



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

June 28, 2024

The Council of Park City, Summit County, Utah, met in open meeting on June 28, 2024, at 10:00 a.m. in the City Council Chambers.

SPECIAL MEETING

I. ROLL CALL

Attendee Name	Status
Mayor Nann Worel Council Member Bill Ciraco Council Member Ryan Dickey (arrived at 10:04 a.m.) Council Member Ed Parigian Council Member Jeremy Rubell Council Member Tana Toly Matt Dias, City Manager Margaret Plane, Deputy City Attorney Marissa Marleau, Deputy City Recorder	Present
None	Excused

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

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

Charlie Sturgis 84060 raised concerns over paid parking at trailheads, stating that it seemed like a regressive tax burden to those who couldn't afford it and he urged the Council to consider other options to keep trails inclusive.

Mayor Worel closed the public input portion of the meeting.

III. OLD BUSINESS

1. Consideration to Approve Ordinance 2024-14, an Ordinance Amending Municipal Code Title 10, Non-Motorized Trail Use, and Approve Resolution 13-2024, a Resolution Designating Natural Surface Trails Within City-Owned Clark Ranch for Electric-Assisted Bike (E-Bike) Use:

Heinrich Deters, Trails and Open Space Manager, invited Dana Jones, District Director of Snyderville Basin Special Recreation District (SBSRD), and Lora Smith, Executive Director of Mountain Trails Foundation, to speak on Non-Motorized Trail Ordinance Amendments 10-1-4.5. He reviewed this was the third meeting regarding E-bikes: The first was on May 2, 2024 where the City Council reviewed the 2024 Community E-bike survey and took public input, and the second was on May 23, 2024 where staff presented and discussed the E-Bike survey a second time with Council, and asked several policy questions. He confirmed that SBSRD held a public meeting on June 9, 2024, recommending approval of an ordinance prohibiting E-bikes on natural surface trails, with exceptions for Class I E-bike users over 65 and those with mobility disabilities. He furthered that this ordinance intended to mirror the current Park City language and create consistency across jurisdictions. On June 26th, Summit County Council reviewed proposed amendments to the County E-bike ordinance.

Deters displayed the draft E-Mountain Bike (E-MTB) Pilot Project Area map to illustrate the desired area to connect Lower Deer Valley to Deer Valley East through Finns Trail, which wasn't as advanced as other trails and was chosen to provide a quality trail connection component for all ability levels.

Smith hoped to show general support for the pilot program, reiterating that it was on private land and provided connectivity to already planned E-bike-friendly trails. She had concerns with enforcement surrounding the pilot as there was no plan in place to stop E-bikes from accessing other trails in the network once they were allowed to access Finns. She also raised concerns about measurability surrounding the success or failure of the pilot project and urged the Council to consider a method of monitoring. In addition, she advocated for unified ordinances between the county and City, as this network of trails crossed multiple zip codes.

Jones provided a brief recap of the June 26th County Council meeting, stating that there was general support for regional cooperation but she would like to have further discussion before acting.

Deters presented the language on which he was seeking Council direction: "*e. This prohibition shall not apply to the use of Class I electric-assisted bicycles on natural surface public trails designated for the use of such bicycles by the local highway authority by resolution and marked by traffic control devices.*" Survey results supported keeping this language intact.

Council Member Dickey clarified that the implication regarding private trails was that the Council would not have to pass a resolution to do the pilot as drafted. Deters confirmed that was correct. Council Member Dickey furthered that there were multiple trails that

crossed public-private land throughout the network and asked why the pilot trail(s) were different. Deters responded that the City received public trail dedication through the planning process on plats. Park City Mountain in 2019 for example, worked through their Master Planned Development (MPD) for Miner's Camp with the Planning Department, and under conditions of the MPD dedicated surrounding trails to the City. The Deer Valley trails, however, were not part of a platted area. Council Member Dickey clarified that trail easements specifically dedicated to the City were regulated by the City through code, and if they were not dedicated to the City, the private landowner maintained the regulation of trails. Luke Henry, Assistant City Attorney, confirmed. Council Member Dickey inquired if any of the trails on Deer Valley had easements. Deters stated that the majority were private. Council Member Dickey asked why PCMC was entertaining the approval of a pilot program on private property, not City-owned land, where rangers could assist with regulation. Deters noted the question had never been raised.

Council Member Rubell asked Deters to create a regional map depicting what trails were public and private. Deters said that they didn't have that yet but were actively working to create it. Council Member Toly asked staff to describe the build of the Clark Ranch trails and how one would create an E-MTB trail. Deters stated E-bike trails were based on state regulation and code. Smith indicated that an E-bike trail would be built with wider tread and different camber, the sightlines would be longer, and the directionality of the trail would be one-way.

Council Member Rubell asked if Finn's Trail would be used in the pilot. Deters explained that the trail would be closed for two summers, and therefore, its removal from the pilot seemed appropriate but was at Council discretion. Council Member Rubell asked how the ordinance would function for a visitor versus a resident. Deters stated that if you are visitor compliant and over 65, you can ride your MTB on single-track trails; if you have a mobility disability, you can also ride single-track without filing any paperwork with the City. Mayor Worel stated that if the visitor wanted to file with the City, they would receive a courtesy hang-tag for their bike, but agreed with Deters that it was not a requirement. Council Member Rubell clarified that if you had a mobility issue, you would not need to provide a doctor's note in this instance, to which Deters confirmed.

Council Member Ciraco inquired about the original pilot project and if it was a half-mile connection from Snow Park to Deer Valley East or if it was conceptually different. Deters stated that there had been numerous pilot projects prior to this iteration, but this specific pilot originated from the Council's desire based on survey results. Ciraco inquired as to which type of recreational activity, analog or E-MTB, would cause more trail damage. Smith stated that safety, speed, and the design of the trail to accommodate E-bike use were more impactful predictors of trail damage.

Council Member Parigian referred to the 2020 E-bike Survey, which asked: "Do you support a Pilot Program?," and noted 50% of the respondents said yes, 42% said no, and 8% were undecided. He asked why this same question was not asked again in the

2024 survey. Deters stated that at that time, there was full direction from the Council to consider a Round Valley pilot project and suspected that was why the question was specific to 2020.

Council Member Dickey asked which entity was proposing the pilot program. Deters stated that PCMC was proposing it with the support of Deer Valley. Council Member Dickey asked Deters to clarify how the ordinance would work on private land. Deters responded that there would be greater clarity surrounding regulations when the regional map was created. With that, stakeholders would be able to identify private trails in which landowners could apply their own operational standards versus trails regulated by the ordinance.

Mayor Worel opened the public hearing.

William Dark 84060, wanted trail safety addressed, and stated that emergency medical services should be involved in the planning. Visitors may not be equipped to handle singletrack on E-bikes and may need greater assistance if they became injured on the mountain.

Tom Peek 84060, speaking on behalf of Lynn Ware Peek, agreed with Lora and Dana and had the same concerns regarding the safety aspects that changing the ordinance would result in. Peek urged Council to hold off on a decision until a plan for enforcement was in place.

Ryan Goff 84098, supported the proposed amendment change and pilot to Deer Valley East. He stated that E-bike sales, compared to analog, were on the rise and greater usage was evidenced by survey results. He disagreed with the statement that E-bikers had trails to use today stating that Clark Ranch was the only location to ride currently.

Alisha Niswander 84060, opposed changing the current E-bike ordinance. She did not feel that using E-bikes on public trails was a good fit for Park City. As a mountain bike tour guide, she stated that E-bike users were often not confident mountain bikers, and most didn't have the fitness to ride single-track trails. If the Council decided to move forward with the pilot, she urged Council Members to consider a program where feedback and data collection could be gathered in order to identify if the program was a sustainable option for trails.

Charlie Sturgis 84060, was concerned that not enough data collection had been gathered from surrounding cities where E-bike programs had already been implemented. He stated that the Clark Ranch trail was not the only trail that was E-bike friendly, citing Slate Creek and WOW trails as other locations that accommodated E-bikes. He asked the Council to realize how quickly the E-bike community was growing and that funding be made available to create an adequate trail system to accommodate all users.

Rich Wyman 84060, did not support E-bikes on singletrack. The ordinance had undergone several revisions recently, which he felt made it difficult for residents to stay informed and participate effectively. He did not feel that existing trail systems were built with E-bikes in mind and did not provide a safe space for multiple users on already crowded trails.

Angela Wright 84098, owner of Bingham Cyclery, 84060 supported the pilot program and stated that the E-bike industry was growing, as 40% of units sold at her shop last year were electric.

Lyn McCarter 84098, asserted that a map would be helpful in identifying which trails could be used by E-bikes. She furthered that Class I, II, and III should also be labeled on the map to provide users with better knowledge of what category trail they could use safely.

Roanne Mayir 84098, was not opposed to E-bike use on trails and supported the pilot, but she wished to see safety, overcrowding, and overuse issues addressed. She wanted to see the Council support a long-term strategy to support trail growth by spreading multiple user groups.

Colleen Logan 84098, was against E-bikes on singletrack. As a hiker, she felt threatened by analog and E-bikes alike. She supported the idea that singletrack was not built with E-bikes in mind and wanted to see safety addressed for multiple-use trails.

Craig Williams 84098, asked that safety and enforcement be addressed and suggested that trail rangers be added to the amendment.

Ian Hartley 84060, enjoyed trails with his family. He approved of the pilot and hoped that the Council would consider safety when moving forward with the project.

James Keesler eComment: "E-bikes have been promoted as another recreational opportunity, however they are nothing more than just a motorized vehicle. Giving them access to trails that are for non motorized use is a mistake. E-bike and non motorized use are not compatible on the same trail. There is no way control their speed or in the manner that they are used. As a trail runner, having to worry about e-bikes on the trail can be disconcerting. The speed in which they travel, the inability of the rider to control the bike and the lack of common trail courtesy make conditions such that I am concerned for my safety. E-bike riders do not have the same understanding or respect that non motorized trail users share. They do not understand or appreciate the exercise component that is required to use these trails. They think that simply turning a throttle gives them the right to venture onto these trails, traveling at higher speeds than what can be achieved by non motorized use without caring who is affected by their use. If you want to take away the enjoyment we, the non motorized trail users receive then the best way to do that is to open up the trails to e-bikes. A perfect example of this is the rail trail, which was once a wonderful paved trail for biking and running. Now it is nothing more

than a road with e-bike traffic traveling at high speeds that make the whole experience unpleasant and dangerous. Please do not let motorized vehicles on our trails which are sacred and offer the peace and tranquility we look for in nature. There are plenty of double track roads that exist throughout the state we don't need to create more places for e-bikes especially when that detracts and deters non motorized use."

Toni Allison eComment: "My email is to show my support for Class 1 E-MTBs on MTB trails in Park City. My email is also to share my experience so that those against this proposal may reconsider their stance. Unfortunately, I am out of town and unable to attend this morning's public comment session. I've been a MTB rider for 8 years... the first 5 of those on an "analog" MTB. My husband has been a MTB rider for much longer and a road cyclist for even longer and has a cycling fitness level that I will never reach! In those first 5 years, we never went on a MTB ride together that didn't end in annoyance with each other. "Slow down- I can't go that fast!" "I'm trying to ride slow, but I just can't go that slow." "Ugh, I don't know why I even try!" You can imagine which one of us was saying which. Three years ago, our bike marriage changed-- and for the WAY WAY BETTER! That's when I got my E-MTB and I can tell you we have only had awesome rides together since. As I am sure you all have heard already, it is not the bike but the rider that makes the difference on shared trail systems. I am the same respectful, considerate MTBer on my E-bike that I was before on my analog bike and I've never had an issue with other riders. The only negative comments that I have gotten on the trail are from riders who gladly allow me to pass until all of a sudden they realize I am on an E-MTB and then the ego kicks in. Mind you, this never happens when I am riding with my husband-- only when I am riding alone. Might it be that the ego doesn't like a small-statured woman passing with care because it makes them feel somehow small? I don't understand that feeling and I really try to be empathetic. I am still open-eared to people that are against this proposal as I really do want to understand what the true issue is."

Brad Drennan eComment: "I would like to provide comment on the proposed amendment to the e-bike pilot program that is being considered today, 6/28. I very strongly oppose the amendment as written. The amendment as written is not thorough enough to safely expand the allowance of e-bikes on local Park City trails. Without an executable and thought out enforcement plan, this amendment will only enable e-bikes of all class types to descend upon our local trails. I support the council's consideration of expanding the program, but this needs to be far more thought through, with ample input from the community and Mountain Trails Foundation. Thank you for voting no on this amendment."

Additional comments are attached to the approved minutes.

Mayor Worel closed the public hearing.

Council Member Parigian stated that E-bikes were a disruptor and users sought to share common space. Like pickleball, E-bikes were trending, and Park City trails did not have the capacity for the demand, so he supported the pilot.

Council Member Toly stated 2,200 people took the current survey, and 68% of them wanted to keep the current ordinance in place. Regarding the 2019 survey, she clarified that in the August 29, 2023, staff report, there was a general lack of support for the allowance of E-bikes on Round Valley trails, which led to the incorporation of E-bikes at Clark Ranch. She was concerned that E-bikes would be used on more trails than what was proposed in the pilot. Additionally, she had concerns with trail safety, speed, and sightlines and hoped to see the creation of more trails for specific uses. She encouraged staff to collect additional data, research areas that had E-bike networks already in place, and address safety concerns. She also wanted to designate land and funds to create trails specifically for E-bike use.

Council Member Rubell favored seeing Park City policies evolve to incorporate new technology and accommodate user groups. He felt that based on survey results, the public was open to a smart approach to the management of E-bikes, and therefore supported the pilot. He furthered that small, local bike shops would need to support E-bike growth in order to keep up with trends and he wanted to see those businesses have areas in which they could send riders who rented E-bikes.

Council Member Dickey was against the pilot and stated that the main issue with trails, from a broader perspective, was overcrowding. There were users from Salt Lake Valley and Wasatch Front, in addition to local riders, and the trails on the weekends were busier than they had ever been. He supported updating the ordinance language, but if the pilot passed, he would like staff to return with an assessment tool through which they could analyze its effectiveness.

Council Member Ciraco listed other towns that already had E-bike trails in place, and urged Council to follow their lead. He stated that he was committed to investing in the trail network with trail segregation by use and direction to allow for more hiking, analog, and E-bike-specific trails. He supported the pilot and did not believe the trail connector would produce overcrowding.

Council Member Worel stated that she was on Council when the ordinance passed regarding the allowance of people over 65 with mobility issues to recreate with E-bikes. She recalled that anecdotally, community members felt like they had their lives back because they could recreate again despite ailments. However, she furthered that there should be guidelines and enforcement regulations so that individuals using trails could recreate safely and she did not believe that foundation was currently in place.

Council Member Rubell moved to approve Ordinance 2024-14, an ordinance amending Municipal Code Title 10, Non-Motorized Trail Use, and approve resolution 13-2024, a resolution designating natural surface trails within city-owned Clark Ranch for electric-

assisted bike (E-Bike) use with the following proposed amendments: to clarify that the courtesy tag program for those 65 and older or those with mobility issues did not require registration with the City; to change the current penalty provision from a Class B misdemeanor to a traffic penalty system; to update the resolution to remove Clark Ranch from the title and add language to the body to refer to attachments as the specific areas of use. He also wanted to change the whereas statement to say, "The Park City Council has adopted ordinances regulating the use of E-bikes on natural surface trails." Council Member Parigian seconded the motion.

After some clarifying questions, Luke Henry noted the misdemeanor language would be changed to say "an infraction". He proposed an additional amendment to include "public" to the definitions of multi-use pathways and natural surface trails. Council Member Rubell modified his motion to include this additional amendment. Council Member Parigian seconded the modified motion.

Council Member Dickey expressed concern that the enforcement amendment would lead to a slippery slope regarding future regulation. Council Member Ciraco inquired if it was possible for a trail ranger to issue a misdemeanor. City Attorney Margaret Plane clarified that a trail ranger could not issue a misdemeanor or an infraction because Park City did not have a system in place to issue fines for trails.

RESULT: APPROVED

AYES: Council Members Ciraco, Parigian, and Rubell

NAYS: Council Members Dickey, and Toly

Mayor Worel asserted additional guardrails needed to be put in place so users understood. Council Member Ciraco asked if Council should direct staff to inform the Council of additional recommendations in terms of education and enforcement. The Council agreed to have that discussion when the new map came back to the Council. They also wanted an update on the progress of the pilot program.

Mayor Worel left the meeting at 12:18 p.m. Council Member Toly acted as Mayor Pro-Tem.

IV. NEW BUSINESS

1. Consideration to Approve the SR-248 Transit Study and Pre-NEPA Activities and Authorize the City Manager to Enter Into a Professional Services Agreement in a Form Approved by the City Attorney's Office with Horrocks LLC, in an Amount Not to Exceed \$1,069,609:

Julia Collins and Conor Campobasso, Transportation Planning Department, presented this item. Collins stated that this Transit study was the first step in a multi-step process that would require balancing staff resources with leveraging consultant technical expertise for items such as utilities, surveys, and right-of-ways. She mentioned that the

project was in partnership with Summit County and would be fully funded through the Council of Government's (COG) Third Quarter Sales Tax.

Campobasso described the 18-month timeline, broken down into five different phases on which the study would run. July through August 2024 would be reserved for data collection, purpose and need, development of alternatives, survey and utilities, and an environmental scan; September through December 2024 would identify fatal flaws and refine alternatives; January through March 2025 would be reserved for Level 1 Screening Conceptual Design; April through September 2025 would refine alternatives, Level 2 Screening, Advanced Design, Environmental Impacts, and Transit Modeling; and October 2025 through January 2026 would include Locally Preferred Alternative (LPA) selection, Federal Transit Administration (FTA) coordination, and Environmental Assessment (EA) initiation. He furthered that there would be quarterly project updates to Council, including results of the Level 1 Screening and initial alternatives that would be considered. In addition, a public involvement plan would be developed, and Council Transportation liaisons would be consulted throughout the project.

Collins stated that studies were required for impactful projects because Park City lacked the necessary funding without federal or state grant support. The Utah Department of Transportation (UDOT) and FTA were the two major funding agencies and required certain steps, such as a study, for Park City to be eligible; thus, with an aggressive timeline to expedite pre-National Environmental Policy Act (NEPA) activities while completing the transit alternative analysis, staff was confident that the study would provide the data they needed to move forward.

Council Member Ciraco asked about the difference between the study that would be launched in comparison to the one that was completed in 2019. Collins indicated the 2019 plan was an auto-centric model that looked at widening the road, whereas this study would be approached with a transit lens and noted that a significant amount of work had been done on Park City Forward Long-Range Transportation Plan and through Park City's Emerging Disruptors group since 2019. Council Member Parigian inquired what federal dollars would be spent on. Campobasso stated that it could include premium transit options such as better stops, fixed rail, or bus rapid transit on the side or center lanes. Council Member Parigian asked for further clarification of the study timeline. Campobasso stated that the timetable wasn't chronological but rather a continuum, as most segments extended throughout the duration of the study.

Mayor Pro-Tem Toly opened public input.

Clive Bush 84060 eComment: "I would characterize this week's agenda item, SR-248 study, as an outdated corridor study to engineer a solution in order to expedite federal grant monies as a string without a beginning or an end, and all for a cool million dollars. Viability isn't a solution on its own. I recommend you skip tasks 1-3 and start with task 4 with a highly qualified town planner in order to ensure transportation mode changes actually benefit EVERYONE year round."

Mayor Pro-Tem Toly closed public input.

Council Member Parigian asked what the million-dollar study would provide. Collins stated that it would provide an alternatives analysis, transit-mode options along the corridor, environmental clearance, and design. Council Member Ciraco stated the biggest return on investment regarding the study was the ability to tap into federal funding.

Council Member Dickey moved to approve the SR-248 transit study and pre-NEPA activities and authorize the City Manager to enter Into a Professional Services Agreement in a form approved by the City Attorney's Office with Horrocks LLC, in an amount not to exceed \$1,069,609. Council Member Ciraco seconded the motion.

RESULT: APPROVED

AYES: Council Members Ciraco, Dickey, Rubell, Toly

NAY: Council Member Parigian

2. Consideration to Authorize the City Manager to Purchase a One-Bedroom Condominium at 1835 Three Kings Drive, #65-9, for \$308,230 for City Employee Housing Utilizing the Affordable Housing Fund:

Rhoda Stauffer, Affordable Housing Project Manager, stated that the City was contemplating this purchase at the request of the seller because the unit had been for sale since January. She furthered that despite having over 250 people on the waitlist, the City had been receiving fewer applications when units became available, which was likely due to high interest rates. Stauffer noted that the 20 owners who previously purchased units from the City had not been notified of the potential sale, and thus, she now recommended that the City purchase the unit and abide by the existing deed restrictions, rent to a City employee for one year to give time for housing staff to find a City employee who would like to purchase it, and then sell the unit to a City employee so that it would remain an owner-occupied unit.

Council Member Jeremy Rubell sought clarification regarding the change of recommendation based on current restrictions. Stauffer stated that the same restrictions would apply to this unit as they did for those owners who had previously purchased, which included a one-year rental term pending City approval. Council Member Dickey asked who held the deed restrictions at Silver Star, and as opposed to selling the condo, he inquired if the deed restriction could be changed to where the City could use it as a long-term rental unit for City employees. Stauffer stated that the City held the deed and acknowledged that it could be rented full-time, but staff recommended the unit be owner-occupied due to the nature of the affordable owner-occupied community. Council Member Dickey asked Matt Dias which option had more utility for the City. Dias responded that the City would like to sell the property to a City employee if possible and that the rental provision would give the City the time to search for a qualified applicant so that the existing homeowners and the municipality were treated in the same regard. He furthered that if, within a year, the unit did not sell, further conversation regarding

deed restriction would take place. Council Member Ciraco asked what the rental rate would be for a unit priced at \$308,230. Stauffer stated that Park City Municipal employees receive 50% AMI, so the unit would rent for just under \$1,600 per month.

Mayor Pro-Tem Toly opened public input.

Matt Price 84060, lived across the hall from the unit and asked that it be kept as owner-occupied. He would like Council to explore why there weren't more applicants and suggested higher compensation or raising the AMI cap from 80% to 85%.

Katie Mullaly 84060, agreed with the new proposal to rent the unit for the year while looking for a buyer because it was in alignment with existing deed restrictions. She stated that the previous owner of the unit was a proponent of an owner-occupied community. She believed that homeowners had a greater investment in the community and asked for Council to re-visit the AMI cap to understand why more qualified buyers weren't interested.

Jennifer Maloney 84060, lived in Silver Star affordable housing and thanked Stauffer and the City for creating the program. She stated that she would like all efforts exhausted to sell the unit before it was rented for the year and would like to see wage restrictions revisited or to explore creative financing options to make units more accessible for the working class. She also raised concerns regarding owners losing their voice and voted for the Silver Star Plaza HOA and would like Council to explore options that would ensure the continued success and sustainability of the affordable housing program.

Rob Sletten 84060, executor for the estate, agreed with the staff recommendation and felt it should stay as an owner-occupied unit due to the sense of community that prior owners had created in the building.

Mayor Pro-Tem Toly closed public input.

Council Member Rubell appreciated the change in staff recommendation and requested an analysis as to why the unit didn't sell. Council Member Parigian agreed with the staff recommendation as well. Council Member Dickey understood the community of owner-occupied but stated that there could be a global change since the City held all the deed restrictions. Council Member Ciraco stated that the City and owners should have the same advantages regarding deed restrictions.

Council Member Dickey moved to approve the recommendation to rent to a City employee for one year, giving time to consider selling it to a qualified City employee. Council Member Ciraco seconded the motion.

RESULT: APPROVED

AYES: Council Members Ciraco, Dickey, Parigian, Rubell, Toly,

V. CONSENT AGENDA

1. Request to Authorize the City Manager to Execute a Contract for SCADA Support, in a Form Approved by the City Attorney's Office, with SKM Engineering, LLC, in an Amount Not to Exceed \$994,178.08:

2. Request to Approve a Lease Amendment with the Utah Department of Alcoholic Beverage Services (DABS) for the Continued Operation of a Small Store in the City-Owned Facility Located at 460 Swede Alley in a Form Approved by the City Attorney's Office:

Council Member Rubell moved to approve the Consent Agenda. Council Member Ciraco seconded the motion.

RESULT: APPROVED

AYES: Council Members Ciraco, Dickey, Parigian, Rubell, Toly,

VI. APPOINTMENTS

1. Reappointment of Abby McNulty to the Recreation Advisory Board for a Term Ending June, 2027; and Appointment of Susan Mayo and Kathy Carey to the Recreation Advisory Board for Terms Ending June, 2027:

Tate Shaw, Assistant Recreation Director, stated that Abby McNulty had been a longtime resident of Park City, moving here in 2001, and had been active in many roles within the community. Susan Mayo had been a Park City resident for over 30 years and had been actively engaged in many things, including being a founding member of the Park City Community Foundation. Kathy Carey was newer to the community but had held many leadership roles, including baseball commissioner in other places where she lived.

Council Member Parigian moved to approve the reappointment of Abby McNulty to the Recreation Advisory Board for a term ending June, 2027; and appointment of Susan Mayo and Kathy Carey to the Recreation Advisory Board for terms ending June, 2027. Council Member Rubell seconded the motion.

RESULT: APPROVED

AYES: Council Members Ciraco, Dickey, Parigian, Rubell, Toly

2. Reappointment of Puggy Holmgren, Lola Beatlebrox, and John Hutchings to the Historic Preservation Board for Three-Year Terms:

Rebecca Ward, Planning Director, stated that Puggy Holmgren lived in a landmark Historic Site in the Historic District and had served on the board for many years. Lola

Beatlebrox had served on the board since 2014 and researched and wrote about Park City history. John Hutchings had served on the board since 2017 and lived in a Landmark Historic Structure that he had been working to restore since 2010.

Council Member Dickey moved to approve the appointment of Puggy Holmgren, Lola Beatlebrox, and John Hutchings to the Historic Preservation Board for three-year terms. Council Member Ciraco seconded the motion.

RESULT: APPROVED

AYES: Council Members Ciraco, Dickey, Parigian, Rubell, Toly

VII. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council Questions and Comments:

Council Member Parigian stated that there were 15 pairs of Sages and Seekers during an eight-week program at the library, which recently concluded. He noted that it was a great program and he encouraged youngsters and elders to apply. Council Member Rubell wished everyone a happy 4th of July. Council Member Ciraco thanked the Main Street business community, which had been disrupted since April with the water main replacement. He encouraged the community to go to Main Street to show patronage to local establishments. Council Member Toly mentioned two ribbon cuttings occurred: one for the Elektron Solar Project and one for the new 3Kings Water Treatment Plant.

Council Member Rubell asked if the Council would support an internal audit function and a formal audit committee given the large and complex numbers Council worked with. Council Members Parigian and Ciraco stated that they would both be willing to have that discussion. Council Member Dickey said that he preferred not to have staff spend time on it. Council Member Toly agreed with Council Member Dickey. Matt Dias said timing would largely depend on resources and personnel and that it could likely be brought back as a work session item this fall.

Staff Communications Reports:

1. FY24 Fraud Risk Assessment:

2. 2024 Fourth of July Celebration Reminders:

3. Insurance Policy Updates:

VIII. CONSIDERATION OF MINUTES

1. Consideration to Approve the City Council Meeting Minutes from June 6, 2024:

Council Member Rubell moved to approve the City Council meeting minutes from June 6, 2024. Council Member Dickey seconded the motion.

RESULT: APPROVED

AYES: Council Members Ciraco, Dickey, Parigian, Rubell, Toly

IX. WORK SESSION

1. Transmission Line Underground Presentation by Rocky Mountain Power:

Luke Cartin, Environmental Sustainability Manager, introduced Andy Badger, Regional Business Manager, and Chris Wilder, Project Manager, Rocky Mountain Power (RMP). Badger presented two options to underground the transmission lines. Option A would run to the top of Boot Hill with a route length of 3,125 ft., cable length of 12,500 ft., eight 138kV open air terminations, eight 138kV XLPE arresters, four 138kV XLPE splices, one termination pole, one splicing manhole, two pull-through manholes, and an estimated cost of \$7,077,622. Option B would be located towards the middle of Boot Hill with a route length of 2,350 ft., cable length of 9,400 ft., eight 138kV open air terminations, eight 138kV XLPE arresters, one termination pole, four 138kV XLPE splices, one pull-through manholes, with an estimated cost of \$5,981,942.

Badger reviewed that after the Council selected an option, the next steps would include finalizing and executing the construction relocation agreement, which detailed long lead materials, design, and construction. Council Member Parigian asked if either option presented a fire danger. Cartin said both options were in the same fire category. Cartin clarified that visual impact and price differences separated the two options. Council Member Parigian inquired about the residential impact of the project. Cartin explained that outreach had been conducted, and additional outreach would be made after Option A or B was chosen. Council Member Dickey asked how much was allocated from the budget to this project. Cartin stated that a placeholder of \$3.4 million was set aside.

Matt Dias reviewed that this item would come back to Council in a public meeting with a proposal, public hearing, and likely a budget amendment. He thought public-private partnerships would need to be gained in order to fund the entirety of the project. Council Member Parigian inquired if this project would impact the Bonanza Village construction. Cartin clarified it would not impact construction and furthered that the lines would go underground at Woodbine and Kearns and back up Boot Hill parallel with the City's water line. Council Member Rubell stated that for fire risk mitigation, he supported Option A. Council Member Parigian asked how long it would take to come up with the remainder of the funds. Badger stated that construction would start in the spring, and at that time, under the construction relocation agreement, RMP would seek full funding for the project. Council Members Parigian, Ciraco, and Dickey selected Option A as well.

Council Member Ciraco moved to close the meeting to discuss property at 1:43 p.m. Council Member Rubell seconded the motion.

RESULT: APPROVED

AYES: Council Members Ciraco, Dickey, Parigian, Rubell, and Toly

CLOSED SESSION

Council Member Ciraco to adjourn from Closed Meeting at 2:05 p.m. Council Member Rubell seconded the motion.

RESULT: APPROVED

AYES: Council Members Ciraco, Dickey, Parigian, Rubell, and Toly

XI. ADJOURNMENT

With no further business, the meeting was adjourned.

Marissa Marleau, Deputy City Recorder

An aerial photograph of a mountain town, likely Park City, Utah, covered in a thick layer of snow. The town's buildings, mostly multi-story structures with dark roofs, are densely packed in the lower half of the frame. The surrounding landscape is a vast, snow-covered mountain slope with some rocky patches visible. The sky is a pale, overcast blue.

Purchase of Silver Star #65-9

City Council
June 27, 2024



BACKGROUND

With an increasing workforce along with increasing housing costs, the City faces greater challenges in recruitment and retention of employees. We currently have the potential need for three units by late Summer with no units available.

- Among the City's FTR employees:
 - 28% live within the Park City School District (PCSD) boundaries
 - 48% endure commutes exceeding 24 minutes
- A survey of Employees conducted in late 2022, revealed that 48 employees who are currently living outside of the 84060-zip code would prefer living closer to their jobs

SILVER STAR PROPERTY

Silver Star #65-9 has been for sale and has remained unsold since early January of this year for several reasons:

- Despite over 250 people on the waitlist, we are getting fewer full applications when units become available.
- Applicants are likely shy of interest rates and are waiting to buy hoping that interest rates will come back down.
- One sale was cancelled for an unknown reason.
- Another buyer didn't follow through due to lack of storage space.
- Inquiries also went out to friends and family – those not on the waitlist.



SILVER STAR #65-9

Built in 2008
3rd Floor Condo
620 square ft—furnished
1 bedroom, 1 bathroom, deck
Mountainside, Ski-in, ski-out
Assigned parking—one vehicle
Monthly HOA dues – \$351
Sale price = \$308,230



Recommendation

- Staff recommends that the City purchase the unit to add to the Employee Rental Housing inventory.
- Minimum lease term will be 12-months.



SR-248 Transit Study

June 28, 2024



Recommendation

Request to Approve the SR-248 Transit Study and Pre-NEPA Activities and Authorize the City Manager to Enter Into a Professional Services Agreement (PSA) in a Form Approved by the City Attorney's Office with Horrocks LLC, in an Amount Not to Exceed \$1,069,609.



Fully funded through a grant from the COG's Third Quarter Sales Tax

Study Area

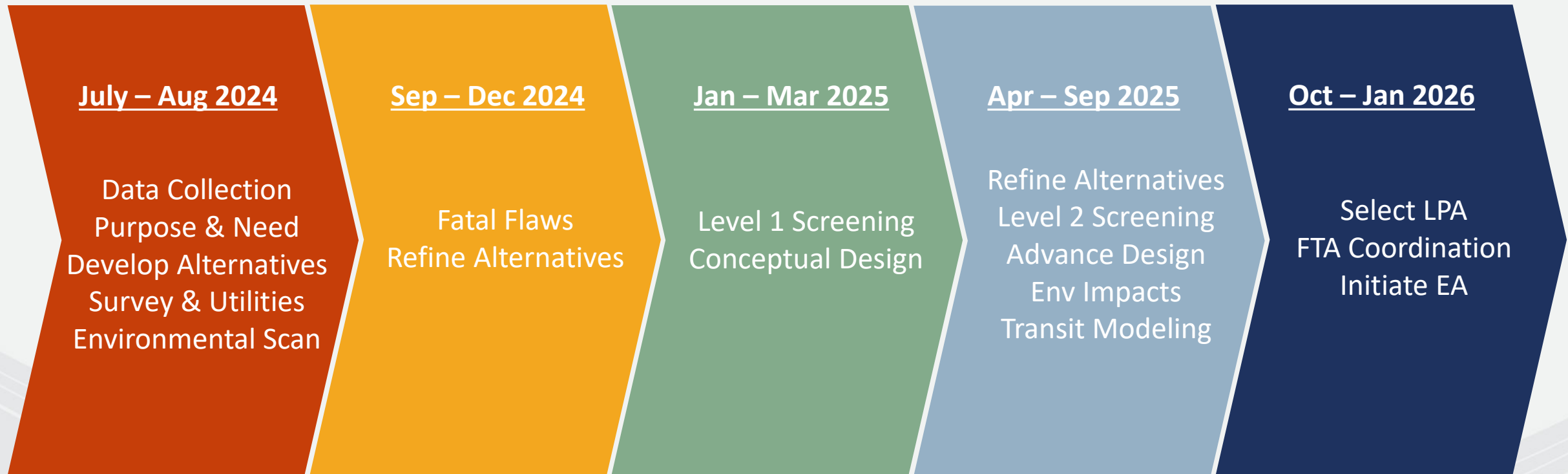


April 11 Council Study Session Recap

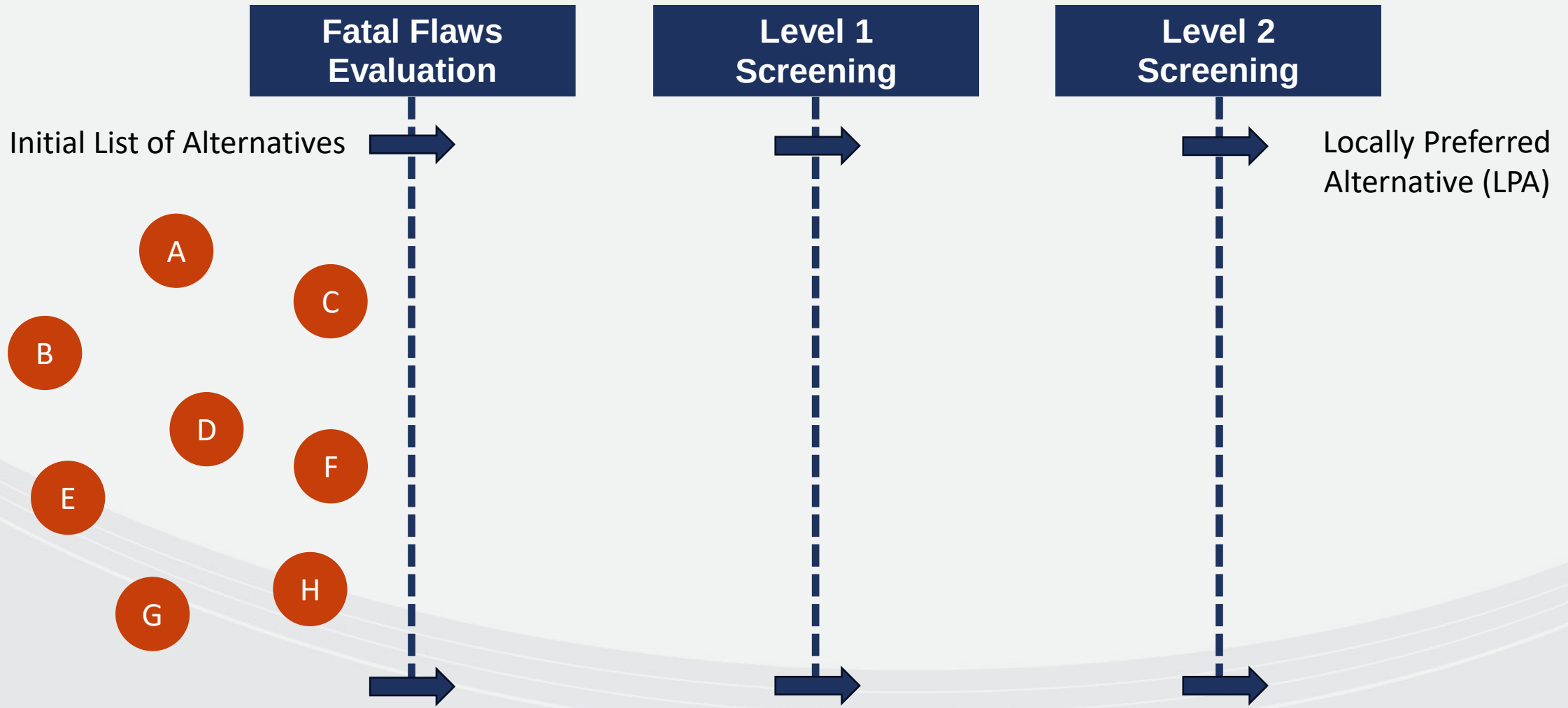


CONTEXT	PROS	CONS
Conduct a Transit Study, including an alternatives analysis, combined with FTA-compliant NEPA process to be eligible for federal funds. Quantify benefits to help develop a preferred solution that sticks.	Set PCMC up to have a competitive project for federal dollars. It can be a scalable effort to streamline the process. Helps to align the transit vision. Will confirm an alternative to advance.	It takes time and funding to complete NEPA. The recommended solution may be different than originally envisioned.

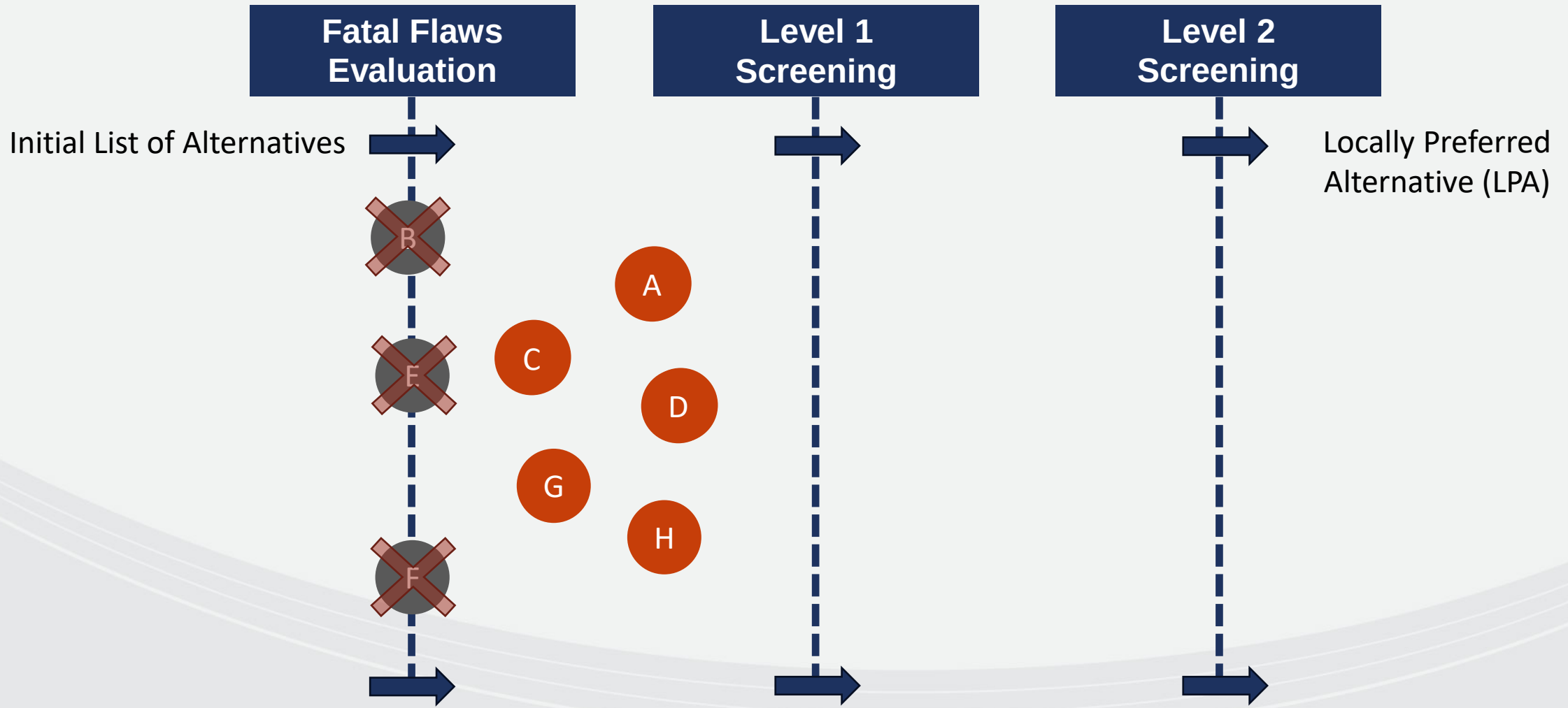
Transit Study Overview and Timeline



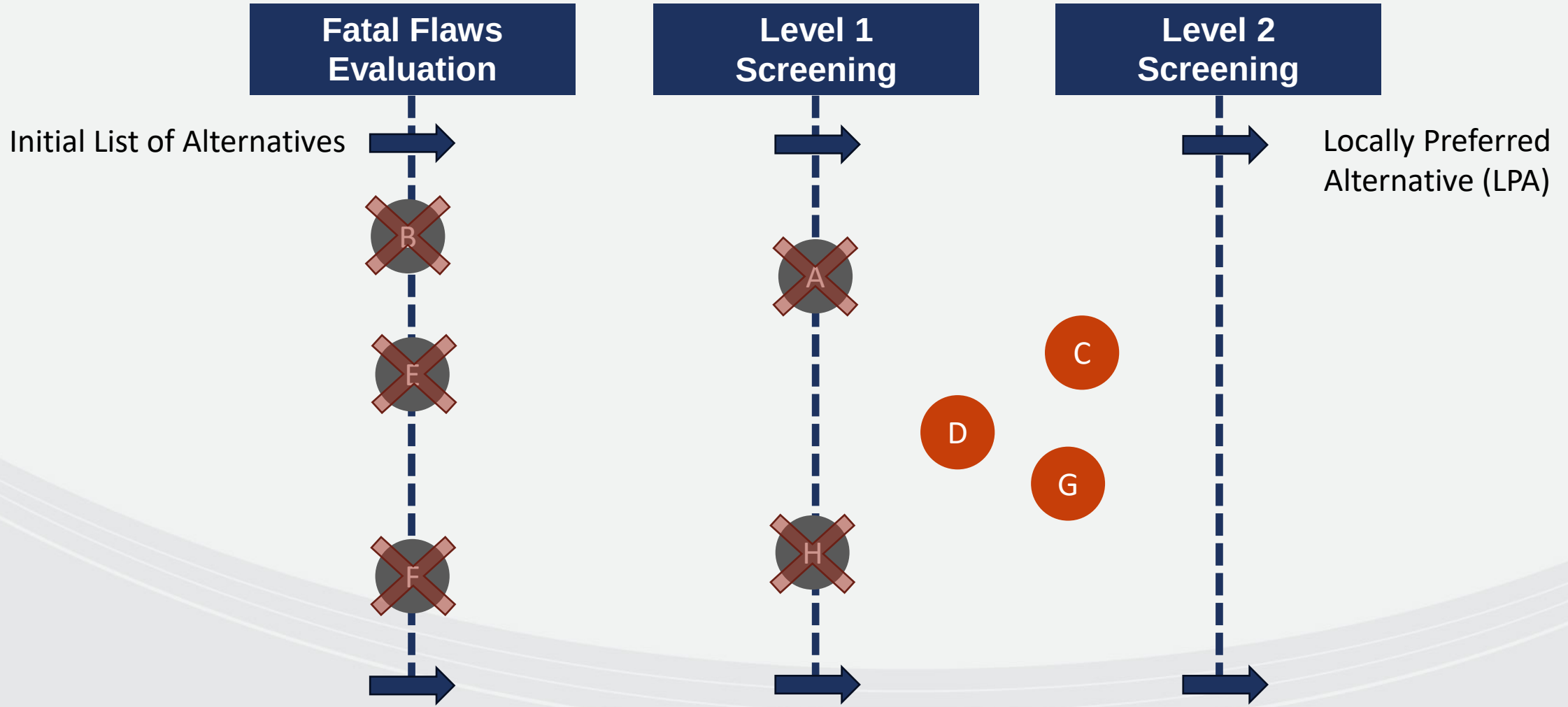
Alternatives Analysis Process



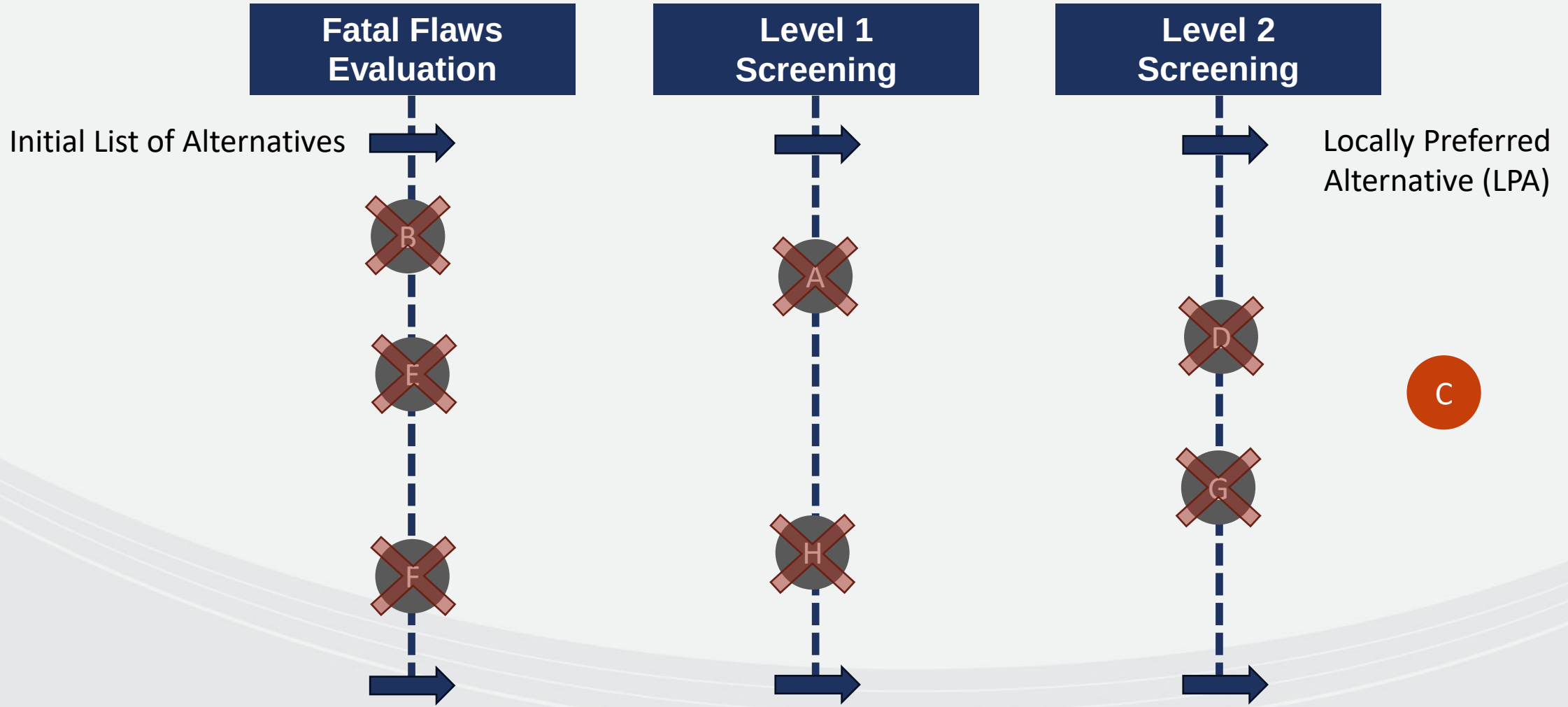
Alternatives Analysis Process



Alternatives Analysis Process



Alternatives Analysis Process



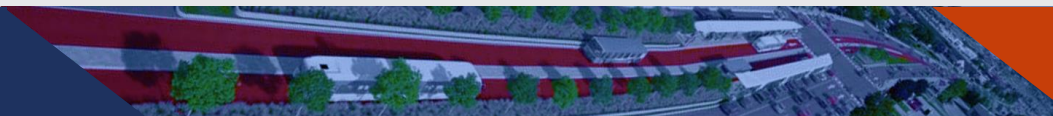
Pre-NEPA

- **FTA Required Modeling**
- **Data Collection**
 - **Aerial Imagery**
 - **Topographical Survey**
 - **Right-of-Way**
 - **Utility Mapping**



Comparable Regional Transit Studies

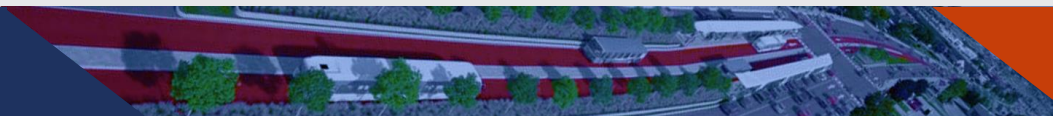
- **UDOT's Little Cottonwood Canyon Environmental Impact Study (2018)**
 - \$8.15 million, with an additional \$1 million spent in-kind/internally.
- **UDOT's Kimball Junction Environmental Study (underway)**
 - \$3.5M, but they are expecting it will cost less.
 - Conducted a low-cost area plan prior for \$200K.
 - Staff noted that more money would have been helpful.
- **UTA's Point of the Mountain Transit Study (2019)**
 - \$800K for the study but did not include EA work.
- **High Valley Transit's SR224 Transit Study (2017)**
 - Conducted the Alternatives Analysis in 2017
 - Valley to Mountain Study cost \$350k, funded through grants from the Mountain Accord.
 - Began the NEPA process in 2021.
 - This cost roughly \$2M



Public Outreach



- **Develop a Public Engagement Plan**
- **Two Major Touch Points**
 - **Round 1: P&N, Range of Alternatives, Fatal Flaws Screening**
 - **Round 2: Locally Preferred Alternative (LPA) & Environmental Assessment (EA) Scoping**
- **Other touch points: social media, project website & dashboard, dedicated project email, etc**



Council Touch Points

Quarterly Updates to Council

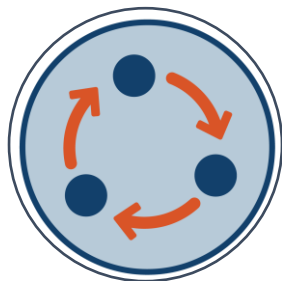
Designed to provide project updates on progress and touch points with public

Coordination with the Liaisons

Focus will be on as needed feedback on specific items and tasks currently being worked on

Project Charter overview: PCMC/UDOT

A guiding document that defines:



Consensus on the
process



Key partners to
advance the plan



Commitment to
durable solutions
that stick



Project Charter overview: PCMC/UDOT

The Charter Goals:

- Improve movement east and west along SR-248
- Ensure existing corridor operations are maintained for UDOT
- Make transit between Park City and the surrounding region a viable transportation option
- Improving transit reliability and travel time.
- Develop a preferred alternative process eligible for federal funding



Recommendation

Request to Approve the SR-248 Transit Study and Pre-NEPA Activities and Authorize the City Manager to Enter Into a Professional Services Agreement (PSA) in a Form Approved by the City Attorney's Office with Horrocks LLC, in an Amount Not to Exceed \$1,069,609.



Fully funded through the COG's Third Quarter Sales Tax

Public Comment for June 28, 2024 Council Meeting – Ebike Discussion

Jessica Klodnicki eComment: "Thank you for the work that you are doing to navigate outdoor recreation in our amazing town! I want to formally express my support for expanding access to Class 1 eMTB's on singletrack. I am a Park City resident and the current CEO of KT Tape, a health & wellness brand based in Utah. And formerly served on the board of directors of the International Mountain Bicycling Association (IMBA) and People for Bikes (a trade and advocacy organization for cycling). I also ran several brands in the cycling space, including Bell Helmets and CamelBak. I am predominantly an "analog" mountain biker, but also own a class 1 eMTB. I attended the last meeting on August 30th when this conversation was first initiated. I am unfortunately unable to attend the city council meeting this morning as you address updated eMTB guidelines, but I'd like to share my support for expanding the use of Class 1 eMTBs on our local singletrack. You should have received a letter of support from People for Bikes, the premier trade and advocacy organization for cycling. I've attached it below. It includes a wealth of evidence regarding communities like ours who have successfully implemented guidelines supporting class 1 eMTBS on natural surface trails. We are blessed with an enormous amount of singletrack trail mileage. We have the space and the mileage to be able to expand access. I'd like to reiterate WHY I think expanded usage is a benefit to our community. -Expanding access has the potential to open the sport to new riders or riders who are potentially aging out from analog bikes (younger than our current guideline of 65...) ---Provides clear and fair access to local residents and tourists vs. the current confusing situation. -Aligns with neighboring trail systems in Heber, Midway and Draper. -Allows people to ride together who are at different fitness levels. -Has the potential to spread out trail usage across our 500 miles of trails vs. the current concentration on a small portion of trails. Thank you for your consideration! I could not attach document, so I've included the body of letter from People for Bikes Below - Subject: Support for Electric Mountain Bikes on Singletrack Trails within Park City, Utah Dear Park City Council Members, On behalf of the PeopleForBikes Coalition, thank you for the opportunity to submit public comment on the proposed electric mountain bike pilot program and accompanying amendment to the current code. We support the proposed expansion of the electric mountain bike pilot project and the amendment, allowing access for Class 1 pedal-assist mountain bikes on singletrack trails where traditional mountain bikes are already allowed on Park City's natural surface, multi-use trails. The PeopleForBikes Coalition is the national advocacy group representing over 1.5 million individuals across the nation and the industry association that works for better policies and infrastructure for bicycling. We strive to make bike riding a safer and more inclusive activity for everyone, including those who ride mountain bikes, Class 1 electric mountain bikes, and adaptive cycles on natural surface singletrack trails. Electric bicycles and electric mountain bikes are enjoyed by people from all walks of life, and they are being widely adopted by Americans and Utahns from all age groups. Older Americans often report using electric bicycles for recreational purposes and that the electric assist features of an electric bicycle have enabled them to ride their bike for more of their life than they otherwise would have. Younger people are increasingly using electric bicycles for transportation. Electric bicycles are also a dependable option for people limited by fitness, age, or disability, as well as for short trips in the 5 to 10-mile

range. Based on existing research and precedent by federal land managers, we support access for Class 1 pedal-assist electric mountain bikes on singletrack trails where mountain bikes are already allowed in Park City, including the expansion of use on singletrack trails beyond the current pilot program at Deer Valley. Existing research from the USDA Forest Service and the East Zone Connectivity and Restoration Project in Tahoe National Forest indicates that pedal-assist Class 1 electric bicycles can be successfully incorporated into trails with non-motorized uses.¹ Included in the East Zone Connectivity's final decision notice was the designation of 35 miles of existing non-motorized trails as open for Class 1 pedal-assist mountain bikes. With the introduction of Class 1 electric mountain bikes on natural surface trails where mountain bikes are already allowed in the East Zone, staff found that they do not significantly alter public enjoyment or affect the patterns of use on those trails. In most places, traditional mountain bikes and Class 1 electric bicycles have similar effects on the physical trails and public use patterns.² Based on the findings from the East Zone Connectivity Project, the Tahoe National Forest also completed a NEPA Environmental Assessment for the Pines to Mines Project, which opened access to 72 miles of singletrack trails for Class 1 electric mountain bikes where traditional mountain bikes are already allowed. As noted in the final decision notice for the Environment Assessment for the Pines to Mines Trail Project (which included a Finding of No Significant Impact), the impacts to trail tread and speed differentials were not shown to be affected by Class 1 electric bicycles compared to analog mountain bikes: "Effects on trails are not considered to be significantly different between traditional mountain bikes and Class 1-E-Bikes. Their equipment components are similar including wheel size, tire tread, gearing, chain, brakes, and gear shifting mechanisms. Impacts to trails in terms of tread wear, soil movement, erosion, and contribution to sediment delivery have also been shown to be similar (Wilson and Seney 1994; Weaver and Dale 1978; IMBA 2015). Finally, a review of literature, consideration of current user trends, and USFS observations of use characteristics during the 2019 season when Class 1 E-Bikes were allowed on all non-motorized trails on the forest, determined there are no significant differences between the two vehicle classes with respect to relative speeds (Langford et al. 2015; TNF Unpublished 2020) and user behavior (Langford et al. 2015)."³ Pedal-assist Class 1 mountain bicycles make the activity of mountain biking more accessible and enjoyable to users with different levels of experience, skill, and physical ability. Class 1 mountain bikes look, are equipped, and ride like traditional bicycles and simply give riders – regardless of age, physical, or cognitive ability – an extra assist while pedaling. When introduced on- or off-road, studies have shown that there appear to be minimal conflicts between Class 1 pedal-assist bicycle riders and other user groups, with no material safety distinctions between Class 1 and conventional bicycle use.⁴

1 USDA Forest Service. "Tahoe National Forest East Zone Connectivity and Restoration Project Draft Decision Notice." (2021). 2 USDA Forest Service. "Tahoe National Forest East Zone Connectivity and Restoration Project Draft Decision Notice." (2021). 3 USDA Forest Service. "Preliminary Environmental Assessment: Pines to Mines Trail Project." (2023). 4 Jefferson County, Colorado Electric Bicycle Study (2017) Examples of communities and government agencies that have undertaken significant studies of electric bicycle impacts, rider behavior, perceptions, safety, etc. from other user groups are attached to this letter. We believe an objective examination of the facts leads to the conclusion that

Class 1 pedal-assist electric bicycles should be treated like conventional bicycles on natural surface singletrack trails throughout Park City. Thank you for your consideration of our comments. I would welcome the opportunity to provide further information on the potential for creating more trails for use by mountain bikers, Class 1 pedal-assist mountain bikers, and adaptive cyclists on City and public lands. Sincerely, Rachel Fussell Senior Manager for Recreation Policy PeopleForBikes Coalition rachel@peopleforbikes.org

Additional Information on Electric Bicycle Speed, Safety, and Studies USDA Forest Service NEPA Environmental Assessments indicate Class 1 electric bicycles can be successfully incorporated into trails with non-motorized uses. A. The observations and data collected by TNF staff, relative to Class 1 electric mountain bikes' impact on trails, are consistent with the findings from other studies in this topic area. These studies were conducted by varying institutions, universities, and industry groups that performed research on trail impacts from recreational uses. Data from the scientific literature is consistent on several key points: a. Greater sediment yields are produced by equestrians and pedestrians when compared to wheeled modes of transportation. (East Zone Connectivity and Restoration Project Decision Notice & FONSI 2021) b. Horse traffic produces the greatest force (weight per unit area) among hikers, equestrians, mountain bikers, and motorcyclists. (East Zone Connectivity and Restoration Project Decision Notice & FONSI 2021) c. Horses cause greater increases in soil compaction, litter, trail width, and trail depth compared to hikers and motorcycles. (East Zone Connectivity and Restoration Project Decision Notice & FONSI 2021) B. TNF's observations related to trail impacts are also consistent with a study conducted by the International Mountain Bicycling Association (IMBA) which found similar effects between Class 1 electric mountain bikes and their conventional counterparts (East Zone Connectivity and Restoration Project Decision Notice & FONSI 2021). C. Based on a review of their findings, "Tahoe National Forest has determined that inclusion of Class 1 E-bikes as a designated, legitimate use on these trails does not constitute an increased adverse impact to their sustainability," (East Zone Connectivity and Restoration Project Decision Notice & FONSI 2021). Electric bicycles travel at similar speeds to traditional bicycles. A. Class 1 electric bicycles have a motor that cut off after the rider reaches 20 mph. This is not the average speed. On flat and uphill surfaces, electric bicycles travel on average 2-3 mph faster than conventional bicycles (i.e. around 13-14 mph). However, studies show that the sex of the rider is a better predictor of speed than whether they are using a conventional or electric bicycle. Studies also show that electric bicycles do not travel significantly faster than regular bicycles, and in some instances, are slower, depending on the location and the rider. • US Department of Transportation Federal Highway Administration. "E-Bikes in Public Lands: A Human Factors Field Study." (August 2023). ○ In locations identified as a higher risk for potential conflicts along an unpaved, multiuse trail, analysis shows that e-bike riders travel slightly faster on average than conventional bike riders. However, the sex of the rider predicts a greater increase in speed (males average 2.51 mph increase) than whether they are using a conventional or electric bicycle. Distributions of e-bike and conventional bike rider speeds overwhelmingly overlap with one another: both exhibit similar extremes at the high and low ends of the speed spectrum. • Tahoe National Forest NEPA Environmental Assessment. "East Zone Connectivity and Restoration Project Decision Notice & FONSI" (2021). ○ During the EA process, TNF concluded that differences in speeds on

singletrack natural surface trails are largely dictated by the rider's ability as well as trail conditions, alignment, and design. Additionally, it was noted that Class 1 electric bicycles and conventional mountain bikes have almost indistinguishable frames and components, making their stopping ability similar and trail etiquette guidelines the same for both types of users. • Cherry, C. & MacArthur, J., E-bike safety, A review of Empirical European and North American Studies (Oct. 15, 2019) ○ “[Electric bicycle] riders tend to ride at higher speeds on uphill segments, but not flat or downhill segments.”). • Langford, B. et al, “Risky riding: Naturalistic methods comparing safety behavior from conventional bicycle riders and electric bike riders, Accident Analysis & Prevention.” (Sept. 2015) ○ “We find that average on-road speeds of e-bike riders (13.3 kph) were higher than regular bicyclists (10.4 kph) but shared use path (greenway) speeds of e-bike riders (11.0 kph) were lower than regular bicyclists (12.6 kph)”. Electric bicycle riders comply with laws in the same way as riders of conventional bikes.

A. Electricbicycleusersarelikemostpeopleandchoosetorespectthelawoftheroad and be kind to others with whom they share public resources. They would respond more favorably to restrictions on use rather than an outright ban. Most critically, existing studies show that electric bicycle riders comply with laws to the same extent as bicycle riders. • Cherry, C. & MacArthur, J., E-bike safety, A review of Empirical European and North American Studies (Oct. 15, 2019) ○ “For other safety surrogates (wrong way riding, stop sign and signal compliance) e-bike riders behaved in the same way as cyclists, with similar violation rates.”

• Langford, B. et al, Risky riding: Naturalistic methods comparing safety behavior from conventional bicycle riders and electric bike riders, Accident Analysis & Prevention (Sept. 2015) ○ “E-bike riders exhibit nearly identical safety behavior as regular bike riders and should be regulated in similar ways.”. The safety outcomes relating to electric bicycle use and conventional bicycle use are similar.

A. Banningelectricbicyclesfromareaswheretraditionalbicyclesareusedisnot justified based on safety issues or the risk of collisions. • US Department of Transportation Federal Highway Administration. “E-Bikes in Public Lands: A Human Factors Field Study.” (August 2023). ○ Conventional and e-bike rider behavior is similar at locations with a higher risk of conflict. Both e-bike and conventional bike riders reduce speeds and exhibit similar precautionary behaviors: at vehicle conflict points, in narrow sections of the trail, and when passing other trail users. • Cherry, C. & Fishman, E., E-bikes in the Mainstream: Reviewing a Decade of Research, Transport Review (July 2015) ○ “Overall differences in safety outcomes were not dramatic between e-bike and bicycle riders.”). • Cherry, C. & MacArthur, J., E-bike safety, A review of Empirical European and North American Studies (Oct. 15, 2019) ○ Summarizing European studies finding that over the same distances traveled, “e-bikes and conventional bicycles have the same crash risk.”. An electric bicycle ban will not decrease ridership, only complicate enforcement. There is strong demand in the public for electric bicycles.

A. Ridershipisincreasing,andpeopleareusingelectricbicyclstorecreate,replace vehicle trips, and augment existing bicycle trips. In 2020, electric bicycle sales grew by 132% (Source: the NPD Group). This is the fast-growing sector of sales in the bicycle industry by a significant margin.

B. Industryanalystsestimatethatmorethan13.5millionelectricbicycleswillbesold in the United States between 2020 and 2030 (S&P Global Bicycle Industry Risk & Opportunity

Forecast produced for PeopleForBikes) Studies by Local Governments There are two in-depth studies that local governments have taken to understand electric bicycle rider behavior and craft local ordinances to regulate their use. Fairfax County Research (2019) A. Overview: Fairfax County, VA worked closely with NOVA (Northern Virginia) Parks to fund a white paper to gain a better understanding of electric bicycles. This research reviewed federal and state electric bicycle laws and model legislation, the difference in safety and behavior between regular bikes vs electric bicycles, other local trail systems policies, current park regulations, and potential alternatives.

B. Rationale: The increased use of electric bicycles within Fairfax County sparked the need to address current regulations regarding their use. The county chose to research the use of electric bicycles to inform a data-driven policy for their community. C. Results: This research found that electric bicycle users exhibit nearly identical behavior as regular bike users, electric bicycle speeds were observed to be lower than standard bike speeds on shared trails, electric bicycles tend to be similar to regular bikes and most trail users are unaware of the presence of electric bicycles when asked. Jefferson County Study (2017)

A. Overview: Jefferson County, CO conducted two studies at multiple parks to gain a better understanding of visitors' knowledge, perceptions, and concerns related to the use of electric bicycles on urban pathways and natural surface trails. Through 'Test Ride Surveys,' visitors are asked four questions before and after riding an electric bicycle to determine familiarity with electric bicycles and any changes in perception and/or acceptance after riding one. Through 'Visitor Intercept Surveys,' random park visitors are asked about their perceptions, acceptance, and concerns related to electric bicycles on trails, as well as their ability to detect an electric bicycle sharing the pathway with them.

B. Rationale: Jefferson County realized that electric bicycles are already in use on its pathways and trails, and that usage will not significantly decrease with a wholesale ban. It has opted to study the issue and engage park visitors to determine whether to allow or prohibit this technology on the transportation and recreation corridors under its jurisdiction."

Rachel Fussell eComment: "On behalf of the PeopleForBikes Coalition, thank you for the opportunity to submit public comment on the proposed electric mountain bike pilot program and accompanying amendment to the current code. We support the proposed expansion of the electric mountain bike pilot project and the amendment, allowing access for Class 1 pedal-assist mountain bikes on singletrack trails where traditional mountain bikes are already allowed on Park City's natural surface, multi-use trails. The PeopleForBikes Coalition is the national advocacy group representing over 1.5 million individuals across the nation and the industry association that works for better policies and infrastructure for bicycling. We strive to make bike riding a safer and more inclusive activity for everyone, including those who ride mountain bikes, Class 1 electric mountain bikes, and adaptive cycles on natural surface singletrack trails. Electric bicycles and electric mountain bikes are enjoyed by people from all walks of life, and they are being widely adopted by Americans and Utahns from all age groups. Older Americans often report using electric bicycles for recreational purposes and that the electric assist features of an electric bicycle have enabled them to ride their bike for more of their life

than they otherwise would have. Younger people are increasingly using electric bicycles for transportation. Electric bicycles are also a dependable option for people limited by fitness, age, or disability, as well as for short trips in the 5 to 10-mile range. Based on existing research and precedent by federal land managers, we support access for Class 1 pedal-assist electric mountain bikes on singletrack trails where mountain bikes are already allowed in Park City, including the expansion of use on singletrack trails beyond the current pilot program at Deer Valley. Existing research from the USDA Forest Service and the East Zone Connectivity and Restoration Project in Tahoe National Forest indicates that pedal-assist Class 1 electric bicycles can be successfully incorporated into trails with non-motorized uses. Included in the East Zone Connectivity's final decision notice was the designation of 35 miles of existing non-motorized trails as open for Class 1 pedal-assist mountain bikes. With the introduction of Class 1 electric mountain bikes on natural surface trails where mountain bikes are already allowed in the East Zone, staff found that they do not significantly alter public enjoyment or affect the patterns of use on those trails. In most places, traditional mountain bikes and Class 1 electric bicycles have similar effects on the physical trails and public use patterns. Based on the findings from the East Zone Connectivity Project, the Tahoe National Forest also completed a NEPA Environmental Assessment for the Pines to Mines Project, which opened access to 72 miles of singletrack trails for Class 1 electric mountain bikes where traditional mountain bikes are already allowed. As noted in the final decision notice for the Environment Assessment for the Pines to Mines Trail Project (which included a Finding of No Significant Impact), the impacts to trail tread and speed differentials were not shown to be affected by Class 1 electric bicycles compared to analog mountain bikes: "Effects on trails are not considered to be significantly different between traditional mountain bikes and Class 1-E-Bikes. Their equipment components are similar including wheel size, tire tread, gearing, chain, brakes, and gear shifting mechanisms. Impacts to trails in terms of tread wear, soil movement, erosion, and contribution to sediment delivery have also been shown to be similar (Wilson and Seney 1994; Weaver and Dale 1978; IMBA 2015). Finally, a review of literature, consideration of current user trends, and USFS observations of use characteristics during the 2019 season when Class 1 E-Bikes were allowed on all non-motorized trails on the forest, determined there are no significant differences between the two vehicle classes with respect to relative speeds (Langford et al. 2015; TNF Unpublished 2020) and user behavior (Langford et al. 2015)." Pedal-assist Class 1 mountain bicycles make the activity of mountain biking more accessible and enjoyable to users with different levels of experience, skill, and physical ability. Class 1 mountain bikes look, are equipped, and ride like traditional bicycles and simply give riders – regardless of age, physical, or cognitive ability – an extra assist while pedaling. When introduced on- or off-road, studies have shown that there appear to be minimal conflicts between Class 1 pedal-assist bicycle riders and other user groups, with no material safety distinctions between Class 1 and conventional bicycle use. Examples of communities and government agencies that have undertaken significant studies of electric bicycle impacts, rider behavior, perceptions, safety, etc. from other user groups are attached to this letter. We believe an objective examination of the facts leads to the conclusion that Class 1 pedal-assist electric bicycles should be treated like conventional bicycles on natural surface singletrack trails throughout Park City. Thank you for your

consideration of our comments. I would welcome the opportunity to provide further information as needed. Rachel Fussell Senior Manager of Recreation Policy PeopleForBikes Additional Information on Electric Bicycle Speed, Safety, and Studies USDA Forest Service NEPA Environmental Assessments indicate Class 1 electric bicycles can be successfully incorporated into trails with non-motorized uses. The observations and data collected by TNF staff, relative to Class 1 electric mountain bikes' impact on trails, are consistent with the findings from other studies in this topic area. These studies were conducted by varying institutions, universities, and industry groups that performed research on trail impacts from recreational uses. Data from the scientific literature is consistent on several key points: Greater sediment yields are produced by equestrians and pedestrians when compared to wheeled modes of transportation. (East Zone Connectivity and Restoration Project Decision Notice & FONSI 2021) Horse traffic produces the greatest force (weight per unit area) among hikers, equestrians, mountain bikers, and motorcyclists. (East Zone Connectivity and Restoration Project Decision Notice & FONSI 2021) Horses cause greater increases in soil compaction, litter, trail width, and trail depth compared to hikers and motorcycles. (East Zone Connectivity and Restoration Project Decision Notice & FONSI 2021) TNF's observations related to trail impacts are also consistent with a study conducted by the International Mountain Bicycling Association (IMBA) which found similar effects between Class 1 electric mountain bikes and their conventional counterparts (East Zone Connectivity and Restoration Project Decision Notice & FONSI 2021). Based on a review of their findings, "Tahoe National Forest has determined that inclusion of Class 1 E-bikes as a designated, legitimate use on these trails does not constitute an increased adverse impact to their sustainability," (East Zone Connectivity and Restoration Project Decision Notice & FONSI 2021). Electric bicycles travel at similar speeds to traditional bicycles. Class 1 electric bicycles have a motor that cuts off after the rider reaches 20mph. This is not the average speed. On flat and uphill surfaces, electric bicycles travel on average 2-3 mph faster than conventional bicycles (i.e. around 13-14 mph). However, studies show that the sex of the rider is a better predictor of speed than whether they are using a conventional or electric bicycle. Studies also show that electric bicycles do not travel significantly faster than regular bicycles, and in some instances, are slower, depending on the location and the rider. US Department of Transportation Federal Highway Administration. "E-Bikes in Public Lands: A Human Factors Field Study." (August 2023). In locations identified as a higher risk for potential conflicts along an unpaved, multiuse trail, analysis shows that e-bike riders travel slightly faster on average than conventional bike riders. However, the sex of the rider predicts a greater increase in speed (males average 2.51 mph increase) than whether they are using a conventional or electric bicycle. Distributions of e-bike and conventional bike rider speeds overwhelmingly overlap with one another: both exhibit similar extremes at the high and low ends of the speed spectrum. Tahoe National Forest NEPA Environmental Assessment. "East Zone Connectivity and Restoration Project Decision Notice & FONSI" (2021). During the EA process, TNF concluded that differences in speeds on singletrack natural surface trails are largely dictated by the rider's ability as well as trail conditions, alignment, and design. Additionally, it was noted that Class 1 electric bicycles and conventional mountain bikes have almost indistinguishable frames and components, making their stopping ability similar and trail etiquette guidelines the same for both types of users.

Cherry, C. & MacArthur, J., E-bike safety, A review of Empirical European and North American Studies (Oct. 15, 2019) “[Electric bicycle] riders tend to ride at higher speeds on uphill segments, but not flat or downhill segments.”). Langford, B. et al, “Risky riding: Naturalistic methods comparing safety behavior from conventional bicycle riders and electric bike riders, Accident Analysis & Prevention.” (Sept. 2015) “We find that average on-road speeds of e-bike riders (13.3 kph) were higher than regular bicyclists (10.4 kph) but shared use path (greenway) speeds of e-bike riders (11.0 kph) were lower than regular bicyclists (12.6 kph)”. Electric bicycle riders comply with laws in the same way as riders of conventional bikes. Electric bicycle users are like most people and choose to respect the law of the road and be kind to others with whom they share public resources. They would respond more favorably to restrictions on use rather than an outright ban. Most critically, existing studies show that electric bicycle riders comply with laws to the same extent as bicycle riders. Cherry, C. & MacArthur, J., E-bike safety, A review of Empirical European and North American Studies (Oct. 15, 2019) “For other safety surrogates (wrong way riding, stop sign and signal compliance) e-bike riders behaved in the same way as cyclists, with similar violation rates.” Langford, B. et al, Risky riding: Naturalistic methods comparing safety behavior from conventional bicycle riders and electric bike riders, Accident Analysis & Prevention (Sept. 2015) “E-bike riders exhibit nearly identical safety behavior as regular bike riders and should be regulated in similar ways.”. The safety outcomes relating to electric bicycle use and conventional bicycle use are similar. Banning electric bicycles from areas where traditional bicycles are used is not justified based on safety issues or the risk of collisions. US Department of Transportation Federal Highway Administration. “E-Bikes in Public Lands: A Human Factors Field Study.” (August 2023). Conventional and e-bike rider behavior is similar at locations with a higher risk of conflict. Both e-bike and conventional bike riders reduce speeds and exhibit similar precautionary behaviors: at vehicle conflict points, in narrow sections of the trail, and when passing other trail users. Cherry, C. & Fishman, E., E-bikes in the Mainstream: Reviewing a Decade of Research, Transport Review (July 2015) “Overall differences in safety outcomes were not dramatic between e-bike and bicycle riders.”). Cherry, C. & MacArthur, J., E-bike safety, A review of Empirical European and North American Studies (Oct. 15, 2019) Summarizing European studies finding that over the same distances traveled, “e-bikes and conventional bicycles have the same crash risk.”. An electric bicycle ban will not decrease ridership, only complicate enforcement. There is strong demand in the public for electric bicycles. Ridership is increasing, and people are using electric bicycles to recreate, replace vehicle trips, and augment existing bicycle trips. In 2020, electric bicycle sales grew by 132% (Source: the NPD Group). This is the fast-growing sector of sales in the bicycle industry by a significant margin. Industry analysts estimate that more than 13.5 million electric bicycles will be sold in the United States between 2020 and 2030 (S&P Global Bicycle Industry Risk & Opportunity Forecast produced for PeopleForBikes) Studies by Local Governments There are two in-depth studies that local governments have taken to understand electric bicycle rider behavior and craft local ordinances to regulate their use. Fairfax County Research (2019) Overview: Fairfax County, VA worked closely with NOVA (Northern Virginia) Parks to fund a white paper to gain a better understanding of electric bicycles. This research reviewed federal and state electric bicycle laws and model legislation, the difference in safety and

behavior between regular bikes vs electric bicycles, other local trail systems policies, current park regulations, and potential alternatives. Rationale: The increased use of electric bicycles within Fairfax County sparked the need to address current regulations regarding their use. The county chose to research the use of electric bicycles to inform a data-driven policy for their community. Results: This research found that electric bicycle users exhibit nearly identical behavior as regular bike users, electric bicycle speeds were observed to be lower than standard bike speeds on shared trails, electric bicycles tend to be similar to regular bikes and most trail users are unaware of the presence of electric bicycles when asked. Jefferson County Study (2017) Overview: Jefferson County, CO conducted two studies at multiple parks to gain a better understanding of visitors' knowledge, perceptions, and concerns related to the use of electric bicycles on urban pathways and natural surface trails. Through 'Test Ride Surveys,' visitors are asked four questions before and after riding an electric bicycle to determine familiarity with electric bicycles and any changes in perception and/or acceptance after riding one. Through 'Visitor Intercept Surveys,' random park visitors are asked about their perceptions, acceptance, and concerns related to electric bicycles on trails, as well as their ability to detect an electric bicycle sharing the pathway with them. Rationale: Jefferson County realized that electric bicycles are already in use on its pathways and trails, and that usage will not significantly decrease with a wholesale ban. It has opted to study the issue and engage park visitors to determine whether to allow or prohibit this technology on the transportation and recreation corridors under its jurisdiction."

Be informed and then speak! Do not waste Council's time on points of passion or points irrelevant to the topics at hand: an ordinance change and an e-bike pilot project near Snow Park.

The newest version of the Code amendment is below. This version of the amendment, is acceptable to MTF as it would require any Council action in the future to go through a public process ("by resolution") before designating natural surface trails for e-mountain bike use. The newest version of the resolution reads:

*e. This prohibition (speaking of the e-bike prohibition) shall not apply to the use of Class I electric-assisted bicycles on natural surface public trails designated for the use of such bicycles by the local highway authority (which is Council) **by resolution** and marked by traffic control devices.*

Further, with the e-mountain bike pilot program proposed with a location on Deer Valley's private land near Snow Park, where e-bikes are already allowed and in use, and connecting to Deer Valley East where e-bikes are allowed (Wasatch County), and in coordination with Park City's Trails and Open Space Dept., Mountain Trails supports the location for the pilot project, with the following concerns:

- 1) Park City has no plans for enforcement to keep e-bikes from bleeding onto nearby trails. We would like to see increased enforcement and etiquette education in this area. This **may** include additional resources for the Trail Ranger program.
- 2) Park City has no plans for measuring the success/failure of the "pilot project." How will the success or failure of the pilot be determined? How will that inform future decisions about e-bikes on single-track trails - or not?
- 3) Results of the recent e-bike survey indicate that about **two-thirds of the respondents are not supportive of a change in the current ordinance**. Why is Council looking to change the ordinance?
- 4) The City spent \$24,000 on the e-bike survey - if the sentiment among councilors is that survey results are unreliable, then why did they spend taxpayer money to do the survey in the first place? Basin Recreation recommended Code change in their jurisdiction.
- 5) Development of e-bike-friendly trails is already well under way. Clark Ranch, SkyRidge and Deer Valley East are all within minutes of Old Town via e-bike and future connectivity will provide more than 300 miles of e-bike-friendly riding. All Wasatch County trails are currently e-bike appropriate.
- 6) Consistency across jurisdictions (City and County) is of utmost importance. Summit County Council has stalled a decision on this topic pending further investigation into the wisdom of changing their Code to allow those 65+ to use e-mtbs in their jurisdiction.

