PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
December 14, 2023

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 with options to listen, watch, or participate virtually.

CLOSED SESSION - 3:15 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.

PARK CITY WATER SERVICE DISTRICT MEETING - 4:15 p.m.

ROLL CALL

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

CONSENT AGENDA

1. Request to Authorize the Mayor to Execute a Memorandum of Agreement, in a Form Approved by the City Attorney, to Continue Leasing Surplus Water to Weber Basin Concurrent with the Western Summit County Project Master Agreement

ADJOURNMENT

WORK SESSION

4:30 p.m. - Housing Resolution Biennial Review

5:15 p.m. - Break

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. Temporary Winter Balcony Enclosure Pilot Program Extension

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

IV. CONSENT AGENDA

1. Request to Approve and Accept the Fiscal Year 2023 Annual Comprehensive Financial Report (ACFR)

2. Request to Amend a Contract with Granite Construction Company in a Form Approved by the City Attorney, Not to Exceed $181,351.04, to Fund Project Closeout Activities on SR-248

3. Request to Approve Special Event Temporary Alcoholic Beverage Licenses during the 2024 Sundance Film Festival

4. Request to Approve Type 2 Convention Sales Licenses for Operation during the 2024 Sundance Film Festival

5. Request to Change the Dates for the 2024 Park Silly Sunday Market

V. OLD BUSINESS

1. Deer Valley Development Company, Inc. Petition to Vacate Public Right-Of-Way – Deer Valley Drive West and South Sections – The City Council Will Conduct a Public Hearing and Consider an Ordinance Approving the Vacation of City Right-of-Way (ROW) as it Pertains to Deer Valley's Snow Park Base Redevelopment (2250 Deer Valley Drive South). This Meeting is a Continuation of the City Council's Public Hearing on March 16, 2023, Work Session on June 1, 2023, Public Input on June 15, 2023, and Public Hearings on July 6, 2023, August 29, 2023, September 28, 2023, November 2, 2023, November 16, 2023, November 30, 2023, and December 5, 2023. The Proposed Vacation is Approximately 114,337 Square Feet or 2.62 Acres of City ROW. The City Council will Separately Consider a Resolution Authorizing the Mayor to Execute a Letter of Intent with Deer Valley.

   To submit written comment, please email planning@parkcity.org.

   (A) Public Hearing (B) Ordinance - Action (C) Resolution - Action

2. Dining Deck Program Update

3. Consideration to Approve Ordinance No. 2023-54, an Ordinance Approving the North Norfolk Plat Amendment Amending the Knudson Subdivision Parcel C and Parcel SA-200, and Re-Subdividing the Vacant Lots into Four Lots to Allow Four Single-Family Dwellings. Public Comment Will Be Limited to Those Unable to Provide Online Comment at the Prior Hearing on November 16, 2023.
   (A) Public Hearing (B) Action

VI. NEW BUSINESS

1. Consideration to Approve 2024 Insurance Premiums or Alternative in a Form Approved by the City Attorney
   (A) Public Input (B) Action

2. Consideration to Approve a Level Five Special Event Permit for the 2024 Sundance Film Festival in a Form Approved by the City Attorney
   (A) Public Hearing (B) Action

3. Consideration to Authorize the City Manager to Execute a Professional Services Agreement, in a Form Approved by the City Attorney, with Bowen Collins and Associates Inc., to Provide Engineering Services for the Water and Storm General Engineering Service Project, in an Amount Not to Exceed $200,000
   (A) Public Input (B) Action

4. Consideration to Continue an Ordinance to Amend Land Management Code Section 15-2.13-2 to Prohibit Nightly Rentals, Accessory Apartments, and Internal Accessory Dwelling Units in The Bald Eagle Club at Deer Valley Subdivision in the Residential Development Zoning District PL-23-05770
(A) Public Hearing (B) Continue to February 1, 2024

VII. 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.**

Park City Water Service District Staff Report

Subject: Western Summit County Project
Author: Clint McAffee
Department: Public Utilities
Date: December 14, 2023
Type of Item: Administrative

Recommendation

Review and consider authorizing Nann Worel, Member, Board of Trustees, to execute a Memorandum of Agreement (Exhibit A), in a form approved by the City Attorney's Office, to continue leasing surplus water to Weber Basin concurrent with the Western Summit County Project Master Agreement.

This lease perpetuates a large and predictable revenue source that offsets about 25% of the cost of water service, delays construction of a large water importation project, and continues our partnership and collaboration as a member of the Western Summit County Project which provides a meaningful redundant water source in the event of a long-term water shortage or emergency.

This request follows City Council's approval of the Highway 224 Water Interconnect Agreement at the November 30, 2023, City Council meeting.

Executive Summary

Park City and the Park City Water Service District (collectively Park City) are parties to the Western Summit County Project Master Agreement (MA), which was developed and executed in 2013 to, in part, ensure a reliable water supply to the Snyderville Basin and Park City by regionalizing water supply and infrastructure between parties, and engaging Weber Basin to provide wholesale water. The MA provides for the wholesaling of water by Weber Basin, through water sales contracts, to parties to the MA that report a need for additional water. The MA also provides for the temporary lease of surplus water to Weber Basin from parties to the MA that report a surplus water supply. Continuing our partnership and collaboration as a member of the Western Summit County Project, which provides water supply redundancy, is an important measure of continuity and community protection in the event of a long-term water shortage or emergency. Links to the MA are provided below in Exhibit B.

The Board initially approved a Memorandum of Agreement (MOA) in 2019 to lease surplus water to Weber Basin through provisions in the MA. Each subsequent year, the MOA has been approved by the Board and amended to update the price of surplus water and extend the term by one year. Weber Basin has met its wholesale obligations to other MA parties using surplus water leased from Park City.

Each year, Park City can extend the surplus lease contract for an additional year. Park City will continue to lease surplus water until such time that either Park City determines it does not have surplus water or earlier if Weber Basin determines that it must fulfill obligations to its wholesale customers in the Snyderville Basin by building a new water importation project. Importantly, the revenue generated by leasing surplus Park City water offsets about 25% of Park City water customer's expenses.

The maximum water delivery flow rates in Exhibit A exceed the capacity of the existing Highway 40 system interconnect. At the November 30, 2023, City Council meeting, Council approved an agreement for the Highway 224 Interconnect, which will be the fourth interconnection under the MA and is designed to increase the capacity to wheel water between local water providers and provide additional redundancy between disparate water systems.

Analysis

Water Supply and Treatment

Park City has a diverse and robust water source portfolio that includes local sources and two imported sources, each from separate watersheds. The table below is a summary of Park City's dry-year water source capacity, which is the amount of water that can be expected from each source in a drought year.

Dry Year Water Supply
(Gallons per Minute)

Source	Dry Year Source Capacity	Percent of total water capacity
Divide Well	950	8%
Park Meadows Well	1,000	8%
Middle School Well	1,000	8%
Ontario Drain Tunnel	1,000	8%
Judge Tunnel	662	6%
Spiro Tunnel	3,670	31%
Rockport	3,596	30%
Thiriot Spring	0	0%
Total	**11,878**	100%

After the completion and start-up of the new 3Kings Water Treatment Plant in 2024, the City will have enough treatment capacity to treat all the water available to Park City to drinking water standards. Additionally, 3Kings WTP significantly increases the capacity, efficiency, reliability, resiliency, and redundancy of the City's water treatment infrastructure portfolio.

Water Demand

Park City's robust water conservation program resulted in year-over-year reductions in peak day water demand for 4 of the past 5 years. Additionally, there has been a decreasing trend in peak day water demand over the past 20 years. The table below summarizes historical and projected peak day water demand and available surplus water capacity.

Park City is in a strong position to lease surplus water to Weber Basin through 2028 and likely several years beyond.

Historical Peak Day Water Demand
(Gallons per Minute)

Year	Treated Drinking Water	Untreated Water (golf course, streamflow, irrigation	Surplus Water Lease Maximum Delivery Rate	Total Demand	Surplus
2018	5,734	3,100	0	8,834	3,044
2019	5,435	3,100	0	8,535	3,343
2020	5,129	3,100	62	8,291	3,587
2021	4,816	3,100	62	7,978	3,900
2022	4,816	3,100	558	8,474	3,404
2023	5,352	3,100	558	9,010	2,869
2024	5,578	*3,100*	*682*	*9,360*	*2,518*
2025	5,675	*3,100*	*1,054*	*9,829*	*2,049*
2026	5,773	*3,100*	*1,922*	*10,795*	*1,083*
2027	5,870	*3,100*	*1,922*	*10,892*	*986*
2028	5,962	*3,100*	*2,100*	*11,162*	*716*

Surplus Water Lease Revenue

As shown in Figure 1 below, leasing Park City's surplus water to Weber Basin provides a meaningful source of revenue to offset around 25% of the cost of water services to our own customers. To maintain the current funding level, if Park City stops leasing surplus water, an approximate 25% water rate increase would be required in addition to the normal rate increases due to inflation and other infrastructure needs.

The current value of the 5-year lease contract is over $17M, and if extended another 5 years, the value would be an additional $36M. The price set for surplus water reflects the delivery cost and ensures the cost is similar to Park City's water consumption fees. For 2023, the surplus water charge is $9.67 per 1,000 gallons, similar to Park City's commercial consumption rate. The surplus water charge increases 3% in 2024, 2025, and 2026. For 2027, the surplus water rate increased 12%, and for 2028 it increases 5%.

Leasing surplus water is often legitimately questioned as a growth-inducing tool or counterproductive to water conservation goals. Though we understand the growth-inducing and/or water conservation arguments, we disagree. Since Weber Basin has an obligation to provide wholesale water to those parties of the MA that declare a need, Park City is not providing water in addition to water already committed to the Snyderville Basin. In other words, if Park City declines to lease its surplus water, Weber Basin is required to build a large water importation project to meet its wholesale obligations. A project of this magnitude would add considerably more water capacity to the Basin, and likely divert the same water that Park City would no longer use to provide the surplus water.

In addition, while Park City is using water that is surplus because of our own customers conservation efforts, the lease is temporary and used for municipal purposes by entities with conservation programs. Unlike agricultural water uses, municipal water use in Park City and the Snyderville Basin is mostly non-consumptive, meaning that about 80% of

the water we provide is used indoors and treated at SBWRD's treatment plant. In turn, it is returned to local Creeks and downstream users, and eventually the Great Salt Lake. Simply declining to lease surplus water does not slow future growth in the Basin, nor does it relieve the water from municipal use or ensure its arrival at the Great Salt Lake.

Funding

Revenue generated by the sale of surplus water will be used to fund water system improvements and offset future water rate increases.

Exhibits

A 2024 Memorandum of Agreement

B Links to Western Summit County Project Master Agreement

1 master agreement executed

2 master agreement exhibits a-d

3 master agreement exhibits e-j & exhibits (3)

exhibit list

2024 MEMORANDUM OF AGREEMENT

This Memorandum of Agreement ("**MOA**") is made and entered into this _____ day of _____, 2024, by and between Park City Water Service District, a special service district organized and existing pursuant to the provisions of Utah Code Annotated §17A-2-1301 et seq., 1953, as amended, (the "**District**"), and Weber Basin Water Conservancy District, a water conservancy district organized and existing pursuant to the provisions of §17B-2a-1001 *et* seq., Utah Code Annotated, 1953, as amended ("**Weber Basin**"). The District and Weber Basin each is a "**Party**" and collectively they are referred to as the "**Parties**."

RECITALS

WHEREAS, The District and Weber Basin, along with other parties, entered into the Western Summit County Project Master Agreement dated June 26, 2013 ("**Master Agreement**"). This Master Agreement provides Weber Basin with the right to use, wheel and comingle all Surplus Water of the District, Mountain Regional, and Summit Water. [*See* Master Agreement ¶2.4].

WHEREAS, the Master Agreement provides Weber Basin with the right to determine, in its sole discretion, which Parties to which it will deliver and sell that Surplus Water. The Master Agreement allows each entity, at its sole discretion, to set the price per acre-foot for which its Surplus Water may be sold. Weber Basin then is authorized to sell that Surplus Water to any Party of the Master Agreement, as determined by Weber Basin in its discretion, for the price established by the Party supplying the Surplus Water. [*See* Master Agreement ¶2.4].

WHEREAS, Weber Basin is then directed to credit the Party whose Surplus Water is delivered at the rate applicable to that water so delivered.

WHEREAS, as outlined in Paragraph 2.4 of the Master Agreement, this process was established in order to allow Weber Basin "to operate the Western Summit County Project in such manner as Weber Basin deems necessary and proper." [*See* Master Agreement ¶2.4].

WHEREAS, under the Master Agreement, Weber Basin was required to construct an interconnect vault and associated facilities in the Quinns Junction area, which was funded one-third each by Mountain Regional, Summit Water Distribution Company, and Park City Municipal Corporation ("**Interconnect Facilities**").

WHEREAS, pursuant to the Master Agreement, the District agrees to provide surplus water to Weber Basin through the Interconnect Facilities ("**Surplus Water**").

WHEREAS, on or about April 2023, the Parties entered into a Memorandum of Agreement pertaining to the Surplus Water (the "**2023 Agreement**").

WHEREAS, by executing this 2024 Agreement, the Parties desire to amend and restate the terms of their agreement relating to the Surplus Water, and to supersede the 2023 Agreement, and to replace that 2023 Agreement with this 2024 Agreement.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth herein, and other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Water Lease.

   A. **Surplus Water. The District** agrees to deliver to Weber Basin the Surplus Water identified in Figure 1 through the Interconnect Facilities in accordance with the Master Agreement. Pursuant to the terms of the Master Agreement, Weber Basin agrees to make the Surplus Water available for sale and delivery to another party to the Master Agreement (either Mountain Regional or Summit Water) (a "**Purchasing Party**"), as selected in Weber Basin's sole discretion; such water to be marketed and sold at a price equal to the total annual take or pay amount in Figure 1 below. The cost per acre foot shall be adjusted annually based, in part, upon Operation and Maintenance costs, per the Master Agreement [See Master Agreement ¶2.4].

Figure 1
Annual Surplus Water Take or Pay Volumes and Pricing Schedule

	2024	2025	2026	2027	2028
Annual Volume (acre feet)	550	850	1550	1550	1550
Peaking Factor (see note below)	2	2	2	2	2
Max Flow Rate (gallons/minute) (see note below	682	1054	1922	1922	1922
Delivery Location	Quinns Interconnect				
Surplus Water Cost per Acre Foot	$3,244.66	$3,342.00	$3,442.26	$3,855.33	$4,048.09
Total Annual Take or Pay Amount	**$1,784,561.20**	**$2,840,696.96**	**$5,335,497.29**	**$5,975,756.97**	**$6,274,544.82**

Note: Peaking Factor and Maximum Flow Rate are subject to, and limited by, the capacity of existing and/or future interconnects and/or the capacity of the Purchasing Party's water system. Park City is not required to increase capacity of the existing or future interconnections or the Purchasing Party's water system to achieve the Peaking Factor or Maximum Flow Rate shown above. As a result, the actual Peaking Factor and Maximum Flow Rate of water delivered by Park

   B. **Terms of Delivery.** The total annualized cost for which the Surplus water shall be marketed, sold, and delivered, by Weber Basin to a Purchasing Party, and the total annualized cost to be paid by the Purchasing Party (and credited by Weber Basin to the District) shall be take-or-pay for the full annual water volume in Figure 1.

C. **District Water Supply Shortage.** In the event of shortage of water supply, of either short or long term duration, caused by problems such as drought or other natural or man-caused disasters, including unplanned failure of physical infrastructure, Surplus Water deliveries may be temporarily reduced by the District in proportion to reductions in overall District water demands anticipated from either a declared Water Emergency under Park City Municipal Code 13-1-22 or implementation of Drought Restrictions under Park City Municipal Code 13-1-26.

2. Term. The term of this MOA shall commence on January 1, 2024 and continue for a term of five (5) years, ending December 31, 2028 ("**Term**"). This MOA supersedes the previously signed MOA that was dated March 2023.

3. Binding Effect. The provisions of this MOA shall be binding upon and inure to the benefit of the Parties hereto and their respective successors and assigns.

4. Assignment Limited. No assignment or other transfer of this MOA or any part thereof or interest therein shall be valid unless and until approved by all Parties hereto.

5. Attorney's Fees. In the event that this MOA or any provision hereof shall be enforced by an attorney retained by a Party hereto, whether by suit or otherwise, the fees and costs of such attorney shall be paid by the Party who breaches or defaults hereunder, including fees and costs incurred upon appeal or in bankruptcy court.

6. Severability. If any term or provision of this MOA shall, to any extent, be determined by a court of competent jurisdiction to be void, voidable, or unenforceable, such void, voidable or unenforceable term or provision shall not affect the enforceability of any other term or provision of this MOA.

7. Captions. The section and paragraph headings contained in this MOA are for the purposes of reference only and shall not limit, expand or otherwise affect the construction of any provisions hereof.

8. Construction. As used herein, all words in any gender shall be deemed to include the masculine, feminine, or neuter gender, all singular words shall include the plural, and all plural words shall include the singular, as the context may require.

9. Further Action. The Parties hereby agree to execute and deliver such additional documents and to take further action as may become necessary or desirable to fully carry out the provisions and intent of this MOA.

10. Inducement. The making and execution of this MOA has not been induced by any representation, statement, warranty or agreement other than those herein expressed.

11. Force Majeure. Performance by any Party hereunder shall not be deemed to be in default where delays or defaults are due to war, insurrections, strikes, lock-outs, floods, earthquakes, fires, casualties, acts of God, epidemics, quarantine, restrictions, inability (when the responsible Party is faultless) to secure necessary labor, materials, tools, acts or failure to act of any public or governmental agency or entity, or by any other reason not the fault of the Party delayed in performing work or doing acts required under the terms of this MOA, and in such event, the performance of such work or the doing of such act shall be excused for the period of the delay and the period of performance for any such work or the doing of any such act shall be extended for a period equivalent to the period of such delay.

12. No Third Party Beneficiaries. This MOA shall not be deemed to create any right in any person who is not a Party (other than the permitted successors and assigns of a Party) and shall not be construed in any respect to be a contract, in whole or in part, for the benefit of any third party (other than permitted successors and assigns of a Party hereto).

13. Warranty of Authority. The individuals executing this MOA on behalf of the Parties hereby warrant that they have the requisite authority to execute this MOA on behalf of the respective Parties and that the respective Parties have agreed to be and are bound hereby.

IN WITNESS WHEREOF, the Parties have executed this MOA as of the day and year first above written.

PARK CITY WATER SERVICE DISTRICT

By: _____
Nann Worel, Member, Board of Trustees

APPROVED AS TO FORM:

_____
Attorney for Park City Water Service District

WEBER BASIN WATER CONSERVANCY DISTRICT

By: _____
Dee Alan Waldron, Chairman, Board of Trustees

ATTEST:

_____
Scott Paxman, General Manager

APPROVED AS TO FORM:

_____
Weber Basin Attorney

City Council Staff Report

Subject: Housing Resolution Biennial Review
Author: Browne Sebright
Department: Housing Team
Date: December 14, 2023
Type of Item: Work Session

Recommendation

Receive a presentation from the Housing team and the Kem C. Gardner Policy Institute, the consultant reviewing Park City's Housing Resolution[1], and consider recommendations to adopt a new affordable housing policy.

Executive Summary

Park City's Resolution 05-2021 Affordable Housing Guidelines (the "Housing Resolution") was last amended and adopted in 2021. Section 4 of the Resolution requires that it be reviewed by the City Council every 2 years to ensure that its standards meet the Community's current housing goals and objectives. Fluctuations in the housing market, particularly of late, can be extreme and happen fast. Council's policy of returning every two years to assess existing community conditions helps provide better outcomes for Park City.

To prepare for this biennial review, the City hired the Kem C. Gardner Policy Institute to review the current Housing Resolution, update demographic and workforce wage data, and provide recommendations to update key formulas, including employee trip generation and fee-in-lieu calculations.

Background

Since 1991, Park City has facilitated the creation of new affordable housing units using many of the aspects and strategies within the Housing Resolution. These types of resolutions aimed at protecting the livability and viability of the community by ensuring that new developments expand the availability of a sufficient amount of housing affordable to the workforce and residents and mitigate the impact of new projects on the community. Past resolutions include:

- Resolution 37-91
- Resolution 8-93
- Resolution 6-94
- Resolution 7-95
- Resolution 17-99
- Resolution 10-06
- Resolution 20-07
- Resolution 25-12
- Resolution 02-15 *Housing Resolution*
- Resolution 13-15 *Affordable Housing Guidelines*
- Resolution 03-2017 *Affordable Housing*
- Resolution 25-2020 *Affordable Housing Guidelines*
- Resolution 05-2021 *Affordable Housing Guidelines*

The current Housing Resolution provides guidelines and standards for developing affordable housing in Park City and was based on the 2019 Regional Housing Needs Assessment. This assessment included findings and criteria for reviewing Master Planned Development (MPD) applications, housing plans required by Development

[1] Resolution 05-2021 *Affordable Housing Guidelines*

Agreements, and annexation petitions where affordable housing is necessary to mitigate the project's impact on the community.

The Housing Resolution specifies essential parts of Park City's housing policy, including defining housing costs as no more than 30% of a household's income, calculating minimum affordable housing requirements for MPDs and annexations, methods to fulfill housing obligations, minimum unit dimensions, and occupancy requirements. Approval of individual housing development plans is required separately from most planning regulatory requirements. Housing plans, sometimes referred to as Housing Mitigation Plans, are required for certain development projects such as annexation of new land for development into the City, MPD applications or modifications, and AMPD projects.

In Park City, housing plans are reviewed and approved by the Park City Housing Authority to ensure compliance with the Housing Resolution. Approved plans dictate when the affordable units need to be built relative to the delivery of market rate units and the terms of the deed restrictions that ensure and maintain their affordability.

In 2022, the City received an updated Housing Needs Assessment from James Wood which found that more than half of the affordable housing units in Park City (293) are a result of Housing Resolution obligations. The next largest source of affordable units was from Low-Income Housing Tax Credits (196). The Needs Assessment also indicated that while the City was progressing towards its goal of creating 800 new affordable housing units by 2026, the projected supply will still fall well short of demand.

At the same time and strategically, the City moved forward with two affordable housing public policies that have transformed how affordable housing is developed and delivered in Park City:

1. The first was the adoption of Ordinance 2021-10, enacting Chapter 15-6.1 Affordable Master Planned Developments (AMPD) in the Land Management Code (LMC). This section of the code provides incentives through increased density and the ability for parking reductions for projects that provide at least fifty percent (50%) of the Residential Unit Equivalents as Affordable Units, as defined in the Housing Resolution in effect at the time of a complete application.

2. The second was the Council's prioritization of Public-Private Partnerships as the preferred method to develop new affordable housing units.[2] The Homestake RFP, for example, sought proposals for a public-private partnership, which led to the development of EngineHouse, the first project to utilize the new AMPD section of the LMC.

Together, these tools have reoriented the community's approach to creating affordable housing. Because their implementation followed the adoption of the Housing Resolution, we have an opportunity to evaluate how to best align the Resolution with other parts of the City's housing policy.

[2] February 11, 2021, City Council Affordable Housing Discussion – Public/Private Partnerships (Staff Report, Meeting Minutes) 37

2023 Park City Affordable Housing Analysis

The 2023 Park City Affordable Housing Analysis (the "Analysis") by the Kem C. Gardner Policy Institute covers four areas of analysis:

1. Demographic and Workforce Highlights
2. Review of Resolution 05-2021 Affordable Housing Guidelines
3. Review of the Fee-In-Lieu and the Development Process
4. Review of Employee Generation Formulas

(1) Demographic and Workforce Highlights

The Analysis found that Park City has 10,200 jobs within City limits and currently accommodates 12.1% of its workers within its boundaries. 55.8% of workers live in Wasatch Back counties, and 37.2% live in Wasatch Front counties. Including those living in Park City, 37.5% of the workforce lives within Summit County, 26.0% live in Salt Lake County, 17.5% in Wasatch County, and 6.3% in Utah County. Another 7.1% of the workforce lives in other Utah counties.

The Analysis found that Summit County's mean household income ($176,064) is substantially higher than the State of Utah ($101,412). However, a majority of Park City workers work in industries whose average annual income is substantially below the mean household income.

The economy in Park City is led by Accommodation and Food Services (1,897 employees), Arts, Entertainment, and Recreation (1,636 employees), and Retail Trade (927 employees). The average annual income of employees in these industries is $42,405, $44,763, and $41,729, respectively. These three industries comprise over half of Park City's workforce (5,460 employees).

The difference between Park City's Area Median Income (AMI) and the Workforce Wage (WFW) is also evident in housing tenure. Park City has approximately 8,585 housing units, of which 2,827 (32.9%) are occupied and 5,758 (67.0%) are vacant. 44% of all housing units are listed as short-term rentals, which is nearly twice that of Summit County.

Park City's housing stock for residents is overwhelmingly used by owner-occupied households, comprising 71.8% of occupied units. Only 28.1% of occupied housing units are used by renter-occupied households.

Among owner-occupied units, the median household income is $140,147. Conversely, for renter-occupied housing units, the median household income is $79,295. The average owner-occupied household has 2.55 individuals, while the average renter-occupied household has 3.85 individuals. This is different from Summit County as a whole, where the average household size for owner-occupied units and renter-occupied units are more similar, at 3.06 individuals and 3.31 individuals, respectively.

	Occupied Units	Average HH Size	Median HH Income
Owner-Occupied Households	2,032	2.55	$140,147
Renter-Occupied Households	795	3.85	$79,295

Figure 1. Table comparing Owner-Occupied and Renter-Occupied Households.

(2) Review of Resolution 05-2021 Affordable Housing Guidelines

Section 3 of the Housing Resolution states that its purpose is "to ensure that new development does not adversely affect the supply of affordable housing in the City…" and that the requirements of the resolution are "…roughly proportionate and reasonably related to the impacts of the Development."

The Housing Resolution defined affordable housing as units affordable to households with incomes at or below 80% of AMI. The Analysis found that based on the prevailing workforce wage of those likely to be employed in new commercial development, most employees of the new development would be unlikely to afford a rental unit priced to be affordable to households with incomes at 80% of AMI. The Analysis found that "the commercial development will employ low-wage workers… but provide relatively expensive rental housing."

The Analysis found that the City's General Plan goal of meeting 15% of workforce housing needs within City limits is a challenge and may require refinement of the Housing Resolution. It found that of all homes sold in Park City since January 2022, only 5.21% of homes sold (72 homes) were affordable to households, making 80% of AMI. Sadly, the Analysis also found that the average wage of teachers and local government employees (including police) means that less than 2% of homes sold would be affordable to these important components of our community.

One of the primary outcomes of developments that are subject to the Housing Resolution is that developers are required to mitigate the impact by providing affordable housing units in an amount equal to 20% of the Residential Unit Equivalents (RUEs) in the project and if commercial development is proposed, providing affordable housing units in an amount equal to 20% of the workers generated by the project. This requirement is sometimes referred to as a housing obligation.

Today, an RUE is 2,000 square feet of Multi-Family Dwelling floor area or one single-family lot. By comparison, an AUE is 900 square feet. Formulas approved by Council define employee generation for different types of use, discussed further in the last section of the Analysis.

Two recommendations from this section include evaluating why 2,000 square feet is used as one Residential Unit Equivalent and why 20% is used as the standard for housing obligations.

(3) Review of the Fee-In-Lieu and the Development Process

Section 9 of the Housing Resolution establishes a list of methods developers can propose to fulfill housing obligations, listed in order of priority.

1. Construction of unit(s) on the site on which the development is proposed.
2. Construction of the unit(s) within the Park City corporate limits provided such land, site, or structure had not been previously deed-restricted for affordability.
3. Dedication of existing units within Park City corporate limits provided such units have not been previously deed-restricted for affordability.
4. Construction of units outside Park City, but within the Park City School District boundary as it stands on January 1, 2015.
5. Conveyance of land within the Park City School District boundary as it stands on January 1, 2015, provided such land has not been previously deed-restricted for affordability.
6. Payment of Fees in Lieu of Development.

The fee-in-lieu option can be used if the Park City Housing Authority determines that (1) no other alternative is feasible, or (2) such a payment would result in more immediate development of housing, or (3) such a payment would leverage additional resources, then a Payment of Fees in Lieu of Development may be accepted. The collected funds may only be expended for projects located within the corporate limits of Park City or within the Park City School District boundary as it stands on January 1, 2015. The In Lieu Fee shall be based on the actual cost of construction in the prior year and published annually in June on the City's affordable housing webpage. Updates may occur more frequently at the request of the City Council to reflect changing real estate conditions. Any Fees in Lieu collected and any interest accrued shall be used only for the purpose of planning for, subsidizing, or developing affordable housing.

As of 2021, the current payment In Lieu of Development fee is $389,700 per Affordable Unit Equivalent (AUE). Each AUE is equal to 900 square feet of Net Livable Space. This assumes a per-square-foot cost of approximately $433. The Analysis found that the cost per square foot in Park City is estimated at $445, similar to the assumed value.

(4) Review of Employee Generation Formulas

For developments with commercial components, the Housing Resolution requires that the Developer mitigate 20% of the employees generated. The housing requirements are determined by a table of employee generation ratios (Table 1).

Type of Use	Full Time Equivalents (2080 hours) per 1,000 Net Leasable Square Feet
Restaurant/Bar	6.5
Education	2.3
Finance/Banking	3.3
Medical Professional	2.9
Other Professional Services	3.7
Personal Services	1.3

Real Estate/Property Management	5.9
Commercial/Retail	3.3
Recreation/Amusements	5.3
Utilities	2.9
Lodging/Hotel	.06/room
Condominium Hotel	Greater of lodging/hotel calculation or residential mitigation rate
Overall/General	4.4

Figure 2. Existing Employee Generation Table from the Housing Resolution (Table 1).

These formulas have been used in every Housing Resolution since 2006,[3] and have remained unchanged since their initial calculation. The exact methodology used for these ratios is uncertain, but they appear to have been uniquely calculated for Park City and use non-standard commercial use categories.

As a result of Planning Commission and Council discussion, the new Analysis evaluated current employee generation ratios based on industry data from the Utah Department of Workforce Services, Park City business licenses, and the Summit County Assessor. These use categories used for these calculations are based on the North American Industry Classification System (NAICS), a Federal statistical standard used by states and based on data updated every five years.

NAICS	Industry	# of Employees per 1k Sq. Ft.
31	Manufacturing	1.7
42	Wholesale Trade	2.1
44	Retail Trade	6.7
48	Transportation and Warehousing	0.5
51	Information	1.7
52	Finance and Insurance	1.6
53	Real Estate and Rental and Leasing	6.8
54	Professional and Technical Services	3.1
55	Management of Companies and Enterprises	3.1
56	Admin., Support, Waste Mgmt, Remediation	1.9
61	Education Services	2.2
62	Health Care and Social Assistance	5.1
71	Arts, Entertainment, and Recreation*	2.6
722	Food Services and Drinking Places	8.8

Figure 3. Proposed Employee Generation Table from the 2023 Analysis.

The recommended employee generation formula table included in the Study (Table 20) five new categories not included in the current Housing Resolution. For the similar uses in both tables, six categories now show more employees per 1,000 SF, and three categories show fewer employees per 1,000 SF.

[3] Resolution 0-06

The Analysis also evaluated some industry categories specific to Park City's resort economy. It looked at the "high-end" hotel category to assess whether Park City's disproportionate concentration of luxury accommodations would translate to a higher proportion of workers per room. It found that the "average" hotel employs 0.7 workers per room. Conversely, "high-end" hotels employed on average 3.7 employees per room.

The Analysis also looked at the number of employees generated by short-term rentals. It found that each short-term rental listing, on average, accounts for approximately 0.4 full-time jobs. Finally, the Analysis looked at the employee generation of ski resorts, as measured by skiable acreage. It found that on a per-acre basis, there are approximately 0.44 employees. However, per-ski lift, the figure is 63 employees.

State Legislation

On March 24, 2022, the Governor signed H.B. 303, *Local Land Use Amendments*, which modified the authority of a municipality or a county to require the development of moderate-income housing as a condition of approval of a land use regulation.

Effective May 4, 2022, Utah Code 10-9a-535 set new regulations for how municipalities may require the development of a certain number of moderate-income housing units as a condition of approval of a land use application. The new standard says that "If an applicant does not agree to participate in the development of moderate income housing units under Subsection (1)(a) or (b), a municipality may not take into consideration the applicant's decision in the municipality's determination of whether to approve or deny a land use application". These sections allow a requirement of moderate-income housing units only by mutual agreement with developers, or incentives, such as our AMPD process.

However, subsection (3) of Section 535 clarifies that specific regulations that pre-date the state code, including Park City's Land Management Code MPD and Annexation sections, are effectively exempted if left unmodified. A considerable amount of effort was spent obtaining this clarification provision to help protect Park City's housing efforts:

> *"(3) Notwithstanding Subsections (1) and (2), a municipality that imposes a resort community sales and use tax as described in Section 59-12-401, may require the development of a certain number of moderate income housing units as a condition of approval of a land use application if the requirement is in accordance with an ordinance enacted by the municipality before January 1, 2022".*

Concurrent Analyses

In addition to the Kem C. Gardner Policy Institute Analysis, the Housing team is also reviewing other sources of information to understand the current conditions that could impact the efficacy of Park City's Housing Resolution. These sources include:

- 2023 Workforce Housing Report, Northwest Colorado Council of Governments
- 2022-2024 State of the State's Housing Market, Kem C. Gardner Policy Institute
- 2021 Park City Housing Needs Assessment, James Wood

The Housing team is also conducting a series of semi-structured 30-minute to 1-hour interviews with residents, businesses, stakeholders, developers, and other interested entities who have dealt with the Housing Resolution in the past, are contemplating projects that would be subject to the Resolution in the future or have worked with similar inclusionary zoning-style regulations in other mountain or resort communities.

The interviews are being evaluated to highlight common themes among the conversations and identify areas of focus within the Housing Resolution and its associated processes.

Recommendation

Given the scope and importance of the Housing Resolution to Park City's overall housing policy, the Housing team recommends that Council review the findings of the Kem C. Gardner Policy Institute review of Park City's Housing Resolution and consider areas of the housing policy for potential changes or updates.

Following the Council's initial review and discussion, the Housing team will prepare a working draft for a new Housing Resolution or other housing policy to address the Council's identified priorities and return at a future meeting for potential adoption.

Exhibits

Exhibit A: Draft Park City Affordable Housing Analysis

PARK CITY AFFORDABLE HOUSING ANALYSIS

Draft 2, September 28, 2023

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Community Overview

Over the past decade, Park City's population has undergone notable changes that reflect both the city's evolving dynamics and its enduring appeal. Park City has experienced steady population growth over the past decade, increase by 10.8% between 2010 and 2021. This increase can be attributed to factors such as the city's reputation as a scenic destination, its recreational opportunities, and its robust economy. The combination of growth and recreation has put major pressure on local and regional residential development.

Within the city, approximately 1,300 new residential units were permitted between 2010 and 2022 with close to 56.5% of the unit approval occurring between 2020 and 2022. The construction of new residential units is led by single-family homes, accounting for 64.3% of all units built over the 12-year period. The growth in housing has played a significant role in attracting new residents to Park City.

Park City's status as a renowned tourist destination, particularly for its ski resorts and outdoor activities, has contributed to seasonal economic and population fluctuations. The influx of tourists during peak seasons can influence the local population temporarily as well as stress local housing options for the workforce. Because of its tourism success, Summit County is home to the largest share of short-term rentals in the state. In 2022, there were approximately 5,810 short-term rentals in the county. This represents approximately 22.0% of all housing units in the county. Park City’s share of short-term rentals is nearly twice that of the county with 44.0% of existing housing units listed.

The local thriving economy has shown a strong recovery since the pandemic. Additionally, the city's growth in sectors like real estate, technology, and professional services has drawn individuals seeking employment and career opportunities. This economic diversification has enhanced Park City's attractiveness as a place to settle. Cultural and Lifestyle Appeal: The city's vibrant arts and cultural scene, coupled with its focus on sustainability and quality of life, has resonated with individuals looking for a unique and enriching place to live.

Demographic Highlights

Between 2010 and 2020, Summit County grew by 6,033 residents. Driven by net migration, this resulted in a 2020 Census population of 42,357, the tenth largest in Utah.

Summit County is home to a total population of 42,357 residents. The county demonstrates a balanced gender distribution. Park City accounts for 19.8% of the county population, housing 8,396 residents. When considering age, Summit County's median age stands at 40.8 years, Park City has a slightly higher median age of 43.7 years, both areas have a higher median age than the state average of 31.3 years.

Table 1: Demographic Highlights, 2020

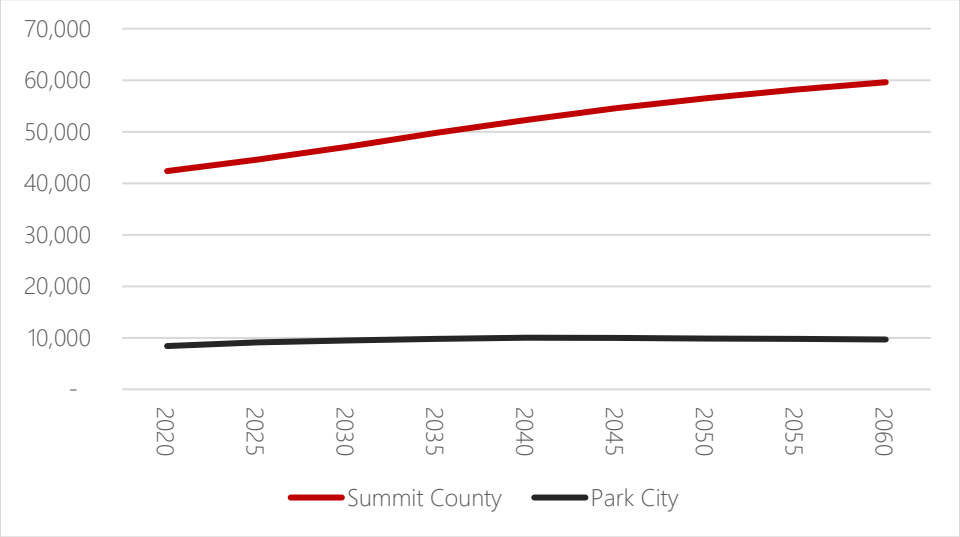
	Summit County	Park City
TOTAL POPULATION	42,357	8,396
Male	21,578	4,320
Female	20,779	4,076
MEDIAN AGE	40.8	43.7
RACE		
Total population	42,357	8,396
One Race	39,461	7,675
White	35,927	6,379
Black or African American	173	57
American Indian and Alaska Native	133	28
Asian	728	241
Native Hawaiian and Other Pacific Islander	44	9
Some Other Race	2,456	961
Two or More Races	2,896	721
HISPANIC OR LATINO		
Hispanic or Latino (of any race)	4,737	1,623
Not Hispanic or Latino	37,620	6,773

Source: US Decennial census

Summit County's population is projected to grow from 42,394 on July 1, 2020, to 59,603 in 2060. Summit County's overall population ranking is projected to decrease from tenth largest in 2020 to eleventh largest in 2060. Park City's population is expected to increase by approximately 1,300 people during the same time.

Net migration is projected to be the primary driver of growth from the mid-2020s throughout the projection period. Natural decrease (more deaths than births) is projected for Summit County beginning in the 2030s.

Figure 1: Projected Population Growth, 2020 -2060



Source: Kem C Gardner Policy Institute, UDOT Travel Demand Model

Within Summit County, there are 13,475 occupied housing units, with the majority, accounting for 10,708 units, classified as owner-occupied, and the remaining 2,767 units designated as renter occupied. This distinction in tenure translates into distinct average household sizes: owner-occupied households in Summit County have an average size of 3.06 individuals, while renter-occupied households maintain an average size of 3.31 individuals. Similarly, in the unique enclave of Park City, 2,827 housing units are occupied. Of these, 2,032 units are owner-occupied, and 795 units are renter-occupied. This tenure demarcation manifests in differing average household sizes: owner-occupied households in Park City exhibit an average size of 2.55 individuals, whereas renter-occupied households exhibit a notably larger average size of 3.85 individuals.

Table 2: Occupied Housing Units by Tenure and Average Household Size, 2021

Housing Tenure	Summit County	Park City
Occupied housing units	13,475	2,827
Owner-occupied	10,708	2,032
Renter-occupied	2,767	795
Average HH size of owner	3.06	2.55

Average HH size of renter	3.31	3.85

Source: US Census ACS 2021 5-year average

The distribution of households by workforce participation reveals insightful patterns across the State of Utah, Summit County, and Park City. In Utah, among 1,033,651 households, 18.8% do not have workers, 35.1% have one worker, 33.8% have two workers, and 12.3% have three or more workers. In Summit County, out of 13,475 households, 19.9% lack workers, 35.9% have one worker, 34.5% have two workers, and 9.7% have three or more workers. Similarly, Park City's 2,827 households demonstrate that 20.9% have no workers, 38.5% have one worker, 28.3% have two workers, and 12.4% have three or more workers.

Table 2: Number of Workers per Household and Share, 2021

	State of Utah	Summit Co.	Park City
Households	1,033,651	13,475	2,827
No workers:	194,630	2,675	590
1 worker:	362,659	4,837	1,087
2 workers:	349,053	4,655	800
3 or more workers:	127,309	1,308	350
No workers:	18.8%	19.9%	20.9%
1 worker:	35.1%	35.9%	38.5%
2 workers:	33.8%	34.5%	28.3%
3 or more workers:	12.3%	9.7%	12.4%

Source: US Census ACS 2021 5-year average

Approximately 37.5% of those working in Park City reside within Summit County itself, while 62.5% live outside of the county. Meanwhile, Park City accommodates 12.1% of its workers within its own boundaries., a notable portion of workers commute from Salt Lake County, contributing 26.0%, while Wasatch County hosts 17.5% of Park City workers. Smaller shares are represented by Utah at 6.3%, Davis at 2.6%, and Weber at 1.6%.

Table 3: Where Park City Worker Live, 2020

County	Share
Summit	37.5%
Park City	12.1%
Other Summit	25.4%
Salt Lake	26.0%
Wasatch	17.5%
Utah	6.3%
Davis	2.6%
Weber	1.6%
Cache	0.9%
Morgan	0.8%
Tooele	0.7%
Washington	0.5%

All Other Locations	5.7%

Source: US Census Longitudinal Employer-Household Dynamics

For most households, earnings from wages represent the majority of the household income. Because nearly two-thirds of those working in Park City live outside of Summit County, it is important to understand the source of income since those living in Summit County have a higher share of income originating from sources other than wages.

For the State of Utah, the mean household income stands at $101,412, while the mean earnings constitute $99,934, accounting for 98.5% of the income. An additional 1.5% of the income derives from other sources. On the other hand, Summit County manifests a notably higher mean household income at $176,064, where mean earnings make up $170,672, forming 96.9% of the total income, with 3.1% arising from alternative sources.

Table 4: Earnings as a Share of Mean Household Income, 2021

Area	Mean HH Income	Mean Earnings	Earnings Share of Income	Other Income Share
State of Utah	$101,412	$99,934	98.5%	1.5%
Summit County	$176,064	$170,672	96.9%	3.1%

Source: US Census ACS 2021 5-year average

Combining earning share from other sources with where Park City workers live shows that for the average Park City worker, 2.1% of household income originates from sources other than wages.

Table 5: Other Income as a Share of Mean Household Income by Where Park City Workers Live, 2021

	Source of Workers	Other Income Share
Summit County	37.50%	3.1%
Rest of State	62.50%	1.5%
Blended share		2.1%

Source: US Census Longitudinal Employer-Household Dynamics and ACS 2021 5-year average

In 2022, Park City had a total of 10,200. The economy is led by Accommodation and Food Services sector, boasting an average annual employment of 2,897. Second is the Arts, Entertainment, and Recreation sector with 1,636 employees. Retail Trade has the third highest share with 927 employees. The Health Care and Social Assistance sector secures the fourth spot with 777 employees, while the Real Estate and Rental and Leasing sector follows with an average of 670 employees.

In terms of annual income, the Finance and Insurance sector takes the lead with an average of $198,304, followed closely by the Information sector at $151,464 and Management of Companies and Enterprises at $157,756. Conversely, sectors such as Agriculture, Forestry, Fishing and Hunting, Retail Trade, and Educational Services exhibit lower average annual incomes at $41,411, $41,729, and $39,548, respectively. A discernible pattern emerges wherein sectors with higher annual incomes tend to have fewer employees, while those with lower annual incomes have higher employment figures.

Table 6: Industry Average Employment, Monthly Wages, and Annual Income, Park City, 2022

Sector	Avg. Annual Employment	Avg. Monthly Wage	Earnings + Other Income	Annual Income
Total	10,200	$5,117	$5,224	$62,694
Agriculture, Forestry, Fishing and Hunting	7	$3,380	$3,451	$41,411
Utilities	8	$10,928	$11,158	$133,893
Construction	286	$5,196	$5,305	$63,656
Manufacturing	94	$6,533	$6,670	$80,039
Wholesale Trade	110	$9,801	$10,006	$120,078
Retail Trade	927	$3,406	$3,477	$41,729
Transportation and Warehousing	132	$4,582	$4,678	$56,135
Information	281	$12,362	$12,622	$151,464
Finance and Insurance	278	$16,185	$16,525	$198,304
Real Estate and Rental and Leasing	670	$6,177	$6,307	$75,680
Professional, Scientific, and Technical Services	623	$10,418	$10,637	$127,644
Management of Companies and Enterprises	52	$12,876	$13,146	$157,756
Admin., Support, Waste Mgmt, Remediation	262	$5,300	$5,411	$64,933
Educational Services	571	$3,228	$3,296	$39,548
Health Care and Social Assistance	777	$5,186	$5,294	$63,533
Arts, Entertainment, and Recreation	1,636	$3,654	$3,730	$44,763
Accommodation and Food Services	2,897	$3,461	$3,534	$42,405
Other Services (excluding Public Administration)	349	$4,313	$4,403	$52,840
Public Administration	242	$4,596	$4,693	$56,316

Source: Kem C. Gardner Policy Institute extrapolation of Utah Department of Workforce Services Data.

Housing Overview

The region accommodates a total of 25,827 housing units, with 13,475 units currently occupied, and an additional 12,352 units standing vacant. Within the confines of Park City, a notable 8,585 of which 2,827 units that are actively occupied, and 5,758 units currently vacant.

In Summit County, 12,352 units are vacant, with a significant number, 10,129, are reserved for seasonal, recreational, or occasional use. Conversely, Park City showcases 5,758 vacant. A notable portion, 4,438 units, are designated for seasonal or recreational purposes. As of Spring 2023, there approximately 6,150 short-term rentals in the county. This represents approximately 23.4% of all housing units in the county. Park City's share of short-term rentals is nearly twice that of the county with 44.0% of existing housing units listed.

Table 7: Housing Unit Occupancy and Vacancy Characteristics, 2021

	Summit County	Park City
Total housing Units	25827	8585
Occupied	13475	2827
Vacant	12352	5758
Total Vacant	12352	5758
For rent	1604	1043
Rented, not occupied	48	41
For sale only	242	100
Sold, not occupied	50	34
For seasonal, recreational, or occasional use	10129	4438
For migrant workers	0	0
Other vacant	279	102

Source: US Census ACS 2021 5-year average

The distribution of unit types shows majority are 1-unit, detached houses, with 16,196 units in Summit County and 3,455 units in Park City. Additionally, there are 1,779 attached 1-unit units in Summit County and 818 in Park City. Notably, structures containing 20 or more units make up a significant portion of housing, totaling 3,844 in Summit County and 2,170 in Park City.

Table 8: Existing Housing Unit Type, 2021

Unit Type	Summit County	Park City
Total housing units	25,827	8,585
1-unit, detached	16,196	3,455
1-unit, attached	1,779	818
2 units	613	401
3 or 4 units	859	551

5 to 9 units	1,354	708
10 to 19 units	809	448
20 or more units	3,844	2,170
Mobile home	373	34

Source: US Census ACS 2021 5-year average

For owner-occupied housing units, the median income stands at $127,465 in Summit County and notably higher at $140,147 in Park City. Conversely, for renter-occupied housing units, the median income reflects a figure of $77,884 in Summit County and slightly elevated at $79,295 in Park City. Considering the entirety of housing tenure scenarios, the median income emerges as $116,351 for Summit County and advances to $121,701 for Park City.

Table 9: Median Household Income by Tenure, 2021

Median Income by Housing Tenure	Summit County	Park City
Owner Occupied	$127,465	$140,147
Renter Occupied	$77,884	$79,295
Total	$116,351	$121,701

Source: US Census ACS 2021 5-year average

Review of Resolution to Adopt Affordable Housing Guidelines (Resolution 05-2021)

Affordable Housing Guidelines (05-2021) standards apply to all new Housing and Commercial Development created under 15-6 Master Planned Developments and 15-8 Annexation under the Park City Land Management Code.

The Master Planned Development (MPD) process is required in all zoning districts except the following:

- Historic Residential- Low Density (HRL)
- Historic Residential (HR-1)
- Historic Residential 2 (HR-2)
- Historic Residential Commercial (HRC) and
- Historic Commercial Business (HCB)

For all the following projects:

- Any Residential project with ten (10) or more Lots.
- Any Residential project with ten (10) or more Residential Unit Equivalents (20,000 square feet).
- Any Hotel or lodging project with ten (10) or more Residential Unit Equivalents (20,000 square feet).
- Any new Commercial, Retail, Office, Public, Quasi-public, mixed-use, or industrial project with 10,000 square feet or more of Gross Floor Area.
- All projects utilizing Transfer of Development Rights Development Credits
- All Affordable Housing Master Planned Developments consistent with Section 15-6-7.

Affordable Housing Master Planned Developments are allowed in the following zoning districts and may only contain allowed or conditional uses of that district.

Table 10: Affordable Housing Master Planned Developments Allowable Zoning Districts:

Zoning District	Allowed Use**	Conditional Use**	Administrative Conditional Use
Residential Dev. (RD)	Duplex	Multi-Unit	N/A
Residential Dev. Medium Density (RDM)	Triplex	Multi-Unit	N/A
Residential Medium Density (RM)	Triplex	Multi-Unit	N/A
Recreation Commercial (RC)	Triplex	Multi-Unit	N/A
General Commercial (GC)	No primary Residential	Multi-Unit	N/A
Light Industrial (LI)	No primary Residential	Multi-Unit	N/A
Community Transition (CT)	No primary Residential	Multi-Unit with Approved MPD	No Residential Uses
Historic Commercial Business (HCB)	Multi-Unit	Group Care	N/A
Historic Recreation Commercial* (HRC)	Duplex	Multi-Unit	N/A

*HCB is the only zoning district with multi-unit development as an allowed use but is exempt from requiring Master Planned Developments. All Master Planned Developments are required to fulfill Affordable Housing guidelines, making HCB zoning districts exempt from affordable housing guidelines.
** highest density allowed/conditional uses

The only zoning district that allows multi-unit development (a Building containing four (4) or more Dwelling Units as a by-right, allowed use is the Historic Commercial Business District (HCB). HCB is exempt from requiring a Master Planned Development process. It is unclear if HCB zones alone would be allowed.

The Master Planned Development process is allowed but is not required in the Historic Residential (HR-1) and Historic Residential 2 (HR-2) Zoning Districts only when the HR-1 or HR-2 zoned Properties are combined with adjacent HRC or HCB zoned Properties. Height exceptions will not be granted for Master Planned Developments within the HR-1, HR-2, HRC and HCB Zoning Districts. See Section 15-6-5(F) Building Height. Without a required Master Planned Development process, it is unclear where Affordable Housing Guidelines apply. Realigning zoning districts allowed uses to support the affordable housing goals of Park City while incentivizing developers to take on these projects should be considered.

After a review of the resolution Gardner Policy Institute makes the following recommendations:

Goal 7 in Park City's General Plan addresses the need to create a diversity of primary housing opportunities. By creating a mix of housing stock at varying price ranges, sizes, and designs, residents will have local options, whether they are seasonal workers, young professionals, families, empty nesters or retirees.

Workforce housing is often defined as housing affordable to households that earn too much to qualify for traditional housing subsidies. Although the term is imprecise it refers to programs targeted for households at 80% to 120% of AMI. Workforce housing is a subset of the broader concept of affordable housing. The General Plan goal of meeting 15% of workforce housing needs is a challenge and requires some refinement of the resolution.

The challenge of meeting the workforce housing goal is depicted in *Table 1*. Using the most recent HUD income data for Summit County, Table 11 shows the maximum affordable housing price by household size. For example, a four-person household at 80% AMI could afford a home priced up to $359,250. However, only 72 of the 1,382 homes sold in Park City since January 2022 were affordable to this household. The 72 homes represent only 5.21% of homes sold in Park City for the period. See Table 12 for HUD 2023 Summit County income estimates.

The table also shows the threshold of affordability for a teacher (average wage) and local government employee (average wage) in administration including public safety. In both cases, the average wage is sufficient to afford only a tiny fraction of homes sold, less than 2%.

Resolution revisions that could help address the workforce housing issue are:

(1) Earmark some fee in lieu dollars for workforce housing units.
(2) Methods to fulfill developer's housing obligation.
Construction on site, off site, or dedication of existing non-deed restricted for affordable workforce housing. Incentives through some type of development bonus.

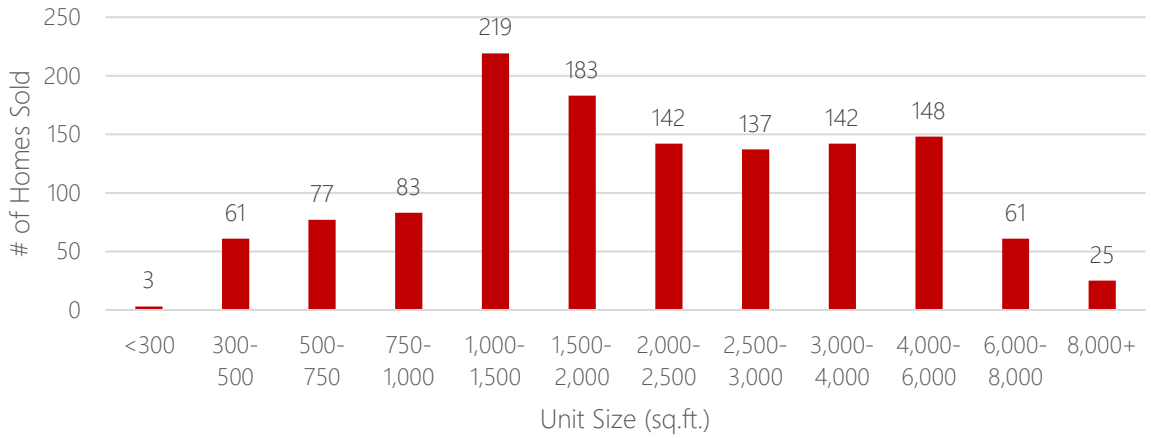
Table 11: Housing Affordability for Workforce Housing

Household Size	Price of Maximum Affordable Home	Homes Sold in Park City ≤ Maximum Price (01/01/2022 to 08/01/2023)	% of Total Home Sold
Household Income at 80% of AMI			
One person	$251,600	32	2.32%
Two persons	$287,450	43	3.11%
Three persons	$323,425	56	4.05%
Four persons	$359,250	72	5.21%
Household Income at 100% of AMI (median income)			
One person	$314,550	53	3.84%
Two persons	$359,250	65	4.70%
Three persons	$404,275	99	7.16%
Four persons	$449,000	125	9.04%
Household Income at 120% AMI			
One person	$377,500	82	5.93%
Two persons	$431,000	115	8.32%

Three persons	$485,134	142	10.27%
Four persons	$538,725	173	12.52%
School Teachers (average wage)			
NA	$188,750	20	1.45%
Local Government Employees Incl. Police (average wage)			
NA	$225,125	27	1.95%

Source: Kem C. Gardner Policy Institute

Figure 2: Number of Homes Sold by Unit Size, Park City, (01/01/2022 to 08/01/2023)



Source: Kem C. Gardner Policy Institute

Table 12: HUD AMI Income Estimates for Summit County, 2023

Household Size	30% AMI	50% AM	80% AMI	100% AMI	120% AMI
One person	$29,760	$49,600	$79,360	$99,200	$119,040
Two persons	$33,990	$56,650	$90,640	$113,300	$135,960
Three persons	$38,250	$63,750	$102,000	$127,500	$153,000
Four persons	$42,480	$70,800	$113,280	$141,600	$169,920
Five persons	$45,900	$76,500	$122,400	$153,000	$183,600
Six persons	$49,290	$82,150	$131,440	$164,300	$197,160
Seven persons	$52,680	$87,800	$140,480	$175,600	$210,720
Eight persons	$56,100	$93,500	$149,600	$187,000	$224,400
Source: HUD					

The resolution provides a methodology for estimating employee generation for commercial development. Based on the employees generated by the commercial space the developer is

obligated to satisfy a mitigation rate. The mitigation rate specifies the number of AUEs (affordable unit equivalent = 900 sf) required due to the commercial development. Rental units priced at 80% AMI satisfies the mitigation requirement. two-bedroom units at 80% AMI carries a rental rate of $2,549 in Summit County, *Table 14*.

Table 13: Rental Rates at AMI Levels for Summit County, 2023

Unit Type	30% AMI	50% AMI	80% AMI	100% AMI	120% AMI
studio	$744	$1,240	$1,984	$2,480	$2,976
One bedroom	$796	$1,328	$2,125	$2,656	$3,187
Two bedrooms	$956	$1,593	$2,549	$3,186	$3,823
Three bedrooms	$1,104	$1,841	$2,946	$3,682	$4,418
Four bedrooms	$1,232	$2,053	$3,285	$4,106	$4,927
Five bedrooms	$1,359	$2,266	$3,626	$4,532	$5,438
Source: HUD					

Most of the those employed, however, by the commercial development would not be able to afford a rental unit at 80% AMI. Even rent at 50% AMI would be difficult for many of the low wage workers associated with the commercial development. For example, a household with 1.5 accommodation workers would have an income of $62,300 (Utah Department of Workforce Services). At this income level the household could afford $1,557 in rent, well below the two-bedroom rent of $2,549 and slightly below the 50% rent of $1,593. In essence, the commercial development will employ low wage workers—primarily retail, accommodations (hotel), and food services (restaurants) workers—but provide relatively expensive rental housing. The resolution could be refined to require some of the AUEs at 50% AMI rents.

Recommendation on sourcing

For a few key concepts we recommend a short description or rationale for the use of selected variables.

(1) The calculation of the Residential Unit Equivalent (RUE) uses 2,000 sf as the divisor to determine the RUE. It is unclear why 2,000 sf is used.
(2) Once the Residential Unit Equivalent (RUE) is determined a mitigation rate of 20%, for both residential and employment generation is applied. It is unclear why 20% is used or why is it an accepted standard for inclusionary zoning.

Fee In Lieu and the Development Process

To better understand the development obstacles faced by the building community working in Park City, a brief survey was implemented in the Summer of 2023. The purpose of this survey was to highlight specific areas where challenges exist and how the city can provide a smoother process for building more attainable housing.

Additionally, part of the survey was also focused on construction costs. These costs are meant to serve as a basis for a new Fee-in-Lie. The breakout of the costs goes beyond construction costs, highlights include costs associated with management and design elements of developing housing targeting individuals and family working in Park City.

Some elements of construction in Park City are outside of anyone's control. The weather adds a challenge to building by shortening the build season. This increases the risk of prolonging the construction timeline and thus adding costs. Another element is location to the Wasatch Front's labor pool. Because of the distance, transporting skilled labor to sites in the city is difficult, thus builders are forced to pay more for labor.

There are other elements of building in Park City that are within the city's control. Most of these have to do with design elements and the approval process. Builders expressed that architecture requirements that go beyond code add additional unnecessary costs. While this isn't an issue for higher-end priced homes, when trying to achieve a certain affordability price-point, these requirements add an additional layer of challenges.

The greatest challenge for building housing that is affordable is the approval process. Site improvement costs are higher than average because of legacy environmental issues and the challenging topography of Park City. A major challenge in working with the city is that the process requires city council approval or planning commission approval on the most innocuous decisions. This results in limiting staffs' ability to make decisions and always defaulting to the most conservative or obstructive determinations. Clarity and consistency are also a challenge. For example, additional height limits are conditioned with an additional 10-foot setback. This limits floorplans and density. Consistency form the Park City Planning Commission is needed. Parking allowable under the Affordable Master Planned Developments needs to be upheld consistently because it can lead to require more parking than a non-affordable market rate project.

During interviews, developer feedback included discussion on the difficulty of making it through the entitlement process, specifically for conditional uses. Park City has a highly engaged community and the extra time spent through the approval process could make the difference of a project being able to pencil.

This strenuous process adds costs due to the risk of investing millions into land development without having assurances of a project being approved. As a result, budget contingencies are increased to 8-10% in Park City projects compared 2-4% in Wasatch Front communities.

Smart land use is vital in Park City to maintain the open lands and historic community the city is built upon – but there appears to be contradictions between uses. With much of the zoning map listed as recreation and open space including a Sensitive Lands Overlay, the areas zoned for residential development are minimal. To achieve affordability with limited land, higher density will be required.

Addictingly, without understanding the nuances of construction costs it is challenging to set policy that assists in the development of more housing. Construction costs fluctuate significantly between the Wasatch Front and the Wasatch Back according to the survey.

For an average affordable housing project in Park City, the cost per square foot is estimated at $445. Within this cost framework, the allocation of expenses is delineated as follows:

- Land Costs: Representing $105 per square foot of the total cost of the building, this category accounts for 23.6% of the overall expenditures.
- Total Construction Cost: The most substantial portion of the budget, totaling $313 per square foot, corresponds to 70.5% of the total. This category further breaks down into subcomponents, including:
    - Direct Construction Cost: Constituting $239 per square foot (53.8% of the total), this component encompasses the core expenses directly associated with the physical construction process.
    - Architectural/Engineering Fees: Amounting to $13 per square foot (2.9%), these fees cover the professional design and engineering services integral to the project.
    - Permits, Tap Fees & Taxes: At $10 per square foot (2.3%), this portion includes regulatory permits, utility connection fees, and tax obligations.
    - Overhead and Marketing: This category accounts for $14 per square foot (3.1%) and encapsulates general project overhead and marketing-related expenditures.
    - Construction Loan Fees & Interest: With a total of $37 per square foot (8.4%), this component incorporates fees and interest payments associated with project financing.
- Developer/Contractor Fee: Concluding the cost structure, the developer/contractor fee represents $26 per square foot, equivalent to 5.9% of the total cost per square foot.

Table 14: Total Costs per square foot for Park City Projects

Total Cost Per Sq. Ft. (in Dollars)	$ 445
Land Costs	$ 105
TOTAL CONSTRUCTION COST	$ 313
Direct construction cost	$ 239
Architectural/engineering fees	$ 13
Permits, tap fees & taxes	$ 10
Overhead, marketing	$ 14

Construction loan fees & interest	$ 37
Developer/Contractor Fee	$ 26

Source: Kem C. Gardner Policy Institute

Employee Generation

In Summit County, Utah, several industries stand out as driving forces for the local economy based on their significant levels of employment and economic impact. These industries play a pivotal role in shaping the county's overall economic landscape:

- Accommodation and Food Services: With a robust employment figure of 6,040 individuals, this sector is a cornerstone of Summit County's economy. The region's popularity as a tourist destination, particularly for its ski resorts and recreational activities, fuels a strong demand for accommodations, restaurants, and entertainment services.

- Arts, Entertainment, and Recreation: Employing 4,471 individuals, this sector capitalizes on the county's cultural and recreational offerings. Its popularity as a destination for outdoor activities and entertainment contributes significantly to the local economy through various events, attractions, and recreational facilities.

- Retail Trade: With 3,559 employees, the retail trade sector reflects the county's role as a shopping and commercial hub, serving both residents and tourists. Retail establishments catering to diverse consumer needs contribute substantially to the local economy.

- Health Care and Social Assistance: Providing employment to 1,796 individuals, this sector highlights the importance of healthcare services in Summit County. As the population grows and seeks medical care, this sector plays a crucial role in meeting healthcare needs.

- Construction: With a robust vacation and second home market, the construction sector supports 2,460 employees.

- Professional, Scientific & Technical Services: With 1,555 employees, this sector represents the knowledge-based economy in the county. It encompasses a range of professional services, including consulting, technology, legal, and engineering services, contributing to economic diversification.

- Real Estate and Rental and Leasing: Employing 1,361 individuals, this sector signifies the county's growth and development. As the region attracts residents and businesses, real estate and rental services play a vital role in supporting housing and commercial needs.

Table 15: Summit County Top 5 Industries, 2022

Industry sector	NAICS Sector	Avg. Employment	Establishments	Avg. Monthly Wage
Accommodation and Food Services	72	6,040	228	$3,461
Accommodation	721	2,527	47	$4,426
Food Services and Drinking Places	722	3,513	181	$2,765
Arts, Entertainment, and Recreation	71	4,471	89	$3,654
Performing Arts, Spectator Sports, Amusement, Gambling, and Recreation	711 713	385 3,885	43 42	$5,222 $3,490
Retail Trade (44 & 45)	44	3,559	330	$3,406
Motor Vehicle and Parts Dealers	441	185	17	$4,581
Building Material and Garden Equipment	444	312	16	$3,654
Food and Beverage Retailers	445	821	35	$2,957
Furniture, Home Furnishings, Electronics	449	229	32	$3,572
General Merchandise Retailers	455	243	9	$3,201
Health and Personal Care Retailers	456	70	14	$3,102
Gasoline Stations and Fuel Dealers	457	251	15	$2,012
Clothing, Clothing Accessories	458	870	85	$3,872
Sporting Goods, Hobby	459	578	116	$3,468
Construction	23	2,460	440	$5,196
Construction of Buildings	236	892	193	$5,490
Heavy and Civil Engineering Construction	237	299	29	$6,685
Specialty Trade Contractors	238	1,269	218	$4,669
Health Care and Social Assistance	62	1,796	218	$5,186
Ambulatory Health Care Services	621	745	159	$5,276
Social Assistance	624	408	49	$3,109
Totals for Top Five NAICS by Employment		18,326	1,305	$4,020
Total, all industries		29,433	3,876	$5,169

Source: Utah Department of Workforce Services.

Table 16: Top Employers in Summit County, 2022

Rank	Avg. Annual Emp.	Company	Industry
1	1000-1999	Deer Valley Resort	Outdoor Recreation
2	1000-1999	Park City Mountain Resort	Outdoor Recreation
3	500-999	Park City School District	Public Education
4	500-999	Park City	Local Government
5	500-999	Park City Hospital	Health Care
6	250-499	Stein Eriksen Lodge	Tourism
7	250-499	Montage Deer Valley	Tourism
8	250-499	South Summit School District	Public Education
9	250-499	United Benefits Consulting	Outdoor Recreation
10	250-499	Promontory Development	Outdoor Recreation
11	250-499	Summit County	Local Government
12	100-249	Triumph Gear Systems	Aerospace
13	100-249	Woodward Park City	Recreational and Vacation Camps
14	100-249	North Summit School District	Public Education
15	100-249	Wal-Mart	Warehouse Clubs and Supercenters
16	100-249	Storied Management	Amusement and Recreation
17	100-249	Smith's Food and Drug	Grocery Stores
18	100-249	Home Depot	Home Centers
19	100-249	CFI Resorts Management	Real Estate
20	100-249	Backcountry.com	Online Retail
21	100-249	Associated Retail Operations	Grocery Stores
22	100-249	The Lodge at Blue Sky	Accommodations
23	100-249	Resort Retailers	Convenience Stores
24	100-249	Skullcandy	Manufacturing
25	100-249	Whole Foods Market	Grocery Stores
26	100-249	Snyderville Basin Special Recreation	Museums and Historical Sites
27	100-249	Park City Fire Service	Local Government
28	100-249	Captiva Salt Lake	Computer Systems Design Services
29	100-249	Salt Lake Brewing	Restaurants
30	100-249	Jans	Sporting Goods Stores
31	100-249	Waldorf Astoria	Accommodations
32	100-249	Marriott Resorts	Accommodations
33	100-249	Utah Athletic Foundation	Promoters of Performing Arts and Sports

Source: Utah Department of Workforce Services

Park City employment and wages presented in table 17. Two key metrics are presented for each sector: the average annual employment and the corresponding average monthly wage. This dataset enables an analysis of the city's economic landscape, highlighting the distribution of jobs and wages among different sectors. In 2022, there were approximately 10,200 jobs in Park City. The region is Tourism-Driven economy. Th Accommodation and Food Services and Arts, Entertainment, and Recreation sectors significantly contribute to employment, collectively accounting for 4,533 jobs. This highlights Park City's status as a popular tourist destination. The Real Estate and Rental and Leasing sector demonstrates substantial employment (670 jobs) and a relatively higher average monthly wage. This suggests a thriving real estate market and related services in the city. The Health Care and Social Assistance and Educational Services sectors provide consistent employment (1,348 jobs), highlighting the stability of these essential service sectors.

While some sectors such as Information, Finance and Insurance, and Management of Companies and Enterprises offer higher monthly wages, others like Agriculture, Forestry, Fishing and Hunting and Retail Trade provide lower wages.

Low Wages:

- Retail Trade: The average monthly wage in the retail trade sector is $3,406. Retail jobs often include entry-level positions and customer service roles, which typically offer lower wages.

- Accommodation and Food Services: With an average monthly wage of $3,461, this sector includes jobs in hospitality and restaurants. While it provides a substantial number of employment opportunities, the wages tend to be on the lower side due to the prevalence of part-time and seasonal positions.

- Arts, Entertainment, and Recreation: This sector offers an average monthly wage of $3,654. Jobs in entertainment and recreation, which may be part-time or event-driven, contribute to the lower average wage.

High Wages:

- Information: The information sector boasts an average monthly wage of $12,362. This likely includes positions in technology, data analysis, and media, which often require specialized skills and education, leading to higher compensation.

- Finance and Insurance: With an average monthly wage of $16,185, this sector includes jobs in financial services and insurance that typically demand expertise in finance and economics, leading to higher salaries.

- Management of Companies and Enterprises: The average monthly wage in this sector is $12,876. Positions in management often come with responsibilities that require experience and leadership skills, justifying the higher wages.

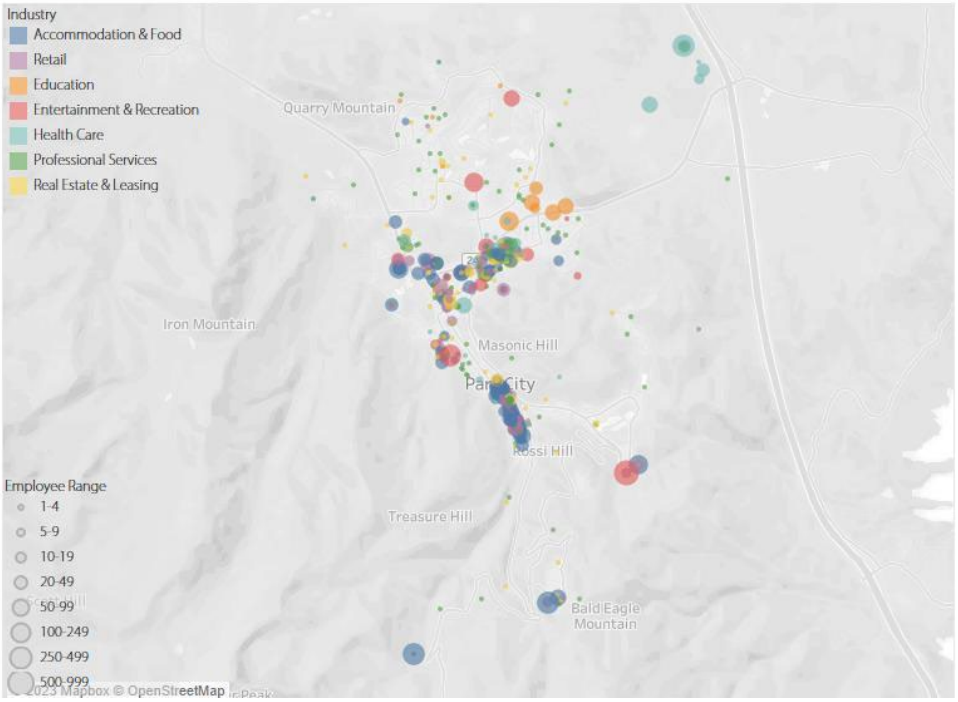
Table 17: Industry Average Employment, Monthly Wages, and Annual Income, Park City, 2022

Sector	Avg. Annual Employment	Avg. Monthly Wage
Total	10,200	$5,117
Agriculture, Forestry, Fishing and Hunting	7	$3,380
Utilities	8	$10,928
Construction	286	$5,196
Manufacturing	94	$6,533
Wholesale Trade	110	$9,801
Retail Trade	927	$3,406
Transportation and Warehousing	132	$4,582
Information	281	$12,362
Finance and Insurance	278	$16,185
Real Estate and Rental and Leasing	670	$6,177
Professional, Scientific, and Technical Services	623	$10,418
Management of Companies and Enterprises	52	$12,876
Admin., Support, Waste Mgmt, Remediation	262	$5,300
Educational Services	571	$3,228
Health Care and Social Assistance	777	$5,186
Arts, Entertainment, and Recreation	1,636	$3,654
Accommodation and Food Services	2,897	$3,461
Other Services (excluding Public Admin)	349	$4,313
Public Administration	242	$4,596

Source: Kem C. Gardner Policy Institute extrapolation of Utah Department of Workforce Services Data.

Most establishments, 1,294 in total, fall into the category of 1 to 4 employees. A larger portion of these fall under single proprietors and limited-liability companies. There are 327 establishments with 5 to 9 employees, while slightly fewer, 247, have 10 to 19 employees. The range narrows further, with 166 establishments having 20 to 49 employees, and a smaller group of 45 establishments with 50 to 99 employees. A more select category emerges with 22 establishments employing 100 to 249 individuals, and an even smaller group of 5 establishments with 250 to 499 employees. There are two establishments in the 500 to 999 employee range, and only 1 establishment reports an employee count of 1000 to 1999.

Figure 3: Distribution of Top Industries and Employment Size, 2022



Source: Utah Department of Workforce Services

Table 18: Number of Establishments by Average Annual Employment Range, Park City, 2022

Avg. Annual Emp.	# of Establishments
1-4	1,294
5-9	327
10-19	247
20-49	166
50-99	45
100-249	22
250-499	5
500-999	2
1000-1999	1

Source: Utah Department of Workforce Services

Table 19: Number of Establishments by Average Annual Employment Range by Industry, Park City, 2022

NAICS	Industry	1-4	5-9	10-19	20-49	50-99	100-249	250-499	500-999	1000-1999
54	Professional Scientific & Technical Svc	113	15	8		2				
44	Retail Trade	50	34	24	4	3				
53	Real Estate and Rental and Leasing	80	12	7	6	2				
72	Accommodation and Food Services	10	8	20	43	10	2	2		
81	Other Services (except Public Admin.)	33	13	8	1		1			
23	Construction	28	15	9	2					
52	Finance and Insurance	37	12	3	1					
62	Health Care and Social Assistance	21	7	4	5	3		1		
51	Information	27	4	4	4					
56	Admin., Support, Waste Mgmt.,	22	4	6	4					
71	Arts, Entertainment, and Recreation	6	5	2	4	2	1	1	2	1
42	Wholesale Trade	13	3	2	2					
31	Manufacturing	9	1	2	1					
61	Education Services	5	1	1	1	3	1			
55	Mgmt. of Companies and Enterprises	7		1	1					
92	Public Administration	1	2	1	1	3				
48	Transportation and Warehousing	3	2	1		1				
22	Utilities		1							

Source: Utah Department of Workforce Services

The data presents a ranking of industries based on their employee density per 1,000 square feet. Topping the list is the Food Services and Drinking Places sector, with a density of 8.8 employees. Following closely is the Retail Trade sector, with a density of 6.7 employees.

The Real Estate and Rental and Leasing sector ranks third, registering a density of 6.8 employees, highlighting its robust property management landscape. However, it is important to note that many real estate agents are not present in the office full-time, therefore this figure is skewed.

Health Care and Social Assistance secures the fourth position, with a density of 5.1 employees. Professional and Technical Services, along with Management of Companies and Enterprises, jointly

claim the fifth position with a density of 3.1. The Arts, Entertainment, and Recreation sector ranks sixth, with a density of 2.6 employees.

Education Services follows at the seventh position, sustaining a density of 2.2 employees. Wholesale Trade and Information sectors share the eighth position, both exhibiting a density of 2.1 employees. Manufacturing stands at the ninth position, registering a density of 1.7 employees. The Information sector follows suit at the tenth position, maintaining the same density of 1.7 employees. The Finance and Insurance sector claims the eleventh position, with a density of 1.6 employees. The Administrative, Support, Waste Management, and Remediation sector ranks twelfth, sustaining a density of 1.9 employees. Lastly, the Transportation and Warehousing sector occupies the thirteenth position, with a density of 0.5 employees, highlighting its spacious operational framework.

Table 20: Number of Employees per 1000 sf by Industry, Park City, 2022

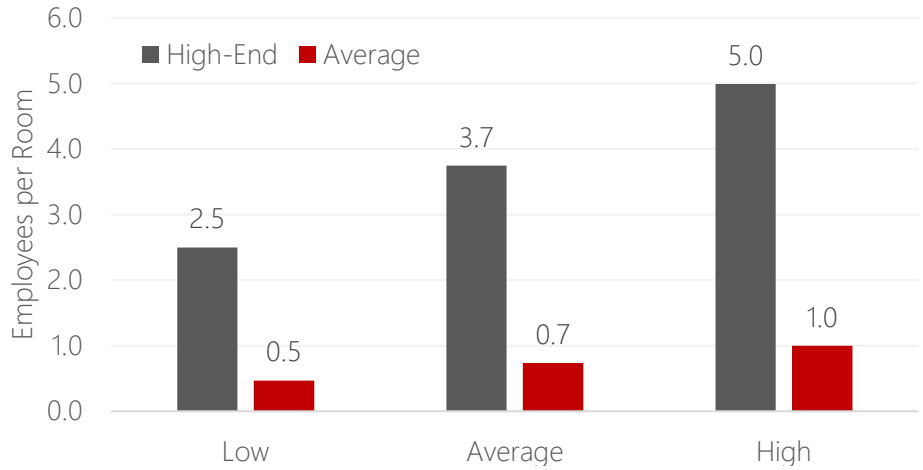
NAICS	Industry	# of Employees per 1k Sq. Ft.
31	Manufacturing	1.7
42	Wholesale Trade	2.1
44	Retail Trade	6.7
48	Transportation and Warehousing	0.5
51	Information	1.7
52	Finance and Insurance	1.6
53	Real Estate and Rental and Leasing	6.8
54	Professional and Technical Services	3.1
55	Management of Companies and Enterprises	3.1
56	Admin., Support, Waste Mgmt, Remediation	1.9
61	Education Services	2.2
62	Health Care and Social Assistance	5.1
71	Arts, Entertainment, and Recreation*	2.6
722	Food Services and Drinking Places	8.8

Source: Kem C Gardner Policy Institute analysis of Summit County Assessor figure, Park City Business Licenses, and Utah Department of Workforce Services
*Non-ski resort establishments

Hotel staffing varies by season as well as service class. In the high-end hotel category, there is a notable variance in the staffing levels. On average, high-end hotels employ 3.7 employees per room. However, this ranges between 2.5 to 5.0 employees per room based on hotel and seasonality.

For the average tier hotels 0.7 employees per room is the standard, but does fluctuate between 0.5 to 1.0 based on seasonality.

Figure 4: Employees per Room by Hotel Class, Park City, 2022



Source: Kem C. Gardner Policy Institute

In 2022 Summit County averaged 5,810 short-term rentals which generated $495.8 million in revenue. The previous year, data shows for every $1 million generated in hotel revenue, 4.6 jobs existed in the leisure and hospitality sector. Using this ratio in combination with the annual revenue estimates that the STR industry in Summit County supports approximately 2,277 jobs. As a result, each STR listing on average accounts for approximately 0.4 full-time jobs in the area.

Table 21Employee Generation per STR Listing, Summit County, 2022

Category	Summit County
STR Revenue	$495.8M
*Employees per $1M of Revenue	4.6
Supported Employees Based on Revenue	2,277
STR Listings	5,810
Employees pre STR Listing	**0.4**

Source: Kem C. Gardner policy Institute analysis of Transparent.com data.
*Calculation based on Summit County profile https://gardner.utah.edu/wp-content/uploads/2021-TT-CountyProfiles-May2023.pdf?x71849

In the first three months of 2023, Summit County resorts employed approximately 4,073 people. This includes all employees associated directly with the ski resort and does not include hotel staff.

On a per-acre basis, there are approximately 0.44 employees, highlighting the relatively low employee density across the resort's total acreage. In contrast, when considering the number of employees per ski lift, the figure rises significantly to 63 employees.

Table 22: Employee Generation for Ski Resorts

	2023
Employees	4,073
Acres	9,326
Ski Lifts	65
Per Acre	0.44
Per Lift	62.7

Source: BLS.gov, Resort Operations.

City Council
Staff Communication

Subject: **Temporary Winter Balcony Enclosures Update**
Author: **Planning Team**
Department: **Planning Department**
Date: **December 14, 2023**

Summary

In 2016, the City Council initiated a pilot program to allow annual balcony enclosures from November 15 through April 30 on non-historic buildings along Main Street in the Historic Commercial Business District. The pilot program was initially set for three years, but the City Council extended the program through 2023 after careful consideration and additional public input.

In 2022, the Historic Preservation Board and Planning Commission held work sessions to discuss whether the pilot program should be extended. On September 7, 2022, the Historic Preservation Board unanimously expressed support for continuing the program on non-historic structures (Staff Report; Minutes, p. 2). On October 12, 2022, the Planning Commissioners were split (3-to-3) regarding the program (Staff Report; Minutes, p. 5).

The Planning team provided this information to the City Council on December 15, 2022, and the Council remanded the discussion back to the Historic Preservation Board and Planning Commission to formalize their recommendations (Staff Report; Minutes, p. 2).

On October 4, 2023, the Historic Preservation Board and Planning Commission held a joint work session to discuss the pilot program. The Historic Preservation Board voted 5-to-1 to continue the pilot program on non-historic structures. The Planning Commission voted 3-to-2 to continue the pilot program with a proposal that the City Council continue the pilot program for another five years through April 30, 2029 (Minutes, p. 2).

Next Steps

No amendments to the Land Management Code are necessary to continue the pilot program unless the City Council desires to specifically codify a sunset date for the program. If the City Council agrees with the final recommendations of the Planning Commission and Historic Preservation Board, the Planning Team will return prior to the April 2029 sunset clause for additional review.

City Council Staff Report

Subject: Fiscal Year 2023 Annual Comprehensive Financial Report Acceptance
Author: Mindy Finlinson, Finance Manager
Department: Finance
Date: December 14, 2023
Type of Item: Administrative

Recommendation

Review and consider approving Park City's Annual Comprehensive Financial Report for the Fiscal Year ended June 30, 2023. The Annual Comprehensive Financial Report (ACFR) is the primary document used to communicate the City's financial condition.

Through years of hard work and dedication and robust internal controls, Park City remains in a very strong financial position, and the various internal team's commitment to proactive and conservative financial management remains our orienting value.

Executive Summary

The Finance Department is pleased to report that the City had no material weaknesses reported during the year-end audit, and the City's internal controls over financial reporting provide assurance that the financial statements are presented fairly and can be relied upon.

Analysis

State law requires Park City to follow the Uniform Fiscal Procedures Act for Utah Cities, UCA § 10-6-101 et seq., which requires an independent annual audit of the City's finances. Certified public accountants, HBME, LLC, performed the audit. The Council must be presented with an annual financial report prepared in conformity with generally accepted accounting principles within 180 days of the fiscal year-end. This requirement is satisfied by the presentation of the ACFR (Exhibit A), which provides a comprehensive financial picture covering all funds and financial transactions for the year. Once finalized, a copy of the ACFR is filed with the State Auditor and the City Recorder as a public document.

The ACFR includes all funds of the City and is presented in four sections: Introductory, Financial, Statistical, and Internal Control and Compliance Reports.

The Introductory Section contains a letter of transmittal, a directory of principal officials, and an organizational chart of the City. The Financial Section contains management's discussion and analysis (MD&A), the basic financial statements, notes to the financial statements, required supplementary information, individual fund statements for which data is not provided separately within the basic financial statements, as well as the independent auditor's report on these financial statements and schedules. The Statistical Section includes selected financial and demographic information, generally presented on a multi-year basis. The Internal Control and Compliance Reports Section contains the independent auditors' report on internal control and compliance required by *Government Auditing Standards* and state compliance as required by the *State of Utah*

Legal Compliance Audit Guide. As described in the Internal Control Report section of the ACFR, the results of the compliance audit disclosed an instance of noncompliance related to budgetary compliance for the Lower Park RDA mitigation payment which is required to be reported in accordance with the State Compliance Audit Guide. This instance did not modify the auditors' opinion on compliance overall. The City will reinforce its policies and procedures to ensure specific oversight of nonmajor funds.

The ACFR is the primary document used to communicate the City's financial condition. It is distributed to various bond-rating agencies, investors in the City's debt, and the State Auditor to evaluate City finances. The first two basic financial statements, the Statement of Net Position and the Statement of Activities, present information on a government-wide, full-accrual accounting basis, which reflects the overall financial position of the City and its various funds, not just the amounts available for budgetary purposes. Fiscal operations in the government-wide statements are organized into two major activities: governmental and business-type.

Fund information is also presented for major funds individually and non-major funds combined in a single column in the basic financial statements. Because the focus is so different between fund and government-wide statements, a reconciliation between the two types of statements is necessary to understand how the numbers differ.

Staff suggests focusing on the MD&A and the notes to the basic financial statements. The notes to the basic financial statements in the Financial Section provide required detailed disclosures and a description of the financial statements.

Again, we are pleased to reaffirm Park City's strong financial position and dedication to proactive and conservative financial management.

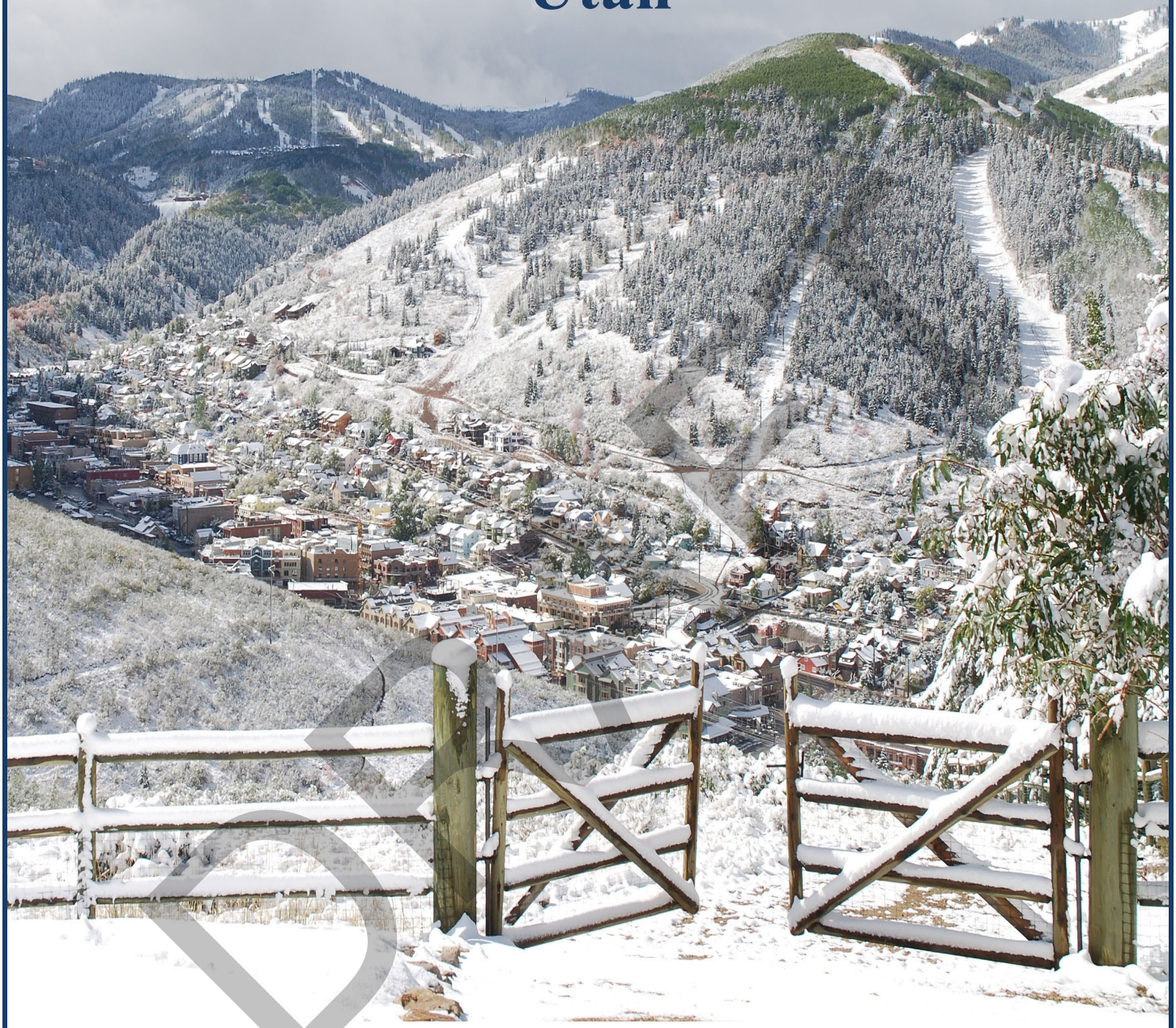
Funding

Not applicable

Exhibits

Exhibit A: Draft Annual Comprehensive Financial Report for the Fiscal Year Ended June 30, 2023

Park City Municipal Corporation, Utah



PARK CITY
1884

Annual Comprehensive Financial Report
Fiscal Year Ended June 30, 2023

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PARK CITY MUNICIPAL CORPORATION, UTAH

ANNUAL COMPREHENSIVE FINANCIAL REPORT

(Including Internal Control and Compliance Reports and Supplementary Information) for fiscal year ended June 30, 2023

DRAFT

Prepared by:
Finance Department

Mindy Finlinson
Finance Manager

Nike Noack
City Treasurer

Kim Atkinson
Accountant

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PARK CITY MUNICIPAL CORPORATION, UTAH

ANNUAL COMPREHENSIVE FINANCIAL REPORT
June 30, 2023

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INTRODUCTORY SECTION

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December X, 2023

To the Honorable Mayor, City Council, and Park City community:

Utah State law requires that every general-purpose local government publish, within six months of the close of each fiscal year, a complete set of financial statements presented in conformity with Generally Accepted Accounting Principles (GAAP) and audited in accordance with generally accepted auditing standards by a firm of licensed certified public accountants. In conformance with that requirement, we issue the Annual Comprehensive Financial Report of Park City Municipal Corporation for the fiscal year ended June 30, 2023.

This ACFR has been prepared by the City's Finance Department. The City's management is responsible for the accuracy of the report, as well as the completeness and fairness of the presentation, including all disclosures. To the best of our knowledge and belief, the report is complete and accurate in all material respects. In order to provide a reasonable basis for making these representations, management of the City has established an internal control framework designed to ensure the assets of the government are protected from loss, theft or misuse, and to ensure adequate accounting data is compiled to allow for the preparation of financial statements in conformity with GAAP. The internal control structure is designed to provide reasonable, but not absolute, assurance that these objectives are met. The concept of reasonable assurance recognizes that: 1) the cost of the control should not exceed the benefits likely to be derived, and 2) the valuation of costs and benefits requires estimates and judgments by management. As a recipient of federal, state, and local financial assistance, the City is also responsible for ensuring that an adequate internal control structure is in place to ensure and document compliance with applicable laws and regulations related to the appropriate programs. This internal control structure is subject to periodic evaluation by management.

HBME, LLC, a firm of licensed certified public accountants, has audited the City's financial statements. The goal of the independent audit is to provide reasonable assurance that the financial statements of the City for the fiscal year ended June 30, 2023, represent an accurate portrayal of the City's financial position in all material respects. The independent audit involved examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements, assessing the accounting principles used and significant estimates made by management, and evaluating the overall financial statement presentation. HBME, LLC concluded, based upon the audit, that there is reasonable basis for rendering an unmodified opinion that the City's financial statements for the fiscal year ended June 30, 2023, were fairly presented in conformity with GAAP.

GAAP requires that management provide a narrative introduction, overview, and analysis to accompany the basic financial statements in the form of Management's Discussion and Analysis (MD&A). This letter of transmittal is designed to complement MD&A and should be read in conjunction with it. The City's MD&A can be found immediately following the Independent Auditor's Report.

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Park City Municipal Corporation
445 Marsac Avenue ● P.O. Box 1480 ● Park City, UT 84060-1480
Phone (435) 615-5221 ● Fax (435) 615-4917

Profile of Park City Municipal Corporation, Utah

Park City Municipal Corporation (City) was chartered March 15, 1884, under the provisions of the Utah Territorial Government and is in Summit County in the northeast part of Utah, which is one of the top growth areas in the state. Park City currently occupies 22 square miles and serves an estimated full-time resident population of 8,757. The City is empowered to levy a property tax on real property located within its boundaries and empowered by state statute to extend its corporate limits by annexation, which it has done this past year. *We acknowledge that Park City Municipal Corporation is on the traditional land and seized territory of the Eastern Shoshone and Ute people, who have stewarded this land throughout the generations.*

The City is governed by a mayor-council form of government. Policy-making and legislative authority are vested in the Governing Council (Council) consisting of the mayor and a five-member council, all of whom are elected at large. Council members serve four-year staggered terms. Elections are held every odd numbered year. The Governing Council is responsible, among other things, for passing ordinances, adopting the budget, appointing committees, and hiring both the City's manager and attorney. The Mayor is the administrative authority by statute; however, the City's manager has been delegated and tasked with the responsibility for carrying out the policies and ordinances of the Governing Council, for overseeing the day-to-day operations of the City, and for appointing the heads of the various departments to achieve Council objectives and goals.

The City provides a full range of public services, including police, parks, recreation, library, water, stormwater, public improvements, streets, planning and zoning, golf course, transportation and parking, licensing and permits, building inspections, affordable housing, and administrative services. This report includes the financial statements of the funds required to report on those activities, organizations and functions which are related to the City and are controlled by or financially accountable to the City Council. The Park City Municipal Building Authority, the Park City Redevelopment Agency, the Park City Housing Authority, and the Park City Water Service District are chartered under Utah law as separate governmental entities. However, this report includes the financial statements of these entities, since the City Council is the appointed board for all four agencies, they are financially accountable to the City, and management (below the level of the elected officials) of the City have operational responsibility for their activities.

The State of Utah, Summit County, Wasatch County, Park City School District, Park City Fire Protection District, Snyderville Basin Special Recreation District, Snyderville Basin Water Reclamation District, and Weber Basin Water Conservancy District are overlapping governments that provide services to City residents; however, they are separately controlled and not financially accountable to the City; therefore, they are not included in this report.

Budgetary Control

The Council is required to adopt a final budget by no later than June 30 of the fiscal year. The annual budget serves as the foundation for the City's financial planning and control. The budget is prepared by fund, function (e.g., public safety), and department (e.g., police). The City Council approves all City budgets at the department level (general government, public safety, public works, recreation and library). Budgetary control is maintained at the department level where expenditures may not legally exceed appropriations. Department heads may make transfers within a department. The City Council may amend the budget by ordinance during the budget year but must hold a public hearing to increase a governmental fund's budget before it can pass the ordinance.

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Local Economy and Economic Trends

Park City is located in Summit County, Utah, in the heart of the Wasatch Mountains, 30 miles east of Salt Lake City and 40 minutes by freeway from the Salt Lake International Airport. In 1869, silver bearing quartz was discovered in the area, of what is now Park City, and a silver mining boom began. From the 1930's through the 1950's, the mining boom subsided due to the decline of silver prices, and Park City came very close to becoming a historic ghost town. During that time, the residents began to consider an alternative to mining, and began developing Park City into a resort town. Today, Park City is one of the western United States premier multi-season resort communities.

Because of its location in a State with a diverse economic base, recent unemployment rates are historically low. Additionally, Park City became a hot-spot for people looking for safe, outdoor recreation after COVID-19. The unemployment rate in Summit County increased from last year's record low of 1.7 percent to 2.4 percent in June 2023.

Tourism is the major industry in Park City, with skiing, lodging facilities and restaurants contributing significantly to the local economy. Park City is the home of two major ski resorts, Deer Valley Resort and Park City Mountain. A portion of the latter, formerly known as Canyons Resort, operates outside of municipal boundaries. Vail Resorts acquired the Canyons Resort in 2013 and Park City Mountain in September 2014. In July 2015, Vail linked the two resorts creating the largest skiing resort in the United States with over 7,300 acres of skiable terrain. Alterra Mountain Company acquired Deer Valley Resort in 2018. In 2023, Alterra Mountain Company and Deer Valley agreed to operate a new resort on the southeastern reaches of their boundary, Mayflower Resort. Overall, the growth and consolidation of local ski areas is unprecedented and continues to rank Park City as arguably the premier ski destination in all of North America. Deer Valley Resort and Park City Mountain also host several major international and world ski competitions such as, FIS Freestyle International Ski World Cup. Deer Valley was voted 9th and Park City Mountain 15th in *Ski Magazine's* Reader's Top-Ranked Ski Resorts in the West 2023.

During the 2022-2023 season, Utah reported 7.1 million skier days, surpassing the previous record set in 2021-2022 by approximately 22%. Deer Valey Resort experienced its longest and snowiest season on record, as well as its snowiest month on record in March with 160" of snow. Park City Mountain celebrated its longest season in 30 years and extended its season all the way to May 1, 2023. The resort also experienced its snowiest season on record at 636".

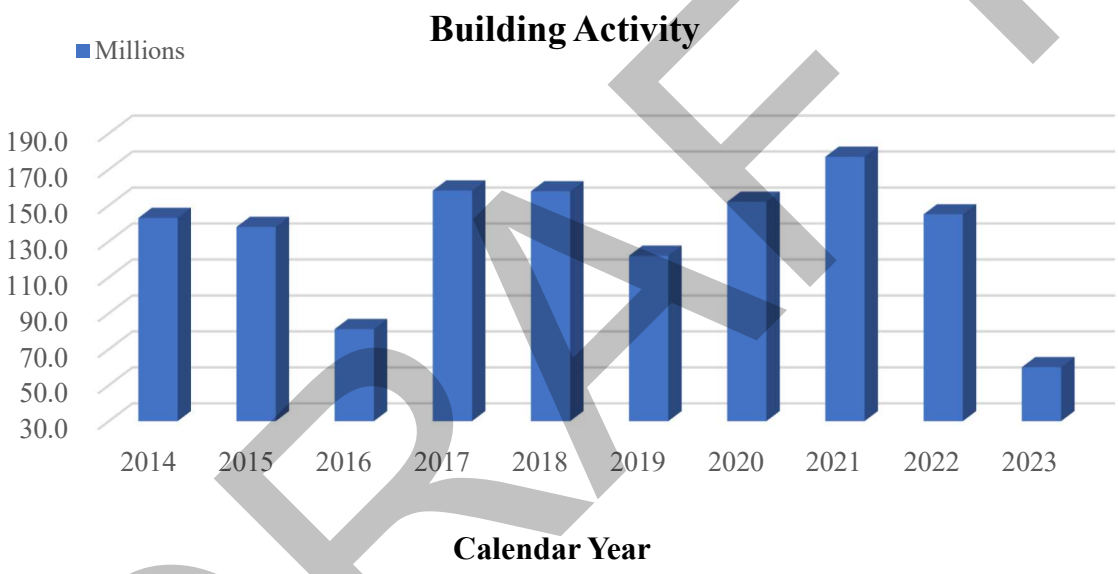
Park City's service population is significant due to the demands of the resort economy and number of secondary homeowners within Park City. The City has approximately 136 restaurants, 164 shops, 33 private art centers and a community art center. Many of Park City's restaurants are award winning and among the finest in the intermountain west. The Chamber of Commerce estimates that the City has a nightly rental capacity for 32,669 guests (please see Schedule 24 of the Statistical Section of this report).

The Sundance Film Festival held its 39th annual festival in Park City in January 2023. A recent study by Y2 Analytics revealed that the 2023 Festival generated an overall economic impact of $118.3 million gross domestic product for the State of Utah. The Festival drew at least 86,824 attendees to film screenings, panel discussions, and other interactive storytelling events in Park City, Salt Lake City, and at the Sundance Resort. Sundance and Park City Municipal Corporation have formally agreed that Park City will remain the Festival's headquarters through 2026.

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The Kimball Arts Center sponsored its 53rd annual three-day Park City Arts Festival in August 2022. The Park City Arts Festival is Utah's oldest and the longest running arts festival. A study by Lighthouse Research and Development revealed that the 2022 Festival generated a $23.0 million economic impact and attracted an estimated 29,059 visitors. The Festival featured 184 artist from 28 states, Canada and Israel.

Closely connected to the tourism and ski industries in Park City is the real estate industry. During the past ten years, building activity within the City fluctuated from a low of $81.2 million in valuation in 2016, to a high of $177.0 million in valuation in 2021. Building activity over the last decade averaged $134.8 million per year. In the first six months of 2023, 45.2 percent of the $60.0 million in building activity was residential construction, with the remaining 54.8 percent consisting of commercial construction. The residential construction total valuation of approximately $27.1 million consisted of both single and multi-family homes. Easy access to Salt Lake City has intensified the role for Park City as a bedroom community to the Wasatch Front. The economy has continued to produce new construction of single-family homes, remodels, and commercial building expansion.



** The 2023 number is from January 2023 through June 2023 only. For activity by fiscal year, please see Schedule 26 of the Statistical Section.*

As reported by *Park City Realtors*, the real estate market in Park City saw a relative cooling off after a record setting two years of sales. Land sales decreased 68.0 percent and sales volume decreased 63.0 percent. The median price of land rose 1.0 percent to $2.0 million. Single-family home sales decreased 44.0 percent and sales volume decreased 45.0 percent. The median price of single-family homes across the City decreased 8.0 percent to 3.4 million. Condominium sales decreased 39.0 percent and sales volume decreased 24.0 percent. The median price of condominiums, however, increased 24.0 percent to $1.7 million.

Median household incomes within the City are significantly higher than Utah as a whole. According to 2022 US Census Bureau estimates, the City's median family income was $121,701, Summit County's $116,351, Utah's $79,133, and the National median income $69,021.

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Due to our diverse and healthy local economy, Park City maintained a strong credit rating of at least Aa2 from Moody's Investor Service since 2011, including a recently adjusted increase to Aaa rating for general obligation bonds.

Long-term Financial Planning

Insurance – The City maintains a health and dental insurance plan through Regence Blue Cross Blue Shield of Utah for its employees. Each year, the City examines its use and total costs to negotiate coverage prices and premiums for the following year. In fiscal year 2023, the City experienced a very manageable premium increase of only 2.62 percent. The City absorbed the cost without increasing employee premiums. The City's internal benefits committee reviews annual increases and makes recommendations on premium increases or policy changes to the Governing Council annually. The City also offers a high-deductible medical plan in addition to a traditional plan to offer both the City and its employees cost savings. The City offers a discount on premiums to employees if they participate in employee wellness programs, which require annual physicals, regular dental visits, and numerous other activities to promote a healthier lifestyle and reduce the prevalence of overall and preventable insurance claims.

Sales Tax – The City depends on sales tax revenue to fund City services and fund infrastructure to support the tourism economy. Of the 9.05 percent sales tax on general purchases in Park City, the City levies a 1.0 percent local sales and use tax, a 0.25 county option sales tax, a combined 1.25 percent transit tax, 0.1 county cultural tax, and a 1.6 percent resort community tax.

Transient Room Tax – The City levies a 1.0 percent transient room tax and uses the revenue to fund cultural services and capital projects. For the past 5 years, the City has collected the following revenue:

Year	Revenue
2023	4.5 million
2022	4.5 million
2021	2.7 million
2020	2.7 million
2019	2.7 million

Property Tax – A property tax comparison that normalized tax rates across 50 states, including the District of Columbia, ranked states by property tax rate. Utah was consistently amongst the lower in the nation, ranking between 40 and 50. The Property Tax Act provides that all taxable property must be assessed and taxed at a uniform and equal rate on the basis of its fair market value by January 1 each year. Summit County levies, collects, and distributes property taxes for Park City and all other taxing jurisdictions within Summit County. Primary residences are taxed at 55 percent of the assessed value while secondary residences are taxed at 100 percent of assessed value. The budget for fiscal year 2023 was adopted with no property tax increase.

Relevant Financial Policies

Fund Balance – Unrestricted fund balance (the total of the committed, assigned, and unassigned components of fund balance) in the general fund at year end was 33.3 percent of total general fund revenues. This amount was consistent with the policy guidelines set by the Council for budgetary and planning purposes (i.e., maintain the general fund balance at *approximately* the legal maximum of 35.0 percent). For budgetary purposes, any balance greater than 5.0 percent of the total revenues of the General Fund may be used. The General Fund balance reserve is an important factor in the City's ability to respond to emergencies and unavoidable revenue shortfalls, and we are confident in the strength of our fund balance.

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Budgeting for Outcomes – The City employs a Budgeting for Outcomes (BFO) process that focuses on Council priorities and objectives to determine the annual budget. BFO provides a comprehensive review of the entire organization, identifying every program offered and associated cost, evaluating the relevance of every program based upon the community's priorities and, ultimately, guiding the Governing Council. The City is confident that the BFO process provides the tools needed to build a budget that reflects the Community's values and needs.

The BFO process is just part of the process the City employs in the development of the annual budget. The other distinctive part of the process is the utilization of cross-departmental teams to develop budget recommendations. The *Results Team* develops operating budget recommendations and the *Capital Improvement Plan Committee* creates the capital budget recommendation. These recommendations are presented to the City Manager. Next, the Finance Manager; Human Resources Manager; Budget Manager and the City Manager hold a Budget Summit to collectively provide a comprehensive budget review and discuss any outstanding issues. The result of this collaborative process and the participation of more than 50 members of the organization is included within the City Manager's Recommended Budget.

Major Initiatives

Net Zero Energy Goal by 2030 – Park City became one of the first in a series of mountain communities to commit to 100 percent renewable electricity by 2030. This announcement came on the heels of a similar pledge from Salt Lake City showing that local communities can collaborate and take control of their energy future. Park City is also a founding partner of Mountain Towns 2030, a coalition of mountain towns committed to achieving ambitious carbon reduction goals by 2030. Park City hosted the first MT2030 Net Zero Summit in October 2019 and in October 2021, and broke ground on an 80-megawatt renewable energy facility to support Park City Municipal, Park City Mountain, and Deer Valley Resort's electricity needs. The facility is scheduled to come online in 2024.

Long Range Transportation Planning – In Fall 2022, the City Council adopted a long-range transportation plan called *Park City Forward*. This defined a vision and goals for the future of transportation in Park City. As Park City remains home to long-standing residents who take pride in the City's historic, small-town character, new growth is occurring across the region and Park City has only become more popular as a year-round destination. New technologies, changing demographics, and evolving travel preferences also continue to disrupt how people get around. Park City's transportation system embraces innovative technologies and mitigation measures to provide safe, year-round transportation options that promote a connected and inclusive mountain community. *Park City Forward's* six guiding principles: i) develop a park once community; ii) collaborate with regional partners on long-range transportation solutions; iii) identify, manage, and mitigate traffic during peak conditions; iv) expand our world class biking and walking infrastructure; v) proactively review and analyze disruptive transportation and transit ideas and innovation; and vi) continue to develop and improve the internal Park City transit system.

Parking Program – Park City's parking program continues to support the long-range transportation goals for Park City and focuses on balancing parking demand with progressive parking tools. A dynamic parking program provides incentives to walk, bike, carpool, and ride public transit, all of which reduce traffic and congestion. Enhanced and consistent neighborhood patrol and enforcement along with relevant permit parking programs protect resident areas from overflow parking associated with commercial areas and special events that draw visitors to Park City. Drivers cruising for parking and idling is reduced when parking is priced, permitted, and managed properly, and the result is a vibrant and healthy downtown that residents and guests may enjoy together.

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Affordable Housing – The City Council is committed to making Park City a thriving mountain community through accessible housing opportunities, with the goal of adding 800 new housing units to the City's affordable/attainable housing inventory by 2026. In 2023, the City broke ground on EngineHouse, the largest public-private partnership for affordable housing in Park City's history. EngineHouse will deliver 99 deed-restricted affordable units and 24 market-rate units on City land. Construction is estimated to be completed in June 2025. Future projects and partnerships may include the Woodside Park Senior Center and multi-family development and the Clark Ranch affordable housing projects.

Social Equity – In 2017, the City Council identified Social Equity as a Critical Community Priority. In 2018, the City partnered with the Park City Community Foundation (PCCF) to elevate the concept of social equity and conversation through a community convening process. The PCCF brought a coalition together to perform a social equity self-diagnosis, identify resources and gaps, prioritize short- and long-term social equity issues, and develop a multi-year strategic plan. The partnership identified three priorities: Housing, Education, and Inclusion. In addition, PCCF collaborated with the City to ensure additional funding was available to the most vulnerable populations amid the COVID-19 pandemic. Work on advancing equity initiatives has continued through collaboration with community groups, including the Park City LGBTQ Task Force, the Park City Seniors, Mountainlands Community Housing Trust, Park City Early Childhood Alliance, the Park City School District, and more. The City has also convened an internal Social Equity Committee comprised of staff members that meets bi-monthly.

Update on Major Projects

Water Projects – Water quality and delivery continue to be a top priority for Park City. With the increase in development, future water needs have been identified and the cost of improvements are being fairly distributed between existing users and new development. Capital spending in the Water Fund is reflective of the City's commitment to secure Park City's water needs and conservation through improvements to the City's water infrastructure. The Water Fund Financial Model is reviewed and updated annually to assess the long-range operating and capital needs of the system and to determine future water rate increases and bonding needs. Additionally, the City continues to improve the culinary water system with funds from the five-year Capital Improvement Plan, an account with an approximate value of $53 million.

In 2019, to comply with State regulations that allows the City to discharge water draining from the Judge and Spiro mine tunnels into Mcleod and Silver Creeks, the City began construction of the Three Kings Water Treatment Plant to replace the existing Spiro plant, which was built in the 1990's. The new plant will increase overall water supply resiliency, peak day capacity, water quality, and reliability well into the future. The City issued Water Revenue and Refunding Bonds for $75,515,000 in June 2020 and $66,135,000 in October 2021. The bonds, in large part, fund the construction of the water treatment plant. The expected completion date of the plant is early 2024.

Arts & Culture District – Park City purchased a 5.25-acre parcel in Bonanza Park to bring a centrally located property into public ownership with the hopes of developing a local community gathering area and public-private partnerships. Funds for the purchase, development, and maintenance will be generated, in part, by overnight visitors via the 1.0 percent municipal transient room tax, and there are currently no plans for any additional taxes to be assessed on Park City residents. While future development plans for the district are being considered, the City uses the space for temporary uses such as summer and fall programming and overflow parking.

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Awards and Acknowledgements

Government Finance Officers Association of the United States and Canada (GFOA) awarded a Certificate of Achievement for Excellence in Financial Reporting to Park City Municipal Corporation for its annual comprehensive financial report for the fiscal year ended June 30, 2022. In order to be awarded a Certificate of Achievement, a government must publish an easily readable and efficiently organized annual comprehensive financial report. This report must satisfy both generally accepted accounting principles and applicable legal requirements.

A Certificate of Achievement is valid for a period of one year only. We believe that our current annual comprehensive financial report continues to meet the Certificate of Achievement Program's requirements and we are submitting it to GFOA to determine its eligibility for another certificate.

Park City Municipal Corporation also received the Distinguished Budget Presentation Award from the GFOA for the City's adopted budget for the period beginning July 1, 2022. In order to qualify for the award, the City's budget document was judged proficient in several categories, including policy documentation, financial planning, and organization.

The preparation of this report on a timely basis could not have been accomplished without the efficient and dedicated services of the Finance Department. We would like to express our appreciation to HBME, LLC, certified public accountants, for their professional service and assistance. We would also like to thank the Mayor and City Council for their interest and support in planning and conducting the financial operations of the City in a responsible and transparent manner.

Respectfully submitted,

Matt Dias, City Manager	Mindy Finlinson, Finance Manager

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PARK CITY MUNICIPAL CORPORATION, UTAH

Park City Municipal Building
445 Marsac Avenue
Park City, Utah 84060

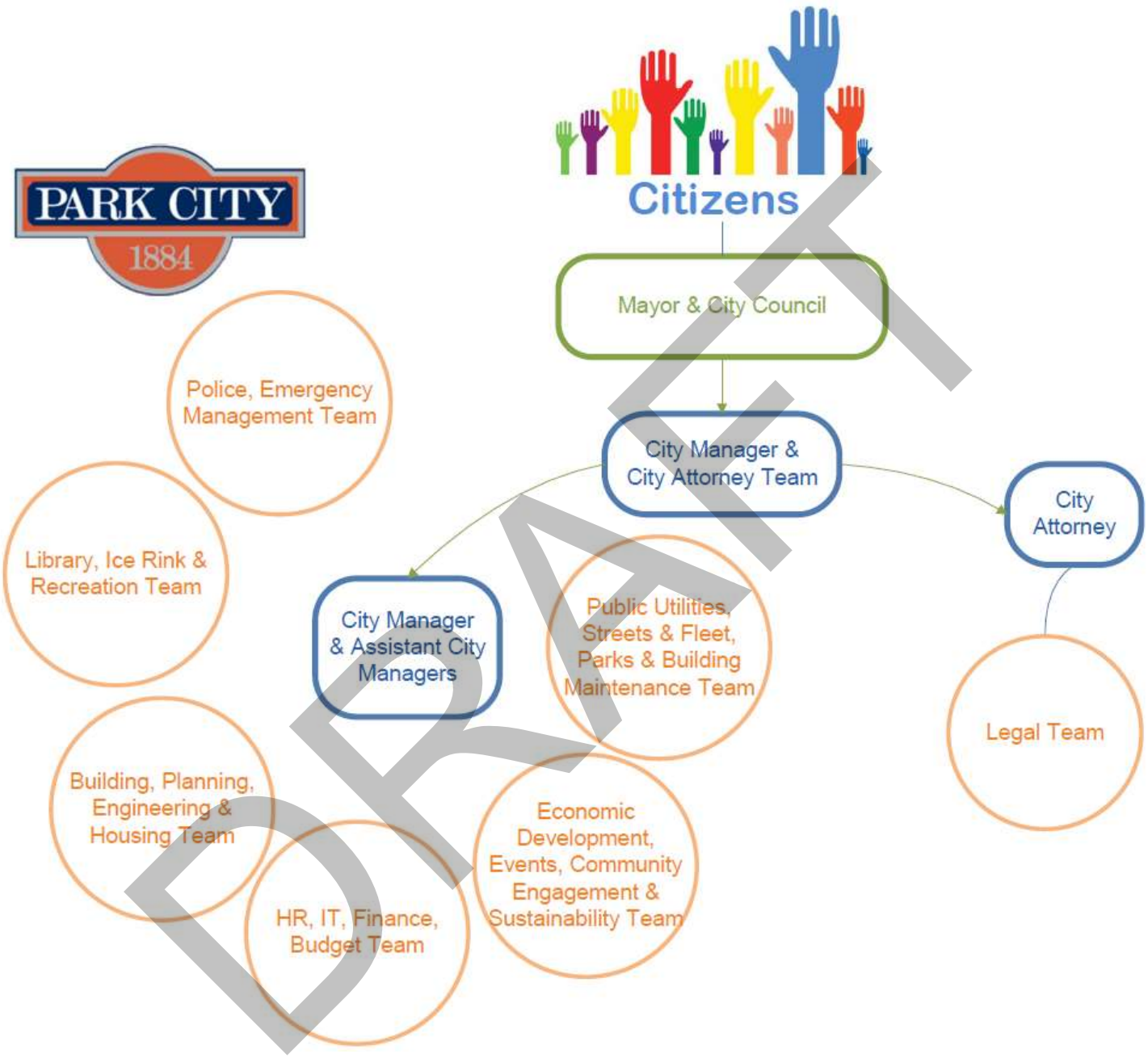
MAYOR AND CITY COUNCIL AS OF JUNE 30, 2023



Name (left to right):	**Term Expires**
Mayor:	
Nann Worel	January 2026
Councilors:	
Ryan Dickey	January 2024
Max Doilney	January 2024
Rebecca Gerber	January 2024
Jeremy Rubell	January 2026
Tana Toly	January 2026

Matt Dias, City Manager
Margaret Plane, City Attorney
Mindy Finlinson, Finance Manager

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The above organizational structure also accurately depicts the Park City Redevelopment Agency, the Park City Municipal Building Authority, the Park City Housing Authority and the Park City Water Service District structure.

Government Finance Officers Association

Certificate of Achievement for Excellence in Financial Reporting

Presented to

Park City Municipal Corporation
Utah

For its Annual Comprehensive
Financial Report
For the Fiscal Year Ended

June 30, 2022

Christopher P. Morrill

Executive Director/CEO

DRAFT

FINANCIAL SECTION

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The following narrative is presented to facilitate a better understanding of the City's financial position and results of operations for the year ended June 30, 2023. When read in conjunction with the letter of transmittal and the notes to the basic financial statements, the financial highlights, overview and analysis should assist the reader to gain a more complete knowledge of the City's financial performance.

FINANCIAL HIGHLIGHTS

- The City's government-wide net position (the amount by which assets and deferred outflows exceed liabilities and deferred inflows) as of June 30, 2023, was $524,255,590. Of this amount, $183,369,526 (unrestricted net position) is available to meet ongoing financial obligations.

- The City's government-wide net position increased by $39,451,477. Of this amount, governmental activities increased by $26,926,738, and business-type activities increased by $12,524,739, a decline of 13.7 percent, and a rise of 3.0 percent, respectively, when compared to last fiscal year.

- The City's governmental funds reported a combined ending fund balance of $152,298,609, an increase of $14.5 million (10.5 percent) compared to the beginning of this year's fund balance amount. Total governmental funds revenue increased by $5.8 million (7.3 percent increase) compared to prior year, and total governmental expenditures increased $11.0 million (17.2 percent). Interest income was the most significant contributor to the current year increase in revenues. A significant increase in salaries and benefits and the addition of new positions were the most significant contributors to the current year increase in expenditures. Of the combined total fund balance, $15,936,018 is available for spending at the discretion of the City (unassigned fund balance).

- The General Fund is the primary operating fund of the City. The unassigned fund balance of the General Fund at June 30, 2023, totaled $15,936,018 and is 33.3 percent of the General Fund total revenues for the year and 10.5 percent of total governmental fund balance.

- The City's enterprise funds reported a combined ending net position of $163,099,385, an increase of $13.0 million (8.7 percent) compared to the beginning of this year's fund balance amount. While proprietary funds operating revenue decreased $1.2 million (3.8 percent decrease) compared to the prior year, total proprietary funds expenses increased $13.5 million (38.9 percent). A significant increase in salaries and benefits, the addition of new positions, and an increase in noncapital expenses were the most significant contributors to the current year increase in expenses.

- The City's total bond debt had a net decrease of $16,120,000 during fiscal year 2023. This represents a 6.0 percent decrease over the prior fiscal year, which is attributable to normal reduction in principal balances from required debt service payments.

OVERVIEW OF THE FINANCIAL STATEMENTS

The financial section of this report includes four parts: 1) the independent auditors' report on financial statements and supplementary information; 2) this segment, management's discussion and analysis; 3) the basic financial statements; and 4) supplementary information. Within the basic financial statements are two distinct types of financial statements, 1) the government-wide financial statements, and 2) the fund financial statements. The notes to the basic financial statements are also an integral part of the basic financial statements. The City's basic financial statements are presented in accordance with Governmental Accounting Standards Board Statement No. 34 (GASB 34), *Basic Financial Statements and Management's Discussion and Analysis for State and Local Governments,* as amended.

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Immediately following the required supplementary information, the supplementary information includes balance sheets and income statements for nonmajor governmental funds, internal service funds, as well as other budgetary information.

Government-wide Financial Statements: The government-wide financial statements provide a view of City finances as a whole, similar to a private-sector business. These statements include the Statement of Net Position and the Statement of Activities.

The **Statement of Net Position** includes all of the City's assets, liabilities, and deferred inflows and outflows of resources, with the difference reported as net position. Net position (and the related change in net position from year to year) is one of the most important financial measurements to enable understanding of the financial position of the City, and whether financial position improves or deteriorates each year. To assess the overall health of the City, additional non-financial factors such as changes in the property tax base, the condition of the City's infrastructure, etc. should be considered.

The **Statement of Activities** shows how the City's net position changed as a result of its operations during the most recent fiscal year. To understand the basis of how these numbers are determined, it is important to note that changes in net position are reported whenever an event occurs that requires a revenue or expense to be recognized, regardless of when the related cash is received or disbursed (the accrual basis of accounting). For example, most revenues are reported when the revenues are legally due, even though they may not be collected for some time after that date; and an obligation to pay a supplier is reported as an expense when the goods or services are received, even though the bill may not be paid until sometime later.

There are two distinct types of activities reflected in the government-wide statements: 1) governmental activities; and 2) business-type activities. Governmental activities are those supported primarily by taxes and intergovernmental revenues, while business-type activities are those in which all costs (or at least a significant portion of costs) are intended to be recovered through user fees and charges. The governmental activities for the City include General Government (Council, Mayor, City Attorney, Human Resources, Technical Services, Budget, Debt and Grants, Building, Economy, Community, Environment, Planning, Engineering, Finance, Quinns Recreation Complex and Non-departmental); Public Safety (Police and Communications Center); Public Works (Streets, Snow Removal, Parks, Building Maintenance); Library and Recreation. The business-type activities include Water, Stormwater, Transportation and Parking, and Golf Course. The Park City Municipal Building Authority, the Park City Redevelopment Agency, the Park City Housing Authority and the Park City Water Service District are chartered under Utah law as separate governmental entities. However, the government-wide financial statements include the financial statements of these entities, since the City Council is the appointed board for all four agencies, and these entities are financially accountable to the City. The government-wide financial statements can be found on pages 18-19 of this report.

Fund Financial Statements: The accounts of the City are organized on the basis of funds, each of which is considered a separate accounting entity. The operations of each fund are accounted for with a separate set of self-balancing accounts that comprise its assets, deferred outflows of resources, liabilities, deferred inflows of resources, fund balances, revenues and expenditures, or expenses, as appropriate. Government resources are allocated to and accounted for in individual funds based on the purposes for which the funds are to be spent as well as by how the activities are to be controlled. The three broad categories of funds are: governmental funds, proprietary funds and fiduciary funds.

Governmental Funds – At the fund level, the focus is on changes in short-term spendable resources and the balance available to spend, rather than the long-term focus used for determining government-wide numbers. Because the focus is so different between fund statements and government-wide statements, reconciliation

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between the two types of statements is necessary to understand how the numbers differ. Such reconciliations are provided for the reader on pages 22 and 24. The City has four governmental type funds. These are the general fund, special revenue funds, the debt service funds and the capital projects funds. Four of these are considered major funds: General Fund, Sales Tax Revenue and Refunding Debt Service Fund, Park City General Obligation Debt Service Fund and Capital Projects Improvement Fund. The basic governmental fund financial statements can be found on pages 21-25. A summary of other funds (nonmajor funds) is combined into one "Nonmajor Governmental Funds" column. The composition of the nonmajor funds is shown in the combining statements later in the report in the supplementary information section on pages 81-91.

- The ***General Fund*** is used to account for all financial resources of the City that are not accounted for by a separate specialized fund. More specifically, the general fund is used to account for ordinary operations such as collection of tax revenues and general government expenditures. The City adopts an annual appropriated budget for the general fund. On page 25, a budgetary comparison statement has been provided for the general fund to demonstrate budgetary compliance.

- ***Special Revenue Funds*** are used to account for specific revenue sources that are restricted to expenditures for specific purposes.

- ***Debt Service Funds*** are used to account for the accumulation of resources for the payment of general obligation bonds, special assessment bonds and sales tax revenue and refunding bonds. Therefore, this fund is set up to accumulate the resources used to pay both the interest and principal on bond debt.

- ***Capital Projects Funds*** are used to account for financial resources to be used for the acquisition or construction of major capital improvements. These funds do not account for capital improvements financed by the proprietary funds.

Proprietary Funds – These funds provide the same type of information as the government-wide financial statements, only in more detail. The City uses both enterprise funds and internal service funds. The basic proprietary fund financial statements can be found on pages 27-29 of this report.

- ***Enterprise Funds*** are used to account for operations (a) that are financed and operated in a manner similar to private business enterprises where the intent of the governing body is that the costs (expenses, including depreciation) of providing goods or services to the general public on a continuing basis be financed or recovered primarily through user charges; or (b) where the governing body has decided that periodic determination of revenues earned, expenses incurred and/or net income is appropriate for capital maintenance, public policy, management control, accountability or other purposes. The City currently operates enterprise funds for the City-owned water system, storm water system, public transportation system (bus and trolley system) and paid parking system, and golf course.

- ***Internal Service Funds*** are used to account for the central financing of goods or services provided to various departments of the City or other governments on a cost-reimbursement basis. The City currently has two internal service funds. The Fleet Services Fund provides vehicle storage, repair and maintenance. The Self-Insurance Fund was established to allow the City to supplement its regular insurance coverage. Because both of these services predominantly benefit governmental rather than business-type functions, they have been included within governmental activities in the government-wide financial statements. The combining statements for internal service funds can be found on pages 93-95 of this report.

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Fiduciary Funds – These funds are used for assets the City receives wherein the City has temporary custody. custodial funds are used to account for assets held by the City as an agent for individuals, private organizations, other governments and/or other funds and do not involve measurement of results of operations (assets equal liabilities). The basic fiduciary fund financial statements can be found on pages 31-32 of this report.

Notes to the basic Financial Statements contain additional information important to a complete understanding of the information contained in the government-wide and fund financial statements. Notes to the basic financial statements can be found beginning on page 33 of this report.

Other Information: In addition to the basic financial statements and accompanying notes, this report also presents supplementary information. Supplementary information, including the combining schedules can be found on pages 81-91 of this report.

GOVERNMENT-WIDE FINANCIAL ANALYSIS

The following analysis examines the factors that affect the *net position* (Table 1) and the *changes in net position* (Table 2) of both the governmental and the business-type activities. As noted earlier, net position may serve over time as a useful indicator of a government's financial position. At June 30, 2023, the City's assets and deferred outflows exceeded liabilities and deferred inflows by $524,220,479, an increase of $39.4 million from prior fiscal year.

Table 1 - Net Position

	Governmental Activities		Business-type Activities		Total	
	2023	2022	2023	2022	2023	2022
Current and other assets	$ 197,600,710	$ 188,700,001	$ 86,815,806	$ 95,511,669	$ 284,416,516	$ 284,211,670
Capital assets(net)	335,937,962	337,795,780	249,281,856	229,658,645	585,219,818	567,454,425
Total assets	533,538,672	526,495,781	336,097,662	325,170,314	869,636,334	851,666,095
Deferred outflows of resources	4,546,277	3,008,825	2,118,032	1,305,236	6,664,309	4,314,061
Total assets and deferred outflows of resources	538,084,949	529,504,606	338,215,694	326,475,550	876,300,643	855,980,156
Current and other liabilities	23,129,199	21,513,363	23,443,828	15,895,665	46,573,027	37,409,028
Long-term liabilities	118,541,058	127,693,440	151,432,931	156,356,015	269,973,989	284,049,455
Total liabilities	141,670,257	149,206,803	174,876,759	172,251,680	316,547,016	321,458,483
Deferred inflows of resources	35,245,139	46,054,988	252,898	3,662,572	35,498,037	49,717,560
Total liability and deferred inflows of resources	176,915,396	195,261,791	175,129,657	175,914,252	352,045,053	371,176,043
NET POSITION						
Net investment in capital assets	247,109,195	237,974,910	92,621,212	88,280,161	339,730,407	326,255,071
Restricted	58,940	58,940	1,096,717	-	1,155,657	58,940
Unrestricted	114,001,418	96,208,965	69,368,108	62,281,137	183,369,526	158,490,102
Total net position	$ 361,169,553	$ 334,242,815	$ 163,086,037	$ 150,561,298	$ 524,255,590	$ 484,804,113

By far the largest portion of the City's net position (64.8 percent) reflects its investment in capital assets (e.g., infrastructure, land, buildings, machinery, and equipment); less any related outstanding debt issued to acquire those assets. The City uses these capital assets to provide services to citizens; consequently, these assets are not available for future spending. Although the City's investment in its capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from other sources, since the capital assets themselves cannot be used to liquidate these liabilities.

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Restricted net position of $1,155,657 at June 30, 2023 represents resources that are subject to external restrictions on how they may be used. The increase in restricted net position was due to water development fees.

The other sub-classification of net position is unrestricted. The unrestricted balance of $183,369,526 at June 30, 2023 denotes that this amount may be used to meet general, on-going financial obligations without constraints established by debt covenants or other legal requirements. Unrestricted net position increased $24.9 million from last fiscal year. The reasons for this overall increase are discussed in the following sections for governmental activities and business-type activities.

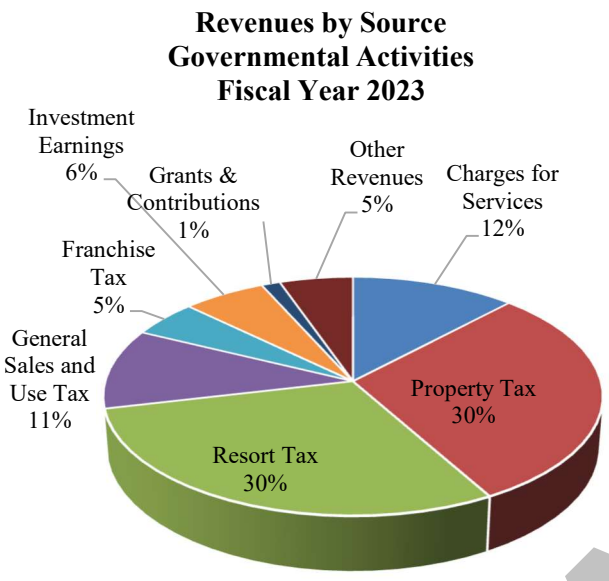
As the end of fiscal year 2023, the City is able to report positive balances in all three categories of net position, both for the government as a whole, as well as for its separate governmental and business-type activities. The same situation held true for the prior fiscal year.

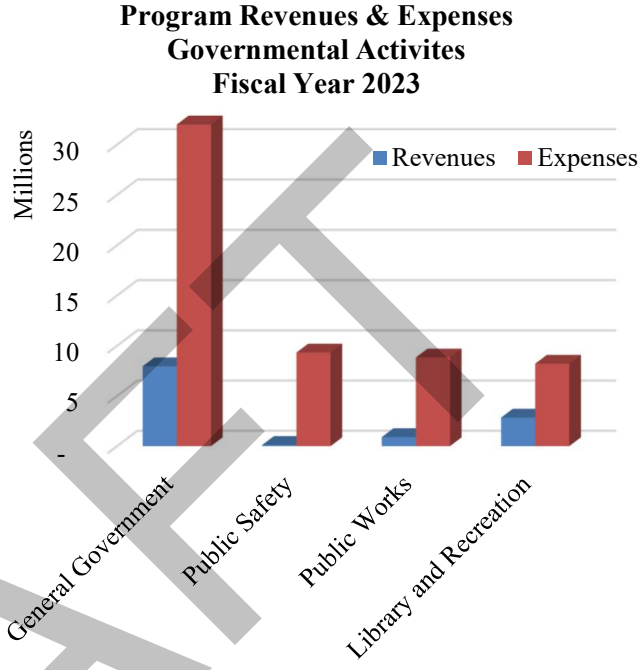
Table 2 - Changes in Net Position

	Governmental Activities		Business-type Activities		Total	
	2023	2022	2023	2022	2023	2022
REVENUES						
Program revenues:						
Charges for services	$ 10,626,013	$ 8,789,270	$ 29,803,467	$ 30,996,557	$ 40,429,480	$ 39,785,827
Operating grants and contributions	648,943	711,048	9,620,080	5,661,227	10,269,023	6,372,275
Capital grants and contributions	555,424	2,265,605	10,397,791	2,431,291	10,953,215	4,696,896
General revenues:						
Property tax, levied for general purposes	16,783,697	18,496,739	-	-	16,783,697	18,496,739
Property tax, levied for debt service	9,509,688	9,509,688	-	-	9,509,688	9,509,688
General sales and use tax	9,598,138	9,234,210	11,419,196	10,644,790	21,017,334	19,879,000
Franchise tax	4,368,710	3,526,042	-	-	4,368,710	3,526,042
Resort tax	26,043,857	24,934,554	4,468,541	4,243,253	30,512,398	29,177,807
Investment earnings	5,381,810	651,862	2,705,144	374,145	8,086,954	1,026,007
Miscellaneous	4,638,111	3,622,380	137,151	120,470	4,775,262	3,742,850
Gain/(loss) on sale of capital assets	93,513	64,291	4,895	100,747	98,408	165,038
Total revenues	88,247,904	81,805,689	68,556,265	54,572,480	156,804,169	136,378,169
EXPENSES						
Governmental activities:						
General government	31,996,433	26,040,817	-	-	31,996,433	26,040,817
Public safety	9,325,631	7,919,533	-	-	9,325,631	7,919,533
Public works	8,838,131	7,208,853	-	-	8,838,131	7,208,853
Library and recreation	8,213,984	6,195,430	-	-	8,213,984	6,195,430
Interest on long-term debt	3,661,987	3,965,283	-	-	3,661,987	3,965,283
Business-type activities:						
Water Fund	-	-	23,626,444	21,214,590	23,626,444	21,214,590
Stormwater Fund	-	-	1,048,489	1,198,846	1,048,489	1,198,846
Golf Course Fund	-	-	1,764,238	1,645,691	1,764,238	1,645,691
Transportation and Parking Fund	-	-	28,877,355	17,636,896	28,877,355	17,636,896
Total expenses	62,036,166	51,329,916	55,316,526	41,696,023	117,352,692	93,025,939
Change in net position before transfers	26,211,738	30,475,773	13,239,739	12,876,457	39,451,477	43,352,230
Transfers	715,000	715,000	(715,000)	(715,000)	-	-
Change in net position	26,926,738	31,190,773	12,524,739	12,161,457	39,451,477	43,352,230
Total net position - beginning	334,242,815	303,052,042	150,561,298	138,399,841	484,804,113	441,451,883
Total net position - ending	# ##########	# ##########	# ##########	# ##########	# ##########	# ##########

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Governmental Activities: As shown in Table 2 – Changes in Net Position governmental activities increased the City's net position by $26.9 million. Key elements of this increase were as follows:





***Revenue Highlights*:**

For the year ended June 30, 2023, governmental revenues were $88,247,904, an increase of $6.4 million from the prior fiscal year.

- Taxes comprise the largest source of revenue for the City's governmental activities: $66,304,090 or 75.1 percent in fiscal year 2023 of total governmental activities revenues, an increase of $0.6 million from the prior fiscal year. This increase is primarily related to an increase in resort tax revenues. Park City saw a dramatic increase in tourism due to people looking for outdoor recreation opportunities due to the pandemic. Of total taxes revenues, real property taxes are $26,293,385 or 39.7 percent in fiscal year 2023.

- Charges for services were $10,626,013 and represented 12.0 percent of total governmental activities revenues in fiscal year 2023, and an increase of $1.8 million from the prior fiscal year. Approximately $1.0 million of the current year increase is attributable to an overall increase in building activity. Building permit fees, plan check fees, and planning applications all increased as compared to the previous fiscal year.

- Total governmental operating and capital grant and contribution revenues were $1,204,367, representing 1.4 percent of total governmental activities revenue in fiscal year 2023, and a net decrease of $1.8 million from the prior fiscal year. The net decrease was the result of large Recreation, Art and Parks Tax grants received in the amount of $1.6 million in fiscal year 2022 and not repeated in the current fiscal year.

- Interest revenues were $5,381,810, representing 6.1 percent of total governmental activities revenue in fiscal year 2023, and a net increase of $4.7 million from the prior fiscal year.

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***Expense Highlights*:**

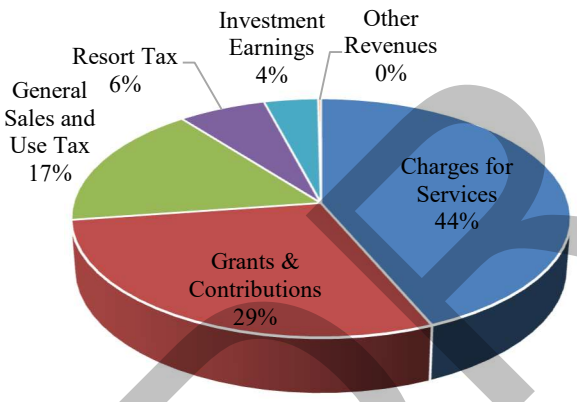
For the year ended June 30, 2023, governmental expenditures were $62,036,166, an increase of $10.7 million from the prior fiscal year.

- In fiscal year 2023, the City provided a 10.33 percent cost of living adjustment and a 5.0 percent merit increase to eligible employees. These increases were meant to help retain the City's current staff, help attract top-tier talent, and to remain competitive with other municipalities. Total salaries and benefits for general government, public safety, public works, and library and recreation increased $4.6 million from the prior fiscal year.

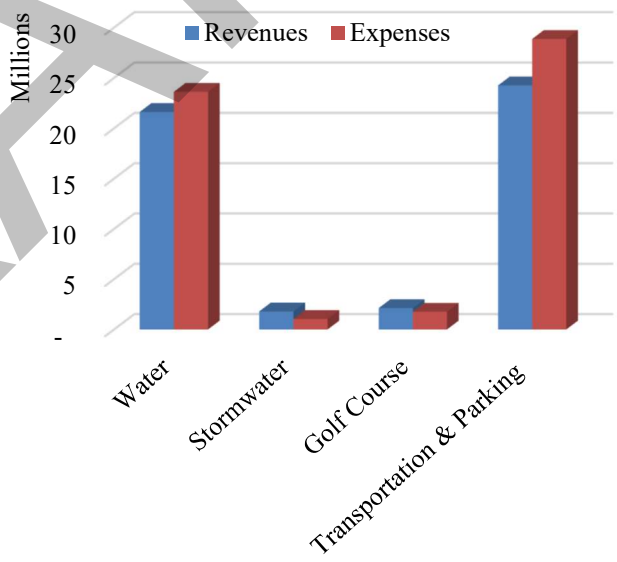
- Governmental funds report capital outlays as expenditures. However, in the Statement of Activities, the cost of these assets is allocated over the estimated useful lives and reported as depreciation expense. The amount that the capital outlays exceeded depreciation in fiscal year 2023 is $6,351,003.

Business-Type Activities: As shown in Table 2 – Changes in Net Position business-type activities increased the City's net position by $12.5 million. Key elements of this increase were as follows:

**Revenues by Source
Business-Type Activities
Fiscal Year 2023**



**Program Revenues & Expenses
Business-Type Activities
Fiscal Year 2023**



Revenue Highlights:

For the year ended June 30, 2023, business-type revenues were $68,556,265, an increase of $14.0 million from the prior fiscal year.

- Charges for services for business-type activities were $29,803,467 representing 43.5 percent of total business-type revenue, a decrease of 1.2 million from prior fiscal year. This decrease is related to the Transportation and Parking Fund. During fiscal year 2023, the City stopped providing regional transit services as Summit County started a Countywide service and took over those operations. Due to this shift in operations and decrease in regional routes, transit revenue decreased.

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- Operating and capital grants and contributions were $20,017,871 representing 29.2 percent of total business-type revenue, an increase of approximately $11.9 million from prior fiscal year. The increase is primarily due to an increase in intergovernmental funds received by the Transportation Department. During fiscal year 2023, the Transportation Fund was awarded an $8.6 million grant.

- Combined general sales and use tax and resort tax revenues were $15,887,737, representing 23.2 percent of total business-type revenue, an increase of approximately $1.0 million from prior fiscal year.

***Expense Highlights*:**

For the year ended June 30, 2023, business-type expenses were $55,316,526, an increase of $13.6 million from the prior fiscal year.

- In fiscal year 2023, the City provided a 10.33 percent cost of living adjustment and a 5.0 percent merit increase to eligible employees. These increases were meant to help retain the City's current staff, help attract top-tier talent, and to remain competitive with other municipalities. Total salaries and benefits for business-type activities increased $4.7 million from the prior fiscal year and represented 34.6 percent of total business-type operating expenses.

- Supplies, maintenance and services expenses were $22,095,399 representing 45.7 percent of total business-type operating expenses, an increase of $8.4 million from prior fiscal year. The majority of the increase is related to increased expenses in the Transportation Fund for the $8.6 million grant.

FINANCIAL ANALYSIS OF THE GOVERNMENT'S FUNDS

Governmental Funds: The focus of the City's governmental funds is to provide information on near-term inflows, outflows and balances of resources available for appropriation. Such information is useful in assessing the City's financing requirements. GASB Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions,* establishes criteria for classifying fund balances into specifically defined classifications and clarifies definitions for governmental funds. GASB Statement No. 54 requires that the fund balances be classified into categories based upon the type of restrictions imposed on the use of funds. The City classified fund balances into the following five categories: nonspendable, restricted, committed, assigned and unassigned. In particular, unassigned fund balance is a useful measure of the City's net resources available for spending at the end of the fiscal year. More detailed information about GASB Statement No. 54 is presented in Note A, Section 5, starting on page 39.

As of June 30, 2023, the aggregate fund balance of the City's governmental funds was $152,298,609, an increase of $14.5 million in comparison with the fiscal year ended June 30, 2022. As of June 30, 2023, $15,936,018 or 10.5 percent of this amount is in unassigned fund balance. Unassigned fund balance category is available for appropriation by the City Council at their discretion.

Nonspendable fund balance includes amounts that cannot be spent because they are either not in spendable form or legally or contractually required to remain intact. Nonspendable fund balance is $477,802 in fiscal year 2023, consistent with the prior year balance.

Restricted fund balance has externally enforceable limitations on use and is not available for new spending. Restricted fund balance is $33,695,458 in fiscal year 2023, consistent with the prior year balance. Restricted capital improvement funds will be used to pay for several large dollar construction projects in future fiscal years.

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The remainder of the fund balance of $102,189,331 is committed. Of the total committed fund balance, $96,919,910 is committed to capital projects, $2,471,813 is committed to debt service and $2,797,608 is committed to economic development.

The **General Fund** is the principal operating fund of the City. Utah State code establishes a 5.0 percent minimum ($2,389,740) and a 35.0 percent maximum ($16,728,180) limit to the amount that may be accumulated as the fund balance in the General Fund. As of June 30, 2023 the unassigned fund balance of the General Fund was $15,936,018 and was $792,162 below the 35.0 percent limit. The unassigned fund balance increased by $1,790,747 in 2023.

As of June 30, 2023, the restricted fund balance in the **Capital Improvements Fund** was $8,039,048 and the committed fund balance was $88,478,918. The restricted balance is the amount of unspent general obligation bond proceeds, B&C road funds and impact fees that are restricted to certain projects. This amount will decrease as bond funds are spent each year. The committed balance is the amount of funds budgeted for capital projects. This amount will change based on current projects approved by City Council.

As of June 30, 2023, the restricted fund balance in the **Sales Tax Revenue and Refunding Bonds Debt Service Fund** was $25,579,552 and the committed fund balance was $842,098. The fund balances remained constant from prior fiscal year. The restricted balance is the amount held in trust by a third party to either make bond payments or hold in reserve until the City requisitions the funds for expenditures made on approved projects identified in the bond agreements. The committed balance is the amount of funds budgeted for capital projects. This amount will change based on current projects approved by City Council.

As of June 30, 2023, the restricted fund balance in the **General Obligation Bonds Debt Service Fund** was $17,918 and the committed fund balance was $1,629,715. The fund balances remained constant from prior fiscal year. The restricted balance is the amount held in trust by a third party to make bond payments. The committed balance is the amount of funds budgeted for capital projects. This amount will change based on current projects approved by City Council.

Proprietary Funds: The City's proprietary funds provide the same type of information found in the government-wide financial statements, but in more detail.

Net position of the City's enterprise funds totaled $163,099,385 at June 30, 2023, as compared to $150,072,040 at the end of fiscal year 2022. The increase in net position from the prior fiscal year was $13.0 million as compared to an increase of $11.7 million in fiscal year 2022. Net position at the end of fiscal year 2023 for each of these funds were:

Water Fund net investment in capital assets increased by $6.8 million, and unrestricted net position decreased by $9.3 million resulting in a slight decrease in net position from prior year. The increase in net investment in capital assets was due to the acquisition of capital assets related to ongoing water treatment plant construction offset by the repayment of related debt and depreciation expense.

Stormwater Fund net investment in capital assets remained constant from prior fiscal year, and unrestricted net position increased by $0.9 million. The increase was attributable to an increase in revenues due to a 3.0 percent increase in rates in addition to a slight decrease in supplies, maintenance and services expenses.

Golf Course Fund net investment in capital assets remained constant from prior fiscal year, and unrestricted net position increased by $0.7 million. This increase was attributable to a slight increase in charges for services and an increase in grants received in fiscal year 2023.

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Transportation and Parking Fund net investment in capital assets decreased by $2.2 million, and unrestricted net position increased by $15.3 million. The decrease in net investment in capital assets was due to normal annual depreciation expense. The increase in unrestricted net position was primarily due to the fund receiving an increase in transportation grants to the tune of $12.1 million more than the previous fiscal year.

GENERAL FUND BUDGETARY HIGHLIGHTS

Park City budgets for full-time regular positions at the maximum wage each position could earn for a full 40 hours per week for 52 weeks. However, due to vacant positions and some employees being paid below the maximum allowed for a position, at any given time during the year, the City spends approximately 7.0 percent less than is budgeted for personnel. This is referred to as the vacancy factor. The majority of the adjustments in the budget this fiscal year were due to the vacancy factor.

Key differences between the original budget and the final amended budget for expenditures of $7,204,984 (net increase) can be briefly summarized as follows:

- $4.1 million of the increase in appropriations was to adjust salaries and benefits. As mentioned above, the City provided a 10.33 percent cost of living adjustment and a 5.0 percent merit increase to eligible employees. These increases were meant to help retain the City's current staff, help attract top-tier talent, to remain competitive with other municipalities and to add 16.5 full-time positions to several departments.

- $1.3 million of the increase in appropriations was to adjust contract services. A large portion of this was allocated to the Information Technology Department for increased monitoring and detection of fraudulent activity.

- $0.7 million of the increase in appropriations was to adjust supplies, maintenance and services and equipment. With the addition of 16.5 full-time regular positions, vehicles, computers and other supplies were necessary for many of the new positions.

- $0.5 million of the increase in appropriations was to adjust for the last tranche of ARPA funding received. These monies were used to pay for public safety salaries and benefits.

Total actual expenditures of $45,872,483 were $3.0 million less than the budgeted expenditures of $48,868,354.

Total actual revenues of $47,794,803 were $6.0 million more than the budgeted revenues of $41,782,668.

CAPITAL ASSETS AND DEBT ADMINISTRATION

Capital Assets: The City's investment in capital assets for its governmental and business-type activities totaled $584,962,736 (net of $266,348,007 accumulated depreciation) at June 30, 2023, as compared to $567,454,425 (net of $251,928,697 accumulated depreciation) at June 30, 2022. This investment in capital assets includes land and water rights, buildings, improvements other than buildings, vehicles and equipment, art, intangibles, infrastructure, right to use assets, and construction in progress.

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Park City Municipal Corporation Capital Assets (net of depreciation/amortization)

	Governmental Activities		Business-Type Activities		Total	
	2023	2022	2023	2022	2023	2022
Land and water rights	$243,725,614	$243,725,614	$ 22,337,188	$ 22,337,188	$266,062,802	$266,062,802
Construction in progress	8,743,785	6,973,608	114,922,556	98,559,100	123,666,341	105,532,708
Art	828,717	828,717	117,850	117,850	946,567	946,567
Right to use asset	391,481	-	3,380,984	3,380,984	3,772,465	3,380,984
Buildings	50,286,235	49,999,600	40,183,170	40,191,478	90,469,405	90,191,078
Improvements other than buildings	49,854,869	48,640,882	124,083,890	121,771,729	173,938,759	170,412,611
Vehicles and equipment	20,152,234	18,437,352	45,648,383	37,689,484	65,800,617	56,126,836
Infrastructure	117,835,456	117,721,822	-	-	117,835,456	117,721,822
Intangibles	9,123,057	8,921,259	86,455	86,455	9,209,512	9,007,714
Accumulated depreciation	(165,003,486)	(157,453,074)	(101,478,620)	(94,475,623)	(266,482,106)	(251,928,697)
Total assets	$335,937,962	$337,795,780	$249,281,856	$229,658,645	$585,219,818	$567,454,425

Major capital asset additions during the year ended June 30, 2023 included:

***Governmental Activities*:**

- $1.4 million for Fleet replacement vehicles and equipment
- $2.2 million for the Rossie Hill Drive and Park Ave Reconstruction projects

***Business-type Activities*:**

- $15.0 million for 3 Kings Water Treatment Plant
- $3.0 million for the Marsac and American Saddler Reconstruction projects
- $6.3 million for Transit bus replacements

Additional information on the City's capital assets can be found in Note E-Capital Assets on pages 47-48 of this report.

Long-term Debt: At June 30, 2023, the City had $281,712,061 in long-term debt, an decrease of 6.1 percent from fiscal year 2022. Of this amount, $68,581,170 is considered to be general obligation debt and backed by the full faith and credit of the City. Debt that is secured solely by specific revenue sources is $210,381,708. Additionally, the City has a contract payable for $2,749,183.

Park City Municipal Corporation Outstanding Debt

	Governmental Activities		Business-Type Activities		Total	
	2023	2022	2023	2022	2023	2022
General obligation bonds	$ 68,581,170	$ 75,916,839	$ -	$ -	$ 68,581,170	$ 75,916,839
Revenue bonds	57,664,246	62,913,028	152,717,462	158,336,346	210,381,708	221,249,374
Contract payable	-	-	2,749,183	2,895,756	2,749,183	2,895,756
Total debt	$ 126,245,416	$ 138,829,867	$ 155,466,645	$ 161,232,102	$ 281,712,061	$ 300,061,969

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The City's general obligation bonds, including the recent 2021 Series Bond, were assigned a rating by Moody's of Aaa, and confirmed at AA+ by Standard and Poor's and AA+ by Fitch. Standard and Poor's has assigned a rating of AA- to the most recent Series 2015, 2017 and 2019 Sales Tax Revenue Bonds. The City's 2013, 2014, 2020 and 2021 Water Revenue Bonds are rated Aa2 by Moody's and AA by Standard and Poor's.

The State of Utah mandates a general obligation debt limit of 4.0 percent of total assessed value of $15,581,921,470. The current limitation for the City is $623,276,859 which is significantly in excess of the City's outstanding general obligation debt. The City's net debt subject to this limitation was $68,581,170 or 0.4 percent of total assessed value, leaving the amount available for future indebtedness at $554,695,689. See Schedule 17 on page 114 of this report.

More detailed information about the City's long-term liabilities is presented in Note F-Long-term Obligations on pages 59-67 of this report.

ECONOMIC FACTORS AND NEXT YEAR'S BUDGET RATES

- As of June 2023, the unemployment rate for Summit County (of which Park City is the largest city) was 2.4 percent consistent with the State unemployment rate, and a national rate of 3.6 percent. This compares with a rate of 1.7 percent for Summit County in June 2022. (Sources: Utah Dept. of Workforce Services and Bureau of Labor Statistics)

- The fiscal year 2023 City budget does not include a property tax increase. The City Council recently adopted the certified tax rate for the General Fund. In accordance with Utah Statutes, the certified tax rate is intended to generate the same amount of property tax revenue as was received the prior fiscal year plus revenue for "new growth" occurring in the City. All other revenue sources have been estimated on a conservative basis using a multi-year trend analysis and assuming significant changes in the local economy. The City's approach to budgeting includes preparation of a five-year capital plan. The long-term nature of the City's financial planning system allows decision makers to better understand the true effect of policy decisions. One of the most powerful aspects of the multi-year financial planning is its capability to recognize trends over time and begin at an early point to consider the necessary steps to alter the long-term forecasted position of the City.

- The rates and fees for most services remained comparable for fiscal year 2023 compared with the prior fiscal year. The most significant changes in rates were in the Water and Stormwater Funds. In the Water Fund the water base and irrigation base rates were increased 3.0 percent. The energy surcharge also increase 3.0 percent. In the Stormwater Fund the Equivalent Surface Unit (ESU) charge increased 3.0 percent. The City anticipates rate increases each year over the next several years in order to provide adequate working capital necessary to maintain the water and storm water systems.

REQUESTS FOR INFORMATION

This financial report is designed to give its readers a general overview of the City's finances. Questions regarding any information contained in this report or requests for additional financial information should be addressed to Park City Municipal Corporation, Finance Department at P.O. Box 1480, Park City, Utah 84060-1480.

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BASIC FINANCIAL STATEMENTS

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Park City Municipal Corporation
Statement of Net Position
June 30, 2023

	Primary Government		
	Governmental Activities	Business-type Activities	Total
ASSETS			
Current assets:			
Cash, cash equivalents and investments	$ 120,081,150	$ 53,374,873	$ 173,456,023
Restricted cash and cash equivalents, fiscal agent	25,698,133	13,357,949	39,056,082
Restricted cash, cash equivalents and investments, other	9,939,048	1,096,717	11,035,765
Taxes receivable	29,237,361	1,428,967	30,666,328
Accounts receivable	967,384	15,161,158	16,128,542
Notes receivable	248,059	-	248,059
Inventories	585,800	1,063,043	1,648,843
Prepaids	97,144	1,061,801	1,158,945
Lease receivable	70,135	-	70,135
Internal balances	13,348	(13,348)	-
Total current assets	186,937,562	86,531,160	273,468,722
Noncurrent assets:			
Notes receivable	1,418	-	1,418
Prepaids	-	284,646	284,646
Lease receivable	10,661,730	-	10,661,730
Land and water rights	243,725,614	22,337,188	266,062,802
Construction in progress	8,743,785	114,922,556	123,666,341
Art	828,717	117,850	946,567
Right to use asset	257,382	3,085,148	3,342,530
Buildings	28,906,611	29,102,384	58,008,995
Improvements other than buildings	20,618,515	59,962,486	80,581,001
Vehicles and equipment	6,618,745	19,746,961	26,365,706
Infrastructure	17,516,970	-	17,516,970
Intangibles	8,721,623	7,283	8,728,906
Total noncurrent assets	346,601,110	249,566,502	596,167,612
Total assets	533,538,672	336,097,662	869,636,334
DEFERRED OUTFLOWS OF RESOURCES			
Deferred outflows of resources related to pensions	4,546,277	2,118,032	6,664,309
Total assets and deferred outflows of resources	538,084,949	338,215,694	876,300,643
LIABILITIES			
Current liabilities:			
Accounts payable	2,911,301	11,526,407	14,437,708
Accrued liabilities	7,232,804	6,311,030	13,543,834
Contract payable	170,646	149,278	319,924
Compensated absences	974,448	407,113	1,381,561
General obligation bonds	6,890,000	-	6,890,000
Revenue bonds	4,950,000	5,050,000	10,000,000
Total current liabilities	23,129,199	23,443,828	46,573,027
Noncurrent liabilities:			
Contract payable	51,625	2,599,904	2,651,529
Compensated absences	145,609	83,385	228,994
General obligation bonds	61,691,170	-	61,691,170
Revenue bonds	52,714,246	147,667,460	200,381,706
Net pension liability	3,938,408	1,082,182	5,020,590
Total noncurrent liabilities	118,541,058	151,432,931	269,973,989
Total liabilities	141,670,257	174,876,759	316,547,016
DEFERRED INFLOWS OF RESOURCES			
Property taxes	24,641,351	-	24,641,351
Deferred gain on refunding	87,618	207,256	294,874
Deferred inflows of resources related to pensions	77,871	45,642	123,513
Deferred inflows of resources related to leases	10,438,299	-	10,438,299
Total deferred inflows of resources	35,245,139	252,898	35,498,037
Total liabilities and deferred inflows of resources	176,915,396	175,129,657	352,045,053
NET POSITION			
Net investment in capital assets	247,109,195	92,621,212	339,730,407
Restricted for:			
Capital Projects	-	1,096,717	1,096,717
Other	58,940	-	58,940
Unrestricted	114,001,418	69,368,108	183,369,526
Total net position	$ 361,169,553	$ 163,086,037	$ 524,255,590

The notes to the financial statements are an integral part of this statement.

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Park City Municipal Corporation
Statement of Activities
June 30, 2023

Functions/Programs	Expenses	Program Revenues: Charges for Services	Program Revenues: Operating Grants and Contributions	Program Revenues: Capital Grants and Contributions	Net (Expense) Revenue and Changes in Net Position: Primary Government: Governmental Activities	Primary Government: Business-type Activities	Primary Government: Total
Primary government:							
Governmental activities:							
General government	$ 31,996,433	$ 7,383,081	$ 539,279	$ 38,777	$ (24,035,296)	$ -	$ (24,035,296)
Public safety	9,325,631	5,105	97,904	19,895	(9,202,727)	-	(9,202,727)
Public works	8,838,131	505,568	-	396,403	(7,936,160)	-	(7,936,160)
Library and recreation	8,213,984	2,732,259	11,760	100,349	(5,369,616)	-	(5,369,616)
Interest on long-term debt	3,661,987	-	-	-	(3,661,987)	-	(3,661,987)
Total governmental activities	62,036,166	10,626,013	648,943	555,424	(50,205,786)	-	(50,205,786)
Business-type activities:							
Water Fund	23,626,444	20,737,127	-	885,049	-	(2,004,268)	(2,004,268)
Stormwater Fund	1,048,489	1,801,575	-	-	-	753,086	753,086
Golf Course Fund	1,764,238	1,966,555	-	168,363	-	370,680	370,680
Transportation and Parking Fund	28,877,355	5,298,210	9,620,080	9,344,379	-	(4,614,686)	(4,614,686)
Total business-type activities	55,316,526	29,803,467	9,620,080	10,397,791	-	(5,495,188)	(5,495,188)
Total primary government	$ 117,352,692	$ 40,429,480	$ 10,269,023	$ 10,953,215	$ (50,205,786)	$ (5,495,188)	$ (55,700,974)
General revenues:							
Property tax, levied for general purposes					16,783,697	-	16,783,697
Property tax, levied for debt service					9,509,688	-	9,509,688
General sales and use tax					9,598,138	11,419,196	21,017,334
Franchise tax					4,368,710	-	4,368,710
Resort tax					26,043,857	4,468,541	30,512,398
Investment earnings					5,381,810	2,705,144	8,086,954
Miscellaneous					4,638,111	137,151	4,775,262
Gain on sale of capital assets					93,513	4,895	98,408
Transfers					715,000	(715,000)	-
Total general revenues and transfers					77,132,524	18,019,927	95,152,451
Change in net position					26,926,738	12,524,739	39,451,477
Net position - beginning					334,242,815	150,561,298	484,804,113
Net position - ending					$ 361,169,553	$ 163,086,037	$ 524,255,590

The notes to the financial statements are an integral part of this statement.

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GOVERNMENTAL FUNDS

Major Funds

General Fund - Accounts for all activities not accounted for by other funds of the City. The General Fund accounts for the normal recurring activities of the City, (*i.e*., public safety, public works, library, recreation, general government, *etc*.). The principal sources of revenue for this fund are property taxes, sales and use taxes and franchise taxes.

Debt Service - Sales Tax Revenue and Refunding Bonds Fund - Accounts for the accumulation of money for the repayment of the 2014B, 2015, 2017 and 2019 Sales Tax Revenue and Refunding Bonds.

Debt Service - Park City General Obligation Bonds Fund - Accounts for the accumulation of money for the repayment of 2013A, 2017, 2019 and 2020 General Obligation Bonds. The principal source of revenue is property tax.

Capital Projects - Capital Improvements Fund - Accounts for the acquisition or construction of major capital projects not accounted for in the proprietary funds. The Capital Improvements Fund is used to account for capital projects of the City's general government.

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Park City Municipal Corporation
Balance Sheet
Governmental Funds
June 30, 2023

	General Fund	Capital Improvements Fund	Sales Tax Revenue and Refunding Bonds Debt Service Fund	Park City General Obligation Bonds Debt Service Fund	Total Nonmajor Funds	Total Governmental Funds
ASSETS						
Cash, cash equivalents and investments	$ 15,183,106	$ 86,537,617	$ 844,198	$ 1,630,215	$ 12,387,760	$ 116,582,896
Restricted cash, cash equivalents and investments, fiscal agent	-	100,663	25,579,552	17,918	-	25,698,133
Restricted cash, cash equivalents and investments, other	-	9,939,048	-	-	-	9,939,048
Taxes receivable	13,211,190	971,535	-	9,466,438	4,405,192	28,054,355
Accounts receivable	294,286	295,290	-	-	1,150	590,726
Notes receivable	-	249,477	-	-	-	249,477
Inventory	87,092	-	-	-	-	87,092
Prepaids	97,144	-	-	-	-	97,144
Lease receivable	10,731,865	-	-	-	-	10,731,865
Total assets	$ 39,604,683	$ 98,093,630	$ 26,423,750	$ 11,114,571	$ 16,794,102	$ 192,030,736
LIABILITIES						
Accounts payable	$ 890,334	$ 778,533	$ 2,100	$ 500	$ 1,079,095	$ 2,750,562
Accrued liabilities	1,029,174	547,654	-	-	75,610	1,652,438
Total liabilities	1,919,508	1,326,187	2,100	500	1,154,705	4,403,000
DEFERRED INFLOWS OF RESOURCES						
Unavailable revenue-property tax	10,774,116	-	-	9,466,438	4,400,797	24,641,351
Unavailable revenue-notes	-	249,477	-	-	-	249,477
Unavailable revenue - leases	10,438,299	-	-	-	-	10,438,299
Total deferred inflows of resources	21,212,415	249,477	-	9,466,438	4,400,797	35,329,127
Total liabilities and deferred inflows of resources	23,131,923	1,575,664	2,100	9,466,938	5,555,502	39,732,127
FUND BALANCES						
Nonspendable						
Prepaids	97,144	-	-	-	-	97,144
Inventory	87,092	-	-	-	-	87,092
Leases	293,566	-	-	-	-	293,566
Restricted						
Capital projects	-	8,039,048	24,976,146	-	-	33,015,194
Debt service	-	-	603,406	17,918	-	621,324
Drug and tobacco enforcement	58,940	-	-	-	-	58,940
Committed						
Capital projects funds	-	88,478,918	-	-	8,440,992	96,919,910
Debt service funds	-	-	842,098	1,629,715	-	2,471,813
Economic development	-	-	-	-	2,797,608	2,797,608
Unassigned	15,936,018	-	-	-	-	15,936,018
Total fund balances	16,472,760	96,517,966	26,421,650	1,647,633	11,238,600	152,298,609
Total liabilities, deferred inflows of resources and fund balances	$ 39,604,683	$ 98,093,630	$ 26,423,750	$ 11,114,571	$ 16,794,102	$ 192,030,736

The notes to the financial statements are an integral part of this statement.

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Park City Municipal Corporation
Reconciliation of the Balance Sheet - Governmental Funds
to the Statement of Net Position
June 30, 2023

Fund balances of governmental funds		$ 152,298,609
Amounts reported for governmental activities in the statement of net position are different because:		
Capital assets used in governmental activities are not current financial resources and, therefore, are not reported in the funds.		335,937,962
Other long-term assets are not available to pay for current period expenditures and, therefore, are not reported in the funds:		
Taxes receivable	$ 1,183,006	
Interest receivable	317,804	
Deferred outflows of resources related to pensions	4,380,513	
		5,881,323
Internal service funds are used by management to charge the costs of certain activities, such as insurance to individual funds. The assets and liabilities of certain internal service funds are included in governmental activities in the statement of net position.		2,869,713
Certain items not accounted for as unavailable under accrual accounting.		249,477
Pollution remediation liability not reported in the funds.		(3,470,000)
Noncurrent liabilities, including bonds payable and net pension obligations, are not due and payable in the current period and, therefore, are not reported in the funds. Noncurrent liabilities at year-end consist of:		
Compensated absences	(1,053,659)	
Subscription-based IT arrangement contract payable	(222,271)	
Revenue bonds	(52,815,000)	
General obligation bonds	(60,995,000)	
Deferred bond premiums	(12,435,416)	
Accrued interest on the bonds	(1,081,511)	
Net pension liability	(3,832,486)	
		(132,435,343)
Deferred inflows of resources related to pensions are applicable to future periods and, therefore, are not reported in the funds:		
Deferred gain on debt refunding	(87,618)	
Deferred inflows of resources related to pensions	(74,570)	
		(162,188)
Net position of governmental activities		$ 361,169,553

The notes to the financial statements are an integral part of this statement.

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Park City Municipal Corporation
Statement of Revenues, Expenditures and Changes in Fund Balances
Governmental Funds
For the Year Ended June 30, 2023

	General Fund	Capital Improvements Fund	Sales Tax Revenue and Refunding Bonds Debt Service Fund	Park City General Obligation Bonds Debt Service Fund	Total Nonmajor Funds	Total Governmental Funds
REVENUES						
Taxes and special assessments	$ 36,210,596	$ 16,258,170	$ -	$ 9,509,688	$ 1,009,791	$ 62,988,245
Licenses and permits	5,719,878	-	-	-	-	5,719,878
Intergovernmental	657,078	547,289	-	-	3,380,605	4,584,972
Charges for services	3,752,249	-	-	-	-	3,752,249
Fines and forfeitures	44,171	-	-	-	-	44,171
Investment income	1,001,543	3,066,693	974,044	19,115	320,415	5,381,810
Impact fees	-	604,147	-	-	-	604,147
Rental and other	201,775	86,233	-	-	-	288,008
Miscellaneous	207,513	1,524,759	-	-	-	1,732,272
Total revenues	47,794,803	22,087,291	974,044	9,528,803	4,710,811	85,095,752
EXPENDITURES						
Current:						
General government	23,851,112	-	-	-	-	23,851,112
Public safety	8,811,048	-	-	-	-	8,811,048
Public works	7,752,671	-	-	-	-	7,752,671
Library and recreation	5,457,652	-	-	-	-	5,457,652
Economic development	-	-	-	-	945,308	945,308
Debt service:						
Interest	-	-	2,236,476	2,897,977	-	5,134,453
Principal retirement	-	-	4,735,000	6,590,000	-	11,325,000
Capital outlay	391,481	9,570,519	-	-	1,880,705	11,842,705
Total expenditures	46,263,964	9,570,519	6,971,476	9,487,977	2,826,013	75,119,949
Excess (deficiency) of revenues over expenditures	1,530,839	12,516,772	(5,997,432)	40,826	1,884,798	9,975,803
OTHER FINANCING SOURCES (USES)						
Sale of capital assets	-	691,293	-	-	67,640	758,933
Subscription-based IT arrangement	391,481	-	-	-	-	391,481
Transfers in	3,430,983	2,953,987	6,968,791	-	5,078,132	18,431,893
Transfers out	(3,610,600)	(4,177,076)	(953,987)	-	(6,284,247)	(15,025,910)
Total other financing sources (uses)	211,864	(531,796)	6,014,804	-	(1,138,475)	4,556,397
Net change in fund balances	1,742,703	11,984,976	17,372	40,826	746,323	14,532,200
Fund balances - beginning	14,730,057	84,532,990	26,404,278	1,606,807	10,492,277	137,766,409
Fund balances - ending	$ 16,472,760	$ 96,517,966	$ 26,421,650	$ 1,647,633	$ 11,238,600	$ 152,298,609

The notes to the financial statements are an integral part of this statement.

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Park City Municipal Corporation
Reconciliation of the Statement of Revenues, Expenditures and Changes in Fund Balances - Governmental Funds to the Statement of Activities
For the Year Ended June 30, 2023

Net change in fund balances - total government funds		$ 14,532,200
Amounts reported for governmental activities in the statement of activities are different because:		
Governmental funds report capital outlays as expenditures. However, in the statement of activities, the cost of those assets is allocated over their estimated useful lives as depreciation expense:		
Capital outlay	$ 6,351,003	
Subscription-based IT arrangement right to use asset	391,481	
Depreciation expense	(7,930,882)	
		(1,188,398)
In the statement of activities, only the gain or (loss) on the sale of capital assets is reported; whereas in the governmental funds, proceeds from disposal or sale of assets increase financial resources.		(669,420)
Revenues in the statement of activities that do not provide current financial resources are not reported as revenues in the governmental funds:		
Taxes receivable	270,163	
Interest receivable	25,403	
Subscription-based IT arrangement	(222,271)	
Unavailable revenue	(2,910)	
		70,385
Bond proceeds provide current financial resources to governmental funds, but issuing debt increases long-term liabilities in the statement of net position. Premiums and discounts associated with the issuance of debt are reported as other financing sources (uses) in the governmental funds, but in the statement of activities they are deferred and amortized throughout the period during which the related debt is outstanding. Repayment of bond principal is an expenditure in the governmental funds, but the repayment reduces liabilities in the statement of net position:		
Principal repayments of long-term debt	11,325,000	
Amortization of bond premiums and discounts	1,356,388	
		12,681,388
Some expenses reported in the statement of activities do not require the use of current financial resources and, therefore, are not reported as expenditures in governmental funds.		(44,737)
Governmental funds report pension contributions as expenditures. However, in the statement of activities, the cost of pension benefits earned net of employee contributions is reported as pension expense:		
Pension contributions	3,361,582	
Actuarial calculated pension expense	(2,306,627)	
		1,054,955
Internal service funds are used by management to charge the costs of certain activities, such as insurance and fleet management, to individual funds. Internal service fund net loss of $12,241 less amount allocated to business-type activities of $13,348 and reversal of prior year allocation of $489,258.		490,365
Change in net position of govenmental activities		$ 26,926,738

The notes to the financial statements are an integral part of this statement.

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Park City Municipal Corporation
Statement of Revenues, Expenditures and Changes in Fund Balances - Budget and Actual
General Fund
For the Year Ended June 30, 2023

	Budgeted Amounts			Variance with Final
	Original	Final	Actual	Budget
REVENUES				
Taxes and special assessments	$ 33,541,995	$ 32,670,023	$ 36,210,596	$ 3,540,573
Licenses and permits	4,163,017	4,792,077	5,719,878	927,801
Intergovernmental	155,304	138,275	657,078	518,803
Charges for services	2,985,962	3,447,175	3,752,249	305,074
Fines and forfeitures	3,113	17,540	44,171	26,631
Investment income	103,495	90,479	1,001,543	911,064
Rental and other	56,714	49,581	201,775	152,194
Miscellaneous	586,900	577,518	207,513	(370,005)
Total revenues	41,596,500	41,782,668	47,794,803	6,012,135
EXPENDITURES				
General government	22,384,459	26,922,165	24,242,593	2,679,572
Public safety	7,579,646	8,674,439	8,811,048	(136,609)
Public works	6,770,719	7,892,634	7,752,671	139,963
Library and recreation	4,928,546	5,379,116	5,457,652	(78,536)
Total expenditures	41,663,370	48,868,354	46,263,964	2,604,390
Excess (deficiency) of revenues over expenditures	(66,870)	(7,085,686)	1,530,839	8,616,525
OTHER FINANCING SOURCES (USES)				
Sale of capital assets	-	2,162	-	(2,162)
Subscription-based IT arrangement	-	-	391,481	391,481
Transfers in	2,950,291	3,430,983	3,430,983	-
Transfers out	(5,060,901)	(3,610,600)	(3,610,600)	-
Total other financing sources (uses)	(2,110,610)	(177,455)	211,864	389,319
Net change in fund balances	(2,177,480)	(7,263,141)	1,742,703	9,005,844
Fund balances - beginning	14,730,058	14,730,058	14,730,057	-
Fund balances - ending	$ 12,552,578	$ 7,466,917	$ 16,472,760	$ 9,005,843

The notes to the financial statements are an intregral part of this statement.

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PROPRIETARY FUNDS

Major Funds

Water Fund - Accounts for the operations of the City's water utility.

Stormwater Fund - Accounts for the operations of the City's storm water utility.

Golf Course Fund - Accounts for the operations of the City's golf course.

Transportation and Parking Fund - Accounts for the operations of the City's public transportation (bus and trolley) system and paid parking system.

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Park City Municipal Corporation
Statement of Net Position
Proprietary Funds
June 30, 2023

	Business-type Activities					Governmental Activities
	Water Fund	Stormwater Fund	Golf Course Fund	Transportation and Parking Fund	Total Enterprise Funds	Internal Service Funds
ASSETS						
Current assets:						
Cash, cash equivalents and investments	$ 13,691,556	$ 2,942,190	$ 2,122,432	$ 34,618,695	$ 53,374,873	$ 3,498,252
Restricted cash, cash equivalents and investments, fiscal agent	13,357,949	-	-	-	13,357,949	-
Restricted cash, cash equivalents and investments, other	1,096,717	-	-	-	1,096,717	-
Taxes receivable	-	-	-	1,428,967	1,428,967	-
Accounts receivable	1,494,713	168,783	409	13,497,253	15,161,158	58,854
Inventories	743,869	1,226	207,086	110,862	1,063,043	498,708
Prepaids	496,976	-	-	564,825	1,061,801	-
Total current assets	30,881,780	3,112,199	2,329,927	50,220,602	86,544,508	4,055,814
Noncurrent assets:						
Prepaids	-	-	-	284,646	284,646	-
Land and water rights	17,785,588	-	828,451	3,723,149	22,337,188	-
Construction in progress	113,798,746	124,271	-	999,539	114,922,556	-
Art	8,636	-	-	109,214	117,850	-
Right to use asset	3,380,984	-	-	-	3,380,984	-
Buildings	17,211,592	320,962	1,671,486	20,979,130	40,183,170	-
Improvements other than buildings	97,151,614	15,813,651	1,728,630	9,389,995	124,083,890	-
Vehicles and equipment	14,112,512	443,326	2,001,405	29,091,140	45,648,383	47,450
Intangible	27,810	-	-	58,645	86,455	-
Accumulated depreciation and amortization	(60,364,976)	(8,678,312)	(4,094,305)	(28,341,027)	(101,478,620)	(47,450)
Total noncurrent assets	203,112,506	8,023,898	2,135,667	36,294,431	249,566,502	-
Total assets	233,994,286	11,136,097	4,465,594	86,515,033	336,111,010	4,055,814
DEFERRED OUTFLOWS OF RESOURCES						
Deferred outflows of resources related to pensions	692,094	201,457	76,896	1,147,585	2,118,032	165,764
Total assets and deferred outflows of resources	234,686,380	11,337,554	4,542,490	87,662,618	338,229,042	4,221,578
LIABILITIES						
Current liabilities:						
Accounts payable	3,186,230	38,865	295,866	8,005,446	11,526,407	160,740
Accrued liabilities	5,957,469	16,093	61,394	276,074	6,311,030	28,852
Contract payable	149,278	-	-	-	149,278	-
Compensated absences	113,347	20,319	27,868	245,579	407,113	41,496
Revenue bonds	5,050,000	-	-	-	5,050,000	-
Total current liabilities	14,456,324	75,277	385,128	8,527,099	23,443,828	231,088
Noncurrent liabilities:						
Accrued liabilities	-	-	-	-	-	1,000,000
Contract payable	2,599,904	-	-	-	2,599,904	-
Compensated absences	23,216	4,162	5,708	50,299	83,385	24,902
Revenue bonds	147,667,460	-	-	-	147,667,460	-
Net pension liability	387,651	119,159	41,089	534,283	1,082,182	105,922
Total noncurrent liabilities	150,678,231	123,321	46,797	584,582	151,432,931	1,130,824
Total liabilities	165,134,555	198,598	431,925	9,111,681	174,876,759	1,361,912
DEFERRED INFLOWS OF RESOURCES						
Deferred inflows of resources related to debt	207,256	-	-	-	207,256	-
Deferred inflows of resources related to pensions	13,937	3,875	1,605	26,225	45,642	3,301
Total deferred inflows of resources	221,193	3,875	1,605	26,225	252,898	3,301
Total liabilities and deferred inflows of resources	165,355,748	202,473	433,530	9,137,906	175,129,657	1,365,213
NET POSITION						
Net investment in capital assets	54,230,265	8,005,067	1,940,121	28,445,759	92,621,212	-
Restricted for:						
Capital Projects	1,096,717				1,096,717	
Unrestricted	14,003,650	3,130,014	2,168,839	50,078,953	69,381,456	2,856,365
Total net position	$ 69,330,632	$ 11,135,081	$ 4,108,960	$ 78,524,712	163,099,385	$ 2,856,365
				Difference between business-type adjustments to assets and liabilities	(13,348)	
				Net position of business-type activities	$ 163,086,037	

The notes to the financial statements are an integral part of this statement.

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Park City Municipal Corporation
Statement of Revenues, Expenses, and Changes in Net Position
Proprietary Funds
June 30, 2023

	Business-type Activities					Governmental Activities
	Water Fund	Stormwater Fund	Golf Course Fund	Transportation and Parking Fund	Total Enterprise Funds	Internal Service Funds
OPERATING REVENUES						
Charges for services	$ 20,737,127	$ 1,801,575	$ 1,966,555	$ 5,298,210	$ 29,803,467	$ 5,499,050
Miscellaneous	-	-	49,284	87,867	137,151	-
Total operating revenues	20,737,127	1,801,575	2,015,839	5,386,077	29,940,618	5,499,050
OPERATING EXPENSES						
Salaries and benefits	4,294,071	660,125	872,421	10,892,845	16,719,462	1,235,025
Supplies, maintenance and services	9,288,983	36,672	515,447	12,254,297	22,095,399	3,165,913
Energy and utilities	890,175	45,038	50,659	1,110,680	2,096,552	1,110,353
Depreciation and amortization	4,281,215	173,616	210,152	2,773,520	7,438,503	-
Total operating expenses	18,754,444	915,451	1,648,679	27,031,342	48,349,916	5,511,291
Operating income (loss)	1,982,683	886,124	367,160	(21,645,265)	(18,409,298)	(12,241)
NONOPERATING REVENUES (EXPENSES)						
Taxes and special assessments	-	-	-	15,887,737	15,887,737	-
Intergovernmental	-	-	168,363	-	168,363	-
Investment income	1,312,539	85,531	64,753	1,242,321	2,705,144	-
Gain (loss) on sale of capital assets	3,895	-	1,000	(56,818)	(51,923)	-
Operating grants and contributions	-	-	-	9,620,080	9,620,080	-
Interest expense	(3,716,203)	-	-	-	(3,716,203)	-
Total nonoperating revenues (expenses)	(2,399,769)	85,531	234,116	26,693,320	24,613,198	-
Income (loss) before contributions and transfers	(417,086)	971,655	601,276	5,048,055	6,203,900	(12,241)
Capital contributions	885,049	-	-	9,344,379	10,229,428	-
Transfers in	-	-	25,000	-	25,000	-
Transfers out	(1,832,713)	(124,430)	(131,951)	(1,341,889)	(3,430,983)	-
Change in net position	(1,364,750)	847,225	494,325	13,050,545	13,027,345	(12,241)
Total net position - beginning	70,695,382	10,287,856	3,614,635	65,474,167	150,072,040	2,868,606
Total net position - ending	$ 69,330,632	$ 11,135,081	$ 4,108,960	$ 78,524,712	$ 163,099,385	$ 2,856,365
Adjustment to reflect the consolidation of internal service fund activities related to enterprise funds					(502,606)	
Changes in net position of business-type activities					$ 12,524,739	

The notes to the financial statements are an integral part of this statement.

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Park City Municipal Corporation
Statement of Cash Flows
Proprietary Funds
June 30, 2023

	Business-type Activities - Enterprise Funds					Governmental Activities
	Water Fund	Stormwater Fund	Golf Course Fund	Transportation and Parking Fund	Total Enterprise Funds	Internal Service Funds
CASH FLOWS FROM OPERATING ACTIVITIES						
Cash receipts from customers	$ 20,096,401	$ 1,798,407	$ 2,015,839	$ 5,514,401	$ 29,425,048	$ 6,072,513
Payments to employees	(4,498,830)	(739,869)	(890,215)	(11,054,954)	(17,183,868)	(1,229,289)
Payments to suppliers	(10,160,695)	(156,778)	(466,630)	(6,234,000)	(17,018,103)	(4,858,634)
Net cash provided (used) by operating activities	5,436,876	901,760	658,994	(11,774,553)	(4,776,923)	(15,410)
CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES						
Transfers from other funds	-	-	25,000	-	25,000	-
Transfers to other funds	(1,117,713)	(124,430)	(131,951)	(1,341,889)	(2,715,983)	-
Transit and resort sales tax	-	-	-	15,565,985	15,565,985	-
Operating grants	-	-	-	10,167,157	10,167,157	-
Net cash provided (used) by noncapital financing activities	(1,117,713)	(124,430)	(106,951)	24,391,253	23,042,159	-
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES						
Impact fees, contributions and grants	885,049	-	168,363	540,179	1,593,591	-
Acquisition and construction of capital assets	(18,874,441)	(18,831)	(195,546)	(8,028,714)	(27,117,532)	-
Principal paid on capital debt and interfund loan	(4,941,574)	-	-	-	(4,941,574)	-
Interest paid on capital debt and interfund loan	(4,666,341)	-	-	-	(4,666,341)	-
Proceeds from sales of capital assets	3,895	-	-	-	3,895	-
Net cash used by capital and related financing activities	(27,593,412)	(18,831)	(27,183)	(7,488,535)	(35,127,961)	-
CASH FLOWS FROM INVESTING ACTIVITIES						
Interest received by investing activities	1,310,960	85,147	64,498	1,237,969	2,698,574	-
Net cash provided by investing activities	1,310,960	85,147	64,498	1,237,969	2,698,574	-
Net increase (decrease) in cash and cash equivalents	(21,963,289)	843,646	589,358	6,366,134	(14,164,151)	(15,410)
Balances - beginning of year	50,109,511	2,098,544	1,533,074	28,252,561	81,993,690	3,513,662
Balances - end of the year	$ 28,146,222	$ 2,942,190	$ 2,122,432	$ 34,618,695	$ 67,829,539	$ 3,498,252
Reconciliation of operating income (loss) to net cash provided (used) by operating activities:						
Operating Income (Loss)	$ 1,982,683	$ 886,124	$ 367,160	$ (21,645,265)	$ (18,409,298)	$ (12,241)
Adjustments to reconcile operating income (loss) to net cash provided (used) by operating activities:						
Depreciation	4,281,215	173,616	210,152	2,773,520	7,438,503	-
Non-cash water interfund transfer to general fund	(715,000)	-	-	-	(715,000)	-
Pension related	(263,738)	(78,123)	(25,848)	(355,996)	(723,705)	(15,931)
Changes in assets and liabilities:						
Accounts receivable	62,809	(3,168)	-	444,585	504,226	11,334
Inventory	(131,290)	(1,226)	(75,536)	(9,440)	(217,492)	86,867
Accounts and other payables	161,218	(73,842)	175,012	6,824,156	7,086,544	(107,106)
Accrued liabilities	32,199	(2,330)	3,333	80,258	113,460	8,651
Compensated absences	26,780	709	4,721	113,629	145,839	13,016
Net cash provided (used) by operating activities	$ 5,436,876	$ 901,760	$ 658,994	$ (11,774,553)	$ (4,776,923)	$ (15,410)

NONCASH INVESTING, CAPITAL AND FINANCING ACTIVITIES

Included in investment income is a decrease of $44,268 in fair value for the year ended June 30, 2023.

The notes to the financial statements are an integral part of this statement.

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FIDUCIARY FUND

Custodial Fund - Used to hold deposits and performance bonds from individuals, organizations and other governments.

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Park City Municipal Corporation
Statement of Fiduciary Net Position
Fiduciary Fund
June 30, 2023

	Custodial Funds
ASSETS	
Cash, cash equivalents and investments	$ 2,232,085
Total assets	2,232,085
NET POSITION	
Restricted for:	
Individuals, organizations, and other governments	2,232,085
Total net position	$ 2,232,085

The notes to the financial statements are an integral part of this statement.

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Park City Municipal Corporation
Statement of Changes in Fiduciary Net Position
Fiduciary Fund
For the Year Ended June 30, 2023

	Custodial Funds
ADDITIONS	
Contributions from individuals, organizations, and other governments	$ 479,587
Total additions	479,587
DEDUCTIONS	
Refunds to individuals, organizations, and other governments	1,296,252
Total deductions	1,296,252
Net decrease in fiduciary net position	(816,665)
Net Position -- beginning of the year	3,048,750
Net Position -- end of the year	$ 2,232,085

The notes to the financial statements are an integral part of this statement.

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NOTES TO THE BASIC FINANCIAL STATEMENTS

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NOTE A – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A summary of the significant accounting policies consistently applied in the preparation of the accompanying financial statements follows.

1. General Information

The Park City Municipal Corporation (the City) is a municipal corporation governed by an elected mayor and five-member Council elected at large with staggered terms. The City was chartered March 15, 1884, under the provisions of the Utah Territorial Government. The Mayor is the administrative authority by statute; however, that responsibility has been delegated to the City Manager by City Ordinance. Therefore, the City operates under a Council-Manager form of government. The City provides the following services as authorized in its charter: public safety (police), highways and streets, cultural and recreational, library, public improvements, planning and zoning, public transportation, public utilities (water and stormwater), golf and general administrative services.

2. Reporting Entity

These financial statements include the City and its component units. The City has considered all potential component units for which it is financially accountable. The criteria to be considered in determining financial accountability have been set forth in the Governmental Accounting Standards Board's (GASB) Statement No. 61. These criteria include (1) substantively the same governing body, (2) the primary government and the component unit have a financial benefit or burden relationship, or (3) management (below the level of the elected officials) of the primary government have operational responsibility for the activities of the component unit.

Blended component units, although legally separate entities are so intertwined with the City that they are, in substance, the same as the City. They have the same governing board and provide services almost entirely to the City. They are reported as funds of the City. These are organizations for which the City is financially accountable, and the relationship with the City is significant enough that exclusions would possibly lead to misleading or incomplete financial statements.

Included in this report are the following blended component units:

The Park City Redevelopment Agency (RDA) was legally created by City ordinance pursuant to the Utah Limited Purpose Local Government Entities-Community Development and Renewal Agencies Act. The City Council is designated as the governing body of the RDA. The City has accountability for all fiscal and operating activities of the RDA. The RDA currently has two special revenue funds and two capital projects funds.

The Park City Municipal Building Authority (MBA) governing board is comprised of the same individuals as the City Council and was created to provide a mechanism for financing City facilities. The MBA acquires and/or builds facilities by borrowing money secured by a lease agreement between the City and the Authority. The MBA currently has a capital projects fund. The bond issuance authorizations are approved by the City Council and the legal liability for those bonds remains with the City.

The Park City Housing Authority (HA) governing board is comprised of the same individuals as the City Council and was created to accumulate funds for construction of affordable housing within the City. The City has accountability for all fiscal and operating activities of the HA.

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NOTE A – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, Continued

The Park City Water Service District (WSD) governing board is comprised of the same individuals as the City Council and was created to furnish municipal water service within the boundaries of the District. The City has accountability for all fiscal and operating activities of the WSD.

3. Government-wide and Fund Financial Statements

The government-wide financial statements (*i.e.*, the statement of net position and the statement of activities) report information on all of the non-fiduciary activities of the City. Governmental activities, which normally are supported by taxes and intergovernmental revenues, are reported separately from business-type activities, which rely to a significant extent on fees and charges for support. Certain eliminations have been made as prescribed by Governmental Accounting Standards Board (GASB) Statement No. 34 for interfund activities. All internal balances in the statement of net position have been eliminated except those representing balances between the governmental activities and the business-type activities, which are presented as internal balances and eliminated in the total primary government column. In the statement of activities, internal service fund transactions have been eliminated except interfund services provided and used by business-type activities, which are not eliminated.

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or segment. Program revenues include 1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function or segment and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported instead as general revenues. Separate financial statements are provided for governmental funds, proprietary funds, and fiduciary funds, even though the latter are excluded from the government-wide financial statements. Major individual governmental funds and major individual enterprise funds are reported as separate columns in the fund financial statements.

4. Measurement Focus, Basis of Accounting, and Financial Statement Presentation

The government-wide financial statements are reported using the *economic resources measurement focus* and the *accrual basis of accounting*, as are the proprietary fund and fiduciary fund financial statements. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Amounts received or recognized as a receivable at fiscal year end are included in the financial statements as taxes receivable and deferred inflows of resources. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Governmental fund financial statements are reported using the *current financial resources measurement focus* and the *modified accrual basis of accounting*. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be *available* when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the City considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences and claims and judgments, are recorded only when payment is due.

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NOTE A – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, Continued

Property taxes, franchise taxes, licenses, and interest associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period. Property taxes are recognized as revenues in the year for which they are levied. Only the portion of special assessments receivable due within the current fiscal period is considered to be susceptible to accrual as revenue of the current period. All other revenue items are considered to be measurable and available only when cash is received by the government.

The City reports the following major governmental funds:

The General Fund is the City's primary operating fund. It is used to account for all financial resources of the City not accounted for by a separate, specialized fund.

The Sales Tax Revenue and Refunding Bonds Debt Service Fund and the Park City General Obligation Bonds Debt Service Fund are used to account for the accumulation of resources for the payment of sales tax revenue bonded debt and general obligation debt.

The Capital Improvements Fund is used to account for financial resources to be used for the acquisition or construction of major capital facilities (other than those financed by proprietary funds, the Redevelopment Agencies or Municipal Building Authority).

The City reports the following major enterprise funds:

The Water Fund operates the water distribution system for residents of the City.

The Stormwater Fund operates the storm drain system for residents of the City.

The Golf Course Fund accounts for the operations of the City's golf course.

The Transportation and Parking Fund accounts for the operations of the City's public transportation (bus and trolley) system and paid parking system.

Additionally, the City reports the following fund types:

Special Revenue Funds are used to account for specific revenue sources that are restricted to expenditures for specific purposes. The City currently has the Lower Park Avenue Redevelopment Agency and the Main Street Redevelopment Agency special revenue funds. These funds account for redevelopment activities that are supported by property tax increment.

Capital Project Funds are used to account for the acquisition or construction of capital projects. The City currently has the Lower Park Avenue Redevelopment Agency, the Main Street Redevelopment Agency, the Municipal Building Authority, and the Equipment Replacement capital project funds.

Internal Service Funds are used to account for the central financing of goods or services provided to various departments of the City or other governments on a cost-reimbursement basis. The City currently has two internal service funds. The Fleet Services Fund provides vehicle storage, repair and maintenance. The Self-Insurance Fund was established to allow the City to supplement its regular insurance coverage as further explained in Note K – Risk Management.

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NOTE A – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, Continued

Custodial Funds are used to account for the assets held by the City as a fiduciary activity. Custodial funds use the economic resources measurement focus. The City currently has one custodial fund. The Park City Custodial Fund is used to hold deposits and performance bonds.

Proprietary funds distinguish *operating* revenues and expenses from *non-operating* items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations. The principal operating revenues of the enterprise funds and of the internal service funds are charges to customers for sales and services. Operating expenses for enterprise funds and internal service funds include the cost of sales and services, administrative expenses, and depreciation on capital assets. All revenues and expenses not meeting this definition are reported as non-operating revenues and expenses.

5. Assets, Liabilities, Deferred Outflows/Inflows of Resources and Net Position/Fund Balance

Cash, Cash Equivalents and Investments - Cash and investment management in the City is administered by the City Treasurer in accordance with the Utah Money Management Act, Section 51-7 of the Utah Code (see Note B – Cash, Cash Equivalents and Investments). The City complies with GASB 72, *Fair Value Measurement and Application.* The statement requires certain investments to be reported at fair value and the change in fair value to be recognized as an increase or decrease to investment assets and investment income. The City's investment in the State Treasurer's Pool has a fair value approximately equal to the value of the pool shares. This pool is administered by the State of Utah and is regulated by the Money Management Council under provisions of the Utah State Money Management Act.

Inventories and prepaid items - Inventories of supplies for the proprietary fund types consist principally of items used in repairing and maintaining the water distribution system and transportation equipment. Supplies inventories are valued at cost using the weighted average method. Inventory held for retail sale in the Golf Course Fund is valued at lower-of-cost or market using the first-in, first-out (FIFO) method. Inventories of governmental funds are recorded as expenditures when consumed rather than when purchased. Payments made to vendors for services that will benefit periods beyond June 30, 2023 are recorded as prepaid items in both government-wide and fund financial statements. The costs of governmental fund type prepaid items are recorded as expenditures when consumed rather than when purchased.

Leases Receivable – The City leases certain city property and recognizes a lease receivable and a deferred inflow of resources in the government-wide and governmental fund financial statements. At commencement of a lease, the City initially measures the lease receivable at the present value of the payments expected to be received during the lease term. Subsequently, the lease receivable is reduced by the principal portion of lease payments received. The deferred inflow of resources is initially measured as the initial amount of the lease receivable, adjusted for lease payments received during the lease term. Subsequently, the deferred inflow of resources is recognized as revenue over the lease term. The City uses its effective borrowing rate as the discount rate.

Capital Assets - Capital assets, which include property, plant, and equipment, infrastructure assets (*e.g.*, roads, bridges, sidewalks, and similar items) and intangible assets, are reported in the applicable governmental or business-type activities columns in the government-wide financial statements. Capital assets, other than infrastructure assets, are defined by the government as assets with an initial, individual cost of more than $5,000 (amount not rounded) and an estimated useful life in excess of two years. The government reports infrastructure assets on a network and subsystem basis.

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NOTE A – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, Continued

Accordingly, the amounts spent for the construction or acquisition of infrastructure assets are capitalized and reported in the government-wide financial statements regardless of their amount. In the case of the initial capitalization of general infrastructure assets (i.e., those reported by governmental activities) the government included all assets with acquisition dates as far back as June 30, 1980. Most of the City's infrastructure assets were valued at historical cost (when available) or estimated historical cost through back trending (*i.e.*, estimating the current replacement cost of the infrastructure to be capitalized and using an appropriate price-level index to deflate the cost to the acquisition year or estimated acquisition year). As the City constructs or acquires additional capital assets each period, including infrastructure assets, they are capitalized and reported at historical cost.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend assets lives are not capitalized. Donated capital assets, donated works of art and similar items are recorded at acquisition value at the date of donation.

Art represents a collection of the City and is therefore not depreciated. Property, plant, equipment and intangible assets of the primary government are depreciated or amortized using the straight-line method over the following estimated useful lives:

Assets	Years
Buildings and improvements	20-75
Public domain infrastructure	20-30
System infrastructure	20-30
Vehicles, equipment and intangibles	3-25

Noncurrent Obligations - In the government-wide financial statements, and proprietary fund types in the fund financial statements, noncurrent debt and other long-term obligations are reported as liabilities in the applicable governmental activities, business-type activities, or proprietary fund type statement of net position. Bond premiums, discounts and gains and losses on bond refunding, are deferred and amortized over the life of the bonds using the effective interest method. Bonds payable are reported net of the applicable bond premium or discount. Gains and losses on bond refunding are reported as deferred inflows and outflows. Bond issuance costs are expensed in the period in which they are incurred. The unamortized bond premiums/discounts at June 30, 2023 for governmental activities were $12,435,416 and $13,877,460 for business-type activities and proprietary funds, respectively. In the fund financial statements, governmental fund types recognize bond premiums and discounts during the current period. The face amount of debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources while discounts on debt issuances are reported as other financing uses. Issuance costs, whether or not withheld from the actual debt proceeds received, are reported as current expenditures.

Compensated Absences - Accumulated unpaid vacation is accrued based on the years of service of each employee. Vacation is accumulated on a monthly basis and is fully vested when earned. The maximum amount of accumulated accrued vacation hours is determined by the length of service of each employee. Accumulated vacation cannot exceed these limits at the end of any calendar year and any vacation in excess of this amount is forfeited. At retirement, death, or termination in good standing, all unpaid vacation that has been accrued, up to the above limits, is paid. All vacation pay is accrued when incurred in the government-wide and proprietary fund financial statements. A liability for these amounts is reported in governmental funds only if they have matured, for example, as a result of employee resignations and retirements. There is no liability for unpaid accumulated sick leave since the City does not have a policy to pay any amounts when employees separate from service.

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NOTE A – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, Continued

Pensions - For purposes of measuring the net pension liability, deferred outflows of resources and deferred inflows of resources related to pensions, and pension expense, information about the fiduciary net position of the Utah Retirement Systems Pension Plan (URS) including additions to and deductions from URS's fiduciary net position have been determined on the same basis as they are reported by URS. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

Deferred Outflows of Resources or Deferred Inflows of Resources - In addition to assets, the statement of financial position reports a separate section for deferred outflows of resources. This separate financial statement element, deferred outflows of resources, represents a consumption of net assets that applies to future periods and will not be recognized as an outflow of resources (expense/expenditure) until then. In accordance with GASB Statement No. 68, *Accounting and Financial Reporting for Pensions*, the government-wide statement of net position and the proprietary fund statement of net position report deferred outflows of resources related to pensions.

In addition to liabilities, the statement of financial position reports a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of net assets that applies to future periods and will not be recognized as an inflow of resources (revenue) until that time. The City has items which qualify for reporting in this category. The governmental funds report unavailable revenue from property taxes, notes receivable, and leases receivable. The government-wide statement of net position reports deferred inflows from property taxes, pension related items, deferred gain on refunding of debt, and leases receivable. Property taxes are deferred and recognized as an inflow of resources in the following fiscal year to correspond with the period in which the taxes are levied. The deferred gain on refunding resulted from the difference in the carrying value of the refunded debt and its reacquisition price. The proprietary fund statement of net position reports items related to pensions.

Net Position Flow Assumption - Sometimes the City will fund outlays for a particular purpose from both restricted and unrestricted resources. In order to calculate the amounts to report as restricted-net position and unrestricted-net position in the government-wide and proprietary fund financial statements, a flow assumption must be made about the order in which the resources are considered to be applied. It is the City's policy to consider restricted-net position to have been depleted before unrestricted-net position is applied.

Fund Balance - Fund balances presented in the governmental fund financial statements represent the difference between assets and deferred outflows of resources and liabilities and deferred inflows of resources. GASB Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions,* establishes criteria for classifying fund balances into specifically defined classifications and clarifies definitions for governmental funds. GASB Statement No. 54 requires that the fund balances be classified into categories based upon the type of restrictions imposed on the use of funds.

The City evaluated each of its funds at June 30, 2023, and classified fund balances into the following five categories:

Nonspendable - Amounts that cannot be spent because they are (1) not in spendable form, such as prepaid items, inventories and long-term receivables for which the payment of proceeds are not restricted or committed with respect to the nature of the specific expenditures of that fund or (2) legally or contractually required to be maintained intact.

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NOTE A – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, Continued

Restricted - Amounts that are restricted by external parties such as creditors or imposed by grants, laws or regulations of other governments or imposed by law through constitutional provisions or enabling legislation. The City has legislative restrictions on amounts collected and reported in the City's various governmental funds. As a result, these restrictions have been classified as restricted for capital projects, debt service and drug and tobacco enforcement.

Committed - Amounts that can only be used for specific purposes pursuant to constraints imposed by formal action (ordinance) of the City's "highest level of decision-making authority", which the City considers to be the Park City Municipal City Council. Commitments may be changed by the government by taking the same action that imposed the constraint initially.

Assigned - Amounts that have been allocated by action of the Park City Municipal City Council through a resolution in which the City's intent is to use the funds for a specific purpose, but that do not meet the criteria to be classified as restricted or committed.

Unassigned - Amounts that constitute the residual balances that have no restrictions placed upon them. If restrictions exceed available resources only deficit amounts are reported in the unassigned category. The general fund is the only fund that reports a positive unassigned balance.

The City reduces restricted amounts first when expenditures are incurred for purposes for which both restricted and unrestricted (committed, assigned or unassigned) amounts are available. The City reduces committed amounts first, followed by assigned amounts and then unassigned amounts when expenditures are incurred for purposes for which amounts in any of those unrestricted fund balance classifications could be used.

The City does not have a minimum fund balance policy. *Utah Code* 10-6-116(4) requires that a minimum fund balance of 5.0 percent of total revenues be maintained in the general fund.

Restricted Assets - Certain proceeds of the City's Water Revenue and Refunding Bonds, as well as certain resources set aside for their repayment, are classified as restricted assets on the proprietary funds' statement of net position because their use is limited by applicable bond covenants.

Proceeds of the City's 2013A and 2020 Series General Obligation Bonds in the amount of $5,663,147 are classified as restricted assets as well as impact fees of $1,862,615 and B and C road funds of $513,286. Bond proceeds are restricted to acquiring and preserving undeveloped park and recreational land and to acquire, construct, improve and modify pathways, roads and related improvements for use by pedestrians and cyclists. The "reserve fund" account with a balance at June 30, 2023 of $17,918 is used to report resources set aside to make up potential future deficiencies in the revenue bond debt service account.

Proceeds of the City's 2015, 2017 and 2019 Sales Tax Revenue Bonds are classified as restricted assets on the governmental funds balance sheet because they are maintained in separate bank accounts and their use is limited by applicable bond covenants. The "construction fund" account with a balance at June 30, 2023 of $24,976,146 is used to report those proceeds of revenue bond issuances that are restricted for the purpose of financing the cost associated with improvements and acquisition of open space. The "reserve fund" account with a balance at June 30, 2023, of $603,406 is used to report resources set aside to make up potential future deficiencies in the revenue bond debt service account.

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NOTE A – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, Continued

Water development fees are charged to new customers to pay for the cost of increasing the capacity of the water system to meet the additional demand created by the connection of new customers. Water development fee in the amount of $1,096,717 are classified as restricted net assets as their use is legally restricted.

6. Budgets

State law requires the City Council to prepare and adopt budgets for all governmental and proprietary funds. The City Manager submits to the Mayor and City Council a proposed operating budget for the fiscal year commencing the following July 1. The operating budget includes proposed expenditures and the proposed sources of revenues. Between May 1 and June 30, the City Council reviews and adjusts the City Manager's proposed budget. On or before June 30, a public hearing is held and the budget is legally adopted through passage of an ordinance. Budgets are adopted below individual department levels, but control of budget appropriations is exercised, under state law, at the department level (General Government, Public Safety, Public Works and Library and Recreation).

After the budget is adopted, transfers of any unexpended appropriation amount between line items within a major category are to be initiated and approved by each respective department. Transfers between major categories and between programs within the same department and fund are to be initiated by the respective departments and approved by the City Manager. Transfers between capital improvement projects within the same fund are to be initiated by the individual designated as responsible for the project and approved by the City Manager. Transfers that will result in a total change in the appropriation for a project of more than 20.0 percent or if a project would be eliminated by the transfer must be approved by the City Council. The City Council may reduce or increase the budget of any fund by ordinance during the budget year. The City Council must hold a public hearing to increase a fund's budget before it can pass the ordinance. Utah State law prohibits the appropriation of unassigned general fund balance until it exceeds the sum of 5.0 percent of the budgeted general fund revenues. Until unassigned fund balance is greater than the above amount, it cannot be budgeted but is used to provide working capital until tax revenue is received, meet emergency expenditures and cover unanticipated deficits.

When the unassigned fund balance is greater than 35.0 percent of actual revenues, the excess must be appropriated to capital projects determined to be in the best long-term interest of the City. During the year, the General Fund budget was increased by $7,204,984 under the guidelines described above. The supplemental appropriation was due to personnel expense increases.

Budgets are prepared on the modified accrual basis of accounting according to accounting principles generally accepted in the United States (GAAP) for governmental funds. Budgets are not prepared for the custodial fund since this fund is comprised only of deposits and performance bonds held by the City. Encumbrance accounting is used by the City.

Each year the capital projects fund adjusted budget is comprised of new appropriations from the current year and unexpended appropriations from the prior year, since unexpended capital projects appropriations do not automatically lapse at year end. The adjusted capital projects fund budget represents the amount available for expenditures in the current year. Future projects and appropriations that are to come from funds available in future years are not reflected in the current year budget.

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NOTE A – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, Continued

7. Implementation of New GASB Pronouncements

In March 2020, the GASB issued Statement No. 94 *Public-Private and Public-Public Partnerships and Availability Payment Arrangements.* The objective of this Statement is to better meet the information needs of financial statement users by improving the comparability of financial statements among governments that enter into public-private and public-public partnerships (PPPs) and availability payment arrangements (APAs) and by enhancing the understandability, reliability, relevance, and consistency of information about PPPs and APAs. The requirements of this Statement are effective for periods beginning after June 15, 2022. The City adopted GASB No. 94 for the fiscal year ended June 30, 2023. Implementation of this Statement had no impact on the City's financial statements.

In May 2020, the GASB issued Statement No. 96 *Subscription-Based Information Technology Arrangements*. The objective of this Statement is to better meet the information needs of financial statement users by (a) establishing uniform accounting and financial reporting requirements for subscription-based information technology arrangements (SBITAs); (b) improving the comparability of financial statements among governments that have entered into SBITAs; and (c) enhancing the understandability, reliability, relevance, and consistency of information about SBITAs. The requirements of this Statement are effective for periods beginning after June 15, 2022. The City adopted GASB No. 96 for the fiscal year ended June 30, 2023. Implementation of this Statement had minimal impact on the City's financial statements.

In April 2022, the GASB issued Statement No. 99 *Omnibus 2022*. The objectives of this Statement are to enhance comparability in accounting and financial reporting and to improve the consistency of authoritative literature by addressing (1) practice issues that have been identified during implementation and application of certain GASB Statements and (2) accounting and financial reporting for financial guarantees. The requirements related to leases, PPPs, and SBITAs are effective for fiscal years beginning after June 15, 2022. The requirements related to financial guarantees and the classification and reporting of derivative instruments within the scope of Statement 53 are effective for fiscal years beginning after June 15, 2023. The City adopted GASB No. 99 for the fiscal year ended June 30, 2023. Implementation of this Statement had no impact on the City's financial statements.

In June 2022, the GASB issued Statement No. 100 *Accounting Changes and Error Corrections*. The primary objective of this Statement is to enhance accounting and financial reporting requirements for accounting changes and error corrections to provide more understandable, reliable, relevant, consistent, and comparable information for making decisions or assessing accountability. The requirements of this Statement are effective for periods beginning after June 15, 2023. The City adopted GASB No. 100 for the fiscal year ended June 30, 2023. Implementation of this Statement had no impact on the City's financial statements.

In June 2022, the GASB issued Statement No. 101 *Compensated Absences*. The objective of this Statement is to better meet the information needs of financial statements users by updating the recognition and measurement guidance for compensated absences. That objective is achieved by aligning the recognition and measurement guidance under a unified model and by amending certain previously required disclosures. The requirements of this Statement are effective for fiscal years periods beginning after June 15, 2023. The City adopted GASB No. 101 for the fiscal year ended June 30, 2023. Implementation of this Statement had no impact on the City's financial statements.

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NOTE B – CASH, CASH EQUIVALENTS AND INVESTMENTS

The City follows the practice of pooling cash and investments of all funds, except for funds required to be held by fiscal agents under the provisions of bond indentures. Each fund type's portion of this pool is displayed on the basic financial statements as "cash, cash equivalents and investments". Cash and cash equivalents are generally considered short-term, highly liquid investments with a maturity of three months or less from the purchase date. Investments with original maturities of three months or less meet this definition. Interest income earned on pooled cash and investments is allocated on an accounting period basis to the various funds based on the period-end cash and investment balances. Interest income from cash and investments with fiscal agents is credited directly to the related fund.

As of June 30, 2023, the City had the following deposits and investments, including $2,232,085 held in a custodial capacity for others:

Held by city:		Investments maturities	
Investment Type	Fair Value	1 year or less	1-5 years
Debt securities			
Negotiable Certificates of Deposits	$ 220,222	$ -	$ 220,222
Corporate Bonds	5,111,714	1,232,994	3,878,720
	5,331,936	$ 1,232,994	$ 4,098,942
Other investments			
State treasurer's investment pool	173,240,422	$ 173,240,422	
Total investments	178,572,358		
Deposits			
Cash deposits checking-net of outstanding checks	7,412,293		
Cash deposits money market/savings	732,102		
Cash on hand	7,120		
Total deposits	8,151,515		
Total cash, cash equivalents and investments held by city	186,723,873		
Held by fiscal agent:			
State treasurer's investment pool	39,056,082		
Total cash, cash equivalents and investments	$ 225,779,955		

Deposits – The City follows the requirements of the Utah Money Management Act (the Act) in handling its depository and investment transactions. The Act requires the depositing of the City's funds in a qualified depository. The Act defines a qualified depository as any financial institution whose deposits are insured by an agency of the Federal Government, and which has been certified by the State Commissioner of Financial Institutions as meeting the requirements of the Act and adhering to the rules of the Utah Money Management Council.

Custodial credit risk for deposits is the risk that, in the event of a bank failure, the City's deposits may not be returned to it. The City does not have a formal deposit policy for custodial credit risk. As of June 30, 2023, the City's bank balance was $8,335,113 of which $8,085,113 was uninsured and uncollateralized.

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NOTE B – CASH, CASH EQUIVALENTS AND INVESTMENTS, Continued

Investments – The State of Utah Money Management Council has the responsibility to advise the Utah State Treasurer about investment policies, promote measures and rules that will assist in strengthening the banking and credit structure of the state, and review the rules adopted under the authority of the State of Utah Money Management Act (Utah Code, Title 51, Chapter 7) that relate to the deposit and investment of public funds.

The Act defines the types of securities authorized as appropriate investments for the City's funds and the conditions for making investment transactions. Investment transactions may be conducted only through qualified depositories, certified dealers, or directly with issuers of the investment securities.

Statutes authorize the City to invest in negotiable or nonnegotiable deposits of qualified or permitted depositories; repurchase and reverse repurchase agreements; commercial paper that is classified as "first tier" by two nationally recognized statistical rating organizations; bankers' acceptances; obligations of the United States Treasury including bills, notes, and bonds; obligations, other than mortgage derivative products, issued by U.S. government sponsored enterprises (U.S. Agencies) such as the Federal Home Loan Bank System, Federal Home Loan Mortgage Corporation (Freddie Mac), and Federal National Mortgage Association (Fannie Mae); bonds, notes, and other evidence of indebtedness of political subdivisions of the State; fixed rate corporate obligations and variable rate securities rated "A" or higher, or the equivalent of "A" or higher, by two nationally recognized statistical rating organizations; shares or certificates in a money market mutual fund as defined in the Act; and the Utah Public Treasurers' Investment Fund (PTIF).

The Utah State Treasurer's Office operates the PTIF. The PTIF is available for investment of funds administered by any Utah public treasurer and is not registered with the Securities and Exchange Commission as an investment company. The PTIF is authorized and regulated by the Act. The Act established the Money Management Council which oversees the activities of the Utah State Treasurer and the PTIF and details the types of authorized investments. Deposits in the PTIF are not insured or otherwise guaranteed by the State of Utah, and participants share proportionally in any realized gains or losses on investments.

Fair Value of Investments: The City measures and records its investments using fair value measurement guidelines established by generally accepted accounting principles. These guidelines recognize a three-tiered fair value hierarchy, as follows:

- *Level 1:* Quoted prices for identical investments in active markets;
- *Level 2:* Observable inputs other than quoted market prices; and,
- *Level 3:* Unobservable inputs.

At June 30, 2023 the City had the following recurring fair value measurements:

		Fair Value Measurements Using		
	June 30, 2023	Level 1	Level 2	Level 3
Investments by fair value level:				
Certificate of Deposits	$ 220,222	$ 220,222	$ -	$ -
Corporate Bonds	5,111,714	5,111,714	-	-
Utah Public Treasurers' Investment Fund	173,240,422	-	173,240,422	-
Total	$ 178,572,358	$ 5,331,936	$ 173,240,422	$ -

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NOTE B – CASH, CASH EQUIVALENTS AND INVESTMENTS, Continued

Debt securities classified in Level 1 are valued using prices quoted in active markets for those securities. The Utah Public Treasurers' Investment Fund classified in Level 2 is valued by application of the June 30, 2023 fair value factor, as calculated by the Utah State Treasurer, to the City's average daily balance in the Fund.

Interest Rate Risk is the risk that changes in interest rates will adversely affect the fair value of an investment. The City's policy for managing its exposure to fair value loss arising from increasing interest rates is to comply with the Act. Section 51-7-11 of the Act requires that the remaining term to maturity of investments may not exceed the period of availability of the funds to be invested. The

Act further limits the remaining term to maturity on all investments in commercial paper, bankers' acceptances, fixed rate negotiable deposits, and fixed rate corporate obligations to 270 days – 15 months or less. The Act further limits the remaining term to maturity on all investments in obligations of the United States Treasury; obligations issued by U.S. Government-sponsored enterprises; and bonds, notes, and other evidence of indebtedness of political subdivisions of the State to 5 years. In addition, variable rate negotiable deposits and variable rate securities may not have a remaining term to final maturity exceeding 3 years.

Credit Risk is the risk that an issuer or other counterparty to an investment will not fulfill its obligations. The City's policy for reducing its exposure to credit risk is to comply with the Act, as previously discussed.

At June 30, 2023, the City's investments had the following quality ratings:

	Fair Value	Quality Ratings AAA	AA	A
Primary government:				
Corporate Bonds	$ 5,111,714	$ 3,615,649	$ 748,904	$ 747,161

At the time of purchase, all debt securities were rated the equivalent of "A" or higher by two nationally recognized statistical rating organizations. At year end, all debt securities were in compliance with the UMMA.

Concentration of Credit Risk is the risk of loss attributed to the magnitude of a government's investment in a single issuer. The City's policy for reducing this risk of loss is to comply with the Rules of the Money Management Council. Rule 17 of the Money Management Council limits investments in a single issuer of commercial paper and corporate obligations to 5.0 - 10.0 percent depending upon the total dollar amount held in the portfolio at the time of purchase. None of the City's investments exceed this limit.

Custodial Credit Risk for an investment is the risk that, in the event of the failure of the counterparty, the City will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party. The City does not have a formal policy for custodial credit risk. As of June 30, 2023, the City had $5,331,936 in U.S. negotiable certificate of deposits and corporate bonds which were held by the counterparty's trust department or agent but not in the government's name of which $5,111,714 was uninsured and uncollateralized.

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NOTE C – NOTES RECEIVABLE

Notes receivable of the governmental fund types at June 30, 2023 include an affordable housing and an employee mortgage assistance loan with interest rates ranging from 0.0 - 5.0 percent. The following is a schedule of future principal and interest payments required under the terms of the notes receivable as of June 30, 2023:

Fiscal year ending	Principal	Interest	Total
2024	$ 248,059	$ 216	$ 248,275
2025	1,418	60	1,478
Total	$ 249,477	$ 276	$ 249,753

NOTE D – LEASES RECEIVABLE

The City leases certain city property and building space to third parties. As of June 30, 2023, the City's receivable for lease payments is shown on the governmental funds balance sheet and the government-wide statement of net position. Also, the City has a deferred inflow of resources associated with these leases that will be recognized as revenue over the lease term. A general description of the lease agreements follows:

The City has 2 active leases for a portion of its land and use of facilities. These leases have a 99-year term. The agreements have increases of 10.0 percent every 5 years. At the end of the lease term, the property must be returned in good standing. During the fiscal year, the City recognized $29,525 in lease revenue and $16,675 in interest income related to these agreements. At June 30, 2023 the City recorded $10,612,708 in lease receivables for these arrangements. The City used an interest rate of 1.89 percent based on incremental borrowing rates.

The City has 2 active leases for building space. The leases are for a period of 5 years; one with an option to renew for an additional term of 2 years and the other with no option to renew. The City believes the option to extend will be exercised with reasonable certainty. During the fiscal year the City recognized $16,872 in lease revenue and $13 in interest income related to these agreements. At June 30, 2023 the City recorded $16,859 in lease receivables for these arrangements. The City used an interest rate of 1.89 percent based on incremental borrowing rates.

The City leases building space out of its Library. The lease is for a period of 5 years with no option to renew. The agreement has an annual 3.0 percent increase. During the fiscal year the City recognized $22,518 in lease revenue and $2,166 in interest income related to this agreement. At June 30, 2023 the City recorded $102,298 in lease receivable for the arrangement. The City used an interest rate of 1.89 percent based on incremental borrowing rates.

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NOTE D – LEASES RECEIVABLE, Continued

Remaining amounts to be received associated with these leases are as follows:

Fiscal Year Ended June 30,	Principal	Interest	Total
2024	$ 70,128	$ 18,385	$ 88,513
2025	54,531	17,938	72,469
2026	55,852	17,324	73,176
2027	57,208	16,772	73,980
2028	34,108	16,442	50,550
2029-2033	176,068	81,404	257,472
2034-2038	202,645	79,935	282,580
2039-2043	235,372	78,237	313,609
2044-2048	268,689	76,281	344,970
2049-2053	305,419	74,052	379,471
2054-2058	345,897	71,522	417,419
2059-2063	390,497	68,660	459,157
2064-2068	439,635	65,434	505,069
2069-2073	493,775	61,804	555,579
2074-2078	553,407	57,731	611,138
2079-2083	619,082	53,169	672,251
2084-2088	691,403	48,072	739,475
2089-2093	797,362	42,379	839,741
2094-2098	858,935	35,830	894,765
2099-2103	955,477	28,767	984,244
2104-2108	1,068,425	20,916	1,089,341
2109-2113	1,212,927	12,036	1,224,963
2114-2116	790,130	2,491	792,621

NOTE E – CAPITAL ASSETS

Depreciation expense was charged to functions for the year ended June 30, 2023 as follows:

Governmental activities:		**Business-type activities:**	
General government	$ 3,502,286	Water	$ 4,281,215
Public safety	499,170	Stormwater	173,616
Public works	1,055,469	Golf course	210,152
Library and recreation	2,739,858	Transportation and parking	2,773,520
Total governmental activities depreciation expense	$ 7,796,783	Total business-type activities depreciation expense	$ 7,438,503

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NOTE E – CAPITAL ASSETS, Continued

Capital asset activity for the year ended June 30, 2023 was as follows:

	Balance June 30, 2022	Additions	Deletions	Balance June 30, 2023
Governmental activities:				
Capital assets, not being depreciated:				
Land and water rights	$ 243,725,614	$ -	$ -	$ 243,725,614
Construction in progress	6,973,608	3,275,284	(1,505,107)	8,743,785
Art	828,717	-	-	828,717
Total capital assets, not being depreciated	251,527,939	3,275,284	(1,505,107)	253,298,116
Capital assets, being depreciated:				
Right to use asset	-	391,481	-	391,481
Buildings	49,999,600	974,490	(687,855)	50,286,235
Improvements other than building	48,640,882	1,243,087	(29,100)	49,854,869
Vehicles and equipment	18,437,352	2,097,817	(382,935)	20,152,234
Infrastructure	117,721,822	113,634	-	117,835,456
Intangibles	8,921,259	201,798	-	9,123,057
Total capital assets, being depreciated	243,720,915	5,022,307	(1,099,890)	247,643,332
Less accumulated depreciation for:				
Right to use asset	-	(134,099)	-	(134,099)
Buildings	(20,084,339)	(1,295,285)	-	(21,379,624)
Improvements other than building	(26,335,665)	(2,929,789)	29,100	(29,236,354)
Vehicles and equipment	(12,208,622)	(1,676,237)	351,370	(13,533,489)
Infrastructure	(98,434,699)	(1,883,787)	-	(100,318,486)
Intangibles	(389,749)	(11,685)	-	(401,434)
Total accumulated depreciation	(157,453,074)	(7,930,882)	380,470	(165,003,486)
Total capital assets, being depreciated, net	86,267,841	(2,908,575)	(719,420)	82,639,846
Governmental activities capital assets, net	$ 337,795,780	$ 366,709	$ (2,224,527)	$ 335,937,962
Business-type activities:				
Capital assets, not being depreciated:				
Land and water rights	$ 22,337,188	$ -	$ -	$ 22,337,188
Construction in progress	98,559,100	18,647,201	(2,283,745)	114,922,556
Art	117,850	-	-	117,850
Total capital assets, not being depreciated	121,014,138	18,647,201	(2,283,745)	137,377,594
Capital assets, being depreciated:				
Right to use asset	3,380,984	-	-	3,380,984
Buildings	40,191,478	-	(8,308)	40,183,170
Improvements other than building	121,771,729	2,312,161	-	124,083,890
Vehicles and equipment	37,689,484	8,442,915	(484,016)	45,648,383
Intangibles	86,455	-	-	86,455
Total capital assets, being depreciated	203,120,130	10,755,076	(492,324)	213,382,882
Less accumulated depreciation for:				
Right to use asset	(211,311)	(84,525)	-	(295,836)
Buildings	(10,194,198)	(891,746)	5,158	(11,080,786)
Improvements other than building	(60,848,622)	(3,272,782)	-	(64,121,404)
Vehicles and equipment	(23,144,141)	(3,187,629)	430,348	(25,901,422)
Intangibles	(77,351)	(1,821)	-	(79,172)
Total accumulated depreciation	(94,475,623)	(7,438,503)	435,506	(101,478,620)
Total capital assets, being depreciated, net	108,644,507	3,316,573	(56,818)	111,904,262
Business-type activities capital assets, net	$ 229,658,645	$ 21,963,774	$ (2,340,563)	$ 249,281,856

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NOTE F – LONG-TERM OBLIGATIONS

The following is a summary of changes in long-term obligations for the year ended June 30, 2023:

	Beginning Balance July 1, 2022	Additions	Reductions	Amortization	Ending Balance June 30, 2023	Due Within One Year
Governmental activities:						
General obligation bonds:						
2013A series-principal	$ 3,250,000	$ -	$ (500,000)	$ -	$ 2,750,000	$ 515,000
2013A series-premium	36,933	-	-	(6,318)	30,615	-
2017 series-principal	17,995,000	-	(1,500,000)	-	16,495,000	1,560,000
2017 series-premium	1,874,539	-	-	(195,264)	1,679,275	-
2019 series-principal	39,690,000	-	(3,090,000)	-	36,600,000	3,245,000
2019 series-premium	5,308,143	-	-	(457,491)	4,850,652	-
2020 series-principal	6,650,000	-	(1,500,000)	-	5,150,000	1,570,000
2020 series-premium	1,112,224	-	-	(86,596)	1,025,628	-
Total general obligation bonds	75,916,839	-	(6,590,000)	(745,669)	68,581,170	6,890,000
Revenue bonds (Sales tax revenue):						
2014B series-principal	4,770,000	-	(625,000)	-	4,145,000	640,000
2014B series-premium	78,342	-	-	(11,241)	67,101	-
2015 refunding-principal	6,910,000	-	(765,000)	-	6,145,000	795,000
2015 refunding-premium	320,570	-	-	(40,222)	280,348	-
2017 refunding-principal	23,070,000	-	(1,870,000)	-	21,200,000	1,965,000
2017 refunding-premium	2,252,788	-	-	(225,960)	2,026,828	-
2019 refunding-principal	22,800,000	-	(1,475,000)	-	21,325,000	1,550,000
2019 refunding-premium	2,711,328	-	-	(236,359)	2,474,969	-
Total revenue bonds	62,913,028	-	(4,735,000)	(513,782)	57,664,246	4,950,000
Compensated absences	942,864	1,368,088	(1,190,895)	-	1,120,057	974,448
Total governmental activities	$ 139,772,731	$ 1,368,088	$ (12,515,895)	$ (1,259,451)	$ 127,365,473	$ 12,814,448
Business-type activities:						
Revenue bonds:						
2009A wtr revenue	$ 1,000,000	$ -	$ (125,000)	$ -	$ 875,000	$ 125,000
2013A wtr revenue refunding	1,015,000	-	(245,000)	-	770,000	250,000
2013A wtr revenue-prem/disc.	10,148	-	-	(2,926)	7,222	-
2014 wtr revenue	4,115,000	-	-	-	4,115,000	-
2014 wtr revenue-premium	74,170	-	-	(18,695)	55,475	-
2020 wtr revenue refunding	71,370,000	-	(2,250,000)	-	69,120,000	2,325,000
2020 wtr revenue-premium	8,778,289	-	-	(502,440)	8,275,849	-
2021 wtr revenue refunding	66,135,000	-	(2,175,000)	-	63,960,000	2,325,000
2021 wtr revenue-premium	5,838,739	-	-	(299,823)	5,538,916	-
Total revenue bonds	158,336,346	-	(4,795,000)	(823,884)	152,717,462	5,025,000
Compensated absences	344,659	543,957	(398,116)	-	490,500	407,113
Contract payable	2,895,756	-	(146,573)	-	2,749,183	149,278
Total business-type activities	$ 161,576,761	$ 543,957	$ (5,339,689)	$ (823,884)	$ 155,957,145	$ 5,581,391

Internal service funds predominantly serve the governmental funds. Accordingly, long-term liabilities for these funds are included as part of the above totals for governmental activities. At year end $66,398 of internal service fund compensated absences are included in the above amounts. Also, for the governmental activities compensated absences are liquidated by the general fund. The City has complied with all revenue bond covenants.

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NOTE F – LONG-TERM OBLIGATIONS, Continued

Redevelopment Agency Capital Projects Funds and Bonds

The City maintains special revenue and capital project funds for the Main Street Redevelopment Agency and the Lower Park Avenue Redevelopment Agency. For the fiscal year ended June 30, 2023, the tax increment collected by the Main Street Redevelopment Agency was $1,442 and the tax contributions from other governments were $4,828. The tax increment collected by the Lower Park Avenue Redevelopment Agency was $1,008,349 and the tax contributions from other governments were $3,375,777. The tax increment paid to another taxing agency by the Main Street Redevelopment Agency and by the Lower Park Avenue Redevelopment Agency was $230,163 and $693,937, respectively. During the fiscal year, the Lower Park Avenue Redevelopment Agency expended $158,252 for site improvements and $14,378 for economic development. The Main Street Redevelopment Agency expended $19,940 for site improvements, $6,830 for economic development.

General Obligation Bonds

On August 28, 2013, the City issued General Obligation Bonds Series 2013A in the par amount of $7,170,000, a premium of $92,774 and issuance costs of $98,614. Pursuant to a special bond election held on November 6, 2007, the proceeds of the bonds were used to acquire, construct, improve and modify pathways, roads and related improvements for use by pedestrians and cyclists. Repayments are made from property tax revenues recorded in the Park City General Obligation Debt Service Fund.

On June 6, 2017, the City issued General Obligation Bonds Series 2017 in the amount of $25,000,000 plus a premium of $2,863,698 and bond issuance costs of $155,239 pursuant to a bond election held on November 8, 2016. The proceeds of the bonds were used to acquire, improve and forever preserve open space, park and recreational land located in Bonanza Flats. Repayments are made from property tax revenues recorded in the Park City General Obligation Debt Service Fund.

The debt service requirements for the bonds at June 30, 2023 were as follows:

Fiscal Year Ending June 30,	Series 2013A Dated August 28, 2013 $7,170,000 @ 2.00% to 3.25% per annum paid semi-annually (Nov. & May)		Series 2017 Dated June 6, 2017 $25,000,000 @ 3.00% to 5.00% per annum paid semi-annually (Feb. & Aug.)	
	PRINCIPAL	INTEREST	PRINCIPAL	INTEREST
2024	$ 515,000	$ 84,100	$ 1,560,000	$ 627,350
2025	530,000	69,938	1,625,000	549,350
2026	550,000	54,036	1,685,000	468,100
2027	565,000	37,538	1,755,000	383,850
2028	590,000	19,175	1,825,000	296,100
2029	-	-	1,900,000	241,350
2030	-	-	1,975,000	184,350
2031	-	-	2,055,000	125,100
2032	-	-	2,115,000	63,450
Total	2,750,000	264,787	16,495,000	2,939,000
Plus unamortized premium	30,615	-	1,679,275	-
Total	$ 2,780,615	$ 264,787	$ 18,174,275	$ 2,939,000

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NOTE F – LONG-TERM OBLIGATIONS, Continued

General Obligation Bonds, Continued

On March 5, 2019, the City issued General Obligation Bonds Series 2019 in the par amount of $48,290,000, a premium of $6,827,264 and issuance costs of $215,508. Pursuant to a special bond election held on November 6, 2018, the proceeds of the bonds were used to acquire, improve and forever preserve open space, park and recreational land located in Treasure Hill and Armstrong/Snow Ranch Pasture. Additionally, the bonds currently refunded $4,290,000 principal of the City's General Obligation Bonds Series 2008, plus $67,993 interest. For government-wide reporting, the gain on refunding is reported as a deferred inflow of resources and amortized over the life of the bond. Repayments are made from property tax revenues and recorded in the Park City General Obligation Debt Service Fund.

On May 6, 2020, the City issued General Obligation Bonds Series 2020 in the par amount of $9,470,000, a premium of $1,298,465 and issuance costs of $83,373. Pursuant to a special bond election held on November 6, 2018, the proceeds of the bonds were used to acquire, improve and forever preserve open space, park and recreational land located in Treasure Hill and Armstrong/Snow Ranch Pasture. The 2020 Bonds were the last block of bonds to be issued from the 2018 bond election. Additionally, the bonds currently refunded $3,730,000 and $2,255,000 principal of the City's General Obligation Bonds Series 2009 and Series 2010B, respectively, plus $1,991 and $1,562 interest, respectively. For government-wide reporting, the gain on refunding is reported as a deferred inflow of resources and amortized over the life of the bond. Repayments are made from property tax revenues and recorded in the Park City General Obligation Debt Service Fund.

The debt service requirements for the bonds at June 30, 2023 were as follows:

	Series 2019 Dated March 5, 2019 $48,290,000 @ 3.00% to 5.00% per annum paid semiannually (February and August)		Series 2020 Dated May 6, 2020 $9,470,000 @ 2.125% to 5.00% per annum paid semiannually (May and November)	
Fiscal Year Ending June 30,	PRINCIPAL	INTEREST	PRINCIPAL	INTEREST
2024	$ 3,245,000	$ 1,640,400	$ 1,570,000	$ 224,587
2025	3,405,000	1,478,150	615,000	146,088
2026	2,730,000	1,307,900	240,000	115,337
2027	2,870,000	1,171,400	250,000	103,338
2028	3,015,000	1,027,900	265,000	90,837
2029	3,165,000	877,150	275,000	77,588
2030	3,320,000	718,900	290,000	63,837
2031	3,490,000	552,900	305,000	49,338
2032	3,625,000	413,300	320,000	37,137
2033	3,810,000	232,050	330,000	27,538
2034	3,925,000	117,750	340,000	17,637
2035	-	-	350,000	7,445
Total	36,600,000	9,537,800	5,150,000	960,707
Plus unamortized premium	4,850,652	-	1,025,628	-
Total	$ 41,450,652	$ 9,537,800	$ 6,175,628	$ 960,707

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NOTE F – LONG-TERM OBLIGATIONS, Continued

Sales Tax Revenue and Refunding Bonds

On September 11, 2014, the City issued Sales Tax Revenue Bonds, Series 2014B in the amount of $5,375,000 plus a premium of $166,022. The proceeds from the sale of the Series 2014B Sales Tax Revenue Bonds were used for the purpose of financing the cost associated with improvements and acquisition of open space.

On May 12, 2015, the City issued Sales Tax Revenue Bonds, Series 2015 in the amount of $11,600,000 plus a premium of $607,524. The proceeds from the sale of the bonds were used for the purpose of financing the cost associated with improvements and acquisition of open space.

The debt service requirements for the bonds at June 30, 2023 were as follows:

Fiscal Year Ending June 30,	Series 2014B Dated September 11, 2014 $5,375,000 @ 3.00% to 3.25% per annum paid semiannually (June and December) PRINCIPAL	Series 2014B INTEREST	Series 2015 Dated May 12, 2015 $11,600,000 @ 2.00% to 4.00% per annum paid semiannually (June and December) PRINCIPAL	Series 2015 INTEREST
2024	$ 640,000	$ 128,013	$ 795,000	$ 204,525
2025	660,000	108,813	820,000	180,675
2026	680,000	89,013	845,000	156,075
2027	700,000	68,613	880,000	122,275
2028	720,000	47,612	905,000	95,875
2029	745,000	24,212	930,000	68,725
2030	-	-	970,000	31,525
Total	4,145,000	466,276	6,145,000	859,675
Plus unamortized premium	67,101	-	280,348	-
Total	$ 4,212,101	$ 466,276	$ 6,425,348	$ 859,675

On November 11, 2017, the City issued Sales Tax Revenue Bonds, Series 2017 in the amount of $31,940,000 plus a premium of $3,287,871. The proceeds from the sale of the bonds were used for the purpose of financing the acquisition and construction of affordable housing units; land acquisition; parking, plaza and walkway improvements; road improvements; open space acquisition; and parks and community center improvements.

On February 21, 2019 the City issued Sales Tax Revenue Bonds, Series 2019 in the amount of $26,775,000 plus a premium of $3,495,522. The proceeds from the sale of the bonds were used for the purpose of financing a portion of the cost of a revolving program of acquiring and constructing affordable housing units, parking and plaza improvements, road improvements, open space acquisition, and park, recreation and community center improvements.

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NOTE F – LONG-TERM OBLIGATIONS, Continued

Sales Tax Revenue and Refunding Bonds, Continued

The debt service requirements for the bonds at June 30, 2023 were as follows:

Fiscal Year Ending June 30,	Series 2017 Dated November 11, 2017 $31,940,000 @ 2.85% to 5.00% per annum paid semiannually (June and December)		Series 2019 Dated February 21, 2019 $26,775,000 @ 3.00% to 5.00% per annum paid semiannually (June and December)	
	PRINCIPAL	INTEREST	PRINCIPAL	INTEREST
2024	$ 1,965,000	$ 807,028	$ 1,550,000	$ 865,750
2025	2,060,000	708,778	1,600,000	811,000
2026	2,165,000	605,777	1,650,000	753,750
2027	2,275,000	497,528	1,750,000	668,750
2028	2,385,000	383,777	1,825,000	579,375
2029	2,480,000	288,378	1,925,000	485,625
2030	2,555,000	213,977	2,025,000	386,875
2031	2,620,000	147,548	2,125,000	293,750
2032	2,695,000	76,807	2,200,000	207,250
2033	-	-	2,300,000	117,250
2034	-	-	2,375,000	35,625
Total	21,200,000	3,729,598	21,325,000	5,205,000
Plus unamortized premium	2,026,828	-	2,474,969	-
Total	$ 23,226,828	$ 3,729,598	$ 23,799,969	$ 5,205,000

The Series 2014B, 2015, 2017 and 2019 Bonds are special limited obligations of the City, payable solely from and secured solely by a pledge of revenues from (1) 100 percent of the revenues received by the City from the local sales and use tax levied by the City pursuant to the Utah Local Sales and Use Tax Act, Title 59, Chapter 12, Part 2, Utah Code and (2) 100 percent of the revenues received by the City from the resort communities tax levied by the City pursuant to Title 59, Chapter 12, Part 4 of the Utah Code. The bonds do not constitute a pledge of the ad valorem taxing power or the full faith and credit of the City.

The Series 2017 and 2019 Bonds are additionally payable solely from and secured solely by a pledge of revenues from 100 percent of the revenues received by the City from the municipal transient room tax levied by the City pursuant to Title 59, Chapter 12, Part 3A, Utah Code.

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NOTE F – LONG-TERM OBLIGATIONS, Continued

Water Revenue Bonds

On July 14, 2009, the City issued the par amount of $2,500,000 in Taxable Water Revenue Bonds Series 2009A to finance the construction of drinking water system improvements. The bonds bear no interest and the principal payment of $125,000 is paid annually beginning July 15, 2010 and ending July 15, 2029. Repayments on the debt are made from the net revenues of the Water Fund. The outstanding balance at June 30, 2022 is $1,000,000.

Water Revenue Refunding Bonds

On February 21, 2013, the City issued the par amount of $3,045,000 in Water Revenue and Refunding Bonds Series 2013 A and B plus a premium of $37,518. The premium was deferred and amortized over the life of the bond using the effective interest method. The bond proceeds were used to refund $3,029,000 principal of outstanding Water Revenue Bonds Series 2006 plus interest of $63,609. The bonds incurred bond issue costs of $74,516, which were recognized as an expense in the period incurred. Repayments on the debt are made from the net revenues of the Water Fund.

On June 25, 2014, the City issued the par amount of $4,115,000 in Water Revenue Bonds Series 2014 plus a premium of $223,986 to finance construction of water system infrastructure. The premium was deferred and amortized over the life of the bond on an effective interest method. The bonds incurred bond issue costs of $93,218, which were recognized as an expense in the period incurred. Repayments on the debt are made from net revenues of the Water Fund.

The debt service requirements for the water refunding bonds at June 30, 2023 were as follows:

Fiscal Year Ending June 30,	Series 2013A Dated February 21, 2013 $3,045,000 @ 2.00% per annum paid semiannually (June and December) PRINCIPAL	INTEREST	Series 2014 Dated June 25, 2014 $4,115,000 @ 3.25% per annum paid semiannually (June and December) PRINCIPAL	INTEREST
2024	$ 250,000	$ 12,900	$ -	$ 133,738
2025	255,000	7,850	2,350,000	133,738
2026	265,000	2,650	1,765,000	57,362
Total	770,000	23,400	4,115,000	324,838
Plus unamortized premium/discount	7,222	-	55,475	-
Total	$ 777,222	$ 23,400	$ 4,170,475	$ 324,838

On June 16, 2020, the City issued the par amount of $75,515,000 in Water Revenue Bonds Series 2020 plus a premium of $9,802,442. The premium was deferred and amortized over the life of the bond using the effective interest method. The bond proceeds were used to refund $8,235,000 and $4,945,000 of outstanding Water Revenue Bonds Series 2009C and 2010, respectively plus interest of $225,484 and $99,449, respectively. New money in the amount of $66,620,000 was received to finance construction of water system infrastructure. The bonds incurred bond issue costs of $333,785, which were recognized as an expense in the period incurred. Repayments on the debt are made from net revenues of the Water Fund.

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NOTE F – LONG-TERM OBLIGATIONS, Continued

Water Revenue Refunding Bonds, Continued

On October 13, 2021, the City issued the par amount of $66,135,000 in Water Revenue Bonds Series 2021 plus a premium of $6,052,311. The premium was deferred and amortized over the life of the bond using the effective interest method. The bond proceeds were used to refund $1,925,000 and $5,525,000 of outstanding Water Revenue Bonds Series 2012 and 2012B, respectively plus interest of $21,063 and $62,156, respectively. New money in the amount of $65,000,000 was received to finance construction of water system infrastructure. The bonds incurred bond issue costs of $320,994, which were recognized as an expense in the period incurred. Repayments on the debt are made from net revenues of the Water Fund.

The debt service requirements for these bonds at June 30, 2023 were as follows:

Fiscal Year Ending June 30,	Series 2020 Dated June 16, 2020 $75,515,000 @ 2.125% to 5.00% per annum paid semiannually (June and December)		Series 2021 Dated October 13, 2021 $66,135,000 @ 2.00% to 5.00% per annum paid semiannually (June and December)	
	PRINCIPAL	INTEREST	PRINCIPAL	INTEREST
2024	$ 2,325,000	$ 2,201,719	$ 2,325,000	$ 2,018,007
2025	175,000	2,139,218	2,300,000	1,902,381
2026	-	2,134,844	3,280,000	1,762,882
2027	1,945,000	2,086,219	3,645,000	1,589,756
2028	2,000,000	1,987,594	3,875,000	1,401,757
2029	4,250,000	1,831,344	1,930,000	1,256,631
2030	4,475,000	1,613,219	2,020,000	1,157,882
2031	4,700,000	1,383,844	2,255,000	1,051,006
2032	4,875,000	1,193,219	2,385,000	935,006
2033	5,025,000	1,044,719	2,495,000	825,481
2034	5,175,000	891,719	2,575,000	749,831
2035	5,350,000	733,844	2,610,000	697,981
2036	5,500,000	571,094	2,675,000	645,131
2037	5,650,000	432,094	2,715,000	591,231
2038	5,775,000	314,234	2,765,000	536,431
2039	5,875,000	190,453	2,845,000	480,331
2040	6,025,000	64,014	2,880,000	421,281
2041	-	-	9,095,000	294,047
2042	-	-	9,290,000	98,706
Total	69,120,000	20,813,391	63,960,000	18,415,759
Plus unamortized premium	8,275,849	-	5,538,916	-
Total	$ 77,395,849	$ 20,813,391	$ 69,498,916	$ 18,415,759

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NOTE F – LONG-TERM OBLIGATIONS, Continued

Other Debt

The City entered into an agreement with Weber Basin Water Conservancy District for the right to share in the existing capacity in the East Canyon Water Treatment Plan and Highway 40 System. In return, the City agreed to make an annual payment of $200,000 per year beginning January 1, 2020 through January 1, 2039. The contract payable has an effective interest rate of 1.8 percent per annum.

The debt service requirements for the contracts payable at June 30, 2023 were as follows:

Fiscal Year Ending June 30,	PRINCIPAL	INTEREST
2024	$ 149,278	$ 50,722
2025	152,032	47,968
2026	154,837	45,163
2027	157,693	42,307
2028	160,603	39,397
2029	163,566	36,434
2030	166,584	33,416
2031	169,657	30,343
2032	172,788	27,212
2033	175,975	24,024
2034	179,222	20,778
2035	182,529	17,471
2036	185,897	14,104
2037	189,326	10,674
2038	192,819	7,181
2039	196,377	3,623
Total	$ 2,749,183	$ 450,817

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NOTE F – LONG-TERM OBLIGATIONS, Continued

Annual Debt Service

The annual debt service requirements for all long-term debt outstanding as of June 30, 2023 by activity are as follows:

Fiscal Year Ending June 30,	Governmental Activities		Business-Type Activites	
	General Obligation Bonds	Revenue Bonds	Revenue Bonds	Contract Payable
Principal				
2024	$ 6,890,000	$ 4,950,000	$ 5,025,000	$ 149,278
2025	6,175,000	5,140,000	5,205,000	152,032
2026	5,205,000	5,340,000	5,435,000	154,837
2027	5,440,000	5,605,000	3,770,000	157,693
2028	5,695,000	5,835,000	5,945,000	160,603
2029-2033	26,975,000	23,570,000	31,635,000	848,570
2034-2038	4,615,000	2,375,000	40,040,000	929,793
2039-2042	-	-	41,785,000	196,377
Total	60,995,000	52,815,000	138,840,000	2,749,183
Plus unamortized premium/discount	7,586,170	4,849,246	13,877,462	-
Total	$ 68,581,170	$ 57,664,246	$ 152,717,462	$ 2,749,183
Interest				
2024	$ 2,576,438	$ 2,005,316	$ 4,366,363	$ 50,722
2025	2,243,526	1,809,266	4,183,188	47,968
2026	1,945,376	1,604,616	3,957,738	45,163
2027	1,696,124	1,357,164	3,675,975	42,307
2028	1,434,013	1,106,641	3,389,350	39,397
2029-2033	3,663,988	2,341,922	12,292,349	151,429
2034-2038	142,826	35,625	6,163,589	70,208
2039-2042	-	-	1,548,834	3,623
Total	$ 13,702,291	$ 10,260,550	$ 39,577,386	$ 450,817

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NOTE G – SUBSCRIPTION BASED IT ARRANGEMENTS

The City is committed under various subscription-based IT arrangements (SBITAs). At June 30, 2023, the City has 6 qualifying SBITAs that range from 2-3 years with a total asset value of $391,481 and accumulated amortization of $134,099. During the fiscal year, the City recognized $169,210 and $3,362 in principal and interest payments, respectively.

The City's schedule of future minimum payments for these SBITA liabilities is as follows:

Fiscal Year Ended June 30,	Principal	Interest	Total
2024	$ 170,646	$ 1,927	$ 172,573
2025	51,625	344	51,969

NOTE H – RETIREMENT PLANS

General Information about the Pension Plan

Plan description: Eligible plan participants are provided with pensions through the Utah Retirement Systems (Systems). The Systems are comprised of the following pension trust funds:

Defined Benefit Plans

- Public Employees Noncontributory Retirement System (Noncontributory System);
- Public Employees Contributory Retirement System (Contributory System) is a multiple-employer, cost-sharing, public employee retirement system;
- Public Safety Retirement System (Public Safety System) is a multiple-employer, cost-sharing, public employee retirement system;
- Tier 2 Public Employees Contributory Retirement System (Tier 2 Public Employees System) is a multiple-employer, cost-sharing, public employee retirement system;
- Tier 2 Public Safety and Firefighter Contributory Retirement System (Tier 2 Public Safety and Firefighters System) is a multiple-employer, cost-sharing, public employee retirement system.

The Tier 2 Public Employees System became effective July 1, 2011. All eligible employees beginning on or after July 1, 2011, who have no previous service credit with any of the Systems, are members of the Tier 2 Retirement System.

The Systems are established and governed by the respective sections of Title 49 of the Utah Code Annotated 1953, as amended. The Systems' defined benefit plans are amended statutorily by the State Legislature. The Utah State Retirement Office Act in Title 49 provides for the administration of the Systems under the direction of the Utah State Retirement Board (Board), whose members are appointed by the Governor. The Systems are fiduciary funds defined as pension (and other employee benefit) trust funds. The Systems are a component unit of the State of Utah. Title 49 of the Utah Code grants the authority to establish and amend the benefit terms.

The Systems issue a publicly available financial report that can be obtained by writing Utah Retirement Systems, 560 E. 200 S., Salt Lake City, Utah 84102 or visiting the website: www.urs.org/general/publications.

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NOTE H – RETIREMENT PLANS, Continued

Benefits provided: The Systems provide retirement, disability, and death benefits. Retirement benefits are as follows:

System	Final average salary	Years of service required and/or age eligible for benefit	Benefit percent per year of service	COLA**
Noncontributory System	Highest 3 years	30 years any age 25 years any age* 20 years age 60* 10 years age 62* 4 years age 65	2.00% per year all years	Up to 4.00%
Contributory System	Highest 5 years	30 years any age 20 years age 60* 10 years age 62* 4 years age 65	1.25% per year to June 1975; 2.00% per year July 1975 to present	Up to 4.00%
Public Safety System	Highest 3 years	20 years any age 10 years age 60 4 years age 65	2.50% per year up to 20 years; 2.00% per year over 20 years	Up to 2.50% or 4.00% depending upon employer
Tier 2 Public Employees System	Highest 5 years	35 years any age 20 years age 60* 10 years age 62* 4 years age 65	1.50% per year all years	Up to 2.50%
Tier 2 Public Safety and Firefighter System	Highest 5 years	25 years any age 20 years age 60* 10 years age 62* 4 years age 65	1.50% per year to June 2020; 2.00% per year July 2020 to present	Up to 2.50%

* Actuarial reductions are applied.
**All post-retirement cost-of-living adjustments are non-compounding and are based on the original benefit except for Judges, which is a compounding benefit. The cost-of-living adjustments are also limited to the actual Consumer Price Index (CPI) increase for the year, although unused CPI increases not met may be carried forward to subsequent years.

Contribution Rate Summary

As a condition of participation in the Systems, employers and/or employees are required to contribute certain percentages of salary and wages as authorized by statute and specified by the Systems' Board. Contributions are actuarially determined as an amount that, when combined with employee contributions (where applicable) is expected to finance the costs of benefits earned by employees during the year, with an additional amount to finance any unfunded actuarial accrued liability.

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NOTE H – RETIREMENT PLANS, Continued

Contribution rates as of June 30, 2023 are as follows:

	Employee	Employer	Employer 401(k)
Contributory System			
11 Local Government Div - Tier 1	6.00	13.96	-
111 Local Government Div - Tier 2*	-	16.01	0.18
Noncontributory System			
15 Local Government Div - Tier 1	-	17.97	-
Public Safety System			
Contributory			
122 Tier 2 DB Hybrid Public Safety*	2.59	25.83	-
Noncontributory			
43 Other Div A with 2.50% COLA	-	34.04	-
Tier 2 Defined Contribution Only*			
211 Local Government	-	6.19	10.00
222 Public Safety	-	11.83	14.00

*Tier 2 rates include a statutory required contribution to finance the unfunded actuarial accrued liability of the Tier 1 plans.

For the fiscal year ended June 30, 2023, the employer and employee contributions to the Systems were as follows:

System	Employer Contributions	Employee Contributions
Noncontributory System	$ 1,391,539	$ -
Contributory System	23,410	10,061
Public Safety System	874,787	-
Tier 2 Public Employees Systems	2,464,116	-
Tier 2 Public Safety and Firefighter	140,141	13,895
Tier 2 DC Only System	191,025	-
Tier 2 DC Public Safety and Firefighter System	11,013	-
Total Contributions	$ 5,096,032	$ -

Contributions reported are the Systems' Board approved required contributions by the System. Contributions in the Tier 2 Systems are used to finance the unfunded liabilities in the Tier 1 Systems.

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NOTE H – RETIREMENT PLANS, Continued

Combined Pension Assets, Liabilities, Expense, Deferred Outflows and Inflows of Resources Related to Pensions

At June 30, 2023, the City reported a net pension asset of $0 and a net pension liability of $5,020,590.

	(Measurement Date): December 31, 2022				
	Net Pension Asset	Net Pension Liability	Proportionate Share	Proportionate Share December 31, 2021	Change (Decrease)
Noncontributory System	$ -	$ 2,125,557	1.2410208 %	1.0837078 %	0.1573130 %
Contributory System	-	144,808	1.4079842	1.5272379	(0.1192537)
Public Safety System	-	2,036,044	1.5745754	1.3752460	0.1993294
Tier 2 Public Employees System	-	703,631	0.6461891	0.5734098	0.0727793
Tier 2 Public Safety and Firefighter	-	10,550	0.1264571	0.0963238	0.0301333
	$ -	$ 5,020,590			

The net pension asset and liability were measured as of December 31, 2022, and the total pension liability used to calculate the net pension asset and liability was determined by an actuarial valuation as of January 1, 2022 and rolled-forward using generally accepted actuarial procedures. The proportion of the net pension asset and liability is equal to the ratio of the employer's actual contributions to the Systems during the plan year over the total of all employer contributions to the Systems during the plan year.

For the fiscal year ended June 30, 2023, the City recognized pension expense of $3,298,049.

At June 30, 2023, the City reported deferred outflows of resources and deferred inflows of resources relating to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual experience	$ 972,721	$ 31,415
Changes in assumptions	638,063	11,335
Net difference between projected and actual earnings on pension plan investments	2,211,759	-
Changes in proportion and differences between contributions and proportionate share of contributions	373,106	80,760
Contributions subsequent to the measurement date	2,468,662	-
	$ 6,664,311	$ 123,510

$2,468,662 reported as deferred outflows of resources related to pensions results from contributions made by the City prior to fiscal year end, but subsequent to the measurement date of December 31, 2022.

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NOTE H – RETIREMENT PLANS, Continued

These contributions will be recognized as a reduction of the net pension liability in the upcoming fiscal year. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

Year ended December 31,	Net Deferred Outflows (Inflows) of Resources
2023	$ (590,970)
2024	79,818
2025	931,239
2026	3,354,639
2027	60,718
Thereafter	236,695

Noncontributory System Pension Expense, and Deferred Outflows and Inflows of Resources
For the fiscal year ended June 30, 2023, the City recognized pension expense of $853,921.

At June 30, 2023, the City reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual experience	$ 720,957	$ -
Changes in assumptions	348,351	8,488
Net difference between projected and actual earnings on pension plan investments	1,402,038	-
Changes in proportion and differences between contributions and proportionate share of contributions	130,350	48,978
Contributions subsequent to the measurement date	670,115	-
	$ 3,271,811	$ 57,466

$670,115 reported as deferred outflows of resources related to pensions results from contributions made by the City prior to fiscal year end, but subsequent to the measurement date of December 31, 2022.

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NOTE H – RETIREMENT PLANS, Continued

These contributions will be recognized as a reduction of the net pension liability in the upcoming fiscal year. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

Year ended December 31,	Net Deferred Outflows (Inflows) of Resources
2023	$ (281,272)
2024	109,252
2025	563,144
2026	2,153,108
2027	-
Thereafter	-

Contributory System Pension Expense, and Deferred Outflows and Inflows of Resources
For the fiscal year ended June 30, 2023, the City recognized pension expense of $329,700.

At June 30, 2023, the City reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual experience	$ -	$ -
Changes in assumptions	-	-
Net difference between projected and actual earnings on pension plan investments	43,170	-
Changes in proportion and differences between contributions and proportionate share of contributions	-	-
Contributions subsequent to the measurement date	11,554	-
	$ 54,724	$ -

$11,554 reported as deferred outflows of resources related to pensions results from contributions made by the City prior to fiscal year end, but subsequent to the measurement date of December 31, 2022.

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NOTE H – RETIREMENT PLANS, Continued

These contributions will be recognized as a reduction of the net pension liability in the upcoming fiscal year. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

Year ended December 31,	Net Deferred Outflows (Inflows) of Resources
2023	$ (122,553)
2024	(36,618)
2025	33,200
2026	169,141
2027	-
Thereafter	-

Public Safety System Pension Expense, and Deferred Outflows and Inflows of Resources
For the fiscal year ended June 30, 2023, the City recognized pension expense of $720,129.

At June 30, 2023, the City reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual experience	$ 9,014	$ -
Changes in assumptions	54,608	-
Net difference between projected and actual earnings on pension plan investments	471,924	-
Changes in proportion and differences between contributions and proportionate share of contributions	124,283	1,021
Contributions subsequent to the measurement date	396,407	-
	$ 1,056,236	$ 1,021

$396,407 reported as deferred outflows of resources related to pensions results from contributions made by the City prior to fiscal year end, but subsequent to the measurement date of December 31, 2022.

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NOTE H – RETIREMENT PLANS, Continued

These contributions will be recognized as a reduction of the net pension liability in the upcoming fiscal year. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

Year ended December 31,	Net Deferred Outflows (Inflows) of Resources
2023	$ (228,094)
2024	(79,612)
2025	196,730
2026	769,784
2027	-
Thereafter	-

Tier 2 Public Employees System Pension Expense, and Deferred Outflows and Inflows of Resources

For the fiscal year ended June 30, 2023, the City recognized pension expense of $1,347,927.

At June 30, 2023, the City reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual experience	$ 237,661	$ 27,917
Changes in assumptions	228,432	1,790
Net difference between projected and actual earnings on pension plan investments	283,681	-
Changes in proportion and differences between contributions and proportionate share of contributions	108,533	28,672
Contributions subsequent to the measurement date	1,311,031	-
	$ 2,169,338	$ 58,379

$1,311,031 reported as deferred outflows of resources related to pensions results from contributions made by the City prior to fiscal year end, but subsequent to the measurement date of December 31, 2022.

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NOTE H – RETIREMENT PLANS, Continued

These contributions will be recognized as a reduction of the net pension liability in the upcoming year. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

Year ended December 31,	Net Deferred Outflows (Inflows) of Resources
2023	$ 39,372
2024	84,068
2025	134,162
2026	255,031
2027	59,484
Thereafter	227,811

Tier 2 Public Safety and Firefighter Pension Expense, and Deferred Outflows and Inflows of Resources

For the fiscal year ended June 30, 2023, the City recognized pension expense of $46,372.

At June 30, 2023, the City reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual experience	$ 5,089	$ 3,498
Changes in assumptions	6,672	1,057
Net difference between projected and actual earnings on pension plan investments	10,946	-
Changes in proportion and differences between contributions and proportionate share of contributions	9,940	2,089
Contributions subsequent to the measurement date	79,555	-
	$ 112,202	$ 6,644

$79,555 reported as deferred outflows of resources related to pensions results from contributions made by the City prior to fiscal year end, but subsequent to the measurement date of December 31, 2022.

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NOTE H – RETIREMENT PLANS, Continued

These contributions will be recognized as a reduction of the net pension liability in the upcoming fiscal year. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

Year ended December 31,	Net Deferred Outflows (Inflows) of Resources
2023	$ 1,577
2024	2,728
2025	4,003
2026	7,575
2027	1,234
Thereafter	8,884

Actuarial Assumptions

The total pension liability in the December 31, 2022, actuarial valuation was determined using the following actuarial assumption, applied to all periods included in the measurement:

Inflation	2.50 percent
Salary increases	3.25 - 9.25 percent, average, including inflation
Investment rate of return	6.85 percent, net of pension plan investment expense, including inflation

Mortality rates were adopted from an actuarial experience study dated January 1, 2020. The retired mortality tables are developed using URS retiree experience and are based upon gender, occupation, and age as appropriate with projected improvement using 80.0% of the ultimate rates from the MP-2019 improvement assumption using a base year of 2020. The mortality assumption for active members is the PUB-2010 Employees Mortality Table for public employees, teachers, and public safety members, respectively.

The actuarial assumptions used in the January 1, 2022 valuation were based on an experience of the demographic assumptions as of January 1, 2020, and a review of economic assumptions as of January 1, 2021.

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NOTE H – RETIREMENT PLANS, Continued

The long-term expected rate of return on pension plan investments was determined using a building-block method in which best estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class and is applied consistently to each defined benefit pension plan. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. The target allocation and best estimates of arithmetic real rates of return for each major asset class are summarized in the following table:

	Expected Return Arithmetic Basis		
Asset Class	Target Asset Allocation	Real Return Arithmetic Basis	Long-Term Expected Portfolio Real Rate of Return
Equity securities	35.000 %	6.58 %	2.30 %
Debt securities	20.000	1.08	0.22
Real assets	18.000	5.72	1.03
Private equity	12.000	9.80	1.18
Absolute return	15.000	2.91	0.44
Cash and cash equivalents	-	(0.11)	0.00
Totals	100.00 %		5.17 %
Inflation			2.50 %
Expected arithmetic nominal return			7.67 %

The 6.85 percent assumed investment rate of return is comprised of an inflation rate of 2.50 percent, a real return of 4.35 percent that is net of investment expense.

Discount rate: The discount rate used to measure the total pension liability was 6.85 percent. The projection of cash flows used to determine the discount rate assumed that employee contributions will be made at the current contribution rate and that contributions from all participating employers will be made at contractually required rates that are actuarially determined and certified by the Systems' Board. Based on those assumptions, the pension plan's fiduciary net position was projected to be available to make all projected future benefit payments of current active and inactive employees. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability. The discount rate does not use the Municipal Bond Index Rate.

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NOTE H – RETIREMENT PLANS, Continued

Sensitivity of the proportionate share of the net pension asset and liability to changes in the discount rate: The following presents the proportionate share of the net pension liability calculated using the discount rate of 6.85 percent, as well as what the proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1 percentage point lower (5.85 percent) or 1 percentage point higher (7.85 percent) than the current rate:

System	1% Decrease or 5.85%	Discount Rate of 6.85%	1% Increase or 7.85%
Noncontributory System	$ 13,395,972	$ 2,125,557	$ (7,291,468)
Contributory System	742,888	144,808	(362,791)
Public Safety System	6,557,090	2,036,044	(1,640,632)
Tier 2 Public Employees System	3,074,483	703,631	(1,122,809)
Tier 2 Public Safety and Firefighter System	84,447	10,550	(48,181)
Total	$ 23,854,880	$ 5,020,590	$ (10,465,881)

Pension plan fiduciary net position: Detailed information about the pension plan's fiduciary net position is available in the separately issued Systems' financial report.

Defined Contribution Savings Plans

The Defined Contribution Savings Plans are administered by the Systems' Board and are generally supplemental plans to the basic retirement benefits of the Systems but may also be used as a primary retirement plan. These plans are voluntary tax-advantaged retirement savings programs authorized under sections 401(k), 457(b) and 408 of the Internal Revenue code. Detailed information regarding plan provisions is available in the separately issued Systems' financial report.

The City participates in the following Defined Contribution Savings Plans with the Systems:

- 401(k) Plan
- Roth IRA Plan

Employee and employer contributions to the Systems Defined Contribution Savings Plans for fiscal year ended June 30th were as follows:

	2023	2022	2021
401(k) Plan			
Employer Contributions	$396,984	$379,310	$362,410
Employee Contributions	71,469	8804	-
Roth IRA Plan			
Employer Contributions	N/A	N/A	N/A
Employee Contributions	16,470	15,190	12,285

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NOTE I – DEFINED CONTRIBUTION PLANS

Section 401(a) defined contribution money purchase plan

The City sponsors a defined contribution plan under Internal Revenue Code Section 401(a) for all full-time City employees not covered by the Public Safety Retirement System for employers with Social Security coverage.

MissionSquare Retirement (MissionSquare) administers this plan. The City's total payroll in the fiscal year ended June 30, 2023 was $35,586,138. Of that amount, $4,743,264 was eligible to participate in this plan. The City participated at a rate of 0.50 percent, under City resolution for the year ended June 30, 2023 for employees covered by the State Contributory System retirement plan, 0.50 percent for employees covered by the State Noncontributory System retirement plan, and 18.47 percent under State Statue for a limited number of employees that are exempt from the State plan. During the year ended June 30, 2023 contributions totaling $23,638 or 0.50 percent of covered payroll were made by the City. Employer contributions are fully vested in one year. All contributions were made by the due dates. The 401(a) defined contribution monies are not available to the City or its general creditors. Therefore, no assets or liabilities of the 401(a) defined contribution plan are reflected in the City's financial statements.

Section 457 deferred compensation plan

The City offers its employees a deferred compensation plan created in accordance with Internal Revenue Code Section 457. The plan, available to all full-time City employees, permits them to defer a portion of their salary until future years. Employees are eligible to voluntarily participate from the date of employment and are vested immediately upon participating. The City's total payroll in the fiscal year ended June 30, 2023 was $35,586,138 and the City's covered payroll eligible for this plan totaled $23,940,796. The City participates in employer benefits of $46.15 per pay period for those employees who have chosen single health insurance coverage and match the employees' voluntary contribution amount at fifty cents on the dollar to a maximum contribution of $900. Contributions totaling $310,777 or 1.30 percent of covered payroll were made by the City and voluntary contributions totaling $1,068,532 or 4.46 percent of covered payroll were made by employees. All contributions were made by the due dates.

All amounts of compensation deferred under the plan, all property and rights purchased with those amounts, and all income attributable to those amounts, property, or rights are held in trust for the exclusive benefit of participants and their beneficiaries, except that expenses and taxes may be paid from the Trust. Participants' rights under the plan are equal to those of general creditors of the City in an amount equal to the fair value of the deferred account for each participant. The deferred compensation is not available to employees until termination, retirement, death, or unforeseeable emergency.

Investments are managed by the plan's administrator under one of seven investment options, or a combination thereof. The choice of the investment option(s) is made by the participants. All of the assets and income of the 457 Plan are held in investment fund trusts by MissionSquare for the exclusive benefit of the participants or their beneficiaries rather than as assets of the employer. As MissionSquare is the fiduciary of these assets, the City is no longer required to report the assets.

Loans or notes between the City and the defined contribution plans

There are no securities, loans or notes of the City included in the plans' assets.

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NOTE J – COMMITMENTS AND CONTINGENCIES

There are several pending lawsuits in which the City is involved. The City Attorney estimates the potential claims against the City resulting from such litigation not covered by insurance would not materially affect the financial position of the City.

Commitments for major construction and capital improvements projects at June 30, 2023 are as follows:

Capital Projects Funds	$ 12,161,838
Enterprise Funds	$ 7,101,043

NOTE K – INTERGOVERNMENTAL REVENUES

Intergovernmental revenues were received by governmental fund types for the year ended June 30, 2023. They consist of the following:

State of Utah Class "C" road allotments	$ 396,403
State contributions	89,414
County contributions	751,113
Federal contributions	564,424
Fire District	300,645
School District	2,482,973
Total	$ 4,584,972

NOTE L – RISK MANAGEMENT

The City is exposed to various risks of loss related to torts; theft or, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. During fiscal year 1989, the City established a Self-Insurance Fund (an internal service fund) to account for and finance its uninsured risk of loss. Under this program, the Self-Insurance Fund provides coverage for up to a maximum of $250,000 per occurrence for general liability, automobile and errors and omissions. The City purchases commercial insurance for claims in excess of coverage provided by the Self-Insurance Fund and for all other risks of loss. Settled claims have not exceeded this commercial coverage in any of the past three fiscal years. Liabilities are recorded for any claim or judgment when information available prior to issuance of the financial statements indicates it is probable that an asset has been impaired or a liability has been incurred at the date of the financial statements and the amount of the loss can be reasonably estimated.

Unpaid claims as of June 30, 2021	$ 310,231
Incurred claims	92,031
Claim payments	(101,122)
Unpaid claims as of June 30, 2022	301,140
Incurred claims	274,919
Claim payments	(217,449)
Unpaid claims as of June 30, 2023	$ 358,610

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NOTE M – INTERFUND TRANSFERS

Fund Financial Statements

Transfers were made to and from several funds during the course of the year ended June 30, 2023. An interfund transfer is a legally authorized transfer between funds in which one fund is responsible for the initial receipt of funds and another fund is responsible for the actual disbursement. The General Fund transferred $2,953,987 to the Capital Improvement Fund and $1,585,600 to the Equipment Replacement Capital Projects Fund for future capital projects and replacement of rolling stock and computer equipment, respectively. The Redevelopment Agency funds for Main Street and Lower Park transferred $3,492,532 to the Special Revenue funds for capital expenditures. Several funds transferred a total of $6,968,791 to the Sales Tax Revenue Bond Debt Service Fund to support principal and interest payments on debt. The General Fund transferred $25,000 to the Golf Course Fund for administrative costs. Transfers to the General Fund were comprised of: $1,832,713 from the Water Fund, $124,430 from the Stormwater Fund, $1,341,889 from the Transportation and Parking Fund and $131,951 from the Golf Course Fund for administrative expenses for the year ended June 30, 2023. All interfund transfers within governmental activities and business-type activities are eliminated in the Government-Wide Financial Statements.

	Transfers into:					
	Governmental Activities				Business-Type Activities	
	Major Funds					
Transfers out from:	General Fund	Capital Improvement Fund	Sales Tax Revenue & Refunding - DSF	Nonmajor Funds	Golf Course Fund	Total
Governmental activities						
Major funds:						
General fund	$ -	$ 2,953,987	$ -	$ 1,585,600	$ 25,000	$ 4,564,587
Capital improvement fund	-	-	4,177,076	-	-	4,177,076
Nonmajor funds:						
Other funds	-	-	2,791,715	3,492,532	-	6,284,247
Business-type activities						
Water fund	1,832,713	-	-	-	-	1,832,713
Stormwater fund	124,430	-	-	-	-	124,430
Transportation and parking fund	1,341,889	-	-	-	-	1,341,889
Golf course fund	131,951	-	-	-	-	131,951
Total	$ 3,430,983	$ 2,953,987	$ 6,968,791	$ 5,078,132	$ 25,000	$ 18,456,893

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NOTE N - TAXES

Before June 15 of each year, the City sets the property tax rate for various municipal purposes. If the City intends to increase property tax revenues above the tax rate of the previous year, state law requires the City to provide public notice to property owners and hold public hearings. All property taxes levied by the City are assessed and collected by Summit and Wasatch Counties. Property taxes are levied on January 1 on real property values assessed as of the same date. Taxes are due November 30 and delinquent taxes are subject to a penalty. Unless the delinquent taxes and penalties are paid before January 15 of the following year, a lien is attached to the property and the amount of taxes and penalties bear interest from January 1 until paid.

If after five years, delinquent taxes have not been paid, the County sells the property at a tax sale. Tax collections are remitted to the City from the County on a monthly basis.

Sales and resort taxes are collected by the State Tax Commission and remitted to the City monthly. Franchise taxes are collected by the telephone, natural gas, electric utilities, cable television and sewer companies and remitted to the City periodically.

NOTE O – UNAVAILABLE REVENUE

Fund Financial Statements

At June 30, 2023, the following unavailable revenues were recorded in the fund financial statements as deferred inflows of resources because the funds were not available to finance expenditures of the current period.

	General	Debt Service - Park City General Obligation	Capital Projects - Capital Improvement Fund	Other Governmental Funds	Total
Notes receivable	$ -	$ -	$ 249,477	$ -	$ 249,477
Leases receivable	10,438,299	-	-	-	10,438,299
Property tax levied-not yet collected	10,774,116	9,466,438	-	4,400,797	24,641,351
	$ 21,212,415	$ 9,466,438	$ 249,477	$ 4,400,797	$ 35,329,127

NOTE P – CONDUIT DEBT

On May 13, 2021, the City issued $15,670,000 of 2021 Tax-Exempt Industrial Revenue Refunding Bonds on behalf of the United States Ski and Snowboard Association (USSA), a nonprofit corporation. The bonds refunded $15,455,766 of the 2015 Industrial Revenue Refunding Bonds issued on May 29, 2015, on behalf of USSA. The bonds bear interest at a 2.75 percent rate and mature May 1, 2036. The bonds were used to partially finance the construction of The USSA Center of Excellence, an athletic training and office facility located in Park City. The bonds are secured by a pledge of revenues under the Bond Indenture. Neither the City's General Fund nor the full faith and credit of the City are pledged for the payment of principal or interest on the bonds. Since the bonds do not constitute a debt of the City, they are not reported in the accompanying financial statements. The principal balance of outstanding bonds was $14,976,922 at June 30, 2023.

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NOTE Q – POLLUTION REMEDIATION

GAAP addresses accounting and financial reporting standards for pollution (including contamination) remediation obligations, which are obligations to address the current or potential detrimental effects of existing pollution by participating in pollution remediation activities such as site assessments and cleanups. GASB 49 identifies the obligating events, which require the City to estimate the components of expected pollution remediation outlays and determine whether outlays for those components should be accrued as a liability or, if appropriate, capitalized when goods and services are acquired.

The United States Environmental Protection Agency (USEPA) and Utah Department of Environmental Quality have been investigating and evaluating mine sites within the Park City area since the early 1980's. In 1988, pursuant to approval of USEPA, Park City Municipal Corporation enacted the Landscaping and Maintenance of Soil Cover Ordinance for lots within the City limits. In general, the landscaping and soil maintenance cover requirements mandated a 6-inch clean topsoil cap in order to contain the underlying mine related material. The general objective of these measures was to isolate potentially contaminated material from the surface and minimize direct contact. On April 30, 2004, the City implemented an Environmental Management System (EMS) to further strengthen the Soils Ordinance Program on a long-term basis. The EMS Soils Ordinance Boundary contains pollution remediation obligations of Park City Municipal Corporation pursuant to this local ordinance, which is an obligating event pursuant to GASB 49. Park City has evaluated its property holdings and found that there exists remediation obligations. The estimated cost to remediate these properties is $2,250,000. In addition, Park City, is responsible for assessing environmental damages through an NRDA assessment. The estimated cost for the assessment and potential damages is $1,720,000. The total estimate of $3,470,000 is measured at current value using the expected cash flow technique, which measures the liability as the sum of probability-weighted amounts in a range of possible estimated amounts. This technique uses all expectations about possible cash flows. The pollution remediation obligation is an estimate subject to changes resulting from price increases or reductions, technology, or changes in applicable laws and regulations.

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REQUIRED SUPPLEMENTARY INFORMATION

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Schedule of Required Supplementary Information
Schedule of the Proportionate Share of the Net Pension Liability
Park City Municipal Corporation, Utah
Utah Retirement Systems
Last 10 Calendar Years [1]

	As of calendar year ended December 31,	Proportion of the net pension liability (asset)	Proportionate share of the net pension liability (asset)	Covered payroll	Proportionate share of the net pension liability (asset) as a percentage of its covered payroll	Plan fiduciary net position as a percentage of its covered payroll
Noncontributory System	2014	1.1057757 %	$ 4,801,538	$ 8,969,083	53.50 %	90.20 %
	2015	1.1629907	6,580,767	8,900,339	73.94	87.80
	2016	1.1028763	7,081,816	8,404,365	84.26	87.30
	2017	1.1793561	5,167,113	8,457,558	61.09	91.90
	2018	1.2132077	8,933,726	8,284,921	107.83	87.00
	2019	1.1954718	4,505,576	7,721,132	58.35	93.70
	2020	1.0590082	543,211	6,406,630	8.48	99.20
	2021	1.0837078	(6,206,510)	6,475,027	(95.85)	108.70
	2022	1.2410208	2,125,557	7,593,684	27.99	97.50
Contributory System	2014	1.7202131	496,184	921,380	53.90	94.00
	2015	2.1367876	1,501,851	910,458	164.96	85.70
	2016	3.5528544	1,165,731	852,469	136.75	92.90
	2017	4.2822288	348,463	868,933	40.10	98.20
	2018	4.4140715	1,791,243	826,181	216.81	91.20
	2019	4.3953469	288,055	787,616	36.57	98.60
	2020	3.2448058	(581,540)	535,246	(108.65)	(103.90)
	2021	1.5272379	(1,105,633)	224,323	(492.87)	115.90
	2022	1.4079842	144,808	197,103	73.47	97.70
Public Safety System	2014	1.0325635	1,298,534	1,628,847	79.70	90.50
	2015	1.1316373	2,027,047	1,850,090	109.56	87.10
	2016	1.3348476	2,708,774	2,154,360	125.73	86.50
	2017	1.4076471	2,208,117	2,326,902	94.90	90.20
	2018	1.3792220	3,548,166	2,335,379	151.93	84.70
	2019	1.3778642	2,212,323	2,376,678	93.08	90.90
	2020	1.3794893	1,145,309	2,435,306	47.03	95.50
	2021	1.3752460	(1,116,896)	2,453,207	(45.53)	104.20
	2022	1.5745754	2,036,044	2,852,056	71.39	93.60
Tier 2 Public Employees System	2014	0.4811751	(14,582)	2,361,287	(0.60)	103.50
	2015	0.6083725	(1,328)	3,930,779	(0.03)	100.20
	2016	0.5779839	64,474	4,739,934	1.36	95.10
	2017	0.6412973	56,541	6,278,394	0.90	97.40
	2018	0.6795699	291,045	7,931,286	3.67	90.80
	2019	0.6951133	156,336	9,661,859	1.62	96.50
	2020	0.6133599	88,218	9,810,802	0.90	98.30
	2021	0.5734098	(242,688)	10,647,053	(2.28)	103.80
	2022	0.6461891	703,631	14,078,980	5.00	92.30
Tier 2 Public Safety and Firefighter System	2014	0.5580685	(8,256)	230,513	(3.60)	120.50
	2015	0.4334431	(6,333)	258,047	(2.45)	110.70
	2016	0.4276917	(3,713)	353,369	(1.05)	103.60
	2017	0.2907906	(3,365)	307,120	(1.10)	103.00
	2018	0.1535009	3,846	205,685	1.87	95.60
	2019	0.1264583	11,895	208,446	5.71	89.60
	2020	0.1177901	10,565	236,532	4.47	93.10
	2021	0.0963238	(4,868)	230,346	(2.11)	102.80
	2022	0.1264571	10,550	389,082	2.71	96.40

[1] Table represents data available since implementation of GASB Statement 68 and will increase to ten years over time.

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Schedule of Required Supplementary Information
Schedule of Contributions
Park City Municipal Corporation, Utah
Utah Retirement Systems
Last 10 Fiscal Years [1]

	As of fiscal year ended June 30,	Actuarial determined contributions	Contributions in relation to the contractually required contribution	Contribution deficiency (excess)	Covered payroll	Contributions as a percentage of covered payroll [2]
Noncontributory System	2014	$ 1,463,515	$ 1,463,515	$ -	$ 8,593,869	17.03 %
	2015	1,593,052	1,593,052	-	8,676,643	18.36
	2016	1,583,281	1,583,281	-	8,630,571	18.35
	2017	1,559,571	1,559,571	-	8,480,620	18.39
	2018	1,553,648	1,553,648	-	8,429,027	18.43
	2019	1,486,998	1,486,998	-	8,084,781	18.39
	2020	1,279,250	1,279,250	-	6,988,178	18.31
	2021	1,154,993	1,154,993	-	6,259,429	18.45
	2022	1,257,885	1,257,885	-	6,835,882	18.40
	2023	1,391,539	1,391,539	-	7,851,481	17.72
Contributory System	2014	118,386	118,386	-	891,460	13.28
	2015	124,015	124,015	-	857,642	14.46
	2016	126,506	126,506	-	874,871	14.46
	2017	128,811	128,811	-	890,811	14.46
	2018	121,856	121,856	-	842,711	14.46
	2019	118,253	118,253	-	817,793	14.46
	2020	98,228	98,228	-	679,310	14.46
	2021	50,519	50,519	-	349,369	14.46
	2022	30,760	30,760	-	212,723	14.46
	2023	23,410	23,410	-	167,692	13.96
Public Safety System	2014	444,956	444,956	-	1,579,083	28.18
	2015	487,710	487,710	-	1,613,195	30.23
	2016	602,057	602,057	-	2,018,519	29.83
	2017	703,564	703,564	-	2,326,004	30.25
	2018	696,730	696,730	-	2,306,955	30.20
	2019	703,630	703,630	-	2,321,728	30.31
	2020	741,934	741,934	-	2,438,344	30.43
	2021	738,239	738,239	-	2,427,488	30.41
	2022	811,796	811,796	-	2,590,802	31.33
	2023	874,787	874,787	-	2,740,314	31.92
Tier 2 Public Employees System[3]	2014	274,597	274,597	-	1,962,810	13.99
	2015	447,904	447,904	-	2,998,019	14.94
	2016	652,227	652,227	-	4,374,424	14.91
	2017	830,304	830,304	-	5,568,772	14.91
	2018	1,051,865	1,051,865	-	6,961,378	15.11
	2019	1,391,549	1,391,549	-	8,954,624	15.54
	2020	1,568,428	1,568,428	-	10,015,507	15.66
	2021	1,570,537	1,570,537	-	9,940,099	15.80
	2022	1,890,094	1,890,094	-	11,761,625	16.07
	2023	2,464,116	2,464,116	-	15,391,105	16.01
Tier 2 Public Safety and Firefighter System[3]	2014	43,142	43,142	-	206,915	20.85
	2015	46,309	46,309	-	205,361	22.55
	2016	75,876	75,876	-	337,225	22.50
	2017	79,353	79,353	-	352,678	22.50
	2018	54,182	54,182	-	240,064	22.57
	2019	47,136	47,136	-	204,142	23.09
	2020	53,529	53,529	-	231,425	23.13
	2021	57,846	57,846	-	223,947	25.83
	2022	65,258	65,258	-	252,643	25.83
	2023	140,141	140,141	-	542,551	25.83
Tier 2 Public Employees DC Only System[3]	2014	2,308	2,308	-	41,356	5.58
	2015	14,096	14,096	-	209,757	6.72
	2016	23,903	23,903	-	357,294	6.69
	2017	36,006	36,006	-	538,211	6.69
	2018	63,003	63,003	-	941,754	6.69
	2019	85,220	85,220	-	1,273,841	6.69
	2020	108,323	108,323	-	1,619,186	6.69
	2021	134,577	134,577	-	2,011,611	6.69
	2022	162,084	162,087	-	2,422,779	6.69
	2023	191,025	191,025	-	3,086,025	6.19
Tier 2 Public Safety and Firefighter DC Only System[3]	2014	-	-	-	-	-
	2015	3,007	3,007	-	25,417	11.83
	2016	6,153	6,153	-	52,009	11.83
	2017	6,895	6,895	-	58,283	11.83
	2018	7,618	7,618	-	64,392	11.83
	2019	8,158	8,158	-	68,956	11.83
	2020	9,069	9,069	-	76,665	11.83
	2021	7,531	7,531	-	63,660	11.83
	2022	9,094	9,094	-	76,869	11.83
	2023	11,013	11,013	-	93,091	11.83

[1] Table represents data available since implementation of GASB Statement 68 and will increase to ten years over time.

[2] Contributions as a percentage of covered payroll may be different than the Board certified rate due to rounding or other administrative issues.

[3] Contributions in Tier 2 include an amortization rate to help fund the unfunded liabilities in the Tier 1 systems. Tier 2 systems were created effective July 1, 2011.

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Note 1. Changes in Assumptions

No changes were made in actuarial assumptions from the prior year's valuation.

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SUPPLEMENTARY INFORMATION

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NONMAJOR GOVERNMENTAL FUNDS

Lower Park Avenue Redevelopment Agency and Main Street Redevelopment Agency Special Revenue Funds - Special revenue funds are used to account for specific revenue sources that are restricted, committed or assigned to expenditures for particular purposes. These special revenue funds account for the agencies' redevelopment activities which are supported by property tax increment revenue.

Lower Park Avenue Redevelopment Agency Capital Projects Fund - Accounts for the acquisition or construction of capital projects in the Lower Park Avenue Redevelopment area.

Main Street Redevelopment Agency Capital Projects Fund - Accounts for capital projects in the Main Street Redevelopment area.

Municipal Building Authority Capital Projects Fund - The Municipal Building Authority is a legally separate organization that is a mechanism for financing needed City facilities. The Authority acquires and/or builds facilities by borrowing money secured by a lease agreement between the City and the Authority.

Equipment Replacement Capital Improvements Fund - Accounts for the accumulation of resources for the future replacement of capital assets such as computers, vehicles and heavy equipment.

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Park City Municipal Corporation
Combining Balance Sheet
Nonmajor Governmental Funds
June 30, 2023

	Special Revenue		Capital Projects				
	Lower Park Avenue Redevelopment Special Revenue Fund	Main Street Redevelopment Special Revenue Fund	Lower Park Avenue Redevelopment Capital Projects Fund	Main Street Redevelopment Capital Projects Fund	Municipal Building Authority Capital Projects Fund	Equipment Replacement Capital Improvements Fund	Total Nonmajor Governmental Funds
Assets							
Cash, cash equivalents and investments	$ 2,654,316	$ 1,138,237	$ 3,649,297	$ 2,047,102	$ 470,859	$ 2,427,949	$ 12,387,760
Taxes receivable	4,403,528	1,664	-	-	-	-	4,405,192
Accounts receivable	318	116	415	247	54	-	1,150
Total assets	$ 7,058,162	$ 1,140,017	$ 3,649,712	$ 2,047,349	$ 470,913	$ 2,427,949	$ 16,794,102
Liabilities							
Accounts payable	$ 694,001	$ 230,163	$ 97,664	$ -	$ -	$ 57,267	$ 1,079,095
Accrued liabilities	37,210	38,400	-	-	-	-	75,610
Total liabilities	731,211	268,563	97,664	-	-	57,267	1,154,705
Deferred Inflows of Resources							
Unavailable revenue-property tax	4,400,797	-	-	-	-	-	4,400,797
Total deferred inflows of resources	4,400,797	-	-	-	-	-	4,400,797
Total liabilities and deferred inflows of resources	5,132,008	268,563	97,664	-	-	57,267	5,555,502
FUND BALANCES							
Committed							
Capital projects funds	-	-	3,552,048	2,047,349	470,913	2,370,682	8,440,992
Economic development	1,926,154	871,454	-	-	-	-	2,797,608
Total fund balances	1,926,154	871,454	3,552,048	2,047,349	470,913	2,370,682	11,238,600
Total liabilities and fund balances	$ 7,058,162	$ 1,140,017	$ 3,649,712	$ 2,047,349	$ 470,913	$ 2,427,949	$ 16,794,102

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Park City Municipal Corporation
Combining Statement of Revenues, Expenditures and Changes in Fund Balances
Nonmajor Governmental Funds
For the Year Ended June 30, 2023

	Special Revenue		Capital Projects				
	Lower Park Avenue Redevelopment Special Revenue Fund	Main Street Redevelopment Special Revenue Fund	Lower Park Avenue Redevelopment Capital Projects Fund	Main Street Redevelopment Capital Projects Fund	Municipal Building Authority Capital Projects Fund	Equipment Replacement Capital Improvements Fund	Total Nonmajor Governmental Funds
REVENUES							
Taxes and special assessments	$ 1,008,349	$ 1,442	$ -	$ -	$ -	$ -	$ 1,009,791
Intergovernmental	3,375,777	4,828	-	-	-	-	3,380,605
Investment income	77,614	38,326	119,633	68,766	16,074	2	320,415
Total revenues	4,461,740	44,596	119,633	68,766	16,074	2	4,710,811
EXPENDITURES							
Economic development	708,315	236,993	-	-	-	-	945,308
Capital outlay	-	-	158,252	19,940	-	1,702,513	1,880,705
Total expenditures	708,315	236,993	158,252	19,940	-	1,702,513	2,826,013
Excess (deficiency) of revenues over expenditures	3,753,425	(192,397)	(38,619)	48,826	16,074	(1,702,511)	1,884,798
OTHER FINANCING SOURCES (USES)							
Sale of capital assets	-	-	-	-	-	67,640	67,640
Transfers in	-	-	3,092,532	400,000	-	1,585,600	5,078,132
Transfers out	(3,092,532)	(400,000)	(2,791,715)	-	-	-	(6,284,247)
Total other financing sources (uses)	(3,092,532)	(400,000)	300,817	400,000	-	1,653,240	(1,138,475)
Net change in fund balances	660,893	(592,397)	262,198	448,826	16,074	(49,271)	746,323
Fund balances - beginning	1,265,261	1,463,851	3,289,850	1,598,523	454,839	2,419,953	10,492,277
Fund balances - ending	$ 1,926,154	$ 871,454	$ 3,552,048	$ 2,047,349	$ 470,913	$ 2,370,682	$ 11,238,600

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Park City Municipal Corporation
Schedule of Revenues, Expenditures and Changes in Fund Balances - Budget and Actual
Capital Improvements Fund
For the Year Ended June 30, 2023

	Budgeted Amounts			
	Original	Final	Actual	Variance with Final Budget
REVENUES				
Taxes and special assessments	$ 12,812,034	$ 12,812,034	$ 16,258,170	$ 3,446,136
Intergovernmental	867,623	867,623	547,289	(320,334)
Investment income	726,501	726,501	3,066,693	2,340,192
Impact fees	419,695	419,695	604,147	184,452
Rental and other	2,585	2,585	86,233	83,648
Miscellaneous	561,170	561,170	1,524,759	963,589
Total revenues	15,389,608	15,389,608	22,087,291	6,697,683
EXPENDITURES				
Capital outlay:				
Land and building acquisition	13,514,497	36,561,746	1,668,831	34,892,915
Street and storm drain improvements	571,047	7,503,810	1,283,755	6,220,055
Building renovation and construction	1,580,613	5,295,198	859,088	4,436,110
Improvements other than building	3,619,726	34,652,415	4,395,252	30,257,163
City parks and cemetery improvements	442,829	1,434,738	758,198	676,540
Equipment	772,000	3,060,708	605,395	2,455,313
Total expenditures	20,500,712	88,508,615	9,570,519	78,938,096
Excess (deficiency) of revenues over expenditures	(5,111,104)	(73,119,007)	12,516,772	85,635,779
OTHER FINANCING SOURCES (USES)				
Debt issuance	3,000,000	11,400,000	-	(11,400,000)
Sale of capital assets	-	-	691,293	691,293
Transfers in	2,953,987	2,953,987	2,953,987	-
Transfers out	-	(4,177,076)	(4,177,076)	-
Total other financing sources (uses)	5,953,987	10,176,911	(531,796)	(10,708,707)
Net change in fund balances	842,883	(62,942,096)	11,984,976	74,927,072
Fund balances - beginning	84,532,990	84,532,990	84,532,990	-
Fund balances - ending	$ 85,375,873	$ 21,590,894	$ 96,517,966	$ 74,927,072

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Park City Municipal Corporation
Schedule of Revenues, Expenditures and Changes in Fund Balances - Budget and Actual
Sales Tax Revenue and Refunding Bonds Debt Service Fund
For the Year Ended June 30, 2023

	Budgeted Amounts			
	Original	Final	Actual	Variance with Final Budget
REVENUES				
Investment income	$ -	$ -	$ 974,043	$ 974,043
Total revenues	-	-	974,043	974,043
EXPENDITURES				
Debt service:				
Interest	2,452,216	2,244,291	2,236,476	7,815
Principal retirement	4,520,000	4,735,000	4,735,000	-
Total expenditures	6,972,216	6,979,291	6,971,476	7,815
Excess (deficiency) of revenues over expenditures	(6,972,216)	(6,979,291)	(5,997,433)	981,858
OTHER FINANCING SOURCES (USES)				
Transfers in	-	6,968,791	6,968,791	-
Transfers out	(953,987)	(953,987)	(953,987)	-
Total other financing sources (uses)	(953,987)	6,014,804	6,014,804	-
Net change in fund balances	(7,926,203)	(964,487)	17,371	981,858
Fund balances - beginning	26,404,278	26,404,278	26,404,278	-
Fund balances - ending	$ 18,478,075	$ 25,439,791	$ 26,421,649	$ 981,858

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Park City Municipal Corporation
Schedule of Revenues, Expenditures and Changes in Fund Balances - Budget and Actual
Park City General Obligation Bonds Debt Service Fund
For the Year Ended June 30, 2023

	Budgeted Amounts			
	Original	Final	Actual	Variance with Final Budget
REVENUES				
Taxes and special assessments	9,549,054	9,496,688	9,509,688	$ 13,000
Investment income	-	-	19,116	19,116
Total revenues	-	9,496,688	9,528,804	32,116
EXPENDITURES				
Debt service:				
Interest	3,209,688	2,906,688	2,897,977	8,711
Principal retirement	6,300,000	6,590,000	6,590,000	-
Total expenditures	9,509,688	9,496,688	9,487,977	8,711
Excess (deficiency) of revenues over expenditures	39,366	-	40,827	40,827
Net change in fund balances	39,366	-	40,827	40,827
Fund balances - beginning	1,606,807	1,606,807	1,606,807	-
Fund balances - ending	$ 1,646,173	$ 1,606,807	$ 1,647,634	$ 40,827

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Park City Municipal Corporation
Schedule of Revenues, Expenditures and Changes in Fund Balances - Budget and Actual
Lower Park Avenue Redevelopment Special Revenue Fund
For the Year Ended June 30, 2023

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual	
REVENUES				
Taxes and special assessments	$ 1,052,000	$ 1,052,000	$ 1,008,349	$ (43,651)
Intergovernmental	3,200,000	3,200,000	3,375,777	175,777
Investment income	-	-	77,615	77,615
Total revenues	4,252,000	4,252,000	4,461,741	209,741
EXPENDITURES				
Economic development	682,623	682,623	708,315	(25,692)
Excess (deficiency) of revenues over expenditures	3,569,377	3,569,377	3,753,426	184,049
OTHER FINANCING SOURCES (USES)				
Transfers out	(3,092,532)	(3,092,532)	(3,092,532)	-
Net change in fund balances	476,845	476,845	660,894	184,049
Fund balances - beginning	1,265,261	1,265,261	1,265,261	-
Fund balances - ending	$ 1,742,106	$ 1,742,106	$ 1,926,155	$ 184,049

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Park City Municipal Corporation
Schedule of Revenues, Expenditures and Changes in Fund Balances - Budget and Actual
Main Street Redevelopment Special Revenue Fund
For the Year Ended June 30, 2023

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual	
REVENUES				
Taxes and special assessments	$ 1,257,053	$ 2,053	$ 1,442	$ (611)
Intergovernmental	19,266	19,266	4,828	(14,438)
Investment income	-	-	38,328	38,328
Total revenues	1,276,319	21,319	44,598	23,279
EXPENDITURES				
Economic development	455,000	455,000	236,993	218,007
Excess (deficiency) of revenues over expenditures	821,319	(433,681)	(192,395)	241,286
OTHER FINANCING SOURCES (USES)				
Transfers out	(400,000)	(400,000)	(400,000)	-
Net change in fund balances	421,319	(833,681)	(592,395)	241,286
Fund balances - beginning	1,463,851	1,463,851	1,463,851	-
Fund balances - ending	$ 1,885,170	$ 630,170	$ 871,456	$ 241,286

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Park City Municipal Corporation
Schedule of Revenues, Expenditures and Changes in Fund Balances - Budget and Actual
Lower Park Avenue Redevelopment Capital Projects Fund
For the Year Ended June 30, 2023

	Budgeted Amounts			
	Original	Final	Actual	Variance with Final Budget
REVENUES				
Investment income	$ -	$ -	$ 119,632	$ 119,632
EXPENDITURES				
Capital outlay:				
Land and building acquisition	-	25,886	375	25,511
Street and storm drain improvements	-	31,275	31,341	(66)
Building renovation and construction	-	1,232,773	342	1,232,431
Improvements other than building	195,000	688,651	117,063	571,588
City parks and cemetery improvements	100,000	836,490	9,131	827,359
Total expenditures	295,000	2,815,075	158,252	2,656,823
Excess (deficiency) of revenues over expenditures	(295,000)	(2,815,075)	(38,620)	2,776,455
OTHER FINANCING SOURCES (USES)				
Transfers in	3,092,532	3,092,532	3,092,532	-
Transfers out	(2,791,715)	(2,791,715)	(2,791,715)	-
Total other financing sources (uses)	300,817	300,817	300,817	-
Net change in fund balances	5,817	(2,514,258)	262,197	2,776,455
Fund balances - beginning	3,289,850	3,289,850	3,289,850	-
Fund balances - ending	$ 3,295,667	$ 775,592	$ 3,552,047	$ 2,776,455

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Park City Municipal Corporation
Schedule of Revenues, Expenditures and Changes in Fund Balances - Budget and Actual
Main Street Redevelopment Capital Projects Fund
For the Year Ended June 30, 2023

	Budgeted Amounts			Variance with Final Budget
	Original	Final	Actual	
REVENUES				
Investment income	$ -	$ -	$ 68,766	$ 68,766
EXPENDITURES				
Capital outlay:				
Street and storm drain improvements	-	112,000	-	112,000
Improvements other than building	-	301,253	19,940	281,313
Equipment	-	11,718	-	11,718
Total expenditures	-	424,971	19,940	405,031
Excess (deficiency) of revenues over expenditures	-	(424,971)	48,826	473,797
OTHER FINANCING SOURCES (USES)				
Transfers in	700,000	400,000	400,000	-
Net change in fund balances	700,000	(24,971)	448,826	473,797
Fund balances - beginning	1,598,523	1,598,523	1,598,523	-
Fund balances - ending	$ 2,298,523	$ 1,573,552	$ 2,047,349	$ 473,797

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Park City Municipal Corporation
Schedule of Revenues, Expenditures and Changes in Fund Balances - Budget and Actual
Municipal Building Authority Capital Projects Fund
For the Year Ended June 30, 2023

	Budgeted Amounts			
	Original	Final	Actual	Variance with Final Budget
REVENUES				
Investment income	$ -	$ -	$ 16,074	$ 16,074
Net change in fund balances	-	-	16,074	16,074
Fund balances - beginning	454,839	454,839	454,839	-
Fund balances - ending	$ 454,839	$ 454,839	$ 470,913	$ 16,074

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Park City Municipal Corporation
Schedule of Revenues, Expenditures and Changes in Fund Balances - Budget and Actual
Equipment Replacement Capital Improvements Fund
For the Year Ended June 30, 2023

	Budgeted Amounts			
	Original	Final	Actual	Variance with Final Budget
EXPENDITURES				
Capital outlay:				
Equipment	$ 1,851,062	$ 3,917,223	$ 1,702,513	$ 2,214,710
Excess (deficiency) of revenues over expenditures	1,851,062	3,917,223	1,702,513	2,214,710
OTHER FINANCING SOURCES (USES)				
Sale of capital assets	-	-	67,640	67,640
Transfers in	1,585,600	1,585,600	1,585,600	-
Total other financing sources (uses)	1,585,600	1,585,600	1,653,240	67,640
Net change in fund balances	(265,462)	(2,331,623)	(49,273)	(2,147,070)
Fund balances - beginning	2,419,955	2,419,955	2,419,955	-
Fund balances - ending	$ 2,154,493	$ 88,332	$ 2,370,682	$ (2,147,070)

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INTERNAL SERVICE FUNDS

The Internal Service Funds are used to account for the financing and operations of services provided to various City departments and other governments, on a cost-reimbursement basis. Included are:

Fleet Services Fund: Fleet Services Fund accounts for the cost of storage, repair and maintenance of City-owned vehicles.

Self-Insurance Fund: Self-Insurance Fund accounts for the establishment of a self-insurance program.

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Park City Municipal Corporation
Combining Statement of Net Position
Internal Service Funds
June 30, 2023

	Fleet Services Fund	Self- Insurance Fund	Total Nonmajor Internal service funds
ASSETS			
Current assets:			
Cash, cash equivalents and investments	$ 1,101,087	$ 2,397,165	$ 3,498,252
Accounts receivable	58,854	-	58,854
Inventories	498,708	-	498,708
Total current assets	1,658,649	2,397,165	4,055,814
Noncurrent assets:			
Vehicles and equipment	47,450	-	47,450
Accumulated depreciation and amortization	(47,450)	-	(47,450)
Total noncurrent assets	-	-	-
Total assets	1,658,649	2,397,165	4,055,814
DEFERRED OUTFLOWS OF RESOURCES			
Deferred outflows of resources related to pensions	165,764	-	165,764
Total deferred outflows of resources	165,764	-	165,764
Total assets and deferred outflows of resources	1,824,413	2,397,165	4,221,578
LIABILITIES			
Current liabilities:			
Accounts payable	89,545	71,195	160,740
Accrued liabilities	28,852	-	28,852
Compensated absences	41,496	-	41,496
Total current liabilities	159,893	71,195	231,088
Noncurrent liabilities:			
Accrued liabilities	-	1,000,000	1,000,000
Net pension liability	105,922	-	105,922
Compensated absences	24,902	-	24,902
Total noncurrent liabilities	130,824	1,000,000	1,130,824
Total liabilities	290,717	1,071,195	1,361,912
DEFERRED INFLOWS OF RESOURCES			
Deferred inflows of resources related to pensions	3,301	-	3,301
Total deferred inflows of resources	3,301	-	3,301
Total liabilities and deferred inflows of resources	294,018	1,071,195	1,365,213
NET POSITION			
Unrestricted	1,530,395	1,325,970	2,856,365
Total net position	$ 1,530,395	$ 1,325,970	$ 2,856,365

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Park City Municipal Corporation
Combining Statement of Revenues, Expenses, and Changes in Net Position
Internal Service Funds
For the Year Ended June 30, 2023

	Fleet Services Fund	Self- Insurance Fund	Total Internal Service Funds
OPERATING REVENUES			
Charges for services	$ 3,353,998	$ 2,145,052	$ 5,499,050
Total operating revenues	3,353,998	2,145,052	5,499,050
OPERATING EXPENSES			
Salaries and benefits	1,235,025	-	1,235,025
Supplies, maintenance and services	1,049,657	2,116,256	3,165,913
Energy and utilities	1,110,353	-	1,110,353
Total operating expenses	3,395,035	2,116,256	5,511,291
Operating income (loss)	(41,037)	28,796	(12,241)
Change in net position	(41,037)	28,796	(12,241)
Total net position - beginning	$ 1,571,432	$ 1,297,174	$ 2,868,606
Total net position - ending	$ 1,530,395	$ 1,325,970	$ 2,856,365

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Park City Municipal Corporation
Statement of Cash Flows
Internal Service Funds
June 30, 2023

	Fleet Services Fund	Self- Insurance Fund	Total
CASH FLOWS FROM OPERATING ACTIVITIES			
Cash receipts from customers	$ 3,912,803	$ 2,159,709	$ 6,072,512
Payments to employees	(1,229,289)	-	(1,229,289)
Payments to suppliers	(2,621,544)	(2,237,089)	(4,858,633)
Net cash provided (used) by operating activities	61,970	(77,380)	(15,410)
Net increase (decrease) in cash and cash equivalents	61,970	(77,380)	(15,410)
Balances - beginning of year	1,039,117	2,474,545	3,513,662
Balances - end of the year	$ 1,101,087	$ 2,397,165	$ 3,498,252
Reconciliation of operating income (loss) to net cash provided (used) by operating activities:			
Operating Income	$ (41,037)	$ 28,796	$ (12,241)
Adjustments to reconcile operating income (loss) to net cash provided (used) by operating activities:			
Pension related	(15,931)	-	(15,931)
Changes in assets and liabilities:			
Accounts receivable	(3,322)	14,657	11,335
Inventory	86,867	-	86,867
Accounts and other payables	13,727	(120,833)	(107,106)
Accrued liabilities	8,651	-	8,651
Compensated absences	13,016	-	13,016
Net cash provided (used) by operating activities	$ 61,971	$ (77,380)	$ (15,409)

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STATISTICAL SECTION
(Unaudited)

This part of the City's annual comprehensive financial report presents detailed information as a context for understanding what the information in the financial statements and note disclosures says about the City's overall financial health.

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Financial Trends - These schedules contain trend information to help the reader understand how the City's financial performance and well-being have changed over time.

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Sources: Unless otherwise noted, the information in these schedules is derived from the comprehensive annual financial reports for the relevant year.

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Schedule 1
Park City Municipal Corporation, Utah
Net Position by Component
Last Ten Fiscal Years
(accrual basis of accounting)

	Fiscal Year									
	2014 (1)	**2015**	**2016 (1)**	**2017 (1)**	**2018**	**2019 (1)**	**2020**	**2021**	**2022**	**2023**
Governmental activities										
Net investment in capital assets	$ 150,053,024	$ 159,315,342	$ 169,437,708	$ 182,684,418	$ 190,028,413	$ 198,327,763	$ 213,716,372	$ 228,182,259	$ 237,974,910	**$ 247,109,195**
Restricted	46,402 (2)	47,201 (2)	48,640 (2)	56,674 (2)	195,157 (2)	58,940 (2)	58,940 (2)	58,940 (2)	58,940 (2)	**58,940**
Unrestricted	38,295,005 (2)	38,183,384 (2)	42,502,471 (2)	39,242,238 (2)	51,507,390 (2)	59,369,908 (2)	65,383,963 (2)	74,810,843 (2)	96,208,965 (2)	**113,966,307**
Total governmental activities net positio	$ 188,394,431	$ 197,545,927	$ 211,988,819	$ 221,983,330	$ 241,730,960	$ 257,756,611	$ 279,159,275	$ 303,052,042	$ 334,242,815	**$ 361,134,442**
Business-type activities										
Net investment in capital assets	$ 58,889,312	$ 61,064,884	$ 64,172,905	$ 91,043,049	$ 104,256,756	$ 113,503,024	$ 117,863,860	$ 15,263,564	$ 88,280,161	**$ 92,621,212**
Restricted	- (2)	- (2)	- (2)	- (2)	- (2)	-	-	-	-	**1,096,717**
Unrestricted	25,691,399 (2)	29,215,116 (2)	27,577,761 (2)	26,506,386 (2)	18,602,068 (2)	14,994,253	12,098,879	123,136,277	62,281,137	**69,368,108**
Total business-type activities net positio	$ 84,580,711	$ 90,280,000	$ 91,750,666	$ 117,549,435	$ 122,858,824	$ 128,497,277	$ 129,962,739	$ 138,399,841	$ 150,561,298	**$ 163,086,037**
Primary government										
Net investment in capital assets	$ 208,942,336	$ 220,380,226	$ 233,610,613	$ 273,727,467	$ 294,285,169	$ 311,830,787	$ 331,580,232	$ 243,445,823	$ 326,255,071	**$ 339,730,407**
Restricted	46,402	47,201	48,640	56,674	195,157	58,940	58,940	58,940	58,940	**1,155,657**
Unrestricted	63,986,404	67,398,500	70,080,232	65,748,624	70,109,458	74,364,161	77,482,842	197,947,120	158,490,102	**183,334,415**
Total primary government net position	$ 272,975,142	$ 287,825,927	$ 303,739,485	$ 339,532,765	$ 364,589,784	$ 386,253,888	$ 409,122,014	$ 441,451,883	$ 484,804,113	**$ 524,220,479**

Notes:
(1) Restated.
(2) Reclassified long-term debt related to net assets restricted for debt service and capital projects out of unrestricted net assets.

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Schedule 2
Park City Municipal Corporation, Utah
Changes in Net Position
Last Ten Fiscal Years
(accrual basis of accounting)

	Fiscal Year									
	2014 (1)	2015	2016 (1)	2017 (1)	2018	2019 (1)	2020	2021	2022	2023
Expenses										
Governmental activities:										
General government	$ 17,971,342	$ 19,233,343	$ 19,676,565	$ 21,909,746	$ 21,793,758	$ 23,755,044	$ 22,198,830	$ 25,563,919	$ 26,040,817	**$ 32,034,906**
Public safety	5,023,548	5,270,197	5,705,960	6,254,164	6,736,639	6,747,797	7,438,463	7,114,475	7,919,533	**9,325,631**
Public works	7,053,923	6,967,243	7,088,647	7,263,125	7,209,164	6,929,871	6,794,406	6,615,287	7,208,853	**8,838,131**
Library and recreation	4,408,912	4,618,338	5,671,823	5,843,178	5,726,489	5,729,844	5,556,544	5,527,008	6,195,430	**8,213,984**
Interest on long-term debt	1,552,101	1,285,952	1,456,433	1,366,939	2,537,159	3,558,591	9,041,292	4,685,097	3,965,283	**3,658,625**
Total governmental activities expenses	36,009,826	37,375,073	39,599,428	42,637,152	44,003,209	46,721,147	51,029,535	49,505,786	51,329,916	**62,071,277**
Business-type activities:										
Water	11,678,822	11,870,125	12,934,161	13,086,302	13,314,440	14,305,035	17,145,476	24,406,117 (15)	21,214,590	**23,626,444**
Stormwater	-	-	-	1,162,202 (7)	921,138	1,470,837	1,276,945	1,054,170	1,198,846	**1,048,489**
Golf course	1,441,498	1,512,330	1,541,601	1,546,036	1,711,826	1,488,121	1,578,559	1,641,690	1,645,691	**1,764,238**
Transportation and parking	10,378,982	10,804,211	11,801,545	13,848,109	19,435,515	22,521,490	23,485,955	18,208,111 (16)	17,636,896	**28,877,355**
Total business-type activities expenses	23,499,302	24,186,666	26,277,307	29,642,649	35,382,919	39,785,483	43,486,935	45,310,088	41,696,023	**55,316,526**
Total primary government expenses	$ 59,509,128	$ 61,561,739	$ 65,876,735	$ 72,279,801	$ 79,386,128	$ 86,506,630	$ 94,516,470	$ 94,815,874	$ 93,025,939	**$ 117,387,803**
Program Revenues										
Governmental activities:										
Charges for services										
General government	$ 3,907,142	$ 4,718,626	$ 3,734,852	$ 3,668,799	$ 4,724,514	$ 5,647,186	$ 7,004,032	$ 4,442,102	$ 5,886,012	**$ 7,383,081**
Public safety	100	-	3,996	9,685	2,880	10	-	6,062	4,698	**5,105**
Public works	190,022	224,820	200,761	174,917	189,117	129,171	113,087	-	151,778	**505,568**
Library and recreation	1,309,934	1,210,362	1,295,132	1,253,491	1,356,186	1,203,836	1,831,546	2,345,843	2,746,782	**2,732,259**
Operating grants and contributions	165,147	121,866	145,704	187,166	161,075	195,542	344,543	3,315,938	711,048	**648,943**
Capital grants and contributions	1,879,881	2,479,239	324,650	2,652,254	9,028,885	1,608,966	4,636,167	2,547,350	2,265,605	**555,424**
Total governmental activities program revenues	7,452,226	8,754,913	5,705,095	7,946,312	15,462,657	8,784,711	13,929,375	12,657,295	11,765,923	**11,830,380**
Business-type activities:										
Charges for services										
Water	13,171,473	14,176,728	15,205,729	17,237,175	17,924,616	18,606,759	18,538,414	21,117,232	20,169,220	**20,737,127**
Stormwater	-	-	-	979,419 (7)	1,277,767	1,572,044	1,437,517	1,480,432	1,755,631	**1,801,575**
Golf course	1,056,248	1,105,882	1,139,839	1,153,794	1,203,560	1,131,283	1,232,521	1,922,248	1,922,752	**1,966,555**
Transportation and parking	3,895,008	4,255,752	4,497,989	5,227,316	9,789,087	11,113,961	8,210,423	4,441,511 (16)	7,148,954	**5,298,210**
Operating grants and contributions	1,649,174	1,602,990	-	2,813,864	2,307,083	-	5,586,097	10,654,184	5,661,227	**9,620,080**
Capital grants and contributions	3,353,572	4,186,198	1,956,426	14,612,633	2,439,682	6,524,981	2,286,289	5,835,341	2,431,291	**10,397,791**
Total business-type activities program revenues	23,125,475	25,327,550	22,799,983	42,024,201	34,941,795	38,949,028	37,291,261	45,450,948	39,089,075	**49,821,338**
Total primary government program revenues	$ 30,577,701	$ 34,082,463	$ 28,505,078	$ 49,970,513	$ 50,404,452	$ 47,733,739	$ 51,220,636	$ 58,108,243	$ 50,854,998	**$ 61,651,718**
Net (expense)/revenue										
Governmental activities	$ (28,557,600)	$ (28,620,160)	$ (33,894,333)	$ (34,690,840)	$ (28,540,552)	$ (37,936,436)	$ (37,100,160)	$ (36,848,491)	$ (39,563,993)	**$ (50,240,897)**
Business-type activities	(373,827)	1,140,884	(3,477,324)	12,381,552	(441,124)	(836,455)	(6,195,674)	140,860	(2,606,948)	**(5,495,188)**
Total primary government net expense	$ (28,931,427)	$ (27,479,276)	$ (37,371,657)	$ (22,309,288)	$ (28,981,676)	$ (38,772,891)	$ (43,295,834)	$ (36,707,631)	$ (42,170,941)	**$ (55,736,085)**

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Schedule 2, Continued
Park City Municipal Corporation, Utah
Changes in Net Position
Last Ten Fiscal Years
(accrual basis of accounting)

	Fiscal Year									
	2014 (1)	**2015**	**2016 (1)**	**2017 (1)**	**2018**	**2019 (1)**	**2020**	**2021**	**2022**	**2022**
General Revenues and Other Changes in Net Position										
Governmental activities:										
Taxes										
Property tax, levied for general purposes	$ 12,772,297	$ 12,809,892	$ 14,755,299	$ 14,350,265	$ 14,686,693	$ 15,499,965	$ 17,445,636	$ 17,977,155	$ 18,496,739	**$ 16,783,697**
Property tax, levied for debt service	5,082,714	5,321,592	3,723,453	4,220,158	6,432,184	6,036,374	9,281,384	9,506,281	9,509,688	**9,509,688**
General sales and use tax	4,347,534	4,731,904	5,180,094	5,620,687	5,915,331	6,403,710	6,389,540	7,161,106	9,234,210	**9,598,138**
Franchise tax	3,158,716	3,061,207	3,185,820	3,194,392	3,147,847	3,230,881	3,161,759	3,253,431	3,526,042	**4,368,710**
Resort tax	9,151,788	10,066,040	11,154,870	12,253,267	14,491,767	16,741,000	16,460,084	18,004,460	24,934,554	**26,043,857**
Investment earnings	348,090	261,735	434,588	582,208	1,122,856	2,297,088	2,041,844	739,741	651,862	**5,381,810**
Miscellaneous	1,594,150	804,286	492,730	4,856,960	1,776,504	2,963,178	2,938,083	4,170,268	3,622,380	**4,638,111**
Gain/Loss on sale of capital assets	-	-	1,328,784	-	-	74,891	69,494	(786,184)	64,291	**93,513**
Transfers	-	715,000	715,000	(7,534,613)	715,000	715,000	715,000	715,000	715,000	**715,000**
Total governmental activities	36,455,289	37,771,656	40,970,638	37,543,324	48,288,182	53,962,087	58,502,824	60,741,258	70,754,766	**77,132,524**
Business-type activities:										
General sales and use tax	4,019,133	4,398,879	4,877,098	5,233,194	5,617,865	6,128,331	7,560,305	8,448,444	14,888,043	**15,887,737**
Investments earnings	358,535	367,709	327,289	402,924	372,627	581,900	243,778	358,905	374,145	**2,705,144**
Miscellaneous	497,745	506,817	458,603	456,419	475,021	468,998	562,355	171,514	120,470	**137,151**
Gain/Loss on sale of capital assets	-	-	-	-	-	10,679	9,698	32,379	100,747	**4,895**
Transfers	-	(715,000)	(715,000)	7,534,613	(715,000)	(715,000)	(715,000)	(715,000)	(715,000)	**(715,000)**
Total business-type activities	4,875,413	4,558,405	4,947,990	13,627,150	5,750,513	6,474,908	7,661,136	8,296,242	14,768,405	**18,019,927**
Total primary government	$ 41,330,702	$ 42,330,061	$ 45,918,628	$ 51,170,474	$ 54,038,695	$ 60,436,995	$ 66,163,960	$ 69,037,500	$ 85,523,171	**$ 95,152,451**
Change in Net Position										
Governmental activities	$ 7,897,689	$ 9,151,496	$ 7,076,305 (4)	$ 2,852,484 (8)	$ 19,747,630 (11)	$ 16,025,651	$ 21,402,664 (13)	$ 23,892,767	$ 31,190,773 (18)	**$ 26,891,627**
Adjustment to governmental activities net position	(5,271,783) (2)	-	7,366,587 (6)	7,142,027 (10)	-	-	-	-	-	**-**
Business-type activities	4,501,586	5,699,289	1,470,666 (7)	26,008,702 (9)	5,309,389 (12)	5,638,453	1,465,462 (14)	8,437,102 (17)	12,161,457	**12,524,739**
Adjustment to business-type activities net position	(1,697,021) (2)	-	-	(209,933) (10)	-	-	-	-	-	**-**
Total primary government	$ 5,430,471	$ 14,850,785 (3)	$ 15,913,558	$ 35,793,280	$ 25,057,019	$ 21,664,104	$ 22,868,126	$ 32,329,869	$ 43,352,230	**$ 39,416,366**

Notes:
(1) Restated.
(2) Fiscal year 2015 - Implemented GASB 68, Accounting and Financial Reporting for Pensions, required restatement of fiscal year 2014.
(3) Increase in total primary government net position is due to restatement of fiscal year 2014 for the implementation of GASB 68.
(4) Decrease in governmental activities net position is due to increased expenses in general government and decreases in capital grants and contributions.
(5) Decrease in business-type activities net position is due to increased expenses in water and transportation and decreases in operating and capital grants and contributions.
(6) Fiscal year 2017 - Capital asset adjustment, required restatement of fiscal year 2016.
(7) Stormwater fund was added in fiscal year 2017.
(8) Decrease in governmental activities net position is due to increased capital outlay.
(9) Increase in business-type activities net position is due to increases in capitalizable grants and contributions.
(10) Fiscal year 2018 - Capital asset adjustment, required restatement of fiscal year 2017.
(11) Increase in governmental activities net position is due to increases in capitalizable grants and contributions and increases in tax revenues.
(12) Decrease in business-type activities net position is due to decreases in capitalizable grants and contributions.
(13) Increase in governmental activities net position due to increases in capitalizable grants and contributions.
(14) Decrease in business-type activities net position is due to decreases in charges for services and increases in expenses.
(15) Increase in Water expenses due to non-capitalizable expenses related to current construction projects.
(16) Decrease in Transportation and parking revenue and expenses due to a reduction in major events due to COVID-19 and a moratorium on parking fees.
(17) Increase in business-type activities net position due to increases in capitalizable grants and contributions.
(18) Increase in governmental activities net position due to an increase in general sales and use and resort taxes which was in line with the City's rebound in tourism from COVID-19.

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Schedule 3
Park City Municipal Corporation, Utah
Fund Balances of Governmental Funds
Last Ten Fiscal Years
(modified accrual basis of accounting)

	Fiscal Year									
	2014 (1)	**2015**	**2016 (1)**	**2017 (1)**	**2018**	**2019 (1)**	**2020 (1)**	**2021 (2)**	**2022**	**2023**
General fund										
Nonspendable										
Prepaids	$ -	$ -	$ -	$ -	$ -	$ 494,360	$ 24,011	$ 27,801	$ 281,485	**$ 97,144**
Interfund loan	-	-	-	-	86,867	55,761	24,107	-	-	**-**
Inventory	-	-	-	-	50,719	30,226	40,468	27,686	31,400	**87,092**
Leases	-	-	-	-	-	-	-	-	212,961	**293,566**
Unassigned	6,670,716	6,836,193	6,779,674	7,497,277	7,730,233	8,705,419	7,811,877	13,640,848	14,145,271	**15,936,018**
Restricted - Drug and tobacco enforcement	46,402	47,201	48,640	59,674	57,571	58,940	58,940	58,940	58,940	**58,940**
Total general fund	$ 6,717,118	$ 6,883,394	$ 6,828,314	$ 7,556,951	$ 7,925,390	$ 9,344,706	$ 7,959,403	$ 13,755,275	$ 14,730,057	**$ 16,472,760**
Restricted for:										
Capital projects	$ 6,866,835	$ 12,779,745	$ 7,872,086	$ 7,545,300	$ 12,804,288	$ 31,699,288	$ 33,778,218	$ 32,526,314	$ 32,602,991	**$ 33,015,194**
Debt service	952	88,037	2,496	3,816	11,900	652,977	490,581	702,267	599,256	**621,324**
Assigned:										
Capital projects funds	-	-	-	-	-	-	-	-	-	**-**
Debt service funds	-	-	-	-	-	-	-	-	-	**-**
Committed:										
Capital projects funds	32,340,968	29,882,740	34,849,188	28,665,290	38,875,896	47,456,335	58,162,066	68,180,079	84,757,785	**96,919,910**
Debt service funds	1,557,901	2,236,514	1,816,767	1,778,077	1,856,470	2,129,030	2,429,496	2,222,710	2,347,208	**2,471,813**
Economic development	-	-	516,758	785,600	1,591,335	2,517,207	2,322,093	2,198,209	2,729,112	**2,797,608**
Total all other governmental funds	$ 40,766,656	$ 44,987,036	$ 45,057,295	$ 38,778,083	$ 55,139,889	$ 84,454,837	$ 97,182,454	$ 105,829,579	$ 123,036,352	**$ 135,825,849**

Notes:
(1) Restated
(2) Utah Code 10-6-116 increased maximum general fund balance allowed.

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Schedule 4
Park City Municipal Corporation, Utah
Changes in Fund Balances of Governmental Funds
Last Ten Fiscal Years
(modified accrual basis of accounting)

	Fiscal Year									
	2014	**2015**	**2016**	**2017**	**2018**	**2019**	**2020**	**2021**	**2022**	**2023**
Revenues										
Taxes and special assessments	$ 34,486,284	$ 33,269,379	$ 35,194,462	$ 36,830,205	$ 41,592,343	$ 44,639,055	$ 49,004,820	$ 52,100,408	$ 61,520,667	**$ 62,988,245**
Licenses and permits	2,611,576	3,025,886	2,462,374	2,464,561	3,390,668	3,899,003	5,776,248	3,350,157	4,670,531	**5,719,878**
Intergovernmental	1,818,822	5,346,423	3,288,064	4,044,959	6,214,905	4,345,873	8,693,506	8,754,272	7,015,004	**4,584,972**
Charges for services	2,194,197	2,071,230	2,119,339	2,115,794	2,225,204	2,837,729	2,687,766	3,031,107	3,652,733	**3,752,249**
Fines and forfeitures	21,648	14,206	26,902	42,834	35,327	23,108	22,313	25,900	28,843	**44,171**
Investment income	348,090	261,735	434,588	582,208	1,122,856	2,297,089	2,041,844	739,741	651,866	**5,381,810**
Impact fees	397,737	817,666	425,365	308,786	432,381	620,441	456,053	386,843	285,385	**604,147**
Rental and other miscellaneous	1,912,540	2,873,179	1,546,004	5,041,320	2,496,363	1,500,515	1,305,612	2,194,018	1,506,745	**2,020,280**
Total revenues	43,790,894	47,679,704	45,497,098	51,430,667	57,510,047	60,162,813	69,988,162	70,582,446	79,331,774	**85,095,752**
Expenditures										
General government	12,086,576	13,653,938	14,604,316	15,005,872	16,235,727	16,175,897	18,616,889	19,264,758	20,762,811	**23,851,112**
Public safety	4,684,672	4,953,544	5,349,433	5,970,451	6,392,525	6,360,284	6,998,527	6,698,058	7,527,330	**8,811,048**
Public works	4,643,828	4,718,959	4,878,647	5,194,880	5,648,653	5,935,423	5,782,998	5,694,072	6,342,372	**7,752,671**
Library and recreation	3,361,464	3,495,302	3,824,435	4,080,211	4,237,835	4,367,960	4,273,728	4,327,567	5,028,537	**5,457,652**
Economic development	-	405,435	951,268	864,697	870,588	878,578	861,560	916,602	936,374	**945,308**
Debt Service										
Principal retirement	5,220,496	18,086,533	5,118,024	4,850,000	8,625,000	6,905,000	9,275,000	10,885,000	10,820,000	**11,325,000**
Interest	1,616,778	1,528,829	1,788,808	1,615,725	2,827,016	3,745,578	6,169,326	6,070,488	5,644,104	**5,134,453**
Bond issuance costs	123,931	503,979	-	155,239	223,553	529,457	118,027	-	-	**-**
Capital outlay	13,923,767	26,614,261	11,953,996	51,844,299	39,052,752	70,133,504	17,207,904	6,901,426	7,023,060	**11,451,224**
Total expenditures	45,661,512	73,960,780	48,468,927	89,581,374	84,113,649	115,031,681	69,303,959	60,757,971	64,084,588	**74,728,468**
Revenues (under) expenditures	(1,870,618)	(26,281,076)	(2,971,829)	(38,150,707)	(26,603,602)	(54,868,868)	684,203	9,824,475	15,247,186	**10,367,284**
Other financing sources (uses)										
Debt issuance	7,170,000	16,975,000	-	25,000,000	31,940,000	70,775,000	4,000,000	-	-	**-**
Refunding bonds issued	1,930,000	10,110,000	-	-	-	4,290,000	5,470,000	-	-	**-**
Payment to refunded bondholders	(1,930,000)	-	-	-	-	(4,675,000)	(7,245,000)	-	-	**-**
Premium on debt issuance	92,774	773,546	-	2,863,698	3,287,871	9,840,127	1,206,669	-	-	**-**
Premium on refunding bonds	50,769	673,841	-	-	-	482,659	91,796	-	-	**-**
Payment received on note	1,375,000	-	-	-	-	-	-	-	-	**-**
Sale of capital assets	146,554	23,811	755,648	2,363,887	5,553,794	241,682	4,434,799	1,918,675	9,078	**758,933**
Transfers in	10,978,139	19,728,745	11,965,394	36,237,414	44,274,635	75,835,185	20,581,027	15,916,383	18,740,940	**18,431,893**
Transfers out	(9,682,298)	(17,617,211)	(9,734,034)	(33,864,867)	(41,722,453)	(73,186,521)	(17,881,180)	(13,216,536)	(15,815,649)	**(15,025,910)**
Total other financing sources	10,130,938	30,667,732	2,987,008	32,600,132	43,333,847	83,603,132	10,658,111	4,618,522	2,934,369	**4,164,916**
Net change in fund balances	$ 8,260,320	$ 4,386,656	$ 15,179	$ (5,550,575)	$ 16,730,245	$ 28,734,264	$ 11,342,314	$ 14,442,997	$ 18,181,555	**$ 14,532,200**
Debt Service as a percentage of noncapital expenditures	(1) 19.0%	(1) 38.3%	(1) 16.9%	(1) 15.9%	(1) 24.4%	(1) 22.5%	27.9%	29.5%	27.8%	24.1%

Notes:
(1) Restated.

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Schedule 5
Park City Municipal Corporation, Utah
General Government Tax Revenues by Source (1)
Last Ten Fiscal Years
(modified accrual basis of accounting)

Fiscal Year	Property Tax	Sales and Use Tax	Franchise Tax	Resort Tax (2)	Transient Room Tax (3)	Total
2014	$ 14,361,738	$ 4,347,534	$ 3,158,716	$ 9,151,787	$ -	$ 31,019,775
2015	14,590,197	4,731,904	3,061,207	10,066,041	-	32,449,349
2016	14,832,024	5,180,094	3,185,820	11,154,870	-	34,352,808
2017	14,953,711	5,620,687	3,194,392	12,253,266	-	36,022,056
2018	17,107,856	5,915,331	3,147,847	12,899,048	1,592,720	40,662,802
2019	17,336,112	6,403,710	3,230,881	14,007,916	2,733,084	43,711,703
2020	21,869,486	6,389,540	3,161,759	13,767,415	2,692,669	47,880,869
2021	22,515,259	7,161,106	3,253,431	15,262,710	2,741,751	50,934,257
2022	22,619,601	9,234,210	3,526,042	20,444,391	4,490,163	60,314,407
2023	**21,902,989**	**9,598,138**	**4,368,710**	**21,530,232**	**4,513,625**	**61,913,694**
Change:						
2014-2023	52.5%	120.8%	38.3%	135.3%	65.1%	99.6%

Note:
(1) Includes general fund, capital improvement fund and debt service funds.
(2) Restated in 2022 to include the 0.50 percent Additional Resort Communities Sales and Use Tax.
(3) The 1.0 percent Municipal Transient Room Tax was implemented on January 1, 2018.

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Schedule 6
Park City Municipal Corporation, Utah
Assessed Value of Taxable Property Excluding Fee-In-Lieu
Summit and Wasatch Counties Combined (1)
Last Ten Calendar Years
(in thousands of dollars)

Calendar Year	Residential Property	Commercial Property	Miscellaneous Property	Total Assessed Value	Market Value of Taxable Property	Total Direct Tax Rate
2013	5,937,313	678,855	401,319	7,017,487	7,835,845	0.002131
2014	6,274,164	679,149	389,160	7,342,473	8,215,313	0.002067
2015	6,740,782	689,374	390,248	7,820,404	8,748,413	0.001972
2016	7,112,582	739,074	376,177	8,227,833	9,195,067	0.001884
2017	7,491,154	780,964	375,229	8,647,347	9,658,862	0.002059
2018	8,380,192	857,857	89,161	9,327,210	10,436,645	0.001934
2019	9,197,865	814,250	91,437	10,103,552	11,331,385	0.002125
2020	9,584,752	857,017	98,257	10,540,026	11,942,032	0.002076
2021	10,603,628	987,945	109,659	11,701,232	13,291,359	0.001898
2022	**14,124,930**	**1,344,268**	**112,723**	**15,581,921**	**17,825,627**	**0.001392**

Source: Utah State Tax Commission, Property Tax Division

Note:
(1) Starting in 2013 the City uses the Utah State Tax Commission as the source to obtain more accurate information, data was updated for all years shown for comparison.

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Schedule 7
Park City Municipal Corporation, Utah
Assessed Value of Taxable Property Including Fee-In-Lieu
Summit and Wasatch Counties Combined (1)
Last Ten Calendar Years
(in thousands of dollars)

Calendar Year	Residential Property	Commercial Property	Miscellaneous Property	Fee-In-Lieu Value	Total Assessed Value
2013	5,937,313	678,855	401,319	13,820	7,031,307
2014	6,274,164	679,149	389,160	14,560	7,357,033
2015	6,740,782	689,374	390,248	14,252	7,834,656
2016	7,112,582	739,074	376,177	14,809	8,242,642
2017	7,491,154	780,964	375,229	14,814	8,662,161
2018	8,380,192	857,857	89,161	17,484	9,344,694
2019	9,197,865	814,250	91,437	15,657	10,119,209
2020	9,584,752	857,017	98,257	16,308	10,556,334
2021	10,603,628	987,945	109,659	18,505	11,719,737
2022	**14,124,930**	**1,344,268**	**112,723**	**15,908**	**15,597,829**

Source: Utah State Tax Commission, Property Tax Division

Notes:
(1) Starting in 2013 the City uses the Utah State Tax Commission as the source to obtain more accurate information, data was updated for all years shown for comparison.

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Schedule 8
Park City Municipal Corporation, Utah
Taxable Retail Sales by Category
Last Ten Calendar Years
(in thousands of dollars)

	Calendar Year								
	2013	**2014**	**2015**	**2016**	**2017**	**2018**	**2019**	**2020**	2021
Apparel stores	$ 22,927	$ 25,777	$ 35,245	$ 34,510	$ 65,299	$ 67,912	$ 72,213	$ 60,445	**$** 63,815
Food stores	56,238	57,809	60,862	64,630	67,490	65,618	70,454	79,901	83,232
Sporting goods, hobby, book and music	40,609	40,524	43,363	45,380	47,282	48,461	51,007	44,294	58,639
Home furnishings and appliances	12,394	12,730	12,735	14,806	12,250	17,707	14,500	11,750	15,250
Building materials and farm tools	3,654	3,652	5,695	6,199	4,750	5,000	6,000	5,000	5,750
Miscellaneous retail stores	25,884	29,162	30,691	31,403	13,044	16,331	29,821	28,848	33,738
All other outlets	4,452	4,329	4,283	5,240	1,989	3,314	3,875	4,250	5,750
Total	$ 166,158	$ 173,983	$ 192,874	$ 202,168	$ 212,104	$ 224,343	$ 247,870	$ 234,488	**$** 266,174
City direct sales tax rate	% 2.90 %	2.90 %	2.90 %	2.90 %	3.15 %	3.15 %	3.15 %	3.15 %	3.15 %

Source: Utah State Tax Commission website: Taxable Sales by Major City

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Schedule 9
Park City Municipal Corporation, Utah
Direct and Overlapping Property Tax Rates
Last Ten Calendar Years

	City Direct Rates			Overlapping Rates						
Calendar Year	Basic Rate	General Obligation Debt Service	Total Direct	Summit County Levy	State Assessment/ Collecting	Weber Basin Water	Park City Fire	Park City School	Summit Co. Mosquito Abatement	Total Levy for Park City Residents
Tax Rate (per $1 of taxable value)										
2013	0.001385	0.000746	0.002131	0.000909	0.000226	0.000210	0.000950	0.004630	0.000040	0.009096
2014	0.001248	0.000819	0.002067	0.000826	0.000222	0.000199	0.000907	0.004770	0.000038	0.009029
2015	0.001362	0.000610	0.001972	0.000767	0.000205	0.000199	0.000841	0.004461	0.000035	0.008480
2016	0.001304	0.000580	0.001884	0.000726	0.000191	0.000187	0.000793	0.004220	0.000033	0.008034
2017	0.001237	0.000822	0.002059	0.000680	0.000183	0.000174	0.000742	0.003951	0.000031	0.007820
2018	0.001202	0.000732	0.001934	0.000831	0.000169	0.000164	0.000726	0.004408	0.000030	0.008262
2019	0.001107	0.001018	0.002125	0.000756	0.000155	0.000153	0.000667	0.004411	0.000027	0.008294
2020	0.001079	0.000997	0.002076	0.000730	0.000150	0.000146	0.000641	0.004308	0.000026	0.008077
2021	0.001000	0.000898	0.001898	0.000619	0.000104	0.000167	0.000443	0.003829	0.000018	0.007078
2022	**0.000737**	**0.000655**	**0.001392**	**0.000482**	**0.000082**	**0.000200**	**0.000343**	**0.003484**	**0.000014**	**0.005997**

Source: Summit County property tax notices.

Note: The City's basic property tax rate may be increased only by a majority vote of the City's residents. Rates for debt service are set based on each year's requirements.

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Schedule 10
Park City Municipal Corporation, Utah
Direct and Overlapping Sales Tax Rates
Last Ten Calendar Years

Calendar Year	City Direct Rate	Summit County	State of Utah	Total
2014	2.90	0.35	4.70	7.95
2015	2.90	0.35	4.70	7.95
2016	2.90	0.35	4.70	7.95
2017	3.15 (2)	0.60 (3)	4.70	8.45
2018	3.15	0.85 (4)	4.70	8.70
2019	3.15	1.05 (5)	4.85	9.05
2020	3.15	1.05	4.85	9.05
2021	3.15	1.05	4.85	9.05
2022	3.15	1.05	4.85	9.05
2023	**3.15**	**1.05**	**4.85**	**9.05**

Source: Utah State Tax Commission

Notes:

(1) Includes 0.50 percent Additional Resort Communities Sales and Use Tax implemented in calendar year 2013.

(2) Includes 0.25 percent Additional Mass Transit Tax implemented in calendar year 2017.

(3) Includes 0.25 percent County Option Transportation Tax implemented in calendar year 2017.

(4) Includes 0.25 percent County Transportation Infrastructure Tax implemented in calendar year 2018.

(5) Includes 0.20 percent County Option for Public Transit Tax implemented in calendar year 2019.

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Schedule 11
Park City Municipal Corporation, Utah
Principal Property Taxpayers
Current Year and Nine Years Ago

	2023			2014		
Taxpayer	**Taxable Assessed Value**	**Rank**	**Percentage of Total City Taxable Assessed Value**	**Taxable Assessed Value**	**Rank**	**Percentage of Total City Taxable Assessed Value**
Talisker Empire Pass Hotel LLC (Montage)	$ 222,425,997	1	1.86 %	$ 309,419,000	1	3.95 %
Marriott Ownership Resorts	118,824,300	2	0.99	114,504,078	2	1.46
Deer Valley Development Company	54,331,384	3	0.45			
DVP LLC	46,245,344	4	0.38	-	-	-
5000 Royal Street Estates LLC	27,900,000	5	0.23	-	-	-
VR CPC Holdings Inc	25,083,307	6	0.21			
HA Daisy Yoonhee Trustee	24,656,055	7	0.20			
1895 Sidewinder Park City Owner LLC	24,488,285	8	0.20	-	-	-
Silver Lake Development Corp.	23,174,181	9	0.19	19,540,360	6	0.25
Chateaux at Silver Lake	21,485,887	10	0.17	21,521,376	- 5	0.27
United Park City Mines	-	-	-	28,098,000	4	0.36
Residences at the Chateaux	-	-	-	16,000,000	7	0.20
Powder Development Company	-	-	-	15,050,268	8	0.19
REOF XI LLC	-	-	-	14,700,000	9	0.19
Wintzer Wolfe Properties	-	-	0.00	14,120,394	10	0.18
Totals	$ **588,614,740**		**4.88** %	$ **552,953,476**		**7.05** %

Source: Summit County Treasurer and Park City Finance Department.

Note:

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Schedule 12
Park City Municipal Corporation, Utah
City Tax Revenue Collected by County
Last Ten Calendar Years

			Collected Within the Year of the Levy			Total Collections to Date	
Tax Year End 12/31	Original Levy (1)	Adjusted Levy	Amount (2)	Percent of Adjusted Levy	Collections in Subsequent Years	Amount (2)	Percent of Net Levy
Summit County							
2013	14,236,860	14,370,289	13,637,854	94.90	720,856	14,358,710	99.92
2014	14,451,389	14,602,592	13,714,698	93.92	879,744	14,594,442	99.94
2015	14,747,175	14,862,169	14,731,910	99.12	111,730	14,843,640	99.88
2016	14,856,934	14,971,746	14,908,200	99.58	49,384	14,957,584	99.91
2017	17,140,149	17,267,351	17,264,089	99.98	-	17,264,089	99.98
2018	17,403,473	17,509,024	17,498,803	99.94	(8,314)	17,490,489	99.89
2019	20,759,599	20,866,783	20,852,489	99.93	(10,842)	20,841,647	99.88
2020	21,213,526	21,315,802	21,287,166	99.87	-	21,287,166	99.87
2021	21,555,702	21,621,983	21,534,569	99.60	-	21,534,569	94.55
2022	**21,204,980**	**21,080,873**	**20,099,040**	**95.34**	-	**20,099,040**	**95.34**
Wasatch County							
2013	608,641	605,996	605,996	100.00	- (4)	605,996	100.00
2014	611,098	611,098	611,098	100.00	- (4)	611,098	100.00
2015	588,597	580,842	580,842	100.00	- (4)	580,842	100.00
2016	582,082	581,989	570,597	98.04	- (4)	570,597	98.04
2017	639,263	640,331	633,356	98.91	- (4)	633,356	98.91
2018	626,749	624,919	608,868	97.43	- (4)	608,868	97.43
2019	729,099	739,991	737,765	99.70	- (4)	737,765	99.70
2020	711,496	711,748	697,471	97.99	- (4)	697,471	97.99
2021	343,124	343,124	334,750	97.56	- (4)	334,750	97.56
2022	**299,652**	**299,652**	**286,261**	**95.53**	**-** (4)	**286,261**	**95.53**

Source: Summit and Wasatch County Annual Financial Reports.

Notes:
(1) Excludes redevelopment agencies valuation.
(2) Total collection amounts do not include any fee-in-lieu payments.
(3) Increase was due to miscoding, by Summit County, of a large portion of Flagstaff Annexation, which was corrected in calendar year 2013, and property taxes paid.
(4) Prior year collection data not available for Wasatch County.

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Schedule 13
Park City Municipal Corporation, Utah
Property Tax Levies and Collections (1)
Last Ten Calendar Years

Calendar Year Ended December 31,	Taxes Levied for the Calendar Year	Collected within the Calendar Year of the Levy		Collections in Subsequent Years	Total Collections to Date	
		Amount	Percentage of Levy		Amount	Percentage of Levy
2013	14,976,285	14,243,850	95.11	720,856	14,964,706	99.92
2014	15,213,690	14,325,796	94.16	879,744	15,205,540	99.95
2015	15,443,011	15,312,752	99.16	111,730	15,424,482	99.88
2016	15,553,735	15,478,797	99.52	49,384	15,528,181	99.84
2017	17,907,682	17,897,445	99.94	-	17,897,445	99.94
2018	18,133,943	18,107,671	99.86	(8,314)	18,099,357	99.81
2019	21,606,774	21,590,254	99.92	(10,842)	21,579,412	99.87
2020	22,027,550	21,984,637	99.81	-	21,984,637	99.81
2021	21,965,107	21,869,319	99.56	-	21,869,319	99.56
2021	**21,380,525**	**20,385,301**	**95.35**	**-**	**20,385,301**	**95.35**

Source: Summit and Wasatch County Annual Financial Reports, and Park City Finance Department.

Notes:
(1) Includes general fund and debt service funds.
(2) Increase was due to miscoding, by Summit County, of a large portion of Flagstaff Annexation, which was corrected in calendar year 2013, and property taxes paid.

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Schedule 14
Park City Municipal Corporation, Utah
Ratios of Outstanding Debt by Type
Last Ten Fiscal Years

	Governmental Activities			Business-type Activities				
Fiscal Year	General Obligation Bonds (1)	Sales Tax Increment Bonds (1)	Contracts Payable	Water Bonds (1)	Contracts Payable	Total Primary Government	Percentage of Personal Income (2)	Per Capita (2)
2014	$ 33,018,370 (3)	$ 7,785,764	$ 2,679,557	$ 48,237,837 (4)	$ -	$ 91,721,528	3.20 %	$ 11,650
2015	29,298,159 (5)	24,334,866 (6)	93,024	45,184,477	-	98,910,526	3.21	12,275
2016	26,009,111	22,393,581	-	42,041,117	-	90,443,809	4.19	11,127
2017	50,485,922 (7)	20,715,393	-	38,797,758	-	109,999,073	3.74	13,254
2018	45,273,366	52,003,833 (8)	-	35,419,397	-	132,696,597	3.30	15,839
2019	91,632,655 (9)	78,605,090 (10)	-	31,906,489	-	202,144,235	2.73	24,414
2020	89,738,177 (11)	73,389,583	-	100,237,316 (12)	3,180,985 ###	266,546,063	2.39	31,403
2021	82,962,508	67,946,810	-	97,009,196	3,039,674	250,958,188	2.65	29,469
2022	75,916,839	62,913,028	-	158,336,346 (14)	2,895,756	300,061,969	2.22	34,553
2023	**68,581,170**	**57,664,246**	**-**	**152,717,462**	**2,749,183**	**281,712,061**	**2.81**	**32,170**

Notes: Details regarding the City's outstanding debt can be found in the notes to the financial statements.
(1) Presented net of original issuance discounts and premiums.
(2) See Schedule 20 for personal income and population data.
(3) The City issued GO Bonds Series 2013 for $9.1 million in fiscal year 2014.
(4) The City issued Water Revenue Bonds Series 2014 for $4.1 million in fiscal year 2014.
(5) The City issued GO Bonds Series 2014 for $3.4 million in fiscal year 2015.
(6) The City issued Sales Tax Bonds Series 2014A for $6.7 million, Series 2014B for $5.4 million, and Series 2015 for $11.6 million in fiscal year 2015.
(7) The City issued GO Bonds Series 2017 for $27.8 million in fiscal year 2017.
(8) The City issued Sales Tax Bonds Series 2017 for $31.9 million, in fiscal year 2018.
(9) The City issued GO Bonds Series 2019 for $48.3 million in fiscal year 2019.
(10) The City issued Sales Tax Bonds Series 2019 for $26.8 million, in fiscal year 2019.
(11) The City issued GO Bonds Series 2020 for $9.5 million in fiscal year 2020.
(12) The City issued Water Revenue Bonds Series 2020 for $75.5 million in fiscal year 2020.
(13) The City entered into an agreement with Weber Basin Water Conservancy District for $3.2 million in fiscal year 2020.
(14) The City issued Water Revenue Bonds Series 2021 for $66.1 million in fiscal year 2022.

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Schedule 15
Park City Municipal Corporation, Utah
Ratios of General Bonded Debt Outstanding
Last Ten Fiscal Years

Fiscal Year	General Obligation Bonds (1)	Percentage of Actual Property Value (2)	Per Capita (3)
2014	$ 33,018,370	0.42 %	$ 4,194
2015	29,298,159	0.36	3,636
2016	26,009,111	0.30	3,200
2017	50,485,922	0.55	6,083
2018	45,273,366	0.47	5,404
2019	91,632,655	0.88	11,067
2020	89,738,177	0.79	10,572
2021	82,962,508	0.69	9,742
2022	75,916,839	0.57	8,742
2022	**68,581,170**	**0.38**	**7,832**

Notes: Details regarding the City's outstanding debt can be found in the notes to the financial statement

(1) Presented net of original issuance discounts and premiums.
(2) See Schedule 6 for property value data.
(3) See Schedule 20 for population and personal income data.

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Schedule 16
Park City Municipal Corporation, Utah
Direct and Overlapping Governmental Activities Debt (2)
As of June 30, 2023

Governmental Unit	Net Debt Outstanding	Estimated Percentage Applicable to Park City (1)	Estimated Amount Applicable to Park City
Debt repaid with property taxes			
Snyderville Basin Recreation District Tax District	$ 20,350,000	17.20 %	$ 3,500,200
Wasatch County	4,245,000	1.96	83,202
Wasatch County School District	70,872,451	1.96	1,389,100
Weber Basin Water Conservancy District	8,560,000	14.63	1,252,328
Other debt			
Summit County	44,687,000	56.13	25,082,813
Wasatch County	4,260,000	1.96	83,496
Subtotal, overlapping debt			31,391,139
City direct debt			138,829,867
Total direct and overlapping			$ 170,221,006

Sources: Assessed value data used to estimate applicable percentages provided by the Utah State Tax Commission. Debt outstanding outstanding data provided by each governmental unit.

Notes:
(1) The percentage of overlapping debt applicable is estimated using taxable assessed property values. Applicable percentages were estimated by determining the portion of another government unit's taxable assessed value that is within the City's boundaries and dividing it by each unit's total taxable assessed value.
(2) Overlapping governments are those that coincide, at least in part, with the geographic boundaries of the City. This schedule estimates the portion of the outstanding debt of those overlapping governments that is borne by the residents and businesses of Park City. This process recognizes that, when considering the City's ability to issue and repay long- term debt, the entire debt burden borne by the residents and businesses should be taken into account. However, this does not imply that every taxpayer is a resident, and therefore responsible for repaying the debt, of each overlapping government.

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Schedule 17
Park City Municipal Corporation, Utah
Legal Debt Margin Information
Last Ten Fiscal Years

	Fiscal Year									
	2014	**2015**	**2016**	**2017**	**2018**	**2019**	**2020**	**2021**	**2022**	**2022**
Debt limit	$ 280,699,514	$ 293,698,934	$ 312,816,159	$ 329,113,324	$ 345,893,884	$ 373,088,393	$ 404,142,080	$ 421,601,040	$ 468,049,280	**$ 623,276,859**
Total net debt applicable to limit	33,018,370	29,298,159	26,009,111	50,485,922	45,273,366	91,632,655	89,738,177	82,962,508	75,916,839	**68,581,170**
Legal debt margin	$ 247,681,144	$ 264,400,775	$ 286,807,048	$ 278,627,402	$ 300,620,518	$ 281,455,738	$ 314,403,903	$ 338,638,532	$ 392,132,441	**$ 554,695,689**
Total net debt applicable to the limit as a percentage of debt limit	11.76%	9.98%	8.31%	15.34%	13.09%	24.56%	22.20%	19.68%	16.22%	**11.00%**

Legal Debt Margin Calculation for Fiscal Year 2023

Total assessed value	**$ 15,581,921,470**
Debt limit - 4.0% of total assessed value	**$ 623,276,859**
Amount of debt applicable to debt limits:	
General Obligation Bonds 2013A, 2017, 2019 and 2020	**68,581,170**
Less: Amount available for repayment of general obligation bonds	**-**
Total net debt applicable to limit	**68,581,170**
Legal debt margin	**$ 554,695,689**

Notes: Under Utah State Law, Park City 's outstanding general obligation debt should not exceed 4.0 percent of total assessed property value. The general obligation debt subject to the limitation may be offset by resources set aside for the repayment of the principal that are externally restricted.

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Schedule 18
Park City Municipal Corporation, Utah
Pledged-Revenue Coverage
Last Ten Fiscal Years

	Sales Tax Increment Bonds			
	Sales Tax	Debt Service		
Fiscal Year	Increment	Principal	Interest	Coverage
2014	$ 13,499,321	$ 1,200,000	$ 359,863	8.7
2015	14,797,945	8,350,000	383,012	1.7
2016	16,334,964	1,810,000	782,290	6.3
2017	17,873,953	1,550,000	705,380	7.9
2018	18,814,379	3,680,000	1,351,082	3.7
2019	20,411,626	3,240,000	2,110,324	3.8
2020	20,156,955	4,625,000	2,792,440	2.7
2021	22,423,816	4,855,000	2,576,365	3.0
2022	29,678,601	4,520,000	2,432,215	4.3
2023	**31,128,370**	**4,735,000**	**2,223,790**	**4.5**

Notes: Details regarding the City's outstanding debt can be found in the notes to the financial statements. See Schedule 19 for information on water revenue bond coverage.

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Schedule 19
Park City Municipal Corporation, Utah
Water Fund Refunding and Revenue Bonds
Schedule of Net Revenues to Aggregate Debt Service
As of June 30, 2023

		Coverage Ratio	
		Actual	Minimum
Net revenues (change in net position)	**$ (1,364,750)**		
Add			
Excluded transfer to general fund	1,832,713		
Noncapital improvements	2,448,095		
Depreciation and amortization	4,281,215		
Bond interest expense	4,598,188 (1)		
Revenues pledged to debt	**11,795,461**	**1.26**	**1.20**

	Principal	Interest	Total
2009A Water Bonds-DEQ	$ 125,000	$ -	$ 125,000
2013A Water Revenue	245,000	17,850	262,850
2014 Water Revenue Bonds	-	133,738	133,738
2020 Water Revenue Bonds	2,250,000	2,316,094	4,566,094
2021 Water Revenue Bonds	2,175,000	2,130,506	4,305,506
	$ 4,795,000	$ 4,598,188	$ 9,393,188

Less water development fees and capital contributions collected in fiscal year 2023	(885,049)		
Net revenues less development fees and capital contributions	**$ 10,910,412**	**1.16**	**1.00**

Year	Net Revenue (Loss)	Gross Revenues (Less Development Fees) Available for Debt Service	Total Debt Service (1)	Coverage	Gross Revenue Available for Debt Service	Debt	Coverage
2014	3,644,383	6,603,287	4,124,483	1.60	8,314,345	4,124,483	2.02
2015	5,862,508	7,781,536	4,254,867	1.83	11,530,762	4,254,867	2.71
2016	3,074,564	7,474,148	4,247,871	1.76	8,657,335	4,247,871	2.04
2017	4,972,598	9,821,604	4,245,164	2.31	10,912,626	4,245,164	2.57
2018	5,484,037	10,299,731	4,245,644	2.43	11,555,071	4,245,644	2.72
2019	6,190,191	10,256,385	4,399,869	2.33	12,345,168	4,399,869	2.81
2020	2,599,792	6,990,691	4,453,990	1.57	8,767,845	4,453,990	1.97
2021	45,434	3,414,339	2,910,430	1.17	7,128,699	2,910,430	2.45
2022	(309,495)	7,552,733	5,805,691	1.30	8,813,246	5,805,691	1.52
2023	**(1,364,750)**	**10,910,412**	**9,393,188**	**1.16**	**11,795,461**	**9,393,188**	**1.26**

Notes: Details regarding the City's outstanding debt can be found in the notes to the financial statements.
(1) Amount is less current year bond premium amortization

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Schedule 20
Park City Municipal Corporation, Utah
Demographic and Economic Statistics
Last Ten Fiscal Years

Fiscal Year	Population	Personal Income (thousands of dollars) (1)	Per Capita Personal Income (1)	Median Age	School Enrollment	Unemployment Rate (1)
2014	7,873	2,944,020	77,468	34.9	4,630	3.1
2015	8,058	3,177,339	82,558	38.8	4,739	3.2
2016	8,128	3,784,040	96,766	38.5	4,763	3.4
2017	8,299	4,110,805	102,053	40.4	4,891	3.1
2018	8,378	4,380,364	108,675	40.6	4,780	2.9
2019	8,280	5,518,624	131,606	40.3	4,816	2.7
2020	8,488	6,377,651	152,310	39.3	4,757	9.8
2021	8,516	6,652,663	156,537	40.0	4,696	2.4
2022	8,684	6,652,663	156,537	41.2	4,592	1.7
2023	**8,757**	**7,927,922 (3)**	**183,972 (3)**	**41.1**	**4,350**	**2.4**

Sources:
Utah Department of Workforce Services
Park City School District
Park City Chamber & Visitors Bureau
Summit County Annual Financial Reports

Notes:
(1) Applies to Summit County.
(3) Most recent data for Personal Income and Per Capita Personal Income is 2022.

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Schedule 21
Park City Municipal Corporation, Utah
Principal Employers
Current Year and Nine Years Ago

	2023				2014 (1)			
Employer	**Yearly Maximum Employees**	**Yearly Minimum Employees**	**Rank**	**Percentage of Total City Employment (2)**	**Yearly Maximum Employees**	**Yearly Minimum Employees**	**Rank**	**Percentage of Total City Employment (2)**
Park City Municipal Corporation	1620	1,041	1	6.18 %	507	342	5	4.21 %
Royal Street of Utah ET AL (Deer Valley Resort)	999	500	2	3.81	2800	750	1	23.26
Park City School District	663	698	3	2.53	692	647	3	5.75
Montage Hotels & Resorts, LLC	499	250	4	1.90	499	250	7	4.14
IHC/Park City Surgical Center	499	250	5	1.90	499	250	6	4.14
Park City Mountain Resort	499	250	6	1.90	1250	200	2	10.38
Promontory Development	499	250	7	1.90	-		-	-
Stein Eriksen Lodge	499	250	8	1.90	530	514	4	4.40
Glenwilde Golf Course	249	100	9	0.95	-		-	-
Hotel Park City	249	100	10	0.95	249	100	8	2.07
United States Ski & Snowboard Association	-	-	-	-	103	103	12	0.86
Resort Express	-	-	-	-	249	100	9	2.07
Talisker Club, LLC	-	-	-	-	249	100	11	2.07
Dakota Mountain Lodge	-	-	-	-	249 (3)	100	10	2.07
Total	**6,275**	**3,589**		**23.95 %**	**7,876** (3)	**3,456**	(3)	**65.42 %**

Notes:
(1) Numbers are from respective employers and Utah Department of Workforce Services.
(2) Percentage is based on the maximum number of employees in the range divided by the total labor force of Summit County.

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Schedule 22
Park City Municipal Corporation, Utah
Full-time Equivalent City Government Employees by Function
Last Ten Fiscal Years

	Fiscal Year								
	2014	**2015**	**2016**	**2017**	**2018**	**2019**	**2020**	**2021**	2022
Function	**Full-time Equivalent Employees**								
General government									
Executive	5.1	4.0	4.0	4.1	4.6	6.0 (5)	6.0	6.0	7.5
Finance	6.7	6.7	6.7	6.7	6.6	6.2	6.7	6.3	7.0
Human resources	5.1	5.1	5.1	5.1	5.1	6.3	6.3	4.7	4.7
Budget, debt and grants	3.0	3.3	3.3	3.3	3.3	3.5	3.1	3.1	4.0
Planning	8.0	9.0	9.2	9.7	10.0	10.2	10.2	9.0	10.0
Building	13.0	15.0	16.0	17.3	17.6	19.2	20.2	19.0	19.0
Engineering	2.8	2.8	4.0	4.3	4.8	5.5	5.5	4.3	4.8
Legal	7.0	7.0	7.0	7.0	7.0	7.1	7.1	7.9	8.9
Sustainability	10.9	11.3	11.3	12.3	13.8	12.8	13.8	13.8	16.8 (8)
I.T.	9.5	9.5	9.5	9.5	8.5	8.5	8.5	8.4	9.4
Other	5.0	6.0	6.0	6.0	6.0	7.5	9.9 (6)	13.4 (7)	11.8
Public safety									
Police	34.6	34.0	34.0	36.5	41.1	41.3	43.6	43.6	46.5
Communication center	10.4	10.4	10.4	10.4	2.5	-	-	-	-
Other	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5
Public works									
Transit	80.8	77.2	75.6	75.7	107.8 (4)	123.8 (4)	124.6	118.6	86.3 (9)
Fleet services	8.0	9.4	9.8	9.8	9.9	10.1	9.9	10.0	10.0
Parking	7.8 (1)	8.0	8.2	8.2	10.5	12.5	10.7	10.2	11.7
Street maintenance	17.4	17.3	17.0	14.8	15.3	15.3	17.2	16.8	17.8
Parks and cemetery	18.2	18.6	19.0	19.0	19.0	19.0	19.3	18.7	18.7
Other	9.0	9.0	9.0	9.0	9.0	9.0	8.5	8.5	8.5
Library and recreation									
Library	11.4	11.4	11.9	12.3	13.0	13.5	13.5	13.5	13.5
Golf	5.2	6.0	6.0	7.8	7.8	8.1	8.1	8.1	8.1
Recreation	29.7	28.2	28.2	29.3	27.8	27.0	27.0	25.0	25.3
Tennis	4.0	4.7	4.7	4.7	5.2	2.9	2.9	2.4	3.6
Ice	8.4	11.4	11.3	12.3	11.3	11.3	11.6	10.9	10.9
Water									
Water billing	1.0	- (2)	-	-	-	-	-	-	-
Water operations	21.9	23.0	24.4	26.5	27.5	29.5	29.2	29.2	32.2
Stormwater									
Stormwater operations	-	-	-	6.1 (3)	6.6	6.6	5.9	5.9	5.9
Total	**345.4**	**349.8**	**353.1**	**369.2**	**403.1**	**424.2**	**430.8**	**418.8**	404.4

Source: Park City Budget Department.

Notes: A full-time employee is scheduled to work 2,080 hours per year (including vacation). Full-time equivalent employment is calculated by dividing total labor hours by 2,080.

(1) In 2014 the Parking Department was added, until that time it had been outsourced.
(2) In 2015 Water Billing was combined with Water Operations.
(3) In 2017 the Stormwater Operations Department was created.
(4) Significant increase in transit operators and total route miles.
(5) McPolin Barn FTE transferred from Recreation to Executive.
(6) In 2020 the Social Equity position was created.
(7) In 2021 the Affordable Housing positions were created.
(8) In 2022 the several Trails positions were created.
(9) Significant decrease in transit operators and total route miles due to separation with Summit County

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Schedule 23
Park City Municipal Corporation, Utah
Population Statistics

Census:	Calendar Year	Park City Population	Percent Change from Prior Period	Summit County Population	Percent Change from Prior Period
	1970	1,193	(12.66)	5,879	3.63
	1980	2,823	136.63	10,198	73.46
	1990	4,430	56.93	15,518	52.17
	2000	6,500	46.73	29,736	91.62
	2010	7,596	(4.81)	40,451	36.03
	2020	8,516	0.33	42,400	0.61
	2021	8,684	1.97	42,655	0.60
	2022	**8,757**	**0.84**	**43,563**	**2.13**

Age distribution of 2021 population:

Age	Number	Percent
Under 5 Years	388	4.43 %
5-14	952	10.87
15-24	1,159	13.24
25-34	1,222	13.95
35-44	1,197	13.67
45-54	954	10.89
55-64	1,490	17.01
65-74	982	11.21
75 and over	413	4.71
	8,757	**100.00 %**

Median age: 41.1

Sources:
U.S. Census Bureau, ACS Demographic and Housing Estimates
Utah Department of Workforce Services
Park City Chamber & Visitors Bureau

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Schedule 24
Park City Municipal Corporation, Utah
Transient Room Capacity as a Percentage of Population
Last Ten Fiscal Years

Fiscal Year	Transient Room Capacity		Park City Population	Resort Percentage
2014	28,275		7,873	359
2015	28,275		8,058	351
2016	28,275		8,128	348
2017	23,119		8,299	279
2018	27,422		8,378	327
2019	27,422	(1)	8,280	331
2020	28,670		8,488	338
2021	28,670	(2)	8,516	337
2022	32,669		8,684	376
2023	**32,669**	(3)	**8,757**	**373**

Sources:
Park City Chamber/Visitor Bureau

Note:
(1) Beginning in 2019, the City used Park City Chamber/Visitor Bureau data for room capacity and restated all previous year's data for consistency.
(2) Park City Chamber/Visitor Bureau did not report any data for 2020.

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Schedule 25
Park City Municipal Corporation, Utah
Historical Pledged Taxes
Last Ten Fiscal Years

Fiscal Year	Pledged Sales & Use Taxes	% Change From Prior Year	Pledged Resort Tax	% Change From Prior Year	Municipal Transient Room Tax	% Change From Prior Year	Total Pledged Taxes	% Change From Prior Year
2014	$ 4,347,534	3.8 %	$ 11,070,470 (1)	41.2 %	$ -	n/a %	$ 15,418,004	28.2 %
2015	4,731,904	8.8	12,158,993	9.8	-	n/a	16,890,897	9.6
2016	5,180,094	9.5	13,472,260	10.8	-	n/a	18,652,354	10.4
2017	5,620,687	8.5	14,695,621	9.1	-	n/a	20,316,308	8.9
2018	5,915,331	5.2	15,576,576	6.0	1,592,720 (2)	n/a	23,084,627	13.6
2019	6,403,710	8.3	16,915,887	8.6	2,733,084	71.6	26,052,681	12.9
2020	6,389,540	(0.2)	16,624,398	(1.7)	2,692,669	(1.5)	25,706,607	(1.3)
2021	7,161,106	12.1	18,431,079	10.9	2,741,751	1.8	28,333,936	10.2
2022	9,234,210	28.9	24,687,643	33.9	4,490,163	63.8	38,412,016	35.6
2023	**9,598,138**	**3.9**	**25,998,773**	**5.3**	**4,513,625**	**0.5**	**40,110,536**	**4.4**

Notes:
(1) The 0.50 percent Additional Resort Communities Sales and Use Tax implemented in fiscal year 2013, went into effect in fiscal year 2014.
(2) The 1.0 percent Municipal Transient Room Tax was implemented on January 1, 2018.

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Schedule 26
Park City Municipal Corporation, Utah
Operating Indicators by Function
Last Ten Fiscal Years

	Fiscal Year									
Function	**2014**	**2015**	**2016**	**2017**	**2018**	**2019**	**2020**	**2021**	**2022**	**2023**
Police								4		
Physical arrests	623	516	506	449	426	318	255	256	300	**275**
Parking citations	219	282	236	291	129	132	214	219	348	**358**
Traffic citations	904	454	966	712	697	608	761	1,410	578	**599**
Public works										
Street resurfacing (tons of asphalt)	5,133	5,526	6,034	5,486	6,500	6,000	8,200	5,523	5,819	**8,500**
Potholes repaired	240	210	380	400	200	800	1,100	850	780	**1,750**
Water										
Number of customers	5,203	5,226	5,230	5,276	5,331	5,450	5,502	5,563	5,570	**5,617**
New connections	37	42	56	56	75	82	100	35	44	**45**
Average daily consumption (Tgal)	4,660	4,430	4,647	4,890	3,475	3,475	4,326	4,726	4,445 (9)	**4,955**
Peak daily consumption (Tgal)	8,820	7,786	7,767	8,660	5,839	5,839	8,669	7,599	8,104 (9)	**7,923**
Average monthly billings (3/4" meter)	86.22	88	83.32	105.87	90.63	111.32	100.44	118.29	105.54	**103.80**
Residential billing rates										
Base rate (per 3/4" meter)	39.35	44	44.07	44.95	47.65	49.08	50.55	52.07	53.63	**55.24**
Base rate (per 1" meter)	53.12	59	59.49	60.68	64.32	66.25	68.24	70.29	72.40	**74.57**
Base rate (per 1-1/2" meter)	62.99	71	70.55	71.96	76.28	78.57	80.93	83.36	85.86	**88.44**
Rate per Tgal (winter months only)	6.89	8	7.72	5.60	5.94	6.12	6.30	6.49	6.68	**6.88**
Commercial billing rates										
Base rate (per 3/4" meter)	51.15	57	57.29	58.44	61.95	63.61	65.52	67.49	69.51	**71.60**
Base rate (per 1" meter)	86.55	97	96.94	98.88	104.81	107.95	111.19	114.53	117.97	**121.51**
Base rate (per 1-1/2" meter)	184.89	207	207.08	211.22	223.89	230.61	237.53	244.66	252.00	**259.56**
Base rate (per 2" meter)	385.57	432	431.84	440.48	466.91	480.92	495.35	510.21	525.52	**541.29**
Base rate (per 3" meter)	1,003.35	1,124	1,123.75	1,146.23	1,215.15	1,251.60	1,289.15	1,327.82	1,367.65	**1,408.68**
Base rate (per 4" meter)	1,821.71	2,040	2,040.32	2,081.13	2,206.00	2,272.18	2,340.35	2,410.56	2,482.88	**2,557.37**
Base rate (per 6" meter)	3,434.02	3,846	3,846.10	3,923.02	4,158.40	4,283.15	4,411.64	4,543.99	4,680.31	**4,820.72**
Base rate (per 8" meter)	5,913.67	6,623	6,623.31	6,755.78	7,161.13	7,375.96	7,597.24	7,825.16	8,059.91	**- (10)**
Rate per 1,000 gallons	6.89	8	7.72	7.87	8.34	8.59	8.85	9.12	9.39	**9.67**
Building activity										
Building permits issued	1,432	1,289	1,102	999	1,422	1,252	1,575	1,331	1,438	**1,389**
Number of residential units	51	119	57	54	66	132	39	56	56	**42**
Residential value (in thousands)	40,646	64,102	30,826	36,092	48,420	97,683	68,878	105,888	95,755	**74,177**
Commercial value (in thousands)	14,420	17,951	3,663	8,912	40,266	46,236	125,390	11,915	14,614	**88,928**
Parks and recreation										
Racquet club passes	7,038	7,893	7,922	7,067	7,415	7,859	8,476	12,218	17,582	**18,060**
Golf rounds	30,887	29,269	29,537	30,731	29,484	27,382	30,085	38,036	34,806	**34,702**
Library										
Total volumes borrowed	79,709 (1)	54,262 (1)	98,930 (2)	111,388	155,683 (3)	193,795 (3)	115,463	392,488 (6)	388,329	**494,801**
Circulation per capita	10	7	12	13	13	14	14	14	14	**17**
Transit										
Total route miles	1,116,067	986,500	1,065,755	1,141,405	1,924,148 (4)	2,159,537	1,942,609 (5)	1,311,564 (5)	910,646 (7)	**1,122,097 (8)**
Passengers	1,823,459	1,701,758	1,798,482	2,100,455	2,288,730 (4)	2,659,826	2,394,311 (5)	1,185,629 (5)	1,541,419	**1,118,663 (8)**

Sources: Various City departments.

Notes: Indicators are not available for the general government function.

(1) Significant decrease in Library total volumes borrowed and circulation per capita in 2014 and 2015, was due to the relocation of the Library to temporary facilities, during the renovation of existing facility.

(2) Significant increase in Library total volumes borrowed and circulation per capita in 2015 and 2016, was due to the completion of the Library renovation.

(3) Significant increase in Library total volumes borrowed in 2018 due to a change in how electronic material was tracked (count now includes number of units instead of number of titles).

(4) Significant increase in total route miles in 2018 was due to the addition of several new routes including the Kamas circulator.

(5) Significant decrease is due to the COVID-19 pandemic. The City cut back on Transit routes and limited passenger numbers.

(6) Significant increase is due the library joining a consortium that gives full access to statewide materials collections in digital format.

(7) Significant decrease is due to the City no longer running routes in the County. High Valley Transit District now services those areas.

(8) Significan increase is due to adding Micro Transit routes.

(9) Numbers for Average daily and Peak daily consumption were transposed.

(10) Park City does not have 8" meteres. So we do not have a base rate to charge.

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Schedule 27
Park City Municipal Corporation, Utah
Capital Asset Statistics by Function
Last Ten Fiscal Years

	Fiscal Year									
Function	**2014**	**2015**	**2016**	**2017**	**2018**	**2019**	**2020**	**2021**	**2022**	**2023**
City Area (sq. miles)	18	20	20	20	20	20	20	20	22	**22**
Police station	1	1	1	1	1	1	1	1	1	**1**
Transit buses	36	37	37	38	39	47	41	41	38 (7)	**46**
Public works										
Streets (lane miles)	126	126	126	126	126	128	128	130	130	**130**
Street lights	712	712	712	964	985	985	985	970	970	**970**
Water										
Fire hydrants	1,105	1,081	1,090	1,091	1,104	1,131	1,137	1,141	1,140	**1,147**
Water mains (miles)	135	137	140	142	142	142	142	144	144	**144**
Storage capacity (Tgal)	13,650	13,650	13,650	13,650	18,250	18,250	18,250	18,250	14,946	**14,946**
Recreation and culture										
Acreage	223	223	223	1,536 (1)	1,580	1,675 (3)	1,625 (4)	1,625	1,626	**1,626**
Parks	40	40	40	42	42	42	42	42	43	**43**
Covered picnic areas	4	4	4	6	6	6	6	6	7	**7**
Tennis courts	14	14	14	14	14	14	14	14	14	**14**
Soccer fields	6	6	6	6	6	6	6	6	6	**6**
Baseball diamonds	10	10	10	10	10	10	10	10	10	**10**
Library	1	1	1	1	1	1	1	1	1	**1**
Volumes in library	85,138	97,160	126,999	117,482	155,683 (2)	193,795 (2)	115,463 (5)	392,488 (6)	388,329	**494,801**
Golf course	1	1	1	1	1	1	1	1	1	**1**
Ice Rink	1	1	1	1	1	1	1	1	1	**1**

Sources: Various City departments.

Notes: Fire protection is provided by the Park City Fire District.
(1) Bonanza Flat (1,350 acres) open space was purchased in fiscal year 2017.
(2) The Library changed the way they track electronic material, resulting in a more accurate number in fiscal year 2018 and 2019.
(3) Treasure Hill (105 acres) open space was purchased in fiscal year 2019.
(4) Bonanza Flat (55 acres) sold to Salt Lake City Corporation in fiscal year 2020. Armstrong Property (5 acres) purchased in fiscal year 2020.
(5) Significant decrease is due to the COVID-19 pandemic. Additionally, the library switched to curbside delivery for several months.
(6) Significant increase is due to joining a library consortium that gives full access to statewide materials collections in digital format.
(7) Decrease in buses is due to the City no longer servicing all of the County.

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Schedule 28
Park City Municipal Corporation, Utah
Five-Year Financial Summaries
Last Five Fiscal Years

	Fiscal Year Ended June 30				
	2023	**2022**	**2021**	**2020**	**2019(1)**
ASSETS					
Cash, cash equivalents and investments held by city	**$ 173,456,023**	$ 149,676,414	$ 110,483,787	$ 91,143,933	$ 68,768,707
Cash, cash equivalents and investments held by fiscal agent	**39,056,082**	62,902,204	37,681,751	71,929,505	30,394,766
Restricted cash, cash equivalents and investments, other	**11,035,765**	9,438,370	9,470,859	10,856,824	9,194,635
Receivables:					
Taxes	**30,666,328**	31,510,573	30,870,614	28,481,976	28,179,289
Accounts	**16,128,542**	7,559,093	10,915,585	15,297,972	11,479,937
Notes receivable	**249,477**	252,387	258,161	263,386	768,356
Inventories	**1,648,843**	1,462,526	1,064,127	935,683	864,724
Prepaids	**1,443,591**	1,932,728	1,788,013	2,066,110	2,582,703
Lease receivable	**10,731,865**	10,800,780	-	-	-
Capital assets not being depreciated:					
Land and water rights	**266,062,802**	266,062,802	266,062,802	266,062,802	264,361,177
Construction in progress	**123,666,341**	105,532,708	65,717,025	51,527,332	28,017,548
Art	**946,567**	946,567	926,239	917,603	889,333
Capital assets (net of accumulated depreciation):					
Right to use asset	**3,085,148**	3,169,673	3,254,198	3,338,722	
Buildings	**58,008,995**	59,912,541	62,002,012	50,598,244	49,424,165
Improvements other than buildings	**80,581,001**	83,228,324	86,770,848	77,590,523	79,765,683
Vehicles and equipment	**26,365,706**	20,774,073	23,553,590	23,505,583	25,690,978
Infrastructure	**17,516,970**	19,287,123	21,176,661	21,566,939	22,956,314
Intangibles	**8,728,906**	8,540,614	8,554,756	8,571,769	8,486,048
Net pension assets	**-**	8,676,595	581,540	-	-
Total assets	**869,378,952**	851,666,095	741,132,568	724,654,906	631,824,363
Deferred outflows of resources					
Deferred outflows of resources related to pensions	**6,664,309**	4,314,061	3,200,339	3,315,414	7,434,656
LIABILITIES					
Accounts payable	**14,437,708**	8,991,484	8,760,571	6,992,699	5,966,218
Accrued liabilities	**13,543,834**	11,117,507	7,251,284	7,210,548	4,221,062
Long-term debt due within one year:					
Compensated absences	**1,381,561**	1,033,464	945,902	992,375	913,654
Contracts payable	**149,278**	146,573	143,918	141,311	-
General obligation bonds	**6,890,000**	6,590,000	6,300,000	6,030,000	5,910,000
Revenue bonds	**10,000,000**	9,530,000	7,315,000	7,530,000	8,035,000
Long-term debt due in more than one year:					
Compensated absences	**228,994**	254,059	282,541	368,788	313,404
Contracts payable	**2,599,904**	2,749,183	2,895,756	3,039,674	
General obligation bonds	**61,691,170**	69,326,839	76,662,508	83,708,177	85,722,655
Revenue bonds	**200,381,706**	211,719,374	157,641,006	166,096,899	102,476,579
Net pension liability	**5,020,590**	-	1,787,303	7,174,185	14,568,026
Total liabilities	**316,324,745**	321,458,483	269,985,789	289,284,656	228,126,598
Deferred inflows of resources					
Property taxes	**24,641,351**	25,384,115	25,035,612	24,703,651	23,863,826
Deferred gain on refunding	**294,874**	480,573	488,747	704,659	500,262
Deferred inflows of resources related to pensions	**123,513**	13,265,041	7,370,876	4,155,340	514,445
Deferred inflows of resources - leases	**10,438,299**	10,587,831			
Total deferred inflows of resources	**35,498,037**	49,717,560	32,895,235	29,563,650	24,878,533
NET POSITION					
Net investment in capital assets	**339,730,407**	326,255,071	243,445,823	331,580,232	311,830,787
Restricted for:					
Capital projects	**1,096,717**	- (1)	- (1)	- (1)	-
Other	**58,940**	58,940	58,940	58,940	58,940
Unrestricted	**183,334,415**	158,490,102	197,947,120	77,482,842	74,364,161
Total net position	**$ 524,220,479**	$ 484,804,113	$ 441,451,883	$ 409,122,014	$ 386,253,888

Source: Information extracted from the City's fiscal years ended June 30, 2019 through 2023 general purpose financial statements.

Notes:
(1) Restated.

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INTERNAL CONTROL REPORT

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City Council Staff Report

Subject: SR-248 Amendment 2 for Granite Construction, Inc.
Author: Gabriel Shields, PE
Department: Engineering
Date: December 14, 2023
Type of Item: Consent

Recommendation
Review and consider a construction amendment with Granite Construction Company (Contractor) in a form approved by the City Attorney, not to exceed $181,351.04, to fund project closeout activities on SR-248 transit express lane improvement project.

Executive Summary
The City executed a construction agreement with the Contractor after Council approval on June 1, 2023, for the SR-248 Corridor Improvements Project (Project). Importantly, and working with the Utah Department of Transportation (UDOT), the Project provides the following community benefits:

- Public transit drivable paved shoulders from Bonanza Drive to Richardson Flat Road to provide transit-only express lanes;
- Reduced lane widths on SR-248 for traffic calming and slowing average speeds to respond to neighborhood feedback;
- Pavement preservation and winter road damage repairs; and
- Additional forestry, landscaping, and erosion mitigation for surrounding neighborhoods.

Upon reaching substantial completion, the Engineering Department coordinated with Public Works, Public Utilities, and Transit to evaluate outstanding construction items and assess the new road expansion by physically testing the shoulders. At that time, two locations were identified where the shoulder width failed to provide enough and adequate space for Transit operations to comfortably and confidentially operate large transit busses. Having completed the scoped Project tasks under budget, the Engineering Department directed the Contractor to add paving in these areas to meet the project goals and provide our drivers with more confident, particularly during inclement weather.

This amendment provides for the additional scope, previously anticipated field repairs, and allowable contractor material quality incentives for exceeding the project performance criteria.

Analysis
At the time of approval, the Project anticipated 5% for change order contingencies or $104,660. This amount was set to account for field changes, contractor incentives, and any items missed during the design phase that occur in the field as a result of actual conditions.

Planned Costs	
Construction	$1,743,177.00
Public Involvement & Construction Management	$350,000.00
Contingency (5%)	$104,660.00
Total	$2,197,839

Table 1 Planned Costs at the June 1, 2023 Council Approval

To Date, the Project has incurred Amendment 1, which provides additional scope and budget for the Contractor to use rapid set concrete at 36 locations on the corridor where existing concrete utility collars were reconstructed as part of the Project. This change allowed for near-instantaneous concrete curing and limited disruptions to drivers during the busy summer season. This option was invoked to eliminate the need for steel cover plates at each reconstructed concrete collar on one of Park City's two major travel corridors.

This Amendment is included in Table 1 below as Amendment 1 – Rapid Set Concrete for $59,685 and was executed on August 1, 2023. The aggregate change orders totaled $59,685 of the planned $104,660.

During construction, the Contractor incurred incidental expenses due to unforeseen field conditions. These items include repairs to fiber optics, irrigation, water valves, and storm drain lids. Additionally, the Project provided material incentives if the Contractor met certain thresholds for quality given the importance of the major travel corridor. The total of these items is listed in Table 2 as Amendment 2 – Field Repairs and Incentives for $42,131.10. The aggregate sum of change orders reached $101,816.10 of the planned amount of $104,660.

Upon reaching substantial completion, a recommendation from the Transit Department after considerable field testing contemplated adding additional pavement where some of our most experienced operators experienced concern or apprehensive about using the shoulders, particularly during inclement and winter weather. The project provided a minimum of 10' where new shoulders were installed. However, there were existing shoulder locations where the width fell slightly below the 10' minimum requested by the Transit department, as seen in Figure 1.



Figure 1 - Shoulder Width Before Supplemental Paving

The Engineering Department worked with the Contractor to develop a plan and estimate to add paving to these areas. The paving was planned to be 4' in width and installed 200' in length in the vicinity of Richardson Flat Road and 750' in length in the vicinity of Buffalo Bill Drive. The estimated cost for this additional work was $168,889.50; note this is not included in Table 2 as this was not a planned expenditure at the time of the June 1, 2023, Council approval. This estimate is included as Exhibit A.

The Engineering Department reviewed task budgets within the Project to understand the implications of this additional paving better. As seen in Table 2, the Public Involvement and Construction Management contract held by HDR, Inc. for $350,000 was completed for $139,849.11, crediting $210,150.89 back to the overall Project budget.

At the time of the estimated cost, the primary consideration was the availability of sufficient temperatures for paving with the onset of winter weather conditions and the availability of construction crews. Concerning the overall project goal of Transit drivable shoulders and the condition of the Project financials, the Engineering Department directed the Contractor to perform the work as weather allowed. The Additional Paving work was completed under budget for $139,219.94. This is shown in Table 2 as Amendment 2 - Additional Paving.

	Planned Cost	Actual Cost	Variance
Construction	$1,743,177.00	$1,747,178.58	$ (4,001.58)
Public Involvement & Construction Management	$ 350,000.00	$ 139,849.11	$ 210,150.89
Change Order Contingency (5%)			
Amendment 1 - Rapid Set Concrete		$ 59,685.00	
Amendment 2 - Field Repairs and Incentives		$ 42,131.10	
Subtotal of Change Orders	$ 104,660.00	$ 101,816.10	$ 2,843.90
Base Scope Subtotal	$2,197,837.00	$1,988,843.79	$ 208,993.21
			$ -
Amendment 2 - Additional Paving	$ -	$ 139,219.94	$(139,219.94)
			$ -
Project Total	$2,197,837.00	$2,128,063.73	$ 69,773.27

Table 2 Expenses at Completion, negative values are shown in parentheses and represent overages, positive values indicate project credits, highlighted values indicate costs included in the proposed Amendment 2

The final Project cost amounted to $2,128,063.73 of a planned cost of $2,197,837.00, representing a final credit of $69,773.27. This Project was completed on schedule and under budget when considered holistically. Most importantly, the project was completed before winter and after extensive field testing.

This staff report summarizes the need to issue Amendment 2, which funds expected change orders ($42,131.10) and additional paving ($139,219.94). This is accomplished

by terminating the Public Involvement & Construction Management Contract and using those unused funds to credit the Contractor.

Funding

This project is fully funded under the 057483 Transit Fund, Third Quarter County Tax.

Exhibits

Exhibit A: Estimate for Additional Paving

Park City Municipal

Attn: Ray Carter and Gabrial Shields

RE: Wideinig at Richardson Flat Option 2

Below is a breakdown of the proposed change order on SR-248 with respect to the Shoulder widening at Richardson Flat approxamatly 4' x 200' and from Waytt Earp Way to Buffalo Bill Drive approximatly 4' x 750'

Quantaties are an estimate to be field measured and billed at the unit rate.

Mobilization and Traffic Control	-	$15,000 LS	15000*1.15=17250.00 LS	
Roadway Excavation	-	$212.00/CY	$212.00 x 280 CY = $59,360.00	212*1.15=243.80 CY
Granular Borrow/UTBC	-	$167.00/CY	$167.00 x 211 CY = $35,237.00	167*1.15=192.05 CY
HMA	-	$223.00/Ton	$223.00 x 171 Tons = $30,780.00	223*1.15=256.45 CY
Total Cost	-	$147,730.00		
15% Margin	-	$22,159.50		

Total Contract Increase $169,889.50

Thank you,

Derek Porter

Granite Construction Inc.

City Council Staff Report

Subject: Request for Approval of Special Event Temporary Alcoholic Beverage Licenses during the 2024 Sundance Film Festival
Author: Sydney Anderson, Business Licenses Specialist
Department: Finance
Date: December 14, 2023
Type of Item: Consent

Recommendation

We are requesting Council approval of the Special Event Temporary Alcoholic Beverage License (License) applications listed in Exhibit A for operation during the 2024 Sundance Film Festival (Festival).

Executive Summary

Exhibit A lists all License applicants to date pending approval. All requirements for application, including insurance requirements and applicable license fees, have been submitted and paid. All locations in Exhibit A have been considered vibrant or meet one of the one-year vibrancy exceptions listed in the code and are eligible to be approved for a Single Event Temporary Liquor permit. We are requesting approval of the attached applicants to serve alcoholic beverages during the 2024 Festival.

Analysis

As stated in Municipal Code 4-6-2-(B)1, all Single Event Temporary Liquor permit applications for the dates during the Sundance Film Festival are required to obtain Council approval no later than the last regularly scheduled meeting in the month of December.

After the Finance Department accepts completed applications, the applications are reviewed by multiple departments. After departmental review, the applications must receive City Council approval. Municipal Code 4-6-2(B)2, allows City Council to hear no more than twelve (12) applications for late approval after the December deadline noted above.

In accordance with 4-2-15: Vibrant Commercial Storefronts, locations that have been deemed “dark” for two or more consecutive quarters and which do not meet any of the one-year allowed exceptions will not be eligible for a Single Event Temporary Liquor permit at that location. All the locations listed in Exhibit A are either vibrant or have met one of the exceptions to vibrancy and are eligible to be approved for the Single Event Temporary Liquor permit.

Exhibits

Exhibit A- List of locations

Event Name	Event Address	Regular Tenant
Sundance Buyout with White Claw	201 Hever Ave.	Courchevel Bistro
Music Lodge	738 Main ST	One Love Tattoo
Indiewire Sundance Studio	625 Main ST.	Sothebys
Apple x WYWH at Big Moose Yacht Club	657 Park Ave	Big Moose Yacht Club
Sundance 2024	328 Main ST.	Egyptian Theatre
Sundance 2024	328 Main ST.	Egyptian Theatre
World Of Hyatt	440 Main St.	Lazy Sun
United Airlines	751 Main ST	Rich Haines
TAO	4001 Kearns Blvd	Utah Film
Acura	480 Swede Alley	Bob Wells Plaza
Adobe	558 Main St	PC Fine Art
1497 South Asian House	1167 Woodside Ave	The Shop Yoga
Vulture/Vox	591 Main ST.	Lunds Fine Art
Deadline Hollywood LLC	608 Main St. 1st & 2nd	Montgomery Lee Fine Arts
Canon Creative Lounge	528 Main ST.	PC Museum
Inspire Lounge	268 Main ST. Top Floor	OP Rockwell
Chase/LA Times Media Studio	580 Main	Old town Gallery
Chase Sapphire on Main	573 Main ST	Prospect Gallery
Chase Sapphire on Main	573 Main ST	Prospect Gallery
The Impact Lounge	675 Main St. #R8	Vacant Space
Impact Storytelling House by WaterBear	608 Main St. 3rd floor	Montgomery Lee Fine Arts
Gold House	540 Main St.	Riverhorse On Main
Porcelain War Reception	804 Main St.	Trove Gallery
Dropbox Studio	501 Main ST.	501 On Main
Susan Swartz	260 Main ST.	Susan Swartz Gallery
Susan Swartz	260 Main ST.	Susan Swartz Gallery
Christian Center Of PC	1283 DV Dr.	CCOPC
Meredith Marks Holiday Ice Event	511 Main St.	Meredith Marks Retail LLC
Meredith Marks Holiday Ice Event	511 Main St.	Meredith Marks Retail LLC
Vox/Modern	268 Main ST.	268 Main LLC
LatinX	268 Main ST	268 Main LLC basement
Illuminative Lounge	314 Main ST.	David Beavis Fine Art Gallery
Lounge @ Sundance	255 Main ST	PC Desserts
New West Knifeworks Sundance Party	625 Main ST.	New West Knifeworks LLC

MACRO Lodge	136 Heber Ave.	Jack Wolfskin

City Council Staff Report

Subject: Request for Approval of Type 2 Convention Sales Licenses for Operation during the 2024 Sundance Film Festival
Author: Sydney Anderson, Business License Specialist
Department: Finance
Date: December 14, 2023
Type of Item: Consent

Recommendation

Review and consider approving the Type 2 Convention Sales License (CSL) applications listed in Exhibit A for operation during the 2024 Sundance Film Festival (Festival) contingent on passing the Final Inspection Post Application (FIPA).

Executive Summary

Exhibit A lists all the Type 2 Convention Sales License applicants to date pending approval. The applicants have obtained a pre-inspection prior to application (PIPA), provided a site/floor plan stamped by a design professional with occupant load, and paid the applicable license and trash fees. We are requesting approval of the applications for Convention Sales Licenses during the 2024 Sundance Film Festival.

Analysis

The Festival attracts an increasing number of businesses/entities which conduct business within the Park City (City) limits on a short-term basis. These entities are not affiliated with the Festival, nor are they official sponsors. The increase in the number of these entities has created health, safety, and wellness concerns for the City and its residents, including the City's ability to provide basic Police, safety, and emergency services. The Finance Department, as well as other departments, are inundated with Type 2 Convention Sales License applications in the months and weeks before the Festival starts.

The Municipal Code for Type 2 CSLs allows the City to address issues related to adverse impacts or carrying capacity issues related to the licensed activity and volume. It also allows service departments, event staff, and public safety to obtain a more adequate picture of the total public service demands for the Festival in a timeframe that provides for service level and cost adjustments.

Municipal Code 4-7-3 (B)(2) states that Council retains authority to approve Type 2 CSL license applications. Prior to Council's consideration of the Type 2 CSL license applications, the applicant must have a pre-inspection prior to application (PIPA). This inspection will highlight any issues related to the space prior to their final inspection. The inspection must accompany the license application along with accurate floor plans stamped by a design professional, including the occupant load.

The process for a Type 2 CSL is as follows:

1. Obtain floor plans stamped by a design professional
2. Obtain a PIPA
3. Obtain receipt showing payment to Republic Services to cover trash impacts (one receipt *per applicant*).
4. Submit application with site plan, PIPA, and pay the appropriate fee
5. Finance requests approval from City Council
6. Obtain Council approval
7. Obtain a FIPA
8. Issue license

All of the attached applications have met the Municipal Code standards and have completed department review. No adverse impacts or carrying capacity issues have been identified with the applications.

Exhibits

Exhibit A - List of Locations

Event Name	Event Address	Regular Tenant
Indiewire Media LLC	625 Main St	Sothebys
WYWH EVENTS LLC	657 Park Ave.	Big Moose Yacht Club
Slamddance	1800 Park Ave.	The Yarrow

City Council Staff Report

Subject: Park Silly Sunday Market Date Change 2024
Author: Jenny Diersen
Department: Special Events
Date: December 14, 2023
Type of Item: Administrative - Consent

Recommendation

Review and consider a request received from the Park Silly Sunday Market (PSSM) to change the dates for the 2024 event. On November 18, the Special Events Team received a formal request from the PSSM to obtain Council consideration.

Due to the importance and time-sensitive nature of forecasting their calendar months ahead of time, the PSSM asked for consideration at the December 14, 2023, Council Meeting.

Executive Summary

After months of deliberation, the City Council approved a new City Service Agreement with the PSSM on October 26, 2023 (report p. 140 /minutes p. 9). The new Agreement included the following terms:

- Contract Length: 4-year contract, with a 3-year auto-renewal
- Number of Days: 11 Sundays each year
- Location: Lower Main Street (between Heber and 9th Street
- Noise: No amplified sound from 10 a.m. to 12 p.m. From noon to 5 p.m., the maximum decibel limit is 75 (noon start band and load in/ sound check. The music will begin at 1 p.m.).
- Vendor Mix: No importers or resellers are allowed at PSSM. The PSSM will maintain no more than 12 jewelers and 12 food vendors at each market.
- Transportation Plan: The PSSM will mitigate adverse impacts of traffic by hiring additional shuttles on the two busiest days of the market to assist Park City Transit. The PSSM will guarantee a bike valet at each market and continue to promote alternative modes of transportation. Additionally, the PSSM will continue to provide pedestrian management at the intersection of Heber and Main and offer bollard installation.
- City Service Fees: Cover City fees for 11 market dates estimated up to $85,000.

In addition to approving the Agreement, the City Council approved the PSSM's proposed 2024 dates. On November 18, PSSM submitted a letter requesting to amend the approved 2024 dates.

Analysis

Approving the 2024 dates for the PSSM is an important component of advanced planning and the successful operations of the event. The PSSM typically releases its vendor applications for the coming year in December. There are currently no known conflicts with the new dates requested.

In summary, the request moves the PSSM start one week earlier, to June 2, and ends one week earlier, to September 22. Given the modest adjustment and determination of no conflicts, the Special Events Team supports the current request.

Current Approval:

- 11 Sundays;
- June 9, 16, 23, 30; July 14 and 21; September 1, 8, 15, 22, 29; and
- PSSM would not be held on June 2, July 7 (Fourth of July Weekend), July 28 (Extreme Soccer Weekend), or all of August.

New Request:

- 11 Sundays;
- ***June 2,** 9, 16, 23, 30; July 14 and 21; September 1, 8, 15, ***22**; and
- PSSM would not be held on July 7 (Fourth of July Weekend), July 28 (Extreme Soccer Weekend), all of August, or September 29

*The **bolded** dates noted above are the changes requested by the PSSM.

Funding

There are no impacts to funding with PSSM with this adjustment, as the total number of event days has not changed

The PSSM City Service fees are funded from the General Fund and approved for up to $85,000 in fee waivers, while actual City Service Fees were $64,226 for the 2023 event. PSSM provides bollard installation and pedestrian management at Heber and Main at their expense (estimated $26,000). Parking revenues from the 2023 PSSM event totaled $339,850.

City Council Staff Report

Subject:	**Deer Valley Right-of-Way Vacation Petition Regarding a Portion of Deer Valley Drive at Snow Park Village**
Authors:	**Alexandra Ananth, Sr. Planner** **John Robertson, City Engineer** **Jennifer McGrath, Deputy City Manager**
Date:	**December 14, 2023**
Type of Items:	**1) Legislative – Ordinance Vacating Public Right-of-Way** **2) Administrative – Resolution Authorizing Mayor to Execute a Letter of Intent**

Recommendation

Review and consider a proposed Ordinance approving a Petition (Exhibit A) from Deer Valley Resort Company, LLC, and Alterra Mountain Company Real Estate Development, Inc. (collectively Deer Valley), to vacate portions of public Right-of-Way (ROW) to Deer Valley. The Ordinance and legal descriptions are attached as Exhibit D.

A separate proposed Resolution authorizes the Mayor to execute a Letter of Intent (LOI) with Deer Valley regarding a proposed Public-Private Partnership Agreement (PPPA) as an initial step in the City's utilization of the $15 Million Dollars received from Deer Valley as consideration for the ROW vacation. The Resolution is attached as Exhibit E.

Public input will continue to be taken, with possible action by the City Council. Public comments can also be emailed to planning@parkcity.org. Any public input emailed to Planning will be forwarded to the City Council and City Recorder to be included in the public record.

Specifically, the Mayor and City Council should review and consider the prior staff reports and public input when determining whether to take final action regarding:

1. **Ordinance** – discuss and consider any modifications to the proposed findings in Exhibit D to reflect the Council's decision to approve the ROW Vacation; and

2. **Resolution** – consider adopting the resolution authorizing the Mayor to execute the LOI for the proposed Public-Private Partnership Agreement attached as Exhibit E.

The draft Ordinance and Resolution should be considered by separate motions and votes.

Description

Petitioners	Deer Valley Resort Company, LLC, and Alterra Mountain Company Real Estate Development, Inc.[1]
MPD Applicant:	Deer Valley Development Company, Inc. (DVDC)
Location:	2250 Deer Valley Drive
Zoning District:	Residential Development within the Deer Valley Master Planned Development (RD-MPD)
Adjacent Land Uses:	Residential, Resort, Open Space
Reason for Review:	Vacation of public Right-Of-Way requires final City Council action[2]

CUP	Conditional Use Permit
DVDC	Deer Valley Development Company, Inc.
DVR	Deer Valley Resort
LMC	Land Management Code
LOI	Letter of Intent
MPD	Master Planned Development
PCFD	Park City Fire District
PCMC	Park City Municipal Corporation
ROW	Right-of-Way
WCG	Wall Consulting Group, the City's Third-Party Transportation Engineer

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § 15-15-1.

Background

The vacation of portions of dedicated ROW would allow Deer Valley to shift the existing public access to the resort down to the north and relocate the skier arrival location from the current transit drop-off area and southern section (loop) of Deer Valley Drive to Doe Pass Road, which is proposed to be dedicated as new public right-of-way. A new skier drop-off on Deer Valley Drive East near the existing Day Care and Snow Park Lodge Services parking area will also be created.

MPD/CUP Project History and Petition Review
The following meetings, staff reports including exhibits, presentations, public input, and minutes are incorporated herein by reference:

Prior Planning Commission meetings regarding the MPD and CUP applications:

July 28, 2021 Planning Commission Packet, Minutes, and Applicant Presentation; August 25, 2021 Planning Commission Packet, Minutes, and

[1] Deer Valley Development Company is successor in title to Altera Mountain Company Real Estate Development

[2] LMC § 15-7-7, and Utah Code § 10-9a-609.5.

Applicant Presentation; September 22, 2021 Planning Commission Packet, Minutes, and Applicant Presentation; October 27, 2021 Planning Commission Packet, Minutes, Staff Presentation, and Wall Consultant Group Presentation December 8, 2021 Planning Commission Packet, Minutes, Site Visit, and Applicant Presentation; February 9, 2022 Planning Commission Packet and Minutes

Joint Planning Commission and City Council Meeting Regarding the ROW Vacation Petition:

March 15, 2022 Joint City Council and Planning Commission Packet and Minutes

Planning Commission meetings regarding the MPD and CUP applications:

December 19, 2022 Planning Commission Packet, Minutes, Staff Presentation, and Applicant Presentation

January 18, 2023 Planning Commission Packet, Minutes, Staff Presentation, and Applicant Presentation

City Council Meetings Regarding the ROW Vacation Petition:

March 16, 2023 City Council Packet, Minutes, Planning Commission Recommendations for City Council, and Applicant Presentation
June 1, 2023 City Council Packet, Minutes, and Applicant Presentation
June 15, 2023 City Council Packet, Minutes, Applicant Presentation, and Wall Consultant Group Memo
July 6, 2023 City Council Packet and Minutes
August 29, 2023 City Council Packet and Minutes
September 28, 2023 City Council Packet and Minutes
November 30, 2023 City Council Packet and Audio
December 5, 2023 City Council Packet and Audio

December 5th City Council Direction

At the December 5, 2023 City Council meeting, the Mayor and City Council directed preparation of an Ordinance for possible approval of the ROW vacation request. The Council Members' statements regarding their legislative determination of potential good cause and no material injury to the public interest nor any person were incorporated into the proposed Ordinance for consideration. Additional findings from the record and Council deliberations are also proposed.

The Council also requested a LOI regarding the future implementation of a proposed public-private partnership utilizing the $15 Million Dollars received in consideration of the ROW vacation.

Petition Approval Process

The City Council may vacate public ROW, provided the City Council finds (1) Good Cause for the proposed vacation; and (2) neither the public interest nor any person will be materially injured by the vacation.[3]

If the Council adopts the Ordinance approving Deer Valley's Petition, the ROW vacation is approved. However, the vacation is conditional and before the ROW property is transferred to Deer Valley[4], two things must first occur:

1) The Planning Commission must complete their review and approve the Deer Valley Amended MPD, and Phase 1 CUP applications. This review will also include a subdivision plat application reflecting the new site boundaries including the vacated ROW under consideration.
2) The City Council must approve final terms of a Proposed Public-Private Partnership Agreement (PPPA) regarding implementing a project plan using the $15 Million Dollars received in consideration for the ROW vacation.

Importantly, both matters must be finalized and approved prior to final transfer of the ROW back to Deer Valley.

The draft Ordinance contains a proposed one-year sunset provision as a deadline for the two conditions subsequent above. Council, in its sole discretion, may extend the sunset provision upon finding good cause.

Denial

If the Council declines Deer Valley's Petition, the Petitioner may appeal to District Court or the Applicant must eliminate the use of public ROW from the proposed Snow Park development applications.

Resolution Approving Entering into the Letter of Intent

The LOI regarding the proposed public-private partnership is a first step towards implementing a PPPA. The draft LOI was jointly prepared by the Council liaisons and Deer Valley as a result of preliminary negotiations regarding financial consideration for the ROW vacation. See Exhibit C.

If approved, the Resolution authorizes the Mayor to execute the LOI. The parties will

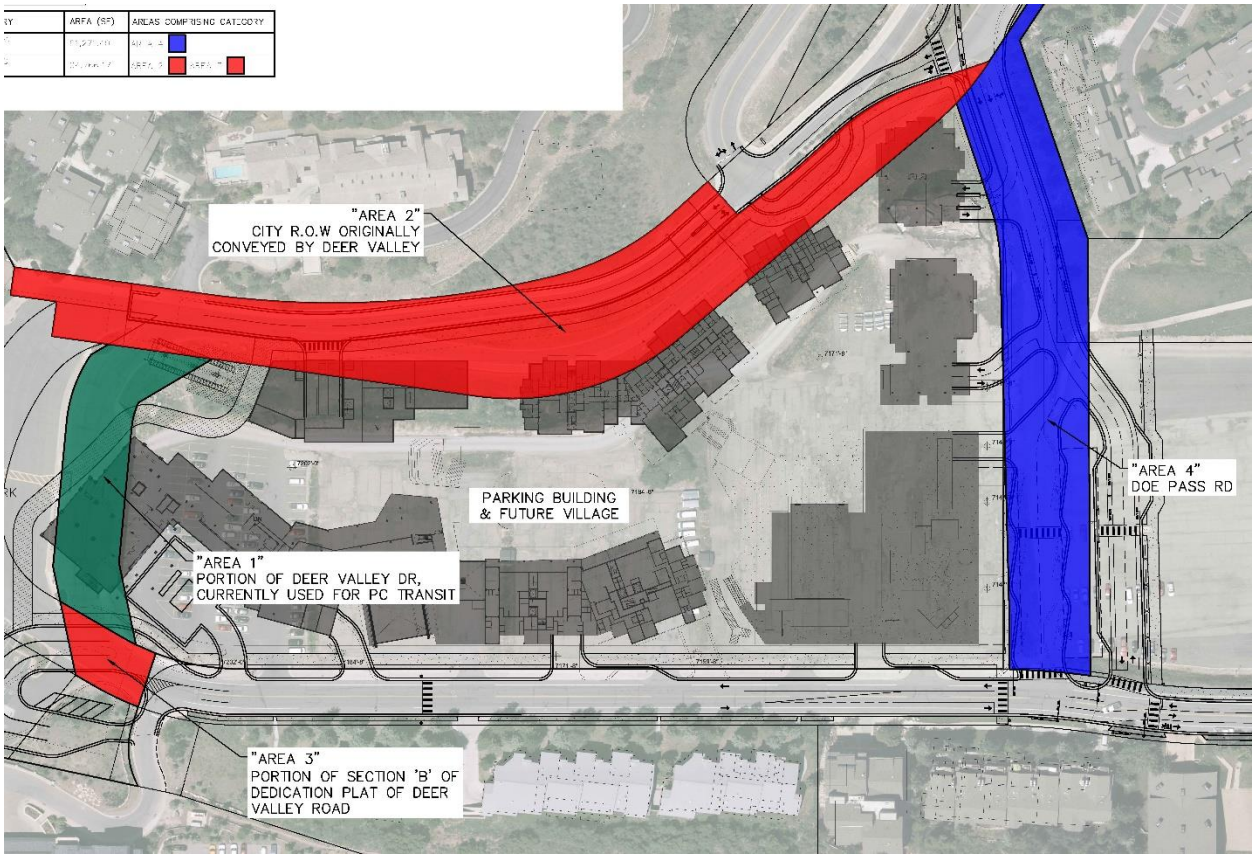
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[3] Utah Code § 10-9a-609.5 as incorporated by reference in LMC § 15-7-7. An express vote and recommendation by Planning Commission are not required on the ROW Vacation because the Petition was filed pursuant to Utah Code § 10-9a-609.5, which specifically requires only a public hearing before the City Council. However, the Planning Commission conducted a joint meeting with the Council, reviewed the proposed circulation plan, and forwarded feedback and items for Council's consideration of Good Cause. The Commission will need to approve a final plat prior to recordation.

[4] Until the conditions subsequent are fulfilled and the plat is recorded, the City still retains the ROW.

immediately proceed in good faith to finalize an agreement consistent with the proposed terms, subject to final approval of both parties.

Applicant's Proposed ROW Vacation Petition
Below is a map displayed to the Council on December 5th which shows the portions of the ROW that Deer Valley has petitioned to be vacated. The red and green areas are the proposed ROW vacation:



The blue area is the new right-of-way proposed to be dedicated to the City at Doe Pass Road (currently private property). Doe Pass Road will be constructed and maintained by Deer Valley. Per terms of the initial dedication of Doe Pass, the City will also be able to step in and take over Doe Pass Road management and maintenance if necessary.

Analysis

To vacate public ROW, the Utah Code requires the City Council to find: (1) Good Cause for the proposed vacation; and (2) neither the public interest nor any person will be materially injured by the vacation.

The Park City LMC § 15-15-1, *Definitions*, defines Good Cause as "providing positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and

sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community."

Park City Resolution 8-98 offers general guidance when a vacation of ROW is requested. The Resolution's guidance was outlined and considered by the Council following the Analysis Section of the June 15, 2023 Staff Report, and prior reports. The Resolution states the policy guidelines "shall only be advisory," as such its guidelines do not change the State standards nor Council's legislative discretion.

John Robertson, the City Engineer confirms the following:

> Upon evaluating the exchange of replacement right-of-way, the retention of existing public utility easements and required new utility easements, and the Streets Master Plan, the City Engineer determined the proposed area of the right-of-way vacation to no longer have significant utility to the City.

After reviewing all of the above, including past staff reports and public input, at their December 5, 2023 City Council meeting, a majority of the Council discussed good cause for the vacation and that the vacation does not cause any material injury. As a result, Staff was directed to prepare a draft Ordinance incorporating and reflecting the Council's specific discussion and findings.

After closing the tonight's continued public hearing from December 5, 2023, the City Council should review the draft Ordinance to ensure the proposed findings and express determinations reflect the decision and conclusions of the City Council and in light of the Resolution 8-98's guidance.

The Council may then vote to approve, modify, continue or deny the Ordinance.

Public Input

Public input received up to December 5, 2023 staff report is in the public hearing meeting minutes and exhibits linked above. Updates will be added and forwarded to Council prior to the meeting.

Department Review

The Development Review Committee reviewed this application on September 7, 2021, and again on February 7, 2023.

Exhibits

Exhibit A: Applicant's ROW Vacation Petition
Exhibit B: Frequently Asked Questions
Exhibit C: Proposed Letter of Intent
Exhibit D: Proposed Ordinance Vacating the ROW
Exhibit E: Proposed Resolution Authorizing the Mayor to Execute the LOI

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Wade R. Budge, P.C.
wbudge@swlaw.com

January 31, 2022

RECEIVED
FEB 08 2022
Park City Municipal Corp.

VIA EMAIL AND US MAIL

Matt Dias
City Manager
Park City Municipal Corporation
445 Marsac Avenue
Park City, UT 84060

Re: Right of Way Vacation Petition - Revised Vacation Descriptions

Dear: Mr. Dias

On behalf of the Deer Valley Resort Company, LLC and Alterra Mountain Company Real Estate Development Inc., the property owners of parcels - PC-745-11, PC-900-4, and PC-900-3,we would like to submit the attached revised legal descriptions to supplement the petition for vacation we submitted to Park City on September 30, 2021. That petition was made pursuant to Utah Code Ann. §10-9a-609.5 and Park City's Land Management Code § 15-7-7, as adopted.

As you recall, we are seeking to vacate portions of Deer Valley Dr. in an effort to redirect traffic patterns to streamline transit access and improve traffic circulation in the Lower Deer Valley neighborhood. In order to accomplish these goals, we are seeking to dedicate public right of way along Deer Valley Drive and Doe Pass Rd, where there currently is no public right of way. The granting of this vacation petition and accepting the dedications we seek to make via the Snow Park Village Plat. We are excited to work with the City through this process in order to start reducing modal conflicts, increasing efficiency for all transportation types, and emphasizing the transit-focused desire of the City.

To supplement the information previously provided and required in Utah Code Ann. §10-9a-609.5, we have included the following as attachments to this letter:

1. Revised maps of the rights-of-ways to be vacated.
2. Revised legal descriptions of the rights-of-ways to be vacated.

There were minor edits to the areas that needed to be vacated as we have worked on the Deer Valley Plat. To ensure the appropriate portions of right-of-way are vacated, we are

Snell & Wilmer is a member of LEX MUNDI, The Leading Association of Independent Law Firms.

requesting to move forward with the vacation of the attached legal descriptions, as opposed to those that were submitted in September.

We are pleased to have for the opportunity to work with the City through the vacation and platting process. As stated previously, we welcome the opportunity to go before City Council in a work meeting in order discuss some of the details, before holding the public hearing.

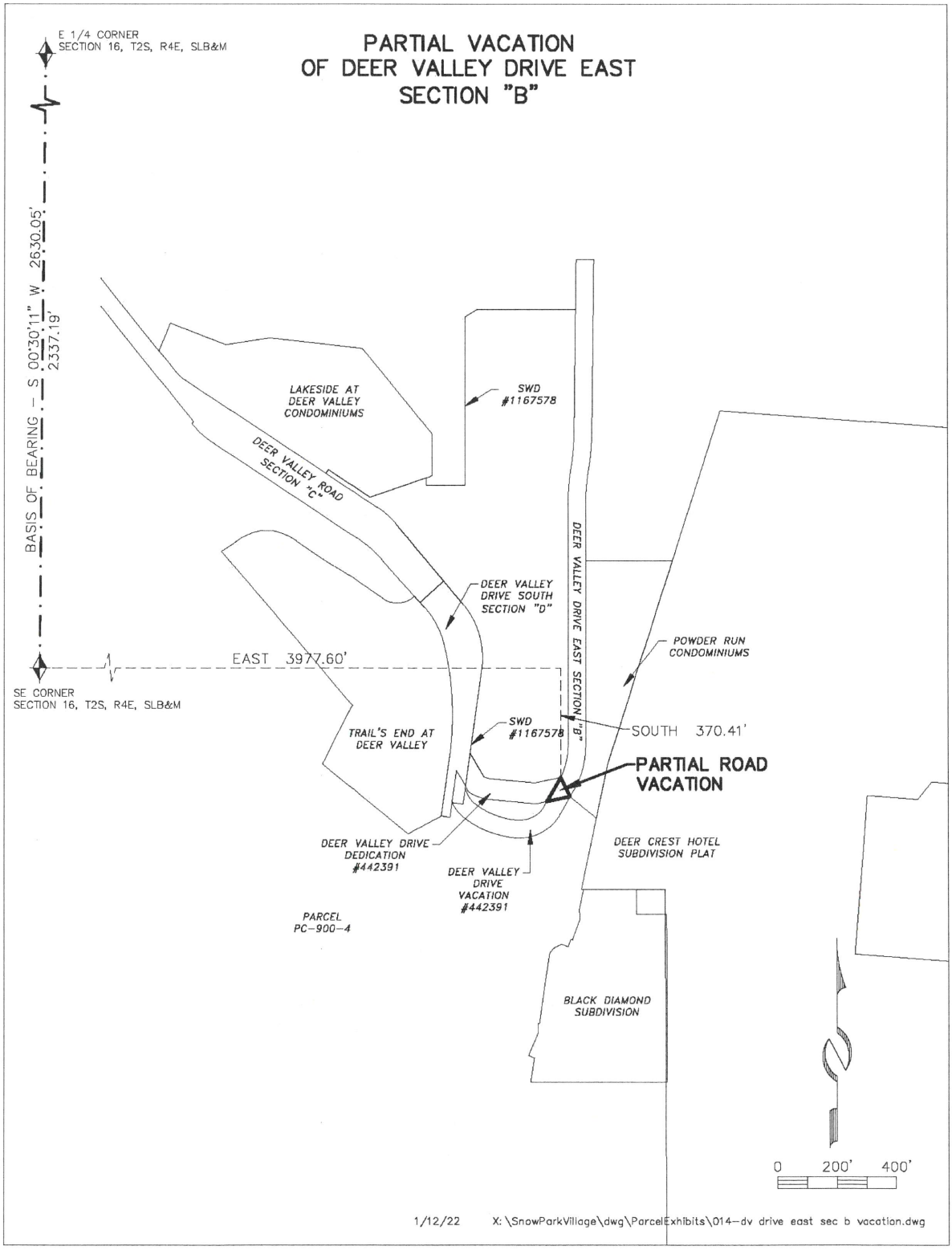
If you have any questions or concerns, please feel free to reach out to us.

Very truly yours,

Wade R. Budge, P.C.

cc: Deer Valley Resort
Mark Harrington, Esq. (via email)

Specific area maps and legal descriptions


PARTIAL VACATION
OF DEER VALLEY DRIVE EAST
SECTION "B"
E 1/4 CORNER
SECTION 16, T2S, R4E, SLB&M
BASIS OF BEARING - S 00°30'11" W 2630.05'
2337.19'
EAST 3977.60'
SE CORNER
SECTION 16, T2S, R4E, SLB&M
LAKESIDE AT
DEER VALLEY
CONDOMINIUMS
SWD
#1167578
DEER VALLEY ROAD
SECTION "C"
DEER VALLEY DRIVE EAST SECTION "B"
DEER VALLEY
DRIVE SOUTH
SECTION "D"
POWDER RUN
CONDOMINIUMS
TRAIL'S END AT
DEER VALLEY
SWD
#1167578
SOUTH 370.41'
PARTIAL ROAD
VACATION
DEER VALLEY DRIVE
DEDICATION
#442391
DEER VALLEY
DRIVE
VACATION
#442391
DEER CREST HOTEL
SUBDIVISION PLAT
PARCEL
PC-900-4
BLACK DIAMOND
SUBDIVISION
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200'
400'
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SNOW PARK VILLAGE

PARTIAL VACATION
OF DEER VALLEY DRIVE EAST
SECTION "B"

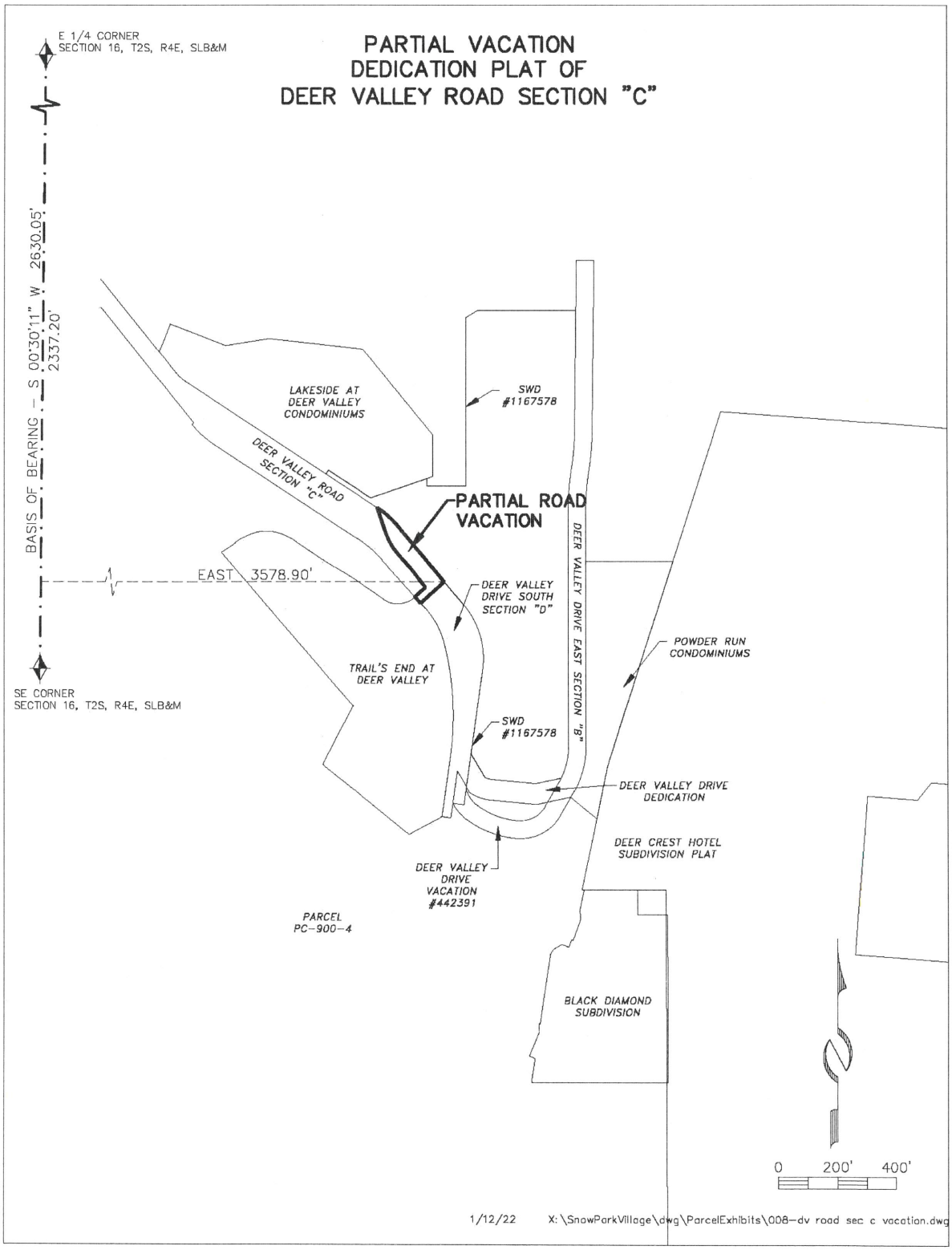
January 13, 2022

A parcel of land located in the northeast quarter of Section 22, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being described as follows:

Beginning at a point that is East 3977.60 feet and South 370.41 feet from the southeast corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point being on the westerly right-of-way of Deer Valley Drive East Section "B", recorded March 1, 1982, as Entry No. 188988 in the Office of the Recorder, Summit County, Utah, and also being the northeasterly corner of the Dedication Parcel in Exhibit C of Ordinance No. 95-59, recorded November 15, 1995, as Entry No. 442391 in the Office of the Recorder, Summit County, Utah; and running thence South 26°45'21" East 72.35 feet to the northeasterly corner of the Vacation Parcel in Exhibit B of Ordinance No. 95-59, recorded November 15, 1995, as Entry No. 442391 in the Office of the Recorder, Summit County, Utah; thence coincident with the northerly boundary of said Vacation Parcel South 78°09'28" West 80.54 feet to the southwesterly corner of the aforementioned Dedication parcel; thence coincident with said Dedication parcel the following two (2) courses: 1) North 30°00'00" East 77.39 feet to a point on a curve to the left having a radius of 249.90 feet, of which the radius point bears North 60°00'00" West; thence 2) along the arc of said curve 16.01 feet through a central angle of 03°40'14" to the point of beginning.

The Basis of Bearing for the above description is South 00°30'11" West 2630.05 feet between the east quarter corner and the southeast corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

Description contains 0.064 acres.


PARTIAL VACATION
DEDICATION PLAT OF
DEER VALLEY ROAD SECTION "C"
E 1/4 CORNER
SECTION 16, T2S, R4E, SLB&M
BASIS OF BEARING - S 00°30'11" W 2630.05'
2337.20'
EAST 3578.90'
SE CORNER
SECTION 16, T2S, R4E, SLB&M
LAKESIDE AT
DEER VALLEY
CONDOMINIUMS
SWD
#1167578
DEER VALLEY ROAD
SECTION "C"
PARTIAL ROAD
VACATION
DEER VALLEY
DRIVE SOUTH
SECTION "D"
DEER VALLEY DRIVE EAST SECTION "B"
POWDER RUN
CONDOMINIUMS
TRAIL'S END AT
DEER VALLEY
SWD
#1167578
DEER VALLEY DRIVE
DEDICATION
DEER CREST HOTEL
SUBDIVISION PLAT
DEER VALLEY
DRIVE
VACATION
#442391
PARCEL
PC-900-4
BLACK DIAMOND
SUBDIVISION
0
200'
400'
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SNOW PARK VILLAGE

PARTIAL VACATION OF
DEDICATION PLAT OF
DEER VALLEY ROAD SECTION "C"

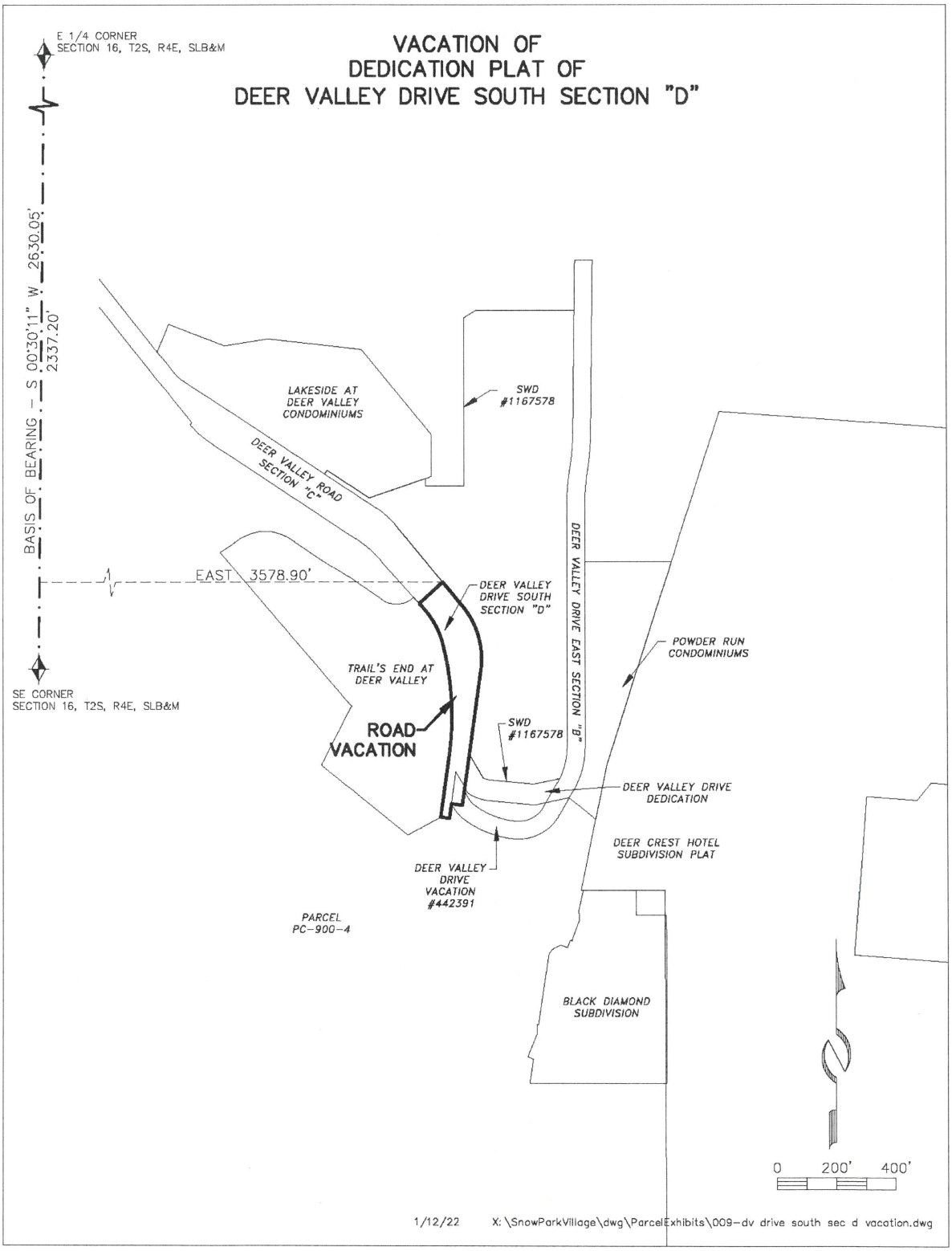
January 18, 2022

A parcel of land located in the southeast quarter of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being described as follows:

Beginning at a point that is South 00°30'11" West 2337.20 feet and East 3578.90 feet from the east quarter corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point being the easternmost corner of the Dedication Plat of Deer Valley Road Section "C", recorded April 16, 1980, as Entry No. 165811 in the Office of the Recorder, Summit County, Utah; and running thence coincident with the southeasterly end of Deer Valley Road Section "C" South 47°53'34" West 107.67 feet to the southernmost point of said Deer Valley Road Section "C", said point also being on the easterly boundary of Trail's End at Deer Valley, recorded March 18, 2009, as Entry No. 867530 in the Office of the Recorder, Summit County, Utah; thence coincident with the easterly boundary of Trail's End at Deer Valley North 42°06'26" West 29.08 feet; thence North 47°53'34" East 47.72 feet; thence North 37°30'27" West 67.84 feet; thence North 41°44'02" West 70.59 feet to a point on a curve to the right having a radius of 247.00 feet, of which the radius point bears North 48°15'58" East; thence along the arc of said curve 100.21 feet through a central angle of 23°14'46"; thence North 18°29'16" West 81.14 feet to the northerly right-of-way of said Deer Valley Road Section "C"; thence coincident with the northerly right-of-way of Deer Valley Road Section "C" the following three (3) courses: 1) South 56°25'40" East 2.56 feet to a point on a curve to the right having a radius of 308.53 feet, of which the radius point bears South 33°34'20" West; thence 2) along the arc of said curve 88.46 feet through a central angle of 16°25'40"; thence 3) South 40°00'00" East 249.01 feet to the point of beginning.

The Basis of Bearing for the above description is South 00°30'11" West 2630.05 feet between the east quarter corner and the southeast corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

Description contains 0.42 acres.

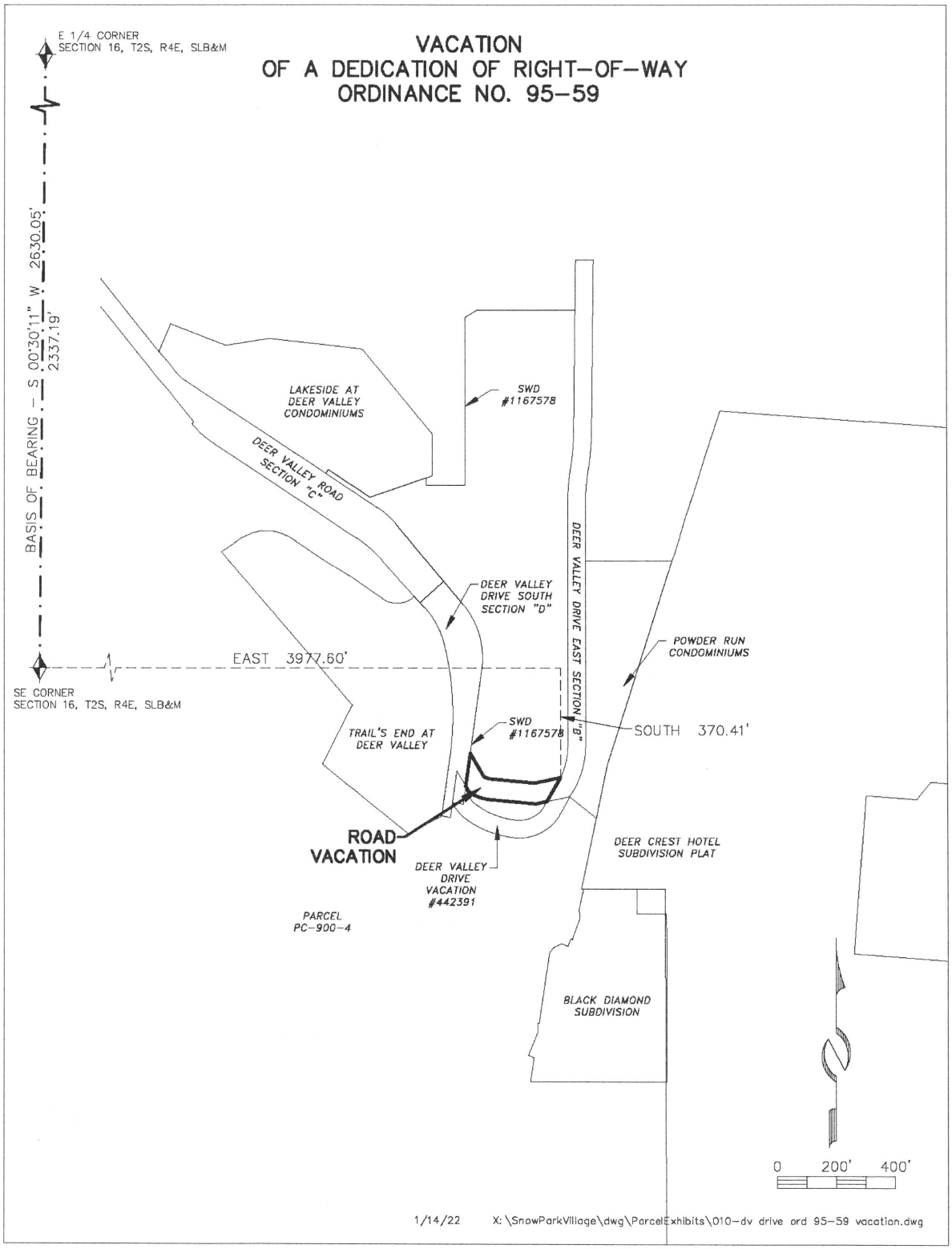

VACATION OF
DEDICATION PLAT OF
DEER VALLEY DRIVE SOUTH SECTION "D"
E 1/4 CORNER
SECTION 16, T2S, R4E, SLB&M
BASIS OF BEARING - S 00°30'11" W 2630.05'
2337.20'
EAST 3578.90'
SE CORNER
SECTION 16, T2S, R4E, SLB&M
LAKESIDE AT
DEER VALLEY
CONDOMINIUMS
SWD
#1167578
DEER VALLEY ROAD
SECTION "C"
DEER VALLEY DRIVE EAST SECTION "B"
DEER VALLEY
DRIVE SOUTH
SECTION "D"
POWDER RUN
CONDOMINIUMS
TRAIL'S END AT
DEER VALLEY
ROAD
VACATION
SWD
#1167578
DEER VALLEY DRIVE
DEDICATION
DEER CREST HOTEL
SUBDIVISION PLAT
DEER VALLEY
DRIVE
VACATION
#442391
PARCEL
PC-900-4
BLACK DIAMOND
SUBDIVISION
0
200'
400'
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SNOW PARK VILLAGE

VACATION OF
DEDICATION PLAT OF
DEER VALLEY DRIVE SOUTH SECTION "D"

January 12, 2022

Dedication Plat of Deer Valley Drive South Section "D", located in the south half of Section 15 and the north half of Section 22, Township 2 South, Range 4 East, Salt Lake Base and Meridian, recorded March 1, 1982, as Entry No. 188987 in the Office of the Recorder, Summit County, Utah.


VACATION
OF A DEDICATION OF RIGHT-OF-WAY
ORDINANCE NO. 95-59
E 1/4 CORNER
SECTION 16, T2S, R4E, SLB&M
BASIS OF BEARING - S 00°30'11" W 2630.05'
2337.19'
EAST 3977.60'
SE CORNER
SECTION 16, T2S, R4E, SLB&M
LAKESIDE AT
DEER VALLEY
CONDOMINIUMS
SWD
#1167578
DEER VALLEY ROAD
SECTION "C"
DEER VALLEY
DRIVE SOUTH
SECTION "D"
DEER VALLEY DRIVE EAST SECTION "B"
POWDER RUN
CONDOMINIUMS
SOUTH 370.41'
TRAIL'S END AT
DEER VALLEY
SWD
#1167578
ROAD
VACATION
DEER VALLEY
DRIVE
VACATION
#442391
PARCEL
PC-900-4
DEER CREST HOTEL
SUBDIVISION PLAT
BLACK DIAMOND
SUBDIVISION
0
200'
400'
1/14/22
X:\SnowParkVillage\dwg\ParcelExhibits\010-dv drive ord 95-59 vacation.dwg

SNOW PARK VILLAGE

VACATION OF
A DEDICATION OF RIGHT-OF-WAY
ORDINANCE NO. 95-59

January 14, 2022

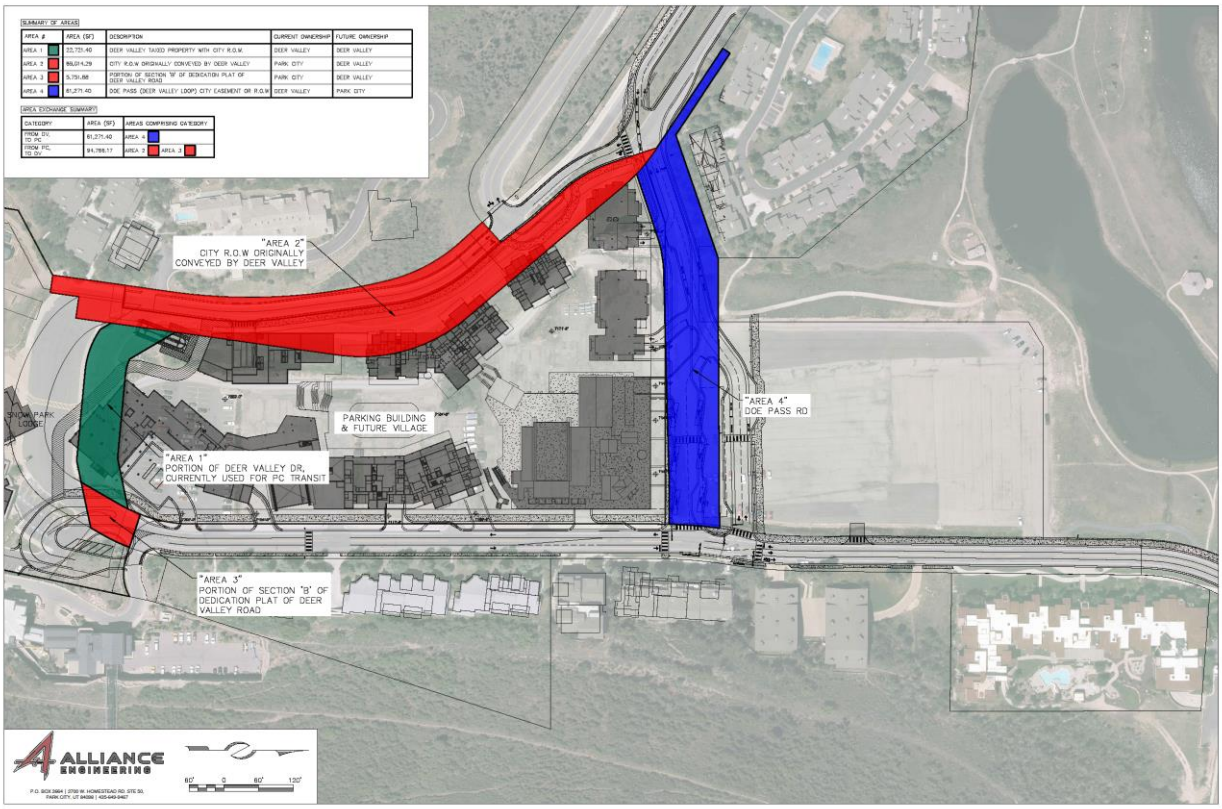
Beginning at a point on the westerly right-of-way of Deer Valley Drive East Section 'B', said point being South 1248.12 feet and East 4008.65 feet from the east 1/4 corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being S00°30'11"E from the east quarter corner of said Section 16 to the southeast corner of said Section 16); thence along said right-of-way, as described on Section 'B' of Deer Valley Drive East plat as recorded in the Summit County Recorder's Office, Entry Number 188988, the following four courses: (1) S00°40'00"W 579.06 feet to a point on an 878.16 foot radius curve to the right (center bears N89°20'00"W); thence (2) along the arc of said curve 127.48 feet through a central angle of 08°19'03" to a point of a reverse curve to the left (center bears S81°00'57"E); thence (3) along the arc of said curve 136.50 feet through a central angle of 08°59'03"; thence (4) South 800.00 feet to a point on a 249.90 foot radius curve to the right (center bears West); thence along the arc of said curve and the western right-of-way of Deer Valley Drive East, 114.84 feet through a central angle of 26°19'46" to the true point of beginning; thence departing from said right-of-way S78°14'07"W 89.60 feet; thence N84°36'26"W 145.24 feet to a point on an 80.00 foot radius curve to the right (center bears N05°23'34"E); thence along the arc of said curve 28.08 feet through a central angle of 20°06'46"; thence N30°26'41"W 92.28 feet to a point on the east right-of-way of Deer Valley Drive South Section 'D' as recorded in the Summit County Recorder's Office, Entry Number 188987; thence along said right-of-way S08°00'00"W 112.58 feet; thence departing said right-of-way S30°26'41"E 21.97 feet to a point on an non-tangent 150.00 foot radius curve to the left (center bears N34°51'45"E); thence along the arc of said curve 77.15 feet through a central angle of 29°28'11"; thence S84°36'26"E 155.80 feet; thence N78°14'07"E 38.33 feet to a point on the westerly right-of-way of said Deer Valley Drive East; thence along said right-of-way the following two courses: (1) N30°00'00"E 77.39 feet to a point on a 249.90 foot radius curve to the left (center bears N60°00'00" W); thence (2) along the arc of said curve 16.01 feet through a central angle of 03°40'14" to the true point of beginning.

Contains 0.52 acres, more or less.

Frequently Asked Questions

Right-of-Way Vacation

Deer Valley is requesting Park City vacate portions of its public-right-of way on Deer Valley Drive as shown in the Red and Green Areas below.



In exchange for the right-of-way vacation, Deer Valley has proposed $15 million to be used in a public-private partnership that encompasses, among other elements, significant transportation infrastructure, traffic mitigation measures, workforce housing, and establishment of a new public right-of-way in the Blue area around Doe Pass Road (map above).

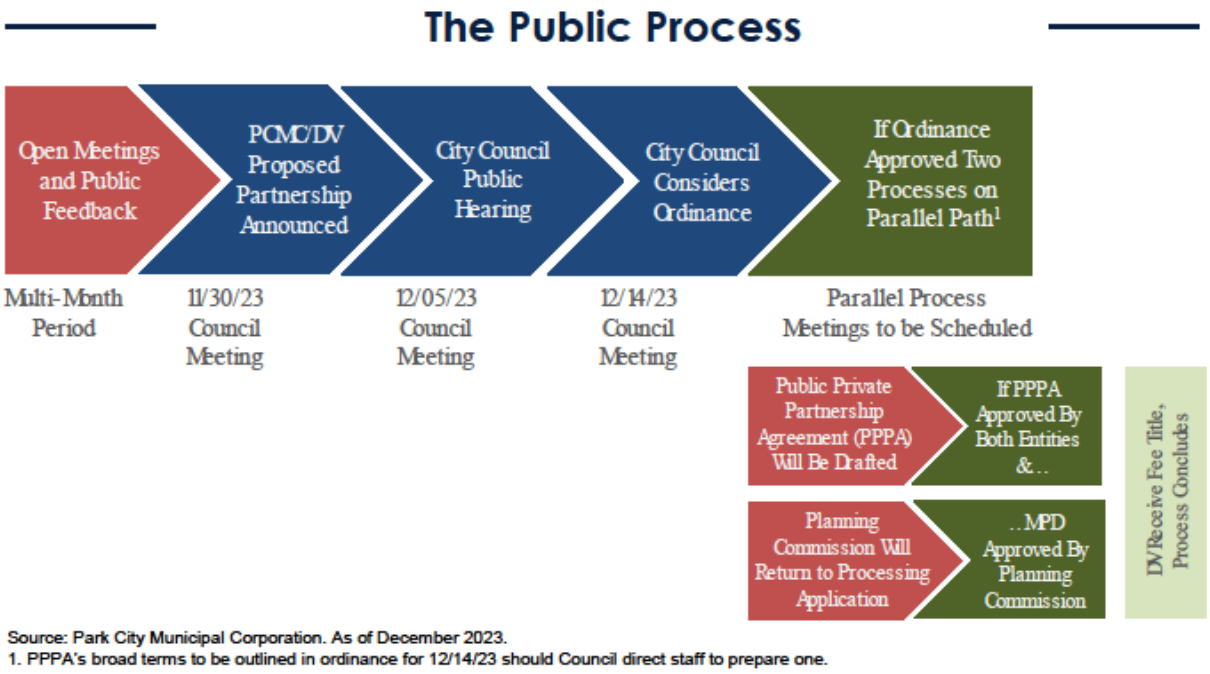
What is the Park City Council's role versus the Park City Planning Commission, and where are we in the process?

City Council is the governing body which determines whether good cause exists for the vacation request and that neither the public nor any person will be materially injured. The Planning Commission is the regulatory land use authority over all Master Planned Development (MPD) and conditional use permit (CUP) applications.

The existing Deer Valley MPD allocates 209.75 unit equivalents and 21,890 square feet of commercial and support space to Snow Park Village. Deer Valley has held the right to build this density since 1977.

Deer Valley submitted a development plan for this entitled density that seeks the vacation of a roughly 2.5-acre section of right-of-way along Deer Valley Drive (Red and Green in the map above).

Following the Council's decision about the right-of-way vacation, the MPD and CUP application will return to the Planning Commission, where the Commission will continue to review the application to ensure it complies with both the Deer Valley MPD and the Park City Land Management Code. A final subdivision plat and CUPs will also be reviewed by the Planning Commission.



What is a right-of-way vacation, and what is the process?
A right-of-way vacation is a legal process through which a government authority or jurisdiction permanently discontinues or releases a public right of way, typically a street or road. This means that the public's legal right to use that particular area as a thoroughfare is formally revoked, and the land may return to private ownership.

This process is often initiated by a property owner seeking to discontinue a particular right-of-way due to changes in land use, development plans, or other considerations. Reasons for seeking a right-of-way vacation may include the desire to consolidate parcels, improve development plans, or address changing transportation needs.

The process typically involves several steps, including public notice, public hearings, and approval by the relevant governing body. The public is provided the opportunity to provide input or raise concerns during the decision-making process.

In Park City, the City Council can vacate a dedicated right-of-way by ordinance with findings that *Good Cause* exists for the vacation and that neither the public nor any person will be *Materially Injured*.

- **What is Good Cause?**
  Good Cause is not defined by state code for the vacation process, but it is defined in the City's Land Management Code as "Providing positive benefits and mitigating negative impacts, *determined on a case by case basis* to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community."

  The Council also relies on guidelines in Resolution 8-98 to help make their legislative decisions regarding right-of-way vacation requests. However, this resolution is not code, and it is not binding—it provides a general framework to help evaluate requests. The Council retains broad legislative discretion.

- **What is No Material Injury?**
  Under Utah case law, material injury typically requires an adjacent property owner to show that they have been denied reasonable access to their property. This has been described as an injury different in kind and not merely degree from the general public. Utah courts have held that property owners are not entitled to the most direct route possible.

  While the City Council must make this final determination, based on the current application, the remaining east and west sections of Deer Valley Drive will maintain public utility easements and access to all adjacent property. Newly dedicated public access and right-of-way easements over an expanded Doe Pass Road also propose to replace and relocate the loop with expanded width and improved pedestrian, transit and vehicular access and safety.

  Construction and maintenance responsibility of Doe Pass Road is proposed to remain with Deer Valley. Additionally, final road and utility construction specifications in the new site plans are reviewed by the Planning Commission in accordance with applicable standards and through the MPD amendment process and by the Building Officials and City Engineers through building permits.

Why did Park City propose a public-private partnership for consideration?
One of the key considerations in the Council's determination of good cause is the appropriate amount of reasonable compensation in exchange for a right-of-way vacation, a sentiment echoed by the community and Planning Commissioners.

The Mayor and Council liaisons negotiated $15 million to satisfy a reasonable compensation exchange and committed the compensation and any additional partner or matching funds to a

public-private partnership to maximize additional traffic mitigation opportunities at a local and regional level.

What is some of the history behind this portion of Deer Valley Drive?
Portions of Deer Valley Drive West and East were dedicated by Deer Valley to the City between 1980-1982. In November 1995, the City Council approved Ordinance No. 95-59 vacating its right-of-way and dedicating a new right-of-way for what is now today's transit drop off area and southern portion of the road.

Deer Valley also has an Encroachment Permit for Deer Valley skier bridges and tunnels/underpasses in this area, including the Snow Park pedestrian tunnel and parking shuttle drop-off, across City rights-of-way to allow guests to cross over or under City streets to help access the resort.

Does the proposed vacation provide Deer Valley with the ability to expand its development density?
No. The right-of-way vacation request has no impact on the allowed or proposed density in the Snow Park development.

Could Park City sell this dedicated right-of-way to a third party or another entity if it wanted?
No. Deer Valley holds the underlying property interest, as they were previously owned by Deer Valley. The City may not sell vacated rights-of-way to third parties, nor can the City use this specific property for any other purpose.

What is next and how can I stay informed?
A draft ordinance to consider approving the right-of-way vacation and an additional public hearing is scheduled for Thursday, December 14, 2023, at the regular Park City Council meeting. The meeting is available both in person and online HERE.

Proposed Public Private Partnership
The Mayor and Council liaisons negotiated $15 million to satisfy a reasonable compensation exchange and committed the compensation and any additional partner or matching funds to a public-private partnership to maximize additional traffic mitigation opportunities at a local and regional level.

How can I learn more about the details?

- Applicant's Vacation Petition – City Council Meeting Agenda Item, December 14 (Petition, FAQs, Public-Private Partnership Letter of Intent, and more);
- December 5, 2023, City Council Meeting Agenda Item (PPP summary); and
- Deer Valley MPD and Vacation Application Information.

If the vacation is approved, the parties hope to finalize a detailed partnership agreement in early 2024.

How will the $15 million from Deer Valley be used?
Deer Valley will pay $15 million toward the creation of a regionally significant transportation and parking facility, with a desired location in the SR-248 and US-40 junction area. Park City will provide a $15 million match. The funds may also be used to create additional affordable housing at the facility.

Park City and Deer Valley also propose to bring additional public and private investment to multiply the scale of the partnership and its impact. A partnership of this magnitude developed before a future Olympics will have a positive impact on traffic in Park City and the entire region.

Is there a 20% reduction in day skier parking proposed?
On peak days, Deer Valley parks approximately 1,700 day skier vehicles. The proposed partnership would limit day skier vehicles to 1,360 in the future — a 20% decrease from current peak day conditions.

In addition to the reduction in day skier parking spaces, the agreement prohibits the use of the new commercial parking spaces for day skier parking, so there is no “workaround” for additional overflow parking at busy times.

Didn’t Deer Valley already request a parking reduction?
The parking reduction negotiated as part of a potential right-of-way vacation is different from the parking reduction suggested by Deer Valley in a prior version of the MPD application. The proposed parking reduction directly targets peak traffic by reducing day skier parking – a root cause of some of the peak traffic congestion that is a top concern of local residents.

What is a Public Improvement District?
A Utah Public Infrastructure District (PID) is a political subdivision of a creating municipality (Creating Entity) governed under the Utah Local District Act. In practice, when a Creating Entity authorizes a PID it creates a specific geographic boundary whereby the landowner(s) within that boundary have the right to self-assess an additional property tax increment upon their property. One hundred percent of the landowners within the boundary must vote affirmatively to apply this self-assessment. Then, using the new revenue from this additional tax increment, the PID may issue bonds in the municipal bond market.

In the case of the Snow Park project, the PID boundary will only include Deer Valley’s Snow Park property, and Deer Valley must decide to tax itself. By enabling the project to fund portions of its expenses in this manner, the landowner can provide greater infrastructure investments than would otherwise exist. The Creating Entity in this instance will be Park City Municipal, and the establishment of the PID Governing Documents and the Governing Board will be dependent upon the vote of the City Council.

Other Frequently Asked Questions:

Is Deer Valley's MPD application still active?
Yes. Deer Valley's application is active as it has not met any of the requirements of "inaction" as defined by Land Management Code 15-15-1. Accordingly, the Planning Director has not initiated a denial process under Land Management Code 15-1-14.

Deer Valley is proactively engaged in application processes with both the City Council and Planning Commission, including public meetings, regular opportunities for public input, and internal meetings with staff and Council.

Does the proposed right-of-way vacation impede emergency access?
No. The Park City Fire District, Park City Emergency Manager, and Park City Police Department reviewed the vacation request. The proposed realignment of the Deer Valley loop shifts the east-west connection from the Snow Park Base area north to Doe Pass Road. However, east-west connections for emergency services are required to be maintained.

Public safety departments will continue to be critical partners in the review of Deer Valley's MPD when it returns to the Planning Commission. In addition, for emergency egress, the City has an agreement with Deer Crest that allows for passenger vehicles to be routed through Deer Crest Estates Drive/Deer Hollow Road to US-40 as an alternate to Deer Valley Drive. Finally, the Planning Commission reviews transportation plans to ensure these types of impacts and access are appropriately mitigated.

Should Park City require a new traffic study?
As part of the MPD application, the City required a traffic study consistent with traffic engineering standards and that reflects actual traffic volumes currently experienced in Park City. The City determined that the 2020 traffic study submitted by Deer Valley meets or exceeds this standard.

In response to public concerns, the City and its 3rd Party Transportation Engineer, Wall Consulting Group (WCG), re-evaluated the data and reaffirmed the sufficiency of the study. Using traffic data from UDOT's Continuous Count Stations from the years 2020 through 2023 on both SR-224 and SR-248, as well as the City's internal peak day traffic model, traffic counts are flat over this time period.

WCG and the City's transportation professionals are confident that the existing traffic study and the data collection periods filed by Deer Valley are consistent with industry standards.

Importantly however, the City is working to evaluate downstream traffic impacts at additional locations well outside the Deer Valley project area.

Are traffic signals required on Deer Valley Drive?
Yes. Traffic engineering standards dictate when traffic signals are warranted to control traffic flows, protect pedestrians, bicyclists, and motorists, and provide transit priority. They are likely required regardless of whether the development application moves forward.

There are two traffic signals currently proposed as part of the project:

- Y-Intersection (Deer Valley Drive East and Deer Valley Drive West)
- Doe Pass Road

Deer Valley is paying for the new traffic signals as part of the proposed development.

Have other alternative transportation plans been considered?
The community has shared many important comments and suggestions regarding traffic circulation in the project area, including microtransit, ski-school drop-off areas, shared-mixed-use-lane, bike and pedestrian safety, walkability, and an alternative traffic circulation plan proposed by Protect The Loop.

These suggestions have resulted in the additional study of downstream traffic impacts outside of the project area, and reconsideration of several project elements, such as seeking additional mode distribution at the 'Y' intersection, reconsideration of the shared-mixed-use-lane, and more.

Transportation and circulation concepts will continue to be reviewed, analyzed, and subject to City and public scrutiny provided the MPD application returns to the Planning Commission.

Is Deer Valley asking for land from neighboring Homeowner Associations (HOA)?
No. Deer Valley has not proposed to develop on land belonging to HOAs. The City suggested a continuous 12-foot multi-use path around the Deer Valley Loop. Based on the right-of-way cross-section widths throughout the Loop, a 12-foot width is achievable in most areas, but not all. Options will continue to be evaluated as part of the MPD application process.

Contact Information: Planning@parkcity.org

Letter of Intent

December 7, 2023

The purpose of this letter of intent (this Letter) is to set forth the mutual intentions and understandings of Park City Municipal Corporation (PCMC) and Deer Valley Resort (DVR) for a Public Private Partnership Agreement regarding the purposes and uses of contributed funds.

Contribution:

DVR to pay $15,000,000 to PCMC for a regional, off-site parking and transportation facility, intended to be located near SR 248.

Public Private Partnerships Agreement (PPPA):

A PPPA will be negotiated to confirm the mechanics for the use of the contribution, together with matching funds from PCMC and other contributions:

Primary Use:
The primary use of contributed funds will be a regional, off-site transportation facility near SR 248. Contributed funds may also be used for affordable housing as a secondary use and facility component.

Management Committee:

- The use of contributed funds shall be decided by a management committee. The initial committee members will be PCMC and DVR. Additional committee members may be added so long as such joining parties contribute a minimum of $5,000,000. Representation on the committee will be proportional to the amount contributed. DVR will have use of the facility that is proportional to its contribution, determined based on the final project budget.

- The management committee shall vote to authorize any projects and annual budgets using contributed funds. The authorization will be considered by the City Council, and any commitment of PCMC funds will be subject to City Council approval.

- A regional transportation facility near SR 248 is considered pre-approved and does not require the management committee's initial

approval. The pre-approved transportation facility near SR 248 must have either (i) a minimum of 900 parking spaces in a parking structure and a minimum of fifty affordable housing beds, or (ii) a minimum of 900 surface parking spaces and a minimum of one-hundred affordable housing beds.

- The PPPA will address long-term peak day mitigation strategies; long-term partnership commitments and procedures to insure adequate express service for visitors and employees; and future adaptability. Ongoing assessments will include trip counts, peak travel analysis, intersection volumes, and periodic traffic studies. DVR funds will be used only for capital projects as authorized herein, and not operating costs. DVR will not be obligated for future operating costs in the PPPA.

Secondary Use:

Additional affordable housing or other transportation-related improvements are subordinate uses that may qualify for the use of contributed funds. Any affordable housing built with contributed funds will not count towards DVR meeting its affordable housing obligation related to Snow Park.

- Secondary uses may be considered if a regional transportation facility is not feasible. Before considering secondary uses, phasing plans and project completion deadlines that align the regional transportation facility with the impacts of the new development must be considered.

- The management committee, DVR, and PCMC must approve project location and the use of contributed funds for any secondary use. Any commitment of PCMC funds is subject to approval from City Council.

- Housing will only be considered as a use for

contributed funds in conjunction with a transportation facility.

Timing:

Contributions shall be made annually to meet anticipated construction cost demands. PCMC and DVR to mutually agree upon reasonable security for contributions.

Mitigation:

DVR shall amend the current MPD permit, subdivision plat(s), and CUP application(s) with a proposed 13th Master Plan Development Permit. The new MPD shall include the following mitigation measures:

- Parking for all of Snow Park shall be limited to 1,971 parking spaces, including the eventual construction of Phase 3 on the current Lot 5 parking lot. Only 1,360 parking spaces may be designated for day skier use. The remaining 611 parking spaces are designated for hotel, residential, dining, retail, entertainment, and commercial uses, and prohibited for day skier parking. Paid parking shall be implemented as part of TDM.

- A gondola from Snow Park to Silver Lake shall be included in the MPD. Gondola access shall continue to the gondola coming from the area temporarily referred to as Mayflower. (Attach Gondola map.)

- Existing, private Doe Pass Road shall be improved and allow perpetual public access rights including emergency, utility, and transportation easements.

- Snow Park shall include a new, enhanced public transit center to accommodate transit, resort/lodging vehicles, and drop off lanes.

- Skier, day use, employee parking plans, and use of the full gondola alignment including

the area (temporarily referred to as Mayflower area) shall be provided for in updated Snow Park mitigation plans. No aspect of those plans will allow the MPD to regulate any portion of the resort located outside of Park City boundaries.

- Exhibit 2 to the MPD shall include up to 15,000 additional square feet for maintenance facilities and up to 15,000 additional square feet for restaurant/ commercial facilities for use at Silver Lake Lodge, which will support use of the gondola.

- Carpenter lift will be realigned to allow the location of the gondola to Silver Lake Lodge.

- A proposed Lift 7 circulator lift will be included along the new gondola alignment to provide a beginner ski pod.

Snow Park Elements:

- Deer Valley's affordable housing obligations under the MPD of 67.1 AUEs shall be satisfied by construction of new affordable housing, subject to confirmation on final uses, and using housing authority calculations at the time of CUP permit filing. Housing shall be located within City limits and near public transit. The Ski Rail site may be considered a pre-approved location for DVR's affordable housing units for Snow Park project.

- Subject to the future legislative authority of City Council, public infrastructure districts will be authorized to allow DVR to impose assessments or mill levies on its own DVR property to finance public infrastructure including roads, intersections, transportation, parking structures, utilities and other qualifying improvements.

- Construction mitigation plans will maintain temporary public access and regulate permitted times for truck trips to minimize

soil hauling resulting from excavation. If soil removal results from environmental/mining activities, Park City will use reasonable efforts to support DVR mitigation plans to minimize off-site hauling, including exploring a potential code amendment to reduce impacts or to facilitate efficient and safe development.

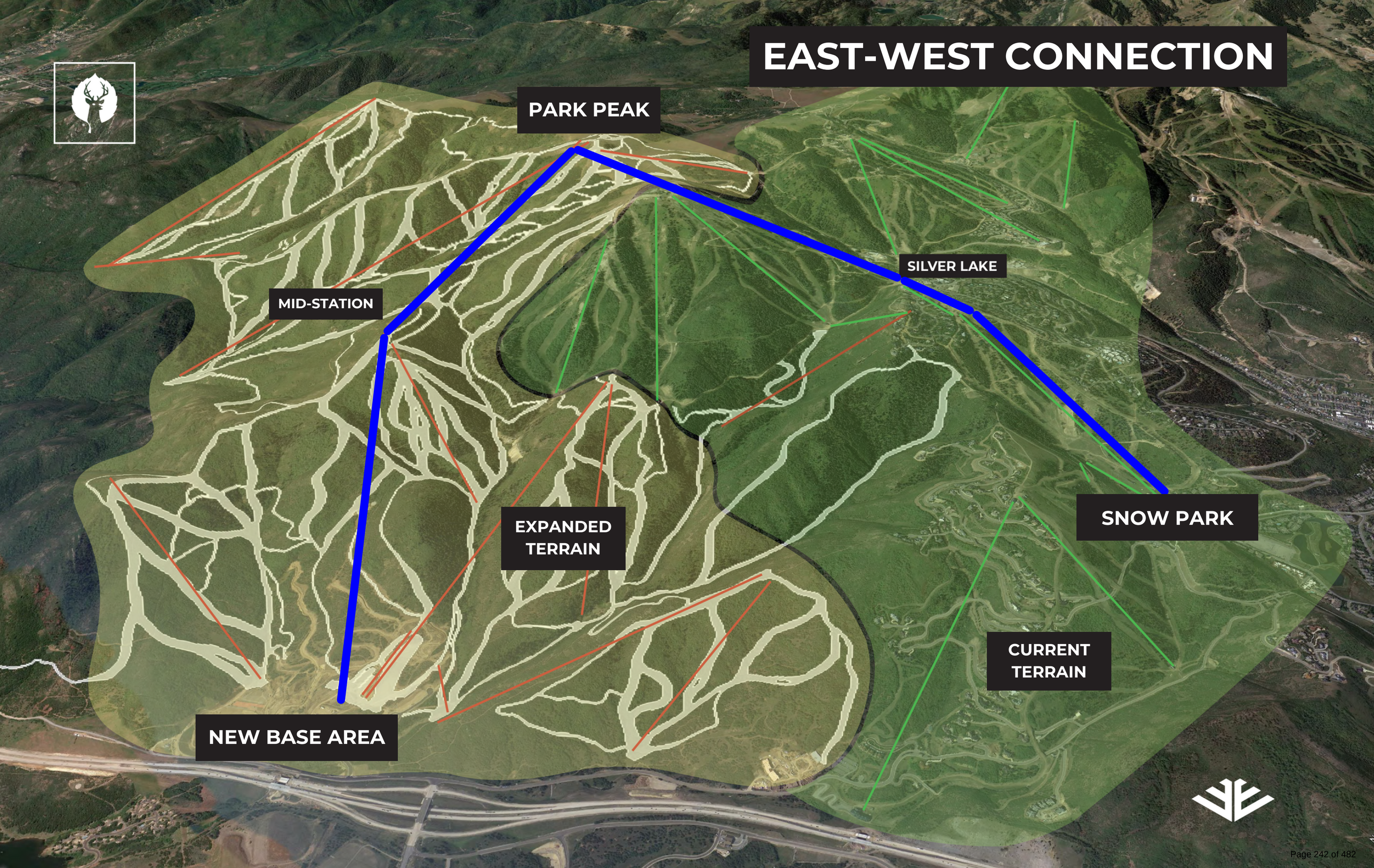
- Consistent with Paragraph H of the Amended 12th MPD Permit, the UEs and support commercial shall be calculated in accordance with the 2022 LMC for all phases of the Snow Park project. The 2022 LMC governs the pending Snow Park MPD amendment and CUP applications, notwithstanding the conditions herein or that additional amendments to the pending application or CUPs will be filed for subsequent phases in accordance with the PPPA and any phasing plan approved with the 13th amendment.

PCMC and DVR acknowledge and agree that this Letter is a statement of the parties' intent to negotiate and complete a PPPA on the basis set forth in this Letter and neither party will be contractually bound to the other, until they have each executed and delivered to the other the mutually acceptable definitive PPPA. This Letter is neither an agreement of the parties nor an offer to enter into an agreement, and this Letter neither creates nor imposes any legal or equitable obligations on either party before the execution of the PPPA.

Acknowledged and Agreed:

Deer Valley Resort Company, LLC	Park City Municipal Corporation
By:_____	By:_____
Name:_____	Name:_____
Its: _____	Its: _____

EAST-WEST CONNECTION



When recorded return to:
PCMC
Attn: City Recorder
PO Box 1480
Park City UT 84060

ORDINANCE NO. 2023-_____

AN ORDINANCE VACATING A PORTION OF DEER VALLEY DRIVE, PARK CITY, UTAH

WHEREAS, Deer Valley Resort Company, LLC and Alterra Mountain Company Real Estate Development Inc (collectively "Petitioners" or "Deer Valley"),[1] petitioned Park City Municipal Corporation ("Park City" and "the City") to vacate a portion of Deer Valley Drive right-of-way in contemplation of including the property within their revised site plan for the Snow Park Village;

WHEREAS, the City Council considered the Planning Commission's January 18, 2023 recommendations for consideration of good cause;

WHEREAS, the City Council considered the petition and held a public hearing on March 16, 2023, a work session on June 1, 2023, considered public input on June 15, 2023, and held public hearings on July 6, 2023, August 29, 2023, September 28, 2023, November 2, 2023, November 30, 2023, and final public hearings on December 5, 2023 and December 14, 2023;

WHEREAS, Utah law affords municipalities broad discretion, pursuant to their legislative authority, to determine whether to vacate all or a portion of a public right-of-way;

WHEREAS, Snow Park Village includes the redevelopment of the existing Snow Park parking lots and base area utilizing Deer Valley's entitled density approved in the Deer Valley Master Planned Development (MPD), including up to 209.75 authorized Residential Unit Equivalents, and 21,890 square feet of Commercial and Support Space. The project is proposed to be developed in Phases, subject to Planning Commission approval of a pending MPD amendment which includes the property subject to the vacation petition, and with each phase requiring a Conditional Use Permit approval from the Planning Commission; and

WHEREAS, the requested vacation of the right of way has been reviewed by the City Council and applicable Park City departments, including the City Engineer, Police, Public Works, and Water, and all appropriate hearings, postings, and notifications required by Utah law have been performed to receive public comment about the proposed determination;

1 Deer Valley Development Company is successor in title to Alterra Mountain Company Real Estate Development

NOW THEREFORE BE IT ORDAINED by the City Council of Park City as follows:

SECTION 1. VACATION. The recitals are incorporated herein. The City Council hereby determines that there is good cause for the vacation of a portion of Deer Valley Drive and neither the public interest nor any person will be materially injured by the vacation. The portion of Deer Valley Drive described in Exhibit A, which is attached and made a part hereof, is hereby declared vacated, reserving all public utility and private access easement rights of record of the vacated portion of Deer Valley Drive.

A. Good Cause. The City Council bases its determination of good cause by finding the following:
   1. Petitioners provided valuable consideration in the form of $15,000,000 dollars to Park City, for the purposes detailed herein.
   2. The vacation does not increase the Snow Park Village approved density, expressed as residential unit equivalents and commercial square footage permitted in the Snow Park Village in the Deer Valley 12th Amended and Restated Large Scale Master Planned Development Permit.
   3. The vacation does not increase the Snow Park Village existing approved heights at the Snow Park development and will allow for a more efficient design with a larger plaza area.
   4. The vacation furthers the health, safety, and welfare of the Park City community by maintaining and providing new public safety access and alternatives.
   5. The vacation mitigates traffic by reducing the number of allowed parking spaces that are designated for day skier use and by restricting parking spaces for hotel, residential, dining, retail, entertainment, and commercial uses from day skier use.
   6. Traffic will be further mitigated by implementing paid parking.
   7. The vacation facilitates a new site plan that includes a new public transit center which accommodates transit, resort/lodging vehicles, and drop off lanes.
   8. The vacation also facilitates a site plan that encourages arrivals and departures over a much longer time window than the current departure and arrival windows and provides a Gondola with lift and gondola connections to a new portal at what is currently called Mayflower and expands support commercial and maintenance facilities.
   9. The vacation is consistent with the General Plan for the Lower Deer Valley Neighborhood which emphasizes maintaining the world-class resort experience, creating a village base area that is complimentary to the surrounding neighborhood, encouraging alternative modes of transportation, and expanding winter and summer recreation amenities which are important to the economy and well-being of Park City.
   10. The vacation increases Deer Valley's flexibility to promote a neighborhood compatible design with a larger site area without height changes or exceptions.
   11. A vibrant and well-planned Snow Park area is of high importance to Park City and will advance preparations for the anticipated return of the Winter Olympics to Park City in just over ten years.
   12. The updates and improvements planned as the Snow Park project will assist Deer Valley to continue its longstanding streak as the number one ski area in North

America, which is of vital public interest to our local community and skiers; and

13. Upon evaluating the exchange of replacement right-of-way, the retention of existing public utility easements and required new utility easements, and the Streets Master Plan, the City Engineer determined the proposed area of the right-of-way vacation to no longer have significant utility to the City.

B. No Material Injury. City Council finds and concludes that:

1. The vacation will not cause a material injury to any property owner or the general public and that no injury has been alleged different in kind or degree from the general public.
2. The east and west sections of the Deer Valley Drive which are not subject to the vacation petition maintain public and private access and utility easements to all adjacent property.
3. Increased trip generation on Deer Valley Drive results primarily from the already entitled density for the Snow Park Village and is not a result of the right-of-way vacation.
4. It is in the public interest to return the property to be vacated to productive purposes in facilitating expansion of a plaza concept with the parking lot redevelopment of the ski area, and extension of lifts and that the vacation will not cause a harm to the public interest.
5. Doe Pass Road is currently a private drive owned and operated by Deer Valley and the offer to dedicate public access and right-of-way easements over an expanded Doe Pass Road will replace and relocate the loop portion of the vacated right-of-way with expanded width and improved pedestrian, transit, and vehicular access and safety at Doe Pass Road.
6. Construction and maintenance responsibility of Doe Pass Road is proposed to remain with Deer Valley, avoiding any additional tax burden on the city and residents, while establishing public rights of use.
7. As set forth in Section 3 below, the project will maintain public pedestrian and bicycle access through the plaza area, effectively maintaining the loop for active transportation.

SECTION 2. VACATION SUBJECT TO EXISTING ACCESS/EASEMENTS. Park City and all third parties shall retain all public utility and private access easement rights of record, including the easement scheduled on the attached Exhibit B, as provided in Utah Code § 10-9a-609.5(6)(b), to the vacated portion of Deer Valley Drive. The above vacation is expressly made subject to all existing rights-of-way and easements of all public utilities of any and every description now located on and under or over the confines of this property, and also subject to the rights of entry thereon for the purposes of maintaining, altering, repairing, or removing said utilities, including the city's water and sewer facilities.

SECTION 3. TITLE TRANSFER. Upon recordation of the final subdivision plat (the "Final Plat") pursuant to Section 4, the property described in Exhibit A shall be vested in fee in the name of Petitioner Deer Valley Development Company, or its successors and

assigns. Deer Valley Development Company and Park City shall execute the Final Plat after approval of Park City Planning Commission pursuant to the applicable provisions governing subdivisions in the Land Management Code. At the time of recording the Final Plat, Deer Valley shall grant permanent access rights to Park City over Doe Pass Road, as further described in Section 4 below and confirm public pedestrian and bicycle access through the project's plaza in the approximate location of the area to be vacated.

SECTION 4. ADDITIONAL MITIGATION BEYOND GOOD CAUSE; CONDITIONS SUBSEQUENT TO PLAT RECORDATION AND TRANSFER OF TITLE. Prior to recordation of a Final Plat, Deer Valley and Park City shall enter into a Public Private Partnership Agreement ("PPPA"), which PPPA is a condition subsequent, consistent with any Letter of Intent which may be approved concurrently herewith, with the following elements:

A. Petitioners shall pay $15 million to Park City to be used by Park City for a regional, off-site parking and transportation facility.
B. The PPPA shall address timing of payment for improvements described in subsection A; City matching funding; long-term traffic and peak day mitigation strategies for Park City's transportation network; and project scope and approvals.
C. Deer Valley shall amend and obtain Planning Commission approval of an amended 13th Master Plan Development Permit and final Subdivision Plat(s), including the Final Plat, which includes these transportation and parking mitigation measures:
    1. The proposed gondola between Snow Park and Silver Lake (the "Gondola") shall service or connect to another gondola servicing the base facilities of what is currently referred to as the Mayflower development, at times determined by Deer Valley;
    2. Exhibit 2 to the MPD will be amended to include additional integrated resort infrastructure to support the expanded Gondola including (i) up to 15,000 additional square feet at the current Deer Valley maintenance facilities south of Silver Lake; (ii) up to 15,000 additional square feet of restaurant/commercial facilities for expansion of public or skier service at Silver Lake Lodge; (iii) a realigned Carpenter lift to extend into the Snow Park project and allow for the Gondola; and (iv) a new beginner ski pod adjacent to the new gondola alignment serviced by newly proposed "Lift 7" circulator lift, which may be incorporated into the pending MPD amendment or permitted via stand-alone Conditional Use Permit approvals;
    3. Skier, day use, and employee parking plans, as well as the full connection of the proposed gondola alignment including HW/40 and Mayflower, in amended mitigation plans.
D. Terms addressing when affordable housing may be incorporated into the regional transportation project as a secondary component.
E. Terms addressing when a Public Infrastructure District may be authorized by the City Council for the Snow Park Village project.

SECTION 5. EFFECTIVE DATE. Pursuant to Utah Code Ann. § 10-3-712 this ordinance shall constitute Final Action and is effective upon publication on December 15, 2023, and may be implemented upon satisfaction of the conditions subsequent to finalize the transfer of

title pursuant to Sections 3 and 4.

SECTION 6. SUNSET PROVISION. The conditions subsequent to finalize the transfer of title pursuant to Sections 3 and 4 are subject to a two-year sunset provision. If either item is not completed within two years of the Effective Date of this Ordinance, this Ordinance and right-of-way vacation are null and void. The City Council, in its sole discretion, may extend the sunset provision upon finding good cause by Resolution.

PASSED AND ADOPTED THIS 14th of DECEMBER, 2023.

PARK CITY MUNICIPAL CORPORATION

_____
Mayor Nann Worel

ATTEST:

_____
City Recorder

Approved as to Form:

_____
City Attorney

EXHIBIT A
[LEGAL DESCRIPTIONS FROM AMENDED PETITION]

EXHIBIT B
[EXISTING INTERESTS OF RECORD]

1. Right of Way and Easement Grant, dated SEPTEMBER 22, 1980, in favor of MOUNTAIN FUEL SUPPLY COMPANY, a Utah corporation, to lay, maintain, operate, repair, inspect, protect, remove and replace pipe lines, valves, valve boxes and other gas transmission and distribution facilities, through and across a portion of the subject property. Said Right of Way and Easement grant recorded NOVEMBER 18, 1980, as Entry No. 173018, in Book M172, at Page 173, SUMMIT County Recorder's Office.

2. GRANT OF EASEMENT (30' WIDE WATERLINE EASEMENT) from DEER VALLEY RESORT COMPANY, A UTAH LIMITED PARTNERSHIP to PARK CITY MUNICIPAL CORPORATION for the right privilege and authority to construct, operate, replace, repair and maintain underground water lines and pipes and related facilities, recorded APRIL 20, 1998, as Entry No. 504727, in Book 1137, at Page 372, SUMMIT County Recorder's Office.

3. GRANT OF EASEMENT dated SEPTEMBER 15, 2000, by and between DEER VALLEY RESORT COMPANY, A UTAH LIMITED PARTNERSHIP and BLACK DIAMOND LODGE LLC, A DELAWARE LIMITED LIABILITY COMPANY, recorded SEPTEMBER 18, 2000, as Entry No. 573026, in Book 1334, at Page 40, SUMMIT County Recorder's Office.

4. GRANT OF EASEMENT in favor of SNYDERVILLE BASIN SEWER IMPROVEMENT STRICT the right, privilege and authority to construct, operate, replace, repair and maintain sewers and pipes including all necessary fixtures under, across and upon the subject property. Said Easement recorded SEPTEMBER 19, 2001, as Entry No. 598557, in Book 1396, at Page 26, Summit County Recorder's Office.

5. GRANT OF EASEMENT in favor of SNYDERVILLE BASIN WATER RECLAMATION DISTRICT the right, privilege and authority to construct, operate, replace, repair and maintain sewers and pipes including all necessary fixtures under, across and upon the subject property. Said Easement recorded JANUARY 2, 2004, as Entry No. 684488, in Book 1591, at Page 1357, Summit County Recorder's Office.

6. Right of Way and Easement Grant, in favor of QUESTAR GAS COMPANY, A CORPORATION OF THE STATE OF UTAH, to lay, maintain, operate, repair, inspect, protect, remove and replace pipe lines, valves, valve boxes and other gas transmission and distribution facilities, through and across a portion of the subject property. Said Right of Way and Easement grant recorded JULY 21, 2004, as Entry No. 705276, in Book 1635, at Page 1170, SUMMIT County Recorder's Office.

7. Grant of Easement in favor of PACIFICORP, AN OREGON CORPORATION, d/b/a ROCKY MOUNTAIN POWER, ITS SUCCESSORS AND ASSIGNS, a perpetual easement and right of way for the right of way, erection, operation and continued maintenance, repair, inspection, relocation and replacement of the electric transmission and distribution circuits recorded DECEMBER 10, 2010, as Entry No. 912687, in Book 2060, at Page 1678, SUMMIT County Recorder's Office.

Resolution No. __-2023

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A NON-BINDING LETTER OF INTENT REGARDING A PUBLIC-PRIVATE PARTNERSHIP WITH DEER VALLEY

WHEREAS, the proposed public-private partnership provides economies of scale, adds substantial capital fundraising capabilities, and leverages opportunities by virtue of City and Deer Valley relationships with regional, State, and Federal governments and potential new private sector partners; and

WHEREAS, the proposed partnership directionally aligns with the State of Utah Economic Opportunity Act, Utah Code Title 63N, Chapter 13, Part 3 Facilitating Public-Private Partnerships Act; and

WHEREAS, the proposed public-private partnership provides investments which directly align with a) the City Council's critical priorities, b) Park City's goals, policies, and objectives for transportation demand management strategies, and c) Park City's General Plan; and

WHEREAS, the 2022 Park City Forward, Long Range Transportation Plan resolved to make "park once" the guiding principle for transportation solutions; and

WHEREAS, the City Council has determined to enter into this Letter of Intent as an initial step to enhance the effectiveness of cooperative efforts between the parties regarding long-term, regional transportation and traffic mitigation, as well as affordable housing solutions, associated with the Snow Park base area redevelopment; and

WHEREAS, it is in the public interest to improve transportation mobility near SR 248 and within Park City and its surrounding area; and

WHEREAS, Park City, Deer Valley, and city residents, employees and guests will benefit from the coordinated capital project(s) and mitigation contemplated by this proposed partnership.

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

1. The recitals are incorporated herein.
2. The City Council hereby authorizes the Mayor to execute the non-binding Letter of Intent between Park City and Deer Valley attached as Exhibit A, in a form approved by the City Attorney.
3. This resolution shall be effective upon publication.

PASSED AND ADOPTED this 14th day of December, 2023.

PARK CITY MUNICIPAL CORPORATION

_____
Mayor Nann Worel

Attest:

_____
City Recorder

Approved as to form:

_____
Margaret Plane, City Attorney

EXHIBIT A TO RESOLUTION - LETTER OF INTENT

HOGGAN LEE HUTCHINSON

Eric Lee
Eric@hlhparkcity.com
Direct: 435.731.9194

December 14, 2023

Via Email

Park City Municipal Corporation
Nann Worel, Mayor
Max Doilney, Council Member
Jeremy Rubell, Council Member
Ryan Dickey, Council Member
Becca Gerber, Council Member
Tana Toly, Council Member

Re: Petition to Vacate Public Right-of-Way

Dear Mayor and Council Members,

I write as newly engaged legal counsel to four Deer Valley homeowners associations: American Flag, The Oaks, Daystar and The Pinnacle. We also represent certain individual homeowners in the Morningstar and Nordic Village neighborhoods. Collectively, we represent the interests of hundreds of city residents who stand in opposition to the pending petition (the Petition) to vacate the public right-of-way on portions of Deer Valley Drive.

We are early in the process of reviewing the voluminous materials generated in connection with the Petition and, as a result, our thoughts and comments are necessarily preliminary and subject to amendment and supplementation. We have, however, formed the opinion that the process by which the Petition is scheduled to be decided by the Council has at least one key flaw that merits your attention.

That flaw derives from the fact that two Council members, Ryan Dickey and Max Doilney, have been integrally involved in the negotiations leading to the proposed public-private partnership (the PPP) between the City and Deer Valley. We don't doubt that Mr. Dickey and Mr. Doilney have and will continue to work in good faith for what they believe to be the best interests of the City and its citizens. But it appears that one consequence of their long-standing, deep involvement in the negotiations leading to the proposed PPP is they have already decided that the good cause and absence of material harm required to grant the Petition are both established.

The issue is one of prejudgment, a type of bias. At base, this is a due process issue. The Utah Supreme Court has stated that because of due process concerns, a hearing is only meaningful if the decisionmaker is impartial. *See Dairy Prod. Servs., Inc. v. City of Wellsville*, 2000 UT 81, ¶ 49, 13 P.3d 581 ("To be considered a meaningful hearing, the concerns of the affected parties should be heard by an impartial decision maker."). If actual bias or prejudgment exists, or an unacceptable risk of either exists, the decisionmaker must be disqualified under Utah law. *Id*. at ¶ 52.

The factors that determine whether bias is severe enough to merit disqualification are complicated and a full discussion of those factors is beyond the scope of this letter. The impact of one factor, however, is relatively easy to address. The Supreme Court has stated that a "prior commitment" to "facts that are in issue" may alone justify disqualification. *Id*. at 1197, n. 6 (*quoting* Kenneth C. Davis & Richard J. Pierce, Jr., Administrative Law Treatise § 9.8, at 68 (3d ed.1994)). The record is clear that Council members Dickey and Doilney were involved in all aspects of the discussions with Deer Valley regarding the statutory factors underlying the decision on the Petition. For example, the Mayor noted at the November 30, 2023 Council meeting that the proposed PPP negotiated by Council members Dickey and Doilney provides a clear path to meeting the good cause standard. In other words, one objective of Council members Dickey and Doilney's work with Deer Valley was to determine and articulate the facts supporting the statutory good cause standard. As such, it appears Council members Dickey and Doilney have a "prior commitment" to the "facts that are in issue…." *Id*.

Another example in the record is found in Council member Dickey's comments at the last Council meeting, where he made clear he thinks "there is good cause for the vacation," and that good cause is articulated in the terms of the proposed PPP. The point is that Council members Dickey and Doilney have not only expressed but adopted views on the actual issues to be voted on in connection with the Petition. By adopting those views, they have prejudged those issues in a way that should disqualify them from voting on the Petition.

This letter is not intended as a legal brief, and we concede that applicability of the law on prejudgment bias is subject to other good faith interpretations. But these statements of law from secondary sources addressing analogous situations further support our conclusions:

> Prior statements made by adjudicative decision makers generally favoring or opposing a particular land use have been held insufficient to constitute prejudgment bias. To show an invalidating bias in zoning cases, courts generally have required that such statements be linked with advocacy of a position in the particular case in question, as demonstrated by hearing conduct or by the course of proceedings, that makes plainly evident the "closed mind" of the zoning decision maker.

§ 32:18, Disqualifying prejudgment bias, 2 Rathkopf's The Law of Zoning and Planning § 32:18 (4th ed.) (internal footnotes omitted).

> A decisionmaker's pre-existing views on issues of law or policy are generally not disqualifying, but disqualification is appropriate where a decisionmaker's mind is closed with respect to the facts as they pertain to the parties.

73 C.J.S. Public Administrative Law and Procedure § 169.[1]

Clearly, Council members Dickey and Doilney have advocated in favor of finding the good cause and no material harm required to grant the Petition, in advance of the official vote. We do not mean to denigrate their work with Deer Valley in formulating the terms of the PPP, but a necessary consequence of that work is their minds are "closed with respect to the facts" pertaining to the standards governing the Council's decision on the Petition. Under these circumstances, due process and basic notions of fairness require that Council members Dickey and Doilney not participate further in the proceedings related to the Petition. At a minimum, an "unacceptable risk" of prejudgment bias exists and any vote involving them will be illegal and grounds for appeal. *Dairy Prod. Servs., Inc. v. City of Wellsville*, 2000 UT 81, ¶ 52.

As noted, our work on this matter is in its early stages. We have, however, reviewed several arguments already in the record that we believe support continuing the vote on the Petition long enough to fully explore and address the following matters:

a. **The Terms of the PPP Agreement**. The City has not yet fully disclosed the proposed terms of the PPP agreement. That disclosure is critical to informed and meaningful community feedback and debate about whether the terms provide good cause and

[1] *See also V-1 Oil Co. v. Dep't of Env't Quality, Div. of Solid & Hazardous Waste*, 939 P.2d 1192, 1197 (Utah 1997) ("A clear demonstration of partiality apparent on the face of the record …automatically requires disqualification of the decision maker."); *Winslow v. Town of Holderness Planning Bd.*, 125 N.H. 262, 480 A.2d 114 (1984) (invalidating a zoning board's decision to waive subdivision regulations and grant subdivision approval where one of the board members who voted for approval had spoken in favor of the proposal at a public hearing before he became a board member); *Thornbury Tp. Bd. of Sup'rs v. W.D.D., Inc.,* 119 Pa. Commw. 74, 546 A.2d 744 (1988) (holding that the refusal of town supervisor to abstain from voting on approval of developer's application for variances when supervisor appeared before zoning hearing board with counsel to oppose variances was improper because of supervisor's bias); *McVay v. Zoning Hearing Bd. of New Bethlehem Borough*, 91 Pa. Commw. 287, 496 A.2d 1328 (1985) (holding that the developer was denied due process when majority of members of zoning board who were appointed to consider conditional use permit for low income planned residential development had signed a petition opposing the original rezoning for the development).

sufficiently mitigate the various materials harms identified. The PPP summary and letter of intent simply don't provide sufficient detail to allow substantive evaluation and feedback. For example, the letter of intent says that "the PPPA will address long-term peak day mitigation strategies." We can't know what those are, and evaluate them, until the PPP agreement is drafted and disclosed.

b. **The Planning Commission's Evaluation**. The proposed terms of the PPP fail to include significant mitigation measures recommended by the Planning Commission (at the Council's request) on January 8, 2023. The Planning Commission referred to these recommendations as "substantial qualifiers, concerns, conditions and caveats." As the body charged with deciding what the Snow Park redevelopment will eventually be, the Planning Commission should be allowed to weigh in on the PPP agreement and, in particular, whether it meets the objectives the Commission clearly articulated in January.

c. **Evaluation by Planning Commission of the Feasibility of a Regional Transportation Facility**. The letter of intent acknowledges the possibility that the regional transportation facility may not be feasible. *See* Letter of Intent at p. 2 ("Secondary uses may be considered if a regional transportation facility is not feasible.) If that facility is not feasible, then all of the $15 million from DVR, and the matching $15 million from the City, will go towards affordable housing, which will add to the traffic issues and not provide any traffic mitigation, the main mitigation needed from the proposed project. The feasibility of the facility should be fully evaluated by the Planning Commission with the benefit of the best current data.

d. **Disclosure of Alternative Plans**. The City should require DVR to disclose more information about the various alternative plans it considered for the Snow Park redevelopment. At the Council meeting on December 5, a former DVR employee revealed that DVR in fact looked at various designs, including at least one with a tunnel such as proposed by PTL, in coordination with the University of Utah. The City requested alternative plans from DVR one year ago and, as far as we can tell from publicly disclosed information, DVR never produced those. DVR's failure to proffer alternative plans in response to the City's request was particularly noted by Planning Commission in its January 18, 2023 recommendations to Council.

Finally, we have a proposal that we believe may aid resolution of issues raised in this letter and those raised by the citizens who have expressed concerns about both the process and the results of the process to date. Specifically, we propose adding a provision to the PPP agreement under which material harms that result from redevelopment of Snow Park can be efficiently and effectively addressed. By material harms, we do not mean nuisance-type claims but the kinds of

harms that would have prevented the vacation of the right-of-way in the first place. The provision would define material harms as objectively as possible, lay out a process under which the parties address any such harms, provide for remedies if the process does not result in meaningful change, and give an identified group of citizens defined third-party beneficiary rights that would allow recourse, either through arbitration or judicial processes. Our internal discussion regarding this idea is just starting but we believe something like this kind of addition to the PPP agreement will assuage many concerns about moving forward with the Petition.

* * *

In summary, we ask that the Council continue the vote on the Petition until the matters addressed above are fully addressed and resolved. In the interim, Council members Dickey and Doilney should recuse themselves from any further discussion or votes on the Petition or the proposed ordinance vacating the right-of-way.

I plan to attend the Council meeting tonight and will be available to discuss any of these matters further.

Very Truly Yours,
HOGGAN LEE HUTCHINSON



Eric P. Lee

Cc Margaret Plane
Matt Dias

From:	planning
To:	Alexandra Ananth; Rebecca Ward
Subject:	FW: [External] 12.5 public comment for the record
Date:	Monday, December 11, 2023 11:07:32 AM
Attachments:	Angela Moschetta 12.5.23 public comment.docx

From: Angela Moschetta <angela@noseitall.com>
Sent: Monday, December 11, 2023 11:03 AM
To: planning <planning@parkcity.org>; Council_Mail <Council_Mail@parkcity.org>
Subject: [External] 12.5 public comment for the record

[CAUTION] This is an external email.

Good morning.

I'm following up with a written version of the comments I offered at the December 5th meeting in order that they become part of the written public record.

Thank you.

Angela Moschetta
Old Town Resident

It is widely understood in this building and this community that Planning Commission doesn't negotiate. An applicant brings forth an application for development. If the applicant seeks exceptions to the code, impacts are mitigated through over amended proposals and subsequent meetings. The burden is on the applicant to bring forth a compliant and/or reasonable application and then eventually be subject to a vote.

Last year, someone in this building decided that Planning Commission should look at only the circulation and traffic aspects of Deer Valley's MPD and, when able to forward a positive recommendation on those portions, also provide Council with a recommendation on the ROW vacation. After two meetings, former Commissioner Kenworthy convinced the Commission they couldn't make a decision on anything until the matter of the ROW was decided. So the MPD, already in clear violation of the LMC governing action, was put on hold again and Deer Valley came before Council with its ROW petition early this year.

Council was crystal clear for a while; Deer Valley's application didn't come close to satisfying good cause or net tangible community benefit, two conditions of a row vacation as provided for in Park City Resolution 8-98. But then rather than follow standard process and leave it to Deer Valley to make changes or go for a vote, someone in this building decided to invite the applicant behind closed doors and enter into protracted negotiations. This application violated code for inaction. And now because of the City's own ill-advised process, you want to rush this entire community and your Council to a pressured vote on a deal, the terms for which you cannot fully explain today and say you will not fully explain until after a vote.

Resolution 8-98 says *"this policy shall not be construed as creating a right or entitlement…but shall be advisory for the Planning Commission and the City Council to utilize when exercising their legislative discretion in evaluating the merits of a vacation petition."*

Except that the Planning Commission has been removed from this process…

The resolution says, *"although the City Council will give significant weight to the Planning Commission recommendation, the ultimate decision to vacate or not rests with the Council"*

Except that you have no majority opinion from your Commission in writing.

Summit County legal precedent affirms resolutions and ordinances carry the same weight as the LMC.

And finally, there is the false notion some of you are promoting that a Council vote in favor of the ROW doesn't make it a done deal because Planning Commission will have the authority to examine circulation and potentially force revisions to the plan or not support the MPD. The same planning commission who's functional authority and intellectual oversight the code affirms but that you are actively undermining in this process you've engineered…

The truth is that an award of the ROW will involve engineering sign-off. If the City Engineer affirms it is safe to vacate the Right of Way and thereby change circulation and increase load on Doe Pass Rd, then that's it. That's the done deal.

Deer Valley has made clear that their MPD seeks zero exceptions. So Planning Commission will have nothing to condition or mitigate. They will only have a series of CUPs to rubber stamp.

The code: *"The proposed **shall be analyzed** according to the following criteria: the use will be compatible with surrounding structures in use and circulation; the effects of **any** differences in use **have been mitigated** through careful planning. The City **shall** review traffic impacts; emergency vehicle access; internal circulation; fencing, screening, and landscaping; building mass, bulk, and site plan; signs and lighting; physical design, architectural detailing; snow storage, and mitigation of noise, vibration,; control of delivery and service vehicles, loading and unloading zones, and screening of trash pick-up areas; expected ownership and management of the project as primary residences, condominiums, time interval ownership, nightly rental, or commercial tenancies."*

The code says you don't work this out at planning. It says you work out every last bit of it now.

From: planning
To: Rebecca Ward; Jennifer McGrath; Alexandra Ananth
Subject: FW: [External] Deer Valley Vacation
Date: Monday, December 11, 2023 1:29:02 PM

-----Original Message-----
From: Watson's <billpris@aol.com>
Sent: Monday, December 11, 2023 12:49 PM
To: planning <planning@parkcity.org>
Subject: [External] Deer Valley Vacation

[CAUTION] This is an external email.

For the past month it seems that much headway is being made on this project. One of the first lifts, if not the first lift from Mayflower base is a chair terminating just uphill from the current Deer Valley Sultan lift. To me, this is even more important than the gondola as it brings skiers to Bald Mountain. You may want to make this part of the agreement. I believe dates for each event should be mentioned in the agreement. The more that is tied down is better for Park City and Deer Valley. We are being presented with 1,200 parking places at Maylower. Is this on land that Mayflower owns and are they tied into the commitment? Lastly, per my Letter to the Editor of the Park Record last month I believe the Vacation should not be voted upon until the new council members take office. They will be living with the agreement. We all complain about deals done by our predecessors.

Thanks, Bill Watson 84060
Sent from my iPhone

From: planning
To: Alexandra Ananth; Rebecca Ward
Subject: FW: Snow Park
Date: Monday, December 11, 2023 5:10:58 PM
Attachments: image002.png

From: Rhonda Sideris <rhonda@parkcitylodging.com>
Sent: Monday, December 11, 2023 4:58 PM
To: planning <planning@parkcity.org>
Cc: Council_Mail <Council_Mail@parkcity.org>
Subject: [External] Snow Park

[CAUTION] This is an external email.

Dear Council members and Mayor,

I have been a resident of Park City since 1976. The only thing I have learned, is the only certain thing is change. In fact I was a part of that change in 1976 when the hippies lived next door to the miners. I used to ski up Deer Valley Drive, yes x-country ski. It was thrilling to have Deer Valley resort actually become a resort where we could take the chair up and ski down.

Deer Valley has always been a generous community partner. I encourage you to vote YES on vacating a portion of Deer Valley Drive. I honestly believe this paves the way for lessened traffic impact, not to mention a beautiful base area with housing and transportation improvements at the Resorts expense.

Respectfully,

Rhonda Sideris| President
1915 Prospector Avenue | Park City, UT 84060
Main Office: 435.649.6175
www.ParkCityLodging.com



From: Michelle Kellogg
To: Alexandra Ananth
Subject: FW: [External] Alterra/DVR ROW Petition -- PLEASE ENTER INTO RECORD FOR ROW PETITION
Date: Monday, December 11, 2023 8:58:13 AM
Attachments: image001.png

Michelle Kellogg, MMC
she, her, hers
City Recorder
Park City Municipal Corporation
www.parkcity.org
445 Marsac Avenue, PO Box 1480
Park City, UT 84060
o: 435.615.5007 | c: 435.503.1662

From: Margaret Plane <margaret.plane@parkcity.org>
Sent: Friday, December 8, 2023 12:41 PM
To: Executive_management <Executive_management@parkcity.org>; Michelle Kellogg <michelle.kellogg@parkcity.org>
Subject: FW: [External] Alterra/DVR ROW Petition -- PLEASE ENTER INTO RECORD FOR ROW PETITION

I don't think this one got forwarded.

From: Robert Boone <reboone3d@gmail.com>
Sent: Thursday, December 7, 2023 6:14 PM
To: Nann Worel <nann.worel@parkcity.org>; Max Doilney <max.doilney@parkcity.org>; Becca Gerber <becca.gerber@parkcity.org>; Jeremy Rubell <jeremy.rubell@parkcity.org>; Tana Toly <tana.toly@parkcity.org>; Ryan Dickey <ryan.dickey@parkcity.org>
Cc: Margaret Plane <margaret.plane@parkcity.org>
Subject: [External] Alterra/DVR ROW Petition -- PLEASE ENTER INTO RECORD FOR ROW PETITION

[CAUTION] This is an external email.

Dear Mayor and City Council Members:
I write as President of the American Flag HOA, on behalf of American Flag residents, including myself, to (1) oppose the Alterra/Deer Valley Resort's ("Alterra" or "DVR") Right of Way Petition ("ROW Petition" or the "Petition"), and (2) request certain action items be accomplished before the Council votes on the Petition for the sake of transparency, fairness to

the community, and due process.

At the outset, I want to make it clear that, like many of the Deer Valley neighborhoods, American Flag does not oppose DVR developing the Snow Park area. We are in favor of DVR developing that land. What we oppose is vacating the ROW to develop that area how DVR currently proposes.

American Flag residents, and I think most Park City citizens, truly appreciate the time and effort each of you has devoted to the Petition and the numerous issues surrounding it. That said, there simply is no urgency to vote on the Petition at the next Council meeting on December 14, or even by the end of the year. DVR will not suffer any prejudice by delaying a vote to allow full disclosure, thoughtful feedback from the community, the gathering of additional information, and careful consideration of the Petition under the applicable law and criteria. After all, this is a huge decision that will impact virtually everyone in Park City. The 2034 Olympics is 11 years from now, which is more than plenty of time for DVR to develop its land and reap the financial benefits of that spectacular event.

Suggested Action Items Before a Vote

I will first address the latter topic (the action items before a vote) because a "yes" vote appears inevitable in light of the comments made during the last two Council meetings.

First, the Council should disclose the final terms of City's recently announced "partnership" with DVR related to the ROW Petition and DVR's MPD application pending before the Planning Commission. That disclosure should include not only the term sheet and letter of intent but also the full partnership agreement. The community deserves to see all those terms and have sufficient time to digest that information and provide feedback.

Second, and perhaps more important, the partnership agreement should include a provision allowing the City to identify material harms to the community or any person resulting from the proposed project, as it proceeds, and requiring DVR to negotiate in good faith to remediate/mitigate those harms, and to submit to mediation, if necessary, to resolve those issues. Among other things, such a provision can objectively define material harm, set forth a process by which the parties can address such harms, and provide remedies if the process does not achieve a satisfactory resolution. Such a provision provides justifiable protection to the City and the community, including from unanticipated or unintended adverse consequences of the project, and sets a level playing field with DVR to resolve such issues. If DVR is a true "partner" with the City, it will agree to such a provision.

Third, the City should disclose communications with DVR leading up to the partnership agreement to address the rumors and concerns amongst the community that the City caved to external pressures, including from DVR, about MIDA and legislative action should there be a "no" vote or further delay. The City also should confirm on the ROW Petition record that it was not pressured or coerced by DVR or others, including any state or federal officials, to cut a deal with DVR to grant the Petition.

Fourth, in the interest of full disclosure, the City should produce the records requested in my

GRAMA request served on the City on December 1, 2023 (logged as GRAMA Request 23-415). Fifth, the City should request DVR to disclose more information about the various alternative plans it considered for further developing its properties in the Snow Park area. At the Council meeting on December 5, a former DVR employee revealed that DVR in fact looked at various designs, including at least one with a tunnel such as proposed by PTL, in coordination with the University of Utah. The City requested alternative plans from DVR one year ago, and DVR never produced those.

Reasons to Deny the Petition

Now, on to some reasons why the Council should deny the ROW Petition. I touched on some of these at the December 5 Council meeting.

A vote in favor of vacating the ROW would be illegal, arbitrary and/or capricious for several reasons.

First, according to the partnership terms, the agreement to vacate the ROW would be contingent upon the Planning Commission approving DVR's MPD application. The City Council is in effect delegating its decision-making power whether to vacate the ROW to the Planning Commission, which City Council cannot do. That makes a "yes" vote illegal.

Second, a "yes" vote would be arbitrary and capricious because there has been no analysis, traffic or engineering studies, or surveys of the transportation and parking mitigation measures described in the partnership summary. For example:

There is no traffic study or survey showing that day skiers will park on the Rte. 40 side instead of coming into Park City to access the resort through Snow Park. Indeed, the Rte. 40 side of the resort (old and new) contains the least desirable skiable terrain – it is at a lower elevation and south facing and is, and will be, the least skied. Most skiers will want to arrive at the resort in Snow Park, which provides quicker access to the best parts of the mountain and will have the après ski amenities – the "ski village" – DVR is touting as the jewel of the proposed development. Until a legitimate traffic study demonstrates enough skiers will in fact divert to the Mayflower side to reduce traffic congestion in Park City, we cannot simply assume that will happen.

The same is true with respect to the proposed gondola connecting Mayflower and Snow Park. Who wants to park at Mayflower only to take a gondola to Snow Park when you can park there in the first place? Who wants to ride a gondola back to Mayflower after skiing (or après ski)? Who wants to ride a series of gondolas from Mayflower to get to the best terrain on the opposite side of the resort, when you can access that terrain from starting points within Park City? DVR has not substantiated its claim that these features will reduce crowding at key entry points and divert traffic and parking away from Park City.

Reduced skier parking spaces on peak days and skier parking fees in Snow Park will cause skiers to migrate into Deer Valley residential neighborhoods with ski run access to park and trespass on private citizens' properties and HOA easements reserved for their owners' use, increasing maintenance and insurance costs and the risk of liability for those residents and HOAs. The additional parked cars also will clog those streets, depriving those neighborhoods of public services, such as snow plowing and waste/recycling removal. We saw this migration phenomena occur when Park City Mountain converted to paid parking.

Third, under Resolution 8-98, the City typically cannot vacate a ROW that still has significant utility. It is indisputable that the ROW still has significant utility to the City. That the citizens, City and Alterra have been battling out this ROW Petition for so long speaks volumes about ROW's utility. The ROW allows for the operation of critical bus routes that drop DVR patrons literally at the resort's doorstep. You have heard throughout these proceedings numerous citizens citing a plethora of ways they use the ROW for vehicular, bike, pedestrian and other modes to gain immediate access to DVR, trails, the ponds, and other parts of upper and lower Deer Valley. Thousands use the ROW for exercise and other recreational activities. As these folks have consistently said, you can't put a price on the ROW's utility. The Council's analysis should end there… in a denial of the Petition. In the face of this overwhelming evidence of significant utility of the ROW, a decision to vacate it would be arbitrary and capricious.

Fourth, DVR has not proffered information showing that the various material harms identified by dozens of citizens throughout this process will not occur, or will be mitigated by its proposed plan. Those include the harms I identified in my January 18, 2022 letter to you, which is part of the record. DVR, not you or the community, bears the burden of demonstrating no material harm. This Council must hold DVR to that standard, not simply kick the can down the road and say, "Well, I'm sure we'll be able to fix those problems later." That is not the standard in Res. 8-98, and not the standard under the Utah statute that governs this proceeding. Based on the record, a "yes" vote by this Council would be arbitrary and capricious.

Fifth, a "no" vote on the Petition is not a vote that DVR can't develop its property. It can. And it will. To think that DV will simply let the land sit, sell it to someone else to develop, or develop it and sell it, and not take advantage of the potential return of owning and operating a ski village like it envisions, especially with the coming Olympics, is absurd. If you vote "no," you protect our community as you should. If you vote "no," DVR will come back, finally, with an alternative plan that will be more viable, less harmful, and just as lucrative to DVR as the current one.

DVR Needs to Truly Engage the Deer Valley Residents

In closing, and irrespective of how the Council votes, I'm compelled to say that DVR should be strongly encouraged to reach out to the Deer Valley community to have candid conversations about the neighborhoods' various concerns about the project. DVR claims to be a partner with us, but no one from DVR has ever reached out to me or, to my knowledge, anyone in the American Flag neighborhood, over the last year to have any such dialogue. Other HOAs have

experienced the same lack of communication.
My fellow American Flag residents and I thank you for carefully considering the above.
Respectfully,
Robert Boone

Robert Boone
reboone3d@gmail.com
310.487.6556

park city

CHAMBER OF COMMERCE | CONVENTION & VISITORS BUREAU

December 5, 2023

Honorable Mayor and Councilors,

Thank you for the opportunity to once again support Deer Valley's request for the City to vacate a portion of Deer Valley Drive.

Care, diligence, and tenacity has been taken in negotiating this partnership agreement. The $15 million investment towards the creation of a regionally significant transportation and parking facility and affordable housing is a big win for the community. The development of a state-of-the-art transit facility and the reduction of parking spaces are significant parts of the agreement and address resident concerns related to increased traffic in the area. The quality over quantity approach aligns with the Sustainable Tourism Plan that was unanimously supported by this Council last year.

Competition – both regionally and nationally – is increasingly fierce. To remain a first-choice destination, we must constantly improve and invest in our product, precisely what this project accomplishes. In a sink-or-swim travel and tourism environment, we cannot afford to miss opportunities like the Snow Park plan.

There is no debate that visitors contribute heavily to Park City's economy and quality of life. Approximately 75% of the City's operating fund is paid for by visitors – with visitors contributing 75 cents of every dollar. The City has a deep-rooted interest in keeping our tourism industry vibrant – to help pay for everything residents enjoy, from our parks, pathways, sidewalks, trails, recreational amenities, transit and police.

Park City has an incredible opportunity to transform the Snow Park base area into a world-class experience, one that not only enhances the experience for our guests but also benefits our residents for decades. Without the road vacation, we will most likely get a more dense, less attractive, less accessible development that most likely will not include a transit hub or other community amenities.

Thank you for your hard work in negotiating a good deal for Park City and the community. Your bold vision will most certainly set the stage for future success in Park City. Please support Deer Valley's desire (and significant financial investment in our community) to not only improve our town, but to create a base area that will enhance the services and amenities we offer guests and our residents.

Your approval of the road vacation will be a vital step towards keeping Park City's economy strong, improving our quality of life, and ensuring world renowned amenities to keep Park City competitive and ready to welcome the world in 2034.

Sincerely,

Jennifer Wesselhoff, President & CEO
Park City Chamber of Commerce & Visitors Bureau

December 5, 2023

Dear Mayor & City Council,

The Utah Olympic Legacy Foundation wishes to express support to both the pending consideration of vacating a portion of Deer Valley Drive and the recently proposed Public-Private Partnership plan.

The ability to find mutually beneficial elements through collaboration and careful thought is exactly what is needed. We applaud the efforts that the City and Deer Valley Resort have done so far to create a process that has engaged key stakeholders and citizens. It is obvious that the results of this process are creating bold and effective ideas on proposed solutions.

Given an emphasis now and into the future on topics of effective public transportation systems / infrastructure, smart resort development, and attention to resident quality of life, we feel the proposed public-private partnership components are a great step forward for the areas surrounding Deer Valley. We are especially supportive of any efforts that help with solving seasonally recurring traffic challenges that in turn will help when Deer Valley hosts major events such as annual World Cups and a likely 2034 Olympic & Paralympic Games.

Know that we are supportive to your process and the initially proposed ideas. We look forward to helping where we can be of assistance.

Sincerely,

Colin Hilton
President/CEO

Calum Clark
Chief Operating Officer

LEGACY
PO Box 980337
3419 Olympic Parkway
Park City, UT 84098
435.658.4200

OVAL
5662 S. Cougar Lane
Kearns, UT 84118
801.968.6825

PARK
PO Box 980337
3419 Olympic Parkway
Park City, UT 84098
435.658.4200

SOLDIER HOLLOW
PO Box 2002
2002 Soldier Hollow Lane
Midway, UT 84049
435.654.2002

From: planning
To: Rebecca Ward; Alexandra Ananth; Jennifer McGrath
Subject: FW: [External] Council Letter - Snow Park Development
Date: Tuesday, December 5, 2023 8:41:35 AM

From: Scott van Hartesvelt <scott@gcommercesolutions.com>
Sent: Monday, December 4, 2023 8:04 PM
To: planning <planning@parkcity.org>
Subject: [External] Council Letter - Snow Park Development

[CAUTION] This is an external email.

Dear Mayor, Councilor and Park City Team,

I know that you are receiving significant feedback from constituents regarding the proposed agreement with Deer Valley, and I thought it may be helpful to lend my voice to the discussion. I've come to know you each over the last year, and I appreciate the diligence and gratitude you all put into your work. It's with that spirit that I and others have watched you negotiate a strong deal with Deer Valley; one that will benefit the community for decades to come. I am not sure if some Park City residents recognize that this is not a binary decision - that DV has come to the table to work with you in a spirit of partnership and not because they have no other option. In my opinion, such partnerships between elected officials and our largest local private enterprises is essential to manage growth, protect the spirit of Park City and ensure that only the best ideas are pursued. The alternative to this type of partnership is long, protracted battles between residents, government and companies with no clear winners.

As the representatives for your communities, you've done admirable work. You've studied the nuances and idiosyncrasies of the options, listened to considerable public input and negotiated in good faith. Your proposed solution is elegant and progressive and one that deserves support from all of us. Thank you for everything you've done to secure real, important gains for our community. From the affordable housing to the regional transportation hub to the reduction in parking spaces, the plan's benefits will live on for years.

Sincerely,

--

Scott van Hartesvelt (He/Him)
Founder
c. (435) 640-6967
w. www.gcommercesolutions.com

From: public_comments
To: Alexandra Ananth; Rebecca Ward; Jennifer McGrath
Subject: FW: [External] Public Comment Submission
Date: Wednesday, December 6, 2023 9:07:52 AM

From: No Reply <noreply@civicplus.com>
Sent: Wednesday, December 6, 2023 8:03 AM
To: public_comments <Public_Comments@parkcity.org>
Subject: [External] Public Comment Submission

[CAUTION] This is an external email.

Submitted by: Herve Lavenant
Email Address: hlavenant@pm.me

Commented on event: https://parkcityut.portal.civicclerk.com/event/24/overview
If you are having trouble viewing the URL above, cut and paste the string into your browser window.

User comment: Dear Madam Mayor, Dear Council Members, First and foremost, thank you for the hard work you and your teams are doing on behalf of all the Park City citizens - balancing the variety of opinions in any community in a sensible way is a challenging feat on the eve of 2024. For all our leaders on Council, incoming, outgoing and/or already serving, I wish you well, and I hope you all continue to hear and listen prior to deciding. As it relates to the topic at stake in the header of this email, I have mixed feelings about the outcomes and potentially missed opportunities. I certainly hope Council and Deer Valley can answer many questions in the spirit of transparency of a PPP. While Deer Valley pays $15M towards the creation of a regionally significant transportation and parking facility, how does it compare vs. the savings realized to decrease parking capacity by 15-20%? While Deer Valley boasts a "new portal and base area via U.S. Route 40, bypassing Park City", this was planned as a part of the Expanded Excellence. Deer Valley will undoubtedly raise its Comfortable Carrying Capacity (CCC). I have yet to see data that inform the public whether the increase in capacity at this new entry point/portal is more than the planned incremental CCC. If not, we have not altered the capacity much destined to Snow Park, and as such traffic issues will persist. I would rather the PPP contain a plan to open an incremental entry point that currently does not exist or the alteration of an existing under-utilized entry point. I commend Deer Valley and Park City for their continued push into affordable housing. I do hope that the units just announced are not encompassed in the previously announced project on Iron Horse Dr and are incremental to it. Other ideas and concepts presented in the PPP summary are worthy of attention and undoubtedly commendable in many ways. All in all, I feel the PCMC seized the moment, but the need for a more daring outcome as part of a PPP was not achieved. Other tools and mechanisms are at your disposal to turn this development into a more significant achievement for Park City, and I hope they are

considered. Respectfully, Hervé Lavenant

From: public_comments
To: Alexandra Ananth; Rebecca Ward; Jennifer McGrath
Subject: FW: [External] Public Comment Submission
Date: Wednesday, December 6, 2023 9:07:15 AM

From: No Reply <noreply@civicplus.com>
Sent: Tuesday, December 5, 2023 5:35 PM
To: public_comments <Public_Comments@parkcity.org>
Subject: [External] Public Comment Submission

[CAUTION] This is an external email.

Submitted by: Kristin Gentile
Email Address: gentile_k@hotmail.com

Commented on event: https://parkcityut.portal.civicclerk.com/event/24/overview
If you are having trouble viewing the URL above, cut and paste the string into your browser window.

User comment: Tuesday, December 5, 2023 Dear Mayor Worel and City Council Members: I am requesting that City Council VOTE NO on the Deer Valley Road Vacation for Alterra/Deer Valley's Snow Park Development. As a full time resident of Park City, I am lending my voice to the public process. I am hopeful that City Council will consider the will of the people and advocate on behalf of Park City residents with Alterra/Deer Valley to come to a more agreeable partnership with greater immediate and long term financial impacts. The City Council should not outright transfer rights of Deer Valley Loop to Alterra as outlined in the partnership agreement that Mayor Worel announced. Why? Alterra/Deer Valley's Snow Park Development poses serious challenges to the residents of Deer Valley and adjacent neighborhoods. We will be negatively affected by the increase in traffic during the construction of and upon completion of this project. Air pollution and significant noise pollution from increased traffic pose serious health risks for every person that lives, works, and recreates in this region. No mention of these impacts have ever been addressed by either City Council or Alterra/Deer Valley in a public forum. To mitigate this material harm to people and the environment, Alterra/Deer Valley has the responsibility to be a good neighbor and provide ongoing financial resources to offset the irreparable and negative environmental impacts on this community. The stated amount of $15 million seems arbitrary and $15 million is just not enough! In addition, Alterra/Deer Valley should be good partners and conduct a new traffic study to fully assess the environmental impacts of their project. On a personal note, the increase in traffic from this project directly affects my ability to respond to emergency surgeries at Park City Hospital, as needed. As a healthcare provider, I am frequently on call for emergency surgeries that require me to be at the hospital within 30 minutes. Depending upon the time of day, my commute, which is usually 10 minutes, during peak traffic times can be 60 minutes or more. While I have a unique perspective on this traffic issue, I am not the only person impacted. I am against the road vacation, and I ask City Council members to VOTE NO. Respectfully, Kristin Gentile, DNP, APRN 555 Deer Valley Drive Park

City, UT 84060 (206) 550-8920

From:	planning
To:	Alexandra Ananth; Rebecca Ward
Subject:	FW: [External] Public Comment Submission
Date:	Tuesday, December 5, 2023 12:18:20 PM
Attachments:	image001.png

From: public_comments <Public_Comments@parkcity.org>
Sent: Tuesday, December 5, 2023 11:22 AM
To: Council_Mail <Council_Mail@parkcity.org>; Executive_management <Executive_management@parkcity.org>; planning <planning@parkcity.org>
Subject: FW: [External] Public Comment Submission

Please see eComment below.

Thanks,

Michelle Kellogg, MMC
she, her, hers
City Recorder
Park City Municipal Corporation
www.parkcity.org
445 Marsac Avenue, PO Box 1480
Park City, UT 84060
o: 435.615.5007 | c: 435.503.1662

From: No Reply <noreply@civicplus.com>
Sent: Monday, December 4, 2023 11:06 PM
To: public_comments <Public_Comments@parkcity.org>
Subject: [External] Public Comment Submission

[CAUTION] This is an external email.

Submitted by: Deanna Sharp
Email Address: altalwaystravelling@gmail.com

Commented on event: https://parkcityut.portal.civicclerk.com/event/24/overview
If you are having trouble viewing the URL above, cut and paste the string into your browser window.

User comment: Input In Advance of Council's Dec. 14 Vote: DV Right of Way Vacation Petition Dear Council, We are the owners of 1955 Deer Valley Dr. N, Unit 405, and we do not support Deer Valley's

right of way petition for the 2.6 acres of public roadway that Alterra wants the City to vacate in order to allow Deer Valley to build a ski beach over the road. Our questions and concerns in this matter: 1. There is no transparency concerning the details of the 'partnership' between the City and Deer Valley. 2. We do not see a net tangible community benefit as mandated for both our immediate neighborhood and the City as a whole. 3. There needs to be an updated traffic study that substantiates that daily traffic to Snow Park will be mitigated by a15-20% reduction in parking at Snow Park and a Mayflower portal. 4. We are strongly opposed to the altered circulation pattern and 34% increase in daily traffic that would result from the right of way vacation and its associated development. Residents, pedestrians, cyclists and properties would absolutely be affected by more vehicles using fewer roadways. The ensuing noise and air pollution increases are unacceptable. 5. State and and municipal code governing right of way vacations are clear and specify that there must be good cause to vacate, there can be no harm to any property owner, the right of way must not have any utility, and there must be a net tangible benefit to award the right of way. We maintain that Deer Valley's current proposal and the announced "deal" do not meet necessary standards as outlined. ~Deanna Sharp 1955 Deer Valley Dr. N., #405 Park City, UT 84060

From: planning
To: Alexandra Ananth; Rebecca Ward
Subject: FW: [External] Deer Valley development - YES
Date: Wednesday, December 13, 2023 3:05:49 PM

From: Mell Gallahue <mell.gallahue@gmail.com>
Sent: Wednesday, December 13, 2023 3:04 PM
To: planning <planning@parkcity.org>
Subject: [External] Deer Valley development - YES

Warning: Replies to this message will go to mell.gallahue@gmail.com. If you are unsure this is correct please contact the helpdesk.

[CAUTION] This is an external email.

Dear Council and Mayor Worel,

I am on the Board of the Kimball Art Center, and your approval of the road vacation will be a vital step towards keeping Park City's economy strong, improving our quality of life, and ensuring world-renowned amenities to support Park City's competitive and ready to welcome the world in 2034. Working with the Kimball Art Center to accomplish our home is another way we will come together. After the recent feasibility studies have demonstrated clear public support of art and culture through Kimball Art Center, we look forward to working with the future council to make this support of a HOME FOR US a reality.

Building thoughtfully with community input is how the Kimball Art Center will move forward. Competition – both regionally and nationally –in the cultural arena as well as in the recreation arena is increasingly fierce and we must adapt and allow for sustainable growth that supports and enhances Park City Life .

Up for a vote this week, developing a state-of-the-art transit facility and reducing parking spaces are significant parts of the agreement and address resident concerns related to increased traffic in the area. The $15 million investment towards creating a regionally substantial transportation, parking facility, and affordable housing is a big win for the community.

There is no debate that visitors contribute heavily to Park City's economy and quality of life. Approximately 75% of the City's operating fund is paid for by visitors, contributing 75 cents of every dollar. The City has a deep-rooted interest in keeping our tourism industry vibrant – to help pay for everything residents enjoy, from our parks, pathways, sidewalks, trails, recreational amenities, transit, and police.

Without the road vacation, we will most likely get a more dense, less attractive, less accessible development that most likely will not include a transit hub or other community amenities.

Thank you for your hard work in negotiating a good deal for Park City and the community. Your bold vision will certainly set the stage for future success in Park City. Please support Deer Valley's desire (and significant financial investment in our community) to improve our town and create a base area that will enhance the services and amenities we offer guests and our residents.

Sincerely,

Mary Ellen "Mell" Gallahue
Mid-mountain Deer Valley Résident
84060

From: planning
To: Alexandra Ananth; Rebecca Ward
Subject: FW: [External] Lower Deer Valley Development
Date: Wednesday, December 13, 2023 2:44:53 PM

From: stivers.betsy@gmail.com <stivers.betsy@gmail.com>
Sent: Wednesday, December 13, 2023 2:38 PM
To: planning <planning@parkcity.org>
Subject: [External] Lower Deer Valley Development

Warning: Replies to this message will go to stivers.betsy@gmail.com. If you are unsure this is correct please contact the helpdesk.

[CAUTION] This is an external email.

Please pass on the following letter to the City Council and include in the public record. Thank you, Betsy

Dear Park City Council,

I want to be sure that you are aware of my strong support for the Deer Valley development plan for lower Deer Valley! We have had a home in lower Deer Valley for 32 years and have been anxiously awaiting this parking lot development for as long as I can remember. I strongly believe it will be a wonderful enhancement to the area and improve the ambience of lower Deer Valley. Being able to walk to shopping, dining and entertainment will be wonderful. There will be much more for families to do while their kids are in ski school and after skiing. I also think it will reduce the mad rush to get out of lower DV after skiing. I love the idea of a gondola that could transport people back and forth from mid mountain too. Everyone that I speak with is very excited about the development. Please vote in favor and know that you are doing a great thing for the future of Deer Valley and Park City.

Betsy Stivers

From: planning
To: Alexandra Ananth; Rebecca Ward
Subject: FW: [External] ROW at lower Deer Valley and future development of Parking area
Date: Wednesday, December 13, 2023 2:07:22 PM

-----Original Message-----
From: Steve Shuler <sshuler21@gmail.com>
Sent: Wednesday, December 13, 2023 2:04 PM
To: planning <planning@parkcity.org>
Subject: [External] ROW at lower Deer Valley and future development of Parking area

Warning: Replies to this message will go to sshuler21@gmail.com. If you are unsure this is correct please contact the helpdesk.
[CAUTION] This is an external email.

Dear City Council,

My name is Steve Shuler, and my wife and I own 4 properties in Park City including 2 properties at Lower Deer Valley. We appreciate your service to the community, and always looking for the best long term solutions as individual development options are presented.

We ask you to please vote YES for the ROW and transit plans that are before the council related to Lower Deer Valley.

This area needs and requires an updated plan to continue to meet the needs of all parties using this area. Residents and skiers like us, but also businesses, and work staff need a more effective, long term solution to transportation, parking, and access to the area.

The Deer Valley Resort is growing, and will continue to do so even with current transportation setup. But without these proposed changes, the traffic, transportation, and parking will only be a larger problem. This is the time, and right plan to grow to the next 50 plus years.

It will also provide added funds, 25m from the developer, and another 25m from PC Mntn if I understand right, for a total of 50m. It also more importantly brings and partners well with the 2 biggest entities in Park City. Growing responsibly, and together benefits all in the long run.

Please consider our support as a property owner of 4 homes, and vote YES for this project at this time

Steve Shuler
602-826-9464

From:	Michelle Kellogg
To:	Alexandra Ananth
Subject:	FW: [External] Urgent for Review & Public Record
Date:	Wednesday, December 13, 2023 10:16:52 AM
Attachments:	image001.png

Michelle Kellogg, MMC
she, her, hers
City Recorder
Park City Municipal Corporation
www.parkcity.org
445 Marsac Avenue, PO Box 1480
Park City, UT 84060
o: 435.615.5007 | c: 435.503.1662



From: Nann Worel <nann.worel@parkcity.org>
Sent: Wednesday, December 13, 2023 10:01 AM
To: Michelle Kellogg <michelle.kellogg@parkcity.org>
Subject: Fwd: [External] Urgent for Review & Public Record

Please include in the public record.

Thanks!

Nann Worel
she, her, hers
Mayor
Park City Municipal Corporation
www.parkcity.org
445 Marsac Avenue, PO Box 1480
Park City, UT 84060
o: 435.615.5010 | c: 435.513.9955



From: Jason Horst <jasonhorst11@gmail.com>
Sent: Wednesday, December 13, 2023 6:55 AM
To: Council_Mail <Council_Mail@parkcity.org>; Nann Worel <nann.worel@parkcity.org>; Jeremy Rubell <jeremy.rubell@parkcity.org>; Ryan Dickey <ryan.dickey@parkcity.org>
Subject: [External] Urgent for Review & Public Record

[CAUTION] This is an external email.

Mayor and Council Members,

Our HOA has been closely following the procedures of the Deer Valley Snow Park project and have provided some previous input. We have attended the town hall at the Deer Valley market, the open house at Snow Park and many of the public council meetings. The most recent details from the last couple of meetings are very concerning to our HOA and we believe that you are trending towards a decision that will impact the life safety of our community residents, they will impact negatively the enjoyment of our homes during the development process, it will impact the enjoyment post construction due to additional traffic and it will cost taxpayers a great deal of capital over future years for the benefit of a private project. In addition, it seems that as a taxpayer we are losing much more than we are gaining. The process over the past couple of months seems very concerning and questionable on how decisions are being made at a government level for the community and taxpayers. It seems the liability falls on the Council if they move forward with an approval decision that is not well documented or researched. These types of decisions typically end up with poor results, future legal proceedings and loss of public support. The details provided to the public regarding this project still have many unanswered questions and also seem to lack value for the community. We want to express that we are not opposed to a Snow Park project and we are simply looking for a clear plan that does not impact life safety, traffic and provides value to the community that it's impacting. We want to make sure that our families and guests life safety is not placed at risk, we want to make sure taxpayer funds are managed responsibly, we want to make sure the already crowded space in LDV is not impacted further, we want to make sure the project is managed responsibly regarding impacting views, light, utilities, environmental, etc.. We clearly want to make sure decisions made by today's Mayor and council will not leave negative repercussions for our community in the future. We are simply asking for you to postpone voting for approval of this project until the "proper" due diligence is completed. It seems at this moment that the council is forcing a vote to meet a private company's deadlines and therefore placing the community at a disadvantage.

It seems that two of the key points of the Public Private Partnership (PPP) are already part of Deer Valley's development plans regardless of the ROW and it seems that these points are being presented as new concessions which is misleading. These include: a) lift infrastructure linking the current resort to the proposed gondola going from the

Mayflower base to Park Peak and b) plans for a mixed use base village which Deer Valley is currently entitled to build and which PTL fully supports. These points are not a direct gain for the community and simply a concession for the development of the project that would have likely always been accepted.

Park City Municipal is equating the proposed 20% reduction in day skier parking stalls with an apples to apples 20% reduction in peak traffic to and from the resort. This logic is flawed for two reasons: a) the Fehr & Peers traffic study estimates the Snow Park development will increase traffic by 34% daily (including at peak times), therefore a 20% reduction in day skiers alone does not equate to a 20% reduction in overall traffic and b) PCMC is misrepresenting the number of skier stalls currently available at 1700 and suggesting a 20% reduction will limit DV to 1,360 day skiers. In fact, DV currently counts 1,340 skiers daily with 142 spaces on overflow days. A 20% reduction would actually limit DV to 1,186 spaces. This is key to any and all decisions and the Park City Government should review this in detail before any vote is initiated.

The latest defining element of the deal is $15M in funding from Deer Valley specifically earmarked for build out of a “regional, off-site parking and transportation facility, intended to be located near SR 248” with all indications that this will be for the Gordo parcel. It seems that the City is irresponsibly obligating taxpayers to match the $15M in the future.

There are no details on overall budgets for this parking project, construction timelines, funding schedules, ongoing maintenance costs and management requirements, etc... The PPP actually notes that *a regional transportation facility might not be feasible*. We know that a local support group (Protect The Loop) has communicated a potentially more fiscally prudent option to invest in optimizing and maximizing Richardson Flat and work with UDOT to connect this existing park and ride to Highway 40 rather than use taxpayer funds to build a separate park and ride for Deer Valley further away from the highway and on the wrong side of the SR 248. We can't see how a decision could be made to assist a private project with taxpayers funds and without a concrete plan and further review. This is irresponsible and comes at the cost of the entire community.

In addition to the points above there are additional Terms in the current proposal that exclusively benefit Deer Valley including:

a. 30,000 square feet of new buildable square footage at Silver Lake

b. a promise not to subject Deer Valley to current code and LMC amendments regarding bonus density and support commercial **(if understand correctly this is wrong and irresponsible)**

c. a commitment to amend the LMC with respect to soils if it means saving DV money on potential toxic soils remediation around Snow Park **(if understood correctly this is not only irresponsible but shows that the Park City Government is making decisions that could place community members at risk and open the Park City Government and Taxpayers to future liability).**

Please note that this letter is not intended to be confrontational, but we ask that all details of this letter be reviewed and placed into **"Public Record"** prior to any votes on this project. We are a supportive community, but this decision seems to be rushed to meet deadlines and clearly has liability and high risk for the community. In addition, there are currently no clear and defined details on the project that support the enhancement of the community and protect our rights as taxpayers. There are more unanswered questions now than there were a few months ago and the new terms do more to negatively impact the community than they do to support the community. We ask you to delay any votes of approval until further work is done to assess the costs and impacts to the community. This decision will impact the value, safety and enjoyment of our community for the future.

Thanks

Bristlecone Homeowners Association

Contact: Jason Horst (jasonhorst11@gmail.com), Stefen Gustafson (gustafson@nautilusgeneral.com) or Cameron McCulloch

From: planning
To: Rebecca Ward; Alexandra Ananth
Subject: FW: Deer Valley Right-of-Way Vacation Dec 14, 2023 Hearing Comments and Opposition
Date: Wednesday, December 13, 2023 8:51:24 AM

From: David Jimenez <david@jimenezlawyers.com>
Sent: Tuesday, December 12, 2023 4:39 PM
To: Council_Mail <Council_Mail@parkcity.org>
Cc: planning <planning@parkcity.org>
Subject: [External] Deer Valley Right-of-Way Vacation Dec 14, 2023 Hearing Comments and Opposition

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To the Council and Planning Commission:
This is in response to the December 14, 2023, Agenda, Item No 1 under Old Business re the Deer Valley Right-of-Way Vacation,

1. The Letter of Intent (LOI) (and the LOI Resolution) is MEANINGLESS. By definition, an LOI is not binding and creates no obligations whatsoever. Deer Valley is not agreeing to anything. The last paragraph of the proposed LOI, states:

"PCMC and DVR acknowledge and agree that this Letter is a statement of the parties' intent to negotiate and complete a PPPA on the basis set forth in this Letter and **neither party will be contractually bound to the other**, until they have each executed and delivered to the other the mutually acceptable definitive PPPA. **This Letter is neither an agreement of the parties nor an offer to enter into an agreement, and this Letter neither creates nor imposes any legal or equitable obligations on either party** before the execution of the PPPA."(**Bold emphasis** added)

The public needs to know that **there is no binding commitment**, and yet in listening to the comments made at the December 5 meeting, several Council members and some members of the public are basing their decision to support on this DVR “promise”. Yet, the LOI and the draft Resolution and proposed Ordinance do not contain a binding commitment.

2. Comments following the City's argument on Dec. 5, 2023, that a right of way cannot be sold and has no value. DVR is offering $15 million without being asked, so we know the ROW has significant value. It's misleading to argue the ROW has no value because the land on which the ROW sits cannot be sold. That's comparing apples to oranges. Every lawyer who

completed real property law in the first year of law school knows that a "property interest" has value. Easements and rights of way are all tangible property interests and have value. The City's lawyer and manager are not being objective here.

3. The claim that "good cause" is a legislative decision is legal mumbo jumbo and designed to undermine and suppress public criticism that is contrary to the Council's views. While an appellate court when reviewing a "legislative decision" will give deference to a city council's determination, that doesn't mean the Council can do whatever it wants or unilaterally define what is good cause. "Broad discretion" cannot ignore or supplant the Council's duty under the Utah Code. Yet, that was the argument put forth by the City attorney on December 5 – to state it is council that will decide what is good cause even if you have a legitimate opposing view. The City's obligation is clear under the UTAH CODE that states there is a two-fold requirement (1) finding of good cause AND (2) neither a PUBLIC INTEREST nor "any person" will be materially injured by the vacation. If a single person is materially injured, then the requirement is not met.

4. The Draft Ordinance ignores the many public comments about the impact on the public interest and it does not give any deference to the individual complaints of the loss of the use of the right of way or the complaints from increased and changing traffic patterns. There have been public comments about the unknown extent of the taking of land to support the development that directly results from the ROW vacation. Any loss of use or land is a material injury to a person's property interest. Yet the Ordinance states just the opposite and claims no one has made a claim of injury. You have not listened to the public comments.

5. The Draft Ordinance does not support certain Recitals and the "Good Cause" statement is MISLEADING because it is not supported. The Ordinance states as point no. 1 of Good Cause "*Petitioners provided valuable consideration in the form of $15,000,000 dollars to Park City, for the purposes detailed herein*." This is misleading because:

A. DVR has <u>not</u> provided ANY consideration and it also has not made a binding promise to provide any money to Park City.

B. It is written in the past or present tense as if the money was paid. This is an expectation. In basic contract law – it is a failure of consideration. **It's an empty promise**. If DVR refuses pay or sign a final agreement, the City has no ability to enforce it.

C. DVR's obligations for the $15 million is not addressed in the draft LOI, LOI Resolution or Ordinance.

We cannot be present and traveling the day of the meeting.

We oppose both the **current** ROW vacation and the non-binding LOI and current draft Ordinance. There is no reason to rush into any decision.

McNamara, Owners, In The Trees
Zip Code 84060

From: planning
To: Rebecca Ward; Alexandra Ananth
Subject: FW: Snow Park ROW
Date: Wednesday, December 13, 2023 12:04:30 PM

From: Rich Havel <richhavel@outlook.com>
Sent: Wednesday, December 13, 2023 12:00 PM
To: planning <planning@parkcity.org>
Subject: [External] Snow Park ROW

Warning: Replies to this message will go to richhavel@outlook.com. If you are unsure this is correct please contact the helpdesk.

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TO PARK CITY CITY COUNCIL:

I urge the City Council to approve the ROW requested by DV for the Snow Park project. (please include this in the official record)

Generally I am not pro-development for its own sake, and respect the obligation of public officials to protect the public's interests. Here, I believe the Snow Park development is unique in that the community at large has an interest in its success. DV has been a long term member of this community and we all know it is one of the two most prominent economic and recreational partners with Park City. A world class expansion of the vacant parking lot will enhance the image and long term prestige of Park City.

Some considerations in support of the ROW:

First, the ROW as a business and public use issue makes sense and seems to meet important needs of DV and general public. There will be drop off and turnaround at both the west and east ends of Deer Valley Dr. and Doe Pass provides a route to circumnavigate the valley. The City Council in its LOI has obtained important agreements and concessions that relate to the ROW and the overall good of the

community. The one issue that I ask you to monitor is the impact on traffic. The city should have remedies if there is persistent and extensive gridlock on the new Deer Valley Drive.

Second, Much of the opposition is based on the claim that the ROW was not part of the permit in 1977. This is not a realistic opposition. After more than 45 years it is inevitable that clarifications, modifications and even changes would be required for any development of this size and complexity.

Third, I accept the development will include changes that may be inconvenient or even harmful to one or more constituents. But this can be overshadowed by the cumulative benefits to be realized by the majority. I do not think it is wise to sacrifice the good for the sake of the perfect.

Fourth, Recent opposition suggests you are moving too fast. They ask for information and transparency. I do not think this is necessary or advisable. When you are at the stage of negotiating it cannot be done in the open forum. It will only prompt demands for more and more information and more and more delays.

Fifth, There have been multiple hearings with extensive input from interested parties, opponents and supporters. This was an important part of the approval process. However, at some point the planning commission and city council who have extensive experience, serve broader interests and have important responsibilities should take the lead. You are best situated to balance the legal, economic, environmental and governmental issues for the valley and the broader community.

Richard Havel
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December 13, 2023

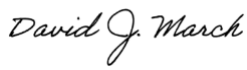
Honorable Mayor and Councilors,

I wanted to share my endorsement for the Deer Valley Snow Park village project. As a Park City resident and community partner since 2000, and as a former board member of the Park City Chamber and Visitors Bureau, I believe that this project will enhance the experience for our locals and visitors alike.

Deer Valley has a proven commitment level of world-class operations and community integration, and this proposed development plan should continue in that regard. Knowing this, I believe that the partnership between Deer Valley and Park City Municipal Corporation will allow for a positive outcome at Snow Park.

I endorse this project.

Thank You,



Dave March

From: planning
To: Alexandra Ananth; Rebecca Ward
Subject: FW: [External] Deer Valley Road Vacation
Date: Thursday, December 14, 2023 9:10:25 AM

From: Adam Himoff <ahimoff@gmail.com>
Sent: Thursday, December 14, 2023 8:59 AM
To: planning <planning@parkcity.org>
Subject: [External] Deer Valley Road Vacation

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Dear Council and Mayor Worel,

I am on the Board of the Kimball Art Center, and your approval of the road vacation will be a vital step towards keeping Park City's economy strong, improving our quality of life, and ensuring world-renowned amenities to support Park City's ability to welcome the world in 2034.

In the midst of increasing competition regionally and nationally, The Kimball Art Center is eager to ensure that Park City remains a market leader in the recreation arena as well as in the cultural arena. It is essential that Park City continues to foster smart growth by building thoughtfully with community input. A strong example would be the recent feasibility studies that demonstrated clear public support of art and culture through the construction of a new Kimball Art Center. We believe that the future work of partnering with the Council to create a new home for the Kimball Art Center will exemplify this type of work.

Up for a vote this week, developing a state-of-the-art transit facility and reducing parking spaces are significant parts of the agreement and address resident concerns related to increased traffic in the area. The $15 million investment towards creating a regionally substantial transportation, parking facility, and affordable housing is a big win for the community.

There is no debate that visitors contribute heavily to Park City's economy and quality of life. Approximately 75% of the City's operating fund is paid for by visitors, contributing 75 cents of every dollar. The City has a deep-rooted interest in keeping our tourism industry vibrant – to help pay for everything residents enjoy, from our parks, pathways, sidewalks, trails, recreational amenities, transit, and police.

Without the road vacation, we will most likely get a more dense, less attractive, less accessible development that most likely will not include a transit hub or other community amenities.

Thank you for your hard work in negotiating a good deal for Park City and the community. Your bold vision

will certainly set the stage for future success in Park City. Please support Deer Valley's desire (and significant financial investment in our community) to improve our town and create a base area that will enhance the services and amenities we offer guests and our residents.

Sincerely,

Adam Himoff

Board Member, Kimball Art Center

From: planning
To: Rebecca Ward; Alexandra Ananth
Subject: FW: [External] Deer Valley ROW Vacation Petition, Letter of Intent, PPPA
Date: Thursday, December 14, 2023 9:15:23 AM

From: Allison Kitching <allison_kitching@mac.com>
Sent: Thursday, December 14, 2023 1:00 AM
To: Council_Mail <Council_Mail@parkcity.org>; planning <planning@parkcity.org>; Nann Worel <nann.worel@parkcity.org>; Jeremy Rubell <jeremy.rubell@parkcity.org>; max.donilney@parkcity.org; Tana Toly <tana.toly@parkcity.org>; Becca Gerber <becca.gerber@parkcity.org>; Ryan Dickey <ryan.dickey@parkcity.org>
Subject: [External] Deer Valley ROW Vacation Petition, Letter of Intent, PPPA

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Please make these comments a part of Public Record.

December 11, 2023
Dear Mayor Worel and City Councilors,
I respectfully request our City Councilors vote no on the pending ROW vacation petition.
On November 30th, our elected officials working on the Deer Valley ROW vacation petition announced a negotiated Public Private Partnership Agreement with Deer Valley. Two of the highly publicized items in the PPPA include Deer Valley contributing 15 million to satisfy a reasonable compensation exchange for the ROW vacation and a 20% reduction in day skier parking. Alarmingly, there is only a letter of intent supporting the PPPA. The letter of intent outlines the current mutual intentions and understandings of Park City and Deer Valley but it is not legally binding on either side. This letter of intent does not satisfy the obligation our city leaders have to our community to secure a reasonable exchange of compensation. Our community requests our leaders secure an actual 15 million dollar payment from Deer Valley to Park City now in order to fulfill a reasonable compensation exchange.
Exhibit B from the December 14 agenda packet states Deer Valley currently has 1,700 day skier parking stalls. This is incorrect. Currently Deer Valley has 1,482 day skier parking stalls as stated in the Fehr Peers report and prior agenda packets. A 20% reduction in day skier parking would be 1,185 day skier parking stalls vs the 1,360 day skier stalls Deer Valley is proposing. 1,360 day skier stalls represents an 8.23% reduction vs the 20% reduction negotiated and announced. I request our city leadership hold Deer Valley to their promise of a 20% reduction in day parking which would be 1,185 day skier parking stalls.
The PPPA announcement prior to the final City Council vote on the ROW vacation petition has the

effect of tipping the scales. Our City Councilors are being asked to vote independently on the ROW vacation while their employer, Park City, has announced a PPPA with Deer Valley. There is now significant pressure on our City Councilors to support the PPPA vs supporting the needs of community members in 84060.

At the November 30th meeting our community first learned our elected officials designated to represent our community on the ROW vacation petition spent months partnering with Deer Valley to help unlock what terms Park City may deem potential good cause for the pending ROW vacation petition. The community does not support the ROW vacation petition so why did our elected officials designated to work on this issue choose this path? June 15th was the last time our community heard an update on the status of the ROW vacation petition conversations. We were kept in the dark for 5 months. Our elected officials prior to June 15th made efforts to be inclusive and transparent with our community. I was disappointed to learn the most important period in this application process was kept a secret. For future decisions of this significance, please know transparency is sharing what is happening with an application promptly.

The loss of transparency on the ROW vacation petition over the last few months lead to our community feeling blindsided by the PPPA announced on November 30th. In real time at the meeting our leaders designated to work on this issue seemed genuinely surprised our community was not grateful for the deal. Our elected leaders should not allow Deer Valley to expand outside of their entitled development footprint. This critical section of road is of significant utility for pedestrian use, cycling and convenient skier and day care drop-off and pick-up. This road is an integral part of daily life in our neighborhood.

We are setting precedent with this ROW vacation petition decision and other developers are waiting to see what happens.

Questions:

1. 1. Why wasn't the ROW vacation petition voted on last year or early this year when it was clear our community supported Deer Valley's existing development rights but not the ROW vacation petition?
2. 2. If Deer Valley did not offer good cause with their ROW vacation petition from the start, why did our city officials feel obligated to continue to partner with Deer Valley to search for potential good cause?
3. 3. If the ROW vacation petition is denied, are there alternative courses of action on the table being discussed with Deer Valley that could potentially be worse for Park City? If so, please share those details with the community. We deserve to know why it appears we are on the verge of granting Deer Valley a larger contiguous footprint for their development without good cause.

Finally, I am reiterating my request for our City Council to vote no on the ROW vacation petition. I support the existing development rights of Deer Valley and nothing more.

Sincerely,

Allison Kitching

From: planning
To: Alexandra Ananth; Rebecca Ward
Subject: FW: [External] Deer Valley ROW Vacation Petition, Proposed PPPA, LOI and Potential Vote
Date: Thursday, December 14, 2023 9:19:04 AM

From: Allison Keenan <allisondkeenan@aol.com>
Sent: Wednesday, December 13, 2023 5:31 PM
To: Council_Mail <Council_Mail@parkcity.org>; planning <planning@parkcity.org>; Nann Worel <nann.worel@parkcity.org>; Jeremy Rubell <jeremy.rubell@parkcity.org>; Max Doilney <max.doilney@parkcity.org>; Tana Toly <tana.toly@parkcity.org>; Becca Gerber <becca.gerber@parkcity.org>
Subject: [External] Deer Valley ROW Vacation Petition, Proposed PPPA, LOI and Potential Vote

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Please make these comments a part of the Public Record.

December 13, 2023

Dear Mayor Worel and City Councilors,

Thank you for your time and consideration. I am writing to specifically comment on items presented at the December 5 City Council meeting and items included as part of the December 14 packet related to the Deer Valley ROW Vacation Petition. I support the development of the Snow Park Base Village as entitled. Based on the proposed plans and the new information provided including the LOI and PPPA, I implore you to delay a vote or vote NO on the ROW vacation.

City Council Staff Report, Deer Valley Right-of-Way Vacation Petition Regarding a Portion of Deer Valley Drive at Snow Park Village, Date: December 14, 2023

In the City Council Staff Report, “John Robertson, the City Engineer confirms the following: Upon evaluating the exchange of replacement right-of-way, the retention of existing public utility easements and required new utility easements, and the Streets Master Plan, the City Engineer determined the proposed area of the right-of-way vacation to no longer have significant utility to the City.”

Per Resolution 8-98, (d) Utility of existing right of way, “The City shall typically dispose of a public right of way *only when the right of way is no longer of significant utility to the City*.” The proposed area of ROW vacation currently has significant utility to the City. It is 2.6 acres of land that is regularly used by transit, vehicles, bikes and pedestrians. The current transit drop-off and City electric bike sharing location are

located in this area, as well as the current pedestrian and bicycle paths which are widely used. City staff has commented that this drop off is closer than the proposed drop off which encourages transit usage. A ROW may be replaced with the dedication of a new ROW. The ROW Vacation Petition from January 2022 seeks to dedicate public ROW along Doe Pass Road. The proposed Ordinance Vacating a Portion of Deer Valley Drive reads, “At the time of recording the Final Plat, *Deer Valley shall grant permanent access rights to Park City over Doe Pass Road*.” This is not a dedication or exchange of replacement right of way. This needs to be clarified before the City Council can vote on the ROW vacation.

Exhibit A: Applicant’s ROW Vacation Petition

The ROW Vacation Petition from January 2022 is included as an exhibit. The ROW Vacation Petition was initially filed in September 2021 and revised in January 2022 with updated maps and legal descriptions. Per the September 21 petition, as required by Utah Code, owners directly adjacent or within 300 feet of the vacation area were notified. The only owners that consented to the vacation were Deer Valley and Alterra. No other owner signed in favor of or consented to the vacation.

Exhibit B: Frequently Asked Questions

Good Cause - As noted Good Cause is defined by the City’s LMC as “Providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community.” The current MPD application and ROW vacation petition do not meet these criteria. Sam Brothwell, Nordic Village HOA President, addressed this in his spoken comments at the July 6, 2023 public hearing.

Resolution 8-98 provides City Council with a general framework “to help make their legislative decisions regarding right-of-way vacation requests.” Many residents have spoken at public hearings and written to Council detailing the reasons why the current ROW vacation petition does not satisfy this framework. The City Council may have broad discretion, but they also have a duty to represent their constituents and adhere to code.

Development Density – Deer Valley is limited to 209.75 unit equivalents per the MPD, but the right of way vacation increases the development footprint. The original site is 14.93 acres. The new proposed site with the ROW vacation is 17.53 acres. That is an increase in the site footprint of over 17%. In addition, without the ROW vacation, Deer Valley’s current proposal does not meet the 25-foot boundary setback requirements.

Proposed Private Public Partnership – “The Mayor and Council liaisons negotiated $15 million to satisfy a reasonable compensation exchange.” This is not reasonable as outlined below in my comments on the PPPA LOI.

Use of $15 Million – The funds will be used for a “regionally significant transportation and parking facility.” A park and ride will be created for day skiers and visitors from outside of 84060 and will be beneficial for future large-scale events such as the Olympics. Traffic mitigation related to park and rides is beneficial. However, there are no specifics. Additional details must provided before City Council can vote. Will the funds be used for a new parking facility, or will they be used to optimize current amenities such as Richardson Flats? Will there be a direct connection to highway 40? Will there be regular express transit routes to the resorts? The September 22, 2021 staff report noted that “for transit to be competitive, it needs to be faster, easier and less expensive.”

20% reduction in day skier parking - The 1,700 day skier parking spaces on peak days noted in the FAQs is incorrect. Both the Fehr and Peers report and prior agenda packets read as follows: “Deer Valley currently has **1,340** existing parking stalls in the surface parking lots north and south of Does Pass Road.

With the addition of approximately 142 on-street parking stalls, this equates to **1,482** day skier and employee parking stalls today." (Please refer to the December 19, 2022 Planning Commission agenda packet and table provided by the Applicant on page 21.) Limiting day skier parking to 1,360 stalls in the future is only a 9.2% reduction from current parking on peak days. In addition, the current 1,482 stalls include both day skier and employee parking stalls so the reduction in day skier parking is even less. Numbers and data about traffic mitigation must be accurate for the City Council to make an informed decision.

Public Infrastructure District – This is a tax benefit for Deer Valley. Park City Municipal would create the PID allowing Deer Valley, the landowner, to impose an additional property tax on the Snow Park property. The PID then gets to use this money (additional property tax from Deer Valley) to issue municipal bonds. The proceeds from these bonds are used for infrastructure improvements at Snow Park. Deer Valley receives a tax benefit which is used to fund Deer Valley's infrastructure at Snow Park. This directly benefits Deer Valley Resort.

Emergency Access – In the September 22, 2021 Planning Commission meeting packet, "staff is concerned that the proposed circulation path hinders emergency response access and response time, particularly during peak traffic times." City staff noted that "the City's emergency response departments and some Commissioners had concerns with the proposed dead-end roads." Deer Valley addressed preliminary concerns, but the March 6, 2023 letter from the Park City Fire District Battalion Chief "accepts the overall project as designed with the following comments". There are 6 caveats required. Expedient emergency access through new neighborhood control gates and across the new plaza/ski beach to access critically injured individuals has been questioned for over 2 years. This must be addressed before the City Council can render a decision on the ROW vacation.

New Traffic Study Required – As noted in the August 25, 2021 Planning Commission meeting packet, "Deer Valley is proposing significant changes to existing traffic patterns in the Lower Deer Valley neighborhood and is effectively creating 2 dead end roads." The City asserts that the 2020 traffic study prepared by Fehr and Peers and reviewed by WCG meets or exceeds the standard required by the MPD application. Yet, significant underlying factors have changed since 2020 and the City is still working to evaluate downstream traffic impacts. The PPP includes a revised MPD with gondola access to the Mayflower base. An expanded Deer Valley resort was announced in August 2023. City reports note population growth of 7% annually. Per Code Section 15-6-6(P), the MPD must address and mitigate traffic. This is not possible without having an accurate baseline for current traffic. The PPP should include the requirement for a new independent traffic study with car counts and queue measuring during summer, winter and special events, and downstream impacts as a part of the Snow Park mitigation plans.

Traffic Signals – The FAQs say traffic signals are likely required at the Y intersection and Doe Pass Road. On page 44 of the Fehr and Peers Analysis, it reads, "Park City has a longstanding position of not mitigating certain deficient intersections within its boundaries." The City has consistently not added lanes or traffic lights at intersections even when indicated. Traffic signals are not in keeping with the neighborhood. A signal is recommended at the Y intersection. Yet, as noted by John Robertson, City Engineer, a roundabout is also possible. A traffic signal is not required at Doe Pass Road. It is proposed for transit preemption as noted on page 12 of the Fehr Peers November 2022 Analysis and as noted in the January 18, 2023 Planning Staff Report. Per the October 27, 2021 Planning Commission Work Session Staff Report, "Currently, the City does not own or maintain any traffic signals within its boundaries and the City will require an annual contribution to cover software fees and staffing for maintenance and programming of such traffic signals."

Alternate Transportation Plans – "Transportation and circulation concepts will continue to be reviewed, analyzed, and subject to City and public scrutiny provided the MPD application returns to the Planning Commission." Park City Resolution 8-98 clearly defines criteria that must be reviewed when determining neighborhood compatibility such as traffic impacts, emergency vehicle access, internal circulation, parking, landscaping, usable open space, mitigation of noise and vibrations, etc. Without detailed plans, the City Council cannot make an informed decision on the ROW vacation. Specific criteria must be included in the PPPA or the Council must vote NO on the ROW vacation.

Easements/Land from HOAs – According to the FAQS, “Deer Valley has not proposed to develop on land belonging to HOAs.” Yet the most recent plans from Deer Valley show easements needed in order to create three 11-foot-wide travel lanes plus a 12-foot multi-use path. Deer Valley’s Road Widening Exhibit dated January 3, 2023 clearly outlines in red easements needed from Fawngrove, Bristlecone, PCFD Station No 38, Aspen Wood and In The Trees in order to accommodate a 12 foot multi-use path. An easement is also required from Pinnacle HOA to reconfigure the Y intersection. Jake Romney’s letter to Planning dated January 9, 2023, #17 reads, “Additional City right of way would be needed if the City were to choose to have 12-foot-wide sidewalks around the entire loop… while there are options within the existing right of way, some taking of strips of land would be needed from some landowners... Because of the impacts on adjoining owners, it may be preferable to have the sidewalk width vary.” Multiple Planning Commission Staff reports note the desire for a 12-foot multi-use path around the entire loop. This cannot be achieved without the easements as detailed in the current plans.

Public Private Partnership Agreement LOI

The terms of the PPPA LOI were just disclosed to the community, as well as the City Councilors who were not part of the negotiations. The LOI for the PPPA is a non-binding initial step. However, it must include detailed terms. Specific terms that are beneficial for Deer Valley discount the $15 million as consideration. Terms should be added to the PPPA LOI specifying additional mitigations required. The City Council should delay a vote until the PPPA LOI has been revised.

The contribution of “$15,000,000 to PCMC for a regional, off-site parking and transportation facility, intended to be located near SR 248” is vague. And in fact, the LOI later notes that *“s*econdary uses may be considered *if a regional transportation facility is not feasible.”* The City Council simply cannot vote on the ROW vacation when the consideration of $15 million is for something that may not even be feasible.

In terms of the matching funds to be contributed by PCMC, is $15 million currently available? Were these funds previously earmarked for something else? This should be disclosed in a transparent process and taxpayer funds should be optimized.

Per the terms, the “pre-approved transportation facility near SR 248 must have either (i) a minimum of 900 parking spaces in a parking structure and a minimum of fifty affordable housing beds, or (ii) a minimum of 900 surface parking spaces and a minimum of one-hundred affordable housing beds.” No preliminary budgets or details have been provided. Costs for surface 900 surface spaces $12,000 equals $10.8 million plus 100 beds at $217,000 equals $21.7 million. That is an estimated cost of $32.5 million. Covered parking is much more expensive. To ensure there will be adequate funds, a preliminary budget and timeline should be disclosed before entering into the PPPA LOI.

The LOI notes “the PPPA will address long-term peak day mitigation strategies; long-term partnership commitments and procedures to insure adequate express service for visitors and employes; and future adaptability.” There are no details on how any of this will be achieved. Who will pay for adequate express transit service? Will this include Deer Valley dedicated buses or another form of transit? This needs to be disclosed and included in the LOI.

The $15 million from Deer Valley will only be used for capital costs. “Deer Valley will not be obligated for future operating costs.” Who will pay for future operating costs? Will this be funded by City taxpayers? This too needs to be disclosed.

Per the LOI, “Contributions shall be made annually to meet anticipated construction cost demands.” Deer Valley may not have to contribute much if anything for a couple of years. The management committee (DV and PCMC) must approve a project location, submit plans and get permits before construction can commence. The PPPA should include a funding timeline requesting at least $5 million from Deer Valley up front as an act of good faith. These funds can be placed into an interest-bearing account for use toward the project.

Under Mitigation in the LOI, DVR would amend the current MPD permit and CUP application. Specific terms should be revised and clarified. As noted above, 1,360 day skier parking stalls is not an adequate reduction or mitigation. This number should be revised. The perpetual public access rights to Doe Pass

should be clarified.

Additional terms should be added to the LOI:

1) As part of the submission of the amended MPD and CUP application, a new traffic study should be required as part of the updated Snow Park mitigation plans.

2) As noted in the March 15, 2022 Joint Meeting packet, “If the MPD is approved, staff recommends consideration of a shuttle service for the surrounding neighborhoods to the Resort during ski season, similar to the shuttle requirement in the Flagstaff/Empire Pass MPD.” This should be mandatory.

3) Some affordable housing should be required at the Snow Park base for employees who work overnight or are needed on an on-call basis.

Specific terms outlined in the LOI specifically benefit Deer Valley:

1) “Exhibit 2 to the MPD shall include up to 15,000 additional square feet for maintenance facilities and up to 15,000 additional square feet for restaurant/ commercial facilities for use at Silver Lake Lodge, which will support use of the gondola.” Deer Valley is receiving an additional 30,000 square feet to develop at Silver Lake which is not part of the current MPD. 15,000 square feet may be used for restaurant and commercial space. This is a huge economic benefit to Deer Valley who has already developed all of their Silver Lake Lodge Commercial and Support Space.

2) The PID provides a tax benefit to Deer Valley. Contributions to the PID via property taxes paid by Deer Valley reduce Deer Valley’s taxable income.

3) “If soil removal results from environmental/mining activities, Park City will use reasonable efforts to support DVR mitigation plans to minimize off-site hauling, including exploring a potential code amendment to reduce impacts or to facilitate efficient and safe development.”

4) Support Commercial will be based on 2022 LMC. Per the current Deer Valley Resort 12th Amended and Restated Large Scale MPD Permit, H. Commercial Space, Support Commercial and Meeting Space, “In addition to the Exhibit 2 Commercial Space permitted in the Project, Support Commercial shall be permitted and used as defined in the Code, as amended, at the time of the application.” If the definition of support commercial in the LMC becomes more restrictive, this will not apply to Deer Valley’s application.

The ROW to be vacated is currently of significant utility to the City. The current MPD application and ROW vacation petition do not meet good cause or align with the framework established for legislative decisions by Resolution 8-98. $15 million is not adequate consideration and additional details must be provided on the PPPA. Deer Valley will receive substantial economic benefits from the ROW Vacation. The terms of the current LOI augment the economic benefits to be reaped by Deer Valley. The LOI must be amended to include specific, measurable, detailed mitigations. At this time, the City Council must delay the vote or vote NO on the ROW vacation.

Sincerely,

Allison D Keenan

From: planning
To: Alexandra Ananth; Rebecca Ward
Subject: FW: [External] Letter in support of the Deer Valley road vacation
Date: Thursday, December 14, 2023 9:18:08 AM

From: Jaimie Mitchell <jaimie.mitchell@kimballartcenter.org>
Sent: Wednesday, December 13, 2023 5:13 PM
To: planning <planning@parkcity.org>
Subject: [External] Letter in support of the Deer Valley road vacation

Warning: Replies to this message will go to jaimie.mitchell@kimballartcenter.org. If you are unsure this is correct please contact the helpdesk.

[CAUTION] This is an external email.

Dear Park City Council and Mayor Worel,

My name is Jaimie Mitchell and I reside in 84060. I am on the staff of the Kimball Art Center, and feel that your approval of the Deer Valley road vacation will be a vital step towards keeping Park City's economy strong and improving our overall quality of life. Working with Kimball Art Center to accomplish our permanent home in the future is another way to come together. After the recent feasibility studies have demonstrated clear public support of art and culture, we look forward to working with the future council to make this support a reality.

There is no debate that visitors contribute heavily to Park City's economy and quality of life. Approximately 75% of the City's operating fund is paid for by visitors, contributing 75 cents of every dollar. The City has a deep-rooted interest in keeping our tourism industry vibrant – to help pay for everything residents enjoy, from our parks, pathways, sidewalks, trails, recreational amenities, transit, and police.

Without the road vacation, we will most likely get a more dense, less attractive, less accessible development that most likely will not include a transit hub or other community amenities.

Thank you for your hard work in negotiating a good deal for Park City and the community. Please support Deer Valley's desire (and significant financial investment in our community) to improve our town and create a base area that will enhance the services and amenities we offer guests and our residents.

Sincerely,

Jaimie
435-640-1042

Jaimie Mitchell *(she, her)*
Development Specialist
435-649-8882 ext. 1007

1251 Kearns Boulevard
Park City, UT 84060
kimballartcenter.org

Kimball Art Center inspires, educates, and connects through art by offering exhibitions, classes, and events to Park City residents and visitors.

Become a member today and provide critical support for Kimball Art Center's education programs and exhibitions while enjoying exclusive members-only perks!

From: planning
To: Alexandra Ananth; Rebecca Ward
Subject: FW: [External] Road vacation
Date: Thursday, December 14, 2023 10:51:17 AM

From: Ellen Frank <ellen@healthrhythms.com>
Sent: Thursday, December 14, 2023 10:50 AM
To: planning <planning@parkcity.org>
Subject: [External] Road vacation

Warning: Replies to this message will go to ellen@healthrhythms.com. If you are unsure this is correct please contact the helpdesk.

[CAUTION] This is an external email.

To the Park City Council and Mayor Worel,

I am a member of the Board of the Kimball Art Center, and want to indicate that your approval of the road vacation will be a vital step towards keeping Park City's economy strong, improving our quality of life, and ensuring world-renowned amenities to support Park City's competitive and ready to welcome the world in 2034. As I've indicated at previous Council meetings, working with Kimball Art Center to bring about our permanent home is another way we will come together. Since the recent feasibility studies have demonstrated clear public support of art and culture through Kimball Art Center, we look forward to working with the future council to make this support of a home for us a reality.

Building thoughtfully with community input is how the Kimball Art Center will move forward. Competition – both regionally and nationally –in the cultural arena as well as in the recreation arena is increasingly fierce and we must adapt and allow for sustainable growth.

Up for a vote this week, developing a state-of-the-art transit facility and reducing parking spaces are significant parts of the agreement and address resident concerns related to increased traffic in the area. The $15 million investment towards creating a regionally substantial transportation, parking facility, and affordable housing is a big win for the community.

There is no debate that visitors contribute heavily to Park City's economy and quality of life. Approximately 75% of the City's operating fund is paid for by visitors, contributing 75 cents of every dollar. The City has a deep-rooted interest in keeping our tourism industry vibrant – to help pay for everything residents enjoy, from our parks, pathways, sidewalks, trails, recreational amenities, transit, and police.

Without the road vacation, we will most likely get a more dense, less attractive, less accessible development that most likely will not include a transit hub or other community amenities.

Thank you for your hard work in negotiating a good deal for Park City and the community. Your bold vision will certainly set the stage for future success in Park City. Please support Deer Valley's desire (and significant financial investment in our community) to improve our town and create a base area that will enhance the services and amenities we offer guests and our residents.

Sincerely yours,
Ellen Frank
3333 Meadows Drive
Park City, UT 84060

--

Ellen Frank, PhD
Chief Scientific Officer
ellen@healthrhythms.com
+1-412-327-0664

From: planning
To: Rebecca Ward; Alexandra Ananth
Subject: FW: [External] ROW Vacation - DV Improvements...
Date: Thursday, December 14, 2023 9:51:01 AM

From: jseelander@gmail.com <jseelander@gmail.com>
Sent: Thursday, December 14, 2023 9:48 AM
To: planning <planning@parkcity.org>; Council_Mail <Council_Mail@parkcity.org>
Cc: tbennett@deervalley.com
Subject: [External] ROW Vacation - DV Improvements...

Warning: Replies to this message will go to jseelander@gmail.com. If you are unsure this is correct please contact the helpdesk.

[CAUTION] This is an external email.

In 1986 I had the fortune of being introduced to Park City for our annual spring break ski trip. Our family immediately fell in love with all that Park City represented. Early years PCRM was our home mountain. Back then we could pull into the parking garage below the resort, ride the elevator up a couple floors and walk 50-100 steps to the ticket counter and the slopes. Most of the time without a cost for parking. How convenient that was.

Fast forward to 1992 when we purchased our next property in Lower Deer Valley, Deer Valley became our home mountain. Wow, the Deer Valley difference. We all know the many things that are part of that DV Difference, as I age and my knees deteriorate, I find one of the greatest differences is being dropped off, walking 30 steps to the carpenter lift and up the mountain I go. Sounds like limiting principles but it's becoming a fact for my old body. Without the loop, how will this experience change?

Listening to the testimony last week, I really believe that there is nothing wrong with the city granting the vacation of the road. The land belongs to DV, safety issues have been reviewed, and if DV wants to mess up the entry experience for their customers, they should be allowed to do so (hopefully they won't). I will miss those 30 steps to the slopes and so will many others.

It is time for that area to be developed.

It is time to make improvements to the parking lot. Walking from the end of the lot or waiting for the tram is a good experience but can be improved. Adding walking sidewalks, escalators, and other improvements will improve the parking experience.

Lastly, it is time to get ready for 2034. Let's build this project.

The transportation hub looks to be a well thought out improvement. But unanswered questions include, how many steps will it be from Grade 1 to Grad 4. Will it be stairs, escalators, or ramps. Will it be 30 steps or 400 steps to get to that first lift. Will my DV direct shuttle drop me at the transportation center or at the new loop that looks to remain 30 steps. If I'm being dropped off at the transportation hub, how will the DV Difference manifest to get me and my equipment to the slopes. Maybe sharing some of these answers will help those who are fighting for the loop feel better.

I look forward to progress and hope these access issues have been well thought out. Each year I

venture out to our neighboring slopes. It's crazy to have to park on the highway in front of Snowbird because parking is full. Same for Brighton. It's always felt different at DV.

I wish DV success, I thank the city council, plan commission and all who have worked hard to vet this project. It is bound to be great for all.

Lastly, I too agree with several of last week's speakers, bring back BYOB to the concert series .
Happy skiing and thanks for reading this.

John Seelander

Queen Ester Owner

FREQUENTLY ASKED QUESTIONS

Supplemental

1. The ROW in question related to the front of Snow Park is only the street where the busses are allowed, it is not the larger area closer to the snow, as that area is privately owned and controlled by DVR.

2. DVR is generally not asking to "take away" the public access they provide across portions of their property (dedicated ROW). Instead, they are generally asking to move public access down to the North, or slide access down to Doe Pass Road instead. PCMC does not know if the future Doe Pass Road will allow 2-way general public (unrestricted) vehicular access, as that matter will be addressed by the Planning Commission.

3. Traffic lights are required around the current DV Loop in some locations, even in the current conditions based on traffic volumes (as allowed by DVR's entitlements) and intersection ratings.

4. Affordable/workforce housing as part of the proposed application and partnership is net new, 67.1 AUEs, which by current code is ~60,000sqft,. This does not come out of DVR's $15M funding commitment and a conversion of existing units to deed restricted units that are already being used as affordable/workforce housing by DVR do not count towards the ~60,000sqft.

5. Any land use application has the LMC (PCMC's Land Management Code) applied at the time of application. For example, DVR's application was submitted prior to the ongoing Pending Ordinance related to Support Commercial Uses within Master Planned Developments (MPDs); in other words, even if the recently proposed support use changes were adopted as-is, they would not apply to DVR's application for Snow Park.

6. The Planning Commission's review of the Snow Park MPD will include, but is not limited to:
    a. Traffic circulation meets city standards, including a new and enhanced Doe Pass Road;
    b. Access to a property may not be blocked (although it may be less convenient for some and more convenient for others as related to current conditions);
    c. The existing pedestrian, bike, and trail plans will be reviewed for compliance with city standards; and
    d. A parcel can't be landlocked per Utah Law, so the final circulation plan must also maintain access to all properties (who also have 3rd party easements for access over DVR private property in many cases).

7. The $15M DVR payment is matched up to that amount by PCMC to create a regional transportation facility near SR248:
    a. The City estimates the facility will far exceed $30M, and desires additional financial partners, although it is not required;
    b. Plans for a regional transportation facility near 248 have been considered an organizational priority for several years, and planning and analysis are underway;
    c. DVR's $15M payment will reduce PCMC's overall financial contribution in a regional facility;
    d. A future management committee must approve any spending outside of the pre-approved "near 248, 900+ spaces, 50/100 housing" clause with a majority vote; a tie means the spending request fails; and
    e. If the total cost of the regional parking facility is less than $30M, the remainder of the combined funds could be used towards the defined secondary use of housing, and requires approval of the management committee and the City.

8. The ROW Vacation request is contingent on future City Council actions and/or direction, including the PPPA, annual budgeting, and PID authorization:
    a. The final partnership agreement (based on the partnership terms/LOI) and requires additional vote(s), and includes several items such as:
        1. PID authorization process, including the amount of the PID;
        2. Transit route planning and "Express" transit services from a regional facility and future operational obligations, etc.;
        3. Contiguous gondola network from US40 area to Silver Lake and Snow Park areas;
        4. Definition of "affordable housing" regarding acceptable use of DVR's $15M funding;
        5. Aggressive construction mitigation planning to minimize truck trips and improve soil mitigation, including maintaining public access to the Snow Park area; and
        6. Aggressive neighborhood mitigation plans to minimize Snow Park visitation impact and construction impact overflow into abutting neighborhoods both during and after construction.

Contact Information: Planning@parkcity.org

City Council Staff Report

Subject: Dining Deck Update
Author: Jenny Diersen
Department: Special Events
Date: December 14, 2023
Type of Item: Administrative – Work Session

Recommendation

Review and discuss a program update regarding the existing Main Street Dining Deck program, and consider providing policy direction on the future of the program, including:

1. Operating Requirements;
2. Dining Deck Lease Costs; and
3. Potential disruptions due to public utility improvements on Main Street in 2024.

Executive Summary

The Main Street Dining Deck program began in 2010 with three participating restaurants. Since then, Council determined that up to 12 restaurants could participate in the program, creating a balance between adding vibrancy and private activation of public property with other competing needs such as public parking and maintenance.

While the number of decks has fluctuated annually, the most we have had at one time is 9. If we received a request to exceed the number of decks beyond 12, we would return to the City Council to review the program requirements. To date, that has not occurred.

City Council recently requested a programmatic debrief. This report specifically focuses on the following items:

1. Operating Requirements Per the Lease Agreement
    a. Coordination with Special Events and Drop Load and Staging (DLS) Zones
    b. Enforcement and fairness policies
    c. Two meal service requirements
2. Dining Deck Lease Costs
    a. Parking fee analysis and fee for use of Public Property
    b. Kimball Arts Festival fees and policy
3. Potential impacts of public utility improvements on Main Street during 2024

Background

Today, there are 48 restaurants and cafes on Main Street. Without the Dining Deck program, only 19 outdoor dining areas would exist on Main Street. The Dining Deck program increases outdoor dining options to 28 through late spring and early fall. After 13 years, the Dining Deck program is a successful partnership between local businesses and the City, creates community benefit, and provides additional vibrancy and culture to Main Street.

Like most programs involving Main Street, the Main Street Dining Deck Program requires considerable work and coordination among nine different city departments. Special Events leads the coordination to streamline the process for each participant and provide quality customer service.

Each department reviews various aspects of the decks for safety, health, and licensing requirements. Dining Deck design standards and street topography require a considerable financial investment from restaurant owners. The program is specific to outdoor dining (not retail).

The Planning Department issues Administrative Conditional Use Permits (ACUP) for outdoor dining specific to each restaurant. This runs with the land, which is a one-time requirement. The Council approves annual leases for the use of public property. A term of the ACUP notes, "*an annual review by the City Council, with input from the Planning Department, will be conducted each year. City Council may terminate or change the terms of this lease at that time*."

Analysis

Operating Requirements

The Operational Restrictions (**Exhibit A**) ensure compatibility with the Historic District Guidelines and are essential to the overall look and feel of Main Street and its vibrancy. Over the years, we have added conditions to the Operational Requirements in coordination with Special Events and the Drop Load and Staging program to reduce potential conflicts.

We received little to no concerns about these requirements in most years. Due to relaxed enforcement during the pandemic years, new restaurant owners and City staff have required additional education about the importance of programmatic requirements. Recently, we received concerns regarding compliance with the Operational Restrictions, and the Building Department has reinforced requirements with individual restaurants through proactive education.

All participants desire a predictable program and a level playing field. To date, no fines or closures have resulted due to violations of Operational Restrictions. If we continue to receive complaints, we may need heightened enforcement in the future.

In anticipation of this item, we discussed the program with the participants and the HPCA. Restaurants were supportive of continuing the program and agreed with its overall success. They agreed that the Operational Restrictions are a way to keep a level playing field between restaurants. The HPCA supported continuing the program with the current Operational Requirements and stressed the importance of having a two-meal minimum, except for Fletchers, since they utilize an easement on a City walkway, not a physical parking space on Main Street.

Dining Deck Lease Costs

Dining Deck lease fees have varied based on market conditions and are based on parking rates (**Table 1**). The cost is based on the number of parking spaces a deck displaces (linear feet of deck/20') and the foregone parking revenue. The fees shown below (**Table 2**) assume Dining Decks are operational based on the dates provided by each restaurant. Lease amounts are prorated based on the date when restaurants secure a permit. In addition, restaurants pay for Building Permits and Business Licensing fees. For reference, a Business License extension fee is generally $12 to $30, and a Building Permit fee is generally $150.

- At the program's inception, the HPCA and the City desired a balance between private activation of public space that benefits individual businesses and broader economic and community benefits. Participating merchants were initially concerned about high start-up costs and a lack of financial return. In return, the City kept fees low initially and gradually increased them as the program became more financially profitable.
- In 2019, the City Council created a standard fee for participating restaurants. The fee was 30% of the parking rate ($2,160/ 20 ft). Five years have passed since the standard fee was created, and parking fees have changed significantly. An analysis of fees is included in **Exhibit C**. With today's parking rates, the standard fee is 13% of potential parking fees, and the City Council is subsidizing the dining deck program by roughly $135,000 annually (parking revenue).
- When the program began in 2010, the Kimball Art Center (KAC) voiced concerns regarding lost booth rental revenue and fire lane requirements (estimated $36,000 total annual revenue loss). Restaurants were also concerned with relocating Dining Decks for the 3-day event (estimated $3,000 per restaurant). To balance these concerns, the Council allowed the KAC to charge a fee if the restaurants wanted to remain on the street. The City Council did not feel it was the City's role to manage this relationship, so the KAC works with program participants. If Dining Decks remained on the street, the KAC would actively promote and market these participants in their "Taste of Art" programming.
    - As of 2023, 8 of 9 Dining Decks remain on the street during the event, each charged $1,500. Bangkok Thai was not allowed to remain as the new owner informed the KAC too late after the event footprint had already been set. As the KAC wrapped up its 2023 season, they were able to work with Bangkok Thai to allow the deck to remain for future KAFs. The KAC estimates about $4,000 of annual revenue is lost to make the dining deck accommodations.
- On May 2, 2019 (minutes, p.10), the Council approved charging $2,160 per parking space to provide a consistent year-over-year fee instead of changing each year. Fees were calculated based on 30% of the maximum lost revenue per parking space (Parking Fee Schedule).
- During the pandemic, on April 30, 2020 (minutes p 6-7), Dining Decks were allowed to start up early, and fees were waived for one year to help promote physical distancing and support of Main Street small business owners.

Table 1

Year	Number of Participants:	Fee per Parking Space	Note
2010	3	$0	Free
2011	9	$300	Approx. 10% of estimated lost revenue.
2012 - 2014	9	$550	Approx. 20% of estimated lost revenue.
2015	7	$915	60% of $1,525 ($915): based on 2015 estimated lost revenue.
2016	8	$1,067.50	70% of $1,525 ($1,068): based on 2016 estimated lost revenue.

2017	7	$1,220	80% of $1,525 ($1,225): based on 2017 estimated lost revenue.
2018	6	$1,678	90% of $1,809 ($1,628): based on 2018 estimated lost revenue.
2019	7	$2,160	30% of $7,200 ($2,160): based on 2019 estimated parking revenue – standard fee.
2020	8	$0	Fees and operational restrictions were waived for one year only due to COVID-19.
2021	9	$2,160	Standard Fee
2022	9	$2,160	Standard Fee

Table 2

2023 Restaurants / 20' Parking Space	**Cost Standard Fee - $2,160/space**
Eating Establishment / 1.35 spaces	$2,916
Don Goyo / 1.2 space	$2,592
Flanagan's on Main / 1.24 spaces	$2,678.40
Shabu / 1.18 spaces	$840.42 *prorated
501 on Main / 1.0 spaces	$2,160
Kaneo / 1.25 spaces	$2,700
Main St. Pizza & Noodle / 1.56 spaces	$3,369.60
Bangkok Thai / 2 spaces	$4,320
Fletchers / 1.35 spaces (based on sq ft of space – this does not take parking spaces)	$2,916
Totals: 10.78 parking spaces	**$23,392.42**

Lease Timeline for 2024 – Main Street Improvements

Annually, Dining Decks can be installed beginning May 1. However, this year, our Streets and Water Departments have requested additional time (April to July) to complete critical spring infrastructure upgrades, including replacement of the water main line and laterals in Main Street from Heber Avenue to approximately Fifth Street and a Main Street micro seal coating. As a result, we propose:

- Restaurants south (uphill) of Fifth Street will be installed one month later, on June 1.
- Restaurants north (downhill) of Fifth Street will be installed from mid-June to mid-July.

We will work closely with departments and restaurants to get dining decks back installed soon as possible. Lease fees will be prorated accordingly. Finally, the Dining Deck program ends by October 30 each year to ensure they do not conflict with winter snow removal and hauling.

Policy Questions

City Council should consider the following policy questions:

1. Does the City Council desire to change the Standard Fee for the Dining Deck Lease? If yes, there are three options to consider.

1) Increase rates to reflect 30% of parking revenue based on the 2023 fee schedule (the new fee would be $5,078 per parking space). This would be re-evaluated every five years to maintain consistency for participants. This results in a subsidy of roughly $73,004 annually.
2) Increase rates to maintain a 30% cost recovery of parking revenue annually (the new fee this year would be $5,078 per parking space). If parking rates increase, dining deck fees should be adjusted accordingly. This would create less predictability compared to Alternative 1.
3) Consider a different cost recovery percentage, depending on the City Council's policy goal for private use of the public property and overall economic benefits.

2. Does the City Council want to continue allowing the KAC to charge Dining Deck participants during the Arts Festival (not to exceed $1,500 per restaurant)
    a. A change would require amending the KAC Service Agreement (p. 8, section 6.1.m.).

Funding

In 2023, the Dining Deck program brought in $24,290 in City Fees and remains a successful partnership between the HPCA, private property owners, local restaurants, and PCMC. Our fees include a Lease Fee (Parking Revenues), Business License Extension Fee, and Building Permits. The current subsidy of the dining deck program is estimated at $135,000 annually (parking revenue).

Exhibits

A Draft Operational Requirements
B Draft Dining Deck Lease
C Dining Deck Fee Analysis

Exhibit A – Street Dining Operational Restrictions

Street dining may be allowed by the Planning Department upon issuance of an Outdoor Dining Administrative Conditional Use Permit. Street dining is permitted beginning as early as April 28, and shall terminate on October 30th of each year. A total of twelve (12) street dining decks may be accommodated on Main Street based on the layout of the proposed decks. The Applicant must submit an application, pay an application fee, and provide all required materials and plans. Ongoing monitoring will be provided to ensure compliance with these parameters. The Administrative Conditional Use Permit or the Lease may be revoked for failure to comply with these restrictions.

Required Submittals:

- Dining Site Plan – This plan shall be to scale and indicate: the Applicant's building as it relates to the exact proximity of the street dining deck. The plan shall include accurate locations of proposed chairs, tables, umbrellas, planters, and any other existing public improvements (light fixtures, fire department connections, parking meters, etc.).

- Details/specifications sheets – Shall be submitted for each piece of equipment proposed with the street dining is application. This will include all tables, chairs, umbrellas, etc.

Design Standards:

1. Size. Street dining area shall be limited to the linear frontage a building has on Main Street and shall not exceed nine feet (9') in width. The encroachment of the proposed decks into street will not exceed seven feet, nine inches (7'-9") in width from the curb, as the encroachment of the proposed decks into the sidewalk will not exceed one foot three inches (1'-3"), unless approved by City Council. With the written permission of the adjacent property owner submitted to the City, they may extend into the neighbor's street frontage. Forty-four inches (44") of clear sidewalk width shall be available at all times where the street dining deck is being constructed. Each outdoor dining deck shall not exceed forty (40') feet in length.

2. Location/Proximity/Spacing. The City reserves the right to reject an application for an outdoor dining deck:

    - If the proposed deck is too close to a previously existing deck and would eliminate needed parallel parking along Main Street thus creating a concentrated parking issue.
    - If the proposed deck is for a restaurant that does not have direct access at street level.
    - If the proposed deck is for a business with existing outdoor dining space and the expansion of such is deemed excessive.

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- If the proposed deck creates too much private use of the public right-of-way that may be deemed detrimental to the health, safety, and welfare of the area.
- The Building, Planning, and Engineering Departments will review the location, proximity, and spacing of each street dining deck as well as impacts of traffic and public safety concerns. A recommendation will be given to the City Council for final review and approval.

3. Hours of Operation. The street dining decks shall be utilized for street dining and shall serve lunch and dinner seven (7) days a week for the duration that the decks are in the Right of Way. Lunch service shall start no later than 12:00 p.m. (noon).

4. Material. Street dining decks may be built of wood or metal platforms and shall have a solid base. The design of the base shall complement the style of the building. The railing shall be painted solid to also complement the building. While outdoor dining deck is not subject to a complete Historic District Design Review (HDDR), the guidelines are applicable to the project.

5. Height. The maximum height of the deck shall not exceed thirty-six inches (36") measured from existing grade to the base/floor of the deck at any given point. The layout of the deck may include a step to meet the maximum height allowed.

6. Advertising. Additional signing or advertising beyond what is allowed by the Park City Sign Code is prohibited.

7. Furniture. All tables and chairs shall be metal, wood, or other comparable material. Plastic furniture shall not be allowed. All furniture must be approved by the Planning Department per the historic district design review.

8. Umbrellas. Umbrellas must be free standing and are prohibited from extending beyond the dining area. Any umbrellas shall be affixed permanently to the deck as required by the International Building Code requirements (including fire standards) and shall not create any public hazard.

9. Lighting. No additional electric lighting is permitted, including exterior building lighting.

10. Planters. Any proposed landscaping or atmosphere pieces shall be reviewed at the time of initial application and shall not create any public hazard or unnecessary clutter. All plant material must be maintained in a manner that ensures their viability throughout the summer outdoor dining season.

11. Use. The use of the Premises shall not conflict with any previously existing Special Events on Main Street, specifically the Arts Fest ("Kimball Art Center"). The Kimball Art Center has been leased exclusive use of Main Street August 4-6, 2023. The Premises must be vacated (i.e., removal of decks) no later than 10:00 a.m. MT on Thursday, August 3, 2023, for the duration of Arts Fest (including set-up and breakdown) unless the Kimball Art Center consents in writing to allow Tenant's use of the Premises. If the outdoor dining structure is not removed as required, the Landlord will remove the structure at the Tenant's cost. The dates of

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the 2023 Kimball Arts Festival are subject to change and as such the vacating of the Premises shall occur at 10:00 a.m. the day prior to the Arts Festival.

12. Licensing. The additional square footage of the dining area must be added to the existing licensed area for the restaurant. The Tenant shall also adhere to other applicable City and State licensing ordinances, including the Department of Alcoholic Beverage Services. It is the responsibility of the Tenant to ensure that all licenses are properly obtained and adhered to.

13. Duration. Street dining is permitted beginning April 28 and shall terminate on October 30th.

14. Health & Safety. The Use shall not violate the Summit County Health Code, Summit County Health Orders, State of Utah Health Orders, the Fire Code, or International Building Code.

15. Music. The use of outdoor speakers and music is prohibited.

16. Maintenance. The dining area shall be clean and maintained in a neat and orderly fashion.

17. Storage. All equipment and other associated materials must be removed and stored on private property during prohibited times (off season). No material associated with the outdoor dining decks may be stored outdoors on-site during the off-season.

18. Removal. Decks must be completely removed from the Right-of-Way prior to the end of business day October 30. If the outdoor dining structure is not removed as required, the City will remove the structure at cost to compensate for the employees and equipment needed to complete the task.

19. Drainage. Design of the deck and its skirting shall not interfere with the existing street drainage. Deck plans shall be reviewed by the City for drainage and may be modified so as to not interfere with the existing drainage patterns of the street. Decks that have drains directly under them or downhill will be required to install screening to ensure waste does not enter the system.

20. Utilities. Access to utilities shall not be hindered by the structures. No outdoor dining decks will be approved if located in an area that blocks access to fire hydrants, etc. No new utility lines shall be installed as a result of the proposed outdoor dining.

21. Insurance Requirement. The tenant shall carry a policy of liability insurance in an amount of at least $2 million per combined single limit per occurrence and $3 million per aggregate for personal injury, bodily injury and property damage.

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Park City Municipal Corporation shall be named as additional insured by endorsement of each policy.

22. Main Street Improvements. Due to the possible conflicts with scheduled Main Street improvements, the City may postpone approving leases until the construction schedule is finalized to be able to determine appropriate dates.

    If at any time the street dining deck needs to be removed, the City will give each affected street dining business owner a minimum of 72 hours to have their decks removed. The City will not be responsible for any associated costs involving deck removal/placement or potential lost revenue.

23. Aesthetics. Due to the Park City environment and storage of the decks over the years, the decks shall be maintained in a safe and high-quality manner. Prior to final installation and occupancy of each deck, the Tenant shall make sure that the structural members can adequately meet their original design and each deck shall look aesthetically pleasing.

24. Violations. The decks shall be in compliance with all County and State Health Orders in addition to Municipal Code § 11-19-3(H) regarding Prohibition Against Issuance of Municipal Permits. From the time that any Notice of Violation is given, the City may withhold permits for any alteration, repair or construction, which pertains to any existing or new structures or signs on the property or any permits pertaining to the use and development of the real property or the structure where a violation is located. The City may withhold permits until a Notice of Compliance has been issued by the enforcement official. The City may not withhold permits that are necessary to obtain a Notice of Compliance or that are necessary to correct serious health and safety violations.

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Exhibit B – Draft Dining Deck Lease

STREET DINING ON MAIN
OUTDOOR DINING LEASE 2023

This Street Dining on Main Outdoor Dining Lease 2023 (the "Lease" or "Agreement") is made and executed this ____day of _____, 2023, by and between **PARK CITY MUNICIPAL CORPORATION**, a Utah municipal corporation, (the "City", "Park City", or "Landlord") and _____, a Utah corporation, (the "Tenant") located at _____, Park City, Utah.

RECITALS

WHEREAS, the City wishes to enable opportunities for restaurants on Main Street to be able to provide additional outdoor dining opportunities; and

WHEREAS, the City's goals include the establishment of new and creative opportunities to facilitate the Main Street experience for residents and visitors alike during the shoulder and summer seasons; and

WHEREAS, the City's goals include the preservation and enhancement of Park City's character regarding Old Town and the desire to strengthen the pedestrian experience along Main Street; and

WHEREAS, the City recognizes the desire of many visitors and residents to dine outdoors along historic Main Street; and

WHEREAS, the City's General Plan recommends utilizing street design techniques to encourage slower traffic speeds and a more intimate pedestrian-oriented scale; and

WHEREAS, the City's goals include maintaining and furthering the resort community's economic opportunities, as well as enhancing the economic viability of Park City's Main Street Business District.

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

TERMS & CONDITIONS OF LEASE

Based upon good and valuable mutual consideration, the Parties agree as follows:

1. PROPERTY. The property affected by this Lease is generally described as the street area and sidewalk directly fronting Tenant's building located at _____, which has a length of ____feet (X# of parking spaces), and more specifically described in site plan **Exhibit A**, attached hereto and

incorporated herein by this reference, (the "Premises"). The length of the outdoor dining deck per restaurant may not exceed forty feet (40').

2. RENT. Annual rent is for the use of the street for the deck is _____ Dollars ($XXXX.00) per parking space of a linear length. Tenant shall be solely responsible for payment of any and all costs associated with Tenant's performance under this Lease, including but not limited to additional business licensing fees, insurance, sales taxes and other expenses.

3. TERM. Unless otherwise delayed, suspended or terminated by Summit County health order(s), the term of this Agreement shall commence on _____, 2023, and shall terminate on October 30, 2023 ("Term") unless terminated earlier as provided herein. The Premises may only be utilized for a six (6) month period commencing on _____ 2023, and terminating on October 30, 2023, except the Premises may not be used during the 2023 Kimball Arts Festival (August 4, 2023 through August 6, 2023) unless Kimball Art Center consents in writing to allow Tenant to use the Premises. Additional term restrictions are attached hereto and incorporated herein by this reference in **Exhibit B** (Street Dining Operational Restrictions). This Agreement may be terminated by Park City upon a finding of non-compliance of this Agreement or the attached operational restrictions.

   The use of the Premises shall not conflict with any previously existing Special Event recipients on Main Street, specifically the Arts Fest ("Kimball Art Center"). The Kimball Art Center has been leased exclusive use of Main Street in August. The Premises must be vacated (i.e., removal of decks) no later than 10:00 a.m. MT on Thursday, August 3rd, 2023 for the duration of Arts Fest (including set-up and breakdown) unless the Kimball Art Center consents in writing to allow Tenant's use of the Premises. If the outdoor dining structure is not removed as required, the Landlord will remove the structure at Tenant's cost. **The dates of the 2023 Kimball Arts Festival are subject to change, and as such the vacating of the Premises shall occur at 10:00 a.m. the day prior to the Arts Fest**.

4. MAIN STREET IMPROVEMENTS. If at any time the street dining deck needs to be removed due to construction related to Main Street improvements, the City will give each affected street dining business owner a minimum of seventy two (72) hours to have their decks removed. The City will not be responsible for any associated costs involving deck removal/placement or potential lost revenue.

5. USE OF PREMISES. Tenant may use the Premises only for outdoor dining services in a manner consistent with applicable Summit County health orders, Section 15-2.6-12(B)(1) of the Park City Land Management Code and the terms of this Agreement. Additional operational restrictions which must be complied with as part of the conditions of this Lease are attached hereto and incorporated

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herein in **Exhibit B**. Park City makes no representations regarding the Premises and Tenant accepts the Premises "AS IS."

6. IMPROVEMENTS TO THE PREMISES. Tenant shall not make any improvements to the Premises without first obtaining Park City's written consent. Any improvements approved by Park City shall be completed at Tenant's sole expense and removed at Tenant's sole expense upon expiration of this Agreement. No permanent alterations to the City's property are permitted.

7. SIGNS. No signs shall be permitted on the Premises except as specifically approved by the Park City Municipal Corporation Planning Department pursuant to the Park City Sign Code and/or Tenant's Master Sign Plan.

8. INSURANCE. Tenant shall, at Tenant's sole expense, carry a policy of general liability insurance in an amount of at least Two Million Dollars ($2,000,000) per combined single limit per occurrence and Three Million Dollars ($3,000,000) per aggregate for personal injury, bodily injury and property damage. Park City shall be named as an additional insured by endorsement on each policy. Tenant's insurance is to be primary to Park City's and Park City's insurance shall be non-contributory. A certificate of insurance naming Park City as an additional insured shall be provided to Park City on or before the Lease commencement. Insurance shall be maintained continuously during the term of the Lease and should any of the above described policies be cancelled before the expiration date thereof, Tenant shall deliver notice to Park City within thirty (30) days of cancellation. Tenant may carry whatever other insurance Tenant deems appropriate. The parties agree that Tenant's sole remedy in the event of business interruptions, fire, windstorm, or other loss from hazard shall be its own insurance and Tenant will have no action against Park City. Park City is protected by the Utah Governmental Immunity Act, and nothing herein is intended to waive or limit the protection of the Act on behalf of either entity, but to the extent it is consistent with this intent, it is the purpose of this provision to protect Park City for liability or allegations arising out of the Tenant's use of the Premises.

9. HOLD HARMLESS. Tenant covenants and agrees to defend, indemnify, and hold Park City harmless from all claims, loss, damage, injury or liability (hereafter "Liability") resulting from Tenant' use and occupancy of the Premises to the full extent permitted by law and/or the Utah Governmental Immunity Act, including reasonable attorney's fees, but excluding any liability resulting from acts or omissions of Park City, its officers, employees or agents. Nothing herein shall be construed as a waiver of any of the rights or defenses under the Utah Governmental Immunity Act (Utah Code Ann. Sections 63-30-1, et seq.), as amended. The obligations hereunder shall be determined under principles of tort law including, but not limited to, the Governmental Immunity Act. In case of an emergency including but not limited to a flood, storm drain, or utility, the structure may be removed or damaged by response teams at the cost of the Tenant.

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Tenant shall indemnify, protect and hold the Landlord harmless from and defend (by counsel reasonably acceptable to Landlord) the Landlord against any and all claims, causes of action, liability, damage, loss or expense (including reasonable attorneys' fees and costs and court costs), statutory or otherwise arising out of or incurred in connection with (i) the use, operation, occupancy or existence of the Premises or the presence of visitors, or any other person, at the Premises during the Term, (ii) any activity, work or thing done or permitted or suffered by Tenant in or about the Premises, (iii) any acts, omissions or negligence of Tenant, any person claiming through Tenant, or the contractors, agents, employees, members of the public, invitees, or visitors of Tenant or any other such person ("Tenant Party" or "Tenant Parties"), (iv) any breach, violation or nonperformance by any Tenant Party of any provision of this Lease or of any law of any kind, or (v) except to the extent resulting from any negligence or intentional torts of Landlord.

10. ASSIGNABILITY. Tenant shall not assign or transfer any interest in this Agreement without the prior written consent of Park City. Any assignment or transfer without written approval is void.

11. PROFESSIONAL PERFORMANCE. Tenant agrees to perform services under this Agreement at the highest professional standards, and to the satisfaction of Park City.

12. COUNTERPARTS. This Agreement may be executed in counterparts, each of which will be deemed an original and all of which together will constitute one and the same instrument.

13. ELECTRONIC SIGNATURES. Each party agrees that the signatures of the parties included in this Agreement, whether affixed on an original document manually and later electronically transmitted or whether affixed by an electronic signature through an electronic signature system such as DocuSign, are intended to authenticate this writing and to create a legal and enforceable agreement between the parties hereto.

14. APPLICABLE LAW. This Agreement shall be governed by the laws of the state of Utah.

15. ENTIRE AGREEMENT. This Agreement constitutes the entire and only agreement between the parties and it cannot be altered or amended except by written instrument, signed by both parties.

Executed the day and year first above written.

Tenant:

_____

a Utah corporation,
dba

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By: _____
Name Printed:
_____
Title: _____

THE CITY REQUIRES THE TENANT TO COMPLETE EITHER THE NOTARY BLOCK OR THE UNSWORN DECLARATION, WHICH ARE BELOW.

ACKNOWLEDGMENT

STATE OF UTAH)
) ss.
COUNTY OF SUMMIT)

On this_____ day of _____, 2023, personally appeared before me _____, who being duly sworn, did say that he/she is the _____ of _____, a Utah corporation, **dba** _____, and acknowledged to me that the preceding Agreement was signed on behalf of the company, and he/she acknowledged that the company did execute the same for its stated purpose.

_____
Notary Public

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PARK CITY MUNICIPAL CORPORATION,
a Utah municipal corporation

By: _____
Nann Worel, Mayor

Attest:

_____
Michelle Kellogg, City Recorder

Approved as to form:

_____
City Attorney's Office

I declare under criminal penalty under the law of Utah that the foregoing is true and correct.
Signed on the ___ day of _____, 2023, at _____
(insert State and County here).

Printed name _____

Signature: _____

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Exhibit C: Dining Deck Fee Analysis

	Dining Deck Fee Analysis			
	Item	**One Parking Space**	**Number of Decks (9) / 10.78 spaces**	**Notes**
	Total Possible Parking Collection Per Day	$93	$1,003	
	Number of Days/lease (May 1 to October 30)	182		*These days will be reduced in future years for infrastructure work.*
	Total Possible Parking Revenue (2023)	$16,926	$0	
	Standard Fee (2019) - 30% of Main Street parking cost based on 2019 fee schedule	$2,160	$23,285	*current rate is 13% of current parking cost*
	30% of Revenue (2023) - based on current fee schedule	$5,078	$54,739	
Status Quo	Difference between Total Possible Revenue (2023) and Standard Fee	$14,766	$159,177	*If Council keeps the standard fee of $2,160 in place as is (status quo), dining decks will be subsidized $135,000 annually.*
New Lease Rate	Difference between standard fee (2019) and 30% of Revenue (2023)	$2,918	$31,454	*update Dining Deck fee to align with 30% of possible revenue of current parking rates, the new standard lease rate would be* ***$5,078 per parking space*** *(based on the dates of their deck and length spaced used).*
Updated Subsidy	Difference between Total Possible Revenue (2023) and 30% of Revenue (2023)	$11,848	$127,724	*If Council chooses to increase the dining deck fee to reflect 30% of 2023 parking rates, Dining Decks will be subsidized $73,004 annually.*
	Kimball Art Center Annual Costs (2023)	*In 2023, the total city fees and hard cost for the Art Festival were $113,000. Of this total, the KAC pays the City $10K annually.*	*In 2023, KAC's Economic Impact was estimated at $100,000, specific to the City.*	Based on KAC's economic impact that directly benefit the City, these fees are near a net zero subsidy.
	Kimball Art Center Dining Deck Revenues	$1,500		*KAC has worked with Bangkok Thai to accomidate their deck in 2024. The KAC will receive $13,500 from Restaurants participating in the dining deck program to keep decks on Main Street in the future.*
	This analysis is based on the current fee schedule and the 2023 Dining Deck Program. Additional changes to the fee schedule and dates of the dining deck program will affect the total cost and subsidy. At the time of publish we did not have an economic impact analysis of the Dining Deck program, while there is likely some return in tax revenues to the City.			

Planning Department

Application:	**Ordinance 2023-56, 1325 Empire Avenue and Parcel SA-200**
Authors:	**Alexandra Ananth, Senior Planner**
Date:	**December 14, 2023**
Type of Item:	**Plat Amendment**

Summary

On November 16, 2023, the City Council opened a public hearing and voted to approve Ordinance 2023-56, an Ordinance Approving the North Norfolk Plat Amendment Amending the Knudson Subdivision Parcel C and Parcel SA-200, and Re-Subdividing the Vacant Lots into Four Lots to Allow Four Single-Family Dwellings.

Public Comment were taken from those in attendance at the hearing, but online comments were not taken.

On November 30, 2023, the City Council voted to re-open the public hearing on December 14, 2023, limited to new speakers who were not able to provide online comment via zoom at the original hearing on November 16, 2023.

The original Staff Report, Ordinance, and Exhibits are attached. Only Exhibit M: Public Input has been updated.

Another vote is required.

City Council
Staff Report

Subject: 1325 Empire Avenue and Parcel SA-200
Application: PL-22-05357
Authors: Jaron Ehlers, Planning Technician
Alexandra Ananth, Senior Planner
Date: November 16, 2023
Type of Item: Plat Amendment

Recommendation

(I) Review the proposed Plat Amendment to re-subdivide 1325 Empire Avenue and Parcel SA-200 into four Lots, (II) hold a public hearing, and (III) consider approving the Plat Amendment based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as outlined in the Draft Ordinance 2023-54 (Exhibit A).

Description

Applicant:	1325 Empire Avenue Holdings, LLC
Location:	1325 Empire Avenue and Parcel SA-200
Zoning District:	Recreation Commercial (RC)
Adjacent Land Uses:	Single Family Dwellings, Park City Library and Field, Condominiums, Nightly Rentals, Resort
Reason for Review:	At the time the Planning Commission reviewed this plat amendment, plat amendments required Planning Commission recommendation and City Council final action

COA	Condition of Approval
LMC	Land Management Code
PCMC	Park City Municipal Corporation
RC	Recreation Commercial
ROW	Right-of-Way

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § 15-15-1.

Summary

The Applicant proposes a plat amendment to create four Single-Family Lots from one vacant 0.16-acre Lot (Lot C Knudson Subdivision, 7,125 square feet) and one vacant 0.086-acre Parcel (SA-200, 3,735 square feet) at the end of the Norfolk Avenue Right-of-Way north of 13th Street (See Exhibit B, Existing Conditions) on a total of 10,860 square feet.



Figure 1: This image shows the two Lots proposed for re-subdivision into four smaller Lots to eventually accommodate four Single-Family Dwellings.

All new Lots will have Access via a private Shared Driveway Easement connecting to Norfolk Avenue, a privately maintained public Right-of-Way..

The Planning Commission held four public hearings on this project including:

- February 22, 2023 (Staff Report, Minutes)
- May 10, 2023 (Staff Report, Minutes)
- July 12, 2023 (Staff Report, Minutes)
- September 27, 2023 (Staff Report, Recording)

At the September 27, 2023, Planning Commission public hearing, the Commission voted 4-1 to forward the project for the City Council's consideration. Commissioner

Suesser was not in support of the motion to approve but she was participating electronically, and her connection was terminated prior to registering her vote. Commissioners who did not vote for the project had concerns with the non-conforming nature and safety of Norfolk Avenue north of 13th Street which is narrow and not maintained by the City, the size and alignment of the proposed Lots, and the resulting maximum Building Footprints allowed under the formula in LMC § 15-2.16-5(D).

At the September 27, 2023, Planning Commission meeting the Applicant agreed to a reduced maximum Building Pad for Lots A, B, and C, with Front Setbacks measured from the private shared driveway. The Applicant also agreed to take on sole maintenance of Norfolk Avenue north of 13th Street, including snow removal, relieving the abutters on Norfolk Avenue from this obligation.

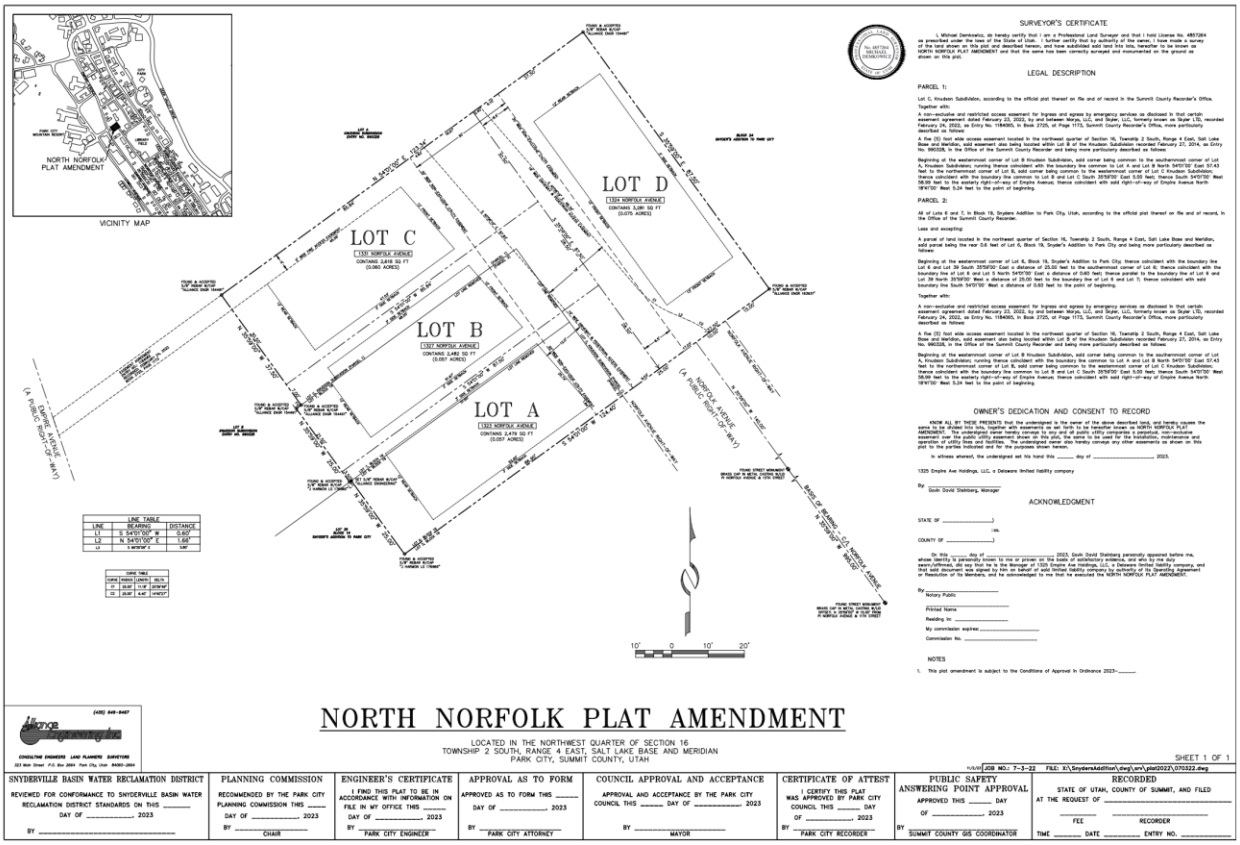


Figure 2: Proposed North Norfolk Plat Amendment.

Background

On October 16, 1980, the City Council passed a resolution closing a portion of the Norfolk Avenue Right-of-Way north of 13th Street.

That portion was described as “Norfolk Avenue from the front of Block 19, Lot 6 northwest through 14th Street and continuing from the north side of 14th from Block 21 through Lot 14” (Exhibit D). Block 19, Lot 6 is part of the property subject to this application, and the closure of Norfolk Avenue began where Norfolk Avenue now ends today (Exhibit E). On April 22, 1982, that closed portion of Norfolk Avenue was sold by the City (Exhibit F).

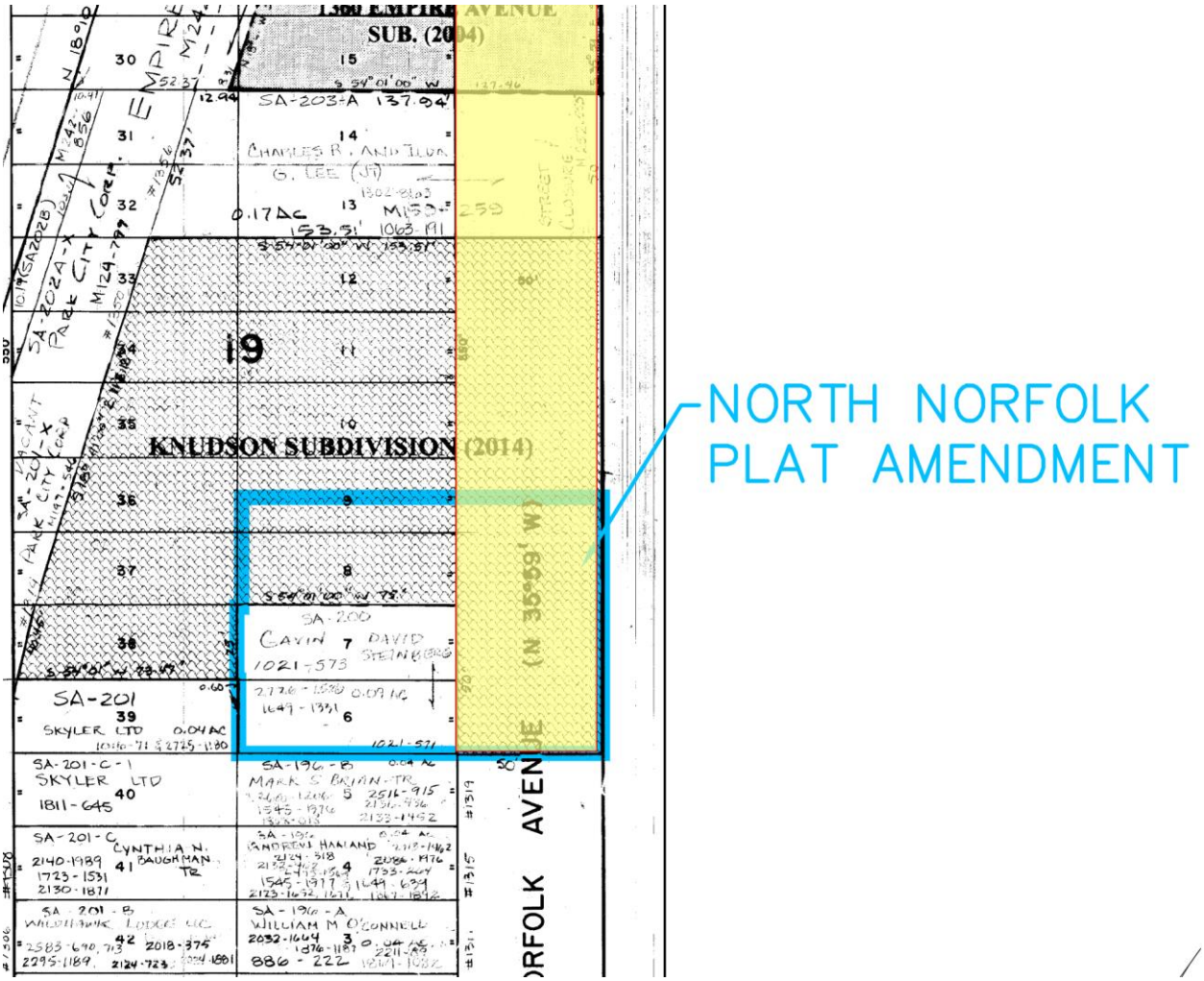


Figure 3: This image illustrates the original Lots and Norfolk Avenue north of 13th Street. The yellow overlay shows the portion of Norfolk Avenue that was closed in 1980. The proposed amended properties are outlined in blue.

In 2014, a Plat Amendment was submitted for three lots, located at 1314 & 1350 Empire Avenue. It was part of a plan by the Park City Redevelopment Agency in cooperation with Gary Knudson who owned two of the parcels. On January 29, 2014, the Planning Commission forwarded a positive recommendation to City Council, and on February 13, 2014, the City Council approved the proposed Plat Amendment (Exhibit G). The Knudson Plat was recorded with Summit County on February 27, 2014 (Exhibit H). The land was not developed and the third Lot, Knudson C, was eventually sold to the current Applicant.

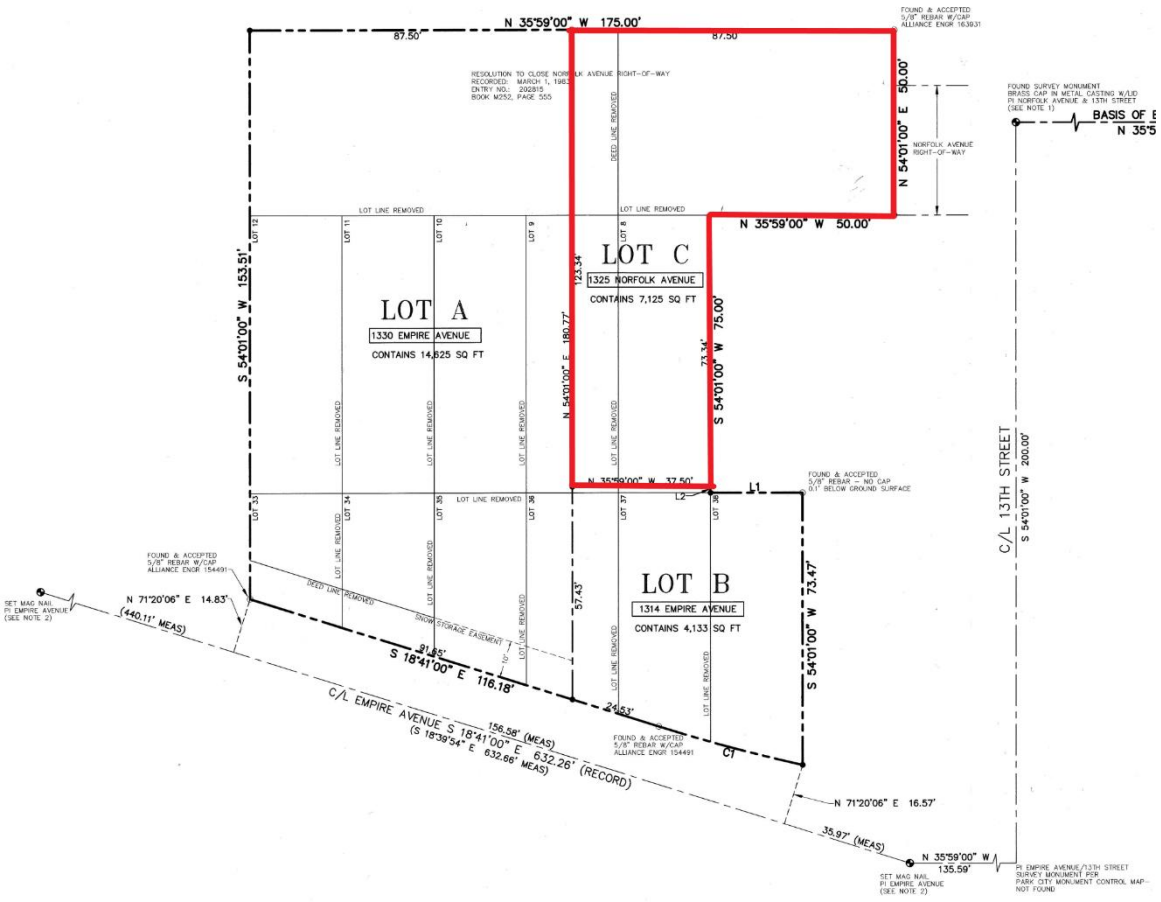


Figure 4: 2014 Knudson Subdivision with Lot C highlighted in Red.

The above image is the plat depicting the 2014 Knudson Subdivision. Lot C is the only part of the Subdivision that would be amended by this Plat Amendment as it would be re-subdivided with Parcel SA-200, which is south and east of Lot C, as the new North Norfolk Subdivision.

Analysis

(I) The Proposed Lots would be accessed from a private shared driveway across Norfolk Avenue.

The proposed four Lots would be accessed across Norfolk Avenue, through a private shared driveway. LMC § 15-15-1 defines a shared driveway as follows: a single access vehicular way that is privately owned and maintained and provides access to two (2) or more Structures or off-Street Parking Areas, which are located on individual Lots.

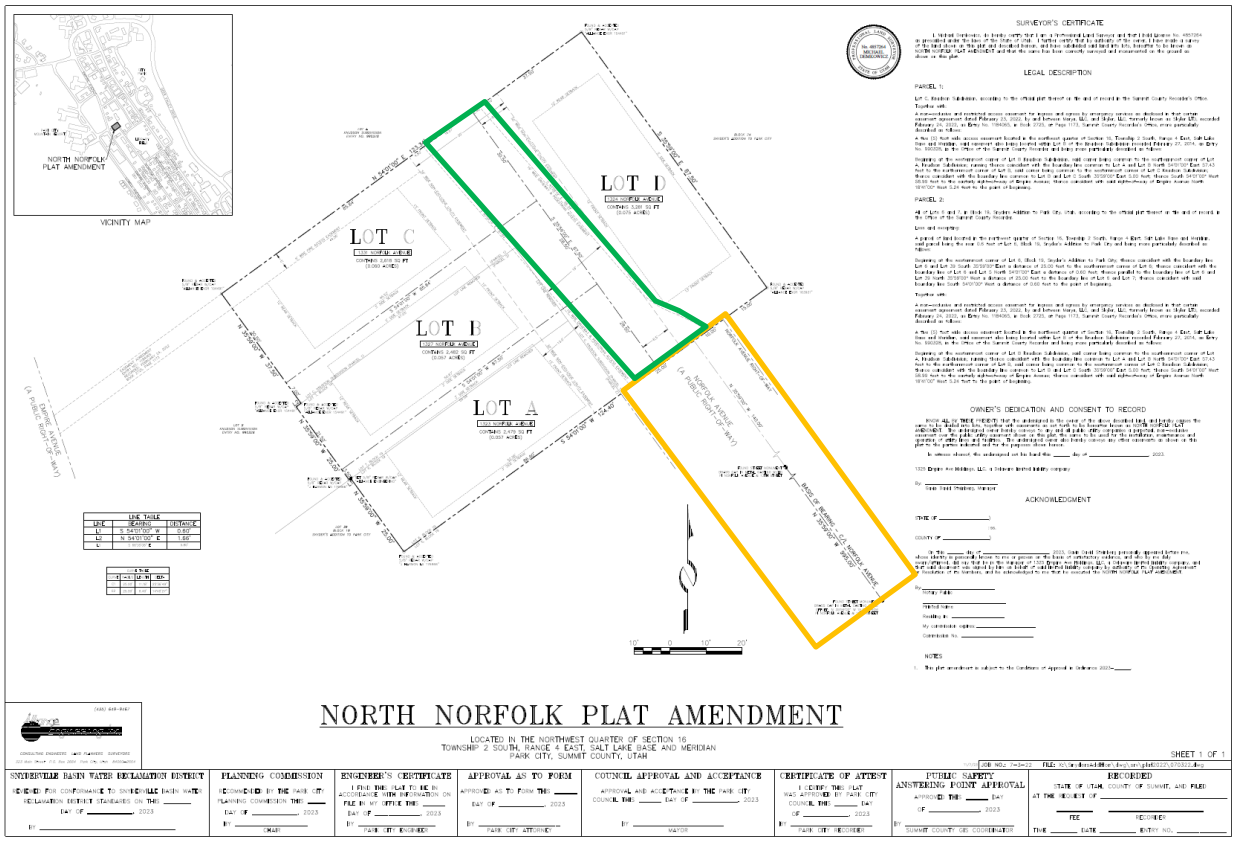


Figure 5: North Norfolk Avenue public Right-of-Way outlined in orange, proposed private Shared Driveway outlined in green.

Additional properties with Access off this portion of North Norfolk Avenue include the Shaft Condominiums (four units), and 1307-1319 Norfolk Avenue (three Single-Family Dwellings). PCMC owns the property on the opposite side of the Street, including 1302 Norfolk Avenue, a historic Single-Family Dwelling.

This portion of North Norfolk is considered substandard because it was not constructed to City standards and is a dead end street with no turnaround area. A 2003 agreement was recorded with Summit County between the City and Peter Papineau Builders (Exhibit I), which supports this portion of North Norfolk Avenue remaining City Right-of-Way but required the builder and his successors to maintain the Street, including being responsible for snow removal, due to its narrow width. The Applicant is proposing to take over responsibility for the privately maintained public Right-of-Way north of 13th Street as a Condition of Approval (COA 15). A new Encroachment Agreement will replace the existing (Exhibit I) and will relieve the existing abutters from their current obligation to maintain this portion of the public ROW.

The Applicant proposes to manage and maintain the new private shared driveway through a new Homeowners Association (HOA). The proposed private shared driveway is 19 feet in width and will include a pedestrian access easement to any public staircase that is constructed adjacent to the north property boundary of the proposed development.

(II) The proposal to create four Lots complies with the Recreation Commercial (RC) Zoning District requirements outlined in LMC Chapter 15-2.16.

At the September 27 meeting, the Applicant agreed that the Front Setback for three of the Lots, Lot A, Lot B, and Lot C, shall be measured from the shared driveway, and not from the front property line. Lot D's Setbacks are measured from the property lines.

Lot Size, Setbacks, Maximum Building Footprint				
	Lot A	Lot B	Lot C	Lot D
Lot Size	2,479 sq. ft.	2,482 sq. ft.	2,618 sq. ft.	3,281 sq. ft.
Front Setback	12-13 ft. from the shared driveway	12-13 ft. from the shared driveway	12-13 ft. from the shared driveway	12 -13 ft. from the property lines
Side Setbacks	3 ft.	3 ft.	3 ft.	3 ft.
Rear Setback	12-13 ft.	12-13 ft.	12-13 ft.	12-13 ft.
Max Building Footprint	1,078 sq. ft.	1,079 sq. ft.	1,129 sq. ft.	1,364 sq. ft.

All Lots remain compliant with the Minimum Lot Area requirement of 1,875 square feet for a Single-Family Dwelling in the RC Zoning District, and none of the lots are large enough for a Duplex Dwelling. The measurement of the Front Setback from the private shared driveway for Lots A, B, and C, decreases the maximum allowed Building Pad for these Lots, but not the Building Footprint, which is based on the Lot size. Lot D was not required to measure Setbacks from the shared driveway because it has been determined to have two Front Setbacks (Exhibit J) and would significantly limit its buildability.

In addition to Setbacks, future dwellings must also comply with the Zone Height of 27 feet (LMC § 15-2.16-5(L)), and parking requirement of two parking spaces per Dwelling Unit (LMC § 15-4-6(A)).

(III) Applicant's response to questions regarding Lot compatibility with the RC Zoning District.

During the July 12 meeting, the Commission had questions regarding the compatibility of the proposed Lots with the Old Town neighborhood and the RC Zoning District considering the purpose includes "[promoting] the Development of Buildings with designs that reflect traditional Park City architectural patterns, character, and Site designs" (LMC § 15-2.16-1). Specific concerns were that the proposed Lots are larger than the traditional Old Town Lot size of 25' X 75' and the North to South orientation of proposed Lot D.

In the Applicant's Response, attached as Exhibit K, the Applicant states that of the 176 Lots in the RC Zoning District,

- "Only 27% (47 Lots) are traditionally sized single or 1.5 width lots with an East West orientation.
- 73% (129 Lots) are "nontraditional" sized lots, i.e., wider than 1.5 or different than East West Orientation.
- 15% (26 Lots) of Lots are North - South Orientation."

The Applicant also notes that the abutting Lot, 1302 Norfolk Avenue, is a North - South oriented Lot.

(IV) Applicant's response to slope, topography, and drainage questions from the Planning Commission.

During the July 12 meeting, the Commission raised concerns regarding slope, topography, and storm water drainage. The Applicant has indicated that the Driveways within the Subdivision will be less than a 5% slope at the steepest, which complies with LMC § 15-3-3(A)(4), which prohibits Driveways from being steeper than 14%. This analysis has been reviewed by the Engineering Department and the Engineering Department has not raised any concerns.



Figure 6: Slope Analysis Provided by Applicant (does not show up to date Building Pads)

The proposed development is not located in the Sensitive Lands Overlay or the Historic District, and as such is not subject to a Steep Slope Conditional Use Permit. The slopes on the property range from 0% to greater than 31% (Exhibit K).

(V) Options regarding the creation of a public staircase on adjoining City property.

The Park City Fire District (PCFD) requires that an emergency services access stair be installed from Empire Avenue to the site, to provide access in case of an emergency due to the lack of sufficient turnaround area for a Fire Truck on Norfolk Avenue. The Applicant has secured an easement across Knudson C for the fire access stair, but the easement is for Emergency Services access only, and does not allow for public access on this staircase that must be privately maintained by the Applicant and kept clear of snow at all times. (Exhibit C).

The Applicant and Staff are exploring the option of the Applicant building a public staircase on neighboring City property to the north, 1330 Empire Avenue. This site is the proposed location of Woodside Phase 2 (City housing project under design but not yet approved), which will contain a public staircase/access from Empire Avenue to Woodside Avenue.

The City's preferred approach would be for the Applicant to contract and build a public staircase from Empire Avenue to the beginning of the Applicant's private shared driveway, ending where the private fire access stair would but on the City's property just north of the Applicant's parcel so there are not two adjacent sets of stairs. After construction, the City would reimburse the Applicant for the costs, minus the amount that building the required fire access stair would have cost the Applicant, which is estimated to cost approximately $72,500 (Exhibit L). The staircase would be six feet wide and maintained by the City. Discussions between the City and the Applicant are ongoing. The City would be responsible for including the public stairs to Woodside Avenue as part of the Woodside Phase 2 project.

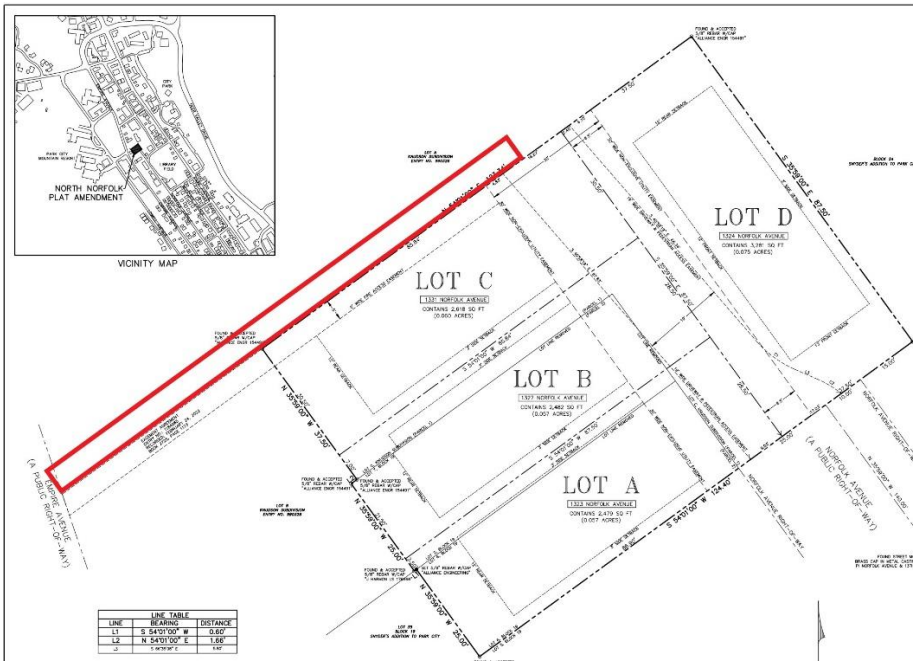


Figure 6: Image of the Plat with the potential location of a Public Stair on City property, outlined in red.

Condition of Approval 4 establishes that if an agreement can be reached for the building of a Public Staircase on City property at 1330 Empire Avenue, this would satisfy the fire access stair requirement.

(VI) The proposal to create four Lots complies with the Subdivision Procedures outlined in LMC Chapter 15-7.1.

Plat Amendments shall be reviewed according to LMC § 15-7.1-6 *Final Subdivision Plat* and approval requires (a) a finding of Good Cause, and (b) a finding that no Public Street, Right-of-Way, or easement has been vacated or amended.

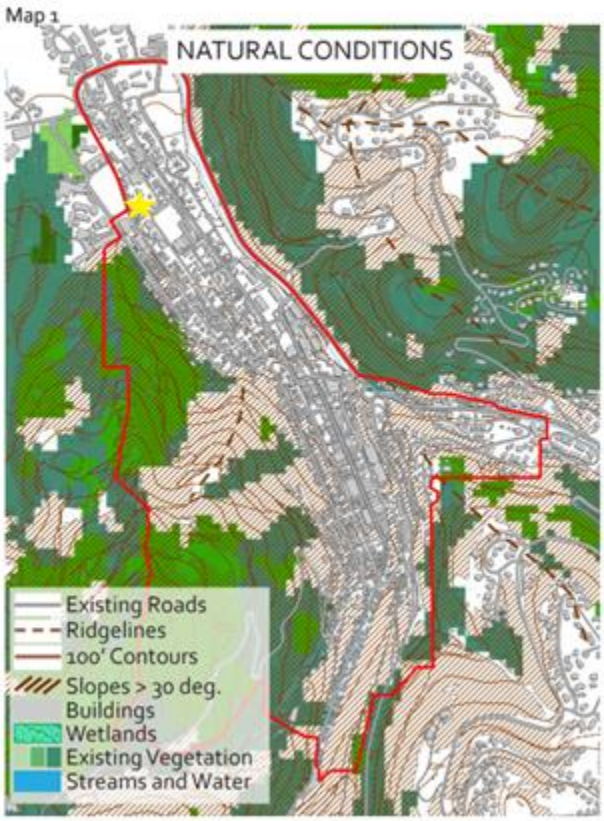
(a) There is Good Cause for this Plat Amendment because it will allow for development consistent with the Old Town Neighborhood and purposes of the Recreation Commercial Zoning District.

LMC § 15-15-1 defines *Good Cause* as "[p]roviding positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community."

The Lots affected by this Plat Amendment are close to Park City Mountain Resort, increasing potential housing opportunities near the resort.

While the Recreation Commercial (RC) Zoning District is not part of the Historic District, the Lots affected by this Plat Amendment are in the Old Town neighborhood of the General Plan:

OLD TOWN



The purpose of the Recreation Commercial (RC) Zoning District in LMC § 15-2.16-1 also states "promote Park City's mountain and Historic character by designing projects that relate to the mining and Historic architectural heritage of the City."

The proposed private shared driveway for this Plat Amendment is in keeping with the historic character of Old Town. LMC § 15-3-3(H)(2), encourages shared driveways.

Goal 6.1 of the General Plan for Old Town says that "[i]nfill and new additions should be compatible with the neighborhood context and subordinate to existing historic structures."



Figure 7: Proposed Four Lot Subdivision with shared access shown is red.

Highlighted in green above are nearby lots of similar size, most of which have Single-Family Dwellings on them. The approximate locations of the proposed Lots for this amendment are identified in solid colors. The approximate location of the 19-foot proposed private shared driveway access easement is identified in red.

The four lots are proposed to be created to build Single Family Dwellings explained in Analysis II. Single Family Dwellings are common in the RC Zoning District and the

proposed Lots are in keeping with those requirements. Lot D would create a North-South Lot. Although not common in this area, there are North-South Lots in the vicinity such as adjacent 1302 Norfolk Avenue.

No Public Street or Right-of-Way is vacated and no Public Easements will be vacated.

(VII) The Development Review Committee requires Conditions of Approval.

The Development Review Committee[1] reviewed this project on September 20, 2022, and again on May 2, 2023. Feedback has been incorporated into the final Plat and Conditions of Approval.

Department Review

The Planning Department, Engineering Department, and City Attorney's Office reviewed this staff report.

Notice

Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on February 8, 2023, June 23, 2023, and November 1, 2023. Staff mailed courtesy notice to property owners within 300 feet on February 8, 2023, June 23, 2023, and November 1, 2023. The *Park Record* published notice on February 8, 2023, June 23, 2023, and November 1, 2023.[2]

Public Input

The Planning Commission received extensive written and oral public input on this project (Exhibit M). The majority of concerns were from the immediate abutters to the south of the Applicant's property (1307, 1315, and 1319 Norfolk Avenue) who are subject to the existing Encroachment Agreement (Exhibit I) and have maintained Norfolk Avenue north of 13th street since 2003, including private snow removal for this publicly owned street, as required by the Agreement. Their concerns include:

- the safety and non-conforming status of this portion of Norfolk Avenue regarding its narrowness and lack of turn around area
- concern for emergency service vehicles
- the impacts of additional development and vehicular traffic on this non-conforming road that is publicly owned but privately maintained
- the Applicant's plan for snow removal (COA 3)
- that Applicant's plan for trash management (COA 14)
- the Applicant has not developed a plan to maintain this portion of the road (COA 15).

[1] The Development Review Committee meets the first and third Tuesday of each month to review and provide comments on Planning Applications, including review by the Building Department, Engineering Department, Sustainability Department, Transportation Planning Department, Code Enforcement, the City Attorney's Office, Local Utilities including Rocky Mountain Power and Dominion Energy, the Park City Fire District, Public Works, Public Utilities, and the Snyderville Basin Water Reclamation District (SBWRD).
[2] LMC § 15-1-21

These abutters request the Council consider actions for the City to improve, maintain and plow this portion of the road in light of additional development, and due to the fact that the City owns the eastern side of the road and could, potentially widen this road in the future.

The widening of this portion of the road is complicated by the location of a City-owned Historic Structure at 1302 Norfolk Avenue, which would have to be moved, and the future development of Woodside Phase 2, which is still in design.

Staff recommends the Council consider this issue in coordination with the Woodside Phase 2 project and consider creating a turnaround area on City property if the road cannot be widened.

Alternatives

- The City Council may approve Ordinance No. 2023-54, with Conditions;
- The City Council may deny Ordinance No. 2023-54; or
- The City Council may request additional information and continue the discussion to a date certain.

Exhibits

Exhibit A: Draft Ordinance No. 2023-54
Attachment 1: North Norfolk Plat Amendment
Exhibit B: Survey of Existing Conditions
Exhibit C: Fire Access Easement
Exhibit D: Resolution from 1980 re. the Closure of Norfolk Avenue
Exhibit E: Park City Survey
Exhibit F: Resolution 11-82 authorizing the sale of closed portion of Norfolk Avenue
Exhibit G: Ordinance 14-03 Approving Knudson Plat
Exhibit H: 2014 Knudson Plat
Exhibit I: Encroachment Agreement Norfolk Avenue
Exhibit J: Planning Director Determination for Setbacks on Lot D
Exhibit K: Applicant Response for Planning Commission Questions
Exhibit L: Applicant Stair Cost Estimate
Exhibit M: Public Input

Ordinance No. 2023-54

AN ORDINANCE APPROVING THE NORTH NORFOLK PLAT AMENDMENT, LOCATED AT 1325 EMPIRE AVENUE AND PARCEL SA-200, PARK CITY, UTAH

WHEREAS, the owners of the property known as 1325 Empire Avenue and Parcel SA-200 have petitioned the City Council to amend the Knudson Subdivision and Parcel SA-200, located in the Recreation Commercial Zoning District, and re-subdivide it into four Single-Family Lots known as the North Norfolk Subdivision; and

WHEREAS, on February 8, 2023, staff posted notice to the property and according to the requirements of the Land Management Code; and

WHEREAS, staff mailed courtesy notice to all affected property owners on February 8, 2023, and legal notice was published in the Park Record and on the Park City and Utah Public Notice websites; and

WHEREAS, the Planning Commission, on February 22, 2023, held a public hearing and continued the discussion to April 12, 2023;

WHEREAS, on April 12, 2023, the Planning Commission reviewed the application, held a public hearing, and continued the discussion to May 10, 2023; and

WHEREAS, on May 10, 2023, the Planning Commission reviewed the application, held a public hearing, and continued the application to a date uncertain; and

WHEREAS, on June 23, 2023, staff re-posted notice to the property and according to the requirements of the Land Management Code; and

WHEREAS, on June 23, 2023, staff re-mailed courtesy notice to all affected property owners, and legal notice was published in the Park Record and on the Park City and Utah Public Notice websites; and

WHEREAS, on July 12, 2023, the Planning Commission reviewed the application, held a public hearing, and continued the application to September 27, 2023; and

WHEREAS, on September 27, 2023, the Planning Commission forwarded a positive recommendation to the City Council; and

WHEREAS, on November 1, 2023, staff re-mailed courtesy notice to all affected property owners, and legal notice was published in the Park Record and on the Park City and Utah Public Notice websites; and

WHEREAS, on November 16, 2023, the City Council reviewed the applicant and

held a public hearing; and

WHEREAS, it is in the best interest of Park City, Utah, to approve the North Norfolk Plat Amendment; and

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

SECTION 1. APPROVAL. The North Norfolk Plat Amendment, as shown in Attachment 1, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. On October 16, 1980, the City Council passed a resolution closing a portion of the Norfolk Avenue right-of-way.
2. On April 22, 1982, that closed portion of Norfolk Avenue was sold by the City.
3. In 2014, a Plat Amendment was submitted for three lots, located at 1314 & 1350 Empire Avenue known as the Knudson Plat.
4. On January 29, 2014, the Planning Commission forwarded a positive recommendation to City Council, and on February 13, 2014, City Council approved the Knudson Plat.
5. The Knudson Plat was recorded with Summit County on February 27, 2014.
6. The property within the Knudson Plat was not developed.
7. In May of 2022, the Applicant submitted a Plat Amendment, proposing to subdivide vacant Lot C of the Knudson Plat and adjacent Parcel SA-200 into four Lots to eventually be developed with four Single Family Dwellings.
8. The proposed four Lots comply with the minimum lot size requirements for the Recreation Commercial (RC) Zoning District requirements outlined in LMC Chapter 15-2.16.
9. The Proposed Lots will be accessed via a private shared driveway across Norfolk Avenue.
10. The minimum width of a 19-foot-wide private Shared Driveway is in keeping with the historical context of Old Town.
11. There is Good Cause for this Plat Amendment because it will allow for development that promotes density that is consistent with the Resort Neighborhood and purposes of the Recreation Commercial (RC) Zoning District.

Conclusions of Law:

1. Neither the public nor any person will be materially injured by the proposed plat amendment.
2. Approval of the plat amendment, subject to the conditions of approval, will not adversely affect the health, safety, and welfare of the citizens of Park City.
3. The proposal complies with the Recreation Commercial (RC) Zoning District requirements outlined in LMC Chapter 15-2.16, and the Subdivision Procedures outlined in LMC Chapter 15-7.1.

Conditions of Approval:

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the Conditions of Approval, prior to recordation of the plat.
2. The Applicant shall record the plat at the County within one (1) year from the date of City Council approval. If recordation has not occurred within one year, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. Prior to submitting for building permits, the Applicants must provide a geotechnical report and storm drainage storage plan for the site including for snow storage. Construction of basements may be limited on the recommendation of a Licensed Geotechnical engineer and the City Engineering Department. All drainage must be retained on site, and the storm drainage storage plan shall be reviewed and approved by the City Engineering and Building Departments.
4. A Plat Note shall indicate that before any combustible material is delivered to the site, emergency access stairs required by the Park City Fire District must be completed and approved by the Fire District. The Fire Access Easement shown on the proposed Plat must be recorded with the County before or concurrent with the recordation of the Plat. The Applicant and their successors and assigns shall be responsible for maintaining the private stairs and keeping them clear of snow so that they are available for emergency access at all times.
5. If an agreement is made for the construction of a public staircase on 1330 Empire Avenue that accesses the North Norfolk Subdivision, and satisfies the Building, Housing, Engineering, and Planning Departments as well as the Park City Fire District requirements, then that may satisfy COA 4 above, and shall not require a Plat Amendment, as long as those stairs are complete and access the North Norfolk Subdivision. Public Stairs shall be maintained and cleared of snow by the City.
6. Prior to the recordation of this Plat, a 30-Foot Non-Exclusive Utility Easement, as shown on the proposed Plat, must be recorded with Summit County.
7. A Plat Note shall indicate that no Buildings can be built within the 30-foot Non-Exclusive Utility Easement. Landscaping and driveways may be constructed but owners should be aware that these items can be removed at any time and the Lot owners will be responsible for any replacements within the easement area.
8. Parking is not allowed on the private shared driveway, and the owners shall place signs that indicate it is private and parking on the shared driveway is prohibited.
9. A Plat Note shall indicate that Lot D shall have two Front Setbacks, with the Western Setback being 12 feet and the Southern Setback being 13 feet, the North Setback being a rear setback of 12 feet, and the East Setback a side setback of 3 feet. All setbacks for Lot D shall be measured from the property lines. Primary access will be from the South Side.
10. A Plat note shall indicate that the Setbacks for Lots A, B, and C shall be measured from the private shared driveway and shall be indicated on the final recorded plat.
11. A Plat Note shall indicate that in the event of construction of a public stair with access to the North Norfolk property, four feet of the 19-foot-wide private shared driveway shall be used to allow public pedestrian access to the public stairs. That

access will be designated by signage posted in a location to be approved by the Planning, Engineering, and Trails and Open Space Departments and must be constructed with a material visually distinct from the rest of the private shared driveway.

12. Prior to recordation of this plat, the Applicant shall record documents obliging the owners of each Lot to be financially responsible for maintaining the private shared driveway serving the Lots including snow removal and storage. This condition may be satisfied by either: (i) Applicant's formation of a homeowners' association whose recorded governing documents shall establish responsibility for such maintenance; or (ii) if Applicant does not form a homeowners' association, another recorded form of covenants to be recorded prior to or contemporaneous with the recordation of the plat which binds each Lot owner to contribute twenty-five percent (25%) of the cost of such maintenance.
13. The Applicant shall submit a trash receptacle management plan in a form approved by the City Engineer.
14. Prior to plat recordation, the Applicant shall enter into a new encroachment agreement outlining the Applicant's responsibilities for maintenance and snow removal of Norfolk Avenue north of 13th Street with the Engineering Department in a form approved by the City Attorney's Office.
15. Prior to the issuance of the Certificate of occupancy for the 4th Lot or last house to be constructed, the Applicant shall be responsible for seal coating Norfolk Avenue between 13th Street and the subject property to repair any damage to the roadway due to construction activity. The Building and Engineering Department shall review and approve any permits necessary for seal coating the public Right-of Way.
16. A Plat Note shall indicate that this Plat is subject to Ordinance 2023-54.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this November 16, 2023.

PARK CITY MUNICIPAL CORPORATION

_____
Nann Worel, MAYOR

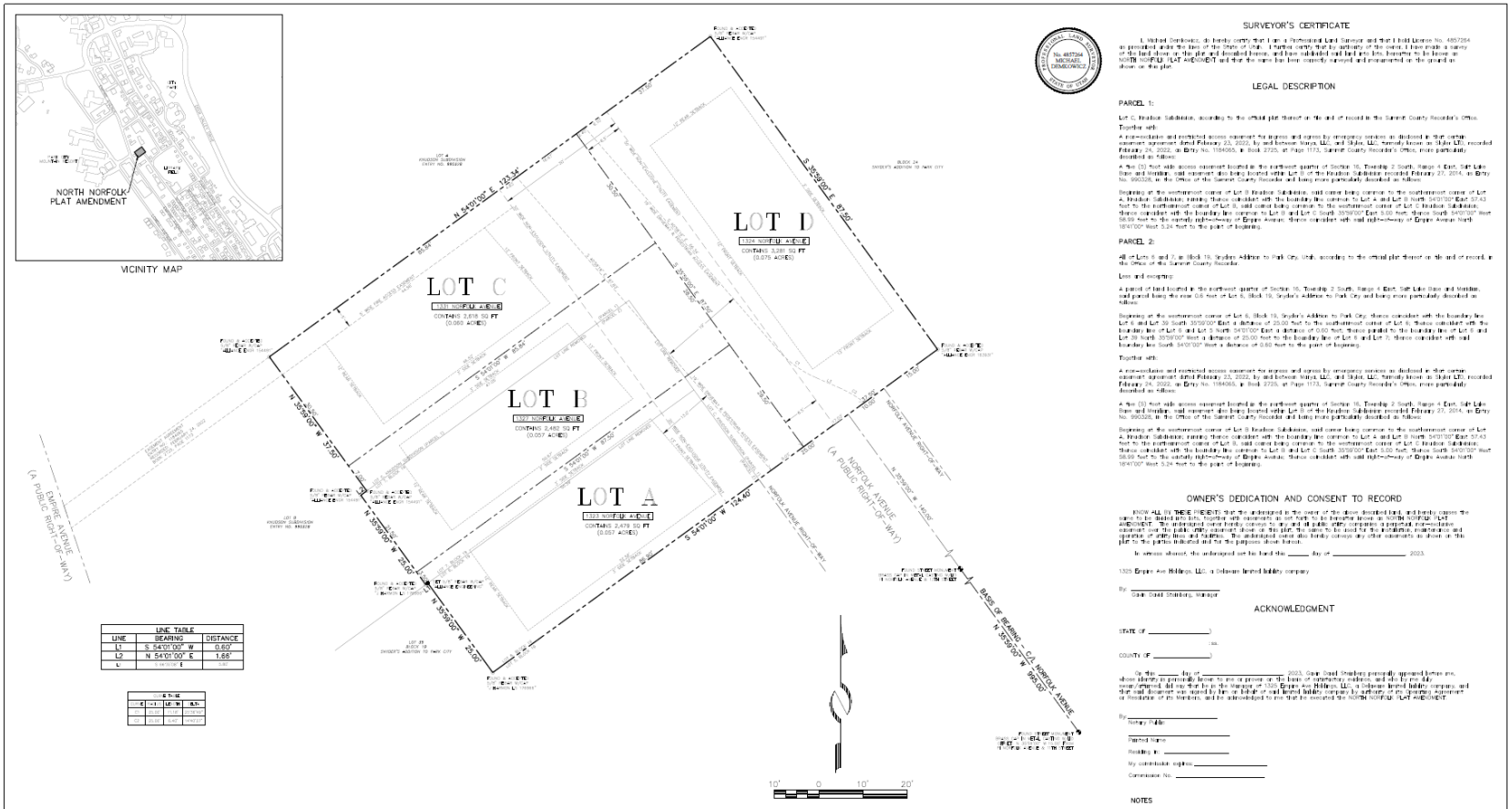
ATTEST:

_____
City Recorder

APPROVED AS TO FORM:

_____
City Attorney’s Office

Attachment 1: Plat



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 54°01'00" W	0.60'
L2	N 54°01'00" E	1.66'
L3	S 54°01'00" E	0.60'

CURVE TABLE				
CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	20.00'	31.42'	S 09°01'00" E	28.28'
C2	20.00'	31.42'	N 80°59'00" E	28.28'

SURVEYOR'S CERTIFICATE

I, Mitchell Demkowicz, do hereby certify that I am a Professional Land Surveyor and that I hold License No. 4857264 as prescribed under the laws of the State of Utah. I further certify that by authority of the owner, I have made a survey of the land shown on this plat and described hereon, and have subdivided said land into lots, hereafter to be known as NORTH NORFOLK PLAT AMENDMENT and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

LEGAL DESCRIPTION

PARCEL 1:

Lot C, Boulder Subdivision, according to the official plat thereof on file and of record in the Summit County Recorder's Office.

Together with:

A non-exclusive and restricted access easement for ingress and egress by emergency services as disclosed in that certain easement agreement dated February 23, 2022, by and between Ninya, LLC, and Skiler, LLC, formally known as Skiler LTI, recorded February 24, 2022, as Entry No. 1184065, in Book 2725, at Page 1173, Summit County Recorder's Office, more particularly described as follows:

A five (5) foot wide access easement located in the northwest quarter of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said easement also being located within Lot B of the Boulder Subdivision recorded February 27, 2014, as Entry No. 990328, in the Office of the Summit County Recorder and being more particularly described as follows:

Beginning at the southernmost corner of Lot B Boulder Subdivision, said corner being common to the southernmost corner of Lot A, Boulder Subdivision; running thence coincident with the boundary line common to Lot A and Lot B North 54°01'00" East 57.43 feet to the northernmost corner of Lot B, said corner being common to the westernmost corner of Lot C Boulder Subdivision; thence coincident with the boundary line common to Lot B and Lot C South 35°59'00" East 5.00 feet; thence South 54°01'00" West 58.99 feet to the easterly right-of-way of Empire Avenue; thence coincident with said right-of-way North 18°47'00" West 5.24 feet to the point of beginning.

PARCEL 2:

All of Lots 6 and 7, in Block 19, Snyders Addition to Park City, Utah, according to the official plat thereof on file and of record, in the Office of the Summit County Recorder.

Less and excepting:

A parcel of land located in the northwest quarter of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being the new 0.6 feet of Lot 6, Block 19, Snyder's Addition to Park City and being more particularly described as follows:

Beginning at the westernmost corner of Lot 6, Block 19, Snyder's Addition to Park City; thence coincident with the boundary line Lot 6 and Lot 39 South 35°59'00" East a distance of 25.00 feet to the southernmost corner of Lot 6; thence coincident with the boundary line of Lot 6 and Lot 5 North 54°01'00" East a distance of 0.60 feet; thence parallel to the boundary line of Lot 6 and Lot 39 North 35°59'00" West a distance of 25.00 feet to the boundary line of Lot 6 and Lot 7; thence coincident with said boundary line South 54°01'00" West a distance of 0.60 feet to the point of beginning.

Together with:

A non-exclusive and restricted access easement for ingress and egress by emergency services as disclosed in that certain easement agreement dated February 23, 2022, by and between Ninya, LLC, and Skiler, LLC, formally known as Skiler LTI, recorded February 24, 2022, as Entry No. 1184065, in Book 2725, at Page 1173, Summit County Recorder's Office, more particularly described as follows:

A five (5) foot wide access easement located in the northwest quarter of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said easement also being located within Lot B of the Boulder Subdivision recorded February 27, 2014, as Entry No. 990328, in the Office of the Summit County Recorder and being more particularly described as follows:

Beginning at the westernmost corner of Lot B Boulder Subdivision, said corner being common to the southernmost corner of Lot A, Boulder Subdivision; running thence coincident with the boundary line common to Lot A and Lot B North 54°01'00" East 57.43 feet to the northernmost corner of Lot B, said corner being common to the westernmost corner of Lot C Boulder Subdivision; thence coincident with the boundary line common to Lot B and Lot C South 35°59'00" East 5.00 feet; thence South 54°01'00" West 58.99 feet to the easterly right-of-way of Empire Avenue; thence coincident with said right-of-way North 18°47'00" West 5.24 feet to the point of beginning.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that the undersigned is the owner of the above described land, and hereby causes the same to be divided into lots, together with easements as set forth to be hereafter known as NORTH NORFOLK PLAT AMENDMENT. The undersigned owner hereby conveys to any and all public utility companies a perpetual, non-exclusive easement over the public utility easement shown on this plat, the same to be used for the installation, maintenance and operation of utility lines and facilities. The undersigned owner also hereby conveys any other easements as shown on this plat to the parties indicated and for the purposes shown hereon.

In witness whereof, the undersigned set his hand this _____ day of _____ 2023.

1325 Empire Ave Holdings, LLC, a Delaware limited liability company

By: _____
Grant David Stahlberg, Manager

ACKNOWLEDGMENT

STATE OF _____)
: ss.
COUNTY OF _____)

On the _____ day of _____ 2023, Grant David Stahlberg personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed did say that he is the manager of 1325 Empire Ave Holdings, LLC, a Delaware limited liability company, and that said document was signed by him on behalf of said limited liability company by authority of its governing agreement or resolution of its members, and he acknowledged to me that he executed the NORTH NORFOLK PLAT AMENDMENT.

By: _____
Notary Public
Printed Name: _____
Residing In: _____
My commission expires: _____
Commission No. _____

NOTES

1. This plat amendment is subject to the Conditions of Approval in Ordinance 2023-____

NORTH NORFOLK PLAT AMENDMENT

LOCATED IN THE NORTHWEST QUARTER OF SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

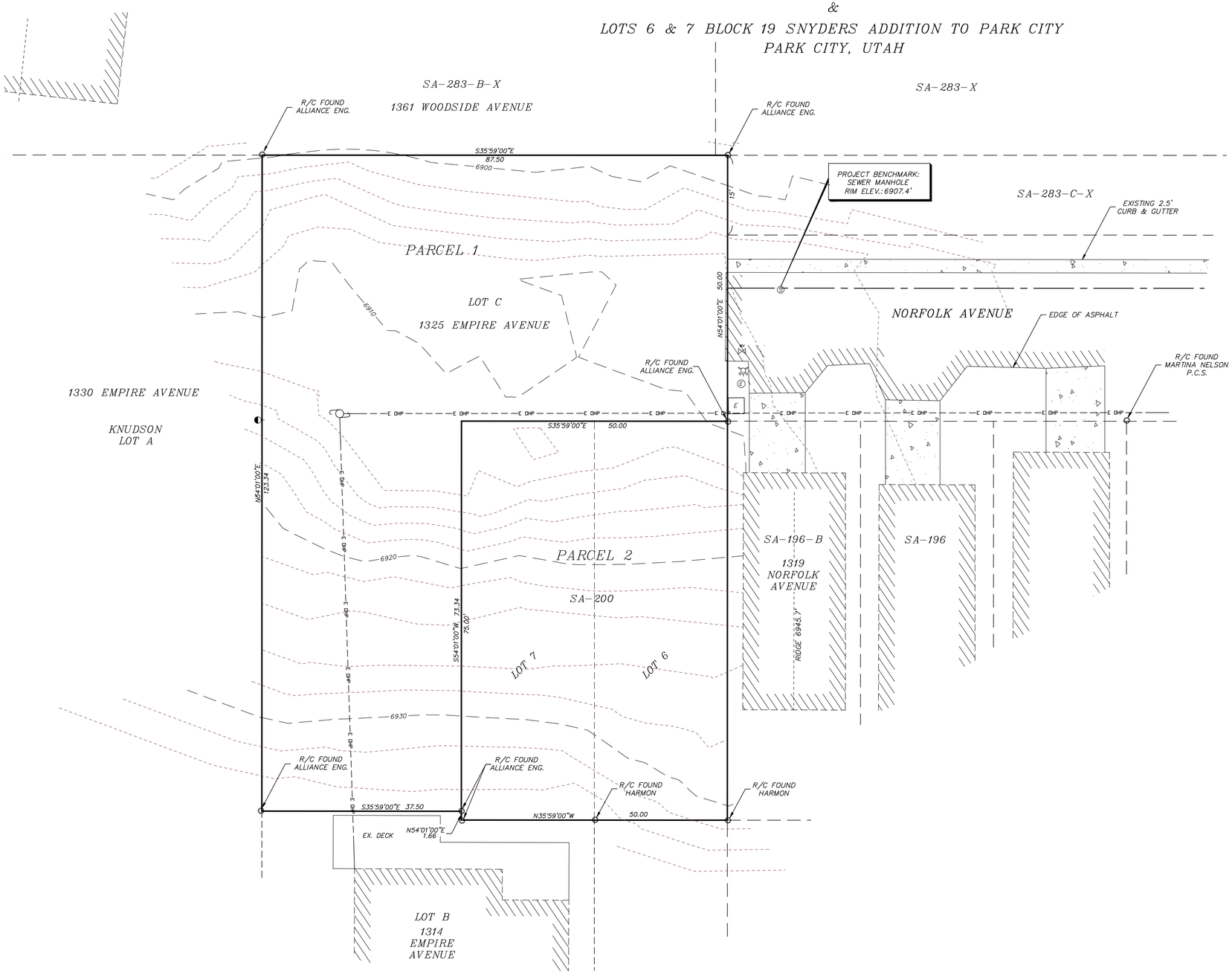
SHEET 1 OF 1

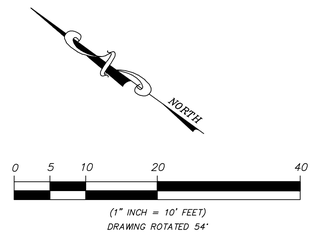
(435) 649-9467
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
JOB NO.: 7-3-22 FILE: K:\Snyders Addition\dwg\survplat2023\070322.dwg

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	PLANNING COMMISSION	ENGINEER'S CERTIFICATE	APPROVAL AS TO FORM	COUNCIL APPROVAL AND ACCEPTANCE	CERTIFICATE OF ATTEST	PUBLIC SAFETY ANSWERING POINT APPROVAL	RECORDED
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2023 BY _____	RECOMMENDED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2023 BY _____ CHAIR	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2023 BY _____ PARK CITY ENGINEER	APPROVED AS TO FORM THIS _____ DAY OF _____, 2023 BY _____ PARK CITY ATTORNEY	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2023 BY _____ MAYOR	I CERTIFY THIS PLAT WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2023 BY _____ PARK CITY RECORDER	APPROVED THIS _____ DAY OF _____ 2023 BY _____ SUMMIT COUNTY GIS COORDINATOR	STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ FEE _____ RECORDER TIME _____ DATE _____ ENTRY NO. _____

TOPOGRAPHIC/EXISTING CONDITIONS SURVEY

LOT C KNUDSON SUBDIVISION
&
LOTS 6 & 7 BLOCK 19 SNYDERS ADDITION TO PARK CITY
PARK CITY, UTAH





NARRATIVE:

THE PURPOSE OF THIS SURVEY WAS TO IDENTIFY THE LOT LINES AND PROVIDE TOPOGRAPHIC DATA TO ESTABLISH THE POSSIBILITY OF DEVELOPMENT ON THE SUBJECT PARCELS.

UTILITIES WERE NOT IDENTIFIED UNDERGROUND AND FURTHER INVESTIGATION IS SUGGESTED.

AN EXISTING CONDITIONS & TOPOGRAPHIC MAP WAS COMPLETED BY ALLIANCE ENGINEERING DATED 1-24-14. THE ELEVATIONS ON THIS SURVEY ARE BASED UPON A SAID SURVEY.

PROPERTY CORNERS WERE NOT SET, HOWEVER FOUND PROPERTY CORNERS ARE IDENTIFIED ON THE SURVEY.

SURVEY COMPLETED: 5/07/2022.

SEE SAID KNUDSON SUBDIVISION FOR ANY EASEMENTS, SETBACK REQUIREMENTS, BUILDING ENVELOPES AND BUILDING LOT RESTRICTIONS. SURVEYOR IS NOT RESPONSIBLE FOR SAID RESTRICTIONS.

CONTOUR INTERVALS ARE TWO FOOT, LABELED ON THE TEN FOOT MAJOR.

SNOW COVERAGE AT THE TIME OF THE INITIAL SURVEY WAS APPROXIMATELY 1' TO 2 FEET. ADDITIONAL INFORMATION WAS GATHERED AT A LATER DATE ON THE HARD SURFACED FEATURES.

LYING WITHIN SECTION 11,
TOWNSHIP 1 SOUTH, RANGE 4 EAST
SALT LAKE BASE & MERIDIAN
SUMMIT COUNTY, UTAH

LEGEND

———	SUBJECT PARCEL	+	SELECTED SPOT ELEVATION
— — — — —	ADJOINERS	○	PROPERTY CORNER FOUND (AS NOTED)
——— – ———	ROAD CENTERLINE		FIRE HYDRANT
—— 6560 ——	CONTOUR MAJOR	E	ELECTRICAL BOX
-------	CONTOUR MINOR	S	SEWER MANHOLE
——— E DHP ———	OVERHEAD POWER	E	ELECTRICAL TRANSFORMER
		W	WATER VALVE

Ted Mason PLS
LAND SURVEYING & DESIGN
YOUR PERSONAL SURVEYOR

3100 PINEBROOK RD.
SUITE 1000
PARK CITY, UT 84098
(801) 573-7871

LOT C KNUDSON SUBDIVISION49
&
LOTS 6 & 7, BLOCK 19, SNYDERS ADD.
SUMMIT COUNTY, UTAH

SURVEY PREPARED
FOR
LARRY FELDMAN

PROFESSIONAL LAND SURVEYOR
No. 323717
TED E. MASON
STATE OF UTAH

DRAWN BY:	DESIGNED BY:	CHECKED BY:
TM	TM	MM

PROJECT NO:	DATE:	SHEET NO:
1110-08	5/9/2022	1

01184065 B: 2725 P: 1173
Page 1 of 7
Rhonda Francis Summit County Recorder
02/24/2022 03:35:42 PM Fee $40.00
By COALITION TITLE AGENCY, INC.
Electronically Recorded

WHEN RECORDED MAIL TO:

SKYLER LLC
C/O: GARY KNUDSON
PO BOX 511
PARK CITY, UT 84060-0511

Knudson-B
Knudson-C
SA-200

EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT (the "Agreement") is entered into on this 23 day of February, 2022 ("Effective Date") by and between **MARYA, LLC** ("Grantor"), and **SKYLER, LLC, formerly known as Skyler LTD** ("Grantee").

RECITALS

A. On the date hereof, Grantor owns real property in Summit County generally located at 1314 EMPIRE AVE, Summit County, Utah, which is more particularly described as:

LOT B KNUDSON SUBDIVISION; ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE SUMMIT COUNTY RECORDERS OFFICE CONT 4,133 SQ FT OR 0.09 AC. 2229-1106.

Tax Parcel No.: KNUDSON-B (GRANTOR PROPERTY)

29780

B. On the date hereof, the Grantee owns real property in Summit County generally located at 1325 EMPIRE AVE, Summit County, Utah, which is more particularly described as:

LOT C KNUDSON SUBDIVISION; ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE SUMMIT COUNTY RECORDERS OFFICE CONT 7,125 SQ FT OR 0.16 AC.

Tax Parcel No.: KNUDSON-C (GRANTEE PROPERTY 1)

C. On the date hereof, the Grantee owns real property in Summit County, Utah, which is more particularly described as:

ALL OF LOTS 6 AND 7 IN BLOCK 19, SNYDERS ADDITION

TO PARK CITY, UTAH ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE SUMMIT COUNTY RECORDERS OFFICE

Tax Parcel No.: SA-200 (GRANTEE PROPERTY 2)

D. The only purpose of this Access Easement is to allow fire department and emergency services ("Emergency Services") access to Grantee Property 1 and Grantee Property 2 by and through an access easement, described herein, for the benefit of the Grantee Property 1 and Grantee Property 2.

E. There exists a certain five foot (5') wide unimproved dirt path across a certain portion of the Grantor Property, as depicted on Exhibit A ("Access Easement").

F. The Grantor Property and Grantee Property are adjoining parcels. Grantee Property 1 (KNUDSON – C) is adjacent to the Access Easement. However, Grantee Property 2 (SA-200) is not adjacent to the Access Easement and Emergency Services may only access Grantee Property 2 by way of Grantee Property 1 and not by way of any other portion of GRANTOR'S PROPERTY.

AGREEMENT

NOW THEREFORE, for good and valuable consideration, the sufficiency and receipt of which are hereby acknowledged, GRANTOR hereby grants a non-exclusive and restricted access easement over the ACCESS EASEMENT for ingress and egress by Emergency Services to access and for the benefit of GRANTEE'S PROPERTY 1 and GRANTEE PROPERTY 2 on the terms and provisions set forth herein.

1. The Recitals above and all Exhibits hereto are hereby incorporated into this Agreement by this reference.

2. The Access Easement is as depicted in Exhibit A which is incorporated herein.

3. Grantee and any successors in interest have a right to construct a concrete / asphalt sidewalk within the full length and width of the Easement Access area. Grantee and any successors are responsible for all costs of construction and maintenance of any such improvements in the Access Easement. Grantee has no rights to otherwise improve upon or make improvements, in any form, to the Access Easement, including but not limited to, grading, retaining, expanding the width, or any other improvement on the Grantor Property, including the ACCESS EASEMENT, without prior written permission from Grantor, except as may be required from time to time by a governmental authority having jurisdiction over the Emergency Services and then only for purposes of providing access for Emergency Services, (provided such governmental authority shall not have the right to increase the width of the Access Easement).

4. Grantor shall have no right to impede or restrict access to or the use of the ACCESS EASEMENT by the Emergency Services providers as contemplated herein, provided, however that Grantor shall have the right to restrict access to the Access Easement in a manner acceptable to Park City Emergency Services providers so that only Emergency Services providers may have access to the Access Easement.

5. The parties acknowledge that Park City currently has plans to build a public access easement on property adjacent to Grantor's Property (the "City Easement"). If and when the City Easement is constructed, and provided that the City Easement is accepted in writing by Park City Municipality (including Emergency Services) as providing equivalent and acceptable Emergency Services access to Grantee Property 1 and Grantee Property 2, this Access Easement shall automatically terminate. Provided, however, that if Grantee Property 1 is able to connect directly to the City Easement, the Access Easement shall be redescribed as the smallest possible area necessary to allow Emergency Services Access to Grantee Property 1 from the City Easement.

6. GRANTEE HAS INSPECTED THE EASEMENT PROPERTY AND ACCEPTS THE EASEMENT PROPERTY IN "AS-IS", "WHERE-IS" CONDITION, WITH ALL FAULTS, AND GRANTEE AGREES THAT GRANTOR HAS NOT MADE, AND DOES NOT MAKE, ANY WARRANTY OR REPRESENTATION WHATSOEVER, EXPRESS OR IMPLIED, AS TO THE PHYSICAL CONDITION OF THE EASEMENT PROPERTY; AND GRANTOR EXPRESSLY DISCLAIMS ALL SUCH WARRANTIES; AND THE PARTIES AGREE THAT ALL RISK ASSOCIATED THEREWITH SHALL BE BORNE BY GRANTEE. NOTWITHSTANDING THE FOREGOING, GRANTOR HEREBY REPRESENTS AND WARRANTS TO GRANTEE THAT GRANTOR IS THE OWNER OF FEE SIMPLE TITLE TO THE EASEMENT PROPERTY AND HAS FULL AUTHORITY TO GRANT THE EASEMENT CREATED HEREIN.

7. This Agreement and the easement created hereunder constitute equitable servitude and covenants running with the land, binding on GRANTOR's PROPERTY and benefitting and appurtenant to GRANTEE PROPERTY 1 AND GRANTEE PROPERTY 2, and shall be binding upon and inure to the benefit of the parties hereto and their respective successors-in-interest.

8. This Agreement is for the sole and exclusive benefit Grantee and its successors-in-interest, for the sole purpose of Emergency Services providers requiring emergency access pursuant hereto, and there shall be no individual rights for use of the Access Easement, including any other third-party beneficiaries, and nothing in this Agreement shall be construed to grant to any other person any right, remedy or claim under or in respect of this Agreement or any provision hereof.

9. This Agreement may only be amended by a writing executed and recorded by Grantor and Grantee, or their respective successors-in-interest.

10. This Agreement shall be governed by and interpreted pursuant to the laws of the State of Utah.

11. Any waiver by a party hereto of any breach of any kind or character whatsoever by another party, whether such waiver be direct or implied, shall not be construed as a continuing waiver of or consent to any subsequent breach of this Agreement on the part of the other party.

12. In the event any action or proceeding is brought by any party against any other party hereto, the prevailing party shall be entitled to recover attorney's fees in such amount as the court may adjudge reasonable.

IN WITNESS WHEREOF, the undersigned has executed this instrument as of the Effective Date.

GRANTOR

MARYA, LLC

By: KIMBERLY ESPLIN
Its Manager

ACKNOWLEDGEMENT

STATE OF Utah)
: ss.
County of Summit)

STATE OF Utah)
COUNTY OF Summit)

On this 27 day of Feb., 2022, KIMBERLY ESPLIN (name of document signer) personally appeared before me , whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he/she is the Manager of Marya, LLC, a Utah limited liability company, and that said document was signed by him/her on behalf of said limited liability company by authority of its Operating Agreement or Resolution of its Members, and he/she acknowledged to me that he/she executed the same.

Notary Public

Notary Public - State of Utah
CRAIG R. RODMAN
Commission #701194
My Commission Expires
August 12, 2022

GRANTEE
SKYLER, LLC

By: KIMBERLY ESPLIN
Its Manager

ACKNOWLEDGEMENT

STATE OF UTAH)
: ss.
County of Summit)

On this 23 day of FEB, 2022, KIMBERLY ESPLIN (name of document signer) personally appeared before me , whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he/she is the Manager of Skyler, LLC, a Utah limited liability company, and that said document was signed by him/her on behalf of said limited liability company by authority of its Operating Agreement or Resolution of its Members, and he/she acknowledged to me that he/she executed the same.

Notary Public

Notary Public - State of Utah
CRAIG R. RODMAN
Commission #701194
My Commission Expires
August 12, 2022

Unofficial Copy

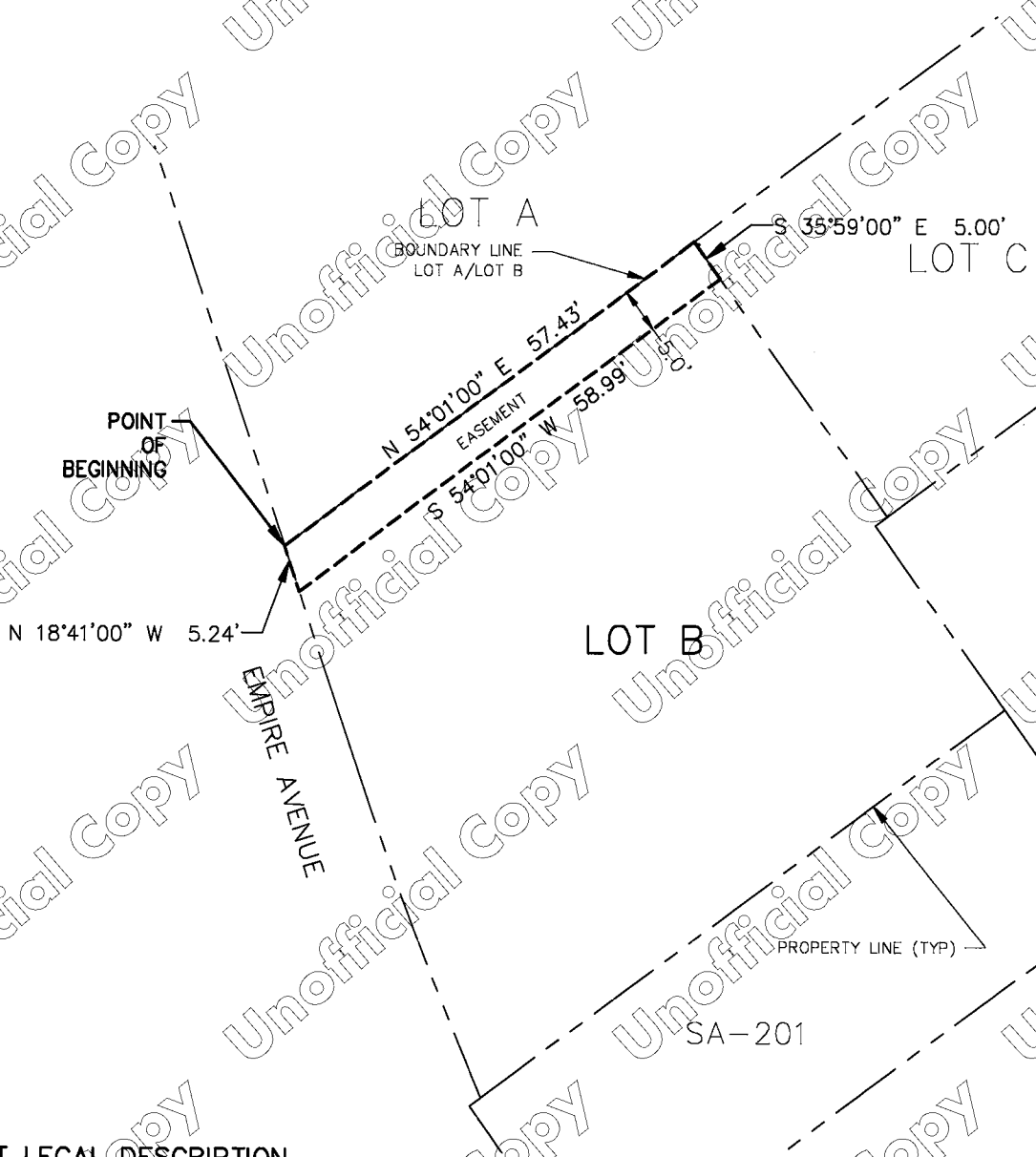
EXHIBIT "A"

(Survey of Access Easement on Grantor's Property)

Unofficial Copy

DocuSign Envelope ID: 0B69FCB2-47CE-4E3A-95EF-137D783542E5

KNUDSON SUBDIVISION
LOT B EASEMENT
EXHIBIT "A"



EASEMENT LEGAL DESCRIPTION

A five (5) foot wide Access Easement located in the Northwest Quarter of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said easement also being located within Lot B of the Knudson Subdivision recorded February 27, 2014 as Entry No. 990328 in the office of the Summit County Recorder and being more particularly described as follows:

Beginning at the westernmost Corner of Lot B Knudson Subdivision, said corner being common to the southernmost Corner of Lot A Knudson Subdivision; and running thence coincident with the boundary line common to Lot A and Lot B North 54°01'00" East 57.43 feet to the northernmost Corner of Lot B, said corner being common to the westernmost Corner of Lot C Knudson Subdivision; thence coincident with the boundary line common to Lot B and Lot C South 35°59'00" East 5.00 feet; thence South 54°01'00" West 58.99 feet to the easterly right-of way of Empire Avenue; thence coincident with said right-of-way of Empire Avenue North 18°41'00 West 5.24 feet to the Point of Beginning.

SCALE: 1" = 20'

Date: 12.06.2021
Project No.: 21039
C:\Users\Charlie\Desktop\ALLTERRA\AU JOBS\21039-Knudson Easement\21039.dwg

PROFESSIONAL LAND SURVEYING AND CONSULTING
ALLTERRA UTAH, LLC
435-640-4200
463 SCENIC HEIGHTS ROAD. FRANCIS, UTAH 84036

Unofficial Copy

to: Park City Municipal Corp.
P. O. Box 1480, Park City, UT 84060

RESOLUTION

Certification: I hereby certify that this is a true and exact copy of the original.

Michelle Olsen
City Recorder
2/10/83

Fee Exempt per Utah Code Annotated 1953 21-7-2

WHEREAS, the City Council of Park City deems it desirable to close Norfolk Street: and

WHEREAS, the City owns the street in fee and it is desirable to sell such land;

NOW, THEREFORE, be it resolved by the City Council of Park City, Utah, that:

1. The street hereby described below is closed.

Norfolk Avenue from the front of Block 19, Lot 6 northwest through 14th Street and continuing on from the north side of 14th from Block 21 through Lot 24.

2. The Mayor is hereby authorized to execute such documents that are necessary to accomplish the sale of such land.

3. This resolution becomes effective upon adoption.

ADOPTED THIS 16 DAY OF October, 19 80.

Entry No. 202815
Book M252 Page 555
REQUEST OF Park City Municipal Corp.
FEE ALAN SPRIGGS, SUMMIT CO. RECORDER
$ D. H. By Susan Robertson
RECORDED 3-1-83 at 3:37 M

PARK CITY MUNICIPAL CORPORATION

By: John C. Green
John C. Green, Jr., Mayor

Attest:

Michelle Jones
Deputy City Recorder

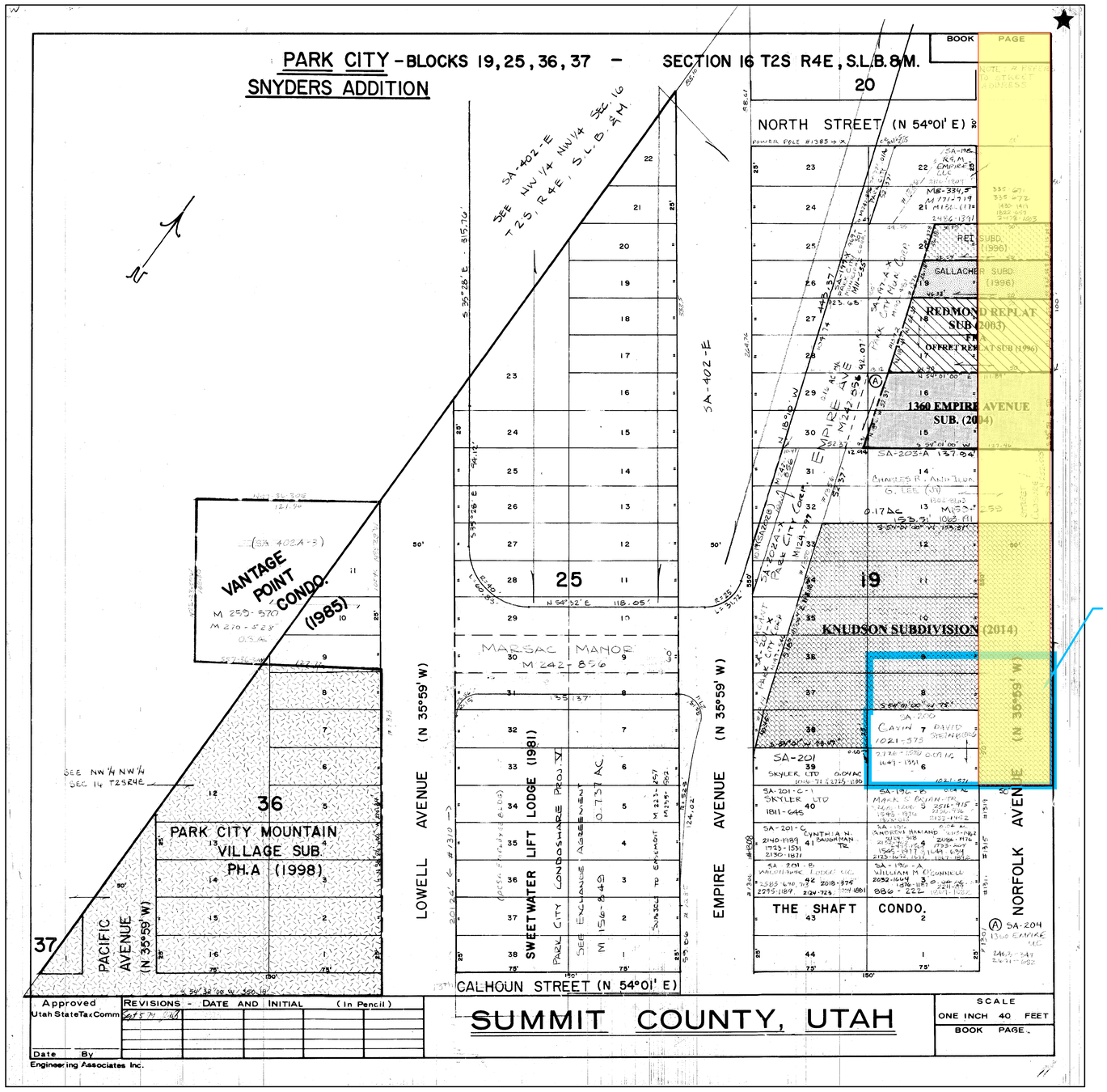
Parcel #1:

Beginning at the Northerly most corner of Lot 22 in Block 19 of Snyder's Addition to Park City, Utah; and running thence South 35°59' East along the Northeasterly line of said Block 19, 425 feet to the Easterly most corner of Lot 6 in said Block 19; thence North 54°01' East 50 feet to the Southwesterly line of Block 24, Snyder's Addition to Park City, Utah; thence North 35°59' West along the Southwesterly line of said Block 24, 425 feet; thence South 54°01' West 50 feet to the point of beginning. Contains 21,250 square feet.

Parcel #2:

Beginning at the most Southerly corner of Lot 26, Block 21, Snyder's Addition to Park City, Utah, and running thence South 54°01' West 50.00 feet to the most Easterly corner of Block 20 of Snyder's Addition to Park City, Utah; thence North 35°59' West 18.70 feet to the Easterly line of proposed Empire Avenue (50 feet wide); thence North 18°41' West along the Easterly line of said Empire Avenue 71.92 feet to a point of curvature being concave to the Southwest, having a central angle of 1°26'20" and a radius of 525.00 feet; thence Northwesterly along the arc of said curve 13.18 feet; thence North 54°01' East 24.85 feet to the most Westerly corner of Lot 23, Block 21 of Snyder's Addition to Park City, Utah; thence South 35°59' East 100.00 feet to the point of beginning. Contains 3971.50 square feet.

BOOKM252 PAGE555



(435) 649-9467
Alliance Engineering Inc
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

STAFF: MARSHALL KING

DATE: 5/11/22

OWNERSHIP MAP
NORTH NORFOLK PLAT AMENDMENT

FOR: GAVIN DAVID STEINBERG
JOB NO.: 7-3-22
FILE: X:\SnydersAddition\dwg\PlatExhibits\2022\North Norfolk-ownership.dwg

SHEET 1 OF 1

RESOLUTION

Resolution No. 11-82

A Resolution Authorizing a Property Trade on Norfolk Avenue in Park City

WHEREAS, the City Council of Park City, Utah, did authorize the transfer of city-owned land on Norfolk Avenue, to Richard and Kit Davies, and, property belonging to the Davies to be accepted by the city, and,

WHEREAS, the transfer will benefit the citizens of Park City, and the future planning of streets within the city.

NOW THEREFORE BE IT RESOLVED by the City Council of Park City, Utah, that the City Attorney is authorized to have executed the deeds to accomplish this transfer of land, which descriptions are attached hereto.

PASSED AND ADOPTED this 22nd day of April, 1982.

PARK CITY MUNICIPAL CORPORATION

John C. Green, Jr.
Mayor

Attest:

PARK CITY SUMMIT COUNTY UTAH CORPORATE SEAL MARCH 1, 1884

Recorded at Request of Recorded at the request of and return to: Park City Municipal Corp. P. O. Box 1480, Park City, UT 84060

at ..... M. Fee Paid $.....

by ..... Dep. Book ..... Page ..... Ref.: .....

Mail tax notice to Richard and Kit Davies Address 4601 Barreville Rd Crystal Lake, IL 60014

QUIT-CLAIM DEED

[CORPORATE FORM]

PARK CITY MUNICIPAL CORPORATION , a corporation organized and existing under the laws of the State of Utah, with its principal office at , of County of , State of Utah, grantor, hereby QUIT CLAIMS to

RICHARD B. DAVIES AND KIT S. DAVIES grantee of for the sum of DOLLARS,

the following described tract of land in County, State of Utah:

Beginning at the Northerly most corner of Lot 5, Block 78, Park City Survey, and running thence North 66° 22' East, 10 feet, thence South 23° 38' East along a line 10 feet off set and parallel to the westerly line of Norfolk Avenue as plotted, 37.23 feet to a point which is 10 feet, more or less, Northwesterly from an existing retaining wall along the Northwesterly line of existing Norfolk Avenue, thence South 15° 42' 30" West, more or less, parallel with said retaining wall 15.77 feet to the Northeasterly line of Lot 4, said Block 78, thence North 23° 38' West along the easterly line of Lots 4 and 5, said Block 78, 49.43 feet to the point of beginning.

Containing 433.30 square feet.

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the grantor at a lawful meeting duly held and attended by a quorum.

In witness whereof, the grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this day of , A. D. 19

Attest:

..... Secretary.

[CORPORATE SEAL]

..... Company

By

X ..... Mayor ~~President.~~

STATE OF UTAH, } ss.

County of

On the day of , A. D. personally appeared before me and who being by me duly sworn did say, each for himself, that he, the said is the president, and he, the said is the secretary of Company, and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its board of directors and said and each duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of said corporation.

.....

Notary Public.

My commission expires ..... My residence is .....

BLANK NO. 103C — © GEM PTG. CO. — 3215 SO. 2600 EAST — SALT LAKE CITY

Norfolk

Recorded at the request of and return to: Park City Municipal Corp. P. O. Box 1480, Park City, UT 84060

Recorded at Request of _____

at _____ M. Fee Paid $_____

by _____ Dep. Book _____ Page _____ Ref.: _____

Mail tax notice to Park City Mun. Copr. Address P.O. Box 1480, Park City 84060 (EXEMPT)

QUIT-CLAIM DEED

RICHARD B. DAVIES AND KIT S. DAVIES grantor
of , County of , State of Utah, hereby
QUIT-CLAIM to

PARK CITY MUNICIPAL CORPORATION grantee
of for the sum of
DOLLARS,

the following described tract of land in County,
State of Utah:

Beginning at the Southeasterly most corner of Lot 3, Block 78, Park City Survey, and running thence South 66° 22' West along the southerly line of Lot 3, 20.96 feet to a point which is 10 feet, more or less, northwesterly from an existing retaining wall along the northwesterly line of existing Norfolk Avenue, thence North 15° 42' 30" East, more or less, parallel with said retaining wall, 33.07 feet, more or less, to the northeasterly line of said Lot 4, said Block 78, thence along said northeasterly line of Lots 4 and 3, South 23° 38' East, 25.57 feet to the point of beginning.

Containing 267.96 square feet.

WITNESS the hand of said grantor , this day of
, A. D. one thousand nine hundred and

Signed in the presence of

_____ } ---- Don't Sign this one. _____

_____ } --- _____

_____ } ---- _____

STATE OF UTAH, }
County of } ss.

On the day of A. D. one
thousand nine hundred and personally appeared before me

the signer of the foregoing instrument, who duly acknowledge to me that he executed the same.

Notary Public.

My commission expires Address:

BLANK NO. 103— © GEM PTG. CO. — 3215 SO. 2600 EAST — SALT LAKE CITY

Ordinance 14- 03

AN ORDINANCE APPROVING THE KNUDSON SUBDIVISION PLAT LOCATED AT 1314 & 1350 EMPIRE AVENUE, PARK CITY, UTAH.

WHEREAS, the owners of the property known as the Knudson Subdivision located at 1314 & 1350 Empire Avenue, have petitioned the City Council for approval of the Knudson Subdivision; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners according to the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on January 29, 2014 to receive input on the proposed subdivision;

WHEREAS, on January 29, 2014 the Planning Commission forwarded a positive recommendation to the City Council; and,

WHEREAS, on February 13, 2014 the City Council held a public hearing on the proposed Knudson Subdivision; and

WHEREAS, it is in the best interest of Park City, Utah to approve the proposed Knudson Subdivision.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Knudson Subdivision, as shown in Exhibit A, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 1314 & 1350 Empire Avenue within the Recreation Commercial (RC) District.
2. On December 31, 2013, the applicants submitted an application for a plat amendment to combine eleven (11) lots and the adjacent abandoned Norfolk Avenue ROW containing a total of 25,883 square feet into three (3) lots of record.
3. The plat amendment is necessary in order for the applicants to move forward with the City's RDA redevelopment efforts and improvements, which include a possible east/west pedestrian connection from Miner's Hospital to PCMR, as well as remove lot lines under the Acorn Inn and compliance with the northerly side and rear yard setbacks for the Acorn Inn.

4. The application was deemed complete on January 7, 2014.
5. As per Land Management Code (LMC) 15-7.1-6(A) "an Owner of the land or his representative shall file with the Planning Department an Application for the approval of a final Subdivision Plat. The application shall include all contiguous holdings of the Owner, unless specifically waived by the Planning Department and Planning Commission, including land in the "same ownership," as defined herein, with an indication of the portion which is proposed to be subdivided, accompanied by an affidavit of ownership, which shall include the dates the respective holdings of land were acquired, together with the book and page of each conveyance to the present Owner as recorded in the County Recorder's office.
6. The Planning Director made a determination on January 23, 2014 and the Planning Commission voted to support the determination that Gary Knudson is not required to subdivide the contiguous holdings located at and around 1314 & 1350 Empire Avenue. Rather, the applicant may move forward with the request for a three (3) lot plat amendment at 1314 & 1350 Empire Avenue only.
7. The RC zone requires a minimum lot area of 1,875 square feet.
8. Lots A and B have frontage on and access from Empire Avenue. Lot C has frontage on and access from Norfolk Avenue.
9. The proposed subdivision contains a total of 25,883 square feet of area. Lot A contains 14,625 sq. ft., Lot B contains 4,133 sq. ft., and Lot C contains 7,125 sq. ft.
10. Lot A is intended to be used for a future RDA pedestrian connection between PCMR and Miner's Hospital. The Acorn Inn will remain on Lot B. Lot C is vacant.
11. The proposed plat amendment does not create any new non-complying or nonconforming situations.
12. The plat amendment secures a public snow storage easement across the frontage of Lot A on Empire Avenue.
13. The amendment of eleven (11) lots and the adjacent abandoned Norfolk Avenue ROW would be the second largest plat amendment in the neighborhood. The largest of these plat amendments is the Carl Winters School Subdivision which contains seventy-two (72) lots and the next largest is the Park City High School Mechanical Arts Building which contains seven (7) lots.

Conclusions of Law:

1. There is good cause for this plat amendment.
2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. Approval of the plat amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. Modified 13-D sprinklers may be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final mylar prior to recordation.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 13th day of February, 2014

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

ATTEST:

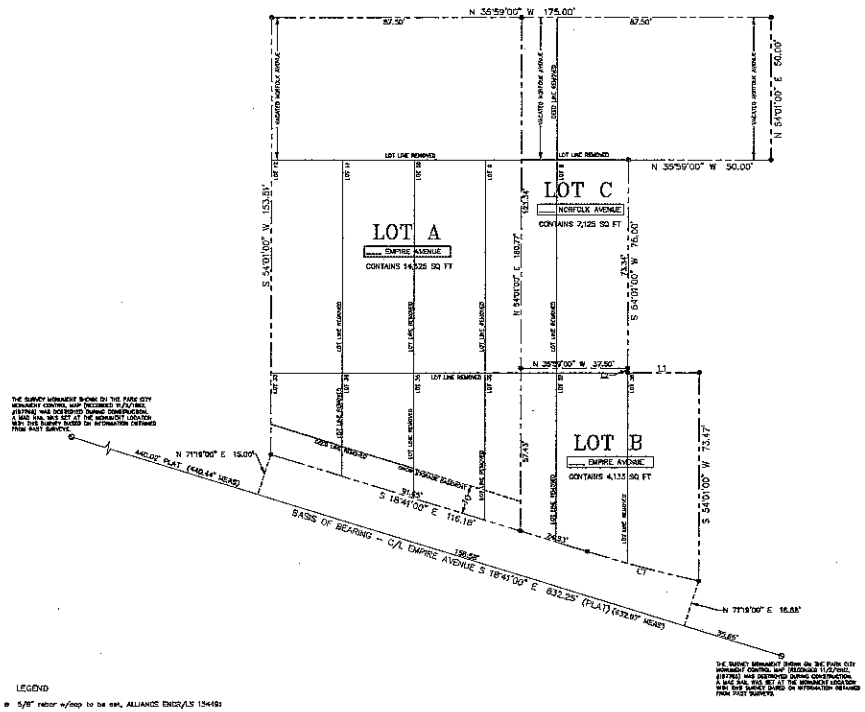
Marci Heil, City Recorder

PARK CITY SUMMIT COUNTY UTAH CORPORATE Seal MARCH 1, 1884

APPROVED AS TO FORM:

Mark Harrington, City Attorney

EXHIBIT A



LEGEND

● 5/8" rebar w/cap to be set, ALLIANCE ENG/LS 154491

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 35°59'00" E	25.00
L2	S 54°01'00" W	1.65

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	485.00	40.45	4°46'43"

REGISTERED LAND SURVEYOR No. 154491 JOHN DEMKOWICZ State of Utah

SURVEYOR'S CERTIFICATE

I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 154491, as prescribed by the laws of the State of Utah, and that by authority of the owner, I have prepared this Record of Survey map of KNUDSON SUBDIVISION and that the same has been or will be monumented on the ground as shown on this plat. I further certify that the information on this plat is accurate.

John Demkowicz — Date

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that Park City Redevelopment Authority, as to PARCEL 1, does hereby certify that it has caused this Plat Amendment to be prepared and hereby consents to the recordation of this Plat Amendment.

IN WITNESS WHEREOF, the undersigned set his hand this _____ day of _____, 2014.

Park City Redevelopment Authority

ACKNOWLEDGMENT

State of Utah

County of Summit

On this _____ day of _____, 2014, _____ personally appeared before me, the undersigned Notary Public in and for said state and county. Having been duly sworn, _____ acknowledged to me that he is authorized _____ and that he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

A Notary Public commissioned in Utah

Printed Name

Residing in:

My commission expires: _____

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that SKYLER, LTD., the undersigned owner of the herein described tract of land, to be known hereafter as KNUDSON SUBDIVISION, does hereby certify that it has caused this Plat Amendment to be prepared. SKYLER, LTD., hereby consents to the recordation of this Plat Amendment.

In witness whereof, the undersigned set his hand this _____ day of _____, 2014.

SKYLER, LTD.

Gary Knudson, Manager

State of _____ ss:
County of _____

ACKNOWLEDGMENT

On this _____ day of _____, 2014, Gary Knudson personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, Gary Knudson acknowledged to me that he is the Manager of SKYLER, LTD., organized and existing under the laws of the State of Utah for and in behalf of said company for the uses and purposes stated therein and that he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

A Notary Public commissioned in Utah

Printed Name

Residing in:

My commission expires: _____

LEGAL DESCRIPTION

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

Beginning at the northernmost corner of Lot 12, Block 19, Snyder's Addition to Park City Survey, according to the official plat thereof on file and of record in the office of the recorder, Summit County, Utah; and running thence along the westerly boundary of Block 19 South 35°59'00" East 50.00 feet to the easternmost corner of Lot 11; thence along the south boundary of Lots 11 and 34 South 54°01'00" West 119.05 feet to the westerly edge of Empire Avenue; thence along the westerly edge of Empire Avenue North 18°41'00" West 52.37 feet to the north boundary of Lot 33; thence along the north boundaries of Lots 33 and 12 North 54°01'00" East 103.51 feet to the point of beginning.

LOT 8, Block 19, Snyder's Addition to Park City, according to the official plat thereof on file and of record in the office of the Recorder.

All of LOTS 9, 10, 35 AND 36 Block 19, Snyder's Addition to Park City, Park City, Utah, according to the official plat thereof and on file and of record in the Summit County Recorder's Office.

Less and excepting any portion lying within Empire Avenue.

Beginning at the north corner of Lot 12, Block 19, Snyder's Addition to Park City, Utah, said point of beginning also being on the west right-of-way line of Norfolk Avenue; thence North 54°01' East 50.00 feet to the west right-of-way line of said Norfolk Avenue; thence South 35°59' East along said west line 100.00 feet; thence South 54°01' West 50.00 feet to said west line; thence North 35°59' West along west line 100.00 feet to the point of beginning.

Beginning at the north corner of Lot 8, Block 19, Snyder's Addition to Park City, Utah, said point of beginning also being on the west right-of-way line of Norfolk Avenue; thence North 54°01' East 50.00 feet to a point on the east right-of-way line of Norfolk Avenue; thence South 35°59' East along said east line 75.0 feet; thence South 54°01' West 50.00 feet to a point on said west line; thence North 35°59' West along west line 75.0 feet to the point of beginning.

Lots 37 AND 38, Block 19, Snyder's Addition to Park City, according to the official plat thereof on file and of record in the office of the Recorder.

Less and excepting any portion lying within Empire Avenue.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that MARYA, LLC., a Utah limited liability company, the undersigned owner of the herein described tract of land, to be known hereafter as KNUDSON SUBDIVISION, does hereby certify that it has caused this Plat Amendment to be prepared. MARYA, LLC., hereby consents to the recordation of this Plat Amendment.

In witness whereof, the undersigned set his hand this _____ day of _____, 2014.

MARYA, LLC., a Utah limited liability company

Gary Knudson, Manager

State of _____ ss:
County of _____

ACKNOWLEDGMENT

On this _____ day of _____, 2014, Gary Knudson personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, Gary Knudson acknowledged to me that he is the Manager of MARYA, LLC., a Utah limited liability company, organized and existing under the laws of the State of Utah for and in behalf of said company for the uses and purposes stated therein and that he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

A Notary Public commissioned in Utah

Printed Name

Residing in:

My commission expires: _____

A RE-SUBDIVISION OF PLATTED LOTS AND RIGHT-OF-WAY
BLOCK 19, SNYDER'S ADDITION TO PARK CITY SURVEY

KNUDSON SUBDIVISION

LOCATED IN THE NORTH HALF OF SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

20 0 20 40

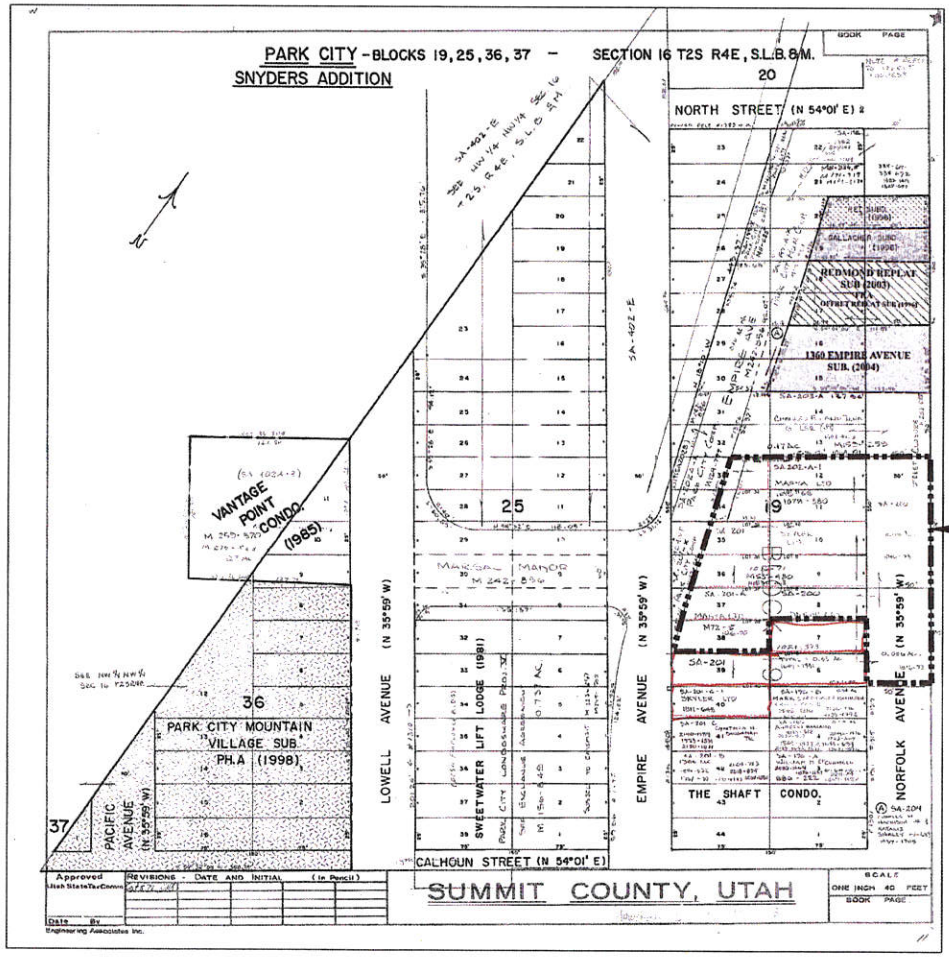
SHEET 1 OF 1

JOB NO.: 6-12-13 FILE: X:\SnydersAddition\dwg\sr\plat2013\061213.dwg

(435) 649-9467
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
333 Main Street P.O. Box 2664 Park City, Utah 84060-2664

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	PLANNING COMMISSION	ENGINEER'S CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2014 A.D. BY _____ S.B.W.R.D.	APPROVED BY THE PARK CITY PLANNING COMMISSION THIS ____ DAY OF _____, 2014 A.D. BY _____ CHAIRMAN	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2014 A.D. BY _____ PARK CITY ENGINEER	APPROVED AS TO FORM THIS _____ DAY OF _____, 2014 A.D. BY _____ PARK CITY ATTORNEY	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ____ DAY OF _____, 2014 A.D. BY _____ PARK CITY RECORDER	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF _____, 2014 A.D. BY _____ MAYOR	STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____ FEE _____ RECORDER

EXHIBIT B



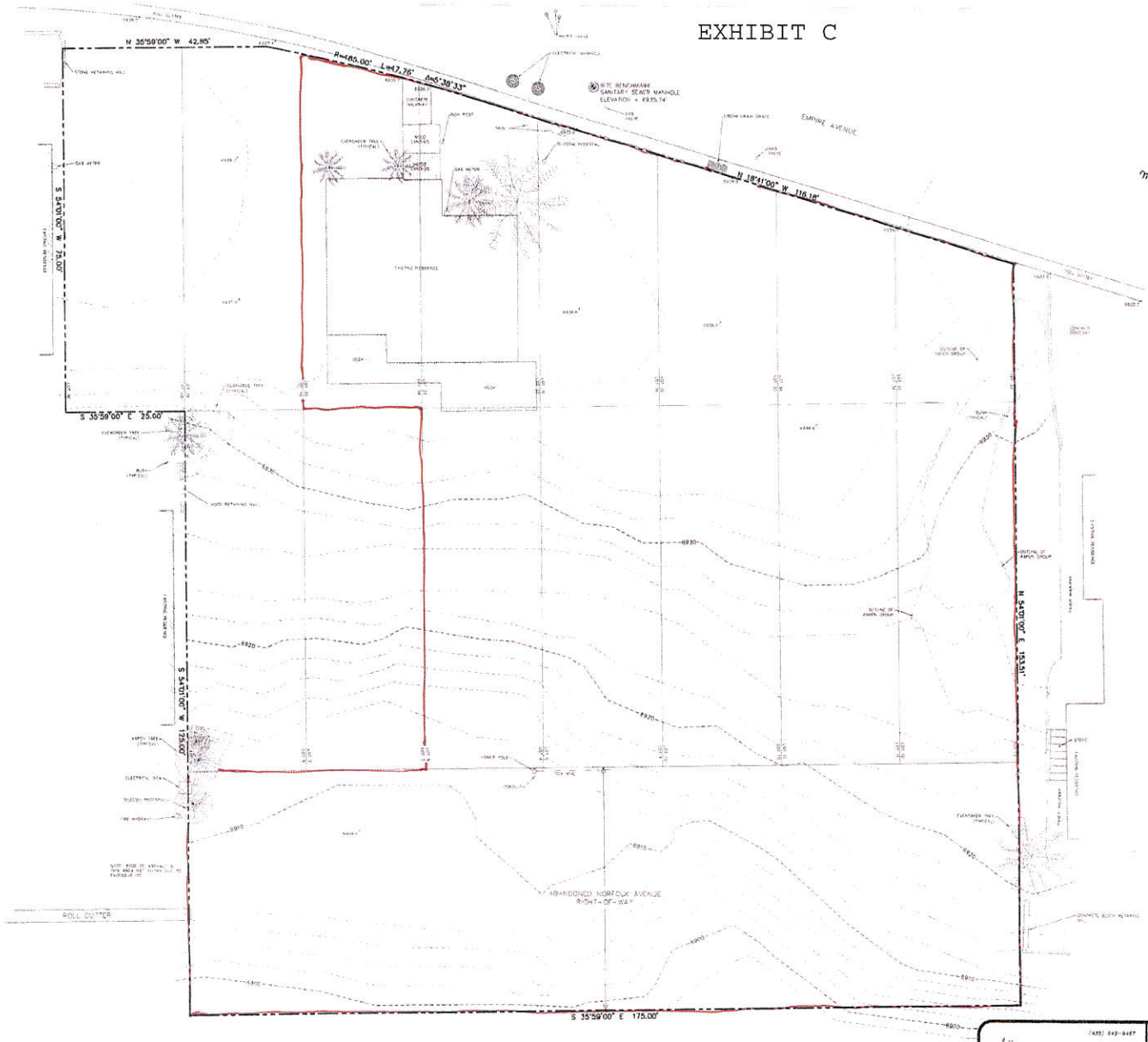
KNUDSON SUBDIVISION

LOCATED IN SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

NOTE:
1. In addition to Lots in this subdivision, Lots 6 & 7 and Lots 39 & 40, are owned by Gary Knudson, under the entity, Skyler LTD.

Alliance Engineering	STAFF: STEVE SCHUELER, MARSHALL KING	OWNERSHIP PLAT KNUDSON SUBDIVISION SNYDER'S ADDITION FOR: PCMC JOB NO.: 6-12-13 FILE: X:\Snyder's Addition\dwg\plat2013\061213-support.dwg
	DATE: 12/31/13	SHEET 1 OF 1

EXHIBIT C



SURVEYOR'S CERTIFICATE

REGISTERED LAND SURVEYOR No. 4938739 MARTIN A. MORRISON State of Utah

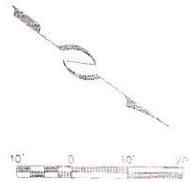
I, Martin A. Morrison, do hereby certify that I am a registered land surveyor and that I hold certificate no. 4938739 as prescribed under the laws of the State of Utah. I further certify that a topographic survey has been made under my direction of the lands shown and described hereon. I further certify that this topographic survey is a correct representation of the land surveyed at the time the field work was completed and is in compliance with generally accepted industry standards for accuracy.

Martin A. Morrison

1-24-'14

NOTES

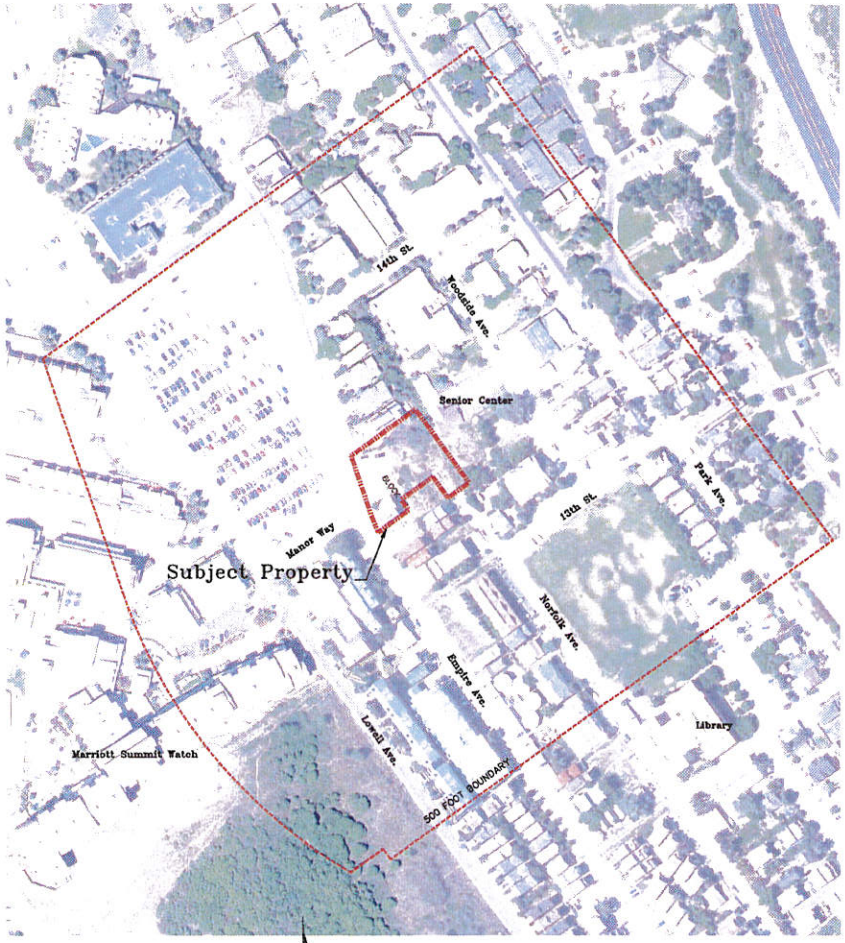
1. Site Benchmark: Sanitary Sewer Manhole Elevation=6935.74'
2. The architect is responsible for verifying building setbacks, zoning requirements and building heights
3. This topographic map is based on a field survey performed on January 21, 2014
4. Property corners were not set
5. Snow coverage at the time of the survey was approximately 1"-3". As a result, actual elevations may vary from elevations shown on this survey. In addition, monuments, improvements and/or conditions may exist which are not shown on this survey.



(435) 649-9467
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

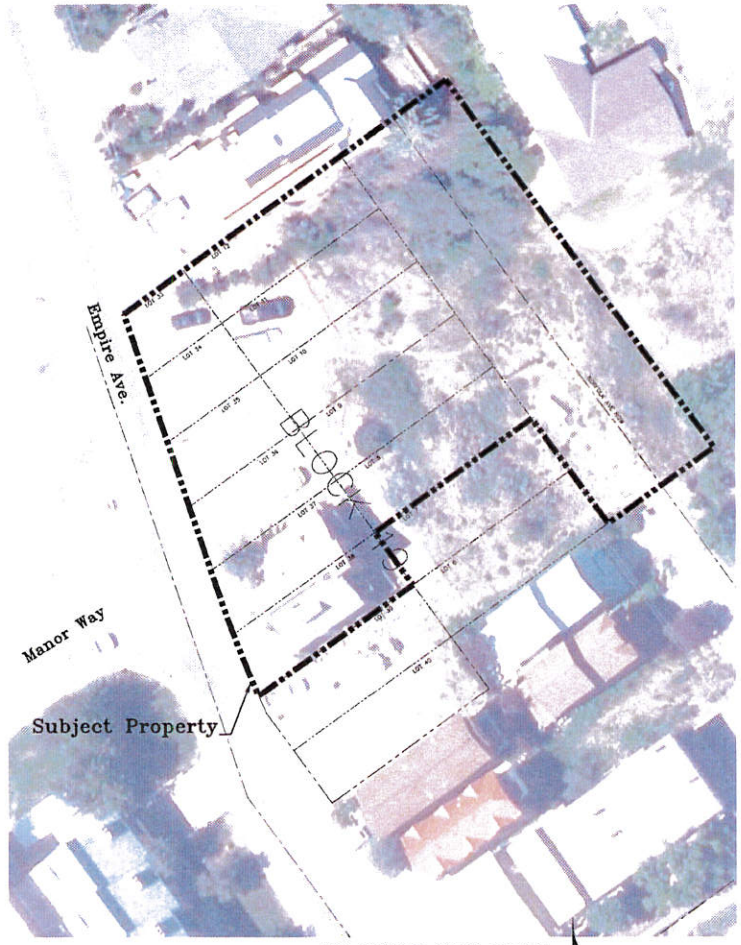
STAFF:	EXISTING CONDITIONS & TOPOGRAPHIC MAP BLOCK 19, SNYDERS ADDITION	SHEET
MARSHALL KING MARTY MORRISON HARRISON HOLLEY	FOR: PARK CITY MUNICIPAL CORPORATION JOB NO.: 6-12-13	1 OF 1
DATE: 1/24/14	FILE: X:\SnydersAddition\dwg\srv\topo2013\061213.dwg	

EXHIBIT D



500 FOOT EXHIBIT

100' 0 100' 200'



20 SCALE SITE PLAN

20' 0 20' 40'

KNUDSON SUBDIVISION

LOCATED IN SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

NOTE:
1. In addition to Lots in this subdivision, Lots 6 & 7 and Lots 39 & 40, are owned by Gary Knudson, under the entity, Skyler LTD.

(435) 649-9467
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
573 Main Street P.O. Box 2664 Park City, Utah 84060-2664

STAFF: STEVE SCHUELER
MARSHALL KING

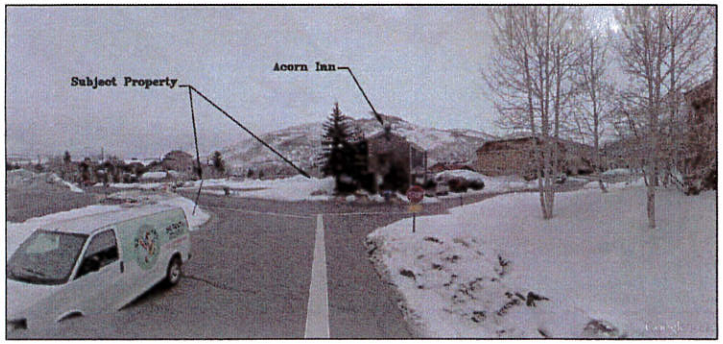
DATE: 12/31/13

ORTHO-PHOTOS
KNUDSON SUBDIVISION
SNYDER'S ADDITION

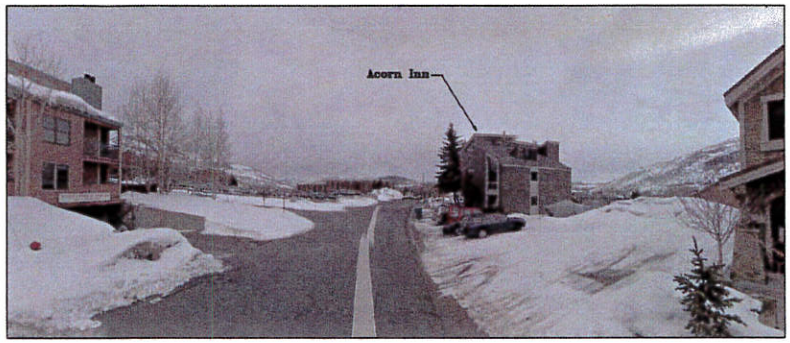
FOR: PCMC
JOB NO.: 6-12-13
FILE: X:\Snyder's Addition\dwg\plat2013\061213-support.dwg

SHEET 1 OF 1

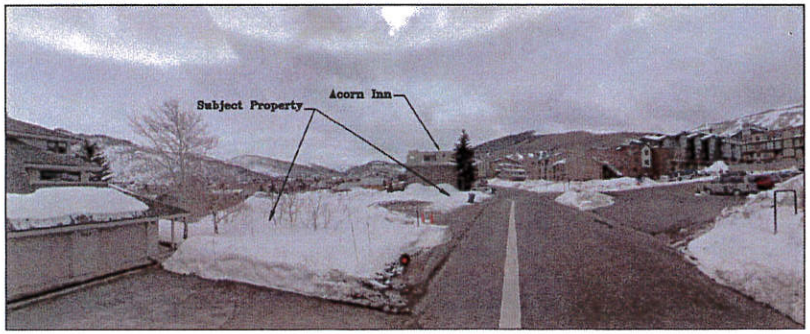
EXHIBIT E



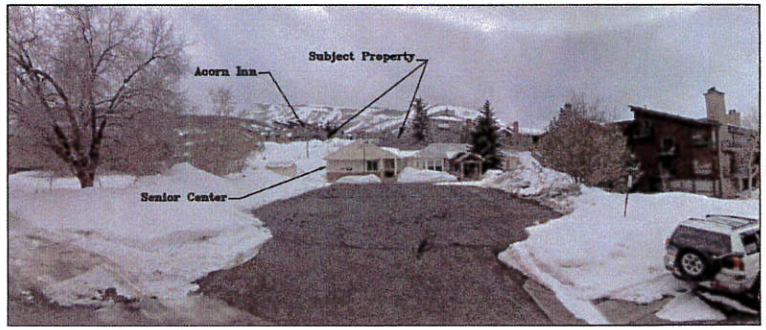
LOOKING EAST FROM MANOR WAY



LOOKING NORTH FROM EMPIRE AVE.



LOOKING SOUTH FROM EMPIRE AVE.

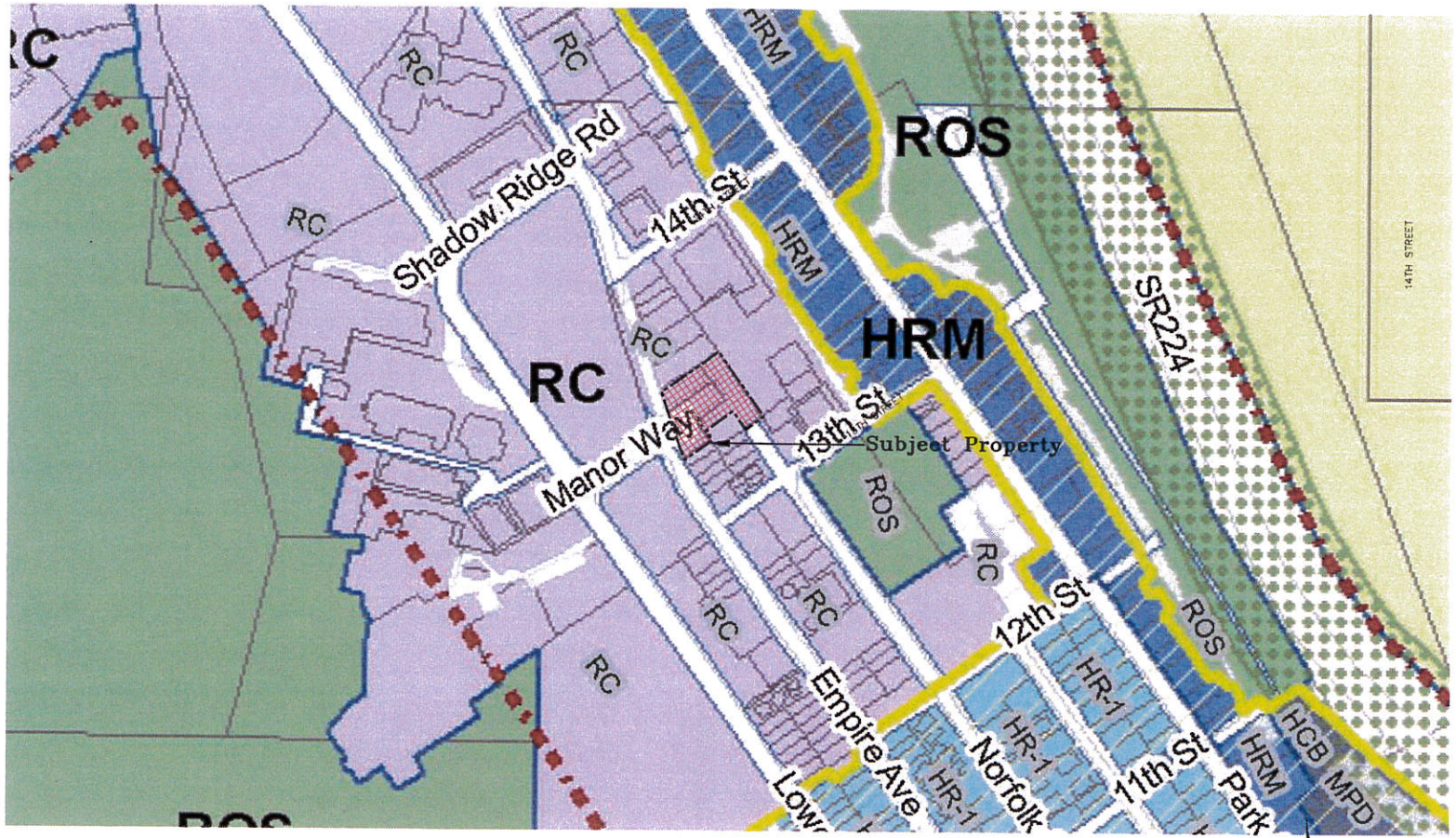


LOOKING WEST FROM NORFOLK AVE.

RECEIVED
DEC 31 2013
PLN

Alliance Engineering Inc. (435) 649-9467 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 333 Main Street P.O. Box 3004 Park City, Utah 84060-2408	STAFF: STEVE SCHUETLER MARSHALL KING DATE: 12/31/13	STREETSCAPE IMAGES KNUDSON SUBDIVISION SNYDER'S ADDITION FOR: PCMC JOB NO.: S-12-13 FILE: X:\Snyder's Addition\dwg\plat2013\061213-support.dwg	SHEET 1 OF 1

EXHIBIT F



KNUDSON SUBDIVISION

LOCATED IN SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

RED HATCHING IS FOR ILLUSTRATIVE PURPOSES ONLY

Alliance Engineering	STAFF: STEVE SCHUELER MARSHALL KING	ZONING MAP KNUDSON SUBDIVISION SNYDER'S ADDITION	SHEET 1 OF 1
	DATE: 12/31/13	FOR: PCMC JOB NO.: 6-12-13 FILE: K:\Snyder's Addition\dwg\plat2013\061213-support.dwg	

DEC 3 1 2013

EXHIBIT G

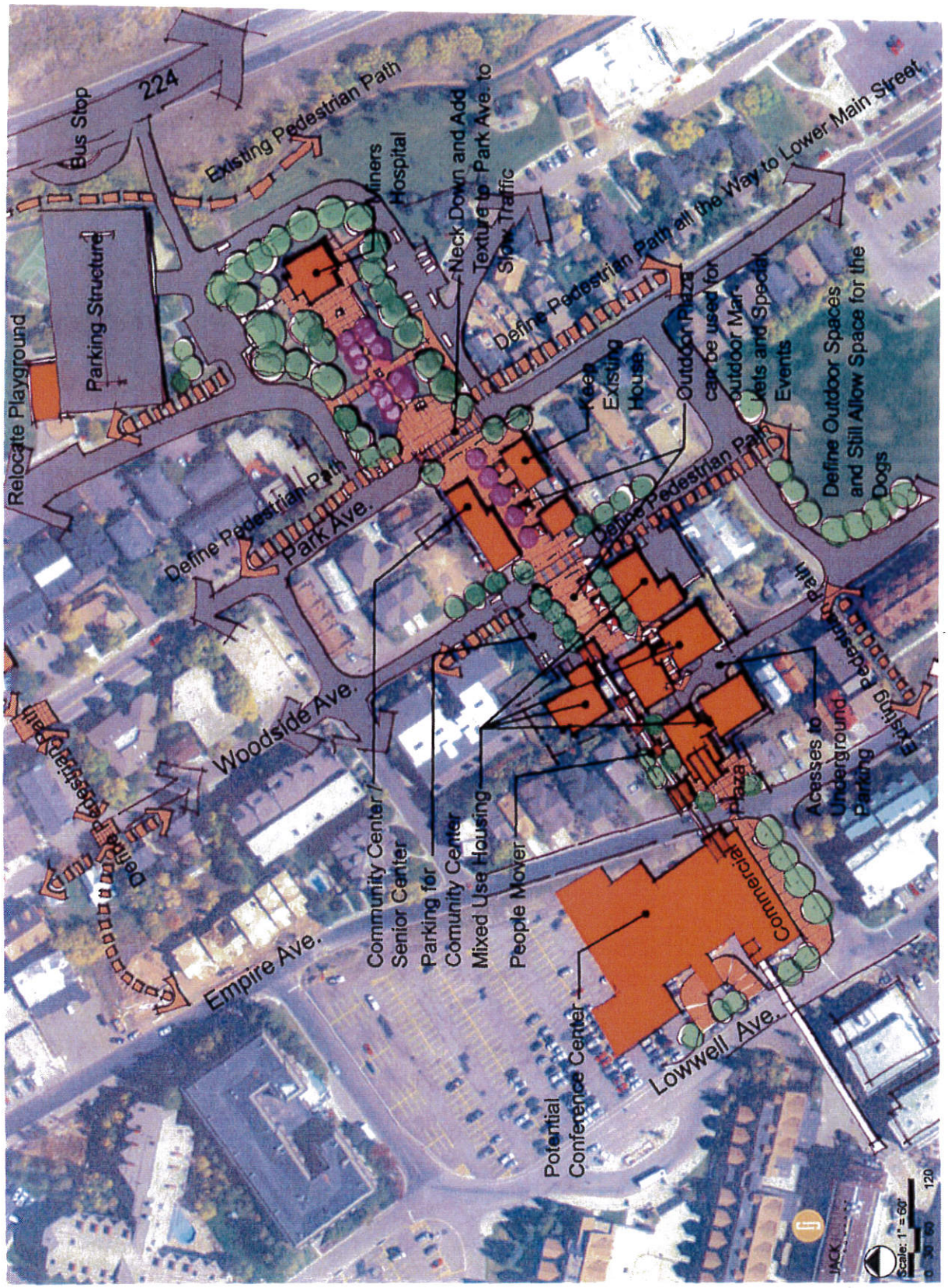

Bus Stop
224
Existing Pedestrian Path
Miners Hospital
Neck Down and Add Texture to Park Ave. to Slow Traffic
Define Pedestrian Path all the Way to Lower Main Street
Parking Structure
Relocate Playground
Keep Existing House
Outdoor Plaza can be used for Outdoor Markets and Special Events
Define Outdoor Spaces and Still Allow Space for the Dogs
Define Pedestrian Path
Park Ave.
Define Pedestrian Path
Existing Pedestrian Path
Woodside Ave.
Community Center / Senior Center
Parking for Comunity Center Mixed Use Housing
People Mover
Plaza
Commercial
Acesses to Underground Parking
Empire Ave.
Potential Conference Center
Lowwell Ave.
Scale: 1" = 60'
0 30 60 120

EXHIBIT H

January 23, 2014

Gary Knudson
PO Box 511
Park City, UT 84060

NOTICE OF PLANNING DIRECTOR DETERMINATION

Project Address:	1314 & 1350 Empire Avenue
Project Description:	Plat Amendment
Project Number:	PL-14-02202
Date of Action:	January 23, 2014

ACTION TAKEN BY PLANNING DIRECTOR:

Per Land Management Code (LMC) 15-7.1-6(A) an Owner of the land or his representative shall file with the Planning Department an Application for the approval of a final Subdivision Plat. The application shall include all contiguous holdings of the Owner, unless specifically waived by the Planning Department and Planning Commission, including land in the "same ownership," as defined herein, with an indication of the portion which is proposed to be subdivided, accompanied by an affidavit of ownership, which shall include the dates the respective holdings of land were acquired, together with the book and page of each conveyance to the present Owner as recorded in the County Recorder's office. The affidavit shall advise as to the legal Owner of the Property, the contract Owner of the Property, the date a contract of sale was executed, and, if any corporations are involved, a copy of the resolution legally empowering the Applicant to make the Application.

The Planning Director finds that Gary Knudson is not required to subdivide the contiguous holdings located at and around 1314 & 1350 Empire Avenue. Rather,

the applicant may move forward with the request for a three lot plat amendment at 1314 & 1350 Empire Avenue only.

Findings of Fact:

1. The property is located at 1314 & 1350 Empire Avenue within the Recreation Commercial (RC) District.
2. The applicants are requesting to combine eleven (11) lots and the adjacent abandoned Norfolk Avenue ROW containing a total of 25,883 acres into three (3) lots of record. Currently, the property includes Lots 8-12, Lots 33-38, and the abandoned Norfolk Avenue ROW of Block 19 within the Snyder's Addition survey area of Park City.
3. The plat amendment is necessary in order for the applicants to move forward with the City's RDA redevelopment efforts and improvements, which include a possible east/west pedestrian connection from Miner's Hospital to PCMR, as well as remove lot lines under the Acorn Inn and provide access for Lot C to Norfolk Ave.
4. New additions to the Acorn Inn would require adherence to current setbacks as required in the RC District.
5. The property at 1314 Empire Avenue is contiguous with the 2 lots (Lots 39 & 40) directly south along Empire Avenue as well as the 2 lots (Lots 6 & 7) directly south of Lot C.
6. The applicant submitted an application for a plat amendment on December 31, 2013.
7. The Planning Commission will review the application for a three (3) lot subdivision on January 29, 2014.
8. Staff learned that Gary Knudson owned the contiguous property directly south and southeast of 1314 Empire Avenue (Lots 6, 7, 39, & 40) on January 14, 2013.
9. Gary Knudson has directly expressed interest in not subdividing the other 4 lots contiguous to 1314 Empire Avenue (Lots 6, 7, 39, & 40). The property contiguous to 1314 Empire Avenue is not already developed and the owner does not intend to develop this property at this time.
10. There are no existing structures on the 4 contiguous lots (Lots 6, 7, 39, & 40).

Conditions of Approval

1. All standard conditions of approval shall apply.
2. Any modifications to the property contiguous to 1314 Empire Avenue (Lots 6, 7, 39, & 40) will require the applicant to submit a plat amendment application to the Planning Department.

If you have any questions regarding this determination, please don't hesitate to

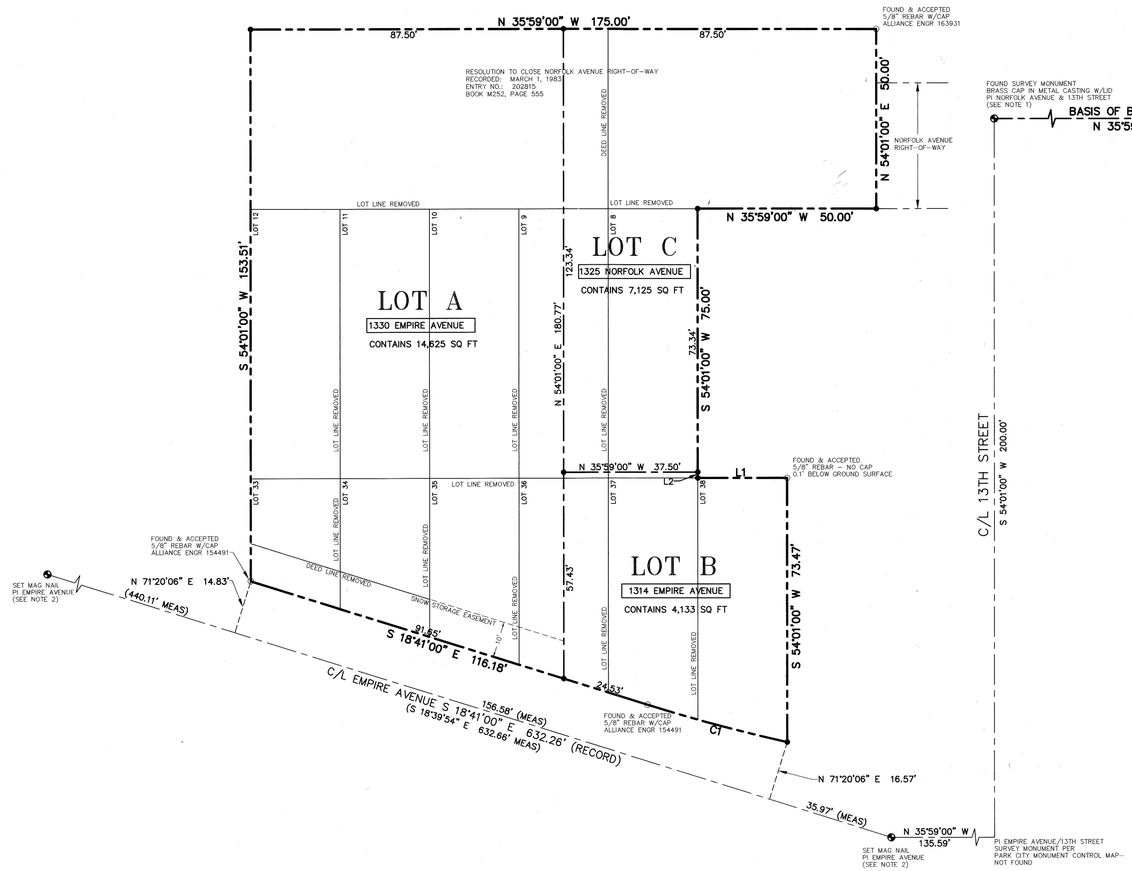
contact the Planning Department at 435-615-5060.

Sincerely,



Thomas E. Eddington Jr., AICP, LLA
Planning Director

CC: Christy J. Alexander, AICP
Planner II



LEGEND

- ● Set 5/8" rebar w/cap, ALLIANCE ENGR/LS 154491

NOTE

1. The survey monument was reconstructed in 2009 as part of a street reconstruction project. The position of the original monument was tied by survey and re-set in its original location.
2. The survey monument shown on the Park City Monument Control Map (recorded 11/2/1982, #197765) was destroyed during construction. A mag nail was set at the monument location with this survey from information obtained from past surveys.
3. This subdivision is subject to Conditions of Approval in Ordinance 14-03.
4. Modified 13-D sprinklers may be required for new construction by the Chief Building Official.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 35°59'00" E	25.00
L2	S 54°01'00" W	1.66

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	485.00	40.45	4°46'43"

REGISTERED LAND SURVEYOR No. 154491 JOHN DEMKOWICZ State of Utah

SURVEYOR'S CERTIFICATE

I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 154491, as prescribed by the laws of the State of Utah, and that by authority of the owner, I have prepared this Record of Survey map of KNUDSON SUBDIVISION and that the same has been monumented on the ground as shown on this plat. I further certify that the information on this plat is accurate.

John Demkowicz — 2-20-2014 Date

PROPERTY DESCRIPTION

PARCEL 1: PARK CITY REDEVELOPMENT AUTHORITY

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

Beginning at the northernmost corner of Lot 12, Block 19, Snyder's Addition to Park City Survey, according to the official plat thereof on file and of record in the office of the recorder, Summit County, Utah; and running thence along the easterly boundary of Block 19 South 35°59'00" East 50.00 feet to the easternmost corner of Lot 11; thence along the south boundary of Lots 11 and 34 South 54°01'00" West 119.08 feet to the easterly edge of Empire Avenue; thence along the easterly edge of Empire Avenue North 18°41'00" West 52.37 feet to the north boundary of Lot 33; thence along the north boundaries of Lots 33 and 12 North 54°01'00" East 103.51 feet to the point of beginning.

PARCEL 2: SKYLER, LTD.

LOT 8, Block 19, Snyder's Addition to Park City, according to the official plat thereof on file and of record in the office of the Recorder.

All of LOTS 9, 10, 35 AND 36, Block 19, Snyder's Addition to Park City, Park City, Utah, according to the official plat thereof and on file and of record in the Summit County Recorder's Office, less and excepting any portion lying within Empire Avenue.

Beginning at the north corner of Lot 12, Block 19, Snyder's Addition to Park City, Utah, said point of beginning also being on the west right-of-way line of Norfolk Avenue; thence North 54°01' East 50.00 feet to the east right-of-way line of said Norfolk Avenue; thence South 35°59' East along said east line 100.00 feet; thence South 54°01' West 50.00 feet to said west line; thence North 35°59' West along west line 100.00 feet to the point of beginning.

Beginning at the north corner of Lot 8, Block 19, Snyder's Addition to Park City, Utah, said point of beginning also being on the west right-of-way line of Norfolk Avenue; thence North 54°01' East 50.00 feet to a point on the east right-of-way line of Norfolk Avenue; thence South 35°59' East along said east line 75.0 feet; thence South 54°01' West 50.00 feet to a point on said west line; thence North 35°59' West along west line 75.0 feet to the point of beginning.

PARCEL 3: MARYA, LLC.

Lots 37 AND 38, Block 19, Snyder's Addition to Park City, according to the official plat thereof on file and of record in the Office of the Recorder, less and excepting any portion lying within Empire Avenue.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that Park City Redevelopment Authority, owner of PARCEL 1 as described herein, does hereby certify that it has caused this Plat Amendment to be prepared and hereby consents to the recordation of this Plat Amendment.

IN WITNESS WHEREOF, the undersigned set his hand this 20 day of February 2014.

REDEVELOPMENT AGENCY OF PARK CITY

By: [signature]

Title: Chairman

ACKNOWLEDGMENT

State of Utah: ss:
County of Summit:

On this 20 day of February 2014, Jack Thomas personally appeared before me, the undersigned Notary Public in and for said state and county.

Having been duly sworn, Jack Thomas acknowledged to me that he is authorized and that he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

Sharon C Bauman
A Notary Public commissioned in Utah

Sharon C Bauman
Printed Name

Residing in: Park City Utah

My commission expires: 07-13-2014

Notary Public SHARON C BAUMAN Commission #692148 My Commission Expires July 13, 2014 State of Utah

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that SKYLER, LTD., owner of Parcel 2 as described herein, does hereby certify that it has caused this Plat Amendment to be prepared and hereby consents to the recordation of this Plat Amendment.

In witness whereof, the undersigned set their hands this 21st day of February 2014.

SKYLER, LTD.

Gary L. Knudson, General Partner — Helen M. Knudson, General Partner

ACKNOWLEDGMENT

State of Utah: ss:
County of Summit:

On this 21st day of February 2014, Gary L. Knudson and Helen M. Knudson personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, Gary L. Knudson and Helen M. Knudson, acknowledged to me that they are the General Partners of SKYLER, LTD., organized and existing under the laws of the State of Utah for and in behalf of said company for the uses and purposes stated therein and that they signed the above Owner's Dedication and Consent to Record freely and voluntarily.

A Notary Public commissioned in Utah
Teri Ekstrom
Printed Name
Residing in: Summit Co.
My commission expires: March 19, 2016

TERI EKSTROM Notary Public, State of Utah Commission # 652363 My Commission Expires March 19, 2016

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that MARYA, LLC., a Utah limited liability company, owner of Parcel 3, as described herein, does hereby certify that it has caused this Plat Amendment to be prepared and hereby consents to the recordation of this Plat Amendment.

In witness whereof, the undersigned set their hands 21st day of February 2014.

MARYA, LLC., a Utah limited liability company

By: Gary L. Knudson, Manager — By: Helen M. Knudson, Manager

ACKNOWLEDGMENT

State of Utah: ss:
County of Summit:

On this 21st day of February 2014, Gary L. Knudson and Helen M. Knudson personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, Gary L. Knudson and Helen M. Knudson acknowledged to me that they are the Managers of MARYA, LLC., a Utah limited liability company, organized and existing under the laws of the State of Utah for and in behalf of said company for the uses and purposes stated therein and that they signed the above Owner's Dedication and Consent to Record freely and voluntarily.

A Notary Public commissioned in Utah
Teri Ekstrom
Printed Name
Residing in: Summit Co.
My commission expires: March 19, 2016

TERI EKSTROM Notary Public, State of Utah Commission # 652363 My Commission Expires March 19, 2016

A RE-SUBDIVISION OF PLATTED LOTS AND RIGHT-OF-WAY,
BLOCK 19, SNYDER'S ADDITION TO PARK CITY SURVEY

KNUDSON SUBDIVISION

LOCATED IN THE NORTH HALF OF SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

20 0 20 40

SHEET 1 OF 1

2/20/14 JOB NO.: 6-12-13 FILE: X:\SnydersAddition\dwg\srv\plat2013\061213.dwg

(435) 649-9467
Alliance Engineering Inc
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS 24th DAY OF Feb., 2014
BY B.W.R.D.

PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 29TH DAY OF JANUARY, 2014
BY CHAIR

ENGINEER'S CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 24TH DAY OF FEBRUARY, 2014
BY PARK CITY ENGINEER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS 25th DAY OF February, 2014
BY PARK CITY ATTORNEY

CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 13 DAY OF February 2014
BY PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 13TH DAY OF FEBRUARY, 2014
BY MAYOR

RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF COALITION TITLE
DATE 2/27/2014 TIME 8:29 AM
#990328 ENTRY NO. $33.00 FEE
RECORDER

Recorded at the request of and return to: Park City Municipal Corp. Attn: City Recorder P.O. Box 1480, Park City, UT 84060

Fee Exempt per Utah Code Annotated 1953 21-7-2

NON-EXCLUSIVE ENCROACHMENT PERMIT

THIS AGREEMENT is made by and between PARK CITY MUNICIPAL CORPORATION (City) and Peter Papineau Builders, Inc. (Owner) whose address is 283 Norfolk Avenue, P. O. Box 267, Park City UT 84060, to set forth the terms and conditions under which the City will permit the Owner to build, maintain, and use certain improvements within the City property and right-of-way near Norfolk Avenue and 13th Street, Park City, Utah (hereinafter "platted Norfolk Avenue right of way"). Subject to the following terms and conditions of this agreement, Owner shall have the right to construct and maintain roadway, gutters, walls, and utilities within the parcel known as Norfolk Avenue as shown on Exhibit A.

1. This encroachment agreement, and the non-exclusive right to use the improvements constructed pursuant hereto, shall be appurtenant to the following described property:

Lots 3, 4 & 5, Block 19, Snyders Addition to Park City, and other properties abutting the platted Norfolk Avenue right of way that do not otherwise have frontage on and access from an existing street on the Park City Streets Master Plan.

This agreement is not transferable to other property, but is freely transferrable with the title to this parcel. The license and conditions as stated in the agreement, are binding on the successors in title or interest of Owner.

2. The improvements permitted within the platted Norfolk Avenue right of way shall consist of a roadway, gutters, walls, and utilities of a design approved by the City. The extent of the encroachment is shown on plans approved by the City and prepared by Evergreen Engineering as Job No. 0309.

00659656 Bk01537 Pg01258-01261
ALAN SPRIGGS, SUMMIT CO RECORDER
2003 MAY 27 16:54 PM FEE $.00 BY DMG
REQUEST: PARK CITY MUNICIPAL CORP

3. Although it is not currently planned, the City may, at some future date, elect to make improvements to Norfolk Avenue at this location and install the street to the full width of the

BK1537 PG1258

right-of-way and City property. To the extent that any street improvements require the removal, relocation, replacement, and/or destruction of the improvements constructed within the platted Norfolk Avenue right of way pursuant to this Agreement , the Owner waives any right to compensation for the loss of the improvements and/or use thereof within the platted Norfolk Avenue right of way and/or any change in the grade and elevation of the street. This waiver of compensation, in the event the improvements are removed for street widening purposes, is the consideration given for the granting of this encroachment permit. The City shall bear all reasonable expenses associated with the installation of the street improvements.

4. Prior to installing the street in a manner that will require the removal or relocation of the improvements, the City will give the Owner not less than ninety (90) days notice, in which time the Owner at his expense shall make adjustments on Owner's property to remodel and/or relocate the roadway, gutters, walls, and utilities to accommodate the installation of the street. The City may only give said notice during the period of February 1 through September 1. Notice given at any other time will be treated as if given on February 1. Owner and other properties abutting the platted Norfolk Avenue right of way that do not otherwise have frontage on and access from an existing street on the Park City Streets Master Plan shall have access to his property from the newly installed street.

5. No permanent right, title, or interest of any kind shall vest in the Owner or any other person(s) and/or properties in the platted Norfolk Avenue right of way by virtue of this agreement. The property interest hereby created is a revocable license, and not an easement or other perpetual interest. No interest shall be perfected under the doctrines of adverse possession, prescription, or other similar doctrines of law based on adverse use, as the use hereby permitted is entirely permissive in nature.

Unofficial Copy

6. The Owner or their successors shall maintain the roadway, gutters, walls, and utilities in a good state of repair at all time, and upon notice from the City, will repair any damaged, weakened, or failed sections. The Owner is responsible for snow removal and storage of removed snow. The Owner agrees to hold the City harmless and indemnify the City for any and all claims which might arise from third parties, who are injured as a result of the Owner's use of the right-of-way for private purposes, or from the failure of the Owner's improvements.

7. This agreement shall be in effect until the license is revoked by the City. Revocation shall be effected by the City recording a notice of revocation with the Summit County Recorder and sending notice to Owner or his successors.

DATED this 22nd day of May, 2003.

PARK CITY MUNICIPAL CORPORATION

Eric W. DeHaan, P.E.
City Engineer

PETER PAPINEAU BUILDERS, INC.

Peter G. Papineau, Owner/President

STATE OF UTAH)
) ss.
COUNTY OF SUMMIT)

BK1537 PG1260

On the 22nd day of May, 2003, personally appeared before me Peter G. Papineau, who, being first duly sworn and upon oath, did acknowledge to me that he is the Owner/President of Peter Papineau Builders, Inc., and that said Peter Papineau Builders, Inc., duly entered into the foregoing agreement.

Notary Public
SHARON C. BAUMAN
445 Marsac Avenue, P.O. Box 1480
Park City, Utah 84060
My Commission Expires
July 13, 2006
State of Utah

Notary Public
Residing at: Salt Lake City Utah
Commission expires: 7-13-06

Unofficial Copy

BK1537 PG1261

Planning Department

April 3, 2023

Gavin Steinberg
1325 Empire Ave Holdings, LLC
13 Club Road
Riverside, CT 06878

NOTICE OF PLANNING DIRECTOR DETERMINATION

RE: Determination of Setbacks for an Unusual Lot Configuration for Proposed North Norfolk Plat Amendment, Lot D

The proposed North Norfolk Plat Amendment is a resubdivision of a Lot, 1325 Empire Avenue, and a Parcel, SA-200. Three of the Lots would be conventional lots with access only from a proposed shared driveway.

The site is located in the Recreation Commercial (RC) Zoning District. Lot D is unusual as it is a North-South Lot, which is not common in the neighborhood. It connects to the Shared Driveway both on its Southern and Western Sides.

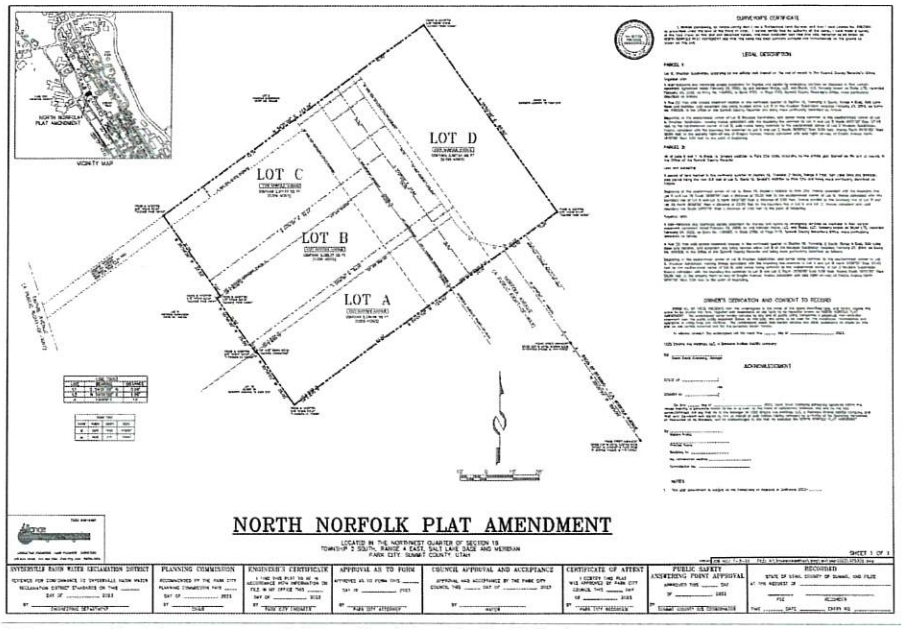


Figure 1: Proposed North Norfolk Plat

Land Management Code (LMC) § 15-4-17 governs when a lot does not have a clear

Front, Two Side, and a Rear Setback. With proposed access to Lot D from the shared driveway on both the West and South ends of the Lot, it has been determined that Lot D is a corner lot. Lot D is considered a Corner Lot as the private driveway acts as an extension of Norfolk Avenue and with the pedestrian access easement on that driveway, it is considered a street.

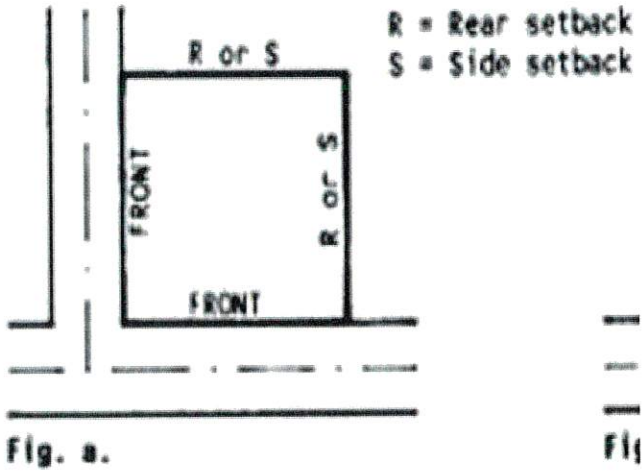


Fig. a.

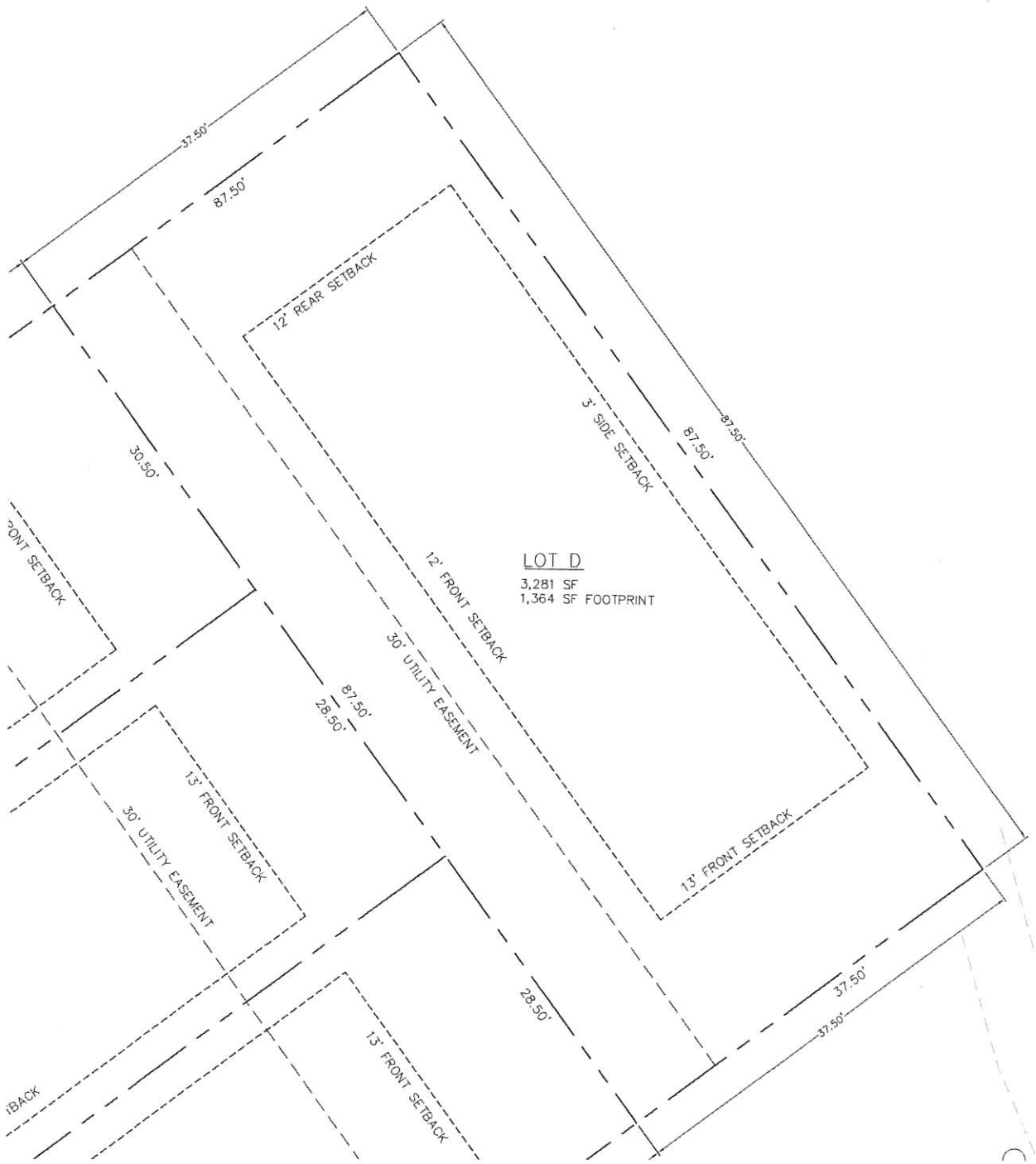
LMC § 15-4-17 states regarding Corner Lots that "Development on Corner Lots shall have two (2) front Setbacks, unless otherwise an exception by this Code. The Rear Yard will be the side of the Property opposite the driveway Access from the Street. If it is not clear which boundary should border the Rear Yard, the Planning Director may specify which is the Rear Yard."

This provision requires that both the Western and Southern ends of Lot D shall both have Front Setbacks. As noted above, the Rear Setback would be the area which is "oppositive the driveway Access from the Street" it is up to the Planning Director to determine which side is the Rear.

As the applicant has indicated that primary access will be through the South end of the proposed Structure, it has been determined that the rear is the North end of the Lot.

LMC § 15-2.16-5 establishes what the Setbacks are for Single Family Dwellings and Duplexes in the RC Zone based on Lot Depth. The proposed Lot D has a Lot Depth of 87.5 Feet, meaning its setback requirements are at least 12 Feet in Front and 12 Feet in the Back with a total of 25 Feet (meaning both must be at least 12.5 or one 13 Feet), and 3 Feet for the Side. In this case, the determination is that there are two Front Setbacks, with the Western Setback being 12 Feet and the Southern Setback 13 Feet, one Rear Setback of 12 Feet, and one Side Setback of 3 Feet. The illustration below, provided by the Applicant, shows the Planning Director Determination:

Planning Department



If you have questions or concerns regarding this Determination Letter, please do not hesitate to contact the Park City Planning Department.

Sincerely,

Gretchen Milliken
Planning Director
(435) 615-5008
gretchen.milliken@parkcity.org

HOGGAN LEE HUTCHINSON

Justin Keys
Justin@hlhparkcity.com
Direct: 435.731.9195

September 7, 2023

VIA EMAIL

Park City Municipal Corporation
Park City Planning Department
Attn: Jaron Ehlers
PO Box 1480
Park City, Utah 84060

Re: 1325 Empire Plat Amendment Application

Dear Jaron,

This firm represents 1325 Empire Avenue Holdings, LLC, the owner and developer of that certain real property commonly known as 1325 Empire Avenue and Parcel No SA-200 (collectively "1325 Empire"). Please accept this letter as a response to the most recent comments from the July 12, 2023 Planning Commission Meeting.

This application is the most recent step in seeking to develop the vacant ground located at 1325 Empire. We're proposing to amend the plat for 1325 Empire to form four lots. This application has been fully vetted by staff and—because the application complies with Park City's Land Management Code—a proposed positive recommendation was provided by Staff. The application has now been heard by the Planning Commission on four separate occasions, with public input being taken at each hearing.

At the most recent July 12, 2023 hearing, the Planning Commissioners raised the following additional concerns: *(1) Are the proposed lot sizes and orientations consistent with the immediate surrounding area and the zone? (2) Is the access right of way off Upper Norfolk a dead-end road under the LMC? (3) Will the plat amendment lead to drainage, dirt runoff, or flooding issues? (4) Will the grade transition from the City's right of way into the private shared driveway cause a substantial slope? (5) Are there other areas in Old Town where multiple individual driveways are accessed off a shared driveway?*

We will address each of these questions individually below.

1. *The proposed lot sizes and orientations are consistent with the immediate surrounding area and the zone.*

We have performed an extensive zoning study of the RC zone. As demonstrated below there is a wide range of lot sizes and orientations in the RC zone. Based on our findings, our proposed development is not unusual for the zone and will blend in and harmonize with the surrounding neighborhood.

There are 176 Lots in the RC zone. A single lot is a lot that measures 25' x 75'. Another common lot size is a 1.5 lot, measuring 37.5' x 75'. After reviewing the entire RC zone, we found that the lot sizes within the zone breakout are as follows:

- Only 27% (47 Lots) are single lots or 1.5 lots with an East West orientation.
- 73% (129 Lots) are "nontraditional" lots, i.e., wider than 1.5 or different than East West orientation.
- 15% (26 Lots) are North to South Orientation.

It bears noting, that the home abutting lot D, 1302 13th Street, which is a historic structure owned by the city, has a North to South Orientation.




UPZ
UPZ
HRM
RC
ROS
ROS

2. *The shared driveway is not a dead-end road under the plain language of Park City's Land Management Code.*

As Staff correctly noted in its Staff Report, 1325 Empire has frontage on a platted City Right of Way (the "ROW") in the form of Norfolk Avenue. Norfolk Avenue was constructed privately (with the City's blessing) and does not meet the City's Street standards. The ROW is subject to a non-exclusive encroachment agreement to which 1325 as an abutter is a third-party beneficiary.

Norfolk Avenue is a City ROW and is technically a "dead-end road." The proposed shared driveway however is not a dead-end street under LMC § 15-7.3-4(A)(6) because it is not a road. According to the definitions found in LMC § 15-15-1, the "Road Classifications" include "[t]he Streets, highways, Roads, and Rights-of-Way designated on the Streets master plan." As Staff noted in its Staff Report, neither the proposed shared driveway or any other extension of the ROW is contemplated in the Streets master plan.

Similarly, the Definitions section of the LMC includes a separate definition for a "Shared Driveway." A Shared Driveway is "[a] single access vehicular way that is privately owned and maintained and provides access to two (2) or more Structure or off-street Parking Areas, which are located on individual lots." LMC § 15-15-1.

Finally, it bears noting that the definitions section of Park City's Parking Code found in Chapter 9 of Park City Code supports this interpretation. There, the Code defines "Street" as including "[e]very street, alley, roadway, right of way, or on-street parking space under the control and/or maintenance of Park City, whether on public or private property, *including all streets shown as public streets on the Street Master Plan*." But it goes on to expressly state that "[t]he term streets shall not include *private driveways*, parking lots, or private roadways." Park City Code § 9-1-3(G) (emphasis added).

Put simply, the proposed shared driveway is not a dead-end road, because it is not a road. It is not a road or drive "designated on the Streets Master Plan;" rather, it is a private shared driveway.

3. *The plat amendment will not lead to drainage, dirt runoff, or flooding issues.*

We have retained an engineer who has developed a Storm Water Calculation Plan. The Engineer has determined that the development must be able to detain 511 cubic feet of water runoff, per Park City requirements. The engineer has also developed a plan that will detain 750 cubic feet of water runoff. The Engineer has determined that there is not any abnormal risk of drainage issues, dirt runoff, or flooding. See the enclosed Storm Water Management Plan prepared by Alliance Engineering.

4. *The grade transition from the City's right of way into the private shared driveway will not cause a substantial slope.*

We have examined the slope and grade transition from the City platted ROW to the development site. The transition between the properties is less than 2%. The existing road will continue on without any material increase or decrease in slope. See the enclosed Site Sections and Slope Analysis.

5. There are multiple other areas in Old Town where multiple individual driveways are accessed from a shared driveway.

It is the narrow roads, historic structures, and dramatic grades that make Old Town Park City iconic. But what makes for convenient pedestrian access for silver miners does not necessarily transition well to an automobile-based society. Henry Ford may have put a vehicle in every American garage, but he did not provide public street access to the homes of Old Town. It is for this reason that, over the years, Park City has had to be creative in providing its residents vehicular access to their homes.

An example is Upper Norfolk Drive. Upper Norfolk Drive is a tight, winding drive that accesses historic structures and new homes on the edge of Old Town and the ski slopes. Most of the residences are accessed over City rights of way that don't come close to meeting City Street standards. When new development has occurred, it has been enabled through shared driveways that front the rights of way.



This section of Norfolk Avenue is another area where a shared driveway solution is appropriate. As the City Engineer noted, there is a historic structure (1302 Norfolk Avenue) that is encroaching on the Norfolk ROW. For Norfolk Avenue to be continued past 13th Street as a City Street, the City would be required to demolish 1302 or somehow jog around it.

Of course, the simpler solution under the Code is to simply allow the limited remaining development to occur from a shared driveway. A tool that is available under the Code and that has similarly been used in the past. This, of course, is the route the Applicant has elected in this circumstance.

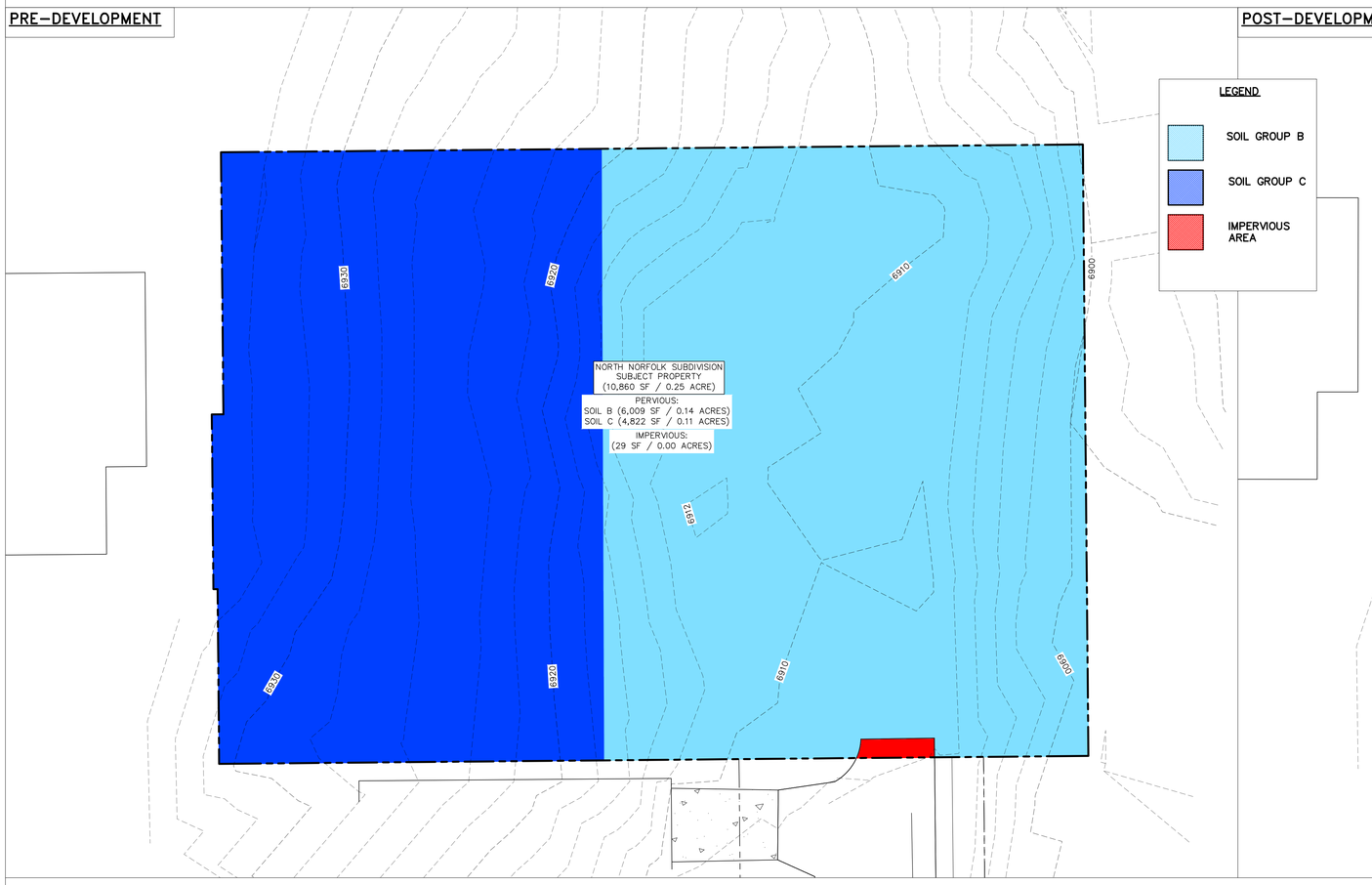
We appreciate your review of our Plat Amendment Application. Please let me know if there is any additional information required to process our application.

Very Truly Yours,
HOGGAN LEE HUTCHINSON

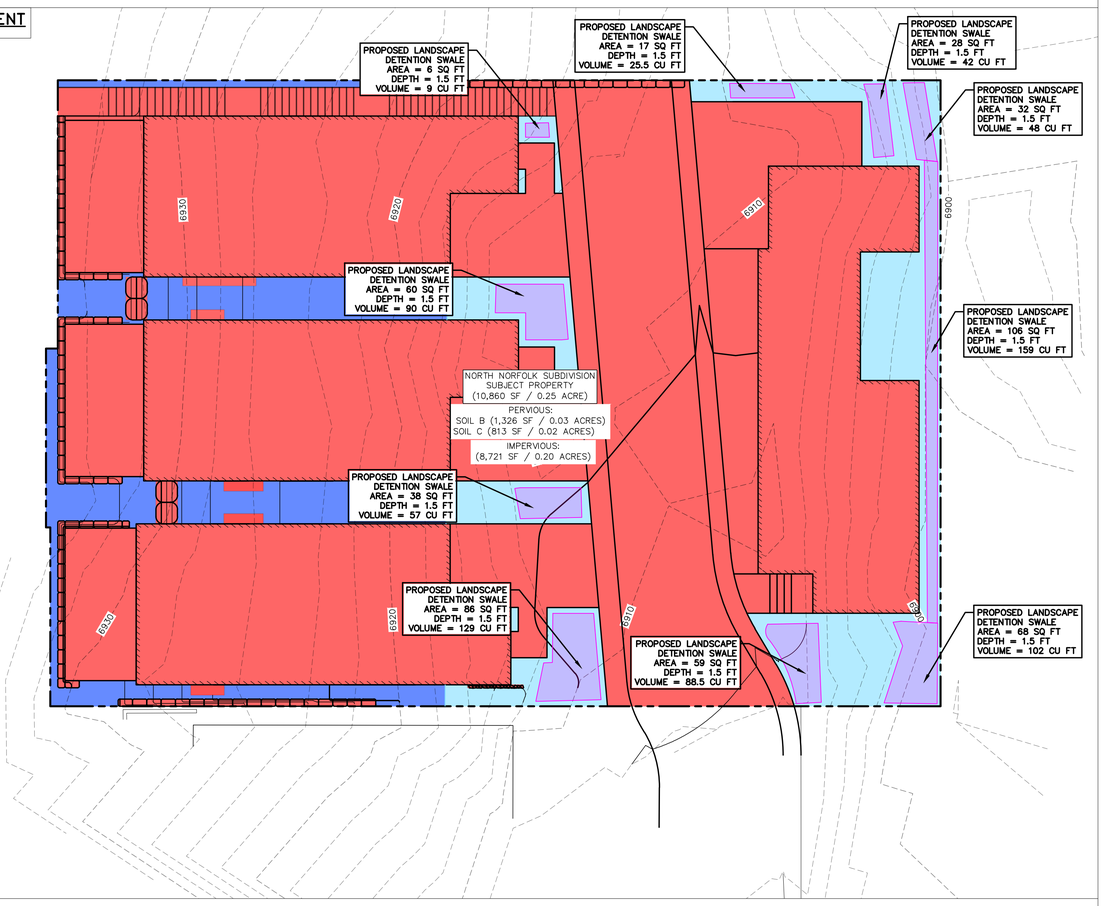


Justin J. Keys

PRE-DEVELOPMENT



POST-DEVELOPMENT



100 YEAR 10 MINUTE STORM

WATER QUALITY VOLUME CALCULATIONS

ASSUMPTIONS

METHOD OF ANALYSIS: WQ_V=CITA

DESIGN STORM: *90TH PERCENTILE EVENT*

NOTE: *INTENSITY = 0.60 IN/HR PER SUMMIT COUNTY MS4.*

VARIABLES

Q = RUNOFF FLOWRATE [CUBIC FEET/SEC]

C = RUNOFF COEFFICIENT

(WEIGHT AVERAGE BY SOIL GROUP AND AREA TYPE)

RUNNOFF COEFFICIENTS "C":

SLOPE	HYDROLOGIC SOIL GROUP			
	A	B	C	D
FLAT (0-2%)	*0.07*	*0.10*	*0.14*	*0.18*
AVERAGE (2-6%)	*0.12*	*0.15*	*0.19*	*0.23*
STEEP (>6%)	*0.16*	*0.21*	*0.27*	*0.33*
SURFACING	**PERVIOUS**		**IMPERVIOUS**	
HARDSCAPE	*0.78*		*0.93*	

I = STORM INTENSITY [FT/HR]

T= STORM DURATION (HR)

NOTE: *T= 1 HR PER SUMMIT COUNTY ORDINANCE 381-A.*

A = AREA [FT^2]

PRE-DEVELOPMENT WATER QUALITY VOLUME

AREAS FOR WEIGHT AVERAGE "C":

SLOPE	HYDROLOGIC SOIL GROUP			
	A	B	C	D
FLAT (0-2%)				
AVERAGE (2-6%)				
STEEP (>6%)		*6,009*	*4,822*	
SURFACING	**PERVIOUS**		**IMPERVIOUS**	
HARDSCAPE			*29*	

A= 10,860 FT^2

C= 0.24

i= 0.05 FT/HR

t= 1.00 HR

ΔWQ_V = *130 CU FT*

POST-DEVELOPMENT WATER QUALITY VOLUME

AREAS FOR WEIGHT AVERAGE "C":

SLOPE	HYDROLOGIC SOIL GROUP			
	A	B	C	D
FLAT (0-2%)				
AVERAGE (2-6%)				
STEEP (>6%)		*1,326*	*813*	
SURFACING	**PERVIOUS**		**IMPERVIOUS**	
HARDSCAPE			*8,721*	

A= 10,860 FT^2

C= 0.79

i= 0.05 FT/HR

t= 1.00 HR

ΔWQ_V = *428 CU FT*

GROUNDWATER RECHARGE VOLUME

ΔWQ_V = *299 CU FT*

PEAK RUNOFF CALCULATIONS

ASSUMPTIONS

METHOD OF ANALYSIS: *RATIONAL METHOD Q=CIA*

STORM RETURN PERIOD: *100 YEARS*

NOTE: *FOR THE 100 YR RECURRANCE INTERVAL, THE COMPOSITE "C" VALUE IS ADJUSTED BY A FACTOR OF 1.25 BEFORE COMPUTING Q.*

STORM DURATION: *10 MN.*

SOUCE: *NOAA ATLAS 14 - PARK CITY RADIO STATION 42-6648*

VARIABLES

Q = RUNOFF FLOWRATE [CUBIC FEET/SEC]

C = RUNOFF COEFFICIENT

(WEIGHT AVERAGE BY SOIL GROUP AND AREA TYPE)

RUNNOFF COEFFICIENTS "C":

SLOPE	HYDROLOGIC SOIL GROUP			
	A	B	C	D
FLAT (0-2%)	*0.07*	*0.10*	*0.14*	*0.18*
AVERAGE (2-6%)	*0.12*	*0.15*	*0.19*	*0.23*
STEEP (>6%)	*0.16*	*0.21*	*0.27*	*0.33*
SURFACING	**PERVIOUS**		**IMPERVIOUS**	
HARDSCAPE	*0.78*		*0.93*	

I = STORM INTENSITY [INCHES/HR]

A = AREA [ACRES]

t = TIME OF CONCENTRATION (SEC.)

V = EXCESS RUNNOFF VOLUME (CU FT) = ΔQt

PRE-DEVELOPMENT PEAK DISCHARGE

AREAS FOR WEIGHT AVERAGE "C":

SLOPE	HYDROLOGIC SOIL GROUP			
	A	B	C	D
FLAT (0-2%)	-	-	-	-
AVERAGE (2-6%)	-	-	-	-
STEEP (>6%)	-	*0.14*	*0.11*	-
SURFACING	**PERVIOUS**		**IMPERVIOUS**	
HARDSCAPE		-		*0.00*

A= 0.25 ACRES

C= 0.24

C_{ADJ}= *0.30*

i= 5.00 IN/HR

Q= *0.37 CFS*

POST-DEVELOPMENT PEAK DISCHARGE

AREAS FOR WEIGHT AVERAGE "C":

SLOPE	HYDROLOGIC SOIL GROUP			
	A	B	C	D
FLAT (0-2%)	-	-	-	-
AVERAGE (2-6%)	-	-	-	-
STEEP (>6%)	-	*0.03*	*0.02*	-
SURFACING	**PERVIOUS**		**IMPERVIOUS**	
HARDSCAPE		-		*0.20*

A= 0.25 ACRES

C= 0.79

C_{ADJ}= *0.99*

i= 5.02 IN/HR

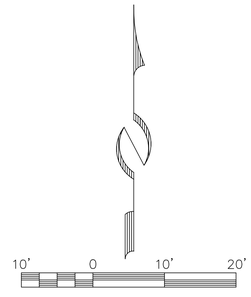
Q= *1.23 CFS*

EXCESS RUNOFF STORAGE VOLUME

ΔQ= 0.86 CFS

t= 600 SEC.

V= 517 CU FT



NOTES:

1. PEAK RUNOFF VOLUME OF 517 CU. FT. FOR THE CALCULATED 100 YEAR 10 MINUTE STORM IS TO BE 100% DETAINED IN DESIGNATED DETENTION SWALE. THE SQUARE FOOTAGE OF THE DETENTION BASIN IS NOTED ON THE ABOVE PLAN. CUMULATIVE DETENTION VOLUME = 750 CU. FT.
2. PROMOTE DRAINAGE AWAY FROM HOUSE AND INTO DESIGNATED DETENTION BASINS.
3. ROOF DRAINS TO DAYLIGHT TO DETENTION BASINS OR CONNECT TO STORM DRAIN SYSTEM.

STORMWATER DETENTION REQUIRED = 517 CU. FT.
STORMWATER DETENTION PROVIDED = 750 CU. FT.

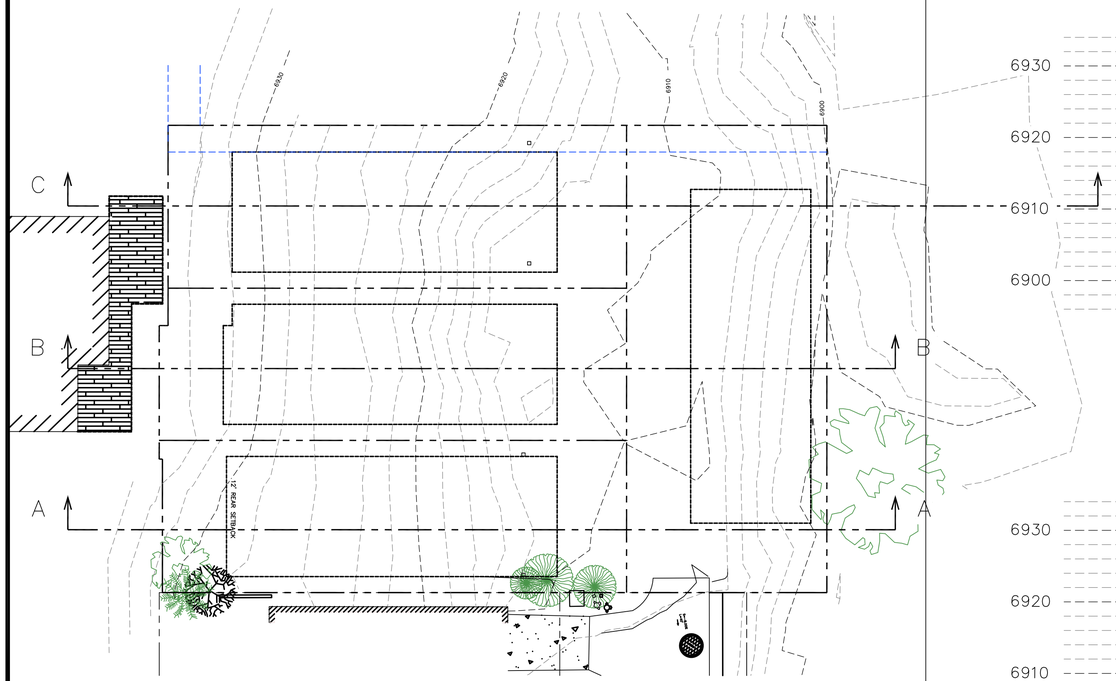
(435) 649-9467
Alliance Engineering Inc.
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

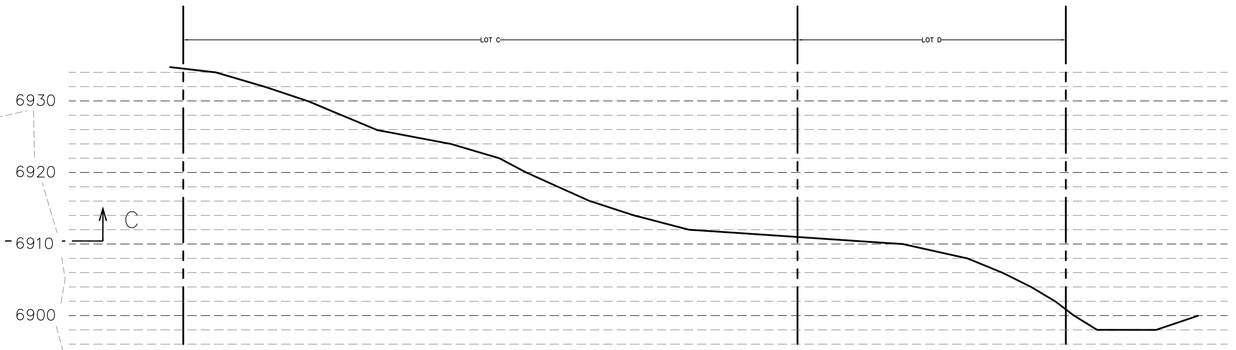
STAFF:
MICHAEL DEMKOWICZ
CONNOR DINSMORE
THOMAS VAUGHN

DATE: 7/31/23

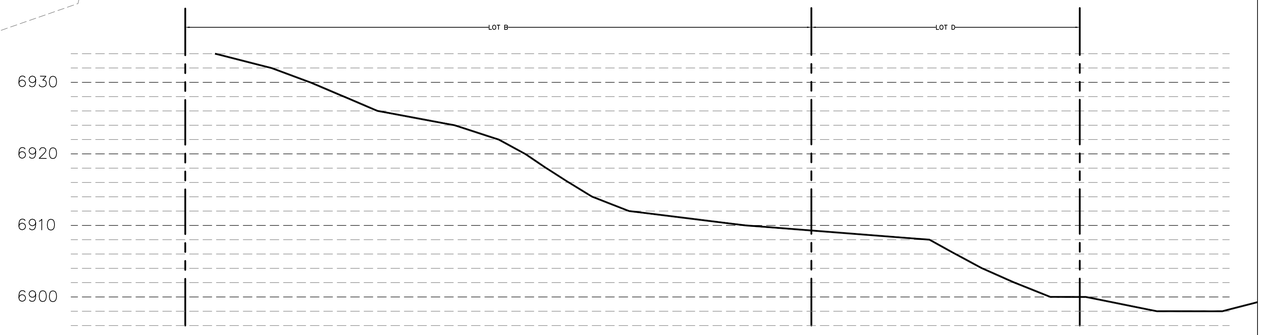
STORM WATER MANAGEMENT PLAN
NORTH NORFOLK SUBDIVISION, LOTS A-D
1323, 1324, 1327, & 1331 NORFOLK AVE

FOR: GAVIN STEINBERG
JOB NO.: 7-3-22
FILE: X:\SnydersAddition\dwg\Projects\070322_Knudsen Subdivision\070322-civil.dwg

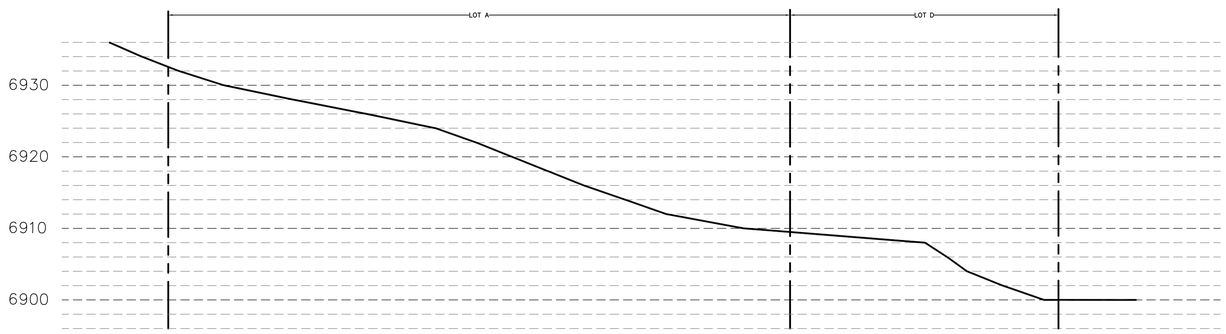




SITE SECTION C–C



SITE SECTION B–B



SITE SECTION A–A

SITE SECTIONS

SCALE: 1" = 10'

THE ABOVE DRAWINGS AND SPECIFICATIONS AND THE IDEAS, DESIGNS, AND ARRANGEMENTS REPRESENTED THEREBY ARE AND SHALL REMAIN THE PROPERTY OF B.T. HARRIS INC. NO PART THEREOF SHALL BE COPIED, DISCLOSED TO OTHERS OR USED IN CONNECTION WITH ANY OTHER WORK OR PROJECT OR BY ANY OTHER PERSON FOR ANY PURPOSE OTHER THAN THE SPECIFIC PROJECT FOR WHICH THEY HAVE BEEN PREPARED AND DEVELOPED WITHOUT THE WRITTEN CONSENT OF B.T. HARRIS INC. VISUAL CONTACT WITH THESE DRAWINGS SHALL CONSTITUTE CONCLUSIVE EVIDENCE OF THESE RESTRICTIONS.

WRITTEN DIMENSIONS ON THESE DRAWINGS SHALL HAVE PRECEDENCE OVER SCALED DIMENSIONS. CONTRACTORS SHALL VERIFY, AND BE RESPONSIBLE FOR, ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THIS OFFICE SHALL BE NOTIFIED IMMEDIATELY OF ANY VARIATIONS FROM THE DIMENSIONS AND/OR CONDITIONS SHOWN BY THESE DRAWINGS. ALL SHOP DETAILS MUST BE SUBMITTED TO THIS OFFICE FOR APPROVAL PRIOR TO PROCEEDING WITH FABRICATION.

BY BUILDING THESE PLANS THE CONTRACTOR UNDERSTANDS THAT THERE MAY BE ERRORS CONTAINED IN THIS SET, AND WILL NOT HOLD THIS OFFICE LIABLE FOR ANY OVERSIGHTS OR ERRORS AND WILL NOTIFY THIS OFFICE OF ANY ERRORS THAT ARISE DURING CONSTRUCTION.

LIMITATIONS OF LIABILITY

BY ACCEPTING THESE PLAN DOCUMENTS AND OR SERVICES OUTLINED IN THESE PLAN DOCUMENTS, THE CLIENT, THEIR CLIENT, BUILDER, SUBCONTRACTORS, USERS AND ALL PRESENT AND FUTURE PERSONS OR PARTIES DIRECTLY OR INDIRECTLY AFFECTED BY THE PLAN DOCUMENTS OR SERVICES OUTLINED IN THE PLAN DOCUMENTS AGREE TO A LIMIT OF LIABILITY OF B.T. HARRIS INC. AND ITS EMPLOYEES AND PRINCIPALS TO THE AMOUNT OF THE ORIGINAL VERBALLY OR SIGNED AGREED CONTRACT.

VAN SICKLE
DESIGN & DRAFTING
4383 Forestdale Road, Suite 205
Park City, UT 84098
(801) 694-9683
bill.draftmaster@gmail.com
www.vansicklearchitecture.com

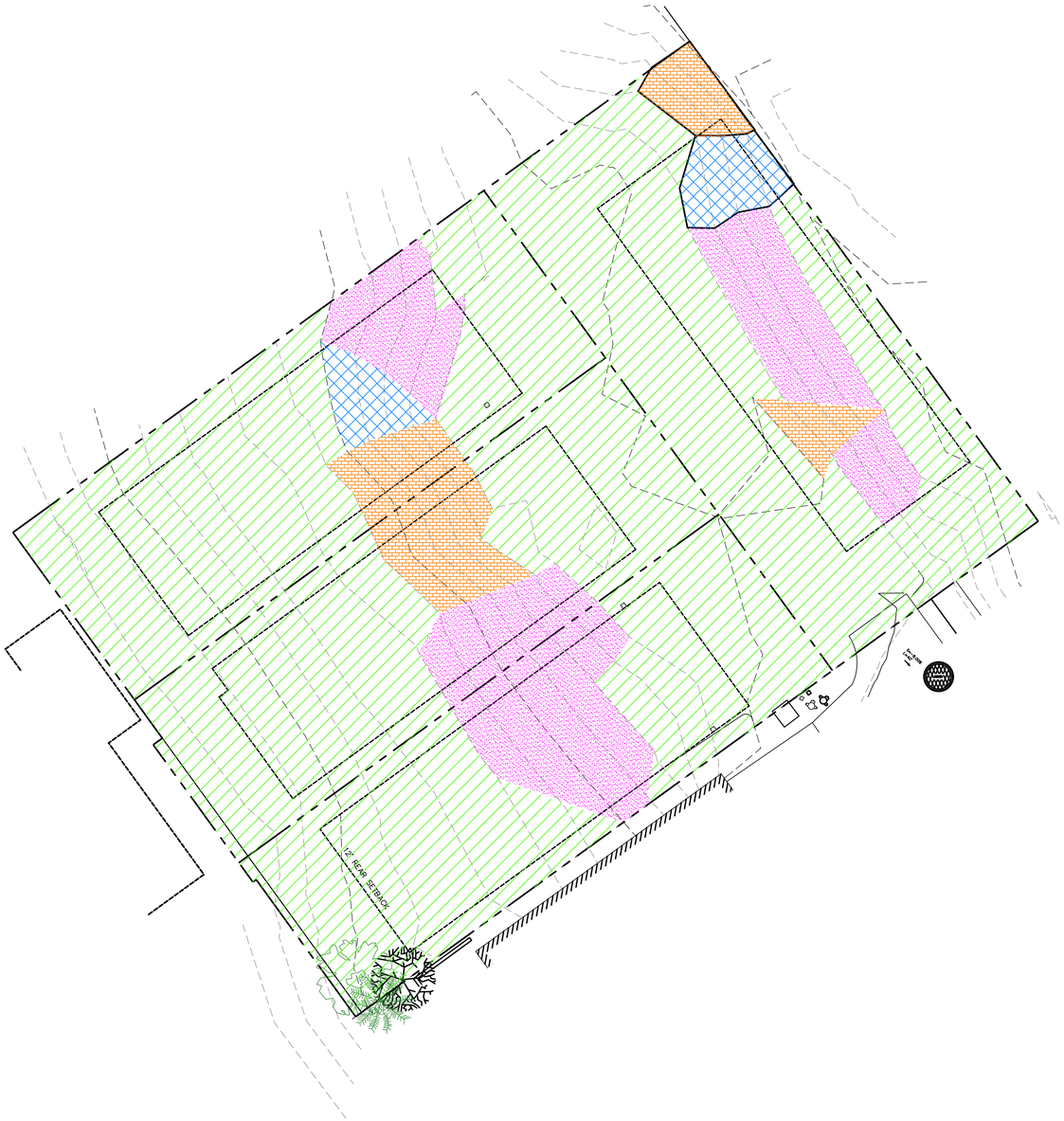
KNUDSON SUBDIVISION REPLAT

KNUDSON PARCELS
PARK CITY, UTAH
84098

SITE SECTIONS

DATE OF PLANS
11 AUG 2023

SHEET
A1.08



0% – 20% SLOPE

21% – 25% SLOPE

26% – 30% SLOPE

31% OR MORE SLOPE

SLOPE ANALYSIS

SCALE: 1" = 10'

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www.vansicklearchitecture.com

KNUDSON SUBDIVISION REPLAT

KNUDSON PARCELS
PARK CITY, UTAH
84098

PUBLIC STAIRCASE PLAN

DATE OF PLANS
15 MAR 2023

SHEET
A1.08

WHEN RECORDED MAIL TO:

SKYLER LLC
C/O: GARY KNUDSON
PO BOX 511
PARK CITY, UT 84060-0511

Knudson-B
Knudson-C
SA-200

01184065 B: 2725 P: 1173
Page 1 of 7
Rhonda Francis Summit County Recorder
02/24/2022 03:35:42 PM Fee $40.00
By COALITION TITLE AGENCY, INC.
Electronically Recorded

EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT (the "Agreement") is entered into on this 23 day of February, 2022 ("Effective Date") by and between **MARYA, LLC** ("Grantor"), and **SKYLER, LLC, formerly known as Skyler LTD** ("Grantee").

RECITALS

A. On the date hereof, Grantor owns real property in Summit County generally located at 1314 EMPIRE AVE, Summit County, Utah, which is more particularly described as:

LOT B KNUDSON SUBDIVISION; ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE SUMMIT COUNTY RECORDERS OFFICE CONT 4,133 SQ FT OR 0.09 AC. 2229-1106.

Tax Parcel No.: KNUDSON-B (GRANTOR PROPERTY)

29780

B. On the date hereof, the Grantee owns real property in Summit County generally located at 1325 EMPIRE AVE, Summit County, Utah, which is more particularly described as:

LOT C KNUDSON SUBDIVISION; ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE SUMMIT COUNTY RECORDERS OFFICE CONT 7,125 SQ FT OR 0.16 AC.

Tax Parcel No.: KNUDSON-C (GRANTEE PROPERTY 1)

C. On the date hereof, the Grantee owns real property in Summit County, Utah, which is more particularly described as:

ALL OF LOTS 6 AND 7 IN BLOCK 19, SNYDERS ADDITION

TO PARK CITY, UTAH ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE SUMMIT COUNTY RECORDERS OFFICE

Tax Parcel No.: SA-200 (GRANTEE PROPERTY 2)

D. The only purpose of this Access Easement is to allow fire department and emergency services ("Emergency Services") access to Grantee Property 1 and Grantee Property 2 by and through an access easement, described herein, for the benefit of the Grantee Property 1 and Grantee Property 2.

E. There exists a certain five foot (5') wide unimproved dirt path across a certain portion of the Grantor Property, as depicted on Exhibit A ("Access Easement").

F. The Grantor Property and Grantee Property are adjoining parcels. Grantee Property 1 (KNUDSON – C) is adjacent to the Access Easement. However, Grantee Property 2 (SA-200) is not adjacent to the Access Easement and Emergency Services may only access Grantee Property 2 by way of Grantee Property 1 and not by way of any other portion of GRANTOR'S PROPERTY.

AGREEMENT

NOW THEREFORE, for good and valuable consideration, the sufficiency and receipt of which are hereby acknowledged, GRANTOR hereby grants a non-exclusive and restricted access easement over the ACCESS EASEMENT for ingress and egress by Emergency Services to access and for the benefit of GRANTEE'S PROPERTY 1 and GRANTEE PROPERTY 2 on the terms and provisions set forth herein.

1. The Recitals above and all Exhibits hereto are hereby incorporated into this Agreement by this reference.

2. The Access Easement is as depicted in Exhibit A which is incorporated herein.

3. Grantee and any successors in interest have a right to construct a concrete / asphalt sidewalk within the full length and width of the Easement Access area. Grantee and any successors are responsible for all costs of construction and maintenance of any such improvements in the Access Easement. Grantee has no rights to otherwise improve upon or make improvements, in any form, to the Access Easement, including but not limited to, grading, retaining, expanding the width, or any other improvement on the Grantor Property, including the ACCESS EASEMENT, without prior written permission from Grantor, except as may be required from time to time by a governmental authority having jurisdiction over the Emergency Services and then only for purposes of providing access for Emergency Services, (provided such governmental authority shall not have the right to increase the width of the Access Easement).

4. Grantor shall have no right to impede or restrict access to or the use of the ACCESS EASEMENT by the Emergency Services providers as contemplated herein, provided, however that Grantor shall have the right to restrict access to the Access Easement in a manner acceptable to Park City Emergency Services providers so that only Emergency Services providers may have access to the Access Easement.

5. The parties acknowledge that Park City currently has plans to build a public access easement on property adjacent to Grantor's Property (the "City Easement"). If and when the City Easement is constructed, and provided that the City Easement is accepted in writing by Park City Municipality (including Emergency Services) as providing equivalent and acceptable Emergency Services access to Grantee Property 1 and Grantee Property 2, this Access Easement shall automatically terminate. Provided, however, that if Grantee Property 1 is able to connect directly to the City Easement, the Access Easement shall be redescribed as the smallest possible area necessary to allow Emergency Services Access to Grantee Property 1 from the City Easement.

6. GRANTEE HAS INSPECTED THE EASEMENT PROPERTY AND ACCEPTS THE EASEMENT PROPERTY IN "AS-IS", "WHERE-IS" CONDITION, WITH ALL FAULTS, AND GRANTEE AGREES THAT GRANTOR HAS NOT MADE, AND DOES NOT MAKE, ANY WARRANTY OR REPRESENTATION WHATSOEVER, EXPRESS OR IMPLIED, AS TO THE PHYSICAL CONDITION OF THE EASEMENT PROPERTY; AND GRANTOR EXPRESSLY DISCLAIMS ALL SUCH WARRANTIES; AND THE PARTIES AGREE THAT ALL RISK ASSOCIATED THEREWITH SHALL BE BORNE BY GRANTEE. NOTWITHSTANDING THE FOREGOING, GRANTOR HEREBY REPRESENTS AND WARRANTS TO GRANTEE THAT GRANTOR IS THE OWNER OF FEE SIMPLE TITLE TO THE EASEMENT PROPERTY AND HAS FULL AUTHORITY TO GRANT THE EASEMENT CREATED HEREIN.

7. This Agreement and the easement created hereunder constitute equitable servitude and covenants running with the land, binding on GRANTOR's PROPERTY and benefitting and appurtenant to GRANTEE PROPERTY 1 AND GRANTEE PROPERTY 2, and shall be binding upon and inure to the benefit of the parties hereto and their respective successors-in-interest.

8. This Agreement is for the sole and exclusive benefit Grantee and its successors-in-interest, for the sole purpose of Emergency Services providers requiring emergency access pursuant hereto, and there shall be no individual rights for use of the Access Easement, including any other third-party beneficiaries, and nothing in this Agreement shall be construed to grant to any other person any right, remedy or claim under or in respect of this Agreement or any provision hereof.

9. This Agreement may only be amended by a writing executed and recorded by Grantor and Grantee, or their respective successors-in-interest.

10. This Agreement shall be governed by and interpreted pursuant to the laws of the State of Utah.

11. Any waiver by a party hereto of any breach of any kind or character whatsoever by another party, whether such waiver be direct or implied, shall not be construed as a continuing waiver of or consent to any subsequent breach of this Agreement on the part of the other party.

12. In the event any action or proceeding is brought by any party against any other party hereto, the prevailing party shall be entitled to recover attorney's fees in such amount as the court may adjudge reasonable.

IN WITNESS WHEREOF, the undersigned has executed this instrument as of the Effective Date.

GRANTOR

MARYA, LLC

By: KIMBERLY ESPLIN
Its Manager

ACKNOWLEDGEMENT

STATE OF Utah)
: ss.
County of Summit)

STATE OF Utah)
COUNTY OF Summit)

On this 23 day of Feb., 2022, KIMBERLY ESPLIN (name of document signer) personally appeared before me , whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he/she is the Manager of Marya, LLC, a Utah limited liability company, and that said document was signed by him/her on behalf of said limited liability company by authority of its Operating Agreement or Resolution of its Members, and he/she acknowledged to me that he/she executed the same.

Notary Public

Notary Public - State of Utah
CRAIG R. RODMAN
Commission #701194
My Commission Expires
August 12, 2022

GRANTEE
SKYLER, LLC

By: KIMBERLY ESPLIN
Its Manager

ACKNOWLEDGEMENT

STATE OF Utah)
: ss.
County of Summit)

On this 23 day of FEB, 2022, KIMBERLY ESPLIN (name of document signer) personally appeared before me , whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he/she is the Manager of Skyler, LLC, a Utah limited liability company, and that said document was signed by him/her on behalf of said limited liability company by authority of its Operating Agreement or Resolution of its Members, and he/she acknowledged to me that he/she executed the same.

Notary Public

Notary Public - State of Utah
CRAIG R. RODMAN
Commission #701194
My Commission Expires
August 12, 2022

Unofficial Copy

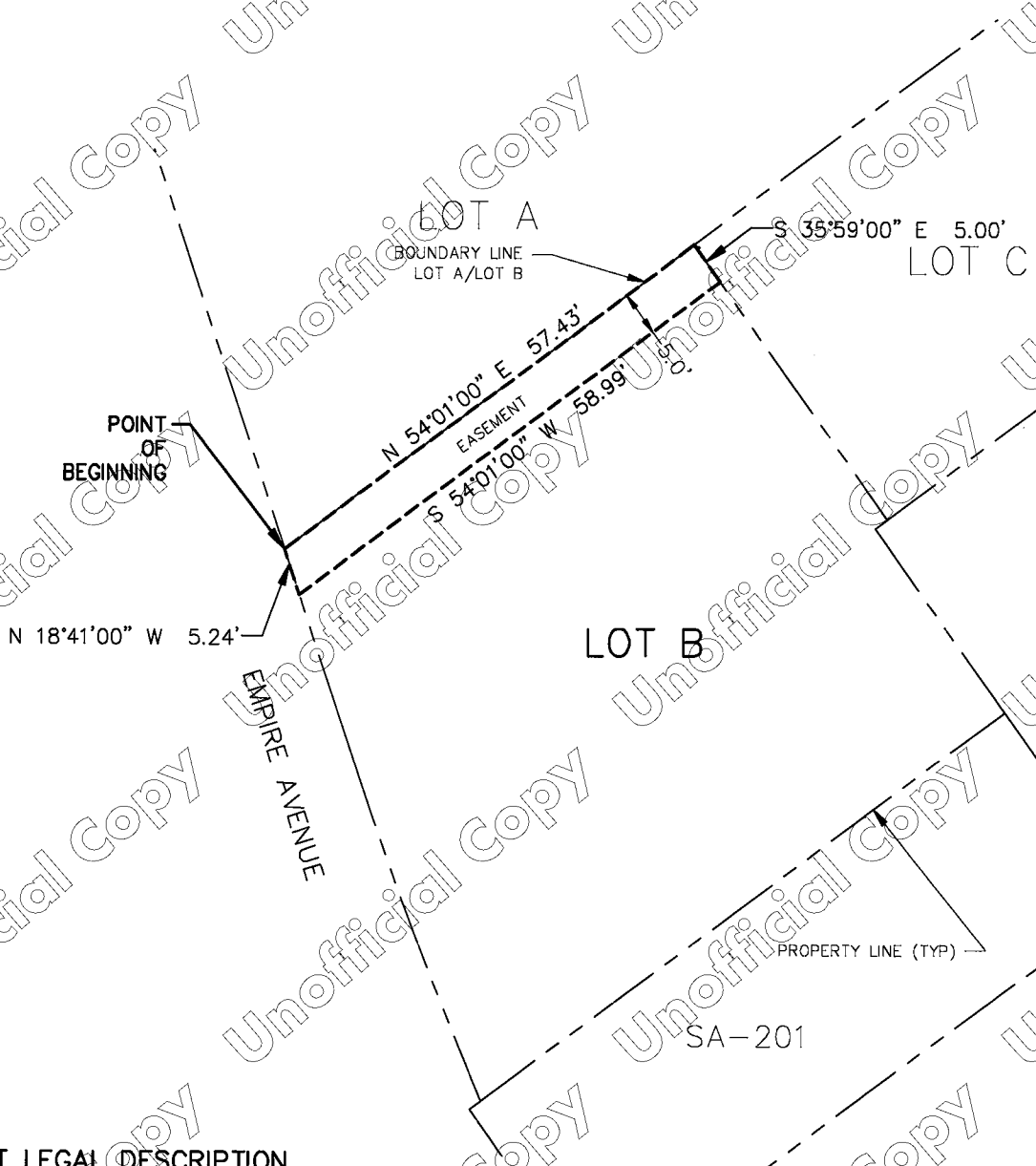
EXHIBIT "A"

(Survey of Access Easement on Grantor's Property)

Unofficial Copy

DocuSign Envelope ID: 0B69FCB2-47CE-4E3A-95EF-137D783542E5

KNUDSON SUBDIVISION
LOT B EASEMENT
EXHIBIT "A"



EASEMENT LEGAL DESCRIPTION

A five (5) foot wide Access Easement located in the Northwest Quarter of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said easement also being located within Lot B of the Knudson Subdivision recorded February 27, 2014 as Entry No. 990328 in the office of the Summit County Recorder and being more particularly described as follows:

Beginning at the westernmost Corner of Lot B Knudson Subdivision, said corner being common to the southernmost Corner of Lot A Knudson Subdivision; and running thence coincident with the boundary line common to Lot A and Lot B North 54°01'00" East 57.43 feet to the northernmost Corner of Lot B, said corner being common to the westernmost Corner of Lot C Knudson Subdivision; thence coincident with the boundary line common to Lot B and Lot C South 35°59'00" East 5.00 feet; thence South 54°01'00" West 58.99 feet to the easterly right-of way of Empire Avenue; thence coincident with said right-of-way of Empire Avenue North 18°41'00" West 5.24 feet to the Point of Beginning.

SCALE: 1" = 20'

Date: 12.06.2021
Project No.: 21039
C:\Users\Charlie\Desktop\ALLTERRA\AU JOBS\21039-Knudson Easement\21039.dwg

PROFESSIONAL LAND SURVEYING AND CONSULTING
ALLTERRA UTAH, LLC
435-640-4200
463 SCENIC HEIGHTS ROAD. FRANCIS, UTAH 84036

01184065 Page 7 of 7 Summit County

ESTIMATE

Lane Jacobson Construction
Lane Jacobson, President

1600 E. Center Creek Drive
Heber City, Utah 84032
Phone: (435) 671-5915
letsbuildnow@yahoo.com

DATE 4/28/2023

QTY	DESCRIPTION	UNIT PRICE	LINE TOTAL
	EXCAVATION/GRADE/BACKFILL ALL MATERIALS AND LABOR		$25,000.00
	CONCRETE FOOTINGS/COLUMNS LABOR AND MATERIALS		$13,000.00
	GLUE-LAM BEAMS FOR STAIR STRIGERS MATERIALS AND LABOR		$15,000.00
	STEEL VARIOUS KNIFE PLATES TO ATTACH STRINGERS STEEL TREADS PER DESIGN SPEC'S ALL MISC. STEEL FOR CONNECTIONS ETC ALL LABOR		$13,500.00
	STEEL GUARD/GRAB HANDRAIL MATERIALS AND LABOR		$6,000.00

BASED ON PC DERSIGN SPEC'S TOTAL ESTIMATE $72,500.00

From:	Michelle Downard
To:	Mark Brian; Nann Worel; Max Doilney; Tana Toly; Stormie Dawn; Jeremy Rubell; Becca Gerber; Ryan Dickey; Mark Harrington
Cc:	Deborah Rentfrow; Oak O"Connell; Andy Haaland; Matt Dias; Jennifer McGrath; Alexandra Ananth; Jaron Ehlers; Rebecca Ward
Subject:	RE: [External] Norfolk Development and Approval
Date:	Wednesday, December 6, 2023 9:48:36 AM
Attachments:	image001.png

Hi Mark-

Thank you for your email. I am confirming receipt. Your comments will also be included within the meeting packet and public record for the December 14 meeting. I hope that you can join us. Let me know if you have any questions.

Michelle Downard
Park City Municipal Corporation
parkcity.org
445 Marsac Avenue, PO Box 1480
Park City, UT 84060
o: 435.615.5109

From: Mark Brian <msb84060@gmail.com>
Sent: Tuesday, December 5, 2023 3:25 PM
To: Michelle Downard <mdownard@parkcity.org>; Nann Worel <nann.worel@parkcity.org>; Max Doilney <max.doilney@parkcity.org>; Tana Toly <tana.toly@parkcity.org>; Stormie Dawn <Stormie.Dawn@parkcity.org>; Jeremy Rubell <jeremy.rubell@parkcity.org>; Becca Gerber <becca.gerber@parkcity.org>; Ryan Dickey <ryan.dickey@parkcity.org>; Mark Harrington <mark@parkcity.org>
Cc: Deborah Rentfrow <der0813@aol.com>; Oak O'Connell <usnaoak@aol.com>; Andy Haaland <andrew.haaland@ngc.com>
Subject: [External] Norfolk Development and Approval

[CAUTION] This is an external email.

Concerning the North Norfolk Development approval:

My name and address is Mark Brian, 1319 Norfolk Avenue, Park City, Utah 84060.

First and foremost, the development that is proposed will dramatically increase the amount of traffic, as well as traffic related risks and problems on the driveway that I was a part of building for the use of two homes back in 2003. The “driveway” extends north of 13th street and adjacent to where the Woodside 2 development is planned to be built

The current residents of this driveway have expressed our concern for safety in many ways throughout this development application approval process. For some unexplained reason, the city council has chosen to ignore this subject.

I have personally asked for the city to have a Traffic Safety Study performed to identify the issues associated with all the additional traffic, lack of parking, one lane throat of the drive, snow removal and storage challenges, pedestrian risk, road slope issues, lack of foot access to 13th street, plowing, and access for emergency vehicles. If you go back to listen to previous discussion among the council, the mayor exclaims in disbelief the approval of allowing for the fire department to drag a hose down a stairway was being allowed as opposed to having proper access.

Regardless of all these concerns, the city has chosen to not respond to my request for a Traffic Safety Study, which would address these issues in a professional way. This s very frustrating to me and my neighbors. Let me remind you all that it is the mayors and city councils responsibility to address the safety concerns of the residents of Park City. I again request that a Traffic Safety Study be performed. If the city again chooses to ignore this request, I think the city is accepting liability for future safety issues that likely will occur, which otherwise could be avoided.

Therefore, I again request that a Traffic Safety Study be performed prior the allowing this development to begin. There is already a history of accidents occurring on this road due to congestion. Which is only going to become more of a problem!

At the last city council meeting I requested that this issue be reopened in January as opposed to being on at the agenda for December 14. This would allow for our residents to attend the meeting in person, as opposed to attending over the phone, as that has proved problematic as phone inputs were not allowed, due to unforeseen and suspicious events prior to the last time this item was up for discussion. I've been informed that this topic was taken off the December 14th agenda as I requested then suddenly and unexpectedly put back on. This is concerning for the citizens living on the street in that we would like to have a chance to speck in person directly with the city council.

This makes the process suspicious. Therefore, I again request that the item be delayed until January for discussion.

Thank you for considering my concerns and requests,

Mark Brian
801-694-0465



CDR W.M. O'Connell, USN (Ret)
1307 Norfolk Ave
Park City, Ut 84060

06 Dec 2023
Dear Mayor / City Council

Provided for on-record review / standing. I am unable to attend the Dec 14 meeting, recently changed from Jan 2024, due to working the late / night shift.

As a former deputy Inspector General for the Chairman of the Joint Chief of Staff at the Pentagon during 9/11, I am respectfully requesting an Inspector General review of the "unsafe" conditions / driveway, which is lower Norfolk Ave, e.g., 1307 Norfolk Ave.

Very respectfully

W.M. O'Connell
26-year Veteran USMC / USN



From:	Michelle Downard
To:	Oak O"Connell; Nann Worel; Stormie Dawn; Becca Gerber; Ryan Dickey; Max Doilney; Tana Toly; Jeremy Rubell; Mark Harrington
Cc:	Deborah Rentfrow; Andy Haaland; Mark Brian; Matt Dias; Jennifer McGrath; Alexandra Ananth; Rebecca Ward; Jaron Ehlers
Subject:	RE: [External] Re: Norfolk Development and Approval
Date:	Wednesday, December 6, 2023 9:46:47 AM
Attachments:	image001.png

Good morning, Oak-

Thank you for your email. I am confirming receipt. These comments will be included within the meeting packet and public record for the December 14 meeting. I hope that you can join us virtually or in-person.

Michelle Downard
Park City Municipal Corporation
parkcity.org
445 Marsac Avenue, PO Box 1480
Park City, UT 84060
o: 435.615.5109

From: Oak O'Connell <usnaoak@aol.com>
Sent: Wednesday, December 6, 2023 7:06 AM
To: Michelle Downard <mdownard@parkcity.org>; Nann Worel <nann.worel@parkcity.org>; Stormie Dawn <Stormie.Dawn@parkcity.org>; Becca Gerber <becca.gerber@parkcity.org>; Ryan Dickey <ryan.dickey@parkcity.org>; Max Doilney <max.doilney@parkcity.org>; Tana Toly <tana.toly@parkcity.org>; Jeremy Rubell <jeremy.rubell@parkcity.org>; Mark Harrington <mark@parkcity.org>
Cc: Deborah Rentfrow <der0813@aol.com>; Andy Haaland <andrew.haaland@ngc.com>; Mark Brian <msb84060@gmail.com>
Subject: [External] Re: Norfolk Development and Approval

[CAUTION] This is an external email.

Mayor / City Council
See attached letter for review / insight.

Very respectfully Oak

Oak O'Connell
26 year Veteran USMC/USN

On Dec 5, 2023, at 4:24 PM, Mark Brian <msb84060@gmail.com> wrote:

Concerning the North Norfolk Development approval:

My name and address is Mark Brian, 1319 Norfolk Avenue, Park City, Utah 84060.

First and foremost, the development that is proposed will dramatically increase the amount of traffic, as well as traffic related risks and problems on the driveway that I was a part of building for the use of two homes back in 2003. The "driveway" extends north of 13th street and adjacent to where the Woodside 2 development is planned to be built

The current residents of this driveway have expressed our concern for safety in many ways throughout this development application approval process. For some unexplained reason, the city council has chosen to ignore this subject.

I have personally asked for the city to have a Traffic Safety Study performed to identify the issues associated with all the additional traffic, lack of parking, one lane throat of the drive, snow removal and storage challenges, pedestrian risk, road slope issues, lack of foot access to 13th street, plowing, and access for emergency vehicles. If you go back to listen to previous discussion among the council, the mayor exclaims in disbelief the approval of allowing for the fire department to drag a hose down a stairway was being allowed as opposed to having proper access.

Regardless of all these concerns, the city has chosen to not respond to my request for a Traffic Safety Study, which would address these issues in a professional way. This s very frustrating to me and my neighbors. Let me remind you all that it is the mayors and city councils responsibility to address the safety concerns of the residents of Park City. I again request that a Traffic Safety Study be performed. If the city again chooses to ignore this request, I think the city is accepting liability for future safety issues that likely will occur, which otherwise could be avoided.

Therefore, I again request that a Traffic Safety Study be performed prior the allowing this development to begin. There is already a history of accidents occurring on this road due to congestion. Which is only going to become more of a problem!

At the last city council meeting I requested that this issue be reopened in January as opposed to being on at the agenda for December 14. This would allow for our residents to attend the meeting in person, as opposed to attending over the phone, as that has proved problematic as phone inputs were not allowed, due to unforeseen and suspicious events prior to the last time this item was up for discussion. I've been informed that this topic was taken off the December 14th agenda as I requested then suddenly and unexpectedly put back on. This is concerning for the citizens living on the street in that we would like to have a chance to speck in person directly with the city council.

This makes the process suspicious. Therefore, I again request that the item be delayed until January for discussion.

Thank you for considering my concerns and requests,

Mark Brian
801-694-0465

Alexandra Ananth

From: Oak O'Connell <usnaoak@aol.com>
Sent: Thursday, November 16, 2023 9:29 AM
To: Michelle Downard
Cc: Max Doilney; Tana Toly; carolynn@sorensenvance.com; Stormie Dawn; Matt Dias; planning; Jeremy Rubell; Nann Worel; Becca Gerber; Ryan Dickey; Andrew Haaland; Rebecca Ward; Jennifer McGrath; Alexandra Ananth; Jaron Ehlers; Mark Harrington; markjdiantonio@aol.com; 1319 Norfolk Ave Park City; Deborah Rentfrow
Subject: Re: [External] Lower Norfolk Development/Building Permit

Michelle
Just reviewed the City Council Link for todays meeting for the City council IAW PLAT AMENDMENT PL-22-05357
Would be grateful if the “widening of the road”a safety issue be part of the discussion as written and requested in my 2 letters to the city … See exhibit M.
Also attached is one solution for the widening of the road for review / discussion for the City

Very respectfully Oak
‘One Team … One Solution”

Oak O'Connell
26 year Veteran USMC/USN





On Sep 27, 2023, at 10:13 AM, Oak O'Connell <usnaoak@aol.com> wrote:

Michelle
Grateful and thank you for your help / insight … Great team work!
Very respectfully Oak

Oak O'Connell
26 year Veteran USMC/USN

On Sep 27, 2023, at 10:08 AM, Michelle Downard <mdownard@parkcity.org> wrote:

CDR W.M. “Oak” O’Connell, USN (Ret)
1307 Norfolk Ave
Park City, Ut 84060

20 Feb 2023

Dear Jaron

We, the lower Norfolk Ave residents (1307/1315/1319) have communicated with Corey Legge our concerns with the road access to our houses on lower Norfolk Ave. in the past. I think Mark Brian (1319 Norfolk Ave) captures the limited road access / concerns perfect in his emails to Corey.

Lower Norfolk Ave is essentially a one-way street dynamic.

There can be challenges with getting in and out of my driveway on Lower Norfolk Ave especially during the winter season. This can be dependent on cars being parked next to the retaining wall on Lower Norfolk Ave., and the side of the road.

Note: Currently the Lower Norfolk Ave residents (1307/1315/1319) and the city pay for the commercial plow service for lower Norfolk Ave.

The solution is widening of the road to allow for snowplow and “safe” navigation to and from Lower Norfolk Ave, which would be a benefit to the Lower Norfolk Ave. residents and Park City. Respectfully request this is given top priority / consideration with Project PL-22-05357.

Very respectfully

Oak O’Connell
26 yr. Veteran USMC / USN



CDR W.M. O'Connell, USN (Ret)
1307 Norfolk Ave
Park City, Ut 84060

10 May 2023
Dear Park City Planning

Provided for "On-record" review / standing. I am unable to attend meeting due to working the night shift. I along with the lower Norfolk Ave residents (1307/1315/1319) have communicated with Park City planning e.g., Corey Legge, our concerns with the road access to our houses on lower Norfolk Ave. in the past. I think Mark Brian (1319 Norfolk Ave) captures the limited road access / concerns perfect in his emails to Corey.

Lower Norfolk Ave is currently a one-way street.

This winter season we had many challenges with getting in and out of the driveways on Lower Norfolk Ave. Currently the Lower Norfolk Ave residents (1307/1315/1319), Gavin Steinburg and "Park City" pay for the commercial plow service for lower Norfolk Ave. Lower Norfolk Ave residents were overwhelmed this winter even with the commercial plow service. *Respectfully request that Park City take over the snowplow service for Lower Norfolk Ave.*

I view with genuine concern any solution for lower Norfolk Ave that would not make access to lower Norfolk Ave ... "Safe and reliable". Widening lower Norfolk Ave and a two-way access via Lower Norfolk Ave and lower Woodside Ave would be the simple, easy, and smart solution. This would allow Park City to snowplow lower Norfolk Ave and provide "safe" navigation for the residents. Request this is given top priority / consideration with Project PL-22-05357.

Very respectfully

W.M. O'Connell
26 yr. Veteran USMC / USN

Jaron Ehlers

From: planning <planning@parkcity.org>
Sent: Friday, September 22, 2023 8:56 AM
To: Alexandra Ananth; Jaron Ehlers
Subject: FW: [External] Lower Norfolk Development/Building Permit

-----Original Message-----
From: Mark Brian <mark.s.brian@comcast.net>
Sent: Thursday, September 21, 2023 8:42 PM
To: planning <planning@parkcity.org>
Cc: Nann Worel <nann.worel@parkcity.org>; Max Doilney <max.doilney@parkcity.org>; Jeremy Rubell <jeremy.rubell@parkcity.org>; Ryan Dickey <ryan.dickey@parkcity.org>; Tana Toly <tana.toly@parkcity.org>; carolynn@sorensenvance.com; Becca Gerber <becca.gerber@parkcity.org>; Stormie Dawn <Stormie.Dawn@parkcity.org>; Matt Dias <matt.dias@parkcity.org>; Michelle Downard <mdownard@parkcity.org>; Oak O'Connell <usnaoak@aol.com>; Andrew Haaland <andrew.haaland@ngc.com>
Subject: [External] Lower Norfolk Development/Building Permit

[CAUTION] This is an external email.

I see the agenda for the next planning commission meeting includes the plan for the development at the end of lower Norfolk which is next to my house (1319 Norfolk Avenue).

I strongly request not approving the plan as is currently exists.

There are many reasons that I have presented to both the Planning Commission and the City Council. Please consider the following:

1. There is no fair way to appropriate road maintenance costs in place. I have personally managed the snow removal from the street for the past 20 years. When the non encroachment agreement was signed 20 years ago by the builder, Peter Papineau, it applied to only two homes on the street. Since then the resident of the blue house (1302 Norfolk) on the corner of 13th and Norfolk started parking up to 3 cars on the street and the inhabitant refused to participate in cost sharing for snow removal. The “agreement” states that ALL property owners abutting the road are required to share in the cost of maintaining the street. But Park City Municipality (apparently) is not encumbered to pay anything. I’ve been able to coordinate with the city and they have participate for the past couple years.

This issue needs to be resolved before the building permit is approved. Where I could easily coordinate between two willing homeowners, with the building of 5 additional proposed residences, I (or preferably the city) would have to coordinate contracting for maintenance services then collect from 9 home owners. Some of which who will be most likely unwilling to participate, based on my 20 years of experience. I think that places an undo and unfair burden on to me, or whomever takes the responsibility for coordinating the roads maintenance going into the future. As a municipality, Park City has the authority to require taxes and then provide for the public good. It is unreasonable to place that sort of responsibility on a single individual. I’m exhausted with trying to convince the property owners to pay their fair share. With the additional residences, I am overwhelmed with the prospect of having to chase them all down to participate. I hereby as the city to take responsibly to maintain their property! The road and the right of way belongs to the City. Please do the right thing and take over maintaining the street.

Furthermore, The original “encroachment agreement” is arcane and overcome by events. It was never properly implemented due to “all properties abutting the roadway” were not properly encumbered with the requirement to maintain the street.. What worked 20 years ago for two homes when it was signed, no longer works. The city now is the largest land owner on the street with over 50% of the property abutting the street. Where the agreement states that ALL property owners are obligated to maintain the road, only 2 or 3 properties on the road are “encumbered” to maintain the street. This needs to be looked into by the city to see exactly whose titles are obligated with this requirement. That is an egregious and unfairly implemented requirement. The Shaft condominiums driveway flows onto the street, the city’s renter now parks his vehicles on the side of the street, and now a developer wants to build 5 residences at the end of the street. Since there is no agreement in place to obligate the city and the developer to share in costs, as well as no cost sharing agreement between all property owners abutting the street, it would be premature to approve the building permit until that cost sharing agreement can be agreed upon.

The “fair” way to manage the cost of maintaining the street, is for the city to collect taxes from the property owners and maintain the street. Per Andy Haaland, owner of 1315 Norfolk Avenue, the street meets city code requirements, the width, gutters, etc, and the same at the rest of Norfolk Avenue. Thus, we strongly disagree with the city that the street can not be plowed by the city. The city owns a front end loader that clears the Senior Citizens Center and well as behind the city library.

2. The road is about 10’ wide at the entrance to where 13th and Norfolk intersect with the way parking is currently. That makes the road a one way street, and again, where this worked for two homes using the road, it makes the street very dangerous and unsafe for 9 home owners. The traffic will now be increase probably 5 fold, with the homes proposed as probable vacation properties with lots of renters and home cleaners, delivery trucks, etc, which makes it very dangerous for probable accidents and plugging of the roadway. This is a tremendous danger to myself and the other residents of lower Norfolk. It is the City Councils responsibility to ensure the citizens of Park City are safe. The overcrowding of the street causes serious safety concerns should we need fire trucks ambulances and other emergency responders to our dead end street.

3. At the last planning commission meeting there was a debate as to whether the road is a road or a driveway. The current homeowners on the street strongly believe that the road is in fact, a road. It is not a driveway! The road is defined as such in the original “permit” signed by Peter Papineau in 2003. The developer is trying to redefine the road as a driveway to avoid upgrading the road to proper safety standards. Our safety should not be outweighed by his motive to build and sell homes and then have no long term interest in the safety of the residents of the street.

4. The original “encroachment agreement” is arcane and overcome by events.Furthermore it was never properly implemented. What worked 20 years ago when it was signed no longer works. The city now is the largest land owner on the street with over 50% of the property abutting the street. When the agreement states that ALL property owners are obligated to maintain the road, only 2 or 3 properties on the road are “encumbered” to maintain the street, per what I’ve been told. That is an egregious and unfair requirement. Additionally, the Shaft condominiums driveway flow onto the street, and for many years the city’s renter of 1302 Norfolk now parks his vehicles on the side of the street, and now the developer wants to build 5 residences at the end of the street. Since there is no agreement in place to obligate the city and the developer to share in costs, as well as no cost sharing agreement between all property owners abutting the street, it would be premature to approve the building permit until that cost sharing agreement can be agreed upon.

5. A Traffic Safety study needs to be performed before any building permit is approved. I hereby formally request the city perform a Traffic Safety study on Lower Norfolk below 13th street. That study, is done fairly will reveal the issues I’m presenting in this letter. It has been an item of concern that the requirement for a firetruck turn around suddenly went away when, it previously existed.

6. Furthermore, the plan as being presented, moves the road in front of my house (1319 Norfolk) significantly closer to my home. I dislike that as it will pinch me in a crowd my ability to park in front of my home. I do not want the road to be moved any closer to my home.

VICINITY MAP



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 54°01'00" W	0.60'
L2	N 54°01'00" E	1.66'

SURVEYOR'S CERTIFICATE

PROFESSIONAL LAND SURVEYOR — No. 4857264 — MICHAEL DEMKOWICZ — STATE OF UTAH

I, Michael Demkowicz, do hereby certify that I am a Professional Land Surveyor and that I hold License No. 4857264 as prescribed under the laws of the State of Utah. I further certify that by authority of the owner, I have made a survey of the land shown on this plat and described hereon, and have subdivided said land into lots, hereafter to be known as NORTH NORFOLK PLAT AMENDMENT and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

LEGAL DESCRIPTION

PARCEL 1:

Lot C, Knudson Subdivision, according to the official plat thereof on file and of record in the Summit County Recorder's Office.

Together with:

A non-exclusive and restricted access easement for ingress and egress by emergency services as disclosed in that certain easement agreement dated February 23, 2022, by and between Marya, LLC, and Skyler, LLC, formerly known as Skyler LTD, recorded February 24, 2022, as Entry No. 1184065, in Book 2725, at Page 1173, Summit County Recorder's Office, more particularly described as follows:

A five (5) foot wide access easement located in the northwest quarter of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said easement also being located within Lot B of the Knudson Subdivision recorded February 27, 2014, as Entry No. 990328, in the Office of the Summit County Recorder and being more particularly described as follows:

Beginning at the westernmost corner of Lot B Knudson Subdivision, said corner being common to the southernmost corner of Lot A, Knudson Subdivision; running thence coincident with the boundary line common to Lot A and Lot B North 54°01'00" East 57.43 feet to the northernmost corner of Lot B, said corner being common to the westernmost corner of Lot C Knudson Subdivision; thence coincident with the boundary line common to Lot B and Lot C South 35°59'00" East 5.00 feet; thence South 54°01'00" West 58.99 feet to the easterly right-of-way of Empire Avenue; thence coincident with said right-of-way of Empire Avenue North 18°41'00" West 5.24 feet to the point of beginning.

PARCEL 2:

All of Lots 6 and 7, in Block 19, Snyders Addition to Park City, Utah, according to the official plat thereof on file and of record, in the Office of the Summit County Recorder.

Less and excepting:

A parcel of land located in the northwest quarter of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being the rear 0.6 feet of Lot 6, Block 19, Snyder's Addition to Park City and being more particularly described as follows:

Beginning at the westernmost corner of Lot 6, Block 19, Snyder's Addition to Park City; thence coincident with the boundary line Lot 6 and Lot 39 South 35°59'00" East a distance of 25.00 feet to the southernmost corner of Lot 6; thence coincident with the boundary line of Lot 6 and Lot 5 North 54°01'00" East a distance of 0.60 feet; thence parallel to the boundary line of Lot 6 and Lot 39 North 35°59'00" West a distance of 25.00 feet to the boundary line of Lot 6 and Lot 7; thence coincident with said boundary line South 54°01'00" West a distance of 0.60 feet to the point of beginning.

Together with:

A non-exclusive and restricted access easement for ingress and egress by emergency services as disclosed in that certain easement agreement dated February 23, 2022, by and between Marya, LLC, and Skyler, LLC, formerly known as Skyler LTD, recorded February 24, 2022, as Entry No. 1184065, in Book 2725, at Page 1173, Summit County Recorder's Office, more particularly described as follows:

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Beginning at the westernmost corner of Lot B Knudson Subdivision, said corner being common to the southernmost corner of Lot A, Knudson Subdivision; running thence coincident with the boundary line common to Lot A and Lot B North 54°01'00" East 57.43 feet to the northernmost corner of Lot B, said corner being common to the westernmost corner of Lot C Knudson Subdivision; thence coincident with the boundary line common to Lot B and Lot C South 35°59'00" East 5.00 feet; thence South 54°01'00" West 58.99 feet to the easterly right-of-way of Empire Avenue; thence coincident with said right-of-way of Empire Avenue North 18°41'00" West 5.24 feet to the point of beginning.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that the undersigned is the owner of the above described land, and hereby causes the same to be divided into lots, together with easements as set forth to be hereafter known as NORTH NORFOLK PLAT AMENDMENT. The undersigned owner hereby conveys to any and all public utility companies a perpetual, non-exclusive easement over the public utility easement shown on this plat, the same to be used for the installation, maintenance and operation of utility lines and facilities. The undersigned owner also hereby conveys any other easements as shown on this plat to the parties indicated and for the purposes shown hereon.

In witness whereof, the undersigned set his hand this _____ day of _____, 2022.

1325 Empire Ave Holdings, LLC, a Delaware limited liability company

By: _____
Gavin David Steinberg, Manager

ACKNOWLEDGMENT

STATE OF _____)
: ss.
COUNTY OF _____)

On this _____ day of _____, 2022, Gavin David Steinberg personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is the Manager of 1325 Empire Ave Holdings, LLC, a Delaware limited liability company, and that said document was signed by him on behalf of said limited liability company by authority of its Operating Agreement or Resolution of its Members, and he acknowledged to me that he executed the NORTH NORFOLK PLAT AMENDMENT.

By: _____
Notary Public

_____
Printed Name

Residing in: _____

My commission expires: _____

Commission No. _____

NOTES

1. This plat amendment is subject to the Conditions of Approval in Ordinance 2022-_____.

(435) 649-9467
Alliance Engineering Inc
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

NORTH NORFOLK PLAT AMENDMENT

LOCATED IN THE NORTHWEST QUARTER OF SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

SHEET 1 OF 1

8/19/22 JOB NO.: 7-3-22 FILE: X:\SnydersAddition\dwg\srv\plat2022\070322.dwg

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	PLANNING COMMISSION	ENGINEER'S CERTIFICATE	APPROVAL AS TO FORM	COUNCIL APPROVAL AND ACCEPTANCE	CERTIFICATE OF ATTEST	PUBLIC SAFETY ANSWERING POINT APPROVAL	RECORDED
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2022	RECOMMENDED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2022	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2022	APPROVED AS TO FORM THIS _____ DAY OF _____, 2022	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2022	I CERTIFY THIS PLAT WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2022	APPROVED THIS _____ DAY OF _____, 2022	STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____
BY _____ ENGINEERING DEPARTMENT	BY _____ CHAIR	BY _____ PARK CITY ENGINEER	BY _____ PARK CITY ATTORNEY	BY _____ MAYOR	BY _____ PARK CITY RECORDER	BY _____ SUMMIT COUNTY GIS COORDINATOR	_____ FEE _____ RECORDER
							TIME _____ DATE _____ ENTRY NO. _____

7. The sidewalk, as proposed would be on my side of the street. That is unreasonable as it should be placed on the other side of the street where it could then be joined to the sidewalk on 13th, which I helped pay for back in 2003. That's makes for a much better, safer and more coherent design way and will be safer for pedestrian traffic which will be significantly great due to the new construction proposed. The Traffic Safety study should confirm this.

8. I have discussed these issues with legal counsel and will pursue legal action should you decide to not take actions to respond to my requests. I have presented at the last several planning commission meetings and the last city council meeting, as well as attempted coordination with the city advocate, but feel highly frustrated due to non response. I have no idea what the city is thinking. I have put forth significant effort to voice my concerns. Until the issues enumerated above are addressed, the building permit for the end of Norfolk Avenue should not be approved.

Sincerely,

Mark Brian
1319 Norfolk Avenue
Park City, Utah 84060

City Council Staff Report

Subject: Insurance Placements and Alternatives
Authors: Sarah Pearce, Marissa Marleau, Margaret Plane
Department: Executive and City Attorney's Office
Date: 12/05/23
Type of Item: Work Session

Recommendation

The City Council will receive a briefing from Gary Ogden with Moreton & Company, the City's insurance broker, consultant, and industry expert. The briefing will cover the change in market conditions, the impact on insurance premiums and coverage, and a risk management-based alternative to traditional insurance. Members of the internal team that plans throughout the year to administer the City's insurance portfolio—including Executive, Emergency Management, Human Resources, Attorney's Office, and Information Technology—will also present.

Park City insurance coverage expires annually on December 31. Historically, the City has renewed its insurance coverage by purchasing new policies, even in the face of rising premiums. This year, because of market changes, the process has taken much longer and been far more extensive—and the City is still waiting for final renewal proposals. Based on the information the City has received, and because of the changed market conditions, we recommend pursuing the opportunity to join the Utah Risk Management Agency (URMA) if Park City Municipal is approved by URMA's board.

Analysis

The City purchases insurance coverage to protect employees, the public, physical assets, equipment, property, and the vast array of municipal operations. Park City's exposures and risks are unique due to its world-class resort environment. The City's internal team meets with Moreton & Company quarterly to evaluate the City's ongoing liabilities and exposures. The City has contracted with Moreton since 2019, and we have been very pleased with their proactive insurance, consulting, and risk management services.

In 2023, the City purchased coverage for:

- Property Insurance
- Public Entity Liability Insurance
- Workers' Compensation
- Crime Insurance
- Drone Insurance
- Cyber Liability Insurance

A summary of the 2023 property and casualty insurance market is attached as **Exhibit A**. Although the City does not yet have all the requested renewal proposals, we have received the renewal proposal from our public entity liability carrier. The renewal cost has increased approximately 16%, bringing the premiums to roughly $305,500. While

the proposed premiums have increased, the amount of coverage has decreased. Instead of the City being responsible for the first $250,000 (self-insured retention) of a covered claim, we would now be responsible for the first $1,000,000 of a claim, and we would be required to pay 10% of any amount above $1,000,000 (up to the $10M limit). At the meeting, Moreton will present other premium changes based on the information they have received.

Utah Risk Management Agency (URMA)

Although we do not have final premium proposals, based on our information and the changed market conditions, the City's broker and consultant recommended the City consider URMA as an alternative to standard insurance. URMA is a full-service risk management agency focused on risk reduction—and PCMC's culture of risk prevention and loss reduction aligns well with this focus. The potential cost savings and organizational benefits of URMA membership will be discussed at the meeting. A high-level summary of URMA is attached as **Exhibit B**.

URMA is a governmental entity created by the Interlocal Agreement in 1985. There are 15 member cities that pool their resources to reduce risks, minimize claims, and provide insurance coverage at more favorable rates. URMA provides extensive risk management services to its members and purchases group insurance policies—by pooling, coverage capacity is greater, and rates are reduced. URMA also provides in-house claims adjusting and negotiates reduced legal fees for outside legal services as needed by members.

URMA is not traditional insurance, which focuses on accumulating profit or surplus. It is a risk management group with liability coverage that operates as a safety net. Unspent reserves carry forward, and the members retain interest income. URMA is managed by a Board of Directors comprising one representative from each entity. The Board approves requests for new members and, to preserve options, the City Manager submitted a request for consideration, which could be considered at their December 14, 2023 meeting. The letter is attached as **Exhibit C**.

Funding

Funds for insurance premiums are budgeted, and depending on the option selected, there could be substantial cost savings in 2024. If traditional insurance is selected and there is an increase, the FY24 budget will need to be adjusted later this year.

Exhibits

Exhibit A Moreton Insurance Market Summary 2023.11
Exhibit B Utah Risk Management Agency Information
Exhibit C URMA Request for Consideration

MORETON
& COMPANY
TRUSTED SINCE 1910

Insurance Market Update for Park City 11/15/2023

The 2023 property and casualty insurance market is experiencing an extended hard market with Q2 being the 23rd consecutive quarter with premium increases. The average overall market increase for Q2 2023 is 9% year over year. There are several factors that are impac ting insurance rates, limits, and retentions. Here is brief summary of market conditions causing the premium increases and shrinking capacity:

1. **Police Liability** – Viral instances of police misconduct, labor shortages, nuclear verdicts and increased public scrutiny are making it more difficult to purchase this coverage. Carriers who provide this coverage are paying out settlements and judgements making this line of coverage problema tic. Nuclear verdicts, some as high as $20 to $30 million are becoming more common. Excessive force, vehicular accidents and other claims are increasing in frequency and severity. Carriers are reducing limits and increasing retentions. Average capacity limit for most carriers is currently $5M in limits. Higher limits usually will have to be layered with an excess policy.

2. **Property Insurance** - In the second quarter of 2023 property premiums increase on an average of 18.3%. Natural catastrophes are the main contributors to the increase. As of July 2023 the US has incurred over 188% ($34B of losses) of the ten year expected average losses of $18B. Coverages for Earthquake, Flood and Wildfire exposures are being reduced and an increase in deduc tibles. Furthermore, most carriers are taking the posi tion that property schedules are undervalued and are requiring automatic increases in the replacement cost value with the ra tionale being, it will cost more to replace the building (inflation, increase cost in materials and labor).

3. **Cyber Liability** – While claims for cyber liability have gone down in 2023, the severity of claims have gone up. As a result, the renewal premiums are up approximately 12% over expiring. While this is an increase, the amount of the increase has gone done.

4. **Auto Coverage** – Frequency and severity of claims has increased every year for the last 7 years. Vehicle values have increased steadily every year for the last 10 years. The cost to repair damaged autos is at an all time high. Average annual premium is up 9.6%.

5. **Crime** – Treasurer's bond underwriting has increased their underwriting and have implemented more strict requirements for those applying for coverage. A few years ago it was very easy to get most people approved however, that has changed. The credit worthiness of the applica tions is more important than ever. Premiums have increased high single digits each year, the last two years.

Information Summary

General Information:

- URMA was created in 1985 under the Utah Interlocal Cooperation Act. Founded by cities who wanted to reduce their risk exposure, have a self-insured retention program, purchase excess insurance at group reduced rates and control their own claims and litigation.
- URMA is a full-service risk management agency. URMA's focus is on risk reduction.
- URMA provides the following services: risk assessment, risk analysis, risk control, risk mitigation, education, training, claims and litigation adjusting and management, in-house claim and litigation legal services and insurance pooling.
- URMA manages its own self-insured retention (SIR) program. The deductible for the self-insured retention program is $275,000.

Advantages to URMA:

- URMA is controlled by its members. Each member organization has a seat on our board.
- Unexpended funds in the SIR program remain in the pool each year and are not lost to an insurance company. This builds a reserve that is used to pay future claims or offset excess insurance costs.
- Individual members are not negatively impacted by the claims of other cities. Unlike standard insurance, the claims of others are used in underwriting to set new premiums for all insureds. URMA uses actuarial modeling to determine claims application to premiums for excess insurance rather than underwriting.
- URMA has a shared loss program, where the member city pays a portion of a large loss and URMA also pays a portion of the large loss.
- URMA purchases some primary insurance policies at reduced rates on behalf of its members. Policies include Cyber Risk, Commercial Auto, Off-duty Auto, property.
- URMA reserves are used to offset increases in insurance premiums.

- Annual contributions are not affected by claims or litigation. A members' claims do not affect their contributions to the SIR and those contributions are based on actuarial calculations which include (*city population, annual inspection program score, members operation budget and an actuarial formula*).

- Self-insured retention program has a five-year repayment program.

- URMA pools its resources to purchase excess or specialized insurance policies at group reduced rates.

- URMA reserves are utilized to reduce costs of significant claims through a shared loss program.

- URMA members can choose their legal counsel to represent them in claims or litigation. URMA has an in-house claims and litigation attorney and has reduced legal fee rates with outside legal counsel.

Others:

- The insurer retains all unused premiums.

- The insurer determines if claims are accepted or denied.

- The insurer determines legal counsel for individual claims.

- The insurer determines settlement amounts.

- URMA doesn't spend funds marketing individuals or organizations.

- URMA provides additional services not provided by an insurer.

PARK CITY
1884

Office of City Manager

December 1, 2023

Board of Directors
Utah Risk Management Agency (URMA)
502 East 770 North
Orem, UT 84097

Re: Statement of Interest and Request for Board Consideration

Dear URMA Board of Directors,

This letter requests your consideration to approve Park City Municipal Corporation as an URMA member.

We really enjoyed learning about URMA in our meeting with Board Chair Alex Jensen and Executive Director Dave Petersen on November 14. We were impressed with URMA's philosophy and immediately recognized that Park City's approach to risk management aligns with URMA's. As we discussed with Messrs. Jensen and Petersen, the Park City Council will consider URMA and insurance placement on December 5 with a scheduled vote on December 14. This letter precedes City Council direction in order to preserve options consistent with our rapidly approaching year-end deadline.

Park City educates and trains our staff to be risk-conscious and minimize exposure to claims and lawsuits. Here are some highlights demonstrating the City's commitment to this philosophy:

- Over the last 15 years, the Park City Police Department (PCPD) has prioritized training and policy adherence. Chief Carpenter's involvement and work as President of the International Association of Chiefs of Police (IACP) have tremendously impacted the department's training programs, enabling it to remain up-to-date with cutting-edge policing strategies and best practices. This international perspective provides valuable guidance on trends and policies that many agencies only become aware of after legislative action has been taken. For instance, the PCPD equipped all its officers with body-worn cameras long before legislative mandates, making it one of the first departments in Utah to do so. PCPD also draws on case law and policies created by Lexipol. PCPD is a leader in professional policing strategy and training, and will be for years to come. Finally, the PCPD has been accredited through the Utah Chiefs of Police Association (UCOPA) since January 2020, emphasizing transparency and best practices regarding its citizens' lives, safety, and health.

- In 2023, Park City's Health and Safety Policy added Operational Risk Management (ORM) as a Citywide approach to managing risk at all levels of City operations. Adopted by numerous Federal departments, including the FAA and Department of Defense, ORM is a "repeatable, reasonable process that reduces reliance on intuition." Studies have shown that organizations integrating ORM into regular operations can see a 50% reduction in preventable mishaps. Over the next year, our

Park City Municipal Corporation • 445 Marsac Avenue • P.O. Box 1480 • Park City, UT 84060-1480
Phone (435) 615-5180 • FAX (435) 615-4901

Emergency Manager will release a series of techniques and tools to use in departmental operations and ways to integrate ORM into daily practices.

- In addition to a comprehensive Citywide Health & Safety Policy that meets or exceeds OSHA and UOSH standards, Park City Municipal's programs include safety incentives, required recurring safety training, facility safety walk-throughs, a Citywide Safety Committee, worker's compensation claims reviews, and a fleet of public Automated External Defibrillators.

- We are actively engaged in public forestry management on City-owned properties, including creating and maintaining defensible space and hazardous fuels reduction efforts in the wildland urban interface (WUI). One of just a handful of Firewise USA-certified cities in Utah, Park City just renewed its annual certification, having achieved initial certification in 2021. The Emergency Manager co-chairs the Western Summit County Fuels Committee, consisting of numerous stakeholders and agency partners from the State, County, City, and private organizations, working to maximize the benefits of WUI fuels reduction through collaborative, coordinated efforts.

- The City adopted the National Incident Management System (NIMS) in 2007 and operates a Comprehensive Emergency Management Plan with an emergency succession plan and a Continuity of Operations/Continuity of Government Plan to be activated during a large-scale incident. The City has a dedicated Emergency Operations Center and other resources that can be activated to support large-scale incidents and special events.

- Our focus on cybersecurity investments started in 2013, including deploying numerous controls and processes to mitigate, manage, and respond to threats. The cyber landscape has evolved, and Park City has adopted an approach prioritizing asset protection, detection, response, and recovery. The City maintains a risk assessment BitSight score of 760 and completes Cybersecurity Awareness Month each October as a City-wide effort toward prevention.

- The City Attorney's Office includes five attorneys and two paralegals, all with risk, claims, and litigation management experience. The team proactively reviews City code and policies to help ensure legal compliance. The team is actively involved in litigation; some is handled in-house, and some is handled with the benefit of outside counsel. Currently, two of the attorneys are working with HR and outside counsel to rewrite the personnel handbook.

- As a public transit provider, safety is our number one priority. One of our main operational goals is to have zero preventable accidents. Operators participate in an annual training focusing on preventable accidents, specifically in intersections and with fixed objects. Transit supervisors conduct quarterly ride-alongs to observe operators' defensive driving and make any necessary corrections. We also have an assistant manager position dedicated solely to training and safety. This position was created one year ago to elevate our preventative safety culture and compliance.

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Phone (435) 615-5180 • FAX (435) 615-4901

PARK CITY
1884

Office of City Manager

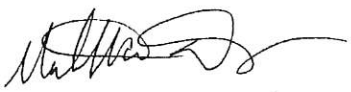
- The Neighborhoods First Streets Program aims to improve traffic congestion and promote neighborhood safety. Tactics to accomplish these goals include small projects, educational efforts, and enforcement measures. The Neighborhoods First Program brought a City-wide reduction in speed limits to our City Council, which has implemented positive change. Reducing speed limits decreases the likelihood and severity of accidents and increases the safety and livability of neighborhoods. We have also implemented smaller projects such as crosswalks for safer pedestrian crossings, a solar streetlamp for better pedestrian visibility, educational pamphlets to promote safe walking paths, way-finding signage to encourage pedestrians to use our stair and trail systems rather than walking on roadways, and speed feedback signs to slow down speeders and to promote our goals.

- The Public Works team utilizes asset management and work order systems to ensure proper maintenance is completed in a timely manner. Through our physical inspections or from citizen requests, work orders are generated that provide oversight and accountability of repairs throughout our operation. Snow removal efforts are logged utilizing GPS and data collection throughout every snow event. We manage a 24-hour hotline during the winter months to respond quickly to any hazardous situation.

Our Mayor, City Council, and entire Park City Municipal team are committed to expending the energy and resources needed to make our community a safe place to live, work, and play. We are excited by the education and training opportunities URMA can provide.

We welcome the opportunity to join a risk management community that shares best practices and supports each other, if the City Council and URMA Board approve.

Thank you for your consideration,



Matt Dias
City Manager, Park City Municipal Corporation

Park City Municipal Corporation • 445 Marsac Avenue • P.O. Box 1480 • Park City, UT 84060-1480
Phone (435) 615-5180 • FAX (435) 615-4901

Insurance Placements and Alternative



Key Considerations

Key Considerations

Market Changes

- Risk concentration among remaining providers is causing significant premium increases among for-profit providers.
- For example, in 2019 there were 40 carriers offering law enforcement liability coverage. Today there are 10.

Price

- The process has taken much longer and been far more extensive in recent years—numbers are still being finalized.

Coverage

- In 2023, the City purchased coverage for:
  - Property Insurance
  - Public Entity Liability Insurance
  - Workers' Compensation
  - Crime Insurance
  - Drone Insurance
  - Cyber Liability Insurance

Source: Park City Municipal Corporation. As of November 2023.

Coverages		Expiring Premium 2023-2024	Liberty / States Renewal Quotes 2024-2025	Liberty / Travelers Renewal Option 1	URMA 2024-2025
		Liberty Mutual	Liberty Mutual	Liberty Mutual	AFM
Property	Limit	$ 227,137,029	$ 225,827,000	$ 253,667,327	$ 214,325,866
	Deductible	$ 10,000	$ 25,000	$ 25,000	$ 25,000.00
	Premium	$ 316,267.00	$ 362,625.00	$ 362,625.00	$ 310,892.74
(Excluding Terrorism)					
		States	States	Travelers	URMA
Public Entity Liability	Limit	$ 10,000,000	$ 10,000,000	$ 6,000,000	$ 6,000,000
	Retention	$ 250,000	$ 1,000,000	$ 250,000	$ 275,000
	Expenditures	$ 265,668,766	$ 293,531,532	$ 293,531,532	
	Premium	$ 264,233.00	$ 305,425.00	$ 380,320.00	$ 141,658.49
					*includes Reinsurance
Auto Physical Damage		Liberty Mutual	Liberty Mutual	Liberty Mutual	*WCF
*High Valued Vehicles	# of Vehicles	216	216	216	71
Over $50,000	Deductible	$ 25,000	$ 25,000	$ 25,000	
	Deductible - E-Bus	$ 25,000	$ 100,000	$ 100,000	
	Premium	$ 98,568.00	$ 147,764.00	$ 147,764.00	$ 125,000.00
Low Valued Vehicles					URMA
Under $50,000	# of Vehicles	N/A	N/A	N/A	145
	Deductible	N/A	N/A	N/A	$5,000
	Premium	N/A	N/A	N/A	$ 39,150.00
	Flat Rate Per Veh.				$ 270.00
Off Duty Auto Liability			WCF	WCF	WCF
Flat Charge	# of Positions	N/A	56	56	56
	Premium	N/A	$ 44,031.00	$ 44,031.00	$ 44,031.00
Equipment Floater					WCF
Eq. in or on Vehicle	Limit	N/A	N/A	N/A	$2,700,000
Not permanently attached	Premium	N/A	N/A	N/A	$ 1,855.94
$50,000 max limit per item	Flat Rate Per Veh.				$ 26.14
Cyber		Beazley	Beazley	Beazley	Beazley/ Indian Harbor
	Limit	$			
	Retention	$			
	Premium	$			
		Global Aerospace	Global Aerospace	Global Aerospace	URMA
Drone Coverage	Limit	$1,000,000	$1,000,000	$1,000,000	Included
	Premium	$ 1,688.00	$ 1,688.00	$ 1,688.00	Included
	Grand Total	$ 815,209.63	$ 970,335.31	$ 1,045,230.31	$ 662,588.17

Why Consider URMA?

Key Considerations

Cost

- Costs associated with PCMC's traditional and current providers are escalating as key insurers withdraw from specific markets.
- Risk concentration among remaining providers is causing significant premium increases among for-profit providers.
- URMA pools for auto/property/cyber offer similar coverage at reduced cost.

Culture

- URMA reinforces a risk-management and monitoring culture already aligned with PCMC's best practice recommendations.

Cooperation

- The URMA reserve pool operates as a cooperative collective with 15 member Utah cities and towns, controlled by its members.

Communication

- PCMC would have a direct representative on the URMA board, providing a venue for communication in the decision-making process.

Source: Park City Municipal Corporation. As of November 2023.

URMA Members

Population Based Classes

Class III

- City of Layton
- City or Orem
- City of Ogden
- City of West Valley

Class II

- Brigham City
- Cedar City
- South Jordan
- Farmington City
- Spanish Fork City
- Centerville City
- Draper City

Class I

- Enterprise City
- City of Kanab
- Mapleton City
- West Bountiful City

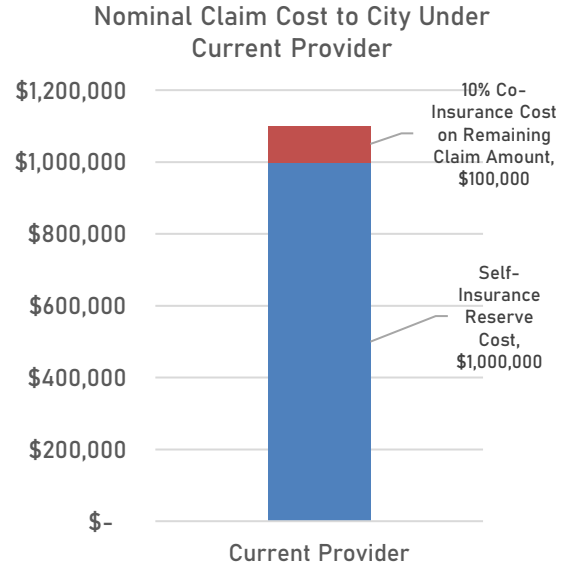
Source: Park City Municipal Corporation. As of November 2023.

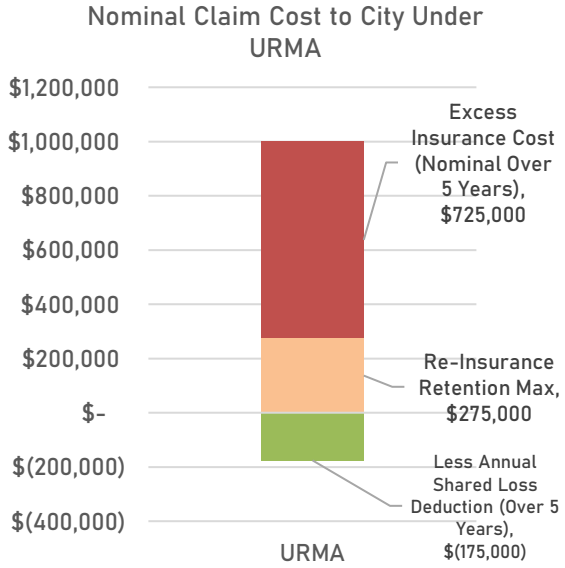
Insurance – Liability Case Study – $2M

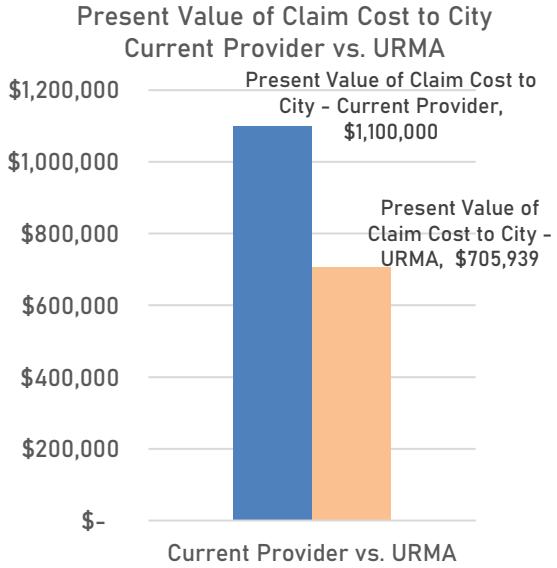
Assuming a $2M liability claim, URMA provides significant savings in both nominal and present value.

Provider Scenario Analysis Under Assumed $2M Liability Claim

	Current Provider		URMA
Self-Insurance Reserve Cost	$ 1,000,000	Re-Insurance Retention Max	$ 275,000
10% Co-Insurance Cost on Remaining Claim Amount	$ 100,000	Excess Insurance Cost (Nominal Over 5 Years)	$ 725,000
		Less Annual Shared Loss Deduction (Over 5 Years)	$ (175,000)
Nominal Total Cost of Claim to City	**$ 1,100,000**	**Nominal Total Cost of Claim to City**	**$ 825,000**
Present Value of Claim Cost to City	**$ 1,100,000**	**Present Value of Claim Cost to City**	**$ 705,939**







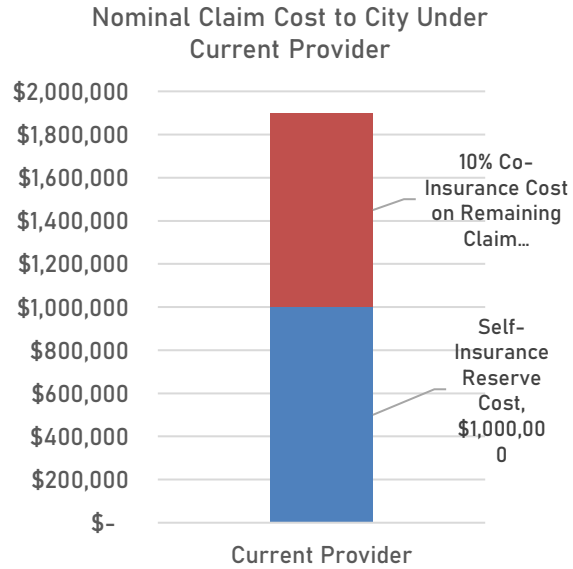
Source: Park City Municipal Corporation. As of November 2023. Note: present value discounting calculations assume a 5% interest rate for a 5-year term.

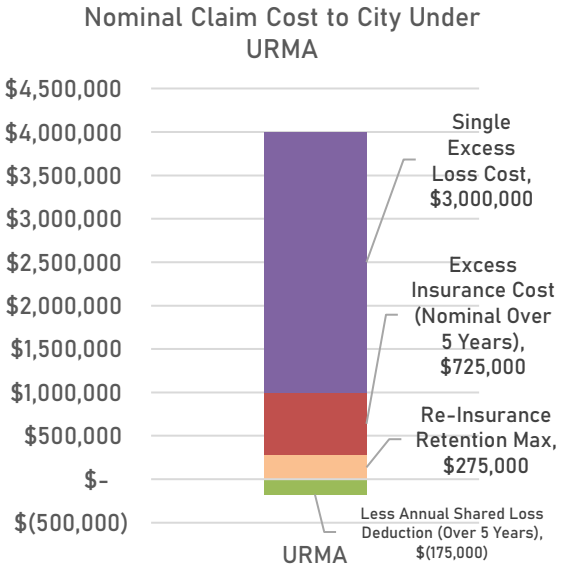
Insurance – Liability Case Study – $10M

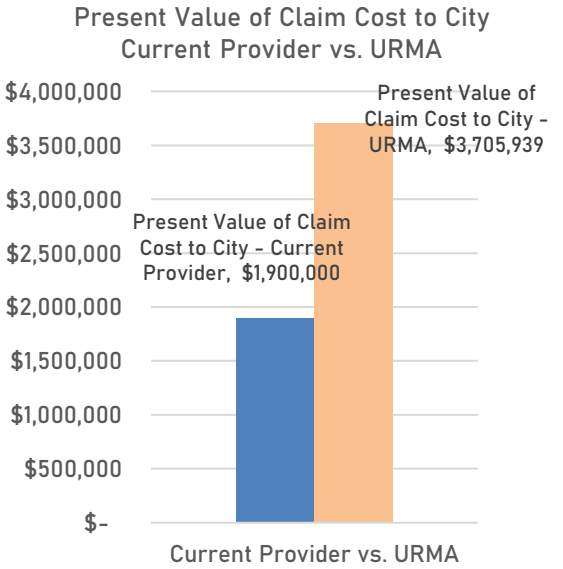
Assuming a $10M liability claim, URMA's coverage hits a limit at $7M. PCMC may acquire additional tools.

Provider Scenario Analysis Under Assumed $10M Liability Claim

Current Provider		URMA	
Self-Insurance Reserve Cost $	1,000,000	Re-Insurance Retention Max $	275,000
10% Co-Insurance Cost on Remaining Claim Amount $	900,000	Excess Insurance Cost (Nominal Over 5 Years) $	725,000
		Less Annual Shared Loss Deduction (Over 5 Years) $	(175,000)
		Single Excess Loss Cost $	3,000,000
Nominal Total Cost of Claim to City $	1,900,000	Nominal Total Cost of Claim to City $	3,825,000
Present Value of Claim Cost to City $	1,900,000	Present Value of Claim Cost to City $	3,705,939



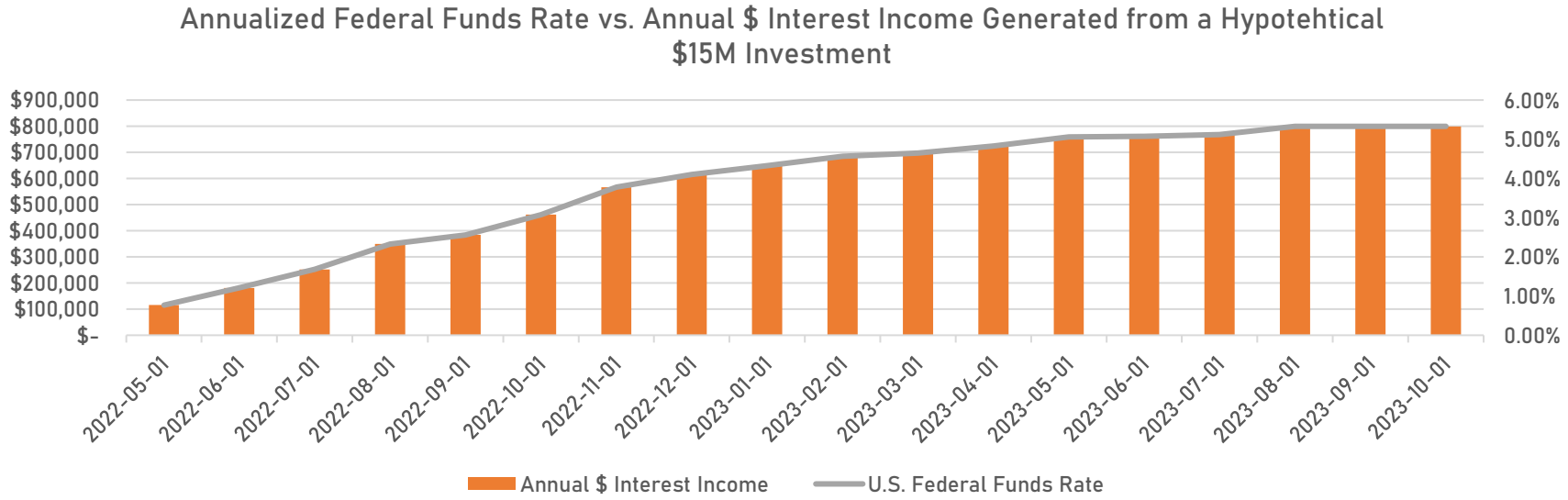




Source: Park City Municipal Corporation. As of November 2023. Note: present value discounting calculations assume a 5% interest rate for a 5-year term.

Market Environment & Practices

Increases in interest rates provide a supportive investment environment for the URMA pool.



- URMA follows the Utah Money Management Act (UMMA), which also governs PCMC and the management of its overnight liquidity.
- Different from for-profit insurance companies, interest income is retained in the pool and not distributed to executives and shareholders.
- URMA is not leveraged, in contrast to other insurance companies.

Source: Park City Municipal Corporation. As of November 2023.

URMA Summary

Rights and Obligations

Key Rights

- Unspent reinsurance reserve carries forward to the next year – i.e. no annual loss of premium
- Interest income earned by the pool is retained within URMA as opposed to being distributed to executives and investors via bonusses or dividend distributions
- No marketing or solicitation overhead provides strong cost control practices for members

Key Obligations

- Members must conform and operate within URMA's risk management best practices
- Members must participate in the URMA pool via their reinsurance reserve
- Members must participate in URMA board meetings and decisions

Source: Park City Municipal Corporation. As of November 2023.

City Council Staff Report

Subject: 2024 Sundance Film Festival Supplemental Plan Approval
Author: Jenny Diersen
Department: Special Events
Date: December 14, 2023
Type of Item: Administrative

Recommendation
Review, hold a public hearing, and consider approving a Level Five Special Event Permit (**Exhibit A**) to hold the 2024 Sundance Film Festival (SFF/Festival), in a form approved by the City Attorney.

Executive Summary
The SFF will be in-person from Thursday, January 18, to Wednesday, January 24. A hybrid option (in-person and virtual attendance) will be available from Thursday, January 25, to Sunday, January 28.

However, Festival preparations and supplemental support operations will occur from Monday, January 2, to Saturday, February 3.

Material Changes to this year's Festival include:

- Sundance operational changes include venues, official sponsors, venue changes for City and private property, and inclusion and accessibility.
- Updated transportation plans include returning Main and Swede to two-way traffic, returning parking to Main Street starting Wednesday, January 24, modifications to increase transit operations, and adjusting parking rates based on data. The City will coordinate taxi management, as Lyft or Uber is not a sponsor of the Festival this year. Finally, we have planned extensive community engagement and outreach.

This year we are excited to celebrate 40 years of the Sundance Institute and the SFF in Park City. In the coming month, in collaboration with Sundance and with community partners, we will announce several local activities to celebrate the Sundance Institute and the Festival's legacy.

Background
Founded in Utah in 1981, the Sundance Institute (Sundance) is a long-standing partner and local nonprofit organization in Park City. The SFF is one of the world's top five international film festivals, including Cannes, Berlin, Venice, and Toronto. The SFF is the premier North American film festival and has been central to Park City's identity for decades. Sundance and the Festival reinforce unique cultural experiences and connections to the environment, increase exposure to new visitors, and create significant economic vitality for Park City and the state of Utah.

Throughout the Festival's 40-year history, our community has been provided with a firsthand look at some of our time's most exciting, influential, and impactful independent

films. Per Sundance, during its 11-day run, the 2023 Festival generated $118 million in additional economic impact for the State (increase in State GDP) and $12.8 million in state and local tax revenue through increases in visitors' lodging, food and beverage, employee wages, and rents to property owners. This economic impact does not include Sundance sponsors' spending and physical activations in Park City and is not funding received by Sundance Institute, a non-profit organization. SFF23 was attended by over 1,300 accredited journalists, whose coverage–much of which originated from "Park City, Utah" – generated a publicity value of $1.2 billion.

The City holds a City Service Agreement (Agreement) with Sundance to host the Festival for eleven days each January in Park City through 2026. Annually, as part of the Agreement, the Council retains the authority to review and either approve or deny proposed material changes in a Supplemental Plan. Supplemental Plans *follow plans for the previous Festival unless changes are mutually acceptable and promote the efficient and successful operation of the Festival*. *Failure to agree on changes to Supplemental Plans will result in the use of the prior year's Supplemental Plan*. The background of the Festival can be found here (background).

Analysis

The Special Events Team has collaborated with City departments and multijurisdictional partners to review changes proposed by Sundance for the 2024 Festival and found them to comply with the requirements of a Level Five Special Event Permit (**Exhibit A**) according to section 4A of the PCMC code and the Agreement. All event operations and a complete analysis, including items that are status quo from 2023, are included in **Exhibit B**.

Sundance Recommended Changes (Exhibit C)

Sundance Venues:

The Festival will no longer use Park Avenue (Double Tree Hotel) as a venue. The Festival will use: The Eccles, Egyptian, four Holiday Cinemas, Park City Library, Prospector, and The Ray along with the three Redstone theaters located in Kimball Junction.

- Screenings will begin earlier this year on Thursday, January 18, and begin at noon.
- The Eccles and Prospector Theatres will not be used after Tuesday, January 23.

Official Festival Sponsors.

- New Official Sponsors of the Festival include Ketel One Vodka, Hulu, Cotopaxi, Elemental Wines, Deadline Hollywood, United Airlines and the New York Times.
- The following are no longer Official Sponsors: Netflix, Stacy's Pita Chips, Canada Goose, Lyft, Stanley, and Wall Street Journal.
- All Sundance Official Sponsors that fall under the Special Event Permit are outlined in **Exhibit C**.

Venue/Sponsor Changes - City/Public Property include:

- Bob Wells Plaza will return as the Acura House of Energy at Festival Village. This year, the activation will focus specifically on their electric fleet, further aligning with the City's sustainability goals. As part of their activation, they request a move-in date of January 6 (six days earlier than 2023). Last year they were under extreme pressure and working in hazardous conditions due to significant snow loads. Acura Leases the property from the City and is invoiced ($31,000).
- Hulu will activate the Galleria Parking Lot with a Food Truck, providing free tater tots to the public to celebrate the anniversary of *Napoleon Dynamite*.
- DoorDash will provide winter Festival-goer items. We are working to finalize a location and will follow up at the Council meeting with more information.
- The Bonanza District area will be used for storage for Festival operations. No activations will take place in the Bonanza Area.
- A final list of activations will be mutually agreed upon and approved administratively by the Special Event Manager and City Manager. Anything significant may require an additional public hearing and action by the City Council.

Venue Changes - Private Property:
New Official Sponsor Venues include:

- 558 Main Street / PC Fine Arts Gallery / **Adobe on Main**
- 751 Main Street / Rich Haines Gallery / **United Airlines**
- 333 Main Street, Space H / Cotopaxi Store / **Cotopaxi**
- 440 Main Street / Lazy Sun / **World of Hyatt**
- 501 Main Street / 501 Main / **Dropbox Studio** (one day only)
- 136 Heber Avenue / Gateway Mall, Suite103 **/ MACRO Lounge presented by Chase Sapphire**
- 201 Main Street / Courchevel / **White Claw Hard Seltzer**
- 608 Main Street / Montgomery Lee Gallery / **Deadline Hollywood**

Programs: Inclusion and Accessibility:
Sundance is committed to improving experiences for audiences and artists of all abilities. Sundance considers *inclusion and accessibility the drivers of institutional excellence and aims for our programs and platforms to reflect these core values at every level*. It is Sundance's practice to:

- Provide one open caption screening per film during the festival. Closed captioning for all non-open caption screenings and audio description whenever possible;
- Offer sign language interpretation for any event upon reasonable request and
- Conduct ongoing accessibility audits of all Sundance-hosted in-person and online venues, as the Institute will only use ADA-compliant venues.

City Recommended Operational Changes (Exhibit B)
Street Directionality
In 2023, we tried a one-way loop on Swede Alley (south) and Main Street (north) but were unable to significantly improve the traffic congestion. Therefore, we recommend keeping two-way traffic on Main Street and Swede Alley during this year's Festival. Park Avenue will also remain one way north (southbound traffic will only be allowed for residents with Special Event Access Passes. Hillside will remain resident only (for those

with Special Event Access Passes). Public Safety, Transit, Republic Services, and Public Works will continue to be allowed to access streets without Special Event Access Passes.

Drop and Loading

There is no parking or drop and loading on Main Street. Any active loading on Main Street for specific venues and crowd management requires a Special Use of Public Parking Permit (SUPP) from the Parking Department. Drop and load areas are available for anyone dropping and loading (no staging or parking allowed) and do not require a DLS permit or specific brand of plaque (such as Lyft, Uber, etc.).

Kane Security will continue to manage drop and Load areas at the following locations:
1. Behind Park City Museum (Swede Surface Lots)
2. South Marsac Lot;
3. Ninth Street Trolley Turn Around;
4. Brew Pub North section of the Lot.

Lyft is not returning as a Festival sponsor and will not have any dedicated drop and load areas around Main Street. In coordination with Sundance, we have contacted Lyft, Uber, and our list of For-Hire Transportation Companies to ensure they know this year's plans.

Public Transit

Park City and High Valley Transit (HVT) are imperative to mitigate Festival impacts and improve safety, access, and circulation during the Festival. Sundance has collaborated closely with the City and HVT to develop coordinated transit and transportation plans for the 2024 Festival.

With the reduction of two theatre venues (PC MARC and Temple) and the addition of Richardson Flat winter service, PC Transit plans to provide service from Richardson Flat to Old Town, from 5:30 a.m. to 2:05 a.m. (from Old Town Transit Center to Richardson Flat) with 20-minute frequencies, from January 18 to January 27. Sundance will provide two additional transit routes with 10 to 15-minute frequencies through the Theatre District (Headquarters at Sheraton Hotel, Prospector Theatre, Eccles Theatre, Bonanza, Walgreens, and Fresh Market). This includes the orange, pink and blue lines.

Parking

We recommend returning parking to Main Street starting on Wednesday, January 24. As parking is returned to Main Street during the Festival, venues still in operation will require SUPP permits for dropping and loading and crowd management.

The Parking and Special Events Departments recommend minor changes to the City's paid parking structure. This includes reducing the rate to a $30 flat fee ($40 in 2023) from Sunday, January 21 to 23, and returning parking to normal rates beginning Wednesday, January 24. The updated rates align with Winter Peak parking rates and are based on data trends from 2020, 2021, 2022, and 2023.

Parking Rates during the Sundance Film Festival		
Day of the Week	**Date**	**Proposed Rates**
Thursday	January 18	$40
Friday & Saturday	January 19 & 20	$50
Sunday to Tuesday	January 21, 22, 23	$30
Wednesday to Sunday	January 24 to 28	Normal Peak Parking Rates: 8 a.m. to 6 p.m.: $1 per hour/ 5th hour $30 6 p.m. to 12:00 a.m. $4 per hour

The Homestake Parking Lot is no longer available for Employee Parking as the Engine House development is under construction. When the Galleria parking lot is not used for Sundance programming, the lot will be utilized for additional ADA parking spaces when not used for Hulu programming.

Full details regarding parking closures, costs, employee parking options, and more can be found in **Exhibit B**.

Police

Public Safety is vital to the success of the Festival. Sundance has coordinated with the Police Department, focusing on safety, transportation, and neighborhood impact mitigation. No significant changes are planned for the Festival.

Community Outreach

A significant and comprehensive outreach program is planned to inform the community of Festival operations focused on transportation, traffic, and parking. We updated our website and performed door-to-door outreach with old-town residents, merchants, and the business community during the first week of December. In January, additional public information and a community guide will be published in English and Spanish on the City's website and shared with community partners and local media. An informational postcard will also be mailed to all 84060 residents.

After plans are approved, we will attend the Lodging and HPCA board meetings to help prepare those associations with information for this year's Festival. In addition, we will join Sundance in their door-to-door outreach within the Theatre District area (Ray, Holiday Village, and Park Ave Theatres) to ensure that property owners' questions are adequately addressed.

Funding

The approved FY24 budget includes City services and costs, which are waived pursuant to the Agreement with Sundance, estimated at $1,151,673 (details in **Exhibit B**). City services are budgeted and tracked within individual department budgets.

Exhibits

A SFF 2023 Special Event Permit (Draft)
B SFF Analysis of Operations
C SFF Special Event Application and Supplemental Documents

DRAFT SPECIAL EVENT PERMIT & 2024 SUPPLEMENTAL PLAN

Type of Permit:	Level 5 Special Event
Event Name:	2024 Sundance Film Festival
Event Date(s):	Thursday, January 18 through Sunday, January 28, 2024
Event Location:	Various locations throughout Park City
Permittee:	Sundance Institute
Contact Person:	Laurice Marier, Managing Director
Approved By:	City Council of Park City
Approval Date:	December 14, 2023

The Park City Council has approved the annual Supplemental Plan and Level Five Special Event Permit for the 2024 Sundance Film Festival as part of the current City Services Agreement executed on October 30, 2013. This annual Supplemental Plan and Level Five Special Event Permit have been issued under the authority described within the Park City Municipal Code Section 4A based on the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. Sundance Film Festival is a unique cultural and entertainment activity held for non-profit and for-profit purposes occurring for a limited duration that impacts the City by having use of and impact on City property. The activity requires licensing beyond the scope of normal business, liquor regulations and is a temporary event that does not normally occur within the permitted Venue use as defined by the municipal code and creates public impacts through the following:
    a. Interruption of the safe and efficient flow of transportation in Park City, including streets or public rights-of-way. Due to the nature of the event, the City proposes changing traffic flow Park Avenue, and Hillside Avenue to provide a safe and efficient flow of transportation and pedestrian movement in Park City.
    b. The event uses City Property, including parking and facilities and parks as outlined in the Use Area Matrix (Attachment A).
    c. The activity requires public safety staffing beyond their normal scope of operations.
2. The event involves the use of an impact on City Property. Based on the degree of City Impacts of anticipated attendance of 70,000, venue use, and transportation and public safety impacts, the event has been determined to be a Level Five, Community Identifying Event based on the following factors:
    a. Overall attendance is estimated at 70,000 people, with anticipation of 9,000 people in Park City at any one time. The event anticipates 1,700 volunteers throughout the Festival.
    b. The event is held over eleven consecutive days.
    c. The event has major or severe impacts on surrounding areas and cannot be held within existing Venues or use areas.
    d. The event has major or severe transportation needs including the requirement for parking removal, requires a transportation mitigation plan, offsite parking, and major residential mitigation. The event also requires increased Park City Transit and requires Sundance to bring in a transportation provider from outside of Park City to provide the

services required.

e. Public Safety staffing is required beyond normal operations including major to severe support in venues and for transportation mitigation. This includes the requirement for public safety personnel from outside of the City's jurisdiction.

3. The Sundance Film Festival is a Community Identifying Event as it honors Park City's unique community goals and enhances the collective goodwill that features distinct traditions, and authentic local culture including ties to the people, places, and history of Park City. It fundamentally aligns with the City's Critical Priorities including Sustainability, Transportation, and Social Equity. While attendance is targeted from outside of Park City and Summit County, Sundance offers robust opportunities to the community, and youth for participation both during the Festival and year-round, including free and affordable options for local Park City and Summit County attendance. Sundance Film Festival also offers affordable options for underserved populations.
4. The City holds a City Services Agreement outlining the dates of the Festival. Special Events Department received a Pre-Application on April 7, 2023 and provided Sundance with a notice to proceed with a Special Event Application which was received on August 4, 2023.
5. The 2024 Sundance Film Festival will be held Thursday, January 18 through 28, 2024. Set up and breakdown of the event will occur between January 2 and February 3, 2024, or as outlined in the Use Area Matrix, Operations Plan, Transportation, and Parking Plans.
6. The Special Event Manager has required the Applicant to provide Insurance Coverage, waiver and release of damages, indemnification and Hold Harmless Agreement and Certificate of Insurance naming the City as additionally insured.
7. The event is held during a Peak Time, and is allowed to proceed, as it is not a new event and the City holds an Agreement to enable the event on the dates as outlined.
8. Sundance Film Festival provides positive economic, cultural, and community value and aligns with the goals as outlined in the Park City General Plan. The cultural event creates a complete community through its core values and partnerships in Park City with both businesses and the community as a whole and provides diversity, and uniqueness and is one of the defining events Park City Event Calendar. The event does not unreasonably restrict existing public access or adversely impact shared space or the public due to the number of events, the nature of the event, or locations. The event is not primarily retail in nature and provides economic benefit to the City through sales tax, overnight visitation, marketing and branding as compared to community impacts and costs of services.
9. The conduct of the Special Event will not substantially interrupt or prevent the safe and orderly movement of public transportation or other vehicular and pedestrian traffic in the area of its Venues as attached to this permit.
10. The conduct of the Special Event will not require the diversion of so great a number of police, fire, or other essential public employees from their normal duties as to prevent reasonable police, fire, or other public services protection to the remainder of the City.
11. The concentration of persons, vehicles, or animals will not unduly interfere with the movement of police, fire, ambulance, and other emergency vehicles on the streets or with the provision of other public health or safety services.
12. The Special Event will not substantially interfere with any other Special Event during the timeframe, or with the provision of City services in support of other events or governmental functions. There are no other Special Events during the Sundance Film Festival timeframe.
13. The event provides sufficient traffic controllers, signs and other City required barriers and traffic devices, monitors for crowd and safety, safety, health, sanitation and facilities to reasonably ensure that the event will be conducted without creating unreasonable negative impacts to the area with due regard for safety and the environment. Additionally, the event provides adequate transportation, off-site parking, and traffic circulation. The event has

provided the required insurance and cash deposit to the City, as well as any other services or facilities necessary to ensure compliance with City ordinances.

14. The Permittee has received approval from Deer Valley Resort to allow parking in Lots 5 and 6 after 4 p.m. until 1 a.m. throughout the event (January 18 to 28, 2024). This is in an effort to encourage anyone skiing to take transit to Sundance-related events afterward and to provide off-site parking. Per the Deer Valley MPD, and Sundance's ability to secure the off-site parking, any overflow parking at Deer Valley during the dates as outlined will not count towards the allotted 10% of overflow days. Deer Valley and City operations will follow the approved 2024 Peak Day Overflow Plans if any overflow occurs.
15. The event does not create the imminent possibility of violent disorderly conduct likely to endanger public safety or cause significant property damage.
16. The Permittee has obtained approval of other public agencies as required, within whose jurisdiction the event or a portion thereof will occur, and the applicant has obtained approval of private properties of which the event or a portion thereof will occur.
17. The Permittee has been working with City Staff and applicable departments to address the operations of the event. The Permittee demonstrates an ability and willingness to conduct the event pursuant to the terms and conditions of this Chapter and has not failed to conduct a previously authorized event in accordance with the law or the terms of a license, or both.
18. Staff finds the annual Supplemental Plan for the 2024 Sundance Film Festival is consistent with the measures as outlined in the City Services Agreement as entered into on October 30, 2013 and promotes the City Council's Goals of creating a sense of place. The international event furthers Park City's role as a world-class, multi-seasonal destination resort while maintaining a balance with our sense of community. Sundance helps to support the continued success of the multi-seasonal tourism economy while preserving the community character that adds to the visitor experience. Furthermore, Sundance allows Park City to grow as an arts and culture hub encouraging creative expression.
19. Park City Historical Society (PCHS) and Sundance Institute have been collaborating in good faith to uphold the terms of the PCHS Agreement including that a Sundance Film Festival Sponsor, Canon is renting 528 Main Street.
20. The Chief Building Official, City Engineer, Chief of Police, Transportation Director, and Transportation Operations Manager have made findings that the temporary activations do not impact health, safety, and welfare including specific consideration for residential impacts, pedestrian, and traffic circulation.

Conclusions of Law:

1. The application is consistent with the requirements of the Park City Municipal Code, Title 4A.
2. As conditioned the Supplemental Plan is consistent with section 1.2 of the City Services Agreement with Sundance Institute and the Park City Historical Society Lease.

Conditions of Approval:

1. The permittee, unless otherwise affirmatively agreed in writing, at its' cost, shall incorporate such measures as directed by Staff to ensure that any safety, health, or sanitation equipment, and services or facilities reasonably necessary to ensure that the event will be conducted with due regard for safety are provided and paid for by the Permittee.
2. The Permittee, is required to provide supplemental documents including a Transportation and traffic control plan, Contingency plans, Site Identification and Private Property Use Permission, detailed map showing specifics of event operations as described in section 4A-2-11. Such documents shall be reviewed and approved with conditions administratively by the Special Events Manager in coordination with from the Chief of Police, Transportation Manager, Public

Works Director, Chief Building Official and Special Event Manager or their designees.

3. The Permittee is required to provide a sufficient number of traffic controllers, signs and other equipment as required by City, not limited to barriers, fencing, traffic devices, monitors for crowd control and safety, and such measures as directed by City, County or State Staff in order to ensure that any safety, health, or sanitation equipment, services or facilities reasonably necessary to ensure that the event will be conducted with due regard for safety and the environment, adequate offsite parking and traffic circulation in the vicinity of the event and other services or facilities as necessary to ensure compliance with City ordinances in a plan approved by the Transportation Director, Chief of Police and Chief Building Official in accordance with the Transportation Demand Management Plan, Park City Risk Assessment and International Building and Fire Code.
4. The Permittee is required to submit a waste and recycling plan which will be reviewed and approved in accordance with the PCMC Event Sustainability Standards. Sundance shall report sustainability statistics in the debrief of the event.
5. In accordance with the Transportation Demand Management Plan, the permittee is required to distinguish a transportation and parking plan, including obtaining private property permission or executing lease agreements for such public property use, that utilizes available public parking and can accommodate the anticipated attendance numbers. Parking for shall be identified, managed and secured for ADA, VIP, Staff and Volunteers, and Drop and Load/Taxi/For-Hire Lot, as well as Transit Services provided and managed by the Permittee. Offsite parking areas for spectators and the general public are required with Transit Service secured by the permittee at the Park City School District and/or Resort properties and the permittee must provide such proof of permission to the City. Such plans shall be reviewed and approved by the Chief of Police and Transportation Planning Manager. Access to area businesses, public facilities residential homes must be maintained at all times.
6. The permittee has requested an exemption to the noise ordinance 6-3-11, Noise will be allowed up to 90 decibels on Friday and Saturday, January 20 and 21 from noon to 11:00 p.m., and up to 90 decibels on Sunday, January 22 through Saturday, January 28 until 10 p.m. The permittee shall work to orient noise activities to minimize sound impacts to the neighboring residents, businesses, and public facilities. If a complaint is received by Park City Police Department, the police department will investigate the complaint. If asked by the Park City Special Event staff or Police Department, the permittee shall turn the noise down to mitigate concerns of noise from surrounding residents, businesses, or public facilities. The permittee shall provide on-site management for each aspect of the event and shall be responsible to ensure that the sound system maintains level adjustments not to exceed provisions of the Park City Noise levels.
7. The Permittee is responsible for assisting the City in an outreach and communication plan, including event impact information in a form to be approved by the Special Events Manager to surrounding businesses and residents no later than January 2, 2024.
8. The Permittee shall provide with a final plan for the 2024 Sundance Film Festival, which includes final site plans, transportation, security/public safety and parking management plans including details of the operations for venues as required by the Special Event Manager, Chief of Police and Transportation Planning Manager no later than January 2, 2024.
9. The Permittee shall indemnify and hold the City and its agents, employees, and officers, harmless from and shall process and defend at its own expense any and all claims, demands, suits, at law or equity, actions, penalties, losses, damages, or costs, of whatsoever kind or nature, brought against the City arising out of, in connection with, or incident to the execution of this Agreement and/or the Permittee's use of the facility/area or failure to perform any aspect of this Agreement; provided, however, that if such claims are caused by or result from the concurrent negligence of the City, its agents, employees, and officers, this indemnity

provision shall be valid and enforceable only to the extent of the negligence of the Permittee; and provided further, that nothing herein shall require the Permittee to hold harmless or defend the City, its agents, employees and/or officers from any claims arising from the sole negligence of the City, its agents, employees, and/or officers. The Permittee expressly agrees that the indemnification provided herein constitutes the Permittee's limited waiver of immunity as an employer under Utah Code Section 34A-2-105; provided, however, this waiver shall apply only to the extent an employee of Permittee claims or recovers compensation from the City for a loss or injury that Permittee would be obligated to indemnify the City for under this Agreement. This limited waiver has been mutually negotiated by the parties and is expressly made effective only for the purposes of this Agreement.

At its own cost and expense, the Permittee shall maintain the following mandatory insurance coverage to protect against claims for injuries to persons or property damage that may arise from or relate to the performance of this Agreement by the Permittee, its agents, representatives, employees, or subcontractors for the entire duration of this Agreement or for such longer period of time as set forth below. Prior to commencing any work, the Permittee shall furnish a certificate of insurance as evidence of the requisite coverage. The certificate of insurance must include endorsements for additional insured, waiver of subrogation, primary and non-contributory status, and completed operations.

Commercial General Liability Insurance. The Permittee shall maintain commercial general liability insurance on a primary and non-contributory basis in comparison to all other insurance, including City's own policies of insurance, for all claims against City. The policy must be written on an occurrence basis with limits not less than $2,000,000 per occurrence and $4,000,000 aggregate for personal injury and property damage. Upon request of City, the Permittee must increase the policy limits to at least the amount of the limitation of judgments described in Utah Code § 63G-7-604, the Governmental Immunity Act of Utah (or successor provision), as calculated by the state risk manager every two years and stated in Utah Admin. Code R37-4-3 (or successor provision).

Automobile Liability Coverage. The Permittee shall maintain automobile liability insurance with a combined single limit of not less than $2,000,000 per accident for bodily injury and property damage arising out of the ownership, maintenance, and use of owned, hired, and non-owned motor vehicles. This policy must not contain any exclusion or limitation with respect to loading or unloading of a covered vehicle.

Liquor Liability Coverage.
The Permittee shall maintain liquor liability insurance as applicable with limits of One Million Dollars ($1,000,000) per occurrence and Two Million Dollars ($2,000,000) aggregate.

Workers' Compensation Insurance and Employer's Liability. The Permittee shall maintain workers' compensation insurance with limits not less than the amount required by statute, and employer's liability insurance limits of at least $1,000,000 each accident, $1,000,000 for bodily injury by accident, and $1,000,000 each employee for injury by disease. The workers' compensation policy must be endorsed with a waiver of subrogation in favor of "Park City Municipal Corporation" for all work performed by the Permittee, its employees, agents, and Subcontractors.

Umbrella/Excess Coverage. The insurance limits required by this section may be met by either providing a primary policy or in combination with umbrella / excess liability policy(ies). To the

extent that umbrella/excess coverage is used to satisfy the limits of coverage required hereunder, the terms of such coverage must be following form to, or otherwise at least as broad as, the primary underlying coverage, including amending the "other insurance" provisions as required so as to provide additional insured coverage on a primary and non-contributory basis, and subject to vertical exhaustion before any other primary, umbrella/excess, or any other insurance obtained by the additional insureds will be triggered.

Insured Parties. Each policy and all renewals or replacements, except those policies for Professional Liability, and Workers Compensation and Employer's Liability, must name City (and its officers, agents, and employees) as additional insureds on a primary and non-contributory basis with respect to liability arising out of work, operations, and completed operations performed by or on behalf of the Permittee.

Waiver of Subrogation. The Permittee waives all rights against City and any other additional insureds for recovery of any loss or damages to the extent these damages are covered by any of the insurance policies required under this Agreement. The Permittee shall cause each policy to be endorsed with a waiver of subrogation in favor of City for all work performed by the Permittee, its employees, agents, and Subcontractors.

Quality of Insurance Companies. All required insurance policies must be issued by insurance companies qualified to do business in the state of Utah and listed on the United States Treasury Department's current Department of Treasury Fiscal Services List 570 or having a general policyholders rating of not less than "A-" in the most current available A.M. Best Co., Inc.'s, Best Insurance Report, or equivalent.

Cancellation. Should any of the Permittee's required insurance policies under this Agreement be cancelled before the termination or completion of this Agreement, The Permittee must deliver notice to City within 30 days of cancellation. City may request and the Permittee must provide within 10 days certified copies of any required policies during the term of this Agreement.

Additional Coverage. Notwithstanding anything to the contrary, if the Permittee has procured any insurance coverage or limits (either primary or on an excess basis) that exceed the minimum acceptable coverage or limits set forth in this Agreement, the broadest coverage and highest limits actually afforded under the applicable policy(ies) of insurance are the coverage and limits required by this Agreement and such coverage and limits must be provided in full to the additional insureds and indemnified parties under this Agreement. The parties expressly intend that the provisions in this Agreement will be construed as broadly as permitted to be construed by applicable law to afford the maximum insurance coverage available under the Permittee's insurance policies.

No representation. In specifying minimum Permittee insurance requirements, City does not represent that such insurance is adequate to protect the Permittee from loss, damage or liability arising from its work. The Permittee is solely responsible to inform itself of types or amounts of insurance it may need beyond these requirements to protect itself. Required Insurance and Hold Harmless Waiver as required above shall be attached to this permit as an exhibit to this permit.

10. All plans for tents, stages, and other temporary structures as well as flammable materials shall be submitted and approved by the Building Department no later than January 11, or no less

than one week prior to the first day of set up for each Sundance Theatre, Official Sundance Venue or Official Sponsor Venue.

11. The Permittee is responsible for maintaining a staff and volunteers plan for their venues. Venue Managers contact list shall be provided to the Special Events Manager.
12. The Permittee's use of barricade and signage will be in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) for the duration of the event.
13. All third party approvals including the Park City School District, Summit County and State of Utah, permit approvals required for this event shall be secured by January 2, 2024 and submitted to Park City Municipal Corporation.
14. The Permittee's sponsor, United Airlines, is required to obtain a sidewalk permit through the City Engineer's office for any use of sidewalk in front of their venue.
15. The Permittee will provide an official Sundance Venue and Sponsor list and sign plan for the event. If Sundance adds a Sponsor after City Council's approval in the Supplemental Plan the Special Events Manager and City Manager may approve additional Sponsors at venues with minimal impacts. Any sponsors that are added after Council approval that cause substantial impacts shall be approved by City Council at a subsequent meeting. Sundance venues and Sponsors using City Property (Use Areas) are outlined in the City Property Use Matrix.
16. All event sign plans shall comply with the Park City Municipal sign code and be reviewed by the Special Events, Parks and Planning Departments.
17. The Permittee will address any requirements from the Chief Building Official and Public Safety Personnel regarding the placement of emergency staff and equipment. The Permittee will submit an Emergency Operations Plan to be coordinated with Park City Police, Emergency Management, and Park City Fire District.
18. The Permittee supports AT&T placing a cell tower in the North Marsac Parking lot to help with coverage during the Festival. No branding or other marketing shall accompany the equipment. AT&T is required to obtain and pay for all necessary permitting.
19. The Park City Special Events, Police, Fire, Building Official/Fire Marshal, and Emergency Management Departments have the right to cancel the event upon any condition, violation or weather that jeopardizes the life, safety, or property of the residents or visitors of Park City.
20. The Permittee is responsible for providing a schedule of events, and access to any site for purposes of Code Enforcement or Public Safety as outlined by Park City Municipal Code 4A-2-4.
21. The approval identification provided with the approval of this permit must be in possession of the permittee at all times and must be made available for inspection when requested by City authorities or the public.

PASSED AND APPROVED this Thursday, the 14th Day of December, 2023.

PARK CITY MUNICIPAL CORPORATION

_____
City Manager, Matt Dias

Attest:

_____
Michelle Kellogg, City Recorder

DRAFT

Approved as to form:

_____
Mark D. Harrington, City Attorney

Attachments:
A City Property Use Area Matrix & Leases
B Sundance Official Venues, Sponsors and Events
C Transportation & Parking Plans
D Certificate of Insurance
E Hold Harmless Agreement

DRAFT

Exhibit B: SFF Analysis of Operations

Each year, the supplemental plan for the annual Sundance Film Festival is amended to recognize changes from the previous year per the long-term City Services Agreement. Unless affirmatively modified by both parties, supplemental plans for future Festivals will follow the plan for the previous Festival. Due to the size and scope of the event, a large coordinated effort occurs between every City Department, Sundance Institute, and many community stakeholders in order to both support opportunities and mitigate challenges during the event. We have been coordinating with Sundance to gain perspective from many stakeholders through outreach efforts, as well as create mitigation for the supplemental plans.

Event Timeline and Operations

The Sundance Film Festival will be held from January 18 to 28, 2024. Set up and breakdown will occur between January 2 and February 3, unless otherwise noted in the Use Matrix. Festival and Official Sponsor Activities will occur daily during the dates indicated above between 7:00 a.m. and 2:30 a.m. Set up and breakdown for the festival will occur as described specifically for each venue as described in the Use Matrix included **Exhibit C**.

- There are no other events currently scheduled during the 2024 SFF. The FIS World Cup at Deer Valley will be held February 1 to 3, which is the weekend following the Festival.
- All Official Sundance Venues and Sponsors are listed in **Exhibit C**, and will be attached to the Special Event Permit.

Park City Theater Venues

- DoubleTree will not be utilized as a screening venue for this year's Festival.
- Two venues will be utilized for A Week only: Prospector and Eccles.
- The first films on opening day (January 18) will begin around 12pm
- The Festival will use: The Eccles, Egyptian, four Holiday Cinemas, Park City Library, Prospector, and The Ray along with the three Redstone theaters located in Kimball junction in the County.

Official Festival Sponsors.

- New Official Sponsors of the Festival include Ketel One Vodka, Hulu, Cotopaxi, Elemental Wines, Deadline Hollywood, and the New York Times.
- The following are no longer Official Sponsors: Netflix, Stacy's Pita Chips, Canada Goose, Lyft, Stanley, and Wall Street Journal.
- All Sundance Official Sponsors that fall under the Special Event Permit are outlined in **Exhibit C**.

Venue/Sponsor Changes - City/Public Property include:

- Bob Wells Plaza will return as the Acura House of Energy at Festival Village. This year, the activation will focus specifically on their electric fleet, further aligning with the City's sustainability goals. As part of their activation, they request a move-in date of January 6 (six days earlier than 2023). This time is needed, as they were under pressure and working in hazardous conditions due to significant snow loads last year. Acura will Lease the property from the City and is invoiced for their use of the space ($31,000).
- Hulu will activate the Galleria Parking Lot with a Food Truck, providing free refreshments to the public to celebrate the anniversary of *Napoleon Dynamite*.
- DoorDash will provide winter Festival-goer items. We are working to finalize a location and will follow up at the Council meeting with more information.
- The Bonanza District area will be used for storage for Festival operations. No activations will take place in the Bonanza Area.

- A final list of activations will be mutually agreed upon and approved administratively by the Special Event Manager and City Manager. Anything significant may require an additional public hearing and action by the City Council.

Venue Changes - Private Property:
New Official Sponsor Venues include:

- 558 Main Street / PC Fine Arts Gallery / **Adobe on Main**
- 751 Main Street / Rich Haines Gallery / **United Airlines**
- 333 Main Street, Space H / Cotopaxi Store / **Cotopaxi**
- 440 Main Street / Lazy Sun / **World of Hyatt**
- 501 Main Street / 501 Main / **Dropbox Studio** (one day only)
- 136 Heber Avenue / Gateway Mall, Suite103 **/ MACRO Lounge presented by Chase Sapphire**
- 201 Main Street / Courchevel / **White Claw Hard Seltzer**
- 608 Main Street / Montgomery Lee Gallery / **Deadline Hollywood**

Programs: Inclusion and Accessibility:
Sundance is committed to improving experiences for audiences and artists of all abilities. Sundance considers *inclusion and accessibility the drivers of institutional excellence and aims for our programs and platforms to reflect these core values at every level*. It is Sundance's practice to:

- Provide one open caption screening per film during the festival. Closed captioning for all non-open caption screenings and audio description whenever possible;
- Offer sign language interpretation for any event upon reasonable request and
- Conduct ongoing accessibility audits of all Sundance-hosted in-person and online venues, as the Institute will only use ADA-compliant venues.

Changes to City Operations – Recommended by Staff, not specifically requested, but supported by Sundance

Parking:
The Municipal code states the following in section 9-1-5 Regulation Not Exclusive
The parking regulations established by this Title (Parking Code) are not all encompassing, and additional regulations may be established by posting permanent or seasonal signs stating the additional regulation imposed, or by police officers directing traffic during periods of heavy traffic volume or during periods of emergencies, or during special events as designated by the City Manager.

After the debrief of the 2019 Sundance Film Festival, with many transportation changes, it was clear that with specific input and feedback from the Historic Park City Alliance (HPCA), we needed to focus on parking rates during the Festival. The staff has continued to work with HPCA and individual merchant outreach through summer events and leading to the Festival. In combination with that engagement, as well as with the data and analysis past Festivals and summer events, staff recommends the following parking rates during the Film Festival. We believe we will strike a better balance between bringing business back to merchants on Main Street the second half of the Festival, while maintaining transportation management.

The Parking and Special Events Departments recommend minor changes to the City's paid parking structure. This includes reducing the rate to a $30 flat fee ($40 in 2023) from Sunday, January 21 to 23, and returning parking to normal rates beginning Wednesday, January 24. The updated rates align with Winter Peak parking rates and are based on data trends from 2020, 2021, 2022, and 2023.

Parking Rates during the Sundance Film Festival		
Day of the Week	**Date**	**Proposed Rates**
Thursday	January 18	$40
Friday & Saturday	January 19 & 20	$50
Sunday to Tuesday	January 21, 22, 23	$30
Wednesday to Sunday	January 24 to 28	Normal Peak Parking Rates: 8 a.m. to 6 p.m.: $1 per hour/ 5th hour $30 6 p.m. to 12:00 a.m. $4 per hour

The Homestake Parking Lot is no longer available for Employee Parking as the Engine House development is under construction.

When the Galleria parking lot is not used for Sundance programming, the lot will be utilized for additional ADA parking spaces when not used for Hulu programming.

Drop and Loading

There is no parking or drop and loading on Main Street. Drop and load areas are available for anyone dropping and loading (no staging or parking allowed) and do not require a permit or specific brand of plaque. The City has taken on operations of all drop and load areas at the following locations. Drop and Load areas will be managed by Kane Security.

1. Behind Park City Museum (Swede Surface Lots)
2. South Marsac Lot;
3. Ninth Street Trolley Turn Around;
4. Brew Pub North section of the Lot; and

Lyft is not returning as a Festival sponsor and will not have any dedicated drop and load area around Main Street. In coordination with Sundance, we have contacted Lyft, Uber, and our list of For-Hire Transportation Companies to ensure they know this year's plans. The City will hire Kane Security to help manage and enforce drop and loading areas.

Transit

Public Transit

Park City and High Valley Transit (HVT) are imperative to mitigate Festival impacts and improve safety, access, and circulation during the Festival. Sundance has collaborated closely with the City and HVT to develop coordinated transit and transportation plans for the 2024 Festival.

With the reduction of two theatre venues (PC MARC and Temple) and the addition of Richardson Flat winter service, PC Transit plans to provide service from Richardson Flat to Old Town, from 5:30 a.m. to 2:05 a.m. (from Old Town Transit Center to Richardson Flat) with 20-minute frequencies, from January 18 to January 27. Sundance will provide two additional transit routes with 10 to 15-minute frequencies through the Theatre District (Headquarters at Sheraton Hotel, Prospector Theatre, Eccles Theatre, Bonanza, Walgreens, and Fresh Market). This includes the orange, pink and blue lines.

Traffic Circulation Changes:

These changes are recommended by City Staff (Transportation Planning, Parking, Transit, Police, Engineer, Building, Special Events) whose goals have focused specifically on changes to reduce residential impacts, and increase transit priority, and ensure emergency access

Based on direction from Council in 2019, Staff has evaluated numerous changes to the Festival transportation plan aimed at increasing public safety, reducing impacts on residential neighborhoods and increasing capacity through a transit first priority. While staff has looked at the "Olympic model", without the major budgets adjustments and satellite parking lots, significant increase in transit fleet and commensurate levels of programming on Main Street, this plan can't be replicated at the current scale of the Festival. Staff instead, focused on operational changes within the existing system that create one ways traffic flows, and reduce access to residential oriented streets and enhance transit access and throughput.

Based on the success of the one-way Park Avenue circulation plan from 2020, and input from Council on November 18, 2021, and the 2023 Circulation patterns, we recommend going back to two way traffic on Main Street during the 2024 Festival. We will take time as a team to evaluate the ability and operational needs to close the street to traffic in future years.

Increased Police presence at key intersections

- Increased police at key intersections around the resort base, at 9th and Park Avenue and at the Park Ave/Empire/Deer Valley Drive and Main and Swede to further deter traffic and in some cases direct traffic. We will also have additional police presence at Grappa intersection (coupled with Kane Security), Hillside and Lower Main to reinforce traffic patterns.

Additional signage at key intersections

- This includes implementing additional no left or no right turns, and having more clearly marked signs regarding where parking is available.

Continued Outreach with Access Passes to Old Town Residents

- While staff has done extensive outreach distributing access passes, the changes added would require additional outreach and boots on the ground. This has been a 'team work makes the dreamwork" effort, and additional all hands in approach is needed to pull this additional outreach off.

Traffic Management

In addition to coordinating the the Peak Traffic Team, the Traffic Operations Center (TOC) establishes the proper network and communications systems to integrate with UDOT, Park City Transit, Police, and the EOC.

The TCC will oversee and monitor critical ITS and transportation network solutions that will include:

- UDOT Closed Circuit Television Camera Surveillance: provides a real-time picture of highway conditions and incidents on routes throughout the highway system and is available on the UDOT traffic mobile application and website.
- Road Weather Information System: provides forecasting, and real-time information on weather and pavement conditions that can then be relayed to the traveling public, incident management personnel, and UDOT to best prepare for traffic conditions. It should be noted that UDOT recently installed a new station at the intersection of SR 224 and Meadows Drive.
- Variable Message Signs: Update and provide the traveling public with advanced warning and real-time information about road conditions, special event impacts, and travel time so

the driver can take appropriate action and adjust travel routes and times. Information collected through existing Bluetooth readers will be used to calculate travel times

- Transportation Information Website and Apps: provide real-time information on construction and maintenance projects, road closures, major delays, special events, weather and road conditions, and transit operations.
- Traffic, Transit and Emergency Vehicle Signal Interconnect Coordination: With the recent implementation of Transit and Emergency Signal Priority, the TCC will monitor the traffic signals to allow better access and throughput for traffic, transit and emergency vehicles.

Chain Businesses

Park City has reached a cap of Chain Businesses South of Heber (17). There is still room for chains south of Heber (3).

Environmental Sustainability Plan

Sundance has provided a detailed statement and list of their sustainable commitment which can be found in **Exhibit C**.

Community Engagement

A significant and comprehensive outreach program is planned to inform the community of Festival operations focused on transportation, traffic, and parking. We updated our website and performed door-to-door outreach with old-town residents, merchants, and the business community during the first week of December. In January, additional public information and a community guide will be published in English and Spanish on the City's website and shared with community partners and local media. An informational postcard will also be mailed to all 84060 residents.

After plans are approved, we will attend the Lodging and HPCA board meetings to help prepare those associations with information for this year's Festival. In addition, we will join Sundance in their door-to-door outreach within the Theatre District area (Ray, Holiday Village, and Park Ave Theatres) to ensure that property owners' questions are adequately addressed.

After the Supplemental Plan is approved, staff's focus will shift to Festival operations/implementation and will include the following:

- Continued use of the PCEVENTS text alert system leading up to and during the Festival. During this year's festival we will continue specifc Festival Specific Text alert system (FILMFEST), in which Sundance will also help to promote. This text alert system will continue to be used only for emergency and transportation information.
- Local Community Guide posted on website after the Holiday Break (English and Spanish)
- Transportation Impact Map on the City's website by the second week of January (having this up too soon creates confusion).
- Coordination with the Community Engagement Team for Merchant-to-Merchant and Old Town Door to Door residential outreach reminders, HPCA and Chamber Newsletter Reminder, social media outreach and local media interviews. We will continue to push information out to all stakeholders and community partners.

Costs for City Operations

City services and hard costs are budgeted and tracked within individual department budgets, waived according to the Agreement. Direct contributions and City service funding necessary to support the SFF come from the City's General and Transit Funds, both of which are funded through sales tax. Estimated costs and fees are within department budgets. Actuals will be reported in the debrief in spring of 2024. In addition to the costs outlined below,

Exhibit B: SFF Analysis of Operations

Item	2024 Estimated Fees and Costs
Special Event Application Fee (CIE)	$518.80
Transit Services	$93,294
Police Services	$336,000
Kane Security (Residential, Pedestrian, For-Hire/Drop & Load, Parking Management)	$250,000
City Facility Use	$32,925
Parks and Streets Equipment & Signs	$18,655
Parks – Increased Trash and Recycling	$11,760
Building Maintenance – Increased Cleanings and Products	$11,520
Parking Removal from Main Street (Special Use of Parking)	$30,000
Parking Passes for the China Bridge	$18,000
Building Permits	$17,000
Park City Fire Dept Stand By	$12,000
Annual Festival Payment (Estimate)	$320,000
Total Costs	**$1,151,672.80**

The City receives revenues from the Sundance Film Festival and its economic impact (total estimate for 2024 is $4,350,000 to $5,350,000).

- Festival Sponsors Acura and Hulu will pay the City for parking (property) used at Bob Wells Plaza and Galleria Lot (estimated $33,000).
- Sundance also pays for additional parking passes totaling ($13,500).
- The City receives an estimated $306,996 in licensing, building permits, and parking revenues.
- Additionally, the overall estimated Economic Impact to Park City specifically is estimated at $4 to 5 million dollars annually.
    - A conservative estimate of 14.5 million dollars is estimated over the term of the Agreement ($1.1M annually) for Sundance moving off of MLK holiday weekend.

Special Event Pre-Application Form

SAVE PRINT SUBMIT

The Special Events Department no longer accepts rolling applications. All applicants must submit the following Special Event Pre- Application Form and receive administrative permission from the Park City Special Events Department prior to submitting a Special Event Application. Any new or significantly changed event should also review the Peak Time Period Calendar which restricts new events during peak times. Special Event Applications are accepted up to 18 months in advance and are due as follows:

1. First Friday in December for events through June, reviewed and approved/denied by end of February.
2. First Friday in April for events through October, reviewed and approved/denied by end of June.
3. First Friday in August for events through February, reviewed and approved/denied by end of October.

Events that are determined a Level 1 or Level 2 are exempt from these deadlines but must submit a completed application no less than 30 days prior to the scheduled start of the event, unless otherwise approved by the Economic Development Manager.

Special Event Date(s) or Application is not approved until the Special Event Application is reviewed and approved in a Special Event Permit according to Section 4A of the Municipal Code. All Special Event Pre-Application Forms should be sent to Stephanie Valdez in the Special Events Department at stephanie.valdez@parkcity.org. For questions, please call 435.615.5194.

Please provide the following information:

EVENT Contact Information	
Event Name	Sundance Film Festival
Primary Contact First & Last Name	Laurice Marier
Email Address	laurice_marier@sundance.org
Phone Number	435-776-7899
Website	www.sundance.org
Business/Organization Name	Sundance Institute

EVENT Date & Time	
Requested Date(s) of Event	January 18th-28th 2024
Proposed Time of Event	8:00am-2:00am
Total attendance from previous year	90-110K estimated
Estimated total attendance for upcoming year	90-110k
Is your event changing? What changes do you anticipate?	Similar footprint to 2023

EVENT Location (*Please list all that apply. Event Location, Fields, Parks, Public Facilities, Trails, Private Facilities & Letter of Permission, Streets, Other)

Santy Library, Miners Hospital, Rec Center at City Park, possible Arts and Culture area, Miners Park on Main, Bob Wells for Acura, Bear be

Print | Save As | Submit

Park City Municipal

Special Events Department
City Hall, Third Floor
445 Marsac Avenue
P.O. Box 1480
Park City, Utah 84060
specialevents@parkcity.org

APPLICATIONS DO NOT CONSTITUTE AS A PERMIT.
PERMITS ARE APPROVED BY THE SPECIAL EVENTS DEPARTMENT OR CITY COUNCIL AFTER COMPLETE APPLICATIONS ARE REVIEWED UNDER PARK CITY MUNICIPAL CODE 4A.

Applications for Level 3, 4, or 5 Special Event Permits are due:
First Friday in December for events occurring between March-June,
First Friday in April for events occurring between July-October, and
First Friday in August for events occurring between November-February.

Events that are determined a 1 or 2 are exempt from these deadlines, but must submit a complete application no later than 30 days prior to an event. **Please Note:** The Cit serves the right to restrict the number of event permits annually. Applications for new level 3, 4, or 5 event will not be considered during Peak Time Periods as mentioned in Section 4A-2-3(D). Incomplete applications cannot be reviewed. Applications submitted after the deadlines as described above may be denied. Business/Organization listed as applicant must match the Hold Harmless and Proof of Insurance to be considered for approval. For more information, please visit www.parkcity.org or conta us at specialevents@parkcity.org.

IF YOU HAVE QUESTIONS OR WOULD LIKE TO SCHEDULE A MEETING BEFORE SUBMITTING YOUR APPLICATION, PLEASE CONTACT:

Colleen McGinn	**colleen.mcginn@parkcity.org**	**435-615-5187**	**Chris Phinney**	**chris.phinney@parkcity.org**	**435-615-5194**

APPLICATION FEES & EXPENSES

rst Amendment Event Permit	$40.00
evel 1 Special Event Permit	$40.00
evel 2 Special Event Permit	$80.00
evel 3 Special Event Permit	$160.00
evel 4 Special Event Permit	$320.00
evel 5 Special Event Permit	$640.00

- Application levels are determined by the Special Events Department after reviewing complete applications
- Additional fees for other city services will be estimated and provided to the applicant upon request and receipt of a complete application.
- Applicants may incur additional expenses from other city, county, or state jurisdictions.
- Fee reductions for city services are considered bi-annually. Fee reduction applications are due on:

April 1st for events July 1 – December 31 and October 1st for events January 1 – June 30.

AS THE APPLICANT YOU UNDERSTAND & AGREE TO THE FOLLOWING:

☑ To insure prompt and accurate processing of your application, ensure that all supplemental materials and documentation accompany your application. Failure to do so will constitute an incomplete application and may delay review and approval processes. I understand a complete application shall include this application plus transportation, parking, and traffic control plan, weather/emergency plan, waste and recycling plan, staff and volunteer plan, community impact outreach and notification plan, vendor or concession plan, sponsor and marketing plan, noise exemption request, site map, and permission for use of properties, as mentioned in Park City Municipal Code 4A-2-3(G), in addition to contingency plan, operations plan, planned rest areas, water, and toilet facilities, and will ensure that participants obey the conditions of the Special Event Permit and all other generally applicable traffic laws, lights, and signs as stated in Section 4A-2-11(B).

☑ Park City Municipal Corporation requires a certificate of insurance in an amount to be determined by the City Attorney's Office according to Section 4A-2-10 of the Park City Municipal Code. Submitting incomplete application information may delay the ability to determine the amount required. The amount of insurance required by the City Attorney's office is final and the applicant shall be required to submit proof of coverage including naming Park City Municipal Corporation, 445 Marsac, P.O. Box 1480, Park City, Utah 84060 as additionally insured prior to the start of any event activity.

☑ After the application is evaluated, the applicant will be responsible for providing proof that he or she has obtained other permits as necessary from city, county, or state agencies.

☐ I understand that as the applicant, I will assume and reimburse the City for any and all costs and expenses determined by Park City Municipal Corporation. Park City Municipal Corporation may require a deposit to cover such expenses. I may incur costs from other departments or other jurisdictional agencies. I understand I can request an estimate of City Services for the event upon submitting a complete application and that should I choose to, I can request a reduction of fees for some services as pertains to Park City Municipal Code 4A-2-9 through the bi-annual fee reduction application and process.

☑ I understand I am able to request a meeting with the Special Events Department prior to submitting an application and that this application does not constitute as a valid permit. I understand that permits are approved by the Special Events Department or City Council in writing after complete applications are reviewed under the Standards for Permit Approval in Park City Municipal Code 4A-2-4.

APPLICANT AND SPONSORING ORGANIZATION INFORMATION

NAME OF EVENT: Sundance Film Festival
DATE(S) OF EVENT: January 18 2024- January 28 2024

FIRST TIME EVENT:	Yes	☑ No	ANNUAL EVENT:	☑ Yes	No	IF ANNUAL, HOW MANY YEARS:	40+

ANNUAL EVENT THAT WILL BE THE SAME AS LAST YEAR:		Yes	☑	No
ANNUAL EVENT THAT WILL HAVE CHANGES FROM LAST YEAR:	☑	Yes		No

NAME OF APPLICANT (FIRST & LAST): Laurice Marier
TITLE / POSITION: Director of Operations & Production
BUSINESS /ORGANIZATION NAME: Sundance Institute

S BUSINESS / ORGANIZATION A REGISTERED NON-PROFIT?:	☑	Yes, a copy of IRS paperwork is attached		No

MAILING ADDRESS FOR BUSINESS / ORGANIZATION: 684429
CITY, STATE, ZIP: Park City UT 84068

Park City Municipal Corporation

Special Event Permit Application

Special Events Department
City Hall, Third Floor
445 Marsac Avenue
P.O. Box 1480
Park City, Utah 84060
specialevents@parkcity.org

PHYSICAL ADDRESS OF BUSINESS / ORGANIZATION: 1500 Kearns Blvd Suite B110

CITY, STATE, ZIP: Park City UT 84060

PHONE (PRIMARY): 435-358-3456 | PHONE (SECONDARY):

EMAIL:

BUSINESS / ORGANIZATION WEBSITE: www.Sundance.org

SOCIAL MEDIA LINKS:

DAY OF EVENT PRIMARY CONTACT

ON-SITE DAY OF PRIMARY CONTACT NAME (FIRST & LAST): Laurice Marier

ON-SITE DAY OF PRIMARY CONTACT CELL PHONE: 407-506-2331

ON-SITE DAY OF PRIMARY CONTACT EMAIL: laurice.Marier@sundance.org

PUBLIC EVENT INFORMATION

WEB SITE FOR PUBLIC EVENT INFORMATION: festival.sundance.org

PHONE NUMBER FOR PUBLIC EVENT INFORMATION: 435-658-3456

EMAIL ADDRESS FOR PUBLIC EVENT INFORMATION: institute@sundance.org

Event description is attached as a separate document with supplemental materials and contingency plan.

EVENT LEVEL DETERMINATION

THE EVENT WILL INCLUDE THE FOLLOWING ACTIVITIES: (Check all that apply)

☑ FESTIVAL / FAIR	☐ PARADE	☐ SKI / SNOW BOARD	☐ RUN	☐ BIKE	☐ WALK	☐ TRAIL USE	☐ CONCERT	☐ CULINARY	☐ FILMING

☑ ARTS & CULTURE EVENT	☐ HOLIDAY CELEBRATION	☐ RECREATION / SPORTING EVENT	OTHER:

THE EVENT WILL INVOLVE THE USE OF: (Check all that apply)

☑ MAIN STREET	☑ RESORT PROPERTY	☑ SCHOOLDISTRICT PROPERTY	☑ PRIVATE PROPERTY	☑ CITY PARKS	☑ CITY FIELDS	☑ CITY FACILITY RENTAL	☑ RESIDENTAL AREAS	☑ PARK CITY LIMITS	☑ MULTI-JURISDICTION	☑ AMPLIFIED SOUND

THE TARGET MARKET FOR THIS EVENT IS: (Check all that apply)

☑ YOUTH / FAMILIES	☑ ADULTS	☑ LOCAL	☑ STATE - WIDE	☑ REGIONAL	☑ NATIONAL	☑ INTER NATIONAL	☑ SPECTATORS	☑ PARTICIPANTS	OTHER:

THIS EVENT WILL: (Check all that apply)

☑ LIMIT # OF PARTICIPANTS	☑ BE FREE FOR SPECTATORS	☑ BE FREE FOR PARTICIPANTS	☑ INCLUDE VENDORS OR SPONSOR	☑ OPEN TO THE PUBLIC
☑ LIMIT # OF SPECTATORS	☑ CHARGE ADMISSION FOR SPECTATORS	☑ CHARGE PARTICIPANTS	☐ NOT INCLUDE VENDORS OR SPONSOR	☑ PRIVATE EVENT

THIS EVENT WILL BE HELD: (Check all that apply)

EVENT DATE(S):

☑ MONDAY	☑ TUESDAY	☑ WEDNESDAY	☑ THURSDAY	☑ FRIDAY	☑ SATURDAY	☑ SUNDAY

☐ WEEKLY	☐ MONTHLY	☐ SERIES	☐ ONE DAY

NUMBER OF EVENT(S): numerous screenings, pane | NUMBER OF CONSECUTIVE DAYS: 11

Park City Municipal Corporation

Special Event Permit Application

Special Events Department
City Hall, Third Floor
445 Marsac Avenue
P.O. Box 1480
Park City, Utah 84060
specialevents@parkcity.org

ONE DAY EVENT HOUR(S)	
EVENT START TIME: 8:00 am	EVENT END TIME: 2:00 am
EVENT SET-UP DATE: 1-10-24	EVENT BREAK-DOWN DATE: 1-29 to 2-2
EVENT SET-UP TIME(S): All Day	EVENT BREAK-DOWN TIME(S): All Day

MULTIPLE DAY EVENT HOUR(S)			
DAY:	DATE:	START TIME:	END TIME:
EVENT SET-UP DATE:		BREAK-DOWN DATE:	
SET-UP TIME(S):		BREAK-DOWN TIME(S):	
DAY:	DATE:	START TIME:	END TIME:
EVENT SET-UP DATE:		BREAK-DOWN DATE:	
SET-UP TIME(S):		BREAK-DOWN TIME(S):	
DAY:	DATE:	START TIME:	END TIME:
EVENT SET-UP DATE:		BREAK-DOWN DATE:	
SET-UP TIME(S):		BREAK-DOWN TIME(S):	
DAY:	DATE:	START TIME:	END TIME:
EVENT SET-UP DATE:		BREAK-DOWN DATE:	
SET-UP TIME(S):		BREAK-DOWN TIME(S):	
DAY:	DATE:	START TIME:	END TIME:
EVENT SET-UP DATE:		BREAK-DOWN DATE:	
SET-UP TIME(S):		BREAK-DOWN TIME(S):	

INCLEMENT WEATHER INFORMATION			
DAY:	DATE:	START TIME:	END TIME:
EVENT SET-UP DATE:		EVENT BREAK-DOWN DATE:	
EVENT SET-UP TIME(S):		EVENT BREAK-DOWN TIME(S):	

✔ No inclement weather date is required and the event will be held rain or shine. I understand the event may be cancelled or postponed by the city due to hazardous or damaging conditions.

EVENT ATTENDANCE	
IF ANNUAL EVENT: 60-80K in Park City	
TOTAL EVENT ATTENDANCE OF PREVIOUS YEAR: Approx 80K	TOTAL DAILY EVENT ATTENDANCE OF PREVIOUS YEAR:
ESTIMATED # OF PARTICIPANTS:	ESTIMATED # OF VENDORS:
ESTIMATED # OF SPECTATORS: 60-80K	ESTIMATED # OF VOLUNTEERS: 1650
ESTIMATED # OF STAFF:	ESTIMATED DAILY ATTENDANCE:
ESTIMATED HIGHEST TOTAL ATTENDANCE AT ONE TIME: 9K	ESTIMATED HIGHEST TOTAL ATTENDANCE OF ENTIRE EVENT: 80K

✔ I anticipate the event to have an attendance of 500 or more people and understand, as the applicant, I may be required to obtain a mass gathering permit from summit county: http://www.summitcountyhealth.org/

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445 Marsac Avenue
P.O. Box 1480
Park City, Utah 84060
specialevents@parkcity.org

SIDEWALK & STREET USE

THE EVENT WILL HAVE: (Please check all that apply)

STREETS

	STREET CLOSURE MAP IS ATTACHED				CLOSURE SIGN/MARKING INFORMATION IS ATTACHED		
	ROLLING CLOSURE		PARTIAL CLOSURE		FULL CLOSURE		NO CLOSURE

NAMES OF STREETS TO BE CLOSED:	TIMES (START / END OF CLOSURE):	
	START:	END:
	START:	END:
	START:	END:
	START:	END:

REASON FOR CLOSURE:

SIDEWALKS

	SIDEWALK CLOSURE MAP IS ATTACHED				CLOSURE SIGN / MARKING INFORMATION IS ATTACHED		
	PARTIAL CLOSURE		FULL CLOSURE		NO CLOSURE		CROWD CONTROL PLAN

ADDRESS:

ADDRESS OF CLOSURE: (FROM / TO)		TIMES: (START / END OF CLOSURE)	
FROM:	TO:	START:	END:
FROM:	TO:	START:	END:
FROM:	TO:	START:	END:
FROM:	TO:	START:	END:

REASON FOR CLOSURE:

TRAILS

	TRAIL COURSE MAP IS ATTACHED		COURSE / SIGN MARKING INFORMATION IS ATTACHED

NAMES OF TRAILS TO BE USED:

PARADE

ASSEMBLY AREA:	DISBANDING AREA:	# OF PARADE ATTENDEES:

PARADE IS:

☐ WALKING ONLY	☐ VEHICLES & WALKING	☐ VEHICLES ONLY	☐ WILL HAVE ANIMALS

OTHER PARADE INFO:

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CITY PARKING FACILITIES REQUEST

GENERAL PARKING

HOW MANY PARKING SPACES DOES THE EVENT NEED?

☑ MAIN STREET	☑ CHINA BRIDGE	☐ FLAGPOLE LOT	☑ BREW PUB LOT
☐ SANDRIDGE PARKING LOTS	☑ PARK AVENUE	☑ CITY PARK	☑ MAWHINNEY LOT
☐ QUINNS LOT	☑ RICHARDSON FLATS	OTHER:	

WILL THE EVENT PROVIDE TRANSPORTATION SERVICES TO THE EVENT FROM PARKING AREAS?:		YES		NO
WILL THE EVENT HAVE ADA PARKING AVAILABLE?:	✔	YES		NO
WILL THE EVENT WILL REQUIRE PARKING REMOVAL?:	✔	YES		NO

☐ The event will require parking removal as indicated below, and I will complete a special use of public parking application as required with the Park City Parking Services Department

NAME OF AREA OR STREETS:	BETWEEN:
START / END TIME:	REASON:
NAME OF AREA OR STREETS:	BETWEEN:
START / END TIME:	REASON:
NAME OF AREA OR STREETS:	BETWEEN
START / END TIME:	REASON:
NAME OF AREA OR STREETS:	BETWEEN:
START / END TIME:	REASON:

TRANSPORTATION

WILL THE EVENT PROVIDE ALTERNATIVE TRANSPORTATION OPTIONS?

☑ BUS	☐ BIKE	☑ WALK

NAME OF TRANSPORTATION PROVIDER / COMPANY: LeBus - Bryan Copyak

PHONE: 801-975-0202 ext 301 | EMAIL: bryan@lebus.com

✔ THE APPLICANT IS PROVIDING SHUTTLE OR BUS TRANSPORTATION OUTSIDE OF THE CITY'S SCHEDULE AND HAS INCLUDED BUS DROP OFF AREA ON THE SITE MAP ATTACHED WITH THIS APPLICATION.

☐ THE APPLICANT IS PROVIDING BIKE TRANSPORTATION AT THE EVENT AND HAS INCLUDED BIKE PARKING AREAS ON THE SITE MAP WITH THIS APPLICATION.

ADDITIONAL TRANSPORTATION INFORMATION:

PUBLIC FACILITY USE

CHECK ALL THAT APPLY:

✔	MINERS HOSPITAL AT CITY PARK	✔	PARK CITY LIBRARY MEETING ROOMS	✔	JIM SANTY AUDITORIUM
✔	SOUTH CITY PARK	☐	CITY PARK COVERED BBQ AREA	☐	CITY PARK GAZEBO / STAND
☐	CITY PARK SOFTBALLFIELD	☐	CITY PARK RUGBY FIELD	☐	SKATE PARK AT CITY PARK
☐	QUINN'S SPORTS COMPL FIELDS	☐	ROTARY PARK	☐	SCHOOL DISTRICT FIELDS
☐	DIRT JUMP PARK	☐	PARK CITY ICE ARENA	☐	OTHER:

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TEMPORARY STRUCTURES & FLAMMABLE MATERIALS

☑ I understand all temporary structures and flammable materials must be approved by the Park City Building Department. Such inspections will require a fire/building permit to be submitted 10 days prior to the event, as well as an on-site inspection the day of the event.

☐ TEMPORARY BLEACHERS	☐ INFLATABLES	☑ CANOPIES	☐ TEMPORARY BADGES	☑ TEMPORARY LIGHTING

☐	TENTS 10X10 OR UNDER	HOW MANY?:
☑	TRAILER	HOW MANY?: 3
☑	STRUCTURES OVER 6 FEET TALL	PURPOSE: Waitlist /Ticket holder, Press tents — HOW MANY: 5

DOES EVENT HAVE ELECTRICAL NEEDS?:	☑ YES	☐ NO	DOES EVENT REQUIRE USE OF GENERATORS?:	☑ YES	☐ NO
WILL YOU BE REQUESTING PERMITS FOR FIREWORKS?:				☐ YES	☑ NO
WILLTHE EVENT REQUIRE THE USE OF FLAMMABLE MATERIALS, FUELS, OR GASSES?:				☑ YES	☐ NO

NAME SUCH MATERIALS: propane for tents and mushroom heaters @ venues, theaters and shuttle stops

WASTE MANAGEMENT AND RECYCLING

☑ THE EVENT WILL PROVIDE ITS OWN GARBAGE CANS AND WASTE MANAGEMENT.

☑ THE EVENT WILL PROVIDE ITS OWN DUMPSTERS, WHICH IS INDICATED ON THE SITE MAP.

☑ THE EVENT WILL USE THE CITY'S GARBAGE CANS AND WASTE MANAGEMENT, REQUIRING ADDITIONAL FEES.

☑ THE EVENT WILL USE THE CITY'S DUMPSTERS, REQUIRING ADDITIONAL FEES.

☑ THE EVENT WILL HIRE A COMPANY AND PROVIDE RECYCLING SERVICES FOR THE FOLLOWING MATERIALS:

☑ PLASTIC	☑ PAPER	☑ ALUMINUM	☑ GLASS	☑ CARDBOARD	☐ COMPOST	☐ OTHER

☑ THE EVENT WILL UTILIZE CITY RESTROOM FACILITIES.

☑ THE EVENT WILL BRING ITS OWN RESTROOMS AND SANITARY STATIONS.
(May be required by Summit County Health Department or Park City Building Department)

WILL ANIMALS BE AT THE EVENT?:	☑ YES	☐	NO	IF YES, PLEASE DESCRIBE TYPE OF ANIMALS AND WASTE PLANS.

TYPES OF ANIMALS: service animals and K9 police dogs

☐ I HAVE INCLUDED THE PLACEMENT OF THE ANIMALS IN THE SITE MAP OR LINE UP IN THE CONTINGENCY PLAN

WILL DOGS BE ALLOWED AT THE EVENT?:	☑ YES	☐	NO	☑ LEASHED	☐	UNLEASHED

☐ The Waste Management Plan and Environmental Management Plan have been attached to this application as described above.

FOOD & MERCHANDISE SALES

☑ I understand that all vendors must obtain a Park City Business license. All vendors serving food and drink may also be required to obtain a food service or food handler permit from Summit County.

WILL THERE BE SALE OF MERCHANDISE?:	☑ YES	☐	NO
WILL THERE BE COMPLIMENTARY FOOD?:	☑ YES	☐	NO
WILL THERE BE SALE OF FOOD?:	☑ YES	☐	NO
WILL THERE BE ALCOHOL FOR SALE?:	☑ YES	☐	NO

☑ BEER	☑ WINE	☑ LIQUOR

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specialevents@parkcity.org

✔	I HAVE CONTACTED THE PARK CITY FINANCE DEPARTMENT REGARDING REQUIREMENTS FOR BEER & LIQUOR LICENSES.
✔	I UNDERSTAND THAT THE UTAH DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL MAY REQUIRE OTHER PERMITS.

WILL FOOD ITEMS BE PRE-PACKAGED?:	✔	YES		NO
WILL FOOD ITEMS BE COOKED ON SITE?:	✔	YES		NO

✔	I UNDERSTAND THAT IF COOKING IS ONSITE, A PARK CITY BUILDING/FIRE PERMIT MAY BE REQUIRED.

WILL FOOD ITEMS BE PREPARED OFFSITE?:	✔	YES		NO

DESCRIBE ITEMS:

TEMPORARY SIGNS

WILL THERE BE TEMPORARY SIGNS AT THE EVENT?:	✔	YES		NO

	I HAVE ATTACHED A SIGN PLAN DESCRIBING THE CONTENT, SIZES AND LOCATIONS IN THE CONTINGENCY PLAN.

SAFETY - SECURITY

	THE EMERGENCY AND SECURITY PLAN HAS BEEN INCLUDED IN THE OPERATIONS PLAN, AS WELL AS CROWD CONTROL, ACCESS, AND FIRST AID. AFTER REVIEW OF THIS APPLICATION, REQUIREMENTS FOR EMTS, FIRE, AND POLICE SERVICES WILL BE DETERMINED AS PART OF THE CONDITIONS OF APPROVAL OF THIS EVENT. THE SPECIAL EVENTS DEPARTMENT WILL BE ABLE TO GIVE THE APPLICANT AN ESTIMATE OF SUCH CITY SERVICE REQUIREMENTS UPON REQUEST.

THE EVENT WILL HAVE AMPLIFIED SOUND:	✔	YES		NO
THE EVENT WILL REQUIRE LAW ENFORCEMENT SERVICES BEYOND ROUTINE PERIODIC PATROL:	✔	YES		NO

COMMUNICATION NEEDS

WILL THERE BE INSTALLATION OF AN ANTENNA FOR COMMUNICATION NEEDS?:	✔	YES		NO

✔	INSTALLATION OF AN ANTENNA FOR COMMUNICATION IS INDICATED IN THE SITE PLAN WITH SPECIFICATIONS.

MARKETING OF EVENT

PROPER MARKETING OF YOUR EVENT IS VITAL TO ITS SUCCESS. PLEASE CONTACT THE PARK CITY CHAMBER FOR ADDITIONAL INFORMATION AND ASSISTANCE: www.visitparkcity.com

✔	I HAVE CHOSEN TO LIST INFORMATION REGARDING MY EVENT ON THE PARK CITY CHAMBER'S WEBSITE.
	I HAVE CHOSEN NOT TO LIST INFORMATION REGARDING MY EVENT ON THE PARK CITY CHAMBER'S WEBSITE.

WHO IS THE TARGET MARKET FOR THIS EVENT?:	All fans of film/ locals

WHERE IS THE TARGET MARKET FOR THIS EVENT?: (choose all that apply)

✔ LOCAL	✔ REGIONAL	✔ NATIONAL	✔ INTERNATIONAL

WILLTHIS EVENT BE FILMED AND TELEVISED?: (choose all that apply)		YES		NO

✔ LOCAL	✔ REGIONAL	✔ NATIONAL	✔ INTERNATIONAL

PLEASE LIST ALL ADVERTISEMENT INCLUDING MEDIA COVERAGE, NEWSPAPER, AND MAGAZINES:

MEDIA (RADIO/TV):

NEWSPAPER:

MAGAZINES:

OTHER:

PLEASE SELECT RANGE OF MARKETING BUDGET:

☐ $100 OR UNDER	☐ $100 - $500	☐ $500 - $1,000	☐ $1,000 - $2,500	✔ ABOVE $2,500

Park City Municipal Corporation

Special Event Permit Application

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specialevents@parkcity.org

APPLICANT AGREEMENT & SIGNATURE

I, the undersigned representative, have read the rules and regulations with reference to this application and am duly authorized by the organization to submit this application on its behalf. The information contained herein, including supporting documentation is complete and accurate.

Name (Printed):	LAURICE MARIER - SUNDANCE INSTITUTE DIRECTOR, PRODUCTION & OPERATIONS	
Signature:	Laurice Marier	**Date:** 8/3/23

PARK CITY MUNICIPAL CORPORATION
Special Event Hold Harmless and Indemnification Agreement

This Hold Harmless and Indemnification Agreement must be completed and returned to the Special Event Manager ten (10) working days prior to the event or the event will be cancelled.

PLEASE PRINT:

Sundance Institute
Name of Business/Organization

Sundance Film Festival
Name of Special Event

January 18, 2024 - January 28, 2024
Date(s) of Event

Each person signing this Agreement represents and warrants that he or she is duly authorized and has legal capacity to execute and deliver this Agreement. Each party represents and warrants to Park City Municipal Corporation that the execution and delivery of the Agreement and the performance of such party's obligations hereunder have been duly authorized and that the Agreement is a valid legal agreement and binding on such party and enforceable in accordance with its terms.

The person signing this Agreement represents and warrants to Park City Municipal Corporation that it has insurance coverage in place that covers the scope of activities associated with this event. This person further represents and warrants that the insurance coverage limits meet or exceed the coverage required to obtain this permit.

For and in consideration of Park City Municipal Corporation (PCMC) issuing a permit permitting the use of City streets and/or City owned/public property for the conducting of an event to be held as reported above, hereby agrees to defend, hold harmless, and indemnify PCMC, its officers, agents, servants, employees, and their successors, from and against all claims, loss, or demands for damages, including claims for loss of life, personal injury or wrongful death and/or damage to property arising out of the conduct of said Special Event as defined by Title 4 of the Park City Municipal Code, and further agrees that Applicant is indemnifying and holding harmless PCMC irrespective of whether the scope or limits of Applicant's insurance policies adequately cover any of the aforementioned claims or demands.

Sundance Institute
Name of Business/Organization

Signature

LAURICE MARIER
Name Printed

DIRECTOR, PROD & OPS
Title

1500 Kearns Blvd Suite B110
Park City UT 84060
Address and Phone Number

STATE OF UTAH)
)ss.
COUNTY OF SUMMIT)

On this 3rd day of August, 20 23, before me, the undersigned notary, personally appeared Laurie Harter, personally known to me/proved to me through identification documents allowed by law, to be the person whose name is signed on the preceding or attached document, and acknowledged that he/she signed it voluntarily for its stated purpose as Dir of Prod. + Ops for Sundance Institute.

Michelle Anderson
Notary Public

MICHELLE ANDERSON
Notary Public, State of Utah
Commission # 707966
My Commission Expires On
August 28, 2023

IRS Department of the Treasury
Internal Revenue Service
P.O. Box 2508
Cincinnati OH 45201

In reply refer to: 0248159680
Sep. 07, 2010 LTR 4168C E0
87-0361394 000000 00
00018439
BODC: TE

SUNDANCE INSTITUTE
PO BOX 684429
PARK CITY UT 84068-4429

010857

Employer Identification Number: 87-0361394
Person to Contact: Ms Schadler
Toll Free Telephone Number: 1-877-829-5500

Dear Taxpayer:

This is in response to your Aug. 26, 2010, request for information regarding your tax-exempt status.

Our records indicate that you were recognized as exempt under section 501(c)(3) of the Internal Revenue Code in a determination letter issued in February 1981.

Our records also indicate that you are not a private foundation within the meaning of section 509(a) of the Code because you are described in section(s) 509(a)(1) and 170(b)(1)(A)(vi).

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Please refer to our website www.irs.gov/eo for information regarding filing requirements. Specifically, section 6033(j) of the Code provides that failure to file an annual information return for three consecutive years results in revocation of tax-exempt status as of the filing due date of the third return for organizations required to file.

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely yours,

Michele M. Sullivan

Michele M. Sullivan, Oper. Mgr.
Accounts Management Operations I

Internal Revenue Service
District Director

Department of the Treasury

SF:EO:1055

Date: 30 JUN 1982

Our Letter Dated:
February 13, 1981
Person to Contact:
Desk Officer
Contact Telephone Number:
(415) 556-5353

EIN: 87-0361394

Sundance Institute for Film
and Television
19 Exchange Place
Salt Lake City, UT 84111

Dear Applicant:

This modifies our letter of the above date in which we stated that you would be treated as an organization which is not a private foundation until the expiration of your advance ruling period.

Based on the information you submitted, we have determined that you are not a private foundation within the meaning of section 509(a) of the Internal Revenue Code, because you are an organization of the type described in section *170(b)(1)(A)(vi). Your exempt status under section 501(c)(3) of the code is still in effect.

Grantors and contributors may rely on this determination until the Internal Revenue Service publishes notice to the contrary. However, a grantor or a contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act that resulted in your loss of section *170(b)(1)(A)(vi) status, or acquired knowledge that the Internal Revenue Service had given notice that you would be removed from classification as a section *170(b)(1)(A)(vi) organization.

Because this letter could help resolve any questions about your private foundation status, please keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown above.

Sincerely yours,

District Director

*509(a)(1) and

P.O. Box 36040, San Francisco, Calif. 94102

Letter 1050 (DO) (7-77)

Internal Revenue Service
District Director

Department of the Treasury

EP/EO:1
SF:EO:81-271

Date: 13 FEB 1981

Employer Identification Number:
87-0361394
Accounting Period Ending:
September 30
Foundation Status Classification:
509(a)(1) & 170(b)(1)(A)(vi)
Advance Ruling Period Ends:
September 31, 1981
Person to Contact:
Desk Officer
Contact Telephone Number:
(415) 556-5353

The Sundance Institute for
Film and Television
529 South Temple
Salt Lake City, UT 84102

Dear Applicant:

Based on information supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code.

Because you are a newly created organization, we are not now making a final determination of your foundation status under section 509(a) of the Code. However, we have determined that you can reasonably be expected to be a publicly supported organization described in section 509(a)(1) and 170(b)(1)(A)(vi).

Accordingly, you will be treated as a publicly supported organization, and not as a private foundation, during an advance ruling period. This advance ruling period begins on the date of your inception and ends on the date shown above.

Within 90 days after the end of your advance ruling period, you must submit to us information needed to determine whether you have met the requirements of the applicable support test during the advance ruling period. If you establish that you have been a publicly supported organization, you will be classified as a section 509(a)(1) or 509(a)(2) organization as long as you continue to meet the requirements of the applicable support test. If you do not meet the public support requirements during the advance ruling period, you will be classified as a private foundation for future periods. Also, if you are classified as a private foundation, you will be treated as a private foundation from the date of your inception for purposes of sections 507(d) and 4940.

Grantors and donors may rely on the determination that you are not a private foundation until 90 days after the end of your advance ruling period. If you submit the required information within the 90 days, grantors and donors may continue to rely on the advance determination until the Service makes a final determination of your foundation status. However, if notice that you will no longer be treated as a section*170(b)(1)(A)(vi) organization is published in the Internal Revenue Bulletin, grantors and donors may not rely on this determination after the date of such publication. Also, a grantor or donor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act that resulted in your loss of section*170(b)(1)(A)(vi) status, or acquired knowledge that the Internal Revenue Service had given notice that you would be removed from classification as a section*170(b)(1)(A)(vi) organization. *509(a)(1) and

If your sources of support, or your purposes, character, or method of operation change, please let us know so we can consider the effect of the change on your exempt status and foundation status. Also, you should inform us of all changes in your name or address.

Generally, you are not liable for social security (FICA) taxes unless you file a waiver of exemption certificate as provided in the Federal Insurance Contributions Act. If you have paid FICA taxes without filing the waiver, you should call us. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the excise taxes under Chapter 42 of the Code. However, you are not automatically exempt from other Federal excise taxes. If you have any questions about excise, employment, or other Federal taxes, please let us know.

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

You are required to file Form 990, Return of Organization Exempt from Income Tax, only if your gross receipts each year are normally more than $10,000. If a return is required, it must be filed by the 15th day of the fifth month after the end of your annual accounting period. The law imposes a penalty of $10 a day, up to a maximum of $5,000, when a return is filed late, unless there is reasonable cause for the delay.

You are not required to file Federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T. In this letter, we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

You need an employer identification number even if you have no employees. If an employer identification number was not entered on your application, a number will be assigned to you and you will be advised of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

Because this letter could help resolve any questions about your exempt status and foundation status, you should keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,

Michael Sam.

District Director

See Attached

Letter 1045(DO) (6-77)

GREEN EVENTS CHECKLIST:

Thank you for helping us to preserve Park City's environment!
We are committed to the preservation and enhancement of the environment for our community and guests.
Please submit this checklist along with your permit application.
Contact your Special Event Coordinator for more information or questions.

Name of Event: Sundance Film Festival	**Organization/ Business:** Sundance Institute
Total Estimated Attendance at Event: 60-80K	**Number of Vendors:** 100+
Date of Event: January 18 to January 28 2024	
Name of person responsible for overseeing green event practices for your event, including training staff and volunteers in sustainable practices: (recycling, composting, reuse, waste and energy reduction, etc.).	
Email Address: laurice.marier@sundance.org	**Cell Phone:** 407-506-2331
Signature of Event Producer: Laurice Marier	**Date:** 8/3/23

✓	Standard	✓	Extaordinary Measures
✔	Complete Environmental Management Plan and attach as part of the Supplemental Plan for your event.	✔	Use vendors that have an environmental policy, recycle and compost, use local food sources, use energy efficient appliances, or otherwise offset their carbon footprint.
✔	Use electric spider boxes for power needs.	✔	Eliminate the use of fossil fuels for on site power needs.
✔	Use sand or other reusable ballasts for securing tents instead of water.	✔	Commit to and publicize water conservation efforts at event.
✔	Recycling is required in all areas of the event. Recycling containers must be paired with trash cans.	✔	Sponsors/Vendors distribute bags, bottles, or serving material made from recycled material, or that can be reused or recycled.
✔	Event Applicant materials printed on at least 30% post consumer recycled paper. Distributed items must be made from recycled materials that can be reused, recycled or reconsumed.	✔	Event Applicant does not offer printed materials. All promotional materials are available electronically.
✔	Remind guests to bring their reusable bags and water bottles. Use, sell, or proote reusable bags and waterbottles.	✔	Event Applicant does notsell or give away plastic bottled water unless the bottle is compostable. *(To try using watering stations and reusable containers).*
✔	Reusable banners, eco-friendly promotional material or recycle (i.e., banners into shopping bags).	✔	Use reusable linens instead of paper or plastic table covers.
✔	Encourage the use of bicycles, buses, shuttles, carpools or other public transit to and from the event. This must be promoted on event website and marketing.	✔	Offer a Bike Valet (Summer Events - May through October)
✔	Enforce a no idling policy for staff, volunteers, vendors and attendees.	✔	Incorporate alternative transportation plans into your event. Supplement City Transit with additional transit options. (This must be approved before implementing).
✔	Use eco-friendly serving utensils (compostable, plant-based or made from recycled materials) and eliminate the use of regular plastic cups and pre-packaged servings.	✔	Provide vegetarian meal options. Be local - offer food or vendor items that are made, grown and produced within 100 miles of Park City.
✔	Be Styrofoam Free!		Be Glass Free!
✔	Prepare food with reusable cutlery and dishes, or products that can be composted.	✔	Serve food in bulk – (avoid cans, bottles, sugar packets and serve at stations)
✔	Wastewater must be properly disposed of into the sanitary sewer system, i.e., floor sink or mop sink, etc., and it is prohibited to dispose of gray water into the storm sewer or directly onto the ground.		Tell us what else you are doing. We love new ideas and solutions!!

For Municipal Purposes

Trash Plan Approved by:	**Date:**
Public Works:	**Date:**
Health Department:	**Date:**
Sustainability Department:	**Date:**

Park City Permit for Relief of Noise Restrictions 2019

A Permit for Relief of Noise Restrictions is required of any person or company that engages in an activity in violation of Park City Code 6-3. Per the Park City Code Section 6-3-11, applications for a permit for relief from the noise restrictions may be made to the Chief of Police as it pertains to special events, community, or private functions or events. Any permit granted by the Chief of Police shall contain all conditions upon which the permit has been granted, including, but not limited to, the effective dates, time of day, location, sound pressure level, or equipment limitation and name and contact information for the on-scene officiator.

Applicant Name: Sundance Film Festival

Purpose of Activity: Sponsor Activity/ Film Festival

Address of Event (property on which noise generating activity will occur): Bob Wells Plaza and

Date(s) of Event: 1-18 to Time of Amplified Noise (Include Sound Check): Bob Wells Plaza (A

Type of Noise Generated: amplified s

Estimated Number of People in Attendance: _____

Level of Noise Permitted: 90 dBi's

I, Laurice Marier, acknowledge and understand Park City Code 6-3 and certify that all information stated above is correct. As the applicant, I will have amplified sound no higher than a decibel limit of 90 dBi between the times of 12pm to 11pm (all permits expire at 10:00 PM). Should I violate the terms of the agreement, I will immediately remedy the situation or be subject to the penalties listed below.

Signature: Laurice Marier Date: 8/3/23

Responsible person who will be attending the event and will be monitoring noise levels:

Onsite Officiator: _____ Phone: _____

Please Note:

The officiator in charge of the event is responsible to monitor and maintain the permissible sound levels spelled out in this permit. Additionally, the officiator is responsible to mitigate complaints received by the Park City Police Department. Failure to mitigate complaints immediately, once brought to the officiator's attention, may result in a criminal citation and/or a revocation of this permit.

Approved by (PCPD): _____

Signature: Date:

_____ _____

Required Information:

The following residential property owners have no objection to the type of noise that will occur at the location, and at the date and time, given above:

_____
_____
_____
_____
_____

The following residential property owners have objection to the type of noise that will occur at the location, and at the date and time, given above:

_____
_____
_____
_____

Please Note: ***As per Park City Code Section 6-3-4, the Police Department shall be responsible for the administration of these rules and regulations and any other powers vested in it by law and shall make inspections of any premises and issue orders as necessary to effect the purposes of these regulations, and do any and all acts permitted by law that are necessary for the successful enforcement of these regulations.***

As per Park City Code Section 6-3-14, the Police Department may upon discovery or report of a violation be able to issue a criminal citation for the violation or may file a report with the City Prosecutor's Office for review and issuance of information and summons to court to answer the charges.

As per Park City Code Section 6-3-15, any person who is found guilty of violating any of the provisions of these rules and regulations, either by failing to do those acts required herein or by doing a prohibited act, is guilty of an infraction. Each day such violation is committed, or permitted to continue, shall constitute a separate violation. The City Attorney may initiate legal action, civil or criminal, requested by the Department abate any condition that exists in violation of these rules and regulations. In addition to other penalties imposed by a court of competent jurisdiction, any person(s) found guilty of violating any of these rules and regulations shall be liable for all expenses incurred by the Department in removing or abating any nuisance or other noise disturbance.

Outdoor Special Event
Emergency Operations Plan (EOP)

IMPORTANT – PLEASE READ THIS DOCUMENT IN ITS ENTIRETY

This outdoor special event emergency operations plan (EOP) is meant to train event volunteers/personnel as well as to create a more specific EOP for events. It is the event organizer/responsible party's duty to train event personnel in the following potential emergencies and to make sure that all key and supervisory event personnel are documented on the attached section with a number to contact them at during the event, their assignment and its location. With this event EOP, a map of all areas that the event will encompass is included. It outlines the area of the event, evacuation routes and ingress/egress for emergency personnel.

Fire & Medical Emergencies

Police, Fire and Ambulance will respond based on the initial call. Police personnel are trained in first aid and can provide stabilization until the ambulance arrives.

In Case of a Medical Emergency:

1. Call 911 (Stay on the telephone if possible until the dispatcher has all needed information).Give the nature of emergency,
2. Location (Your specific site location),
3. Your name and phone number where you can be called back,
4. Do not move victim unless absolutely necessary,
5. And stay on the telephone until the Dispatcher has all needed information and allows you to hang up.

In Case of a Fire:

1. Call 911 (Stay on the telephone if possible until the dispatcher has all needed information).
2. Give the nature of emergency and the location. Stay on the phone long enough to answer any questions the dispatcher might have. This will ensure that proper equipment and personnel respond. Police will provide rescue, traffic, communications and crowd control.
3. Alert people in the immediate vicinity to evacuate to safest designated areas. [SEE ATTACHED MAP(S)]
4. Use fire extinguisher if the fire is small and you have been trained in how to operate the device.
5. Never breathe the smoke from fire. Stay low and crawl if necessary to avoid it. Smoke from some plastics and other common materials are toxic. Stay upwind so combustion products will blow away you.
6. **DO NOT REENTER THE AREA.** If a life may be in jeopardy, notify the professionals and let them enter with proper equipment. A significant number of fire fatalities result when people who have successfully evacuated a fire area return to retrieve a valued item or to search for someone missing.

Weather Related Emergency

The on-site event organizer will be responsible for determining if weather conditions become a hazard to personnel/patrons at the activity. Choose the safest alternative.

Before Any Event:

Before any event, the on-site event organizer shall research types of weather that may occur during the particular time of year the event is scheduled. Once potential hazardous weather or conditions are identified, mitigation, preparedness and training efforts will be included in the event planning.

Lightning:

In the event of weather conditions with the potential of lightning activity, careful monitoring of the weather dynamics is required. Such factors as the developing cloud patterns in the area, the lightning, and thunder activity should be considered. In conditions where there is observable thunder and lightning, outdoor activities shall be suspended until thunder can no longer be heard.

Outdoor Special Event
Emergency Operations Plan (EOP)

There is no safe place outside when thunderstorms are in the area. Evacuate to substantial buildings, enclosed parking structures and hard-topped vehicles are safe options. A safe building is one that is fully enclosed with a roof, walls and floors, and has plumbing or wiring (excludes temporary, portable, or metal buildings).

Lightning Safety Rules:

- Keep an eye on the sky,
- If you see or hear a thunderstorm coming, immediately suspend outside activity and go to a safe building or vehicle.
- Postpone activities promptly; do not wait for rain,
- If you cannot get to a shelter; stay away from trees,
- If you are out in a field, get to the lowest point,
- Move away from a group of people,
- Avoid metal,
- Avoid contact with electrical equipment or cords,
- Avoid contact with plumbing,
- Stay away from windows and doors, and stay off porches,
- Do not lie on concrete floors and do not lean against concrete walls.

Wind:

Power outages may occur with as little as twenty-five mile per hour winds and can up-root trees with shallow roots. If an event has tents, be cautious of the stability of the structure. All tents must have a City permit, have 50# of weight per leg and be inspected by the PCMC Building Dept. Wind can pose a hazard to participants or spectators, and if the on-site event organizer determines that winds pose a life safety issue, then activities shall be suspended.

Hail:

Most hailstorms develop in the presence of cumulonimbus clouds and other severe weather phenomena. Hailstones can cause serious damage, notably to automobiles, aircraft, skylights, glass-roofed structures, and people. Hailstorms rarely last more than 15 minutes. Some safety tips for hailstorms that an on-site event organizer should know or may want to pass on to participants are as follows:

- If you are outside, get inside.
- If you cannot find shelter, at least find something to protect your head.
- Stay away from windows.

Excessive Heat:

Heat is the number one weather-related killer in the United States, resulting in hundreds of fatalities each year. On average, excessive heat claims more lives each year than floods, lightning, tornadoes, and hurricanes combined. In planning for outdoor activities during a heat wave, consider certain precautions, e.g., can the event be scheduled in the morning or evening hours when it is cooler? The on-site event organizer will offer or encourage participants to:

- Drink or have plenty of water available. Avoid alcoholic and high sugar drinks.
- Encourage participants to wear lightweight, light-colored, and loose-fitting clothing,
- Wear a wide-brimmed hat, sunglasses, and sunscreen.

Provide cooling places with misting stations.

Microburst Rainfall:

Microburst rainfalls occur within a plume of air with high amounts of moisture are directed around a cold-core low or tropical cyclone. Flash flooding can frequently occur in of slow-moving thunderstorms in urban environments where less plants and bodies of water are present to absorb and contain the extra water. Should excessive rainfall occur during an event, the on-site event organizer will:

- Listen to the radio or television for information.
- Be aware that flash flooding can occur. If the event site is in a low-lying area with the potential to flood, move immediately to higher ground.

- Be aware of streams, drainage channels, and other areas known to flood suddenly.
- Let participants know not to walk through moving water. Six inches of moving water can make you fall.
- Let participants know not to drive in flooded areas. If floodwaters rise around a car, abandon it. Move to higher ground.

Ice Storm:
Ice storms are caused by liquid precipitation freezing on cold surfaces and leads to the gradual development of a thickening layer of ice. The accumulation of ice during the storm can be extremely destructive. Trees and vegetation can be destroyed and ice can down power lines, causing loss of heat and communication lines. Because ice storms are usually slow developing, the on-site event organizer will monitor the weather before, during, and after the event. Mitigation efforts may include sanding or salting walkways, stairways, and roads, shortening the event, or offering shuttle service to minimize the number of cars and/or pedestrians on hazardous roadways.

Blizzard:
- Find a dry shelter. Cover all exposed parts of the body
- If shelter is not available:
  - Prepare a lean-to, wind break, or snow cave for protection from the wind.
  - Build a fire for heat and to attract attention. Place rocks around the fire to absorb and reflect heat.
  - Do not eat snow. It will lower your body temperature. Melt it first.

Earthquake:
The danger of an earthquake is high however it is unknown when such earthquake will happen. Should the large earthquake that's predicted happen (that is a 7.0 magnitude in the valley), it may result in a 5.6-5.8 magnitude here in Park City and surrounding areas. Precautions should be in place should the earthquake occur and event personnel should be aware of the danger and the procedures for safety and evacuation.
- Initially Drop Cover and Hold On
- Stay calm and await instructions from emergency personnel or a designated official.
- Keep away from overhead fixtures, windows, filing cabinets, and electrical power.
- Assist people with disabilities in finding a safe place.
- Evacuate as instructed by a designated official. Be aware of falling objects as you exit a structure or hazards on the ground or in the area.

Sustainability Commitment and Activities

Sundance Institute is committed to reducing its environmental impact during the Sundance Film Festival and throughout the year. The Institute's sustainability plan is focused on lowering energy consumption, reducing waste streams and conserving natural resources. Inviting guests into a small mountain town each January is not without its environmental challenges; however it is our belief that every person can make a difference.

At the Festival, Sundance Institute's environmental sustainability initiatives include: reducing bottled water waste; increasing recycling stations at all venues and theaters; and encouraging patrons to take shared rides to/from the airport to Park City, use the free shuttle system to travel around town, walk between venues where possible and not rent cars. Supplementing free transportation with electric and biodiesel buses in the shuttle system, encouraging attendees to reduce the environmental impact on their own. Festival experiences, and promoting the environmentally-conscious activities of our sponsor community are some of the ways the Institute is working to reduce its environmental impact.

Lowering Energy Consumption

Shuttle System: A free system of shuttles offers transportation between all Park City theaters and venues. At least six electric buses (possibly more) will be in service during the 2024 Festival, with charging stations in Old Town and Kimball Junction transit centers. A portion of the non-electric shuttles provided through a relationship between Sundance and Park City Transit are fueled by biodiesel.

Ecker Hill Park and Ride: (I-80 & Hwy 224) offers free parking and shuttle service to Kimball Jct, Canyons and PCMR. Ecker Hill is open 365 days a year, with a parking capacity for 100 vehicles, on a first come first serve basis.

Richardson Flat Park and Ride: (Hwy 40 & Hwy 248) offers free parking and shuttle service every 20 minutes to Eccles Theatre with connecting service to all Park City theaters and venues. Service to Eccles is 7am-2am with connecting service to Main Street and all Park City Theaters 6pm-2am from Thursday January 18th through Saturday, January 27th, 7am - 2:00am. Richardson Flat has a capacity for 400+ vehicles.

Walking Trails: A well-marked and maintained system of walking paths and sidewalks, shown on the Festival website, allows attendees to walk safely between the Festival's theaters and venues in Park City.

Reducing Waste Streams

Reducing Bottled Water Waste:The Festival provides hydration stations at all official venues, events, and theaters where patrons can refill their own reusable bottles. Reusable water bottles were distributed at the 2023 Sundance Film Festival. We encourage people to bring back bottles for the 2024 Sundance Film Festival.

Hydration Stations providing water for over 10,000 water bottles for Festival staff, filmmakers, volunteers, and patrons.

Digital Online Film Guide which enables audience members to explore all the latest programming and talks, which can be accessed by computers and other digital devices.

Digital Film Tickets/Balloting: 100% of our in-person Festival film tickets will be digital this year, eliminating the need for paper tickets and 100% of our in-person Festival film balloting will be digital this year, eliminating the need for paper ballots.

Mobile Festival Application will be available to all patrons to download for free onto their mobile devices. The App will include an active map of Park City including bus stops, venue locations and other information about the Festival, giving patrons immediate digital access to a broad amount of materials and communications.

Digital Communication / Promotion: Digital communication has been more effective in reaching target audiences and saves money and paper. Digital event invites and correspondence with our Artists and Filmmakers is done through digital Evites and emails.

The transit map will be online only this year. No printed map for 2024

The film program guide will be online only this year. No printed Film Guide for 2024.

Recycling: The Festival continues to install and service temporary recycling stations at Festival theaters, venues, events, and shuttle stops in Park City in conjunction with Park City Municipal Corporation's recycling stations on Historic Main Street. The Festival has developed enhanced instructional signage, drawing the Festival attendees' attention to recycling facilities. As a result, the 2023 Sundance Film Festival recycled an estimated 16,000 of material.

Reducing Consumption of Disposables: The disposable items at officially sanctioned Festival events are contractually required to be made with 100% recycled paper or with materials made of natural fibers such as corn, potato, and sugarcane.

Hire Locals: We hire many local concessionaires to save with food and beverage transportation. Serve fresh and healthy foods. Buy bulk products when available to help reduce packaging waste. We work with local companies.

Sponsor Donations: Working closely with our sponsors to recycle throughout the Festival. Post Festival our sponsors donate items to local businesses; furniture, building materials, etc, that can be reused or recycled.

Conserving Natural Resources

Recycled & Repurposed materials: Festival merchandise stores feature a range of products made from repurposed materials, including bags made of repurposed street banners from prior Festivals. All in store shopping bags used by customers are made from 100% recycled materials.

Most of the 2024 Festival merchandise is made or printed in the USA.

Specific merchandise that does not sell by the end of the Festival is donated to the Hopi and Navajo people throughout Utah and the Four Corners reservations.

The Institute uses locally sourced supplies and vendors whenever possible. (painters, contractors, plumbers, rental companies, concessionaires, transportation, etc)

Digital Signage is used at any of our venues to reduce material usage and replace signage with energy efficient LED screens. These screens can be easily updated to provide our patrons with up to the minute changes in information and changes to programming.

Environmental Films and Programs

2024: We have films that will be part of the program that focus on environmental responsibility and will be announced shortly,

Community Screenings and Community Tickets Programs

During the Festival, the Institute offers complimentary tickets to environmentally-focused films to local groups as a way to foster community dialogue on important issues.

Year-round Commitments to Sustainability

Office Recycling: In addition to our efforts at the Festival, Sundance Institute promotes sustainability year-round. Our office works with Curb It Recycling Company to offer paper and plastic recycling. They come on a weekly basis to collect our recyclable materials which allows our office to keep up a steady pace with our recycling needs. We also collect and recycle batteries and light bulbs at Recycle Utah. The Institute recycles approximately 18,000 pounds each year. We strive to purchase office supplies that are either partially or fully made from recycled material such as printer paper, tri-fold paper towels and toilet paper. This year we have made an effort to reduce disposable and single use plastic products from staff events, using reusable materials where possible.

SUNDANCE INSTITUTE SPECIAL EVENT PERMIT

Sponsor Venues - Main Street and Surrounding Areas

Sponsor/Group	Venue Name and Address
Presenting	
Acura Festival Lead - Robert	**Acura Festival Village** **(Acura House of Energy TBD)** 480 Swede Alley (Bob Wells Plaza)
AMC+ Festival Lead - Robert	No Venue
Chase Sapphire (with Los Angeles Times) Festival Lead - Lauren	**Chase Sapphire on Main** 573 Main Street (ClaimJumper)
Adobe (NEW VENUE) Festival Lead - Lauren	**Adobe on Main** 558 Main Street (PC Fine Arts Gallery)
Leadership	
Audible (with Variety) Festival Lead - Robert	**The Listening Lodge** **The Variety Studio, presented by Audible** 675 Main Street (Kimball Terrace)
DIRECTV Festival Lead - Sydney	No Venue
Hulu Festival Lead - Lauren	No Venue
Ketel One Festival Lead - Sydney	No Venue
Omnicom Group Festival Lead - Lauren	No Venue
Shutterstock	TBD

Festival Lead - Sydney	
United Airlines (NEW VENUE) Festival Lead - Sydney	Venue Name TBD 751 Main Street (Rich Haines Gallery)
Sustaining	
Canon Festival Lead - Lauren	**Canon Creative Studio** 528 Main Street (PC Museum)
Cotopaxi (STOREFRONT EXISITING) Festival Lead - Robert	Own Store 333 Main St Space H
Elemental Wines **Festival Lead - Sydney**	No Venue
DoorDash Festival Lead - Lauren	No Venue
Dropbox (with IndieWire) Festival Lead - Robert	**IndieWire Studio, Presented by Dropbox** 625 Main Street (Summit/Sotheby's)
Dropbox Festival Lead - Robert	**Dropbox Studio** 501 Main Street (501 Main) One Day Only - Saturday, January 20
Hyatt, World of (NEW VENUE) Festival Lead - Robert	Venue Name TBD 440 Main Street (Lazy Sun)
IMDb Festival Lead - Sydney	No venue - dedicated space in Acura Festival Village (AFV)
MACRO (NEW VENUE) Festival Lead - Robert	**MACRO Lodge, presented by Chase Sapphire** Gateway Mall (old Jack Wolfskin store)
Rabbit Hole Bourbon and Rye	No Venue

Festival Lead - Sydney	
University of Utah Health Festival Lead - Robert	**Festival Headquarters** Wellness Hub
White Claw Hard Seltzer **(NEW VENUE)** Festival Lead - Sydney	201 Heber Ave. (Courchevel)
Media Sponsors	
Deadline Hollywood	**Montgomery Lee Fine Arts** 608 Main Street
IndieWire (with Dropbox)	**IndieWire Studio, Presented by Dropbox** 625 Main Street (Summit/Sotheby's)
Los Angeles Times (with Chase Sapphire)	**Los Angeles Times Studio presented by Chase Sapphire** 580 Main (Old Towne Gallery)
New York Times, The	Venue TBD
NPR	No Venue
Variety (with Audible)	**The Variety Studio, presented by Audible** 675 Main Street (Kimball Terrace)
Vulture	**The Vulture Spot** 591 Main Street (Lunds Fine Arts Gallery)
Festival Host State	
State of Utah/Utah Film Commission Festival Lead - Robert	No Venue

All Sponsors & Supporters

Presenting Sponsors
Acura
AMC Networks
Chase Sapphire®
Adobe

Leadership Sponsors
Audible
DIRECTV
Hulu
Ketel One Vodka
Omnicom Group
Shutterstock
United Airlines

Sustaining Sponsors
Canon U.S.A., Inc.
Cotopaxi
DoorDash
Dropbox
World of Hyatt®
IMDb
MACRO
Rabbit Hole Bourbon & Rye
University of Utah Health
White Claw Hard Seltzer

Media Sponsors
IndieWire
Los Angeles Times, The
New York Times, The
NPR
Variety
Vulture

SPECIAL EVENT PERMIT & CITY SERVICES AGREEMENT CITY PROPERTY USE MATRIX

Sundance Film Festival 2024

Use Area	Address	Use Period *	Intended Use	Type of Use	Basic City Services	Access Control	Traffic Control
Santy Auditorium of Park City Public Library and Education Center, all associated furnishings, fixtures, and equipment; including projection booth & projector, North Field, 16 parking spaces, courtyard and sponsor car display	1255 Park Avenue	Monday, January 8th through Thursday, February 1st	Screening venue, tents (Press and Wait list) and operational parking and propane storage, car display	Parking – Nonexclusive (except 16 reserved via permit; All others – Exclusive	Park City shall maintain regular Cleaning, Waste Removal and snow and ice removal inside and outside the use area. In addition, Park City shall clear snow, ice and debris from the field & courtyard for placement of Sundance's Tent & other activities.	Sundance and Park City	Sundance and Park City
Library Rooms 301, 201, 101, North Conference Room & Community Room	1255 Park Avenue	Thursday January 11th through Tuesday, January 30th	Concessions/ Hospitality; Passholder Line; Green Room, Press Line, volunteer use, storage	Parking – Nonexclusive (except 16 reserved via permit; All others – Exclusive	Same as above	Sundance and Park City	Sundance and Park City
Mawhinney Parking Lot	Park Avenue	January 18 - January 28, 2024	Overflow parking Area	Parking – exclusive via permit in the west half of lot (26 spaces); otherwise public	Park City shall maintain regular, Cleaning, Waste Removal and snow and ice removal inside and outside the use area.	Sundance and Park City	Sundance and Park City
Miners Hospital -Entire building with option of pavilion and surrounding park areas. All Parking around facility during the festival.	1354 Park Avenue	**November 16, 2023**– February 29, 2024	Sundance Festival Office space	Parking – Exclusive- adjacent to Recreation and Miners; Other - Nonexclusive	Park City shall maintain regular, Cleaning, Waste Removal and snow and ice removal inside and outside the use area.	Sundance	Sundance and Park City
PCMC Recreation Building – Entire building	1354 Park Avenue	December 1, 2023 – **February 17, 2024**	Sundance Storage or other Sundance use	Currently, use as storage	Park City shall maintain regular, Cleaning, Waste Removal and snow and ice removal inside and outside the use area.	Sundance	Sundance and Park City
Miners Park on Main Street	Main Street	Tuesday before Festival through	Sundance Film Festival or Sponsor Activation	Sponsor Product Placement	Park City shall maintain regular, Cleaning, Waste Removal and snow and ice	Sundance	Sundance

		Festival Dates (Tuesday January 16th- Sunday, January 28th)		(Acura) and Daily Community Giveaways	removal inside and outside the use area. Sundance is responsible for snow removal from vehicle once vehicle is placed. Sundance is responsible for ensuring crowd does not interfere with Main Street or Sidewalk traffic.		
Bear Bench Walk Way on Main Street	Main Street	Tuesday, January 16th through Monday, January 29th	Sundance Film Festival or Sponsor Activation	Sponsor Product Placement (Acura) and Daily Community Giveaways	Park City shall maintain regular cleaning, waste removal, and snow and ice removal. Sundance is responsible for snow removal from vehicle once vehicle is placed. Sundance is responsible for ensuring crowd does not interfere with Main Street or Sidewalk traffic.	Sundance	Sundance
Park City Museum - First Right of Refusal for Sundance or Sundance Sponsors	Main Street	January 19-22 (not including load-in and out)	Sponsor Use	Canon	Refer to City Lease Agreement with Museum	Sundance	Sundance and Park City
Park Avenue- Between Heber & 9th St.	Park Ave	January 17	Parking mitigation	Removal of Parking for Permitted Parking	Park City shall place barricades and enforce the operations plan	Park City	Park City
Park Avenue- Between 9th and 14th St	Park Ave	January 17	Parking mitigation	Removal of Parking for Permitted Parking	Park City shall place barricades and enforce the operations plan which includes residential-only parking.	Park City	Park City
Main Street - Entire east & west sides.	Main Street	January 18-28, 2024	Parking control to increase response time and increase traffic mitigation	Pedestrian	Park City shall place the barricades, provide snow removal and place “no parking” and “drop zone” signs	None	None

North Marsac Parking Lot	Marsac Avenue	January 18 through January 29, 2024	Public Safety and Emergency Management	Command Center	Park City shall post and maintain Public Safety parking spaces in North Marsac.	Park City	Park City
Brew Pub Parking Lot South & North after January 23	Swede Alley	January 18 through January 29, 2024	Snow Storage, Drop and Load Area, ADA Parking & UHP Parking	Communication and Snow Storage	Park City shall place the barricades, provide snow removal and place “no parking” signs.	Park City	Park City
Bonanza Area	Bonanza Area	January 11 through February 1	Storage	Storage and Operations	Park City willl clear snow ahead of delivery, Sundance will maintain after	Sundance	Sundance
Richardson Flat Park n Ride	Richards on Flat Road	January 8 - February 1, 2024	Park N Ride Lot, & Bus staging area / Semi Tractor Trailer Storage	Park N Ride Lot, Bus staging area, Tractor Trailer Storage Area	LeBus to use Richardson Flat for all bus staging needs during the festival including washing and overnight storage. In addition, Semi Tractor Trailer Storage will utilize Richardson Flats pre and post Festival for storage. Park City shall provide waste management, cleaning and snow removal operations.	Park City	Park City
526 Swede Alley	Swede Alley	Jan17-28, 2024	Spots for Gateway Ticketing and D&L	Multi-use	Parking for Ticketing customers and Execs along with Drop & Load spots	Park City	Park City

City Council Staff Report

Subject: Water and Storm General Engineering Services
Bowen Collins & Associates Design Professional Services Agreement
Author: Griffin Lloyd, Public Utilities Engineer
Department: Public Utilities
Date: December 14, 2023
Type of Item: Administrative

Recommendation

Consider authorizing the City Manager to execute a Professional Services Agreement, in a form approved by the City Attorney, with Bowen Collins and Associates Inc., to provide engineering services for the Water and Storm General Engineering Service Project, in an amount not to exceed $200,000.

Executive Summary

Park City Public Utilities maintains records of its underground water and storm drain piping networks including location, size, material type, performance history, and condition assessment data. This data is used to determine the likelihood of failure of an asset. Each asset is also assigned a criticality factor which quantifies how important, or critical, the asset is to protecting public health and safety, protecting property, and interruption of service. In other words, a high criticality factor means a high consequence of failure. For example, while all are important, a water line to a hospital, or a major transmission line are much more critical than a water line within a residential subdivision. Using asset information, the criticality of each asset, as well as budget, Capital Improvement Plans are developed and updated annually.

Main Street has seen a number of water pipe failures due to old pipes with advanced exterior corrosion in the past two years causing property damage and short-term water service interruptions. We determined that the pipeline in Main Street is of the highest priority for replacement based on age, break history, the likelihood of failure, and consequence of failure.

Thaynes Canyon area has several critical storm drain culverts and conveyance channels that are beginning to fail due to pipe corrosion. Due to the critical conveyance of spring runoff in this area, these pipes are due for replacement to eliminate potential flooding in the area as well as the ability to better control and convey water throughout the area.

As part of an Environmental Assessment for the Judge Tunnel Pipeline conducted in 2013, Park City is required to supplement flows to the Silver Maple Claim area due to the diversion of water draining from the Judge Tunnel. Infrastructure is needed in order to divert, and meter required flows into the area.

Bowen Collins and Associates will design the new infrastructure, aid with construction services and traffic control, and provide technical expertise.

A publicly advertised Request for Statement of Qualifications was issued in November 2023 for engineering services supporting the Park City Public Utilities Department through May 2024. Fourteen engineering firms submitted responses for a broad range of project types. Based on the submitted responses, which included prior experience and qualifications, Bowen Collins and Associates was selected to provide engineering services for these services.

Analysis

In the past 5 years Public Utilities has responded to and repaired 19 water line breaks on Main Street, 9 in the last year alone. Breaks are due to 40-year-old ductile iron water lines that are showing substantial corrosion damage. Soil within Main Street has been tested and shown to be highly corrosive which has decreased the life expectancy of the iron pipe. Because of these conditions, water lines under Main Street have surpassed projected life expectancy and need to be replaced soon.

Due to the length, complexity, and narrow construction windows available at our elevations for this work, replacing all the public water infrastructure in Main Street will take several years to complete. The goal for the first phase is to replace as much of the infrastructure in Main Street between Heber Avenue and 5th Street as possible between April 1st and July 2024. Prior to recommending a construction contract, a Work Session with City Council will be held to review the recommended construction schedule and mitigation plan for this first phase of work. Initially, we met with the Executive Director of HPCA and several City Departments to begin coordinating this work. We will attend the HPCA meeting on December 21 to discuss this project. Continued outreach will be essential throughout this project.

Inspection of culverts in the Thaynes Canyon area have found to have substantial corrosion, in some cases so severe the bottom of the pipe has deteriorated completely. These pipes are critical in the conveyance of spring runoff from Thaynes Canyon, storm events during the summer, and irrigation ditch flows. During spring runoff, storm water crews must continually clean and sandbag these culverts due to the condition of the pipe inhibiting flow and causing flooding.

Funding

The funding for design services is from water service fees and is included in the adopted FY 2024 and FY 2025 Water CIP budget and Storm Water CIP budget.

Exhibits

A Bowen Collins and Associates Fee and Scope Proposal

Exhibit A:

Park City
Main Street Waterline Replacement (Phase 1)
Engineering Man-Hour and Fee Estimate

Last Updated 11/30/2023

		Labor									Expenses			
		Office /Support		Technicians		Engineers			Subtotal Hours	Subtotal Labor	Mileage	Civil Survey Engr	Subtotal Expenses	Total Cost
	Labor Category	Clerical	Editor	Tech 6	Tech 8	Eng. 1	Eng. 4	PM/Engr 8			$0.75	Cost plus		
	Staff	Skousen	Hilbert	Anderson	Garcia	Cook	Bean	Oldham			per mile	10%		
	Labor Rate	$120	$106	$145	$160	$125	$153	$193						
Task No.	**Task Description**													
1.1	Project Management	4					2	6	12	$ 1,944			$ -	$ 1,944
1.2	Site Visit						4	4	8	$ 1,384	$ 90		$ 90	$ 1,474
1.3	Collect and Review Existing Information			2		8	4	2	16	$ 2,288			$ -	$ 2,288
1.4	Progress Review Meetings, Design Coord.						20	12	32	$ 5,376			$ -	$ 5,376
1.5	Survey, Mapping, & Utility Search			8		6	4	1	19	$ 2,715		$ 6,600	$ 6,600	$ 9,315
1.6	Design Drawings			46	4	20	24	8	102	$ 15,026			$ -	$ 15,026
1.7	Specifications		8			12	6	6	32	$ 4,424			$ -	$ 4,424
1.8	Construction Cost Estimate					6	3	1	10	$ 1,402			$ -	$ 1,402
1.9	Const. Contract Admin/Submittal Review					20	8	6	34	$ 4,882	$ 270		$ 270	$ 5,152
1.10	Record Drawings			6		5	2	1	14	$ 1,994			$ -	$ 1,994
	Subtotal Cost	$480	$848	$8,990	$640	$9,625	$11,781	$9,071		$ 41,435	$ 360	$ 6,600	$ 6,960	$ 48,395
	TOTAL	**4**	**8**	**62**	**4**	**77**	**77**	**47**	**279**	**$ 41,435**	**$ 360**	**$ 6,600**	**$ 6,960**	**$ 48,395**

Park City
Thaynes Canyon (Phase 2) and Silver Maple Claim Storm Drain
Engineering Man-Hour and Fee Estimate

Last Updated 11/30/2023

		Labor										Expenses			
		Office /Support		Technicians		Engineers			Environ.		Subtotal Hours	Subtotal Labor	Mileage	Subconsult.	Subtotal Expenses	Total Cost
	Labor Category	Clerical	Editor	Tech 6	Tech 8	Eng. 1	Eng. 4	PM/Engr 8	Env. 4	Elect. Eng.			$0.75	Cost plus		
	Staff	Skousen	Hilbert	Anderson	Garcia	Cook	Bean	Oldham	Davis	Cavanaugh			per mile	10%		
	Labor Rate	$120	$106	$145	$160	$125	$153	$193	$145	$195						
Task No.	**Task Description**															
1.1	Project Management	4					4	8			16	$ 2,636			$ -	$ 2,636
1.2	Site Visit						6	6			12	$ 2,076	$ 90		$ 90	$ 2,166
1.3	Collect and Review Existing Information			2		10	6	2			20	$ 2,844			$ -	$ 2,844
1.4	Progress Review Meetings, Design Coord.						20	12			32	$ 5,376			$ -	$ 5,376
1.5	Survey, Mapping, & Utility Search			12		10	5	1			28	$ 3,948		$ 22,000	$ 22,000	$ 25,948
1.6	Design Drawings			80	8	46	90	30		40	294	$45,990			$ -	$ 45,990
1.7	Geotechnical Investigation for Boring						6	1			7	$ 1,111		$ 11,000	$ 11,000	$ 12,111
1.8	Specifications		8			14	8	6			36	$ 4,980			$ -	$ 4,980
1.9	Construction Cost Estimate					10	6	2			18	$ 2,554			$ -	$ 2,554
1.10	Stream Alteration and Nationwide Permitting						2	1	100		103	$14,999	$ 180		$ 180	$ 15,179
1.11	Const. Contract Admin/Submittal Review					24	12	8			44	$ 6,380	$ 270		$ 270	$ 6,650
1.12	Record Drawings			10		8	4	2			24	$ 3,448			$ -	$ 3,448
	Subtotal Cost	$480	$848	$15,080	$1,280	$15,250	$25,857	$15,247	$14,500	$7,800		$96,342	$ 540	$ 33,000	$ 33,540	$ 129,882

Main Street total: $48,395
Storm Drain total: $129,882
Owners Contingency $21,723
Project total: $200,000.00

City Council
Staff Report

Subject: **Request to Prohibit Nightly Rentals and Internal Accessory Dwelling Units in The Bald Eagle Club at Deer Valley Condominium**
Application: **PL-23-05770**
Author: **Lillian Zollinger, Planner II**
Date: **December 14, 2023**
Type of Item: **Legislative – Land Management Code Amendment**

Recommendation

(I) Open a public hearing; and (II) continue the public hearing and consideration of The Bald Eagle Club at Deer Valley Land Management Code Amendment request to February 1, 2024.

Description

Applicant:	Dwayne A. Vance representing the Bald Eagle Homeowners Association
Amended Section:	§ 15-2.13-2 *Residential Development – Uses*
Zoning District:	Residential Development
Reason for Review:	Land Management Code amendments require Planning Commission review and recommendation to the City Council for Final Action[1]

Background

Staff requests additional time for the Planning Commission to review and provide input on a Draft Ordinance and recommendation to City Council regarding the Land Management Code Amendment request.

[1] LMC § 15-1-7(B)(1)