the City Engineer's efforts, staff's perspective is that the energy savings accrued between the conversion and removal will be meaningful and that the removed fixture and bulb will likely be reused.

Simple LED Retrofit

Staff has received bids from four different bulb suppliers. Bulb prices from our best supplier have been between $37.00 and $198.00 per bulb with an average of $140, depending on bulb type, with 50,000 hour warranties. The average price per bulb is substantially less than staff's original estimate of $200 per bulb, accelerating deployment and return on investment. The retrofit process is relatively simple with LED bulbs wired directly to power, omitting existing ballasts (an additional failure point). These bulbs are not fully Sensus compatible.

Total project costs are estimated at $141k at current prices and would break even in 2019. **Staff is recommending this approach to converting City street lights to LED.**

Figure 1.1 – Simple LED Retrofit



<u>LED Retrofit with Smart Controls</u>

Park City Water Department uses Sensus Automatic Meter Reading System (RadioRead®). This same radio system can be used for advanced street lighting controls (VantagePoint™). This system can dim, turn lights on/off individually or in banks, can be used to signal evacuation routes, can assist emergency personnel, and provide diagnostic feedback. VantagePoint™ adds approximately 9% to total system efficiency at almost ten times the cost.

The decision to deploy or not deploy VantagePoint™ controls is more about level of service from street lighting. Deploying VantagePoint™ would allow more precise control of City lighting, and lighting levels in addition to providing remote diagnostics and represents an increased level of functionality or service.

Park City would need to install at least 375 units to breakeven on the cost of the software alone ($15,000). Staff has not identified a manufacturer for compatible trail lights. Compatible street lights will be at least $299 per bulb with more limited warranties. In many cases, staff would have to install a higher wattage bulb and dim the bulb to meet existing lighting specifications.

Annual software cost	$15,000
Per-bulb cost	$299
VantagePoint™ per fixture, w/ retrofit	$1,000

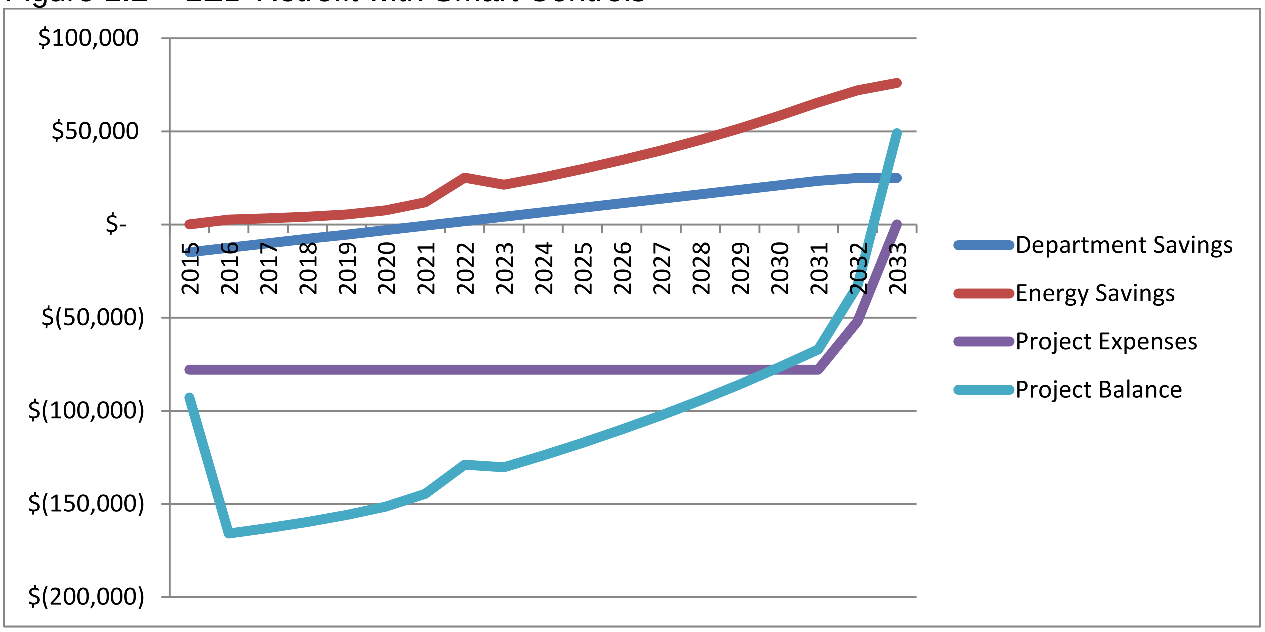
Total project costs are estimated at $1.378M at current prices and would break even in 2033.

Staff submitted a CIP request during the current budgeting process to explore whether a further enhancement to street lighting could be funded during the current budget cycle. The staff-led CIP committee prioritized over further enhancements to street lighting.

While the City Manager's Recommended Budget will not recommend the enhanced street lighting with Sensus controls, City Council may choose to reprioritize the CIP budget.

Staff is not recommending that an LED Retrofit with Smart Controls be implemented at this time. This is based on the goal of using the limited existing funding to maximize the conversion of the City's street lighting to energy and money saving LEDs as quickly as possible.

Figure 1.2 – LED Retrofit with Smart Controls



Hybrid Approach

Staff has assessed a hybrid approach. There are a number of possible routes for a hybrid implementation, unfortunately the total cost is still high and there are substantial tradeoffs that would be required. Under the hybrid approach, dimmable bulbs compatible with the Sensus VantagePoint™ system would be installed as part of this effort. If in the future a level of service increase for lighting was required and VantagePoint™ was deployed, the LED bulbs would not require replacement.

Staff was hopeful that this approach would be viable. However, it was determined that the approach would require the use of higher lighting output bulbs. This would have the effect of increasing the lighting of town; a result inconsistent with staff's understanding of Council's goals for street lighting. **For this reason, staff is not recommending this approach.**

Department Review:

Sustainability, Streets & Streetscapes, Water Department, Engineering, Planning, Legal, and the Executive Office has reviewed this Staff Report.

Alternatives:

A. Approve:
Approve the implementation of simple LED retrofit, replacing all existing street lights and outdoor lights with LEDs excluding any smart control systems. **(Staff Recommendation)**

B. Deny:
Deny all or parts of Staff's recommendation regarding LED street lighting implementation.

C. Modify:
Modify all or parts of Staff's recommendation regarding LED street lighting implementation.

D. Continue the Item:
Continue the topic of LED street lights with a request for more information.

E. Do Nothing:
Do nothing.

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?	~ Accessible and w orld-class recreational facilities, parks and programs ~ Safe community that is w alkable and bike-able + Internationally recognized & respected brand	~ Abundant preserved and publicly-accessible open space + Managed natural resources balancing ecosystem needs + Reduced municipal, business and community carbon footprints	~ Preserved and celebrated history; protected National Historic District + Skilled, educated w orkforce + Primarily locally ow ned businesses	+ Fiscally and legally sound + Well-maintained assets and infrastructure + Engaged and informed citizenry + Streamlined and flexible operating processes
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Neutral ⇔	Positive ⇧	Positive ⇧	Very Positive ⬆

Comments: Staff selected neutral scores because the LED lighting replacement, while more efficient and lower maintenance, will not increase the total amount of total light in public space. Historic fixtures are being retrofitted with LED bulbs. This lights will have a slightly cooler temperature. LEDs are a best practice and will save the City energy costs and maintenance expenses.

Funding Source:

Municipal Innovation Challenge award through The Environmental Revolving Loan Fund.

Consequences of not taking the recommended action:

Delay of LED street light implementation and delayed return on investment.

Recommendation:
Approve the implementation of simple LED retrofit, replacing all existing street lights and outdoor lights with LEDs excluding any smart control systems.

DATE: April 16, 2015

TO HONORABLE MAYOR AND COUNCIL

Please review the minutes from March 5th and March 19th, 2015.

Respectfully:

Karen Anderson, Deputy City Recorder

PARK CITY COUNCIL MEETING MINUTES-DRAFT
SUMMIT COUNTY, UTAH,
March 5, 2015

Closed Session
3:30pm Closed Session

Work Session
Council Questions and Comments and Manager's Report
Council member Simpson thanked Nate, Jed and the Budget Department for the 30% increase in sales tax revenue in December. Attended the Summit County Health Board Meeting and reports they are working on a grant regarding environmental strategies to promote healthful behaviors. Also attended the Fire Board meeting and Joint Transit Advisory meeting that had a focus on transit and transportation for the next five years. They will start meeting monthly. Also attended the Park City Area Lodging Association meeting, stating she spoke to the group about our upcoming growth forum meeting as they are very interested in attending.

Council member Matsumoto attended the HPB meeting where several grants were reviewed under the new guidelines. The Board was very diligent about getting the proper documentation and sent several grants back for more information. One new house and several garages were added to the Historic Sites inventory. There was also a discussion on balconies on Main Street to only allow them on non-historic buildings.

Council member Beerman attended the Legislative Policy meeting on Monday where transportation is still the main topic of discussion and that funding mechanisms for it are currently being debated in both chambers. Attended the Mountain Accord management meeting, after which he received a call from the Summit County Council chair who would like to meet with Council to hear opinions on the subject. Asked if Council would be interested in having a discussion on this topic in a future meeting. Council agreed they need more time to formulate definite opinions. Beerman agreed, stated he will report back that we need more time. Attended the Outdoor Recreation Summit where the main topic was growth. He learned that outdoor recreation brought in $7.2 billion to the state last year. After he spoke with the president of Envision Utah who has data that he feels would be good to share with Council. Reported he held a camp activity for family which made him realize what an amazing place we live in.

Council member Peek attended the Historic Society meeting this morning where they had questions replacing plum trees by Bear Bench as well as a question regarding an $8,000 water tank reimbursement. Nate stated he will get back to Council on where we stand on that.

1450/60 Park Avenue Development Direction

Phyllis Robinson spoke to Council about this location that she states has been discussed by them several times. In December, Council felt affordable/attainable middle income property was a high priority and this property came up as one they felt they should move forward on rather than waiting for more studies. Robinson outlined four proposals and asked for direction from Council, stating Staff recommends moving forward with an RFP for city-sponsored development of the property. Proposals are to issue RFP for sale of property with specified terms, to reissue an RFP to prior proposers, continue to land bank (this would delay a developmental approach but would allow Council to consider this property along with the entirety of Lower Park Avenue) or to proceed with city-sponsored development. Council would have a more active role in deciding the future of this property if last option is chosen.

Robinson stated since parking is a limiting factor for this site, Staff could do 6 single-family units, or 8 townhome units or 12 condo units with parking detached from the parcels. Staff recommends making property 100% affordable. Council member Matsumoto prefers an RFP but is concerned with Staff's ability to take that on. Council would like Staff to do an RFP for city-sponsored development for mainly affordable units but are willing to look at mixed income housing. Council stated they are also in favor of existing homes being moved to accommodate more units but they would need to face Park Avenue. Council member Matsumoto questioned the mechanism to move the homes forward when we don't allow private property owners to do so. Diane Foster stated Mayor Thomas is very interested in affordable housing for this project. Council prefers lots of green space to stacked units.

Rebecca Gerber said there is a great need in town for housing and single-family units may not be the best way to go. She feels it's better to keep density where it already exists in town and encourages Council to look at approving townhomes or condos.

<u>Peak Parking Update</u>
Blake Fonnesbeck spoke regarding the peak parking pilot program began in December that transmitted main street workers to and from job sites. The program was set up with permits for weekdays and also later included weekends to shuttle workers in 10-minute intervals from early AM to late PM hours. Fonnesbeck reports no Main Street employees used the late-night buses, no parking spaces were freed up and not many used this new system. Fewer parking permits were sold and people found their way around the system. Council member Simpson thanked everyone for thinking out of the box to find creative solutions for parking, even though this program was a failure.

As a joint task force, Fonnesbeck reported they couldn't think of anything else to tweek in the pilot program and asked Council for permission to do a capitol expense request for a study with the end result being a paid parking infrastructure put in place by next December.

Council member Beerman stated eventually we'll have to go to paid parking, but asked Council to consider a city-wide plan before doing so since talk of it has caused backlash in the past. Council members Simpson, Henney and Matsumoto feel we should get control of the infrastructure first before charging for parking. Council member Matsumoto feels Main Street employees are crucial and we should consider feasible options for them. Fonnesbeck reiterates this is why we need to do a study in order to help us address these issues. Council answered Foster in stating that they lend their support for a capitol expense request.

Alison Butz with the Park City Alliance read a letter from the HPCA addressing the parking issue, stating the HPCA acknowledges the demand for Main Street parking outweighs availability as well as the fact the pilot program failed but was successful in moving Main Street employees to the outskirts, allowing more customers in to do business. Butz stated the HPCA feels turning paid parking on and off at China Bridge will cause too much confusion and that businesses suffer the most from lack of parking. The HPCA supports construction of additional parking for historic Park City and encourages Council to direct Staff to look at other parking solutions options before implementing paid parking.

Switzerland Transportation Trip Update
Postponed until March 19th meeting.

Idling Revisited
Ann Ober, Blake Fonnesbeck, Wade Carpenter and Matt Abbott spoke to the idling ordinance. They wish to come back before Council at a later time with a more robust proposal to discuss de-icing/safety issues and the 3-minute ordinance going to one minute. They ask that the item be pulled from the agenda to allow more time to clarify enforcement issues. Council member Simpson asked about a proposed code change in the report regarding health and safety of passengers in cold/hot weather. Ober stated changes were made to this point in order for enforcers to have good standing before approaching vehicles to enforce the restriction. Council member Beerman states idling is a health and safety issue in regards to pollution and should be taken seriously, advises Staff not to overthink the enforcement side since of the policy. Ober stated they've had that conversation and will report back with a solution.

Jennifer Gardner says she is a strong anti-idling opponent and would love to see the idling ordinance go to one minute. She is curious as to how idling will be enforced and feels more people will comply the more we educate them and feels more signage would help.

Hilton Early feels an increased budget for more signage would be beneficial, especially for areas along Main Street, the Sandridge Lots and near China Bridge. He believes vehicles on private property and for-hire vehicles are the biggest culprits of lengthy idling.

Legislative Update
Matt Dias reports there's one more week of the Legislative session left, stating there are a lot of federal issues being discussed such as Medicaid and public lands, with transportation being the main issue at the local level. He reports two bills are on the table. The House bill is a local option tax that is county and voter approved. It entails two distribution formulas and is somewhat confusing. The Senate bill for a flat 10-cent gas tax increase is simpler and would be distributed with B&C road funds. Both bills will be going before the full Senate. Foster stated the reason we are focusing on these is to ensure our interests in the way the monies are distributed are fairly considered and represented. Council member Beerman stated Legislature is also discussing counties levying taxes rather than cities, which would set an unfavorable precedence. Dias replied the ULCT has had to concede this point in order to get the bill passed. He concluded by saying there will be a flurry of activity as bills rush to be approved, including an historic district bill he is watching closely.

Regular Meeting

I. ROLL CALL – Mayor Jack Thomas absent

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF
Thoughts and prayers go out to Mayor Thomas and his family at this time on the passing of his brother.

III. PUBLIC INPUT *(Any matter of City business not scheduled on the agenda)*
None

IV. CONSENT*(Items that have previously been discussed or are perceived as routine and may be approved by one motion. Listed items do not imply a predisposition for approval and may be removed by motion and discussed and acted upon)*

1. Consideration of authorization for the City Manager to enter into a professional service provider agreement in a form approved by the City Attorney's Office with MGB+A, in the amount of Sixty Nine Thousand Six Hundred Nineteen Dollars ($69,619).

Council member Simpson moved to approve consent agenda
Council member Beerman seconded
Approved unanimously

V. OLD BUSINESS

1. Consideration of a plat amendment for 74 & 80 Daly Avenue Subdivision located at 74 & 80 Daly Avenue, Park City, Utah pursuant to findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney

Christy Alexander spoke to the plat amendment for two new lots being proposed, stating Staff does not feel a size restriction should be put in place as the footprint sizes are compatible, but advises Council they may restrict as she has reflected in the report such as been done in the past. Council member Simpson asked if the Planning Commission agreed to handle a restriction request in the Steep Slope CUP stage rather than here, to which Alexander said yes. Council member Beerman asked if we have allowed vacated spaces to be used in footprints before. Alexander reiterated her research showed there was one instance where it was. Council member Matsumoto asked if they are building on Anchor Avenue and if the property has been deeded to the property owner, to which Alexander said yes. Council member Beerman asks if there are any deed restrictions. Alexander stated there are no restrictions. Council member Beerman then asked for Mark Harrington's input on how precedence is set in such a matter. Harrington stated restrictions must be based on appropriate public policy of record and that further study must be done by Council if they choose to go against Staff's recommendation.

Project architect Craig Kitterman stated our streetscape mass is larger than the houses in question and asked that these properties be treated equally as others and that this project be allowed to move forward.

Mayor Pro Tem Peek opened the Public Hearing. There were no comments made. Mayor Pro Tem Peek closed the public hearing.

Council member Simpson moved to approve Consideration of a plat amendment for 74 & 80 Daly Avenue Subdivision located at 74 & 80 Daly 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 Henney seconded
Approved unanimously

VI. NEW BUSINESS

1. Consideration of a plat amendment for 98 Hidden Splendor Court pursuant to findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney.

Mayor Pro Tem Peek opened the Public Hearing. There were no comments made. Mayor Pro Tem Peek closed the Public Hearing.

Council member Matsumoto moved to continue consideration of a plat amendment for 98 Hidden Splendor Court pursuant to findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney to March 19, 2015 meeting
Council member Simpson seconded
Approved unanimously

2. Consideration of a Record of Survey Plat located at 312 & 314 located at 312 & 314 Upper Norfolk Avenue Condominium pursuant to findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney.

Kristin Whetstone stated this is a request for the King Apartments duplex unit to be granted a condominium plat as the unit is required by building department to have in order to cover a shared staircase that runs between the two units and to be able to sell each unit separately. Planning Commission voted on this in February and recommended it come before Council for approval. Council member Matsumoto commented having the ability to build two garages will make a much more attractive streetscape.

Mayor Pro Tem Peek opened the Public Hearing. There were no comments made. Mayor Pro Tem Peek closed the Public Hearing.

Council member Matsumoto moved to approve consideration of a Record of Survey Plat located at 312 & 314 located at 312 & 314 Upper Norfolk Avenue Condominium pursuant to findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney
Council member Simpson seconded
Approved Unanimously

3. Consideration of an ordinance for the Ontario Three Subdivision Plat Amendment located at 355 & 347 Ontario Avenue, Park City, Utah pursuant to findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney

Francisco Astorga reports the amendment will move a lot line and shift the neighboring lot line to the south. He stated 398 square feet will be gained by adjacent lot and lost to newly combined lot.

Council member Simpson approved to consider an ordinance for the Ontario Three Subdivision Plat Amendment located at 355 & 347 Ontario 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
Approved Unanimously

4. Consideration of a plat amendment for 930 Empire Avenue located at 930 Empire Avenue pursuant to findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney.

Anya Grahn states applicants own a lot and a half on which there is an existing A frame home they wish to demolish in order to build a new single-family home. Before they can, the interior lot line must be removed. Council member Matsumoto asked if applicants have been made aware they could receive funds if they chose to do a voluntary designation. Grahn stated they were not interested.

Mayor Pro Tem Peek opened the Public Hearing. There were no comments made. Mayor Pro Tem Peek closed the Public Hearing.

Council member Beerman moved to approve Consideration of a plat amendment for 930 Empire Avenue located at 930 Empire Avenue pursuant to findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney.
Council member Matsumoto seconded
Approved Unanimously

VII. ADJOURNMENT

Council member Henney moved to adjourn
Council member Simpson seconded
Approved unanimously

The meeting for which these minutes were prepared was noticed by posting at least 24 hours in advance and by delivery to the news media two days prior to the meeting.

Prepared by Karen Anderson, Deputy City Recorder.

PARK CITY COUNCIL MEETING MINUTES-DRAFT
SUMMIT COUNTY, UTAH,
March 19, 2015

Closed Session
To discuss Property, Personnel and Pending Litigation

Study Session
Recreation Annual Report

Ken Fischer reports Parks & Rec are the recipients of two awards from the Utah Recreation and Parks Association Conference. They won Department of the Year for population of less than 15,000 and Innovation of the Year for the Memorial Wall in the cemetery.

Tate Shaw, recreation supervisor, states he is prepping for seasonal operations such as the pool openings, staff development and the annual wellness meet. He is also helping oversee the solar panels project at the MARC.

Heather Todd, rec coordinator/overseer of childcare and fitness classes, is keeping up on national fitness trends, getting fitness plans going at Quinn's and staffing childcare. She is working on an innovation project and was accepted into the UPR Leadership Group.

Sadie Henefer, team leader, oversees data operations and administrative duties, is working on improving department communications via the front desk, improving front desk functions and setting up a member database to get to know clientele better.

Heather Nicholas, fitness program overseer/pro shop, is in the process of hiring a part-time employee in the pro shop and is busy working with junior programs and camps.

Michael Keith, tennis director, will be opening the courts a month early this year. He is also prepping for summer camps and will be hosting Park City club championships. He states the MARC will be a host site for the No Boundaries athletic competitions for adaptive athletes.

Michelle Stucker, front desk operations, is focusing on teamwork and communications between departments through check-in meetings. Her individual goal is professional development for front desk personnel to help them stay engaged; is also working on department orientation for seasonal/part-time staff to help them feel connected.

Jessica Moran, rec and marketing supervisor, is working on rec programs and heading up the new software system at the MARC. She spoke to the Play magazine put out by Parks & Rec that is now available in digital format, which is saving lots of paper and money; also showed some new and improved rec program flyers.

Karen Yocum, rec supervisor and cemetery sexton, is assessing the old plots section to see if new plots are available for purchase. She reports there are approximately 200 plots left on the east side. She also does reservations for pavilions, fields and parks and states pavilion reservations can be made online. She will be doing all reservations for special and big events.

Fischer spoke to his department's yearly successes/accomplishments and addresses discussion points: He asked if there anything additional to include in the annual report or if Council has an opinion on balance between open play times vs scheduled times such as tennis courts, pools, gyms, etc. Other questions were: what information would Council want to make a determination on future aquatics at the MARC? Should staff develop a phase II master plan for the MARC?

Mayor Thomas feels the report is complete. Council member Simpson asks about stumbling blocks for online registration. Moran reports those problems have been fixed using new RecTrack software. She also reports they will be working closely with the city as they revamp their website to work out any kinks. Moran says April 1st is their big registration day and reports last year 70% of registrations were made online. When asked about registering for farm events through the Rec, Moran states those registrations do not work well with their software and suggests farm activities work out their own registration process. Council member Henney asks if tennis reservations can be made online and if the public can know when capacity levels have been reached on facilities. Keith states they try to leave two tennis courts available during all hours for open play. He states the national standard for court utilization is 60%; MARC is a lot higher with a 75% utilization rate year round. Council member Peek feels registration for Friends of the Farm activities should be available online as a seamless process that uses the same software. Moran says they will look in to that. Council member Beerman feels the Rec has done a great job routinely filling classes but there are substitute teachers who sometimes don't teach what was on the schedule. He feels the Masters Swim Program should be opened to All Adults Swim program. Mayor Thomas reports Courchevel, France, has spent around $100 million on a new aquatics center and asks Rec staff what they feel our future looks like for new developments. Council member Simpson would like to look at other aquatic sites and feels a new aquatics center should be on the school district's future development schedule in order to get others to help fund it.

Work Session
Council Questions and Comments and Manager's Report

Council member Matsumoto met twice with the Library. Attended Summit Lands meeting regarding vision and opinions from outsiders.

Council member Beerman attended the joint meeting between the county and school district at the PC CAPS facility and was impressed with their facility. Reports legislative session is over and feels Matt Dias did a tremendous job this year and has become a tremendous resource for ULCT. Attended MEPA workshop through Mountain Accord to learn about the environmental impact study process. Served on a Mountain Accord panel in Salt Lake. Attended Economic Development meeting with Council member Henney, Jonathon Weidenhamer, Jason Glidden and Matt Abbott where they met with new businesses looking to come to Park City. Served on a Summit Lands panel discussing the future of open space in Park City.

Council member Henney reports the Public Lands Advisory Group, made up of preservation activists and ranchers, was able to compromise on a wilderness proposal in the Uintas. He states three areas have been carved out of roadless lands and made into watershed management areas. Attended the Mountain Lands Community Housing Trust Board meeting where housing for seasonal employees was discussed and says we should see things happening soon regarding seasonal housing with Vail Resorts. Attended Recycle Utah Board meeting where they are anxious to solve their relocation issue and states they have a water festival coming up on April 16, 2015. Attended the Historic Park City Alliance meeting and reports Ken Davis went to Zermatt and came back with interesting parking and transportation solutions, such as paid parking, that he pitched to the meeting; nice to have him on board with these issues. Reports they have a lot of work to do to come to a consensus regarding the tenant mix on Main Street on what to allow.

Council member Simpson reports on the passing of Bob Wells. There will be a tribute to his life this next Tuesday at Silver Lake Lodge.

Council member Peek attended Planning Commission where they discussed land management code amendments and general plan implementation. Reports Friends of the Farm had a successful full moon no snow shoe event with a great turnout and reports they sent out a survey and already have 455 responses.

Mayor Thomas reports we were successful this year with the Legislative Session regarding transportation. An aggressive non-discrimination bill that passed should help people with jobs and housing. He thanks Dias for doing a great job this session. Sent some thank you notes to our representatives for all their help. Thanks all for letting him take a week off for family matters and expresses his gratitude for everyone's kindness on the passing of his brother. Mentions the passing of Gene Mozier, a well-known planner in the community, as well as Bob Wells, who was gracious and patient to Thomas during their interactions in the past. His funeral is 1:00 pm on Friday at St. Marys. Lastly, thank you to Thomas Eddington for all his efforts as planning director and best of wishes on his future endeavors. A send-off party tomorrow for Eddington will be held tomorrow night.

<u>Ice Rink Feasibility Study</u>

Jason Glidden and Amanda Noel speak to the Ice Rink Study and Ice expansion. They reported the first steps of the master plan were begun in 2012 in regards to what the community, including both Snyderville Basin and Park City residents, felt were their demands for recreational facilities. The survey showed the Ice Arena expansion was the highest demand for rec facilities. Last summer Council directed Staff to work on gathering information on expanding the ice arena. In November, the open space recreation bond passed with $2.5 million earmarked for a second sheet of ice. In that vein, Staff comes before Council to ask permission to look into RFPs for a second ice sheet. Glidden then spoke to the scope of service of the RFP with topics being cost, location, amenities and funding options. He puts forth four options for ice expansion: A bare-bones basic ice sheet, a community venue, a regional venue with increased seating, and an Olympic-sized venue that would serve in the event of any future Olympic events.

Council member Simpson asks how a community rink differs from a rink in a box concept that Council is not in favor of, and asks about the ice sheet size of an Olympic venue. Glidden states a rink-in-a-box is a lower standard facility than any of the four options they are proposing. Glidden reports we currently have an Olympic size ice sheet. Council member Simpson also asks what off-ice training space involves. Glidden reports the main difference is just specialized training equipment. Council member Peek asks what the altitude restrictions are for Olympic venues, to which Glidden reports he is unsure. Council member Matsumoto asks where an

Olympic-sized venue that seats 10,000 would fit into our community, and also asks for pricing of the four options presented. Glidden reports an RFP study would answers those sorts of questions and states the only figure they currently have is approximately $8 million to duplicate the venue we already have. Council member Beerman asks if NHL teams would be able to train/practice here if we built an Olympic-sized venue. Glidden is unsure.

Council member Henney is in favor of going ahead with recommendations and states he feels this is a critical issue that needs to get underway. Glidden says they should know within a year of what an Olympic bid/venue option would entail. Council member Matsumoto is interested in a regional option but only if we have funding partners. She also wants to look at making our existing rink a regional venue since demand warrants it. Council member Beerman concurs. Council member Peek is OK going with a conceptual bond and exploring an Olympic Venue but is against any sprung venues in the entry corridor. Council member Simpson asks a feasibility study be done first and is fine carrying a bigger burden for a venue if Snyderville would carry the bigger burden for an aquatics center.

Format of Future Public Meeting(s) on Growth Issues

Ann Ober spoke to the interest in future community forums on growth issues and states the two options they are considering are using Envision Utah or having a staff-like conversation. Mayor Thomas asks what stats we would use on growth. Ober states we use our own numbers rather than the Governor's as well as numbers from the county through 2040 to make sure our report is correct. Council member Henney states it's not important whose growth projection we use since the numbers are already on the books and could use them to know where our tipping/implosion points are. Ken Cashel reports Staff can get more detailed information but they chose to use the visual representation they demonstrated so people can get a good visual.

Council member Simpson is in favor of moving forward and working with Envision Utah, as long as EU knows what our end questions are before getting started, stating it's important everyone understand what our next step is going forward. Council member Henney states it's our job to get the baseline education out to the community so they can decide what the next steps are. Robert Grow with Envision Utah states they are experts at envisioning future growth. For the first time they have computer models of all open spaces left in the 11 counties that comprise the Wasatch Front. He reports every piece of ground in SL and Davis counties will be full within two years as we add 2 million more people to the state. Grow says Envision Utah can help Council formulate what the big picture should be to help preserve our quality of life. Council member Matsumoto asks who is coming up with our choices for future growth. Ober states Council has given us primary choices over the years that Staff is focusing on that they would work with Grow on to address. Ober asks Council for names and groups of people they would like Staff to coordinate with for forums. Council member Henney says a priority topic to discuss is stopping growth.

Council member Beerman asks Grow to expound on the tools they use to create successful models. Grow states they describe and refine problems first, then test solutions. Envision Utah has all land use databases for the county that they've cleaned up to be able to create successful models. For each model they present cost and outcomes to analyze. Grow says a key tool they use is Envision Tomorrow Plus, a leading national tool on mapping place types into existing land use, adding people, then running that data through models. In terms of solution tools, a lot of has to do with transportation and land use. Other tools they specialize in are transfer development rights and changing entitlements. He reiterates we are not without choices to maintain our community a wonderful place for the world to come.

Mayor Thomas asks if Council is comfortable moving ahead working with Envision Utah. Council answers in the affirmative. Council member Simpson asks for a manager's report from Staff on what we do next after holding community forums. Staff asks for Council liaisons. Council members Henney and Thomas were chosen with Simpson as the alternate. Council member Peek says if these forums help us act faster rather than just resetting the public attitude, then he is in favor of moving ahead with them.

Mountain Accord Switzerland Trip Recap Presentation – Council members Peek and Simpson

Council members Peek and Simpson and Ann Ober spoke to their recent trip to Switzerland. Ober thanks Council for the opportunity to see other mountain communities and be educated on how things are done there. Ober reports they traveled with Summit County and Salt Lake staff. She states special events are a great addition to the visitor experience. They saw additional winter amenities that are different from what we have. One amenity was being able to sled down ski hills. Sledding trails are also used for snowshoeing, cross country skiing and dog walking. Council member Simpson feels this is an ingenious way to take advantage of those who don't ski, thereby bringing more users and dollars to the mountain.

Ober reports time frames are included on signage so hikers/walkers know how much time each route takes. Other signage included lift information in town and bus route information so riders know at all times how much time till they reach their destination. They saw a tunnel being built to straighten out and realign curvy roads. Council member Simpson reports they were on every kind of transportation available and her biggest take-away was realizing that no one mode of transportation is the answer. The Swiss are masters at utilizing many different forms of transportation. Simpson also reports parking garages are very cheap and extremely clean. They do paid parking anywhere from a few minutes to monthly. Ober reports on small town train stations and states those options could work in our community but egress and ingress are substantial. She emphasizes the importance of protecting the view regardless of the mode of transportation you are using. A slide show demonstrated different modes of transportation used in Switzerland such as horse-drawn carriages, street trains, go carts and electric buses. Things they didn't like were the long waits for trams. They all reiterate they are glad the city and county traveled together as it facilitated broader, more productive conversations and idea exchanges.

Regular Meeting

I. ROLL CALL – Mayor Jack Thomas called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, March 19, 2015. Members in attendance were Jack Thomas, Andy Beerman, Dick Peek, Liza Simpson, Tim Henney and Cindy Matsumoto. Staff members present were Diane Foster, City Manager; Matt Dias, assistant city manager; Mark Harrington, city attorney; Marci Heil, city recorder; Karen Anderson, deputy city recorder; Nate Rockwood, capital budget, debts and grants manager; Jenny Diersen, special events coordinator; Kyle MacArthur, water; Nick Graue, water; John Boehm, planner; Heinrich Dieter, sustainability; Roger McClain, water; Michelle DeHaan, water; Clint McAfee, water manager; Jonathon Weidenhamer, economic development manager and Adriane Juarez, library director.

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Matsumoto discloses the artist the selection committee nominated is from her hometown but that fact will not influence her vote.

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

None

IV. CONSENT*(Items that have previously been discussed or are perceived as routine and may be approved by one motion. Listed items do not imply a predisposition for approval and may be removed by motion and discussed and acted upon)*

1. Consideration of authorization for the City Manager to enter into a service provider contract for Public Art at the Park City Library in a form to be approved by the Legal Department with Danielle C. Wyckoff, in the amount of Fifty Seven Thousand, Seven Hundred and Eighty Six Dollars ($57,786.00). The project is not to exceed costs of Sixty Thousand Dollars ($60,000.00).

   Council member Matsumoto states she is confused as to why the art department budget was $60,000 and not the 1 percent. Dierson reports the 1 percent is part of the hard construction costs only and does not include architect fees or soft costs.

2. Consideration to authorize the City Manager to execute a Construction Agreement, in a form approved by the City Attorney, with CRS Mechanical Contractors, Inc., for construction of the Interior Meter Replacement Project in an amount not to exceed $20,000.

3. Consideration to authorize the City Manager to execute an Amendment to the Water Conveyance-2013 Pipelines Project, Segment B Construction Agreement, in a form approved by the City attorney, with COP Construction, Inc., as Change Order No. 3 for an increase to the contract in an amount not to exceed $372,202.45.

4. Consideration of Proposed Site for Volunteer Community Mural Project- Poison Creek Trail tunnel north of Vinto.

5. Consideration of authorization to proceed with the Main Street Improvements Project and authorize the City Manager to enter into a construction manager at risk (CMAR) contract in a form approved by the City Attorney's Office with Miller Paving Inc. in the amount of Seven Thousand Two Hundred Dollars ($7,200) for preconstruction services.

Council member moved to approve the Consent agenda
Council member Simpson seconded
Approved Unanimously

V. CONSIDERATION OF MINUTES FROM JANUARY 29, 2015 CITY COUNCIL MEETING AND THE FEBRUARY 4 AND 5, 2015 COUNCIL RETREAT

Council member Beerman moved to approve the minutes from January 29, 2015
Council member Henney seconded
Approved Unanimously

VI. APPOINTMENTS AND RESIGNATIONS

1. Appointment of Jan Wilking to the Citizens Open Space Advisory Committee (COSAC) at-large alternate position to fulfill a vacant term ending January 2016.

Heinrich Deters reports Wilking has served on all COSAC boards and recently served as the stakeholder for the BOSAC chair. He recommends Wilking take the seat vacated by the COSAC alternate at large.

Council member Matsumoto moved to approve appointment of Jan Wilking to the Citizens Open Space Advisory Committee (COSAC) at-large alternate position
Council member Peek seconded
Approved unanimously

VII. OLD BUSINESS

1. Consideration of a plat amendment for 9 Hidden Splendor Court pursuant to findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney.

John Boehm, Marshall King of Alliance Engineering, and Solim Gasparik, architect, spoke to the 9 Hidden Splendor Court request to combine lots into a single lot of record. Staff has found it meets all the requirements and recommends all restrictions placed when land was deeded to owner continue to be recognized as part of its approval. Boehm reports Planning Commission recommends neighborhood compatibility in terms of locations of the homes be maintained and rear-yard setbacks should be consistent with majority of lots in the neighborhood and that a 10-foot rear-yard setback be maintained. Staff recommends approving the plat amendments. King states they are OK with all Planning Commission recommendations except for maintaining the 10-foot rear-yard setback as other property owners have not complied and have built within the setback. King believes the owner should be allowed to build within the setback since it is not written anywhere that once a lot line is removed that building within a setback be restricted. King addresses property owners' concerns that the new residence will block their views and says this will not be the case as the new residence will be moved back only an extra seven feet. Council member Beerman asks why the extra seven feet is necessary in order to make this work. King states it's just a matter of the other residents being able to build in the setback. Harrington asks if the owner can still meet the maximum house size with the setback restriction, to which Gasparik says they can.

Council member Matsumoto asks if in the past restrictions were placed on remnants for lots previously for sale in this neighborhood. Dieters states they did place restrictions on remnants. Council member Peek asks if these lots were part of a golf course or ski access. Boehm states the property was an unused part of the golf course that the city deeded to the adjacent property owner. Mayor Thomas asks if the setback were eliminated, could someone build a garage to attach to the house. Boehm says if the setback were eliminated they could build and attach. If not, they would have to meet the requirements for rear buildings and would not be able to connect it to the main structure.

Council member Peek asks for clarification on the house footprint versus square footage. Council member Matsumoto states she doesn't feel the fact that other home owners were allowed to build in the setback does not affect this property owner's issue and disagrees with removing the restriction. Council member Simpson agrees with Matsumoto in not perpetuating the practice of building in the setback.

Mayor Thomas opened the Public Hearing. There were no comments made. Mayor Thomas closed the public hearing.

Council member Simpson moved to approve 9 Hidden Splendor Court pursuant to findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney
Council member Henney seconded
Approved unanimously

IV. NEW BUSINESS

1. Consideration to authorize the City Manager to execute a Professional Services Agreement, in a form approved by the City Attorney, with CH2M Hill, Inc., for engineering services in the amount of $185,000 for Judge and Spiro Tunnel Mining-Influenced-Water Treatment Evaluation - Phase IA Engineering Services.

   Michelle DeHaan, Roger McClain and Clint spoke to the mining-influenced-waters treatment for Judge and Spiro Tunnels and the project they're working on to gain regulatory compliance. In November 2014, they signed an order with the State of Utah Division of Water Quality that laid forth timelines for compliance. She reports the Judge tunnel was taken out of the drinking water system in summer 2013 due to concentrations above standards. The Spiro Tunnel is currently not able to meet stream standards; therefore, this project will address both issues.

   McClain reports this is a complicated, multi-faceted project involving several phases. Phase I is a treatment process evaluation they've broken down further. Phase IA involves a desktop analysis involving computer models. Phase 1B is for bench and pilot scale testing where models would be tested in real life. Phase 1C is narrowing down to several viable options to implement.

   Michelle states the stream water testing is very stringent, more so than drinking water and requires top-level technologies because of metal content, which is why they've chosen to hire CH2M Hill Engineers.

   McClain continues by speaking to water flow rates, stating we're dealing with high volumes of water which warrant the phased approach. Staff recommends Council approve Phase IA.

Mayor Thomas opened the Public Hearing. There were no comments made. Mayor Thomas closed the public hearing.

Council member Peek moved to authorize the City Manager to execute a Professional Services Agreement, in a form approved by the City Attorney, with CH2M Hill, Inc., for engineering services in the amount of $185,000 for Judge and Spiro Tunnel Mining-Influenced-Water Treatment Evaluation - Phase IA Engineering Services.
Council member Beerman seconded

Approved unanimously

2. Consideration to authorize the City Manager to execute a Professional Services Agreement, in a form approved by the City Attorney, with Carollo Engineers, Inc., for engineering services in the amount of $168,000 for the Water SCADA and Telemetry System Upgrade Phase 1A.

   Nick Graue and Kyle MacArthur spoke to SCADA, which stands for supervisory control and data acquisition. A SCADA system gathers, monitors and controls information such as where gas leaks occur, and carries out the necessary analysis to control such events. SCADA sites are controlled via radio emissions. Park City's SCADA system controls treatment processes, operational statuses, water quality flows, system pressures, open channel flows, etc. The main treatment center is the Quinn's control room. Our SCADA is very old and Staff wishes to upgrade the system. Current system deficiencies include very outdated hardware and software, proprietary hardware and software, communication reliability, limited data analytics and inadequate support services. Simpson asks if the new SCADA system will help improve communications in the tunnels. Nick says they are looking at that and are in the process of installing radios.

Mayor Thomas opened the Public Hearing. There were no comments made. Mayor Thomas closed the public hearing.

Council member Simpson moved to authorize the City Manager to execute a Professional Services Agreement, in a form approved by the City Attorney, with Carollo Engineers, Inc., for engineering services in the amount of $168,000 for the Water SCADA and Telemetry System Upgrade Phase 1A
Council member Peek seconded
Approved unanimously

3. Consideration of approval of Supplemental Plan for the 2015 Park Silly Sunday Market (PSSM)

   Jenny Diersen spoke to the supplemental plan measures of success for the Park Silly Sunday Market. Diersen reports Staff is actively anticipating future needs as well as learning from past experiences. Changes for this year include the last day of the market to close at 6 PM and have the street re-opened at 8 PM that same day. Staff has coordinated with HPCA to work out a first-of-the-month deadline booth sign up for them. If they do not cancel by the first Thursday there will be a cancellation fee. Simpson asks for clarification on the cancellation fee stipulation. Diersen states other changes are to the residential parking areas. Council member Beerman asks for clarification on how the changes are different from last year. Jason Glidden reports we have identified which areas are most useful for residential parking and are reducing the amount of residential-only parking on the west side due to feedback from residents.

   Diersen discusses the fee waiver request for city services. Council member Simpson asks how much money is set aside for police and message boards. Diersen reports they're estimating $36,000 in police services and $4,536 for the VMS boards. Council member Peek asks if the adjacent job site's building permit will be modified to prevent Sunday construction. Staff reports they have written word from project managers that Sunday construction will not be permitted.

Mayor Thomas opened the Public Hearing.

Mike Sweeney states he and his two brothers support Park Silly Sunday Market and will be providing the restrooms in their space as well as providing space for the stage to be housed in the garage. Reports the tenants he has spoken to are very supportive of the Market and are glad to see it return. Council member Beerman thanks Staff for their continued work and straightforward, easy amendments.

Mayor Thomas closed the public hearing.

Council member Beerman moved to approve the Supplemental Plan for the 2015 Park Silly Sunday Market (PSSM)
Council member Simpson seconded
Approved unanimously

4. Consideration of Authorization for the City Manager to enter into a service provider agreement with Utah Open Lands, for the Clark Ranch Preservation Easement in the amount of thirty thousand nine hundred forty three dollars ($30,943) in a form approved by the City Attorney.

Heinrich Dieters spoke to the Clark Ranch Preservation Easement and the timeline for the project. The service provider scope of services involves establishing baseline documentation, drafting a preservation easement and establishing a management plan consistent with the preservation easement values. Two firms submitted RFPs. Selection criteria was based on experience and cost effective of the proposal. The Selection Committee unanimously recommended Utah Open Lands be the service provider and Staff asks Council to approve the contract as proposed. Council member Simpson asks if preservation values will be the same on all the parcels. Dieters says that discussion can be had later when we have clear baseline documentation. Council member Matsumoto states she is concerned that we are sure we are comparing apples to apples and asks why the dollar amount for UOL's contract is so low. Wendy Fisher of Utah Open Lands states they have found it's easier to work with public entities, for example in regards to enforcement issues, and that they do not feel the need to charge more as it is consistent with what they have charged public entities in the past. Council member Henney asks if this amount reflects the true stewardship cost and not a subsidized cost. Fisher states the amount is based on the bare minimum of services they would provide. Council member Matsumoto states it's important we have a good plan and stewardship in place since we don't have certain bond language in place as the land was bought with open space money and not bond money. Council member Simpson asks if the cost includes just one visit to the site per year. Fisher says yes and also a five-year analysis. Council member Henney asks Dieters if he is comfortable with this RFP based on what he learned from working with both contractors. Dieters explains UOL used more creative approaches to paying for services and also charge $40 less per hour for staff hours. Council member Matsumoto expresses concern about UOL asking for additional monies in the future when a new Council is chosen as they might not approve those funds. Fisher states they will not ask for additional funds. Council member Simpson proposes a future study session to give Council the opportunity to evaluate RFPs such as the two involved here in order to better understand the price discrepancy. Council member Beerman states he is supportive of that study session and asks if the level of protection we have with UOL is at the same level of that that we have in place at Armstrong. Council states they wish to have such a study session in the future.

Mayor Thomas opened the Public Hearing.

Sheryl Fox with Summit Lands Conservancy states both organizations have not had a clear understanding of what was wanted. She recommends a study session be held to get a better understanding of why there is such a disparity between the two bids. Thomas states he feels it's a good idea to have a study session in the future but we're already past the point of accepting and re-opening the RFP process.

Mayor Thomas closed the public hearing.

Council member Peek moved to approve authorization for the City Manager to enter into a service provider agreement with Utah Open Lands, for the Clark Ranch Preservation Easement in the amount of thirty thousand nine hundred forty three dollars ($30,943) in a form approved by the City Attorney
Council member Beerman seconded
Approved unanimously

5. Consideration of approval the attached bond resolution for the 2015 Series Sales Revenue bond issuance, in an amount not to exceed $12,000,000, to provide funding for projects specified as part of the Council approved Additional Resort Communities Sales Tax Plan.

   Nate Rockwood speaks to the type of funding involved in the bond resolution, stating the bond has been structured so that reimbursements can be made for expenses already incurred, but going forward we have time to spend the funds down for projects in the future. He explains this isn't the sole source of funding, so if Clark Ranch monies should be used on something other than open space, Rockwood asks for direction from Council that when the bond is sold the full amount is not drawn down causing reimbursements to have to be made.

Mayor Thomas opened the Public Hearing. There were no comments made. Mayor Thomas closed the public hearing.

Council member Simpson moved to approve the bond resolution for the 2015 Series Sales Revenue bond issuance, in an amount not to exceed $12,000,000, to provide funding for projects specified as part of the Council approved Additional Resort Communities Sales Tax Plan
Council member Beerman seconded
Approved unanimously

6. Consideration of Land Management Code Amendments– Chapter 2.1 (HRL), Chapter 2.2 (HR-1), Chapter 2.3 (HR-2), Chapter 2.4 (HRM), and Chapter 2.16 (RC)- Regarding Side and Rear Setbacks for patios and hot tubs. Chapter 2 (in all applicable zoning

Districts) and Chapter 15 (Definitions)- to clarify Essential Municipal and Public Utility Uses. Chapter 2.24- Regarding Transfer of Development Rights (TDR).

Mayor Thomas opened the Public Hearing. There were no comments made. Mayor Thomas closed the public hearing.

Council member Peek moved to continue consideration of Land Management Code Amendments– Chapter 2.1 (HRL), Chapter 2.2 (HR-1), Chapter 2.3 (HR-2), Chapter 2.4 (HRM), and Chapter 2.16 (RC)- Regarding Side and Rear Setbacks for patios and hot tubs. Chapter 2 (in all applicable zoning Districts) and Chapter 15 (Definitions)- to clarify Essential Municipal and Public Utility Uses. Chapter 2.24- Regarding Transfer of Development Rights (TDR) to April 16, 2015
Council member Simpson seconded
Approved Unanimously

VII. ADJOURNMENT INTO A REDEVELOPMENT AGENCY MEETING

Council member Peek moved to adjourn
Council member Simpson seconded
Approved unanimously

CLOSED SESSION MEMORANDUM

The City Council met in a closed session at approximately 2:00p.m. Members in attendance were Mayor Jack Thomas, Andy Beerman, Dick Peek, Cindy Matsumoto, Liza Simpson and Tim Henney. Staff members present were: Diane Foster, City Manager; Mark Harrington, City Attorney; Jonathan Weidenhamer, Economic Development Manager; Heinrich Deters, Trails and Open Space; Tom Daley, Deputy City Attorney; Matt Abbott, Sustainability; Ann Ober, Community Relations Manager and Phyllis Robinson, Communications and Public Affairs Manager. **Council member Simpson moved to close the meeting to discuss Property and Litigation. Council member Beerman seconded. Motion carried.**

Council member Matsumoto moved to open the closed session. Council member Beerman seconded. Motion carried

The meeting for which these minutes were prepared was noticed by posting at least 24 hours in advance and by delivery to the news media two days prior to the meeting.

Prepared by Karen Anderson, Deputy City Recorder.

DATE: April 16, 2015

TO HONORABLE MAYOR AND COUNCIL

This contract with Beck Construction and Excavation is for the construction of the Deer Valley Drive Phase 2 Project as designed by Ward Engineering. The Council has approved funding for this project in Capital Project cp0317 (Deer Valley Drive Phase 2) which originally contained $950,000. Transit fund cp0108 in the amount of $13,355 will be used for the construction of the two bus pullouts.

The major constructed elements of this project will be the installation of eight foot wide sidewalks extending from Deer Valley Drive North to Snow Park, continuation of pedestrian lights extending from Sunnyside to Snow Park and installation of bus pull-outs, one in front of the Greyhawk condominiums and one in front of the Fox Glove condominiums. Deer Valley Resort will also be participating in this contract and will be paying for the entry monument located near the intersection of Deer Valley Drive and Deer Valley Drive North, replacement of their overhead lights in their Snow Park parking area and replacement of their overhead lights in the Deer Valley Plaza parking area.

Respectfully:

Matthew Cassel, City Engineer

City Council
Staff Report

Subject: Construction Agreement for Deer Valley Drive Phase 2 Project
Author: Matthew Cassel, Engineering
Date: April 16, 2015
Type of Item: Administrative

Summary Recommendations:
Staff recommends City Council authorize the City Manager to execute a construction agreement for the Deer Valley Drive Phase 2 Project with Beck Construction and Excavation in a form approved by the City Attorney and for an amount up to **$860,455.00.**

Executive Summary:
This contract with Beck Construction and Excavation is for the construction of the Deer Valley Drive Phase 2 Project as designed by Ward Engineering. The Council has approved funding for this project in Capital Project cp0317 (Deer Valley Drive Phase 2) which originally contained $950,000. Transit fund cp0108 in the amount of $13,355 will be used for the construction of the two bus pullouts.

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Acronyms
RELS – Request for Elevated Level of Service
UDOT – Utah Department of Transportation
RMP – Rocky Mountain Power
ROW – Right-of-Way

Background:
Through the Small Urban Fund program, Park City was granted $1,000,000 to be used for infrastructure improvements to Deer Valley Drive. This work, designated as Deer Valley Drive, Phase 1, was completed in the fall of 2013. There were numerous other elements that staff would have liked to be included in this project, but funding was not available. Additionally, changing or expanding project scope when federal money is involved is not well received by UDOT or the federal government. Council approved $950,000 during the FY 14 budget process for a second phase to this project to address these improvements, which help to beautify the corridor and address numerous

improvements requested from a 2004 request for elevated level of service (RELS) process from the neighborhood.

The Deer Valley Drive Phase 1 project included repair and lining of the existing collapsed storm drain, replacement of sections of the gas line (work and design performed by Questar Gas), replacement of the existing distribution water line, pedestrian modifications at the round-about, left turn lane at the intersection of Deer Valley Drive and Deer Valley Drive North, bus pullouts, speed limit feedback signs, pedestrian lighting and sidewalks from the round-about to the intersection of Deer Valley Drive and Sunnyside Drive, updated signage and road resurfacing.

This Deer Valley Drive Phase 2 project includes the following elements:

- Additional pedestrian lighting (from Sunnyside to Snow Park Lodge);
- Consistent sidewalks throughout the corridor;
- Crosswalks,
- Cleaning of the creek,
- Minor landscaping improvements along the corridor,
- Entry feature near the intersection of Deer Valley Drive and Deer Valley Drive north,
- Bridge façade restoration,
- Fiber optic conduit from Sunnyside to Snow Park,
- Addition of bus pullouts at Greyhawk and Foxglove condominiums, and
- Removal of the electrical box at the split.

Deer Valley Resort is one of the two major economic generators in Park City and should be seen as a partner. Adding elements to strengthen their entry statement and sense of arrival, providing safe, lighted pedestrian connectivity to Snow Park Lodge and further transit amenities should enhance the experience of their guest and minimize vehicular impacts. This project will help to beautify this corridor along with creating an entry statement as visitors drive toward Deer Valley Resort.

This project originally went out to bid last spring with bids received on June 24, 2014. Staff received only one bid and that was from COP Construction. Their bid was \$1,386,190, which was \$425,421 over the engineer's estimate of \$960,769. After careful review, staffs elected to reject the bid based on the discrepancy, re-format the bid-schedule and re-bid the project during the prime bidding period, which occurs between January and April.

Analysis:
Ward Engineering (project designer) and staff advertised to obtain competitive bids for the Deer Valley Drive Phase 2 Project. The project was advertised in the Park Record and the Salt Lake Tribune. Bids were received on March 12th, 2015 and seven (7) bids were received.

COMPANY	BASE BID	ALTERNATIVES	TOTAL BID
Beck Construction	**$736,510**	**$283,820**	**$1,020,330**
MC Contractor	**$756,588**	**$279,085.91**	**$1,035,674**
B. Jackson Const.	**$873,147.97**	**$331,038**	**$1,204,186**
COP Construction	**$874,192**	**$350,340**	**$1,224,532**
ACME Construction	**$893,506.90**	**$326,062**	**$1,219,569**
Miller Paving	**$1,117,527**	**$442,985**	**$1,560,512**
Wardell Brothers	**$1,315,960**	**$367,950**	**$1,683,910**

The low bid submitted by Beck Construction and Excavation was reviewed and determined to be compliant with the terms of the Contract Documents. The consultant engineer's estimate for the project was $767,768 for the base bid.

In order to maximize existing budget, the bid schedule was broken down into a base bid and four (4) alternative bid schedules (two of these bid schedules were specifically Deer Valley Resort items that will be paid for by Deer Valley Resort). The base bid was used to determine the lowest responsible and responsive bidder. With budget remaining after the base bid, staff is able to select items in the alternative bid schedules to use up as much budget as possible. Alternative bid items that staff has included in the project are as follows:

- Repair of the bridge just south of the intersection of Deer Valley Drive North and Deer Valley Drive,
- Installation of crosswalks along with their signage,
- Landscaping of the small areas near the intersection of Deer Valley Drive and Deer Valley Loop, and
- Stair Railing Modifications for Greyhawk Condominiums (when the bus stop is installed, the stairs leading into Greyhawk will need to be modified).

Items that will not be completed as part of this project due to lack of funds include:

- Bus stop benches,
- Landscaping the hillside near the intersection of Mellow Mountain Road and Deer Valley Drive,
- Landscaping around the PRV station located near the intersection of Deer Valley Loop and Rossi Hill Drive,
- Relocation of the power source to the sign located along Deer Valley Drive, and
- Replacement of existing shoe box lights along Deer Valley Drive North with lights that match the lights being installed along Deer Valley Drive.

Project Budget – The project budget and current and future anticipated expenditures to date is shown below;

CIP Funds	$950,000
Transit Funds	$ 13,355

Total Project Budget	$963,355
LESS:	
Consultant Design & Construction	
Management Contract	$147,963.50
Utility relocate and other project costs	$ 28,057.55
Project Funds Available	$787,333.95
LESS:	
Base Bid (Schedule A)	$736,510
Alternatives Added (Schedule B)	
Bridge Restoration (Item 2)	$ 8,625
Crosswalks (Item 3)	$ 13,200
Area 1 Landscaping (Item 7)	$ 6,950
Area 1 Temporary Irrigation (Item 8)	$ 5,900
Greyhawk Stair Railing (Item 14)	$ 1,285
LESS:	
Funding of Art at 1% of construction costs	$ 7,725
Project Budget Remaining	$ 7,139.95

On any construction project, you should usually have between 8% and 10% of the construction costs in reserve for possible change orders and other changes to the project. With $7,140 currently available in reserve, the project should have another $60,000 in reserve. Budget has acknowledged that a minor adjustment to the project budget should occur to cover any changes in the project. This adjustment will be presented to City Council as an adjustment to FY2015 capital budget and be included as part of the FY2016 Budget process.

The $860,455 requested in this report is broken down as follows:

Base Bid	$736,510
Added Bridge Repair	$ 8,625
Added Crosswalks	$ 13,200
Added Area 1 Landscaping	$ 6,950
Added Area 1 Temporary Irrigation	$ 5,900
Added GreyHawk Railing	$ 1,285
TOTAL TO BE PAID BY PARK CITY	**$772,470**
Deer Valley Resort (Paid by Deer Valley Resort)	
Parking Lot Lighting & Monument	$ 68,935
Plaza Parking Lot Lights	$ 19,050

TOTAL PAID BY DEER VALLEY RESORT **$ 87,985**

TOTAL PROJECT REQUEST **$860,455**

Contractually this project will be structured similar to how we structure our contracts with SBWRD. The contractor will contract directly with the City to complete all the work described previously including the Deer Valley Resort's share. Upon receiving invoices from the contractor that includes work to be paid by Deer Valley Resort, staff will send Deer Valley Resort an invoice for their share of the invoice. An agreement between Park City and Deer Valley Resort will be in place prior to starting the construction.

Operation and Maintenance impact caused by this project - this project will have the following impacts to Public Work's operation and maintenance demand:

- A contract was signed with RMP to connect the proposed pedestrian lights to the power grid. The first five years of power usage for these 26 pedestrian lights were also paid through this contract. Public Works will not be responsible for the invoice for the power used for these lights until the summer of 2020.
- As part of this project, the sidewalks starting at Deer Valley Drive North and extending to Snow Park Lodge will be widened from their four (4) and five (5) foot width to eight (8) foot in width. This sidewalk is currently a priority one sidewalk and is plowed during snow events. Public Works does not believe there will be a change in level of service with the wider sidewalks.
- The two islands as you near Snow Park Lodge are located in the City ROW. These islands will be landscaped with irrigation as part of this project. Once installed, Deer Valley Resort has offered to maintain these landscaped areas (Deer Valley Resort have been maintaining these islands for over 20 years). The plant materials used in the islands are native/low water species. The contractor will be responsible for maintaining and hand watering the islands through the 2016 irrigation season. The City will take over this responsibility starting in the spring of 2017. With Deer Valley Resort taking on the maintenance of the landscaping in the islands, Staff proposes that the City provide the irrigation water for these two islands. It is anticipated that the water needs for the islands will be approximately 250,000 gallons per irrigation season.

Department Review:
This report has been reviewed by Public Works, Planning, Sustainability, Legal, Budget and the City Manager's office. All issues have been resolved.

Alternatives:

A. Approve the Request:
This is the staff's recommendation.

B. Deny the Request:
If this request is denied, construction to complete the lighting, sidewalks and address some of the items from the 2004 RELS request would not commence.

C. Continue the Item:

If the Council needs more information the item can be continued, but this could impact the ability to complete the construction in a timely manner.

D. Do Nothing:

This option would make it difficult to complete the construction in a timely manner.

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?	+ Accessible and world-class recreational facilities, parks and programs + Accessibility during peak seasonal times + Safe community that is walkable and bike-able			+ Well-maintained assets and infrastructure
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Very Positive	Neutral	Neutral	Positive
Comments:				

The construction of Deer Valley Drive Phase 2 will slightly impact the adjacent homeowners and may cause very short access issues for the Solamere neighborhood and Deer Valley Resort. These impacts will be addressed through the use of neighborhood meetings and electronic and social media updates throughout the project.

Consequences of not taking the recommended action:

By not doing the project, this beautification and entry statement will not be achieved. Additionally the City will not fulfill the improvements identified through the RELS process by the neighborhood.

Recommendation:

Staff recommends City Council authorize the City Manager to execute a construction agreement for the Deer Valley Drive Phase 2 Project with Beck Construction and Excavation in a form approved by the City Attorney and for an amount up to **$860,455.00.**

Exhibits – Ward Engineering's Award Letter of Recommendation
Deer Valley Drive Phase 2 Bid Tabulation

Ward Engineering Group
Planning • Engineering • Surveying
231 West 800 South, Suite A Salt Lake City, UT 84101
Phone: 801.487.8040 Fax: 801.487.8668
www.wardeg.com

March 31, 2015

Matthew Cassel, P.E.
Director of Engineering
Park City Municipal Corporation
445 Marsac Avenue
P.O. Box 1480
Park City, UT 84060

RE: Recommendation to Award Construction Contract
Deer Valley Drive, Phase 2 Construction

Mr. Cassel:

PCMC received seven bids in response to the above referenced project on March 12, 2015, where bids were opened and read aloud (see attached Bid Abstract). The apparent low bidder, as determined by the "base bid" schedule of the "Bid Documents", was Beck Construction & Excavation. When all bid schedules (five total) were added together, Beck Construction was also the apparent low bidder.

Upon evaluation of Beck Construction's bid, all bid schedules were completed in full, and we do not observe any inconstancies or bid irregularities. Additionally, the following required items were submitted as part of the bid, which were required.

- Bid security in the amount of 5% guaranteed by: The Guarantee Company of North America.
- Signed and Dated Bid
- Completed Bid Form (Supplemental)
- Signed and Notarized Affidavit of Non-Collusion
- Acknowledgement of Addenda No. 1 and No. 2

We were able to contact Salt Lake County, who was a reference for a similar project that Beck Construction recently completed. The County's Public Works Inspector indicated that the project went well and there were no problems in successfully completing the project.

Based on this information, we recommend awarding the project, any or all bid schedules, to Beck Construction & Excavation.

Respectfully,
WARD ENGINEERING GROUP

Brendan Thorpe, P.E.
Project Manager

DEER VALLEY DR. PHASE 2

BID ABSTRACT, MARCH 12, 2015
PARK CITY MUNICIPAL CORPORATION

Bidder	Base Bid (Schedule A) Basis of Evaluation	Schedule B	Schedule C	Schedule D	Schedule E	Total Bid
Cop Construction	$ 874,192	$231,840	$56,500	$39,500	$22,500	**$ 1,224,532**
Beck Construction & Excavation	$736,510	$ 171,245	$ 61,775	$ 31,750	$ 19,050	**$ 1,020,330**
B. Jackson Construction	$ 873,147.97	$ 188,249	$ 84,796	$ 36,405	$ 21,588	**$ 1,204,185.97**
MC Contractors	$ 756,588	$ 158,500	$ 71,608.68	$ 30,750.85	$ 18,226.38	**$ 1,035,673.9**
Wardell Brothers Construction	$ 1,315,960	$ 220,250	$ 82,100	$ 41,000	$ 24,600	**$ 1,683,910**
ACME Construction	$ 893,506.9	$ 189,279	$ 81,880	$ 32,203	$ 22,700	**$ 1,219,568.9**
Miller Paving	$ 1,117,527	$ 317,427	$ 74,590	$ 31,855	$ 19,113	**$ 1,560,512**

DATE: April 16, 2015

TO HONORABLE MAYOR AND COUNCIL

City Council has expressed a strong desire to develop a comprehensive parking and transportation strategy in advance of the redevelopment of the Lower Park Avenue, Bonanza Park and the Park City Mountain Resort.

On October 9, 2014, Transportation Planning staff presented City Council an update on the City's Transportation Master Plan. At that time Council reaffirmed goals set forth in the plan but expressed a strong desire to accelerate achievement of those goals and directed Staff to return with a plan including costs to accomplish an accelerated schedule.

On January 8, 2015, Transportation Planning Staff returned to City Council with an accelerated Transportation Master Plan goal achievement schedule. An integral component of the accelerated plan was hiring consulting services to assist with several studies (including the Transportation and Parking Siting and Feasibility Plan).

Council reviewed and commented on Staff's draft scope of work for this study on January 29th, 2015. Staff has completed a procurement in compliance with City policy and is requesting authorization to execute a contract with Nelson-Nygaard Consulting Associates, Inc. in the amount of $198,964.

Respectfully:

Brooks Robinson, Senior Transportation Planner

City Council
Staff Report

Subject:	**Professional Services Contract for Consulting Services – Transportation and Parking Siting and Feasibility Plan**
Author:	**Brooks Robinson, Senior Transportation Planner** **Jonathan Weidenhamer, Economic Development Manager** **Nate Rockwood, Budget, Debts, & Grants Manager**
Department:	**Several**
Date:	**April 16, 2015**
Type of Item:	**Administrative**

Summary Recommendations:
The Council should consider authorizing the City Manager to sign the Service Provider/Professional Services Agreement with Nelson-Nygaard Consulting Associates, Inc. for professional services related to the preparation of a Transportation and Parking Siting and Feasibility Plan for the Bonanza Park, Lower Park, and Park City Mountain Resort areas in the amount of $198,964 in a form to be approved by the City Attorney.

Executive Summary:
City Council has expressed a strong desire to develop a comprehensive parking and transportation strategy in advance of the redevelopment of the Lower Park Avenue, Bonanza Park and the Park City Mountain Resort.

On October 9, 2014, Transportation Planning staff presented City Council an update on the City's Transportation Master Plan. At that time Council reaffirmed goals set forth in the plan but expressed a strong desire to accelerate achievement of those goals and directed Staff to return with a plan including costs to accomplish an accelerated schedule.

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Council reviewed and commented on staff's draft scope of work for this study on January 29th, 2015. Staff has completed a procurement in compliance with City policy and is requesting authorization to execute a contract with Nelson-Nygaard Consulting Associates, Inc. in the amount of $198,964.

Background:
On July 31, 2014 Transportation Planning Staff provided City Council with an overview of the depth and breadth of the City's Transportation plans. A copy of the related Staff report is located at:
http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=13135

On October 9th, 2014 Transportation Planning Staff presented City Council with informational background and a progress update (report card) on the City's Transportation Master Plan. At this meeting Council reaffirmed its support for the goals set forth in the Transportation Master Plan and also requested that staff return to Council in January with plans to accelerate achievement of Transportation Master Plan goals.
A copy of the related Staff report is located at:
http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=13416

On January 8th, 2015 Transportation Planning Staff returned to Council with a Study Session on accelerating many of the goals set forth in the City's Transportation Master Plan. Council directed Staff to pursue the accelerated schedule.
A copy of the related Staff report is located at:
http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=14272

On January 29, 2015 Staff presented an outline of the Scope of this study. Council directed staff to proceed with issuing a Request for Proposal to secure a consultant to assist with completing this study. A copy of the related staff report is located at:
http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=14359

On February 5 & 6, 2015 Transportation Planning Staff reviewed its 5 year plan with Council. Council reaffirmed its direction to pursue an accelerated transportation goal achievement schedule. This plan was developed utilizing feedback and direction provided by Council and the Mayor in the series of Council meetings presented above. A summary table containing this 5 year plan is contained at the end of this report.

A critical element of Transportation's Five Year Plan is the completion of a parking siting and transportation study. This study shall research and develop a parking-transportation plan for the Bonanza Park neighborhood, Lower Park Avenue neighborhood, and the Park City Mountain Resort.

The Parking Siting and Transportation plan will analyze transportation-parking options for the neighborhoods and resort seeking the following objectives:

- Provide for resort visitor parking in a location served with adequate auto infrastructure to efficiently and effectively serve peak season auto demand;
- Provide for convenient non-automotive transportation links (transit, pedestrian bicycle) between Bonanza Park, Lower Park Avenue, Park City Mountain Resort and Historic Main Street;

- Explore various transit modes (aerial, rail, rubber tired) to determine most attractive, efficient and effective mode to serve City needs in the short, mid and long range time horizons;
- Enhance remote parking to serve special event and Main Street peak period parking needs;
- Facilitate enhanced economic development in Bonanza Park and Park City Mountain Resort; and
- Develop a transportation-parking siting and feasibility plan that includes Engineer's estimate of probable construction and Operations and Maintenance cost over a 15 year period.

Staff prepared an independent estimate of consulting hours and fees in advance of releasing the Request for Proposal. Based upon experience with projects of similar size and scope staff estimated that the project would require approximately 1200 – 1300 labor hours (average cost per hour @ $150 to $160 per hour) for a total cost range of $180,000 to $208,000.

Acronyms:
No acronyms were harmed in the writing of this report.

Analysis:
A request for qualifications/proposals for consulting services was published in the Park Record on January 31st and the Salt Lake Tribune on February 1st and 8th with proposals due on March 6. Additionally, the Request for Proposal was posted on the City's website, e-notify and Utah Legals website. The City received five proposals from the following companies that headed multi-firm teams:

- A-Trans
- IBI
- Nelson-Nygaard
- PEC
- RSG

A review committee was formed with the following participation:

1. Kent Cashel (Transportation Planning Director)
2. Brooks Robinson (Senior Transportation Planner)
3. Nate Rockwood (Budget, Debts, and Grants Manager)
4. Jonathan Weidenhamer (Economic Development Manager)
5. Thomas Eddington (Planning Director)
6. Matt Cassel (City Engineer)

The review committee evaluated each firm according to a list of criteria including:

1. The qualifications of the proposing firm:
    a) the experience of the firm in related projects, especially a listing of previously completed projects,
    b) a description of the experience and technical competence of specific staff members to be assigned to the project,

c) a specification of the specific individuals who will have major responsibilities for the study and the commitment of time to the project for each,
d) a full description of the background of the project manager with a specific commitment of time.

2. A work program describing the steps to be completed in the study. The work program included estimated man hours by personnel category for each task. The Scope of Work described the basic work to be accomplished. The consultant had the latitude to modify or add to the scope in his proposal. If any modifications to the scope were proposed by a prospective consultant, specific reasons why had to be cited in its proposal.

3. A schedule was required with calendar time required to complete each work element and a completion date for each major milestone in the project. The consultant must complete the Plan by October 29, 2015, including adoption by City Council unless an extension is negotiated and approved by the City.

4. Current commitments. Firms were required to include a description of the firm's current projects and workload sufficient to determine the adequacy of the staff to handle the project.

5. Three recent references for similar projects performed by the proposed team members.

6. Other factors deemed relevant by the selection committee, including but not limited to the nature and extent of requested changes to our standard contract (i.e. unwillingness to comply with out insurance/indemnity provision counts against a bidder.)

7. Cost Summary. Cost of providing the services will be a consideration, however, price may not be the sole deciding factor.

Each proposal included the estimated number of hours and the proposal cost. Costs ranged from $59,480 to $207,664.

The selection committee carefully reviewed and ranked the proposals. The committee then scheduled interviews with the top three firms below

1. Nelson-Nygaard Consulting Associates, Inc.
2. IBI Group
3. RSG, Inc.

The selection committee met with the top three firms on March 20th. Each firm made a presentation of 20 minutes in length and responded to questions from the committee regarding their proposal and workplan for an additional 40 minutes.

Using the selection criteria set forth in the Request for Proposal, the committee unanimously ranked Nelson-Nygaard's proposal as the best choice for providing professional services to the City on this project. The Nelson-Nygaard proposal differentiated itself in the following areas:

- **Team strength and Experience** – Nelson-Nygaard presented a strong combination of local and national experts in parking, traffic modeling, transit, land-use planning, redevelopment authorities and real estate economics. Their proposal demonstrated a strong record of completing studies of similar scope, nature and size.
- **Project Manager Strength and Experience** – Nelson Nygaard proposed both a lead and a deputy project manager. Jason Schreiber (project manager) brings 20 years of experience in transportation infrastructure. Phil Olmstead (deputy project manager) brings ten years of experience in Transportation Demand Management and transit planning.
- **Work Program –** Nelson-Nygaard's workplan was extremely well planned and laid out and represented the strongest understanding of the City's project goals and objectives.
- **Schedule –** The schedule proposed by Nelson-Nygaard is consistent with requirements and incorporated a level of effort (labor hours) that the selection committee believed the study will require.
- **Level of Current Commitments** – Nelson-Nygaard (and its subcontractors) have dedicated the time of each team member that will be required to complete the project and achieve goals and objectives.
- **Cost-** Nelson-Nygaard's proposal was not the lowest cost proposal submitted. The selection committee carefully combed through the proposed hours of each individual and each task to ensure the work plan was reasonable.

  Staff firmly thinks, after completing this fee review and negotiating a reduction in hours and fees (without reduction in scope), that Nelson-Nygaard's proposal fee is reasonable and within the confines of industry standard for projects of similar scope. The table below displays the average cost per billing hour for all proposals. Nelson-Nygaard's proposal fee is within the range of proposals submitted (neither highest nor lowest average cost per hour).

Firm	Proposal Cost	Proposal Hours	Average Cost Per Hour
PEC	$175,093	1552	$112.82
RSG	$165,100	1258	$131.24
Nelson/Nygaard [1]	$198,964	1305	$152.46
IBI	$112,910	690	$163.64
A-Trans	$59,480	360	$165.22

1. - The initial fee proposal submitted by Nelson-Nygaard was $207,664. The final fee negotiated with Nelson-Nygaard was $198,964.

Scope of Project:
The Scope of Work proposed by Nelson-Nygaard is attached to the back of this report.

Department Review:
This report has been reviewed by Transportation Planning; Sustainability; Budget, Debts, & Grants; City Manager, and the City Attorney's office.

Alternatives:
A. Approve:
The Council should consider authorizing the City Manager to sign the Service Provider/Professional Services Agreement with Nelson Nygaard Consulting Associates, Inc. for professional services related to the preparation of a Transportation and Parking Siting and Feasibility Plan for the Bonanza Park, Lower Park, and Park City Mountain Resort areas in the amount of $198,964 in a form to be approved by the City Attorney. **This is Staff's recommendation**.

B. Deny:
Council could deny the request and authorize Staff to re-advertise the project or cancel the project altogether.

C. Modify:
Council could request modifications to the project which would likely need to be re-advertised.

D. Continue the Item:
Council could defer the item to a later date.

E. Do Nothing:
Council could choose to do nothing which would have the same effect as denying the request.

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?	+ Accessible and world-class recreational facilities, parks and programs	+ Reduced municipal, business and community carbon footprints	+ Cluster development while preserving open space	+ Well-maintained assets and infrastructure

Attachment: BoPa-LoPa - PCMR Draft Staff Report for Legal Review 4 16 15 (1171 : Contract ForTransportation and Parking Siting and

	+ Well-utilized regional public transit + Accessibility during peak seasonal times + Safe community that is walkable and bike-able		+ Shared use of Main Street by locals and visitors + Physically and socially connected neighborhoods + Diverse population (racially, socially, economically, geographically, etc.)	
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Very Positive	Positive	Very Positive	Positive

Comments:

Funding Source

Funding for this study is within the existing budget with 50% from the Lower Park Redevelopment Authority and 50% from the Transit Fund.

Consequences of not taking the recommended action:

The City has traditionally taken a proactive stance in trying to solve problems before they become critical. Transportation and the moving of more people efficiently in and through town could quickly approach critical levels during peak times and will continue to be a social, economic, and political issue in the coming years. This is an issue that was identified in the Vision Park City as a primary concern.

Recommendation:

The Council should consider authorizing the City Manager to sign the Service Provider/Professional Services Agreement with Nelson-Nygaard Consulting Associates, Inc. For professional services related to the preparation of a Transportation and Parking Siting and Feasibility Plan for the Bonanza Park, Lower Park, and Park City Mountain Resort areas in the amount of $198,964 in a form to be approved by the City Attorney.

Attachments: Nelson-Nygaard Work Plan
Nelson-Nygaard Project Schedule

SCOPE OF WORK

This scope assumes that all deliverables will be submitted electronically to the City's project manager.

TASK 1 PROJECT INITIATION

1.1 Project Kickoff Meeting

We will hold a kickoff meeting for City staff and any appropriate City stakeholders to understand their goals and aspirations during our kick-off visit. We also will finalize the scope of work and project schedule, establish communication protocols, coordinate preparation activities, and collect studies, reports, GIS/AutoCAD data, and other information that will be used throughout the project.

In coordination with City staff, the team will clarify team member roles, meeting schedules, contact information, initial stakeholder contacts, community event types/dates/locations, and consistent graphics elements for outreach materials.

- Two-day visit to include meetings with the City working group, individual City staff, key private stakeholders, and any initially listening session.
- Includes field reconnaissance.

1.2 Final Scope of Work and Project Schedule

Based on the discussions at the project kickoff meeting and follow-up correspondence, we will work with the City to finalize the Scope of Work and Project Schedule, including the Community Outreach Schedule in Task 6.

DELIVERABLES Meeting Notes
Final Scope of Work and Project Schedule

TASK 2 DATA REVIEW AND COLLECTION

The foundation of any good plan lies in the collection of accurate, relevant, and current data and information. If we begin with good data, our analysis can focus on measurable metrics and outcomes, rather than debate about dogma, philosophy, or bias.

2.1 Review of City Codes, Policies, Standards, and Design Guidelines

In addition to reviewing each document in the REQUEST FOR PROPOSAL, we will conduct a review of all appropriate municipal codes and ordinances that do or should support the City's goals for BoPa, LoPa, and Park City Mountain Resort. These go beyond standard elements such as roadway capacity and performance, intersection delays, and multimodal accommodation, extending further into elements such as parks and recreation, parking regulations, development planning, and citywide zoning.

In addition, we will work with City staff to fully understand existing street design processes, evaluation, and implementation practices across key departments. We hope to work with the City to outline specific code language modifications and additions to support the enhancement of pedestrians, cyclists, transit riders, and other users of the roadway.

- Identify governing zoning that may impact a site, including height, setback, FAR, etc. as contrasted with proposed form-based code contribute to Task 4.

- Identify accepted community plans and visions for study area and nearby neighborhoods to contribute to Task 6.
- Identify design standards for sidewalks, crosswalks, streets, etc. that may help or limit access concerns or site development in Task 4.
- Acquire all existing models, GIS files, land use datasets, counts, etc.

2.1 Supplemental Counts

This subtask is a set-aside for any additional or recent vehicular, bicycle, or pedestrian counts that may be needed where gaps in available data exist. Traffic counts will be performed during the PM peak-hour at up to 10 major intersections to be used as a base for the travel demand model. We will also supplement peak-hour counts with daily traffic counts acquired from UDOT and/or Horrocks. We have included in this budget up to six daily traffic counts to be gathered by Horrocks. More locations can be obtained per the City's request.

DELIVERABLES Databases of Available Data
Evaluation Memorandum of Regulatory Controls

TASK 3 ANALYSIS OF INTERSECTIONS AND CORRIDORS

The Nelson\Nygaard team will utilize several tools to test the two scenarios of transit center/parking structure and associated development(s) that will be identified in Task 4 versus acceptable multimodal mobility criteria. This includes:

3.1 Corridor Travel Demand

We will use the latest version of the Mountainlands Association of Governments' Cube regional travel forecasting model (incorporating any refinements finalized through the City's parallel transportation demand management process for the SR 224 and SR 248 corridors) to test the aggregate impacts of these scenarios on travel. Each scenario will be coded into the model, focusing on street and transit projects as well as other proposed actions that tend to improve accessibility, such as access to transit stops and parking. We will run these scenarios against the region's established future socio-economic data. Future land use assumptions will be based on the land use and zoning data summarized in Task 2 as well as key stakeholder knowledge and community input.

This methodology will likely create different results than those generated by the region's current socio-economic data set for purposes of comparison. Appropriate measures will be defined so that model outputs will be transformed into measures consistent with acceptable criteria as established in cooperation with the City and informed by the outreach process in Task 6.

- Available future year projections from the existing Mountain Accord model will be extracted for local TAZs and links and compared to expected PCMR growth, existing link capacities, and transit system capacity to inform initial evaluations in Tasks 3 & 4 as well as initial outreach in Task 6.
- Any revised projections assuming changes to SR 224 and 248 flows or capacities from separate work would be incorporated.

3.2 Local Area Travel Demand Model

Building upon the Mountainlands model, which incorporates SR 224, SR 248, and Bonanza Drive, team members at Horrocks Engineers will develop a complete model for the network of streets that includes Silver King Drive and Empire Avenue, as well as the entirety of Park Ave., Iron Horse Drive, Sidewinder Drive, Deer Valley Drive, and other critical links. This sub-area model (which will be fully compatible with the regional model) will allow the team to better model circulation and development scenarios. The demand model will be provided to Park City for use after project completion.

- Any key local links deemed important to be added will be coded into the Mountain Accord model.
- Based on site plans generated in Task 4, corridor improvements in Task 5, and the effect of Town-approved land use and circulation plans identified in Task 2 or developed by the consulting team, study area TAZs and links will be re-evaluated and potentially re-coded to account for changes in street cross-sections, reconfigured intersections, new land uses, changes to internal capture rates, and mode shifts.
- The Mountain Accord model will be recalibrated as necessary in the area close to the study area, incorporating the revised capacities and trip generation rates from this effort and the SR 224/228 effort.
- Ultimately two final future scenarios will be run for loading into the Synchro model.

3.3 Automobile Movement and Delay

Scenarios will be tested using the SimTraffic micro-simulation model versus acceptable community criteria – typically using critical sum, volume/capacity ratio, or level-of-service measures. Any solutions that would tend to reduce automobile capacity to accommodate other modes will be analyzed to provide documentation of their feasibility. We will also analyze system improvements, particularly improved pedestrian crossings and transit features, such as queue jump lanes.

- Any existing Synchro models for the study area will be used during scenario development as needed to test intersection and roadway concepts.
- Up to two final Synchro networks will be developed for key links in the study area reflecting two final land use and site design scenarios. SimTraffic simulations for each will be developed for use in Task 6.
- Evaluation tables of acceptable measures derived during Task 6 will be prepared for the PM and midday peak hours at all modeled intersections.

3.4 Bicycle & Pedestrian Evaluation

While off-street biking and walking accommodations are exceptional in Park City, they do not accommodate all desire lines nor the beginning and end of most walk/bike trips. Our team will analyze pedestrian and bicycle delay, safety, and compatibility at intersections using SimTraffic inputs supplemented by turning movement count data. For a set of corridors that accommodate primary desire lines, we will apply multimodal level of service (from the NCHRP) and bicycle stress measures (from Northeastern University) that will help the City identify where impacts might worsen and where improvements can be prioritized to achieve better access to a transit center and other key destinations. (Legal requirements for the use of the rail trail will be investigated in Task 5). Based on the availability of data, the team will also conduct a collision analysis for bicyclists and pedestrians to document "hot spot" locations and collision trends.

- An initial field audit will identify existing intersection deficiencies for pedestrians and bicyclists (up to 12 intersections).

- Existing MMLOS, PLOS, and/or bicycle stress will be determined for links (up to 8) along all primary desire lines identified today as well as any future desire lines where streets now exist.
- Crash records where available will be reviewed and mapped

DELIVERABLES Cube Model Network Maps/Output (available to Park City for use post-project) Synchro Model Outputs Ped/Bike Compatibility, MMLOS, and Biking Stress Outputs Comparative Modal Performance vs. Approved Criteria

TASK 4 ANALYSIS OF NEEDS & SITES FOR TRANSIT CENTER/PARK & RIDE

The Nelson\Nygaard team will develop several concepts leading up to two final scenarios for full evaluation of a transit center and/or park-and-ride facility. Concepts will be developed in cooperation with the City and stakeholders for the Municipal Golf Course, the City Park, the Olympic Park, and other likely publicly- and privately-owned locations. The various scenarios will not only consider an array of complementary uses (retail, office, residential, etc.) but will also present a range of possible ownership models, such as full ownership, long- term leasehold, and public-private partnerships. Our team will consider the strengths of many locations in and near BoPa, LoPa, and PCMR in close coordination with the City and through the public outreach process of Task
6. Several key areas of consideration will be evaluated by our team, including:

4.1 Access and Connectivity

A successful transit center, park-and-ride, or transit-oriented development relies on strong transportation access by all modes. While transit access is essential, it is often more important to ensure a safe, walkable environment that encourages street-level activity. Most forget that every transit rider, bicyclist, and motorist must become a pedestrian at some point in their journey, and this is an essential feature of good transit centers.

Our team will draw upon the baseline multimodal access evaluation of Task 3 to assess connectivity at an area- wide level to help determine candidate sites and then at a local level for selected conceptual sites. Careful consideration of delay factors, barriers, safety threats, and quality of facilities will be documented for all modes at a sketch level with a rating system established to assess one site versus another. Special consideration will be given to parking for special events, as well as connections to BoPa, Main Street, and other area resorts.

- Task 3 evaluations and data sets will be utilized and supplemented as necessary to evaluate potential sites carefully across all modes.
- Includes summary matrix of multi-modal mobility factors for several conceptual scenarios.

4.2 Potential Mix of Uses

Different uses have different peaks of demand throughout the day. A successful transit center will have a mix of uses that have complimentary peaks that create moderate demand across a broad span of time versus high demand at only the peak entry and exit hours. From a transit perspective, this characteristic eliminates the need to run extra peak-hour service while producing greater ridership on off-peak runs. From a development perspective, this creates activity and customers for retail across many more hours of the day than typical developments, not only attracting retailers but businesses and residents attracted to the district. From a parking perspective, greater utilization across the hours of the day will maximize return on any parking investment and minimize the impact to surrounding street networks.

For each opportunity site, we will assess the existing density and mix of uses to determine what amount of additional uses would create the right daily balance. This may drive a development program that, for instance, mixes overnight stays, transient parkers, and retail visitors in the same facility to optimize efficiencies and return on investment.

- A mixed-use trip generation sketch model will be developed based on best practice methods to test several use and size combinations and compared against Mountain Accord trip tables where possible to evaluate the benefit of various scenarios.
- A shared parking model will be created for likely development scenarios using best practice methods. This may include expansion of the model to adjacent and area uses to test shared-parking or "park once" district benefits.
- The effect of pricing and TDM measures will be included in trip and parking models.

4.3 Development Feasibility

Even the most ideal location for a transit center may not be feasible from a development perspective. If requested by the City, our real estate advisors are available to assess each potential site to determine if a land deal is possible/needed and whether it will attract the desired uses.

As the mix of uses, project density, and infrastructure needs begin to become refined, our team is available to start penciling out development costs with the goal of ultimately developing a pro forma for each opportunity site that balances all key development costs with potential revenues. Using local square foot production costs by use, we can develop hard and soft cost estimates for one or more potential development models at each site. Differing estimates may be developed where alternate construction types are viable. Our team also is available to determine the needed income sources to support the construction of public infrastructure, if it is necessary.

- Includes evaluation of likely commercial and residential absorption, use compatibility, local market sufficiency, etc.
- On-site visits by REgeneration and Ninigret team members are budgeted.

DELIVERABLES

Access and Connectivity Comparative Evaluation and Matrix Recommended Site Program
Development Feasibility Report

TASK 5 EVALUATE DIFFERENT MODES FOR CONNECTIVITY BETWEEN PLACES

Ultimately, the connections between the selected site and key destinations within Park City are why this study is being undertaken. The BoPa, LoPa, and PCMR districts are Park City's "knuckle," lying at the confluence of regional and local circulation for a vast territory that continues to grow with new residential, commercial, and resort development. Separately, Park City is correctly evaluating the future carrying capacity of SR 224 and SR 248 with an eye towards shifting as much travel out of the peak hours and onto other modes as possible. The ultimate multimodal solution(s) for each corridor come together in this study area.

To find the right solution will require an unbiased and open-minded, yet technically rigorous approach to the problem of intercepting thousands of daily travelers in a manner that is compatible with the area's limited rights- of-way. Our team recognizes the inherent efficiencies of not only a multimodal solution, but also a intermodal center that can serve multiple uses and reduce the need of travelers to drive to more congested locations.

5.1 Corridor Evaluation

Rights-of-way between the BoPa/LoPa districts and resort destinations to the south are limited. While much has been done over the years to maximize vehicle throughput on existing roads, this has been at a cost to walking and biking. Park City knows that adding vehicular capacity is no longer the right solution and that increased walking accommodation can help reduce unnecessary vehicle trips and relieve road congestion. Nonetheless, the distance between an intermodal park and ride in BoPa/LoPa must rely on other modes that will need to share existing rights of way. PCMR may be benefitted by aerial connections, but it is likely that other upstream resorts and Main Street will need other modes.

Drawing upon existing information and field observations, our team will consider all potential corridors (including roads, the rail trail, and utility ROWs) and develop conceptual cross-sections in SketchUp or a similar package that can enable easy rendering for public evaluation. Envelopes for all likely modes will be applied and tested for their functional feasibility and potential impacts on other modes or abutting uses. Evaluation criteria for each mode on each corridor will be developed in cooperation with the City and through the Task 6 outreach process. Likely criteria might include travel delay, acquisition cost, abutter impact, multimodal capacity and delay impacts, safety, sound and aesthetics, and place-making.

- Development of plan views and at least two existing cross-sections per identified corridor, for up to four possible corridors. Includes planning-level accuracy +/- 1-foot; elevation/grade to extent of available information; utilities to extent of available data. No survey is budgeted for this effort.
- Includes up to four photorealistic renderings; additional sketch-level renderings as needed.
- Summaries of all available modal options and their pros/cons for corridor abutters will be developed.
- Evaluation criteria based on factors developed in Task 6 will be applied to preferred modes.

5.2 Modal and Intermodal Evaluation

The best mode may not be the most obvious mode. Places like Boulder, Denver, and Eugene have proven that the bus, can be better than a train, while the effectiveness of fixed-guideway systems in Zermatt, Seoul, and Portland have helped demonstrate that rail can be a valuable investment in places that are not big cities. Bus rapid transit solutions with strong urban design elements have proven to be cost-effective solutions that reduce trips, while reshaping travel corridors. Innovative people-movers can be extremely effective where higher speeds are not necessary, while aerial trams may be a solution for some trips. In sum, modes of transit to evaluate include: bus rapid transit, shuttle, low-emission buses, personal rapid transit (PRT), and streetcar.

The best mode for connecting BoPa/LoPa with PCMR and Main Street will vary by user and trip purpose, and it will be essential that our team use existing survey data and supplement it with additional surveys or research if necessary to be clear who the connection(s) is serving. For instance, day-trip visitors can be intercepted and travel lightly but with ski equipment in the winter; overnight visitors will be hesitant to part with their vehicle unless the transit connection is highly accommodating; workers and residents may need high-speed or high-frequency connections; and resort guests might be willing to travel lightly upstream if the proper accommodations for belongings can be handled seamlessly. For each mode that is discussed, our team will enumerate and compare person capacity, baggage capacity, speed, boarding/alighting time, compatibility with other modes, and other criteria, including planning-level cost.

A key modal determinant may be the intermodal interface in the transit center or at the remote destination(s). Traditional buses require certain space to maneuver safely and can often create an unwelcoming environment compared to fixed guideway systems if boarding areas are not well-designed or entry doors are limited. Higher-capacity modes are often unable to board quickly and require larger passenger waiting and queue areas. People-movers or other one-way, high-capacity systems require unique facilities that may not be able to be accommodated on most sites. Our team will assess these and other terminal-side factors carefully alongside each mode evaluated.

- Includes modal comparison matrix as applied to each preferred corridor summarizing capacity, travel time, frequency, planning-level costs, and other key factors.
- Terminal configuration concepts (up to 3) including access routes and pedestrian paths, waiting area capacities, adjacencies with joint development access points, intermodal interface points, etc.

5.3 Final Screening

All corridor, modal, and terminal options will be summarized in a comparative matrix along with renderings and maps and ranked according to the accepted evaluation criteria. We expect this process to be iterative and done in cooperation with the City and stakeholders with a clear public component as described below.

DELIVERABLES

Corridor Comparison Evaluation Matrix
Modal Comparison
Evaluation Matrix Final
Screening Matrix and
Summary

TASK 6 PUBLIC INPUT PROCESS

Transportation models are key in developing plans, but cannot capture the vision of a community. It is essential to know the community's values to effectively narrow the field of alternative solutions. We have developed an outreach plan to leverage the active community in Park City.

Park City is a beautiful, valuable, and important place and will continue to be significant for generations. Its preservation is what makes it unique. However, change is inevitable and often necessary, yet stakeholders must be part of the dialogue.

Nelson\Nygaard includes public outreach because few successes are every implemented without broad buy-in. Strong facilitation, education, and negotiation skills are part of every employee's skill set.

Prior to beginning outreach, we will consult the City for initial stakeholder contacts, possible community meeting locations, and consistent graphics elements for outreach materials. The process described below represents our initial proposal for outreach, based on successful public outreach on similar projects. These are subject to refinement with the City based on their deep local experience.

6.1 Electronic Surveying

We recommend that an online survey be developed early in the project before the open house to begin getting community feedback about ideas for BoPa, LoPa, and the PCMR. This tool can later be used to help get input on possible solutions after the initial open house. We find that surveys are important because not all community members are able or willing to attend large public workshops. Our surveys would include questions about vision and goals as well as specific items related to sites, corridors, and modes. The survey should be fun, brief, and informative to encourage people of all ages and backgrounds to participate.

- Survey is designed to assess community values related to the corridor and site improvements, likely through simple trade-off questions that can form a weighting system for various project components that directly contributes to evaluation criteria used for corridor alignments, impacts, site plans, traffic delay, multi-modal accommodation, and other criteria used in Tasks 3, 4, and 5.

6.2 Project Website and Social Media

Public outreach workshops, while essential to the planning process, cannot provide ongoing interaction and may not be attended by a representative cross section of the community. An effective project website can help fill in the gaps for those who cannot or who choose not to attend meetings.

The project website and supplemental social media outlets also provide the public a fast and simple way to keep up to date with the latest project updates. More importantly, they provide the project team an ongoing mechanism to garner public support and feedback for selected solutions. The website would provide a single location for project information. Social media will supplement this by providing frequent updates and link users to the project website.

- Nelson\Nygaard can host this site through a Wordpress or similar interface or work directly with the City to support pages on the City website.

6.3 Public Open House

The open house will serve as a welcome and public kick-off for the project. Typically, the event would include a presentation about the goals and objectives for the project including the principles and benefits of various potential solutions, supported by available data and analysis. This meeting also provides one of the first advertised opportunities for public input, in the form of exercises to identify the community's vision for a transit center, park and ride, and/or multi-modal connection to Main Street. We propose to include a community design session, where participants sit around tables in small groups and mark up maps with their recommendations for improving access, safety, and mobility on corridors in the districts and connecting with other destinations.

- Community design maps will be accumulated into a single electronic collage of comments, organized by categories such as needs, constraints, opportunities, safety concerns, etc.
- Public house participants will be engaged in similar trade-off voting to the electronic survey for as many criteria as possible and as many additional aspects as possible to expand upon the survey and contribute to final evaluation criteria.

DELIVERABLES Electronic Survey Project Website Social Media Maintenance Open House

Presentation to Elected Officials

TASK 7 DRAFT PLAN AND RECOMMENDATIONS

7.1 Second Open House

The second open house will be the forum where we present draft final concepts and alternatives for the transit center, park-and-ride, and upstream intermodal connections. We propose that this workshop should be scheduled before final report drafting to allow participants an opportunity to provide constructive input through a variety of means, including voting on aspects of recommendations and marking up maps and documents with their recommendations and changes.

7.2 Draft Final Plan

The draft final plan is intended to be a nearly complete product, formatted as a visually intuitive summary of the team's work and public outreach with compelling graphics, renderings, and plans, supported by necessary technical appendices of multi-modal count and evaluation data for all study area locations, development sites, and corridor alternatives. This draft final plan would be presented to the City Council.

- Final Plan will also include a phased implementation plan that identifies all critical actions required to ensure recommendations are successfully implemented. This implementation plan will include a realistic timeline to guide City and stakeholder actions.

DELIVERABLES

Seco
nd
Open
Hous
e
Draft
Final
Plan
City Council Presentation

TASK 8 FINAL PLAN AND ADOPTION

The final plan will incorporate feedback from the public, City, and elected officials as well as a single set of non- conflicting written comments from the City's project manager. Our team is available to attend additional sessions as needed to reach final plan adoption.

PROJECT SCHEDULE

We anticipate that this work would be completed within seven months of project initiation. We are also able to accelerate or decelerate the timeline to accommodate the Park City Municipal Corporation's schedule. Our proposed project schedule is detailed in Figure 1 below.

Figure 1 Project Schedule

		2015																													
		April				May				June					July				August					September				October			
Task	Description	6	13	20	27	4	11	18	25	1	8	15	22	29	6	13	20	27	3	10	17	24	31	7	14	21	28	5	12	19	26
1	PROJECT INITIATION																														
1.1	Project Kickoff Meeting																														
1.2	Final Scope of Work and Project Schedule																														
2	DATA REVIEW AND COLLECTION																														
2.1	Review of City Codes, Policies, Standards, and Design																														
2.2	Supplemental Counts																														
3	ANALYSIS OF INTERSECTIONS AND CORRIDORS																														
3.1	Corridor Travel Demand																														
3.2	Local Area Travel Demand Model																														
3.3	Automobile Movement and Delay																														
3.4	Bicycle & Pedestrian Evaluation																														
4	ANALYSIS OF NEEDS & SITES FOR TRANSIT CENTER/PARK & RIDE																														
4.1	Access and Connectivity																														
4.2	Potential Mix of Uses																														
4.3	Development Feasibility																														
5	EVALUATE DIFFERENT MODES FOR CONNECTIVITY BETWEEN PLACES																														
5.1	Corridor Evaluation																														
5.2	Modal and Intermodal Evaluation																														
5.3	Final Screening																														
6	PUBLIC INPUT PROCESS																														
6.1	Electronic Surveying																														
6.2	Project Website and Social Media																														
6.3	Public Open House												P																		
7	DRAFT PLAN AND RECOMMENDATIONS																														
7.1	Second Open House																							P							
7.2	Draft Final Plan																							C							
8	FINAL PLAN AND ADOPTION																														
8.1	Final Plan																														
8.2	Final Presentation																														C

P = Public Open House

DATE: April 16, 2015

TO HONORABLE MAYOR AND COUNCIL

Recreation Staff is looking to enter into a Two Year Sponsorship Agreement with USSA. The department has had a sponsorship agreement with USSA since 1997. As part of the Agreement USSA athletes, coaches & staff may use the PC MARC at no charge and in return the facility will be licensed to market the facility as an "Official Training Center of the U.S. Ski & Snowboard Team" using the official logos for USSA. In addition USSA will work with recreation staff to create opportunities for joint social functions with U.S. Ski Team athletes, coaches and the public.

Historically this agreement has not had a negative impact on the facility despite 80 passes currently issued.

Respectfully:

Tate Shaw, Recreation Supervisor

City Council
Staff Report

Subject:	**USSA Sponsorship Agreement**
Author:	**Tate Shaw, Recreation Supervisor**
Department:	**Recreation & Library**
Date:	**April 16, 2015**
Type of Item:	**Administrative**

Summary Recommendations: Authorize the City Manager to enter into a two year sponsorship agreement (attachment 1) with the United States Ski and Snowboard Association (USSA), in a form approved by the City Attorney.

Acronyms Used: USSA- United States Ski and Snowboard Association, PC MARC- Park City Municipal Athletic and Recreation Center

Executive Summary:
Park City Municipal first entered into a sponsorship agreement with USSA in 1997. The agreement was previously renewed in 1999, 2003 and 2011. The agreement allows the City to market the MARC as "Official Training Center of the U.S. Ski & Snowboard Team" as well as to host event opportunities that facilitate opportunities for the public to meet USSA athletes and coaches.

In return, USSA coaches and athletes may use the facility, excluding tennis, free of charge.

Staff is recommending a two-year renewal of this agreement.

Background: Park City Municipal first entered into a sponsorship agreement with USSA in 1997. The agreement was previously renewed in 1999, 2003 and 2011.

The original agreement enabled the Racquet Club to enter the weight and cardio market as USSA donated a large amount of fitness equipment to the facility. The equipment was and is currently used by both the public and USSA.

Since the original agreement in 1997 most of the equipment has been replaced by the City. Again in 2012 additional equipment was donated to the newly opened PC MARC.

Analysis: Despite building The Center of Excellence, USSA still has a need for staff and athletes to use some of the facilities and classes that the recreation center offers. The 2011 agreement has expired and the interest between both parties is to renew the contract until 2017.

The highlights of the sponsorship agreement are as follows:

- The recreation center will be licensed to market the facility as the "Official Training Center of the U.S. Ski & Snowboard Team" using the official logos for USSA. USSA will work with recreation staff to create opportunities for joint social functions with U.S. Ski Team athletes, coaches and the public.
- USSA athletes, coaches and staff will be given free membership to the recreation center in order to use facilities, other than tennis, free of charge.
- If a USSA pass holder wishes to participate in a fitness class that is filled he or she will have the option of either paying the drop-in fee for the class or giving up his or her spot to a paying customer.
- Allow USSA access to fitness areas for dry land training.
- Historically the use by USSA has not had a negative impact on the facility operation even with nearly 80 passes established for USSA. With these passes, the six month valuation, assuming no discount is $22,640. Therefore, over the two year term of the agreement, the value of the sponsorship will be approximately $90,560.

Department Review: Legal, Recreation & Library, and City Manager

Alternatives:

A. **Approve the Request:** Authorize the City Manager to enter into a two year sponsorship agreement (attachment 1) with the United States Ski and Snowboard Association (USSA), in a form approved by the City Attorney.
B. **Deny the Request:** Council may deny the request to enter into a sponsorship agreement with USSA.
C. **Continue the Item:** Council may continue the item to a future date
D. **Do Nothing:** This will result in a lack of clarity and direction to staff.

Significant Impacts: This is a unique opportunity for the recreation center to partner with USSA. The ability for the recreation center to market with the phrase "Official Training Center of the U.S. Ski & Snowboard Association" allows the recreation center to differentiate the facility not only from others in the community but from others in the country.

Historically the use by USSA has not had a negative impact on the facility operation even with nearly 80 passes established for USSA. With these passes, the six month valuation, assuming no discount is $22,640.

Consequences of not taking the recommended action: There would be no sponsorship agreement with USSA resulting in a discontinuation of a relationship that was started in 1997.

Recommendation: Authorize the City Manager to enter into a two year sponsorship agreement (attachment 1) with the United States Ski and Snowboard Association (USSA), in a form approved by the City Attorney.

Attachments:
2015 Sponsorship agreement

Attachment 1

2015 SPONSORSHIP AGREEMENT
UNITED STATES SKI AND SNOWBOARD ASSOCIATION (USSA)

This Agreement is made and entered into this ______ day of__________, 2015 ("the effective date") by and between UNITED STATES SKI AND SNOWBOARD ASSOCIATION ("USSA"), whose principal offices are located at One Victory Lane, Park City UT, and PARK CITY MUNICIPAL CORPORATION ("PCMC"), a municipal corporation and political subdivision of the State of Utah.

Recitals

A. USSA is the National Governing Body for the sports of skiing and snowboarding in the United State of America. USSA is recognized by the United States Olympic Committee ("USOC") and International Ski Federation ("FIS") as the sole sanctioning and governing body for Olympic-eligible and FIS-eligible skiing and snowboarding in the United States.

B. PCMC owns and operates a public athletic club located at 1200 E. Little Kate Road in Park City, Utah ("Recreation Center").

C. USSA and PCMC desire to create a high caliber ski and snowboard athletic training facility (hereinafter "the Fitness Center") to be located within the Recreation Center premises for the use, enjoyment and benefit of the general public, USSA, its affiliates, employees, coaches and athletes.

NOW, THEREFORE, for and in consideration of the mutual agreements contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto, intending to be legally bound, hereby agree as follows:

1. **Term and Termination**.

1.1 The term of Agreement shall be a period of two (2) years from the effective date hereof.

1.2 PCMC shall have the first right to negotiate an additional two (2) year extension.

2. **Obligations of USSA**.

2.1 USSA shall cooperate with the Recreation Center staff to create opportunities for joint social functions with U.S. Ski Team athletes, staff and the public, including youth opportunities when U.S. Ski Team members are in the Park City area and are available for such functions. USSA shall not be obligated to require the attendance of any U.S. Ski Team coaches or athletes, but shall use its commercially reasonable efforts to encourage their attendance at and participation in such functions.

2.2 USSA shall provide to the Recreation Center staff on an annual basis a list identifying all current athletes, coaches and staff eligible for free memberships. USSA shall provide Recreation Center staff with an annual update of the list as changes in team membership and employment occur. USSA will provide them with a USSA ID that must be shown to the front desk in order to use the facility at no charge. If a class is full, USSA team members, coaches and staff will have the option of paying for the class or leaving so that the spot can be used by a paying customer.

2.3 USSA shall provide to the Recreation Center a license to use the name and marks of the U.S. Ski and Snowboard Team and allow the Recreation Center to market the phrase "Official Training Center of the U.S. Ski & Snowboard Team." In the event that USSA enters into a corporate partnership during the term of this agreement with a national commercial brand (i.e. 24 Hour Fitness, Bally's, Equinox or other) USSA will have the right to alter and/or terminate this agreement after sixty (60) days upon PCMC receiving written notification from USSA. USSA will use commercially reasonable efforts to alter the relationship to accommodate all parties.

2.4 USSA and any of its athletes, coaches, staff or other eligible participants or programs under sections 3.4, 3.5, and 3.6 below shall not interfere with any other patron of the Recreation Center, the access to other spaces within the building or obstruct parking for or the entrances to those other spaces in any way. PCMC shall have the right to require USSA to take reasonably necessary mitigation measures for any participant, program or activity that interferes with the normal day-to-day operations of the Recreation Center. If such measures are not complied with, PCMC may prohibit any such future programs or individual participants.

2.5 USSA agrees not to discriminate against anyone on the basis of race, color, national origin, age, sex or disability in its hiring practices, services or operation of its programs hereunder.

3. **Obligations of PCMC**.

3.1 The Recreation Center staff shall create fitness programs and offer such programs to the general public at rates to be determined by PCMC.

3.2 PCMC shall cooperate with USSA in the scheduling of dry land training opportunities for USSA coaches, staff, and athletes, and shall ensure that the Fitness Center is available for the effective use of USSA, coaches, staff, and athletes during such times, subject to availability, operational hours and scheduled classes. PCMC shall not levy any charges for use of the Fitness Center against USSA or any of its coaches, staff, or athletes in connection with such dry land training opportunities, unless otherwise agreed.

3.3 PCMC will provide free membership to each U.S. Ski Team athlete, staff, and coach which shall include access to the Fitness Center, pools, aerobics classes (a fee will be charged if such classes are full but the instructor is willing to accept more participants), spinning, gymnasium, and locker rooms, subject to availability, operational hours and scheduled classes. Tennis courts and programs are not included. PCMC may give priority to regular customers in classes or programs offered to a limited number of participants.

3.4 PCMC shall cooperate with USSA in providing access to the Fitness Center by guests of USSA

3.5 In the event that the Recreation Center enters into a corporate partnership during the term of this agreement with a national commercial brand, PCMC will have the right to alter and/or terminate this agreement after sixty (60) days upon USSA receiving written notification from PCMC. PCMC will use commercially reasonable efforts to alter the relationship to accommodate all parties.

3.6 PCMC shall not make any reference to the United States Olympic Committee or utilize any Olympic marks, symbols or terminology in any of its publicity, promotion, advertising and marketing materials for the Recreation Center, unless otherwise authorized to do so.

3.7 PCMC shall provide daily janitorial service for the Recreation Center.

4. **Insurance and Indemnity**.

4.1 USSA shall indemnify and hold PCMC and its agents, employees, and officers, harmless from and shall process and defend at its own expense any and all claims, demands, suits, at law or equity, actions, penalties, losses, damages, or costs, of whatsoever kind of nature, brought against PCMC arising out of, in connection with, or incident to the use of the Fitness Center by any of its athletes, coaches, staff or other eligible participant or program under paragraphs 3.4, 3.5, and 3.6 above and/or USSA's defective performance or failure to perform any aspect of this Agreement; provided, however, that if such claims are caused by or result from the concurrent negligence of PCMC, its agents, employees, and officers, this indemnity provision shall be valid and enforceable only to the extent of the negligence of USSA; and provided further, that nothing herein shall require USSA to hold harmless or defend PCMC, its agents, employees and/or officers from any claims arising from an intentional tort or the sole negligence of PCMC, its agents, employees, and/or officers. This limited waiver has been mutually negotiated by the parties, and is expressly made effective only for the purposes of this Agreement. The provisions of this section shall survive the expiration or termination of this Agreement. USSA shall, at its expense, carry a policy of general liability insurance, including professional liability, in an amount of at least Two Million Dollars ($2,000,000) per incident or occurrence with at least a Four Million Dollar ($4,000,000) aggregate. USSA shall also provide Workers Compensation insurance as per the State of Utah required limits. A certificate of insurance naming PCMC as Additional Insured and stating that PCMC shall receive thirty (30) days written notice of cancellation shall be provided to PCMC on or before the effective date of this Agreement, and maintained continuously during the term of the Agreement.

4.2 PCMC shall maintain appropriate property insurance. PCMC shall not be liable for any damage caused by the negligence of USSA or any eligible participant or program conducted pursuant to paragraphs 3.4, 3.5, and 3.6 above. If damage or destruction to the Recreation Center shall be so extensive as to require the substantial rebuilding, the effect of which may require removal of USSA's operations from the premises, either PCMC or USSA may elect to terminate this Agreement by written notice to the other within thirty (30) days after occurrence of such damage or destruction.

5. **Miscellaneous Provisions**

5.1 No waiver or failure to act with respect to any breach of this Agreement shall be deemed a waiver with respect to any subsequent breach, regardless of its similarity to a previous breach.

5.2 Neither party may assign or transfer any part of this Agreement to any third party without the other party's prior written approval.

5.3 Without limiting the foregoing, for purposes of any obligation in connection with this Agreement, USSA shall not be deemed to be a partner, joint venture or agent of PCMC or any third party.

5.4 This Agreement may be executed in counterparts, and photo static and facsimile copies of executed signature pages shall be fully binding.

5.5 Covenant of Quiet Possession. PCMC covenants with USSA that PCMC is the owner of the premises and that, unless otherwise provided by this Agreement, USSA's possession will not be disturbed by acts or omissions of PCMC so long as USSA faithfully performs the obligations of this Agreement.

CHANGES.

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

ENTIRE AGREEMENT.

7.1 The parties agree that this Agreement is the complete expression of the terms hereto and any oral representations or understandings not incorporated herein are excluded. Further, any modification of this Agreement shall be in writing and signed by both parties. Failure to comply with any of the provisions stated herein shall constitute material breach of contract and cause for termination. Both parties recognize time is of the essence in the performance of the provisions of this Agreement. It is also agreed by the parties that the forgiveness of the nonperformance of any provision of this Agreement does not constitute a waiver of the provisions of this Agreement.

DATED this day of , 2015.

PARK CITY MUNICIPAL CORPORATION
445 Marsac Avenue
P. O. Box 1480
Park City, UT 84060

____
Diane Foster, City Manager

Attest:

____
City Recorder

Approved as to form:

____
City Attorney's Office

US SKI AND SNOWBOARD ASSOCIATION
One Victory Lane
P. O. Box 100
Park City, UT 84060

____
Business License Number

____
Tax ID Number

____
Tiger Shaw, President and Chief Executive Officer

STATE OF UTAH)
) ss.
COUNTY OF SUMMIT)

On this ____ day of ___________________, 2015, before me, the undersigned notary, personally appeared Tiger Shaw, personally known to me/proved to me through identification documents allowed by law, to be the person whose name is/are signed on the preceding or attached document, and acknowledged that he signed it voluntarily for its stated purpose as President and Chief Executive Officer for the U.S. Ski and Snowboard Association.

____

Notary Public

PARK CITY 1884

DATE: April 16, 2015

TO HONORABLE MAYOR AND COUNCIL

As part of the FY2015 Capital Improvement Plan, City Council adopted projects to be funded with sales revenue bonds proceeds. On March 19, 2015 City Council adopted a bond resolution authorizing the City to issue $12 million in sales revenue bonds. The City must hold a public hearing in order to continue forward with the bond issuance and sale. Proceeds will fund projects designated as part of the Additional Resort Communities Sales Tax Capital Improvement Plan.

Respectfully:

Nate Rockwood, Capital Budget, Debt & Grants Manager

City Council
Staff Report

Subject: 2015 Sales Revenue Bond Hearing
Author: Nate Rockwood Capital Budget, Debt & Grants Manager
Department: Budget, Debt & Grants Department
Date: April 16, 2015
Type of Item: Legislative

Recommendation
Staff recommends that Council hold a public hearing related the proposed 2015 Series Sales Revenue bond issuance.

Executive Summary
As part of the FY2015 Capital Improvement Plan, City Council adopted projects to be funded with sales revenue bonds proceeds. On March 19, 2015 City Council adopted a bond resolution authorizing the City to issue $12 million in sales revenue bonds. The City must hold a public hearing in order to continue forward with the bond issuance and sale. Proceeds will fund projects designated as part of the Additional Resort Communities Sales Tax Capital Improvement Plan.

Background
On November 29, 2012 City Council unanimously passed an ordinance adopting an additional .5% Resort Communities Sales and Use Tax to be levied beginning April 1, 2013. At that time Council confirmed that all revenue generated with the additional .5% Resort Communities Sales Tax be received directly in to the Capital Improvement Fund to be used for but not limited to the following capital projects, Historic Park City/ Main Street & Downtown Projects, OTIS, Storm Drain Improvements, Open Space Acquisition and other capital improvement projects as determined appropriate by City Council.

On May 9, 2013, City Council adopted a Sales Revenue Bond Reimbursement Resolution, which allows the City to reimburse itself for expenses related to specific projects currently listed and proposed as part of the Additional Resort Communities Sales Tax Plan. The resolution sets the maximum reimbursement amount at $10,000,000. The first Sales Revenue Bonds was issued in 2014 for $5,375,000.

The projects which qualify for reimbursement are defined in the resolution as Historic Park City/Main Street and downtown streetscape improvements, OTIS (Old Town street and utility improvement projects), storm drain improvements as specified in the Storm Water Master Plan, open space acquisition and Deer Valley Drive reconstruction and streetscape improvements.

Since the issuance of the 2014 sales revenue bonds were issued the following expenditures have occurred and may be reimbursed with proceeds of the 2015 Series Sales Revenue Bonds. Additionally the City anticipates expenditures which have been budgeted for FY 2015-2017:

Project	YTD Expenditure	Remaining Budget FY 15-17
Open Space – (Clark Ranch)	$6,264,154	$4,750,000
OTIS	$20,000	$2,000,000
Storm Drain Improvements	$27,000	$2,600,000
Historic Park City/Main Street & Downtown Projects	$100,000	$3,500,000
Deer Valley Drive Phase II	$21,000	$831,000
Total	$5,456,794	$13,231,000

The resolution set the maximum amount at $12M., it is anticipated that the bonds will be issued in the amount of $12M. Based on current project manager construction timelines, staff anticipates that the City will not need to issue a 3rd sales revenue bond for Additional Resort Sales Tax projects until CY 2017. The City collected approximately $3.5 million in FY 2014, from the Additional Resort Sales Tax. With this issuance, the city will have leveraged approximately 35 percent of the Additional Resort Sales Tax until FY 2029.

Analysis

The bond resolution adopted on March 19, 2015 set the parameters of the 2015 Sales Revenue bond issuance, delegated final approval of bond terms to a Designated Officer (any one of the Mayor, any authorized Mayor ProTem, the City Manager, and the Finance Manager), and initiated the process of public notice. The resolution set the maximum principal issuance amount at $12,000,000. The resolution lists the purpose for issuing the Bonds as:

> (a) finance Historic Park City/Main Street and downtown streetscape improvements, OTIS (Old Town street and utility improvement projects), storm drain improvements as specified in the Storm Water Master Plan, open space acquisition and Deer Valley Drive reconstruction and streetscape improvements (collectively, the “Project”); (b) fund a debt service reserve fund, if necessary, and (c) pay costs of issuance with respect to the Series 2015 Bonds.

The resolution established the format for public notice for the bonds, which was published in the Park Record for two consecutive weeks, the first notice not less than 14 days before the public hearing and initiated a 30 day period in which interested parties may contest the legality of the resolution or the bonds. The Public hearing will take place on April 16, 2015.

The resolution also established maximum terms of 5% interest for not more than 16 years. These terms were intentionally set high to allow flexibility in the bond structure. Staff anticipates that the actual interest rate of the bonds would be closer to the current rate of 2.95% than the maximum. The maturity of the bonds is expected to be 15 years.

Staff asks that Council holding a public hearing on April 16, 2015. After the public hearing the Designated Officer may authorize the final terms and sale of the bonds. It is anticipated that the sale of the bonds would occur on or around April 20, 2015. Staff would proceed with the bond closing on or after May 1, 2015. The resolution allowed flexibility for the bonds to be sold by competitive, negotiated or private placement sale. The bonds will be sold by competitive sale.

Significant Impacts

The public hearing is required in order to complete the bond issuance. This bond issuance is anticipated in the current City Council Adopted Budget. The public hearing would allow staff to continue with the current timing of the issuance.

Alternatives:

A. **Approve:** Hold a public hearing for the 2015 Series Sales Revenue bond, in an amount not to exceed $12,000,000, to provide funding for projects specified as part of the Council approved Additional Resort Communities Sales Tax Plan.
B. **Modify the request**: Council could choose to modify or reduce the amount of bonds to issue.
C. **Deny the request**: Council could choose to not issue bonds.
D. **Continue the Item:** Council may feel there is not enough information to make a decision, and have staff return with more information. This would impact the timeline for the bond issuance.
E. **Do Nothing:** This would have the same impact as alternative C.

Departmental Review

This report has been reviewed by the Legal Department, Budget Department, and City Manager.

Staff Recommendations:

Staff recommends that Council hold a public hearing related the proposed 2015 Series Sales Revenue bond issuance.

Attachments:

A – Adopted Bond Resolution

DATE: April 16, 2015

TO HONORABLE MAYOR AND COUNCIL

Ritual Chocolate is a chocolate factory, retail store, cafe and business headquarters in the process of relocating to Park City. They have requested a Business Relocation Grant in the amount of $20,000. Staff is supportive of funding that grant request due to the applicant's ability to meeting the City's Economic Development Grant Criteria, including:

1. Ability to demonstrate direct and indirect benefits equal to or greater than the City's contribution;
2. Production of items and services that are consistent with the City's economic development work plan and the City General Plan and Biennial Strategic Plans; and
3. Demonstration of a positive contribution to diversifying the local economy by increasing year round business opportunity, creating new jobs and increasing the local tax base.

Respectfully:

Nate Rockwood, Capital Budget, Debt & Grants Manager

City Council Staff Report

Subject:	**Economic Development Grant Application – Ritual Chocolate**
Author:	**Jonathan Weidenhamer, Economic Development Manager**
Department:	**Sustainability**
Date:	**April 16, 2015**
Type of Item:	**Administrative - Award of Economic Development Grant**

Summary Recommendations:
Staff recommends City Council approve an Economic Development Grant Contract in the amount of $20,000 for Ritual Chocolate in a form approved by the City Attorney.

Executive Summary:
Ritual Chocolate is a chocolate factory, retail store, cafe and business headquarters in the process of relocating to Park City. They have requested a Business Relocation Grant in the amount of $20,000. Staff is supportive of funding that grant request due to the applicant's ability to meeting the City's Economic Development Grant Criteria, including:

1. Ability to demonstrate direct and indirect benefits equal to or greater than the City's contribution;
2. Production of items and services that are consistent with the City's economic development work plan and the City General Plan and Biennial Strategic Plans; and
3. Demonstration of a positive contribution to diversifying the local economy by increasing year round business opportunity, creating new jobs and increasing the local tax base.

Background:
In 2006 Park City created an Economic Development Grant program that awards up to $20,000 annually for business relocation or start up costs. City Council has awarded the full amount almost every year, usually to one recipient, but in some cases the money has been split between multiple applicants. The City Council updated the Grant Criteria to consider award of Economic Development Grants as part of an update to the Budget Policy on July 7, 2014 (Exhibit C).

At that same meeting a Grant was awarded to Soul Poles, and while staff intended to bring the application in June of 2014 so that the funds could be dispersed in the 2014 fiscal year, due to the 14 day noticing period we were unable to have City Council consider the application until the first meeting in the 2015 Fiscal Year. At that time Council did discuss a willingness to consider award of additional grant monies in the 2015 fiscal year if the right application presented itself, especially considering they hadn't awarded funds during the 2013 fiscal year.

On February 23, 2015 staff received a grant proposal from Robbie Stout (President) and Anna Davies (Vice President), both Founders of Ritual Chocolate for business relocation and tenant improvement to 1105 Iron Horse Loop. A panel of staff and Economic Development Council Liaisons Henney and Beerman reviewed the application on March 18, 2015.

<u>Ritual Chocolate Grant Application</u>
This application was reviewed by the Economic Development Program Committee, which consists of representatives of the Economic Development and Environmental Sustainability Departments, as well as Council Liaisons Beerman and Henney. The application was further vetted by the Capital, Debt and Grants Budget Manager.

The proposal is to relocate a four year old chocolate business from Denver to 1105 Iron Horse Drive. The business includes a factory (light manufacturing), café, retail, guided factory tours and tasting room. Their proposal is found as Exhibit B. In summary, Ritual Chocolate seeks:

1. $12,000 – Cost to relocate to Park City, including off setting rent increase from their prior location and $1,000 needed to relocate Historical Society storage that was in the space when they signed the lease;
2. $8,000 for Tenant Improvements including framing, drywall, plumbing, electrical upgrades and sound insulation needed to specialize the space for their needs.

Analysis
On July 10, 2014 the City Council adopted updated Grant Criteria (Exhibit C). The former criteria did not provide the flexibility that previous City Councils were looking for when considering grant applications. Staff believes the proposed changes will allow Council to balance their economic development priorities within other stated community goals.

<u>Ritual Chocolate Grant Application</u> – Staff analysis according to criteria is included in *italics*.

Criteria #1 – <u>The organization must demonstrate a sound business plan that strongly supports prioritized Goals of the current City Economic Development Plan.</u> *Ritual Chocolate exhibits a sound business plan in line with Council goals. One of the founders, Robbie Stout is from Park City and went to school here until he was 18. He and his partner Anna Davies started the business in 2011. In 2013 they won top honors at the Good Food Awards for two of their first chocolate bars. Their proposal indicates their business plan will focus on steady growth and product development of new chocolate bars and grow revenue through diversified chocolate products, retail sales and bulk sales to restaurants. They estimate after 6 months through sales, in-house events and tours along with wholesale sales growth they will off set their increase in rent (from $2,200 / month in Denver to $4,000/month) in perpetuity.*

1. *Examples of the ways in which the business plan meet council goals include: 1) An effort to use sole sourced cacao beans which meets the Council goal of*

preserving the natural environment; 2) the use of Ritual Chocolate manufacturing space for workshop events, classes and educational opportunities, which will bring in additional sales tax revenue in addition to supporting the Inclusive Community council goal by creating a gathering space for the community 3) Supporting continued success of the multi-seasonal tourism economy by providing activities available during the summer , shoulder as well as winter seasons and 4) Helping Park City continue to grow as an culinary hub by encouraging the use of its facilities for the creation of culinary and boutique tourism. This is consistent with the City's General Plan Long Term Economic Generator Study that found expansion into culinary and food areas were a sector underrepresented.

2. **Criteria #2** – Organizations must commit to and demonstrate the ability to do business in the City limits no less than three years. Funding cannot be used for one-time events. *Ritual Chocolate signed a 5 year lease and made over $45,000 in tenant improvements to the space. They have the ability/first right to further expand into another 1,000 sf of adjacent space. Ritual Chocolate expect to grow revenue through extensive growth in local sales, whole sales, diversified chocolate products, café sales, retail sales, tours. Furthermore, their distributor, A Priori, is located in Salt Lake City, so they feel this move will allow them to strengthen that relationship and the accounts, such as Harmons, Whole Foods, Tony Caputo's Markets, and the smaller cafes and shops in the Salt Lake City area and beyond.*

3. **Criteria #3** — The organization must produce items or provide services that are consistent with the Economic Development Work Plan and be consistent with the City's General Plan and enhance the safety, health, prosperity, moral well-being, peace, order, comfort, or convenience of the inhabitants of the City. The organization must demonstrate there is more identifiable benefits than detriment when weighed against the balanced goals of the General Plan through the attached score sheet as well as identify areas where the proposal is consistent or inconsistent with the City's biennial strategic plans. the proposal is consistent with the World Class, Multi-Seasonal Resort Destination Biennial Strategic Plan Key Strategy of Pursuing Development and Redevelopment Consistent with the General Plan and specific Area Plans as well as the Desired Outcome of providing unique and diverse businesses. *Indirect Benefits - The proposal provided by Ritual Chocolate indicates creation of a business that will further Park City as a culinary amenity that will supplement the local quality of life and be an attraction for the visitor. The business plan also promotes an emphasis upon sustainability, which is a pursuit of the City Council. The following was submitted by Ritual Chocolate which demonstrates creation of job outside the resort service sector:*

These are the new employees and positions we are hiring for right now
2 Full time production positions ($12/hr for 40 hours a week)
1 Full time front of house/barista ($15/hr for 40 hours a week)

1 Full time community outreach/marketing position ($15/hr for 40 hours a week)
4 Part time production and front of house positions ($12/hr from 24-30 hours a week)
(This is not counting our full time logistics manager that moved with us from Denver that is full time at $19/hr)
1 Part time book keeper ($30/hr for 8-16 hours a week)

These are the positions we expect to need by the end of this year
1 Full time production manager ($16/hr for 40 hours a week)
3-4 Full time production assistants ($12/hr for 40 hours a week)
2 Full time front of house/barista positions ($15/hr for 40 hours a week)
1 Full time community outreach/marketing position ($15/hr for 40 hours a week)
1 Full time shipping/delivery/order wholesale manager ($15/hr for 40 hours a week)
1 Part time book keeper ($30/hr for 8-16 hours a week)

In addition to the retail shop, Ritual Chocolate will be building on our current wholesale customer base. In Park City, they are looking to work closely with the hotels (such as Deer Valley, the Montage, Stein Eriksen), restaurants, cafes and small boutique shops and to be a part of the Park Silly and Park City Farmer's Market.

4. **Criteria #4** – Fiscal Stability and Other Financial Support: The organization must have the following: (1) A clear description of how public funds will be used and accounted for; (2) Other funding sources that can be used to leverage resources; (3) A sound financial plan that demonstrates managerial and fiscal competence. *The use of the ED grant funds has been well outlined in detail in the application. They will be used to retrofit the building that will be rented, and to off set the cost of doing business in Park City, in particular rent costs. A financial plan has also been presented which demonstrates managerial and fiscal competence, with the exception of a plan to cover rent beyond the first year of relocation to Park City.*

5. **Criteria #5** – Can forecast at the time of application an ability to achieve direct or indirect economic/tax benefits equal to or greater than the City's contribution. *The City collects approximately 2.65% in sales tax, which would require approximately $750,000 in sales. The applicant forecasts the ability to achieve a combination of direct and indirect benefits equal to the City's contribution through the following evaluation, excerpt from the application:*

- $242,000 annual sales for 2014.
- Our projected sales are $500,000 for 2015. We are expecting a fair portion of our growth to be from retail sales in our shop/cafe.
- From April forward, if we estimate $750 a day in our retail shop we would do approximately $202,500 in retail sales (which is modest considering that we did $400 on Saturday from walk in traffic without any promotion).
- Marketing wise, we are in the process of hiring someone full time for community outreach, so we can connect with the community in Park City. We

will be looking at doing some advertising in the Park Record and Salt Lake publications.

In addition to direct sales tax there are a series of indirect economic benefits associated with the business relocation:

Marketing & national media exposure. The appendix included in the application includes a series of articles in national publications exposing the business. This marketing ultimately highlights Park City's commitment to sustainable, local business.

Based on 2015 sales projections, the local sales tax option, if all points of sale occur in Park City it equates to $13,265 in direct sales tax revenue. While some of those will be with the distributor, the local multiplier effect of the local sales coupled with job creation projections, along with indirect benefits, including marketing and branding along with amenities for visitors and quality of experience for locals demonstrate the applicant's ability to demonstrate benefits equal to or greater that the City's contribution.

Staff has determined that over the 3-year contract period, through a combination of direct sales and indirect economic benefits, Ritual Chocolate will provide benefits equal to or greater that the $20,000 contribution.

In addition, Ritual Chocolate relocation into the Iron Horse District has synergies with existing, locally owned food or culinary businesses including Windy Ridge Café, Riffs, and Fair weather Foods. Staff believes creating a critical mass of this type of business will create a niche, and help brand the District, consistent with General Plan goals which should build on itself;

- Creating year round jobs;

- Consistency with Economic Development Targeted Industries supported by Council at their December 5, 2013 Study session. The entire list (exhibit C) included the following areas which this application is consistent with:

Tourism & Recreation

- Outdoor recreation & sports
- Training facilities
- Guided tours
- Destination resorts and ancillary services
- Agra tourism & Boutique Industry (craft brewing/distilling, candy, skis, etc.)

Consumer Products

- Sports & Outdoor Products
- General merchandise

Professional Services

- Financial activities

Corporate Headquarters
Incubation and/or innovation center.
Fiber/Broadband

6. **Criteria #6** – The organization should show a positive contribution to diversifying the local economy by increasing year-round business opportunities, creating new jobs, and increasing the local tax base. *The year-round economy will be bolstered by Ritual Chocolate as it will provide an attraction in the winter time and rely on local café sales in the summer time. This will be a year-round revenue generator. This will create an increase in local sales tax as well as a spark for locals and visitors looking to pursue a unique experience.*

Project Evaluation (submitted by Ritual Chocolate)

If awarded the grant, the success of Ritual Chocolate's relocation and expansion will be measured based on the project and submitted to PCMC within one year of the grant's exhaustion.

Relocation, remodel and expansion: One of the best ways to measure the success of this grant will be in retail and wholesale sales 1 year after receiving the grant. We will be able present information about how the move to Park City and the creation of a customer-friendly space increased sales and therefore tax revenue. By comparing wholesale and retail sales prior to the grant we will be able to demonstrate the positive impact it has on business, community and tourism. In addition, 500+ questionnaires will be submitted to PCMC within one year of the grant's exhaustion. The questionnaire will be on hand in the retail shop and may be handed out after tours, chocolate tastings, and other in-house community events.

Project Evaluation Estimates by the Numbers:

- 10 new employees in the next 12 months.
- Expected growth of at least 2x 2014 sales in 2015.
- We expect to sell more than 150,000 chocolate bars in 2015.
- We expect to import 10 metric tons of cacao beans in 2015.
- Ritual Chocolate will be the highest elevation chocolate manufacturer in the country (possibly the world) at 7,000 feet.

Issues for Discussion

1. Does Council agree with the staff and Council Liaisons' recommendation on an award and a specific amount of $20,000?
2. Is Council supportive of making an exception to the Economic Development Grant Budget Policy?

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?	+ Multi-seasonal destination for recreational opportunities + Accessible and world-class recreational facilities, parks and programs + Balance between tourism and local quality of life + Unique and diverse businesses + Multi-seasonal destination for recreational opportunities	+ Reduced municipal, business and community carbon footprints + Managed natural resources balancing ecosystem needs	+ Residents live and work locally + Physically and socially connected neighborhoods + Skilled, educated workforce + Jobs paying a living wage	+ Engaged, capable workforce
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Positive ⇧	Positive ⇧	Very Positive 🡅	Positive ⇧
Comments:				

Funding

The current Economic Development Policy limits available funding to $20,000 annually which was already dispersed to Soul Poles in July of this fiscal year. Because there are available funds in the RDA, Council would need to direct staff to make an exception to the current budget policy and adjust the RDA operating budget to pay for this. When the Soul Poles Grant was awarded Council expressed a willingness to consider additional grants this fiscal year on a case by case basis, especially considering the City didn't spend the grant monies available in fiscal year 2013. If Council supports the staff recommendation to award this grant, staff will make an adjustment to the FY2015 Lower Park RDA budget in an amount sufficient to cover the contract ($20,000), which will be adopted by Council as part of the budget process.

On April 2, 2015, during an update on the Economic Development work plan, City Council expressed a desire to further expand the Grant program. Economic Development staff currently has a budget request in to do so, which Council will consider during the fiscal year 2016 budget process. The request has been reviewed by the budgeting for outcomes result team and will discussed as part of the City Manager's Recommended Budget.

Department Review:

This report has been reviewed by Legal, Budget and the City Manager.

Recommendation:
Staff recommends City Council approve an Economic Development Grant Contract in the amount of $20,000 for Ritual Chocolate in a form approved by the City Attorney.

Exhibits

Exhibit A Draft Grant Contract
Exhibit B Ritual Chocolate Grant Application and Proposed use of Funds
Exhibit C Economic Development Grant Criteria
General Plan Goals
Biennial Strategic Plan Goals - http://www.parkcity.org/Biennial Plan 15/16

Exhibit A – Draft Grant Contract

Economic Development Grant Contract

ECONOMIC DEVELOPMENT GRANT CONTRACT BETWEEN RITUAL CHOCOLATE AND PARK CITY MUNICIPAL CORPORATION FOR BUSINESS RELOCATION.

THIS AGREEMENT is made and entered into this 26th day of June, 2014, by and between **Ritual Chocolate** and **PARK CITY MUNICIPAL CORPORATION** (hereinafter "City").

WITNESSETH:

WHEREAS, as part of the budget process, the City Council appropriates Economic Development funds to contract with organizations who meet the economic development grant program requirements outlined by the City's Budget Policy; and

WHEREAS, organizations must meet certain criteria in order to be eligible for an Economic Development Grant Contract; and

WHEREAS, applicants are eligible to apply for an Economic Development Grant Contract year round, the City will award Contracts through an application process administered by the Economic Development Grant Program Committee; and

WHEREAS, pursuant to Sections 10-8-2 and 10-2-84 of the Utah Code Annotated, the City Council hereby finds that the provision of City funds herein is consistent with the Park City General Plan, and provides for the safety, health, prosperity, moral well-being, peace, order, comfort, or convenience of the inhabitants of the City; and

WHEREAS, notwithstanding the recitals above, the City desires to provide grant funds in exchange for positive economic impact benefit at least equal to the current fair market value to the City's contribution; and

WHEREAS, the Economic Development Grant program committee evaluated and approved the Economic Development grant request by Ritual Chocolate for assistance towards rent subsidy and tenant improvements.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein set forth, the sufficiency of which is hereby acknowledged, that parties agree as follows:

ARTICLE I
<u>TERM AND ALLOCATION</u>

Ritual Chocolate shall have an Economic Development Grant contract with a term of three years. The City will allocate the full grant amount upon execution by both parties.

TOTAL amount available for allocation: $20,000

ARTICLE II

SERVICES TO THE COMMUNITY

In exchange for the City's contribution, Ritual Chocolate agrees to:

- Operate the Business in Park City for a minimum of three years.

Both parties agree that the above service provided to the community represents a good faith exchange of current fair market value for the City's contribution.

ARTICLE III
HOLD HARMLESS/NO AGENCY

Ritual Chocolate agrees to defend, indemnify, and hold harmless City, its officers, agents, and employees from and against all losses and expenses, including costs and attorney's fees, resulting from any injury, including death, to any person or damages to property of others arising out of the acts or omissions of Ritual Chocolate in the performance of work under this agreement. Ritual Chocolate is an independent entity and nothing herein shall be construed to create any agency, nor employee relationship with the City.

ARTICLE IV
DISSOLUTION

On dissolution of the organization or project prior to three years any remaining funds attributable to the City shall revert to the City in a prorated amount.

ARTICLE V
RECORD KEEPING/AUDIT

Ritual Chocolate agrees to keep accurate books and records of expenditures related to its operation. The City or its independent auditor reserves the right to conduct its own audit of books and records at reasonable times and places during ordinary business hours. If the grant money has not been used as agreed herein, the City shall be entitled to a full or partial refund of the grant.

ARTICLE VI
AMENDMENT

This Agreement may be amended with the approval of the City Council and Ritual Chocolate. This Agreement may not be amended, except by an instrument in writing signed on behalf of each of the parties hereto.

ARTICLE VII
EFFECTIVE DATE

The effective date of this Agreement is the date first written above.

PARK CITY MUNICIPAL CORPORATION

____
Diane Foster, City Manager

Attest:

____
Marci Heil, City Recorder

Approved as to form:

____
Mark Harrington, City Attorney

Ritual Chocolate

____
Robbie Stout, President

STATE OF UTAH)
) ss.
COUNTY OF SUMMIT)

On this ___th day of June, 2015 before me, the undersigned notary, personally appeared Bryon Friedman, personally known to me/proved to me through identification documents allowed by law, to be the person whose name is signed on the preceding or attached document, and acknowledged that he signed it voluntarily for its stated purpose as Manager of Local Tourist.

____
Notary Public

Exhibit B – Ritual Chocolate Proposal

Ritual Chocolate Inc.
1105 Iron Horse Drive
Park City, UT 84060

February 14, 2015
Jonathan Weidenhamer
Economic Development Manager
Park City Municipal Corporation
445 Marsac Avenue
Park City, UT 84060

Dear Mr. Weidenhamer,

We are pleased to submit the enclosed proposal to the Park City Municipal Corporation (PCMC). We are requesting $20,000 in Business Relocation and Expansion Assistance to cover the cost of expanding and moving Ritual Chocolate from Denver, Colorado to 1105 Iron Horse Drive, Park City, Utah. Ritual Chocolate was founded in Colorado, but its founder's roots, Robert Stout, are in Park City and the Utah area.

We understand that PCMC intends to allocate $20,000 annually in the form of an Economic Development Grant to businesses within the Park City city limits that conform to the Park City Economic Development Work Plan, Biennial Plan and General Plan. We are excited to be a part of the Park City community and we hope that we can work together on improving the livelihood of residents and tourists alike.

Please feel free to call Robbie Stout (435) 602-4102, Anna Davies (303) 362-3640 or email ritualchocolate@gmail.com anytime with any questions you may have.

Kind Regards,

Robbie Stout and Anna Davies
President, Vice President and Founders

Proposal Summary

Ritual Chocolate is in the process of moving from Denver to Park City's Iron Horse District and building is currently underway. The decision to move to Park City and expand our production came from our original concept to create a chocolate factory in the mountains, that people can visit year round to learn about chocolate—whether it's stopping in and grabbing a hot chocolate after a day on the slopes, or coming in for a guided factory tour and tasting on a summer's evening. Having a location that has a strong local community and a great influx of international tourism will allow us to have a space that people can visit for a unique educational experience that will help us to strengthen our brand locally, nationally, and internationally. We believe this relocation to the heart of Park City, will allow us to contribute to diversifying the local economy by increasing jobs, providing an all season's attraction for tourists and residents of all ages, adding to the food culture and promoting the Park City brand nationally and internationally through the Ritual brand.

In the following proposal we are requesting $20,000 in funding for the relocation and expansion of Ritual Chocolate. The use of funding is broken down to show the amounts needed to finish the build out of the new space and to help towards costs while we are transitioning in the first 6 months. Once the facility is up and running we are confident that Ritual Chocolate can grow comfortably without additional funding.

About Ritual Chocolate

Robbie and Anna began researching and exploring the feasibility of creating a chocolate company in the spring of 2009. We were inspired by the depth of understanding necessary to do well in this field, but also with the potential that we saw in this particular segment of the market. At the time, the concept of single origin, fine chocolate was still in its infancy, and still is today in some respects. This new concept of "fine", "*terroir* influenced" chocolate resonated deeply with Anna and Robbie, but for two, different, yet complementary reasons. The two main ingredients for great chocolate are: 1. high quality cacao produced by expert growers and 2. a master chocolate maker to tend closely to that cacao during the manufacturing process.

Anna's family in England have been farmers for many generations and still farm today. Her upbringing on the farm taught her the importance of tending to the land, selecting the proper genetics and paying the farmers fairly for their hard labor.

Robbie is the fourth generation of a line of Utah confectioners, candy makers and chocolatiers. His great grandmother was an expert chocolatier for the family business, Hall's Confectionery (Salt Lake City, UT), where his mother worked as a young girl. Hall's Confectionery was founded in Salt Lake City in 1918 and was in business until the 1960s. As a child, Robbie was excited by the candy making process, machinery and the stories told by the family about growing up in the candy factory. While we don't consider dark chocolate to be a "candy", as it is much lower in sugar, food production very much runs in the family.

Since inception, Ritual Chocolate has directed nearly all of its energy to improving and refining the chocolate making process. In 2011, our first year of business, we were focused on honing our chocolate making skills, improving the factory equipment, and testing the market with our product. Not only were we improving our process, but also developing skills to educate consumers that knew very little about chocolate. It wasn't until the end of the 3rd quarter of 2011 that we decided to sell our chocolate to other regions around the country where consumers were better acquainted with and excited about fine chocolate.

2012 really marked our research into new cacao origins and developing a single origin product line. We were focused on finding cacao that was exceptional in quality with a bold flavor profile. We generated more accounts around the country and began to feel we had achieved a base of customers around the country. By Sept 2012, we won the top honor at the Good Food Awards for our first two bars: Madagascar and Costa Rica. This proved to us that our pursuit for the highest quality chocolate was headed in the right direction.

Ritual Chocolate has been focused on steady growth and product development in 2013 and 2014. Our chocolate bar line has expanded to nine bars which include four cacao origins that we work with directly. In the coming years we aim grow our revenue through an extensive chocolate bar line, diversified chocolate products, retail sales, and bulk sales to restaurants, hotels and other food service businesses.

We have found our footing in the chocolate industry and realize that to keep up with our growth, vision, and pursuit of the best chocolate, we must take our company to the next step. We feel that in order to strengthen our brand and position in the market, we need a location for our facility that is distinct and is in line with our brand values—and that place is Park City.

Park City is the perfect fit for us and is a place we feel we can grow our company and brand long-term. Once open we will be creating jobs in different areas of skill and experience, from basic chocolate production assistance, to marketing and operations roles. We believe Ritual Chocolate's move to Park City, is perfect timing for aiding in the cultivation of the food culture here and offering an all-seasons community space that is a great alternative attraction to outdoor recreational activities.

Need for Business Relocation and Expansion Assistance

As a locally owned and operated business that is working towards being an internationally recognized brand, Ritual Chocolate believes it has the type of company culture, ethos, network, and voice to increase Park City's economic diversity, support food and community events, and engage residents in a dialogue about the importance of food culture, sourcing and education.

The move and expansion of Ritual Chocolate to the centrally located Iron Horse District, is an essential step in creating a strong presence in Park City that will allow the development of business relationships with hotels, resort groups, local shops, grocery stores and other local businesses, while creating a strong retail space and walk-in revenue streams. Based on incremental revenues associated with the relocation and expansion, we estimate that our revenue growth in the next year will quickly offset the higher rental rate in our new space. We are confident, that with an initial subsidy from Park City to enable our transition/opening in the new space, our growth in sales, particularly in retail, will ensure a strong contribution to the local tax collections, the brand's recognition and the company's success locally and nationally.

Building a strong brand as a bean-to-bar chocolate company requires constant educational and community outreach to define our niche in the market. Ritual Chocolate has already formed a loyal customer base nationally, with over 250 wholesale accounts that it has cultivated over the past four years and it continuing to grow steadily. Promoting a company based in Park City, with a facility where people can learn about chocolate making and experience the difference it makes in quality and flavor to source cacao sustainably. If awarded the relocation and expansion grant, Ritual Chocolate will be fully committed to building a space and company that will be a model for social sustainability, environmental responsibility, food education and culture that Park City can be proud of for years to come.

Ritual Chocolate is in the process of remodeling the 1105 Iron Horse Drive space. The goal is to create a production facility with larger scale equipment than the previous space in Denver that will allow for a much larger volume of chocolate to be made without compromising quality. This facility is designed to efficiently produce a large quantity of chocolate on the factory side, while showcasing our process and chocolate products on the retail/cafe side. We are building this space with the vision to be able to operate out of it for at least the next five years. We have signed a five year lease with Wintzer-Wolfe Properties to ensure this timeline. Ritual Chocolate is very much a "lifestyle business", that we started, and are growing with the intention of enhancing the quality of life through chocolate. Our objective is to show the flavor potential that quality cacao beans can have, and share our passion for chocolate and food education.

Currently walls have been built to separate the chocolate production from the retail/cafe area. Large viewing windows are being installed so that customers can see the chocolate making process. We will be bringing in educational elements to the retail design, such as a wall mural showing the whole process from bean to bar, and smaller informational plaques explaining the machines and their function. The cafe bar counter and menu is set up to highlight a unique chocolate experience, with offerings of single-origin hot chocolates, chocolate tasting flights, and coffee/tea pairings with the different chocolate varieties.

While we envision that customers can come in for a daily hot chocolate, we will also offer guided tours, tastings, and small events in the space at specific times for people that are interested in an in-depth experience.

Quantitative Project Objectives

2) Relocation and Expansion

We believe business relocation and expansion go hand in hand. In order to absorb the moving and increased rent costs of an in-town location, Ritual Chocolate will appropriate $12,000 towards offsetting the higher costs of doing business from the Iron Horse location in the initial months.

Ritual Chocolate found 1105 Iron Horse to be the optimum space for doing business due to zoning, location and the electrical available in the space. The full 3,000 square feet allows Ritual Chocolate to fully operate its production and retail. Park City museum is storing art in 1,000 square feet of the building at this time. In order to help Park City Museum move out of the space sooner so we can do business fully, we have paid the museum $1,000 towards their moving costs. Although this helps us to fully utilize the space sooner so that we can grow and set up production properly, proceeds from the grant would help to offset this cost.

Once Ritual Chocolate is up and running in the new space, we firmly believe that we can grow quickly and sustainably. The rent cost of 1105 Iron Horse is higher than our Denver space. Our Denver facility was $2200/month, while the full 3,000 square foot Iron Horse space will be $4,000/month. Help with this increase in the short term will ensure our successful launch in the new Park City.

Based on incremental revenues associated with the relocation, it is estimated that after six months, Ritual Chocolate's increased retails sales, in-house events/tours and overall wholesale sales growth will offset higher rental rates into perpetuity.

Timeline	Type	Inputs	Throughputs	Outputs
6 months	Non-Personnel	$11,000	Rent Subsidy	Affordable relocation to Iron Horse
	Non-Personnel	$1000	To help with PC Museum move out	Allowing access to full space by April

3) Building Remodel

The development of a space that allows for customers to learn about the chocolate making process, while also ensuring a safe barrier between food production and the public space, requires a build out that includes windowed walls to be put into place—along with new plumbing and electrical set up.

The wall placement with viewing windows and sound insulation has a cost of $8000 for materials and contractor installation costs. Having help with this wall cost, will ensure that the space has the perfect layout for creating a safe and unique educational space. We feel that the only way we can truly convey the extent of each step of the chocolate making process is to allow people to see the equipment for themselves.

Timeline	Type	Inputs	Throughputs	Outputs
Year 1	Contractor	$8,000	Materials & labor for wall to separate production from retail.	Ideal experience for customers to view production area.

Project Evaluation

If awarded the grant, the success of Ritual Chocolate's relocation and expansion will be measured based on the project and submitted to PCMC within one year of the grant's exhaustion.

Relocation, remodel and expansion: One of the best ways to measure the success of this grant will be in retail and wholesale sales 1 year after receiving the grant. We will be able present information about how the move to Park City and the creation of a customer-friendly space increased sales and therefore tax revenue. By comparing wholesale and retail sales prior to the grant we will be able to demonstrate the positive impact it has on business, community and tourism. In addition, 500+ questionnaires will be submitted to PCMC within one year of the grant's exhaustion. The questionnaire will be on hand in the retail shop and may be handed out after tours, chocolate tastings, and other in-house community events.

Project Evaluation Estimates by the Numbers:

- 10 new employees in the next 12 months.
- Expected growth of at least 2x 2014 sales in 2015
- We expect to sell more than 150,000 chocolate bars in 2015
- We expect to import 10 metric tons of cacao beans in 2015
- Ritual Chocolate will be the highest elevation chocolate manufacturer in the country (possibly the world) at 7,000 feet.

Personal Note From Co-Founder Robbie Stout

I was born in Utah and was a part of the Park City school system all the way from first grade at McPolin Elementary (the first year it was open) until graduation at Park City High School in 2003. I remember the way Park City was in the late 80s, a small, mostly undeveloped western mountain town. Today, I still see glimpses of the old Park City and I believe that is worth

hanging onto. Now, 12 years after moving away for college in Colorado, I'm moving back to Park City and I'm bringing my business with me because I believe Park City is the ideal place for an international brand and a lifestyle that is conducive to happiness. The Park City that PCMC is proud of is the same Park City that I believe in. It is important that Park City retains its old west, mining town feel (which is the same era some of our chocolate equipment is from) while being a leader in Utah and the U.S. as a place of progressive thinking, outdoor living and sustainable living during a time when it matters most. Through the Ritual Chocolate brand I intend to promote Park City as a place that we are very proud of for its access to
outdoors and its vibrant community. I look forward to growing our business in Park City for the years to come bringing value to the community.

- Robbie Stout, Co-Founder, President

PARK CITY
1884

Exhibit C –Grant Criteria

ECONOMIC DEVELOPMENT GRANT POLICY (adopted 7.10.14)

Annually, the City will allocate $20,000 to be used towards retaining and growing existing businesses and attracting and promoting new organizations that will fulfill key priority goals of the City's Biennial Strategic Plans and General Plan. Funding will be available for relocation and/or expansion of current businesses, and new business start-up costs only.

ED Grant Distribution Criteria: Applications will be evaluated on the following criteria in order to be eligible for an ED Grant:

Criteria #1 – The organization must demonstrate a sound business plan that strongly supports prioritized Goals of the current City Economic Development Plan.

Criteria #2 –Organizations must commit to and demonstrate the ability to do business in the City limits no less than three years. Funding cannot be used for 1-time events.

Criteria #3 – The organization must produce items or provide services that are consistent with the Economic Development Work Plan and be consistent with the City's General Plan and enhance the safety, health, prosperity, moral well-being, peace, order, comfort, or convenience of the inhabitants of the City. The organization must demonstrate the proposal is consistent with the World Class, Multi-Seasonal Resort Destination Biennial Strategic Plan Key Strategy of Pursuing Development and Redevelopment Consistent with the General Plan and specific Area Plans as well as the Desired Outcome of providing unique and diverse businesses.

Criteria #4 – Fiscal Stability and Other Financial Support: The organization must have the following: (1) A clear description of how public funds will be used and accounted for; (2) Other funding sources that can be used to leverage resources; (3) A sound financial plan that demonstrates managerial and fiscal competence.

Criteria #5 – Can forecast at the time of application an ability to achieve direct or indirect economic/tax benefits equal to or greater than the City's contribution.

Criteria #6 – The organization should show a positive contribution to diversifying the local economy by increasing year-round business opportunities, creating new jobs, and increasing the local tax base.

The City's Economic Development Program Committee will review all applications and submit a recommendation to City Council, who will have final authority in judging whether an applicant meets these criteria.

Economic Development Grant Fund Appropriations: The City currently allocates economic development funds through the operating budget of the Non-Departmental section of the budget. Of these funds, no more than $20,000 per annum will be available for ED Grants.

Unspent fund balances at the end of a year will not be carried forward to future years.

ED Grant Categories: ED Grants will be placed in three potential categories:

(1) Business Relocation Assistance – This category of grants will be available for assisting an organization with relocation and new office set-up costs. Expenses that could be covered through an ED Grant include but are not limited to moving costs, leased space costs, and fixtures/furnishings/ and equipment related to setting up office space within the City limits.

(2) New Business Start-up Assistance - This category of grants will be available for assisting a new organization or business with new office set-up costs. Expenses that could be covered through an ED Grant include but are not limited to leased office space costs and fixtures/furnishings/ and equipment related to setting up office space within the City limits.

(3) Business Expansion Assistance - This category of grants will be available for assisting an organization or business with expansion costs. These expansions should increase square footage, increase year-round jobs in city limits and/or increase tax revenue; or demonstrate a venture into an area considered a diversification of our economic base

Application Process: Application forms may be downloaded from the City's www.parkcity.org website or available for pick-up within the Economic Development Office of City Hall. Funds are available throughout the City's fiscal year on a budget available basis.

Award Process: The disbursement of the ED Grants shall be administered pursuant to applications and criteria established by the Economic Development Department, and awarded by the City Council consistent with this policy and upon the determination that the appropriation is necessary and appropriate to accomplish the economic goals of the City.

ED Grants funds will be appropriated through processes separate from the biennial Special Service Contract and ongoing Rent Contribution and Historic Preservation process.

The Economic Development Program Committee will review all applications and forward a recommendation to City Council for authorization. All potential awards of grants will be publicly noticed 14 days ahead of a City Council action.

Nothing in this policy shall create a binding contract or obligation of the City. Individual ED Grant Contracts may vary from contract to contract at the discretion of the City Council. Any award of a contract is valid only for the term specified therein and shall not constitute a promise of future award. The City reserves the right to reject any and all proposals, and to waive any technical deficiency at its sole discretion. Members of the City Council, the Economic Development Program Committee, and any advisory board, Task Force or special committee with the power to make recommendations regarding ED Contracts are ineligible to apply for such Contracts. City Departments are also ineligible to apply for ED Contracts. All submittals shall be public records in accordance with government records regulations ("GRAMA") unless otherwise designated by the applicant pursuant to UCA Section 63-2-308, as amended.

General Plan Goals Score sheet

Small Town

Goal 1: Park City will protect undeveloped lands, discourage sprawl, and direct growth inward to strengthen existing neighborhoods

Objectives:

1A: Direct complimentary land use and development into existing neighborhoods that have available infrastructure and resource capacity.

1B: Each neighborhood should have a well-defined edge, such as open space or a naturally landscaped buffer zone, permanently protected from development, with the exception of the transition areas where two adjacent neighborhoods merge along an established transportation path.

1C: Primary residential neighborhoods should encourage opportunities to enhance livability with access to daily needs, including: a mini market, a neighborhood park, trails, community gardens, walkability, bus access, home business, minor office space, and other uses that are programmed to meet the needs of residents within the neighborhood and complement the existing context of the built environment.

1D: Increase neighborhood opportunities for local food production within and around City limits. Sustainable agriculture practices should be considered within appropriate areas.

Impacts Goal:		
Positively	Negatively	neutral/unsure

Goal 2: Park City will emphasize and preserve our sense of place while collaborating with the Wasatch Back and Salt Lake County regions through regional land use and transportation planning.

Objectives:

2A: A regional land-use planning structure should be integrated within a larger transportation network built around transit.

2B: Regions should be bounded by and provide a continuous system of greenbelt/wildlife corridors to be determined by natural conditions.

2C: Regional institutions and services (e.g. government, stadiums, museums, etc.) should be located within existing development nodes.

2D: Materials and methods of construction should be specific to the region, exhibiting a continuity of history and culture and compatibility with the local character and community identity.

Impacts Goal:		
Positively	Negatively	neutral/unsure

Goal 3: Park City will encourage alternative modes of transportation on a regional and local scale to maintain our small town character.

Objectives:

3A: Streets, pedestrian paths and bike paths should contribute to a system of fully connected and interesting routes to all destinations. Their design should encourage pedestrian and bicycle use by being small and spatially defined by buildings, trees, signs, and lighting; and by discouraging high-speed traffic.

3B: Prioritize efficient public transportation over widening of roads to maintain the *Small Town* experience of narrow roads, modest traffic, and Complete Streets.

3C: Public transportation routes should be designed to increase efficiency of passenger trips and capture increased ridership of visitors and locals.

Impacts Goal:		
Positively	Negatively	neutral/unsure

NATURAL SETTING

Goal 4: Open Space: Conserve a connected, healthy network of open space for continued access to and respect for the *Natural Setting.*

Objectives:

4A: Protect natural areas critical to biodiversity and healthy ecological function.

4B: Buffer entry corridors from development and protect mountain vistas to enhance the natural setting, quality of life, and visitor experience.

4C: Prevent fragmentation of open space to support ecosystem health, wildlife corridors, and recreation opportunities.

4D: Minimize further land disturbance and conversion of remaining undisturbed land areas to development to minimize the effects on neighborhoods.

4E: Collaborate with neighborhoods to create small parks or passive open space areas.

Impacts Goal:		
Positively	Negatively	neutral/unsure

Goal 5: Environmental Mitigation: Park City will be a leader in energy efficiency and conservation of natural resources reducing greenhouse gas emissions by at least fifteen percent (15%) below 2005 levels in 2020.

Objectives:

5A: Encourage development practices that decrease per capita carbon output, decrease vehicle miles traveled, increase carbon sequestration, protect significant existing vegetation and contribute to the community emission reduction goal.

5B: Encourage efficient infrastructure to include water conservation, energy conservation, renewable resource technology, decreased waste production, green public transit, and increased road and pathway connectivity.

5C: Park City Municipal Corporation will be a strong partner in efforts to reduce community GHG emissions, leading by example and providing policy guidance while promoting personal accountability and community responsibility.

5D: Align transportation goals with sustainable goals that reflect all four Core Values of the City.

Impacts Goal:		
Positively	Negatively	neutral/unsure

Goal 6: Climate Adaptation: Park City will implement climate adaptation strategies to enhance the City's resilience to the future impacts of climate change.

Objectives:

6A: Prepare for probable scenarios that could threaten health, welfare, and safety of residents. Implementation of climate adaptation strategies is necessary to become more resilient to wildfire, flood, and drought.

6B: Encourage opportunities for local food production and sales of food produced regionally.

6C: Support ecosystem health, biodiversity, and natural buffers between development and sensitive lands.

6D: Encourage regional planning efforts as a mechanism to mitigate population growth.

Impacts Goal:		
Positively	Negatively	neutral/unsure

Sense of Community

Goal 7: Life-cycle Housing: Create a diversity of primary housing opportunities to address the changing needs of residents.

Objectives:

7A: Increase diversity of housing stock to fill voids within housing inventory (including price, type, and size) to create a variety of context sensitive housing opportunities.

7B: Focus efforts for diversity of primary housing stock within primary residential neighborhoods to maintain majority occupancy by full time residents within these neighborhoods.

7C: Focus future nightly rental units to resort neighborhoods - near Park City Mountain Resort and Deer Valley.

7D: Facilitate the implementation of a housing plan that promotes economic diversity.

7E: Create housing opportunities for the City's aging population (e.g. step-down housing, community housing, cottage style units).

Impacts Goal:		
Positively	Negatively	neutral/unsure

Goal 8: Workforce Housing: Increase affordable housing opportunities and associated services for the work force of Park City.

Objectives:

8A: Provide increased housing opportunities that are affordable to a wide range of income levels within all Park City neighborhoods.

8B: Increase rental housing opportunities for seasonal workers in close proximity to resorts and mixed use centers.

8C: Increase housing ownership opportunities for work force within primary residential neighborhoods.

Impacts Goal:		
Positively	Negatively	neutral/unsure

Goal 9: Parks & Recreation: Park City will continue to provide unparalleled parks and recreation opportunities for residents and visitors.

Objectives:

9A: Maintain local recreation opportunities with high quality of service, exceptional facilities, and variety of options.

9B: Locate recreation options within close vicinity to existing neighborhoods and transit for accessibility and to decrease vehicle miles traveled. Grouping facilities within recreational campuses is desired to decrease trips.

9C: Optimize interconnectivity by utilizing bus/transportation services to recreation facilities.

Impacts Goal:		
Positively	Negatively	neutral/unsure

Goal 10: Park City will provide world-class recreation and public infrastructure to host local, regional, national, and international events that further Park City's role as a world-class, multi-seasonal destination resort while maintaining a balance with our sense of community.

Objectives:

10A: Remain competitive as a world-class, multi-season, destination resort community by increasing year-round recreation events and demand for resort support services, such as hotels and restaurants.

10B: Balance tourism events with preservation of small town character and quality of life. Locate larger tourist activities close to resorts and/or existing facilities. Locate community facilities close to primary residential areas.

10C: Public infrastructure improvements and programming should consider the visitor experience to Park City during large events and master festivals.

Impacts Goal:		
Positively	Negatively	neutral/unsure

Goal 11: Support the continued success of the multi-seasonal tourism economy while preserving the community character that adds to the visitor experience.

Objectives:

11A: The vibrancy of Park City's resorts is essential to the success of resort support businesses. The City must provide flexibility to allow the primary resorts to evolve with the tourism industry, increase occupancy rates year round, and create more demand for the resort support industries throughout the City.

11B: Preservation of our community core values of Small Town, Natural Setting, Sense of Community, and Historic Character is essential to maintaining the unique Park City Experience for visitors and residents. Regulate design of new development to compliment the community's core values and protect the Park City Experience.

Impacts Goal:		
Positively	Negatively	neutral/unsure

Goal 12: Foster diversity of jobs to provide greater economic stability and new opportunities for employment in Park City.

Objectives:

12A: Retain and expand existing Park City businesses.

12B: Improve the balance of jobs-to-housing ratio in Park City through efforts to attract higher paying jobs and workforce housing strategies.

12C: Support local owned, independent businesses that reflect the core values of Park City and add to the Park City experience.

12D: Minimize commercial retail chains on Main Street and the impacts of big box and national chains on the unique Park City experience.

Impacts Goal:		
Positively	Negatively	neutral/unsure

Goal 13: Arts & Culture: Park City will continue to grow as an arts and culture hub encouraging creative expression.

Objectives:

13A: Increase cultural, arts, and entertainment-related events that diversify and support our tourism-based economy.

13B: Foster and enhance the vitality of Park City's local arts and cultural sectors.

13C: Encourage the installation of public art on private property, public space, parks, trails, and streets that represent Park City's core values.

Impacts Goal:		
Positively	Negatively	neutral/unsure

Goal 14: Living within Limits: The future of the City includes limits (ecological, qualitative, and economic) to foster innovative sustainable development, protect the community vision, and prevent negative impacts to the region.

Objectives:

14A: Provide reliable public resources to ensure the health, welfare, and safety of residents and visitors.

14B: Manage growth to protect the quality of life and preserve the unique *Park City Experience* by recognizing limits to growth and adopting responsible policies that are consistent with those limits. Look at policies to offset this growth through efficiencies and renewables.

14C: Provide safe drinking water to residents and visitors. Set limits to future demand based on available sources and expense of available sources.

14D: Prevent degradation of air quality through the implementation of best practices for land use, clean energy, regional transportation, and growth management.

Impacts Goal:		
Positively	Negatively	neutral/unsure

Historic Character

Goal 15: Preserve the integrity, mass, scale, compatibility and historic fabric of the nationally and locally designated historic resources and districts for future generations.

Objectives:

15A: Maintain the integrity of historic resources within Park City as a community asset for future generations, including historic resources locally designated on the Park City Historic Sites Inventory and its two National Register Historic Districts – the Main Street Historic District and the Mining Boom Era Residences Thematic District.
15B: Maintain character, context and scale of local historic districts with compatible infill development and additions.

15C: Increase local knowledge of historic preservation principles and accepted standards through increased public education and programming.

15D: Provide additional public education/programming to connect property owners and financial incentives in an effort to offset the high cost of restoration.

15E: Encourage adaptive reuse of historic resources.

Impacts Goal:		
Positively	Negatively	neutral/unsure

Goal 16: Maintain the Historic Main Street District as the heart of the City for residents and encourage tourism in the district for visitors.

Objectives:

16A: Support "adaptive re-use" of buildings along Main Street through incentives to property owners and businesses.

16B: Limit uses within the first story of buildings along Main Street to retail and restaurant establishments that are inviting to the passing pedestrian. Uses that should be discouraged include office space, real estate show rooms, parking, etc.

16C: Utilize Main Street as a backdrop/setting for cultural events, festivals, and celebrations.

Impacts Goal:		
Positively	Negatively	neutral/unsure

Total Score/15		
Positively	Negatively	neutral/unsure

Biennial Plan

The Biennial Strategic Plan draws on Park City 2030, the Business Plans, and the Budget Document to give a summary of the City's approach over the next two years to pursue Council Priorities and the Community Vision. This document is used to report highlights of the Strategic Planning Process to Council during their annual Visioning Session, and it is updated every two years.

The current Biennial Plan to be provided by the Economic Development Department along with application forms at the request of the applicant. The 2015 – 2016 Plan can be found at:

http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=10646

PARK CITY 1884

DATE: April 16, 2015

TO HONORABLE MAYOR AND COUNCIL

Staff recommends Council holds a public hearing and approve an ordinance and applicable PCMC code changes allowing for the creation of a one-year pilot program governing the use of electronic assisted bicycles (E-Bikes) on public multi-use pathway and natural surface trails.

Respectfully:

Heinrich Deters, Trails and Open Space Program Manager

City Council Staff Report

Subject: Electric Assisted Bicycles- Pilot Program
Author: Heinrich Deters
Department: Sustainability Department
Date: April 16, 2015
Type of Item: Legislative

Summary Recommendations:
Staff recommends Council hold a public hearing and approve the following:

1. Adopt an ordinance allowing for the creation of a one-year pilot program governing the use of electronic assisted bicycles (E-Bikes) on public multi-use pathway. (Exhibit A)
2. Approve recommended amendments to the Park City Municipal Code Section 10-1-4.5 Uniform Traffic Control governing motorized use on public multi-use pathways and natural surface trails. (Exhibit B)

Executive Summary:
Staff is recommending Council consider An Ordinance amending MUNICIPAL CODE TITLE 10, CHAPTER 1 including adding a new section 4.5 creating a pilot project allowing electric assisted bicycles on certain hard surface, multi-use pathways but excluding on all natural surface trails unless otherwise designated; and establishing a sunset dates of December 31, 2015

Acronyms used in this report:
E-Bikes: Electric Assisted Bicycles
NITC: National Institute for Transportation and Communities

Background:
In October of 2013, staff contracted with Fehr and Peers, a professional traffic engineering and transportation planning firm, to draft a technical report on the use and governmental regulation of electric assisted bicycles and electric assisted personal mobility devices (Segways). Fehr and Peers completed the report in January of 2014 and presented it to staff. Staff presented the report and recommendations based on the report to Council on May 29, 2014. A link to the staff report and Fehr and Peers technical memo has been provided.
http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=14254

What are Electric Assisted Bikes?
E-bikes at the highest level are traditional human powered bicycles, fitted with an electric motor that propels users when the motor is engaged. E-Bikes are classed according to the power the electric motor can deliver and the control system, i.e., when

and how the power from the motor is applied. Classification of e-bikes is complicated due to federal and state motor vehicle/traffic code definitions of what constitutes a bicycle and what constitutes a moped or motorcycle. As such, the classification of these e-bikes varies greatly across the United States and local jurisdictions.

Recent National Report- Electric Assisted Bicycle

A recent report by the National Institute for Transportation and Communities (NITC) identifies existing federal and state designations, highlighting the lack of clarity and continuity associated with the definitions and regulation of the devices. At a high level, the report notes that without a uniform definition, supported and adopted by the states, will continue to limit the growth of the electric assisted bicycle use.

National Institute for Transportation and Communities- E-Bike Report

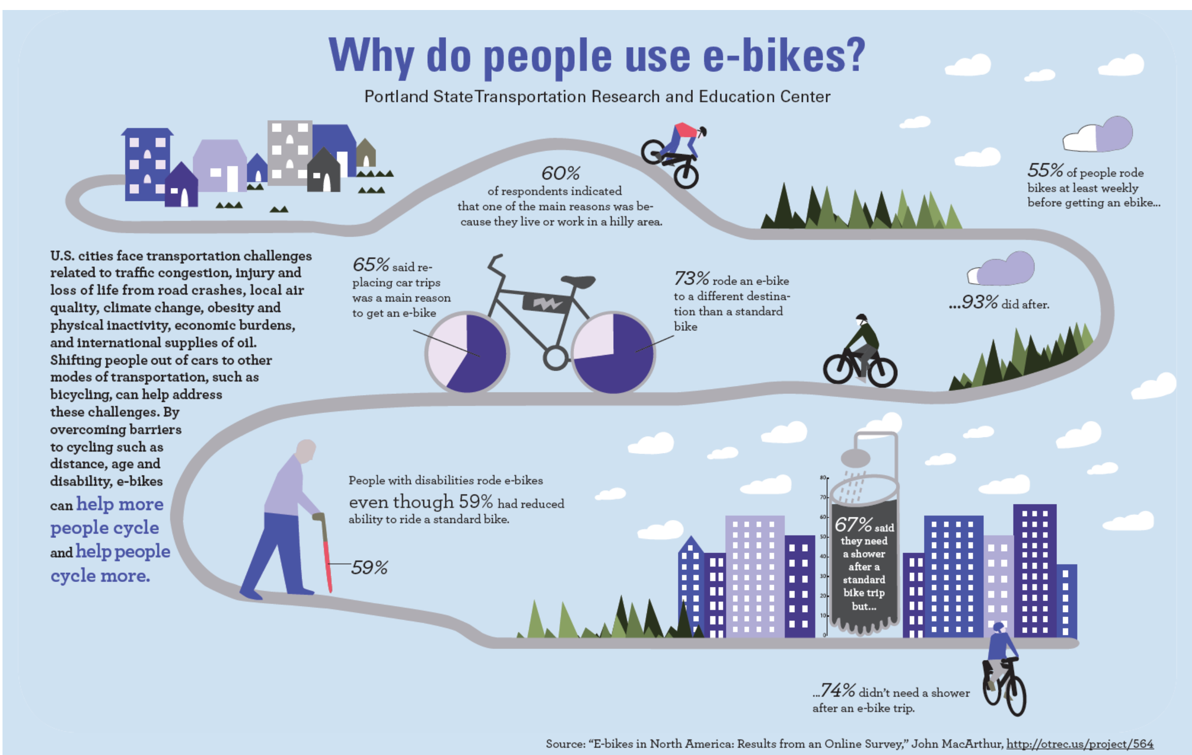
Recent National Electric Assisted Bicycle Public Survey

The League of American Bicyclists recently provided a national survey opportunity to help gauge different aspects associated with the public's perception of electric bikes, including what constitutes an electric bike and where electric bike use is appropriate.

Perceptions of E Bikes Report

Below are some of the conclusions from the report:

- People broadly believe in the positive benefits of electric bicycles for transportation and utility bicycling.
- Definition of and what actually constitutes a 'bicycle' is not exactly congruent with the public perception.
- E-bikes support greater use of the bicycle as a transportation choice



Attachment: e-bike report 040715 redline (2) (1163 : E-Bikes)

State and Municipal Codes

Utah State Code Electric Assisted Bicycles
Under current Utah State Motor Vehicle Code (Title 41-6a-102), electrically assisted bicycles are defined as a bicycle/moped, which is at minimum incredibly confusing when faced with a determination of motorized/non-motorized use. Utah Code limits electric assisted bicycle to a device with less than 1,000 watts and a maximum operating speed of 20 mph, which is greater than the Federal Definition provided by the Consumer Product Safety Commission (CPSC). Additionally, Utah requires users to have a driver's license[i], but does not require registration. ***Utah State Code allows local authorities to adopt ordinances to regulate or restrict electrically assisted bicycles. They are permitted on bike related infrastructure unless prohibited by signage.***

Park City Municipal Code
Title 10 of the Park City Municipal Code (Motor Vehicle) incorporates definitions and uniform traffic measures from the Utah State Code (Title 41). Therefore, existing City traffic code mirrors the State Code. ***Any new definition for e-bicycles (which is different than the State Code definitions) must be adopted locally by ordinance specifically amending the Municipal Code. The change recommended by staff includes a new definition and use restrictions that narrow the places an e-bicycle is allowed under state code.***

How does this fit into Council's Priorities?
Staff finds that it is imperative to provide clear information for residents and visitors alike, per the growing use of electric assisted bicycles on city facilities like multi-use pathways and natural surface trails. In doing so, information provides for alternative transportation and recreational goals, which meet the Council priorities of:

- Preserving & Enhancing the Natural Environment
- World Class Multi-Seasonal Resort Destination
    - Top priority 'Reduction in Congestion'

Furthermore, balancing the use with clear parameters that provide for the public's health, safety and welfare, including limiting speeds and areas of use meets the Council priority of:

- Responsive, Cutting-edge & Effective Government

Analysis:

Definitions v. Operations
Staff's recommendations associated with this report focuses on **operational governance** of electric assisted bicycles on City pathways and trails. Specifically, the project will provide clarity for users associated with the following:

- Where electric assisted bicycles may be operated.
    - Motorized/Non-Motorized discussion (Pathways and Trails)
- How electric assisted bicycles should be operated safely.

- Speed/Safety discussion and infrastructure
- Education and outreach

Outside of staff's recommendation to address the definition of an electric assisted bicycle's maximum power output to 750 watts, *which directly effects the speed/safety associated with the device,* staff is not recommending **product definitions** addressing the growing debate over 'Throttle v Pedal Assist.' This is consistent with the approach taken by Boulder, CO. and their adoption of electric assist bicycle ordinance.

Boulder Colorado Pilot Project Findings

State Legislation
Staff feels strongly that discussions associated with the **definition** of an electric assist bicycle needs to first take place at the state level. These discussions should, in staff's opinion, address the current lack of clarity in the State Code. (Utah State code defines an electric assist bicycle as a bicycle and a moped.) Staff is interested in participating in discussions at the state level and utilizing data gathered in the proposed Park City pilot project, with the aim of promoting the use of electric assist bicycles as a **safe** alternative mode of transportation by:

- Provide a definition consistent with other Federal and State parameters
- Provide a clear definition as a bicycle, not a motor vehicle
- Provide clarity for small businesses looking to sell E-Bikes
- Encourage greater use by eliminating the license requirement
- Encourage the appropriateness of use associated with infrastructure, so as to provide for safe implementation of any program

The Pilot Project
Staff finds that electric bicycle use, if appropriately regulated, supports and enhances Council's alternative transportation goals. The use will provide an opportunity for users to select the bicycle, when aspects such as topography, fitness and or health concerns previously inhibited the option. Additionally, staff finds that the proposed uses associated with electric assisted bicycles on public pathways and trails is at minimum, worthy of a one-year pilot program to garner additional data. To that point, a program, which includes educational outreach, public involvement and the collection of data, has been developed. (Exhibit C Pilot Project Outline) Below is an overview of the project:

Term: Project and Ordinance will sunset on December 31, 2015

Ordinance: Suspends the prohibition of motorized vehicles on multi-use pathways, as defined, by electric assist bicycles, as defined, identified on the project map and further identified by signage.

Purpose: Promote electric assist bicycle use which meets Council goals but also in a manner necessary to protect the public health, safety, and welfare of the residents of facility users.

Education/Outreach: Staff and the consultant plan to provide an overview of the pilot project goals through media outlets and stakeholders once directed by Council. Specifics of the project including maps, FAQs and depictions of proposed signage will be provided. Finally, staff will provide opportunities for the public to provide input and report findings throughout the project timeframe.

Infrastructure: Signage will be the major infrastructure component of the project. On multi-use pathways, signs will note where electric assist use is acceptable and users should be aware they may encounter an electric assist bicycle. Next, signage noting the prohibition of electric assisted bicycles will be provided at trailheads and on posted throughout the natural surface trail system. Finally, staff recommends posting 'speed limit' signage on the multi-use pathways to further promote safe use of not only electric assist bicycles but for all users. Staff, working with Basin Recreation trail staff, is recommending a 14.5mph limit to address public safety and conflicts with existing users, as well as an eye catching standard to add recall/public outreach.

Trail Type: Electrically assisted bicycles will be allowed on multi-use pathways, as defined in the code amendment, unless designated otherwise. Below is a list and designation status of these pathways:

Pathway Name	Area	E-Bike Status
Deer Valley Loop*	Lower Deer Valley	Allowed
Poison Creek Pathway	Old Town/City Park	Allowed
McLeod Creek Pathway*	Park Avenue/SR-224 (east side)	Allowed
Holiday Ranch Loop	Park Meadows	Allowed
Farm Trail*	Park Avenue/Thaynes	Allowed
Kearns Pathway (south)	Kearns Blvd./High School	Allowed
Kearns Pathway (north)	Kearns Blvd./Prospector	Allowed
Farm Trail	SR-224	Prohibited (around McPolin Barn)
Rail Trail (first 1000' off Bonanza)	Bonanza Dr.	Allowed
Rail Trail (east)	Prospector/SR-248	Prohibited (per State Parks policy)
Comstock Pathway	Comstock Dr./Prospector	Allowed
North 40 Pathway	Middle School Fields/Park Meadows	Allowed
Fairway Hills Pathway	Park Meadows/Lucky John Dr.	Allowed
Silver Quinn	Round Valley	Allowed
Quinn's Connector	Quinn's Recreation Complex	Allowed

*Pathways to be under construction in 2015 to allow for e-bike use

Electrically assisted bicycles and mountain bikes would be prohibited on all natural surface trails, as defined in the code amendments. This would include all single track type trails (ie Lost Prospector, Armstrong, Mid-Mountain, etc.) and soft surfacetype trails (ie Quinn's loop Trails, etc.)

Data Collection: Staff intends to collect data associated with the amount, speed, safety and risk management aspects associated with 'introduction' of electric assist bicycles on multi-use pathways. This will include:

- Hard data (visual counts)
- Speed data (electric assist bikes and regular bikes)
- Intercept surveys
- Online surveys
- Special Event Data
- Registered Complaints
- Stakeholder surveys/information
- Police data

How do local Stakeholders and Jurisdictions find these recommendations?
Staff has reached out to the following stakeholders, in addition to members of the general public, to better understand their thoughts and/or concerns with proposed recommendations.

- *Bike Utah*
  - Bike Utah is still exploring the item and does not have a position. Bike Utah is also unaware of another municipality within Utah that has previously or is currently addressing the issue.
- *Mountain Trails Foundation (MTF)*
  - The Mountain Trails Foundation supports the use and restrictions as recommended by staff. **However, State Parks, who owns all of the Rail Trail except the first 1000 feet, has prohibited e-bike use per current policy.** *(This is noted on the project map)*
- *Summit Lands Conservancy (SLC)*
  - Summit Lands Conservancy's finds use on the Rail Trail Easement pathway is consistent with the easement language; **however, finds that use on the McPolin Farm Easement pathways is inconsistent with the conservation easement, thus is requesting the pathways within the easement be removed from the pilot project map.** *(This is noted on the project map)* **Staff has agreed to remove the pathways within the easement area; however, requests revisiting the determination with Summit Land Conservancy and Council with data attained from the pilot project.**
- *Park City Mountain Resort and Deer Valley Resort*
  - Both resorts support the use and restrictions as recommended by staff and propose to implement similar measures on their private property.
- *Snyderville Basin Special Recreation District (SBSRD)*
  - SBSRD supports the use and restrictions as recommended by staff and is currently in the process of presenting proposals to their board and County

Council once Park City has provided direction. This is to encourage a seamless approach to the project.

- *National Ability Center (NAC)*
    - NAC supports the use and restrictions as recommended by staff; specifically as it notes the caveat of mobility impaired users on both multi-use pathways and natural surface trails. Staff will continue to work with the NAC as new technologies evolve, specific to 'Power Driven Mobility Devices'.

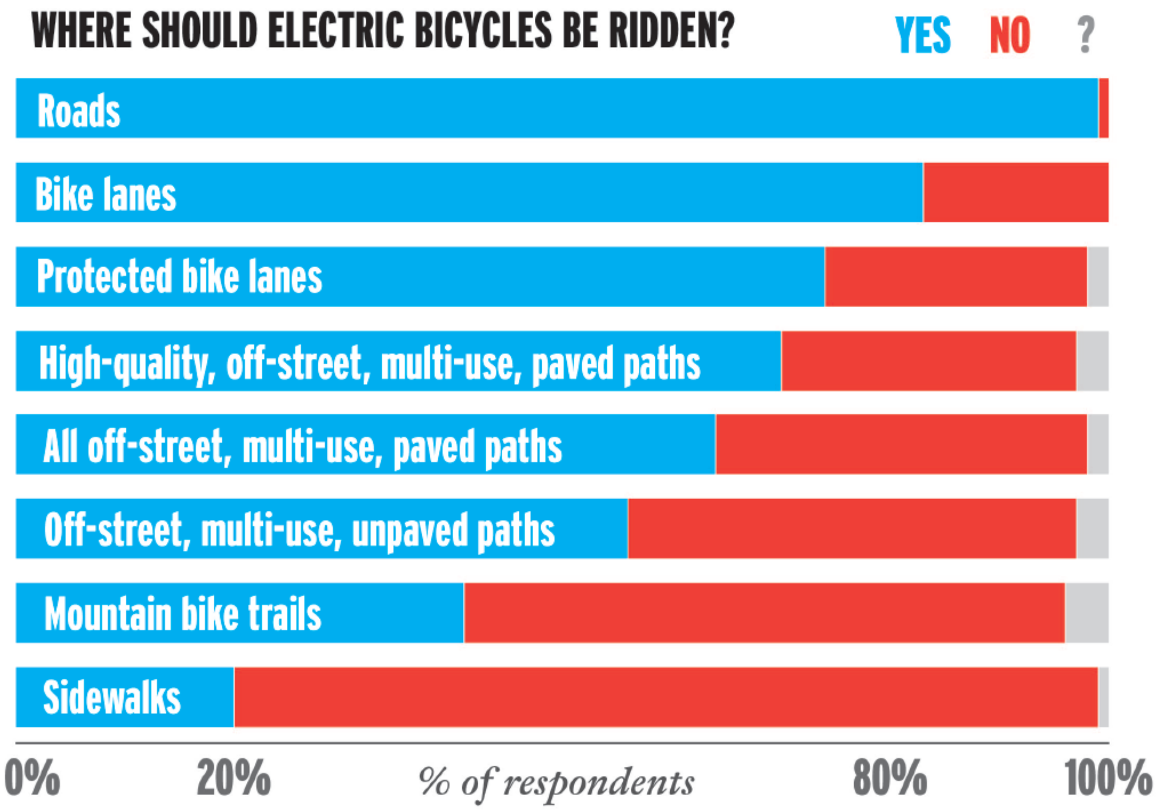
Natural Surface Trail Prohibition

Electric assisted mountain bikes
Over the past several months, staff has been contacted by several residents who utilize electric assisted bikes on the natural surface trail system as well as community members associated with the industry. Their message centers on the ability of the e-bike to allow users who are either restricted by age, fitness levels and/or medical conditions to continue to experience the trail network and reap the benefits of physical exercise. Staff has attached a link to a recent article by the Wall Street Journal, which captures the essence of the discussion.

WSJ- Electric Mountain Bikes

Staff maintains that for the extent of the pilot project, electric bike use on natural surface trails should be restricted while additional data can be gathered. This determination provides clear parameters for where use is allowed and should be expected, in addition to where it is prohibited.

The determination is consistent with conditions prior to the rise of electric assist bicycles, determinations made by similar jurisdictions, such as Boulder, Colorado and the Moab BLM district and results gathered by a Park City's Mind Mixer Survey and the national survey performed by League of American Bicyclist noted below.
Park City Mind Mixer Report



The International Mountain Bike Association has also provided some guidance, noting that first and foremost as a mountain biking and trail advocacy group. (Exhibit E) Their position per E-bikes is very simple. It states that due to the motorized definition of the device, E-bikes may be supported in areas that can also other motorized uses. Park City does not currently have any natural surface trails which support other motorized uses.

Department Review:
This report has been reviewed by the Sustainability, Legal and Executive Departments.

Significant Impacts:
Any changes to existing uses, whether due to new technologies or social trends should be addressed carefully, for real and/or perceived impacts. Most importantly, safety concerns should be at the forefront of and decision making process prior to implementation.

	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?	Accessible and world-class recreational facilities, parks and programs Safe community that is walkable and bike-able	~ Managed natural resources balancing ecosystem needs		Engaged and informed citizenry
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Positive ⇧	Positive ⇧	Neutral ⇔	Positive ⇧
Comments:				

Funding Source:
Funding for the pilot program is projected to come from the Trails Master Plan.

Recommendation:

1. Adopt an ordinance allowing for the creation of a one-year pilot program governing the use of electronic assisted bicycles (E-Bikes) on public multi-use pathway. (Exhibit A)
2. Approve recommended amendments to the Park City Municipal Code Section 10-1-4.5 Uniform Traffic Control governing motorized use on public multi-use pathways and natural surface trails. (Exhibit B)

Exhibit A- PCMC Electric Bicycle Use Pilot Program Ordinance

ORDINANCE

AN ORDINANCE AMENDING MUNICIPAL CODE TITLE 10, CHAPTER 1 BY ADDING A NEW SECTION 4.5 CREATING A PILOT PROJECT ALLOWING ELECTRIC ASSISTED BICYCLES ON CERTAIN HARD-SURFACED, MULTI-USE PATHS BUT EXCLUDING ON ALL NATURAL SURFACE TRAILS UNLESSOTHERWISE DESIGNATED; AND ESTABLISHING A SUNSET DATE OF DECEMBER 31, 2015

WHERE AS THE CITY COUCIL OF PARK CITY, UTAH, FINDS AND RECITES THE FOLLOWING:

A. The 2008 Trails Master Plan update and the 2011 Park City Traffic and Transportation Master Plan builds on a strong foundation of success by using a collaborative approach and addressing the current and future transportation needs of the community while integrating with the city's broader sustainability planning initiatives for creating a safe and efficient connected active transportation system.
B. The purpose of this ordinance is to establish a one-year electric assisted bicycle demonstration Pilot Project (the "Pilot Project"), which would allow and test use of electric assisted bicycles on multi-use path system within the Park City limits unless prohibited by a traffic control device.
C. The Pilot Project is focused on the urban service area where there is a network of multi-use paths maintained to a transportation standard.
D. The Pilot Project would not include use on facilities that are pedestrian only or intended to preserve the natural environment. Specifically, electric assisted bicycle use would continue to be prohibited on sidewalks and on the natural surface trail system in Park City.
E. The Pilot Project will evaluate behavior of electric assisted bicycle users to determine whether these vehicles can co-exist with current uses on these multi-use paths.
F. The Pilot Project is being implemented to introduce new strategies to increase bicycle mode share and encourage more people to safely complete trips by bicycle.
G. The city's multi-use pathways and natural surface trails currently do not permit any self-propelled vehicles.
H. In order to provide assurance that the use of electric assisted bicycles as an alternate mode of transportation contemplated by this program is safe, prudent, and in the best interest of all users of the city's multi-use path system, city staff will evaluate the following factors and data on an ongoing basis:
    a. The number of electric assisted bicycles on multi-use pathways;
    b. The speeds associated with electric assisted bicycles on multi-use pathways;
    c. Public input gathered pertaining to the pilot project;
    d. The number of reported traffic collisions involving electric assisted bicycles occurring on multi-use paths that results in severe injury or fatality;
    e. The number of reported close call incidents involving electric assisted bicycles occurring on multi-use paths;

f. Reported and observed unsafe behavior including speeding and other safety concerns along the multi-use path system by various users including electric assisted bicyclists, regular bicyclists, pedestrians, and other users;

g. The time spent by Park City Police officers responding to reports or conducting enforcement on the use of electric assisted bicycles on natural surface trails and/or multi-use path system and the number of warnings and citations issued involving electric assisted bicycles.

h. The number and nature of risk management claims received by Park City involving personal injury.

I. This program will sunset and be of no further force and effect after December 31, 2015 unless extended by affirmative council action.

NOW THEREFORE BE IT ORDINED BY THE CITY COUNCIL OF PARK CITY, UTAH:

Section 1. Municipal Code of the Park City is hereby amended by, including adding a new section 10-1-4.5 as follows:

10-1-4 UNIFORM TRAFFIC CODE.
U.C.A. 41-6a, as amended to this date, is hereby adopted by Park City in full as a Uniform Traffic Code, except as conflicts with Section 4.5 below, and shall be cited as the Municipal Code of Park City, Utah, Section 10-6a and the Sections shall parallel the corresponding Utah Code sections in Chapter 6a and be so cited.

10-1-4.5 NON-MOTORIZED TRAIL USE

(A) DEFINITIONS.

(1) "Electric assisted bicycle" means a moped

a. with an electric motor with a power output of not more than 750 watts; and

b. which is not capable of:

i. Propelling the device at a speed of more than 20 miles per hour on level ground when

1. Powered solely by the electric motor; and

2. Operated by a person who weighs 170 pounds; and

ii. Increasing the speed of the device when human power is used to propel the device at more than 20 miles per hour;

c. has fully operable pedals on a permanently affixed cranks; and

d. weighs less than 75 pounds

(2) "Multi-Use Pathway" means a way or path no less than eight (8') feet in width that has a surface of concrete or asphalt and is separated from the roadway by an open space, a curb or other barrier.

(3) "Natural Surface Trail" means a way or route with a surface other than concrete or asphalt, which serves the primary purpose of passive recreational use, such as hiking, mountain biking, snowshoeing, cross-country skiing and equestrian activities.

(4) "Power Driven Mobility Device" means any mobility device powered by batteries, fuel, or other engines, that is used by individuals with mobility disabilities for the purpose of locomotion, including electric personal assistive mobility devices, electric-assisted bicycles, electric-powered foot scooters, tracked mobility chairs or tricycles that are designed to transport a single individual with a disability.

(B) PROHIBITION. It is unlawful to operate any motor vehicle, motor driven cycle, motorcycle, mini motorcycle, motor scooter, motor bikes, snowmobiles, full sized all-terrain vehicle, all-terrain vehicle, off highway vehicle, low speed vehicle, moped, or golf cart on a multi-use pathway or natural surface trail with the following exceptions:

(1) This prohibition shall not apply to an electric assisted bicycle on a multi-use pathway unless prohibited by a designated traffic control device.

(2) This prohibition shall not apply to persons with mobility disabilities who choose to use a Power-Driven Mobility Device, which is designed to transport a single individual with a disability as a substitute for walking and or biking unless prohibited by a designated traffic control device.

(3) This prohibition shall not apply to motorized or self-propelled equipment used for maintenance or events as designated by the local highway authority. Emergency vehicles are also exempt from this provision.

(C) PENALTY. Any person violating the provisions of the Ordinance shall be guilty of a Class B misdemeanor.

(D) ENFORCEMENT. The Park City Police Department, upon notification shall have authority to investigate violations of this section and issue citations.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication and expire on December 31, 2015.

PASSED AND ADOPTED THIS 16th DAY OF APRIL, 2015.

PARK CITY MUNICIPAL CORPORATION

____

Jack Thomas, Mayor

Attest:

____

City Recorder

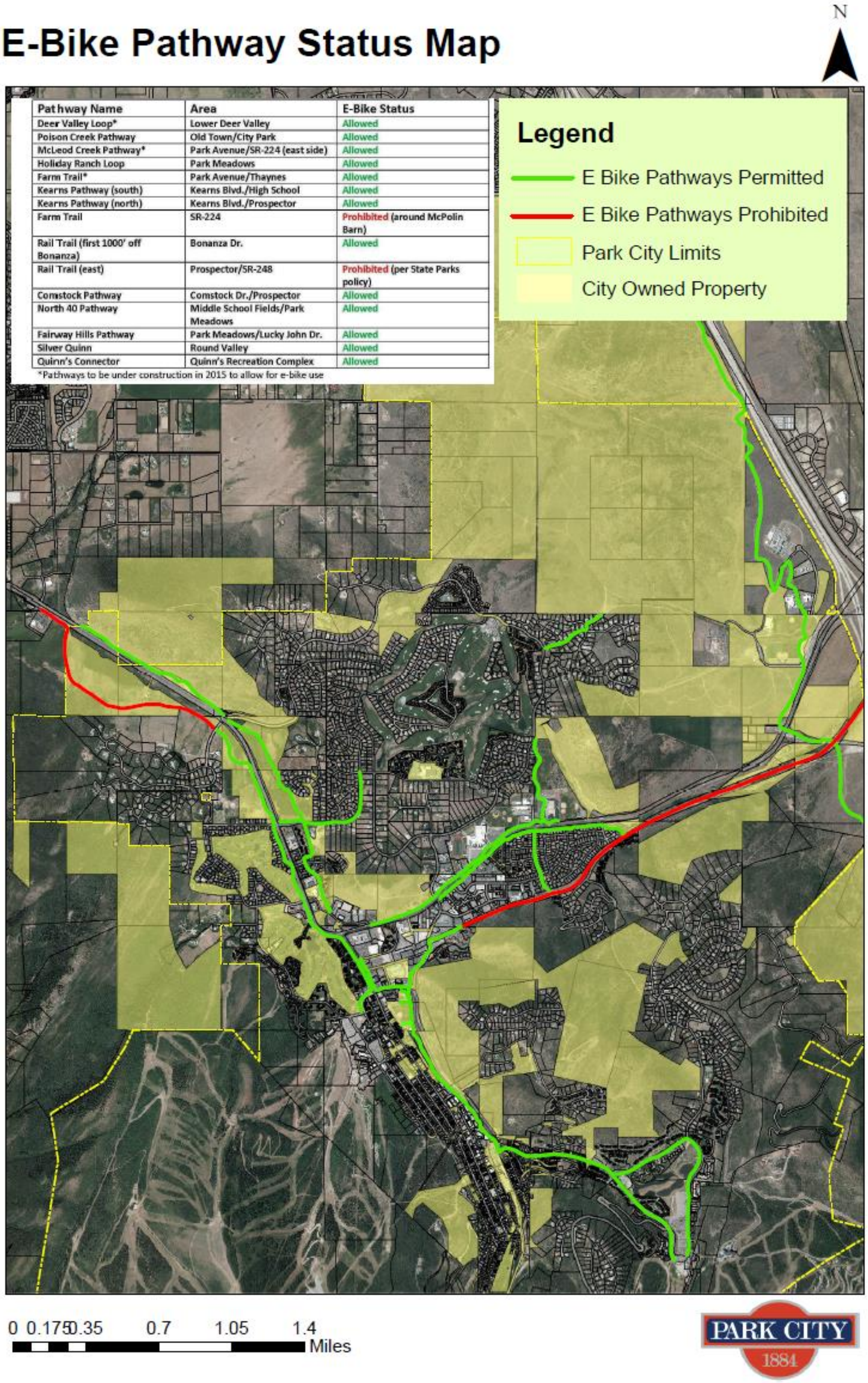
Approved as to form:

____

Mark Harrington, City Attorney

Exhibit B- E-Bike Pilot Project Map

E-Bike Pathway Status Map



Pathway Name	Area	E-Bike Status
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McLeod Creek Pathway*	Park Avenue/SR-224 (east side)	Allowed
Holiday Ranch Loop	Park Meadows	Allowed
Farm Trail*	Park Avenue/Thaynes	Allowed
Kearns Pathway (south)	Kearns Blvd./High School	Allowed
Kearns Pathway (north)	Kearns Blvd./Prospector	Allowed
Farm Trail	SR-224	Prohibited (around McPolin Barn)
Rail Trail (first 1000' off Bonanza)	Bonanza Dr.	Allowed
Rail Trail (east)	Prospector/SR-248	Prohibited (per State Parks policy)
Comstock Pathway	Comstock Dr./Prospector	Allowed
North 40 Pathway	Middle School Fields/Park Meadows	Allowed
Fairway Hills Pathway	Park Meadows/Lucky John Dr.	Allowed
Silver Quinn	Round Valley	Allowed
Quinn's Connector	Quinn's Recreation Complex	Allowed

*Pathways to be under construction in 2015 to allow for e-bike use

Exhibit C- Pilot Program Outline

Park City Ordinance for Motorized, Electric, and Pedal-Assist Vehicles on Sidewalks and Pathways

TECHNICAL MEMORANDUM

To: Heinrich Deters, Park City Municipal Corporation

Date: April 2015

From: Julie Bjornstad, AICP, Fehr & Peers

Subject: **Pilot Project Outline** UT13-1008

Park City is interested in creating a one-year pilot project (January 2015 to December 31, 2015) to test the usage of electric bicycles on paved, multi-use pathways within the city limits. This memorandum documents proposed pilot project code language, data collection plan, and public input plan.

Pilot Program

Boulder, a peer city of Park City, is currently conducting a one-year pilot study to determine if electric-assisted bicycles should be allowed on multi-use trails. This pilot program serves as a model for Park City.

A pilot program would work by allowing the city to temporarily allow electric-assisted bicycles on paved, multi-use paths for one year. Nordic trails, sidewalks, mountain bike trails, etc. should be prohibited. A map outlining paths where electric-assisted bicycles would be allowed should be created.

Data Collection Plan

The pilot project will be evaluated in two key ways – qualitatively via public input and quantitatively via data collection on trial use. Electric bikes will only be allowed on certain pathways and a map of these paths will be created and disseminated to the public. Additional signage may be needed to inform path users of the rules and regulations of the pilot project.

Data will be collected through annual count data collected by the City, on-site intercept surveys and field observations, and traffic collisions reported to the Police. Part of the pilot program is to evaluate:

- The number of reported traffic collisions involving electric assisted bicycles that result in severe injury or fatality;
- The number of reported close call incidents involving electric assisted bicycles; and
- Reported and observed unsafe behavior including speeding and other safety concerns on hard-surfaced, multi-use paths by users including electric assisted bicyclists, regular bicyclists, pedestrians, and other users.

<u>Field Observations</u>

Field Observations will be collected at three times during the pilot project at three locations during a multiple-hour period. During each field observation, manual counts and speed will be taken and counts will categorize users by pedestrian, bicyclists, and electric bicyclists.

Intercept surveys of multi-use path users will be conducted at the same time as the manual counts. Before the project, the intercept surveys will gather input about the pilot program, familiarity with electric bikes, and opinion of the potential to allow electric bike use on multi-use paths, and any experiences users have had with electric bikes.

Public Input Plan

Project Goal

The objective of the outreach associated with the pilot project is to reach a broad, diverse public in which to present the pilot project and provide opportunity to comment on the pilot project.

Timeline

- Late November/early December 2014 – Advertise pilot project, establish project webpage, and create first Let's Talk Park City topic
- Late April/early May 2015 – Update website and Let's Talk Park City topic
- Late Fall 2015 – On-line survey
- January 2016 – Update Let's Talk Park City topic
- Late February 2016 – Update website to report findings of pilot project

Outreach Plan

Advertisement

The City will advertise the pilot project through radio, newspaper articles, and social media. The advertisement will include information about how the pilot project will work, duration, locations where electric bikes will be allowed, and general proper etiquette of multi-use trails.

Interested Parties

An interested parties list will be formed consisting of a variety of community members who have the ability of increasing outreach to users of the trail system. A list of possible interested parties is listed below. The interested parties list will be used as a notification resource.

POSSIBLE INTERESTED PARTIES

Party	Contact	Email
Park City eNotify Me Listserv	N/A	N/A
Mountain Trails Foundation	Charlie Sturgis, Executive Director	Charlie@mountaintrails.org
Basin Trails and Recreation	Bob Radke, Trails Manager	bob@bsinrecreation.org
Pedego Electric Bikes	Jan Brussel	jan@pedegopc.com

Webpage

Education of the public on the electric bike pilot project will be a key component of the project. A project webpage hosted on the Park City Bus-Bike-Walk site will be created to provide information on the pilot project, links to public input resources, and other educational materials. The webpage will be updated three times during the course of the project – once before the pilot project to describe the project, once after the pilot project has begun to alert users to rules of the road and links to feedback opportunities, and once when the project has completed to report recommendations. A map sharing where electric bikes will be allowed will be located on this webpage.

The educational portion on the webpage, which should be extended to other means, would raise awareness about proper etiquette on Park City's multi-use path system. This will inform the community about the rules on the multi-use path system and their responsibility as shared users of those paths with messaging that will highlight path users' rules and responsibilities, including:

- Where to expect e-bikes on the system;
- Comply with the speed limit on multi-use paths and slow when approaching other users;
- Smile and make eye contact with other users;
- Be aware of other users and stay to the right, pass on others left;
- Pets need to be on leash and pick up your pets waste;
- Give an audible alert before passing; and
- Bike lights are required and reflective clothing is advised for nighttime use.

On-line Survey

In addition to the intercept survey described in the Data Collection Plan, an on-line survey will be created to gauge residents' opinion and input about the pilot project. Potential questions would be:

- Gauging support for the pilot program
- Understanding personal experiences related to electric-assisted bicycles
- Feedback on new ordinance language
- Feedback on what trails should be restricted and when
- Input on how to address education, enforcement, and engineering of the new rules and regulations

Let's Talk Park City

Let's Talk Park City has already been used to weigh support of electronically assisted bicycles on hard surface trail within Park City Limits. Twenty-eight people responded and 75% of people who responded were in support. The Pilot Project will continue this innovative outreach by creating three topics about the pilot project: one before the project gets started and during the early stages that would allow the project team to understand and react to concerns the community has; a second topic during the pilot project that would allow for continuous feedback throughout the pilot project; and a third after asking for the community's input on whether to allow e-bikes on multi-use paths.

<u>Documentation</u>

All comments will be tracked by topic and will establish file formats for documentation storage, and attach name and contact information to each comment as much as possible. Minutes from meetings will also be part of the project's administrative record.

Other

In addition to public outreach about the pilot project, signs to inform multi-use path users about the pilot project and speed limit will be installed at select locations along the pathway system, emphasizing safety and courtesy among all multi-use path users.

Exhibit D- International Mountain Bike Association E-Bike Policy Statement

INTERNATIONAL MOUNTAIN BICYCLING ASSOCIATION

Motorized/Nonmotorized Recreation Policy Statement

IMBA is first and foremost an advocate for mountain bikers and the sport of mountain biking. We seek to find solutions that work for a large range of trail users, but our allegiance is to mountain biking. IMBA's secondary focus is building and maintaining sustainable single-track trails. Single-track is the preferred trail of most mountain bikers thus we support actions that improve access and trail conditions and oppose those actions that would degrade the trails and the experience of riding them.

IMBA believes all recreational uses of public lands should be managed on an individual use and trail-by-trail basis through the diligent application of benefits based management, preferred use and environmental impact assessment. These land management principles work together to give people the outdoor experiences they seek in a way that mitigates the effects associated with their use so that future generations can enjoy similar experiences.

FAQ

Q: Is IMBA for or against motorized recreation?

A: Neither, IMBA is an advocate for the interests of mountain biking and the development and maintenance of single-track trails.
IMBA objects to land management practices and principles that address mountain biking and motorized uses as a single class. Mountain biking involves a spectrum of riding styles with a narrow band of environmental impacts that are similar to hiking and equestrian uses. When classification is necessary, mountain biking should be part of the non-motorized class.

IMBA objects to use of the term "mechanized" when describing bicycles because the legal and regulatory definition of this term is unclear. The term Mechanized has needlessly complicated forest planning and travel management. As a result, mountain biking has been managed differently than other non-motorized uses. When referring to only bicycles, materials should simply use bicycles.

IMBA also objects to the use of double track devices on single track trails because they widen the trail. Widening the trail pushes the trail beyond its engineering and can lead to trail degradation. Widening the trail also diminishes the single track experience.

INTERNATIONAL MOUNTAIN BICYCLING ASSOCIATION

Q: Does IMBA work with motorized recreation groups on advocacy issues?

A: IMBA is happy to partner with many different interest groups to develop win-win solutions. However, on some issues the interests of mountain bikers and motorized users are aligned, on other issues they are not. In all cases, IMBA will advocate solutions best for mountain bikers.

Q: How does IMBA view electric assist and electric bicycles (e-Bikes)?

A: Electric bicycles are a welcome addition to the cycling community. They allow for carrying heavy loads and offer assistance to those who could not otherwise experience much of the fun of cycling and add a de minimus amount of additional impact. However, the use of a motor whether internal combustion or electric would require changing the classification to a motorized use. IMBA would support the use of e-Bikes anywhere that we could also support other motorized uses.

Q: Are there existing rules and regulations for electric bicycles?

A: The European government is out front with regard to the classification and regulation of electric bicycles. Under EU rules, the legal status of electric bicycles adheres to a regulatory framework related to power output, (whether pedal assist or powered by an auxiliary electric motor), speed, battery type and machinery related to consumer safety. Under current EU rules, if an e-Bike's power and speed exceed limits of .25 kW (250 Watts) or 25 kM/hour (15.5 miles/hour), it is then classified as a Moped and would have additional regulations for insurance, licensing/registration, helmets, driver's licenses and age requirements. The EU rules do not specify on or off-road use of e-Bikes.

Q: How do other national mountain biking organization's view e-Bikes?

A: IMBA's informal poll of its affiliates in Europe, Australia, Canada, and South Africa were unanimous in agreement that e-Bikes are motorized and therefore when utilized off-road should be regulated as with other motorized off-road travel.

Q: Should IMBA take the lead to help governments regulate off-road e-Bikes?

A: An organization (the International Light Electric Vehicle Association) currently exists for the purpose of promoting industry standards as well as favorable government rules and regulations for e-Bikes. IMBA may seek to partner with industry and other organizations to influence how e-Bikes are managed in order to advocate for what's best for mountain biking.

PARK CITY
1884

DATE: April 16, 2015

TO HONORABLE MAYOR AND COUNCIL

Staff recommends Council adopt a City Property disposition list by resolution. The Disposition list allows for long-term, transparent planning of City-Owned properties with development potential.

Respectfully:

Heinrich Deters, Trails and Open Space Program Manager

City Council Staff Report

Subject: 2015 City Property Disposition Resolution
Author: Heinrich Deters
Department: Sustainability
Date: April 16, 2015
Type of Item: Administrative

Summary Recommendations:
Council should review and adopt the attached Resolution on the possible discussion and disposition of City-Owned property. (Attachment I)

Executive Summary
Staff recommends Council adopt a City Property disposition list by resolution. The Disposition list allows for long-term, transparent planning of City-Owned properties with development potential.

Background:
Each year City Council adopts a strategic plan for city- owned parcels with development potential. The intent of the plan is to provide transparency and possible intent of the City's use of available parcels for potential municipal purposes or disposition.

Analysis:
A property strategic plan for city-owned parcels enables staff and the Council to: 1) use basic, centralized management standards and prioritization for assets that are otherwise managed by various departments of the City; 2) identify long term planning strategies or options, and 3) establish some degree of predictability for property owners adjacent to municipal property. Additionally, the disposition list and associated resolution constitutes public notice that the properties listed may be intended for sale or trade if noted and the City Council may consider the best possible terms of a potential transaction in closed session if necessary pursuant to state law.

Park City Municipal owns numerous parcels, ranging greatly in acreage and use. These parcels include large open space properties restricted by deed restrictions and conservation easements, all the way to small remnant parcels, real property and dedicated rights of way and various easements. This strategic plan is for property with development potential only. The plan does not contain property restricted as open space by restrictive covenant or has been purchased with open space funds.

Identifying certain properties for possible use for municipal needs, including public works facilities, water facilities and snow storage is a long term planning priority as demands for City services increase, and potential property availability decreases. Conversely, implementing Council goals and capital projects may be better or more efficiently achieved by selling, leasing or providing easements on city-owned property, to a third party or otherwise transferring property to another nonprofit or government entity.

The potential uses identified in the list are intentionally broad and in no way binds Council to future decisions. Prior to action taken with any of the properties identified within the list, staff and Council would adhere to public notification standards for Disposals of Significant Parcels of Real Property as required by State Code and Municipal Code § 2-3-11.

Department Review:
This report has been reviewed by the Sustainability, Planning, Public Works, Transit, Water, Engineering, Executive and Legal Departments.

Alternatives:

A. Approve:
Adopt the attached resolution as attached. **Staff Recommendation**

B. Deny:
Do not adopt the attached resolution as attached.

C. Modify:
Modify the attached resolution as attached.

D. Continue the Item:
Continue the item because more information is required.

E. Do Nothing:
Same as continuance.

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?				+ Fiscally and legally sound + Well-maintained assets and infrastructure + Engaged and informed citizenry
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	(Select from List)	(Select from List)	(Select from List)	Positive ⇧

Comments:

Attachment: SR CC 4_16_15 RS 2015 City Property Disposition list (1167 : 2015 Disposition List)

Consequences of not taking the recommended action:
A lack of transparency and clarity may be perceived without adoption of a city-owned property disposition list, as well as, notification to discuss matters within closed session

Recommendation:
Council should review and adopt the attached Resolution on the possible discussion and disposition of city-owned property.

Attachment I- Resolution

2015 RESOLUTION ADOPTING A CITY PROPERTY DISPOSITION LIST

WHEREAS, the City owns numerous properties with possible uses and/or development potential that may be utilized to attain community goals;

WHEREAS, ongoing strategic planning of municipal assets is in the best interest of the public;

WHEREAS, City Council's goal for an engaged and informed citizenry is a product of transparent government and public notification;

WHEREAS, the growing demand for City services is subject to continual evaluation of asset management.

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

SECTION 1. CITY PROPERTY DISPOSITION LIST. Park City adopts the 'Property disposition list' as attached hereto as Exhibit A.

This Resolution hereby constitutes public notice that the properties listed herein are intended for sale if so noted and the City Council may meet in closed session as allowed by state law to discuss the best possible terms of a potential sale. Any final approval of a sale by the City Council must be done at a regular, open meeting.

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

PASSED AND ADOPTED this sixteenth day of April 16 ,2015.

PARK CITY MUNICIPAL CORPORATION

____

Mayor Jack Thomas

Attest:____________________________

Marci Heil, City Recorder

Approved as to form:

____

Mark D. Harrington, City Attorney

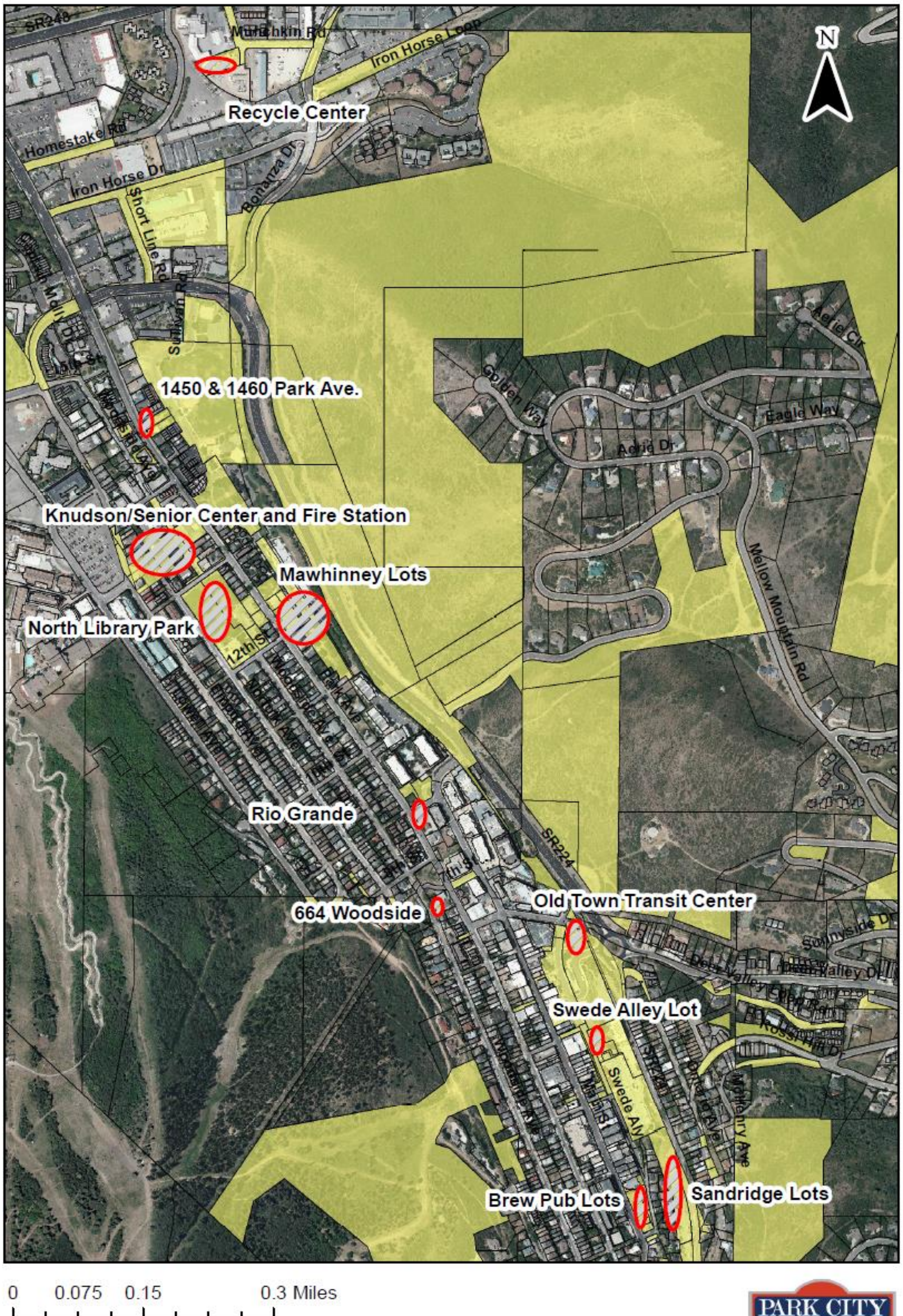
Exhibit A- 2015 City Property list

2015 City Property Disposition Resolution- Updated	
Property/Parcels/Acres	Potential Use
Bango-Wortley/Gordo Parcels PC-9-95-X, PC-9-95-M-X, PC-9-95-J-X, PC-9-95-F-X, PC-9-95-G-X, PC-9-95-H-X, PC-9-95-L-X, PC-9-95-K-X, PC-9-95-1-X, PC-9-95-B-X (approx. 14 acres)	Hold/Sell/Trade; PW Storage; Municipal Facility; Inside Soils Ordinance
Woodside/Empire/Lowell NGS-2-X, PC-98-X, PC-322-X, PC-325-X, PC-364-B-X (.07 acre)	Hold/Trade/Sell/Easements
Park and Ride SS-87 (16.25 acres)	Recreation; City Facilities
Brew Pub Parking Lots PC-263-X, PC-264-1-X, PC-265-X, PC-266-X, PC-563-X, PC-261-B-X, PC-563-A-X (.5 acre)	Hold/Trade/Sell; Parking; Park; Inter-modal municipal oriented transit, Housing (Gondola); Public Gathering Space/Plaza; Inside Soils Ordinance
Old Town Transit Center Marsac Transit Center Sub., PC-476-A-X, PC-476-B-X, PC-730-B-X, PC-426-X, PC-730-A-X (approx. 4 acres)	Inter-modal transit oriented use (gondola, multi-modal transportation/housing); Inside Soils Ordinance
SR-224 Kiosk (.44 acres)	Trailhead Parking
Mawhinney Lots SA-369-X, SA-370-X, SA-371-X, SA-372-X, SA-360-A (1.5 acre)	Skate Park; Parking; City Park; Affordable Housing; Inside Soils Ordinance
Swede Alley/Main Street Lot MPS-3-AM-X, PC-304-A-X, PC-730-S-X, CARR-B-X, PC-127-X, PC-305-X, MAR-SWED-300-X, PC-147-X, PC-148-C-X (.4 acre)	Hold/ Sell/Trade; Parking; Park; Main Street Improvements
Triangle Parcel SS-57-1-B-X (111 acres)	Hold/Sell/Trade; PW Facility; Open Space; Municipal Facility; Recycle Center
North 40 Parking area PCA-98-C-1-X (73 acres)	Recreation, Affordable Housing, Parking
IHC Lot 5 IHPCMC-5-2AM-X (15 acres)	Hold/Sell/Trade; Recreation; Trails, City Facilities
Naniola/Kivett SS-29-C-X, SS-21-A-X (60 acres)	Hold/Sell/Trade
North Library SA-68-X, SA-72-X (2.5 acres)	Park, Recreation, Affordable Housing
1353 & 1333 Park Ave. Fire Station/Miners Hospital/City Park SA-273-X (.5 acre)	Hold/Sell/Trade; Lower RDA Plan Development; partially inside soils ordinance
Knudson (portions of SA-200, SA-201, SA-202-A-1) 14,624 sq/ft. per purchase agreement), SA-402-C-X	Hold/Sell/Trade; Lower RDA Plan Development

Attachment: SR CC 4_16_15 RS 2015 City Property Disposition list (1167 : 2015 Disposition List)

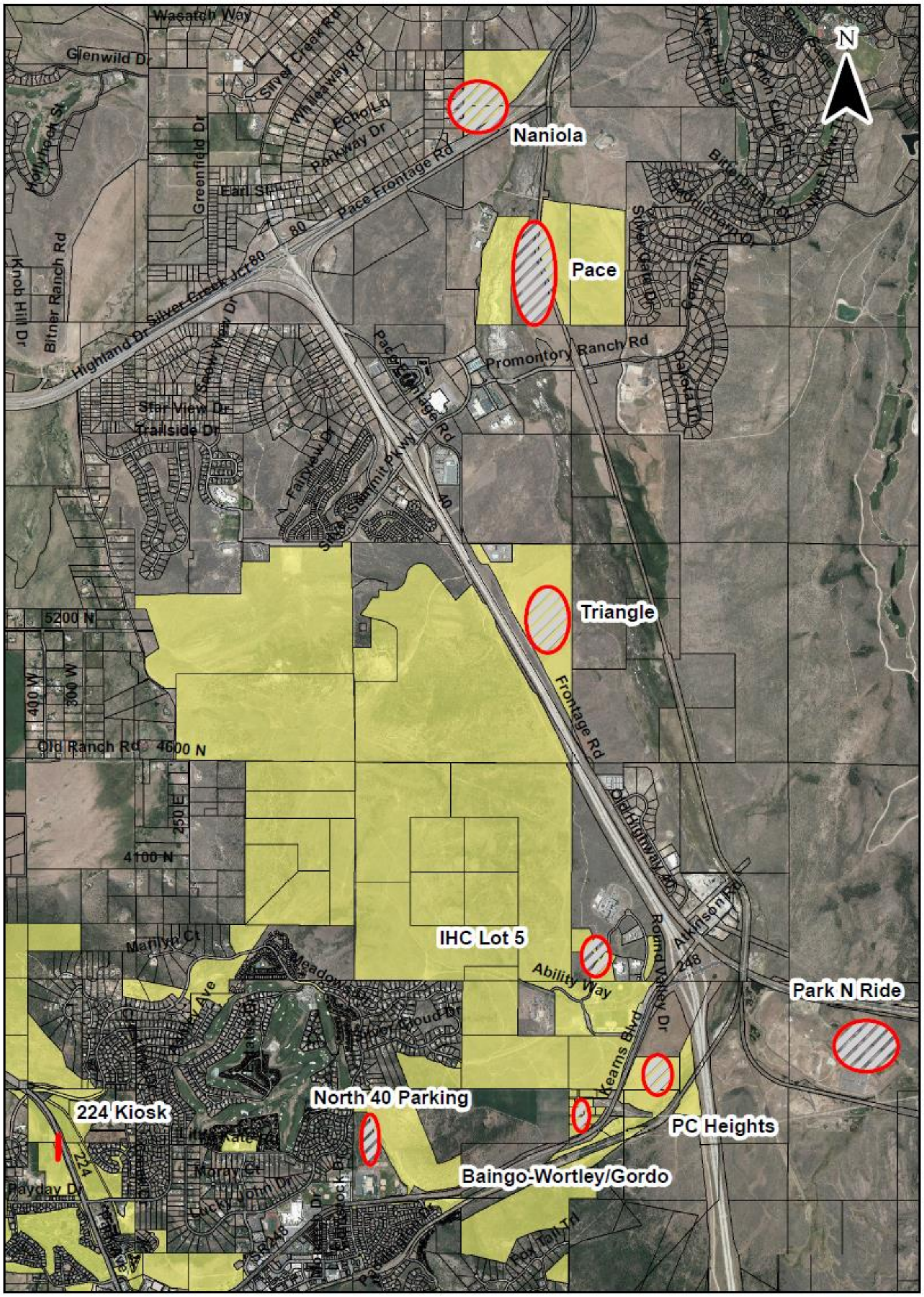
Exhibit B & C- Property Maps

2015 City-Owned Disposition Properties I



PARK CITY
1884

2015 City-Owned Disposition Properties II



0 0.325 0.65 1.3 Miles

PARK CITY 1884

DATE: April 16, 2015

TO HONORABLE MAYOR AND COUNCIL

The property located at 1119 Park Avenue consists of Lot 5 and the southerly ½ of Lot 6, Block 5, Snyder's Addition to the Park City Survey. The entire property is owned by the same entity, Nigor, LLC (represented by Marshall King). The original lot lines from the historic survey still exist on said lots. The owner desires to unify the property into one (1) lot of record by removing the existing interior lot lines.
1119 Park Avenue is in the Historic Residential (HR-1) District and the current adjacent land uses are residential. Plat Amendments require Planning Commission review and City Council review and action

Respectfully:

Hannah Turpen, Planner I

PARK CITY 1884
PLANNING DEPARTMENT

City Council Staff Report

Subject: 1119 Park Avenue Subdivision
Author: Hannah Turpen, Planner
Project Number: PL-15-02672
Date: April 16, 2015
Type of Item: Administrative – Plat Amendment

Summary Recommendations

Staff recommends the City Council hold a public hearing for the 1119 Park Avenue Subdivision Plat Amendment located at 1119 Park Avenue and consider approving the proposed plat amendment based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Staff reports reflect the professional recommendation of the Planning Department. The City Council, as an independent body, may consider the recommendation but should make its decisions independently.

Executive Summary

The property located at 1119 Park Avenue consists of Lot 5 and the southerly ½ of Lot 6, Block 5, Snyder's Addition to the Park City Survey. The entire property is owned by the same entity, Nigor, LLC (represented by Marshall King). The original lot lines from the historic survey still exist on said lots. The owner desires to unify the property into one (1) lot of record by removing the existing interior lot lines.

1119 Park Avenue is in the Historic Residential (HR-1) District and the current adjacent land uses are residential. Plat Amendments require Planning Commission review and City Council review and action.

Acronyms in this Report

HR-1 District	Historic Residential District
HSI	Historic Sites Inventory
Pre-HDDR	Pre-Historic District Design Review Application
HDDR	Historic District Design Review

Background

On January 27, 2015, the City received a Plat Amendment application for 1119 Park Avenue; the application was deemed complete on January 29, 2015. The property is located at 1119 Park Avenue. The property is in the Historic Residential (HR-1) District. The subject property consists of all of Lot 5 and the southerly ½ of Lot 6, Block 5, Snyder's Addition. The entire area is recognized by the County as Parcel SA-48 (Tax ID).

Currently the site contains a historic two-story frame hall-parlor house. According to Summit County records the structure was built in 1894. The site is listed as a

"Landmark" structure on the City's Historic Sites Inventory (HSI).

In May 2012, the City issued a Notice and Order from the Building Department requiring the property owner to stabilize the building. Work began in the spring of 2013 to stabilize the dilapidated landmark building with new footings and foundation. Inspections on this work began on May 1, 2013 and the most recent inspection was conducted on July 26, 2013. This first phase of stabilization eliminated dangerous conditions and stabilized the structure, but did not make the structure habitable or permit any changes to the form of the historic structure. The only stabilization work that was completed and received a final inspection was the new foundation.

The former property owner had obtained Building Permits for stabilization; however, staff finds that the work was not completed in whole before the owner sold the property to the current owner, Ningor, LLC. A Pre-Historic District Design Review (Pre-HDDR) application for the renovation and construction of an addition to the historic structure was completed on October 2, 2014. The applicant applied for a Historic District Design Review (HDDR) application to renovate and construct an addition to the historic structure on January 6, 2015. Staff recommends that the current property owner finish the 2012 Notice and Order stabilization as a part of the HDDR application.

The Planning Commission reviewed the plat amendment on March 25, 2015, and forwarded a positive recommendation to City Council with a vote of 6-0 in favor of the plat amendment.

Purpose

The purpose of the Historic Residential (HR-1) District is to:

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

Analysis

The proposed plat amendment creates one (1) lot of record from the existing one and one-half lots equaling 2,812.5 square feet. A single-family dwelling is an allowed use in the Historic Residential (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. The minimum lot width allowed in the HR-1 District is twenty-five feet (25'). The proposed lot is thirty-seven and one-half feet (37.5') wide. The proposed lot meets the minimum lot width requirement. The following table shows applicable development parameters in the Historic Residential (HR-1) District:

	Existing Parcel	Existing Conditions
Lot Size (as proposed)	2,812.5 sf.	2,812.5 sf.
Setbacks		
Front (East)	10 ft.	26 ft.
Rear (West)	10 ft.	36.5 ft.
Side (North)	3 ft.	1 ft.
Side (South)	3 ft.	1 ft. –.75 ft. (from west to east)
Allowed Footprint	1,201 sf.	522 sf.

In accordance with the Land Management Code (LMC) 15-2.2-4, Historic Structures that do not comply with Building Setbacks are valid Complying Structures. Additions must comply with Building Setbacks, Building Footprint, driveway location standards and Building Height.

Staff finds good cause for this plat amendment as it will eliminate the existing interior lot line and create one (1) new legal lot of record from 1-1/2 existing lots. The existing structure straddles the lot line between Lots 5 and Lot 6; therefore, this plat amendment would allow the structure to be on one (1) lot of record. Without a plat amendment, any new development would be confined to Lot 5 (the 25' x 75' lot) as no new development would be permitted to straddle an interior lot line. This plat amendment allows the remnant portion of Lot 6 to be combined with Lot 5 as both are commonly owned.

The existing chain link fence and wood slat fence extend into the property of 1125 Park Avenue to the north. The wood slat fence also extends into the property of 1120 Woodside Avenue to the west. The applicant can either remove the existing chain link fence and wood slat fences from the properties of 1125 Park Avenue and 1120 Woodside Avenue, or enter into an encroachment agreement with the respective property owners, as dictated by Condition of Approval #4.

The applicant does not have ownership of the northerly ½ of Lot 6. Lot 5 and the northerly ½ of Lot 6 are owned by the same entity. To redeveloping the lot, a Historic District Design Review (HDDR) application shall be reviewed and approved by the Planning Staff.

<u>Process</u>
The approval of this plat amendment application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC § 1-18.

<u>Department Review</u>
This project has gone through an interdepartmental review. No further issues were brought up at that time.

Notice
The property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record according to requirements of the Land Management Code.

Public Input
No public input has been received by the time of this report.

Alternatives
- The City Council may approve the 1119 Park Avenue Plat Amendment as conditioned or amended; or
- The City Council may deny the 1119 Park Avenue Plat Amendment and direct staff to make Findings for this decision; or
- The City Council may continue the discussion on 1119 Park Avenue Plat Amendment

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

Consequences of not taking the Planning Department's Recommendation
The site would remain as is. The site would contain one (1) single Old Town lot (25' x 75') and one half (12.5' x 75') of a lot as a remnant parcel. The existing structure would continue to straddle the interior lot lines, and any new development would be confined to Lot 5, as Lot 6 is a remnant lot by itself.

Summary Recommendation
Staff recommends the City Council hold a public hearing for the 1119 Park Avenue Plat Amendment located at 1119 Park Avenue and consider approving the proposed plat amendment based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Exhibits
Exhibit A – Draft Ordinance with Proposed Plat
Exhibit B – Existing Survey
Exhibit C – Aerial Photograph
Exhibit D – Site Photographs

Exhibit A: Draft Ordinance

Ordinance No. 15-XX

AN ORDINANCE APPROVING THE 1119 PARK AVENUE PLAT AMENDMENT LOCATED AT 1119 PARK AVENUE, PARK CITY, UTAH.

WHEREAS, the owner of the property located at 1119 Park Avenue has petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, the property was properly noticed and posted on March 11, 2015, according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners on March 11, 2015; and

WHEREAS, the Planning Commission held a public hearing on March 25, 2015, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on March 25, 2015, forwarded a positive recommendation to the City Council; and,

WHEREAS, on April 16, 2015, the City Council held a public hearing to receive input on the plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the 1119 Park Avenue Plat Amendment.

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

SECTION 1. APPROVAL. 1119 Park Avenue Plat Amendment as shown in Attachment 1 is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 1119 Park Avenue.
2. The property is in the Historic Residential (HR-1) District.
3. The subject property consists of all of Lot 5 and the southerly half (1/2) of Lot 6, Block 5, Snyder's Addition. The applicant does not have ownership of the northerly half (1/2) of Lot 6.
4. The entire area is recognized by the County as Parcel SA-48.
5. The site is designated as a "Landmark" historic structure by the Historic Sites Inventory (HSI).
6. The building footprint of the existing historic structure is approximately 522 square feet.

7. The proposed plat amendment creates one (1) lot of record from the existing area consisting of approximately 2,812.5 square feet.
8. A single-family dwelling is an allowed use in the Historic Residential (HR-1) District.
9. The minimum lot area for a single-family dwelling is 1,875 square feet; the lot at 1119 Park Avenue will be 2,812.5 square feet. The proposed lot meets the minimum lot area for a single-family dwelling.
10. The minimum lot width allowed in the district is twenty-five feet (25'). The proposed lot is thirty-seven and one-half feet (37.5') wide. The proposed lot meets the minimum lot width requirement.
11. The existing historic structure does not meet the required side yard setbacks on the north and south. The side yard setback on the south side is 1 ft. to .75 ft. (from west to east). The side yard setback on the north side is 1 ft. The existing historic structure meets all requirements for front and rear setbacks. The front yard setback is 26 ft. The rear yard setback is 36.5 ft. In accordance with the Land Management Code (LMC) 15-2.2-4, Historic Structures that do not comply with Building Setbacks are valid Complying Structures. Additions must comply with Building Setbacks, Building Footprint, driveway location standards and Building Height.
12. There is an existing concrete driveway and concrete sidewalk that encroaches into the Park Avenue right-of-way.
13. In May 2012, the City issued a Notice and Order from the Building Department for the property owner to stabilize the building. Work began in the spring of 2013 to stabilize the dilapidated landmark building with new footings and foundation. Inspections on this work began on May 1, 2013 and the most recent inspection was conducted on July 26, 2013.
14. The applicant applied for a Historic District Design Review (HDDR) application to renovate and construct an addition on January 6, 2015. A Pre-Historic District Design Review (Pre-HDDR) application for the renovation and addition was completed on October 2, 2014. The applicant applied for a Plat Amendment application on January 27, 2015. The Plat Amendment application was deemed complete on January 29, 2015.
15. The property is located in a FEMA Flood Zone A which requires the lowest occupied floor to be equal to or above the base flood elevation. An elevation certificate will be required.
16. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

<u>Conclusions of Law:</u>

1. The Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding lot combinations.
2. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
3. 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 for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. A ten feet (10') wide public snow storage easement will be required along the Park Avenue frontage of the property and shall be shown on the plat prior to recordation.
4. The applicant can either remove the existing chain link fence and wood slat fence from the properties of 1125 Park Avenue and 1120 Woodside Avenue, or enter into an encroachment agreement with the respective property owners prior to final recordation of this plat.
5. Modified 13-D sprinklers will be required,
6. An elevation certificate will be required for any major modifications verifying the lowest occupied floor is at or above base flood elevation.

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

PASSED AND ADOPTED this 16th day of April, 2015.

PARK CITY MUNICIPAL CORPORATION

____
Jack Thomas, MAYOR

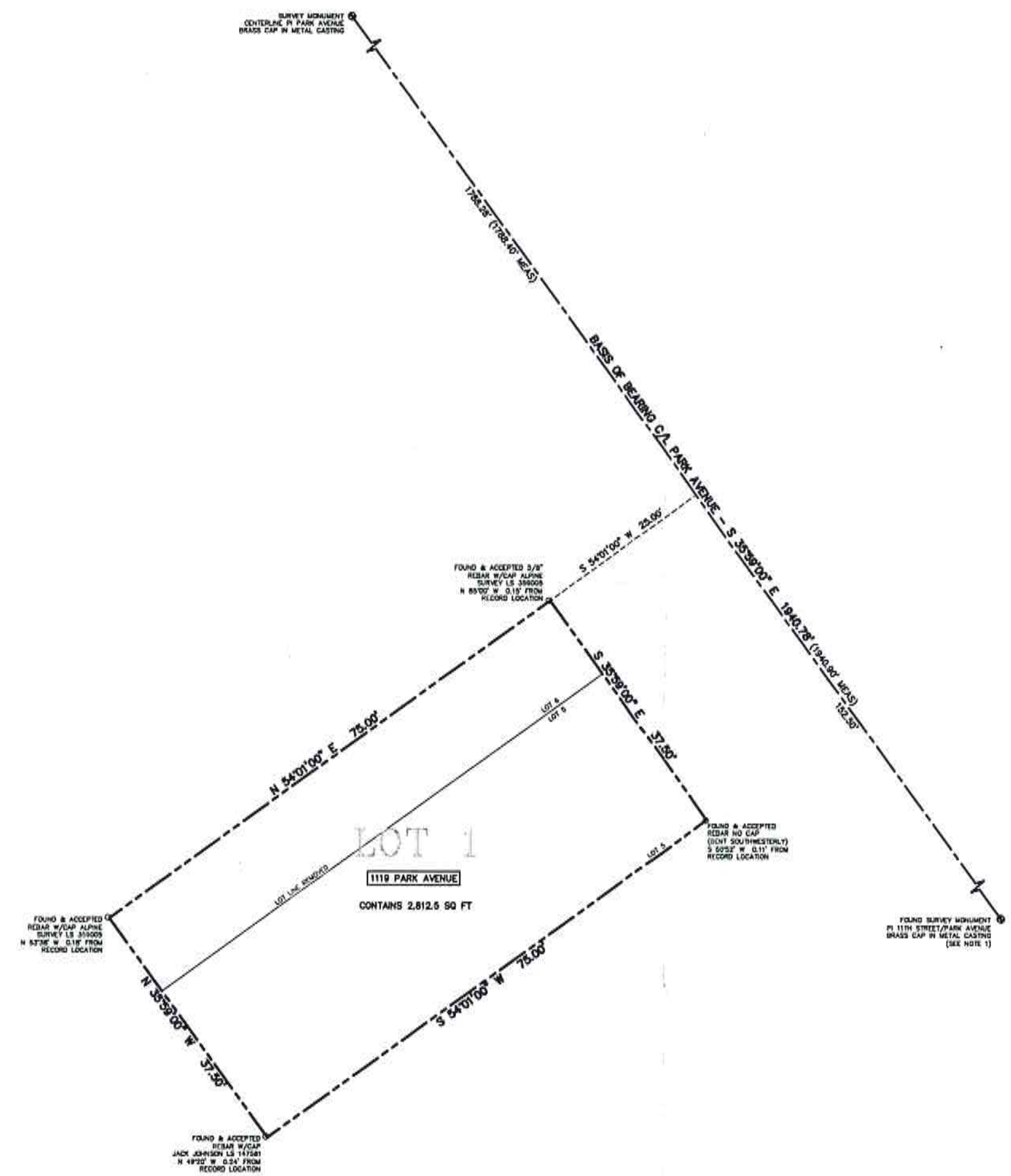
ATTEST:

____
Marci Heil, City Recorder

APPROVED AS TO FORM:

____
Mark Harrington, City Attorney

Attachment 1 – Proposed Plat



REGISTERED LAND SURVEYOR No.4938739 MARTIN A. MORRISON State of Utah

SURVEYOR'S CERTIFICATE

I, Martin A. Morrison, certify that I am a Registered Land Surveyor and that I hold Certificate No. 4938739, as prescribed by the laws of the State of Utah, and that by authority of the owner, I have prepared this Record of Survey map of 1119 PARK AVENUE SUBDIVISION and that the same has been or will be monumented on the ground as shown on this plat. I further certify that the information on this plat is accurate.

BOUNDARY DESCRIPTION

All of Lot 5 and the southerly 1/2 of Lot 6, Block 5, Snyders Addition to Park City, according to the official plat thereof, on file and of record in the office of the Summit County Recorder.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that Ningor, LLC, a Utah limited liability company, the undersigned owner of the herein described tract of land, to be known hereafter as 1119 PARK AVENUE SUBDIVISION, does hereby certify that it has caused this Plat to be prepared, and does hereby consent to the recordation of this Plat.

In witness whereof, the undersigned set his hand this ______ day of ______________, 2015.

____
Michael J Stecher, Manager
Ningor, LLC, a Utah limited liability company

ACKNOWLEDGMENT

State of ____________:
ss:
County of ___________:

On this ______ day of ____________________, 2015, Michael J Stecher personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, Michael J Stecher acknowledged to me that he is the managing member of Ningor, LLC, and that he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

____
A Notary Public commissioned in ________________

____
Printed Name

Residing in: ______________

My commission expires: ________________

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NOTES

1. The survey monument shown on the Park City Monument Control Map at 11th Street and Park Avenue (Recorded on December 30, 1982 as Entry No.: 199887) was destroyed. Control which was set from this monument prior to its destruction was used for this survey.
2. This record of survey is subject to the conditions of approval in Ordinance 15-____.

10' 0 10' 20'

BLOCK 5, SNYDER'S ADDITION TO PARK CITY SURVEY

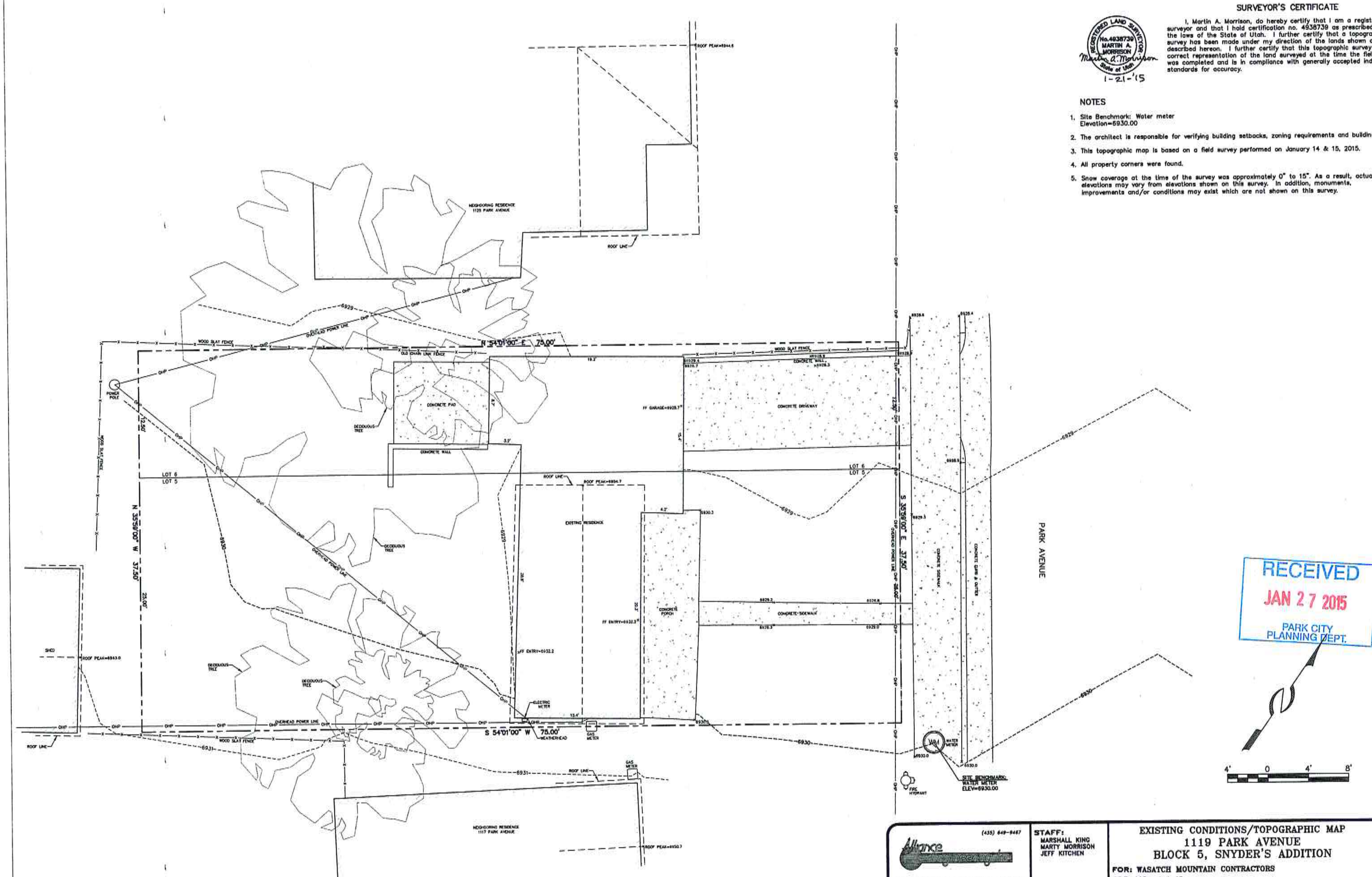
1119 PARK AVENUE SUBDIVISION

LOCATED IN THE NORTHEAST QUARTER OF SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

SHEET 1 OF 1

1/21/15 JOB NO.: 1-1-15 FILE: X:\SnydersAddition\dwg\srv\plat2015\010115.dwg

Alliance Engineering Inc. (435) 649-9467 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	PLANNING COMMISSION	ENGINEER'S CERTIFICATE	APPROVAL AS TO FORM	COUNCIL APPROVAL AND ACCEPTANCE	CERTIFICATE OF ATTEST	RECORDED
	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS ______ DAY OF ____________, 2015 BY ______________ S.B.W.R.D.	APPROVED BY THE PARK CITY PLANNING COMMISSION THIS ____ DAY OF __________, 2015 BY ______________ CHAIR	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ______ DAY OF __________, 2015 BY ______________ PARK CITY ENGINEER	APPROVED AS TO FORM THIS ______ DAY OF __________, 2015 BY ______________ PARK CITY ATTORNEY	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ______ DAY OF __________, 2015 BY ______________ MAYOR	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ______ DAY OF __________, 2015 BY ______________ PARK CITY RECORDER	STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF ______________ DATE ________ TIME ________ ENTRY NO. ______ FEE ______ RECORDER



SURVEYOR'S CERTIFICATE

REGISTERED LAND SURVEYOR No.4938739 MARTIN A. MORRISON State of Utah

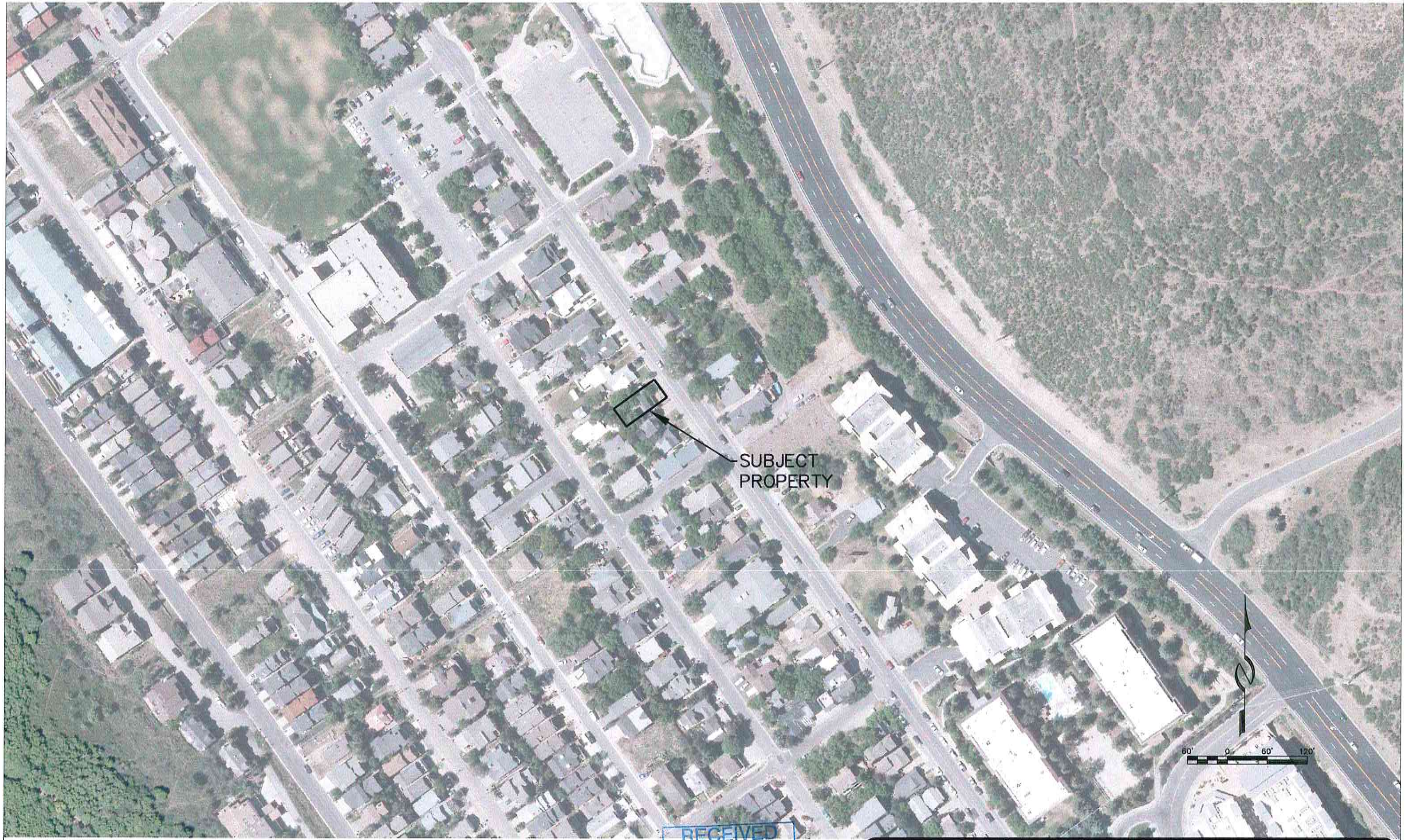
Martin A. Morrison
1-21-'15

I, Martin A. Morrison, do hereby certify that I am a registered land surveyor and that I hold certification no. 4938739 as prescribed under the laws of the State of Utah. I further certify that a topographic survey has been made under my direction of the lands shown and described hereon. I further certify that this topographic survey is a correct representation of the land surveyed at the time the field work was completed and is in compliance with generally accepted industry standards for accuracy.

NOTES

1. Site Benchmark: Water meter
   Elevation=6930.00
2. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
3. This topographic map is based on a field survey performed on January 14 & 15, 2015.
4. All property corners were found.
5. Snow coverage at the time of the survey was approximately 0" to 15". As a result, actual elevations may vary from elevations shown on this survey. In addition, monuments, improvements and/or conditions may exist which are not shown on this survey.

(435) 649-9467 Alliance Engineering Inc CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2564 Park City, Utah 84060-2564	STAFF: MARSHALL KING MARTY MORRISON JEFF KITCHEN DATE: 1/21/15	EXISTING CONDITIONS/TOPOGRAPHIC MAP 1119 PARK AVENUE BLOCK 5, SNYDER'S ADDITION FOR: WASATCH MOUNTAIN CONTRACTORS JOB NO.: 1-1-15 FILE: X:\Snydersaddition\dwg\srv\topo2015\010115.dwg	SHEET 1 OF 1



(435) 649-9467 Alliance Engineering Inc CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664	STAFF: MARSHALL KING JEFF KITCHEN DATE: 1/9/15	AERIAL PHOTOGRAPH LOT 5 & A PORTION OF LOT 6, BLK 5 SNYDER'S ADDITION, 1119 PARK AVENUE FOR: NINGOR, LLC, A UTAH LIMITED LIABILITY COMPANY JOB NO.: 10-9-14 FILE: X:\SnydersAddition\dwg\Exhibits\1119 park ave-ortho.dwg	SHEET 1 OF 1


JAN 2 7 2015
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PLANNING DEPT.


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JAN 27 2015
PARK CITY
PLANNING DEPT.

DATE: April 16, 2015

TO HONORABLE MAYOR AND COUNCIL

Staff recommends holding a public hearing and Continuing the item to June 4, 2015

Respectfully:

Marci Heil, City Recorder