



**PARK CITY COUNCIL MEETING  
SUMMIT COUNTY, UTAH  
October 29, 2015**

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, City Council Chambers, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, October 29, 2015.

**CLOSED SESSION**

1:30 pm To discuss Property, Personnel and Litigation

**WORK SESSION**

2:25 pm Council Questions and Comments

2:40 pm – Transportation 2015 Monthly Update

3:40 pm – Housing 2015 Monthly Update - 1450/1460 Project Planning

4:10 pm – Avatech - Economic Development Grant

4:30 pm – Proposed Changes to Title 4 of PC Muni Code, Chapter 8 - Event Licensing

5:00 pm – Mountain Accord Interlocal Agreement - Phase II

5:10 pm – Carbon Reduction & Energy Conservation 2015 Monthly Update

**REGULAR MEETING**

6:00 PM

**I. ROLL CALL**

**II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF**

1. Manager's Report – Recent Increase in Film Permit Activity
2. Manager's Report – Park City Cemetery Plot Availability Update
3. Manager's Report – Halloween Traffic and Circulation Plan

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

**IV. CONSIDERATION OF MINUTES**

1. Consideration of a Request to Approve the City Council Meeting Minutes from October 8, 2015.
2. Consideration of a Request to Approve the City Council Meeting Minutes from September 24, 2015.

**V. CONSENT AGENDA**

1. Consideration of a Request to Establish a Blue Ribbon Citizen's Advisory Committee on Remote Parking Jointly with Summit County.
2. Consideration of a Resolution Authorizing the City Manager to Enter into a Two Year Cooperative Agreement, in a Form Approved by the City Attorney, with Summit County, Utah, in an Amount Not to Exceed a Total of \$301,615 to Create an Alternative Transportation Trip Marketing Program; the City Would be Responsible for 50% of the \$301,615, or not more than \$150,807.50.
3. Consideration of a Request to Remand the Alice Claim Subdivision and Plat Amendment back to the Planning Commission.

**VI. NEW BUSINESS**

1. Authorize the City Manager to Execute a Professional Services Agreement, in a Form Approved by the City Attorney, with CH2M Hill Engineers, Inc., for Quinns Junction Water Treatment Plant Process, Capacity, and Energy Management Upgrades Engineering Services in an Amount of \$499,500.

**VII. ADJOURNMENT INTO HOUSING AUTHORITY MEETING**

**VIII. HOUSING AUTHORITY MEETING**

1. Roll Call
2. Consideration of the Housing Mitigation Plan for Central Park Condominiums.
3. Adjournment

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

See: [www.parkcity.org](http://www.parkcity.org)



**DATE: October 29, 2015**

**TO HONORABLE MAYOR AND COUNCIL**

Following a mid-year review of the 2014 City Council Priorities, "Transportation" and "Housing" were escalated to "Critical Priorities", which are issues that could have a significant negative impact on our community if not addressed expeditiously. As such, Council has directed staff to provide monthly updates to the Council and community on the overall Transportation Program, specifically the accelerated implementation of the 2011 "TTMP" and action elements from other related transportation plans/studies. This report has been prepared to serve as that monthly Transportation Planning update.

**Respectfully:**

Alfred Knotts, Transportation Planning Manager



## City Council Staff Report

**Subject:** Monthly Update on Accelerated Traffic and Transportation Master Plan Goal Achievement and Presentation on Initial Findings of the Transportation Demand Management Plan

**Author:** Alfred Knotts, Trans. Planning Manager  
Brooks Robinson, Senior Transportation Planner

**Department:** Transportation Planning

**Date:** October 29, 2015

**Type of Item:** Informational – Work Session

### Executive Summary:

Following a mid-year review of the 2014 City Council Priorities, “Transportation” and “Housing” were escalated to “Critical Priorities”, which are issues that could have a significant negative impact on our community if not addressed expeditiously. As such, Council has directed staff to provide monthly updates to the Council and community on the overall Transportation Program, specifically the accelerated implementation of the 2011 “TTMP” and action elements from other related transportation plans/studies. This report has been prepared to serve as that monthly Transportation Planning update.

### Acronyms used in this report:

TTMP – Traffic and Transportation Master Plan  
UDOT – Utah Department of Transportation  
UHP - Utah Highway Patrol  
PCSD – Park City School District  
TDM – Transportation Demand Management  
STIP – State Transportation Improvement Program  
GPCTMA – Greater Park City Transportation Management Association

### Background:

The previous update can be found at:  
<http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=15385>

The prior update provides all the previous background from 2009 Community Visioning process forward.

### Winter 2015-2016 Traffic Management

Staff held a Winter Traffic Management Coordination meeting on October 8, 2015 that included City staff, UDOT staff, County staff, UHP, and representatives from Deer Valley and Park City Mountain. The intent of the meeting was to discuss winter traffic operations as it relates to the upcoming winter ski season. Specific topics discussed included onsite and offsite parking management, ski outload, and timely dissemination of information related to weather, anticipated traffic delays, traffic control, traveler information on State Highway and at base areas, and overall coordination between public and private partners. Attendees agreed that ongoing communication throughout the season will be necessary to evaluate the effectiveness of particular strategies as well as to develop adaptive management strategies as conditions dictate. Staff has also

meeting directly with resort staff to discuss modifications to their respective base operations, specifically parking management.

### **Greater Park City Transportation Management Association:**

Staff is happy to report that the first meeting of the GPCTMA was held on October 23, 2015 and was very well attended. The meeting served as a “kick-off” as well as an orientation as to the role of Transportation Management Associations, particularly those in similar communities. The intent of the meeting was to establish primary focus areas in which the GPCTMA will focus on over the next 3-6 months. Those focus areas include winter traffic management, employee parking, event coordination, and implementation of the forthcoming recommendations from the TDM study. GPCTMA meetings will be held monthly and co-chaired by City and County staff. Additional updates on the GPCTMA activities will be made part of the monthly Transportation Program updates.

### **Current Transportation Planning Projects**

- SR-248 Corridor Plan

This plan covers the SR-248 corridor from its intersection with US-40 west to SR-224. The plan required close coordination between City and County staff as well as extensive stakeholder and public input.

Plan elements include:

- HAWK Beacon at school crossing (complete),
- Pedestrian tunnel at Comstock (complete),
- Removal of median east of Wyatt Earp (complete)
- Bike lanes from Wyatt Earp to US 40 (complete),
- Improvement and signalization of Richardson Flat road (intersection improved & ready for signal when warranted)
- Reprogramming of existing roadway from 2 lane + 2 emergency lane between Richardson Flat Road and Wyatt Earp to 2 lane + 2 HOV-Bus lane (not completed)
- Widening to 4 lanes from Wyatt Earp to Sidewinder (not complete)
- Operation of Richardson Flat Park & Ride when improvements complete.

The corridor plan was reviewed and formally adopted by Council on February 12<sup>th</sup>, 2009. A copy of the “SR-248 Corridor Plan” can be accessed via the link below:

<http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=8433>

### *October 2015 Status Update:*

A recalibration of the SR 248 Corridor Plan assumptions and projections has been completed and the Administrative Draft Technical Memorandum has been received. Staff has provided comments to the consultant which has been incorporated into a Final Memorandum. Staff submitted the Technical Memorandum to UDOT on October 26, 2015 for review and consideration of proposed alternatives, including a Preferred Alternative. The proposed Preferred Alternative is described as four (4) lanes within the existing footprint with two lanes providing priority to High Occupancy Vehicles (HOV), including transit. Reversible lanes were also re-evaluated but are not recommended as the Preferred Alternative due to additional capital and operating cost associated with gantries and modeling shows no significant improvement in travel time. Any improvement to this corridor will also need to contemplate access improvements to the Richardson Flat Park and Ride lot, including the potential installation of a traffic signal at Richardson Flat Road and SR 248.

Following UDOT review, staff will work with UDOT Region 2 to program the next phases of the project in the State Transportation Improvement Program (STIP). The 2018/2019 STIP cycle is the tentative schedule for construction for SR 248 improvements; however, staff is working with UDOT to expedite project delivery in advance of 2018/2019.

- SR-224 Corridor Study

This study and resulting improvement plan covers the SR-224 corridor from Snow Creek Drive to Bonanza Drive. The study involved significant coordination amongst City staff, UDOT, stakeholders and the general public.

Phase 1 Plan elements include:

- 10' wide trail east side Kearns Blvd to Deer Valley Drive (in design)
- 8' wide trail west side from Kearns Blvd to Deer Valley Drive (in-process)
- Reprogramming of lanes and signal at Empire-Park Ave (completed)
- Pedestrian Tunnel at Park Ave-Empire (on-hold)
- Elimination of five curb cuts between Bonanza Drive and Kearns (not complete)
- Traffic and Trail way-finding (in-process)
- Re-alignment of Lame Dog-Homestake intersection (concept designs complete)
- Landscape improvements (not completed)

The corridor study was formally adopted by City Council on July 26, 2012. A copy of the "SR-224 Corridor Study" can be accessed via the link below:

<http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=9803>

*October 2015 Update:*

The water line and multi-use trail project on the west side of SR 224 is nearing completion. Design for east side including the north side of Deer Valley Drive to the underpass is in design. Heinrich Deters, Open Space and Trails Program Manager, has presented concepts to UDOT for a tunnel under Kearns using a template for a potential roundabout.

- Traffic and Transportation Master Plan

The Park City Master Transportation Plan was completed in 2011. The planning effort involved close coordination among City Staff, City Council, Planning Commission, stakeholder groups and the general public.

The Master Plan includes the following elements:

- Establishment of congestion management goals and performance measures to track City's progress towards achieving those goals ( annual reporting ongoing)
- Establish Car Sharing Program (initial implementation complete)
- Establish a local Transportation Management Association (completed)
- Dedicated Bus lane on SR-224 (completed)
- Intersection Improvement Deer Valley Drive North and South (not completed)
- Intersection Improvement Silver King Drive & Empire (not completed)
- Intersection Improvements Deer Valley Drive & Empire (partially complete)
- Implementation of Intelligent Transportation System (ITS) (ongoing)
- Ongoing commitment to Transit, Trails, & Trails Maintenance (ongoing)

The Master Plan was formally adopted by City Council on October 6, 2011. A copy of the City's

“Transportation Master Plan” can be found at the link below:

<http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=8296>

*October 2015 Update:*

Staff is in the process of preparing the Annual Report Card which will be present to Council in November as part of next month’s report. The basic philosophy of the report card is to force Park City to evaluate progress toward achieving the defined Goals and Objectives of the 2011 Traffic and Transportation Master Plan (TTMP). Since the plan does not define a program of long-term capital improvements, the success of the plan requires an ongoing balance of many travel demand management, transit, non-motorized improvements and the continuing adjustment of parking prices, HOV policies, and related considerations.

The TTMP set forth 10 goals that were developed through a lengthy and methodical process that examined and incorporated the findings of Vision Park City, as well as significant input provided by the Park City Council, the Park City Planning Commission, the study, technical and stakeholder committees and the general public. Each of the 10 TMP goals has 2-4 targets (or metrics) associated with it for a total of 31 TTMP targets.

- Short Range Transit Development Plan

The previous Summit County and Park City Short Range Transit Development Plan (SRTDP) was completed in 2011. This planning effort required close coordination amongst City\County staff, the Joint Transit Advisory Board (JTAB), City and County Councils as well as the general public. A copy of the City’s Short Range Transit Development Plan can be found at the link below:

<http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=8441>

*October 2015 Update:*

The City procured the services of KFH consultants to update the SRTDP. The consultant team has been working on the Existing Conditions and Peer Cities Review. Three public outreach meetings were held the week of October 19<sup>th</sup> (after the writing of this report) to gather public input on service, routes, and general operation of the transit system. Staff will present a summary of the public outreach at the Council meeting on October 29<sup>th</sup>.

- Transportation Demand Management

As part of the accelerated program directed by the City Council, the City is undertaking a Transportation Demand Management (TDM) study. Earlier this summer, the City procured the services of Fehr and Peers to conduct this study.

*October 2015 Update:*

The consultant team conducted online and in-person surveys as well as personal interviews with major stakeholders. They have completed a draft of the Existing Conditions and Peer Cities Review for staff review. A presentation by staff and the consulting team will be included as part of this agenda item.

Members of the consultant team are also involved as sub-consultants on the Main Street area Parking Study. Transportation Planning staff and Parking Services staff are coordinating both studies both in time/resources and recommendations.

- Bonanza Park – Lower Park Avenue – Park City Mountain Transportation and Parking Feasibility Study

This project is evaluating the study area for transportation improvements and possible parking facilities relative to future plans at Park City Mountain, Lower Park Avenue, and Bonanza Park.

*October 2015 Update:*

The consultant team headed by Nelson/Nygaard has completed surveys, stakeholder meetings, an initial community workshop, as well as an Existing Conditions report. The team has submitted a Draft Projects Evaluation for City review and will be holding another round of community workshops tentatively scheduled for November 4<sup>th</sup> and November 10<sup>th</sup>. The workshops will be held in conjunction with the Lower Park Avenue workshops to provide context to the community given relationship between the two planning efforts.

- Alternative Trip Program

In March 2015, the Joint Transit Advisory Board along with City and County staff recommended that a Marketing Program be developed that would encourage residents to use an “**Alternative Form of Transportation at least once per week.**” Such forms of transportation could be for example: Transit, Carpooling, Bike, Walk, and Telecommuting. The overall program goal is to convert 10% of locals who use alternative transportation infrequently or not at all to using alternative transportation one or more times per week. Additionally, the program will target two other user groups:

- visitors will be encouraged not rent a car when coming to Park City; and
- employees of Park City businesses who live in sections of Salt Lake City convenient to the PC Connect bus service will be encouraged to use that service.

*October 2015 Update:*

City and County staff have been working with the marketing firm of Penna Powers, Inc, to finalize a Scope of Work related to this effort. A Cooperative Agreement between the County and the City is scheduled for action by the Council as part of the October 29, 2015 agenda. Should the Council approve this item, work will commence on the Alternative Trip Program consistent with the agreed upon Scope of Work and associated schedule. Updates on the Alternative Trip Program will be provided to Council as part of the ongoing monthly Transportation Program updates.



**DATE: October 29, 2015**

**TO HONORABLE MAYOR AND COUNCIL**

The City Council has established Housing as one of its three critical priorities. Furthermore, City Council has stated, in their Desired Outcomes, that they would like to make it possible for more people to live and work locally. In its 2015 City Council Retreat in February, the Council established an affordable housing goal that by 2020, affordable units would equal seven percent of all units amounting to an increase of 184 units in five years.

There are several viable options for the design of affordable housing at 1450-1460 Park Avenue. Discussion will take place and direction is sought from City Council pertaining to site-plan (layout), size of units and the process for treatment of two historic homes on the site.

**Respectfully:**

Rhoda Stauffer, Housing Specialist



Sustainability

## City Council Staff Report

**Author:** Rhoda Stauffer  
**Subject:** Site Planning for 1450/60 Park Avenue  
**Date:** October 29, 2015  
**Type of Item:** Work Session

**RECOMMENDATION:** Staff is seeking direction from City Council in regards to options for site-plan, unit size and treatment of historic structures at the RDA-owned property located at 1450-1460 Park Avenue. Staff is recommending site-plan Option A102.

**EXECUTIVE SUMMARY:** The City Council has established Housing as one of its three critical priorities. Furthermore, City Council has stated, in their Desired Outcomes, that they would like to make it possible for more people to live and work locally. In its 2015 City Council Retreat in February, the Council established an affordable housing goal that by 2020, affordable units would equal seven percent of all units amounting to an increase of 184 units in five years.

There are several viable options for the design of affordable housing at 1450-1460 Park Avenue. Discussion will take place and direction is sought from City Council pertaining to site-plan (layout), size of units and the process for treatment of two historic homes on the site.

### **ACRONYMS USED IN THIS REPORT:**

AHERA = Asbestos Hazard Emergency Response Act  
EPA = Environmental Protection Agency  
FEMA = Federal Emergency Management Administration  
HPB = Historic Preservation Board  
HRM = Zoning classification of Historic Residential Medium density  
LMC= Land Management Code  
RDA = Redevelopment Agency

**BACKGROUND:** At the March 5, 2015 City Council meeting, staff requested Council direction in the disposition and development of the RDA-owned property at 1450-1460 Park Avenue. Of the four proposals presented, Council chose the option of a city-sponsored development and chose single family homes as a preference for development. Today, staff brings these options for Council to discuss and provide direction to staff.

### Site Specifications:

- Two .21 Acre lots
- Zoned HRM – (Historic Residential Medium density)

- Eight = Maximum number of units that can be built within the existing code and parking requirements without requesting special waivers/exceptions.

Completed to date:

- A. Soils Test: 1450-1460 lies within the soils district requiring analysis of the soil composition in light of potential toxins. A geotechnical investigation was completed on March 31, 2015 by AGECE Applied GeoTech resulting in the findings of no soils of concern. However, soil removal within the soils district – even though considered clean – is still highly regulated and there is no guarantee that any soil removed would not have to be hauled out to Tooele. For these reasons, the plan is to dig minimally and cap all soils on site.
- B. Historic Structure health and safety assessment: The existing historic structures have been tested for environmental hygiene concerns by IHI Environmental. Their report indicates asbestos throughout interiors and exteriors of both houses. Asbestos is present in the floors, walls and ceilings as well as exterior siding and roof tiles. Black mold is also present in the interior dry wall and wallboard of both homes. In addition, a structural engineer has completed an inspection of the structural soundness of both historic properties. The results are included in Section 3 of the Analysis below.
- C. Planning: Housing staff and the architectural team have met with planning staff to discuss site plan constraints within the zone. Specific feedback has guided the resulting site plans presented today. Historic Preservation Planning staff is also providing guidance on treatment of the historic properties.
- D. Design: On June 25, 2015 Council approved a contract with Caddis Architects based in Boulder, Colorado for architectural design services. Staff has been working with development consultant Steve Brown along with Caddis Architects, holding weekly meetings to develop designs, review environmental and soils findings and analyze options for treatment of the historic homes.

**ANALYSIS:** Council's feedback and guidance is requested on all aspects of the development of affordable units at 1450-1460. At this time, staff is especially focused on three key areas that require direction in order to move forward with the development of the project:

1. Site-plan and the most optimal configuration for the site;
2. Size of units proposed is a mixture of one and two bedroom homes; and
3. Options for preserving the historic homes on the site.

1. Site Plan:

Staff's overall goals for the site plan are to:

- Maximize the number of units that can be built (without requesting special waivers or exceptions) to meet the affordable homeownership needs of employees working in Park City;
- Design the units in accordance with Council's preference for detached houses in a neighborhood environment; and

- Balance the types and sizes of units being added to the affordable inventory in the same timeframe.

In Exhibit A are three site plan options. The primary features and pros/cons of the plans are as follows:

- a) Site Plan A101 keeps the existing set back on the historic homes facing Park Avenue and keeps all eight homes as detached single family dwellings. It does however create a crowded, seemingly cluttered site plan and is not recommended by staff.
- b) Site Plan A102 keeps the existing set-back on the historic homes facing Park Avenue and changes all the new construction to duplexes in order to free up a bit more open space and accommodate parking in a more orderly fashion. This is the plan recommended by staff.; and
- c) Site Plan A103 evaluates moving the houses forward on the site. Staff doesn't recommend this plan since it doesn't accommodate additional units, and moving forward would require a separate approval process via HPB with a level of uncertainty of outcome.

Staff is recommending Site Plan A102 for the following reasons:

- The consolidation of homes into duplexes provides additional open space on the site.
- The site plan creates an "enclosed courtyard" feel from the Park Avenue entrance enhancing the small neighborhood concept.
- Parking, driveways, snow storage and trash toters are accommodated in an orderly fashion on the periphery of the property.
- The historic homes remain in their historic context and are not moved.

Staff acknowledges that duplexes are not Council's preference for this site. However, the site is a small, in-fill project with square footage constraints. In the analysis, feels that duplexes are the best option for this site. There is considerable demand for similar existing duplexes at Silver Meadows on Cooke Drive and Stryker Avenue across from the high school. Staff gets phone calls on a regular basis about buying in that neighborhood. In addition, Park City Heights provides lots of opportunity for buyers wanting a detached home. And last, but not by far least, a more dense product will be needed to meet all of Park City's housing needs and this is one small step in helping the community get used to that idea.

After reviewing a number of options for site plans, the design team (Housing Staff, Steve Brown and Caddis Architectural representatives, Hans Cerny and Matthew Schexsnyder) narrowed the options to the three choices presented. All three create a small neighborhood that orients all homes on a shared courtyard. With the exception of the historic properties which must retain their historic facades and face Park Avenue, all homes will have a front door and porch facing the courtyard. Rear doors are being added to the historic structures to incorporate those homes into the neighborhood. Parking, storage, trash toters and snow storage will be positioned on the sides and backs of the houses with access to driveways along the north and south peripheral lines of the site. Back porches will also be built on all units. Special attention will be paid to designing the back porches and doors on the units along Sullivan Road so that the homes can be considered to have two front doors (courtyard and Sullivan Road).

There is little cost difference between each of the three site plan proposals. While duplexes that share some walls in common typically can reduce the need for raw materials, the additional structural requirements for shared walls will likely make up any cost savings.

Elevations included in Exhibit A also depict the homes constructed 12" above grade which is required in the existing flood plain. The City Engineer has informed staff that FEMA is in the process of revising the flood plain maps which will very likely remove the property from the flood plain in the future. However, based on past experience, the final maps will not likely be published before 2017. Therefore, rather than delay construction of these units, they will be built in accordance with old flood plain maps. For this reason as well as potential soil disposal issues, basements are not being proposed.

A request to FEMA for a Letter of Map Revision (LOMR) could also expedite the removal of the property from the flood plain, however, that process would also add up to five months to the timetable. Staff recommends that both be done – build within the requirements of the flood plain while filing a LOMR so that by the time the units are being sold, the new homebuyers will not be required to pay for flood insurance.

***Which site plan does Council prefer? Is Council comfortable with staff's recommendation on action regarding the flood plain?***

***2. Unit Sizes:***

The site plans all include eight homes: four one-bedroom homes (including the two historic properties) and four two-bedroom homes. Affordable housing needs in Park City primarily fall into two size groups: families of three or more (couples or single parents with children) and households of one or two (single persons/couples just out of school or seniors who are downsizing). The homes in Park City Heights will be meeting the needs of larger families with three and four-bedroom homes. In addition, while we had plenty of households applying for the Snow Creek Lottery in 2010, there was an overwhelming number of single person households competing for three two-bedroom homes. The property size at 1450-1460 (.21 acre) is a good match for smaller unit development and households that are a total of one to two persons.

Smaller buildings also fit within the context of the existing historic homes and are not overwhelming to the small scale of the site. The preserved historic homes are one-story structures of 650 and 730 square feet. Two 1.5 story structures are proposed for the South side of the property and four two-story structures for the North and East boundaries. The two story homes are proposed in their particular spots because the existing condo structure in the adjacent property is built above the height limits for the zone. The larger homes will provide a nice north boundary transitioning to a cluster of smaller structures and resulting neighborhood feel.

***Is Council comfortable with the proposed size of units: four one-bedroom and four two-bedroom units?***

### 3. Treatment of Historic Homes:

The outline of the original 1904 structures can be found on page 6 of Exhibit B (Structural Conditions report and recommendation). Designs included in Exhibit A propose adding square footage on the backs of each historic structure to create a marketable product. The resulting design creates one bedroom homes of 650 and 730 square feet. The intent is to honor the original historic structures as well as the 1904 Park Avenue streetscape.

On May 13, 2015, IHI Terracon conducted a series of surveys on both historic houses for the presence of asbestos, black mold and any other toxic environmental issues. Terracon is an Asbestos Hazard Emergency Response Act (AHERA)-accredited and State of Utah-certified inspector. The tests revealed significant issues with both historic houses. Levels of asbestos were found in interior walls, flooring and ceiling as well as exterior roofs and siding. Black mold was also found in the interiors as well as mercury laden thermostats and light fixtures. As per federal and state law, remediation will have to occur by IHI Terracon in partnership with certified remediation experts who are license in disposal of regulated environmental hazards.

Only one month ago, staff was planning on presenting two options for preservation: panelization or stabilization in place. However, after a licensed structural engineer completed an interior assessment on October 2, staff is now recommending that these historic structures be panelized. Joseph D. Crilly of CTS Engineering conducted a thorough interior and exterior review to prepare a cost estimate to stabilize the structures for relocation so that footings and foundations could be completed. In his inspection, Mr. Crilly identified factors leading him to determine that the houses are in dangerous condition. Chimneys in both houses are not attached resulting in highly unstable roofs with the likelihood of roof collapse in the near future were Park City to have a normal snow-fall year. In addition, significant fire damage to a portion of the rafters in 1460 increases the instability of that roof. There are no foundations in these homes and when the original historic structures are moved to place footings and foundations, the structures will be further destabilized. Please find Mr. Crilly's report attached as Exhibit B.

While panelization is the least favored option for preservation, based on the structural report, Housing staff feels it is the best and safest course of action at this point. Section 15-11-14 of LMC establishes the following for criteria that allows for consideration of panelization:

*For Panelization 15-11-14. DISASSEMBLY AND REASSEMBLY OF A HISTORIC BUILDING OR HISTORIC STRUCTURE. It is the intent of this section to preserve the Historic and architectural resources of Park City through limitations on the disassembly and reassembly of Historic Buildings, Structures, and Sites.*

*(A) CRITERIA FOR DISASSEMBLY AND REASSEMBLY OF THE HISTORIC BUILDING(S) AND/OR STRUCTURE(S) ON A LANDMARK SITE OR SIGNIFICANT SITE. In approving a Historic District or Historic Site design review Application involving disassembly and reassembly of the Historic Building(s) and/or Structure(s) on a Landmark Site or Significant Site, the Planning Department shall find the project complies with the following criteria:*

*(1) A licensed structural engineer has certified that the Historic Building(s) and/or Structure(s) cannot reasonably be moved intact; or*

*(2) The proposed disassembly and reassembly will abate demolition of the Historic Building(s) and/or Structure(s) on the Site; or*

*(3) The Historic Building(s) and/or Structure(s) are found by the Chief Building Official to be hazardous or dangerous, pursuant to Section 116.1 of the International Building Code; or*

*(4) The Planning Director and the Chief Building Official determine that unique conditions and the quality of the Historic preservation plan warrant the proposed disassembly and reassembly*

Staff will be incorporating Council’s direction regarding preservation of the historic structures into a Historic Preservation Plan that will be presented at the December 2 meeting of the Historic Preservation Board. However, the Council’s direction as owner shall not limit the scope of review of either the HPB or Planning staff and normal approvals must be obtained pursuant to the LMC.

**Does Council support moving forward with a request for panelization to HPB?**

	<b>World Class Multi-Seasonal Resort Destination (Economic Impact)</b>	<b>Preserving &amp; Enhancing the Natural Environment (Environmental Impact)</b>	<b>An Inclusive Community of Diverse Economic &amp; Cultural Opportunities (Social Equity Impact)</b>	<b>Responsive, Cutting-Edge &amp; Effective Government</b>
Which Desired Outcomes might the Recommended Action Impact?	(+/-) Balance between tourism and local quality of life	+	(+/-) Residents live and work locally	(+/-) Fiscally and legally sound
Assessment of Overall Impact on Council Priority (Quality of Life Impact)	Very Positive 	Neutral 	Very Positive 	Positive 
<b>Comments:</b> Utilizing city-owned property for workforce housing is cost effective and meets Council's top goals.				

**DEPARTMENT REVIEW**

This staff report has been reviewed by Planning, Sustainability, Budget, Legal and the City Manager.

**Funding Source:** Activities proposed in this report have existing funding sources.

**Recommendation**

Staff is seeking direction from City Council in regards to options for site-plan, unit size and treatment of historic structures at the RDA-owned property located at 1450-1460 Park Avenue.

Attachments:

- Exhibit A – Architectural Designs from Caddis Architects
- Exhibit B – Structural conditions report from Joseph D. Crilly, CTS Engineering

**Park City Municipal Corporation**  
**1450/1460 PARK AVE.**  
**AFFORDABLE HOUSING**

**DEVELOPMENT OPTION SUMMARY:**

Option 1 proposes at add (6) single family residences in addition to historic renovations of the existing residential structures. This option proposes to locate some required (tandem) parking within side yard setbacks, accessed by two drives at the interior property lines.

**DEVELOPMENT OPTION DATA:**

- (2 UNITS) 1 BEDROOM, HISTORIC RENOVATION
- (2 UNITS) 1 BEDROOM, SINGLE FAMILY
- (4 UNITS) 2 BEDROOM, SINGLE FAMILY
- (16) PARKING SPACES

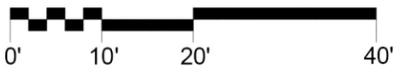
**UNIT DATA:**

HISTORIC UNIT A (1460 PARK AVE)	1 BR	650 SF
HISTORIC UNIT B (1450 PARK AVE)	1 BR	730 SF
UNIT C SINGLE FAMILY 2 STORY	2 BR	900 SF
UNIT D SINGLE FAMILY 2 STORY	2 BR	900 SF
UNIT E SINGLE FAMILY 2 STORY	2 BR	900 SF
UNIT F SINGLE FAMILY 2 STORY	2 BR	900 SF
UNIT G SINGLE FAMILY 1 STORY+LOFT	1 BR	650 SF
UNIT H SINGLE FAMILY 1 STORY+LOFT	1 BR	650 SF

900 SF SNOW STORAGE  
 (±865 SF REQ'D)



**SITE PLAN - OPTION 1**  
**A101**



1" = 20'-0"  
 10.16.2015

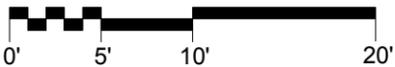
PROJECT # 1521

**CADDIS PC**

**Park City Municipal Corporation**  
**1450/1460 PARK AVE.**  
**AFFORDABLE HOUSING**



**SITE SOUTH ELEVATIONS - OPTION 1**  
**A311**



1" = 10'-0"  
10/16/15

PROJECT # 1521

**CADDIS PC**

**Park City Municipal Corporation**  
**1450/1460 PARK AVE.**  
**AFFORDABLE HOUSING**



**SULLIVAN RD ELEVATIONS - OPTION 1**

**A312**

1" = 10'-0"

10/16/15

PROJECT # 1521

**CADDIS PC**

Packet Pg. 18

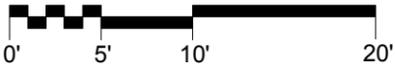


**Park City Municipal Corporation  
1450/1460 PARK AVE.  
AFFORDABLE HOUSING**



**SITE NORTH ELEVATIONS - OPTION 1**

**A313**



1" = 10'-0"

10/16/15

PROJECT # 1521

**CADDIS PC**

**Park City Municipal Corporation  
1450/1460 PARK AVE.  
AFFORDABLE HOUSING**



**PARK AVE ELEVATIONS - OPTION 1**

**A314**

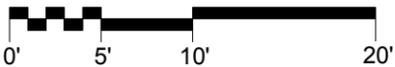
1" = 10'-0"

10/16/15

PROJECT # 1521

**CADDIS PC**

Packet Pg. 20



**Park City Municipal Corporation**  
**1450/1460 PARK AVE.**  
**AFFORDABLE HOUSING**

**DEVELOPMENT OPTION SUMMARY:**

Option 2 proposes at add (3) duplexes in addition to historic renovations of the existing residential structures. This option allows for all required parking to be located within side yard setbacks, accessed by two drives at the interior property lines.

**DEVELOPMENT OPTION DATA:**

- (2 UNITS) 1 BEDROOM, HISTORIC RENOVATION
- (2 UNITS) 1 BEDROOM, DUPLEX
- (4 UNITS) 2 BEDROOM, DUPLEX
- (16) PARKING SPACES

**UNIT DATA:**

HISTORIC UNIT A (1460 PARK AVE)	1 BR	650 SF
HISTORIC UNIT B (1450 PARK AVE)	1 BR	730 SF
UNIT C DUPLEX	2 STORY	2 BR 900 SF
UNIT D DUPLEX	2 STORY	2 BR 900 SF
UNIT E DUPLEX	2 STORY	2 BR 900 SF
UNIT F DUPLEX	2 STORY	2 BR 900 SF
UNIT G DUPLEX	1 STORY+LOFT	1 BR 650 SF
UNIT H DUPLEX	1 STORY+LOFT	1 BR 650 SF

980 SF SNOW STORAGE  
(945 SF REQ'D)



**SITE PLAN - OPTION 2**  
**A102**



1" = 20'-0"  
 10.16.2015

PROJECT # 1521

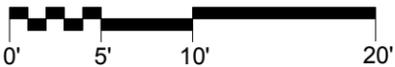
**CADDIS PC**

**Park City Municipal Corporation**  
**1450/1460 PARK AVE.**  
**AFFORDABLE HOUSING**



**SITE SOUTH ELEVATIONS - OPTION 2**

**A321**



1" = 10'-0"

10/16/15

PROJECT # 1521

**CADDIS PC**

**Park City Municipal Corporation  
1450/1460 PARK AVE.  
AFFORDABLE HOUSING**



**SULLIVAN RD ELEVATIONS - OPTION 2**

**A322**

1" = 10'-0"

10/16/15

PROJECT # 1521

**CADDIS PC**

Packet Pg. 23



**Park City Municipal Corporation  
1450/1460 PARK AVE.  
AFFORDABLE HOUSING**



**SITE NORTH ELEVATIONS - OPTION 2**

**A323**



1" = 10'-0"

10/16/15

PROJECT # 1521

**CADDIS PC**

Packet Pg. 24

**Park City Municipal Corporation**  
**1450/1460 PARK AVE.**  
**AFFORDABLE HOUSING**



**PARK AVE ELEVATIONS - OPTION 2**

**A324**

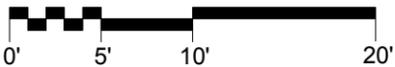
1" = 10'-0"

10/16/15

PROJECT # 1521

**CADDIS PC**

Packet Pg. 25



**Park City Municipal Corporation**  
**1450/1460 PARK AVE.**  
**AFFORDABLE HOUSING**

**DEVELOPMENT OPTION SUMMARY:**

Development option 3 proposes to relocate existing historic structures forward to the Park Ave setback as part of required structural preservation measures. Relocating the existing historic structures allows for additional open space between single family dwellings, all parking within sideyard setbacks, and convenient snow storage locations and capacity.

**DEVELOPMENT OPTION DATA:**

(2 UNITS) 1 BEDROOM, HISTORIC RENOVATION  
 (2 UNITS) 1 BEDROOM, SINGLE FAMILY  
 (4 UNITS) 2 BEDROOM, SINGLE FAMILY  
 (16) PARKING SPACES

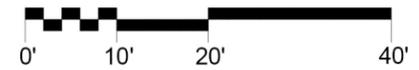
**UNIT DATA:**

HISTORIC UNIT A (1460 PARK AVE)	1 BR	650 SF
HISTORIC UNIT B (1450 PARK AVE)	1 BR	730 SF
UNIT C SINGLE FAMILY 2 STORY	2 BR	900 SF
UNIT D SINGLE FAMILY 2 STORY	2 BR	900 SF
UNIT E SINGLE FAMILY 2 STORY	2 BR	900 SF
UNIT F SINGLE FAMILY 2 STORY	2 BR	900 SF
UNIT G SINGLE FAMILY 1 STORY+LOFT	1 BR	650 SF
UNIT H SINGLE FAMILY 1 STORY+LOFT	1 BR	650 SF

1050 SF SNOW STORAGE  
 (950 SF REQ'D)



**SITE PLAN - OPTION 3**  
**A103**



1" = 20'-0"  
 10.16.2015

PROJECT # 1521

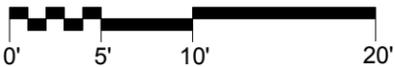
**CADDIS PC**

**Park City Municipal Corporation  
1450/1460 PARK AVE.  
AFFORDABLE HOUSING**



**SITE SOUTH ELEVATIONS - OPTION 3**

**A331**



1" = 10'-0"

10/16/15

PROJECT # 1521

**CADDIS PC**

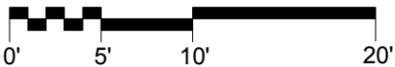
Packet Pg. 27

**Park City Municipal Corporation**  
**1450/1460 PARK AVE.**  
**AFFORDABLE HOUSING**



**SULLIVAN RD ELEVATIONS - OPTION 3**

**A332**



1" = 10'-0"

10/16/15

PROJECT # 1521

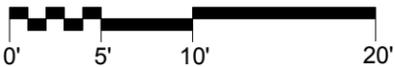
**CADDIS PC**

**Park City Municipal Corporation  
1450/1460 PARK AVE.  
AFFORDABLE HOUSING**



**SITE NORTH ELEVATIONS - OPTION 3**

**A333**



1" = 10'-0"

10/16/15

PROJECT # 1521

**CADDIS PC**

**Park City Municipal Corporation**  
**1450/1460 PARK AVE.**  
**AFFORDABLE HOUSING**



**PARK AVE ELEVATIONS - OPTION 3**

**A334**



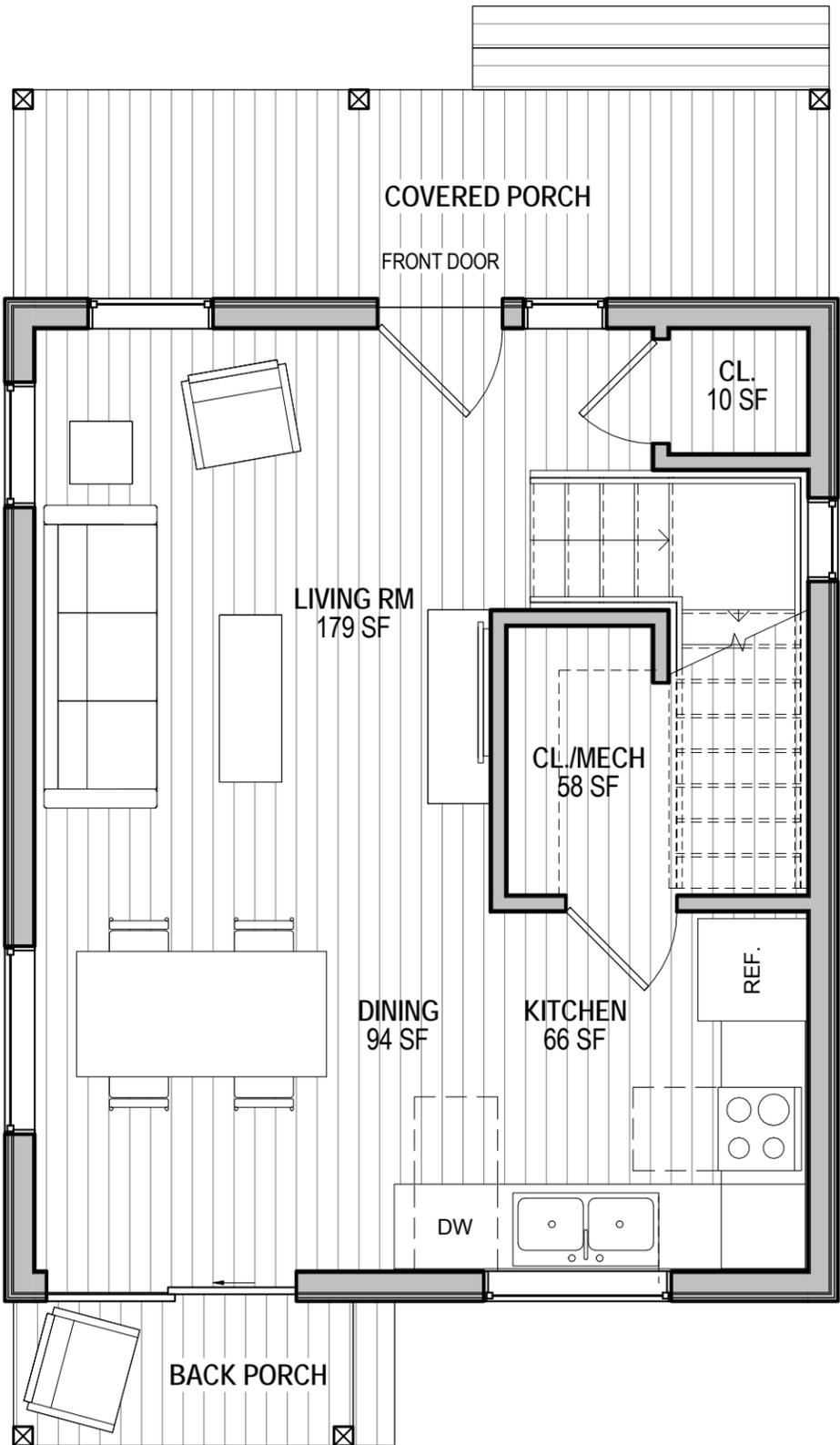
1" = 10'-0"

10/16/15

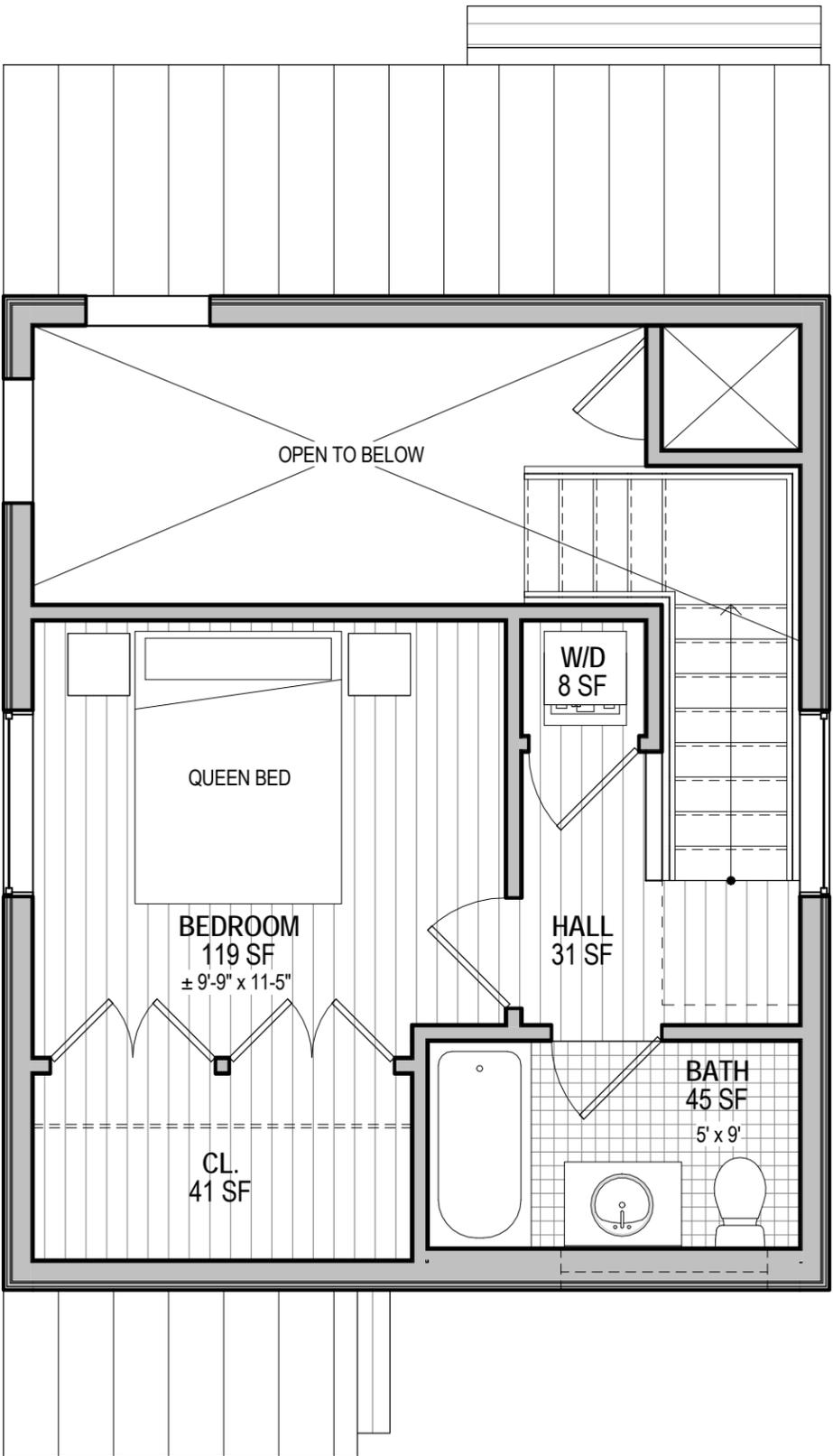
PROJECT # 1521

**CADDIS PC**

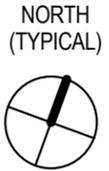
**Park City Municipal Corporation**  
**1450/1460 PARK AVE.**  
**AFFORDABLE HOUSING**



**1** TYPE A - LVL1  
1/4" = 1'-0"

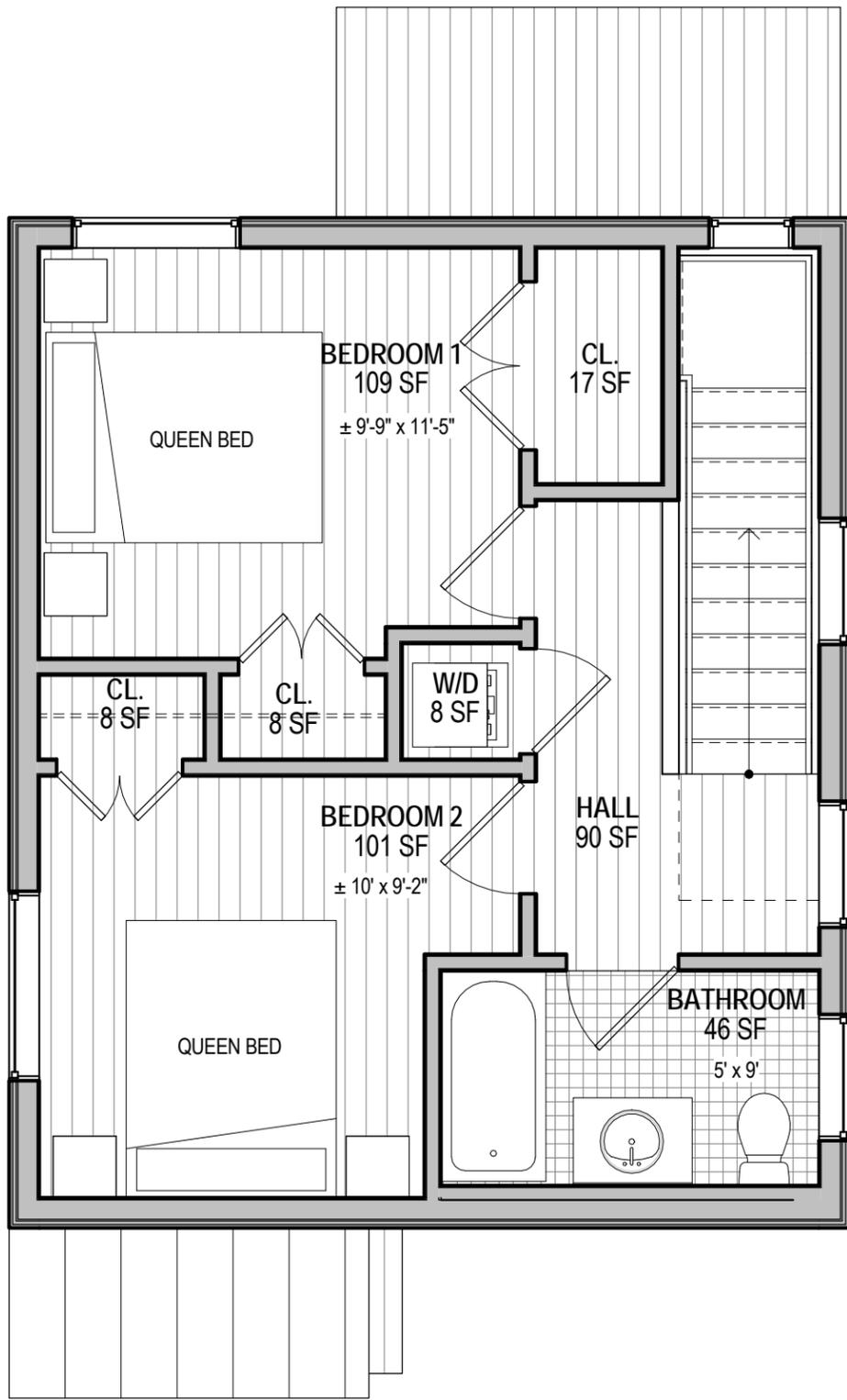
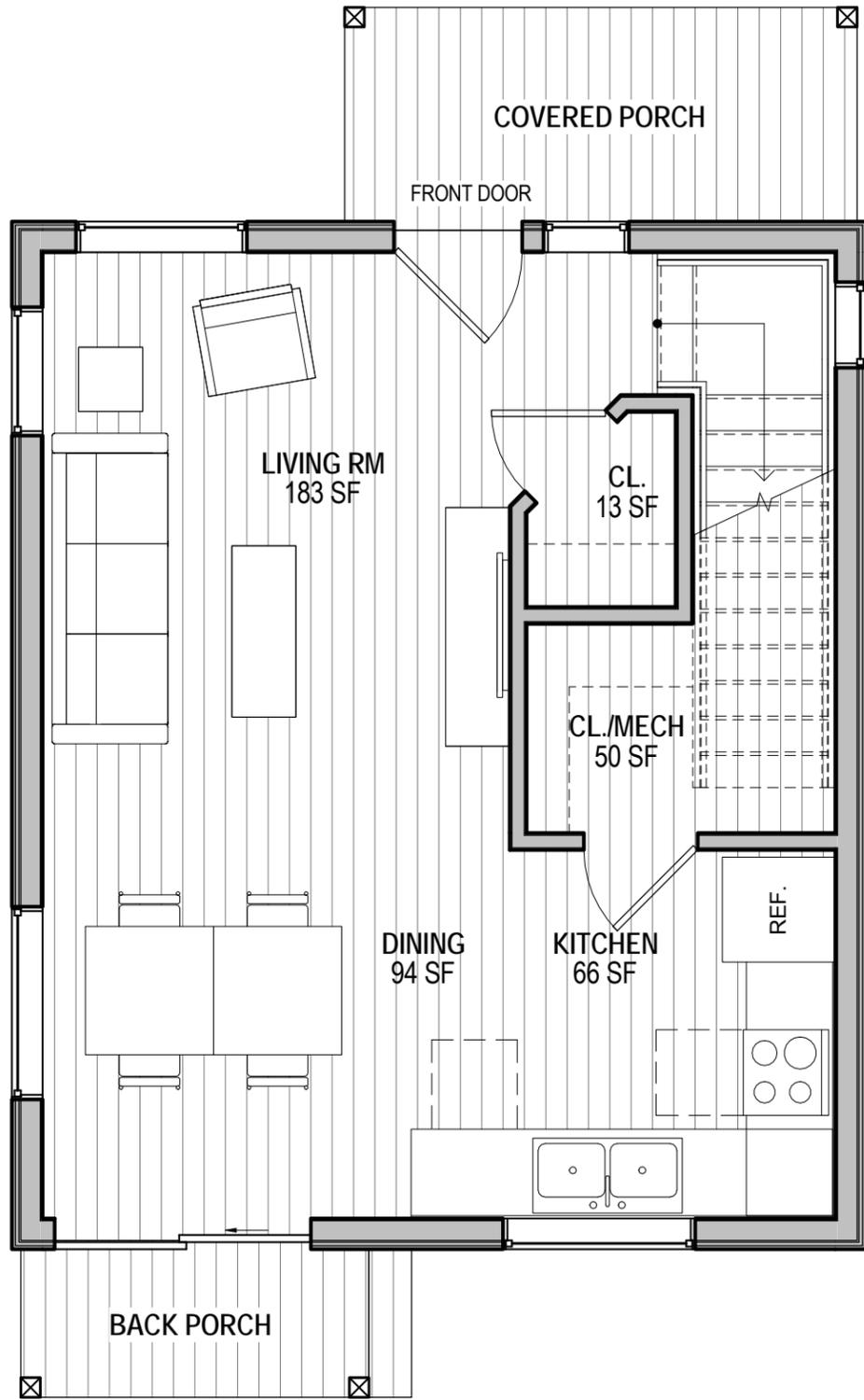


**2** TYPE A - LVL2  
1/4" = 1'-0"



**TYPE A FLOORPLANS**  
**A111**

1/4" = 1'-0"  
10.16.2015  
PROJECT # 1521



**TYPE B FLOORPLANS**  
**A112**

1/4" = 1'-0"

10.16.2015

PROJECT # 1521

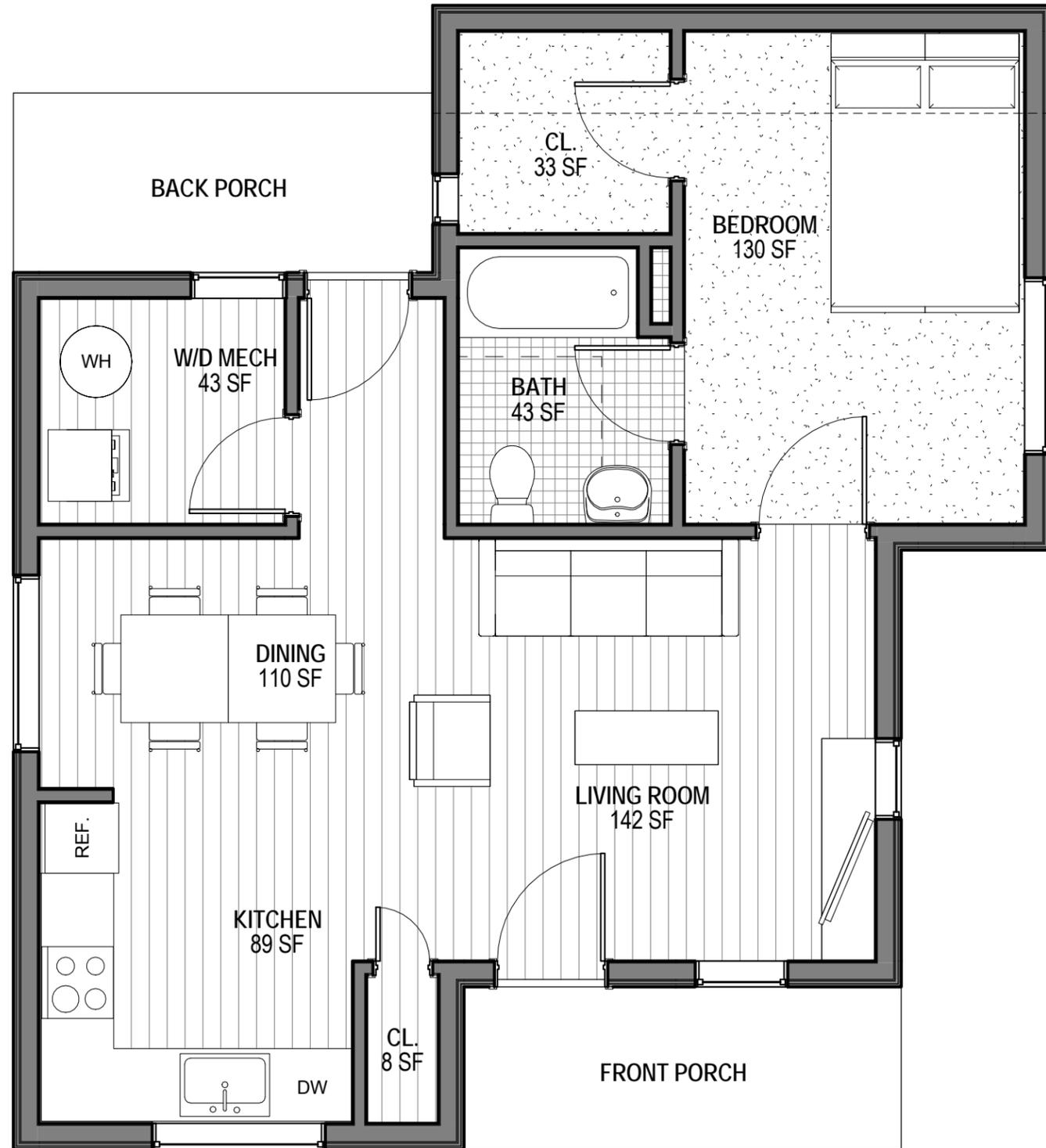
**CADDIS PC**

Packet Pg. 32

**1** TYPE B - LVL1  
1/4" = 1'-0"

**2** TYPE B - LVL2  
1/4" = 1'-0"

**Park City Municipal Corporation**  
**1450/1460 PARK AVE.**  
**AFFORDABLE HOUSING**



**1** 1460A - LVL1  
1/4" = 1'-0"

**HISTORIC A - 1460 PARK AVE FLOORPLAN**  
**A113**

1/4" = 1'-0"  
10/16/15

PROJECT # 1521

**CADDIS PC**

Packet Pg. 33

**Park City Municipal Corporation**  
**1450/1460 PARK AVE.**  
**AFFORDABLE HOUSING**



NOTE: UNIT REMODEL  
COMPLIES WITH  
ACCESSIBILITY, TYPE B  
REQUIREMENTS AND  
CLEARANCES



**1** 1450B - LVL1  
1/4" = 1'-0"

**HISTORIC B - 1450 PARK AVE FLOORPLAN**

**A114**

1/4" = 1'-0"

10/16/15

PROJECT # 1521

**CADDIS PC**

Packet Pg. 34



**Park City Municipal Corporation**  
**1450/1460 PARK AVE.**  
**AFFORDABLE HOUSING**



**ARCHITECTURAL  
CHARACTER IMAGES**

10.16.2015  
PROJECT # 1521  
**CADDIS PC**



**Park City Municipal Corporation**  
**1450/1460 PARK AVE.**  
**AFFORDABLE HOUSING**

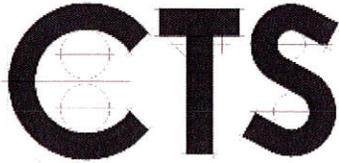


**SITE CHARACTER  
IMAGES**

10.16.2015

PROJECT # 1521

**CADDIS PC**



E N G I N E E R I N G COMMITMENT TO ENGINEERING EXCELLENCE AND SERVICE

4625 South 2300 East, Suite 105, Holladay, UT 84117  
Phone 801-274-2831 Fax 801-274-2832  
[joe@ctsengineering.net](mailto:joe@ctsengineering.net)  
[www.ctsengineering.net](http://www.ctsengineering.net)

October 9, 2015

Sheet 1 of 1

Rhoda Stauffer  
Housing Specialist  
Park City Building Department,  
Park City, Utah

Ref: 1460 and 1450 Park Ave  
Park City, Utah  
Structural Review

Dear Rhoda;

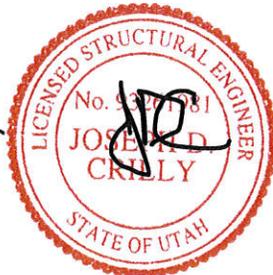
Please find the attached site report. I have found both the buildings to be considered dangerous. This is based on three elements meeting the definition of dangerous in the 2012 IBC chapter 1.

1. The chimneys are appurtenances that pose a significant risk of collapse, detachment or dislodgement under service loads, wind or seismic.
2. The fire damage has caused half the roof on 1460 to pose a significant danger of collapse due to loos of member size.
3. The roofs as constructed and analyzed with 60% of design snow loads exceed all allowable loads elements are engineered to carry.

If there are any additional questions please do not hesitate to call or contact me at the address above.

Sincerely,

Joseph D. Crilly, PE, SE  
President,  
CTS Engineering, P.C.



10/10/2015



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Phone 801-274-2831 Fax 801-274-2832  
joe@ctsengineering.net  
www.ctsengineering.net

**E N G I N E E R I N G** COMMITMENT TO ENGINEERING EXCELLENCE AND SERVICE

**Project Name: Park City Historic Home Location: 1460 and 1450 Park Ave. Park City, Utah**  
**Report Date: October 2, 2015**

### Site Visit Report

Date September 29, 2015

Time of arrival: 1 pm

Weather Sunny cool

Time of departure: 4:30 pm

Present at meeting: Name

Company

Joe Crilly

CTS Engineering

#### **Observations:**

This is a preliminary report on the structural conditions of the two homes located at 1450 and 1460 Park Avenue. The investigation involved entering the attic area where possible, and removing "wall board" on the interior to determine the wall structure.

It is believed the structures were constructed in the 1800's with additions to the east end of each structure since that time. The original structures foot print is outlined in orange highlighter on the attached drawings. Attached is a description of the structural systems.

The roof structure on Building 1460 has been severely damage by a fire. This occurred sometime prior to the lower slope roof

Distributed to: Name	&	Company
Steve Brown		
Rhoda Stauffer		Park City
Hans Cerny		Caddis Architecture
Matthew Schexnyder		Caddis Architecture

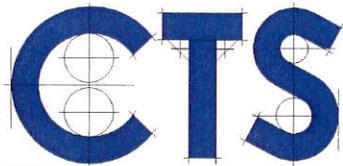
#### Summary of findings and recommendations:

The structures at 1460 and 1450 were constructed over several time periods. Based on the uniformity, layout roof framing and fire damage which didn't damage the newer framing, the original structures were L shaped with two gable roofs lines intersecting on the west side of the structures.

Due to the fire damage in 1460, and the lack of sheathing, below capacity (snow loads) roof system, appurtenances (masonry chimneys, lack of any functional structural wall system, and floor framing bearing on pieces of wood and stone, ) I consider both these structures to meet the dangerous criteria of the IBC chapter. The fire damaged in 1460 definitely raises the structural condition of the roof in that structure to dangerous, the masonry chimneys and roof framing in 1450 raises that structure to be considered dangerous.

The safest way to preserve the historical portions of the buildings is to disassemble the structure and preserve the clapboard wall siding to rebuild identical structures, that meet the exact dimensions of these two structures Disassembly should be completed as soon as possible to avoid another season of snow loads on the buildings, that are now unheated and therefore experiencing larger snow loads.

Pictures from the site visit are on the following pages:



E N G I N E E R I N G

COMMITMENT TO ENGINEERING EXCELLENCE AND SERVICE

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Phone 801-274-2831 Fax 801-274-2832  
joe@ctsengineering.net  
www.ctsengineering.net

Project Name: Park City Historic Home Location: 1460 and 1450 Park Ave. Park City, Utah  
Report Date: October 2, 2015

**View Of:** Overall fire damage looking south in the attic.

**Comments and Required Action:**

Fire damaged framing will have to be removed and replaced.



**View Of:** Close up of fire damage

**Comments and Required Action:**

Fire damaged framing will have to be removed and replaced

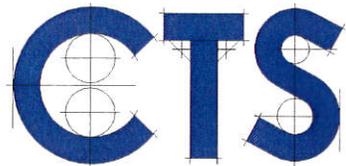


**View Of:** Close up of fire damage

**Comments and Required Action:**

Fire damaged framing will have to be removed and replaced





**E N G I N E E R I N G** COMMITMENT TO ENGINEERING EXCELLENCE AND SERVICE

4652 South 2300 West, Suite 105, Holladay, UT 84117  
Phone 801-274-2831 Fax 801-274-2832  
joe@ctsengineering.net  
www.ctsengineering.net

**Project Name:** Park City Historic Home **Location:** 1460 and 1450 Park Ave. Park City, Utah  
**Report Date:** October 2, 2015

**View Of :**

Framing over initial shingles.  
Old shingles will need to be removed. New sheathing required beneath shingles.

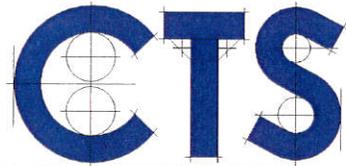


**View Of:** Building 1450 Attic

**Observation :**

2x4 framing @ 24" + o.c.





E N G I N E E R I N G

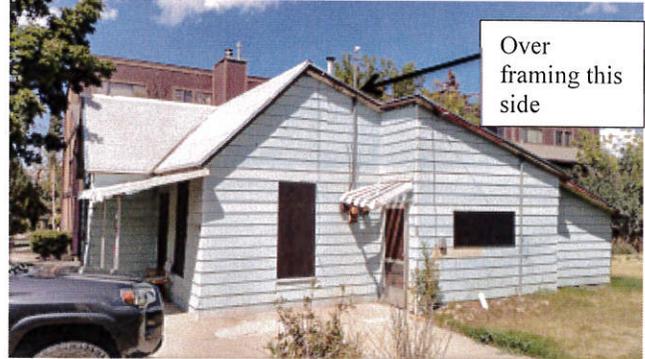
COMMITMENT TO ENGINEERING EXCELLENCE AND SERVICE

4652 South 2300 West, Suite 105, Holladay, UT 84117  
Phone 801-274-2831 Fax 801-274-2832  
joe@ctsengineering.net  
www.ctsengineering.net

Project Name: Park City Historic Home Location: 1460 and 1450 Park Ave. Park City, Utah  
Report Date: October 2, 2015

View Of: Building 1460 South elevation

Note low slope roof facing east, this area was over-framed after the fire which caused the damage indicated in the attic, based on the over-framing not being charred.



#### Structural Description:

##### Roof structure:

Chimneys there are multiple brick chimneys extending through the roof that pose a serious collapse hazard since they are supported on a wood frame in the attic. There is no seismic bracing or resistance in this construction and the chimneys would collapse on to the wood roof in a seismic event. the chimneys are not functioning and the must be removed.

The roof sheathing is 1 x 6 sheathing with large gaps between boards. In typical wood construction the wood roof sheathing is used as a diaphragm to transfer lateral wind and seismic loads across the structure. This type of construction has no diaphragm capacity and would have to be overlaid with new 1/2" or thicker sheathing.

Roof framing: The roof framing is with nominal 2x4s either to ridge board, butted to the opposite member, or in some cases not even reaching the ridge and a scabbed on 2x4 extends up to the ridge board. Despite having survived all these years the roof framing is grossly undersized and the entire system would have to be supplemented with new members parallel to the existing ones. The roof sags in certain areas and so framing would have to be added after the deflections were removed. A ridge beam and posts would have to be added. The post will have to extend down to the foundation or an intermediate beam.

##### Walls:

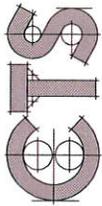
Several exterior walls are framed with 1 x 8 flat. All exterior walls would have to be rebuild and connected properly to the new roof structure. Since the new roof framing will be deeper than the existing 2x4 framing LVLs may have to be specified to be able notch the members to meet the existing wall plate height. This connection will require additional investigation. Required new wall studs would be 2x6 @ 16" o.c or 24" o.c.

##### Floor Framing:

The existing floor framing is 2x4 nominal framing at 24 or 16" o.c, supported every so often on a piece of wood, (the sizes vary) down to a rock or stone. Like the roof framing, the floor framing system would have to be completely rebuilt with parallel framing members, and a beam line.

##### Foundation system:

There is no foundation.



ENGINEERING

Phone: 801-274-2831  
Fax: 801-274-2832  
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HOLLADAY, UT 84117  
joe@ctsengineering.net

OWNER INFORMATION

**PARK CITY MUNICIPAL CORP**  
P.O. BOX 1480  
445 MARSAC AVE  
PARK CITY, UTAH  
84060

PROJECT

**FORMER MINER'S RESIDENCE**  
1450 & 1460 PARK AVE  
PARK CITY, UTAH  
84060

SHEET NAME:

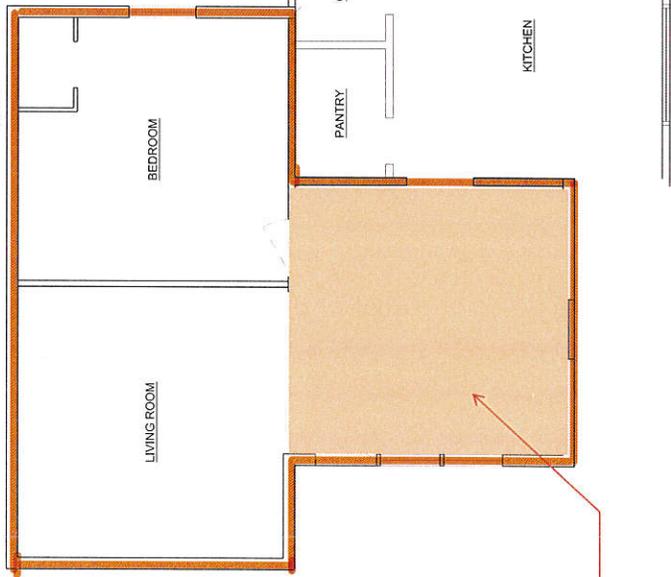
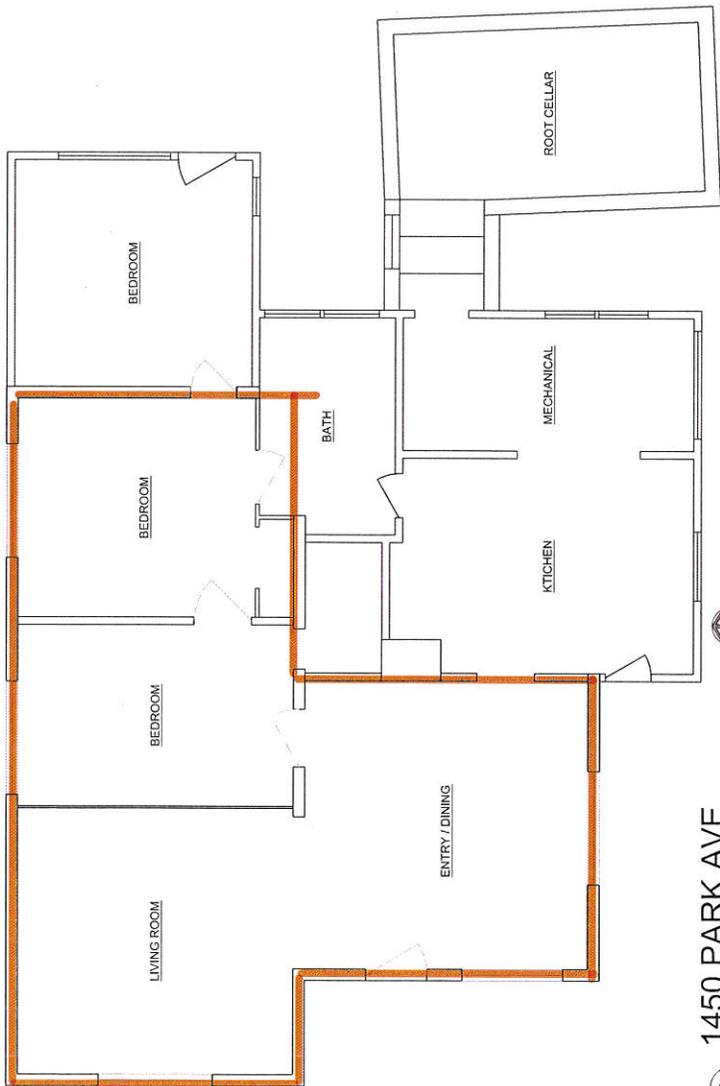
REVISIONS

# DATE DESCRIPTION

ISSUE DATA

PROJECT NUMBER: 15073  
ISSUE DATE: 10/02/2015  
DRAWN BY: K. FARRELL  
CHECKED BY: J. CRILLY  
SHEET NUMBER:

# S101





**DATE: October 29, 2015**

**TO HONORABLE MAYOR AND COUNCIL**

Avatech is a recreation technology business headquartered in the Prospector area of Park City. They have requested a Business Expansion Grant in the amount of \$60,000 over 5 years with \$20,000 in year one and \$10,000 annually the next four years. After reviewing the application, staff had concerns with committing over a five year period but felt they could support funding a grant in the 2016 Fiscal year in the amount of \$10,000 and an annually grant in the amount of \$10,000 over the next two years. Staff feels that this shows a commitment to local startup company with great potential but does not commit the grant funds over a long period of time. The overall recommendation to fund a grant is based on the applicant's ability to meet the City's Economic Development Grant Criteria.

**Respectfully:**

Jason Glidden, Economic Development Program Manager



## City Council Staff Report

**Subject:** Economic Development Grant Application – Avatech  
**Author:** Jason Glidden, Economic Development Project Manager  
**Department:** Sustainability  
**Date:** October 29, 2015  
**Type of Item:** Administrative – Application for Economic Development Grant

### **Summary Recommendations:**

The City Council should provide feedback to staff and hold a public hearing during the regular meeting on an Economic Development Grant application from Avatech.

### **Executive Summary:**

Avatech is a recreation technology business headquartered in the Prospector area of Park City. They have requested a Business Expansion Grant in the amount of \$60,000 over 5 years with \$20,000 in year one and \$10,000 annually the next four years. After reviewing the application, staff had concerns with committing over a five year period but felt they could support funding a grant in the 2016 Fiscal year in the amount of \$10,000 and an annually grant in the amount of \$10,000 over the next two years. Staff feels that this shows a commitment to local startup company with great potential but does not commit the grant funds over a long period of time. The overall recommendation to fund a grant is based on the applicant's ability to meet the City's Economic Development Grant Criteria.

### **Background:**

As part of the 2016 Fiscal Year budget, Council approved an increase in the funding for the Economic Development Grant to \$50,000 annually. The funding would come from three sources: General Fund (\$10,000), Lower Park Redevelopment Agency (\$20,000), and the Main Street Redevelopment Agency (\$20,000). The funding from the two redevelopment agencies must be spent within the funding district. Avatech is located outside of both agencies and therefore is not eligible for Lower Park Ave RDA or Main Street RDA funds.

On August 13, 2015 staff received a grant proposal from Thomas Laakso, Brand President of Avatech, to help fund business expansion at the 1105 Prospector Ave. A panel of staff and Economic Development Council Liaisons Henney and Beerman reviewed the application.

### Company Background

Avatech started out of MIT with the vision to create the largest and most intelligent platform of mountain safety information in the world, powered by connected hardware and software. After just one year of commercial production, their products are used in over 30 countries by 500 elite snow safety organizations around the world. While the company has global reach, they are most proud of their local roots in Park City and in just only a few months have over 150 professional customers in Utah such as the Utah

Avalanche Center, UDOT, Park City Mountain Resort (including the resort formerly known asCanyons), Park City Powder Cats, Snowbird, Alta and more. They believe they can benefit Park City in many unique and exciting ways. By developing innovative, industry leading hardware and software technologies in the heart of Park City, Avatech can contribute to a growing culture of innovation and entrepreneurship, attract highly skilled, diversified talent (already, recruiting employees that hail from institutions such as MIT, Stanford, Dartmouth, and Duke, Black Diamond, Visa, and Palantir spanning mobile and web developers, mechanical and electrical engineers, embedded system engineers, industrial designers, and machine learning and GIS experts), and solve important mountain safety problems that relate directly to the needs of the local Park City community.

### Avatech Grant Application

This application was reviewed by the Economic Development Program Committee, which consists of representatives of the Economic Development Department, Budget & Grants Manager, as well as Council Liaisons Beerman and Henney. The application was further vetted by the Operational and Capital Manager, and the Debt and Grant Budget Manager. Although the application was submitted under the old criteria the applicant consents to being reviewed under the new criteria.

The proposal is to expand business operations over the next five years. Their proposal is found as Exhibit B. In summary, Avatech seeks:

- **Year 1 - \$20,000** – \$10,000 will be used to assist in offsetting rental costs, \$5,000 for office space build out, and \$5,000 to purchase tools for the proto lab;
- **Year 2-5 - \$10,000** - \$5,000 for space expansion, and \$5,000 for expansion of the proto lab.

### **Analysis**

On July 10, 2014 the City Council adopted updated Grant Criteria (Exhibit C). The former criteria did not provide the flexibility that previous City Councils were looking for when considering grant applications. The new criteria will allow Council to balance their economic development priorities within other stated community goals.

Avatech Grant Application – Staff analysis according to criteria is included in *italics*.

**Criteria #1** – The organization must demonstrate a sound business plan that strongly supports prioritized Goals of the current City Economic Development Plan. *Avatech exhibits a sound business plan in line with Council goals. They will contribute to creating “A Community of Diverse Economic & Cultural Opportunities”. Specifically, Avatech will help to create jobs that paying a living wage. Full-time employees at Avatech make between \$75,000 - \$150,000 per year. The people that fill these jobs are well educated and highly skilled. Avatech has been able to recruit some of the top computer programmers and engineers in the country. They have been able to attract talent away from other major technology companies due to their*

*mission, growth potential, and being located in Park City. Even though Avatech is only three years old, they have showed tremendous growth over the last year and have forged strategic partners in the industry. Avatech has been able to raise a large amount of investment capital raised (over \$3M) and These factors will lead to continued growth and expansion included more high paying jobs in the Park City area.*

**Criteria #2 – Organizations must commit to and demonstrate the ability to do business in the City limits no less than three years. Funding cannot be used for one-time events.** *Avatech signed a three lease and made a large investment in tenant improvements to the space including a state of the art proto lab, design and electronics studio and software development lab as part of their global headquarters. They also have the ability/first right to further expand into adjacent space within their current location. The company also plans to continue to add more staff over the next year as the company grows. Avatech expect to increase its revenue through extensive growth in worldwide sales through both their hardware and software product lines over the next few years.*

**Criteria #3 — The organization must produce items or provide services that are consistent with the Economic Development Work Plan and be consistent with the City’s General Plan and enhance the safety, health, prosperity, moral well-being, peace, order, comfort, or convenience of the inhabitants of the City. The organization must demonstrate there is more identifiable benefits than detriment when weighed against the balanced goals of the General Plan through the attached score sheet as well as identify areas where the proposal is consistent or inconsistent with the City’s biennial strategic plans. The proposal is consistent with the World Class, Multi-Seasonal Resort Destination Biennial Strategic Plan Key Strategy of Pursuing Development and Redevelopment Consistent with the General Plan and specific Area Plans as well as the Desired Outcome of providing unique and diverse businesses.** *Avatech will help to reach two of the key strategies identified within the 2015-2016 Economic Development Plan, “Provide Sustainable Business Environment” and “Enhance the Local Economy”. The proposal provided by Avatech indicates creation of a business that will further Park City as an innovation hub for technology businesses within the recreation industry. While they will help diversify the local business mix, due to the nature of their business (recreational technology, they will not hurt or conflict with the resort economy. The business plan also promotes an emphasis upon high paying jobs that allow employees to live, work, and play in Park City. This will help to enhance the local economy.*

**Criteria #4 – Fiscal Stability and Other Financial Support:** The organization must have the following: (1) A clear description of how public funds will be used and accounted for; (2) Other funding sources that can be used to leverage resources; (3) A sound financial plan that demonstrates managerial and fiscal competence. *The use of the ED grant funds has been well outlined in detail in the application. They will be used to offset rent cost, retrofit the building that will be rented, and to offset the cost of tools needed for their proto lab*

**Criteria #5** – Can forecast at the time of application an ability to achieve direct or indirect economic/tax benefits equal to or greater than the City’s contribution. *Avatech has provided the following estimates on what their employee’s economic benefit are to the local economy.*

**Avatech Summer 2015 PC Economic Benefit Analysis**

<b>Food</b>		<b>Gym memberships</b>	
Avg lunch	\$ 10	Per person	\$ 150
Days eating out	50	Employees	12
Employees	12	<b>Total</b>	<b>\$ 1,800</b>
<b>Total</b>	<b>\$ 6,000</b>	<b>Local lift passes for upcoming season</b>	
Avg. dinner	\$ 25	Employees	12
Days eating out	30	Cost per pass	\$ 700
Employees	12	<b>Total</b>	<b>\$ 8,400</b>
<b>Total</b>	<b>\$ 9,000</b>	<b>Local events</b>	
<b>Visits from out of town</b>		New office open house	\$ 500
Family visits	5	Wasatch powder keg sponsorship	\$ 500
Local spend per family per visit	\$ 2,500	<b>Total</b>	<b>\$ 1,000</b>
<b>Total</b>	<b>\$ 12,500</b>	<b>Healthcare</b>	
<b>Housing</b>		Months	3
Employees renting	12	Monthly cost	3857
Average rent	\$ 900	<b>Total</b>	<b>\$ 11,571</b>
Months	3	<b>Research &amp; development</b>	
<b>Total</b>	<b>\$ 32,400</b>	Local prototyping	\$ 2,000
<b>Local gear purchases</b>		Local hardware purchases	\$ 3,000
Per person	\$ 400	<b>Total</b>	<b>\$ 5,000</b>
Employees	12	<b>Total estimated summer economic contribution \$ 92,471</b>	
<b>Total</b>	<b>\$ 4,800</b>	Benefit per employee per summer	\$ 7,705.92
		Annualized benefit per employee (x4)	\$ 30,823.67

*Additional direct benefits would come from the sales tax collected through the sales of their products locally. Due to the large amount of recreational enthusiasts located in Park City that would find value in Avatech’s services, staff believes that the direct economic impacts would cover the grant amount. Staff feels that there are indirect economic benefits as well with having this type of company located within city limits as it will attract other similar recreational technology companies to the area and provide fantastic marketing for Park City through the press Avatech continues to receive in the media.*

**Criteria #6** – The organization should show a positive contribution to diversifying the local economy by increasing year-round business opportunities, creating new jobs, and increasing the local tax base. *The year-round economy will be bolstered by Avatech as it will provide opportunity of high paying jobs in the local community. While the current products and services provided are geared towards winter use, the company operates year round to enhance current product lines and creating new opportunities through research and development. In addition, Avatech sells worldwide which provides sales throughout as the winter season shifts from the northern hemisphere to the southern hemisphere. These sales coupled with the spending from employees will create an increase in local sales tax.*

**Significant Impacts**

	<b>World Class Multi-Seasonal Resort Destination (Economic Impact)</b>	<b>Preserving &amp; Enhancing the Natural Environment (Environmental Impact)</b>	<b>An Inclusive Community of Diverse Economic &amp; Cultural Opportunities (Social Equity Impact)</b>	<b>Responsive, Cutting-Edge &amp; Effective Government</b>
Which Desired Outcomes might the Recommended Action Impact?	<ul style="list-style-type: none"> <li>+ Multi-seasonal destination for recreational opportunities</li> <li>+ Accessible and world-class recreational facilities, parks and programs</li> <li>+ Balance between tourism and local quality of life</li> <li>+ Unique and diverse businesses</li> <li>+ Multi-seasonal destination for recreational opportunities</li> </ul>	<ul style="list-style-type: none"> <li>+ Reduced municipal, business and community carbon footprints</li> <li>+ Managed natural resources balancing ecosystem needs</li> </ul>	<ul style="list-style-type: none"> <li>+ Residents live and work locally</li> <li>+ Physically and socially connected neighborhoods</li> <li>+ Skilled, educated workforce</li> <li>+ Jobs paying a living wage</li> </ul>	<ul style="list-style-type: none"> <li>+ Engaged, capable workforce</li> </ul>
Assessment of Overall Impact on Council Priority ( <i>Quality of Life Impact</i> )	Positive 	Positive 	Very Positive 	Positive 
<b>Comments:</b>				

### Funding

The current Economic Development Policy has a budget of \$50,000 annually. The funding comes from the general fund (\$10,000), Main Street RDA (\$20,000), and the Lower Park RDA (\$20,000)

### Department Review:

This report has been reviewed by Sustainability, Legal, Budget and the City Manager.

### Alternatives:

- A. **Approve:** Council could provide direction to staff to return with the current recommendation of the ED Grant Committee and award the grant to Avatech.
- B. **Deny:** Council could provide direction to deny the recommendation of the ED Grant Committee and the city would not award the grant to Avatech
- C. **Modify:** Council could choose to modify the grant award amount or the terms of the grant agreement. This could include:
  - a. Extending the grant to \$10,000 annually over 3-5 years
  - b. Direct staff to find additional \$10,000 out of general fund to allow for the grant total for first year to be increased to a total of \$20,000.
  - c. Both a. & b.
- D. **Continue the Item:** Council could choose to continue the item and direct staff to return with additional information if they feel that not enough information has been provided within the staff report and/or application to approve or deny.
- E. **Do Nothing:** Council could choose to take no action on this item. This would provide staff with no direction on how to move forward with this application.

**Recommendation:**

The City Council should provide feedback to staff and hold a public hearing during the regular meeting on an Economic Development Grant application from Avatech.

**Exhibits**

- Exhibit A     Draft Grant Contract
- Exhibit B     Avatech Grant Application and Proposed use of Funds
- Exhibit C     Economic Development Grant Criteria

# Exhibit A – Draft Grant Contract

## Economic Development Grant Contract

### **ECONOMIC DEVELOPMENT GRANT CONTRACT BETWEEN AVATECH AND PARK CITY MUNICIPAL CORPORATION FOR BUSINESS EXPANSION.**

THIS AGREEMENT is made and entered into this 29th day of October, 2015, by and between **Avatech** and **PARK CITY MUNICIPAL CORPORATION** (hereinafter “City”).

#### **WITNESSETH:**

WHEREAS, as part of the budget process, the City Council appropriates Economic Development funds to contract with organizations who meet the economic development grant program requirements outlined by the City’s Budget Policy; and

WHEREAS, organizations must meet certain criteria in order to be eligible for an Economic Development Grant Contract; and

WHEREAS, applicants are eligible to apply for an Economic Development Grant Contract year round, the City will award Contracts through an application process administered by the Economic Development Grant Program Committee; and

WHEREAS, pursuant to Sections 10-8-2 and 10-2-84 of the Utah Code Annotated, the City Council hereby finds that the provision of City funds herein is consistent with the Park City General Plan, and provides for the safety, health, prosperity, moral well-being, peace, order, comfort, or convenience of the inhabitants of the City; and

WHEREAS, notwithstanding the recitals above, the City desires to provide grant funds in exchange for positive economic impact benefit at least equal to the current fair market value to the City’s contribution; and

WHEREAS, the Economic Development Grant program committee evaluated and approved the Economic Development grant request by Avatech for assistance towards rent subsidy, office space build out, and the purchase of tools for a proto lab.

**NOW, THEREFORE**, in consideration of the mutual covenants and agreements herein set forth, the sufficiency of which is hereby acknowledged, that parties agree as follows:

#### **ARTICLE I** **TERM AND ALLOCATION**

Avatech shall have an Economic Development Grant contract with a term of three years. The City will allocate the full grant amount upon execution by both parties.

TOTAL amount available for allocation: **\$10,000**  
Year 1 - \$10,000 - \$5,000 in office build out, and \$5,000 in tools for proto lab.  
Year 2 - \$10,000 - \$5,000 in space expansion, and \$5,000 in purchase of tools for proto lab.  
Year 3 - \$10,000 - \$5,000 in space expansion, and \$5,000 in purchase of tools for proto lab.

**ARTICLE II**  
**SERVICES TO THE COMMUNITY**

In exchange for the City's contribution, Avatech agrees to:

- Operate the Business in Park City for a minimum of three (3) years after the final grant payment is made.

Both parties agree that the above service provided to the community represents a good faith exchange of current fair market value for the City's contribution.

**ARTICLE III**  
**HOLD HARMLESS/NO AGENCY**

Avatech agrees to defend, indemnify, and hold harmless City, its officers, agents, and employees from and against all losses and expenses, including costs and attorney's fees, resulting from any injury, including death, to any person or damages to property of others arising out of the acts or omissions of Avatech in the performance of work under this agreement. Avatech is an independent entity and nothing herein shall be construed to create any agency, nor employee relationship with the City.

**ARTICLE IV**  
**DISSOLUTION**

On dissolution of the organization or project prior to three years after final grant payment shall result in any remaining funds attributable to the City shall revert to the City in a prorated amount.

**ARTICLE V**  
**RECORD KEEPING/AUDIT**

Avatech agrees to keep accurate books and records of expenditures related to its operation. The City or its independent auditor reserves the right to conduct its own audit of books and records at reasonable times and places during ordinary business hours. If the grant money has not been used as agreed herein, the City shall be entitled to a full or partial refund of the grant.

**ARTICLE VI**  
**AMENDMENT**

This Agreement may be amended with the approval of the City Council and Avatech. This Agreement may not be amended, except by an instrument in writing signed on behalf of each of the parties hereto.

**ARTICLE VII**  
**EFFECTIVE DATE**

The effective date of this Agreement is the date first written above.

**PARK CITY MUNICIPAL CORPORATION**

\_\_\_\_\_  
Diane Foster, City Manager

Attest:

\_\_\_\_\_  
City Recorder

Approved as to form:

\_\_\_\_\_  
City Attorneys Office

**Avatech**

\_\_\_\_\_  
Thomas Laakso, Brand President

STATE OF UTAH            )  
) ss.  
COUNTY OF SUMMIT    )

On this \_\_\_<sup>th</sup> day of October, 2015 before me, the undersigned notary, personally appeared Thomas Laakso, 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 signed it voluntarily for its stated purpose as Manager of Local Tourist.

\_\_\_\_\_  
Notary Public

# Exhibit B – Avatech Grant Application

# Exhibit C –Grant Criteria

## PART II - ECONOMIC DEVELOPMENT GRANT POLICY (ADOPTED JULY 10, 2014)

Annually, the City will allocate \$50,000 to be used towards retaining and growing existing businesses and attracting and promoting new organizations that will fulfill key priority goals of the City's Biennial Strategic Plans and General Plan. Funding will be available for relocation and/or expansion of current businesses, and new business start-up costs only.

### A. ED Grant Distribution Criteria

Applications will be evaluated on the following criteria in order to be eligible for an ED Grant:

1. **Criteria #1:** The organization must demonstrate a sound business plan that strongly supports prioritized Goals of the current City Economic Development Plan.
2. **Criteria # 2:** Organizations must commit to and demonstrate the ability to do business in the City limits no less than three years. Funding cannot be used for one-time events.
3. **Criteria #3:** The organization must produce items or provide services that are consistent with Economic Development Work Plan and be with of the City's General Plan enhances the safety, health, prosperity, moral well-being, peace, order, comfort, or convenience of the inhabitants of the City. The organization must demonstrate there is more identifiable benefits than detriment when weighed against the balanced goals of the General Plan through the attached score sheet as well as identify areas where the proposal is consistent or inconsistent with the City's biennial strategic plans.
4. **Criteria #4:** Fiscal Stability and Other Financial Support: The organization must have the following: (1) A clear description of how public funds will be used and accounted for; (2) Other funding sources that can be used to leverage resources; (3) A sound financial plan that demonstrates managerial and fiscal competence.
5. **Criteria #5:** Can forecast at the time of application an ability to achieve direct or indirect economic/tax benefits equals to or greater than the City's contribution.
6. **Criteria #6** – The organization should show a positive contribution to diversifying the local economy by increasing year-round business opportunities, creating new jobs, and increasing the local tax base.

The City's Economic Development Program Committee will review all applications and submit a recommendation to City Council, who will have final authority in judging whether an applicant meets these criteria.

### B. Economic Development Grant Fund Appropriations

The City currently allocates economic development funds from the Lower Park RDA (\$20,000), the General Fund (\$10,000), and the Main Street RDA (\$20,000). Of these funds, no more than \$50,000 per annum will be available for ED Grants. Unspent fund balances at the end of a year will not be carried forward to future years.

### C. ED Grant Categories

ED Grants will be placed in two potential categories:

1. **Business Relocation Assistance:** This category of grants will be available for assisting an organization with relocation and new office set-up costs. Expenses that could be covered through

an ED Grant include but are not limited to moving costs, leased space costs, and fixtures/furnishings/ and equipment related to setting up office space within the City limits.

2. **New Business Start-up Assistance:** This category of grants will be available for assisting a new organization or business with new office set-up costs. Expenses that could be covered through an ED Grant include but are not limited to leased office space costs and fixtures/furnishings/ and equipment related to setting up office space within the City limits.
3. **Business Expansion Assistance:** This category of grants will be available for assisting an organization or business with expansion costs. These expansions should increase square footage, increase year-round jobs in city limits and/or increase tax revenue; or demonstrate a venture into an area considered a diversification of our economic base.

#### **D. Application Process**

Application forms may be downloaded from the City's [www.parkcity.org](http://www.parkcity.org) website or available for pick-up within the Economic Development Office of City Hall. Funds are available throughout the City's fiscal year on a budget available basis.

#### **E. Award Process**

The disbursement of the ED Grants shall be administered pursuant to applications and criteria established by the Economic Development Department, and awarded by the City Council consistent with this policy and upon the determination that the appropriation is necessary and appropriate to accomplish the economic goals of the City.

ED Grants funds will be appropriated through processes separate from the biennial Special Service Contract and ongoing Rent Contribution and Historic Preservation process.

The Economic Development Program Committee will review all applications and forward a recommendation to City Council for authorization. All potential awards of grants will be publicly noticed 14 days ahead of a City Council action.

Nothing in this policy shall create a binding contract or obligation of the City. Individual ED Grant Contracts may vary from contract to contract at the discretion of the City Council. Any award of a contract is valid only for the term specified therein and shall not constitute a promise of future award. The City reserves the right to reject any and all proposals, and to waive any technical deficiency at its sole discretion. Members of the City Council, the Economic Development Program Committee, and any advisory board, Task Force or special committee with the power to make recommendations regarding ED Contracts are ineligible to apply for such Contracts. City Departments are also ineligible to apply for ED Contracts. All submittals shall be public records in accordance with government records regulations ("GRAMA") unless otherwise designated by the applicant pursuant to UCA Section 63-2-308, as amended.

## Biennial Plan

The Biennial Strategic Plan draws on Park City 2030, the Business Plans, and the Budget Document to give a summary of the City's approach over the next two years to pursue Council Priorities and the Community Vision. This document is used to report highlights of the Strategic Planning Process to Council during their annual Visioning Session, and it is updated every two years.

The current Biennial Plan to be provided by the Economic Development Department along with application forms at the request of the applicant. The 2015 – 2016 Plan can be found at:

<http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=10646>



**Avatech: Park City Municipal Corporation Grant Application**

June 23, 2014  
Jonathan Weidenhamer  
Economic Development Manager  
Park City Municipal Corporation



Dear Mr. Weidenhamer,

I am pleased to submit the enclosed grant proposal to the Park City Municipal Corporation (PCMC). We chose Park City for our global headquarters because we believe that Park City shares our strong sense of mountain community and concern for those who work and play in the mountains. And we hope the city embraces new technology and an understanding of the importance of year round economic diversity. We want to do our part to help move the city forward with these simple goals not just today, but for generations to come. We are requesting \$20,000 in Business Relocation and Expansion Assistance to cover the cost of moving Avatech’s headquarters from Cambridge, Massachusetts to within Park City limits and establishing a true technology hub in Park City. We are also requesting \$10,000 of annual business expansion assistance over the subsequent four years to support rapid growth and scalable benefit to the Park City community.

The team started Avatech out of MIT with the vision to create the largest and most intelligent platform of mountain safety information in the world, powered by connected hardware and software. After just one year of commercial production, our products are used in over 30 countries by 500 elite snow safety organizations around the world. While our company has global reach, we are most proud of our local roots in Park City and in just only a few months have over 150 professional customers in Utah such as the Utah Avalanche Center, UDOT, Park City Mountain Resort, Canyons, Park City Powder Cats, Snowbird, Alta and more. We believe we can benefit our home town in many unique and exciting ways. By developing innovative, industry leading hardware and software technologies in the heart of Park City, we can contribute to a growing culture of innovation and entrepreneurship, attract highly skilled, diversified talent (already, our employees hail from institutions such as MIT, Stanford, Dartmouth, and Duke, Black Diamond, Visa, and Palantir spanning mobile and web developers, mechanical and electrical engineers, embedded system engineers, industrial designers, and machine learning and GIS experts), and solve important mountain safety problems that relate directly to the needs of our community. In June, we signed a three year lease on a building in Prospector where we are building a state-of-the art prototyping, design and electronics studio and software development lab as part of our global headquarters. We are not a service oriented business that ebbs and flows with the seasons or weather patterns. We hire year round high salaried employees and are developing new technologies for both winter and summer seasons. We also recently closed our Series A round from industry leading investors such as KarpReilly, AC & Friends, and Kickstart Seed Fund (Utah). Saving lives is one critical goal for us, but we also have ambitious environmental goals of addressing water conservation issues that our state and overall humanity faces.

We understand that PCMC intends to allocate \$20,000 towards the relocation and expansion of locally-owned businesses producing items or providing services consistent with the Park City Economic Development Work Plan, Biennial Plan, and General Plan, and potentially recurring grants as well. We hope you will help us successfully establish our business in Park City, create a community focused and technology driven company the town can be proud of, promote the Park City brand, and diversify Park City’s year-round employment opportunities.

Please visit our website at [www.avatech.com](http://www.avatech.com) or call me at (435) 655-5363 if you have any questions. If you’d like to visit our new office, we’d love to host you anytime.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas Laakso".

Thomas Laakso  
Brand President

## Avatech Introduction

Avatech is an outdoor technology company developing the world's first crowdsourced platform of mountain safety information, integrating hardware and software innovations. Avatech's first products, the SP1 and Avanet, help mountain travelers instantly record and share critical snowpack information in real-time, ultimately improving decision making and saving lives. The team aims to create the largest crowdsourced network of mountain safety inform in the world, ushering in a new era of big data in the outdoor industry. Avatech's proprietary global data platform also will have significant implications on water flow prediction, with potential to serve large end markets spanning hydroelectric energy, agriculture, water management and more. Avatech has received broad media coverage both inside and outside the industry including Financial Times, Outside, Powder, Freeskier, Teton Gravity Research, Mountain, among others and recently won Gear of the Year awards from both Popular Science and National Geographic. Additionally, Avatech has been covered in several local Park City outlets including the Park Record and KPCW.

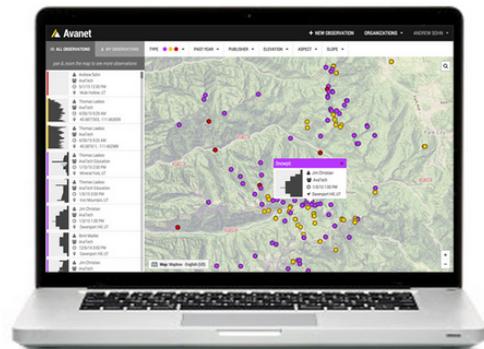
Avatech originated out of MIT in September of 2012 and has built a broad network of support including an advisory board of the leading professionals in the industry. Avatech launched the SP1 and Avanet to the professional community this winter and today has over 500 elite organization customers spanning 30+ countries around the world. The team of six has raised over \$3M in funding to date to scale their global web and mobile platform, development and manufacture a new consumer product, and further expand into the sizeable European market.



SP Smartprobes



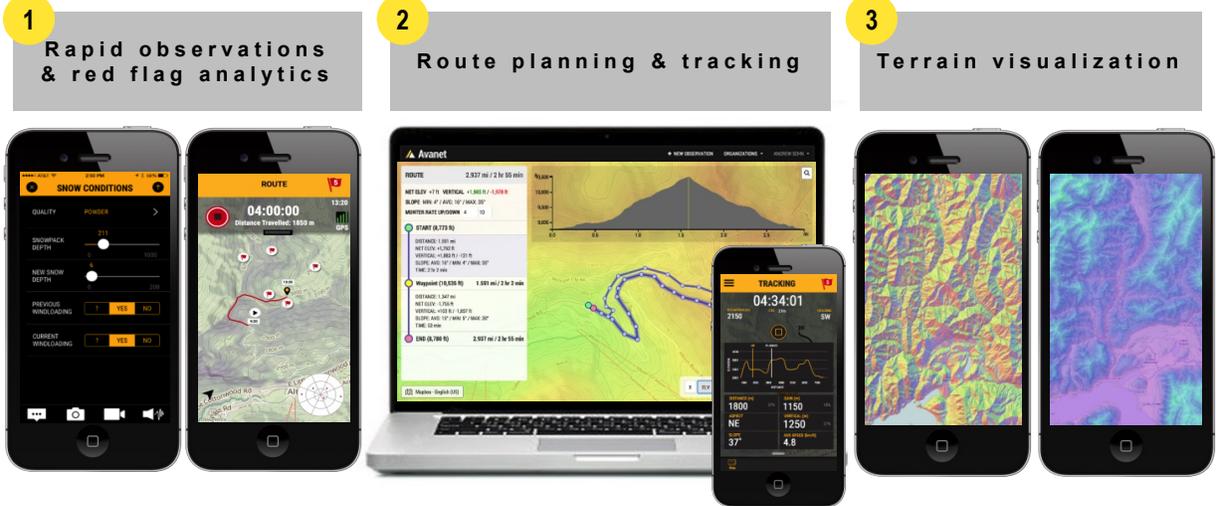
Avanet Mobile



Avanet

## A CONNECTED SYSTEM

## Avanet Web & Mobile



### Highlights

- Breakthrough mountain safety technology hardware/software platform with a **mission to build a safer mountain community and save lives**
- A unique focus on **outdoor sports, mountain safety, consumer products and software**, all key industry priorities of Park City
- **>500 professional organizations** on platform, including major ski resorts, guiding companies, forecast centers, departments of transportation, mines and military
- **>150 professional customers in Utah from 40+ organizations**
- Strategic partnerships with key industry leaders and world renowned advisory board
- Elite global ambassadors including **world renowned athletes Chris Davenport, Jeremy Jones, and Hilaree O'Neill**
- Exceptional team with **world-class technology and business talent** spanning institutions such as MIT, Stanford, Dartmouth, Duke, Black Diamond, Visa, Bain and others.

### The problem

Gathering, sharing, and analyzing mountain safety data today is incredibly difficult and time consuming. Many industries spanning recreation, transportation, public safety, real-estate, mining, agriculture, water management, and others rely on manually collected data to forecast all kinds of mountain conditions. But data is sparse and often inaccurate which can lead to lives lost and billions of dollars wasted.

### A global, data-driven and networked solution

Avatech has created the first global snowpack data platform that crowdsources snowpack and other mountain safety data from the global mountain community through a geo-enabled snowpack measurement device, connected mobile app, and web app platform. The SP1 hardware device enables users to gather objective information about the snowpack instantly. Manual assessments that gather the same data can take upwards of 15-20 minutes and are also subjective. The Avanet mobile and web app aggregate and analyze snowpack, weather, avalanche, snow condition, and other rapid observations from the SP1, Avanet mobile, and Avanet web. In this way, Avanet serves effectively as a 'Waze' of the mountain community, a digital field book of every mountain traveler in the world. Underlying data gathered by the

mountain community, eager to reinforce its own safety, can also be used to more accurately forecast one of the world's most precious resources: water.

### **Team**

Avatech was founded in 2012 by graduate business and engineering students at MIT. The team has since attracted exceptional talent, including the former Director of the Ski Business at Black Diamond and Senior Director of Mobile from Visa. The team combines over 80 years of engineering and 50 years of direct outdoor industry experience. Additionally, the management team has surrounded themselves with renowned experts in mountain safety, connected devices and scalable web/mobile platforms.

### **Recent press**

Popular Science, National Geographic, Financial Times, Backcountry Magazine, Powder Magazine, Freeskier Magazine, Unofficial Network, Outdoor Industry Association, Wildsnow, Backcountry Skiing Canada, Teton Gravity Research, Snow Brains, Mountain

### **Proposal Summary**

Avatech moved headquarters from Cambridge, MA to Park City, UT in the fall of 2015. Since moving to Park City, the team has already grown over 100% from 5 to 12 full time employees, partnered with numerous local companies and begun to make strong contributions to the local community. Avatech's mission is to build a safer mountain community and save lives. The company founders have direct experience in avalanches and/or losing friends in the mountains, so this mission is one of true purpose and authenticity. Our goal to serve the global mountain community begins in our own Park City Community. Beyond our important missions of saving lives, we have already begun to integrate locally owned businesses in our marketing and messaging. Avatech can contribute to Park City in several critical ways:

- 1. Diversify jobs & provide greater economic stability**

Avatech recruits hardware and software engineers from some of the top institutions in the world. The type of talent that Avatech has been able to bring onto the team has their choice of renowned technology jobs spanning Google, Facebook, Apple and others. Avatech is able to recruit this level of talent because of its powerful community focused mission, the unparalleled work-life balance afforded by an incredible mountain town like Park City, and the opportunity to innovate and do things that no one has done before. Attracting this level of talent brings far more than just year-round employment opportunities. Avatech employees are the type of people that are leaders in their community and eager contributors. For example, this summer alone Avatech employees have been involved in volunteer soccer coaching, recreational sports leagues spanning kickball, volleyball, soccer, ultimate Frisbee, numerous entrepreneurial mentor talks, and collaborations with University of Utah professors and students. Avatech also has launched a world-class internship program that brings in top engineering talent from all over the country. Infusion of this type of talent throughout the year brings new ideas, passionate people, and introduces Park City to highly talented interns that could eventually move here full-time. These interns also introduce their friends and families to Park City – broadening the social and economic impact of the program. Furthermore, Avatech employees spend money on other local businesses which has a significant financial benefit to Park City:

**Avatech Summer 2015 PC Economic Benefit Analysis**

Food	
Avg lunch	\$ 10
Days eating out	50
Employees	12
<b>Total</b>	<b>\$ 6,000</b>
Avg. dinner	\$ 25
Days eating out	30
Employees	12
<b>Total</b>	<b>\$ 9,000</b>
Visits from out of town	
Family visits	5
Local spend per family per visit	\$ 2,500
<b>Total</b>	<b>\$ 12,500</b>
Housing	
Employees renting	12
Average rent	\$ 900
Months	3
<b>Total</b>	<b>\$ 32,400</b>
Local gear purchases	
Per person	\$ 400
Employees	12
<b>Total</b>	<b>\$ 4,800</b>

Gym memberships	
Per person	\$ 150
Employees	12
<b>Total</b>	<b>\$ 1,800</b>
Local lift passes for upcoming season	
Employees	12
Cost per pass	\$ 700
<b>Total</b>	<b>\$ 8,400</b>
Local events	
New office open house	\$ 500
Wasatch powder keg sponsorship	\$ 500
<b>Total</b>	<b>\$ 1,000</b>
Healthcare	
Months	3
Monthly cost	3857
<b>Total</b>	<b>\$ 11,571</b>
Research & development	
Local prototyping	\$ 2,000
Local hardware purchases	\$ 3,000
<b>Total</b>	<b>\$ 5,000</b>
<b>Total estimated summer economic contribution</b>	<b>\$ 92,471</b>
<i>Benefit per employee per summer</i>	<i>\$ 7,705.92</i>
<i>Annualized benefit per employee (x4)</i>	<i>\$ 30,823.67</i>

**Annual estimated benefit**

	2015-2016	2016-2017	2017-2018	2018-2019	2018-2019
Employees	12	18	25	50	100
PC contribution per employee	\$ 30,824	\$ 30,824	\$ 30,824	\$ 30,824	\$ 30,824
<b>Annual Avatech economic benefit to PC</b>	<b>\$ 369,884</b>	<b>\$ 554,826</b>	<b>\$ 770,592</b>	<b>\$ 1,541,183</b>	<b>\$ 3,082,367</b>

**2. Contribute to the development of world-class recreation and public infrastructure while maintaining a balance with sense of community**

Avatech is fundamentally a mountain community company. In creating the global platform for mountain safety, Avatech encourages and inspires mountain communities all over the world to work together to improve their own mountain experience in a safe way. This type of collaborative mission and messaging is something that the Park City community can believe in and build a powerful movement behind. By supporting Avatech, Park City can continue to build its exceptional reputation, not only as a world class resort town but as a town that supports high innovation businesses that have scalable impact on the broader global mountain community. The Biennial Park City plan also outlines a host of priority industries including consumer products, sports and outdoors, recreation, software & IT, and web apps. Park City lies at the very intersection of these business priorities.

**3. Support Park City’s efforts in environmental mitigation & climate adaptation**

Avatech’s business plan takes a phased approach to growth:

- **Phase I (next 12 months):** Build first crowd sourced platform of mountain safety information powered by hardware and software for winter and summer activities
- **Phase II (next 24 months):** Deepen mountain safety network penetration across the globe, integrate 3<sup>rd</sup> party data where appropriate, and expand connected hardware

- **Phase III (2-5 years):** Leverage data network for societal and environmental benefits beyond mountain safety such as water management

One of the most exciting future growth opportunities for Avatech is the water management and prediction market. Avatech's proprietary global data platform will have significant implications on water flow prediction, with potential to serve large end markets spanning hydroelectric energy, agriculture, water management and more. Today, water managers around the world rely on limited data sets to predict downstream water flows. For example, in the US there are only 858 SnowTel stations and 1,185 manual snow course assessments. Limited data from these sites and assessments means that downstream water forecasts must extrapolate information over huge amounts of mountain terrain. Current water flow models typically use 30 year regression models based on historic water flows, but with climate change and increased volatility, these models can be very inaccurate. Poor downstream forecasts can cost downstream stakeholders >\$1M a day. Improved forecasts can impact the \$5.3B in annual flood damage in the US, inform production decisions of millions of acres of irrigated agricultural lands, and reduce millions of gallons of dump water. Avatech's snowpack data from its SP technology can gather real-time information from the global mountain community. Rather than collect 2,000 data points across the entire US, Avatech will be able to collect the same number of data points on a single mountain in a single season. More data means less extrapolation, improved forecast models and ultimately improved decision making for downstream stakeholders.

#### 4. **Build an innovation and technology hub in down town Park City**

Avatech hopes to be the first of several high-tech start-up companies that move to Park City in the coming years. Having spun out of MIT, Avatech understands what it takes to build a robust ecosystem for entrepreneurship and innovation. In the coming months and years, Avatech will host numerous events that bring in technology and mountain industry leaders from around the world. Avatech is also building a state-of-the-art prototyping and electronics lab which can be shared with other high innovation companies in the area. If awarded the economic assistance grant, Avatech will commit to developing its headquarters into a symbol of pride for an innovative and sustainable Park City. Avatech will also use its headquarters as a gathering space where people of Park City can come to learn about new technology and share ideas. Avatech will host technology meetups for the community and even workshop events for those interested in rapid prototyping, machine learning, and other interesting technology disciplines.

## **Project budget**

Avatech believes it has the potential to positively impact the Park City community not only this year but for many years to come. As such, we are proposing an initial one year grant to offset increased rent expense from our move to Park City as well as support the development of our prototype lab and general office build out. Over the coming 5 years, Avatech anticipates substantial growth from 12 employees today to upwards of 50 employees. This will require additional space as well as further investment in our hardware and software prototyping facilities. To support this level of growth, we are requesting an annual \$10,000 in business expansion assistance which will help us maintain our headquarters within Park City limits.

	Year 1	Year 2	Year 3	Year 4	Year 5
<b>Business relocation assistance</b>					
Rent offset	\$ 10,000				
<b>New business start up assistance</b>					
Proto lab tools	\$ 5,000				
Office build out	\$ 5,000				
<b>Business expansion assistance</b>					
Space expansion		\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000
Proto lab expansion		\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000
<b>Total</b>	<b>\$ 20,000</b>	<b>\$ 10,000</b>	<b>\$ 10,000</b>	<b>\$ 10,000</b>	<b>\$ 10,000</b>

*\*Total new office build out budget is \$45,000, we are requesting \$10,000 in year one to help offset.*

## Project Evaluation

If awarded the grant, Avatech will document all expenses associated with rent offset, prototype lab tools, office build out, and space and prototype lab expansion within one year of the annual grant's exhaustion.

Relocation: Avatech will submit a balance sheet within one year of the grant's exhaustion showing the company's ability to afford the new space. Avatech will also prepare a presentation showing improvements to the space made throughout the relocation effort.

New business start-up assistance: Avatech will share a detailed expense report for the prototype lab tools acquired and general office build out. Avatech will also conduct a survey of local community members after one year to evaluate Avatech's impact on the local community.

Business expansion assistance: Each year, Avatech will submit an abbreviated grant proposal detailing needs for expansion assistance.



October 26, 2015

Dear Applicant,

Park City is now accepting applications for Economic Development Grants for the next fiscal quarter. (Oct 2015 – Dec 2015) Enclosed with this letter is an application for a Economic Development Grant for FY. Also enclosed is a copy of the City's policy governing Economic Development Grants which includes the criteria that organizations must meet in order to qualify for these grants.

The current policy states that applications must be submitted by **September 30, 2015**. Please submit six copies of the application along with all other requested information to the Economic Development Department (445 Marsac Ave.) **by 5:00 p.m. on September 30, 2015**. The selection process for a special service contract is competitive and not all submissions may be funded or fully funded.

If you have any questions regarding the process or the application, please contact Jonathan Weidenhamer at (435) 615-5069 or [jweidenhamer@parkcity.org](mailto:jweidenhamer@parkcity.org). Thank you for your interest in serving Park City.

Sincerely,

**Jonathan Weidenhamer**  
**Economic Development Manager**  
**Park City Municipal Corporation**  
**Tel 435.615.5069**



# Economic Development Application Form

## Park City Municipal Corporation

Please provide six (6) copies of this application and all other requested information to the Economic Development Office by **5:00 pm on September 30, 2015.**

### (1) Organization Contact Information

Name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_

E-mail \_\_\_\_\_

### (2) Indicate the applicable Special Service Contract category for this proposal:

Business Relocation

New Business Start Up

Business Expansion

Other Assistance (please specify)

\_\_\_\_\_

### (3) Requested Grant Amount:

\$ \_\_\_\_\_

### (4) In addition to the above requested information, applications must address the following components:

1. Specific detail of how the requested funds will be used (attach summary - *one page maximum*);

2. Quantitative and/or qualitative goals (with specific targets) that can be used to measure the degree to which the funds were used for their intended purpose (attach summary - *half page maximum*); and

4. Specifically address how your proposal meets the criteria described in the City's Economic Development Grant Policy (specific criteria components are outlined below, please attach no more than one page for each criterion):

**Criterion 1:** The organization must demonstrate a sound business plan that strongly supports prioritized Goals of the current City Economic Development Plan.

**Criterion 2:** Organizations must commit to and demonstrate the ability to do business in the City limits no less than three years. Funding cannot be used for one-time events.

**Criterion 3:** The organization must produce items or provide services that are consistent with Economic Development Work Plan and be with of the City’s General Plan enhances the safety, health, prosperity, moral well-being, peace, order, comfort, or convenience of the inhabitants of the City. The organization must demonstrate there is more identifiable benefits than detriment when weighed against the balanced goals of the General Plan through the attached score sheet as well as identify areas where the proposal is consistent or inconsistent with the City’s biennial strategic plans.

**Criterion 4: Fiscal Stability and Other Financial Support:** The organization must have the following: (1) A clear description of how public funds will be used and accounted for; (2) Other funding sources that can be used to leverage resources; (3) A sound financial plan that demonstrates managerial and fiscal competence.

**Criterion 5:** Can forecast at the time of application an ability to achieve direct or indirect economic/tax benefits equals to or greater than the City’s contribution.

**Criterion 6:** The organization should show a positive contribution to diversifying the local economy by increasing year-round business opportunities, creating new jobs, and increasing the local tax base.

**Signed:** \_\_\_\_\_ **Date:** \_\_\_\_\_

## **CHAPTER 5 - CONTRACTS & PURCHASING POLICY**

### **PART II - ECONOMIC DEVELOPMENT GRANT POLICY (ADOPTED JULY 10, 2014)**

Annually, the City will allocate up to \$50,000 to be used towards retaining and growing existing businesses and attracting and promoting new organizations that will fulfill key priority goals of the City's Biennial Strategic Plans and General Plan. Funding will be available for relocation and/or expansion of current businesses, and new business start-up costs only.

#### **A. ED Grant Distribution Criteria**

Applications will be evaluated on the following criteria in order to be eligible for an ED Grant:

1. **Criteria #1:** The organization must demonstrate a sound business plan that strongly supports prioritized Goals of the current City Economic Development Plan.
2. **Criteria # 2:** Organizations must commit to and demonstrate the ability to do business in the City limits no less than three years. Funding cannot be used for one-time events.
3. **Criteria #3:** The organization must produce items or provide services that are consistent with Economic Development Work Plan and be with of the City's General Plan enhances the safety, health, prosperity, moral well-being, peace, order, comfort, or convenience of the inhabitants of the City. The organization must demonstrate there is more identifiable benefits than detriment when weighed against the balanced goals of the General Plan through the attached score sheet as well as identify areas where the proposal is consistent or inconsistent with the City's biennial strategic plans.
4. **Criteria #4:** Fiscal Stability and Other Financial Support: The organization must have the following: (1) A clear description of how public funds will be used and accounted for; (2) Other funding sources that can be used to leverage resources; (3) A sound financial plan that demonstrates managerial and fiscal competence.
5. **Criteria #5:** Can forecast at the time of application an ability to achieve direct or indirect economic/tax benefits equals to or greater than the City's contribution.
6. **Criteria #6** – The organization should show a positive contribution to diversifying the local economy by increasing year-round business opportunities, creating new jobs, and increasing the local tax base.

The City's Economic Development Program Committee will review all applications and submit a recommendation to City Council, who will have final authority in judging whether an applicant meets these criteria.

**B. Economic Development Grant Fund Appropriations**

The City currently allocates economic development funds from the Lower Park RDA (\$20,000), the General Fund (\$10,000), and the Main Street RDA (\$20,000). Of these funds, no more than \$50,000 per annum will be available for ED Grants. Unspent fund balances at the end of a year will not be carried forward to future years.

**C. ED Grant Categories**

ED Grants will be placed in two potential categories:

1. **Business Relocation Assistance:** This category of grants will be available for assisting an organization with relocation and new office set-up costs. Expenses that could be covered through an ED Grant include but are not limited to moving costs, leased space costs, and fixtures/furnishings/ and equipment related to setting up office space within the City limits.
2. **New Business Start-up Assistance:** This category of grants will be available for assisting a new organization or business with new office set-up costs. Expenses that could be covered through an ED Grant include but are not limited to leased office space costs and fixtures/furnishings/ and equipment related to setting up office space within the City limits.
3. **Business Expansion Assistance:** This category of grants will be available for assisting an organization or business with expansion costs. These expansions should increase square footage, increase year-round jobs in city limits and/or increase tax revenue; or demonstrate a venture into an area considered a diversification of our economic base.

**D. Application Process**

Application forms may be downloaded from the City's [www.parkcity.org](http://www.parkcity.org) website, available via email from the Economic Development Manager, or within the Economic Development Office of City Hall. Applications will be evaluated and awarded on a quarterly basis.

**E. Deadlines**

All applications for Economic Development Grants must be received no later than the following dates each year to be eligible for quarterly consideration; March 31<sup>st</sup>, June 30<sup>th</sup>, September 30<sup>th</sup>, and December 31<sup>st</sup>. The City Council will consider in a public meeting any application within 30 calendar days of each of the quarterly deadlines. Extraordinary requests outside the scheduled application process may be considered, unless otherwise directed by Council.

Extraordinary requests received must meet all of the following criteria to be considered:

1. The request must meet all of the normal Public Service Fund Distribution Criteria and qualify under the Economic Development Grant criteria;
2. The applicant must show that the requested funds represent an immediate fiscal need that could not have been anticipated before the deadline; and

3. The applicant must demonstrate significant consequences of not being able to wait for the next quarterly review.

**F. Award Process**

The disbursement of the ED Grants shall be administered pursuant to applications and criteria established by the Economic Development Department, and awarded by the City Council consistent with this policy and upon the determination that the appropriation is necessary and appropriate to accomplish the economic goals of the City.

ED Grants funds will be appropriated through processes separate from the biennial Special Service Contract and ongoing Rent Contribution and Historic Preservation process.

The Economic Development Program Committee will review all applications on a quarterly basis, and forward a recommendation to City Council for authorization. All potential awards of grants will be publicly noticed 14 days ahead of a City Council action.

Nothing in this policy shall create a binding contract or obligation of the City. Individual ED Grant Contracts may vary from contract to contract at the discretion of the City Council. Any award of a contract is valid only for the term specified therein and shall not constitute a promise of future award. The City reserves the right to reject any and all proposals, and to waive any technical deficiency at its sole discretion. Members of the City Council, the Economic Development Program Committee, and any advisory board, Task Force or special committee with the power to make recommendations regarding ED Contracts are ineligible to apply for such Contracts. City Departments are also ineligible to apply for ED Contracts. All submittals shall be public records in accordance with government records regulations (“GRAMA”) unless otherwise designated by the applicant pursuant to UCA Section 63-2-308, as amended.



**DATE: October 29, 2015**

**TO HONORABLE MAYOR AND COUNCIL**

Staff is proposing changes to Title 4 in the Park City Municipal Code, as well as updating Council on Special Events related tasks. Amendments are targeted in four areas:

- 1) Creation of a Community Event category, with the intention of making the regulatory process easier to navigate;
- 2) Creation of additional criteria for event denial;
- 3) Creation of a Fee Reduction policy and a discussion to ensure the tool is aligned with Council's economic and financial goals; and
- 4) Update the liability insurance requirements to cover the City's potential exposure during an event.

These changes are consistent with Council's interest in ensuring a balance between tourism and local quality of life, as well as streamlined and flexible operating processes with municipal operations, as stated in Council's Desired Outcomes.

**Respectfully:**

Jason Glidden, Economic Development Program Manager



## City Council Staff Report

**Subject:** Special Events Department Code Changes  
**Author:** Jason Glidden, Economic Development Project Manager  
 Minda Stockdale, Special Events Department Intern  
**Department:** Sustainability  
**Date:** Thursday, October 29<sup>th</sup>, 2015  
**Type of Item:** Legislative

### Summary Recommendations:

City Council should provide direction to staff regarding the amendments to the Municipal Code as proposed in the attached ordinance (Exhibit B).

### Executive Summary:

Staff is proposing changes to Title 4 in the Park City Municipal Code, as well as updating Council on Special Events related tasks. Amendments are targeted in four areas:

- 1) Creation of a Community Event category, with the intention of making the regulatory process easier to navigate;
- 2) Creation of additional criteria for event denial;
- 3) Creation of a Fee Reduction policy and a discussion to ensure the tool is aligned with Council's economic and financial goals; and
- 4) Update the liability insurance requirements to cover the City's potential exposure during an event.

These changes are consistent with Council's interest in ensuring a balance between tourism and local quality of life, as well as streamlined and flexible operating processes with municipal operations, as stated in Council's Desired Outcomes.

### Acronyms in this Report:

SEAC	Special Events Advisory Committee
MFL	Master Festival License
SEP	Special Event Permit
RAB	Recreation Advisory Board

### Background:

On October 9, 2014, staff facilitated a Study Session with City Council to discuss Special Events in Park City. During that conversation, Council members expressed concerns regarding the impact of events on the Park City community. Discussions centered on finding a "balance" between the positive economic outcomes that events bring to the community, and the negative impacts such as traffic and parking congestion. Additional dialog focused on the growth of community gatherings that have morphed into large-scale events, which has begun to deter local residents from attending.

City Council also discussed possible tools that could be utilized to mitigate event impacts and help to decrease “event fatigue” in the Park City area. These discussions focused on increasing community involvement, and finding a balanced way to evaluate and prioritize the event calendar based on location, timing and size of each event.

Lastly, Council discussed resources that the City utilizes to regulate, organize, promote, facilitate and mitigate for the impacts of events in Park City. Council requested that staff return with a clearer picture of the level of support that the City provides for events. Staff indicated plans to return to Council in spring of 2015 with that information. The analysis includes direct financial and fee waiver analysis in addition to amount of City services.

On December 4, 2014 Council provided direction and support to implement next steps to achieve the following goals:

- Reduce event impacts on residential neighborhoods;
- Create a tool for evaluating and prioritizing events;
- Increase community participation in event planning and debriefing; and
- Effectively and efficiently utilize City resources.

Council affirmed a number of next steps represented in the matrix below along with a brief description and proposed completion date. These projects were designed to help reach the stated goals above while paving the way for the City to have the ability to deny events that do not help build the community through positive economic benefits while minimizing negative impacts.

<b>Project</b>	<b>Description</b>	<b>Update</b>
<p style="text-align: center;">Special Event Advisory Committee (SEAC)</p>	<p>Creation of a group of community stakeholders that will provide feedback on events including: event prioritization, event funding, and debrief information. Participants of this group would include: Chamber, HPCA, Lodging Association, Restaurant Association, Mountain Trails Association, Park City School District, resort representatives, and four at-large community members. Similar to RAB, appointments would come from Council through an application and interview process</p>	<p>The committee had its first meeting on August 21, 2015. The group will meet quarterly</p>

Event Prioritization Process	Finalize process for prioritizing events based on a number of weighted criteria	Staff is finalizing the prioritization sheet and will be bringing it to the next SEAC meeting for feedback
Code Changes on Event Type	Propose changes to Municipal Code that will create new event type that will realign event types based on impacts caused. Each event type would have different requirements such as: insurance, application deadlines, and permit fees	Staff is requesting review and approval of proposed changes on October 29, 2015
Resident Notification Requirements	Create list of public notification requirements for events causing localized impacts on residential areas or business districts	This was completed and presented to City Council in March 2015
Event Venue Guideline Sheets	One-page sheets that would outline City-owned venues and provide guidelines specific to that venue. Items included would be: General type of event activity, parking availability, hours of operations, public transit availability, and other general restrictions	Staff presented a first draft of sheets to Council and is working on edited drafts. Completion is scheduled for November 2015
Reorganization of 4th of July Event	Rework 4th of July event to reduce impacts on the community and create an event that will continue to draw local residents to the event	Staff is debriefing the 2015 event and is working on plans for 2016 event

On March 26, 2015 staff returned to Council with updates on the following subjects:

- *Resident Notification Requirements*
- *Special Event Advisory Committee (SEAC)*
  - City staff hosted the first quarterly meeting on August 21, 2015
- *Reorganization of 4th of July Event*
- *Event Venue Guideline Sheets*

On May 14, 2015 staff returned to Council with updates on the following subjects:

**Event Prioritization Process –**

The Event Prioritization process will provide staff with a tool to grade events based on a variety of criteria. The primary focus will be on three areas: Economic Impact, Community Impact, and

City Resources. The process would be for staff to provide scoring to the grading sheet to establish an overall grade for each event permitted. The grading will allow a means of establishing value for each event so that we can make objective decisions if conflicts between events occur and only one event could be permitted. The event grade would be one factor in determining which of the conflicting events to permit.

### **Code Changes on Event Type –**

Staff has proposed a number of edits to the Municipal Code as it relates to the permitting of events. In an effort to make the proposed edits easier to review, staff separated the edits into three categories and provided a summary of the changes proposed:

Event Type – Staff is recommending edits to the Code that will create a new event type to align types of events based on impacts caused.

Staff is proposing the addition of a “Community Event” type in Municipal Code. This type of event would come with limited impacts on the community and thus require less time to permit. These types of events would have the following:

- Application deadline of 30 days prior to the event and start date;
  - MFLs are to be submitted, completed ninety (90) days in advance;
  - SEPs are to be submitted, completed sixty (60) days in advance.
- Permit fee of forty dollars (\$40);
  - New MFLs or SEPs require a one hundred eighty (\$180) fee. Annual MLFs or SEPs require an eighty dollar (\$80) fee;
- Event type will be determined or verified based on the information provided by the event organizer as well as by an Event Type Determination Sheet (Exhibit A).

Approval of Events – Staff was asked by City Council in March to investigate other criteria for denial of an event based upon health and safety concerns, as well as additional community prioritization criteria and other conflicts with an event. The proposed changes to the Code would add additional criteria for denial based on the economic and cultural value that an event brings to the community as well as how the event correlates with Park City’s Economic Development Plan and the City’s General Plan. The additional criteria would also be used to make a decision on which event to permit when two applications are submitted that conflict with each other or create impacts too great to approve both events.

Fee Reductions – Currently, the City uses fee waiver request process as a tool to help facilitate events. Over the past two years, the Special Events Department has been more diligent in tracking event fees and invoicing event organizers, and has seen an increase in the amount of fee reduction requests as a result. The proposed edits to the Code will provide clarity on the fee reduction process, including the dollar amount at which City Council approval is required. The recommended changes also include changes to the criteria used by City staff to evaluate whether a waiver or a percentage of a reduction of fees shall be approved. Recommended changes reflect the Fee

Reduction Policy (Exhibit C). First amendment activities would continue to be eligible for an expedited fee and insurance waiver process.

**Analysis:**

Special Event staff has been working on the completion of the project list provided to Council in fall 2014. Staff has a number of proposed edits to the Municipal Code as it relates to the permitting of events (Exhibit E). Staff has been working to review the code within the Special Events Department as well as update fees currently approved in the City's fee schedule; many of the edits are merely a cleanup of these changes. In an effort to make the proposed edits easier to review, staff has provided a summary of the updates to Title 4 of the Park City Municipal Code:

Topic	Current Municipal Code Chapter	Summary of Current Code	Summary of Proposed Code	Analysis
Event Type	4-1-1.13 Community Event; 4-1-1.30 Master Festival; 4-1-1.49 Special Event	Two categories of event licenses: Master Festival and Special Event. Public impact definitions are non-specific	Three categories of event licenses: Master Festival, Special Event, and Community Event. Public impacts are specifically defined to facilitate and complement the Event Prioritization Process	Creation of a new category of Community Event facilitates our local and community oriented events that have limited impacts and need for city services and staff time. Annually there are approx. 30 of these type of events, which represents thirty-nine percent (39%) of our overall event portfolio, the majority are self-contained. The code amendments reduce the amount of time and standards needed
Approval of Events	4-8-5 Standards for License Approval; 4-8-6 Conflicting License Applications	Standards for prohibiting or restricting event licenses are primarily limited to health, safety and welfare impacts	Expanded to include event debrief and SEAC recommendations based on economic, cultural and community impacts; modified conflict provisions	Based on Council Study sessions we're creating new tools to deny events

<p>Fee Reductions (previously Fee Waivers)</p>	<p>4-8-9 Fee Waivers</p>	<p>Event fees may be waived by the City Manager or City Council at the recommendation of the Special Events Department. Requests for fee waivers are accepted on a rolling basis. No budget is indicated for waived event fees</p>	<p>Consider SEAC recommendations; applications for fee reductions would be accepted bi-annually; City budget max. of two hundred thousand dollars (\$200, 000) will be allocated to be used towards reducing special event fees. Extraordinary requests or applications received outside of the specified deadline must address additional criteria in order to be considered for fee reductions</p>	<p>Aligns fee reductions with budget process</p>
<p>Liability Insurance</p>	<p>4-8-10 Insurance Requirements</p>	<p>MFL applications must include proof of liability insurance in the amount of two million dollars (\$2,000,000)</p>	<p>Proof of liability insurance would be set according to the hazard matrix. Staff research found use of a hazard matrix to be a best practice in other cities, including SLC. Our matrix was developed after consultation with risk management, insurance and department representatives.</p>	<p>Allows for insurance requirement amounts be adjusted per event based on the City's liability exposure. Some events will see lower amounts and some will be higher.</p>

**Department Review:**

Sustainability, Executive, Legal and Special Events Departments have reviewed this report. The Special Event Advisory Committee has been briefed on the changes proposed and provided feedback to staff.

**Alternatives:****A. Approve:**

Approve the proposed Municipal Code Changes. These changes will allow City staff to better manage events by:

- Tailoring event requirements in accordance with their potential impacts, thus making the permitting process easier for events with fewer impacts, for example, Community Events;
- Providing additional standards for application denial beyond health, safety and welfare impacts, and allowing application denial if the City finds that events do not provide positive impacts to the community;
- Adhering to a well-defined and highly structured fee reduction policy that aligns with the City's budget process and facilitates the reduction of event fees for events that provide positive impacts to the community;
- Minimizing the City's liability exposure during events.

**B. Deny:**

Council could choose not to approve the proposed Municipal Code Changes. This would deny staff the tools needed to effectively manage events and mitigate their impacts on the community, as well as inhibit operation of small-scale, community events within City limits.

**C. Modify:**

Council could choose to modify the proposed Municipal Code Changes and provide edits to staff to ensure that City Council's goals are met.

**D. Continue the Item:**

Council could choose to continue the item and request that staff bring additional information back to Council.

**E. Do Nothing:**

Council could take no action. This would not provide direction to staff.

**Significant Impacts:**

	<b>World Class Multi-Seasonal Resort Destination (Economic Impact)</b>	<b>Preserving &amp; Enhancing the Natural Environment (Environmental Impact)</b>	<b>An Inclusive Community of Diverse Economic &amp; Cultural Opportunities (Social Equity Impact)</b>	<b>Responsive, Cutting-Edge &amp; Effective Government</b>
Which Desired Outcomes might the Recommended Action Impact?	<ul style="list-style-type: none"> <li>+ Balance between tourism and local quality of life</li> <li>+ Varied and extensive event offerings</li> <li>+ Unique and diverse businesses</li> <li>+ Multi-seasonal destination for recreational opportunities</li> </ul>		<ul style="list-style-type: none"> <li>+ Shared use of Main Street by locals and visitors</li> <li>+ Entire population utilizes community amenities</li> <li>+ Vibrant arts and culture offerings</li> </ul>	<ul style="list-style-type: none"> <li>+ Well-maintained assets and infrastructure</li> <li>+ Streamlined and flexible operating processes</li> <li>+ Ease of access to desired information for citizens and visitors</li> <li>+ Fiscally and legally sound</li> </ul>
Assessment of Overall Impact on Council Priority (Quality of Life Impact)	Very Positive 	Neutral 	Positive 	Very Positive 
<b>Comments:</b>				

**Funding Source:**

All funding would come from the City’s General Fund.

**Consequences of not taking the recommended action:**

Staff will lack direction on next steps to take to improve special events and reach Council-stated goals.

**Recommendation:**

City Council should hold a public hearing and consider amending the Municipal Code as proposed in the attached ordinance.

**Exhibits:**

- Exhibit A – Event Type Determination Sheet
- Exhibit B – Ordinance
- Exhibit C – Fee Reduction Policy
- Exhibit D – Fee Reduction Application
- Exhibit E – Proposed Changes to Municipal Code

## EVENT TYPE DETERMINATION SHEET

EVENT NAME \_\_\_\_\_

EVENT DATE \_\_\_\_\_

	1	2	3	
Attendance	0-199	200-499	500+	
Public Use	Free Access	Limited Access	Closed to Public	
Property	Event Space	Private Property	Public Property	
Traffic Impact	very little - increased beyond normal flow	moderate - partial road closure,	very high - multiple full road closure	
Impact on Public Parking	0-25 spots	26-100 spots	over 100 spots	
Noise Impact	none	Under 65 db	Over 65 db	
Cost of City Service/fee waivers	\$0-\$499	\$500-\$15,000	Above \$15,000	
Transit	Regular	Enhanced with current resources	Enhanced with additional resources	
Jurisdiction	Single	Two	Multiple	
RISK Management Impacts	Low	Medium	High	
Duration	1- 5 hours	1 day	multiple days	
			<b>TOTAL</b>	0

TOTAL POINTS	
SMALL SCALE COMMUNITY EVENT/ SPECIAL EVENT	1 to 17
SPECIAL EVENT	18 to 24
MASTER FESTIVAL	25 and above

## **Special Event Fee Reduction Policy**

Park City Municipal Corporation is committed to facilitating Park City's community vibrancy and economic development by hosting special events, and to mitigating for the impact of these events. In this effort, the city will annually allocate up to two hundred thousand dollars (\$200,000) to be used towards reducing fees required to provide city services for special events. Fees eligible to be reduced include: application, building permit, facility or equipment rental, public safety personnel, field and park rental, special use of public parking permit, bleacher and trail fees. Fees will be reduced for qualifying first-time and recurring events. In order to be eligible for a Special Event Fee Reduction, applications must be filled out in their entirety.

### **A. Special Event Fee Reduction Evaluation Criteria**

The City will consider the following when reviewing a special event fee reduction request:

1. **Criterion 1:** Charges event admission or fees for participation, and policy for attendees or participants unable to pay such fees;
2. **Criterion 2:** Provides free programs, or raises funds for organizations or free programs, benefitting local youth, seniors or underserved constituents;
3. **Criterion 3:** Provides positive tax benefits, raises funds or provides revenue opportunities to the city to offset City services and costs required by the event;
4. **Criterion 4:** Provides event opportunities during resort off seasons, defined as September 21-November 15, and April 1-May 15, excluding holidays;
5. **Criterion 5:** Demonstrates that the imposition of fees would create a financial hardship on the Applicant or would have a detrimental effect on services provided to the public.

The City's Special Events Advisory Committee (SEAC) and Special Events Department will review all applications and submit recommendations to a panel consisting of the Economic Development Manager and Budget Manager(s). The Panel may approve event fee reductions up to a total of fifteen thousand dollars (\$15,000). The City Manager may approve fee reductions from fifteen thousand dollars (\$15,000) to twenty five thousand dollars (\$25,000). If the total fee reduction request exceeds twenty five thousand dollars (\$25,000), or includes city service fees other than those indicated above, the request must be approved by City Council in a Public Meeting or through an approved City Services Contract. In the case of appeal, the City Manager will have final authority in determining whether an applicant meets these criteria for fee reduction requests fewer than fifteen thousand dollars (\$15,000). Determinations on fee reductions between fifteen thousand and twenty five thousand dollars (\$15,000-\$25,000) can be appealed to the City Council.

### **B. Special Event Fee Reduction Appropriations**

The City currently reduces fees for Special Events through collaboration with multiple city departments. Of the fees required for city events, no more than two hundred thousand dollars (\$200,000) per annum will be waived; allocation of fee reductions will be determined at the sole discretion of the Economic Development and Budget Manager(s), City Manager or City Council. Unmet thresholds at the end of a year will not be carried forward to future years.

### **C. Special Event Fee Reduction Categories**

Applications for Special Events Fee Reductions will be placed in five potential categories for tracking and evaluation processes. Categorization is determined by the event meeting at least one criterion listed for each category:

1. Local/Community Cultural Event: Events of or relating to artistic or social pursuits, hosted by organizations from Summit and Wasatch counties, and including vendors and/or participants and marketed to audiences within the state of Utah;
2. Local/Community Recreational Event: Events of or relating to sporting or competitive pursuits, hosted by organizations from Summit and Wasatch counties, and including vendors and/or participants and marketed to audiences from within the state of Utah;
3. Regional Cultural Event: Events of or relating to artistic or social pursuits, hosted by organizers from Utah counties including Summit and Wasatch counties, or from states including but not limited to Colorado, New Mexico, Arizona, Nevada, Idaho, Wyoming, or Montana, and including national vendors and/or participants and marketed to national audiences;
4. Regional Recreational Event: Events of or relating sporting or competitive pursuits, hosted by organizers and including vendors and/or participants from Utah counties including Summit and Wasatch counties, or from states including but not limited to Colorado, New Mexico, Arizona, Nevada, Idaho, Wyoming, or Montana, and including national vendors and/or participants and marketed to national audiences;
5. National and/or International Event: Events of or relating to artistic or social, sporting or competitive, or other pursuits determined to be valuable by the City, hosted by international or national organizations from states excluding those defined as 'regional', listed above, and including vendors and/or participants and marketed to national or international audiences.

#### **D. Application Process**

Application forms may be downloaded from the City's [www.parkcity.org](http://www.parkcity.org) website, available via email from the Special Events Coordinators, or within the Special Events Office of City Hall. In order to apply for a Fee Reduction, applicants must request an estimate of event fees from the Special Events Department; estimates will be made available by the Special Events Department no later than thirty days (30) prior to the Application deadline. Estimates are not binding on the City; event organizers should anticipate fluctuations in final costs based on estimated fees. Appeals to estimated Special Events fees must be submitted to City Council.

#### **E. Deadlines**

All applications for Special Events Fee Reductions must be received no later than the following dates each year to be eligible for bi-annual consideration;

- October 1<sup>st</sup> for events occurring January 1<sup>st</sup> through June 30<sup>th</sup>, and
- April 1<sup>st</sup> for events occurring July 1<sup>st</sup> through December 31<sup>st</sup>.

Applications received outside the scheduled application process may be considered when the applicant demonstrates an immediate need for funding and provides justification for why the application was not filled within the specified deadline, unless otherwise directed by the Council.

Extraordinary requests received must meet all of the following criteria to be considered:

1. The request must align with the Special Event Fee Reduction Evaluation Criteria;
2. The applicant must show good cause for the late filing and that the requested fee waivers represent an immediate fiscal need that could not have been anticipated before the deadline; and
3. The applicant must demonstrate significant consequences of not being able to wait for the next semiannual review.
  - i. Significant consequences could include inability to hold event due to event date or immediate fiscal need, but not wish or preference.

**F. Award Policy**

The reduction of Special Events fees shall be administered pursuant to applications and evaluation criteria established by the Special Events Department and Special Events Advisory Committee, and approved by the Economic Development and Budget Managers or City Manager upon the determination that such action is consistent with the overall goals of the City.

The Special Events Department and Special Events Advisory Committee will review all applications on a bi-annual basis, and forward a recommendation to the Economic Development and Budget Managers or the City Manager for authorization. All potential awards of fee reductions will be publicly noticed 48 hours ahead of a City Council action.

Nothing in this policy shall create a binding contract or obligation of the City. Individual event permits and their associated fees may vary from permit to permit at the discretion of City. Any reduction of Special Event fees is valid only for the permit specified therein and shall not constitute a promise of future reward. The City reserves the right to reject any and all applications, and to waive any technical deficiency at its sole discretion. All submittals shall be public records in accordance with government records regulations ("GRAMA") unless otherwise designated by the applicant pursuant to UCA Section 63-2-308, as amended.

# PARK CITY MUNICIPAL CORPORATION SPECIAL EVENT FEE REDUCTION APPLICATION



Special Events  
435.615.5150  
[specialevents@parkcity.org](mailto:specialevents@parkcity.org)

Complete applications for Special Events Fee Reductions must be received by following dates each year to be eligible for bi-annual consideration; October 1\* for events occurring January 1\* through June 30<sup>th</sup>, and April 1\* for events occurring July 1\* through December 31\*. Applications received outside the scheduled application process may be denied for approval. In order to be eligible for a Special Event Fee Reduction, applications must be filled out in their entirety. Please refer to the Special Events Fee Reduction Policy for more information.

## FEE REDUCTIONS ARE NOT VALID UNTIL APPROVED BY THE CITY MANAGER OR CITY COUNCIL

*Per Park City Municipal Code Section 4.8.9: Annually, the city will allocate up to two hundred thousand dollars (\$200,000) to be used to reduce fees required for special events. If the total fee reduction request exceeds twenty five thousand dollars (\$25,000), then the request must be approved by City Council Meeting in a Public Meeting or through an approved City Services Contract. Please refer to the Park City Municipal Code for complete information.*

### APPLICANT AND SPONSORING ORGANIZATION INFORMATION

Date of Application	
Applicant Legal Organization Name	
Organization Contact (First, Last)	
Title/Position	Phone/Email
Organization Street Address	
Organization Mailing Address	
Is organization a registered non-profit?	Yes <input type="checkbox"/> No <input type="checkbox"/>

### SPECIAL EVENT FEE INFORMATION

EVENT TITLE:		
EVENT DATE (S)		
Estimate of total fees requested to be waived, provided by the Special Events Department:	\$ _____	
EVENT TYPE	<i>Please refer to the Special Event Fee Waiver Policy for more information</i>	
<input type="checkbox"/> Local/Community Cultural	<input type="checkbox"/> Local/Community Recreational	
<input type="checkbox"/> Regional Recreational	<input type="checkbox"/> National/International	<input type="checkbox"/> Regional Cultural

### SPECIAL EVENT FEE REDUCTION EVALUATION CRITERIA Please limit responses to each of the following criteria to 500 words.

On a separate page, please indicate your reasons for choosing Park City as the location for your event.

Will a fee be charged for attendance or participation?      Yes  No

On a separate page, please include a summary of all registration and/or participation fees, and policy regarding participants' inability to pay such fees.

Does the event provide programs for local youth or youth organizations?      Yes  No

On a separate page, please include a summary of how the event provides programs for local youth or youth organizations. Your description should address how many youth you expect to benefit, and include projections and/or statistics and data.

On a separate page, please include a summary of how the event will generate positive tax benefits, raise funds or provide revenue opportunities to Park City. Your description should include projections and/or statistics and data.

Please include a Statement of Need/Financial Hardship on a separate page. Your summary should address how the imposition of fees would create a financial hardship on the Applicant

How will full fees create a detrimental effect on services provided to the public?

**APPLICANT AND SPONSORING BUDGET INFORMATION** The following information is required in order for the City to consider waiving Special Event fees. Only direct program or event fees may be listed.

**Program or Event Expenses**

**A. Salaries/ Fees**

Artists/Performance/Speakers Contracted Staff	\$ _____
Administrative	\$ _____
Program Staff	\$ _____
Other (Specify)	\$ _____
<b>Total Salaries/Fees</b>	\$ _____

**B. Facility/ Space Rental Fees (non-city)**  
\$ \_\_\_\_\_

**C. Remaining Costs (itemize)**

Equipment Rental (non-city)	\$ _____
Marketing	\$ _____
Travel	\$ _____
Insurance (non-city)	\$ _____
Misc. fees (please specify)	\$ _____
Other (please specify)	\$ _____
<b>Total Event Costs</b>	\$ _____

**D. Total Special Events Fees**  
\$ \_\_\_\_\_

Attach additional pages as needed to illustrate details of expenses listed above.

**TOTAL Program Operating Expenses (A+B+C+D)**  
\$ \_\_\_\_\_

**Program or Event Income**

**E. Registration and/or Participation Income** \$ \_\_\_\_\_

\_\_\_\_\_ participants x \$ \_\_\_\_\_ reg. or part. fees

**F. Donations or Sponsorships**

Corporate/ Business	\$ _____
Foundations/ Grants	\$ _____
Clubs/Organizations	\$ _____
Memberships	\$ _____
Individual Donors	\$ _____
Other (please specify)	\$ _____
<b>Total Donation/Sponsorship Total</b>	\$ _____

**G. Other income (please specify)**  
\$ \_\_\_\_\_

Attach additional pages as needed to explain other income sources

**TOTAL Program Operating Income (E+F+G)**  
\$ \_\_\_\_\_

**RULES AND REGULATIONS**

**AGREEMENT AND SIGNATURE**

I hereby certify that the information provided is true and correct to the best of my knowledge and that a true financial hardship would be wrought on the organization I represent if the municipal event fees are not waived.

Name (printed)

Signature (if electronic signature is available):

Date:

**FOR MUNICIPAL USE ONLY**

**Date, Application received**

**Municipal Fees**

- Application Fee \_\_\_\_\_
- Facility Rentals \_\_\_\_\_
- Field Rentals \_\_\_\_\_
- Public Parking Spaces \_\_\_\_\_
- Bleachers \_\_\_\_\_
- Fire Permit \_\_\_\_\_
  
- Total of fees that can be waived \_\_\_\_\_

Total Amount or Percentage of fees waived

\$ or % \_\_\_\_\_

\_\_\_\_\_  
Approved by City Manager – Diane Foster

\_\_\_\_\_  
Approved by Assistant City Manager – Matt Dias



**TITLE 4 - LICENSING**

**CHAPTER 1 - IN GENERAL**

**4- 1- 1. DEFINITIONS.**

All words and phrases used in this title shall have the following meanings unless a different meaning clearly appears from the context:

4-1-1.1 **ALCOHOLIC BEVERAGES.** Includes "beer" and "liquor" as they are defined herein.

4-1-1.2 **ARCADE.** A business dedicating at least eighty-five percent (85%) of its square footage to amusement games only, and not more than fifteen percent (15%) dedicated to concession and/or cashiering. No food preparation is allowed and alcoholic beverages may not be sold.

4-1-1.3 **BEDROOM.** Each room in a hotel, motel, lodge, timeshare project, condominium project, single family residence or other nightly lodging facility that is intended primarily for the temporary use of transient guests for sleeping purposes.

4-1-1.4 **BEER.** Any beverage containing not less than one-half of one percent (.5%) of alcohol by volume and obtained by the alcoholic fermentation of an infusion or decoction of any malted grain, or similar products. "Heavy beer" means beer

containing more than three point two percent (3.2%) of alcohol by weight. "Light beer" means beer containing not more than 3.2% of alcohol by weight. "Beer" may or may not contain hops or other vegetable products. "Beer" includes ale, stout and porter. Beer does not include a flavored malt beverage.

4-1-1.5 **BEER LICENSE - SPECIAL EVENT TEMPORARY .** A license issued by the City to an individual or organization for a maximum period of time of thirty (30) days to sell beer at an event. Person's holding a special event temporary beer license issued by the City are also required to obtain a State Temporary Special Event Beer permit, but are not required to obtain an on-premise beer license.

4-1-1.6 **BEER RETAILER.** Any business establishment engaged, primarily or incidentally, in the retail sale or distribution of beer to public patrons, whether for consumption on or off the establishment's premises, and that is licensed to sell beer by the Commission and Park City.

4-1-1.7 **BEER RETAILER - ON PREMISE.** Any beer retailer engaged, primarily or incidentally, in the sale or distribution of beer to public patrons for consumption on the retailer's premises. It

includes taverns.

4-1-1.8 **BUSINESS.** A distinct and separate person or entity engaging in business, as those terms are defined herein. A business is distinguished from another business by separate state sales tax numbers or separate ownership.

4-1-1.9 **CHARITABLE ORGANIZATION.** "Charitable organization" means any recognized religious organization, or any social or welfare organization recognized and dedicated to the relief of the poor, care of the sick or elderly, or aid to victims of disaster, catastrophe, or personal tragedy.

4-1-1.10 **CLUB LICENSEE.** A Club Licensee is a person licensed under Chapter 5, Club Licenses, of the Alcoholic Beverage Control Act.

4-1-1.11 **COMMERCIAL VEHICLES AND TRAILERS.** Businesses that utilize motor vehicles as their normal course of business, but do not transport people to, from and within Park City for a fee. Such businesses include but are not limited to delivery trucking, commercial hauling, snow removal services, u-haul or other cargo rental vehicles, concrete trucks and dump trucks.

4-1-1.12 **COMMISSION.** The State of Utah Alcoholic Beverage Control Commission.

4-1-1.13 **COMMUNITY EVENT.** Any event, public or private, with either public or private venues, requiring City licensing beyond the scope of normal business and/or liquor regulations, as

defined by this Code: or creates public impacts through any of the following:

(A) the attraction of crowds under 200,

(B) limited to partial street closures,

(C) use of public property,

(D) limited increase to traffic flow,

(E) limited use of off-site parking facility, or

(F) use of amplified music below 65db.

~~4-1-1.124-1-1.14~~

~~4-1-1.134-1-1.15~~ **CONDUCTING BUSINESS.** For purposes of this Title the term "conducting business" shall include the sale or offering for sale of any goods or merchandise, or the offering or performing of any service for valuable consideration of any kind.

~~4-1-1.144-1-1.16~~ **CORPORATE SPONSOR.** Any business enterprise or combination of business enterprises which provide funding for any special event in the amount of fifty percent (50%) or more of the funds necessary to promote the event or account for fifty percent (50%) or more of the events operating expenditure budget.

~~4-1-1.154-1-1.17~~ **DABC.** The Utah Department of Alcoholic Beverage Control.

~~4-1-1.164-1-1.18~~ **DESIGNEE.** A Park City staff member qualified to process liquor-related Applications and renewals.

~~4-1-1.174-1-1.19~~ **DIRECTOR.** The

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~~Administrative Services Director~~  
Finance Manager of Park City.

~~4-1-1.184-1-1.20~~ DIVISION. The Park City Business Licensing Division.

~~4-1-1.194-1-1.21~~ EMPLOYEE BASED. Businesses which lease or otherwise provided employees to other businesses or any person in return for consideration. Such businesses include but are not limited to employment agencies and security firms.

~~4-1-1.204-1-1.22~~ ENGAGING IN BUSINESS. Includes all activities engaged in within the corporate limits of Park City carried on for the purpose of gain or economic profit, except that the acts of employees rendering service to employers shall not be included in the term business unless otherwise specifically prescribed. "Engaging in business" includes but is not limited to, the sale, rental, gifting, or promotion of tangible personal or real property at retail or wholesale, the manufacturing of goods or property and the rendering of personal services for others for a consideration by persons engaged in any profession, trade, craft, business, occupation, or other calling, except the rendering of personal services by an employee to his employer under any contract of personal employment; each manufacturing or originating company whether individually occupying a premise or co-locating shall be required to obtain an individual business license for that business activity.

~~4-1-1.214-1-1.23~~ FIREWORKS PERMIT. A permit issued by the City Fire Marshal for aerial or concession fireworks,

pursuant to the Uniform Fire Code.

~~4-1-1.224-1-1.24~~ GIFTING. Includes various hospitality, gifting, filming, display, exhibiting or promotional use of goods, not for sale and other related activity that are marketing or promoting tools in which goods are given or traded to the public in general or desirable people so that the product will be associated with those people and appear in publications, media, internet, etc., and give the product exposure. Gifting is not just the display of goods with the hopes of future orders; it involves actually giving the product away, where the consideration for the gift is the exposure of the product; and includes direct or indirect interaction with customers, potential customers in order to increase awareness of a product, service of company. Corporate groups that receive gifts purchased by the corporation are not provided by another entity and are exclusively for the group will not be considered gifting.

~~4-1-1.234-1-1.25~~ HOURLY UPHILL LIFT CAPACITY. The aggregate number of persons that can be accommodated per hour by all of the ski lifts in a given ski resort operating at the maximum safe rate of operation.

~~4-1-1.244-1-1.26~~ HOURLY USER CAPACITY. The maximum number of persons that can be safely and reasonably accommodated per hour by an amusement park, golf course, athletic club, theater bowling alley, tennis club, racquetball club, swimming pool, and any other recreational, sports, or entertainment facility.

~~4-1-1.254-1-1.27~~ LICENSEE. Any person holding any beer or liquor license in

connection with the operation of a place of business or private club. This term shall also include beer or liquor handling employee of the licensee. The licensee is responsible for the acts and omissions of its employees.

4-1-1.264-1-1.28 **LICENSED PREMISE.** Any room, building, structure, or place occupied by any person licensed to sell beer or to allow the consumption or storage of liquor on such premises under Chapter 4; provided that in any multi-roomed establishment, an applicant for an on-premise or off-premise beer license shall designate a room or portion of a building of such business for the consumption or the sale of beer, which portions shall be specifically designated in the application and, in the license issued pursuant thereto, shall be the licensed premises. Multiple dining facilities located in one building, owned or leased by one license applicant and subject to the same type of beer or liquor license shall not be deemed separate licensed premises, and shall not be required to obtain a separate license for each area.

4-1-1.274-1-1.29 **LICENSE FEE(S).** Includes the administrative fee and service enhancement fee as defined by the Business License Fee Schedule.

4-1-1.284-1-1.30 **LIQUOR.** Includes alcohol, or any alcoholic, spirituous, vinous, fermented, malt or other liquid combination of liquids, a part of which is spirituous, vinous, or fermented, and all other drinks or drinkable liquids, containing more than one half one percent (.5%) of alcohol by volume; and which are suitable for beverage purposes; and includes a flavored malt beverage. Liquor does not include a

beverage defined as beer.

4-1-1.294-1-1.31 **MANUFACTOR.** Means to distill, brew, rectify, mix, compound, process, ferment, or otherwise make an alcoholic product for personal use or for sale or distribution to others.

4-1-1.304-1-1.32 **MASTER FESTIVAL.** Any event held on public or private property in which the general public is invited with or without charge and which creates significant public impacts through any of the following:

- (A) the attraction of large crowds greater than 500 people,
- (B) necessity for full street closures on Main Street or any arterial street necessary for the safe and efficient flow of traffic in Park City,
- (C) use of public property,
- (D) major increase to vehicular traffic flow
- (E) the need for expanded use of City transportation services,
- (~~FE~~) use of multiple off-site parking facility, or
- (~~GF~~) use of amplified music in or adjacent to a residential neighborhood.

4-1-1.314-1-1.33 **MOBILE FOOD VENDOR.** Any motor vehicle from which consumable on-site food service is offered. Mobile food vendors are restricted to serving construction sites.

4-1-1.324-1-1.34 **MONTHLY RENTAL FACILITY - UNDER MANAGEMENT.** Any place where rooms or units are rented or otherwise made available by a manager or management company for residential purposes on a monthly or longer time basis, but not including monthly or longer rental by the owner of the property without management.

4-1-1.334-1-1.35 **NIGHTLY LODGING FACILITY.** Any place where or any portion is rented or otherwise made available to persons for transient lodging purposes for a period less than thirty (30) days including, without limitation, a hotel, motel, lodge, condominium project, single family residence or timeshare project.

4-1-1.344-1-1.36 **NON-PROFIT CORPORATION.** A corporation, no part of the income of which, is distributable to its members, trustees or officers, or a non-profit cooperative association.

4-1-1.354-1-1.37 **NUISANCE.** Any licensed premises where: alcoholic beverages are manufactured, sold, kept, bartered, stored, consumed, given away or used contrary to the Alcohol Beverage Control Act, the Utah Liquor Commission Rules and Regulations, or this Code; or intoxicated persons are permitted to loiter about, or profanity, indecent, immoral, loud or boisterous language or immoral, unruly, disorderly, lewd, obscene conduct is permitted, or carried on; or persons under the age of twenty-one (21) are permitted to purchase or drink beer or liquor; or city, county, state or federal laws or ordinances are violated by the licensee or his agents or patrons with the consent or knowledge of licensee which tend to affect the public

health, safety, peace, or morals; or patrons are throwing litter or other objects within the licensed premises or from the licensed premises in a manner which tends to affect the public safety or health; or patrons are permitted to remove opened containers of alcoholic beverages or glasses containing alcoholic beverages from the licensed premises to the public street or way.

4-1-1.364-1-1.38 **PEDDLER.** A person who carries goods or merchandise with him or her and sells or offers for sale those goods or merchandise on a door-to-door or transient basis rather than from a fixed location.

4-1-1.374-1-1.39 **PERSON.** Any individual, receiver, assignee, trustee in bankruptcy, trust, estate, firm, partnership, joint venture, club, company, business trust, corporation, association, society or other group of individuals acting as a unit, whether mutual, cooperative, fraternal, non-profit, or otherwise.

4-1-1.384-1-1.40 **PLACE OF BUSINESS.** Each separate location maintained or operated by the licensee within Park City from which business activity is conducted or transacted. A location shall be identified by street address or by building name if a street address has not been assigned. "Place of business" as used in connection with the issuance of beer and liquor licenses means cafes, restaurants, public dining rooms, cafeterias, taverns, cabarets, clubs, and any other place where the general public is invited or admitted for business purposes, including any patios, balconies, decks, or similar areas, and also means private clubs, corporations and associations operating under charter or

otherwise wherein only the members, guest members and their visitors are invited. Occupied hotel and motel rooms that are not open to the public shall not be "places of business" as herein defined.

4-1-1.394-1-1.41 **RESTAURANT.** A place of business where a variety of hot food is prepared and cooked and complete meals are served to the general public in indoor dining accommodations, or in outdoor accommodation and is engaged primarily in serving meals to the general public.

4-1-1.404-1-1.42 **RESORT LICENSE.** A type of liquor and/or beer license available to a resort. A resort, for purposes of the Resort License definition, is a single building which physically touches the boundary of a ski area and has at least 150 dwelling or lodging units, the building itself is at least 400,000 square feet (excluding areas such as above ground surface parking) and where at least half of the units are owned by a person other than the resort licensee.

4-1-1.414-1-1.43 **RETAILER.** Any person engaged in the sale or distribution of alcoholic beverages to the consumer.

4-1-1.424-1-1.44 **ROUTE DELIVERY.** Any delivery made to customers of a business, which makes repeated door-to-door deliveries to the same households along designated routes with an established time interval in between delivery visits. The majority of such deliveries must be to fulfill orders previously made by the customer. However, nothing in Chapter 3 shall prevent orders from being taken from established customers and filled during such delivery visits. Such businesses will

include, but not be limited to, dairies and sellers of bulk meats or produce.

4-1-1.434-1-1.45 **SELL OR TO SELL.** Any transaction, exchange, or barter whereby, for any consideration, an alcoholic beverage is either directly or indirectly transferred, solicited, ordered, delivered for value, or by any means or any pretexts promised or obtained, whether done by a person as a principal, proprietor, or as an agent, servant or employee unless otherwise defined in this title.

4-1-1.444-1-1.46 **SET-UP.** Glassware, ice, and/or mixer provided by a licensee to patrons who supply their own liquor.

4-1-1.454-1-1.47 **SKI RESORT.** A ski area, such as the Park City or Deer Valley Ski Areas, which is operated as a distinct and separate enterprise, and which shall be deemed to include, without limitation, the ski runs, ski lifts, and related facilities that are part of the ski area and primarily service the patrons of the ski area. The ski resort includes ski instruction, tours, first aid stations, parking garages, management and maintenance facilities, and workshops, but does not include food service, ski rentals, or retail sales of goods or merchandise, which are all deemed separate businesses even if owned by a resort operator.

4-1-1.464-1-1.48 **SKIER DAY.** A three (3) year average of the total number of lift tickets sold annually, including daily lift tickets, resident coupons, complimentary tickets, and an estimated average of season pass holders daily use. The three (3) year average shall be calculated by the Ski Resort and shall include the three most recent years

of operation from November 1 through June 30. The City may audit the analysis and any business records relied upon for the analysis. The calculation shall be submitted to the Finance Department by October 15th of each year.

4-1-1.474-1-1.49 **SOLICITED DELIVERY.** A delivery of previously ordered goods or services or the United States mail. Solicited delivery includes, but is not limited to, the delivery of newspapers or publications pursuant to a subscription, the United States mail, parcel delivery services, businesses engaging in route delivery or persons delivering previously ordered goods or services on behalf of an established retailer of those goods or services.

4-1-1.484-1-1.50 **SOLICITOR.** A person who contacts individuals or the general public for the purpose of taking orders for goods or services, or encouraging attendance at sales presentations, lectures, seminars, or the like at which goods or services are promoted or offered for sale, whether the presentation is held within Park City or not, provided that the solicitor makes contact with the public at a location other than at the regular place of business at which the goods or services are actually sold or performed. For purposes of Chapter 3, the term "goods or services" shall include merchandise, produce, personal services, property services, investment opportunities, franchises, time intervals in the use of ownership or real property, and any other kind of tangible or intangible thing that is given in exchange for a valuable consideration.

4-1-1.494-1-1.51 **SPECIAL EVENT.**

Any event, public or private, with either public or private venues, requiring City licensing beyond the scope of normal business and/or liquor regulations, as defined by this Code; or creates public impacts through any of the following:

- (A) the attraction of crowds between 200 - 499 people,
- (B) necessity for partial street closures on Main Street or any arterial street necessary for the safe and efficient flow of traffic in Park City,
- (C) use of public property,
- (D) moderate increase to vehicular traffic flow,
- (E) use of off-site parking facility, or
- (F) use of amplified music in or adjacent to a residential neighborhood—(A)—The use of City personnel,
- ~~(B)—Impacts via disturbance to adjacent residents,~~
- ~~(C)—Traffic/parking,~~
- ~~(D)—Disruption of the normal routine of the community or affected neighborhood; or~~
- ~~(E)—Necessitates special event temporary beer or liquor licensing in conjunction with the public impacts. Neighborhood block parties or other events requiring street closure of any residential street that is not necessary for the safe and efficient flow of traffic in Park City for a duration of less than one (1) day shall be considered a~~

~~Special Event.~~

4-1-1.504-1-1.52 **SPECIAL EVENTS COORDINATOR**~~MANAGER~~. The Special Events ~~Coordinator~~**Manager** or his/her designee within the Department of Special Events and Facilities.

4-1-1.514-1-1.53 **STREET CLOSURE**. The deliberate blockage of any public street or City owned parking facility to prohibit the flow of traffic or access of vehicles. Any non-construction street closure shall require a master festival or special event license.

4-1-1.524-1-1.54 **SPONSOR**. A person, group, or business which has contracted to provide financial or logistical support to any special event or master festival. Such agreement may provide for advertising rights, product promotion, logo promotion, exclusivity of rights, products, or logos.

4-1-1.534-1-1.55 **SQUARE FOOTAGE**. The aggregate number of square feet of area within a place of business that is used by a licensee in engaging in its business.

4-1-1.544-1-1.56 **UNIT**. Any separately rented portion of a hotel, motel, condominium, apartment building, single family residence, duplex, triplex, or other residential dwelling without limitation.

4-1-1.554-1-1.57 **UNSOLICITED DELIVERY**. The delivery of any unsolicited newspaper or publication, sample product or advertising material. Unsolicited newspapers or publications, sample products or advertising material shall

include, but not be limited to, handbills describing or offering goods or services for sale, any goods or products that were not previously ordered by the home owner or occupant, any newspaper or publication delivered without a subscription by the owner or occupant, and any coupons or rebate offers for goods and services.

4-1-1.564-1-1.58 **VENUE**. The location or locations upon which a special event or master festival is held, as well as the ingress and egress route when included in the festival license.

4-1-1.574-1-1.59 **WHOLESALER**. Any person other than a licensed manufacturer engaged in importation for sale or in the sale of beer, malt liquor, or malted beverages in wholesale or jobbing quantities to retailers.

*(Amended by Ord. Nos. 01-31; 10-21; 13-32)*

**CHAPTER 8 - ~~EVENTMASTER~~  
FESTIVAL LICENSE**

**4- 8- 1. DEFINITIONS.**

For the purpose of this Chapter the following terms shall have the meanings herein prescribed.

(A) **APPLICANT.** The person, or group of people, who is or are the organizer(s) and with whom the responsibility for conduct of the event lies. The Applicant signs the festival license application and all other documents relevant to the event. The Applicant must be a natural person or persons, and not a corporation, corporate sponsor, or business, or any other entity, which is not a natural person. See sponsor.

(B) **CONCESSION.** A privilege to sell food, beverages, souvenirs, or copyrighted or logoed event memorabilia at a licensed event.

(C) **FEES.** Charges assessed by Park City for licensing, staffing, equipment use/rental, property use/rental, ~~set-up,~~ clean up, inspections, public employees, or public equipment assessed to an event or festival and established within the ~~event/festival~~ licensing process.

(D) **LICENSEE.** The Applicant, as defined above, becomes the "licensee" when the Master Festival ~~License or Special License, Special Event License, or Community Event License~~ is signed by the ~~Special Events Manager/Economic Development Manager or his/her designee,~~

upon meeting all the criteria in this Chapter. As the license holder, the licensee becomes the sole proprietor of the event and inherits the responsibilities connected with all licenses, fee assessments, copyrights, and insurance liabilities connected with the licensed event.

*(Amended by Ord. No. 01-31)*

**4- 8- 2. UNLAWFUL TO OPERATE WITHOUT A LICENSE.**

It is unlawful for any person to conduct a ~~Community Event,~~ Special Event or Master Festival with or without charge for admission, on public or private property, without first applying for and being granted ~~an Master Festival License or special~~ event license for the specific event and its venue(s). All licenses issued pursuant to this Title are non-transferrable and expire at the completion of the given event, or upon revocation, whichever is earlier.

*(Amended by Ord. No. 01-31)*

**4- 8- 3. RENEWAL OF LICENSES.**

Licenses under the provisions of this Chapter who successfully operate a ~~Master Festival, or Special Event, or Community Event~~ under the provisions of this Chapter and who wish to have the event on an annual or periodic basis, must renew each Master Festival, ~~or Special Event, or Community Event~~ License as provided in Section 4-8-4 herein. Events, which occur in series such as concerts, falling under the criteria established in this Chapter, must have a Master Festival, ~~or Special Event, or Community Event~~ License, which

specifically authorizes each concert in the series, even if the same performer is performing on separate occasions.

(Amended by Ord. No. 01-31)

**4-8-4. MASTER FESTIVAL LICENSE EVENT APPLICATION PROCEDURE.**

(A) **APPLICATION SUBMITTAL.** Applications for Community Events, Special Events and Master Festivals shall be made in writing to ~~the Special Events Manager~~ Economic Development Manager or his/her designee. Application materials are available at City Special Events Department, ~~and the Chamber Bureau offices, as well as online on the City's website~~, and must be completed and submitted to the Special Event ~~Department~~ Manager not less than ninety (90) days prior to the scheduled opening of any Master Festival, ~~and not less than sixty (60) days prior to the scheduled opening of any Special Event, and not less than thirty (30) days prior for a Community Event~~ unless otherwise approved by the City Council, or by the Economic Development Manager or his designee ~~Special Events Manager~~ for ~~Special e~~Events, upon a showing of good cause.

(B) **CITY COUNCIL REVIEW.** The City Council of Park City shall review and either approve, approve with conditions, or deny the following applications:

(1) Applications for new Mmaster Ffestivals;

(2) Applications for Mmaster Festival license renewals where

material elements of the event have substantially changed from the previous application; and

(3) Appeals of administrative decisions made pursuant to Subsection (C) Administrative Review, herein.

(4) As used herein, a 'new Master Festival' shall mean any Mmaster Festival being proposed for the first time, or a prior Mmaster Festival which was not renewed for a period exceeding one (1) year. The City Council shall review applications for compliance with the standards for license approval described at Section 4-8-5 herein as follows:

(a) **Staff Review and Recommendation.** Upon receipt of a complete Master Festival License application and accompanying fee, City staff shall review the application for compliance with Section 4-8-5 herein. Staff shall subsequently return a copy of the application to the Applicant with comments and a recommendation, i.e., approve as is, approve with changes and/or conditions, or cause for denial. Incomplete applications will be returned to the Applicant and noted accordingly. Following review of the Master Festival License application and notice to the Applicant, the

Special Events ~~Coordinator~~ Manager shall schedule the application for a public hearing before the City Council.

(b) **City Council Hearing.** Master ~~F~~estival applications requiring City Council review and appeals of administrative Master Festival, ~~or~~ Special Event ~~or~~ Community Events decisions shall be heard at a duly noticed public hearing of the City Council. The City Council shall review the application for compliance the standards set forth at Section 4-8-5 herein, and shall record its decision with written findings of fact, conclusions of law, and condition of approval, if applicable. Written notice of the City Council’s decision shall be delivered to the Applicant within ten (10) days of the date of decision.

(C) **ADMINISTRATIVE REVIEW.**

The ~~Special Events Manager~~ Economic Development Manager or his/her designee shall review and shall have the authority to administratively approve, approve with conditions, or deny the following applications:

- (1) Special Event ~~and~~ Community Event applications;
- (2) Applications for Master Festival License renewals where

material elements of the event have not substantially changed from the previous application. Upon receipt of a complete Master Festival License application and accompanying fee, the Special Events ~~Coordinator~~ Manager shall review the application for compliance with Section 4-8-5 herein.

Following review of the application, the Special Events ~~Coordinator~~ Manager shall record his/her decision with written findings of fact, conclusions of law, and conditions of approval to the Economic Development Manager or his/her designee for final administrative approval. Once approved by the Economic Development Manager or his/her designee, the Special Event Coordinator will, if applicable, and deliver written notice of such decision to the Applicant. Any Applicant whose application has been administratively denied may appeal the decision to the City Council by filing a written request to the Special Events ~~Coordinator~~ Manager within ten (10) days of the date of decision. The City Council shall hear the matter de novo and with public hearing.

Upon receipt of a complete ~~event~~ master festival license application and accompanying fee, the Special Events ~~Coordinator~~ Manager shall review the application for compliance with Section 4-8-5 herein. Following review of the application, the Special Events ~~Coordinator~~ Manager shall record his/her decision with written findings of fact, conclusions of law, and conditions of approval, if applicable, and deliver written notice of such decision to the Applicant.

(Amended by Ord. 01-31)

**4- 8- 5. STANDARDS FOR LICENSE APPROVAL.**

Applications for Master Festivals, Community Events and Special Events shall be reviewed for compliance with the standards provided herein. The ~~Special Events Manager~~Economic Development Manager or his/her designee or City Council may prohibit or restrict any Special Event, Community Event or Master Festival whenever any of the conditions enumerated in this Section is found likely to occur, unless the event is modified to eliminate said conditions.

(A) The event does not provide positive economic, cultural, community value, or is not in accordance with the goals of the Park City Economic Development Plan or the Park City General Plan.

(B) The conduct of the event will substantially interrupt or prevent the safe and orderly movement of public transportation or other vehicular and pedestrian traffic in the area of its venue.

(CB) The conduct of the event will 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.

(DC) The concentration of persons, vehicles, or animals will unduly interfere with the movement of police, fire, ambulance, and other emergency vehicles on

the streets or with the provision of other public health and safety services.

(ED) The event will substantially interfere with any other Community Event, Special Event, or Master Festival for which a license has already been granted or with the provision of City services in support of other such events or governmental functions.

(FE) Where applicable, the Applicant fails to provide the following:

(1) The services of a sufficient number of traffic controllers, signs or other City required barriers or traffic devices;

(2) Monitors for crowd control and safety;

(3) Safety, health, or sanitation equipment, and services or facilities reasonably necessary to ensure that the event will be conducted without creating unreasonable negative impacts to the area and with due regard for safety and the environment;

(4) Adequate off-site parking and traffic circulation in the vicinity of the event;

(5) Required insurance, cash deposit, or other security; or

(6) Any other services or facilities necessary to ensure compliance with City ~~noise, sign, or other applicable~~ ordinance(s).

(GF) The event created the imminent

possibility of violent disorderly conduct likely to endanger public safety or cause significant property damage.

(HG) The Applicant demonstrates inability or unwillingness to conduct the event pursuant to the terms and conditions of this Chapter or has failed to conduct a previously authorized event in accordance with the law or the terms of a license, or both.

(IH) The Applicant has not obtained the approval of any other public agencies, including the Park City Fire District, within whose jurisdiction the event or a portion thereof will occur.

(Amended by Ord. No. 01-31)

**4-8-6. CONFLICTING LICENSE APPLICATIONS.**

(A) No more than one (1) Master Festival, ~~or~~ Special Event, ~~or~~ Community Event shall be approved for the same date(s) unless the ~~Special Events Manager~~ Economic Development Manager or his/her designee or City Council finds that the events will not adversely impact one another and that concurrent scheduling of the events will not adversely impact the public health, safety, and welfare. In making this determination, the ~~Special Events Manager~~ Economic Development Manager or his/her designee or City Council will apply the following criteria:

- (1) Geographic separation of the events;
- (2) Proposed time and duration of the events;

- (3) Anticipated attendance volumes;
- (4) Necessity for public personnel, equipment, and/or transportation services at the events; and
- (5) Anticipated traffic and parking impacts.

(B) When more than one (1) Community Event, Special Event or Master Festival application is received for the same date(s), the ~~Special Events Manager~~ Economic Development Manager or his/her designee finds that:

- (1) the events will adversely impact one another; or
- (2) concurrent scheduling of the events will adversely impact the public health, safety, and welfare, the Special Events ~~Coordinator~~ Manager shall resolve the conflict as provided herein.

(C) The Special Events ~~Coordinator~~ Manager shall first attempt to reach an agreement among the conflicting Applicants to modify the applications in order to resolve the conflicts and accommodate the public interest. If no voluntary agreement is reached, then the ~~City Council~~ Special Events Manager shall resolve the issue based on the following order or priorities:

- (1) ~~(1)~~ The event that provides the greatest overall value to the City based on economic, cultural, and

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community impacts based on annual event debrief along with recommendations from the Special Event Advisory Committee.

~~Historic usage special events or master festivals where the same Applicant has been granted a license under this Chapter for use of a particular City forum at a particular date, time, and place for more than three (3) consecutive years;~~

(22) Events planned, organized, or presented by state, federal, or City governmental entities or their agents shall have priority over conflicting applications if:

(a) the application is timely filed and processed by the City;

(b) said governmental application is made in good faith and not with the effect or purpose of improperly ~~violating~~ chilling constitutional rights of conflicting Applicants; and

(43) If neither subsection (1), ~~or~~ (2) do not resolve the conflict, then the first-in-time application shall be given priority. The conflicting Applicant shall be advised of other open dates on the City's events calendar.

(Amended by Ord. No. 01-31)

**4- 8- 7. LICENSES NECESSARY FOR A SPECIAL EVENT LICENSE AND MASTER FESTIVAL LICENSE.**

The Applicant/licensee shall provide to the Special Events ~~Coordinator~~ Manager proof of a valid Special Event temporary liquor or beer license, fireworks license, and building permit, as applicable, as well as a receipt acknowledging that all application fees have been paid. The licensee must obtain all permits for any temporary structure constructed under the provisions of an event Master Festival License and must pass all inspections as a condition precedent to a valid ~~Special E~~vent License. Temporary concessions on public or private property may be approved in conjunction with an ~~Master Festival or Special~~ Event in the sole discretion of the City. Such concessions must be directly related to the event and meet a demonstrated need of participants. Unless otherwise approved by City Council, all concessions require a regular business license.

(Amended by Ord. No. 01-31)

**4- 8- 8. FEES TO BE ASSESSED.**

(A) **APPLICATION FEE.** First-time Master Festival applications shall be assessed a fee of one hundred ~~sixty~~ dollars (\$160). Special Event and renewal Master Festival applications shall be assessed a fee of ~~eighty~~ forty dollars (\$40). Community Events shall be assessed a fee of forty dollars (\$40). All application fees are due and payable upon submission of a completed application. Applications shall be considered incomplete unless and until the application fee is paid in full.

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(B) **CITY SERVICE FEES.** Upon receipt of a completed Master Festival, ~~or~~ Special Event, or Community Event application, the Special Events ~~Coordinator~~ Manager will provide the Applicant with an estimate of fees based on estimated costs for City services arising from the event, including but not limited to the use of City personnel and/or equipment, City transportation services, inspections, and user fees. A final assessment of City costs will occur upon completion of the special event. All City service fees will be adjudged to reflect actual cost. Unless waived pursuant to Section 4-8-9, all City service fees must be paid in full within thirty (30) days of the final assessment of City costs for the ~~Master Festival, or Special Event,~~ or Community Event.

(C) **FINANCIAL SECURITY.** The Special Events ~~Coordinator~~ Manager is authorized to require an Applicant to post a cash deposit or other security accepted by the Legal Department for all estimated contingent costs prior to the issuance of an ~~event master festival~~ license, as a guarantee against fees, damages, clean up, or loss of public property.

(Amended by Ord. No. 01-31)

**4- 8- 9. FEE REDUCTIONS/WAIVERS.**

(A) Annually, the city will allocate up to two hundred thousand dollars (\$200,000) to be used to reduce fees required for special events. Allocation of reduced fees will be determined at the sole discretion of the Economic Development Manager and Budget Manager(s), City Manager or City

Council. Unmet thresholds at the end of a year will not be carried forward to future years.

(B) The Economic Development Manager and Budget Manager(s) may approve event fee reductions up to a total of fifteen thousand dollars (\$15,000).. The City Manager may ~~reduce~~waive the following ~~Master Festival or Special Event~~ licensing and associated fees up to a total of twenty five thousand dollars (\$250,000) upon a finding of eligibility pursuant to the criteria provided herein:

- (1) Application fee;
- (2) building permit;
- (3) ~~Facility or equipment~~ rentals;
- (4) public safety officers;
- (5) ~~Field and park~~ rentals; ~~and~~
- (6) ~~special u~~se of public parking ~~permits; and spaces~~
- (7) ~~and B~~leachers.
- (8) trail fees

If the total fee waiver request exceeds twenty five thousand dollars (\$250,000) or includes other city service fees outside the fees mentioned above, then the request must be approved by City Council in a Public Meeting.

(C) All fee waiver requests will be reviewed twice a year. All event fee waiver requests ~~need to~~must ~~should~~ be submitted to the Special Events ~~Department~~ Coordinator's ~~Manager~~ prior to the application deadlines (For events occurring between January ~~May~~ 1<sup>st</sup> and June 30<sup>th</sup> ~~October 31<sup>st</sup> - deadline is October 1st~~ January 31<sup>st</sup> -for events occurring between November ~~July~~ 1<sup>st</sup> through April

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~~30<sup>th</sup> December 31st – deadline is- April 1st September 30<sup>th</sup>) at the time of application, but in no case later than the first day of the proposed event. Applications received outside of the normal application process may be considered for funding but must demonstrate an immediate need for funding and provide justification to why the application was not filled within the specified deadline.~~

(D) ~~Fee reduction/waiver will be evaluated by the Special Event Advisory Committee (SEAC) and a recommendation will be submitted to the Special Events Department.- Special Event staff will make a recommendation to the Economic Development Manager and Budget Manager(s), City Manager or City Council. Final determinations will be made by these parties the City Manager. All decisions may be appealed to the City Council. Eligibility for a full or partial fee waiver shall be determined by the City Manager pursuant to the following criteria, none of which shall be individually controlling:~~

~~(1) For profit or non-profit status of the Applicant;~~

~~(12) Charges event admission or fees for participation, and policy for attendees or participants unable to pay such fees; Whether the event will charge admission fees for participants or spectators;~~

~~(23) Provides programs for local youth or youth organizations; Whether the event is youth/youth-oriented;~~

~~(4) The duration of the event;~~

~~(3) Provides positive tax benefits, raises funds or provides revenue opportunities to the city to offset City services and costs required by the event;~~<sup>(35)</sup>

~~Whether and to what extent the City is likely to receive positive tax benefits by virtue of the event;~~

~~(46) The degree of City services involved and whether City costs are likely to be recovered by other revenue opportunities arising from the event;~~

~~(4) Provides event opportunities during resort off seasons, defined as September 21-November 15, and April 1-May 15, excluding holidays;~~<sup>(57)</sup> ~~Whether the event occurs during the resort off seasons The season of occurrence; and~~

~~(5) Demonstrates that the imposition of fees would create a financial hardship on the Applicant or would have a detrimental effect on services provided to the public.~~<sup>(68)</sup>

~~Demonstration of hardship by the Applicant.~~

Fee ~~reduction/waiver~~ requests must be filed ~~bi-~~annually, unless otherwise approved in a City services agreement by the City Council. Approval of a fee waiver for any application shall not create a precedent for future requests.

(Amended by Ord. Nos. 01-31; 06-57)

**4- 8-10. INSURANCE REQUIREMENTS.**

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Applicants shall provide upon application ~~for a Master Festival License under this Chapter~~ proof of ~~liability insurance coverage of a type and in the an amount determined of two million dollars (\$2,000,000) per occurrence and four million dollars (\$4,000,000) aggregate~~ **two million dollars (\$2,000,000) or more as may be required** by the Special Events ~~Coordinator~~**Manager** or the City Attorney's Office, and shall further name Park City Municipal Corporation as an additional insured. All Applicants shall further indemnify the City from liability occurring at the event ~~licensed under this Chapter~~, except for any claim arising out of the sole negligence or intentional torts of the City or its employees. ~~Any reduction of these requirements must be approved prior to approval of permit by both the Special Events Coordinator and the City Attorney's Office.~~

(Amended by Ord. No. 01-31)

**4- 8-11. RUNS, WALKS, FILM-MAKING, AND PROMOTIONS.**

~~Runs, walks, film-making, parades, public demonstrations, and promotions shall be considered Special Events. Unless the Economic Development Manager or his/her designee makes written findings that the specific proposal does not create a substantial public impact or require substantial City services, unless such event does not create substantial public impact or requires substantial City service.~~ Any ~~run, walk,~~ film, or promotion undertaken by any for-profit business or corporation, must first be licensed as a business under Chapter 2, Business Licenses. For-profit corporations falling under the provisions of this Chapter

or who are specifically in film-making or promotions on public or private property must, as a provision of their license, provide proof of insurance, shooting schedule or schedule of events, produce written permission of property owners, and provide access to any set or site for purposes of Code enforcement.

(Amended by Ord. No. 01-31)

**4- 8-12. CRIMINAL PENALTY.**

Any person who willfully violates any provision of this Chapter shall be guilty of a Class B misdemeanor. Persons conducting ~~Community Events, Special Events,~~ or Master Festivals without having first obtained a ~~Master Festival~~-License are subject to arrest and the event is subject to closure.

(Amended by Ord. No. 01-31)

**4- 8-13. REVOCATION FOR CAUSE; NOTICE TO CURE.**

(A) **NOTICE TO CURE.** If the Special Events ~~Coordinator~~**Manager** or any sworn law enforcement officer determines that the conditions of any license issued pursuant to this Chapter have been or are being violated, then notice shall be given to the licensee, sponsor, or designated organizer' s representative of the ~~Community Event,~~ Special Event or Master Festival to cure the violation.

(B) **FAILURE TO CURE.** It is unlawful for the licensee, sponsor, or on-site organizer' s representative of an authorized ~~Community Event,~~ Special Event, or Master Festival to fail to take reasonable steps to

promptly cure any notice of violation of this Chapter. It is also unlawful for any participant or spectator to fail to comply with lawful directions issued by any sworn law enforcement officer or by the licensee, sponsor, or on-site organizer's representative to cure their violation of this Chapter.

(C) **CLEAR AND PRESENT DANGER.** If a sworn law enforcement officer determines, after consultation with the Chief of Police or the Chief of Police's designee, that any failure to cure a violation of this Chapter creates a clear and present danger of immediate significant harm to life, public safety, or property which cannot be reasonably mitigated by increased public safety enforcement and which, on balance, outweighs the constitutionally protected rights of the organizers or participants in the Community Event, Special Event, or Master Festival, the licensee, sponsor, or on-site organizer's representative of the Community Event, Special Event, or Master Festival shall be promptly notified that the license is revoked and that the Community Event, Special Event or Master Festival must immediately cease and desist.

(D) **VIOLATION OF CEASE AND DESIST ORDER.** If a license is revoked as specified in Subsection (C) above, then it shall be unlawful for any person to fail to obey the order to cease and desist from illegal activities.

*(Amended by Ord. No. 01-31)*

**CHAPTER 8A - PUBLIC OUTDOOR MUSIC PLAZAS**

*(Created by Ord. 00-36)*

**4-8A-1. TITLE FOR CITATION.**

This section shall be known and may be referred to as the Public Outdoor Music Plaza Ordinance.

**4-8A-2. PURPOSE: REASONABLE LICENSING PROCEDURES.**

It is the purpose and object of this Chapter that the City establish reasonable and uniform regulations governing the licensing and manner of operations of public outdoor music plazas in Park City. This Chapter shall be construed to protect the legitimate and important governmental interests recognized by this Chapter in a manner consistent with constitutional protections provided by the United States and Utah Constitutions. The purpose of these regulations is to provide for the regulation and licensing of public outdoor music plazas within the City in a manner which will protect the property values of surrounding businesses and neighborhoods, and residents from the potential adverse secondary effects, while providing to those who desire to perform in and patronize public outdoor music plazas the opportunity to do so. The purpose of this Chapter is to prevent and control the adverse effects of public outdoor music plazas and thereby to protect the health, safety, and welfare of the citizens and guests of park City, protect the citizens from increased noise, preserve the quality of life, preserve the property values and character of the surrounding neighborhoods.

**4-8A-3. APPLICATION OF PROVISIONS.**

This Chapter imposes regulatory standards and license requirements on certain activities, which are characterized as A public outdoor music plazas”. It is not the intent of this Chapter to suppress any speech activities protected by the First and Fourteenth Amendments to the United States Constitution and the Constitution of the State of Utah, but to impose content-neutral regulations which address the adverse secondary effects of public outdoor music plazas. This Chapter is intended to supersede any other related ordinances including, but not limited to, Title 6 Chapter 3, Noise and Title 15, Land Management Code, of the Municipal Code.

**4-8A-4. DEFINITIONS.**

For the purpose of this Chapter, the following words shall have the following meanings:

(A) **AMPLIFIED EVENT OR MUSIC.** An event or music utilizing an amplifier or other input of power so as to obtain an output of greater magnitude or volume through speakers or other electronic devices.

(B) **STAGES.** The raised and semi-enclosed platforms that are designed to attenuate sound, or as otherwise approved by special events staff.

**4-8A-5. ~~EVENTMASTER FESTIVAL~~ LICENSE; REVIEW PROCEDURE.**

The public outdoor music plazas identified at Section 4-8A-6 herein may be programmed for public performances and outdoor music, subject to the regulations and conditions of this Chapter and subject to ~~eventmaster festival~~ licensing review pursuant to Title 4, Chapter 8, ~~EventMaster Festival~~ License. No licensee nor performer shall accrue any vested rights under this revocable license.

*(Amended by Ord. No. 03-18; 03-31; 04-13)*

**4-8A-6. PUBLIC OUTDOOR MUSIC PLAZAS.**

The following locations, dates and times may be programmed for public performances and outdoor music:

(A) **LOWER SUMMIT WATCH PLAZA.**

(1) **LOCATION.** On the north end of Summit Watch Plaza. Approved plans are on file with the Special Events Department.

(2) **OPERATION DAYS/HOURS/MONTHS.** This stage may be programmed a maximum of three (3) days per week from June 1<sup>st</sup> through Labor Day. Programming is limited to a maximum of three (3) hours per day and shall begin no earlier than 12:00 Noon and conclude no later than 8:30 p.m. A timer device will be installed that shuts the power of the stage and sound system off at 8:30 p.m.

(3) **TYPE OF MUSIC.** Amplified and acoustic with prerecorded music allowed during

breaks. For amplified events or music on Summit Watch Plaza, the program manager shall be responsible to ensure that the sound system maintains the sound at an A-weighted sound level adjustment and maximum decibel level of ninety (90), as measured twenty-five feet (25') in front of the stage.

(B) **MINER' S PLAZA.**

(1) **LOCATION.** 415 Main Street.

(2) **OPERATION DAYS/HOURS/MONTHS.** This stage may be programmed a maximum of two (2) days per week from June 1<sup>st</sup> through Labor Day. Programming is limited to a maximum of three (3) hours per day and shall begin no earlier than 12:00 ~~p.m.~~ ~~Noon~~ and conclude no later than 8:30 p.m. Programming of this stage shall not conflict with any City-sponsored or duly licensed master festival as approved by the Special Events Department, including but not limited to dates reserved for the Park City Arts Festival. A timer device will be installed that shuts the power of the stage and sound system off at 8:30 p.m.

(3) **TYPE OF MUSIC.** Solo and duo acts with microphones for vocal, with prerecorded music during breaks. For amplified soundevents, the program manager shall be responsible to ensure that the sound system maintains the sound at an A-weighted sound level adjustment and

maximum decibel level of 90, as measured twenty-five feet (25') in front of the stage.

(C) **TOWN LIFT PLAZA.**

(1) **LOCATION.** 825 Main Street.

(2) **OPERATION DAYS/HOURS/MONTHS.** This stage may be programmed a maximum of three (3) days per week from June 1<sup>st</sup> through Labor Day. The maximum duration of programming per day shall not exceed four (4) hours and shall begin no earlier than 12:00 ~~p.m.~~ ~~Noon~~ and must conclude no later than 8:30 p.m. Programming of this stage shall not conflict with any City-sponsored or duly licensed ~~event~~ ~~master festival~~ as approved by the Special Events Department, including but not limited to dates reserved for the Park City Arts Festival. A timer device will be installed that shuts the power of the stage and sound system off at 8:30 p.m.

(3) **TYPE OF MUSIC.** Amplified and acoustic acts with microphones for vocal, with prerecorded music during breaks. For amplified soundevents, the program manager shall be responsible to ensure that the sound system maintains the sound at an A-weighted sound level adjustment and maximum decibel level of ninety (90), as measured twenty-five feet (25') in front of the stage.

**(D) UPPER SUMMIT WATCH PLAZA.**

(1) **LOCATION.** On the south end of Summit Watch Plaza. Approved plans are on file with the Special Events Department.

(2) **OPERATION DAYS/HOURS/MONTHS.** This stage may be programmed a maximum of three (3) days per week from June 1<sup>st</sup> through Labor Day. Programming is limited to a maximum of three (3) hours per day and shall begin no earlier than 12:00 ~~p.m.~~~~Noon~~ and must conclude no later than 8:30 p.m. A timer device will be installed that shuts the power of the stage and sound system off at 8:30 p.m.

(3) **TYPE OF MUSIC.** Amplified and acoustic with prerecorded music allowed during breaks. For amplified ~~sound events~~ or music at on Upper Summit Watch Plaza, the program manager shall be responsible to ensure that the sound system maintains the sound at an A-weighted sound level adjustment and maximum decibel level of 90, as measured twenty-five feet (25') in front of the stage.

*(Amended by Ord. 01-20; 02-12; 03-18; 03-31; 03-35; 04-13)*

**4-8A-7. GENERAL REGULATIONS.**

(A) The program manager, or his/her designee, shall provide on-site management

for each event.

(B) A sound technician shall provide on-site noise monitoring for each event with music, amplified or otherwise, and any amplified event.

(C) Except as otherwise provided at Subsection 6(A) herein, for amplified events or music, the program manager shall be responsible to ensure that the sound system maintains the sound at an A-weighted sound level adjustment and maximum decibel level of 90, as measured twenty-five feet (25') in front of the stage. The data currently available to the City indicates that a maximum decibel level of 90 satisfies the purpose of this ordinance. The City may amend this ordinance consistent with newly acquired data.

(D) All events shall be open to the public and free of charge.

(E) No event shall exceed 250 people at one time unless a separate ~~event master festival~~ license is granted for that event.

(F) The Police Department or other proper City official shall have access at all times to all public outdoor music plazas under this Chapter, and may make periodic inspection of said premises whether the officer or official is in uniform or plain clothes.

(G) All events shall take place only on authorized stages and shall have clean-up services directly following each event so as to leave the plazas in a clean and litter free manner.

**4-8A- 8. ALCOHOL.**

It is unlawful for the licensee or any person or business to allow the sale, storage, supply, or consumption of alcoholic beverages at the public outdoor music plazas, unless licensed pursuant to Chapters 4-6 of Title 4, as applicable.

**4-8A- 9. LICENSE HOLDER, PROGRAM BOARD.**

(A) The licensee(s) will hire a program manager, approved by the City, said approval not to be unreasonably withheld. The program manager will be responsible for general management of each public outdoor music plaza and on-site oversight for each event. Agreements with the individual property owners will be provided to the City Special Events Department by the program manager.

(B) The licensee(s) shall schedule events in accordance with the regulations set forth in this Chapter. Nothing herein shall allow the City to regulate the content or otherwise censor plaza productions or speech. The licensee(s) shall at all times hold the City harmless and indemnify the City from all claims, actions and liability arising from the licensee(s)' use of the public outdoor music plazas. The licensee(s) shall maintain their own liability insurance, with the City listed as an additional insured in a form approved by the City Attorney.

(C) Nothing in this Chapter shall be interpreted to create a contract or implied-contract between the City and any performer, or public outdoor music plaza owner.

*(Amended by Ord. 03-31; 04-13)*

**4-8A-10. ON-GOING COMPLIANCE EVALUATION.**

(A) Licensee(s) shall post a phone number at each venue so that individuals may phone in comments. Based upon such comments, the special events staff may issue additional conditions consistent with the intent of this Chapter to the program manager, including decreasing DB levels in three (3) DB increments with at least three (3) days between each reduction. A summary of, and recommended response to comments will be forwarded to the City Council within seven (7) days of the end of each month of operation, or sooner if requested by the program manager to resolve any issue.

(B) The Police Chief, or his/her designee, may suspend the licenses granted herein and schedule a revocation hearing before the City Council at the next regularly scheduled City Council meeting for any of the following causes:

- (1) Any violation of this Chapter as evidenced by a citation issued by the Police Department.
- (2) Any violation of law or City ordinance.
- (3) Upon any other evidence that the program manager or entertainer constitutes a hazard or nuisance to the health, safety, or welfare of the community.

*(Amended by Ord. 03-31; 04-13)*

**4-8A-11. TRANSFER**

**LIMITATIONS.**

The ~~eventmaster festival~~ licenses granted under this Chapter are not transferable without the written consent of the Mayor. It is unlawful for an individual to transfer a public outdoor music plaza master festival license without City approval as provided herein. If any transfer of the controlling interest in a public outdoor music plaza license occurs without City approval, the license is immediately null and void and the public outdoor music plaza shall not operate until a separate new license has been properly issued by the City as herein provided. The City will not unreasonably withhold consent of transfer provided the proposed licensee is a non-profit organization within Park City, meets all the criteria of this Chapter, and demonstrates experience managing special events.

**4-8A-12. PLAZA LICENSES IN LIEU OF ADMINISTRATIVE PERMITS FOR OUTDOOR MUSIC AND OUTDOOR SPEAKERS.**

The ~~eventmaster festival~~ licenses granted under this Chapter are in lieu of any administrative conditional permit (CUP) for outdoor music, including outdoor speakers, pursuant to Title 15 of the Municipal Code, Land Management Code. The Planning Department shall not issue any outdoor music permits in the Historic Commercial Business (HCB) zoning district north of Heber Avenue. The City may still issue outdoor music permits in conjunction with an approved ~~eventmaster festival~~ license.

*(Amended by Ord. 04-13)*

**Ordinance No. 15-XX**

**AN ORDINANCE AMENDING TITLE 4, CHAPTERS 1 & 8 OF  
THE MUNICIPAL CODE OF PARK CITY, UTAH**

WHEREAS, special events within the city limits of Park City continue to grow; and

WHEREAS, Park City Municipal Corporation desires to facilitate events that provide positive impacts to the local economy and help to build a higher quality of life for the local community; and

WHEREAS, Park City Municipal Corporation wants to ensure public health, safety, and welfare during all permitted events;

WHEREAS,

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF PARK CITY, UTAH THAT:

SECTION 1. AMENDMENTS TO TITLE 4 – Licensing of the Municipal Code Chapter One (In General). The recitals above are incorporated herein as findings of fact. Chapter 1 of the Municipal Code of Park City is hereby amended as redlined (see Exhibit A).

SECTION 2. AMENDMENTS TO TITLE 4 – Licensing of the Municipal Code Chapter Eight (Master Festival License). The recitals above are incorporated herein as findings of fact. Chapter 8 of the Municipal Code of Park City is hereby amended as redlined (see Exhibit B).

SECTION 3. This ordinance shall become effective upon publication.

**PASSED AND ADOPTED BY THE Park CITY COUNCIL this \_\_\_ day of \_\_\_\_\_, 2015.**

PARK CITY MUNICIPAL CORPORATION

\_\_\_\_\_  
Mayor Jack Thomas

Attest:

\_\_\_\_\_  
City Recorder

Approved as to form:

\_\_\_\_\_  
Mark Harrington, City Attorney



**DATE: October 29, 2015**

**TO HONORABLE MAYOR AND COUNCIL**

The Management Team of Mountain Accord is proposing that the contract management responsibility of Mountain Accord move from UTA to Wasatch Front Regional Council and that their Executive Director be made a member of the Management Team.

**Respectfully:**

Ann Ober, Community Relations



## City Council Staff Report

**Subject:** Amended Mountain Accord Blueprint and Interlocal Agreement  
**Author:** Ann Ober  
**Department:** Executive  
**Date:** October 29, 2015  
**Type of Item:** Approval

### **Summary Recommendations:**

Approval of amendments to the Mountain Accord Interlocal Agreement for Phase II.

### **Abbreviations:**

Interlocal Agreement – ILA  
Utah Transit Authority - UTA

### **Executive Summary:**

The Management Team of Mountain Accord is proposing that the contract management responsibility of Mountain Accord move from UTA to Wasatch Front Regional Council and that their Executive Director be made a member of the Management Team.

### **Interlocal**

In June 2015, Council approved the Phase II Mountain Accord ILA. That agreement is largely operational, outlining contributions, conflict management and extraction from the process and is consistent with our current approach.

Over the past two years, some members of the community have expressed concerns with the process being housed at the Utah Transit Authority. That concern has been expressed by other communities as well. Though staff believes UTA has been a great partner in this process and on countless joint projects in the past, all the parties agreed that an alternative housing of this process would be appropriate in Phase II.

“The Wasatch Front Regional Council is an Association of Governments organized under the Interlocal Cooperation Act of Utah State Law. The Council consists of 21 voting members, 19 elected officials representing local governments from Box Elder, Davis, Morgan, Salt Lake, Tooele, and Weber counties, and one representative from the Utah Department of Transportation, and one representative from the Utah Transit Authority. The Council also includes 6 non-voting members representing the Utah State Senate, the Utah House of Representatives, the State Planning Director, the Utah League of Cities and Towns, the Utah Association of Counties, and Envision Utah.”

The Management team felt like this team is a better fit due to its broader focus. Though transportation is a key component of their mission, land planning is their second objective.

It should be noted that there is not a perfect home for this program. Everyone is seen as having significant goals of their own. To achieve a “pure” option in the future, the Phase II Request for Proposal contemplates the creation of an independent non-profit or organization. That opportunity will be investigate over the next two years.

Finally, this document makes two changes. First, it moves the management responsibilities to Wasatch Front Regional Council. Second, it makes their Director a member of the management team. No other changes were included.

**Significant Impacts:**

	<b>World Class Multi-Seasonal Resort Destination (Economic Impact)</b>	<b>Preserving &amp; Enhancing the Natural Environment (Environmental Impact)</b>	<b>An Inclusive Community of Diverse Economic &amp; Cultural Opportunities (Social Equity Impact)</b>	<b>Responsive, Cutting-Edge &amp; Effective Government</b>
Which Desired Outcomes might the Recommended Action Impact?	+ Well-utilized regional public transit	~ Managed natural resources balancing ecosystem needs	~ Entire population utilizes community amenities	+ Engaged and informed citizenry <input type="button" value="v"/>
Assessment of Overall Impact on Council Priority (Quality of Life Impact)	Positive 	Neutral 	Neutral 	Positive 
<b>Comments:</b> It is impossible to say if the environmental benefits will increase or decrease until a significant Environmental Impact Study has been done on each component. The project does have a number of regional public transit projects included. This could allow for more community engagement with our transportation system, but additional study is required. The real benefit of the Mountain Accord process is that is has definitely engaged our public in a major discussion about where we are heading.				

**Phase II Funding Source**

This amendment does not amend our current commitment of \$100,000 per year.

**Department Review:** Transportation, Sustainability, Legal, Executive

**Summary Recommendations:**

Approval of amendments to the Mountain Accord Interlocal Agreement for Phase II.

## **PROGRAM AND FUNDING AGREEMENT**

### **Mountain Accord Phase II**

This Interlocal Program and Funding Agreement — Mountain Accord Phase II (“Agreement”) is entered into this \_\_\_\_ day of \_\_\_\_\_, 2015 by and among Cottonwood Heights (“Cottonwood Heights”), Draper City (“Draper”), the Metropolitan Water District of Salt Lake & Sandy (“MWDSLS”), Park City Municipal Corporation (“Park City”), Sandy City (“Sandy”), Salt Lake City (“SLC”), Salt Lake County (“Salt Lake County”), Summit County (“Summit County”), the Town of Alta (“Alta”), Utah Department of Transportation (“UDOT”), Utah Transit Authority (“UTA”), and Wasatch Front Regional Council (“WFRC”). Each is individually referred to as a “Party” and collectively as the “Parties.”

### RECITALS

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

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

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

WHEREAS, Salt Lake County and Summit County are Utah counties, and have various responsibilities and legal authorities relating to land use, transportation, watershed and water resources, economic, and environmental issues;

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

WHEREAS, WFRC is the metropolitan planning organization responsible for transportation planning for the Ogden-Layton and Salt Lake-West Valley City Metropolitan Areas;

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

WHEREAS, the Parties have previously entered into a Program and Funding Agreement for Wasatch Summit Phase I (“Phase I Agreement”), dated February 3, 2014, which established a Mountain Accord Program Charter dated February 2014 (“Program Charter”).

WHEREAS, the Parties signed the Mountain Accord agreement (“the Accord”) on August 3, 2015, which identifies a suite of actions that are recommended to be implemented to ensure that future generations can enjoy all the activities we do today, while preserving our watershed and natural environment; and

WHEREAS, the Parties desire to enter into this Agreement to provide for a transition from Phase I into Phase II (as defined below), and to define their respective roles and responsibilities with respect to Phase II.

## AGREEMENT

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

### 1. PROGRAM DESCRIPTION.

- A. The Parties intend to collaborate with each other to address long-term transportation, environmental, economic, and recreation needs in the Central Wasatch Mountains (the “Program”).
- B. Phase I of the Program has concluded. This Agreement supersedes and replaces the Phase I Agreement. During Phase I, the Parties to the Phase I Agreement (i) contributed to the Program and deposited funds into a segregated holding account managed by UTA, and (ii) engaged a Mountain Accord Program Facilitator (“Program Facilitator”) and a consultant to provide environmental professional services (“Environmental Technical Consultant”). UTA will retain in the holding account any funds left over from Phase I, and those funds will continue to be dedicated to Program expenses, as further detailed in paragraph 8. Contracts for the Program Facilitator and the Environmental Technical Consultant established under the Phase I Agreement will expire on September 30, 2015. These contracts may be extended through December 31, 2015 if agreed to by the Parties, to complete activities included in the scope of work for those Phase I contracts. At such time as those contracts expire, they will not be renewed for Phase II activities.
- C. The Parties anticipate that this phase of the Program (“Phase II”) will be up to a three year process that (i) will prioritize the recommendations identified in the Accord; and (ii) will implement various components of the Accord, as prioritized by the Executive Board (as defined below), with the available Program funding.

- D. The final work deliverables and general agreement on the major decisions in Phase II will be in accordance with the elements of the Accord, as prioritized by the Executive Board.
- E. Each of the Parties will pledge funds as more particularly set forth herein, for Phase II.

2. EXECUTIVE BOARD AND DESIGNATED REPRESENTATIVES. An Executive Board (“Executive Board”) is established to be the consensus-based governing body of the Program. The Executive Board may update the Program Charter as needed. Each Party may appoint one person (a “Designated Representative”) to be a member of the Executive Board. The Parties may invite third parties to serve on the Executive Board at their direction. The Executive Board shall meet at least quarterly, and may meet more frequently, as agreed upon by a majority of the Executive Board. The Parties hereby designate the following as their Designated Representatives on the Executive Board:

- Alta.....Mayor Tom Pollard
- Cottonwood Heights .....Mayor Kelvyn H. Cullimore, Jr.
- Draper City.....Mayor Troy Walker
- MWDSLS .....Michael L. Wilson, MWDSLS General Manager
- Park City .....Council Member Andy Beerman
- Sandy.....Mayor Tom Dolan
- Salt Lake City .....Mayor Ralph Becker
- Salt Lake County.....Mayor Ben McAdams
- Summit County .....Council Member Christopher Robinson
- UDOT .....Nathan Lee, Region 2 Director
- UTA .....Michael Allegra, Special Advisor to the UTA Board of Trustees
- WFRC .....Andrew Gruber, Executive Director

Any party may change its Designated Representative on the Executive Board. Such changes will be reflected by updating the Program Charter; no Amendment (defined below) to this Agreement will be necessary.

3. MANAGEMENT TEAM. A Management Team was established under the Program Charter to manage the activities of Mountain Accord. The Management Team will continue to administer the Program, approve contract scopes of work and budgets for consultants hired for the Program, make recommendations to the Executive Board for

formal decisions and conflict resolutions as necessary, and give direction on the day-to-day management of the Program. The Management Team consists of Mayor Ralph Becker, Council Member Andy Beerman, Mayor Tom Dolan, Mayor Ben McAdams, Michael Allegra with UTA, David Whittekiend with the US Forest Service, Andrew Gruber with WFRC, and Alan Matheson representing the State of Utah. Changes to the membership of the Management Team will be reflected by updating the Program Charter; no Amendment (defined below) to this Agreement will be necessary.

4. **PROGRAM DIRECTOR:** The Parties agree to engage a Program Director to coordinate and manage numerous Program elements for a diverse group of committees and stakeholders, including federal, state, and local governments, non-governmental organizations, and private interests. The Program Director shall be responsible for the day to day management of the Program, and will report to the Executive Board. The Management Team shall prepare and finalize a Scope of Work for the Program Director, which shall be approved by the Executive Board. Among other responsibilities, the Program Director will maintain the Program Charter, as directed by the Executive Board. The Program Director shall be selected in accordance with Paragraph 10. The Program Director shall work under contract with WFRC. Invoicing and payment of the Program Director will be handled as described in paragraph 11.
  
5. **TECHNICAL CONSULTANTS.** The Parties agree to engage technical consultants as needed to implement various components of the Accord as prioritized by the Executive Board, to be paid for through the funds deposited by the Parties in the holding account. These technical consultants shall work under contract as described in Paragraph 9. The Management team or their designees shall prepare and finalize a Scope of Work for these technical consultants, which will be approved by the Executive Board. The technical consultant shall be selected in accordance with Paragraph 10.
  
6. **TERM.** The term of this Agreement shall be up to three (3) years, unless otherwise agreed by the Parties in accordance with Paragraph 13. However, in no case shall this Agreement extend for a term that exceeds fifty (50) years.
  
7. **FUNDING.** The amounts for funding Phase II of the Program, allocated by the Parties over a three year period, is expected to be as follows:

Salt Lake City .....	\$600,000
Salt Lake County.....	\$600,000
Utah Transit Authority .....	\$600,000
City of Sandy .....	\$300,000
MWDSLS .....	\$300,000
Park City Municipal Corporation.....	\$300,000
Draper City .....	\$180,000
City of Cottonwood Heights .....	\$150,000
Summit County .....	\$150,000

UDOT .....\$150,000  
 Town of Alta .....\$ 45,000

Funding is due as follows: for each of the monetary contributions, one-third of each Party’s contribution will be due and payable on or before December 31, 2015; one-third of each Party’s contribution will be due and payable on or before December 31, 2016, and one-third of each Party’s contribution will be due and payable on or before December 31, 2017, assuming such amount is appropriated by the Party for such purpose. The funds shall be deposited in the UTA segregated holding account described in paragraph 8 of the Agreement and shall be used solely for the purposes of the Program, as directed by the Executive Board.

In addition, the State of Utah has contributed \$3,000,000 of fiscal year 2015 state funding through the Governor’s Office of Economic Development (“GOED”), which was received on May 6, 2015 through a grant agreement between GOED and UTA and was deposited in the Phase I holding account managed by UTA.

Parties anticipate that the State of Utah will continue to contribute to the Program each year. This amount will be determined annually by the Utah State Legislature. In the event that funding is not appropriated to the Program in the expected amounts, as set forth above, the Executive Board shall address the shortfall by reducing the scope of the Program, raising alternate funds, or taking other measures deemed appropriate by the Executive Board.

8. **HOLDING ACCOUNT.** All funds allocated by the Parties for Phase II of the Program will be deposited in a segregated holding account (the “Account”), which UTA created pursuant to the Phase I Agreement and will manage solely for the purposes of the Program pursuant to this Agreement and any further agreement of the Parties. The Account will be interest-bearing with all interest accruing to the Account to be used solely for payment of Program-related expenses. The Account may receive funds from the Parties and third party contributors, as approved by the Executive Board, and in accordance with UTA policies. UTA shall pay Program expenditures first from the funds appropriated by the State of Utah. Once the State of Utah funds are expended, UTA shall pay Program expenditures from the commingled funds contributed by the remaining Parties and any third party contributors. UTA shall provide financial information to the Program Director to issue a quarterly statement of contributions received, interest earned, invoices paid and current balance of the Account for Party and public review. UTA agrees to make all financial records associated with the Account available to any Party or third party contributor upon request. The Account may be audited at the request of any Party or third party contributor at the requestor’s own expense.
  
9. **CONTRACTOR ADMINISTRATION.** WFRC shall be responsible for administration of the Program Director contract established under this Agreement. Additional contracts as authorized by the Executive Board may be administered by other Parties as agreed to by the Executive Board. Contract administration services

will be provided by the Parties at no charge to the Program. Parties will not enter into any contracts committing Program funds without the knowledge and consent of the Executive Board.

Any Party that administers a contract authorized and funded pursuant to this Agreement shall coordinate with the Management Team, as authorized by the Executive Board, in such matters as developing scopes of work, issuing Notices to Proceed, issuing change orders, accepting the work products of the Program contractors and similar items.

10. **CONTRACTOR SELECTION.** The Management Team, or their designated representative, shall prepare scopes of work for any new Program consultant contracts funded pursuant to this Agreement, which must be approved by the Executive Board. The Party administering the contract shall issue requests for proposals and administer Program contracts in accordance with their agency's policies. The Management Team, with input from the Executive Board, shall appoint members of the Executive Board or their designated staff to participate on the evaluation and selection committees for any new Program contracts.
11. **PAYMENT OF INVOICES.** Any Party administering any contracts authorized and funded pursuant to this Agreement will review the invoices to make sure they meet the Party's contracting and accounting policies and procedures, and will forward invoices received from the contractors to each Party's designated representatives for review and approval. Each Party shall have ten (10) business days in which to review and either approve or disapprove payment of the invoice (in whole or in part). Failure to notify the administering Party of disapproval within ten (10) business days will be deemed approval. Approved invoices shall be submitted to UTA for payment. UTA will not process any invoices for payment from the Account until approval from all Parties has been provided, whether through express approval or non-response within ten (10) business days. Any portion of an invoice that is not approved will not be paid until issues of concern have been resolved and a revised invoice has been distributed to all Parties and all Parties have approved the revised invoice, whether through express approval or non-response within ten (10) business days. In no event shall UTA be expected or required to pay amounts in excess of funds already appropriated to the Program and deposited into the Account described in paragraph 8.
12. **COORDINATION AND INFORMATION SHARING.** The Parties agree to keep each other timely informed of substantive independent communications and activities related to the Program. The Program Director may speak on behalf of the Program to third parties, including the media, as authorized by the Scope of Work for the Program Director. The Parties agree to make available to the Program relevant and useful information procured or maintained in the ordinary course of a Party's business.
13. **ENTIRE AGREEMENT; AMENDMENT.** This Agreement contains the entire agreement between the Parties with respect to the subject matter hereof, and no

statements, promises, or inducements made by any Party or agents of any Party that are not contained in this Agreement shall be binding or valid. Alterations, extensions, supplements or modifications to the terms of this Agreement shall be agreed to in writing by the Parties, incorporated as amendments (an “Amendment” or “Amendments”) to this Agreement, and made a part hereof. Notwithstanding the foregoing, the Parties hereby authorize the Executive Board to amend this Agreement to include new funding partners, on the same terms contained herein, without further approval from the Parties’ respective legislative bodies. To the extent of any conflict between the provisions of this Agreement and the provisions of any later Amendments, the later Amendments shall be controlling.

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

15. WITHDRAWAL FROM AGREEMENT. Any Party may withdraw from participation in the Program by giving written notice of such termination to all other Parties and specifying the effective date thereof. No Party or Parties withdrawing from participation hereunder shall be entitled to any refund of any monies previously contributed to Phase II expenses pursuant to this Agreement; provided, however, any such Party or Parties shall not be obligated to make any further contributions contemplated in this Agreement following the date of such withdrawal.

16. TERMINATION OF THE AGREEMENT. At the expiration of this Agreement or if the Executive Board determines the Program should be discontinued, any funds remaining in the Account described in Paragraph 6, including any accrued interest, shall be refunded to each Party or contributor *pro rata*.

#### 17. DISPUTE RESOLUTION

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

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

C. If the dispute is not resolved by majority vote of the Executive Board within thirty (30) calendar days after referral to the Executive Board, then the Parties

to the dispute shall refer the dispute for resolution to a single mediator, agreed upon by the Parties involved in the dispute. If the Parties are unable to agree upon a single mediator, the matter shall be referred for resolution to a three-member Mediation Panel to be mutually agreed upon by all Parties involved in the dispute. Panel members shall be independent of the entities involved in the dispute and shall be recognized and approved by State and/or federal courts as qualified and experienced mediators/arbitrators. Each Party to the dispute shall pay its own costs and fees, including a prorated share of the fees for the appointed mediator(s). Any of the above time periods may be modified by mutual agreement of the Parties to the dispute.

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

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

UDOT

Nathan Lee  
Utah Department of Transportation  
Region Two  
2010 South 2760 West  
Salt Lake City, Utah 84104

Copy to:

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

UTA

Michael Allegra, Special Advisor to  
the Board of Trustees  
Utah Transit Authority  
669 West 200 South  
Salt Lake City, UT 84101  
Email: [mallegra@rideuta.com](mailto:mallegra@rideuta.com)

Copy to:

UTA General Counsel  
669 West 200 South  
Salt Lake City, UT 84101

SALT LAKE CITY

Mayor Ralph Becker  
Salt Lake City Mayor's Office  
451 South State Street, Room 306  
P.O. Box 145474  
Salt Lake City, UT 84114  
Telephone: (801) 535-7704  
Email: [Ralph.Becker@slcgov.com](mailto:Ralph.Becker@slcgov.com)

Copies to:

Salt Lake City Attorney  
451 South State Street, Room 505  
P.O. Box 145478  
Salt Lake City, UT 84114-5478  
Telephone: (801) 535-7788

Laura Briefer  
Salt Lake City Department of  
Public Utilities  
1530 South West Temple  
Salt Lake City, UT 84115  
Email: [laura.briefer@slcgov.com](mailto:laura.briefer@slcgov.com)

COTTONWOOD HEIGHTS

Mayor Kelvyn H. Cullimore, Jr.  
1265 East Fort Union Blvd., Suite  
250  
Cottonwood Heights, UT 84047  
Email: [kcullimore@ch.utah.gov](mailto:kcullimore@ch.utah.gov)

Copy to:

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

ALTA

Mayor Tom Pollard  
Town of Alta  
P.O. Box 8016  
Alta, UT 84052  
Telephone: (801) 363-5105  
Email: [tjp@townofalta.com](mailto:tjp@townofalta.com)

PARK CITY

Council Member Andy Beerman

Park City Municipal Corporation  
P.O. Box 1480  
Park City, UT 84060-1480  
Email: andy@parkcity.org

Copies to:

Diane Foster, City Manager  
Park City Municipal Corporation  
P.O. Box 1480  
Park City, UT 84060-1480  
Email: diane@parkcity.org

City Attorney  
Park City Municipal Corporation  
P.O. Box 1480  
Park City, UT 84060-1480  
Telephone: (435) 615-5025

SANDY CITY

Mayor Tom Dolan  
Sandy City  
10000 Centennial Parkway  
Sandy, Utah 84070

Copy to:

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

SALT LAKE COUNTY

Mayor Ben McAdams  
Salt Lake County Government  
Center  
2001 South State Street, Ste N2100  
PO Box 144575  
Salt Lake City, Utah 84114-4575  
Email: ben@slco.org

Copy to:

Kimberly Barnett  
Salt Lake County Government  
Center  
2001 South State Street, Ste N2100

PO Box 144575  
Salt Lake City, Utah 84114-4575  
Email: [kbarnett@slco.org](mailto:kbarnett@slco.org)

SUMMIT COUNTY

Christopher Robinson  
Summit County Council  
P.O. Box 982288  
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Copy to:

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MWDSLS

Michael L. Wilson  
Metropolitan Water District of Salt  
Lake & Sandy  
3430 East Danish Road  
Cottonwood Heights, UT 84093  
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DRAPER CITY

Mayor Troy Walker  
Draper City  
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Draper, UT 84020  
Email: [Troy.Walker@draper.ut.us](mailto:Troy.Walker@draper.ut.us)

Copy to:

Rachelle Conner  
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Draper, UT 84020  
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WFRC

Andrew Gruber, Executive Director  
Wasatch Front Regional Council  
295 North Jimmy Doolittle Road

Salt Lake City, UT 84116  
Email: agruber@wfrc.org

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

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

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

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

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

(d) Except as otherwise specifically provided herein, and in addition to the funding obligation of Paragraph 5, each Party shall be responsible for its own costs of any action taken pursuant to this Agreement, and for any financing of such costs; and

(e) No separate legal entity is created by the terms of this Agreement. To the extent that this Agreement requires administration other than as set forth herein, it shall be administered by the Mayor or chief executive officer of each Party. No real or personal property shall be acquired jointly by the Parties as a result of this Agreement. To the extent that a Party acquires, holds, or disposes of any real or personal property for use in the joint or cooperative undertaking contemplated by this Agreement, such Party shall do so in the same manner that it deals with other property of such Party.

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

the Party who receives benefits under this Agreement shall be deemed an incidental beneficiary only.

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

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

IN WITNESS WHEREOF, the above-identified Parties enter this Agreement effective the date of the last Party's signature, except for the purposes of funding under Paragraph 5, the effective date as to each Party is the date of that Party's signature

UDOT agrees to provide \$150,000 (subject to required appropriations).

Signed this \_\_\_ day of \_\_\_\_\_, 2015.

UTAH DEPARTMENT OF  
TRANSPORTATION

---

Nathan Lee, Region 2 Director

Approved as to Form

---

Salt Lake County agrees to provide \$600,000 (subject to required appropriations).

Signed this \_\_\_ day of \_\_\_\_\_, 2015.

SALT LAKE COUNTY

\_\_\_\_\_  
Ben McAdams, Mayor

Approved as to Form

\_\_\_\_\_

Summit County agrees to provide \$150,000 (subject to required appropriations).

Signed this \_\_\_ day of \_\_\_\_\_, 2015.

SUMMIT COUNTY

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Kim Carson, Council Chair

Approved as to Form

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Salt Lake City agrees to provide \$600,000 (subject to required appropriations).

Signed this \_\_\_ day of \_\_\_\_\_, 2015.

SALT LAKE CITY

---

Ralph Becker, Mayor

Approved as to Form

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City of Sandy agrees to provide \$300,000 (subject to required appropriations).

Signed this \_\_\_ day of \_\_\_\_\_, 2015.

CITY OF SANDY

---

Tom Dolan, Mayor

Approved as to Form

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Cottonwood Heights agrees to provide \$150,000 (subject to required appropriations).

Signed this \_\_\_ day of \_\_\_\_\_, 2015.

COTTONWOOD HEIGHTS

\_\_\_\_\_  
Kelvyn H. Cullimore, Jr., Mayor

\_\_\_\_\_  
Kory Solorio, Recorder

Approved as to Form

\_\_\_\_\_  
Wm. Shane Topham, City Attorney

Park City Municipal Corporation agrees to provide \$300,000 (subject to required appropriations).

Signed this \_\_\_ day of \_\_\_\_\_, 2015.

PARK CITY MUNICIPAL CORPORATION

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Jack Thomas, Mayor

Approved as to Form

---

Utah Transit Authority agrees to provide \$600,000 (subject to required appropriations).

Signed this \_\_\_ day of \_\_\_\_\_, 2015.

UTAH TRANSIT AUTHORITY

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Jerry Benson, Interim President/CEO

---

Matt Sibul, Chief Planning Officer

Approved as to Form

---

Town of Alta agrees to provide \$45,000 (subject to required appropriations).

Signed this \_\_\_ day of \_\_\_\_\_, 2015.

TOWN OF ALTA

\_\_\_\_\_  
Tom Pollard, Mayor

Approved as to Form  
\_\_\_\_\_

Wasatch Front Regional Council agrees to provide contract management support for the Program Director contract.

Signed this \_\_\_ day of \_\_\_\_\_, 2015.

WASATCH FRONT REGIONAL COUNCIL

\_\_\_\_\_  
Andrew Gruber, Executive Director

Approved as to Form:

\_\_\_\_\_

MWDSLS agrees to provide \$300,000 (subject to required appropriations).

Signed this \_\_\_ day of \_\_\_\_\_, 2015.

METROPOLITAN WATER DISTRICT OF SALT LAKE & SANDY

\_\_\_\_\_  
Michael L. Wilson, General Manager

Approved as to Form:

\_\_\_\_\_  
Shawn E. Draney, General Counsel

Draper agrees to provide \$180,000 (subject to required appropriations).

Signed this \_\_\_ day of \_\_\_\_\_, 2015.

DRAPER CITY

\_\_\_\_\_  
Troy Walker, Mayor

Approved as to Form:  
  
\_\_\_\_\_



**DATE: October 29, 2015**

**TO HONORABLE MAYOR AND COUNCIL**

Staff is Returning to Council with Its First, Monthly Update Regarding the Critical Priority of Energy Resiliency, Energy, or Environment. This Staff Report Outlines a Recommended Timeline, Framework, Draft Scope, and Possible Names for This Critical Priority.). Staff is Seeking Council Feedback Regarding Timeline, Framework, Scope, and Name.

**Respectfully:**

Matthew Abbott, Environmental Program Manager



## City Council Staff Report

**Subject:** Monthly Update on New Critical Priority: Carbon Reduction & Energy Conservation  
**Author:** Ann Ober, Senior Policy Advisor  
Matt Abbott, Environmental Project Manager  
**Department:** Sustainability  
**Date:** October 29, 2015  
**Type of Item:** Informational

### Summary Recommendations:

Approve staff's current timeline. Approve one of the trajectories outlined in the report and come to consensus on the title of this critical priority.

### Executive Summary:

Staff is returning to Council with its first, monthly update regarding the new critical priority of carbon reduction and energy conservation. City Council has made a significant commitment to the environment by elevating this to a Critical Priority, along with Transportation and Housing. Staff is recommending that Council consider the monikers of "Energy Resiliency," "Energy," or "Environment" so that Council and staff can consistently communicate this new Critical Priority. The Desired Outcomes that City Council is seeking by elevating this item to a critical priority include, among others, the stated City Council outcome of reduced community and municipal carbon footprint, as well as using the Park City brand to show leadership on this important topic. This staff report outlines a recommended timeline, framework, draft scope, and possible names for this critical priority. Staff is seeking Council feedback regarding timeline, framework, scope, and name.

### Acronyms:

FY20XX Fiscal Year  
PCMC Park City Municipal Corporation  
QX Quarter  
RECs Renewable Energy Credits

### Background:

#### Topic History

At the September 3, 2015 City Council meeting Council requested that staff return with in Work Session with a report discussing the possibility of elevating Carbon Reduction and/or Energy Conservation to a Critical Priority.

At the September 24, 2015 City Council meeting staff presented *City Council Critical Priorities: Should carbon reduction and/or energy conservation be added as a third Critical Priority?*

(<http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=15570>, pg. 34). City Council elevated Carbon Reduction and/or Energy Conservation to a Critical Priority.

### Park City's Product

Sustainability is measured across the triple bottom line of economy, environment, and social justice. Traditional capitalism is measured across a single bottom line of profit, with people and planet treated as externalities. Traditional capitalism is governed by a variety regulations, laws, ethics, and mores that set an operational baseline for people and planet. It is up to individual actors to exceed these standards.

Park City's product in the global economy is place, made by our natural environment, built environment, business community, resorts, non-profit community, citizens, and visitors. We're fortunate that our unique combination of place has helped Park City become a highly desirable place live, visit, or own a second home. Despite the economic success and the City's nationally recognized efforts to reduce its municipal and community carbon footprint, there are social and environmental consequences. In April 2015, Teton Gravity Research published an article ranking the ten most carbon-polluting Mountain Towns, with Park City ranked number six on the list.<sup>1</sup>

From a macroeconomics perspective, there is a bigger problem. Our global economy is dependent on fossil fuels. Furthermore, success in our culture is tied to consumption. Carbon pollution from our culture and economy is resulting in global climate change. Climate change is threatening our natural environment in a way that diminishes Park City's product of place, namely, snow.

Park City's Office of Sustainability was formed in 2007 to proactively engage in the triple bottom line. This approach allowed our organization to look at our product, place, differently. There remains significant work to do. We have a limited role in our global economy and culture. Given that, we should be cognizant of our opportunity and look for as many ways as possible to reduce our footprint and continue to make our mark on the world a meaningful one.

### Energy

For the purposes of this report, energy is defined as electricity, natural gas, and transit/fleet fuels like gasoline and diesel. Energy use represents a combined 91% of Park City Municipal's carbon footprint (56% electricity, 22% transit/fleet fuel, 19% natural gas).

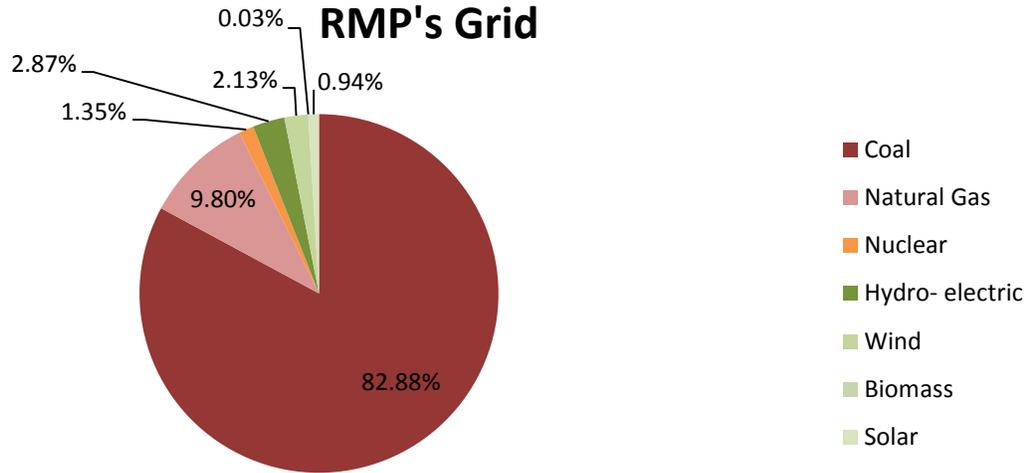
If we take a similar approach to Park City's community carbon footprint, energy use represents a combined 98% (46% electricity, 30% ground transportation, and 22% natural gas).<sup>2</sup>

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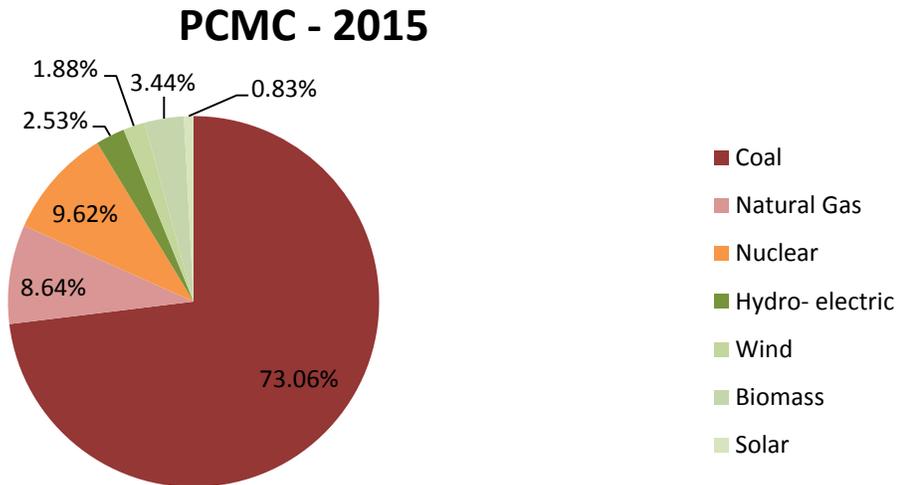
<sup>1</sup> *America's 10 Most-Polluting Ski Towns* <http://www.tetongravity.com/story/ski/americas-10-most-polluting-mountain-towns>

<sup>2</sup> *Park City Community Footprint, 2007* <http://www.parkcitygreen.org/Community/Community-Footprint/Community-Carbon-Footprint.aspx>

Electricity consumption represents the bulk of our municipal and community carbon footprint as a result of total usage and the sources of our electricity generation. As you can see below, the majority our electricity is generated through the combustion of coal and natural gas. Rocky Mountain Power’s blend is 83% coal, well above the national average. PacifiCorp, Rocky Mountain Power’s holding company, has a less carbon intensive blend.



Through a combination of renewable energy projects, like solar, and participation in Rocky Mountain Power’s Blue Sky program. Park City Municipal’s electricity is less carbon polluting than the grid.



A combination of using less electricity and cleaner energy can meaningfully reduce Park City Municipal’s carbon footprint. Efficiency, technology, and improved operations also result in cost savings.

Since 2007, Park City has been focused environmental sustainability through dedicated staff and projects. The Council and staff have been successful at making our mark in this area. Examples include:

- Johnson Controls Energy Retrofits – lighting, air sealing, and control updates for City facilities in 2007
- Improved Fleet Procurement – Fleet and Sustainability with input from all departments – resulting in right-sized vehicles and right-sized fleets
- Summit Community Solar – Park City Municipal: Building Department, Planning Department, Executive, and Sustainability; Summit County, and Utah Clean Energy – resulting in a 500% increase in residential solar PV installs and \$1.2M in new economic activity
- MARC Solar PV Installation – Park City Recreation, Building Department, Planning Department, and Sustainability – offsetting 20% of the MARC’s annual electricity use
  - Six other installations including: Public Works (2), Police, City Hall, Ice Arena, City Park
- LED Streetlights – Streets & Streetscapes, Water Department, and Sustainability – reducing energy and maintenance costs
- LED Facility Lights – Building Maintenance, Sustainability, and all other departments – reducing energy and maintenance costs
- Improved Idling Enforcement – Police, Parking Services, IT, and Sustainability
- Hiring a Sustainable Energy Project Manager – Water Department, Human Resources, Sustainability, and Rocky Mountain Power – targeting a 3M kWh, 25%, reduction in PCMC electricity usage
- Georgetown University Energy Prize/Summit Community Power Works
  - All Park City and Summit County Departments
  - Cities of Coalville, Francis, Henefer, Kamas, and Oakley
  - North Summit School District, Park City School District, and South Summit School District
  - Habitat for Humanity, The Park City Community Foundation, Recycle Utah, and many more

However, staff believes that with a shift in focus, we can dramatically affect this goal and impact our community’s impact on climate change. We have had some great successes integrating these policies into other departments, but we still have a long way to go to truly include environment in every appropriate decision we make as a City and as a community.

**Analysis:**

Staff would like to review four topics in today’s discussion:

- Timeline
- Potential Frameworks
- Overview of Draft Scope – Ledger (17” by 11”) – Appendix A
- Name

## Timeline

Staff is recommending the following topics for next eight months. The goal is to work towards a framework, strategic plan, and budget to be adopted by City Council. Staff is seeking Council feedback for the following monthly check-ins:

- October 2015 – Goal Setting Process Outline and Naming (today’s report)
- November 2015 – Study Session
  - Goal: establish the ‘why’ – General trajectory for this Critical Priority
- December 2015 – Work Session: Framework Adoption
  - Goal: define the ‘what’ – Detailed road map of the selected trajectory, including a cost estimate for the option that City Council has selected
- January 2016 – Work Session: Strategic Plan for this Critical Priority
  - Goal: share the ‘how’
- February 2016 – Council Retreat
  - Goal: clarify work product for Q3 & Q4 of FY2016 and FY2017
- March 2016 – Work Session: Achieving this goal through Budget and Financial Tools Presentation
- April 2016 – Study Session: Program Design and Expansion
- May 2016 – Study Session: Case Study of our Peers
- June 2016 – Budget Adoption,
  - End of FY2016
  - Fund FY2017 work product

## Potential Frameworks:

As was stated by Kent Cashel, “there is no one solution.” We are a highly energy dependent world and untangling our dependence on fossil fuels is an exceptionally difficult long-term goal. Staff, believes that understanding Council’s end goal is the key to knowing where we should start. As an example, Option A would require the City to transition our entire fleet of vehicles to electric and purchase offsets for any vehicle we couldn’t convert to electric because of lack of availability. Using just electric vehicles as an example, there are numerous fleet and transit replacements that are not yet mature and competitive technologies. However, knowing Council is interested in reaching a specific end point where we do not use any carbon-based energy would allow us to constantly assess technologies today and as they change in the coming years.

Staff is also recommending that we approach staff level direction with the term “net zero.” Net zero carbon means that 100% of energy used is either sourced from renewables or offset with additional renewable projects.

Staff is proposing three different possible goals for City Council consideration. Staff would like feedback and for Council to select one of these options or modify one for selection. The three possible paths are:

- A. An internal energy goal with the intention of reaching a net zero carbon for all municipal operations by 2040; or
- B. An internal and community energy goal with the intention of reaching net zero carbon for City services by 2040 and a 40 percent reduction in carbon-based energy for our community in that same timeframe; or

- C. An internal and community energy goal with the intention of reaching a net zero carbon City services by 2050 and a 100 percent reduction in carbon-based energy for our community.

One possible concern for City Council is that it is not possible for staff to determine the full cost of any of these options at this juncture. It is safe to say that every option will have significant cost implications and there will also be concurrent energy and operational savings in addition to environmental and social benefit. It is highly unlikely that achieving any of these goals will produce, through energy savings, a return on investment that would be acceptable in the private sector.

Given that staff cannot assess costs at this stage, City Council

- could select one of the goals and then modify that goal once staff has had an opportunity to estimate the full cost of achieving this goal; or
- City Council could defer a decision and ask staff to assess the full cost of each goal.

Staff recommends at this juncture that City Council select a goal and, if necessary, adjust its goal after staff has had an opportunity to assess full program costs.

***Option A: An internal energy goal with the intention of reaching a net zero carbon for all municipal operations by 2040.***

Energy use is operationally essential and it can be optimized through efficiency measures, smart controls, and operational improvements. Optimizing our use of energy through efficiency, technology, and operational measures would significantly reduce Park City Municipal's carbon footprint and operating costs.

Additionally, staff would pursue local renewable energy projects to reduce the intensity of carbon pollution intensity in the energy we use and to secure fixed energy pricing. A portion of this work would need to be achieved through renewable energy credits (RECs), offsets, or other utility programs.

*Example Projects*

- Update procurement practices
- City owned/operated construction/Infrastructure projects
- Water & Energy Resiliency Program
- Fleet vehicle type changes
- Facility/site efficiency and renewable energy projects
- Purchase renewable energy credits

*Pros of selecting on this option*

- Net zero is a significant and challenging goal
- The City will lead by example
- We have operational control, higher leverage in affecting change

- Does not preclude pursuing community-focused options later. Council could choose to add this component in 2017 should internal goals progress faster than expected.
- Significant carbon reduction will be achieved

*Cons of selecting on this option*

- Any of these options will include additional costs, though staff is not able to assess those costs until a path is selected and a road map developed.
- May not be aggressive enough
- It is unlikely the City can achieve this goal without the purchase of renewable energy credits. While renewable energy credits are a legitimate and very real form of carbon reduction, some in the environmental community see them as “less valid” than achieving a goal solely through energy conservation and building renewable energy projects.

***Option B: An internal and community energy goal with the intention of reaching net zero carbon for City services by 2040 and a 40 percent reduction in carbon-based energy for our community in that same timeframe.***

Park City Municipal could pursue a municipal goal of a net zero carbon along with a Citywide energy reduction goal of 40%. The municipal net zero goal is outlined above. A 40% communitywide energy reduction goal would expand on the work of Summit Community Power Works (<http://scpw.org/>) is doing in pursuit of the Georgetown University Energy Prize ([www.guep.org](http://www.guep.org)). Staff would pursue a 40% reduction of energy use, at the meter, for all Park City residents, businesses, and institutions through efficiency, technology, operational improvements, and renewable energy. The external components would utilize our Building, Planning, Engineering, and Transportation Departments to substantially impact our infrastructure environment. Beyond policy, community engagement, community partnerships, and working with or around our current utility providers would be required to achieve this goal. This is staff's recommendation.

*Example Projects from the list above*

- Update procurement practices
- City owned/operated construction/infrastructure projects
- Water & Energy Resiliency Program
- Fleet vehicle type changes
- Facility/site efficiency and renewable energy projects
- Purchased renewable energy credits

*Plus these additional projects*

- Residential and Commercial Land Use Amendments
- Residential and Commercial Outdoor Heating Amendments
- Community specific efficiency and renewable programs

*Pros of selecting on this option*

- The City will lead by example
- Provides citizens will an opportunity to take an active role in this goal

- Focusing on both municipal and community goals
- Significant carbon reduction will be achieved

*Cons of selecting on this option*

- Focusing on both municipal and community goals
- We do not have operational control over the community
- Potentially expensive, with longer returns on investment and indirect cost recovery paths
- It is unlikely the City can achieve this goal without the purchase of renewable energy credits.

***Option C: An internal and community energy goal with the intention of reaching a net zero carbon City services by 2050 and a 100 percent reduction in carbon-based energy for our community.***

Park City Municipal could pursue a Citywide goal of a net zero carbon. This is an aggressive goal and would require substantial efficiency upgrades, major infrastructure improvements, a Citywide transition to clean energy, and offsets. Beyond City-led projects, this goal would require substantial stakeholder engagement and strong partnerships. This would require everything listed above and a whole lot more. Lancaster, California and Cambridge, Massachusetts are the two known communities currently trying to achieve this goal. Lancaster's goal is by 2020. Staff expects that this direction could be a massive lift.

*Example Projects From the list above*

- Update procurement practices
- City owned/operated construction/Infrastructure projects
- Water & Energy Resiliency Program
- Fleet vehicle type changes
- Facility/site efficiency and renewable energy projects
- Purchased renewable energy credits
- Residential and Commercial Land Use Amendments
- Residential and Commercial Outdoor Heating Amendments
- Community specific efficiency and renewable programs

*Plus these additional projects*

- Something to the scale of creating a Public Energy Company
- Multiple commercial working groups (e.g. lodging, restaurants, resort, etc.)
- Residential working groups

*Pros of selecting on this option*

- Go big or go home
- The City will lead by example
- Focusing on both municipal and community goals
- Significant carbon reduction will be achieved

*Cons of selecting on this option*

- Staff is not certain this goal can be achieved
- Unknown and therefore potentially negative impacts to our economy
- Expensive
- It is unlikely the City can achieve this goal without the purchase of renewable energy credits.

**Council Feedback: Which of these options does Council wish to pursue?**

During the December monthly update, staff will provide City Council with a cost estimate for achieving the goal that City Council has selected. During that work session, Council will have an opportunity to modify or change the goal it would like to pursue. It is important that staff provide Council with a cost estimate not only to provide the City Council with full information, it is also necessary to establish cost prior to the start of the biennial budgeting process.

Name

Staff is proposing three options for the name associated with this goal, Energy Resiliency, simply Energy or Environment (Environment was suggested by Council Member Andy Beerman). There are literal, political, and colloquial reasons for the first recommendation.

The Oxford Dictionary defines *energy*<sup>3</sup>:

<sup>2</sup>Power derived from the utilization of physical or chemical resources, especially to provide light and heat or to work machines.

The Oxford Dictionary defines *resiliency*<sup>4</sup>:

<sup>1</sup>The capacity to recover quickly from difficulties; toughness: *the often remarkable resilience of so many British institutions*

<sup>2</sup>The ability of a substance or object to spring back into shape; elasticity: *nylon is excellent in wearability and resilience*

Literally, the Sustainability staff sees this as an Energy Resiliency effort with goals of efficiency, optimal utilization, operational efficacy, including redundancies, and renewable energy. This definition extends beyond ‘conservation’ to recognize that City services will more than likely expand in the coming years and we will need additional energy resources to provide these services. Secondly, staff is cautious to use the word ‘carbon’ or ‘climate’ for the purposes of both clarity and potential political implications. Finally, there is a colloquial acceptance for the word ‘resiliency’ in Utah. Staff has been highly involved in the formation of a regional working group and a very similar set of words was tested. There is a regional acceptance, understanding, and clarity to the word ‘resiliency.’ However, staff has tested the “resiliency” portion of the term in a few locations and there is confusion without the definition provided. .

<sup>3</sup> [http://www.oxforddictionaries.com/us/definition/american\\_english/energy](http://www.oxforddictionaries.com/us/definition/american_english/energy)

<sup>4</sup> [http://www.oxforddictionaries.com/us/definition/american\\_english/resilience](http://www.oxforddictionaries.com/us/definition/american_english/resilience)

Energy, as defined above, can also work, as it is a good umbrella term for energy conservation and renewable energy. This is a broad term and would allow staff flexibility in how the goal is later defined and achieved. It is also clear to the broader public and would require less definition in conversations as we are messaging the goal. Lastly, using a single word such as Energy facilitates easy communication of the City Council's three Critical Priorities: Transportation, Housing and Energy.

The Oxford Dictionary defines *environment*<sup>5</sup>:

<sup>2</sup> **(the environment)** The natural world, as a whole or in a particular geographical area, especially as affected by human activity.

Staff's understanding of Council's desire is that this focus on the energy issues associated with our community. Environment would bring in all of the programming associated with the term including how we manage waste, light pollution, conservation, ecosystem restoration/services, water, and countless other programs. Staff would require additional clarification for how this would be measured and achieved. Secondly, environmentalism has a strong history of being politically positioned as progressive. It may elicit ideas of regulation, taxes, sacrifice. Staff sees this name as the most divisive, despite its frequent use in some populations.

Thirdly, like the word Energy, using a single word such as Environment provides for clear, concise communication of the City Council's three Critical Priorities: Transportation, Housing and Environment.

**Council Feedback:** The Environmental Sustainability staff recommends the name Energy Resiliency and is seeking Council feedback prior to proceeding. The City Manager has some concerns with the lack of clarity with the term resiliency and therefore recommends the term Energy.

**Next Steps:**

In preparation for our discussion in November, staff is bringing experts together to update the Road Map portion of our *2007 Park City Inventory and Road Map* (Exhibit C). We have learned a great deal since that document was created. Starting on page 62, the document has served as a work plan for the Environmental Sustainability program. However, as is the case in any new field, this document was created at the start of the modern Sustainability movement. Nationally, we have learned a great deal and this list needs refinement. To achieve a technical update, staff will be bringing together experts in the field in November. This will provide staff and Council will a more update approach to achieving our critical priority.

**Staffing:**

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<sup>5</sup> [http://www.oxforddictionaries.com/us/definition/american\\_english/environment](http://www.oxforddictionaries.com/us/definition/american_english/environment)

Ann Ober and Matt Abbott are taking the lead on this critical priority with significant input from Bruce Erickson, Diane Foster and Matt Dias. Both Ann and Matt members have a significant history in this policy area:

Ann Ober: Over the past 12 years, Ann has created and implemented environmental programming for Salt Lake County, Salt Lake City, and Park City. During her tenure at Salt Lake County, she led the creation of a Countywide recycling program, the installation of 1.6MW of Solar on the Salt Palace Convention Center roof, wrote policy to require LEED Gold and Platinum buildings for County facilities, as well as numerous other projects for a County of the First Class. Ann currently is the Board Chair for Utah Clean Energy, a non-profit dedicated to "creating a future that ensures healthy, thriving communities for all, empowered and sustained by clean energy." She has also served as an Adjunct Professor at Salt Lake Community College and the University of Utah in the areas of Sustainability and Energy. Ann holds a B.A. in Communications for Pacific Lutheran University and MPA from the University of Utah.

Matt Abbott: Matt joined Park City's Office of Sustainability in 2012 after five years as a sustainability consultant. Matt led and supported carbon footprint, energy efficiency, and waste stream projects for public and private clients in 17 states with extensive work in Washington and California. Beyond substantial compost and recycling work in Seattle, Los Angeles, and the San Francisco Bay Area, Matt cofounded Seattle Community Power Works through an American Reinvestment and Recovery Act grant, launching energy efficiency programming in one of America's most diverse zip codes. Matt is a Founder and the current Board Chair of Summit Community Power Works. Matt holds a B.A. in Biology from Colorado College and an MBA in Sustainable Systems from Pinchot University.

To address this new Critical Priority, staff will adjust focus accordingly: Since February 2014, Ann has been spending approximately 15% of her time on Environmental Sustainability. Ann is increasing the time she dedicates to Environmental Sustainability to 50%. This change will be evaluated as a part of FY2017 budget process.

**Department Review:**

Environmental Sustainability, Legal and Executive.

**Alternatives:**

**A. Approve:**

Approve staff's current timeline. Approve one of the trajectories outlined in the report and come to consensus on the title of this critical priority. **[STAFF RECOMMENDATION]**

**B. Deny:**

Deny staff's current timeline. Deny all of staff's. deny all of the possible names and provide feedback on staff's draft scope, resulting in a delay in staff level work towards this critical priority.

**C. Modify:**

Modify staff's current timeline. Modify any or all of staff's frameworks. Modify one of the names to reflect Council's direction and provide feedback on staff's draft scope, likely resulting in a delay in staff level work towards this critical priority.

**D. Continue the Item:**

Continue this report to a future date.

**E. Do Nothing:**

Do nothing, resulting in a delay in staff level work towards this critical priority.

**Significant Impacts:**

	<b>World Class Multi-Seasonal Resort Destination (Economic Impact)</b>	<b>Preserving &amp; Enhancing the Natural Environment (Environmental Impact)</b>	<b>An Inclusive Community of Diverse Economic &amp; Cultural Opportunities (Social Equity Impact)</b>	<b>Responsive, Cutting-Edge &amp; Effective Government</b>
Which Desired Outcomes might the Recommended Action Impact?	<ul style="list-style-type: none"> <li>+ Balance between tourism and local quality of life</li> <li>+ Unique and diverse businesses</li> <li>+ Well-utilized regional public transit</li> <li>+ Internationally recognized &amp; respected brand</li> </ul>	<ul style="list-style-type: none"> <li>+ Abundant preserved and publicly-accessible open space</li> <li>+ Managed natural resources balancing ecosystem needs</li> <li>+ Effective water conservation program</li> <li>+ Enhanced conservation efforts for new and rehabilitated buildings</li> <li>+ Reduced municipal, business and community carbon footprints</li> </ul>	<ul style="list-style-type: none"> <li>+ Residents live and work locally</li> <li>+ Jobs paying a living wage</li> <li>+ Part-time residents that invest and engage in the community</li> <li>+ Skilled, educated workforce</li> <li>+ Diverse population (racially, socially, economically, geographically, etc.)</li> <li>+ Primarily locally owned businesses</li> </ul>	<ul style="list-style-type: none"> <li>+ Fiscally and legally sound</li> <li>+ Engaged, capable workforce</li> <li>+ Well-maintained assets and infrastructure</li> <li>+ Engaged and informed citizenry</li> <li>+ Streamlined and flexible operating processes</li> <li>+ Ease of access to desired information for citizens and visitors</li> </ul>
Assessment of Overall Impact on Council Priority (Quality of Life Impact)	Positive 	Very Positive 	Positive 	Positive 
<p><b>Comments:</b> Effective sustainability work has a history of helping "all boats rise" socially, environmentally, and economically. Staff's recommended framework will help local business, residents, and Park City Municipal reduce energy use and retain revenues.</p>				

**Funding Source:**

No additional funding required at this point.

**Consequences of not taking the recommended action:**

There will likely be a delay in staff level work towards this critical priority.

**Recommendation:**

Approve staff's current timeline. Approve one of the trajectories outlined in the report and come to consensus on the title of this critical priority.

**Attachments:**

Exhibit A – Draft Scope – Ledger (17" by 11")

Exhibit B – Park City, Utah: Community Carbon Footprint and Road Map for Reduction

Exhibit C – 2007 Park City Inventory and Road Map

**Moving Forward: The Energy Agenda Option A: An internal energy goal with the intention of reaching a net zero carbon for all municipal operations by 2040.**

Energy Areas of Focus	Internal Operations	Internal Procurement	Internal Infrastructure	Staff Behavior Changes	Staff Infrastructure Changes
Actions Taken To Date					
October 29 – December 31, 2015					
January 1 – June 30, 2016					
FY 2017 July 1, 2016 – June 30, 2017					

<b>FY 2018</b> July 1, 2017 – June 30, 2019					
<b>FY 2019-FY2040</b>					

**Moving Forward: The Energy Agenda Option B: An internal and community energy goal with the intention of reaching net zero carbon for City services by 2040 and a 40 percent reduction in carbon-based energy for our community in that same timeframe.**

Energy Areas of Focus	Internal Operations, Policies, Procurement & Infrastructure	Renewable Energy & RECS	Energy Conservation	Transportation	Community Engagement
	<ul style="list-style-type: none"> <li>✚ Building Maintenance</li> <li>✚ Athletics</li> <li>✚ Public Utilities</li> <li>✚ Fleet</li> </ul>	<ul style="list-style-type: none"> <li>✚ Change carbon profile of electricity feeding PC community</li> <li>✚ Buy RECs</li> </ul>	<ul style="list-style-type: none"> <li>✚ Georgetown Energy Prize</li> <li>✚ LMC Code Changes</li> <li>✚ Green building incentives</li> </ul>	<ul style="list-style-type: none"> <li>✚ Energy source of busses</li> <li>✚ Increase transit ridership</li> </ul>	<ul style="list-style-type: none"> <li>✚ SCPW</li> <li>✚ UCE</li> <li>✚ Rocky Mountain Power/Questar</li> </ul>
Actions Taken To Date					
October 29 – December 31, 2015					
January 1 – June 30, 2016					
FY 2017 July 1, 2016 – June 30, 2017					
FY 2018 July 1, 2017 – June 30, 2019					

**FY 2019-2040**

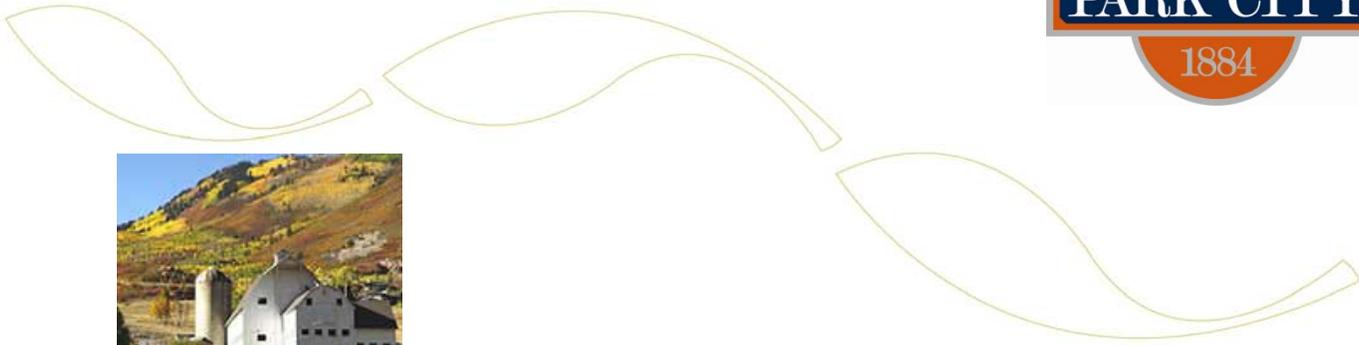
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**Moving Forward: The Energy Agenda Option C: An internal and community energy goal with the intention of reaching a net zero carbon City services by 2050 and a 100 percent reduction in carbon-based energy for our community.**

Energy Areas of Focus	Internal Operations, Policies, Procurement & Infrastructure	Renewable Energy & RECS	Energy Conservation	Transportation	Community Engagement	Energy Department
	<ul style="list-style-type: none"> <li>✚ Building Maintenance</li> <li>✚ Athletics</li> <li>✚ Public Utilities</li> <li>✚ Fleet</li> </ul>	<ul style="list-style-type: none"> <li>✚ Change carbon profile of electricity feeding PC community</li> <li>✚ Buy RECs</li> </ul>	<ul style="list-style-type: none"> <li>✚ Georgetown Energy Prize</li> <li>✚ LMC Code Changes</li> <li>✚ Green building incentives</li> </ul>	<ul style="list-style-type: none"> <li>✚ Energy source of busses</li> <li>✚ Increase transit ridership</li> </ul>	<ul style="list-style-type: none"> <li>✚ SCPW</li> <li>✚ UCE</li> <li>✚ Rocky Mountain Power/Questar</li> </ul>	<ul style="list-style-type: none"> <li>✚ SCPW</li> <li>✚ UCE</li> <li>✚ Rocky Mountain Power/Questar</li> </ul>
Actions Taken To Date						
October 29 – December 31, 2015						
January 1 – June 30, 2016						
FY 2017 July 1, 2016 – June 30, 2017						
FY 2018 July 1, 2017 – June 30, 2019						

**FY 2019-2040**

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# Park City, Utah

## COMMUNITY CARBON FOOTPRINT AND ROAD MAP FOR REDUCTION

PREPARED FOR  
PARK CITY MUNICIPAL  
CORPORATION BY



## Acknowledgements

Park City would like to thank the following individuals for their contributions to this report:

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## Executive Summary

There is widespread consensus among the scientific community that human activities are negatively impacting the Earth's climate through increased greenhouse gas (GHG) emissions, causing the potential for large-scale adverse health, social, economic and ecological effects. Climate change is expected to impact Park City, Utah in a variety of ways. Primarily, Park City's climate is expected to warm substantially, delaying the date when snow starts to fall, and perhaps resulting in no snow accumulation at all by 2100 (Park City Mountain Resort). Decreasing snowpack is also likely to significantly reduce groundwater resources, increasing the frequency of drought and wildfire.

The Community Carbon Footprint and Roadmap to Reduction is the latest effort among Park City's many initiatives to address climate change. Among many other initiatives are Park City Municipal's Environmental Strategic Plan to guide the community's comprehensive sustainability efforts; Park City's signing of the U.S. Mayors Climate Protection Agreement; community engagements such as Save Our Snow; efforts to reduce Park City Municipal's own GHG footprint of internal government operations and the many projects and programs lead by Park City's many environmental non-profits

To develop the Community Carbon Footprint, Park City's GHG emissions were calculated for the baseline year of 2007 as well as for 2005 as a supplemental year, with the aim to compile a complete, consistent, accurate, and transparent inventory using accepted methodologies. Specifically, the inventory draws on well reviewed and accepted methodologies from the International Standards Organization (ISO)14064-1, The Climate Registry (TCR), the Intergovernmental Panel on Climate Change (IPCC), the Environmental Protection Agency (EPA), and methodologies implemented in ICLEI - Local Governments for Sustainability's Clean Air and Climate Protection (CACP) software. The fundamental design of the inventory is based on the guidelines of ISO14064-1 with additional guidance from ICLEI's International Local Government Greenhouse Gas Emissions Analysis Protocol to address issues specific to conducting community inventories.

The footprint includes the following GHGs:

1. carbon dioxide (CO<sub>2</sub>),
2. methane (CH<sub>4</sub>),
3. nitrous oxide (N<sub>2</sub>O),
4. perfluorocarbons (PFCs),
5. hydrofluorocarbons (HFCs), and
6. sulfur hexafluoride (SF<sub>6</sub>),

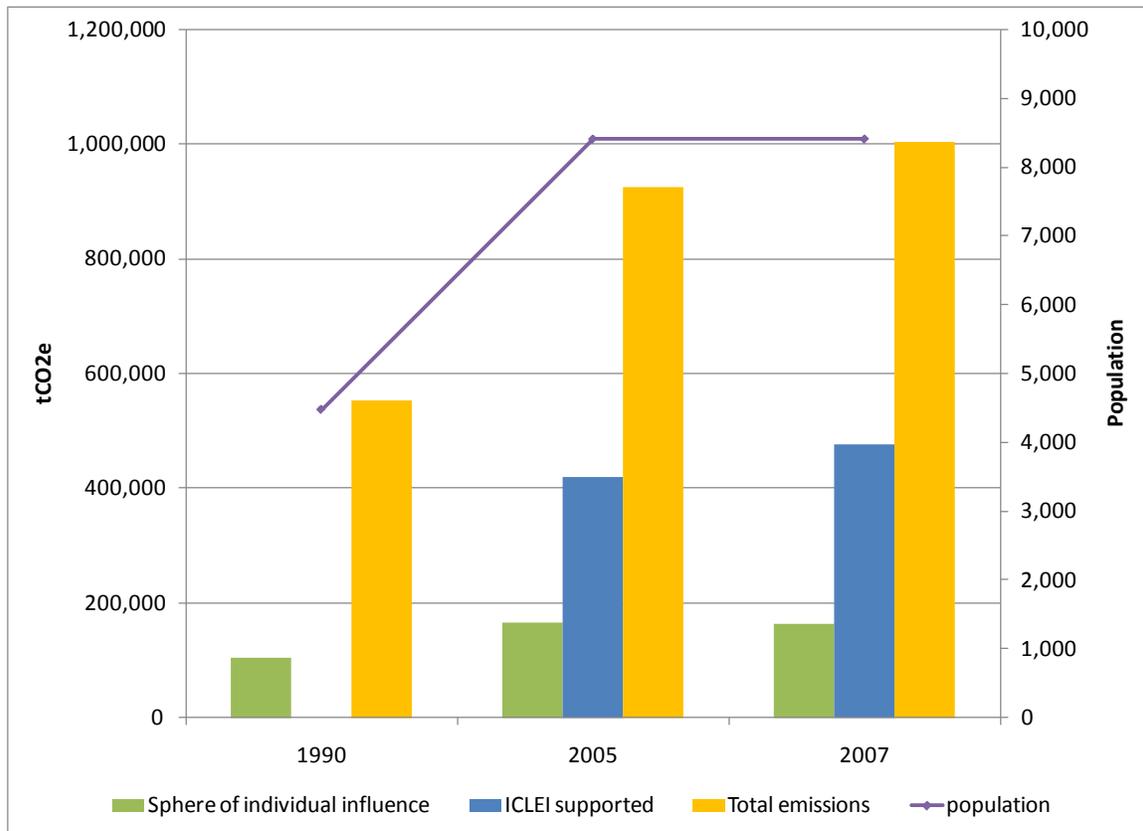
with the large majority of Park City's climate change impact resulting from emissions of the first three gases. Units of carbon dioxide equivalent (CO<sub>2</sub>e) are used to normalize the global

warming potential of the various GHGs. The inventory seeks to quantify the GHG emissions of all activities within the Park City limits and includes all direct (Scope 1) emissions from natural gas consumption, propane consumption, on-road vehicle transportation, off-road vehicle and equipment use, refrigerant losses, fertilizers, and feedstock. Indirect (Scope 2) emissions from electricity consumption are also included, as are other indirect (Scope 3) emissions from airline travel, solid waste disposal, and wastewater treatment. These represent Park City’s Total Emissions. To place an emphasis on personal responsibility and what individual residents can do to reduce their emissions, Sphere of Individual Influence emissions are presented. These emissions include residential energy use and transportation activities - emissions that result from the daily actions taken by individual citizens and therefore within the capacity of the individual to reduce. The inventory boundaries of both approaches are compared to ICLEI’s Local Government Greenhouse Gas Protocol in the table below.

Total Emissions (ISO 14064-1)	ICLEI Supported	Sphere of Individual Influence
<ul style="list-style-type: none"> <li>Electricity consumption</li> <li>• Natural gas consumption</li> <li>• Propane consumption</li> <li>• On-road vehicle transportation</li> <li>• Off-road vehicle and equipment use</li> <li>• Airline travel (resident &amp; visitor)</li> <li>• Solid waste disposal</li> <li>• Wastewater treatment</li> <li>• Refrigerant losses</li> <li>• Fertilizers</li> <li>• Livestock</li> </ul>	<ul style="list-style-type: none"> <li>• Electricity consumption</li> <li>• Electricity emission factor changed from Utah specific to northwest regional factor per ICLEI protocol (See electricity section for more information)</li> <li>• Natural gas consumption</li> <li>• Propane consumption</li> <li>• On-road vehicle transportation</li> <li>• Solid waste disposal</li> </ul>	<ul style="list-style-type: none"> <li>• Residential electricity consumption</li> <li>• Residential natural gas consumption</li> <li>• Residential propane consumption</li> <li>• Resident on-road vehicle transportation</li> <li>• Resident airline travel</li> <li>• Solid waste disposal (50% of community total)</li> </ul>

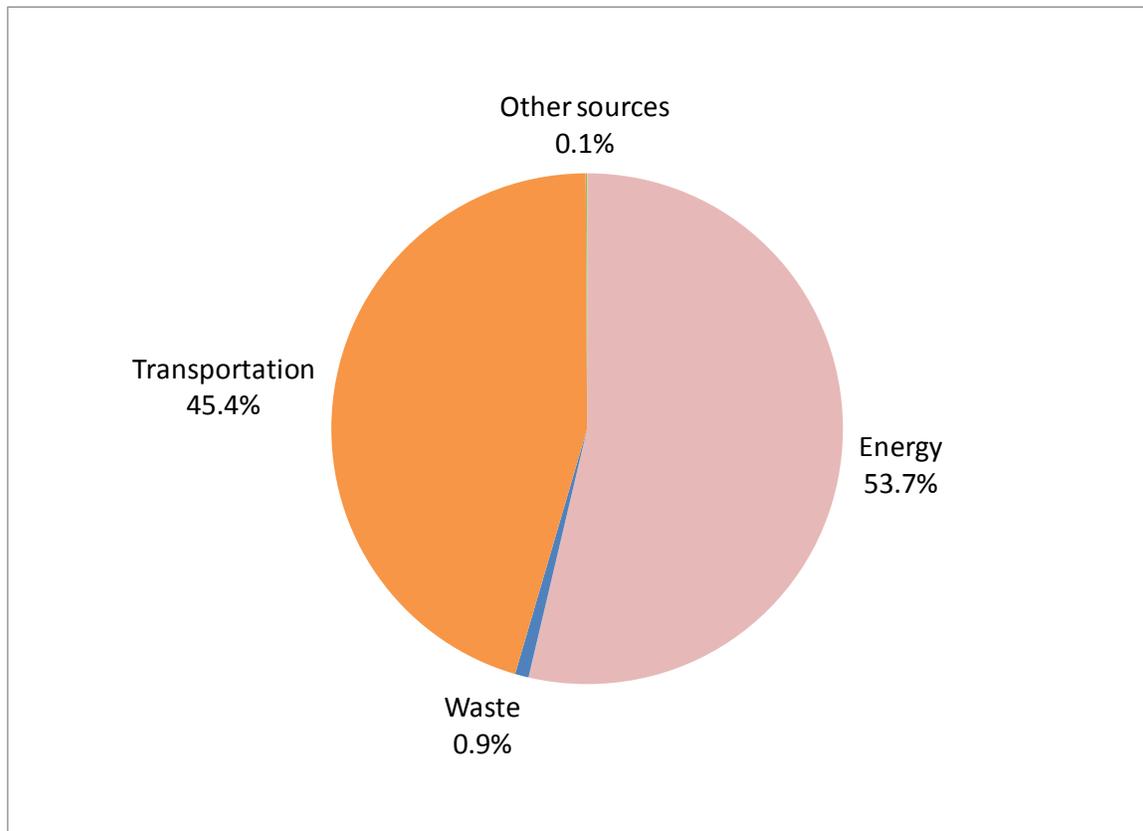
*\*items in blue are only included in the Total Emissions (ISO 14064-1) totals*

Total Emissions in Park City in 2007 were 1,003,712 tCO<sub>2</sub>e. The ICLEI supported GHG emissions in 2007 were 475,663 tCO<sub>2</sub>e - about 47 percent of the emissions represented in the Total Emissions context. Finally, the emissions in the Sphere of Individual Influence in 2007 were 164,720 tCO<sub>2</sub>e, or about 16 percent of the Total Emissions in the community.



Aggregate Community Emissions by Context

Energy consumption and transportation were the primary sources of GHG emissions in the community, with small portions contributed by solid waste disposal and other sources, such as losses from refrigeration equipment.



**Total Community Emissions by Source**

Stationary consumption of energy in Park City - including electricity, natural gas, and propane - represented 53.7 percent of the total emissions in the Park City inventory in 2007. The majority of these emissions are from electricity consumption, with natural gas and propane comprising significantly smaller portions.

Transportation emissions for Park City include on-road vehicles and transit, off-road vehicles and equipment, and airline travel. These emissions accounted for 45.4 percent of total emissions in 2007. The majority of these emissions are from airline travel, followed by on-road vehicle transportation and off-road vehicles and equipment.

Waste disposal activities in Park City - including solid waste disposed at the landfill, construction and demolition waste, and wastewater treatment - represented 0.9 percent of the total emissions of the Park City inventory in 2007. The majority of these emissions are from solid waste disposed of at the landfill.

Other minor GHG emission sources accounted for 867 tCO<sub>2</sub>e in 2007, or 0.1 percent of the total emissions. These include refrigerant chemical losses, enteric and manure methane emissions, fertilizer application, and beer production.

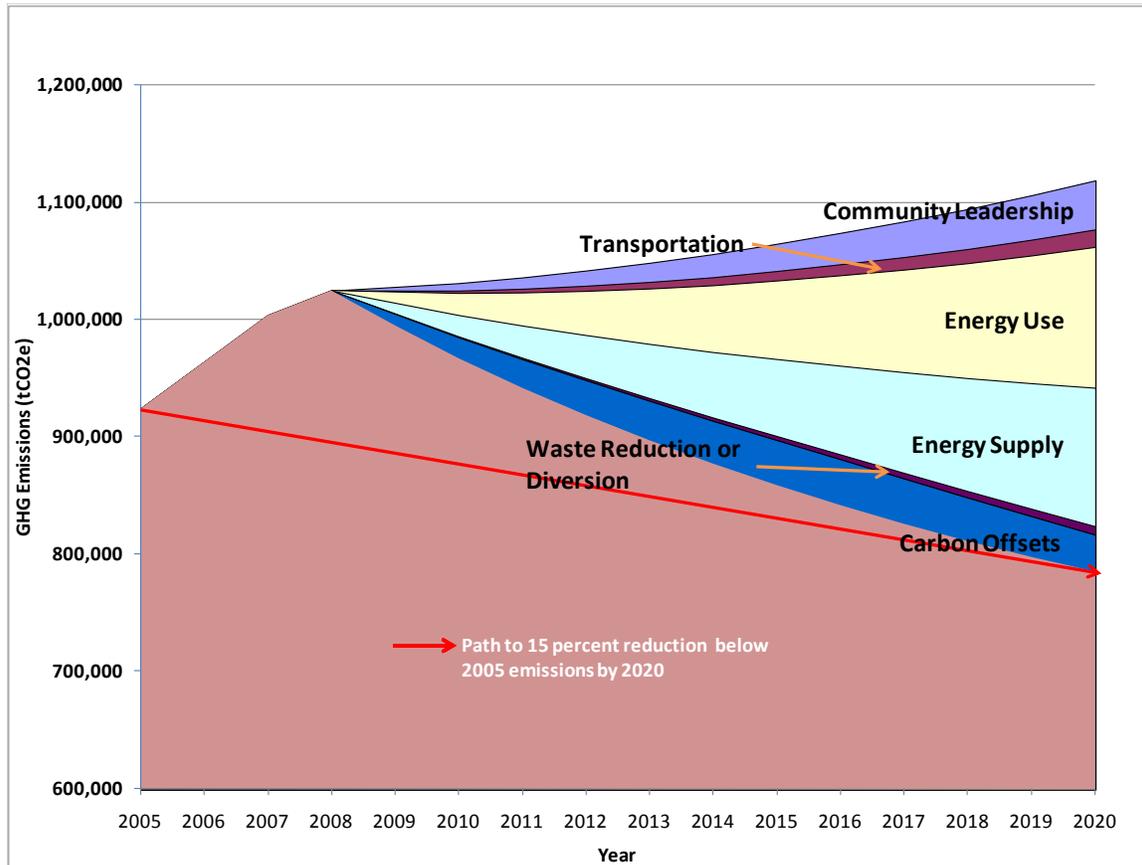
Building from insights gained through the Community Carbon Footprint, a Roadmap to Reduction was developed to provide a pathway for reducing Park City's Community Carbon Footprint. It builds from the momentum of programs and activities already in place within the community and acknowledges Park City's unique qualities while integrating best practices by other cities in their development of similar climate action plans. The Roadmap highlights and positions the baseline Community Carbon Footprint as the cornerstone in an ongoing community process of planning, action, monitoring, and revising actions.

In developing the Community Carbon Footprint and Roadmap for Carbon Reduction, Park City convened a Carbon Advisory Board consisting of knowledgeable and interested stakeholders to help validate the inventory process, identify data sources, document existing community practices that relate to GHG emissions, and develop next steps toward climate protection. To engage the Board in dialogue and developing recommendations, three meetings were held in 2008-2009. To further solicit input from board members, three web-based surveys were administered to members focusing on developing a shared vision and core values, goals and objectives, and strategies.

The Roadmap builds off of the many Park City initiatives that are already planned and/or underway and are beneficial elements for reducing GHG emissions, from existing walking and cycling promotion programs and transit programs to progress on meeting the City's internal GHG reduction goals. The Roadmap's vision is the following:

*"The Park City community is committed to applying significant effort to combat the causes of climate change and to reduce its greenhouse gas emissions. Reducing our carbon footprint is our responsibility as citizens of the nation and the world. Working together, using our community spirit, innovation, and environmental passion, we will ensure for future generations the environmental protection, economic prosperity, and quality of life that makes Park City unique."*

Supporting this vision is the Roadmap's recommended goal to reduce Park City's GHG emissions 15 percent below 2005 levels by 2020. A total of 16 objectives were developed in the categories of community leadership, transportation and land use, energy use, energy supply, waste reduction and diversion, and carbon offsets.



Park City GHG Emissions and Illustrative Roadmap Objectives

Finally, to achieve these objectives, 21 strategies were identified, along with their estimated impacts on GHG reductions and their feasibility. These strategies lay the groundwork for a concerted program to reduce Park City’s GHG emissions. A next step toward implementation will be to calculate the GHG reduction benefits with individual measures so that an aggregated, quantifiable GHG reduction target with interim milestones can be established. Additional resources necessary to carry out these strategies will also be pursued.

## 1.0 Introduction and Background

There is widespread consensus among the scientific community that human activities are negatively impacting the Earth's climate through increased greenhouse gas (GHG) emissions, causing the potential for large-scale adverse health, social, economic, and ecological effects. There is an abundance of scientific evidence over the past two decades linking climate change to human activities, and many environmental changes predicted are now occurring. Climate change may already be causing environmental and economic damage to Utah's communities because of the potential for reduced snowpack and earlier snowmelt that will affect local water supply, tourism, and agricultural systems.

*"There is still time to avoid the worst impacts of climate change, if we take action now... If we don't act, the overall costs and risks of climate change will be equivalent to losing at least 5% of global GDP per year, now and forever."*

--Sir Nicholas Stern, UK  
Government Economic Service

Climate change is expected to impact Park City in a variety of ways. First, Park City's local economy largely depends on the tourism industry. In 2006 [POWDR Corporation's](#) Park City Mountain Resort commissioned a comprehensive scientific study of climate change effects on Park City Mountain Resort and the Utah snow sports industry – the first of its kind. Differing assumptions about emissions result in projected warming ranging from 3.3° to 8.4°C (5.9° to 15.1°F) in Park City by 2100. The report concludes, however, that regardless of these varying assumptions, as atmospheric GHG concentrations rise over this century and the climate continues to change, Park City is likely to warm substantially. The report concluded that the date when snow starts to accumulate at the base area of the resort will be delayed by at least 4 weeks, and some scenarios predict no accumulation at all by 2100. This implies that by 2100, Park City's climate could resemble the current climate of Salt Lake City.

Concurrent with a decrease in Park City's snowpack is an expected significant reduction in groundwater resources. A large percentage of Park City's groundwater comes from winter snows. Already a high desert environment, the risk of drought is significant. The decrease in snowpack and water is also likely to result in an increased frequency of wildfire, a situation that is exacerbated by Park City's proximity to wildland fire zones and significant forest lands.

The cost of delay in addressing the impacts of climate change may result in increasing economic impacts on Park City from year to year. According to a report by Sir Nicholas

Stern, head of the UK Government Economic Service and former Chief Economist of the World Bank:

*“There is still time to avoid the worst impacts of climate change, if we take action now... If we don’t act, the overall costs and risks of climate change will be equivalent to losing at least 5% of global GDP per year, now and forever. If a wider range of risks and impacts is taken into account, the estimates of damage could rise to 20% of GDP or more... In contrast, the cost of action — reducing greenhouse gas emissions to avoid the worst impacts of climate change — can be limited to around 1% of GDP per year.”*

While climate change is a global challenge, the local benefits to Park City from taking action to reduce carbon emissions could be significant. Not only will the community’s carbon footprint be reduced, but major gains in efficiency and reduction in associated costs for energy and other resources can be achieved. In doing so, Park City could be a leader in adopting practices and technologies that will save consumers and businesses money, creating new business opportunities in clean and renewable energy and attracting the growing number of tourists who factor environmental considerations into their decisions.

## 2.0 Park City: A History of Climate Protection

This Community Carbon Footprint and Roadmap to Reduction is the latest effort among Park City’s many initiatives to address climate change. Major climate-related initiatives are described below.

### 2.1 Environmental Strategic Plan

The Park City Municipal Corporation has developed an Environmental Strategic Plan to guide the community’s comprehensive sustainability efforts. City Council adopted the most recent version of this plan in January 2009. The vision of the Environmental Strategic Plan is that:

*“Park City will provide long-term environmental health for the region through efficient use of resources and protection of the quality and diversity of the local environment upon which the community depends. As a guiding principle, the City will consistently strive to sustain its vibrant multi-seasonal destination resort community in a manner that protects and enhances its natural environment.”*

This vision is supported by the following goals:

1. Preserve and enhance the ecological diversity of Park City and the region.
2. Encourage the efficient use of all resources in order to ensure a future with a secure and sustainable energy supply, safe/reliable water, and clean air.

3. Encourage environmental stewardship and protection of Park City's natural environment by sharing information and collaborating with the community and community groups, as well as local, state, and federal agencies.
4. Incorporate environmental considerations as an integral part in assessing growth management options, land use plans, transportation strategies and development proposals, and overall sustainable community design.
5. Continue to review and investigate best practices that have the potential of substantially improving the environment.
6. Continue to monitor the environment with representative air, water, and soil sampling protocols.

A number of policies support the vision and these goals, including policies related to wildlife habitat and open space, surface water quality and water conservation, green building practices, recycling, urban design, and alternative transportation. Finally, an action plan details specific actions to accomplish each goal, including top priorities.

Several of these goals, objectives, policies, and projects lend their support to the Roadmap for Reduction by encouraging resource efficiency, collaboration and sharing of information; and best management practices and monitoring.

## **2.2 Mayor's Climate Protection Agreement**

As an initiative of the City Council, in 2005 Mayor Dana Williams signed the US Mayors' Climate Protection Agreement, which sets a goal of meeting the Kyoto Protocol of reducing Park City's GHG emissions 7 percent below 1990 levels by 2012. Founded by Seattle Mayor Greg Nickels, the Agreement seeks to advance the goals of the Kyoto Protocol through leadership and action. The US Conference of Mayors Climate Protection Center administers and tracks individual Agreement signatories, which numbered more than 710 as of 2007. Under the Agreement, participating cities commit to take the following three actions:

1. Strive to meet or beat the Kyoto Protocol targets in their own communities through actions ranging from revised land-use policies to urban forest restoration projects to public information campaigns.
2. Urge state governments and the federal government to enact policies and programs to meet or beat the GHG emission reduction targets suggested for the United States in the Kyoto Protocol.
3. Urge the US Congress to pass the bipartisan GHG reduction legislation, which would establish a national emissions trading system.

## 2.3 Community Engagement

On January 9, 2007 POWDR Corporation, Park City Mountain Resort and KPCW radio co-hosted a community event called Save Our Snow. The results of the study of the impact of global warming on Park City Mountain Resort's snowpack were presented, as well as a presentation on climate change by Kathy Mattea, an Al Gore trainee. Held at the 1,270-seat Eccles Center, the event was well-received by a standing room only crowd.

The Park City Foundation received funding to host a Save Our Snow II event in the fall of 2009. As part of this effort, Park City Mountain Resort will likely update the forecast of the impact of climate change on its snowpack.

## 2.4 Municipal Carbon Footprint

In August 2008 the Park City Municipal Corporation completed its first Municipal Greenhouse Gas Emissions Inventory. The inventory covers carbon emissions for all government operations during the calendar year 2007. A 1990 carbon footprint was also calculated to provide insight for the Park City Council to set carbon reduction goals specifically for municipal operations. The results will assist City Council members and municipal employees in identifying opportunities for the Park City Municipal Corporation to become more economically and environmentally sustainable. Using the International Standards Organization (ISO) 14064 Offset Standard Protocol, the inventory includes required direct emissions (building natural gas use, City vehicle fleet, transit system), indirect sources (building electricity), and other optional indirect sources specified under the protocol (solid waste disposal, recycling, employee commuting, business travel). Section 3.0 of this report discusses these inventory results in more detail.

## 2.5 Municipal Carbon Reduction Action Plans

Based on the completed Municipal Greenhouse Gas Emissions Inventory, Park City is currently working with municipal departments to develop department-specific carbon emission reduction plans. Among the ongoing initiatives are the following:

- The City has invested time and money to help develop a local green building program ([www.thegbi.org/residential/featured-projects/utah](http://www.thegbi.org/residential/featured-projects/utah)). Based on City Council direction received in January 2009, the City's Planning Department is currently conducting a comprehensive review of the land use plan to identify any part of the code that might prohibit desired green building practices, such as code that may prohibit solar panels or small-scale wind turbines.

- The City has invested \$1.4 million in a municipal facility energy and water efficiency project that will reduce municipal emissions by 13.5 percent. The project included energy and water use audits of all 23 municipal buildings and is scheduled to be completed summer 2009.
- The City has developed regulations that allow for a 4 percent increase in total building costs to integrate higher-cost green features into municipal new construction and remodels. The City has also allocated funds to purchase more sustainable office products.

### 3.0 Community Greenhouse Gas Inventory

The following section provides Park City's community GHG inventory for the 2007 baseline year, as well as for the year 2005. It discusses the overall objectives of the inventory and the methodology used to compile the inventory, shares the individual components and overall conclusions of the inventory, and provides a benchmark of Park City's emissions compared to similar communities.

#### 3.1 Objectives

This inventory aims to achieve the following objectives with respect to Park City community GHG emissions:

- Completeness – to address all relevant GHG emissions.
- Consistency – to enable meaningful comparison between emissions from the various sources in Park City and to fully document the inventory so that the implications of comparing Park City's GHG emissions to those of other communities can be understood.
- Accuracy – to reduce uncertainties as far as is practical with available data.
- Transparency – to disclose sufficient documentation of the inventory to allow users to make decisions and to enable future inventory users to understand and maintain the inventory.

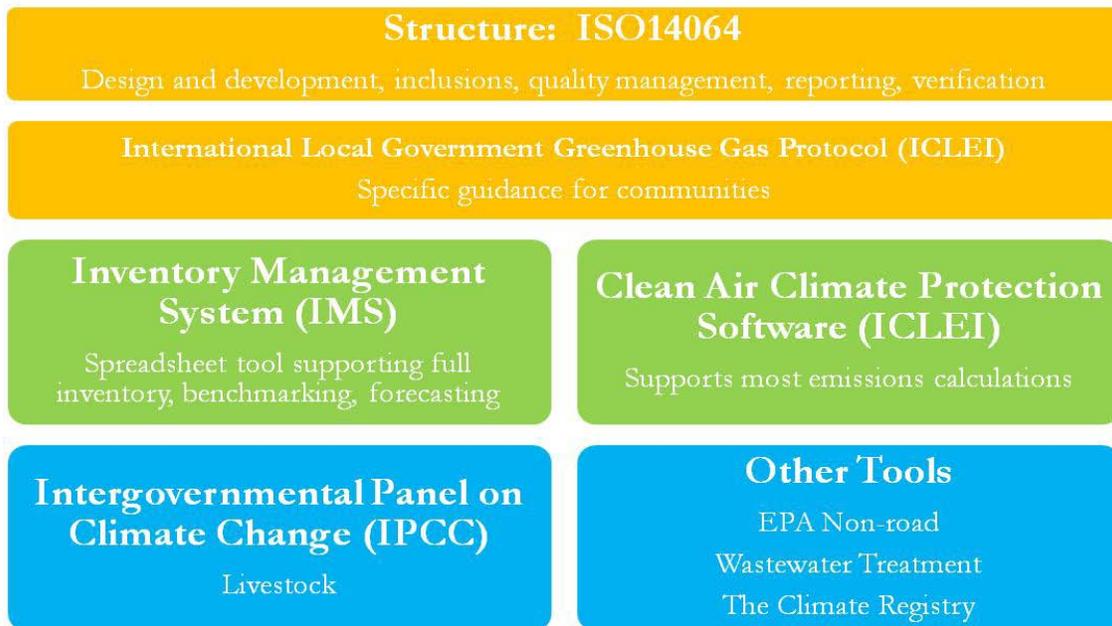
These objectives are achieved by applying accepted methodologies in designing the inventory and calculating emissions from activity data.

#### 3.2 Methodology and Tools

GHG emission inventories are rarely, if ever, based on direct measurement of emissions. Instead, emissions are estimated based on accepted models and methodologies. This inventory prioritizes emissions estimates based on data pertaining to actual activities in Park

City (e.g., utility bills for electricity consumed) over modeled data. However, in some cases, the results of modeling are the only option upon which to base a calculation (for example, determining emissions from on-road vehicle transportation requires modeling the number of vehicle miles traveled [VMT]).

This inventory draws on well reviewed and accepted methodologies from ISO14064-1, The Climate Registry (TCR), the Intergovernmental Panel on Climate Change (IPCC), the Environmental Protection Agency (EPA), and methodologies implemented in ICLEI - Local Governments for Sustainability’s Clean Air and Climate Protection (CACP) software.



The fundamental design of the inventory is based on the guidelines of ISO14064-1 with additional guidance from ICLEI’s Local Government Greenhouse Gas Protocol to address issues specific to conducting community inventories. Table 1 describes the key requirements of ISO14064-1 and the alignment of this inventory’s approach.

Table 1. Alignment with Key ISO 14064 Requirements

ISO14064-1 Requirement	Alignment
<p><b>Organizational Boundary</b></p> <p>GHG emissions shall be consolidated based on an organization’s operational or financial control of the source.</p>	<p>Since the community of Park City has no single body that operationally or financially controls all the activities generating emissions in the community, a <b>geopolitical organizational boundary</b> is established based on guidance from ICLEI. This allows the inventory to encompass all community activities within the boundaries of the city of Park City.</p>

<p><b>Operational Boundary</b></p> <p>GHG emission sources shall be identified and categorized by scope as direct, energy indirect, or other indirect emissions.</p>	<p>The following section identifies the GHG emissions sources included in this inventory and their respective scopes.</p>
<p><b>Quantification of GHG emissions</b></p> <p>The organization shall select quantification methodologies, select and collect activity data, select emission factors, and calculate GHG emissions.</p>	<p>The narrative included with each emission source in Park City’s inventory includes a discussion of the selected methodologies, activity data, and factors. Methodologies from ICLEI, IPCC, The Climate Registry, and EPA are applied.</p>
<p><b>Base-year GHG inventory</b></p> <p>The organization shall select and quantify emissions for a base year for which data are available.</p>	<p>The Park City inventory base year is 2007, the most recent year for which complete data were available at the time the inventory was prepared. An inventory is also prepared for the year 2005 to allow Park City to track progress against State of Utah and Western Climate Initiative targets that are based on 2005 emissions. The emissions for 1990 are estimated, based largely on population data due to a lack of available data for that year.</p>

Most of the calculations that comprise this inventory were carried out in an Inventory Management System (IMS), a Microsoft Excel-based spreadsheet that collects into one tool the original data, methodology applied, emission factors selected, and a summary of GHG emission results. The IMS also provides charting, forecasting, and benchmarking capabilities.

To compliment the IMS, calculations for portions of this inventory were also carried out using ICLEI’s CACP software tool. The CACP software compliments the IMS in a number of ways:

- Provides a quality control check on many of the calculations carried out in the spreadsheet.
- Facilitates ready comparison to other ICLEI communities – ICLEI default emission factors have been maintained for more direct comparison.
- Accepted methodology is embedded in the software.
- Ongoing support is available from ICLEI.
- Has built-in capacity for reduction modeling.
- Is available to Park City Municipal employees as a member of ICLEI.

The purpose of this report is to convey the approaches used and the results of the inventory. Therefore, it is not burdened with excessive details of methodology. Full documentation of

data sources, emission factors, methodologies, and results can be found in the IMS. Appendix A is targeted at the audience that will be maintaining the inventory and describes the general structure of the inventory, including directory structure, data sources, spreadsheets, and how they are coordinated into a cohesive inventory.

### 3.3 Included Greenhouse Gases, Units, and Terminology

#### Included Greenhouse Gases

ISO14061-1 requires the reporting of the following GHGs:

1. carbon dioxide (CO<sub>2</sub>),
2. methane (CH<sub>4</sub>),
3. nitrous oxide (N<sub>2</sub>O),
4. perfluorocarbons (PFCs),
5. hydrofluorocarbons (HFCs), and s
6. sulfur hexafluoride (SF<sub>6</sub>).

The majority of Park City's climate change impact is a result of emissions of the first three gases as documented in the following sections. PFCs and HFCs are primarily released as the result of normal operation and maintenance of refrigeration, air conditioning, and fire suppression systems and are documented here as well. Sulfur-hexafluoride is found primarily in large electrical equipment, such as transformers, and was determined to be a minimal source in Park City.

#### Units

All units presented in the body of this report are short tons (1 short ton = 2,000 pounds) unless otherwise noted.

Units of carbon dioxide equivalent (CO<sub>2</sub>e) are used to normalize the global warming potential of the various GHGs. As portrayed in Figure 1, the emission of 1 ton of N<sub>2</sub>O has a global warming potential (GWP) 310 times larger than that of the emission of 1 ton of CO<sub>2</sub>. Similarly, the emission of 1 ton of CH<sub>4</sub> has a GWP 21 times that of CO<sub>2</sub>. To avoid confusion between emissions of the different types of gases and their respective GWPs, all emissions are reduced to the common unit of CO<sub>2</sub>e, or 'carbon dioxide equivalent'.

#### What is a ton of GHG?

The concept of GHG emissions can be quite abstract. To place these emissions in some context, it can be helpful to illustrate with equivalent daily actions. Some equivalencies for 1 ton of carbon dioxide equivalent include:

- Driving from Park City to Kimball Junction and back 135 times.
- Driving from Park City to Salt Lake City and back 19 times.
- About one round-trip by commercial airline from Salt Lake City to Los Angeles.

Thus, the emission of 1 ton of N<sub>2</sub>O is expressed as the emission of 310 tons of CO<sub>2</sub>e. Tons of CO<sub>2</sub>e will be labeled as tCO<sub>2</sub>e.

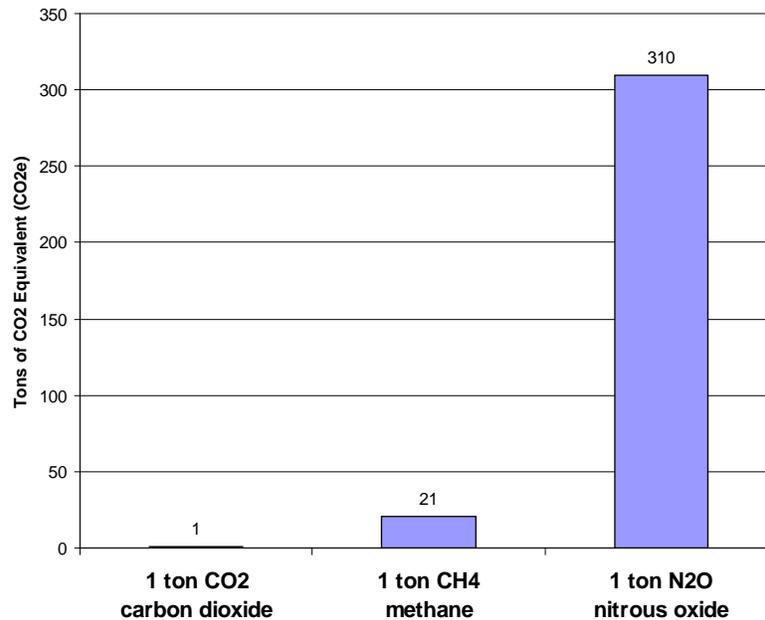


Figure 1. Units of GHG Representation

## Terminology

The following terminology is used throughout this report:

- The terms inventory and footprint will be used interchangeably to refer to the results of this effort to document emissions in the community.
- GHG emission, or just emission, refers to the release of CO<sub>2</sub>, CH<sub>4</sub>, or any other GHG described in the previous section to the atmosphere.
- RCI refers to the source sectors of residential, commercial, and industrial.
- IMS refers to the Inventory Management System, the spreadsheet that supports the collection of data, analysis of emissions, and graphical presentations found in this report.

## 3.4 Geopolitical Organizational Boundary

The Park City limits, as defined by the brown line in Figure 2, were selected as the geopolitical organizational boundary for this GHG inventory. The inventory seeks to

quantify the GHG emissions of all activities within this boundary. The emissions from Park City Municipal Corporation’s operations are included in this inventory.

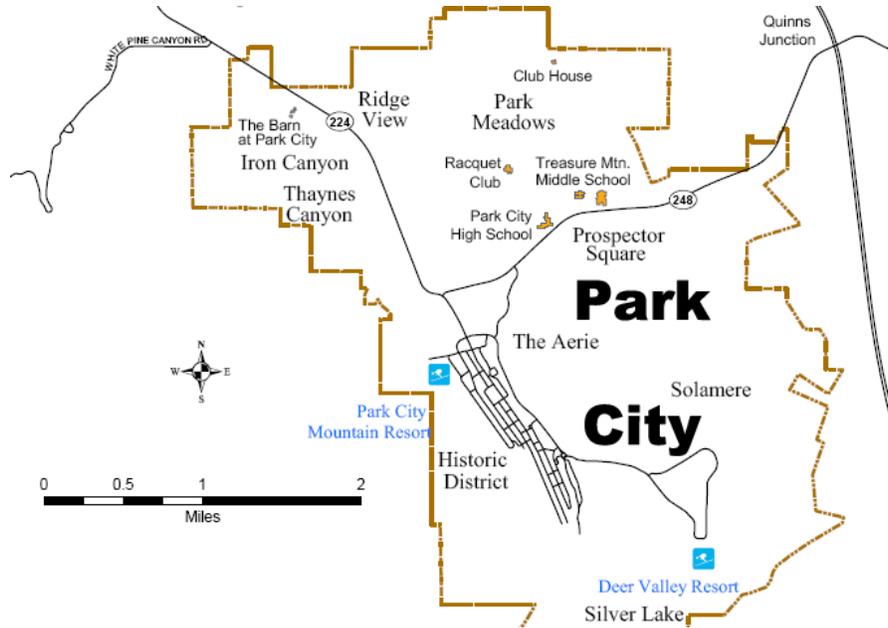


Figure 2. Geographic Boundary of Inventory

### 3.5 Greenhouse Gas Emission Sources

ISO14064-1 requires the entity to inventory all Direct (Scope 1) and Energy Indirect (Scope 2) GHG emissions. Other Indirect (Scope 3) emissions are reported at the discretion of the entity. As shown in Table 2, Park City has elected to include airline travel, solid waste disposal, and wastewater treatment.

Table 2. Park City Emission Sources

Direct (Scope 1)	Energy Indirect (Scope 2)	Other Indirect (Scope 3)
<ul style="list-style-type: none"> <li>• Natural gas consumption</li> <li>• Propane consumption</li> <li>• On-road vehicle transportation</li> <li>• Off-road vehicle and equipment use</li> <li>• Refrigerant losses</li> <li>• Fertilizers</li> <li>• Livestock</li> </ul>	<ul style="list-style-type: none"> <li>• Electricity consumption</li> </ul>	<ul style="list-style-type: none"> <li>• Airline travel</li> <li>• Solid waste disposal</li> <li>• Wastewater treatment</li> </ul>

Emission sources not included in this inventory include upstream energy and process emissions embodied in the goods and services that enter Park City from outside of the geopolitical boundary. For example, the emissions generated to produce an aluminum can (extracting raw material, processing, machining, and transporting to the Park City limits) are not included in this inventory. Also, because this is a “carbon footprint” and not an “ecological footprint”, items such as food and consumer goods are not considered.

### 3.6 Greenhouse Gas Inventory and Projections

#### Aggregate Community Emissions

The GHG emissions of any community can be considered in a number of contexts. For Park City, the objective of thoroughness was addressed by identifying GHG emissions from as many sources as could be reasonably quantified. These are represented as the Total Emissions of Park City. In doing so, Park City accounts for a number of GHG emission sources that are not often addressed in community inventories, including the airline travel of residents and visitors to the community. For a more equitable comparison to other communities, Park City’s GHG emissions are also represented in an ICLEI Supported context as they would be calculated for those GHG emission sources supported by ICLEI’s CACP community inventory software. Finally, in developing the Community Carbon Footprint and Roadmap for Reduction, a strong theme of individual responsibility and willingness to take action emerged from community dialogue. The final context presented for the aggregate community GHG emissions are those that are in the direct Sphere of Individual Influence. These are the GHG emissions in the community that are the result of daily actions taken by individual citizens and therefore within the capacity of the individual

to reduce. Table 3 summarizes the GHG emission sources or differences in approach included in each of these three contexts.

**Table 3. Differences in Approaches to GHG Emission Sources**

Total Emissions (ISO 14064-1)	ICLEI Supported	Sphere of Individual Influence
<ul style="list-style-type: none"> <li>Electricity consumption</li> <li>• Natural gas consumption</li> <li>• Propane consumption</li> <li>• On-road vehicle transportation</li> <li>• Off-road vehicle and equipment use</li> <li>• Airline travel (resident &amp; visitor)</li> <li>• Solid waste disposal</li> <li>• Wastewater treatment</li> <li>• Refrigerant losses</li> <li>• Fertilizers</li> <li>• Livestock</li> </ul>	<ul style="list-style-type: none"> <li>• Electricity consumption</li> <li>• Electricity emission factor changed from Utah specific to northwest regional factor per ICLEI protocol (See electricity section for more information)</li> <li>• Natural gas consumption</li> <li>• Propane consumption</li> <li>• On-road vehicle transportation</li> <li>• Solid waste disposal</li> </ul>	<ul style="list-style-type: none"> <li>• Residential electricity consumption</li> <li>• Residential natural gas consumption</li> <li>• Residential propane consumption</li> <li>• Resident on-road vehicle transportation</li> <li>• Resident airline travel</li> <li>• Solid waste disposal (50% of community total)</li> </ul>

*\*items in blue are only included in the Total Emissions (ISO 14064-1) totals*

The Total Emissions in the Park City inventory in 2007 were 1,003,712 tCO<sub>2</sub>e. The ICLEI supported GHG emissions in 2007 were 475,663 tCO<sub>2</sub>e about 47 percent of the emissions represented in the Total Emissions context. Finally, the emissions in the Sphere of Individual Influence in 2007 were 164,720 tCO<sub>2</sub>e, or about 16 percent of the Total Emissions in the community. Each of these contexts is presented in Figure 3 along with similar results for the years 1990 and 2005. Most 1990 emissions are estimated based on 2005 per capita emissions and population due to lack of available data; therefore, the ICLEI supported context is not included for this year.

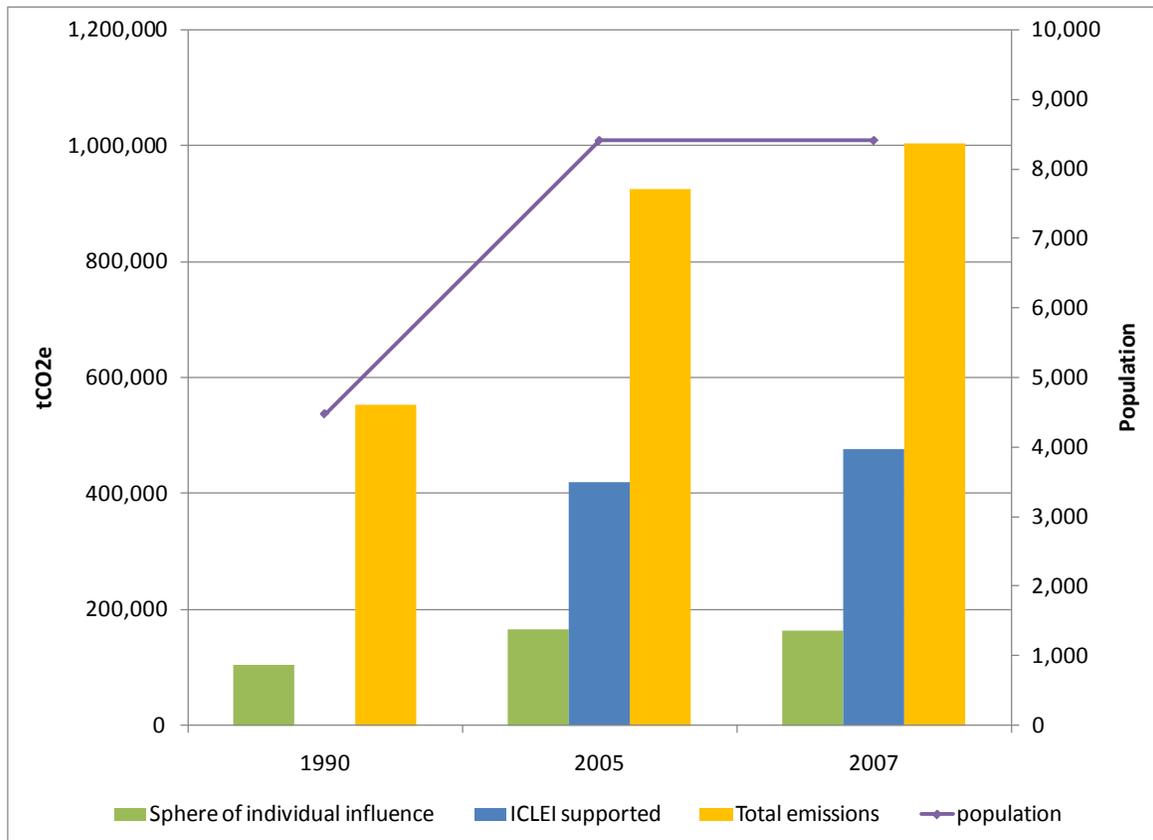


Figure 3. Aggregate Community Emissions by Context

Energy consumption and transportation are the primary sources of GHG emissions in the community, with small portions contributed by solid waste disposal and other sources, such as losses from refrigeration equipment. These sources are presented in Figure 4.

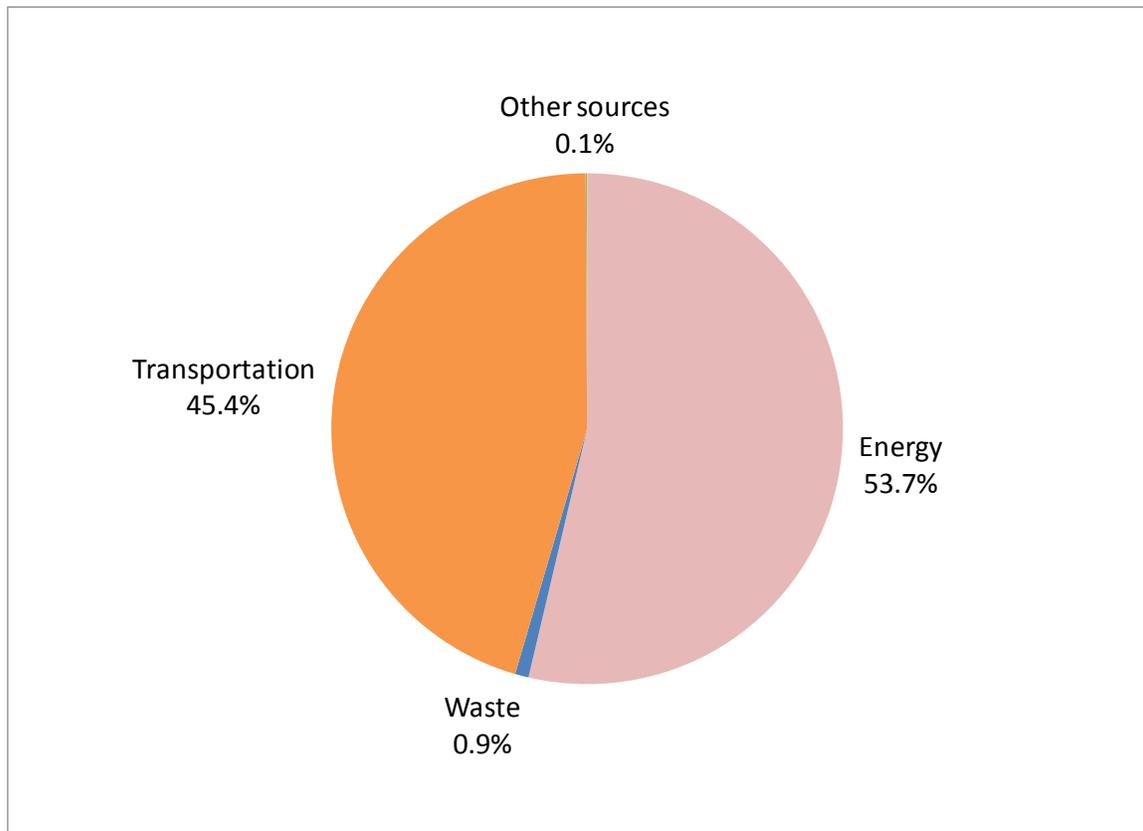


Figure 4. Total Community Emissions by Source

The following sections describe the sources of these GHG emissions and the data and methods used to quantify their impact.

### Energy

Stationary consumption of energy in Park City, including electricity, natural gas, and propane, represented 53.7 percent of the total emissions in the Park City inventory in 2007. The majority of these emissions are from electricity consumption (Figure 5).

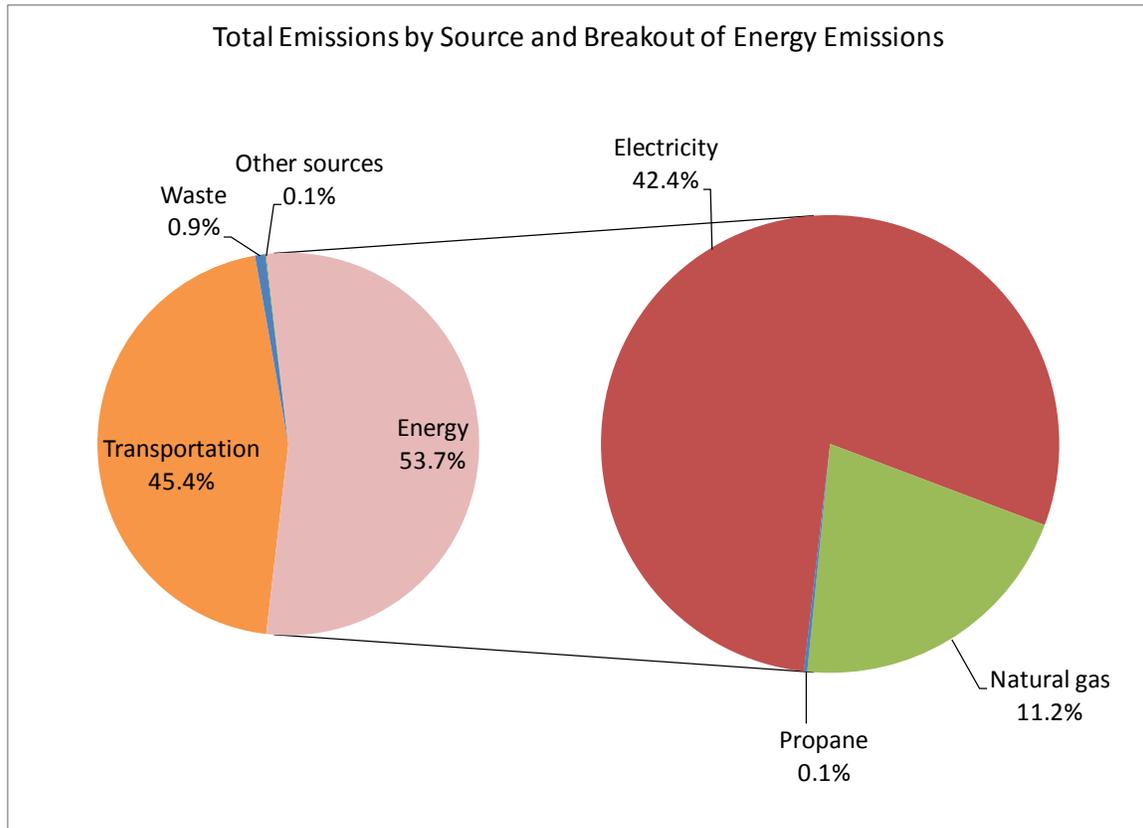


Figure 5. Source of Energy Emissions Compared to Total Inventory

### *Electricity*

GHG emissions from electricity consumption are indirect, occurring at the source of the electricity generation, but are attributed to the consumer of the electricity. Emissions from Park City's electricity consumption were 425,194 tCO<sub>2</sub>e in 2007, or 42.4 percent of the total inventory. As indicated in Figure 6, residential and commercial/industrial electricity consumption contribute about 24 percent and 76 percent, respectively, of emissions from electricity. Most commercially owned or operated lodging is in the commercial/industrial sector.

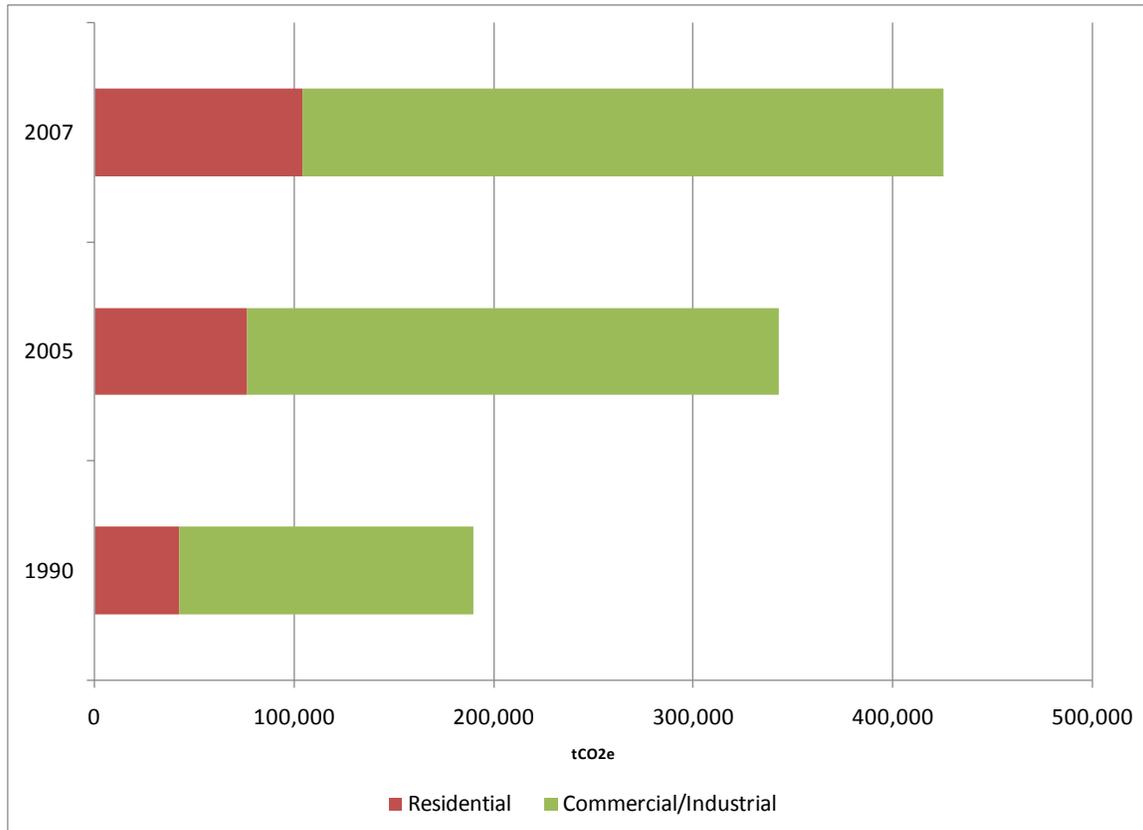


Figure 6. Community Emissions from Electricity by Sector

The increase in emissions between 2005 and 2007 is likely attributed to new construction in Park City.

Emissions from electricity generation are calculated using an emissions factor that accounts for the mix of resources used to generate the electricity and the particular GHG emission rates of those resources. For the Park City inventory, a Utah-specific factor from the EPA's eGRID 2007 application was applied. Regional factors were considered per the guidance of ICLEI and TCR but were not applied because the region that encompasses Park City includes the significant hydroelectric resources of the Northwest, thereby greatly reducing the emission factor (Figure 7). Therefore, the Utah factor that more fully represents the impact of coal generation in the intermountain region was selected to accurately represent the impact of Park City's electricity consumption. The calculation of emissions was carried out in the IMS and confirmed with ICLEI's CACP. It includes factors for CO<sub>2</sub>, methane CH<sub>4</sub>, and nitrous oxide N<sub>2</sub>O.

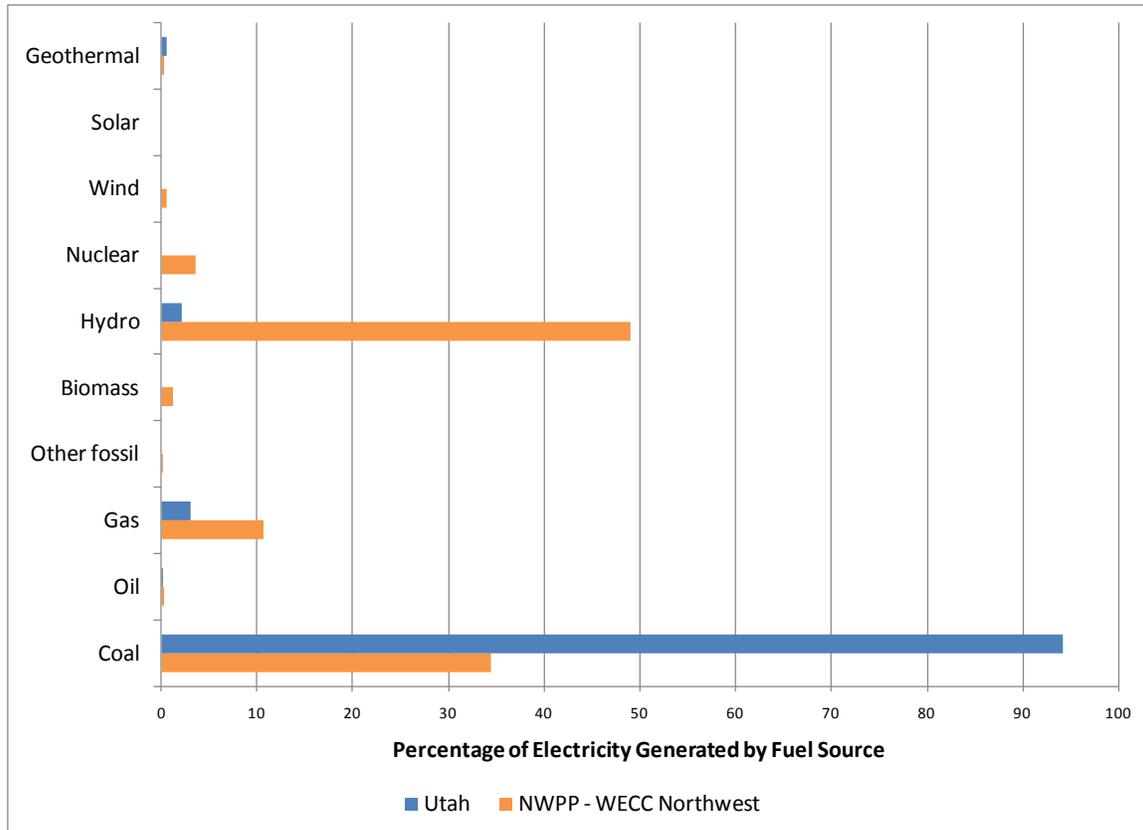


Figure 7. Comparison of State of Utah and Regional Electricity Generation Portfolios

Electricity consumption data for 2005 and 2007 were provided by Rocky Mountain Power, the sole electricity provider to the community, and included segregation of residential and commercial/industrial uses. Electricity consumption for 1990 was estimated based on population. This is likely an underestimate because it credits 1990 with the building and technology efficiency improvements that have occurred since 1990.

### Renewable Energy

In general, GHG reporting protocols such as The Climate Registry do not recognize renewable energy credits (e.g., those purchased from Rocky Mountain Power’s Blue Sky program) as deductions against an entity’s GHG inventory. Due to measurement and accounting challenges, only renewable energy that is used directly by an entity, such as that installed on the site or behind the meter, can currently be deducted from an inventory. As a result, despite the Park City community’s strong participation in renewable energy programs (about 11 percent of the residential accounts and 5 percent of business accounts participated in the Blue Sky program in 2007, significant purchases made by Park City Municipal

Corporation, and Park City Mountain Resort’s offset of 100 percent of its electrical energy consumption with renewable energy credits [RECs] starting in 2008), the emissions from electricity purchases still represent total purchases made from the grid.

Though it is not deducted from the community GHG inventory, purchasing renewable energy and RECs supports the increasing uptake of renewable energy technology and reduces GHG emissions elsewhere on the electrical grid. These purchases represent a powerful statement of the Park City community’s commitment to addressing climate change.

### Natural Gas

GHG emissions from natural gas consumption are direct, occurring at the site when the gas is combusted for uses such as heating in homes and businesses. Emissions from Park City’s natural gas consumption were 112,277 tCO<sub>2</sub>e in 2007, or 11.2 percent of the total inventory. As indicated in Figure 8, residential consumption contributed about 65 percent of emissions while commercial/industrial sources, which include most commercially owned or operated lodging, contributed 35 percent of emissions.

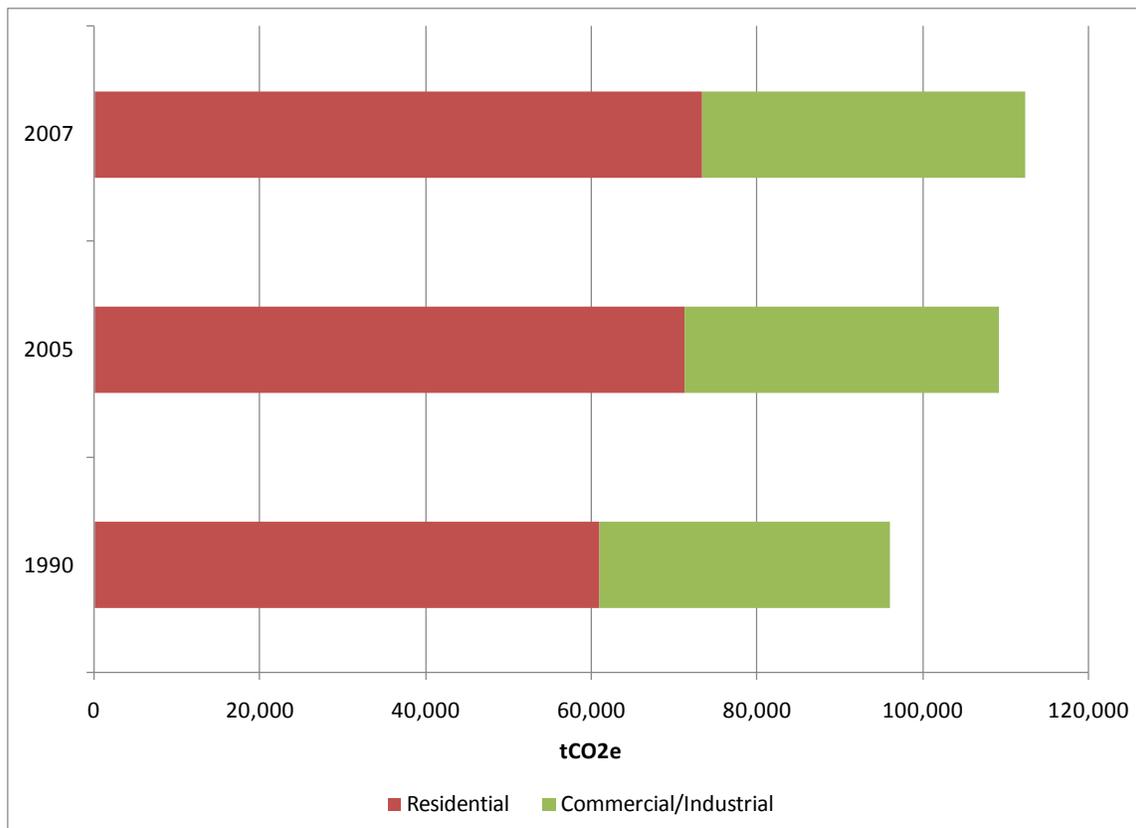


Figure 8. Community Emissions from Natural Gas by Sector

Emissions from natural gas combustion were calculated using an emissions factor from ICLEI. The calculation of emissions was carried out in the IMS and confirmed with ICLEI's CACP. It includes factors for CO<sub>2</sub>, CH<sub>4</sub> and N<sub>2</sub>O.

Natural gas consumption data for 2005 and 2007 were provided by Questar, the sole natural gas provider to the community, and included segregation of accounts into residential and commercial/industrial uses. Natural gas consumption for 1990 was estimated based on population and historical per capita use rates, which account for more recent improvements in building and technology efficiency.

### *Propane*

Like natural gas, greenhouse gas emissions from propane consumption are direct, occurring at the site when the gas is combusted for uses such as heating. Emissions from Park City's propane consumption were at least 1,334 tCO<sub>2</sub>e in 2007, or 0.1 percent of the total inventory (Figure 9). The distribution of users between residential and commercial/industrial sectors was not available, but most of the use is likely residential based on correspondence with propane providers.

Propane consumption data were provided by two propane providers for 2007 but only one of these providers had data for 2005. At least four additional propane providers identified in the Park City region did not provide data, so these emissions data only account for a portion of total propane consumption. Due to the lack of available data, propane consumption for 1990 and 2005 was estimated based on the rate of consumption in 2007 and population.

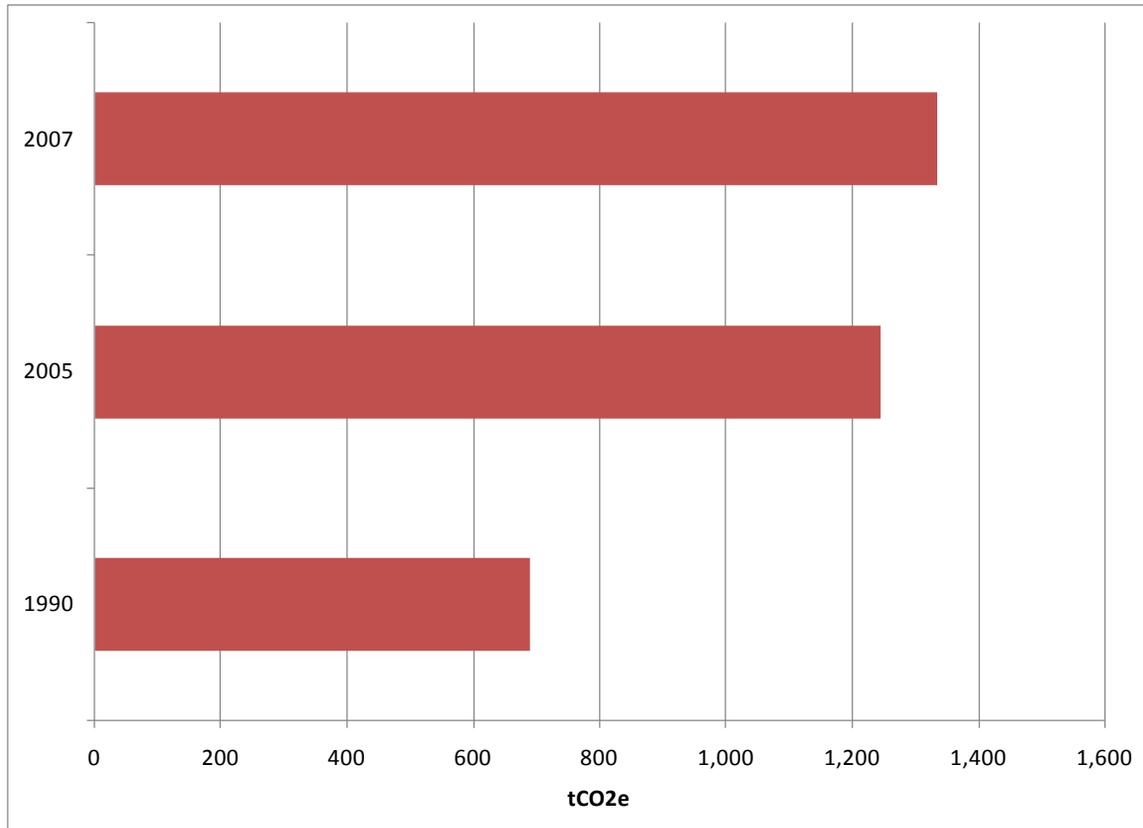


Figure 9. Community Emissions from Propane

Emissions from propane combustion were calculated using an emission factor from ICLEI. The calculation of emissions was carried out in the IMS and confirmed with ICLEI's CACP. It includes factors for CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O.

### ***Biomass Combustion***

In Park City, the predominant biomass combustion activity is burning wood in heating stoves in both residential and commercial properties. Due to the highly competitive nature of the market for firewood in Park City, data on the quantity of firewood sold are proprietary and were not available for this analysis. Fortunately, this lack of data does not impact the completeness of the Park City inventory because protocol does not require these emissions to be reported.

Most protocols, including TCR, recognize the predominant emission from biomass combustion, CO<sub>2</sub>, as a biogenic emission source. Biogenic carbon emissions are the result of carbon that was recently sequestered during the growth of the biomass and will subsequently be subject to uptake by new biomass growth. Therefore, as a matter of protocol, these

emissions are not included in an inventory and are typically reported separately. Compared with the magnitude of emissions from other energy sources, such as electricity, natural gas and propane, the emissions from wood burning are likely to be negligible.

## Transportation

Transportation emissions for Park City include on-road vehicles and transit, off-road vehicles and equipment, and airline travel. These emissions accounted for 42.6 percent of total emissions in 2007. The majority of these emissions are from airline travel (Figure 10).

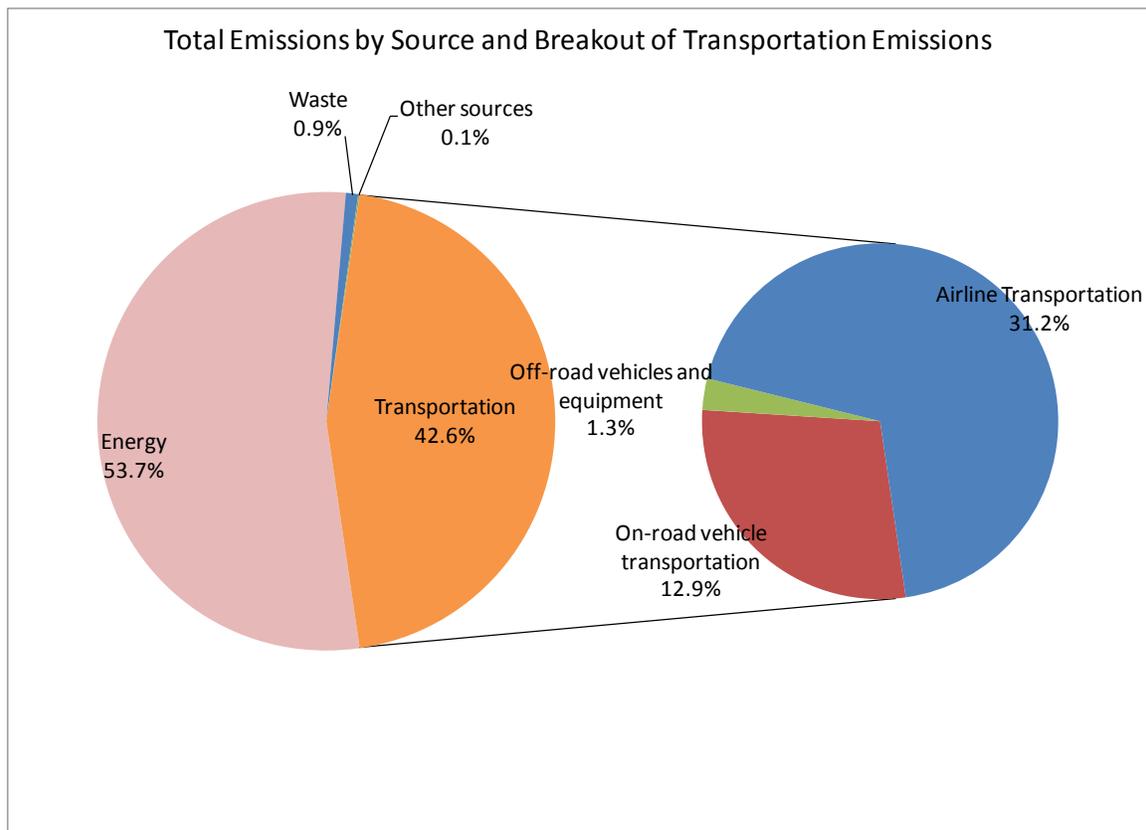


Figure 10. Source of Transportation Emissions Compared to Total Inventory

### *On-road Vehicle Transportation*

The GHG emissions resulting from on-road vehicle travel are direct, occurring at the tailpipe of the vehicle as the result of fossil fuel combustion in the vehicle's engine. These vehicles include cars, light trucks, heavy trucks, and transit buses. Emissions from on-road vehicle travel in Park City were 129,059 tCO<sub>2</sub>e in 2007, or 12.9 percent of the total inventory.

Fehr & Peers Transportation Consultants provided the results of VMT modeling for 1990, 2005, and 2007 to support the calculation of emissions from on-road vehicle travel (Figure

11). The VMT modeling includes resident and overnight visitor on-road travel, including visitor travel from Salt Lake City, but does not include the mileage contribution of 1-day visitors to Park City.

An alternative approach was also undertaken to corroborate the VMT modeling based on annual average daily traffic (AADT) on major roadways. These traffic counts are generated by the familiar black strips often seen lying across the roadway. Using the traffic counts and length of the road segments, an alternative measure for VMT can be generated. This measure includes all traffic crossing the sensors, including 1-day visitors to Park City. However, this measure only covers the major arterial streets.

Ultimately, VMT estimates based on AADT counts are about half of that modeled for 2005 and 2007 by Fehr & Peers. The method applied by Fehr & Peers was selected for the inventory because it is preferred by ICLEI and represents a conservative approach to modeling emissions.

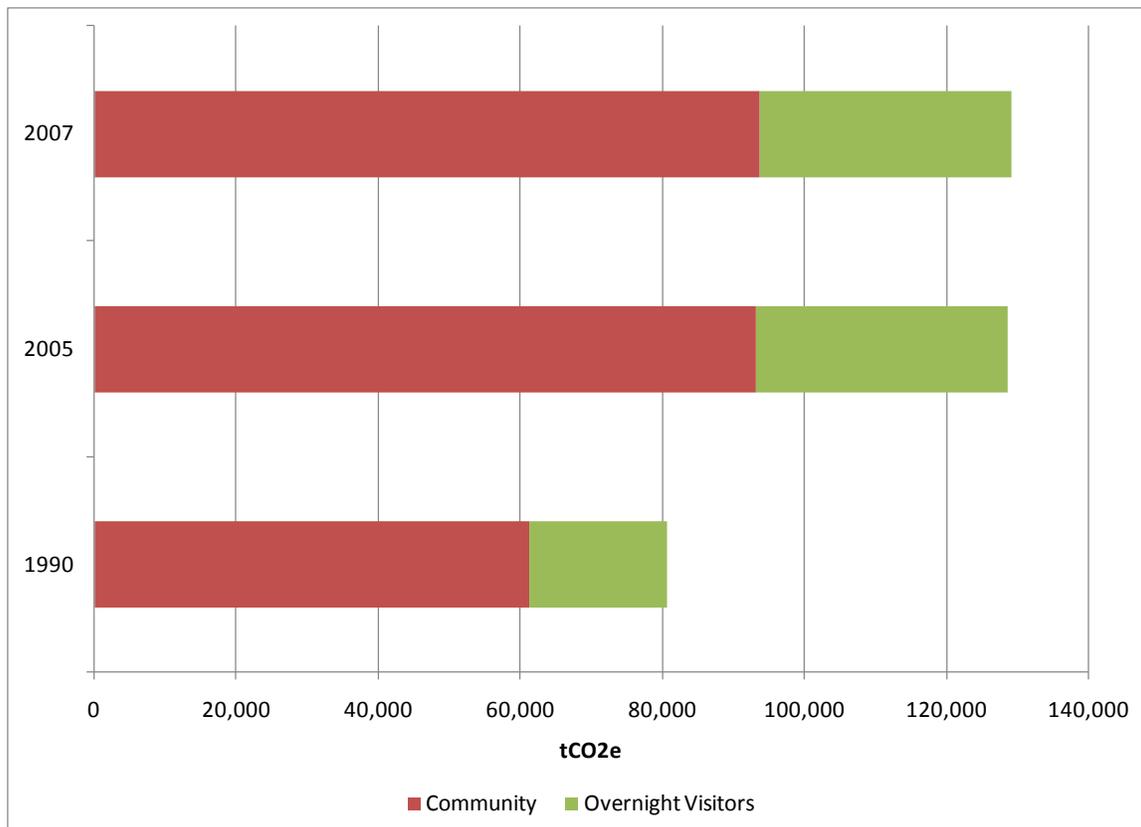


Figure 11. Community Emissions from On-road Transportation

Emissions from on-road vehicle travel were calculated using average fleet fuel economies and composition of vehicle types from the Energy Information Administration and Tellus.

These factors allow the conversion of total VMT to an estimated quantity of fuel consumed, which is converted to GHG emissions using factors from the EPA. Emissions were calculated using CACP, and details of the methodology can be found in that software’s documentation.

### *Airline Travel*

GHG emissions from airline travel are direct, occurring at the aircraft's engine as a result of fossil fuel combustion. Emissions from Park City residents and visitors traveling through Salt Lake City International Airport were estimated to be 313,255 tCO<sub>2</sub>e in 2007, or 31.2 percent of the total inventory (Figure 12).

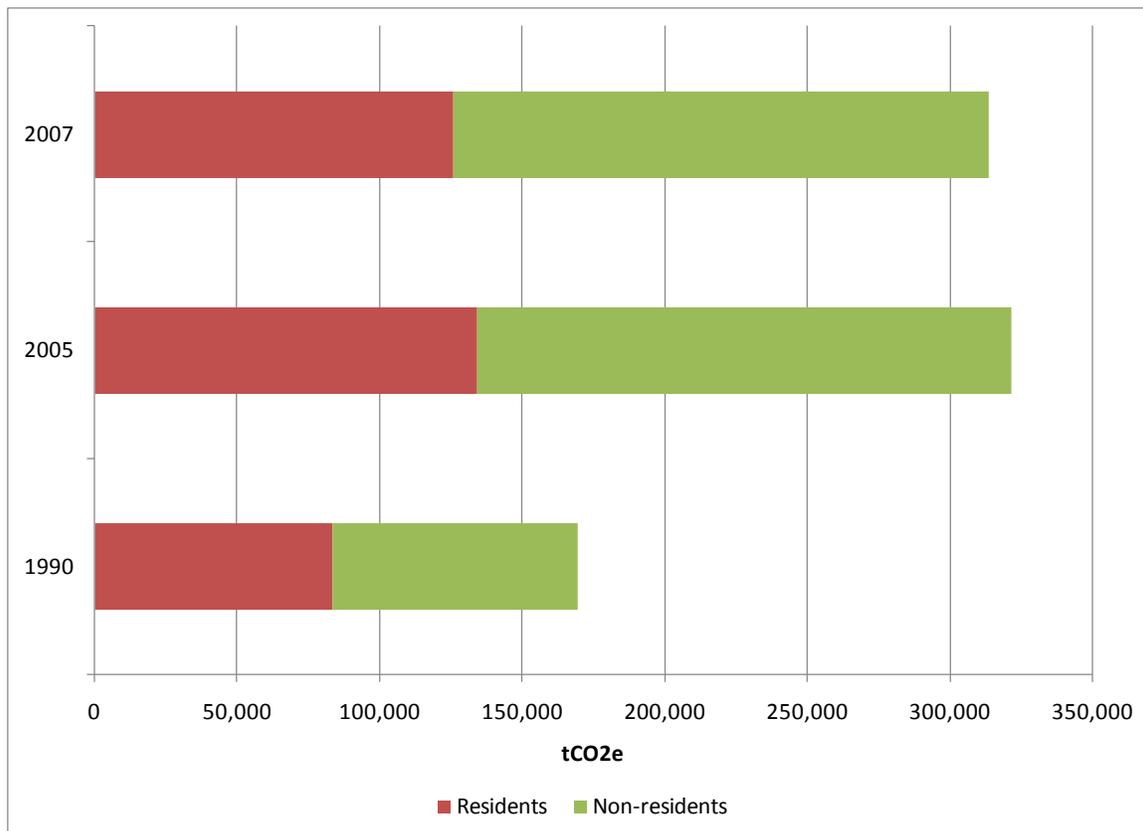


Figure 12. Resident and Non-resident Airline Travel Emissions

The calculation of emissions from aviation activities is not directly supported by the CACP software. Salt Lake City International Airport provided statistics on the following to facilitate estimating the emissions from airline travel:

- Total enplaned/deplaned passengers.

- Percentage of local passengers with a destination or origin at Salt Lake City International (e.g., passengers that are not connecting).
- Percentage of local passengers originating or destined to Park City/Summit County.
- The statewide ratio of residents to non-residents enplaned/deplaned.
- The Top 50 Originating and Destination markets served by Salt Lake City International to determine a weighted average trip length.

These data were complimented by the following demographic data:

- Visitor nights in Park City to estimate how many travelers to Summit County are destined for Park City.
- Park City overnight visitor origins to estimate how many visitors arrive by airline.

Using the above data it was possible to estimate the number of airline trips by residents of Park City and the number of non-residents arriving with Park City as a destination. The airline miles traveled by these passengers were estimated based on a weighted average of the top 25 origination and destination markets.

The resulting CO<sub>2</sub> emissions were estimated using an emission factor for short haul flights provided by the World Resource Institute's Business Travel Tool v2.0. Airlines are also understood to have a greater impact on global warming than that of their CO<sub>2</sub> emissions due to other effects, such as changes in concentration of ozone, methane, aerosols, and the formation of clouds. As a result, a factor called a radiative forcing index (RFI) is applied to account for this additional impact specifically associated with airline travel.

### *Off-road Vehicle and Equipment Use*

GHG emissions from off-road vehicles and equipment include fossil fuel combustion related to a variety of activities, including the following:

- Recreational vehicles, such as all-terrain vehicles, snowmobiles, and snow grooming equipment.
- Logging equipment, such as chainsaws.
- Agricultural equipment, such as tractors.
- Construction equipment, such as graders and backhoes.
- Industrial equipment, such as fork-lifts, airport grounds equipment, and sweepers.
- Residential and commercial lawn and garden equipment, such as leaf and snow blowers.

- Stationary combustion of fuels in applications such as back-up generators.

As indicated in Figure 13, emissions from these activities in Park City were 13,015 tCO<sub>2</sub>e in 2007, or 1.3 percent of the total inventory. These emissions are predominately from construction equipment and are therefore assumed to be primarily of commercial origin.

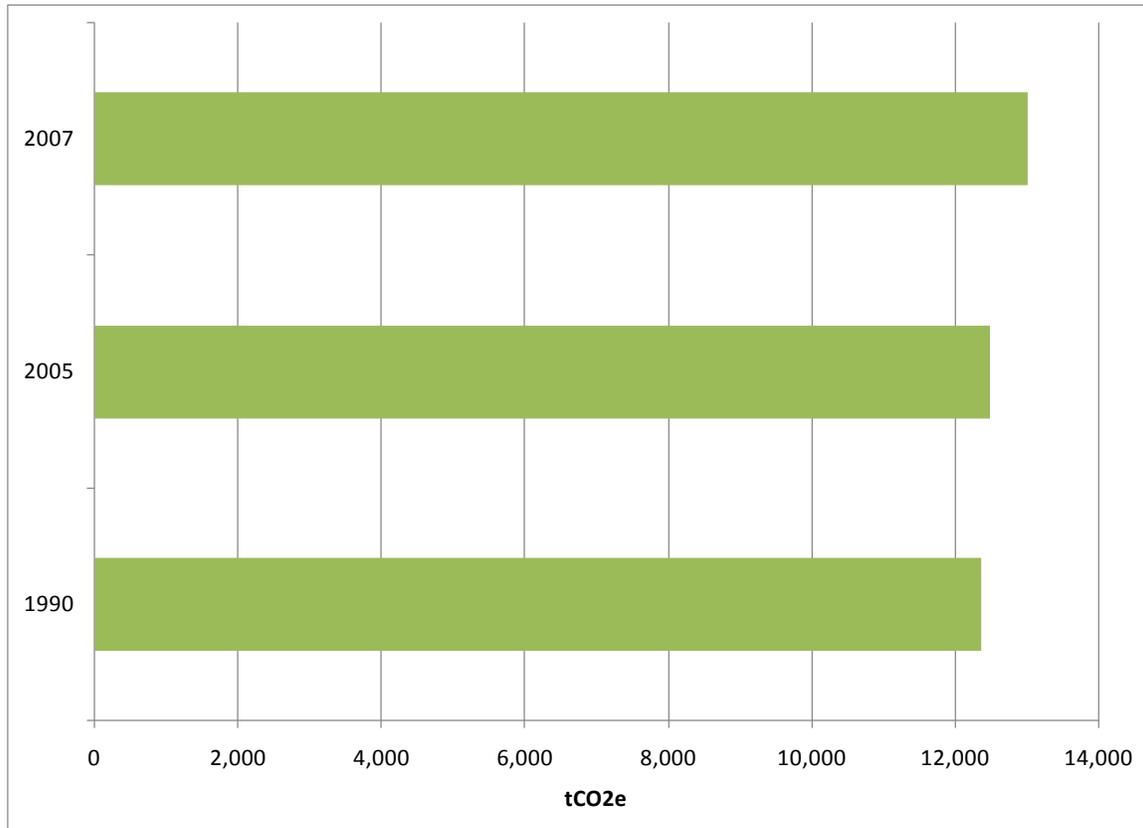


Figure 13. Community Emissions from Off-road Vehicles and Equipment

The CACP software does not directly support calculating emissions from these activities and other data that would support the calculation were not readily available. Therefore, the EPA's NONROAD2005 Model was employed to estimate these emissions. The NONROAD2005 Model includes the following data sets, with resolution to the county level:

- Equipment population for the base year distributed by age, power, fuel type, and application.
- Average load factor expressed as an average fraction of available power.
- Available power in horsepower.
- Activity in hours of use per year.

- Emission factor with deterioration and/or new standards.

Emissions were determined for Park City by modeling emissions for Summit County and prorating by population ratio or known use types for each equipment type category. For example, watercraft emissions for Park City were assumed to be zero since there are no major water bodies in the Municipal Corporation limits. The model's data sets support emission estimations for all three target years: 1990, 2005, and 2007.

## Waste

Waste disposal activities in Park City, including solid waste disposed at the landfill, construction and demolition waste, and wastewater treatment, represented 0.9 percent of the total emissions of the Park City inventory in 2007 (Figure 14). The majority of these emissions are from solid waste disposed at the landfill.

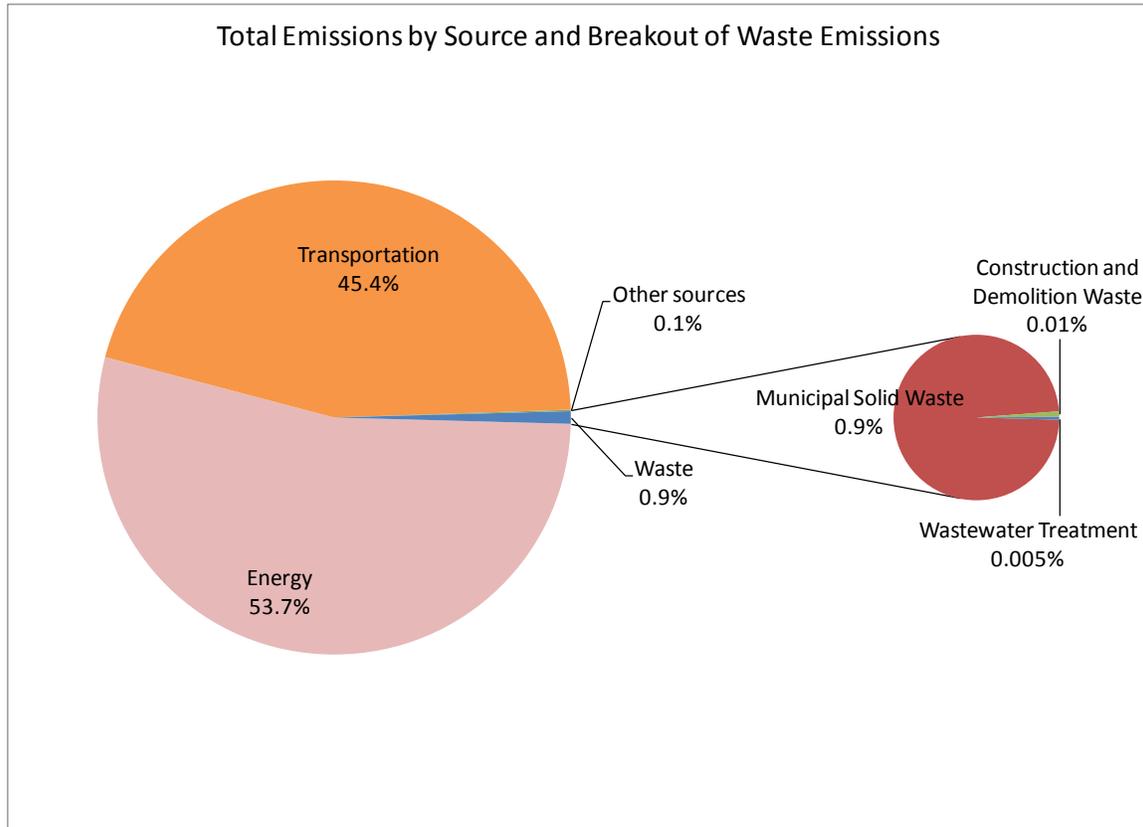
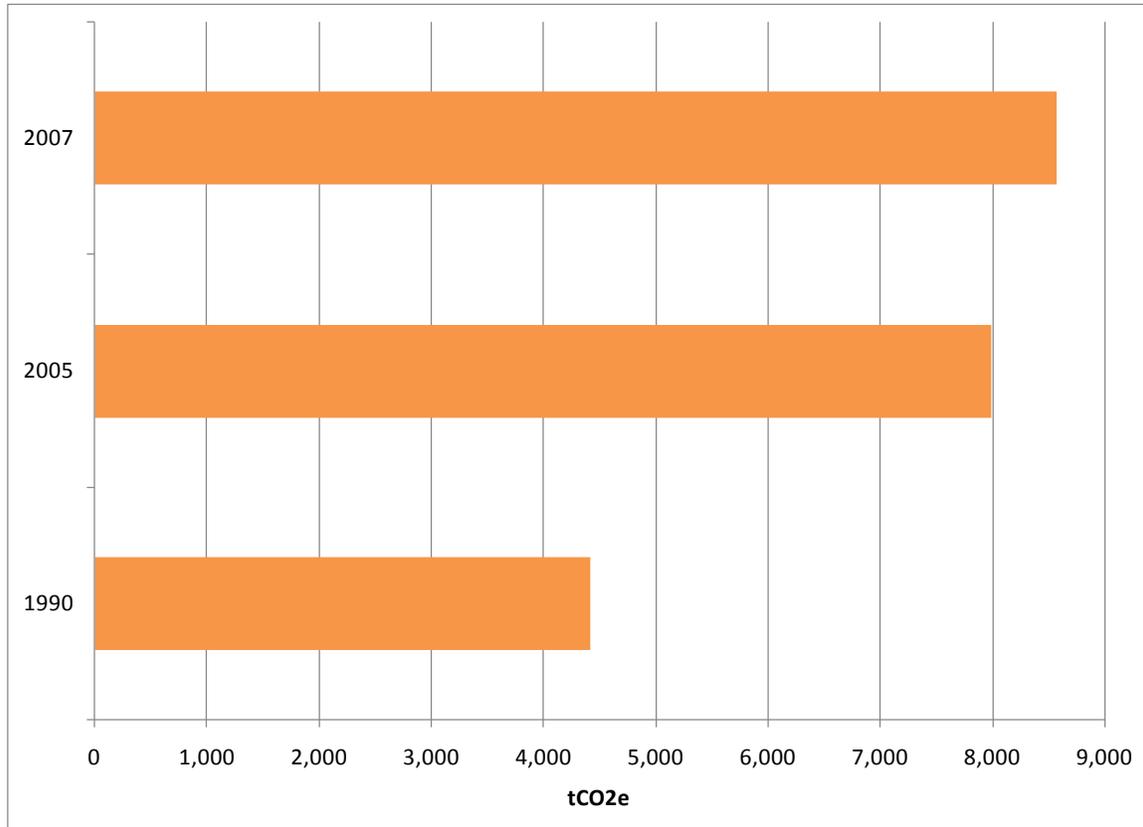


Figure 14. Source of Waste Emissions Compared to Total Inventory

### *Municipal Solid Waste*

GHG emissions from solid waste disposal are considered indirect and occur as a result of material decomposition at the landfill. All municipal solid waste in Summit County is collected at the Three Mile Landfill, which has no methane capture. Emissions from

municipal solid waste disposal from Park City were 8,569 tCO<sub>2</sub>e in 2007, or 0.9 percent of the total inventory (Figure 15).



**Figure 15. Community Emissions from Municipal Solid Waste**

Emissions from disposal of solid waste were calculated using emission factors from ICLEI. The Summit County Integrated Solid Waste Management Plan (SCISWMMP) provided the waste disposal rate and composition of waste types for Summit County in 2007. These rates were prorated to Park City based on a combination of resident population and visitor nights. The calculation of emissions was carried out in the IMS and confirmed with ICLEI’s CACP. Waste disposal rates for 1990 and 2005 were estimated based on population.

***Construction and Demolition Waste***

GHG emissions from construction and demolition (C&D) solid waste disposal are considered indirect and occur as a result of material decomposition at the landfill. Most C&D waste in Summit County is collected at the Henefer Landfill, although some is disposed of outside Summit County. Emissions from C&D disposal from Park City were 92 tCO<sub>2</sub>e in 2007, or 0.01 percent of the total inventory (Figure 16).

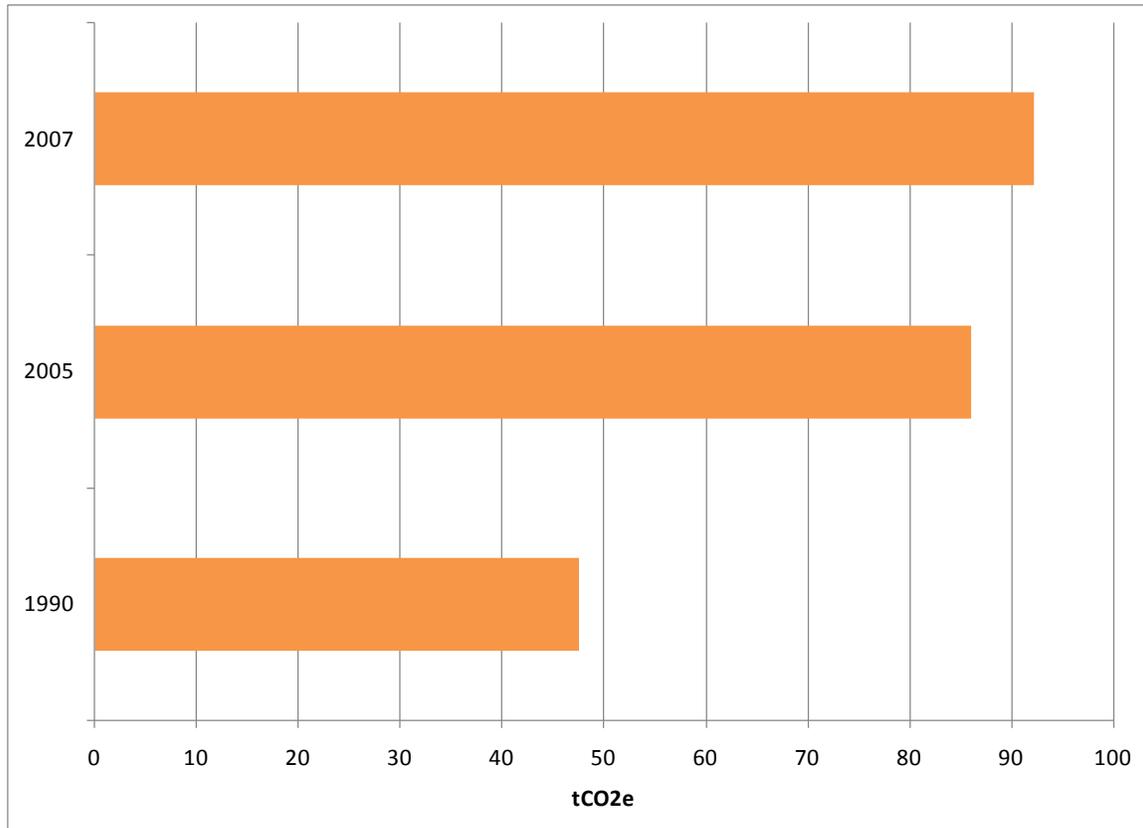


Figure 16. Community Emissions from Construction and Demolition Waste

Emissions from disposing C&D waste are not explicitly covered by emission factors from ICLEI. Furthermore, the SCISWMMP does not provide a waste composition analysis for the C&D stream. Therefore, emission factors from the EPA’s Waste Reduction Model (WARM) and a waste composition ratio from an EPA report (“Analyzing What’s Recyclable in C&D Debris”) were used to develop a weighted emission factor for the C&D waste stream. For the most part, materials in this waste stream do not decompose in the landfill (e.g., concrete, asphalt roofing, metals, bricks, plastic) and therefore produce no landfill GHG emissions. The only major component of this stream that does decompose is wood.

The SCISWMMP provided the C&D waste generation rate and composition for Summit County in 2007. These rates were prorated to Park City based on a combination of population and visitor nights. The calculation of emissions was carried out in the IMS. Waste generation rates for 1990 and 2005 were estimated based on population.

## ***Recycling***

In 2007, approximately 9,110 tons of solid waste was recycled in Summit County yielding a County-wide diversion rate of about 18 percent. According to surveys conducted by Recycle Utah, as much as 50 percent of this diversion was generated by Park City.

Recycling has a two-fold benefit with respect to GHG emissions. First, biodegradable materials, such as cardboard and paper, that are diverted by recycling are prevented from decomposing at the landfill and generating GHG emissions. This diversion results in a direct reduction in the community's GHG inventory. Furthermore, diverting recyclables decreases the worldwide market for virgin materials. For almost all materials, the GHG emissions that occur in returning recycled material to market are much less than those that occur bringing virgin material to market. Therefore, recycling has an impact on reducing GHG emissions both in Park City as well as in upstream materials markets.

## ***Wastewater Treatment***

Park City's wastewater is managed by the Snyderville Basin Reclamation District (SBRD) in a facility described as:

*"An advance tertiary water reclamation facility employing biological and chemical phosphorus removal processes, ultra violet (UV) disinfection, tertiary filters and beneficial use of biosolids."*

The emissions from this process were calculated to be 50 tCO<sub>2</sub>e in 2007, or about 0.005 percent of the total inventory (Figure 17).

GHG emissions from wastewater treatment vary depending on the type of treatment process used. Of the potential emission sources identified by the California Climate Action Registry Local Government Operations Protocol for wastewater treatment, the only one that is applicable to the described process is N<sub>2</sub>O emissions from the nitrification/denitrification process. The calculation of emissions was carried out in the IMS.

The SBRD and US Census Bureau provided visitor and resident population data necessary to calculate these wastewater emissions for 2005 and 2007. Emissions for 1990 were estimated based on population.

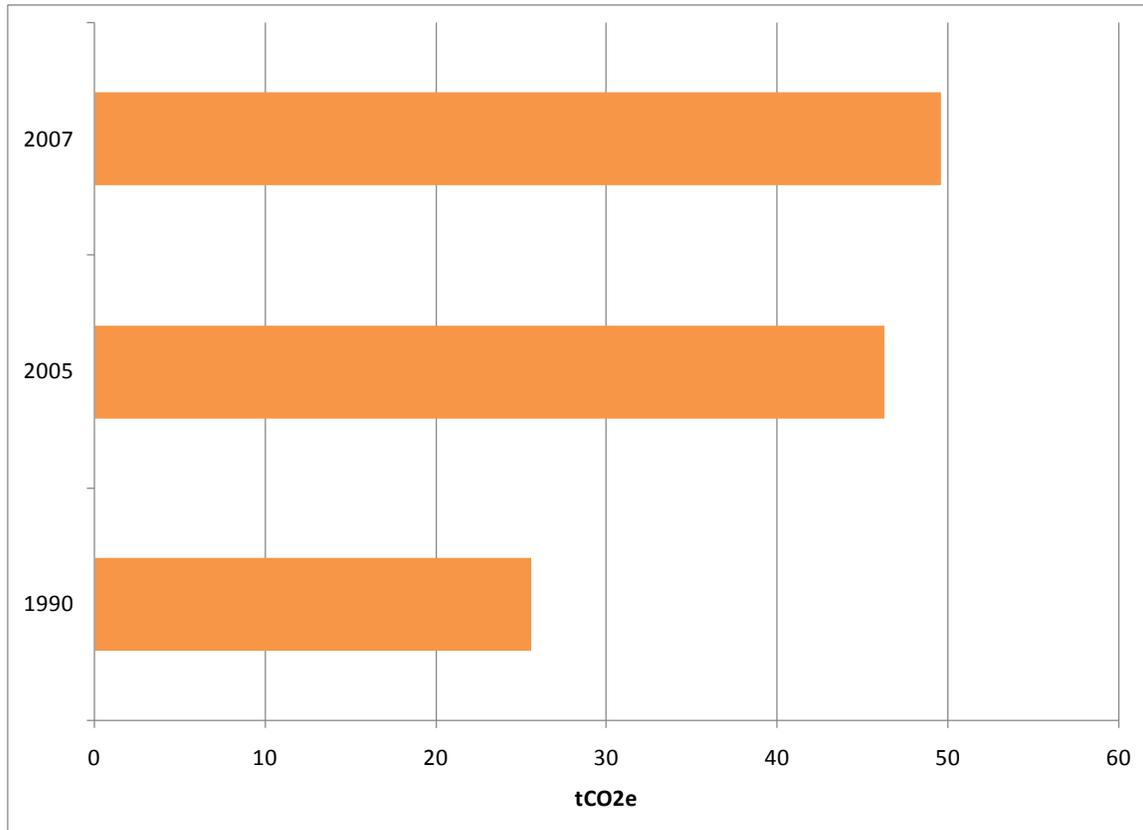


Figure 17. Community Emissions from Wastewater Treatment

### Other Sources

There are a number of other minor GHG emission sources in Park City that accounted for 867 tCO<sub>2</sub>e in 2007, or 0.1 percent of the total emissions. These sources include:

- Leaking refrigerant chemicals from air conditioning and food refrigeration systems.
- Enteric and manure methane emissions from the presence of minimal livestock.
- Fertilizer.
- Beer production.

The majority of emissions in this category are from refrigerant losses during normal system operation and maintenance. More information on the estimation of emissions from these sources is available in Appendix C.

### 3.7 Benchmarks

Another way to provide context for a community's GHG emissions is to benchmark against other communities and regions. However, benchmarking is challenging for a number of reasons. Though protocols exist for carrying out GHG inventories, covering topics from establishing boundaries to quantifying emissions from a particular source, there is still a lack of standardization among these protocols. Each community will make assumptions based on its unique circumstances and the data available with which to construct the inventory. The benchmarking effort is further complicated by the inherent differences in climate, demographics, economies, and geographic location that inevitably influence how a community uses resources and emits GHGs.

Ultimately, the best comparison for Park City as it strives to reduce its GHG emissions will be itself.

**Table 4. Per Capita GHG Emissions by Context and Measure of Population**

<b>Park City's 2005 per Capita Emissions (tons CO<sub>2</sub>e/capita) based on...</b>			
	<b>Total Emissions</b>	<b>ICLEI Supported</b>	<b>Sphere of Individual Influence</b>
Full-time resident population of 8,399 persons	110	50	20
Estimated equivalent full-time population including visitors of 19,388 persons	48	22	n/a
<b>Park City's 2007 per Capita Emissions (tons CO<sub>2</sub>e/capita) based on...</b>			
	<b>Total Emissions</b>	<b>ICLEI Supported</b>	<b>Sphere of Individual Influence</b>
Full-time resident population of 8,399 persons	119	57	20
Estimated equivalent full-time population including visitors of 20,724 persons	48	23	n/a

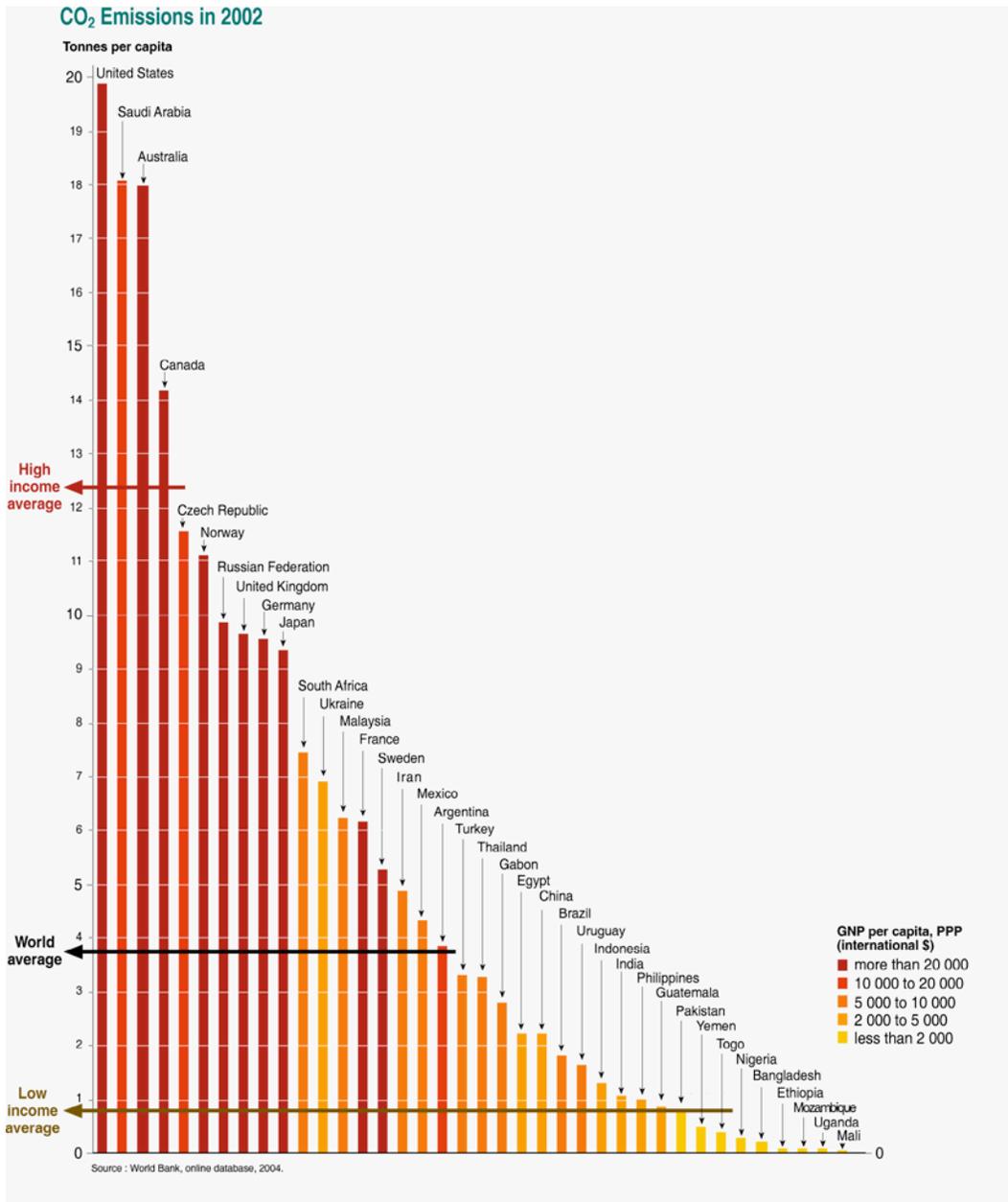


Figure 18. National CO<sub>2</sub> Emissions Per Capita. (2005).

Source: In UNEP/GRID-Arendal Maps and Graphics Library. Retrieved 22:19, February 23, 2009 from

[http://maps.grida.no/go/graphic/national\\_carbon\\_dioxide\\_co2\\_emissions\\_per\\_capita](http://maps.grida.no/go/graphic/national_carbon_dioxide_co2_emissions_per_capita)

The United States leads the world in per capita emissions at about 22 tons CO<sub>2</sub> (20 metric tons CO<sub>2</sub>) per year (Figure 18). The per capita emissions in the Sphere of Individual Influence in Park City are similar to the national average. Total per capita emissions in Park

City are higher than the national average due to several factors including but not limited to the following:

- Tourist economy – Park City has the infrastructure to support a visitor population of over 30,000 people, which well exceeds Park City’s resident population. This infrastructure includes ski areas, lodging, restaurants, and associated services. Much of this infrastructure consumes energy even during periods of lower occupancy, thereby increasing Park City’s per capita emissions even when the population is adjusted to include visitor nights.
- A high-altitude mountain climate – Park City has a high-altitude mountain climate and therefore additional energy is consumed for heating when compared with many areas of the country.

In order to account for some of these factors, a number of potential peer communities or regions were identified based on the availability of GHG inventory data, the presence of a tourism economy, the presence of the ski industry, and similar mountain climates (Table 5). These communities and regions include the following:

- State of Utah – The State of Utah was selected because it encompasses Park City. However, state-wide, there clearly is not the same intensity of tourism economy, ski industry presence, or heating-centric climate that is found in Park City.  
([http://www.deq.utah.gov/BRAC\\_Climate/docs/Final\\_Report/Sec-B-GHG\\_INVENTORY.pdf](http://www.deq.utah.gov/BRAC_Climate/docs/Final_Report/Sec-B-GHG_INVENTORY.pdf))
- City of Aspen, Colorado – Aspen is perhaps the most similar community available for benchmarking GHG emissions. Aspen has completed a comprehensive GHG inventory, features a similarly tourism-centered economy, and has three smaller ski areas within the inventory boundaries and a similar climate.  
([http://www.canaryinitiative.com/pdf/emission\\_inventory\\_2004.pdf](http://www.canaryinitiative.com/pdf/emission_inventory_2004.pdf))
- Town of Frisco, Colorado – Frisco has also completed a comprehensive GHG inventory, has a prominent tourist economy (though not of the scale of Park City and Aspen), and has a similar high-altitude mountain climate. However, there are no ski areas within the boundary of Frisco’s inventory.  
([http://www.townoffrisco.com/uploadedFiles/Home\\_and\\_News/Frisco\\_News/GreenhouseGasEmissionsInventoryPt.1.pdf](http://www.townoffrisco.com/uploadedFiles/Home_and_News/Frisco_News/GreenhouseGasEmissionsInventoryPt.1.pdf))
- Town of Carbondale, Colorado – Carbondale, like Frisco, has a prominent tourism-based component to its economy and a high-altitude mountain climate. It does not have any ski areas within its inventory boundary.  
([http://www.aspencore.org/carbondale/04\\_baseline\\_GHG\\_report\\_TOC.pdf](http://www.aspencore.org/carbondale/04_baseline_GHG_report_TOC.pdf))

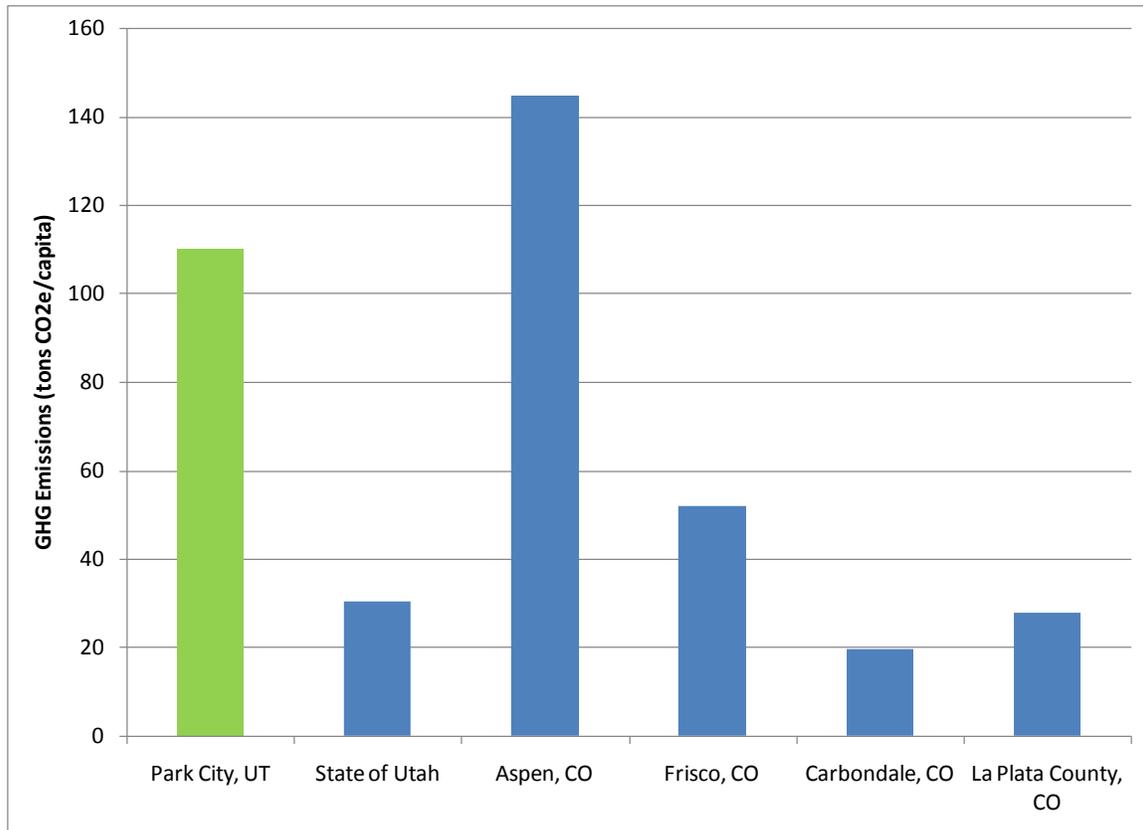
- La Plata County, Colorado – La Plata County, with the town of Durango as a county seat, has a prominent tourism-based component to its economy and a high-altitude mountain climate. It has a few ski areas within its inventory boundary. The natural gas production industry is also very active in La Plata County, but emissions from that industry are not included in this comparison.  
(<http://co.laplata.co.us/plan/CurrProjects/061208BaselineGreenhouseGasEmissionProfileandForecast.pdf>)

Among these relatively similar communities and regions, the GHG inventories compared were conducted in various years between 2004 and 2006. There are also a number of different protocols applied in calculating these inventories (Table 5).

Table 5. GHG Inventories of Peer Communities

Community	Park City, UT	State of Utah	Aspen, CO	Frisco, CO	Carbondale, CO	La Plata County, CO
<b>Year of Inventory</b>	2005/2007	2005	2004	2006	2004	2005
<b>Methodology Applied</b>	ISO14064/ ICLEI/ Various	EPA State Greenhouse Gas Inventory Tool	Various	Various	ICLEI	ICLEI
<b>Population in Inventory Year</b>	8,399	2,501,262	5,809	2,482	5,649	47,825

Figure 19 compares the total emissions presented in each respective inventory divided by the community/region's US Census population for that year to identify per capita emissions. The populations were not adjusted for the impact of tourism because each of these communities has a significant tourism economy. The results of this comparison should be considered with great care as each of these inventories used slightly different approaches and applied different boundaries to the emission sources that were included.



**Figure 19. Total Per Capita GHG Emissions Compared to Other Communities and Regions**

(NOTE: Boundaries and approaches not necessarily equivalent)

A more relevant comparison might be between the ICLEI supported component of the Park City inventory and the inventories of Carbondale and La Plata County, which also largely applied ICLEI approaches and software (Figure 20). For Park City, the ICLEI supported approach removes certain emission sources from the inventory, predominantly airline transportation, that are not directly supported in the ICLEI CACP software. (See Table 3 for more detail on this distinction.)

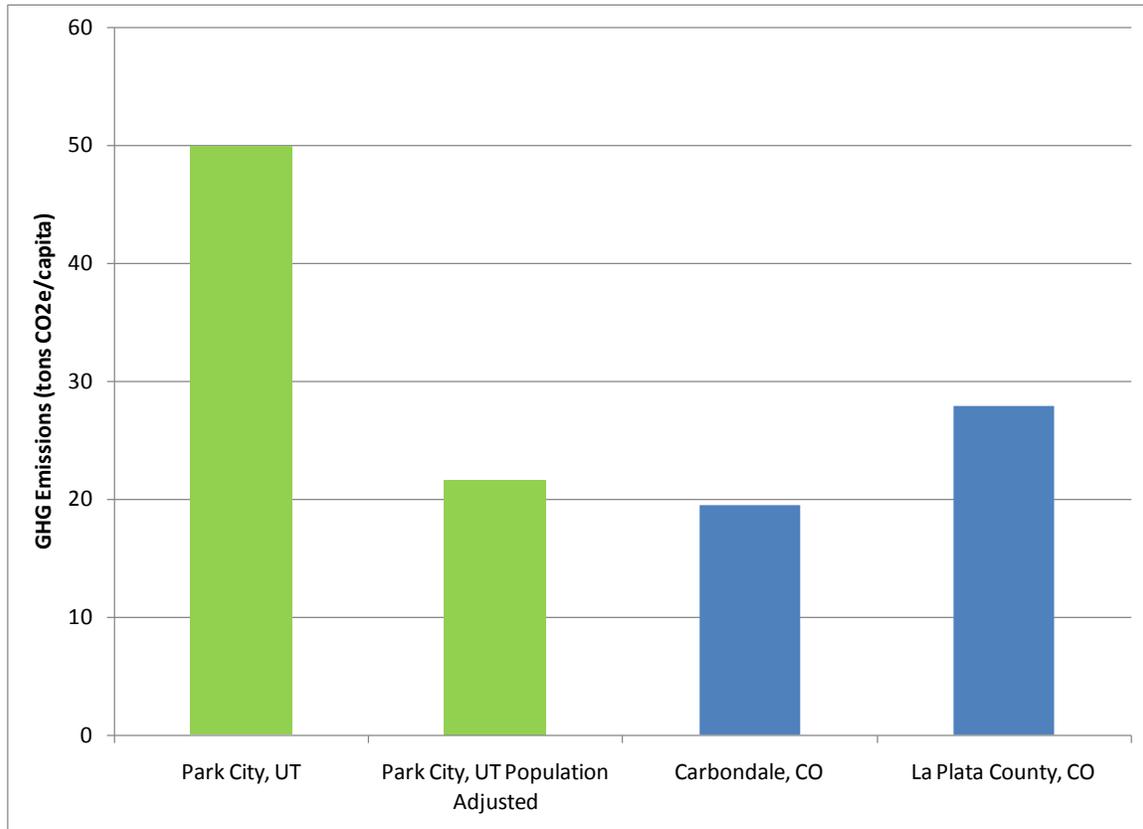


Figure 20. ICLEI Supported Per Capita GHG Emissions Compared to Other Communities and Regions

Under the ICLEI supported comparison represented in Figure 20, Park City’s emissions are more consistent with those of other communities. By adjusting for the equivalent full-time resident population that Park City’s second home owner and visitor population represents (indicated by the second bar) the difference between these communities is further decreased.

The Park City inventory was also benchmarked against these potential peer communities on specific GHG emission sources, including electricity, natural gas, and on-road transportation.

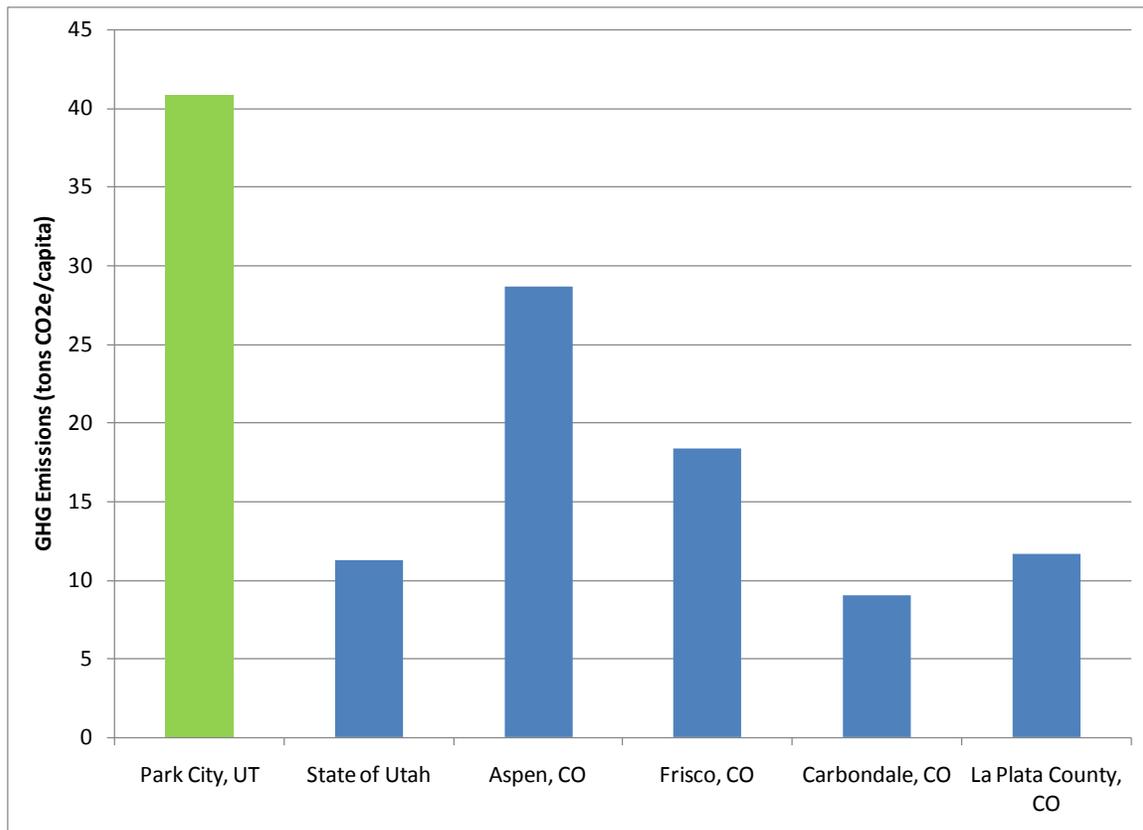


Figure 21. Per Capita GHG Emissions from Electricity Consumption Compared to Other Communities and Regions

As indicated in Figure 21, the tourism dominated economies once again emerge with higher GHG emissions from electricity consumption than those of other communities. Other factors that may influence the differences include the popularity of electricity as a heating source instead of natural gas or propane, the electricity consumption of local industries, and the carbon intensity of the electricity generation portfolios that serve the respective communities. Park City has a higher concentration of ski area acreage served by lifts and snowmaking within its inventory boundary than any of these other communities. Furthermore, Park City’s electricity comes predominantly from carbon-intensive coal while Aspen has access to a higher percentage of local, lower carbon hydroelectric resources. So, while Park City’s per capita electricity consumption is only 13 percent higher than Aspen’s (Figure 22), the resultant difference in GHG emissions, as represented in Figure 21, is about 33 percent.

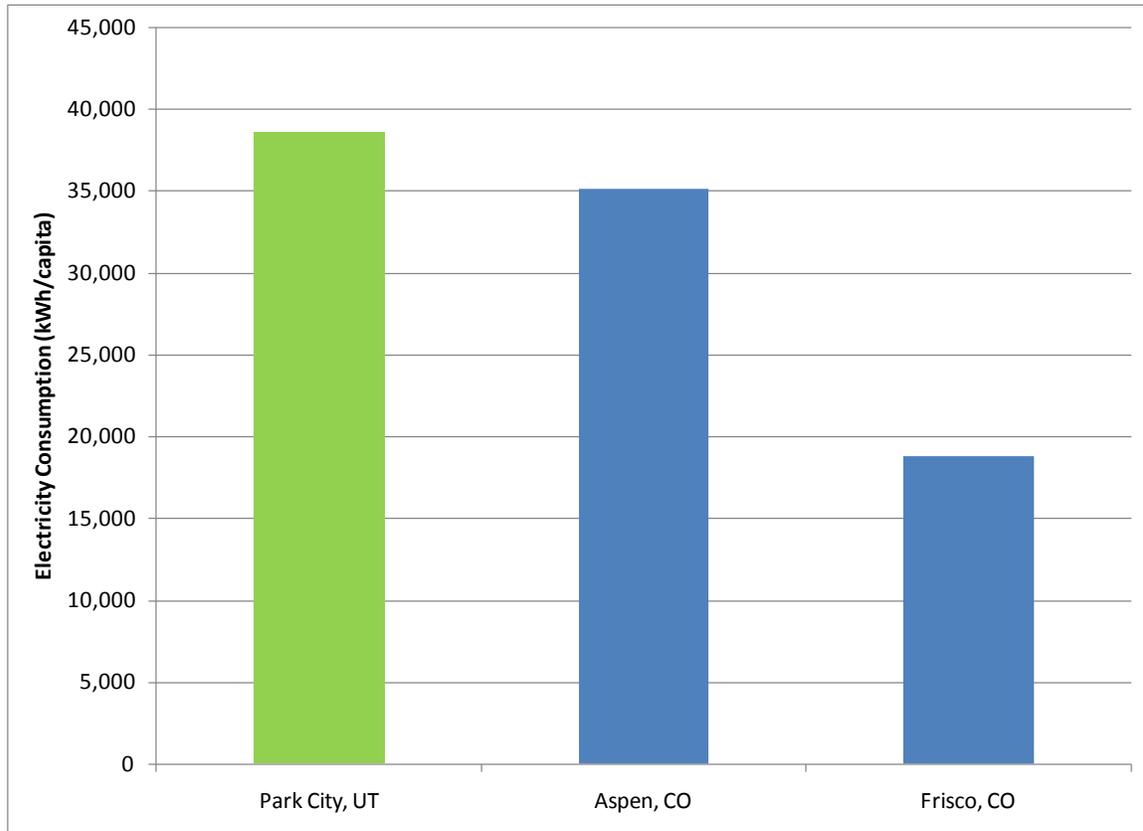


Figure 22. Per Capita Electricity Consumption Compared to Other Communities and Regions

The peer communities are also benchmarked on GHG emissions from natural gas consumption (Figure 23).

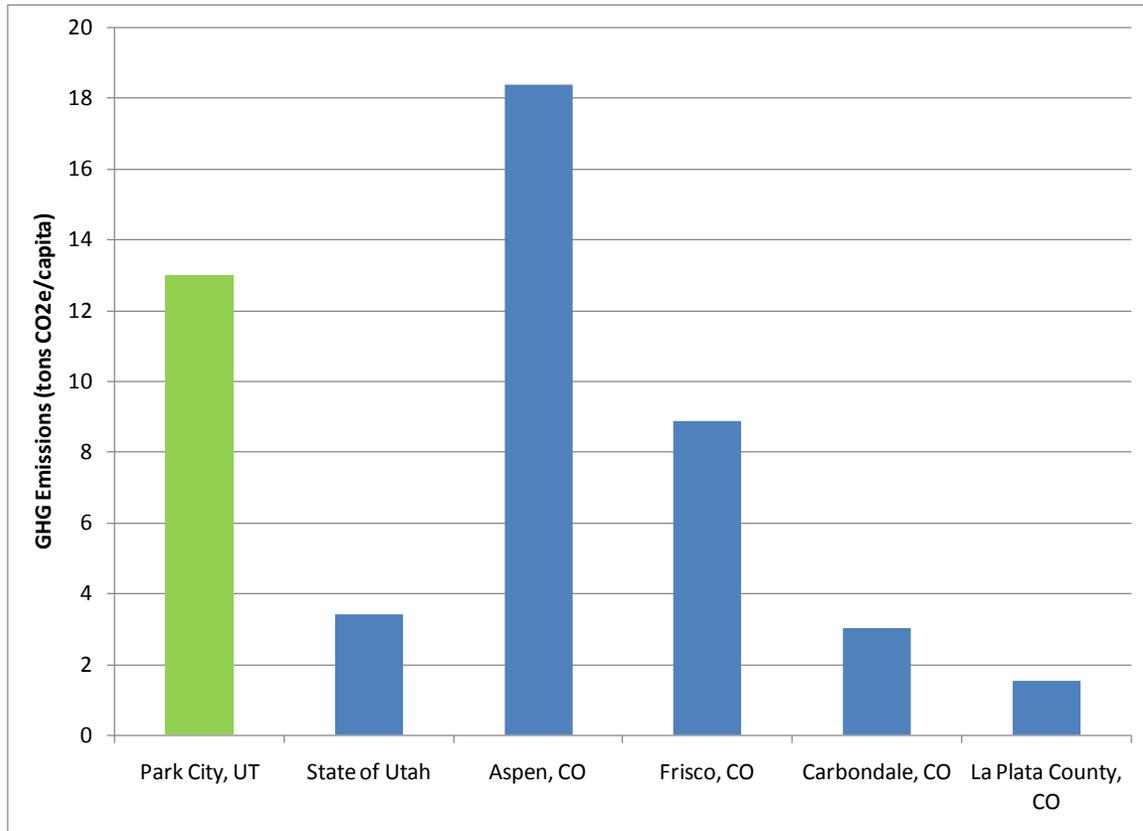
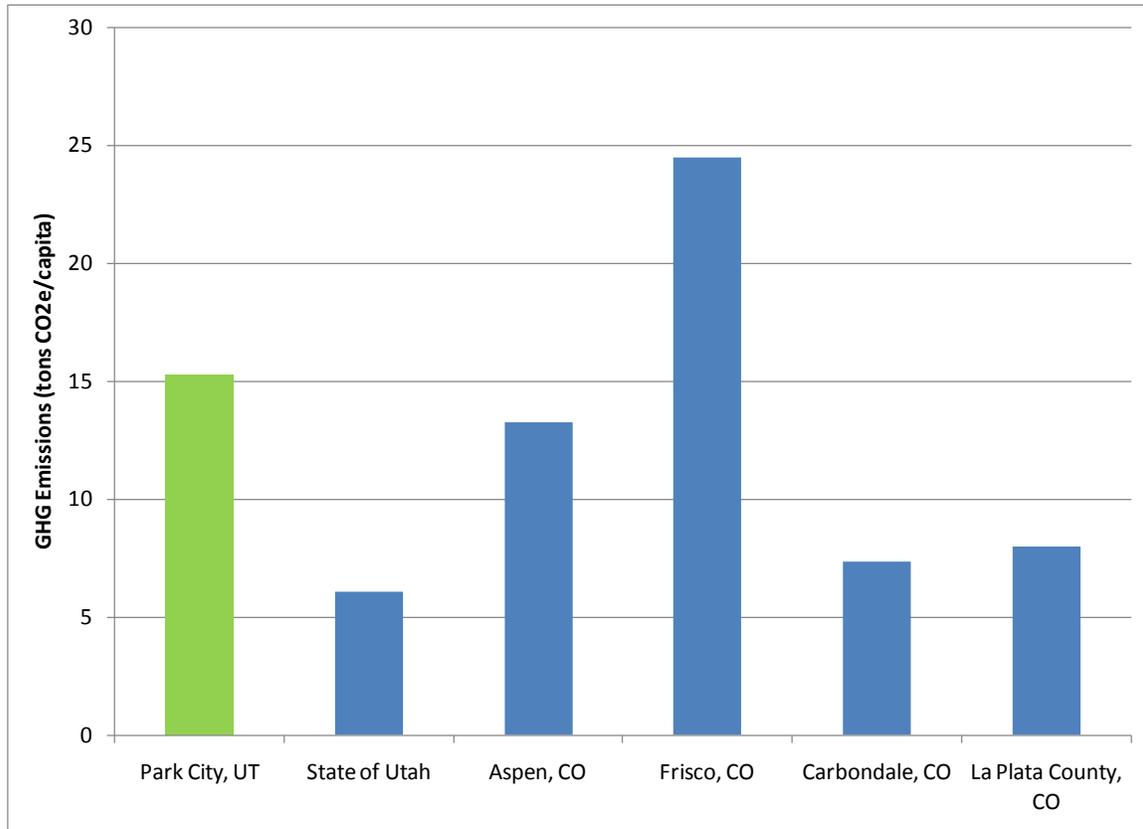


Figure 23. Per Capita GHG Emissions from Natural Gas Consumption Compared to Other Communities and Regions

The differences in per capita GHG emissions from natural gas, as represented in Figure 23, are impacted by similar factors as those affecting the electricity emissions. The popularity of natural gas as a heating energy source when compared with electricity and propane and differences in climate are both possible factors.

Finally, GHG emissions from on-road vehicle transportation provide a last comparison between communities (Figure 24).



**Figure 24. Per Capita GHG Emissions from On-road Transportation Compared to Other Communities and Regions**

Once again, as indicated in Figure 24, the per capita GHG emissions of the strongly tourism centered economies are greater than those for the communities and regions that have more diverse economies because of added vehicle traffic from visitors to the community. In this comparison, Aspen and Park City have similar emissions rates per capita. Frisco has higher per capita emissions because a portion of Interstate 70 passes through the inventory boundary.

## 4.0 The Roadmap to Reduction

Building off insights gained from the Community Carbon Footprint (Section 3.0 of this report), the following Roadmap to Reduction provides a pathway for reducing Park City's Community Carbon Footprint. It builds from the momentum of programs and activities already in place within the community and acknowledges Park City's unique qualities, while integrating best practices by other cities in their development of climate action plans. The Roadmap highlights and positions the baseline Community Carbon Footprint as the cornerstone in an ongoing community process of planning, action, monitoring, and revising actions.

### 4.1 Community Carbon Advisory Board

In developing the Community Carbon Footprint and Roadmap for Carbon Reduction, Park City convened a Carbon Advisory Board consisting of knowledgeable and interested stakeholders to help validate the inventory process, identify data sources, document existing community practices that relate to GHG emissions, and develop next steps toward climate protection. As well, the Carbon Advisory Board has played and will play a valuable continuing role in engaging the wider Park City community about the importance and meaning of the Community Carbon Footprint Analysis and Roadmap for Carbon Reduction. The Carbon Advisory Board consists of representatives of several organizations including the following:

- Build Green Utah:  
[www.buildgreenutah.org](http://www.buildgreenutah.org)
- Deer Valley  
Resort:[www.deervalley.com](http://www.deervalley.com)
- Historic Main Street Business  
Alliance:  
<http://www.rightonmain.org/index.htm>
- KPCW: [www.kpcw.org](http://www.kpcw.org)
- Mountain Trails Foundation:  
[www.mountaintrails.org](http://www.mountaintrails.org)
- Park City Board of Realtors:  
[www.pcboardofrealtors.com](http://www.pcboardofrealtors.com)
- Park City Chamber and Visitors'  
Bureau: [www.parkcityinfo.com](http://www.parkcityinfo.com)
- Recycle Utah: [www.recycleutah.org](http://www.recycleutah.org)
- Rocky Mountain Power:  
[www.rockymountainpower.net](http://www.rockymountainpower.net)
- Snyderville Basin Water Reclamation  
District: [www.sbwrtd.org](http://www.sbwrtd.org)
- Summit County:  
[www.co.summit.ut.us](http://www.co.summit.ut.us)
- Summit Land Conservancy:  
[www.summitlandconservancy.org](http://www.summitlandconservancy.org)
- Sundance Institute:  
[www.sundance.org](http://www.sundance.org)
- Swaner Eco Center:  
[www.swanerecocenter.org](http://www.swanerecocenter.org)
- The Canyons: [www.thecanyons.com](http://www.thecanyons.com)

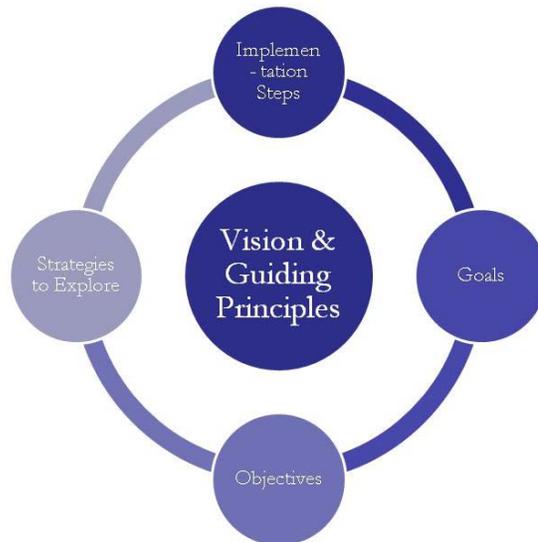
- Park City Mountain Resort:  
[www.parkcitymountain.com](http://www.parkcitymountain.com)
- Park City Municipal Corporation:  
[www.parkcity.org](http://www.parkcity.org)
- Park City Performing Arts  
Foundation: [www.ecclescenter.org](http://www.ecclescenter.org)
- Park City School District:  
[www.pcschools.us](http://www.pcschools.us)
- Questar: [www.questargas.com](http://www.questargas.com)
- The Park City Foundation:  
[www.theparkcityfoundation.org](http://www.theparkcityfoundation.org)
- The Park Record:  
[www.parkrecord.com](http://www.parkrecord.com)
- Uinta Headwaters RC&D:  
[www.uintaheadwaters.org](http://www.uintaheadwaters.org)
- Utah Moms for Clean Air:  
[www.utahmomsforcleanair.org](http://www.utahmomsforcleanair.org)

## 4.2 Park City's Actions to Date

The Roadmap builds off of the many Park City initiatives that are already planned and/or underway and are beneficial elements for reducing GHG emissions. These include the following:

- An existing walking and cycling promotion program.
- Strong participation in available green energy purchase programs.
- A Buy Local program to promote patronage of local businesses, thereby reducing community Vehicle Miles Traveled (VMT's).
- Ongoing work on a cleaner mass transit alternative between Salt Lake City and Park City.
- Removal of barriers to renewable energy development from the municipal code.
- Ongoing work on developing and meeting GHG goals for City operations.
- Progress on developing a community carbon web site to provide guidance, tools, and motivation to residents and businesses to take actions to reduce their GHG emissions.
- Incorporation of environmentally sustainable building practices and systems into municipal construction projects.
- Progress on a student trip reduction program to promote carpooling, bike to school days, and similar activities.
- A Municipal Corporation fleet anti-idling program, with a school anti-idling program in progress.
- Maximized fuel efficiency of transit service through scheduling and route planning.
- Ongoing work to develop a new near net-zero community housing project.

### 4.3 Framework for Continuing Progress



Park City already has several valuable programs and organizational components in place for addressing climate change in the community. The purpose of the Roadmap is to provide a framework for linking these existing components and building on additional needs to reduce the community's carbon footprint on a systematic and comprehensive scale. This framework can also be used to eventually create a more detailed climate action plan that would ultimately include additional community input along with a quantitative assessment and prioritization of reduction strategies, funding scenarios, a phasing plan for adopting policy measures, and roles and responsibilities for ongoing monitoring and reporting.

Based on the continuous improvement model (plan, do, check, act) as well as approaches employed by other cities embarking on local climate action plans, the following framework is provided as a guide for Park City:

- A unifying shared vision and guiding principles.
- Short and long-term goals for reducing community GHG emissions.
- More specific objectives to meet these goals.
- Specific strategies that support each goal.
- Implementation steps for moving forward.
- A process for monitoring and reporting results.

## 4.4 Process

To engage the Carbon Advisory Board in dialogue and in developing the roadmap, three meetings were held in 2008-2009. The first meeting served as a kickoff and introduction to board members, while the second meeting focused on a review of the draft community GHG inventory and a discussion of next steps in developing the Roadmap. The third meeting involved reviewing the Roadmap goals, objectives, and recommended strategies that were developed in part via three web-based surveys administered to members. Topics of each survey are described below:

**Survey 1:** Survey 1 focused on developing a shared vision and core values for the Roadmap among board members. The purpose of this survey was to start to shape a shared picture for what a successful carbon reduction roadmap looks like, with an emphasis on the underpinning philosophies and community values that drive the roadmap.

**Survey 2:** The purpose of Survey 2 was to obtain input from board members on possible scenarios that would lead Park City toward meeting the recommended goal of 15 percent reduction over the 2005 baseline by 2020. This was the goal board members most strongly identified with in Survey 1. Laying out 16 objectives designed to put Park City on a path to meet this goal, the survey allowed respondents to select the appropriate level of aggressiveness on each objective. These objectives were grouped into the following categories:

- Community Leadership
- Transportation and Land Use
- Energy Use
- Energy Supply
- Waste Reduction and Diversion
- Cross-cutting Issues (e.g., adaptation, water)
- Carbon Offsets

**Survey 3:** The purpose of the final survey was to allow board members to help identify possible strategies to meet the 16 objectives outlined in Survey 2. Potential strategies were compiled from successful strategies in other communities, Board responses to Surveys 1 and 2, and knowledge of Park City's unique inventory and circumstances.

For each strategy, the survey qualitatively assessed the magnitude of the GHG reduction from implementing the strategy (high-medium-low) as well as the feasibility (political,

financial, technical) of implementation (high-med-low). This assessment was based on reported strategies from other communities and a basic judgment about their replicability for Park City. Each strategy was also identified by type (regulatory, incentive, direct action, or education) and the particular topic area the strategy would support (energy, transportation, waste, etc.).

Carbon Advisory Board members were presented with a total of 63 different strategies. A multi-voting technique was used to determine areas of top interest and priority to the group. From the Board's responses, the top 21 strategies were identified.

## 4.5 Vision and Guiding Principles

### Fort Collins Climate Task Force: Sample Vision Statement

*"Fort Collins will be a carbon neutral, environmentally sustainable, economically healthy community that offers its citizens a high quality of life. We will build on our culture of 'heroic pragmatism' to lead by example and do our part to thwart the known global environmental threat of climate change. We are inspired to action now so that as future generations look back on this period, they too can be inspired and know that we did everything in our power to create a future world that is thriving, vibrant, sustainable and full of possibility."*

A vision consists of a shared community statement about what the future success of implementing the Roadmap looks like, including guiding principles for conducting itself along the way and other expected co-benefits from coming together to address the global challenge of climate change at the community level. How should government and community actions be balanced? What is the appropriate mix of short- and long-term strategies? What is the right mix of mandates versus incentives?

Board members were surveyed about these and other fundamental questions to help shape a shared vision and guiding principles for the Roadmap. Overall, board members felt that the Park City community should apply itself at significant effort and cost to addressing climate change. A majority of board members also felt that Park City Municipal Corporation's role in providing government policy and leading by example should be significant.

Based on Board input, the following suggested vision statement is offered for the Roadmap:

*"The Park City community is committed to applying significant effort to combat the causes of climate change and to reduce its greenhouse gas emissions. Reducing our carbon footprint is our responsibility as citizens of the nation and the world. Working together, using our community spirit, innovation, and environmental passion, we will ensure for future generations the environmental protection, economic prosperity, and quality of life that makes Park City unique."*

To support this vision, board members offered input to develop the following recommended guiding principles:

- The municipality will be a strong partner in efforts to reduce community GHG emissions, leading by example and providing policy guidance while promoting personal accountability and community responsibility.
- Park City should explore a range of regulations and incentives to reduce GHG emissions.
- Transparency and technical credibility should be maintained throughout the process.
- Park City should be a leader to help other ski communities address climate change.
- Education is key in determining what level of commitment Park City makes to reducing its impacts on climate change.

The vision and these guiding principles anchor the remaining components of the Roadmap and provide direction for developing goals, implementing strategies, creating partnerships, and involving the community in moving the Roadmap forward.

## 4.6 Goals

Numerous collaborations and regions throughout the world are inventorying their GHG emissions and setting reduction targets. These reduction targets unify communities around a common goal and provide a context for developing appropriate strategies to achieve GHG reductions. A few relevant targets are presented in Figure 25 below, as well as the implications for Park City should it choose to adopt one of these target goals. In the first survey, a majority of board members supported pursuing a goal of 15 percent reduction below 2005 emissions by 2020, which is in alignment with the goals established by the Western Climate Initiative. See Appendix D of this report for the methodology used in forecasting Park City's GHG emissions and determining reductions necessary to meet the following targets.

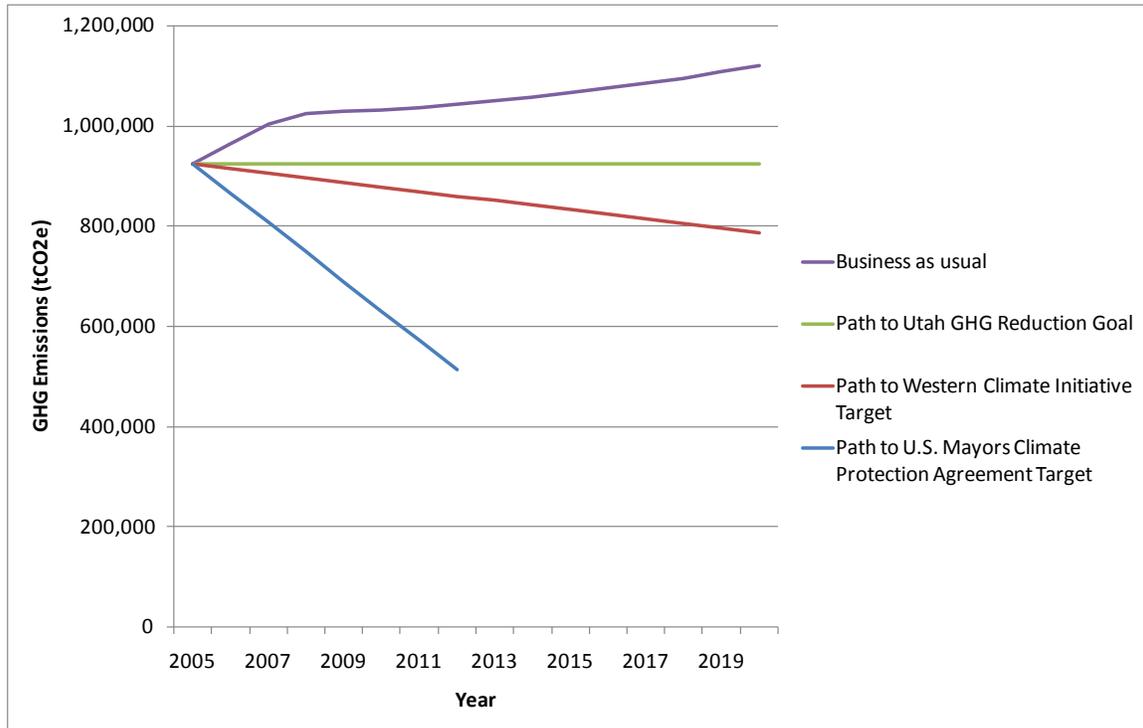


Figure 25. Forecast Park City GHG Emissions and Possible Reduction Targets

### US Mayors Climate Protection Agreement

In May 2005, with the support of City Council, Mayor Dana Williams of Park City signed the US Mayors Climate Protection Agreement. The Agreement urges federal and state governments to take action to meet or exceed the target of reducing GHG emissions to 7 percent below 1990 levels by 2012.

Park City's GHG emissions in 1990 were estimated by determining per capita emissions in 2005 or 2007 and applying those per capita rates to the community's population in 1990. To achieve this reduction target, Park City would need to reduce emissions in 2012 to approximately 514,000 tCO<sub>2</sub>e. This represents a reduction of 45 percent over projected emissions in 2012.

### Western Climate Initiative

In 2007, the Western Climate Initiative was launched by the Governors of Arizona, California, New Mexico, Oregon, and Washington to collaborate in developing regional strategies to address climate change. The Initiative has established a goal of reducing emissions by 15 percent below 2005 levels by 2020.

To achieve this reduction target, the Park City community would need to reduce projected emissions in 2020 to approximately 785,000 tCO<sub>2</sub>e. This represents a reduction of 30 percent over projected emissions in 2020.

## Utah Greenhouse Gas Reduction Goal

The Utah Greenhouse Gas Reduction Goal was proposed by the Blue Ribbon Advisory Council on Climate Change. It sets an interim target of reducing Utah's emissions to 2005 levels by 2020 (Appendix B).

To achieve this reduction target, the Park City community would need to reduce projected emissions in 2020 to approximately 924,000 tCO<sub>2</sub>e. This represents a reduction of 17 percent over projected emissions in 2020.

### 4.7 Objectives by Sector

To achieve the goal of reducing emissions 15 percent below 2005 emissions by 2020, the Board examined the potential benefits of reducing emissions across six major categories:

1. community leadership,
2. transportation and land use,
3. energy use,
4. energy supply,
5. waste reduction and diversion, and
6. carbon offsets.

A series of 16 objectives were then developed based on the work of other communities, input from the Carbon Advisory Board, and application of Park City's unique conditions (Table 6).

Table 6. Proposed Objectives to Reduce GHG Emissions

Proposed Objective	Primary Sector Addressed
<b>Community Leadership</b>	
Develop frameworks within local government to assure that GHG emissions are considered in decision making (not quantified).	Municipal Operations
Educate individuals in the community on their contributions to community emissions and support them in efforts to reduce emissions (goal/assumption: 2% reduction of residential energy portion of inventory).	Residential

Form a strong partnership with local businesses on reducing emissions (goal/assumption: 10% reduction of commercial energy portion of inventory).	Commercial
<b>Transportation and Land Use</b>	
Reduce the vehicle miles traveled by residents and visitors through continued promotion and development of transit services and land-use planning (goal/assumption: 2% reduction in VMT).	Residents, Visitors
Create a mass transit-oriented transportation alternative from Salt Lake City (goal/assumption: 10% reduction in visitor VMT).	Visitors
Increase the fuel efficiency of vehicles in Park City (goal/assumption: 2% reduction in vehicle emissions).	All
Reduce air travel by residents through education and remote work infrastructure (goal/assumption: 4% reduction in resident airline travel).	Residential, Commercial
<b>Energy Use</b>	
Require all new construction (commercial & residential) to be 20% more energy efficient than code.	Residential, Commercial
Encourage and incentivize existing building owners (commercial & residential) to reduce energy use by 20% below 2005 levels.	Residential, Commercial
<b>Energy Supply</b>	
Generate and/or purchase 25% of Park City's community electricity from renewable resources by 2020 (goal/assumption: more aggressive than Utah target of 20% renewables by 2025).	All
<b>Waste Reduction and Diversion</b>	
Achieve overall solid waste diversion rate of 50% by 2020 (goal/assumption: from Summit County Integrated Solid Waste Master Plan).	All
<b>Carbon Offsets</b>	
Provide a reliable, effective, and preferably local option to offset GHG emissions (goal/assumption: assumed to provide remainder of reductions to achieve goal, about 9% in this scenario).	All

Figure 26 illustratively shows how applying these objectives across the six major categories can cumulatively contribute to Park City achieving the GHG reduction target of 15 percent below 2005 levels by 2020. A more or less aggressive approach to any of these objectives

can qualitatively demonstrate how GHG efforts can be allocated between categories to identify alternative paths to achieving the proposed goal.

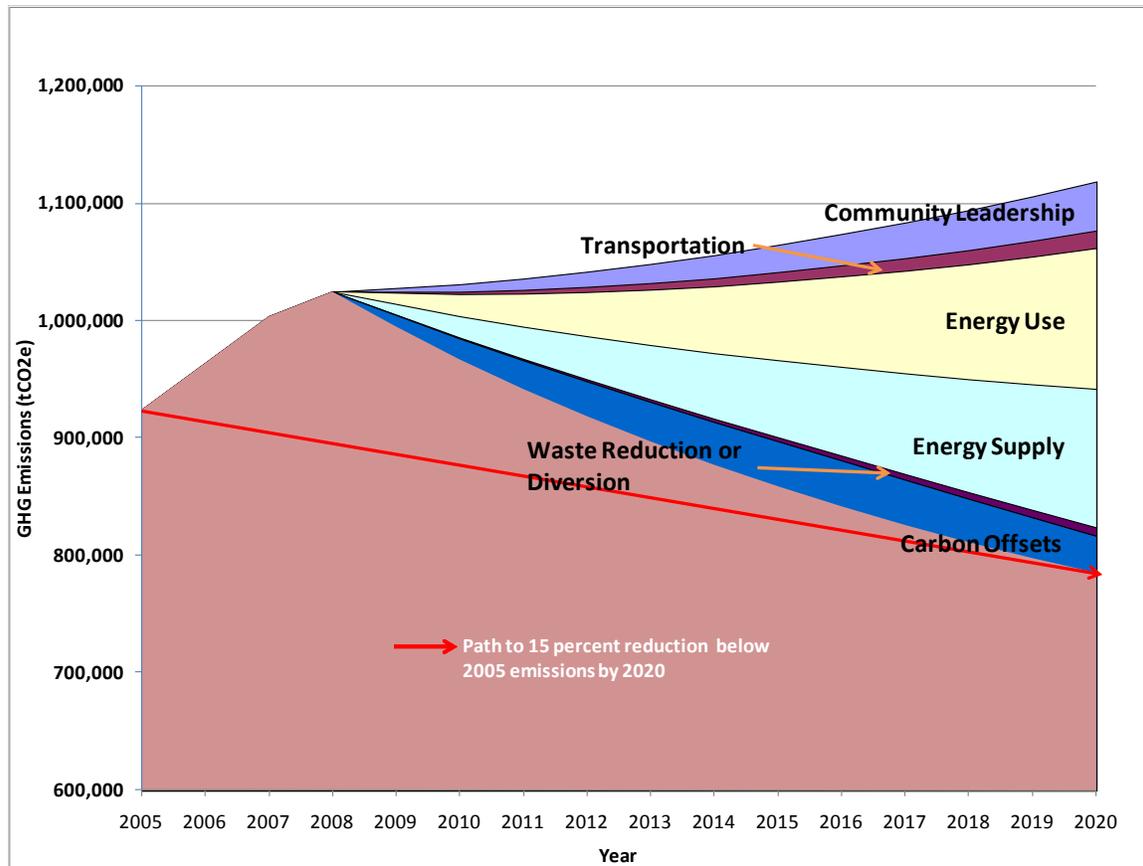


Figure 26. Park City GHG Emissions and Illustrative Roadmap Objectives

## 4.8 Strategies

Finally, to achieve these 16 objectives, a total of 63 potential strategies were identified and qualitatively evaluated for their potential to reduce GHG emissions and help meet the goal of reducing emissions by 15 percent below 2005 levels by 2020 across the 6 primary categories. These strategies represent a mix of strategy types, including direct actions, education, incentives and regulation, covering all sectors contributing to Park City’s GHG emissions.

These 63 strategies were initially qualitatively screened for their potential to reduce GHG emissions, in tons, by 2020 (low-medium-high) as well as for their feasibility in terms of political, technical, financial, and other terms (low-medium-high). From this screening and feedback from the Board, a total of 21 priority strategies were identified for inclusion in the Roadmap (Table 7).

While these strategies have varying costs and implementation challenges associated with them, many will also result in cost savings from increases in efficiency as well as several other co-benefits. For example, residential and commercial energy assessments can reduce energy costs for heating, cooling, and lighting. Greater vehicle fuel efficiency will lead to reduced costs for fuel use. A more diverse energy supply for the community can help to reduce loads on the electrical transmission system and reduce the need to build more power plants. More efficient energy use and use of cleaner fuels will benefit air quality. Finally, all of these and other strategies together can provide opportunities for Park City's efforts to be recognized regionally, at the state level and nationally.

**Table 7. Proposed Roadmap Strategies**

Number	Strategy Name	Category	Type	Tons CO <sub>2</sub> e Reduced in 2020	Feasibility by 2020 (political, technical, implementation, financial)
1	Develop community-wide climate challenge: personal, per capita GHG reduction targets, specific challenges (e.g., replace incandescent light bulbs with CFLs)	Community Leadership	Incentive	Medium	Medium
2	Offer free residential energy assessments	Community Leadership	Incentive	Medium	Medium
3	Provide low- or no-cost commercial building energy, water, solid waste assessments/audits	Community Leadership	Incentive	Medium	High
4	Work with Rocky Mountain Power to develop enhanced Blue Sky program - more renewable energy generation in Park City (premium tier that brings funds back to Park City)	Energy Supply	Action	Medium	Medium
5	Partner with utilities, state to offer building operator training on energy management for larger businesses	Community Leadership	Education	Medium	High

Number	Strategy Name	Category	Type	Tons CO <sub>2</sub> e Reduced in 2020	Feasibility by 2020 (political, technical, implementation, financial)
6	Target education and incentives at second home owners to reduce energy - e.g., improved occupancy-based controls	Energy Use	Incentive	Medium	High
7	Expand existing utility rebates/incentives - collaborate with potential funding organizations	Energy Use	Incentive	Medium	Medium
8	Increase awareness of existing utility rebate programs	Energy Use	Incentive	Low	High
9	Encourage residential and commercial smart metering - electrical meters to provide real-time energy consumption	Energy Use	Action	Medium	Medium
10	Use community carbon web site to promote neighborhood "meetups" to discuss ideas, challenges for reducing emissions	Community Leadership	Incentive	Low	High
11	Pursue direct power purchase options with Rocky Mountain Power for renewable energy	Energy Supply	Action	High	Medium
12	Incorporate GHG goals into land use planning - evaluate land use impacts on GHG emissions	Transportation and Land Use	Action	Medium	Medium
13	Work with Rocky Mountain Power to benchmark individual energy use on utility bills, carbon web site with that of neighbors, neighborhood to encourage conservation	Energy Use	Incentive	Low	Medium

Number	Strategy Name	Category	Type	Tons CO <sub>2</sub> e Reduced in 2020	Feasibility by 2020 (political, technical, implementation, financial)
14	Develop employee outreach program focused on large employers	Community Leadership	Incentive	Medium	Medium
15	Develop tiered rates for energy use - work with Rocky Mountain Power	Energy Use	Action	Medium	Medium
16	Develop community revolving grant/loan program for energy efficiency projects	Energy Use	Incentive	Low	Medium
17	Engage largest employers to expand commercial recycling	Waste Reduction and Diversion	Action	Low	High
18	Encourage Rocky Mountain Power to fund local Smart Grid pilot project	Energy Use	Action	Low	Medium
19	Provide incentives for participation in green building labeling system for existing, leased, and new buildings (e.g., ENERGY STAR, LEED, Built Green, NAHB, etc.)	Energy Use	Incentive	Low	high
20	Provide incentives for residential and commercial renewable energy (e.g., tax credits, rebates)	Energy Use	Incentive	Low	Medium
21	Develop shared community teleconferencing facility to host meetings, encourage reduced air travel	Transportation and Land Use	Incentive	Medium	Medium

These strategies are discussed in more detail below:

**Strategy 1: Develop community-wide climate challenge: personal, per capita GHG reduction targets, specific challenges (e.g., replace incandescents with CFLs)**

<b>Type:</b> Incentive	<b>GHG Reductions:</b> Medium	<b>Feasibility:</b> Medium
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This strategy consists of developing a Park City Community Climate Challenge, an incentive program focusing a broad-based educational campaign to promote personal GHG reductions. Such a challenge could be tailored to focus on various sectors in the community: youth, the lodging industry, neighborhoods, and other identifiable community groups. Park City’s planned Community Carbon & Water Web Site could support the campaign with information, links, and tracking tools.

**Strategy 2: Offer Free or Low Cost Residential Energy Assessments**

<b>Type:</b> Incentive	<b>GHG Reductions:</b> Medium	<b>Feasibility:</b> Medium
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Under this strategy, Park City could offer free energy assessments to residents or develop an arrangement where the resident would only pay a small portion of the cost of the assessment. Following each assessment, residents would be provided with opportunities to reduce their energy use by conducting lighting upgrades, HVAC improvements, and other measures. With approximately 3,100 full-time resident households in Park City, a program that reached 100 homes per year could address approximately one-third of Park City’s residential units by 2020.

**Strategy 3: Provide low- or no-cost commercial building energy, water, solid waste assessments/audits**

<b>Type:</b> Incentive	<b>GHG Reductions:</b> Medium	<b>Feasibility:</b> High
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This strategy would consist of a voluntary business outreach program that offers technical assistance and recognition to business partners who reduce their GHG emissions and report progress. Technical assistance could consist of onsite assessments and/or other technical support to help businesses identify and reduce their GHG emissions through increased energy and water efficiency and an increase in solid waste diversion rates. Personnel and resources would be required to provide direct hands-on assistance to partners. There may be potential to leverage existing assessment programs run by Rocky Mountain Power and Questar.

**Strategy 4: Work with Rocky Mountain Power to develop enhanced Blue Sky program - more renewable energy generation in Park City (premium tier that brings funds back to Park City).**

<b>Type:</b> Action	<b>GHG Reductions:</b> Medium	<b>Feasibility:</b> Medium
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Rocky Mountain Power’s Blue Sky program allows customers to pay additional costs on their monthly utility bill to purchase renewable energy. This program has a high participation rate in the Park City community. Under this strategy, Park City would work with Rocky Mountain Power to develop an expanded/enhanced Blue Sky program to fund additional renewable energy projects in Park City by allowing customers to pay a premium to bring more renewable energy to Park City.

**Strategy 5: Partner with utilities, state to offer building operator training on energy management for larger businesses**

<b>Type:</b> Education	<b>GHG Reductions:</b> Medium	<b>Feasibility:</b> High
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Larger businesses can benefit from training facility managers on how to improve energy management practices, such as scheduling, optimizing use of existing equipment, and load management. Such training could be delivered by qualified energy managers in the region or through partnerships with Rocky Mountain Power and Questar without significant commitment of additional resources by the Municipal Corporation.

**Strategy 6: Target education and incentives at second homeowners to reduce energy - e.g., improved occupancy-based controls.**

<b>Type:</b> Incentive	<b>GHG Reductions:</b> Medium	<b>Feasibility:</b> High
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This strategy would target the community’s second home owners with education and incentives to reduce energy. Due to the intermittent nature of second home occupancy, this strategy assumes that there are opportunities to promote technologies like programmable thermostats that can be adjusted to home occupancy, as well as interior and exterior lighting controls, and basic homeowner energy management best practices.

**Strategy 7: Expand existing utility rebates/incentives - collaborate with potential funding organizations.**

<b>Type:</b> Incentive	<b>GHG Reductions:</b> Medium	<b>Feasibility:</b> Medium
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Under this strategy, Park City would work with Rocky Mountain Power and Questar to partner with organizations that can provide supplemental funding to expand utility rebates and incentives to customers for increasing energy efficiency.

**Strategy 8: Increase awareness of existing utility rebate programs**

<b>Type:</b> Incentive	<b>GHG Reductions:</b> Low	<b>Feasibility:</b> High
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Rocky Mountain Power and Questar currently provide rebates to customers for appliances and lighting, home improvement, and heating and cooling. This strategy would ensure that residents are aware of available rebates through increased dissemination of rebate program information. The Community Carbon & Water website can assist in increasing awareness of these programs.

**Strategy 9: Implement residential and commercial smart metering to promote awareness of real-time energy consumption.**

<b>Type:</b> Action	<b>GHG Reductions:</b> Medium	<b>Feasibility:</b> Medium
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Under this strategy, smart meters would be installed for commercial and residential customers. Smart meters allow customers to take actions and better manage electricity use and costs, and they provide more detailed information on electricity use patterns. Smart meters can provide additional benefits, including sending notification when a customer's bill reaches a certain amount and controlling smart appliances in homes or businesses through the Internet.

**Strategy 10: Use the community carbon web site to promote neighborhood face-to-face meetups to discuss ideas, challenges for reducing emissions.**

<b>Type:</b> Incentive	<b>GHG Reductions:</b> Low	<b>Feasibility:</b> High
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Face-to-face neighborhood meetup groups are increasingly being used to encourage dialogue and exchange of ideas for reducing GHG emissions and increasing resource efficiency. Such a program would complement Park City's planned Community Carbon & Water web site, which will provide individuals ways to measure their GHG emissions as well as ideas for reducing emissions.

**Strategy 11: Pursue direct power purchase options with Rocky Mountain Power for renewable energy**

<b>Type:</b> Action	<b>GHG Reductions:</b> High	<b>Feasibility:</b> Medium
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In addition to allowing individual residents and businesses to participate in an expanded Blue Sky program with Rocky Mountain Power, this strategy would entail Park City purchasing

renewable energy directly from Rocky Mountain Power. This action could result in significant reductions of community GHG emissions.

**Strategy 12: Incorporate GHG emission goals into land use planning to help evaluate land use impacts on GHG emissions.**

<b>Type:</b> Action	<b>GHG Reductions:</b> Medium	<b>Feasibility:</b> Medium
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Differing land use and growth patterns can vary in their impacts on GHG emissions. Lower density development may require more infrastructure investment and lead to greater impacts from VMT. Factoring these impacts and their associated GHG emissions into land use planning could help to reduce community GHG emissions from future development.

**Strategy 13: Work with Rocky Mountain Power to add individual energy use to utility bills and the Community Carbon Web Site to allow benchmarking with neighbors and encourage conservation.**

<b>Type:</b> Incentive	<b>GHG Reductions:</b> Low	<b>Feasibility:</b> Medium
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Select utilities in the country are now providing additional information on customer utility bills that compares their energy consumption to that of their neighbors. Under this strategy, Park City would work with Rocky Mountain Power and Questar to provide such information. Such benchmarking information has been shown to motivate some customers to reduce their energy consumption.

**Strategy 14: Develop an employee outreach and education program focused on large employers.**

<b>Type:</b> Incentive	<b>GHG Reductions:</b> Medium	<b>Feasibility:</b> Medium
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In addition to working directly to train facility managers, outreach and education for employees can also help reduce resource consumption and associated GHG emissions. Such programs could include business or building energy challenges whereby employees in a building or business compete against other buildings or businesses to reduce energy use over a period of time. Such a program could also include individual best practices, such as equipment power management settings on computers and other equipment.

**Strategy 15: Work with Rocky Mountain Power to develop tiered rates for energy use.**

<b>Type:</b> Action	<b>GHG Reductions:</b> Medium	<b>Feasibility:</b> Medium
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Under a tiered energy use rate structure, the more energy a customer used, the more they would pay per kilowatt-hour of electricity use. Each household or business would be allocated a specific amount of electricity use per month in Tier 1. Once that consumption threshold is exceeded, electricity use would be charged at a second, higher tier rate. Such a structure would help to reduce electricity consumption and associated GHG emissions.

**Strategy 16: Develop a community revolving loan program for energy efficiency projects.**

<b>Type:</b> Incentive	<b>GHG Reductions:</b> Low	<b>Feasibility:</b> Medium
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Under this strategy Park City would establish a community grant or revolving loan fund to provide funding for community energy efficiency projects. Seeded with one-time funding, such a program would be sustained by savings from investments in efficiency project. Cost savings from efficiency gains would be split between the applicant and the fund until the cost of the project is repaid. After that time, the applicant would benefit from ongoing annual savings.

**Strategy 17: Engage Park City’s largest employers to expand commercial recycling.**

<b>Type:</b> Action	<b>GHG Reductions:</b> Low	<b>Feasibility:</b> High
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Commercial recycling activities would be expanded under this strategy, thereby reducing emissions by increasing solid waste diversion rates. Park City would collaboratively work with large employers, private waste & recycling haulers, and Recycle Utah to develop and implement such a program.

**Strategy 18: Encourage Rocky Mountain Power to fund a local Smart Grid pilot project.**

<b>Type:</b> Action	<b>GHG Reductions:</b> Low	<b>Feasibility:</b> Medium
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Smart Grid technologies are emerging to more effectively manage electricity use and integrate distributed and renewable energy technologies into local and regional electricity grids. Several utilities around the country have embarked on pilot smart grid projects to test technologies in an effort to increase energy efficiency and reduce GHG emissions. Under this strategy, Park City would work with Rocky Mountain Power and other stakeholders to develop and implement a Smart Grid pilot project.

**Strategy 19: Provide incentives for participating in green building labeling programs for existing, leased, and new buildings (ENERGY STAR, LEED, Built Green, etc.)**

<b>Type:</b> Incentive	<b>GHG Reductions:</b> Low	<b>Feasibility:</b> High
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Participating in existing state and national level green building labeling/certification programs can encourage high performing, resource efficient new building construction and renovation projects, helping to reduce GHG emissions. While Park City is largely built out, this strategy would encourage green building in both new and existing buildings by providing incentives such as education, recognition, or assistance with labeling/certification.

**Strategy 20: Provide incentives for residential and commercial renewable energy (e.g., tax credits, rebates).**

<b>Type:</b> Incentive	<b>GHG Reductions:</b> Low	<b>Feasibility:</b> Medium
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Park City’s existing utility currently provides minimal incentives for direct residential or commercial renewable energy projects. Under this strategy, Park City could work with utilities to develop such an incentive program as well as explore a means to fund and promote it in Park City to encourage more solar PV, solar thermal, wind, and other renewable energy projects.

**Strategy 21: Develop a shared community teleconferencing facility to host meetings and reduce air travel.**

<b>Type:</b> Incentive	<b>GHG Reductions:</b> Medium	<b>Feasibility:</b> Medium
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Some residents of Park City routinely travel by air for business purposes, resulting in as much as 5 percent of Park City’s GHG emissions. Under this strategy, the Municipal Corporation would take the lead on developing a shared community teleconferencing facility to provide an alternative to business air travel.

## 4.9 Implementation

While the 21 strategies in the Roadmap lay the groundwork for a concerted program to reduce Park City’s GHG emissions, at this stage they do not include quantitative analyses of reduction in tons of CO<sub>2</sub>e. A next step toward implementation would be to calculate the GHG reduction benefits with individual measures so that an aggregated, quantifiable GHG reduction target with interim milestones can be established.

In addition, Park City must consider the additional resources necessary to carry out these strategies, from increased staffing to administer new programs to new sources of funding.

#### **4.10 Measuring Progress Toward Emission Targets**

The role of the Community Carbon Footprint and Roadmap to Reduction in measuring future progress toward emission targets should be considered in light of other factors that can cause year-to-year variation in emissions. Annual variations in the inventory caused by weather, changes in the economy, fluctuations in commercial activity, and other factors generally create a level of uncertainty that will obscure the impact of most individual GHG reduction activities. Only a concerted, community-wide effort across many source categories taken in aggregate will produce the magnitude of reductions that will be readily discerned at the inventory level.

Once quantitative measures are developed, a hybrid approach can be applied that maintains an updated inventory as well as estimating the GHG reduction impacts on a measure-by-measure basis. A frequently updated inventory can help to identify trends in Park City emissions that may impact the outcome of an adopted target and will, if concerted efforts at reduction take place, reveal progress toward that target. Simultaneously, the aggregated impacts of individual measures that Park City adopts to achieve emission reductions should be tracked to more directly measure the success of the many strategies that will likely comprise a successful climate action plan. The IMS and CACP tools are designed to accommodate ongoing updates of the inventory as well as to track common GHG reduction measures.

#### **4.11 Reporting**

In October 2008 Park City began working with the international Carbon Disclosure Project (CDP) to report its GHG reduction activities. The CDP is an independent non-profit organization that has been acting as an intermediary between shareholders and corporations on all climate change related issues, providing primary climate change data from the world's largest corporations to the global market place. Under the new CDP Cities Program, at least 30 cities in the US will use the CDP system to assess their carbon footprint and better understand the risks and opportunities posed by climate change. The CDP is partnering on the project with ICLEI - Local Governments for Sustainability USA, an international association of local governments, which is driving emissions reductions and sustainable development with more than 450 members in the US. Each city will assemble comparable carbon emissions data within their jurisdiction's operations and follow CDP systems to assess and disclose climate change-related risks and opportunities relating to the whole city.

## Appendix A: Maintenance of the Inventory

Aside from this written report, the Park City Inventory deliverable includes all the data files, spreadsheets, documentation, and CACP data files necessary for the ongoing maintenance of the inventory. The purpose of this section is to provide a map to orient the maintainer or reviewer of these resources.

The directory structure includes a directory for each of the source categories identified in the inventory. Within each directory are the following files, as appropriate:

- Original raw data file as provided from the source
- Documentation supporting applied methodologies or emission factors

This original data is compiled into a spreadsheet (Microsoft Excel) based Inventory Management System (IMS). This System captures basic information regarding the definition of the inventory, a list of applicable emission sources, and calculations for the inventory. Forecasting and charting functions also reside in the IMS.

CACP plays a similar role to the IMS but maintains all ICLEI default emission factors for ready comparison to other ICLEI member communities. The CACP tool is available to ICLEI members for download at <http://www.cacpsoftware.org/>. ICLEI may provide access to the tool for additional non-member consultants or organizations that support Park City in maintaining the inventory. Included in the deliverable is a backup of the CACP data file that was used to prepare the inventory. This file can be restored into a newly installed version of the CACP software when Park City takes over the inventory.

The CACP tool supports forecasting emissions and generating reports and graphs. However, to achieve greater transparency and flexibility in these activities, the IMS and data contained therein also support these activities.

The following two opportunities for improving the quality of activity data and reducing uncertainty in inventory results were identified during the inventory process and should be considered in future inventory updates.

- Obtain propane consumption data from more than two of the six potential providers.
- A more direct and current measure of the number of visitors to Park City arriving by airline would improve the estimate of airline travel emissions. The current estimate is based on an outdated survey from 1993 that indicated the percentage of total Salt Lake City International passengers originating or destined to Summit County. The portion of these travelers destined to or originating from Park City in particular is calculated based on the ratio of full-time equivalent population of Park City to Summit County population. Though this number is corroborated with data on the

number of visitor nights and average length of stay, there is still room for improvement in this approach.

## Appendix B: Utah Blue Ribbon Advisory Council on Climate Change Report

Excerpt from Blue Ribbon Advisory Council on Climate Change Final Report. For more on the report, visit [http://www.deq.utah.gov/BRAC\\_Climate/final\\_report.htm](http://www.deq.utah.gov/BRAC_Climate/final_report.htm).

### I. EXECUTIVE SUMMARY

The Blue Ribbon Advisory Council on Climate Change (BRAC) was organized by Governor Jon M. Huntsman, Jr. on August 25, 2006, to provide a forum where government, industry, environment, and community representatives<sup>1</sup> could identify proactive measures that Utah might take to mitigate the impacts of greenhouse gases (GHG).

Governor Huntsman provided the following charge to the Council:

1. Consider science, economics, and policy around climate change in a forum where we as a State – industry, environment, community – could have productive dialogue;
2. Understand and recognize what we are trying to leave for the next generation; and
3. Bring back information and policy recommendations for review and consideration.

This report provides a summary of the work the BRAC and Stakeholder Working Group (SWG) have conducted to date. The BRAC has completed a number of significant tasks as charged by the Governor. The Science Report is summarized in this Executive Summary and the entire Science Report is included as Appendix A of this report. A number of policy options are summarized and included in this report. The policy options are ambitious but achievable if the necessary resources are provided to implement them. Because of the volunteer nature of the BRAC and the limited time the BRAC has had to follow the Governor's charge, the BRAC has not independently conducted any economic cost/benefit analyses on the policy options. Such analyses may be necessary prior to implementation of some of the options.

In June 2007, Governor Huntsman requested that the BRAC also evaluate options for a Renewable Energy Initiative. The BRAC established a work group and will prepare final recommendations for the Governor in October 2007. Those recommendations will be included in this report in Appendix E.

## Appendix C: Other Sources of GHG Emissions

There are a number of other minor GHG emission sources in Park City that accounted for 867 tCO<sub>2</sub>e in 2007, or 0.1 percent of the total GHG emissions. These sources include the following:

- Leaking refrigerant chemicals from air conditioning and food refrigeration systems
- Enteric and manure methane emissions from the presence of minimal livestock
- Fertilizer
- Beer production

The following sections describe in more detail the estimation of emissions from these sources.

### Refrigerants

Chlorofluorocarbon (CFC) and hydrochlorofluorocarbon (HCFC) based refrigerant gases used in air conditioning, refrigeration, and sometimes fire suppressant systems also are GHGs. It is common to exclude CFCs from a GHG inventory because they are regulated by the Clean Air Act and currently are being phased out. However, the impact of HCFCs remains.

In the course of normally operating such equipment, some of these gases will be emitted to the atmosphere through leaks and normal maintenance activities. GHG emissions from these losses in Park City are estimated to be less than 709 tCO<sub>2</sub>e in 2007, or 0.1 percent of the total inventory.

The CACP software does not directly support the calculation of emissions from operating refrigeration equipment, so an estimate was made based on loss rates from the EPA's Climate Leaders Greenhouse Gas Inventory Protocol Core Module Guidance. The Protocol suggests three approaches to calculating emissions from refrigeration systems, all of which require detailed information on the equipment and/or the flux of refrigerants in equipment installation, maintenance, and decommissioning. Since those data could not be obtained within the scope of this project, the estimation was made based on commercial square footage in the community.

It is assumed that commercial air conditioning equipment is the largest user of refrigerants in the community and total square footage was obtained from a real estate inventory. Assumptions were made for the quantity of cooling per square foot, the quantity of refrigerant gas required to supply that cooling, and the refrigerant gas installed. Despite the likely overestimate resulting from assuming that 100 percent of the commercial square footage is cooled, the emissions from this source category are still very small.

## Fertilizers

Applying nitrogen as a fertilizer leads to emission of the GHG nitrous oxide ( $N_2O$ ) by three mechanisms. A portion of the nitrogen fertilizer converts to nitrous oxide on application, and before uptake, and is then directly emitted. Additional fractions are emitted indirectly through nitrogen that is volatilized into gaseous form and re-deposited nearby and then converted to nitrous oxide and nitrogen that leaches into surface or groundwater before conversion to nitrous oxide.

Another source of GHG emissions related to soil management comes from the practice of liming. Liming reduces soil acidity and aids plant growth by adding a carbonate to the soil. Emission of carbon dioxide is the eventual outcome of the carbonates dissolving.

Data was collected for what are likely to be the most significant fertilizer and lime applications in Park City. In 2007, the emissions were estimated to 110 tCO<sub>2</sub>e.

## Livestock

Livestock contribute to GHG emissions through digestive processes and the production of manure. Methane ( $CH_4$ ) is produced through enteric fermentation due to the digestion of feed by livestock. Additional methane and nitrous oxide are also produced by manure.

Park City has a small population of horses based on communication with local veterinarians. These horses are managed in pasture/range systems that minimize methane production from manure and produce negligible nitrous oxide emissions. In 2007, the emissions from this population were estimated to 35 tCO<sub>2</sub>e.

## Beer Production

The fermentation process used to produce beer involves converting sugars into alcohol using yeast. A byproduct of this process is carbon dioxide. Based on beer production volumes in Park City, GHG emissions from this activity were estimated to be 13 tCO<sub>2</sub>e in 2007, or 0.001 percent of the total inventory. This is less than the per capita annual emissions of a single resident.

## Appendix D: Emission Growth Rates

To facilitate Park City in setting realistic reduction targets for GHG emissions and to understand those goals in the context of targets set by other entities, it was necessary to develop a forecast for the emissions inventory.

To forecast emissions in Park City from 2008 through 2020 requires making assumptions about the growth rate of emissions in each source category. Future improvements in practices and technology are not included in this forecast. Therefore this forecast leads to a worst-case scenario for the reductions necessary to achieve various GHG emission reduction targets. For all emission sources except solid waste and construction waste, an average annual growth rate of 0.8 percent per year was assumed based on modeling done by the Snyderville Basin Wastewater Reclamation District. This modeling is based on the build-out of existing parcels in Park City. The growth of solid waste and construction waste was estimated at 4.0 percent per year based on estimates used in the Summit County Integrated Solid Waste Management Master Plan.

## Appendix E. Strategies Considered But Not Selected

Measure Name	Category	Type	Tons CO <sub>2</sub> e Reduced in 2020	Feasibility by 2020 (political, technical, implementation, financial)
Institutionalize reviews of opportunities to reduce GHG emissions as part of planning department's review of new development applications	Transportation and Land Use	Incentive	Low	High
Develop and implement pay-as-you-throw waste fee structure	Waste Reduction and Diversion	Regulatory	Low	Medium
Develop unifying climate initiative and coalition in non-profit community	Community Leadership	Action	Low	High
Develop residential weatherization incentive program	Energy Use	Incentive	Low	High
Develop transit service innovations and improvements (e.g., route streamlining/timing, alt. fuels)	Transportation and Land Use	Action	Medium	Medium
Develop student trip reduction program - carpooling, bike to school days, challenges	Transportation and Land Use	Action	Low	High
Increase visitor education on alternatives for reaching Park City and traveling in the City	Transportation and Land Use	Incentive	Low	High
Develop local carbon fund for local offset projects	Carbon Offsets	Action	Medium	Medium
Establish educational outreach position providing service to all sectors	Community Leadership	Education	Low	Low
Establish tax incentive financing for energy efficiency in new buildings	Energy Use	Incentive	Low	Medium
Incentivize alternative fuel and high efficiency vehicles with tax credits, grants, infrastructure etc. - biodiesel, natural gas, electric charging stations	Transportation and Land Use	Incentive	Medium	Low
Provide more public sites for recycling	Waste Reduction and Diversion	Action	Low	Medium

Measure Name	Category	Type	Tons CO <sub>2</sub> e Reduced in 2020	Feasibility by 2020 (political, technical, implementation, financial)
Require zero waste City events (City, on City land, provide education)	Waste Reduction and Diversion	Regulatory	Low	High
Develop single serving water bottle reduction program - work with lodging, retail industry	Waste Reduction and Diversion	Incentive	Low	High
Employ new biomass energy applications	Energy Supply	Action	Medium	Low
Provide technical assistance for high-performance buildings - leverage existing resources from utilities, green building organizations, etc.	Energy Use	Incentive	Low	Medium
Seek opportunities for combined heat and power	Energy Use	Action	Low	Medium
Develop RideShare program (employers, retailers fund incentive for ride-sharing)	Transportation and Land Use	Incentive	Low	Medium
Implement car sharing program (Flexcar, Zipcar)	Transportation and Land Use	Action	Low	Medium
Develop composting program for restaurants	Waste Reduction and Diversion	Action	Low	Medium
Institute carbon tax based on energy consumption	Community Leadership	Regulatory	Medium	Low
Require new homes above a certain size to have a percentage of onsite energy generation	Energy Supply	Regulatory	Low	Low
Develop and provide grant for a net-zero commercial/residential pilot building	Energy Use	Incentive	Low	Medium
Develop mandatory recycling program	Waste Reduction and Diversion	Regulatory	Low	Medium
Develop new small hydroelectric applications	Energy Supply	Action	Low	Low
Develop time of sale energy conservation ordinance	Energy Use	Regulatory	Low	Medium
Provide preferential parking in town for low emission vehicles	Transportation and Land Use	Incentive	Low	Medium

Measure Name	Category	Type	Tons CO <sub>2</sub> e Reduced in 2020	Feasibility by 2020 (political, technical, implementation, financial)
Hire waste hauler to collect commercial recyclables	Waste Reduction and Diversion	Action	Low	Medium
Require all new homes to have solar hot water	Energy Supply	Regulatory	Low	Low
Develop a wasting energy ordinance	Energy Use	Regulatory	Low	Medium
Provide incentives for electric or push mowers	Transportation and Land Use	Incentive	Low	Medium
Develop voluntary travel offset program	Transportation and Land Use	Incentive	Low	Medium
Provide energy education hotline	Energy Use	Education	Low	Medium
Implement neighborhood electric vehicle (NHEV) pilot program	Transportation and Land Use	Action	Low	Medium
Lobby for variable priced insurance for high efficiency vehicles	Transportation and Land Use	Action	Low	Low



## MANAGER'S REPORT – 10/29/2015

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**Submitted by:** Tommy Youngblood  
**Subject:** Report on Recent Increase in Film Permit Activity

### Manager's Report on Recent Increase in Film Permit Activity

The Special Events Department has seen a dramatic increase in film permit application and activity since the end of August. The Department usually approves one or two major film production days per year and 8-10 minor shoots with a few casts, crew and handheld equipment. Since August 31st of this year, we have approved 13 major production film days on or adjacent to Main Street; 6 major production film days within the remainder of city limits and 5 minor film projects. There are currently two television series shooting within the city limits. Both have stated their plans return to town and continue in February 2016. Applicants have stated that the opening of the studio has increased the interest to film all types of projects in the area. Based on this we anticipate continued growth in filming applications and resulting impacts.

Due to this significant increase in filming, city staff, business owners, and residents have felt the impacts that these productions have. The majority (80%) of the current major production activity requests Intermittent Traffic Control (ITC) which requires dedicated public safety officers to manage their activity and traffic control. This has put an increased pressure on our Public Safety Team as well as other city departments to keep up with the impact mitigation caused by the filming. The filming applicants are paying the city for these services based on the current fee schedule.

Staff continues to work to find balance between the broader, indirect positive economic impacts and the localized negative impacts (traffic, parking, noise, possible short term loss of business) that are associated with filming. Staff has begun to review the current Municipal Code to consider updates to address the impacts that are currently being felt. Staff plans to return later this fall to Council for policy discussions on the following items:

- Notification/Application timelines
  - What is the proper timing and processing procedure of major production film applications?
  - How are public parking, sidewalks, and right-of-way spaces to be allocated and noticed for this type of use?
  - How are the general public and local merchants to be noticed?
- Thresholds/Timing of filming
  - What times of year should filming be allowed?
  - Should there be limits set on number of permits issued?
- Possible bond requirements
  - Should the City require a bond to be paid to ensure conditions of approval?
- Impact Mitigation
  - What guidelines or regulations need to be implemented and in what timeframe?
- Economic Impacts
  - Is there compensation expectation for loss of business?

In an effort to increase the timeline to complete this project, the Special Events Department will be bringing in additional staff resources, which we can accommodate within our current budget. This part time position will assist in research film permitting "best practices" as well as drafting proposed changes to the Municipal code.

Through discussions with the filming crews and Utah Film Commission we believe that film producers are willing to meet clearly stated rules and procedures and will be ok with “tough, but predictable and fair” requirements.

Staff will continue to meet with representatives from the HPCA, Utah Film Commission, Park City Chamber, Park City Police, Parking Services, Parks & Transit, Building, Planning, Public Works, as well as other agencies to formulate next steps. Staff plans to return to council by the end of the calendar year with an update.

The HPCA has submitted a statement which has been attached to this report.

**Respectfully:**

Tommy Youngblood, Events Coordinator



## **MANAGER'S REPORT – 10/29/2015**

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**Submitted by:** Ken Fisher  
**Subject:** Park City Cemetery Plot Availability Update

### Park City Cemetery Plot Availability Update

Current Cemetery Resolution No. 03-14, A Resolution Setting Forth a Policy for Park City Cemetery Operations and Services, states that plots for sale are only available to City residents, those owning property within City limits, those who lived here previously for 10 years or more consecutively or those who were born here in the Miner's Hospital. Currently we only sell plots located on the east end of the cemetery (east of the east entrance road). The plots on the west side of the cemetery are not being sold due to unmarked graves, burials using only light casket boxes and burials without vaults, making determination of viability a question. If a plot had already been sold to a family on the west side, burials are still performed.

To utilize the many open/unsold plots on the west side of the cemetery, staff has reviewed 119 plots of the approximately 350+ potentially viable plots. Cemetery and Parks staff verified each plot to ensure viability. Each plot which was unmarked was evaluated to determine if there was possibly an unknown grave or if it was an available plot for potential use.

Using a list we made in our cemetery review in 2013, we marked which plots we felt were possibly viable for Cremation only burials. Cremation burials are allowed to be located on top of a full casket burial. A cremation burial is only a 2 feet deep where a casket burial is 6' deep. We believe we would be safe using these empty plots for this type of burial. Parks crew leader, Jarren Chamberlain and I reviewed those I had chosen. Together we came up with 75 additional plots which could be sold for Cremation only burials. We anticipate being able to open additional plots as we continue our inventory in the older/west sections.

The "cremation only" plots will be sold at the same price as other plots, \$300 (residents only) and may provide for up to four (4) cremation burials.

**Respectfully:**

Ken Fisher, Recreation Manager



## **MANAGER'S REPORT – 10/29/2015**

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**Submitted by:** Matt Dias  
**Subject:** Manager's Report – Halloween Traffic and Circulation Plan

Halloween is this coming Saturday. The Historic Park City Association is once again sponsoring Halloween on Main Street with Trick or Treat for the kids starting at 3pm and the dog parade Howl-o-ween starting at 5pm on Lower Main. Main Street will be completely closed from the Brew Pub/TMI north to 9<sup>th</sup> Street. The event is scheduled to end at 6pm. The weather at the time of this writing looks to be clear and cool. Attendance is expected to be around 7,000 to 10,000 people.

The Special Events staff has been coordinating with multiple City Departments to implement a more robust traffic and circulation management plan than previously used for this event. The City is strongly encouraging participants to use the transit system and carpool to this event if driving.

Additional Police services will be deployed to control traffic at designated spots (DVD/Heber, top of Main St., etc.) and monitor the safety of the event.

### Parking

The electronic message signs will be deployed to direct drivers to parking. Free parking is available at the School District on Kearns Blvd. and at Deer Valley Resort's lower parking lots. From each location people can take the free bus to Main Street. Additional bus service has been requested if drivers are available. China Bridge Parking Structure will allow access from Marsac Avenue only. Parking in the Old Town area is expected to fill well before 3:00 p.m.

Main Street will be closed to parking and vehicular access from 2:00 p.m. until 7:00 p.m. The Brew Pub lot will be controlled for additional ADA parking, vendors, and over-sized vehicles as space permits.

The south Sandridge lot will be controlled for Drop and Load only. Stairs from this lot go to the south end of Main St/Swede Alley.

### Circulation

Swede Alley will be restricted to one way traffic headed North Only (downhill) from 3:00 to 6:00 p.m. Drivers will not be able to access Main Street or Swede Alley from Deer Valley Drive. Prior to 3pm, all parking in Swede Alley will be accessible. Buses will continue to use Swede Alley to access the Transit Center throughout the event. Residential access to Daly Ave will be from Hillside or Park Avenue.

Deer Valley Drive will be reduced to one lane Southbound to create a Bus Only lane to Swede Alley. All traffic may continue to use 9<sup>th</sup> St from Park Ave to the Main St extension to Deer Valley Drive.

### Notification

The City will utilize the Highway Advisory Radio to broadcast a continuous message relating to the event. In addition, the Public Affairs Manager's office will post updates on social media.

Special Events and the Organizer (HPCA) will also be going on KPCW to talk about event impacts this week.

As previously mentioned, the portable Message Boards will be deployed to direct drivers to the parking lots at the school campus and Deer Valley.

Traffic Signals

Staff has contacted UDOT Traffic Signals to program traffic signals giving higher priority Northbound for outloading the event.

**Respectfully:**

Matt Dias, Asst City Manager



**DATE: October 29, 2015**

**TO HONORABLE MAYOR AND COUNCIL**

Attached for your approval, please find the City Council meeting minutes for October 8, 2015. Thank you for your consideration.

**Respectfully:**

Karen Anderson, Deputy City Recorder

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SUMMIT COUNTY, UTAH,  
October 8, 2015**

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**PARK CITY COUNCIL MEETING MINUTES – DRAFT  
SUMMIT COUNTY, UTAH  
October 8, 2015**

**CLOSED SESSION**

To discuss Property and Personnel

**WORK SESSION**

Council Questions and Comments

Mayor Thomas acknowledged the loss of Sam Jackenthal.

Council Member Matsumoto reported that she attended the school district joint meeting. She also went on an EPA tour of assessment sites; it was interesting to look at them in a different way and to take the tour with county people. She attended the Historic Preservation Board meeting where they discussed what we should be adding to the description of our vernacular to better preserve our historic district. It was an interesting meeting.

Council Member Beerman attended the last session of the leadership class where the speaker was Walter Wright. The Council is invited to visit with Leadership this evening as they welcome the new class and graduate the old one. Attended the Recreation Advisory Board (RAB) meeting where they said the ice feasibility study will be done in October with ideas for a second ice rink. The recreation master plan should be finished in January. He discussed structural changes in Mountain Accord as they move into Phase II. They'll have to issue a new RFP to manage Mountain Accord. UTA is currently handling the funding, and Mountain Accord has asked the Wasatch Front Regional Council to handle the RFP for the Phase II program director. They are looking for a stop-gap that is neutral and can take both federal and state funding to manage Mountain Accord until they can become a separate entity. City Manager Diane Foster offered to put it on a future consent agenda.

Council Member Henney attended a Main Street tenant meeting with the Historic Park City Alliance (HPCA) and other stakeholders, and it was his opinion that there was a broad consensus for government to create a better environment for local businesses to thrive on Main Street. The concern is that the free market is pushing rents higher, which will eventually push local businesses off Main Street if nothing is done. Both business owners and free market advocates agree something needs to be done. They are looking at possibly adding more retail space on Swede Alley, which would create more supply to counter the demand issue that's driving rents higher. Council Member Matsumoto recalled that there had been a discussion of what can be done with buildings on Main Street that are not being used. She requested a discussion of that at a future meeting. Foster said it will be on the next agenda.

Council Member Simpson attended the Utah League of Cities and Towns Wildland Fire Policy Working Group and has requested to take Chad as our building official with her to the next meeting because they will be discussing wildland urban interface ordinances. She thinks the new tables and benches in the Bob Wells plaza look awesome. She requested a change in the new recycle bins on Main Street to

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distinguish the recycle bins from trash bins.

Mayor Thomas attended the Historic Society meeting as liaison and they talked about the mining structure issues in the community. They have \$50,000 of new money. He also attended a fund raiser for Sam Jackenthal and his family. He has attended a number of meetings regarding poverty in Park City. This is a segment of the community that is often underrepresented even though they serve in so many areas and he would like to allocate some staff time to dealing with that.

Foster attended a meeting on poverty and explained there are a lot of Latino leaders from the community involved like heads of PTAs. The group is multi-jurisdictional, i.e., Park City, Summit County, the School District, non-profits like the Christian Center, the Education Foundation, etc. They're focusing on low-income and poverty issues not necessarily Latino specific issues. They've identified some of the gaps, such as after-school programs and daycare. Another problem is that there is no one source for information for people in need so they are working on solving that. Council Member Simpson said she's very supportive of this focus, but cautioned that they should be careful to reach out to all potential community partners. Simpson had talked to some non-profits that didn't know about the Mayor's focus on poverty and the group that is forming. Foster says they're in the process of informing everyone but that they initially want to talk to Latino leaders to focus on needs. They made a matrix of the organizations already involved in serving those at the poverty level and noted where the gaps are. Council agreed that they should move forward with addressing this issue.

Nate Rockwood, Budget, Debt, & Grants Manager, discussed how the sales tax will be collected for the Epic Pass. The City was concerned in August and September 2014 about how to collect the sales tax. Vail will track the use of the tickets and Epic Pass at each location where they are used. Initially they will estimate, and as the season goes on, they will get actual data and appropriate tax rates will be determined at that time. Foster clarified that there was a concern about this at the County Council meeting last night, and she has talked to them and their concerns have been addressed.

Alice Claim Subdivision Site Visit and Work Session

Council member Beerman asked if this should not go to the Planning Commission first since it's a new application. City Attorney Mark Harrington stated that is the Council's decision, and with additional Information they may have more perspective. Council Member Matsumoto confirmed with Harrington that they are not being asked to approve the Gully Plan tonight.

Senior Planner Francisco Astorga presented the staff report and said Staff is requesting Council visit the site for the purpose of seeing conditions and discussing the new submission from the applicant. He reports that on August 12, 2015, the Planning Commission forwarded a negative recommendation and denied a CUP for retaining walls. The applicant filed an appeal and also submitted the Gully Plan with a condition that Council review it first before the Planning Commission. It is up to Council whether they will take public comment. Staff recommended that Council take public comment and limit comment to whether the Council should accept the Gully Plan. He noted that the Gully Plan more closely conforms with the general plan and land management code. The lots will be about 4,510 - 2.5 times the size of an Old Town Lot. The estate lots would be 3 acres.

Council Member Matsumoto noted that the Planning Commission asked them to bring the lot size down and put them in the gully, but then they would be in the floodplain. She asked why it is coming to Council rather than the Planning Commission. Harrington explained that their condition is more of a reservation of rights, and the Council can remand it back to the Planning Commission; but if they do, the applicant will go back to their original plan. This is an offer to go back to a plan Staff was trying to get prior applicants to consider, and they do not have the time or resources to start over. This is an attempt

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to keep all parties involved, but if Council wants a full review by the Planning Commission, they can certainly request that. Harrington says he just wants Council to have full review so they can make a decision.

Council Member Henney stated this plan is the one they've been directed to review for a number of years. It makes no sense to him that only Council gets to look at it. Planning Director Bruce Erickson explained that the intent is to receive a policy decision from Council saying this is a more appropriate design. Staff has looked at the plan at a high level, and they think it is time for a policy review by Council. Council Member Matsumoto stated this process seems backwards, but the point is to get the best possible development they can to meet the community goals and needs. She believed Council would have to go through a long process of learning how to review this.

Council Member Beerman agreed with the other members' concerns, saying he believes they are short-circuiting the process by not letting Planning Commission review this. The process is in place for a purpose, and it did not make sense to him to do this. Council Member Simpson thinks they need to do the site visit and hear the applicant's presentation and then have further discussion.

Mayor Thomas believes a lengthy process is not the city's fault; the process is the process and there is a benefit to having a full review by the Planning Commission. If someone brings forth an application that meets all the criteria, it will quickly be approved. .

Physical Tour of the Alice Claim Property – South of intersection of King Road, Ridge Avenue and Sampson Avenue, Park City, Utah

Return from Site Tour and Presentation by Applicant

Brad Cahoon, Greg Brown, Mark, Jerry Fiat with King Development, and Joe Tesch represented the applicants. Cahoon reviewed the law as it relates to what Council can do with the Planning Commission's recommendations and said Council has the final decision. Nothing in the code requires Council to send this back to the Planning Commission once they have considered it.

Regarding the background of this project, Cahoon explained King Development had an interest in purchasing Alice Claim and building a development that would meet residential zoning and generate funds to clean up all of Alice Claim—the private portion and the city's portion. The plan was to dispose of the hazardous soil at Richardson Flat and it was represented to King Development that if they purchased the property and cleaned up Alice Claim they could take the soils to Richardson Flat. Based on that representation, King Development purchased the property in 2005. Before the purchase they submitted a nine-lot plan to the Planning Department. In 2008 the city entered into a voluntary clean-up agreement along with King Development as a co-applicant. Due to the recession there was a lull in development. Then in October 2014, the plan went to the Planning Commission, who provided positive feedback; therefore, the owners invested in engineering and further planning. In April 2015 the Planning Commission was still positive about the plan but requested additional adjustments. The applicant did more work on the plan, and in June 2015 Staff recommended a positive recommendation. At this point, Planning Commission turned and asked Staff to prepare findings for a negative recommendation. The applicant then received a call from the Legal Department suggesting they submit the Gully Plan. Because of their history with the Planning Commission, the applicant had no interest in continuing with them because of all the costs and the negative recommendation.

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Harrington stated the city disagrees with the facts regarding the environmental portion of the applicant's presentation. He also clarified that the Legal Department did not request they submit this plan. The applicant asked Legal what options might be available to them and the applicant decided to make this proposal.

Greg Brown, DHM Design, representing the applicant, provided images of early studies and discussed the history of the remediation plan and problems with the access road. He presented an image of the remediation application, which included the house sites, which was necessary to determine the level of cleanup that would have to be done. He presented photographs of the site pre-cleanup and indicated that the creek ran through the tailings. He also showed photographs of the site after remediation.

Council Member Matsumoto recalled the applicant stating it had all been cleaned up, but now they are being told that the location where the city's water line is has not been cleaned up. Jerry Fiat with King Development stated they did not go onto the city's water tank property and did not know the soils there were contaminated at the time. Council Member Matsumoto asked about the city's involvement in depositing materials at Richardson Flat. Fiat explained that there was a MOU prior to King purchasing the property that would expire, and they felt they had to move forward according to the MOU to move the materials. That MOU had nothing to do with the city.

Brown explained that their first meeting with the Planning Commission in October was quite positive, and the applicant responded to their requests. In April they again felt they had received a positive response from the Planning Commission, and he reviewed changes that the commission requested at that time. He reviewed the concerns expressed at the last Planning Commission meeting and stated that the Gully Plan resolved a lot of those issues. Council Member Matsumoto asked the applicant to clarify issues regarding the retaining walls. Brown presented a diagram of the Gully Plan and discussed issues regarding the access road.

Public Input

Mayor Thomas opened the floor to public comment.

Charlie Wintzer recalled that he was here through most of the process with the Planning Commission, and his recollection of the process was different from the applicant's. The applicant came in with 9 lots, and the Planning Commission kept telling them there were too many. There are also ridgeline and retaining wall issues, and he believes this needs to go back to the Planning Commission.

Carol Sletta lives on Sampson Ave and she does not see this development fitting Park City's vision for Old Town. She believes there is a fatal flaw with the intersection, and does not believe the road should change. She believed nine houses would make this a hazardous area.

Kathryn Deckert, a resident of Daley Avenue, stated that the proposed location would be highly visible from across town and would not protect the natural environment or the vision of the city. She suggested Council view this from Rossi Hill. She asked if fire suppression had been adequately addressed and expressed concern about substandard roads. King road is compromised because people park in the street in the winter. She asked what kind of construction mitigation the applicant would propose. The Planning Commission voted unanimously to deny this project, and she would like to see that upheld.

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Brooke Hontz a resident of Daley Avenue, feels Council has been presented with two terrible options tonight of either ignoring all previous work that has been done or throwing out all the work the Planning Commission has done. The written record reflects what happened, and she wants Council to review it, because it tells a different story. Many citizens have given testimony, and Council should recognize that none of their questions have been addressed.

Adam Strachan, Planning Commissioner Chair, stated the applicant is coming to Council and making an end run around the Planning Commission with a plan they have not had an opportunity to review. He believes this is bad policy and that bypassing the Planning Commission would set a dangerous precedent. He stated things were not as positive as the applicant represented and noted the vote by Planning Commission was unanimous.

Mayor Thomas closed the public comment.

Brown stated that zoning would have allowed more lots, and they assumed the application for nine lots had already been resolved. He says that not all the lots are on the ridgeline. With regard to the walls, they are trying to get a plat approved, and the building permits will come after that, so they don't know yet exactly where the walls will be. With regard to the road, it has been studied by the applicant's and city's engineers, and they believe there is a solution for that. He went on to state the city engineer has not said that nine more lots will affect this intersection, and it is not a density issue. They have addressed fire suppression, and there were no complaints about construction during the cleanup. He believed they had taken into account all the opinions expressed over the years, and when they came in October 2014, they believed there was a strong positive perception of the site plan.

Fiat stated they did a visual analysis from Rossi Hill, which they presented to the Planning Commission, and the view of the homes will be barely visible. Staff directed them to do extensive, expensive studies, and they spent over a half million dollars on detail prior to the denial, and they feel like they got the runaround.

Cahoon stated this is a very complicated project where a significant amount of money has been spent for cleanup and other studies. Since no other applicant has done anything close to this, he does feel coming before Council first will set a bad precedent. He feels they have an opportunity to look at the Gully Plan to reach a compromise, and he would hope they could go through the process with Council to resolve this.

Erickson stated that the representation that Staff found the reports and studies acceptable is not correct. Council Member Matsumoto recognized the developer's right to develop the property but feels the applicant has developed a timeline that tries to put the city at fault. She likes the Gully Plan better and would like to see them go forward with that to the Planning Commission, saying it could be a quick process since they've already done so many studies. Council member Beerman agreed. Council Member Simpson feels like they are stuck between a better plan and a bad process. She believes it will be faster for the applicant to go back through the Planning Commission. Council Member Henney stated that they have excellent, competent Planning Commission people and does not want to do their job. He remands this back to the Planning Commission. Mayor Thomas stated that he values the Planning Commission process and he also believes this should go back to them.

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CUP appeal and public hearing to be scheduled at a future meeting

Mountain Accord – Wasatch Mountains Land Designation Discussion

Ann Ober discussed the new title for the Mountain Accord land designation.

Council Member Simpson stated she likes Staff's recommendation. Council Member Beerman says the name is less significant than the fact they are preserving the land. He explained there does not seem to be a desire to designate the land as a National Monument. They agree on the principles of what they are trying to do, they are just trying to decide how to designate it.

**REGULAR MEETING**

**I. ROLL CALL** - Mayor Jack Thomas called the regular meeting of the City Council to order at approximately 6:00 pm at the Marsac Building on Thursday, August 20, 2015. Members in attendance were Jack Thomas, Andy Beerman, Liza Simpson, Tim Henney and Cindy Matsumoto. Council member Dick Peek was excused. Staff members present were Diane Foster, City Manager; Matt Dias, Assistant City Manager; Mark Harrington, City Attorney; Heinrich Dieters, Sustainability; Bruce Erickson, Planning Director and John Boehm and Anya Grahn, Planning.

**II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF**

1. Manger's Report – Update on Early Morning Deliveries Policy in Old Town and Response to Resident Complaint
2. Manager's Report – Historic Preservation Quarterly Update

Council Member Beerman commented that he did not see that they got the information regarding penalties for accidental demos. Erickson explained they are still working on some items.

3. Manager's Report – Response to a Council Request regarding the Residency Characteristics of Park City's Workforce
4. Manager's Report – Response to the Hillside Pathway Request

Council Member Beerman stated there is merit in the request. Heinrich Deters, Sustainability, explained they have counters to track use on the trail. He has talked to Alliance Engineering about doing some survey work and says they should be able to come back in the spring with a recommendation. Council Member Simpson stated she is content to wait until they have use counts.

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

Tony Naples stated she has noticed that lately the police have become more stringent with leash laws for dogs. She feels we need a dog park in Old Town because there is no place to take dogs without the police following them around. She states they don't want dogs at the library park anymore. There is one area called the shoe park that she proposes they make a dog park. She Says residents pay a lot of taxes and deserve a dog park. She stated that they are also competing with skate boarders and mountain bikers at City Park, and she has

almost been run over several times. Council Member Simpson suggested Naples give input to the Recreation Advisory Board.

Chad Ambrose with Rocky Mountain Power reintroduced himself and pledged to help the city with their sustainability efforts as he is aware that renewable energy is very important for Park City.

#### **IV. CONSIDERATION OF MINUTES**

1. Consideration of a Request to Approve the City Council Meeting Minutes for July 9, 2015

**Council member Simpson moved to approve the City Council meeting minutes for July 9, 2015**

**Council member Beerman seconded**

**Approved Unanimously**

**Beerman – Aye**

**Henney – Aye**

**Matsumoto – Aye**

**Simpson – Aye**

**Peek – Excused**

#### **V. CONSENT AGENDA**

1. Appoint 2015 Election Poll Workers for the 2015 General Election
2. Consideration of a Request to Proclaim November 1, 2015, as Extra Mile Day in Park City, Utah

**Council member Simpson moved to approve the consent agenda**

**Council member Beerman seconded**

**Approved Unanimously**

**Beerman – Aye**

**Henney – Aye**

**Matsumoto – Aye**

**Simpson – Aye**

**Peek – Excused**

#### **VI. NEW BUSINESS**

1. Consideration of an Ordinance of the First Amended, Fourth Supplemental Record of Survey for Summit Watch at Park City, UT Pursuant to Findings of Fact, Conclusions of Law, and Conditions of Approval, in a Form Approved by the City Attorney:

John Boehm, planning, recommended Council hold a public hearing and approve the ordinance. Changes would be reviewed administratively by staff.

#### Public Hearing

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

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the public hearing.

**Council member Matsumoto moved to approve an ordinance of the first amended, Fourth supplemental record of survey for Summit Watch at Park City, Utah, pursuant to findings of fact, conclusions of law, and conditions of approval, in a form approved by the city attorney**

**Council member Simpson seconded  
Approved Unanimously**

**Beerman – Aye**

**Henney – Aye**

**Matsumoto – Aye**

**Simpson – Aye**

**Peek – Excused**

2. Consideration of an Ordinance of the AGIO 260 Second Amended Condominium Plat at 260 Main, Park City, UT Pursuant to Findings of Fact, Conclusions of Law, and Conditions of Approval, in a Form Approved by the City Attorney:

Anya Grahn, planning, explained that this ordinance is to memorialize the changes done during the Historic District design review and recommended Council's approval.

Public Hearing

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

**Council member Henney moved to approve an ordinance of the AGIO 260 second amended condominium plat at 260 Main, Park City, Utah, pursuant to findings of fact, conclusions of law, and conditions of approval, in a form approved by the city attorney**

**Council member Simpson seconded  
Approved Unanimously**

**Beerman – Aye**

**Henney – Aye**

**Matsumoto – Aye**

**Simpson – Aye**

**Peek – Excused**

**VII. ADJOURNMENT**

**Council member Matsumoto moved to adjourn  
Council member Simpson seconded  
Approved Unanimously**

**Beerman – Aye**

**Henney – Aye**

**Matsumoto – Aye**

**Simpson – Aye**

**Peek – Excused**

**CLOSED SESSION MEMORANDUM**

The City Council met in a closed session at approximately 12:30 pm. Members in attendance were Mayor Jack Thomas, Andy Beerman, Tim Henney, Liza Simpson and Cindy Matsumoto. Council member Dick Peek was excused. Staff members present were Diane Foster, City Manager; Mark Harrington, City Attorney; Tom Daley, Deputy City Attorney; Matt Dias, Assistant City Manager; Jonathon Weidenhammer, Economic Development Manager; Heinrich Dieters, Sustainability; Brooke Moss, Human Resource Manager and Alfred Knotts, Transportation Planning Manager. **Council member Simpson moved to close the meeting to discuss Property and Personnel. Council member Beerman seconded. Motion Carried.**

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

Prepared by Katie Madsen.



**DATE: October 29, 2015**

**TO HONORABLE MAYOR AND COUNCIL**

Attached for your approval, please find the City Council meeting minutes for September 24, 2015.  
Thank you for your consideration.

**Respectfully:**

Karen Anderson, Deputy City Recorder



**PARK CITY COUNCIL MEETING – DRAFT**  
**SUMMIT COUNTY, UTAH**  
**September 24, 2015**

**CLOSED SESSION**

To discuss Property, Personnel and Litigation

**WORK SESSION**

Council Questions and Comments

Council member Beerman attended the UCLT conference general session last week where they selected some new board members, and reports 12 counties are now running the transportation tax this year. Saturday he attended Autumn Aloft, Tour de Suds and Silly Market. Attended a couple of Mountain Accord meetings where they are working on the details to move forward to Phase II. He complimented Ann Ober, Sustainability, for stepping in to run the latest meeting as the current facilitator is ineligible since she is running to be the new project manager. They are continuing to work on connecting Park City with the Cottonwoods in some manner and have decided because there's not enough information on this, they've delayed that piece until Phase III. Attended Conference of Mayors today for the Wasatch Front and gave a Mountain Accord presentation, receiving their support. Their working group has debated on what to call the Wasatch, whether a conservation management area or a national monument. States whatever it will be, it will be a congressional designation, not a presidential one. Asked Council if they would like to discuss this topic in a later work session. Council said yes. Diane Foster, City Manager, said they will put it on the agenda for October 8th.

Council member Matsumoto attended the Park Silly end of season wrap-up with the Silly Market and Main Street Alliance and reports it was a good year without complaints. Most people in the Alliance are happy with changes that have been made and have one year left on their contracts; are committed to keep working together on the parking and signage regarding parking. Attended the Chamber Board meeting where they reported occupancy is down but the daily rate is up and that they look strong coming out of their audit. Reports the Fall Forum will be November 5<sup>th</sup> at the Stein Erikson Lodge.

Council member Simpson addressed traffic controls on Poison Creek Trail, saying no one pays attention to them. Would like Staff to come back in a work session and discuss doing something similar to Breckenridge who has installed signage that says "walk your bikes," especially on the downhill portion of Poison Creek. Heinrich Dieters, Sustainability, states they will work on it and come back before Council as soon as possible.

Council member Peek attended the ULCT conference and his takeaway was having great conversations with elected officials and letting them know we're not monsters up here. Attended Historic Preservation Board where they are reviewing all demolitions due to the pending ordinance and are deep in the weeds; they hope to come up with something manageable for both applicants and the HPB.

Council member Henney attended the joint Planning Commission meeting at the Richards Building where they went over the ground rules and agreed to meet quarterly with a specific focus for each meeting. Next meeting will focus on employee affordable seasonable housing. Attended last night's Planning

Commission where there was a determination to take off Planning Commission review of uses other than outside dining and make the requirements consistent throughout the zone on lower Main Street. Participated in the Tour de Suds and reports he is no longer a contender.

Mayor Jack Thomas attended the Snyderville Basin Water District and toured their new offices and facilities, which are very nice. Henney says he rode in a van with Mike Luers of the Basin Water District to and from City Tour, who had some amazing stories and recommends others hear his stories. Mayor Thomas mentioned a new group he facilitated a meeting for recently that is addressing poverty in our city. He would like to talk about this in the future with Council because there's a group in our community who don't speak our language, who don't have a voice or representation, and who are facing some serious issues, mainly basic survival issues, that haunt him. As members of this community we have so many opportunities and a very high level of existence and surrounding us are people that don't.

### **Update from the U.S. Environmental Protection Agency on the Uintah Mining District Site Work Plan and Schedule**

Jim Blankenau, Sustainability, introduced Marty McComb, coordinator with EPA. McComb stated they have signed an action memo that documents they will be doing work here. Said they will be working to prevent off-site migration of hazardous substances off areas on the outskirts of town where mining activity was concentrated. They've measured high levels of lead. Their goal is to prevent those soils from washing down drainages in Thaynes Canyon, Woodside Gulch, Treasure Hollow, Lower Empire Canyon and areas in Ontario Canyon. Work will begin next summer but initial work before the snow flies. They should be fairly non-intrusive; they won't be taking any trucks on Daly Avenue. Any work they do above Daly Avenue they'll be driving around on the mine property. They'll mainly be taking rock up and maybe pulling some contaminated material off the site.

McComb says they toured all the sites this morning with the state historical preservation officer and city staff and feels everyone is on the same page. They are partnering with United Park City Mines to do this work and the EPA has signed an enforceable agreement with PCM saying they have agreed to do it. The contract establishes that if PCM doesn't do the work, the EPA will come in and finish it. They will be capping soil and planting on it, they'll be working on erosion control and digging ditches to help move the water in a way that won't bring hazardous material into the canyons. They're trying to be as transparent about the work as possible. He said they have a website where they will post data and materials such as an administrative record.

Council member Peek asked if they're controlling what washes off the soil on Upper Marsac. McComb states they will be capturing the material to prevent it from washing off by extending a culvert and putting in some rock ditches and berms.

Council member Simpson thanked Marty and the City staff for working with the EPA and for all the work that has been done to clean up the soil issues in Park City.

### **Open and Public Meetings Act - Annual Training on September 24, 2015**

Polly Samuels, Legal, spoke to the open and public meetings act (OPMA) annual training. She emphasized the guiding principle of the training was the point that when information is not made public, public perception can turn suspect, which is why she likes the transparency of these laws. If the public sees Council having discussions, whether heated or friendly, in an open setting, they'll trust the decisions that are being made and they'll trust government.

Council member Simpson asks if closed meetings must be recorded, to which Samuels said yes and that minutes are not required. Samuels explained what constitutes a meeting in regards to this act, emphasizing quorums (three or more) who use any form of media, whether it be texting or social media, to discuss meetings or meeting topics is in violation of the act. If they want to talk one-on-one, that's fine under state law. In order to call a meeting, you need three council member and the mayor, but in order to

you need only three member including the mayor. Mark Harrington, Legal, says there was an amendment to state law in 2010 that made the mayor the sixth member of council, which means he can vote when needed, and this amendment makes this law of having only three council members including the mayor an important one to follow. Simpson said she wants people to know that they don't have internal lobbying. This community has fostered a Council that does its utmost to do its business in public.

Samuels spoke to the issue of mingling city email with personal email and to avoid conducting city business on personal devices. Samuels gave the example of John Swallow and Mark Shurtleff when their text messages were printed on the front page of the newspaper after they mingled personal with work conversations. Next Samuels gave examples on what exactly constitutes a meeting. For example, do two council members meeting for drinks constitute a meeting? No since it does not constitute a quorum. If there are more than three members meeting for drinks they can't talk about city business. Council members can't text each other during public meetings and they cannot email the group to discuss city business.

Samuels went on to discuss what can and cannot be discussed during closed meetings by citing several real-life examples. Council has the responsibility to decide whether or not to go into a closed meeting in instances where it's legal.

Lastly, Samuels addressed new requirements on noticing of availability of minutes and recordings. She concluded by thanking Council for their efforts at transparency.

#### **Information Update on Potential and Future Historic Preservation Funding Options**

Nate Rockwood, Budget Director, spoke on historic preservation funding regarding ongoing conversations Planning has been having about grants and funding for mining sites. He began by clarifying how different fund accounts work and how they are treated under GASB 54 and the State Code. What GASB 54 did back in 2010 is restrict capital funds from being able to go towards anything other than an asset that's owned by the city. What that means in the RDAs is that when you want to do some economic development you can't partner with someone in a different group.

Council member Matsumoto asked if someone can buy a historic home with capital funds and then resell it. Rockwood states there are some limitations on how you have to own it, but it is possible. Council member Beerman asked about shared ownership. Rockwood states there are restrictions on what assets the city can share and who they can share them with. You can have bonds with recreational facilities where you're sharing it with a school or rec district, so there is joint ownership that can happen there, but it's typically within government and not private entities.

Rockwood explained having a non-departmental fund allows the City to evaluate these programs within the context of all the programs the city provides and prioritize them within the budgeting for outcomes process. Staff recommends doing a Historic Preservation Easement Program where funding amounts will be evaluated and recommended based on a prioritized Historic Sites Inventory list. Council member Matsumoto asks if this replaces historic grants, to which Rockwood says this would be in addition to that. Council member Simpson states this will give us great flexibility in determining what is exactly needed for each structure.

Rockwood further discussed historic incentive grants by explaining that planning is in charge of recommending funds. Council member Matsumoto asked about adjusting annual amounts for each project. She asked if these funds could be used on a mine structure, to which Rockwood states yes. Simpson asked if the money could be used on any structure we don't own, to which Rockwood states he believes ultimately that would be the case.

Rockwood continued by discussing funding numbers available currently for 2015 and potential funding numbers for years 2016 & 2017. Council member Beerman asked if moving funds from one fund to another is viable, to which Rockwood said yes. Council member Henney asked if we don't already have

mechanism in place to protect mining structures, to which Rockwood explained that this helps clarifying what route to tell applicants to go and is helpful in separating out mining from housing or other structures to avoid confusion.

### **Consideration of a Request to Update Council Priorities to include Carbon Reduction as a Critical Priority**

Ober outlined Staff's three priority levels for carbon reduction. Critical priorities involve Staff coming back to Council with updates monthly. Top priorities involve Staff coming back less often. High priorities involve Staff coming back twice a year. Ober reported renewable energy has currently been set as a high priority. At this time, carbon reduction meets the criteria of moving it up to a critical priority but it does not have a current forward path. She asked for direction from Council.

Council member Henney says what he asked for was that energy consumption be set as a critical priority and that he would like to have a path forward. Council member Simpson says she too would like to have a path forward, saying this has been on Council's radar in every conversation they've had. She's concerned with raising historical preservation to a critical priority as she doesn't remember that being requested by council. Council member Peek states this kind of direction is set annually at the retreat, so to come forward now with new priorities is defeating the purpose of the retreat and the direction Council gave. Council member Matsumoto asked what would need to happen in order to move a topic up in priority level. Foster explained it is up to Council with several options available. Council member Beerman thinks that in general it's best to wait to talk about priorities. He states there are some big projects coming up and we don't have the appropriate filter to look through to scrutinize the energy consumption of these properly. Said this is a critical priority now, especially with the Georgetown Energy Prize looming. It's an opportunity to get behind energy consumption and make a statement about what Park City cares about. Masumoto asked if we can have Staff put this filter of energy conservation on upcoming projects; Foster explained that we can, but it's a matter of having staff availability for further analysis in the form of another full time employee. Mayor Thomas agreed on the importance, saying we need to walk the walk on reducing our carbon footprint. States there are lots of components to this and wonders if some of the evaluations can begin to take place now without resetting critical priorities.

Henney states he doesn't see this as a reset of our critical priorities but as adding to our critical priorities and serving as an organizing principal, which he saw happen with transportation and housing in a very successful way. He wants to focus on the Georgetown Energy Prize and energy conservation in every project they do, such as how many and the type of buses we buy and alternative forms of transportation. He doesn't see it as a reallocation of resources and hiring people, but as an organizing principle right now. Matsumoto states that it's a good idea to look through a green lens in regards to every project we undertake.

Foster states that making this a priority would involve hiring a couple staffers. She says it's not going to be ten people, but not zero. She gave the example of how we've handled snow on Main Street. Main Street sidewalks need to be clear because people walk up and down it in high heels. Towns like Vail heat their Main Street sidewalks to solve the snow problem but it kills their carbon footprint. When our Council asked if staff could look at heating Main Street, the economic development team worked with the environment sustainability team on a carbon impact analysis; it took a lot of time but it wasn't an insurmountable and it didn't take ten people. But it did take staff time and we were then able to bring that to Council, to which Council decided not to do it because of the carbon impact. She thinks those are the types of scenarios they're talking about.

Simpson agrees with Beerman and Henney in that we don't have a critical path forward. She suggests prioritizing this now and talking numbers later at the visioning process.

### **Public Hearing**

Citizens spoke in their support of this being raised to a critical priority now. Dick Roth says we are in the midst of being in first place for the Georgetown Prize and feels the public needs to know they have Council's support and that it is their priority.

Connor Quinn, founder of Alpine Collective, says he will be meeting with the Georgetown people tomorrow. Alpine Collective recently held a speaker series to talk about climate change & environmental issues in Park City issues as they recognize the critical importance of carbon reduction. They believe carbon reduction and climate change must be a top priority along with affordable housing and transportation. It will change the future of Park City and set a standard for other resort communities. He asked Council to lead by example in taking action now. If we do nothing the climate will warm substantially, snow will fall later, and there will be decreased snow pack, which will significantly reduce ground water resources—increasing the frequency of drought and wildfire. The Alpine Collective is here to do anything they can to help.

Sarah Wright, Executive Director of Utah Clean Energy, is excited Council is considering making carbon reduction as a critical priority. She says there's been a recent study called the Clean Energy Vision for the West and it showed that we're going to be investing \$200 billion in our energy infrastructure in the next 20 years. She's grateful Park City is being proactive on these issues and offers Utah Clean Energy's help in any way.

Alex Phillips wants Council to take carbon reduction seriously now. As a young person she thinks it's infuriating to hear over and over that this issue can wait. She says we need people to prioritize it and talk about it immediately as it's not something that's just going to go away.

President and CEO of Squaw Canyon is grateful the Council is looking at this issue because a lot of people think it's someone else's problem. He thinks it's important from his company perspective and from the community perspective as well. People come to Park City because they see that it's the number one outdoor community in the world and they hear about the great resorts we have and see us leading in different areas. He has a seven-year-old and a nine-year-old daughter and he wants them to be able to grow up in an amazing place.

Becca Gerber says energy conservation should be upgraded to a critical priority because it goes hand in hand with affordable housing and transportation initiatives that Council is looking into. The recent city tour of Breckenridge, she learned their affordable housing projects have removed over 100,000 vehicular miles from the road annually. That's a significant reduction in their carbon footprint. Energy conservation isn't one big decision it's a million little decisions we can start making every day and the time to move ahead is now.

Matt Klundhammer spoke in favor of using carbon as a measurement of sustainability efforts here in Park City. He thinks it's important we look at carbon as our gauge in terms of the success of our efforts. Looking at the 2007 audit that was done and realizing the threat on snow in the next century in this town is something he hopes Council will consider.

Caroline Gleich, a Utah based professional skier, works with athletes on climate change and environmental issues. States Park City will lose its winter sooner than we think due to pollution and wants Park City to establish itself as a leader so that future generations can experience the greatest snow on earth.

Mayor Thomas says whether they decide on this now or in February doesn't matter to him because the importance of this issue isn't going to change, but he is supportive of it now. It's as important today as it will be then. He does think it's an arduous process and thinks developing a critical path and an outline for how to go forward is very important.

Council member said, after hearing the public input, he can see it's important for Council to be leaders. Every time we talk about any project energy reduction is a leading concern, so he wants to create an organizing principle. He thinks it could be a simple process that shifts how we look at housing and transportation and allocates resources accordingly. He wants to create the thought shift now a

the details later. He sees no harm in making carbon reduction a critical priority today. Mayor Thomas says what he means by an arduous process is walking the walk. Getting into the detail of how this unfolds is going to be a process. Whether this affects house size or whether we start taking away heated surfaces for the exterior surfaces—these decisions are going to be a process.

Council member Peek stated the decision to let future leaders make this decision is like establishing a critical priority to protect the Council from themselves. If we need a critical priority to have Staff come in and insulate us from making these comfortable decisions—fine, let's do it. But he doesn't feel like they need to make the decision now. It's a staff and budgeting issue that hopefully will go forward for generations to come and not just to protect us in the interim from our incremental feel-good decisions.

Council member Beerman says he's never seen such a young crew come in and give input and he's grateful for that. He said so many of the decisions they make on the Council stretch into the future, so he encouraged them to stay involved. He thinks this issue can't and shouldn't wait. Council has been talking for a long time about this issue and he thinks it's time to show urgency on this.

Ober asks if we could just use the term "energy" and come back with a plan. She explains that if they're successful they'll be bringing in ideas that are cutting edge and in order to avoid the ire of the state legislature it's better to use the term "energy" rather than "climate."

Council recommends Staff Recommendation A and to call this a critical priority. Foster states Staff will come back in October with further clarification and recommendations.

## **REGULAR MEETING**

**ROLL CALL** – Mayor Jack Thomas called the regular meeting of the City Council to order at approximately 6:00 pm at the Marsac Building on Thursday, September 24, 2015. Members in attendance were Jack Thomas, Andy Beerman, Dick Peek, Liza Simpson, Tim Henney and Cindy Matsumoto. Staff members present were Diane Foster, City Manager; Matt Dias, Assistant City Manager; Mark Harrington, City Attorney; Karen Anderson, Deputy City Recorder; Hugh Daniels, Emergency Manager; Bruce Erickson, Planning Director.

### **I. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF**

#### Park City Municipal Safety Awards Recognition - Manager's Report

Hugh Daniels presented recent awards to Mayor Thomas won by the city's safety program. One is a certificate of accomplishment from Workers Compensation Fund of Utah; the other is Achievement in Safety by an Organization for our new AED public program from the Utah Safety Council.

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

Whitney Leavitt, prevention and awareness coordinator for Peace House says October is domestic violence awareness month. She invited everyone to their awareness walk on October 6th, 6:00 pm at New Park Amphitheatre. Wear purple.

Corby Cluff and Cody Stewart thank those who have helped them with their cause regarding the noise and ordinance they brought before Council last week. They love this community and are proud to call Park City home; however, they are appalled at the negligence, discrimination, incompetency, and irreprehensible behavior of police and city staff. They asked to file a formal complaint against several staff members. Stewart defined what exactly is prohibited by the noise ordinance and says the city should put the health and well-being of their citizens above any commercial activity. Cited county health code and says the noise ordinance contained within the Summit County health code supersedes the city's noise ordinance. Mayor Thomas thanked Stewart

and Cluff for their comments. Harrington says the city will respond through a meeting with the city manager on Monday and will make it clear to them what their options are.

#### **IV. CONSIDERATION OF MINUTES**

1. Consideration of a request to approve the Meeting Minutes from August 6 and August 20, 2015.

**Council member Simpson moved to approved the meeting minutes from August 6 & August 20, 2015  
Council member Henney seconded  
Approved unanimously**

#### **V. CONSENT AGENDA**

1. Consideration of a request to authorize the City Manager to enter into a Professional Services Agreement, in a Form Approved by the City Attorney, with Stanley Consultants for consultant services related to the re-construction of Lowell Avenue in an amount not to exceed \$397,323.

**Council member Simpson moved to approve entering into a professional services agreement, in a form approved by the city attorney, with Stanley Consultants for consultant services related to the re-construction of Lowell Avenue in an amount not to exceed \$397,323  
Council member Beerman seconded  
Approved unanimously**

#### **VI. NEW BUSINESS**

No new business was heard.

#### **VII. ADJOURNMENT**

**Council member Peek moved to adjourn  
Council member Simpson seconded  
Approved unanimously**

#### **CLOSED SESSION MEMORANDUM**

The City Council met in a closed session at approximately 3:15 p.m. Members in attendance were Mayor Jack Thomas, Council members Andy Beerman, Dick Peek, Tim Henney, Liza Simpson and Cindy Matsumoto. Staff members present were: Diane Foster, City Manager; Matt Dias, Assistant City Manager; Mark Harrington, City Attorney; Tom Daley, Deputy City Attorney; Alfred Knotts, Transportation Planning Manager; Ann Ober, Senior Policy Advisor; Polly Samuels McLean, Legal; and Jason Glidden, Special Events Manager.

**Council member Peek moved to close the meeting to discuss Property, Litigation and Personnel.  
Council member Simpson seconded. Motion Carried.**

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



**DATE: October 29, 2015**

**TO HONORABLE MAYOR AND COUNCIL**

As the Council is aware, the City and the County have been working cooperatively on a variety of transportation related efforts to address the existing and future mobility needs of the region. Similar to the City, the County Council has declared transportation as one of the top priorities to be focused on for the foreseeable future. One area of emphasis for both jurisdictions is related to effective parking management, including remote parking outside the City limits and the Snyderville Basin.

The goal of remote parking is to establish strategic parking locations that serve as intercept lots where auto travelers can safely and conveniently park for extended hours and access their destination via mass transit, car pool, and/or non-motorized means, such as walking or bicycling. A few park and rider areas currently exist such as Richardson Flat Park and Ride and the Jeremy Ranch Park and Ride, however, these facilities are either underutilized or not adequately served by existing transit services.

Construction of remote parking lots served by efficient and high frequency transit is key strategy identified in the SR 224 and SR 248 Corridor Plans as well as the longer range plans such as the 2011 Park City Traffic and Transportation Plan and the 2009 Snyderville Basin Transportation Master Plan. It should also be noted that planning and construction remote parking facilities are anticipated to be a key recommendation from the various planning studies currently underway by the City and County, including a joint long range transportation plan.

**Respectfully:**

Alfred Knotts, Transportation Planning Manager

# City Council Staff Report



**Subject:** Resolution Authorizing the Establishing of a Blue Ribbon Citizen’s Advisory Committee on Remote Parking Jointly with Summit County

**Author:** Alfred Knotts, Transportation Planning Manager  
Brooks Robinson, Senior Transportation Planner

**Department:** Transportation Planning

**Date:** October 29, 2015

**Type of Item:** Administrative

### Summary Recommendations:

Council should approve the attached resolution authorizing the establishment of a Blue Ribbon Citizens Advisory Committee (CAC) jointly with Summit County on the development and implementation of sound, feasible, and cost effective community-wide remote parking solutions.

### Acronyms in this Report

CAC - Citizens Advisory Committee  
LRTP – Long Range Transportation Plan

### Executive Summary:

As the Council is aware, the City and the County have been working cooperatively on a variety of transportation related efforts to address the existing and future mobility needs of the region. Similar to the City, the County Council has declared transportation as one of the top priorities to be focused on for the foreseeable future. One area of emphasis for both jurisdictions is related to effective parking management, including remote parking outside the City limits as well as in and around the Snyderville Basin. The goal of remote parking is to establish strategic parking locations that serve as intercept lots where auto travelers can safely and conveniently park for extended hours and access their destination via mass transit, car pool, and/or non-motorized means, such as walking or bicycling.

Construction of remote parking lots served by efficient and high frequency transit is a key strategy identified in the SR 224 and SR 248 Corridor Plans as well as the longer range plans such as the 2011 Park City Traffic and Transportation Plan and the 2009 Snyderville Basin Transportation Master Plan. It should also be noted that planning and construction remote parking facilities are anticipated to be a key recommendation from the various planning studies currently underway by the City and County, including a joint Long Range Transportation Plan (LRTP) currently under development.

**Background:**

On September 23, 2015, the Mayor and City Council were sent correspondence from Summit County County Manager, Tom Fisher requesting the City endorse the establishment of a “Blue Ribbon Citizen’s Advisory Committee” for remote parking (Exhibit A). As described in the correspondence, the mission of the CAC, jointly developed by City and County staff, is as follows:

*The Blue Ribbon Citizens' Advisory Committee (CAC) is a volunteer advisory group to Summit County and Park City as they prepare a long-term regional transportation plan. As a volunteer advisory group, the members of the CAC make recommendations based upon members' expertise and experience, together with community input and engagement. The intent of the CAC is to advise the City and County on the development and implementation of sound, feasible, and cost effective community-wide remote parking solutions through constructive community engagement. The CAC does not set regulations or policy and does not have independent duties or authority to take actions or make any recommendations that will bind the City or County.*

To officially authorize the establishment of the CAC as a joint effort between Park City and Summit County, both the City and County are proposing the approval of a resolution (Exhibit B) which authorized the establishment of the CAC as well as outlines roles and responsibilities, membership, conduct of business, and leadership.

**Analysis:**

Staff has reviewed the attached resolution and recommends and believes the establishment and subsequent participation in the CAC will result in further both the County and the City’s transportation goals. Given these facilities are anticipated to be located outside of the Park City limits, the County will be tasked with the primary responsibility for convening meetings, compiling meeting minutes, and reporting on general committee progress while City staff will provide technical support and assist in administrative support.

In regards to the appointment process, it is anticipated that the CAC will consist of no more than twelve (12) members with 50% appointed by the County Council and 50% by the City Council. Formal appointments will be brought back to the City Council for consideration and action at a future meeting.

**Department Review:**

Legal, City Manager, and Public Works have reviewed this report.

**Alternatives:****A. Approve:**

Council should review this report and approve the attached resolution authorizing the establishment of the CAC and staff’s subsequent participation, and direct staff to proceed. **This is Staff’s recommendation.**

**B. Deny:**

Council could choose not to approve the resolution and not participate in the CAC process. This could compromise the City’s ability to develop regional transportation solutions.

**C. Modify:**

Council could choose to modify the resolution. This could create inconsistencies in the language between the City resolution and the County resolution.

**D. Continue the Item:**

Council could defer the item to a later date and request staff bring additional information back to Council.

**E. Do Nothing:**

Council could choose to take no action.

	<b>World Class Multi-Seasonal Resort Destination</b>  (Economic Impact)	<b>Preserving &amp; Enhancing the Natural Environment</b>  (Environmental Impact)	<b>An Inclusive Community of Diverse Economic &amp; Cultural Opportunities</b>  (Social Equity Impact)	<b>Responsive, Cutting-Edge &amp; Effective Government</b>
Which Desired Outcomes might the Recommended Action Impact?	<ul style="list-style-type: none"> <li>+ Accessible and world-class recreational facilities, parks and programs</li> <li>+ Well-utilized regional public transit</li> <li>+ Accessibility during peak seasonal times</li> </ul>	<ul style="list-style-type: none"> <li>+ Reduced municipal, business and community carbon footprints</li> </ul>	<ul style="list-style-type: none"> <li>+ Shared use of Main Street by locals and visitors</li> <li>+ Physically and socially connected neighborhoods</li> </ul>	<ul style="list-style-type: none"> <li>+ Well-maintained assets and infrastructure</li> <li>+ Ease of access to desired information for citizens and visitors</li> </ul>
Assessment of Overall Impact on Council Priority (Quality of Life Impact)	Very Positive 	Positive 	Very Positive 	Very Positive 

**Funding Source:**

Transit Fund

**Consequences of not taking the recommended action:**

The City has traditionally taken a proactive stance in trying to address community issues before they become critical. Transportation and the movement of more people efficiently in and through town could quickly approach unacceptable levels during peak times and will continue to be a social, economic, and political issue in the coming years. Transportation is an issue identified in the Vision Park City process as a “critical priority. Additionally, the City and the County have committed to work cooperatively to develop regional transportation solutions. Should the City not take the recommended action, it is anticipated that the County will proceed with establishing the CAC with little to no input from the City thereby jeopardizing our ability to implement future region-wide transportation solutions.

**Recommendation:**

Council should review this report and approve the attached resolution authorizing the establishment of the CAC and staff’s subsequent participation, and direct staff to proceed.

**EXHIBITS**

Exhibit A –September 23, 2015 County correspondence

Exhibit B - Resolution

COUNTY MANAGER



TOM FISHER

September 23, 2015

The Honorable Jack Thomas, Mayor  
City Council of Park City  
445 Marsac Avenue, P.O. Box 1480  
Park City, Utah 84060

To: **DIANE**  
**MATT** ✓

From: **JACK**

Re: Establishment of a Blue Ribbon Citizens Advisory Committee

Dear Mayor Thomas and City Council Members:

In an effort to address the ongoing parking issues experienced by visitors, residents, and employees in the greater Park City area, Summit County would like to establish a blue ribbon citizen advisory committee (CAC) comprised of City and County residents. The proposed CAC will be charged with identifying innovative strategies to alleviate current and future remote parking pressures within the greater Park City area. The results of this effort could be captured in a soon to be initiated regional transportation plan for Summit County. Park City and County staff have collaborated to outline the specific mission of the CAC, as follows:

*The Blue Ribbon Citizens' Advisory Committee (CAC) is a volunteer advisory group to Summit County and Park City as they prepare a long-term regional transportation plan. As a volunteer advisory group, the members of the CAC make recommendations based upon members' expertise and experience, together with community input and engagement. The intent of the CAC is to advise the City and County on the development and implementation of sound, feasible, and cost effective community-wide remote parking solutions through constructive community engagement. The CAC does not set regulations or policy and does not have independent duties or authority to take actions or make any recommendations that will bind the City or County.*

The CAC would be made up of City and County citizen volunteers, chosen under a selection process to be outlined by City and County staff. Members of the CAC will be asked to execute a formal commitment form, dedicating members to attend scheduled meetings and provide meaningful input to the advisory process. Caroline Ferris, Summit County's Regional Transportation Planning Director, is the proposed committee administrator and would be responsible for convening meetings, compiling meeting minutes, and reporting on general committee progress. Alfred Knotts, the City's Transportation Planning Manager, will work in

60 North Main P.O. Box 128 Coalville, UT 84017  
Office (435) 336-3110 Mobile (970) 640-1757 tfisher@summitcounty.org

concert with Ms. Ferris. General committee oversight will also be provided by the elected officials governing the regional transportation plan process (to be established).

I view the City and County as strategic, sponsoring partners of this committee. I invite each Council to pass a resolution to officially authorize the CAC as a joint effort between Park City and Summit County. I believe support from both parties is essential to the overall success of the CAC and hope that we will join in establishing this committee.

Please let me know if you have any suggestions, comments or concerns.

Very truly yours,

A handwritten signature in black ink, appearing to read "Thomas C. Fisher". The signature is fluid and cursive, with the first name "Thomas" and last name "Fisher" clearly distinguishable.

Thomas C. Fisher

c: Kim Carson, County Council Chair

Resolution No - \_\_\_\_\_

**A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A BLUE RIBBON CITIZENS ADVISORY COMMITTEE TO FOCUS ON REMOTE PARKING SOLUTIONS WITHIN THE GREATER PARK CITY AREA**

**WHEREAS**, a safe and efficient transportation system creates the foundation for economic growth and improved quality of life; and

**WHEREAS**, the creation and maintenance of transportation infrastructure is one of the core responsibilities of local government; and

**WHEREAS**, Summit County (the "**County**") and Park City Municipal Corporation (the "**City**") are engaged in a long-range regional transportation planning process for the Snyderville Basin and the City (together, the "**Greater Park City Area**"); and

**WHEREAS**, traffic congestion on state highways and local road network within the Greater Park City Area continues to increase and poses a significant reduction to the quality of life to our residents, visitors, and employees; and,

**WHEREAS**, current and future remote parking demands within the Greater Park City Area will continue to grow, adding to our traffic congestion problems; and,

**WHEREAS**, a Blue Ribbon Citizens' Advisory Committee (the "**CAC**"), composed of citizen volunteers, should act as an advisory group to the County and City as they prepare a remote parking strategies as part of the long-range regional transportation plan. Charged with identifying innovative strategies, including physical locations, to alleviate current and future remote parking demands within the Greater Park City Area, the CAC would be able to make recommendations based upon its members' expertise and experience, together with community input and engagement; and,

**WHEREAS**, the CAC is strictly advisory, and therefore, will possess no regulatory authority and its recommendations shall have no binding effect upon either the County or City; and,

**WHEREAS**, staffing to the CAC will be provided by both the County and City; and,

**WHEREAS**, the County and City find that it is in the best interests of their respective citizens to form the CAC for the purposes set forth herein;

**NOW THEREFORE, BE IT RESOLVED BY PARK CITY COUNCIL:**

**SECTION 1. Citizen Advisory Committee Established.** A Citizens Advisory Committee is hereby established for the purpose of providing recommendations to the County and City on the development and implementation of sound, feasible, and cost effective community-wide remote parking solutions through constructive community engagement. The CAC shall possess no regulatory or rule making authority.

**SECTION 2. Governance.**

a. *Membership.* The CAC shall consist of no more than twelve (12) persons, six (6) of whom shall be appointed by the Park City Council and six (6) shall be appointed by the Summit County Council (together, the "**Appointing Authorities**"), each of whom shall be a registered voter within the Greater Park City Area and whose term shall be three (3) years. Vacancies of the twelve (12) appointed members of said committee, other than by expiration of term, shall be filled by appointment by the appropriate Appointing Authority for the unexpired term of the committee member whose vacancy is filled. At the end of a committee member's term, the position is considered vacant and the appropriate Appointing Authority may either reappoint the old committee member or appoint a new member. The appropriate Appointing Authority may remove a committee member with or without cause.

b. *Conduct of Business.* The CAC shall conduct its business according to bylaws with the committee meeting as needed to act on its business of making recommendations to the County and City. The CAC shall be staffed by both the County and City with the County taking primary responsibility for convening meetings, compiling meeting minutes, and reporting on general committee progress.

c. *Leadership.* The CAC shall elect a chair and vice chair.

**SECTION 3. Effective Date.** This Resolution shall become effective upon adoption and shall remain in effect until amended or repealed by resolutuion.

**APPROVED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.**

\_\_\_\_\_  
Jack Thomas  
Mayor

Attest: \_\_\_\_\_  
City Recorder

Approved as to form: \_\_\_\_\_  
Mark Harrington  
City Attorney



**DATE: October 29, 2015**

**TO HONORABLE MAYOR AND COUNCIL**

The City and Summit County staff have been working together to create an Alternative Transportation Trip Marketing Program that would encourage residents and visitors of the Greater Park City Area to use an alternate form of transportation, including our local Transit system, for one trip per week.

Summit County, in coordination with Park City staff, issued a Request for Proposal for a marketing firm to help with this joint marketing effort was submitted and the Penna Powers Agency was selected.

Summit County will administer the contract with Penna Powers and Park City will, consistent with the cooperative agreement, pay Summit County their equal share of the expenses. This report is for authorization for the City Manager to enter into the attached cooperative agreement with Summit County (Attachment A)

**Respectfully:**

Matt Dias, Asst City Manager



## City Council Staff Report

**Subject:** Park City/Summit County Alternative Trip Program

**Author:** Blake Fannesbeck

**Department:** Transit and Public Works

**Date:** October 23, 2015

**Type of Item:** Administrative - Interlocal Agreement

### **Summary Recommendations:**

Adopt a resolution authorizing the City Manager to enter into a two year cooperative agreement in a form approved by the City Attorney with Summit County in an amount not to exceed a total of \$301,615 to create an Alternative Transportation Trip Marketing Program. The City would be responsible for 50% of the \$301,615, which equates to \$150,807.50.

### **Executive Summary:**

The City and Summit County staff have been working together to create an Alternative Transportation Trip Marketing Program that would encourage residents and visitors of the Greater Park City Area to use an alternate form of transportation, including our local Transit system, for one trip per week.

Summit County, in coordination with Park City staff, issued a Request for Proposal for a marketing firm to help with this joint marketing effort was submitted and the Penna Powers Agency was selected.

Summit County will administer the contract with Penna Powers and Park City will, consistent with the cooperative agreement, pay Summit County their equal share of the expenses. This report is for authorization for the City Manager to enter into the attached cooperative agreement with Summit County (Attachment A)

### **Topic/Description:**

Approve an Interlocal Cooperative Agreement with Summit County for the Trip Alternative Program.

### **Acronyms in this Report:**

None

### **Background:**

Pursuant to both the City's and County Councils goals to focus on reducing transportation congestion in the Park City and the surrounding greater Park City Area, the Joint Transit Advisory Board along with City and County staff recommended that a Marketing Program be developed that would encourage residents to use an **"Alternative Form of Transportation at least once per week."** Such forms of transportation could be for example: Transit, Carpooling, Bike, Walk, and Telecommuting. The overall program goal is to convert 10% of locals who use

alternative transportation infrequently or not at all to using alternative transportation one or more times per week. Additionally, the program will target two other user groups:

- visitors will be encouraged not rent a car when coming to Park City; and
- employees of Park City businesses who live in sections of Salt Lake City convenient to the PC Connect bus service will be encouraged to use that service..

Staff determined at the time that in order to create a successful and consistent campaign that we needed to enlist the services of a professional marketing firm. A Request for Proposal was advertised and a formal selection process, including representatives from both the City and Summit County, was conducted. The Penna Powers Agency was selected and a Marketing Program scope of work (Attachment B) was created along with measurement metrics to determine the success of the campaign.

It was also determined that the program would need to be consistent and over a two year period to truly affect change. Following the City and County staff review, clarification, and refinement of the scope of work and considering the dollar investment in such a program, the parties drafted an Interlocal Cooperative Agreement.

**Analysis:**

This Interlocal Cooperative Agreement outlines the roles and financial responsibilities of both the City and Summit County pertaining to the administration of the Park City/Summit County Alternative Trip Program. The program will last for two years, and research will be conducted to establish target demographics and a base line of their current alternative transportation usage. With the goal of increasing ride alternatives by 10% over the next two years, the program will collect data to determine achievement of the goal.

Under the terms of the draft agreement, the County will fully control the work product requested and billing approval. The City will automatically be required to pay 50% of bills upon County approval. Staff is comfortable with the proposed contract administration because of the City's heavy involvement on the front end of creation of scope of work and selection process. Both parties will have to jointly pre-approve additional services beyond the current scope of work. If there is a disagreement, either party may terminate the agreement with 30 days notice and have no further financial obligation.

**Department Review:**

This report was reviewed by the Transit and Public Works Department, Transportation Planning, and Legal Department.

**Alternatives:**

**A. Approve:**

Authorize the City Manager to enter into an Interlocal Agreement with Summit County for the Alternative Trip Program not to exceed the City portion of \$150,807.50 during the two year cooperative agreement in a form approved by the City Attorney. This is staff's recommendation.

**B. Deny:**

Deny Staff's Request. This would eliminate the assistance of the professional marketing agency from the alternative trip program. A reduced level of effort could potentially be provided with in-house resources; however, it is unlikely it would yield the desired results. This approach would also require additional coordination and resources from the County.

**C. Modify:**

Council could modify the agreement and staff would need to work with County Staff to determine if the program was still viable for the County to continue the program with modifications.

**D. Continue the Item:**

Staff does not recommend delaying the request. Time is of the essence if the Marketing firm is to get a program put together for this upcoming winter season.

**E. Do Nothing:**

This alternative would have the same impact a denying Staff's request and could hamper efforts of future cooperation between the City and County on Transportation issues.

**Significant Impacts:**

	<b>World Class Multi-Seasonal Resort Destination (Economic Impact)</b>	<b>Preserving &amp; Enhancing the Natural Environment (Environmental Impact)</b>	<b>An Inclusive Community of Diverse Economic &amp; Cultural Opportunities (Social Equity Impact)</b>	<b>Responsive, Cutting-Edge &amp; Effective Government</b>
Which Desired Outcomes might the Recommended Action Impact?	+ Accessible and world-class recreational facilities, parks and programs + Accessibility during peak seasonal times + Well-utilized regional public transit	+ Reduced municipal, business and community carbon footprints		+ Engaged and informed citizenry
Assessment of Overall Impact on Council Priority ( <i>Quality of Life Impact</i> )	Positive 	Positive 		Positive 
<b>Comments:</b>				

**Funding Source:**

Funds for the approximately \$75,000/year is available in the Transit Operating budget.

**Consequences of not taking the recommended action:**

Both the City and County Councils have placed Transportation and reducing congestion as one of their top priorities. Not moving forward with this cooperative agreement could jeopardize future opportunities to partner with the County on transportation issues and solutions.

**Recommendation:**

Authorize the City Manager to enter into an Interlocal Agreement with Summit County for the Alternative Trip Program not to exceed the City portion of \$150,807.50 during the two year cooperative agreement in a form approved by the City Attorney. This is staff's recommendation.

**INTERLOCAL COOPERATIVE AGREEMENT**  
**Between**  
**SUMMIT COUNTY AND PARK CITY**  
**For**  
**COST SHARING THE PARK CITY/SUMMIT COUNTY**  
**ALTERNATIVE TRIP PROGRAM**

**THIS COOPERATIVE AGREEMENT**, (the “Agreement”) made and entered into this \_\_\_\_\_ day of \_\_\_\_\_ 2015, by and between **SUMMIT COUNTY**, a political subdivision of the State of Utah, hereinafter referred to as “**County,**” and **PARK CITY MUNICIPAL CORPORATION**, a Municipal Corporation of the State of Utah, hereinafter referred to as “**City.**” The City and the County are hereafter sometimes referred to individually as a “Party” and collectively as the “Parties.”

**WITNESSETH**

**WHEREAS**, the Parties are local governmental units and “public agencies” and are therefore authorized by the Utah Interlocal Cooperation Act, Section 11-13-101, et. seq., Utah Code Annotated, to enter into agreements with each other for joint and cooperative action which will enable them to make the most efficient use of their powers on a basis of mutual advantage, and

**WHEREAS**, the Parties have determined that it is in the public interest to study and explore alternative trips / methods of transportation within the Park City and Summit County areas; and

**WHEREAS**, the County has authorized Penna Powers Inc., a Utah Corporation, that specializes in marketing and public relations, to provide qualified professional services including but not limited to research, strategic planning, account administration, media relations, and writing as it relates to the Park City / Summit County alternative trip program (hereinafter referred to as “Project”); and

**WHEREAS**, it has been agreed to the advantage of both Parties hereto to be included as part of above said Project; and

**WHEREAS**, the Parties desire to cooperate with each other in funding and sharing the costs of the Project;

**WHEREAS**, the Parties desire to enter into an agreement whereby their respective responsibilities concerning the Project are specifically set forth.

**NOW THEREFORE**, in consideration of the mutual promises set forth herein the Parties agree as follows:

1) **Project:** The County, through its Public Works Department, and with input from the City entered into a Work Authorization agreement dated July 31, 2015 with Penna Powers, Inc a Utah corporation that specializes in marketing and public relations, to provide marketing services including but not limited to research, strategic planning, account administration, media relations, and writing as it relates to the Park City / Summit County alternative trip program. Penna Powers, Inc has provided the Parties with a Scope of Work for the project, attached hereto as Exhibit A, which outlines nine specific project “tasks” related to the Park City/Summit County Trip Alternative Program, a time frame within which the tasks will be completed, and an agreed upon budget to accomplish all scoped tasks. The Parties agree to cooperate with each other in providing documents and other pertinent information requested by Penna Powers necessary to enable them to prepare and complete the tasks.

2) **Finance and Budget:** Penna Powers and the County have or will enter into a contract for the Project for \$301,615.00. The Parties hereby agree that each shall be responsible for ½ of the total budget for the Project. The County shall be responsible for paying Penna Powers 100% of the cost upon receipt of invoice(s) as outlined in the Work Authorization, limited to work authorized in the jointly approved Scope of Work. The County shall send the City a separate invoice for ½ of Penna Power’s invoiced costs, which the City agrees to pay within thirty (30) days of receipt. In its Scope of Work, Penna Powers outlined “Al a Carte Paid Media Options” available to the Parties. The Parties hereby agree that the Parties must mutually agree in writing to provide for additional funds related to these optional services prior to authorization of additional work.

3) **County Responsibilities:** The County shall be the administrator responsible for all matters pertaining to the Project and the services agreement with Penna Powers and shall further be responsible for providing funding as set forth in paragraph 2 above.

4) **City Responsibilities:** The City shall be responsible for providing funding as set forth in paragraph 2, above and timely review of and comment on deliverables the City shall also be responsible for informing Park City elected officials of the status of the Project, as appropriate.

5) **No Interlocal Entity:** Pursuant to UCA, §11-13-206, the Parties agree that they do not by this agreement create an interlocal entity. Other than work product from Penna, the parties do not authorize acquiring, holding, and disposing of any real and personal property.

6) **Effective Date:** Pursuant to UCA, §11-13-206, this Agreement shall be effective upon publication, and shall have a term of two (2) years from the date of execution.

7) **Termination:** Pursuant to UCA, §11-13-206, the Parties agree that this Agreement may be terminated, with or without cause, by either Party upon at least thirty (30) days notice to the other Party, in which event an accounting shall be made of all funds, whether spent, unspent, or encumbered, as of the effective date of termination.

8) **Assignment:** This Agreement may not be assigned by either Party.

9) **Indemnification; Immunity:** The Parties are governmental entities subject to the Governmental Immunity Act of Utah, UCA §§63G-7-101 thru 904 (1953, as amended). Each Party agrees to indemnify, defend and save harmless the other from and against all claims, suits and costs, including attorneys' fees for injury or damage of any kind, arising out the negligent acts, errors or omissions of the indemnifying Party's officers, agents, contractors or employees in the performance of this Agreement. Nothing in this paragraph is intended to create additional rights to third parties or to waive any provision of the Governmental Immunity Act of Utah, provided said Act applies to the action or omission giving rise to the protections in this paragraph. The indemnification in this paragraph shall survive the expiration or termination of this Agreement.

10) **Execution:** This Agreement may be executed in one or more counterparts, each of which shall be an original, with the same effect as if the signatures thereto and hereto were upon the same instrument. This Agreement shall become effective when each Party hereto shall have received a counterpart hereof signed by the other Party hereto.

11) **Choice of Law:** This Agreement shall be governed by the laws of the State of Utah both as to interpretation and performance.

12) **Third Parties:** Nothing contained in this Agreement shall be deemed or construed, either by the Parties hereto or by any third party, to create the relationship of principal and agent or create any partnership, joint venture or other association between the Parties.

13) **Full Agreement:** This Agreement contains the entire agreement between the Parties, with respect to the subject matter hereof, and no statements, promises, or inducements made by either Party or agents for either Party that are not contained in this written Agreement shall be binding or valid.

14) **Severability:** If any provision hereof shall be held or deemed to be or shall, in fact, be inoperative or unenforceable as applied in any particular case in any jurisdiction or in all jurisdictions, or in all cases because it conflicts with any other provision or provisions hereof or any constitution or statute or rule or public policy, or for any other reason, such circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable in any other case or circumstance, or of rendering any other provision or provisions herein contained invalid, inoperative, or unenforceable to any extent whatever. The invalidity of any one or more phrases, sentences, clauses, or paragraphs herein contained, shall not affect the remaining portions hereof, or any part thereof.

15) **Authority:** Each Party represents that it has the authority to enter into this Agreement.

**IN WITNESS WHEREOF**, the Parties hereto have caused these presents to be executed by their duly authorized officers as of the day and year first above written.

**SUMMIT COUNTY,**  
A Political Subdivision of the State of Utah

By \_\_\_\_\_

Date \_\_\_\_\_

**PARK CITY CORPORATION,**  
A Municipal Corporation in the State of Utah

By \_\_\_\_\_

Date \_\_\_\_\_

**Resolution No. \_\_-15**

**A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT BETWEEN PARK CITY AND SUMMIT COUNTY AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT REGARDING ALTERNATIVE TRANSPORTATION IN A FORM APPROVED BY THE CITY ATTORNEY**

WHEREAS, the Interlocal Cooperation Act provides that any power that may be exercised by any public agency may be exercised and enjoyed jointly with other public agencies pursuant to an agreement approved by each public agency; and

WHEREAS, Park City Municipal Corporation (PCMC) has determined by vote of its governing body to enter into this Interlocal Cooperation Agreement to enhance the effectiveness of cooperative efforts between the parties regarding alternative transportation; and

WHEREAS, both PCMC and County will benefit from the coordinated public relations and operations contemplated by this Agreement.

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

1. The City Council hereby authorizes the City Manager to execute the Interlocal Agreement between Park City and Summit County attached as Exhibit A, in a form approved by the City Attorney's Office.
2. This resolution shall be effective upon publication.

PASSED AND ADOPTED this \_\_\_\_ day of October, 2015.

PARK CITY MUNICIPAL CORPORATION

\_\_\_\_\_  
Mayor Jack Thomas

Attest:

\_\_\_\_\_  
City Recorder

Approved to form:

\_\_\_\_\_  
Mark D. Harrington, City Attorney



**Park City / Summit County Trip Alternative Program  
Penna Powers Scope of Work  
Dated 10/02/2015**

**Park City / Snyderville Basin Locals, Season Pass Holders  
& One National Market**

**Scope of Work – Social Change Services:**

**TASK 1: ACCOUNT MANAGEMENT, MEETINGS, STRATEGY**

- a) Team and client meeting and correspondence
- b) Strategic planning
- c) Account oversight and internal team coordination
- d) Contract management and billing

**Deliverables:**

- a) Approximately 25 hours per month for 24 months (may fluctuate from month-to-month depending on tasks at hand, but not to exceed 600 hours total.)
- b) Bi-weekly team communication meetings
- c) Drafts and finalized bi-weekly meeting agendas
- d) Drafts and finalized bi-weekly meeting notes
- e) Day-to-day coordination between the program manager and Penna Powers
- f) Facilitation and coordination between Summit County program and TravelWise
- g) Monthly progress reports included with invoices

**Assumptions:**

- a) Majority of bi-weekly meetings to be held at Summit County office or via teleconference

**TASK 2: RESEARCH**

- a) Telephone pre-campaign survey of 400 Park City and Snyderville Basin locals
- b) Telephone post-campaign survey of 400 Park City and Snyderville Basin locals
- c) Three pre-campaign focus groups
- d) Surveys and focus groups will be conducted using Lighthouse Research

**Deliverables:**

- a) Draft survey and focus group questions for review and comment by County and City Staff
- b) Finalized survey and focus group questions; incorporating feedback from draft
- c) Draft and finalized report of survey and focus group results written by Lighthouse Research

Assumptions:

- a) Summit County and Park City will provide timely feedback and approvals within 4 working days of receipt of survey questions and reports
- b) Survey results from Park City TDM study will also be available for reference and use in this project

**TASK 3: COMMUNICATION/ MARKETING PLAN**

- a) Develop one marketing and communication plan specific to the trip alternative marketing campaign and its identified target audience

Deliverables

- a) Facilitate three communication-marketing plan meetings
- b) Facilitate the review of the draft document as it is developed
- c) Draft plan will be provided to County and City staff for review and comment
- d) Finalized plan will incorporate feedback from drafts
- e) Comprehensive, final written communication plan provided in PDF and Word format and distributed electronically

Assumptions

- a) Work with Park City/Summit County to develop plan goals and objectives
- b) Three, two-hour, communication-marketing plan meetings
- c) Plan must include measurable goals, objectives and strategies
- d) Research results and identified target audiences will guide development of plan objectives and strategies.
- e) Plan will include outreach to Park City locals, businesses, community groups, season pass holders and identified out-of-state trial hot spot site

**TASK 4: BRANDING**

- a) Develop a program brand and identity specific to Park City / Snyderville Basin trip alternative marketing campaign

Deliverables:

- a) Three to four draft logo options provided to County and City staff for review, feedback, selection and approval
- b) Finalized program logo and brand materials

Assumptions:

- a) Brand development will be guided by research findings and input from County and City representatives

**TASK 5: COMMUNITY OUTREACH**

- a) Outreach to Park City/Snyderville Basin locals
- b) Business outreach and partnerships
- c) Outreach to community groups, including Rotary Club, Newcomers Club, Board of Realtors, etc.
- d) Stakeholder initiatives as determined by the project team
- e) Partner collaboration and support
- f) Event preparation, including needed material preparation, set up, take down and attendance
- g) Direct costs

Deliverables:

- a) Approximately 15 hours per month for 24 months (may fluctuate from month-to-month depending on tasks at hand)
- b) Development of PowerPoint presentation for use in outreach to businesses, employers and community groups
- c) Draft PowerPoint presentation provided to County and City staff for review and comment
- d) Finalized PowerPoint presentations, incorporating feedback from draft
- e) Prepared presentation for use by elected officials and staff
- f) Assistance to businesses as they implement trip alternative plans in their offices
- g) Attendance at events as determined on a case-by-case basis

Assumptions:

- a) Summit County and Park City will provide timely feedback and approvals as needed within 4 working days

**TASK 6: SOCIAL MEDIA**

- a) Social media management
- b) Facebook
- c) Twitter

Deliverables:

- a) Approximately 8 hours per month for 24 months (may fluctuate from month-to-month depending on tasks at hand)
- b) Social media content including hyper-target promoted Facebook posts informing the local public of transportation options
- c) Maintenance of program's Facebook and Twitter feeds
- d) Location-based Facebook ads targeting identified markets

Assumptions:

- a) Summit County and Park City will provide timely feedback and approvals as needed within 4 working days

**TASK 7: CREATIVE SERVICES**

- a) General collateral and material development
- b) PowerPoint presentation template production
- c) Direct costs (production, printing, etc.)

Deliverables:

- a) Collateral/presentations for community outreach
- b) Electronic content for lodging companies to integrate into their email follow-up with guests who have booked Park City vacations
- c) Electronic content for ski resorts to distribute via email to season pass customers
- d) Draft materials will be provided to County and City staff for review and comment
- e) Finalized materials will incorporate feedback from drafts

Assumptions:

- a) Direct costs for printing collateral
- b) Some TravelWise materials may be utilized and repurposed for Summit County needs, pending authorized use by UDOT TravelWise.
- c) Summit County and Park City will provide timely feedback and approvals as needed within 4 working days

**TASK 8: PAID MEDIA**

- a) Concepts and collateral for radio, online, and social media
- b) Direct costs of advertising

Deliverables:

- a) Creative content
- b) Drafts of creative content will be provided to County and City for feedback
- c) Finalized creative content will include feedback from drafts and be provided to County and City for approval
- d) Radio advertising on Pandora targeting Summit County residents
- e) Retargeting of the landing page/parkcity.org to locals
- f) Search retargeting of out-of-town day visitors
- g) Search retargeting of one national market to be identified by the team

Assumptions:

- a) Utilization of Park City and Summit County “good will” with KPCW and the Park Record to minimize media buys in those outlets
- b) Summit County and Park City will provide timely feedback and approvals as needed within 4 working days

**TASK 9: LANDING PAGE DEVELOPEMENT & MAINTENANCE**

- a) Develop a program landing page (no more than two pages)
- b) Landing page updates and maintenance (as needed)
- c) Initial search engine optimization to ensure reach of target audiences
- d) Direct costs (hosting, etc.)

Deliverables:

- a) Staged draft landing page provided to County and City staff for review and feedback
- b) Finalized landing page will incorporate feedback from draft and be provided to County and City staff for approval
- c) Finalized program landing page and content

Assumptions:

- a) Summit County and Park City will provide timely feedback and approvals as needed within 4 working days
- b) Landing page will be hosted by Penna Powers

**Timeline**

**Pre-research Start Date: September 2015**

**Start Date: October 2015**

**Completion Date: November 2017**



**DATE: October 29, 2015**

**TO HONORABLE MAYOR AND COUNCIL**

At the October 6, 2015 site visit and work session the Applicant presented a possible amendment to their application which they call the Gully Plan. At the work session, Council rejected the request for the amended plan to only be reviewed by Council. Based on the discussion at work session with the stipulation of the Applicant, Staff is recommending that the amended plan be remanded back to the Planning Commission for its review and recommendation.

**Respectfully:**

Matt Dias, Asst City Manager

# City Council Staff Report



1884

PLANNING DEPARTMENT

**Subject:** Alice Claim aka Alice Lode  
Subdivision & Plat Amendment  
**Project #:** PL-08-00371  
**Author:** Bruce Erikson, AICP, Planning Director  
**Date:** October 29, 2015  
**Type of Item:** Consent – Subdivision & Plat Amendment Remand

## Summary Recommendations

Staff recommends that the City Council remand the Alice Claim Subdivision and Plat Amendment located at approximately Alice Claim south of intersection of King Road, Ridge Avenue, Woodside Gulch and Sampson Avenue to the Planning Commission for its recommendation on the amended application (aka the Gully Plan). The applicant has stipulated to this remand.

*Staff reports reflect the professional recommendation of the Planning Department. The City Council, as an independent body, may consider the recommendation but should make its decisions independently.*

## Topic

**Applicant:** King Development Group, LLC (“Applicant” or “King Development”)  
**Location:** Alice Claim south of intersection of King Road, Ridge Avenue and Sampson Avenue  
**Zoning:** Historic Residential (HR-1) and Estate (E) Districts with Sensitive Lands Overlay (SLO)  
**Adjacent Land Uses:** Open Space and Residential (developed and undeveloped)  
**Reason for Review:** Planning Commission review and recommendation to City Council

## Executive Summary and Recommendation

At the October 6, 2015 site visit and work session the Applicant presented a possible amendment to their application which they call the Gully Plan. At the work session, Council rejected the request for the amended plan to only be reviewed by Council. Based on the discussion at work session with the stipulation of the Applicant, Staff is recommending that the amended plan be remanded back to the Planning Commission for its review and recommendation.

## Notice

On October 26, 2015, the property was posted and Legal notice was published on the public notice website.

## Public Input

There has been extensive public comment on this application. This remand will allow the Planning Commission to review the amended plan and consider any comments on the amended plan.

### **Process**

If remanded the Planning Commission will review the amended application and forward a recommendation for City Council review. A vote on the application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 15-1-18.

### **Alternatives**

- The City Council may remand the amended Alice Claim Subdivision and Plat Amendment to the Planning Commission for its review and recommendation ; or
- The City Council may consider the amended Alice Claim Subdivision and Plat Amendment; or
- The City Council may continue the discussion on the amended Alice Claim Subdivision and Plat Amendment

### **Consequences of not taking the Suggested Recommendation**

The Council would not have the benefit of the Planning Commission's recommendation on the amended application (aka the Gully Plan).

### **Recommendation**

Based on the discussion at work session with the stipulation of the Applicant, Staff is recommending that the amended application be remanded back to the Planning Commission for its review and recommendation.



**DATE: October 29, 2015**

**TO HONORABLE MAYOR AND COUNCIL**

The Quinns Junction Water Treatment Plant (QJWTP) Process, Capacity, & Energy Management Upgrades Project is intended to improve the reliability and energy efficiency of the City's Rockport importation and treatment infrastructure. Reliability improvements will address issues such as the ability to treat seasonally changing source water quality and risk exposures in the raw water supply and conveyance system. Energy management evaluations for the existing facilities and proposed improvements will be conducted to identify and rank energy reduction and potential renewable energy opportunities. The Project will also incorporate an evaluation of the supplemental improvements that would be required to treat tunnel related mining-influenced water at the QJWTP.

To ensure that all treatment modifications and upgrades are consistent with overall City goals and initiatives, the evaluations and recommendations will be incorporated into a QJWTP Facility Program. The Facility Program will identify and develop the treatment improvements, space needs, and costs associated with incremental treatment capacity increases enabling the City to select improvements for forwarding to design and construction.

This staff report presents a recommendation for a Professional Services Agreement (PSA) with CH2M to provide engineering services to meet these objectives.

**Respectfully:**

Nicholas Graue, Water Project Engineer



## City Council Staff Report

**Subject:** QJWTP PROCESS, CAPACITY, & ENERGY MANAGEMENT UPGRADES – ENGINEERING SERVICES PROFESSIONAL SERVICES AGREEMENT

**Author:** Roger McClain, Water Engineer

**Department:** Public Utilities, Water

**Date:** October 29, 2015

**Type of Item:** Administrative

### Summary Recommendations:

Staff recommends Council authorize the City Manager to execute a Professional Services Agreement, in a form approved by the City Attorney, with CH2M Hill Engineers, Inc., for Quinns Junction Water Treatment Plant Process, Capacity, and Energy Management Upgrades Engineering Services in an amount of \$499,500.

### Executive Summary:

The Quinns Junction Water Treatment Plant (QJWTP) Process, Capacity, & Energy Management Upgrades Project is intended to improve the reliability and energy efficiency of the City's Rockport importation and treatment infrastructure. Reliability improvements will address issues such as the ability to treat seasonally changing source water quality and risk exposures in the raw water supply and conveyance system. Energy management evaluations for the existing facilities and proposed improvements will be conducted to identify and rank energy reduction and potential renewable energy opportunities. The Project will also incorporate an evaluation of the supplemental improvements that would be required to treat tunnel related mining-influenced water at the QJWTP.

To ensure that all treatment modifications and upgrades are consistent with overall City goals and initiatives, the evaluations and recommendations will be incorporated into a QJWTP Facility Program. The Facility Program will identify and develop the treatment improvements, space needs, and costs associated with incremental treatment capacity increases enabling the City to select improvements for forwarding to design and construction.

This staff report presents a recommendation for a Professional Services Agreement (PSA) with CH2M to provide engineering services to meet these objectives.

### Acronyms and Abbreviations:

The following acronyms and abbreviations have been used in this report:

ACH	Aluminum Chlorohydrate
CH2M	CH2M Hill Engineers, Inc.
CIP	Capital Improvement Project
City	Park City Municipal Corporation

DBP	Disinfection By-Products
DDW	Utah Division of Drinking Water
DWQ	Utah Division of Water Quality
EPA	Environmental Protection Agency
GAC	Granulated Activated Carbon
MF	Microfiltration
MGD	Million Gallons per Day
M-I-W	Mining-Influenced-Water
O&M	Operations and Maintenance
PSA	Professional Services Agreement
QJWTP	Quinns Junction Water Treatment Plant
RFQ	Request for Qualifications
SCO	Stipulated Compliance Order
SOQ	Statements of Qualifications
Water	Park City Municipal Water Department
WQTS	Water Quality Treatment Solutions, Inc.

**Background:**

For drinking water purposes, Park City Water currently treats surface water imported from Rockport Reservoir (near the inlet) at the existing QJWTP. A raw water conveyance system is used to transport importation source water from the Rockport Reservoir to the QJWTP. Raw water from Rockport Reservoir is pumped through 5.25 miles of 24-inch diameter transmission pipeline to an intermediate 14 MG open storage pond. The water is then conveyed by gravity through 7.75 miles of 21-inch diameter pipeline to the QJWTP. The river intake, pumping facility, initial segment of pipeline, and the intermediate storage pond are owned and operated, under agreement, by separate public water agencies. The QJWTP facility is a direct microfiltration (MF) WTP with a capacity of 3 million gallons per day (MGD), expandable to 9 MGD. Future capacity expansion will be needed to serve demand in the City and potentially to provide water to other Basin water providers through the Western Summit County Project. Future capacity expansion could also be used for expanded snowmaking deliveries. Treatment consists of coagulant with aluminum chlorohydrate (ACH), MF, a granulated activated carbon (GAC) contactor for color and organics removal, and post chlorination. Waste water from filter backwashing is thickened in plate settlers, decant is sent to the head of the plant, and sludge solids are discharged to the sanitary sewer owned by the Snyderville Basin Reclamation District. The treatment facility and the associated raw water conveyance system were constructed and subsequently placed in operation in April 2012.

During the initial three and one-half years of treatment plant operation, staff has experienced several short-term circumstances and recently experienced a longer period condition that impacted the ability of the treatment facility to produce safe, reliable drinking water and to meet the waste water discharge permit. These impacts have been the result of both treatment plant process and raw water conveyance system related issues and have included such issues as: frazzle ice (a mixture of ice crystals that form in bitterly cold river conditions and resembles slush) that entered the raw

water pipeline and plugged the plant inlet screen; broken raw water pipeline valves resulting in an interruption in the delivery of raw water supply to the plant; and seasonal water quality changes within the river containing constituents exceeding several of the facility's treatment process capabilities.

### **Project Approach:**

To address water treatment reliability at the QJWTP and energy management upgrades, a Request for Qualifications (RFQ) for engineering services was prepared and issued. The following key categories were identified in the request for engineering services:

1. Water Quality and Treatment
2. Energy Management
3. Raw Water Operational Basin, Conveyance, and Renewable Energy
4. Impacts of Judge Tunnel Treatment at QJWTP, M-I-W Alternative
5. Develop QJWTP Facility Program

Issues and key elements associated with each category are summarized below:

#### 1. Water Quality and Treatment

Address changing source water quality and treatment reliability through identifying and recommending treatment system modifications at QJWTP. Conditions that have been identified are:

- a. Changing raw surface water quality including; high turbidity; manganese related loadings/removal; increased nutrient loadings; water color deterioration, and increased organics; potential DBP formation; and associated impacts on waste water discharge compliance. These issues led to shutting down the WTP for 1.5 months in early summer 2015 until the raw water quality stabilized, immediately replacing the GAC due to manganese fouling and increased chemical use to ensure production of high quality water under similar conditions.
- b. Potential water quality and infrastructure delivery upset risks including events such as: environmental spills or forest fires within the river drainage; and freezing conditions in the river resulting in issues such as frazzle ice formation.

Potential solutions to increased reliability, which will be further examined, include addition of pre-treatment to the plant process, upgrading the solids handling and disposal process, adding an operational storage basin for source redundancy and reliability, and installing raw water conveyance system maintenance components.

#### 2. Energy Management

Evaluate modifications and improvements required to reduce (control) energy costs and consumption by reducing/controlling energy use and the identification and exploration of opportunities to increase the use of renewable energy technology. Energy management efforts would include:

- a. An energy audit of the QJWTP,
- b. An energy optimization evaluation of the existing QJWTP treatment processes,

- c. An energy optimization evaluation for each treatment process modifications, improvements, and/or upgrades,
- d. Exploring renewable energy technology associated with the QJWTP and raw water conveyance system.

### 3. Raw Water Operational Basin, Conveyance, and Renewable Energy

Establish design parameters for the proposed raw water operational storage basin and integrate the basin into QJWTP treatment process modifications and the raw water conveyance system. Hydro Power will be evaluated in this task.

### 4. Impacts of Judge Tunnel Treatment at QJWTP, M-I-W Alternative

An evaluation will be performed to identify process upgrades and costs of treating Judge Tunnel mining influenced water (M-I-W) at QJWTP. This information will be incorporated into the M-I-W siting analysis (Phase IC - Evaluation of Preferred Alternative(s)) Conceptual Study which is to be completed by July 1, 2016.

### 5. Develop QJWTP Facility Program

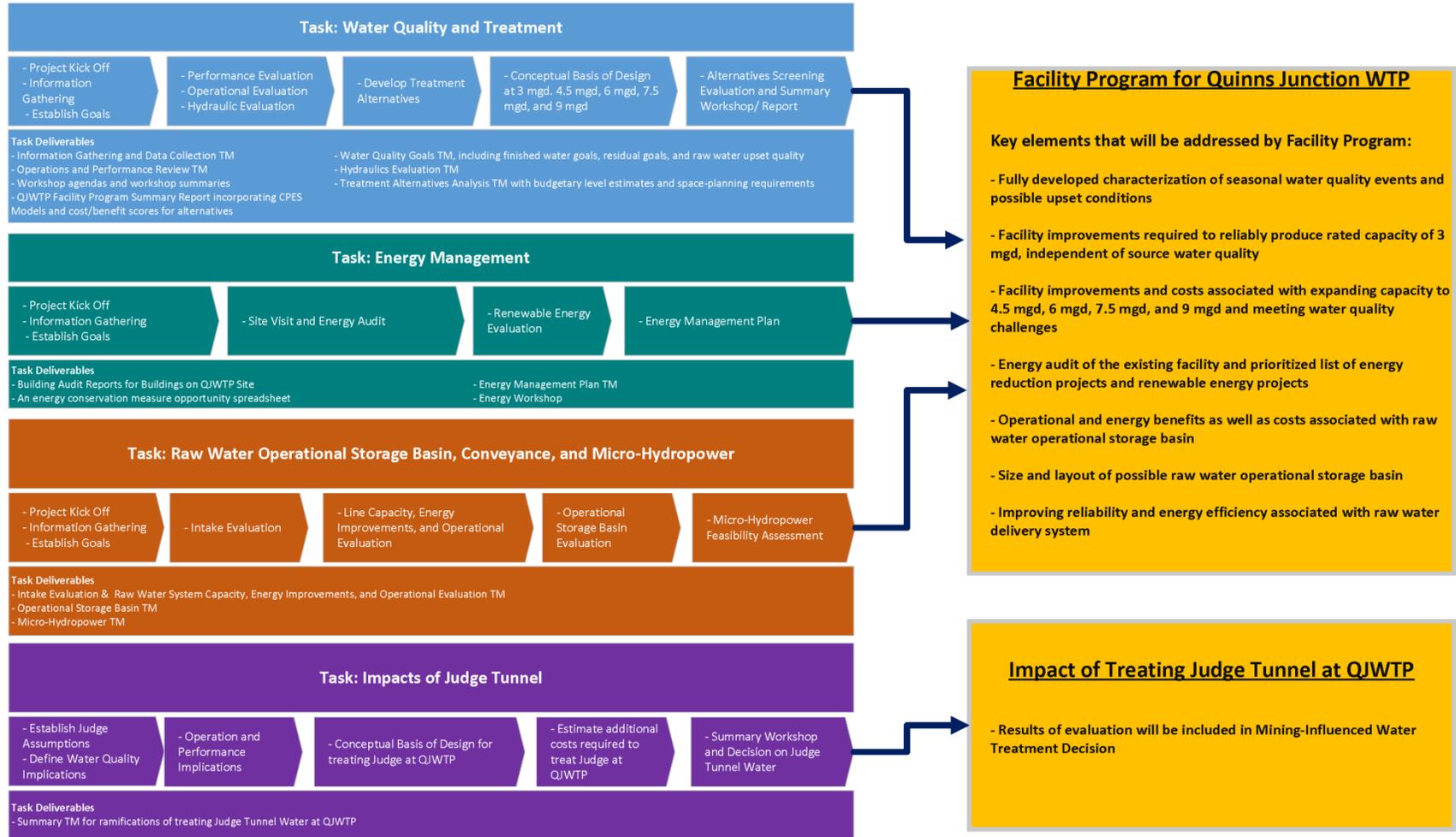
To ensure that treatment modifications and improvements, energy management improvements, and Judge Tunnel M-I-W treatment are consistent with the City's immediate, mid, and long-term strategic water goals, recommended improvements will be developed into a Facility Program. The program will identify items such as treatment improvements, facility space needs; and costs (project, capital, and O&M) required to achieve reliability at the current treatment capacity and designated increments of treatment capacity increase.

Based on City defined goals and objectives, selected improvements will be promoted for design services and construction. It is anticipated that the selected Project consultant, will continue with the design effort, however, the City retains the option of soliciting and selecting a different consulting firm for future phases of the work.

This report addresses the Professional Services Agreement (PSA) for the consultant selected to provide identified Project related Engineering Services.

The following graphical illustration presents the Project Approach and key elements of the Project.

**Project Map:**  
*Engineering Services for Quinns Junction Water Treatment Plant Process, Capacity, and Energy Management Upgrades*



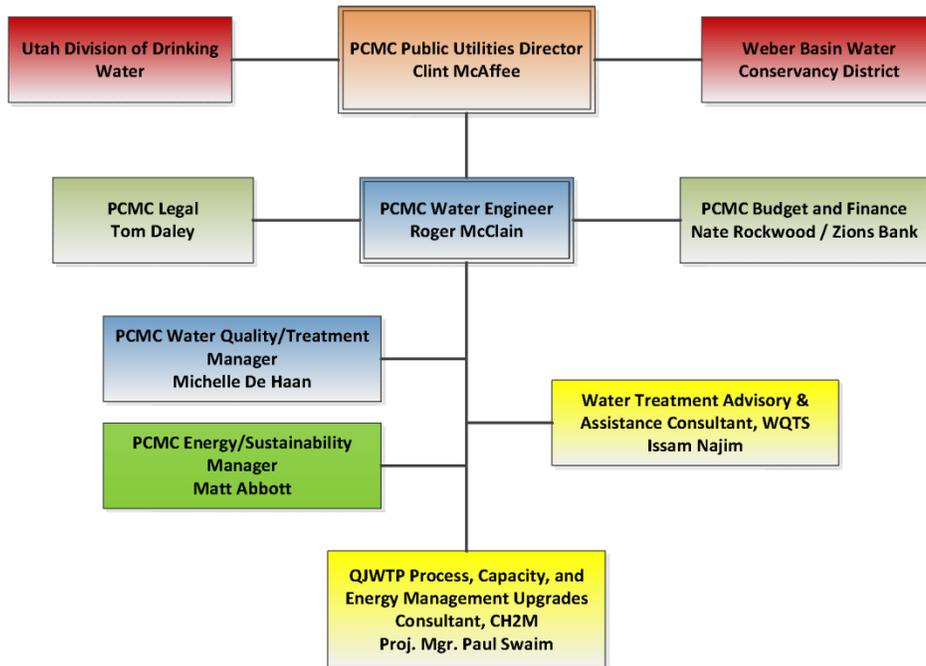
Updated 10/12/2015



**Project Organization:**

The following Project Organization Chart reflects the contracted and selected consultants and Park City staff assignments relative to the QJWTP Process, Capacity, and Energy Management Project.

**QJWTP Process, Capacity, and Energy Management Upgrades  
Project Organization Chart**



Water Quality Treatment Solutions, Inc. (WQTS) is currently under contract with the City to provide water quality advisory and assistance services and was selected to provide consultant services through a similar but separate selection process. WQTS will serve as an extension of the City staff to provide an independent look at the specific treatment process development and evaluation.

The City’s Project Manager, Roger McClain, will be working under the guidance of the Public Utilities Director.

**Analysis:**

This report focuses on the Professional Services Agreement (PSA) for the consultant selected to provide professional engineering services related to the Project. The City’s purchasing policies exempt professional service contracts from any requirement for competitive bidding in terms of dollar amount. According to this policy, consultants are chosen by selecting the firm whose experience, capabilities, and past performance best meet the needs of the project.

To best address the Project's wide range of engineering needs, ensure a proper analysis of evaluations, and receive expert viewpoints of how treatment processes and findings meet the City's goals and objectives the consultants were provided experience and qualification criteria in the Request for Qualifications (RFQ) as guidance in developing their Statements of Qualifications (SOQs). The RFQ incorporated language retaining the City's ability to add, at future date(s), additional tasks which may involve professional engineering services such as:

- Design and/or construction services required to incorporate the Project findings and recommendations
- Rockport reservoir intake improvements
- Other services related to addressing the stated Project objectives as determined by the City

The RFQ was issued on July 17, 2015. The RFQ was advertised on the City website, online at [utahlegals.com](http://utahlegals.com), and in the Park Record and Salt Lake Tribune during the period of July 17, 2015 through August 20, 2015.

The three consultants listed below submitted Statements of Qualifications in response to the RFQ:

Tetra Tech Inc.  
Carollo Engineers, Inc.  
CH2M Hill Engineers, Inc.

#### Evaluation Criteria

A selection committee, comprised of Clint McAfee (Public Utilities), Roger McClain (Public Utilities), Michelle De Haan (Public Utilities, Water), and Matt Abbott (Water-Energy/Sustainability), used the following criteria to evaluate the submitted SOQs as to how well each proposal met the City's requirements as presented in the RFQ.

1. Proposer Identification – Weighted importance 5%
2. Team Organization and Qualifications – Weighted importance 10%
3. Specific - Experience and References – Weighted importance 40%
4. General Qualifications – Weighted importance 25%
5. Summary – Weighted importance 10%
6. Additional Proposal Requirements – Weighted importance 10%

There was no local preference included in the weighting since no qualified water engineering firms submitting a Statement of Qualifications have their entire teams' physical presence & staff based in Summit County. Should any local engineering firm have applied, qualification number seven would have considered local preference.

Following receipt of SOQs on August 20, 2015, the selection committee met and, based on the evaluation criteria, requested and held interviews with Carollo and CH2M. Subsequent to the interviews the selection committee determined the Project would best be served by the selection CH2M to provide engineering services.

Staff has developed and negotiated the scope of services and associated fees with CH2M Hill Engineers, Inc., included in Exhibit A to the Staff Report. The scope of services and fee summary are to be included in the PSA, as an addendum, in an amount not-to-exceed of \$499,500.00. Based on staff's experience, these fees appear usual and customary with projects of this type, scope, and complexity.

**Department Review:**

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

**Alternatives:**

**A. Approve:**

Council could approve the staff recommendation.

**B. Deny:**

Council could deny staff's recommendation. This would delay modifications to the treatment process. Should changing raw water quality conditions exceed existing treatment facility capabilities, QJWTP could be shut down until the raw water can be treated to meet water quality standards. Other sources would be relied upon during that time which may create the inability to meet existing water obligations. Additionally, under the conditions of the Stipulated Compliance Order, a decision regarding treatment of Judge Tunnel water shall be provided to DWQ no later than December 31, 2017. Treatment options for Judge and Spiro Tunnels would not be limited to QJWTP solutions.

**C. Modify:**

Council could modify the staff recommendation. This would delay the project and depending on the modifications required at the QJWTP, current unreliability status will remain unchanged or could jeopardize the City's ability to meet SCO requirements.

**D. Continue the Item:**

Delay could impact the item. This would delay the project.

**E. Do Nothing:**

Staff does not recommend this alternative. Doing nothing with the request will have the same outcome as denying the request.

**Significant Impacts:**

	<b>Preserving &amp; Enhancing the Natural Environment (Environmental Impact)</b>	<b>Responsive, Cutting-Edge &amp; Effective Government</b>
Which Desired Outcomes might the Recommended Action Impact?	<ul style="list-style-type: none"> <li>+ Managed natural resources balancing ecosystem needs</li> <li>+ Enhanced water quality and high customer confidence</li> <li>+ Adequate and reliable water supply</li> <li>+ Reduced municipal, business and community carbon footprints</li> </ul>	<ul style="list-style-type: none"> <li>+ Fiscally and legally sound</li> <li>+ Well-maintained assets and infrastructure</li> <li>+ Streamlined and flexible operating processes</li> </ul>
Assessment of Overall Impact on Council Priority (Quality of Life Impact)	Positive 	Positive 
<b>Comments:</b>		

**Funding Source:**

The funding for the project is from service fees and is part of the approved 5-year Water CIP.

**Consequences of not taking the recommended action:**

The QJWTP current unreliability status will remain unchanged and could potentially impact the City’s ability to meet existing water obligations. Key elements of the Project are time-critical to meeting the SCO.

**Recommendation:**

Staff recommends Council authorize the City Manager to execute a Professional Services Agreement, in a form approved by the City Attorney, with CH2M Hill Engineers, Inc., for Quinns Junction Water Treatment Plant Process, Capacity, and Energy Management Upgrades Engineering Services in an amount of \$499,500.

**Exhibits:**

EXHIBIT A: QJWTP Process, Capacity, and Energy Management – Engineering Services, CH2M Hill Engineers, Inc., Scope of Services and Fee Summary

**EXHIBIT A**

**QJWTP Process, Capacity, and Energy Management – Engineering Services,  
CH2M HILL ENGINEERS, INC.  
SCOPE OF SERVICES AND FEE SUMMARY**

# Exhibit A – Scope of Services

## Park City Municipal Corporation

### Engineering Services for Quinns Junction Water Treatment Plant

#### Process, Capacity, and Energy Management Upgrades

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This Scope of Work is to provide Engineering Services for the Quinns Junction Water Treatment Plant Process, Capacity, and Energy Management Upgrades project under a new SERVICE PROVIDER/PROFESSIONAL SERVICES AGREEMENT (AGREEMENT) between Park City Municipal Corporation (PCMC or OWNER) and CH2M HILL Engineers, Inc. (ENGINEER). The work covered under this Scope of Work includes evaluation of the Quinns Junction Water Treatment Plant (QJWTP) and development of a program for the facility. Future phases of work (to be covered by addendum) will consist of additional testing of alternatives as needed, design, and services during construction.

#### Scope of Services

PCMC requires an evaluation study of the QJWTP leading to the development of a program for the facility. This study will encompass water quality and treatment, energy management, raw water conveyance, and quantifying the impacts of treating Judge Tunnel water at the QJWTP.

The Scope of Services to be provided for this Project consists of evaluating several aspects of the four areas previously mentioned. Conclusions and recommendations will be summarized in the Facility Program Summary Document.

#### Task 1—Project Management

The purpose of this task is to provide for the initiation and overall management of project activities. An overall schedule and work plan will be prepared and implemented so that work activities are completed in a properly integrated and timely manner. In addition, this task includes those elements necessary to properly manage, lead, and control the project execution.

**Subtask 1.A - Project Planning:** Develop the project management plan (PMP) describing level-of-effort, schedule, deliverables, and quality reviewers for each activity and the project as a whole. Execute the PMP, proactively identify potential deviations, and implement corrective actions as needed. Included in this subtask are the following activities to be completed by the ENGINEER:

- Staff management: identify and utilize the appropriate staff for each project activity. Supervise the project team and identify actions needed to maintain the project schedule
- Change management: plan for project changes as the work is executed. Changes in scope will be communicated to OWNER. ENGINEER will provide monthly progress reports to OWNER's project manager.
- Monitor progress, identify changes, and provide OWNER with proactive communications regarding changes.
- Develop a decision log for documenting decisions made during the project and maintaining an action item log with deadlines.
- Establish a SharePoint site for use by the PCMC and ENGINEER project team.

- Schedule: prepare and provide periodic updates to the Project Schedule (in a bulleted Milestone list format) showing preliminary dates for deliverables and anticipated dates for workshops, QC reviews, meetings, and submittals.

**Subtask 1.B - Overall Project Coordination:** Monitor and direct the work and track progress against project goals and requirements. Adjudicate approaches, goals, or constraints identified or faced by ENGINEER’s team. Coordinate with PCMC to assess overall satisfaction in meeting project goals.

**Subtask 1.C - Progress Reports and Invoicing:** Prepare monthly progress reports and invoices identifying work completed versus planned schedule and budget milestones. Respond to PCMC questions and address concerns. As requested, develop short (3-5 slide) summary PowerPoint presentation materials for PCMC use in informing City Council of activities. Attend one City Council meeting or work session upon request, concurrent with a scheduled project workshop.

**Subtask 1.D - Quality Control Review, Coordination, and Response:** Implement and carry out a quality assurance/quality control (QA/QC) program. ENGINEER will coordinate the participation of senior reviewers and perform internal QC review of work products at appropriate points in the project. Formal internal QC review of work products will be performed prior to sending deliverables to OWNER for review.

During this phase of work, as described in this scope of services, ENGINEER will develop the scope of services and budget for the next phase of work.

**Task 1 Deliverables**

- Monthly milestone schedule and decision log updates
- Summary slides updating completed activities, on an as requested basis, three events anticipated
- Monthly progress reports and Invoices
- Scope of Services and budget for next phase of work

**Task 2 –Water Quality and Treatment**

Complete an evaluation of water quality and treatment challenges at the QJWTP and develop a plan to address these challenges, as outlined in the following subtasks:

- A. Project Kickoff Workshop
- B. Information Gathering
- C. Establish Water Quality and Performance Goals
- D. Performance Evaluation
- E. Operations Evaluation
- F. Hydraulic Model and Evaluation
- G. QJWTP Review Summary Workshop
- H. Identify Treatment Alternatives
- I. Conceptual Basis of Design
- J. Alternatives Screening Evaluation
- K. Summary Workshop and Summary Report

**Subtask 2.A – Project Kickoff Workshop:** ENGINEER will prepare for and lead a two day (4-hour per day) workshop with PCMC to kickoff the project, discuss existing information, and charter the project team. At the workshop, the team will identify roles, responsibilities, and communication pathways, review the

scope of the project, review background information, discuss goals and objectives, and present and discuss the project schedule and systematic approach for the project.

ENGINEER will prepare an agenda for the workshop at least one week in advance, develop presentation materials, and prepare and distribute a draft and final workshop summary.

**Subtask 2.B – Information Gathering:** ENGINEER will collaborate with OWNER to collect information to assist in developing and evaluating alternatives for the project, including the following:

- Collect available data on raw water quality, flow rate, and seasonal influences of Rockport Reservoir Water.
- Collect performance and operational information on the QJWTP to gain an understanding of the existing treatment processes, their performance, and capacity.
- Identify data gaps and make recommendations to PCMC for additional data gathering and studies necessary to conduct more detailed evaluations.
- If meaningful information can be obtained, meet with Mountain Regional to discuss their WTP and plant performance experiences and data.

**Subtask 2.C – Establish Water Quality and Performance Goals:** ENGINEER will collaborate with OWNER to develop finished water quality goals for QJWTP. Additionally, ENGINEER will collaborate with OWNER to develop redundancy goals and level of service goals.

ENGINEER will also collaborate with OWNER to define influent raw water quality parameters for seasonal events and upset conditions to serve as a basis for QJWTP design modifications and improvements. This evaluation will include identifying future scenarios of concern and extrapolating how these scenarios, such as seasonal changes in raw water quality, could affect raw water quality and the performance of the QJWTP. This subtask will also identify potential upset conditions that could occur in the watershed, such as environmental spills, flood events, and forest fires. The raw water quality upset conditions to be further considered will be identified and agreed-upon in a project workshop.

**Subtask 2.D – Performance Evaluation:** ENGINEER will review existing QJWTP performance data and evaluate the performance of the following Unit Processes:

- Plant Inlet Structure (Pressure Reducing Valves and Strainers)
- Flash Mix (and chemical reaction time) System
- Membrane Filtration System (including cleaning systems)
- GAC Contactor
- Chlorine Contact Basin and Disinfection System
- Solids Processing System
- Chemical Feed and Storage Systems

The Performance Evaluation will be based on meeting the established goals develop in Subtask 2.C.

**Subtask 2.E – Operations Evaluation:** ENGINEER will review existing operations and maintenance data and information for the QJWTP. The Operations Evaluation will include interviews of Plant Operators and Water Quality Manager as well as ENGINEER's observations during project work. Key aspects of the Operations Evaluation will include:

- Evaluation of operational goals and set points
- Evaluation of water quality instrumentation
- Evaluation of QJWTP performance during raw water quality excursions
- Evaluation of regulatory reporting practices
- Evaluation of future QJWTP operating scenarios with expanded capacity

This work will build on the information gathering in Subtask 2.B, including the ENGINEER's review of the information available. The Operations Evaluation will be based on meeting the established goals developed in Subtask 2.C.

**Subtask 2.F – Hydraulic Model and Evaluation:** ENGINEER will develop a hydraulic model of the current treatment system from Signal Hill Reservoir through the chlorine contact basin and also the proposed raw water operational storage basin. The hydraulic model will be based on as-built drawings provided by PCMC. The model will be calibrated using pressure and flow data to be provided by PCMC. The hydraulic model will be used under subsequent subtasks to evaluate the improvements needed for QJWTP expansion and accommodating Judge Tunnel water.

**Subtask 2.G – QJWTP Review Summary Workshop:** A summary workshop will be held with the OWNER to review subtasks 2.A through 2.F. ENGINEER will prepare an agenda for the workshop at least one week in advance, develop presentation materials, and prepare and distribute a draft and final workshop summary.

**Subtask 2.H – Identify Treatment Alternatives:** ENGINEER will develop up to three treatment alternatives for process improvements to address the water quality issues identified, PCMC goals and objectives, and the future scenarios/upsets identified. Alternatives will include additional processes required to meet the established goals develop in Subtask 2.C. Alternatives will be developed to meet PCMC's treatment goals at the current rated capacity of 3.0 MGD, as well as expanded QJWTP capacities of 4.5 MGD, 6.0 MGD, 7.5 MGD, and 9.0 MGD.

Key process challenges to be evaluated include:

- TOC removal
- Manganese control
- Taste and odor control
- Turbidity removal
- Disinfection and DBP control
- Solids handling and treatment

Key treatment processes to be evaluated include:

- Oxidation
- Pre-treatment, including coagulant selection
- Membrane Filtration System
- Disinfection
- Mechanical Dewatering
- Solar Drying Beds

- Solids Handling Discharges to the Snyderville Basin Water Reclamation District (SBWRD)

A summary workshop will be held with the OWNER to review subtask 2.H. ENGINEER will prepare an agenda for the workshop at least one week in advance of the workshop, develop presentation materials, and prepare and distribute a draft and final workshop summary. The workshop will focus on reviewing the list of technologies, eliminating alternatives with fatal flaws, developing evaluation criteria, assigning weighting to each criterion, and developing scoring methodologies to quantify the benefits of each criterion.

**Subtask 2.I – Conceptual Basis of Design:** ENGINEER will combine the information gathered, PCMC’s goals, information on PCMC’s systems, treatment alternatives, and ENGINEER’s experience to develop the conceptual design criteria for five plant capacities: 3.0 MGD, 4.5 MGD, 6.0 MGD, 7.5 MGD, and 9.0 MGD. ENGINEER and OWNER will jointly agree on how best to reduce the number of capacities to evaluate and eliminate any of these capacity values that are identified as unlikely. Of these five capacity options, up to four QJWTP capacity options will be carried forward for comparison in the decision evaluation.

ENGINEER will identify the alternatives for consideration, and determine the values or range of values to be used as the basis of design criteria for comparing alternatives.

**Subtask 2.J – Alternatives Screening Evaluation:** For this subtask, the ENGINEER will:

- Conduct a “fatal flaw” analysis to eliminate non-viable alternatives.
- Develop evaluation criteria for use in the decision evaluation including criteria weights (importance) and scoring methodologies to quantify each criterion. These factors will be identical for all plant capacity levels.
- Use the decision evaluation approach to present advantages and disadvantages of alternatives.
- Use ENGINEER’s parametric design and cost estimating system (CPES) to develop a mass balance, space needs, capital and operating cost estimates, energy usage, and greenhouse gasses associated with the various alternatives. It is anticipated that no more than four sets of treatment options (CPES model) will be developed for the four flowrates (from among 3.0 MGD, 4.5 MGD, 6.0 MGD, 7.5 MGD, and 9.0 MGD). Multiple CPES Models allow for the evaluation of various process technologies at the same flow rate (for example: flocculation followed by plate settlers, sand ballasted clarification, and dissolved air floatation at a capacity of 7.5 MGD).
- Characterize quantity of residuals for each alternative.
- Conduct cost-benefit analysis using decision evaluation criteria from project workshop and discuss the preferred solutions.

As part of this subtask, for each alternative, ENGINEER will develop conceptual level project capital costs, O&M costs, and lifecycle costs for up to 4 treatment alternatives. The conceptual level costs will be built in CPES from concept basis for sizing process units, facilities, equipment, and piping, etc. The criteria will be based on design criteria basis from Subtask 2.I.

**Subtask 2.K – Summary Workshop and Summary Report:** ENGINEER will combine the technical memoranda and summarize the findings of the work completed for Task 2, Task 3, and Task 4 as part of the QJWTP Facility Program Summary Report. The document will include the identified improvements for the QJWTP with estimated costs and space needs, a list of data gaps and sensitivity to project outcomes, identification of recommended bench testing and pilot testing (if applicable). This document will also include identification of QJWTP improvements that can be implemented rapidly as fast track

projects. The document will also include a phasing schedule, based on information developed in conjunction with PCMC. The phasing schedule will identify key future requirements, such as the need for solids dewatering.

The summary document will be issued to PCMC as a draft for review. Following a one week review time for PCMC, ENGINEER will conduct a review workshop with PCMC staff to present and discuss the results, the document, and PCMC comments. Following the workshop and receipt of PCMC comments on the draft document, ENGINEER will incorporate OWNER comments on the draft document into the final document.

#### **Task 2 Deliverables**

- Information Gathering and Data Collection Technical Memorandum (TM) – Subtask 2.B
- Water Quality Goals TM, including finished water goals, residual goals, and raw water upset quality – Subtask 2.C
- Operations and Performance Review TM – Subtasks 2.D and 2.E
- Hydraulics Evaluation TM – Subtask 2.F
- Treatment Alternatives Analysis TM with budgetary level estimates and space-planning requirements – Subtasks 2.H, 2.I, and 2.J
- Workshop agendas and workshop summaries (minutes), one (1) electronic copy in Adobe PDF.
- Draft and Final QJWTP Facility Program Summary Report incorporating CPES Models and cost/benefit scores for alternatives for treating three of the following: 3.0 MGD, 4.5 MGD, 6.0 MGD, 7.5 MGD, and 9.0 MGD. (Five (5) hardcopies, one (1) electronic copy in Adobe PDF, and one (1) electronic copy in Microsoft Word, of the Draft and Final TMs will be provided.) – Subtask 2.K

#### **Task 3 – Energy Management**

Complete an evaluation of energy consumption, energy saving opportunities, and renewable energy options at the QJWTP to develop an energy management plan, including the following subtasks:

- A. Information Gathering
- B. Site Visit and Energy Audit
- C. Energy Management Plan

**Subtask 3.A – Information Gathering:** ENGINEER will collaborate with OWNER to collect information from the OWNER to assist in developing and evaluating energy management alternatives for the project, including the following:

- Collect available data on historic energy consumption (and cost) at the QJWTP.
- Review electrical drawings of the facility and equipment specifications for process, building services, and other energy-driven facilities.
- Review electronic copies (TIFF, PDF, DWG) of as-built drawings for each building to be investigated. The drawings to be requested from the OWNER for review include mechanical and lighting floor plans, mechanical room plans, mechanical and lighting schedules, HVAC control diagrams and sequences of operation, and dimensioned architectural floor plans.
- Review building utility data as follows:
  - PCMC Facility Reports, or similar reports in Excel format, for the building at QJWTP

- Electric bills for past 3 years, including demand and consumption
- Natural gas bills for past 3 years including commodity & transportation costs
- 
- Water and sewer utility bills for past 3 years
- Review utility rate schedules for the above utilities including demand, time-of-day, and consumption components
- Review production reports detailing water production on daily and weekly basis for the last three years
- Review sub-meter data for last 12 months, if available. Recommend supplemental sub-metering locations for process evaluation data collection

**Subtask 3.B: Site Visit and Energy Audit**

The Project Team will visit the installation to collect site data and perform the energy audit. Site data collection will involve the following steps:

- Visual observation and condition assessment of the major energy-driven systems
- Assessment of building envelope conditions and HVAC system
- Identification of energy/water/envelope system apparent deficiencies
- Name plate data collection as needed
- Sample data collection for terminal equipment, lighting, and plumbing systems
- Non-intrusive field measurements as needed (space temperatures, light levels, or similar)
- Recording or confirmation of existing operational parameters (set points, schedules, etc.)

It is understood that all of the requested information may not be available and in that case the ENGINEER will document what information is unavailable and will proceed with best efforts using available information. In the event that significant data is not available to allow the site visit team to complete the necessary audit, the ENGINEER will notify OWNER to identify the most appropriate steps to resolve.

The following items are the prioritized list of data/information/coordination activities to support the site visit:

- a) Copies of past energy/water audits and other specialized (design/analysis) reports
- b) List of operations personnel knowledgeable on building HVAC operations and access to these individuals during the field investigation.
- c) Access to mechanical/electrical rooms during site visit
- d) Current manpower/organization counts

**Subtask 3.C – Energy Management Plan:** ENGINEER will prepare an Energy Management Plan TM for the QJWTP. The Energy Management Plan TM will include the following sections:

- **Overview:** Summarize project goals, site visit findings, and building condition report
- **Energy Management Profile:** Utility provider summary, facility metering, and identification of incentive funding opportunities
- **Energy and Water Profile - Modeling:** Energy modeling methodology, building modeling using eQUEST, energy consumption profile, water modeling methodology and profile.
- **Energy Conservation Measures:** Savings development, cost-estimating methodology, energy conservation measures, non-viable measures, and building operations measures
- **Renewable Energy Evaluation:** Overview of technology, solar technology evaluation, small wind technology evaluation, geothermal technology evaluation, summary of micro hydro technology evaluation, waste heat (from heating and CIP system) technology evaluation
- **Energy Projects:** List of possible energy projects, measurement and verification methods, grants and incentives, prioritized ranking of projects
- **Commissioning Recommendations:** Retro-commissioning projects, commissioning projects

ENGINEER will prepare a draft and final deliverable to document the energy assessment of the QJWTP facility. The draft Energy Management Plan TM will include a summary of observed deficiencies and potential opportunities for improvements or energy/water savings or renewable energy applications. An energy conservation measure (ECM) opportunity spreadsheet will be created, specific to the QJWTP facility.

One week after the draft TM has been submitted, ENGINEER will convene a workshop with PCMC staff to present and discuss the results, the TM, and PCMC comments. Following the workshop and receipt of PCMC comments on the draft TM, ENGINEER will incorporate OWNER comments on the draft document into the final TM.

**Task 3 Deliverables:**

- Building Audit Reports for Buildings on QJWTP Site
- An ECM opportunity spreadsheet
- Energy Management Plan TM, Draft and Final
- Workshop agenda and workshop summary (minutes), one (1) electronic copy in Adobe PDF.

**Task 4 –Raw Water Operational Storage Basin and Conveyance**

ENGINEER will complete an evaluation of raw water delivery and storage challenges from Signal Hill to QJWTP and develop a plan and a list of projects to address challenges. The task will include following subtasks:

- A. Information Gathering
- B. Intake Evaluation
- C. Line Capacity, Energy Improvements, and Operational Evaluation
- D. Storage Basin Evaluation
- E. Micro-Hydropower Feasibility Assessment

**Subtask 4.A – Information Gathering:** ENGINEER will collaborate with OWNER to collect information to assist in developing and evaluating alternatives for the project, including the following:

- Engineering as-built drawings and hydraulic evaluation of the existing raw water delivery system.
- Complete copies of prior investigations.
- As-built information on existing facilities anticipated to be affected by the planned raw water operational storage basin and the micro-hydropower installation, including: dimensional drawings reflecting arrangement of existing facilities, single-line electrical diagrams (QJWTP and point of interconnection).
- Historical data, including: flow and pressure/head data (hydrographs, tabulations, HGL, etc. reflecting hourly and seasonal variation). As a minimum, this data should be that which is deemed representative of expected operation (valid for feasibility determination).
- Tariff(s) or other basis for OWNER valuation of power/energy production.

After review of the collected information, ENGINEER will consult with OWNER staff regarding the raw water delivery system, QJWTP operations, plant control and SCADA system, QJWTP electrical system, points-of-contact with serving utility, and any questions relating to the collected data.

**Subtask 4.B – Intake Evaluation:** ENGINEER will collaborate with OWNER to evaluate the existing intake system. ENGINEER will provide recommendation to increase reliability of system and increase water quality. Along with recommendations for improvement, ENGINEER will provide a Class-5 level estimate of costs for identified improvements.

**Subtask 4.C – Line Capacity, Energy Improvements, and Operational Evaluation:** ENGINEER will collaborate with OWNER to evaluate the existing raw water delivery system. The hydraulic aspect of the system will be evaluated in Subtask 2.F – Hydraulic Model. ENGINEER will provide recommendations to increase reliability of the system, increase water quality, provide early warning of water quality changes, and improve operations and maintenance of the system. ENGINEER will base the evaluation on the delivery goals established by OWNER.

Included in the analysis will be feasibility and benefits of pigging the pipeline and the required infrastructure including pig launching and receiving facilities.

**Subtask 4.D – Operational Storage Basin Evaluation:** ENGINEER will collaborate with OWNER to evaluate an operational storage basin located adjacent to the QJWTP. The evaluation of the storage basin will include the following:

- Size of basin: Based on the information provided by OWNER, evaluate the size and configuration of the operational storage basin, as well as the reliability needs of the QJWTP to determine the recommended size of the basin.
- Inlet and outlet configuration: Determine the recommended configuration for basin inlet and outlet facilities. This will be completed in collaboration with Task 2 and the micro-hydro facilities. It is anticipated that flow control will be provided at the inlet structure to the basin that could include the micro-hydropower plant and a flow control bypass valve.
- Impacts on treatment process alternatives
-

- Solids removal and other auxiliary systems: Evaluate solids removal methods from the basin and their advantages and disadvantages. Additionally, evaluate auxiliary system (such as oxidant addition) as needed. This will be completed in collaboration with Task 2.
- Energy analysis: Evaluate the potential energy savings gained through the ability to store Raw Water adjacent to treatment facility.

The above elements will be evaluated and a basis of design TM for the Operational Storage Basin will be developed. The memo will identify a recommended size and one potential site layout that will be used to develop a Level-5 Cost estimate. The memo will also include a list of additional projects required to advance the operational storage basin facility.

#### **Subtask 4.E – Micro-Hydropower Feasibility Assessment**

The Micro-Hydropower Feasibility Assessment will be led by the ENGINEER's conveyance team. The conclusions reached through this task will be integrated into Subtask 3.C – Energy Management Plan. This subtask will consist of the following:

##### **Micro-Hydropower Analysis:**

- Analyze hydrology and hydraulics for hydropower generation. Identify special constraints (operations, level or flow limits, or pressure transient issues).
- Confirm design basis hydrology and hydraulics.
- Consult equipment manufacturers. Make preliminary equipment selection and sizing.
- Estimate power output and annual energy production, considering variations in head and flow, as well as operating limits of the selected equipment.

##### **Operations and Interconnection Analysis:**

- Confirm scheme of operation for no-impact coordination with existing plant operations.
- Develop a list of additional projects and tasks required for interconnection. Additional tasks may include the following:
  - Coordination and confirmation of electrical connection, protection, and metering approach in consultation with Rocky Mountain Power (RMP) staff
  - Outline of utility-required processes.
  - Confirmation of applicable tariffs for valuation of power/energy production.

##### **Development of Hydropower Installation Concept:**

- Develop hydropower installation concept. Conceptual level selection of equipment capacity, ratings, and operating limits. Develop conceptual plan for electrical connection and SCADA interface. Briefly describe power plant operation.
- Evaluate installation requirements and issues (structural, electrical, constructability, O&M, monitoring and control).
- Prepare concept plan drawings to be used in space planning. These will be marked up versions of existing facility drawings (as provided in PDF format by OWNER).
- Confirm estimated power output and annual energy production.

The above elements will be evaluated and a basis of design TM for Micro-Hydropower will be developed. The memo will identify one potential site layout that will be used to develop a Level-5 Cost estimate. The memo will also include a list of additional projects required to advance the micro-hydroelectric facility.

**Task 4 Deliverables:**

- Intake Evaluation & Raw Water System Capacity, Energy Improvements, and Operational Evaluation TM, draft and final
- Operational Storage Basin TM, draft and final
- Micro-Hydropower TM, draft and final

**Task 5 – Impacts of Judge Tunnel**

Complete an evaluation of water quality and treatment challenges at QJWTP that would occur with the introduction of Judge Tunnel water. Estimate the additional costs (capital and O&M) that would be incurred at the QJWTP to address these challenges, as outlined in the following subtasks:

- A. Establish Assumptions for Judge Tunnel Water at QJWTP
- B. Define Water Quality Implications
- C. Identify QJWTP Operations and Performance Implications
- D. Conceptual Basis of Design for Judge Tunnel Water at QJWTP
- E. Develop Estimates of Additional Costs for Judge Tunnel Water
- F. Summary TM/Workshop/Decision on Judge Tunnel Water

**Subtask 5.A – Establish Assumptions for Judge Tunnel Water at QJWTP:** ENGINEER will collaborate with OWNER to establish assumptions for treating Judge Tunnel water at the QJWTP. Assumptions will include if Judge Tunnel water will be combined with QJWTP raw water in the raw water operational storage basin, if Judge Tunnel water will be segregated from current QJWTP source water through the plant’s treatment processes, and if solids from Judge Tunnel will be handled separately. These assumptions will form the basis for the evaluation, but they will also be revisited in Subtask 5.D based on their cost implications.

**Subtask 5.B – Define Water Quality Implications:** ENGINEER will use the existing Judge Tunnel water data set, and the water quality data evaluated in Subtask 2.A, to complete the following:

- Evaluate water quality for the blended influent water to the QJWTP, including turbidity, total organic carbon, iron, manganese, pH, alkalinity, water temperature, total dissolved solids, hardness, regulated metals (e.g., antimony, selenium), and other identified parameters.
- Conduct the water quality evaluation over the range of anticipated flowrates based on QJWTP production for the expansion scenarios identified in Subtask 2.J.
- Evaluate the potential impacts of Judge Tunnel water on QJWTP source water during emergency conditions from Subtask 2.C.
- Evaluate the impacts of Judge Tunnel water on the characteristics of the solids.
- Evaluate NPDES discharge permit implications of treating Judge Tunnel water at the QJWTP. Evaluation will include implications of a separate and a combined raw water operational storage basin.

**Subtask 5.C – Identify QJWTP Operations and Performance Implications:** ENGINEER will use the information reviewed and developed in Subtasks 2.D and 2.E to identify the operations and performance implications of introducing Judge Tunnel water to each existing and planned unit process, including the operational storage basin, straining, oxidation, pre-treatment, membrane filtration, GAC adsorption, chlorine disinfection, and solids handling. In particular, the implications of Judge Tunnel water’s metals concentrations on long-term membrane filtration performance, including fouling, cleaning, cycling, and membrane life, will be addressed.

**Subtask 5.D – Conceptual Basis of Design:** ENGINEER will combine the assumptions, water quality implications, and QJWTP operations and performance implications to establish the conceptual basis of design for introducing Judge Tunnel water to the QJWTP. Assumptions identified in Subtask 5.A that appear to have a significant impact on space needs, capital, or O&M cost will be revisited, with assumptions updated as needed. The basis of design will be developed for up to three QJWTP capacities.

**Subtask 5.E – Develop Estimates of Additional Costs for Judge Tunnel Water:** ENGINEER will use ENGINEER’s parametric design and cost estimating system (CPES) to develop a mass balance, capital and operating cost estimates, energy usage, and greenhouse gasses associated with treating Judge Tunnel water at the QJWTP. It is anticipated that this evaluation will be completed for the 4.5 mgd and a 7.5 mgd QJWTP options. These costs will then be compared to the preferred alternative from Task 2 at the 4.5 mgd and 7.5 mgd flow rates, allowing for the additional cost that is attributable to Judge Tunnel treatment to be determined. ENGINEER will characterize quantity of residuals for each alternative.

**Subtask 5.F – Summary TM/Workshop/Decision on Judge Tunnel Water:** ENGINEER will develop a draft TM summarizing the work completed for Task 5. The document will summarize the assumptions for Judge Tunnel water, the water quality and operations/performance implications, basis of design, and estimated costs. If applicable, a list of data gaps recommended bench testing and/or pilot testing will be included.

The TM will be issued to PCMC as a draft for review. Following a one week review time for PCMC, ENGINEER will conduct a review workshop with PCMC staff to present and discuss the results, the document, and PCMC comments, with the objective of making a decision regarding treating Judge Tunnel water at the QJWTP. Following the workshop and receipt of PCMC comments on the draft document, ENGINEER will incorporate OWNER comments on the draft TM into the final document.

### **Assumptions**

The following assumptions were used in developing this Scope of Services and fee for ENGINEER’s services. These assumptions are in addition to the scope and additional services set forth in the preceding scope of services:

- OWNER and/or ENGINEER will give prompt notice whenever it is observed or becomes apparent that a development may affect the scope or timing of the Project.
- Aerial mapping and existing QJWTP drawings, site and utility plans will be provided by PCMC. PCMC staff to provide other additional information as needed.
- Workshops will be conducted with PCMC key personnel at OWNER’s or ENGINEER’s office.
- OWNER will make its facilities accessible to ENGINEER, as required for ENGINEER’s performance of its services.
- The cost estimates will be consistent with Class 5 estimates as defined by the Estimate Classification system of the American Association of the Advancement of Cost Engineering International (AACE International), formerly known as the American Association of Cost Engineers (AACE). The estimates will be developed without detailed engineering data and are considered approximate. Class 5

estimates are normally expected to be accurate within minus 50 percent to plus 100 percent. This range implies that there is a high probability that the final project cost will fall within the range.

## **Schedule**

The activities associated with this Scope of Services will be completed in accordance with the following approximate schedule assuming the Notice to Proceed authorizing the above described work is signed and delivered to ENGINEER no later than October 26, 2015:

- Draft Basis of QJWTP Facility Program Document – March 1, 2016
- Summary Workshop – March 15, 2016
- Submit Final Basis of QJWTP Facility Program Document – April 1, 2016, or two weeks after receipt of PCMC comments

## **Compensation**

Compensation by OWNER to ENGINEER will be as described in Exhibit B. Compensation will be on a time and materials basis, with labor at the rates shown in Exhibit B-2, up to the upper limit shown in Exhibit B-1.

# Exhibit B – Fee Summary

## Park City Municipal Corporation

### Engineering Services for Quinns Junction Water Treatment Plant Process, Capacity, and Energy Management Upgrades

**EXHIBIT B-1:**

Description	Fee
Time and Materials: Task 1 Project Management	\$ 41,884
Time and Materials: Task 2 Water Quality and Treatment	\$ 233,100
Time and Materials: Task 3 Energy Management	\$ 72,882
Time and Materials: Task 4 Raw Water Operational Storage Basin, Conveyance, and Micro-Hydroelectric	\$ 84,560
Time and Materials: Task 5 Impact of Judge Tunnel	\$ 67,020
<i>Total Consultant (including sub consultants) Labor, including mark-ups</i>	<i>\$ 460,646</i>
<i>Total Direct Costs, including mark-ups</i>	<i>\$ 38,800</i>
<b>TOTAL FEE</b>	<b>\$ 499,446</b>

Note: Time and Materials based on EXHIBIT B-2

**EXHIBIT B-2: PER DIEM RATE SCHEDULE AND DIRECT EXPENSES**

Functional Category	Personnel	Hourly Rate
Senior Program Manager		\$ 298
Program Manager	Russell Ford	\$ 280
Principal Project Manager/Principal Technologist	Paul Swaim, Hal Davis, Paul Mueller, Adam Murdock, Eric Schultz	\$ 225
Sr. Project Manager/Sr. Technologist	Joseph Zalla	\$ 195
Project Manager/Engineer Specialist	Paul Graves, Kevin Butcher	\$ 175
Associate Project Manager/Project Engineer	Brock Emerson, Dan Murrer, Chris Curtis, Chris Williams	\$ 150
Associate Engineer		\$ 130
Staff Engineer 2	Mitch Dabling, Jeff Pitts	\$ 120
Staff Engineer 1	Grace Conklin, Emma McGowan	\$ 105
Engineering/Environmental Tech 5		\$ 140
Engineering/Environmental Tech 4		\$ 130
Engineering/Environmental Tech 3	Chris Hoggard	\$ 115
Engineering/Environmental Tech 2		\$ 95
Senior Office Administration		\$ 102
Office/Clerical/Accounting		\$ 82

(1) Per diem rates include allowances for salary, payroll, taxes, fringe benefits, overhead, and profit, but do not include allowances for direct expenses.

(2) These rates are effective until December 31, 2015.

(3) Rate Schedule subject to annual revision to reflect current rates. Submittal of proposed ENGINEER rate schedule adjustments and associated contract impacts to occur 30 days minimum prior to each December 31 for review by the OWNER. OWNER authorized rate schedule adjustments to become effective the following January 1.

(4) Auto Mileage billed at Current IRS Rate. Auto Rentals, Other Travel, Equipment Rental, and Postage/ Freight billed at Actual Rate. Subcontractors and Outside Services Billed at Actual +10%.



**DATE: October 29, 2015**

**TO HONORABLE MAYOR AND COUNCIL**

Housing Resolution 13-15 requires Affordable Housing Mitigation Plans for all development under Master Planned Developments (MPD) or Annexations. Central Park City Condominiums is an MPD of 10 condominium units. The housing obligation for ten units is 1.5 Affordable Unit Equivalents (AUE), equaling 1,350 square feet. The Applicant proposes that the units be built on-site in accordance with Housing Resolution 13-15.

**Respectfully:**

Matt Dias, Asst City Manager



# Housing Authority Staff Report

**Author:** Rhoda J. Stauffer, Affordable Housing Specialist  
**Subject:** Affordable Housing Mitigation Plan  
Central Park City Condominiums  
**Date:** October 29, 2015  
**Type of Item:** Administrative

**SUMMARY RECOMMENDATION:** Staff recommends that the Housing Authority conduct a public hearing, discuss the Affordable Housing Mitigation Plan presented by Mr. Peabody, LLC. (Applicant) for the Central Park City Condominium development in fulfillment of their Development Agreement and Housing Resolution 13-15 and approve the plan with staff's recommended preference.

**EXECUTIVE SUMMARY:** Housing Resolution 13-15 requires Affordable Housing Mitigation Plans for all development under Master Planned Developments (MPD) or Annexations. Central Park City Condominiums is an MPD of 10 condominium units. The housing obligation for ten units is 1.5 Affordable Unit Equivalents (AUE), equaling 1,350 square feet. The Applicant proposes that the units be built on-site in accordance with Housing Resolution 13-15.

**Definitions of Acronyms used in this Report:**

- AUE = Affordable Unit Equivalent
- BA = Bathroom
- BD = Bedroom
- CCRs = Declaration of Covenants, Conditions and Regulations
- LLC = Limited Liability Corporation
- MPD = Master Planned Development
- SF = Square Feet

**BACKGROUND:** The Central Park City Condominium Master Planned Development proposes 10 residential units on Prospector Avenue in Prospector Square. The MPD was approved at the July 8, 2015 Planning Commission meeting. The Housing Authority is the governing body for all Housing Mitigation Plans. On July 8, 2015, the Planning Commission approved the application for a Master Planned Development for Central Park City Condominiums based on approval of the Affordable Housing Plan by the Housing Authority. See the attached Action Letter (Exhibit C) with reference to affordable housing plan: Findings of Fact, Item #38; Conclusions of Law, Item #9 and Conditions of Approval, Item #18. The approval of the Planning Commission is subject to the Housing Authority's decision regarding this Housing Mitigation Plan.

The Central Park City Condominiums is a project located on Lot 25-B of Park Lot F at 1897 Prospector Square. The project plan began as a 10 unit building and then

enlarged to 11 units in order to accommodate the affordable unit requirement. Affordable units developed on site in fulfillment of this requirement are not included in the density calculation for the project. The units will have storage closets on grade adjacent to the main circulation column (stairs and elevator to units) and parking stalls. The South side of the building will include a bridge with connecting walkway to the Rail Trail. The large common space deck and rooftop deck for all building residents will include a roof garden.

**Employee/Affordable Housing Mitigation Plan**

Based on Housing Resolution 13-15, at 15 percent, 10 units generate a housing obligation of 1.5 AUEs. At 900 net sf per AUE, the total net square footage required is 1,350. An AUE is defined as a two-bedroom unit with 900 square feet of Net Livable Square Footage. Net Livable Square Footage is defined in Section 5 (page 2) of Resolution 13-15 (Exhibit B attached) as “...interior area and is measured from interior wall to interior wall, including all interior partitions. Also included, but not limited to, habitable basements and interior storage areas, closets and laundry areas. Exclusions include, but are not limited to, uninhabitable basements, mechanical areas, exterior storage, stairwells, garages (either attached or detached), patios, decks and porches.”

The Applicant adapted the building plan in order to fulfill the housing obligation as follows:

- Include one additional studio unit to the site plan, changing the total units to eleven (11). The overall unit configuration is as follows: Three (3) 2 bd/2 ba units of 1,017 square feet, Seven (7) 2bd/1 ba units of 855 square feet, and One (1) Studio of 500 square feet.
- The Affordable Housing Units (AHU) that would be deed restricted include the studio and one of the 2 bd/1ba units. Total square feet would be 1,355 detailed below:

Studio Unit	500 sf.
<u>2 bd/1 ba</u>	<u>855 sf.</u>
Total AHU sf.	<b>1,355 sf.</b>

**Sizing and Pricing:**

The applicant is proposing units as follows:

- Studio –(500 s.f.) Selling price \$145,000 to \$175,000
- 2 Bd/1 Ba – (855 s.f.) Selling price \$240,000 to \$300,000
- Appreciation on the deed restricted units will be limited to 3% per year.

Resolution 13-15 establishes size standards of 900 s.f. for two bedroom units, and 400 s.f. for studio units. While both units slightly differ from standard, staff recommends approval based on the fact that total square footage meets the obligation and sizes proposed are not sufficiently different from standards as to render them un-livable.

This proposal price range is below the range allowed. Housing Resolution 13-15 (page 9 of the attached Exhibit B) targets affordability of for-sale units to 150% of Park City's Workforce Wage.

Family of 3	Annual Income	27%	Monthly Mortgage	Mortgage Limit	Sale Price (+5%)
100% of WFW	54,943	14,837	1,236	202,581	212,710
150% of WFW	82,430	22,256	1,855	319,939	335,936

While up to \$335,936 per unit is allowable in accordance with Housing Resolution 13-15, consideration of the current market and type of units must be included in the calculation. Therefore, staff recommends that the pricing be limited as follows:

- Studio -- \$150,000
- 2 bedroom/1 bathroom - \$215,000 to \$250,000

Staff is basing these numbers on the following:

- The studio pricing will be more in line with affordability for a single person household earning Park City median workforce wage (\$37,561). Silver Star sold deed restricted studio units of 420 square feet in January of 2013 for \$125,000 and that value increased by the 3% appreciation cap per year would be \$136,250 today.
- The pricing for the 2-bedroom would be more in line with pricing at Park City Heights where the 1,000 square foot 2-bedroom townhome (with unfinished basement) will sell for \$240,000. In addition, the Silver Star deed restricted 2-bedrooms of the same size (820 square feet) sold for \$227,000 in 2013, amounting to a value of \$247,000 today with the 3% appreciation cap.

Staff recommends that the Declaration of Covenants, Conditions and Regulations for the property be approved by the City Attorney and include affordability protections for the deed restricted AUEs. Such protections might include but are not limited to: fractional par rates and/or assessments based on discounted voting privileges.

The Applicant is also committed to providing units for key Park City workforce members and as a result is projecting pricing that is in the "attainable" category of affordability.

The price range for the market units is as follows:

- Small units of 855 sf. (2bd / 1 ba): \$350,000 – \$400,000
- Large units 1017 sf. (2bd / 2 ba): \$425,000 - \$485,000

**ANALYSIS:**

In accordance with Housing Resolution 13-15, the highest priority option for placement of employee/affordable housing units is on-site. Therefore, this proposed Housing Mitigation plan is compliant with Housing Resolution 13-15. The Plan is in accordance with documented need. Based on the 2012 Housing Assessment and Plan, there is a need for affordable units in town and of a number of sizes. The project is centrally located with easy access to jobs and community amenities and therefore on-site is staff's preference.

**DEPARTMENT REVIEW**

Sustainability, Legal and the City Manager reviewed this report.

**ALTERNATIVES**

- A. Approve the Request:** The Housing Authority could approve the Applicant’s Affordable Housing Mitigation Plan. **This is Staff’s Recommendation.**
- B. Modify the Request:** The Housing Authority could modify the request and stipulate a different configuration that could delay the process for approvals and will also delay the issuance of permits.
- C. Continue the Item:** The Housing Authority could continue the item and direct Staff to return with additional information which will delay the issuance of building permits.
- D. Deny the Request:** The Housing Authority could deny the request and direct the Applicant to return with a new proposal which will also delay the construction timeline.

**SIGNIFICANT IMPACTS:**

	<b>World Class Multi-Seasonal Resort Destination (Economic Impact)</b>	<b>Preserving &amp; Enhancing the Natural Environment (Environmental Impact)</b>	<b>An Inclusive Community of Diverse Economic &amp; Cultural Opportunities (Social Equity Impact)</b>	<b>Responsive, Cutting-Edge &amp; Effective Government</b>
Which Desired Outcomes might the Recommended Action Impact?	+ Balance between tourism and local quality of life	+ Enhanced conservation efforts for new and rehabilitated buildings	+ Residents live and work locally  + Cluster development while preserving open space	+ Fiscally and legally sound  + Well-maintained assets and infrastructure
Assessment of Overall Impact on Council Priority (Quality of Life Impact)	Positive 	Positive 	Very Positive 	Positive 

**Comments:** The Central Park City Condominium affordable housing unit (s) will add to affordable housing stock for Park City's workforce who currently can't afford to buy in Park City's market.

**FUNDING SOURCE:**

No City funding is required.

**CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:**

Delay in approving the Affordable Housing Mitigation Plan will delay permit approvals for the Central Park City Condominium project.

**RECOMMENDATION**

Staff recommends that the Housing Authority conduct a public hearing, discuss the Affordable Housing Mitigation Plan presented by Mr. Peabody, LLC. (Applicant) for the Central Park City Condominiums in fulfillment of their development agreement and approve the plan.

**Attachment:**

- Exhibit A: Housing Mitigation Plan submitted by The Applicant with an emailed update
- Exhibit B: Housing Resolution 13-15
- Exhibit C: Action Letter regarding Planning Commission approval of Central Park City Condominiums including the Affordable Housing Plan.
- Exhibits D: Approved Mitigation Plan

## Exhibit "A"

Park City Municipal Corporation  
Rhoda Stauffer  
c/o Sustainability Department  
445 Marsac Ave  
PO Box 1480  
Park City, UT 84060

RE: Central Park City Condominium Project's Affordable Housing mitigation / execution plan

Applicant: Mr. Peabody LLC, (Hank Louis, Ehlias Louis, CDR Development)  
Project: Central Park City Condominiums  
Location: 1893 Prospector Ave, Lot 25-B of the Gigaplat Replat

### **General Project Description**

Central Park City Condominiums is a project on Lot 25-B of the Gigaplat Replat of Parking Lot F, 1897 Prospector Square. The aim of the project is to provide housing in Central Park City that promotes its proximity as the main benefit to both the community and owners. With the connection to the Rail Trail and its close proximity to the local bus route, alternative transportation is available decreasing the reliability of automobiles around Park City. The design of the building incorporates multi-level design with vast open/communal space and decks to promote a community within the building. In addition, the project provides a new building with a design incorporating a visual aesthetic to improve the Prospector Avenue corridor.

For reference, Gigaplat Replat is a development agreement between Queeksdraw LLC (Hank Louis, Rhonda Sideris) and the Prospector Square Property Owners Association (PSPOA) to reconfigure parking Lot F, 1897 Prospector Ave. The reconfiguration is an effort to create an organic infill for the developments of Prospector Square Lot F providing a more urban feel for the area. This is accomplished by providing housing infrastructure on the existing "tarmac" like parking lot, therefore providing a natural feel to the area including true circulation and logical building sites. Current zoning of Lot 25-B is General Commercial (GC), however Queeksdraw LLC (Hank Louis & Rhonda Sider) is submitting an application for a Conditional Use Permit for Lot 25-B via the Planning Department.

The conceptual design of the Central Park City Condo building incorporates the necessary requirements from the development agreement between Queeksdraw LLC & PSPOA, stating that the Gigaplat Replat shall include 103 parking spaces in Lot F (currently 99 spaces). In addition, careful consideration of the F.A.R. (2.0) and benefits to both the surrounding area and potential tenants were balanced. The resulting building has the following design characteristics:

- To conform to the parking space requirement the majority of the building is "on stilts" to provide the necessary parking required in Lot F. 12 parking

Exhibit "A"

slots under the building on will be on existing grade with residential units on floor two (2), three (3), and four (4). This configuration provides 104 parking slots on parking lot F.

- Each unit will have a storage closet on grade adjacent to the main circulation column (stairs and elevator to units) and parking stalls.
- The South side of the building includes a bridge, connected walkway, to the Rail Trail path connecting to the main bike/walk paths for Park City.
- The design incorporates natural light through each unit by using a L shape global floor plan allowing corners for windows and views of Park City Mountain Resort, or the "PC" mountain adjacent to Park City's public schools.
- A large common space deck and a common space rooftop deck for the building residents incorporating a green-planted roof garden.

**Affordable Units Requirement and Project's Incorporation**

Central Park City Condo Project was designed to be 10 units, four (4) 2 bedroom / 2 bathroom units, and six (6) 2 bedroom / 1 bathroom units. The 10 units invoke the Master Planned Development process, and thus the requirements for Affordable Housing as directed through the Affordable Housing Resolution 25-12. Therefore leading to the following calculation to comply with the Affordable Housing Resolution:

- 10 Residential Units X 15% Affordable Housing Requirement = 1.5 AUE
- 1.5 AUE X 900 sq. ft. per AUE = 1,350 Sq. Ft. AUE requirement for Project

Our project requires 1,350 square feet of Affordable Housing per the resolution. To fully comply with the resolution, we provide the AUEs with ONE of the following TWO options as allowed by Resolution 25-12:

1. The project will include the required 1,350 square feet of fully compliant affordable housing on site in the building.
  - To enable this option the project will add one additional unit to the floor plan, which will change the total units to eleven (11). In addition this will change the unit configuration to: Three (3) 2 bd / 2 ba, Seven (7) 2bd / 1 ba, and One (1) Studio.
  - The Affordable Housing Units (AHU) would include the 1 studio and 1 2 bd / 1ba units. Every unit includes a storage locker on grade. The calculation of square feet would be 1,400, see below:

Studio Unit	486 sf.
2 bd / 1 ba Unit	810 sf.
Storage Locker X 2	<u>104 sf.</u> (Locker is 52 sf. Each)
Total AHU sf.	<b>1400 sf.</b>

OR

Exhibit "A"

2. The project will comply with the required affordable housing with a combination of providing one (1) unit as an on site fully compliant AHU per the Resolution, AND the project would pay an in lieu fee for the remaining square feet required to fill the 1,350 sf. necessary.
  - This will result in the same eleven (11) unit project configuration: Three (3) 2 bd / 2 ba, Seven (7) 2bd / 1 ba, and One (1) Studio.
  - At this point in time it is undecided on which unit would be considered the fully compliant affordable unit, therefore the in lieu fee is undecided as well. However it would be either a fee amount for 538 sf. or for 860 sf. (each units sf. plus its deeded storage unit sf.).

Our desire and priority would be to go with option 1 (provide both deed restricted units on site), however at this time the project's managing team, along with the investors, have not decided / calculated what will ultimately make the project work from a financial perspective. We are hopeful that these documented options to provide the necessary AUE for our project, and allows you to see that we will comply with the requirements, just not completely settled how at this time. In addition, both options are possible with minimal impact to other LMC requirements; as with both, our project stays within the "pre AUE" density (FAR) limitation for the GC zone, see below:

Central Park City Condo building is within the F.A.R. regulation: Lot 25-B is 5760 square feet with a F.A.R. of 2.0, resulting with an allowance of **11,520** square feet.

Unit / Space	Square Feet	# of Units	Total
Studio	500	1	486
Small (2bd/1ba)	810	7	5670
Large (2bd/2ba)	1017	3	3051
Storage Closet	52	11	572
Circulation Area	1500	1	1500
<b>Total</b>			<b>11,279</b>

In summary, we will fully comply with the Affordable Housing Resolution 25-12 requirements with either option above (as allowed by resolution). Our priority is to finish the project with two deed restricted units (option 1), however this can not be determined at this time, but will be by the time necessary as the first payment would be required prior receipt of a building permit.

## Rhoda Stauffer

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**From:** Ehlias Louis <ehlias.louis@mac.com>  
**Sent:** Wednesday, October 14, 2015 10:16 AM  
**To:** Rhoda Stauffer  
**Subject:** Housing Authority - Central Park Condominium Project

Rhoda,

The following is how we propose to abide by the affordable housing resolution on our condo project at 1893 Prospector Ave.

1. We are committed to providing all the required affordable housing square footage on site, per Section B - 1 in the Affordable Housing Resolution.
2. We plan to sell the necessary square footage as Deed restricted units on the open market.

MPD approval chronology and proposal to provide the required affordable housing:

1. First MPD planning commission meeting was for a 10 unit project, therefore as stated in the Affordable Housing Resolution we are required to provide 1.5 AHUs (1350 sf).
2. We support and agree with the affordable housing philosophy directed by the Sustainability Department, therefore designed into the project (on site) two units totaling the necessary 1350 sf. to be sold as Deed Restricted.
3. Resulting in a project that has 11 units total, 2 of the units to be deed restricted.

Details of the Project's units:

- Project consists of 11 units,
  - Three 2 bd/2 ba units at ~1050 sf.
  - Seven 2 bd/ 1.5 ba units at ~855 sf.
  - One Studio unit at ~500 sf.
- The two deed restricted units will be,
  - One of the 2 bd/2 ba units at ~855 sf.
  - The Studio unit at ~500 sf.
  - Totaling 1355 sf. of Deed Restricted units (achieving 1.5 AHU).
- Each unit has it's individual storage locker on grade,
  - It is yet to be determined if these will be "Limited Common" or plated to the individual units per Condominium law,
  - Each storage unit is ~36 sf. (enough for 2-3 bikes, skis, boxes etc).
  - Every unit will have a designated Storage Locker, including the Deed Restricted units.
- Price of the Deed Restricted units,
  - Working with our Realtor, we have in our financial projections to sell the Deed Restricted units at 2/3rd's the market rate
  - 2 bd/1.5 ba unit: \$240,000 - \$300,000\*
  - Studio unit: \$145,000 - \$175,000\*

- *\*ranges in price are consistent with our financial projections Market Rate range, we have targets but the range is more complete.*

Please let me know if you need any further information to make the 10/29 Housing Authority meeting date, or if you think there is an issue with any of the above. Is this a meeting where a project representative is required? I can make arrangements if it is (either myself or Hank would be present).

Thanks,

Ehlias

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Ehlias Louis  
Gigaplex Design  
720.289.4443 (m)  
435.649.4661 (o)  
[ehlias.louis@mac.com](mailto:ehlias.louis@mac.com)

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

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

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

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

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

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

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

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

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

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

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

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

## SECTION 5. DEFINITIONS.

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

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

**SECTION 7. FEE WAIVERS.** Title 11, Chapter 12-13 of the Municipal Code provides that “any part of the fees included in this Title may be waived by the City Council upon recommendation of the City Manager, for those projects which are deemed to serve a beneficial public purpose that would be harmed by the City requiring the payment of such fees, such as low income housing projects.” Pursuant to Title 11, Chapter 13-4(A) of the Municipal Code, the City Council can waive impact fees for construction of affordable housing up to \$5,000 per unit.

## SECTION 8. CALCULATION OF MINIMUM AFFORDABLE HOUSING REQUIREMENTS

### A. Residential Development.

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

### RESIDENTIAL GENERATION CALCULATION EXAMPLE

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

1. 128 units (total units approved) multiplied by .15 (residential mitigation rate) equals 19.2 Affordable Unit Equivalentents.
2. One Affordable Unit Equivalent equals 900 square feet of net livable space.
3. The total approved units for this MPD is 128 market rate units plus 19.2 affordable unit equivalentents which equals 17,280 total net square feet of additional livable space.

**B. Commercial Development**

The Developer shall be required to mitigate 20 percent of the employees generated. For projects with a commercial component, the minimum affordable housing requirements shall be determined according to the following formulas:

**Table 1: Employee Generation by Type of Use.**

Type of Use	Full Time Equivalentents (2080 hours) per 1,000 net leasable square feet
Restaurant/Bar	6.5
Education	2.3
Finance/Banking	3.3
Medical Profession	2.9
Other professional services	3.7
Personal services	1.3
Real Estate/Property management	5.9
Commercial/Retail	3.3
Recreation/amusements	5.3
Utilities	2.9
Lodging/hotel	0.6/room
Condominium Hotel	Greater of lodging/hotel calculation or residential mitigation rate
Overall/General	4.4

The Overall/General Type of Use shall apply to any use not listed in the Employee Generation Table if an Independent Calculation is not performed.

**EMPLOYEE GENERATION CALCULATION EXAMPLE**

An application for a Master Planned Development of 20,000 square feet of commercial space and 100 hotel rooms has been submitted. The commercial uses include:

- 10,000 square feet of retail space
- 5,000 square feet of restaurant/bar space
- 5,000 square feet of professional services

1. Using the above Employee Generation Table, the project will generate 144 employees.
  - *Retail* at 3.3 employees per 1,000 square feet equals 33 employees
  - *Restaurant/Bar* at 6.5 employees per 1,000 square feet equals 32.5 employees
  - *Professional Services* at 3.7 employees per 1,000 square feet equals 18.5 employees
  - *Hotel* at .6 employees per unit equals 60 employees.
2. 144 (total number of employees) multiplied by .20 (mitigation rate) equals 28.8 employees.
3. 28.8 employees divided by 1.5 (workers per household) equals 19.2 employee unit equivalentents required.

4. The Developer is required to provide 19.2 Affordable Unit Equivalents or a total of 17,280 net square feet of additional livable space in addition to approved commercial and hotel density.

**C. Reduction of Employee Generation for Institutional/Nonprofit Use.** The City Council may reduce the base employee generation rate by up to fifty percent for uses that are “non-commercial or non-residential in nature, which provide educational, social or related services to the community and which are proposed by public agencies, nonprofit agencies, foundations and other similar organizations “upon finding that the benefits/impacts of such Development as they relate to other general plan goals and/or action items outweigh the housing impacts.

**D. Independent Calculation.** An applicant may submit an independent calculation of the number of employees to be generated by a proposed development, to be used in place of the Employee Generation Table. The independent calculation shall be accepted by the City Council if the Council determines the calculation constitutes compelling evidence of a more accurate calculation of employee generation than Table 1: Employee Generation Table. Should the independent calculation not be accepted, then the applicable employee generation factor from the Employee Generation Table shall be applied to the proposed Development. Any acceptance of an Independent Calculation shall be site and use specific, non-transferable and be memorialized in a Development Agreement between the property owner and the City. Such Agreement shall be executed prior to the issuance of any building permit.

**E. Redevelopment: Additions and Conversions of Use.** Redevelopment or remodeling in an existing use or the change in use from one use to another is exempt from the requirements of this Resolution, provided such activity does not create additional employment generation as determined in *Table 1: Employee Generation by Type of Use*. Only the uses and areas that existed prior to the redevelopment or remodeling shall be exempt from the requirements of this Resolution. Any new area or unit or any change in use which creates additional Employee Generation as determined in *Table 1: Employee Generation by Type of Use* shall be subject to this provisions of this Resolution. Mitigation shall be required for the employees generated by the proposed total square footage (including addition) minus the employment generation of the total structure. If the developer converts one land use to another with higher employment generation rates, the mitigation will be based on the increase in FTEs. For example, a conversion of a 1,000 sq. ft. retail establishment with an employee generation rate of 3.3 FTEs per 1,000 square feet to a private club with a generation rate of 6.5 FTEs per 1,000 square feet results in a net increase in 3.2 FTE and would require additional mitigation.

**F. Final Unit Requirement Calculations.** The final calculations for the number of inclusionary units and the rental or sales price for these units shall be made prior to the issuance of building permits for the covered project.

## SECTION 9. METHODS OF HOUSING REQUIREMENT COMPLIANCE

- A. Unit Types:** The distribution of on-site dwelling unit types that meet the deed restricted affordable unit requirements of this section shall be as follows:
- Single-Family: In developments where only single-family detached dwelling units are being produced, the required on-site Affordable Unit Equivalents shall also be single-family detached dwelling units.

- **Multi-Family:** In developments where only multi-family buildings are being produced, the required on-site Affordable Unit Equivalents shall also be within the multi-family building or buildings.
- **Mixed:** In developments where there is a mix of dwelling unit types such as: detached single-family, townhomes, duplexes or attached single-family, or multi-family condominium or apartment buildings, or other types of units, the required on-site Affordable Unit Equivalents shall also be a mix in the same proportion as the market rate dwelling units.
- **Alternative Distribution Ratios:** Different unit distribution among the Affordable Unit Equivalents may be permitted on a case-by-case basis if doing so would accomplish additional benefits or result in a better design than not using the distribution of units provided for in this section.

**B. Minimum Square Footage Standards:** In order to assure livability, the standard net livable square footage for affordable units shall be as follows:

Dormitory	150 square feet
Single Room Occupancy	275 square feet
Studio	400 square feet
One Bedroom	650 square feet
Two Bedroom	900 square feet
Three Bedroom	1,150 square feet
Four Bedroom	1,400 square feet

Any deviation from these standards shall be approved by Park City Housing Authority as part of the applicable Affordable Housing Mitigation Plan.

The Building Department prior to the issuance of any building permits for either the free market or employee housing component of the project must verify square footage. The Building Department may check the actual construction of the Affordable Unit Equivalents.

**3. Winter Seasonal Units.** Pursuant to the applicable City codes, an applicant for a development may, at the sole discretion of the City and subject to certain requirements, satisfy the employee housing requirements by provision of dormitory/lodge units designed for occupancy by seasonal employees. The dormitory/lodge units must satisfy all requirements of the applicable Guidelines and shall be required to meet the following minimum standards:

- Occupancy of a dormitory unit shall be limited to no more than 8 persons.
- There shall be at least 150 square feet of net livable square footage per person, including sleeping and bathroom uses.
- At least one bathroom shall be provided for shared use by no more than four persons. The bathroom shall contain at least one toilet, one wash basin, one bathtub with a shower and a total area of at least 60 net livable square feet.
- A kitchen facility or access to a common kitchen or common eating facility shall be provided subject to the Building Department's approval and determination that the facilities are adequate in size to service the number of people using the facility.
- Use of 20 net leasable square feet per person of enclosed storage area located within, or adjacent to, the unit.

- Rents for dormitory units will be set by Special Review on a case-by-case basis, given the unique and varying characteristics of dormitory units, with affordability as the key issue.
- Seasonal Lodge Developments may be required to house qualified employees of the community at large.

**4. Special Needs Emergency/Transitional Housing.** Pursuant to the applicable City codes, an applicant for a development may, at the sole discretion of the City and subject to certain requirements, satisfy a portion of its employee housing requirements by provision of special needs emergency/ transitional housing units through either direct construction, land donation or the donation of existing units. There must be a quantified, demonstrated need for the emergency/transitional housing within the Park City boundaries. The housing must be developed in collaboration with a federally recognized, 501(c)(3) nonprofit organization. The housing must satisfy all requirements of the applicable Housing Guidelines and Standards as well as comply with all applicable local, state and federal requirements. Given the unique and varying characteristics of the population to be served, the rents for emergency/transitional housing must be approved in advance by the City Council.

**5. Minimum Green Building Requirements.** All new construction or substantial rehabilitation projects developed in fulfillment of the affordable housing obligation must demonstrate that it meets the NAHB Green Standards or a LEED Certification level. All appliances and products including light bulbs shall be Energy Star qualified products for all new construction or substantial rehabilitation.

**6. Affordable Unit Amenities.** Inclusionary units may differ from the market units with regard to interior amenities and gross floor area provided that:

- These differences, excluding differences related to size differentials are not apparent in the general exterior appearances of the project's units; and
- These differences do not include insulation, windows, heating systems and other improvements related to the energy efficiency of the project's units.
- The gross floor area of the inclusionary units is not less than the following minimum requirements, unless waived by the City.

**C. Methods of Meeting Minimum Requirements.**

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

**1. Construction of unit(s) on the site on which the development is proposed.**

Affordable housing units shall be constructed on the project site, unless the developer can demonstrate compelling evidence that an alternative method would result in a better design, enhanced level of affordability or that the construction on-site would adversely affect the design of the project.

**2. Construction of the unit(s) within the Park City corporate limits provided such land, site or structure had not been previously deed-restricted for affordability.**

**3. Dedication of existing units within Park City corporate limits provided such units have not been previously deed-restricted for affordability.** Units must be of equivalent value, quality and size of the deed restricted units that would have been constructed on-site. Existing units must be in move-in condition with appliances,

windows, heating, plumbing, electrical systems, fixtures and equipment in good working condition. The value of dedicated existing units will be determined, at the expense of the developer, by an appraiser selected by the developer from a list of certified appraisers provide by the City of by such alternative means of valuation as to which a developer and the City may agree. All units shall be inspected and shall meet applicable Park City building codes. Applicant shall bear the costs and expenses of any required upgrades to meet the above standards as well as any reports required to assess the suitability for occupancy and compliance with the standards of the proposed units. All appliances and products including light bulbs shall be Energy Star qualified products.

4. **Construction of units outside Park City, but within the Park City School District boundary 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.** The developer may elect to (a) convey land to the City or its designee that is of equivalent value to the cash in lieu contributions that would be required under this Resolution, plus an additional 25 percent to cover costs associated with holding, developing, improving or conveying such land; or (b) convey land to the City or its designee that is of equivalent value (as of the date of conveyance) to that land upon which required units would otherwise have been constructed and properly zoned such as to allow construction of at least that number of units for which the obligation of construction is being satisfied by the dedication of the land. Land conveyance shall occur prior to the issuance of any building permit for the free market portion of the development. Should the City Council later elect to sell the land, all proceeds from the sale of the land shall be placed in a dedicated housing fund.
6. **Payment of Fees in Lieu of Development.** If the City determines that (1) no other alternative is feasible, or (2) such a payment would result in more immediate development of housing or (3) such a payment would leverage additional resources, then a Payment of Fees in Lieu of Development may be accepted. The 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 Payment in Lieu Fee shall be calculated 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 and employee housing.

**SECTION 10. DEED RESTRICTION.** Prior to the plat recordation provisions to ensure continued affordability of inclusionary units shall be embodied in legally binding agreements and/or deed restrictions, which shall be prepared by the developer, but which shall not be recorded or filed until reviewed and approved by the City Attorney with such modifications as it may deem necessary to carryout the purpose of this Resolution. No building permit application shall be accepted in the absence of proof of the execution of requirement agreements and covenants. In the event such restrictions are voided by bankruptcy or other legal action, the City may revoke the Certificate(s) of Occupancy until such time as subsequent owner complies with the standards herein.

**SECTION 11. TIMING OF OCCUPANCY.** The affordable units shall be ready for occupancy no later than the date of the initial or temporary occupancy of the free market portion of the project. If the free market units are to be developed in phases, then the affordable housing can be developed in proportion to the phasing of the free market units as approved in the Housing Mitigation plan.

**SECTION 12. APPLICABILITY OF RESOLUTION TO PRIOR APPROVALS OR PENDING APPLICATIONS.**

**A. Prior Development Agreements.** Developments, which received development plan approvals prior to the adoption of this housing resolution, shall conform to the provisions of the resolution in place at the time of applicable complete application. Any modifications to an existing Development Agreement that results in an increase in housing units or employee generation shall be subject to the provisions of this Resolution.

**B. Prior Annexation.** Unless otherwise provided in Conditions of Approval or a Development Agreement, Developments subject to affordable housing requirements imposed by annexation agreements entered into prior to the effective date of this Resolution may develop in conformity with the Resolution in place at the time the Annexation Agreement was approved.

**C. Pending Project Approval Actions.** Developments for which complete applications were filed prior to the effective date of this Resolution, but have not been reviewed by the appropriate body, must conform to the Resolution in place at time of application.

**SECTION 13. HOUSING MITIGATION PLAN.** The Applicant shall submit a Housing Mitigation Plan. The Housing Mitigation Plan shall be reviewed by the Planning Commission as part of the application to the City for the Annexations or Master Planned Development with a recommendation forwarded to the City Council. The Housing Mitigation Plan shall include the following:

**A. Calculation and Method.** The calculation of, and method by which housing is to be provided, in compliance with Section 8 "Calculation of Minimum Affordable Housing Requirement" and Section 9 "Method of Housing Requirement Compliance."

**B. Unit Descriptions.** If affordable housing units are to be developed, a site plan and building floor plans (if applicable), illustrating the number of units proposed, their location, the number of bedrooms in and square foot of each unit, and the rental/sale mix of the development. The proposed sale prices and rent levels shall also be included.

**SECTION 14. CONSTRUCTION TIMING.**

**A. Construction of Market Units.** Affordable units shall be made available for occupancy on approximately the same schedule as a project's market units; except that Certificates of Occupancy (temporary or permanent) for the last ten percent of the market units shall be withheld until Certificates of Occupancy have been issued for all of the inclusionary units. Other phasing agreements may be accepted, if doing so would accomplish additional benefits from the City consistent with the purposes of this Resolution. A schedule setting forth the phasing of the total number of units in a covered project, along with a schedule setting forth the phasing of the required inclusionary units shall be approved prior to the issuance of a building permit.

Household Income. The assumptions used to calculate the sales price shall be: (i) a 5% down payment; (ii) a 30-year term; and (iii) an interest rate equal to the prevailing FirstHome rate, or its program equivalent, of the Utah Housing Corporation ([www.utahhousingcorp.org](http://www.utahhousingcorp.org)) at the time of the offer.

**D. Appreciation Limits.** Provisions to ensure continued affordability of inclusionary units offered for sale shall include a formula limiting equity appreciation to either a shared percentage of the equity appreciation or a cap on the equity appreciation, with such adjustments for improvements made by the seller and necessary costs of sale as may be approved by the City. The form of the resale restriction shall be determined by the City at the time of approval of the Housing Mitigation Plan.

**E. Limitation on Rental Rates and Terms.** The rate at which an Owner shall rent the Units shall not exceed the Maximum Rent as established by the City. The Maximum Rent shall be set as affordable to households earning 100% of Park City Workforce Wage and adjusted annually by the percentage increase in the Consumer Price Index for the western region. Allowable increase will be published in April of each year on the City's affordable housing webpage. Unless otherwise approved, the minimum lease term shall be six months.

**F. Income Limits.** The City reserves the right to place an income/asset limitation for prospective owners or renters as needed to further the goals of this Resolution.

**G. Park City Workforce Wage.** Park City Workforce Wage for a family of three shall be calculated in April of each year and published on the City's affordable housing webpage. It is based on the prior year's wages as reported by the Utah Division of Workforce Services. Workforce Wage is calculated as follows:

- Summit County median wage for prior year;
- Add six percent for additional earnings such as tips, incentives, bonuses, and overtime as well as other income such as investments and non-cash benefits; and
- Multiply total by 1.5 to account for the average household in Park City having 1.5 workers.

**SECTION 18. TERM OF AFFORDABILITY.** The Term of Affordability shall be for a period of not less than forty (40) years. At the expiration of the initial forty (40) year term, this Agreement shall be reviewed for additional consecutive ten (10) year terms, unless the City shall determine, based on an independent housing needs assessment, that the Unit is no longer necessary to satisfy the affordable/employee housing needs in Park City.

**SECTION 19. WAIVERS.** The City Council may waive all or part of the requirements of this Resolution in exchange for enhanced project affordability or livability including but not limited to the incorporation of sustainable building practices and systems in the unit design and development.

**SECTION 20. ADMINISTRATIVE RELIEF.** The City Council may waive all or part of the requirements of this Resolution where the applicant can establish by clear and convincing financial data and other evidence relating to the character of the development or surroundings that the imposition of the requirements set forth in this article shall create an economic hardship.

**B. Fulfillment in Advance of Obligation.** Affordable units may be completed in advance of development that triggers an affordable housing obligation. In instances where a residential or commercial developer wants to build and deed restrict units in advance of incurring an affordable housing obligation, the units will be valued as to number of AUEs under the Housing Resolution in existence at the time the market development occurs. The future development shall be identified within the recorded deed restriction document. The units shall be built in accordance with prevailing Land Management Code and deed restricted at the time of approval. The total square footage of deed restricted units will be converted to Affordable Unit Equivalents in compliance with the Housing Resolution in effect at the time a plat is approved for the development that triggers the housing obligation. If for some unforeseen reason, the development triggering the obligation is not completed, the City will entertain a request that the recorded deed restriction(s) on the affordable units be removed.

**SECTION 15. GOOD FAITH MARKETING REQUIRED.** All sellers or owners of deed restricted affordable units shall engage in good faith marketing efforts each time a deed restricted unit is rented or sold such that members of the public who are qualified to rent or purchase such units have a fair chance of becoming informed of the availability of such units. A public marketing plan shall be submitted by the developer for the initial sale or lease of the units.

**SECTION 16. LOCAL PREFERENCE OPTION.** In order to address the City's local preference options, any deed restricted affordable housing project shall give preference to full-time employees (a minimum of 30 hours per week) of businesses within the Park City School District boundaries. Preference is also given to Senior Citizens (62 & older) and persons who are physically and/or mentally challenged.

**SECTION 17. MAXIMUM RENTS AND SALES PRICES.** The following provision shall apply to the calculation of rents, selling prices and/or carrying charges of deed restricted affordable units.

**A. Occupancy.** In calculating the rents or carrying charges of inclusionary units, the following relationship between unit size and household size shall apply:

- Dormitory/Single Room Occupancy: 1 person per 150 net livable square feet.
- Studio/Efficiency: 1 person per household
- One-bedroom: 1.5 person household
- Two-bedrooms: 2.5 person household
- Three-bedroom: 4 person household
- Four-bedroom: 6 person household.

**B. Rental Units.** Inclusionary rental units in any one development shall be rented at a price, which, on average, is affordable to a household with an annual income of 100% of the Park City Workforce Wage.

**C. For Sale Units.** The initial sales price for an affordable unit in any one development shall average a price affordable to a household earning 150 percent of Park City Workforce Wage ("Target Household Income"). Sale Price shall be calculated according to the following guidelines: utilities plus mortgage payment for the Owner Occupied Unit, including principal, interest, taxes and insurance ("PITI"), shall not exceed 30% of the Target

The Council shall use the same standards that it applies to historic properties in making a determination of economic hardship. A waiver under this section shall be granted only to the extent necessary to relieve the hardship or difficulty that serves as the basis for the requested waiver and shall not be considered precedent for future requests for administrative relief.

**SECTION 21. SEVERABILITY.** If any section, subsection, sentence, clause, phrase or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate distinct and independent provision and such holding shall not affect the validity of the remaining portions of the Resolution.

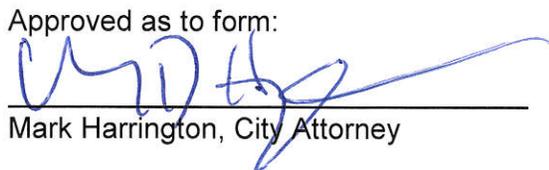
**SECTION 22. EFFECTIVE DATE.** This Resolution shall take effect upon adoption by the City Council. All prior Housing Resolutions and parts of Resolutions in conflict with the provisions of this Resolution are hereby repealed. This Resolution repeals and replaces all prior housing resolutions including Resolutions 37-91, 8-93, 6-94, 7-95, 17-99, 10-2006, 20-07, 25-12 and 02-15.

PASSED AND ADOPTED this 9th day of July, 2015.

PARK CITY MUNICIPAL CORPORATION

  
\_\_\_\_\_  
Mayor Jack Thomas

Attest:   
\_\_\_\_\_  
~~Marci Heil, City Recorder.~~ Kristin Parker  
Deputy City Recorder

Approved as to form:  
  
\_\_\_\_\_  
Mark Harrington, City Attorney





July 27, 2015

Hank Louis  
Mr. Peabody LLC  
PO Box 3360  
Park City, UT 84060

**NOTICE OF PLANNING COMMISSION ACTION**

<u>Application #</u>	PL-15-02698
<u>Address</u>	1893 Prospector Avenue (Lot 25b)
<u>Description</u>	Master Planned Development
<u>Action Taken</u>	Approved with conditions
<u>Date of Action</u>	July 8, 2015

On July 8, 2015, the Park City Planning Commission called a meeting to order, a quorum was established, a public meeting was held, and the Planning Commission approved the application for a Master Planned Development located at 1893 Prospector Avenue based on the following findings of fact, conclusions of law, and conditions of approval:

**Findings of Fact**

1. The subject property is located at 1893 Prospector Avenue and consists of Lot 25b of the Gigaplat replat, a replat of Lots 25a, 25b, and Parking Lot F of the Prospector Square Supplemental Amended Plat.
2. The Gigaplat replat was approved by City Council on June 5, 2014. The final mylar was recorded on May 1, 2015.
3. Lot 25b is a vacant, undeveloped privately owned development lot that is currently part of an asphalt parking lot. The lot contains 5,760 sf.
4. The property is located in the General Commercial (GC) zone and within the Prospector Square Subdivision Overlay.
5. On December 15, 2014, Staff received an application for a pre-MPD for the Central Park City Condominiums (fka Central Park City Apartments) project located in the General Commercial zoning district. The application was considered complete on February 24, 2015.
6. On February 24, 2015, the applicant submitted a complete application for the Conditional Use Permit for residential uses in the GC District. The CUP application was revised on April 13, 2015 to incorporate the required affordable unit, bringing the total number of residential units to eleven.
7. The MPD is being processed concurrently with the Conditional Use Permit for

residential uses in the General Commercial district.

8. On March 25, 2015, the Planning Commission conducted a public meeting on the pre-MPD and Conditional Use Permit application. The Commission found that the pre-MPD preliminary concept plans were consistent with the General Plan and GC Zone. The Conditional Use Permit application was reviewed and continued to the April 8<sup>th</sup> meeting where it was continued to the May 13, 2015 meeting.
9. In the General Commercial (GC) zoning district, residential uses, including multi-dwelling units, are required to be reviewed per the Conditional Use Permit criteria in the Land Management Code (LMC) and require approval by the Planning Commission. Retail, restaurant, bars, offices uses, and similar uses are allowed uses in the GC zone.
10. An FAR of 2 is allowed for buildings within the Prospector Square Subdivision Overlay.
11. The proposed building consists of approximately 11,279 sf of residential uses and circulation area. The proposed FAR is 1.96. There are seven units at approximately 810 sf, three units at 1,017 s, and one studio unit at 500 sf. The units are designed to be smaller, attainable market rate dwelling units for full time residents. At least one, if not two of the units will be deed restricted affordable units to satisfy the required affordable housing obligation required by Resolution 2-15, pending approval by the Housing Authority. The remaining units will be market rate units.
12. Maximum building height in the GC zone is 35' and the applicant has requested through the MPD application, a building height exception of six feet six inches (6'6") for the eastern portion of the building to a height of 41'6". Approximately 30% of the total roof area is subject to the height exception request. The remaining roof areas (70%) of the building less than 35' in height.
13. The building does not exceed the allowable density or maximum floor area ratio (FAR of 2) as allowed by the GC zone based on the total lot area.
14. There are no adjacent structures that will experience potential problems, such as shadowing, loss of solar Access, and loss of air circulation due to the extra 6'6" of building height for the eastern 30% of the building. The neighboring condominium properties to the east and west are located more than 120' away from the subject building. The proposed building at 1897 Prospector is located 50' to the north with the residential units located on the upper floors and the property management shop located on the eastern portion of the building so as to not be affected by shadows, solar access or air circulation. The rail trail, while not an adjacent Structure, is located approximately 65' to the south of the building, and is approximately 12' higher than the parking lot. The building will not cause loss of solar access or air circulation on the rail trail due to the location, orientation, and relationship of the building to the trail.
15. Additional landscaping is proposed that does not currently exist within the parking lot and along the perimeter of Parking Lot F that will provide vegetated buffering between the proposed building and adjacent structures and rail trail as noted in #13 above. There is sufficient setback and separation between the proposed building and the edge of Parking Lot F to buffer the adjacent condominium buildings from adverse impacts due to the additional building height.
16. There is no requirement of open space in the GC zone, however, additional Building Height results in a more articulated and open building design with the opportunity to provide open decks and patios as useable open areas for the residents.
17. The applicant provided renderings, floor plans, and elevations that demonstrate the

transition in roof elements and articulation provided by the additional height for a portion of the building that complies with the façade variation and articulation as required in Chapter 5 Architectural Guidelines.

18. Utilities necessary for this use are available at or near the site. A utility plan was approved by the City Engineer and utility providers and utility easements necessary for the use were provided on the plat amendment prior to recordation.
19. Any additional utility capacity, in terms of fire flows and residential fire sprinklers will be reviewed by the Fire District, Water Department, and Building Department prior to issuance of a building permit and prior to recordation of the subdivision plat. Necessary utilities and upgrades shall be installed as required by the City Engineer
20. Twelve (12) parking spaces are required for the proposed residential uses. Twelve covered parking spaces are proposed on the main level. Parking within Prospector Square is shared and upon completion of the reconfigured Parking Lot F, there will be a total of 103 parking spaces, including the 12 spaces located under the building, as per the Owner's parking agreement with the Prospector Square Property Owner Association. All 103 parking spaces are intended to be shared parking per the parking agreement. There are approximately 91 spaces currently.
21. A pedestrian bridge connection to the Rail Trail is proposed from the building. The Rail Trail is owned by State Parks and certain permits and/or encroachment agreements will be necessary in order to construct the bridge. The informal connection from Lot F to the Rail Trail will be maintained.
22. The site plan includes an existing trash/refuse area that the applicant will screen by constructing an enclosure of materials compatible with the building. Recycling facilities for the building will be provided on the lower parking level to be convenient to the residents.
23. No outdoor storage of goods or mechanical equipment is proposed.
24. No fencing is proposed.
25. The three and four story building is proposed to be located north of the Rail Trail fully within platted Lot 25b. The Prospector Overlay within the GC zone allows zero setbacks to property lines. The building is oriented towards the Rail Trail and is separated from the Rail Trail and adjacent buildings so as not to cause adverse shadowing on any existing units, or on the Rail Trail.
26. The building includes façade shifts on all elevations. Residential uses are located on the second, third, and fourth floors with common outdoor terraces and green roof elements oriented to the south.
27. No changes to the existing open space within the Prospector Square planned area are proposed with the residential uses. The new building is proposed to be constructed on an existing re-platted lot. Common decks and terraces are provided as open areas for the residents of the units to share.
28. The physical design of the building, in terms of mass, scale, style, design and architectural detailing complies with Title 15-5-5- Architectural Design Guidelines of the Land Management Code and is compatible with the surrounding buildings. The proposed building is contemporary and distinct in design and compliments the variety of building styles in the area. Materials consist of wood, metal, concrete and glass. Green planted roofs and roof terraces provide outdoor space for the residents.
29. No signs are proposed at this time. All signs are subject to the Park City Sign Code.
30. Exterior lighting will be reviewed at the time of the building permit review.
31. The residential uses will not create noise, vibration, odors, steam or other mechanical factors that might affect people and property off-site.

32. The applicants propose to design and construct an enclosure for the existing trash dumpster located at the southwest corner of the parking lot. The service area within the enclosed parking area will include a recycling area.
33. There are no loading docks or delivery bays associated with these uses.
34. The applicant initially intends to own the building and rent the units as long term residences. If the owner desires to sell individual units in the future, a condominium record of survey plat will need to be applied for and recorded at Summit County.
35. The proposal exists within the Park City Soil Ordinance Boundary.
36. The development is located in a FEMA Flood Zone A.
37. The development is located adjacent to a stream with wetlands.
38. The project must comply with the Park City Housing Resolution 02-15 which requires a 15% affordable housing obligation (1.5 AUE at 900 sf per AUE). The applicant's affordable housing mitigation plan outlines two options: 1) include on site the necessary affordable unit equivalents (AUE) or 2) include one affordable unit for a portion of the required AUE and pay the in-lieu fee for the remaining AUE square footage (Exhibit A2). The applicant's preference is to include two required deed restricted units and nine market rate units within the proposed building. The Park City Housing Authority has final approval authority of the Housing Plan.
39. On May 13, 2015, the Planning Commission conducted a public hearing and approved a Conditional Use Permit for residential uses in the GC Zoning District for this project and continued the Master Planned Development to May 27, 2015.
40. On May 27, 2015, the Planning Commission conducted a public hearing and continued the item to July 8, 2015. No public input was provided.
41. The findings in the Analysis section of this report are incorporated herein.

#### Conclusions of Law

1. The MPD, as conditioned, complies with all the requirements of the Land Management Code.
2. The MPD, as conditioned, meets the minimum requirements of Section 15-6-5 of the LMC Code.
3. The MPD, as conditioned, is consistent with the Park City General Plan.
4. The MPD, as conditioned, provides the highest value of open space, as determined by the Planning Commission.
5. The MPD, as conditioned, strengthens and enhances the resort character of Park City.
6. The MPD, as conditioned, compliments the natural features on the Site and preserves significant features or vegetation to the extent possible.
7. The MPD, as conditioned, is Compatible in Use, scale and mass with adjacent Properties, and promotes neighborhood Compatibility and protects residential neighborhoods and Uses.
8. The MPD provides amenities to the community so that there is no net loss of community amenities.
9. The MPD, as conditioned, is consistent with the employee Affordable Housing requirements as adopted by the City Council at the time the Application was filed.
10. The MPD, as conditioned, meets the provisions of the Sensitive Lands requirements of the Land Management Code. The project has been designed to place Development on the most developable Land and least visually obtrusive portions of the Site.
11. The MPD, as conditioned, promotes the Use of non-vehicular forms of transportation

- through design and by providing trail connections.
12. The MPD has been noticed and public hearing held in accordance with this Code.
  13. The MPD, as conditioned, incorporates best planning practices for sustainable development, including water conservation measures and energy efficient design and construction, per the Residential and Commercial Energy and Green Building programs and codes adopted by the Park City Building Department in effect at the time of the Application.
  14. The MPD, as conditioned, addresses and mitigates Mine Waste and complies with the requirements of the Park City Soils Boundary Ordinance.
  15. Additional building height, as reviewed by the Planning Commission on July 8, 2015, complies with the criteria for additional building height per LMC Section 15-6-5 (F).

#### Conditions of Approval

1. All standard conditions of project approval shall apply to this project.
2. Any signs associated with the use of the property must comply with the City's Sign Code.
3. No outdoor storage of goods or mechanical equipment is allowed on-site. The location of the trash dumpster enclosure shall be approved by the Planning Department prior to building permit issuance.
4. Review and approval of a final drainage plan by the City Engineer is required prior to building permit issuance.
5. Review and approval of the final utility plans, including review to ensure adequate fire flows for the building, is required prior to building permit issuance.
6. Prior to issuance of a certificate of occupancy for the building, the reconfigured Parking Lot F shall be completed, including paving, striping, and landscaping.
7. Final building plans, exterior building materials and colors, and final design details must be in substantial compliance with the plans reviewed by the Planning Commission on July 8, 2015 and shall be approved by staff prior to building permit issuance.
8. Building Height will be verified for compliance with the approved MPD plans prior building permit issuance.
9. The Construction Mitigation Plan, submitted prior to building permit issuance, shall include detailed information regarding coordination of utility installation, reconstruction of Parking Lot F, and the provision of an interim parking plan during construction.
10. Prior to construction of the pedestrian bridge connection to the Rail Trail all required permits and/or encroachment easements and agreements shall be obtained from the State Parks property owner and the City. If required permits, easements, and agreements are not obtained the bridge will not be constructed.
11. A stream alteration permit and/or 404 permit will be required for any work in the stream area.
12. An elevation certificate will be required showing that the lowest occupied floor is at or above the base flood elevation.
13. A stream study will be required to determine the upstream and downstream flood plain impacts. Impacts will be required to be mitigated.
14. A wetland delineation study by a certified wetland delineator will be required prior to building permit issuance to verify if any wetlands will be disturbed with construction of the building.
15. As part of the final utility plan and prior to issuance of a building permit, the water

system must be modeled to verify that adequate fire flows and pressures can be provided to this building.

16. All exterior lighting on the terraces and porches shall be reviewed by the Planning Department with the Building Permit application and shall be subdued, down directed, shielded, and with no exposed bare bulbs.
17. A Development Agreement shall be ratified by the Planning Commission within six months of this approval. The Agreement shall reiterate all applicable requirements for Development Agreements in the LMC as well as zoning requirements related to findings, conclusions, and conditions of approval of the MPD.
18. The Affordable Housing Mitigation Plan shall be approved by the Housing Authority and shall be included in the final Development Agreement.
19. All required affordable housing shall be complete, with certificates of occupancy issued and/or fees in-lieu paid in full, prior to issuance of any certificates of occupancy for the market rate units.
20. The building plans shall be reviewed at the time of the building permit review for incorporation of best planning practices for sustainable development, including water conservation measures and energy efficient design and construction, per the Residential and Commercial Energy and Green Building programs and codes adopted by the Park City Building Department in effect at the time of the Application.

If you have questions regarding your project or the action taken please don't hesitate to contact me at (435) 615-5066 or [kirsten@parkcity.org](mailto:kirsten@parkcity.org).

Sincerely,



Kirsten Whetstone  
Senior Planner

File

Park City Planning Department, PO Box 1480, Park City, UT 84060



## Exhibit D

### Draft Approval for Affordable Housing Mitigation Plan for Central Park City Condominiums

#### FINDINGS, CONCLUSIONS OF LAW AND CONDITIONS OF APPROVAL FOR APPROVAL OF THE AFFORDABLE HOUSING MITIGATION PLAN FOR CENTRAL PARK CITY CONDOMINIUMS AT 1893 PROSPECTOR AVENUE

WHEREAS, the owners of the Central Park City Condominiums project located at 1893 Prospector Avenue have applied for an Master Planned Development (MPD) to construct 10 condominium units;

WHEREAS, Park City Housing Resolution 13-15 establishes affordable housing obligations triggered by MPD applications; and

WHEREAS, the owner submitted a proposed housing mitigation plan on April 13, 2015 and submitted updated information on October 13, 2015.

WHEREAS, the MPD application was approved by the Planning Commission on July 8, 2015.

NOW, THEREFORE, the Housing Authority of Park City, Utah hereby approves the Housing Mitigation Plan as follows:

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Housing Mitigation Plan attached is approved subject to the following Findings of Fact, Conclusions of Law, and Conditions of Approval. .

#### **Findings of Fact:**

1. The subject MPD proposes a total of 10 condominium units with an 11<sup>th</sup> unit added to fulfill the Affordable Housing units on site.
2. Housing Resolution 13-15 establishes an obligation equal to 15 percent of proposed residential units which amounts to 1.5 affordable unit equivalents (AUE).
3. An AUE is equal to 900 square feet bringing the total square footage obligation to 1,350.
4. Housing Resolution 13-15 establishes a number of options for fulfillment of housing obligations and sets a priority that units be fulfilled on-site.

#### **Conclusions of Law:**

1. The Housing Mitigation Plan is consistent with Housing Resolution 13-15.
2. The Housing Mitigation Plan complies with Land Management Code.

3. The Central Park MPD application was approved by Planning Commission on July 8, 2015 pending Housing Authority approval of the Housing Mitigation Plan.

**Conditions of Approval:**

1. A note shall be added to the Plat which shall also include the CCRs/deed restriction in a form approved by the City Attorney stipulating which units are deed restricted for affordability and defining terms in fulfillment of AUE obligations consistent with Resolution 13-15.
2. A Deed Restriction approved by the City Attorney shall be recorded against two AUEs establishing that the units shall be owner-occupied by primary residents.
3. Declaration of Covenants, Conditions and Regulations are approved by the City Attorney shall be adopted for the property establishing affordability protections for the deed restricted AUEs such as fractional par rates and/or assessments based on discounted voting privileges.
4. No changes shall occur in the total number of units approved in the MPD and no units shall convert from residential to commercial use.
5. Pricing and sizing remains as stipulated in attached Approved Plan

SECTION 2. EFFECTIVE DATE. This approval shall take effect upon adoption and execution.

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_ 20\_\_.

PARK CITY MUNICIPAL CORPORATION

\_\_\_\_\_  
Jack Thomas, MAYOR

Attest:

\_\_\_\_\_  
City Recorder

Approved as to Form:

\_\_\_\_\_  
Mark Harrington, City Attorney

**CENTRAL PARK CITY CONDOMINIUMS  
APPROVED  
AFFORDABLE HOUSING MITIGATION PLAN**

**MPD Plan approved by Planning Commission on July 8, 2015:**

**Three 2 bedroom/2 bathroom and seven 2 bedroom/1 bathroom units ranging between 855 and 1,017 square feet each and one studio unit of 500 square feet which was added to incorporate affordable units on-site.**

**AUE Plan:**

The Affordable Housing Units (AHU) that would be deed restricted includes the studio and one of the 2 bedroom/1 bathroom units. Every unit includes a ground level storage locker. Deed Restricted square feet would total to 1,355 detailed below:

Studio Unit	500 sf.
<u>2 bedroom/1 bathroom</u>	<u>855 sf.</u>
Total AHU sf.	<b>1,355 sf.</b>

**Sales Prices:**

- **Studio - \$150,000**
- **2 bedroom/1 bathroom - \$215,000 to \$250,000**