PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH,
January 8, 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, January 8, 2015.

Closed Session
1:00pm To discuss Property, Personnel and Litigation

Study Session

2:50pmTransportation Master Plan Discussion	PG 4

Work Session

4:50pm Council Questions and Comments and Manager's Report	PG 34
5:00pm Consideration of the Mountain Accord Ramp Strategies	PG 69
5:20pm Historic District Grant Policy	PG 115
5:30pm Gantt Chart update	PG 123
5:45pm Break	

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. SWEARING IN CEREMONY OF SERGEANT RICK PENROD

V. APPOINTMENTS & RESIGNATIONS

1. Consideration of Appointment of Mayor Pro tem and alternate for 2015

VI. CONSIDERATION OF MINUTES FROM THE DECEMBER 11 AND 18, 2014 CITY COUNCIL MEETINGS PG 125

VII. CONSENT AGENDA *(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 the local consent of the Convention Sales License for Sundance PG 138

2. Consideration of the local consent of the Alcoholic Beverage License for Sundance PG 145

3. Consideration of the 2015 Annual Meeting Schedule for City Council PG 150

4. Consideration of Construction Agreement, in a form approved by the City Attorney, with Halverson Mechanical, for the procurement and installation of a new compressed air system for the Spiro Water Treatment Plant in an amount of $39,035.00. PG 154

5. Consideration of supporting the City Manager in formally appointing Kristin Parker and Karen Anderson as Deputy City Recorders of Park City Municipal Corporation. PG 158

6. Consideration of the recommended changes to the Historic Grant Policy PG 115

7. Consideration of amendments to the Housing Resolution PG 160

VI. NEW BUSINESS

1. Consideration of an Ordinance for the 923 Park Avenue Subdivision Plat Amendment pursuant to findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney PG 180
   (a) Public Hearing
   (b) Action

VII. ADJOURNMENT

PARK CITY REDEVELOPMENT AGENCY
SUMMIT COUNTY, UTAH
JANUARY 8, 2015

I. ROLL CALL

II. PUBLIC INPUT

III. CONSENT AGENDA PG 198

1. Resolution establishing a regular meeting date, time, and location for 2015 meetings and appointing officers of the Board of Directors of the Park City Redevelopment Agency

V. ADJOURNMENT

PARK CITY MUNICIPAL BUILDING AUTHORITY
SUMMIT COUNTY, UTAH
JANUARY 8, 2015

I. ROLL CALL

II. PUBLIC INPUT

III. MINUTES OF MEETING OF JUNE 12, 2014 PG 201

IV. CONSENT AGENDA PG 202

1. Resolution establishing a regular meeting date, time, and location for 2015 meetings and appointing officers of the Board of Directors of the Park City Municipal Building Authority

V. ADJOURNMENT

PARK CITY WATER SERVICE DISTRICT MEETING
SUMMIT COUNTY, UTAH
JANUARY 8, 2015

I. ROLL CALL

II. PUBLIC INPUT

III. CONSENT AGENDA PG 205

1. Resolution establishing a regular meeting date, time, and location for 2015 meetings and appointing officers of the Board of Directors of the Park City Water Service District

V. ADJOURNMENT

A majority of City Council members may meet socially after the meeting. If so, the location will be announced by the Mayor. City business will not be conducted. Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the City Recorder at 435-615-5007 at least 24 hours prior to the meeting. Wireless internet service is available in the Marsac Building on Wednesdays and Thursdays from 4 p.m. to 9 p.m. Posted: 01/05/2015 See: www.parkcity.org

City Council
Staff Report

Subject:	**Accelerated Transportation Master Plan Goal Achievement**
Author:	**Kent Cashel, Trans. Planning Director** **Nate Rockwood, Capital Budget, Debt and Grants Manager** **Brooks Robinson, Senior Transportation Planner**
Department:	**Transportation Planning**
Date:	**January 8th, 2015**
Type of Item:	**Informational – Study Session**

Summary Recommendations:
Staff will present a framework and list of actions designed to accelerate the achievement of Transportation Master Plan goals. Council should read this report and come prepared to discuss the framework and list of prioritized actions.

Background:
Park City Council adopted the Transportation Master Plan (TMP) on October 6, 2011.

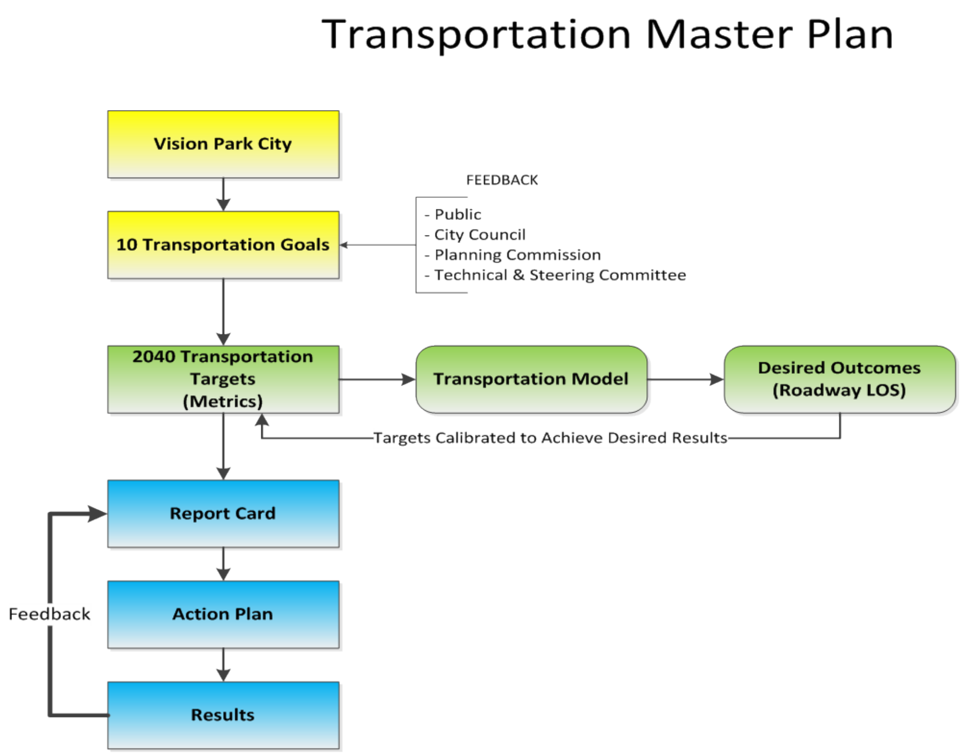
The TMP set forth 10 goals that were developed through a lengthy and methodical process that examined and incorporated input from:

- Vision Park City
- Park City Council
- Park City Planning Commission
- technical and stakeholder committees
- general public (provided at two public open houses and two City Council meetings).

Each of the 10 TMP goals has 2-4 targets (or metrics) associated with it. There are a total of 31 TMP targets.

Staff reviewed the TMP and its goals/metrics/report card with Council at the October 9th, 2014 work session. Council re-affirmed its commitment to the plan and requested that Staff return with a framework and list of actions that would enable the City to achieve TMP goals more rapidly.

The graphic found on the following page depicts the relationship of the goals and targets to the ongoing TMP management process.



A copy of the October 9th Staff report may be found at the link below:
http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=13416

Analysis:
Staff conducted a review of the goals and targets set forth in the TMP and have identified tasks that will need to be accomplished to accelerate the achievement of these goals.

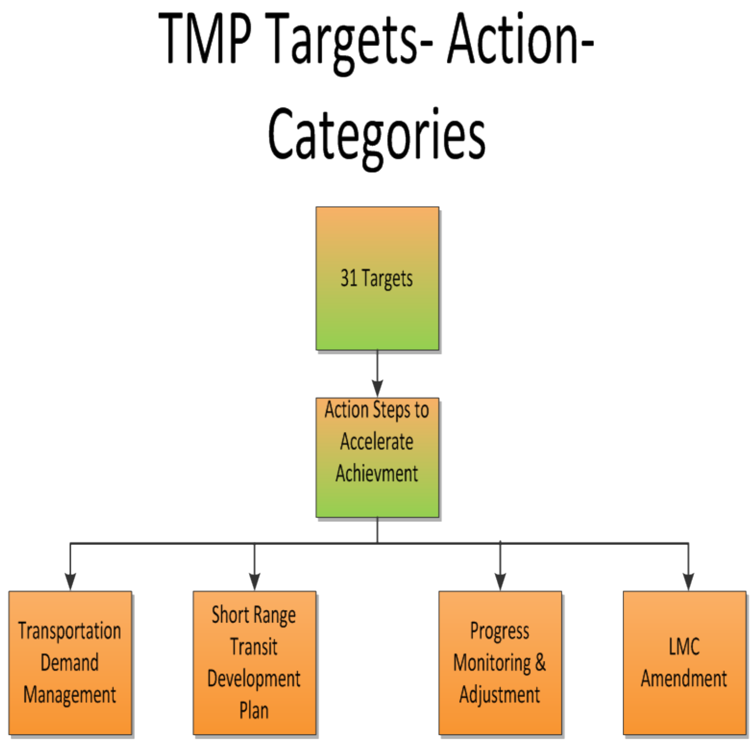
The TMP goals and targets were set to be achieved on or before 2040. Staff chose three time periods within which to achieve (or to make significant progress towards achieving) TMP goals as follows:

- Short Term 0-5 years
- Mid-Term 6-10 years
- Long-Term 11-25 years

Staff looked at each of the 31 goal targets and determined what specific actions would be required to achieve the target (or to make significant progress towards achieving the target) within each of the above terms. A table containing Staff's analysis and action plans is attached at the end of this report.

Staff found that these required actions fit nicely into four categories based upon their individual characteristics. Those categories are:

- Transportation Demand Management (TDM)
- Short Range Transit Development Plan
- Ongoing Progress Monitoring & Adjustment
- Land Management Code Amendment

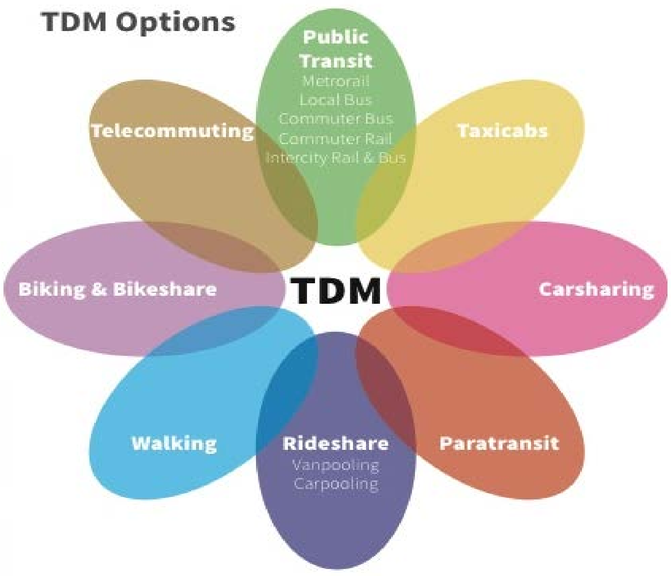


The categories of action items that were identified are contained in the table below:

Action Step Category	Key Action for Metric Achievement	% of total Metrics
Transportation Demand Management (TDM)	13 Metrics	42%
Short Range Transit Development Plan (SRTDP)	7 Metrics	23%
Progress Monitoring & Adjustment	9 Metrics	26%
Amend Land Management Code	2 Metrics	9%
Totals	31 Metrics	100%

The findings detailed above indicate that to accelerate achievement of the TMP goals the City should focus on these four "Action Step" categories. Following is a brief overview of each of these four categories and is followed by a brief discussion regarding the need to develop a financial plan to ensure required financial resources are in place when needed.

Transportation Demand Management TDM



Transportation demand management, traffic demand management or travel demand management (all TDM) is the development and application of strategies and policies to reduce travel demand (specifically that of single-occupancy private vehicles), or to redistribute this demand in space or in time.

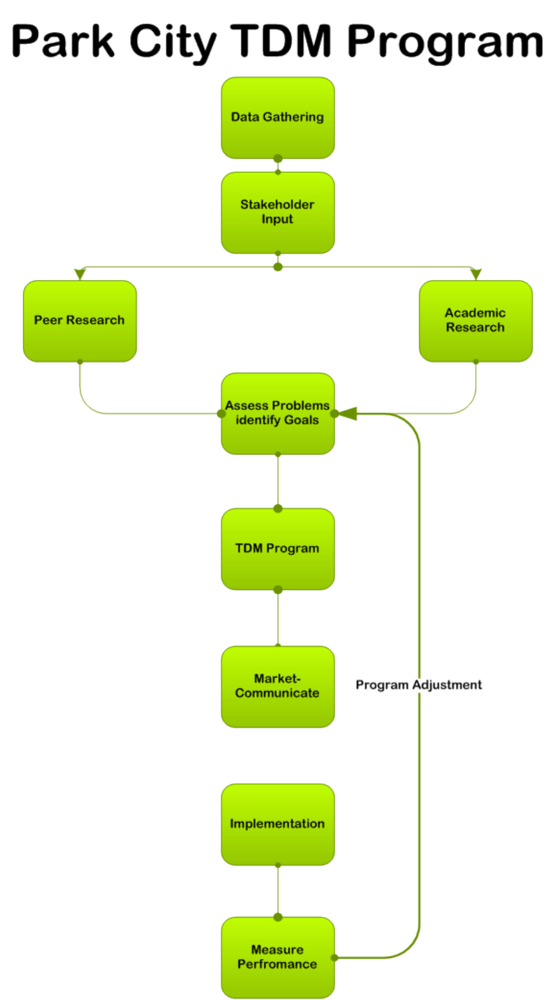
In the simplest of terms TDM is about moving more people without accommodating more cars. TDM is about creating awareness and an environment that supports mode choices other than the single occupant vehicle (e.g., ride sharing, walking, transit or flexible working hours). Staff believes that prior to embarking on an aggressive transit service expansion plan a comprehensive TDM plan should be established to support and promote an alternative travel choice (walking, biking, and transit).

The graphic above depicts a few of the TDM tools (or strategies) available to the City. Staff will present more of these tools at the January 8 Study Session.

An effective TDM program will incorporate many TDM strategies (tools) that are carefully targeted at those travelers whose demographics, travel patterns and travel needs indicate they have a high probability of being receptive to changing their mode of travel.

Developing and implementing a TDM program will involve several steps.

1. Gathering data to understand local and regional transportation patterns.
    a. Demographics
    b. Travel Patterns (time of day, origin, destination and etc.)
2. Facilitate Stakeholder Input



3. Research of successful programs
4. Assessing problem areas and setting goals for program.
5. Assessing most effective program of strategies (tools) to achieve goals.
6. Marketing- communicating the program
7. Implementing the program
8. Ongoing program monitoring and adjustment

The following discussion provides a brief summary for each level of accelerated trajectory. It is important to understand that these summaries are intended to provide a good "order of magnitude" time and resource requirement. More detailed analysis should be completed once Council has provided direction on its preferred approach and timeline.

Short Term (0-5 years)

To develop an effective TDM within this time frame staff will require the assistance of contractors experienced in developing TDM programs. Staff and consultant will work side by side to create and to begin executing the 8 required steps detailed above. This assistance will streamline the development of a well-designed and effective TDM plan.

The table below contains a summary level action plan with milestones and estimated costs.

Short Term (0-5 year) TDM Action Plan

Milestone	Estimated Completion Date	Estimated Cost (In 1000's)
1. Develop Scope of Work and procure consultant	3 months	Staff time only
2. Gather local-regional motorists travel characteristics and traffic pattern data.	6 months	\$100 -120K
3. Conduct research determine appropriate TDM strategies and develop implementation plan.	6 months	\$100-120K
4. Implement plan	12 months	\$50 -60K
5. Monitor and Adjust plan	Ongoing	Staff time only
Totals	**27 months**	**\$250-300K**

Program implementation and monitoring will likely require an additional FTE under contract or as a full time regular employee (Cost not reflected above).

TDM - Mid-Term (6-10 years)

Staff could accomplish the development and implementation of an effective TDM plan with a minimal amount of contractor support. The time required is lengthened due to other task commitments and lower level of in-house experience in developing and implementing TDM programs (requiring time to investigate and learn).

The table below contains a summary level action plan with milestones and estimated costs to achieve:

Mid Term (6-11 year) TDM Action Plan

Milestone	Estimated Completion Date	Estimated Cost (in Thousands)
1. Develop Scope of Work and Procure Consultant	3 months	Staff time only
2. Gather local-regional motorists travel characteristics and traffic pattern data.	24 months	$35-50K
3. Conduct research determine appropriate TDM strategies and develop implementation plan.	24 months	$35-50K
4. Implement Plan	18 months	$20-25K
5. Monitor and Adjust Plan	Ongoing	Staff time only
Totals	**69 months**	**$90-125K**

It is important to note the following:

1. a large volume of Staff time will need to be devoted under this approach
2. Program implementation and monitoring will likely require an additional FTE under contract or as a full time regular employee (Cost not reflected above).

Long Term (11-25 years)

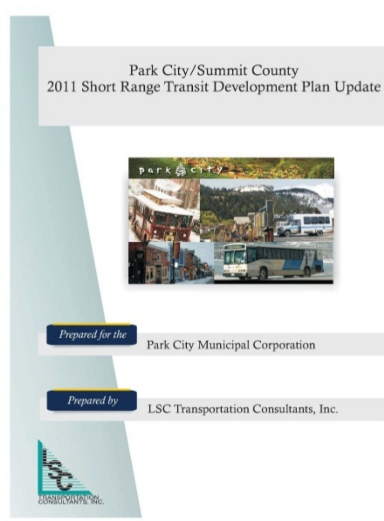
Staff believes the above table represents what can be achieved in the mid and long term achievement trajectories.

It is important to note that all of the TDM action plans (short, mid and long term) do not guarantee the City will achieve its ridership targets within the term but does represent significant progress towards achieving those goals.

<u>Short Range Transit Development Plan</u>

A Short Range Transit Development Plan identifies 5 year policy, service enhancements, capital investment and management actions that will move the City closer to its long range transit goals set forth in the TMP.

The SRTDP is a significantly more detailed "operational level" plan that constrains the recommended actions within a 5 year budget. The Federal Transit Administration requires the SRTDP as a prerequisite to providing financial assistance. The SRTDP will guide the Transit efforts of the City during the 5 years covered by the plan.



The most recent City\County SRTDP was completed in and adopted 2011 prior to the adoption of the City's TMP later that year. With rapid local\regional traffic growth and a sharper focus on accelerating transit expansion Staff believes the current plan should be updated prior to its scheduled expiration in 2016.

Staff's extensive experience with prior plans indicate that this project will require 10 months to complete (by November-December 2015) and will cost approximately $120,000 in consulting assistance. Staff has recently secured a Federal Transit Administration Grant that will cover $100,000 of this expense (80% federal share). Should Summit County choose to participate the City's financial commitment to this task would be $10,000 (50% of local share).

Ongoing Progress Monitoring and Adjustment

Progress monitoring and adjustment will be critical to determining if the City is making sufficient progress towards achieving its Transportation goals. This monitoring will occur (at a minimum) each fall with the preparation and presentation of the TMP report card to Council. This schedule will provide time for initial presentation and discussion with Council in time to include any adjusted action plans and associated financial requirements in the following year's budget process for consideration and disposition.

It is likely as time passes the plans and action items intended to achieve those goals will need to be adjusted. This process of adjusting and pursuing action items could bring additional work load and financial impacts that cannot be realistically anticipated or estimated at this time.

Land Management Code (LMC) Amendments

Goal Number 9 of the TMP requires that major new land developments (greater than 200 ERU's support clustered and diverse land uses and projects of this magnitude provide transportation, facilities, services and infrastructure to support balanced modal use (transit, trails and high occupant vehicles).

To ensure these requirements are in place will require a careful review of LMC requirements and amendment if the above requirements are not in place. City Transportation Planning and Planning staff are coordinating to ensure that this review and amendment takes place concurrent with the LMC update. Planning staff have indicated that the time frame for the update of the associated Code sections is scheduled to occur May-Aug 2015.

Financial Plan

The City's TMP anticipates significant transit service expansion and related capital investment. Staff anticipates that this expansion and enhanced investment will require the City to secure additional Transit revenue sources.

The City's Budget Department maintains a Transit Fund financial model that provides the ability to model the impact of expanded transit service and capital investment on the fund. The budget department will present more of this model at the Study session. What follows is a brief summary of the financial model output.

Transit Fund expenditures will exponentially increase to meet TMP transit service and capital goals (approximately $1.5 million dollars per year). While this level of increase may or may not be required, staff believes it is important to know if these goals are sustainable over the long run.

The above service level increases were entered into the financial model and a couple of key points resulted.

- On a cash flow basis the current level of transit service is sustainable over the long run. That is revenue and expenses are at ,or close to, equilibrium.

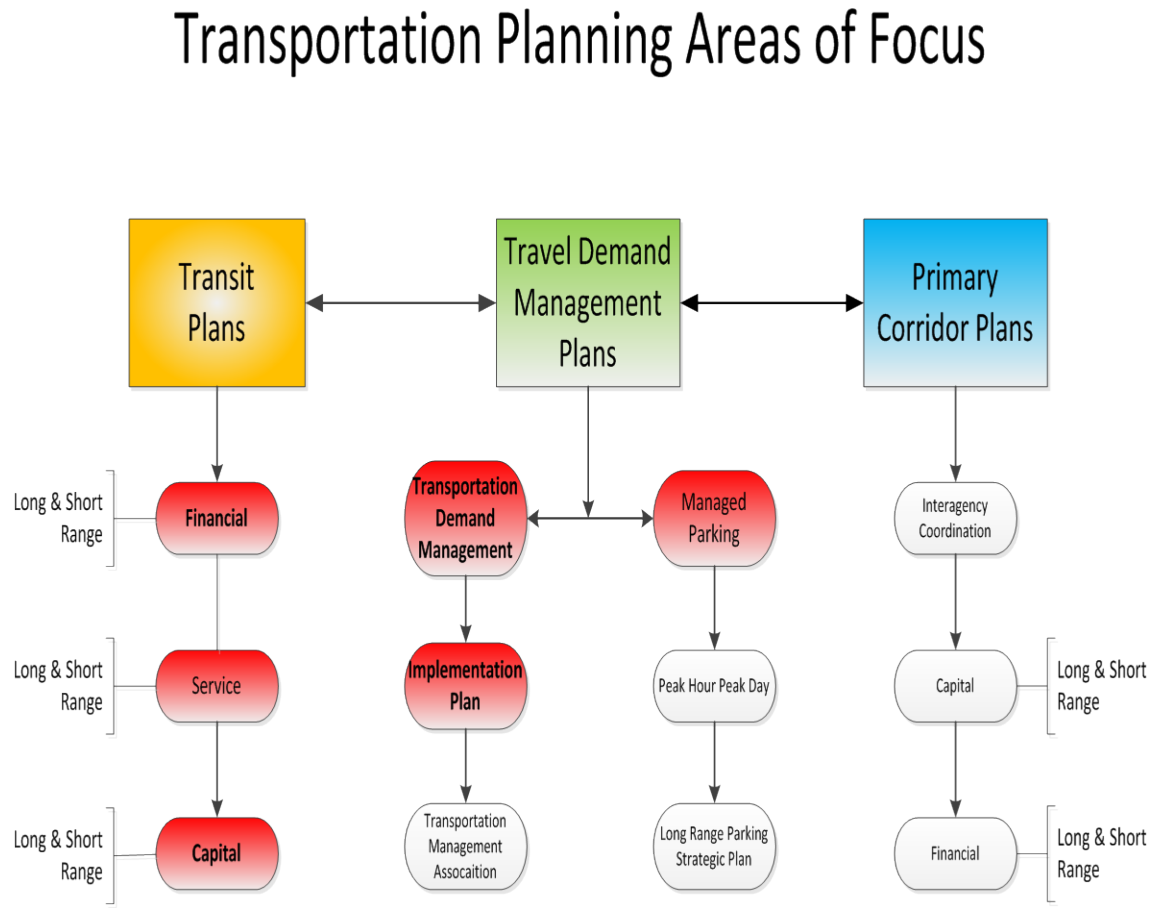
- The service levels called for in the TMP are not sustainable on a cash flow basis. The Transit fund would begin dipping into reserves in 3 years or so with this condition worsening with each passing year.

It is clear, should Council choose to expand transit services to meet TMP goals additional revenue sources will need to be identified. Some potential funding sources are as follows:

- Levy an additional .0025 Transit Sales Tax.
- Paid parking revenues
- Increased business license fees
- Regional partners (sharing in expense)
- Institute fares

Staff believes that a long term Transit financial plan designed to support the TMP goals should be developed. This plan would identify and recommend required revenues, identify sources to meet those needs, and set out an action plan to secure those sources. Staff could begin working on this financial plan immediately and anticipates it will require approximately six months to complete and can be accomplished within the existing budget.

The graphic below depicts how a plan to achieve TDM goals will fit into the Transportation Planning Departments work plan. The red capsules indicate areas where the action plan will be situated within the transportation planning department's areas of focus.



Summary

Staff believes the action steps identified are the most practical and prudent way for the City to proceed in pursuit of achieving its TMP goals. It is important to note that all TMP Goals will not be achieved without additional effort and investment that are not reflected here. The action steps identified in this report will provide a solid understanding and plans that will guide the City's efforts and investment.

The table below consolidates the action steps for each of the three time frames into one table. The mid and long term approaches take the same time to accomplish the difference would be when efforts would begin.

	Short Term (0 -5 Years)	Mid Term (6-11 Years)	Long Term (12-25 Years)
TDM Program	**Consultant Assisted** **27 Months** **$250-300K**	**Staff Developed** **69 Months** **$90-125K**	**Staff Developed** **69 Months** **$90-125K**
Short Range Transit Plan	**$10-20K**	**$10-20K**	**$10-20K**
LMC Amendment	**Yes**	**Yes**	**Yes**
Finance Plan	**Yes**	**Yes**	**Yes**
Estimated Cost	$270-320K	$100-145K	$100-145K
Estimated Critical Path (Time) to completion	27 Months	69 Months	69 Months

Department Review:
This study session report has been reviewed and commented on by City Manager's office, City Attorney's office, Public Works, Economic Development and Planning. Any and all comments received have been addressed in the report.

	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 + Well-utilized regional public transit	+ Reduced municipal, business and community carbon footprints	+ Shared use of Main Street by locals and visitors	+ Fiscally and legally sound + Well-maintained assets and infrastructure + Streamlined and flexible operating processes
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Very Positive	Positive	Positive	Very Positive
Comments:				

Funding Source: Adequate funds exist in the Transit Fund to finance any of the accelerated goal achievement scenarios. Appropriate staff will include any additional needs in their departmental business plan and FY2016 budget request.

Recommendation:
Staff will present a framework and list of actions designed to accelerate the achievement of Transportation Master Plan goals. Council should read this report and come prepared to discuss the framework and list of prioritized actions.

		Steps Required to Achieve (or make significant progress towards achieving) Goal in Term		
	Current Condition	Short Term 0-5 Years	Medium Term 6-10 Years	Long Term 11-25 Years
GOAL 1. Park City will have a multimodal transportation system with complete streets and balanced availability of pedestrian, bicycle, transit and auto travel.				
a) Drive-alone mode share for trips on gateway corridors into Park City jobs will decrease to 50 percent (from over 70 percent today).	SR-224 70% SR-248 76%	TDM Policies & Program – Contractor Assisted	TDM Policies & Program – Staff	TDM Policies & Program

		Steps Required to Achieve (or make significant progress towards achieving) Goal in Term		
	Current Condition	**Short Term** 0-5 Years	**Medium Term** 6-10 Years	**Long Term** 11-25 Years
b) The percentage of housing units within ¼ mile from transit routes (while maintaining transit service standard of minimum four units/acre) and paved multiuse trails will increase to 100 percent (from approximately 80 percent and 60 percent, respectively, today).	94% of housing (density of 4 or more units per acre) within ¼ mile of transit service.	Route improvements and demand determination for routes to serve missing housing included in next short Range Transit Development Plan	Route improvements and demand determination for routes to serve missing housing included in next short Range Transit Development Plan	Route improvements and demand determination for routes to serve missing housing included in next short Range Transit Development Plan
c) Changes to individual street cross sections will be addressed on a case by case basis but will put city-wide emphasis on providing "complete street" infrastructure that supports walking, biking, transit, and carpools over single occupant vehicles.	Ongoing as streets are scheduled for reconstruction	Ongoing Monitoring of program effectiveness.	Ongoing Monitoring of program effectiveness.	Ongoing Monitoring of program effectiveness.

		Steps Required to Achieve (or make significant progress towards achieving) Goal in Term		
	Current Condition	**Short Term** 0-5 Years	**Medium Term** 6-10 Years	**Long Term** 11-25 Years
GOAL 2. Park City's residents, workers, visitors and guests will have access to convenient transit for circulation throughout the City.				
a) Daily bus hours of local transit service in Park City will increase to 450 hours (from approximately 200 hours today).	203.7 hours of local service per day.	50 -250 additional daily bus hours per year. (50%- 125% growth rate)	25-42 additional daily bus service hours per year. (13-21% growth rate)	9 additional daily bus hours of local service per year (4.5 % growth rate)
b) Peak hour frequency on Park City's spine transit network will reach 10 minutes and support timed transfers to regional transit service.	Current Spine Frequency SR-224 North of SR248 30 min Sr-248 W of Wyatt Earp 13 min Park Avenue 10 min Transit Center to DVR 14 min PCMR to Main 10min	Determined by demand and included in Short Range Transit Development Plan	Determined by demand and included in Short Range Transit Development Plan	Determined by demand and included in Short Range Transit Development Plan
c) Transit travel times will remain within 10 minutes of drive times on major origin destination pairs within Park City.	Goal Currently achieved	Routing to be optimized in next Short Range Transit Development Plan	Routing to be optimized in next Short Range Transit Development Plan	Routing to be optimized in next Short Range Transit Development Plan

		Steps Required to Achieve (or make significant progress towards achieving) Goal in Term		
	Current Condition	**Short Term** 0-5 Years	**Medium Term** 6-10 Years	**Long Term** 11-25 Years
GOAL 3. Park City's residents, workers, day visitors and overnight guests will have efficient, direct and convenient regional transit connections from and to area resorts, Salt Lake and Utah Counties, and other communities of the Wasatch Back.				
a) Average daily bus hours of regional transit service connecting Park City to points within Salt Lake, Utah, Wasatch Counties, and other parts of Summit County will reach 350 hours (from approximately 85 hours today).	98 daily hours of regional transit service.	50 -250 additional daily bus hours per year. (62% - 311% growth rate)	17-28 additional daily bus service hours per year. (31%- 52% growth rate)	9 additional daily bus hours of local service per year (12% -28% growth rate)

		Steps Required to Achieve (or make significant progress towards achieving) Goal in Term		
	Current Condition	**Short Term** 0-5 Years	**Medium Term** 6-10 Years	**Long Term** 11-25 Years
b) Weekday commuter transit service will efficiently connect Park City with at least five other cities/communities in the Wasatch Front and Back as demand dictates.	Currently 2 1. Snyderville Basin 2. Salt Lake City	Determined by demand and included in Short Range Transit Development Plan	Determined by demand and included in Short Range Transit Development Plan	Determined by demand and included in Short Range Transit Development Plan
c) Annual ridership will grow to exceed 5 million passengers (from under 2 million today).	Approximately 2 million annually	TDM Policies & Program – Contractor Assisted	TDM Policies & Program – Staff	TDM Policies & Program

		Steps Required to Achieve (or make significant progress towards achieving) Goal in Term		
	Current Condition	**Short Term** 0-5 Years	**Medium Term** 6-10 Years	**Long Term** 11-25 Years
d) Park City will build and/or support, through transit service and rideshare programs, continued expansion of intercept park-and-ride facilities at all gateway corridors.	SR-248 facility in place awaiting signal & Dedicated Bus Lane SR-224 project unfunded in Snyderville Basin Plan	TDM Policies & Program – Contractor Assisted SR-248 service could be activated depending on UDOT funding availability for SR-248 dedicated bus lane.	TDM Policies & Program – Staff SR-224 Park and Ride will require approximately 6.5 million in funding.	TDM Policies & Program - Staff

		Steps Required to Achieve (or make significant progress towards achieving) Goal in Term		
	Current Condition	**Short Term** 0-5 Years	**Medium Term** 6-10 Years	**Long Term** 11-25 Years
GOAL 4. Park City will have a complete and well-connected network of trails, bicycle lanes and sidewalks that supports safe, convenient and pleasant walking and bicycling to accommodate the needs of residents, visitors, and guests for short trips within the City and surrounding neighborhoods.				
a) All of the primary bicycle corridors identified in the Park City Transportation Master Plan will be completed and open to use and redundant systems for multiple users will be planned and initiated.	All primary bicycle corridors scheduled for completion by late Fall 2015	Ongoing Monitoring Projects funded and underway	Ongoing Monitoring Projects funded and underway	Ongoing Monitoring Projects funded and underway

		Steps Required to Achieve (or make significant progress towards achieving) Goal in Term		
	Current Condition	**Short Term** 0-5 Years	**Medium Term** 6-10 Years	**Long Term** 11-25 Years
b) At least 75 percent of the linear mileage of secondary bicycle corridors identified in the Park City Transportation Master Plan will be completed and open to use.		<u>Ongoing Monitoring</u> Funding and projects are scheduled for completion by 2018	<u>Ongoing Monitoring</u> Funding and projects are scheduled for completion by 2018.	<u>Ongoing Monitoring</u> Funding and projects are scheduled for completion by 2018.
c) Park City will establish roadway automobile capacity trigger points on major roadways (commercial collectors and arterials) that will require a proactive review of the roadway cross section with emphasis on providing "complete streets" which improve serving balanced modes of users either directly on the corridor or on parallel corridors.	Thresholds established and monitoring program established	Ongoing Monitoring	Ongoing Monitoring	Ongoing Monitoring

		Steps Required to Achieve (or make significant progress towards achieving) Goal in Term		
	Current Condition	**Short Term** 0-5 Years	**Medium Term** 6-10 Years	**Long Term** 11-25 Years
GOAL 5. Mobility and accessibility in Park City will be as good or better than today while achieving a net reduction in the amount that each person drives a car.				
a) Park City VMT will be tracked based on automobile counts at the major gateway corridors and will not increase faster than Park City housing or job growth.	VMT currently growing faster than jobs and population growth	TDM Policies & Program – Contractor Assisted	TDM Policies & Program – Staff	TDM Policies & Program
b) Park City will track the automobile drive time between three major internal origin destination pairs on an annual basis and will mitigate traffic congestion when travel times increase above 10 percent on any given year.	Goal currently achieved	TDM Policies & Program – Contractor Assisted	TDM Policies & Program – Staff	TDM Policies & Program

		Steps Required to Achieve (or make significant progress towards achieving) Goal in Term		
	Current Condition	**Short Term** 0-5 Years	**Medium Term** 6-10 Years	**Long Term** 11-25 Years
c) Park City will track the ratio of drive time to bicycle travel time and transit travel time between three major internal origin destination pairs and will take proactive steps to maintain increasing ratios.	Historical times not measured and recorded prior to 2014.	Transit routing to be optimized in next Short Range Transit Development Plan	Transit routing to be optimized in next Short Range Transit Development Plan	Transit routing to be optimized in next Short Range Transit Development Plan
GOAL 6. Park City's street network will be well-maintained, with streets that are not significantly wider than today and without a significant increase in lane mileage.				
a) Lane miles of Park City streets will not exceed 250 (from 200 today, not including Park City Heights). This objective does not reflect new roads in potential annexation areas.	Lane miles of roads within Park City including (SR-224 & SR-248) currently = 20.	TDM Policies & Program – Contractor Assisted	TDM Policies & Program – Staff	TDM Policies & Program

		Steps Required to Achieve (or make significant progress towards achieving) Goal in Term		
	Current Condition	**Short Term** 0-5 Years	**Medium Term** 6-10 Years	**Long Term** 11-25 Years
b) Park City will track pavement condition on a continuous basis using a Remaining Service Life (RSL) scale with 20 years being the best possible condition. Park City collector and higher functioning streets will have an RSL of no less than 8.0.	RSL is Currently 8.8	Ongoing Monitoring of program effectiveness.	Ongoing Monitoring of program effectiveness.	Ongoing Monitoring of program effectiveness.
c) All elements of the transportation system including street furniture, transit equipment, signs, striping, etc. will be kept in good condition.	Goal Currently Achieved. Maintenance plans developed, budgeted and operational for all identified system components.	Ongoing Monitoring of program effectiveness.	Ongoing Monitoring of program effectiveness.	Ongoing Monitoring of program effectiveness.

		Steps Required to Achieve (or make significant progress towards achieving) Goal in Term		
	Current Condition	**Short Term** 0-5 Years	**Medium Term** 6-10 Years	**Long Term** 11-25 Years
GOAL 7. Park City's transportation system will contribute positively to public health and quality of life by achieving a high level of travel safety and by creating an environment that supports active living.				
a) The crash rate for reported traffic crashes within Park City will be no more than 3.5 crashes per million vehicle miles.	6.98 per million vehicle miles. (Historical year over year decrease)	Ongoing Monitoring	Ongoing Monitoring	Ongoing Monitoring
b) Park City will take positive steps to react to all fatalities resulting from traffic crashes with a goal of achieving zero fatalities within Park City.	O fatalities Protocol to review all fatalities and recommend roadway improvements for any element that contributed to fatal accident.	Ongoing Monitoring	Ongoing Monitoring	Ongoing Monitoring

		Steps Required to Achieve (or make significant progress towards achieving) Goal in Term		
	Current Condition	**Short Term** 0-5 Years	**Medium Term** 6-10 Years	**Long Term** 11-25 Years
c) Park City will establish a bicycle and pedestrian count program on at least five major trail corridors on the primary network and will achieve incremental increases of over 25 percent with the completion of major corridors and steady increases of over 10 percent per year.	<u>Brooks</u> Determine current status develop plan to meet target . Work with Heinrich	TDM Policies & Program – Contractor Assisted	TDM Policies & Program – Staff	TDM Policies & Program
d) Park City Engineering will coordinate with police and public safety services to provide annual crash statistics on the street system.	Protocol in place	Annual gathering of crash statistics.	Annual gathering of crash statistics.	Annual gathering of crash statistics.

		Steps Required to Achieve (or make significant progress towards achieving) Goal in Term		
	Current Condition	Short Term 0-5 Years	Medium Term 6-10 Years	Long Term 11-25 Years
GOAL 8. Park City's transportation system will contribute positively to improved environmental, social and economic sustainability of the community.				
a) Annual petroleum consumption by surface transportation within Park City will be no more than 470,000,000 kBTU equivalent (from approximately 570,000,000 kBTU equivalent today).	576.2 million	TDM Policies & Program – Contractor Assisted	TDM Policies & Program – Staff	TDM Policies & Program
b) Annual greenhouse gas emissions from surface transportation with Park City will be no more than 50,000 short tons (approximately equal to today).	50,181 million	TDM Policies & Program – Contractor Assisted	TDM Policies & Program – Staff	TDM Policies & Program

		Steps Required to Achieve (or make significant progress towards achieving) Goal in Term		
	Current Condition	**Short Term** 0-5 Years	**Medium Term** 6-10 Years	**Long Term** 11-25 Years
c) Parking pricing, transit fares, and other cost incentives will be used to minimize or decrease the growth in overall vehicle miles traveled (VMT) while supporting a strong and growing Park City visitor base.	Main Street Paid Parking. Peak-Day, Peak-Hour Task Force	TDM Policies & Program – Contractor Assisted	TDM Policies & Program – Staff	TDM Policies & Program

		Steps Required to Achieve (or make significant progress towards achieving) Goal in Term		
	Current Condition	**Short Term** 0-5 Years	**Medium Term** 6-10 Years	**Long Term** 11-25 Years
GOAL 9. Park City's transportation system will support development of clustered and diverse land use centers by providing convenient multimodal access to each center concurrent with its development.				
a) Major new land developments (of greater than 200 additional Equivalent Residential Units) will be required to provide clustered and diverse land uses in order to minimize their impact on transportation infrastructure.	Need to ammend LMC to include appropriate language	Scheduled to integrate language into LMC update – (currently scheduled for May-July 2015)	Ongoing Monitoring of Effectiveness	Ongoing Monitoring of Effectiveness

		Steps Required to Achieve (or make significant progress towards achieving) Goal in Term		
	Current Condition	**Short Term** 0-5 Years	**Medium Term** 6-10 Years	**Long Term** 11-25 Years
b) Major new land developments (of greater than 200 additional Equivalent Residential Units) will not be approved unless or until concurrent transportation facilities, services, and infrastructure can be in place to offer balanced modal use (transit, trails, and high occupant vehicles).	Need to ammend LMC to include appropriate language	Scheduled to integrate language into LMC update – (currently scheduled for May-July 2015)	Ongoing Monitoring of Effectiveness	Ongoing Monitoring of Effectiveness

		Steps Required to Achieve (or make significant progress towards achieving) Goal in Term		
	Current Condition	**Short Term** 0-5 Years	**Medium Term** 6-10 Years	**Long Term** 11-25 Years
GOAL 10. Park City will use system management and demand management techniques to minimize the financial burden and environmental impact of local transportation facilities.				
a) Traffic flows on Park City roads and streets (including state highways) will be managed for efficient multimodal operations through comprehensive signal synchronization and use of intelligent transportation systems (ITS) technologies such as variable and demand-based pricing, real time parking and transit information, etc.	Need to develop ITS plan, SCATS already exists.	TDM Policies & Program – Contractor Assisted Staff to bring recommendations to Council on ITS signage and related capital request as part of 2015 Budget	TDM Policies & Program – Staff	TDM Policies & Program

		Steps Required to Achieve (or make significant progress towards achieving) Goal in Term		
	Current Condition	**Short Term** 0-5 Years	**Medium Term** 6-10 Years	**Long Term** 11-25 Years
b) Park City's festivals and special events will feature coordinated transportation strategies that minimize impacts of vehicular traffic while fostering growth in economic benefits.	Coordination protocol currently in place	Ongoing Monitoring of Program Effectiveness	Ongoing Monitoring of Program Effectiveness	Ongoing Monitoring of Program Effectiveness
c) Park City will be viewed as an innovator in offering effective travel demand management incentives through both public and private programs.	TDM program not yet developed or implemented	TDM Policies & Program – Contractor Assisted	TDM Policies & Program – Staff	TDM Policies & Program

Manager's Report

Subject: Western Summit County Project Master Agreement Update

From: Clint McAffee, Water and Streets Director

Date: January 8, 2015

In June of 2013, Council authorized the City Manager to execute the Western Summit County Project Master Agreement (Master Agreement) between Weber Basin Water Conservancy District (WBWCD), Park City Water Service District, Mountain Regional Water Special Service District, Summit Water Distribution Company, Snyderville Basin Water Reclamation District, Trilogy Limited, Leon H. Saunders, and Summit County, in a form approved by the City Attorney.

Based on several studies by the U.S. Bureau of Reclamation and other entities, the existing water supplies in the Synderville Basin are not sufficient to meet the water needs of the area in the future. The Master Agreement is the result of an effort between the parties, led by WBWCD, to define how much water is needed by each party, when it is needed, infrastructure required to move the water to the needed area, and the financing of the infrastructure and water.

The Master Agreement provides Park City and other participants the ability to enter into water sales contracts with WBWCD to satisfy their water demands and WBWCD will be obligated to deliver the needed water supply. In the short term, this will be done by utilizing existing surplus water resources that currently exist within the Snyderville Basin. In the long term, additional water supply and infrastructure will be required and WBWCD will be responsible for selecting, constructing, and operating new water supply and/or storage projects.

Water sales contracts with WBWCD will be based on information provided by each party per the process outlined below.

- On an annual basis, each party will provide to WBWCD rolling 10-Year Projections of Excess Capacity, Surplus Water and Demand.
    - Excess Capacity is each participant's excess capacity in treatment, transmission, and distribution facilities that WBWCD could use to treat, convey, and distribute water to other participants.
    - Surplus Water is water that is surplus to each participant's demands that WBWCD could supply to other participants.
    - Demand is each participant's water demand needs.

- On an annual basis, each participant will provide to WBWCD rolling 5-Year commitments for WBWCD's use of Excess Capacity of their Facilities and Surplus Water. Water sales contracts will be based on these commitments.

Park City Water Supply and Demand

Not including redundancy in supply, staff estimates that Park City will not have a water supply deficit until about 2031 for peak day demand. Currently when planning for water supply, a certain amount of supply redundancy is added to ensure adequate supply during emergency conditions such as tunnel collapse or other mechanical failures that would limit certain sources. Staff generally uses a required redundant supply of about 20% in terms of peak day demand. With redundancy included in the analysis, Park City is almost at its capacity on a dry year using present day supply and projected demand values. In other words, according to our water supply projections, on the day where we experience the highest water demand (typically in July or August) there should be enough water supply to meet demand plus surplus for redundancy.

However, over the past five years we have measured actual demand that is less than the projected demand. For example, in the years 2011, 2012, 2013 and 2014, actual demand was less than projected demand by 25%, 10%, 20%, and 13% respectively. While 2011 was a very wet year, 2012, 2013, and 2014 were dry, hot years for much of the summer where demand was expected to be higher. Staff has not had to implement any portion of Park City's drought ordinance recently due to the lower than expected demands. In addition to lower than projected demand, staff has been working closely with the Golf and Parks Departments to develop plans to temporarily reduce water consumption at City operated facilities in the event of a source failure.

The best available data and estimating methods have been used to project the supply and demand and staff is confident Park City can base general long term water supply planning on this information. However, this information will require review and adjustment on an annual basis to account for changing growth patterns, climate change effects, and other factors affecting water supply and demand.

Based on this information and as required by Section 2.1 (b) of the Master Agreement, staff is providing updated rolling 10-Year Projections of Excess Capacity, Surplus Water and Demand to Weber Basin that does not show the need for additional water supply in the next five years. As a result, Park City will not need to commit to a water sales contract at this time. Also, staff is not indicating Excess Capacity or Surplus Water in our update. As a result of needed supply redundancy and other factors, staff has shown a potential need in the 10-year projection that is beyond the immediate 5-year period.

Exhibit D of the Master Agreement is shown below. **Unless Council would like to discuss Exhibit D further in a future Work Session staff will send Exhibit D to WBWCD by January 12, 2015. Please let staff know as soon as possible if Council would like to delay this submittal to WBWCD so staff can notify WBWCD accordingly.**

EXHIBIT D

Excess Capacity, Surplus Water and Demand Schedule

Park City Water Service District

Year	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Excess Capacity										
Peaking Factor*	0	0	0	0	0	0	0	0	0	0
Surplus Water										
Raw Water	0	0	0	0	0	0	0	0	0	0
Point of Delivery	NA									
Charge	NA									
Finished Water	0	0	0	0	0	0	0	0	0	0
Point of Delivery	NA									
Charge	NA									
Demand										
Raw Water										
Annual Volume										
Peak Day (gpm)	0	0	0	0	0	0	200	200	200	200
Capacity Needs										
Point of Delivery	Silver Creek Meter Vault									
Finished Water										
Annual Volume										
Peak Day (gpm)	0	0	0	0	0	0	0	0	0	0
Capacity Needs										
Point of Delivery	NA									

MANAGER'S REPORT – January 8, 2015

Submitted: Matthew Dias, ACM
Subject: Sister City Travel to Courchevel

On December 4, 2014, staff requested Council direction in response to an invitation from the new Mayor of Courchevel, France. As discussed, Park City has a long-standing relationship with Courchevel, our Sister City, codified in 1984. The invitation sought to reinvigorate the relationship by way of a winter 2015 diplomatic visit.

After discussing the history of the relationship and the existing student exchange program, as well as taking input from the public, Council directed staff to facilitate a positive response to the Courchevel invitation. Fortunately, former Mayor, Brad Olch, was traveling to Courchevel the following week and was able to personally hand-deliver the City's response to their Mayor.

Subsequently, Mayor Thomas, Staff, and Tina Quayle, working with our French colleagues, selected travel dates of January 17-24. In addition, Mayor Thomas requested permission from the French to include at least one representative from each ski resort to join the Delegation. This request was received enthusiastically by the Courchevel Mayor and his resort counterparts.

The Park City Delegation will consist of the following individuals:

- Mayor Jack Thomas & Margarethe Thomas
- Tina Quayle; Director, Park City/Courchevel Organization
- Steve Issowits; Deer Valley, Director of Real Estate and Resort Planning
- Kristin Williams; Vail Resorts, Vice President of Community & Mountain Affairs
- Matthew Dias; Park City Municipal Corporation, Assistant City Manager

A tentative schedule is attached, which includes a focus on the following areas:

- Economic Development & Tourism
- Resort Operations, Land Use, and Interconnectivity
- Municipal Services; Transportation, Housing, Water, and Public Safety
- Education & Student Exchange Program
- Arts & Culture, Historic Preservation
- Les Trois Vallées

The Mayor has requested your input on any other areas you feel the Delegation should focus its time and energy. Staff intends to provide a brief summary of each meeting upon return.

Mayor Jack THOMAS
Park City Municipal Corporation
445 Marsac Ave.
P.O Box 1480
Park City, UT 84098

Courchevel, Monday 17th November 2014,

Subject : Invitation from the Mayor of Saint-Bon Courchevel

Mister Mayor, Dear Colleague,

For many years now, the towns of Park City and Saint-Bon Courchevel have been linked through active pairing. The main objective of it since its creation is allowing our citizens to be open to the world, to build links with a foreign population, to share our cultures and our differences.

This pairing includes an exchange every two years of teenagers in our respective towns, whose organization is entrusted to associations chaired by Ms. Tina QUAYLE for Park City and Martine PARIZOT for Courchevel.

In 2015, Courchevel will receive 19 young people from Park City from 13 to 22 February and 19 young people from our town will go to turn in Park City from July 16 to August 8.

In this context, I am pleased to invite you, your wife, an elected person of Park City and Tina Quayle, director of the association "Park City Courchevel" to come to stay in Courchevel 17 to 23 January or 31 January to 6 February 2015.

This will allow us to take the time to introduce you to our resort and take stock of youth exchanges organized regularly, but also consider how we can evolve our partnership.

Yours sincerely,

Le Maire,

Philippe MUGNIER

December 5, 2014

Le Maire, Philippe Mugnier
Saint-Bon Courchevel
B.P. 75 – 73124 Courchevel
France

Dear Le Maire,

On behalf of the Park City community and City Council, it gives me great pleasure to accept your invitation to visit Courchevel this winter. We see strength and vitality in the long-term relationship between our communities, and wish to see it continue to develop and mature.

Park City's historic character and natural setting are facing many challenges that come as a result of our successes: transportation and congestion, demand for growth and development, and resort acquisitions and interconnectivity. I look forward to the constructive possibilities of learning from your community's experiences, leadership, people, and best practices.

Although we have not yet selected a date, as an indication of our gratitude I want to make sure our response is hand delivered. I am delighted that the Honorable Brad Olch, our former Mayor, will be in Courchevel next week and will personally stop by your offices in Saint-Bon.

We sincerely appreciate the invitation and look forward to the wonderful opportunities that await our communities in the future.

Sincerely,

Mayor Jack Thomas

Sister City Schedule for Courchevel, France

<u>Sunday, January 18, 2015</u>

Mayor Thomas arrives in Courchevel.

- Mayor Thomas meets with Courchevel Mayor, City Council, and public and private officials (OPEN PRESS)

<u>Monday, January 19, 2015</u>

8:00AM – Mountain and Ski Touring

- Les3Vallees

12:00PM – Economic Development

- Office of Tourism
- Hotel/Lodging Association

<u>Tuesday, January 20, 2015</u>

8:00AM – Mountain and Ski Touring

- Les3Vallees

12:00PM – Resort Operations, Development and Land Use

- Resort operations
- Land Use & Interconnectivity

<u>Wednesday, January 21, 2014</u>

8:00AM – Mountain and Ski Touring

- Les3Vallees

12:00PM – Municipal Services

- Office of Transportation
- Office of Housing
- Departments of Water and Public Safety

<u>Thursday, January 22, 2015</u>

8:00AM – Mountain and Ski Touring

- Les3Vallees

12:00PM – Arts, Culture and Historic Preservation

- Historic Preservation Commission
- Arts & Culture

<u>Friday, January 23, 2015</u>

8:00AM – Mountain and Ski Touring

- Les3Vallees

12:00PM – Education

- School Administration
- Classroom/Exchange students

<u>Saturday, January 24, 2015</u>

No public events scheduled.

Mayor Thomas departs Courchevel, and returns to Park City.

City Council
Staff Report

Subject: Courchevel Sister City Check-In
Author: Matthew Dias, Asst. City Manager
Department: Executive
Date: December 4, 2014
Type of Item: Informational

Summary Recommendations:
After reviewing the background and history of the Courchevel Sister City relationship, Staff recommends City Council specify its level of future support for the municipal relationship and high school exchange program. In addition, staff requests Council direction in order to respond to Courchevel's invitation for the Mayor to travel to Courchevel during winter 2015 in order to reaffirm the Municipal aspects of the relationship that have grown stagnant. A formal invitation is being tendered by the Mayor of Courchevel, yet the dates have not yet been finalized.

Topic/Description:
History of the Sister City relationship, the status of the high school student exchange program, and a request for direction on the invitation for the Mayor to visit Courchevel with the student exchange program during winter 2015.

Background:
After World War II, President Eisenhower encouraged the creation of the Sister City programs in the U.S. as a way to connect with people from around the world and promote understanding and peace, education, trade, economic development, governmental best practices, and arts and culture. Today, these activities remain strong across the country and in Utah, including a variety of international and domestic support organizations that help support and foster the mission of the Sister City program. Thousands of U.S. cities currently participate, and about 25 or more of those are from Utah alone. For addition information on Sister City programs, see:

- SisterCities International
- Utah Sister Cities Coalition

Park City, City Council passed "a resolution of good will to the people of Courchevel, France" in 1984, which created a sister city relationship between the two municipal jurisdictions. Over the years, there have been numerous visits by citizens, business leaders, students, teachers, and public officials between Courchevel and Park City. A quick summary of previous Council resolutions and minutes are included at the end of this report for historical reference.

Courchevel had deeply cultivated a relationship with Park City for a number of years, mostly due to our historic and natural setting and capability to become a premier ski resort destination in the U.S and abroad. In addition, the potential for an interconnected ski area in Park City and within the Wasatch Range, which is a very similar construct to the Courchevel experience, was particularly enticing given the potential benefits of parallel cultures (lodging, dining, education, government, regulation, recreation, etc). For reference, Courchevel is currently the largest interconnected ski area in the world.

The original relationship between the two entities was spearheaded by staff at the Park City Ski Area and the Park City, City Council. At that time, a large contingency from Courchevel visited Park City in 1985 and were hosted with great fanfare amongst the community. During the celebration, a ski run was named after Courchevel at Park City Mountain Resort. After the visit, and even with the best intentions, many of the programs had difficulty getting started due to visa restrictions and liability issues. Most of those issues have been mitigated due to organizations such as Sister Cities International.

In spite of the visa and liability issues, one program that remained active and robust was the student exchange program conducted out of the high school. In 2010, however, the program suffered a small hiccup as the State of Utah passed a law to limit “dangerous extracurricular activities.” Local interpretation by the school district resulted in the discontinuation of the ability for Park City Municipal to formally sponsor the Courchevel student exchange program, yet it did not necessarily preclude continued municipal cooperation and exchanges. Despite this, a group of concerned citizens advocated for the continuation of the student exchange program and were able to maintain the experience for students.

There are many other community supporters, with past and present knowledge of the municipal and student exchange aspects of the program, its history, and community benefits, including former Mayor Brad Olch, former Summit County Council Member Sally Elliot, PC High School Principal Bob O’Connor, and various others.

Tina Quayle, for example, has led the student exchange program for the last several years and currently has the most extensive relationship with the City of Courchevel. In addition, she was part of the Park City group that hosted the original Courchevel delegation that visited Park City in 1985 to celebrate the Sister City declaration signed in 1984. She was also chosen to represent Park City at the 1992 Albertville Winter Olympic Games, where Courchevel was a host venue for many of the winter events, similar to Park City in the 2001 Salt Lake City Winter Olympics.

Analysis:
Courchevel is located in the French Alps and is part of Les Trois Vallées, which is the largest linked ski area in the world. It is best known for its massive size, superior guest experiences, and its interconnectivity. In years past, the Mayors of Park City and Courchevel have hosted numerous student and diplomatic exchange groups for city tours, orientations, and receptions (though this has waned in recent years). Up until the 2010 legislation, City involvement had become relatively minimal ($400 every other year), while trip costs for Park City students can average around $1,000/week, which are raised via fundraising and donations. PCMC no longer has any financial involvement in the program, nor staff assistance.

The Park City School District currently has two French Dual Immersion elementary schools. Students moving up through the dual immersion schools are predicted to be proficient and fluent in French by the time they enroll in 9th grade. This will allow the current student exchange program, with PCHS students spending a portion of the school year in Courchevel while students from Courchevel attending at PCHS, to grow.

The Park City School District would like to continue with and grow the student exchange program and would be interested in sharing the responsibility of the Sister City program with Park City Municipal and other community partners.

The group currently spearheading the relationship (Tina Quayle, Bob O'Connor, etc) is requesting increased involvement by City officials for better coordination with City staff and community members in order to reinvigorate some of the aspects of the municipal relationship and community involvement.

Staff believes that coordination assistance is well within our municipal mission, yet requires direction on the extent of support and level of staff engagement.

Recommendations:
Staff recommends Council specify its level of support for the existing Courchevel Sister City municipal and high school exchange program, and respond to the invitation for Mayoral travel in order to reaffirm the municipal aspects of the relationship.

Department Review:
Executive, Economic Development, Budget, and Legal Departments.

Consequences of not taking the recommended action:
Without additional direction and commitment from the City, volunteers may become discouraged and the high school and municipal program could falter or, ultimately, fail. This would deprive our students and community members of potentially valuable life and business experiences. In addition, the Mayoral travel invitation has real implications for the future prospects (positive or negative) of this relationship moving forward.

Michael Kovacs

From: sally elliott [sallycousinselliott@gmail.com]

Sent: Sunday, October 10, 2010 9:57PM

To: Bill Ligety; Brad Olch; Jim Lea; Dana Williams; Malone, Bill; Bob Richer; Myles Rademan; mylesrad@gmail.com; Larry Warren; Carol Murphy; Carol Murphy; Ann MacQuoid; kenmartz@hotmail.com; Shirley Smith; Shauna Kerr; Bob Wheaton; Bob Wells; Susan Galusha; Liza Simpson; Liza Simpson; Candy Erickson; Cindy Matsumoto; Cindy Matsumoto; Joe Kernan; Joe Kernan; Alex Butwinski; Andy Bernhard; Nan Chalat Noaker; Dave Thomas; Tonja Hansen; Tim Vetter; Jenni Smith; Leslie Thatcher; randy barton; Ray Timothy; Lisa Kirchenheiter; Lisa Kirchenheiter; Anne Bransford; Chris Robinson; John Hanrahan, MD; Claudia McMullin; Dave Ure; Kim Carson; Kim Carson; Tom Bakaly; Bob Jasper; Sue Galusha; Michael Kovacs; Michael Kaplan; Jackie Hunden; Evan Sachs; John Gleason; Sue Gleason; Bernard Rizzolo; Nadja Newhall; Larry Newhall; Patton Murray; Tina Quayle

Subject: Courchevel -Sister City Club

I've gone back to my old notes about our Sister City relationship with Courchevel and propose to you that we restructure the club based upon my reading of the by-laws and the way we put things back together in 1998.

For those of you who are new to this discussion, the Sister City relationship between Park City and Courchevel began in 1984 when Courchevel was a well-established ski resort and Park City was beginning to be recognized on the international scene. We were very flattered by the offer and a number of influential Park City pioneers went to Courchevel to cement the relationship.

Since that time, we supported the Olympics in Albertville, France and they came to support our Olympic efforts. Every two years (give or take a few) we have done youth exchanges between Park City High School students and Courchevel students (though there's no High School there) and we've had many wonderful par1ies on both sides of the Atlantic. Our students go to Courchevel with their season passes and local chaperones and ski in France during the Presidents' Holiday week. In the summer, their students come here and visit the same families who hosted them. They participate in all the things we love to do in the summer in Park City and then they go off on a camping trip in Utah's National Parks.

The Park City School District, Chamber Bureau , our three wonderful resorts and Park City Municipal have been our institutional supporters, with many community volunteers (mostly parents and teachers of students) doing the "heavy lifting".

Sue Galusha who teaches at Park City High School has been the President of the Club for many years, but she no longer teaches French and State law has prohibited the School District from sponsoring the exchange. While I understand the liability issues, it has now become impossible for us to adver1ise the Courchevel exchange in the school system and we must use the local media to inform students and parents of the opportunity (Leslie, Randy and Ann may have your ear?). I know how difficult State law can be and I'd like to change it, but that is always problematic. The result is, however, that the "school gag order" might keep some of our children from participating in this very worthwhile opportunity to make international friends at minimal expense (about $1,000 per student for a week of skiing in France!!).

A part of the informal compact that is essential to continuing the relationship is the unique arrangement our ski areas have made with Courchevel. Anyone who displays a season ski pass from anyone of our three ski resor1s is automatically offered free skiing in Courchevel and vice versa. Are you guys willing to continue that? Are you also willing to suppor1the summer activities of the Courchevel high school students in Park City with activities at your resorts? Tonja and Tim, please forward to Mike Goar. I don't have an email address for him.

When we re-structured the Sister City Board, according to our By-Laws, in 1998 we had nine Board Members and 4 ex officio members, as follows:

Ex Officio:
Mayor of Park City---Honorary President
Canyons
Deer Valley
Park City Mountain Resort

Board Members:
Chamber Bureau----Secretary
Park City High School French Teacher
Travel Agent---always Shirley Smith, in the past
Public Relations---either Park Record or KPCW representative
Institutional Knowledge----someone who understands the past
Treasurer---which we don't need because the Chamber has taken care of that and we don't have or need money
President
Vice-President
Business Community

Since parents participate when their children are involved, and some of us participate because we believe in the relationship, we need to establish a commitment on the pali of Park City Municipal, the Chamber Bureau, the School District, Deer Valley, Park City Mountain and Canyons. Parents will volunteer if you "big guys" are willing to commit.

I will be happy to do interviews on the radio and write press releases. Though I'd love to go this year as a chaperone, my grandsons are coming to bang bumps with me and I'd really rather be with them. I'd love to pass this torch on to those of you who are younger and will be willing to carry forward.

What do you say?

Sally Elliott
2690 Sidewinder Dr.
Park City, UT 84060
home/work: 435-649-5712
mobile: 435-640-3759
sallycousinselliott@gmail.com

RESOLUTION

Resolution No. l-84

A RESOLUTION OF GOOD WILL TO THE PEOPLE AND CITY OF COURCHEVEL, FRANCE

WHEREAS, the City of Courchevel, the largest ski area in the world, has selected Park City, Utah as its Sister City; and

lliEREAS, the City of Courchevel and Park City share the strength and beauty of the mountains, the love of skiing, and the enthusiasm for life necessary to make a successful resort community; and

WHEREAS, a close association with a community that is at once so similar and so different from our own, offers a unique opportunity to expand our horizons, sharpen our insights, and gain a new perspective on ourselves and a broader understanding of others; and

WHEREAS, an educational, recreational, cultural, and commercial exchange with the people of Courchevel will be mutally beneficial by developing new friendships that enrich the lives of all who are associated \vith the program;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Park City, Utah that the City of Courchevel, France is hereby accepted as our Slster City, a tv1in sister, and the good will of the people of our mountain village is extended to the people of your mountain village, with \vhom we hope to have a long relationship.

DATED this 5th day of January, 1984.

PARK CITY MUNICIPAL CORPORATION

DECLARATION

DECLARATION DE BONNE VOLONTE A L'EGARD DE LA POPULATION ET DE LA VILLE DE COURCHEVEL, FRANCE

CONSIDERANT QUE, la ville de Courchevel, le plus grand domaine skiable du monde, a choisi Park City, Utah comme ville jumelle,

CONSIDERANT QUE, les villes de Courchevel et Park City ont en commun la puissance et la beautedes montagnes envi1onnantes, l'amour du ski et l'enthousiasme quotidien nlcessaire au succs d'une station de ski,

CONSIDERANT QU'UNE association troite avec une communaute"' qui est a la fois si semblable et si difflrente de la notre, nous offre une occasion exceptionelle d' largir notre horizon, d'approfondir nos connaissances, et d'acque'rir une nouvelle perspective de nous-m mes et une meilleure compr hension des autres,

CONSIDERANT QUE, des échanges culturels, scolaires, commerciaux ou de loisir avec la population de Courchevel seront mutuellement b4nfiques en de'veloppant de nouvelles amitils qui vont enrichir la vie de tous ceux qui seront associts ce projet,

POUR TOUTES CES RAISONS IL A ETE DECIDE par le conseil municipal de Park City Utah que la ville de Courchevel, France, est offici lement acceptle comrne notre ville jumelle et que la bonne volontédes gens de nos montagnes est tendue aux gens de vos montagnes, avec qui nous esperons entamer une tres longue relation.

En ce cinquierne jour de Janvier, 1984.

LE CONSEIL MUNICIPAL DE PARK CITY

John C. Green Jr

Mayor John C. Green, Jr.

Res 16-89

P TY
1884

A RESOLUTION WELCOMING THE SISTER-CITY YOUTH EXCHANGE
OF COURCHEVEL, FRANCE TO PARK CITY, UTAH

WHEREAS, on January 5, 1984, Park City officially declared its resolution of good will to the people and the city of Courchevel, France; and

WHEREAS, the value of developing a sister-city relationship is to offer the opportunity to broaden our horizons by gaining a new perspective on ourselves by understanding others; and

WHEREAS, educational, recreational, cultural, and commercial exchanges with the people of Courchevel are mutually beneficial by cultivating new friendships that enrich the lives of all who are associated with such programs, especially our youth; and

WHEREAS, the Board of Directors of the Park City Sister-City Committee and the Courchevel Summer Student Exchange Committee have organized a youth exchange for fifteen students and three chaperons from July 25 to August 16, 1989;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the City Council wholeheartedly welcome our Courchevel visitors; wish them a productive and enjoyable stay; and encourage the community to extend the friendliness Park City is known for to our guests;

BE IT FURTHER RESOLVED that Park City appreciates our Sister-City Committee's successful efforts in promoting continued good relations with Courchevel; and also thank the hosting families for their hospitality and generosity.

PASSED AND ADOPTED [redacted]is third day of August, 1989.

pj UNICIPAL CORPORATION

Hal Taylor

Mayor Hal . Taylor

existing ordinance have been changed, although there are new classifications which may alter assessment fees which may have been previously determined at a different rate because of classification limitations. The Mayor invited the public to comment. Hearing nothing, the Mayor declared the public hearing on the proposed business license ordinance closed.

PUBLIC INPUT

Presentation Re ardin the "Sister Cit " Exchan e Pro ram" w1t ource eva , ranee - o y ee , cSSl.-stant Mar eting Director of the Park City Ski Resort discussed the active exchange program with Courcheval, France. It is the intention of the program to conduct an exchange, involving resort employees, students, and citizens of Park City and Courceheval. Ms. Beck introduced Raoul Andrews-Sudre, who is Courceheval's representative. Unlike Park City, Courceheval is comprised of four towns at different elevations. The city and the ski resort operate as one entity; the Mayor is also the Director of the resort. Messr. Andrews-Sudre expressed his excitement over the program and emphasized that Park City was not randomly selected. Main resorts were examined in the United States, but the three main reasons for designating Park City as a sister city were (1) the history of Park City, (2) the character of Park City, and (3) the potential of the ski inter-connect. It was felt that Park City has the potential of becoming the number one resort in the United States, identical to Courceheval's reputation in Europe. Discussion ensued regarding exchanging ideas for a concert/convention center and planning procedures. The Mayor pointed out the importance of including both resorts in Park City in the program. The Council expressed their enthusiasm and support of the program, and thanked Ms. Beck and Messr. Andrews-Sudre for their presentations.

The Mayor invited the public to comment on any matter of City business. Hearing nothing, the public input session was closed.

MINUTES OF MEETING OF NOVEMBER 3, 1983

Tom Shellenberger corrected the Minutes to reflect that under the ordinance vacating a portion of Samson Avenue, that the third line should read "No part" rather than "Any party" affected by the vacation. . . r. Shellenberger further corrected the minutes under the Mountain Fuel easement business to reflect that the easement was reduced by eight feet. Bob Wells, "I move aaproval of the Mintues, as corrected". Helen Alvarez secon ed. Motion carried.

PUBLIC COMMUNICATIONS AND PETITIONS

l. Liquor Consent Letter from Fritz White (New Management)of Utah Coal and Lumber - and -

2. Class "B" Beer License Request for Gorilla's Games and Grub Located at the Silver Mill House at the Resort -

Bill Coleman, "I move to atprove the lituor consent letter for Utah Coal and Lum er and the C ass "B" beer license for Gorilla's Games and Grub". Tom Shellenberger seconded. Motion carried.

3. Acceptance of Thaynes Canyon #6 Subdivision - Mike Vance, the Community Development Director explained that this is a two-lot subdivision located at Thaynes Canyon Drive. It has been built for two years, but Mr. Vance has

4. Appointment of Council Liaison to Museum Advisory Board - and -

5. Appointment of Council Liaison to Centennial Commission - The Mayor recommended that Items 2, 3, 4, and under Resignations and Appointments be postponed. Bob Wells, "I so move". Jim Doilney seconded. Motion carried.

ORDINANCES

1. An Ordinance Establishing a Regular Meeting Date, Time, and Location for Meetings of the City Council of Park City, Utah for 1984 - The City Manager explained that the ordinance reflects the continued practice of holding meetings at 5 p.m. at the Marsac Municipal Building, with afternoon work sessions convening at 1 p.m. The Mayor entertained a motion for approval. Al Horrigan, "I so move". Bob Wells seconded. Motion carried.

2. An Ordinance Ado tin the Assessments on Greater Masonic Hi m rovement str ct - om Clyde, explaine that this has been before the Council at various stages of the process, creating the District. The ordinance needs to be amended (Paragraph (a) of Section 5, on Page 3 stricken) With that amendment, the City Attorney recommends approval. With the approval of the ordinance, the assessment of $1,165 will be levied on each of the 451 connections within the District. There have been no objections reported to the Board of Equalization concerning the assessment from the property owners. Tom Shellenberger, "I move we awrove the ordinance adopting the assessments on the Greater asonic Hill Improvement District". Jim Doilney seconded. Motion carried.

OLD BUSINESS

Approval of Interim Warrant #5 Not to Exceed $150,000 for the Greater Masonic Hill Improvement District - Tom Clyde explained that the the $150,000 is cumulative between the last two requests for payment. A substantial part of this request was covered by Interim Warrant #4. The appropriate amount for Interim Warrant #5 is $38,851.30. Bob Wells, "I move approval of Interim Warrant #5 in the amount of $38,851.30 for the Greater Masonic Hill Improvement District". Tom Shellenberger seconded. Motion carried.

NEW BUSINESS

1. A Resolution of Good Will to CoheYel+=FJance -- Our Sister;cit- The Mayor recommended a mot on to approve. i140:Coleman, I so move". Jim Doilney seconded. Motion carried.

2. A Resolution Authorizinthe Issuance and Sale of Water Develo ment Fee Revenue Bon s to Finance the Cit 's Portion o t e Greater ason c Water an , ump ng Stations, and Water Lines in the Amount Not to Exceed $325,000 - Tom Clyde explained that this tank is part of the Masonic Hill water system. The tank being built has a million gallon capacity. The City has joint ventured this tank under the arrangement that the City will be receiving half the capacity for a third of the cost. The benefit to the DistriGt is the lower financing rates. The City's share of the tank is $325,000, which covers the tank, our portion of the interest on the interim warrants, bond closing fees, and bond guarantee funds. The revenue bond is based on water development fees only, and does not pledge water connection fees or user fee, and will be paid out over a

"B" Beer License for the Corner Store". Bill Coleman seconded. Motion carried.

Bob Wells	Aye
Tom Shellenberger	Aye
Al Horrigan	Aye
Bill Coleman	Aye
Jim Doilney	Abstention - for reason of business relationship

4. Request from U S F Film Fesal to Hang Bann Across Park Avenue from January 20 through January 29 - T Shellenberger, "I move we approve the request from the Fi Festival to hang a banner across Park Avenue". Al Horrig seconded. Motion carried.

5. Re uest from Cowbo

The Chie o o ce, ran e , commente t at t s request was previously denied by Council a few months ago. Since that time the new management of the Cowboy Bar have improved the operation, and the Police Department have had no enforcement problems with the establishment. Chief Bell recommended approval of the liquor consent letter. Bob Wells, "I so move". Tom Shellenberger seconded. Motion carried. For several months, the City Council have approved liquor consents, but State approval has been denied because of their allocation formula. Discussion ensued regarding the liquor license distribution formula (one liquor license per 6,000 people based on state-wide population, excluding private clubs). It is the intention of the Council to be represented with Chief Bell at the next Liquor Commission meeting on January 27, to establish better rapport with the Commission, and emphasize Park City's liquor enforcing efforts.

COMMUNICATIONS AND REPORTS FROM COUNCIL

1. Re ort from the Sister-City s t to ourc eve , ranee B o eman poiBd out the parallels between the Courchevel layout and Park City when comparing Deer Valley, Park West, Little Cottonwood Canyon, and Park City elevations. Mr. Coleman pointed out that the State of Savoie assists in aiding Couchevel, so that the socialistic type system obviously contrasts with the operation of ski resorts in the United States, and private enterprise. The Mayor of Courchevel expressed the goals of the sister-city program as (1) commercial benefits and exchange, (2) business concept exchange, and (3) exchangingof people. Mr. Coleman commented on the excellent hosting on the part of the people of Courchevel. A delegation from France will be visiting Park City in March. From a planning standpoint, Bill Ligety, Planning Director, pointed out that that Courchevel is not a place where a lot of construction is occurring, and the planning scheme has been realized.

2. Museum Advisory Board - Tom Shellenberger, Council liaison to the Museum Advisory Board, reported that the Board met for the first time on Tuesday January 10. Pat Smith, Director, is working on the first exhibit which will reflect the first 100 years in Park City.

RESIGNATIONS AND APPOINTMENTS

None before Council.

ORDINANCES

None before

Council. NEW BUSINESS

banners, what organizations, adequate and appropriate lead time for requests, types of events). Ms. MacQuoid stated that Laguna Beach, a resort community, also frequently uses banners for advertising events. However, they have an ordinance in place and she has made arrangements to provide the Council with a copy. She emphasized that it is not her intention to utilize the banner as a permanent marquee,

Frank Harris Representing Park City Performances, added that "This is the Place" should prompt additional consideration since it is Park City's Centennial show. Also, since Main Street will be torn up this summer, the banner advertising the show is a good way to prompt people to visit Main Street.

Bill Coleman felt selected banners should generate the most information to the broadest spectrum. He stated that he felt that the two requested periods in April are reasonable, but the 4th of July slot should not be granted at this time. He also felt that banners should not be hung for long periods of time; it defeats their effectiveness, and they aren't particularly attractive.

Jim Doilney, "I move we approve the Egyptian Theatre request to hang a banner on Park Avenue on April 11-14 and April 18-21". Al Horrigan seconded. Motion carried.

Bob Wells requested that the Planning staff make a recommendation regarding banners.

Frank Harris Commented that if there are costs incurred with putting banners up and taking them down, that they would be willing to pay the costs.

COMMUNICATIONS AND REPORTS FROM COUNCIL

Jim Doilney reported that next week the City will receive a presentation from the Community Education Task Force.

Bill Coleman expressed the appreciation of the Mayor and other delegates from Courchevel. The visit was a complete success. Mr. Coleman also passed on Jim Murphy's thanks to the City's for its cooperation in the Utah Special Olympic events.

Bob Wells welcomed Mayor Green back.

Mayor Green discussed the State Ethics Act and how it relates to elected officials' disclosure statements. The disclosure statements of the City Council have been submitted and follow these minutes as a part of the record. All disclosure statements of employees, board and commission members will be submitted to the Mayor and made part of the public record, and filed in the City Recorder's Office.

COUNCIL WORK SESSION REPORT

Al Horrigan reported that the Council meet with the Housing Authority to discuss the inducement resolution for Doilney Construction, and general employee housing ideas. In closed session litigation matters were discussed (water issues)along with personnel matters and sale of City property.

RESIGNATIONS AND APPOINTMENTS

There is $200 million available; cities in the State are competing for the money along with the University Board of Regents. He further discussed formula for distribution and stated that he will keep the public informed on this matter.

5 Courchevel Del ati-on - Bill Coleman welcomed the high school studentsrom ourchevel, France who have arrived in town. This visit is one of the activities of the "Sister City Program", which has been a tremendous success.

COUNCIL WORK SESSION REPORT

Bob Wells reported that in closed session the City discussed the proposal to purchase City property known as the Monroe property (across from the Copperbottom Inn). The appointments to the Historic District Commission were discussed and it was the consensus of the Council that it be appropriate to personally interview candidates. The hotel site, north of the Marsac Building was also reviewed. During open work session the schedule for the Comprehensive Plan and future meeting scheduling were discussed.

RESIGNATIONS AND APPOINTMENTS

1. Appointment of Craig Smith as City Recorder and Sandy Artist as Deputy City Recorder - As part of the reorganization of the Legal Department, these appointments are appropriate. Tom Shellenberger, "I move approval of the appointment of Craig Smith as City Recorder and Sandy Artist as Deputy City Recorder". Al Horrigan seconded. Motion carried.

2. Reappointment of Historic District Commission and Appointment to Fill Unexpired Term of Nina Macheel - The Mayor entertained a motion to table. Bill Coleman, "I so move". Bob Wells seconded. Motion carried.

ORDINANCES

1. Ordinance Changing the Zoning Map of Park City (Ontario Canyon Zone Change from Estate to RD and ROS) - Al Horrigan disclosed that he will be abstaining from voting because he is a listing agent for the Ontario Condominium Project.

The City Attorney explained that this should have been on the agenda a month ago when the annexation and zone change approval were passed. The legal description and ordinance has just been prepared, and adoption is in order as a housekeeping matter. It should be noted that the master plan development process will limit the development to 50 units and ensure that density in the future. Tom Shellenberger, "I move approval of the ordinance chan ing the zoning map of Park City". Bill Coleman secon ed. Motion carried.

Tom Shellenberger	Aye
Al Horrigan	Abstention
Jim Doilney	Aye
Bill Coleman	Aye
Bob Wells	Aye

2. An Ordinance Desi natina Truck Route for Access to the Silver Lake Area an Esta lishing the Penalties for Violations - Petitions have been received from the Marsac Avenue residents and from the Deer Valley Road residents which prompted this proposed ordinance. During work session, however, the Council arrived at alternatives which

Jim Murtht - The transportation services would amount to $3, 5 .60. Police services would total $2,500. Street banners for both games, without isolating, would be $200. Street flag installation amounts to $3,820. Signs and maps, $2,934; and bus stop signage installation, $360; for a total of $13,066.50. Based on Chamber/Bureau projections, $2,369,000 would be raised in revenues for Park City.

The Mayor invited the public to comment on the public hearing. Mayor Green assured Mr. Murphy and his staff that the City will do everything possible to make the games a success. With no further statements, the public hearing was closed.

PUBLIC INPUT

The Mayor ask that the public comment on any matter of City business.

Jim Berry - Fire Chief of the Park City Fire Protection District, stated that during the recent renovation of their fire station, he discovered a long overdue award to the Mayor. Chief Berry presented Mayor Green a 25 year service certificate from the Utah State Firemen's Association.

MINUTES OF MEETING OF DECEMBER 6, 1984

Tom Shellenberger, "I move we approve the Minutes". Al Horrigan seconded. Motion carried.

CONSENT AGENDA

Bill Coleman disclosed that he will be abstaining from voting on Items 4, 11, and 13, because of client involvement related to these items.

Mike Vance, the Community Development Director, called the Council's attention to the numerous plats scheduled on the Consent Agenda, in an effort to have them recorded before the end of the year. In an attempt to cooperate with developers, some of the plats have been placed on the agenda, even though there are very minor unresolved problems. Those matters will be taken care of by Mr. Vance before the plats are recorded. However, the Community Development Director asked that the Council table Items 6, 7, 8, and 18, because the Planning Commission has not approved the plats, and it is not appropriate for Council to override the approval process. Item 14 should be withdrawn entirely.

The City Manager emphasized that the plats are thoroughly reviewed by the Community Development Director and the Assistant City Attorney. Approvals are contingent on payment to the City of property taxes, and plan review fees.

The Mayor entertained a motion to table Items 6, 7, 8, and 18; and withdraw Item 14. Al Horrigan, "!......2.£ move". Jim Doilney seconded. Motion carried.

1. A Proclamation Honoring Courchevel France and Designating January 5th as Sister City Dar in Park Cityf Utah - Since it has been a year since our irst message o good will, and the resulting exchange of visits has been a success, Bill Coleman felt it appropriate to write and send Courchevel another proclamation in recognition of our continuing frien ship.

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
FEBRUARY 5, 1987

ROLL CALL

Mayor Taylor called the regular meeting of the City Council to order at approximately 6 p.m. on Thursday, February 5, 1987 at the Marsac Municipal Building. Members present were Hal Taylor, Jim Santy, Kristen Rogers, Ann MacQuoid, and Tom Shellenberger. Jim Doilney was excused. Staff present were Arlene Loble, City Manager; Jim Carter, City Attorney; and Bob Stephens, Personnel Director.

<u>PUBLIC INPUT</u>

<u>Presentation from Ellen Patmore from Sister City, Inc.</u> s. atmore exp a ne t at ster t es ,.,n=t..,..ernational is an organization that was the brain child of President Dwight D. Eisenhower who decided 30 years ago as an outcome of World War II, that the United States needed to work on fostering better relations with countries overseas to ensure peace. As a result, he arrived at the idea of cities in the United States "adopting" cities overseas as their "sister city" to promote good will and international awareness among all people. It has since grown, and there are now over 1,000 cities in the United States participating in the program.

Park City, as most know, is the sister city of Courchevel, France and chosen by SCI to be the recipient of a grant as one of 20 pilot cities in the United States to participate in the Practical Trainee Worker Exchange. It is quite a honor to be chosen as many cities were interested. The purpose of the exchange is to expand on youth programs and extend to those between the ages of 18 and 25, an opportunity to visit a sister city, live or acquaint themselves with a host family, and obtain solid work experience in their field. She introduced the young citizens from France who are working and living in Park City and the exchange participants who will be going to France in the next few months.

Ms. Patmore further clarified for Council that this particular grant application for Park City was written by Tony Mitchell, former School District Superintendent who was involved with the selection of Park City's exchangees. After review, it was determined that Park City's project was a worthwhile one to fund. This particular grant ($2,250) is earmarked to fund the travel of the Park City exchange participants. In the future, SCI is looking to expand their base of grant monies for young professional people for those up to 35 years old (i.e., city government, local businesses, ski resort industry). SCI is also developing reciprocal monies for exchangees from foreign countries where funding is difficult to provide for their youth. It is hoped that SCI will continue to receive future grants and Ms. Patmore encouraged Park City to apply next year for youth exchange, young worker exchange grants, and anything that would help spark the growth of international awareness which may result in economic benefits, There is funding available now for high school exchangees and the deadline for such application is April 7.

The Mayor thanked Ms. Patmore and expressed his enthusiasm for the program. He then invited the audience to comment on any matter of City business. Hearing none, the public input session was closed.

PUBLIC HEARING

None before Council,

5. <u>courcbevel sister-City Club Reception</u> - Ann MacQuoid reported that a reception will e held at the Barking Frog on Monday evening at 5 p.m, open to anyone interested. Peregrine Travel is organizing a winter ski trip to Courchevel. The Committee is hosting 16 kids from Courchevel who will be staying in homes in Park City. A VIP package is being coordinated to host sister-city visitors in November. French classes are also being offered through this group.

VII REPORTS FROM COMMISSIONS AND BOARDS

None.

VIII ADJOURNMENT

With no further business, the regular meeting of the city Council was adjourned.

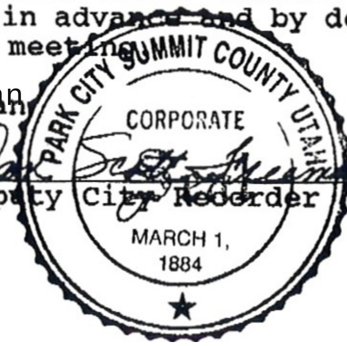
MEMORANDUM OF CLOSED SESSION

The city Council met in closed session to discuss a personnel matter at approximately 4 p.m., as advertised on the agenda. Members in attendance were Kristen Rogers, Ann MacQuoid, Ray Johnson, Jim Santy, and Brad Olch. Staff present were Jerry Gibbs, Acting City Manager; and Jim Carter, City Attorney. The meeting opened at approximately 5 p.m.

* * * * * * * * * * * *

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

Prepared by Jan Scott Freeman



Jan Scott Freeman

Deputy City Recorder

ourchevel Exchange - Ann MacQuoid commented that this week 15 teenagers from Park City's sister city Courchevel, France would be arriving in Park city. She suggested that the week of July 30 through August 7 be designated Courchevel week in Park City. Ms. MacQuoid then invited the Council and any interested parties to attend a family picnic at Rotary Park on August 6 at 6:00 p.m. All of the Courchevel students will be there with their host families and it would be a good opportunity to meet and welcome them to Park City.

Planning Charrette - Myles Rademan reported on the upcoming Planning Charette. He met earlier with the Economic Development Committee of the Chamber, who has appointed a steering committee for the Charette and would like one of the Councilmembers to be a part of that. Jim Santy agreed to represent the Council on that committee. Mr. Rademan explained that there are now 12 people who are going to sit on the Charette team and agreed to get a list of those people for the Council.

Colorado Field Trip - Mr. Rademan also reported that there are approximately 30 people who are going on the Colorado field trip and that the response from the people in Colorado is overwhelming. Mr. Rademan advised the Council to let him know if there is anything particular they wanted to learn on the Colorado field trip, and he'll have it set up.

VI REPORTS FROM COMMISSIONS AND BOARDS

Planning commission Meeting of July 26, 1989 - Eric DeHaan reported that the Planning Commission met Wednesday, July 26th. The Commission took a field trip to the Silver Lake area in Deer Valley where they also visited a vacant lot that is currently ROS zoned at the intersection of Royal Street and Royal Street West. Deer Valley is attempting to transfer one unit of density onto what was earlier ROS and hopes to obtain approval from the Planning Commission and City council for that transfer. Part of the discussion might center around them giving the City, as ROS zoning, the school parcel on Deer Valley Drive North.

They also reviewed a preliminary approval for Royal Plaza which is a two-story underground parking structure and two buildings located in the Silver Lake Subdivision. Deer Valley hopes to begin and complete the construction of the two-story underground parking structure in the Mariposa parking lot this summer. The Knoll Estates Subdivision plat was also approved at the meeting.

Mr. Olch asked when we might expect to have the road widened the Guardsman Connection Road. Mr. DeHaan explained there

90 - The pay plans are adopted annually in conjunction with the budget. Pay ranges in grades are based on salary survey information provided by the external market and adjustments are made accordingly each year. It is the Council's philosophy to compensate equal pay for equal work and provide merit increases as incentives, rather than across-the-board cost-of-living raises. This resolution reflects that philosophy, and staff recommends approval.

2. Approval of temporary outdoor sales permit for Valline Gallery, 1101 Park Avenue. for a sidewalk sale on August 5 and 6, 1989 The applicant has complied with the City's business licensing provisions, and staff recommends approval.

3. Deer Valley Concert Series Master Festival Licenses for the Temptations on september 1; Carole King on August 9; and Stevie Ray Vaughn on August 22. 1989 - Since these activities are beyond the scope of Deer Valley's business license, these concerts are individually licensed through the master festival license ordinance. None of these concerts should attract crowds of more than 4,000 which is well within the manageable capacity of Deer Valley. No fee waivers are requested, and staff recommends approval.

4. Approval of temporary outdoor sales permit for Herman's Sporting Goods. 1800 Park Avenue, on August 4. 5 and 6, 1989 - staff recommends approval.

5. Approval of a resolution welcoming the sister-city Youth Exchange of Courchevel, France to Park city, Utah - The local sister-city committee has been reorganized this pas year with Amanda Peterson as the Chairman. The committee has been successful in soliciting interest in the newly formed Courchevel Club and arranging an exchange of fifteen Courchevel youths and three chaperons. ..sally Elliott, Chairman of the courchevel summer Student Exchange Committee certainly deserves a special thanks. A resolution welcoming our visitors and acknowledging the efforts of the sister-city committee is appropriate.

6. Approval of street closure of Main Street for Leukemia Society parade on saturday, August 12 from 8 a.m. to 10 a.m. - See public hearing commentary.

7. Approval of sidewalk sale on August 11. 12. 13, 1989 for the following businesses:

Jans Mountain Outfitters, Resort center and Park Avenue
Valline Gallery, Park Avenue
Albertson's, Park Avenue
Patchwork Parlor, Holiday Village Mall

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
NOVEMBER 1, 1990

I ROLL CALL

Mayor Brad Olch called the regular meeting of the city Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, November 1, 1990. Members in attendance were Sally Elliott, Ray Johnson, Bob Richer, and Brad Olch. Ruth Gezelius and Jim Santy were absent and excused. Staff present was Toby Ross, city Manager; and Rick Lewis, Community Development Director.

II PUBLIC INPUT

Sister ity Program - Japan - Ivory, stated that he has just returned from working in osaka, Japan in the Mayor's Office. He urged Council to consider a sister-city relationship with a city in the Nagano area. Mayor Olch felt that the community would be very responsive to this suggestion. Ms. Elliott informed Mr. Ivory that a Park City Sister Cities Board of Directors has been formed and it would be appropriate that they be contacted.

III MINUTES OF MEETING OF OCTOBER 18, 1990

Sally Elliott corrected G&R Disposal to G&F. Ray Johnson, "I move approval of the minutes. as corrected". Sally Elliott seconded. Motion carried.

Sally Elliott	Aye
Ruth Gezelius	Absent
Ray Johnson	Aye
Bob Richer	Aye
Jim Santy	Absent

IV COMMUNICATIONS FROM COUNCIL AND STAFF

1. Curb-side recycling. Sally Elliott report that G&F Disposal has agreed to provide service in the Park Meadows area for three more pick-ups free of charge.

2. Animal control. Ms. Elliott stated that after meeting with the County Commission, it was its recommendation that Park City assist with the funding of an animal shelter.

3. Royal street traffic concerns. Bob Richer stated that he was contacted by Jeff Smith of the American Flag Homeowners Association. Discussion ensued regarding the delay in responding, and it was pointed out while this was taken under advisement, there were telephone conversations and meetings before a written response was provided. Allowing skateboarding and rollerblading on the road was also debated.

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
NOVEMBER 8, 1990

I ROLL CALL

Mayor Brad Olch called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, November 8, 1990. Members in attendance were Sally Elliott, Ruth Gezelius, Ray Johnson, Bob Richer, Jim Santy, and Brad Olch. staff present were Toby Ross, City Manager; and Jim Carter, City Attorney.

II PUBLIC INPUT

Mayor Olch reported that the City closed on the Osguthorpe Dairy yesterday. He invited the public to comment on any matter of City business. Hearing none, the public input session was closed.

III MINUTES OF MEETING OF NOVEMBER 1, 1990

Sally Elliott, "I move approval". Bob Richer seconded. Motion unanimously carried.

IV COMMUNICATIONS FROM COUNCIL AND STAFF

1. Courcheve-l -ub Sally Elliott announced that the meeting of the Courchevel Club will be at 5:30 p.m. at Alex's Restaurant on November 14 and the public is welcome.

2. Recycling Center - Myles Rademan reported that the foundation has not been poured for the new building and it is hoped that the building be "internalized" for the winter and outdoor bins placed behind the building. Although progress has been stalled, Mr. Rademan felt that a commitment has been made by the volunteers involved.

3. War Memorial Plaque - Myles Rademan reported that the World War I plaque will be removed from Z-Place and taken to the County Courthouse and housed with the other plaques from this building, which was formerly the War Veterans Memorial. Mr. Rademan related that there was pressure from Senator Hatch's office, local veterans, and the County commission to relocate the plaque. Ruth Gezelius added that she hoped that in the future, if there is an appropriate place in Park City, that the veterans would consider bringing this plaque back to the community.

V REPORTS FROM COMMISSIONS AND BOARDS

None.

VI CONSENT AGENDA

III COMMUNICATIONS FROM COUNCIL AND STAFF

Shauna Kerr stated that-she will be chaperoning high school students to our Sister City, Courchevel France. She suggested that the Miners Hospital be used as a hospitality house for Courchevel visttors during the Olympics. Peg Bodell reported on the Interagency Meeting held this week and the success of the Leadership 101 session. Rick Lewis noted that the Planning Commission concluded its review of the Environmental Element of the General Plan which will be forwarded to the City Council. The City Manager advised special meeting dates and meetings of interest.

IV WORK SESSION NOTES AND MINUTES OF THE MEETING OF JANUARY 27, 2000

Hearing no omissions or corrections, the Mayor requested a motion to approve. Shauna Kerr, "I so move". Peg Bodell seconded. Motion carried.

Peg Bodell	Aye
Roger Harlan	Aye
Candace Erickson	Aye
Fred Jones	Absent
ShaunaKerr	Aye

V PUBLIC HEARING

Continuation ofhearing- Petition to vacate a portion of Ontario Avenue and a request for a plat amendment to combine seven full and five Partial lots into four lots of record: Ontario Avenue right-of-way adjacent to Lots 1 - 5, Block 60, Park City Survey and Lots 2732. Block 55. Park City Survey located in the Southeast quarter of Section 16. Township 2 South, Range 4 East, Salt Lake Base and Meridian - Kevin LoPiccolo referred to the discussion in work session and offered to answer any questions of Council. The Mayor invited the City Council and the public to comment.

Tony Rampton, attorney for Leslie Miller, stated that he met with Mark Harrington and suggested some language to be inserted in the findings and conditions; he is comfortable with the application. Mr. Harrington referred to the amended version which was distributed to Council today, affecting Findings of Fact No. 17 and Conditions of Approval Nos. 9 and 11. In response to a question from Roger Harlan, Mark Harrington explained that the current proposal for the width of the access road is 20 feet and the drive would have to be reconstructed in the future to meet the City's specifications for additional service to Block 52. Mr. Rarnpton thanked the City Council and staff for working with his clients. With no further comments, the Mayor closed the public hearing.


PARK CITY
1884
SISTER CITY
COURCHEVEL, FRANCE

MANAGER'S REPORT – January 8, 2015

Submitted: **Jim Blankenau, Environmental Regulatory Program Manager**
Matthew Cassel, City Engineer
Clint MacAfee, Water and Streets Director

Subject: **Utah Division of Water Quality Designation of Park City as a Small Municipal Separate Storm Sewer System (MS4)**

On December 18, 2014, the Mayor and staff received a letter (attached) from the Utah Division of Water Quality (DWQ) designating Park City as the operator of a municipal separate storm sewer systems (MS4) under the Clean Water Act's storm water permitting requirements and regulations (also known as Stormwater Phase II). Though not entirely a surprise given historical communications with DWQ regulators, we were somewhat caught off-guard given recent discussions with DWQ this past October 2014. The need for this permit has been created by the overall growth in Park City and surrounding area, and will hopefully benefit the community and the environment. It will be easier to comply now as opposed to later, and this permit will help make our past and future growth more sustainable; funding opportunities are more readily available as new development comes on line as opposed to implementing retro-effective cost allocations.

In 1990, EPA first promulgated rules requiring operators of "medium" and "large" MS4s (generally populations of 100,000 or greater) to implement stormwater management programs under the National Pollutant Discharge Elimination System (NPDES) as a means to control polluted discharges. This is commonly known as Phase I. The Stormwater Phase II Rule extends coverage of the NPDES program to "small" MS4s. MS4s are subject to the permitting requirement only if: (1) the large or medium MS4 serves a threshold population size of 100,000, (2) the small MS4 is located in an "urbanized area" according to the official U.S. Census, or (3) EPA or UDEQ "designates" the MS4 because they determine "the stormwater discharge contributes to a violation of a water quality standard or is a significant contributor of pollutants to waters of the United States."

The overall aim of the regulation is to engage municipalities or operators of MS4s to improve water quality by reducing the quantity of pollutants that stormwater picks up and carries into storm sewer systems during storm events. These pollutants may be tied to point sources like sediment from construction sites or non-point sources like oil and grease from roadways, or pesticides from lawns.

At the October meeting, DWQ indicated that a Park City designation was probable given a variety of factors, most of which they were generous enough to share. Staff expressed concerns, however, with several of the quantitative and qualitative measurements being used to justify our designation. To be clear, staff is not opposed to regulation that aims to better protect our watershed, yet sought to clarify inaccuracies in some of the methodologies being used to justify our potential designation. For example, DWQ's data on our population, number of State issued Construction Stormwater Permits, and number of building permits issued in Park City appeared flawed.

Despite a few informal conversations, staff had not received any follow up from DWQ until the actual designation letter. In addition, staff learned that unincorporated Summit County has also been designated as a MS4 and will also need to obtain a UPDES Permit. This may allow the City and County to work together to comply with the permit requirements and improve water quality in both East Canyon Creek and Silver Creek.

Notwithstanding our disappointment at the way our designation has unfolded, staff from Water, Engineering and Sustainability remains committed to preserving and enhancing the natural environment using the EPA and DWQ regulations that require operators of MS4 systems to obtain a UPDES Permit. Unlike the UPDES permits for the Judge and Spiro Tunnels, the MS4 UPDES permit does not contain numeric standards that will require new treatment infrastructure to reduce contaminates below a certain concentration or loading. Rather, the MS4 permit requires the operator to develop a Storm Water Management Plan (SWMP), which outlines Best Management Practices (BMP's) to reduce pollutants discharged from the MS4. The SWMP must be completed and implemented within one permit term (5-years) and will include the following BMP's:

1. Public Education & Outreach on Storm Water Impacts
2. Public Involvement/Participation
3. Illicit Discharge Detection and Elimination
4. Construction Site Storm Water Runoff Control
5. Long-term Storm Water Management in New Development and Redevelopment
6. Pollution Prevention & Good Housekeeping for Municipal Operations

Although we already have in place many of these BMP's, the UPDES permit requirements may result in additional requests for resources, staffing, and capital equipment. Staff has identified a potential funding source for this added financial burden through the possible creation of a stormwater utility. Under the structure of this Utility, a fee would be charged to residents and businesses of Park City to pay for the costs of managing the City's MS4. In addition to a Utility, Staff will also explore federal and state funding (likely through grants) for the initial compliance.

Per DWQ regulations, we have 180 days to submit a Notice of Intent (NOI) to comply with, or Protest, the designation. Staff will return to Council in a future Work Session with an overview of the regulation itself, how it will impact Park City, highlight alternatives, and a recommended action(s) for Council consideration.

State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Department of
Environmental Quality

Amanda Smith
Executive Director

DIVISION OF WATER QUALITY
Walter L. Baker, P.E.
Director

DEC 18 2014

CERTIFIED MAIL
(Return Receipt Requested)

Mayor Jack Thomas
445 Marsac Avenue
PO Box 1480
Park City, Utah 84060-1480

Dear Mayor Thomas:

Subject: Municipal Separate Storm Sewer System Program & Permit Requirements

You are receiving this letter because your jurisdiction has been identified as a Small Municipal Separate Storm Sewer System (MS4) under the purview of the Clean Water Act's storm water permitting requirements in accordance with 40 C.F.R. §122.32(a)(1). Nationwide, storm water discharges are a significant contributor to local water quality impairments as high levels of sediment, oil, toxics and other pollutants flow from impervious surfaces into waterways. In 1987, Congress established a phased approach to regulating storm water discharges from municipal storm sewer systems. The largest municipalities were regulated first (Phase I), followed by smaller municipalities that are located in urbanized areas (UA) (Phase II). Although the most recent 2010 Census did not identify your jurisdiction as an UA, the Phase II Rule applies to those MS4s outside of UAs designated by the NPDES Permitting Authority (Utah Division of Water Quality (DWQ)) on case-by-case basis.

On October 22, 2014, staff from our respective offices met in Park City to discuss the appropriateness of designating your jurisdiction into the MS4 program under *Utah Administrative Code (UAC) R317-8-3.9.5.* The rationale for designation of your jurisdiction is outlined below, which includes such factors as: the location of discharges with respect to waters of the state; the potential size, quantity and nature of pollutants discharged to Waters of the State; and other relevant information.

1. Park City continues to experience a high rate of development. The City's total permanent population increased 31% over the 20 year span between the 1990 and 2010 censuses. Summit County as a whole is projected to grow by 56% by 2030. Although the current full time year round population is 7,558 based on the 2010 census, Park City is a seasonal resort destination supporting a population in excess of 30,000.
2. Park City's mining legacy and naturally occurring phosphorous and metals creates a high risk for transport of constituents of concern in storm water runoff to Waters of the State.
3. Park City's mountainous terrain, with elevations of up to 10,000 feet, creates high potential for runoff and transport of pollutants associated with storm water.

4. Several impaired water bodies are located in Park City and Summit County including two Total Maximum Daily Load (TMDLs): Silver Creek, listed as impaired for metals, currently undergoing EPA-led Superfund tailings remediation; and Echo and Rockport Reservoirs, currently listed as impaired for Dissolved Oxygen and Temperature and Phosphorus and Dissolved Oxygen, respectively.
5. DWQ has historically received seasonal construction site runoff related complaints within Park City indicating a need for a Construction Site Storm Water Runoff Control Program in the City.

The EPA regulations require that owners and operators of MS4s in Utah obtain Utah Pollutant Discharge Elimination System (UPDES) Permit coverage for discharges from the MS4 jurisdiction. The State of Utah Division of Water Quality (DWQ) has issued UPDES General Permit No. UTR090000 for discharges from small MS4s, for which your jurisdiction can obtain permit coverage. This Permit sets out requirements that apply to regulated small MS4 discharges throughout Utah. The requirements of the UPDES General Permit are to reduce the discharge of pollutants to the maximum extent practicable (MEP) and to meet water quality standards through the development and implementation of a Storm Water Management Plan (SWMP). A SWMP uses a variety of Best Management Practices (BMPs) aimed at reducing the discharge of pollutants into the receiving waters of the MS4. A SWMP is comprised of six minimum control measures that must be developed and implemented as part of your overall MS4 program. These measures include:

- Public Education & Outreach on Storm Water Impacts
- Public Involvement/Participation
- Illicit Discharge Detection and Elimination
- Construction Site Storm Water Runoff Control
- Long-term Storm Water Management in New Development and Redevelopment
- Pollution Prevention & Good Housekeeping for Municipal Operations

These programs must include, among other things, educating the public about ways they can prevent wastes, such as used oil, from entering storm drains, ensuring that construction sites implement appropriate erosion and sediment control measures, ensuring that municipal operations minimize the amount of pollutants carried or discharged into the MS4, ensuring that municipal facilities are operated and maintained to minimize the discharge of pollutants to the maximum extent practicable, identifying and eliminating illicit connections or discharges into the MS4, ensuring that new development and redeveloped areas are designed to minimize the impact of storm water discharges, and developing an effective enforcement program to deter non-compliance.
Your jurisdiction may already be implementing some of these activities.

In general, as communities grow, more impervious cover, such as concrete and asphalt, is installed. Impervious cover prevents rain water from soaking into the ground resulting in a greater volume and velocity of runoff that enters nearby waterways. This increased runoff contains numerous pollutants, causes erosion of stream banks and potentially increases downstream flooding. There are cost-effective ways to ensure that, as development occurs, waterways are protected. These involve the use of natural systems, such as grassed swales, that infiltrate storm water and reduce the volume and velocity of runoff. These natural systems provide many other benefits to the community as well. Communities that incorporate these measures as they develop will protect their valued waters.

The first step for you, as the owner or operator of a regulated small MS4 in Utah, is to submit a notice of intent (NOI) to DWQ to comply with the small MS4 General Permit. The NOI is to be filled out and submitted as the formal application for a permit. The NOI, MS4 General Permit and other instructional information are available from our website: http://www.waterquality.utah.gov/UPDES/stormwatermun.htm.

In general, the NOI includes Best Management Practices and identification of Measurable Goals that the jurisdiction plans to implement as part of its SWMP. The NOI should be submitted to DWQ within 180 days from the receipt of this letter. Once you submit your NOI and receive confirmation that your MS4 is covered by the UPDES General Permit, you will have an opportunity to develop your SWMP which must include milestones for implementing each Minimum Control Measure. It is expected that all new MS4 permit holders shall fully develop, implement, and enforce a SWMP within the permit term upon receiving coverage under the MS4 General Permit.

Additional information about the MS4 program can also be found in the factsheet series at: http://water.epa.gov/polwaste/npdes/stormwater/index.cfm. To learn more about municipal storm water training opportunities visit: www.epa.gov/npdes/training (scroll down to the "stormwater" section). You are also invited to join the Utah Storm Water Advisory Committee (USWAC), which meets monthly here at our offices and serves as an agent for addressing state-wide storm water issues including MS4 program implementation and training.

The State of Utah DWQ and EPA stand ready to assist you in developing your storm water program and in determining how to comply with the regulations. Please feel free to contact us should you have any questions or concerns regarding this letter. We can provide further explanation of why you're receiving this letter, what this letter means for your community, next steps, and answer any other questions you may have.

Your contacts here at DWQ are Jeanne Riley (801-536-439), Rhonda Thiele (801-536-4396) and Jeff Studenka (801-536-4395), and your contact at EPA Region 8 is Amy Clark (303-312-7014). We look forward to hearing from you and appreciate your efforts to protect our valuable waterways.

Sincerely,

Walter L. Baker, P.E.
Director

cc: Amanda Smith, Executive Director
Craig Anderson, Assistant Attorney General
Amy Clark, EPA Region 8
Cameron Diehl, Utah League of Cities & Towns
Jim Blankenau, Park City Environmental Regulatory Program Manager
Matt Cassel, Park City Engineer
Matthew Dias, Park City Assistant City Manager
Clint McAffee, Park City Water and Streets Director

City Council Staff Report

Subject:	**Exit Ramps – Mountain Accord**
Author:	**Ann Ober and Kent Cashel**
Department:	**Executive**
Date:	**January 8, 2015**
Type of Item:	**Informational**

Summary Recommendations:
Remain in the Mountain Accord process with stipulations included in the Phase 2 amendments. No specific direction is requested at this time.

Topic/Description:
Over the past two months, there have been several conversations about what the appropriate exit points are within the Mountain Accord process. Staff has attempted to outline a number of those options.

Background:
The Mountain Accord Process started Fall 2013 as a collaborative public process to make long-term decisions and take action regarding transportation, environment, recreation, and economy in the central Wasatch Mountains (between I-80 and Little Cottonwood Canyon). The process began after the signing of an Interlocal Agreement in July 2013. That agreement outlines on pages 7 and 8 how disputes are resolved and how the City may extricate itself from the process at any time (attached). In February 2014, Park City entered into Phase 1 by signing the Program Charter (attached), which further clarified that process.

Even with these protections, staff felt it necessary to further clarify exit ramps in the future. Phase 1 will be completed in March 2015 and, at that time, the City will have the following opportunities:

Option 1) Continue into Phase 2 with no stipulations;
Option 2) Continue with stipulations; or
Option 3) Terminate our involvement.

Analysis:
<u>Option 1</u>
There is little additional work that would be required of staff and Council liaisons to achieve option 1.

<u>Option 2</u>
Continuing into Phase 2 will require amendments to the Mountain Accord Charter Agreement with interested parties. Should the Council be interested in participating with stipulations, staff would recommend language similar to, but not limited to, the following:

- Park City's participation is contingent on a robust Economic Impact Study being completed in 2015, before completion of a draft NEPA document. That study will need to review the impacts on bed base, skier visits and key tourism services.

- Alignments included in the NEPA process need to include options that do not impact the unique character of Park City.
- Park City may choose to leave this process for any reason and no capital improvements will be done within the City's boundaries without express permission.

<u>Option 3</u>
If the Council is interested, the City could also leave at the conclusion of Phase 1 and choose not to partake in the Charter Amendments for Phase 2. Staff recommends against this option because it eliminates the City's opportunity:

- to influence future project proposals, and
- to assure Park City's interests are heard.

Staff believes that there are always opportunities for things to be done to the City. However staff does not believe that further involvement encourages or discourages such actions.

We do believe that an opportunity to influence the outcomes of the Mountain Accord provide us with the best opportunity for protecting the needs of our community as well as giving us the best opportunity to benefit from possible recommendations.

Participation in Phase 2 does not negate the City's ability to leave the process at a later date. At such a time where any of the stipulations outlined in the Interlocal Agreement show a negative impact on the City or cause the Council concern, the City could choose to leave immediately. There are also protections if the City chooses to participate, but does not support a transportation mode entering the City:

- UTA does not have authority outside of its jurisdictional boundaries. They would not be able to levy bonds or institute fees without Park City choosing to become a member of the service area or work in partnership with the agency. Operations cost for any transit project will be substantial and will have to come from local funds, Park City would need to be a willing financial partner unless UTA would choose to cover these (Staff does not believe this is likely).
- Federal transit funds are highly competitive, and projects that are inconsistent with local zoning and/or do not have local support are much less competitive for federal funds.
- Local/state share would be required under any federally funded project and it is highly likely our financial participation would be required.
- The EIS that will be started in 2015 could include multiple terminus options, including BCC and Park City via a rail or BRT line using tunnels, as well as an option that terminates at BCC (no connection to Park City).

Department Review: Transportation, Sustainability, Legal, Executive

Attachments: **2013 Wasatch Summit Interlocal Agreement**
2014 Program Charter

PROGRAM AND FUNDING AGREEMENT

Wasatch Summit Phase I

This Interlocal Program and Funding Agreement ("Agreement") is entered into this ____ day of __________, 2013 by and among the Utah Department of Transportation ("UDOT"), Utah Transit Authority ("UTA"), Salt Lake City ("SLC"), Sandy City ("Sandy"), Cottonwood Heights ("Cottonwood Heights"), Town of Alta ("Alta"), Park City Municipal Corporation ("Park City"), Salt Lake County ("Salt Lake County"), Summit County ("Summit County") and Wasatch County ("Wasatch County"), and Metropolitan Water District of Salt Lake & Sandy ("MWDSLS"). Each is individually referred to as a "Party" and collectively as the "Parties."

RECITALS

WHEREAS, UDOT is a Utah state agency with the general responsibility for planning, research, design, construction, maintenance, security, and safety of state transportation systems, and implementing the transportation policies of the state;

WHEREAS, UTA is a public transit district organized pursuant to Utah law, and provides transit services in and around the Wasatch Front;

WHEREAS, SLC, Sandy, Cottonwood Heights, Alta and Park City are Utah municipal corporations, and have various responsibilities and legal authorities related to land use, transportation, watershed and water resources, economic, and environmental issues;

WHEREAS, Salt Lake County, Summit County and Wasatch Counties are Utah counties, and have various responsibilities and legal authorities relating to land use, economic, health, and environmental issues;

WHEREAS, MWDSLS is a Utah metropolitan water district operating pursuant to the Metropolitan Water District Act, Utah Code Annotated, Title 17B, Chapter 2A, Part 6, and has various responsibilities for providing wholesale water supplies to its member cities and others;

WHEREAS, increasing uses of the Wasatch Mountains, population growth, vehicular traffic, economic and development pressures, and potential climate change impacts are combining in a way that is increasingly difficult to manage and that threatens the economy, water resources, environment, and quality of life for more than a million residents and visitors to the region;

WHEREAS, transportation issues associated with recreational access in the Wasatch Mountains are among the more noticeable problems, and solving transportation problems as they relate to land use and watershed protection is a high priority for the Parties, largely due to safety, quality of life, and environmental concerns;

WHEREAS, previous studies have been conducted that support this work, including the recent Wasatch Canyons Tomorrow and the Mountain Transportation Studies; and

WHEREAS, the Parties wish to build upon previous and certain ongoing efforts and conduct a comprehensive regional, long-term review of various transportation solutions in the central Wasatch Mountains that recognizes and incorporates the interdependent transportation, land use, recreation, wilderness, watershed and economic issues and opportunities.

AGREEMENT

NOW, THEREFORE, in consideration of the recitals, mutual covenants and agreements herein set forth, the mutual benefits to the Parties to be derived, and for other valuable consideration, the receipt and sufficiency of which the Parties acknowledge, the Parties agree as follows:

1. PROGRAM DESCRIPTION.

A. The Parties intend to collaborate with each other to conduct a comprehensive regional, long-term review of various transportation solutions in the central Wasatch Mountains that recognizes and incorporates interdependent transportation, land use, recreation, wilderness, watershed and economic issues and opportunities ("Program").

B. Phase I of the Program ("Phase I") is anticipated to be an eighteen to twenty-four month process, conducted consistent with Federal Transit Administration's National Environmental Policy Act ("NEPA") procedures for Notice of Early Scoping, that will (i) convene Wasatch Mountain stakeholders to identify the various interests and issues relating to the use and conservation of the Wasatch Mountains, (ii) analyze the economic and business case for the Program, (iii) conduct baseline environmental studies, (iv) identify a range of land use, watershed protection, and transportation alternatives, and (v) evaluate those alternatives with input from the stakeholders and the general public.

C. Phase II of the Program ("Phase II"), which may be the subject of either a subsequent interlocal agreement or an amendment to this Agreement, is anticipated to be a two to three year process, conducted consistent with NEPA, that will (i) analyze environmental impact and mitigation, (ii) generate a draft environmental impact statement, (iii) convene stakeholder and other public meetings, (iv) prepare a final environmental impact statement, and (v) undertake preliminary engineering studies to implement a selected transportation project or projects.

D. The final work deliverables and general agreement on the major decisions in Phase I of the Program will be in accordance with the Deliverables and Decisions shown in Exhibit A hereto.

E. Each of the Parties will pledge funds and/or in-kind contributions, as more particularly set forth herein, for Phase I of the Program.

F. The term Program, as used in this Agreement, is Phase I and any Phase II of the effort of the Parties to scope and analyze issues and alternatives related to transportation, land use, recreation, wilderness, watershed and economics in the Central Wasatch Mountains and as described above.

2. EXECUTIVE COMMITTEE. An Executive Committee is established to be the consensus-based governing body of the Program. Each Party may appoint one person (a "Designated Representative") to be a member of the Executive Committee. The Parties may invite third parties to serve on the Executive Committee at their discretion. The Executive Committee shall meet at least quarterly, and may meet more frequently, as agreed upon by a majority of the Executive Committee.

3. EXECUTIVE COMMITTEE DESIGNATED REPRESENTATIVES. The Parties hereby designate the following as their Designated Representatives on the Executive Committee:

UDOT ....Jason Davis

UTA ....Michael Allegra, UTA General Manager

Salt Lake City ....Mayor Ralph Becker

Cottonwood Heights ....Mayor Kelvyn H. Cullimore, Jr.

Alta ....Mayor Tom Pollard

Park City............................Council Member Andy Beerman

Sandy ....Mayor Tom Dolan

Salt Lake County ....Mayor Ben McAdams

Summit County..................Council Member Christopher Robinson

Wasatch County ....Council Member Steve Capson

Metropolitan Water District
of Salt Lake & Sandy.........Michael L. Wilson, MWDSLS General Manager

4. STEERING COMMITTEE. A Steering Committee is established to be the managing body of the Program. The Steering Committee shall consist of staff members of the Executive Committee members, and shall manage the Program at the direction of the Executive Committee. The Steering Committee may invite third parties to serve on the Steering Committee upon approval of the Executive Committee. The Steering Committee shall meet at least monthly, and may meet more frequently, as agreed by a majority of the Steering Committee.

5. PROGRAM FACILITATOR. The Parties agree to engage a Program Facilitator to coordinate and manage numerous elements, including logistics and meetings, and

to serve as an objective third-party facilitator for a diverse group of committees and stakeholders, including federal, state, and local governments, non-governmental organizations, and private interests. The Program Facilitator shall work under contract as described in Paragraph 10 and generally shall be responsible for the day to day management of the Program in coordination with the Steering Committee, and will report to the Executive Committee. The Program Facilitator will prepare a strategic plan, mutually agreed upon by members of the Executive Committee, which creates a collaborative process designed to advance Program goals under the collective direction of the Executive Committee. Once this plan is developed and agreed upon, it will be included as a supplement to this Agreement in accordance with Paragraph 13. The Steering Committee shall prepare and finalize a Scope of Work for the Program Facilitator, which shall be approved by the Executive Committee. The Program Facilitator shall be selected in accordance with Paragraph 10.

6. TECHNICAL CONSULTANTS. The Parties agree to engage technical consultants, as needed, to deliver the work products required to meet the Decisions and Deliverables shown in Exhibit A. The technical consultants shall work in collaboration with the Program Facilitator and the Steering Committee, and will report to UTA. The technical consultants shall work under contract as described in Paragraph 10 and generally shall be responsible for the technical aspects of the Program. The Steering Committee shall prepare and finalize a Scope of Work for the technical consultants. The technical consultant shall be selected in accordance with Paragraph 10.

7. TERM. The term of this Agreement shall be for two (2) years, unless otherwise agreed by the Parties in accordance with Paragraph 13. However, in no case shall this Agreement extend for a term that exceeds fifty (50) years.

8. FUNDING. The amounts for funding Phase I of the Program, allocated by the Parties over a two year period, is expected to be as follows:

State of Utah (issued through UDOT)	$ 2,600,000.00
Utah Transit Authority	$ 200,000.00
Salt Lake City	$ 200,000.00
City of Sandy	$ 100,000.00
City of Cottonwood Heights	$ 50,000.00
Town of Alta	$ 25,000.00
Park City Municipal Corporation	$ 100,000.00
Salt Lake County	$ 200,000.00
Summit County	$ 50,000.00
Wasatch County	$ 50,000.00
MWDSLS	$ 100,000.00

Funding is due as follows: for each of the monetary contributions, one-half (50%) of each Party's contribution will be due and payable on or before September 30, 2013; and one-half (50%) of each Party's contribution will be due and payable on or before

September 30, 2014, assuming such amount is appropriated by the Party for such purpose. Notwithstanding the foregoing, contributions from Parties operating on a calendar budget year will be due and payable on or before January 30, 2014. The funds shall be deposited in the UTA segregated holding account described in Paragraph 9 and shall be used solely for the purposes of the Program, as directed by the Executive Committee.

In the event that funding is not appropriated to the Program in the expected amounts, as set forth above, the Executive Committee shall address the shortfall by reducing the scope of the Program, raising alternate funds, or taking other measures deemed appropriate by the Executive Committee.

9. HOLDING ACCOUNT. All funds allocated by the Parties for Phase I of the Program will be deposited in a segregated holding account (the "Account"), which UTA shall create and manage solely for the purposes of the Program pursuant to this Agreement and any further agreement of the Parties. The Account will be interest-bearing with all interest accruing to the Account to be used solely for payment of Program-related expenses. The Account may receive funds from the Parties and third party contributors, as approved by the Executive Committee, and in accordance with UTA policies. UTA shall pay Program expenditures first from the $2,600,000.00 appropriated by the State of Utah. Once the State of Utah funds are expended, UTA shall pay Program expenditures from the commingled funds contributed by the remaining Parties and any third party contributors. UTA shall issue a quarterly statement of contributions received, interest earned, invoices paid and current balance of the Account for Party and public review. UTA agrees to make all financial records associated with the Account available to any Party or third party contributor upon request. The Account may be audited at the request of any Party or third party contributor at the requestor's own expense.

10. CONTRACTOR SELECTION AND ADMINISTRATION. UTA, as administrator of the Account described in Paragraph 9, shall be responsible for administration of the Program contracts described in Paragraphs 5 and 6, or additional contracts as authorized by the Executive Committee. UTA's services as administrator will be provided at no charge to the Program. UTA shall issue requests for proposals and administer Program contracts in accordance with its policies. The Executive Committee shall appoint members of the Executive Committee and Steering Committee representing diverse interests to participate on the evaluation and selection committees for any Program contracts. UTA shall coordinate with the Steering Committee, or the Program Facilitator as authorized by the Steering Committee, in such matters as issuing Notices to Proceed, change orders, accepting the work products of the technical consultants and similar items.

    In no event shall UTA be expected or required to enter into contracts committing UTA to pay amounts in excess of funds already appropriated to the Program and deposited into the Account described in Paragraph 9. UTA will not enter into any contracts committing Program funds without the knowledge and consent of the Steering Committee.

11. PAYMENT OF INVOICES. UTA will forward invoices received from the Program Facilitator, technical consultants, or other contractors, to the other Parties for review and approval. Each Party shall have ten (10) business days in which to review and either approve or disapprove payment of the invoice (in whole or in part). Failure to notify UTA of disapproval within ten (10) business days will be deemed approval. UTA will not process any invoices for payment from the Account until approval from all Parties has been provided, whether through express approval or non-response within ten (10) business days. Any portion of an invoice that is not approved will not be paid until issues of concern have been resolved and a revised invoice has been distributed to all Parties and all Parties have approved the revised invoice, whether through express approval or non-response within ten (10) business days.

12. COORDINATION AND INFORMATION SHARING. The Parties agree to keep each other timely informed of substantive independent communications and activities related to the Program. The Program Facilitator may speak on behalf of the Program to third parties, including the media, as authorized by the Scope of Work for the Program Facilitator. The Parties agree to make available to the Program relevant and useful information procured or maintained in the ordinary course of a Party's business.

13. ENTIRE AGREEMENT; AMENDMENT. This Agreement contains the entire agreement between the Parties with respect to the subject matter hereof, and no statements, promises, or inducements made by any Party or agents of any Party that are not contained in this Agreement shall be binding or valid. Alterations, extensions, supplements or modifications to the terms of this Agreement shall be agreed to in writing by the Parties, incorporated as amendments to this Agreement, and made a part hereof. Notwithstanding the foregoing, the Parties hereby authorize the Executive Committee to amend this Agreement to include new funding partners, on the same terms contained herein, without further approval from the Parties' respective legislative bodies. To the extent of any conflict between the provisions of this Agreement and the provisions of any later agreements, the later agreements shall be controlling.

14. RECORDS. Records pertaining to this Agreement, specifically including but not limited to records pertaining to procurement or financial matters under this Agreement, will be maintained by UTA subject to the Utah Government Records Access and Management Act and applicable Federal law. Records created by or through the work of the Program Facilitator and the technical consultants shall be maintained by such consultants in accordance with their respective Scopes of Work.

15. WITHDRAWAL FROM AGREEMENT. Any Party may withdraw from participation in the Program by giving written notice of such termination to all other Parties and specifying the effective date thereof. No Party or Parties withdrawing from participation hereunder shall be entitled to any refund of any monies previously contributed to Phase I expenses pursuant to this Agreement; provided, however, any

such Party or Parties shall not be obligated to make any further contributions contemplated in this Agreement following the date of such withdrawal.

16. TERMINATION OF THE AGREEMENT. At the expiration of this Agreement or if the Executive Committee determines the Program should be discontinued, any funds remaining in the Account described in Paragraph 9, including any accrued interest, shall be refunded to each Party or contributor *pro rata.*

17. DISPUTE RESOLUTION

A. The Parties agree to make a good faith effort to resolve any dispute regarding the construction or interpretation of any provision of this Agreement, or regarding any policy matter or the determination of an issue of fact, at the lowest reasonable and appropriate possible level. In the event any such dispute is not able to be resolved in this manner, the dispute shall be referred to the Steering Committee for resolution of the dispute.

B. If the dispute is not resolved by the Steering Committee, within fourteen (14) calendar days from the date of first notification by one Party to the other of the disputed issue, the dispute may be advanced, by any Party to the Executive Committee.

C. If the dispute is not resolved by majority vote of the Executive Committee within 30 days after referral to the Executive Committee, then the Parties to the dispute shall refer the dispute for resolution to a single mediator, agreed upon by the Parties involved in the dispute. If the Parties are unable to agree upon a single mediator, the matter shall be referred for resolution to a three-member Mediation Panel to be mutually agreed upon by all Parties involved in the dispute. Panel members shall be independent of the entities involved in the dispute and shall be recognized and approved by State and/or federal courts as qualified and experienced mediators/arbitrators. Each Party to the dispute shall pay its own costs and fees, including a prorated share of the fees for the appointed mediator(s). Any of the above time periods may be modified by mutual agreement of the Parties to the dispute.

D. If the dispute cannot be resolved by the mediator or Mediation Panel within 90 days from the date of referral to the mediator or Mediation Panel, or if the parties involved in the dispute cannot mutually agree upon a mediator or the members of the Mediation Panel, the dispute may be brought before a court or other tribunal appropriate under the circumstances for *de novo* review. A matter may proceed to court only after exhaustion of the above procedures.

18. NOTICES. Notices required under this Agreement shall be sent to the Designated Representative at the contact information set forth below, with a copy, if applicable, to the following:

UDOT	Executive Director Carlos Braceras Utah Department of Transportation 4501 South 2700 West

P.O. Box 141245
Salt Lake City, UT **84114-1245**

Copy to:

Renee Spooner
Utah Department of Transportation
4501 South 2700 West
P.O. Box 148455
Salt Lake City, UT **84114-8455**

Copy to:

Jason Davis
Utah Department of Transportation
Region Two
2010 South 2760 West
Salt Lake City, Utah 84104

UTA	General Manager Michael Allegra 669 West 200 South Salt Lake City, UT 84101 Email: mallegra@rideuta.com Copy to: UTA General Counsel 669 West 200 South Salt Lake City, UT 84101
SALT LAKE CITY	Mayor Ralph Becker 451 South State Street, Room 306 P.O. Box 145474 Salt Lake City, UT 84114 Telephone: 801–535-7704 Email: Ralph.Becker@slcgov.com Copy to: ATTN: Salt Lake City Attorney 451 South State Street, Room 505 P.O. Box 145478 Salt Lake City, UT 84114-5478 Telephone: (801) 535-7788
COTTONWOOD HEIGHTS	Mayor Kelvyn H. Cullimore, Jr.

1265 East Fort Union Blvd., Suite 250
Cottonwood Heights, UT 84047
Email: kcullimore@ch.utah.gov

Copy to:

c/o Wm. Shane Topham
Callister Nebeker & McCullough
10 East South Temple, 9th Floor
Salt Lake City, UT 84111
Telephone: (801) 530-7300
Facsimile: (801) 364-9127
Email: wstopham@cnmlaw.com

ALTA	Mayor Tom Pollard Town of Alta P.O. Box 8016 Alta, UT 84052 Telephone: (801) 363-5105 Email: tjp@townofalta.com
PARK CITY	Council Member Andy Beerman Park City Municipal Corporation P.O. Box 1480 Park City, UT 84060-1480 Email: andy@parkcity.org Copies to: Diane Foster, City Manager Park City Municipal Corporation P.O. Box 1480 Park City, UT 84060-1480 Email: diane@parkcity.org City Attorney Park City Municipal Corporation P.O. Box 1480 Park City, UT 84060-1480 Telephone: (435) 615-5025
SANDY CITY	Mayor Tom Dolan Sandy City 10000 Centennial Parkway Sandy, Utah 84070 Copy to:

John Hiskey
Sandy City
10000 Centennial Parkway
Sandy, Utah 84070
Telephone (801) 568-7104
Email: jhiskey@sandy.utah.gov

SALT LAKE COUNTY	Mayor Ben McAdams Salt Lake County Government Center 2001 South State Street, Ste N2100 PO Box 144575 Salt Lake City, Utah 84114-4575 Email: ben@slco.org Copies to: ATTN: Kimberly Barnett Salt Lake County Government Center 2001 South State Street, Ste N2100 PO Box 144575 Salt Lake City, Utah 84114-4575 Email: kbarnett@slco.org And ATTN: Jeremy Keele Salt Lake County Government Center 2001 South State Street, Ste N2100 PO Box 144575 Salt Lake City, Utah 84114-4575 Email: jjkeele@slco.org
SUMMIT COUNTY	Christopher Robinson Summit County Council P.O. Box 982288 Park City, Utah 84098 Email: cfrobinson@summitcounty.org Copy to: Attn: David L. Thomas 60 N. Main P.O. Box 128 Coalville, Utah 84017

WASATCH COUNTY	Council Member Steve Capson 25 North Main Street Heber City, Utah 84032 Copy to: Wasatch County Attorney 805 West 100 South Heber City, Utah 84032
MWDSLS	Michael L. Wilson, General Manager 3430 East Danish Road Cottonwood Heights, Utah 84093 Telephone: (801) 942-9685 Email—wilson@mwdsls.org

Except as otherwise provided in this Agreement, any notice, demand, request, consent, submission, approval, designation or other communication which any Party is required or desires to give under this Agreement shall be made in writing and mailed, faxed, or emailed to the other Parties addressed to the attention of the Designated Representative. A party may change its Designated Representative, address, telephone number, facsimile number, or email address from time to time by giving notice to the other Parties in accordance with the procedures set forth in this Section.

19. INTERLOCAL COOPERATION ACT REQUIREMENTS. In satisfaction of the requirements of the Interlocal Act, the Parties agree as follows:

(a) This Agreement shall be authorized by resolution of the legislative body of each Party pursuant to Section 11-13-202.5 of the Interlocal Act, and the Executive Director of UDOT.

(b) This Agreement shall be reviewed as to proper form and compliance with applicable law by a duly authorized attorney on behalf of each Party, pursuant to Section 11-13-202.5 of the Interlocal Act;

(c) A duly executed copy of this Agreement shall be filed with the keeper of records of each Party, pursuant to Section 11-13-209 of the Interlocal Act;

(d) Except as otherwise specifically provided herein, and in addition to the funding obligation of Paragraph 8, each Party shall be responsible for its own costs of any action taken pursuant to this Agreement, and for any financing of such costs; and

(e) No separate legal entity is created by the terms of this Agreement. To the extent that this Agreement requires administration other than as set forth herein, it shall be administered by the Mayor or chief executive officer of each Party. No real or personal property shall be acquired jointly by the Parties as a result of this Agreement.

To the extent that a Party acquires, holds, or disposes of any real or personal property for use in the joint or cooperative undertaking contemplated by this Agreement, such Party shall do so in the same manner that it deals with other property of such Party.

20. NO THIRD PARTY BENEFICIARIES. There are no intended third party beneficiaries to this Agreement. It is expressly understood that enforcement of the terms and conditions of this Agreement, and all rights of action relating to such enforcement, shall be strictly reserved to the Parties, and nothing contained in this Agreement shall give or allow any claim or right of action by any third person under this Agreement. It is the express intention of the Parties that any person other than the Party who receives benefits under this Agreement shall be deemed an incidental beneficiary only.

21. EXECUTION IN COUNTERPARTS. This Agreement may be executed in counterpart originals, all such counterparts constituting one complete executed document.

22. AUTHORIZATION. Each Party is duly authorized to enter this Agreement.

IN WITNESS WHEREOF, the above-identified Parties enter this Agreement effective the date of the last Party's signature, except for the purposes of funding under Paragraph 8, the effective date as to each Party is the date of that Party's signature

Signed this ___day of ____________, 2013.

UTAH DEPARTMENT OF
TRANSPORTATION

____

Carlos Braceras, Executive Director

Approved as to Form

____

Salt Lake County agrees to provide $200,000 (subject to required appropriations).

Signed this ___ day of _______________, 2013.

SALT LAKE COUNTY

____
Ben McAdams, Mayor

Approved as to Form

____

Summit County agrees to provide $50,000 (subject to required appropriations).

Signed this ___ day of ______________, 2013.

SUMMIT COUNTY

____
Christoper Robinson, Council Chair

Approved as to Form

____
David L. Thomas
Chief Civil Deputy

Salt Lake City agrees to provide $200,000 (subject to required appropriations).

Signed this ___ day of _______________, 2013.

SALT LAKE CITY

____
Ralph Becker, Mayor

Approved as to Form

____

City of Sandy agrees to provide $100,000 (subject to required appropriations).

Signed this ___ day of ______________, 2013.

CITY OF SANDY

____
Tom Dolan, Mayor

Approved as to Form

____

Cottonwood Heights agrees to provide $50,000 (subject to required appropriations).

Signed this ___ day of ______________, 2013.

COTTONWOOD HEIGHTS

ATTEST:

____
Kelvyn H. Cullimore, Jr., Mayor

____
Linda W. Dunlavy, Recorder

Approved as to Form

____
Wm. Shane Topham, City Attorney

Park City Municipal Corporation agrees to provide $100,000 (subject to required appropriations).

Signed this ___ day of _______________, 2013.

PARK CITY MUNICIPAL CORPORATION

____
Dana Williams, Mayor

Approved as to Form

____

Utah Transit Authority agrees to provide $200,000 (subject to required appropriations).

Signed this ___ day of _______________, 2013.

UTAH TRANSIT AUTHORITY

____
Michael Allegra, General Manager

____
Matt Sibul, Chief Planning Officer

Approved as to Form

____

Town of Alta agrees to provide $25,000 (subject to required appropriations).

Signed this ___ day of _______________, 2013.

TOWN OF ALTA

____

Approved as to Form

____

Wasatch County agrees to provide $50,000 (subject to required appropriations).

Signed this ___ day of ______________, 2013.

WASATCH COUNTY

____

Approved as to Form:

____

MWDSLS agrees to provide $100,000 (subject to required appropriations).

Signed this ___ day of _______________, 2013.

METROPOLITAN WATER DISTRICT OF SALT LAKE & SANDY

____
Michael L. Wilson, General Manager

Approved as to Form:

____
Shawn E. Draney, General Counsel

EXHIBIT A

Phase 1 Decisions and Deliverables

The outcome of Phase 1 is the project Purpose and Need, and general consensus on the following overarching decisions:

Project Element	**Phase 1 Decisions and Deliverables**
Transit	Mode, general alignment, termini, construction phasing, preliminary cost
Roadway	Required roadway changes, preliminary cost
Municipal watershed; source water protection	Land and environmental protection in municipal watersheds, costs associated with conservation easements, land/stream/forest restoration, mitigation, and source water protection
Land Use	Concept-level land use for jurisdictional master plans, wilderness considerations, ski resort considerations, conservation easement considerations
Federal Lands	Concept plan, identification of any necessary Plan Amendments
Economics & Funding	Financial costs and benefits to regions and state. Funding sources, mechanisms, income stream.

2014

Program Charter

February 2014

MOUNTAIN ACCORD

Table of Contents

1 Introduction

Mountain Accord seeks to make integrated and critical decisions regarding the future of Utah's Central Wasatch mountains. It is an unprecedented collaboration of public and private interests intended to address long-term transportation, environmental, economic, and recreation needs in the Central Wasatch region.

The first phase (Phase I) of Mountain Accord will culminate in a broad agreement on a preferred scenario for the future of the Central Wasatch mountains and a program of strategies and actions to implement the preferred scenario. The preferred scenario will identify optimal areas for preservation and development and environmentally-sustainable transportation corridors and modes. The next phase (Phase II) of the program will include implementation of strategies and National Environmental Policy Act (NEPA) processes, if applicable, for proposed actions.

2 Program Context and Purpose

The legacy of the Wasatch Mountains is framed by its natural history and environment and is sustained through the last century of stewardship and conservation by the human inhabitants who have called this region home. The water emanating from the Wasatch is a defining element of the last 150 years of development, growth, and prosperity of the urbanized valleys in the region. For more than a century, the Wasatch Mountains have been a welcome retreat into the quiet and solace of nature from the noise and hustle of the nearby urban areas. Generations that have preceded us have sought to restore areas of the Wasatch Mountains that were degraded by mining, grazing, timber harvesting, and overuse. The forbearers of our community worked hard to preserve and restore the natural environment of the Wasatch Mountains to ensure the prosperity, character, livability, and well-being of the region.

The purpose of Mountain Accord is to preserve the legacy of the Wasatch through a modern, environmentally-sustainable transportation system; responsible stewardship of the natural resources; quality recreation experiences; and a vibrant economy.

3 Goals and Principles

Mountain Accord Executive Board agrees to the following goals and principles:

3.1 Participate in True Collaboration

We will work as a unified team towards a regional vision by respecting and valuing the viewpoints and experiences of all the diverse stakeholders. Salt Lake, Wasatch, and Summit

County stakeholders and the public will be engaged in all phases of the project. We will ensure their interests are represented and included through an open and transparent process.

3.2 Enhance Regional Transportation Systems

We will strive to move people to and within the Central Wasatch area in a safe, efficient, reliable, and responsible manner. We recognize and will consider the interdependencies between transportation systems, recreation management, environmental protection, economic development, and land use when making decisions regarding transportation changes and enhancements. Local land-use planning efforts will be incorporated and private property rights will be respected. Future population growth and climate impacts will be considered in this process. We will promote increased transit use as a means to expand travel choices beyond single vehicle use. We seek to understand the positive and negative social, cultural and environmental effects our actions may have.

3.3 Protect the Environment and Natural Resources

We place a high value on the natural environment, wilderness qualities, and aesthetics of the Central Wasatch mountains. Degradation to the natural environment can result in irreparable damage. The Central Wasatch watersheds are the primary source of clean drinking water to the growing urban population of Utah. The mountain environment enhances our quality of life, and offers natural beauty, recreation and a break from the stress of urban activity. Watershed, viewshed, habitat, recreation, and air quality impacts will be carefully considered and studied throughout this process. We fully recognize the gravity of decisions made today and the long-term effects they could have on our precious natural resources now and for future generations.

3.4 Strengthen the Regional Economy

We recognize the vital role the Central Wasatch mountains have on our economic health. They form the iconic backdrop for Utah's population centers and serve as the gateway for the state's multi-billion-dollar-a-year tourism industry. They are an essential asset to the local and state economy, as an economic engine, a recreational haven, and an amenity for residents during their leisure and family time. The water resources of the Central Wasatch are the underpinning of our economic health in our arid environment and will become more so as population grows and climate evolves.

3.5 Ensure High Quality Recreational Experiences

We understand the value of highly diverse recreational experiences and interests enjoyed in the Central Wasatch region. These mountains are the back door to our urban areas and are loved by our residents for the diverse recreational opportunities they offer. They are widely considered by visitors as a premier recreational destination. These recreational experiences promote active lifestyles at all ages and improve the public's health.

4 Geographic Area

The geographic area for Mountain Accord includes portions of Salt Lake County, Summit County, and Wasatch County. It is bounded on the west by the existing transportation backbone in the Salt Lake Valley (Salt Lake International Airport, TRAX, and I-15), on the east by Park City, on the north by Parley's Canyon, and on the south by Little Cottonwood Canyon.

5 Organizational Structure

5.1 Executive Board

The Executive Board is the consensus-based governing and decision-making body of Mountain Accord. The Executive Board is comprised of representatives from local governments that have a significant regulatory or oversight role in the program's geographic area, Utah state government and legislature, federal agencies that could be asked to take federal action based on program outcomes, and private business, environmental, and recreation interests. The Chair of the Executive Board is the Mayor of Salt Lake County, Ben McAdams. The Vice-Chair is Council Member Chris Robinson of Summit County.

EXECUTIVE BOARD MEMBERS

Name	Organization
Cities/Counties	
Mayor Ben McAdams, Chair	Salt Lake County
Council Mmbr Chris Robinson, Vice-Chair	Summit County
Mayor Ralph Becker	Salt Lake City
Council Member Andy Beerman	Park City
Council Member Steve Capson	Wasatch County
Mayor Kelvyn Cullimore	Cottonwood Heights
Mayor Tom Dolan	Sandy City
Mayor Tom Pollard	Town of Alta
Local Districts/MPOs	
Michael Allegra	Utah Transit Authority
Andrew Gruber	Wasatch Front Regional Council
Mike Wilson	Metropolitan Water District Salt Lake /Sandy
State Government	
Nathan Lee	Utah Department of Transportation
Gov. Gary Herbert/ Alan Matheson	State of Utah
State Legislators	
Representative Johnny Anderson	Utah Legislature, House Transport. Chair
Representative Brad Dee	Utah Legislature, House Majority Leader
President Wayne Niederhauser	Utah Legislature, President of Senate
Federal Government	
Linda Gehrke	Federal Transit Administration
Ivan Marrero	Federal Highway Administration
Dave Whittekiend/ Cathy Kahlow	US Forest Service
Private Entities	
Lane Beattie/ Justin Jones	Salt Lake Chamber of Commerce
Carl Fisher	Enviro & Dispersed Rec (Save Our Canyons)
Peter Metcalf/ Rick Luskin	Outdoor Industry Association
Nathan Rafferty	Ski Industry (Ski Utah)

Powers and responsibilities of the Executive Board include:

- Setting policy and overall program direction
- Ensuring that the program is executed in accordance with this Program Charter
- Making formal decisions and recommendations for program milestones, with recommendations from the Management Team as needed
- Soliciting and committing program funding
- Approving changes to Executive Board membership and appointing a Chair and Vice-Chair
- Establishing committees and System Groups and appointing chairs of the same
- Designating duties to the Management Team and other committees

Executive Board Members are expected to abide by the principles and operating procedures in this Program Charter, stay informed by reviewing program materials and decision documents, and keep their constituents informed of program actions and outcomes. Executive Board Members are responsible for ensuring that coordination and communication occurs within their respective organizations on Mountain Accord issues, products, and outcomes.

5.2 Management Team

The Management Team is established to manage the activities of Mountain Accord. The Management Team membership includes:

- Michael Allegra, Utah Transit Authority
- Mayor Ralph Becker, Salt Lake City
- Council Member Andy Beerman, Park City (representing Summit and Wasatch Counties)
- Mayor Tom Dolan, Sandy City
- Alan Matheson, State of Utah
- Mayor Ben McAdams, Salt Lake County
- Dave Whittekiend, US Forest Service
- Laynee Jones, Mountain Accord Program Manager (staff)

Powers and responsibilities of the Management Team include:

- Administering the program in cooperation with the Utah Transit Authority (UTA has authority to administer program contracts and funds)
- Approving contract work plans and budgets for technical consultants

- Making recommendations to the Executive Board for formal decisions and conflict resolution as necessary
- Giving direction to the Program Manager on the day-to-day management of the program

5.3 Program Manager

The role of the Program Manager is to manage Mountain Accord as directed by the Executive Board.

5.4 Coordinating Team

The Coordinating Team will manage the day-to-day work of the program and oversee the work of the technical consultant (the contract for the technical consultant is administered by the Utah Transit Authority). The Coordinating Team consists of members of the Steering Committee such as assigned staff from the Management Team organizations, the Program Manager, and key staff from the technical consultant team. Coordinating Team members will be expected to attend weekly project team meetings and dedicate 10-15 hours per week to the program.

5.5 Steering Committee

The Steering Committee consists of staff members of the Executive Board plus other parties that represent key interest groups as determined by the Steering Committee and the Program Manager. The purpose of the Steering Committee is to share information, provide feedback to the Program Manager and Coordinating Team on the management of the program, and provide feedback on System Committee outputs and Scenarios. Steering Committee representatives are responsible for sharing program information with relevant staff from their organizations.

5.6 Stakeholder Forum and System Groups

During the Phase I process, information and decisions will be organized around the systems at play in the Central Wasatch region (preliminarily identified as environment, recreation, transportation, and economic). Groups will be formed around each system. The System Groups will be populated with Executive Board members, Steering Committee members, and stakeholders from the private, public, and institutional sectors. Members will be invited through a letter from the Chair and Vice-Chair of the Executive Board. Each group will develop values, goals, metrics, and patterns/maps around their particular system and the group will speak with one voice on issues pertaining to Mountain Accord. Each group will have Co-Chairs appointed by the Executive Board and a technical facilitator from the consulting team.

The Co-Chairs will collectively agree on a consensus-based process to make recommendations on System Group outputs, which will be documented and distributed to participants. System Groups have an advisory role to the Executive Board; recommendations and outputs will be subject to Executive Board approval. System Group outputs and recommendations will be posted on the program website and public feedback collected. Feedback from the public will be summarized for Executive Board consideration.

The combined System Groups are referred to as the Stakeholder Forum.

6 Decision-Making & Conflict Resolution

6.1 Administrative Decisions

The Management Team will provide recommendations to the Executive Board for administrative decisions (such as board, group, or committee membership or chairs, budgets, methods, or general management). The Executive Board will approve administrative decisions through a simple majority vote by those present in person or by phone. The vote will be administered by the Chair or Vice-Chair or their designated representative. A vote for determining whether a matter is of administrative nature, if it is unclear, requires the support of two-thirds of the Executive Board members.

6.2 Milestone Approvals

During Phase I, substantive information regarding environment, recreation, transportation, and economy will be produced by the consulting team in cooperation with the System Groups. System Group Co-Chairs will present information and discuss conflicts at the Stakeholder Forum. Key information, outcomes, and conflicts will be communicated to the Executive Board during the process. Executive Board members are expected to review material and attend Stakeholder Forums (or send an appropriate designee) so they are informed of the issues at hand at the Executive Board meetings. The Executive Board will be asked to formally approve each milestone (existing/future conditions and metrics, system vision statement, idealized system configuration, combined scenarios, and preferred scenario) after Stakeholder Forum and public input.

Each milestone builds on the approval of the previous milestone, culminating in a final decision on a preferred scenario at the end of Phase I. Executive Board members agree not to re-visit milestone decisions that have been made according to the consensus-based process unless there is substantive new information or changes to the environment, laws, or regulations relevant to that decision.

6.3 Consensus-Based Decision-Making Process

The Executive Board will make substantive (non-administrative) decisions, including approvals at milestones, through a consensus-based process. A consensus-based process builds trust, encourages sharing of information, and provides an environment for collaborative problem solving. Consensus does not mean that everyone will be equally satisfied with the decision; rather, it means that the best decision was made given the agreed-upon process, stakeholders, and timeframe. Milestone decisions will be scheduled for discussion at Executive Board meetings. A Draft Decision Memo that summarizes the approval sought, supporting information, and public feedback will be circulated prior to the meeting. The goal will be to circulate the Memo at least five days before the meeting. The Executive Board will discuss the decision and the Program Manager will record any proposed changes or areas of conflict. After adequate discussion, the Chair or Vice-Chair will poll the Executive Board and the level of support will be recorded.

Executive Board members may indicate the following levels of support:

- Concurrence
- Concurrence with minor point of contention
- Consent to move forward with but disagree with outcome
- Waiver
- Dissent
- Indecision until more information is provided

The Program Manager will circulate a Final Decision Memo after the meeting that documents the Executive Board concurrence level and any outstanding issues. The goal of the Executive Board is to reach consensus at each milestone. Consensus is not reached if any Board members indicate indecision or dissent. If possible, Board members are expected to indicate potential dissent, concerns, or indecision to the Program Manager before the meeting. When consensus cannot be reached, the positions of dissenting Board members may be recorded in the Decision Memo for purposes of the public record and the conflict resolution process will be initiated.

Absentees

To keep the program schedule, it is important that those present are empowered to make decisions during the Executive Board meetings. If an Executive Board member cannot attend a meeting, the Board member may submit in writing his or her level of concurrence (with the exception of dissent or indecision) to the Program Manager before the meeting. Alternatively, the Board member may designate a representative that has participated in the process and is knowledgeable of the issues to attend the meeting, participate in discussion, and indicate a level of support on behalf of the absent Board member. Board members who are absent and who have not completed the above actions waive their vote.

6.4 Conflict Resolution

Executive Board Approvals

In the case that the Executive Board cannot reach consensus on milestone approvals or other needed approvals within the timeframe specified by the Program Schedule, the Program Manager may:

- request that dissenting parties put their concerns in writing and/or provide a briefing paper to the Executive Board,
- call a special meeting to address the conflict, or
- elevate the issue to the Management Team to review the issue and propose a path forward.

The level of participation in Executive Board meetings and Stakeholder meetings by dissenting parties will be considered in the conflict resolution process.

If conflict remains after the Program Manager has implemented at least one of the aforementioned options, the Executive Board may decide to move forward without consensus. The decision would be made through an administrative vote. If the vote has the support of two-thirds of the Executive Board, it would be deemed a "near consensus decision." If the vote has the support of a simple majority but less than two-thirds of the Executive Board, it would be deemed a "majority without consensus decision." Any dissenting opinions would be documented in the Decision Memo and public materials would indicate the type of decision that was reached on that particular milestone.

Conflict Between System Groups

The Co-Chairs of the System Groups will address substantive conflict between the environment, recreation, economy, and transportation goals through the Phase I process. The Co-Chairs will bring the substance of the conflict to the Executive Board for discussion and feedback before and leading up to the milestone approval.

Conflict within System Groups

The System Group Co-Chairs will collectively agree on a conflict resolution process to use within the System Groups, which will be documented and distributed to participants.

7 Schedule

The schedule for the Phase I process is from October 2013 to January 2015. Milestones dates are as follows:

• Program Charter	February 2014
• Existing/ Future Conditions and Metrics for Each System	May 2014
• System Vision Statements	July 2014
• Idealized System Configurations	September 2014
• Combined Scenarios Developed from Idealized Systems	November 2014
• Preferred Scenario	January 2015

8 Meetings

8.1 Executive Board

Executive Board meetings are generally the second Monday of the month from 3:30-5:00 pm. Preliminary locations are listed below (to be finalized by the Program Manager). Meetings are open for public attendance and agendas and notes will be posted on the program website. Bolded dates indicate that a milestone decision is scheduled to be discussed.

Date		Time	Location
February 10, 2014 ***Approve Program Charter***		***3:30-5:00 pm***	***Salt Lake County***
March 10, 2014		3:30-5:00 pm	Salt Lake County
April 14, 2014		3:30-5:00 pm	Salt Lake County
May 12, 2014 *Existing/Future Conditions*		*3:30-5:00 pm*	*Salt Lake County*
June 9, 2014		3:30-5:00 pm	Salt Lake County
July 14, 2014 *System Vision Statement & Metrics*		*3:30-5:00 pm*	*Alternate Location*
August 11, 2014 Idealized Systems		3:30-5:00 pm	Salt Lake County
September 8, 2014 *Idealized System Configuration*		*3:30-5:00 pm*	*Salt Lake County*
October 13, 2014		3:30-5:00 pm	Alternate Location
November 10, 2014 *Combined Scenarios*		*3:30-5:00 pm*	*Salt Lake County*
December 8, 2014		3:30-5:00 pm	Salt Lake County
January 12, 2015 *Preferred Scenario*		*3:30-5:00 pm*	*Alternate Location*
January 26, 2015 ***Preferred Scenario (if needed)***		***3:30-5:00 pm***	***Salt Lake County***

8.2 Steering Committee

Steering Committee meetings are generally the first Thursday of the month from 9-10:30 am. Preliminary locations are listed below (to be finalized by the Program Manager). Meetings are open for public attendance and agendas and notes will be posted on the program website.

Date	Time	Location
February 7, 2014 (Fri)	9-10:30 am	Salt Lake County
March 6, 2014	9-10:30 am	Deer Valley
April 3, 2014	9-10:30 am	Salt Lake County
May 1, 2014	9-10:30 am	Salt Lake County
June 5, 2014	9-10:30 am	Salt Lake County
July 3, 2014	9-10:30 am	Alternate Location
August 7, 2014	9-10:30 am	Salt Lake County
September 4, 2014	9-10:30 am	Salt Lake County
October 2, 2014	9-10:30 am	Alternate Location
November 6, 2014	9-10:30 am	Salt Lake County
December 4, 2014	9-10:30 am	Salt Lake County
January 8, 2015	9-10:30 am	Alternate Location

8.3 Stakeholder Forums

Stakeholder Forums will be conducted per the schedule below. Meetings are open for public attendance and agendas and notes will be posted on the program website.

- Existing Conditions and Metrics — April 2014
- Idealized Systems — July 2014
- Combined Scenarios — October/November 2014
- Preferred Scenario (optional meeting) — December 2014

8.4 System Group Meetings

System Group meetings will be conducted at each step, with a total of up to 8 meetings per committee from February to October 2014. Meetings are open for public attendance and agendas and notes will be posted on the program website.

8.5 Public Meetings

Public meetings will be conducted at the following steps:

• Public Roll Out/ Scoping	February 2014
• Combined Scenarios/ Recommended Scenario	December 2014/ January 2015

Public information will also be disseminated at each milestone through the website and social media.

9 Communications and Ground Rules

9.1 Communication Principles

Mountain Accord communication principles include transparency, collaboration, productivity, and efficiency. Program information will be made available to the public on the program website. Information will presented in a way that is accessible to the general public, such as:

- Using plain English rather than industry jargon
- Avoiding acronyms
- Incorporating graphics, photos, and tables
- Avoiding lengthy paragraphs

9.2 Ground Rules for Meeting Participation

The following ground rules will apply to all Mountain Accord meetings:

- Everyone should participate, but no one should dominate
- Disagreement is expected, but refrain from hostility or antagonism
- Leave issues from other interactions, projects, and experiences at the door
- Start on time
- Leave the room to answer cell phone calls
- No side conversations
- No Interrupting

9.3 Document Reviews

To meet the program schedule, it is crucial that documents are reviewed in a timely manner. It is expected that each Executive Board agency compile comments into one list for their agency and that the agency resolve internally conflicting comments before submitting. Review times will be specified when the document is distributed, and it is expected that Executive Board agencies meet the specified review time. Reviews will be concurrent with the Executive Board and other entities (such as Executive Board agency staff, Steering Committee, etc.).

9.4 Media

When speaking to the media on behalf of the Program, Executive Board members will use agreed-upon program information and messaging. The Program Manager is the official spokesperson for Mountain Accord. The Chair and Vice-Chair of the Executive Board or his/her designated representatives are the official spokespersons for the Executive Board.

10 Charter Amendments

The Program Manager will review the elements of the charter, including the program structure, with the Executive Board regularly (approximately quarterly) to determine its effectiveness at achieving Mountain Accord goals. This Program Charter may be updated at the end of Phase I to include a preferred scenario, an agreed-upon regional transportation corridor or mode, and a program of strategies and actions to implement the preferred scenario.

The Executive Board may amend this Program Charter through a consensus-based process.

11 Related Documents

11.1 Inter-local Program and Funding Agreement (ILA)

The ILA outlines the funding amounts for the public entities, in addition to describing the general program and executive and steering committees. The signatories to the ILA are a sub-set of this Program Charter signatories (i.e., counties, cities, Utah Transit Authority, Metropolitan Water District of Salt Lake and Sandy, and Utah Department of Transportation). The ILA designates a holding account that the Utah Transit Authority manages and assigns the Utah Transit Authority as administrator of program contracts. The conflict resolution process outlined in this charter supersedes that referenced in the ILA.

11.2 Project Management Plan

A Project Management Plan will describe in more detail the organization, staffing, roles and responsibilities, communications and coordination, public relations plan, project management and controls, and risk management. The Project Management Plan will be a living document that can be revised as the program progresses.

11.3 Agency Coordination Plan

The National Environmental Policy Act (NEPA) requires an agency coordination plan for Environmental Impact Statement projects falling under the Federal Transit Administration or Federal Highway Administration rules. The plan outlines concurrence points and review times, among other things, for all the federal, state, and local agencies that have a regulatory role in the EIS process. The plan would likely include state and federal regulatory agencies that are not signatories to this Program Charter. An Agency Coordination Plan will be developed for Phase II.

MOUNTAIN ACCORD

Signatures

Ben McAdams   3/10/2014

Mayor Ben McAdams, Salt Lake County, Chair   Date

Christopher F. Robinson   3/10/2014

Council Member Chris Robinson, Summit County, Vice-Chair   Date

5/10/14

Michael Allegra, Utah Transit Authority   Date

Representative Johnny Anderson, Utah Legislature   Date

Lane Beattie, Salt Lake Chamber of Commerce   Date

3/24/14

Mayor Ralph Becker, Salt Lake City   Date

Andy B   3/10/14

Council Member Andy Beerman, Park City   Date

Council Member Steve Capson, Wasatch County   Date

6/9/14

Mayor Kelvyn Cullimore, Cottonwood Heights   Date

Representative Brad Dee, Utah Legislature   Date

Signatures (continued)

Mayor Tom Dolan, Sandy City Date

3/10/2014

Carl Fisher, Save Our Canyons Date

3/10/2014

Andrew Gruber, Wasatch Front Regional Council Date

3-10-14

Nathan Lee, Utah Department of Transportation Date

3-10-14

Alan Matheson, State of Utah Date

Peter Metcalf, Outdoor Industry Association Date

President Wayne Niederhauser, Utah Legislature Date

3/10/14

Mayor Tom Pollard, Town of Alta Date

3/10/14

Nathan Rafferty, Ski Utah Date

3/10/2014

Mike Wilson, Metropolitan Water District of Salt Lake and Sandy Date

Signatures (continued)

Federal Partners

Federal agencies are participating in the Mountain Accord Phase I process to inform the Executive Board and project team as to compliance with federal requirements for potential future actions. Federal agencies will be non-voting during Phase I.

Linda Gehrke, Federal Transit Administration — Date

3/10/14

Ivan Marrero, Federal Highway Administration — Date

3/10/14

Dave Whittekiend, US Forest Service — Date

City Council Staff Report

Subject:	**Historic District Grant Program**
Author:	**Anya Grahn, Historic Preservation Planner**
	Thomas Eddington, Planning Director
Department:	**Planning Department**
Date:	**January 8, 2015**
Type of Item:	**Administrative**

Summary Recommendations:
Staffs recommends City Council review the recommended changes to the Historic District Grant Program and adopt a policy for the administration of the program.

Topic/Description:
Since 1987, the Historic District Grant program has operated continuously with the support of City Council and the Historic Preservation Board (HPB). The Historic Preservation Grant program was originally housed in the Capital Improvement Project (CIP) and funded with the Main Street and Lower Park Avenue (LPA) RDA funds as directed by Council and included in the RDA resolutions. With recent changes to the government accounting rules (GASB), the City can no longer fund capital improvement projects with CIP funds for projects or assets the City does not own. This includes the Historic Preservation Grant program.

Background:
The Historic District Grant Program began with over $500,000 in Redevelopment Funds for rehabilitation and historic preservation incentives in 1987. Matching grants are awarded to property owners to assist in maintaining and preserving their historic commercial and residential structures. Currently, the City's funds may be utilized to fund exterior improvements only. All work must comply with the Design Guidelines for Historic Districts and Historic Sites and be approved through a Historic District Design Review (HDDR).

The Historic Preservation Grant program was originally housed in the Capital Improvement Project (CIP) and funded with the Main Street and Lower Park Avenue (LPA) RDA funds as directed by Council and included in the RDA resolutions. The majority of historic preservation grants are awarded within the RDA boundaries. Occasionally some historic preservation grant applications were received from property owners outside the RDAs. To provide for this, Council allocated some general fund (GF) transfer funding in the CIP for these applications.

With recent changes to government accounting rules (GASB), the City can no longer fund capital improvement projects with CIP funds for projects or assets the City does not own. Historic Preservation Grants fall into this category. In order to continue the Historic Preservation Grant program, as part of the FY2014 budget process (adopted in June 2013), the Finance and Budget Managers moved funding for the program into the operating budget. At that time, the amount remaining in the CIP from the GF transfer was $47,000. This was the total amount available to be drawn down or carried forward into future years (the total amount available from the GF was $47,000). When the budget was moved to operating, that amount was entered into the operating budget as an annual amount. Meaning rather than a total of $47,000, the program now has an annual amount of $47,000 per year for properties in the general fund area (City limits) but not eligible for funding in an RDA.

The Grant Program budget also now includes two (2) non-departmental operating budgets for both the Main Street and Lower Park Avenue RDA. The direction which has been provided by City Council was that Historic Preservation Grants are a high priority for the City and the RDA. As part of the FY2015 budget, Council approved funding within the Lower Park Avenue RDA at $50,000 per year and the Main Street RDA at $30,000 per year. It was recommended that total annual expenditures within the RDA's could exceed the budgeted amount only after approval by City Council. Any adjusted budgeted amount within the RDA would be approved as part of the year-end budget adjustment process. If the total amount of the awards (within the 3 General Ledger codes) goes over the Council-approved allocated budget then it needs to go back to Council for approval. Normally, we adjust the budget at the end of the fiscal year where we provide a public hearing. The total ***annual*** budgeted amount available to the Historic District Grant Program is as follows:

Lower Park RDA*	$50,000
Main Street RDA*	$30,000
City Wide (General Fund)	$47,000
Total	$127,000

**Amount in excess of budget to be approved by Council as determined available in the Lower Park or Main Street RDA.*

Staff met with City Council during work session on October 9, 2014, to discuss the grant program. At that time, City Council directed staff to meet with the Historic Preservation Board (HPB) to go over the proposed changes. Staff then met with the HPB on November 5, 2014, and returned to City Council with HPB feedback on December 4, 2014. The analysis section of this report outlines the changes addressed with City Council and the HPB.

Analysis:
Staff last met with City Council to discuss changes to the Historic District Grant Program on December 4, 2014. The following outlines these proposed changes to the policy:

Historic District Grant Application Process

1. *Grant Application*
   Applicants typically complete the grant application (Exhibit A) following a Historic District Design Review (HDDR) approval. Staff, the HPB, and City Council discussed the following changes to the grant application:

Eligible Improvements
The Historic Preservation Board agreed with staff that additional eligible improvements should be added to the Historic District Grant program. These included:

- cladding repair
- architectural ornamentation
- weatherization of historic windows and doors
- abatement of hazardous materials (not related to contaminated soils)
- stabilization/preservation of industrial mine structures

In regards to the mine structures currently protected by the Historic Sites Inventory (HSI), the grant fund would only help fund work on those mine structures located on privately owned property. There are a few aerial tramway towers located on private residential property. Past work completed by the Park City Museum was financed with abatement funds. Going forward, any work completed by the Park City Museum will be conducted through a Special Service Contract.

The Historic Preservation Board (HPB) also expressed interest in covering the architectural fees for completion of Physical Conditions Reports and Historic Preservation Plans that are required as part of the Historic District Design Review (HDDR) application. The Board found that the additional expense of the Physical Conditions Report and Preservation Plan increases the already costly price of rehabilitating the historic structure. The HPB believed these reports could be completed prior to the HPB grant hearing, and the HPB would reimburse the applicant for the cost of the Physical Conditions Report and Historic Preservation Plan. The amount to be reimbursed for each individual report would be up to $1,500.

Ineligible Improvements
The Historic Preservation Board agreed with staff that the following improvements should be added to the list of ineligible items on the Historic District Grant program:

- Relocating/moving historic structures horizontally on the lot
- HVAC/Mechanical Systems Upgrades
- Any restoration work covered or funded by insurance

Painting and roofing are considered the responsibility of the homeowner, but may be considered under specific circumstances. Staff and the HPB agreed to continue reviewing these improvements on a case-by-case basis.

2. *Applicant Eligibility*
Currently, any historic property owner is eligible for the grant program. During the April 10, 2014, joint HPB-City Council work session, the HPB and City Council discussed the possibility of limiting the availability of grant funds based on primary and secondary ownership for residential properties. Over the last year, over half of the grants awarded were for second homeowners. Staff, City Council, and the

Historic Preservation Board have spent considerable time reviewing what these percentages should be. The following has been recommended by staff and the HPB:

- Houses lived in by primary residents (those houses in which the homeowner or a renter lives in full time) be awarded up to 50% of their eligible costs, while homes which are to be used as secondary homes or nightly rentals (i.e. not lived in by the primary residents) be awarded up to 40% of eligible costs.
- Commercial properties will continue to be eligible for up to 50% of construction costs regardless of ownership.
- An additional 10% may be awarded to those property owners committed to renovating a significant structure in order to elevate its status to landmark. Planning staff will work with the HPB to set required criteria for these unique cases.

3. *Historic Preservation Board Review & Hearing*

Grant funds are awarded based on the extent of the proposed work and historical significance of the property. The HPB generally does not review the applicant's financial need for the grant, unless it is specifically shared by the property owner. Grant applications will continue to be reviewed by the Historic Preservation Board (HPB) on a "first come, first serve" basis.

On December 4, 2014, staff and City Council found that it would be appropriate to limit the amount of funds the HPB could award to $25,000, as consistent with the City's purchasing policy. Those grant amounts exceeding $25,000 will require that the HPB forward a positive recommendation to City Council. It is expected that HPB grant recommendations will typically be approved as part of the City Council consent agenda. Staff finds that this will consume additional time on the part of the applicant; however, it should not be time-consuming for City Council as they regularly review and approve contracts through the consent agenda.

Total annual expenditures within the RDA's may exceed the budgeted amount of $45,000 only after approval by City Council. These amounts within the RDA would be approved as and adjusted as part of the year-end budget process.

4. <u>Completion of Work, Grant Payout, and Lien Agreement</u>

Our recordkeeping suggests that work often commences on awarded properties several months after the grant is awarded. Currently, there is no expiration date set to the grant funds, and staff has encountered instances where grant monies were awarded several years ago, yet the work has not yet begun. Staff and the HPB had recommended that the Building Permit be pulled within 90 days of the grant hearing; however, the HPB found that 120 days was more appropriate. Should the applicant be prevented from pulling a permit within 120 days, then staff will provide an administrative extension of approval for up to an addition 120 days before the applicant will be required to re-apply for grant funds. The work must be completed within two (2) years of pulling the Building Permit.

Upon completion of the work and final inspections, the grant applicant submits proof of payment to the Planning Department for disbursement of funds. Currently following the grant payout, the City requires that the applicant enter into a lien agreement. This agreement states that the applicant shall not apply for a demolition permit for the building for which the grant is awarded for ten (10) years following the grant award, unless the building is structurally unsound or substantial changes have occurred. The grantee also warrants that the building remains in the grantee's ownership for at least five (5) years; the City shall release the note and deed of trust five years from the date of payment, or recapture the amount of the grant, plus interest, if the building is sold:

- Within the first year, 100% of the grant
- Within the second year, 80% of the grant
- Within the third year, 60% of the grant
- Within the fourth year, 40% of the grant
- Within the fifth year, 20% of the grant

In exchange for the City's contribution, the Grantee agrees to provide the following minimum services to the community:

- Maintain the architectural significance of the structure;
- Retain and/or restore the historic character of the structure;
- Preserve the structural integrity of the structure; and
- Perform normal maintenance and repairs.

On December 4, 2014, City Council found that the purpose of the grant program was to preserve the buildings. City Council chose to eliminate the lien requirement. Going forward, staff recommends requiring grant recipients to enter into a Historic Preservation Grant Agreement and a Preservation Agreement. This preservation agreement will be structured similar to a façade easement in that it will run with the land and require the applicant to maintain the historic structure. Staff finds that this will prevent the historic structure from being demolished.

Department Review:
This report has been reviewed by the Planning, Budget, and Legal Departments.

Alternatives:

A. **Approve:** City Council may adopt the Historic District Grant Program policy as amended; or

B. **Deny:** City Council may deny the Historic District Grant Program Policy; or

C. **Continue the Item:** City Council may continue the discussion on the Historic District Grant Program policy, or

E. **Do Nothing:** City Council may choose to 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?	+ Balance betw een tourism and local quality of life + Multi-seasonal destination for recreational opportunities	+ Reduced municipal, business and community carbon footprints + Enhanced conservation efforts for new and rehabilitated buildings	+ Preserved and celebrated history; protected National Historic District + Shared use of Main Street by locals and visitors ~ Entire population utilizes community amenities + Community gathering spaces and places	+ Fiscally and legally sound + Well-maintained assets and infrastructure + Streamlined and flexible operating processes
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Positive ⇧	Very Positive 🡅	Very Positive 🡅	Positive ⇧

Comments:

Consequences of not taking the recommended action:

By not adopting the recommended changes to the Historic District Grant policy and application process, the City will not be able to continue to fund legally the grant program due to the changes in the government accounting rules (GASB). No preference will be given to primary homeowners over secondary homeowners.

Recommendation:

Staffs recommends City Council review the recommended changes to the Historic District Grant Program and adopt a policy for the administration of the program.

Exhibits:

Exhibit A — Proposed Policy
Exhibit B — City Council Staff Report and Minutes 12.4.14

EXHIBIT A

Part I: Historic District Grant Program
The Historic District Grant Program awards matching grants to assist property owners in maintaining and preserving their historic commercial and residential structures. Grant funds are applied to exterior improvements only, and all work must comply with the Design Guidelines for Historic Districts and Historic Sites. The policy outlines the many ways property owners and the City can work together to preserve Park City's historic sites and structures.

A. Goals

1. Offset the costs of rehabilitation work in the City's two (2) National Register Historic Districts
2. Provide funding to projects that provide a community benefit through historic preservation
3. Inspire greater preservation of Park City's historic sites and structures

B. Objectives

1. Inspire citizen involvement and appreciation for the historic preservation of Park City's sites and structures.
2. Encourage the preservation of historic sites and structures in the City's two (2) National Register Historic Districts.
3. Promote projects that preserve and enhance the historic architecture of Park City.
4. Further projects that meet the Design Guidelines for Historic Districts and Historic Sites

C. General Rules

1. The applicant must apply for a Historic District Grant prior to the start of any construction work. The application must include a written scope of work and specifications, cost estimate, drawings as they apply to the specific work, color photographs, and a brief history of the structure.
2. The Historic Preservation Board (HPB) will review grant applications on a "first come, first serve" basis. The HPB may award grants up to $25,000. Those grants exceeding $25,000 will require the HPB to forward a positive recommendation to City Council; these recommendations will be reviewed as part of the City Council consent agenda.
3. Any total grant awards greater than the budgeted amount allocated for the Lower Park Avenue and Main Street RDAs will be approved and adjusted as part of the year-end budget process.
4. Upon completion of the work and final inspections, the grant applicant will submit proof of payment to the Planning Department for disbursement of funds.
5. Following receipt of the grant funds, the grant recipient will sign a Historic Grant Program Agreement and Historic Preservation Agreement.

D. Eligibility

1. Applicant Eligibility
    a. Houses lived in by primary residents (those houses in which the homeowner or a renter lives full-time) may be awarded up to fifty percent (50%) of their

construction costs, while homes which are used as secondary homes or nightly rental (i.e. not lived in by the primary resident) may be awarded up to forty percent (40%). Commercial property owners will be eligible to receive up to fifty percent (50%) of their construction costs. An additional ten percent (10%) may be awarded to property owners committed to renovating a Significant structure in order to elevate its status to Landmark.

2. Eligible Improvements
    a. Improvements shall be completed in compliance with the Secretary of the Interior's Standards for Rehabilitation and include exterior work such as siding, windows, foundation work, masonry repair, structural stabilization, exterior trim, exterior doors, cornice repair, porch repair, retaining walls, as well as historic steps and stairs. The Historic Preservation Board may identify additional eligible improvements (such as Physical Conditions Reports and Preservation Plans, etc.) as necessary; these improvements shall be noted on the Historic District Grant Application.

City Council Staff Report

Subject: Planning – Gantt Chart Update
Author: Thomas Eddington, Planning Director
Kayla Sintz, Planning Manager
Date: January 8, 2015
Type of Item: Staff Report

The attached Gantt Chart was last reviewed by City Council six months ago, or July 31, 2014. The Planning Department reviews the document internally with the City Manager at the BPE (Building, Planning, Engineering) meeting the beginning of each month.

Notable modifications to the schedule include the Park City Mountain Resort Vail application submitted on December 23, 2014, as well as, the new item of Ski-Era Historic Analysis.

Council directed delays are also shown for both the Bonanza Park Form Base Code and the Lower Park Avenue area plan.

Finally, delays in the schedule due to department workload are reflected with the Lighting Code Update, Sign Code Update and Land Management Code general re-writes correlating to implementation of the recently adopted General Plan.

Summary of Modifications and Changes:
New: Vail Master Planned Development Amendment application
New: Ski-Era Historic Analysis
Directed Delay: Bonanza Park Form Based Code (additional Public Outreach)
Directed Delay: Lower Park Avenue Area Plan
Department Delay: Sign Code & Lighting Code Updates
Department Delay: Land Management Code updates

Planning Staff would like Council's analysis regarding set schedule as the Department prioritizes for the new year.

Exhibit:
Gantt Chart – January 2015

Planning Department - Long Range / Project Planning

January, 2015

	Month 1 Jan-14	Month 2 Feb-14	Month 3 Mar-14	Month 4 Apr-14	Month 5 May-14	Month 6 Jun-14	Month 7 Jul-14	Month 8 Aug-14	Month 9 Sep-14	Month 10 Oct-14	Month 11 Nov-14	Month 12 Dec-14	Month 13 Jan-15	Month 14 Feb-15	Month 15 Mar-15	Month 16 Apr-15	Month 17 May-15	Month 18 Jun-15	Month 19 Jul-15	Month 20 Aug-15
					Application - Busy Season						Holiday/Sundance						Application - Busy Season			
General Plan																				
Applications / Projects																				
Vail @ PCMR application submitted 12/23/14									x	x	x	x								
Treasure																				
Historic Sites Inventory / Main Street				Cindy inquired as to the status of this process																
Ski-Era Updates (new)																				
Mining Sites																				
All Other Applications																				
Neighborhood Plans																				
BOPA and FBC					13J			6	16	8	~~12~~	x	13C							
LOPA (Council directive to move to 2015)					x	x	x	x	x	x	x	x	x		Public Charette Process					
Prospector Area Plan																				
LMC & Municipal Code Revisions																				
Lighting Code Update													x							
Sign Code Update														x		8	13	25C	16C	
LMC ReWrite - General																				
Allowed Uses/CUPs & Lot Sizes											x	x	x	18	25	22	27	11C	2C	
TDRs														x	x	x	13	24	22	26
Definitions														11	11	9C	14C			
Parking																			14	12
Housekeeping/Policy/Law																				
CUP Criteria																				
Landscape Ordinance																				
MPDs																				
HPB/HDDRs																				
SLO/Ridgelines																				

	Month 21 Sep-15	Month 22 Oct-15	Month 23 Nov-15	Month 24 Dec-15	Month 25 Jan-16	Month 26 Feb-16	Month 27 Mar-16	Month 28 Apr-16	Month 29 May-16	Month 30 Jun-16	Month 31 Jul-16	Month 32 Aug-16	Month 33 Sep-16	Month 34 Oct-16	Month 35 Nov-16	Month 36 Dec-16	Month 37 Jan-17	Month 38 Feb-17	Month 39 Mar-17	Month 40 Apr-17
			Holiday/Sundance						Application - Busy Season						Holiday/Sundance					
General Plan																				
Applications / Projects																				
Vail @ PCMR application submitted 12/23/14																				
Treasure																				
Historic Sites Inventory / Main Street																				
Ski-Era Updates (new)																				
Mining Sites																				
All Other Applications																				
Neighborhood Plans																				
BOPA and FBC																				
LOPA (Council directive to move to 2015)																				
Prospector Area Plan						9J			11	8		9J	10C	6C						
LMC & Municipal Code Revisions																				
Lighting Code Update																				
Sign Code Update																				
LMC ReWrite - General																				
Allowed Uses/CUPs & Lot Sizes																				
TDRs	10C	8C	5C																	
Definitions																				
Parking	16	22C																		
Housekeeping/Policy/Law	16	14	19C																	
CUP Criteria			11			10	9	13	12C	2C										
Landscape Ordinance								13	11	9C										
MPDs										8		10	14	20C	10C					
HPB/HDDRs														19H	9	14	12C	9C		
SLO/Ridgelines																		8	8	6C

Dates:

Numbers alone indicate the Planning Commission meeting that month

"C" next to the date indicates a City Council Meeting

"J" next to the date indicates a Joint CC/PC meeting

"x" in box indicates change in schedule

PARK CITY COUNCIL MEETING MINUTES- DRAFT
SUMMIT COUNTY, UTAH,
December 11, 2014

Work Session
Council Questions and Comments and Manager's Report

Council member Simpson thanked staff for the annual Holiday party as well as attended the JTAB meeting stating she found the interesting point was a recognition that density will need to be managed one way or another.

Council member Peek attended the JATB meeting as well as the opening day at Deer Valley.

Council member Matsumoto attended a meeting with City Manager and the Chief of Police regarding "At Risk" students.

Council member Beerman thanked staff for the Holiday party. Thanked Mayor Thomas for the joint Council/County Council Holiday party. Hosted a leadership book party at TMI. Attended the Celebrity Ski event at Deer Valley where the Mayor did a great job representing the City. Attended a Chamber Social which was well attended. Attended a BOSAC meeting.

Council member Henney stated that he loaded the Bus App on his iPad he found it very cool and informative, he attempted to show the audience but could not get a strong signal, stay tuned. Attended the Wilderness meeting where all the groups were well represented discussing the management tools and usage. Attended the Summit Mosquito Abatement meeting where they reported they had a great year. Attended the Celebrity Ski event where he was beat by Papa John's and Bobby Kennedy Jr.

Mayor Thomas stated he enjoyed the Holiday party mingling with the employees that he does not get to associate with on a daily basis. He thought the graphics on the leadership book where fabulous. Enjoyed hosting the joint Council social. The skiing event was amazing; he enjoyed meeting Bobby Kennedy Jr.

City Manager Foster outlined the upcoming items related to transportation stating that on Monday, Dec 15^{th} the transportation staff will meet with the County to discuss alignments and on January 8^{th} Kent Cashel will return to Council to further look at the transportation planning.

Mayor Thomas thanked Blake Fonnesbeck for joining him for a meeting with a business owner discussing traffic and parking where they came in angry and left happy thanks to Fonnesbeck for creating understanding of the plan.

Council member Matsumoto thanked staff for the construction survey stating that it looks like staff came out very well.

Henney also inquired about the Construction update manager's report and Weidenhamer stated that with the HPCA staff has decided to bump the Brew Pub project to the top priorities of the project list stating that it will be a multi-year plan. Beerman stated that he is concerned with proceeding on the City Hall plaza due to the lack of parking and the ongoing construction projects. Simpson stated that she is willing to look at this again but would suggest that we wait until the bids come in to see where we are sitting in a general sense. Peek stated he is good with the timeline Council gave staff in October. Matsumoto and Henney are open to a discussion. Henney inquired which way would help staff the most. Weidenhamer stated that his recommendation would be to come back when the bids come in. He stated that he has sensed no lack of commitment from staff, HPCA and the Council.

Parking Fee-in Lieu discussion

Kent Cashel and Brooks Robinson spoke to the parking fee-in-lieu topic related to the Peak Hour/Peak Day task force plan. Cashel stated that this is the first of many parking discussions to come in the near future. Stated that the parking fee-in-lieu is primarily in the HCB zone. Discussed the requirements for fee in lieu are 6 per 1000 sq. and the City charges $14,000. Cashel spoke to the benefits being-option for developer, money for shared parking, fewer variances, promotes preservation and adaptive re-use. The risks are setting an appropriate fee, exceptions and business use which would miss the demand factor. Staff created a study looking at City owned sites looking at the accommodations and cost. The study did not look at supply and demand stating that staff needs to get a better look at the private parking accessible. The study findings are average cost being $41,863 per space, that the space exists within the City and they found the visual impact to be significant. Staff's recommendations are to continue with the fee-in-lieu returning to Council on the 18th to amend the fee to $40,000 per space. Would also like to manage the demand side first but keep an eye on the supply side. Council concurred with Staff's recommendations. Council member Matsumoto inquired if staff was projecting new construction. Cashel stated that there are a number of potential new construction options along Main. Council member Simpson inquired if the retailers on Main that paid into the original China Bridge would have to pay in again. Council member Beerman inquired how the money is tracked. Rockwood stated that the money would be received into the transportation fund and would be allocated within its own fund. Council member Beerman inquired if there was flexibility within the funds. Rockwood stated that there is the option to define what the monies can be used for to either increase supply or a number to give relief to the demand side. Council member Beerman inquired if staff has looked at any electronic tools that would point out open parking spots to help alleviate the stress of parking. Cashel stated that staff is looking at all types of tools for the tool box. Council member Simpson inquired about a valet system. Cashel stated that there was a pilot program in the 80's and it was unsuccessful, staff could take a fresh look at the idea again. Cashel discussed the Master Plan goals related to supply and demand. Discussed the licensing tools using the business use license to see the demand of each business on the supply of parking. Staff's recommendations are to continue with the fee-in-lieu returning to Council on the 18th to amend the fee to $40,000 per space. Would also like to manage the demand side first but keep an eye on the supply side.

Council member Simpson inquired if the fee-in-lieu is only available in the HCB zone. Sintz stated that it would be available in the HCB zone in an MPD scenario. Simpson thanked staff for the in-depth report. Stated she is in support with the business license tool.

Council member Peek stated that he is in favor of staff's recommendation. He inquired if it would be better to look at the building permits to capture these fees as a conditional use. Staff will look into that.

Council member Matsumoto is also in favor of staff's recommendations.

Council member Beerman stated he is in support of staff's recommendations; however, feels that we are risking losing our Mom and Pops to big chains by assessing business fees.

Council member Henney stated that he is in favor but would like to look at paid parking and a parking enterprise fund. Cashel agreed that parking is a valuable asset and people take free parking for granted.

Mayor Thomas stated he agreed with the recommendations. He appreciated the logical process but was horrified with the parking structures portrayed in the mock drawings.

Allison Butz spoke for HPCA stating HPCA is pushing for alternatives to keep cars at the hotels/lodges. Feels that the electronic tool would be a great option stating that with the disjointed parking lots the guest feels the stress at 60%. Encouraged Council to look at the supply side as there are not currently not enough spots as is let alone to accommodate the recent growth.

<u>National Weather Service Update</u>
Hugh Daniels, Emergency Manager and Kevin Barjenbruch, Warning Coordination Meteorologist from the National Weather Service, spoke to becoming a storm ready community, stating that the Emergency preparedness department has always looked at weather but this is a way to up our readiness. Kevin outlined the qualifications for becoming a Storm Ready community. Recognized Park City as the 18th Storm Ready community in Utah. Hugh discussed an example of how this relationship worked with a storm during the Arts Fest.

<u>Commercial Tours Request-Segways</u>
Mayor Thomas recused himself as the applicant is a client of his. Mayor Pro Tem Simpson opened the item. Heinrich Deters, Trails and Open Space, stated that resident Dennis Levine is trying to obtain a business license for Segway tours of Historic Park City. Deters stated that this is currently not allowed in the current code and would need to come back if Council agrees to amend the code. Harrington stated that he always cautions the Council to remember the sidewalk right-of-way stating that in the past it was an all or nothing approach but over the years it has incrementally varied over the years adding use during special events. Also spoke to the safety aspect of this mode of transportation. Council member Matsumoto inquired if they would be on the streets or the sidewalks. Deters stated that the proposal is currently on the street and is outlined in the packet. Council member Beerman inquired how this differs from the current ghost tours and dining tours. Harrington reiterated his caution with the incremental creep. Council member Matsumoto inquired if they are allowed on the streets. Harrington and Deters

stated that segways are allowed anywhere a bicycle is. Henney inquired about the legal issues with a commercial use.

Mr. Levine stated that this would be a 6 month use/business stating that this is a very popular mode for tours. He would like to stay off the busy streets due to the safety issues. Council member Peek inquired if there is a governed speed limit. Levine stated that there is a 12 mph limit. He also clarified they will always be used as a guided tour and never rented out. Everyone would need to go through training and watch a video.

Council member Matsumoto stated she felt it would be detriment and disruptive to Old Town and does not want to open the door to motorized vehicles.

Council member Peek stated that he took a tour in Salt Lake and found the tour great but they have large sidewalks and ADA ramps but feel that the sidewalks in Old Town would not be conducive to a great tour.

Council member Beerman stated that he does not have a problem looking into this further and would see the use as fitting in with the open nature of neighborhoods that Park City has always valued.

Council member Henney agrees with Beerman

Council member Simpson stated that she is not in favor of spending any more staff time looking at this item. Council concurred they are not in favor of looking at code amendments for this use.

Iron Rangers Donation Collection Boxes on City Open Space
Deters, Trails and Open Space, stated that this report came from a study session discussion Council had with the Recreation Advisory Board during a joint meeting. Staff stated that these boxes would collect fees by donation only and would target the growing use from the Valley and surrounding areas who utilize our trails due to clean air and the dog friendly nature of the trails as well as the low snow totals tend to bring out more show shoeing groups etc. Deters spoke to the counters used at the trailheads stating that it reached near 10,000 users last winter. Spoke to the beneficiaries being winter grooming, trail etiquette and education as well as rehabilitation, research and education. Staff is recommending that this come back to Council twice a year to keep them up to date with the collected funds. Council member Simpson stated that the City is also a nonprofit and wanted to let the nonprofits know that it may not always continue this way. Council is in favor of the pilot program. Council member Beerman thanked Cheryl Fox for raising half the money for the Gamble Oak easement that was passed through on consent a few meetings ago and will be signed tomorrow in the Mayor’s office. Cheryl thanked Council and the City for putting up the other half.

Deer Valley Update-Bob Wheaton
Bob Wheaton, Deer Valley, spoke to the three upcoming projects to include the Main Street Gondola, Snow Park parking lots and the Mida/Mayflower/Jordanelle Project. He started the presentation by stating they have been meeting with Staff periodically and that Deer Valley’s experience with staff and Council has been second to none. The Main Street gondola has been discussed to the best degree and have narrowed it down to two alignments one being from the Transit Center to Silver Lake and the second option would be to remove the existing silver lake

express and replacing it with a gondola adjacent and attached to Silver Lake Lodge, second phase would be starting at the Transit Center to Lucky Bill. The frequency would be every 10 seconds and would be very scenic. The challenge side is that it is very expensive. They have been working with Dopplemayr out of SLC. Stated that they are taking their time and want to produce the best quality and not rushing to just be cool. Wheaton stated that the DV staff is looking at this as a transportation mode. Spoke to the Snow Park parking lots projects stating that they have worked with U of U School of Architecture to design ideas for the parking area. Spoke to the Mida/Mayflower/Jordanelle project stating that the Deer Valley submitted a Master Plan and the County accepted the plan. Stated that the four property owners agreed to erase the property lines and layout the development opportunities for the ultimate guest experience. Stated that the project is moving very quickly and is looking at a start date of Summer 2015. Stated that the Mountain has its own capacity and when it is full it is full. Deer Valley will continue to operate that way. Wheaton stated that through the Mtn Accord process he has been in contact with a number of people that he would never be able to be in contact with. And they are looking at other relationships to see if a Federal Transportation funds are available. Wheaton thanked the Mayor and Council for the opportunity to be involved. Wheaton stated that he was speaking to his good friend Blaise Carrig and they would like to request that the Council adopt a "Let it Snow" resolution. It is agenized for December 18th. Council thanked Bob for the great update and they are excited for the upcoming projects.

Regular Meeting
6:00 pm

I. 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, December 11, 2014. 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; Polly Samuels McLean, Assistant City Attorney; Marci Heil, City Recorder; Chad Root, Building Official; Shelly Hatch, Finance; Rebecca Gillis, Finance; Christy Alexander, Planning.

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council member Henney announced that he finally got the bus app to load and proceeded to show the audience how it worked.

Council member Simpson stated that she and Weidenhamer wanted to look at rolling this app out to the front line hospitality staff prior to the Christmas/Sundance season.

Council member Beerman disclosed that on consent item 2 and new bus 1 are tenants of his during Sundance.

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

Rob O'Brien owns and operates 609 Taxi discussing the Uber platform stated that Uber is a taxi/transportation system and with the sliding scales of fairs does not see how this can be a fit to our business license regulations. Stated that he would like to have a conversation with the City and the taxi community to outline the guidelines. Simpson thanked Mr. O'Brien for his comments and would like to see a Manager's report regarding the playing field. Foster stated that 2015 Sundance staff will be enforcing this even stronger than last year.

IV. CONSENT AGENDA *(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)*

Council thanked the Finance Staff for the great CAFR and Audit Report.

1. Consideration of the Comprehensive Annual Financial Report and 2014 Audit

2. Consideration of the Local Consent for Special Event Temporary Alcoholic Beverage Licenses during the Sundance Film Festival

3. Consideration to authorize the City Manager to execute a Second Amendment to the Professional Services Agreement, in a form approved by the City Attorney, with Bowen Collins and Associates for 2013 Water Pipelines-Segment B Design and Construction Services in an amount of $98,600

Council member Simpson moved the consent agenda
Council member Peek seconded
Approved unanimously

V. OLD BUSINESS

1. International Plumbing Code requirements related to Change of Use in regards to allowable occupant load

Chad Root, Building Official, spoke to the misunderstanding of the level playing field comment, stating that this has always been a level playing field working with the State Code as a 1 per 40 ratio. He stated that the only way around this law is to provide a porta potty station near the property. He spoke to the way staff has treated this issue in the past is that they are grandfathered in until they remodel the space. Council member Beerman stated that he appreciates the report for clarification; he feels that the work around with the outside facilities is going against the health code and would be against that in any form. Council member Peek stated that he is in favor of following the code. Council member Simpson stated that she feels it should be staff discretion on a case by case basis. Council member Henney inquired if staff has been enforcing this code in the past years. Root stated that staff has been enforcing these laws and have been cracking down even harder over the past three years. Council member Matsumoto stated that she is not opposed to a bank of restrooms. Council members Beerman and Matsumoto are concerned with making this difficult for the Main Street businesses. Council member Henney is with Beerman and Matsumoto to have wiggle room for the merchants. Council member Simpson stated that she is not in disagreement with anyone and does not have any problem bringing "royal restrooms" in rather than having on the street use and feels staff should work through this year and present any recommendations during the follow-up meeting following Sundance. Council member Peek changed this mind and would be fine with “royal restrooms.”

Mayor Thomas opened the floor to public input.

Mike Sweeney stated that with a MFL the license it is required to add the porta potties and feels that staff and Council need to come up with a game plan to set up a bank of potties that everyone would help pay for.

VI. NEW BUSINESS

1. Consideration of the Council Authority to Approve Type 2 Convention Sales License

Shelly Hatch, Finance, presented the approval of the type 2 Convention Sales Licenses.

Mayor opened Public Hearing

Mike Sweeney expressed his fear with the approval of only 12 liquor sales in January. Feels that all the licenses should be looked at during the last meeting prior to Sundance.

Hatch stated that in 2014 Council only used 4 of the 12 uses. Polly Samuels McLean, Assistant City Attorney stated that for the Convention Sales License there is an unlimited number. Rebecca Gillis, Finance, stated that the reasoning behind the 12 uses and an early deadline was to insure public safety resources for those venues. McLean clarified the DABC requirements as well as the straggling applications.

Sweeney stated that this is for private parties only and believes that if the deadline was the last Council meeting prior to Sundance that it would give the Public Safety folks plenty of time to set up resources.

Council member Simpson requested this item be brought back in the recap of Sundance to bring clarify to this issue.

Council member Beerman moved to Approve
Type 2 Convention Sales License
Council member Peek seconded
Approved unanimously

2. Sixth Supplemental Plat for Constructed Units – The Belles at Empire Pass, Amending Units 7, 8, + 17 located at 65, 71 and 70 Silver Strike Trail pursuant to the findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney

Planner Alexander stated that this is an amendment to a plat that was approved in April 2014. Due to the architect and surveyor error, the square footage and EU calculations were differing and need to be amended with the correct calculations.

Mayor Thomas opened the public hearing, no comments were made.

Council member Peek moved to approve the 2. Sixth Supplemental Plat for Constructed Units – The Belles at Empire Pass, Amending Units 7, 8, + 17 located at 65, 71 and 70 Silver Strike Trail pursuant to the findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney
Council member Simpson seconded
Approved unanimously

VII. ADJOURNMENT

Council member Beerman moved to adjourn the meeting
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 Marci S. Heil, City Recorder

Marci S. Heil, City Recorder

PARK CITY COUNCIL MEETING MINUTES- DRAFT
SUMMIT COUNTY, UTAH,
December 18, 2014

Closed Session
To discuss litigation, personnel and property

Work Session
Council Questions and Comments and Manager's Report
Council member Beerman attended the leadership alumni party, gave an update of Mtn Accord on KPCW and they will be working to collect public input. Also congratulated the City and staff on the closing of the Clark Ranch parcel. Attended the County's General Plan meeting and found that they had similar goals.

Council member Matsumoto attended the Recycle UT board meeting where they announced they have purchased a compactor that will compact Styrofoam. Wished everyone a Happy Holidays.

Councilmember Simpson discussed a dog off-leash pass that she was able to utilize in Colorado. She thought it was really cool and would like to discuss this in the future. Council was supportive of a future discussion.

Council member Peek attended the memorial service where Father Pat Carly performed the service and it was a slice out of the past.

Council member Henney attended the HPCA where they approved the Riverhorse outdoor dining deck and Jason Glidden gave a great presentation. Rode the bus twice today using the bus tracker app and announced that it has changed his life and he will be purchasing a smartphone.

Mayor Thomas attendee that Snyderville Water Basin meeting. Attended a function at the University of Utah, as an architect not as a Mayor, to review the Deer Valley parking lot designs which is a hypothetical idea from the graduate class of U of U School of Architecture.

Heinrich Deters recognized the Mayor and Council for their efforts as well as the Estate and Foundations involvement for the purchase of the Clark Ranch parcel.

Council member Simpson thanked Karen Yocum for the Cemetery Records online and thanked Blake Fonnesbeck for the bus tracker app.

Victim Advocate Program Update
Melena Stevens, Victim Advocate Coordinator, updated the Council on the Victim Advocate Program stating that the program has 5 volunteers who have been through 100's hours of

training. Over 170 victims have been helped over the year that the program has been created. Mayor Thomas spoke to the compassion that this program has for the victims. Council member Simpson thanked staff and again vocalized her support for this program. She also requested a follow-up report that would include a breakdown of the types of crimes that are using the service.

Council member Beerman thanked Stevens for all her work and inquired if the program has all the tools needed to keep supporting the program. Stevens stated that she feels very supported by the Police Department and Council.

Council member Simpson inquired about the volunteer shifts. Stevens outlined the volunteer program stating that staff works with the volunteers to fit shifts into their schedules. She also touched on the importance of training as they would not want to put someone else into a bad situation that had not been trained properly.

Foster stated that Stevens broadened the scope with domestic violence cases to insure that an advocate is always called in no matter what the level. Stevens stated they are collaborating well with the Summit County Domestic Violence coalition.

Regular Meeting
6:00 pm

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, December 18, 2014. 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; Dave Gustafson, Special Events; Tommy Youngblood, Special Events; Kent Cashel, Transportation.

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

III. PUBLIC INPUT *(Any matter of City business not scheduled on the agenda)*
Terri Ore brought the Parson’s Dance troupe who will be in Park City through the Holiday Season and have been doing an outreach in the community with the local schools. Ore thanked Council for the ongoing support. Council member Simpson thanked the dancers for supporting Terri’s program.

Mayor Thomas thanked them for their talents.

IV. CONSIDERATION OF THE MINUTES FROM DECEMBER 4, 2014
Council member Beerman had one correction stating that he will not be participating in CAST 2015. And Council member Henney had a correction on page 16 “inside the city”

Council member Beerman moved to approve the minutes
from December 2, 2014 as amended
Council member Henney seconded

Approved unanimously

V. CONSENT AGENDA *(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 the contract award for Water Bill print services in an amount not to exceed $35,000 a year for five years.

2. Consideration of the Local Consent for Special Event Temporary Alcoholic Beverage Licenses during the Sundance Film Festival

Council member Beerman inquired if the water bills would be printed on recycled paper. Christensen, Water, stated that he was unsure if that is an option but would be happy to find out the cost.

Council member Simpson moved to approve the consent agenda with direction that the water bills be printed on recycled paper with the cost being at the City Manager's discretion.
Council member Beerman seconded
Approved unanimously

VI. NEW BUSINESS

1. Consideration of a Resolution Welcoming The Return Of Winter In Park City

Mayor Thomas read the resolution and Council member Simpson thanked Phyllis Robinson for writing this resolution

Council member Beerman moved to approve the Resolution Welcoming the Return Of Winter In Park City
Council member Simpson seconded
Approved unanimously

2. Consideration of a Resolution of The City Council Of The City Of Park City, Utah, Encouraging The State Of Utah To Address Comprehensive Transportation Funding.

Matt Dias stated that this resolution will accompany the service agreement that was adopted two weeks ago.

Council member Simpson moved to approve the Resolution of The City Council Of The City Of Park City, Utah, Encouraging The State Of Utah To Address Comprehensive Transportation Funding
Council member Matsumoto seconded
Approved unanimously

3. Consideration of the Sundance Film Festival 2015 Supplemental Plan

Dave Gustafson and Tommy Youngblood, Special Events, discussed the supplemental plan additions to include: additional people for crowd control at 5th street and 7th and Main, parking fees on China Bridge, as well as using the swede alley parking lot as a staging unit for Sundance sponsors. Council member Simpson inquired if they would be utilizing the entire Historic Wall parking lot. Gustafson stated that it is only 20 spots that will be utilized to keep the staging off of Main Street. The final addition is the relocation of the Sundance ticketing operation to the fire station thanking Sara and Sundance for being willing to relocate. Council member Peek inquired about insuring the preservation of the wall during the staging hours. Council member Beerman thanked staff for the great plan and suggested having a bus host during the peak hours to help answer question and alleviate the distractions of the drivers.

Stephanie Johnson, HPCA, suggested the Ambassador Program help with the hosting.

Sara Pierce stated that they have over 2,000 volunteers this year and they will be at the shuttle stations and transit center. Foster suggested Council help be bus hosts.

Council member Simpson moved to approved the Sundance Film Festival 2015 Supplemental Plan
Council member Beerman seconded
Approved unanimously

4. Consideration of a resolution amending the fee schedule for the fee-in-lieu increase to $40,000

Kent Cashel discussed the parking fee-in-lieu increase that the Council discussed during their last meeting.

Mayor Thomas opened the public hearing. No comments were heard. Mayor Thomas closed the public hearing.

Council member Peek moved to approve the resolution amending the fee schedule for the fee-in-lieu increase to $40,000
Council member Simpson seconded
Approved unanimously

VII. ADJOURNMENT

Mayor and Council expressed Holiday greetings.

Council member Simpson moved to adjourn the meeting.
Council member Matsumoto seconded
Approved unanimously

CLOSED SESSION MEMORANDUM

The City Council met in a closed session at approximately 5:00p.m. Members in attendance were Mayor Jack Thomas, Andy Beerman, Dick Peek, Cindy Matsumoto and Tim Henney. Staff members present were Diane Foster, City Manager; Mark Harrington, City Attorney; Brooke Moss, Human Resource Manager.

Council member Matsumoto moved to close the meeting to discuss Property, Litigation and Personnel. Council member Simpson seconded. Motion carried.

Council member Simpson 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 Marci S. Heil, City Recorder

Marci Heil

Marci S. Heil, City Recorder

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1, 1884

City Council
Staff Report

Subject:	**Council Authority to Approve Type 2 Convention Sales License**
Author:	**Shelley Hatch**
Department:	**Finance**
Date:	**January 8, 2015**
Type of Item:	**Administrative**

Summary Recommendations:
Consider the approval for the Type 2 Convention Sales License applications (CSL'S) (during the timeframe of Sundance Film Festival).

Topic/Description:
To Approve Type 2 Convention Sales License applications listed in Exhibit A during the time frame of the Sundance Film Festival.

Background:
Over the last several years during the Sundance Film Festival, an increasing number of non-MFL affiliated businesses have been inspired to conduct business within the Park city limits on a short term basis. This increase has created health, safety and wellness concerns for the City and its residents, including the City's ability to provide basic Police, safety and emergency services. The numbers of various non-MFL affiliated licenses being applied for inundates the Finance Department with license applications in the final days just before the Festival starts.

In September of 2013 Council held a public hearing and amended the Park City Municipal Code as follows:

1. Engaging in Business, to clarify that gifting and promotion constitutes conducting business;
2. Define gifting;
3. Clarify how more than one vendor in a single tenant space is regulated;
4. Clarify existing exemptions for individual vendors at conventions and trade shows in spaces that are designated as convention space through a full business license.
5. Create an umbrella license for multiple vendors at one physical location as well as create two separate types of a stand-alone category of convention sales business licensing. One for during Sundance film festival and the second for dates outside of the festival;
6. Amend the Park City Fee Schedule;
7. Support administrative changes to licensing forms;
8. Convention Sales license applications to be separated into two categories:
    - Type 1 CSL outside of the Sundance film Festival.
    - Type 2 during the Sundance Film Festival.

On October 2, 2014 Staff suggested additional amendments to the Code. Council held a public hearing and amended Code Section 4-3-9 to retain authority for Council to approve type 2 CSL's during the Sundance Film Festival.

The Code says:

(i) All Type 2 licenses shall require City Council approval at a regularly scheduled meeting. All Type 2 license applications must be complete and received at least seven (7) calendar days prior to the meeting.
(ii) All Type 2 license applications require the applicant to have a pre-inspection prior to application at the place of business conducted by the Building Department for compliance with the building and fire codes. A copy of said pre-inspection report must accompany the license application submittal. The pre-inspection prior to application shall remain valid for 120 days.
(iii) All Type 2 license applications shall require an accurate floor plan and a design occupancy load stamped by a design professional to be submitted at the time of application.
(iv) All Type 2 License applications require a final inspection by the Building Department post application after the space has been set up for the event. Business shall not be conducted until the final inspection has been passed and the applicant has been issued a Type 2 Convention Sales License.

Therefore, prior to Council's consideration of the type 2 license, the applicant needs a pre-inspection prior to applications (PIPA). This inspection will not require a physically inspection. A PIPA will help assure that the space being used is an assembly use and that the occupant load is certified by a design professional and highlights any issues with the space for the applicant so the applicant will be aware of any issues prior to the physical inspection. Also this step requires accurate floor plans. The Applicant needs to meet the deadline to schedule a PIPA in order to guarantee the City Council meeting prior to the start of the Festival 2015. Once applicant has their PIPA completed they can apply for a Conventions Sales license through Finance.

The process for type 2 CSL's is as follows:

1. PIPA (pre-inspection prior to application)
2. Application for CSL w/site plan, fee and proof of PIPA.
3. Business license specials sends staff report to Council for approval
4. Council approve/deny type 2 convention sales license
5. FIPA (final inspection post application)
6. Issue license

On (DATES), council approved X type 2 convention sales licenses.

Analysis:
The changes to Park City's Municipal Code for the type 2 CSL's allows the City to address issues related to adverse impacts or carrying capacity issues related to the licensed activity and volume. It also allows service departments, event staff and public

safety to obtain a more adequate picture of the total public service demands for the festival in a timeframe that provides for service level and cost adjustments. Staff has reviewed all applicants and recommends that Council reviews these types 2 CSL's and approve them. All 29 applicants listed have had a PIPA and if approved by Council will have a final inspection prior to the license being issued.

Exhibit A- List of all Applicants
Exhibit B- Map of applicants locations

Department Review:
The City Manager, Legal, Police Department, Planning Department, Building Department, and Finance Department have reviewed this report.

Alternatives:

A. Approve:
The recommended action would be to approve all applicants for type 2 CSL's subject to final inspection. This is Staff's Recommendation.

B. Deny:
Council could deny all applicants for the type 2 CSL's

C. Modify:
Council could deny some or all of the type 2 CSL's.

D. Continue the Item:
Council could ask for this to be changed and be continued for further discussion, but applicants may not make the deadlines for Sundance Film Festal.

E. Do Nothing:
Council could do nothing on this request. Staff does not recommend.

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?	+ Unique and diverse businesses + Balance between tourism and local quality of life + Varied and extensive event offerings ~ Internationally recognized & respected brand	~ Reduced municipal, business and community carbon footprints	+ Shared use of Main Street by locals and visitors + Vibrant arts and culture offerings + Shared use of Main Street by locals and visitors ~ Primarily locally owned businesses	+ Fiscally and legally sound + Engaged and informed citizenry + Streamlined and flexible operating processes + Ease of access to desired information for citizens and visitors
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Very Positive	Neutral	Positive	Very Positive
Comments:				

Funding Source:
The primary impacts will be on the applicants for the type 2 CSL's

Consequences of not taking the recommended action:
If no action is taken at this time applicants will not be allowed to hold a type 2 CSL's applicants will be unable to conduct business during the Sundance Film Festal.

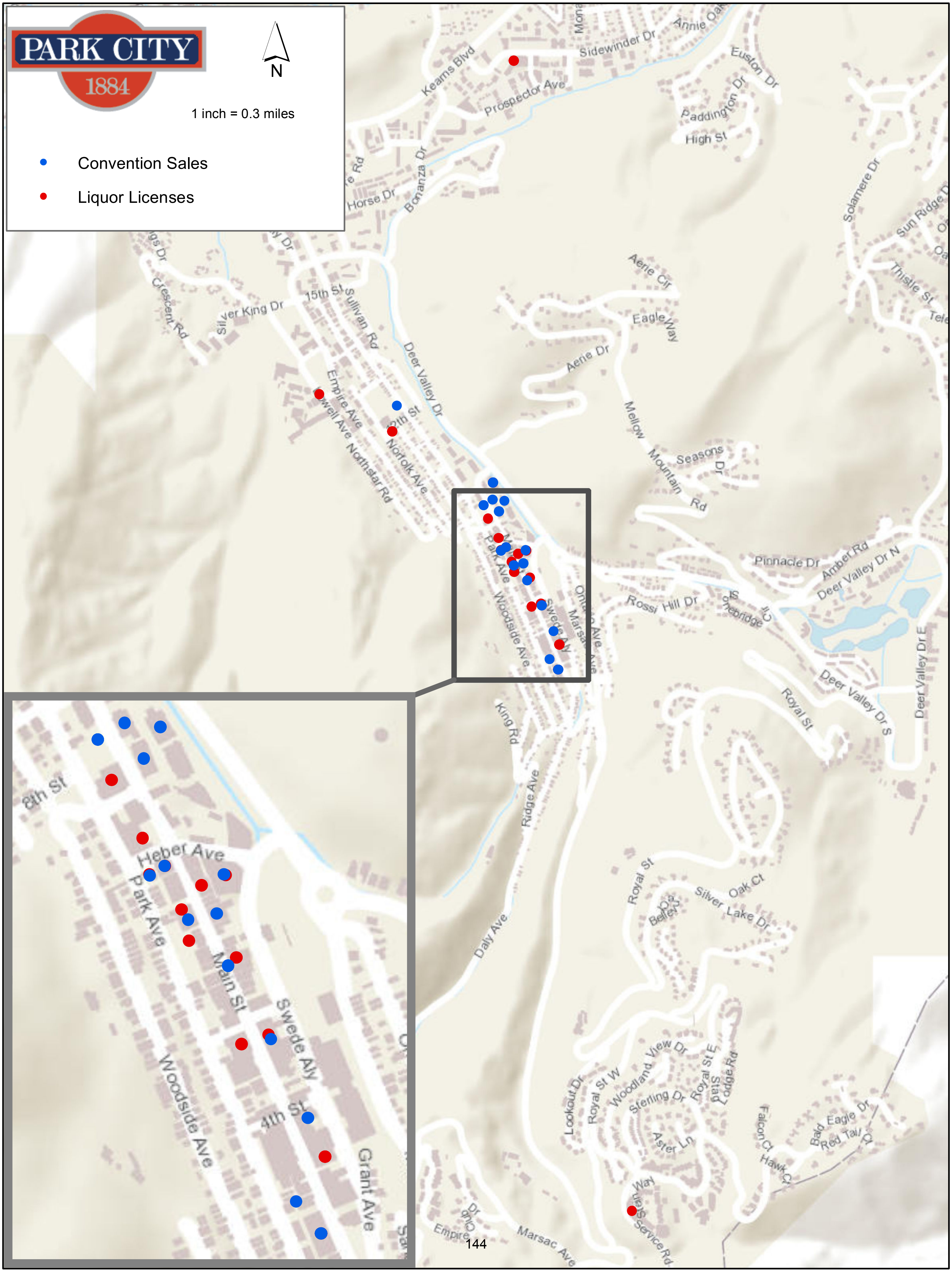
Recommendation:
Consider the approval of the Type 2 Convention Sales License applications (CSL'S) (during the timeframe of Sundance Film Festival) subject to final inspection.

Exhibit A- List of applicants
Exhibit B- Map of applicants locations

EXHIBIT A CONVETION SALES LICENSE

NAME OF APPLICANT	LOCATION	DATE	COMPLETE APPLICATION
EDDIE BAUER LLC	738 MAIN ST	01-22-2015 THRU 01-27-2015	CONVENTION SALES
BURTS BEES	738 MAIN ST	01-22-2015 THRU 01-27-2015	CONVENTION SALES
BOSTON BEER CORP	738 MAIN ST	01-22-2015 THRU 01-27-2015	CONVENTION SALES
INVISIBLE NORTH BUZZFEED	804 MAIN ST	01-24-2015 THRU 01-25-2015	CONVENTION SALES
THE BLACK HOUSE FOUNDATION	804 MAIN ST	1/23/2015	CONVENTION SALES
UNITED TALENT AGENCY	577 MAIN ST	1/25/2015	CONVENTION SALES
PARK CITY FILM SERIES	1255 PARK AVE	01-19-2015 THRU 02-02-2015	CONVENTION SALES
REALLY EPIC DOG	444 MAIN ST	01-22-2015 THUR 01-30-2015	CONVENTION SALES
KARI FEINSTEIN STYLE LOUNGE	580 MAIN ST	01-22-2015 THRU 01-27-2015	CONVENTION SALES
NETGEAR	580 MAIN ST	01-22-2015 THRU 01-27-2015	CONVENTION SALES
FASHION MAJOR BRANDS	580 MAIN ST	01-22-2015 THRU 01-27-2015	CONVENTION SALES
ZIMMERMAN AGENCY	580 MAIN ST	01-22-2015 THRU 01-27-2015	CONVENTION SALES
LUNCHBOX	580 MAIN ST	01-22-2015 THRU 01-27-2015	CONVENTION SALES
JELT	580 MAIN ST	01-22-2015 THRU 01-27-2015	CONVENTION SALES
EB5	580 MAIN ST	01-22-2015 THRU 01-27-2015	CONVENTION SALES

A-LIST	900 MAIN ST	01-25-2015 THUR 01-26-2015	CONVENTION SALES
PRAXIMO SPIRITS	900 MAIN ST	01-25-2015 THRU 01-26-2015	CONVENTION SALES
TINDER INC	900 MAIN ST	01-25-2015 THRU 01-26-2015	CONVENTION SALES
JOHNDROW VINEYARDS LLC	900 MAIN ST	01-25-2015 THRU 01-26-2015	CONVENTION SALES
A-LIST	136 HEBER AVE	01-23-2015 THRU 01-24-2015	CONVENTION SALES
KIA MOTORS AMERICA	136 HEBER AVE	01-23-2015 THRU 01-24-2015	CONVENTION SALES
PRAXIMO SPIRITS	136 HEBER AVE	01-23-2015 THRU 01-24-2015	CONVENTION SALES
THE ONE GROUP	136 HEBER AVE	01-23-2015 THRU 01-24-2015	CONVENTION SALES
JOHNDROW VINEYARDS LLC	136 HEBER AVE	01-23-2015 THRU 01-24-2015	CONVENTION SALES
ETA LLC SOCIAL HOUSE	628 PARK AVE	01-22-2015 THRU 02-02-2015	CONVENTION SALES
MANY ONE	628 PARK AVE	01-22-2015 THRU 02-02-2015	CONVENTION SALES
SOCIAL MEDIA LYTE PRODUCTIONS	628 PARK AVE	01-22-2015 THRU 02-02-2015	CONVENTION SALES
WENNER MEDIS	625 MAIN ST	1/25/2015	CONVENTION SALES
NEW BREED LLC	625 MAIN ST	1/23/2015	CONVENTION SALES



PARK CITY
1884
N
1 inch = 0.3 miles
Convention Sales
Liquor Licenses
Kearns Blvd
Prospector Ave
Sidewinder Dr
Annie Oak
Euston Dr
Paddington Dr
High St
Bonanza Dr
Horse Dr
Solamere Dr
Sun Ridge Dr
Thistle St
Aerie Cir
Eagle Way
Aerie Dr
Crescent Rd
Silver King Dr
15th St
Sullivan Rd
Deer Valley Dr
Empire Ave
Lowell Ave
Northstar Rd
9th St
Norfolk Ave
Mellow Mountain Rd
Seasons Dr
Pinnacle Dr
Amber Rd
Deer Valley Dr N
Rossi Hill Dr
Park Ave
Woodside Ave
Swede Aly
Marsac Ave
Ontario Ave
Deer Valley Dr S
Deer Valley Dr E
Royal St
King Rd
Ridge Ave
Daly Ave
Silver Lake Dr
Oak Ct
Lookout Dr
Royal St W
Woodland View Dr
Sterling Dr
Royal St E
Aster Ln
Stag Lodge Rd
Falcon Ct
Hawk Ct
Bald Eagle Dr
Red Tail Ct
Empire
Marsac Ave
Service Rd
8th St
Heber Ave
Main St
4th St
Grant Ave

City Council Staff Report

Subject: **Local Consent for Special Event Temporary Alcoholic Beverage Licenses during the Sundance Film Festival**
Author: **Shelley Hatch**
Department: **Finance**
Date: **January 8, 2015**
Type of Item: **Administrative**

Summary Recommendations:
Consider approving all the Special Event Temporary Alcoholic Beverage Licenses during the 2015 Sundance Film Festival as listed in Exhibit A.

Topic/Description:
Applications for a Special Event Temporary Alcoholic Beverage licenses for the duration of the Sundance Film Festival.

Background:
On June 6, 2013, Council passed amendments to Municipal Code for the requirements for Special Event Temporary Alcoholic Beverage Licenses during the Sundance Film Festival. Pursuant to Municipal Code 4-4-2 by the final regularly scheduled council meeting in December of each year preceding the festival, Council will approve/deny all Special Event Temporary Alcoholic Beverage Licenses. To be consistent with the DABC process, the initial City Council meeting for approval was held on December 11th, and also on December 18th. The Code allows for an emergency meeting that may be held by council to hear no more than twelve applications on January 8, 2015. The applications must be complete and submitted no later than the first Friday in January. No further exceptions will be made. Special Event Temporary Alcoholic Beverage Licenses are required for all events which are commercial in nature, regardless of whether a DABC license is required as well.

At the December 11 and 18, 2014 Council meetings, Council approved a total of 43 Special Event Temporary Alcoholic Beverage Licenses.

Analysis:
The changes to Park City's Municipal Code for the Special Event Temporary Alcoholic Beverage Licenses allow the City to address issues related to adverse impacts or carrying capacity issues related to the licensed activity and volume as well as coordinating with a DABC hearing as necessary. It also allows service departments, event staff, and public safety to obtain a more adequate picture of the total public service demands for the festival in a timeframe that provides for service level and cost adjustments. State Code gives the City wide discretion on whether to provide local consent in evaluating those issues. As a benefit to applicants it provides them greater advance time to address issues that may otherwise delay or result in denial of their event. Staff has reviewed all 6 applicants on Exhibit A and recommends that Council

reviews these Special Event Temporary Alcoholic Beverage Licenses and approve them.

Exhibit A – List of all Applicants

Department Review:
The City Manager, Legal, Police, Planning, Building, and Finance Departments have reviewed this report.

Alternatives:

A. Approve:
The recommended action would be to approve all applicants for the Special Event Temporary Alcoholic Beverage Licenses. This is Staff's recommendation.

B. Deny:
Council could deny all applicants for the special Event Temporary Alcoholic Beverage Licenses.

C. Modify:
Council could deny some or all of the Special Event Temporary Alcoholic Beverage License applicants.

D. Continue the Item:
Council could ask for this to be changed and be continued for further discussion, but applicants may not make the deadlines for the UDABC.

E. Do Nothing:
Council could do nothing on this request. Staff does not recommend.

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?	+ Unique and diverse businesses + Balance between tourism and local quality of life + Varied and extensive event offerings ~ Internationally recognized & respected brand	~ Reduced municipal, business and community carbon footprints	+ Shared use of Main Street by locals and visitors + Vibrant arts and culture offerings + Shared use of Main Street by locals and visitors ~ Primarily locally owned businesses	+ Fiscally and legally sound + Engaged and informed citizenry + Streamlined and flexible operating processes + Ease of access to desired information for citizens and visitors
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Very Positive ⬆	Neutral ⇔	Positive ⇧	Very Positive ⬆

Comments:

Funding Source:
The primary impacts will be on the applicants for the Special Event Temporary Alcoholic Beverage Licenses. Approvals will help applicants to get the information to the State (DABC) in a timely matter.

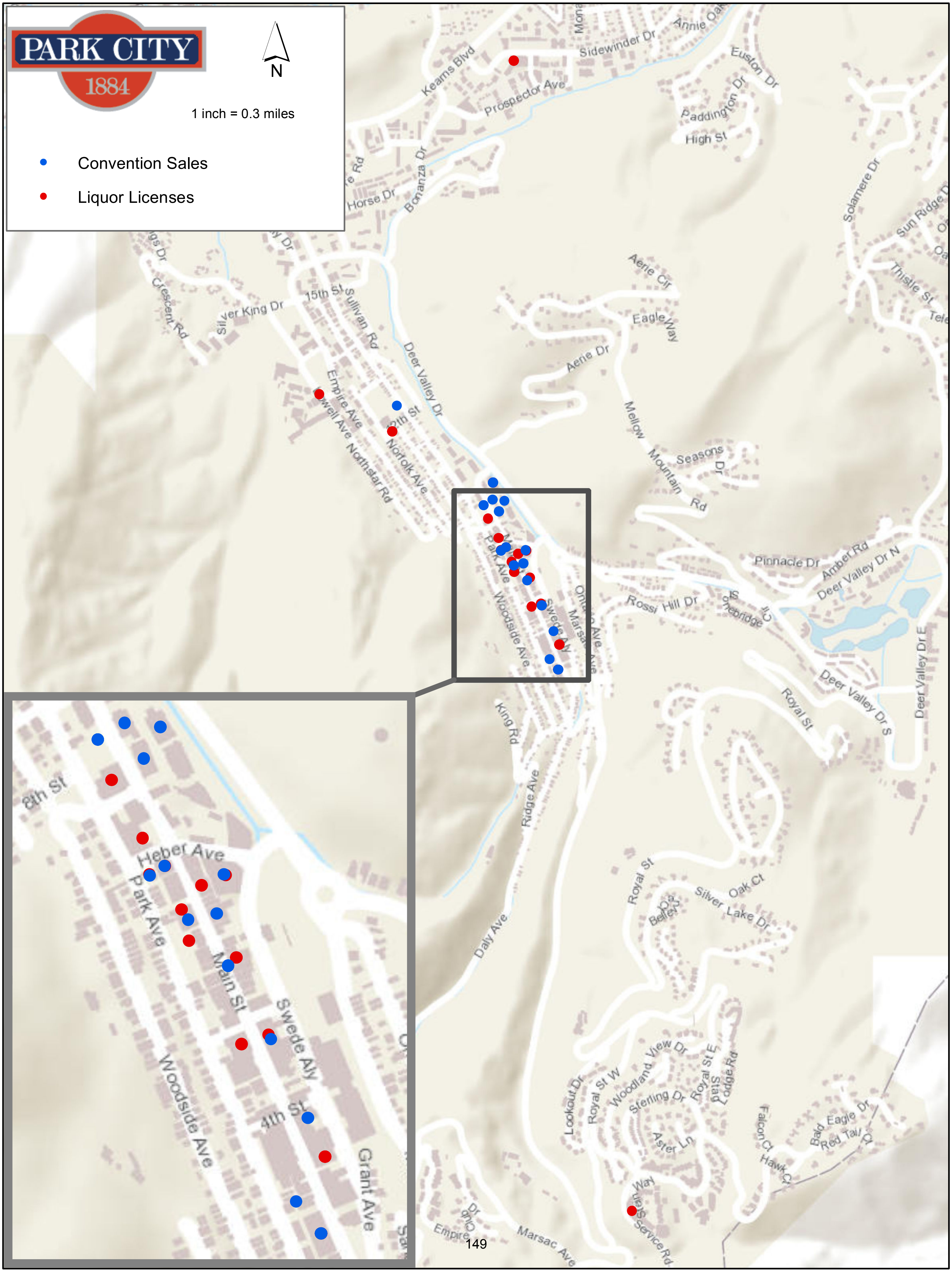
Consequences of not taking the recommended action:
If no action is taken at this time applicants will not be allowed to hold a Special Event Temporary Alcoholic Beverage License. Applicants will be unable to serve alcohol at their event for the Sundance Film Festival.

Recommendation:
Staff recommends approving all applicants for the Special Event Temporary Alcoholic Beverage Licenses as listed in Exhibit A.

Exhibit A: List of all Applicants
Exhibit B: Map of all locations for Single Event Liquor Licenses.

EXHIBIT A
Special Event
Liquor License

NAME OF APPLICANT	LOCATION	DATE	COMPLETE APPLICATION
CHURCH & STATE SPRINTS	591 MAIN ST	01-22-2015 THRU 02-01-2015	UNDER MFL
REALLY EPIC DOG	444 MAIN ST	01-22-2015 THRU 01-30-2015	CONVENTION SALES
A-LIST	136 HEBER AVE	01-23-2015 THRU 01-24-2015	CONVENTION SALES
A-LIST	900 MAIN ST	01-25-2015 THRU 01-26-2015	CONVENTION SALES
GEORGE P JOHNSON (ACURA)	201 HEBER AVE	01-22-2015 THRU 02-01-2015	UNDER MFL
ETA LLC SOCIAL HOUSE	628 PARK AVE	01-22-2015 THRU 02-01-2015	CONVENTION SALES
NEW YORK PRODUCTION	751 MAIN ST	01-23-2015 THRU 01-27-2015	BUSINESS LICENSE
COLLECTIVE GROUP	596 MAIN ST	01-22-2015 THRU 01-272015	BUSINESS LICENSE
JIBERISH LLC	314 MAIN ST	01-23-2015 THRU 01-24-2015	BUSINESS LICENSE


PARK CITY
1884
N
1 inch = 0.3 miles
Convention Sales
Liquor Licenses
Sidewinder Dr
Annie Oak
Euston Dr
Kearns Blvd
Prospector Ave
Paddington Dr
High St
Bonanza Dr
Horse Dr
Solamere Dr
Sun Ridge Dr
Thistle St
Aerie Cir
Eagle Way
Aerie Dr
Crescent Rd
Silver King Dr
15th St
Sullivan Rd
Deer Valley Dr
Empire Ave
Norfolk Ave
Northstar Rd
Mellow Mountain Rd
Seasons Dr
Pinnacle Dr
Amber Rd
Deer Valley Dr N
Rossi Hill Dr
Park Ave
Woodside Ave
Swede Aly
Marsac Ave
Deer Valley Dr S
Deer Valley Dr E
Royal St
King Rd
Ridge Ave
Daly Ave
Royal St
Silver Lake Dr
Oak Ct
Lookout Dr
Royal St W
Woodland View Dr
Sterling Dr
Royal St E
Lodge Rd
Aster Ln
Falcon Ct
Hawk Ct
Bald Eagle Dr
Red Tail Ct
Marsac Ave
Service Rd
8th St
Heber Ave
Main St
4th St
Grant Ave

City Council
Staff Report

Subject: Resolutions setting forth 2015 meeting dates
Author: Marci S. Heil, City Recorder
Department: Executive
Date: January 8, 2015
Type of Item: Administrative

Summary Recommendations:
Adopt resolutions setting forth meeting dates for the City Council and its related agencies are recommended actions in order to comply with our municipal code and state law.

Topic/Description:
Setting yearly meeting dates is a housekeeping matter which occurs at the first meeting of the year. Setting an annual meeting schedule is a requirement of the Utah Open and Public Meetings Act. The annual meeting notice is often required as an attachment to bond resolutions; all meetings require at least a 24 hour public notice period.

Analysis:
The proposed meeting dates follow the current outline of three meetings a month in most cases. All meetings are set to begin at 6:00 pm with work, study and closed sessions preceding the regular meeting. Meetings may be canceled when there is no pending business, no quorum, or the regular meeting date falls on a holiday. 24 hour notice is required to cancel, change or add a meeting date.

Department Review:
City Manager and Legal

Alternatives:

Approve: Approve the resolutions adopting meeting dates.

Deny: This is not a realistic option. The Council has the discretion to change the time, dates, and/or location for meetings. However, state law requires that meeting dates be adopted by resolution which logically occurs at the first meeting of the year.

Continue the Item: If Council desires to reconsider meeting dates, a continuance may be appropriate.

Recommendation:
Adopt resolutions setting forth meeting dates for the City Council and its related agencies are recommended actions in order to comply with our municipal code and state law.

EXHIBIT A: Draft Resolution establishing the following schedule:

The meeting schedule for the City Council in 2015 is as follows:

January 8, 15, 29	July 9, 16, 30
February 12, 26	August 6, 20, 27
March 5, 19, 26	September 3, 17, 24
April 2, 16, 23	October 8, 22, 29
May 7, 14, 28	November 5, 12, 19
June 4, 18, 25	December 3, 10, 17

.

Resolution No.

**RESOLUTION ESTABLISHING A REGULAR MEETING DATE, TIME,
AND LOCATION FOR MEETINGS OF THE
CITY COUNCIL OF PARK CITY, UTAH FOR 2014**

BE IT RESOLVED by the City Council of Park City:

SECTION 1. REGULAR MEETING DATE. The regular meetings of the Park City Council shall be held on Thursdays at 6 p.m. at the Marsac Municipal Building, 445 Marsac Avenue, Park City, Utah. Regular meetings are open meetings, where agenda items are scheduled for public hearing and/or action. The time may change if it is felt appropriate to schedule issues of general interest at a time that may better accommodate the public. Meetings may be canceled when there is no pending business, no quorum, or the regular meeting date falls on a holiday.

The meeting schedule for the City Council in 2015 is as follows:

January 8, 15, 29	July 9, 16. 30
February 12, 26	August 6, 20, 27
March 5, 19, 26	September 3, 17, 24
April 2, 16, 23	October 8, 22, 29
May 7, 14, 28	November 5, 12, 19
June 4, 18, 25	December 3, 10, 17

SECTION 2. NOTICE OF PUBLIC MEETINGS. Notice shall be given, including the agenda, date, time, and place of the meeting. The agenda will be posted at least twenty-four (24) hours prior to each regular meeting, and delivered to the local news media. The agenda for special or emergency meetings shall be noticed in the best manner practicable. The Mayor and Council may meet socially at an announced location after the meeting, but City business will not be conducted.

SECTION 3. WORK SESSIONS. Work sessions are open informational meetings, where new items are introduced or regular meeting agenda items are discussed for clarification prior to action. Typically, no formal action is scheduled or taken during a work session, but formal actions may be made to conduct the City's business, if it is deemed to be in the best interest of the public.

SECTION 4. CLOSED MEETINGS. Every meeting and work session is open to the public, unless closed pursuant to Sections 52-4-204 and 52-4-205 of the Utah Code. A closed meeting may be held if a quorum is present and upon the affirmative vote of two-thirds of the members of the public body present at an open meeting for which notice is given pursuant to Section 52-4-202. No closed meeting is allowed except for purposes expressly allowed under Section 52-4-205; provided no ordinance, resolution, rule, regulation, contract, or appointment shall be approved at a closed meeting. A record of closed meetings shall be created and maintained in accordance with Section 52-4-206 of the Utah Code, as amended.

SECTION 5. EFFECTIVE DATE. This Resolution shall take effect immediately.

PASSED AND ADOPTED this ___ day of January, 2015.

PARK CITY MUNICIPAL CORPORTATION

____

Mayor Jack Thomas

ATTEST:

____

Marci S. Heil, City Recorder

Approved as to form:

____

Mark D. Harrington, City Attorney

City Council
Staff Report

Subject: **AIR COMPRESSOR REPLACEMENT FOR THE SPIRO WATER TREATMENT PLANT**
Author: **Chad Busch, Water Treatment Superintendent**
Department: **Water**
Date: **January 8, 2015**
Type of Item: **Administrative**

Summary Recommendations:
Staff recommends Council authorize the City Manager to execute a Construction Agreement, in a form approved by the City Attorney, with Halverson Mechanical, for the procurement and installation of a new compressed air system for the Spiro Water Treatment Plant in an amount of $39,035.00.

Topic/Description:
Replacement of the existing air compressor at the Spiro Water Treatment Plant.
In accordance with the adopted 2006 Water Strategic Plan's Source Strategies & Policies as follows:

- Source, Water Quality and Infrastructure
- Maximize efficient use of existing City sources
- Ensure public health and safety is protected through quality water; and
- Maximize operational efficiency.

Background:
The air compressor at the Spiro Water Treatment Plant is a critical component of the solids handling system. Safe and reliable operation of the equipment is critical to the production of drinking water at the plant.

To assess the condition of the equipment and to address the State Pressure Vessel and Boiler Commission and the City's insurance carrier requirements, Water staff recently had a third party perform an inspection of the existing air compressor equipment. The inspection examined the safety risk associated with the air compressor equipment and its potential for compressor tank failure, resulting in the tank or pieces of the tank to violently come apart and potentially injure personnel and/or equipment. The existing air compressor is original to the Spiro WTP which was built over twenty years ago. Typical useful and reliable life of an air compressor with this type of use is 20 years.

Based on the results of the inspection and the age of the equipment, staff has determined replacement of the equipment is warranted.

Proposed Construction: The Project includes the supply and installation of new air compressor equipment and associated air piping at the Spiro WTP. The Contractor will also provide start-up, testing, and training.

<u>Supplemental Project Costs</u>. Electrical connections to the new equipment will be performed by an electrical contractor contracted with separately. The electrical work is anticipated to be approximately $2,000. Additionally, a staff-installed housekeeping pad for the compressor equipment base is anticipated to be approximately $1,000.

Analysis:

The Installation and Replacement of the Spiro WTP Air Compressor Project was advertised on the Park City Website from November 17, 2014 to December 15, 2014, with a clarification addendum issued on November 26, 2014. Three proposals were received and opened on December 19, 2014. The following summarizes the bids:

Contractor	***Total Bid***
Power Services of Utah	**$41,000.00**
Halverson Mechanical	**$39,035.00**
Cate Industrial	**$51,723.00**

Halverson Mechanical was determined to be the most qualified proposer. Proposal documents have been verified by Staff. Staff therefore recommends Halverson Mechanical as the chosen proposer.

There was no local preference included in the determination of lowest responsible proposal since no firms submitting a proposal have a physical presence & staff based in Summit County. Should any local construction firm have bid, the determination of lowest responsible bidder would have included consideration for local preference.

The Total Project Cost, including electrical work and the Owner supplied materials and installation, is approximately $42,035.00. The City's Project Manager, Chad Busch, Water Treatment Superintendent, will be working under the guidance of the Water Quality and Treatment Manager and the Water Engineer.

Department Review:

This report has been reviewed by representatives of Public Works, Legal, and the City Manager's Office and their comments have been integrated into this report.

Alternatives:

A. Approve:

Council could authorize the City Manager to execute a Construction Agreement, in a form approved by the City Attorney, with Halverson Mechanical for the purchase and the Installation of the new air compressor equipment and piping at the Spiro WTP

B. Deny:

Council could deny the request for the agreement. Denying the request could result in a continued safety hazard and the potential for the State Pressure Vessel and Boiler Commission to condemn the existing compressor, making the Spiro WTP inoperable.

C. Modify:
Council could modify the request for the agreement. Modifying the request could result in a continued safety hazard and the potential for the State Pressure Vessel and Boiler Commission to condemn the existing compressor, making the Spiro WTP inoperable.

D. Continue the Item:
Council could continue the request for the agreement. Continuing the request could result in a delay to the project until key elements can be addressed.

E. Do Nothing:
Staff does not recommend this alternative. Doing nothing could delay the construction of the project and impact water treatment and delivery to customers. It would also continue to present an unsafe work environment.

Significant Impacts:

	Preserving & Enhancing the Natural Environment **(Environmental Impact)**	**Responsive, Cutting-Edge & Effective Government**
Which Desired Outcomes might the Recommended Action Impact?	(+/-) Managed natural resources balancing ecosystem needs (+/-) Enhanced water quality and high customer confidence (+/-) Adequate and reliable water supply	(+/-) Fiscally and legally sound (+/-) Well-maintained assets and infrastructure (+/-) Streamlined and flexible operating processes
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Very Positive	Very Positive
Comments:		

Funding Source:
Approved FY 2015 water CIP budget.

Consequences of not taking the recommended action:
The project components are essential to the Water Department's asset management program and water production capability. Delay to the award of construction for the project could result in non-compliance, a continued safety hazard, and the potential for the State Pressure Vessel and Boiler commission to condemn the existing compressor, making the Spiro WTP inoperable.

Recommendation:
Staff recommends Council authorize the City Manager to execute a Construction Agreement, in a form approved by the City Attorney, with Halverson Mechanical, for construction of the Installation and Replacement of the Spiro WTP Air Compressor Project in an amount of $39,035.00.

<u>EXHIBIT A</u>

Installation and Replacement of the Spiro WTP Air Compressor Project
Scope of Work

The contractor shall provide and install new air compressor equipment and piping connections to the equipment. On completion of installation, the equipment provider will conduct startup of equipment and provide training to city staff.

<u>EXHIBIT B</u>

<u>Equipment</u>

50 horse power Rotary Screw Compressor

Refrigerated Air Dryer

Vertical Air receiver Tank

City Council
Staff Report

Subject:	**Appointment; Deputy City Recorder**
Author:	**Matthew J. Dias**
Department:	**Executive Department**
Date:	**January 8, 2015**
Type of Item:	**Administrative**

Summary Recommendations:

Staff recommends City Council support the City Manager in formally appointing Kristin Parker and Karen Anderson as Deputy City Recorders of Park City Municipal Corporation.

Topic/Description:

Park City's Municipal Code, Section 2-4-6, prescribes the approval process for the City Recorder position. In addition, Section 2-4-6 also allows the City Manager to appoint a deputy or deputies who serve under the supervision of the City Recorder and have authority to act in the absence of the City Recorder.

Background:

As a result of a recent retirement in the Executive Office, the City Manager wishes to appoint the two new members of the Executive Team, Kristin Parker and Karen Anderson, as deputies to the City Recorder. Both Parker and Anderson have been with the City for several months now and are in a good position to successfully fulfill the duties and obligations of the City Recorder, if required.

Analysis:

Though code does not specifically require the City Manager to come before Council to request support for this type of an appointment, previous City Managers have taken this step to avoid confusion. By appointing Kristin and Karen, the Executive Department will continue to ensure the effective and efficient operations of City Council and various other PCMC departments. It will also ensure that staff is prepared and equipped to handle intermittent and/or unexpected absences of the City Recorder.

Department Review:

Legal and Executive

Alternatives:

A. Approve:

Staff recommends City Council support the City Manager in appointing two Deputy City Recorders

B. Deny:

Staff does not recommend denial, though materially, there would be little, to no, impact.

C. Modify:

Council could recommend the City Manager modify the request.

D. Continue the Item:

Similar to “Deny.” Materially there would be little, to no, impact.

E. Do Nothing:

Same as “Continue the Item.”

Funding Source:
No funding is necessary.

Consequences of not taking the recommended action:
None. This action is mostly a housekeeping item.

Recommendation:
Staff recommends City Council support the City Manager in formally appointing Kristin Parker and Karen Anderson as Deputy City Recorders of Park City Municipal Corporation.

City Council
Staff Report

Subject:	**Affordable Housing**
Author:	**Rhoda Stauffer**
Department:	**Sustainability**
Date:	**January 8, 2015**
Type of Item:	**Legislative**

Summary Recommendation:
Staff recommends that City Council approve proposed changes to the City's Affordable Housing Resolution regarding locations in which AUEs may be placed in fulfillment of housing obligations.

Background

Staff is in the process of updating the Housing Resolution. As part of that process we are requesting that Council amend the existing Resolution to be consistent with the Inter-Local Employee Housing Agreement with Wasatch County that was signed on October 6, 2011 and included here as attachment A.

Staff will be returning to Council for policy direction as part of the biennial Housing Resolution update in the following areas: How housing obligations are calculated; what triggers a housing obligation; options for fulfillment formulas and protecting the affordability of deed-restricted units within market developments.

Analysis

The Inter-Local Agreement codified the understanding that while 17 deed restricted units were approved in the Black Rock Ridge development, any future employee units deed restricted by Park City would go through an extensive review process prior to approval. In addition, these amendments identify the City Council's desire to locate deed restricted employee units in close proximity to jobs: within Park City Corporate Limits or within the boundary of the Park City School District.

Section B of Housing Resolution 25-12 provides options for fulfillment of housing obligations. It is included below in its entirety with Staff's recommended changes based on the 2011 Inter-Local Employee Housing Agreement and to further affirm the City's commitment to meeting affordable housing needs within City Limits to the greatest extent possible.

B. Methods of Meeting Minimum Requirements.
The following methods, in order of priority, may be used to meet the minimum affordable housing mitigation requirements.

1. **Construction of unit(s) on the site on which the development is proposed.**
   Affordable housing units shall be constructed on the project site, unless the developer can demonstrate compelling evidence that an alternative method would result in a better design, enhanced level of affordability or that the construction on-site would adversely affect the design of the project.

2. **Construction of the unit(s) within the Park City corporate limits provided such land, site or structure had not been previously deed-restricted ~~to affordable housing by Park City or Summit County~~for affordability.**
   - *Staff Analysis: Language edited for clarity.*

3. **Dedication of existing units within Park City corporate limits provided such units have not been previously deed-restricted ~~to employee or affordable housing by Park City or Summit County.~~for affordability.** Units shall be located within the City limits unless otherwise approved by the City. Units must be of equivalent value, quality and size of the deed restricted units that would have been constructed on-site. Existing units must be in move-in condition with appliances, windows, heating, plumbing, electrical systems, fixtures and equipment in good working condition. The value of dedicated existing units will be determined, at the expense of the developer, by an appraiser selected by the developer from a list of certified appraisers provide by the City of by such alternative means of valuation as to which a developer and the City may agree. All units shall be inspected and shall meet applicable Park City building codes. Applicant shall bear the costs and expenses of any required upgrades to meet the above standards as well as any reports required to assess the suitability for occupancy and compliance with the standards of the proposed units. All appliances and products including light bulbs shall be Energy Star qualified products.
   - *Staff Analysis: Language edited for clarity.*

4. **Construction of units outside Park City, but within the Park City School District boundary as it stands on January 1, 2015~~and/or the boundaries of the free transit system~~.**
   - *Staff Analysis: As we make plans for regional transportation expansion we are clarifying that our intent is to keep affordable units within School District Boundaries so as not to impact any potential expansion discussions.*

~~2.~~5. **Conveyance of land within the Park City School District boundary as it stands on January 1, 2015 ~~and/or the boundaries of the free transit system~~ provided such land has not been previously deed-restricted ~~to employee or affordable housing by Park City or Summit County~~for affordability.** The developer may elect to (a) convey land to the City or its designee that is of equivalent value to the cash in lieu contributions that would be required under this Resolution, plus an additional 25 percent to cover costs associated with holding, developing, improving or conveying such land; or (b) convey land to the City or its designee that is of equivalent value (as of the date of conveyance) to that land upon which required units would otherwise have been constructed and properly zoned such as to allow construction of at least that number of units for which the obligation of construction is being satisfied by the dedication of the land. Land conveyance shall occur prior to the issuance of any building permit for the free market portion of the development. Should the City Council later elect to sell the land, all proceeds from the sale of the land shall be placed in a dedicated housing fund.

- *Staff Analysis: As we make plans for regional transportation expansion we are clarifying that our intent is to keep affordable units within School District Boundaries so as not to impact any potential expansion discussions.*

Next Steps: Staff will return to Council for policy direction beginning in a Work Session on January 15 as part of the biennial Housing Resolution update. Topics to be discussed: How housing obligations are calculated; what triggers a housing obligation; options for fulfillment formulas and protecting the affordability of deed-restricted units within market developments.

Department Review: This report was reviewed by the Sustainability Department, City Attorney's Office, and the City Manager**.**

Alternatives:

A. **Approve:** Council could approve the change in order to codify past Inter-local agreements. **This is Staff's Recommendation.**
B. **Deny:** Council could deny the recommendation which is in opposition to the Inter-local agreement signed October 6, 2011.
C. **Modify:** Council could request that the recommendation be modified which would not comply with the signed Inter-local agreement.
D. **Continue the Item:** Council could continue the recommendation which would not comply with the signed Inter-local agreement.
E. **Do Nothing:** This will have the same effect as denying the recommendation.

Significant Impacts:

	World Class Multi-Seasonal Resort Destination (Economic Impact)	**Preserving & Enhancing the Natural Environment (Environmental Impact)**	**An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)**	**Responsive, Cutting-Edge & Effective Government**
Which Desired Outcomes might the Recommended Action Impact?	+ Balance between tourism and local quality of life	~ (Select Desired Outcome)	+ Residents live and work locally + Diverse population (racially, socially, economically, geographically, etc.)	+ Well-maintained assets and infrastructure
Assessment of Overall Impact on Council Priority *(Quality of Life Impact)*	Very Positive	Neutral	Very Positive	Positive

Comments: Recommended changes will have a positive effect on regional partnerships.

Funding Source: There is no funding involved in this recommendation.

Consequences of not taking the recommended action: The Inter-local agreement signed on October 6, 2011 would not be codified in the Housing Resolution.

Recommendation:
Staff recommends that City Council approve proposed changes to the City's Affordable Housing Resolution regarding locations in which AUEs may be placed in fulfillment of housing obligations.

Attachment A: Inter-local Agreement
Attachment B: Current Housing Resolution – 25-12

11-1007

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

THIS AGREEMENT, is made and entered into this 6TH day of OCTOBER, 2011, by and between PARK CITY MUNICIPAL CORPORATION, 445 Marsac Avenue, Post Office Box 1480, Park City, Utah 84060, a municipal corporation of the State of Utah hereafter "Park City" and **WASATCH COUNTY**, a political subdivision operation under the laws of the State of Utah, 25 N Main, Heber City, Utah 84032, hereinafter "Wasatch County", and may be referred to a "party" or "the parties."

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

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

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

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

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

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

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

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

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

3. **BLACK ROCK STATUS**.

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

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

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

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

4. **PROCEDURES FOR FUTURE PROJECTS**.

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

b. **No Approval/Acceptance of Obligation Without Prior Legislative Approval of Other Jurisdiction**. After the Authorized Officials from both jurisdictions meet, a written summary of the pre-application meeting shall be prepared by the requesting party. The summary shall be forwarded to the applicant or other private party and it shall be the responsibility of the applicant or other private party to secure the advanced approval of both jurisdictions. Nothing herein shall limit the legislative discretion of either jurisdiction in approving or rejecting the proposal.

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

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

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

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

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

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

10. **NONDISCRIMINATION**. The parties will not discriminate against any recipient of any services or benefits provided for in this Agreement on the grounds of race, creed, color, national origin, sex, marital status, gender identification, sexual orientation, age or the presence

of any sensory, mental or physical handicap.

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

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

PARK CITY MUNICIPAL CORPORATION

Dana Williams

Dana Williams, Mayor

PARK CITY SUMMIT COUNTY UTAH CORPORATE Seal MARCH 1, 1884

Attest:

Janet Scott

Janet Scott, City Recorder

Approved as to Form:

~~Mark D. Harrington~~, City Attorney
THOMAS A DALEY DEPUTY

WASATCH COUNTY

Mike Davis, Wasatch County Manager Chair

Attest:

Brent Titcomb, County Clerk
Deputy Clerk

Approved as to Form:

Scott Sweat
County Attorney

Resolution 25-12

RESOLUTION ADOPTING AFFORDABLE HOUSING GUIDELINES AND STANDARDS FOR PARK CITY, UTAH

WHEREAS, the livability and viability of Park City is directly affected by the availability of a sufficient amount of housing affordable to all residents; and

WHEREAS, the City Council desires to establish policies to ensure a reasonable opportunity for a variety of housing and which bears an essential nexus to maintaining the social, economic and political fabric of the community; and

WHEREAS, the 2012 Park City Housing Assessment and Plan concluded that housing costs continue to outpace wages in the service sector areas of the resort-based economy and has resulted in making housing unaffordable to working residents of the City; and

WHEREAS, the 2012 Park City Housing Assessment and Plan projects that the Leisure and Hospitality employment sector will continue to drive the demand for additional workforce housing in Park City; and

WHEREAS, it is in the best interest of the community and a legitimate government interest to formulate guidelines and standards to establish a consistent criteria for review of Master Planned Development applications and annexation petitions and other development actions where affordable housing is needed to mitigate the impact of the project on the community; and

WHEREAS, the cost of providing affordable housing and any solutions should equitably apportion the cost based on impact generation, growth inducement and the underlying goal to provide a diversity of housing types and prices in our community in order to maintain a healthy economy and diverse population.

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

SECTION 1. ADOPTED HOUSING STANDARDS AND GUIDELINES. The following housing standards and guidelines are hereby adopted. Unless otherwise defined separately herein, all words and terms shall have the same meaning as defined in the Land Management Code, as amended.

SECTION 2. APPLICABILITY. These standards shall apply to all new Housing and Commercial Development created under Title 15, Chapter 6 Master Planned Developments and Title 15, Chapter 8 Annexations of the Park City Land Management Code. These standards shall apply to prior agreements on density or configuration unless specifically addressed within Development Agreements.

SECTION 3. PURPOSE. The purpose of this Resolution is to ensure that new development does not adversely affect the supply of affordable housing in the City and to maintain the social, economic and political fabric of Park City's community character. It is intended that the requirements imposed herein are roughly proportionate and reasonably related to the impacts of the Development.

SECTION 4. REVIEW. This Resolution shall be reviewed by the City Council at least biennially to ensure that these standards are meeting the housing goals and objectives.

SECTION 5. DEFINITIONS.

- **Affordable Housing:** Housing costs – rent plus basic utilities or mortgage, tax, insurance and/or Homeowners Association payments – that consume no more than 30 percent of a household's income.
- **Affordable Housing Unit:** Dwelling units that are deed restricted to the housing size and type for individuals meeting occupancy guidelines approved by the Park City Council.
- **Affordable Unit Equivalent:** A two-bedroom unit with 900 square feet of Net Livable Space shall be considered one Affordable Unit Equivalent.
- **Bedroom:** Designed to be used for sleeping purposes and which contains closets and meets all applicable City Building Code requirements for light, ventilation, sanitation and egress.
- **Deed Restriction:** A contract entered into between Park City Municipal Corporation and the owner or purchaser of real property identifying the conditions for occupancy and resale.
- **Household:** All related and unrelated individuals occupying a unit.
- **Household Income:** Combined gross income of all individuals who will be occupying the unit regardless of legal status. Adjustments to the gross for business expenses can be made for persons who are self-employed.
- **Net Livable Square Footage:** Is calculated on interior living area and is measured interior wall to interior wall, including all interior partitions. Also included, but not limited to, habitable basements and interior storage areas, closets and laundry areas. Exclusions include, but are not limited to, uninhabitable basements, mechanical areas, exterior storage, stairwells, garages (either attached or detached), patios, decks and porches.
- **Park City Workforce Wage:** The median wage of the core Park City workforce as determined annually by the City Council. See Section 17.G. for calculation method.
- **Studio Unit:** Living quarters designed around a relatively large single room incorporating the features of a living room, bedroom, dining room/kitchen and bathroom.

SECTION 6. EXEMPTIONS. The development of affordable housing units as defined by the Land Management Code is exempt from the requirements of this Resolution. This may include projects developed by or sponsored by nonprofit organizations and projects for which agreements have been executed that provided affordable housing or land for said purpose.

SECTION 7. FEE WAIVERS. Title 11, Chapter12-13 of the Municipal Code provides that "any part of the fees included in this Title may be waived by the City Council upon recommendation of the City Manager, for those projects which are deemed to serve a beneficial public purpose that would be harmed by the City requiring the payment of such fees, such as low income housing projects." Pursuant to Title 11, Chapter 13-4(A) of the Municipal Code, the City Council can waive impact fees for construction of affordable housing up to $5,000 per unit.

SECTION 8. CALCULATION OF MINIMUM AFFORDABLE HOUSING REQUIREMENTS

A. Residential Development.

For projects where units are offered for sale or rent, the Developer shall provide affordable housing units in an amount equal to fifteen percent (15%) of the total residential units constructed. Affordable units developed on-site in fulfillment of this requirement are not included in the density calculation for the project.

RESIDENTIAL GENERATION CALCULATION EXAMPLE

An Applicant has received approval for a 128 unit Master Planned Development.

1. 128 units (total units approved) multiplied by .15 (residential mitigation rate) equals 19.2 Affordable Unit Equivalents.
2. One Affordable Unit Equivalent equals 900 square feet of net livable space.
3. The total approved units for this MPD is 128 market rate units plus 19.2 affordable unit equivalents which equals 17,280 total net square feet of additional livable space.

B. Commercial Development

The Developer shall be required to mitigate 20 percent of the employees generated. For projects with a commercial component, the minimum affordable housing requirements shall be determined according to the following formulas:

Table 1: Employee Generation by Type of Use.

Type of Use	**Full Time Equivalents (2080 hours) per 1,000 net leasable square feet**
Restaurant/Bar	6.5
Education	2.3
Finance/Banking	3.3
Medical Profession	2.9
Other professional services	3.7
Personal services	1.3
Real Estate/Property management	5.9
Commercial/Retail	3.3
Recreation/amusements	5.3
Utilities	2.9
Lodging/hotel	0.6/room
Condominium Hotel	Greater of lodging/hotel calculation or residential mitigation rate
Overall/General	4.4

The Overall/General Type of Use shall apply to any use not listed in the Employee Generation Table if an Independent Calculation is not performed.

EMPLOYEE GENERATION CALCULATION EXAMPLE

An application for a Master Planned Development of 20,000 square feet of commercial space and 100 hotel rooms has been submitted. The commercial uses include:

- 10,000 square feet of retail space
- 5,000 square feet of restaurant/bar space
- 5,000 square feet of professional services

1. Using the above Employee Generation Table, the project will generate 144 employees.
   - *Retail* at 3.3 employees per 1,000 square feet equals 33 employees
   - *Restaurant/Bar* at 6.5 employees per 1,000 square feet equals 32.5 employees
   - *Professional Services* at 3.7 employees per 1,000 square feet equals 18.5 employees
   - *Hotel* at .6 employees per unit equals 60 employees.
2. 144 (total number of employees) multiplied by .20 (mitigation rate) equals 28.8 employees.
3. 28.8 employees divided by 1.5 (workers per household) equals 19.2 employee unit equivalents required.

4. The Developer is required to provide 19.2 Affordable Unit Equivalents or a total of 17,280 net square feet of additional livable space in addition to approved commercial and hotel density.

C. Reduction of Employee Generation for Institutional/Nonprofit Use. The City Council may reduce the base employee generation rate by up to fifty percent for uses that are "non-commercial or non-residential in nature, which provide educational, social or related services to the community and which are proposed by public agencies, nonprofit agencies, foundations and other similar organizations "upon finding that the benefits/impacts of such Development as they relate to other general plan goals and/or action items outweigh the housing impacts.

D. Independent Calculation. An applicant may submit an independent calculation of the number of employees to be generated by a proposed development, to be used in place of the Employee Generation Table. The independent calculation shall be accepted by the City Council if the Council determines the calculation constitutes compelling evidence of a more accurate calculation of employee generation than Table 1: Employee Generation Table. Should the independent calculation not be accepted, then the applicable employee generation factor from the Employee Generation Table shall be applied to the proposed Development. Any acceptance of an Independent Calculation shall be site and use specific, non-transferable and be memorialized in a Development Agreement between the property owner and the City. Such Agreement shall be executed prior to the issuance of any building permit.

E. Redevelopment: Additions and Conversions of Use. Redevelopment or remodeling in an existing use or the change in use from one use to another is exempt from the requirements of this Resolution, provided such activity does not create additional employment generation as determined in *Table 1: Employee Generation by Type of Use*. Only the uses and areas that existed prior to the redevelopment or remodeling shall be exempt from the requirements of this Resolution. Any new area or unit or any change in use which creates additional Employee Generation as determined in *Table 1: Employee Generation by Type of Use* shall be subject to this provisions of this Resolution. Mitigation shall be required for the employees generated by the proposed total square footage (including addition) minus the employment generation of the total structure. If the developer converts one land use to another with higher employment generation rates, the mitigation will be based on the increase in FTEs. For example, a conversion of a 1,000 sq. ft. retail establishment with an employee generation rate of 3.3 FTEs per 1,000 square feet to a private club with a generation rate of 6.5 FTEs per 1,000 square feet results in a net increase in 3.2 FTE and would require additional mitigation.

F. Final Unit Requirement Calculations. The final calculations for the number of inclusionary units and the rental or sales price for these units shall be made prior to the issuance of building permits for the covered project.

SECTION 9. METHODS OF HOUSING REQUIREMENT COMPLIANCE

1. **Unit Types:** The distribution of on-site dwelling unit types that meet the deed restricted affordable unit requirements of this section shall be as follows:

- <u>Single-Family:</u> In developments where only single-family detached dwelling units are being produced, the required on-site Affordable Unit Equivalents shall also be single-family detached dwelling units.

- Multi-Family: In developments where only multi-family buildings are being produced, the required on-site Affordable Unit Equivalents shall also be within the multi-family building or buildings.
- Mixed: In developments where there is a mix of dwelling unit types such as: detached single-family, townhomes, duplexes or attached single-family, or multi-family condominium or apartment buildings, or other types of units, the required on-site Affordable Unit Equivalents shall also be a mix in the same proportion as the market rate dwelling units.
- Alternative Distribution Ratios: Different unit distribution among the Affordable Unit Equivalents may be permitted on a case-by-case basis if doing so would accomplish additional benefits or result in a better design than not using the distribution of units provided for in this section.

2. **Minimum Square Footage Standards:** In order to assure livability, the standard net livable square footage for affordable units shall be as follows:

Dormitory	150 square feet
Single Room Occupancy	275 square feet
Studio	400 square feet
One Bedroom	650 square feet
Two Bedroom	900 square feet
Three Bedroom	1,150 square feet
Four Bedroom	1,400 square feet

Any deviation from these standards shall be approved by Park City Housing Authority as part of the applicable Affordable Housing Mitigation Plan.

The Building Department prior to the issuance of any building permits for either the free market or employee housing component of the project must verify square footage. The Building Department may check the actual construction of the Affordable Unit Equivalents.

3. Winter Seasonal Units. Pursuant to the applicable City codes, an applicant for a development may, at the sole discretion of the City and subject to certain requirements, satisfy the employee housing requirements by provision of dormitory/lodge units designed for occupancy by seasonal employees. The dormitory/lodge units must satisfy all requirements of the applicable Guidelines and shall be required to meet the following minimum standards:

- Occupancy of a dormitory unit shall be limited to no more than 8 persons.
- There shall be at least 150 square feet of net livable square footage per person, including sleeping and bathroom uses.
- At least one bathroom shall be provided for shared use by no more than four persons. The bathroom shall contain at least one toilet, one wash basin, one bathtub with a shower and a total area of at least 60 net livable square feet.
- A kitchen facility or access to a common kitchen or common eating facility shall be provided subject to the Building Department’s approval and determination that the facilities are adequate in size to service the number of people using the facility.
- Use of 20 net leasable square feet per person of enclosed storage area located within, or adjacent to, the unit.

- Rents for dormitory units will be set by Special Review on a case-by-case basis, given the unique and varying characteristics of dormitory units, with affordability as the key issue.
- Seasonal Lodge Developments may be required to house qualified employees of the community at large.

4. Special Needs Emergency/Transitional Housing. Pursuant to the applicable City codes, an applicant for a development may, at the sole discretion of the City and subject to certain requirements, satisfy a portion of its employee housing requirements by provision of special needs emergency/ transitional housing units through either direct construction, land donation or the donation of existing units. There must be a quantified, demonstrated need for the emergency/transitional housing within the Park City boundaries. The housing must be developed in collaboration with a federally recognized, 501(c)(3) nonprofit organization. The housing must satisfy all requirements of the applicable Housing Guidelines and Standards as well as comply with all applicable local, state and federal requirements. Given the unique and varying characteristics of the population to be served, the rents for emergency/transitional housing must be approved in advance by the City Council.

5. Minimum Green Building Requirements. All new construction or substantial rehabilitation projects developed in fulfillment of the affordable housing obligation must demonstrate that it meets the NAHB Green Standards or a LEED Certification level. All appliances and products including light bulbs shall be Energy Star qualified products for all new construction or substantial rehabilitation.

6. Affordable Unit Amenities. Inclusionary units may differ from the market units with regard to interior amenities and gross floor area provided that:

- These differences, excluding differences related to size differentials are not apparent in the general exterior appearances of the project's units; and
- These differences do not include insulation, windows, heating systems and other improvements related to the energy efficiency of the project's units.
- The gross floor area of the inclusionary units is not less than the following minimum requirements, unless waived by the City.

B. Methods of Meeting Minimum Requirements.

The following methods, in order of priority, may be used to meet the minimum affordable housing mitigation requirements.

1. ***Construction of unit(s) on the site on which the development is proposed.*** Affordable housing units shall be constructed on the project site, unless the developer can demonstrate compelling evidence that an alternative method would result in a better design, enhanced level of affordability or that the construction on-site would adversely affect the design of the project.

2. ***Construction of the unit(s) within the Park City corporate limits provided such land, site or structure had not been previously deed-restricted to affordable housing by Park City or Summit County.***

3. ***Dedication of existing units provided such units have not been previously restricted to employee or affordable housing by Park City or Summit County.*** Units shall be located within the City limits unless otherwise approved by the City. Units must

be of equivalent value, quality and size of the deed restricted units that would have been constructed on-site. Existing units must be in move-in condition with appliances, windows, heating, plumbing, electrical systems, fixtures and equipment in good working condition. The value of dedicated existing units will be determined, at the expense of the developer, by an appraiser selected by the developer from a list of certified appraisers provide by the City of by such alternative means of valuation as to which a developer and the City may agree. All units shall be inspected and shall meet applicable Park City building codes. Applicant shall bear the costs and expenses of any required upgrades to meet the above standards as well as any reports required to assess the suitability for occupancy and compliance with the standards of the proposed units. All appliances and products including light bulbs shall be Energy Star qualified products.

4. ***Construction of units outside Park City, but within the Park City School District boundary and/or the boundaries of the free transit system.***

5. ***Conveyance of land within the Park City School District boundary and/or the boundaries of the free transit system provided such land has not been previously restricted to employee or affordable housing by Park City or Summit County.*** The developer may elect to (a) convey land to the City or its designee that is of equivalent value to the cash in lieu contributions that would be required under this Resolution, plus an additional 25 percent to cover costs associated with holding, developing, improving or conveying such land; or (b) convey land to the City or its designee that is of equivalent value (as of the date of conveyance) to that land upon which required units would otherwise have been constructed and properly zoned such as to allow construction of at least that number of units for which the obligation of construction is being satisfied by the dedication of the land. Land conveyance shall occur prior to the issuance of any building permit for the free market portion of the development. Should the City Council later elect to sell the land, all proceeds from the sale of the land shall be placed in a dedicated housing fund.

6. ***Payment of Fees in Lieu of Development***. If the City determines that (1) no other alternative is feasible, or (2) such a payment would result in more immediate development of housing or (3) such a payment would leverage additional resources, then a Payment of Fees in Lieu of Development may be accepted. The Payment in Lieu Fee shall be calculated and published annually in April on the City's affordable housing webpage. Updates may occur more frequently at the request of the City Council to reflect changing real estate conditions. Any Fees in Lieu collected and any interest accrued, shall be used only for the purpose of planning for, subsidizing or developing affordable and employee housing.

   The Payment in Lieu Fee is calculated as follows:

   - Median market value per square foot for 600 to 1,600 square foot properties sold in prior year (Summit County Assessor's Office provides the data sets);
   - Multiply by 900 square feet (AHU equivalent); and
   - Subtract out the affordable home sale price for a household earning Park City Workforce Wage (See calculation in Section 17.C);

   One-half of the in-lieu fee shall be paid (or a letter of credit posted) prior to issuance of a building permit for all or any part of the MPD. The remainder of the fee shall be paid before a certificate of occupancy (temporary or permanent) is issued for any unit in the Residential Development. The remaining fee will be calculated at the in lieu fee rate in effect at the time of payment. The Developer retains the option of paying the fees in full at time of building permit to avoid any increase in fees.

SECTION 10. DEED RESTRICTION. Prior to the plat recordation provisions to ensure continued affordability of inclusionary units shall be embodied in legally binding agreements and/or deed restrictions, which shall be prepared by the developer, but which shall not be recorded or filed until reviewed and approved by the City Attorney with such modifications as it may deem necessary to carryout the purpose of this Resolution. No building permit application shall be accepted in the absence of proof of the execution of requirement agreements and covenants. In the event such restrictions are voided by bankruptcy or other legal action, the City may revoke the Certificate(s) of Occupancy until such time as subsequent owner complies with the standards herein.

SECTION 11. TIMING OF OCCUPANCY. The affordable units shall be ready for occupancy no later than the date of the initial or temporary occupancy of the free market portion of the project. If the free market units are to be developed in phases, then the affordable housing can be developed in proportion to the phasing of the free market units as approved in the Housing Mitigation plan.

SECTION 12. APPLICABILITY OF RESOLUTION TO PRIOR APPROVALS OR PENDING APPLICATIONS.

A. Prior Development Agreements. Developments, which received development plan approvals prior to the adoption of this housing resolution, shall conform to the provisions of the resolution in place at the time of applicable complete application. Any modifications to an existing Development Agreement that results in an increase in housing units or employee generation shall be subject to the provisions of this Resolution.

B. Prior Annexation. Unless otherwise provided in Conditions of Approval or a Development Agreement, Developments subject to affordable housing requirements imposed by annexation agreements entered into prior to the effective date of this Resolution may develop in conformity with the Resolution in place at the time the Annexation Agreement was approved.

C. Pending Project Approval Actions. Developments for which complete applications were filed prior to the effective date of this Resolution, but have not been reviewed by the appropriate body, must conform to the Resolution in place at time of application.

SECTION 13. HOUSING MITIGATION PLAN. The Applicant shall submit a Housing Mitigation Plan. The Housing Mitigation Plan shall be reviewed by the Planning Commission as part of the application to the City for the Annexations or Master Planned Development with a recommendation forwarded to the City Council. The Housing Mitigation Plan shall include the following:

A. Calculation and Method. The calculation of, and method by which housing is to be provided, in compliance with Section 8 "Calculation of Minimum Affordable Housing Requirement" and Section 9 "Method of Housing Requirement Compliance."

B. Unit Descriptions. If affordable housing units are to be developed, a site plan and building floor plans (if applicable), illustrating the number of units proposed, their location, the number of bedrooms in and square foot of each unit, and the rental/sale mix of the development. The proposed sale prices and rent levels shall also be included.

SECTION 14. CONSTRUCTION TIMING. Affordable units shall be made available for occupancy on approximately the same schedule as a project's market units; except that Certificates of Occupancy (temporary or permanent) for the last ten percent of the market units shall be withheld until Certificates of Occupancy have been issued for all of the inclusionary units. Other phasing agreements may be accepted, if doing so would accomplish additional benefits fro the City consistent with the purposes of this Resolution. A schedule setting forth the phasing of the total number of units in a covered project, along with a schedule setting forth the phasing of the required inclusionary units shall be approved prior to the issuance of a building permit.

SECTION 15. GOOD FAITH MARKETING REQUIRED. All sellers or owners of deed restricted affordable units shall engage in good faith marketing efforts each time a deed restricted unit is rented or sold such that members of the public who are qualified to rent or purchase such units have a fair chance of becoming informed of the availability of such units. A public marketing plan shall be submitted by the developer for the initial sale or lease of the units.

SECTION 16. LOCAL PREFERENCE OPTION. In order to address the City's local preference options, any deed restricted affordable housing project shall give preference to full-time employees (a minimum of 30 hours per week) of businesses within the Park City School District boundaries. Preference is also given to Senior Citizens (62 & older) and persons who are physically and/or mentally challenged.

SECTION 17. MAXIMUM RENTS AND SALES PRICES. The following provision shall apply to the calculation of rents, selling prices and/or carrying charges of deed restricted affordable units.

A. Occupancy. In calculating the rents or carrying charges of inclusionary units, the following relationship between unit size and household size shall apply:

- Dormitory/Single Room Occupancy: 1 person per 150 net livable square feet.
- Studio/Efficiency: 1 person per household
- One-bedroom: 1.5 person household
- Two-bedrooms: 2.5 person household
- Three-bedroom: 4 person household
- Four-bedroom: 6 person household.

B. Rental Units. Inclusionary rental units in any one development shall be rented at a price, which, on average, is affordable to a household with an annual income of 100% of the Park City Workforce Wage.

C. For Sale Units. The initial sales price for an affordable unit in any one development shall average a price affordable to a household earning 150 percent of Park City Workforce Wage ("Target Household Income"). Sale Price shall be calculated according to the following guidelines: utilities plus mortgage payment for the Owner Occupied Unit, including principal, interest, taxes and insurance ("PITI"), shall not exceed 30% of the Target Household Income. The assumptions used to calculate the sales price shall be: (i) a 5% down payment; (ii) a 30-year term; and (iii) an interest rate equal to the prevailing FirstHome rate, or its program equivalent, of the Utah Housing Corporation (www.utahousingcorp.org) at the time of the offer.

D. Appreciation Limits. Provisions to ensure continued affordability of inclusionary units offered for sale shall include a formula limiting equity appreciation to either a shared percentage of the equity appreciation or a cap on the equity appreciation, with such adjustments for improvements made by the seller and necessary costs of sale as may be approved by the City. The form of the resale restriction shall be determined by the City at the time of approval of the Housing Mitigation Plan.

E. Limitation on Rental Rates and Terms. The rate at which an Owner shall rent the Units shall not exceed the Maximum Rent as established by the City. The Maximum Rent shall be set as affordable to households earning 100% of Park City Workforce Wage and adjusted annually by the percentage increase in the Consumer Price Index for the western region. Allowable increase will be published in April of each year on the City's affordable housing webpage. Unless otherwise approved, the minimum lease term shall be six months.

F. Income Limits. The City reserves the right to place an income/asset limitation for prospective owners or renters as needed to further the goals of this Resolution.

G. Park City Workforce Wage. Park City Workforce Wage for a family of three shall be calculated in April of each year and published on the City's affordable housing webpage. It is based on the prior year's wages as reported by the Utah Division of Workforce Services. Workforce Wage is calculated as follows:

- Summit County median wage for prior year;
- Add six percent for additional earnings such as tips, incentives, bonuses, and overtime as well as other income such as investments and non-cash benefits; and
- Multiply total by 1.5 to account for the average household in Park City having 1.5 workers.

SECTION 18. TERM OF AFFORDABILITY. The Term of Affordability shall be for a period of not less than forty (40) years. At the expiration of the initial forty (40) year term, this Agreement shall be reviewed for additional consecutive ten (10) year terms, unless the City shall determine, based an independent housing needs assessment, that the Unit is no longer necessary to satisfy the affordable/employee housing needs in Park City.

SECTION 19. WAIVERS. The City Council may waive all or part of the requirements of this Resolution in exchange for enhanced project affordability or livability including but not limited to the incorporation of sustainable building practices and systems in the unit design and development.

SECTION 20. ADMINISTRATIVE RELIEF. The City Council may waive all or part of the requirements of this Resolution where the applicant can establish by clear and convincing financial data and other evidence relating to the character of the development or surroundings that the imposition of the requirements set forth in this article shall create an economic hardship. The Council shall use the same standards that it applies to historic properties in making a determination of economic hardship. A waiver under this section shall be granted only to the extent necessary to relieve the hardship or difficulty that serves as the basis for the requested waiver and shall not be considered precedent for future requests for administrative relief.

SECTION 21. SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate distinct and independent provision and such holding shall not affect the validity of the remaining portions of the Resolution.

SECTION 22. EFFECTIVE DATE. This Resolution shall take effect upon adoption by the City Council. All prior Housing Resolutions and parts of Resolutions in conflict with the provisions of this Resolution are hereby repealed. This Resolution repeals and replaces all prior housing resolutions including Resolution s 37-91, 8-93, 6-94, 7-95, 17-99,10-2006, and 20-07.

PASSED AND ADOPTED this 27th day of September, 2012.

PARK CITY MUNICIPAL CORPORATION

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Mayor Dana Williams

Attest:

____
Jan Scott, City Recorder

Approved as to form:

____
Mark Harrington, City Attorney

City Council
Staff Report

PARK CITY 1884 PLANNING DEPARTMENT

Subject: **923 Park Avenue Subdivision**
Author: **Francisco Astorga & Georgie Corkery**
Project Number: **PL-14-02527**
Date: **January 8, 2015**
Type of Item: **Administrative – Plat Amendment**

Summary Recommendations

Staff recommends the City Council hold a public hearing for the 923 Park Avenue Subdivision Plat Amendment located at 923 Park Avenue and consider approving it 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.

Description

Applicant:	EZ Executive Holdings LC represented by Marshall King with Alliance Engineering Inc.
Location:	923 Park Avenue
Zoning:	Historic Residential (HR-1)
Adjacent Land Uses:	Residential
Reason for Review:	Plat Amendments require Planning Commission review and City Council review and action

Proposal

Lot 6 and portions of Lots 5 & 28, Block 3, Snyder's Addition to the Park City Survey are owned by the same entity. The original lots 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.

Background

On October 27, 2014 the City received a completed Plat Amendment application for the 923 Park Avenue Subdivision. The property is located at 923 Park Avenue. The property is in the Historic Residential (HR-1) District. The subject property consists of all of Lot 6, the northerly eight (8) feet of Lot 5, and a small portion of Lot 28, Block 3, Snyder's Addition. The entire area is recognized by the County as Parcel SA-13 (Tax ID).

Currently the site contains a one-and-one half (1½) story single-family dwelling. The site is listed on Park City's Historic Site Inventory and is designated as a significant historic site. According to Summit County records the structure was built in 1901 and contains a total living area of 973 square feet. According to the submitted survey the building footprint of the existing historic dwelling is approximately 997 square feet. The site is partially located in a FEMA Flood Zone X.

On December 12, 2014, the Planning Commission forwarded a unanimous positive recommendation (5-0).

Purpose
The purpose of the Historic Residential (HR-1) District is to:

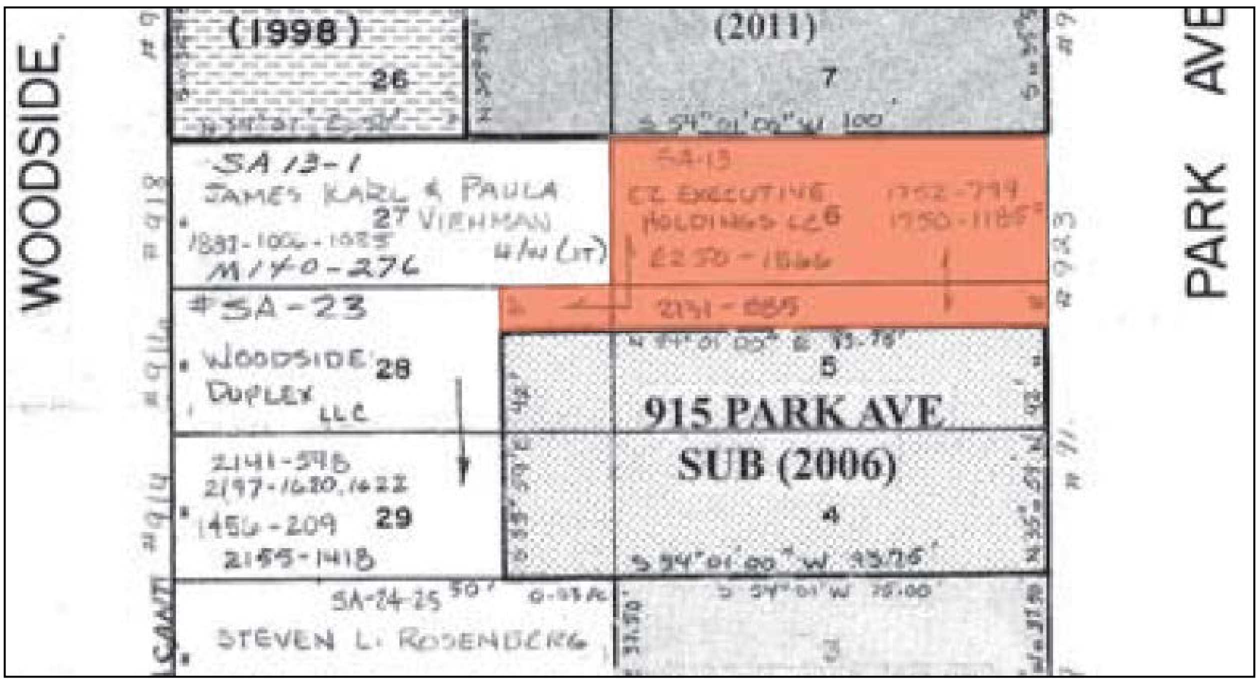
A. preserve present land Uses and character of the Historic residential Areas of Park City,
B. encourage the preservation of Historic Structures,
C. encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential 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 lot and portions of lots consisting of 2,625 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 three feet (33’) wide. The proposed lot meets the minimum lot width requirement. The following table shows applicable development parameters in the Historic Residential (HR-1) District:

LMC Requirements	Parameter
Building Footprint	1132.5 square feet, maximum based on lot size.
Front/Rear Yard Setbacks	10 feet minimum.
Side Yard Setbacks	3 feet minimum, 6 feet total.
Building (Zone) Height	No Structure shall be erected to a height greater than twenty-seven feet (27') from Existing Grade.
Final Grade	Final Grade must be within four vertical feet (4’) of Existing Grade around the periphery […].
Lowest Finish Floor Plane to Highest Wall Top Plate	A Structure shall have a maximum height of thirty five feet (35’) measured from the lowest finish floor plane to the point of the highest wall top plate […].
Vertical Articulation	A ten foot (10’) minimum horizontal step in the downhill façade is required […].
Roof Pitch	Roof pitch must be between 7:12 and 12:12 for primary roofs. Non-primary roofs may be less than 7:12.

Staff has identified that the existing historic structure does not meet the north side yard setback. The structure is one-and-one-half feet (1½') from the north side yard property line. LMC § 15-2.2-4 indicates that historic structures that do not comply with building setbacks are valid complying structures. Furthermore, this same section indicates that additions to historic structure must comply with building setbacks, etc.

Staff finds good cause for this plat amendment as the existing remnant parcels will become part of a legal lot of record. The other portion of Lot 5 is owned by another entity and has been incorporated into the adjacent 915 Park Avenue Subdivision re-platted in 2006. The other portion of Lot 28 is owned by another entity and is recognized as parcel SA-23 which has a duplex over the two (2) lots west of the 915 Park Avenue Subdivision. See County Plat Map below:



The existing historic structure straddles the lot line between Lot 5 and Lot 6; therefore, this plat amendment would make the historic structure be in one (1) of lot of record instead of having most of the structure on Lot 5 and a small portion of the south wall on Lot 5, a separate remnant parcel.

<u>Rear Retaining Wall</u>

The site contains a small encroachment of a timber retaining wall of approximately four feet (4') in height. This retaining wall is sits on the rear portion of the rear neighbor, 918 Woodside Avenue, and it encroaches approximately six inches (6") over the rear property line. The applicant is currently working with the rear neighbor to issue an encroachment agreement. See Exhibit H – Neighbor's retaining wall.

<u>Pole Line Easement</u>

The submitted title report indicates a pole line easement recorded with the county in 1959. This easement is in favor of Utah power and light company as is currently shown on the proposed plat. The property owner is currently working with Rocky Mountain Power to remove this pole line easement as it is currently not in use.

Process
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.

Department Review
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 923 Park Avenue Subdivision Plat Amendment as conditioned or amended; or
- The City Council may deny the 923 Park Avenue Subdivision Plat Amendment and direct staff to make Findings for this decision; or
- The City Council may continue the discussion on 923 Park Avenue Subdivision 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’x75’) and two (2) remnant parcels. The existing historic structure would continue to straddle the interior lot lines.

Summary Recommendation
Staff recommends the City Council hold a public hearing for the 923 Park Avenue Subdivision Plat Amendment located at 923 Park Avenue and consider approving it 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 – Applicant’s Project Description

Exhibit C – Aerial Photograph
Exhibit D – Existing Survey
Exhibit E – County Tax Map
Exhibit F – Site Photographs
Exhibit G – LMC § 15-2.2-4
Exhibit H – Neighbor's retaining wall

Exhibit A: Draft Ordinance

Ordinance No. 14-XX

AN ORDINANCE APPROVING THE 923 PARK AVENUE SUBDIVISION PLAT AMENDMENT LOCATED AT 923 PARK AVENUE, PARK CITY, UTAH.

WHEREAS, the owner of the property located at 923 Park Avenue has petitioned the City Council for approval of the Plat Amendment; and

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

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on December 10, 2014, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on December 10, 2014, forwarded a positive recommendation to the City Council; and,

WHEREAS, on January 8, 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 923 Park Avenue Subdivision Plat Amendment.

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

SECTION 1. APPROVAL. 923 Park Avenue Subdivision 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 923 Park Avenue.
2. The property is in the Historic Residential (HR-1) District.
3. The subject property consists of all of Lot 6, the northerly eight (8) feet of Lot 5, and a portion of Lot 28, Block 3, Snyder's Addition.
4. The entire area is recognized by the County as Parcel SA-13.
5. The site is listed on Park City's Historic Site Inventory and is designated as a significant historic site.
6. The building footprint of the existing dwelling is approximately 997 square feet.
7. The proposed plat amendment creates one (1) lot of record from the existing area consisting of 2,625 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.
10. The proposed lot meets the minimum lot area for a single-family dwelling.
11. The minimum lot width allowed in the district is twenty-five feet (25').
12. The proposed lot is thirty three feet (33') wide.
13. The proposed lot meets the minimum lot width requirement.
14. The existing historic structure does not meet the north side yard setback. The structure is one-and-one-half feet (1½') from the north side yard property line.
15. LMC § 15-2.2-4 indicates that historic structures that do not comply with building setbacks are valid complying structures.
16. LMC § 15-2.2-4 indicates that additions to historic structure must comply with building setbacks, etc.
17. The site contains a small encroachment of a timber retaining wall of approximately four feet (4') in height which sits on the rear portion of the rear neighbor, 918 Woodside Avenue.
18. The retaining wall encroaches approximately six inches (6") over the rear property line onto the subject site.
19. The applicant is currently working with the rear neighbor to issue an encroachment agreement.
20. The submitted title report indicates a pole line easement recorded with the county in 1959.
21. The pole line easement is in favor of Utah power and light company as is currently shown on the proposed plat.
22. The property owner is currently working with Rocky Mountain Power to remove this pole line easement as it is currently not in use.
23. The site is partially located in a FEMA Flood Zone X.
24. 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.

<u>Conditions of Approval:</u>
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 front of

the property.

4. The applicant shall resolve the wood tie retaining wall which encroaches onto their property from 918 Woodside Avenue by providing an encroachment agreement to the neighboring property owner or by removing the wood tie retaining wall encroachment before plat recordation.
5. The applicant shall resolve the pole line easement recorded with the county. The property owner is currently working with Rocky Mountain Power to remove this pole line easement as it is currently not in use. If the applicant fails to remove this pole line easement prior to plat recordation, it shall be noted on the plat. If the easement is removed then it shall not be shown on the plat.

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

PASSED AND ADOPTED this 8th day of January, 2015.

PARK CITY MUNICIPAL CORPORATION

____
Jack Thomas, MAYOR

ATTEST:

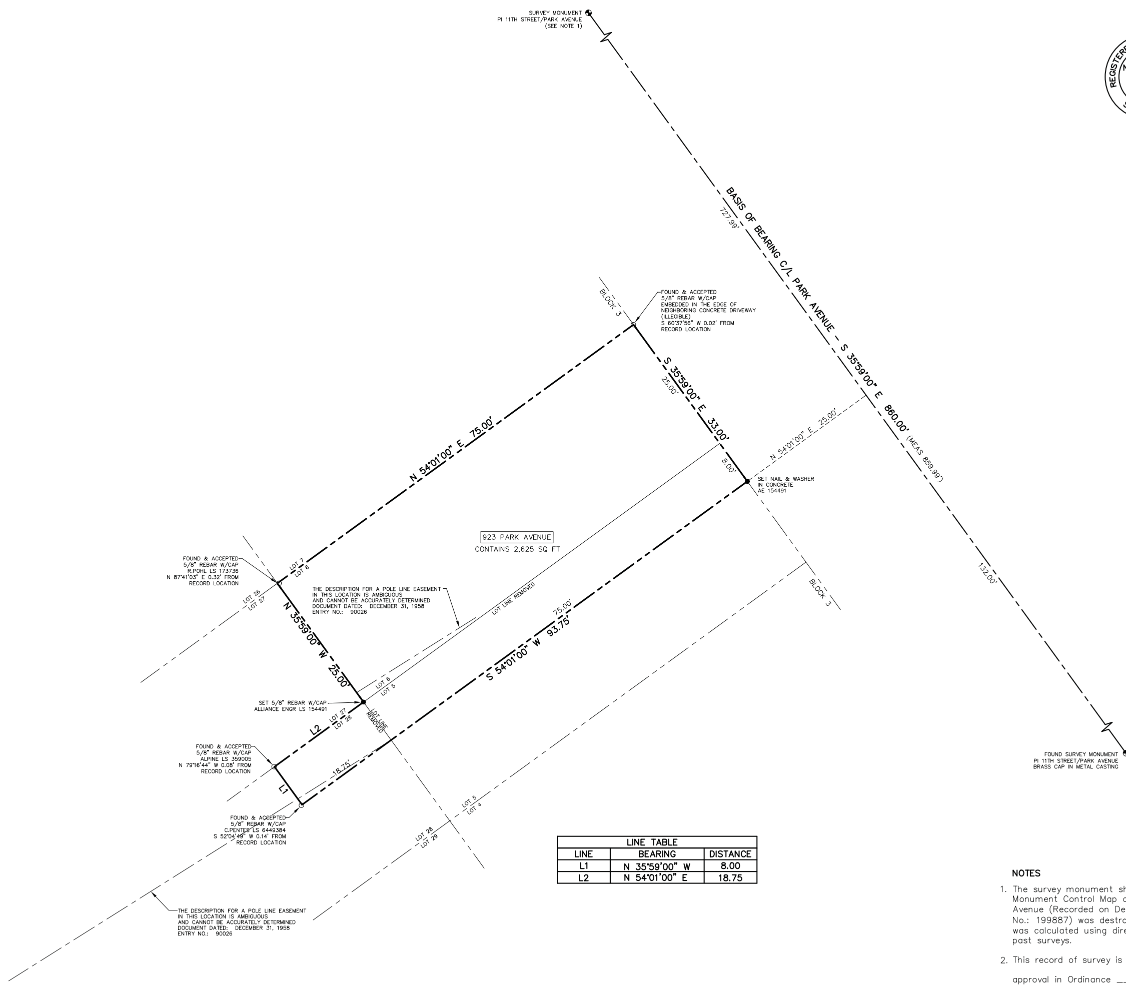
____
Marci Heil, City Recorder

APPROVED AS TO FORM:

____
Mark Harrington, City Attorney

Attachment 1 – Proposed Plat

Attachment 1 - Proposed Plat



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 35°59'00" W	8.00
L2	N 54°01'00" E	18.75

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 the 923 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 6 and the Northerly eight (8) feet of Lot 5, Block 3, Snyders Addition to Park City, according to the official plat thereof on file and of record in the Summit County Recorder's office.

and

The Easterly 18.75 feet of the Northerly 8.00 feet of Lot 28, Block 3, Snyders Addition to Park City, according to the official plat thereof on file and of record in the Summit County Recorder's office.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that EZ Executive Holdings, LC, a Utah limited liability company, the undersigned owner of the herein described tract of land to be known hereafter as 923 PARK AVENUE SUBDIVISION, does hereby certify that it has caused this Plat Amendment 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.

____
Andrew J. Nielson, Manager
EZ Executive Holdings, LC

ACKNOWLEDGMENT

State of: _____________
ss:
County of: _____________

On this _____ day of _____________________, 2015, Andrew J. Nielson personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, Andrew J. Nielson acknowledged to me that he is a managing member of EZ Executive Holdings, LC, a Utah limited liability company, and that he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

____
A Notary Public commissioned in Utah

____
Printed Name

Residing in: _________________

My commission expires: _____________________

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. The monument location was calculated using direct ties from field notes of past surveys.
2. This record of survey is subject to the conditions of approval in Ordinance ___-___.

10' 0 10' 20'

BLOCK 3, SNYDER'S ADDITION TO PARK CITY SURVEY

923 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

10/27/14 JOB NO.: 10-9-14 FILE: X:\SnydersAddition\dwg\srv\plat2014\100914.dwg

Alliance Engineering Inc	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	PLANNING COMMISSION	ENGINEER'S CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
(435) 649-9467 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664	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 ______________ CHAIRMAN	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	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF __________, 2015 BY ______________ PARK CITY RECORDER	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF __________, 2015 BY ______________ MAYOR	STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF ______________ DATE __________ TIME __________ ENTRY NO. FEE RECORDER

SNYDER'S ADDITION TO PARK CITY SURVEY, BLOCK 3,
LOT 6 AND A PORTION OF LOTS 5 & 28,

(923 PARK AVENUE)

PROJECT INTENT

Lot 6 and portions of Lots 5 & 28, Block 3, Snyder's Addition to Park City Survey, (also known as 923 Park Avenue) are owned by the same entity. The original lot lines from the Snyder's Addition to Park City Survey still exist on said lots. The owner desires to unify the property into one lot of record by extinguishing the existing lot lines, with the ultimate goal of renovating the existing residence.

Exhibit C – Aerial Photograph

Exhibit D – Existing Survey

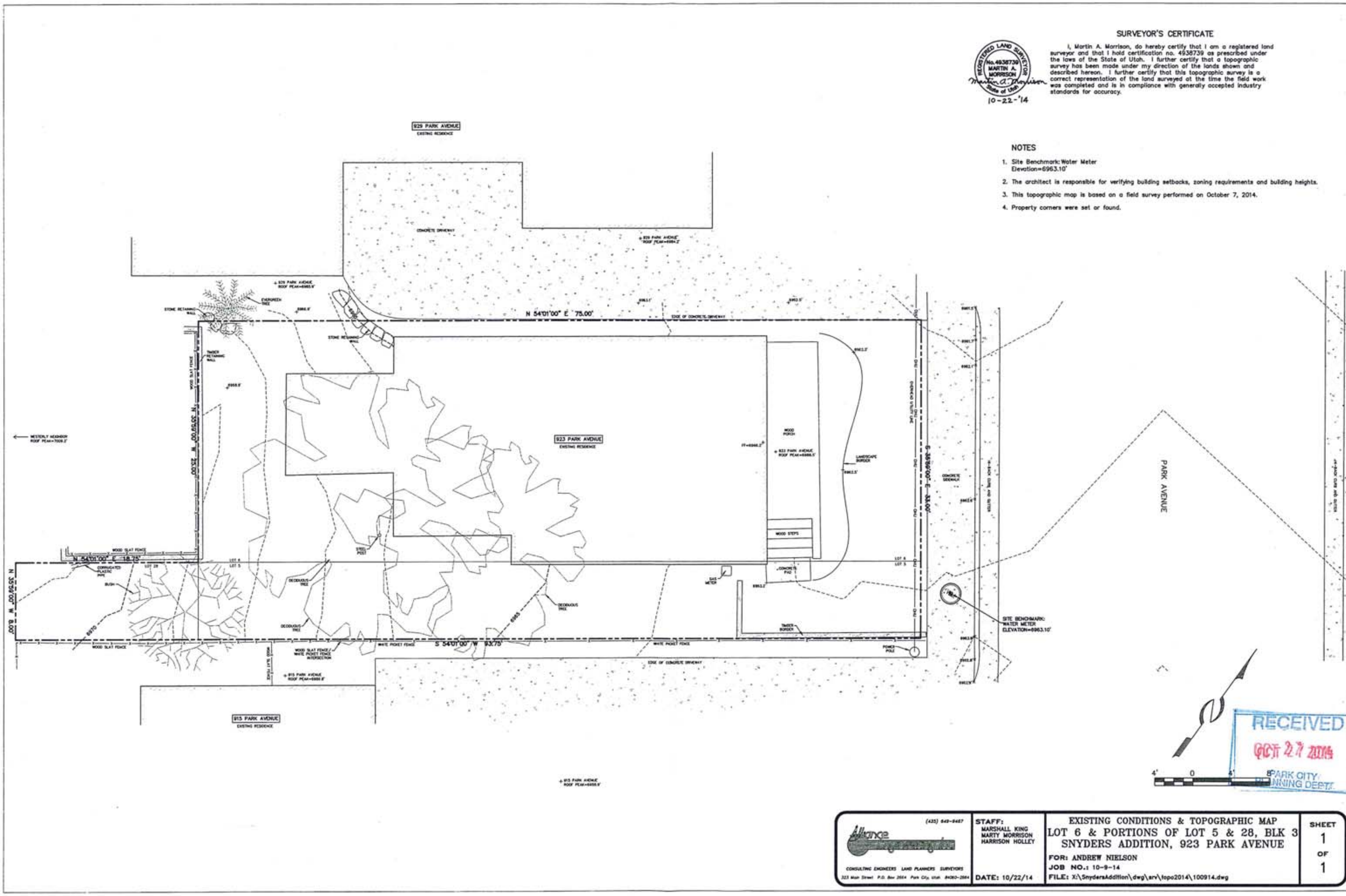


Exhibit E – County Tax Map

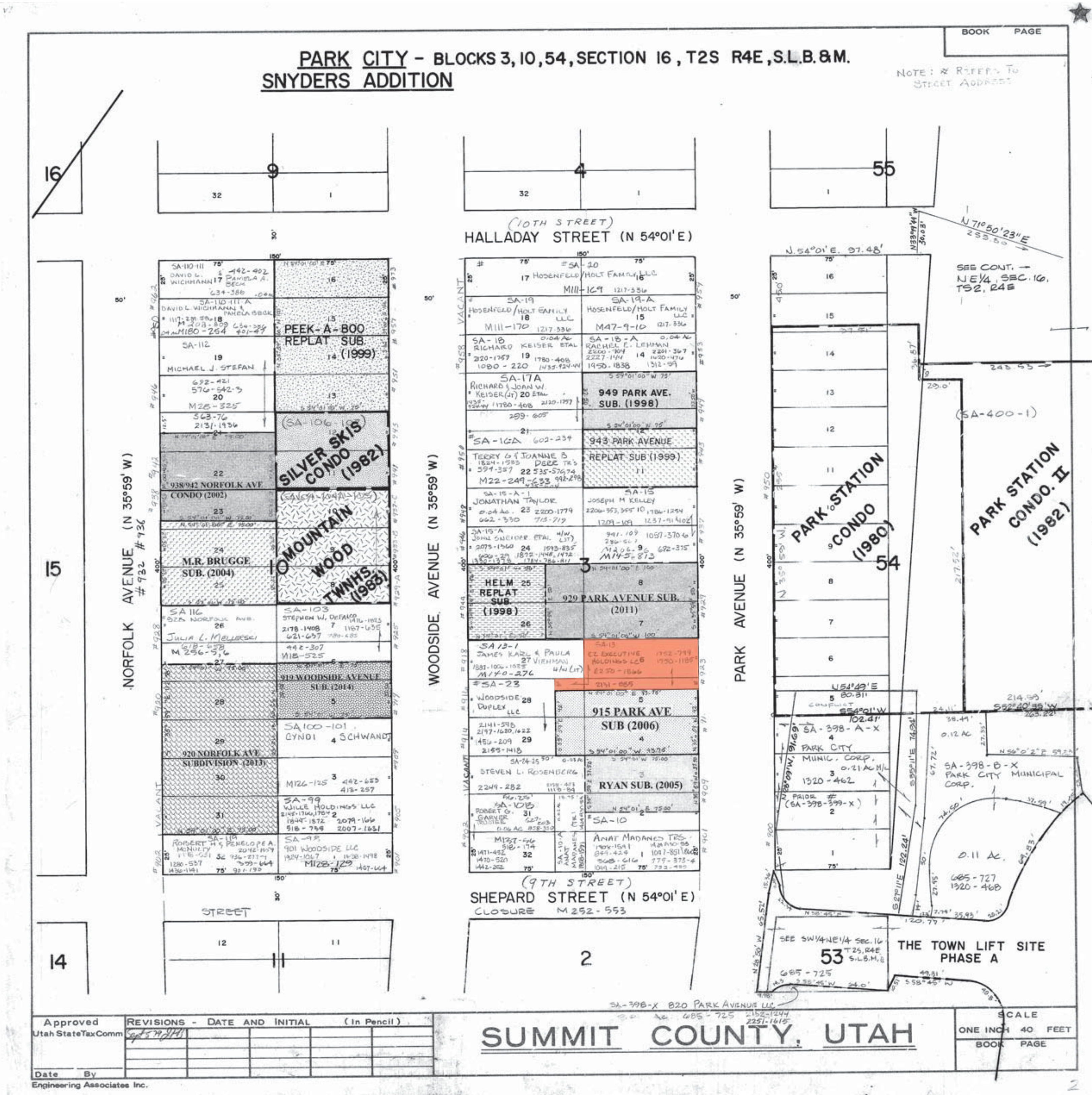
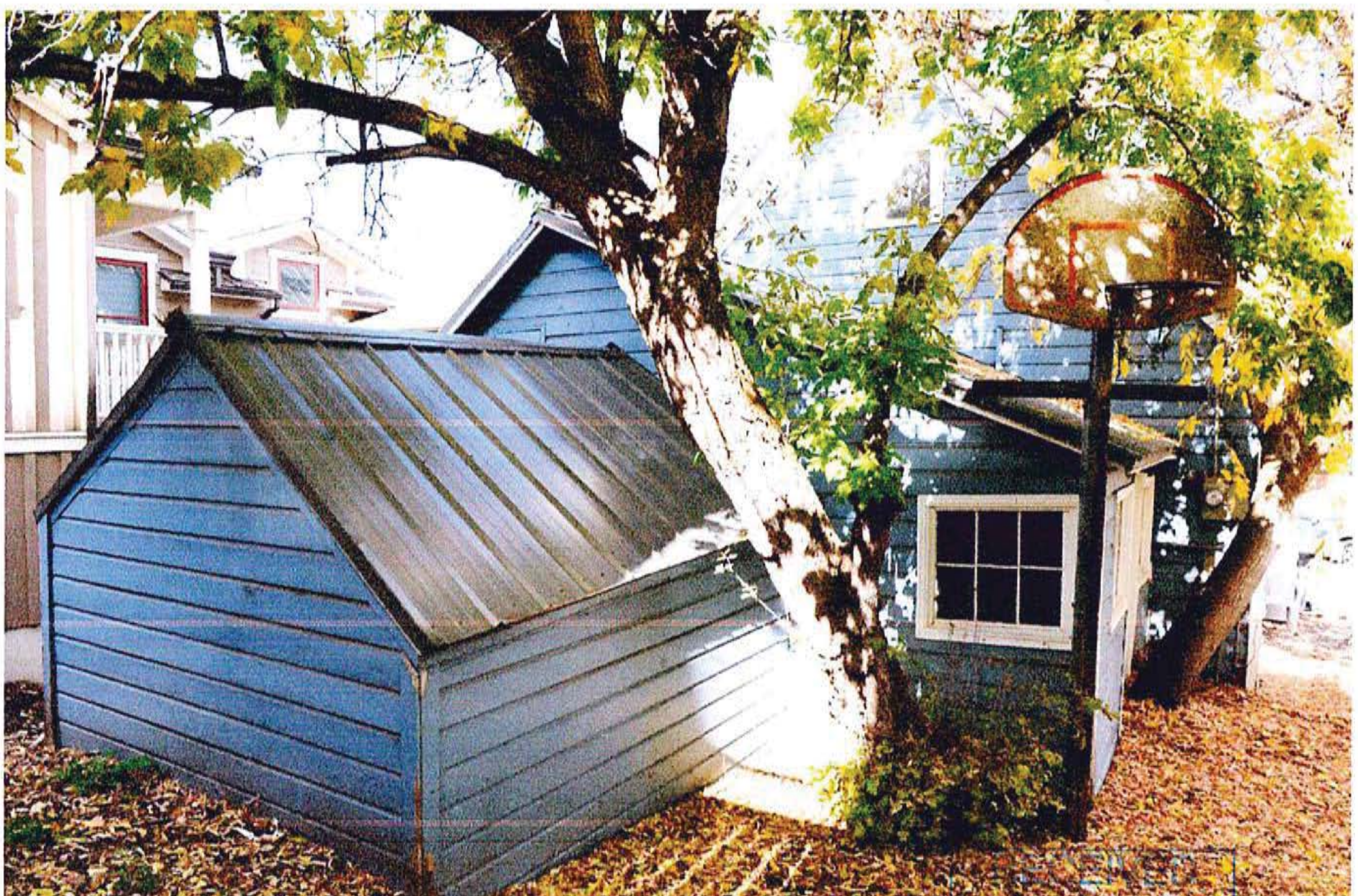


Exhibit F – Site Photographs

923 Park Avenue – Facing Northwesterly

923 Park Avenue – Facing Southwesterly

923 Park Avenue – Facing Southeasterly



923 Park Avenue – Facing Northeasterly

Setback of three feet (3').

(11) Screened mechanical equipment, hot tubs, or similar Structures located a minimum of five feet (5') from the Side Lot Line.

(J) **SNOW RELEASE**. Site plans and Building designs must resolve snow release issues to the satisfaction of the Chief Building Official.

(K) **CLEAR VIEW OF INTERSECTION**. No visual obstruction in excess of two feet (2') in height above road Grade shall be placed on any Corner Lot within the Site Distance Triangle. A reasonable number of trees may be allowed, if pruned high enough to permit automobile drivers an unobstructed view. This provision must not require changes in the Natural Grade on the Site.

(Amended by Ord. Nos. 06-56; 09-10)

15-2.2-4. EXISTING HISTORIC STRUCTURES.

Historic Structures that do not comply with Building Setbacks, Off-Street parking, and driveway location standards are valid Complying Structures. Additions to Historic Structures are exempt from Off-Street parking requirements provided the addition does not create a Lockout Unit or an Accessory Apartment. Additions must comply with Building Setbacks, Building Footprint, driveway location standards and Building Height. All Conditional Uses shall comply with parking requirements of Chapter 15-3.

(A) **EXCEPTION**. In order to achieve new construction consistent with the Historic District Design Guidelines, the Planning Commission may grant an exception to the Building Setback and driveway location standards for additions to Historic Buildings:

(1) Upon approval of a Conditional Use permit,

(2) When the scale of the addition or driveway is Compatible with the Historic Structure,

(3) When the addition complies with all other provisions of this Chapter, and

(4) When the addition complies with the International Building and Fire Codes.

(Amended by Ord. Nos. 06-56; 07-25)

15-2.2-5. BUILDING HEIGHT.

No Structure shall be erected to a height greater than twenty-seven feet (27') from Existing Grade. This is the Zone Height. Final Grade must be within four vertical feet (4') of Existing Grade around the periphery of the Structure, except for the placement of approved window wells, emergency egress, and a garage entrance. The following height requirements must be met:

(A) A Structure shall have a maximum height of thirty five feet (35') measured from the lowest finish floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters.

(B) A ten foot (10') minimum horizontal

Exhibit H - Neighbor's retaining wall

PARK CITY REDEVELOPMENT AGENCY
SUMMIT COUNTY, UTAH
JANUARY 8, 2015

PUBLIC NOTICE IS HEREBY GIVEN that the Redevelopment Agency 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, January 8, 2015.

I. ROLL CALL

II. PUBLIC INPUT

III. CONSENT AGENDA

1. Resolution establishing a regular meeting date, time, and location for 2015 meetings and appointing officers of the Board of Directors of the Park City Redevelopment Agency

V. ADJOURNMENT

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: 01/05/2015 See: www.parkcity.org

Resolution No. RDA

A RESOLUTION ESTABLISHING A REGULAR MEETING DATE, TIME, AND LOCATION FOR 2015 MEETINGS AND APPOINTING OFFICERS OF THE BOARD OF DIRECTORS OF THE REDEVELOPMENT AGENCY OF PARK CITY, UTAH

BE IT RESOLVED by the Redevelopment Agency of Park City:

SECTION 1. REGULAR MEETING DATE. The regular meetings of the Redevelopment Agency shall be held on Thursdays at 6 p.m. or immediately following the adjournment or preceding the convening of other meetings that may be scheduled at 6 p.m. Meetings shall be held at the Marsac Municipal Building, 445 Marsac Avenue, Park City, Utah, except when there is no pending business or the regular meeting date falls on a holiday.

SECTION 2. NOTICE OF PUBLIC MEETINGS. Notice shall be given, including the agenda, date, time, and place of the meeting. The agenda will be posted at least twenty-four (24) hours prior to each regular meeting, and delivered to the local news media. The agenda for special or emergency meetings shall be noticed in the best manner practicable. The Board of Directors may meet socially at an announced location after the meeting, but City business will not be conducted.

SECTION 3. WORK SESSIONS. Work sessions are open informational meetings, where new items are introduced or regular meeting agenda items are discussed for clarification prior to action. Typically, no formal action is scheduled or taken during a work session, but formal actions may be made to conduct the City's business, if it is deemed to be in the best interest of the public.

SECTION 4. CLOSED MEETINGS. Every meeting and work session is open to the public, unless closed pursuant to Sections 52-4-204 and 52-4-205 of the Utah Code. A closed meeting may be held if a quorum is present and upon the affirmative vote of two-thirds of the members of the public body present at an open meeting for which notice is given pursuant to Section 52-4-202. No closed meeting is allowed except for purposes expressly allowed under Section 52-4-205; provided no ordinance, resolution, rule, regulation, contract, or appointment shall be approved at a closed meeting. A record of closed meetings shall be created and maintained in accordance with Section 52-4-206 of the Utah Code, as amended.

SECTION 5. SPECIFIC MEETING DATES. The meeting schedule for the Redevelopment Agency in 2015 is as follows:

January 8, 15, 29	July 9, 16. 30
February 12, 26	August 6, 20, 27
March 5, 19, 26	September 3, 17, 24
April 2, 16, 23	October 8, 22, 29
May 7, 14, 28	November 5, 12, 19
June 4, 18, 25	December 3, 10, 17

SECTION 6. APPOINTMENT OF OFFICERS. The officers of the Board of Directors of the Redevelopment Agency of Park City, Utah shall be as follows: The elected Mayor shall be the Chairman; the Mayor Pro Tempore shall be the Vice- Chairman; the Alternate Mayor Pro Tempore shall be the Alternate Vice-Chairman; the City Manager shall be the Executive Director; the City Recorder shall be the Secretary; and the Deputy City Recorder shall be the Deputy Secretary.

PASSED AND ADOPTED ___ day of January, 2015.

PARK CITY MUNICIPAL CORPORTATION

____
Chairman Jack Thomas

ATTEST:

____
Marci S. Heil, Secretary

Approved as to form:

____
Mark D. Harrington, City Attorney

PARK CITY MUNICIPAL BUILDING AUTHORITY
SUMMIT COUNTY, UTAH
JANUARY 8, 2015

PUBLIC NOTICE IS HEREBY GIVEN that the Municipal Building Authority 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, January 8, 2015.

I. ROLL CALL

II. PUBLIC INPUT

III. MINUTES OF MEETING OF JUNE 12, 2014

IV. CONSENT AGENDA

1. Resolution establishing a regular meeting date, time, and location for 2015 meetings and appointing officers of the Board of Directors of the Park City Municipal Building Authority

V. ADJOURNMENT

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: 01/05/2015 See: www.parkcity.org

PARK CITY MUNICIPAL BUILDING AUTHORITY AGENCY
SUMMIT COUNTY, UTAH
June 12, 2014

I. ROLL CALL-all present

II. NEW BUSINESS

1. Consideration of an Ordinance adopting the Revised Budget for Fiscal Year 2013-2014 and the Proposed Budget for Fiscal Year 2014-2015 for Park City Municipal Building Authority

Chair Thomas opened the public hearing. There were no comments. Chair Thomas closed the public hearing.

Council member Matsumoto moved to approve an Ordinance adopting the Revised Budget for Fiscal Year 2013-2014 and the Proposed Budget for Fiscal Year 2014-2015 for Park City Municipal Building Authority
Board member Simpson seconded
Approved unanimously

III. ADJOURNMENT

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

Resolution No. MBA

A RESOLUTION ESTABLISHING A REGULAR MEETING DATE, TIME, AND LOCATION FOR 2015 MEETINGS AND APPOINTING OFFICERS OF THE BOARD OF DIRECTORS OF THE MUNICIPAL BUILDING AUTHORITY OF PARK CITY, UTAH

BE IT RESOLVED by the Municipal Building Authority of Park City:

SECTION 1. REGULAR MEETING DATE. The regular meetings of the Municipal Building Authority shall be held on Thursdays at 6 p.m. or immediately following the adjournment or preceding the convening of other meetings that may be scheduled at 6 p.m. Meetings shall be held at the Marsac Municipal Building, 445 Marsac Avenue, Park City, Utah, except when there is no pending business or the regular meeting date falls on a holiday.

SECTION 2. NOTICE OF PUBLIC MEETINGS. Notice shall be given, including the agenda, date, time, and place of the meeting. The agenda will be posted at the Marsac Municipal Building at least twenty-four (24) hours prior to each regular meeting, and delivered to the local news media. The agenda for special or emergency meetings shall be noticed in the best manner practicable. The Board of Directors may meet socially at an announced location after the meeting, but City business will not be conducted.

SECTION 3. WORK SESSIONS. Work sessions are open informational meetings, where new items are introduced or regular meeting agenda items are discussed for clarification prior to action. Typically, no formal action is scheduled or taken during a work session, but formal actions may be made to conduct the City's business, if it is deemed to be in the best interest of the public.

SECTION 4. CLOSED MEETINGS. Every meeting and work session is open to the public, unless closed pursuant to Sections 52-4-204 and 52-4-205 of the Utah Code. A closed meeting may be held if a quorum is present and upon the affirmative vote of two-thirds of the members of the public body present at an open meeting for which notice is given pursuant to Section 52-4-202. No closed meeting is allowed except for purposes expressly allowed under Section 52-4-205; provided no ordinance, resolution, rule, regulation, contract, or appointment shall be approved at a closed meeting. A record of closed meetings shall be created and maintained in accordance with Section 52-4-206 of the Utah Code, as amended.

SECTION 5. SPECIFIC MEETING DATES. The schedule for Municipal Building Authority meetings in 2015 are as follows:

January 8, 15, 29	July 9, 16. 30
February 12, 26	August 6, 20, 27
March 5, 19, 26	September 3, 17, 24
April 2, 16, 23	October 8, 22, 29
May 7, 14, 28	November 5, 12, 19
June 4, 18, 25	December 3, 10, 17

SECTION 6. APPOINTMENT OF OFFICERS. The officers of the Board of Directors of the Municipal Building Authority of Park City, Utah shall be as follows: The elected Mayor shall be the Chairman; the Mayor Pro Tempore shall be the Vice- Chairman; the Alternate Mayor Pro Tempore shall be the Alternate Vice-Chairman; the City Manager shall be the Executive Director; the City Recorder shall be the Secretary; and the Deputy City Recorder shall be the Deputy Secretary.

PASSED AND ADOPTED this ____ day of January, 2015.

PARK CITY MUNICIPAL CORPORTATION

____

Chairman Jack Thomas

ATTEST:

____

Marci S. Heil, Secretary

Approved as to form:

____

Mark D. Harrington, City Attorney

PARK CITY WATER SERVICE DISTRICT MEETING
SUMMIT COUNTY, UTAH
JANUARY 8, 2015

PUBLIC NOTICE IS HEREBY GIVEN that the Water Service District 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, January 8, 2015.

I. ROLL CALL

II. PUBLIC INPUT

III. CONSENT AGENDA

1. Resolution establishing a regular meeting date, time, and location for 2015 meetings and appointing officers of the Board of Directors of the Park City Water Service District

V. ADJOURNMENT

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: 01/05/2015 See: www.parkcity.org

Resolution No. WSD

A RESOLUTION ESTABLISHING A REGULAR MEETING DATE, TIME, AND LOCATION FOR 2015 MEETINGS AND APPOINTING OFFICERS OF THE ADMINISTRATIVE CONTROL BOARD OF THE PARK CITY WATER SERVICE DISTRICT

BE IT RESOLVED by the Water Service District of Park City:

SECTION 1. REGULAR MEETING DATE. The regular meetings of the Water Service District shall be held on Thursdays at 6 p.m. or immediately following the adjournment or preceding the convening of other meetings that may be scheduled at 6 p.m. Meetings shall be held at the Marsac Municipal Building, 445 Marsac Avenue, Park City, Utah, except when there is no pending business or the regular meeting date falls on a holiday.

SECTION 2. NOTICE OF PUBLIC MEETINGS. Notice shall be given, including the agenda, date, time, and place of the meeting. The agenda will be posted at least twenty-four (24) hours prior to each regular meeting, and delivered to the local news media. The agenda for special or emergency meetings shall be noticed in the best manner practicable. Board members may meet socially at an announced location after the meeting, but City business will not be conducted.

SECTION 3. WORK SESSIONS. Work sessions are open informational meetings, where new items are introduced or regular meeting agenda items are discussed for clarification prior to action. Typically, no formal action is scheduled or taken during a work session, but formal actions may be made to conduct the City's business, if it is deemed to be in the best interest of the public.

SECTION 4. CLOSED MEETINGS. Every meeting and work session is open to the public, unless closed pursuant to Sections 52-4-204 and 52-4-205 of the Utah Code. A closed meeting may be held if a quorum is present and upon the affirmative vote of two-thirds of the members of the public body present at an open meeting for which notice is given pursuant to Section 52-4-202. No closed meeting is allowed except for purposes expressly allowed under Section 52-4-205; provided no ordinance, resolution, rule, regulation, contract, or appointment shall be approved at a closed meeting. A record of closed meetings shall be created and maintained in accordance with Section 52-4-206 of the Utah Code, as amended.

SECTION 5. SPECIFIC MEETING DATES. The meeting schedule for the Water Service District in 2015 is as follows:

January 8, 15, 29	July 9, 16. 30
February 12, 26	August 6, 20, 27
March 5, 19, 26	September 3, 17, 24
April 2, 16, 23	October 8, 22, 29
May 7, 14, 28	November 5, 12, 19
June 4, 18, 25	December 3, 10, 17

SECTION 6. APPOINTMENT OF OFFICERS. The officers of the Administrative Control Board of the Park City Water Service District shall be as follows: The elected Mayor shall be the Chairman; the Mayor Pro Tempore shall be the Vice-Chairman; the Alternate Mayor Pro Tempore shall be the Alternate Vice-Chairman; the City Manager shall be the Executive Director; the City Recorder shall be the Secretary; and the Deputy City Recorder shall be the Deputy Secretary.

PASSED AND ADOPTED this ____ day of January, 2015.

PARK CITY MUNICIPAL CORPORTATION

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Chairman Jack Thomas

ATTEST:

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Marci S. Heil, Secretary

Approved as to form:

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Mark D. Harrington, City Attorney