



**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
August 22, 2024**

The Council of Park City, Utah, will hold its regular meeting in person at the Marsac Municipal Building, City Council Chambers, at 445 Marsac Avenue, Park City, Utah 84060. Meetings will also be available online and may have options to listen, watch, or participate virtually. [Click here for more information.](#)

Zoom Link: <https://us02web.zoom.us/j/82208540733>

CLOSED SESSION - 4:00 p.m.

The Council may consider a motion to enter into a closed session for specific purposes allowed under the Open and Public Meetings Act (Utah Code § 52-4-205), including to discuss the purchase, exchange, lease, or sale of real property; litigation; the character, competence, or fitness of an individual; for attorney-client communications (Utah Code section 78B-1-137); or any other lawful purpose.

REGULAR MEETING - 5:30 p.m.

I. ROLL CALL

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council Questions and Comments

Staff Communications Report

1. Revised 2024 City Council Strategic Planning Retreat Summary and Decision Framework

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

IV. CONSENT AGENDA

1. Request to Waive an Impact Fee and a Development Permit Fee for the Voluntary Affordable Housing Portions of the Studio Crossing Development, for a Total Amount of \$1,913,012 in Accordance with Municipal Code Section 11-12-15

V. OLD BUSINESS

1. Consideration to Adopt Resolution 16-2024, a Resolution Establishing the Nonprofit Services Advisory Committee
(A) Public Input (B) Action
2. Environmental Regulatory Program Updates
(A) Public Input
3. 2024 Legislative Update

VI. ADJOURNMENT

A majority of City Council members may meet socially after the meeting. If so, the location will be announced by the Mayor. City business will not be conducted. Pursuant to the Americans with

Disabilities Act, individuals needing special accommodations during the meeting should notify the City Recorder at 435-615-5007 at least 24 hours prior to the meeting.

***Parking is available at no charge for Council meeting attendees who park in the China Bridge parking structure.**



City Council Staff Communications Report

Subject: 2024 City Council Strategic Planning Retreat Summary Addendum

Authors: Matt Dias, Linda Jager, Clayton Scrivner

Departments: Executive, Community Engagement

Date: August 22, 2024

Recommendation

In response to Council direction obtained on May 23, review the addendum below that details Focus Area definitions and a Decision Framework to help guide the organization's prioritization and work.

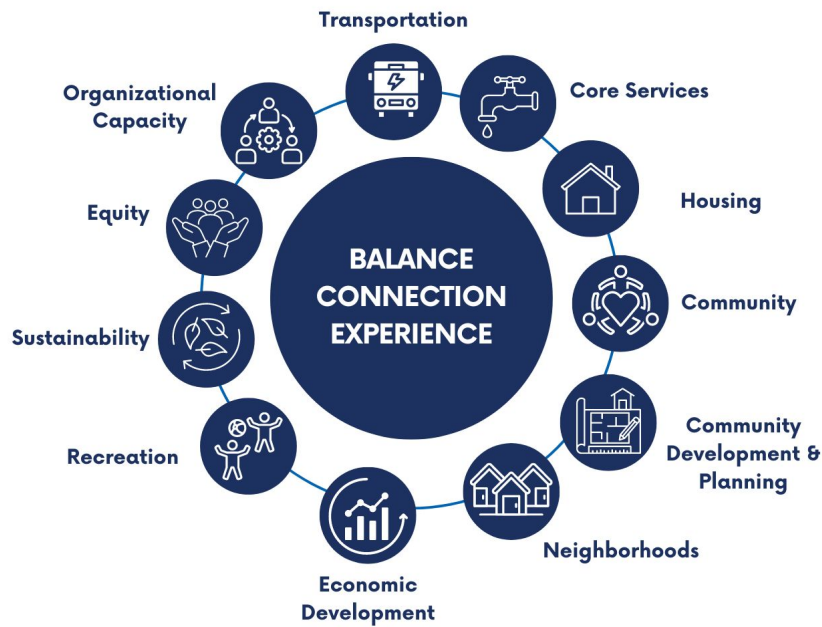
Background

On April 25, the Council received a [Staff Communications Report](#) summarizing the City Council Strategic Planning Retreat and requested an addendum to include a Decision Framework. Definitions of the 11 Focus Areas identified at Council Retreat have also been added. The definitions and decision framework are helpful tools for the Council to evaluate the potential and prioritization of policies, programs, and initiatives.

Summary

The City Council's 2024 annual strategic retreat focused on what Park City should look like ten years from now. The Council identified three decision making criteria, including Balance, Connection, and Experience.

- **Balance** – Park City should balance the realities of our tourism economy with the residential quality of life and historic character that makes our community unique and special — and seek creative solutions that enhance both the resident and visitor experience;
- **Connection** – Park City should maximize opportunities for interpersonal connection among community members, while also removing barriers that prevent accessible connections between our physical spaces; and
- **Experience** – Park City should maintain and enhance the unique characteristics that makes our community a place of choice to live, work, play, and create for as many as possible — fostering an inclusive and welcoming environment within a family-friendly community.



Focus Areas

The City Council prioritized 11 Focus Areas to support a shared vision of Park City in 2035. While all Focus Areas are important, further emphasis was identified during a prioritization exercise, yielding the following in priority order:

- **Transportation** - Provide access to destinations for residents, employees, and visitors through safe, year-round, and convenient multimodal transportation options.
- **Core Services** - Enhance public safety, update infrastructure, and maintain high levels of customer service.
- **Housing** - Increase affordable housing for City and essential service workforce by utilizing public-private partnerships and existing housing stock, and new public policies. Ensure housing initiatives are scalable and consider the broader cost-of-living factors such as food, transportation, and childcare.
- **Community** - Update infrastructure, increase accessibility to community resources, and create safe and attractive public gathering spaces. Expand and enhance community identifying events to maintain local pride and participation.
- **Community Development and Planning** - Maintain strong relationships with resorts, adhere to local regulations, and prioritize community benefits through creativity, collaboration, and consistency. Additionally, streamline planning, building, and engineering processes for efficient and effective development.
- **Neighborhoods** - Enhance neighborhood livability by reducing traffic, improving trailhead parking, sidewalks, bike lanes, and mitigate the impacts of short-term rentals.

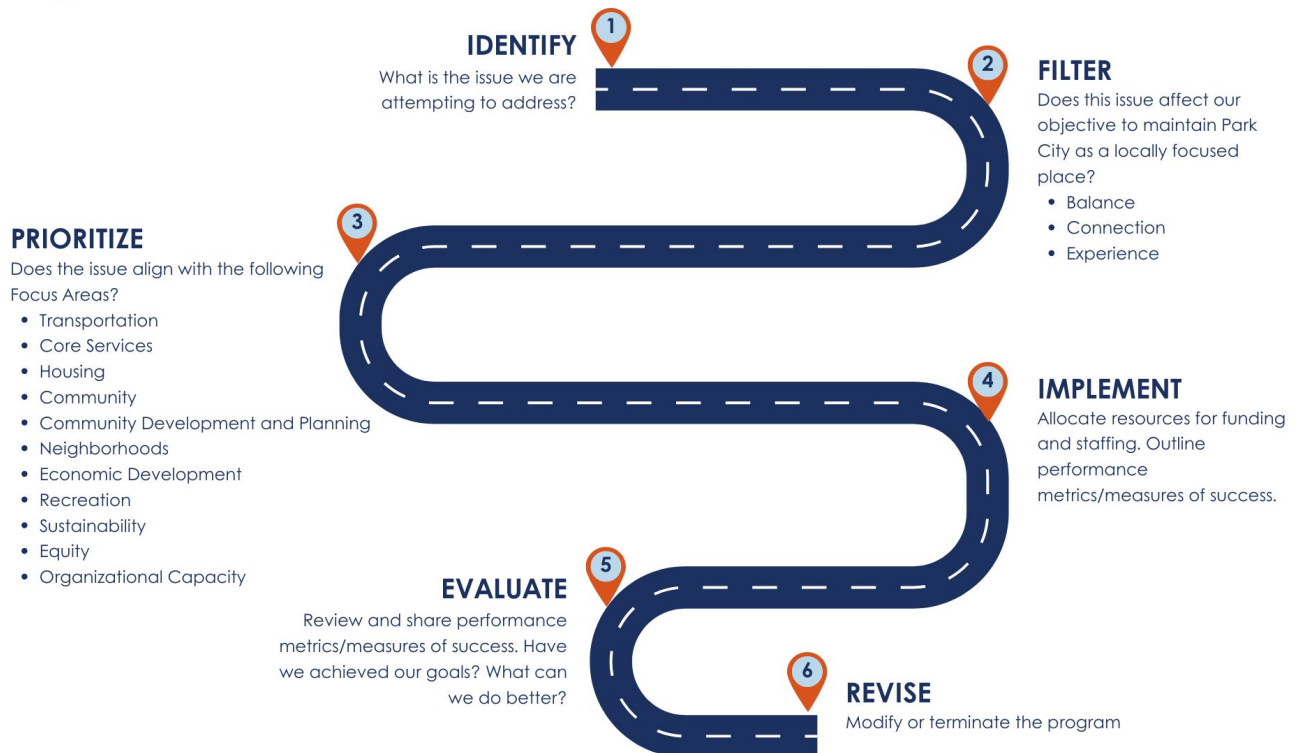
- **Economic Development** - Create a sustainable and resilient local economy by supporting small businesses, fostering innovation, and balancing growth with historic preservation and community.
- **Recreation** - Enrich lives through exceptional people, programs, and facilities.
- **Sustainability** - Identify and implement policies that support clean energy, a healthy environment, and sustainable community resources.
- **Equity** - Expand equitable outcomes for public policies and municipal programs.
- **Organizational Capacity** - Ensure an organizational culture of efficiency, professionalism, accountability, and transparency.

Decision Framework

The Decision Framework is presented to help process and prioritize a wide range of public issues, opportunities, and challenges. First identify the issue using the three filters of Balance, Connection, and Experience to baseline where the issue can align with those filters. Second by using the 11 Focus Areas to further refine outcomes.



DECISION FRAMEWORK



1. Identify - What is the issue we are attempting to address?

2. Filter - Does this improve Park City's ability to remain locally focused?

- *Balance* - Park City should seek creative solutions that enhance both the resident and visitor experience while preserving our city's residential quality of life, historic character, and tourism economy.
- *Connection* - Park City should maximize opportunities for interpersonal connection among community members, while also removing barriers that prevent connection of our physical spaces
- *Experience* - Park City should seek to maintain and enhance the unique characteristics that make our city the place of choice to live, work, play, and create for so many — fostering an inclusive and welcoming environment within a family-friendly community.

3. Prioritize – Does the issue align with the following Focus Areas?

- *Transportation*
- *Core Services*
- *Housing*
- *Community*
- *Community Development and Planning*
- *Neighborhoods*
- *Economic Development*
- *Recreation*
- *Sustainability*
- *Equity*
- *Organizational Capacity*

4. Implement - Allocate resources for funding and staffing, and baseline performance metrics/measures of success.

5. Evaluate – Review and share performance metrics/measures of success. Have we achieved our goals? What can we do better?

6. Revise - Modify or terminate the program



City Council Staff Report

Subject: Fee Waiver Request – Studio Crossing LLC
Authors: JJ Trussell, Assistant Building Official
Department: Building
Date: August 22, 2024

Recommendation

Pursuant to the [Park City Council request from August 15, 2024, approve](#) the amended Studio Crossing impact and development permit fee waiver for the voluntary affordable housing portions of their development, totaling \$1,913,012.

Background

On August 15, 2024, the Park City Council considered a request for fee waivers for the affordable housing portions of the Studio Crossing development. The Applicant originally requested roughly \$2.4 million, which represented all fees associated with all 208 affordable units.

The City's Fee Adjustment Committee, based on the eligibility criteria in the [Administrative Policy for the Adjustment or Waiver of Construction and Development and Impact Fees](#), instead recommended that the City Council consider waiving fees for only 143 total units, and not to include the 65 obligated units.

After discussion, a majority of the City Council supported waiving fees for 166 units, which totals \$1,913,012. At the time, staff requested additional time to ensure an accurate calculation, and the City Council directed the item return as a Consent Agenda Item at the August 22 meeting.

In addition, the Building Department also attempted to review the City Council Minutes from previous Studio Crossing Council discussions to determine if impact and development fees were previously discussed. We were unable to locate a City Council discussion of fee waivers within the official minutes we reviewed.



City Council Staff Report

Subject: Nonprofit Services Advisory Committee

Author: Hans Jasperson

Department: Budget

Date: August 22, 2024

Recommendation

Pursuant to a City Council request, consider a resolution to establish a Nonprofit Services Advisory Committee as a public body. Review and discuss additional recommendations to ensure nonprofit services that receive City funding are aligned with Council priorities.

Background

At the [July 11, 2024](#), City Council meeting, we presented a resolution to establish the Nonprofit Services Advisory Committee as a public body. We also presented a proposed list of nonprofit services that would be considered for funding by the new Committee and an analysis of how these services align with Council priorities and objectives.

During the same July 11 meeting, the Council also considered a [proposed ordinance](#) from the City Attorney's Office that would consolidate all non-land use boards and commissions (including the proposed Nonprofit Services Advisory Committee) under one chapter within the Municipal Code. The Council was provided the option to consider adopting the Nonprofit Services Advisory Committee separately by resolution or by ordinance as part of the proposed consolidation of boards and commissions. The Council voted to continue both items and asked us to return with recommendations to ensure that:

- Nonprofit Services Advisory Committee members consist of a majority who are primary residents of Park City;
- The requirements for eligible nonprofits to apply for City funding are not overly restrictive if their services align with Council priorities; and
- The process by which members of boards and commissions are removed is transparent, fair, and not delegated to one individual.

We are still working on thoughtfully and transparently handling the removal of board members, so we've deleted that language from the attached resolution and will bring it back with the consolidated code chapter for public bodies at an upcoming meeting. In the meantime, the Council may consider adopting the Nonprofit Services Advisory Committee separately by adopting the proposed resolution (Exhibit A), in order to move that process forward before the next phase of funding.

Analysis

Resolution to Establish a Nonprofit Services Advisory Committee

Section 3 of the resolution presented to the Council on July 11 proposed a committee of five to seven members, three of which would be required to reside within Park City

municipal boundaries. Because Committee members would be making recommendations on the use of taxpayer funds, there was consensus from the Council that a majority of members should have their primary residence in Park City.

We incorporated the Council's feedback into the attached resolution (Exhibit A). Section 3 of the resolution was revised to require that:

- All committee members must live, work, volunteer, own property, or own a business within Park City municipal boundaries.
- A majority of members must have their primary residence within Park City municipal boundaries, replacing the previous requirement of at least three members who are residents.

Aligning Nonprofit Services With Council Priorities

In the July 11 Council meeting, we presented a list of nonprofit service categories that would be considered for funding and a description of how those service categories aligned with Council priorities. Council's feedback was that the list of service categories was overly narrow. For example, nonprofits can choose to address multiple Council priorities in their funding applications.

Exhibit B contains a revised description of Council priorities and examples of the types of nonprofit programs and services that may address each priority. The examples provided are for illustrative purposes only and are not intended as an exclusive list of programs and services that will be considered for funding. The intention is for the Committee to evaluate applications from eligible nonprofits based on how well their proposal addresses one or more of the Council priorities, not on whether they provide a particular service from a predefined list.

Summary

The revisions to the proposed resolution establishing the Nonprofit Services Advisory Committee would ensure that the new Committee is comprised of members with strong ties to Park City and that the majority are residents.

The description of Council priorities in Exhibit B would provide the future Committee with a clear roadmap for evaluating proposals and aligning recommended funding with Council and community goals.

Exhibits

Exhibit A – Proposed Nonprofit Services Advisory Committee Resolution

Exhibit B – Description of Council Priorities for Nonprofit Funding

Resolution 16-2024

A RESOLUTION ESTABLISHING THE NONPROFIT SERVICES ADVISORY COMMITTEE

WHEREAS, The City has appropriated funding for Public Service Contracts and Emergent Community Needs Grants to support specific nonprofit services that meet a demonstrated need in the community and are aligned with City goals; and

WHEREAS, the City Council desires to establish an independent advisory committee to review applications for Public Service Contracts and Emergent Community Needs Grants and make award recommendations to Council; and

WHEREAS, committee recommendations are advisory only, and all final decisions regarding Public Service Contract appropriations remain with the City Council;

NOW, THEREFORE, BE RESOLVED by the City Council of Park City, Utah, that:

SECTION 1. The City Council hereby establishes the Nonprofit Services Advisory Committee (hereinafter "Committee").

SECTION 2. Purpose and Authority.

The Committee provides recommendations to the City Council on the Public Service Contract and Emergent Community Needs Grant programs, which are established in the City's Budget Policies & Objectives. The Committee's duties include:

- A. Evaluating applications;
- B. Interviewing applicants; and
- C. Making award recommendations to the City Council.

SECTION 3. Organization.

- A. The Committee will consist of not less than five members and not more than seven members.
- B. All members must live, work, volunteer, own property, or own a business within Park City municipal boundaries.
- C. A majority of members must have their primary residence within Park City municipal boundaries.
- D. There should be priority for members who have experience with nonprofit organizations or who have experience delivering or accessing nonprofit services.

SECTION 4. Appointment; Advice and Consent

- A. Appointments to the Committee shall be made by the Mayor with the advice and consent of the City Council.
- B. Employees of Park City Municipal Corporation are not eligible for membership on the Committee.

- C. Spouses and family members of City employees may be considered for appointment to the Committee if the member's role is not advisory to the employee's department or job responsibilities.

SECTION 5. Term

- A. Member appointments to the Committee will be made for three-year terms beginning on July 1 and expiring on June 30, except when:
 - 1. An appointment is to fill a vacancy during an unexpired term, in which case, the appointment shall be for the unexpired term.
- B. Committee members shall be limited to two consecutive full three-year terms.
- C. A Committee member whose term has expired may continue to serve until a replacement committee member is appointed.
- D. Committee member terms should be staggered to promote continuity on the committee.

SECTION 6. Vacancy

Vacancies occurring in the membership of the Committee shall be filled by appointment by the Mayor with the advice and consent of the Council for the unexpired term.

SECTION 7. Oath of Office

Committee members shall take the oath of office required by law for City officers and file the oath with the City Recorder.

SECTION 8. Conflicts of Interest

- A. Committee members are subject to the City's Conflict of Interest Code, Title 3, Chapter 2, and the Municipal Officers' and Employees' Ethics Act, Title 10, Chapter 3, Part 13 of the Utah Code, or its successor.
- B. Members may not be employed by or serve on the board of a nonprofit organization that applies for or is likely to apply for grant funding through PCMC.

SECTION 9. Compliance with the Open and Public Meetings Act

Every meeting of the committee shall conform with the Open and Public Meetings Act, as set forth in Title 52, Chapter 4 of the Utah Code or its successor, including, but not limited to, the requirements for public notice, open meetings, closed meetings, meeting minutes, and electronic meetings.

SECTION 10. Election of Committee Officers

The committee shall select one of its members as chair and another member as vice-chair who shall perform the duties of the chair during the absence or disability of the chair. These positions shall be for one-year terms.

SECTION 11. Quorum and Committee Action

- A. A quorum is a majority of members who have been appointed to and are currently serving on the committee.
- B. The committee may hold a meeting and take action only when a quorum is present.

PASSED AND ADOPTED this August 22, 2024.

PARK CITY MUNICIPAL CORPORATION

Mayor Nann Worel

Attest:

Michelle Kellogg, City Recorder

Approved as to form:

City Attorney's Office

Exhibit B – Council Priorities for Funding to Nonprofit Organizations

Council Priority	Description	Examples of Programs & Services*
Core Services	Enhance the public safety, physical and mental health, and well-being of our community	• Basic needs assistance (food, utilities, clothing, etc.) • Emergency services • Medical care • Mental health services • Domestic violence shelter and prevention
Community	Increase accessibility to resources and create safe, attractive gathering places. Expand and enhance events to maintain community pride	• Arts & culture education or events • Childcare and youth services • Services for seniors.
Housing	Increase the availability of affordable housing for the City and core service workforce. Help people maintain existing housing	• Affordable housing development • Outreach and advocacy • Educational services for homebuyers and renters
Recreation	Promote balance, connectivity, and experience through recreation	• Expand recreation access to local youth and/or marginalized groups • Improve affordability, safety, or sustainability of recreation
Equity	Expand equitable outcomes for local residents	• Engage diverse perspectives, differing ideas, and individuals from different backgrounds • Address disparities in outcomes due to race, ethnicity, income, ability, age, gender, sexual identity, and other factors
Sustainability	Support clean energy, a healthy environment, and sustainable community resources.	• Recycling and waste reduction • Education • Conservation

*Examples are for illustrative purposes only and are not intended to be an exhaustive list of programs and services that may be considered for funding.



City Council Staff Report

Subject: Environmental Regulatory Program Updates

Author: Ryan Blair

Department: Environmental Regulatory

Date: August 22, 2024

Recommendation

Receive an overview of some current initiatives and programs within the Environmental Regulatory Program.

1. Discuss updates to the Landscaping and Maintenance of Soil Cover Ordinance (Soil Cover Ordinance);
2. Overview of environmental conditions at Bonanza Park and receive direction on entering a [Voluntary Clean Up program; and](#)
3. Good Gardening residential outreach program
 - a. Detail efforts to launch program this year
 - b. New fact sheet and gardening care guide
 - c. [Revamp website](#)

Executive Summary

Soil Cover Ordinance Proposed Updates

As part of a multi-year effort to ensure our ordinances reflect best practices and modern standards, Ryan Blair met with multiple community stakeholders, including residents, business owners, and state and local environmental experts. Park City's Ordinance was initially passed in 1988 and has received few changes since then. Last year, the Ordinance was revised to reflect current State and Federal rules in the area of soil disposal and as a precursor to more substantial changes after more analysis and a policy discussion could be held.

The Environmental Regulatory Program has reviewed potential changes and plans to return with additional amendments discussed last year and incorporate feedback from both the original Blue-Ribbon Commission and the 2023 Legacy Mine Soil Roundtable this Fall.

Notable proposed changes include:

1. Clarification of onsite vs. offsite soil disposal; meaning how and when soil can be reused on a property and when it should be disposed of at a disposal facility.
2. Further reinforcement of the most recent State and Federal regulations
3. Standardized 200ppm Lead cap requirements across all property types (Vacant and Occupied)

4. Change the potential violation structure from Class B Misdemeanor to an [Infraction](#)

Bonanza Park Phase II Environmental Site Assessment Review

The Program will review results from our study conducted in January 2024 of the 5 acres site commonly referred to as “Bonanza Park”. The study found approximately 28,000 cubic yards of contaminated material on the property. Most of the material is confined to the top 2-3 feet, however there are a few deeper spots with higher concentration levels. As a result, we plan to recommend that Park City enter the State regulated Voluntary Clean Up (VCP) program, which will address historical contamination on-site and continue the city’s concerted efforts to prime the property for community redevelopment goals. Further details from the study can be found [here](#).

Good Gardening Residential Outreach Program

Environmental Regulatory program received \$20,000 in FY24 to pilot a new residential outreach program primarily geared towards helping residential homeowners navigate living with the soil ordinance. Bella Marceau, our Environmental Intern, will detail for the City Council some of the efforts undertaken over the summer to revamp the City’s website, create a new gardening care guide for those that reside within the Ordinance boundaries, and refurbish a quick and easy residential fact sheet.

In addition, the Good Gardening program is creating an exhibit at the entrance to the Park City Library and integrating with the Seed Exchange and Sustainability Center. To date, the program has secured 100 garden box kits to be distributed to residential homeowners who reside within the boundaries of the Soil Cover Ordinance and complete the Scavenger Hunt, created a “Park City’s Mining History Scavenger Hunt” which tasks residents with learning about our history through interactions with local historical exhibits like the Park City Museum and the Spiro Tunnel.

Funding

No funding is requested at this time.