



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

February 27, 2020

The Council of Park City, Summit County, Utah, met in open meeting on February 27, 2020, at 2:30 p.m. in the City Council Chambers.

Council Member Joyce moved to close the meeting to discuss property and litigation at 2:36 p.m. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

CLOSED SESSION

Council Member Worel moved to adjourn from Closed Meeting at 3:45 p.m. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

WORK SESSION

Flagstaff Mountain Resort Historic Preservation and Memorandum of Agreement (MOA) Updates:

Hannah Tyler, Bruce Erickson, and Mark Harrington presented this item. Tyler indicated three things came out of the previous meeting held in November on this topic: Council prioritized that the roof on the Judge Mine should be repaired, the other sites on the list should be prioritized, and the City should work with the Empire Pass Master Owners Association (EPMOA) to put more funding in the MOA. She reported on the progress with the Judge roof to this point. She also reviewed the real estate transaction between Deer Valley Resort and Jordanelle Special Service District, which contained the Daly West Headframe. She hoped for a resolution on this site. She stated the Historic District Grant Program funds could be used to help with emergency repairs. Applications could be taken as well through the competitive review process for bigger grants. Mayor Beerman stated there were funds specifically for the Lower Park Avenue Historic District and funds through the General Fund for preservation. He asked how much of the General Fund could be used for this type of preservation, to which Tyler responded \$47,000 per year.

Tyler discussed the amended MOA and indicated staff originally negotiated \$545,000 over 10 years to fund preservation. Per Council direction, Mayor Beerman and Mark Harrington were able to receive a commitment from the EPMOA for \$1,405,000 to be paid over 20 years. She noted the City gained access to work on the Judge Mine and to work with Deer Valley on the JSSD acquisition. The contributions would come from EPMOA, Storied Development, Redus, Lot 2 Empire Pass (Argent Development), and Summit Blanc Residences. The Judge Mine would receive \$120,000 up front from the developers and the EPMOA with a match from the City for a total of \$240,000. In addition to the money given up front, two tiers were created for the next 20 years: \$80,000 per year for the first 10 years and \$30,000 per year for the next 10 years. Those funds would be split equally between the EPMOA and PCMC. Tyler felt there would be projects that would exceed \$80,000, but staff could look at creative funding mechanisms.

Tyler displayed a new priority list with three tiers: the first tier included obligated structures, the second tier included places that needed signs and/or revegetation, and the third tier included sites outside the EPMOA's boundary, but deserved a commitment to historic preservation.

Mayor Beerman opened the meeting for public input.

Brian Buck, stated he had been involved in the mining business for 40 years, and felt it was very important to preserve these historic mining sites. He was a mining consultant, and offered pro bono work on the Daly West Headframe.

Donovan Simmons, retired mining consultant, stated he worked with the Museum group. He appreciated the support from the Council, but in looking at the sites, the City was losing the battle to preserve them. He felt the sites would not last if the work was spread out over 20 years.

Jim Tedford stated the people responsible for the sites needed to give the full amount and not put it off for 20 years. They needed to own up to their obligations.

Sandra Morrison requested that more of the \$1.4 million be distributed upfront or the structures would continue to deteriorate. She also asked that the list not be the total amount of work, and gave examples of other historic structures in need of attention. She wanted priorities set based on actual needs, and money spent as needed. She didn't see any enforcement in the MOA, and asked how the City would make sure the agreement was adhered to. She also preferred a short contract so another city council could negotiate another deal and their hands wouldn't be tied.

Cindy Matsumoto thanked Council and staff for their historic preservation work. She hoped to have more funds upfront for badly needed repairs. She noted the museum and

the Friends of Mining had spent \$400,000 on mine preservation over the last four years from its fundraising efforts.

Mayor Beerman closed the public input portion of the meeting.

Mark Harrington stated this party was not associated with the previous party who had a long-term maintenance responsibility. He hoped to bridge the gap and move forward to solve the problem at this time. The City could assist with frontloading expenditures. The term and the application of the enforcement did not release the other parties. The only signature was the master owners association and they came to the table with solutions. The wording of the contract stated that if the three parties kept the contract they would not be held in default. This would provide stability for the money and those parties, but it would not release the other parties' obligations. The agreement allowed for further collaboration between a host of parties. By approving this agreement, Council would not be letting other parties off the hook.

Council Member Henney stated he saw a closer match than the one proposed at the last work session, and thought this was a step in the right direction. Council Member Gerber agreed and thanked the museum and staff for their work. She hoped for continued collaboration.

Council Member Worel agreed with Harrington that this was a community solution. She asked if the MOA had enforcement provisions. Harrington indicated that since this was a contract with the City, the City had greater enforceability. He noted this would be part of the Twisted Branch plat approval and also the preservation plan to protect the current status.

Council Member Joyce was glad to have this monetary commitment. He thought trying to frontload the funding should be explored further. He supported this agreement. Mayor Beerman thanked Harrington for getting this agreement together. He also thanked the museum for all their fundraising to save these structures. He summarized there needed to be more funding upfront, and noted the historic grants program and the budget season coming up might provide some funding. He was pleased to know the other parties would be held to their obligations. He supported that there were other structures that needed to be on the list and stated staff would work through the obstacles with those sites.

Discuss Kimball Art Center Request to Amend Arts Festival Contract Terms:

Jenny Diersen, Special Events Manager, Jonathan Weidenhamer, Economic Development Manager, as well as Amy Roberts, Hillary Gilson, and Lisa Shine representing the Kimball Art Center (KAC), were present for this item. Diersen indicated KAC requested amendments to their contract. She noted KAC had done a lot over the years to benefit the community. The proposed amendments included implementing free

admission for all attendees, expanding the use areas to increase artist booths as revenue offset, increasing traffic mitigation on Swede Alley, and continuing to provide third party data, but in a different way.

Diersen displayed a graph showing the increase in transit use for this event over the past four years, as well as the economic impact the festival had on the City. City service costs were controlled and had been stable over those years. She noted making the proposed changes could significantly increase the City service costs.

Roberts stated attendance had been relatively flat over the years. She estimated a 10% attendance increase and did not agree with staff's estimate of a 30% attendance increase.

Diersen asked Council the following questions:

Is Council supportive of KAC's proposed changes? If so, what level of mitigation service should the City plan for and who should pay above the current contract amount of \$180,000?

a) status quo - 10% increase in attendance and service costs = minimal change within current level of service

b) increased attendance - 30% growth and required services (\$39,000 increase in City service costs)

c) bold change - heightened mitigation above requirements (up to \$131,000 increase in City service costs)

Are there other terms Council seeks in consideration for KAC's request to amend the contract?

Council Member Henney expressed concern about outreach for the expanded event. Diersen stated outreach was done in collaboration and they had met with the Historic Park City Alliance (HPCA) sub-committee, but hadn't met with the board yet. She indicated Allison Kuhlow, HPCA Executive Director, requested Council feedback before outreach began. Council Member Henney asked if there was an issue with capacity. Diersen stated staff worked to mitigate impacts to lower the capacity. The proposed baseline mitigation was manageable. Council Member Henney stated events seemed to grow and grow, and wondered at what point capacity was exceeded, making the event unproductive.

Council Member Gerber asked if there was a maximum capacity for safety. Chief Carpenter stated the number of people was not the concern, but rather the traffic and load in/out was a concern since that affected neighborhoods. Council Member Gerber asked if crowds could be managed at certain levels. Chief Carpenter indicated he was not as concerned with Arts Fest because tents were set up and they were spread out. He was more concerned about traffic.

Council Member Doilney asked if neighborhoods were impacted during Arts Fest. Carpenter stated neighborhoods were less impacted during Arts Fest than during other events. Council Member Worel thought there was a difference between the KAC estimates for attendance and staff's estimate. She asked how difficult it would be to add more services if the minimum increase was planned for. Carpenter stated it would be difficult to increase service if it wasn't initially planned for. Diersen stated for that reason staff requested planning for a 30,000 attendance increase which would increase the level of service cost by a minimum of \$39,000. This was the time to determine what the City wanted and then plan accordingly.

Mayor Beerman asked what the level of neighborhood protection would be and if the additional planning would be more than shutting off the Main Street core. Diersen stated residential mitigation would be in effect on Friday night. To increase that service to the entire weekend would be \$30,000 above the extra \$39,000. She hoped to prevent negative outcomes. Council Member Gerber asked what else was included in the extra service cost of \$131,000. Diersen stated one additional cost would be more transit service, which would cost \$20,000-\$40,000.

Council Member Joyce referred to event fatigue and stated local events were only a couple hours, but Arts Fest was three days. He noted the majority of people from Utah that visited were from the Wasatch Front. He stated there was a lot of media outreach to attract the people. Making the Fest free to all would make a big difference in attendance. He was concerned about the impacts from that increased attendance. He asked if the festival could be reversed next year if giving the attendees free admission caused a negative impact on the community this year.

Council Member Henney stated he would trust staff's estimate of a 30% attendance increase and asked Council if they wanted to pay all or a portion of the increased costs. Roberts stated the KAC contract with the City did not mention admission price. Mayor Beerman noted that the request was to add more booth space and other considerations beyond the scope of the contract which would open up the document to negotiations. Plane agreed that this request would give the City options.

Council Member Joyce stated the City pushed to get more people on transit and there had been discussions to increase service during peak periods. He favored increasing transit and other levels of service over and above the minimum \$39,000. Mayor Beerman stated there needed to be discussion on the cost. Diersen clarified the City had already agreed to cover up to \$180,000 in level of service costs for Arts Fest. Council would need to decide who would pay for anything over that amount.

Council Member Joyce stated increased tax revenue aside, there was still an impact on the residents, so that was not a justification.

Council Member Doilney stated there was no benefit to the local resident, but as a local resident, he spent more time there last year. Weidenhamer stated the goal was to bring a higher level of art to the festival. Council Member Doilney stated he would like to see all types of artists at this event. He noted the event did not impact the residents unless they were going to Main Street.

Council Member Gerber stated there were many positives and negatives. She didn't feel comfortable telling an event what they should or shouldn't charge their attendees for admission, but they needed to be aware of potential impacts to their revenue and programming. She felt attendance of these events did not normally decrease. She thought it would be responsible to assume a 30% increase in attendance, with the City paying at least the additional cost of \$39,000 and then splitting the cost for the rest of the increased level of service.

Council Member Worel focused on the positives for the community. There was a big jump in local residents attending last year and now local artists could exhibit. The safety of the community was the number one priority and an additional \$39,000 wouldn't accomplish that, so there would be a cost above that. She also wanted to protect the neighborhoods. She hoped Council could stay focused on the positives of the festival.

Mayor Beerman agreed that Council needed to protect the residents. There would be a heightened mitigation and KAC would have to participate in the cost. Council Member Henney agreed with Council Member Doilney that there could be a midpoint between the \$39,000 and \$131,000 that could be settled on. Some neighborhoods would not be impacted. Richardson Flat had not been activated so there were options.

Council Member Gerber stated some neighborhoods were very impacted and they would be impacted even more. Council Member Henney wanted to head towards having a net-zero event. Council Member Doilney stated there was a template to protect the neighborhood and referred to the way it was done during the Sundance Festival.

Council Member Joyce requested parking mitigation on China Bridge, whether having a fee increase or another solution. He hoped to stop traffic behavior. Mayor Beerman felt the load in and load out was very impactful, and hoped that could be mitigated as well.

Discuss Updates to the Special Service Contract Process:

Jed Briggs and Josh Miller, Budget Department, presented this item. Miller stated the special service contract process for FY2021 was being looked at and changes were proposed. He stated the contracts were separated into different categories, and this year it was proposed to separate the regular service contracts from the other contracts and have the responsible department handle that contract with the local organization. The regular service contracts would go through an RFP process with competitive bids and would last two to five years.

Council Member Henney liked the proposed format for contract funding and favored that separation. He asked if the contracts Council deemed essential would compete with the other priorities of the departments during the budget process. Briggs stated the first year, funding would be allocated to the department for these contracts, but in subsequent years the contract would compete with other department priorities. Council Member Henney preferred that the essential contracts not come out of the special service contract fund. Briggs concurred they would not.

Mayor Beerman stated the risk was that departments could drop the contracts and he wanted Council to have a say. Briggs stated there would be a line item for the contracts. Council Member Gerber suggested requiring the services so they could not be dropped from a department's budget. Council Member Joyce noted there could be situations where the contract would no longer be needed, and he favored giving the departments this responsibility, with the requirement that it come back to Council if the department determined it was no longer needed.

Council Member Doilney stated he didn't want to give part of the contract funding to the departments, only to see at a future point that the Council increased the special services funding, because that would hurt the General Fund.

Briggs displayed the categories of Regular Services and Special/Social Equity Services and the services under each. Council Member Worel stated one category that was missed was protecting the City archives through the Park City Museum. She also felt Early Childhood Care was essential and she requested that be moved to the Regular Services category. Council Member Henney agreed with moving the childcare service. Council Member Joyce explained the Visitor Services category under the Regular Services and asserted he wanted to reduce that to zero. He stated the Park City History should stay, but Visitor Services should be removed.

Council Member Gerber thought it had been decided the Social Equity Services category would focus on the Community Foundation's top three priorities: education, inclusion and housing. She understood why Waste Management was in Social Equity Services for the time being, but it felt like Council was moving away from the defined buckets. Council Member Joyce indicated everything was incremental and aimed at fulfilling the social equity strategic plan. Council Member Gerber expressed concern about Workforce Development which was meant to address low wages. She didn't think it was addressing the issue and wanted to discuss this area further.

Council Member Worel indicated she looked at Workforce Development on a broader level, and talked about two new non-profits that were helping diverse people in the workforce. Council Member Gerber stated that was a very specific group and could be part of the inclusion category. She hoped to discuss low and living wages and opportunities for this specific group.

Mayor Beerman agreed Childhood Care should be in Regular Services. He thought Waste and Recycling Services should also be under Regular Services. He thought Workforce Development should stay open for innovative opportunities that would address community needs. Council Member Gerber thought low wages and workforce development were two different things. Council Member Joyce explained an RFP would be crafted and the requirements could be defined as Council wished. Briggs stated he could come back to Council once the categories were solidified. Mayor Beerman summarized Council favored Early Childhood Care be in Regular Services, as well as Waste/Recycling for a one or two year contract. Workforce Development would be worked out in small groups.

Briggs stated the Legal Mediation Services might be better suited in the Regular Services category as well, since it was helping clients with landlords and other things that had been going on for a long time. Council Member Joyce suggested leaving the Legal Mediation category for the small group discussion. The Council agreed.

REGULAR MEETING

I) ROLL CALL

Attendee Name	Status
Mayor Andy Beerman Council Member Max Doilney Council Member Becca Gerber Council Member Tim Henney Council Member Steve Joyce Council Member Nann Worel Matt Dias, City Manager Margaret Plane, Special Counsel Michelle Kellogg, City Recorder	Present
None	Excused

II) COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council Questions and Comments:

Mayor and Council reviewed the events, activities and meetings they participated in since the last meeting.

Council Member Joyce discussed some opportunities for transportation planning. Alexis Verson stated she had a good conversation with Council Member Joyce and indicated it would be worth exploring bolder opportunities. Mayor Beerman suggested having a

work session on this topic at the next meeting. Council Member Henney asked to hear from staff on the top opportunities that staff thought would be viable.

Council Member Doilney thought there were walkability issues in the City and he hoped to have a discussion on that at a future meeting. Council Member Worel indicated Uber drivers were parking at the Library, and she requested signage or a form of enforcement to prohibit that. Mayor Beerman shared his experience in Courchevel, France, and stated he would follow up with a report on all that was learned from Park City's sister city.

Staff Communications Reports:

1. RAP Tax Grant Allocation and Award:

2. City Website Remodel 2020:

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

Mayor Beerman opened the meeting for any who wished to address Council on items not included on the agenda.

Jeff Creveling stated the Main Street Park at 149 Main Street was for sale and he indicated the City was not required to sell it. He reviewed the history of the property. He also noted there were several property gaps within the City limits and therefore many plat amendments had been recorded. The property lot lines adjoining the park were confusing and a property gap had no owner. He asserted City staff misled Council and he quoted from a meeting in June, 2019. He stated the majority of the surrounding owners wanted to keep the park.

Mayor Beerman closed the public input portion of the meeting.

IV) CONSIDERATION OF MINUTES

Consideration to Approve the City Council Meeting Minutes from January 16, 21, and 30, 2020 and February 6, 2020:

Council Member Worel referred to the January 16th minutes, Page Two, Line 21, and indicated it was the Ecker Hill Park and Ride, not Eccles. She also referred to the February 6th minutes, Page Two, Line 11, and noted the Library Board was working with Environmental Sustainability for ideas for Earth Day.

Council Member Worel moved to approve the City Council Meeting minutes from January 16, 21, and 30, 2020 and February 6, 2020 as amended. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

V) CONSENT AGENDA

1. Request to Authorize the City Manager to Execute the First Addendum to the Design Professional Services Agreement, in a Form Approved by the City Attorney, with Van Boerum & Frank Associates, Inc. (VBFA), for the 3Kings Water Treatment Plant (3KWTP) Energy Modeling Engineering Services in an Amount Not to Exceed \$70,650.00 :

2. Request to Authorize the City Manager to Enter into an Agreement with Cities Digital, Inc. (CDI) for Laserfiche Records Management Solution in an Amount Not to Exceed \$186,360.70, in a Form Approved by the City Attorney:

Council Member Worel moved to approve the Consent Agenda. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

VI) NEW BUSINESS

1. Consideration to Approve Resolution 02-2020, a Resolution Proclaiming March, 2020, as Dental Health Month in Park City:

Aimee Armer, Peoples' Health Clinic, stated this resolution was important and would help make the community aware of the need for dental health for all. Council Member Worel read the resolution.

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

Council Member Gerber moved to approve Resolution 02-2020, a resolution proclaiming March, 2020, as Dental Health Month in Park City. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

2. Consideration to Approve Ordinance No. 2020-13, an Ordinance Approving the 182 & 184 Daly Avenue Plat Amendment, Located at 182 and 184 Daly Avenue, Park City, Utah:

Hannah Tyler, Senior Planner, presented this item. She stated this plat amendment would split a lot to make a two-lot subdivision.

Mayor Beerman opened the public hearing.

Evan Jennings, a contractor, stated everyone on the street was angry and he suggested letting the area cool down and recover from all the construction.

Mayor Beerman closed the public hearing.

Council Member Joyce stated one thing to look at when talking about impacts to locals was construction impacts. He suggested having a discussion on construction mitigation.

Council Member Joyce moved to approve Ordinance No. 2020-13, an ordinance approving the 182 & 184 Daly Avenue Plat Amendment, located at 182 and 184 Daly Avenue, Park City, Utah. Council Member Doilney seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

3. Consideration to Approve Ordinance 2020-14, an Ordinance Amending the Land Management Code of Park City, Amending Chapter 15-11 Historic Preservation:

Hannah Tyler stated there was a task force that discussed how to streamline the process of material deconstruction in historic preservation. These amendments would allow ordinary repairs and maintenance, repair/replace architectural details, and/or remove or replace non-historic elements, to be reviewed and approved by Planning staff. This got approved by the Historic Preservation Board (HPB). The HPB would still look at the permanent removal of historic material that could alter the site's integrity, character defining features, etc.

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

Council Member Joyce moved to approve Ordinance 2020-14, an ordinance amending the Land Management Code of Park City, amending Chapter 15-11 Historic Preservation. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

4. Request to Approve the Disposition of City Property Located at 1333 Park Avenue, 1343 Park Avenue, and 1350 Woodside Avenue, and Authorize the City Manager to Enter into Sales Contracts with Qualified Buyers:

Jason Glidden stated these were two affordable housing units that had buyers. They were still working on a buyer for 1333 Park Avenue.

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

Council Member Henney moved to approve the disposition of City property located at 1343 Park Avenue and 1350 Woodside Avenue, and authorize the City Manager to enter into sales contracts with qualified buyers. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

5. 2020 Legislative Update:

Matt Dias, City Manager, reviewed bills that were important to the City. He reported there were no bills aimed at Park City, nor was there any legislation sponsored by the City. He was worried about a building code amendment that would allow a builder to sue a city/town for punitive damages from being denied a permit, if that permit was overturned in court. He discussed other bills regarding alcohol, vaping, TRT, etc.

Council Member Doilney asked for more information about the Mental Health Counselor Licensing Amendment that would let these professionals practice without having to go through the required education, training, etc.

Mayor Beerman stated he talked with Representative Quinn on HB 273 about Property Rights Ombudsman Amendments and he had some concern.

VII) ADJOURNMENT

VIII) PARK CITY HOUSING AUTHORITY MEETING

I) ROLL CALL

Attendee Name	Status
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Chair Andy Beerman Board Member Max Doilney Board Member Becca Gerber Board Member Tim Henney Board Member Steve Joyce Board Member Nann Worel Matt Dias, City Manager Margaret Plane, Special Counsel Michelle Kellogg, Secretary	Present
None	Excused

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

Chair Beerman opened the public hearing for matters not on the agenda. No comments were given. Chair Beerman closed the public hearing.

III) NEW BUSINESS

1. Consideration to Approve the Intermountain Healthcare Fourth Amendment to the Housing Mitigation Plan for Partial Fulfillment of Housing Obligations:

Rhoda Stauffer and Jason Glidden, Affordable Housing, and Morgan Busch and Bill Pidwell, IHC, were present for this item. Stauffer explained IHC had a future affordable housing obligation for anticipated expansion of its facility. Stauffer reviewed the options for employers to fulfill their affordable housing obligations and noted an Affordable Unit Equivalent (AUE) equaled 900 feet. She indicated the affordable housing plan needed to be in place before the conditional use permit was approved.

Board Member Joyce asked what the Planning Commission's response was. Stauffer stated when the Planning Commission approved IHC's additional density in October, 2019, they required that the affordable housing plan be amended and in place prior to the submission of a conditional use permit. Busch stated the Planning Commission wanted IHC to be committed to affordable housing.

Stauffer indicated 10 units of Rail Central were deed restricted and IHC wanted to buy the deed restrictions for the other 14 units as well as one unit of Claim Jumper Condominiums. Glidden indicated the contract would state that the employer could pay a master fee, similar to the deed restriction wording for the other units.

Board Member Gerber asked if the Claim Jumper Condo unit would be rented or sold if the deed restriction was placed on it. Pidwell stated it would continue to be rented. Glidden noted if it were sold, it would have to be sold to a qualified buyer. Council

Member Gerber asked if the proposed units met the City's energy standards. Stauffer stated one unit did, and if it was required, the other units would comply with energy upgrades. Board Member Gerber asked how the City would enforce or manage the condo unit. Stauffer stated the City would not manage the unit, but would oversee the deed restriction and have oversight of the affordability. Board Member Gerber asked how often the City was required to review its housing resolution. Glidden stated that was going to be a priority for him, and noted the resolution should be reviewed and updated every couple years.

Board Member Worel asked what the 24 Rail Central renters had to submit to the City every year. Stauffer stated the owners would have to submit a list of renters with their employer information.

Board Member Gerber asked who the master lease would go to. Glidden stated there wasn't a master lease currently, but they wanted that provision in the deed restriction in the event they wanted to enact it. It was indicated there was no pass through for HOA fees for the Claim Jumper Condo and the rent was fixed.

Chair Beerman opened the meeting for public input. No comments were given. Chair Beerman closed the public input portion of the meeting.

Board Member Joyce moved to approve the Intermountain Healthcare Fourth Amendment to the Housing Mitigation Plan for partial fulfillment of housing obligations as amended. Board Member Henney seconded the motion.

RESULT: APPROVED

AYES: Board Members Doilney, Gerber, Henney, Joyce, and Worel

IV) ADJOURNMENT

IX) PARK CITY REDEVELOPMENT AGENCY MEETING

I) ROLL CALL

Attendee Name	Status
Chair Andy Beerman Board Member Max Doilney Board Member Becca Gerber Board Member Tim Henney Board Member Steve Joyce Board Member Nann Worel Matt Dias, City Manager	Present

Margaret Plane, Special Counsel Michelle Kellogg, Secretary	
None	Excused

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

Chair Beerman opened the public hearing for matters not on the agenda. No comments were given. Chair Beerman closed the public hearing.

III) NEW BUSINESS

1. Consideration to Approve the Disposition of City Property Located at 1333 Park Avenue, 1343 Park Avenue, and 1350 Woodside Avenue, and Authorize the City Manager to Enter into Sales Contracts with Qualified Buyers:

Jason Glidden requested permission to sell two units of Woodside Phase I, but not 1333 Park Avenue.

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

Board Member Gerber moved to approve the disposition of city property located at 1343 Park Avenue and 1350 Woodside Avenue, and authorize the City Manager to enter into sales contracts with qualified buyers. Board Member Joyce seconded the motion.

RESULT: APPROVED

AYES: Board Members Doilney, Gerber, Henney, Joyce, and Worel

IV) ADJOURNMENT

With no further business, the meeting was adjourned.

Michelle Kellogg, City Recorder

2019 LEGISLATIVE BILLS TO WATCH									
Category	Bill #	Elec	Bill Sponsor	Floor Sponsor	Bill Summary	Status if Known	Concern?	ULCT S/N/O	PCMC S/N/O
Building	HB 29S01	Building Code Amendments	Rep. Mike Schultz	Sen. Curtis Bramble	Clarifies some of the language that was changed last year. Not much of an impact to City.	Passed House & Senate; 2/14 draft of enrolled bill prepared	N		
Lobbyists	HB 186S02	Lobbyist Amendments	Rep. Douglas Sagers		Puts new lobbyist reporting requirements on local government lobbyists, in an attempt to make the requirements more like state requirements.	Passed all House; 2/26 1st Senate reading	Y		
Housing	HB 211S02	Renter Expenses Disclosure Requirements	Rep. Marsha Judkins	Sen. Todd Weiler	Related to affordable housing & requires landlords to disclose fees & utilities in advance	2/27 2nd House reading	N		
Courts	HB 81S01	Judicial Retention for District Court Judges	Rep. Lowry Snow	Sen. Evan Vickers	Retention of justice court judges amendments. Expands to all cities & county authority to initiate a reduction in workforce in a justice court and a new justice court judge position requires approval from the Judicial Council.	2/13 draft of enrolled bill prepared	N		
Transpo	SB 92	Statewide Comprehensive Rail Plan	Sen. Jacob Anderegg		Requires UDOT to study long range rail & has an extraordinary scope.	Passed Senate; 2/26 to standing committee	Y		
Sustainability	HB 133	Train Improvement Amendments	Rep. Mike Winder		Allows for EmDom for <u>recreational trails</u> greater than 3' and part of a larger trail plan, etc. This has come up in prior sessions	House 1st reading; 2/6 to standing committee	N		
Sustainability	HB 194	Clean and Renewable Energy Requirement	Rep. Raymond Ward	Sen. Curis Bramble	Rep Ward is pushing a higher renewable mix in Utah's electricity. Will track how it interacts w/ HB411 from last year. Not urgent.	House 1st reading; 2/3 to standing committee			
Land use	HB 273	Property Rights Ombudsman Amendments	Rep. Val Peterson		Would authorize a court to award compensatory damages against a city over land use. VERY CONCERNED	House 1st reading; 2/18 to standing committee	Y		
Elections	HB 36	Election Amendments	Rep. Suzanne Harrison	Sen. Todd Weiler	Would change the voter registration deadline to 11 days prior to the election and establish voting in Utah as vote by mail. Currently same-day registration.	Passed House & Senate; 2/12 draft of enrolled bill prepared			
Plastic bags	N/A					*expected to be back 2021			
	SCR6S01	Concurrent Resolution for Study of Local Option Sales Tax Distribution		Sen. Curtis Bramble	Requests UAC and ULCT provide the Legislature w/ a joint recommendation regarding a new local sales & use tax & county option sales and use tax distribution formula for consideration during 2021 session.	Passed Senate; 2/16 to standing committee			
Mental Health	SB 68S02	Mental Health Counselor Licensing Amendments	Sen. Todd Weiler	Rep. Joel Ferry	Allows an individual to receive their Mental Health Counselor License (MHCL) without having to go through the required education, training, practicums, and clinical hours currently required.	Passed Senate; 2/20 House, not considered; 2/24 substituted	Y		
Sustainability	HB 347	Inland Port Modifications	Rep. Francis D. Gibson		Would codify the promise made by Inland Port Authority board members that the development will be environmentally sustainable and give cities more of a say on land use ordinances.	2/25 2nd House reading			
	SB 134	Property Tax Exemption for Wildfire Prevention	Sen. Daniel Hemmert		Provides a property tax exemption for wildfire prevention efforts on certain property	2/25 2nd Senate reading, circled			
	HB 359	Municipal Annexation Revisions	Rep. Calvin Musselman		Modifies provisions related to municipal annexation, allows a municipality to annex certain unincorporated areas that are not otherwise subject to annexation under specified circumstances	2/25 2nd House reading	Y		
Emergency Management	HB 188	Emergency Management Act Amendments	Rep. Suzanne Harrison	Sen. Deidre Henderson	Adds the requirement for each county to have the means to send Integrated Public Alert and Warnings System (IPAWS) messages via an emergency mass notification system (EMNS), in order to alert residents and others of an impending emergency. It also mandates recurring tri-annual training for system users.	Passed House, 2/26 2nd Senate reading, circled	N		
Building	HB 368	Building Code Amendments	Rep. Phil Lyman		Appears to expand owner-builder scope into commercial. Creates a licensing exception under certain circumstances for: building structures on commercial property; remodeling or renovating a commercial building; and makes technical changes	2/25 to House standing committee	Y		
Building	HB 374	Local Government Building Regulation	Rep. Paul Ray		Defines terms; allows a building permit applicant to opt out of certain local building inspection or plan review requirements in specified circumstances; and prohibits a municipality or county from regulating certain building design elements (doesn't apply to historic districts)	2/26 to House standing committee	Y		
Housing	SB 39	Affordable Housing Amendments	Sen. Jacob Anderegg	Rep. Val Potter	Provides \$15 million for gap financing of private activity bond financed rental housing, \$5 million for affordable housing preservation, \$300,000 to assist with pre-development costs for affordable housing in rural Utah, \$10 million in rental assistance, and \$5 million in rental assistance for homeless families	Passed Senate; 2/26 1st House reading			
Transit Room Tax	HB 280	Transient Room Tax Provisions	Sen. Carl Albrecht	Sen. Evan Vickers	Defines terms and modifies expenditure requirements for certain counties that impose a transient room tax. As it is a county bill, it does not apply to PCMC but will track	Passed House; 2/26 to Senate standing committee			
	TBD	Alcohol Amendments				There will be a DABC clean up bill, likely publicly released this week.			
	HB 283S01	Outdoor Adventure Commission Amendments	Rep. Jeffery Stenquist	Sen. Kirk Cullimore	Will create the Outdoor Adventure Commission	Passed House; 2/26 to Senate standing committee			
Police	HB 298	Victim Guidelines for Prosecutors	Rep. Andrew Stoddard	Sen. Todd Weiler	Requires Sheriffs and Chiefs to sign, under penalty of perjury, U-Visa applications and removes the broad discretion afforded by federal law (A certifying entity shall process a Form I-918 Supplement B certification). The element of discretion is important both to prevent abuse of the U-visa system.	Passed House; 2/26 to Senate standing committee	Y		
Sustainability	HB 259	Electric Vehicle Charging Network	Rep. Robert Spendlove	Sen. David Buxton	Would call on the Utah Department of Transportation to provide recommendations on creating a network of electric vehicle charging in key locations on Utah highways and landmarks to address "range anxiety."	Passed House; 2/27 favorable recommendation from Senate committee			

FLAGSTAFF MOUNTAIN RESORT: HISTORIC PRESERVATION AND MEMORANDUM OF AGREEMENT UPDATE



HOW DID WE GET HERE?

- o Study Session in November discussion:
 - o 2001 obligations
 - o 2019 status update and conditions assessment of all sites within the EPMOA boundary
 - o MOA Funding Levels
 - o Priority list for obligations and additional sites



DISCUSSION ITEMS

1. Progress Update for the Judge Mining and Smelting Roof Repair
2. Relevant Real Estate Transactions within Flagstaff Development Agreement Boundary
3. Historic District Grant Program Mine Site Eligibility
4. Amended Memorandum of Agreement (MOA)
5. Site-Specific Priority List for Expenditures



1. PROGRESS UPDATE FOR THE JUDGE MINING AND SMELTING ROOF REPAIR

Before



After



2. REAL ESTATE TRANSACTIONS

- o Deer Valley Resort is under contract for the Jordanelle Special Service District (JSSD) parcel, which contains the Daly West Headframe



3. HISTORIC DISTRICT GRANT PROGRAM

- o Mine sites are eligible to receive grant funding.



4. AMENDED MEMORANDUM OF AGREEMENT

Updated (February 2020) Memorandum of Agreement Funding Sources and Recurrence				
Source	Beneficiary	Amount	Reason	Recurrence
EPMOA	Park City Museum	\$65,000	Reimbursement for preservation treatments on the Little Bell Ore Bin.	One-Time Payment
Storied Development	Historic Preservation Fund (in escrow)	\$40,000	Initial priority of reimbursing costs incurred by the EPMOA in stabilizing the roof structure of the Judge Mining and Smelting Office.	One-Time Payment
REDUS	Historic Preservation Fund (in escrow)	\$40,000	Initial priority of reimbursing costs incurred by the EPMOA in stabilizing the roof structure of the Judge Mining and Smelting Office.	One-Time Payment
Lot 2 Empire Pass North LLC	Historic Preservation Fund (in escrow)	\$20,000	Initial priority of reimbursing costs incurred by the EPMOA in stabilizing the roof structure of the Judge Mining and Smelting Office.	One-Time Payment
Sommet Blanc Residences 1 LLC	Historic Preservation Fund (in escrow)	\$20,000	Initial priority of reimbursing costs incurred by the EPMOA in stabilizing the roof structure of the Judge Mining and Smelting Office.	One-Time Payment
PCMC	Historic Preservation Fund (in escrow)	\$120,000	Initial priority of reimbursing costs incurred by the EPMOA in stabilizing the Judge Mining and Smelting Office.	One-Time Disbursement of Open Space/Transit Fee prior to City payment
Tier 1: PCMC (Open Space/Transit Management Fee)	Historic Preservation Fund (in escrow)	\$40,000	To complete maintenance work consistent with the 2001 HPP and MOA (Technical Report #6) obligations.	Annually for years 1-10 from execution of the MOA
Tier 1: EPMOA	Historic Preservation Fund (in escrow)"	\$40,000	To complete maintenance work consistent with the 2001 HPP and MOA (Technical Report #6) obligations.	Annually for years 1-10 from execution of the MOA
Tier 2: PCMC (Open Space/Transit Management Fee)	Historic Preservation Fund (in escrow)	\$15,000	To complete maintenance work consistent with the 2001 HPP and MOA (Technical Report #6) obligations.	Annually for years 11-20 from execution of the MOA
Tier 2: EPMOA	Historic Preservation Fund (in escrow)	\$15,000	To complete maintenance work consistent with the 2001 HPP and MOA (Technical Report #6) obligations.	Annually for years 11-20 from execution of the MOA

5. SITE-SPECIFIC PRIORITY LIST FOR EXPENDITURES

DRAFT Priority List of Resources Based on 2001 Treatment Recommendations and 2019 Additional Work Recommendations					
= NOT COMPLETE N/A = NOT APPLICABLE ✓ = COMPLETE = ADDITIONAL RECOMMENDED WORK					
Priority Order (unless otherwise noted)	NAME	RESOURCE TYPE	SIGN	REVEGETATION (% COMPLETE)	BUILDING/ STRUCTURAL
1st Priority: Buildings, Structures, and related Site Improvements					
1	Judge Mining and Smelting Company Office	Building	✓	N/A	
	Anchor (Daly-Judge) Drain Tunnel	Structure		N/A	N/A
2	Little Bell Mine Ore Bin	Structure	✓	N/A	
3	Daly-West Mine Headframe, Shaft, and Hoist	Structures (2) and Shaft		N/A	
	Daly-West Mine Fire Hydrant Shacks	Structures (3)		N/A	
	Daly-West Mine Waste Dump	Waste Dump		 (50%)	N/A
4	White Pine Mine Waste Dumps	Waste Dump (2)		 (0-40%)	
2nd Priority: Sites with Revegetation and Signs – Priority Order To Be Determined (TBD) by EPMOA					
TBD	Diamond-Nemrod Mine Waste Dumps	Waste Dump (2)		 (30-50%)	N/A
TBD	Daly Mine No.1 Waste Dump	Waste Dump		✓	N/A
TBD	Daly Mine No.2 Shaft	Shaft		N/A	N/A
TBD	Ontario Mine Shaft No.3	Shaft		 (70%)	N/A
TBD	American Flag Mine Waste Dump	Waste Dump	✓	 (50%)	N/A
TBD	Flagstaff Mine Waste Dump	Waste Dump		 (% not determined)	N/A
TBD	Naildriver Mine Waste Dump	Waste Dump		 (% not determined)	N/A
3rd Priority: Resources Located Outside of the EPMOA Boundary					
1	Ontario Mine Water Tank	Structure		N/A	
2	Alliance Drain Tunnel Site – Wooden House	Building		N/A	
	Alliance Drain Tunnel Site – Pump House	Building		N/A	
	Alliance Drain Tunnel Site – Steel Building	Building		N/A	
3	Explosives Bunker	Structure		N/A	
4	Judge Aerial Tram Towers	Structure(s)		N/A	
	Judge Aerial Loading Station	Structure		N/A	





KIMBALL ART CENTER

REQUEST TO AMEND ARTS FESTIVAL

PARK CITY

1884

KIMBALL ART CENTER



FESTIVAL AMENDMENT REQUEST

KAC requests the following changes:

1. Free the Festival – Eliminate admission for all guests;
2. Expand Use Areas to increase artist booths as revenue offset for eliminating admission – Use areas include 9th Street, Summit Watch Plaza, Mawhinney Parking Lot and reroute Park Avenue Transit to Deer Valley Drive;
3. Increase Traffic Mitigation (Public Safety) on Swede Alley;
4. Continue providing third party statistically relevant data for economic reporting and track in-state, out of state and local attendance. KAC is exploring taking on costs to implement programs like Eco Counter and plans to implement and provide data as they did in 2018 without Etix and RFID.

DATA & CONSIDERATIONS

YOY Data 2016 to 2019

Item	2019	2018	2017	2016
Transit Ridership (System wide/entire Festival)	44,271	35,765	32,000	23,200
Growth of Ridership	35%	12%	35%	N/A
Parking Occupancy Average	95%	95%	95%	N/A
Parking Cost in China Bridge	\$5/hr max \$18	\$5/hr max \$18	\$20	\$20
Economic Impact	\$26,366,146	\$23,314,237	\$20,788,406	\$19,788,171
PC Econ Impact	\$263,661	\$233,142	\$207,884	\$197,881
Average Spend Per Person	\$985	\$963	\$939	N/A
Overall Attendance	53,550	49,921	53,408	48,482
Free Local Attendance	7,145	4,286	4,080	3,728
Summit County	67%	22%	24%	16%
Attendees from Out of State	43%	43%	43%	43%
Total City Service Costs	\$152,553	\$148,289	\$158,239	\$167,200

Considerations

- Attendance growth is difficult to predict. KAC estimates 10%, Staff estimates 25% to 30%
- Staff estimates increases in both City Services and direct Economic return.
- If Council is supportive of changes, do you have negotiating terms?



QUESTIONS

FOR COUNCIL CONSIDERATION

Staff requests that Council focus on the following questions:

1. Is Council supportive of KAC's proposed changes?
2. If so, what level of (mitigation) service should the City plan for and who should pay above current contract amount (\$180K)?
 - a) Status Quo – 10% increase in services and costs = minimal change within current level of service;
 - b) Increased attendance - 30% growth and required services (\$39K)
 - c) Bold Change – Heightened mitigation above requirements (up to \$131K)
3. Are there other terms Council seeks in consideration for KAC's request to amend the contract? i.e.: local attendance, local artist participation, economic and attendance reporting, marketing requirements?

An aerial photograph of a mountain town covered in snow. The town features numerous buildings with snow-laden roofs, interspersed with evergreen trees. In the background, steep, snow-covered mountain slopes rise. The overall scene is serene and wintry.

SPECIAL SERVICE CONTRACTS

FY2021





OVERVIEW/GOALS

- Special service contract : contract relating to services that would otherwise be provided by the city
- Goals:
 - Achieve separation between regular services and special service contracts
 - Define services that Council feels are essential to fund in the foreseeable future
 - Work to ensure more alignment with resource allocation and Council's current goals/priorities





BREAKDOWN

	Regular Service Contracts	Special Service Contracts
Purpose	Defined services that Council will want to fund in the foreseeable future	Special/Social equity services based on council objectives
Process Cycle	2-5 Years	2 Years
Funding	Responsible department	Budget department through SSC process





CATEGORIES

Regular Services

- Trails Management
- Park City History and Visitor Services
- Sister City Administration
- Safe Haven
- Medical Treatment
- Food Pantry
- Emergency Assistance
- Housing Outreach & Education

Special/Social Equity Services

- Community Art & Culture
- Childhood Care & Development
- Mental Health Treatment
- Legal Mediation Services
- Waste/Recycling Management
- Education
- Inclusion
- Workforce Development





FUNDING

- Special Service contract budget would be reduced from \$630 K (FY20) to \$380 K (FY21), followed with annual 4.5% increase
- Regular service budget would be remainder of funding not tied to special service contracts, roughly \$250 K





TIMELINE

- 1. March** - Issue RFP
- 2. April** - Submission Deadline
- 3. May** - SSC subcommittee reviews, scores, and makes funding recommendations on proposals
- 4. June 18** - SSC subcommittee makes recommendation to Council



Category	Applicant	2020 Funding	Regular Services	Round
Food Pantry & Emergency Assistance	Christian Center	\$37,500	X	1
Emergency Assistance	Holy Cross Ministries	\$10,000		1
Emergency Assistance & Medical Treatment	Jewish Family Service	\$10,000		1
Housing Outreach and Education	Habitat for Humanity	\$10,000	X	1
Housing Outreach and Education	Mountainlands Community Housing	\$15,000	X	1
Housing	Mountainlands Community Housing	\$7,500		2
Legal Mediation Services	Mountain Mediation	\$15,000		1
Trails Management	Mountain Trails	\$15,000	X	1
Park City History & Visitor Services	PC Museum	\$25,000	X	1
Park City History & Visitor Services	PC Chamber/Bureau	\$85,000	X	1
Sister City Admin	PC Sister City Association	\$8,550	X	1
Community Arts & Culture	PC Summit County Arts Council	\$30,000	X	1
Social Equity - Childcare & Development	PC Tots	\$45,000		1
Safe Haven	Peace House, Inc.	\$35,000	X	1
Medical Treatment	People's Health Clinic	\$40,000	X	1
Waste/Recycling Management	Recycle Utah	\$35,000		1
Inclusion	Ballet West	\$5,000		2
Inclusion	Christian Center	\$25,000		2
Inclusion	Kimball Art Center	\$10,000		2
Inclusion	KPCW	\$7,500		2
Inclusion	Mountain Mediation	\$5,000		2
Inclusion	PC Film	\$15,000		2
Inclusion	Planned Parenthood of Utah	\$15,000		2
Inclusion	YSA	\$15,000		2
WorkForce Development	PC School District	\$10,000		2
Education	PC Ed Foundation	\$50,000		2

Description of Service

Serving the emergency needs of low-income individuals and families, as well as food to community

Serving the emergency needs of low-income individuals and families,

Serving the emergency needs of low-income individuals and families,

Provide program to mentor and educate Park City individuals and families in process to secure housing

Provide program to mentor and educate Park City individuals and families in process to secure housing

Develop a web-based affordable housing application

Provide Park City community members with the support and skills needed to prevent and resolve disputes.

Support for the preparation and grooming of trails

Support continual operation of Historical Museum on Main Street

Support for visitor information services

Support for administering and facilitating programs with our Sister City, Courchevel, France

Develop and publish an annual publication about arts and culture in Park City

Support affordable daycare services for the City's workforce families.

Provide a safe haven for individuals and families seeking shelter.

Support the medical and mental health needs of those in Park City who are uninsured

Supplement the county's recycling program

Ballet programs for senior citizens at PC Marc

Support of 1 day Latino arts festival

Free bi-weekly art program for sernior citizens in the community

Production costs for Cada Domingo radio program

5 Community conversations regarding social equity to underserved population

Spanish translating, discount tickets to films for underserved population

Youth council to develop educational video on microaggression, and distribute training session

Provide fee waivers for low income youth to participate in sports programs

Adult education program including language tutoring and professional development

Afterschool program serving 90-100 elementary students



MATERIAL DECONSTRUCTION LAND MANAGEMENT CODE AMENDMENT

CITY COUNCIL FEBRUARY 27, 2020

PARK CITY

1884

STAFF REVIEW

The Planning Director or his/her designee shall review the following:

- a. Ordinary Repairs and Maintenance**
- b. Repair or Replacement of Historic Architectural Details**
- c. Removal or Replacement of Non-Historic Architectural Details**



EXAMPLE STAFF REVIEW

Window Repair/ Replacement of Historic Wood Window:

- Staff would review and approve, following the Design Guidelines:
- *Deteriorated or damaged historic features and elements should be repaired rather than replaced.*
- *Restore historic window openings that have been altered or lost over time.*
- *When historic windows are present, replacement windows shall be allowed only when it can be shown that the historic windows are no longer safe, energy efficient and serviceable and the historic windows cannot be made safe, energy efficient and serviceable through repair. Replacement windows shall exactly-match the historic window in size, dimensions, glazing pattern, depth, profile, and material.*
- *Maintain the original number of glass panes in a historic window.*
- *Etc.*



HPB REVIEW

The Historic Preservation Board shall review the following:

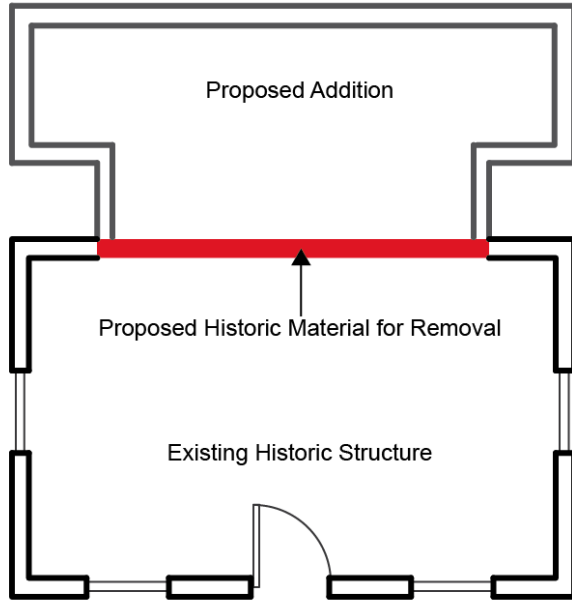
- a. Removal of Historic Material to accommodate New Additions, New Construction, or Structural Upgrades.

This would also include material removal triggered by the following:

- Disassembly and Reassembly (Panelization)
- Lifting a structure (changing USGS elevation + basement)
- Reconstruction
- Etc.



EXAMPLE HPB REVIEW



- Permanent removal of historic material that could alter the site's integrity, character defining features, and/ or site, etc.



———— **QUESTIONS?** ————



CURRENT MATERIAL DECONSTRUCTION CHECKLIST

1. Routine Maintenance (including repair or replacement where there is no change in the design, materials, or general appearance of the elements of the structure or grounds) does not require Historic Preservation Board Review (HPBR).

2. The material deconstruction is required for the renovation, restoration, or rehabilitation of the building, structure, or object.

3. Proposed exterior changes shall not damage or destroy the exterior architectural features of the subject property which are compatible with the character of the historic site and are not included in the proposed scope of work.

4. The proposed scope of work mitigates any impacts that will occur to the visual character of the neighborhood where material deconstruction is proposed to occur; any impacts that will occur to the historical significance of the buildings, structures, or objects located on the property; any impact that will occur to the architectural integrity of the buildings, structures, or objects located on the property; and any impact that will compromise the structural stability of the historic building.

5. The proposed scope of work mitigates to the greatest extent practical any impact to the historical importance of other structures located on the property and on adjacent parcels.

6. Any addition to a Historic Building, Site, or Structure has been found to be non-contributory to the historic integrity or historical significance of the structure or site.



DEFINITIONS

Architectural Details:

Physical Properties, features or components of a Building or Structure which embody distinctive characteristics of a type, period, or method of construction and refers to the way in which the Property was conceived, designed, or fabricated by a people or culture. Within a Historic District, these physical features or traits commonly recur in individual Buildings. The characteristics can be expressed in terms of form, proportion, Structure, plan, architectural style, or materials such as siding, doors, windows, or trim.

Ordinary Repairs and Maintenance:

Work done on a Building in order to correct any deterioration, decay, or damage to a Building or any part thereof in order to restore same as or nearly as practical to its condition prior to such deterioration, decay, or damage





HOUSING MITIGATION PLAN

IHC 4th Amendment

PARK CITY

1884

IHC HMP 4th AMEND

Options for fulfillment of housing obligation:

- Construct units (on-site or off-site), +/- \$1,458,000;
- Dedicate existing units, which is what is proposed;
- Conveyance of land; or
- Payment of an In-lieu Fee: \$1,753,650.

Staff recommends approval of the proposal to deed restrict the remaining units in Rail Central Building #3 and a three bedroom condo at Claim Jumper Condominiums.



IHC HMP 4th AMEND

IHC/USSA/Burbidge Obligation 2007	90.47 AUEs	Notes
Park City Heights 28 townhomes	(44.78)	construction completed
USSA deferral	(10.71)	
Summit County Health/People's Health Clinic transfer	(5.830)	
Physician Holdings transfer	(5.830)	3 2-br units at 1440 Empire Avenue and 10 SRO units at Rail Central
Peace House land lease	(12.50)	
Peace House funding contribution	(4.00)	
9 2-br units at 1440 Empire Avenue	(6.82)	
Balance owed	-0-	
Additional Density approved October 9, 2019	20.42	
14 SRO units at Rail Central PROPOSED	(2.97)	
1 Claimjumper 3-br Condo PROPOSED	(1.53)	
Balance Remaining	15.92	



IHC HMP 4th AMEND

- Falls under Housing Resolution 03-2017
- AUE = 900 square feet
- Prior to submission of a Conditional Use Permit, the Applicant shall amend the Housing Mitigation Plan, approved by the City to satisfy the remaining obligation of 15.92 AUEs, pursuant to the requested density for the phase of construction for each Conditional Use Permit.



IHC HMP 4th AMEND

- 14 SRO units at Rail Central (190 square feet per unit totaling to 2,676.375 square feet, equaling 2.97 AUEs)
- One 3-bedroom unit at Claim Jumper Condominiums (1,353 square feet equal to 1.53 AUEs)
- Qualified renters are households at 45% of AMI (\$34,587 for 1-person household at Rail Central and \$49,410 for a four-person household at Claim Jumper)



— IHC HMP 4th AMEND —

Staff recommends approval of the proposal to deed restrict the remaining units in Rail Central Building #3 and a three bedroom condo at Claim Jumper Condominiums.

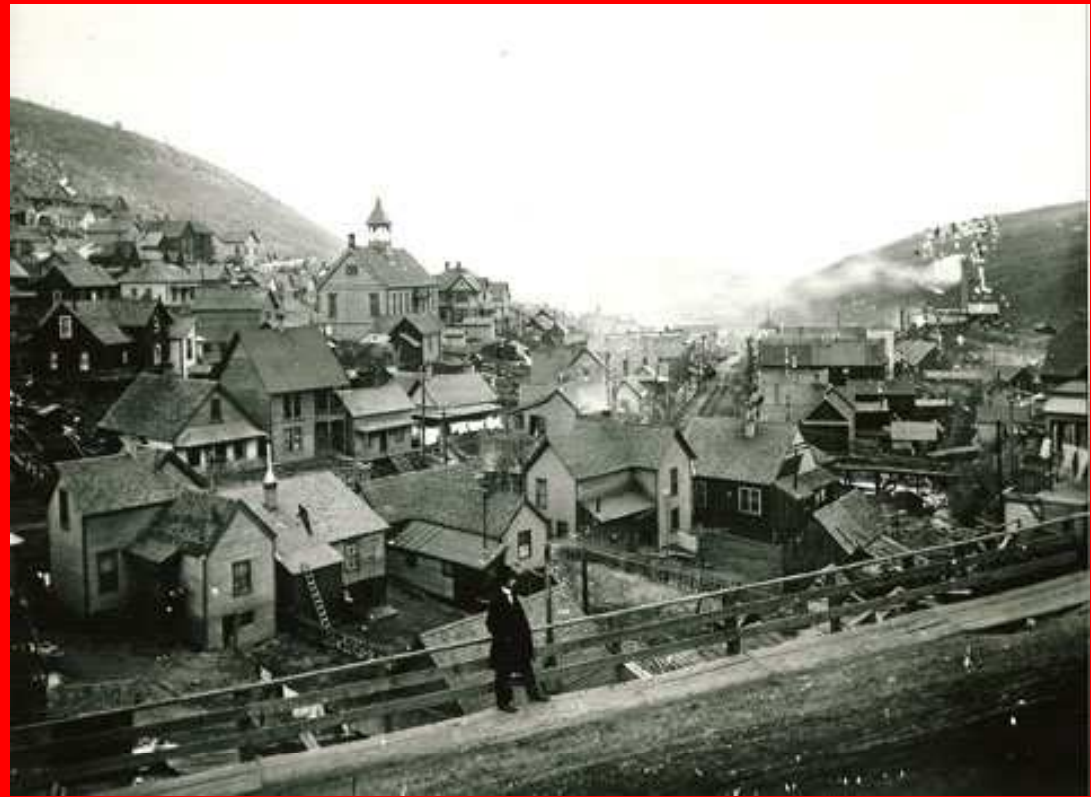


Main Street Park 146 Main Street Property Sale

Park City Is Not Permitted To Sell
Why?

- Cannot Sell Per Purchase Resolution
- City Doesn't Know What They Have
- You've Not Been Told The Truth About Use

History



1884



2005



Can't Sell Per Purchase Resolution

Resolution of the Council Authorizing the Purchase of Real Property and Described Intent for use of property prevented it.
Purchase and Sale Agreement Memorialized Resolution.

City Doesn't Know What They Have

Unresolved Property Gaps
Lot 11 & 12
Current Plat
Colman Sale Survey
Block 20 Plat Amendment
Construction Documents

Council Not Told The Truth About The Land Use

Park construction did not follow approved construction documents
Grading for property owner's private use
Creation of a barrier unclear
Landscaping installed by city
Owner has historically used property as own

Per Purchase Agreement Land Cannot Be Sold

Resolution of the Council

Parcel #2 excluded from sales

2. The Council's primary intent in acquiring these parcels is protecting scenic open space, public access and passive recreation; securing right-of-way for Hillside Street; protecting drainages; and preventing potentially incompatible development. That intent may be realized as follows:

A. Over time, the Council intends to rezone Parcel #1 to a district more appropriate to its public open space use; minor improvements would probably be made to the trails and parking and for ease of maintenance and security; and small pieces of property could be sold to the property owners along Daly Avenue to address encroachments. No major development is intended or could be undertaken without a formal public process.

B. Parcel #2 could have a variety of more intense uses including preservation and enhancement of natural drainages; public trails or park; snow storage; and right-of-way to repair or widen Hillside Street.

PASSED AND ADOPTED this 23rd day of June, 1994.

PARK CITY MUNICIPAL CORPORATION

Ruth D. Gezelius
Ruth D. Gezelius, Mayor Pro Tem

Purchase Agreement

States further development of parcels incompatible with neighboring properties and deemed condemnation ready

PURCHASE AND SALE AGREEMENT

THIS AGREEMENT is made and entered into this 4th day of August, 1994, by and between ROBERT J. COLMAN, (hereafter the "Seller"), and PARK CITY MUNICIPAL CORPORATION (hereafter the "Buyer"), a political subdivision duly organized under the laws of the state of Utah. Seller and Buyer are herein referred to collectively as the "Parties", or singly as a "Party".

WHEREAS, the Seller owns two parcels of land and is willing to sell them to Buyer; and

WHEREAS, intensive development of these two parcels could be incompatible with the neighborhood and with the City's ability to provide services; and

WHEREAS, one parcel is one of the few remaining large tracts of open space in this area of Park City and the other parcel is adjacent to a City street and a City-owned parcel on Main Street and contains a trail and drainage channels; and

WHEREAS, this Agreement is made under the threat of condemnation of the subject parcels by Park City;

Two Significant Discrepancies



Current Plat
2014 - Today

NOTE # REFERS TO STREET ADDRESS

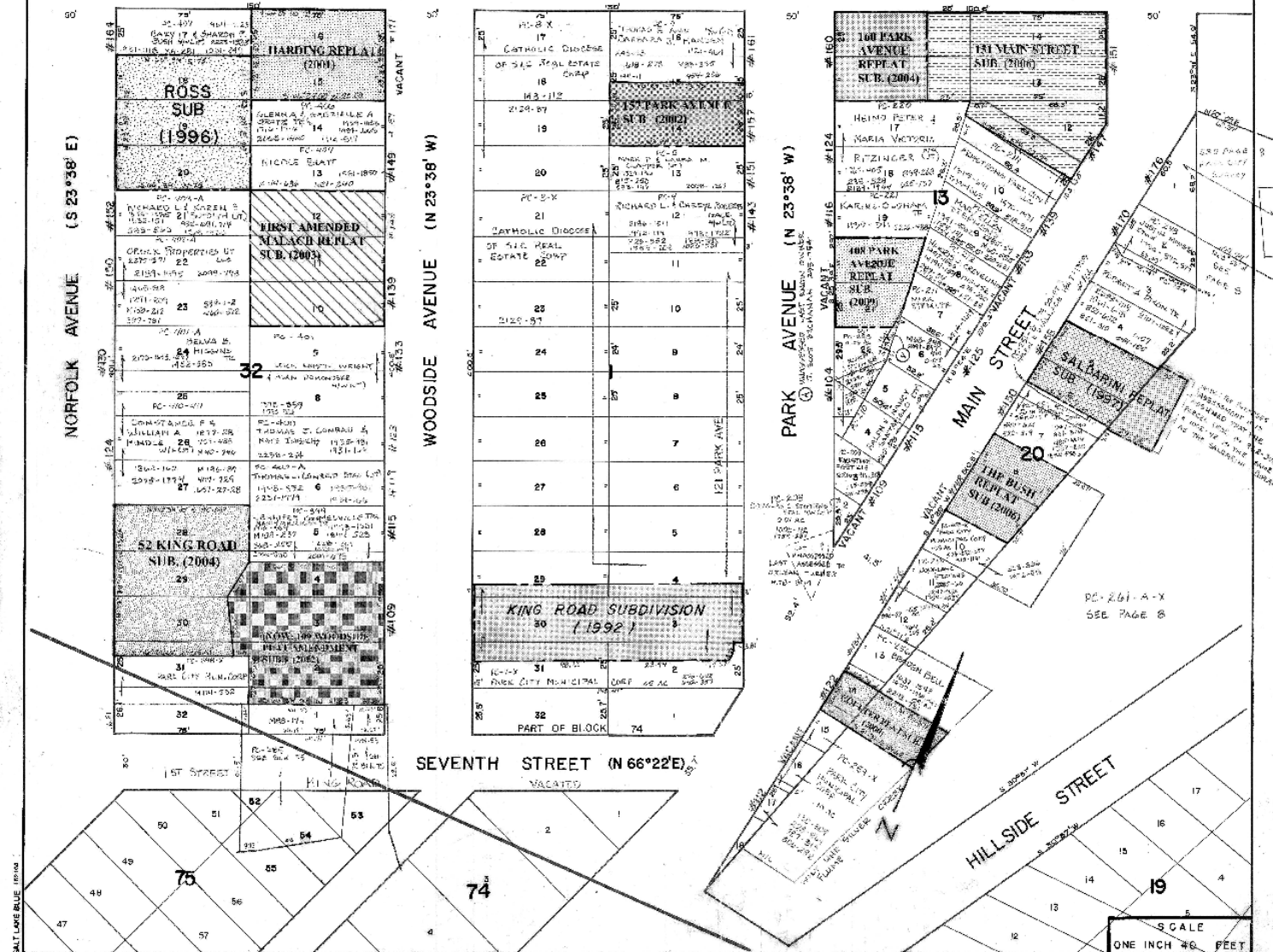
SUMMIT COUNTY UTAH

PARK CITY — BLOCKS 1,13,20,32, SECTION 16, T2S R4E, S.L.B. & M.

31	2	31	2	31	2
32	1	32	1	32	1

2ND STREET

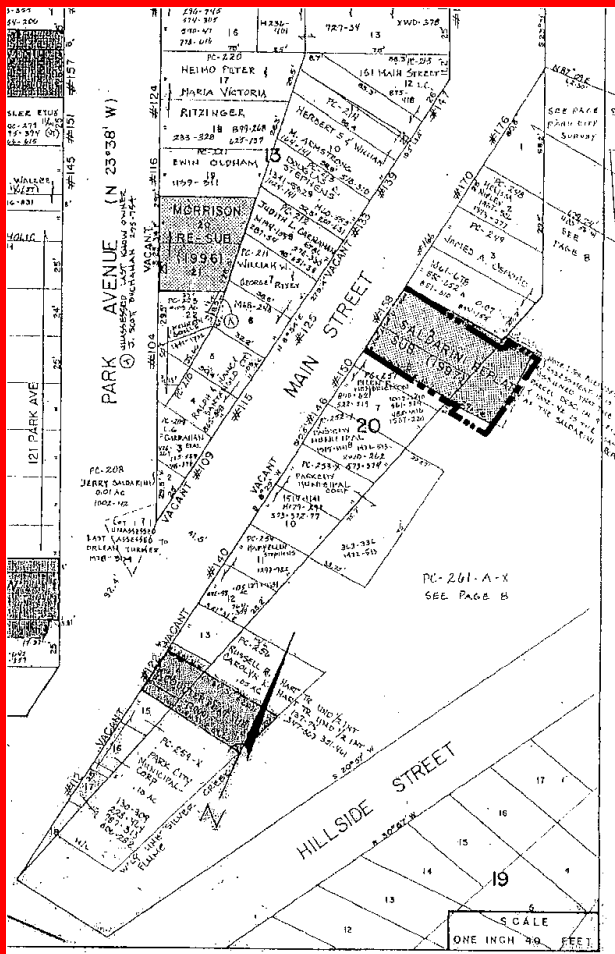
SIXTH STREET (N 66°34' E)



Summit County

Partial Plat 2005

Parcel PC-261-A-X, unchanged 2005 – 2020. City parcel has vague language for legal description and fails to follow QCD from 2011.



Tax District 09 - PARK CITY A,J,K,U (D-D) (A-1)

Parcel Number PC-261-A-X

**Legal ALL BLOCK 20 PARK CITY TOWNSITE
EXCEPT SUBD LOTS CONT 1.32 ACRES M/L
M113-776
(LESS 0.05 AC 363-336 PC-253)(LESS 0.04 AC
401-427 PC-261-B-X)
(LESS PC-588-411-567)(LESS 187.5 SQ FT 391-
1 PC-261)
(LESS PC-262-A M113-370)(LESS PC-262-B
M113-370)
(LESS PC-256 351-461)(LESS PC-257 584-677)
(LESS PC-259-X 806-282)(LESS PC-262-A 0.10
AC 850-747)
(LESS PC-250 0.03 ACRES 962-308)(LESS 824
SQ FT 1372-863 PC-261-A-1)(LESS 530 SQ FT
2089-1940 PC-588)
BAL 0.77 AC M/L (REF:850-738 & 1372-865)
850-736**

When recorded, return to:
DENNIS L. PETERSON TRUST AND
PEGGY A. STUBER-PETERSON TRUST
PO Box 1644
Park City UT 84060

QUIT CLAIM DEED

PARK CITY MUNICIPAL CORPORATION, P. O. Box 1480, Park City UT 84060, a municipal corporation and a political subdivision of the State of Utah, as Grantor, hereby quitclaims to DENNIS L. PETERSON TRUST AND PEGGY A. STUBER-PETERSON TRUST, PO Box 1644, Park City UT 84060 each an undivided 50 percent interest, as Grantee for the good & valuable consideration, the following described parcel of land in Summit County, State of Utah, to wit:

PC-261-A-X

A parcel of land located in the southeast quarter of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Beginning at a point which is South 46°53'06" East 252.12 feet from a street monument at the point of intersection of Main Street approximately 74 feet southerly of the Main Street/Second Street intersection, according to the Park City Monument Control Map, Entry No. 199887 in the office of the Summit County Recorder, said point being the easternmost corner of Block 20, Millsite Reservation, Park City, according to the official plat thereof on file in the office of the recorder, Summit County, Utah; and running thence along the easterly boundary of said Block 20 South 30°57'00" West 28.34 feet; thence North 03°44'48" West 37.08 feet; thence North 01°06'41" West 27.59 feet to the easterly boundary of said Block 20; thence along the easterly boundary of said Block 20 South 23°31'00" East 43.94 feet to the point of beginning.

This parcel is 530 square feet.

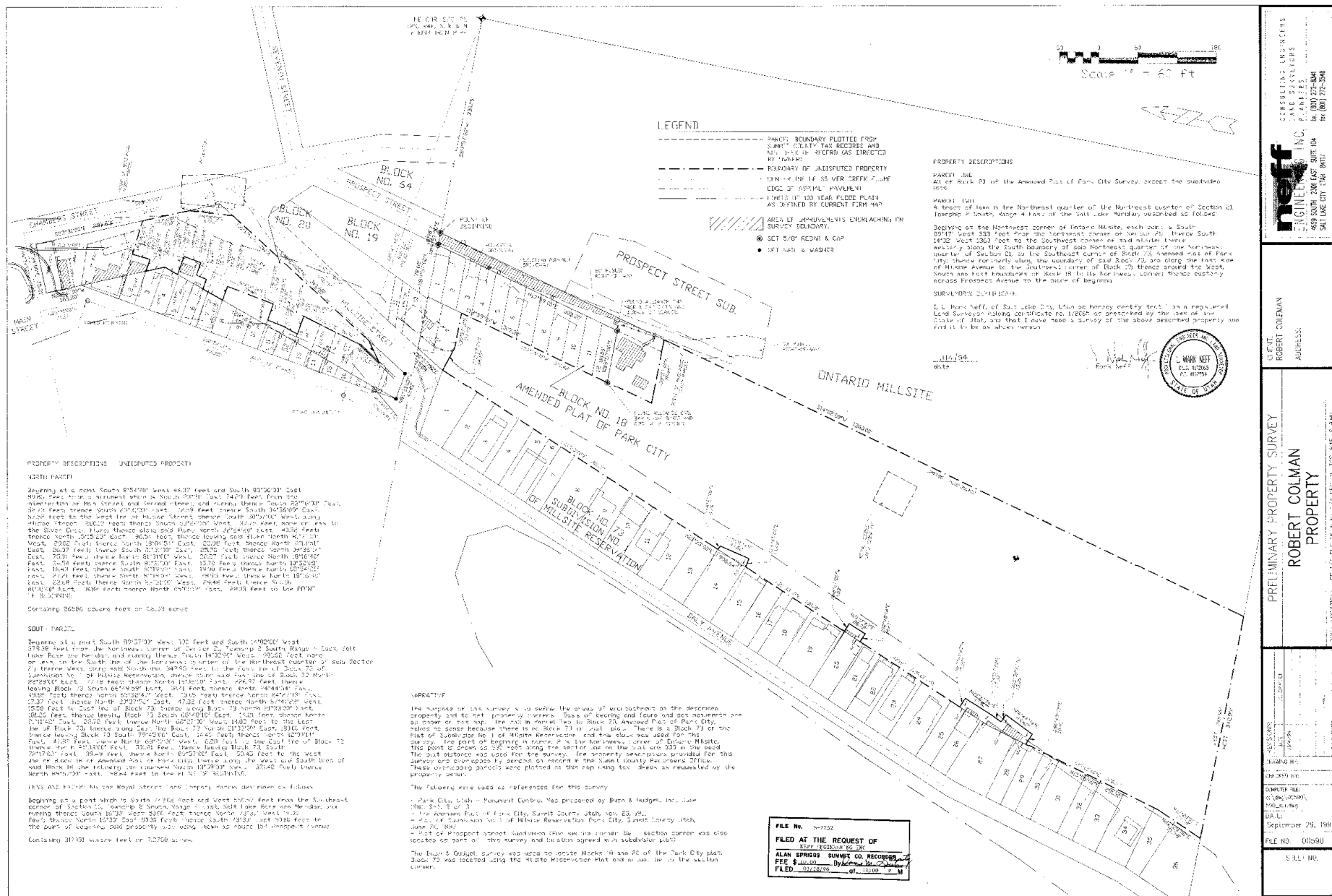
DATED this 29 day of July, 2011

ENTRY NO 00927237
07/29/2011 03:59:59 PM B: 2089 P: 1940
Quit Claim Deed PAGE 1/2

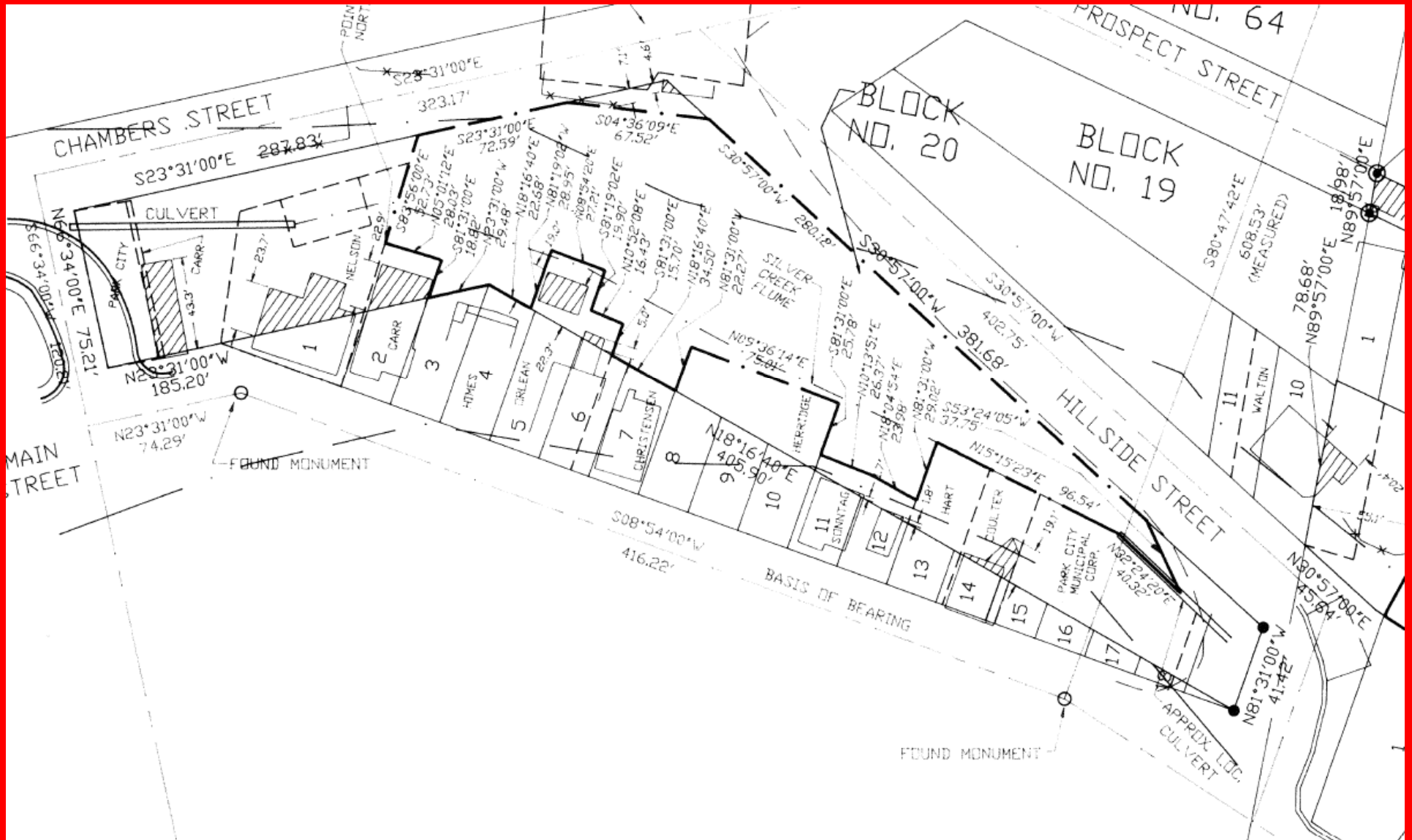
ALPIN SPRINGS, SUMMIT COUNTY RECORDER
FEE \$0.00 BY PARK CITY MUNICIPAL CORP

By: Dana Williams
Dana Williams, Mayor

Robert Colman Property - Sale Survey 1996



Enlarged Colman North Parcel

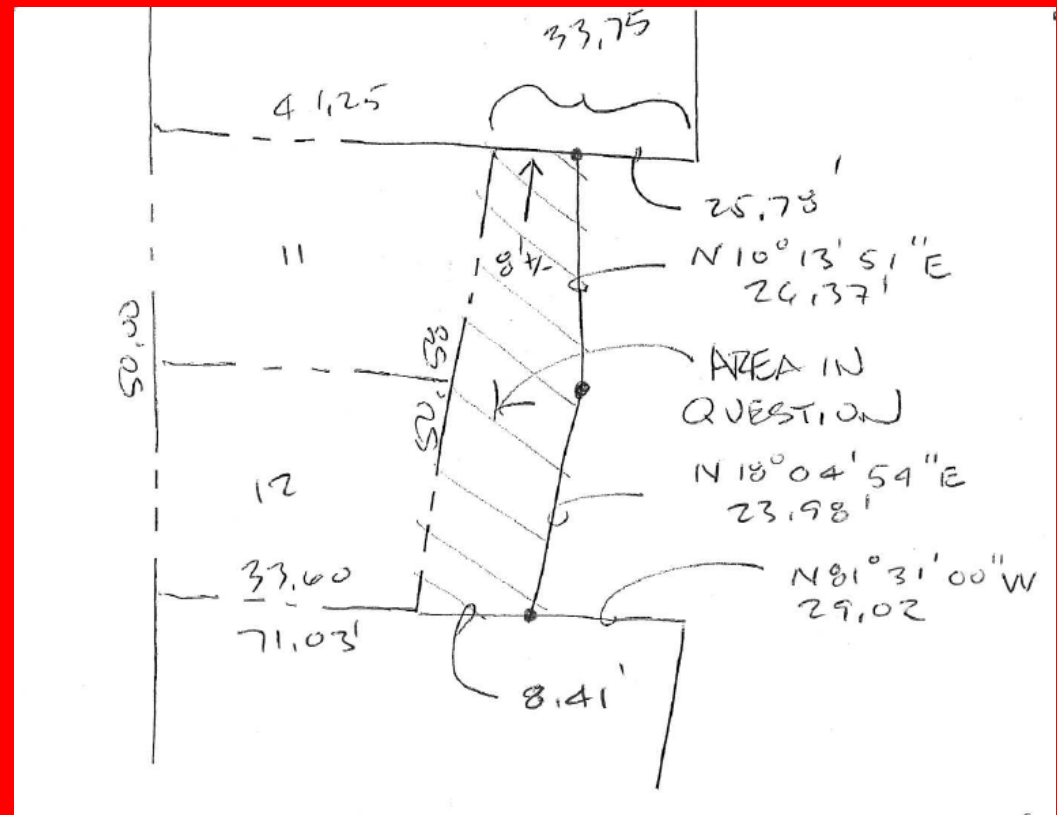


Property Gap 1996

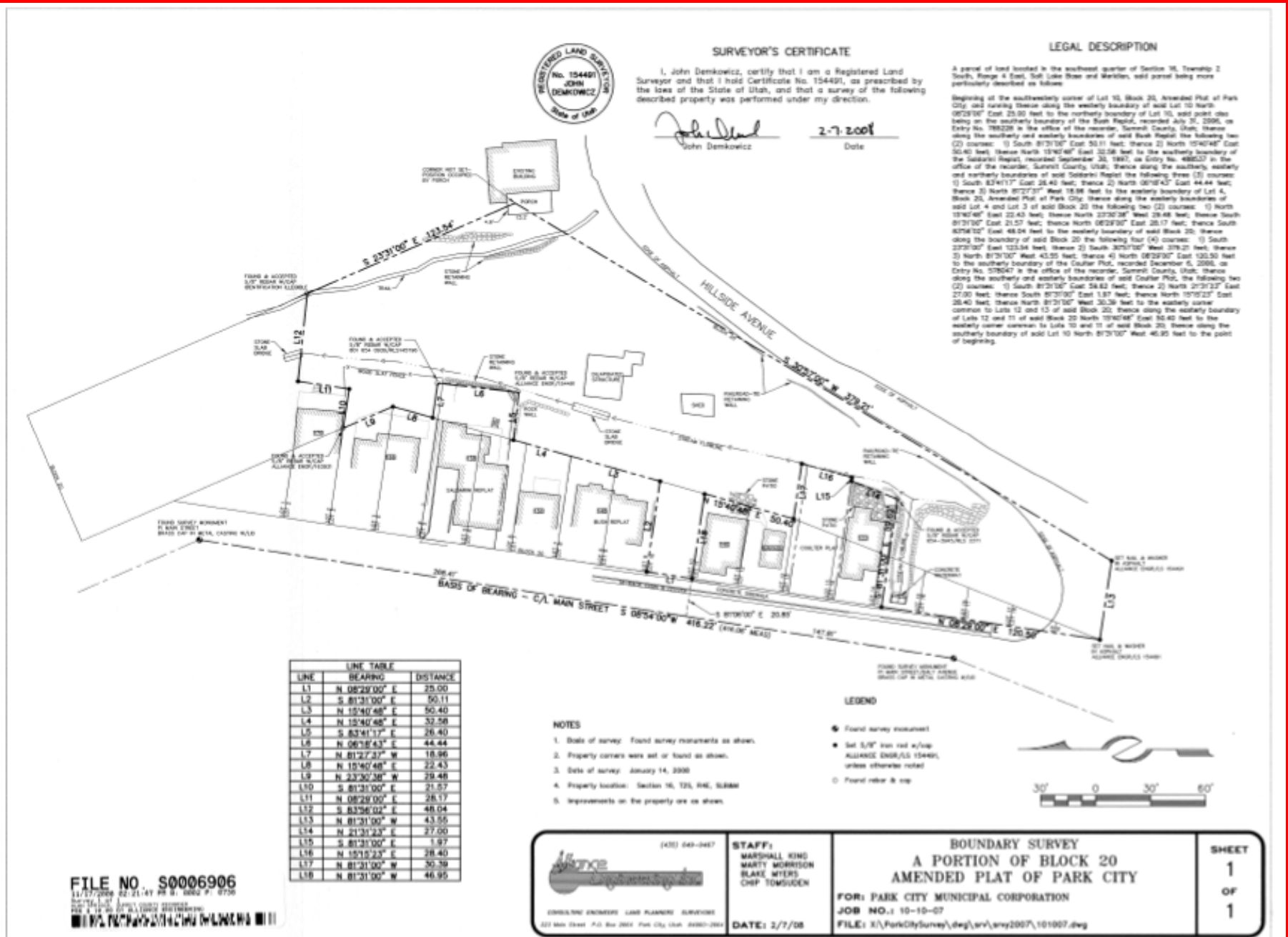
Lot 11 & 12 1988 Survey



Rear Gap from Colman Survey



Block 20 Amended Plat 2008

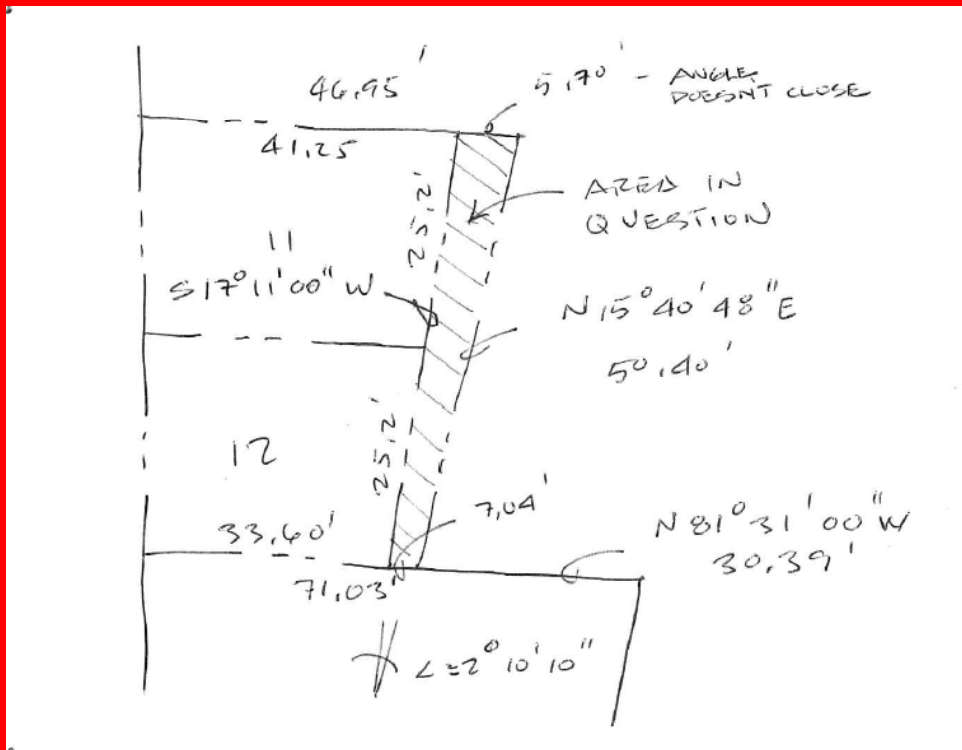


Property Gap 2008

Matches Amended Block 20

Lot 11 & 12 Reflects New East Boundary Angle

L17	N 81°31'00" W	30.39
L18	N 81°31'00" W	46.95



Council Has Not Been Told Truth About Property Use

Owner of 146 created his own Zero Lot Line Rear Yard by Variance 1988

Construction of the park did not follow approved construction documents

Final grading for property owner's private use

Landscaping installed by city

Creation of a visual/living barrier

Owner has historically used property as own

Staff has misled by staff

146 Main

Variance Application 1988

and Granted

4'-0" Front Yard Setback

0'-0" Rear Yard Setback

position we are taking on parking so that we do not appear arbitrary. We need to reference the Land Management Code.

The current plan does not correctly show the size of the fields parcel. This plan will have to be modified by 5 feet to correct this. They can't shift the building anymore without reducing even more parking spaces. This proposal will result in the loss of 20 parking spaces.

Note - The service demand on this use will be pretty great, so we need to make sure that the design takes this into account.

7. Aspen Hollow revision to the phase I plat

Note merely informed the staff review team that the Aspen Hollow plat is being revised slightly to reduce the number of units by 1.

8. Setback Variance request for the Tallon house.

Steen explained that there is a historic house located at 146 Main which is going to be moved to parcel next door. The parcels upon which the house is being placed are unusual in shape, they are not the standard width. A setback variance is therefore necessary for both the front. In the front, the house is to be located consistent with its current location and with others on the street. This would result in a setback of 4 ft. In the rear the house will touch the property line at one point. The parcel behind the subject property is virtually unbuildable due to a sewer line and stream corridor running through it. Staff is supporting the variance.

9. Hyles, Jennifer, Steve and Bob discussed the entryway to the Resort at the corner of Empire Ave and Park Ave. Hyles asked how if the city could participate by cleaning up the area adjacent to the Golf Course, so the entire area looked green. Discussion followed as to whether this would be best accomplished with a retaining wall or relocating the tee. It was decided that a field inspection needed to occur to further discuss this.

Staff Review 9/1/88

Park City Planning Department Staff Report

To: Board of Adjustment
From: Planning Staff
Date: September 13, 1988
Re: Setback Variance at 146 Main Street

I. PROJECT INFORMATION

Applicant: Douglas C. Stephens
Project Address: Existing - 146 Main
Proposed - 146 Main
Legal Description: Existing - Lot 8, Block 20
Proposed - Lots 11 & 12, Block 20
Park City Survey

II. BACKGROUND INFORMATION

The owner of the house and lot at 146 Main Street, Mildred Tallon, has chosen not to renovate or remodel the existing historic structure. By order of Ron Tyle, Chief Building Official, the house has been determined to be a nuisance and must be demolished.

The applicant, Douglas C. Stephens, expressed his desire to renovate the house and bid successfully for the right to remove the building from its present location. Mr. Stephens has an option on two lots directly adjacent to Mr. Tallon's lot and proposes moving the house to those lots. Please review the copy of the attached plat map.

The house is historically and architecturally significant and is listed on the National Register of Historic Places. Mr. Stephens applied for and was awarded a Historic District Incentives Program matching grant in the amount of \$3000 for renovation of this building. A copy of the Utah State Historical Society Structure Information form has been included for your review.

III. DESCRIPTION OF VARIANCE REQUESTS

The setback requirements for a single family house in the HR-1 zone are as follows:

Front: 10 feet
Side: 3 feet
Rear: 10 feet

The "usual" lot dimensions in the HR-1 zone are 25' x 75'. These two lots are unusually short, measuring 41'3" and 32'7" respectively on the north and south sides. Due to the shortness

Douglas C. Stephens
Variance Request
146 Main Street

The setback requirements for a single family house in the HR-1 zone are as follows:

Front: 10 feet
Side: 3 feet
Rear: 10 feet

The "usual" lot dimensions in the HR-1 zone are 25' x 75'. These two lots are unusually short, measuring 41'3" and 32'7" respectively on the north and south sides. Due to the shortness of the lots the required front and rear yard setbacks cannot be met. The required side yard setbacks can be met.

I am requesting variances in the setbacks as follows:

Front: 4 feet
Rear: 0 feet

The house will actually be setback from the sidewalk 7', which is the average front setback for most of the structures on either side of Upper Main. Near the rear property line lies a sanitary sewer line and the Silver Creek flume, both of which would make construction on the lot adjacent to the rear property line difficult and unlikely. Additionally, that same parcel slopes steeply up to Hillside Avenue, further limiting development.

of the lots the required front and rear yard setbacks cannot be met. The required side yard setbacks can be met.

The applicant is requesting variances in the setbacks as follows:

Front: 4'
Rear: 0'

The variance requests have been reviewed by the City Staff Review Team and there were no objections. The house will actually be setback from the sidewalk 7', which is the average front setback for most of the structures on either side of Upper Main. Near the rear property line lies a sanitary sewer line and the Silver Creek flume, both of which would make construction on the lot adjacent to the rear property line difficult and unlikely. Additionally, that same parcel slopes steeply up to Hillside Avenue, further limiting development.

IV. STAFF RECOMMENDATION

Based upon the unusual lot configuration of lots 11 and 12 and the existing conditions on the adjoining lots, and the significant preservation need of this historically significant structure, the Planning Staff recommends the Board of Adjustment APPROVE the variances for the structure to be located at 146 Main Street.

The findings indicate that the strict application of the Land Management Code's HR-1 requirements would:

- Deprive the owner of the property in question of the rights and privileges available to others owning similar property within the same zone, and
- The deprivation results from conditions on the property, including irregular lot size, lot shape, access, presence of easements or rights-of-way across the property including non-platted but existing public streets, existence of an historic structure which the Historic District Commission recommends preserving, or similar factors and not from conditions created by the applicant, and
- The granting of the variance would not be detrimental to the public health and safety or contrary to the comprehensive plan for the City.



Legal Department

September 23, 1988

Mr. Douglas C. Stephens
755 East Linden Avenue
Salt Lake City, Utah 84102

Dear Mr. Stephens:

Enclosed please find the Findings of Fact and Conclusions of Law for 198803 for setback variances for a structure on lots 11 and 12, Block 20, Park City Survey, addressed as 146 Main Street, which was heard before the Park City Board of Adjustment on September 13, 1988.

Please note that said order is to expire six months from the dating of this order (September 23, 1988).

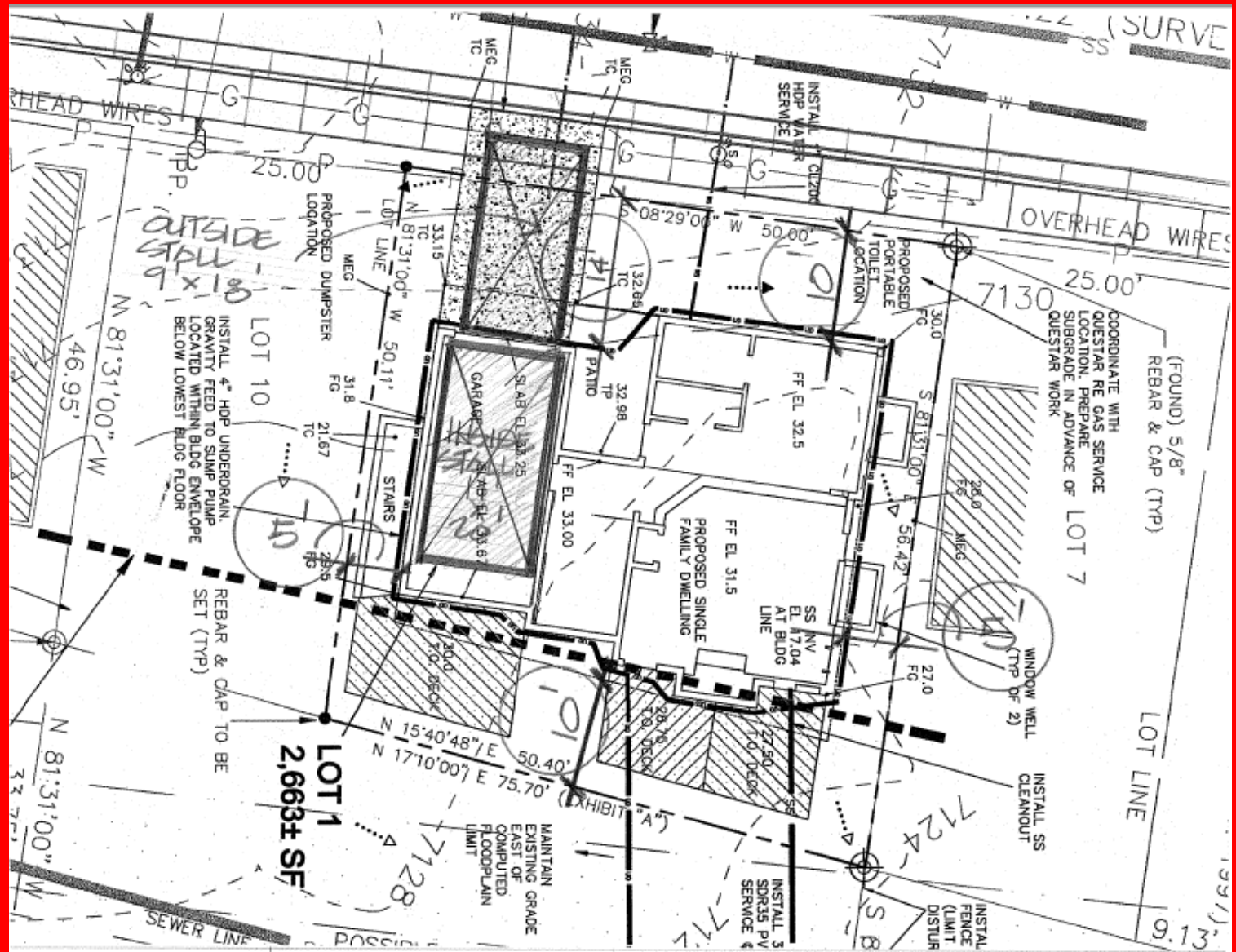
Sincerely,

Anita L. Colletti
Anita L. Colletti
City Recorder

/s/ and.

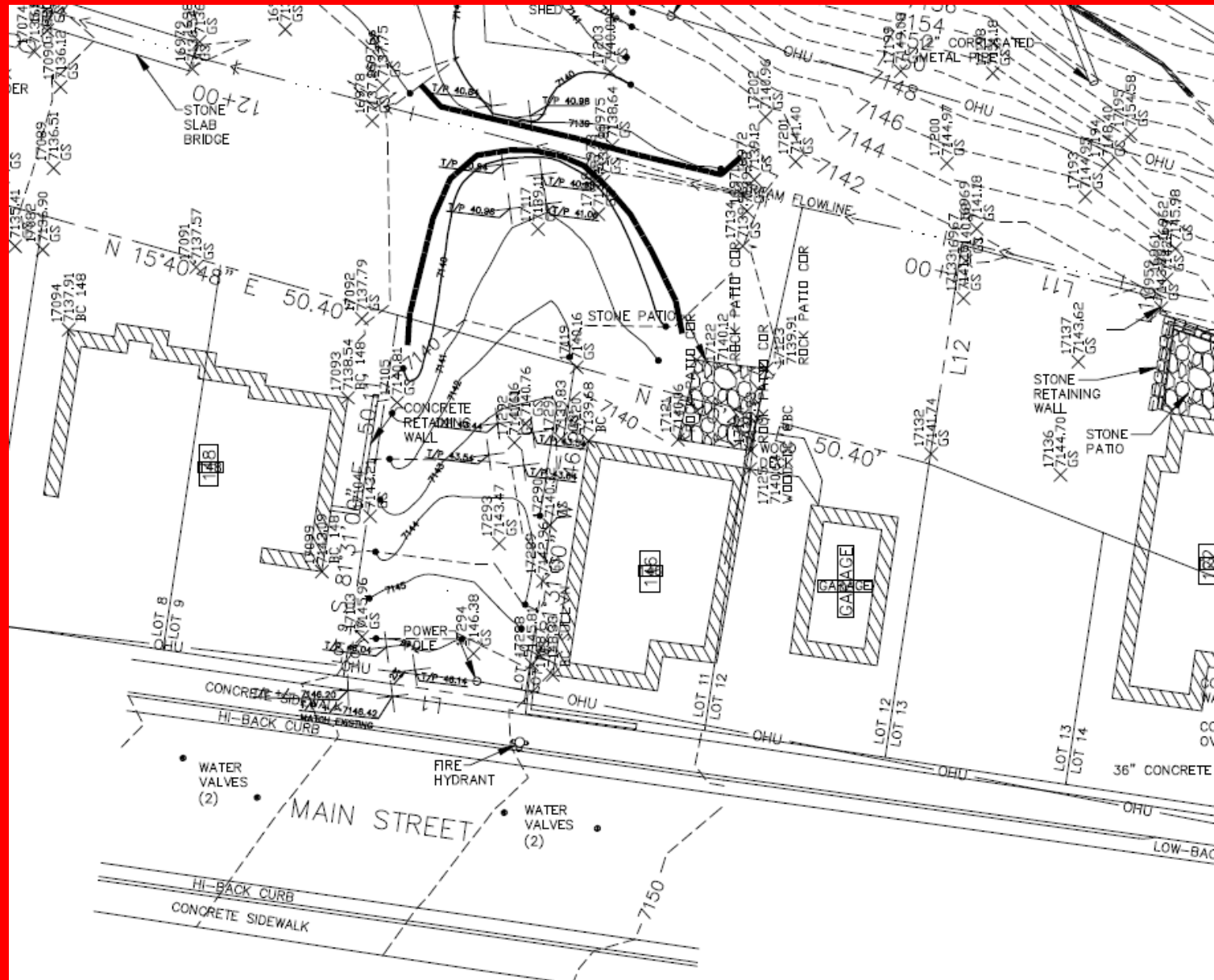
Field Verified Site Plan

Contours shown Under Proposed Home.
Outside Stall Non-Compliant Circa 2006
Inconsistent East Property Line



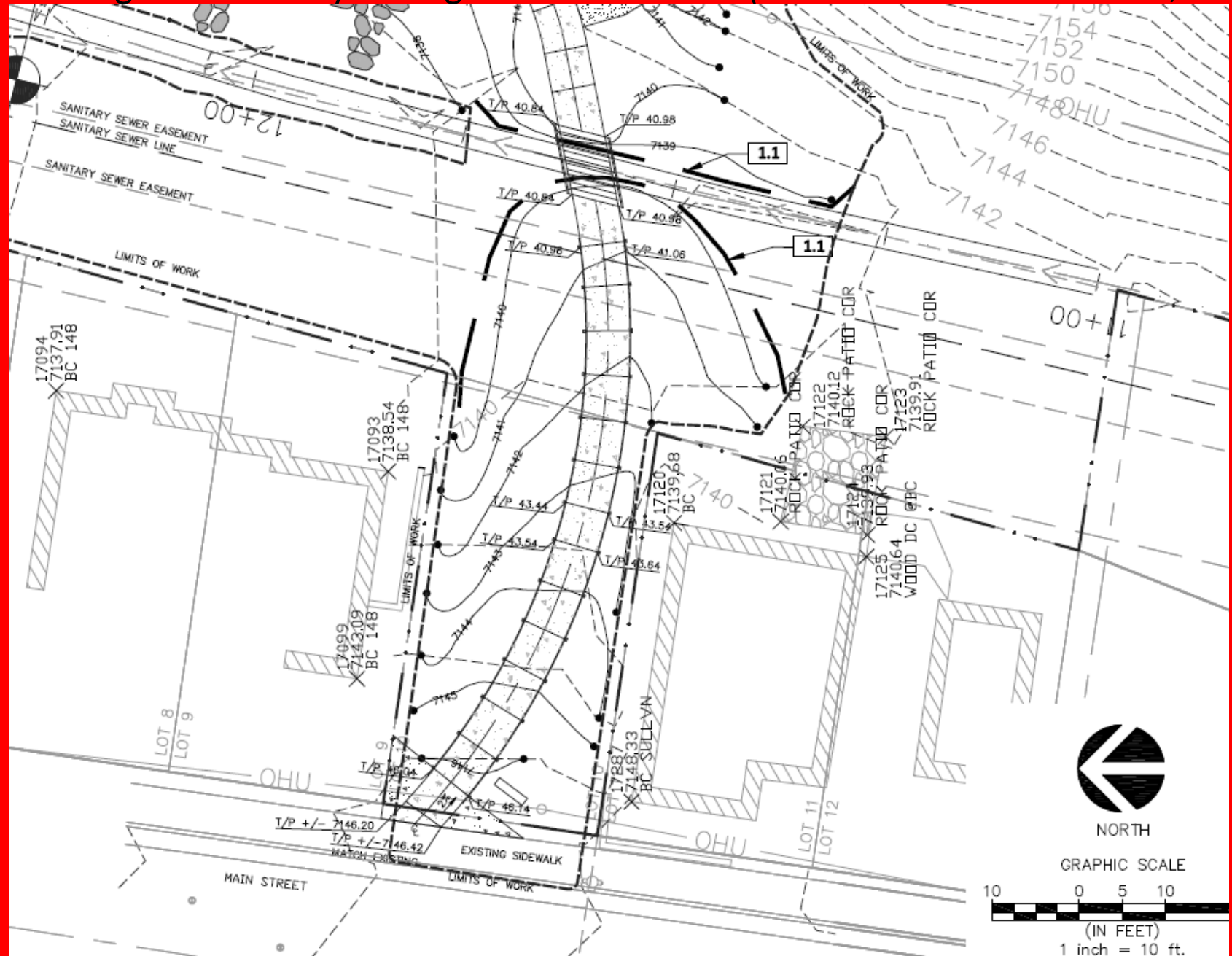
Main Street Park 2008

“Existing Conditions Survey” Shows Existing and Proposed Contours



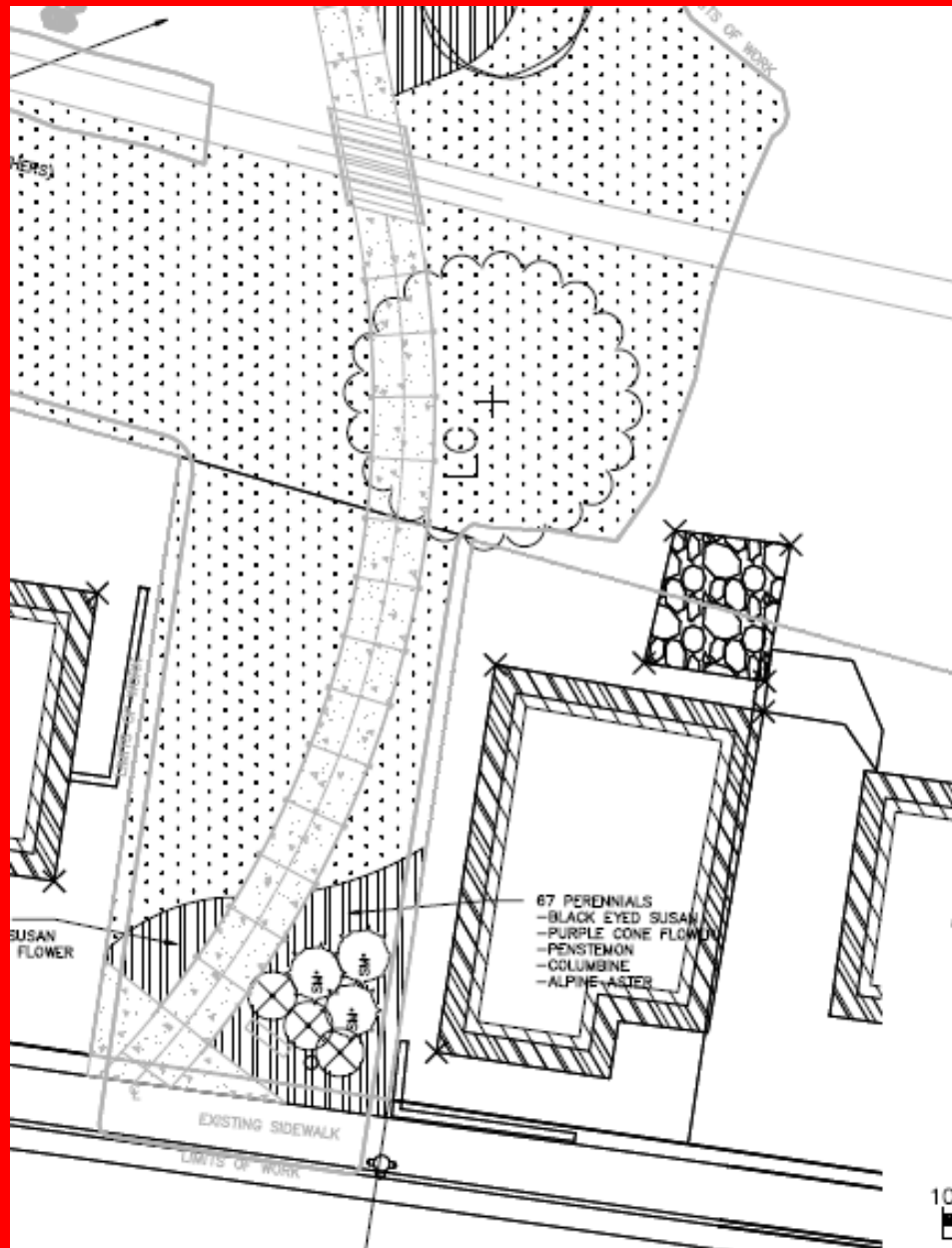
Construction Documents

Grading Plan Gently Rolling Behind 146 Main (Dashed line is limit of disturbance)

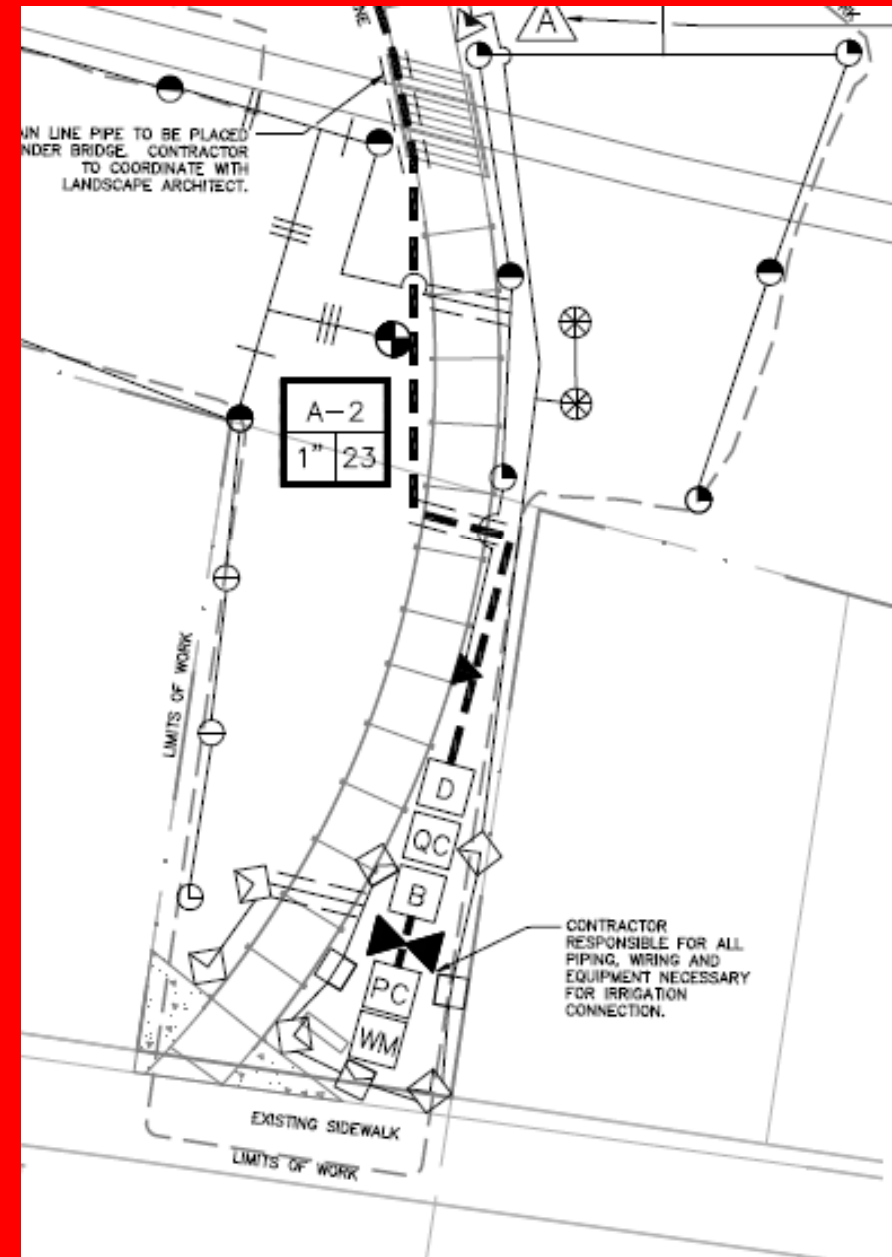


Main Street Park Construction Documents

Landscaping



Sprinkler Plan



146 Main Rear Yard 2008-2018



As-Built Grading, Retaining and Planting



Sandstone Retaining Wall



Sandstone Retaining Wall

Council Misled By Staff

City Council Public Hearing Excerpts 8/29/19 from audio recording of hearing.

Agenda Item: “Consideration of Small Portions of City-Owned Property Located near Upper Main Street and Daly Avenues with Conditions of Approval in a Form Approved by the City Attorney.”

Web access:

http://parkcity.granicus.com/MediaPlayer.php?view_id=1&clip_id=135

2:32.00 Someone (Tim?) asks relevant question about park. “You have inferred legal boundaries of this park. What are the legal boundaries of this park.” HD “I don’t think the legal boundaries have been decided.” Looking at the construction drawings there are limits of disturbance, limits of work if you will, there is a dotted line, and I would say that kind of identifies the park at that time 2008/2009.”

3:00 Councilman: “What was the original intent of the park? What can be done to make it accessible? And then get more public input. And if we need to make a change we can at that point.”

3:11 Council member? “Isn’t there a project with the boy scouts or the girl scouts?” HD “No. We took care of that.” Member “You took care of that?” HD “We took care of that.”

During audio recording of the hearing, all conversations were about 170, 166, 158, 150 and 148. At no time was any discussion provided by staff regarding property behind 146.

What to do?

- ✓ Complete Main Street Park
- ✓ Tear out hedge planting for visibility and security
- ✓ Dry stacked sandstone retaining wall should remain
- ✓ Verify/improve sprinkler system at 146 for new planting adequate coverage
- ✓ Build landscaping bridge at south end of 146 for maintenance access
- ✓ Plant new landscaping similar to existing @148 for consistency
- ✓ Do not cut ADA hand railing for any access from walkway to either 146 or 148

Park City Cannot Sell Main Street Park Property

PowerPoint Slide by Slide Commentary

Slide 1

Presentation Cover Sheet

Slide 2

Historic Photos of 148 Main where the original house was moved to 146 Main and the small shack across Poison Creek was moved and enlarged on 148 Main

Slide 3

Expanded Bullet Points and Outline

Slide 4

Provisions of Council Resolution

Resolution language stipulates Parcel 1 could have small encroachments addressed. Parcel 2, however is reserved for public uses.

Purchase Agreement Language

Parcel s incompatible for development and was threatened with condemnation.

Slide 5

City has unresolved purchased property gaps outline

1988 Lot 11 and 12 survey provided matches historic and current Summit County Plat

Sans ownership, Plats have remained unchanged in Over 32 Years

Colman Survey 1996 Inconsistent with Plat

Block 20 Amended Plat Inconsistent with Plat

This slide also shows Lot 11 & 12 full survey. Survey for Lot 13 shows northerly property line angle matching Lot 12 and dimension used further in presentation.

Slide 6

Current Plat of Park City valid since 2014

Plat Shows Block 20 & City owned parcel is labeled PC-261-A-X

Slide 7

Partial Plat 2005. Unchanged to 2020. In 2005 lots 8, 9 and 10 were owned by Park City Municipal Corp. Park City Parcel PC-261-A-X listed and has remained unchanged in designation. Legal description of 261-A-X is vague and is inconsistent with Quit Claim Deed 2011. Tax Notice for 261-A-X and QCD provided for reference.

Slide 8

Complete Robert Colman Property survey 1996. This depiction of the purchased property includes Parcel 1, South, and Parcel 2, North. Field work circa 1994

Slide 9

Enlarged Parcel 2, north parcel, provides boundary lines in line metes and bounds for angle and dimensions.

Slide 10

Enlarged portion of Plat and Robert Colman survey showing property line relationship discrepancy.

Slide 11

Comparisons of Survey for Lots 11 & 12 and Robert Colman survey graphically reflects inconsistency.

Slide 12

Block 20 Amended Plat 2007. This Amended Plat, while showing a recording stamp, has not been reflected in the current Block 20 Plat from Summit County. This Plat Amendment was not noticed to neighbors nor produced during plat amendment process.

Slide 13

Enlarged Block 20 Amended Plat when compared to dimensions for Lots 11 & 12 show continued boundary line inconsistencies. Hence, neither plat, nor Colman Property survey, nor Block 20 Amended Plat coincide.

Slide 14

Council has not been told the truth about 16 Main rear yard area use. Outline of facts deliberately kept or overshadowed from council.

Slide 15

In 1998, owner of Lots 11 & 12 asked for and was granted a lesser front yard and a zero foot rear yard setback to accompany moving of historic home from 148 Main to Lots 11 and 12. This request for an absolute minimum rear yard setback is self imposed.

Slide 16

As-Proposed Site Plan submitted for variance request for relocated home and new garage for Lots 11 and 12. Verification of this proposal, per dimensions of property and building placement shown, has been field confirmed.

Slide 17

Home Plan for proposed relocation of historic shack to be moved to 148 Main from across Poison Creek. Park City Building Dept records drawing shows existing grade of lot's area consistent with period photographs. Drawing shows discrepancy between east property line and historic property line. Drawing also shows non-compliant exterior parking stall, which would have had to be granted via variance, approved without public comment.

Slide 18

"Existing Conditions" of approved Park Construction Drawing only labeled minimal contours of complete park property. Drawing shows only existing grade contour lines of Lot 9 and portion of expanded area north and south of the paved walkway. Improvement of private patio clearly encroaches into Park City Owned park property.

Slide 19

Final Grading Plan from park construction drawings shows same contours as Existing Conditions Plan with final finish grade sloping away smoothly from sidewalk behind 146 Main. Final finish grade completed installation has dry stacked retaining wall along a line extending from Lot 11's north property line. This is inconsistent from approved grading plan.

Slide 20

Snippets of park design drawings for landscaping and irrigation sprinkler plan show initial planting and watering. Actual as-built planting has resulted in a tall solid visual barrier hedge along south side of walkway and complete sprinkler coverage for full park area behind 146.

Slide 21

Aerial photograph of property behind 146 shows healthy and well maintained lawn area. This has been consistent from 2008 – 2018. At which time it was left unattended to force action by city to "Do Something".

Slide 22

Close-up photographs of dry stacked retaining wall along south side of park sidewalk.

Slide 23

Excerpts from voice recorded public hearing, August 29, 2019, regarding potential sale of Main Street Park property to property owners along Main Street. Agenda item named "Consideration of Small Portions of City-Owned Property Located Near Upper Main Street and Daly Avenues with Conditions of Approval in a Form Approved by City Attorney."

Staff replies to council where question specifically asks about park boundary. Staff incorrectly answers councilman's direct question with "Thinking" Limits of Disturbance is a property boundary.

Later a councilman asks about intent of the park with no answer from staff. Staff was also asked about a Boy Scout project request to cut down obtrusive and visual barrier fencing with a "We took care of that." No details provided at the hearing. Scouts were prepared to work.

And more pointedly, the discussion was presented by staff for sale of property behind 170, 166, 158, 150 and 148 Main. No mention of 146 Main in entire voice recording. It could be extrapolated to indicate that property too could be sold.

Slide 24

What to do? Complete Main Street Park! This has never been done. It's time.

The city will have to extract the hedge vegetation to permit visibility to the rear of 146 Main. It will then have to verify and update sprinklers to cover the entire portion of Park property for reintroduction of new landscaping. New landscaping will have to be installed similar to Park property behind 148 for consistency and integrity. No cutting of the ADA hand railing for access to either 146 or 148 needs to be done. Dry stack sandstone retaining wall along south side of walkway should remain. A 'Land Bridge' similar to one connecting both sides of Poison Creek behind 148 has to be built at the southerly most point behind 146 for Park maintenance equipment and worker access.